

NORTH SALT LAKE CITY
PLANNING COMMISSION MEETING MINUTES
JUNE 14, 2011

Commission Chairman Eric Klotz called the meeting to order at 7:00 p.m. and welcomed those present.

PRESENT: Commission Chairman Eric Klotz
Commissioner Jim Allen
Commissioner Doug Cary
Commissioner Beth Goodrich
Commissioner Kim Jensen
Commissioner Bruce Oblad
Council Member Brian Horrocks

STAFF PRESENT: Ken Leetham, Community and Economic Development Director; Paul Ottoson, City Engineer; Ali Avery, City Planner; Linda Horrocks, Minutes Secretary.

OTHERS PRESENT: Ken Cutler, Interwest Construction; Russ Tolbert, Hallmark Homes; Laura Aase, Landon and Amanda Webb, residents; and members of Commissioner Jensen's family.

1. PUBLIC HEARING FOR AND CONSIDERATION OF THE PROPOSED PLAT AMENDMENT FOR 736 NORTH REDWOOD ROAD. INTERWEST CONSTRUCTION – KEN CUTLER

Ali Avery presented the plat amendment to the Planning Commission and stated that a conditional use permit was approved for this location October 26, 2010 granting a reduction in minimum lot size for the M-D District. The applicant would like to divide the approximately 1.81-acre lot into two lots (slightly less than one-acre each).

Commissioner Allen asked Mr. Leetham the status of the City's rezoning plans for Redwood Road. Mr. Leetham responded that this development is consistent with the City's vision in the new General Plan.

Council Member Horrocks asked why the lot was originally designed at two-acres. Mr. Cutler responded that the owner would not sell anything less. He then added that the reason for the lot split is that Family Dollar does not need the entire parcel. (As a side note, he reported that they hope to have the store open in October.)

Mrs. Avery suggested the Planning Commission include a condition that a sanitary sewer maintenance agreement and an access agreement between the two proposed lots be recorded with Davis County within thirty (30) days of recording the new plat.

Chairman Klotz opened the public hearing at 7:09 p.m. There were no public comments, and he closed the meeting at 7:09 p.m.

Commissioner Allen moved to recommend approval of the proposed plat amendment for Lot 6, Hughes Industrial Park Amended, with the condition that a sanitary sewer agreement and an access agreement between the two proposed lots be recorded with Davis County within thirty (30) days of recording the plat. Commissioner Jensen seconded the motion. The motion was approved by Commissioners Cary, Allen, Klotz, Goodrich, Oblad, Jensen and Council Member Horrocks.

2. PUBLIC HEARING FOR AND CONSIDERATION OF THE PROPOSED PLAT VACATION OF FOXBORO SOUTH PLAT 5 LOCATED IN THE FOXBORO SUBDIVISION. HALLMARK HOMES – TOM NIXON, APPLICANT

Ali Avery reported that for financial reasons, Hallmark Homes would like to vacate the undeveloped portion of plat 5 in Foxboro. Staff recommends approval of this plat vacation with the condition that the future plat(s) on this property conform to the originally approved concept plan for Foxboro. Mrs. Avery stated that because there is a development agreement for Foxboro, any future plans would have to be platted the same.

There was some concern about weeds in this area. Mrs. Avery stated that Hallmark Homes will still own the property, and are required to control the weeds.

Council Member Horrocks then questioned why the Planning Commission should approve this plat vacation. Although the City does not gain much from property taxes, the school district, county, and other entities would most likely object to this vacation issue.

Russ Tolbert, Hallmark Homes, responded that there are two reasons for this request. They are currently carrying a bond for about \$6,000. By vacating this plat, it would save their company approximately \$15-20,000 per year. He stated that they discussed this with Davis County, and they were supportive of this. He added that there are no houses on this property.

Chairman Klotz opened the public hearing at 7:21 p.m.

Kevin Shipp, Boston Court, stated that his property backs onto light industrial zoning, and wanted to make sure that if the Hallmark property were sold in the future, the development agreement and zoning regulations would ensure the property could only be developed into homes.

Mr. Leetham stated that in order to do anything different than what is planned, a property owner would have to petition the City for a change. A public hearing would be held, and nearby owners would be notified, etc. The City has complete discretion to deny a change. His personal opinion is that the land uses are currently set up correctly, and staff would not recommend approval of anything non-residential. Mr. Leetham added that there would also be a public hearing next week at the City Council meeting.

Laura Aase, 911 Somersby, stated that her back yard is adjacent to this empty lot owned by Hallmark, and to the side of her property is supposed to be a future park, also not there. They purchased their home last October, and she and her husband are very concerned about the delay of the park. Her husband was told that the park could not be built until the road goes through, although money had been designated for the park. Ken Leetham stated that staff would determine that information for Ms. Aase and get back with her about the timing of the Foxboro South Park. She wanted to ensure that the plat vacation would not hold up the timing of the park. Mr. Leetham stated that the park does not have anything to do with Hallmark's issue.

Mr. Tolbert said Woodside Homes owns the property, and Hallmark Homes is as frustrated as anyone that the park has not gone in. It is an unusually shaped plat.

Chairman Klotz asked if it was true that the park was already funded, as Mrs. Aase had indicated. Mr. Leetham said he will look into that and determine where, on the capital improvement plan, the park is slated.

Chairman Klotz closed the public hearing at 7:32 p.m.

Commissioner Allen asked how many empty lots Hallmark Homes owns. Mr. Tolbert said that in Phase 4, they have 17 vacant lots. Once they get a manageable number of lots in Phase 4, their plan is to submit a manageable plan for Phase 5A (as they would call it). Because of economic reasons and the real estate market, it does not make sense for them to develop all 45 lots.

Council Member Horrocks moved to recommend the City Council approve the proposed plat vacation for Foxboro South Plat 5 with the condition that the future plat(s) on this property conform to the originally approved concept plan and development agreement for Foxboro. Commission Cary seconded the motion. The motion was approved by Commissioners Cary, Klotz, Goodrich, Oblad and Jensen. Commissioner Allen voted in opposition to the motion. The motion passed.

3. APPROVE MINUTES

The Planning Commission meeting minutes of May 31, 2011 were reviewed and amended. **Commissioner Goodrich moved to approve the May 31, 2011 Planning Commission minutes as amended. Chairman Klotz seconded the motion. The motion was approved by Commissioners Cary, Allen, Klotz, Goodrich, Oblad, Jensen and Council Member Horrocks.**

4. ADJOURN

Chairman Klotz adjourned the meeting at 7:45 p.m.

Chairman

Secretary