

CITY OF NORTH SALT LAKE  
PLANNING COMMISSION MEETING  
MARCH 26, 2019

**FINAL**

Commission Chair Ted Knowlton called the meeting to order at 6:27 p.m. and Stephen Garn led those present in the Pledge of Allegiance.

PRESENT: Commission Chair Ted Knowlton  
Commissioner Stephen Garn  
Commissioner Kent Kirkham  
Commissioner William Ward  
Commissioner Brandon Tucker  
Commissioner BreAnna Larson

EXCUSED: Commissioner Natalie Gordon

STAFF PRESENT: Sherrie Llewelyn, Community Development Director; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Ben Kendrick, Robin Kendrick, Linda Robinson, Brad Wade, Colin Key, Jami Key, Wendy Thompson, Brian Myers, Maria Wilkes, Diane DeLuca, Lisa Hicks, Kelly Hicks, James Smart, Julie Sim, Marta Garcia, Rose VanDiggelen, Bountiful residents; Dee Lalliss, Claudia Heaps, Clint Clifford, residents; Hai Fitzgerald, E & H Group/ Thyme and Seasons; Troy Young, Keith Keyser, KyndGrowz LLC; Parker McGarvey, Ed Grampp, CW Land/The Ridge development; Spencer Ward, Tom Stuart Construction; Greg Day, CW Land; Darlene Carter, CW Urban; Joe McAllister, Lake View Rock Products.

1. PUBLIC COMMENT

There were no public comments.

2. PUBLIC HEARING-CONSIDERATION OF A REQUEST FOR A P-DISTRICT  
REZONE FOR THE WINNIE, PH. 2 (22 TOWNHOMES) LOCATED AT  
APPROXIMATELY 650 NORTH ORCHARD DR., CW LAND, APPLICANT

Sherrie Llewelyn reported this property was the former Winegar's Grocery store site. The final plat was recently approved for the first phase of The Winnie Townhome development. This 0.83 acre parcel was lot 54 of the subdivision. When the original application was filed the owner had expressed interest in developing the lot as a future mixed use with commercial. However, after market analysis it was determined that the best use for the site was to expand the residential with additional townhome units. Since making the application for Phase 1, the development code had

been amended to require future multi-family housing in the Commercial Shopping (C-S) Zone be required to apply for a Planned (P) District Rezone.

The requested density would be 22 additional townhomes on the property. The units along Orchard Drive would be three story with tandem garages and the interior units would be two story with two car wide garages. The requested density would be 26 units per acre. At the time of concept approval the Planning Commission approved a density of up to 22 units per acre. The maximum density under the approved concept plan would be limited to 16 units per acre without an approval to modify that density. The Planning Commission must determine what the approved density for the project would be. Sole access to the site would be off Orchard Drive with a shared access between Thyme and Seasons.

Sherrie Llewelyn then showed examples of the elevations of the units along Orchard Drive with the tandem garages. The proposed parking for the development would be two garage spaces per unit and an additional four guest spaces. Phase 1 exceeded the required guest parking by six spaces which are proposed to be shared by Phase 2. The parking for Phase 1 would be 126 total spaces for a ratio of 2.38 spaces per unit with 46 total spaces for Phase 2 at a ratio of 2.05 spaces per unit for a total of 172 spaces for the entire project. The standard parking requirement would be 2.25 spaces per unit and the entire project would be 2.33 spaces per unit.

The pedestrian access to the project would be provided via sidewalks in front of each unit. Units 1-14 each have sidewalks from the front doors to the sidewalks. An area would need to be provided for a bus shelter that will be placed at the existing stop to be installed with approved UTA Prop 1 Funding.

The proposed landscaping would be approximately 24% of the site with common green area between Phases 1 and 2. At this time no amenities have been proposed for the site so the Development Review Committee (DRC) requested that the Planning Commission make a determination regarding any requirements for amenities on the site.

The proposed architecture along Orchard Drive would be three story townhomes with modern style and flat roofs consisting of brick, hardie and stucco trim. The proposed elevations appear white or gray so the DRC recommended contrasting colors be used in the construction. The front elevations of the interior buildings appear more commercial in nature rather than residential. The DRC recommended architectural modifications such as front porches, relief, and additional windows for a more residential appearance. Both designs be modified at the roof lines to decrease the long lineal nature of the structure.

The DRC provided several motions for consideration including denial, tabling the item and also approval with five conditions addressing the number of units, the parking density, determination on tandem garages, required amenities, and architectural modifications.

Greg Day, CW Land, commented that the original proposal was for a five story mixed use apartment building with a parking structure but found that it did not meet the acreage requirement for a P District. He said the City then changed the requirements of the C-S Zone which allowed them to resubmit as a P District.

**Chair Knowlton opened the public hearing at 6:39 p.m.**

Chair Knowlton said that the Planning Commission would not be the final decision making body for this application. He explained that the role of the Commission was to gather information and make a recommendation to the City Council.

Brian Myers, 448 West 3400 South in Bountiful, clarified that there was a typo in the subject line of the memorandum that stated this was a General Development Plan and P-District Rezone for Orchard Grove at 378 East Odell Lane. He then spoke on the P District Rezone and said that while it was inevitable it would be wise to approve the application with conditions. Mr. Myers said that the density at 22 units per acre was more than the approved density of Phase 1 and recommended that it be reduced to 12 to 16 units. He commented that parking was an issue as it took stalls away from Phase 1 and also expressed concern with the tandem garages with no driveways. Brian Myers also said that there should be no on street parking allowed along Orchard to allow for a safe view. He then commented that the façade of the buildings could be improved.

Hai Fitzgerald stated that he owned Thyme and Seasons for twelve years and said parking was an issue. He expressed concern with children riding their bikes on 3200 South as it was a very busy road.

Diane DeLuca commented that she agreed with what Brian Myers stated and also felt that these buildings were very unattractive.

Ben Kendrick, 3242 Plum Tree Lane in Bountiful, said that residential in the middle of the existing commercial would break up the commercial flow. He said that this proposal did not contribute towards the Village Center Zone which had been designated for this area. Mr. Kendrick also commented that the garages would be used for storage and not parking.

James Smart, 3248 Plum Tree Lane in Bountiful, said he seconded the opinion on the aesthetics of the project as well as the lack of commercial continuity. He commented that the proposed parking would not be enough especially with tandem garages. Mr. Smart expressed concern with the potential zone change and suggested that the property become parking and an amenity for the residents in the area.

Colin Key, 3471 South 525 West, spoke on his concerns with the proposed project including traffic issues, inadequate parking leading to on-street parking, impact on home values,

incompatibility of the design with the community aesthetic, potential increases in crime, issues with exiting onto Orchard, snow removal, and density.

Lisa Hicks, 521 West 3500 South, asked what this development would bring to the neighborhood as she felt like the project was only taking and not giving anything back to the community. She also expressed concerns with traffic and density.

Rose VanDiggelen, 337 South 550 West in Bountiful, said her concern was the exit onto 550 West and traffic on 3400 South. She also said that half of 550 West was in Bountiful but they had no input in the development.

Robin Kendrick, 3242 Plum Tree Lane in Bountiful, commented that the proposed elevations were unattractive and the tandem garages were a mistake. She also asked how this development would benefit the community.

Julie Sim, 3247 Plum Tree Lane in Bountiful, said that while she was a small business owner that the new customer base would be great that parking was already an issue there. She also spoke on the transient nature of apartment occupants.

Marta Garcia, 538 West 3400 South, commented that she would have 400 new neighbors with too many extra cars in the area. She asked why it was always just about money and not about community or creating nice living areas.

**Chair Knowlton closed the public hearing at 7:06 p.m.**

Chair Knowlton commented that previously this was a permitted use in the zone asked about the forced rezone and the rationale for the change. He also asked if the City could work with the landowner to facilitate this based on the previously permitted use. Sherrie Llewelyn replied that when the property owner was in the middle of the process of applying for Phase 1 as a P District that the City reviewed the C-S and P District zoning. Multifamily housing was permitted under the current C-S Zone without regulation of density or design/aesthetics, and had a 10% landscaping minimum. This forced staff to remove multifamily as a permitted use in the C-S Zone and to implement a forced P-District rezone to address certain deficiencies and impose regulations. She also said the P-District rezone would allow for more public input in the process.

Sherrie Llewelyn said that the applicant should have proposed townhomes for the entire property from the start but hadn't determined if they wanted mixed use, commercial, etc. at that time. She said that after market review it was determined that additional townhomes would be built for Phase 2 instead of commercial or mixed use.

Greg Day, CW Land, commented that when they applied for Phase 1 they were unsure of the use for Phase 2 at that time. He spoke on traffic and parking concerns and said that the development

would generate fewer cars than the grocery store and that the project met the requirement of 2.25 parking stalls per unit. Mr. Day said that they had an agreement with the strip mall owner for a cross parking agreement.

Sherrie Llewelyn also commented that they could not block off the access to the strip mall to the south as the access rights were reciprocal.

Greg Day also addressed that he had lived in apartments before and while you could make comments on lifestyles based on where people lived that everyone went through stages in life and there was a need for apartments.

Chair Knowlton asked about for sale versus for rent units. Greg Day replied that they did review both options and felt that apartments would have better success. He also said that this was determined to be an inferior location for retail.

Darlene Carter, CW Urban, commented that when the property owners of Winegars approached them they determined that the property would be a location where people wanted to live. She said she felt that this project would add value to the community and provide an affordable place for individuals in the area.

Chair Knowlton asked for clarification on the density around this property. Sherrie Llewelyn explained that to the north the density was 32 units at 12.8 units per acre, east was 15 units at 10.7 units per acre, the properties to the south were 18 units per acre, 12 units per acre, and 36 units at 15.6 units per acre, and 54 units at 23.5 units per acre. She also said that the total for the Winegars property Phase 1 and 2 would be 22 units per acre.

Commissioner Garn spoke on traffic and asked if the traffic generated by the apartments would be similar to what Winegars had been. Sherrie Llewelyn replied that the trip generation model showed that a neighborhood grocery store would generate about 3,000 vehicle trips per day. A townhome generally generates around seven to eight vehicles per day which would be about 600 for 75 townhomes or about 1/5<sup>th</sup> the traffic of a grocery store.

Chair Knowlton said that per the P District parking could be negotiated up or down. He asked the applicant about his experience with tandem garages in other developments.

Greg Day replied that the HOA could resolve any issues such as residents using their garage for storage rather than parking.

Commissioner Larson asked if the Covenants, Conditions and Restrictions (CCR) for the HOA could specify that the garages could not be used for storage. Greg Day replied that they would address this with their lawyer's approval.

Commissioner Garn asked about the number of bedrooms. Darlene Carter replied that they would be 1,200 square feet and two bedroom units.

Commissioner Tucker commented that he sympathized with the public comment on the non-village center feel of the area with the proposed development. He said that the previous C-S Zoning would allow the market to dictate what would be successful.

Chair Knowlton spoke on the shrinking demand for retail and the utilization of live work concepts which would enable retail but could also be flex residential. Darlene Carter said that while everyone was not onboard with the proposed style that they could adjust that. She also said that they built live/work units in Salt Lake and while it might be difficult to bring commercial to the area that generally rooftops would bring in commercial so this development could bring in more commercial long term.

Commissioner Ward commented that it was a policy decision for the City to force more commercial.

Chair Knowlton said in his opinion that the old days of retail would not return. He said that live/work units could function as a townhouse as well as a commercial use like a bookstore, barber shop or some other type of business that were fun to have in the community even if they were not on high value retail streets.

Commissioner Garn asked if the live/work option would create extra traffic for the development. He commented that he was disappointed that the retail component had been removed from the project.

Commissioner Ward commented that there were five businesses adjacent to this development and that it was reasonable to ask the developer for a better effort to find multi-use.

Darlene Carter asked if the Commission would prefer that the 22 units were for sale units. Sherrie Llewelyn said that the City attorney would need to determine if this could be negotiated in the development agreement. She said if the applicant was proposing these as for sale units that no one person or entity could own more than one or two units. The City could not specify that they had to be rentals or for sale units.

Chair Knowlton asked the applicant about their reaction to live/work units. Darlene Carter said that they had built a lot of live/work units and her definition of this was to have flex space on the ground level of the home. She also said that generally homeowners would utilize the live/work space while renters would use the flex space more as living space.

Sherrie Llewelyn said that these type of live/work units catered to artists, CPAs or other one person type businesses that could be done out of the home. Darlene Carter replied that this was a viable option and there would need to be clear definition from the City on parking and density.

Commissioner Tucker spoke on density and said that while he was unsure of all the requirements and conditions for Phase 1 that he felt it should not be a credit for Phase 2. He said that the only way they could meet the parking requirements for Phase 2 was to use the overall parking for both phases. He also said the density for Phase 2 was higher than Phase 1 and that he like the original proposal for the buildings setback from, and not fronting, the street.

Commissioner Kirkham commented that there would never be enough parking but there should be a consideration for more parking. He said he would prefer adequate parking and garages for the units proposed and not tandem parking.

Commissioner Ward suggested that the applicant consider the live/work component, no tandem parking, lower unit count, and adding additional parking as the current proposal was not very good in most respects.

Chair Knowlton asked how the Commission would feel about Phase 2 matching the density of about 20 dwelling units per acre along with the other requirements noted such as no tandem parking, etc.

Sherrie Llewelyn clarified that Phase 1 was 2.61 acres with 53 units for 20 units per acre. She said that for Phase 2 to be similar it would equal 16.6 units per acre.

Greg Day said they would bring back a revised proposal and asked the Commission for guidelines on what they would like to see.

The Commission asked that the applicant consider eliminating a portion of the units/decreasing the density, having double garages on all the units, additional parking, and live/work options on several units facing Orchard Drive.

Commissioner Larson commented on the Village Center per the General Plan and the C-S Zoning and asked if the Commission was willing to eliminate this use. She said that if it was a village center that it would be mixed use and provide something to “enhance the quality of life for nearby neighborhoods”. Darlene Carter clarified that multifamily was approved per the village center and that the definition was subjective.

Chair Knowlton suggested that if by allowing apartments with mixed use in half the units facing Orchard that this would provide both housing that met the market demand and a benefit to the community.

Greg Day said that he would rather keep the tandem garages and increase the overall parking. He said they would also address the architecture and density.

Sherrie Llewelyn asked about architectural style and height. Darlene Carter replied that they could come back with a more traditional design.

The Commission discussed the design and the addition of pop-out elements to add variation, particularly on the middle units, and an overall design that would flow with the neighborhood.

Commissioner Larson clarified that for the recommended density she would like to see the applicant match Phase 1 at 16 units per acre. This would be a reduction of seven units from the current plan. Greg Day replied that they could increase the parking but having fewer units would be difficult.

The Commission also discussed more open space versus additional parking, the mixed use at the Brighton development, the bus stop location and requirements, and the size and location of the live/work units.

3. CONSIDERATION OF A GENERAL DEVELOPMENT PLAN FOR THE WINNIE, PHASE 2, LOCATED AT APPROXIMATELY 650 NORTH ORCHARD DRIVE, CW LAND, APPLICANT

**Commissioner Ward moved to reopen the public hearing and continue to a future Planning Commission meeting, when the applicant has submitted a revised concept plan.**

**Commissioner Larson seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker and Larson. Commissioner Gordon was excused.**

**Commissioner Ward moved to table the General Development Plan for the Winnie, Phase 2. Commissioner Kirkham seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker and Larson. Commissioner Gordon was excused.**

4. PUBLIC HEARING-CONSIDERATION OF PLAT AMENDMENT TO THE 1-215 PARKWAY COMMERCIAL CONDO SUB. LOCATED AT APPROXIMATELY 255 SOUTH RIVERBEND WAY, TOM STUART CONSTRUCTION, APPLICANT

Sherrie Llewelyn reported that the proposed one acre property was located at 225 South Riverbend Way and across from Legacy Parkway. There are currently four commercial properties on the site and the property, which was purchased from UDOT, would be used for the construction of building five. The DRC recommended approval with no conditions. Staff felt this will be a good use of the property as it is not currently well maintained.

**Chair Knowlton opened the public hearing at 8:20 p.m. There were no public comments and he closed the public hearing at 8:21 p.m.**

Spencer Ward, Tom Stuart Construction, commented that this would be a great use of the UDOT property as it was basically unusable before.

Commissioner Ward asked the applicant if they had potential tenants for the proposed building. He also asked about the use of the existing buildings. Spencer Ward replied that all the buildings were for office/warehouse. He said that they did not currently have a tenant lined up but that there was a demand for this type of building.

Commissioner Kirkham asked if he needed to recuse himself from voting based on the fact that he was technically related to Tom Stuart through marriage. Sherrie Llewelyn replied that as Commissioner Kirkham had disclosed the potential conflict of interest and had no financial interest in the project that he should abstain from voting only if he felt it was necessary. She also explained that it was an administrative action and met the minimum standards of the City code.

**Commissioner Garn move that the Planning Commission recommend approval to the City Council of the plat amendment for I-215 Parkway Commercial Condominium Subdivision, at 255 south Riverbend Way with no conditions. Commissioner Ward seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker and Larson. Commissioner Gordon was excused.**

5. CONSIDERATION OF A SITE PLAN FOR AN OFFICE BUILDING LOCATED AT APPROXIMATELY 255 SOUTH RIVERBEND WAY, TOM STUART CONSTRUCTION, APPLICANT

Sherrie Llewelyn showed the layout of the proposed building along with the additional parking and landscaping on the site. She explained that the total parking was 83 spaces with 4 ADA spaces which exceeded the parking requirement. The landscaping would be an additional 15,934 square feet or approximately 34% of the site which exceeded the 10% standard. The islands in the center of the parking would require the placement of two trees in each island and the islands at the end of the single row of parking would require one tree each.

Mrs. Llewelyn then showed the façade of the building and explained that it met the architectural standards with horizontal articulation. The DRC recommended approval of the site plan with the condition that the landscaped islands would be planted with one tree for single islands and two trees for double islands.

**Commissioner Garn moved that the Planning Commission approve the site plan for building 5 of the I-215 Parkway Commercial Condominium Subdivision at 255 South Riverbend Way with the following condition:**

- 1) The landscaped islands will be planted with 1 tree for single islands and 2 trees for double islands.**

**Commissioner Ward seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker and Larson. Commissioner Gordon was excused.**

**6. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR KYNDGROWZ LLC FOR AN INDOOR AGRICULTURAL CULTIVATION AND PROCESSING LOCATED AT 110 NORTH 700 WEST, SUITE B, KEITH KEYSER, APPLICANT**

Sherrie Llewelyn reported that the applicant was proposing to open a facility that would test the soil mediums for growing the hemp plant. It would be an indoor agricultural operation with LED lighting systems for 150-200 industrial grade hemp plants. She said it would be a discreet business regarding their product and was a licensed and legal business per the State. This use was a conditional use under “crop production” in the MD Zoning District.

Sherrie Llewelyn explained the difference between the hemp and marijuana plant and said hemp was the male plant that did not contain THC. The fire marshal requested a Material Safety Data Sheet (MSDS sheet) from the applicant which was completed. She also said that the floor plan of the building would not be made public as CBD was a valuable commodity.

Troy Young commented that this property would be 1,500 square feet and they would be purchasing a greenhouse for the majority of the growing. He said that there would be no retail component at this location and no signage. Mr. Young said it was 100% hemp with under 3% THC levels.

Commissioner Garn commented that he read there were over 25,000 applications for hemp. He asked what CBD oil could be used for. Troy Young replied that CBD could be used for pain relief, seizures, etc.

**Commissioner Ward moved that the Planning Commission approve the conditional use permit for KyndGrowz LLC located at 110 North 700 West Suite B subject to the following conditions:**

- 1) Confirmation of the amount of CBD oil to be stored on the site**
- 2) Submission of a floor plan of the building**

**Commissioner Garn seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker and Larson. Commissioner Gordon was excused.**

7. CONSIDERATION OF REQUEST FOR A P-DISTRICT REZONE AND DEVELOPMENT AGREEMENT FOR THE RIDGE LOCATED AT APPROXIMATELY 650 EAST EDGECREST LANE, CW LAND, APPLICANT

Sherrie Llewelyn reported that this property was currently zoned Special Use Restricted (SR) and under contract with CW Land. The City Council approved the General Development Plan on November 20, 2018. The property located in the sensitive lands overlay zone is subject to a geologic hazards review. The review has been completed and was found satisfactory by the City's geologic consultant.

The rezoning of the property required a public hearing by the Planning Commission which was held November 13, 2018. Mrs. Llewelyn then showed the proposal for the subdivision which included single family lots and townhome units. The site plan for The Ridge consisted of for sale townhomes with two car wide garages and 20 driveways. The internal streets in the townhome area would be private streets that were owned and maintained by the homeowners association (HOA). The remaining streets would be public streets which would obtain access via Edgecrest Lane and Parkway Drive. A small 80 square foot area would need to be obtained from Eaglepointe Development for the construction of the connection to Parkway Drive.

The townhome units would be platted for individual sale and governed by a private HOA. The DRC recommended the development agreement and CCR's include provisions for owner occupancy requirements and limit purchase of several units by single entities for rental purposes. Currently 14 of these units have driveway access directly onto the proposed public streets. The DRC recommended that these units be modified to be rear entry units accessed by private alleys and that the front facades be 12 feet from the street right of way to provide accommodations for snow removal.

The single family lots range in size from 5,000 square feet to 31,000 square feet. These lots vary from a minimum width of 50 foot wide to 80 foot wide. The majority of the homes are anticipated to be built by a production or semi-custom builder with the remaining lots to be sold to custom builders. The homes on the 50 foot wide lots will be 40 feet in width and the homes on the 80 foot lots would be a maximum of 65 feet in width. Any lots sold to custom homebuilders would be required to meet the same setback standards of the 50 and 80 foot lots. The single family lots would all be required to have a minimum of a two car garage and a two car driveway. The required setback from the garage would be 20 feet to accommodate larger vehicles.

Ed Grampp, CW Land, commented that there would be 103 total lots with 68 of the estate lots to be a minimum width of 50 feet and 36 lots to be a minimum of 80 feet wide.

Sherrie Llewelyn said that the conceptual building plan approved under the General Development plan consisted of hardie board, brick, stone and stucco. The designs range from traditional to contemporary with design parameters to be established within the adopted CC&Rs and reviewed by an Architectural Design Committee prior to submittal for a building permit to the City. The proposed townhomes will be two stories with a setback of 12 feet from the right of way.

Sherrie Llewelyn showed examples of the fencing, lighting, and signage. She recommended against the proposed lighting per the dark sky requirements. Landscaping would be native grass in the open space areas. Street trees would be provided by the developer as shown on the landscape plan. The Planning Commission had previously discussed the possible requirement of a landscape buffer between the gravel pit and the west lots. After careful consideration the DRC recommended that the lot lines be extended to the boundary of the property and the developer provide a non-climbable solid fence of masonry, decorative metal, or composite material on all boundaries of the project between the development and the gravel pit property. The fence would be required to be installed prior to occupancy of the first dwelling.

The site would contain sidewalks throughout the development. A trail system would also be constructed including a public trail within the pipeline easement. The City would participate in the construction of a portion of the trail with funds obtained from the development of Edgewood and Bella Vida. The remainder of the interior trail system would be maintained by the HOA.

The DRC recommended approval with two conditions related to the townhomes along public streets being modified to have rear entry garages, 12 foot setbacks from the street, and front porches as well as mechanisms in the HOA and CC&Rs to prevent single entities from accruing multiple townhome as rentals.

Chair Knowlton asked if the builder wanted to provide different architecture than was noted how this would work with the development agreement. Sherrie Llewelyn replied that this would be determined and specified before the development agreement was signed.

Ed Grampp commented that they did have a signed deal but needed the entitlements and approvals before the builder would disclose their relationship with the project publically.

Commissioner Kirkham asked if the steepness of the road had been addressed. Sherrie Llewelyn replied that City ordinance allowed 12% grade for short distances. She said that some areas would need to be flattened as the fire marshal required that two lots be reconfigured to 10% grade.

The Commission provided feedback on the original and revised plans for the townhomes. They discussed the private streets and the steepness of the site. Several Commissioners were in favor of the revised plan as they felt it had better architecture and streetscapes.

Sherrie Llewelyn spoke on the proposed lighting and said that as this development would be located on a hillside that a cutoff style light would be more effective and help meet Dark Sky Designations.

Ed Grampp stated that the monument signage which was presented would be improved. The final design of the monument signs would be submitted for review and approval as part of the Final Plat application.

Chair Knowlton commented on the steepness of the site and asked if there could be trail connections on the south side of the property in the future. Sherrie Llewelyn said that something could be written into the agreement to allow for an easement for a public trail.

Commissioner Kirkham asked about fencing on the southern edge of the property. Sherrie Llewelyn showed that the fencing would follow the property line.

Ed Grampp and Parker McGarvey said that there would be fencing along a portion of the southern property line with open space on the other portion, fencing along the rear fence lines, retaining walls for the steep grade on the west side of the property and fencing along the western property line.

Sherrie Llewelyn asked about existing fencing and how to secure the property line from people trespassing into the gravel pit. Ed Grampp said there would be rear lot fencing along the property lines.

Joe McAllister, Lake View Rock Products, said that some areas had existing wire or wood stacked fencing. He said there were no areas with climbable fencing and was unaware of any pit that had non-climbable fencing. Mr. McAllister said that any fencing except masonry would work and that signage regarding the mining would be required to be posted by law.

**Commissioner Kirkham moved that the Planning Commission recommend approval to the City Council the rezone request from SR to P-District for The Ridge located at approximately 650 South Edgecrest Lane, along with the proposed development agreement with the following findings and conditions:**

**Findings:**

- 1) The proposed P District can be substantially commenced within two (2) years of the establishment of the P District.**

- 2) **The development contains one phase that can exist as an independent unit capable of creating an environment of sustained desirability and stability; and that the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts.**
- 3) **The proposed increased density will not generate traffic in such amounts as to overload the street network outside the P District.**
- 4) **The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.**
- 5) **Any exception from standard ordinance requirements is warranted by the design incorporated into the final plan.**
- 6) **The P District is in conformance with the City's General Land Use plan.**
- 7) **Existing or proposed utility services are adequate for the population and use densities proposed.**

**Conditions:**

- 1) **The townhomes along the public streets will be modified to have rear entry garages, be moved to a setback of 12 from the street, and shall have front porches added to the façade;**
- 2) **The CC&Rs and HOA will provide mechanisms to prevent single entities from acquiring and converting multiple town homes to rental properties;**
- 3) **That the street lights utilize cutoff fixtures.**

**Commissioner Garn seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker and Larson. Commissioner Gordon was excused.**

**8. CONSIDERATION OF A PRELIMINARY PLAN FOR THE RIDGE LOCATED AT APPROXIMATELY 650 EAST EDGECREST LANE, CW LAND, APPLICANT**

**Commissioner Ward moved that the Planning Commission recommend approval to the City Council of the preliminary plan The Ridge located at approximately 650 South Edgecrest Lane along with the proposed development agreement with the following conditions:**

- 1) **Engineering corrections of civil drawings prior to final plat approval;**
- 2) **Required corrections from the recommended rezone approval.**

**Commissioner Larson seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker and Larson. Commissioner Gordon was excused.**

9. REPORT ON CITY COUNCIL ACTIONS ON ITEMS RECOMMENDED BY  
PLANNING COMMISSION

Sherrie Llewelyn reported that during the last City Council meeting there was a motion to approve the General Development Plan for Orchard Grove with three votes in opposition to the motion. The Council then directed the applicant to return with a revised plan which would come back before the Planning Commission.

She also spoke on the Foxboro Marketplace amendment which was denied with five votes in opposition to the development. She said that the Council had concern with the height and the increased bedroom count and number of buildings. As the City already had a signed legal agreement for the previous proposal the Council directed the applicant to work with the community on gaining support of the project.

Sherrie Llewelyn also said that the short term rental ordinance was approved by the Council.

10. APPROVAL OF MINUTES

The Planning Commission meeting minutes of March 12, 2019 were reviewed and approved.

**Commissioner Larson moved to approve the minutes of March 12<sup>th</sup> as they are. Commissioner Ward seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker and Larson. Commissioner Gordon was excused.**

11. ADJOURN

Chair Knowlton adjourned the meeting at 9:30 p.m.



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Chair

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Recorder

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Secretary