



CITY OF NORTH SALT LAKE

CITY COUNCIL MEETING NOTICE & AGENDA June 18, 2019

Posted June 13, 2019

Notice is given that the North Salt Lake City Council will hold a regular meeting on **JUNE 18, 2019** at City Hall, 10 East Center Street, North Salt Lake, Utah. A work session will be held at 6:00 pm in the Council Conference Room followed by the regular session at 7:00 pm in the Council Chambers. Some members may participate electronically. The following items of business will be discussed; the order of business may be changed as time permits.

WORK SESSION –6:00 p.m.

1. Employee Introduction
2. Williamsburg Luxury Apartments Architecture Discussion
3. Kimball Property Discussion
4. Action Items
5. Adjourn

REGULAR SESSION - 7:00 p.m.

1. Introduction by Mayor Len Arave
2. Invocation and Pledge of Allegiance ~ Council Member James Hood
3. Citizen Comment
4. Public Hearing and consideration of **Resolution 2019-23R**: A resolution adopting an amendment to adjust the fiscal year 2018-2019 General Fund, Redevelopment Agency Fund, Housing Fund, Local Building Authority Fund, Capital Projects Fund, Capital Park Fund, Capital Road Projects Fund and Culinary Water Fund budgets.
5. Consideration of **Ordinance 2019-04**: An ordinance rezoning property located at 378 East Odell Lane from Residential-Multifamily (RM-7) to P-District and approving a development agreement (**2019-29A**) for Orchard Grove Townhomes, Brighton Development Utah, applicant.
6. Consideration of a Subdivision Preliminary Plan for Orchard Grove Townhomes located at 378 East Odell Lane, Brighton Development Utah, applicant.
7. Consideration of a General Development Plan for Foxhollow PUD, a single family development located at 877 North Cutler, Red Pine Investments, Garrett Seely, applicant.
8. Consideration of **Resolution 2019-14R**: A resolution amending the General Development Plan & Development Agreement related to the multi-family housing approved at Foxboro Marketplace, Lot 7 located at 790 North Cutler Drive, Foxboro Marketplace, Chris Robinson, applicant.
9. Consideration of **Resolution 2019-25R**: A resolution authorizing the City Manager, or designee, to enter into a contract with the Utah Office of Outdoor Recreation for the receipt of grant funds to be used for the construction of a portion of the Foxboro Wetlands Park.
10. Approve City Council Minutes – June 4, 2019
11. City Council Reports
12. Mayor's Report

- 13. City Attorney Report
- 14. City Manager Report
- 15. Adjourn

CLOSED SESSION

- 1. Possible closed session for the purpose of discussing pending or reasonably imminent litigation; to discuss the character professional competence, or physical or mental health of an individual; to discuss collective bargaining; or to discuss the purchase, exchange, sale, or lease of real property.
Utah Code 52-4-205

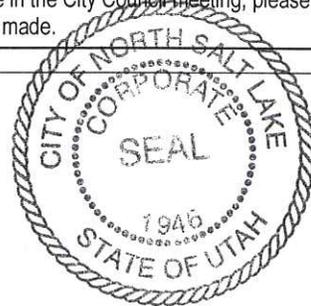
The public is invited to attend all City Council meetings. If you need special accommodations to participate in the City Council meeting, please call the City office at 801-335-8709. Please provide at least 24 hours' notice for adequate arrangements to be made.

Notice of Posting:

I, the duly appointed City Recorder for the City of North Salt Lake, hereby certify that the foregoing agenda was posted on the Utah Public Notice website, at city hall, and sent to the required newspapers this 13th day of June, 2019.

Dated this 13th day of June, 2019.







CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: June 18, 2019

SUBJECT: Work meeting materials

We have had an incredible amount of development interest in North Salt Lake and City staff is trying very hard to work with developers and property owners to facilitate the creation of desirable and high-quality projects. From time to time, that requires some up-front review by the City Council and we have proposed for the work session that you review two specific and large proposals that have come before us.

The first is a proposal to amend the architecture of the Williamsburg project. This project received a positive recommendation from the Planning Commission last week for a zone change (to the Planned "P" District) and a development agreement that accompanies P District changes based upon the original plan. Since that meeting, the project developers have adjusted their architecture and proposed a new building elevation. We have attached to this memo the previously-approved architecture from the existing general development plan and the proposed architecture. We thought that the changes were significant enough that we couldn't bring the project forward for a zone change until the City Council had a chance to see and provide input on the new proposal.

The second project is a new proposal from the Kimball property owners which are on approximately 65 acres of property bounded by I-215, Legacy Highway, Center Street and Redwood Road. This is the old Gun Club property where we have entertained a sports complex and mixed use development in the recent past. Their attached proposed concept plan is for approximately 800,000 square feet of high quality light manufacturing space on approximately 55 acres and an additional 48,000 square feet of office and retail space on approximately 11 acres. Currently, we have not discussed how to implement this plan and the property is currently zoned General Commercial.

Both of the developers will be in attendance at the work meeting to explain their proposals and answer any questions that we have. These are not action items, but only opportunities to provide some feedback on the proposals.

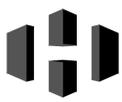
THESE DRAWINGS OR ANY PARTS THEREOF, AS INSTRUMENTS OF SERVICE, REMAIN THE PROPERTY OF THE ARCHITECTS AND MAY NOT BE REPRODUCED OR USED ON OTHER WORK WITHOUT THEIR WRITTEN CONSENT.
PLOT DATE: 1/13/2016 Q:\ACAD\F\BONNEVILLE NORTH SALT LAKE\PRELIM\64-UNIT\WILL-LA-1715-64_A-0000-TITLE.dwg

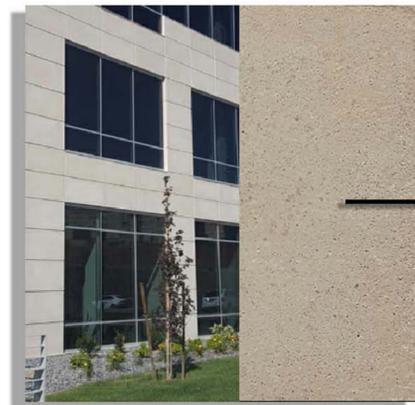


WILLIAMSBURG LUXURY APARTMENTS
WEST ELEVATION 64 UNIT BUILDING



PRELIMINARY - NOT FOR CONSTRUCTION

DRAWN BY REVISIONS		 HARRIS ARCHITECTURE <small>3520 N UNIVERSITY AVENUE #200, PROVO UT 84604 801-377-6303 WWW.HARRIS-ARCHITECTURE.COM</small>	A 64-UNIT BUILDING FOR WILLIAMSBURG LUXURY APARTMENTS	JANUARY 14, 2016 CITY OF NORTH SALT LAKE, UTAH
-----------------------	--	---	---	---



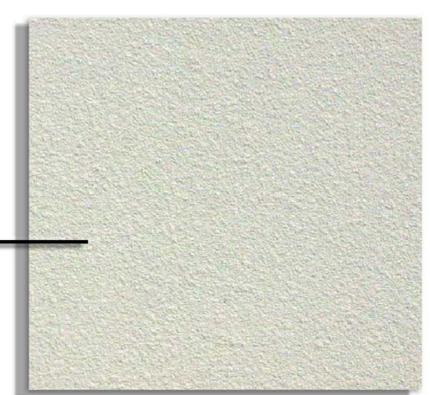
NEW CAST STONE - HONED FINISH - CHARCOAL COLOR



INTERSTATE BRICK - MODULAR - MOCHA COLOR



ARCHITECTURAL CONCRETE - CONE-TIED PANEL



STUCCO FINISH - AGREEABLE GRAY COLOR

WILLIAMSBURG

NORTH SALT LAKE, UTAH

These plans are instruments of professional service, are the intellectual property of Architecture Belgique, Inc., and are protected by common law, statutory and other reserved rights including, but not limited to, Copyright. They may not be reproduced or used for any other purpose without the written consent of Architecture Belgique, Inc.

JUNE 6, 2019



7583 So. Main Street Ste. 100 Midvale, UT 84047
(801) 561-1333

Center St.

Redwood Rd.



Action Items (for June 18, 2019)

Item	Staff	Description
New		
1	Paul Sherrie Ken	Staff to review what stipulations were placed on the road within the Eaglewood project (Eaglewood Village proposal with Brighton Homes) and the potential to vacate that road.
3	Linda	Staff to post on social media and print in newsletter the City ordinances related to dogs at splash pad and other City parks. <i>(will be in next newsletter and social media.)</i>
4	David Ken	Staff to work with Woods Cross to improve their dog park and discuss potential for a new dog park in the area.
5	Ken	Review security at City Hall and Parks building. <i>Staff to meet with Mollerup Glass to look at options.</i>
7	David	Parks & Arts Board to review pickle ball options.
Current		
1	David	Bikes coming too fast from flow trails into Wild Rose Park – need better signage to stay on trail out to parking lot. <i>Staff has inspected the problem and will be installing signage and possibly barriers that will protect and separate pedestrians from cyclists.</i>
2	Janice	CM Mumford asked for cost of the youth soccer program <i>(Staff to provide closer to end of season).</i>
3	Ken Craig	Staff to work on emergency preparedness reporting and coordination with Davis County rather than NSL – and whether it should be organized and run by South Davis Fire. <i>Staff is working with surrounding communities and Fire District to evaluate staffing needs and possible employee sharing</i>
5	Paul David Ken	Various assignments related to water and water planning including: collection of water usage data by area, analysis and recommendation related to water conservation rate structure, and long-range planning for water needs. <i>Staff met with Weber Basin Water Conservancy District and requested their assistance with a water rights application for re-use water and to evaluate the City's report on water usage, source, storage and distribution.</i>
6	David, Ken	Staff to follow-up on adding trees to park strips on Fox Hollow at roundabout. <i>Ken will report.</i>
7	Linda Ken	CM Porter asked for recognition/formalization of the City's History Committee on a future agenda. <i>(Resolution to create this committee – on a June meeting agenda)</i>
8	Paul Ken	Staff to review current ordinance regarding road cuts including adding more restrictive provisions to the current three year wait on new roads as well as conditions in franchise agreements. <i>Paul is researching possible code amendments.</i>
9	Linda	Staff to arrange a tour of Wasatch Resource Recovery Plant for interested City Council members and staff. <i>Schedule with Matt Myers (Wait until July to be fully operational.)</i>
10	Ken	Staff to report back on the progress of mining on Monte Thomas parcel. <i>Ken had a phone call with David Church and Jody Burnett on this matter. More research will be required and staff will continue to work to understand the impacts of HB288, Critical Infrastructure bill (gravel and mining operations).</i>
11	Paul Sherrie	Look at sidewalk on 3800 S. and US89 where residents are walking in the street to get to bus stop on US89. <i>Davis County is hoping to start construction in July.</i>
13	Ken	Staff to follow up with City attorney on Media One issue. <i>Attorney to look at next enforcement steps.</i>
14	Craig David	Look at monitoring options for Tunnel Springs including DVR system and other technology, police access, motion sensors, public access, etc. <i>Staff is proceeding w/ enhanced camera system.</i>
15	Paul David Sherrie	Staff to prepare options for repair/replacement of Eaglewood Village dock. Also look at placing trees around the pond or adding this area to Arbor Day. <i>Draft concept plan was presented to Parks and Arts Board. Concept plan was cost prohibitive - will look at a simpler design.</i>
16	David	Council review the parks & trails brochures before printed. <i>Parks & Arts comm. to review draft.</i>

RESOLUTION NO. 2019-23R

**A RESOLUTION ADOPTING AN AMENDMENT TO ADJUST
THE FISCAL YEAR 2018~2019 GENERAL FUND, REDEVELOPMENT AGENCY FUND,
HOUSING FUND, LOCAL BUILDING AUTHORITY FUND, CAPITAL PROJECT FUND,
CAPITAL PARK FUND, CAPITAL ROAD PROJECT FUND AND CULINARY WATER FUND
BUDGETS**

WHEREAS, the City of North Salt Lake has considered the adoption of an amendment to increase the 2018~2019 budget for General Fund, Redevelopment Agency Fund, Housing Fund, Local Building Authority Fund, Capital Projects Fund, Capital Park Fund, Capital Road Project Fund and Culinary Water Enterprise Fund, and finds that it is in the best interest of the citizens and the City as a whole to adopt the aforesaid budget; and

WHEREAS, a public hearing was properly noticed and held on Tuesday June 18, 2019 for public comment concerning the adoption of said budgets; and

WHEREAS, such action is authorized by statute; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF NORTH SALT LAKE AS FOLLOWS:

A change in the General Fund budget is hereby adopted for the 2018~2019 fiscal year in the following amounts:

Increase grant revenues in the amount of (\$3,250)
Increase use of fund balance in the amount of (\$1,269,500)
Increase expenditures in the amount of \$1,272,750

The increase is necessary to appropriate funds for the corrected fire contract amount, grant revenues and expenditures and to transfer prior year restricted road funds and an additional fund balance transfer to the capital fund.

A change in the Redevelopment Agency Fund budget is hereby adopted for the 2018~2019 fiscal year in the following amounts:

Increase tax revenues in the amount of (\$37,000)
Increase expenditures in the amount of \$33,000
Increase contribution to fund balance in the amount of \$4,000

The increase is related tax increment revenue received annually. The amount actually received was higher than budget, resulting in an increase in the amount due to developers and the transfer-out of tax income revenue restricted for low income housing developments.

A change in the Housing Fund budget is hereby adopted for the 2018~2019 fiscal year in the following amounts:

Increase grant revenues and transfers-in in the amount of (\$88,370)
Increase expenditures in the amount of \$87,470
Increase contribution to fund balance in the amount of \$900

The increase is related primarily to grants awarded to assist with repair work on residents qualifying as low-income and a transfer-in of tax income revenue restricted for low income housing developments.

A change in the Local Building Authority Fund budget is hereby adopted for the 2018~2019 fiscal year in the following amounts:

Increase expenditures in the amount of \$5,000
Increase use of fund balance in the amount of (\$5,000)

The increase is related primarily to grants awarded to assist with repair work on residents qualifying as low-income.

A change in the Capital Fund budget is hereby adopted for the 2018~2019 fiscal year in the following amounts:

Increase grant revenues in the amount of (\$524,000)
Increase expenditures in the amount of \$24,000
Increase contribution to fund balance in the amount of \$500,000

The most significant part of the increase is related to transfer-in from the General Fund. The increase in expenditures and an equal amount of the increase in revenues is related to two grants for the installation of ADA doors and a FEMA reimbursement for landslide consulting reimbursements.

A change in the Capital Park Project Fund budget is hereby adopted for the 2018~2019 fiscal year in the following amounts:

Increase use of fund balance in the amount of (\$16,500)
Increase expenditures in the amount of \$16,500

The increase is required because the actual expenditures exceed the budgeted expenditures for the replacement of the sports turf at the regional park

A change in the Capital Road Project Fund budget is hereby adopted for the 2018~2019 fiscal year in the following amounts:

Increase grant revenues in the amount of (\$1,010,500)
Decrease use of fund balance in the amount of \$990,500
Increase expenditures in the amount of \$20,000

The revenue increase is related to grant revenue received for the Orchard Drive Sidewalk

project and transfers-in from the general fund. The increase in expenditures will be used for various road projects.

A change in the Culinary Water Fund budget is hereby adopted for the 2018~2019 fiscal year in the following amounts:

Increase use of fund balance in the amount of (\$111,500)

Increase expenditures in the amount of \$111,500

The increase is necessary to fund the Redwood Road Betterment capital project because the bid amount exceeds the budgeted amount.

Immediately after its adoption, this resolution shall be signed by the appropriate officers of the City of North Salt Lake, shall be recorded in the official records of the City of North Salt Lake and shall take immediate effect.

Passed and approved by the City Council of North Salt Lake this 18th day of June, 2019.

CITY OF NORTH SALT LAKE

By:

Len Arave, Mayor

Attest:

By:

Linda Horrocks, City Recorder

City Council Vote as Recorded

Council Member Baskin _____
Council Member Hood _____
Council Member Horrocks _____
Council Member Mumford _____
Council Member Porter _____

FISCAL YEAR 2018-2019 BUDGET ADJUSTMENT - JUNE 19, 2019

Fund	Account Title	Current Budget	Budget Increase	Notes
General Fund	Operating Grants - State	(5,000)	(3,250)	Grant for Trees
	Transfers To Capital Projects	139,000	500,000	Transfer Fund Balance
	Transfers To Road Capital	-	200,000	Transfer Fund Balance
	Transfers To Road Capital	1,049,000	538,800	Transfer Prior Year Restricted Road Tax Funds
	General & Contracted Services	1,304,000	30,700	Fire Contract- Fiscal Year Changed
	Parks Infrastructure - Trees	14,000	3,250	Grant for Trees
	Fund Balance (Use Of)	-	(1,269,500)	
Redevelopment Agency	RDA Increment-Eaglewood	(385,000)	(28,500)	Tax Increment Revenue Higher than Budgeted
	RDA Increment - Redwood	(500,000)	(8,500)	Tax Increment Revenue Higher than Budgeted
	Developer Reimbursement	665,750	32,100	Tax Increment Revenue Higher than Budgeted
	Transfer To Housing Fund	50,000	900	Tax Increment Revenue Higher than Budgeted
	Fund Balance - Contribution To	103,050	4,000	
Housing Fund	Transfers From RDA	50,000	(900)	Tax Increment Revenue Higher than Budgeted
	Capital Grants - Federal	-	(87,470)	Home Repair Grant Award
	Grant Expenditures	-	87,470	Home Repair Grant Award
	Fund Balance - Contribution To	50,000	900	
Local Building Authority	Prof & Technical Services	6,500	5,000	Repair Water Line - Rental Property
	Fund Balance - Use Of	-	(5,000)	
Capital Fund	Transfers From General Fund	(139,000)	(500,000)	Transfer Excess Fund Balance - General Fund
	Capital Grants - Federal	-	(24,000)	Grant Installation of ADA Doors/FEMA Reimbursement
	Slide Mitigation	-	10,000	PDM Grant, Legal and Consulting Fees
	New City Hall - Furn/Fix/Remod	-	14,000	Grant for Installation of ADA Doors
	Fund Balance - Contribution To	(178,600)	500,000	
Parks Capital Fund	Sports Turf @ Regional Park	43,350	16,150	Repair Cost Exceeded Budget
	Fund Balance - Contribution To	134,307	(16,150)	
Roads Capital Fund	Capital Grants - Federal	(65,000)	(271,700)	Grant Orchard Drive Sidewalk
	Transfers From General Fund		(200,000)	Transfer Fund Balance
	Transfers From Gen Fund C Road		(538,800)	Transfer Prior Year Restricted Road Tax Funds
	1100 North Overlay	60,000	9,000	Project Exceeded Budget
	Redwood Road Betterment	268,411	(89,000)	Bid Below Budget
	Orchard Dr Sidewalk (89 S To 183 S)	385,000	20,000	Bid Exceeds Budget
	1100 North Bridge		60,000	Shared Cost with Woods Cross - Consulting fees
	Jordan River Trail Exp Ph 2	10,000	10,000	Bid Exceeds Budget
	Redwood Rd Sidewalk	75,000	10,000	Bid Exceeds Budget
	Fund Balance - Use Of	(1,325,902)	990,500	
Water Fund	Redwood Rd Betterment	60,000	111,500	Bid Exceeds Budget
	Fund Balance	(2,289,100)	(111,500)	



CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Sherrie Llewelyn, Community Development Director
DATE: June 18, 2019
SUBJECT: Consideration of Ordinance 2019-04 rezoning property located at 378 East Odell Lane from Multifamily Residential (RM-7) to Planned District (P) for Orchard Grove Townhomes PUD

RECOMMENDATION

The Planning Commission recommends to the City Council approval of the rezone request with the following conditions:

1. The Development Agreement require CC&Rs and HOA will provide mechanisms to prevent single entities from acquiring and converting multiple town homes to rental properties.
2. The CC&Rs and HOA will provide mechanisms to designate that garages of each unit are designated as primary resident parking and the individual driveways primary use is for guest parking.
3. The front setback on the Preliminary Plan be modified to show a 10' setback from the back of sidewalk (property line after right of way dedication).

UPDATE

At the May 21, 2019 City Council the meeting a motion to approve the presented plan with 16 units failed to pass by 3 to 2 vote. A second motion to deny the application also failed to pass by a 3 to 2 vote.

The applicant has resubmitted a proposed plan which has been amended to increase the setback from Orchard Drive to 20 feet from the new sidewalk and park strip (total of 29 feet from curb). To achieve this setback two interior units have been removed. The total proposed unit count is now 14 down from the previous request of 16. With the removal of 2 units and the increase in setback from Orchard Drive, an additional 2 guest parking spaces have been added for a parking ratio of 4.43 spaces per unit. All units retain driveways for parking 2 cars in the drive and 2 cars in the garage. The tot lot area has been increased and the dog park area has been moved to the far west portion of the project. Total landscaped area is 31.6% of the lot (15,990 sq. ft.)

POSSIBLE MOTION

I move that the City Council adopt ORD2019-04 rezoning the property from RM-7 to P-District for Orchard Grove Townhomes located at approximately 378 East Odell Lane, along with the proposed development agreement with the following findings and conditions:

Findings:

1. The proposed P district can be substantially completed 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 general land use plan.
7. Existing or proposed utility services are adequate for the population and use densities proposed.

Conditions:

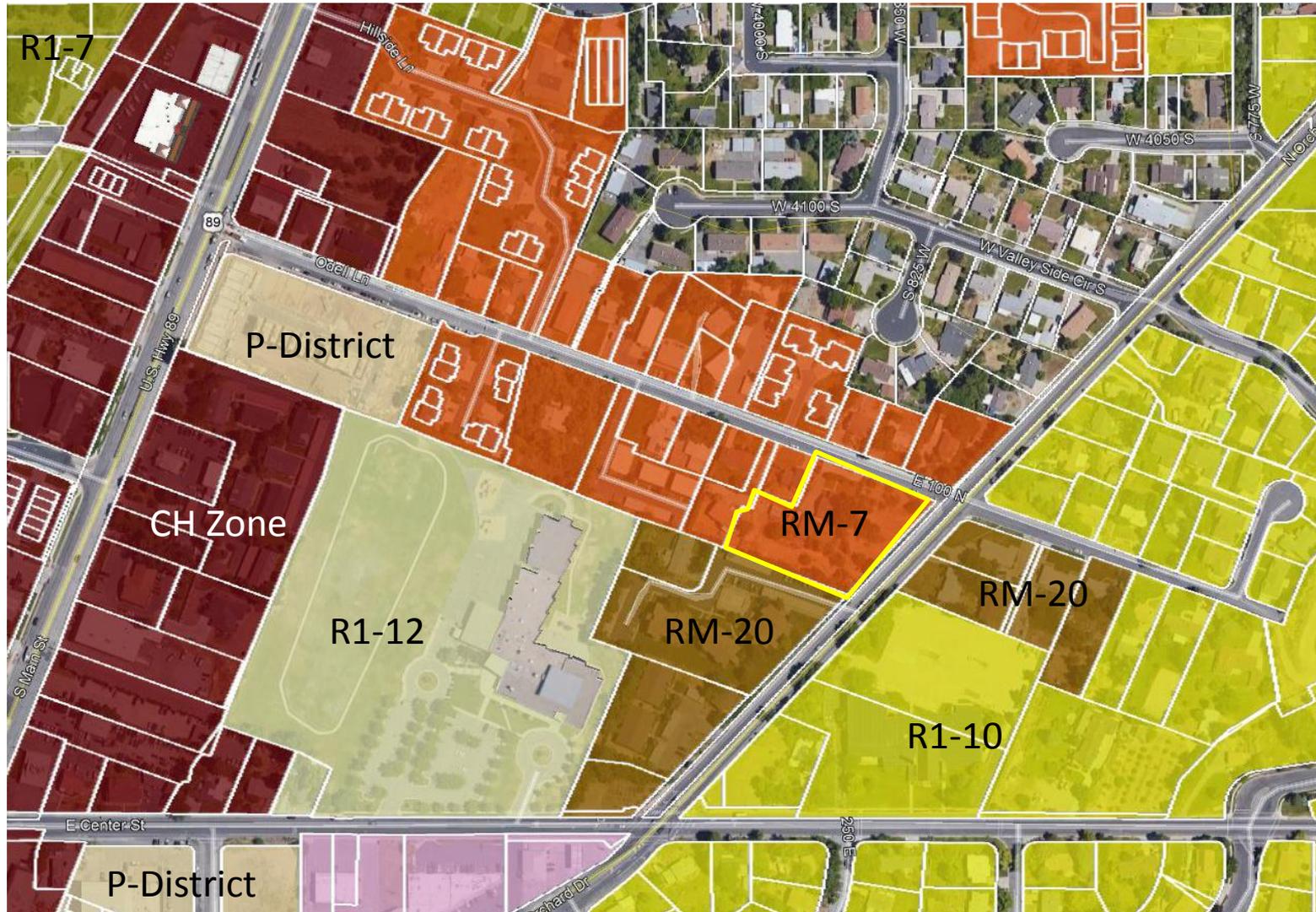
1. The Development Agreement require CC&Rs and HOA will provide mechanisms to prevent single entities from acquiring and converting multiple town homes to rental properties.
2. The CC&Rs and HOA will provide mechanisms to designate that garages of each unit are designated as primary resident parking and the individual driveways primary use is for guest parking.

Attachments:

- 1) Aerial/Zoning Map
- 2) Revised Preliminary Plan
- 3) Draft Development with Agreement Exhibits
- 4) ORD2019-04

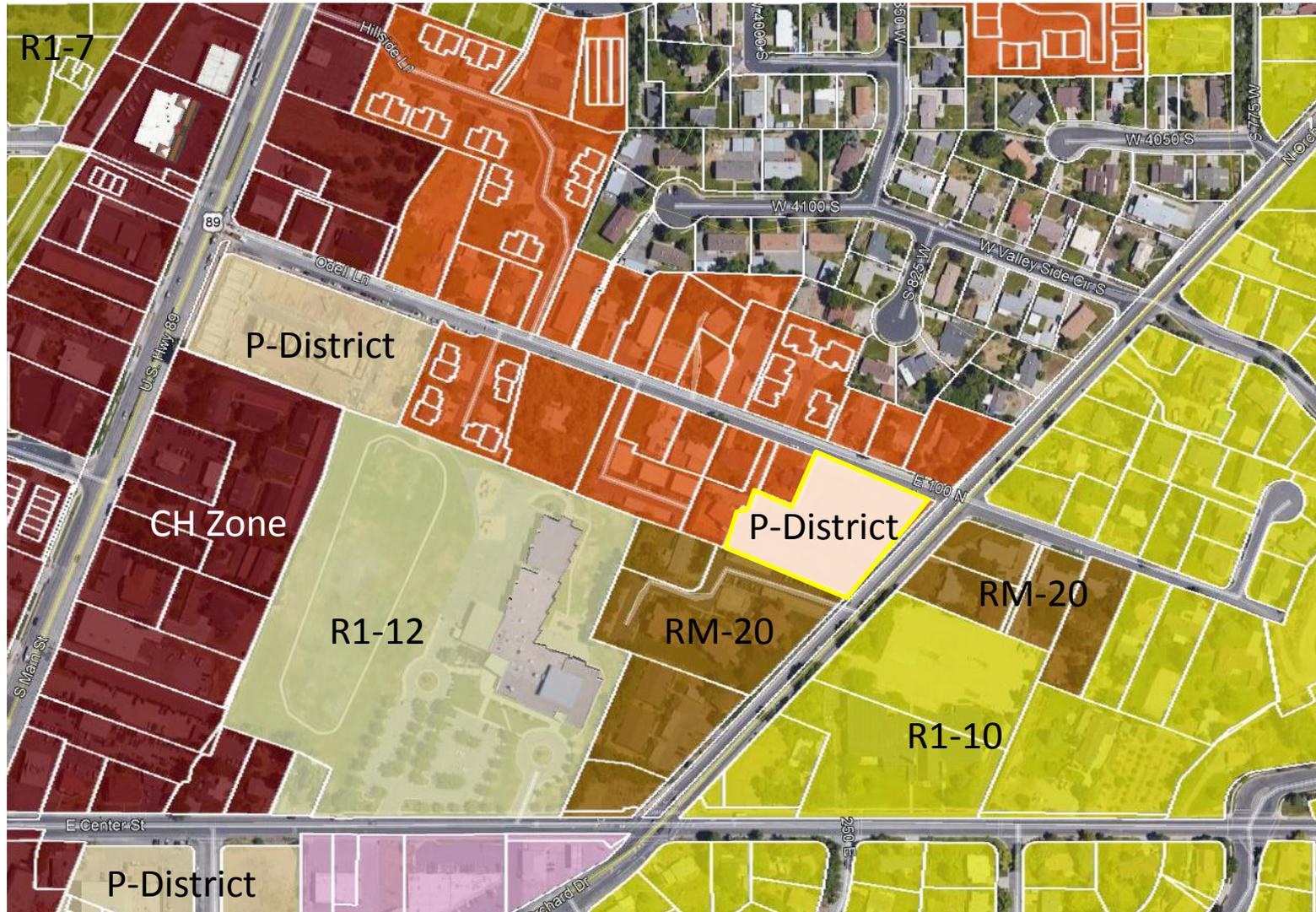


General Development Plan Orchard Grove Townhomes Current Zoning





General Development Plan Orchard Grove Townhomes Proposed Zoning



ORCHARD GROVE PRELIMINARY PLAT - 'NOT TO BE RECORDED'

PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 1 NORTH,
RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH
APRIL, 2019



Vicinity Map
SCALE: 1"=1000'

NOTES

- EXISTING AND PROPOSED CONTOURS ARE SHOWN IN ONE FOOT INTERVALS.
- PROJECT IS ZONE X ACCORDING TO FEMA FLOOD MAPS 49011C0509E, EFF. 6-18-2007 AND 49011C0507E, EFF. 6-18-2007

Site Information

Parcel ID# 01-047-0357
ODELL AVE. & ORCHARD DRIVE
NORTH SALT LAKE, DAVIS COUNTY, UTAH

PARKING.....62 TOTAL
6 ON-STREET STALLS
2 CAR DRIVEWAY (28 STALLS)
2 CAR GARAGE (28 STALLS)

PARCEL PRIOR TO DEV.....54,327 s.f. (1.25 ACRES)
AREA DEEDED TO POWERS.....(3,291) s.f. ((0.08) ACRES)

TOTAL PARCEL AREA AT DEV.....51,036 s.f. (1.17 ACRES)
RIGHT-OF-WAY DEDICATION.....(3,997) s.f. ((0.09) ACRES) 7.8%
BUILDING AREA.....13,257 s.f. (0.30 ACRES) 25.6% 14 UNITS
HARD SURFACED AREA.....17,792 s.f. (0.41 ACRES) 35.0%
LANDSCAPE AREA.....15,990 s.f. (0.37 ACRES) 31.6%

BOUNDARY DESCRIPTION

A PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EXISTING SOUTHERLY RIGHT-OF-WAY LINE OF ODELL LANE, SAID POINT IS 948.84 FEET S89°54'24"W ALONG THE SECTION LINE AND 694.98' N00°05'36"W FROM THE SOUTH QUARTER CORNER OF SAID SECTION 1, AND RUNNING THENCE S69°40'45"E ALONG SAID SOUTHERLY RIGHT OF WAY 220.15 FEET; THENCE ALONG A TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 17.51 FEET, AN ARC LENGTH OF 20.88 FEET, A DELTA ANGLE OF 68°20'19"; A CHORD BEARING OF S35°30'35"E, AND A CHORD LENGTH OF 19.66 FEET TO THE WESTERLY LINE OF ORCHARD LANE; THENCE S43°03'24"W ALONG SAID RIGHT OF WAY LINE 227.61 FEET; THENCE N69°57'40"W 222.02 FEET; THENCE N24°31'50"E 112.35 FEET; THENCE S70°08'36"E 60.94 FEET; THENCE N22°36'24"E 109.61 FEET TO THE POINT OF BEGINNING.

CONTAINING 51036 SQUARE FEET OR 1.172 ACRES MORE OR LESS

Storm Runoff Calculations

North Salt Lake - Orchard Grove
6/7/2019

The following runoff calculations are based on the Rainfall - Intensity - Duration Frequency Curve for the North Salt Lake, Utah area taken from the NOAA Atlas 14 database, using a 25 year 24 hour storm for retention. Storm water runoff has been calculated for a fully developed site.

The calculations are as follows:

Drainage Area:			
Total Area =	1.22 acre or	53,048 ft ²	
Runoff Coefficients			
Paved Area	23,661	C = 0.9	
Landscape Area	19,601	C = 0.2	
Roof	13,786	C = 0.9	
Weighted Runoff Coefficient			C = 0.69

Rainfall Intensities: 10-yr intensity for a 10 minute TOC - Pipe Capacity 2.54 in/hr

Peak Runoffs:			
Runoff Coefficient	C =	0.69	
Rainfall Intensity	I =	2.54 IN./HR.	
Acresage	A =	1.22 ACRES	
Q	Q =	2.16 cfs	

Volume of Run-off for 25-year Storm Event:

time (min)	time (sec)	i (in/hr)	Q (cfs)	Vol. in (cft)	Vol. out (cft)	Difference (cft)
0	0	0.00	0.00	0	0	0
5	300	4.43	3.78	1133	0	1133
10	600	3.37	2.87	1724	0	1724
15	900	2.78	2.37	2133	0	2133
30	1800	1.87	1.59	2869	0	2869
60	3600	1.16	0.99	3560	0	3560
120	7200	0.69	0.58	4155	0	4155
180	10800	0.48	0.41	4428	0	4428
360	21600	0.28	0.24	5210	0	5210
720	43200	0.16	0.15	5444	0	5444
1440	86400	0.11	0.09	7954	0	7954

SUMMARY: The required storage volume is 7,954 cubic feet

DEVELOPER:

BRIGHTON HOMES
215 NORTH REDWOOD ROAD, SUITE 8
NORTH SALT LAKE, UT. 84054
(801) 397-9755

CITY COUNCIL'S APPROVAL

PRESENTED TO THE CITY COUNCIL OF NORTH SALT LAKE CITY,
THIS _____ DAY OF _____, 20____.
CITY RECORDER ATTEST: _____
MAYOR: _____

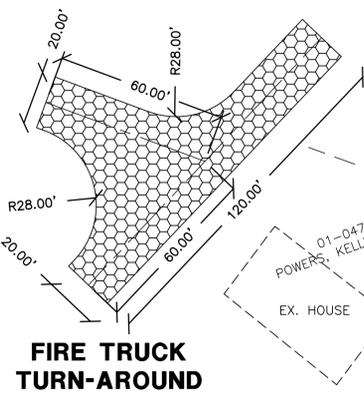
PROJECT INFORMATION

Surveyor: T. HATCH
Designer: E. ROCHE
Begin Date: 4-4-19

Project Name: ORCHARD GROVE
Number: 6440-15
Scale: 1"=30'
Revision: 6-6-19
Checked: _____

DAVIS COUNTY RECORDER

ENTRY NO. _____ FILED FOR RECORD
AND RECORDED, _____ AT
_____ IN BOOK _____ OF
THE OFFICIAL RECORDS, PAGE _____
RECORDED FOR: _____
DAVIS COUNTY RECORDER
_____ DEPUTY,



FIRE TRUCK TURN-AROUND

LEGEND

- SECTION CORNER
- SECTION LINE
- BOUNDARY LINE
- EXISTING FENCE LINE
- EXISTING CONTOURS
- PROPOSED CONTOURS
- ADJOINING PROPERTY
- SS — PROPOSED SANITARY SEWER LINE
- EX.SS — EXISTING SANITARY SEWER LINE
- W — PROPOSED CULINARY WATER LINE
- EX.W — EXISTING CULINARY WATER LINE
- SD — PROPOSED STORM DRAIN
- EX.SD — EXISTING STORM DRAIN
- POWER LINE
- = PROPOSED STREET LIGHT
- = PROPOSED SINGLE GRATE CATCH BASIN WITH BICYCLE-SAFE GRATE
- = PROPOSED FIRE HYDRANT
- = PROPOSED SANITARY SEWER MANHOLE
- = PLUG W/ 2" BLOW-OFF
- = PROPOSED STORM DRAIN MANHOLE
- = EXISTING POWER POLE
- ▨ = EXISTING ASPHALT SURFACE
- ▨ = PROPOSED ASPHALT SURFACE
- ▨ = PROPOSED CONCRETE SURFACE
- ▨ = DEDICATE TO CITY
- ▨ = FIRE TURN-AROUND
- ▨ = UNDERGROUND DETENTION

IRRIGATION EASEMENT IN FAVOR OF SOUTH DAVIS COUNTY WATER IMPROVEMENT DISTRICT (ENTRY 197092, BOOK 176, PAGE 634)

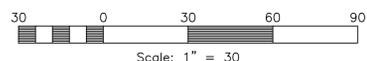
FOUND BRASS CAP MONUMENT AT THE SOUTH QUARTER CORNER OF SECTION 2, TOWNSHIP 1 NORTH, RANGE 1 WEST, SLB&M

FOUND BRASS CAP MONUMENT AT THE SOUTH WEST CORNER OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 1 WEST, SLB&M

FOUND BRASS CAP MONUMENT AT THE SOUTH QUARTER CORNER OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 1 WEST, SLB&M

CURVE TABLE

#	RADIUS	ARC LENGTH	CHD. LENGTH	TANGENT	CHD. BEARING	DELTA
C1	17.51'	20.88'	19.66'	11.88'	S35°30'35"E	68°20'19"



RECOMMENDED FOR APPROVAL
THIS _____ DAY OF _____, 20____.
CITY ENGINEER

RECOMMENDED FOR APPROVAL
THIS _____ DAY OF _____, 20____.
CITY ATTORNEY

RECOMMENDED FOR APPROVAL
THIS _____ DAY OF _____, 20____.
CHAIRMAN, PLANNING COMMISSION

When Recorded
Return to:
City of North Salt Lake
10 East Center Street
North Salt Lake, UT 84054

DEVELOPMENT AGREEMENT ORCHARD GROVE AT NORTH SALT LAKE

THIS DEVELOPMENT AGREEMENT (the “Agreement”) is made and entered into as of the 18th day of June 2019 (the “Effective Date”), by and between **THE CITY OF NORTH SALT LAKE**, a Utah municipal corporation (the “City”), and _____, a Utah limited liability company, (the “Developer”). The Developer and the City are sometimes collectively referred to herein as the “Parties” or singularly as a “Party.”

RECITALS

A. As of the Effective Date hereof, Developer is the owner of the property described on **Exhibit “A”** (the “Property”) hereto, located within the City of North Salt Lake, Davis County, Utah.

B. The development of the Property is governed by the City’s Title 10—Land Use and Subdivision Ordinances (the “Code”). All Section references contained herein shall refer to the Code.

C. Pursuant to section 10-13-3 of the Code, the Developer has filed an application for and received approval by the City for the following:

- (1) a General Development Plan (the “General Development Plan”) for the Property consisting of a sixteen (16) unit townhome PUD; and
- (2) the re-zoning of the Property to the Planned P District, (the “P District Zoning”) subject to approval of an acceptable development agreement.

D. The project to be developed upon the Property pursuant to the General Development Plan is known as the Orchard Grove Townhomes and is generally located at 378 East Odell Lane in the City of North Salt Lake (the “Project”).

E. Pursuant to the City’s approval of the General Development Plan on the 2nd day of April, 2019, the Plan consists of sixteen (16) residential units with associated parking, landscaping and other improvements. A copy of the approved General Development Plan is attached hereto as **Exhibit “B.”**

F. Notwithstanding the City’s approval of the General Development Plan consisting of sixteen (16) residential units, the developer agrees to reduce the Project to fourteen (14) residential units as shown on “Exhibit C” Preliminary Plan.

Pursuant to section 10-13-2-D, exceptions to or modification of the general standards for development within the residential and commercial zoning districts may be granted in the P District Zoning if the City determines that such exceptions are desirable and warranted. By this Agreement, the Parties desire to stipulate the required standards with respect to: land use; building size, layout, materials and architecture; landscaping; parking; signage size, placement, height, and design; lighting; fencing materials; and any other standards specified herein and included within the Project’s P District Zoning.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Developer hereby agree as follows:

1. Incorporation of Recitals and Exhibits. The above Recitals and Exhibits attached and referenced herein are hereby incorporated into this Agreement.

2. General Development Plan Approval. To the fullest extent of its legal powers and authority and for the duration of the Term (as described below) of this Agreement, the City hereby approves the General Development Plan for the Project, including the density, use, configuration, and specification designations as described in the General Development Plan and as described elsewhere herein. The developer may not substantively deviate from the General Development Plan without prior approval by the City. Subject to the terms of this Agreement and subject to the Developer's compliance with other provisions of the Code not specifically modified herein, the Developer shall have the right to have, Preliminary Design Plan, Site Plan, Final Plat, Construction Plans and Building Permits (as those terms are defined in section 10-3 of the Code) approved by the City and to develop the Project as proposed and approved. The Developer hereby agrees that the Project is subject to all City ordinances except as specifically modified herein by this Agreement. In the event of a conflict between the Code and this Agreement, this Agreement shall control.

3. Term. The vested rights described in this Agreement shall be effective for a period of ten (10) years following the date on which this Agreement is adopted by the city Council of North Salt Lake and signed by the City's Mayor (the "Term").

4. Development of the Project. The Project shall be developed by Developer and/or Developer's successors and assigns in accordance with all of the requirements contained herein.
 - a. Notwithstanding anything in the Code to the contrary, the general layout, parking, fencing, and landscaping of the project shall be substantially in the form of **Exhibit "C"** of this Agreement and are entitled Preliminary Plan & Landscape Plan. Parking shall be provided at a rate of 4.43 parking spaces per unit, including 2 spaces per garage/unit side by side and not in tandem, 2 parking spaces per driveway, and 6 additional spaces for guest parking. The developer shall provide within the CC&Rs a statement that the residents shall use their garages for primary parking for the residents with the use of their driveways having a primary use as guest parking.

 - b. Notwithstanding anything in the Code to the contrary, the land use standards, including but not limited to, setbacks, building heights, uses, etc., for all structures to be developed within the Project shall be as described in attached **Exhibit "D"** and are hereby approved by the City for use in the Project and are entitled P District Land Use Standards.

 - c. Developer and City hereby agree that architectural standards should be applied to the development of all lots within the Project. These specific rules and standards are shown in **Exhibit "E"** of this Agreement and are entitled, "Architectural Standards for Orchard Grove Townhomes".

 - d. Phasing Plan. The Developer intends to construct the project in one phase.

e. Required Public Improvements. City agrees to coordinate with Developer the placement of conduits, chases and other piping required for the development of the project. The Developer agrees to construct all required public improvements, at its expense.

f. Fencing: The Developer shall be responsible for the installation of fencing along the south and east property lines. The fence shall be a solid vinyl fencing in a coordinating color and shall be a minimum of six (6) feet tall, except within the front setback from the right of way line, where the fence shall meet the fencing standards for front yard areas as detailed in city code 10-1-33(2).

g. Amenities. The Developer agrees to install amenities for the use and enjoyment of the residents of the project including a fenced in area for dogs and a children's tot lot as shown on the approved General Development Plan in the form attached **Exhibit "B"** and as located on the approved Preliminary Plan in form attached "**Exhibit C**". The amenities shall be owned in common and maintained by the Home Owner's Association as required by the Codes, Covenants, and Restrictions (CC&Rs) recorded at the office of the County Recorder with the final plat.

h. Ownership. The Developer shall provide within the adopted CC&Rs for the Project provisions which preclude the ownership of more than two (2) townhome units by a single person or entity for the purpose of rental properties.

5. Payment of Fees. Developer agrees to pay fees, except for any waivers, credits or other considerations noted in this agreement, as required by the City's adopted fee schedule in effect at the time of the submittal of their respective development applications. The developer is solely responsible for payment of any required fees to the South Davis Water District and South Davis Sewer District.

6. Agreement to Run with the Land/Assignment. A memorandum of this Agreement shall be recorded by Developer against the Property in the form attached **Exhibit "F"**. The rights and obligations of Developer under this Agreement shall be those affecting the Property, and shall run with and be binding upon the Property and its successors and assigns, or any portion thereof. The terms of this Agreement shall be deemed to expire as to any portion of the Property upon the issuance of a certificate of occupancy for a structure on the subject portion of the Property. Neither Developer nor their successors and assigns shall have the right to assign this Agreement, in whole or in part, unless: (a) such assignee becomes the owner of fee simple title to that portion of the Property affected by the rights and obligations under this Agreement that are being assigned, and (b) the City has consented in writing to the assignment, which consent shall not be unreasonably withheld.

7. Notices. Any notices, requests and demands required or desired to be given hereunder shall be in writing and shall be served personally upon the Party for whom intended, or if mailed, by certified mail, return receipt requested, postage prepaid, to such Party at its address shown below:

To Developer: Brighton

To the City: City of North Salt Lake
Attn: City Manager
10 East Center Street
North Salt Lake, Utah 84054

In the event that either of the Parties desires to change its address as shown above, such Party shall provide written notice to the other Party pursuant to the requirements of this Section 6.

8. Default. In the event either Party fails to perform its obligations hereunder or to comply with the terms thereof, within thirty (30) days after giving written notice of default and the failure of the defaulting Party to cure such default, or if the default is of a nature that it cannot be reasonably cured within 30 days, then to have diligently and in good faith commenced to cure such default, and the non-defaulting Party may, at its election, have the following remedies:

a. All rights and remedies available in equity, including injunctive relief or specific performance, but shall have no claim for money damages.

b. The right to withhold all further approvals, licenses, permits or other rights associated with the Project or any development described in this Agreement until such default has been cured.

c. The right to draw upon any security posted or provided in connection with the Project and this Agreement.

d. The right to terminate this Agreement.

e. The rights and remedies set forth herein shall be cumulative.

9. Entire Agreement. This Agreement, together with the Exhibits attached hereto, documents referenced herein, and all regularly approvals given by the City for the Property and/or the Project or any phase thereof containing the entire agreement of the Parties with respect to the subject matter hereof and supersede any prior promises, representations, warranties or understandings between the Parties which are not contained in this Agreement, regulatory approvals and related conditions.

10. Severability. The Parties hereto agree that the provisions hereto are severable. If any provision of this Agreement is held invalid, the remainder of this Agreement shall be effective and shall remain in full force and effect unless amended or modified by mutual consent of the Parties.

11. Binding Effect. This Agreement shall inure to the benefit of, and be binding upon, the Parties hereto and their respective heirs, representatives, officers, agents, employees, members, successors and assigns.

12. No Third-Party Rights. The obligations of Developer set forth herein shall not create any rights in and/or obligations to any person or Parties other than the City. The Parties hereto alone shall be entitled to enforce or waive any provisions of this Agreement.

[The remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement by and through their respective, duly authorized representatives as of the day and year first hereinabove written.

ATTEST:

CITY
CITY OF NORTH SALT LAKE

City Recorder

By: Len Arave
Its: Mayor

DEVELOPER

By:
Its:

EXHIBIT "B"
GENERAL DEVELOPMENT PLAN

The General Development Plan for the Orchard Grove Townhomes project approved by the City Council on the 2nd day of April, 2019.



EXHIBIT “D”

ORCHARD GROVE P DISTRICT LAND USE STANDARDS

1. Purpose. This Exhibit outlines the standards pursuant to which Orchard Grove Townhomes Residential uses shall be developed within the P District. References herein to the term “Code” shall refer to Title 10 of the North Salt Lake City Code, Land Use and Subdivision Ordinances.
2. Residential Standards for Townhomes.
 - a. Lot Area:
 - i. Due to the nature of townhome development, there shall be no minimum lot area; however, no residential unit constructed in the P district shall have a living area less than 1,400 square feet and a minimum of 3 bedrooms.
 - b. Maximum Coverage Area.
 - i. Due to the nature of townhome development and the unusual shape of the property, there shall be no maximum coverage area per lot.
 - c. Maximum Height of Buildings.
 - i. The maximum height for all residential structures in the P District shall be thirty-five (35) feet from finished final grade, per city land use ordinance section 10-1-25.
 - d. Lot Width and Depth:
 - i. The minimum lot width and depth for the lot shall be as depicted on the approved preliminary design plan.
 - e. Setbacks, front:
 - i. The front yard setback shall be a minimum of twenty (20) feet from the new dedicated right-of-way line for the units fronting Orchard Drive.
 - ii. The front yard setback be a minimum of twenty-five (25) feet from the new dedicated right-of-way for the units fronting Odell Lane
 - f. Setbacks, rear:
 - i. The minimum rear yard setback from the development boundary shall be a minimum of thirteen (13) feet.
 - g. Setbacks, side:
 - i. The minimum side yard setback from the development boundary shall be a minimum of eight (8) feet.
 - ii. The minimum street side yard for the units fronting Orchard Drive shall be fifteen (15) feet.
 - h. Setbacks for individual units:
 - i. The side yard setbacks shall be zero (0) feet between units.
 - ii. The minimum distance between residential buildings shall be ten (10) feet.
 - i. Minimum Landscape Percentage.
 - i. The minimum landscape percentage for the entire development shall be 30%.
 - j. Accessory Buildings:
 - i. Accessory buildings shall not be allowed for individual residential units.
 - ii. Accessory buildings or structures within the common area shall include only those necessary for the operations of the Home Owners Associations

and enjoyment of the residents, including a trash enclosure, playground equipment, etc.

- k. Fence:
 - i. The maximum solid fence height within 20 feet of a public street shall be four (4) feet.
 - ii. The maximum height for the remainder of the perimeter fence shall be eight (8) feet. A minimum six foot vinyl fence shall be required in the P District on the perimeter of the residential portion of the property in accordance with the Development Agreement.
- l. Parking shall be provided as follows
 - i. Each unit shall include a two (2) car garage, for a total of 28 spaces.
 - ii. Guest parking shall be provided in the amount of 34spaces, including a minimum of 2 driveways spaces per unit and 6 additional guest spaces within the common area and as shown on the preliminary plan.
 - iii. Total parking provided: 62 spaces, 4.43 spaces per unit.
- 3. Permitted Uses.
 - a. Single family attached dwellings (townhomes)
 - b. Home occupations as regulated by North Salt Lake Land Use Code, Section 10-10-5, as amended.
 - c. One (1) model home unit

EXHIBIT “E”

**ARCHITECTURAL STANDARDS FOR
ORCHARD GROVE TOWNHOMES**

The Architectural Rules and Design Standards and Construction Guidelines, as contained herein, are to be used as guidelines for the owner and builder in preparing plans and specifications for any proposed construction or improvement in Orchard Grove Townhomes and for maintaining an orderly construction environment. These guidelines will be used by the Declarant in conjunction with the Declaration of Covenants, Conditions, Restrictions, and Easements (Declaration), and any undefined terms shall have the same meaning as contained therein.

Design Standards:

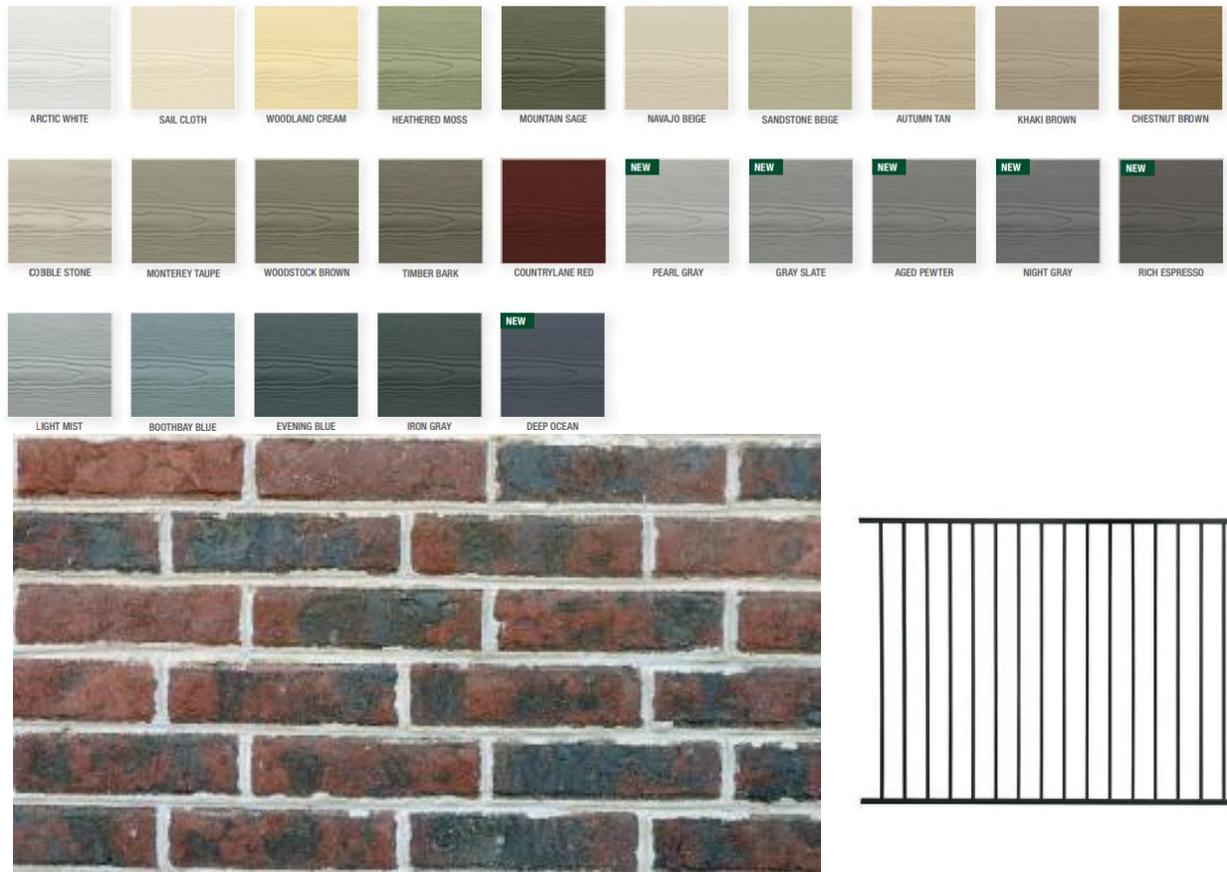
A. Exterior Elevations

All exterior residential elevations shall be consistent with general scheme and design as depicted below and as approved in the General Development Plan for Orchard Grove Townhomes. The units shall utilize shared common space and rear entry garages as depicted on the Preliminary Plan and General Development Plan. In order to create a varied streetscape individual units shall be varied in architectural accents, colors, and materials. All homes in the community will have two-garage side by side garages.



B. Exterior Finishes and Colors

- 1. Materials and Colors.** Exterior materials shall consist of Fiber Cement Board, Brick, Stucco and Metal accents, and Asphalt Shingles. The following colors and materials shall be used in the construction of all townhomes. Minor variations in color/tone may be approved by the Community Development Director in accordance with this general color pallet.

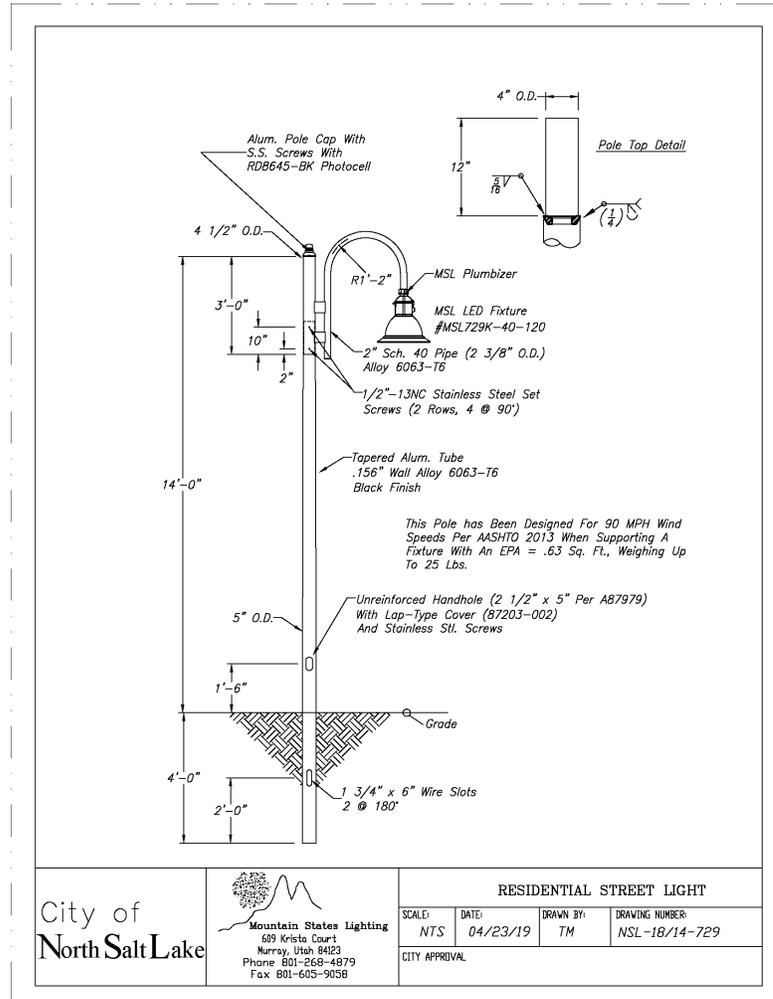


C. Garages and Driveways

Interiors of garages shall be sheet-rocked and taped. All homes must have at least a 2 car garage, side by side. Sanded, textured and painted drywall is optional.

D. Lamp Posts, Building Lighting

The development shall utilize the following light poles in black. Declarant will install the following commercial quality lamp post, or another mutually agreed upon between the City and Developer:



Declarant will submit a lighting plan detailing the location of the proposed lamp posts with final plat application.

All site/building lighting shall be shielded and directed downward so light spill does not adversely affect adjacent properties or streets.

E. Landscaping

Upon completion of each unit, the Declarant shall install landscaping in accordance with the approved landscape plan. A unity of the design of an overall development master plan shall be achieved by the repetition of certain plant varieties, colors and materials to tie the overall

development together. All landscaping and irrigation shall utilize efficient landscaping techniques and drought tolerant species where possible.

F. Mailboxes

Mailbox clusters, with mailboxes and newspaper receptacles will be provided by Declarant based on the requirements and approval of the U.S. Postal Service. Replacement necessitated by damage from whatever source shall be at the expense of the builder or owner.

G. Fencing Material

The project perimeter fencing material shall be vinyl fencing material, similar to the figure below, in a color coordinated with the materials used in the construction of the townhomes.



**EXHIBIT “F”
RECORDABLE MEMORANDUM OF AGREEMENT**

RECORDING REQUESTED BY AND
WHEN RECORDED PLEASE RETURN TO:

City of North Salt Lake
Attn: City Recorder
10 East Center Street
North Salt Lake, UT 84054

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT (“Memorandum”) is made by and between **THE CITY OF NORTH SALT LAKE**, a Utah municipal corporation, whose address is 10 East Center Street, North Salt Lake, Utah, 84054, hereinafter referred to as the “City,” and _____, a **Utah limited liability company**, whose address is _____ (“Developer”).

Developer and the City have entered into that certain “Development Agreement for Orchard Grove Townhomes”, dated June 18, 2019 (referred to herein as the “Agreement”) regarding the real property to be known as the Orchard Grove Townhomes PUD and more particularly described on the attached **Schedule “A”** (the “Property”). Copies of the Agreement are on file in the offices of the City of North Salt Lake.

This Memorandum is executed and recorded in the Davis County Recorder’s Office in order to provide third-parties with notice of the Agreement. The effect of the Agreement as to each portion of the Property shall expire upon the issuance of a certificate of occupancy for a structure by the City as to the subject portion.

IN WITNESS WHEREOF, the Parties have executed this Memorandum as of the date first above written.

“CITY”

CITY OF NORTH SALT LAKE

ATTEST:

City Recorder

By: _____
Mayor

State of Utah)
 ss.
County of Davis)

This instrument was acknowledged before me on _____, 2019, by _____ as _____ of City of North Salt Lake, a Utah municipal corporation.

[Seal]

NOTARY PUBLIC

My Commission Expires: _____

“DEVELOPER”

By: _____

Title: _____

State of Utah)
 ss.
County of Davis)

This instrument was acknowledged before me on _____, 2019, by _____ as _____ of _____, a Utah Limited Liability company.

[Seal]

NOTARY PUBLIC

My Commission Expires: _____

ORDINANCE NO. 2019-04

AN ORDINANCE AMENDING THE CITY OF NORTH SALT LAKE ZONING MAP BY CHANGING THE ZONING OF PROPERTY LOCATED GENERALLY AT 378 EAST ODELL LANE WITHIN THE CITY OF NORTH SALT LAKE, STATE OF UTAH, FROM MULTIFAMILY RESIDENTIAL RM-7 TO P, PLANNED DISTRICT.

WHEREAS, the City of North Salt Lake has received an application from Brighton Development Utah to amend the zoning for property located generally at 378 East Odell Lane from RM-7, Multifamily Residential to P, Planned District; and

WHEREAS, the proposed zoning change set forth herein has been reviewed by the Planning Commission and the City Council, and all appropriate public hearings have been held in accordance with Utah law and the City of North Salt Lake's ordinances to obtain public input regarding the proposed revisions to the Zoning Map.

WHEREAS, the Planning Commission has made a recommendation to the City Council concerning the proposed zoning change as required by City Code and Utah Code; and

WHEREAS, the City Council has reviewed this application and finds that it is consistent with the comprehensive general plan, goals and policies of the City and that changed conditions make the proposed amendment reasonably necessary to carry out the purposes stated in Title 10 of the Land Use Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH SALT LAKE, STATE OF UTAH, AS FOLLOWS:

Section 1. Zoning Map Amendment. The City of North Salt Lake Zoning Map is hereby amended to change the zoning of approximately 1.172 acres of property located generally at 378 East Odell Lane within the city limits of the City of North Salt Lake, and more particularly described as Davis County parcel number 01-047-0357, from RM-7, Multifamily Residential to P, Planned District.

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall become effective upon publication or posting.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH SALT LAKE, STATE OF UTAH, THIS 18th DAY OF JUNE, 2019.

CITY OF NORTH SALT LAKE

By: _____
Len Arave, Mayor

ATTEST:

City Recorder

City Council Vote as Recorded:

<u>Name</u>	<u>Vote</u>
Council Member Hood	_____
Council Member Horrocks	_____
Council Member Baskin	_____
Council Member Mumford	_____
Council Member Porter	_____

Property Description:

A PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EXISTING SOUTHERLY RIGHT-OF-WAY LINE OF ODELL LANE, SAID POINT IS 948.84 FEET S89°54'24"W ALONG THE SECTION LINE AND 694.98' N00°05'36"W FROM THE SOUTH QUARTER CORNER OF SAID SECTION 1, AND RUNNING THENCE S69°40'45"E ALONG SAID SOUTHERLY RIGHT OF WAY 220.15 FEET; THENCE ALONG A TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 17.51 FEET, AN ARC LENGTH OF 20.88 FEET, A DELTA ANGLE OF 68°20'19", A CHORD BEARING OF S35°30'35"E, AND A CHORD LENGTH OF 19.66 FEET TO THE WESTERLY LINE OF ORCHARD LANE; THENCE S43°03'24"W ALONG SAID RIGHT OF WAY LINE 227.61 FEET; THENCE N69°57'40"W 222.02 FEET; THENCE N24°31'50"E 112.35 FEET; THENCE S70°08'36"E 60.94 FEET; THENCE N22°36'24"E 109.61 FEET TO THE POINT OF BEGINNING.

CONTAINING 51,036 SQUARE FEET OR 1.172 ACRES MORE OR LESS.



CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Sherrie Llewelyn, Community Development Director
DATE: June 18, 2019
SUBJECT: Consideration of Preliminary Plan approval for Orchard Grove PUD at 378 East Odell Lane

RECOMMENDATION

The Planning Commission recommends to the City Council approval of the preliminary plan for Orchard Grove PUD located at 378 East Odell Lane subject to the following:

1. Approval of the P-District Rezone and Development Agreement by the City Council;
2. The resolution of the appeal hearing upholding the approval of the General Development Plan by the City Council.

UPDATE

The purpose of this application is to facilitate the general development plan known as Orchard Grove Townhomes located at approximately 378 East Odell Lane. The property is a total of approximately 1.24 acres currently zoned RM-7 and is recommended for a rezone to the P-District. The general development plan for Orchard Grove Townhomes was approved by the City Council on April 2, 2019. In conjunction with the P-District rezone request, the development agreement will include this preliminary plan. The Preliminary Plan has been updated as per the previous report stated regarding the P-District Zone change request and has been reduced from 16 units to 14 units.

REVIEW

The project will be developed in one phase for final platting. The townhomes are being platted for individual sale. The DRC has reviewed the preliminary plat for compliance with applicable standards of the subdivision ordinance. The Engineering division will require final civil drawings prior to final plat. The preliminary plan meets the minimum standards for the zone and conforms to the proposed zone change and draft development agreement

POSSIBLE MOTION

I move that the City Council approve the proposed preliminary plan for Orchard Grove PUD located at 378 East Odell Lane with no conditions.

Attachments

- 1) Preliminary Plan

ORCHARD GROVE PRELIMINARY PLAT - 'NOT TO BE RECORDED'

PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 1 NORTH,
RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH
APRIL, 2019



Vicinity Map
SCALE: 1"=1000'

NOTES

- EXISTING AND PROPOSED CONTOURS ARE SHOWN IN ONE FOOT INTERVALS.
- PROJECT IS ZONE X ACCORDING TO FEMA FLOOD MAPS 49011C0509E, EFF. 6-18-2007 AND 49011C0507E, EFF. 6-18-2007

Site Information

Parcel ID# 01-047-0357
ODELL AVE. & ORCHARD DRIVE
NORTH SALT LAKE, DAVIS COUNTY, UTAH

PARKING.....62 TOTAL
6 ON-STREET STALLS
2 CAR DRIVEWAY (28 STALLS)
2 CAR GARAGE (28 STALLS)

PARCEL PRIOR TO DEV.....54,327 s.f. (1.25 ACRES)
AREA DEEDED TO POWERS.....(3,291) s.f. ((0.08) ACRES)

TOTAL PARCEL AREA AT DEV.....51,036 s.f. (1.17 ACRES)
RIGHT-OF-WAY DEDICATION.....(3,997) s.f. ((0.09) ACRES) 7.8%
BUILDING AREA.....13,257 s.f. (0.30 ACRES) 25.6% 14 UNITS
HARD SURFACED AREA.....17,792 s.f. (0.41 ACRES) 35.0%
LANDSCAPE AREA.....15,990 s.f. (0.37 ACRES) 31.6%

BOUNDARY DESCRIPTION

A PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EXISTING SOUTHERLY RIGHT-OF-WAY LINE OF ODELL LANE, SAID POINT IS 948.84 FEET S89°54'24"W ALONG THE SECTION LINE AND 694.98' N00°05'36"W FROM THE SOUTH QUARTER CORNER OF SAID SECTION 1, AND RUNNING THENCE S69°40'45"E ALONG SAID SOUTHERLY RIGHT OF WAY 220.15 FEET; THENCE ALONG A TANGENT CURVE TURNING TO THE RIGHT WITH A RADIUS OF 17.51 FEET, AN ARC LENGTH OF 20.88 FEET, A DELTA ANGLE OF 68°20'19"; A CHORD BEARING OF S35°30'35"E, AND A CHORD LENGTH OF 19.66 FEET TO THE WESTERLY LINE OF ORCHARD LANE; THENCE S43°03'24"W ALONG SAID RIGHT OF WAY LINE 227.61 FEET; THENCE N69°57'40"W 222.02 FEET; THENCE N24°31'50"E 112.35 FEET; THENCE S70°08'36"E 60.94 FEET; THENCE N22°36'24"E 109.61 FEET TO THE POINT OF BEGINNING.

CONTAINING 51036 SQUARE FEET OR 1.172 ACRES MORE OR LESS

Storm Runoff Calculations

North Salt Lake - Orchard Grove
6/7/2019

The following runoff calculations are based on the Rainfall - Intensity - Duration Frequency Curve for the North Salt Lake, Utah area taken from the NOAA Atlas 14 database, using a 25 year 24 hour storm for retention. Storm water runoff has been calculated for a fully developed site.

The calculations are as follows:

Drainage Area:	Total Area = 1.22 acre or 53,048 sq ft	
Runoff Coefficients:	Paved Area 23,661	C = 0.9
	Landscaped Area 19,601	C = 0.2
	Roof 13,786	C = 0.9
Weighted Runoff Coefficient:		C = 0.69

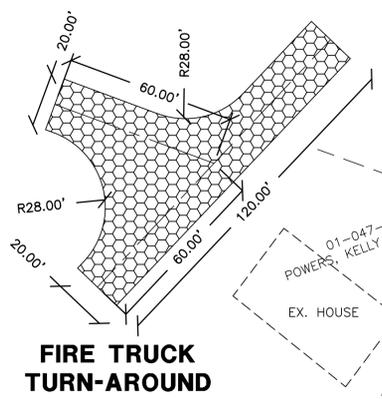
Rainfall Intensities: 10-yr intensity for a 10 minute TOC - Pipe Capacity 2.54 in/hr

Peak Runoff:	Runoff Coefficient C = 0.69
	Rainfall Intensity I = 2.54 IN./HR.
	Acres A = 1.22 ACRES
	Q = 2.16 cfs

Volume of Run-off for 25-year Storm Event:

time (min)	time (sec)	i (in/hr)	Q (cfs)	Vol. in (cft)	Vol. out (cft)	Difference (cft)
0	0	0.00	0.00	0	0	0
5	300	4.43	3.78	1133	0	1133
10	600	3.37	2.87	1724	0	1724
15	900	2.78	2.37	2133	0	2133
30	1800	1.87	1.59	2869	0	2869
60	3600	1.16	0.99	3560	0	3560
120	7200	0.69	0.58	4155	0	4155
180	10800	0.48	0.41	4428	0	4428
360	21600	0.28	0.24	5210	0	5210
720	43200	0.16	0.15	5444	0	5444
1440	86400	0.11	0.09	7954	0	7954

SUMMARY: The required storage volume is **7,954** cubic feet



FIRE TRUCK TURN-AROUND

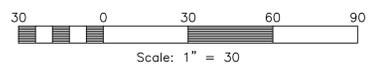
LEGEND

- SECTION CORNER
- SECTION LINE
- BOUNDARY LINE
- EXISTING FENCE LINE
- EXISTING CONTOURS
- PROPOSED CONTOURS
- ADJOINING PROPERTY
- PROPOSED SANITARY SEWER LINE
- EXISTING SANITARY SEWER LINE
- PROPOSED CULINARY WATER LINE
- EXISTING CULINARY WATER LINE
- PROPOSED STORM DRAIN
- EXISTING STORM DRAIN
- POWER LINE
- PROPOSED STREET LIGHT
- PROPOSED SINGLE GRATE CATCH BASIN WITH BICYCLE-SAFE GRATE
- PROPOSED FIRE HYDRANT
- PROPOSED SANITARY SEWER MANHOLE
- PLUG W/ 2" BLOW-OFF
- PROPOSED STORM DRAIN MANHOLE
- EXISTING POWER POLE
- EXISTING ASPHALT SURFACE
- PROPOSED ASPHALT SURFACE
- PROPOSED CONCRETE SURFACE
- DEDICATE TO CITY
- FIRE TURN-AROUND
- UNDERGROUND DETENTION



CURVE TABLE

#	RADIUS	ARC LENGTH	CHD. LENGTH	TANGENT	CHD. BEARING	DELTA
C1	17.51'	20.88'	19.66'	11.88'	S35°30'35"E	68°20'19"



RECOMMENDED FOR APPROVAL

THIS _____ DAY OF _____, 20____.

CITY ENGINEER

RECOMMENDED FOR APPROVAL

THIS _____ DAY OF _____, 20____.

CITY ATTORNEY

RECOMMENDED FOR APPROVAL

THIS _____ DAY OF _____, 20____.

CHAIRMAN, PLANNING COMMISSION

CITY COUNCIL'S APPROVAL

PRESENTED TO THE CITY COUNCIL OF NORTH SALT LAKE CITY,

THIS _____ DAY OF _____, 20____.

CITY RECORDER ATTEST: _____

MAYOR: _____

SURVEYOR'S CERTIFICATE

I, **TREVOR J. HATCH**, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT, AND THAT THIS PLAT OF **ORCHARD GROVE** IN **NORTH SALT LAKE, DAVIS COUNTY, UTAH**, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS INCLUDED IN SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS IN THE **DAVIS COUNTY** RECORDER'S OFFICE AND FROM SAID SURVEY MADE BY ME ON THE GROUND, I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF **NORTH SALT LAKE, DAVIS COUNTY** CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.

SIGNED THIS _____ DAY OF _____, 20____.

9031945
UTAH LICENSE NUMBER

OWNERS DEDICATION AND CERTIFICATION

WE THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO UNITS AND PRIVATE STREETS AS SHOWN ON THE PLAT AND NAME SAID TRACT **ORCHARD GROVE**, AND DO HEREBY DEDICATE TO PUBLIC USE ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PRIVATE THOROUGHFARES ALSO TO GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED HEREON AS PRIVATE UTILITY, STORM WATER RETENTION, AND DRAINAGE EASEMENTS, WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS AND ALSO TO DEDICATE ALL COMMON AREAS AS PUBLIC UTILITY AND DRAINAGE EASEMENT.

SIGNED THIS _____ DAY OF _____, 20____.

BANK OF UTAH ACKNOWLEDGMENT

STATE OF UTAH)ss.
COUNTY OF _____)

ON THIS THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME _____, WHO BEING BY ME DULY SWORN DID SAY THAT HE/SHE IS THE _____ OF BANK OF UTAH, AND THAT THE FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BOARD OF DIRECTORS, AND HE/SHE ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES: _____

RESIDING IN _____ COUNTY, _____

LIMITED LIABILITY ACKNOWLEDGMENT

STATE OF UTAH)ss.
COUNTY OF _____)

ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF _____, IN SAID STATE OF UTAH, _____, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE/SHE IS THE _____ OF _____, AND THAT HE/SHE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: _____

A NOTARY PUBLIC COMMISSIONED IN UTAH RESIDING IN _____ COUNTY

MY COMMISSION NO. _____ PRINTED FULL NAME OF NOTARY _____

PROJECT INFORMATION

Surveyor: **T. HATCH** Project Name: **ORCHARD GROVE**

Designer: **E. ROCHE** Number: **6440-15**

Begin Date: **4-4-19** Scale: **1"=30'**

Revision: **6-6-19** Checked: _____

DAVIS COUNTY RECORDER

ENTRY NO. _____ FILED FOR RECORD

AND RECORDED, _____ AT _____ IN BOOK _____ OF THE OFFICIAL RECORDS, PAGE _____

RECORDED FOR: _____

DAVIS COUNTY RECORDER _____ DEPUTY, _____





CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Sherrie Llewelyn, Community Development Director
DATE: June 18, 2019
SUBJECT: Consideration of a request for a general development plan for Fox Hollow Homes located at 877 North Cutler Drive

RECOMMENDATION

The Planning Commission recommends to the City Council approval of the general development plan for Fox Hollow Homes located at 877 North Cutler Drive with the following conditions to be incorporated within the final zone change and development agreement approval:

1. Final architecture design, materials, colors;
2. Submittal of a required development agreement; and
3. Final approval of the P-District Rezone.

BACKGROUND

The proposed general development plan is located at 877 North Cutler Drive. The property contains approximately 2.15 acres and is currently zoned General Commercial. The parcel adjacent to Foxboro Terrace Apartments and Foxboro North Stonehaven East PUD.

This property is currently owned by Leo Thurston and used for asphalt truck storage. Red Pine Land, LLC has a purchase agreement with Thurston for the development proposal. Together, they are requesting a General Development Plan and Rezone to a P-District Zone for single family lots, similar in size to those in the Stonehaven PUD.

There have been soils studies conducted on the site with indication of some contamination and debris buried with the fill dirt. Any areas with contamination or deleterious materials will be removed along with the fill dirt and replaced with engineered fill material.

The Planning Commission held a public hearing on the zone change and general development plan. Only one public comment was received and it was favorable to the project as proposed.

REVIEW

Site Plan

The proposed development includes a total of 23 single family homes on approximately 3,400 square foot lots. The overall density of the project is 10.7 dwelling units per acre. The majority of the lots have a 40' width, with the smallest width being 38.69'. The lots have a depth of 82' to 85'. On the smaller lots, single family floor plans with a width of 27' will be used. Other lots will have homes with 30'-32' widths. Each home will have a 2 car garage and a 2 car driveway.

The proposed development has internal private streets to access the homes. The roadways will be private streets, owned and maintained by a homeowners association. Access to the community will be from Cutler Drive. The sidewalk and park strip along Cutler Drive will be improved to meet the City standards. No internal sidewalks are included in the project.

A design constraint that will need to be addressed involves the utility connections along Cutler Drive. The portion of Cutler Drive adjacent to the site is a new road and the city prohibits the cutting of streets for a period of 5 years. Alternative solutions are being reviewed to provide access to utilities (water and sewer).

Conceptual Building Plans

The proposed single family dwellings are two stories. The designs range from traditional to contemporary. The design parameters will 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 DRC is recommending the following architecture improvements be clarified in the development agreement:

- If applied to a front elevation, architectural features such as brick or stone wainscoting shall be wrapped around the side façade a minimum of 18 inches.
- Main front siding material to continue on the side elevations.
- All windows on the same wall plan shall be the same height and have the consistent architectural treatments.
- No home of the same model and elevation shall be built on the lot adjacent or directly across the street.
- The garage façade shall extend no more than 5 feet from the front façade or porch roof line.
- Construction will be of high quality materials such as brick, stone, stucco and cement fiber board.

Final architecture will be determined prior to development agreement approval and based upon Planning Commission recommendations.

Fencing will be installed by the builder at the corner lots and along all side yard property lines of a material to be proposed as part of the development agreement. The project perimeter is currently fenced with an 8 foot wall on the south and 8 foot vinyl fencing on the west and north property line. At this time the specific fencing has not been proposed but will need to be specified in the development agreement.

POSSIBLE MOTION

I move that the City Council approve the general development plan for Fox Hollow Homes located at 877 North Cutler Drive with the following conditions to be incorporated within the final zone change and development agreement approval:

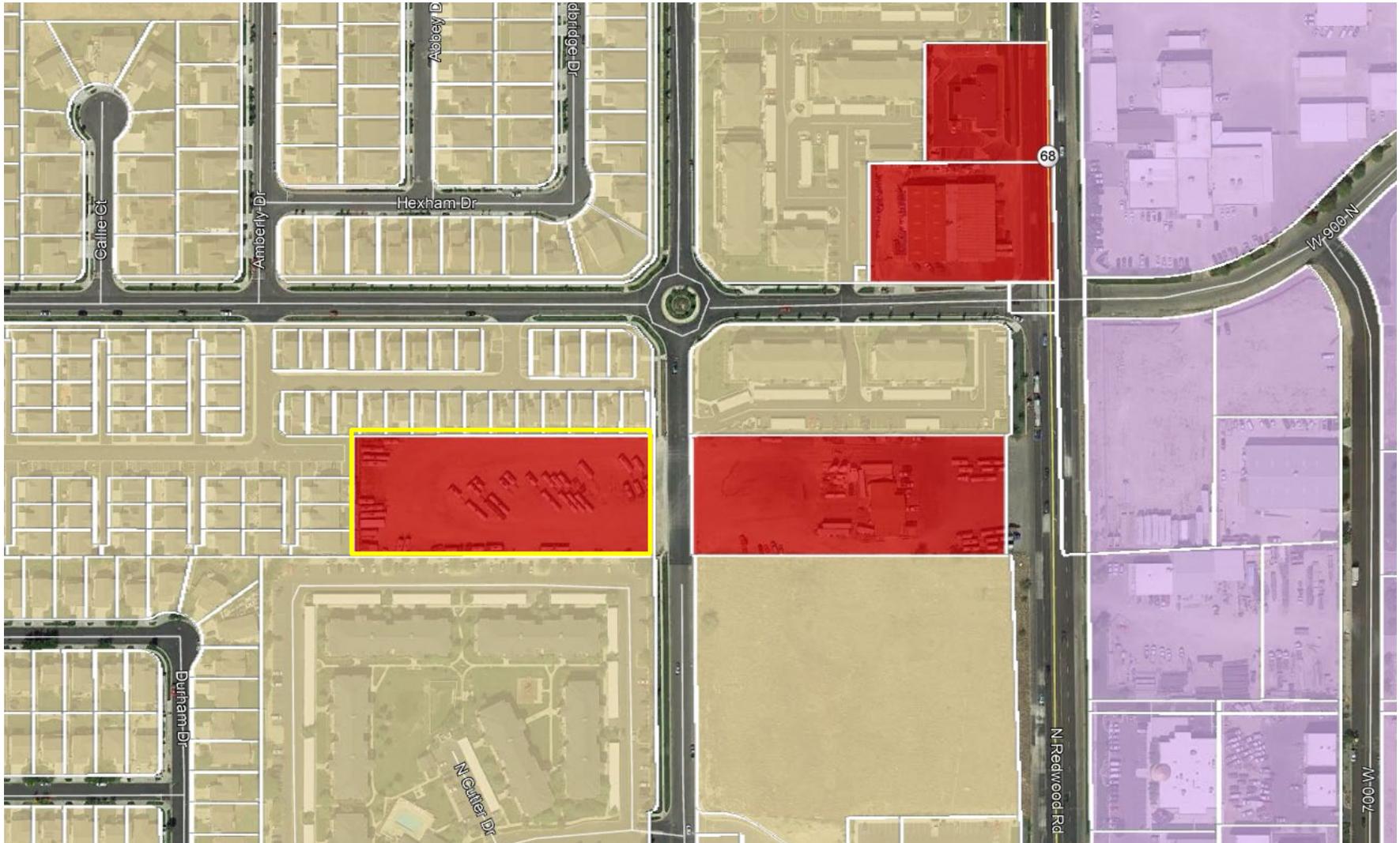
1. Final architecture design, materials, colors;
2. Submittal of a required development agreement; and
3. Final approval of the P-District Rezone.

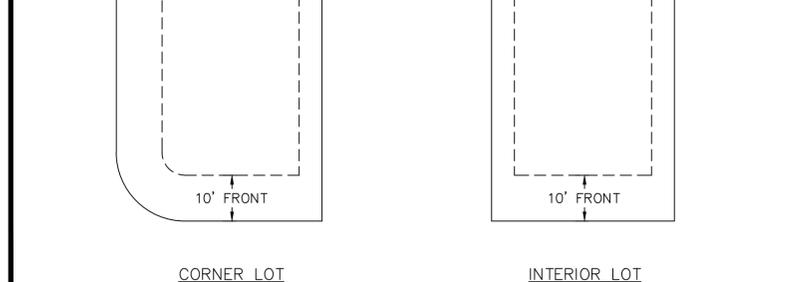
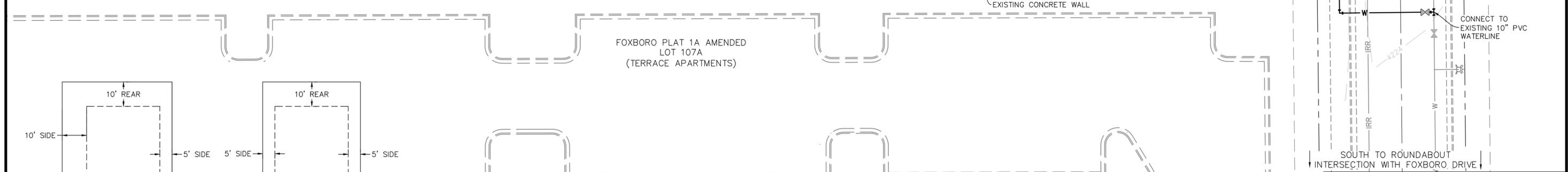
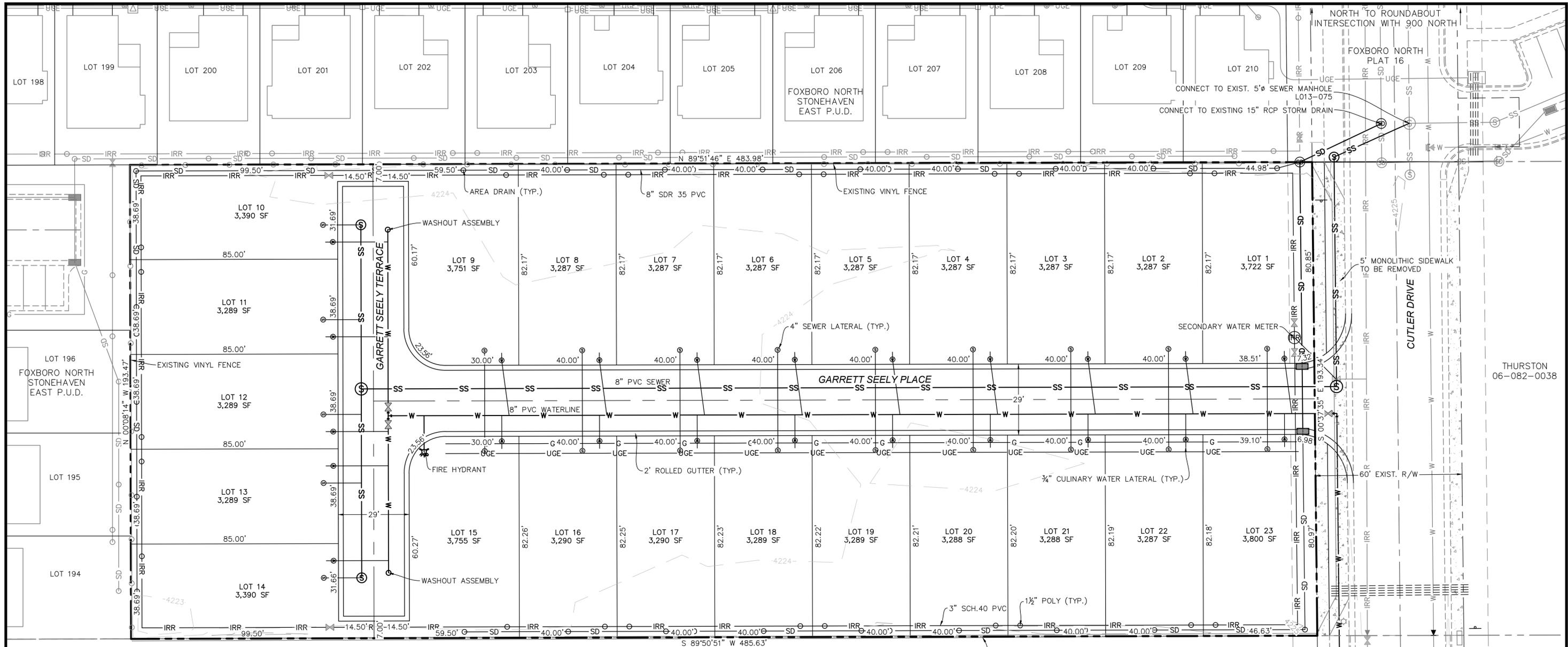
Attachments

- 1) Aerial/Zoning Map
- 2) Concept Plan
- 3) Concept Landscape Plan
- 4) Conceptual Architecture



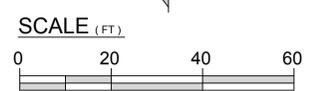
Rezone/General Development Plan Fox Hollow – 877 North Cutler Drive Zoning





SETBACK EXHIBIT

Plat Area:	93,762 sf or 2.152 Ac.	No Street Parking
Number of lots:	23	Minimum Driveway Depth: 20'
Typical Lot Size:	40'x85'	Parking Per Lot: 4
Minimum Lot Size:	3,287 sf	2/Garage + 2/Driveway
Average Lot Size:	3,778 sf	
DU/Acre:	10.69	
Current Zoning:	CG	
Proposed Zoning:	P	



GARRETT SEELY
GARRETT SEELY PLACE
CONCEPT PLAN

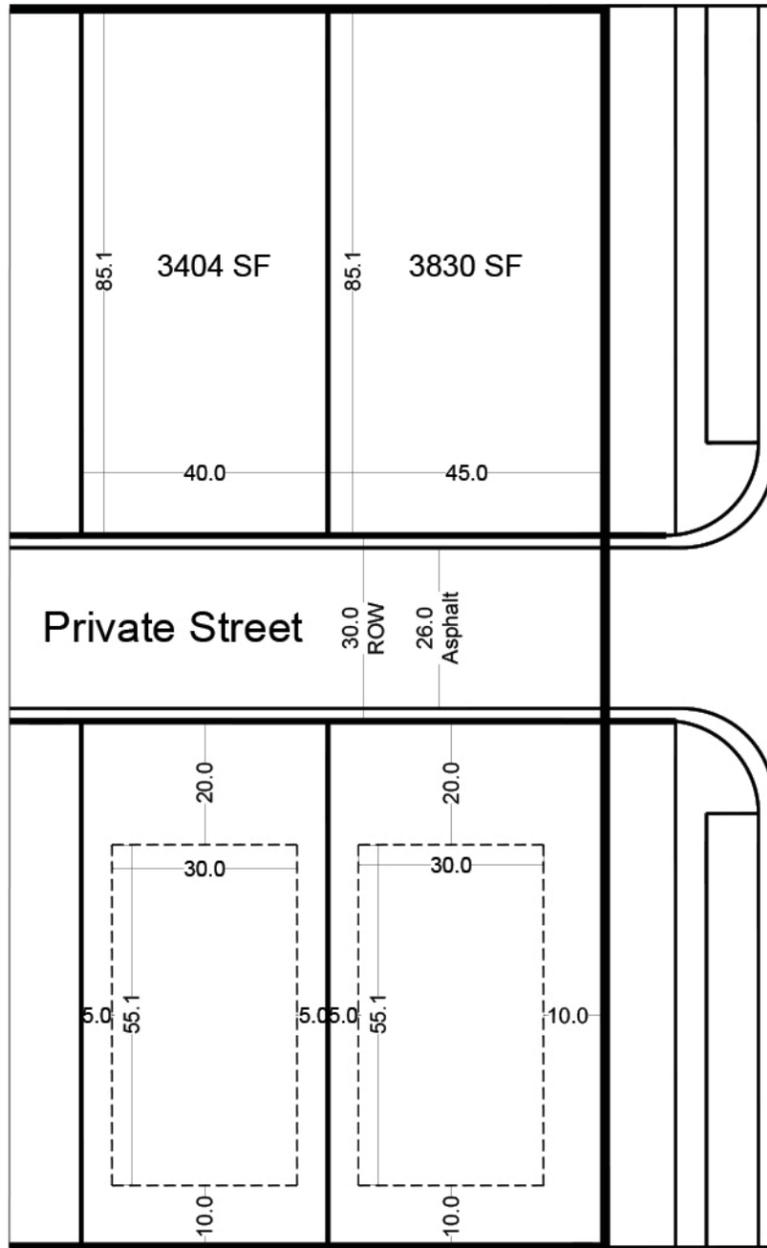
BINGHAM ENGINEERING
SALT LAKE CITY - (801) 532-2520
OGDEN - (801) 399-1662

Print Date: 05/31/2019 Created: 05/30/19 Proj. # 5412
Copyright © 2017 Bingham Engineering, Inc. Drawing not to be reused in part or in whole without written permission.

Rev. By Date Remarks

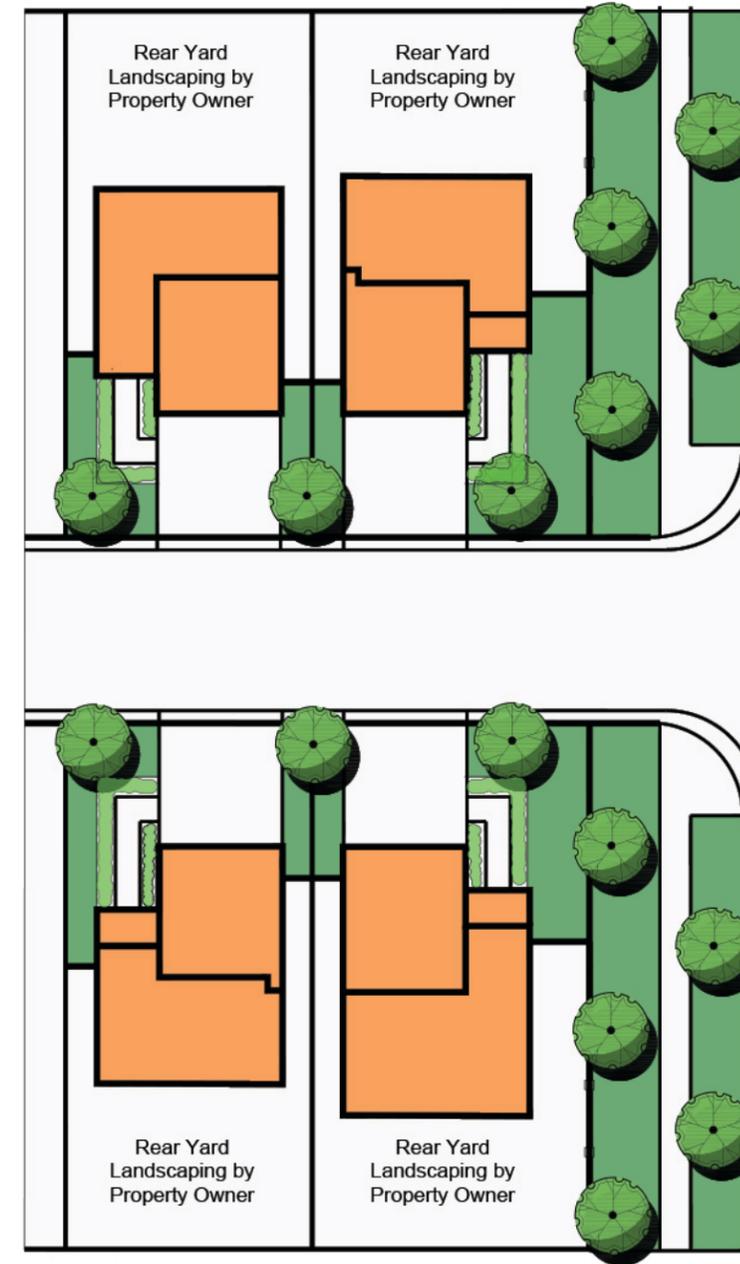
Den: JJS
Drw: JJS
Chk: JRL
Rvw: JRL

Sht
1
of 1



Typical Lot Dimensions and Setbacks

Typical lot dimensions
Cutler Drive Parkway Landscaping
per City Standard



Conceptual Landscaping Plan

Street Trees per City Standard
Cutler Drive Parkway Landscaping
per City Standard

Front yard landscaping installed by
home builder.
- Turf
- Shrub Beds
- Street Tree
- Automatic irrigation

Rear yard landscaping installed by
property owner.

Fencing on corner lots and between
side yards installed by home builder.



Spruce

Fox Hollow
Planned Community Zone
General Development Plan

Draft: May 24, 2019



Juniper

Fox Hollow Planned Community Zone General Development Plan

Draft: May 24, 2019



Steve McCutchan
3164 Club House Drive
Lehi, UT 84043
smccutchan@civilscience.com
801-557-6945



Gambel

Fox Hollow
Planned Community Zone
General Development Plan

Draft: May 24, 2019



Cottonwood

Fox Hollow

Planned Community Zone General Development Plan

Draft: May 24, 2019



Steve McCutchan
3164 Club House Drive
Lehi, UT 84043
smccutchan@civilscience.com
801-557-6945





CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Sherrie Llewelyn, Community Development Director
DATE: June 18, 2019
SUBJECT: Discussion of the request for amendment to the General Development Plan for Foxboro Marketplace lot 7, located at approximately 790 North Cutler Drive

RECOMMENDATION

On March 12, 2019 the Planning Commission recommend approval of the amended general development plan for Foxboro Marketplace, lot 7 located at approximately 790 North Cutler Drive with the following conditions:

1. An additional 2 parking spaces be added to the site plan, as well as the required landscaped islands with trees
2. 7 ADA parking spaces be provided with at least 4 surface spaces
3. Landscape buffers surrounding the parking areas be increased to 8' in width
4. The minimum required landscape be increased in the development agreement from 20% to 30%
5. Appropriately sized street trees be provided within the park strip along Cutler Drive
6. Required street trees along Redwood Road be placed within the park strip and the park strip be of sufficient width to support the tree species chosen
7. The proposed landscape berm along the east property line be of adequate height to shield headlights of parked cars from Redwood Road traffic
8. Fencing along the north property line be either composite fencing or masonry
9. Fencing along the west, south, east property line be either composite split rail or wrought iron type decorative fencing, with appropriate pedestrian entries to Cutler Drive, the shopping center, and the Redwood Road trail
10. Subject to approval of an amended development agreement by the City Council

UPDATE

Since the last meeting on March 19, 2019, the developer has held two additional open houses at Spectrum Academy with revised plans to obtain neighborhood feedback. The first of the two was better attended than the second. Changes to the plan include: the reduction from the request of 124 units to 120 units; the elimination of the 4-story building in favor of the 3-story model; and the increase in parking density to 2.25 spaces per unit. The site plan has been modified to place the clubhouse on the northern most driveway entrance to encourage that entrance to be used as the

primary entrance to the site at the suggestion of a Foxboro resident.

Outstanding issues from the recommended conditions from the Planning Commission include: required increase in landscape buffer from 6 feet to 8 feet on the north property line; the addition of parking islands and trees on parking rows that exceed 20 parking spaces; and the addition of the required 3 ADA spaces. The required parking islands and ADA spaces would reduce the overall parking to 267, for an overall parking density of 2.3 spaces per unit.

BACKGROUND

The general development plan and P-district zoning were given final approval on March 16, 2016 by the City Council. As part of the plan, lot 7 was approved for the construction of two 3 story apartment buildings containing 102 dwelling units. Lot 7 is approximately 5.124 acres in size and is located north of Lee’s Market adjacent to Thurgood Trucking. The approved architecture was modern with brick finish, stucco, and Hardie board accents. The site plan had a courtyard between the buildings containing a club house, pool, and other recreational amenities. The main level of the buildings had tuck under garages, with additional separate garages along the north property line. The garages on the north property line provide the equivalent of a 6’ masonry wall to separate the apartments from the adjacent industrial use. Landscaping was approved at 37% of the site.

The new concept plan for the development will increase the number of apartments from 102 to ~~124~~ 120 units. Previous density was 20 d.u./acre and the proposed density is ~~24.2~~ 23.4 d.u./acre. The proposed ~~124-120~~ units will be in a total of 6 buildings. The buildings will be 3 stories tall. The site plan retains the clubhouse and swimming pool, as well as a picnic area and tot lot, but does not include the other active recreation space previously approved.

Under the approved development agreement parking requirements were set based upon the bedroom counts of each unit. The total required parking under the agreement was 204 spaces, including 7 ADA spaces. The most recent proposal meets the ordinance standard of 2.25 parking spaces per unit with 270 spaces. Only 4 of the required 7 ADA spaces have been shown on the plan. It is possible that 3 of the garages could be designated as ADA. However as the plan is proposed the existing parking does not meet the standard with a landscape island, including trees when a row exceeds 20 spaces and at the end of each row of parking. Therefore it is probable that by meeting that standard an additional 3 spaces will be lost to the required landscape islands and ADA loading spaces.

	Approved Cimarron Site Plan	Proposed Amendment
	2/unit	Proposed 2.25/unit
Tuck under garages	62	72
Tandem driveway Space	62	72
Detached garages	30	0
Carports	10	60
Surface Spaces	40	66
Total	204	270
ADA	7	4

The proposed architecture is a more traditional walk-up apartment style with high quality materials like brick, hardie board, and stucco. The previously approved architecture was modern with flat roof. The architecture is consistent with the existing apartments in the vicinity. The buildings have tuck under garages. Carport structures will cover spaces on the east property line adjacent to Redwood Road, along the north property line and a portion of the spaces abutting the commercial center to the south. The height of the 3-story buildings are 45 feet.

The landscaped area is estimated at 35%. The required minimum landscaping under the development agreement is 20%. The landscaping along Redwood Road will be required to be improved to a minimum distance of 24' behind the curb with an 8' asphalt trail, landscaping, and street trees. The current proposal includes a park strip, trail, and a landscape berm with trees. The landscape plan shows no trees along the Cutler Drive side of the property, which will need to be added for site plan approval. The parking adjacent to the north property line has a 6' landscaped buffer, the code requires 8' landscape buffer. The buffer on the south property line with the shopping center is only 6' between the parking spaces and the sidewalk that is entirely on the shopping center property.

At this time the developer is proposing a wrought iron type decorative fence along Redwood Road. There is no internal connection to the trail along Redwood Road. Internal pedestrian connectivity has been provided between the buildings and parking areas. No fencing information has been provided regarding the fencing along Cutler Drive on the west or the between the apartments and the shopping center. Previously the proposed fencing had been split rail on these 2 property lines. The north property line is proposed to be vinyl fencing. The previous plan had detached garages whose back walls and a 6' masonry fence served as the required fencing material between the apartments and the existing industrial use. The Planning Commission recommends the north property line fence be either of composite material or masonry.

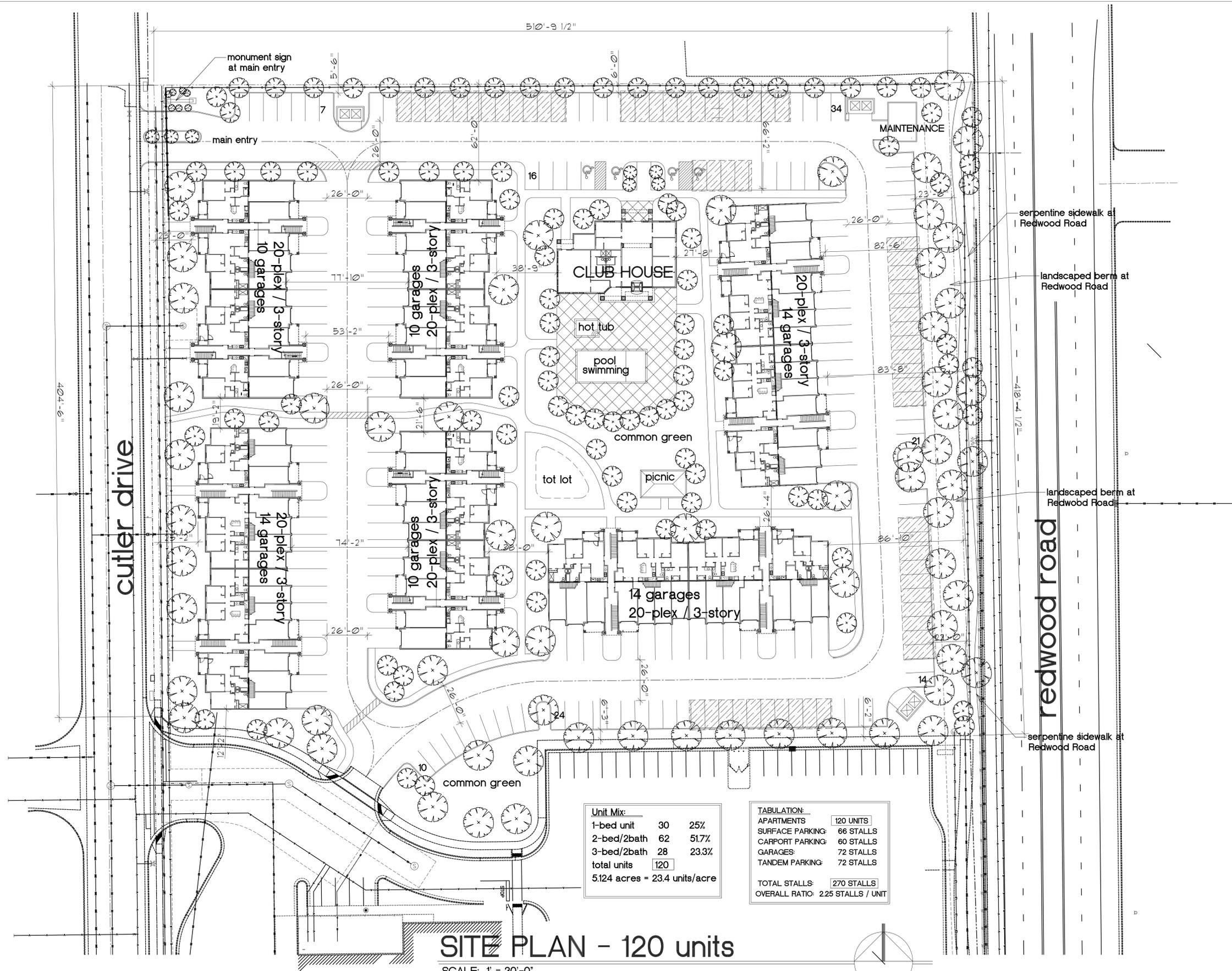
POSSIBLE MOTION

I move that the Council approve Resolution 20019-14R and the proposed 3rd amendment to the Foxboro Marketplace Development Agreement with the following conditions:

1. An additional 3 ADA parking spaces be added to the site plan, as well as the required landscaped islands with trees
2. Landscape buffers surrounding the parking areas be increased to 8' in width
3. The minimum required landscape be increased in the development agreement from 20% to 30%
4. Appropriately sized street trees be provided within the park strip along Cutler Drive
5. Required street trees along Redwood Road be placed within the park strip and the park strip be of sufficient width to support the tree species chosen
6. The proposed landscape berm along the east property line be of adequate height to shield headlights of parked cars from Redwood Road traffic
7. Fencing along the north property line be either composite fencing or masonry
8. Fencing along the west, south, east property line be either composite split rail or wrought iron type decorative fencing, with appropriate pedestrian entries to Cutler Drive, the shopping center, and the Redwood Road trail

Attachments

- 1) Proposed revised general development plan
- 2) Architecture
- 3) Public Comment Letters
- 4) Proposed Amended Development Agreement
- 5) Proposed Amended Exhibits C to F
- 6) RES2019-14R



Unit Mix:		
1-bed unit	30	25%
2-bed/2bath	62	51.7%
3-bed/2bath	28	23.3%
total units	120	
5.124 acres = 23.4 units/acre		

TABULATION:	
APARTMENTS	120 UNITS
SURFACE PARKING	66 STALLS
CARPORT PARKING	60 STALLS
GARAGES	72 STALLS
TANDEM PARKING	72 STALLS
TOTAL STALLS:	270 STALLS
OVERALL RATIO:	2.25 STALLS / UNIT

SITE PLAN - 120 units

SCALE: 1" = 30'-0"

790 N. CUTLER DRIVE, N.S.L.C., UT 84054
 LOT NO. 7, FOXBORO SUBDIVISION
 APPLICANT: FOXBORO MARKETPLACE, L.C.

PROJECT NUMBER
18-058

SHEET TITLE
SITE PLAN
SCHEME - 120 UNITS
SCALE: 1" = 30'-0"

PROJECT/OWNER
FOXBORO MARKETPLACE
APARTMENT COMMUNITY
790 N. CUTLER DRIVE
NORTH SALT LAKE CITY, UT 84054
FOXBORO MARKETPLACE L.C.

ARCHITECT

architecture

2033 dan drive
 layton, utah 84040
 (801) 593-9338
 (801) 593-9328 FAX

REVISION
6 MAY 2019

DATE
6 DEC 2018

SHEET NUMBER
A1.1







April 15, 2019

Mr. Len Arave, Mayor
Mrs. Lisa Baskin, City Council Member
Mr. James Hood, City Council Member
Mr. Brian Horrocks, City Council Member
Mr. Ryan Mumford, City Council Member
Mr. Stan Porter, City Council Member
Mr. Ken Leetham, City Manager
Ms. Sherrie Llewelyn, Community Dev Director
CITY OF NORT SALT LAKE
10 East Center Street
North Salt Lake, Utah 84054

Via email: mayor@nslcity.org
Via email: lisa.baskin@nslcity.org
Via email: james.hoold@nslcity.org
Via email: brian.horrocks@nslcity.org
Via email: ryan.mumford@nslcity.org
Via email: stan.porter@nslcity.org
Via email: kenl@nslcity.org
Via email: sherriel@nslcity.org

RE: Foxboro Marketplace Apartments: proposal to increase the number, unit mix, and configuration

Dear Mayor, Council, and Staff:

Lee's has now been open with our grocery store for just over two years and our Ace Hardware store for the past 8 months.

We enjoy doing business in the City of North Salt Lake and have appreciated the welcome we've received from you and the patrons of our stores. We've been happy to give back to the outstanding community through donations, food, and supporting the city in their events.

As you know, the trade area for these stores and the shopping center itself is unusual—it is very long and linear in shape running north-south, but with very limited east-west width due to the Great Salt Lake on the west and Interstate 15 on the east. It is not ideal. Most new stores like ours would be sited in places that had more growth potential as the area built out in all directions.

Residential rooftops and their occupants are the lifeblood of our business.

Initially, we have struggled to achieve our sales projections based on the market study. While we continue to grow our business we are still short of what it takes to operate the store without subsidizing it from our other operations. While we believe we will get there in time, we are very interested in the Foxboro Apartments going next to the store.

We've been excited from the start with the prospect of the Foxboro Apartments being located immediately next door, with their walking ease of access to our stores. They seem to be ideally situated since they are surrounded by other multi-family and commercial uses.

We know the developer has struggled to make their currently entitled design work.

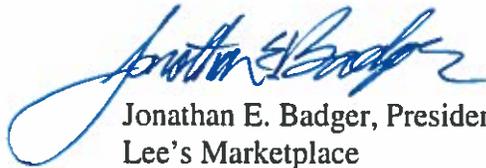
We are very supportive of developer's request to increase the unit count and alter the configuration as provided in their current request pending before you.

We note that there is quite a bit of retail vacancy in the shopping center which causes us some concern. We believe with more residents in close proximity, more businesses will see this area as a potential retail site.

These Foxboro Apartments will help generate retail traffic which will add to the synergy of the whole trade area. Please consider the proposal you have tabled as it will bring more to this great city and help all the businesses in the Foxboro area of North Salt Lake City.

Thank you for your consideration.

Sincerely,



Jonathan E. Badger, President/CEO
Lee's Marketplace

Cc: Christopher F. Robinson, Foxboro Marketplace, L.C., via email
crobinson@theensigngroup.com

William G. Gaskill, Foxboro Marketplace, L.C., via email bgaskill@amsource.com



April 15, 2019

Mr. Len Arave, Mayor	Via email: mayor@nslcity.org
Mrs. Lisa Baskin, City Council Member	Via email: lisa.baskin@nslcity.org
Mr. James Hood, City Council Member	Via email: james.hoold@nslcity.org
Mr. Brian Horrocks, City Council Member	Via email: brian.horrocks@nslcity.org
Mr. Ryan Mumford, City Council Member	Via email: ryan.mumford@nslcity.org
Mr. Stan Porter, City Council Member	Via email: stan.porter@nslcity.org
Mr. Ken Leetham, City Manager	Via email: kenl@nslcity.org
Ms. Sherrie Llewelyn, Community Dev Director	Via email: sherriel@nslcity.org

CITY OF NORTH SALT LAKE
10 East Center Street
North Salt Lake, Utah 84054

RE: Foxboro Marketplace Shopping Center; Foxboro Marketplace Apartments

Dear North Salt Lake Leaders:

I have been the lead broker on Foxboro Marketplace Shopping Center since its inception and for about 20 years prior to that representing Center Street Company, the historic landowner.

From the inception of the Foxboro Community in about 2003, it took a dozen years for enough residential population to be built to make a grocery anchored shopping center viable.

There is still a need for more residential rooftops to make it thrive.

For the last two years, we have been very actively marketing the following vacant in-line retail spaces in the shopping center:

Suite B-1, 689 N Redwood Road, North Salt Lake, UT - 1,244 SF
Suite C-1, 761 N Redwood Road, North Salt Lake, UT – 1,800 SF
Suite C-2, 761 N Redwood Road, North Salt Lake, UT – 1,622 SF
Suite C-3, 761 N Redwood Road, North Salt Lake, UT – 1,042 SF
Suite C-4, 761 N Redwood Road, North Salt Lake, UT – 1,528 SF

Suite D-1, 763 N Redwood Road, North Salt Lake, UT – 1,214 SF
Suite D-2, 763 N Redwood Road, North Salt Lake, UT – 1,214 SF

While we recognize that the nature of retail has changed with the advent of online shopping (Amazon, etc.), it has surprised us how slowly the lease-up on these retail spaces has been.

The proposed Foxboro Marketplace Apartments are high quality, located adjacent to the shopping center and surrounded by other commercial and apartments, and will provide a big shot in the arm to the shopping center.

We encourage you to support the proposal for the Foxboro Marketplace Apartments.

Best personal regards,



Chris Monson, CCIM
RETAIL & INVESTMENT

Direct (801) 578-5580

Cell (801) 558-4787

Office (801) 578-5549

cmonson@mtnwest.com

136 East South Temple, Suite 805
Salt Lake City, UT 84111



Cc: Christopher F. Robinson, Foxboro Marketplace, L.C.,
via email crobinson@theensigngroup.com
William G. Gaskill, Foxboro Marketplace, L.C.,
via email bgaskill@amsource.com

From: [Jim Allen](#)
To: [Sherrie Llewelyn](#)
Cc: [Jim Allen](#)
Subject: Consideration of Resolution 2019-14R: A resolution amending the General Development Plan & Development Agreement related to the multi-family housing approved at Foxboro Marketplace, Lot 7 located at 790 North Cutler Drive, Foxboro Marketplace, Chris Ro...
Date: Thursday, March 14, 2019 4:47:00 PM

Sherrie,

Please note my objection to the change in Lot 7 at the next city council meeting.

A building that is 55 feet in height will look out of place along Redwood Road. This will also set a dangerous precedence for the other vacant land along Redwood Road yet to be developed. The parking should be addressed to ensure it meets NSL Code 10-6-5:F since the number of one bedroom units have decreased and the number of two and three bedroom units have significantly increased. The tandem parking of 72 spaces behind the garages won't be utilized as much as the developer predicts and that will have the residence park on Redwood Road, Cutler Drive or in Lee's parking area. Exhibit E paragraph g. under additional standards for the Apartments: states that parking spaces will be two per unit and the table under Apartment (Multi-family Residential) Standards: shows 1.5/unit for one bedroom units. These two disagree with each other. If you add the .25/unit for visitors, the plan is short 15 parking spaces. What can be done to ensure residents park only within the property bounds?

In addition, the over 20% increase in units is a major change and should not be run through the council without any additional input from the residents that will have to endure the oversized building all the time as they drive down Redwood Road.

If the one building facing Redwood Road was kept to three stories, the developer would loose only 8 units. This would keep the height of the building reasonable and would take care of the parking space problem. They could then go from 102 units to 116 units and still keep the proposed design.

Please consider the last paragraph as a reasonable solution.

Sincerely,

Jim Allen
902 Romsey Court
801 440-8299

**THIRD AMENDMENT TO
DEVELOPMENT AGREEMENT
FOXBORO MARKETPLACE**

THIS THIRD AMENDMENT TO THE DEVELOPMENT AGREEMENT FOXBORO MARKETPLACE (the “Third Amendment”) is made and entered into effective as of the 18th day of June, 2019 (the “Effective Date”), by and between **THE CITY OF NORTH SALT LAKE**, a Utah municipal corporation (the “City”), and **FOXBORO MARKETPLACE, L.C.**, a Utah limited liability company (the “Developer”). The Developer and the City are sometimes collectively referred to herein as the “Parties” or singularly as a “Party.”

RECITALS

A. WHEREAS, the City and the Developer entered into a certain *Development Agreement Foxboro Marketplace* dated June 30, 2016 (the “Original Agreement”), for which that certain *Memorandum of Agreement* dated June 30, 2016 was recorded on July 5, 2016, as Entry No. 2949744 in Book 6551 on Pages 517 through 519 in the Davis County Recorder’s Office, State of Utah; the Original Agreement relates to the development of certain real property owned by Developer and located in the City of North Salt Lake, which property is commonly referred to as “Foxboro Marketplace” (the “Property”).

B. WHEREAS, effective as of September 27, 2017, the Parties entered into that certain *First Amendment to Development Agreement Foxboro Marketplace* (the “First Amendment”) to modify the Original Agreement relating to signage standards.

C. WHEREAS, effective as of September 18, 2018, the Parties entered into that certain *Second Amendment to Development Agreement Foxboro Marketplace* (the “First Amendment”) to modify to the Original Agreement relating to signage standards.

D. WHEREAS, the Property lies within the City’s P Zoning District.

E. WHERAS, pursuant to Section 10-13-2-D of the City’s development code, exceptions to or modification of the general standards for development within the residential and commercial zoning districts may be granted in the P District Zoning if the City determines that such exceptions are desirable and warranted.

F. WHEREAS, the Parties now desire to amend the Original Agreement, as amended by this Third Amendment, to further modify the development agreement as it pertains to the multi-family housing component of the project, the following exhibits are to be amended: Exhibit “C” General Development Plan; Exhibit “D” Site Plan and Landscape Plan; Exhibit “E” Land Use Standards; and Exhibit “F” Architectural Standards.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Developer hereby agree as follows:

a. The Parties hereby agree that the Exhibits “C”, “D”, “E”, and “F” as attached to the Original Agreement are hereby amended as attached hereto and by this reference made a part hereof.

b. The Original Agreement, as amended by this Third Amendment, is hereby ratified and confirmed, and remains in full force and effect. To the extent that the terms of this Third Amendment conflict with the Original Agreement, the terms of this Third Amendment shall control.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK;
SIGNATURES FOLLOW ON NEXT PAGE]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement by and through their respective, duly authorized representatives effective as of the day and year first hereinabove written.

ATTEST:

CITY:

CITY OF NORTH SALT LAKE

City Recorder

By: Len Arave
Its: Mayor

DEVELOPER:

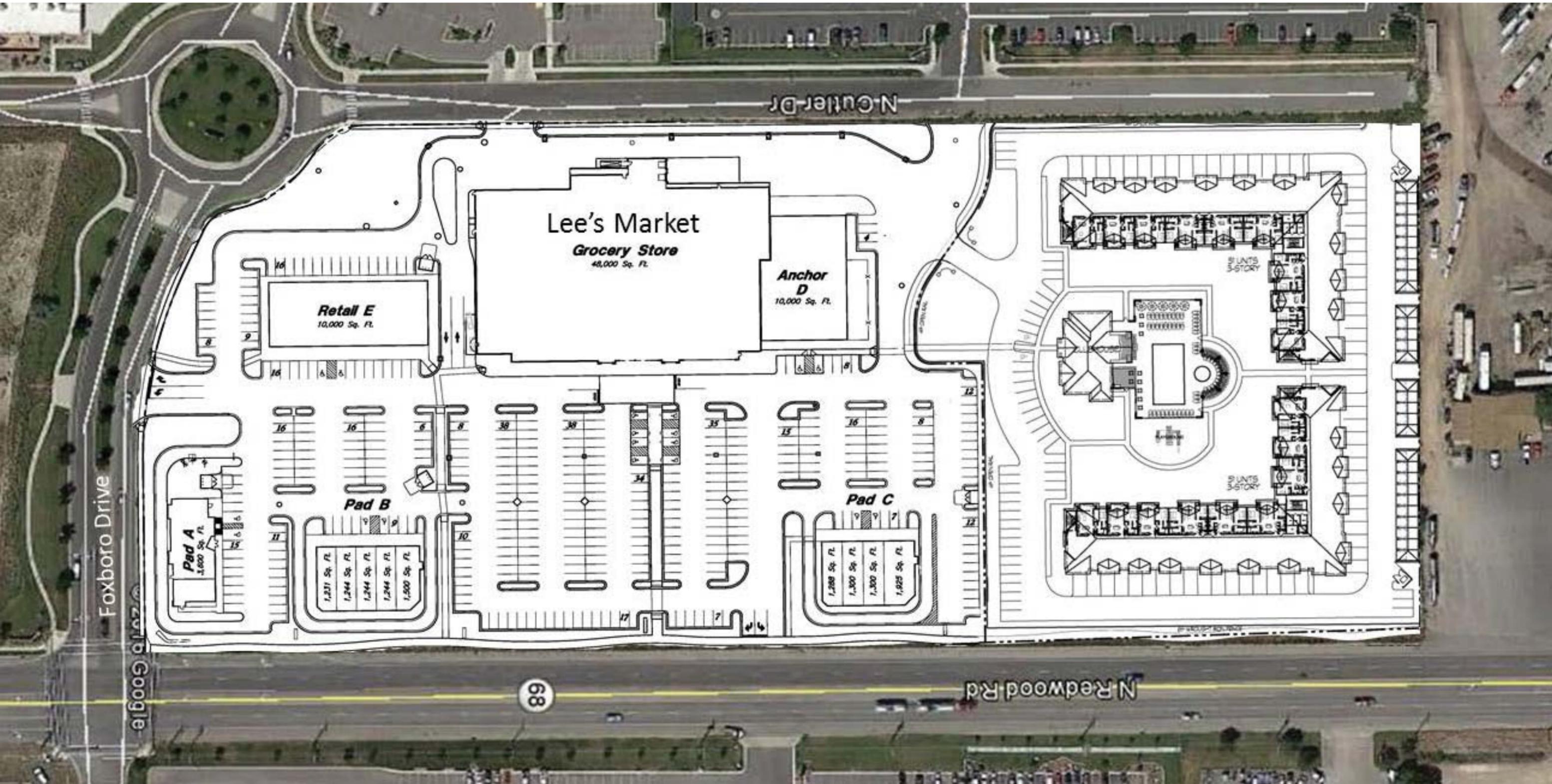
FOXBORO MARKETPLACE, L.C.,
a Utah Limited Liability Company

By its Manager, FOXBORO MP
DEVELOPMENT, L.C., a Utah Limited
Liability Company

By: _____
Christopher F. Robinson, Manager

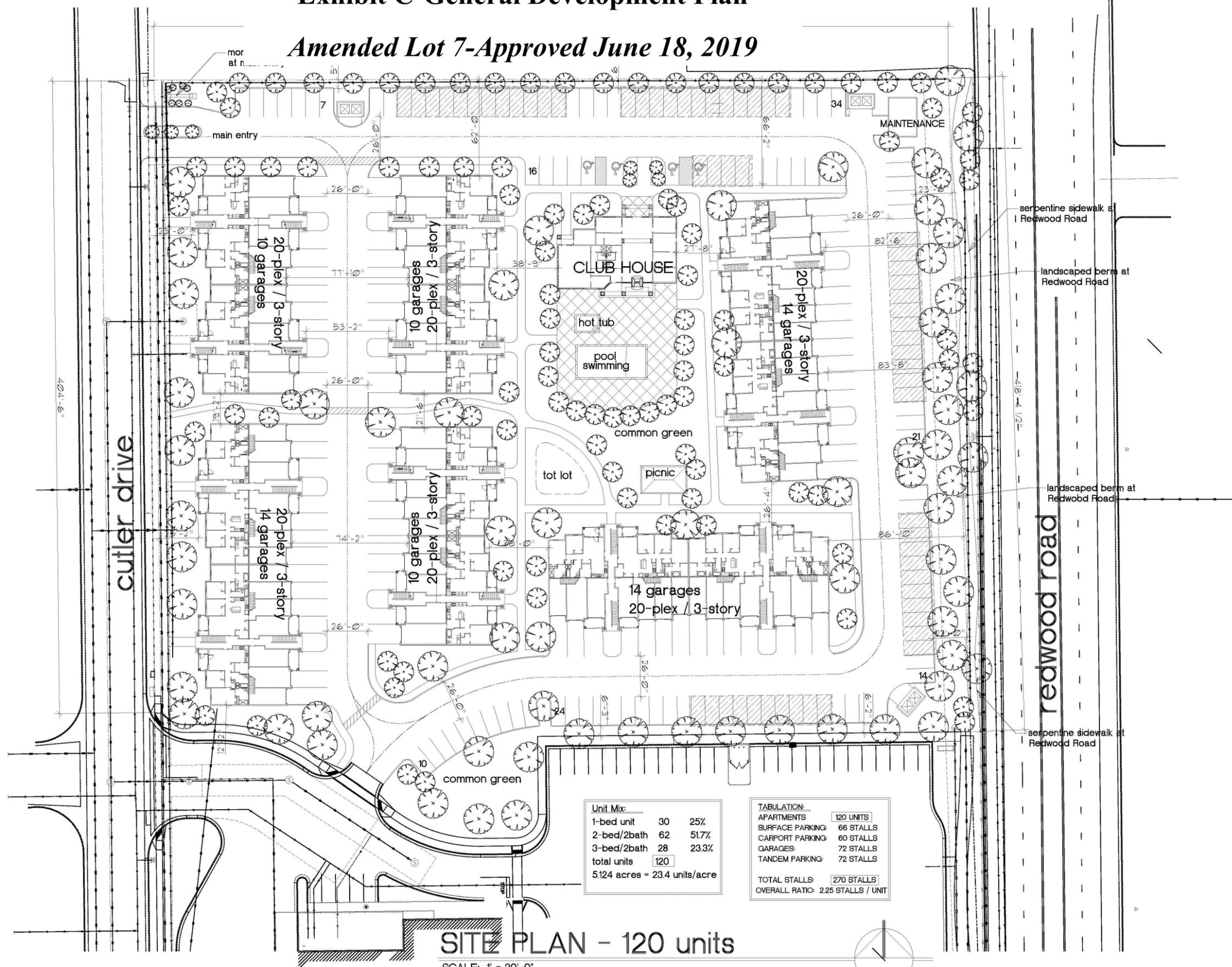
"Exhibit C-General Development Plan "

Approved June 30, 2016



"Exhibit C-General Development Plan"

Amended Lot 7-Approved June 18, 2019



Unit Mix:		
1-bed unit	30	25%
2-bed/2bath	62	51.7%
3-bed/2bath	28	23.3%
total units	120	
5.124 acres = 23.4 units/acre		

TABULATION:	
APARTMENTS	120 UNITS
SURFACE PARKING	66 STALLS
CARPORIT PARKING	60 STALLS
GARAGES	72 STALLS
TANDEM PARKING	72 STALLS
TOTAL STALLS:	270 STALLS
OVERALL RATIO:	2.25 STALLS / UNIT

SITE PLAN - 120 units

SCALE: 1" = 30'-0"

790 N. CUTLER DRIVE, N.S.L.C., UT 84054
 LOT NO. 7, FOXBORO SUBDIVISION
 APPLICANT: FOXBORO MARKETPLACE, L.C.

PROJECT NUMBER
18-058

SHEET TITLE
SITE PLAN
SCHEME - 120 UNITS
SCALE: 1" = 30'-0"

PROJECT/OWNER
 FOXBORO MARKETPLACE
 APARTMENT COMMUNITY
 790 N. CUTLER DRIVE
 NORTH SALT LAKE CITY, UT 84054
 FOXBORO MARKETPLACE L.C.

ARCHITECT

architecture
 2033 dan drive
 layton, utah 84040
 (801) 593-9338
 (801) 593-9328 FAX

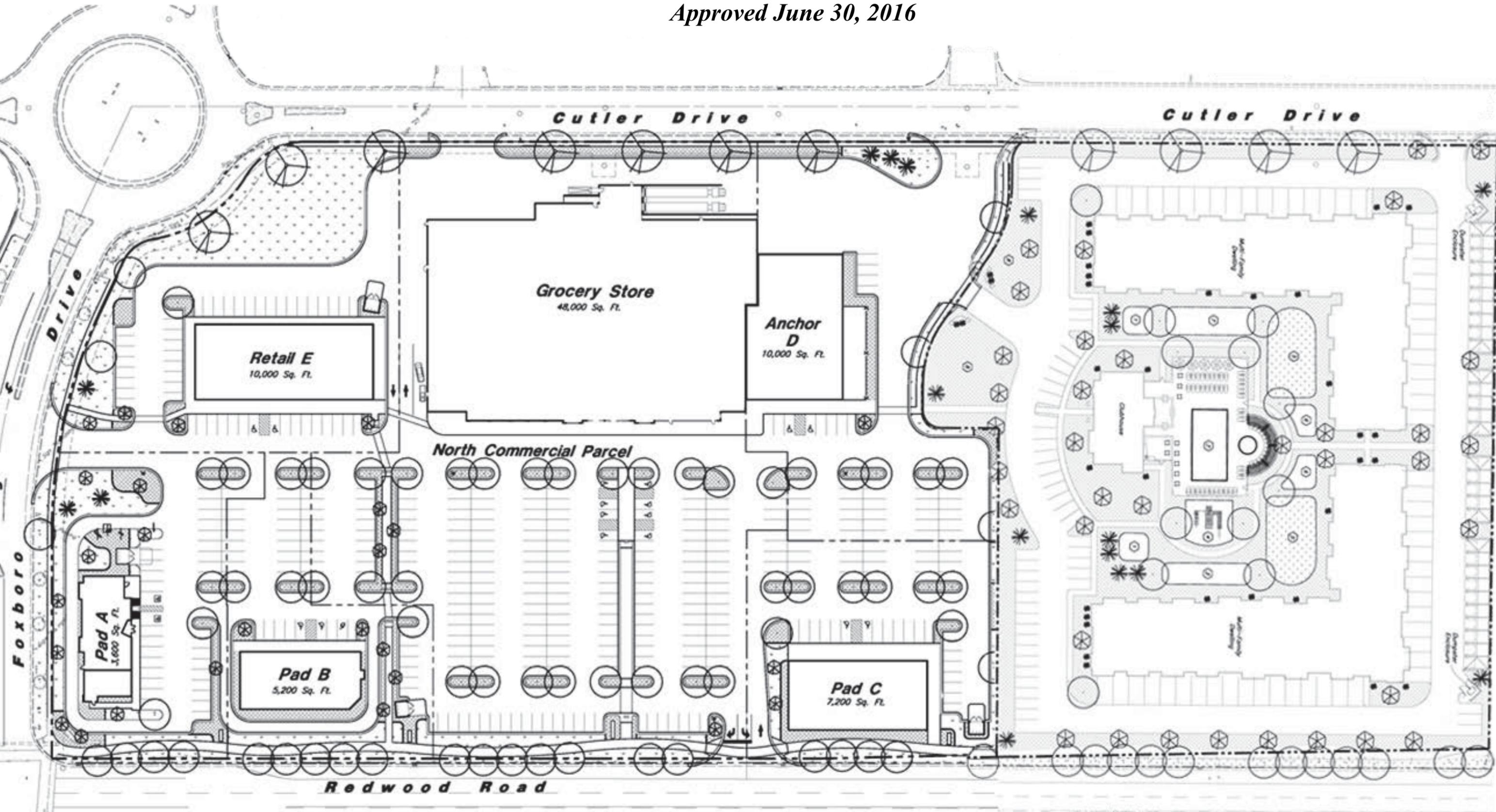
REVISION
6 MAY 2019

DATE
6 DEC 2018

SHEET NUMBER
A1.1

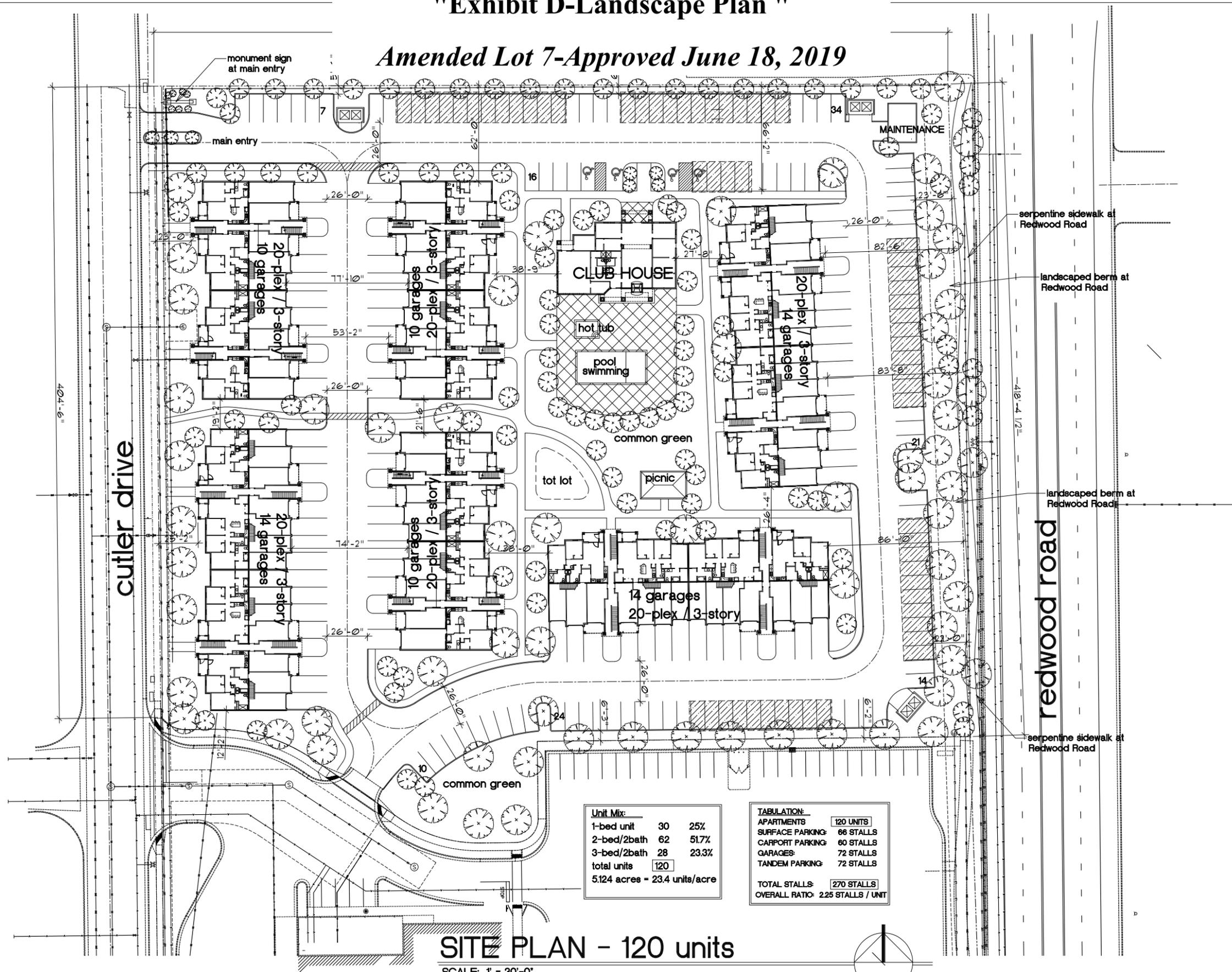
"Exhibit D-Landscape Plan "

Approved June 30, 2016



"Exhibit D-Landscape Plan"

Amended Lot 7-Approved June 18, 2019



Unit Mix:

1-bed unit	30	25%
2-bed/2bath	62	51.7%
3-bed/2bath	28	23.3%
total units	120	
5.124 acres = 23.4 units/acre		

TABULATION:

APARTMENTS	120 UNITS
SURFACE PARKING	66 STALLS
CARPORT PARKING	60 STALLS
GARAGES	72 STALLS
TANDEM PARKING	72 STALLS
TOTAL STALLS:	270 STALLS
OVERALL RATIO:	2.25 STALLS / UNIT

SITE PLAN - 120 units

SCALE: 1" = 30'-0"

790 N. CUTLER DRIVE, N.S.L.C., UT 84054
 LOT NO. 7, FOXBORO SUBDIVISION
 APPLICANT: FOXBORO MARKETPLACE, L.C.

PROJECT NUMBER
18-058

SHEET TITLE
 SITE PLAN
 SCHEME - 120 UNITS
 SCALE: 1" = 30'-0"

PROJECT/OWNER
 FOXBORO MARKETPLACE
 APARTMENT COMMUNITY
 790 N. CUTLER DRIVE
 NORTH SALT LAKE CITY, UT 84054
 FOXBORO MARKETPLACE L.C.

ARCHITECT

architecture
 2033 dan drive
 layton, utah 84040
 (801) 593-9338
 (801) 593-9328 FAX



REVISION
6 MAY 2019

DATE
6 DEC 2018

SHEET NUMBER
A1.1

**EXHIBIT “E”
LAND USE STANDARDS**

Purpose. This Exhibit outlines the standards pursuant to which the Project’s uses shall be developed within the P District. References herein to the term “Code” shall refer to Title 10 of the North Salt Lake City Code, Land Use and Subdivision Ordinances. Any standards not listed herein shall be bound by the same regulations placed on any development.

NON RESIDENTIAL STANDARDS:

The following list of general land uses shall serve as a general guide for those high quality commercial uses agreed upon by the City and the Developer in the Foxboro Marketplace P-District. The Developer agrees to seek said high quality commercial uses within the general categories and voluntarily prohibit those uses less desirable or incompatible with the area. This section is not intended to be all inclusive of all possible permitted uses, but to serve as a guide and to list those which shall be specifically prohibited.

- A. Permitted Uses. General categories of permitted uses (list is not intended to be all inclusive of possible uses):
 - Automobile services (car wash, parts, oil change or tire shops)
 - Convenience Store/Gas Station
 - Entertainment or Recreation
 - Financial Services (bank or credit union)
 - General office
 - General retail
 - Hardware Stores
 - Medical Offices
 - Personal services
 - Restaurants
 - Seasonal Temporary Uses (fireworks, food & beverage, Christmas trees)

- B. Conditional Uses. The following uses of land shall be conditional in the Foxboro Marketplace P-District:
 - Special events (Carnivals, Craft Fairs, Farmer’s Markets, Festivals, Fundraisers, Mobile Food Truck Fairs)

- C. Prohibited Uses: The following uses of land are prohibited in the Foxboro Marketplace P-District:
 - Auto Body shops and auto repair facilities, excluding oil change and lubrication shops
 - Manufacturing
 - Nonstore retailers
 - Pawnshops, title loan, quick loan or other payday loan or check cashing services

Self-serve laundromats
 Self-Storage
 Sexually oriented businesses
 Tobacco Stores
 Warehousing and storage facilities
 Wholesale

- D. There shall be no minimum lot sizes required.
- E. Landscaping islands within parking areas which are required in the current land use ordinance to be nine feet (9') wide may be reduced to a width of not less than six feet (6').
- F. Maximum height shall be the same as that for the General Commercial (CG) Zoning District.

APARTMENTS (MULTI-FAMILY RESIDENTIAL) STANDARDS:

The Apartments portion of the plan shall be allowed to develop one hundred ~~two-twenty~~ (102) apartment units as proposed and approved in the General Development Plan. ~~The only exception to the City's land use standards for this portion of the Project is that the parking ratio is reduced to two (2) spaces per unit. There shall be not less than sixty two (62) attached garage units provided and thirty (30) detached garage units located on the north boundary of the Apartments parcel (Lot 7 of the Subdivision Plat) as shown on the approved General Development Plan.~~ The required parking shall be required at the following ratio:

	<u>Unit Count</u>	<u>Ratio</u>	<u>Required Parking</u>
<u>1 bedroom units</u>	<u>30</u>	<u>2/unit</u>	<u>60</u>
<u>2 bedroom units</u>	<u>62</u>	<u>2/unit</u>	<u>124</u>
<u>3 bedroom units</u>	<u>28</u>	<u>2/unit</u>	<u>56</u>
		<u>0.25/unit</u>	<u>30</u>
<u>Total</u>	<u>120</u>		<u>270</u>
		<u>(ADA Req.)</u>	<u>7</u>

-The Apartments shall also include the following amenities: not less than ~~twenty~~ thirty percent (~~20~~30%) open space, a pool and clubhouse facility, an outdoor plaza and numerous paths and walkways as shown in the amended General Development Plan, including pedestrian access to Cutler Drive, the shopping center and the Redwood Road trail as directed by the Planning Commission on March 12, 2019.

The following are additional standards for the Apartments:

- a. Lot Area:

- i. Due to the nature of residential development, there shall be no minimum lot area.
- b. Maximum Coverage Area.
 - i. Due to the nature of residential development and the unusual shape of the property, there shall be no maximum coverage area per lot.
- c. Maximum Height of Buildings.
 - i. The maximum height for all residential structures in the P District shall be forty feet (40') from finished final grade. (occupied space)
- d. Setbacks:
 - i. Setbacks for all structures shall be as depicted on the approved amended General Development Plan;
 - ~~The detached garages must be setback from the north property line a distance of five feet (5'), unless they have a one (1) hour fire rated rear wall and provide for roof drainage on premise, in which case the setback may be one (1) foot from the property line;~~
 - ~~ii. Zero lot line setbacks shall be permitted for the detached garages, conditioned upon: (A) evidence of maintenance easement or other satisfactory document from the adjacent property owner, (B) the rear wall having a one (1) hour fire rating, and (C) provision for roof drainage on premise.~~
- e. Minimum Landscape Percentage.
 - i. The minimum landscape percentage shall be ~~20~~30%.
- f. Wall/fence:
 - i. The maximum wall or solid fence height within twenty feet (20') of a public street shall be six feet (6').
 - ii. The property boundaries shall be fenced as follows:
 - 1. The north property line shall be a minimum six foot (6') masonry wall or composite fencing shall be required in the P District on the perimeter of the property, with the following exceptions: (1)
 - 2. The the east property line adjacent to the Redwood Road and the public trail access shall be decorative wrought iron fencing or similar
 - 1-3. The west and south property lines adjacent to the shopping center and Cutler drive shall be a and (2) decorative composite split rail fencing. along the property line abutting the commercial development and Cutler Drive shall be allowed.
- g. Parking shall be provided as follows:
 - i. Each unit shall include two (2) spaces per unit.
 - ii. ~~Sixty two~~Seventy-two (6272) attached tuck under garages.
 - iii. ~~Thirty Sixty (3060) detached garage units carports.~~
- h. Permitted Uses:
 - i. Multi-family attached dwellings.
 - ii. Home occupations as regulated by North Salt Lake Land Use Code, Section 10-10-5, as amended.

EXHIBIT “F” ARCHITECTURAL STANDARDS

The architectural rules, design standards and construction guidelines, as contained herein, are to be used as required standards for the Developer and its assigns in preparing plans and specifications for any proposed construction or improvement in Foxboro Marketplace and for maintaining an orderly construction environment.

COMMERCIAL DESIGN STANDARDS:

- A. Lee’s Marketplace: The Grocery Store (Lee’s Marketplace) shall comply with the commercial building requirements of the land use ordinance and will essentially be constructed in the manner shown in the approved General Development Plan. The graphic below is illustrative of the type and style of architecture required by this Agreement:



- B. Other Commercial Structures:
1. General Primary and Street Facades: All primary facades (front) and street sides shall be designed with a consistent architectural style, detail, façade and roof treatments and trim features similar to Lee’s Marketplace as illustrated in Figure F-1 and in conformance with NSL Code Section 10-1-43: Building Design Standards.

APARTMENT (MULTI-FAMILY RESIDENTIAL) DESIGN STANDARDS:

A. The Apartments portion of the Project shall be developed as shown in the approved amended General Development Plan. All exterior residential elevations shall be consistent with general scheme and design as depicted below and as approved in the amended General Development Plan for Foxboro Marketplace. The graphic below is illustrative of the type, materials, and style of architecture required by this Agreement.



A.B. All exterior residential elevations shall be consistent with general scheme and design as depicted below and as approved in the General Development Plan.

B.C. Materials, Colors, Stone, Stucco and Hardie. The following colors and materials depicted in the graphic shall be used in the construction of the Apartments. Minor variations in color/tone may be approved by the Community Development Director in accordance with this general color palette.

C.D. Developer shall include within the Apartments the following interior features, at a minimum: nine foot (9') tall ceilings; six foot eight inch (6'8") tall ~~solid wood~~ interior doors; ~~eight foot (8')~~ exterior doors; granite/quartz countertops in kitchens and bathrooms; window blinds; ~~an accent wall in living room~~; a minimum of one ceiling fan per unit; and an appliance package to include refrigerator, oven/stove, dishwasher, microwave, and washer and dryer; and hot water heaters which will be ~~accessed from common area hallways for ease of maintenance and minimal disturbance to tenants~~ in a utility closet within each unit.

D.E. Lamp Posts and Building Lighting. The entire development shall be regularly interspersed by themed lighting/light poles and wall mounted lighting on the exterior of the buildings. Developer will install commercial quality lamp posts, or another similar type mutually agreed upon between the City and Developer. Developer will submit as part of the site plan application, the location of the proposed ~~lamp posts~~ lighting and photometric plan. All site/building lighting shall be shielded and directed downward so light spill does not adversely affect adjacent properties or streets.

E.F. Mailboxes. Mailbox clusters, with mailboxes and newspaper receptacles shall be provided by the Developer based on the requirements and approval of the U.S. Postal Service. Replacements necessitated by damage from whatever source shall be at the expense of the Developer or its assigns. Mailboxes may be located within or outside the clubhouse at the Developer's discretion.

G. Amenities. The Developer shall provide the Apartments with a common amenity package, as detailed in the General Development Plan and associated documents, and shall include at a minimum the following: clubhouse with leasing office(s), community room ~~with full kitchen and entertainment area~~, exercise room, pool, hot tub, restrooms with shower(s); a barbecue gathering area; small tot lot; ~~community gardens~~ and outdoor recreation space(s); and other semi-private spaces located in the courtyard area.

RESOLUTION NO. 2019-14R

**A RESOLUTION OF THE CITY OF NORTH SALT LAKE
CITY COUNCIL APPROVING THE THIRD AMENDMENT TO THE
DEVELOPMENT AGREEMENT FOR FOXBORO MARKETPLACE**

BE IT HEREBY RESOLVED that the City Council of the City of North Salt Lake authorizes the Mayor to execute, in behalf of the City of North Salt Lake, the third amendment to the Development Agreement for Foxboro Marketplace (2019-17A) in relation to the multi-family portion of the project on Lot 7.

APPROVED by the City Council of the City of North Salt Lake, Utah, this 18th day of June, 2019.

BY THE CITY COUNCIL:

Len Arave, Mayor

City Council Vote as Recorded:

<u>Name</u>	<u>vote</u>
Lisa Baskin	_____
James Hood	_____
Brian Horrocks	_____
Ryan Mumford	_____
Stan Porter	_____

ATTEST:

Linda Horrocks, City Recorder



CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: June 18, 2019

SUBJECT: Resolution No. 2019-25R: A resolution authorizing the City Manager, or designee, to enter into a contract with the Utah Office of Outdoor Recreation for the receipt of grant funds to be used for the construction of a portion of the Foxboro Wetlands Park.

RECOMMENDATION

Staff recommends approval of the resolution approving a grant contract with the Utah Office of Outdoor Recreation for the construction of a fishing pond and boardwalks at the Foxboro Wetlands, and authorizing city matching funds.

BACKGROUND

In February of this year, City Staff submitted an application for a Utah Outdoor Recreation Grant for the construction of a fishing pond and boardwalks at the Foxboro Wetlands. In May 2019, the City was awarded \$150,000 in grant funds for this project.

As you know, the entire project consists of the rehabilitation of approximately 23 acres of wetlands located at 515 North Cutler Drive. In the attached concept plan, you can see that the plan includes the re-creation of the water channel in order to improve the survival of the wetlands, the eradication of invasive plant species and planting of appropriate wetlands plants, the construction of boardwalks and viewing piers going into the wetlands, and the construction of a fishing pond at the west end of the site.

This grant application only includes the construction of the boardwalks and the fishing pond which are estimated to cost approximately \$1,177,870. The City is obligated to a match of \$1,027,870 which can be reduced through grants and other funding sources. The work associated with the grant must be completed within 2 years. I know at this time that the City does not have the remaining funds identified, but we will have approximately 12 months from now to identify those funding sources before we have to make a final decision on the acceptance of this grant. The advantage of this grant is that we can use additional grant funds, donations and up to 50% of our match from in-kind work (such as PW crews performing work in the park). We believe that we can obtain additional funding to cover a large portion of the approximately \$1,027,870 between now and the adoption of the budget for FY2021 when the City would have to appropriate the project amount for construction in that fiscal year. We also have an opportunity between now and then to adjust the project parameters slightly so that boardwalks may be

able to be done in phases; thus, reducing the total project amount for this grant. We can't reduce it too greatly because this grant was reviewed and approved based upon our concept plan. But, I believe that there are things we can do to reduce costs and still phase improvements. We are completing the final construction plans for the project right now (this activity is funded in the current year budget) and we will be able to make better phasing decisions when that is done.

Other funding possibilities include Big West Oil which has agreed to contribute \$105,000 towards the construction of this project. We intend to reach out to all of the oil refineries and Stericycle to see if there are environmental cleanup requirements that they must meet and for which this project qualifies. We also have the chance to do a more national (and federal) search for grants associated with "green" projects or projects that include water quality enhancements.

Finally, I am aware that this grant moves up the project schedule in advance of us locating all funding. I am as concerned about this issue as you are; however, this is an excellent opportunity for us to work harder and faster on a project that we know is important to you and that you have each expressed a desire to complete. So, the action proposed by this resolution obligates us to a degree to move forward, but it also clearly establishes for the Council and staff that this park is a very high funding priority. I think that the timing is excellent and that we can leverage this grant approval with many other funding sources to have a successful and complete project.

POSSIBLE MOTION

I move that the City Council approve Resolution 2019-25R authorizing the City Manager, or designee, to enter into a contract with the Utah Office of Outdoor Recreation for the receipt of grant funds to be used for the construction of a portion of the Foxboro Wetlands Park.

Attachments:

- 1) Concept Plan
- 2) Resolution No. 2019-25R

RESOLUTION NO. 2019-25R

A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO ENTER INTO A CONTRACT WITH THE UTAH OFFICE OF OUTDOOR RECREATION FOR RECEIPT OF GRANT FUNDS TO BE USED FOR THE CONSTRUCTION OF A PORTION OF THE FOXBORO WETLANDS PARK.

WHEREAS, the Utah Office of Outdoor Recreation has a grant program designed to fund outdoor recreation improvements; and,

WHEREAS, the City has actively participated in the annual application process and has been awarded funds for the 2019 Utah Outdoor Recreation Grant; and,

WHEREAS, the City has identified the fishing pond and boardwalk systems in the Foxboro Wetlands rehabilitation project as a priority project for the City; and,

WHEREAS, the Governing Body of the City of North Salt Lake finds that it is in the public interest to improve and expand opportunities for recreation.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of North Salt Lake as follows:

1. The City Manager, or designee, is hereby instructed and authorized to sign a grant contract with the Utah Office of Outdoor Recreation for Utah Outdoor Recreation Grant funds for the following project:

The construction of a fishing pond and boardwalks at the Foxboro Wetlands. The total cost of the project is estimated to be \$1,177,870. The award is for \$150,000 in Utah Outdoor Recreation Grant funds and \$1,027,870 in matching funds from the City. The grant requires a 50% match from the City, or other grant funding sources.

2. City Staff is hereby instructed and authorized to set aside \$1,027,870.00 from the City's General Fund for matching funds.
3. The resolution hereby adopted shall be effective immediately.

PASSED and APPROVED this 18th day of June, 2019.

CITY OF NORTH SALT LAKE:

ATTEST:

Leonard K. Arave, Mayor

Linda D. Horrocks, City Recorder

City Council Vote as Recorded:

<i>Name</i>	<i>vote</i>
James Hood	_____
Brian Horrocks	_____
Lisa Watts Baskin	_____
Ryan Mumford	_____
Stan Porter	_____

PLANTING PLAN LEGEND

KEY	BOTANICAL NAME/ COMMON NAME	QTY
TREES 2" CALIPER		
	POPULUS ANGUSTIFOLIA / NARROWLEAF COTTONWOOD	42
	POPULUS FREMONTII / FREMONT COTTONWOOD	
	BETULA OCCIDENTALIS / WATER BIRCH	
	ACER NUGUNDO / BOBOLDS ELDER	
	LUNIPERUS OSTEOSPERMA / UTAH JUNIPER	
	TILIA CORDATA / LITTLELEAF LINDEN	
SHRUBS 1 GALLON		
	SALICORNIA / COYOTE WILLOW	40
	CORNUS SERICEA / REDOSIER DOGWOOD	
	PRUNUS VIRGINIANA / CHOKECHERRY	
	ROSA WOODSII / WOODS ROSE	
	RIBES AUREUM / GOLDEN CURRANT	
	RHUS TRILOBATA / SKUNKBUSH	
	ARTEMISIA FILIFOLIA / SAND SAGE	
	ATRIPLEX CANESCENS / FOUR-WING SALTBUCH	
	EPHEDRA VIRIDIS / MORMON TEA	
	SARCOBATUS VERMICULATUS / GREASEWOOD	
	WETLAND SOD: PRE-VEGETATED NATIVE COIR EROSION CONTROL MAT, EACH MAT 3.2 FEET WIDE 16.2 FEET LONG 4 INCHES THICK.	

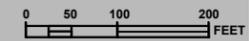


Legend	Description
	Proposed Meandering Site Channel
	Existing Point Access Location
	Existing Access Trail
	Proposed Wetland CO Trail Area
	Proposed Herbaceous Planting
	Proposed Shrub/Tree
	Proposed Elevated Boardwalk Trail Viewing Platform
	Proposed Catchment Filling Pond
	Proposed Wetland Creation Area

FOXBORO OPEN SPACE
Wetlands Restoration and
Habitat Enhancements Project
MASTER PLAN MAP



Map Date: 8/2/2016



K:\projects\1986_FoxboroWetlandRestor\AutoCAD_MasterPlan

1 CITY OF NORTH SALT LAKE
2 CITY COUNCIL MEETING-WORK SESSION
3 JUNE 4, 2019

4
5 **DRAFT**
6

7 Mayor Arave called the meeting to order at 6:05 p.m.

8
9 PRESENT: Mayor Len Arave
10 Council Member Brian Horrocks
11 Council Member Stan Porter
12 Council Member Ryan Mumford
13 Council Member James Hood
14 Council Member Lisa Watts Baskin
15

16 STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; David Frandsen,
17 Public Works Director; Janice Larsen, Finance Director; Craig Black, Police Chief; David
18 Church, City Attorney; Sherrie Llewelyn, Community Development Director; Linda Horrocks,
19 City Recorder; Andrea Bradford, Minutes Secretary.
20

21 OTHERS PRESENT: Nate Pugsley, Patrick Scott, Sam Pugsley, Taylor Spendlove, Brighton
22 Homes.
23

24 1. DISCUSSION OF PROPOSED CONCEPT PLAN FOR EAGLEWOOD VILLAGE
25

26 Ken Leetham stated that there had been several proposals over the years for the remaining
27 Eaglewood Village parcels. He said Brighton's proposal would be a good reflection of what
28 would be possible at this location.
29

30 Mayor Arave asked who currently owned the property. Nate Pugsley, Brighton Homes, replied
31 that there was a partnership who owned the property along with Ezra Nilson and Seth Ure.
32

33 Mayor Arave then disclosed that he had a business partnership with Ezra Nilson. Nate Pugsley
34 said that they were under contract to purchase the property from the partnership and that Ezra
35 and Seth may or may not be involved with the project.
36

37 Taylor Spendlove, Brighton Homes, provided some background on the project and said that the
38 original plan was presented and a development agreement for Eaglewood Village was signed in
39 2007. He said that Brighton Homes was proposing a mixed use concept plan with residential and
40 commercial components. He added that the property was currently zoned as a P District and
41 entitlement changes would be necessary for the proposed project.
42

43 Mr. Spendlove said the proposed master plan would include three pods with two pods of mixed
44 use on the front (west) property and one pod of three story townhomes against the hillside. The
45 townhome pod would consist of 18-20 units per acre. He then provided more detail on each pod
46 and said the southwest parcel would be mixed use with approximately 10,000 square feet of
47 commercial and 94 residential units stacked above that. Mr. Spendlove showed an example of
48 the architectural concept plan with similar architecture throughout all three parcels.

49

50 Mayor Arave asked if they had performed soil testing. Mr. Spendlove replied that they had
51 received the soil reports and that there may be some potential remediation required.

52

53 Nate Puglsey commented that the design would be similar to the concept plan that had been
54 proposed for the Winegar's redevelopment proposal. He said that everything would be surface
55 parked with no parking structure.

56

57 Taylor Spendlove then reported on the northwest parcel near the Quick Quack Car Wash
58 location. He said it would be approximately 24,000 square feet of commercial with 70 residential
59 units. Two buildings, along Beck Street, would consist of commercial on the main floor with
60 residential on the upper levels and one residential building would be three levels of apartment
61 units.

62

63 Mr. Spendlove commented that there was a strip of land between Highway 89 and the project
64 that they would like to maintain to enhance the look of the area. Sherrie Llewelyn stated that the
65 strip of land was owned by UDOT.

66

67 Nate Pugsley suggested that they would like to plant this area with grass and could be an amenity
68 for residents. He said that UDOT would most likely not sell the property but may be willing to
69 allow Brighton to maintain it. He also clarified that the buildings would not be four story
70 buildings due to parking constraints on the property.

71

72 Taylor Spendlove said that the southeast parcel would be three story townhomes on 6.4 acres;
73 however, an overall density could not be determined until additional rock fall studies were
74 performed to determine how much of the site was usable. The concept plan included one L-
75 shaped commercial building along the front of the parcel with two residential buildings to the
76 south. He then showed examples of the townhome architecture, which would complement the
77 rest of the project. Mr. Spendlove said that the project would share amenities with a proposal for
78 playgrounds, a pool, and pickleball courts.

79

80 Taylor Spendlove then commented on the possibility of the City vacating the spur road adjacent
81 to the property to make the project more cohesive and to cut down on truck traffic. Ken Leetham
82 said that when the original project was first developed a physical structure obstructed truck
83 traffic. He said there may be pushback from Hughes General Contractors if they were unable to
84 use that road.

85

86 The Council had a discussion about vacating the road and current and future access of the gravel
87 trucks. Ken Leetham commented that City staff would review any potential stipulations that were
88 placed in the original agreement along with the potential to vacate the spur road.

89

90 David Church explained that the process for vacating a road included public notice, a public
91 hearing, and a vote by the City Council.

92

93 Taylor Spendlove then provided an overall summary of the project and said it would consist of
94 34,000 square feet of commercial space, 164 residential stacked apartment units, and
95 approximately 90-120 three level townhome units. He said there would be approximately 650
96 total residential units at Eaglewood Village including the existing units.

97

98 Mr. Spendlove said the benefits to the City would be achieving the goal of expanding
99 commercial and adding a vibrant mix of higher end market rate apartments and townhomes. He
100 said the mixed use concept would attract those who needed office space as well as neighborhood
101 type uses like a hair salon, etc. He then asked the Council for feedback and direction on the
102 proposed project.

103

104 Council Member Porter commented that there would still be active gravel pit operations adjacent
105 to the proposed project and asked how marketable the project would be. Taylor Spendlove
106 replied that while it could be an issue, the existing Eaglewood Lofts had only a 5% vacancy.

107

108 Mayor Arave asked if the majority of Monte Thomas pit had already been mined. Ken Leetham
109 replied that there was a section on the northeast portion, which should be completed in three
110 years.

111

112 Council Member Horrocks asked why there was not a market for office buildings in South Davis
113 County. Taylor Spendlove replied that the property owner had been unable to attract that over the
114 last five years.

115

116 Nate Pugsley commented that they constructed an office building recently and at current market
117 rates they were losing money every month due to the cost of construction and current lease rates.
118 He said that while rates should eventually go up in South Davis they had remained stagnant for
119 years.

120

121 Council Member Horrocks said that per the current development agreement nothing that was
122 originally designated for this location had occurred. Mayor Arave commented that retail was
123 dying so there was not a huge need for retail locations.

124

125 Council Member Mumford commented that he liked the proposal for the south parcel and if the
126 road was vacated he would like to see more of a village concept. He had concerns about the

127 middle parcel due to the lack of commercial. Nate Pugsley replied that they could wait to see if
128 more commercial for the north parcel would be possible in the future.

129
130 Council Member Hood said he liked the plan for the south parcel as well and would like to see
131 two L-shaped buildings with commercial on the main floor. He also expressed concern with the
132 north parcel.

133
134 Mayor Arave asked what the chances were that the bottom level would remain vacant. Nate
135 Pugsley replied that every developer builds mixed use projects expects the retail to be semi-
136 vacant. He added that it was more likely to occur on buildings that were away from the main
137 roads.

138
139 Taylor Spendlove clarified that there was a sewer easement on the south parcel, which was why
140 the commercial building was L-shaped.

141
142 Council Member Baskin commented that there needed to be improvements to the entrance of the
143 City. She said this would be an ideal location for townhomes.

144
145 Mayor Arave commented that it seemed like office buildings in Centerville were struggling and
146 that there did not seem to be a high demand at this time. Council Member Horrocks asked about
147 the future plan for the gravel pit including the potential for reclamation. Mayor Arave replied
148 that it was zoned R-1-10 but said that the master plan would need to be reviewed.

149
150 Council Member Porter agreed that this would be a good location for townhomes/higher density
151 product but had concerns about losing commercial along the highway.

152
153 Council Member Mumford asked about the potential for four or five story townhomes on the
154 southeast parcel. Taylor Spendlove replied that they were unsure if the Council would approve of
155 higher density in the area.

156
157 Council Member Baskin suggested that this seemed like the location where you could put a
158 residential building like American Towers in Salt Lake. Taylor Spendlove replied that market
159 rents and parking would restrict the density.

160
161 Nate Pugsley said that Salt Lake did not have a parking requirement minimum to encourage
162 walking and that it was generally one parking stall per unit. Taylor Spendlove commented that
163 they would want two parking stalls per unit with covered garages.

164
165 Council Member Mumford asked if the three story buildings in the north section would have
166 elevators. Nate Pugsley replied that they would have elevators in the residential buildings to
167 attract the 55+ buyer.

168

169 Council Member Mumford suggested four story building with elevators as most of the residents
170 of these buildings would work in Salt Lake City or further south so they would not be using City
171 roads to commute. He also said these residents could utilize the bus rapid transit (BRT) in the
172 area.

173

174 2. ADJOURN

175

176 Mayor Arave adjourned the meeting at 7:02 p.m. to begin the regular session.

177 CITY OF NORTH SALT LAKE
178 CITY COUNCIL MEETING-REGULAR SESSION
179 JUNE 4, 2019

180
181 **DRAFT**

182
183 Mayor Arave called the meeting to order at 7:13 p.m. Council Member Lisa Baskin offered the
184 invocation and led those present in the Pledge of Allegiance.

185
186 PRESENT: Mayor Len Arave
187 Council Member Brian Horrocks
188 Council Member Stan Porter
189 Council Member Ryan Mumford
190 Council Member James Hood
191 Council Member Lisa Watts Baskin

192
193 STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; David Frandsen,
194 Public Works Director; Janice Larsen, Finance Director; Craig Black, Police Chief; David
195 Church, City Attorney; Sherrie Llewelyn, Community Development Director; Linda Horrocks,
196 City Recorder; Andrea Bradford, Minutes Secretary.

197
198 OTHERS PRESENT: Stephen Lyon, Davis County Clerk/auditor; Ron Jibson, Mona Biehl, Dee
199 Lalliss, Janet Jibson, Gloria Oaks, Gary Smith, Cheryl Smith, Barry Bryson, Manuel Delgado,
200 Shandell Smoot, residents; Mark Greenwood, Granite Construction.

201
202 1. CITIZEN COMMENT

203
204 Dee Lalliss, 30 North, commented that there was a post on social media regarding dogs in the
205 splash pad area and asked if dogs were allowed at Legacy Park. He suggested that the City
206 publish the rules regarding the splash pad in the newsletter and on social media. Ken Leetham
207 clarified that dogs were not allowed in Legacy Park near the splash pad per the Davis County
208 Health Department.

209
210 Ron Jibson, 417 Aerie Circle, thanked the City Council for their efforts. He asked that the City
211 consider building pickleball courts as all residents could enjoy them. Mr. Jibson said that the
212 courts in Woods Cross and Bountiful were always being used and that each court cost around
213 \$20,000 to \$30,000. He then said that the golf course was a landmark in the City and felt that
214 privatizing the course and requiring a monthly membership fee would discourage people from
215 playing at the course.

216
217 Mayor Arave commented that he would be better able to discuss the golf course after an open
218 meeting in July which he invited the public to attend.

219 Cheryl Smith, 430 Aerie Circle, asked about the proposed fencing of the property next to her
220 home, which was adjacent to the golf course. Sherrie Llewelyn replied that staff met with the
221 property owner and said that a proposal, which would come before the Council, would be
222 prepared to potentially allow for a fence on the City's property line. The City would not be
223 selling any property to the resident.

224

225 Mayor Arave explained that the agenda would be reordered so that the items related to The
226 Ridge development would be reviewed next.

227

228 2. CONSIDERATION OF ORDINANCE 2019-06: AN ORDINANCE REZONING
229 PROPERTY LOCATED AT APPROXIMATELY 650 SOUTH EDGECREST LANE,
230 FROM SPECIAL USE RESTRICTED (SR) TO P-DISTRICT AND APPROVING A
231 DEVELOPMENT AGREEMENT (2019-19A) FOR THE RIDGE PUD, CW LAND,
232 APPLICANT

233

234 Sherrie Llewelyn reported that this property was currently owned by Granite Construction and
235 zoned Special Use Restricted (SR) with a proposal to rezone the property to a Planned (P)
236 District. She showed the final plat with a layout of 103 single family lots and 51 townhome lots.
237 She also showed the landscaping plan with the public trail, trees, etc.

238

239 Mrs. Llewelyn also showed examples of the final architecture and floor plans for the townhome
240 units and the single family homes. She provided a brief overview of the requirements in the
241 development agreement including the landscaping agreement and maintenance, trail construction
242 using funds held in a trust, perimeter fencing, amenities, trail connections, private park, natural
243 open space, architectural design and materials, land uses including setbacks, landscape
244 installation, model homes, PRV valve upgrades, street light installation, mass grading with
245 blasting plan, operating plan, material storage, hours of operation, notification to residents in
246 area, etc. and seller disclosure requirements regarding adjacent gravel pit land uses.

247

248 The Planning Commission reviewed the final plat and development agreement and
249 recommended approval with two conditions. Staff received minor redlines from the developer's
250 attorney related to construction of 29 dwelling units per the fire code and the payment of the
251 PVR valves, which were incorporated into the development agreement.

252

253 Sherrie Llewelyn spoke on the fencing and said a woven wire metal fence would be placed
254 around the perimeter of the property. She said as the homes were built, adjacent to the fence, the
255 homeowner would be required to replace this metal fence with an approved permanent fence.

256

257 Council Member Porter asked if the City or the developer would build the public trail. Sherrie
258 Llewelyn replied that the developer would build the trail.

259

260 Council Member Mumford asked for clarification regarding the five-foot wire fencing on the
261 west and south property line. He asked if there was a condition in the development agreement for
262 the HOA to maintain the metal fencing along the natural open space. Sherrie Llewelyn replied
263 that a condition for fencing maintenance could be added to the agreement.

264
265 The Council agreed that a condition for the developer to install metal fencing without barbed
266 wire and the HOA to maintain the metal fencing around the open space be put into the
267 agreement.

268
269 Ken Leetham asked if the homeowner would have the option of leaving the wire fence or
270 replacing it. Sherrie Llewelyn replied that the homeowner would need to replace the fence on
271 their rear property line with one of the permanent fencing options which included a six-foot
272 masonry wall or a decorative metal or composite fence. She said that it was likely there would be
273 different fence types along the hillside there.

274
275 **Council Member Horrocks moved that the City Council approve Ordinance 2019-06**
276 **rezoning property located at approximately 650 South Edgecrest Lane, from Special Use**
277 **Restricted (SR) to P District and approving the proposed development agreement (2019-**
278 **19A) for The Ridge PUD with the following findings and conditions:**

279
280 **Findings:**

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

296
297 **Conditions:**

- 298 1) **Figure D-1 in Exhibit D (Directional Drainage Plan for individual lots with lot**
299 **line swales) be added to the development agreement;**
- 300 2) **The HOA will be responsible for the fence maintenance along the natural open**
301 **space per a condition to be added to the development agreement.**

302 **Council Member Mumford seconded the motion. The motion was approved by Council**
303 **Members Horrocks, Porter, Mumford, Hood and Baskin.**

304
305 3. CONSIDERATION OF FINAL PLAT APPROVAL FOR THE RIDGE PUD LOCATED
306 AT APPROXIMATELY 650 SOUTH EDGECREST LANE, CW LAND, APPLICANT
307

308 Sherrie Llewelyn reported that this would be the administrative action approving the final plat.
309 She said the final plat and construction drawings were at 95% completion with several minor
310 redlines to be corrected in conjunction with the City Engineer. Staff recommends approval and
311 recording of the final plat be contingent upon the engineering redline corrections being
312 completed and approved by the City Engineer. The applicant would also need to submit letters of
313 approval regarding the grading plan within the Kern River and Dominion Energy Pipeline
314 easements.
315

316 **Council Member Porter moved that the City Council approve the final plat for The Ridge**
317 **located at approximately 650 South Edgecrest Lane, with the following conditions:**

- 318
319 1. **Engineering redline corrections of construction drawings be completed and**
320 **approved by the City Engineer meeting all applicable design and construction**
321 **standards as required by City ordinance;**
322 2. **Submission of letters of approval in regards to grading plan within the Kern River**
323 **and Dominion Energy Pipeline easements.**
324

325 **Council Member Hood seconded the motion.**

326
327 Council Member Baskin asked if the geotechnical study had been performed and if the results
328 had come back satisfactory. Sherrie Llewelyn replied that the study had been performed and the
329 results were acceptable.
330

331 Council Member Mumford asked when the construction of the townhomes would start. Sherrie
332 Llewelyn replied that while there were different builders for the townhomes and the single
333 family homes that construction would commence at the same time. She said that only 14 units
334 could be constructed until the second egress was completed.
335

336 **The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and**
337 **Baskin.**

338
339 4. CONSIDERATION OF RESOLUTION 2019-16R: A RESOLUTION ADOPTING
340 UTILITY RATE ADJUSTMENTS FOR SOLID WASTE AND WATER
341

342 Janice Larsen reported that the City Council had previously reviewed the utility rates study for
343 solid waste and water. She said that as there was very little infrastructure regarding solid waste

344 that the price was based on the contract with Waste Management and Wasatch Integrated Waste.
345 Staff proposed an increase in solid waste rates reflecting exactly the increases from Waste
346 Management and Wasatch Integrated which would be two dollars per can and a 3% increase
347 from Wasatch Management. This would be an increase from \$11.17 to \$13.51 for the first and
348 additional solid waste can and \$5.53 to \$5.70 per recycling can.

349
350 The second increase would be related to the culinary water rates with a 3% increase to improve
351 the bond rating and maintain the Water Fund. The City recently had a rating increase to an AA+.

352
353 Council Member Mumford asked about the current rates and tiers versus the recommended rates
354 and tiers for Foxboro which showed a decrease from the current 6,000 gallons base to the
355 recommended 5,000 gallons. Janice Larsen replied that this was an error in the document and
356 should be adjusted to show 6,000 for the current and recommended gallons.

357
358 Ken Leetham said staff was preparing and would present a comprehensive water report to the
359 Council.

360
361 Council Member Baskin asked where the transfer station would be. Mayor Arave replied that it
362 would be moved to where the burn plant was located. He said the burn plant diverted
363 approximately 50% of the waste from the landfill.

364
365 **Council Member Mumford moved to approve Resolution 2019-16R a resolution adjusting**
366 **the solid waste and culinary water sections of the City of North Salt Lake comprehensive**
367 **fee schedule with the water change for Foxboro from 5,000 for 6,000 gallons included in the**
368 **base as shown in the packet. Council Member Hood seconded the motion. The motion was**
369 **approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

370
371 5. PUBLIC HEARING AND CONSIDERATION OF RESOLUTION 2019-21R: A
372 RESOLUTION ADOPTING THE CITY OF NORTH SALT LAKE FISCAL YEAR
373 2019-2020 BUDGETS

374
375 Ken Leetham reported that the proposed resolution would adopt the final budget for the
376 upcoming fiscal year. He explained that the adjustments to the final budget included the fund
377 balance, wage and benefit, transfers to Capital Projects, transfers to Park Capital, transfers to
378 Road Capital, general and contracted services, other assets including signage, and temporary
379 employees as well as transfers from the General Fund for additional park and road projects and
380 GIS meter replacement. Mr. Leetham said the City had a healthy fund balance with an emphasis
381 to be frugal and responsible which lead to a surplus. He explained that he had provided a
382 comparison to other cities for the Cost of Living Adjustment (COLA).

383

384 Council Member Horrocks asked about the surplus amount and if a \$100,000 could be used
385 towards pickleball courts. Council Member Mumford commented that pickleball courts would be
386 a great addition to the redesign of Mathis Park.

387
388 Ken Leetham commented that staff found each court would cost approximately \$22,000 per
389 court. He said that there were current parking constraints at Mathis Park which could be
390 addressed during the redesign.

391
392 **Mayor Arave opened the public hearing at 8:07 p.m. There were no public comments and**
393 **Council Member Baskin moved to close the public hearing at 8:08 p.m. Council Member**
394 **Horrocks seconded the motion. The motion was approved by Council Members Horrocks,**
395 **Porter, Mumford, Hood and Baskin.**

396
397 Mayor Arave commented that he would like to hear the opinions on pickleball courts from the
398 Parks and Arts Board.

399
400 The Council thanked staff for preparing the budget as it was the most important item that staff
401 prepared each year and the City Council approved.

402
403 Mayor Arave asked about the COLA and merit increase in the proposed budget. Ken Leetham
404 replied that it was 3% COLA and 2.5% merit increase.

405
406 Council Member Mumford commented that his company did not provide COLA or merit
407 increases. He did appreciate matching the increases to an index but said it was difficult as the
408 private sector generally did not provide these types of increases.

409
410 **Council Member Porter moved to approve Resolution 2019-21R a resolution adopting the**
411 **next fiscal year 2019-2020 General Fund, Redevelopment Agency, Special Revenue Fund,**
412 **Debt Service Fund, Capital Projects Funds, Enterprise Funds, Internal Service Fund**
413 **budgets, and salary schedule. Council Member Horrocks seconded the motion. The motion**
414 **was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

415
416 6. CONSIDERATION OF RESOLUTION 2019-22R: A RESOLUTION SETTING THE
417 CERTIFIED PROPERTY TAX RATE FOR FY2019-2020 AT A RATE NOT TO
418 EXCEED THE RATE DETERMINED BY DAVIS COUNTY

419
420 Ken Leetham reported that staff was not proposing a tax increase and that the certified tax rate
421 should be represent a similar dollar amount to the property tax that was collected last year. He
422 said there was new growth which would go into the certified tax rate which would result in an
423 increase in actual revenue year over year in property tax collection. The certified tax rate should
424 represent no tax increase for residents and businesses.

425

426 Council Member Baskin asked how the certified tax rate worked and how it was applied. Janice
427 Larsen replied that the best way to explain this would be as an algebraic equation by first
428 determining how much revenue the City would get, property values increasing by x number of
429 dollars, and the rate as the formula that brings you to the revenue.

430

431 Ken Leetham added that individual homeowners would pay the same dollar amount. David
432 Church said that individual taxes may go up or down but the certified tax rate was community
433 wide and based on whether an individual's property was assessed that year. He said the City
434 would receive the same general property tax they had previously received.

435

436 Janice Larsen said that the certified tax rate for the upcoming year was .001284 for fiscal year
437 2020. Council Member Mumford said that the certified tax rate for last year was .001325.

438

439 **Council Member Baskin moved to approve Resolution 2019-22R a resolution setting the**
440 **certified property tax rate for all property located within the boundaries of the City of**
441 **North Salt Lake, Utah for fiscal year 2019-2020 as determined by Davis County at .001284.**
442 **Council Member Porter seconded the motion. The motion was approved by Council**
443 **Members Horrocks, Porter, Mumford, Hood and Baskin.**

444

445 7. CONSIDERATION OF RESOLUTION 2019-24R: A RESOLUTION ENTERING
446 INTO INTERLOCAL COOPERATION AGREEMENT (2019-28A) RELATING TO
447 THE CONDUCT OF CDBG PROGRAM FOR FEDERAL FISCAL YEARS 2020, 2021
448 AND 2022

449

450 Ken Leetham reported that this agreement would signify the City's participation in the
451 Community Development Block Grant (CDBG) program for fiscal years 2020-2022.

452

453 Steve Lyon, Grants Administrator with Davis County Clerk/Auditor, explained that this
454 resolution would be done across the County with all 13 participating cities. He said that Layton
455 and Clearfield cities had their own entitlements.

456

457 Council Member Baskin asked about the affect it had for Layton and Clearfield to have their own
458 entitlements. Steve Lyon said that they served the surrounding cities and were looking to expand
459 into other CDBG areas including housing to help with more low to moderate income housing
460 grant funding.

461

462 Mayor Arave asked about the approval process. Steve Lyon explained that the approval process
463 for CDBG grants was processed through the Council of Governments (COG).

464

465 Council Member Horrocks asked about the restrictions from the Federal Government. Steve
466 Lyon explained that it had to be projects that would benefit those areas in the City and County

467 that were low to moderate income areas. He said these projects ranged from ADA ramps to
468 seismic upgrades for a fire station.

469
470 Council Member Baskin asked what the criteria was to ensure that the funds were spread
471 throughout the 13 cities in the County. Steve Lyon replied that there was a yearly application
472 process with each city providing qualified projects for consideration. The COG then determined
473 which projects have the highest priority.

474
475 **Council Member Porter moved that the City Council adopt Resolution 2019-24R a**
476 **resolution of the City of North Salt Lake approving an interlocal cooperation agreement**
477 **(2019-28A) between Davis County and the City relating to the conduct of Community**
478 **Development Block Grant (CDBG) program for federal fiscal years 2020, 2021 and 2022.**
479 **Council Member Hood seconded the motion. The motion was approved by Council**
480 **Members Horrocks, Porter, Mumford, Hood and Baskin.**

481
482 8. CONSIDERATION OF BID AWARD FOR THE ORCHARD DRIVE SIDEWALK
483 PROJECT FROM KINGDON LANE THROUGH 83 SOUTH

484
485 Paul Ottoson reported that the City had received two separate grants to construct sidewalk along
486 the east side of Orchard Drive from Kingdon Lane to 183 South. The overall project would be
487 completed in two phases. The first phase would include a grant from UDOT in the amount of
488 \$192,750 with boundaries from Kingdon Lane to 83 South. The project would include narrowing
489 of the road by approximately nine feet, the installation of curb and gutter, and the installation of
490 a five-foot park strip and five-foot sidewalk.

491
492 The bid opening for Phase 2 would open Thursday through UDOT as it was a federal grant
493 through Wasatch Front Regional Council. The boundaries for Phase 2 would be from 89 South to
494 183 South.

495
496 City staff received two bids with ACME Construction as the low bidder at \$188,093. The budget
497 for the project included UDOT TAP funds in the amount of \$192,750 with a City match of 25%
498 or \$64,250 for a total of \$257,000 plus an additional \$25,000 to \$30,000 for engineering and
499 inspections.

500
501 Council Member Porter stated that he may have a possible conflict of interest as he went to high
502 school with the owner of ACME Construction.

503
504 **Council Member Porter moved to award the bid to ACME Construction, Inc. for**
505 **\$188,093.50 for the Orchard Drive sidewalk Kingdon Lane through 83 South project.**
506 **Council Member Baskin seconded the motion. The motion was approved by Council**
507 **Members Horrocks, Porter, Mumford, Hood and Baskin.**

508

509 9. APPROVE CITY COUNCIL MINUTES

510

511 The City Council minutes of May 21, 2019 were reviewed and amended. **Council Member**
512 **Horrocks moved to approve the City Council minutes of May 21, 2019 as amended. Council**
513 **Member Porter seconded the motion. The motion was approved by Council Members**
514 **Horrocks, Porter, Mumford, Hood and Baskin.**

515

516 10. ACTION ITEMS

517

518 The action items list was reviewed. Completed items were removed from the list.

519

520 11. CITY COUNCIL REPORTS

521

522 Council Member Hood asked that the City provide clarification on whether dogs were allowed at
523 the splash pad.

524

525 Council Member Mumford mentioned code enforcement the status of an enforcement issue in
526 Foxboro. Ken Leetham said that the homeowner would be given an order to clean up the exterior
527 of the property. If they refused the City could abate the issue and have staff clean up the property
528 several times a year. He said that police would need to be on site at that time as the homeowner
529 had threatened violence. The City could then lien the property to recoup the costs.

530

531 David Church said that staff would follow the process laid out in the ordinance and do what was
532 appropriate in a safe way.

533

534 Council Member Mumford asked that staff review safety measures at City Hall and the Public
535 Works building including bullet resistant glass partitions per the recent shooting at a Virginia
536 Beach municipal building. Ken Leetham said that the City would look into additional safety
537 measures for City Hall and the Public Works building as well as employee mental health.

538

539 Council Member Porter that there would be a community hike at the Wild Rose Trail on
540 Saturday at 10 a.m sponsored by the Parks and Arts Board. Council Member Mumford said that
541 the Parks and Arts Board would be highlighting one trail per month during the summer.

542

543 Council Member Horrocks reported that he often heard comments about how good the City staff
544 was. He also asked if the City should review the General Plan. Council Members Porter and
545 Mumford agreed that all of the zones, including the RM-7 zone, and the general plan needed a
546 review. Ken Leetham replied that the review of the general plan was on the list.

547

548 12. MAYOR'S REPORT

549

550 Mayor Arave said he had received an email from the developer asking for feedback on The
551 Winnie development. Ken Leetham asked that the Mayor forward this email to staff if
552 appropriate.

553

554 13. CITY ATTORNEY'S REPORT

555

556 David Church had nothing to report.

557

558 14. CITY MANAGER'S REPORT

559

560 Ken Leetham thanked Janice Larsen for her efforts in preparing the budget. He then said the
561 2018 Public Works report was completed and distributed it to the Council.

562

563 Council Member Baskin commented that she met with staff to work on the City's Tree
564 Ordinance which should be completed in July or August.

565

566 15. ADJOURN INTO CLOSED SESSION TO DISCUSS EXISTING OR POTENTIAL
567 LITIGATION

568

569 **At 8:55 p.m. Council Member Horrocks moved to go into closed session to discuss strategy**
570 **on pending litigation. Council Member Baskin seconded the motion. The motion was**
571 **approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

572

573 16. RECONVENE INTO REGULAR SESSION

574

575 **At 10:06 p.m. Council Member Mumford moved to go out of closed session and into the**
576 **regular session. Council Member Horrocks seconded the motion. The motion was approved**
577 **by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

578

579 17. ADJOURN

580

581 Mayor Arave adjourned the meeting at 10:06 p.m.

582

583

584

585

586

Mayor

Recorder