

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
JUNE 25, 2019

FINAL

Commission Chair Ted Knowlton called the meeting to order at 6:32 p.m. and BreAnna Larson led those present in the Pledge of Allegiance.

PRESENT: Commission Chair Ted Knowlton
Commissioner Kent Kirkham
Commissioner William Ward
Commissioner Brandon Tucker
Commissioner BreAnna Larson
Commissioner Natalie Gordon

EXCUSED: Commissioner Stephen Garn

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

OTHERS PRESENT: Mike Watson, Liberation Development Investments; Dee Lalliss, Stan Porter, Bryce Johnson, residents; Torey Brown, Tim Brown, applicants.

1. PUBLIC COMMENTS

There were no public comments.

2. CONSIDERATION OF A REQUEST TO REZONE PROPERTY AT 867 WEST 3800 SOUTH FROM HIGHWAY COMMERCIAL (CH) TO RESIDENTIAL (R1-7), TOREY BROWN, APPLICANT

Kate Werrett reported that the Development Review Committee (DRC) recommended approval for the rezone request with four conditions including the reduction of vehicular access to one thirty foot maximum wide driveway, installation of a park strip and sidewalk as well as restoration of the curb and gutter, removal of the 38 Street Salon sign and submission of a site plan depicting how the commercial parking area would be renovated to become a residential front yard.

The parcel, owned by Torey Brown, is currently being used as the 38 Street Salon with a request to rezone from Highway Commercial (CH) to Residential (R1-7). The 11,238 square foot property consists of one existing building, which is adjacent to Chesham Village and other residential parcels. The existing use on the property is the 38 Street Salon. The Browns plan to

renovate the commercial building by converting it into a home with a home occupation salon. The CH zone does not permit single family residential development containing less than five dwelling units so to allow for one single family parcel the applicant is requesting a rezone to the R1-7 zone.

The residential use of this property would be compatible with the surrounding uses. The parcels to the north, south, and east of the parcel are unincorporated Davis County and Bountiful single family homes with similar lot sizes. The proposed R1-7 zone would have similar lot and setback requirements to the adjacent unincorporated parcels. This property would comply with the requirement for a minimum lot size of 7,000 square feet.

The applicant submitted a proposed floorplan for the building, which would modify the internal use into a residential home with an area for the home occupation. The renovation would include a five foot addition to provide space for a kitchen, the creation of a two chair in-home salon, and separate access to the salon. Home occupations are permitted in all residential zones as long as they are incidental and secondary to the use of the dwelling. Only members of the family who reside in the dwelling could work on site with the exception of one additional person who may be employed as a secretary, apprentice or assistant.

The front portion of the lot currently contains a parking lot and two driveway access areas; however, per Section 10-6-2 of the City Code prohibits residential lots with less than 100 feet of frontage from having more than one driveway with a maximum width of thirty feet. The DRC recommends conditioning approval on the reduction of vehicular access to one thirty foot (30') wide driveway. The DRC also recommended conditioning approval on the restoration of the curb and gutter and the installation of both a park strip and sidewalk in accordance with City standards. Currently the sidewalk and park strip in front of Chesham Village stops at the property line of this parcel. The curbing along the frontage of this parcel is not in conformance to City standards as it appears to have been cut when the driveways were installed.

Due to the commercial appearance of the building the DRC recommends conditioning approval upon the receipt of a site plan depicting how the existing commercial parking area would be renovated to become a residential front yard. While there is no front yard impervious surface area limitation in the Code the DRC suggest that the plans for a more residential frontage with landscaping be requested from the applicant. The site plan should also demonstrate the removal of the commercial signage, which is not permitted for home occupations or in residential zones.

Tim Brown, applicant, asked who would be required to pay for the installation of the curb and gutter. Sherrie Llewelyn replied that the applicant would be responsible for the installation and cost.

Tim Brown then said they planned to make a circular driveway. Sherrie Llewelyn responded that it was a permitted use to have two fifteen foot (15') circular drives under certain circumstances. Staff will need to review any driveway proposed.

Tim Brown asked who could install the curb and gutter. Sherrie Llewelyn explained that the contractor who was hired to make changes to the parking lot should be able to install the curb, gutter and sidewalk. She said the applicant could propose something other than a park strip with grass and the applicant should work with the City Engineer.

Torey Brown, applicant, questioned whether she could have a sign on the property advertising the salon. Sherrie Llewelyn said that the home occupation did not allow for any signage.

The Browns asked for a list of the conditions, which staff then provided to them. Sherrie Llewelyn explained that the rezone would go before the City Council for approval and adoption of the rezone. Mrs. Llewelyn said at that point the applicant could apply for the building permit to remodel the property.

Chair Knowlton opened the public hearing at 6:44 p.m.

Dee Lalliss commented that at one time this property used to be part of the County and was zoned residential at that time. He asked if this was the last property in the City boundary before the unincorporated or County area. Sherrie Llewelyn confirmed this was correct.

Chair Knowlton closed the public hearing at 6:46 p.m.

Commissioner Kirkham commented that the applicant would most likely be required to bond to ensure that the sidewalk was done to City standards.

Commissioner Tucker asked about the fourth condition to renovate the front yard and whether they were allowed to retain a hard surface. Sherrie Llewelyn said that the entire front setback area was a hard surface and that City ordinance only required one 30 foot or two 15 foot circular driveways under certain circumstances. She said there was not a specific ordinance that required impervious or pervious surfaces or how much landscaping was required so staff did not want to place a specific requirement but rather to let the applicant propose their preference.

Commissioner Larson moved that the Planning Commission recommend approval to the City Council of the proposed rezone from Highway Commercial (CH) to Residential (R1-7) for the parcel located at 867 West 3800 South with the following conditions:

- 1) Reduction of vehicular access to one thirty foot (30') maximum wide driveway; or two fifteen foot (15') accesses for a circular drive.**

- 2) **Installation of a park strip and sidewalk as well as restoration of the curb and gutter in accordance with City standards;**
- 3) **Removal of the 38 Street Salon sign; and**
- 4) **Submission of a site plan depicting how the commercial parking area will be renovated to become a residential front yard.**

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

3. DEVELOPMENT OPTIONS FOR PROPERTY LOCATED AT 150 EAST 350 NORTH UNDER THE CURRENT R1-7 ZONE OR P DISTRICT REZONE PROPOSAL, LIBERATION DEVELOPMENT INVESTMENTS, APPLICANT

Sherrie Llewelyn reported that on July 16, 2018 there was a request for an apartment building at 150 East 350 North. The Planning Commission made a recommendation for denial to the City Council of the General Development Plan for the proposed Arrowhead Apartments. The applicant then asked that the recommendation be held until an alternative plan could be proposed. The developer has submitted two alternatives and would like feedback from the Commission. The first proposal includes a two story 20 unit apartment building under a proposed P District rezone and the second proposal was for a 10 unit duplex project under the existing R1-7 zone. The current R1-7 would allow for a 10 unit PUD on the proposed one acre parcel. She said they would be for sale units with private roads and shared common/landscaped area.

Sherrie Llewelyn presented the plans for the 20 unit apartment building and the 10 unit duplex to those present.

Mike Watson, Liberation Development Investments, spoke on the apartment proposal and said that compared to the July 2018 submission, there would be more green space due to the reduction of the number of units, interior hallways, trail access, two car garages for ample parking, and a building height of 25 feet, which would not be much taller than a single family home.

Commissioner Larson asked about the bedroom count for the apartment proposal. Mike Watson replied that there would be 12 one bedroom units and 8 two bedroom units.

Commissioner Tucker asked if there would be trail access in the duplex option as well. Mike Watson replied that there would not be enough room for the trail access with the duplex plan.

Commissioner Kirkham asked, in regards to the apartment proposal, about the existing post office building open space as a potential location for the trail and the elevation changes. Mike

Watson responded that there was an elevation change. He said to the east of his project site there was approximately a 15 foot flat area and then a significant elevation change.

Commissioner Tucker commented that per the meeting minutes from the July 16, 2018 meeting that the maximum density was eight units on this property. Sherrie Llewelyn replied that either eight single family lots or 10 duplex units would be permitted with the R1-7 zoning.

Commissioner Tucker then asked if the City could require the installation of the trail as it was part of the Master Plan. Sherrie Llewelyn said that the City could not require this if the developer built duplexes under the current zoning, but would have options such as negotiating with the post office, etc.

Mike Watson commented that they tried to purchase the adjacent parcels, which was part of the reason for the delay on reapplying.

Chair Knowlton commented that he appreciated the developer's efforts to purchase additional property as it would have been nice to have the property front Highway 89. He said he preferred the apartment proposal due to the landscape plan, the trail, the scale of the buildings related to the adjacent homes, and the updated architecture. Commissioners Kirkham and Tucker were in agreeance.

Dee Lalliss said that he spoke with the neighbors in this area and that the families on the west side had objections to the three story building as the front of the building would face into their backyards. He asked if the front of the building could be reversed. Mike Watson replied that the height of the windows on the first floor would be approximately 10-16 feet high off the ground so there would not be a lot of visibility.

Chair Knowlton commented that this was a good location for apartments due to the vicinity of Highway 89 and bus lines. He asked for additional feedback from the Commission before the applicant returned with the rezone request.

Sherrie Llewelyn commented that the City would notice the neighboring property owners of an additional public hearing as it had been a year since the original application. She also said that the P District ordinance had been amended which would allow the applicant to rezone directly to a P District from the R1-7 zone.

Commissioner Kirkham asked in regards to parking. Sherrie Llewelyn replied that it would be approximately 46 stalls which included two ADA stalls.

Commissioner Larson commented that she felt the apartment proposal was a good transitional plan along Highway 89.

Commissioner Ward said he appreciated the applicant preparing two plans to show what was allowed in the current and P District zoning. He was in favor of the 20 unit apartment plan.

Commissioner Kirkham asked about the open space/landscaping plan. Mike Watson replied that they did have a full landscaping plan that included open garden space, tot lot, etc. and would be presented to the Planning Commission at a future meeting.

Chair Knowlton asked staff if they had additional feedback to share with the Commission. Sherrie Llewelyn responded that she liked the revised apartment building better than the duplexes but wanted to show what could be constructed under the current zoning. She said that the new plan with the interior hallway and the articulated building façade were a better fit for the area.

Mrs. Llewelyn said that staff would work with the developer on the amenities as a tot lot may not be the best fit for one and two bedroom apartments.

Mike commented that as the Planning Commission seemed supportive of the apartments they would present the plan to the City Council. He would then bring whichever plan the Council was in favor of back before the Commission.

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

Sherrie Llewelyn reported on the Williamsburg Luxury Apartments, the Kimball property, Orchard Grove, the Fox Hollow PUD, and the Foxboro Marketplace amended General Development Plan, which were recently reviewed by the City Council.

The first item Mrs. Llewelyn reviewed was the Williamsburg Luxury Apartments. She said that the Planning Commission made a favorable recommendation on the zone change and final site plan and then the developer sent staff revised architecture. The developer brought the updated architectural plan to the City Council's work session for review. The City Council was in favor of the updated plan so an amended architecture plan will be brought back before the Commission.

Commissioner Gordon arrived at 7:20 p.m.

Sherrie Llewelyn then spoke on the Kimball property, at the corner of Redwood Road and Center Street, and said that the developer brought a proposal for a business park with office/retail, warehouse and light manufacturing space.

Mrs. Llewelyn reported that the Orchard Grove development was approved with fourteen units.

Commissioner Gordon asked if a referendum had been submitted for the Orchard Grove development. Sherrie Llewelyn replied that the deadline for the referendum would have been today by 5 p.m. and that nothing had been submitted.

Sherrie Llewelyn reported that the General Development Plan for Fox Hollow PUD was approved as well as and the Foxboro Marketplace amendment. She said the developer held three open houses for the Foxboro Marketplace apartments and then made several changes with a final unit count of 120, revised architecture and site layout, and increased parking at 2.25 spaces per unit.

Sherrie Llewelyn provided an update on the Orchard Drive townhomes proposal, which the Planning Commission tabled at their previous meeting. She said that the developer would make some revisions to the number of units and location of parking spaces before bringing it back before the Planning Commission.

5. APPROVAL OF MINUTES

The Planning Commission meeting minutes of June 11, 2019 were reviewed and approved.

Commissioner Gordon moved to approve the Planning Commission minutes for June 11, 2019. Commissioner Ward seconded the motion. The motion was approved by Commissioners Knowlton, Kirkham, Ward, Tucker, Larson and Gordon. Commissioner Garn was excused.

6. ADJOURN

Chair Knowlton adjourned the meeting at 7:30 p.m.



Chair



Recorder

Secretary