



CITY OF NORTH SALT LAKE

CITY COUNCIL MEETING NOTICE & AGENDA August 6, 2019

Posted August 1, 2019

Notice is given that the North Salt Lake City Council will hold a regular meeting on **AUGUST 6, 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. Tour of Utah Update – Public Works Director
2. Construction Projects Update – City Engineer
3. Approve City Council Minutes – July 16, 2019
4. Action Items
5. City Council Reports
6. Mayor's Report
7. Adjourn

REGULAR SESSION - 7:00 p.m.

1. Introduction by Mayor Len Arave
2. Invocation and Pledge of Allegiance ~ Council Member Stan Porter
3. Citizen Comment
4. Public Hearing and Consideration of **Resolution 2019-29R**: A resolution adopting an amendment to the Fiscal Year 2019-2020 Capital Fund and Fleet Fund budgets.
5. Consideration of a request for a license to use property for the purpose of constructing a fence on approximately 7 feet of golf course property at approximately 881 East Eagleridge Drive, Dave Saxton, applicant.
6. Consideration of **Resolution 2019-30R**: A resolution entering into the Sixth Amendment to the Development Agreement for Eaglewood Village (**2019-37A**) located at 1381 South Orchard Drive and approving the General Development Plan, Brighton Development Utah, applicant
7. Consideration of Subdivision Concept Plan approval for Orchard Townhomes PUD a townhome development located at 142 South Orchard Drive, TAG SLC, applicant.
8. Consideration of a Site Plan for The Yard at 331 North Main Street, Knowlton General, applicant.
9. Consideration of approval to purchase a pressure reducing valve from Engineered Fluid, Inc. in the amount of \$70,349.
10. Consideration of **Ordinance 2019-09**: An ordinance enacting temporary zoning regulations providing a moratorium on applications for new development within the R1-7, RM-7, and RM-20 zoning districts.
11. Consideration of **Resolution 2019-28R**: A resolution creating the Eaglewood Golf Course Advisory Committee.
12. City Attorney Report

13. City Manager Report

14. Adjourn

CLOSED SESSION

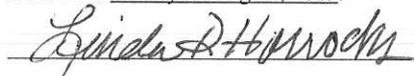
1. Possible closed session for the purpose of discussing pending or reasonably imminent litigation; to discuss the character professional competence, or physical or mental health of an individual; to discuss collective bargaining; or to discuss the purchase, exchange, sale, or lease of real property.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

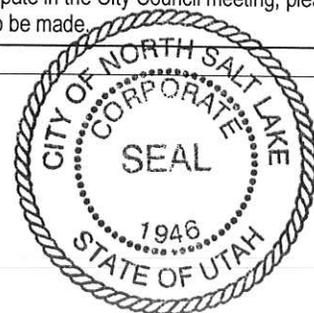
The public is invited to attend all City Council meetings. If you need special accommodations to participate in the City Council meeting, please call the City office at 801-335-8709. Please provide at least 24 hours' notice for adequate arrangements to be made.

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 1st day of August, 2019.

Dated this 1st day of August, 2019.





1 CITY OF NORTH SALT LAKE
2 CITY COUNCIL MEETING-WORK SESSION
3 JULY 16, 2019

4
5 **DRAFT**
6

7 Mayor Arave called the meeting to order at 6:06 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; Marty Peterson, Emergency Manager; Andrea Bradford, Minutes Secretary.
20

21 OTHERS PRESENT: Dee Lalliss, Barry Bryson, residents.
22

23 1. DISCUSSION OF THE CITY'S GENERAL PLAN AND ZONING DISTRICTS
24

25 Sherrie Llewelyn reported on the General Plan update from 2013 and said that workshops were
26 held in 2011 and 2013 to gather public input. This input identified key priorities for the city
27 including creating an identity, finding a focal point, a healthy economy, freeway access, and
28 other issues. She then focused on the Land Use Chapter of the General Plan and said the goals
29 were to enhance livability and property values, create a focal point, improve compatibility
30 between different uses, create a complete community by balancing land uses, provide the right
31 types of housing products per land use designations, and maximizing positive land use outcomes.
32 Mrs. Llewelyn then identified future land uses for all areas including land use designations such
33 as low and medium density housing, the town center, industrial, etc.
34

35 Mrs. Llewelyn spoke in more depth on the goals and policies for land use and said the first goal
36 was to enhance livability and property values while increasing landscaping. The second goal was
37 to create a focal point for the City including the Town Center Master Plan. The third goal was to
38 improve compatibility between residential, commercial and industrial development through code
39 compliance, buffers and mitigation. The fourth goal was to provide a complete community
40 through creating a balance of land uses. This would be accomplished through supporting
41 commercial, office and industrial uses and by creating a town center. The fifth goal was to enable
42 a supply of housing appropriate for the anticipated demographic composition. This would be
43 accomplished through ensuring open spaces, etc. Goal six focused on maximizing positive land
44 use outcomes by using sites wisely through requiring just enough parking, reducing parking
45 standards, incentivizing carpooling, and by providing bicycle parking.
46

47 Sherrie Llewelyn spoke on chapter 4 of the General Plan, which focused on transportation issues
48 with the goal to establish and maintain land use patterns and street systems to move traffic
49 efficiently, reduce vehicle trips, and maintain good levels of service to positively contribute to
50 the health of the City. She then focused on the Town Center Master Plan and said that charrettes
51 and public meetings were held to obtain input. The goals of the master plan included creating a
52 distinct and positive identity for the town center, encouraging intensity of activity in the town
53 center, improving the appearance, enhancing the safety, and bringing high capacity
54 transportation to the center. The chapters in the Town Center Master Plan included land use,
55 transportation, parking, street networks, community spaces, design guidelines, building types and
56 architecture, and site design. She then showed examples of streetscapes including sidewalks,
57 awnings, crosswalks and other details.

58
59 Sherrie Llewelyn then went through the steps of the Town Center Master Plan implementation,
60 which included adopting the plan, adopting the design guidelines, and implementing policies and
61 ordinances. She also spoke on the Form Based Code for the Town Center area which included
62 the Main Street neighborhood study, acceptance of the TLC grant in 2018, hiring a Wasatch
63 Front Regional Council (WFRC) consultant, and the final draft to be completed in Fall of 2019.
64 The code sections included an introduction, street standards, sub-districts and land uses in those
65 districts, landscaping standards, building types, parking, signs and lighting. This code would
66 identify uses and what would and would not be permitted in each district.

67
68 Council Member Baskin commented that it appeared that parking structures would not be
69 allowed in this area. Sherrie Llewelyn replied that stand-alone parking structures would not be
70 allowed and that minimal parking would be needed due to the intensity of the uses in this area.

71
72 Sherrie Llewelyn then reported that the Form Based Code also detailed building types including
73 storefront, stacked flat, row building, limited bay, yard building, and civic buildings as well as in
74 what district they would be allowed. She said there would also be standards for roof types and
75 other building specifications. Mrs. Llewelyn talked about future development, particularly the
76 parcels adjacent to the Town Center area. She showed a map of the area with current vacant
77 parcels, parcels with proposals, parcels with some level of approval, and parcels with the
78 possibility for redevelopment.

79
80 Sherrie Llewelyn mentioned the Tidwell property and said that the Planning Commission
81 reviewed and denied the initial development application. She said that the developer had two
82 new proposals including a 20-unit two story apartment building or 10 duplexes, which would be
83 allowed in the current R1-7 zoning.

84
85 Council Member Mumford asked about a potential of a trail connection adjacent to this
86 development. Sherrie Llewelyn replied that it would be difficult to obtain with the current R1-7
87 zoning. She said that the duplexes would be a conditional use in the current zone or the property
88 could be rezoned to a P District to allow apartments to be built.

89

90 Sherrie Llewelyn then showed another application for The Yard project that would go before the
91 Planning Commission on July 23rd. This project consisted of 14 duplex units on 1.42 acres in the
92 R1-7 zone.

93
94 Sherrie Llewelyn talked about future projects including completion of the Form Based Code
95 ordinance, Main Street neighborhood zoning amendments, and evaluating and possibly
96 amending residential zone regulations with a potential building moratorium in the area.

97
98 Council Member Horrocks commented that while the City was being inundated for proposals for
99 multi-tenant housing and continual pushback from residents, some retail and commercial
100 elements just would not happen. He said he did not like the idea of saying no to ten units and
101 getting 20 apartment units instead.

102
103 Council Member Mumford said he agreed with Council Member Horrocks' statements and that
104 while he voted for the general plan that the real issue was that certain areas were not highlighted
105 in the plan. He gave the examples of the recent Winnie and Odell Lane housing developments
106 and said that the City needed to be clearer with developers on areas outside the Town Center. He
107 asked for a plan to be prepared for those areas based on what residents wanted.

108
109 Council Member Porter commented that he had issues with the R1-7 and RM-7 zones as they
110 were not intended for apartments but to allow the current duplexes to remain in conformance. He
111 suggested a moratorium and for staff to establish that these areas were for single family
112 residences or one duplex, or if the property was more than one acre it would be a Planned
113 District.

114
115 The Council discussed a moratorium for the R1-7, RM-7, and RM-20 zones until the Form
116 Based Code or other standards were in place. David Church commented that a moratorium
117 would not apply to any projects that had already submitted applications. He also said if the City
118 downzoned an area that there had to be a rational basis for the decision. Mr. Church explained
119 that a moratorium would only last six months and could create a potential backlog of
120 applications for staff.

121
122 Ken Leetham spoke on the Main Street neighborhood and said he did not worry about
123 downzoning areas with single family lots or similar properties that would not lose property
124 rights. David Church stated that the key was not to interfere with a property owner's rights by
125 downzoning.

126
127 2. ADJOURN

128
129 Mayor Arave adjourned the meeting at 6:57 p.m. to begin the regular session.

130

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
JULY 16, 2019

DRAFT

Mayor Arave called the meeting to order at 7:10 p.m. Council Member Ryan Mumford offered the invocation and Daniel Page, BSA Troop 1036, led those present in the Pledge of Allegiance.

PRESENT: Mayor Len Arave
Council Member Brian Horrocks
Council Member Stan Porter
Council Member Ryan Mumford
Council Member James Hood
Council Member Lisa Watts Baskin

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

OTHERS PRESENT: John Logan, John Beyer, Karen Mills, Marilyn Thorne, Roger Graves, Robert Evans, Manuel Delgado, Kyle Griffin, Jennifer Bertin, John Allen, Tom Johnson, Carl Rupp, Carl Teel, Rich Kendell, Dee Lalliss, Tim Brown, Torey Brown, residents; John Broberg, NSL employee; Geary Page, Daniel Page, BSA Troop 1036; Kyrena Gibb, Y2 Analytics; Jordan Atkin, TAG SLC; Greg Day, Darlene Carter, CW Land.

1. CITIZEN COMMENT

There were no citizen comments.

2. CONSIDERATION OF A PROPOSAL TO ADD SURVEILLANCE CAMERAS TO HATCH PARK

Mayor Arave commented that Ashley Fine, who was a friend of Mackenzie Lueck, would like to address the City Council.

Ashley Fine said she was a friend of Mackenzie Lueck who was last seen at Hatch Park in the City. She said one aspect of Mackenzie's disappearance was the lack of working cameras and the dummy cameras installed at the park. Ms. Fine said that while functional cameras in the park would not have saved Mackenzie's life it may have helped to solve her case quicker. She also felt that Hatch Park could become a place for crime without functioning cameras. Ms. Fine advocated for additional cameras in the park as there were now multiple media reports on the lack of working cameras, potential for the park to become a blind spot for crime, creation of a false sense of security for park goers, and a measure to help solve crimes.

176

177 Ashley Fine asked the City Council to conduct a safety evaluation of the parks and to install
178 additional cameras immediately. She recognized Chief Black and the police department for their
179 efforts in Mackenzie's case.

180

181 Mayor Arave commented that staff had prepared a proposal for additional cameras, which the
182 Council had reviewed. He said that while the City had more cameras in their parks than most
183 Davis County cities, that it did not mean enough had been done.

184

185 Council Member Baskin commented that she was sorry the City had intersected with this
186 diabolical crime. She suggested that surveillance cameras be installed in Hatch Park with either
187 live feed or alerts to the police to show when something was happening in real time. She felt that
188 there were many ways this could be done frugally and reasonably.

189

190 **Council Member Baskin moved that surveillance cameras be installed in Hatch Park with**
191 **live feed and alerts. Council Member Porter seconded the motion.**

192

193 Council Member Porter commented that any type of electronics or technology would require
194 ongoing maintenance and updating.

195

196 Mayor Arave asked if the Council needed to accept the presented bid. Ken Leetham replied that
197 staff was authorized to spend up to \$25,000 per current ordinances on the installation of the
198 cameras.

199

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

202

203 3. CONSIDERATION OF A PROPOSED PROCESS FOR PUBLIC EDUCATION,
204 PUBLIC INPUT AND DATA COLLECTION RELATED TO THE HIRING OF A
205 GOLF COURSE OPERATOR FOR THE EAGLEWOOD GOLF COURSE

206

207 Ken Leetham reported that this golf course issue had been a rocky process but he appreciated the
208 public comments that had been received. He suggested that the City schedule neighborhood
209 meetings, hold a public hearing, and prepare a poll or survey for residents regarding the golf
210 course management. Mr. Leetham spoke on the potential for Y2 Analytics to prepare an online
211 survey at the cost of \$13,600, which would help the City to ascertain public feeling about the
212 future of the golf course.

213

214 Council Member Baskin asked how the survey would be conducted. Ken Leetham replied that it
215 would be an online survey with a follow up via mail.

216

217 Mayor Arave suggested that the question could be placed on the November ballot.

218

219 David Church stated that while some cities had placed questions on the ballot that items not
220 authorized by the legislature were not encouraged. He said that the problem with opinion

221 questions was the process and whether it was binding. He also said someone could write
222 legislation through an initiative but this could lead to election or financial issues.

223

224 Council Member Baskin commented that the Council had previously discussed changing the
225 name of the City and that a poll of the residents came back with a 49% to 51% split. She asked
226 what would be gained from this type of poll.

227

228 Mayor Arave said that the City could put up to 50 questions on the poll to explore what residents
229 really wanted. He said the Council would need to decide and vote on the future of the golf course
230 and that he would prefer to have this information from residents before voting. Ken Leetham
231 commented that this would be an opportunity to explore some of the issues.

232

233 Council Member Horrocks said the survey could be a useful tool if the right questions were
234 asked. Council Member Hood commented that he did not want to spend any additional funding
235 to continue the process with GreatLife.

236

237 Council Member Mumford commented that residents did not like losing money on the golf
238 course each year and the issue was how to solve the problem while protecting the City's asset.
239 He said that GreatLife had presented a proposal but he would like the public's opinion on a
240 solution.

241

242 Council Member Porter said that he felt this type of survey would divide the City but he would
243 like public input as he was unsure if GreatLife was the answer. He expressed concern about the
244 potential of the golf course shutting down in the future, if a solution was not found, as the
245 property would then revert back to the developer. He also said that open space, such as the golf
246 course, was an asset and would hate to lose it.

247

248 Council Member Horrocks said he would be willing to spend the money on the survey as this
249 issue was one of the most divisive he had experienced during his time on the Council. He
250 expressed concern about the trajectory of the game of golf in general, that the course would
251 never break even, and the long term prospects. He said the GreatLife model was a different
252 approach that had some success and the City could take the golf course back if it didn't work;
253 however, he was discouraged by how divisive the idea had been. He said that he was okay
254 paying for a loss and compared the golf course to a park on the other side of town that he may
255 never utilize either, but that these amenities make the entire community better.

256 Council Member Baskin said the survey would assess the majority view if the questions were
257 written in a way to get to the point of what residents wanted to do with the course. She felt that
258 GreatLife may help the City to preserve the golf course for future use. She felt the survey could
259 provide valuable information and consensus of where the community stood.

260

261 The Council discussed how the golf course was an asset, particularly to those who lived on/near
262 the course, how many people did not golf, whether to accept that the course would run at a loss,
263 golf course improvements, and a plan going forward.

264

265 Council Member Porter suggested that the Council could form a committee to review all the
266 facts and make recommendations to the Council.

267

268 Mayor Arave said he was not against the suggestion to form a committee. He said that every
269 municipal golf course was in this same boat of running at a loss.

270

271 Ken Leetham said that one of the issues was the limbo of whether to hire an operator or not. He
272 felt that forming a committee would be a step forward. Council Member Porter responded that
273 the committee could make the recommendation on whether to proceed with GreatLife, review
274 the issues, present solutions, determine the limit on losses, and decide where the course could
275 end up in ten years.

276

277 **Council Member Hood moved to deny the proposed process for the public education,**
278 **public input and data collection related to hiring a golf course operator at Eaglewood Golf**
279 **Course, as well as form an Eaglewood Golf Course advisory committee. Council Member**
280 **Porter seconded the motion.**

281

282 Council Member Mumford asked Council Member Hood for clarification about the purpose of
283 the motion. Council Member Hood said his motion was to deny the process of gathering info and
284 paying money for a study, but he agreed with creating a committee like Council Member Porter
285 suggested.

286

287 Council Member Porter said the committee should be mixed up, with people of opinions on all
288 sides.

289

290 The Council asked whether it was appropriate to make a motion to form an advisory committee
291 and whether the purpose was to end the discussion with GreatLife. It was determined that a
292 committee would be formed and would review and present solutions to the Council which may
293 include a partnership with GreatLife.

294

295 Mayor Arave also asked about the process of forming the committee. David Church said that the
296 Mayor or Council could setup the process, including number on the committee, intent of the
297 committee etc. and bring it back for review by the Council.

298

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

301

302 4. CONSIDERATION OF ORDINANCE 2019-08: AN ORDINANCE REZONING
303 PROPERTY LOCATED AT 867 WEST 3800 SOUTH FROM HIGHWAY
304 COMMERCIAL (CH) TO RESIDENTIAL (R1-7), TOREY BROWN, APPLICANT

305

306 Sherrie Llewelyn reported that this property was currently used as the 38 Street Salon but as the
307 owners, the Browns, were retiring they would like to convert the building back into a residence
308 with a home occupation salon. The applicant is requesting a rezone from Highway Commercial
309 (CH) to Residential (R1-7). The Planning Commission reviewed and made a favorable

310 recommendation with four conditions including that the curb cut be converted to a residential
311 standard curb cut, that a park strip and sidewalk be installed, removal of the business signage,
312 and submission of a site plan for the front yard.

313
314 Council Member Mumford asked if there was an ordinance related to impervious surfaces.
315 Sherrie Llewelyn replied that there was not an ordinance so the applicant would not need to
316 replace the concrete with lawn but would need to show the City what they proposed to do.

317
318 Council Member Baskin asked about the two chair home occupation salon and if it was limited
319 to only two chairs. Sherrie Llewelyn replied that the home occupation was limited to allowing
320 one employee who lived outside of the home.

321
322 Council Member Porter asked why the property owner could not live the house with a home
323 occupation in the current zone. Sherrie Llewelyn replied that residential developments with less
324 than five units require a rezone to a Planned District in the CH zone. She said they would
325 become a nonconforming use otherwise.

326
327 **Council Member Horrocks moved that the City Council approve Ordinance 2019-08 to**
328 **rezone property located at 867 West 3800 South from Highway Commercial (CH) to**
329 **Residential (R1-7) with the following conditions:**

- 330
331 **1) Reduction of vehicular access to one, thirty-foot (30') maximum wide driveway or**
332 **two fifteen foot (15') access for a circular drive;**
333 **2) Installation of a park strip and sidewalk as well as the restoration of the curb and**
334 **gutter in accordance with City standards;**
335 **3) Removal of the 38 Street Salon sign; and**
336 **4) Submission of a site plan depicting how the commercial parking area will be**
337 **renovated to become a residential front yard.**

338
339 **Council Member Porter seconded the motion.**

340
341 Council Member Baskin commented that she had patronized this salon for many years and she
342 hoped that Chesham Village did not force the decision.

343
344 **The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and**
345 **Baskin.**

346
347 **5. CONSIDERATION OF A GENERAL DEVELOPMENT PLAN FOR THE WINNIE,**
348 **PHASE 2, LOCATED AT APPROXIMATELY 650 NORTH ORCHARD DRIVE, CW**
349 **LAND, APPLICANT**

350
351 Sherrie Llewelyn reported that this was Phase 2 of the redevelopment of the Winegar's property.
352 This item was tabled in May and the developer was asked to return with an amenity. She said
353 they were proposing a dog park, to be shared between Phase 1 and 2, at this time.

354

355 Greg Day, CW Urban, reported that they tried to take the feedback and criticism regarding
356 parking, open space, etc. to make changes. They determined that this amenity would be well
357 used by both phases.

358
359 Council Member Hood asked how high the fence would be around the park. Darlene Carter, CW
360 Urban, responded that the fence would be three to four feet high for visibility and that dogs
361 would not be left unattended.

362
363 Council Member Hood expressed concern with dogs jumping the fence and getting hit on the
364 nearby busy road. Darlene Carter replied that they were not opposed to raising the fence height.

365
366 Council Member Horrocks asked if the demographics they wanted to attract were single
367 individuals or couples with no children. Darlene Carter said that this amenity did not speak to a
368 demographic, but that due to the fact that the City has other great parks and playgrounds, this
369 was a different type of amenity. She said they would appeal to a large demographic as this
370 development would be semi-affordable housing.

371
372 Council Member Mumford asked about a pet fee. Darlene Carter replied that a security deposit
373 and a monthly charge would be required.

374
375 Sherrie Llewelyn commented that more than half the project offered units for sale, so those in
376 Phase 1 would not have a pet deposit or fee.

377
378 Council Member Mumford asked if the HOA for Phase 1 and 2 would be combined. Darlene
379 Carter replied that Phase 1 would have an HOA. The developer would pay for the installation
380 and operating fee of the dog park.

381
382 Council Member Mumford asked about the long term park replacement costs and plan for this
383 amenity. He expressed concern about how to ensure that the property owners met their
384 obligations regarding maintenance, etc. Darlene Carter replied that the costs and maintenance
385 would be covered entirely by Phase 2 and the developer who would retain ownership of the
386 property.

387
388 Sherrie Llewelyn commented that the maintenance would be permanently attached to Phase 2 in
389 the event the property was sold. She said that long term maintenance by the property owner
390 could be arranged in the development agreement. Mrs. Llewelyn also suggested that the
391 developer could look at platting the open space as a separate parcel with both phases to be given
392 an interest with shared maintenance and operation.

393
394 Darlene Carter replied that they could amend the CC&Rs to include a portion of the HOA fee be
395 set aside for park maintenance, setup a maintenance company, or find some other solution.

396
397 Council Member Porter commented that the tandem parking was not feasible. He asked that the
398 Planning Commission properly address this type of parking in the future even if that meant a
399 change to the parking ordinance to not count tandem parking as two stalls.

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Sherrie Llewelyn said it seemed like the occupants would self-select out of the tandem parking units but would not have an issue changing the parking ordinance.

Darlene Carter commented that the Planning Commission wanted them to increase their overall parking ratio. She said she was robust on tandem parking as less parking was potentially the wave of the future.

Council Member Mumford asked when the concerns would be addressed. Sherrie Llewelyn replied that the concerns would be addressed when the applicant returned for the final site plan, zone change and final development agreement.

Council Member Mumford asked if the developer would change to a different building style to allow side by side garages. Darlene Carter replied that this would result in a reduction of two units which would affect the economics of the project.

Council Member Porter commented that this item was politically charged and that tandem parking did not make sense. Greg Day said they received and incorporated feedback from the public and the Planning Commission. He said they already decreased the number of tandem units.

Mayor Arave asked about the total density for the project. Sherrie Llewelyn replied that Phase 2 had 24 units and Phase 1 was under 20 units for a combined 21.22 units per acre.

Council Member Hood stated that he felt like this was a bait and switch as commercial development was promised. Darlene Carter responded that while there were originally talks for commercial development that it was not possible based on lack of demand and current economics. She said they did not specifically promise commercial development there.

Council Member Porter clarified his politically charged statement and said this was an election year and several of the candidates were campaigning against high density housing.

Darlene Carter commented that she wished she could change this type of mentality in the area, as there was a need for affordable housing especially so people could afford to live in the City.

Mayor Arave clarified that this phase was not a bait and switch as the original multifamily housing plan could have been built at that time. He said the City then changed the zoning, which would not allow this plan. He said he appreciated the efforts made into obtaining some commercial development.

Council Member Hood asked about the price range for these units. Darlene Carter replied that Phase 2 would rent for \$1,500 which was competitive for the area.

443 **Council Member Baskin moved to approve the proposed General Development Plan for**
444 **The Winnie, Phase 2 located at 650 North Orchard Drive with the following conditions to**
445 **be incorporated within the final zone change and development agreement approval:**
446

- 447 **1) The total unit count of phase 2 will be 20 units;**
448 **2) The required parking density for phase 2 shall be 2.45 spaces per unit; and**
449 **3) The questions regarding the dog park and utilization of the dog park will be**
450 **incorporated into the final development agreement.**
451

452 Council Member Horrocks asked that a modification be made to the tandem parking.
453

454 Council Member Baskin amended her motion to reduce the total unit count by two units and
455 incorporate side by side garages rather than tandem garages.
456

457 **Council Member Horrocks seconded the amended motion.**
458

459 **The motion was approved by Council Members Horrocks, Porter, Mumford and Baskin.**
460 **Council Member Hood voted in opposition to the motion.**
461

462 **6. CONSIDERATION OF A SUBDIVISION CONCEPT PLAN APPROVAL FOR**
463 **ORCHARD TOWNHOMES PUD A TOWNHOME DEVELOPMENT LOCATED AT**
464 **142 SOUTH ORCHARD DRIVE, TAG SLC, APPLICANT**
465

466 Sherrie Llewelyn reported that this property was currently zoned RM-20 and the proposal was to
467 file a PUD subdivision. The RM-20 zone allows multi-family housing with a minimum lot area
468 of 7,000 square feet for the first unit and an additional 1,900 square feet for each additional unit.
469 Originally, they submitted the application with 27 units but after the dedication of additional
470 right of way for the installation of the sidewalk it dropped the base density to 26 units.
471 Additional parking and driveways were then added as well for a total parking proposal of 2.25
472 spaces per unit for 52 parking stalls plus 11 guest spaces.
473

474 The standard setbacks under the RM-20 zone are 25 feet for the front, 8 feet for the side and 20
475 feet for the rear setback. Under the PUD ordinance the Planning Commission has the ability to
476 determine the required setbacks and approved the requested 15 foot setback from the property
477 line after the dedication of 4.5 feet for a total setback of 22.5 feet from Orchard Drive. They also
478 approved the proposed side yard setbacks of six feet.
479

480 Sherrie Llewelyn then presented elevations of the townhomes to those present. She explained
481 that the townhomes facing Orchard Drive would be two stories high with a pitched roof for a
482 total height of 29 feet. The downhill side of the units would be three stories with a rear entry
483 garage on the basement level. The two western units would also be two stories at the front and
484 three stories on the downhill garage side. The middle three buildings would all three stories with
485 a maximum height of 39 feet.
486

487 Mrs. Llewelyn said that no amenities were proposed, the landscaping exceeded the 10%
488 minimum requirement at 27% of the site, and the townhomes constituted approximately 32% of
489 the site with the maximum coverage allowed by buildings at 50%.

490
491 Mayor Arave asked why the City allowed a reduction on the setback. Sherrie Llewelyn replied
492 that the PUD ordinance allowed for variations in setback distances and heights. She said the
493 Planning Commission found that the number of units would remain the same but the standard
494 setback requirement would result in a loss of parking spaces.

495
496 The Council expressed concern with allowing a reduction in the front and side setbacks.

497
498 Council Member Hood stated that the Planning Commission was able to make changes to this
499 development but the Council did not have the ability to make legislative changes. He said that
500 there needed to be a review of the Planning Commission abilities.

501
502 David Church commented that this was a permitted use in the zone and the Planning
503 Commission brought it forward with changes and recommendations that were allowed per the
504 City ordinance. Sherrie Llewelyn also said that the PUD ordinance allowed the Commission to
505 make these changes.

506
507 Mayor Arave asked if the Council had to approve the concept plan. David Church replied that
508 the Council would have to show the factual basis or findings for denial. The decision would then
509 be accepted or appealed by the Land Use Authority.

510
511 Council Member Hood felt it was a detrimental impact to only have a six foot setback. He said
512 the neighbors had a right to the eight foot setback. Sherrie Llewelyn commented that the
513 applicant was willing to revise their plan to meet the standard setback requirements.

514
515 Council Member Mumford asked about the downhill parking and proposed 10% slope. Sherrie
516 Llewelyn replied that the front entrances along Orchard Drive would appear as a two story
517 building. The road would then slope down in the back to the garage level, which would be a flat
518 and level surface.

519
520 Council Member Baskin asked if engineering and drainage had been done. Sherrie Llewelyn
521 replied that this was only concept plan approval. She said full construction and engineering
522 would be done at the preliminary and final plat approval.

523
524 Paul Ottoson commented that there would be an underground retention system at the bottom of
525 the slope for water. He said that this was a private street.

526
527 Council Member Porter said that the 10% slope seemed like a safety hazard and asked if they
528 could require a heated driveway or other measures.

529
530 The Council discussed emergency access, the 10% slope, the exceptions to the setback standards,
531 and whether they could deny the application.

532

533 Sherrie Llewelyn commented that the fire marshal reviewed the application. Paul Ottoson
534 commented that the fire district rule required 22 feet of drivable surface, which could include the
535 concrete of the curb and gutter.

536

537 David Church clarified that the applicant was willing to meet the standard eight foot side
538 setbacks.

539

540 The Council identified several issues per the setback exception including that it placed the
541 development too close to the road which was a safety issues, the aesthetics, noise, and height in
542 comparison to the street.

543

544 David Church then said that if the application complied with the zoning ordinance then State law
545 required approval. If the City Council denied the application they would need to identify why it
546 was not in compliance.

547

548 Ken Leetham commented that the Planning Commission allowed the implementation of the PUD
549 provision per the as they had the authority to allow that change.

550

551 **Council Member Hood moved to table the concept plan for Orchard Drive Townhomes**
552 **PUD until a new concept plan was presented showing eight foot side setbacks. Council**
553 **Member Horrocks seconded the motion. The motion was approved by Council Members**
554 **Horrocks, Porter, Mumford, Hood and Baskin.**

555

556 7. CONSIDERATION OF SUBDIVISION CONCEPT PLAN APPROVAL FOR LAKE
557 VIEW SUBDIVISION, INCLUDING A CONDITIONAL USE PERMIT FOR A FLAG
558 LOT, FOR A 3 LOT SUBDIVISION AT 824 EAGLEPOINTE DRIVE, CARL RUPP,
559 APPLICANT

560

561 Sherrie Llewelyn said the Planning Condition approved conditional use permits and that this was
562 the concept plan. The proposed property, at 824 Eaglepointe Drive, would be located north of the
563 church and south of the landslide property. Several developers previously tried to create a five-
564 lot subdivision but were unable to obtain slope stability without the construction of the buttress.
565 Carl Rupp was able to purchase 3.34 acres and has proposed to create three new lots.

566

567 Two of the lots would face Eaglepointe Drive and the third lot would be the flag lot where Carl
568 Rupp would build his home. Under Chapter 12, Title 10 of the Sensitive Lands Ordinance, if the
569 development passed concept plan review the applicant could proceed to a geotechnical hazards
570 investigation. Sherrie Llewelyn explained that an original investigation had been started but it
571 was unclear if additional borings had been done as requested by the City's consultant. It was
572 expected that if the property did pass the geotechnical review there would be restrictions,
573 particularly on the flag lot, on the grading, landscaping, watering, drainage, etc.

574

575 Mrs. Llewelyn stated that all three lots exceeded the minimum lot size of 10,000 square feet as
576 lot one was 0.575 acres, lot two was 0.626 acres, and lot three was 2.144 acres. Each lot must

577 demonstrate a minimum 5,000 square foot building envelope of 30% slope and pass the geologic
578 hazards ordinance. The Planning Commission recommended approval with three conditions.

579

580 Council Member Porter commented that the developer would have to prove the land was stable
581 before the next steps could be taken.

582

583 **Council Member Horrocks moved that the City Council approve the concept plan for Lake**
584 **View Subdivision, a three lot subdivision at 824 Eaglepointe Drive subject to the following**
585 **conditions:**

586

587 **1) Approval of a geotechnical study required by Title 10, Chapter 12 of the Land Use**
588 **Management code, prior to submission of a preliminary plan application;**

589 **2) The staff portion of lot 3 must be increased to the minimum width requirement of**
590 **30 feet; and**

591 **3) Submission of slope analysis demonstrating building envelopes for each lot of at**
592 **least 5,000 square feet with a slope under 30%.**

593

594 **Council Member Mumford seconded the motion.**

595

596 Council Member Horrocks commented that while the City did not generally want flag lots that
597 this development seemed like the exception as it was a deep lot and the perfect place for a flag
598 lot. Council Member Baskin agreed and said that overall flag lots were negative but this was a
599 good utilization of the land.

600

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

603

604 **8. CONSIDERATION OF AUTHORIZATION TO PURCHASE A PUBLIC WORKS**
605 **INSEPECTOR VEHICLE IN THE PUBLIC WORKS DEPARTMENT**

606

607 David Frandsen reported that the Public Works Department had budgeted to purchase a pickup
608 truck for the Public Works Inspector. Staff had received bids from multiple dealerships with two
609 that came in under the State bid price of \$35,604. Staff recommended purchase of an F150 4x4
610 Super Crew XL truck from Ken Garff Ford in American Fork for \$33,771.61.

611

612 **Council Member Porter moved to accept the bid on the pickup truck for the Public Works**
613 **Inspector from Ken Garff Ford in American Fork for \$33,771.61. Council Member**
614 **Mumford seconded the motion. The motion was approved by Council Members Horrocks,**
615 **Porter, Mumford, Hood and Baskin.**

616

617 **9. CONSIDERATION OF A BID AWARD FOR THE JORDAN RIVER TRAIL FROM**
618 **CENTER STREET TO 1-215**

619

620 Paul Ottoson reported that the City received grants to perform work on the Jordan River Trail.
621 The project would begin at the south side of Center Street just east of the Jordan River bridge. It

622 would then run parallel to the east side of the Jordan River until it met the property owned by
623 Salt Lake City where the Jordan River intersects the “oil drain”. It would then follow the oil
624 drain where the trail goes under Legacy Parkway until it connects to the Legacy Parkway Trail at
625 the fork of I-215 and Legacy Parkway.

626
627 Council Member Horrocks asked for clarification on the “oil drain”. Council Member Porter
628 stated that the oil drain went from the refineries and siphoned under the Jordan River to the Great
629 Salt Lake. He was unsure where the name came from but most of the water in the drain came
630 from the water treatment plant.

631
632 Paul Ottoson said that many years there was a superfund site to clean the oil drain.

633
634 Staff received four bids with ACME Construction as the low bidder at \$282,155. The project
635 budget was \$320,000. The grant funds were \$205,000, which left the City’s share at \$115,000.
636 Staff would also obtain pricing for lighting along the trail which was not included in the total
637 project budget.

638
639 Council Member Mumford commented that he rode his bike on the Legacy Trail and said that
640 the underpasses had poor lighting. He asked that the City not spare any expense on lighting to
641 ensure safety in those areas as it was an amenity for residents.

642
643 **Council Member Baskin moved that the City Council award the Jordan River Trail-Center**
644 **Street to I-215- project to ACME Construction, Inc. for the price of \$282,155.00. Council**
645 **Member Horrocks seconded the motion. The motion was approved by Council Members**
646 **Horrocks, Porter, Mumford, Hood and Baskin.**

647
648 10. CONSIDERATION OF RESOLUTION 2019-27R: A RESOLUTION AUTHORIZING
649 THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT AN APPLICATION TO
650 THE UTAH DEPARTMENT OF TRANSPORTATION FOR SAFE ROUTES TO
651 SCHOOLS FUNDING FOR THE CONSTRUCTION OF SIDEWALK ON
652 EAGLERIDGE DRIVE BETWEEN ORCHARD DRIVE AND PARKVIEW DRIVE

653
654 Paul Ottoson clarified that the staff report was incorrect and the route would be to Parkview
655 Drive and not Parkway. He reported that the City applied for this funding every year and that
656 there were about 100 children that would use this route from the roundabout to Parkview Drive.
657 The completion of the sidewalk would result in sidewalks on both sides of Eagleridge Drive.

658
659 The Council expressed concern that the children would still have to cross the street at the
660 roundabout. Paul Ottoson replied that the police chief recommended a crossing guard for that
661 location.

662
663 Paul Ottoson said that the cost estimate for this project would be \$149,000. There would be no
664 City match required for this grant but staff recommended a 20% match at \$29,800 with the grant
665 request at \$119,200.

666

667 Council Member Baskin commented on the steep drop off on the south side and asked if a fence
668 would be installed. Paul Ottoson replied that there would be an earthen berm.

669
670 **Council Member Horrocks moved that the City Council approve Resolution 2019-27R**
671 **authorizing the submittal of an application for the UDOT SRTS grant for the construction**
672 **of sidewalk on Eagleridge Drive between Orchard Drive and Parkview Drive, and setting**
673 **aside City matching funds. Council Member Hood seconded the motion. The motion was**
674 **approved by Council Members Horrocks, Porter and Hood. Council Members Mumford**
675 **and Baskin voted in opposition to the motion.**

676
677 Council Member Mumford commented that it may be cheaper to have a crossing guard at the top
678 and have the children cross on the north side rather than install a sidewalk.

679
680 Council Member Baskin commented that she would like to see a fence installed there. Council
681 Member Porter asked staff to look at fencing after the grant was awarded.

682
683 11. APPROVE POLL WORKERS SELECTED BY DAVIS COUNTY FOR THE 2019
684 MUNICIPAL ELECTION

685
686 Sherrie Llewelyn reported that the poll workers were appointed by Davis County and were from
687 Bountiful, which should ensure impartiality. The specific poll workers were Gayle Allen, Janice
688 Spangenberg and Louise Thomas.

689
690 Council Member Baskin asked why the City would be concerned with approving specific poll
691 workers. Ken Leatham replied that the purpose was to address any conflicts of interest with the
692 named poll workers.

693
694 Council Member Horrocks moved to approve the poll workers for the 2019 municipal elections.
695 Council Member Baskin seconded the motion. **The motion was approved by Council**
696 **Members Horrocks, Porter, Mumford, Hood and Baskin.**

697
698 12. CITY ATTORNEY'S REPORT

699
700 David Church was excused.

701
702 13. ACTION ITEMS

703
704 The action items list was reviewed. Completed items were removed from the list.

705
706 14. MAYOR'S REPORT

707
708 Mayor Arave had nothing to report.

709
710 15. APPROVE CITY COUNCIL MINUTES

711

712 The City Council minutes of June 18, 2019 were reviewed and approved. **Council Member**
713 **Baskin moved to approve the work meeting of June 18, 2019. Council Member Horrocks**
714 **seconded the motion. The motion was approved by Council Members Horrocks, Porter,**
715 **Mumford, Hood and Baskin.**

716
717 **Council Member Baskin moved to approve the City Council minutes for June 18, 2019.**
718 **Council Member Horrocks seconded the motion. The motion was approved by Council**
719 **Members Horrocks, Porter, Mumford, Hood and Baskin.**

720

721 16. CITY COUNCIL REPORTS

722

723 Council Member Hood reported that the Youth City Council (YCC) would hold a movie in the
724 park on August 9th. There would be food tents instead of food trucks as it would be cheaper for
725 the City. He said they would be showing the movie UP as it was the ten year anniversary of its
726 release.

727

728 Council Member Hood asked that staff review the Planning Commission responsibilities
729 particularly related to conditional uses.

730

731 Council Member Mumford reported that he received multiple compliments on the bands and
732 stage setup for the July 3rd celebration. He asked about the vandalism of the event signs along
733 Redwood Road near Lee's Marketplace.

734

735 David Frandsen commented that the signs were hit by a car. Chief Black said that the City could
736 make a claim against the driver's insurance.

737

738 Council Member Mumford also thanked staff for fixing a pothole in the Foxboro area.

739

740 Council Member Porter reported that the Wetlands Trail hike was not well attended but he was
741 able to view the new Parks and Arts banners.

742

743 Council Member Horrocks spoke on the cameras and said that he had an app on his cell phone
744 that allowed him to monitor his buildings. He suggested that motion detectors be installed in the
745 parks.

746

747 Council Member Horrocks also spoke on a phone call he received regarding a potential
748 benefactor of the golf course. The Council suggested that this individual could be on the golf
749 course committee.

750

751 Council Member Horrocks commented on the Henry Walker sign at the intersection of Highway
752 89 and Eagleridge and asked that it be removed.

753

754 Council Member Baskin thanked the staff and Council for the agenda item regarding the cameras
755 in Hatch Park. She then said she did not attend the Wetlands Trail hike as she was at the Utah
756 Rivers Council. The presentation focused on the Bear River development project, which the Utah

757 Rivers Council opposed. She asked that the Utah Rivers Council be invited to make a
758 presentation to the City Council. She also said there would be a water conservation conference
759 on September 5th.

760
761 Council Member Baskin also commented that the Senior Citizens (Senior Lunch Bunch) did not
762 seem to need her assistance. Council Member Porter said that he recently presented a history tour
763 to the seniors at City Hall.

764
765 Council Member Horrocks commented that there was a landmark case where a fake camera lead
766 to a lawsuit because an individual was attacked who felt she had some protection due to the
767 camera. He asked if the City had immunity from similar lawsuits. Ken Leetham replied that the
768 City did have immunity but they would be removing the fake cameras.

769
770 Mayor Arave asked for feedback about the building moratorium and providing direction for staff.

771
772 The Council wanted staff to review the R1-7, RM-7 and RM-20 zones, review by the Planning
773 Commission, retaining property and development rights, and the potential for the R1-7 to revert
774 back to its original zoning.

775
776 Sherrie Llewelyn clarified that the moratorium would not allow development applications to be
777 filed for those zones for six months while the ordinances were reviewed.

778
779 Ken Leetham said the purpose of the moratorium would be to find out what the City Council
780 wanted. He said the City was being assailed by developers to build multi-family and needed to
781 determine the best course moving forward.

782
783 The Council also wanted to review the parking and density requirements in the ordinance as
784 well.

785
786 17. CITY MANAGER'S REPORT

787
788 Ken Leetham thanked staff for their hard work pertaining to the July 3rd events particularly
789 David Frandsen, Chief Black, and Linda Horrocks.

790
791 Mayor Arave reported that the \$1.4 million fire truck for the Foxboro fire station had arrived.

792
793 Ken Leetham also spoke on the cost estimates for pickleball courts at Mathis Park and Hatch
794 Park. The Hatch Park proposal was to repurpose the existing tennis courts at the cost of \$55,000.
795 The proposal for Mathis Park was \$85,000 for new courts. David Frandsen commented that the
796 Parks and Arts Committee were in favor of the pickleball courts at Mathis Park.

797
798 The Council discussed potential restroom facilities, adequate lighting and parking options at
799 Mathis Park for the proposed pickleball courts. Staff would prepare bid documents for Mathis
800 Park.

801

802 Mayor Arave suggested that public input be received for the potential pickleball courts at Mathis
803 Park.

804

805 Ken Leetham reported on the upcoming Tour of Utah and volunteer opportunities.

806

807 18. ADJOURN

808

809 Mayor Arave adjourned the meeting at 10:28 p.m.

810

811

812

813

814

Mayor

City Recorder

Action Items (for August 6, 2019)

Item	Staff	Description
New		
1	Ken/Linda	Setup a presentation by Utah Rivers Council for a future City Council meeting.
2	Sherrie	Staff to propose temporary zoning ordinance (moratorium) at August 6 meeting.
3	David	Obtain bid for Mathis Park for lights, bathroom option, etc.
4	Sherrie	Staff to look into the removal of the Henry Walker sign at the intersection of Highway 89 and Eagleridge.
Current		
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.
2	David Ken	Staff to work with Woods Cross to improve their dog park and discuss potential for a new dog park in the area. <i>City Staff is reviewing other communities' dog parks and preparing a recommendation for the City Council.</i>
3	Ken	Review security at City Hall and Parks building. <i>Staff to meet with Mollerup Glass to look at options.</i>
4	David	Parks & Arts Board to review pickle ball options. <i>Staff is preparing a recommendation for the City Council.</i>
5	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>
6	Janice	CM Mumford asked for cost of the youth soccer program <i>(Staff to provide closer to end of season).</i>
7	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>
8	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>
9	David, Ken	Staff to follow-up on adding trees to park strips on Fox Hollow at roundabout. <i>Ken will report.</i>
10	Linda Ken	CM Porter asked for recognition/formalization of the City's History Committee on a future agenda. <i>Staff reviewing history committees of other cities and will draft resolution.</i>
11	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>
12	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>
13	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>
14	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>
15	Ken	Staff to follow up with City attorney on Media One issue. <i>Attorney to look at next enforcement steps.</i>

16	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>
17	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>
18	David	Council review the parks & trails brochures before printed. <i>Parks & Arts comm. to review draft.</i>
19	Ken Sherrie Janice	<u>Items for staff to do related to proposed Kimball property development:</u> a. potential for a moratorium to adopt architectural standards for the area and work with developer on type of architecture b. work with Ball and Kelly families on potential purchasing properties (before July) and/or cleaning up streetscapes c. determine value generated by CDA and potential to increase percentage and length of time? d. work with developer on zoning for the area including talking about potential for provisions to minimize trucking operations (?) e. setup Council tour of White Mountain development in Draper
20	Ken	Staff to contact SDRC director for details about a possible South Davis Rec Center facility in NSL, and will perform a review of possible uses of CDA funds for property acquisition.



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: August 6, 2019

SUBJECT: Proposed Budget Amendment Related to Property Purchase near the Eaglewood Landslide

RECOMMENDATION

I recommend approval of the proposed budget amendment of \$750,000 (use of fund balance) for the purchase of property located south and above the Eaglepointe Landslide.

BACKGROUND

This proposed budget amendment includes the use of fund balance to purchase approximately 6.48 acres of property located south and above the Eaglepointe Landslide site. The purchase price is \$750,000 and the City will be required to pay that amount in the next few weeks as a part of the settlement of all claims against the City related to the landslide. This transaction is an item that we have discussed on several occasions and represents what I believe has been the City Council's position on this matter.



NORTH SALT LAKE PUBLIC WORKS

10 East Center Street
North Salt Lake, Utah 84054
801-335-8700
www.nslcity.org

Leonard K. Arave
Mayor
David Frandsen
Public Works Director

TO: Honorable Mayor and City Council
FROM: David Frandsen, Public Works Director
DATE: August 6, 2019
SUBJECT: Purchase of Public Works Vehicles

BACKGROUND

The Fiscal Year 2018-2019 Fleet fund budget included authorization to purchase vehicles and equipment that were ordered almost a year ago, but were not delivered by June 30, 2019. Because they were not received, no payment was issued for the equipment. In FY 2018-2019, the actual expenditures for vehicles were \$178,250 below budget.

Listed below is more information about the equipment and vehicles that were ordered but not delivered. The two trucks will be used for snow removal. Both have been received and are at Legacy Equipment being up-fitted. They should be delivered to the City and ready for use in August and December, respectively. The roller was on back order and should be delivered in early August.

Payment will be required when the vehicles are received. We are requesting a Fleet fund budget increase for Fiscal Year 2019-2020, in the amount of \$160,080 for the payment of the equipment and vehicles listed below.

	Unit #	Description	Vendor	Amount	GL	Estimated Arrival Date
Vehicle	S-36	Snowplow and Equipment	Legacy Equipment	\$55,079	61-1158-48502	8/15/2019
Vehicle	S-39	Snowplow and Equipment	Legacy Equipment	\$59,751	61-1158-48502	12/15/2019
Equipment	S-40	Asphalt roller/compactor	Arnold Machinery	\$45,250	61-1158-48502	8/5/2019

RESOLUTION NO. 2019-29R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH SALT LAKE ADOPTING AN AMENDMENT TO ADJUST THE FISCAL YEAR 2019~2020 CAPITAL FUND, AND FLEET FUND BUDGETS.

WHEREAS, the City of North Salt Lake has considered the adoption of an amendment to increase the 2019~2020 budget for Capital Project Fund and Fleet Internal Service 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 August 6, 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 Capital Fund budget is hereby adopted for the 2019~2020 fiscal year in the following amounts:

Increase transfers/revenues in the amount of (\$750,000,000)

Increase net contribution to/use of fund balance in the amount of \$750,000,000

A change in the Fleet Fund budget is hereby adopted for the 2019~2020 fiscal year in the following amounts:

Increase expenditures in the amount of \$160,080

Decrease in the contribution to fund balance in the amount of (\$160,080)

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 6th day of August, 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 _____



CITY OF NORTH SALT LAKE

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

Len Arave
Mayor

Ken Leetham
City Manager

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: August 6, 2019

SUBJECT: Consideration of license to use property for the purpose of constructing a fence on approx. 7 feet of golf course property by David & Shelly Saxton at 881 Eagleridge Drive

RECOMMENDATION

I recommend that the City Council approve the request by Mr. and Mrs. Saxton granting a license to construct a fence on City property behind their home at 881 Eagleridge Drive and part of Eaglewood golf course, in the interest of public safety of the golf course and to meet the requirements for pool security fencing on their private property.

BACKGROUND

Last summer the Mr. and Mrs. Saxton installed a pool at their property at 881 Eagleridge Drive. The city code as well as health department code require that pools be secured by a six foot tall fence. Along the rear property line between the home and the golf course the previous owner had constructed an approximate 4' high rock retaining wall. During the construction of the required fence, the fence was not properly staked on the property line and was instead placed approximately 4 feet onto the golf course property. As a result of the failure to identify the correct boundary the fence installer hit a 2" sprinkler main line. As a result of the damage, city staff became aware of the improper placement of the fence.

The attorney for Mr. Saxton had submitted a request to purchase a portion of the golf course property to facilitate the installation of fence. In the DRC's review of this request, we found several reasons why there are problems with the request. City staff, including City Attorney Church, met with Mr. Saxton and his attorney at the property in May. At that visit Mr. Church explained the difficulty in selling golf course property with the restriction requiring approval of the previous owner of the property. He suggested that the City Council could grant a license for the placement of the fence atop the rock wall, with no transfer of property.

Mr. Saxton has agreed to locate the fence as close to the top of the rock wall as possible and relocate the city irrigation lines to a distance from the new fence per the golf course superintendent's direction. He has also agreed that the fence will be six feet in height and will be constructed of decorative metal. A copy of the proposed license is attached.

The DRC is believes this to be a better solution to the issue at hand rather than selling the property. Allowing the fence to be placed atop the rock wall on city property with a license, will secure the Saxton pool and ensure the security of the golf course as well without creating a transfer of property or otherwise establishing a change in boundary.

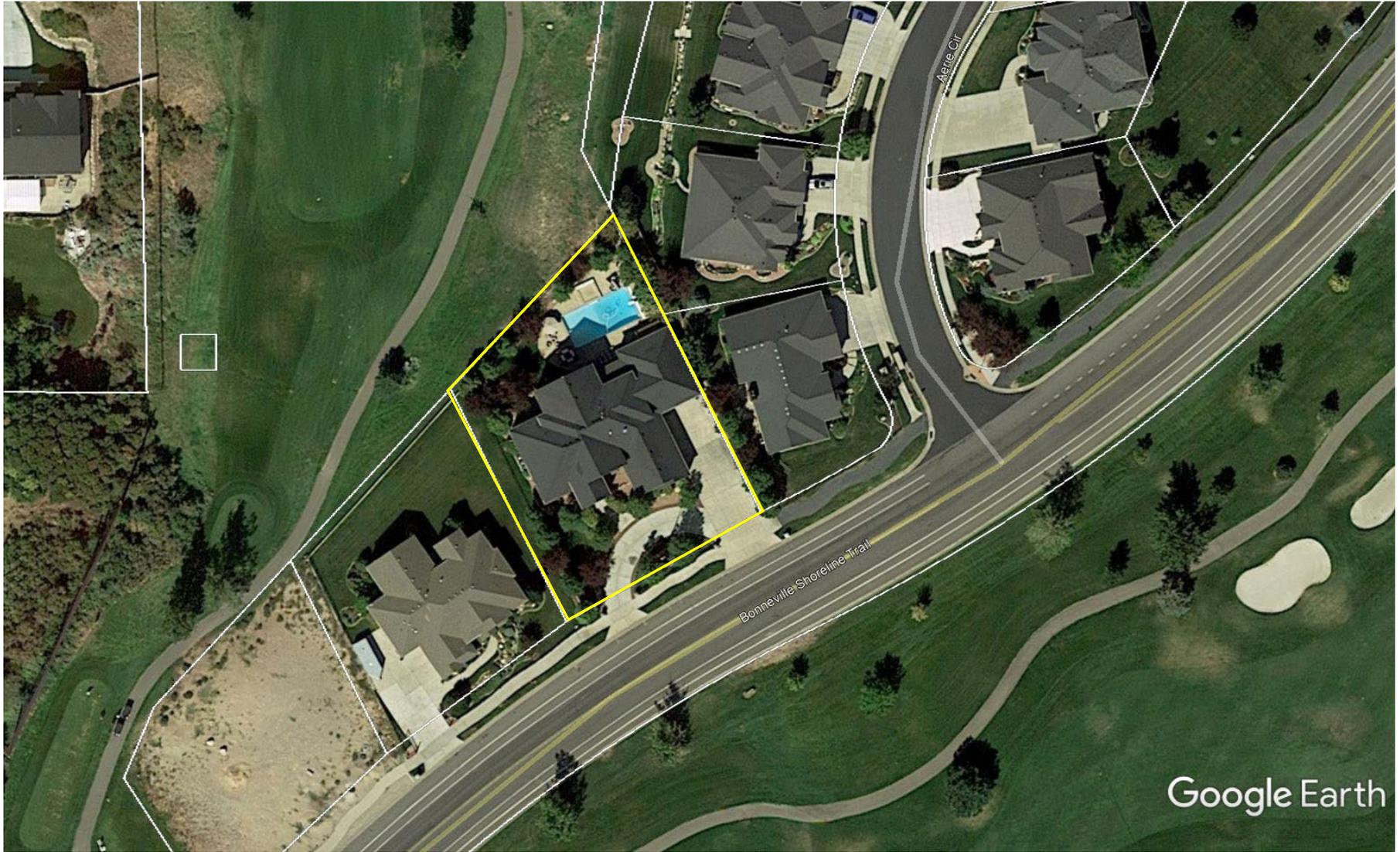
POSSIBLE MOTION

I move that the City Council authorize the City Manager to sign the requested license for a fence, allowing the placement of a fence with the following conditions:

1. The fence installation cost and maintenance shall be the sole responsibility of the license and property owner at 881 Eagleridge Drive, or successor;
2. The fence shall be placed as close to the rock wall as possible without compromising the fence construction;
3. The fence shall be constructed of decorative metal fencing similar to the side lot fencing on the property; and
4. City owned sprinkler lines and head shall be relocated outside the fence at a location to be determined by the golf course superintendent at the sole expense of the licensee.

Attachments

- 1) Aerial Map
- 2) Proposed License



Google Earth

LICENCE TO USE PROPERTY

The City of North Salt Lake, (hereinafter Owner) hereby and agrees to permit and allow David J Saxton (herein after "User") to access the property of Owner described in Exhibit A (the "Property") hereto on conditions and limitations contained herein.

User's right to access the Property shall be limited to the installation, maintenance and repair of a fence and sprinkler irrigation system as more specifically described herein and in the area described and depicted in Exhibit B hereto.

By accepting this license and signing below the User agrees as follows:

- a. User specifically agrees that the installation of the fence is not intended to, and does not establish the boundary between Owner or User's properties.
- b. User specifically acknowledges that this license is in the nature of a freely given accommodation by the Owner and is done in the nature of a "favor for a neighbor" and is not intended to be, nor is a transfer of property interest or property rights in anyway.
- c. User agrees that if at any time the Owner requests for good cause the removal of the fence and user's sprinkler system from the Owner's property that User will, at its sole cost and expense, remove the fence and sprinkler system.
- d. User agrees that Owner has no responsibility for the maintenance or repair of the fence and that if the fence is damaged in anyway by Owner or Owner's invitees, that Owner will not have any liability to the User for such damage.
- e. User agrees to indemnify and hold Owner harmless from any claim by any third party that may arise out of this License, the existence of or the installation of the fence, and User's sprinkler system; or use of the Owner's property by User.
- f. User agrees to relocate the Owner's sprinkler system approximately three (3) feet from the new fence construction in an exact location, manner, and with materials determined by the Owner at the sole expense of the User.
- g. The rights and obligations set forth in this Agreement will be binding upon and inure to the benefit of the Owner and User and their successors and assigns.

City of North Salt Lake

By its Manager

EXHIBIT A

Legal Description of Owner's Property

A PARCEL OF LAND LOCATED IN THE NW 1/4 & THE SW 1/4 OF SEC 7-T1N-R1E SLM & THE SE 1/4 OF SEC 12-T1N-R1W SLM DESC AS FOLLOWS; BEG AT THE W 1/4 COR OF SD SEC 7; & RUN TH N 01°16'03" W ALG THE SEC LINE 2370.60 FT TO A PT ON THE S'LY R/W LINE OF BEAVER SPRINGS DRIVE; TH S 89°53'29" E 136.65 FT ALG SD R/W LINE TO THE BEG OF A CURVE TO THE LEFT; SD CURVE HAVING A CENTRAL ANGLE OF 74°16'00", A RADIUS OF 127.28 FT & A CHORD WH BEARS N 52°58'31" E 153.68 FT; TH ALG THE ARC OF SD R/W CURVE 164.99 FT TO THE BEG OF A REVERSE CURVE TO THE RIGHT; SD CURVE HAVING A CENTRAL ANGLE OF 10°33'56", A RADIUS OF 75.00 FT & A CHORD WH BEARS N 21°05'07" E 13.82 FT; TH ALG THE ARC OF SD R/W CURVE 13.83 FT TO A PT ON THE W'LY BNDRY LINE OF EAGLEWOOD ESTATES SUB PLAT C; TH ALG SD BNDRY LINE THE FOLLOWING 2 COURSES; S 05°30'00" E 546.22 FT; TH S 02°30'00" W 505.07 FT TO A PT ON THE W'LY BNDRY LINE OF EAGLEWOOD ESTATES SUB, PLAT D; TH ALG SD BNDRY LINE THE FOLLOWING 3 COURSES: S 7°30'54" W 426.82 FT; TH E 112.05 FT; TH N 34°51'34" E 283.34 FT TO A PT ON THE S'LY R/W LINE OF EAGLEWOOD DR; SD PT ALSO INTERSECTS A CURVE TO THE LEFT; SD CURVE HAVING A CENTRAL ANGLE OF 7°29'45", A RADIUS OF 230.00 FT & A CHORD WH BEARS S 55°45'37" E 30.07 FT; TH ALG THE ARC OF SD R/W CURVE 30.09 FT TO A PT WH LIES AT THE NW COR OF LOT 6-D, EAGLEWOOD ESTATES SUB PLAT D; TH S 30°30'00" W ALG THE BNDRY LINE OF SD LOT 6-D, 210.00 FT; TH S 11°20'43" E 209.59 FT; TH S 41°59'31" E 811.79 FT TO A PT ON THE NW'LY R/W LINE OF EAGLE RIDGE BLVD; TH S 38°15'01" W 310 FT ALG SD R/W LINE; TH LEAVING SD R/W; N 41°54'20" W 696.79 FT; TH S 300.00 FT TH S8°00'00" W 401.75 FT TH S 26°16'43" E 39.85 FT; TH S 42°38'00" W 377.78 FT TO SEC LINE TH S 22°42'45" W 43.51 FT, TH S 32°56'52" E 93.12 FT, TYING TO NORTH LINE OF EAGLE RIDGE BLVD, S 42°31'44" W 405.68 FT; TH LEAVING SD R/W LINE, N 51°00'02" W 98.19 FT; TH S 45°06'33" W 150.86 FT; TH S 48°15'07" W 91.18 FT; TH S 73°15'23" W 167.78 FT; TH S 66°04'20" W 120 FT; TH S 65°27'38" W 257.14 FT; TH S 77°26'14" W 353.20 FT TO THE SE SIXTEENTH COR OF SD SEC 12; TH N 00°36'56" W 468.04 FT ALG THE SE & E SIXTEENTH LINE OF SD SEC 12; TH N 65°30'00" E 1007.80 FT; TH N 71°30'00" E 300.00 FT; TH S 89°36'11" E 140.00 FT TO A PT ON THE E LINE OF SD SEC 12; TH N 01°17'45" W 300.00 FT ALG SD SEC LINE TO THE W 1/4 COR OF SD SEC 7 & THE TRUE POB. LESS & EXCEPTING THEREFROM THE FOLLOWING DESC WATER WELL; A PARCEL OF LAND LOCATED WITHIN THE SW 1/R OF SEC 7-T1N0-R1E SLM, SD PARCEL ALSO BEING WITHIN PARCEL 4, EAGLEWOOD GOLF COURSE & BEING MORE PARTICULARLY DESC AS FOLLOWS; COM AT THE W 1/4 COR OF SD SEC7; TH S 01°17'45" E ALG THE SEC LINE 297.34 FT & N 88°42'15" E, PERPENDICULAR TO SD SEC LINE, 19.46 FT TO THE TRUE POB. TH E 20.00 FT; TH S 20.00 FT; TH W 20.00 FT; TH N 20.00 FT TO THE TRUE POB. CONT. 40.56 ACRES

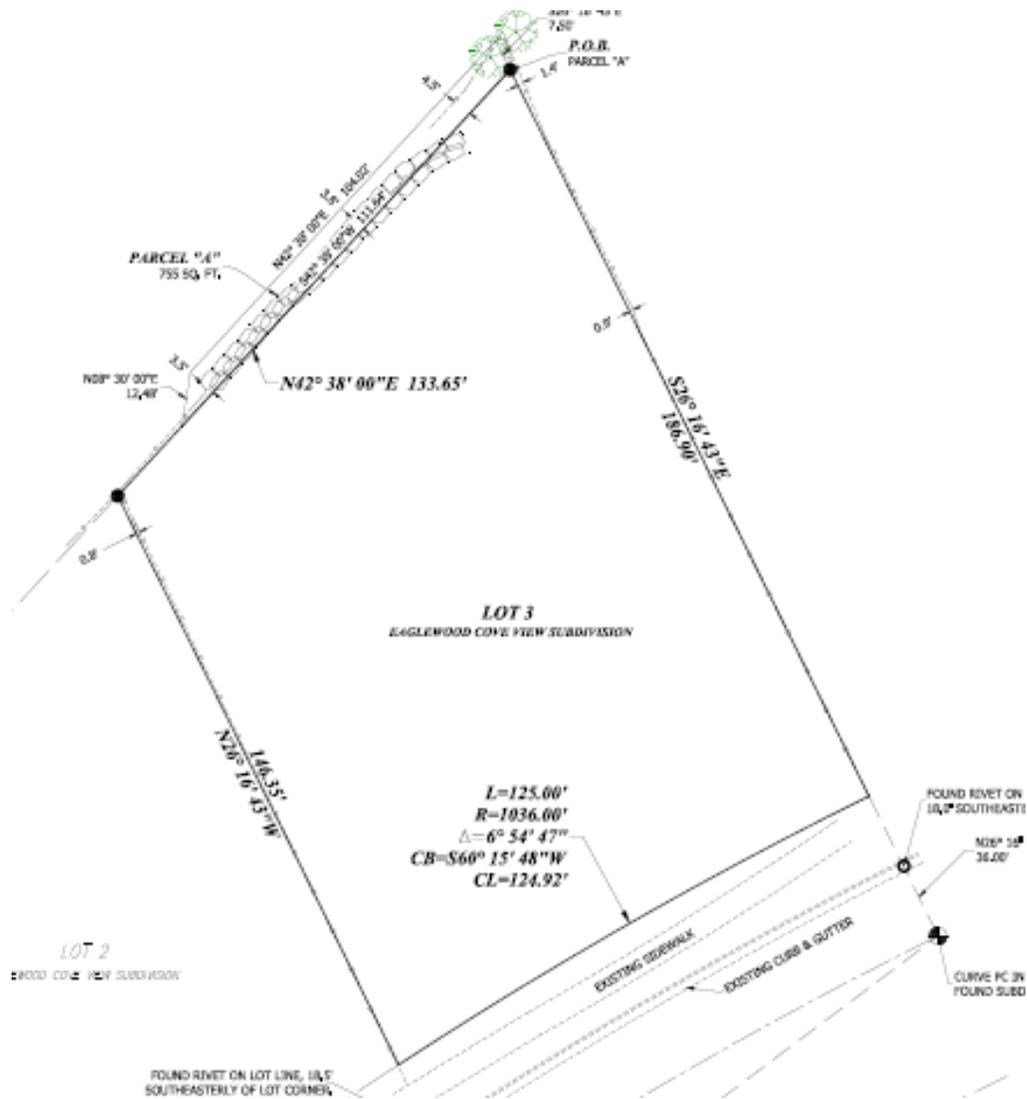
Parcel # 010350025

EXHIBIT B

Legal Description and Depiction of License Area (Identified as "Parcel A" in Depiction)

BEGINNING AT THE NORTHEASTERLY CORNER OF LOT 3 OF EAGLEWOOD COVE VIEW SUBDIVISION, BEING PART OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY, DAVIS COUNTY, UTAH, AND RUNNING THENCE SOUTH 42°38'00" WEST 111.64 FEET ALONG THE NORTHWESTERLY LINE OF SAID LOT; THENCE NORTH 08°30'00" EAST 12.47 FEET; THENCE NORTH 42°38'00" EAST 104.02 FEET TO THE EXTENSION OF THE EASTERLY LINE OF SAID LOT 3; THENCE SOUTH 26°16'43" EAST 7.50 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 3 AND TO THE POINT OF BEGINNING.

CONTAINS 0.017 ACRES.





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: August 6, 2019
SUBJECT: Consideration of Resolution 2019-30R the 6th amendment to the Development Agreement & General Development Plan for Eaglewood Village lots 1B, 2 & 3 (2019-37A), located at approximately 420 South Orchard Drive

RECOMMENDATION

The Planning Commission recommends approval to the City Council the amendment to the development agreement and general development plan for Eaglewood Village lots 1B, 2 & 3 located at approximately 420 South Orchard Drive with the following amendments to the plan and included within the amended development agreement, as appropriate:

1. If on-street parking is to be utilized, the City Council shall determine if the streets shall be vacated and become private streets owned and maintained by the developer; and
2. That the developer consider a potential redesign of building 4 locating the building closer to the street and locating the parking behind the building..

BACKGROUND

The city and the developer of Eaglewood Village entered into a development agreement on June 12, 2007. The original agreement had a general development plan with 340,000 sq. ft. office space, 120,000 sq. ft of retail and 252 residential units in the lower portion of the project. In 2011 and 2012 the agreement was amended to construct 4 story apartment buildings with a total of 410 units on lots 4 & 5. Since that time a 5,000 sq. ft. gas station/convenience store has been built on lot 6 and lot 1A is approved for a 3,800 sq. ft. Quick Quack car wash. The remaining lots for development are lots 1B which is 4.047 acres (between the Car Wash and Gas Station), lot 2 which is 3.379 acres (south of Eaglegate Drive adjacent to Hwy 89) and lot 3 which is 6.477 acres (east of Orchard Drive and south of the Village apartments). Brighton Development Utah has entered into a contract with the developer to purchase these 3 lots for developing retail, office, and residential spaces. Brighton introduced the project in a work session with the City Council in June and based upon that meeting has submitted the attached requested amendment.

REVIEW

The developer is proposing to build seven buildings on the 3 properties:

Building #	Use	Lot
1	98 D.U. (optional townhomes-max 20 d.u./acre)	3
2	60 D.U./18,000 sq. ft. Commercial	2
3	71 D.U.	2
4	92 D.U. (optional townhomes-max 20 d.u./acre)	3
5	103 D.U. or Hotel	1B
6	8,000 sq. ft. Commercial	1B
7	9,600 sq. ft. Commercial	1B

The unit counts and bedroom mixes are conceptual and may vary with final site plan approvals which shall be done on a lot by lot basis. The developer has requested an addition to the permitted uses for hotels, as there is a possibility that building #5 could be developed as a hotel. If lot 3 were developed at a max density of 20 units per acre, buildings 1 & 4 would be replaced by no more than 129 dwelling units, a total reduction of 61 units.

The developer is proposing a reduced parking requirement based upon bedroom count and the principles stated within the Town Center Master Plan which calls for reduced parking for mixed use developments with shared parking.

Residential Uses					
Bed Count	Units	Standard Req.	Total	Proposed Req.	Total
Studio	10	2.25	22.5	1.25	13
1 bedroom	208	2.25	468	1.5	312
2 Bedroom	182	2.25	409.5	1.75	319
3 Bedroom	24	2.25	54	2	48
	424	Total	954 spaces	Total	691 spaces
		25% redux	715		
Commercial Uses					
	Sq. Ft.	Standard Req.	Total	Proposed Req.	Total
Retail/Comm	27,600	4/1,000	111	1/1,000 sq. ft.	28
Office	16,000	4/1,000 sq. ft.	64	3/1,000 sq. ft.	48
		Total Comm.	175	Total Comm.	76 Spaces
		25% Redux	132		
Shared Use/Peak Usage Table					
	7 am-6 pm	6 pm-12 am	12 am-6 am		
Residential	75% (519)	80% (553)	100% (691)		
Office	100% (48)	5% (3)	5% (3)		
Commercial	100% (28)	80% (23)	0% (0)		
Parking Demand	595	579	691 (peak demand)		
Proposed Parking	Surface Stalls	Garage Stalls	Total Proposed		
	691	57	748 spaces		

The final parking calculation will vary with individual site plan and unit counts and the final programmed uses of the buildings. The DRC and Planning Commission are confident that the sites can be developed as proposed and have adequate parking for the mixed use nature of the development.

The DRC had some concerns related to on-street parking and recommended the City Council and Developer discuss the potential for vacating the southern portion of Orchard Drive if on-street parking for its efficiency in design and the added vibrancy to commercial and urban settings, as well as the on-street parking would discourage use of these streets by gravel trucks. The Planning Commission also encourages the City Council and staff to work diligently with UDOT to obtain a light at Eaglegate Drive and Hwy. 89.

The final architecture has not been designed. The proposed examples of architectural styles within the draft amendment demonstrate the high quality materials and design that will be required. The draft agreement includes design standards for the buildings to be used at site plan review. These guidelines are in accordance with the design principles established in the Town Center Master Plan and the draft form based code.

The development agreement will require landscaping of 25% of the subject lots. The agreement further stipulates that if the developer is able to obtain permission for off-site landscape improvements on the UDOT property which lies between Lot 2 and Hwy 89 the minimum on site landscape requirement will be reduced to 20%.

The site has good pedestrian circulation throughout the development and ties access to Highway 89 and the future bus rapid transit line. More detailed pedestrian facilities and bicycle facilities will be reviewed with individual site plan approvals on each lot. The proposed development will be in conformance to the goals of the adopted Town Center Master Plan.

The approval requested is to amend the general development plan for lots 1B, 2, & 3 and amendment to the development agreement. If the approved, the applicant will be required to submit a full site plan application with complete engineering for review, prior to seeking a building permit for construction.

POSSIBLE MOTION

I move that the City Council approve Resolution 2019-30R the 6th amendment to the Development Agreement & General Development Plan for Eaglewood Village lots 1B, 2 & 3 (2019-37A), located at approximately 420 South Orchard Drive, with the following conditions:

1. If on-street parking is to be utilized, the City Council shall consider the viability of future vacation of Orchard Drive as a private street, owned and maintained by the developer; and
2. That the developer consider a potential redesign of building 4 locating the building closer to the street and locating the parking behind the building.

Attachments

- 1) Aerial Map

- 2) Conceptual Site Plan
- 3) RES2019-30R
- 4) AGR2019-37A



Eaglewood Village General Development Plan Amendment Aerial





UNIT COUNT	1BED	2BED	3BED	STUDIO	TOTAL	AREA COUNT	PER FLOOR	TOTAL	COMMERCIAL AREAS:
BUILDING 1	60	34	-	4	98	BUILDING 1	23,587 SF	94,348 SF	BUILDING 2 18,000 SF
BUILDING 2	27	27	-	6	60	BUILDING 2	17,928 SF	71,712 SF	BUILDING 6 8,000 SF
BUILDING 3	23	34	14	-	71	BUILDING 3	20,901 SF	83,604 SF	BUILDING 7 9,600 SF
BUILDING 4	35	47	10	-	92	BUILDING 4	26,306 SF	105,224 SF	
BUILDING 5	63	40	-	-	103	BUILDING 5	24,176 SF	96,704 SF	
TOTAL:	208	182	24	10	424	BUILDING 6	8,000 SF	8,000 SF	UNIT AREAS:
RATIO:	(49%)	(43%)	(6%)	(2%)	(100%)	BUILDING 7	9,600 SF	9,600 SF	1 BEDROOM - 630 SF - 728 SF
						TOTAL:	-	469,192 SF	2 BEDROOM - 875 SF - 1075 SF
									3 BEDROOM - 1,190 SF - 1,250 SF
									STUDIO - 425 SF

PARKING COUNT

SURFACE STALLS: 691

GARAGE STALLS: 57

TOTAL: **748 STALLS**

(1.76 STALLS PER UNIT)

PARKING COUNT PER PHASE:

NORTHERN PHASE: (BUILDING 5)

- 103 UNITS
- 183 STALLS
- 1.77 STALLS PER UNIT

SOUTHERN PHASE: (BUILDINGS 1-4)

- 321 UNITS
- 565 STALLS
- 1.76 STALLS PER UNIT

PARKING BY USE:

COMMERCIAL (27,600 SF) 1 STALL PER 1,000 SF 28 REQ.

OFFICE (16,000 SF) 3 STALL PER 1,000 SF 48 REQ.

RESIDENTIAL (424 UNITS) 1.75 STALLS PER UNIT 742 REQ.

- TIME OF USE (7AM - 6PM):
 - 1. 75% RESIDENTIAL 557 STALLS
 - 2. 50% OFFICE 24 STALLS
 - 3. 100% COMMERCIAL 28 STALLS
 - TOTAL 609 STALLS

- TIME OF USE (6PM - MIDNIGHT):
 - 1. 80% RESIDENTIAL 594 STALLS
 - 2. 5% OFFICE 3 STALLS
 - 3. 80% COMMERCIAL 23 STALLS
 - TOTAL 620 STALLS

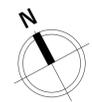
- TIME OF USE (MIDNIGHT TO 7AM):
 - 1. 100% RESIDENTIAL 742 STALLS
 - 2. 5% OFFICE 3 STALLS
 - 3. 0% COMMERCIAL 0 STALLS
 - TOTAL 745 STALLS REQ.



2 A0.1 3D MASSING.

LINETYPE LEGEND

- PROPERTY LINE
- - - SITE SETBACK/EASEMENT LINES
- SITE FEATURES
- ROOF FEATURES
- MAJOR EXISTING TOPOGRAPHY
- MINOR EXISTING TOPOGRAPHY
- MAJOR PROPOSED TOPOGRAPHY
- MINOR PROPOSED TOPOGRAPHY



A0.1
SITE PLAN OPTION 1
EAGLEWOOD VILLAGE



1 A0.1 SITE PLAN 1
1" = 80'-0"

RESOLUTION NO. 2019-30R

**A RESOLUTION OF THE CITY OF NORTH SALT LAKE
CITY COUNCIL APPROVING ENTERING INTO THE
SIXTH AMENDMENT TO THE DEVELOPMENT
AGREEMENT FOR EAGLEWOOD VILLAGE**

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 Sixth Amendment to the Development Agreement for Eaglewood Village (2019-37A).

APPROVED by the City Council of the City of North Salt Lake, Utah, this 6th day of August, 2019.

BY THE CITY COUNCIL:

Len Arave, Mayor

ATTEST:

Linda Horrocks, City Recorder

City Council Vote as Recorded:

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

**SIXTH AMENDMENT TO
DEVELOPMENT AGREEMENT
FOR EAGLEWOOD VILLAGE**

THIS SIXTH AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR EAGLEWOOD VILLAGE (the “Sixth Amendment”) is made and entered into effective as of the ____ day of _____, 2019 (the “Effective Date”), by and between **THE CITY OF NORTH SALT LAKE**, a Utah municipal corporation (the “City”), and **BRIGHTON DEVELOPMENT UTAH LLC**, a Utah limited liability company (the “Developer”) as a successor in interest to EV COMMERCIAL LLC, successor in interest to the original developer, EAGLEWOOD VILLAGE, INC. The Developer and the City are sometimes collectively referred to herein as the “Parties” or singularly as a “Party.” Unless otherwise defined herein, capitalized terms in this Sixth Amendment are defined as provided for in the Original Agreement (defined below) or the previous Amendment (defined below).

RECITALS

A. WHEREAS, The City entered into a certain Development Agreement for Eaglewood Village dated June 12, 2007 (the “Original Development Agreement”) with Developer, in connection with 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 “Eaglewood Village” (the “Property”). The Original Development has been subsequently amended by a certain First Amendment to Development Agreement for Eaglewood Village dated December 21, 2010 (the “First Amendment”), by a certain Second Amendment to Development Agreement for eaglewood Village dated August 2, 2011 (the “Second Amendment”), by a certain Third Amendment to Development Agreement for eaglewood Village dated September 27, 2011 (the “Third Amendment”), by a certain Fourth Amendment to Development Agreement for eaglewood Village dated November 6, 2014 (the “Fourth Amendment”), and by a certain Fifth Amendment to Delopment Agreement for Eaglewood Village dated June 5, 2018 . The Original Development Agreement, the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, and Fifth Amendment are collectively referred to herein as the “Development Agreement.” Capitalized terms not otherwise defined herein shall have the respective meanings ascribed to such terms in the Development Agreement.

B. WHEREAS, the Developer has requested that the Development Agreement be modified to amend the General Development Plan in relation to the the allowed use mixture and layout upon lot 1B Eaglewood Village Subdivision 3rd Amendment and Lots 2 and 3 Eaglwood Village Subdivision Amended, as defined in “Exhibit A”, Legal Description.

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

D. WHEREAS, 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.

E. WHEREAS, on or about July 2, 2019, the Developer applied to the City to amend the General Development Plan to modify the General Development Plan to include modifying: the building types to include retail commercial, office, mixed use commercial and residential and residential buildings; the site plan; building configuration; building elevations; site landscaping; and fencing (the “General Development Plan Amendment”).

F. WHEREAS, on July 23, 2019, the City’s Planning Commission issued a positive recommendation to the City Council for the approval of the General Development Plan Amendment, subject to certain conditions.

G. WHEREAS, the Parties now desire to enter into this Sixth Amendment in order to amend the Original Agreement to reflect the approved General Development Plan Amendment including amending the following exhibits that were attached to the Original Agreement: Exhibit “B” Site Plan Renderings; Exhibit “C” Eaglewood Village P District Building Standards; and Exhibit “D” Signage Guidelines.

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:

1. Those portions of Exhibits “B” (Site Plan Renderings) attached to the Original Agreement relating to lot 1B Eaglewood Village Subdivision 3rd Amendment and Lots 2 and 3 Eaglewood Village Subdivision Amended (“Subject Lots”) are hereby modified as shown on Exhibit “B” attached hereto and by this reference made a part hereof, which is now the “General Development Plan” for the “Subject Lots”. The Site Plan Rendering is conceptual and may be modified in accord with the terms stipulated within the amended exhibits as attached and as mutually agreed upon by the Parties. The Developer shall retain the option to amend the site plan for Lot 3 Eaglewood Village alternatively with townhome residential units in the event that construction of high rise apartment buildings are not feasible due to economic viability or site specific soils issues.

2. Exhibits “C” and “D” as attached to the Original Agreement are hereby modified as shown and subject only to Eaglewood Village Subdivision lots 1B, 2, and 3 as defined in Exhibit “A” Legal Description. Exhibits “C” Land Use and Architectural Standards and “D” Signage Standards attached hereto and by this reference made a part hereof. Exhibits “C” and “D” attached hereto are collectively referred to herein as the “Amended Exhibits”.

3. Term of Agreement. The Parties agree that the vested rights described in this Amendment 6 shall be effective for a period of six (6) years following the date on which this agreement is adopted by the City Council and signed by the City's Mayor, with an option on the part of the Developer or the City to extend such vested rights for an addition three (3) years if the terms of this Agreement have been substantially complied with and the Developer is proceeding with reasonable diligence in the development of the Subject Lots as contemplated by this Amendment 6.

b. Pursuant to and as required by Section 12 of the Original Agreement, Developer hereby assigns to **BRIGHTON DEVELOPMENT UTAH LLC**, and the City hereby consents to such assignment, all of its rights and obligations under Original Agreement relating to the Subject Lots by virtue of **BRIGHTON DEVELOPMENT UTAH LLC** having acquired fee simple title to lot 1B Eaglewood Village Subdivision 3rd Amendment and Lots 2 and 3 Eaglewood Village Subdivision Amended from the Developer.

c. **BRIGHTON DEVELOPMENT UTAH LLC**, as the Owner of lot 1B Eaglewood Village Subdivision 3rd Amendment and Lots 2 and 3 Eaglewood Village Subdivision Amended, is hereby vested with the right to construct approximately 25,000 sq. ft. of Retail Space and approximately 16,000 sq. ft. of Office Space in the approximate location and layout shown on the attached Amended General Development Plan. Additionally the Developer shall have the right to construct up to an additional 446 Residential Units provided the minimum parking standard as established in Exhibit "C" has been satisfied and in the approximate location and layout shown on the attached Amended General Development Plan. In the event that a hotel is built in place of one of the residential buildings, the number of hotel rooms and final number of residential units shall be reduced based upon the ability of the developer to meet the minimum shared parking requirements established within Exhibit "C" and upon the other limitations and minimum requirements as further described in the Attached Exhibits.

d. By signing below, **BRIGHTON DEVELOPMENT UTAH LLC**, as the owner of Lots lot 1B Eaglewood Village Subdivision 3rd Amendment and Lots 2 and 3 Eaglewood Village Subdivision Amended, hereby consents to the terms and conditions of the Original Agreement, as modified by this Sixth Amendment.

e. The Original Agreement, as amended by this Sixth Amendment, is hereby ratified and confirmed, and remains in full force and effect. To the extent that the terms of this Sixth Amendment conflict with the Original Agreement, the terms of this Sixth Amendment shall control. (6 years)

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

EXHIBIT “A”
To Sixth Amendment To Development Agreement
“Subject Lots”

Parcel 1:

01-501-0002

ALL OF LOT 1B, EAGLEWOOD VILLAGE SUBDIVISION 3RD AMENDMENT. CONT. 4.04700 ACRES.

Parcel 2:

01-472-0002

ALL OF LOT 2, EAGLEWOOD VILLAGE SUBDIVISION AMENDED. CONT. 3.37900 ACRES.

Parcel 1:

01-472-0006

ALL OF LOT 3, EAGLEWOOD VILLAGE SUBDIVISION AMENDED LYING WITHIN THE SOUTH DAVIS WATER DISTRICT. CONT. 6.477 ACRES (SPLIT FOR TAXING PURPOSES.)

EXHIBIT “C”

To Sixth Amendment To Development Agreement (Subject Lots Only)

Eaglewood Village P District Land & Architectural Standards

SECTION 1: BUILDING STANDARDS

- A. Purpose. This Exhibit outlines the standards pursuant to which Eaglewood Village 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.
- B. Building Standards.
1. Lot Area:
 - i. Due to the nature of development, there shall be no minimum lot area.
 2. Maximum Coverage Area:
 - i. Due to the nature of the mixed use development and the unusual shape of the properties, the maximum coverage area shall be as illustrated on Exhibit B, General Development Plan.
 3. Maximum Height & Stories of Buildings:
 - i. The maximum height for all structures in the P District shall be 75 feet from average finished final grade and a maximum of six (6) stories.
 4. Lot Width and Depth:
 - i. The minimum lot width and depth for the lot shall be as depicted on on Exhibit B, General Development Plan.
 5. Setbacks from Highway 89, Orchard Drive and Eaglegate Drive:
 - i. The minimum front yard setback shall be twenty five (25’) feet from back of curb which is adjacent to travel lanes of a public right of way.
 - ii. Balconies may encroach into the front setback up two and one-half (2 ½’) feet.
 6. Other property line setbacks:
 - i. The minimum side yard setbacks shall be five (5) feet.
 - ii. The minimum rear yard setback shall be five (5) feet.
 7. Minimum Landscape Percentage.
 - i. The minimum landscape percentage for the entire development shall be 25%.
 8. In the event that a perpetual agreement is reached for the installation and maintenance of offsite landscape improvements upon the adjacent UDOT and North Salt Lake owned parcels, the required landscaping upon the Subject Lots shall be reduced to 20%.

9. Accessory Buildings:

- i. Carports, or other vehicle storage structures
- ii. Incidental maintenance structures

10. 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. Fencing material shall be composite fencing type.

11. Parking shall be provided in accordance with the following standards:

Bedroom Count	Standard
Studio	1.25
1 bedroom	1.5
2 Bedroom	1.75
3 Bedroom	2
Hotel	1
	Standard
Retail/Comm.	1/1,000 sq. ft.
Office	3/1,000 sq. ft.

The total required parking shall be established at site plan based upon the following table for shared use to establish the peak parking demand which shall be the minimum parking required.

Shared Use/Peak Usage Table			
	7 am-6 pm	6 pm-12 am	12 am-6 am
Residential	75%	80%	100%
Office	100%	5%	5%
Commercial	100%	80%	0%

C. Permitted Residential Uses.

- 1. Multi-family residential dwellings;
- 2. Home occupations as regulated by North Salt Lake Land Use Code, Section 10-10-5, as amended; and

3. Residential accessory structures (recreational facilities, rental office, mail kiosks, parking, covered parking, tenant garages, tenant storage closets, facility maintenance storage).

D. Permitted Live Work Units, Permitted Uses.

1. Retail sales;
2. Personal and professional services; and
3. Art studios and gallery.

E. Prohibited Live Work Units, Prohibited Uses.

1. All prohibited commercial uses listed in Subsection F, below.

F. Commercial Uses

The following uses shall be classified as permitted, conditionally permitted, or prohibited upon the subject lots. Additional uses not hereby listed may be considered upon request to modify this agreement and as mutually agreed upon by the Parties.

GENERAL CATEGORIES OF PERMITTED USES EAGLEWOOD VILLAGE (SUBJECT LOTS) (List is not intended to be all inclusive of possible uses)
Entertainment or Recreation
Financial Services (bank or credit union)
General Office
General Retail
Hardware Stores (no outdoor storage/display)
Hotel and Hospitality
Medical Offices
Personal and Professional Services
Restaurants
Seasonal Temporary Uses (fireworks, mobile food & beverage, Christmas trees, etc.)
GENERAL CATEGORIES OF CONDITIONAL USES
Special Events (Carnival, Craft Fair, Farmer’s Market, Festival, Fundraisers, Mobile Food Truck Fair, etc.)
GENERAL CATEGORIES OF PROHIBITED USES
Automobile (sales, service, rentals, car washes, parts, oil & lube changes, body, repair or tire shops)
Manufacturing
Nonstore Retailers
Pawnshops, title loan, quick loan, or other payday loan or check cashing services.

Recreational Vehicle (sales, service, rentals, rv parks and campgrounds)
Self-Serve Laundromats
Self-Storage Rentals
Sexually Oriented Businesses
Support Activities for Transportation
Tobacco Specialty Stores
Warehousing and Storage Facilities
Wholesale Trade

SECTION 2: ARCHITECTURAL STANDARDS

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 upon the Subject Lots in Eaglewood Village 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.

A. Exterior Elevations

All exterior residential and commercial elevations shall be consistent with general scheme and design as depicted below and as approved in the General Development Plan for the Subject Lots. The units shall utilize shared common space and shared guest parking with the commercial uses. In order to create a cohesive architectural theme shall be established by the developer and submitted to the Planning Commission for review for site plan approval. The following designs are provided as examples of high quality development types. No example or image shown herein shall be exclusively binding upon the Developer, or assignee. All exhibits are added for the purposes of providing context for the criteria set forth herein





B. Design Guidelines

1. Street Façade (commercial, office, mixed use buildings, high rise residential). Street facade requirements apply only to facades facing an existing or proposed public or private right-of-way. The rear or interior side yard facades are not required to meet these standards unless otherwise stated.
 - i. The minimum amount of transparency required on street facades with street frontage shall be measured by the ratio of the area of the total windows on a story to the area of the story total façade with the following required minimums:

	Ground Story Transparency	Upper Floor Transparency
Commercial or Office Buildings	65%	25%
Mixed Use Buildings	65%	25%
High Rise Residential Buildings	25%	15%
Live-Work Townhomes	50%	15%
Row Buildings	15%	15%

- ii. Transparency is any glass in windows and/or doors, including any mullions, that is highly transparent with low reflectance.
- iii. Blank Wall Limitation.
 1. No rectangular area greater than 30% of a story's facade, as measured from floor to floor, may be windowless; and
 2. No horizontal segment of a story's facade greater than 15 feet in width may be windowless.

- iv. Horizontal Facade Divisions. The use of a vertically oriented expression line or form to divide the facade into increments no greater than the dimension shown, as measured along the base of the facade. Elements may include a column, pilaster, or other continuous vertical ornamentation a minimum of one and a half inch depth.
 - v. Vertical Facade Divisions. The use of a horizontally oriented expression line or form to divide portions of the facade into horizontal divisions. Elements may include a cornice, belt course, molding, string courses, or other continuous horizontal ornamentation a minimum of one and a half inch depth.
2. Entrance Requirements.
2. Entrances Recession or Covering. Any Primary Entrance shall either be recessed or provide an awning, porch, covered or arcade walkway, or balcony. The depth of the recession or covering must be at least 5', and must be 1' wider than the entrance on both sides measured in line with the building facade.
3. Roof Requirements.
- i. Roof Screening. Roof appurtenances must be screened from view of the street(s) using elements described in the requirements below.
 - ii. Variation in Roof Line. Any facade visible from a public right-of-way, including pedestrian, transit, and bicycle corridors, shall include a parapet or other roof variation such as clerestories, dormers, gables, cupolas, or other architectural roof projections that vary in height by at least two feet (2') for each sixty (60) linear feet of facade length.
 - iii. Parapet Height. Height is measured from the top of the upper story to the top of the parapet.
 - 1. Minimum height is two feet with a maximum height of six feet.
 - 2. The parapet shall be high enough to screen the roof and any roof appurtenances from view of the street(s).
 - iv. Flat Roofs. Roofs with no visible slope are permitted. Eaves are required on all street facing facades.
 - 1. Eave Depth. Eave depth is measured from the building facade to the outside edge of the eave. Eaves shall have a depth of at least 14 inches.

2. Eave Thickness. Eave thickness is measured at the outside edge of the eave, from the bottom of the eave to the top of the eave. Eaves shall be a minimum of eight inches thick.
 3. Interrupting Vertical Walls. Vertical walls may interrupt the eave and extend above the top of the eave with no discernible cap. Vertical walls shall extend no more than four feet above the top of the eave.
4. Materials and Colors.
- i. Primary Facade Materials. 80% of each facade shall be constructed of primary materials. For facades over 100 square feet, more than one material shall be used to meet the 80% requirement.
 - ii. Permitted primary building materials include high quality, durable, natural materials, such as stone, brick, ship lap siding, fiber cement board lapped, shingled, stucco, glass.
 - iii. Secondary Facade Materials. Secondary facade materials are not to exceed 20% of the building facade. Secondary materials are limited to details and accents and include gypsum reinforced fiber concrete for trim and cornice elements; metal for beams, lintels, trim, and ornamentation, and exterior architectural metal panels and cladding. Exterior Insulation and Finishing Systems (EIFS) is permitted for trim only.
 - iv. Color. Main building colors shall be established by the developer and agreed upon by the Planning Commission. Colors utilized shall be an integral part of the building design and shall exhibit evidence of coordination and selection with respect to the overall visual effect of the buidlign. The color of each façade material shall be harmonious with the color of all other façade materials used on the sae building, as well as the color of façade materials used on adjacent buildings.
 - v. Appropriate Grade of Materials. Commercial quality doors, windows, and hardware shall be used on all buildings with the exception of the townhome buildings, were approved.
5. Windows, Awnings, and Shutters.
- i. Windows. All upper story windows on a residential and mixed use building shall be high quality architectural windows.

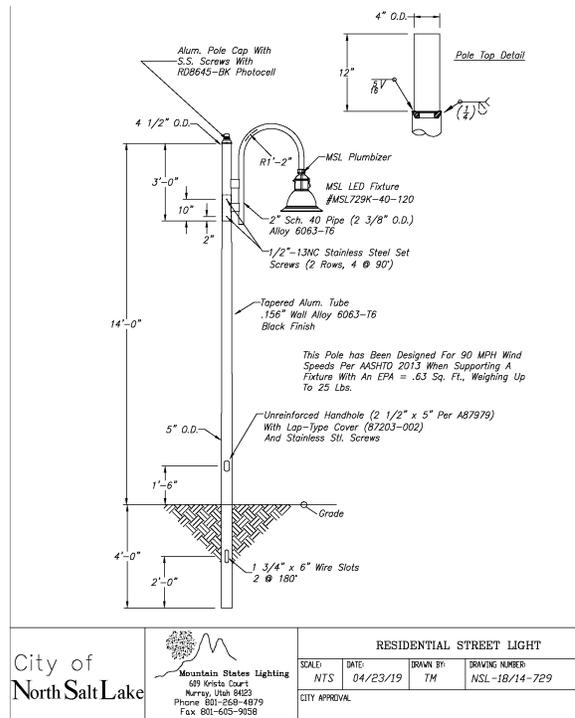
- ii. Awnings. If installed, all awnings shall be canvas or metal. Plastic awnings are not permitted. Awning types and colors for each building face shall be coordinated.
- iii. Shutters. If installed, shutters, whether functional or not, shall be sized for the windows. If closed, the shutters shall not be too small for complete coverage of the window. Shutters shall be wood. “Engineered” wood may be approved during the site plan process with an approved sample.

6. Balconies.

- i. The following applies in all locations where balconies are incorporated into the facade design facing any street or parking lot.
- ii. Size. Balconies shall be a minimum of six feet deep and five feet wide.
- iii. Connection to Building. Balconies that are not integral to the facade shall be independently secured and unconnected to other balconies.
- iv. Facade Coverage. A maximum of 50% of the front and corner side facades, as calculated separately, may be covered with balconies, including street-facing railing and balcony structure.
- v. Projection Over Setback. Balconies may hang directly over set-back. They may not be over UDOT right-of-way.
- vi. Clearance. Balconies shall have a minimum 10’ clearance.

C. Lamp Posts, Building Lighting. All lighting shall be approved with site plan review. The following street light standard shall be used and shown on the site plan in accord with spacing requirements necessitated by best practice to achieve minimum safety and lighting coverage of pedestrian walkways and vehicular entrances. Interior project lighting shall be utilized that compliments the style and quality of the standard.

- 1. Declarant will submit a lighting plan detailing the location of the proposed lamp posts. Street light locations are depicted on the Utility Plan Sheet of the approved Civil Construction Drawings.
- 2. All site/building lighting shall be shielded and directed downward so light spill does not adversely affect adjacent properties or streets.



D. Landscaping

Upon completion of each building, the Declarant shall install landscaping in accordance with the approved site and 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. Street trees shall be required within tree grates or park strips where applicable. Species shall be in conformance with the City Street Tree Ordinance, if adopted or as approved by the City Public Works/Parks Department.

E. 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. All mailbox clusters for residential uses shall be provided interior to the residential buildings.

F. Fencing Material

Any Project fencing shall be approved at final site plan approval of each parcel, if applicable, and shall be of high quality materials in accord with the design standards for the Town Center Master Plan and design standards as adopted.

G. Residential Amenities

The following residential & community amenities shall be provided as generally depicted on the General Development Plan:

1. Community clubhouse, pool, and recreational facilities which may include pickleball, basketball, volleyball or other outdoor exercise/sports facilities.
2. Outdoor gathering spaces along trails, sidewalks, patios, or courtyard areas.
3. Tot lot.
4. Dog exercise area, fenced.

**EXHIBIT “D”
To Sixth Amendment To Development Agreement**

Signage Guidelines

The following sign regulations shall apply to the Eaglewood Village P-District (Subject Lots)

A. Commercial Signage

1. On-site signs, such as monument signs or multi-tenant signs should be designed with consistent design elements, such as a base material, height, and lettering style, to create a visual continuity and add quality to the development in an architectural style that compliments the primary building(s) façade(s). Monument and pylon signs shall be attached to the ground with a base whose width and length are a least as wide as the bottom edge of the sign face. Signs shall utilize one or more of the following complementary materials or elements as a primary feature to create visual continuity:
 - i. Stone;
 - ii. Brick;
 - iii. Color tinted and textured concrete masonry;
 - iv. Metal or iron detailing; and/or
 - v. Other similarly high-quality materials utilized on the primary structures in the shopping center.
2. One multi-tenant pylon sign shall be permitted along the Highway 89 frontage of lot 1B with the following:
 - i. Maximum height of fifteen feet (15’).
 - ii. Maximum sign face (per side) two hundred-fifty (150) square feet
 - iii. Maximum electronic message area shall not exceed fifty percent (50%) of the sign face and shall be in conformance with adopted sign code regarding electronic message signs;
 - iv. Examples of appropriate design for multi-tenant signs are illustrated below in Figure D-1.

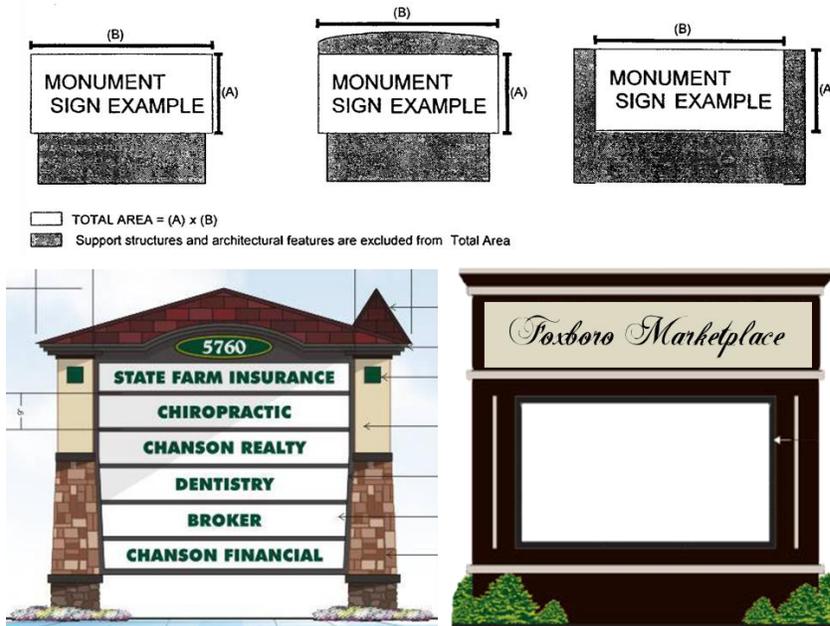
Figure D-1



3. One multi-tenant pylon sign shall be permitted at the entrance of Orchard Drive with the following:
 - i. Maximum height of eight (8') feet.
 - ii. Maximum sign face (per side) sixty (60) square feet
 - iii. Maximum electronic message area shall not exceed fifty percent (50%) of the sign face and shall be in conformance with adopted sign code regarding electronic message signs;
 - iv. No sign shall be located with the clearview entrance.
4. Monument signs shall be allowed internally on each lot within the Subdivision Plat with the following guidelines:
 - i. Signs shall not be placed where they obscure important architectural features such as entrances, display windows, or decorative elements when viewed from the public right-of-way;
 - ii. Signs shall not be placed within the clear view area of any intersection or driveway entrance;
 - iii. Maximum height of four feet (4');
 - iv. Maximum monument size of fifty (50) square feet
 - v. Maximum sign face area seventy-five percent (75%) of monument size.

- vi. Examples of appropriate design for monument signs are illustrated below in Figure D-2.

Figure D-2



- 5. Wall signs shall be permitted as follows:
 - i. Each storefront shall be permitted one (1) wall sign per façade with a public entrance which meet the following criteria:
 - 1. Maximum sign shall be thirty percent (30%) of the available wall as illustrated by Figure D-3
 - 2. Signs shall be placed on the building façade to be scaled appropriately with the façade width and height and not conflict with the architectural design features of the building as showing in Figure D-4

3. Examples of appropriate design for wall signs are illustrated in Figure D-5.

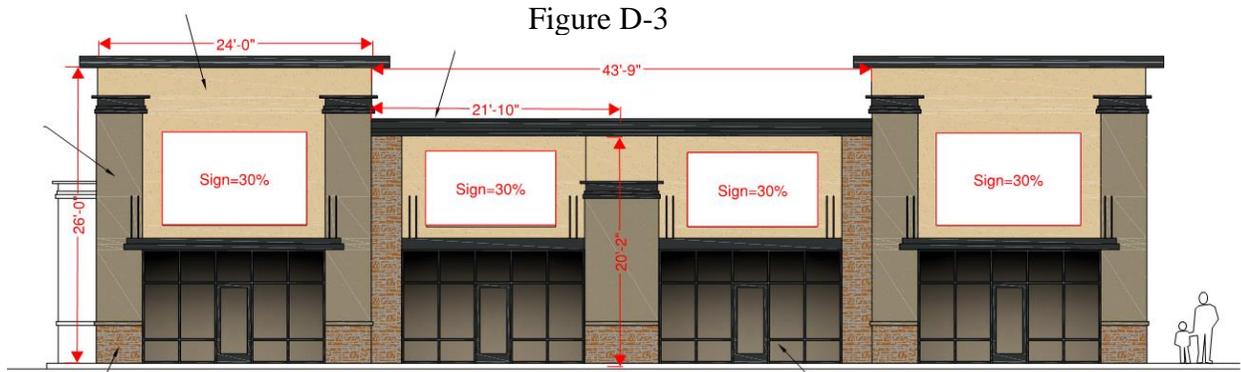


Figure D-4

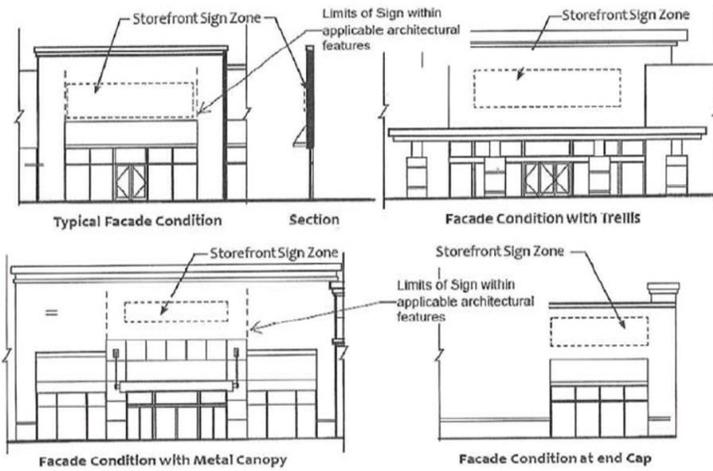


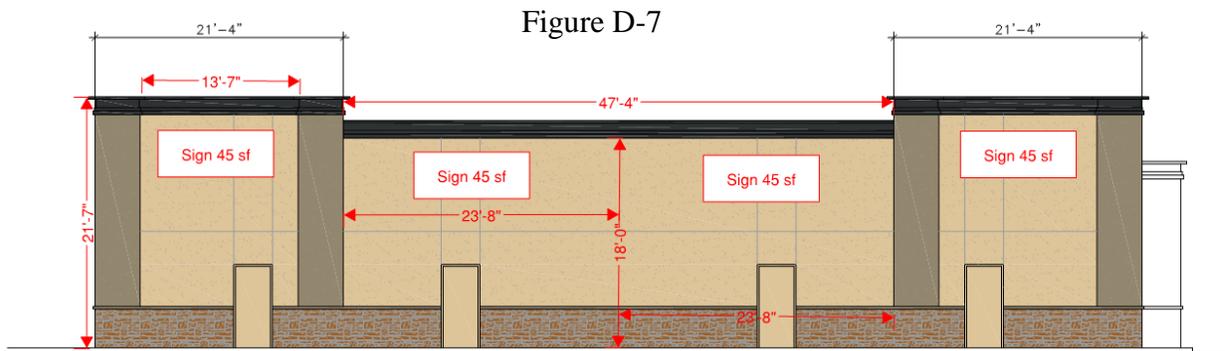
Figure D-5



ii. Buildings with rear facades along Highway 89 and end cap units: (illustrated in Figure D-6):

1. One rear wall sign with a maximum size of ten (10%) percent of the available wall or 45 sf, whichever is smaller;
2. One side wall sign for end cap units with a maximum size of ten (10%) percent of the available wall or 60 sf, whichever is smaller,
3. Side wall signs shall be located within the front 1/2 of the unit, as showing in Figure D-7;
4. Signs shall be scaled appropriately with the façade width and height and not conflict with the architectural design features of the building;

5. No part of the sign or the sign structure shall project above the roof structure;
6. The maximum height for individual lettering shall be twenty-four (24") inches;
7. No electronic message boards or signs shall be permitted;



6. Window signs are allowed for ground floor windows only. They shall not be located to block clear view of exits or entrances or to create a safety hazard. Window signs shall not disrupt the employee visibility to the parking area or of law enforcement personnel into the business. The following shall also apply:
 - i. Window signs shall not cover more than fifty percent (50%) of any single window, nor more than thirty percent (30%) of the entire surface area of a group of windows on each building façade;
 - ii. Window signs and permanent wall signs combined shall not exceed thirty percent (30%) of the exterior wall area of the tenant;
 - iii. Properties subject to sale, lease, or rent may be allowed to have a window sign up to one-hundred (100) square feet regardless of permanent wall signage.
 - iv. Appropriate window sign example:



7. Awning & Canopy Signs shall be permitted only main floor doors and windows as follows:
- i. Materials: Fabricate awnings using fire-resistant canvas in a color that is appropriate to the period of the building.
 - ii. Shape: Select awning shapes that reflect the door or window openings they cover. Limit valances to approximately eight to twelve inches in length.
 - iii. Lettering and symbols: Lettering should generally be placed on the valance portion of the awning.
 - iv. Internal illumination: Do not use internal illumination or other techniques that cause awnings to glow; however, illumination may be concealed in the awning to provide directional light to illuminate sidewalks or storefronts.
 - v. Appropriate awning and canopy signs:



Awning Sign Example



Projecting Sign Example

8. Projecting Signs are the preferred sign design for main floor retail businesses and shall be of consistent design as per the architectural standards enumerated in the development restrictive covenants.
- i. Placement—Mount projecting signs perpendicularly to a building or column while allowing eight feet of overhead clearance above public walkways.
 - ii. Public right-of-way—Limit the extension of projecting signs from the building facade into the public right-of-way for a maximum distance of eight feet or a distance equal to two-thirds the width of the abutting sidewalk, whichever distance is greater.
 - iii. Area-Projecting signs should be scaled appropriately in response to the building façade and number of tenants.

9. Menu Boards shall be allowed for drive-thru businesses with the following regulations:

- i. Maximum height eight feet (8’);
- ii. Maximum size sixty-four (64) square feet;
- iii. Menu boards may not be placed in any landscaped area directly adjacent to a public right-of-way.

10. Temporary Signs

- i. Banners-one 3 x 12 foot banner per year is permitted to celebrate a grand opening, anniversary, or announce major sales. The banner can be displayed for a period not to exceed 45 consecutive days for existing businesses and 60 days for new businesses.
- ii. A-Frame/Post-Style Commercial Sidewalk signs are permitted subject to the following performance standards:
 1. Maximum height-4 feet
 2. Maximum sign area-2 x 2 feet.
 3. Sign frame shall be constructed of black wrought iron or similar metal material.
 4. Sign can only be displayed during business hours.
 5. One sign allowed per business.
 6. Sign shall not impede pedestrian traffic or pose a safety hazard.
 7. Example temporary sign:



11. PROHIBITED SIGNS. The following is a list of some of the signs that are prohibited:

- i. Permanent signs that are designed to rotate or move by any means.
- ii. Signs mounted on trailers.
- iii. Signs with exposed braces and guy wires.
- iv. Signs with blinking, flashing or moving lights, not including time/temperature and similar public service displays.
- v. Signs with changeable copy.
- vi. Flags or banners, balloons, or inflatable signs.
- vii. Examples of prohibited signs.



B. Residential Signs.

1. Residential identification signs shall be limited to no more than one (1) per entrance;
2. One residential identification sign shall be permitted adjacent to Highway 89;
3. Signs shall only display the name, logo, and address of the development;
4. Residential identification signs shall not exceed a height of seven feet (7') and a total size of one hundred (100) square feet of sign area;
5. Maximum sign text shall be fifty percent (50%) of sign area;
6. Signs located at entrances must be set back a minimum of five feet (5') from the property line and shall not be placed within the clear view area of any driveway;

7. Indirect illumination is permitted;
8. One (1) temporary sign is allowed for sale, lease, or rent of residential property per street frontage and is limited to no greater than thirty-two (32) square feet for a period of time not to exceed one (1) year from the issuance of a certificate of occupancy.



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: August 6, 2019
SUBJECT: Consideration of Concept Plan Approval for a PUD Subdivision, located at 142 South Orchard Drive

RECOMMENDATION

The Planning Commission recommends approval to the City Council of the concept plan for Orchard Drive Townhomes PUD, located at 142 South Orchard Drive with the following findings and conditions:

Findings:

1. The proposed development meets the minimum standards for a PUD Subdivision in the RM-20 Zone, including lot size, height, landscaping, parking, and building coverage;
2. The Planning Commission has the authority to authorize standards and requirements for PUD Subdivisions which may include lot area, width, yard, height and coverage

Conditions:

1. That the minimum standards shall be varied per the PUD ordinance provisions for property setbacks as follows: Front-15', and Side-6';
2. That the minimum standards shall be varied per the PUD ordinance provisions for maximum height of 39' for buildings not adjacent to Orchard Drive; and
3. The 4 guest parking spaces in the middle of the project be signed "Guest Parking Only, No Resident Parking", so that they will be available for guests of the home owners.

BACKGROUND/UPDATE

The project is being processed under the current zoning of RM-20. Multi-family dwellings are a conditional use and the applicant has applied for a concept plan to develop the property into for sale townhomes within the minimum standards of the zone and the PUD Subdivision Ordinance. The Planning Commission recommended approval of the Concept Plan and approved exceptions to the setback requirements for the front setback from 25' to 15' and the side setback from 8' to 6'. The City Council tabled action on the application at the July 16, 2019 meeting, with a request for the applicant to amend the side setbacks to 8 feet.

The applicant has had their engineer evaluate the site and has provided an analysis of the setbacks (attached). The applicant can meet the 8' side setbacks but would prefer the 6' setbacks as the impact of the smaller setback would be an increased slope for the transition of the alley driveways to the private street. Therefore they can and will increase the setback to 8' if the Council prefers the greater setback.

As to the comments related to the front setback reduction. The proposed setback of 15' from the back of the new sidewalk (20' from the existing curb which will remain at the same location) was also evaluated to address the concerns raised by Councilmember Baskin. The developer is requesting the setback of 15' to accommodate the guest parking between units 4 and 7. If the 25' setback is required at least one of the 2 guest parking spaces will be need to be removed. The project has guest parking which exceeds the required 0.25 spaces per unit, these spaces are being provided in this location to provide spaces that are in closer proximity to the upper units.

REVIEW

Subdivisions under city code and state statute are administrative actions. State code and case law require that if the proposed subdivision meets the minimum standards required by code, the application must be approved. Subdivisions in general and PUD's more specifically are conditional uses in the city code. State code and case law state that conditional uses are permitted uses with conditions. Therefore if the development meets the minimum standards and reasonable conditions can be used to mitigate impacts of the development on the community, it also must be approved.

There are several items addressed in administrative actions for a conditional use development:

1. **Density:** The PUD Subdivision Ordinance requires that the density of a PUD meet the density limitation of the current zoning, unless a zone change is requested and approved. The developer has not requested a zone change from the current RM-20 zone. The RM-20 zone allows multi-family housing with the minimum lot area of 7,000 sq. ft. for the first unit and an additional 1,900 sq. ft. for each additional unit.
- 2.

Total Area		56,631 sq. ft. (1.3 Acres)		
R.O.W.		959 sq. ft.		
Net Area		55,672 sq. ft.		
Multi-family Dwellings	RM-20	Lot Size	Calculation	Total
1 st unit	7,000 sq. ft.	7,000 sq. ft.	7,000/7,000	1
Each additional unit	1,900 sq. ft.	48,672 sq. ft.	48,672/1,900	25.6
			Total:	26.6 Units

3. **Layout:** The proposed layout places 26 townhomes on the 1.3 acre site. The two single family homes on the site will be razed. The lots are to be platted as "for sale" townhomes in a PUD with the shared private road and common area. There are 7 units that face Orchard Drive, with rear entry garages. All units will have rear entry garages. There is a 20 foot drop in elevation from east to west. The main private street on the lot will have a slope of 10% for the longest portion of its run.
4. **Setbacks:** Standard setbacks under the RM-20 zone are front 25', side 8' (total of 20') and rear 20'. Under a PUD Subdivision, the Planning Commission determines the required setbacks, which may be varied from the standard. The proposed layout has a front setback (Orchard Drive) of 15 feet from the new property line after the dedication of 4.5' to complete the required 66' right of way width. A 5' sidewalk is proposed. The setback distance from the building to the curb is 22.5'. Proposed side yard setbacks are 6'. The layout meets the minimum

rear setback. The Planning Commission approved the variance in setbacks per their authority within the PUD ordinance.

5. **Height and Stories:** The maximum height for the RM-20 Zone is 35 feet and with no maximum number of stories. Under a PUD Subdivision, the Planning Commission determines the maximum height, which may be varied from the standard. The proposed townhomes facing Orchard Drive will be 2 stories high with a pitched roof for a total height of 29'. The downhill side of the units will be 3 stories with a rear entry garage on the basement level. The 2 most western units will also be this type with 2 stories at the front door and 3 stories on the downhill garage side. The middle 3 buildings will all be three stories with a maximum height of 39'. The Planning Commission approved the variance in height for those units not adjacent to Orchard Drive per their authority within the PUD ordinance.
6. **Lot Size:** The minimum lot size for the zone has been met.
7. **Coverage:** The townhomes constitute approximate 18,185 sq. ft. of the 1.3 acre townhome site, which is 32% coverage. The maximum coverage by buildings is 50%.
8. **Landscaping:** The proposed landscaping on the townhome site is approximately 15,194 sq. ft. or approximately 27% of the site. The minimum requirement is 10% landscaping.
9. **Parking:** Required parking under the code is 2.25 parking spaces for each residential unit, of which 1 stall per unit must be covered. Each of the proposed townhomes have 2 car wide garages, providing 52 parking spaces. Additionally 6.5 spaces are required for guest parking and 11 spaces are proposed. Units 10-13 have driveways capable of parking 2 cars each for another 8 parking spaces, and unit 9 has a driveway that 1 additional car could be parked on. The townhome site exceeds the minimum requirement. The proximity of the guest parking to the individual units cannot be proportionally dispersed throughout the units due to the topography of the site. The upper units 1-6 and 19-26 have 4 guest parking spaces within the required 200 feet walking distance. The lower units have 7 guest parking spaces and the 9 driveway spaces.
10. **Amenities:** Neither the subdivision ordinance, nor the PUD ordinance, requires the provision of any amenities in a subdivision. No amenities, (pool, tot lot, etc.) have been proposed.

An environmental notice was sent out, as is required for all concept plans, asking for any information or concerns regarding the following topics only:

1. Erosion, dust, soils and top soil loss;
2. Grades, slope stability and Geologic hazards;
3. Ground water, water courses, flood hazards and areas;
4. Vegetative types;
5. Wildlife and habitat;
6. Essential urban services presently available;
7. Fire potential;
8. Accumulation of solid and liquid wastes;
9. Potential area-wide economic impact of the development.

Two written comments have been submitted as of 6/07/2019 and are attached. One expressed concern over the density of the project and one regarding the storm drainage and a retaining wall. The City

Engineer spoke neighbor to the south about his drainage and retaining concerns, he is now aware of the issues and will review the final plans to assure that the situation will be addressed. As an administrative action, concept plan approval does not require a public hearing.

POSSIBLE MOTION

I move that the City Council approval of the concept plan for Orchard Drive Townhomes PUD, located at approximately 142 South Orchard Drive with the following findings and conditions:

Findings:

1. The proposed development meets the minimum standards for a PUD Subdivision in the RM-20 Zone, including lot size, density, landscaping, parking, and building coverage;
2. The Planning Commission has the authority to authorize standards and requirements for PUD Subdivisions which may include lot area, width, yard, height and coverage
3. The Planning Commission approved that the minimum standards shall be varied per the PUD ordinance provisions for property setbacks; and
4. The Planning Commission approved that the minimum standards shall be varied per the PUD ordinance provisions for maximum height of 39' for buildings not adjacent to Orchard Drive

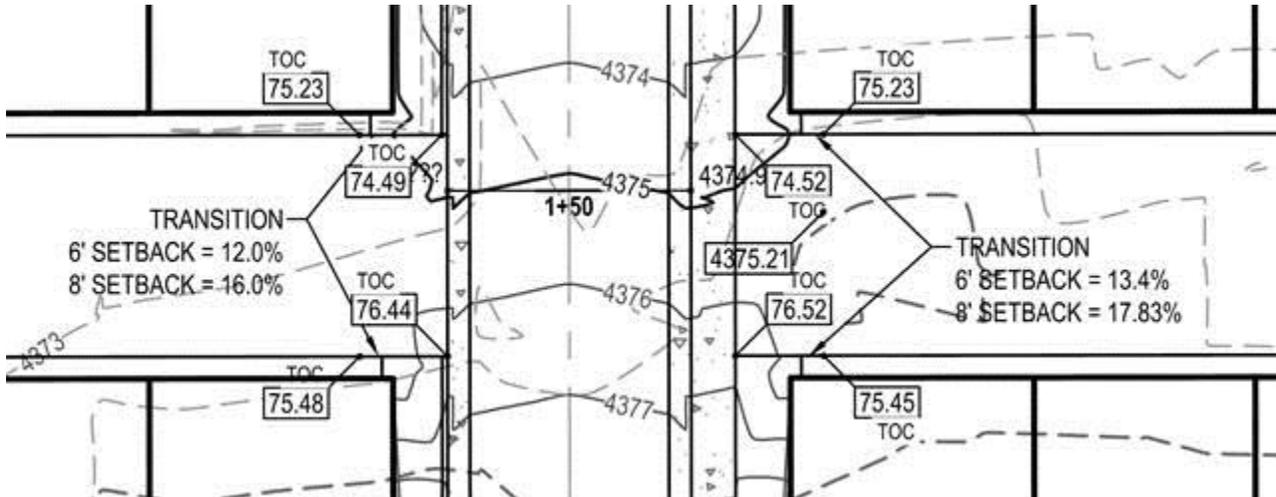
Conditions:

1. The 4 guest parking spaces in the middle of the project be signed "Guest Parking Only, No Resident Parking", so that they will be available for guests of the home owners;
2. The minimum side setback shall be _____feet and the minimum front setback shall be_____ feet.

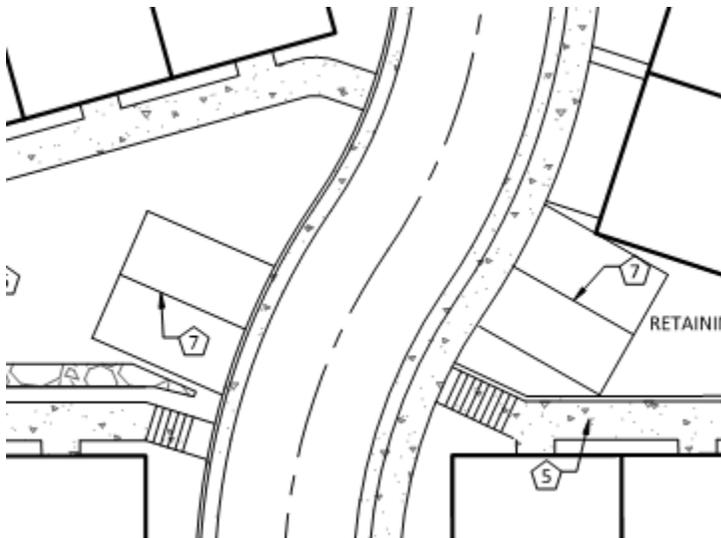
Attachments

- 1) Applicant Engineer Submittal
- 2) Aerial Map
- 3) Zoning Map
- 4) Concept Plan
- 5) Site Plan
- 6) Elevations/Floor Plans

Attached is an exhibit showing the impact on the grading plan of adjusting the setbacks from 6' to 8'. An 8' setback shifts the alley accessed units 2' closer to the private drive which creates a steeper transition from the road to the alley. Below and attached is a schematic of what the grades would look like to make the connections work. The transition associated with the 6' setback slopes are in the 12-13% range while the transition associated with the 8' setback are in the 16-18% range.

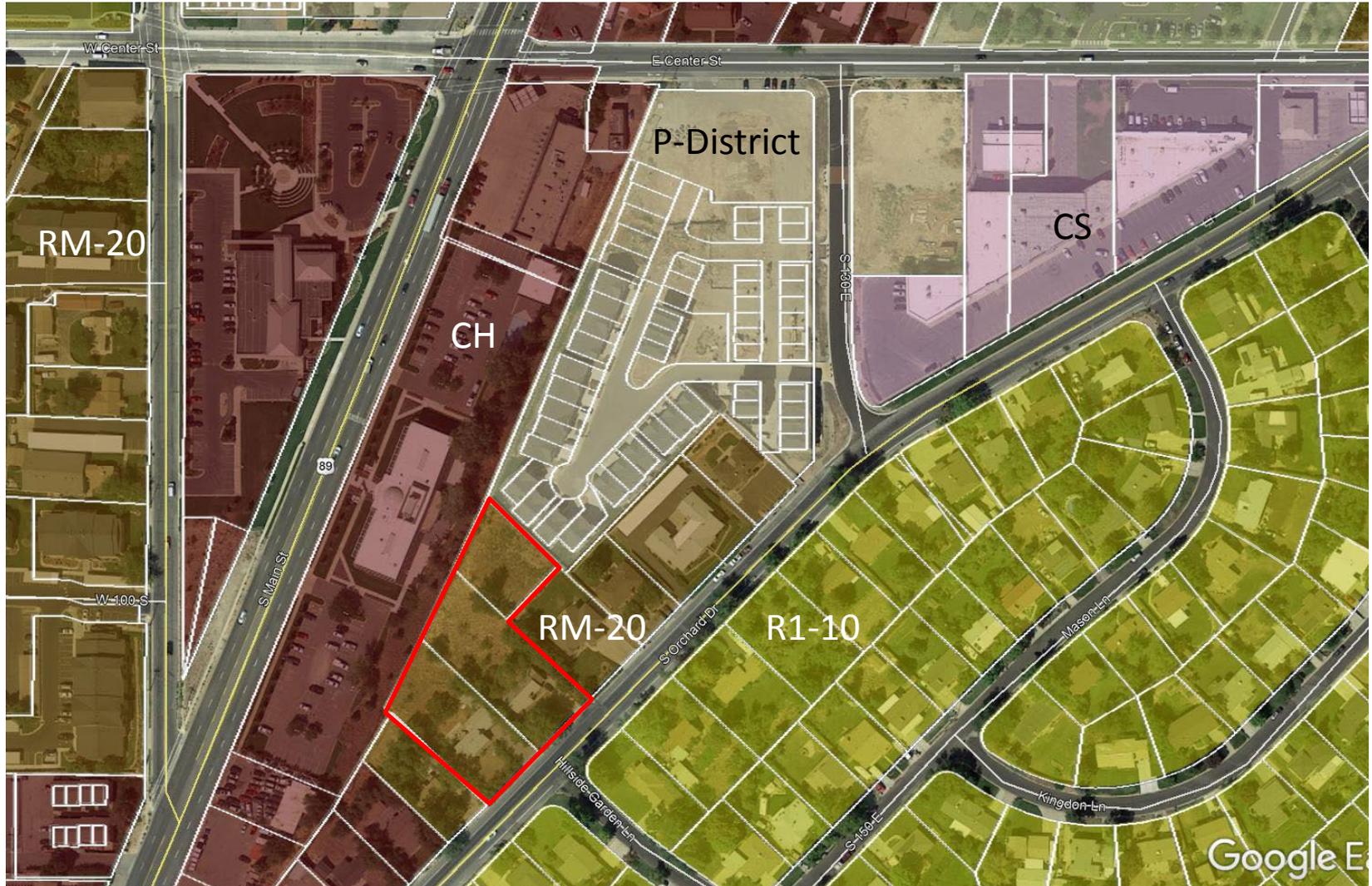


As for the front setback, if the setback is increased beyond 15' it will impact the additional guest parking located just west of the alley loaded units.



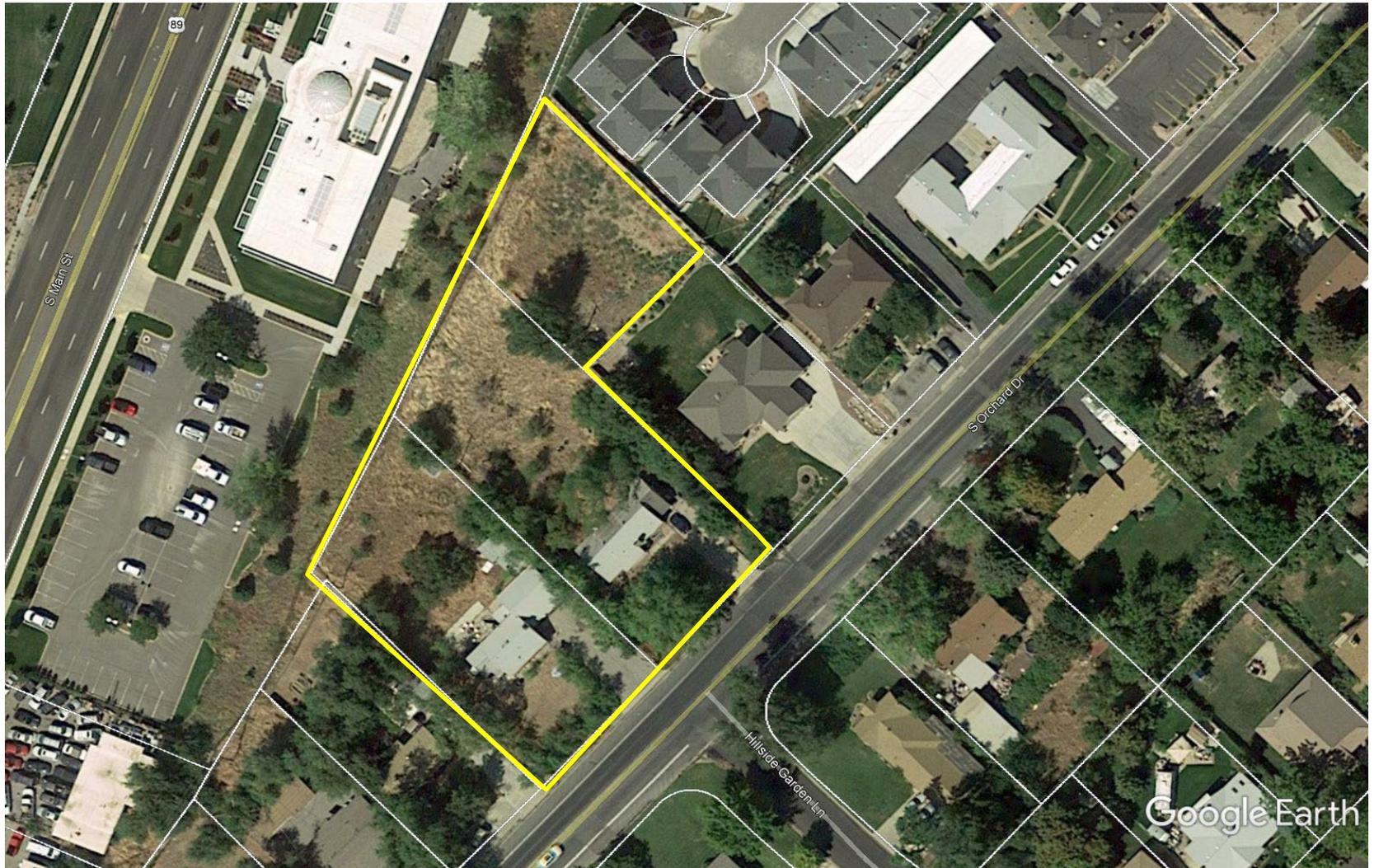


General Development Plan Orchard Drive Townhomes Zoning





General Development Plan Orchard Drive Townhomes Aerial



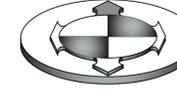
POINT #	NORTHING	EASTING
10000	101647.74	107986.18
10001	101784.52	107844.09
10002	101875.65	107893.61
10003	101967.99	107941.88
10004	102065.15	107985.14
10005	101972.66	108081.23
10006	101899.68	108012.85
10007	101791.84	108124.88
10008	102670.91	107925.53
10009	102675.22	110574.41

ORCHARD DRIVE TOWNHOMES

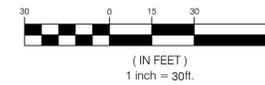
LOCATED IN THE NORTHWEST QUARTER OF SECTION 12,
TOWNSHIP 1 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN
NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH

DEVELOPER/OWNER: TAGS SLC, LLC

NORTH



GRAPHIC SCALE



PARCEL LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N 43°54'24" E	6.00'
L2	N 43°54'24" E	6.00'
L3	N 43°54'24" E	20.91'
L4	N 43°54'24" E	6.00'
L5	N 43°54'24" E	6.00'
L6	N 43°54'24" E	6.00'
L7	N 43°54'24" E	6.00'
L8	S 46°05'36" E	49.00'
L9	S 46°05'36" E	49.00'
L10	N 61°28'49" W	24.21'
L11	N 52°35'05" W	4.18'
L12	N 46°05'36" W	20.00'
L13	N 61°28'49" W	10.00'
L14	N 43°54'24" E	90.99'
L15	N 46°05'36" W	17.00'
L16	N 43°54'24" E	71.02'
L17	S 43°08'13" W	71.02'
L18	S 46°05'36" E	20.00'
L19	N 46°05'36" W	17.00'
L20	S 43°54'24" W	90.99'
L22	S 46°05'36" E	20.00'

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	46.52'	77.00'	34°36'51"	N 28°47'10" W	45.81'
C2	63.71'	73.00'	50°00'05"	N 36°28'47" W	61.70'
C3	10.74'	40.00'	15°23'13"	S 36°12'48" W	10.71'
C4	37.46'	62.00'	34°36'51"	N 28°47'10" W	36.89'
C5	64.64'	88.00'	42°05'17"	N 32°31'23" W	63.20'
C6	38.11'	24.00'	90°58'56"	S 08°04'33" E	34.23'
C7	13.43'	50.00'	15°23'13"	S 36°12'48" W	13.39'
C8	15.71'	10.00'	90°00'00"	N 16°28'49" W	14.14'
C9	55.68'	28.00'	113°55'51"	S 85°29'07" W	46.95'
C10	28.21'	62.00'	26°04'14"	N 24°30'51" W	27.97'
C11	53.16'	88.00'	34°36'51"	N 28°47'10" W	52.36'

SURVEYOR'S CERTIFICATE
I, BRIAN A. LINAM DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 7240531 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS:

ORCHARD DRIVE TOWNHOMES

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

BOUNDARY DESCRIPTION

BEGINNING AT POINT SOUTH 00°22'24" WEST 877.75 FEET AND SOUTH 89°37'36" EAST 205.08 FEET FROM THE NORTHWEST CORNER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARINGS BEING NORTH 89°54'24" EAST 2648.88 FEET FROM SAID NORTHWEST CORNER OF SECTION 12 TO THE NORTH QUARTER CORNER OF SAID SECTION 12), AND RUNNING THENCE SOUTH 43°54'24" WEST 200.00 FEET; THENCE NORTH 46°05'36" WEST 197.23 FEET TO THE SOUTHEAST SIDE OF THE LOWER BONNEVILLE CANAL, RIGHT OF WAY; THENCE ALONG SAID SOUTHEAST SIDE THE FOLLOWING THREE (3) COURSES: 1) NORTH 28°31'11" EAST 103.72 FEET; 2) NORTH 27°36'11" EAST 104.19 FEET; 3) NORTH 23°59'49" EAST 106.36 FEET; THENCE SOUTH 46°05'36" EAST 133.37 FEET TO A POINT ON AN EXISTING VINYL FENCE LINE; THENCE SOUTH 43°08'13" WEST 100.01 FEET ALONG SAID FENCE LINE; THENCE SOUTH 46°05'36" EAST 155.50 FEET TO THE POINT OF BEGINNING.

CONTAINS 56,631 SQ FT OR 1.300 ACRES, MORE OR LESS
26 UNITS



OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVISION INTO LOTS AND STREETS TO HEREAFTER BE KNOWN AS ORCHARD DRIVE TOWNHOMES, DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND DO WARRANT, DEFEND, AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, OPERATION, AND MAINTENANCE OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN FOR THE USE BY ALL SUPPLIERS OF UTILITY OR OTHER NECESSARY SERVICES.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, 20____.

TAGS SLC, LLC

BY: (SIGNATURE) _____ (PRINT NAME) _____

TITLE: _____

ACKNOWLEDGMENT

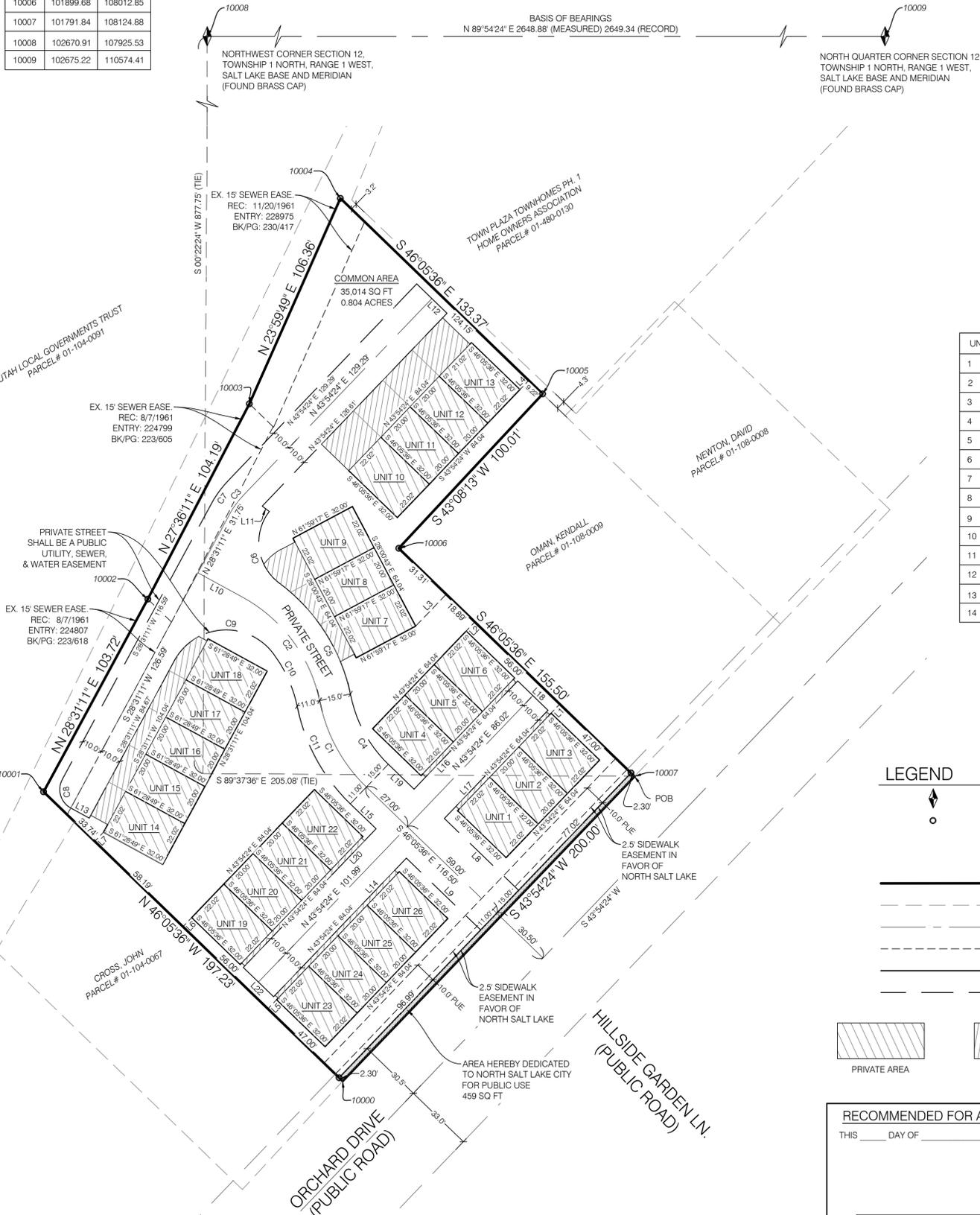
STATE OF UTAH } S.S.
County of _____ }
ON THIS _____ DAY OF _____, IN THE YEAR 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF _____, IN THE STATE OF UTAH, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF TAGS SLC, LLC, A UTAH LIMITED LIABILITY COMPANY, FOR THE PURPOSES THEREIN MENTIONED AND THAT SAID LIMITED LIABILITY COMPANY EXECUTED THE SAME.

MY COMMISSION EXPIRES: _____ (DATE) COMMISSION NUMBER: _____

PRINT NAME _____ (SIGNED) A NOTARY PUBLIC
COMMISSIONED IN UTAH

ORCHARD DRIVE TOWNHOMES

LOCATED IN THE NORTHWEST QUARTER OF SECTION 12,
TOWNSHIP 1 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN
NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH



UNIT	AREA (SQ FT)	ADDRESS
1	705	
2	640	
3	705	
4	705	
5	640	
6	705	
7	705	
8	640	
9	705	
10	705	
11	640	
12	640	
13	705	
14	705	

15	640	
16	640	
17	640	
18	705	
19	705	
20	640	
21	640	
22	705	
23	705	
24	640	
25	640	
26	705	
COMMON	35,014	

NOTES:

- ALL EASEMENTS SHOWN ARE 10 FOOT WIDE PUBLIC UTILITY EASEMENTS (P.U.E.).
- ALL COORDINATES SHOWN ARE BASED ON DAVIS COUNTY SURVEYOR'S OFFICE DATUM.
- APPROVAL OF THIS DEVELOPMENT PLAT BY NORTH SALT LAKE CITY DOES NOT CONSTITUTE ANY REPRESENTATION AS TO THE ADEQUACY OF SUB-SURFACE SOIL CONDITIONS NOR THE LOCATION OR DEPTH OF GROUNDWATER TABLES.

LAND USE AREA TABLE

1. PRIVATE AREA	17,550 SQ FT
2. LIMITED COMMON	3,608 SQ FT
3. DEDICATION	459 SQ FT
4. COMMON AREA	35,014 SQ FT
TOTAL	56,631 SQ FT

SURVEYOR'S NOTES:

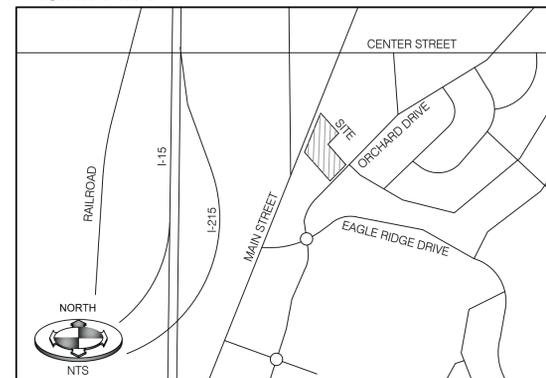
THE BOUNDARY OF THIS SURVEY WAS DETERMINED DURING THE PERFORMANCE OF THE ALTA/NSPS SURVEY ON RECORD WITH THE DAVIS COUNTY SURVEYOR'S OFFICE AS FILE NO. 7112.

LEGEND

- SECTION CORNER (BRASS CAP MONUMENT)
- BOUNDARY CORNER (SET % REBAR AND CAP OR AS NOTED ON PLAT) *STAMPED BENCHMARK ENG.*
- BOUNDARY LINE
- ADJACENT PROPERTY
- STREET MONUMENT LINE EXISTING
- EASEMENT
- LOT LINE
- PRIVATE STREET LINE



VICINITY MAP



**BENCHMARK
ENGINEERING &
LAND SURVEYING**

9138 SOUTH STATE STREET SUITE # 100
SANDY, UTAH 84070 (801) 542-7192
www.benchmarkcivil.com

RECOMMENDED FOR APPROVAL

THIS _____ DAY OF _____, 20____

NORTH SALT LAKE CITY ENGINEER

RECOMMENDED FOR APPROVAL

THIS _____ DAY OF _____, 20____

NORTH SALT LAKE CITY ENGINEER

RECOMMENDED FOR APPROVAL

THIS _____ DAY OF _____, 20____

NORTH SALT LAKE CITY ATTORNEY

NORTH SALT LAKE CITY COUNCIL

PRESENTED TO THE CITY COUNCIL OF NORTH SALT LAKE CITY, UTAH
THIS _____ DAY OF _____, 20____ AT WHICH TIME THIS
SUBDIVISION WAS APPROVED AND ACCEPTED.

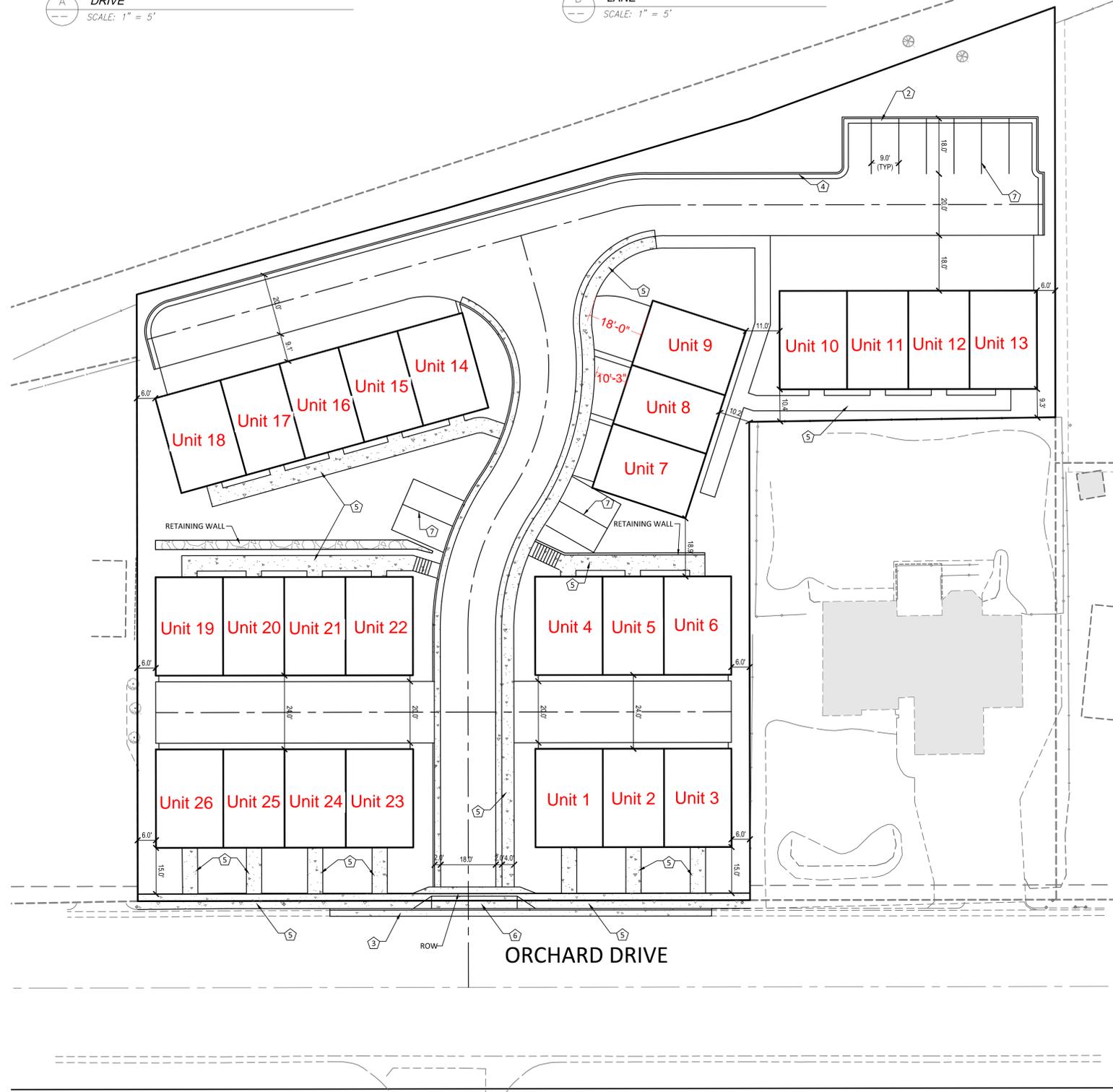
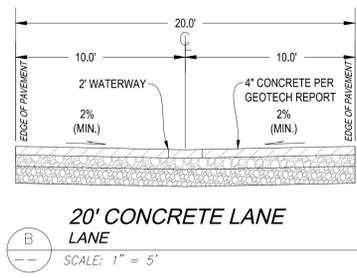
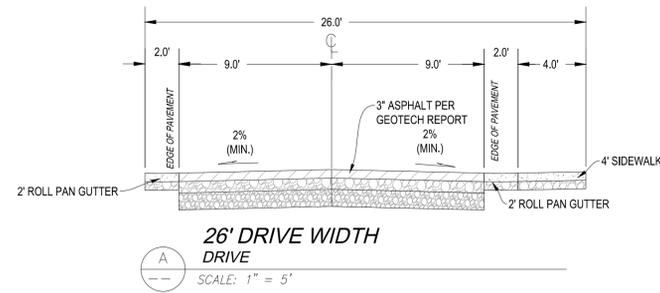
CITY RECORDER ATTEST _____
MAYOR

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____
FILED FOR RECORD AND RECORDED THIS _____ DAY OF _____,
YEAR _____ AT _____, IN BOOK _____ AT PAGE _____
COUNTY RECORDER _____
BY: _____ (DEPUTY)

BENCHMARK
 THE FOUND BRASS CAP MARKING THE NORTHWEST CORNER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN.
 ELEVATION = 4334.60

Blue Stakes of UTAH
 CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION



- GENERAL NOTES**
- ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
 - ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
 - SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
 - ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
 - ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
 - NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
 - THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.
 - ALL DUMPSTERS, TRASH HANDLING AREAS OR OUTDOOR STORAGE AREAS SHALL BE COMPLETELY FENCED OR ENCLOSED AND SCREENED FROM PUBLIC VIEW, AT LEAST ONE FOOT (1') HIGHER THAN THE DUMPSTER. THE SIGHT OBSCURING SCREEN SHALL BE AT LEAST SIX FEET (6'), BUT NOT GREATER THAN TEN FEET (10'), IN HEIGHT. ANY SUCH STORAGE AREA SHALL BE CONSTRUCTED OF MATERIALS AND COLORS COMPATIBLE WITH THOSE OF THE PRIMARY STRUCTURE ON SITE. CHAINLINK OR CYCLONE FENCING (WITH OR WITHOUT SLATS) IS NOT ALLOWED. REINFORCED CONCRETE APRONS IN FRONT OF TRASH STORAGE AREAS ARE REQUIRED TO ACCOMMODATE TRASH REMOVAL VEHICLES. FIVE FOOT (5') LANDSCAPING STRIPS AROUND ALL TRASH ENCLOSURES ARE REQUIRED.

- KEYNOTES**
- 24" COLLECTION CURB AND GUTTER PER APWA STD. PLAN NO. 205 TYPE "G"
 - 24" REVERSE PAN CURB AND GUTTER PER DETAIL #/C-500
 - 30" STANDARD CURB AND GUTTER PER NSL CITY STD. DWG. #1
 - TRANSITION BETWEEN COLLECTION CURB AND GUTTER AND REVERSE PAN CURB AND GUTTER
 - 4" CONCRETE SIDEWALK PER NSL CITY STD. DWG. #1. CONCRETE SIDEWALK TO BE 6" THICK IN DRIVE APPROACH AREA.
 - FLARED DRIVE APPROACH PER NSL CITY STD. DWG. #2
 - 4" WIDE SOLID WHITE PAVEMENT MARKINGS PER MUTCD STDS.

SITE SUMMARY TABLE		
DESCRIPTION	AREA (SF)	PERCENTAGE
PAVED HARDSCAPE	22,793	40.6%
BUILDING	18,185	32.4%
LANDSCAPING	15,194	27.0%
TOTAL SITE	56,172	1.29 ACRES

PARKING DATA TABLE	
REQUIRED GUEST STALLS	6.5
PROVIDED GUEST STALLS	11



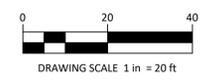
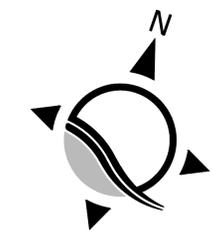
FINISH GRADE ENGINEERING
 1982 W PLEASANT GROVE BLVD, STE D
 PLEASANT GROVE, UT 84062
 801.922.1332

CLIENT: TAG SLIC
 Jordan Atkin
 801-478-0662
 2751 East Fort Union Blvd
 Cottonwood Heights, UT 84121

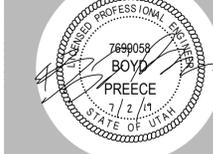
REVISIONS:

TAG ORCHARD

130 SOUTH ORCHARD DRIVE, NORTH SALT LAKE, UT

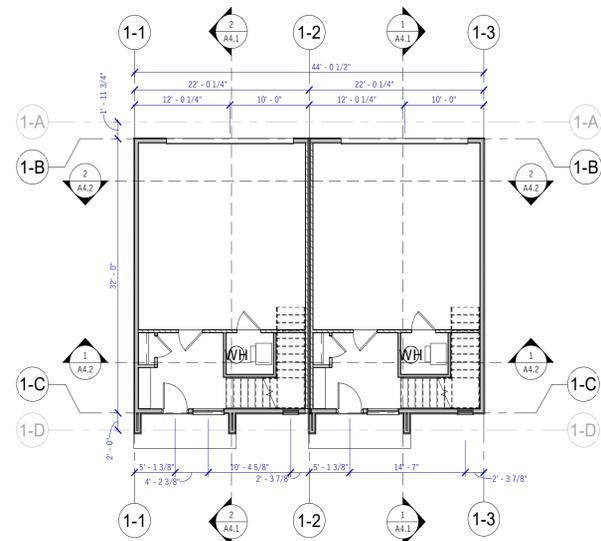


PROJECT FILE: 1059
 DATE PLOTTED: 7/2/19
 PROJECT MANAGER: B Preece

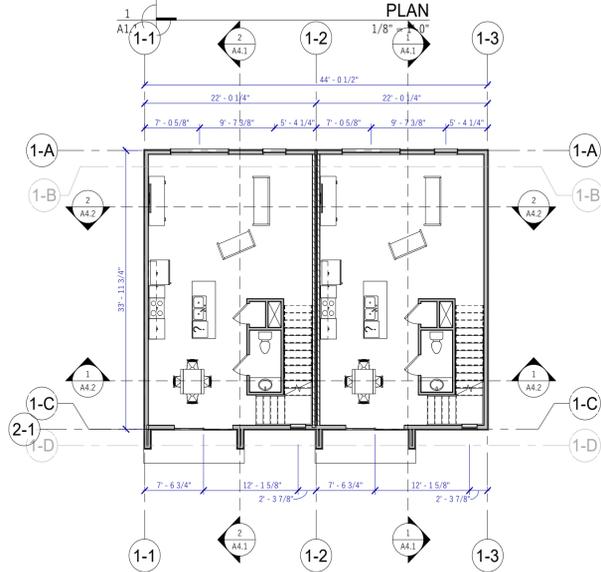


Submittal 7/2/19
SITE PLAN

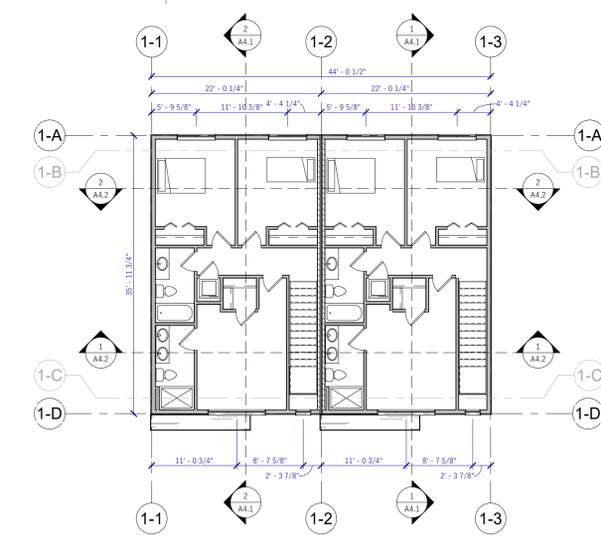
C200



TYPE 1 OVERALL MAIN FLOOR PLAN
1/8" = 1'-0"



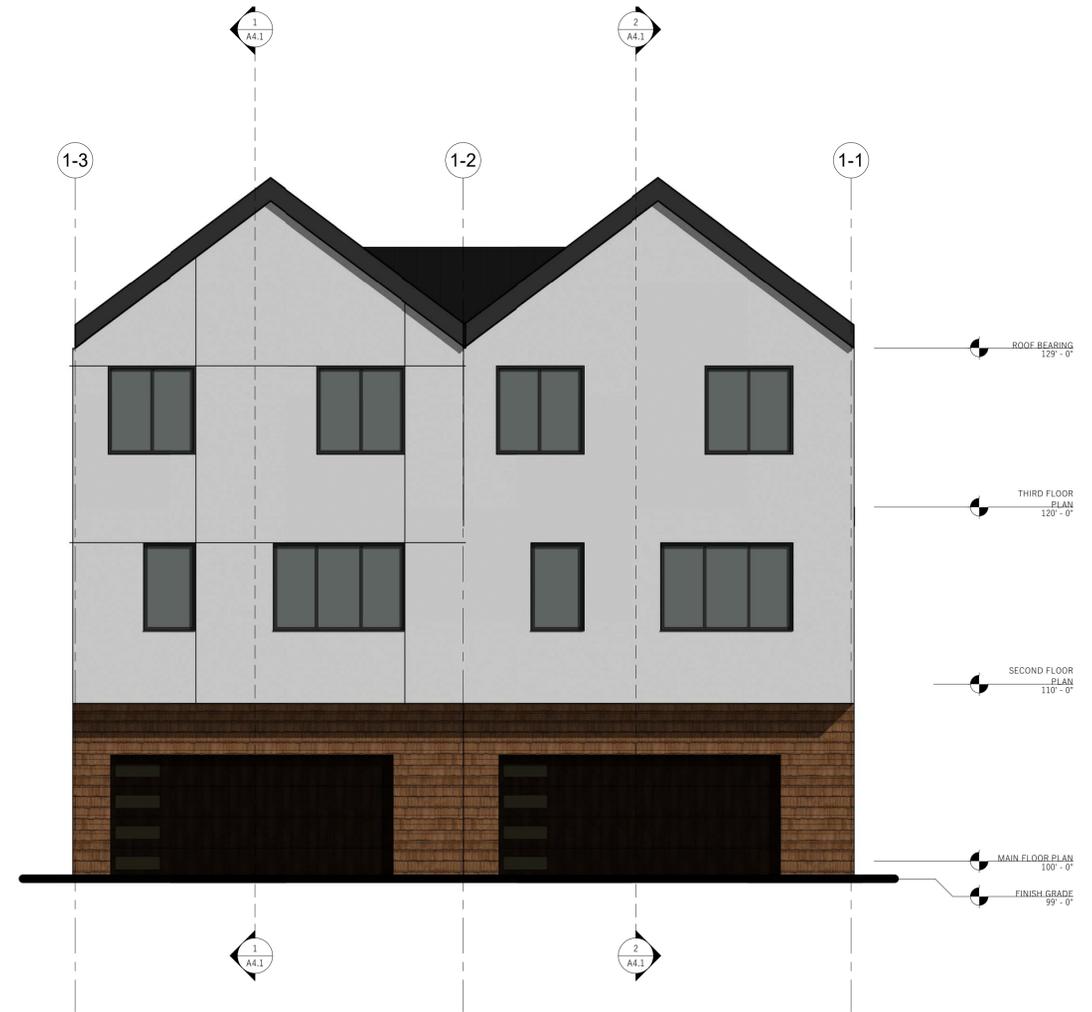
TYPE 1 OVERALL SECOND FLOOR PLAN
1/8" = 1'-0"



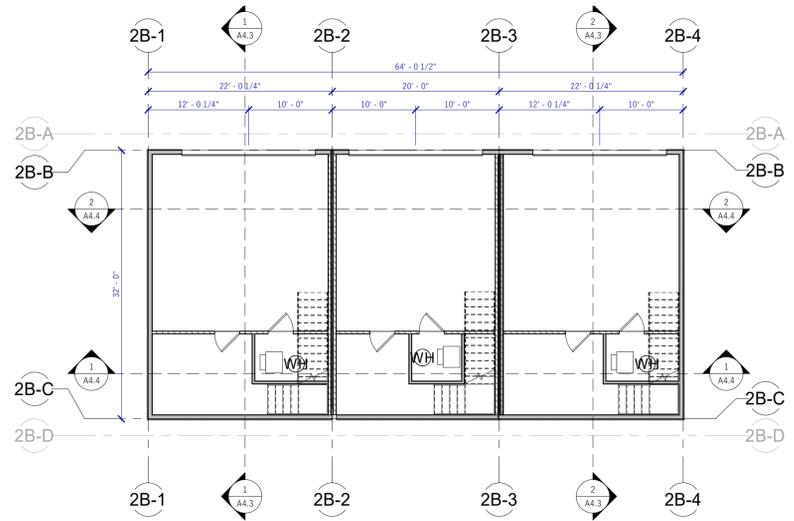
TYPE 1 OVERALL THIRD FLOOR PLAN
1/8" = 1'-0"



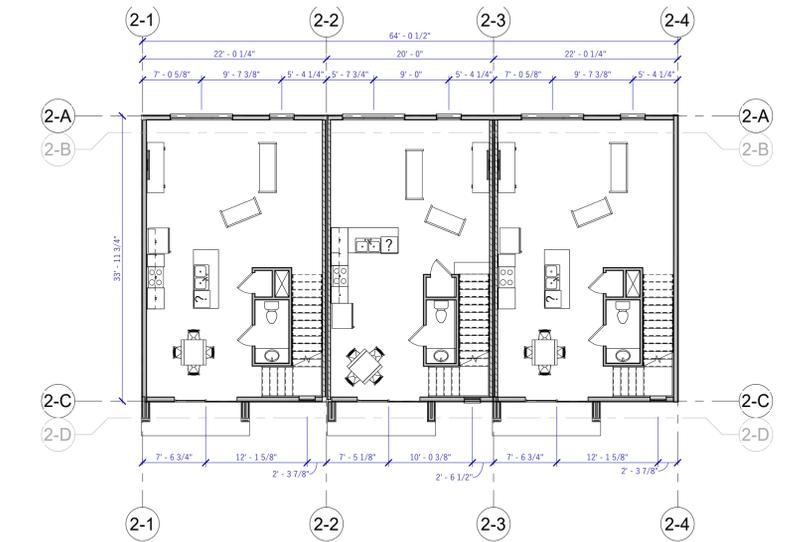
TYPE 1 FRONT ELEVATION
1/4" = 1'-0"



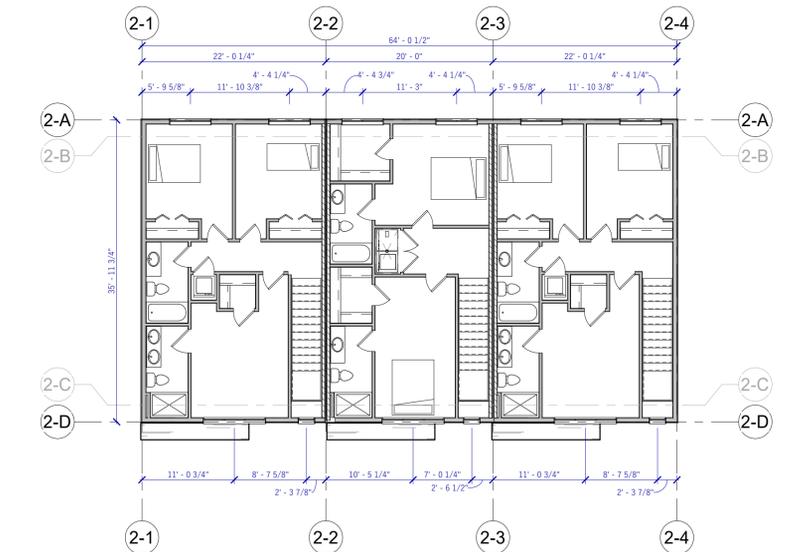
TYPE 1 REAR ELEVATION
1/4" = 1'-0"



TYPE 2 (DOWNHILL) OVERALL
MAIN FLOOR PLAN
1/8" = 1'-0"



TYPE 2 OVERALL SECOND
FLOOR PLAN
1/8" = 1'-0"



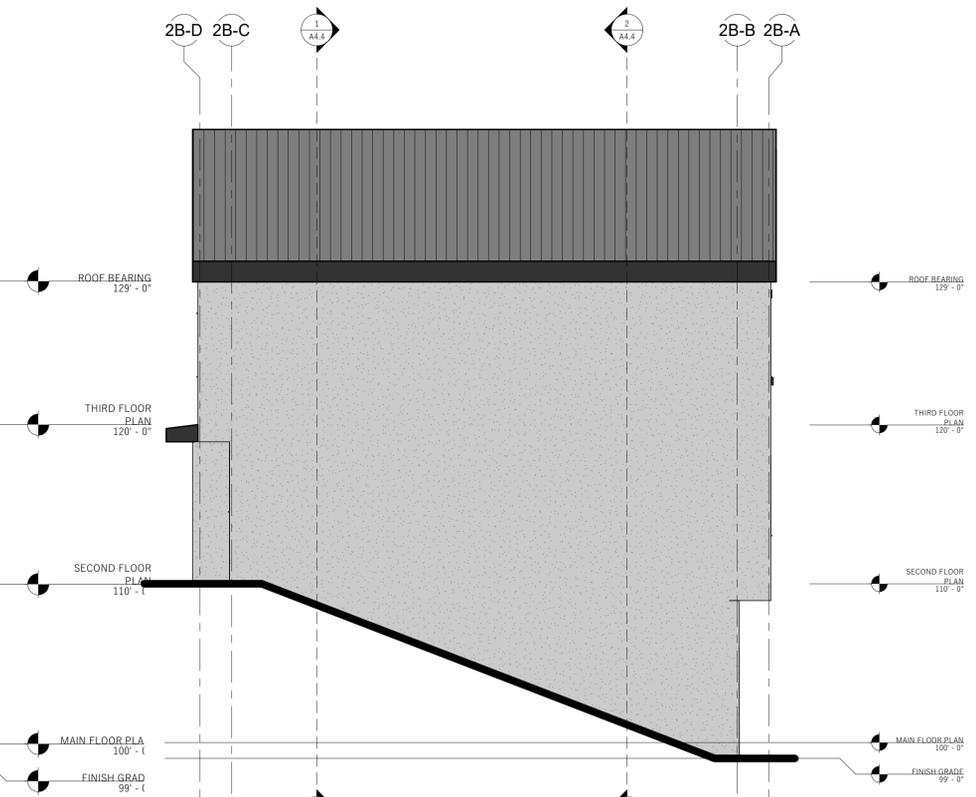
TYPE 2 OVERALL THIRD FLOOR
PLAN
1/8" = 1'-0"



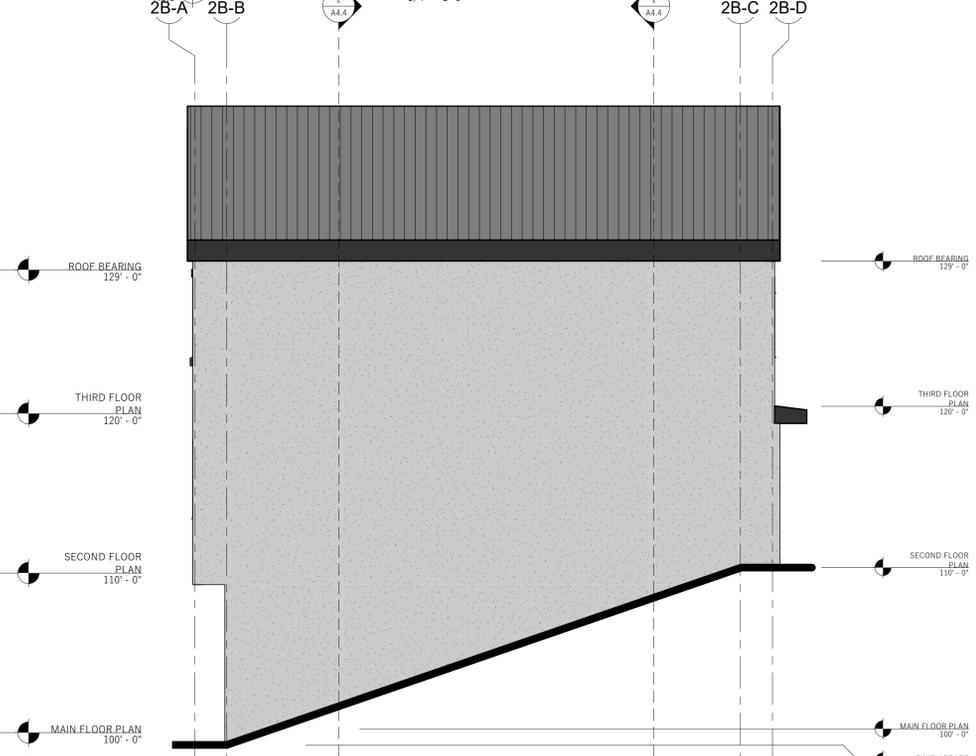
TYPE 2 (DOWNHILL) FRONT
ELEVATION
3/16" = 1'-0"



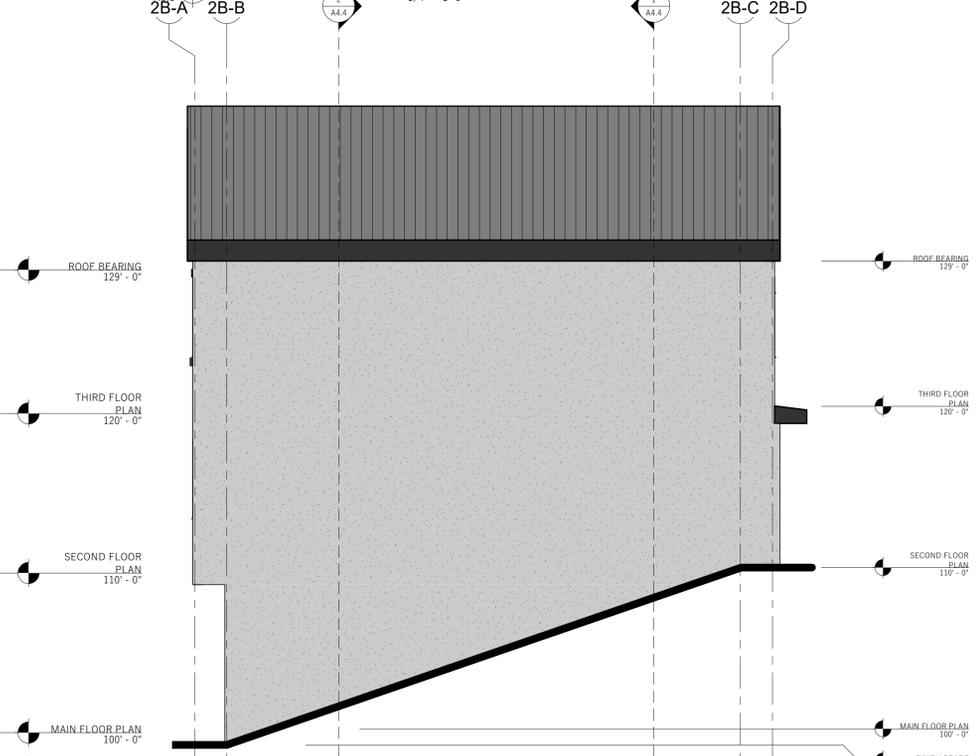
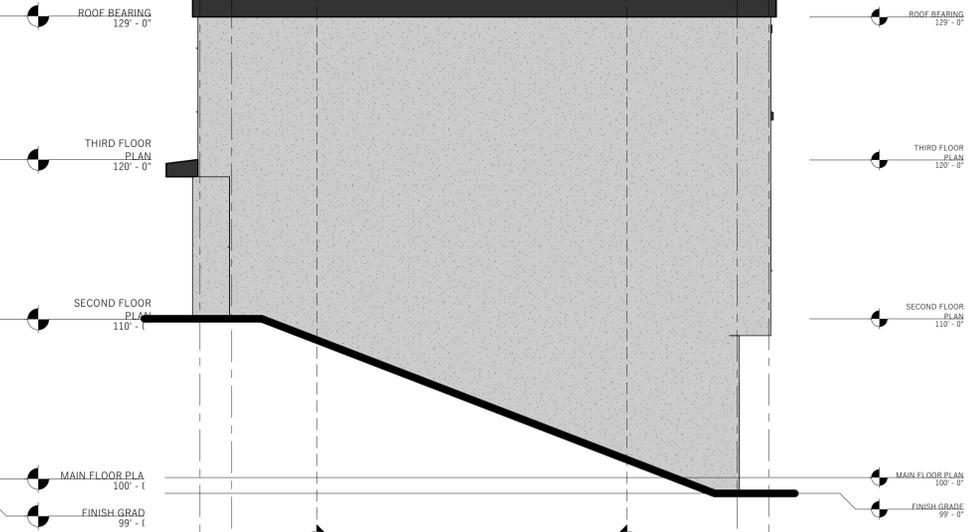
TYPE 2 REAR ELEVATION
3/16" = 1'-0"



TYPE 2 (DOWNHILL) RIGHT
ELEVATION
1/4" = 1'-0"



TYPE 2 (DOWNHILL) LEFT
ELEVATION
1/4" = 1'-0"





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: August 6, 2019
SUBJECT: Consideration of

RECOMMENDATION

The Planning Commission recommends approval to the City Council the site plan for The Yard located at 331 North Main Street subject to the following:

1. The street trees be placed to be evenly spaced and outside the 10' clear view area of the driveways;
2. The fire turnaround be approved by the Fire Marshal;
3. Engineering redlines be corrected on the construction drawings.

BACKGROUND

The purpose of this application is to facilitate a site plan approval for a duplex rental project known as The Yard located 331 North Main Street. The property is a total of approximately 1.42 acres (61,855.2 sq. ft.) and is zoned R1-7. This property is being developed under the adopted zoning ordinance. The property has one existing home on the site that will be removed.

APPLICABLE ORDINANCES

10-11-3: Use Regulations						
	Zone					
	R1-12	R1-10	MU	R1-7	RM-7	RM-20
Single-family dwelling.	P	P-	-	P	P	P
Two-family dwelling.	P	P	-	P	C	P
Area Regulations						

The minimum lot area in square feet for a single-family dwelling structure in the districts regulated by this chapter shall be:	12,000	10,000	96,800	7,000	7,000	7,000
The lot area in square feet for a duplex:	-	-	-	8,500	8,500	8,500

Building Site Regulations:

Height Regulations:

The maximum height for all buildings and structures in feet. See section 10-1-25 of this title.	35	35	35	35	35	35

Area & Yard Regulations:

The maximum coverage in percent for any lot in the districts regulated by this chapter shall be:	30	35	-	35	50	50
Front Setback	25	25	25	25	25	25
Side yard	8	8	60	8	8	8
Total combined side yard	20	20	60	20	20	20
Rear yard	25	25	60	25	20	20

10-6-5: Minimum Off Street Parking Stall Requirements (by use)

F. Residential:

More than 4 dwelling units	2 stalls per unit, plus 0.25 stall per unit for guest parking with minimum of 1 covered stall per unit
Guest/visitor parking	Off street parking stalls in multi-family development shall be distributed proportionally to the dwelling unit locations. Generally, such parking shall not be located more than 200 feet from the dwelling units intended to be served

10-6-7: DESIGN ELEMENTS:

E. Perimeter Landscaping Strips: A landscaped screen, berm or fence may be required by the planning commission or city council around the perimeter of the parking area to mitigate intrusion of lighting from headlights and other potential negative impacts to surrounding property. All perimeter landscaping strips shall be a minimum of eight feet (8') in width.

REVIEW

The proposed use of duplexes are a permitted use in the R1-7 zone. The minimum area required for each duplex is 8,500 sq. ft. The lot contains a total of 61,855.2 sq. ft. which permits 7 duplexes with a total of 14 units. The proposed project will be a common site development with a shared drive, guest parking, and common open space area. The project is required to meet all minimum standards for the zone.

The units are 2 stories high and are arranged with a common courtyard. Each unit will have a two car (side by side) garage. Additional guest parking is required at 0.25 spaces per unit for a total of four spaces. The site plan currently demonstrates 8 guest parking spaces, exceeding the minimum requirement. Additionally units 1, 2, & 5-10 have 20' driveways capable of parking an additional 16 guest vehicles.

All buildings meet the minimum setbacks for the zone, namely front 25', rear 25' and side 8'.

Improvements to the landscaping are estimated at 18,607 sq. ft. or approximately 29% of the site, exceeding the minimum 10%. Maximum building coverage for the zone is 35% and the proposed plan has 35% building coverage. The proposed street trees have been evaluated on the draft street tree ordinance and the trees are permitted for the size and width of the park strip. The only condition related to the street trees is to ensure the trees are evenly spaced and outside the 10' clear view area of the driveways. The landscape plan has been modified per the Planning Commission motion regarding the street tree placement.

The site plan has also been amended and approved by the fire marshal related to the hammerhead turnaround which now meets the fire code.

There are a few minor engineering redlines that must be addressed prior to submission for building permits. Namely realignment of the sewer service to main street, additional details on the storm retention, and addition of the street light detail.

Site plan approval under Code Section 10-20-5 is reviewed by the Planning Commission and City Council for all multi-family developments greater than 6 units.

POSSIBLE MOTION

I move that the City Council approve the site plan for The Yard located at 331 North Main Street subject to the following:

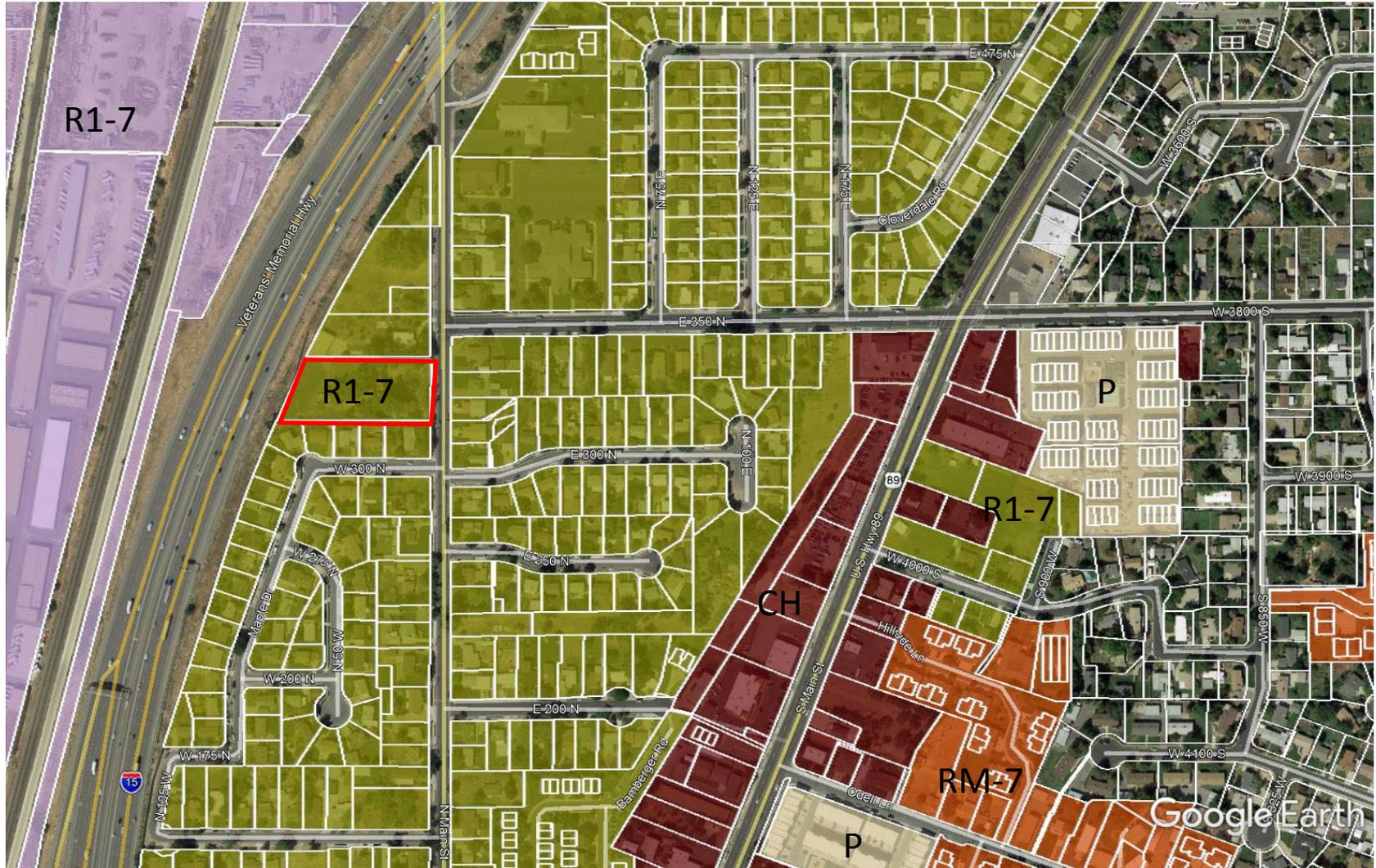
1. Engineering redlines be corrected on the construction drawings.

Attachments

- 1) Aerial Map
- 2) Site Plan
- 3) Landscape Plan
- 4) Architectural Rendering

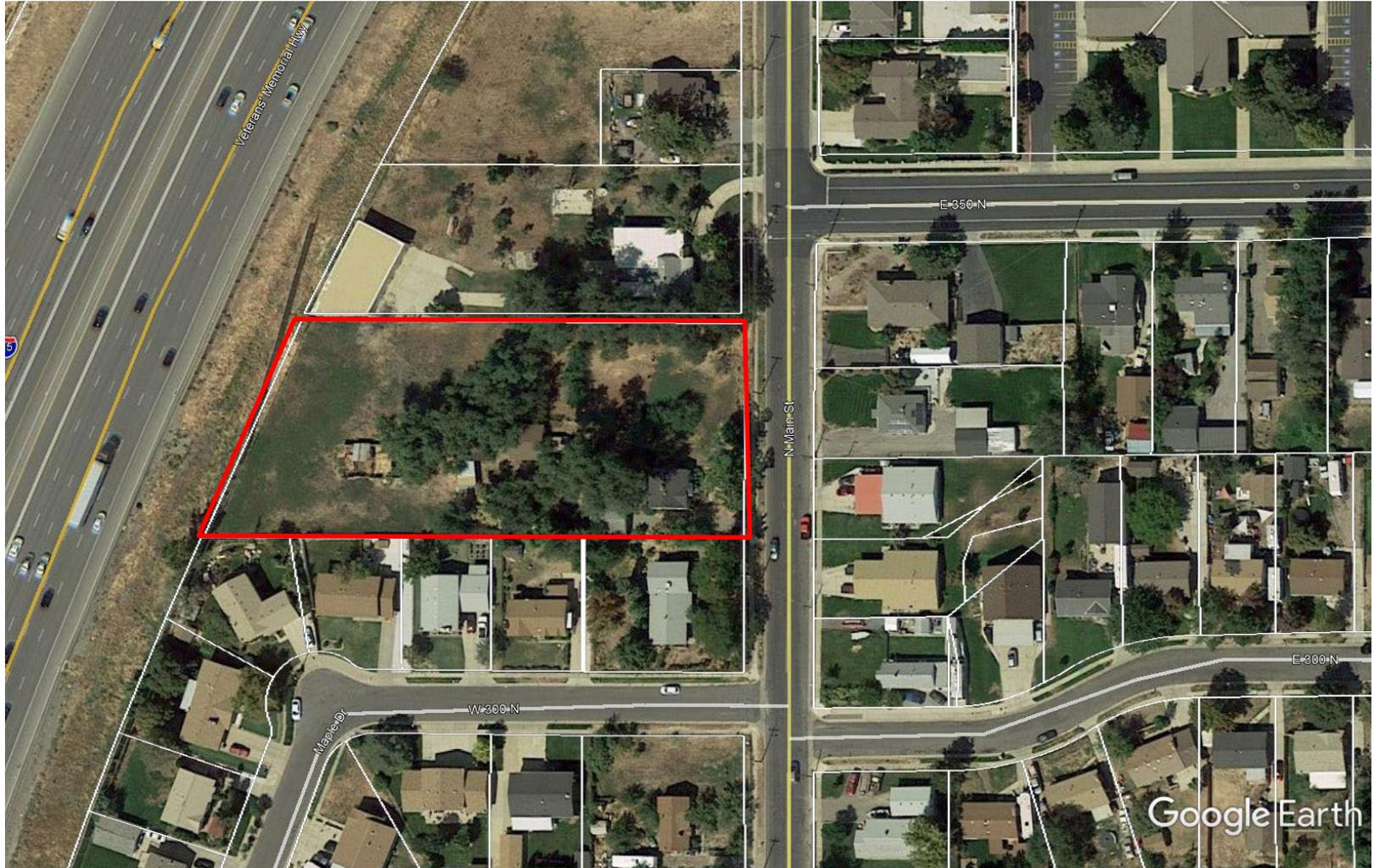


Site Plan The Yard Zoning





Site Plan The Yard Aerial

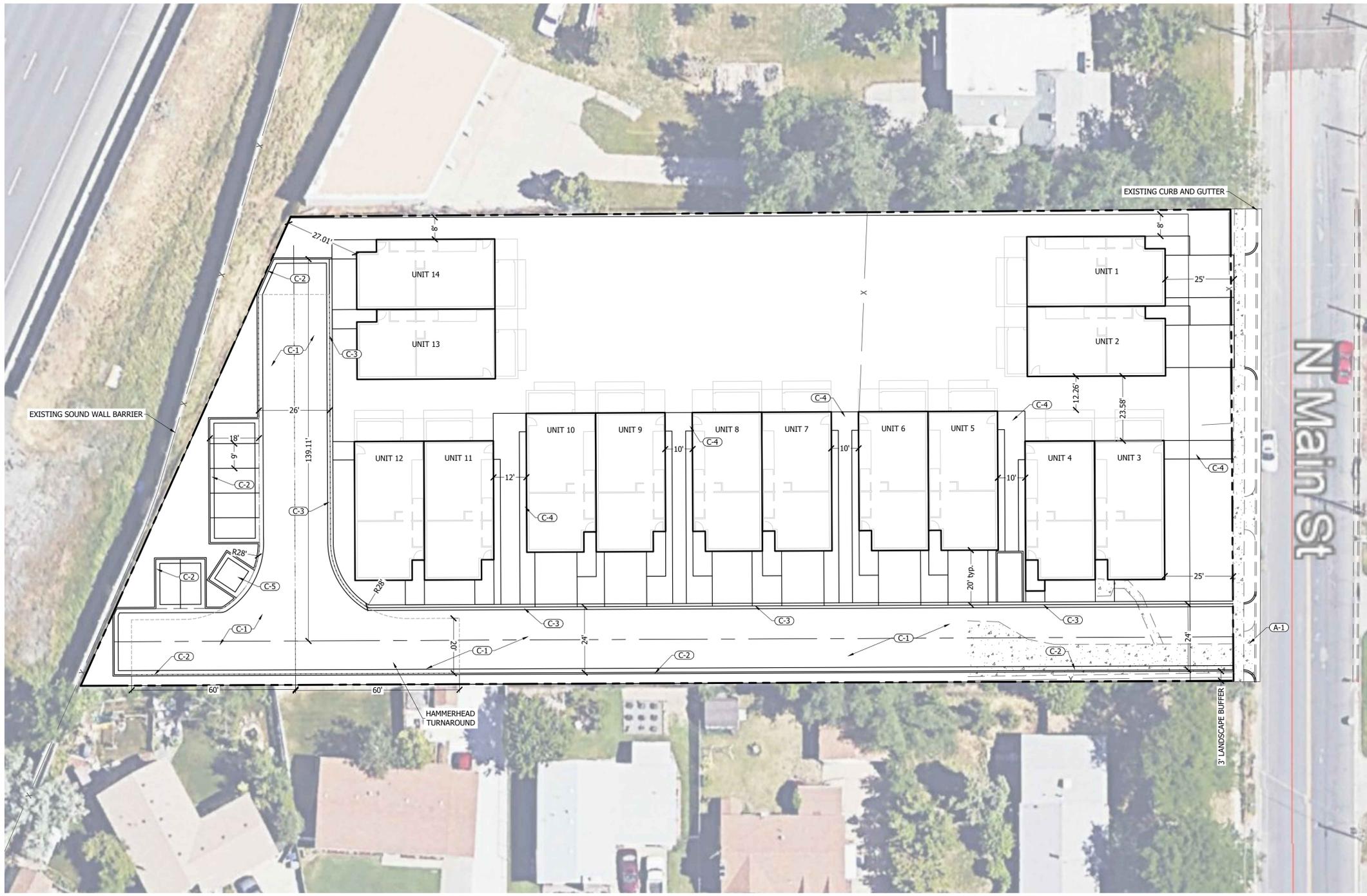
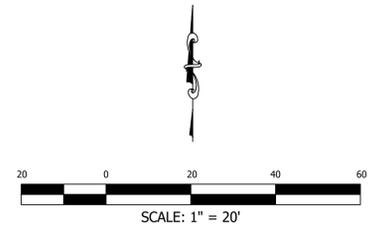


1470 South 600 West
 Woods Cross, UT 84010
 Phone 801.298.2236
 www.Entellus.com



Client: CLIENT
 Contact: CONTACT
 Phone # & Email: PHONE EMAIL
 Address: ADDRESS1 ADDRESS2

THE YARD
 331 NORTH MAIN ST
 LOCATED IN THE XX 1/4 OF SECTION X, T.X., R.X., S.L.B.&M.
 NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH



SYMBOL LEGEND

- (C-1) ASPHALT & BASE
PER DETAIL, SHEET DT100
- (C-2) 24" CONCRETE HIGH-BACK CATCH CURB & GUTTER
PER DETAIL, SHEET DT100
- (C-3) 24" MOUNTABLE CATCH CURB & GUTTER
PER DETAIL, SHEET DT100
- (C-4) CONCRETE SIDEWALK
PER DETAIL, SHEET DT100
- (C-5) DUMPSTER PAD AND APRON
PER DETAIL, SHEET DT100
- (A-1) NEW DRIVE APPROACH
PER NORTH SALT LAKE CITY STANDARDS
- (A-2) SAWCUT AND REPLACE CONC CURB AND GUTTER
PER NORTH SALT LAKE CITY STANDARDS

ALL ITEMS WITHIN THE PUBLIC RIGHT-OF WAY TO CONFORM TO THE RIGHT-OF-WAY OWNER'S STANDARDS & SPECIFICATIONS.

ACCESSIBLE AREA CONSTRAINTS

ALL ACCESSIBLE AREAS ARE TO MAINTAIN THE FOLLOWING MAXIMUM SLOPES AND TOLERANCES:

ACCESSIBLE PARKING:
 MAXIMUM SLOPE OF 1:48 (2%) THROUGHOUT.

ACCESSIBLE ROUTE:
 MINIMUM WIDTH OF 48", MAXIMUM SLOPE OF 1:20 (5%) ALONG THE ROUTE, MAXIMUM CROSS-SLOPE OF 1:48 (2%).

ACCESS ROUTE TURNAROUNDS:
 A CLEAR 60" TURNING DIAMETER. MAXIMUM SLOPE OF 1:48 (2%) IN ANY DIRECTION.

LEVEL LANDING / EXTERIOR DOOR LANDING:
 MINIMUM SIZE OF 60"x60". MAXIMUM SLOPE OF 1:48 (2%) IN ANY DIRECTION.

ACCESSIBLE EGRESS TO PUBLIC WAY:
 MAXIMUM SLOPE OF 1:20 (5%) ALONG THE ROUTE, MAXIMUM CROSS-SLOPE OF 1:48 (2%).

ADA ACCESS RAMPS:
 MAXIMUM SLOPE OF 1:12 (8.33%), WITH A MAXIMUM CROSS-SLOPE OF 2%. THE TRANSITION BETWEEN ASPHALT AND CONCRETE IS NOT TO EXCEED 1/2" VERTICAL (1/4" IF BEVELED).

REV#	APPROVAL DATE	REVISION DATE	DATE
REV 1:			
REV 2:			
REV 3:			
REV 4:			
REV 5:			
REV 6:			
REV 7:			
REV 8:			

DRAWN: 8/1/19
 APPROVED: XXX 8/1/19
 PROJECT #: 1185014
 SET 1-1185014.dwg

C300
 SITE PLAN

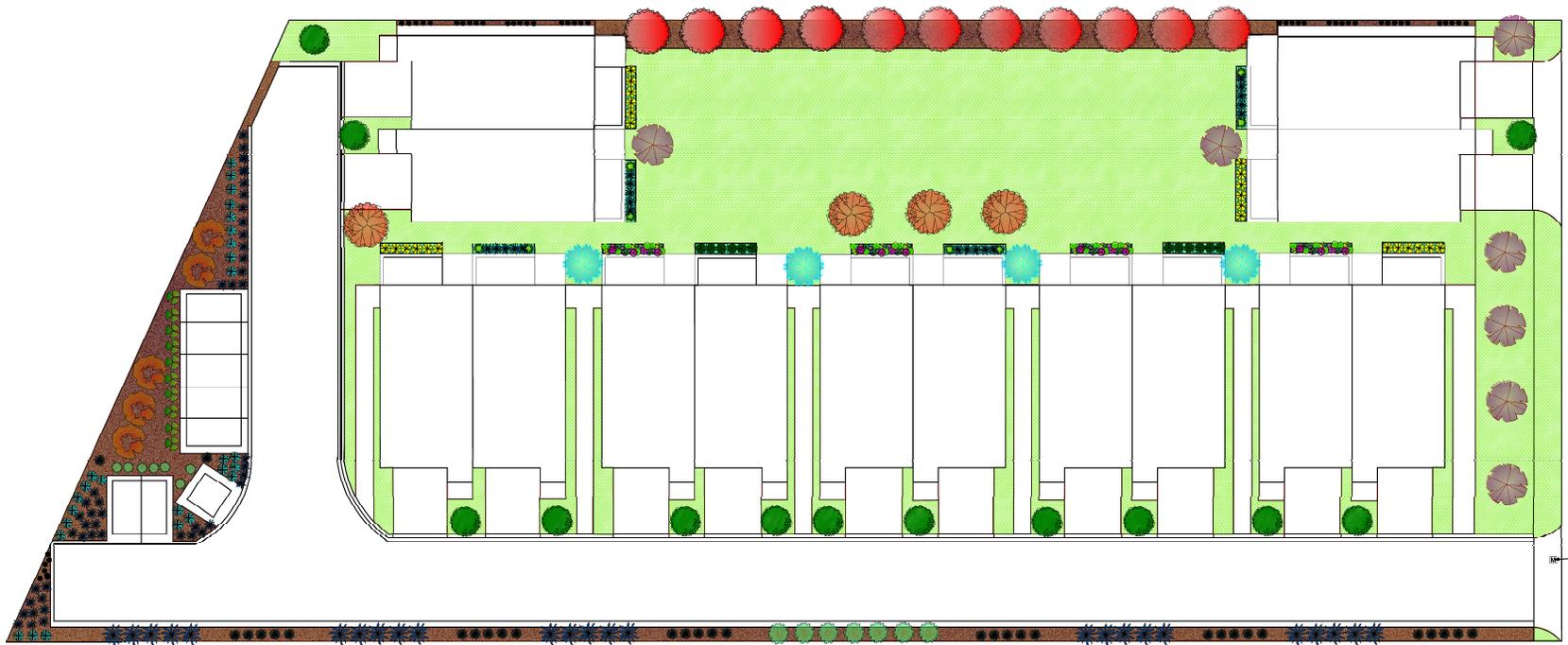
Symbol	Description
	BLUE FESCUE 12" SPREAD
	ARTEMISIA
	BLANKET FLOWER
	CONE FLOWER
	CORAL BELLS
	COTTON TAIL THRIFT
	FIREWITCH DIANTHUS
	LIME MOUND SPIREA

Symbol	Description
	GREEN/PURPLE/PINK TRAILING PETUNIAS
	SWEET POTATO VINE
	DUSTY MILLER

Quantity	Symbol	Description
12		GREEN BEAUTY BOXWOOD 3' SPREAD
24		SENSATION JAPANESE BARBERRY 3' SPREAD
12		LEMON SWIRL AUSTRALIA BRUSH CHERRY 3' SPREAD
9		BLUE OAT GRASS 2' SPREAD
9		BLUE FESCUE 12" SPREAD
5		ROSE OF SHARON 6'-8" SPREAD

Quantity	Symbol	Description
11		CRIMSON SPIRE OAK 10'-15' SPREAD
7		CRIMSON CENTURY MAPLE 15'-25' SPREAD
4		AUTUMN BLAZE MAPLE 40'-50' SPREAD
13		COLUMNAR NORWAY MAPLE 10' SPREAD
4		MUSASHINO COLUMNAR ZELKOVA 15'-20' SPREAD

Quantity	Symbol	Description
		1/4" STEEL EDGING
		1/4" STEEL PLANTER BOX 3' X 15' ---QTY 14
		DECO ROCK



Planter Bed Arrangement

Symbol	Description
	RUSSIAN SAGE 3' SPREAD
	BLUE OAT GRASS 2' SPREAD
	BLUE FESCUE 12" SPREAD
	KARL FORESTER GRASS 2' SPREAD



COMPANY:
SEASONS FOUR LANDSCAPE
640 NORTH MAIN ST. STE 1223
NSL, UT 84054
SEASONSFOURLANDSCAPE.COM
801.694.3141

SHEET DESCRIPTION:
LANDSCAPE PLAN

PROJECT:
THE YARD
MAIN ST
NSL, UTAH 84054

REVISIONS:
R2

DATE:
06/27/2019
JOB NUMBER:
THE YARD
DRAWN BY:
RUSSELL SMOCK
CHECKED BY:
TONY LAWSON

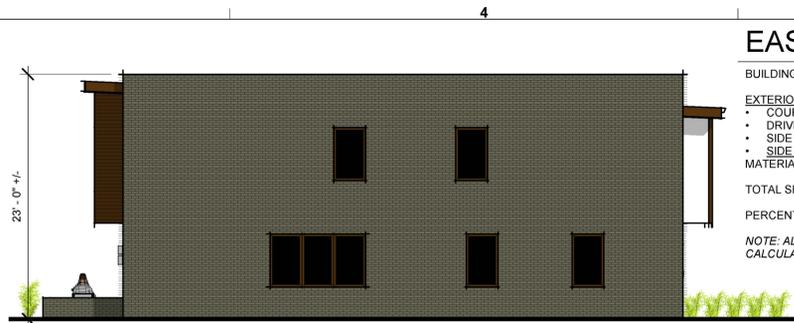
SCALE:
1" = 16'

SHEET:
1 of 1

ALL IDEAS, DESIGNS, ARRANGEMENTS, AND PLANS INDICATED OR REPRESENTED IN THIS DRAWING ARE OWNED BY AND THE PROPERTY OF PROCESS STUDIO PLLC AND WERE CREATED, EVOLVED, AND DEVELOPED FOR USE AND IN CONNECTION WITH THIS SPECIFIED PROJECT. NONE OF THE IDEAS, DESIGNS, ARRANGEMENTS, OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM, OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT WRITTEN CONSENT OF PROCESS STUDIO PLLC. WRITTEN CONSENT SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS. WARNING: REPRODUCTION HEREOF IS A CRIMINAL OFFENSE. UNAUTHORIZED DISCLOSURE MAY CONSTITUTE TRADE SECRET MISAPPROPRIATION IN VIOLATION OF LAW.



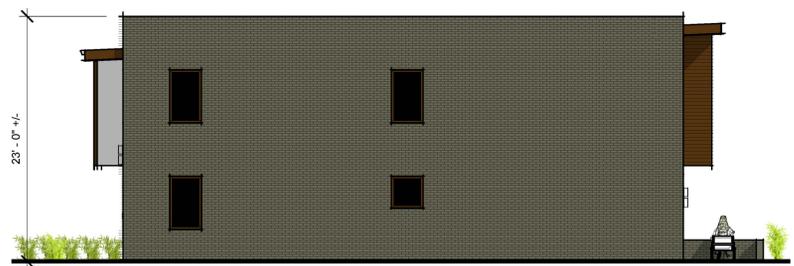
EAST/WEST UNITS COURTYARD ELEVATION **E3**
1/8" = 1'-0" AE201



EAST/WEST UNITS SIDE ELEVATION **E4**
1/8" = 1'-0" AE201



EAST/WEST UNITS DRIVEWAY ELEVATION **D3**
1/8" = 1'-0" AE201



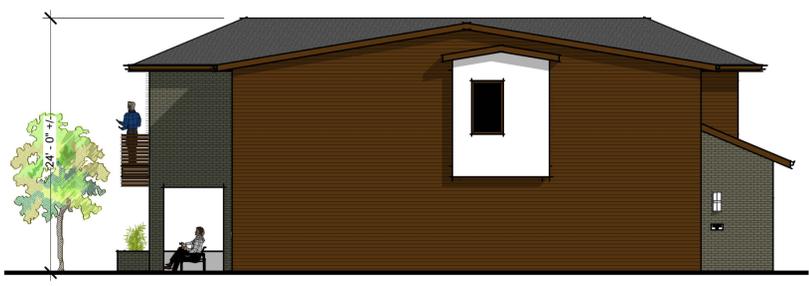
EAST/WEST UNITS SIDE ELEVATION **D4**
1/8" = 1'-0" AE201



SOUTH UNITS COURTYARD ELEVATION **C5**
1/8" = 1'-0" AE201



SOUTH UNITS SIDE ELEVATION **B3**
1/8" = 1'-0" AE201



SOUTH UNITS SIDE ELEVATION **B4**
1/8" = 1'-0" AE201



SOUTH UNITS DRIVEWAY ELEVATION **A5**
1/8" = 1'-0" AE201

EAST/WEST (DUPLX) NOTES:

BUILDING HEIGHT:	23' - 0" +/-			
EXTERIOR MATERIALS	BRICK	SIDING	PANEL/STUCCO	WINDOW/DOOR
• COURTYARD ELEVATION	150 SF	190 SF	100 SF	186 SF
• DRIVEWAY ELEVATION	118 SF	67 SF	118 SF	205 SF
• SIDE ELEVATION	1,112 SF	36 SF	30 SF	105 SF
• SIDE ELEVATION	1,183 SF	36 SF	30 SF	51 SF
MATERIAL TOTAL	2,543 SF	329 SF	278 SF	547 SF
TOTAL SF = 3,697 SF				
PERCENTAGES =	68 %	9 %	8 %	15 %

NOTE: ALL AREA AND PERCENTAGE CALCULATIONS ARE APPROXIMATE.

EXTERIOR MATERIALS:

- WINDOW/DOOR
- PANEL/STUCCO
- SIDING
- BRICK

- CONSTRUCTION NOTES:**
- ALL CONSTRUCTION TO BE 2X WOOD FRAMED AND/OR ENGINEERED WOOD PRODUCTS.
 - ANTICIPATED CONSTRUCTION TYPE IS IIB.
 - 10' MIN. BUILDING SEPARATION, NO FIRE RATINGS REQUIRED.
 - UNIT PARTITIONS TO BE 1-HOUR FIRE RATED ASSEMBLY.

SOUTH (DUPLX) NOTES:

BUILDING HEIGHT:	24' - 0" +/-			
EXTERIOR MATERIALS	BRICK	SIDING	PANEL/STUCCO	WINDOW/DOOR
• COURTYARD ELEVATION	304 SF	40 SF	232 SF	396 SF
• DRIVEWAY ELEVATION	196 SF	244 SF	184 SF	335 SF
• SIDE ELEVATION	196 SF	855 SF	82 SF	15 SF
• SIDE ELEVATION	597 SF	359 SF	57 SF	114 SF
MATERIAL TOTAL	1,293 SF	1,498 SF	555 SF	860 SF
TOTAL SF = 4,206 SF				
PERCENTAGES =	31 %	36 %	13 %	20 %

NOTE: ALL AREA AND PERCENTAGE CALCULATIONS ARE APPROXIMATE.

P S R O U C D E I S O S

3055 s. grace street
salt lake city, utah 84109
p.801.906.0866
www.processpllc.com

CONCEPT IMAGES:



THE YARD @NORTH SALT LAKE UNIT ELEVATIONS

Project Status	SITE PLAN/CONDITIONAL USE
Project Number	19_0023
Date	06.28.2019
Drawn by	EGE
Checked by	DJY

AE201

Scale 1/8" = 1'-0"

06/28/2019 3:36:58 PM



NORTH SALT LAKE ENGINEERING

10 East Center Street
North Salt Lake, Utah
84054
(801) 335-8723
Paulo@nslcity.org

LEONARD ARAVE
Mayor

PAUL OTTOSON, PE
City Engineer

MEMORANDUM

To: Honorable Mayor & City Council
From: Paul Ottoson
Date: August 6, 2019
Subject: Pressure Reducing Valve at 490 East Lacey Way

RECOMMENDATION

Staff recommends awarding the purchase of a pressure reducing station to Engineered Fluid, Inc. for the price of \$70,349.00.

BACKGROUND

The existing pressure reducing station at 490 East Lacey Way needs to be replaced. The existing vault is too small and it is situated on a very steep and dangerous curve in the center of the street. The new pressure reducing station will be located on city owned property off the street and behind the sidewalk.

This station did not go out for bid since it is a sole source product, manufactured and sold by Engineered Fluid, Inc.

We expect the station to be delivered in September. Staff is also working on receiving bids to install the pressure reducing station, which is estimated at \$20,000.

The project has a budget of \$100,000.

POSSIBLE MOTION

I recommend City Council award the purchase of a pressure reducing station to Engineered Fluid, Inc. for the price of \$70,349.00.

CENTER STREET

440 E

340 E

581 E

511 E

521 E

541 E

551 E

EXISTING PRV

PROPOSED PRV

531 E

490 E

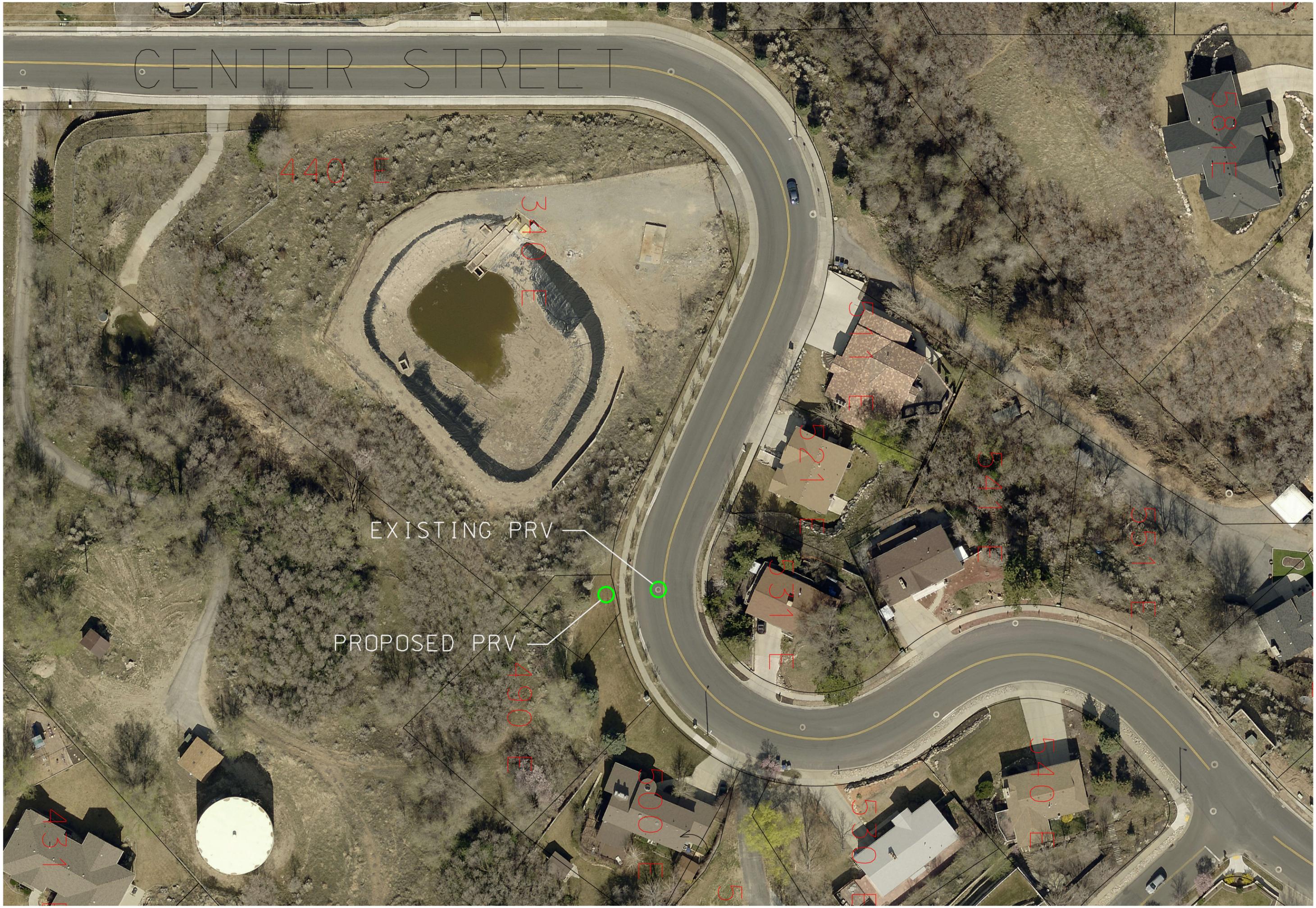
500 E

530 E

540 E

431 E

5





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: August 6, 2019
SUBJECT: Consideration of ORD2019-09 enacting temporary zoning regulations on new application for development in the R1-7, RM-7 and RM-20 zones

RECOMMENDATION

The Planning Commission reviewed the proposed moratorium and made recommendations on code sections to revise during the moratorium period. The Development Review Committee recommends approval to the City Council of ORD2019-09.

REVIEW

Utah Code Section 10-9a-504 provides that a city may enact temporary zoning regulations for a period of no longer than 180 days enacting a moratorium while considering amendments to the City's land use ordinance. The proposed moratorium as drafted would be effective on August 7, 2019 and would expire upon either February 7, 2020 or upon adoption of code amendments that would repeal ORD2019-09.

The moratorium would affect application for developments in the R1-7, RM-7, and RM-20 zones. Upon adoption of the ordinance, staff will schedule a work session with the Planning Commission and Council to provide direction to staff on drafting needed amendments to the code.

POSSIBLE MOTION

1. I move that the City Council approve ORD2019-09 an ordinance enacting temporary zoning regulations providing a moratorium on applications for new development within the R1-7, RM-7, and RM-20 zoning districts.

Attachments

- 1) ORD2019-09

ORDINANCE NO. 2019-09

AN ORDINANCE ADOPTING TEMPORARY ZONING REGULATIONS IN ACCORDANCE WITH UTAH CODE 10-9a-504 OF THE UTAH MUNICIPAL LAND USE, DEVELOPMENT, AND MANAGEMENT ACT WHICH WILL PROVIDE FOR UP TO A SIX MONTH MORATORIUM ON ALL NEW APPLICATIONS FOR DEVELOPMENT IN THE R1-7, RM-7, AND RM-20 ZONES.

WHEREAS, the City of North Salt Lake is an incorporated city in Davis County Utah; and

WHEREAS, City of North Salt Lake is in the process of implementing the 2013 General Plan and 2016 Town Center Master Plan and is currently drafting a form based code for the Town Center area of the City; and

WHEREAS, the City Council of North Salt Lake finds that there are deficiencies in the current regulations related to the R1-7, RM-7, and RM-20 zones which may impact the implementation of the goals and polices of the adopted General Plan and Town Center Master Plan both within the Town Center and adjacent neighborhoods ;

WHEREAS, the City Council of North Salt Lake finds there is a compelling, countervailing public interest that no additional applications for development activity within the R1-7, RM-7, and RM-20 zones be allowed to occur, until the City has had the opportunity to review the current land use and development ordinances for the area and adopt amendments thereto, because to do so may result in development that is inconsistent with the General Plan and Town Center Master Plan; and

WHEREAS, the City of North Salt Lake has the authority to establish a moratorium on new development applications through a temporary land use regulation to keep the status quo on development within areas that are undergoing general plan changes that might affect zoning and/or building standards within the planning areas.

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

Section 1. Pursuant to Utah Code 10-9a-504 there is hereby established a moratorium on the approval of any development application within the R1-7, RM-7, and RM-20 zoning districts for the period not to exceed six months beginning the 7th day of August, 2019, with the following:

1. This ordinance shall expire on the 7th day of February, 2020 or upon the adoption of an ordinance amending the city land use and development regulations and repealing these temporary regulations;
2. This ordinance does not apply to development applications which have been filed and deemed complete prior to August 7th, 2019;
3. Development applications precluded from application during the moratorium are as follows:

- a) conversion of a single family dwelling into a duplex;
 - b) multi-family site plans;
 - c) conditional use permits; and
 - d) subdivisions of land; and
4. This ordinance does not apply to the remodeling of existing single family dwellings, two family dwellings, or accessory dwelling units on existing approved subdivided lots.

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 6th DAY OF AUGUST, 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	_____

RESOLUTION NO. 2019-28R

**A RESOLUTION CREATING A GOLF COURSE ADVISORY COMMITTEE
AND ESTABLISHING GENERAL TERMS, CONDITIONS, TASKS AND
DUTIES OF THE COMMITTEE; ESTABLISHING GENERAL AUTHORITY
AND PROCEDURES; APPOINTING COMMITTEE MEMBERS AND
ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City of North Salt Lake is the owner and operator of Eaglewood Golf Course located in North Salt Lake; and

WHEREAS, the City was recently approached by GreatLIFE, Utah, a golf and fitness company, with a proposal to operate Eaglewood Golf Course; and

WHEREAS, the City has considered hiring GreatLIFE, Utah to operate the course since Eaglewood Golf Course currently operates with a significant annual deficit and a principal element of the operating agreement is that GreatLIFE, Utah will absorb the existing annual deficit; and

WHEREAS, during the course of the City's consideration of GreatLIFE, Utah's proposal to operate Eaglewood Golf Course, the Council determined that it would like to form a citizen committee in order to study the various aspects of Course operations.

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

- 1) There is hereby created a citizen committee called the "Eaglewood Golf Course Advisory Committee" which shall perform the following tasks and duties:
 - a. Review of a financial inventory and overview of the past, present and future financial projections related to the Course.
 - b. A review of outsourcing operations or management of the Course that may reduce or eliminate annual deficits.
 - c. Preparation of findings and recommendations to the City Council from the Committee related to its tasks and duties.

- 2) Committee members shall be Mayoral appointments which require ratification by the City Council. The Mayor is proposing and the City Council ratifying by this resolution, the following members of the Committee:
 - a. Mayor Leonard K. Arave
 - b. Roger Graves
 - c. Jason Taylor
 - d. Matt Jensen
 - e. Corey Markisich
 - f. Court Huish
 - g. John Logan

- 3) The Eaglewood Golf Course Advisory Committee shall have no authority to enter into contracts, expend funds in excess of \$5,000, hire personnel, direct City personnel, manage or give directives related to golf course operations or otherwise enter into short or long-term obligations on behalf of the City of North Salt Lake. All decisions of the Committee shall be advisory only and shall be subject to approval by the City Council.
- 4) The Eaglewood Golf Course Advisory Committee is a sub-committee of the City Council and may at any time be disbanded by the City Council, without delay, explanation or notification, by a simple majority vote of the Council.
- 5) By virtue of the creation of the Eagle Golf Course Advisory Committee, the City Council is not creating any obligation on itself or the City to follow the findings or recommendations of the Committee. Upon completion of the Committee's work, the City Council reserves the right to take any actions that it deems appropriate related to the operation and oversight of the Eaglewood Golf Course even if those actions are contrary to the recommendations of the Committee.
- 6) The Eaglewood Golf Course Advisory Committee is a public body of the City and is subject to the Utah Open and Public Meetings Act and should, therefore, publish agendas, take minutes, be open to the public and in all other ways conform to the provisions of this Act.
- 7) The Mayor will act as the Chair of the Committee and meetings will be scheduled not less than monthly until the tasks and duties described herein are completed. Meetings may be called by the Mayor or by a majority (not less than 4) of the members of the Committee as the need arises. No other by-laws or operating documents should be created, though the Committee may, by a vote of the majority of its members, publish documents, findings, reports, recommendations or any other appropriate materials that it deems important to publish.
- 8) All members of the Committee shall have one vote and all Committee action, motions and decisions are only deemed approved or denied by a majority vote (not less than 4) of the entire Committee and not just those present in any given Committee meeting. Four Committee members present shall constitute a quorum for the purposes of meeting and considering Committee business.
- 9) City staff is hereby authorized to provide data, information, projections and other support documents and materials that the Committee needs in order to complete the tasks outlined in this resolution.

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 the City of North Salt Lake, this 6th day of August, 2019.

CITY OF NORTH SALT LAKE

By:

LEONARD K. ARAVE
Mayor

Attest:

By:

LINDA D. HORROCKS
City Recorder

City Council Vote as Recorded:

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