

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-WORK SESSION
AUGUST 6, 2019

Mayor Arave called the meeting to order at 6:08 p.m.

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; Troy Johnson, Assistant Police Chief; David Church, City Attorney; Brent Moyes, Golf Course Director; Sherrie Llewelyn, Community Development Director; Linda Horrocks, City Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Barry Bryson, resident.

1. TOUR OF UTAH UPDATE-PUBLIC WORKS DIRECTOR

David Frandsen reported that the police department distributed notices to those along the race route with information about access. He said that 2,600 additional postcards would be mailed to residents to notify those adjacent to the race route.

Mayor Arave suggested that the City should provide suggestions on alternate parking locations.

Linda Horrocks commented that individuals were encouraged to park at North Canyon Park and the church on Bountiful Boulevard. Lime scooters would be available for rent at these locations. Mayor Arave also suggested additional parking and scooter rentals at Tunnel Springs Park.

David Frandsen reported that the race information was posted on the City's website and other social media. He said that Eagleridge Drive would be shut down on Wednesday, August 14th at 9 a.m. for race related setup. The setup would include road closures, parking lot closures, tent build, sweeping the course, the setup of temporary fence, garbage can/dumpster delivery, candlestick traffic post drop off, setup of the TV compound, and stage placement. August 15th setup would include installation of flags along the route including flags from 22 countries, setup of the slip and slide, additional temporary fencing, and setup of the candlestick posts and no parking signs along the route.

David Frandsen then showed a map of the full race route from Antelope Island to the City including the flag setup along this route.

Mayor Arave asked if the City should solicit the help of volunteer groups to help setup flags, etc. David Frandsen replied that staff would post notices on social media for volunteers.

David Frandsen commented that the Tour of Utah requested that no vehicles park along the course, which was approximately four miles so the candlestick posts would be placed along the route. He said the police department would clear the race route of parked vehicles for the safety of the participants.

Chief Black said that they would tow cars as a last resort and had setup an agreement with a tow company to tow cars to City Hall for a minimal fee if it became necessary.

Assistant Chief Johnson commented that they had been working with residents to ensure that cars were not parked along the course.

David Frandsen showed a map with the event layout including the slip and slide, expo, VIP parking, the stage, and a fishing pond, which would be stocked with \$900 worth of fish. He then spoke on the finish line schedule of events including a kids bike race, live music, food trucks, fishing pond, and slip and slide. Mr. Frandsen showed a map of the race route and said there would be 36 intersections the race would cross and that those locations would be controlled by City staff or volunteers. He showed a schedule and plan for the Public Works and Police Departments to make sure every detail was addressed.

David Frandsen reported on important times on August 14th including the shutdown of Eagleridge Drive at 9 a.m., and those on August 15th including the ancillary events and expo at 11:30 a.m., the kids' race at 1:30 p.m., the projected entry at 2:45 p.m., and the reopening of Eagleridge Drive at 10 p.m.

Mayor Arave asked when Orchard Drive would close. David Frandsen replied that the first riders would enter the City at approximately 2:30 p.m. so the roads would close at 2 p.m.

Assistant Chief Johnson commented that the Police Department would have radio contact the entire race route and would send a sweep through the area 20 minutes before the riders arrived.

Mayor Arave asked when the signage would be placed on Orchard Drive to notify drivers of the hard road closure. David Frandsen replied that the early warning signs would be placed on Monday.

Assistant Chief Johnson commented that electronic warning signs on US 89 as well as police presence would also notify drivers of the road closures.

David Frandsen explained that there would be six entry/exit points along the route where traffic would be able to intermittently cross the race route.

Council Member Baskin asked who would be paying for this event. Ken Leetham replied that the City would be paying for the majority of the costs at approximately \$10,000 to \$15,000 excluding wages. He commented that the exposure from the televised event would be good advertising for the golf course and the City.

2. CONSTRUCTION PROJECTS UPDATE-CITY ENGINEER

Paul Ottoson reported on the current projects including the bonded matrix overlay on sections of Eagleridge, Parkway Drive/Parkway Circle, and Edgewood Drive. The contractor has already laid the rock work, started placing the top seal, and will then stripe the road. This project is scheduled to be completed by Monday the 12th.

Mayor Arave asked for clarification on the bonded matrix overlay and how long this would extend the life of the road. Paul Ottoson said it was similar to a chip seal with a bituminous layer on top. He estimated it would extend the life of the road approximately five years.

Paul Ottoson then reported on the Orchard Drive sidewalk project, which would be bid in two phases. Curb and gutter would be installed on the northern portion on Saturday. During the Tour of Utah the contractor would clean the road and move the barricades to the southern portion along the unfinished edge for the protection of the cyclists.

Mr. Ottoson reported on the Jordan River Trail project and said that the contractor, ACME Construction, would begin work next week and planned to complete the work within a month.

Ken Leetham commented that the ribbon cutting for the Jordan River Trail would coincide with the Get to the River festival.

Paul Ottoson reported on the Deer Hollow Upper Basin Project and said it was currently a swamp so they would be installing low flow concrete channels, regrading, and removing silt. Work on this project would start in a few weeks. He then spoke on the Eaglewood Pump Station project with a bid opening set for mid-September. The work would include tearing down the existing building and constructing a new pump station. Mr. Ottoson explained that the current cans under the building were rotting and one pump had shutdown. He said the work would be done during the winter months when the station was normally out of service.

Council Member Baskin asked if the footprint for the new building would be similar to that of the existing building. Paul Ottoson replied it would be a similarly sized CMU block wall

building. He suggested that the City hold a neighborhood informational meeting on August 21st or 22nd.

Paul Ottoson reported on the UDOT project along I-215 and Redwood Road. He said that Redwood Road would be closed from August 23rd at 9 p.m. to August 26th at 5 a.m. in that area. Redwood Road would then be reopened and in its final alignment.

Paul Ottoson finished his report by showing the construction of the G&G Subdivision. He said it was a private street at 750 West and as MC Green and Gramoll Construction specialized in concrete streets they had removed the existing asphalt street and installed a concrete street. Mr. Ottoson explained that while he was a big fan of concrete streets that the initial cost of concrete streets was double that of asphalt street installation.

3. APPROVE CITY COUNCIL MINUTES

Mayor Arave suggested a change be made from Ashley Fine to Fein.

The City Council minutes of July 16, 2019 were reviewed and amended. **Council Member Horrocks moved to approve the minutes of July 16, 2019 as amended. Council Member Baskin seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

4. ACTION ITEMS

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

Mayor Arave asked if staff had worked on current item number two related to working with Woods Cross on improving their dog park. He said that Bountiful's mayor commented that their city's new dog park was very successful.

5. CITY COUNCIL REPORTS

Council Member Hood reported on the Youth City Council (YCC) movie in the park to be held Friday, August 9th. He said Kona Ice would be selling refreshments so the YCC would not be selling concessions this year.

Council Member Hood then spoke on a letter from a resident thanking the City for the reconstruction of the sidewalk near Chesham Village. Ken Leetham commented that staff had reached out to Davis County who then completed the reconstruction work.

Council Member Baskin reported that she would be helping with the 2020 census. She suggested that the City could prepare some billboards. Linda Horrocks commented that a presentation would be made to the City Council regarding the Davis County census.

Council Member Baskin commented that she had received a citizen complaint about speeding on Eagleridge Drive and asked if the traffic monitors could be placed there. Ken Leetham replied that the Police Department had been doing more enforcement there.

Chief Black said that even with the increased enforcement they had only issued one speeding ticket and that the threshold may not have been as high as perceived.

Council Member Baskin reported that she was serving on the Scenic Byway Committee and they were working on ways to mitigate the damage when trucks are allowed on Legacy Highway.

Ken Leetham asked what type of mitigation was being discussed.

Council Member Mumford commented that residents in Foxboro already assumed that a wall would be constructed along Legacy Highway in that area.

The Council discussed the natural buffer with the existing trail and the cons of a sound wall.

Council Member Mumford thanked Linda Horrocks for her social media postings on upcoming events. He spoke on the events including the Night Out Against Crime, the movie in the park, the Second Saturday pickup, the Sunset Concert Series, the Master Chorus, NSL Reads, and the Halloween Fun Run. He explained the Second Sunday Concert Series had been renamed to the Sunset Concert Series to avoid limiting events to Sundays.

Council Member Horrocks commented that the K-9 was the highlight of the Night Out Against Crime event and expressed regret that the department no longer had a dog. Chief Black replied that the police department did have a new K-9 that would be present at the event.

Council Member Horrocks reported that he had noticed the Henry Walker billboard was still standing at the entrance to the City. Sherrie Llewelyn replied that staff was working on getting the signs removed.

Council Member Horrocks reported that there was a positive West Nile pool in northern Weber County.

Ken Leetham reported that there had been issues with the Silver Pine duplex development in that the six units were on one water meter. The residents were frustrated with the billing as each unit should have its own meter. He suggested that the bill continue to be split six ways as the cost to install individual meters would be \$40,000.

Council Member Porter reported that a volunteer group had started to cut a trail and clear the brush near the Jordan River. The Public Works Department provided chainsaw work and hauled off brush. He said the Get To The River event would be September 14th at 9 a.m. People could place reservations for canoe rides from Salt Lake to Porters Landing. A ribbon cutting would then be held for the new trail.

6. ADJOURN

Mayor Arave adjourned the meeting at 7:01 p.m. to begin the regular session.

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
AUGUST 6, 2019

Mayor Arave called the meeting to order at 7:09 p.m. Council Member Stan Porter offered the invocation and 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

EXCUSED: 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; Brent Moyes, Golf Course Director; Sherrie Llewelyn, Community Development Director; Linda Horrocks, City Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Barry Bryson, Dee Lalliss, Roger Graves, Jason Taylor, Court Huish, residents; Boyd Preece, Finish Grade Engineering; Taylor Spendlove, Nate Pugsley, Brighton Development Utah; Brian Knowlton, Knowlton General.

1. CITIZEN COMMENT

Dee Lalliss thanked the Public Works Department for cleaning up weeds around the speed limit sign on Main Street.

The agenda was reordered so that Resolution 2019-28R was addressed next.

2. CONSIDERATION OF RESOLUTION 2019-28R: A RESOLUTION CREATING THE
EAGLEWOOD GOLF COURSE ADVISORY COMMITTEE

Mayor Arave made recommendations for the following individuals: Roger Graves, Court Huish, Corey Markisich, Jason Taylor, John Logan, and Matt Jensen to serve on the Eaglewood Golf Course Advisory Committee.

Council Member Horrocks asked that the Mayor speak on how these individuals were selected. Mayor Arave responded that many contacted him and expressed an interest in serving on the committee. He reviewed their backgrounds and found them to be remarkable individuals.

Council Member Porter commented that he had also reviewed and was impressed with the backgrounds of those who had been suggested for the committee. Council Member Mumford seconded the thoughts expressed and said he was looking forward to the recommendations.

Council Member Hood commented that while he liked those chosen he felt the committee was lacking diversity. He asked that the mayor be a nonvoting member of the committee.

Mayor Arave said he appreciated the comments and said that those selected had expressed the most interest in being involved.

Council Member Hood said that previously the City advertised for mayoral appointments such as the Planning Commission and that this committee was not formed through the same procedure. Mayor Arave said he would leave the decision up to the Council.

Council Member Mumford moved to approve Resolution 2019-28R: a resolution creating a golf course advisory committee. Council Member Porter seconded the motion. **The motion was approved by Council Members Horrocks, Porter and Mumford. Council Member Hood voted in opposition to the motion. Council Member Baskin was excused.**

3. 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

Ken Leetham reported that this budget amendment was prepared for two purposes including a change in the Capital Fund budget to transfer \$750,000 to cover the City's portion of the landslide settlement agreement.

Mayor Arave asked if the binding settlement agreement had been signed. David Church replied that a memorandum of understanding was signed and the final agreement had not yet been completed. He said that as long as the agreement reflected the memorandum of understanding it would be binding.

Ken Leetham commented that the process was far enough along to warrant the budget adjustment for the City to contribute their portion.

Council Member Horrocks asked if the City would receive any assistance from the Utah Local Governments Trust. Ken Leetham replied that there would be additional assistance from the Trust.

Ken Leetham then reported that the second budget amendment was an increase of \$160,080 to the Fleet fund for the purchase of several vehicles, which had been ordered in the previous

budget year. They did not arrive until after June 30th and so no payment was issued in the previous fiscal year.

Mayor Arave opened the public hearing at 7:25 p.m. There were no public comments and Council Member Horrocks moved to close the public hearing at 7:25 p.m. Council Member Mumford seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford and Hood. Council Member Baskin was excused.

Council Member Mumford moved to approve 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. Council Member Porter seconded the motion.

Mayor Arave clarified that the amount of the Capital Fund budget change in the resolution should be corrected to show \$750,000 and not \$750,000,000.

The motion was approved by Council Members Horrocks, Porter, Mumford and Hood. Council Member Baskin was excused.

4. CONSIDERATION OF A REQUEST FOR A LICENSE TO USE PROPERTY (2019-38A) FOR THE PURPOSE OF CONSTRUCTING A FENCE ON APPROXIMATELY 7 FEET OF GOLF COURSE PROPERTY AT APPROXIMATELY 881 EAST EAGLERIDGE DRIVE, DAVE SAXTON, APPLICANT

Sherrie Llewelyn reported that last year the property owners of 881 East Eagleridge Drive, David and Shelly Saxton, had a swimming pool and fence installed. During the construction of the fence, the property was not properly staked on the property line and was instead placed four feet onto the golf course property. As the contractor was installing the fence they hit a City sprinkler line at the golf course. The Saxton's requested to purchase a portion of the golf course property for the installation of the fence; however, as the City was restricted in selling golf course property the City Attorney suggested that the City Council could grant a license for the placement of the fence along the existing four foot high rock retaining wall.

David Church commented that because of the location of the rock retaining wall it would be difficult to install a fence to secure the swimming pool. He said that an agreement could be made to allow the Saxton's to build a fence on the City's property line, which could be taken down at the homeowner's expense if necessary. Staff determined that the fence would not affect the play of the golf course.

Sherrie Llewelyn commented that the Saxton's had also agreed to pay for the relocation of the golf course irrigation system in that area. Brent Moyes stated that the relocation had already been completed.

Council Member Porter moved that the City Council authorize the City Manager to sign the license agreement to use the property (2019-38A) 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.**

Council Member Horrocks seconded the motion.

Mayor Arave asked if a condition needed to be placed for the maintenance of the property itself. David Church replied that he had considered that as the backyard sunk down and left a sliver of property between the rock wall and the fence where weeds could grow.

Mayor Arave asked if the retaining wall was on the City's property and what would happen if the wall failed. David Church replied that a portion of the wall was on the City's property but the City would not be liable for failure of the wall.

Council Member Porter amended his motion to include a fifth condition that the property owner will maintain the strip of property on the opposite side of the fence*. Council Member Horrocks seconded the amended motion. The motion was approved by Council Members Horrocks, Porter, Mumford and Hood. Council Member Baskin was excused.

*For clarification, the area to be maintained by the licensee is all of the area on the licensee's side of the new fence, including the area on top of the existing rock wall, on the licensee's side of the new fence.

5. 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

Sherrie Llewelyn clarified that the proposed property was located at 420 South Orchard Drive. She said Brighton Development had approached the City about changing the general

development plan and development agreement for Eaglewood Village. She showed the amended conceptual site plan and said the Planning Commission had reviewed and recommended approval of the amendment. She explained that she had drafted a change to the development agreement which would cover the architecture of the building, the potential for a hotel on building five, and the options for buildings one and four to be townhomes. Mrs. Llewelyn clarified that the hotel plan was not set in stone at this time. The proposal for the overall density included seven buildings with a total of 424 residential units that may fluctuate based on the type of units constructed.

Sherrie Llewelyn spoke on the proposed shared parking and an analysis showed that the peak demand would require 691 spaces based on the layout. The total proposed parking was 748 spaces on the site, which would allow the plan to meet the peak parking demand. She said that the Planning Commission expressed that they would like to see the City work with UDOT on a traffic light at Eaglegate Drive.

Mayor Arave commented that a traffic light was already approved for that location as long as the City could prove it was warranted. Sherrie Llewelyn replied that this development would help to prove that a traffic light was warranted. She also felt this project would help to establish bus rapid transit stations in the area.

Sherrie Llewelyn addressed the section of property owned by UDOT adjacent to the proposed project and said that the developer would be approaching UDOT about improving and maintaining the landscaping there. She said if they were able to achieve this goal, then a 5% reduction in the overall landscaping requirement on the individual lots would be granted.

Mrs. Llewelyn said the Planning Commission recommended approval with two conditions related to on-street parking and the relocation of building four.

Mayor Arave asked how many of the units would have covered parking stalls. Taylor Spendlove, Brighton Development, replied that one covered stall would be required per unit. This would include some tuck under parking, garage spaces, or carports. He said there would be approximately 55 tuck under spaces.

Council Member Horrocks asked what was located south of building four. Taylor Spendlove replied that it was pickleball courts. He said that a market study showed the desired amenities included a pool, rooftop bbq area, and pickleball courts.

Council Member Porter asked about the concerns related to the nearby gravel pit operations and potential mitigation. Taylor Spendlove replied that while it was a concern they were waiting on a rock fall study to be completed.

Council Member Mumford asked about the potential vacation of the street. Taylor Spendlove replied that there were several concerns related to the current users and any legal issues. He said they would like it to remain a public street with the addition of on-street parking.

Sherrie Llewelyn said that the City Council could enter into an agreement with the adjacent property owners to vacate the road. She explained that the gravel pit operations currently used the road and may have an issue with the vacation but once the development was constructed it could be a natural deterrent to the gravel trucks.

Taylor Spendlove commented that it would be an issue if the vacation of the road was a condition of approval due to any potential legal issues that may arise.

David Church replied that there would be a legal process to vacate an existing public road. He said it would not be appropriate to condition the approval of the development on vacating the road as it was the City's decision.

A discussion regarding on-street parking ensued. Taylor Spendlove asked if on-street parking could be addressed at site plan approval as this plan was conceptual. David Church clarified that there was nothing in the development agreement that approved on-street parking. He said the development agreement gave a general outline of building sizes, uses, and a layout.

Council Member Mumford asked if the architectural designs shown matched those proposed for buildings six and seven. Sherrie Llewelyn replied that the style would fit in with the Town Center designs.

Council Member Mumford then spoke on the potential to obscure the parking. Taylor Spendlove responded that they had agreed to move building four up to the road and felt that placing the parking stalls behind the buildings would give the development a nicer appearance.

Council Member Mumford asked about the on-street parking and snow plowing. He asked if the parking stalls or cars would be blocked when the road was plowed. Ken Leetham replied that the two issues with snow removal and parking stalls perpendicular to the road included snow storage and safety.

Ken Leetham commented that staff had discussed vacating the street with the ability for the development to control that space in regards to speed or other alterations. He said that while there were some advantages the potential legal challenge was based on the gravel truck access, which needed to be addressed whether it was through restricted access or a private road.

Taylor Spendlove said that the perusal of the vacation was acceptable but did not want it to become a condition of approval as it could be a hold up to developing the property. He said they did not want gravel trucks on their new roads.

David Church said that if the City felt it was in the best interest of the public to vacate the road that the process should be started independent of this application.

Council Member Mumford commented on the on-street parking and the potential to lower the speed limit on the street for added safety. Ken Leetham replied that in many areas where on-street parking was proposed the street speed limit was too high. He said staff would review whether on-street parking should be allowed in the southern area of town.

Taylor Spendlove said that the Planning Commission had requested a traffic study and that on-street parking and the speed limit on the street could be addressed in that study.

Mayor Arave asked if the site plan approval would return to the Council for review. Sherrie Llewelyn replied that anything over six residential units, over 20,000 square feet, over a site that was over five acres would require Council approval.

Council Member Horrocks commented that 12 years ago a development agreement was in place and he was concerned that after phase 1 was built Brighton would request to change phase 2 to construct more apartments. Taylor Spendlove replied that a condition of approval could be placed that 17,000 square feet of commercial be built in phase 1.

Mayor Arave asked if Brighton would be committing to the amenities as well. Taylor Spendlove replied that they would commit to the amenities as well. Sherrie Llewelyn clarified that the overall layout could change per the development agreement.

Council Member Horrocks commented that he would prefer that building five was a hotel. He said he would also prefer the entire development be constructed in one phase. Taylor Spendlove replied that they were constructing the project in two phases mainly due to financing reasons.

Nate Pugsley, Brighton Development, said that a condition could be placed to require half the commercial with phase 1 and half with phase 2.

Council Member Hood suggested that they construct buildings one, two, five, six and seven in phase 1 with all of the commercial completed in phase 1. Nate Pugsley replied that they were not adverse to this but did not want to build the commercial as spec buildings.

Council Member Mumford said that he agreed with Council Member Horrocks and would prefer building five was a hotel. He suggested constructing buildings six and seven per demand and felt that the hotel would help drive that demand. Nate Pugsley responded that building the hotel and parking lot would help to attract an end user and might be a good middle ground.

Council Member Porter reflected back on the original plan for commercial with flex space. He said it would be nice to see the commercial constructed.

The City Council discussed the proposed hotel including the viability and the proposed operator.

Sherrie Llewelyn commented that in the past this site would not have worked for a hotel but due to the internet people were no longer limited to locations just on freeways or near airports.

Ken Leetham stated that he had reviewed the original project recently and that while the City had high hopes for 300,000 square feet of office and 100,000 of retail it was no longer realistic. He said this plan was a lot more realistic in regards to the amount of retail.

Council Member Horrocks said there was a not high demand for office space in south Davis County at this time but wondered if there would a demand in the future.

The Council discussed the phasing with a majority of Council members preferring the hotel to be built in phase 1 as well as a portion of the commercial.

Council Member Horrocks moved that the City Council approve Resolution 2019-30R the 6th and final amendment to the Development Agreement and 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;**
- 2) That the developer consider a potential redesign of building four locating the building closer to the street and locating the parking behind the building; and**
- 3) That Phase 1 will be buildings 1,2,3 and Phase 2 will be 4,5,6 & 7. If building 5 is a hotel it can trigger development at any time.**

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

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

Sherrie Llewelyn reported that this item was previously tabled by the City Council based on concerns with the reduction to the setbacks granted by the Planning Commission as part of the PUD. The setback reductions granted by the Planning Commission were from 8 feet to 6 feet on the side lot line and from 25 feet to 15 feet on the front setback. The developer reviewed the original setback requirements but had concerns with safety due to the slope of the road as well as relocating the buildings west which would result in the loss of two guest parking stalls. While the

developer had proposed 11 guest spaces which was 4 more than required, the Planning Commission felt the extra spaces were important to allow for dispersion throughout the project and to discourage on-street parking. Due to this the developer has proposed the same plan with the approved setback reductions.

Ken Leetham commented that the City Council designated some of its approval to the Planning Commission who had already approved these setbacks. He said that as this was an administrative action the City Council should approve the project as submitted by the Planning Commission.

David Church explained that that the City ordinance required City Council review and that this was not a recommendation for approval. He said the discretionary decisions that had been made were vested by the ordinance through the Planning Commission. Mr. Church said the Council's discussion should center around if this met the ordinance.

Mayor Arave said this was a conditional approval and that conditions could be required on the development. Sherrie Llewelyn replied that it was a permitted use with conditions. She said the conditions had to be specified in the ordinance such as fencing or mitigation of issues such as drainage, clear sight views, etc.

David Church commented that per the State code relating to conditional uses that a municipality may adopt a land use ordinance that includes conditional uses and provisions for conditional uses that require compliance with standards set forth in the applicable ordinance. The City shall approve a conditional use if reasonable conditions are proposed or can be imposed to mitigate the reasonably detrimental effects of the proposed use in accordance with applicable standards. He then said if the proposal met the standards, the City must allow it. If the land use authority proposed reasonable conditions they must be stated on the record and reasonably related to mitigating the anticipated detrimental effects of the proposed use. If the reasonably anticipated detrimental effects cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with the applicable standards the land use authority may deny the conditional use.

The Council discussed the reduced setbacks and the potential related issues including buffering as well as safety issues related to the grade of the road.

Sherrie Llewelyn explained that the City standard allowed a maximum grade of 12% on a collector street. The City code also stated that cul-de-sacs on a downhill slope were discouraged unless it was flat on the bottom which this plan was.

Sherrie Llewelyn also showed an overhead view of the area to help determine the compatibility of the proposed development with the existing neighborhood. The adjacent uses were multi-family attached, commercial, and single family dwellings.

Sherrie Llewelyn suggested that the City Council could require the applicant to increase the landscaping along the property lines to help mitigate any issues related to the reduced side setback.

Mayor Arave asked if these units had garages. Sherrie Llewelyn replied that they were two car side by side garages.

Sherrie Llewelyn then reported that the landscaping was 27% of the site so 15,194 square feet. The coverage of buildings on the lot was 32% with a maximum coverage of 50% of the site per the code.

Mayor Arave asked about potential drainage issues. Paul Ottoson replied that the project would have an underground storm water retention system.

Council Member Mumford moved that the City Council approve the concept plan for Orchard Drive Townhomes PUD located at approximately 142 South Orchard Drive with the following findings and conditions:

Conditions:

- 1) The four 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 homeowners;**
- 2) An understanding of the retention plan approved by City Engineer.**

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

7. CONSIDERATION OF A SITE PLAN FOR THE YARD AT 331 NORTH MAIN STREET, KNOWLTON GENERAL, APPLICANT

Sherrie Llewelyn reported that the property was zoned R1-7 with an existing home on the property that would be removed. The project would be developed as for-rent duplex units on 1.42 acres. The minimum area required for each duplex would be 8,500 square feet and as the lot contains a total of 61,855 feet seven duplexes with a total of 14 units would be allowed.

The project would meet all of the minimum setbacks of 25 feet for the front and back setbacks and the side setback of eight feet. The hammerhead turnaround for the site has been approved by the fire marshal. The eight guest parking spaces exceed the minimum parking requirement and each unit would have a two car side by side garage. Units 1, 2, and 5-10 would also include 20 foot driveways capable of parking an additional 16 guest vehicles. The landscaping improvements estimated at 18,607 square feet or 29% of the site exceed the 10% minimum standard.

The Planning Commission recommended approval with the condition that any engineering redlines be corrected on the construction drawings.

Sherrie Llewelyn showed examples of the elevations for the duplexes with the front doors opening onto the main courtyard.

Council Member Porter commented that the neighbor to the north had expressed concern about his trees along the property line as he did not want to pay for removal. Brian Knowlton, Knowlton General, replied that he had also met with the neighbor and if the trees presented an issue they would pay to remove them.

Council Member Mumford asked about fencing around the perimeter of the property. Sherrie Llewelyn replied that the proposed fencing would be vinyl around the perimeter with a sound wall on the west property line and chain link on the back property line.

Brian Knowlton commented on the west property line and said he did not want to install a fence against a fence. He said that they would place grass along the sound wall and would tie the fence right to the sound wall.

Council Member Mumford moved 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.**

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

- 8. CONSIDERATION OF APPROVAL TO PURCHASE A PRESSURE REDUCING VALVE FROM ENGINEERED FLUID, INC. IN THE AMOUNT OF \$70,349.**

Paul Ottoson reported that the existing pressure reducing station at 490 East Lacey Way needed to be replaced as the existing vault was too small and situated on a very steep curve in the center of the street. He said the PRV was a sole source product from Engineered Fluid, Inc. at \$70,349. Staff was also working on a bid for the installation of the pressure reducing station with an estimated cost of \$20,000 for a total project budget of \$100,000.

Council Member Horrocks moved that the City Council award the purchase of a pressure reducing station to Engineered Fluid, Inc. for the price of \$70,349.00. Council Member Mumford seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford and Hood. Council Member Baskin was excused.

Council Member Mumford commented that there were several pressure related issues and asked if it was related to the failure of a PRV. David Frandsen replied that there were two PRVs in each vault and when one PRV had issues this caused a pressure increase.

Ken Leetham said that staff had discussed preparing an informational pamphlet on PRVs. He said staff could also place a notice in the City newsletter to educate the public on these type of valves located inside resident's homes.

9. 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

Sherrie Llewelyn reported that per the last City Council meeting she had drafted a temporary zoning ordinance that would enact a temporary moratorium in the R1-7, RM-7 and RM-20 zones. The ordinance would be effective August 7th to February 7th or upon adoption of a new zoning regulation. The Planning Commission was supportive of meeting with the Council and making revisions to the ordinances and conditional uses especially related to the subdivision process.

Council Member Mumford moved to approve Ordinance 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. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford and Hood. Council Member Baskin was excused.

10. MAYOR'S REPORT

Mayor Arave reported that he recently toured the new Salt Lake International Airport and said it would be very impressive.

Council Member Horrocks said that the Salt Lake Airport was the only new airport being built in the country.

11. CITY ATTORNEY'S REPORT

David Church reported that he would provide an update on the settlement in the closed session.

12. CITY MANAGER'S REPORT

Ken Leetham had nothing to report.

13. ADJOURN INTO CLOSED SESSION TO DISCUSS PENDING OR REASONABLY
IMMINENT LITIGATION

At 9:30 p.m. Council Member Porter moved to go into closed session to discuss 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. Council Member Mumford seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford and Hood. Council Member Baskin was excused.

14. RECONVENE INTO REGULAR SESSION

At 9:56 p.m. Council Member Mumford moved to go out of closed session and into the regular session. Council Member Hood seconded the motion. The motion was approved by Council Members Horrocks, Porter, Mumford and Hood. Council Member Baskin was excused.

15. ADJOURN

Mayor Arave adjourned the meeting at 9:56 p.m.



Mayor pro tem



City Recorder