

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
JULY 23, 2019

FINAL

Commission Chair Ted Knowlton called the meeting to order at 6:30 p.m. and Brandon Tucker led those present in the Pledge of Allegiance.

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

EXCUSED: Commissioner Kent Kirkham
Commissioner Natalie Gordon

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

OTHERS PRESENT: John Wadley, Dee Lalliss, Randy Beyer, residents; Ken Jensen, Jensen's Architectural Woodwork; Taylor Spendlove, Nate Pugsley, Brighton Development Utah; Brian Knowlton, Knowlton General; Robbie Thomson, Red Pine Investments.

1. PUBLIC COMMENTS

There were no public comments.

2. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR JENSEN'S
ARCHITECTURAL WOODWORK AT 100 WEST CENTER STREET, KEN JENSEN,
APPLICANT

Kate Werrett reported that the applicant, Jensen's Architectural Woodwork, Inc., was proposing to locate a woodworking business at 100 West Center Street. Wood product manufacturing would be a conditional use in the Manufacturing Distribution (MD) zone. There will be eight employees at this location with services to include building cabinets and other finish carpentry. Onsite equipment would include table saws, air compressors, an edge bander, joiner, planer, dust collection, surface sander, and forklift. The hours of operation will be 6:00 a.m. to 4:00 p.m.

The applicant plans to apply for a site plan amendment to replace the current dustless gravel driveway and parking area with an upgraded hard surface material. This site improvement would likely take place in the next three to five years. When the site plan amendment is submitted the

Development Review Committee (DRC) recommends that the site be brought into compliance with City standards through the following improvements: storm water retention and detention, hard surfaces such as the drive lane and parking areas be finished to City standards, the installation of a minimum of 10% landscaping, the installation of curb and gutter along Center Street, and the possible widening of Center Street adjacent to the lot.

Due to the expectation that future improvements will be made to the site by the applicant, the DRC recommends conditioning this approval on the applicant's agreement to complete all the requirements listed above when they file their site plan amendment application. As this use would require fire sprinklers, the DRC recommended that final approval of the fire marshal be a condition of approval.

Commissioner Ward asked about the second condition for the site improvement items that were to be included in the future site plan amendment application. He asked if it was required to place this condition now or if it was more of a notice to the applicant of what would be required. Kate Werrett replied that this was more of a notice to the applicant as these changes would be required at that time.

Commissioner Garn asked if there would be any staining or lacquering done on site and if a paint booth would be necessary. Ken Jensen, Jensen's Architectural Woodwork, replied that the finishing work was performed offsite by a contractor.

Commissioner Garn then asked if the applicant would be leasing or purchasing the property. Ken Jensen replied that he was in the process of purchasing the property.

Commissioner Garn moved that the Planning Commission approve the conditional use permit for Jensen's Architectural Woodwork, Inc. located at 100 West Center Street with the following conditions:

- 1) Final approval from the fire marshal prior to business license approval.**
- 2) Site improvements items listed in the staff report to be included in the future site plan amendment application.**

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

3. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR CHRONIC THERAPY CULTIVATION AT 270 WEST 500 NORTH, MATTHEW SAUNDERS, APPLICANT

Chair Knowlton commented that this application was withdrawn. Kate Werrett replied that this was due to the fact that the applicant did not receive their State licensing.

4. CONSIDERATION OF A GENERAL DEVELOPMENT PLAN AMENDMENT FOR EAGLEWOOD VILLAGE AT 1381 SOUTH ORCHARD DRIVE, BRIGHTON DEVELOPMENT UTAH, APPLICANT

Sherrie Llewelyn reported the City and the developer entered into a development agreement for this site on June 12, 2007. The original agreement had a general development plan with 340,000 square feet of office space, 120,000 square feet of retail and 252 residential units on the lower portion of the project. In 2011 and 2012, the agreement was amended to construct four story apartment buildings with a total of 410 units on lots four and five. Since that time a 5,000 square foot gas station/convenience store has been built on lot six and lot 1A was approved for a 3,800 square foot Quick Quack car wash. The remaining lots for development at this time are lots 1B which is 4.047 acres, lot 2 at 3.379 acres, and lot 3, which is 6.477 acres. Brighton Development has entered into a contract with the developer to purchase these three lots for the development of retail, office and residential spaces. Brighton reviewed the proposed concept with the City Council and received positive feedback to process with an application to amend the general development agreement.

The plan would include seven buildings on the three properties. Lot 1B would consist of buildings six and seven with approximately 17,600 square feet of commercial spaces (office and retail) and building five with 103 residential units. The developer has requested an amendment to the permitted use table for hotels, as there is the possibility that building five could be developed as a hotel. Lot 2 would contain mixed use building two with 18,000 square feet of commercial area on the ground floor level and 60 residential units above. Lot 2 would also contain building three which would be solely residential with 71 units. Lot 3 consists of buildings one with 98 residential units and building four with 92 residential units. All of the buildings would be a maximum of four stories in height.

Sherrie Llewelyn stated that at this stage the final architecture has not yet been completed. The unit counts and bedroom mixes are conceptual and may vary. Design standards would be placed in the development agreement and each building would require final site plan approval to be done on a lot by lot basis.

The developer proposed a reduced parking requirement based upon the bedroom count, per the Town Center Master Plan for mixed use development, with 691 spaces for the residential uses and 76 spaces for the commercial uses for a total of 748 shared parking spaces. The proposed parking ratios may vary with the individual site plan, unit counts, and final programmed use of the buildings. The DRC was confident that the sites could be developed as proposed and have adequate parking for the mixed use nature of the development per the following ratios: the residential parking requirements would be 1.25 spaces for a studio unit, 1.5 for a one bedroom, 1.75 for a two bedroom, and 2 parking spaces for a three bedroom unit. The commercial parking would be based of the ratios of one parking stall for every 1,000 square feet of retail or commercial space and three parking stalls for every 1,000 square feet of office space. The DRC

did have some concerns related to on-street parking and the issues related to snow removal and maintenance. A recommendation was made that if on-street parking was to be utilized for the development that the portions of Orchard Drive and Eaglegate Drive adjacent to the development be vacated to become private streets. The City Council would make the final determination to vacate the streets upon negotiation with the developer and property owner of the Eaglewood Village apartments.

Chair Knowlton commented that while the Planning Commission would not make a decision regarding the privatization of the streets that they could make a recommendation to the City Council.

Sherrie Llewelyn showed examples of the proposed architecture and said that while the final architecture had not yet been designed that certain styles would be identified in the development agreement and the final architectural design would be determined at site plan review in accordance with the design principles in the Town Center Master plan and form based code. A total of 25% landscaping would also be required per the development agreement with the stipulation that if the developer was able to obtain permission for off-site landscape improvements on the UDOT property, which lies between Lot 2 and Highway 89, then the minimum onsite landscaping requirement would be reduced to 20%.

Mrs. Llewelyn commented that the site had good pedestrian circulation throughout the development and tied access to Highway 89 and the future bus rapid transit line. More detailed pedestrian facilities and bicycle facilities would be reviewed with the individual site plan approvals on each lot. The proposed development would be in conformance with the goals of the adopted Town Center Master Plan. The approval requested was to amend the general development plan and seek an amendment to the development agreement with the City Council. If the plan was approved for amendment the applicant would be required to submit a full site plan application with complete engineering for review prior to seeking a building permit for construction.

Taylor Spendlove, Brighton Homes, commented that they had spent several years doing a market analysis of this site and were excited about the proposed project. When they presented the project to the City Council they were surprised to get feedback for more density at this location. He said the style and unit mixes would create a good development for the area. Mr. Spendlove said all of the buildings except six and seven would be four stories in height and would have elevators. They would be working with a consultant on a marketing study for the project. He said there would be a mix of open and closed corridor buildings. They would also work with UDOT to try and landscape the area along Highway 89 as it would improve the appearance of the project.

Taylor Spendlove spoke on the on-street parking along Orchard Drive and said it would be an important aspect for the commercial uses there. He said there may be some issues with vacating the road as Lakeview Rock Products used it for truck traffic.

Sherrie Llewelyn commented that once the project was developed which would change the nature of the land uses adjacent to the road, the trucks may not choose to use that road. She said a traffic study would most likely be performed to address this issue.

Chair Knowlton asked if this conceptual plan was a preliminary and good faith estimate or more of a placeholder. Taylor Spendlove replied that this would be a good faith estimate as they had done 15 iterations of the plan already.

Chair Knowlton also asked why building four did not front Orchard Drive like buildings one and two would. Taylor Spendlove responded that the planned placement was to allow parking accessibility on all sides of the building. He also said there would be some tuck under parking for some of the buildings.

Commissioner Garn asked Taylor Spendlove if he would prefer on-street parking for this development. Taylor Spendlove replied that on-street parking created an urban type feel and added character. He expressed the need for on-street parking for buildings one and two.

Commissioner Garn asked if the streets would be wide enough to accommodate on-street parking and two way traffic. He commented that he was excited about this development and felt it was a great use of the land. Sherrie Llewelyn replied that there would be room and felt that the on-street parking would add to the urban feel in this location.

Commissioner Tucker commented that this was a great location for higher density but felt there were transportation issues. He felt the intersection would eventually warrant a light due to the increased traffic from the proposed developments in the area. Sherrie Llewelyn replied that the installation of a traffic light would be UDOT's responsibility.

Taylor Spendlove commented that the project would be built in two phases with buildings one, two and three to be constructed in phase 1.

Commissioner Tucker asked if visibility was important for the existing buildings at Eaglewood Lofts. Nate Pugsley, Brighton Homes, commented that the property was for sale for some time. He also said that visibility was important but less so with internet marketing. He said that having 1,000 units in the area would really rejuvenate the area and would allow the proposed mixed use to be viable.

Chair Knowlton commented that he was supportive of the on-street parking for several reasons including that it was space efficient. He said that in his opinion building 4 should front Orchard Drive and asked that this be addressed at site plan approval.

Chair Knowlton then spoke on the section of the development agreement that referenced the Town Center Zone and asked if the agreement could contain information on a yet to be adopted

zone. Sherrie Llewelyn replied that some uses were not conducive to the Town Center as they detracted from walkability. She said these uses were already prohibited in the CH zone and would be prohibited in the form based code.

Commissioner Larson said she was excited about the project but expressed concern with the left turn onto Highway 89 and increased traffic. She said the roundabout off Orchard Drive was also a problem and asked that both of these issues be considered in the traffic study.

The Commission discussed the needs of the traffic study including the involvement of UDOT and that it would need to be an extensive study to include the roundabout and all the new development in that area.

Commissioner Larson commented that she loved the proposed development but felt it was important for the City Council to know that while it was a great location for the density that it would drastically impact the traffic there especially in regards to the left turn and the roundabout. She said that poor traffic flow entering the City and exiting towards downtown Salt Lake at this location may result in a problematic development.

Sherrie Llewelyn said she would share the Commission's comments and concerns with the City Council. She explained that once the City had development plans it would give them the ability to negotiate with UDOT for the expedition of the traffic signal and study. Mrs. Llewelyn said it would be a good time to discuss bus rapid transit and a traffic signal in that area.

Commissioner Garn suggested the installation of a two lane left turn in addition to the traffic light.

Commissioner Ward moved that the Planning Commission recommend to the City Council the approval of the amended general development plan for Eaglewood Village, lots 1B, 2, & 3 located at approximately 1381 South Orchard Drive with the following amendments to the plan and included within the amended development agreement, as appropriate:

Findings:

- 1) **The proposed amended General Development plan conforms to the City's comprehensive general plan;**
- 2) **The plan will meet all requirements of the development code and development agreement.**

Conditions & amendments to the plan:

- 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;**
- 2) **A potential reevaluation of the design and location of building four for possible placement adjacent to Orchard Drive.**

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

Chair Knowlton was excused at 7:18 p.m. Chair Pro Tem Garn then introduced the next agenda item.

5. CONSIDERATION OF A SITE PLAN AND CONDITIONAL USE PERMIT FOR THE YARD AT 331 NORTH MAIN STREET, KNOWLTON GENERAL, APPLICANT

Sherrie Llewelyn reported the 1.42 acre parcel was located at 331 North Main Street in the R1-7 zone. Duplexes are a permitted use in the zone with a minimum area of 8,500 square feet required for each duplex. The lot contains a total of 61,885 square feet, which would allow for seven duplexes. Currently, the property consists of a single family dwelling and will be redeveloped into seven duplexes with 14 units. The proposed project will be a common site development with a shared drive, guest parking and common open space area. The project would be required to meet all of the minimum standards for the zone.

The units would be two stories high and arranged around a common courtyard. Each unit will have a two car side by side garage. Additional guest parking would be required at .25 spaces per unit for a total of four spaces. Several of the driveways would also allow for guest parking. Per the requirement for guest parking to be located within 200 feet of each of the units and an amended site plan shows nine guest parking stalls which exceeds the minimum requirement. The applicant also modified the plan so that the front setback of the units fronting Main Street met the minimum 25 foot setback.

The landscaping improvements are estimated to be 18,607 square feet or 29% of the site, which exceeds the minimum 10% requirement. The plan meets the maximum building coverage for the zone at 35%. The proposed street trees have been evaluated per the draft street tree ordinance and are permitted for the size and width of the park strip. The DRC recommended that a condition be placed to ensure that the street trees be evenly spaced and outside of the ten foot clear view area of the driveways. The site would also require an amendment to include a minimum three foot setback from the property line and the driveway to serve as a landscape buffer between the south property line and the drive aisle. The developer has proposed a three foot buffer that would be landscaped and fenced along the property line.

The fire marshal reviewed and is requiring a modification to the hammerhead turnaround to meet the requirements of the fire code and any approval would be conditioned upon meeting the fire code. There are several minor engineering redlines that must be addressed prior to final approval by the City Council. These include demonstration of an easement through the property on the south side for a sewer connection, the modification of the location of the water meters and

required fire hydrants with an 8 inch water line, and the addition of garbage enclosure detail and street light detail.

Sherrie Llewelyn explained that under Code section 10-20-5 site plan approval is reviewed by the Planning Commission and City Council for all multi-family developments greater than six units. The DRC recommended approval with six conditions and the first three conditions related to guest parking, the three foot landscape buffer, and the minimum front setback of 25 feet had already been addressed. She then showed examples of the site layout to those present.

Chair Pro Tem Garn asked about the street parking shown on the plan adjacent to the existing sound wall. Sherrie Llewelyn replied that there could be parking at the end of the street as long as it was delineated where the street ended and the parking began in compliance with the fire marshal's requirements.

Commissioner Larson asked if all of the units would use the dumpster located at the west portion of the property or if there would be individual garbage cans for each unit. Sherrie Llewelyn responded that the residents would use the dumpster. She clarified that this would be a rental project.

Commissioner Ward commented on the south boundary and asked if there would be a fence constructed between the development and the existing homes. Brian Knowlton, Knowlton General, replied that they planned for a three foot buffer and would also install a new uniform fence on the south boundary.

Brian Knowlton also said that they would have a private drive adjacent to the two northwest units. He also said that they may move some of the central units to create a true conforming driveway for those units.

Commissioner Larson asked about the visitor parking in front of the visual corridors including the rock pathway. Brian Knowlton replied that they would revise the landscaping plan but that the rock path would be removed. He said the plan was to consolidate all of the green space into a pocket park for the residents in the event that this became a for sale project in the future.

Commissioner Ward moved that the Planning Commission recommends approval to the City Council of the proposed site plan for The Yard located at 331 North Main Street subject to the following findings and conditions:

Findings:

- 1) **The proposed development is in compliance with the minimum standards for the R1-7 zone, site plan and parking regulations.**

Conditions:

- 1) **The street trees be placed to be evenly spaced and outside the ten foot 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.**

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

Chair Ted Knowlton returned at 7:34 p.m. and assumed the chair from Commissioner Garn.

6. CONSIDERATION OF A FINAL PLAT FOR ORCHARD GROVE PUD AT 378 EAST ODELL LANE, BRIGHTON DEVELOPMENT UTAH, APPLICANT

Sherrie Llewelyn reported that the Planned (P) District rezone and the development agreement along with the preliminary plan were approved by the City Council on June 18, 2019 after numerous public meetings and revisions. The approval included an additional decrease in density for a total of 14 dwelling units and an increase in setbacks from Orchard Drive to 20 feet. The final plat has been reviewed for compliance with terms agreed upon in the development agreement and P District rezone as well as the subdivision ordinance.

The final plat and the construction drawings require the redline corrections prior to the City Council agenda including engineer redlines adding lot addresses, labeling the private drive, and the correction of the street dedication on the final plat. Redline corrections to the final construction drawings include the addition of engineering and standard notes, minor corrections to the drainage plan, the addition of the garbage enclosure detail, correction of the street light detail, and amending the landscape plan by selecting a different tree along Odell Lane under the power lines and avoiding the clear view area of the intersections.

Taylor Spendlove clarified that the setback off Orchard Drive would be 20 feet from the new right of way. He said that they would be installing a new park strip and sidewalk and it would be 20 feet from this new right of way.

Commissioner Ward asked what the distance would be from the curb. Sherrie Llewelyn replied that it would be 29 feet from the curb.

Commissioner Ward also asked about the consequences of the new setback related to the slope of the property. Taylor Spendlove said that they would be removing the existing retaining wall and using the building for retention. The consequences would allow them to lower the elevations.

The homes along Orchard would appear as two stories rather than two and a half. He said they also lost two units and gained additional parking.

Taylor Spendlove spoke on the slope of the site and clarified that the front doors on Orchard would be level with the sidewalk and the garages would be similar to a walkout basement. The homes would appear as two stories in the front and three stories in the back.

Commissioner Garn moved that the Planning Commission recommend to the City Council the approval of the proposed final plat for Orchard Grove PUD located at 378 East Odell Lane subject to the following:

- 1) **Correction of minor engineering redlines to the plat, namely lot addresses & corrected street dedication;**
- 2) **Correction of redlines on construction drawings, namely choosing an alternative tree species under the power lines and avoiding the clear view area of intersections and adding the garbage enclosure detail; and**
- 3) **Submittal of an approval letter from South Davis Water District and South Davis Sewer District.**

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

7. **CONSIDERATION OF FINAL P-DISTRICT REZONE AND DEVELOPMENT AGREEMENT FOR WELLINGTON PLACE SUBDIVISION AT 877 NORTH CUTLER DRIVE, RED PINE INVESTMENTS, APPLICANT**

Kate Werrett reported that the final rezone request for this application was previously before the Planning Commission and was tabled until the development agreement was drafted. The rezoning of the property required a public hearing by the Planning Commission, which was held on June 11, 2019 with a recommendation to the City Council and then final action by the Council. This application is concurrent to the subdivision preliminary and final plat approval. The proposed development agreement is to be considered in tandem with the rezone. The development agreement addresses the following items including an approved general development plan including a site plan, a development layout of the buildings, fencing, mailbox, lighting, etc., total residential number of single family lots for a total density of 10.7 dwelling units per acre, architectural design and building materials, roadway ownership and maintenance, and other miscellaneous legal requirements.

The proposed site plan for Wellington Place contains approximately 2.15 acres divided into 23 single family lots. The internal streets, Wellington Avenue and Wellington Court, will be privately owned and maintained by a homeowner association (HOA) and the development will be accessed from Cutler Drive. The development is comprised of single family lots which will be

sold individually and governed by a private HOA. Each of the 23 single family lots will be approximately 3,400 square feet. The overall density of the project is 10.7 dwelling units per acre. The majority of the lots have a 40 foot width with the smallest width being 38.69 feet. The lots have a depth of 82 to 85 feet. The single family floor plans on the smaller lots will have a width of 27 feet while other lots will have homes with 30 to 32 feet in width. Each home will have a two car garage and two car driveway.

The proposed architecture, which was previously approved under the general development plan, incorporates brick, stone, stucco, vinyl siding and cement fiber board. The designs range from traditional to contemporary with the design parameters established within the development agreement. The attached proposed development agreement incorporates the architectural standards.

Improvements to the landscaping shall be completed on each lot and within the park strip. The frontage along Cutler Drive would be installed when the front two homes are constructed. Vinyl fencing will be installed in the side yards of each home.

Kate Werrett explained that one of the required modifications of the development agreement was that the garage could not protrude more than five feet from either the front porch roofline or the front façade of the home. She then showed examples the coastal color schemes for the homes.

Commissioner Larson asked about the five year restriction on cutting into Cutler Drive. Kate Werrett replied that the developer would mill down the new road, install the utilities, and finish the road with a one inch overlay. This would then restart the five year restriction on this road.

Robbie Thomson, Red Pine Investments, commented that this property was used for truck parking so the neighbors were excited about the new single family development.

Chair Knowlton asked for clarification on the proposed width of the homes. Robbie Thomson replied that they would be 27 to 30 feet in width with a five foot setback on the sides.

Chair Knowlton then asked about the stub street, Stonehaven Drive, and asked why it would not connect to Cutler Drive. Robbie Thomson said that based on the layout a connection would reduce the proposed density.

Sherrie Llewelyn also clarified that Stonehaven Drive was a private street owned by the HOA and there was no access easement.

Chair Knowlton asked about the installation of a pedestrian only connection in that area. He said the City could provide some flexibility on the side yard setback to allow for the connection.

Sherrie Llewelyn commented that the best location for this connection would be between homes 11 and 12. She suggested that it could be a pedestrian easement so the home could still be five feet from the property line to avoid the need for a one hour fire wall. Mrs. Llewelyn said there was a similar pedestrian connection near Commissioner Larson's home.

Commissioner Larson said that this type of pedestrian connection would be great for the children walking to school in this area and would also connect the neighborhoods in the Stonehaven area. She was also in favor of connecting Stonehaven Drive but understood the difficulty in obtaining approval from the HOA.

The Commission then discussed the minimum width of a pedestrian connection of four feet, negotiations with the HOA, who would benefit from the walkway, and if the City should work with the HOA rather than the developer.

Robbie Thomson commented that the only homeowners who would want the pedestrian connection would be those in the proposed development. He said the HOA would not want to upset their residents especially if there was no benefit to them.

Sherrie Llewelyn said that while it would be nice to have the pedestrian connection she was unsure if it was practical. She said if the proposed lots were larger it would allow for the required setbacks and an eight foot walkway but a sidewalk that was only three feet from the homes may not be appreciated by the property owners.

Commissioner Tucker mentioned that there may be windows or other accesses three feet from the pedestrian connection. Robbie Thomson also said that since the yards would be fenced, the walkway would be through a narrow alley.

The Commission determined that the pedestrian connection may not be the best option particularly as approval would be required from another landowner.

Commissioner Tucker moved that the Planning Commission recommend rezone request from General Commercial to P District for Wellington Place located at 877 North Cutler Drive along with the proposed development agreement with the following findings and conditions:

Findings:

- 1) The proposed P District can be substantially completed within two (2) years of the establishment of the P District.**
- 2) The development contains one phase that can exist as an independent unit capable of creating an environment of sustained desirability and stability; and that the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts.**

- 3) **The proposed increased density will not generate traffic in such amounts as to overload the street network outside the P District.**
- 4) **The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.**
- 5) **Any exception from standard ordinance requirements is warranted by the design incorporated into the final plan.**
- 6) **The P district is in conformance with the city general land use plan.**
- 7) **Existing or proposed utility services are adequate for the population and use densities proposed.**

Conditions:

- 1) **Home plans to align with the architectural requirements listed in the development agreement.**

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

8. CONSIDERATION OF PRELIMINARY & FINAL PLAT FOR WELLINGTON PLACE SUBDIVISION AT 877 NORTH CUTLER DRIVE, RED PINE INVESTMENTS, APPLICANT

Kate Werrett said the purpose of this application was to facilitate the general development plan known as Wellington Place located at approximately 877 North Cutler Drive. The 2.15 acre property is zoned General Commercial (CG). The general development plan for Wellington Place was approved by the City Council on June 18, 2019. In conjunction with the P District rezone request the development agreement would include preliminary plan and final plat approval of the project. The project will be recorded in one phase.

The final plat and construction drawings have been reviewed for compliance with the development agreement and City Code. There are some redline corrections on the construction drawings and final plat including engineer redlines adding lot addresses, showing the cluster mailbox easement, and minor wording on the boundary description. The corrections needed on the final construction drawings include the fire hydrant locations, utility line repositioning, water line connections along Cutler Drive, lot grading, and Cutler Drive construction drawings. The DRC recommends the final redlines be completed prior to placement on the City Council's agenda. The engineering department will require final civil drawing corrections prior to final plat approval by the City Council. The DRC has reviewed and recommends approval of the preliminary plan and final plat with the conditions for approval of the P District rezone and development agreement by the City Council and the engineering corrections of civil drawings and plat prior to submittal to the City Council.

Sherrie Llewelyn clarified that the redline corrections for tonight's applications were not the fault of the applicants but due to staff's workload and the cancellation of the August 13th meeting.

Commissioner Garn asked the applicant if they had any plans to purchase the adjacent property on the east side. Robbie Thomson commented that ideally they would like to purchase and redevelop the trucking company property.

Commissioner Garn moved that the Planning Commission recommend approval on the proposed preliminary plan and final plat for Wellington Place located at approximately 877 North Cutler Drive along with the proposed development agreement subject to the following:

- 1) Approval of the P District rezone and development agreement by the City Council; and**
- 2) Engineering corrections of civil drawings and plat prior to submittal to the City Council.**

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

9. POSSIBLE LAND USE CODE AMENDMENTS RELATED TO THE R1-7, RM-7, RM-20, AND P-DISTRICT ZONES

Sherrie Llewelyn reported that this item was due to a review of the general plan and upcoming construction, particularly multi-family development, by the City Council. She said that the Council asked staff to draw up a moratorium on development. Mrs. Llewelyn said that the Council did not like the TAG Orchard townhome proposal in the RM-20 zone, that the Planning Commission had the authority to vary the setbacks under the PUD ordinance, and potential issues with the R1-7 RM-7, RM-20 zones. She said the Council asked for input from the Planning Commission on potential code changes to be made during the moratorium.

Sherrie Llewelyn suggested that a joint work session be held so that staff, the Planning Commission and the City Council could review and revise the R1-7, RM-7 and RM-20 zones; conditional uses; the subdivision ordinance process; whether staff or the Planning Commission should review certain administrative uses; and what administrative uses should remain at the City Council level.

Chair Knowlton commented that one issue on the Orchard Grove development was that the P District gave the City the ability to negotiate a better design. He said that the City could create

basic design standards regarding parking, front doors facing the streets, percentage of a front façade in windows and doors, etc. for residential zones.

Sherrie Llewelyn said that the sign ordinance should also be addressed. She said if there were good standards in the ordinance that this would allow staff to approve applications in a timely manner.

Commissioner Ward commented that it may be better if the initial concept plan went before the City Council and public input was received at that time. He felt that it would be a better process if the proposal went before the Council first for preliminary approval and was then reviewed by the Planning Commission for recommendations.

Commissioner Tucker said that the Planning Commission was not swayed by public opinion as the whole purpose of a public hearing was fact finding. If the development was altered by public opinion, it should occur at the City Council level.

Chair Knowlton stated that the City Council should hear from residents and the Commission should also provide a recommendation. Sherrie Llewelyn said the solution would be the adoption of the form based code which would replace the P District zone.

Sherrie Llewelyn said WFRC would review the form based code and it should be ready for public input in September or October through an open house and other public outreach. She explained that the moratorium would be six months on all applications in the RM-7, R1-7, and RM-20 zones.

Sherrie Llewelyn said that the Planning Commission was objective as they were not elected. She felt the issue was the underlying zones that drove the P District rezone and it would be better if the zoning ordinance already specified what could be done.

Commissioner Ward commented that the City was obtaining better results with a P District. Commissioner Larson said that other benefits of the P District were improved roads and sidewalks, etc.

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

Sherrie Llewelyn reported that the City Council approved the 38 Street Salon rezone and The Winnie with decreased density and no tandem garages. She said the City Council tabled the Orchard townhomes and approved the concept plan for the Lakeview subdivision.

The City Council August 6th agenda items included the Orchard townhome PUD concept plan, the Williamsburg final site plan and rezone, the Eaglewood Village amendment, The Yard site

plan, the Orchard Grove final plan, the Wellington Place rezone, preliminary plan and final plat, and the moratorium.

Chair Knowlton asked why they tabled the Orchard townhome development. Sherrie Llewelyn replied that the City Council did not like the front setback reduction.

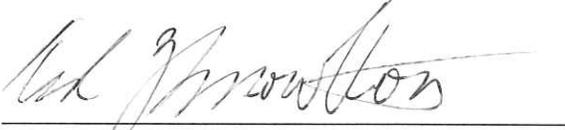
11. APPROVAL OF MINUTES

The Planning Commission meeting minutes of July 9, 2019 were reviewed and approved.

Commissioner Larson moved to approve the Planning Commission meeting minutes of July 9, 2019 as amended. Commissioner Tucker seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Ward, Tucker and Larson. Commissioners Kirkham and Gordon were excused.

12. ADJOURN

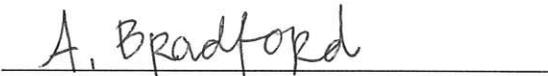
Chair Knowlton adjourned the meeting at 8:46 p.m.



Chair



Recorder



Secretary