



# CITY OF NORTH SALT LAKE

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## CITY COUNCIL MEETING NOTICE & AGENDA January 7, 2020

Posted January 3, 2020

Notice is given that the North Salt Lake City Council will convene **TUESDAY, JANUARY 7, 2020** for a reception at 6:00 pm in the Council Chambers at City Hall, 10 East Center Street, North Salt Lake, Utah, followed by a work session at 6:30 pm in the Council Conference Room. The regular meeting will begin 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.

### RECEPTION AND WORK SESSION –6:00 p.m.

1. Reception and Welcome of Newly Elected Officials – Council Chambers
2. Swearing-In of Newly Elected Officials (6:20)
3. Work Session – Conference Room (6:30)
4. Transportation Discussion and Legislative Update – Representative Melissa Ballard
5. Adjourn

### REGULAR SESSION - 7:00 p.m.

1. Introduction by Mayor Len Arave
2. Invocation and Pledge of Allegiance ~ Council Member Lisa Baskin
3. Citizen Comment
4. City Council Motion to Select Mayor Pro Tempore for 2020
5. Consideration of **Resolution 2020-01R**: A Resolution Approving the 2020 Meeting Schedules for City Council and Planning Commission
6. Consideration of City Council appointment to the Parks, Trails Arts and Recreation Advisory Board
7. Consideration of **Ordinance 2020-01**: An ordinance rezoning property located at 877 North Cutler Drive from General Commercial (CG) to P-District and approving a development agreement (**2020-01A**) for Wellington Place PUD, Red Pine Investments, Garrett Seely, applicant.
8. Consideration of a Preliminary Plan and Final Plat for Wellington Place PUD located at 877 North Cutler Drive, Red Pine Investments, Garrett Seely, applicant
9. Consideration of a request for a road cut, prior to the expiration of the three-year construction prohibition from August 18, 2020 to May 25, 2020, Liberation Development, Mike Watson, applicant
10. Consideration of **Ordinance 2020-02**: An ordinance amending Title 6 of the City Code pertaining to on-street parking regulations and clarifying who can serve as an appeal authority for parking enforcement matters.
11. Approve City Council Minutes – November 19, 2019

12. Action Items
13. City Council Reports
14. Mayor’s Report
15. City Attorney Report
16. City Manager Report
17. Adjourn into Closed Session

**CLOSED SESSION**

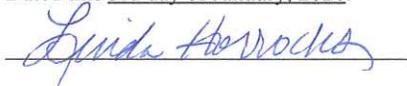
1. Possible closed session for the purpose of discussing pending or reasonably imminent litigation; to discuss the character professional competence, or physical or mental health of an individual; to discuss collective bargaining; or to discuss the purchase, exchange, sale, or lease of real property.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

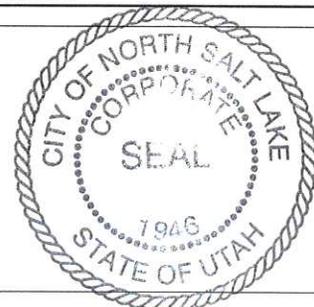
The public is invited to attend all City Council meetings. If you need special accommodations to participate in the City Council meeting, please call the City office at 801-335-8709. Please provide at least 24 hours' notice for adequate arrangements to be made.

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 3rd day of January, 2020.

Dated this 3rd day of January, 2020.





**RESOLUTION NO. 2020- 01R**  
**NOTICE OF ANNUAL MEETING SCHEDULES FOR THE**  
**CITY COUNCIL AND PLANNING COMMISSION**  
**OF THE CITY OF NORTH SALT LAKE, DAVIS COUNTY, UTAH**  
**CALENDAR YEAR 2020**

**WHEREAS**, the City Council of the City of North Salt Lake, Davis County, Utah, hereby gives notice to the public of the regular meeting schedules of the City Council and Planning Commission for the calendar year 2020;

**NOW, THEREFORE BE IT RESOLVED**, all City Council and Planning Commission meetings will be held at the North Salt Lake City Hall, in the Council Chambers, 10 East Center Street, with the City Council commencing at 7:00 p.m., and the Planning Commission at 6:30 p.m., unless otherwise posted. If any meeting is canceled or rescheduled, public notice will be given of such new meeting date. Meetings at times other than as specified shall be held by the City Council or Planning Commission as circumstances require. The dates for holding regular meetings shall be as follows:

REGULAR CITY COUNCIL MEETING DATES

JANUARY 7	JUNE 16
JANUARY 21	JULY 7
FEBRUARY 4	JULY 21
FEBRUARY 18	AUGUST 4
MARCH 3	AUGUST 18
MARCH 17	SEPTEMBER 1
APRIL 7	SEPTEMBER 15
APRIL 21	OCTOBER 6
MAY 5	OCTOBER 20
MAY 19	NOVEMBER 17
JUNE 2	DECEMBER 15

REGULAR PLANNING COMMISSION MEETING DATES

JANUARY 14	JULY 14
JANUARY 28	JULY 28
FEBRUARY 11	AUGUST 11
FEBRUARY 24	AUGUST 25
MARCH 10	SEPTEMBER 8
MARCH 24	SEPTEMBER 22
APRIL 14	OCTOBER 13
APRIL 28	OCTOBER 27
MAY 12	NOVEMBER 10
MAY 26	NOVEMBER 24
JUNE 9	DECEMBER 8
JUNE 23	

All meetings of the City Council are open to the public unless closed pursuant to Section 52-4-204, Utah Code. A written agenda of each open meeting will be posted on the City's website at [www.nslcity.org](http://www.nslcity.org) and at the North Salt Lake City Hall, 10 East Center Street, in North Salt Lake, Utah no later than 5:30 p.m. on the regular business day preceding such meeting.

**EFFECTIVE DATE.** This resolution shall become effective immediately upon passage.

**PASSED AND ADOPTED** by the City Council of North Salt lake City, State of Utah, this 7<sup>th</sup> day of January, 2020.

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Len Arave, Mayor

ATTEST:

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Linda Horrocks, City Recorder

City Council Vote as Recorded:

<u>Name</u>	<u>Vote</u>
Lisa Baskin	_____
Natalie Gordon	_____
Brian Horrocks	_____
Ryan Mumford	_____
Stan Porter	_____



# CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

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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:** January 7, 2020  
**SUBJECT:** Consideration of **ORD 2020-01** rezoning property located at 877 North Cutler Drive from General Commercial to P-District and approving development agreement **2020-01A** for Wellington Place PUD

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### RECOMMENDATION

The Planning Commission recommends approval to the City Council of the final rezone to P District for Wellington Place located at 877 North Cutler Drive, along with the proposed and development agreement with the following conditions:

1. Home plans to align with the architectural requirements listed in the Development Agreement;

### BACKGROUND

The proposed P-District and Final Plat is located at 877 North Cutler Drive. The property contains approximately 2.15 acres and is currently zoned General Commercial. The parcel adjacent to Foxboro Terrace Apartments and Foxboro North Stonehaven East PUD.

This property is currently owned by Leo Thurston and used for asphalt truck storage. Red Pine Land, LLC has a purchase agreement with Thurston for the development proposal. The proposed P-District Zone contains 23 single family lots, similar in size to those in the Stonehaven PUD.

Soils studies conducted on the site indicated isolated lead contamination in the southeast area of the property, likely from automobile battery waste. The contaminated soil has been removed and additional testing has been requested by the City Engineer to verify all contaminated soil has been removed from the site and disposed in an appropriate waste facility.

On June 11, 2019 the Planning Commission held a public hearing on the zone change and general development plan. Only one public comment was received and it was favorable to the project as proposed. The General Development Plan was approved by the Council on June 18, 2019.

The Planning Commission considered the proposed development agreement and preliminary plan and final plat on July 23, 2019 and made a favorable recommendation to the City Council with the one

condition that the home plans align with the architectural requirements listed in the development agreement and the submittal of final engineering corrections.

The required conditions from the Planning Commission have been satisfied. The City Engineer only requires the final confirmation of the soils testing from the geotech consultant, verifying all contaminated soil has been removed from the site.

## **REVIEW**

The proposed site plan for Wellington Place contains approximately 2.15 acres with 23 single family lots. The internal streets will be privately owned and maintained by a homeowner association. The development will be accessed from Cutler Drive.

The development is comprised of only single family lots which will be sold individually and governed by a private HOA. The 23 single family lots are 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' width, with the smallest width being 38.69'. The lots have a depth of 82' to 85'. On the smaller lots, single family floor plans with a width of 27' will be used. Other lots will have homes with 30'-32' widths. Each home will have a 2 car garage and a 2 car driveway.

## **Conceptual Building Plans**

As previously approved under the General Development Plan, the proposed architecture for the single family homes incorporates brick, stone, stucco, vinyl siding and cement fiber board. The designs range from traditional to contemporary. The design parameters are established within the development agreement. The attached proposed development agreement incorporates the architectural standards. Attached are

## **Landscape Plan & Fencing**

Improvements to the landscaping shall be completed on each lot and within the respective park strip, where existing along Cutler Drive, within 6 month of final occupancy, in the event that date falls between October 1-April 1, the homeowner shall be allowed until July 1st of the following year to complete the landscaping. The project fencing material shall be permitted to be vinyl, composite, masonry or cedar fencing, in a color coordinated with the materials used in the construction of the homes. The side yard fencing between homes will be vinyl.

## **POSSIBLE MOTION**

I move that the City Council adopt ORD 2020-01 approving the 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. Confirmation of the removal of all lead contaminated soils to the satisfaction of the City Engineer.

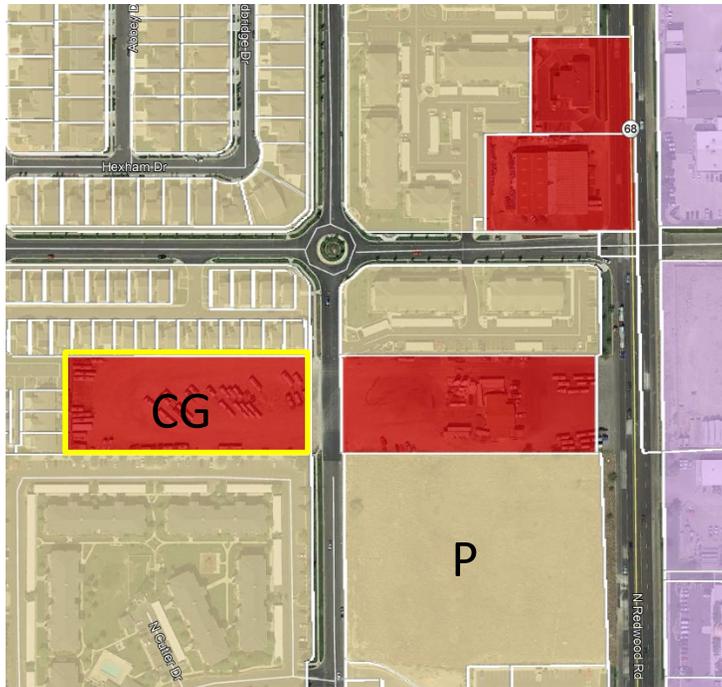
Attachments

- 1) Aerial Map
- 2) Final Site Plan
- 3) ORD 2020-01
- 4) AGR 2020-01A

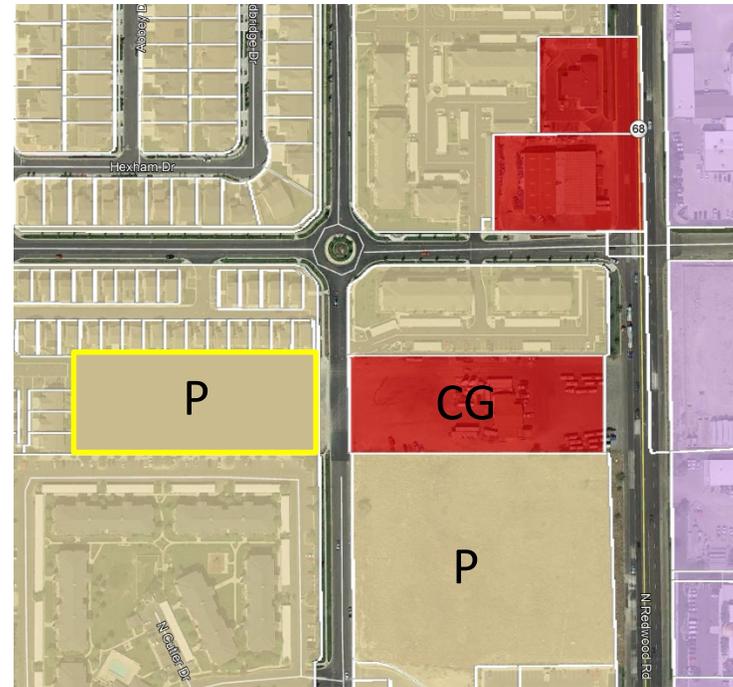


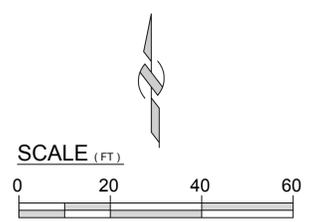
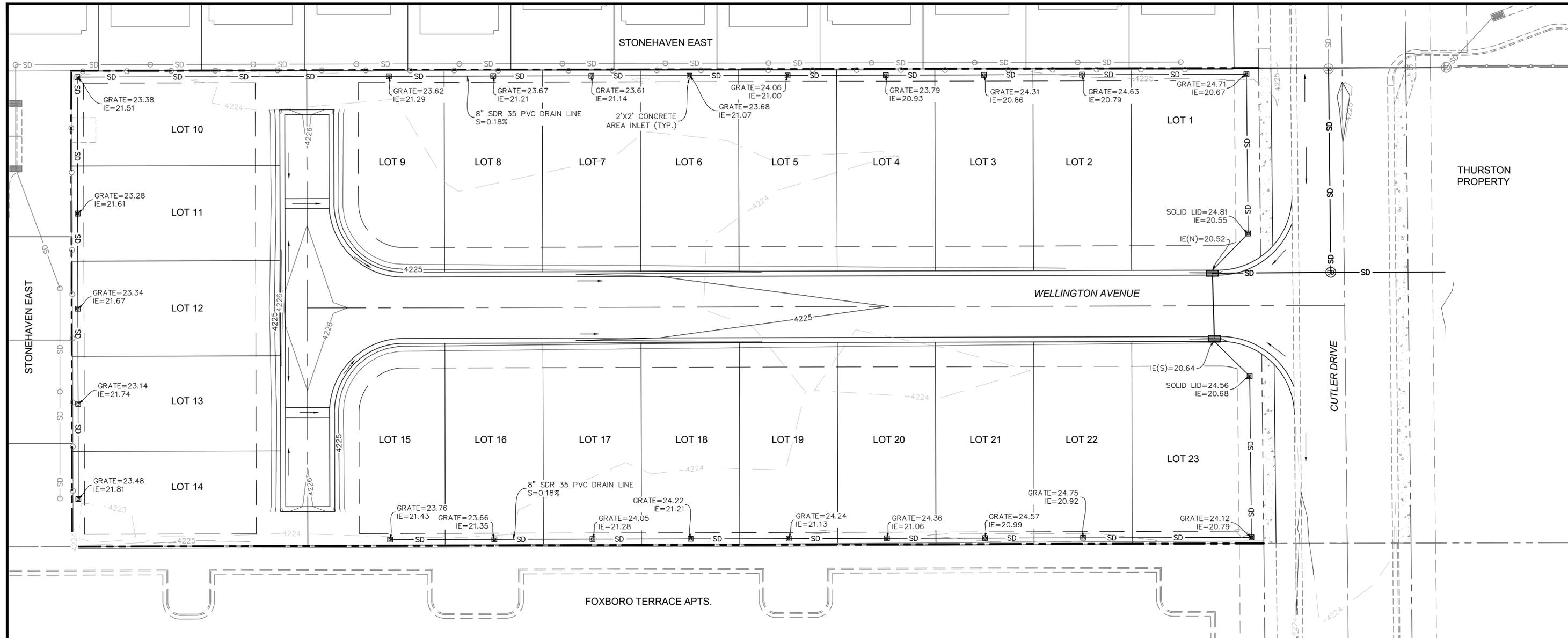
# P-District Rezone Wellington Place 877 North Cutler Drive

Existing Zoning



Proposed Zoning





RED PINE INVESTMENTS, LLC  
 WELLINGTON PLACE  
**MASTER GRADING PLAN**

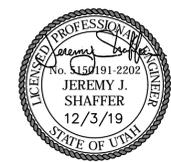
**BINGHAM ENGINEERING**  
 SALT LAKE CITY - (801) 532-2520  
 OGDEN - (801) 399-1662

Print Date: 12/03/2019 Created: 06/26/19 Proj. # 5412  
 Copyright © 2019 Bingham Engineering, Inc. Drawing not to be reused in part or in whole without written permission.  
 F:\5412\CAD\5412Grading.dwg jeremy

0	JJS	12/03/19	ISSUED FOR CONSTRUCTION
D	JJS	07/29/19	ISSUED FOR REVIEW
C	JJS	07/15/19	2'X2' INLET BOXES
B	JJS	07/01/19	NEW DRAWING, NAME CHANGE
Rev.	By	Date	Remarks

Dan: JJS  
 Drw: JJS  
 Chk: JRL  
 Rvw: JRL

**GR1**  
 of 1



**ORDINANCE NO. 2020-01**

**AN ORDINANCE AMENDING THE CITY OF NORTH SALT LAKE ZONING MAP BY CHANGING THE ZONING OF PROPERTY LOCATED GENERALLY AT 877 NORTH CUTLER DRIVE WITHIN THE CITY OF NORTH SALT LAKE, STATE OF UTAH, FROM CG, GENERAL COMMERCIAL TO P, PLANNED DISTRICT.**

**WHEREAS**, the City of North Salt Lake has received an application from Red Pine Investments LLC. to amend the zoning for property located generally at 877 North Cutler Drive from CG, General Commercial to P, Planned District; and

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

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

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

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

**Section 1. Zoning Map Amendment.** The City of North Salt Lake Zoning Map is hereby amended to change the zoning of approximately 2.15 acres of property located generally at 877 North Cutler Drive within the city limits of the City of North Salt Lake, and more particularly described as Davis County parcel number 06-082-0271 from CG, General Commercial to P, Planned District.

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

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

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH SALT LAKE, STATE OF UTAH, THIS 7<sup>th</sup> DAY OF JANUARY, 2020.**

**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 Gordon	_____
Council Member Horrocks	_____
Council Member Baskin	_____
Council Member Mumford	_____
Council Member Porter	_____

**Property Description:**

All property included in Davis County Parcel Identification numbers: 006-082-0271 containing approximately 2.15 acres.

**Legal Description:**

BEG AT A PT 276 1/21 RODS & 626.5 FT S & W 565.43 FT, M/L, TO THE SW COR OF PPTY CONV IN WARRANTY DEED RECORDED 05/19/2016 AS E# 2939759 BK 6520 PG 704 FR NE COR SEC 34-T2N-R1W, SLB&M; & RUN TH W 490.59 FT; TH N 194.5 FT; TH E 490.59 FT, M/L, TO THE NW COR OF PPTY CONV IN SD WARRANTY DEED; TH ALG W LINE OF SD PPTY THE FOLLOWING COURSE: S 00°37'35" E 193.34 FT, M/L, TO THE S LINE OF THIS PPTY AS CONV IN WARRANTY DEED RECORDED 07/25/1991 AS E# 935234 BK 1427 PG 237 TO POB. CONT. 2.15 ACRES

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

AGR 2020-01A

**DEVELOPMENT AGREEMENT**  
**WELLINGTON PLACE AT NORTH SALT LAKE**

**THIS DEVELOPMENT AGREEMENT** (the “Agreement”) is made and entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ (the “Effective Date”), by and between **THE CITY OF NORTH SALT LAKE**, a Utah municipal corporation (the “City”), and **RED PINE INVESTMENTS, LLC**, a Utah limited liability company, (the “Developer”). The Developer and the City are sometimes collectively referred to herein as the “Parties” or singularly as a “Party.”

RECITALS

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

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

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

- (1) a General Development Plan (the “General Development Plan”) for the Property consisting of a twenty-three (23) unit single family development; and
- (2) the re-zoning of the Property to the Planned P District, (the “P District Zoning”) subject to approval of an acceptable development agreement.

D. The project to be developed upon the Property pursuant to the General Development Plan is known as the Wellington Place and is generally located at 877 North Cutler in the City of North Salt Lake (the “Project”).

E. Pursuant to the City’s approval of the General Development Plan on the 18<sup>th</sup> day of June, 2019, the Plan consists of twenty-three (23) single family residential units with associated parking, landscaping and other improvements. A copy of the approved General Development Plan is attached hereto as **Exhibit “B.”**

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

## AGREEMENT

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

1. Incorporation of Recitals and Exhibits. The above Recitals and Exhibits attached and referenced herein are hereby incorporated into this Agreement.
  
2. General Development Plan Approval. To the fullest extent of its legal powers and authority and for the duration of the Term (as described below) of this Agreement, the City hereby approves the General Development Plan for the Project, including the density, use, configuration, and specification designations as described in the General Development Plan and as described elsewhere herein. The developer may not substantively deviate from the General Development Plan without prior approval by the City. Subject to the terms of this Agreement and subject to the Developer's compliance with other provisions of the Code not specifically modified herein, the Developer shall have the right to have, Preliminary Design Plan, Site Plan, Final Plat, Construction Plans and Building Permits (as those terms are defined in section 10-3 of the Code) approved by the City and to develop the Project as proposed and approved. The Developer hereby agrees that the Project is subject to all City ordinances except as specifically modified herein by this Agreement. In the event of a conflict between the Code and this Agreement, this Agreement shall control.
  
3. Term. The vested rights described in this Agreement shall be effective for a period of ten (10) years following the date on which this Agreement is adopted by the city Council of North Salt Lake and signed by the City's Mayor (the "Term").
  
4. Development of the Project. The Project shall be developed by Developer and/or Developer's successors and assigns in accordance with all of the requirements contained herein.
  - a. Notwithstanding anything in the Code to the contrary, the general layout, parking, fencing, and landscaping of the project shall be substantially in the form of **Exhibit "C"** of this Agreement and are entitled Site Plan & Landscape Plan.
  
  - b. Notwithstanding anything in the Code to the contrary, the land use standards, including but not limited to, setbacks, building heights, uses, etc., for all structures to be developed within the Project shall be as described in attached **Exhibit "D"** and are hereby approved by the City for use in the Project and are entitled P District Land Use Standards.
  
  - c. Developer and City hereby agree that architectural standards should be applied to the development of all lots within the Project. These specific rules and standards are shown in **Exhibit "E"** of this Agreement and are entitled, "Architectural Standards for Wellington Place".
  
  - d. Phasing Plan. The Developer intends to construct the project in one phase
  
  - e. Required Public Improvements. City agrees to coordinate with Developer the placement of conduits, chases and other piping required for the development of the project. The Developer agrees to construct all required public improvements consistent with applicable law, at its expense. The developer shall be required to mill the entirety of the new portion of Cutler Drive to a **minimum** depth of

one (1) inch to facilitate the installation of utilities. The entire section of new road shall then be overlaid with a **minimum** surface of one (1) inch of asphalt.

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

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

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

To Developer:                      Red Pine Investments, LLC  
  Attn: Garrett Seely  
  367 East 280 South  
  Alpine, Utah 84004

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

In the event that either of the Parties desires to change its address as shown above, such Party shall provide written notice to the other Party pursuant to the requirements of this Section 7.

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

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

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

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

d. The right to terminate this Agreement.

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

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

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

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

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

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

**ATTEST:**

**CITY**  
CITY OF NORTH SALT LAKE

\_\_\_\_\_  
City Recorder

\_\_\_\_\_  
By: Len Arave  
Its: Mayor

**DEVELOPER**

Red Pine Investments, LLC, a Utah limited liability company

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By: Garrett Seely  
Its: Manager

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

All property included in Davis County Parcel Identification numbers: 06-082-0271 and containing approximately 2.15 acres.

Legal Description:

BEG AT A PT 276 1/21 RODS & 626.5 FT S & W 565.43 FT, M/L, TO THE SW COR OF PPTY CONV IN WARRANTY DEED RECORDED 05/19/2016 AS E# 2939759 BK 6520 PG 704 FR NE COR SEC 34-T2N-R1W, SLB&M; & RUN TH W 490.59 FT; TH N 194.5 FT; TH E 490.59 FT, M/L, TO THE NW COR OF PPTY CONV IN SD WARRANTY DEED; TH ALG W LINE OF SD PPTY THE FOLLOWING COURSE: S 00°37'35" E 193.34 FT, M/L, TO THE S LINE OF THIS PPTY AS CONV IN WARRANTY DEED RECORDED 07/25/1991 AS E# 935234 BK 1427 PG 237 TO POB. CONT. 2.15 ACRES

## EXHIBIT "B" GENERAL DEVELOPMENT PLAN

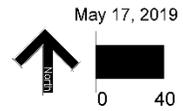
The General Development Plan for the Wellington Place project approved by the City Council on the 18<sup>th</sup> day of June, 2019.



Acres:	2.15	Typical Lot Size:	40'x85'
No. of Lots:	23	Typical Lot SF:	3,400
DU/Acre:	10.70		
Current Zoning:	CG	No Street Parking	
Proposed Zoning:	P	Minimum Driveway Depth:	20'
		Parking Per Lot:	4
		2/Garage + 2/Driveway	

**CivilScience**  
Engineers Surveyors Planners

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



**EXHIBIT "C"**  
**PRELIMINARY/FINAL PLAN**

**WELLINGTON PLACE P.U.D.**

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH

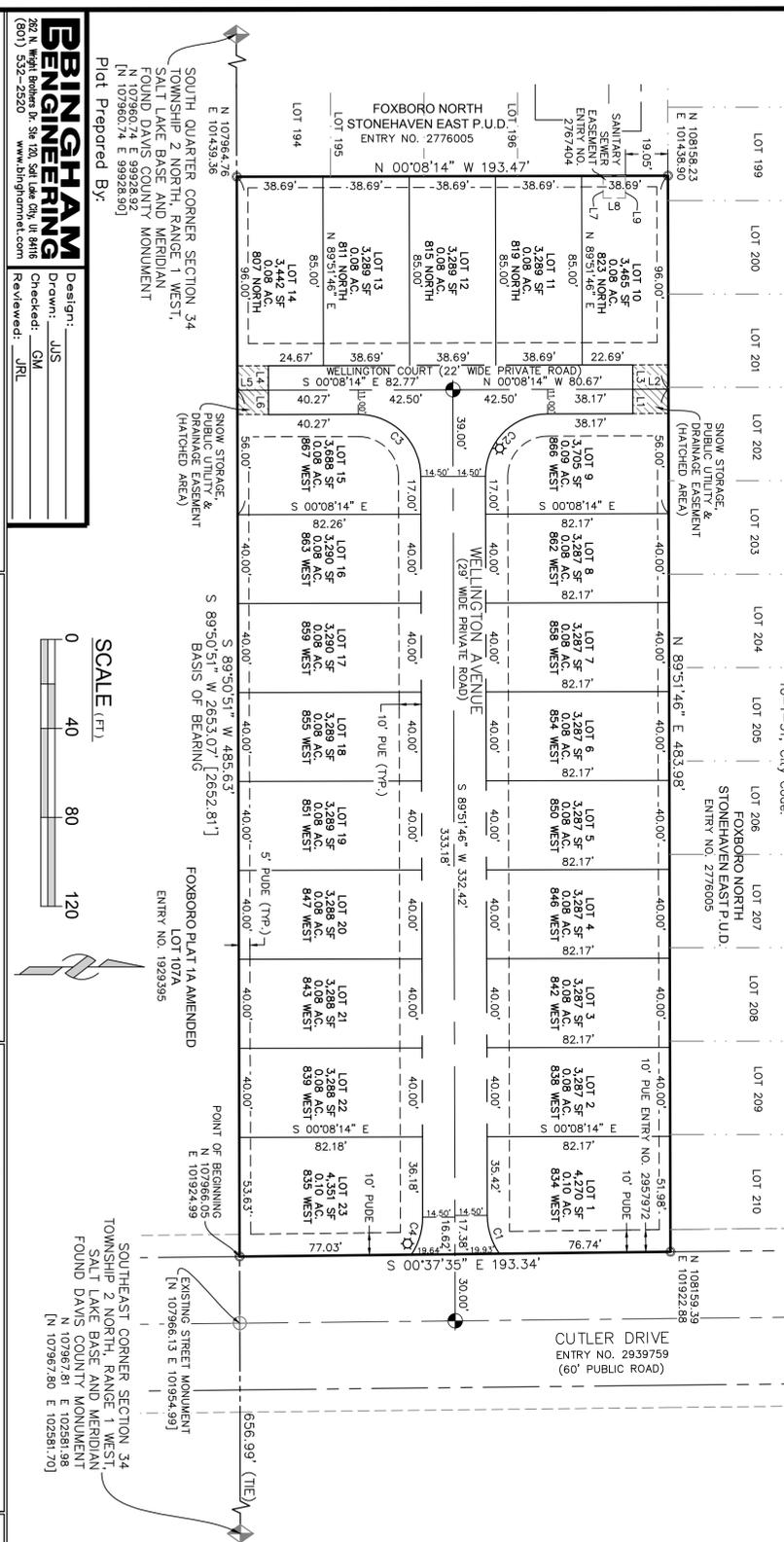
**NOTES**

- 1.) All un-fenced property corners will be set with a 5/8" rebar and plastic cap stamped "Bingham Eng." or a rivet where the property corner is in concrete or asphalt.
- 2.) Private roadways shall be covered by a blanket easement for private and public utilities. Said easement shall be created by this reference.
- 3.) Private roadways shall have an access easement across it to allow access to adjoining private parcels. Said easement shall be created by this reference.
- 4.) Private roadways shall be owned and maintained by the Wellington Place Homeowners Association.
- 5.) All public utility easements shown hereon are 10.00 feet wide unless otherwise noted.
- 6.) The coordinates shown hereon are based on the datum of the Davis County Surveyor. Record bearings, distances and coordinate values are shown in brackets [ ] All other dimensions and coordinate values are measured.
- 7.) Approval of this development plat by North Salt Lake City does not constitute any representation as to the adequacy of subsurface soil condition or the location or depth of groundwater tables.
- 8.) The finished floor elevation of any home shall be at least one (1) foot above the lowest top back of curb grade adjacent to the lot.
- 9.) Street lights on private streets within the P.U.D. shall be operated and maintained by the Wellington Place Homeowners Association.
- 10.) Storm drain mains and inlet boxes located within private roadways shall be owned and maintained by the Wellington Place Homeowners Association.
- 11.) The rear-lot storm drain piping shall be owned and maintained by the Wellington Place Homeowners Association.
- 12.) Development on corner lots within this plat shall conform to the City's adopted clear vision requirements found in Section 10-1-31, City Code.

Line Table		Curve Table						
Line #	Direction	Length	Curve #	Length	Radius	Delta	Chord Length	Chord Direction
L1	S 89°51'46" W	11.00'	C1	18.33'	30.00'	35700.26'	18.05'	N 72°21'33" E
L2	N 00°08'14" W	16.00'	C2	43.98'	28.00'	90000.00'	39.60'	S 45°08'14" E
L3	S 89°51'46" W	11.00'	C3	43.98'	28.00'	90000.00'	39.60'	S 44°51'46" W
L4	S 89°51'46" W	11.00'	C4	17.82'	30.00'	34701.44'	17.26'	N 2°30'22" W
L5	S 00°08'14" E	14.00'						
L6	N 89°51'46" E	11.00'						
L7	N 90°00'00" W	9.98'						
L8	S 00°00'00" E	10.00'						
L9	N 90°00'00" E	10.00'						

**LEGEND:**

- ◆ DAVIS COUNTY SECTION CORNER MONUMENTS FOUND
- ◆ STREET MONUMENT TO BE SET
- ◆ EXISTING STREET MONUMENT
- SET REBAR W/ CAP MARKED "BINGHAM ENG."
- ☆ STREET LIGHT
- SUBDIVISION BOUNDARY LINE
- EXISTING LOT LINE
- LOT LINE (PUE) PUBLIC UTILITY EASEMENT OR (PUE) PUBLIC UTILITY AND DRAINAGE EASEMENT (AS NOTED).
- RIGHT-OF-WAY LINE
- CENTERLINE



**SURVEYOR'S CERTIFICATE**

I, D. Gregg Meyers, a Professional Land Surveyor holding License No. 312770 as prescribed by the laws of the state of Utah, do hereby certify that by the authority of the owners, I have made an accurate survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into private roads, lots together with easements hereafter to be known as Wellington Place P.U.D. and that the same has been surveyed and staked on the ground as shown on this plat.

Date: \_\_\_\_\_

D. Gregg Meyers  
P.L.S. No. 312770



**REVIEW ONLY**

**BOUNDARY DESCRIPTION:**

A parcel of land located in the Southeast Quarter of Section 34, Township 2 North, Range 1 West, Salt Lake Base and Meridian, North Salt Lake City, Davis County, Utah, more particularly described as follows:

Beginning of the southwest corner of that portion of Cutler Drive as granted by Warranty Deed as recorded in the office of the Davis County Recorder as Entry No. 2939759, said point being the northeast corner of Lot 107A of Foxboro Plat 1A Amended as recorded in said office as Entry No. 1929395, said point lies on the section line South 89°50'51" West along said section line 656.99 feet from the Southeast Corner of Section 34, Township 2 North, Range 1 West, Salt Lake Base and Meridian (basis of bearing being South 89°50'51" West between the Southeast Corner and the South Quarter Corner of Section 34, 12N, R1W, S18&M) and running thence South 89°50'51" West along the north line of said Lot 107A and said section line 485.63 feet to the southeast corner of Foxboro North Stonehaven East P.U.D. as recorded in said office as Entry No. 2776005; thence along the east and south lines of said Foxboro North Stonehaven East P.U.D. the following two right-of-way line of said Cutler Drive; thence South 00°37'35" East along said right-of-way 193.34 feet to the point of beginning.

Containing 93,762 Square Feet or 2.152 Acres, 23 Lots, and 2 Private Streets.

**OWNER'S DEDICATION AND CONSENT TO RECORD**

Know by all men by these presents, that the undersigned owner of the parcel of land shown on this plat, and described hereon, have caused the parcel to be subdivided into the lots, parcels and private roadways as shown on this plat to be hereafter known as:

WELLINGTON PLACE P.U.D.

BW Wellington, LLC.

**ACKNOWLEDGMENT**

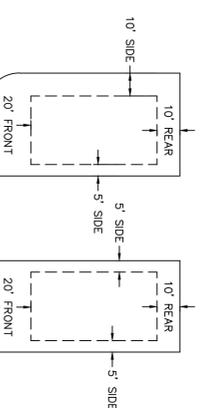
On this \_\_\_\_\_ day of \_\_\_\_\_, 2019, personally appeared before me, \_\_\_\_\_, who being by me duly sworn, did say that she is the \_\_\_\_\_ of BW Wellington, LLC, a Utah Limited Liability Company, and that the foregoing instrument was signed on behalf of said BW Wellington, LLC, and said \_\_\_\_\_ acknowledged to me that said BW Wellington, LLC executed the same.

Notary Public for the State of \_\_\_\_\_

My Commission Expires \_\_\_\_\_

Notary Seal

**TYPICAL SETBACK DETAILS**



**BINGHAM ENGINEERING**  
282 N. High Road, Dr. Ste. 100, Salt Lake City, UT 84118  
(801) 532-2520 www.binghameng.com

Design: JJS  
Drawn: JMS  
Checked: JMS  
Reviewed: JRL

City Council Approval

Presented to the City Council of North Salt Lake City, Utah  
This \_\_\_\_\_ day of \_\_\_\_\_, 2019 at which  
time this subdivision was approved and accepted.

Mayor \_\_\_\_\_ Attest: City Recorder \_\_\_\_\_

Recommended for Approval

Recommended for Approval

Recommended for Approval

Recommended for Approval

City Engineer \_\_\_\_\_

Chairman, Planning Commission \_\_\_\_\_

City Attorney \_\_\_\_\_

Entry No. \_\_\_\_\_ Fee Paid \_\_\_\_\_  
Filed for record and recorded this \_\_\_\_\_ day of \_\_\_\_\_, 2019 at \_\_\_\_\_  
in Book \_\_\_\_\_ of Official Records Page \_\_\_\_\_

County Recorder \_\_\_\_\_  
By \_\_\_\_\_ Deputy Recorder

date 07/29/19 Proj. # 5412 Sht. 1 of 1

## EXHIBIT “D”

### WELLINGTON PLACE P DISTRICT LAND USE STANDARDS

1. Purpose. This Exhibit outlines the standards pursuant to which Wellington Place Residential uses shall be developed within the P District. References herein to the term “Code” shall refer to Title 10 of the North Salt Lake City Code, Land Use and Subdivision Ordinances.
2. Residential Standards.
  - a. Lot Area:
    - i. The minimum lot size shall be 3,286 square feet.
  - b. Maximum Building Coverage Area.
    - i. The maximum coverage area with structures or buildings shall be 75%.
  - c. Maximum Height of Buildings.
    - i. The maximum height for all residential structures in the P District shall be thirty-five (35) feet from finished final grade, per city land use ordinance section 10-1-25.
  - d. Lot Width and Depth:
    - i. The minimum lot width shall be thirty eight (38) feet and depth of eighty (80) feet.
  - e. Setbacks, front:
    - i. The front yard setback shall be a minimum of twenty (20) feet from the right-of-way line to the garage.
    - ii. The side yard street setback shall be a minimum of ten (10) feet from the right-of-way line.
    - iii. Living space, porches, stairs, and roof eaves may extend into the front setback up to five (5) feet.
  - f. Setbacks, rear:
    - i. The minimum rear yard setback from the development boundary shall be a minimum of ten (10) feet.
  - g. Setbacks, side:
    - i. The minimum side yard setback from the development boundary shall be a minimum of five (5) feet.
  - h. Accessory Buildings:
    - i. Accessory structures and uses over eighteen (18) inches in height, shall only be permitted in the rear yard and shall be a minimum of six (6) feet behind the home, and a minimum of five (5) feet from the rear and side property line, unless the structure has a minimum one (1) hour fire rating, in which case it may be located one (1) foot from the side and rear property line.
  - i. Fence:
    - i. The maximum solid fence height within twenty (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.
  - j. Parking shall be provided as follows:
    - i. Each lot shall include a two (2) car garage and a driveway capable of parking two (2) vehicles.

3. Permitted Uses.

- a. Single family dwellings, including leases for terms longer than thirty (30) days.
- b. Accessory dwelling units only in accordance with City Code Section 10-1-44, as amended.
- c. Short term rentals only in accordance with City Code Section 10-1-45, as amended.
- d. Household pets and domestic farm animals only in accordance with City Code Section 10-10-6, as amended.
- e. Home occupations as regulated by North Salt Lake Land Use Code, Section 10-10-5, as amended.

## EXHIBIT "E"

### ARCHITECTURAL STANDARDS FOR WELLINGTON PLACE

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

#### **Design Standards:**

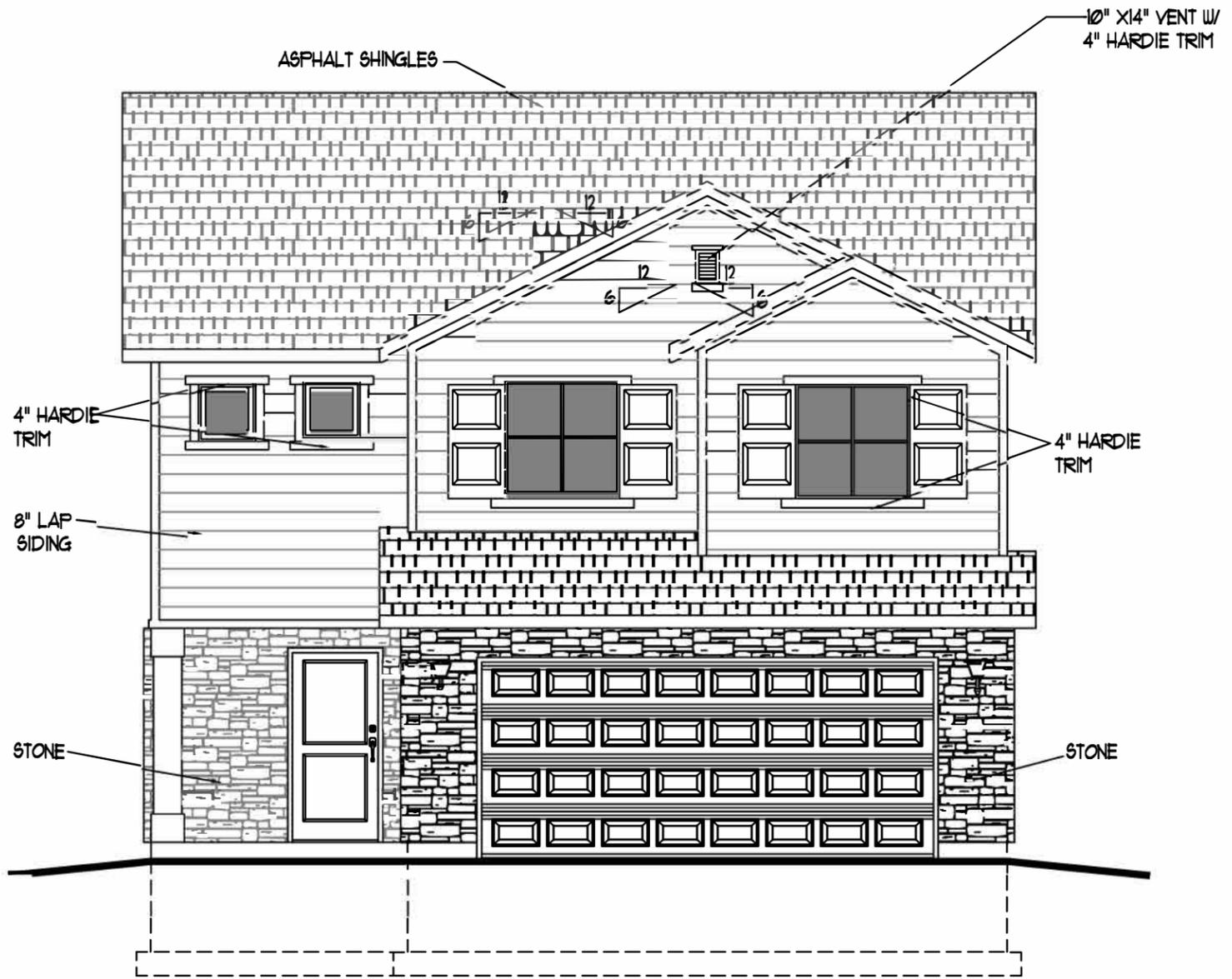
##### **A. Exterior Elevations**

1. The architectural designs and elevations illustrated within Exhibit E are to serve as general examples of the quality, style, colors, and materials to be used in construction of the homes. The examples are not intended to limit the designs, floor plans, or variations expected within the development but to serve as guidelines to the builders and home owners. The examples shown are used solely to demonstrate the use of quality features of the construction within the development, such as:
  - a. High quality materials such as brick, stone, stucco, vinyl siding and cement fiber board;
  - b. Porches and entries that complement the curb appeal of the home;
  - c. Architectural accents that complement the particular style of the home, such as board and batten, shutters, railings, moldings, beams, mullions, doors, metal awnings, outdoor lighting, etc.
  - d. There shall be no minimum number of architectural accents required on each home, only that architectural accents be used appropriately on each home.
2. All residential elevations shall be designed and constructed using the following design guidelines:
  - a. Overall massing of the front elevation should include multiple façade elements such as gables, hips and projections, or other architectural features to add variety and differentiation.
  - b. Multiple rooflines should create different heights of the unit.
  - c. Traditional aluminum or vinyl siding is not permitted on the front facade. Aluminum or vinyl fascia and trim shall be permitted.
  - d. The front façade should include a minimum of two (2) treatments including masonry, fiber cement paneling and stucco.

- e. Any front façade treatment shall be extended to the side facades a minimum of eighteen (18) inches.
  - f. Side and rear elevations may utilize any of the front façade materials and in addition stucco or vinyl siding may be used.
  - g. Side and rear facades that face a street or park area should also have a minimum of two (2) treatments.
  - h. Covered porches.
  - i. The garage façade shall extend no more than 5 feet from the front façade or porch roof line.
  - j. All windows on the same wall plane shall be the same height and have the consistent architectural treatments.
3. The minimum number of variations in model floor plans and elevations available to be construction shall be three (3) floor plans and two (2) elevation designs per floor plan.
  4. No home of the same model & elevation shall be built on the lot adjacent or directly across the street, except for homes along the Western boundary of the Project where the same floor plan, but different elevations, materials, and colors from the adjacent lot or the lot directly across the street shall be permitted.
  5. Accessory structures shall be finished with similar materials, architectural style, and colors of the main structure.

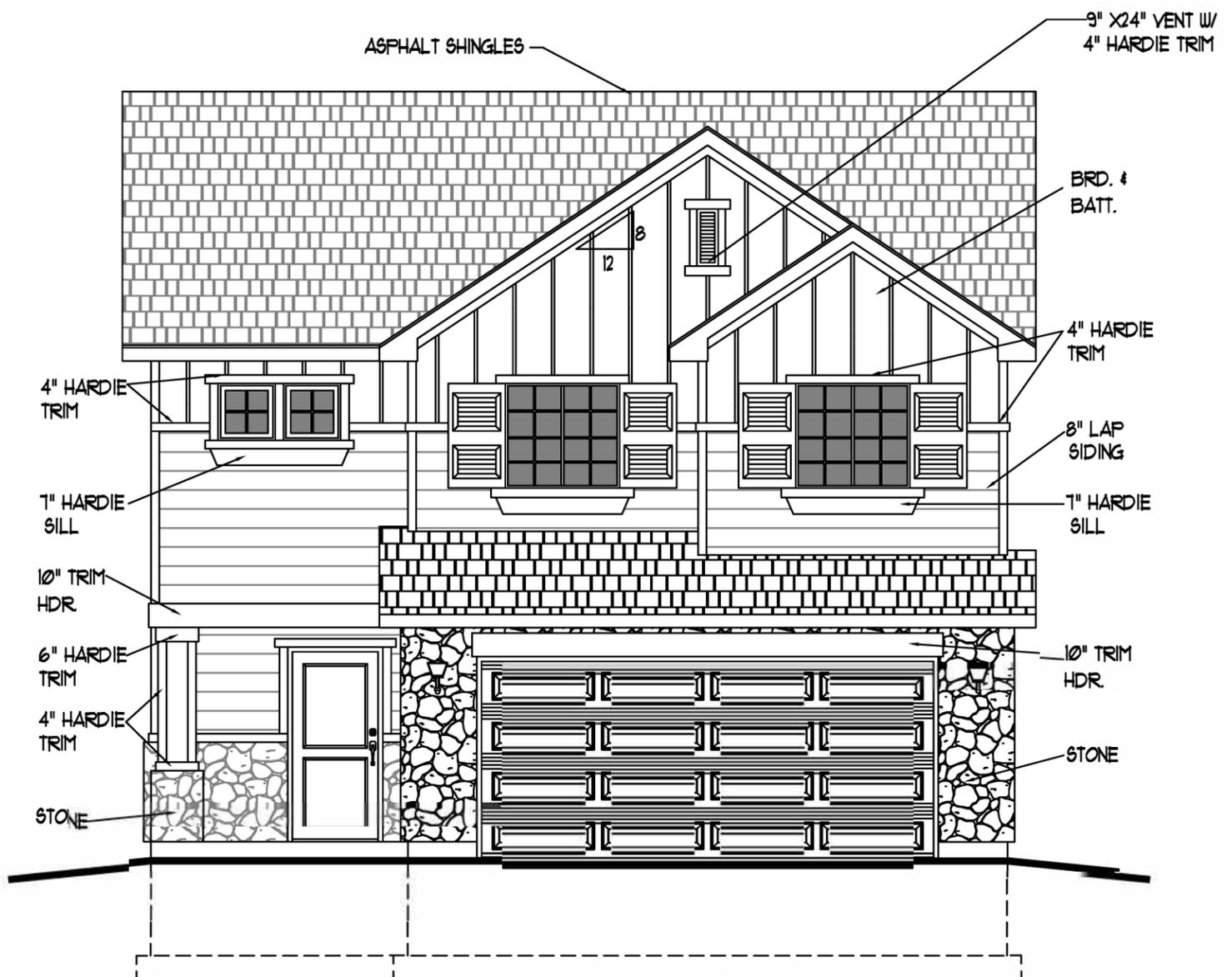
### ARCHITECTURE EXAMPLES

The following elevations are examples of the approved elevations for the development. Variations shall be permitted provided that overall style and quality are similar in nature.



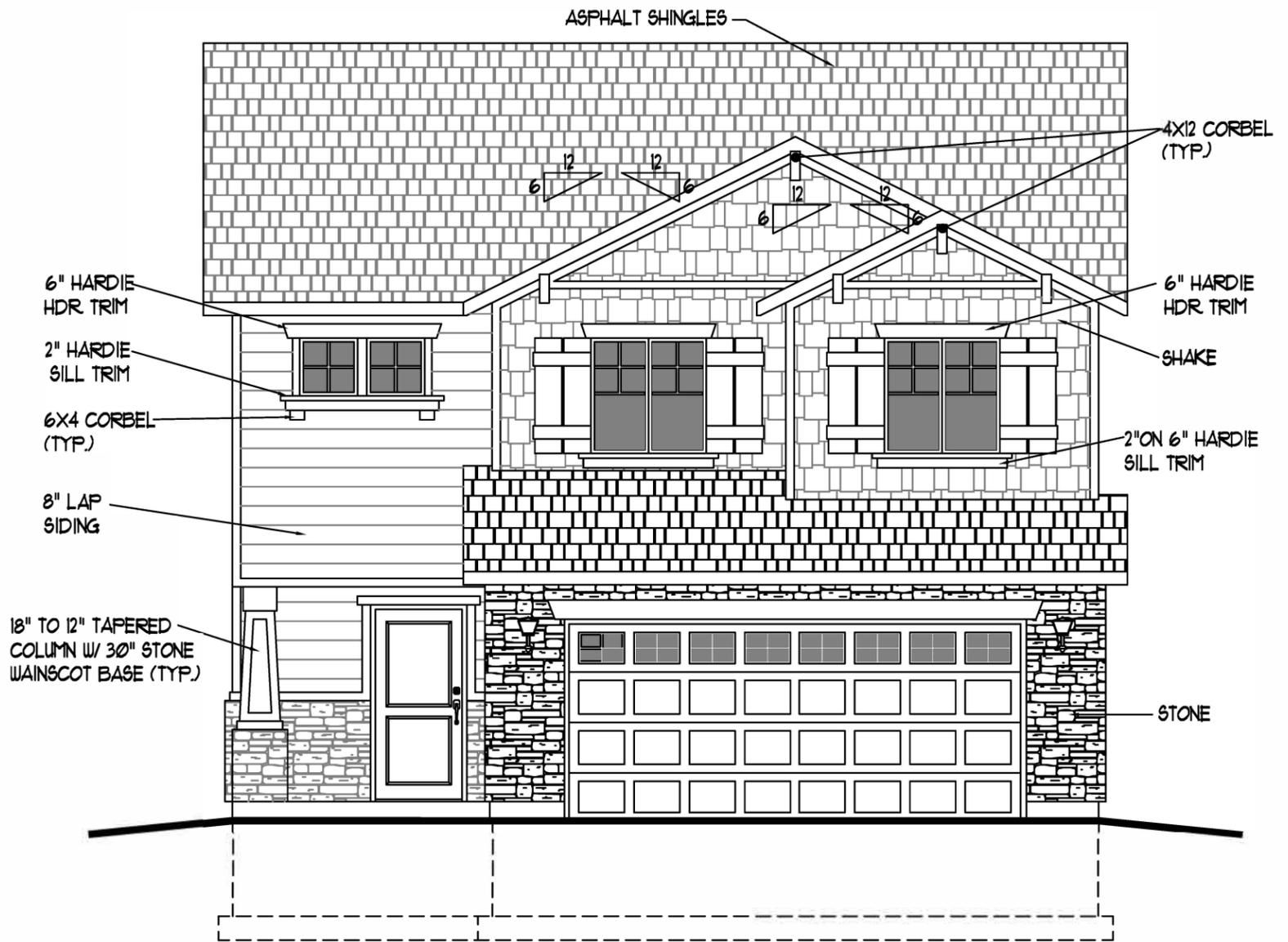
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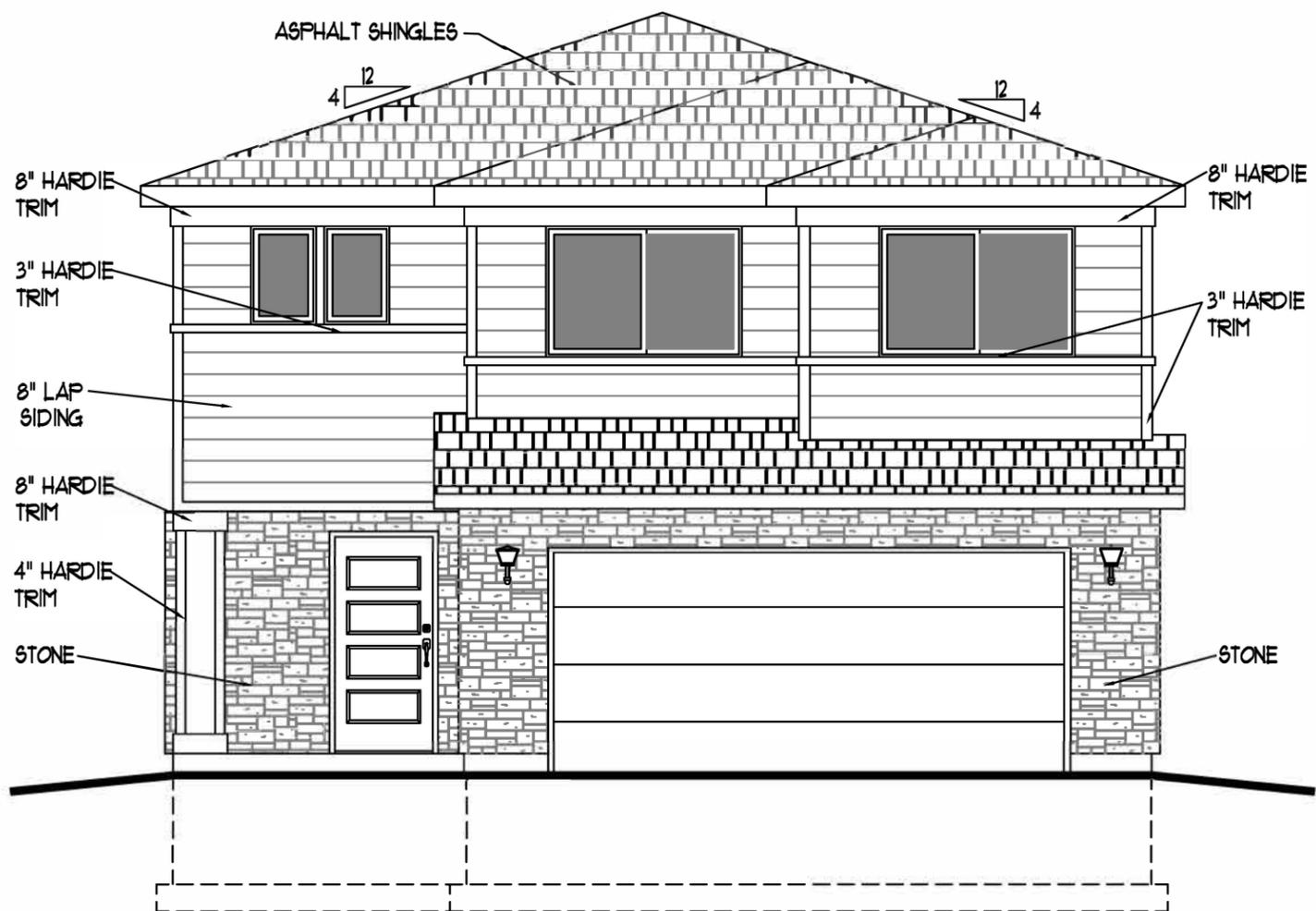
### FRONT ELEVATION "B"

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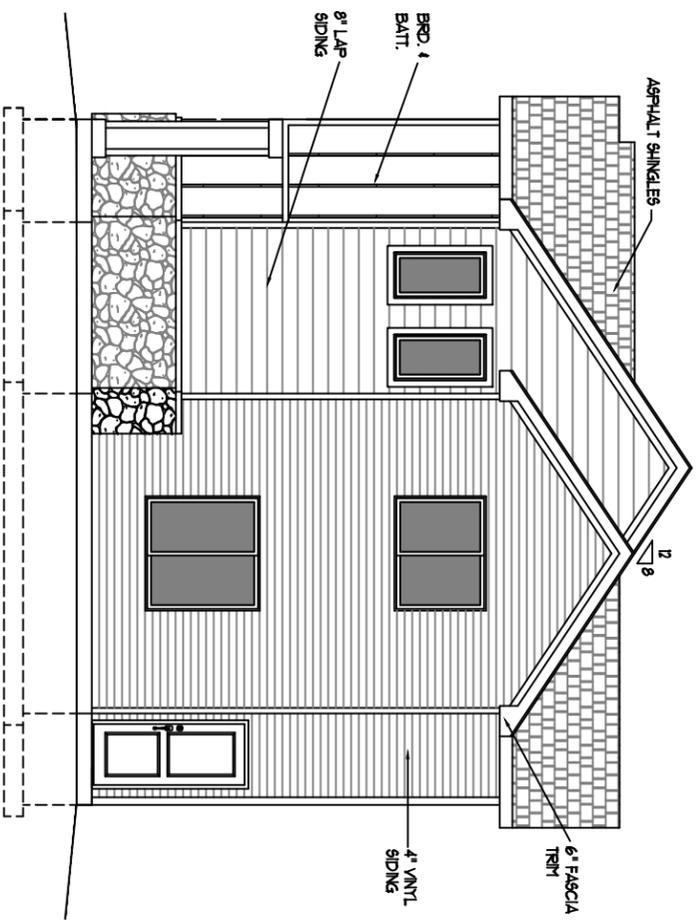
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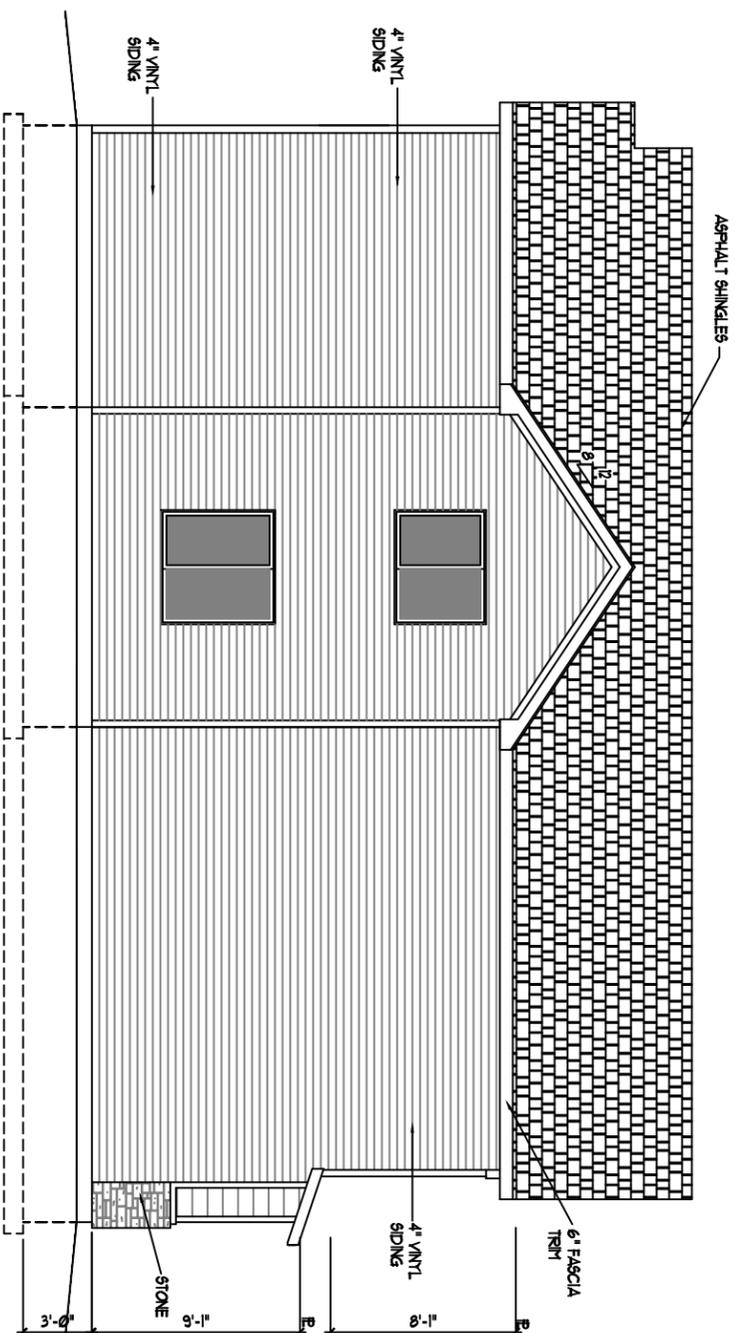


## FRONT ELEVATION "D"

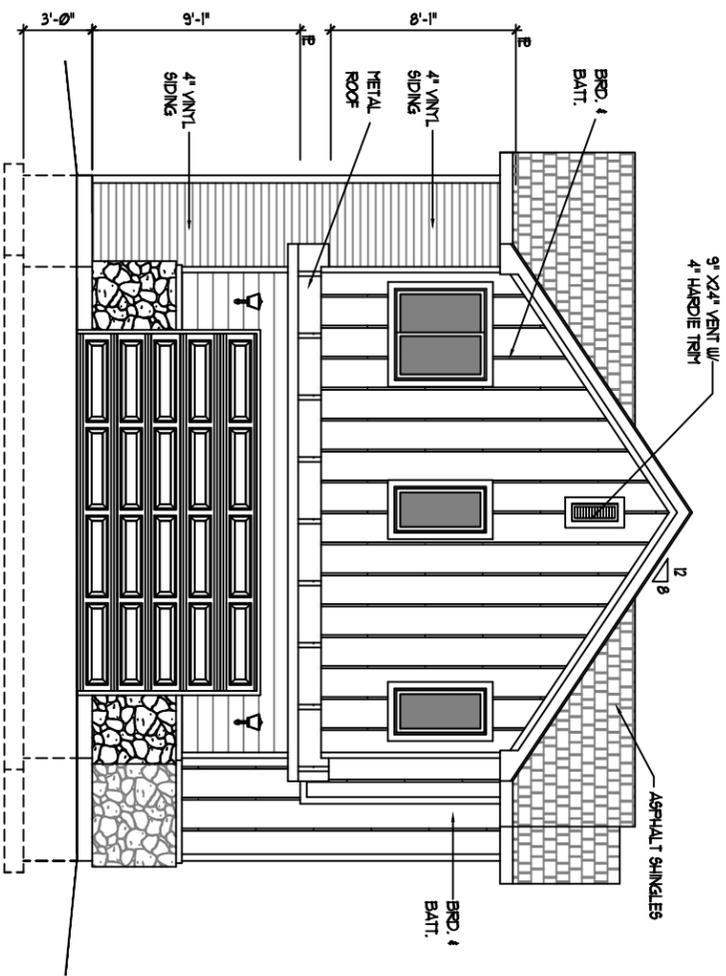
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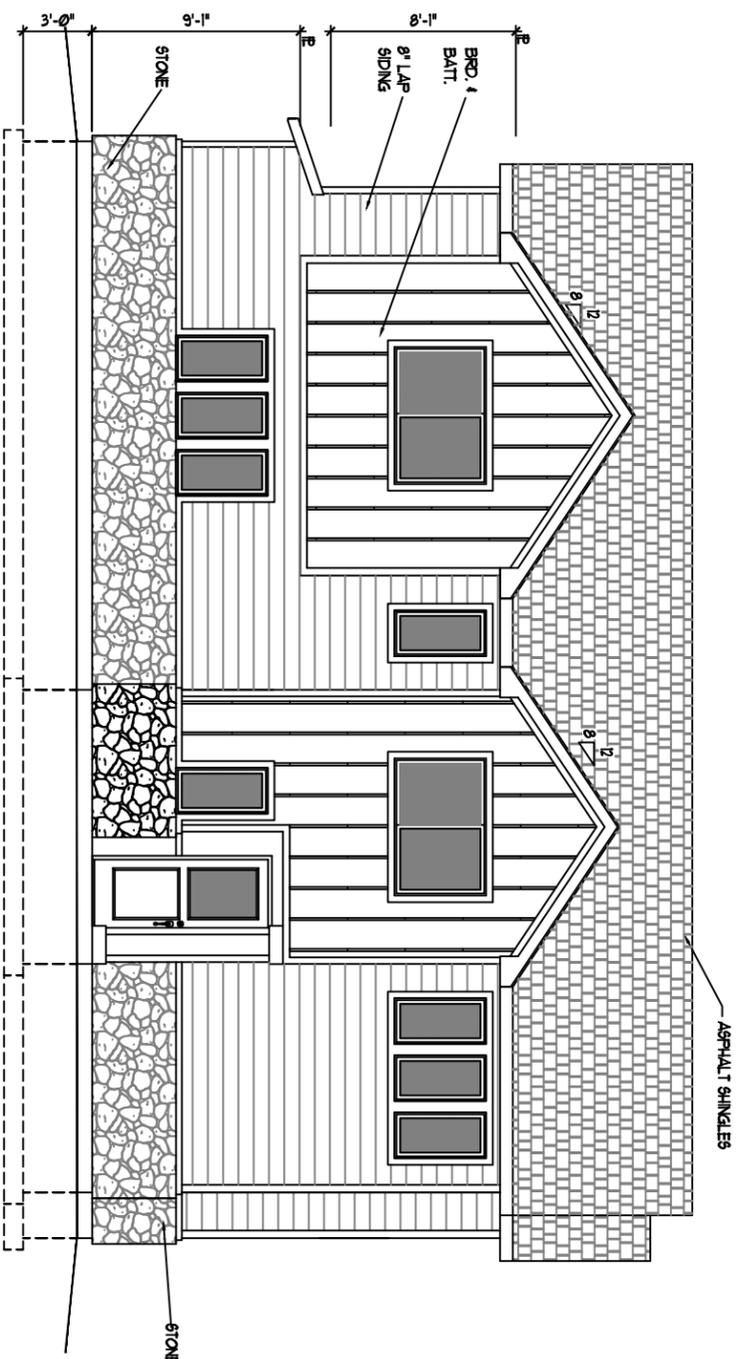
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**REAR ELEVATION**  
SCALE: 1/8"=1'-0"



**LEFT ELEVATION**  
SCALE: 1/8"=1'-0"



**FRONT ELEVATION**  
SCALE: 1/8"=1'-0"

NEW RESIDENCE FOR :

**NAME**  
LOT #  
STREET NAME  
NORTH SALT LAKE UT, ZIP

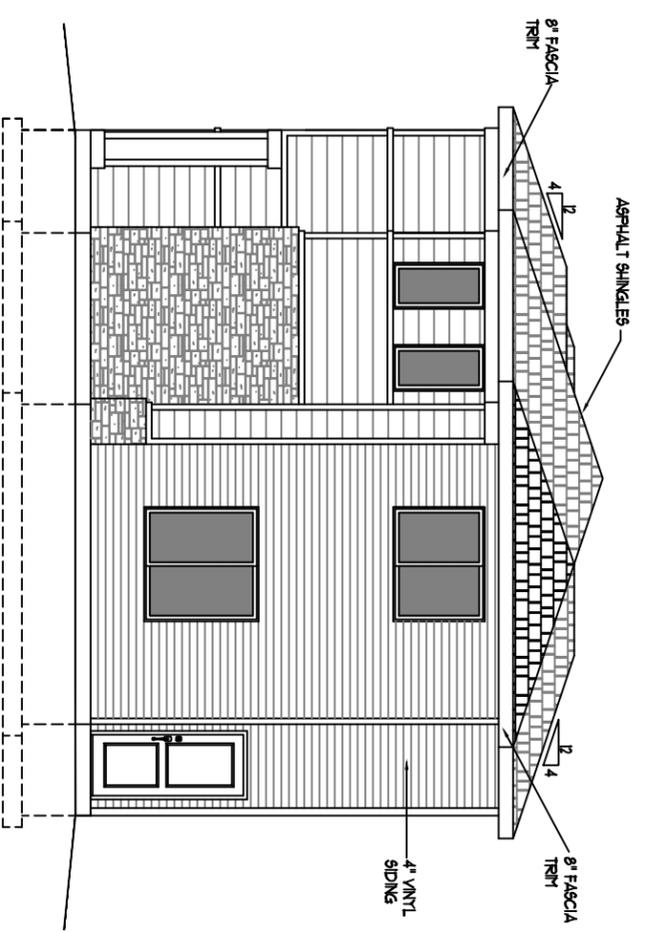
**ASHBY 1667**  
FARMHOUSE COTTAGE  
ELEVATION PLAN

**GOVERNING CODE**  
2015 IBC

Drawn By: J  
Date: JUNE 2019  
Scale: 1/8" = 1'-0"  
Revision Date:

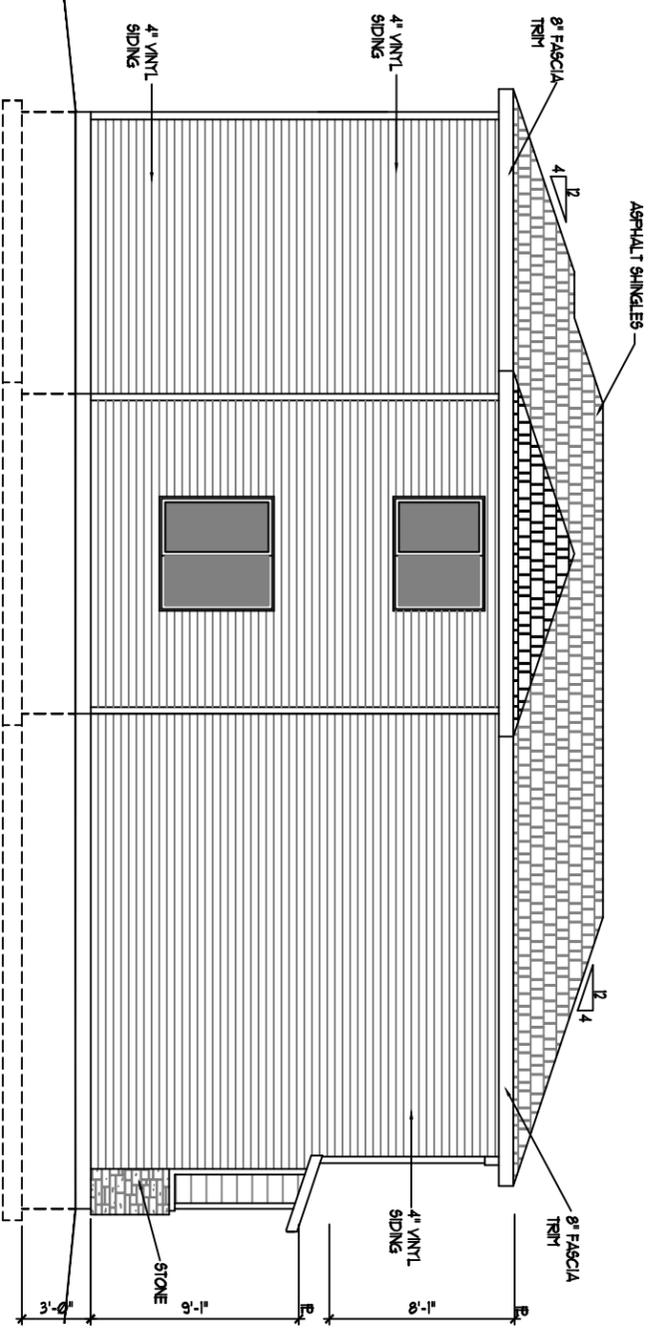
SHEET NUMBER

**A1**



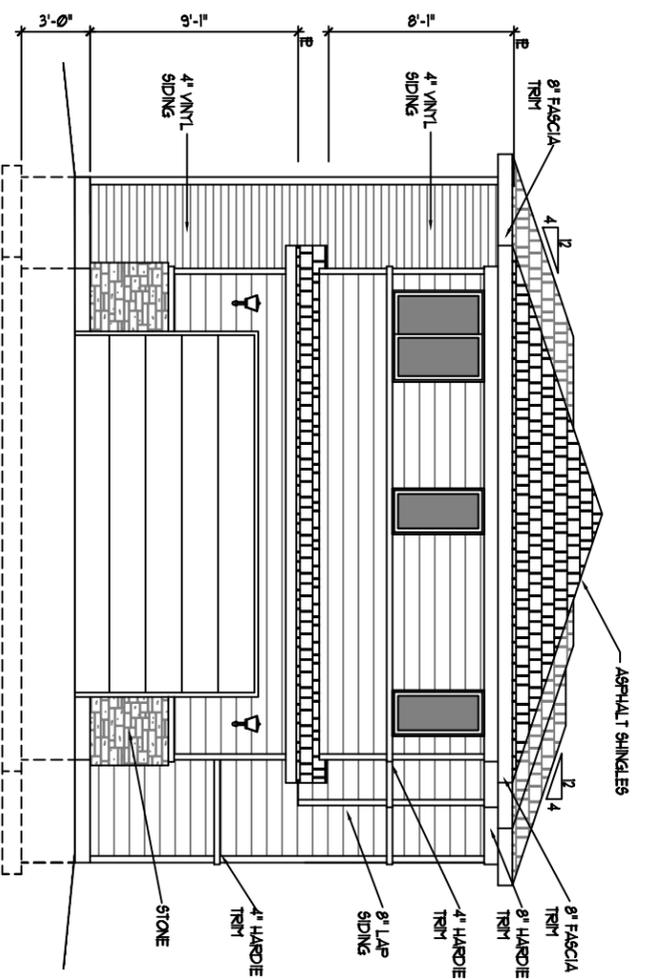
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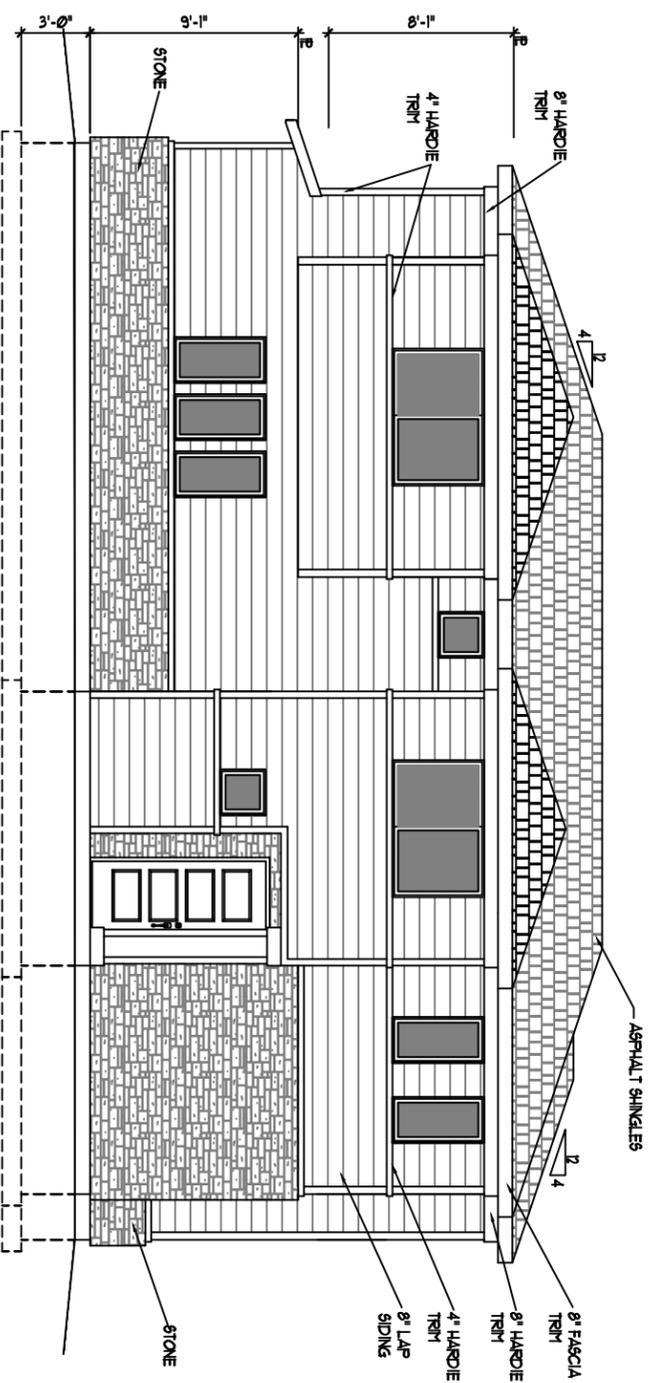
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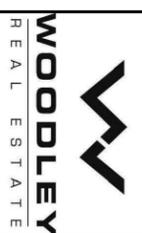
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**FRONT ELEVATION**

SCALE: 1/8"=1'-0"



NEW RESIDENCE FOR :  
**NAME**  
 LOT #  
 STREET NAME  
 NORTH SALT LAKE UT, ZIP

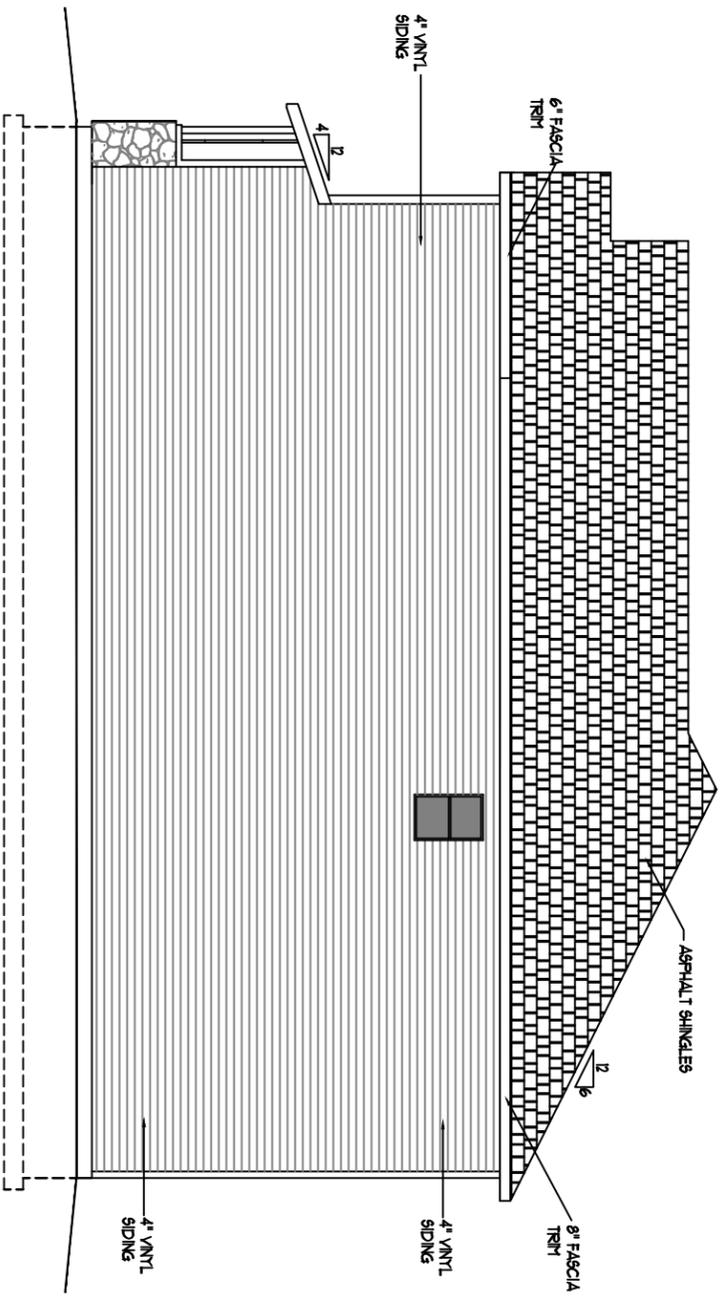
**ASHBY 1667**  
 PRAIRIE CONTEMPORARY  
 ELEVATION PLAN

**GOVERNING CODE**  
 2015 IBC

Drawn By: J  
 Date: JUNE 2019  
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 Revision Date:

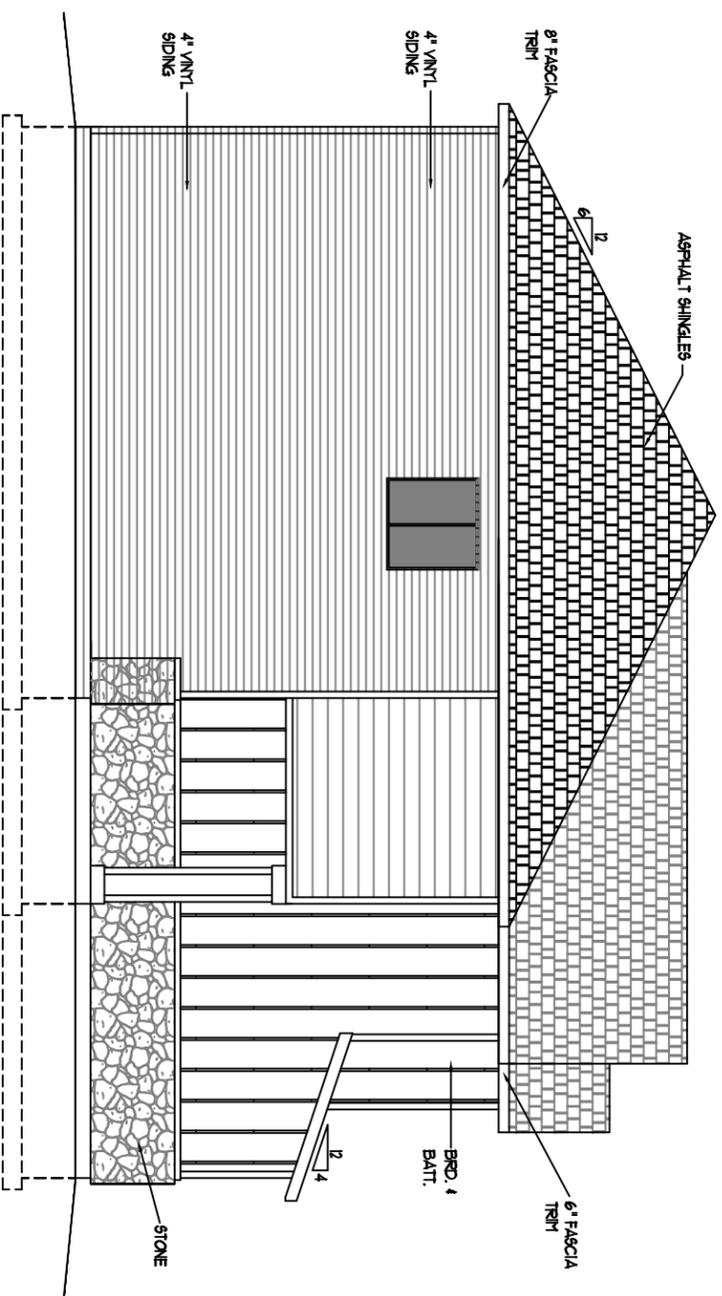
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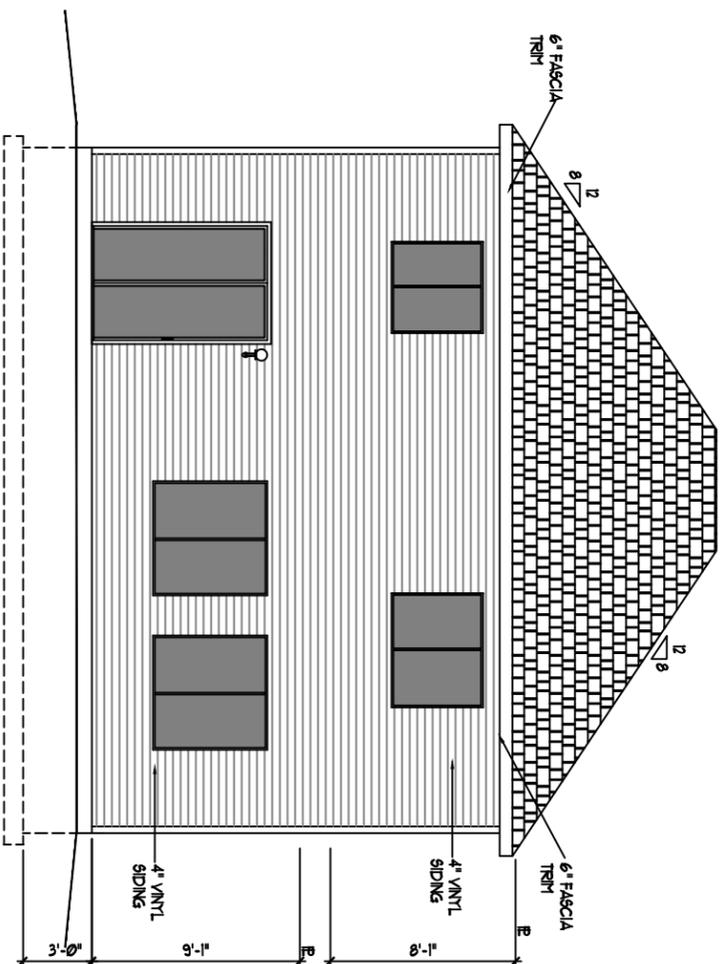
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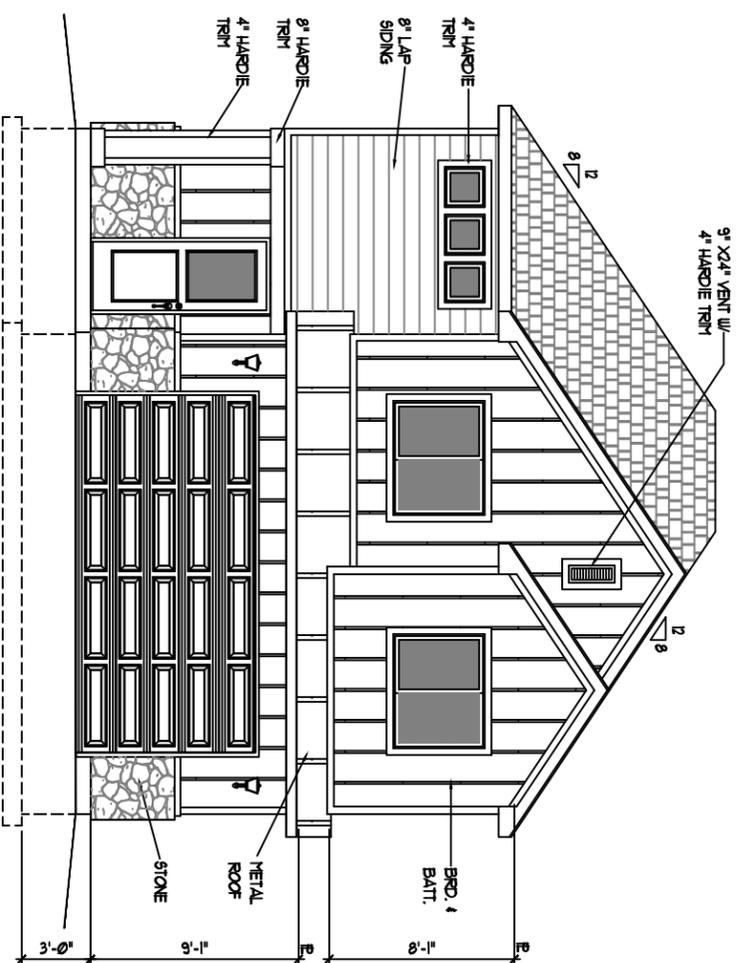
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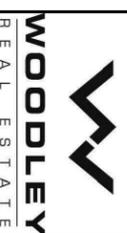
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**FRONT ELEVATION**

SCALE: 1/8"=1'-0"



NEW RESIDENCE FOR :  
**NAME**  
 LOT #  
 STREET NAME  
 NORTH SALT LAKE UT, ZIP

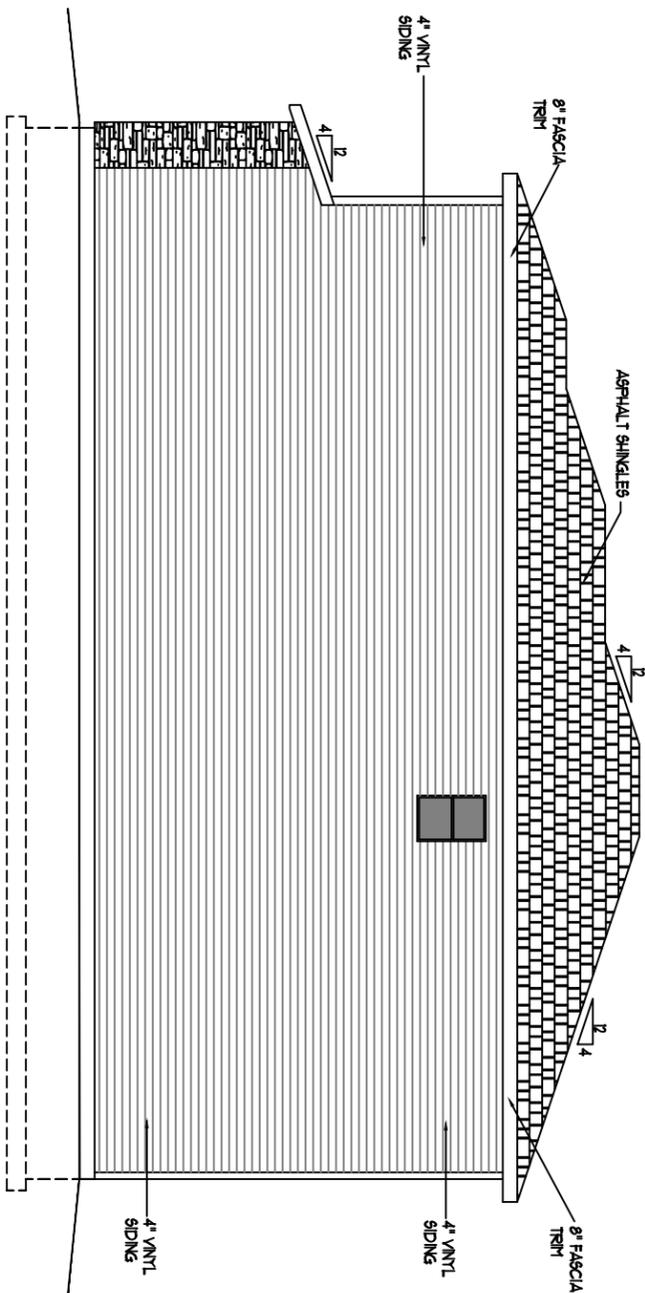
**CARLISLE 1871**  
 FARMHOUSE COTTAGE  
 ELEVATION PLAN

**GOVERNING CODE**  
 2015 IBC

Drawn By: J  
 Date: JUNE 2019  
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 Revision Date:

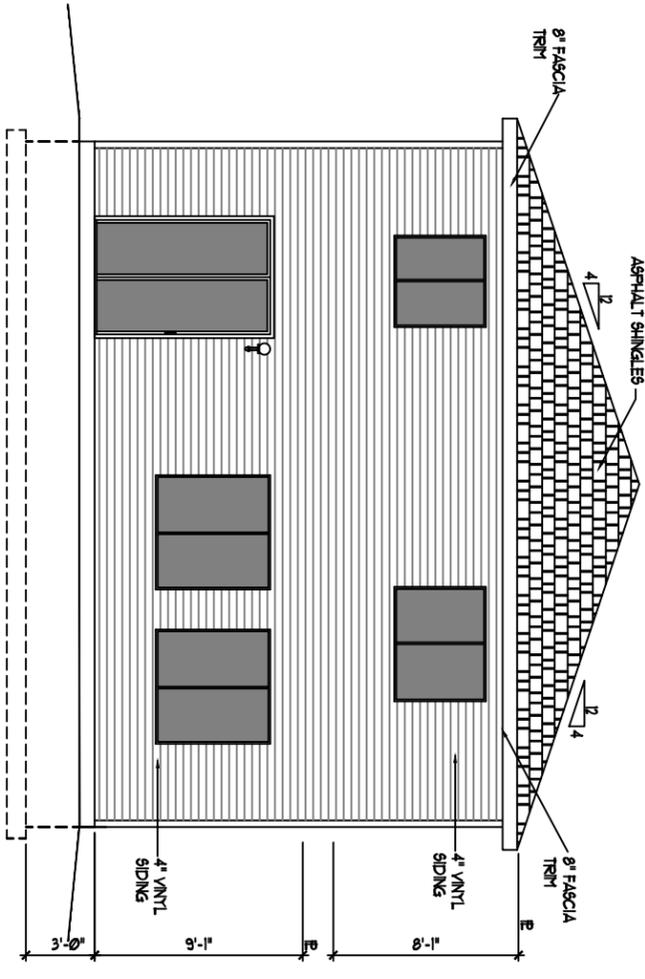
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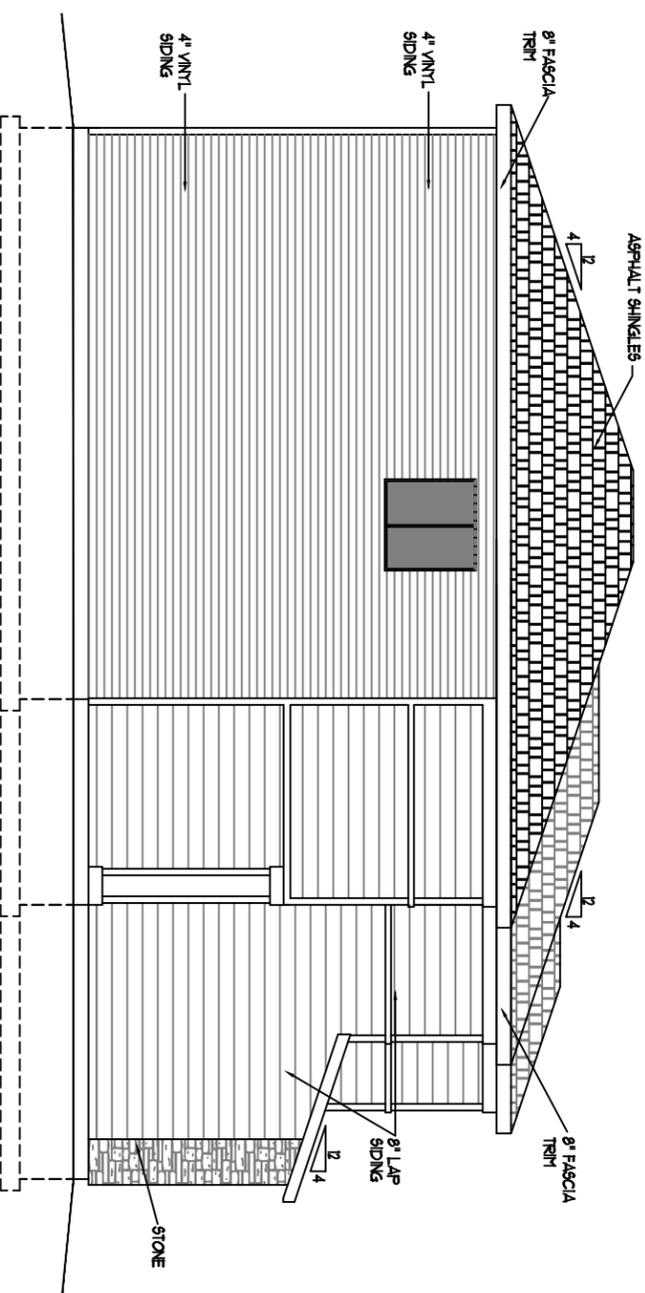
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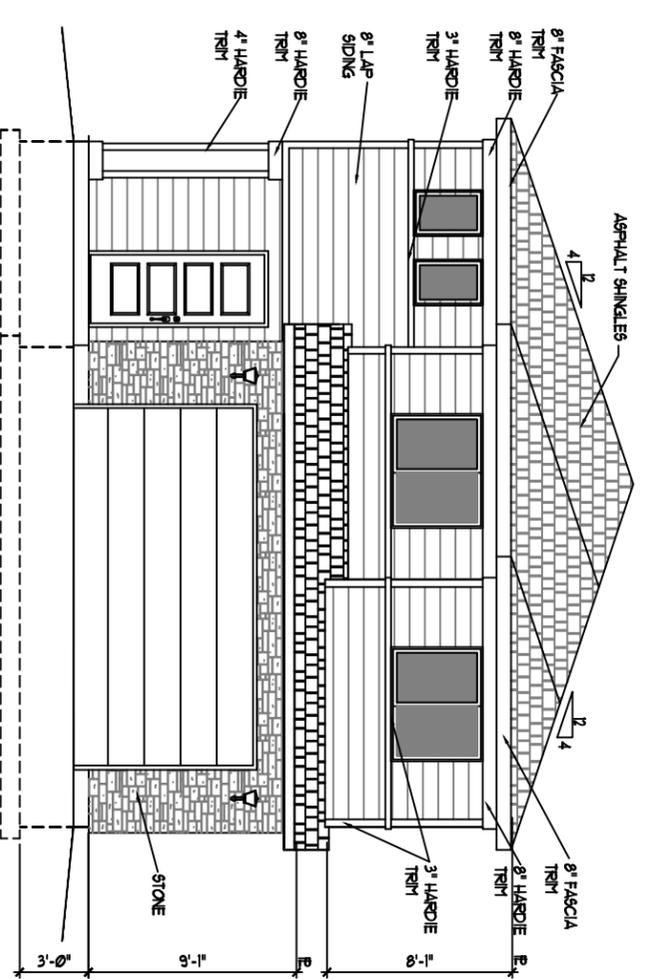
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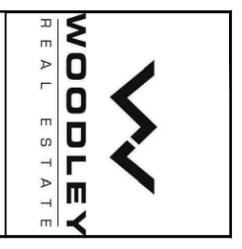
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**FRONT ELEVATION**

SCALE: 1/8"=1'-0"



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**NAME**  
 LOT #  
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 NORTH SALT LAKE UT, ZIP

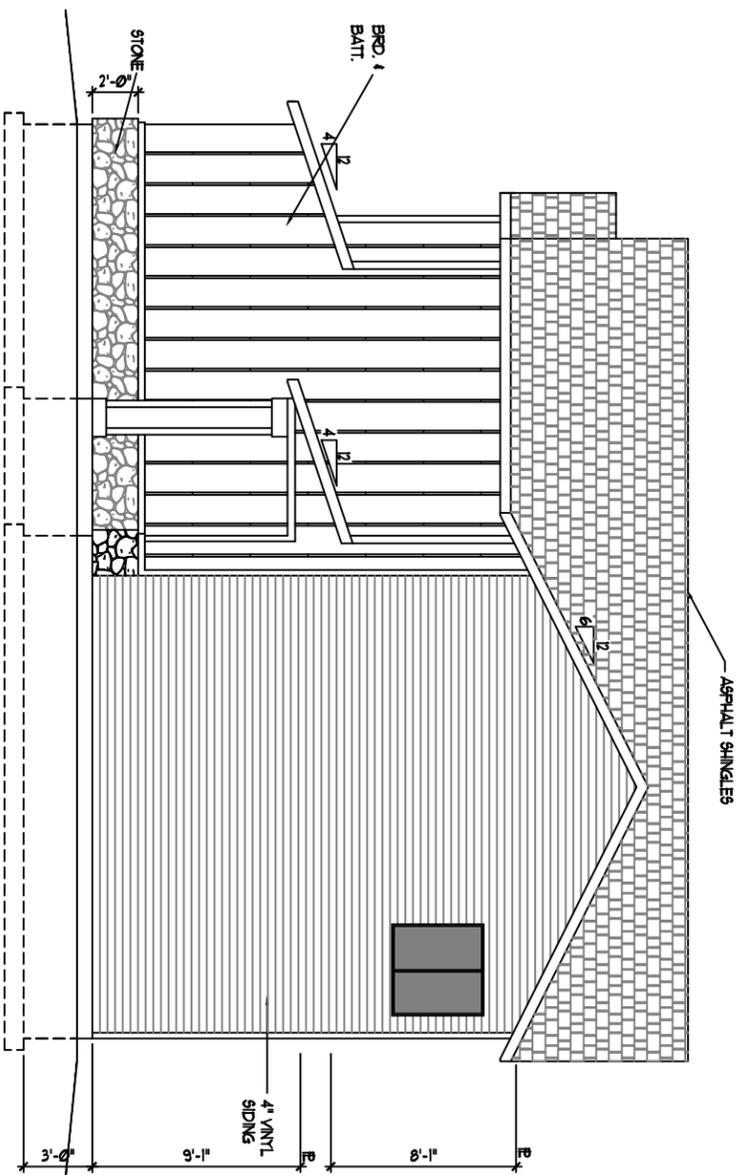
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 PRAIRIE CONTEMPORARY  
 ELEVATION PLAN

**GOVERNING CODE**  
 2015 IBC

Drawn By:	J
Date:	JUNE 2019
Scale:	1/8" = 1'-0"
Revision Date:	

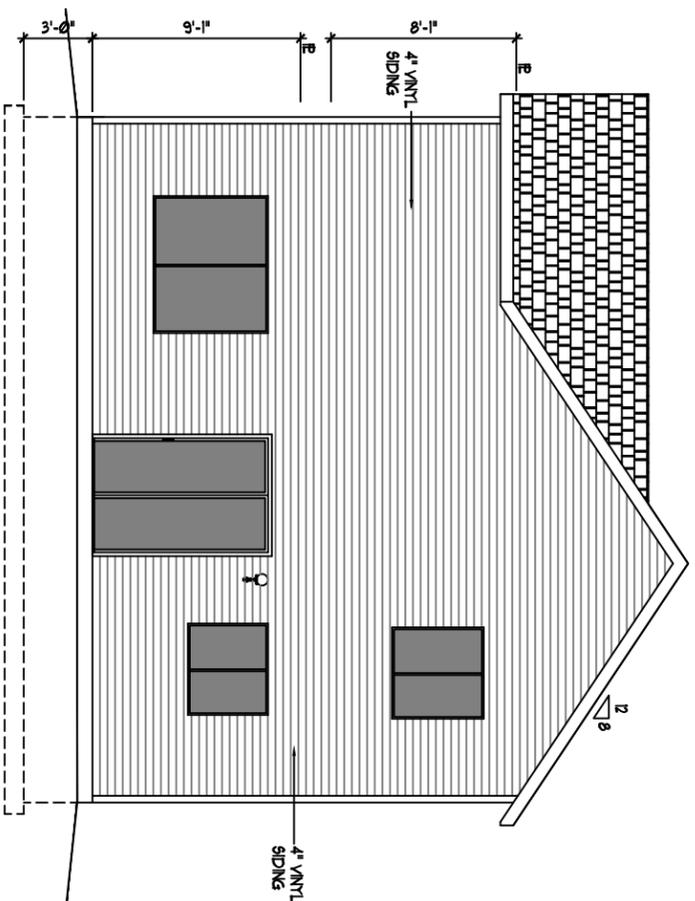
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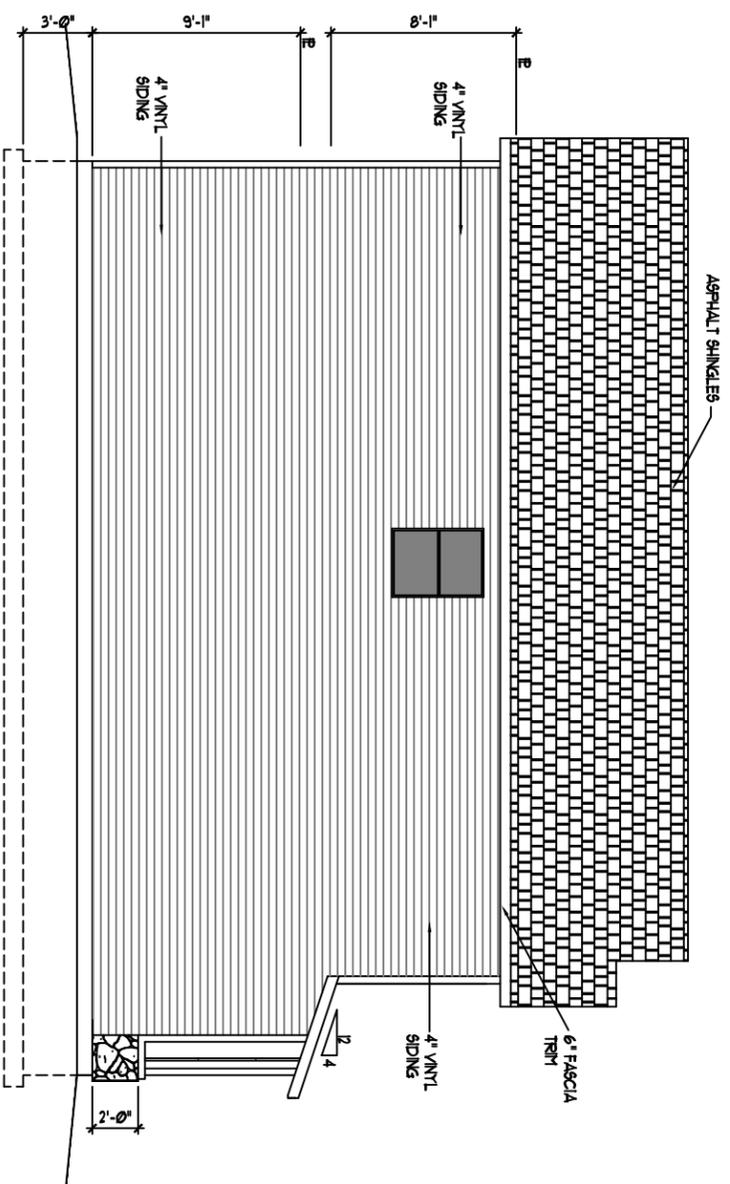
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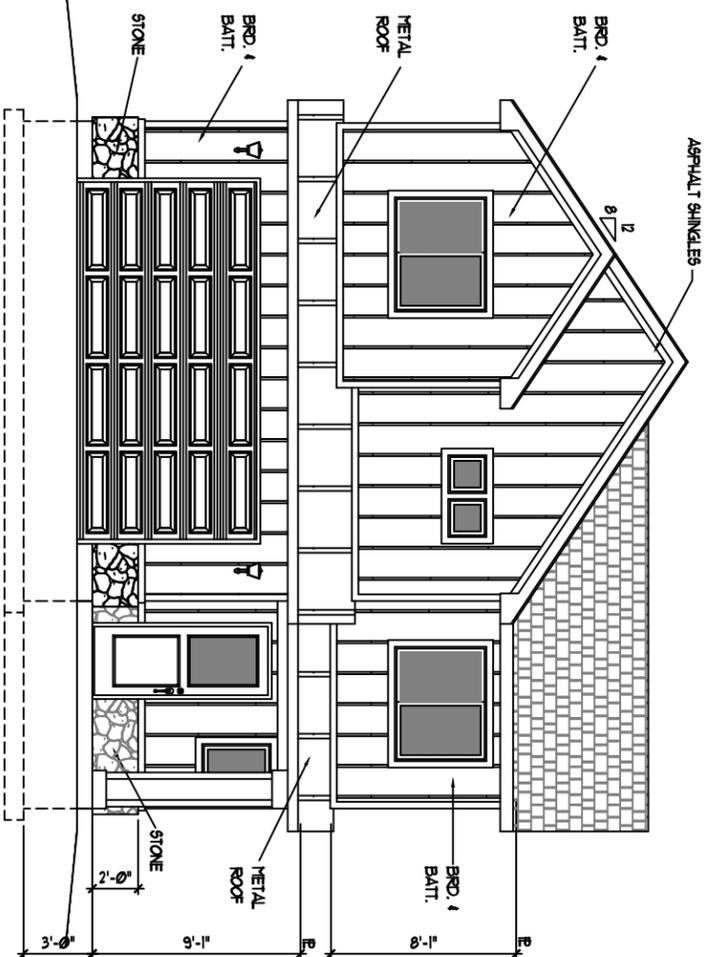
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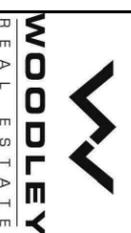
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**FRONT ELEVATION**

SCALE: 1/8"=1'-0"



NEW RESIDENCE FOR :  
**NAME**  
 LOT #  
 STREET NAME  
 NORTH SALT LAKE UT, ZIP

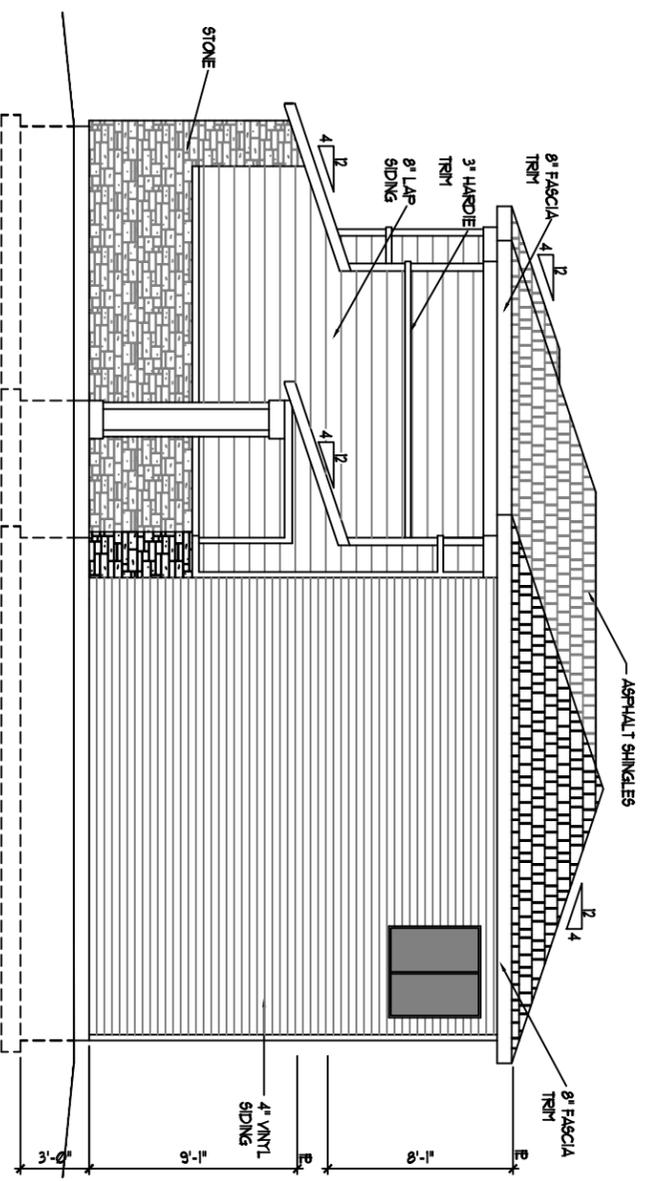
**HOLBROOK 1475**  
 FARMHOUSE COTTAGE  
 ELEVATION PLAN

**GOVERNING CODE**  
 2015 IBC

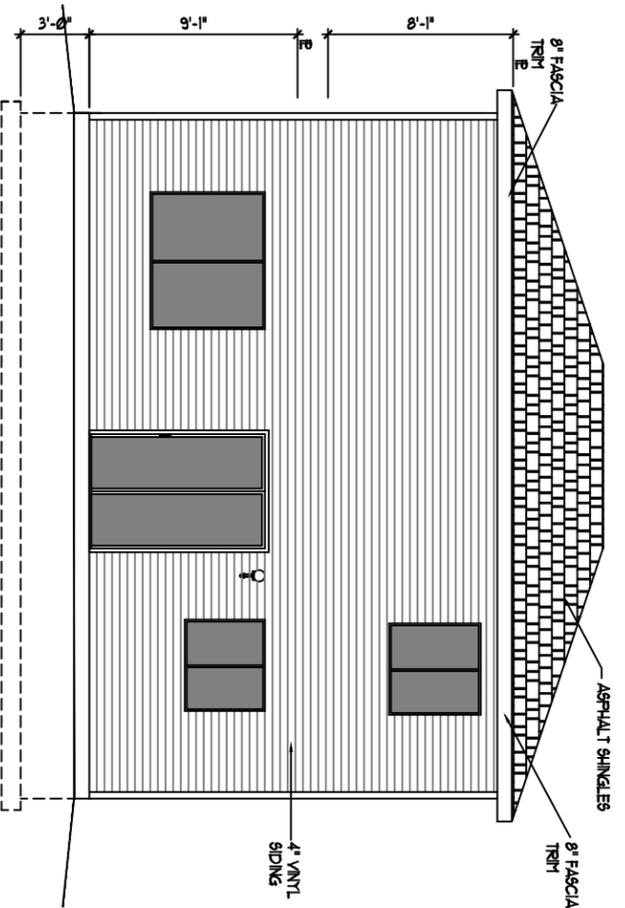
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SHEET NUMBER

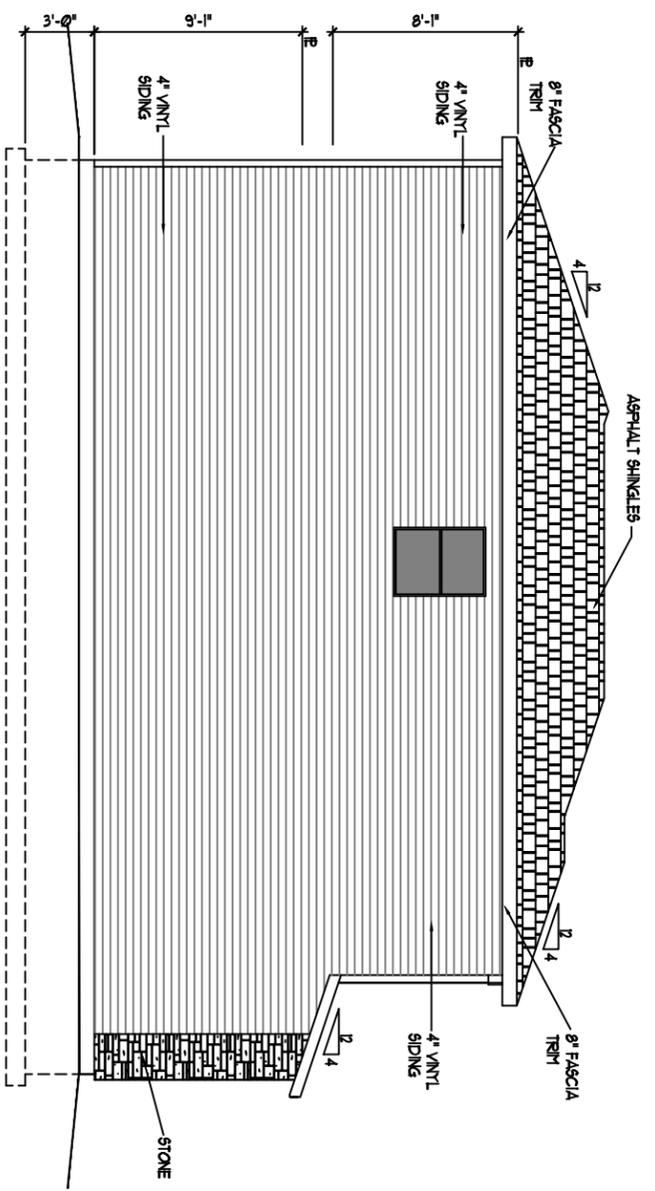
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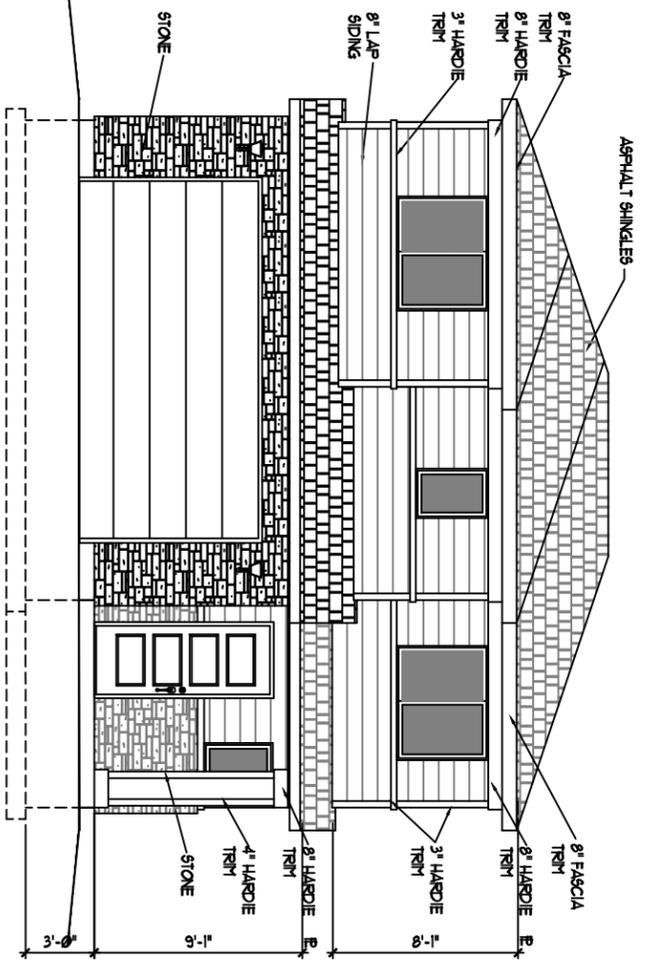
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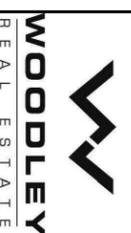
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**LEFT ELEVATION**  
SCALE: 1/8"=1'-0"



**FRONT ELEVATION**  
SCALE: 1/8"=1'-0"



NEW RESIDENCE FOR :  
NAME  
LOT #  
STREET NAME  
NORTH SALT LAKE UT, ZIP

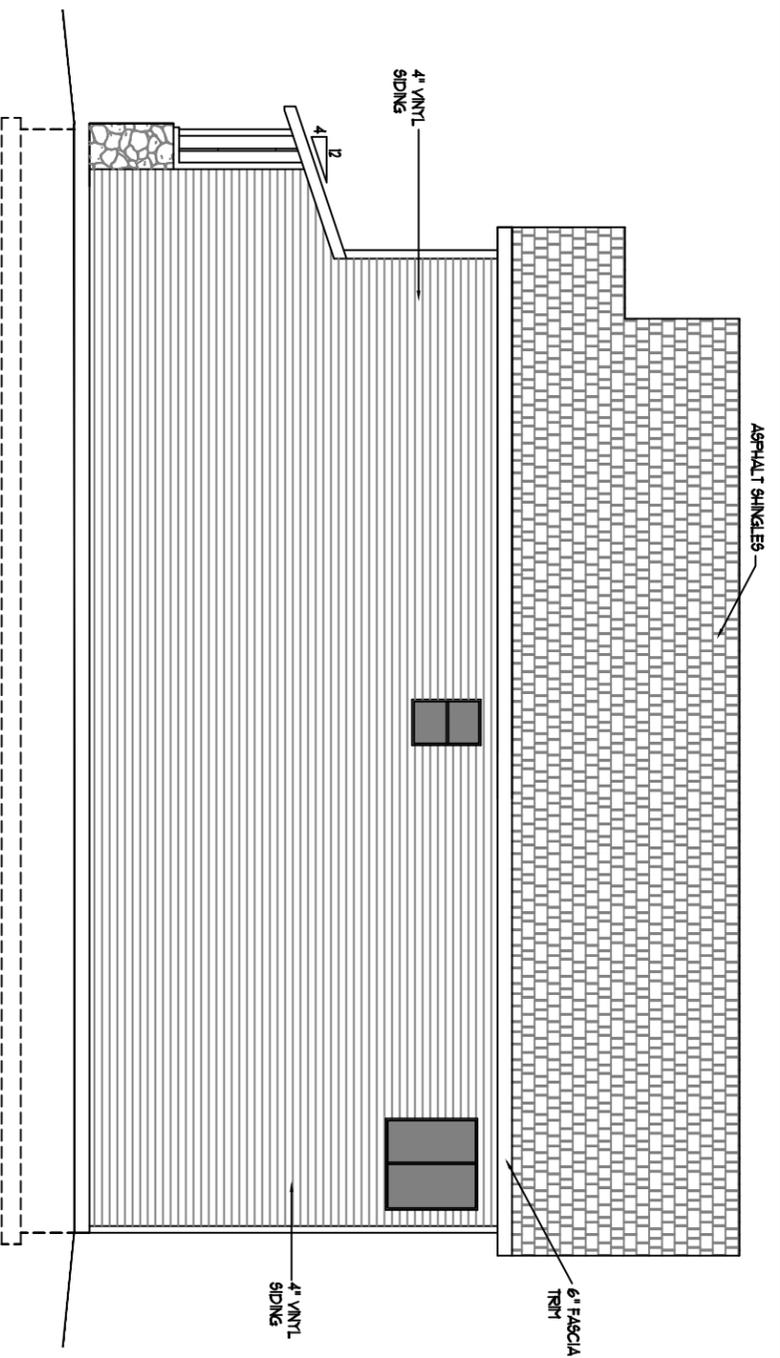
HOLBROOK 1475  
PRAIRIE CONTEMPORARY  
ELEVATION PLAN

GOVERNING CODE  
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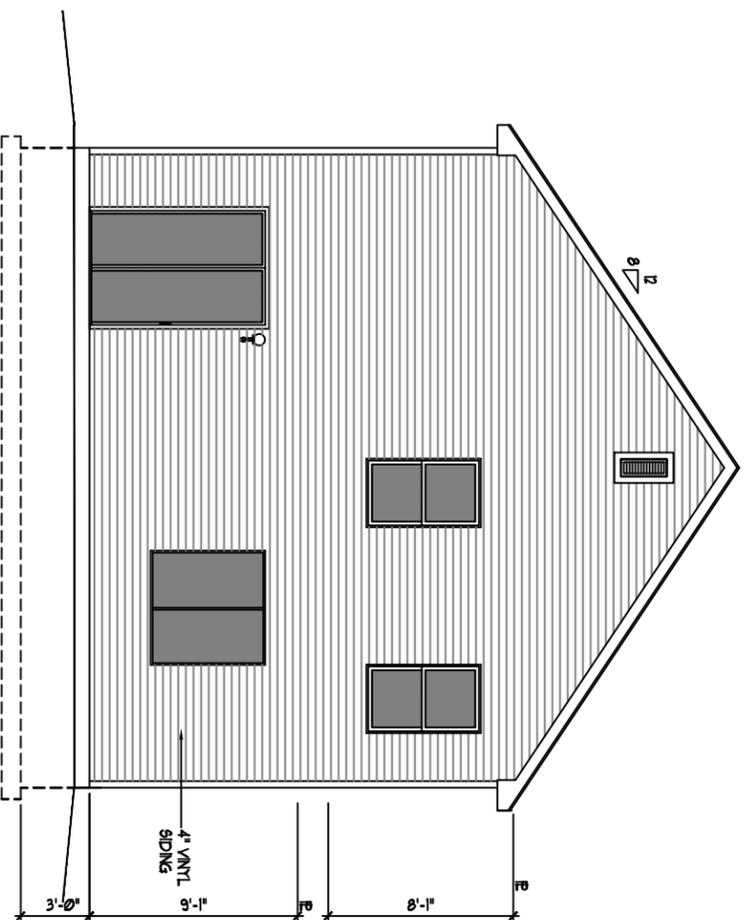
SHEET NUMBER

11



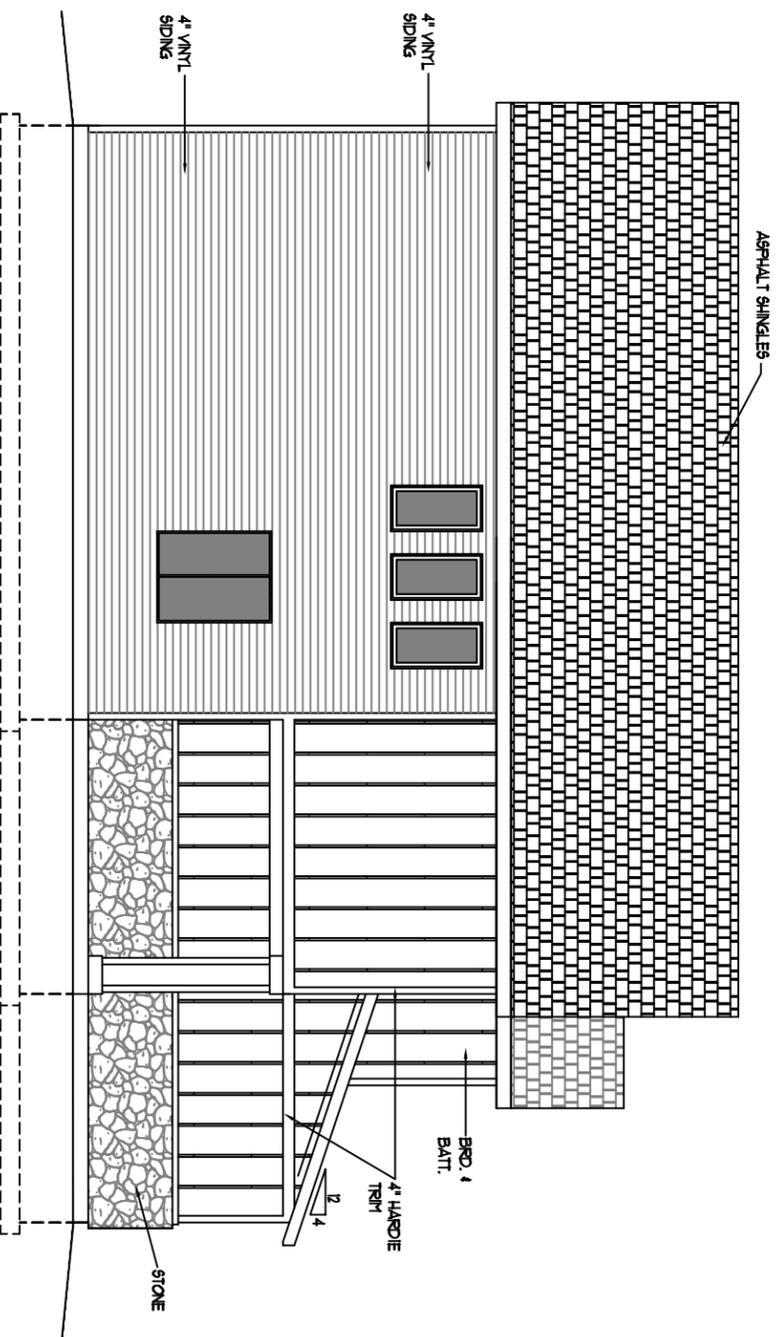
**RIGHT ELEVATION**

SCALE: 1/8"=1'-0"



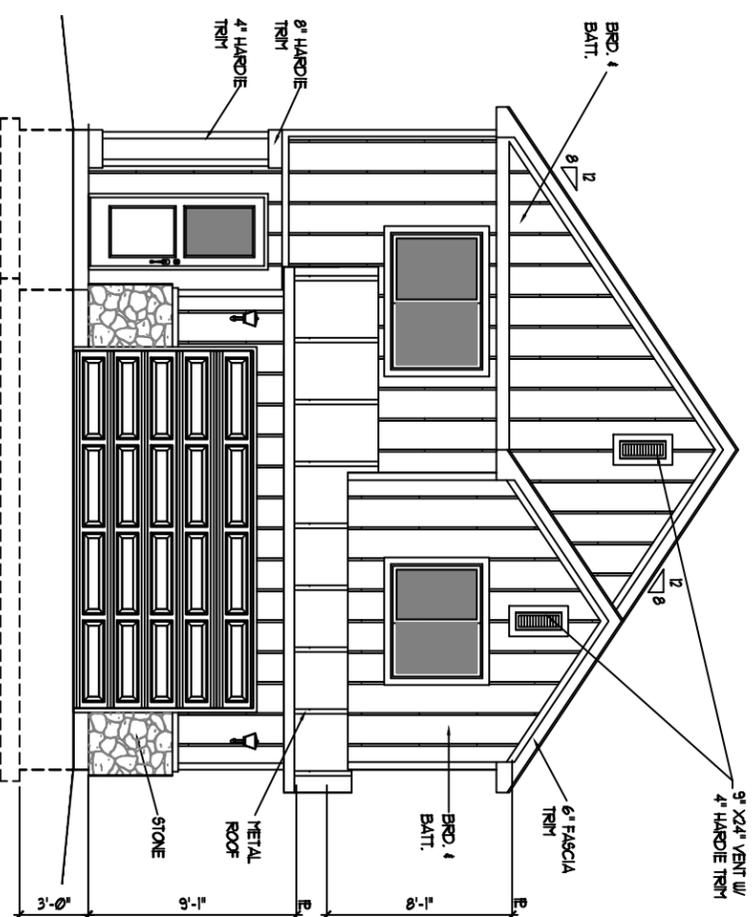
**REAR ELEVATION**

SCALE: 1/8"=1'-0"



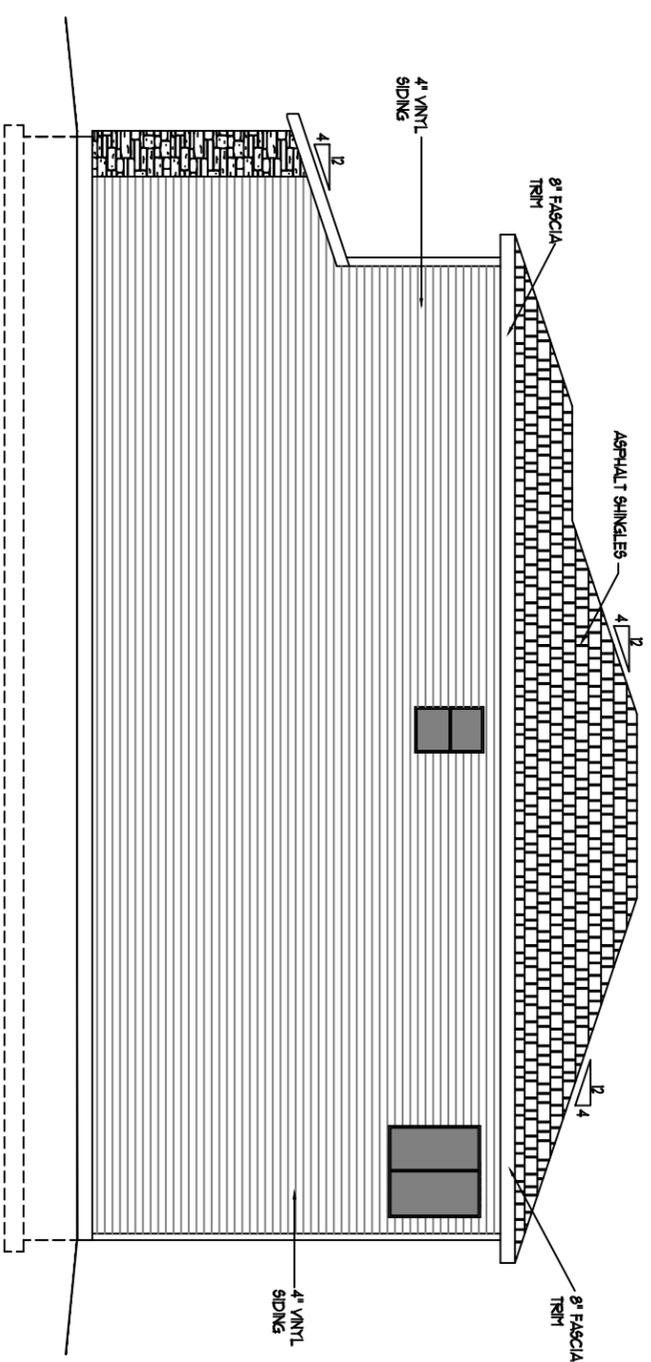
**LEFT ELEVATION**

SCALE: 1/8"=1'-0"



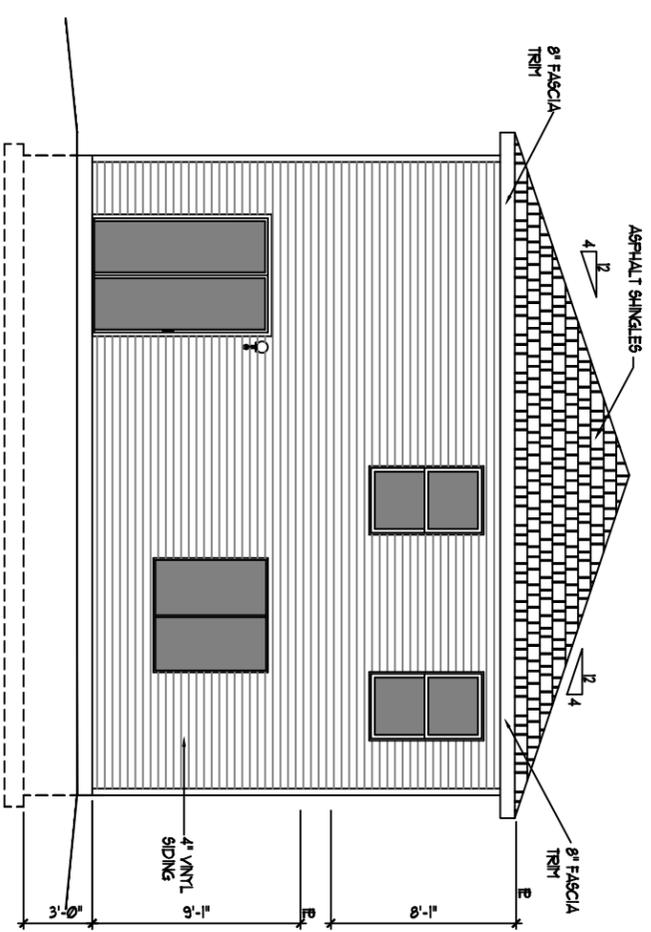
**FRONT ELEVATION**

SCALE: 1/8"=1'-0"



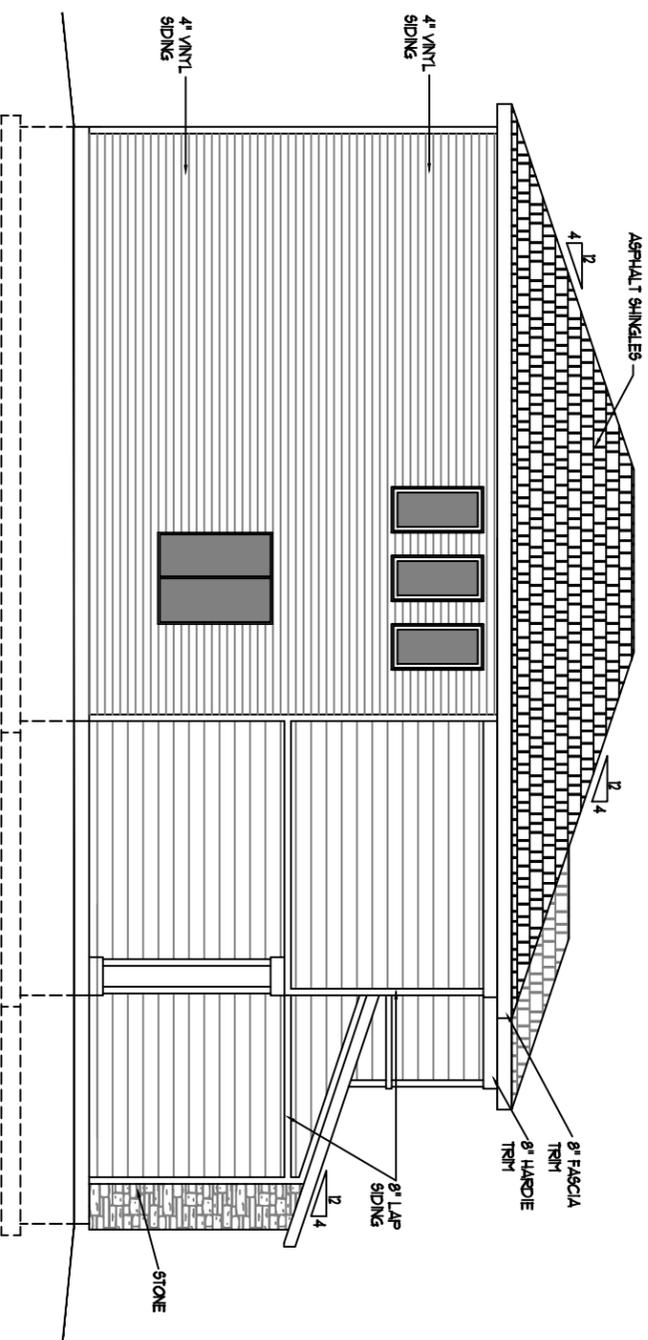
**RIGHT ELEVATION**

SCALE: 1/8"=1'-0"



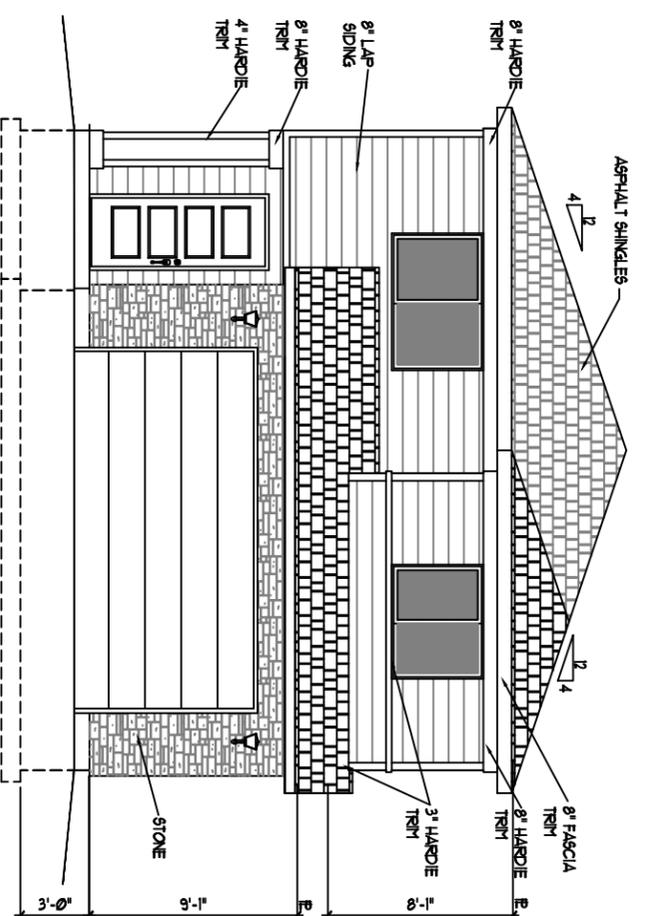
**REAR ELEVATION**

SCALE: 1/8"=1'-0"



**LEFT ELEVATION**

SCALE: 1/8"=1'-0"



**FRONT ELEVATION**

SCALE: 1/8"=1'-0"



NEW RESIDENCE FOR :  
**NAME**  
 LOT #  
 STREET NAME  
 NORTH SALT LAKE UT, ZIP

**SAGE 1716**  
 PRAIRIE CONTEMPORARY  
 ELEVATION PLAN

**GOVERNING CODE**  
 2015 IBC

Drawn By: J  
 Date: JUNE 2019  
 Scale: 1/8" = 1'-0"  
 Revision Date:

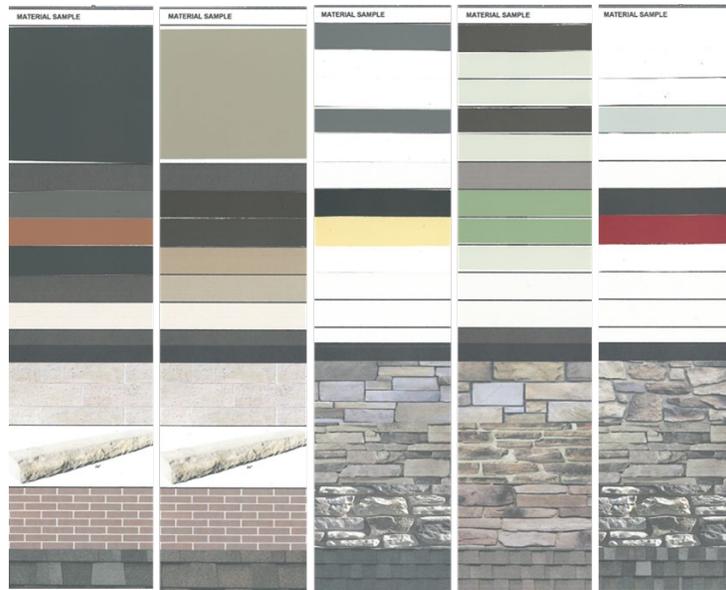
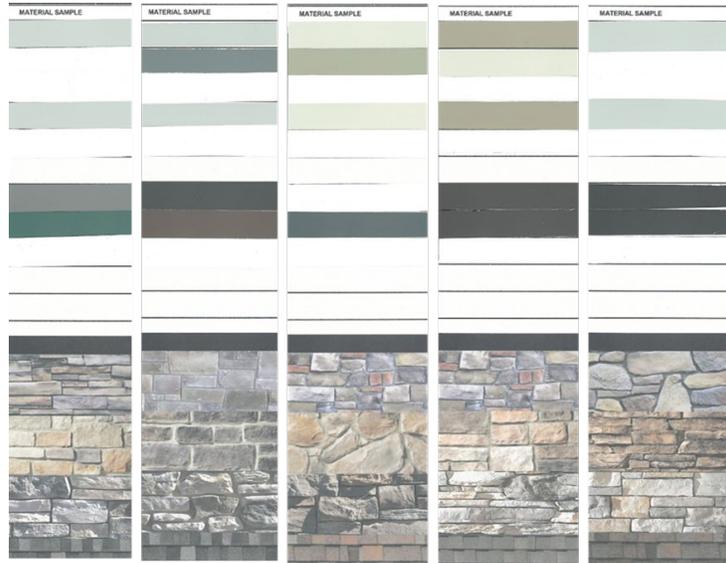
SHEET NUMBER

**A1**

## B. Exterior Finishes and Colors

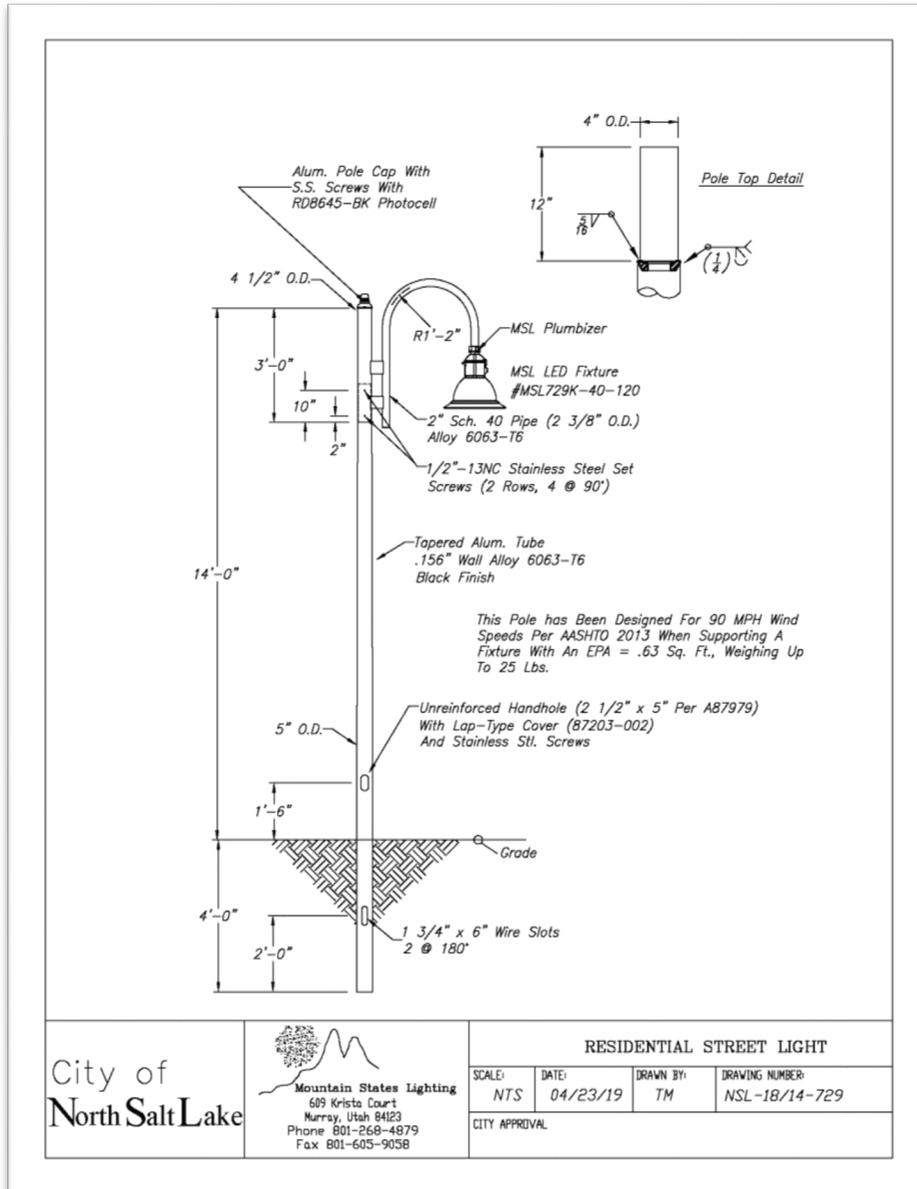
**Materials and Colors.** Exterior materials shall consist of Masonry, Fiber Cement Board, Stucco, (Vinyl siding on side and rear facades only) with architectural accents, and Asphalt Shingles. The following colors and materials shall be used in the construction of all homes. Minor variations in color/tones may be approved by the Community Development Director in accordance with the general colors shown in the below.

### COLOR GRAPHICS



### C. Lamp Posts, Building Lighting

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



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

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

### **E. Landscaping**

Landscaping shall be completed on each lot and within the respective park strip, where existing, within 6 month of final occupancy, in the event that date falls between October 1-April 1, the homeowner shall be allowed until July 1st of the following year to complete the landscaping.

### **F. Mailboxes**

Mailbox clusters, with mailboxes and newspaper receptacles will be provided by Declarant based on the requirements and approval of the U.S. Postal Service. Replacement necessitated by damage from whatever source shall be at the expense of the builder or owner. All mailbox clusters shall be located adjacent to the interior streets and shall not front Cutler Drive.

### **G. Fencing Material**

The project fencing material shall be permitted to be vinyl, composite, masonry or cedar fencing, in a color coordinated with the materials used in the construction of the homes.

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

---

RECORDING REQUESTED BY AND  
WHEN RECORDED PLEASE RETURN TO:

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

**MEMORANDUM OF AGREEMENT**

THIS MEMORANDUM OF AGREEMENT (“Memorandum”) is made by and between **THE CITY OF NORTH SALT LAKE**, a Utah municipal corporation, whose address is 10 East Center Street, North Salt Lake, Utah, 84054, hereinafter referred to as the “City,” and **RED PINE INVESTMENTS, LLC**, a Utah limited liability company whose address is 367 East 280 South, Alpine, Utah 84004 (“Developer”).

Developer and the City have entered into that certain “Development Agreement for Wellington Place”, dated \_\_\_\_\_, 20\_\_\_\_ (referred to herein as the “Agreement”) regarding the real property to be known as Wellington Place and more particularly described on the attached **Schedule “A”** (the “Property”). Copies of the Agreement are on file in the offices of the City of North Salt Lake.

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

[Signatures on the Next Page]

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

**“CITY”**

**CITY OF NORTH SALT LAKE**

ATTEST:

\_\_\_\_\_  
Linda Horrocks, City Recorder

By: \_\_\_\_\_  
Len Arave, Mayor

State of Utah            )  
                                  ss.  
County of Davis        )

This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_\_\_, by  
Len Arave as Mayor of City of North Salt Lake, a Utah municipal corporation.

[Seal]

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

**“DEVELOPER”**

**RED PINE INVESTMENTS, LLC**, a Utah  
limited liability company

By: \_\_\_\_\_

Title: Manager \_\_\_\_\_

State of Utah            )  
                                  ss.  
County of Davis        )

This instrument was acknowledged before me on \_\_\_\_\_, 2019, by  
Garrett Seely as Manager of Red Pine Investments, LLC, a Utah Limited Liability company.

[Seal]

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

## SCHEDULE "A"

### LEGAL DESCRIPTION

All property included in Davis County Parcel Identification numbers: 06-082-0271 and containing approximately 2.15 acres.

Legal Description:

BEG AT A PT 276 1/21 RODS & 626.5 FT S & W 565.43 FT, M/L, TO THE SW COR OF PPTY CONV IN WARRANTY DEED RECORDED 05/19/2016 AS E# 2939759 BK 6520 PG 704 FR NE COR SEC 34-T2N-R1W, SLB&M; & RUN TH W 490.59 FT; TH N 194.5 FT; TH E 490.59 FT, M/L, TO THE NW COR OF PPTY CONV IN SD WARRANTY DEED; TH ALG W LINE OF SD PPTY THE FOLLOWING COURSE: S 00°37'35" E 193.34 FT, M/L, TO THE S LINE OF THIS PPTY AS CONV IN WARRANTY DEED RECORDED 07/25/1991 AS E# 935234 BK 1427 PG 237 TO POB. CONT. 2.15 ACRES



# CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

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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:** January 7, 2020  
**SUBJECT:** Consideration of preliminary plan and final plat for Wellington Place PUD located at 877 North Cutler Drive

---

### RECOMMENDATION

The Planning Commission recommends approval to the City Council of the preliminary plan and final plat for Wellington Place PUD located at 877 North Cutler Drive, with the following conditions:

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 prior to submittal to the City Council.

### BACKGROUND

The proposed P-District and Final Plat is located at 877 North Cutler Drive. The property contains approximately 2.15 acres and is currently zoned General Commercial. The parcel adjacent to Foxboro Terrace Apartments and Foxboro North Stonehaven East PUD.

Soils studies conducted on the site indicated isolated lead contamination in the southeast area of the property, likely from automobile battery waste. The contaminated soil has been removed and additional testing has been requested by the City Engineer to verify all contaminated soil has been removed from the site and disposed in an appropriate waste facility.

On June 11, 2019 the Planning Commission held a public hearing on the zone change and general development plan. Only one public comment was received and it was favorable to the project as proposed. The General Development Plan was approved by the Council on June 18, 2019.

The Planning Commission considered the proposed development agreement and preliminary plan and final plat on July 23, 2019 and made a favorable recommendation to the City Council with the one condition that the home plans align with the architectural requirements listed in the development agreement and the submittal of final engineering corrections.

The required conditions from the Planning Commission have been satisfied. The City Engineer only requires the final confirmation of the soils testing from the geotech consultant, verifying all contaminated soil has been removed from the site.

### **REVIEW**

The proposed site plan for Wellington Place contains approximately 2.15 acres with 23 single family lots. The internal streets will be privately owned and maintained by a homeowner association. The development will be accessed from Cutler Drive and is subject to the approved P-District and development agreement.

### **POSSIBLE MOTION**

I move that the City Council approve the preliminary plan and final plat for Wellington Place PUD located at 877 North Cutler Drive with the following condition:

Condition:

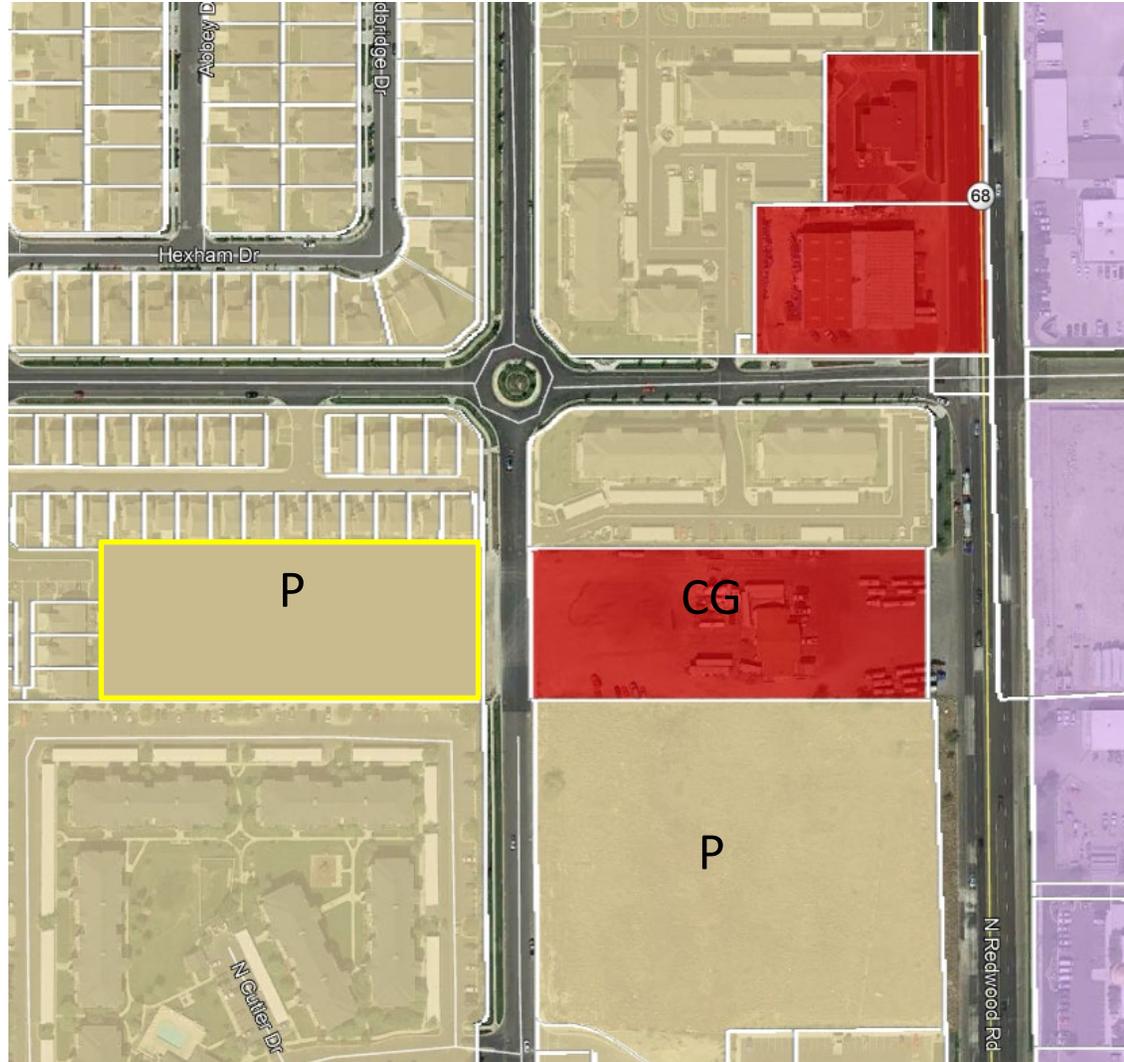
1. Confirmation of the removal of all lead contaminated soils to the satisfaction of the City Engineer.

Attachments

- 1) Aerial Map
- 2) Final Plat



# Preliminary Plan/Final Plat Wellington Place 877 North Cutler Drive



Line Table			Curve Table					
Line #	Direction	Length	Curve #	Length	Radius	Delta	Chord Length	Chord Direction
L1	S 89°51'46" W	11.00'	C1	18.33'	30.00'	35°00'26"	18.05'	N 72°21'33" E
L2	N 00°08'14" W	16.00'	C2	43.98'	28.00'	90°00'00"	39.60'	S 45°08'14" E
L3	S 89°51'46" W	11.00'	C3	43.98'	28.00'	90°00'00"	39.60'	S 44°51'46" W
L4	S 89°51'46" W	11.00'	C4	17.82'	30.00'	34°01'44"	17.56'	N 73°07'22" W
L5	S 00°08'14" E	14.00'						
L6	N 89°51'46" E	11.00'						
L7	N 90°00'00" W	9.98'						
L8	S 00°00'00" E	10.00'						
L9	N 90°00'00" E	10.00'						

- LEGEND:**
- DAVIS COUNTY SECTION CORNER MONUMENTS FOUND
  - STREET MONUMENT TO BE SET
  - EXISTING STREET MONUMENT
  - SET REBAR W/ CAP MARKED "BINGHAM ENG."
  - STREET LIGHT
  - SUBDIVISION BOUNDARY LINE
  - EXISTING LOT LINE
  - LOT LINE
  - (PUE) PUBLIC UTILITY EASEMENT OR (PUDE) PUBLIC UTILITY AND DRAINAGE EASEMENT (AS NOTED).
  - SECTION LINE
  - RIGHT-OF-WAY LINE
  - CENTERLINE

### WELLINGTON PLACE P.U.D.

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH

**NOTES**

- All un-fenced property corners will be set with a 5/8" rebar and plastic cap stamped "Bingham Eng." or a rivet where the property corner is in concrete or asphalt.
- Private roadways shall be covered by a blanket easement for private and public utilities. Said easement shall be created by this reference.
- Private roadways shall have an access easement across it to allow access to adjoining private parcels. Said easement shall be created by this reference.
- Private roadways shall be owned and maintained by the Wellington Place Homeowners Association.
- All public utility easements shown hereon are 10.00 feet wide unless otherwise noted.
- The coordinates shown hereon are based on the datum of the Davis County Surveyor. Record bearings, distances and coordinate values are shown in brackets [ ]. All other dimensions and coordinate values are measured.
- Approval of this development plat by North Salt Lake City does not constitute any representation as to the adequacy of subsurface soil condition or the location or depth of groundwater tables.
- The finished floor elevation of any home shall be at least one (1) foot above the lowest top back of curb grade adjacent to the lot.
- Street lights on private streets within the P.U.D. shall be operated and maintained by the Wellington Place Homeowners Association.
- Storm drain mains and inlet boxes located within private roadways shall be owned and maintained by the Wellington Place Homeowners Association.
- The rear-lot storm drain piping shall be owned and maintained by the Wellington Place Homeowners Association.
- Development on corner lots within this plat shall conform to the City's adopted clear vision requirements found in Section 10-1-31, City Code.

**SURVEYOR'S CERTIFICATE**

I, D. Gregg Meyers, a Professional Land Surveyor holding License No. 312770 as prescribed by the laws of the state of Utah, do hereby certify that by the authority of the owners, I have made an accurate survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into private roads, lots together with easements hereafter to be known as Wellington Place P.U.D. and that the same has been surveyed and staked on the ground as shown on this plat.

Date: \_\_\_\_\_



**REVIEW ONLY**

D. Gregg Meyers  
P.L.S. No. 312770

**BOUNDARY DESCRIPTION:**

A parcel of land located in the Southeast Quarter of Section 34, Township 2 North, Range 1 West, Salt Lake Base and Meridian, North Salt Lake City, Davis County, Utah, more particularly described as follows:

Beginning at the southwest corner of that portion of Cutler Drive as granted by Warranty Deed as recorded in the office of the Davis County Recorder as Entry No. 2939759, said point being the northeast corner of Lot 107A of Foxboro Plat 1A Amended as recorded in said office as Entry No. 1929395, said point lies on the section line South 89°50'51" West along said section line 656.99 feet from the Southeast Corner of Section 34, Township 2 North, Range 1 West, Salt Lake Base and Meridian (basis of bearing being South 89°50'51" West between the Southeast Corner and the South Quarter Corner of Section 34, T2N, R1W, SLB&M), and running thence South 89°50'51" West along the north line of said Lot 107A and said section line 485.63 feet to the southeast corner of Foxboro North Stonehaven East P.U.D. as recorded in said office as Entry No. 2776005; thence along the east and south lines of said Foxboro North Stonehaven East P.U.D. the following two (2) courses and distances: 1) North 00°08'14" West 193.47 feet and 2) North 89°51'46" East 483.98 feet to the west right-of-way line of said Cutler Drive; thence South 00°37'35" East along said right-of-way 193.34 feet to the point of beginning.

Containing 93,762 Square Feet or 2.152 Acres, 23 Lots, and 2 Private Streets.

**OWNER'S DEDICATION AND CONSENT TO RECORD**

Know by all men by these presents, that the undersigned owner of the parcel of land shown on this plat, and described hereon, have caused the parcel to be subdivided into the lots, parcels and private roadways as shown on this plat to be hereafter known as:

WELLINGTON PLACE P.U.D.

BW Wellington, LLC.

**ACKNOWLEDGMENT**

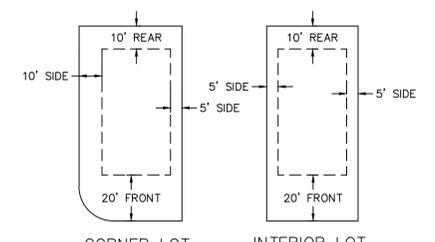
State of Utah \_\_\_\_\_;ss  
County of Davis \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 2019, personally appeared before me, \_\_\_\_\_, who being by me duly sworn, did say that he/she is the \_\_\_\_\_ of BW Wellington, LLC, a Utah Limited Liability Company, and that the foregoing instrument was signed on behalf of said BW Wellington, LLC, and said \_\_\_\_\_ acknowledged to me that said BW Wellington, LLC executed the same.

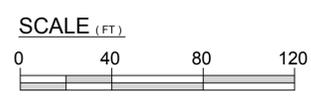
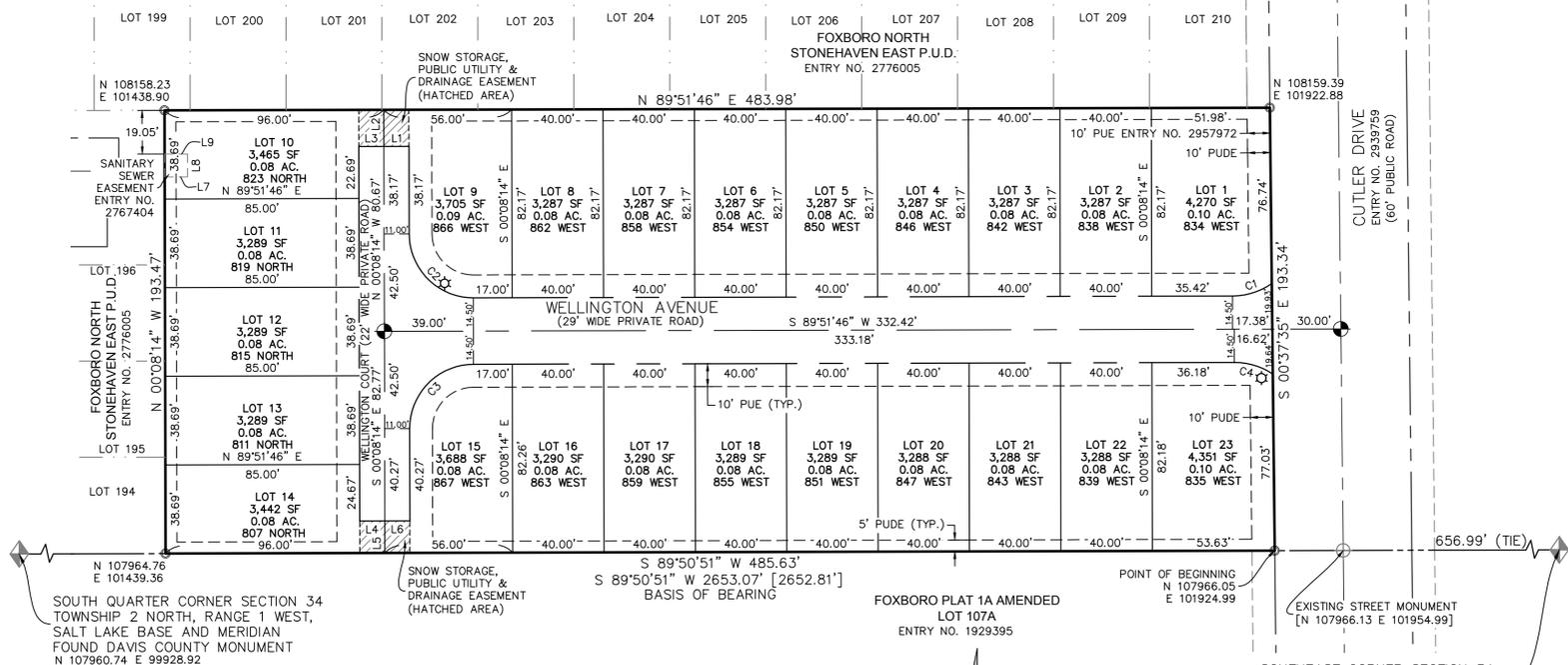
Notary Public for the State of \_\_\_\_\_

My Commission Expires \_\_\_\_\_

Notary Seal



**TYPICAL SETBACK DETAILS**



**BINGHAM ENGINEERING**  
282 N. Wright Brothers Dr. Ste 120, Salt Lake City, UT 84116  
(801) 532-2520 www.binghamnet.com

Design: \_\_\_\_\_  
Drawn: JJS  
Checked: GM  
Reviewed: JRL

City Council Approval	Recommended for Approval	Recommended for Approval	Recommended for Approval	Davis County Recorder
Presented to the City Council of North Salt Lake City, Utah This _____ day of _____, 2019 at which time this subdivision was approved and accepted.  Mayor _____ Attest: City Recorder _____	This _____ day of _____, 2019.  City Engineer _____	This _____ day of _____, 2019.  Chairman, Planning Commission _____	This _____ day of _____, 2019.  City Attorney _____	Entry No. _____ Fee Paid _____ Filed for record and recorded this _____ day of _____, 2019 at _____ in Book _____ of Official Records Page _____  County Recorder _____ By: _____ Deputy Recorder _____
Date 07/29/19	Proj. # 5412	Sht 1 of 1		



# 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:** January 7, 2020  
**SUBJECT:** Consideration of a request to cut 350 North prior to the expiration of the 3 year waiting period after new road construction

---

### RECOMMENDATION

The Development Review Committee recommends allowance for early road cut beginning on July 18, 2020 in order to ensure that construction on 350 North will be completed prior to the beginning of the 2020 school year.

### BACKGROUND

Arrowhead Twin Home PUD is an approved subdivision located at 150 East 350 North. A condition of the approval was that infrastructure could not be installed in 350 North until the expiration of the 3 year restriction post street reconstruction. The street was completed on August 18, 2017. The following code section restricts road cuts after reconstruction:

#### **7-5B-2: APPLICATION FOR PERMIT:**

F. Excavation restrictions will be imposed by the city for five (5) years following the completion of new streets and for three (3) years following the resurfacing of streets.

### REVIEW

The developer for the property has requested that City Council allow the street cut earlier than the 3 year expiration to allow for construction to be completed after school has been released for the summer and prior to the next school year begins. The developer has requested a start date of May 25, 2020. Staff has verified with the Davis County School District that the last day of school is May 29, 2020 and the first day is August 25, 2020.

The development review committee has reviewed the request and believes that one month is adequate time for the street cut to be completed prior to the start of the school year. If the City Council grants the request to modify excavation restriction period, the DRC recommends a one month modification to the August 18, 2020 date.

## **POSSIBLE MOTION**

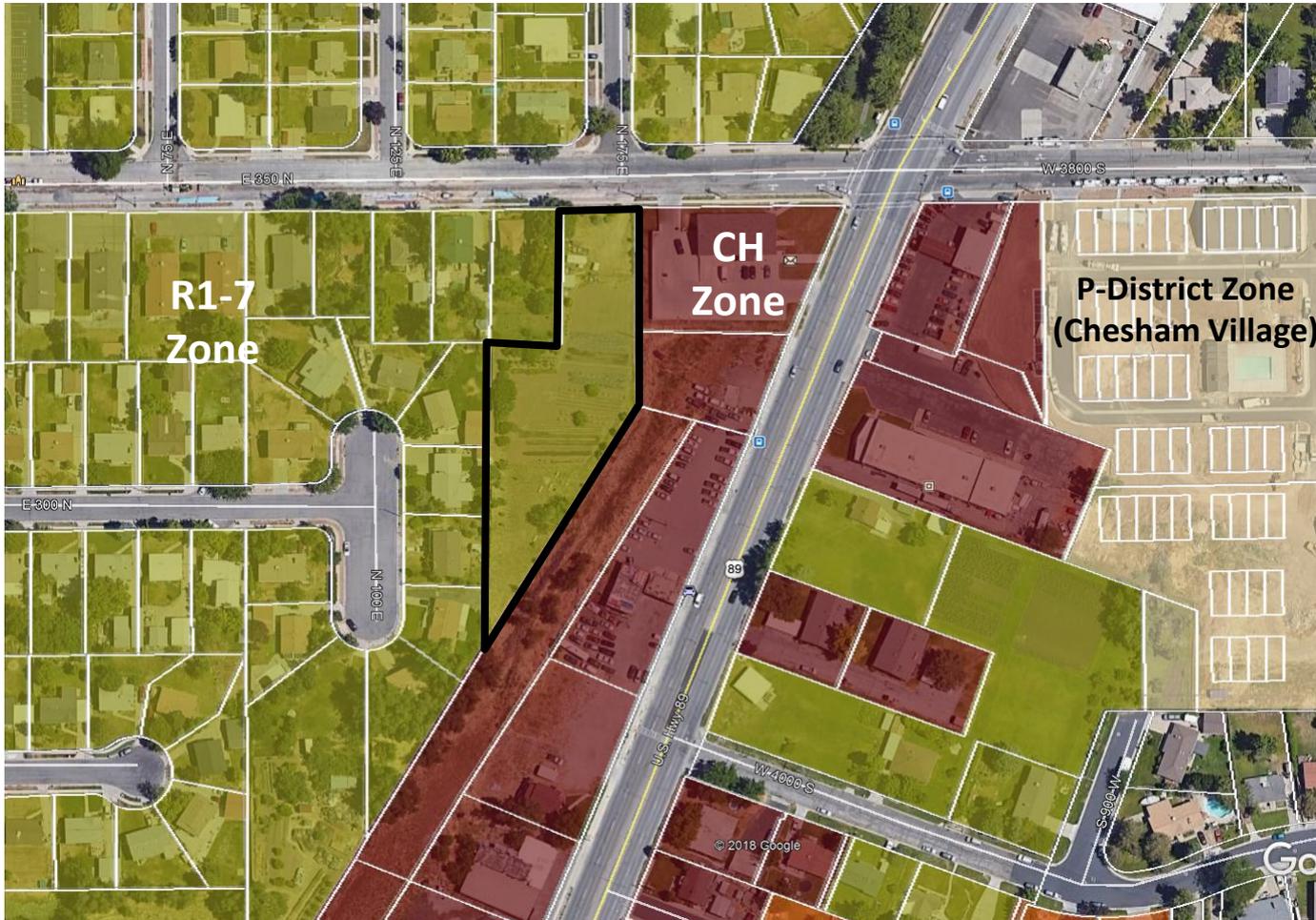
I move that the City Council approve a the request to modify the excavation restriction period on 350 North Street for the installation of infrastructure connections to the Arrowhead PUD and allow an excavation permit beginning no earlier than July 18, 2020.

### Attachments

- 1) Aerial Map
- 2) Arrowhead PUD Utility Construction Drawing
- 3) Letter of request



# Arrowhead 150 East 350 North Aerial & Zoning



-  Special Use Restricted (SR)
-  Residential (RM-7)
-  Residential (RM-20)
-  Residential (R1-7)
-  Residential (R1-12)
-  Residential (R1-10)
-  Natural Open Space (NOS)
-  General Industrial (MG)
-  Manufacturing-Distribution (MD)
-  Existing Uses Overlay (EUO)
-  Commercial Shopping (CS)
-  Highway Commercial (CH)
-  General Commercial (CG)
-  Planned District (P)

**STORM DRAIN KEYED NOTES**

- CONNECT TO EXIST SDMH, RIM=4262.98, ~EXIST 30" IE THRU=4256.98, PROPOSED 8" IE IN(S)=4259.68
- CONST. 34.3 L.F. 8" ADS PIPE @ S=1.0%
- CONST. 3'X3' CONCRETE INLET BOX, TBC=4263.19, GRATE=4262.69, 8" IE OUT(N)=4260.02, 15" IE OUT(S)=4258.73, BOTTOM OF BOX=4258.19, INSTALL 3" ORIFICE PLATE OVER NORTH OUTLET PIPE, FLOWLINE OF 3" ORIFICE=4260.44, INSTALL FLEXSTORM INLET FILTER IN BOX WITH STANDARD FRAME AND PC BAG.
- CONST. 14.8 L.F. 15" ADS HP STORM PIPE @ S=0.5%
- CONST. (18) SC-740 STORMTECH WITH 6" GRAVEL UNDER CHAMBERS, TOP GRAVEL=4260.94, TOP CHAMBERS=4260.44, BOTTOM CHAMBERS=4257.94, BOTTOM GRAVEL=4257.44, 15" IE IN(N)=4258.69, INSTALL PER STORMTECH SPECIFICATIONS. DO NOT INSTALL PVC LINER UNDERNEATH SYSTEM.
- CONST. ISOLATOR ROW
- CONST. INSPECTION PORT
- CONST. 19.4 L.F. 15" ADS HP STORM PIPE @ S=7.4%
- CONST. 2'X3' CATCH BASIN, TBC=4264.93, GRATE=4264.43, 8" IE IN=4260.13, 15" IE OUT=4260.13, INSTALL FLEXSTORM INLET FILTER IN BOX WITH STANDARD FRAME AND PC BAG.
- CONST. 75.0 L.F. 8" ADS PIPE @ S=0.5%
- CONST. 2'X2' INLET, GRATE=4262.50, IE OUT=4260.50, INSTALL FLEXSTORM INLET FILTER IN BOX WITH STANDARD FRAME AND PC BAG.

**STORM DRAIN NOTE:**  
SEE GRADING PLAN FOR STORM DRAIN DESIGN

**UTILITY LEGEND**

	SEWER LABEL - SEE PROFILE SHEET
	PRESSURE IRRIG. C1000 PVC PURPLE PIPE
	CULINARY WATER C1000 PVC BLUE PIPE
	SEWER PIPE PVC SDR-35
	STORM DRAIN PIPE RCP
	EDGE OF ASPHALT
	EXIST FENCE
	NEW FENCE
	OVERHEAD POWER LINE
	BURIED POWER LINE
	TELEVISION LINE
	TELEPHONE/COMMUNICATION LINE
	GAS LINE

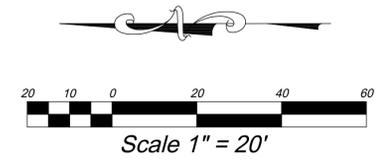
**SEWER CONSTRUCTION NOTE:**  
ALL SEWER MANHOLES, PIPES, LATERALS, ETC. TO BE CONSTRUCTED PER SOUTH DAVIS SEWER DISTRICT RESOLUTION 114-1 SEWER DESIGN AND CONSTRUCTION STANDARDS.

**175 EAST**  
ABANDONED 6" CUL (CAST IRON)

**350 NORTH**

**TIDWELL DRIVE (PRIVATE)**

PERFORM A SINGLE ASPHALT PATCH FOR UTILITY CONNECTIONS. REPLACE THE ASPHALT IN THE TRENCH TO 4" THICK OR THE EXISTING ASPHALT THICKNESS PLUS 1 INCH, WHICHEVER IS GREATER. CONTRACTOR SHALL MEET NSL CITY STANDARDS.



BENCH MARK		REVISIONS	
EXISTING STORM DRAIN MANHOLE RIM LOCATED IN 350 NORTH NEAR THE NORTHWEST CORNER OF THE PROPERTY ELEVATION = 4262.98		Rev.	Date
1	09/13/19	REVISED PER CITY COMMENTS	

Mike Watson Investing  
c/o Paul Potest  
Phone: 253-320-0357

David W. Peterson, P.E., License #270393  
12 West 100 North, Suite 201, American Fork, UT 84003  
P: (801) 756-4504; david@excelcivil.com

**ARROWHEAD TWIN HOMES**  
NORTH SALT LAKE 175 EAST 350 NORTH UTAH

Drawn by: G.J.Y.	Scale: 1"=20'
Designed by: G.J.Y.	Date: 08/27/19
Checked by: D.W.P.	C5

**UTILITY SITE PLAN**

Summa Terra Ventures, LLC  
79 West 900 North, Suite B  
Springville, UT 84663

December 11, 2019

To Whom it May Concern:

Our company, which has the controlling interest in NSL1, LLC, is heading up the entitlement and development of the property known as "Arrowhead Twin Homes," located at 150 East 350 North. Due to city ordinances, the asphalt on 350 North cannot be cut into until August 18, 2020 or later to satisfy the 3-year time requirement for new asphalt.

We would like to petition the City Council to allow us to cut into 350 North a little before the 3-year time limit expires for reasons of public health and safety. Our hope is that you would allow us to begin construction in the road on May 25, 2020. We understand that the prior Friday is the date when school lets out for summer and there will be less of a chance that school-aged children will be affected by our activities. It is our sincere hope and belief that we can conclude the road work well before school gets back in session in August, 2020.

Should we have to wait until August 18, 2020 to begin, our work in the street and sidewalks will not be concluded until a ways into the fall school year, thus potentially affecting children and their travels to and from school. By May 25, 2020, the asphalt would still have had slightly more than 33 months of cure time.

Thank you in advance for your consideration,

Michael P. Watson  
801-636-0100  
President, Summa Terra Ventures, LLC  
michael23watson@gmail.com



## 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:** January 7, 2020

**SUBJECT:** Proposed Ordinance Number 2020-02: An ordinance amending the City's parking ordinance to allow a City employee to be the Administrative Law Judge for violations of the City's parking ordinance.

---

### RECOMMENDATION

I recommend that the Council amend the City Code to allow a non-police department City employee, if needed, to serve as the Administrative Law Judge for violations of the City's parking ordinance.

### BACKGROUND

You may recall that on May 21, 2019, the City Council approved a comprehensive parking enforcement program focused on preventing illegal parking on snow days (City Code 6-2). As part of the program, those that violate parking regulations are given a Notice of Violation that requires payment or appeal of the citation.

The appeal for relief is provided in our new ordinance so that residents may request an appeal review with an Administrative Law Judge (ALJ) of the specific circumstances of their alleged violation. Also in the adopted code, is the provision that the ALJ cannot be an employee of the City or a member of the North Salt Lake Police Department. As City staff created the parking enforcement program, including the appeal process, it became apparent to us that the restrictions on who could be an Administrative Law Judge needed refining. Specifically, I believe that it is cumbersome and lengthy for the public who appeals a Notice of Violation to have to wait weeks for a third-party appeal authority. Further, I believe we can train a City employee to be fair, impartial and decisive when it comes to these types of violations. Also, to ensure separation of the enforcement function from the appeal authority, Police Department personnel should still be barred from becoming the Administrative Law Judge. Finally, we expect that the workload will be light and because of that, we believe that an existing City employee can assume the ALJ duties and respond quickly (in days rather than weeks) to appeal requests.

**PROPOSED MOTION**

I move that the City Council adopt proposed Ordinance Number 2020-02: An ordinance amending the City's parking ordinance to allow a City employee to be the Administrative Law Judge for violations of the City's parking ordinance.

**ORDINANCE NO. 2020-02**

**AN ORDINANCE OF THE CITY OF NORTH SALT LAKE  
AMENDING TITLE 6 OF THE CITY CODE PERTAINING  
TO ON-STREET PARKING REGULATIONS AND  
CLARIFYING WHO CAN SERVE AS AN APPEAL  
AUTHORITY FOR PARKING ENFORCEMENT MATTERS**

**WHEREAS**, the City Council of the City of North Salt Lake previously passed Ordinance 2019-01 on May 21, 2019 establishing regulations related to on-street parking; and

**WHEREAS**, the City Council of the City of North Salt Lake also established a process of relief for persons receiving Notices of Violation related to on-street parking violations, including the creation of an Administrative Law Judge to hear appeals for relief from such persons; and

**WHEREAS**, Section 6-2-10, City Code prohibits the Administrative Law Judge from being an employee of the City; and

**WHEREAS**, City staff of the City of North Salt Lake has recommended to the City Council that the optimal way to serve the public quickly, cost-effectively and efficiently is to appoint a City employee as the Administrative Law Judge for parking violations; and

**WHEREAS**, the City Council of the City of North Salt Lake also finds that the quickest, most cost effective and efficient way to process appeals related to the enforcement of on-street parking violations is to authorize a City employee, if needed, to be appointed as the Administrative Law Judge.

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

**Section 1. Code Amendment.** Title 6 of the City Code is hereby amended as written below:

**6-2-10: PRESIDING OFFICER - ADMINISTRATIVE LAW JUDGE**

**PROCEDURES:**

The Administrative Law Judge (ALJ) is the presiding officer who shall be appointed in accordance with Title 12, "Administrative Code Enforcement Hearing Program", of this Code to consider matters relating a violation to this title. The ALJ shall not be a member of the North Salt Lake Police Department ~~or City staff employed in other administrative or regular positions.~~

**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 \_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

**CITY OF NORTH SALT LAKE**

By: \_\_\_\_\_  
Len Arave, Mayor

**ATTEST:**

\_\_\_\_\_  
Linda Horrocks, City Recorder

City Council Vote as Recorded:

[SEAL]

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

**Certificate of Posting Ordinance:**

I, the duly appointed recorder for the City of North Salt Lake, hereby certifies that the foregoing Ordinance No. \_\_\_\_\_ was passed by the governing body on the date shown above, and that copies were posted as required by Utah Code 10-3-713 within the municipality. Recorded this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Linda Horrocks, City Recorder

1  
2 CITY OF NORTH SALT LAKE  
3 CITY COUNCIL MEETING-WORK SESSION  
4 NOVEMBER 19, 2019

5 **DRAFT**

6  
7 Mayor Arave called the meeting to order at 6:10 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; Sherrie  
18 Llewelyn, Community Development Director; Linda Horrocks, City Recorder; Marty Peterson,  
19 Emergency Preparedness Manager; Andrea Bradford, Minutes Secretary.

20  
21 OTHERS PRESENT: Ron Jibson, Janet Jibson, residents; Abby Ebert, Peyton Otis, Samuel  
22 Wang, Houston Naegle, Joshua Godfrey, Youth City Council; Joe Crane, Matt Carlson, Joseph  
23 Tunley, Club V.

24  
25 1. COMMUNITY DEVELOPMENT PROJECTS UPDATE

26  
27 Sherrie Llewelyn reported on several commercial projects under construction in the City,  
28 including those for Hughes General Contractors, Echo Broadband, Maverik, Gramoll  
29 Construction, I-215 Parkway building, Treviso building, Dixon Company, Bailey's Moving and  
30 Storage, and the NSL City Center office building.

31  
32 Mrs. Llewelyn said that Hughes General Contractors was constructing another building on their  
33 site, at 900 North and Redwood Road, which would be part of the Redwood Road CDA area.  
34 Echo Broadband has had a delay due to a fire in their main office with installation postponed  
35 until spring. (She was also told that very fast Wi-Fi was now available to South Davis residents  
36 while they waited for fiber to be installed.)

37  
38 Mrs. Llewelyn stated that the new Maverik location was also under construction on Center Street  
39 and Redwood Road. Mayor Arave asked about the plans for the existing Maverik across the  
40 street from the Maverik under construction. Mrs. Llewelyn replied that Maverik wanted to keep  
41 the existing pumps open but not the convenience store. She said there were some issues with the  
42 pumps remaining open with no attendant on duty due to fire regulations.

43

44 Mrs. Llewelyn provided an update on Gramoll Construction at 750 West. She said the new  
45 building was almost complete and that they had sold their existing building on 1100 North to  
46 FedEx. Mrs. Llewelyn also reported that Building 4 in the I-215 Parkway development by Tom  
47 Stuart was almost complete and Building 5 was halfway completed. This project was also in the  
48 Redwood Road CDA.

49  
50 Mrs. Llewelyn spoke on the Treviso building and said that this project was several years old. She  
51 said they obtained site plan approval but did not want to start construction until they found a  
52 tenant. The proposed building would be office/warehouse space with a proposed dog daycare in  
53 one unit. Construction began on this building, which was on Center Street across from the Sewer  
54 District.

55  
56 Dixon Company began construction of a building on Cutler Drive to house a communications  
57 center for the State of Utah. Bailey's Moving and Storage obtained approval of a site plan  
58 amendment to for an addition on their property. They would be storing all of the furnishing from  
59 the Salt Lake Temple during their remodel.

60  
61 Mrs. Llewelyn said the North Salt Lake City Center office building and townhomes were under  
62 construction and would be completed in February or March of 2020. One of the main tenants  
63 would be JZW Architects.

64  
65 Mrs. Llewelyn reported on commercial projects in the planning/permit review stage including  
66 the NSL Business District on the Kimball Property, Design Space branch office on Union  
67 Avenue, LaDiana Tortilla Factory remodel on 640 West, Picasso Shutters on 700 West,  
68 Eaglewood Village, Williamsburg (which was delayed due to asbestos and soil remediation  
69 issues), Towne Plaza office buildings, and revised plans for Quick Quack carwash. She said that  
70 Quick Quack would like to change their architecture so they had submitted revised plans to the  
71 City. Mrs. Llewelyn said that Quick Quack would hold a fundraiser for someone in the  
72 community during the first two weeks they were open and asked for nominations.

73  
74 Mrs. Llewelyn then focused on the completed commercial projects, which included the Horizon  
75 Manufacturing addition and Wasatch Resource Recovery plus various remodels including  
76 Canderra, Innophus, Sahara Redwood, George's Grill, Jensen's Cabinets, Medquest, Taco Time,  
77 and Blue Mountain.

78  
79 Mrs. Llewelyn then reviewed all residential project that were under construction, under planning  
80 review, or completed. She said residential projects under construction included City's Edge  
81 (South and Central), NSL City Center, Towne Plaza, Foxboro Marketplace Apartments,  
82 Hepworth, The Ridge, Townes at Vantage Point. Residential projects in the planning/building  
83 review stage included a building permit for Williamsburg as well as Foxboro Marketplace  
84 Apartments, final approval of the Arrowhead Twin Homes, a building permit for The Yard, and  
85 geotechnical studies for The Cove, which were almost complete. Mrs. Llewelyn said that

86 Sunview Court was on hold due to no action by the applicant, the approval for Romaine Court  
87 had expired and was void, and Wellington Place had some soil contamination that would need to  
88 be remediated. Completed residential projects included Chesham Village, Odell Crossing,  
89 Sycamore Grove, and Park View.

90  
91 Sherrie Llewelyn then spoke on the Town Center Master plan and presented a map highlighting  
92 developments that were approved and either under construction, completed, under permit review,  
93 or entitled. This map also showed areas that may be potentially redeveloped or were vacant as  
94 well as acreages and uses such as retail, office, dwelling units, etc.

95  
96 Mayor Arave said that there was a \$25,000 grant from Davis Loan Fund for façade  
97 improvements. He also asked about a landscaping grant to help property owners. Ken Leetham  
98 said staff had prepared a survey of buildings to try and identify some projects. He said  
99 landscaping would not qualify under the grant from Davis Loan but staff could look for  
100 additional grants.

101  
102 Sherrie Llewelyn then reported that a potential total of 707 dwelling units had been approved  
103 under the Town Center Master Plan with 150 dwelling units completed, 116 under construction,  
104 251 under permit review, and 456 entitled. She calculated that there could potentially be 200  
105 more dwelling units after redevelopment and development of vacant properties.

106  
107 Mayor Arave asked about the status of the Master Plan during the moratorium. Sherrie Llewelyn  
108 replied that staff was working on the Main Street Neighborhood plan, PUD and subdivision  
109 ordinance revisions to address concerns in the RM-7 and R1-7 zones, the Parks Master plan, the  
110 Master Plan update, and the form based code. She said that the Planning Commission was  
111 reviewing the form based code and would potentially be ready for a joint work session with the  
112 City Council on December 12<sup>th</sup>.

113  
114 2. REPORT FROM CITY MANAGER ON UTAH ATHLETIC CENTER PROPOSAL  
115 RELATED TO PICKLEBALL

116  
117 Ken Leetham reported that he had received a written proposal from Utah Athletic Center (UAC)  
118 related to pickleball. He said the City's obligation would be \$70,000 to share in the construction  
119 cost of six pickleball courts, promotion of the UAC courts, and a non-compete clause. UAC's  
120 commitments would include the completion of six indoor courts, administration of, and exclusive  
121 use of the facilities by City residents Sunday through Friday from 5 a.m. to 3 p.m. Residents  
122 would pay \$5 per day or \$30 per month for the use of the courts.

123  
124 Matt Carlson, from the Utah Athletic Center, showed the proposed layout of the facility with the  
125 six proposed pickleball courts and said the new courts would have hardwood floors.

126

127 Mayor Arave asked how the courts would be used after 3 p.m. Matt Carlson said they would be  
128 used for volleyball, basketball and soccer during the winter season. He said during January  
129 through April they could allow for afternoon play.

130  
131 Janet Jibson asked how much non-residents would pay to play. Matt Carlson said that after  
132 reviewing prices for other recreation centers and facilities that \$5 was the average price per day.  
133 He said they could work with the City on a special rate for residents.

134  
135 Mayor Arave asked about the cost for the use of the Crossfit gym that was located there. Matt  
136 Carlson said the monthly gym membership was \$100 a month and that it was operated separately  
137 from the courts.

138  
139 Mayor Arave asked how the \$70,000 was calculated. Matt Carlson said the bids were for  
140 \$173,000 and \$133,000.

141  
142 Council Member Porter asked if the courts would be appropriately lined and lighted to  
143 accommodate all the different sports. Matt Carlson said they were looking for solutions on the  
144 lines. He said the lighting already met NCAA regulations.

145  
146 The Council discussed how to reserve the courts for residents, rates for residents and  
147 nonresidents, rates compared to nearby facilities, and the non-compete clause.

148  
149 Council Member Hood asked about the 20 year non-compete clause and if this timeframe could  
150 be shortened. Joe Crane replied that this timeframe would allow the City the opportunity to gain  
151 a return on their \$70,000 investment.

152  
153 Council Member Horrocks said there was not a restriction on outdoor pickleball courts or the use  
154 of a South Davis Recreation facility. Ken Leetham said that the City could add carve outs to  
155 allow the support of a potential South Davis Rec Center expansion as well as the ability to allow  
156 another private entity that may want to build pickleball courts.

157  
158 Mayor Arave asked the several residents present if this idea was of any interest.

159  
160 Ron Jibson asked about the market research done to support the proposed pickleball courts. He  
161 said that many churches were adding indoor pickleball courts so the issue residents were having  
162 was finding places to play outdoors during the summer. Mr. Jibson said he played with a large  
163 group and would ask them if they would be willing to pay the \$30 a month membership fee  
164 versus playing at the church for free. Matt Carlson said that this facility would be available for  
165 people to create a club in a facility with hardwood floors, air conditioning/heat, and showers.

166  
167 Ron Jibson said the other issue was allowing non-residents to play and the rate they would be  
168 charged.

169  
170 Council Member Horrocks said that many residents probably did not know that UAC existed and  
171 that this would be a way to get more customers in the door. He said these courts would not  
172 replace the need for outdoor courts and the cost to the City seemed prohibitive.

173  
174 Council Member Mumford asked if the plan was to host pickleball tournaments similar to the  
175 volleyball tournaments that UAC already held. Matt Carlson said that they wanted to provide a  
176 premier facility for pickleball and eventually they would like to hold leagues and tournaments for  
177 adults in the future.

178  
179 Council Member Mumford also asked about the maintenance schedule for the proposed courts.  
180 Matt Carlson said the courts would need to be swept daily and refinished yearly. They would  
181 also be used for volleyball, basketball, etc.

182  
183 Council Member Horrocks asked about the use of the courts in the evenings. Matt Carlson  
184 replied that outside of October through April the courts could be used for open play.

185  
186 Ron Jibson commented that these courts would be higher quality than the church courts and that  
187 pickleball was the fastest growing sport in America. He said seniors liked to play in the mornings  
188 and the younger generations liked to play in the evenings and asked if pickleball could be played  
189 in the evenings. Matt Carlson responded that outside of October 1<sup>st</sup> to April 30<sup>th</sup> the courts could  
190 be used for evening play.

191  
192 Council Member Hood asked if summer classes could be held for kids as part of the City's  
193 Summer Recreation program. Ken Leetham replied that classes could be held during the day and  
194 the students would have to pay the instructor.

195  
196 Council Member Horrocks suggested that feedback be obtained by the Jibsons. Ken Leetham  
197 said that staff had outreach tools to obtain information from the public over the next several  
198 months. He said the City Council had several options and it would be difficult to make a decision  
199 at this time until the level of demand for pickleball courts was determined.

200  
201 Matt Carlson said that the floors would not be rebuilt until April. He said they were also trying to  
202 determine the demand and return on investment for the floor installation. Mr. Carlson said that  
203 this type of facility was expensive to run and that collaborating with the City and filling a need it  
204 would be mutually beneficial.

205  
206 3. ADJOURN

207  
208 Mayor Arave adjourned the meeting at 7:08 p.m. to begin the regular session.  
209

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-REGULAR SESSION  
NOVEMBER 19, 2019

**DRAFT**

Mayor Arave called the meeting to order at 7:16 p.m. Council Member Brian Horrocks 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  
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; Sherrie Llewelyn, Community Development Director; Linda Horrocks, City Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Dee Lalliss, Marco Diaz, Natalie Gordon, Ainsley Gordon, Judy Rogers, residents; Jonny Menjivar, Cole Staker, City employees.

1. CITIZEN COMMENT

Dee Lalliss asked about the new parking ordinance and the prohibition of parking in front of a residential driveway including by the resident.

Mayor Arave commented that this ordinance was a recommendation by the Safety Committee. Ken Leetham replied that keeping driveways clear was a good practice and that it was uncommon for residents to block their own driveways. He said it was better to have the restriction than no restriction in the event of upset neighbors or abuse of blocking driveways by residents.

Chief Black said that he could think of several situations where the City would not want residents to block their own driveway. Chief Black said it was good policy to not use a public street to block private access.

Council Member Horrocks commented that a blocked driveway could cause issues during a medical emergency. He said the sidewalk was not private property and could not be blocked.

251 Chief Black said that the City Code allowed for some exceptions and those were determined by  
252 the police department hearing officer. He said citations that were contested would go through a  
253 hearing process. Ken Leetham commented that enforcement would be increased during  
254 snowstorms.

255

256 2. INTRODUCTION OF TWO NEW PUBLIC WORKS EMPLOYEES

257

258 David Frandsen introduced Cole Staker as the newest storm water employee. He said the  
259 department looked for a good culture fit along with good references. Mr. Frandsen said Cole had  
260 a CDL and worked for Bountiful and Layton cities.

261

262 Mayor Arave thanked the new employees for being willing to take the position with the City to  
263 help residents during difficult times. David Frandsen showed several pictures of his department  
264 and said that when new employees started they were placed on teams and competed in team  
265 building activities throughout the year that helped with camaraderie and unity

266

267 Mr. Frandsen then introduced Jonny Menjivar who previously worked for Cintas. He said Cole  
268 and Jonny had been great employees so far.

269

270 3. CONSIDERATION OF PRELIMINARY PLAN AND FINAL PLAT APPROVAL OF  
271 ARROWHEAD TWIN HOMES AT 150 EAST 350 NORTH, PAUL POTEET,  
272 LIBERATION DEVELOPMENT, APPLICANT

273

274 Sherrie Llewelyn reported that the City Council approved the concept plan for Arrowhead Twin  
275 Homes on October 1, 2019. Previously the applicant had asked for a general development plan  
276 and zone change to a Planned (P) District for an apartment building with 27 units. As that plan  
277 was not met with favorable feedback the applicant returned with a plan that would meet the  
278 existing R1-7 zone. The proposed concept plan consisted of ten units with five twin  
279 homes/duplexes within the 1.03 acre project area located at 150 East 350 North. The twin homes  
280 would be platted for individual sale with common areas for landscaping and driveways.

281

282 The City Council previously requested that the developer increase the length of the guest parking  
283 spots and driveways from 18 feet to 20 feet and the Planning Commission also made a  
284 recommendation that two pedestrian access easements be added. Both of these requests have  
285 been added to the project. The easements would be at the end of Tidwell Drive and the  
286 emergency vehicle turnaround. The City engineer requested that both easement titles be updated  
287 to P.U.E. and Pedestrian Trail Access Easement.

288

289 Mrs. Llewelyn said that the Planning Commission made a favorable recommendation with the  
290 condition that underground infrastructure would not be allowed to be installed on 350 North until  
291 the three-year moratorium on new road construction period had expired. She showed a black and

292 white rendering of the twin homes and explained that the applicant had proposed the exteriors  
293 consist of stone material and Hardie cement fiberboard.

294  
295 Council Member Hood commented that approval was requested for a development that could not  
296 connect to 350 North for seven months. Sherrie Llewelyn clarified that all of the underground  
297 infrastructure could be laid but no building permits would be issued until a live water was  
298 available.

299  
300 **Council Member Porter moved that the City council approve the preliminary plan and**  
301 **final plat for Arrowhead Twin Homes located at 150 East 350 North with the following**  
302 **findings and no conditions:**

- 303  
304 **Findings:**
- 305 **1) The proposed development meets the minimum standards for a PUD subdivision in**  
306 **the R1-7 zone including lot size, height, landscaping, parking, and building**  
307 **coverage;**
  - 308 **2) The Planning Commission has the authority to authorize standards and**  
309 **requirements for PUD subdivisions which may include lot area, width, yard, height**  
310 **and coverage;**
  - 311 **3) Underground infrastructure will not be allowed to be installed in 350 North street**  
312 **until the three year moratorium on new road construction period has expired on**  
313 **July 1, 2020.**

314  
315 Council Member Baskin suggested that the actual completion date for the moratorium on the  
316 new road construction be included in the motion.

317  
318 **Council Member Porter amended his motion to include the moratorium expiration date of**  
319 **July 1, 2020.**

320  
321 **Council Member Horrocks seconded the motion. The motion was approved by Council**  
322 **Members Horrocks, Porter, Mumford, Hood and Baskin.**

- 323  
324 4. CONSIDERATION OF RESOLUTION 2019-43R: A RESOLUTION OF THE NORTH  
325 SALT LAKE CITY COUNCIL ACTING AS THE MUNICIPAL BOARD OF  
326 CANVASSERS CONDUCTING AND APPROVING THE CANVASS AND  
327 ELECTION RESULTS FOR THE NOVEMBER 5, 2019 MUNICIPAL GENERAL  
328 ELECTION AS PREPARED BY THE DAVIS COUNTY CLERK/AUDITOR'S  
329 OFFICE

330  
331 Sherrie Llewelyn reported on the ballots cast with the vote percentages during the November 5,  
332 2019 municipal election. She said the final vote count showed 2,906 ballots cast with 9,220  
333 registered voters in the City with a voter turnout of 31.52%. Mrs. Llewelyn stated that Natalie

334 Gordon, Brian Horrocks and Stan Porter were the winners of the election. She showed the  
335 precinct report to those present and explained that the ballots not counted were due to proof of  
336 identity issues, deceased voters, no signatures or non-matching signatures, or ballots that were  
337 postmarked after November 4<sup>th</sup>.

338

339 Mayor Arave congratulated Natalie Gordon and thanked James Hood for serving on the City  
340 Council. He said it had been a pleasure working with James and thanked him for his hard work  
341 and dedication.

342

343 **Council Member Mumford moved that the City Council, acting as the Municipal Board of**  
344 **Canvassers approve Resolution 2019-43R: a resolution approving the canvass and election**  
345 **results for the November 5, 2019 Municipal General Election. Council Member Baskin**  
346 **seconded the motion. The motion was approved by Mayor Len Arave, and Council**  
347 **Members Brian Horrocks, Stan Porter, Ryan Mumford, James Hood and Lisa Baskin.**

348

349 5. PUBLIC HEARING AND CONSIDERATION OF RESOLUTION 2019-42R: A  
350 RESOLUTION AMENDING THE 2019-2020 CITY OF NORTH SALT LAKE  
351 GENERAL FUND, LOCAL BUILDING AUTHORITY, CAPITAL FUND AND ROAD  
352 CAPITAL FUND BUDGETS

353

354 Janice Larsen reported that the Resolution in the packet was incorrect and said adjustments were  
355 needed for the General Fund, the Local Building Authority Fund, the Capital Fund, and the Road  
356 Capital Fund. She said in the General Fund that the police had offered contract services and  
357 would be receiving revenue with an increase of \$55,000 to match the corresponding debit for  
358 overtime and contracted services, and the installation of signs related to safety at school  
359 crossings in the amount of \$22,400.

360

361 In the Local Building Authority and Capital Funds, increases were made for the purchase of  
362 property adjacent to Hatch Park to be recorded in the Local Building Authority Fund. The  
363 purchase was funded with cash from the Capital Support Fund.

364

365 In the Road Capital Fund, increases of \$12,000 and \$40,000 were made to the budgeted expense  
366 and grant revenue in the Road Capital Fund for the Redwood Road sidewalk project.

367

368 Mayor Arave asked about the \$1,400 debit for contracted services in the General Fund related to  
369 the police. Janice Larsen replied that the City did not have enough officers and had to contract  
370 with another City. The \$1,400 was to pay the invoice for that service.

371

372 Mayor Arave also asked about the amount determined for personnel overtime and if this included  
373 management, benefits, etc. Janice Larsen replied that this was an average and included wages  
374 and benefits. Chief Black said that the State required the rate include management's time.

375

376 **Mayor Arave opened the public hearing at 7:44 p.m. There were no public comments. At**  
377 **7:45 p.m. Council Member Horrocks moved to close the public hearing. Council Member**  
378 **Mumford seconded the motion. The motion was approved by Council Members Horrocks,**  
379 **Porter, Mumford, Hood and Baskin.**

380  
381 **Council Member Porter moved to approve Resolution 2019-42R a resolution of the City**  
382 **Council of the City of North Salt Lake adopting an amendment to adjust the fiscal year**  
383 **2019-2020 General Fund, Local Building Authority, Capital Fund and Road Capital Fund.**

384  
385 Janice Larsen clarified that the four funds included 2020 General Fund, Local Building  
386 Authority, Capital Fund and Road Capital Fund.

387  
388 **Council Member Porter amended his motion to include these four funds. Council Member**  
389 **Hood seconded the motion. The motion was approved by Council Members Horrocks,**  
390 **Porter, Mumford, Hood and Baskin.**

391  
392 6. CONSIDERATION OF BID AWARD FOR THE LACEY WAY CANYON STORM  
393 DRAIN PROJECT

394  
395 Paul Ottoson gave a history of the project and said that the original storm drain line on this  
396 project was constructed in the 1970s. The westernmost 660 lineal feet of pipe was 36-inch  
397 corrugated metal pipe (CMP) and was installed at the bottom of the canyon. Since that time  
398 development had filled in the canyon to the point that in one area there was about 25 feet of  
399 cover/fill over the pipe. Due to the depth of the pipe and its proximity to homes, it was decided  
400 to fix the pipe by lining the interior. Two interior lining options were incorporated into the bid  
401 package. One option was centrifugally cast concrete pipe (CCCP) which was a concrete liner and  
402 the other was cured in place pipe (CIPP) which was a flexible tube. There was also one section  
403 of the CMP that was not very deep and a third bid option was added to remove the CMP and  
404 replace it with a new ADS pipe. He added that the east portion of the project had existing pipe,  
405 which also needed to be replaced.

406  
407 Paul Ottoson showed a map of the proposed storm drain improvements and referred to a long  
408 driveway off Marialana Way. He said the driveway was in bad shape and that the property owner  
409 asked if the removal and replacement cost could be included in the bid. He said a portion of the  
410 pipe that would be removed did run under the driveway.

411  
412 Paul Ottoson then showed video explaining the process and showing the requested product to be  
413 used. He said the City received three bids shown with alternate schedules. Mr. Ottoson explained  
414 that the low bid schedule B with the concrete lines at the price of \$632,988.90.

415  
416 Paul Ottoson said that historically prices were lower in the winter but this year every contractor  
417 was booked. He said 15 general contractors came to the pre-bid meeting and only three provided

418 bids as this was a challenging job. Staff recommended awarding the bid to Toncco, Inc. for the  
419 price of \$632,988.90. He said the current budget for the project was \$371,500 so a budget  
420 adjustment of \$365,000 would need to be approved. He recommended waiting on the budget  
421 adjustment until the project was complete in the event of any change orders.

422  
423 Council Member Horrocks asked which bid included the driveway removal and replacement.  
424 Paul Ottoson replied that schedule C and D included the removal and replacement.

425  
426 Mayor Arave commented that he thought the Sewer District had the equipment necessary to do  
427 this type of work. Paul Ottoson replied that he would reach out to the Sewer District to see if that  
428 was a possibility.

429  
430 Council Member Mumford asked about the five-year plan related to the cost of this project and if  
431 this would delay other projects. Paul Ottoson said that there was another necessary project along  
432 Center Street at the cost of \$300,000, so these projects could delay other projects. He added that  
433 this project needed to be completed soon as it had already been delayed.

434  
435 Council Member Baskin spoke on the complicated process of the project and the low bid of  
436 \$632,988.90 versus the allocated budget of \$371,000. Paul Ottoson replied that the bids were  
437 substantially over the budgeted cost. He said that it was hard to get bidders as all the contractors  
438 were incredibly busy.

439  
440 Council Member Mumford asked if there were other storm drain issues similar to this one. He  
441 also asked how long this fix would last. Paul Ottoson replied that there was pipe further up that  
442 was eroding. He said that replacement of the pipe was part of the five-year plan. Mr. Ottoson  
443 said the fix could potentially last 40 years.

444  
445 Council Member Mumford also asked if the project could be delayed one year to see if pricing  
446 went down. Paul Ottoson replied that this project should have been completed several years ago.

447  
448 **Council Member Horrocks moved that the City Council award the Lacey Way canyon**  
449 **storm drain improvements to Toncco, Inc. for the price of \$632,900.90. Council Member**  
450 **Porter seconded the motion. The motion was approved by Council Members Horrocks,**  
451 **Porter, Mumford, Hood and Baskin.**

452  
453 7. CONSIDERATION OF RESOLUTION 2019-44R: A RESOLUTION AUTHORIZING  
454 THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT AN APPLICATION TO  
455 DAVIS COUNTY SOLICITING COMMUNITY DEVELOPMENT BLOCK GRANT  
456 (CDBG) FUNDS FOR THE RECONSTRUCTION OF THE 200 NORTH CATWALK  
457 AND INSTALLATION OF LIGHTING AND ADDING THE PROJECT ON CAPITAL  
458 FACILITIES PLAN FOR THE FISCAL YEAR 2020-2021 BUDGET

459

460 Ken Leetham reported that the catwalk project was discussed in a previous City Council  
461 meeting. Staff had since performed a low-to-moderate income study to determine eligibility for  
462 the Community Development Block Grant (CDBG) funds and it was determined that the  
463 neighborhood did not meet the requirements. He said the good news was that residents were  
464 making more money, but the bad news was the project did not qualify for CDBG funds.

465  
466 Sherrie Llewelyn said that the alternative project was a request for street lights on 150 North.  
467 She said that staff was unsure if this project would meet the requirements and research would  
468 need to be done. She said the application was not due until December 20<sup>th</sup>.

469  
470 Council Member Porter asked how big of an area would need to be surveyed. Ken Leetham  
471 replied that it depended on the project. He said staff would survey all of 150 North where the  
472 street lights would be placed.

473  
474 Ken Leetham said the resolution for the new project would come back for approval in December.  
475 He also said the County felt that the other eligible project would be funding to acquire property  
476 for a senior center. Mr. Leetham said the problem with applying for that project was that the  
477 location of the senior center was not ready.

478  
479

#### 480 8. CITY COUNCIL MINUTES

481  
482 The City Council minutes from October 29, 2019 were reviewed and amended. **Council**  
483 **Member Baskin moved to approve the City Council work session and regular session**  
484 **minutes of October 29, 2019 as amended. Council Member Mumford seconded the motion.**  
485 **The motion was approved by Council Members Horrocks, Porter, Mumford, Hood and**  
486 **Baskin.**

487  
488 The City Council minutes from November 5, 2019 were reviewed and approved. **Council**  
489 **Member Horrocks moved to approve the City Council work session and regular session**  
490 **minutes of November 5, 2019. Council Member Mumford seconded the motion. The motion**  
491 **was approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

#### 492 493 9. ACTION ITEMS

494  
495 The action items list was reviewed. Completed items were removed from the list.

496  
497 Council Member Baskin reported that she contacted Judy Naranjo to coordinate a time to  
498 recognize her for her efforts with the senior lunch bunch.

499

500 Mayor Arave asked if the Uniting Neighbors group would be interested in hosting the  
501 NAMI/Davis County health community classes. Council Member Porter replied that the group  
502 wanted to focus on emergency preparedness.

503  
504 Ken Leetham suggested that the City could prepare outreach/education information in the City's  
505 newsletter and on the website with sources for help with mental illness.

506  
507 The Council discussed working with Jeremy Holt at LDS Hospital and the League of Cities and  
508 Towns, creating a citizen committee/group, hosting an educational class, and preparing a packet  
509 related to mental health.

510

#### 511 10. CITY COUNCIL REPORTS

512

513 Council Member Hood thanked staff for the Youth City Council activity.

514

515 Council Member Mumford reported that the Parks and Arts Board held their annual planning  
516 meeting for next year's events. Manuel Delgado would be the next Parks Trails Arts and  
517 Recreation Advisory Board Chair. He said Alisa VanLangeveld would provide a report in  
518 January. He also said there was one resignation, which Natalie Gordon would need to find a new  
519 appointment for in January.

520

521 The Council discussed a stipend for the Youth City Council advisors and the six members of the  
522 Parks and Arts Board. Staff will prepare an amendment and recommendation on stipends.

523

524 Council Member Baskin asked about the date for the Arbor Day celebration and said that in the  
525 past it had conflicted with the League of Cities and Towns conference. Ken Leetham replied that  
526 City staff was in the process of putting together an event calendar for 2020 to determine a date  
527 for the Arbor Day celebration.

528

529 Council Member Porter said that the Get to the River event would be September 19<sup>th</sup> potentially.  
530 He said that Uniting Neighbors would meet in January with a focus on an emergency  
531 preparedness plan.

532

533 Council Member Horrocks reported on the Davis County Mosquito Abatement. He said there  
534 were 29 cases of West Nile Virus with one death in Utah. He also said Moab found an invasive  
535 species of mosquito that had never been found in Utah before and that the Davis Mosquito  
536 Abatement District assisted in eradicating this species.

537

538 Council Member Baskin reported on an email related to a proposal on energy solutions. Ken  
539 Leetham said he would address this in his report.

540

541 Council Member Baskin said she received a phone call regarding a parking issue on Eugene  
542 Way. She said she would follow up with the resident.

543  
544 Council Member Baskin reported on Census 2020 and that the City should continue to advertise  
545 census jobs. She then reported on a coyote that was living in the gully by her home. Ken  
546 Leetham replied that he would follow up with the Division of Wildlife Resources (DWR).

547  
548 11. MAYOR'S REPORT

549  
550 Mayor Arave reported that the next advisory board meeting for the golf course would be held in  
551 December. He said the board would review two proposals including one from GreatLife and  
552 would provide a recommendation to the City Council soon.

553  
554 Mayor Arave reported that the South Davis Recreation District would spend \$2.5 million on  
555 repairs and modifications to their Bountiful facility. He also reported that the South Davis Metro  
556 Fire Agency had completed the Centerville Fire Station and that it was very nice.

557  
558 12. CITY ATTORNEY'S REPORT

559  
560 David Church was excused.

561  
562 13. CITY MANAGER'S REPORT

563  
564 Ken Leetham reported that he attended a meeting with the Jordan River Commission and was  
565 informed of the need for funding for patrol along the river and trail corridors. He said staff would  
566 try to obtain \$15,000 for public safety assistance.

567  
568 Ken Leetham also reported that the City had chosen GeoSyntec to perform the design work for  
569 the landslide remediation project. The design work would be \$131,000.

570  
571 Ken Leetham then spoke on House Bill HB411 which was passed during last year's legislative  
572 session. He said this bill, known as the Community Renewable Energy Act, was pushed by  
573 municipalities that wanted to achieve a net 100% renewable energy with Rocky Mountain  
574 Power. He explained the process if the City wanted to be part of this and said the first step would  
575 be for the City to pass a resolution by the end of the year. He said the group of communities that  
576 approved this resolution would negotiate one agreement with Rocky Mountain Power. The  
577 agreement, known as Community Renewable Energy Program, would then go to the Public  
578 Service Commission (PSC). The PCS would then perform an analysis of the plan and determine  
579 the feasibility, rate schedules and approve the program. If approved the City would then need to  
580 adopt an ordinance within 90 days of approval.

581

582 Ken Leetham said the City would need to participate in the cost of the study, which would be  
583 divided between the participating communities. He said the communities that had adopted  
584 resolutions included Salt Lake City, Summit County, Park City, Moab, and Cottonwood Heights.  
585 Those who were considering resolutions included Ogden, Sandy, Layton, Millcreek, Holladay,  
586 South Jordan, and Eagle Mountain. He said he did not feel there was a downside to adopting the  
587 resolution at this time while the Council reviewed the program as the City could withdraw before  
588 funds were needed to pay for the study. Mr. Leetham said staff could prepare a resolution for  
589 review on December 3<sup>rd</sup> or 17<sup>th</sup>.

590

591 14. ADJOURN INTO CLOSED SESSION TO DISCUSS PENDING OR REASONABLY  
592 IMMEDIATE LITIGATION; TO DISCUSS THE CHARACTER, PROFESSIONAL  
593 COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL; TO  
594 DISCUSS COLLECTIVE BARGAINING; OR TO DISCUSS THE PURCHASE,  
595 EXCHANGE, SALE, OR LEASE OF REAL PROPERTY

596

597 **At 8:47 p.m. Council Member Horrocks moved to go into closed session to discuss the**  
598 **purchase, exchange, sale or lease of real property and to discuss reasonably imminent**  
599 **litigation. Council Member Mumford seconded the motion. The motion was approved by**  
600 **Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

601

602 15. RECONVENE INTO REGULAR SESSION

603

604 **At 10:00 p.m. Council Member Horrocks moved to go out of closed session and back into**  
605 **the regular session. Council Member Mumford seconded the motion. The motion was**  
606 **approved by Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

607

608 16. ADJOURN

609

610 Mayor Arave adjourned the meeting at 10:00 p.m.

611

612

613

614

615

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Mayor

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City Recorder

### Action Items for January 7, 2020

Item	Staff	Description
<b>New</b>		
1	Ken	Follow up with Ron Jibson per his pickleball group on proposal from Utah Athletic Center.
2	Sherrie	Get number for Jeremy Holt at LDS Hospital from Mayor re: partnering with NSL on mental illness outreach. Also, the Council discussed the possibility of staff preparing outreach/educational information in the newsletter and on the City's website some sources of help for suicide and mental illness. Council also discussed working with LDS Hospital, League of Cities and Towns, creating a citizen committee/group, hosting an educational class, and preparing a packet related to mental illness
<b>Current</b>		
1	Ken	Update ordinance 2014-01/new resolution to be prepared per Mayor, CM Mumford, Ken Leetham and Alisa VanLangeveld. <i>Will be on Jan 21<sup>st</sup> agenda</i>
2	Ken/Linda	Recognition for Judy Naranjo for her service to the City through the senior lunch bunch activities. <i>Lisa Baskin contacting Judy to coordinate a convenient time</i>
3	Ken/ETS	Staff to prepare a report on cyber security and how the City is preventing this. <i>Ken is discussing options with ETS</i>
4	Sherrie	Staff to review City ordinances and the potential to allow multiple pygmy goats over 22 inches in height in areas under 50 points. Similar to potbelly pig ordinance change and also Midvale City ordinances. Provide information to City Council at future meeting. <i>Sherrie has provided a memo regarding research on pygmy goats, she does not recommend amending the ordinance to allow them on lots less than 20,000 sq. ft. Sherrie will meet with Lisa and James to discuss possible ordinance amendment and schedule a public hearing with the Planning Commission when ready. (11.12.2019)</i>
5	Ken	Staff would prepare a proposal related to small insurance claims and a fund to pay for these types of items in-house rather than submitting them through insurance.
6	Ken Janice David	Look at level of service for soccer/football games at City parks by comparing incoming funds and cost of water plus contractor to mow grass. CM Mumford requested that staff review the contract (football) to see how much they are paying versus cost of services before games this Saturday. <i>Cost analysis will be prepared and shared with the Council.</i>
7	Linda	Digital PDF of new resident information packet on the website with link on social media – <i>Linda is working on new packet.</i>
8	Paul Sherrie Ken	Staff to review what stipulations were placed on the road south of Eaglegate roundabout (Eaglewood Village proposal with Brighton Homes) and the potential to vacate that road. <i>Staff currently researching existing regulations and contracts on this matter.</i>
9	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. Woods Cross City has tentatively indicated a willingness to participate.</i>
10	Ken	Review security at City Hall and Parks building.
11	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>
12	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>
13	David, Ken	Staff to follow-up on adding trees to park strips on Fox Hollow at roundabout. <i>Ken will report.</i>
14	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>

15	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 plant is fully operational.)</i>
16	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>
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	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 <i>Development will be a P-District and we will require building standards and address sign standards in the development agreement</i> 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 (?) <i>-will be addressed in development agreement</i> e. setup Council tour of White Mountain development in Draper <i>-completed</i>
19	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. <i>Ken had a meeting with Director and is looking at 10 acres of property west of Redwood Road.</i>