



# CITY OF NORTH SALT LAKE

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## CITY COUNCIL MEETING – AMENDED\* NOTICE & AGENDA

DECEMBER 15

Work Session: 6:00 pm – Regular Session 7:00 pm

Remote Electronic Meeting – No Anchor Location

View via Zoom

Posted December 14, 2020

### NOTICE OF SPECIAL MEETING CIRCUMSTANCES DUE TO COVID-19 PANDEMIC:

In keeping with recommendations of Federal, State, and Local authorities to limit public gatherings in order to control the continuing spread of COVID-19, and in accordance with the Utah Open and Public Meetings Act, specifically Utah Code § 52-4-207(4), the City of North Salt Lake City Council and meeting presenters will participate electronically via phone or video conference.

### WORK SESSION –6:00 p.m.

1. Department Report: South Davis Metro Fire – Chief Dane Stone
2. Update and Discussion on Paramedic Services in Davis County – City Manager
3. Approve City Council Minutes of November 17, 2020
4. Action Items
5. Council Reports
6. Adjourn

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

1. Introduction by Mayor Len Arave
2. Citizen Comment
3. Consideration of **Ordinance 2020-16**: An ordinance adopting the South Davis Sewer District Industrial Pretreatment Program – Effluent Requirements, Rules and Regulations adopted 6/25/20.
4. Consideration of **Ordinance 2020-15**: An ordinance rezoning property located at 212 North Highway 89 from Highway Commercial (CH) to P-District and approving Development Agreement (**2020-42A**) for Silver Sky Lofts Townhomes PUD, Ben Olsen, applicant.
5. Consideration of preliminary plan approval for Silver Sky Lofts Townhomes PUD located at 212 North Highway 89, Ben Olsen, applicant.
6. Consideration of Final Plat approval for NSL City Center, Park Lofts, Phase 2 at 71 North Highway 89, Brighton Homes, applicant.
7. Consideration of newsletter publication and distribution options.

8. Mayor’s Report
9. City Attorney Report
10. City Manager Report
11. Adjourn

**CLOSED SESSION**

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

The public is invited to attend all City Council meetings. This meeting will be held electronically via Zoom, with joining information below:  
Zoom link for Tuesday’s City Council Meeting:

Topic: NSL City Council Meeting 12-15-20

Time: Dec 15, 2020 06:00 PM Mountain Time (US and Canada)

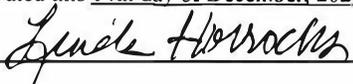
Join Zoom Meeting: <https://us02web.zoom.us/j/82378566368>

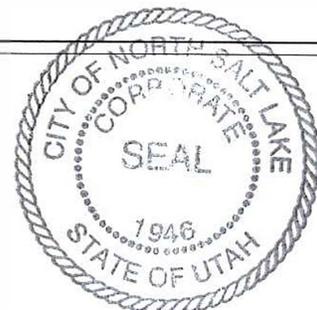
Meeting ID: 823 7856 6368

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 14th day of December, 2020.

Dated this 14th day of December, 2020.





1 CITY OF NORTH SALT LAKE  
2 CITY COUNCIL MEETING-WORK SESSION  
3 NOVEMBER 17, 2020

4  
5 **DRAFT**  
6

7 Mayor Arave called the meeting to order at 6:00 p.m.  
8

9 PRESENT: Mayor Len Arave  
10 Council Member Lisa Watts Baskin  
11 Council Member Natalie Gordon  
12 Council Member Brian Horrocks  
13 Council Member Ryan Mumford  
14 Council Member Stan Porter  
15

16 STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; David Frandsen,  
17 Public Works Director; Janice Larsen, Finance Director; Craig Black, Police Chief; David  
18 Church, City Attorney; Tyler Abegglen, Golf Course General Manager; Sherrie Llewelyn,  
19 Community Development Director; Linda Horrocks, City Recorder; Andrea Bradford, Minutes  
20 Secretary.  
21

22 OTHERS PRESENT: Dee Lalliss, resident, Court Huish, John Logan, Golf Course Oversight  
23 Committee; Gary Cooper; Wilford Cannon, Eaglewood Investment LLC.  
24

25 Mayor Arave read an official statement required when an anchor location is not provided for a  
26 public meeting due to the Coronavirus pandemic:  
27

28 *"I, as Mayor of the City of North Salt Lake and Chair of this public body, have determined that*  
29 *due to the COVID-19 pandemic and the physical distancing needed to prevent the spread of*  
30 *infection, public meetings present a substantial risk to the health and safety of those who may be*  
31 *present. That risk can be substantially mitigated by holding City Council meetings through*  
32 *electronic means that allow for public participation without an anchor location. A copy of this*  
33 *determination is available at [www.nslcity.org](http://www.nslcity.org)"*  
34

35 1. DEPARTMENT REPORT: GOLF DEPARTMENT  
36

37 Tyler Abegglen compared the 2020 fiscal year golf course information to the 2019 fiscal year.  
38 The first comparison was golf rounds, with a round being nine holes, with 2020 right on the five  
39 year average at \$46,814 compared to \$44,459 in fiscal year (FY) 2019. He showed a golf  
40 revenue comparison with a total of \$991,450 for FY2019 and a total of \$1,026,561 for FY2020.  
41 This total did not include food and beverage, banquet, or rents. Typically, the busiest months  
42 were May through August with June and August with the highest revenue in 2020.  
43

44 Mr. Abegglen reported on revenue and expense history related to the golf course fund from 2013  
45 through 2020. He spoke on the growing deficit when comparing the operating expenses to the  
46 operating income. There was some headway gained in the past fiscal year in reducing the deficit  
47 to \$344,500 for FY2020 and noted that a large amount of equipment was purchased in 2019  
48 which contributed to the \$473,000 deficit that year. He said that the goal was to bring revenue up  
49 and expenses down. For FY2020 there was a 43% decrease in corporate tournaments from  
50 FY2019, pro shop merchandise sales increased 2% but were slowed down by COVID, rounds  
51 increased 5.3% from the previous fiscal year, revenues increased 3.54% from the previous year  
52 and rates increased in June 2020, a new points of sale (POS) system was implemented in  
53 February, and the Toro maintenance system was updated.

54

55 Tyler Abegglen reported on the severe windstorm and said 96 trees were lost on the golf course.  
56 He said thanks to golf and public works staff that they only lost one day of golf play. There were  
57 plans to replant some of the trees. Mr. Abegglen then compared the FY2019 to FY 2020 rounds  
58 for July through November with 25,926 total rounds in FY2019 to 39,642 in FY2020. Revenue  
59 comparisons were \$557,277 in FY2019 to \$958,580 in FY2020. He explained that one of the  
60 differences between July 2020 and July 2019 was that there was no discount this year, the greens  
61 were aerated differently, and COVID had an impact. In the current fiscal year, more people were  
62 playing golf with a 53% increase in rounds and a 72% increase in revenue. There was a decrease  
63 in weddings and events due to gathering restrictions per COVID and office rentals were difficult  
64 to fill.

65

66 Tyler Abegglen commented that the National Golf Foundation reported that golf was up 26%  
67 this year while food, beverage, and events were significantly down. He was hopeful that there  
68 would be the opportunity for more events and tournaments in 2021. Mr. Abegglen then spoke on  
69 tournaments including the Rockstar Scramble, Freaky Friday Scramble, NSL Family Scramble,  
70 etc. He provided a brief overview of 2021 goals including five new corporate tournaments,  
71 increase the Men's and Seniors Associations players each week, sell course and tournament  
72 sponsorships, have 100 participants in junior camps, have two full PGA Jr. League teams, exceed  
73 \$100,000 in surplus, re-do the current website, update the pro shop interior, install a new  
74 clubhouse audio system, and implement a merchandise buying plan.

75

76 Council Member Gordon asked in regards to the goal to exceed \$100,000 in surplus. Tyler  
77 Abegglen replied that this was his projection and said that while expenses would go up that he  
78 hoped to offset that with revenue. He projected \$1.45 million in 2021 with expenses under that  
79 amount which was based off the historical average of January through June.

80

81 Council Member Mumford commented that it appeared expenses were increasing per the  
82 presentation with a slight decrease in 2020 and projected decrease in 2021. He said it was  
83 remarkable to see a decrease in one year. Tyler Abegglen responded that he would attribute this  
84 to some redundancy, bills like DirecTV, and less temporary employees. He said he was not

85 100% responsible for the decrease as COVID had impacted golf nationwide. He also contributed  
86 the reduction to customer service, certain programs, etc.

87

88 Ken Leetham thanked Tyler and said he was being modest. He said COVID did have an impact  
89 on golf but did not feel that as much progress could have been made without Tyler's innovation  
90 and management. Mr. Leetham and Mayor Arave thanked the golf course committee as well for  
91 their efforts.

92

93 John Logan, Golf Course Oversight Committee, said he could not speak highly enough about  
94 Tyler and said that many improvements had already been made including to the exterior of the  
95 building and the attitudes of the employees. He felt that good customer service, renovations, new  
96 management, and the other committee member's input would continue to result in successes  
97 going forward.

98

99 Mayor Arave commented that it had been a good experience with both golf course committees  
100 and thanked those involved.

101

102 Court Huish thanked the City and Council for hiring Tyler Abegglen and allowing the changes to  
103 take place as he felt the golf course could be a long-term income generator.

104

## 105 2. APPROVE CITY COUNCIL MINUTES

106

107 The City Council minutes of October 20, 2020 were reviewed and approved.

108

109 **Council Member Porter moved to approve the amended City Council meeting minutes of**  
110 **October 20, 2020. Council Member Gordon seconded the motion. The motion was**  
111 **approved by Council Members Horrocks, Porter, Mumford, Baskin and Gordon.**

112

## 113 3. ACTION ITEMS

114

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

116

117 Mayor Arave commented on property near Tunnel Springs Park that was being cleared and what  
118 would be done with it. He suggested the use be reviewed by the Parks and Arts Board. Ken  
119 Leetham replied that the Parks and Open Space element of the General Plan would be amended  
120 which included Tunnel Springs Park and said the amendment would be reviewed by the Parks  
121 and Arts Board.

122

123 Council Member Gordon asked for a copy of the final redevelopment agency report related to  
124 new action item number three. She also reminded Chief Black about new action item number ten  
125 related to implicit bias training for the police department.

126

127 Council Member Gordon then invited the City Council to tour the development projects in the  
128 City on November 19<sup>th</sup> at 3 p.m.

129

130 4. COUNCIL REPORTS

131

132 Council Member Gordon reported that the Youth City Council (YCC) would not be meeting  
133 during the two weeks that the Governor had encouraged limiting social interactions. She said  
134 they would potentially meet at the end of November but were keeping in touch.

135

136 Council Member Mumford reported on the Parks and Arts Halloween event and said there was a  
137 fantastic turnout with over 430 participants. He said due to COVID the event was a drive through  
138 event with no in person interaction, which included photo opportunities, treat bags, and  
139 doughnuts. Due to the success of this event and the ability to cater to more participants they may  
140 incorporate these elements into the Halloween event next year. He said the Board would not  
141 meet again this year but several members would like to meet with David Frandsen to go over the  
142 events for 2021.

143

144 Council Member Mumford then provided an update on sewer smells and said there have been  
145 several episodes in the last two weeks. He spoke with Dal Wayment who said everything was  
146 operating normally.

147

148 Council Member Mumford said it had been over one year since the odor events began occurring.  
149 Mayor Arave replied that the process to put an element into the air to absorb the odors had been  
150 approved but was not sure on the status of implementation.

151

152 Council Member Mumford spoke on the Davis Clipper newspaper closing on December 4th. He  
153 asked about the process for public noticing of meetings per State code. Linda Horrocks replied  
154 that this item would be discussed during the legislative session in January.

155

156 Council Member Horrocks reported that the Golf Course Oversight Committee was doing well  
157 and were pleased with what Tyler Abegglen was accomplishing. He said some exciting things  
158 related to the course would be coming before the City Council.

159

160 Council Member Horrocks spoke on mosquitos and said there were two positive cases of West  
161 Nile in Davis County this year.

162

163 Council Member Horrocks commented on complaints that had been received related to the  
164 Williamsburg property and asked that the Code Enforcement Officer review that area. Sherrie  
165 Llewelyn replied that action had been filed against the property owners for violations and a  
166 hearing would be held. The City would be requesting an order for them to tear down the  
167 buildings.

168

169 Chief Black said that the hearing would be held on the third Wednesday in December. He said in  
170 the meantime that the police department would continue to work with them to come into  
171 compliance.

172 Council Member Mumford asked about the graffiti on the building and what could be done in the  
173 meantime before the code enforcement hearing. Ken Leetham replied that City staff could reach  
174 out to the property owner.

175  
176 Chief Black said that the property owner would have to give permission for someone to paint  
177 over the graffiti. He also expressed concern about the graffiti on the UDOT sound walls as well.

178  
179 Mayor Arave asked if UDOT would remove the graffiti on their property. Chief Black replied  
180 that they would on their own time schedule.

181  
182 Council Member Baskin commented that other buildings were vacant and did not get vandalized  
183 and destroyed. She said this development was an eyesore.

184  
185 Council Member Baskin asked when the senior citizens last met. She asked if any of the seniors  
186 had been inflicted with COVID. Dee Lalliss replied that he thought it was in January when the  
187 senior citizens last met. He said he did not think any of the seniors were sick.

188  
189 Council Member Baskin said she was having trouble with her laptop and may need it repaired.

190  
191 Council Member Baskin also reported that the 2020 census was successful. She said there were  
192 jobs available for those who would like to survey projects particularly related to the reservations.

193  
194 Council Member Porter shared a picture of construction at the boat takeout on the Jordan River.  
195 He said it would be completed by next spring.

196  
197 5. MAYOR'S REPORT  
198

199 Mayor Arave said the Recreation District budget would show a large revenue loss due to COVID  
200 as well as necessary repairs to the roof and HVAC system. He said the master plan showed a  
201 facility on the west side.

202  
203 Mayor Arave reported that Chief Bassett had retired and Dane Stone was the new fire chief. He  
204 said the South Davis Sewer District passed the mercury test and would be able to sell gas. Their  
205 office had multiple COVID cases.

206  
207 6. CITY ATTORNEY'S REPORT  
208

209 David Church had nothing to report.  
210

211 7. CITY MANAGER'S REPORT

212  
213 Ken Leetham reported that a joint meeting with the Planning Commission would be held  
214 November 24<sup>th</sup>. This meeting would include the annual Open and Public Meetings training as  
215 well as a review of the form based code.

216  
217 Mr. Leetham said the City was successful in obtaining a \$25,000 UDOT grant for a traffic  
218 circulation study in the Town Center with a 10% City match. He then spoke on action item  
219 number eight related to the Marv Hendrickson property purchase and said he received three  
220 approvals from Council Members in August to proceed with the purchase.

221  
222 Ken Leetham commented that the 75<sup>th</sup> anniversary of the City was next year. He said the Parks  
223 and Arts Board could assist in helping to plan the event as well as incorporating an element into  
224 the July 3<sup>rd</sup> celebration.

225  
226 Mr. Leetham spoke on the need to finding a replacement for the City attorney as David Church  
227 was retiring. He said the City could select someone or solicit interest from available attorneys.  
228 Mayor Arave suggested advertising the position and setting up a screening committee.

229  
230 Council Member Porter suggested that Council Members Baskin and Gordon as well as David  
231 Church could be on the selection committee.

232  
233 Council Member Gordon suggested former Council Member and attorney, Stewart Harmon,  
234 provided law municipal services and may be interested. Ken Leetham replied that staff would  
235 work on forming a committee and soliciting applications.

236  
237 Council Member Baskin commented that she had previously applied for the position and could  
238 not be on the selection committee if she was interested in applying for the position again.

239  
240 Mayor Arave asked in regards to the annual Christmas party. Ken Leetham replied that a nice  
241 gift would be put together for those that usually attended the dinner. He did not think that a  
242 gathering would be able to occur this year.

243  
244 Council Member Horrocks commented that the Mosquito Abatement Board met remotely and  
245 had the Pledge of Allegiance. He asked if the City Council would like to resume this practice.

246  
247 8. ADJOURN

248  
249 Mayor Arave adjourned the meeting at 7:00 p.m. to begin the regular session.

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-REGULAR SESSION  
NOVEMBER 17, 2020

**DRAFT**

Mayor Arave called the meeting to order at 7:00 p.m. and Council Member Brian Horrocks 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 Lisa Watts Baskin  
Council Member Natalie Gordon

STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; David Frandsen, Public Works Director; Janice Larsen, Finance Director; Craig Black, Police Chief; David Church, City Attorney; Tyler Abegglen, Golf Course General Manager; Sherrie Llewelyn, Community Development Director; Linda Horrocks, City Recorder; Ali Avery, Long Term Planner; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Dee Lalliss, Andrea Johnson, Rosemarie, residents, John Logan, Golf Course Oversight Committee; Lela Machado, Ryan; Wilford Cannon, Shandell Smoot, Scott Kjar, Eaglewood Investment LLC; Michael Macfarlane, Leading Tech Development.

1. CITIZEN COMMENT

There were no citizen comments.

2. CONSIDERATION OF PRELIMINARY PLAN APPROVAL FOR EAGLEWOOD COVE P.U.D. PHASES 13-15 LOCATED AT APPROXIMATELY 600 SOUTH TANGLEWOOD LOOP, EAGLEWOOD INVESTMENT LLC, APPLICANT

Sherrie Llewelyn reported on Eaglewood Cove Phases 13-15, located at approximately 600 South Tanglewood Loop, which consisted of 75 lots and would be completed in three phases. The City Council approved the concept plan for the development on July 19, 2016. Since that approval, the developer has conducted an extensive geologic hazards investigation of the property leading to numerous changes in layout design and a reduction from 75 lots to 72 lots. The subdivision would be a planned unit development (PUD) subdivision to provide for common ownership of the private streets, the HOA maintained storm water detention facilities, and for architectural review prior to building permits.

292 The full geologic hazard study has been completed, reviewed and conditionally approved by the  
293 City's geotechnical consultant. The Development Review Committee (DRC) and the Planning  
294 Commission have recommended a condition related to six lots in phases 14 and 15 to ensure that  
295 the mitigation solution for soil issues be approved by our consultant prior to final plat. If a  
296 mitigation cannot be agreed upon, then the lots would be removed from the subdivision.

297

298 Mayor Arave asked if the area of the landslide affected any existing lots outside of this  
299 development. Sherrie Llewelyn replied that she could show the areas on a map.

300

301 A conditional use permit was approved by the Planning Commission for the proposed flag lots in  
302 the development on July 12, 2016. The exception to cul-de-sac length was approved as part of  
303 the concept plan approval. Previously the fire district had required that the homes on the loop  
304 road be fire sprinkled or the road widened but since that time the number of lots on the loop road  
305 had been reduced to less than 30 and the requested restriction was no longer necessary.

306

307 Sherrie Llewelyn reported that the development was divided into 3 plats with 52.7 acres in plat  
308 13 and contained 39 lots with lot sizes varying from 0.60 acres to 6.34 acres. Plat 14 was 14.36  
309 acres and contained 13 lots with lot sizes varying from 0.67 to 2.03 acres. Plat 15 was 26.62  
310 acres and contained 20 lots with lot sizes varying from 0.56 and 2.82 acres.

311

312 The preliminary plats have been reviewed by the Planning Commission on November 10<sup>th</sup> and  
313 have been recommended for preliminary plan approval. The DRC recommended that sidewalks  
314 be added to one side of the private street. The developer requested that no sidewalks be required  
315 in the PUD due to the large nature of the lots, double frontage, the responsibility and expense of  
316 maintaining sidewalks, and the desire to further limit the cuts and fills on the site. They proposed  
317 that one side of the roads be striped for a five-foot pedestrian walkway with no parking allowed  
318 on that side of the street. The Planning Commission made this recommendation to the City  
319 Council for review.

320

321 Sherrie Llewelyn showed a map of the property with light and dark green shading related to the  
322 slope of the lots. She said the second item for review was the building envelope, which had been  
323 established to limit improvements to the portions of the lots with a slope less than 30%. Some of  
324 the accesses were restricted based on slope as well and were noted on the plat.

325

326 The third item was fire sprinkling and due to the size of the water tank and the required fire flow  
327 for structures over 10,000 square feet the developer agreed to limit homes sizes to 10,000 square  
328 feet unless an automatic fire suppression system was installed in the home. She showed an image  
329 of the plats and said that in Phase 13 Tanglewood Loop would connect to allow for access to the  
330 new water tanks.

331

332 Ms. Llewelyn explained that there were actually three geotechnical experts involved in this  
333 process and said while the original geotechnical report was over 800 pages long that she had

334 included a summary for the City Council's review. She said that Table H included a lot specific  
335 table with recommendations on each lot. Two points of interest were areas with QLSY or fat  
336 clay, which were areas that could have a landslide. The study recommended that this soil either  
337 mass graded or removed from the site. Staff was supportive of mass grading to ensure the area  
338 was removed at the same time. For areas with foundations and footings, the fat clays would be  
339 removed and replaced with engineered fill.

340

341 Council Member Porter asked about the existing vegetation in the areas that would be mass  
342 graded. Paul Ottoson replied that most of the site was native grasses.

343

344 Council Member Baskin commented on the sites that were to be evaluated for the presence of  
345 active faults. She asked what would happen if active faults were found. Paul Ottoson replied that  
346 the design of the foundations and footing may have to be revised or the use of deep pilings but  
347 said it would be up to the engineer and the geotechnical consultant to decide.

348

349 Council Member Mumford asked for clarification on the six lots. Sherrie Llewelyn clarified that  
350 if the lots did not meet the safety factor in the ordinance then they would be removed from the  
351 development.

352

353 Council Member Baskin asked in regards to the active faults. Paul Ottoson said that those homes  
354 in the yellow area would have to be graded and may lose some of the buildable area or combined  
355 together.

356

357 Council Member Mumford asked about the active faults and who had authority to approve or  
358 deny those lots based on the results. Paul Ottoson replied that each lot would require a  
359 geotechnical report and if a problem was found then it would have to be mitigated or would be  
360 found unbuildable.

361

362 Sherrie Llewelyn said that the geotech report would be reviewed by the City's geotechnical  
363 consultant and the building official for compliance based on the seismic fault location.

364

365 Council Member Baskin clarified that if there was an engineering solution for an active fault  
366 then construction would be approved. She asked who determined if the active fault was not an  
367 issue. Sherrie Llewelyn said if the City's consultant did not agree with the developer's consultant  
368 then a third party would be consulted.

369

370 Council Member Baskin asked if any of the problematic lots had been sold. Mayor Arave  
371 commented that the lots were not recorded lots yet.

372

373 Shandell Smoot, Eaglewood Investment LLC, commented that while the lots had not been sold  
374 they had a list of interested buyers. Council Member Baskin asked the developer if they  
375 anticipated that every lot would sell. Shandell Smoot replied affirmatively.

376 Sherrie Llewelyn showed a map of the property in response to Council Member Porter's question  
377 about native vegetation and said that the area to be graded had some existing oak brush. She  
378 explained that all of the development would not be mass graded but just the areas with the fat  
379 clay.

380

381 Mayor Arave asked if there would be significant import and export of fill for this project. Paul  
382 Ottoson replied that they would reuse the soil while removing the fat clays. He said the main  
383 reason for the mass grading was to break up a sheer plane.

384

385 Ken Leetham commented that the DRC had the concern about installing sidewalk on one side of  
386 the street. He said snow on the streets would make it difficult for pedestrians to use the proposed  
387 five foot striped area on the road. Chief Black was in agreement and said sidewalks were  
388 essential for safety.

389

390 Council Member Porter suggested an asphalt trail away from the road could be installed rather  
391 than a sidewalk and park strip.

392

393 Mayor Arave asked if the City would have any enforcement on snow removal with the private  
394 streets in this development. Chief Black replied that the City could require that the HOA rules  
395 include this.

396

397 Council Member Baskin asked for clarification on the five-foot leeway on the road for  
398 pedestrians. Wilford Cannon replied that the walking path could be situated away from the curb.  
399 He said the private snow removal would clear the roads before a sidewalk or path. Mr. Cannon  
400 said that while safety was a big concern that the tradeoff was a sidewalk would result in  
401 increased cuts and fills and removal of vegetation.

402

403 Council Member Gordon asked if a PUD had to be approved by the Planning Commission or  
404 City Council. Sherrie Llewelyn replied that a PUD was a type of subdivision with variation that  
405 had to be approved. She said this was originally a standard subdivision which was changed to a  
406 PUD due to the open space and the requirement for ownership by an HOA.

407

408 Council Member Gordon stated that she felt there needed to be sidewalks in this development.  
409 Council Member Baskin also felt there needed to be sidewalks.

410

411 Council Member Porter said that the sidewalks would require more cuts and fills and felt a trail  
412 system would look better and be safer than sidewalks in some areas. Council Member Gordon  
413 said that whether it was a sidewalk or trail that there needed to be a requirement that it was  
414 cleared from snow.

415

416 Council Member Baskin said that a meandering trail may be more coherent with the design of  
417 the property. She felt it was irresponsible to not require a place for people to walk that was off  
418 the road. Council Member Mumford was in agreement.

419  
420 Wilford Cannon said he would install the sidewalk if required but said a meandering trail was not  
421 practical with the terrain. He said the reason why it moved from a standard development to a  
422 PUD was for the HOA who would be taking the liability for road maintenance from the City.

423  
424 Mayor Arave asked if the property would be gated. Wilford Cannon replied they would gate the  
425 community would allow them not to install sidewalks.

426  
427 Council Member Gordon asked where the mailboxes would be located and if people would be  
428 walking or driving to them. Wilford Cannon assumed that it would be the cluster mailboxes.

429  
430 Council Member Porter recommended a mixture of sidewalks and walking paths. Wilford  
431 Cannon replied that it would be less expensive to put in a sidewalk.

432  
433 Wilford Cannon said that he watched individuals walking in the street versus using the sidewalk  
434 all the time. He said the average frontage of these lots was 200 feet and people would not be  
435 walking to their mailboxes or neighbors. The school buses would not use the private streets so  
436 parents would have to drive them down to the bus stop. Mr. Cannon said it was a destination  
437 location with little through traffic.

438  
439 Council Member Horrocks commented that he saw both sides and liked the idea of a path. He  
440 said that while Mr. Cannon had made some valid points he was in agreement with the rest of the  
441 City Council.

442  
443 Council Member Horrocks said he viewed this property several years ago and saw a canyon that  
444 would require 60 feet of fill. He asked if that canyon was included in this plan. Paul Ottoson  
445 replied that the canyon was not part of this development as the largest cut and fill here was  
446 twenty feet. He showed the location of the canyon and said it was not located by the road.

447  
448 Council Member Mumford commented that he saw areas in Park City that had asphalt trails and  
449 suggested that the developer come back with a safe alternative. Wilford Cannon said that if they  
450 were required to have a sidewalk or trail then they would just install a sidewalk so they did not  
451 interfere with the nature of the lots.

452  
453 Council Member Mumford then spoke on the fault lines and expressed concern that in the future  
454 someone would determine a lot was safe but wanted more reassurance.

455  
456 Sherrie Llewelyn asked if there known faults in the area. Paul Ottoson replied that he would  
457 speak with the geotechnical consultant about this concern.

458 Ken Leetham commented that being on or near a fault line did not disqualify a lot from being  
459 buildable. He said there were quite a few homes in the foothills that were near fault lines. Mr.  
460 Leetham clarified that each lot would be reviewed by geotechnical engineers when a building  
461 permit was applied for.

462  
463 Sherrie Llewelyn clarified that everything would be triple checked including a study now and  
464 then a review when someone applied for a building permit to ensure the home was properly  
465 designed with whatever was found. She said the geotechnical consultant would be onsite every  
466 time a foundation was dug. The City would not issue a permit until a report was completed.

467  
468 Wilford Cannon said their intent was to provide each property owner with a copy of the  
469 geotechnical reports for their builder and engineer.

470  
471 Council Member Mumford asked in regards to the process when someone purchased a lot and it  
472 was determined that the property was not safe to build on. Shandell Smoot replied that the  
473 geotechnical engineers who created the study and were familiar with the property would be  
474 onsite doing the reports on a lot by lot basis. He said he did not believe any of these lot were  
475 unbuildable.

476  
477 Mayor Arave clarified that the City Council would most likely require sidewalks for the  
478 development. He said that the property had been studied very intensely for several years with  
479 three separate engineers who felt the property could be built upon. Sherrie Llewelyn replied  
480 affirmatively.

481  
482 **Council Member Gordon moved that the City Council approve the proposed preliminary**  
483 **plan for Eaglewood Cove Subdivision, phase 13-15 located at approximately 600 South**  
484 **Tanglewood Loop, subject to the following findings and conditions:**

485

486 **Findings:**

487

488 **1) The proposed preliminary plan meets the minimum standards of the land use code**  
489 **for preliminary plan approval;**

490 **2) The proposed layout minimizes the necessary cuts and fills and provides and**  
491 **efficient design;**

492 **3) The exception to maximum length of a cul-de-sac is warranted based upon the**  
493 **following:**

494 **i. Physical conditions exist which preclude the ability to establish any other**  
495 **means of access, namely topography.**

496 **ii. Construction of a through street will result in undesired cuts and fills,**  
497 **affecting natural drainage patterns and existing vegetation.**

498 **iii. The exception has received favorable recommendation from the Fire District**  
499 **and Development Review Committee**

500 **Conditions:**

501

- 502 **1) Phases 14 and 15 may not proceed to Final Plat approval until final determination**  
503 **on the mitigation solution for lots 1407-1411 and 1505, if a mitigation solution**  
504 **cannot be approved those lots shall be removed from the plat(s);**  
505 **2) In lieu of sidewalks, the develop shall install and the HOA shall maintain a**  
506 **minimum 5 strip portion from the edge of asphalt on one side of the private roads.**  
507 **The HOA will be responsible for enforcing no parking on the same side of the road**  
508 **as the striped walking path;**  
509 **3) Any remaining engineering redline corrections be completed prior to final plat**  
510 **approval.**

511

512 Mayor Arave clarified that condition two would be excluded as the City Council would be  
513 requiring sidewalks on one side of the road at the discretion of the builder as long as the sidewalk  
514 was consistently on one side of the road.

515

516 Wilford Cannon stated that they would install sidewalks.

517

518 **Council Member Horrocks seconded the motion. The motion was approved by Council**  
519 **Members Horrocks, Porter, Mumford, Baskin and Gordon.**

520

521 **3. CONSIDERATION OF A PLAT AMENDMENT FOR EAGLEWOOD VILLAGE, LOT**  
522 **1B LOCATED AT 290 SOUTH ORCHARD DRIVE, LEADING TECH DEV.,**  
523 **APPLICANT**

524

525 Sherrie Llewelyn reported that this property was located between the Quick Quack and Stop Gas  
526 Station and was currently 4.04 acres in size. The property would be divided into two lots that  
527 would each be 2.02 acres in size. Lot 1B would be the site of a commercial office building and  
528 lot 1C would be retained by Brighton Development. The Planning Commission held a public  
529 hearing and recommended approval of this item. The DRC recommended the following  
530 conditions which included dedication of access easement as a future public right of way to allow  
531 for street widening in the future as well as completion of any engineering redlines.

532

533 Mayor Arave asked what businesses would occupy the building. Sherrie Llewelyn replied a  
534 coffee shop and a law firm.

535

536 **Council Member Porter moved that the City Council approve the plat amendment for**  
537 **Eaglewood Village Subdivision at 244 South Orchard Drive with the following conditions:**

538

- 539 **1) Dedication of access easement as a future public right of way;**  
540 **2) Completion of engineering redlines**

541

542 **Council Member Baskin seconded the motion.**

543

544 Mayor Arave clarified that the correct address was 290 South Orchard Drive.

545

546 **The motion was approved by Council Members Horrocks, Porter, Mumford, Baskin and**  
547 **Gordon.**

548

549 4. CONSIDERATION OF SITE PLAN APPROVAL FOR EAGLEWOOD PLAZA  
550 OFFICE BUILDING AT 290 SOUTH ORCHARD DRIVE, LEADING TECH DEV.,  
551 APPLICANT

552

553 Sherrie Llewelyn reported that the proposed office and retail building would be located on lot 1B  
554 of the Eaglewood Village Subdivision that was discussed in the previous agenda item. She  
555 showed a rendering of the building and said the main floor was divided by a drive thru access for  
556 a Beans and Brew coffee shop. The proposed building would be 37,500 square feet. The  
557 remainder of the main floor could be used as office space or additional retail. The second and  
558 third floors would be designated office space. The building is setback approximately 60 feet  
559 from Highway 89. All parking would be located to the side and rear of the building with access  
560 from Orchard Drive. There is a shared parking agreement between lots 1B and 1C, which would  
561 allow the residential parking to use the office parking on nights and weekends. The site met the  
562 minimum parking requirements, which was three stalls per 1,000 square feet of office with a  
563 requirement of 104 stalls for 34,860 square feet and 126 stalls, provided. One stall per 1,000  
564 square feet for retail with two stalls required for 2,640 square feet with two stalls provided. ADA  
565 parking requirements would be one stall per every 25 spaces for a required total of five stalls.  
566 Overall parking requirements would be 106 stalls with the applicant to provide 128 total stalls.

567

568 The site had 21,168 square feet (24%) landscaping with a minimum required landscaping under  
569 the development agreement of 25%. Per the development agreement, the Planning Commission  
570 could reduce the required landscaping to 20% with the improvement and maintenance of the  
571 right of way along Highway 89. The proposed landscaping consisted of lawn, trees and shrubs.  
572 Additional improvements to the site include a five-foot sidewalk and park strip along Orchard  
573 Drive as well as connections from the office building to the trail and the apartments at  
574 Eaglewood Lofts.

575

576 Sherrie Llewelyn explained that the building met all of the standards for design except for the  
577 requirement that the first story of a structure that faces a public street have 65% glazing. She  
578 showed two renderings, which included a drawing that met the requirement and one that did not.  
579 The developer was proposing a design with 30% glazing on the first floor. The Planning  
580 Commission did not have an issue with the design that featured less glass. The City Council  
581 would need to make a determination on the percentage of glazing as the 65% requirement was  
582 part of the development agreement.

583

584 The development agreement set forth certain architectural guidelines for the development  
585 including 65% transparency on the ground floor with the developer providing 65%, 25%  
586 transparency on the upper stories with the developer providing 30%, and requirements for  
587 horizontal and vertical division as well as covered or recessed entrances which the developer has  
588 met.

589  
590 The only other required change would be the replacement of the Hornbeam trees in the park strip  
591 with approved street trees. The Planning Commission made a recommendation of approval for  
592 the request to reduce the landscaping requirement.

593  
594 Council Member Horrocks asked if the request for reduced glazing was for economic reasons.  
595 Sherrie Llewelyn replied that the reduction was to allow for more interior wall space to install  
596 cubicles and outlets.

597  
598 Council Member Horrocks commented that he was not opposed to less glass. Council Member  
599 Baskin commented that it was a beautiful building and would look nice in the City.

600  
601 **Council Member Baskin moved that the City Council approve the site plan for Eaglewood**  
602 **Plaza Office Building at 290 South Orchard Drive with the following conditions:**

- 603  
604 **1) Replace street trees (Hornbeam) along Orchard Drive with an approved street tree**  
605 **and separation;**  
606 **2) Complete any of the outstanding engineering redlines.**

607  
608 **Council Member Mumford seconded the motion.**

609  
610 Sherrie Llewelyn asked if the motion should include the specification that the applicant could  
611 construct the design with less glass.

612  
613 **Council Member Baskin amended the motion to say “with the specifications for the amount**  
614 **of glass to be determined by the developer or owner of the building.”**

615  
616 Sherrie Llewelyn suggested the wording for the amendment be “the reduction in glazing of the  
617 first story as shown on the example in the packet.”

618  
619 **Council Member Baskin amended the motion to allow for “the reduction in glazing of the**  
620 **first story as shown on the example in the packet.”**

621  
622 **Council Member Mumford seconded the amended motion. The motion was approved by**  
623 **Council Members Horrocks, Porter, Mumford, Baskin and Gordon.**

624

625 5. CONSIDERATION OF RESOLUTION 2020-34R: A RESOLUTION AUTHORIZING  
626 THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT AN APPLICATION TO  
627 THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR THE  
628 BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES GRANT (BRIC)  
629 FOR THE PURCHASE AND INSTALLATION OF WELL AND PUMP HOUSE  
630 GENERATORS

631

632 Ali Avery reported on the September 8, 2020 windstorm that caused much of the City to lose  
633 power for several days. In order to provide uninterrupted culinary water service to the City's  
634 residents during that time, City crews had to transport a portable generator to each of the well  
635 and pump houses to ensure that they would continue to operate without power service. Prior to  
636 that event, City staff had identified that there was a need to have a permanent generator at each  
637 of those ten facilities in order to make the culinary water service more efficient and make the  
638 City's infrastructure more resilient to natural disasters that may cause a loss of power.

639

640 FEMA has a competitive grant program called "Building Resilient Infrastructure and  
641 Communities" (BRIC), formerly known as the Pre-Disaster Mitigation Grant. The City has  
642 applied for this several times in the past, and this was the grant program that funded the  
643 Springhill Landslide project. City staff has consulted with the State, who administers the  
644 program for FEMA, and have identified the purchase and installation of generators at all ten of  
645 the culinary water facilities to be a good project for this grant.

646

647 Mayor Arave clarified that the price was \$1,634,850 for all ten generators and the City's  
648 contribution would be \$408,712, which would come from the Water Fund. He asked about the  
649 power source for the generators. David Frandsen replied that the power source was diesel fuel.

650

651 Council Member Horrocks said running the generators could be disruptive. David Frandsen said  
652 the generators near any residential area were very quiet.

653

654 **Council Member Horrocks moved that the City Council approve Resolution 2020-34R**  
655 **authorizing the submittal of a FEMA BRIC grant application seeking funds for the**  
656 **purchase and installation of generators for the City's culinary water facilities and**  
657 **authorizing matching funds. Council Member Porter seconded the motion.**

658

659 Council Member Gordon commended staff for finding this grant and said it was a great use of  
660 City funds.

661

662 **The motion was approved by Council Members Horrocks, Porter, Mumford, Baskin and**  
663 **Gordon.**

664

665 6. CONSIDERATION OF RESOLUTION 2020-35R: A RESOLUTION AUTHORIZING  
666 THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT AN APPLICATION TO

667           DAVIS COUNTY SOLICITING COMMUNITY DEVELOPMENT BLOCK GRANT  
668           (CDBG) FUNDS FOR THE INSTALLATION OF SIDEWALK ON OVERLAND  
669           STREET ADJACENT TO COLONIAL WOODS MOBILE HOME PARK  
670

671       Ali Avery reported that Davis County reorganized the Community Development Block Grant  
672       (CDBG) program so that funds were only available for infrastructure projects. The area would  
673       need to qualify as a low to moderate income area. It was determined that the Colonial Woods  
674       Mobile Home Park area would qualify and there was a need for a sidewalk on Overland Street.  
675       Staff proposed an application with a funding request for \$49,968 from Davis County's  
676       CDBG program. The total project cost would be \$66,624 with a City match (25%) of \$16,656.  
677       The application indicated the City's desire to construct sidewalk on Overland Street directly  
678       adjacent to the Colonial Woods Mobile Home Park. This section of sidewalk was on the City's  
679       recently adopted Active Transportation Plan. The income of the neighboring residents in the  
680       mobile home park would need to be verified by City staff through the completion of an income  
681       survey, which staff intended to begin collecting this week.  
682

683       Council Member Mumford commented that there were rumors that this development would be  
684       phased out and the use of the land would be changed. Ken Leetham replied that the owner of the  
685       mobile home park was less willing to do anything with the property. He said that the sidewalk  
686       would not be installed and then removed anytime in the near future.  
687

688       **Council Member Porter moved that the City Council approve Resolution 2020-35R**  
689       **authorizing the City Manager to submit an application for the 2020 Community**  
690       **Development Block Grant program and authorizes matching funds. Council Member**  
691       **Horrocks seconded the motion. The motion was approved by Council Members Horrocks,**  
692       **Porter, Mumford, Baskin and Gordon.**  
693

694           7. CONSIDERATION OF A PROPOSAL TO EXPAND THE EAGLEWOOD LOOP  
695           SECONDARY WATER AND STREET RECONSTRUCTION PROJECT TO  
696           INCLUDE THE NORTH PORTION OF EAGLEWOOD LOOP BETWEEN  
697           ROCKWOOD DRIVE AND EAGLERIDGE DRIVE  
698

699       Paul Ottoson reported that at the last City Council meeting on October 20, 2020, staff made a  
700       presentation on the state of the City's secondary water system on the east bench adjacent to the  
701       golf course and the need to expand this secondary water system. At the meeting, the City Council  
702       approved Phase 2 of the overall secondary water system and the accompanying street  
703       reconstruction. At the same meeting, the City Council also approved a budget adjustment for the  
704       Phase 2 improvements. The City Council also requested staff to look at the cost of both the  
705       secondary water and street reconstruction for Phase 3, which is the north part of Eaglewood  
706       Loop. He said staff reviewed the project and said the waterline portion would end at Elk Hollow  
707       Drive.  
708

709 The cost estimates for the South Eaglewood Loop, Rockwood Drive and South Tanglewood  
710 Loop (Phase 2) would be \$950,000 for the secondary water line improvements and \$700,000 for  
711 the street reconstruction improvements for a total of \$1,650,000, which was already approved.  
712 The estimate to complete the North Eaglewood Loop (Phase 3) secondary water line  
713 improvements portion would be \$454,000 and the street reconstruction improvements would be  
714 \$484,000 for a total of \$938,000. This amount would need to be approved as a future budget  
715 adjustment item.

716  
717 Council Member Baskin suggested that the motion should say, “to include the north portion of  
718 Eaglewood Loop between Rockwood Drive and Elk Hollow Road.” Paul Ottoson said that would  
719 be correct for the water line portion. He said the street reconstruction would extend to Eagleridge  
720 Drive.

721  
722 Council Member Baskin asked when the proposed budget adjustment for the \$938,000 would  
723 occur. Paul Ottoson suggested combining phases 2 and 3 into one project as phase 2 was already  
724 designed. He said phase 3 would be completed quickly and go out for bid in January.

725  
726 Ken Leetham said the budget adjustment would occur in January. The funds would come from  
727 the Capital Projects Fund. Janice Larsen said that before the item was budgeted there would be  
728 approximately \$1.2 million in the Capital Support Fund, which would leave about \$700,000 in  
729 2021.

730  
731 Council Member Horrocks said it did not make sense to divide Eaglewood Loop into two  
732 projects.

733  
734 Paul Ottoson said the one disadvantage to combining the project was that it would take up to six  
735 months to complete the project. He said it would most likely not be completed by the July 3<sup>rd</sup>  
736 celebration so some specifications would need to be made in the contract to cover up certain  
737 areas.

738  
739 Mayor Arave asked how much of the secondary water this project would use. Paul Ottoson  
740 replied that the proposed projects along with Wood Briar would use approximately 200 acre feet.

741  
742 **Council Member Baskin recommended the City Council approve extending the Eaglewood**  
743 **Loop Secondary Water and Street Reconstruction Project to include the north portion of**  
744 **Eaglewood Loop to Rockwood Drive and Elk Hollow Drive for the secondary water line**  
745 **and from Eaglewood Loop to Rockwood Drive to Eaglewood Drive for the street**  
746 **reconstruction improvements at a proposed total cost \$938,000 to be approved as a future**  
747 **budget adjustment item. Council Member Horrocks seconded the motion. The motion was**  
748 **approved by Council Members Horrocks, Porter, Mumford, Baskin and Gordon.**

749

750 8. CONSIDERATION OF RESOLUTION 2020-33R: A RESOLUTION ACCEPTING  
751 THE ANNUAL REVIEW OF THE ADOPTED MODERATE-INCOME HOUSING  
752 ELEMENT OF THE GENERAL PLAN AND AMENDING THE GENERAL PLAN TO  
753 UPDATE THE 5 YEAR ESTIMATES FOR MODERATE INCOME HOUSING  
754 NEEDS  
755

756 Ali Avery reported that each year cities were required to update the five year estimates of  
757 moderate income housing needs, conduct a review of the moderate income housing element and  
758 its implementation, report the findings for updated planning to the Housing and Community  
759 Development Division of the Utah Department of Workforce Services and Wasatch Front  
760 Regional council, and post the report on the City's website. In the State code there are 25  
761 strategies with at least three that are required to be included in the moderate income housing  
762 plan. A moderate income household in the City would be any household that made less than  
763 \$61,609 a year.  
764

765 Ali Avery explained that after performing an analysis of available units there were many options  
766 in the 80 to 100% area median income (AMI) but not many options under the 30% AMI, which  
767 was \$578 per month for maximum monthly income spent for housing expenses or a mortgage  
768 loan amount of \$138,100. She then showed a graph with existing housing stock in the City,  
769 which included single family, apartment, and mobile homes. There were approximately 30% of  
770 the stock in apartment units and 70% in single family homes. The 2018 housing plan projected  
771 that from 2010 to 2020 an additional 1,347 housing units would be needed including 130 for  
772 extremely low income, 84 for low income, and 209 for moderate income households. Actual  
773 constructed units included 2,326 residential units constructed from 2010 to 2020 with 864  
774 apartments for 2,326 units.  
775

776 The 2020 plan projected that there would be a need for 1,704 additional housing units by 2030  
777 including 165 for extremely low income, 106 for low income, and 264 for moderate income  
778 households. The 2020 update showed that the City needed an additional 725 housing units by  
779 2030 including 70 for extremely low income, 45 for low income, and 112 for moderate income  
780 households. She said these numbers were provided by census data and given to the U.S.  
781 Department of Housing and Urban Development (HUD). She said providing more stock, the  
782 home repair grant program, and an affordable housing project at City's Edge seemed to be  
783 helping.  
784

785 The Planning Commission recommended several changes to the plan including a goal related to  
786 making transportation more affordable.  
787

788 Council Member Baskin commented that there was a section on disabled individuals that showed  
789 that a disabled female lived on an annual income from 2012 to 2017 of \$20,000 where a disabled  
790 man's income was \$35,000, which was very troubling.  
791

792 Council Member Horrocks commented that the report showed the need for an additional 1,704  
793 housing units and questioned where to put these units as eventually the City would be built out.

794

795 Ali Avery stated that this projection was created by the State and projected to the year 2030.

796

797 Ken Leetham said there was currently no penalty if the City did not meet the projection but the  
798 State was grappling with these issues in every city. Mayor Arave said it was important to note  
799 that the City received kudos from UTA and the legislature for their efforts.

800

801 Mayor Arave asked about ADUs and if this contributed to the numbers. Ali Avery replied that  
802 the census data had not caught up to this yet. She said that the City kept track of the ADUs,  
803 which was included in the plan and may be included in the 2020 census data.

804

805 Ken Leetham said these numbers would probably be different after the 2020 census data was  
806 incorporated. He thanked Ali and Sherrie Llewelyn for helping the City to stay in compliance  
807 with housing mandates.

808

809 Council Member Gordon asked how often this plan would be utilized to help meet the needs of  
810 moderate and low income housing. Ali Avery replied that there were goals and strategies listed at  
811 the end of the plan. This included supporting the housing authority and implementation  
812 strategies.

813

814 Mayor Arave commented that there was a shortage of housing units and it would be very hard to  
815 fix this problem. He said there was not much more the City could do. Ken Leetham said if the  
816 City continued to carry out the land use plan for the Town Center as there were several hundred  
817 units in that plan that would be driven by the market.

818

819 Sherrie Llewelyn commented that some of the strategies could be helped with funds from the  
820 RDA that had to be used for affordable housing units. She said the City used this money on new  
821 or existing housing units. Ms. Llewelyn gave the example of assisting Knowlton General with  
822 burying power lines in exchange for median income housing units.

823

824 Ali Avery said that the housing funds generated by the RDA was not a strategy listed in the  
825 report but could be added at the City Council's request. Ken Leetham commented that there  
826 would be more funds available next year for this purpose. He said that the City may be able to  
827 partner with a developer on an affordable housing project in the future.

828

829 Council Member Mumford said he would like additional insight on the residents in the 30% AMI  
830 or less category. He asked what units in the \$500 range would look like or what it would take to  
831 provide those units. Ali Avery replied that she had some insight based on the home improvement  
832 grant program. She said Colonial Woods was one of the areas with low income residents or small  
833 basement apartments.

834 Ken Leetham said ADUs generally fell into that category of \$500 to \$600 a unit.

835

836 Council Member Baskin asked where a disabled woman making \$20,000 per year would live.

837 Ali Avery replied that they lived in Colonial Woods.

838

839 Ken Leetham said there were many private/public partnerships that helped to provide some low  
840 income units. He said there was a desire to bring a program or project to the City Council. The  
841 price of housing was increasing so rapidly that there was a concern that the gap with affordable  
842 housing was getting worse. Mayor Arave commented that some subsidies for lower income  
843 individuals were available as well.

844

845 **Council Member Porter moved that the City Council adopt RES 2020-33R amending the**  
846 **Moderate Income Housing Element of the General Plan, and approving the 2020 housing**  
847 **report with the following findings:**

848

- 849 1) **The State legislature has determined that cities must facilitate a reasonable**  
850 **opportunity for a variety of housing, including moderate income housing; and**
- 851 2) **The proposed draft meets the requirements of the State code to address moderate**  
852 **income housing.**

853

854 Ali Avery asked if the plan should be updated to show 725 housing units versus 1,704 units.

855 Mayor Arave recommended updating to the most accurate numbers.

856

857 **Council Member Porter amended the motion to adjust the numbers to reflect the most**  
858 **accurate counts. Council Member Horrocks seconded the amended motion. The motion**  
859 **was approved by Council Members Horrocks, Porter, Mumford, Baskin and Gordon.**

860

861 9. CONSIDERATION OF RESOLUTION 2020-36R: A RESOLUTION AUTHORIZING  
862 THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE DOCUMENTS  
863 RELATED TO THE SALE OF TWO PROPERTIES AT TUNNEL SPRINGS PARK

864

865 Ken Leetham reported that in June of this year the City Council authorized the sale of property at  
866 Tunnel Springs Park to three lot owners adjacent to the Park. He showed a map with lots 1511-  
867 1513 shown in yellow. The two property owners immediately west of these parcels have also  
868 expressed a desire to purchase property in the same manner and the attached resolution would  
869 approve those sales. He said the portions of Lot 1514 and 1515 proposed for sale were shown in  
870 red and blue, respectively. The sale price for these properties were the same as for the previous  
871 sales, which was \$3.50 per square foot. As the City policy governing these transactions requires,  
872 the buyers of these parcels will also pay 100% of the costs of completing the transactions, which  
873 include surveying costs and any title work and insurance needed.

874

875 Mr. Leetham explained that there were two reasons for the unusual triangular shape of the  
876 property being proposed for sale to the owners of Lot 1515 (blue) was created. First, City staff  
877 did not want to eliminate the option of one day extending to the west where we own  
878 approximately 8 acres of property that may be used for potential park expansion. Second, there  
879 was a storm drainage swale immediately adjacent to this area that City staff would recommend  
880 that we not sell or interfere with. The proposed sale has been created to preserve enough space  
881 around this drainage location so that it can be used without interference.

882

883 **Council Member Horrocks moved that the City Council adopt Resolution 2020-36R: a**  
884 **resolution authorizing the City Manager and City Attorney to execute the documents**  
885 **related to the sale of the two properties adjacent to Tunnel Springs Park. Council Member**  
886 **Baskin seconded the motion. The motion was approved by Council Members Horrocks,**  
887 **Porter, Mumford, Baskin and Gordon.**

888

889 10. CONSIDERATION OF RESOLUTION 2020-32R: A RESOLUTION AUTHORIZING  
890 ACTION TO ACQUIRE RIGHT OF WAY FOR A SIDEWALK BY USE OF  
891 EMINENT DOMAIN ALONG REDWOOD ROAD BETWEEN APPROXIMATELY  
892 1000 NORTH TO 1200 NORTH

893

894 Sherrie Llewelyn reported that this item had been discussed in a previous meeting. The City  
895 obtained grant funding from UDOT for the construction of a sidewalk along Redwood Road  
896 between 1000 North and 1200 North. Unfortunately, there was not enough right of way for the  
897 required sidewalk. The sidewalk would be an eight-foot asphalt path against the curb. The  
898 improvement was being located to reduce the impact on the property owners from whom the  
899 City is requesting right of way. The City would need approximately 13 feet and any future  
900 redevelopment of the property. The sidewalk would not be placed or proposed within the  
901 required 24 foot landscaped area, and would require any future redevelopment of the properties  
902 to relocate the sidewalk and install the required street landscaping.

903

904 Notifications in accordance with State Code 78B-6-504 have been personally delivered by staff  
905 to the listed residential addresses of all property owners on November 3, 2020. The letter  
906 contained a purchase offer of \$7 per square feet of right of way necessary (approximately 3,000-  
907 3,500 square feet from each property owner). The letter also invited the property owners to  
908 attend the City Council meeting to discuss the offer and negotiate further with the Council.

909

910 Sherrie Llewelyn said she was in contact with Daniel Hunter who owned the Armor parcels  
911 shown on the map and who indicated he was interested in negotiations. Daniel Hunter requested  
912 a survey of the requested property and appraisal prior to negotiating further. Staff has ordered the  
913 survey and appraisal. She said she has not heard anything from the other property owner, Paul  
914 Hunter.

915

916 The proposed resolution authorized City staff to negotiate with the property owners on the  
917 Council's behalf. In the event that an agreement could not be reached, the resolution authorized  
918 the City Attorney to begin the process to obtain the right of way easement via condemnation. No  
919 action could be filed until December 3, 2020, which was 30 days after the required notices were  
920 delivered to the property owners.

921  
922 David Church commented the law required that before considering the resolution the property  
923 owners be allowed to address the City Council and discuss why or why not it was a good idea to  
924 use the power of eminent domain.

925  
926 Rosemarie Hunter said that her husband went to City Hall and learned the meeting was online.  
927 She said their concern was having the opportunity to talk and obtain a better understanding  
928 before the City acquired the property through eminent domain.

929  
930 11. ADJOURN

931  
932 Mayor Arave adjourned the meeting at 9:47 p.m.

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937

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Mayor

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City Recorder

### Action Items for Dec 15, 2020

Item	Staff	Description
<b>New</b>		
1	Sherrie/Craig	Staff to reach out to property owners of Williamsburg development to see if something could be done about the existing graffiti. <i>Code enforcement hearing was continued on December 2<sup>nd</sup> to December 16<sup>th</sup> at 5 pm on this issue.</i>
2	Ken	Staff to assist in forming a committee and solicit applications for a new City attorney. <i>Ken is working on this.</i>
<b>Current</b>		
1	Ken, Janice Sherrie	Staff to provide an updated projection for the Redwood Road CDA including the Amazon development as well as a discussion on how to utilize these funds to incentivize development to the Council. <i>The updated property tax projection was provided to Lewis Young and included in the annual Redevelopment Agency Report submitted to the State. Ken will report back to the City Council on the status of using CDA funds.</i>
2	Linda	Potential newsletter item regarding what was done with the items collected for recycling. Mayor Arave suggested putting a link to the Wasatch Integrated Waste Facility on the City's website. <i>These items will be included in the December newsletter.</i>
3	Janice	Staff to prepare a cost estimate per resident and options related to the Culinary Water Fund and setting up the secondary water connections. <i>In future Action Items, this assignment will be combined with the assignment below related to water master planning.</i>
4	Craig	Chief Black to send information on the implicit bias training to Council Member Gordon. <i>Implicit bias training for the PD is scheduled for December 14-15.</i>
5	Ken, Sherrie	Assignment to amend the Park and Recreation Element of the City's General Plan so that it includes Hatch Park, Tunnel Springs Expansion and Capital Projects and repairs. <i>An RFP is being prepared to complete the amendment.</i>
6	Linda	Review options related to sending the City newsletter to each resident separate from the water bill. <i>Staff to prepare a proposal for Council consideration to discuss during 12/15/20 meeting.</i>
7	Ken Staff	Staff and Council to reach out to any contacts with Woods Cross on potential funding for the 1100 North bridge project. <i>Ken met with Gary Uresk, WC City Manager, and they are non-committal on providing additional funding.</i>
8	Dal Wayment	Staff and CM Baskin to discuss temperature fluctuations and odor spikes as shown on charts/graphs from the Jacobs report with Dal Wayment. <i>No feedback has been provided as yet by the Sewer District.</i>
9	Ken	Mayor Arave requested pricing related to the UTA bus shelters/Prop 1 Funding. <i>Staff will report that information to the City Council. (Sherrie has provided info to Ken)</i>
10	Paul	In conjunction with the re-routing of storm water near the 14 <sup>th</sup> hole on the golf course, Staff to research using the water in a water feature at the Eaglewood Sign in that same area. CM Horrocks mentioned that there is probably additional water in the storm drain coming down lower Foxhill, as it often floods the street onto Eaglewood. <i>Staff is evaluating several potential options for fixing this storm drain and including potential water features as a part of the design of the repair. Will report to CC when staff report is more complete.</i>
11	David	Staff to review whether the second Saturday pickup was worth the cost/had value. Staff to also research options for pickup of heavier items and a potential replacement for the second Saturday pickup. <i>Staff is preparing a report for the City Council on this.</i>
12	Craig Ken	Potential for implicit bias training for City Council, Planning Commission, and staff. <i>Craig and Ken are working on this; looking at training possibly this fall.</i>
13	Sherrie	Staff to reach out to the LDS Church to discuss vacant property located at Amberly and Norfolk Drive. (Also, request was made to review potential change to development agreement to allow for a 55+ community). <i>This parcel is in compliance with all property maintenance codes. Kyle Hamblin, Church Real Estate Div. stated the property is currently being evaluated for intent of future use. It takes a few months. He asked we check back in November 2020. (7/22/2020)</i>

14	David, Linda	Reschedule service projects -- including Purge the Spurge at Wild Rose Trail (with YCC and residents help). <i>Staff will evaluate the feasibility of projects depending on COVID-19 restrictions.</i>
15	David, Sherrie	Staff to prepare policy (or review current policy) related to tree removal particularly when related to sidewalk damage. <i>Staff is working on a follow-up report to the City Council.</i>
16	Tyler, Julie McLachlan	Look at the possibility of expanding a recreation program up at the golf course. Clinics, lessons, paid classes/workshops, etc. <i>This idea will be included in the new proposals related to the golf course and efforts to increase revenues.</i>
17	Sherrie, DRC	Council requested zoning recommendations from staff for two parcels on the east side of Orchard Drive north of Center Street, Odell Lane, and the RM-20-zoned neighborhood on the west side of Orchard Drive south of Center Street. <i>The DRC has reviewed the parcels and is currently considering options for rezoning the property.(3/5/20)</i>
18	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.
19	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>RFP for this project was published on December 8, 2020.</i>
20	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>



# 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:** December 15, 2020

**SUBJECT:** Consideration of Ordinance 2020-16 adopting the South Davis Sewer District Industrial Pretreatment Program, Effluent Requirements, Rules and Regulations.

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### RECOMMENDATION

I recommend approval of Ordinance 2020-16 with no conditions.

### BACKGROUND

You'll note that the attached ordinance contains an explanation of this item and includes a reference to the State of Utah Division of Water Quality's rule that municipalities within a wastewater district are required to adopt rules and regulations identical to those adopted by the Sewer District. The District has provided those rules in the attachment to the proposed ordinance. They are complex and sometimes difficult to understand and interpret.

As a practical matter, the City will not be enforcing these rules, but will rely on the District's staff to ensure compliance with these provisions within the City boundaries. We will be improving our coordination with the District and will work closer with them in the future to provide details on our non-residential land use approvals and business licensing. This will be done so that the District may stay informed on potential risks to their operations.

The City has previously adopted similar regulations as a part of its participation as a member agency in the District. The proposed regulations are updates that the District adopted earlier this year and which now require our adoption.

### PROPOSED MOTIONS

I move that the City Council adopt Ordinance No. 2020-16 which establishes uniform requirements and regulations for the discharge of effluent into the sanitary sewer system in North Salt Lake.

**ORDINANCE NO. 2020-16**

**AN ORDINANCE ESTABLISHING UNIFORM REQUIREMENTS FOR THE DISCHARGE OF EFFLUENTS INTO THE SANITARY SEWER SYSTEM OF THE SOUTH DAVIS SEWER DISTRICT, ESTABLISHING REGULATIONS REGARDING THE INTRODUCTION OF POLLUTANTS INTO THE WASTEWATER SYSTEM, PROVIDING FOR EFFLUENT MONITORING AND THE INSTALLATION AND MAINTENANCE OF PRETREATMENT FACILITIES WHERE NECESSARY, AND PROVIDING PENALTIES FOR VIOLATING THE PROVISIONS HEREOF BY ADOPTING BY REFERENCE SOUTH DAVIS SEWER DISTRICT RESOLUTION NO. 123-2, INDUSTRIAL PRETREATMENT PROGRAM – EFFLUENT REQUIREMENTS RULES AND REGULATIONS.**

**WHEREAS**, the City of North Salt Lake is contained within the boundaries of the South Davis Sewer District (the “District”), which furnishes sanitary sewer collection and treatment services to the inhabitants of the City and to the public buildings and commercial and industrial enterprises located therein; and

**WHEREAS**, the District is subject to the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 United State Code Section 1251 *et. seq.* and any subsequent amendments thereto, and the Water Quality Act found in Title 19, Chapter 5 of the Utah Code, and to rules promulgated thereunder; and to the requirements of one or more Utah Pollutant Discharge Elimination System (“UPDES”) Permits issued to the District from time to time by the Utah Division of Water Quality (the “Division”); and

**WHEREAS**, the United States Environmental Protection Agency (“EPA”) has issued a Required Pretreatment Streamlining Rule which contains required and optional provisions that are applicable to the District; and

**WHEREAS**, the Division requires each of the municipalities contained within the District’s boundaries and served by the District to adopt rules and regulations identical in all respects to the District’s Resolution No. 123-2, making violations of said rules and regulations Class B misdemeanors; and

**WHEREAS**, the City Council has determined that the public health, welfare, necessity and convenience require that an Ordinance be adopted to adopt and approve and incorporate by reference the District’s Resolution No. 123-2 in all respects within the corporate boundaries of the City to prevent the introduction of pollutants into the sanitary sewer system which will interfere with the operation of the system; and

**WHEREAS**, the City Council has determined that the District, as the owner and operator of the sanitary sewer collection and treatment facilities which service users within the City, is the body most qualified to monitor, evaluate and determine whether users of the sanitary sewer system are complying with the provisions of this Ordinance and to applicable State and Federal laws, rules and regulations.

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

1. That South Davis Sewer District Resolution No. 123-2, Industrial Pretreatment Program – Effluent Requirements Rules and Regulations, be and is incorporated by reference into this Ordinance and attached in Exhibit A. and that violations of said Rules and Regulations shall be punishable by the City as Class B misdemeanors.

2. That this Ordinance has been placed on the agenda of an official meeting of the City Council and this action is taken by the City Council during that meeting in accordance with requirements of the Utah Open and Public Meetings Act.

3. That this Ordinance shall take effect immediately upon its passage and adoption, and that no further notice thereof need be given.

**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>
Lisa Watts Baskin	_____
Natalie Gordon	_____
Brian Horrocks	_____
Ryan Mumford	_____
Stan Porter	_____

**Certificate of Posting Ordinance:**

I, the duly appointed recorder for the City of North Salt Lake, hereby certifies that the foregoing Ordinance No. 2020-16 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

[Seal]



# 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:** December 15, 2020  
**SUBJECT:** Consideration of **Ordinance 2020-15**: An ordinance rezoning property located at 212 North Highway 89 from Highway Commercial (CH) to P-District and approving Development Agreement (**2020-42A**) for Silver Sky Lofts Townhomes PUD

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### RECOMMENDATION

The Planning Commission recommends to the City Council the approval of the rezone request for property located at 212 North Highway 89 from Commercial Highway (CH) to P District (P) with the required development agreement and the following conditions:

1. The private road right of way shall be continued the full width to the east property line providing a pedestrian and vehicular cross easement on behalf of the property to the east; and
2. The landscape within in the park strip along Highway 89 will be verified to be salt tolerant.

### BACKGROUND

The property is a total of approximately 1.05 acres currently zoned CH. The general development plan for Sunview Village was recommended for approval by the Planning Commission on August 28, 2018 and approved by the City Council on September 4, 2018. The approval included the concept plan for 13 town home units, to be sold for owner occupancy.

The Planning Commission held a public hearing on September 22, 2020 to receive comments. The Planning Commission continued the hearing to a future date with instructions to the applicant for additional information to be submitted.

The Planning Commission reviewed the revised submittals on December 8, 2020 and has made a favorable recommendation to the City Council.

### REVIEW

The applicant has submitted the corrected plan sheets, landscape plan, provided a minimum 10' setback from the property boundary, and the requested building elevation facing Highway 89, as requested. Improved common area is show in the northeast corner improved with lawn area and park

benches. The area is roughly 40'x90' and 3,898 sq. ft. The total project landscaping is 10,837 sq. ft. or 25%.

Parking is proposed as follows:

	Units	Standard Rate	Required Total	Provided
2 Bedroom	13	2.0 spaces/unit	26 (garage)	26
Guest Spaces	13	0.25 spaces/unit	4	25
		<b>Total</b>	<b>30</b>	<b>51</b>

The proposed townhomes are two story, two bedroom units with modern architecture, flat roofs, and balconies. The proposed architecture incorporates stone, stucco and metal, with a modern architecture style in gray and white with black trim. Improvements to the landscaping are approximately 40% of the site. Improvements will be added to the frontage along Highway 89 to conform to the Town Center cross section for the highway, including an 8' park strip and 7' sidewalk. Pedestrian access can be accommodated on either side of the private street that has been proposed.

The Planning Commission has recommended that the private road right of way easement be extended to the east property boundary to provide future thru access to the adjoining property and possibly Odell Lane, in the event that property is developed in the future.

A rezone to a P-District is required to be accompanied by a development agreement, attached. The Development Agreement addresses, site layout, landscaping, parking, common area amenities, lighting, and architecture.

**POSSIBLE MOTION**

I move that the City Council approve **Ordinance 2020-15**: An ordinance rezoning property located at 212 North Highway 89 from Highway Commercial (CH) to P-District and approving Development Agreement **(2020-42A)** for Silver Sky Lofts Townhomes PUD with the following conditions:

1. The private road right of way shall be continued the full width to the east property line providing a pedestrian and vehicular cross easement on behalf of the property to the east; and
2. The landscape within in the park strip along Highway 89 will be verified to be salt tolerant.

Attachments

- 1) Aerial/Zoning Map
- 2) ORD2020-15
- 3) AGR2020-42A
- 4) Preliminary Plan/Site Plan/Landscape Plan



Silver Sky Lofts  
212 North Highway 89  
Aerial/Zoning



**ORDINANCE NO. 2020-15**

**AN ORDINANCE AMENDING THE CITY OF NORTH SALT LAKE ZONING MAP BY CHANGING THE ZONING OF PROPERTY LOCATED GENERALLY AT 212 NORTH HIGHWAY 89 WITHIN THE CITY OF NORTH SALT LAKE, STATE OF UTAH, FROM CH, HIGHWAY COMMERCIAL TO P, PLANNED DISTRICT.**

**WHEREAS**, the City of North Salt Lake has received an application from Foresight Development, LLC. to amend the zoning for property located generally at 212 North Highway 89 from CH, Highway 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 1.05 acres of property located generally at 212 North Highway 89 within the city limits of the City of North Salt Lake, and more particularly described as Davis County parcel number 01-047-0279 from CH, Highway 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 15<sup>th</sup> DAY OF DECEMBER, 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 number: 01-047-0279 containing approximately 1.05 acres.

**Legal Description:**

BEG AT A PT ON THE E LINE OF A HWY WH PT IS S 89°54'24" W 2542.43 FT ALG THE SEC LINE & N 21°49'45" E 1415.94 FT FR THE S 1/4 COR OF SEC 1-T1N-R1W, SLM; & RUN TH N 21°49'45" E ALG SD HWY 105.38 FT; TH S 70°37'18" E 328.70 FT; TH S 33°42'46" W 131.04 FT; TH S 20°05'29" W 51.97 FT; TH N 69°05'16" W 164.91 FT; TH N 23°29'29" E 57.82 FT; TH N 65°52'45" W 139.89 FT TO THE POB. CONT. 1.05 ACRES.

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

AGR2020-42A  
**DEVELOPMENT AGREEMENT**  
**SILVER SKY LOFTS TOWNHOMES**  
**AT NORTH SALT LAKE**

**THIS DEVELOPMENT AGREEMENT** (the “Agreement”) is made and entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 2020 (the “Effective Date”), by and between **THE CITY OF NORTH SALT LAKE**, a Utah municipal corporation (the “City”), and Silver Sky 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 thirteen (13) unit townhome planned unit 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 Silver Sky Lofts Townhomes and is generally located at 212 North Highway 89 in the City of North Salt Lake (the “Project”).

E. Pursuant to the City’s approval of the General Development Plan on the 4<sup>th</sup> day of September, 2018, the Plan consists of thirteen (13) 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 Preliminary Plan, 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 Silver Sky Lofts Townhomes".
  
  - d. Phasing Plan. The Developer intends to construct the project in one phase. All underground and infrastructure improvements required by state code shall be required to be installed, and inspected prior to submission and issuance of any building permits for the project.
  
  - 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, at its expense.

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 Water District and 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. 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: Silver Sky LLC  
PO Box 1594  
Bountiful, UT 84011

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 6.

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.

**[The remainder of this page is intentionally left blank.]**

**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

**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.

**DEVELOPER**  
Silver Sky LLC

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



# EXHIBIT "B" GENERAL DEVELOPMENT PLAN

The General Development Plan for the Silver Sky Lofts Townhomes project approved by the City Council on the 4th day of September, 2018.



181 North 200 West, Suite #4  
Bloomfield, CT 06019  
Phone: (860) 238-2336  
www.entellus.com

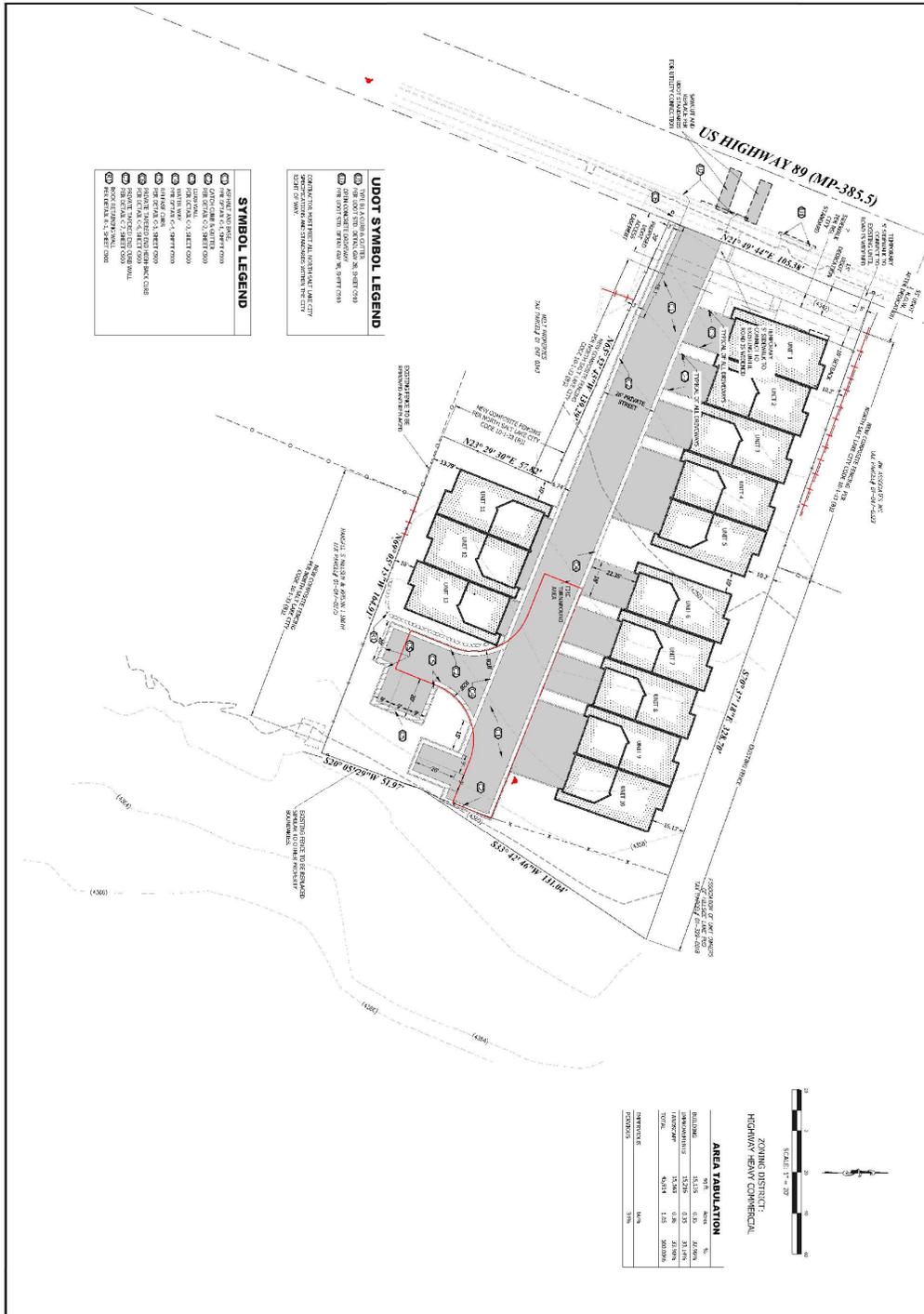
SUNVIEW VILLAGE  
225 WOODHILL BLVD # 209  
NORWICH, CT 06258  
LOCATED IN THE CITY OF NORWICH, CT, U.S.A.  
NORTH SHELTONS CITY, 2018 CONSENT, C.T.C.

DRAWN:	SJC/2018
DATE:	5/22/2018
APPROVED:	SJC/2018
DATE:	5/22/2018
PROJECT:	SUNVIEW VILLAGE
SCALE:	AS SHOWN
C400	
SHEET PLAN	



**EXHIBIT "C" cont.  
PRELIMINARY PLAN, SITE PLAN & LANDSCAPE PLAN**

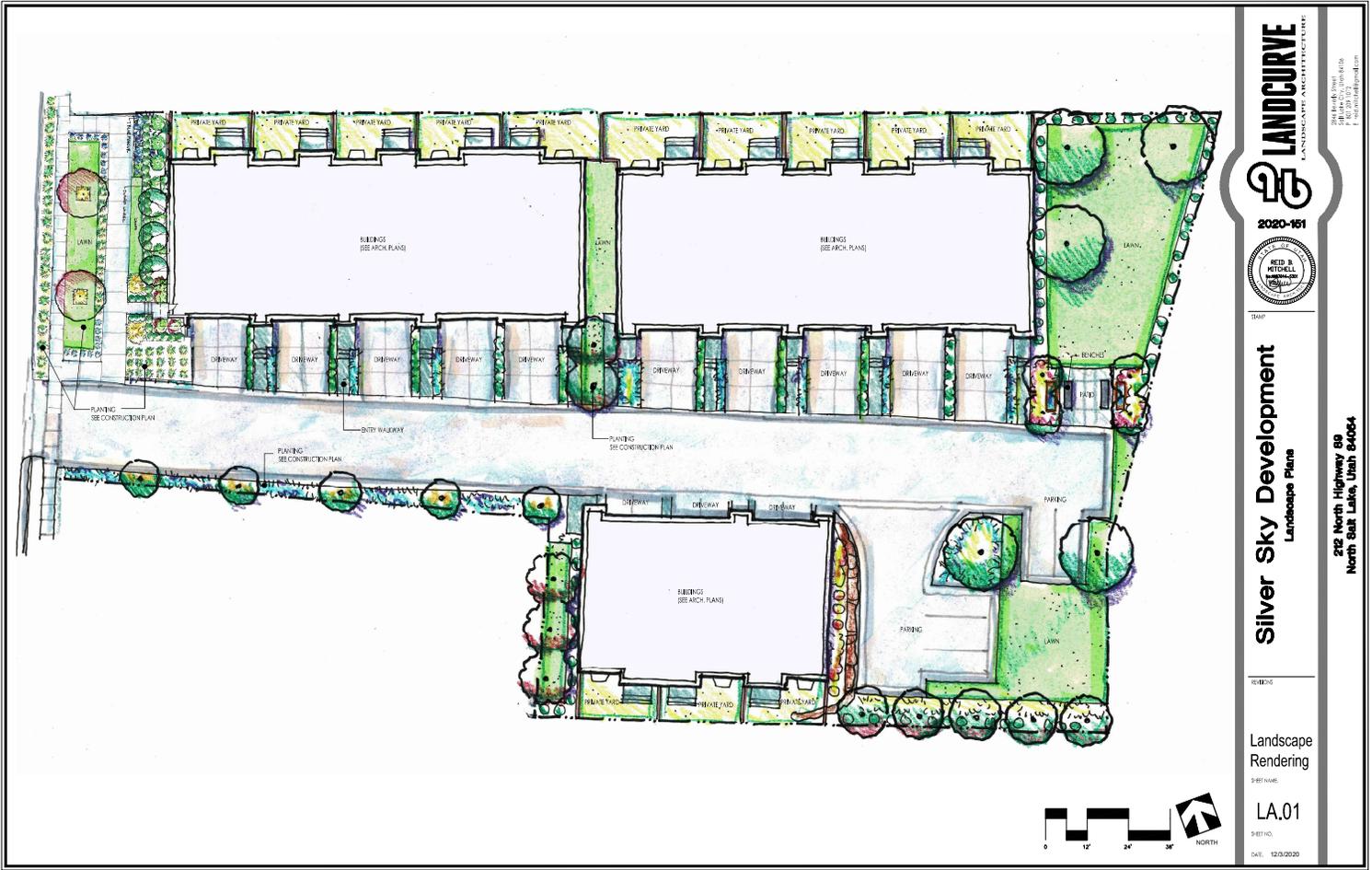
**SITE PLAN**



**SYMBOL LEGEND**

- 1. 1" = 10' (1:1250)
- 2. 1" = 20' (1:2500)
- 3. 1" = 40' (1:5000)
- 4. 1" = 80' (1:10000)
- 5. 1" = 160' (1:20000)
- 6. 1" = 320' (1:40000)
- 7. 1" = 640' (1:80000)
- 8. 1" = 1280' (1:160000)
- 9. 1" = 2560' (1:320000)
- 10. 1" = 5120' (1:640000)
- 11. 1" = 10240' (1:1280000)
- 12. 1" = 20480' (1:2560000)
- 13. 1" = 40960' (1:5120000)
- 14. 1" = 81920' (1:10240000)
- 15. 1" = 163840' (1:20480000)
- 16. 1" = 327680' (1:40960000)
- 17. 1" = 655360' (1:81920000)
- 18. 1" = 1310720' (1:163840000)
- 19. 1" = 2621440' (1:327680000)
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- 21. 1" = 10485760' (1:1310720000)
- 22. 1" = 20971520' (1:2621440000)
- 23. 1" = 41943040' (1:5242880000)
- 24. 1" = 83886080' (1:10485760000)
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- 40. 1" = 5497558138880' (1:687194767360000)
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- 166. 1" = 4676

**EXHIBIT "C" cont.  
PRELIMINARY PLAN, SITE PLAN & LANDSCAPE PLAN  
LANDSCAPE PLAN**



**LANDCURVE**  
LANDSCAPE ARCHITECTURE



2020-151  
SEAL

**Silver Sky Development**  
Landscape Plans

SCALE

Landscape Rendering

SHEET NAME

LA.01

SHEET NO.

DATE: 12/3/2020

212 North Highway 89  
North Salt Lake, Utah 84054

RED MICHELL ARCHITECTURE  
1000 West 1000 South  
Salt Lake City, Utah 84119  
P: 801.209.1113  
F: 801.209.1114  
www.redmichell.com

## EXHIBIT “D”

### SILVER SKY LOFTS PUD TOWNHOMES P DISTRICT LAND USE STANDARDS

1. Purpose. This Exhibit outlines the standards pursuant to which Silver Sky Lofts Townhomes 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 for Townhomes.
  - a. Lot Area:
    - i. Due to the nature of townhome development, there shall be no minimum lot area; however, no residential unit constructed in the P district shall have a living area less than 1,600 square feet and a minimum of 2 bedrooms.
  - b. Maximum Coverage Area.
    - i. Due to the nature of townhome development a, there shall be no maximum coverage area per lot.
  - c. Maximum Height of Buildings.
    - i. The maximum height for all residential structures in the P District shall be twenty-five (25) feet from finished final grade as measured per city land use ordinance section 10-1-25.
  - d. Lot Width and Depth:
    - i. The minimum lot width and depth for the lot shall be as depicted on the approved preliminary plan.
  - e. Setbacks, Highway 89:
    - i. The front yard setback from Highway 89 shall be a minimum of twenty (20’) feet from the newly dedicated right-of-way line.
    - ii. The front yard setback for each individual unit shall be as shown on the preliminary plan and reflected on the Final Plat.
  - 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 ten (10) feet.
  - h. Setbacks for individual units:
    - i. The side yard setbacks shall be zero (0) feet between units.
    - ii. The side yard setbacks between buildings shall be twenty-five (25) feet.
  - i. Minimum Landscape Percentage.
    - i. The minimum landscape percentage for the entire development shall be 25% and shall be held in common for ownership and maintenance of the Silver Sky Lofts Home Owners Association.
  - j. Accessory Buildings:
    - i. Accessory buildings shall not be allowed for individual residential units.
    - ii. Accessory buildings or structures within the common area shall include only those necessary for the operations of the townhomes and enjoyment

of the residents, such as trash enclosure, open space improvements and amenities, etc.

- k. Fence:
  - i. The maximum solid fence height within 20 feet of a public right of way shall be four (4') feet.
  - ii. The maximum height for the remainder of the perimeter fence shall be eight (8) feet. A minimum six foot composite fence shall be required in the P District on the perimeter of the property in accordance with the Development Agreement and exhibits in **Exhibit “\_\_\_\_\_”**.
- l. Parking shall be provided as follows
  - i. Each unit shall include a two (2) car garage.
  - ii. Guest parking shall be provided in the amount of 5 spaces within the common area and as shown on the preliminary plan and within the driveways of units 1-10 for a total of 25 additional parking spaces.
- 3. Permitted Uses.
  - a. Single family attached dwellings (townhomes)
  - b. Home occupations as regulated by North Salt Lake Land Use Code, Section 10-10-5, as amended.

## EXHIBIT “E”

### ARCHITECTURAL STANDARDS FOR SILVER SKY LOFTS TOWNHOMES

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 Silver Sky Lofts PUD townhomes 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**

All exterior residential elevations shall be consistent with general scheme and design as depicted below and as approved in the General Development Plan for Silver Sky Lofts. The units shall utilize shared common space as depicted on the Site Plan and General Development Plan. Exterior elevations will be as represented the following elevations.

The units will be varied in elevation so that each unit has first floor access to the private street as shown.



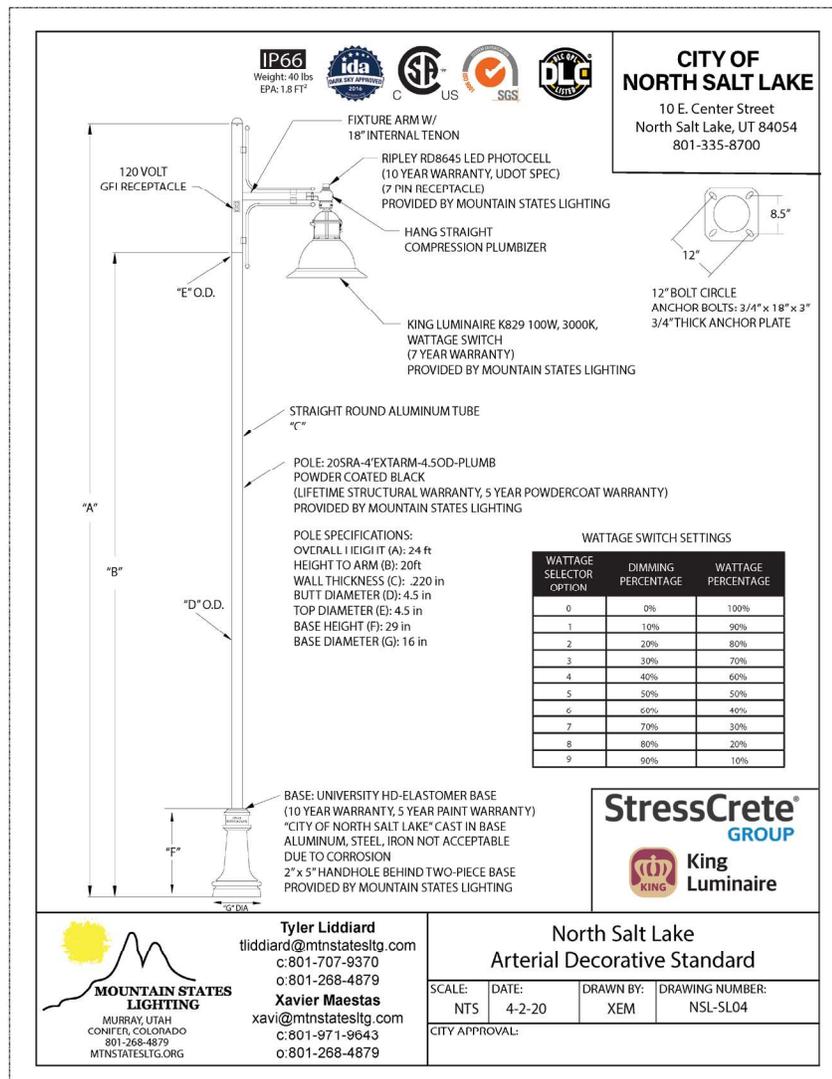
## B. Exterior Finishes and Colors

**Materials.** Exterior building materials shall be of high quality and shall include: masonry, stucco, cedar plank, cement fiber board, black metal railings and accents, and \_\_\_\_\_. Architectural grade windows shall be used in the construction of all front elevations and side elevations. Architectural grade windows have real solid wood, extruded aluminum, fiberglass, or combination, and have improved energy efficiency and superior design aesthetic.

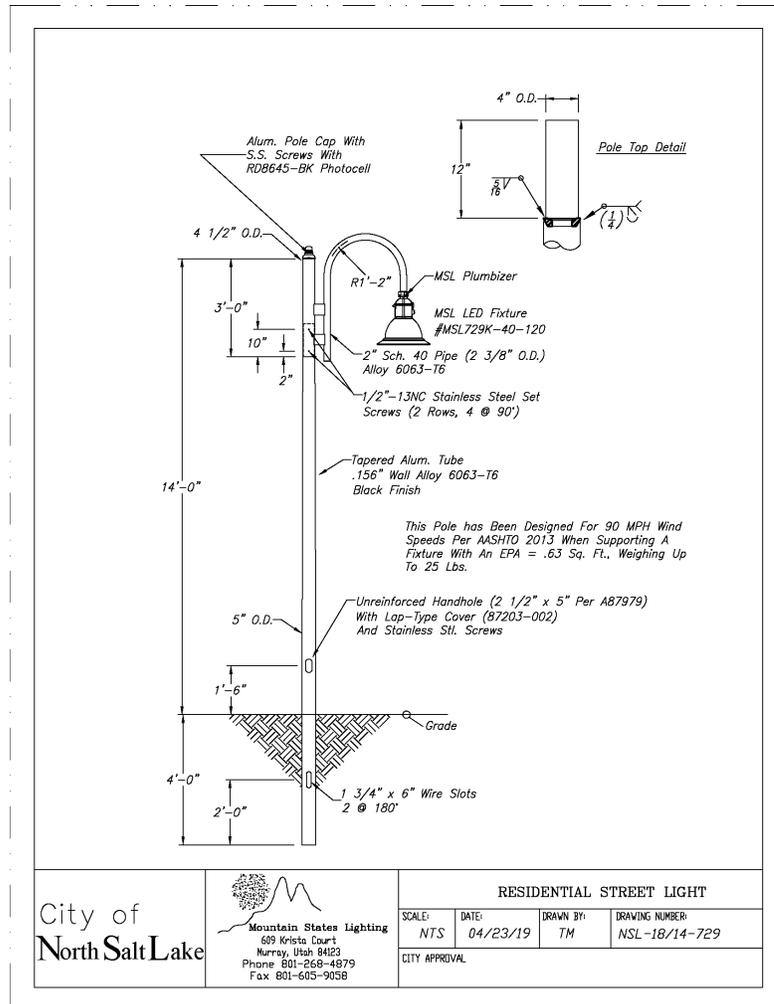
**Colors.** Exterior building colors shall be as shown on the following elevation. Minor variations in color/tones may be approved by the Community Development Director in accordance with the general colors shown in the elevations above.

## D. Lamp Posts, Building Lighting

The development shall have the following lamp at the entrance to the development.



Internal street lighting shall utilize the following light pole 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**

Upon completion of each unit, the Declarant shall install landscaping in accordance with the approved landscape plan. A unity of the design of an overall development master plan shall be achieved by the repetition of certain plant varieties, colors and materials to tie the overall development together. All landscaping and irrigation shall utilize efficient landscaping techniques and drought tolerant species where possible.

### **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.

### **G. Fencing Material**

The project perimeter fencing material with composite fencing material, similar to the figure below, in a color coordinated with the materials used in the construction of the townhomes.



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 Silver Sky LLC, a Utah limited liability company, whose address is PO Box 1594, Bountiful, UT 84011 ("Developer").

Developer and the City have entered into that certain "Development Agreement for Silver Sky Lofts PUD", dated \_\_\_\_\_ (referred to herein as the "Agreement") regarding the real property to be known as the Silver Sky Lofts PUD 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.

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

"CITY"

CITY OF NORTH SALT LAKE

ATTEST:

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

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

State of Utah            )  
                                  ss.  
County of Davis        )

This instrument was acknowledged before me on \_\_\_\_\_, 2019, by \_\_\_\_\_ as \_\_\_\_\_ of City of North Salt Lake, a Utah municipal corporation.

[Seal] \_\_\_\_\_  
NOTARY PUBLIC

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

**“DEVELOPER”**

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

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

State of Utah            )  
                                  ss.  
County of Davis        )

This instrument was acknowledged before me on \_\_\_\_\_, 2019, by \_\_\_\_\_ as \_\_\_\_\_ of \_\_\_\_\_, a Utah Limited Liability company.

[Seal] \_\_\_\_\_  
NOTARY PUBLIC

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

## SCHEDULE "A"

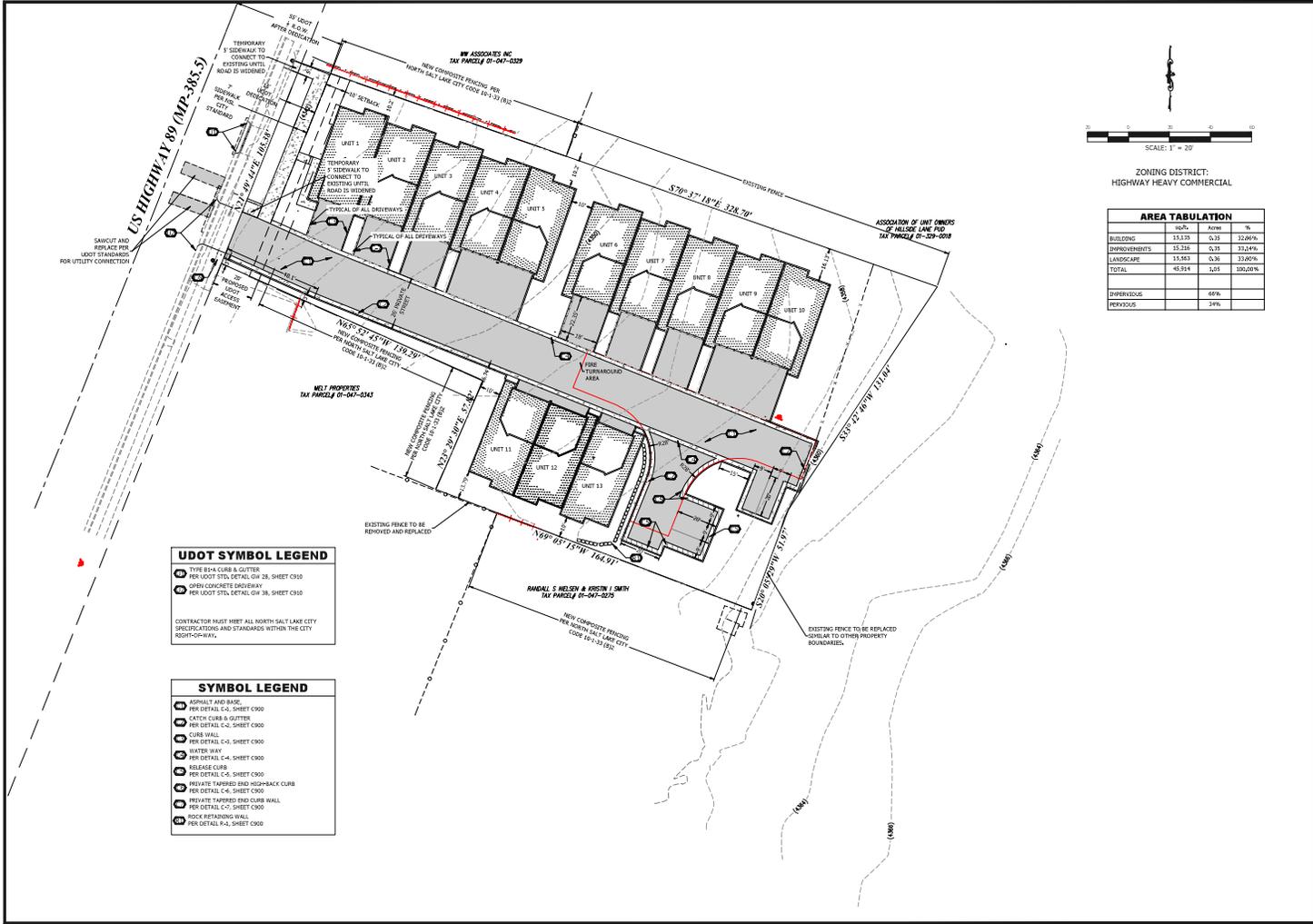
### LEGAL DESCRIPTION

All property included in Davis County Parcel Identification numbers: 01-047-0279 and containing approximately 1.05 acres.

#### **Legal Description:**

BEG AT A PT ON THE E LINE OF A HWY WH PT IS S 89°54'24" W 2542.43 FT ALG THE SEC LINE & N 21°49'45" E 1415.94 FT FR THE S 1/4 COR OF SEC 1-T1N-R1W, SLM; & RUN TH N 21°49'45" E ALG SD HWY 105.38 FT; TH S 70°37'18" E 328.70 FT; TH S 33°42'46" W 131.04 FT; TH S 20°05'29" W 51.97 FT; TH N 69°05'16" W 164.91 FT; TH N 23°29'29" E 57.82 FT; TH N 65°52'45" W 139.89 FT TO THE POB. CONT. 1.05 ACRES.





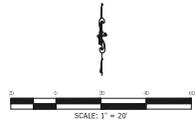
**UDOT SYMBOL LEGEND**

- 1. PEBBLE CURB & GUTTER FOR UDOT STL DETAIL 08 38, SHEET C910
- 2. OPEN CONCRETE DRIVEWAY FOR UDOT STL DETAIL 08 38, SHEET C910

CONTRACTOR MUST VERIFY ALL NORTH SALT LAKE CITY SPECIFICATIONS AND STANDARDS WITHIN THE CITY JURISDICTION.

**SYMBOL LEGEND**

- 1. ASPHALT AND BASE FOR DETAIL C-2, SHEET C900
- 2. CATCH CURB & GUTTER FOR DETAIL C-2, SHEET C900
- 3. CURB WALL FOR DETAIL C-3, SHEET C900
- 4. WATER BAY FOR DETAIL C-4, SHEET C900
- 5. ROLLBACK CURB FOR DETAIL C-4, SHEET C900
- 6. PRIVATE TAPERED END HIGHBACK CURB FOR DETAIL C-6, SHEET C900
- 7. PRIVATE TAPERED END CURB WALL FOR DETAIL C-7, SHEET C900
- 8. ROCK RETAINING WALL FOR DETAIL R-2, SHEET C900



ZONING DISTRICT:  
HIGHWAY HEAVY COMMERCIAL

**AREA TABULATION**

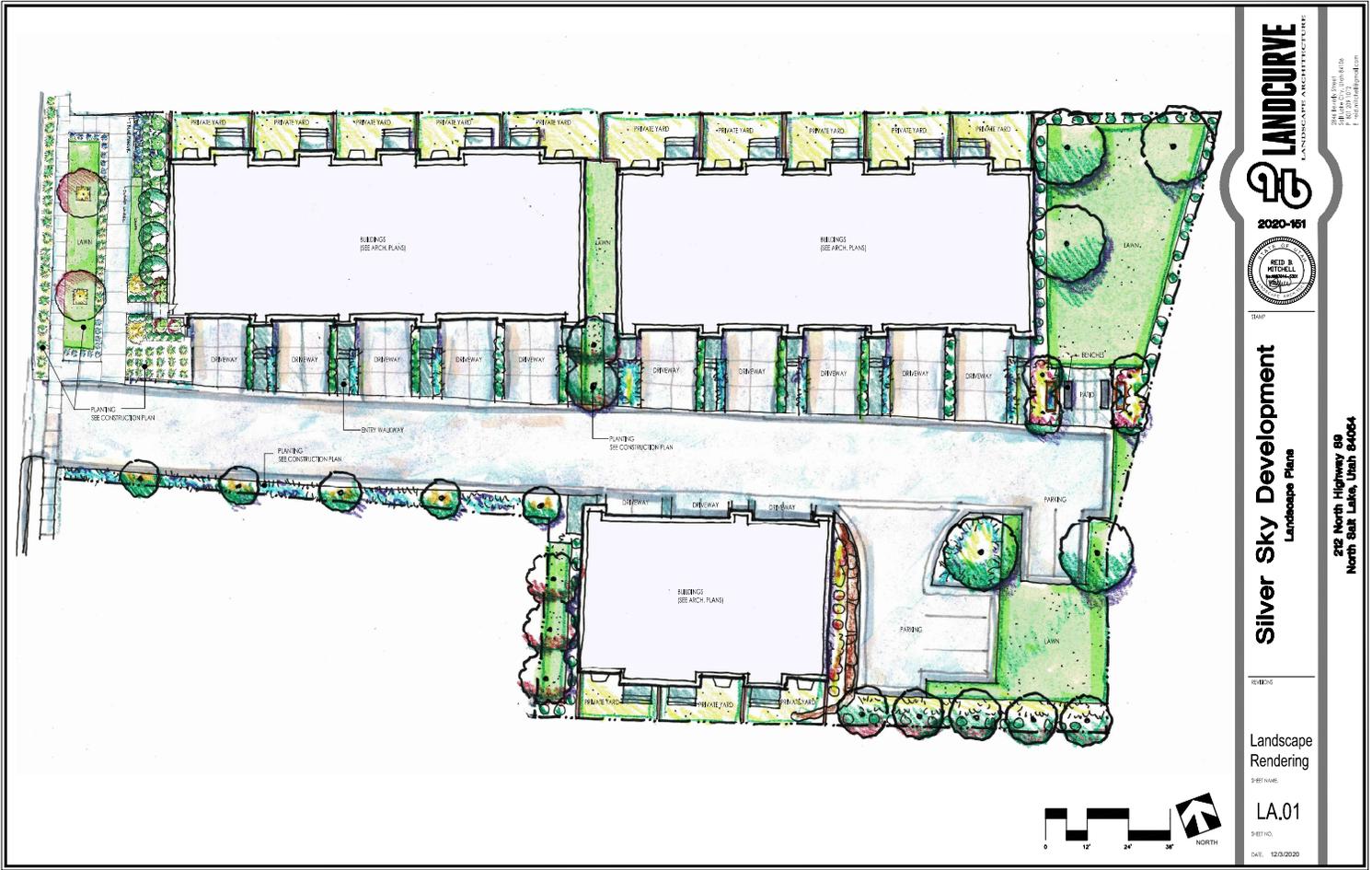
	Sq. Ft.	Area	%
BUILDING	11,115	0.33	32.66%
IMPROVEMENTS	33,238	0.97	31.47%
LANDSCAPE	13,563	0.38	13.66%
TOTAL	45,914	1.05	100.00%
IMPERVIOUS		66%	
PERVIOUS		34%	

1479 South 600 West  
Woodstock, UT 84410  
Phone: 801.298.2256  
www.entrillus.com



**SILVER SKY LLC**  
215 NORTH HIGHLAND AVENUE  
SALT LAKE CITY, UT 84103  
LOCALIZED PARTIAL SW 1/4 OF SECTION 1, T4N, R7E, S1E, L&A.M.  
SOUTH SALT LAKE CITY, UTAH COUNTY, UTAH

DATE: 08/01/2018  
TIME: 8:00 AM  
DRAWN BY: JMM  
CHECKED BY: JMM  
PROJECT: 181803  
DRAWING: SITE PLAN 1 of 1  
**C400**  
SITE PLAN



**LANDCURVE**  
LANDSCAPE ARCHITECTURE



2020-151  
SEAL

**Silver Sky Development**  
Landscape Plans

SCALE

Landscape Rendering

SHEET NAME

LA.01

SHEET NO.

DATE: 12/3/2020

212 North Highway 89  
North Salt Lake, Utah 84064  
P: 801.201.1111  
F: 801.201.1112  
www.landcurve.com



# 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:** December 15, 2020  
**SUBJECT:** Consideration of a preliminary plan for Silver Sky Lofts PUD located at 212 North Highway 89

---

### RECOMMENDATION

The Planning Commission recommends to the City Council the approval of the preliminary plan for Silver Sky Lofts PUD located at 212 North Highway 89 with the following conditions:

1. The private road right of way shall be continued the full width to the east property line providing a pedestrian and vehicular cross easement on behalf of the property to the east; and
2. The landscape within in the park strip along Highway 89 will be verified to be salt tolerant.

### BACKGROUND

The property is a total of approximately 1.05 acres currently zoned CH. The general development plan for Sunview Village was recommended for approval by the Planning Commission on August 28, 2018 and approved by the City Council on September 4, 2018. The approval included the concept plan for 13 town home units, to be sold for owner occupancy.

The Planning Commission held a public hearing on September 22, 2020 to receive comments. The Planning Commission continued the hearing to a future date with instructions to the applicant for additional information to be submitted.

The Planning Commission reviewed the revised submittals on December 8, 2020 and has made a favorable recommendation to the City Council.

### REVIEW

The applicant has submitted the corrected plan sheets, landscape plan, provided a minimum 10' setback from the property boundary, and the requested building elevation facing Highway 89, as requested. Improved common area is shown in the northeast corner improved with lawn area and park benches. The area is roughly 40'x90' and 3,898 sq. ft. The total project landscaping is 10,837 sq. ft. or 25%.

Parking is proposed as follows:

	Units	Standard Rate	Required Total	Provided
2 Bedroom	13	2.0 spaces/unit	26 (garage)	26
Guest Spaces	13	0.25 spaces/unit	4	25
		<b>Total</b>	<b>30</b>	<b>51</b>

The proposed townhomes are two story, two bedroom units with modern architecture, flat roofs, and balconies. The proposed architecture incorporates stone, stucco and metal, with a modern architecture style in gray and white with black trim. Improvements to the landscaping are approximately 40% of the site. Improvements will be added to the frontage along Highway 89 to conform to the Town Center cross section for the highway, including an 8' park strip and 7' sidewalk. Pedestrian access can be accommodated on either side of the private street that has been proposed.

The Planning Commission has recommended that the private road right of way easement be extended to the east property boundary to provide future thru access to the adjoining property and possibly Odell Lane, in the event that property is developed in the future.

#### **POSSIBLE MOTION**

I move that the City Council approve the preliminary plan for Silver Sky Lofts PUD located at 212 North Highway 89 with the following conditions:

1. The private road right of way shall be continued the full width to the east property line providing a pedestrian and vehicular cross easement on behalf of the property to the east; and
2. The landscape within in the park strip along Highway 89 will be verified to be salt tolerant.

#### Attachments

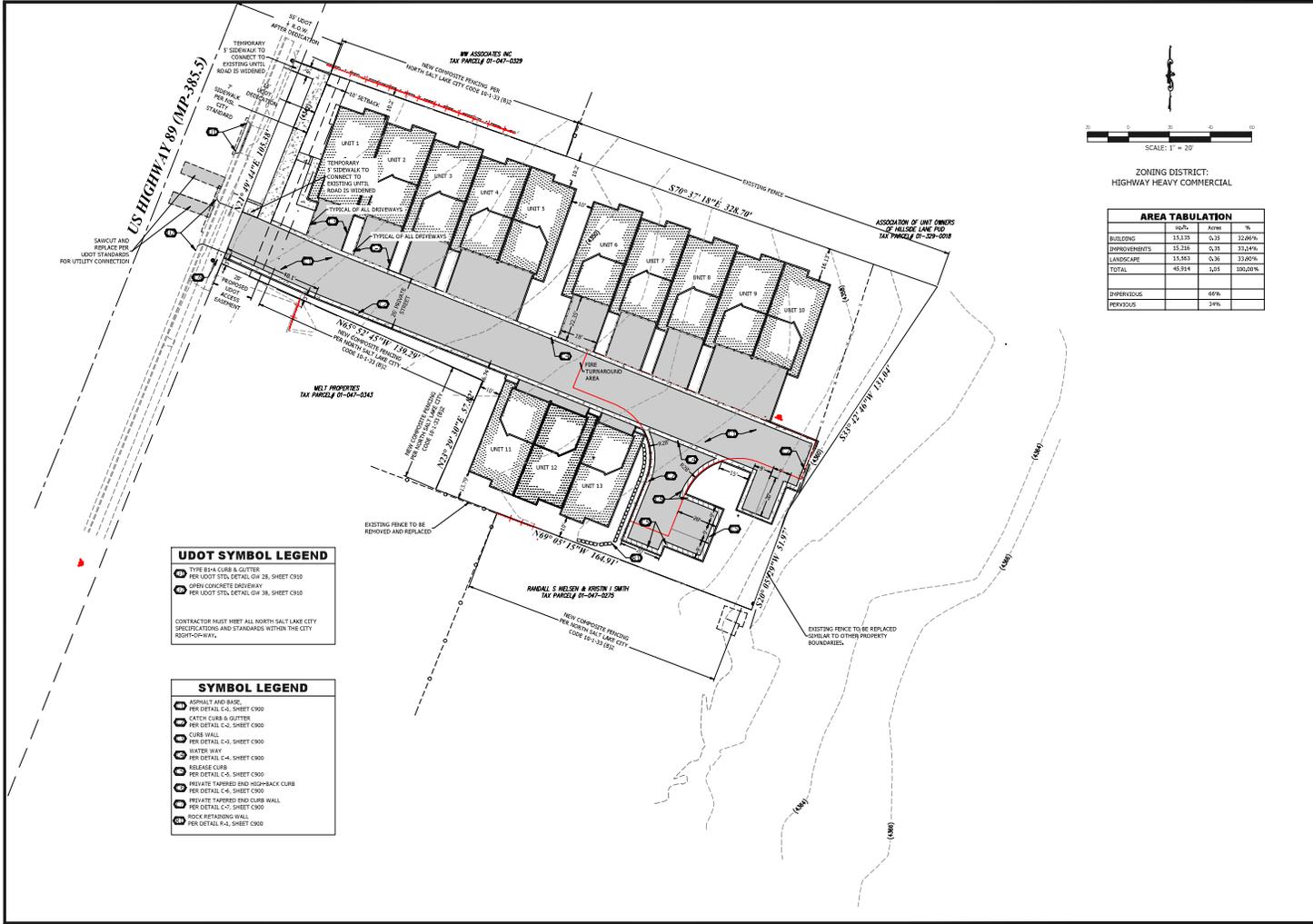
- 1) Aerial/Zoning Map
- 2) Preliminary Plan/Site Plan/Landscape Plan



Silver Sky Lofts  
212 North Highway 89  
Aerial/Zoning







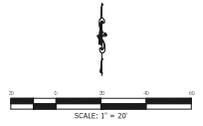
**UDOT SYMBOL LEGEND**

- 1. PRE-BUILT CURB & GUTTER FOR UDOT STD. DETAIL OR 38, SHEET C310
- 2. OPEN CONCRETE DRIVEWAY FOR UDOT STD. DETAIL OR 38, SHEET C310

CONTRACTOR MUST VERIFY ALL NORTH SALT LAKE CITY SPECIFICATIONS AND STANDARDS WITHIN THE CITY JURISDICTION.

**SYMBOL LEGEND**

- 1. ASPHALT AND BASE FOR DETAIL C-2, SHEET C300
- 2. CATCH CURB & GUTTER FOR DETAIL C-2, SHEET C300
- 3. CURB WALL FOR DETAIL C-3, SHEET C300
- 4. WATER BAY FOR DETAIL C-4, SHEET C300
- 5. TYPICAL CURB FOR DETAIL C-4, SHEET C300
- 6. PRIVATE TAPERED END HIGHBACK CURB FOR DETAIL C-6, SHEET C300
- 7. PRIVATE TAPERED END CURB WALL FOR DETAIL C-7, SHEET C300
- 8. ROCK RETAINING WALL FOR DETAIL R-2, SHEET C300



ZONING DISTRICT:  
HIGHWAY HEAVY COMMERCIAL

**AREA TABULATION**

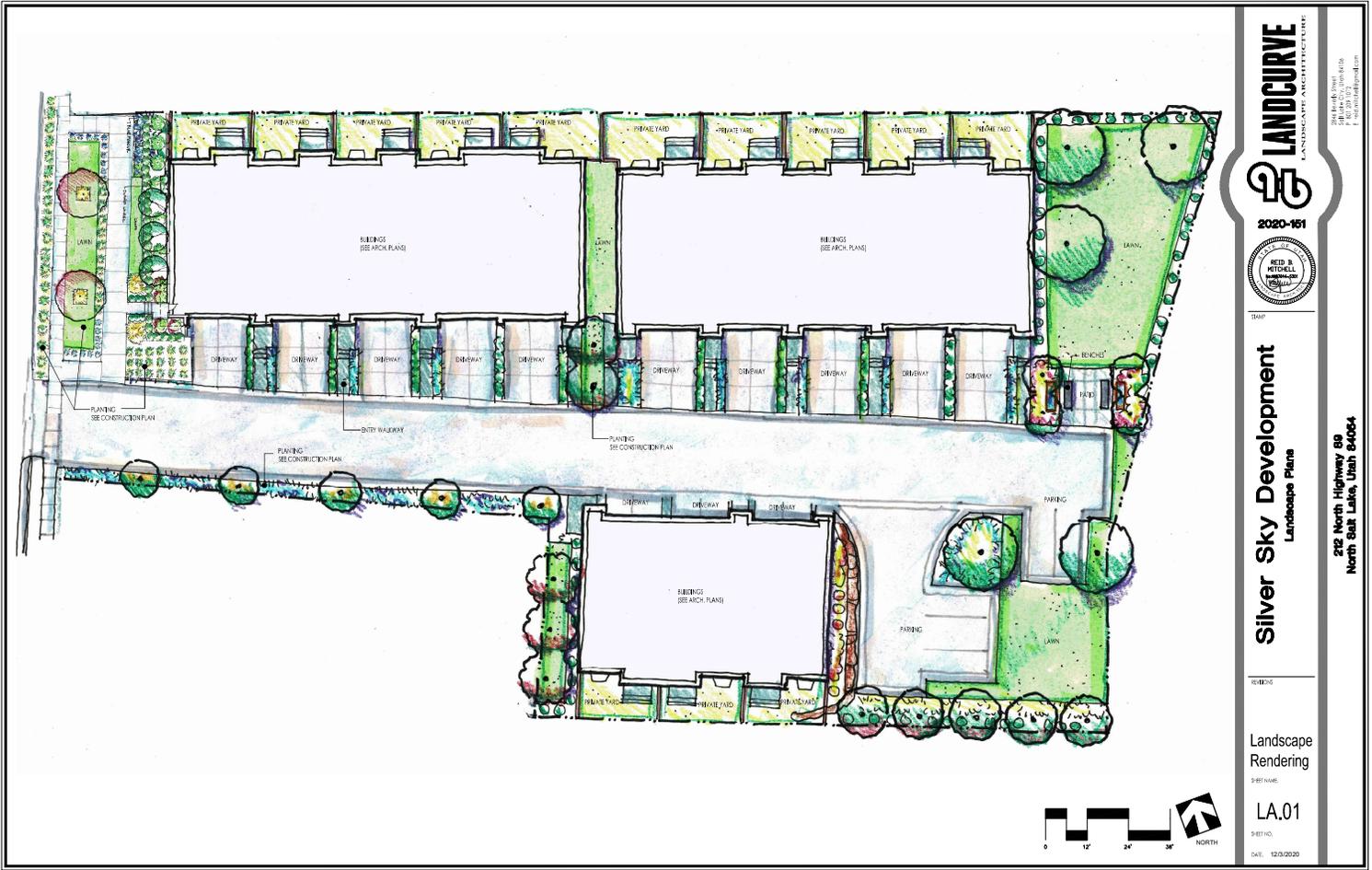
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IMPROVEMENTS	33,238	0.97	31.47%
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TOTAL	45,914	1.05	100.00%
IMPERVIOUS		66%	
PERVIOUS		34%	

1479 South 600 West  
Woodstock, UT 84410  
Phone: 801.298.2256  
www.entrillus.com

**SILVER SKY LLC**  
215 NORTH HIGHLAND AVENUE  
SALT LAKE CITY, UT 84103  
LOCALIZED PARTIAL SITE PLAN SUBMITTAL FOR THE PROPOSED DEVELOPMENT OF 13 UNITS AND ASSOCIATED IMPROVEMENTS AT THE INTERSECTION OF US HIGHWAY 89 AND 1300 EAST AVENUE, SALT LAKE CITY, UT 84103

DATE: 08/01/2018  
TIME: 09:00 AM  
PROJECT: SILVER SKY  
DRAWING: SITE PLAN 1.00

**C400**  
SITE PLAN



**LANDCURVE**  
LANDSCAPE ARCHITECTURE

2020-151

RED MICHELL  
ARCHITECTS

**Silver Sky Development**  
Landscape Plans

Landscape  
Rendering

SHEET NAME  
**LA.01**

SHEET NO.  
DATE: 12/3/2020

212 North Highway 89  
North Salt Lake, Utah 84064

3000 Riverwood, Suite 100  
P.O. Box 1010  
Salt Lake City, Utah 84143



# 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:** December 15, 2020  
**SUBJECT:** Consideration of a Final Plat for NSL City Center Phase 2 located at 71 North Hwy 89

---

### **RECOMMENDATION**

The Planning Commission recommends to the City Council the approval of the final plat for NSL City Center phase 2 located at 71 North Highway 89 with the following condition:

1. Engineering corrections, if any

### **BACKGROUND**

NSL City Center is located at 25 East Center Street. Phase 2 of the townhome portion of the project known as Park Lofts is located at 71 North Hwy 89. The property is 1.55 acres and will be added to the existing 3.6-acre City Center project. The amended general development plan for City Center was approved by the City Council on August 18, 2020. The P-District Rezone and Preliminary Plat were approved by the City Council on October 20, 2020. The Planning Commission reviewed the final plat on December 8, 2020 and made a favorable recommendation to the City Council.

### **REVIEW**

The project consists of one plat with 35 townhome units (6 units are reconfigured units from Phase 1). The Final Plat has been reviewed for compliance with the development agreement and city code and is in compliance. All planning redline corrections have been verified as complete. Engineering redline corrections are being verified by the City Engineer.

The developer has entered into an agreement with North Town Station HOA for improvement of their detention area expansion and open space maintenance. The residents of Park Lofts will have access to the open space and amenities, including a walking path, pavilion, basketball court, and dog park area.

The DRC has reviewed the plan and finds it in compliance with the requirements for final plat approval with the exception of minor engineering redlines.

**POSSIBLE MOTION**

I move that the City Council approve the Final Plat for NSL City Center, Ph. 2, Park Lofts at City Center located at 71 North Highway 89 with the following condition:

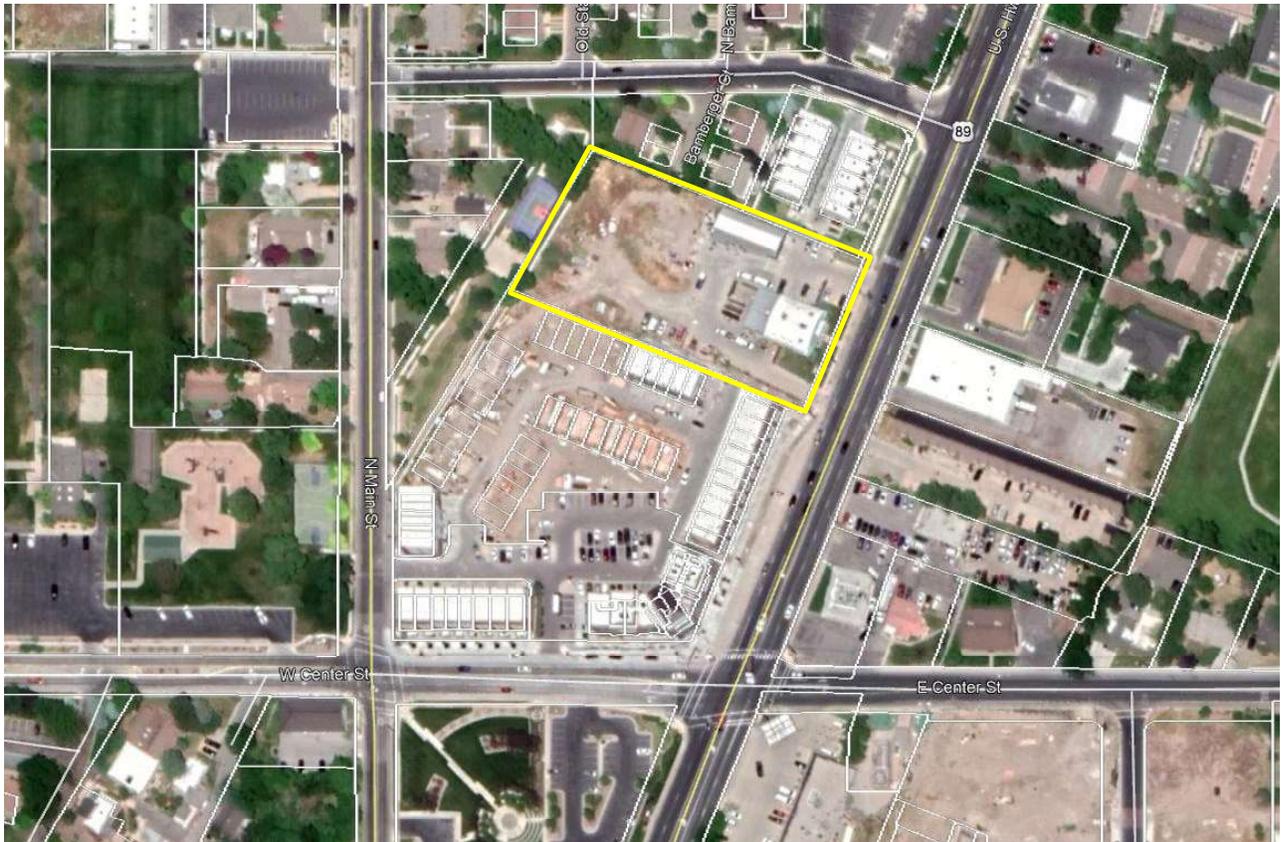
1. Engineering corrections, if any

Attachments

- 1) Aerial
- 2) Final Plat
- 3) Final Site Plan
- 4) Final Landscape Plan
- 5) North Town Station Landscape Plan



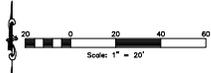
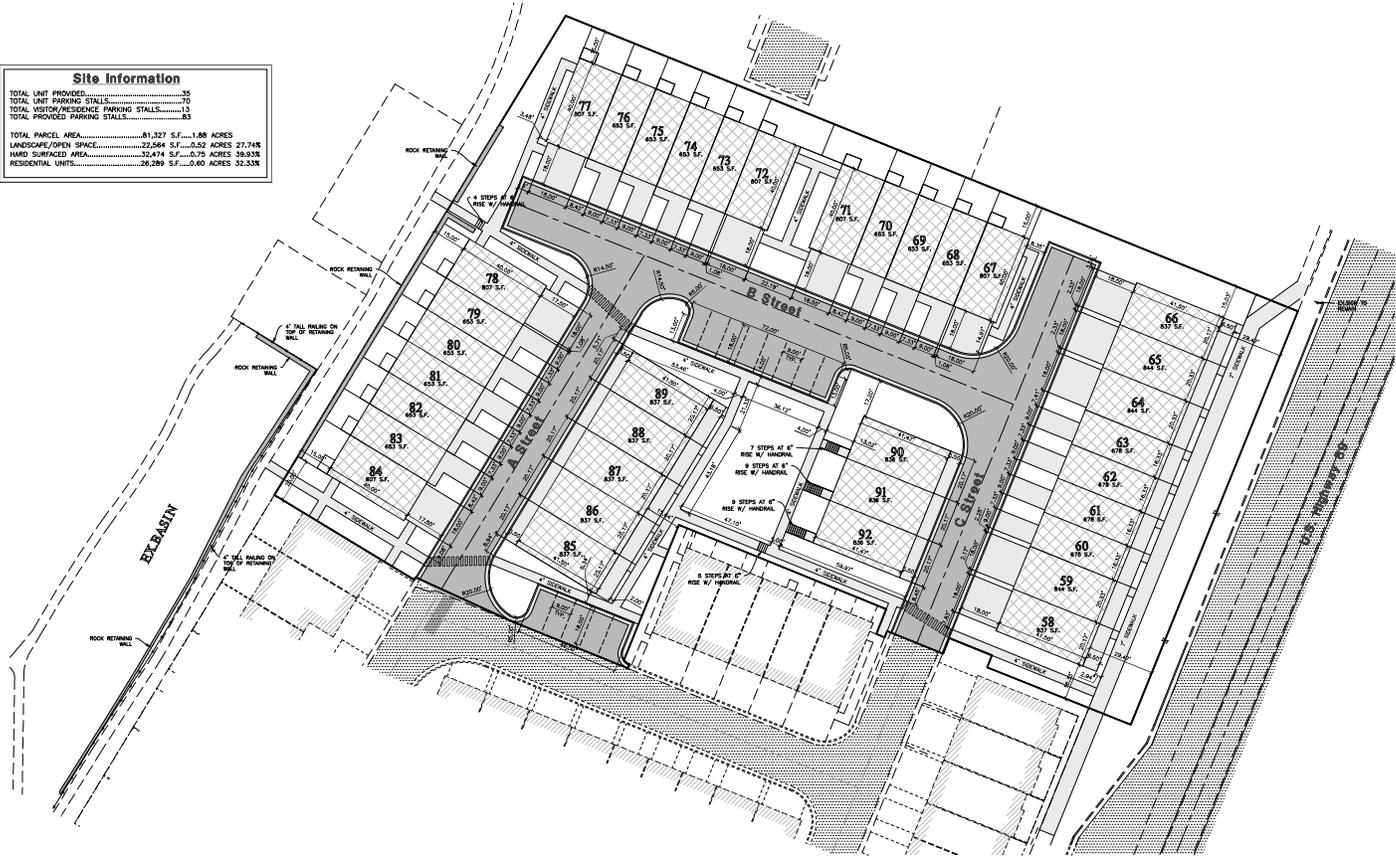
Final Plat Approval  
NSL City Center 2-Park Lofts  
Aerial





Reeve & Associates, Inc. - Station: Via Cut Road On

Site Information	
TOTAL UNIT PROVIDED.....	35
TOTAL UNIT PARKING STALLS.....	70
TOTAL VISITOR/RESIDENCE PARKING STALLS.....	15
TOTAL PROVIDED PARKING STALLS.....	85
TOTAL PARCEL AREA.....	61,327 S.F. .... 1.88 ACRES
LANDSCAPE/OPEN SPACE.....	22,584 S.F. .... 0.52 ACRES 27.74%
HARD SURFACED AREA.....	32,474 S.F. .... 0.75 ACRES 39.83%
RESIDENTIAL UNITS.....	26,280 S.F. .... 0.60 ACRES 32.33%



REVISION	DESCRIPTION
DATE	

**The Park Loft - City Center**  
 NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH  
**Site Plan**



Project Info:	
Engineer:	WESLEY A. CRASPER
Draftsman:	BRADLEY
Begin Date:	NOVEMBER 2020
Name:	THE PARK LOFT
City:	CITY CENTER
Number:	6450-01
Sheet	12
4	Sheets

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC., 5180 SOUTH 1500 WEST, RIVERDALE, UTAH 84403, AND SHALL NOT BE PHOTOCOPIED, RE-DRAWN, OR USED ON ANY PROJECT OTHER THAN THE PROJECT SPECIFICALLY DESIGNED FOR, WITHOUT THEIR WRITTEN PERMISSION. THE OWNERS AND ENGINEERS OF REEVE & ASSOCIATES, INC. DISCLAIM ANY LIABILITY FOR ANY CHANGES OR MODIFICATIONS MADE TO THESE PLANS OR THE DESIGN THEREON WITHOUT THEIR CONSENT.

**PLANT TABLE**

Quantity	Symbol	Scientific Name	Common Name	Size
5	⊙	Acer glaberrima 'Columnar'	Columnar Norway Maple	2" cal.
5	⊙	Acer campestre	Hedge Maple	2" cal.
3	⊙	Cornus belulus 'Fastigata'	Pyramidal European Hornbeam	2" cal.
2	⊙	Acer freemanii 'Jeffersland'	Autumn Blaze Maple	2" cal.
4	⊙	Malus 'Spring Snow'	Spring Snow Crabapple	2" cal.
2	⊙	Claytonia sibirica 'Privation Sentry'	Privation Sentry Dogwood	2" cal.
4	⊙	Prunus cerasifera 'Thundercloud'	Thundercloud Flowering Plum	2" cal.
5	⊙	Pyrus calleryana 'Chanticleer'	Chanticleer Flowering Pear	2" cal.

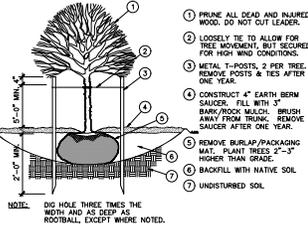
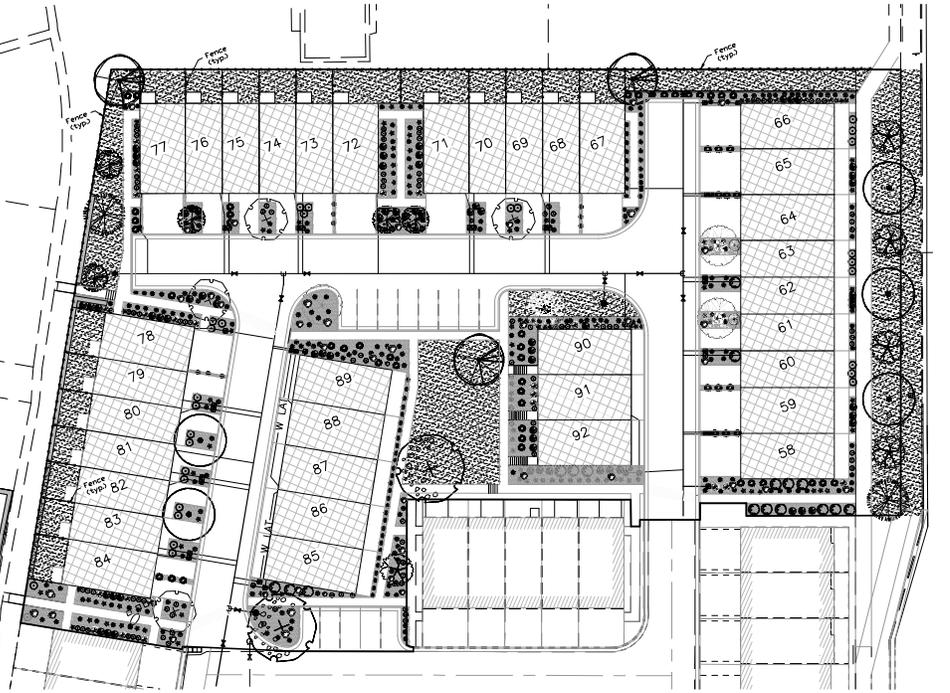
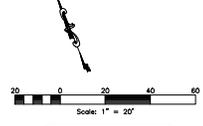
Quantity	Symbol	Scientific Name	Common Name	Size
20	⊙	Buxus microphylla 'Winter Gem'	Winter Gem boxwood	5 gal.
2	⊙	Cornus sericea 'Inzant'	Inzant Dwarf Dogwood	5 gal.
17	⊙	Eunymus alata 'Compacta'	Dwarf Burning Bush	5 gal.
28	⊙	Pinus mugo 'Humilis'	Dwarf Mugo Pine	5 gal.
67	⊙	Potentilla fruticosa 'Gold Drop'	Gold Drop Chokecherry	5 gal.
98	⊙	Spiraea japonica 'Magic Carpet'	Magic Carpet Spirea	5 gal.

Quantity	Symbol	Scientific Name	Common Name	Size
50	⊙	Cotoneaster 'Karl Foerster'	Karl Foerster Grass	5 gal.

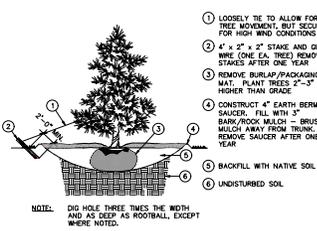
Quantity	Symbol	Scientific Name	Common Name	Size
150	⊙	Hemerocallis 'Stella de Oro'	Stella de Oro Daylily	1 gal.
83	⊙	Impatiens 'Nectarines'	Impatiens Sweet Iris	1 gal.
89	⊙	Sedum 'Autumn Joy'	Autumn Joy Sedum	1 gal.

Symbol	Description	Size/Type
⊙	Turf Grass - Sod	Sod
⊙	Kentucky Bluegrass Mix - 3 Species Minimum	
⊙	Crushed Gravel Mulch - Match Previous Phase	2" Minus
⊙	Place mulch over 5 ounce Professional weed barrier cloth in all planting beds. Contractor to provide samples to owner for approval prior to delivery.	3" Depth
⊙	Concrete Mow Strip	6"x6"
⊙	Landscape Boulders	3'-5' Diameter

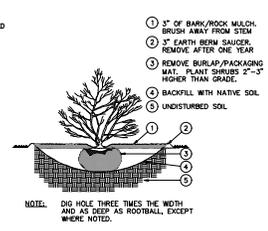
Note: Street trees in public r.o.w. are required to be a 2" caliper, as measured at 4 feet above final grade. OR02019-11.



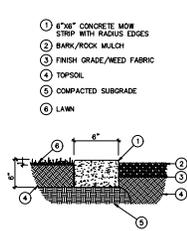
**DECIDUOUS TREE PLANTING**  
 NTS



**CONIFEROUS TREE PLANTING**  
 NTS



**SHRUB PLANTING**  
 NTS



**CONCRETE MOW STRIP**  
 NTS

**PLANTING NOTES**

1. This planting plan is diagrammatic and plant locations are approximate.
2. Field survey, staking, and staking the layout and location of site construction features for approval before actual construction. The layout shall conform to the exact location and grades of the intended work to be done.
3. Coordinate all aspects of the planting plan with the irrigation system and call the attention of the owner representative to any conflict in placement of plants in relation to surface drains, lines and valves at the time the landscape contractor places plants.
4. Finish grade of soil in lawn areas shall be 2" below grade, within 200' of trees and curbs to accommodate soil. Grass in areas where needed shall be 1" lower than adjacent grade.
5. Native plants shall be established and stored on site whenever possible for use in landscape areas.
6. All soil areas shall receive a minimum 4" depth of native topsoil and shrub beds shall receive a minimum of 8" of native topsoil.
7. Imported topsoil, when required, shall come from a reputable source, have a loam consistency and be free of weeds and debris.
8. Face each shrub to give the most pleasing look as seen from the perpendicular to the wall or walk from which it is viewed.
9. Edding or curbing shall be installed on shrubs on the plan to separate grass from shrub beds.
10. Shrubs shall staked properly to prevent standing water from occurring. Call improperly draining planters or planting beds to the attention of the owners representative before planting. Provide positive drainage away from all structures and walls. Slope drainage areas 2% minimum.
11. Place mulch in all shrub beds and perennial areas. See schedule for depth and type. Do not crowd out small perennial plants with excessive mulch.
12. Provide a 3" minimum diameter circle "tree ring" around trees that are placed within lawn areas. Place a 3" depth of mulch. Use shredded bark mulch or match mulch being used for shrub beds.

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC., 1000 SOUTH 1000 WEST RIVERDALE, IOWA 50319, AND SHALL NOT BE REPRODUCED, RE-DRAWN, OR USED ON ANY PROJECT OTHER THAN THE PROJECT SPECIFICALLY DESIGNED FOR, WITHOUT THEIR WRITTEN PERMISSION. THE OWNERS AND ENGINEERS OF REEVE & ASSOCIATES, INC. DISCLAIM ANY LIABILITY FOR ANY CHANGES OR MODIFICATIONS MADE TO THESE PLANS OR THE DESIGN THEREIN WITHOUT THEIR CONSENT.





# CITY OF NORTH SALT LAKE

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

**TO:** Honorable Mayor and City Council

Linda Horrocks  
City Recorder

**FROM:** Linda Horrocks, City Recorder

**DATE:** December 10, 2020

**SUBJECT:** City Newsletter and/or other Notifications to Residents via Mail

## **BACKGROUND**

During a recent City Council meeting, the Council discussed the challenge of getting newsletters and other important notifications to all residents.

Currently, the monthly newsletter is sent to residents inside the envelope with their utility bills. This creates some challenges:

- Residents in apartments or other multi-family developments do not get individual utility bills and therefore no newsletter. (*Note: Freedom Mailing prints an extra 250 copies of the newsletter, and our NSLPD Liaison Officer leaves them in the clubhouses or offices of some apartment complexes.*)
- Many residents are on an automatic payment plan and have either opted for paperless billing, or throw their bill away without opening the envelope when it arrives.

The Council asked us to look at other options for improving this process to more adequately reach the residents.

Type of Mailing	Utility Accts. Including Businesses	Paperless Households	Add'l Households w/out Utility Accts.	Total Pieces Delivered	Monthly Cost Per Household*	Total Monthly Cost
Currently: newsletter enclosed with utility bills + print extra 250 (5085)	4835			4835	\$0.37	\$1,766.00
Cost to mail directly to non-utility households (envelope & postage)		1187	1795	2982	\$0.88	\$2,700.00
Cost to saturate mail (one in every box - no envelope or address)	4835	1187	1795	7817	\$0.57	\$4,455.00
4.25 x 6 Postcard (cost includes postage)	4835	1187	1795	7817	\$0.42	\$3,250.00
5.5 x 8.5 Postcard (cost includes postage)	4835	1187	1795	7817	\$0.55	\$4,350.00

## **FOR CONSIDERATION**

### **Bi-monthly Newsletter Publication**

- Staff has discussed the possibility of moving to a bi-monthly newsletter publication and sending it out every other month, but using the “saturate mail” option so that every household would receive the publication.

### **Postcards**

- For important, brief communications, the city could utilize the postcard option for mailing to all households as needed.

### **Direct E-mail**

- A digital newsletter is always an option to which residents could subscribe. The website currently has approximately 750 people who have signed up for e-mail or text notifications.
- Through our utility payment system, we have approximately 880 e-mail addresses. (Some are possible duplicates to the above).
- We could put together some type of campaign to collect more residents’ e-mail address.

Please let us know if you would like to make a change to the current process.

Thank you.