

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
SEPTEMBER 28, 2021

FINAL

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

PRESENT: Commission Chair Ted Knowlton
Commissioner Ron Jorgensen
Commissioner BreAnna Larson
Commissioner Katherine Maus
Commissioner Alisa Van Langeveld
Commissioner Brandon Tucker
Commissioner William Ward

STAFF PRESENT: Sherrie Pace, Community Development Director; Mackenzie Bennett, Planner.

OTHERS PRESENT: Travis Davis, Hughes General Contractors; Bob Springmeyer, Bonneville Research; Matthew Clewett, Kaysville resident; Jack Ray, Utah Waterfowl Association; Dorothy Owen, Patti Jensen, Denise Payne, Dennis Bangerter; Eric Orme, Allison Musser, Heidi Jensen, Terry Murasco, Salt Lake City residents; Angie Keeton, Dee Lalliss, Brian Horrocks, Lisa Baskin, Stan Porter; residents; Soren Simonsen, Jordan River Commission; Paxton Guymon, York Howell & Guymon; Jed Stevenson, One West Construction; Steve McCutchan, Dave Tolman, XCEL Development; Heather Limon, Dalon Hinckley, Zach Hartman, Cross E Ranch.

1. PUBLIC COMMENTS

There were no public comments.

2. CONSIDERATION OF SITE PLAN APPROVAL FOR HVAC CONSTRUCTION
ADDITION AT 624 WEST 900 NORTH, HUGHES GENERAL CONTRACTORS,
GARY TYLER, APPLICANT

Mackenzie Bennett reported that the property located at 624 West 900 North was in the Manufacturing Distribution (MD) zone. The entire property was approximately three acres (130,680 square feet) but only 25,339 square feet were being used for the existing building and proposed addition. The remaining land would be used for outdoor storage. The application was for a 2,934 square foot addition to the existing 6,247 square foot building. This would increase the building's total square footage to 9,181. The existing building had 13 parking stalls and 1

ADA stall, the addition would increase the parking quantity to 20 stalls and maintain the single ADA stall. The additional provided parking would be compliant with City Code 10-6-5. The new addition would be used as office space and indoor storage for contractor services. The remaining redlines on the plan were related to the location of the water lateral located at the front of the property.

The applicant has proposed 2,861 square feet or 11.3% of landscaping which would exceed the 10% minimum required by code. This calculation was completed using the total disturbed area square footage and not the entire lot size. The proposed building addition would meet all the architectural design guidelines related to materials, massing, rooflines, etc. The Development Review Committee (DRC) recommended approval of the site plan for the HVAC Construction addition with the condition for the completion of any engineering redlines.

Travis Davis, Hughes General Contractors, was present representing the applicant.

Commissioner Jorgensen moved that the Planning Commission approve the site plan for the HVAC Construction addition located at 624 West 900 North with the following conditions:

- 1) Completion of any engineering redlines.**

Commissioner Ward seconded the motion. The motion was approved by Commissioners Jorgensen, Knowlton, Larson, Maus, Tucker, Van Langeveld and Ward.

- 3. PUBLIC HEARING: CONSIDERATION OF PROPOSED AMENDMENTS TO THE CITY OF NORTH SALT LAKE ANNEXATION POLICY PLAN & EXPANSION AREA MAP**

Chair Knowlton explained that the process tonight would be an overview by Sherrie Pace, a presentation by one of the major landowners that would be affected, and then the public hearing. He explained that no decisions had been made and the adoption of the Annexation Policy Plan was a decision to be made by the City Council with a recommendation from the Planning Commission. The purpose of the Annexation Policy would be to provide guidelines for a potential annexation and not a specific annexation in itself.

Chair Knowlton said that deliberations had started in regard to the annexation and had all been done within the public eye. He explained that this was the first public hearing regarding the annexation.

Sherrie Pace explained that the Annexation Policy Plan was a guiding document that would be used when property owner petitioned for annexation into the City. The plan would provide direction to the Planning Commission in making recommendations to the City Council. She

explained that City Council would also use the policy as a guide in the decision to approve or deny any annexation proposal. The current City Annexation Policy Plan was adopted in February of 2003.

She showed a map of the current plan to those present which detailed Area A, consisting of Chevron and the OHV Park, Area B, which was the unincorporated area between the City and Bountiful, and Area C, which was Forest Service property above Eaglewood Cove. Under State code, the City was required to have an Annexation Policy Plan before an annexation petition could be considered. The current Annexation Plan is only two pages in length and does not include many of the details that the State code now requires. She said the City was approached by property owners on 2200 West for consideration of a future annexation petition. This property was located west of the current City boundaries and along the Jordan River but was not part of the 2003 Annexation Plan. It was determined by the City Council that in order to consider the proposed petition that the Annexation Plan must be updated. The request to consider amending the plan to include Area D, provided an opportunity to update areas A, B, & C.

A consultant was hired to update the Annexation Policy Plan. The consultant interviewed affected entities regarding considerations that should be made in considering annexation and the costs and impacts associated with providing that entities services to the annexation area. Affected entities include service districts, county agencies, and city agencies. The plan is required to include criteria to advise the city's decision on future annexation petitions, criteria such as: character of the community; need for municipal services in that area; plans for the extension of those services; tax consequences to the property owners in the annexation area; and considers the interests of the affected entities. Additionally, the state statute requires that in preparation of an Annexation Policy Plan the City attempt to avoid gaps or overlays of annexation areas with other cities, consider population growth projections for 20 years along with estimating current and projected costs of infrastructure, services, and public facilities to facilitate expansion of services to that area.

The statute also required the City to consider the City's General Plan and the need for additional residential, commercial, or industrial areas. The plan must also address the justification for including agricultural land, forest, or recreational areas in the expansion areas. Other items to be considered in the plan preparation are drawing boundaries along existing districts where possible, eliminating islands and peninsulas, facilitating the consolidation of overlapping functions of local government, the promotion of efficient delivery of services, and encouragement for the equitable distribution of community resources and obligations.

Sherrie Pace reviewed the existing Annexation Policy Plan Map and the suggestion to remove the OHV Park from Area A, as there was no access from North Salt Lake as the property was separated entirely by the Jordan River. She said Area D is the proposed annexation area expansion to be added to the plan. She said Area D was west of the Jordan River and approximately 413 acres. Area D includes the proposed annexation for the River Ranch project

(owned by XCEL Development) and the Cross E Ranch property. The area also includes additional properties to avoid gaps and islands of unincorporated county between North Salt Lake and Salt Lake City. She clarified that this inclusion does not mean that all those areas would be annexed immediately but could be considered for future annexation petition by property owners. Area B is an unincorporated pocket between Bountiful and the City. Ms. Pace showed the boundaries for Area C, which was the forest service property.

Sherrie Pace stated that the projected population for the City at the end of last year was 23,430 residents. The projection is based on building permits issued along with average household size. She said this would be confirmed when the data from the 2020 census was released. The growth rate for 2021 was based on discussions with builders' projections for the number of units that would be completed in the City. Future growth projections are based upon projected Davis County growth rates provided by the Kem C. Gardner Policy Institute. It is estimated the City's population will increase to 29,918 people by 2041 without the inclusion of any annexation. If areas B & D are included in the projection the projected population is 37,337.

Sherrie Pace then provided background on the study and said that originally the consultant provided an analysis of the proposed Misty River (now River Ranch) project instead of a draft update of the Annexation Policy Plan. Staff has worked with the consultant on correcting the draft plan and done considerable work beyond the consultant input. Other considerations included schools, the Salt Lake County Conservation Area, airport mitigation areas and the SLC Airport Master Plan, Salt Lake City plans, and the 434 acre area zoned as a business park on the Swaner property. She said the Swaner property is west of annexation Area D and detailed the uses allowed in this SLC business park zone. Some specifications for that zone include a maximum building height of 60 feet, 15% open space with one third to be vegetative, side yard setbacks of 20 feet with additional standards for greater distances between residential districts than the typical 30 foot buffer, setbacks for buildings of 100 feet from a property line or 50 feet from adjacent property line, and landscape buffers, etc. This essentially is a light manufacturing zone with some commercial uses, warehouse, and recreational uses. Ms. Pace said the City has some concerns about this development in Salt Lake City including the bypass road that would tie into 2200 West and would stub into the Cross E Ranch property and implies a connection through that property to Center Street. The other concern with the bypass road is that it was an 84 foot wide right of way along with the proposed increase to a 77 foot on 2200 West, both tying into Center Street which is a 66 foot right of way. Other concerns with the Swaner property development include increased truck traffic on 2200 West and Center Street. She explained that this provided an idea of the uses Salt Lake City was contemplating adjacent to the annexation Area D.

Sherrie Pace spoke on the fiscal analysis as currently drafted and said there may be some errors in the calculations. This related to the general revenue and expense table, which showed declining revenues and a negative income after 20 years. This was attributed to the forecast of the City's property tax revenue remaining flat instead of increasing based on appreciation of

property values. Additionally, it appears that the sales tax revenues estimated did not take advantage of the new law from 2018, which allowed the City to collect sales tax on internet sales. Ms. Pace reminded those in attendance that the proposal being considered is the Policy Plan and not the actual annexation petition for Area D. She said if the plan is not amended to include Area D, the City could not receive any annexation petitions in that area. Specific information on the proposed development has not yet been approved in any form and has been provided as an example as to how the property might be developed. The property owners do have a conceptual idea, which has not yet been reviewed in depth by the City.

Commissioner Larson asked for clarification on where the County line was located on Area D. Sherrie Pace replied that it followed the Jordan River running north and south.

Commissioner Larson asked if all of Area D was located outside of Davis County. Sherrie Pace responded affirmatively.

Steve McCutchan, XCEL Development, commented that both major property owners were in attendance and suggested allowing them to speak tonight. He focused on concerns from the Planning Commission including the report from Lewis Young. He said that XCEL had hired Bonneville Research to provide a report on the River Ranch project in 2020, which has been updated to reflect the current 2021 market and has now been compared to the Lewis Young projections and said there are obvious disparities in the analysis. Mr. McCutchan explained that Bob Springmeyer with Bonneville Research is a respected municipal finance consultant who worked on the City's 2013 General Plan.

Bob Springmeyer, Bonneville Research, commented that Lewis Young was an exceptional firm but felt that their report did not represent their best work. He noted that he updated his analysis from 2020 with current market data for River Ranch with approximately 1,000 residential units (a mix of single family and townhomes),

Chair Knowlton commented that even if the Annexation Policy was adopted as submitted that the detail about the housing mix for the proposed development would not be part of the Policy. He said the reason why it was being discussed was to have a basis or example to make a financial projection.

Bob Springmeyer said that one of the objectives of the Annexation Policy Plan was to encourage equitable distribution of community resources, and he believes [Area D will provide]. He said this is a hypothetical development but gives a basis to look at. He stated that the Lewis Young analysis shows property values held constant for 20 years as well as discrepancies in sales tax revenue projection related to the point of sale for internet/catalog sales which generates sales tax revenue for a city in locations never previously forecasted. Mr. Springmeyer explained that his conclusions include a substantial increase in sales and use tax with property taxes held flat but adjusted property valuations based on 2021 data, electrical franchise taxes and natural gas tax

held flat as well. His analysis shows total revenues from this development jumping up to \$29 million. He also said he reviewed the numbers Lewis Young used to generate General Fund expenses and adjusted those based on population projections provided by North Salt Lake and not those from WFRC "City Areas" and the result, in his opinion was that this development should pay for itself.

Bob Springmeyer said he also studied the potential impact fees and cautioned trusting numbers that did not come from the City's own planning department. He commented to use his information as a general estimate but that an actual impact fee analysis would be required to determine the fees that would be adopted by the City.

Commissioner Van Langeveld thanked Mr. Springmeyer for analyzing the revenue and expenses. Bob Springmeyer replied that he did not have access to the City's finances, so he wanted it made clear that the estimates on expenditures were not adjusted other those adjusted based upon the population projections.

Commissioner Van Langeveld summarized the differences in the projected revenue is that it is based on including point of sales tax for internet sales and figures based partially on the population projections. Bob Springmeyer responded in agreement and said the Lewis Young study is inadequate in how they analyzed it.

Commissioner Jorgensen asked about the adjustment in population and if it was done on a pro-rata basis versus what Lewis Young did. Bob Springmeyer replied that he used the revenue as distributed by the State Tax Commission based upon the 2010 Census, as the State does not distribute based upon projected population. He said until the census numbers were released, and the State adjustments were made that this was the most reliable data.

Chair Knowlton clarified that the analysis was a 20 year view and asked about the shift in the decades after that. He asked about the financial implications after the 20 years. Bob Springmeyer stated that forecasts are always wrong even when the analysts do their best to make reasonable guesses. He gave the example of unknown impacts that cannot be anticipated or forecasted, such as COVID, Zoom, increased online sales, etc.

Chair Knowlton asked about things that could be forecasted such as infrastructure. Bob Springmeyer replied that local government was not in the business of making a profit but the way that capital investment must be planned by a city, it had to be paid using General Fund revenue, special assessment revenue, and the best estimate of those expenses. He explained that property taxes forecasts should not remain flat while forecasts for expenditures consider inflation.

Steve McCutchan commented that point of sale and internet sales make a big difference in the forecasted revenue. He said one item that has been brought up by the Commission is the

immediate effects associated with City services including public safety. Mr. McCutchan stated that the City had development impact fees, which were specifically designed for the purpose of dealing with some of those immediate [infrastructure] needs. He mentioned there are funding mechanisms such as certain fees issued with building permits and estimated that the impact fees would be approximately \$9 million, followed by property taxes on an annual basis.

Steve McCutchan then responded to the letters from Salt Lake City's Mayor and City Council which expressed opposition to City amending the Plan to include Area D and particularly the proposed project. He expressed embarrassment and said they had previously met with the Mayor's Office and were told that the Salt Lake City's administration would not be opposing the annexation and development project. So, the letters had surprised them. Mr. McCutchan explained that their administration [Mayor's Office] and the City Council operated as two separate bodies. He further explained that they have met with SLC since the first letter and have been told that SLC would not oppose the annexation. The second letter from the Mayor's Office did express that the City, nor the airport, would not outright oppose the annexation, but that they still have concerns that need to be addressed and would like to be involved in the process if NSL proceeds with annexation and development of the area. Mr. McCutchan believes that SLC is no longer opposed to the annexation, but that for political reasons the SLC Council and Mayor's office is not willing to send another letter stating that.

Chair Knowlton explained that the City can only consider what was provided by Salt Lake City for their position on the annexation plan or proposed project. The Commission cannot rely upon XCEL Development's interpretation of Salt Lake City's position on the annexation plan and potential future project if the City is not willing to send a new letter or provide comment at a public meeting.

Paxton Guymon, York Howell & Guymon, the attorney representing XCEL Development, stated that this effort towards an annexation petition had taken over a year and a half to obtain the resolution approval from the Salt Lake County Council. During that time Mr. Guymon said Salt Lake City had expressed their concerns to the County Council by saying the area was part of their Annexation Plan even though they would not be providing services to the area. He explained that the statute does not preclude more than one city from identifying the same land within their own Annexation Policy Plan. He explained that the property owners' efforts to meet with Salt Lake City and the Airport Authority, coupled with the recently updated Airport Master Plan which changed the noise impact forecast (moving the impacted area further west) led the Salt Lake County Council to reconsider the resolution in support of the annexation petition, thus giving approval for the landowner(s) to seek annexation to North Salt Lake. He explained that the main concern from Salt Lake City is protecting the airport. Mr. Guymon stated he negotiated the aviation easement to protect the airspace, which has been recorded and grants an easement for the airport and specifies sound vibration mitigation techniques for residential uses in the area. He said there may be political reasons behind the letters but assured the Commission that XCEL Development has addressed Salt Lake's concerns.

Chair Knowlton asked how the Commission could accept anything representing Salt Lake City's desire other than what Salt Lake City has provided to NSL in their letters. Paxton Guymon responded that if Salt Lake City opposed the plan or potential annexation of Area D, they had the opportunity to voice it at any of the public meetings and hearings held by North Salt Lake. He said he did a lot of work for developers and participated in annexations, which were always accompanied by a development agreement and the City has tools to ensure that any development matched what was proposed and approved by the City. Mr. Guymon said the process tonight was not about approving an annexation but expanding the plan so in the future the City could consider the annexation.

Commissioner Van Langeveld spoke on the avigation easement and the letter provided by Salt Lake City. She said the letter specifically stated that the Salt Lake Department of Airports was not opposed to the Annexation Plan and that while Salt Lake City maintained their concerns as outlined in its September 7, 2021 letter and strongly believed those concerns should be addressed, that Salt Lake City's position should not be construed as an absolute objection to annexation of the area already encumbered by an avigation easement.

Steve McCutchan stated that Area D and the River Ranch, project would ultimately have a positive impact on the businesses located on Redwood Road. He said the average family in River Ranch would spend \$8,300 a year in the City, which would be approximately \$8.8 million per year. Commercial businesses such as the neighborhood's Lee's Marketplace had expressed excitement and support of the approximate 1,000 new homes in the area to XCEL Development. Mr. McCutchan then addressed the issues of schools and how the property was part of the Granite School District. He said they have met with Davis School District, who expressed to them that the District not interested in expanding the boundaries to include this area. Thus, the developer was proposing a charter school.

Jed Stevenson, One West Construction, said that they were working with two of the top performing charter schools in Utah who would have an interest in developing and expanding their schools within the project. He said charter schools are open enrollment public schools. The difference is that Charter schools can pivot more quickly than a school district to meet the needs of an area.

Commissioner Van Langeveld asked about the timeframe for the completion of the charter school. Steve McCutchan replied that the original plan was to open the charter school during phase one of development. The school itself is planned now be built in three phases and could also include portable buildings.

Jed Stevenson commented that there were charter schools near this development that had the capacity to accept placement in the meantime. He said that children could attend the new school at the end of phase one of development. The grade levels would be K-6 or K-8 typically unless

the LDS Church provided a seminary building or space in a church building nearby for high school students, then expansion to 9-12 could be considered.

Steve McCutchan summarized that the goal for tonight was to look at whether Area D should be added to the Annexation Policy Plan update or not. He said there is no commitment to annex the property at this time, but just a consideration as to whether the area could be annexed in the future. Mr. McCutchan said Salt Lake City had not and would not provide services to the area, which was why they were seeking to annex into NSL.

Commissioner Van Langeveld asked if they had requested an annexation into Salt Lake City. Steve McCutchan said they spoke with Salt Lake [staff] several years ago about annexation and have been discouraged to petition.

Dave Tolman with XCEL Development said he was one of the property owners and that Salt Lake City has expressed the desire in their plans for either commercial uses or 2-5 acre agricultural parcels for this area. He felt that housing is needed and at the urging of Salt Lake County they approached NSL. Sherrie Pace clarified that it was Salt Lake City staff that encouraged the property owners to approach the NSL.

Steve McCutchan spoke on the issues with Salt Lake City including their refusal to provide services. He said the support the annexation will provide to the business community on Redwood could not be overemphasized.

At 8:26 p.m. Chair Knowlton opened the public hearing.

Denise Payne, 2848 North 2200 West, commented on how bad the existing traffic along 2200 West is and the lack of infrastructure for the proposed annexation area. She said if the area was annexed that they would be North Salt Lake residents while she would remain a Salt Lake City resident and expressed concern over the fine line that creates. Ms. Payne expressed that while she would like Cross E Ranch to have sewer and to continue to flourish that the area is not ready for development.

Heather Limon, Cross E Ranch, said they would love to have sewer and water access and felt an annexation into the City would be the best solution for them. She explained that "AG entertainment" was the only way to keep the farm operational and financially viable to remain a part of the community. Cross E Ranch's goal was to keep farming and preserve the agricultural history of the area, which annexation into the City would allow and support.

Soren Simonsen, Jordan River Commission, said he wanted to amend some of the comments he made during the previous public meeting last month. He referenced the document called Blueprint Jordan River, which contained guidelines for development adjacent to the Jordan River, including buffer setbacks. He said that his previous comments related to setbacks, river-

oriented development, better river function, and preserving wildlife habitats should be applied to both Areas D and A. Mr. Simonsen said that Murray has done a good job working with development near the river providing extensive wildlife buffers and Saratoga Springs was currently doing something similar. He also referenced the book Best Practices for River Front Communities and suggested the City utilize the principles if the annexation was approved. He noted with respect to the proposed River Ranch project that he believes a buffer of 100-150 feet would be reasonable depending on the programming and improvements to the space.

Dalon Hinckley, Cross E Ranch, commented that the well on his property connected to his home had just dried up that week. He said it is a lot of work and takes significant funding to upkeep the farm and expressed that their farm could not afford to not have sewer and water, but also can in no way afford to install the infrastructure necessary without the assistance of a developer willing to install the improvements. He asked the City to include Area D in the annexation update. Mr. Hinckley also spoke on the difficulty with getting timely emergency response to the Ranch, citing a car burglary incident in which response was over one hour from Unified Police Department. He expressed the desire for Cross E Ranch to annex and become a formal part of the North Salt Lake community.

Commissioner Van Langeveld asked about water use and how they currently obtained water for agricultural use. Dalon Hinckley replied that they have water rights from Jordan River and the North Pointe canal to water the property, but the issue is culinary water sources. He said that the issue was providing culinary and sewer water for the public during their venues onsite. They are required to provide bottled water, free of charge, to their guests because they do not have a municipal water source. The three wells on their property provided water to those whose homes are onsite, but that water is low quality and not used as a drinking source but for other household uses.

Zack Hartman commented that he represents Cross E Ranch as a land use consultant. He spoke on the Inland Port, which was previously the Northwest Quadrant of Salt Lake County. He stated that every area Master Plan completed for the area to date, that the Cross E property and surrounding area have been forgotten and not planned at all. Mr. Hartman said that at this time they are looking for a body that did not have animosity toward the Ranch or surrounding area and would be fair. He felt that the preserving the operations at Cross E Ranch would be a public benefit to the City.

Angie Keeton said she was a resident of the City in Foxboro who collaborated with the Westpointe Community Council on the Crossing County Lines webinar last September. She has been involved in educating the community about the annexation process. She said even though the plan should not be hedged on the hypothetical development of River Ranch that it was clear the developers drove the conversation. Ms. Keeton said that Foxboro residents feel separated from the rest of the City due to the industrial park, the train line and the highway. She expressed concern that this new area was further separated by the Jordan River and Legacy Highway. She

felt that this would be a barrier to providing a sense of community between the new area and the existing residential areas. She spoke on the other inherent separations including county lines, schools, etc., and impacts on new residents such as pollution and noise from the airport. Angie Keeton also said to keep in mind that not all the residents would frequent the businesses on Redwood such as Lee's and that this should not be the driver for development.

Dorothy Owen commented that she was the Chair of the Westpointe Community Council and that this issue was brought before the Salt Lake County Council for three years and turned down. During the second hearing related to the issue the Salt Lake County Council agreed to allow the annexation to proceed for those property owners that wanted to be annexed into North Salt Lake and removing those that had requested to be not included. She expressed concerns that Area D was larger than the area approved by the Salt Lake County Council in their resolution allowing the property owners to petition for annexation.

Ms. Owen further stated that there were several broad planning issues that needed to be resolved. The Westpointe Community Council held a webinar related to the annexation and issues in September of 2020. The webinar included representatives from North Salt Lake, Salt Lake County and Salt Lake City, as well as area residents. Ms. Owen said the Community Council had identified their planning process concerns and had generated questions they would like to have addressed. She said they have waited to see what the City and Salt Lake would do to address those questions.

Chair Knowlton stated that the Planning Commission would not make any recommendations today. He said it was a reasonable request from the Community Council to answer those questions from the webinar held in 2020.

Dorothy Owen spoke on the concrete and substantive issues related to this development. She said she believed that it would be helpful to the commission for her to read a letter written to Salt Lake County from Chris Wharton. Ms. Owen paraphrased Mr. Wharton's comments that government has a responsibility to protect future residents from negative impacts that will severely limit their quality of life. This included high density incompatibility with this area, particularly with the proximity to the airport.

Eric Orme commented that he was a property owner in the proposed Area D and while he had culinary water from Salt Lake City, it was not good quality being at the end of the line. He stated that he also spoke with EMS personnel and has been warned that the size of the dead-end line he is connected to would not be adequate to save his home in the event of a fire. He also noted that there are many failing septic systems in the area. Mr. Orme said many of his neighbors are in similar situations and he expressed his support of the proposed annexation so that they could live normally and have the same access to services that residents within the City have.

Allison Musser said she was a property owner on 2200 West and a member of the Westpointe Community Council. She said that it is hard to separate the proposed River Ranch development from the decision to include Area D in the Annexation Policy Plan. Ms. Musser said one of the main issues is the 2200 West infrastructure, as well as general safety and noise impacts. She said she was in favor of the existing residents and Cross E Ranch obtaining water and sewer but is struggling with the proposed development.

Patty Jensen commented that she lives on 2200 West and that most of the residents in the area chose to live there in a more rural setting because they want to live there and not because they wanted to buy property to later cash out. She said she wants to clear up some misconceptions that had been stated tonight including comments regarding access to emergency services or fire hydrants. Ms. Jensen said that Salt Lake and North Salt Lake had both assisted with fire services in the past during emergencies and the school issue had been resolved by parents advocating to have students bussed by Granite District to the Salt Lake City District. She said the only thing she is in opposition to is the proposed density of the proposed project based on the current status of infrastructure in the area. Chair Knowlton said that the Commission was not considering density of the proposed development at this time.

Terry Murasco said he is a Salt Lake City resident and former educator. He spoke on how nationally charter schools are underperforming compared to public schools. Mr. Murasco also spoke about clean water supply availability, air quality impacts on the new residents being located close to I-215 and how development considerations should be made that address those impacts.

Dennis Bangerter commented that he has lived in the proposed area his entire life. He spoke on issues with Salt Lake City including the cost to install a bigger waterline and septic tanks. Mr. Bangerter said he is not opposed to the annexation but felt a lot of work needed to be done related to infrastructure. He mentioned a few parcels on the west side of 2200 West that would become an island unless they were part of the Swaner Development or the City.

Jack Ray, Utah Waterfowl Association, representing areas near Area D where wildlife was preserved and protected. Mr. Ray felt it was difficult to separate the proposed development with the Annexation Policy Plan update as the financial justification of one depended on the other. He said that a less dense housing development that fits the rural and environmental character of the area would make the most sense and wondered what the financial analysis would be if the density were reduced.

Sherrie Pace responded to the comment from Dorothy Owen related to the size of Area D and the size of the annexation petition if the Annexation Policy Plan was approved. She said the resolution from Salt Lake County showed the Cross E Ranch and River Ranch properties as approved in the resolution to seek annexation from the City. Under State law, as Salt Lake County was a county of the first class, there are additional requirements for annexations across

county lines. Annexations across a county line with a county of the first class that property owners must first obtain a resolution from the County allowing the annexation petition to be filed. That requirement is specific to the annexation petition only not the Plan. The proposed Area D includes other properties not part of the development proposal as a matter of good planning, so that at a future date the plan will not have to be amended if other property owners in the area wished to see annexation. She also clarified that the draft plan did not include any of the financial numbers presented by Bob Springmeyer. The current draft contains the information provided by the City's consultant Lewis Young, but that the City was currently working to provide data from the City's forecasting model software Municast. She believes that data would be more conservative than Mr. Springmeyer's data and likely more optimistic than the Lewis Young data.

Commissioner Jorgensen thanked everyone who attended and shared information with the Commission and City.

Dave Tolman said they would continue to work with the Westpointe Community Council, the City, Salt Lake County, and the other entities there to address the concerns raised. He said he believes this area has been forgotten and appreciated the comments made by Cross E Ranch. Mr. Tolman said that while it is difficult to separate the Annexation Policy Plan update from the proposed development that services would not be extended to the annexation area without the development. He said it was a costly project at \$4 million to install culinary and secondary water and sewer through a loop system.

Chair Knowlton commented that during the October 12th meeting the Planning Commission would further review this item and potentially make a recommendation to City Council. He reminded those present that the Commission was not the decision-making body on this item. Sherrie Pace said once the Commission made a recommendation, she would advertise a public hearing likely to be held during the November 16th City Council meeting.

Commissioner Tucker requested additional information regarding the revenue and expenditure projections compared to the proportional costs currently incurred within the city boundaries. Commissioner Jorgensen clarified that it would be helpful to see the scaling and what the numbers might be. Sherrie Pace said that she will provide that comparison for the Commission.

Chair Knowlton closed the public hearing at 9:04 p.m.

Commissioner Van Langeveld said that the proposed development may not be appropriate to be part of the policy document but could be an addendum to the document. She said there were several ways to utilize this property including agricultural/business, open space, residential but believes the plan should not reference a specific development proposal. Chair Knowlton said that XCEL Development was looking for some indication on whether it made sense to pursue development.

Dave Tolman stated that the proposed project could change as part of the annexation process and general development plan review. He commented that at this time the Commission has not had the opportunity to review and comment on the specifics to the development plan. He would like to get an idea of the direction from the City. Chair Knowlton said that the City may not even incorporate Area D into the Annexation Policy Plan. He commented that it makes sense that a certain level of density will be necessary for the developer to go proceed financially with the project especially based on the significant cost of installing infrastructure.

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

Sherrie Pace reported that at the last City Council meeting the Williamsburg Apartments final plat and site plan were approved. She said they would break ground in the spring.

5. APPROVAL OF MINUTES

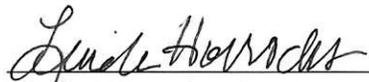
The Planning Commission meeting minutes of September 14, 2021 were reviewed and approved.

Commissioner Jorgensen moved to approve the September 14, 2021 Planning Commission minutes as amended. Commissioner Van Langeveld seconded the motion. The motion was approved by Commissioners Jorgensen, Knowlton, Larson, Maus, Tucker, Van Langeveld and Ward.

6. ADJOURN

Chair Knowlton adjourned the meeting at 9:12 p.m.

The foregoing was approved by the Planning Commission of the City of North Salt Lake on Tuesday October 12, 2021 by unanimous vote of all members present.



Linda Horrocks, City Recorder