

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
ANCHOR LOCATION: CITY HALL
10 EAST CENTER STREET, NORTH SALT LAKE
NOVEMBER 22, 2022

FINAL

Commission Chair BreAnna Larson called the meeting to order at 6:30 p.m.

PRESENT: Commission Chair BreAnna Larson
Commissioner Ryan Holbrook
Commissioner Ron Jorgensen
Commissioner Katherine Maus
Commissioner Irene Stone
Commissioner Brandon Tucker
Commissioner William Ward

STAFF PRESENT: Sherrie Pace, Community Development Director; Mackenzie Johnson, Planner; Karyn Baxter, City Engineer.

OTHERS PRESENT: Doug Koob, Paul Campbell, applicants; Dee Lalliss, resident; Wilford Cannon, Eaglewood Development.

1. PUBLIC COMMENTS

Dee Lalliss commented on the annexation public hearing and said that one thing not mentioned was the unincorporated area wanted to be part of Bountiful as they believed they would save money. He compared tax statements and found that everything was identical with a difference of \$247.90 for Bountiful, \$280.45 for the City, and \$171.21 for the unincorporated area. Mr. Lalliss said it would be a difference of \$13 between North Salt Lake and Bountiful City, and there would be a reduction for other services offered such as waste removal, etc.

Karyn Baxter introduced herself as the City Engineer and said she had worked for the City for 15 years.

2. PUBLIC HEARING: CONSIDERATION OF A PLAT AMENDMENT TO COMBINE TWO LOTS, ADJUST PROPERTY LINES, AND VACATE A PUBLIC UTILITY EASEMENT ON LOTS 104, 105R, AND 106R OF THE EAGLEWOOD COVE SUBDIVISION, PHASE 1. PROPERTY(S) LOCATED AT 644, 650, AND 647 SOUTH MOUNTAIN VIEW CIRCLE, DOUG KOOB, APPLICANT

Mackenzie Johnson reported that the reason this item had a public hearing was due to vacating and relocation of the public utility easement. She said Paul Campbell owned Lot 106R and 105R and Doug Koob owned Lot 104. Lots 106 and 104 each had one single family dwelling and Lot 105 was vacant. The intent of the plat amendment was to combine Lots 105 and 106. A fourteen foot wide public utility easement ran along the existing dividing property line of Lots 106 and 105. This easement was not being utilized and staff determined that it should be vacated. The City owns the property to the west of the subject lots and could need access which required that a 14 foot public utility easement be created along the new dividing property line of Lot 104 and 106R This would allow the owners to make the best use of their properties. The property owner of Lot 105R and 106R agreed to sell a small portion of Lot 105R to the property owner of Lot 104 so they can build an addition to their garage. The Development Review Committee (DRC) recommended approval of the plat amendment to combine two lots, adjust property lines, and vacate the public utility easement on Lots 104, 105R, and 106R of the Eaglewood Cove Subdivision with the condition that engineering and planning redlines are corrected.

Chair Larsen opened the public hearing at 6:38 p.m. There were no public comments and she closed the hearing at 6:39 p.m.

Commissioner Jorgensen moved that the Planning Commission recommend to the City Council approval of the plat amendment combining two lots, adjusting property lines, and vacating a public utility easement on Lots 104, 105R, and 106R of the Eaglewood Cove Subdivision, Phase 1 located at 644, 650, and 647 South Mountain View Circle with the following condition:

- 1) **Correction of engineering and planner redlines.**

Commissioner Holbrook seconded the motion. The motion was approved by Commissioners Holbrook, Jorgensen, Larson, Maus, Stone, Tucker and Ward.

3. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A 37 FOOT DRIVEWAY LOCATED AT 951 SOUTH WINTER LANE, BRADEN HANSEN, SAGE VALLEY CONSTRUCTION, APPLICANT

Mackenzie Johnson reported that per City code residential lots were permitted not more than one access driveway which shall be a maximum of 30 feet wide at the street lot line or as established by a conditional use permit and not to exceed 40 feet. The applicant requested a conditional use

permit for a 37 foot driveway on Lot 209 in The Ridge Subdivision. The Ridge's Development Agreement requires that single family lots with less than 70 feet of frontage at the front property line be limited to a maximum 20 foot curb cut for a driveway. The subject property is 80 feet wide at the right of way line and was permitted one driveway up to 30 feet wide or 40 feet with a conditional use permit. She showed the site plan and said the proposed driveway would be approximately ten feet away from the northern most property line. City code required a minimum of three feet from the property line. During the subdivision planning process, the water meters in The Ridge Subdivision were strategically placed in the center of each lot to allow a drive approach on either side. Per City code, the driveway cannot be built over a water meter and a City ordinance also prohibited cutting into Winter Lane for a minimum of 5 years after installation. Therefore, the water meter on Lot 209 could not be relocated and the proposed drive approach could not interfere with it. According to the Public Works Director, the water meter on Lot 209 is approximately 52 feet away from the northern most property line and five feet from the proposed driveway. The DRC recommended approval of the conditional use permit with the condition that the proposed driveway may not cross over or interfere with the existing water meter on the lot.

Commissioner Jorgensen asked if the five year moratorium on the road included the Google Fiber that was generally placed between the pavement and the curb and gutter. Mackenzie Johnson replied that no one would be allowed to cut into the new road for five years, including utilities such as Google Fiber. Sherrie Pace clarified that they would need to cut into the park strip or behind the sidewalk until the moratorium expired.

Commissioner Holbrook questioned if there was verification after the fact on the placement of the proposed driveway. Mackenzie Johnson responded that in this situation, the applicant would not be required to pull an excavation permit as there was already a right of way/concrete bond as part of the building permit fees. In order for that bond to be released, the new driveway and all other concrete in the right of way would need to be inspected.

Commissioner Ward moved that the Planning Commission approve the conditional use permit for a 37 foot wide driveway at 951 South Winter Lane with the following condition:

- 1) The proposed driveway may not cross over or interfere with the existing water meter on the lot.**

Commissioner Maus seconded the motion. The motion was approved by Commissioners Holbrook, Jorgensen, Larson, Maus, Stone, Tucker and Ward.

4. CONSIDERATION OF A PLAT AMENDMENT TO EAGLEWOOD COVE SUBDIVISION PHASE 13 TO ADD 7 NEW "HILLSIDE PARCELS" IN CONTINUATION WITH AND TO BE OWNED AND USED BY THE OWNERS OF LOTS 1310A-1316A. PROPERTY(S) LOCATED AT APPROXIMATELY 1375 EAST

THROUGH 1525 EAST WOOD OAKS LOOP, WILFORD CANNON, EWC 13
DEVELOPMENT LLC, APPLICANT

Sherrie Pace reported on the plat amendment for Eaglewood Cove Phase 13 and said the final plat was approved on April 6, 2021. Since that time, most of the infrastructure had been completed and the developer was preparing for home construction to begin. She showed a map of the parcels and said that the developer reached an agreement with the adjoining property owners, MRF, to add the remaining associated property along the north boundary. The proposed amendment would add this property, much of which was over 30% slope, to the development as Hillside Parcels that may be used for limited recreation and open space. This amendment added an additional 22.19 acres to the development with seven Hillside Parcels to Lots 1310-1316. The Hillside Parcels would be restricted by recorded plat notes that included Parcels with the “HP” design being sold in conjunction with the building lot of the corresponding number, for example, Lot 1316 & Parcel 1316HP. The HP may not be sold to someone that does not own the adjacent property. It would allow for future plat amendments that may combine HP or modify the property lines, access to an HP was only permitted via the adjacent lot, the entire HP would be restricted with a Critical Slope Easement, accessory structures may be permitted on an HP if the Critical Slope Easement was reduced by the City Engineer after submittal of a topographical survey that demonstrated a portion of the area had a slope of less than 30%, standards for construction of accessory structures were detailed in Note 14, and permitted uses for an HP would include picnic areas, trails, gardens, ski or sledding runs, or outdoor sports courts. The DRC recommended approval of the Eaglewood Cove Subdivision Phase 13 Amended with the condition that any remaining engineering redlines be corrected. She clarified that the majority of the redlines had been corrected.

Commissioner Tucker asked the reasoning behind adding the additional property and the value of the land. Wilford Cannon, Eaglewood Development, replied that the value was that some people like to have a lot of open space. He said that having the ability to say they had multiple acres had value to some people. MRF was not able to use the property in the way they had planned and concluded that the best course was to sell it to be added to these lots.

Mackenzie Johnson commented that they met with a potential property owner who wanted “country living” which these lots would provide.

Commissioner Jorgensen asked about the requirement to maintain the native vegetation and if the fire district required the removal of certain vegetation for a fire buffer. Sherrie Pace responded that the building envelope on these lots was large and would meet any standard. She was not concerned about the need for property owners to clean the urban wildland interface around the structures. Ms. Pace said that the intent was to maintain the vegetation that would keep the soil stable and avoid erosion problems.

Commissioner Jorgensen mentioned the permitted uses and said there seemed to be a contradiction in the notes. He said that one part of the notes specified that accessory structure could not include mechanical equipment or systems for ski or sledding tow rope motors but another section said that private ski or sledding runs which required the use of motorized tow ropes may only be permitted in certain instances. Sherrie Pace replied that the intent was to only allow one accessory structure and that a cabinet for the tow rope motor would not count as an accessory structure.

Commissioner Holbrook asked if the hillside slope area was elevated above the building area or located in a gully. Sherrie Pace replied that it was above.

Wilford Cannon replied that technically it was both as there was a gully. Sherrie Pace said the parcels in Phase 14 were above.

Commissioner Maus asked if the permitted uses, including the ski run and sports courts, would allow for grading and vegetation removal. Sherrie Pace responded that the property owner would have to demonstrate that the use could be constructed without large equipment or cutting in pads/roads.

Chair Larson asked if there was clear delineation in City code for the difference between accessory structures and accessory dwelling units. Sherrie Pace replied affirmatively and said that detached accessory dwelling units were not permitted.

Mackenzie Johnson clarified that accessory dwelling units (ADUs) could be permitted inside the main building envelope but not within the HP or critical slope easement.

Commissioner Jorgensen asked if the hillside parcel was a construct of the plat only or defined in the code. Sherrie Pace responded that it was a construct of the plat and would be implemented by the developer to be placed on the plat in perpetuity. She said that the restrictions were enforceable through code violations.

Sherrie Pace clarified that the property owners/seller were responsible for notifying the buyer of the restrictions. The property owner would also be informed when they applied for permits with the City.

Commissioner Tucker moved that the Planning Commission recommend to the City Council the approval of the proposed Eaglewood Cove Subdivision, Phase 13 Amended, located at approximately 1375 East to 1525 East Wood Oaks Loop, subject to the following findings and conditions:

Findings:

- 1) **The proposed amended plat meets the minimum standards of the land use code for plat approval;**
- 2) **The additional Hillside Parcels will be governed in accordance with the requirements related to geological hazards in City Code Title 10, Chapter 12;**
- 3) **The geotechnical report has been approved by the city consultant and the plat has been designed to meet the specific standards and recommendations contained therein;**
- 4) **The plat contains the appropriate notes regarding the individual lots and requirements of the geotechnical report.**

Conditions:

- 1) **Any remaining engineering redline corrections be completed prior to recordation of final plat.**

Commissioner Stone seconded. The motion was approved by Commissioners Holbrook, Jorgensen, Larson, Maus, Stone, Tucker and Ward.

5. CONSIDERATION OF FINAL PLAT APPROVAL FOR THE EAGLEWOOD COVE SUBDIVISION PHASE 14, 13 LOTS AND 2 "HILLSIDE PARCELS". PROPERTY(S) LOCATED AT APPROXIMATELY 1355 EAST THROUGH 1455 EAST COVE CREST COURT, WILFORD CANNON, EWC 14 DEVELOPMENT LLC, APPLICANT

Sherrie Pace showed the phasing plan for Eaglewood Cove Phases 13-15 and highlighted Phase 14 consisting of 13 lots and 2 Hillside Parcels. The Hillside Parcels were not building lots and were intended to be used and sold in conjunction with the adjoining building lot of the corresponding number. Staff reviewed the plat for compliance with the code and the same notes regarding usage and critical slope easements from Eaglewood Cove Phase 13 Amended would apply. Phase 14 contained 26.68 acres with 13 lots ranging in size from 0.68 acres to 1.51 acres. The DRC recommended approval with the condition that all redline corrections be made as well as the addition of an address being assigned for each building lot.

Sherrie Pace clarified that the road for this phase had not yet been built but would be constructed after the final plat was approved.

Commissioner Holbrook asked if the two flag lots shared a driveway or if there were two individual driveways. Wilford Cannon responded that there was a cross easement that allowed them to share a driveway or individual driveways could be built. He said one individual was interested in purchasing both lots.

Wilford Cannon commented that the geotechnical testing in this area came back at a lower strength ratio than anticipated. The original building envelopes were reduced to bring the parameters into acceptable ratios. A drilling company would perform additional testing on January 3rd. The construction work would have no impact on those buildable envelopes and Eaglewood Development could return to the City to request increased buildable envelopes after the testing was completed.

Commissioner Stone moved that the Planning Commission recommend to the City Council the approval of the proposed final plat for Eaglewood Cove Subdivision, Phase 14 located at approximately 1355 East through 1455 East Cove Crest Court, subject to the following findings and conditions:

Findings:

- 1) The proposed final plat meets the minimum standards of the land use code for final plat approval;**
- 2) The geotechnical report has been approved by the city consultant and the plat has been designed to meet the specific standards and recommendations contained therein;**
- 3) The plat contains the appropriate notes regarding the individual lots, hillside parcels and requirements of the geotechnical report.**

Conditions:

- 1) Any remaining engineering redline corrections be completed prior to recordation of final plat.**

Commissioner Ward seconded the motion. The motion was approved by Commissioners Holbrook, Jorgensen, Larson, Maus, Stone, Tucker and Ward.

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

Sherrie Pace reported that the City Council annexed Area B, the unincorporated Davis County Val Verda area with an effective date of January 1, 2023. This date may vary as the surveyor would need to draw the annexation map, a review by the County, certification by the Lieutenant Governor's office, and recordation of the plat at the County Recorder's office. Staff would work on a plan for the residents related to addresses, etc., and with the County on when to start City coverage of services.

Chair Larson asked about the zoning. Sherrie Pace replied that a public hearing on the zoning would be held in January.

Sherrie Pace explained how sales tax would work with the addresses remaining the same. She also clarified that this annexation did not include two parcels on Highway 89.

Sherrie Pace invited the Planning Commission to the holiday dinner on December 6th. She said there would be a Planning Commission meeting on December 13th but the December 27th meeting was canceled.

7. APPROVAL OF MINUTES

The Planning Commission meeting minutes of October 25, 2022 were reviewed and approved.

Commissioner Jorgensen moved to approve the meeting minutes for the October 25, 2022 Planning Commission meeting as drafted. Commissioner Maus seconded the motion. The motion was approved by Commissioners Holbrook, Jorgensen, Larson, Maus, Stone, Tucker and Ward.

8. ADJOURN

Commission Chair Larson adjourned the meeting at 7:26 p.m.

The foregoing was approved by the Planning Commission of the City of North Salt Lake on Tuesday, January 10, 2023 by unanimous vote of all members present.



Wendy Page, City Recorder