

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
CITY HALL-10 EAST CENTER STREET, NORTH SALT LAKE
APRIL 22, 2025

FINAL

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

PRESENT: Commission Chair BreAnna Larson
Commissioner Ryan Holbrook
Commissioner Ron Jorgensen via Zoom
Commissioner Johnathan Marsh
Commissioner Irene Stone
Commission Vice Chair William Ward

EXCUSED: Commissioner Brandon Tucker

STAFF PRESENT: Sherrie Pace, Community Development Director; Mackenzie Johnson, Planner; Caden Baines, Planning Intern.

OTHERS PRESENT: Dee Lalliss, Thomas Call, Laura Call, Jeremy Roberts, Tim German residents; Jeff Schleiger, John Newhall, Jaynee Poulson, The John Volken Academy; Greg Timothy, Jackson Haslam, Ivory Development LLC.

1. PUBLIC COMMENTS

There were no public comments.

2. PUBLIC HEARING: CONSIDERATION OF A PROPOSED CODE AMENDMENT TO TITLE 10, CHAPTER 10, SECTION 3 OF CITY CODE, REDUCING THE MINIMUM SIDE STREET SETBACK ON A CORNER LOT TO 20 FEET, UNLESS ACCESSING A GARAGE, THOMAS CALL, APPLICANT

Mackenzie Johnson reported that residents, Thomas and Laura Call, requested a code amendment to allow for a home remodel, construction of an addition, and conversion of an existing carport into a garage. She noted that the property was located in the previously annexed area in the R1-7 zone. She explained that City code 10-10-3 stated “corner lots, main buildings, shall have two front yards and one rear yard opposite the front elevation, and one side yard” and that “the minimum depth for the front yard for main buildings was 25 feet in that zone”. She said

that the current code designated the front yard anywhere that the right of way touched the public street.

Ms. Johnson commented that the applicant had proposed a code amendment which would reduce the minimum side street setback on a corner lot to 20 feet which was consistent with regulations in neighboring cities such as Farmington, Bountiful, and Woods Cross. She reviewed the proposed verbiage that included a required 25 foot minimum front yard setback to the main building with the allowance for corner lot side street setbacks to be 20 feet, unless where accessing a garage. She noted that the caveat for garage access was per the Development Review Committee's (DRC) request.

Chair Larson opened the public hearing at 6:35 p.m.

Thomas Call, resident, commented that he was the applicant. He mentioned several considerations found in city codes from neighboring cities including:

- Bountiful City had a consideration for a 15 foot setback on an irregular lot.
- Farmington City permitted staff to approve similar variances
- Centerville City allowed for an 18 foot allowance in certain conditions

Commissioner Stone questioned if this was a change to the City code. She mentioned a section of the applicant's yard that was not in compliance with the setback requirements of the existing City Code. Mackenzie Johnson clarified that this was a full code amendment for all residential zones in the City so that on a corner lot the setback on the side street would be 20 feet.

Commissioner Marsh mentioned the 18 foot allowance in certain conditions that was part of Centerville's code and asked if this was something the City would consider. Sherrie Pace replied that a review of Centerville's code showed it would allow for the reduction of the rear setback to 15 feet but not the side street setback.

Mackenzie Johnson commented that the Centerville code specified that for an irregular lot the required minimum rear yard setback may allow for 15 foot setback allowance and the 18 foot setback would be for the side yard setback in that instance. She clarified that the setbacks were different on a standard lot (side yard minimum of 8 feet for a combined 20 feet) versus a corner lot.

Chair Larson closed the public hearing at 6:43 p.m.

Commissioner Holbrook moved that the Planning Commission recommend for approval the proposed code amendment with the following findings:

- 1) The proposed amendment is in accord with the comprehensive general plan, goals and policies of the City.**
- 2) Changed or changing conditions make the proposed amendment reasonably necessary to carry out the "purposes" stated in this title.**

Commissioner Marsh seconded the motion.

Commissioner Stone questioned if the proposed amendment would allow the applicant to build what they had requested. She asked about a future discussion on the potential for a variance related to irregular lot shape. Mackenzie Johnson said that it would allow it to an extent including the two car garage. She noted that the code amendment would affect every residential zone in the City which had to be taken into consideration. She requested further review related to irregular lot shapes for any rear yard setback variances.

Sherrie Pace commented that this may not give the applicant everything they requested but would allow them multiple options to build a two car garage.

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

3. CONSIDERATION OF PRELIMINARY PLAT FOR AMBERLY PLACE PUD AT 979 NORTH AMBERLY DRIVE, JACKSON HASLAM, IVORY DEVELOPMENT LLC, APPLICANT

Mackenzie Johnson reported on Amberly Place located at 979 North Amberly Drive. She provided history on the project including former ownership by the Church of Jesus Christ of Latter-day Saints and was zoned Planned (P) District with the Foxboro Development. She said in 2008 the owner requested the property be removed from the governing Foxboro Development Agreement. She continued that the property was not rezoned or reverted to the previous zoning of General Commercial (CG) when it was withdrawn from the agreement. She noted that due to this the property would have its own General Development Plan and Development Agreement but would not require a rezone.

Ms. Johnson shared that in response to public feedback and direction from the Commission that the applicant had relocated the public cul-de-sac from accessing on Amberly Drive to accessing

from Norfolk Drive and running north to south. She mentioned that this was more consistent with the surrounding neighborhood as no residential driveways would be located along Norfolk Drive. She said that Foxboro had four different residential subzones (R1-4, R1-5, R1-6, and R1-7) with minimum lot sizes ranging from 4,000 to 7,000 square feet. She noted that Amberly Place PUD was adjacent to the R1-6 Foxboro subzone and shared a table comparing those standards with those approved for Amberly Place.

Mackenzie Johnson said that the minimum lot size in Foxboro R1-6 was 6,000 square feet and the request was for a minimum lot size of 5,760 square feet due to Lots 12, 13, and 14 in the proposed subdivision being smaller to accommodate a storm drain easement location. She touched on the other modification to the R1-6 zone was the minimum front setback to living spaces (20 feet versus 15 feet), minimum total combined yard setback (13 feet versus 10 feet), and a maximum lot coverage (75% versus 60%). She shared the proposed architecture style (craftsman and farmhouse) and the proposed materials and colors which were consistent with the existing neighborhood. She presented the landscaping plan including the placement of trees in accordance with the street tree ordinance.

Mackenzie Johnson explained that these homes would not have underground basements due to the high water table but that this could be reviewed by the City Engineer to potentially allow for a crawl space. She spoke on the requirement of two parking spaces per dwelling, 20 foot driveways, and two car garages. She concluded that staff found the preliminary plan to be compliant with the approved General Development Plan and the DRC recommended approval of the preliminary plan for Amberly Place PUD located at 979 North Amberly Drive with two conditions:

1. Correction of outstanding planning and engineering redlines; and
2. Final approval of the Development Agreement by the City Council.

Commissioner Holbrook asked about the prior concerns related to the HOA for the neighboring properties. Jackson Haslam, Ivory Development LLC, replied that after discussion the proposed subdivision would join the HOA subject to a two thirds vote by the existing HOA members.

Chair Larson questioned how they were notifying HOA members. Jackson Haslam replied that the Foxboro North HOA was contacting members via email, social media, and text.

Chair Larson commented that she lived in the area and was informed that a crawl space would be a home insurance issue due to the flood plain. She was in favor of the option as it would add more storage in the home and encourage utilizing the garage for parking. Mackenzie Johnson said she would follow up with the developer.

Commissioner Ward asked if there were any concerns with the front setback to garage at 20 feet. Mackenzie Johnson responded that the DRC had concerns but determined that the 20 foot setback would be appropriate given the surrounding neighborhood and its existing standards.

Commissioner Holbrook moved that the Planning Commission approve of the requested preliminary plat with the following conditions:

- 1) Correction of outstanding planning and engineering redlines; and**
- 2) Final approval of the Development Agreement by the City Council.**

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

4. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A PRIVATELY OWNED RECREATIONAL FACILITY NOT OPEN TO THE GENERAL PUBLIC AT 197 EAST PACE LANE AND ASSOCIATED WITH 934 SOUTH PARKWAY DRIVE, TIM GERMAN, APPLICANT

Mackenzie Johnson reported that this was a conditional use permit for a privately owned recreational facility which was specifically not open to the public. She noted the location was 197 East Pace Lane in conjunction with the neighboring property at 934 South Parkway Drive. She shared an aerial view of the proposed site with an existing single family structure on the 934 South property. She explained that the applicant owned both properties and would like to construct an indoor pickleball court for personal use.

Ms. Johnson clarified that City code 10-10-3 allowed “privately owned recreational grounds and facilities not open to the general public or to which admission charge is made” as a conditional use in the R1-12 zone. She provided a reminder that conditional uses were considered permitted uses with conditions to mitigate potential problems. She mentioned the DRC was supportive of this conditional use permit application if conditions were placed that the 197 East lot could not be sold as an individual building lot with a single-family dwelling and that the sports court remain privately owned and may not be operated as a commercial venture or open to the general public. She spoke on the need for the sports court property to be tied to a residential property to maintain the accessory use or as a residential use.

Mackenzie Johnson shared the floor plan including the proposed structure, which would require a building permit, for the sports court and bathroom.

Commissioner Holbrook mentioned concerns with the wording which stated that the property must be tied to, and sold with, the primary property. He commented that he wanted to ensure the property owner had flexibility on the lot and would not tie the two properties together. Mackenzie Johnson replied that this wording could be changed or removed. She clarified that the property must remain privately owned and not for commercial use.

Sherrie Pace said this was a conditional use in the zone independent to whether it was attached to a single family home.

Chair Larson questioned what would happen if the sports court was purchased for use as a residence. Sherrie Pace replied that it would not have the facilities for a dwelling unit (bedroom, kitchen, full bathroom) and would require a building permit to change the occupancy. She noted that if this property was located in an HOA that it could also be used as a private recreational facility.

Commissioner Marsh asked about the lot coverage for the facility. Mackenzie Johnson replied that it did not exceed the lot coverage and was properly set back off the street. She said that the City Engineer and the geotechnical consultant would need to review the location of the facility relative to the retaining wall as it was in the City's sensitive land overlay zone.

Commissioner Holbrook moved that the Planning Commission approve the conditional use permit for a privately owned recreational facility not open to the general public at 197 East Pace Lane and associated with 934 South Parkway Drive with the following condition:

- 1) The recreational facility remain privately owned and may not be operated as a commercial venture or open to the general public.**

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

Tim German, applicant, commented that this had been the most pleasant experience working with City staff and the Commission in his 30 years of development.

5. CONSIDERATION OF CONDITIONAL USE PERMIT FOR THE JOHN VOLKEN ACADEMY, A RESIDENTIAL LIFE SKILL FACILITY AT 1130 WEST CENTER STREET, (FORMERLY LIFE-LINE RESIDENTIAL TREATMENT), JAYNEE POULSON, APPLICANT

Sherrie Pace reported on the former Life-Line property at 1130 West Center Street which offered residential youth treatment. She shared that in 1995 the property was approved by conditional use permit as a day program for youth with substance abuse, behavior, or mental health illnesses. She noted that the students attended the facility from 8 a.m. to 8 p.m. and did not live at the facility. She said the school offered treatment services and served an average of 75 students with 40 employees.

Ms. Pace continued that in 2004 the property was rezoned from Manufacturing & Distribution (MD) to General Commercial (CG) and the conditional use permit was expanded to include a 20 bed residential component with the construction of a second building. She said between 2004 and 2024 the residential component grew from 20 beds to 54 beds; however, no approval for expansion were identified.

Sherrie Pace explained that Red Barn Academy was a residential life skills facility that operated in Farmington City for ten years. She shared that Red Barn was a long-term residential facility program for adult men who had completed treatment for substance abuse. She mentioned that Red Barn was closing and selling the business which had been a valuable transitional housing community. Sherrie Pace said John Volken Academy operated a similar program in Arizona, Washington, and Canada with the current operators of their Arizona location being past graduates of Red Barn Academy. She followed up that John Volken Academy has stepped forward to acquire Red Barn's assets and program and have purchased the Life-Line Property at 1130 West Center Street.

Sherrie Pace clarified that conditional use permits run with the land upon which they were issued and may be continued by subsequent owners within 12 months of ceasing operations on the property. She noted that conditional use permits require new property owners to be bound by the terms of the existing permit unless an amendment to the permit was requested. She said John Volken Academy has requested an amendment to the existing conditional use permit for the following provisions:

- Modification from a youth residential treatment facility to a residential adult life-skills facility
- Increase to a maximum of 100 residents (not including staff)

- Operation of a commercial moving business as vocational training for students (permitted use in the CG Zone)

Ms. Pace reviewed the academy's operations components:

1. Voluntary 2-year residential commitment to the sober living and vocational training program
2. Students reside in the dorm building (north building)
3. Adult males only
4. Students may not have their own vehicles while participating in the program and all transportation is provided by the facility
5. Ten (10) fleet vehicles used for transportation of students and staff
6. Six (6) box trucks for moving company operations
7. Ten (10) employee vehicles
8. Onsite staff housing in studio apartments which are located within the dorm building and additional staff apartments will be located in the office building as part of a future remodel

Sherrie Pace shared the site plan from 2006 with two existing buildings, basketball court, and sand volleyball. She showed the floorplan for the north building and spoke on the plan to remodel the building to increase the number of showers and toilets to accommodate the students proposed. She said the bedroom facilities would be shared living with four to seven bunks per room and the two office areas would be remodeled into studio apartments for staff to live in. Ms. Pace noted that the south building would also be remodeled to accommodate future dorms and common space. She continued that the initial remodel of the north building would accommodate up to 86 students and the south building would allow the applicant to accommodate 100 students total.

Sherrie Pace focused on the property which was 3.5 acres in size and had 90 parking spaces which would accommodate the 10 fleet vehicles, 6 box trucks, staff parking, and guest parking, as the residents are not permitted to have their own vehicles while enrolled in the program. She highlighted additional considerations including that the City had received numerous recommendations and letters of support from Farmington officials and the Davis County Health Department regarding the program. She said the program was highly regarded for both the assistance given to the students to transition into the community after recovering from substance abuse and for the contributions made voluntarily for community events or disasters.

Commissioner Jorgensen asked if there were any conflicts related to parking with the adjacent Legacy Park Trailhead. He also questioned if there were issues if there were governing regulators for the use. Sherrie Pace responded that this was not licensed as it was not a treatment program or youth. She noted that this was a voluntary sober living facility that provided life skills and

training. She said staff did not foresee any conflicts with the Legacy Park Trailhead. She mentioned that the City's Chief of Police reached out to Davis County and Farmington and determined that this program had been an asset to the community.

Chair Larson asked how many staff members would be onsite. Sherrie Pace replied that there would be ten staff members. She clarified that the previous use was a treatment center for children which required a certain ratio per the State.

Commissioner Ward moved that the Planning Commission approve the amendment to the conditional use permit for 1130 West Center Street for John Volken Academy with the following conditions:

- 1) The program will be limited to 86 students until the south building is remodeled for additional dormitory space, after which the program will be limited to a maximum of 100 students;**
- 2) Students shall not be permitted to have their own vehicles on site while enrolled in the program;**
- 3) All student transportation will be provided by the Academy;**
- 4) Operation of the moving business as vocational training shall be conducted in an orderly manner with no onsite storage of equipment other than the box trucks which shall be parked in the north parking area.**

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

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

Sherrie Pace reported that the City Council held their budget meeting on April 12th and canceled their April 15th meeting due to an annual conference. She provided an update on the Arts Committee and said a mural featuring artwork by local artist, David Montanaro, would be installed on a building across from Hatch Park. She shared examples of the artwork superimposed on the building. She added that a building owner on Center Street had requested a mural on his building as well.

Mackenzie Johnson provided iPads for the Commissioners to utilize during their term. She reminded the Commission that their annual training hours would need to be completed by July.

Sherrie Pace said the City's executive staff attended a retreat in January and participated in the Art of Leadership. She spoke on working together to create a joint art piece and how everyone has different contributions and strengths.

Caden Baines reported on the tree program and the need to advertise that the application was open.

Commissioner Stone questioned if Blue Stakes would need to be notified of tree plantings. Sherrie Pace responded that Super Trees would notify Blue Stakes and plant the trees. She shared that the residents would pay for half of the cost and the City would pay the other half. She noted that the information was on the City's website.

Sherrie Pace said there were 23 trees available and asked how many trees had been sold thus far. Caden Baines replied that only four trees had been sold and the deadline was April 30th.

7. APPROVAL OF MINUTES

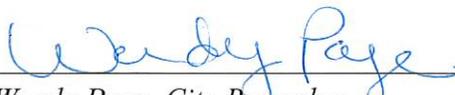
The Planning Commission meeting minutes of April 8, 2025 were reviewed and approved.

Commissioner Jorgensen moved to approve the Planning Commission minutes as drafted for the April 8, 2025 meeting. Commissioner Marsh seconded the motion. The motion was approved by Commissioners Holbrook, Jorgensen, Larson, Marsh, Stone, and Ward. Commissioner Tucker was excused.

8. ADJOURN

Commission Chair Larson adjourned the meeting at 7:42 p.m.

The foregoing was approved by the Planning Commission of the City of North Salt Lake on Tuesday, May 27, 2025 by unanimous vote of all members present.


Wendy Page, City Recorder

