

NORTH SALT LAKE CITY
PLANNING COMMISSION MEETING
JULY 12, 2016

FINAL

Chairman Robert Drinkall called the meeting to order at 6:29 p.m. and led those present in the Pledge of Allegiance.

PRESENT: Commission Chairman Robert Drinkall
Commissioner Lisa Watts Baskin
Commissioner Ted Knowlton
Commissioner Kent Kirkham
Commissioner Stephen Garn
Commissioner Leslie Mascaro
Council Member Ryan Mumford

STAFF PRESENT: Ken Leetham, Assistant City Manager and Community and Economic Development Director; Sherrie Llewelyn, Senior City Planner; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Steven Kelly, Brian Horrocks, residents; Taylor Spendlove, Brighton Development Utah; Shandell Smoot, Wilford Cannon, Eaglewood Development LLC.

1. PUBLIC COMMENTS

There were no public comments.

2. PUBLIC HEARING –CONSIDERATION OF A PROPOSED ZONE CHANGE FROM HIGHWAY COMMERCIAL (C-H) TO A PLANNED (P) DISTRICT FOR ODELL CROSSING LOCATED AT APPROXIMATELY 170 EAST ODELL LANE. TAYLOR SPENDLOVE, BRIGHTON DEVELOPMENT UTAH, APPLICANT

Sherrie Llewelyn reported that the amended General Development Plan for this property was approved by the City Council on June 7, 2016 with 44 multi-family residential units in a total of six buildings. The plan was revised to include the Harris' property at 170 East Odell Lane and to widen Highway 89 and Odell Lane. The rezoning of the property requires a public hearing at the Planning Commission, a recommendation to the City Council for final action. The Development Review Committee (DRC) recommends approval of the rezone request from CH to P District for Odell Crossing with no conditions.

Council Member Mumford commented that he is pleased with the changes and the widening of Odell Lane.

Commissioner Drinkall opened the public hearing at 6:33 p.m. There were no public comments and he closed the public hearing at 6:33 p.m.

Commissioner Garn moved that the Planning Commission recommend approval to the City Council of the proposed rezone from CH to P District for Odell Crossing located at approximately 170 East Odell Lane with the following findings:

Findings:

- 1) The proposed P district can be substantially completed within two (2) years of the establishment of the P district.**
- 2) The development contains one phase that can exist as an independent unit capable of creating an environment of sustained desirability and stability; and that the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts.**
- 3) The streets proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the P district.**
- 4) The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.**
- 5) Any exception from standard ordinance requirements is warranted by the design and amenities incorporated into the final plan.**
- 6) The P district is in conformance with the City's General Land Use Plan.**
- 7) Existing or proposed utility services are adequate for the population and use densities proposed.**

Commissioner Mascaro seconded the motion. The motion was approved by Commissioners Drinkall, Baskin, Knowlton, Garn, Mascaro and Council Member Mumford. Commissioner Kirkham was excused.

3. CONSIDERATION OF A PROPOSED SITE PLAN AMENDMENT FOR ODELL CROSSING LOCATED AT 210 EAST ODELL LANE. TAYLOR SPENDLOVE, BRIGHTON DEVELOPMENT UTAH, APPLICANT

Sherrie Llewelyn reported on the revised site plan for Odell Crossing which will consist of 44 multi-family units in a total of six buildings. As part of the development agreement the City is working with the developer and UDOT to install storm drains from Odell Lane to 30 North

Highway 89. The Development Agreement will be modified to show the proposed layout and the additional conditions proposed by the DRC.

The DRC recommends approval of the amended site plan for Odell Crossing with the following conditions: a joint agreement with the City and UDOT pertaining to the design, installation and funding of storm water from Odell Lane to 30 North Highway 89, fencing for the project shall be solid masonry or decorative wrought iron along the south property line and decorative split rail along the east property line adjacent to the trail, the driveway approach will be included in the Odell Lane road dedication, addition of one ADA parking space, and submittal of an updated landscaping plan reflecting the revised site plan.

Sherrie Llewelyn clarified that a majority of the townhouses will have driveways which will provide additional parking and that there will be no street parking on the private drive that runs east to west.

Commissioner Knowlton moved that the Planning Commission recommend to the City Council approval of the amended site plan application for Odell Crossing Townhomes at 210 East Odell Lane, with the following findings and subject to the attached conditions:

Findings:

- 1) The proposed use of multi-family dwellings have been approved as part of the Odell Crossing General Development Plan subject to the P-District rezone and Development Agreement;**
- 2) Sufficient parking is being provided for proposed use; and**
- 3) The site plan and landscape conforms to the approved General Development Plan.**

Conditions:

- 1) Subject to the approval of the P-District Rezone and Development Agreement**

Commissioner Baskin seconded the motion. The motion was approved by Commissioners Drinkall, Baskin, Knowlton, Garn, Mascaro and Council Member Mumford.

Commissioner Kirkham was excused.

- 4. CONSIDERATION OF A CONDITIONAL USE PERMIT & SITE PLAN AMENDMENT FOR A MUSIC RECORDING STUDIO LOCATED AT 401 NORTH 400 WEST. WES JOHNSON, APPLICANT**

Sherrie Llewelyn reported that the applicant had previously done an extension to the current building on the property for personal vehicle storage and would now like to build a 3,000 square foot private music studio on the back portion of the property. The building will not be visible from the street and will be constructed of split-faced block with no windows and two entrance doors. As the building will be a music studio measures will be taken to provide soundproofing to mitigate the internal sounds and any external noise. The addition will also include expansion of the parking area, construction of an underground storm water detention area and an emergency vehicle turnaround.

The drainage on-site has been approved and there is a Davis County drainage ditch on the north side of the property that will be used for storm water drainage for the site. The applicant has received prior approval to discharge into this ditch. The applicant will add an additional five parking spaces and as the existing building has three spaces above the requirement the DRC finds the parking to be adequate. During the 2006 site plan review of the existing building the Planning Commission granted a reduction in the required landscaping on the site to 10.48% of the east site or 3.6% of the entire site.

The DRC recommends approval of the conditional use permit and site plan for construction of a music studio with no conditions.

Commissioner Mascaro asked what the setback on the north side of the building would be. Sherrie Llewelyn replied that it was approximately three feet but in this zone there can be zero setbacks as long as a one hour fire rating is met.

Council Member Mumford moved that the Planning Commission approve the conditional use and site plan for a private music studio requested by Wes Johnson located at 405 North 400 West subject to no conditions. Commissioner Garn seconded the motion. The motion was approved by Commissioners Drinkall, Baskin, Knowlton, Garn, Mascaro and Council Member Mumford. Commissioner Kirkham was excused.

Commissioner Baskin asked why this would be considered a conditional use when there are no written conditions. Sherrie Llewelyn replied that it is referring to the review process. A permitted use is reviewed just by City staff. If it is a conditional use then the Planning Commission will review to see if there are any mitigating factors to be addressed. In this instance it is important to make sure the music studio is soundproof and has adequate parking which was done.

5. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR FIVE (5) FLAG LOTS IN THE PROPOSED EAGLEWOOD COVE SUBDIVISION, PHASES 13-15 LOCATED AT APPROXIMATELY 600 SOUTH TANGLEWOOD LOOP. W. SCOTT KJAR, EAGLEWOOD DEVELOPMENT LLC, APPLICANT

Sherrie Llewelyn reported that there is a conditional use permit and concept plan application on the agenda for the Eaglewood Cove subdivision and per the development code they are required to be processed separately. City staff has been working with the developer on the design of this development when it was originally six flag lots. Upon review of the development a redesign of the lower cul-de-sac was done and the current concept plan proposes five flag lots on Lots 35, 36, 38, 40 and 51. The new plan allows for larger one acre lots, a better layout and requires less fill for the downhill lots. Lots 35 and 36 will have a shared driveway at a slope of 15% and will require a turnaround which has been provided. Lots 38 and 40 also require a hammerhead turnaround which has been provided. All homes constructed further than 150 feet from the street will require installation of fire hydrants connected to a six inch water line and fire sprinkling systems.

The DRC has reviewed the requested flag lots and find that they meet the minimum standards and require the following conditions: the final design of the flag lots must meet the minimum standards of the land use ordinance and building permits shall not be issued on the flag lots until a final plat is approved and recorded and must meet all requirements of the Land Use Ordinance including Section 10-7-8 Flag Lots.

Mrs. Llewelyn then reviewed the Land Use Ordinance conditions to be met including reducing access onto major streets when necessary, utilize irregularly shaped land, utilize land with severe topography, provide protection of significant natural or environmentally sensitive areas or allow a property owner reasonable use and benefit of a parcel of land not otherwise developable. The requirements per the Land Use Ordinance regarding flag lots include: contiguous flag and staff portions, staff width at a minimum of 30 feet wide with 25 feet for each adjacent staffs and a maximum length of 150 feet, the flag portion must meet the minimum lot size of the zone, the flag portion must be similar in buildable shape to adjacent lots, the front side of the flag portion deemed front setback line, dwellings must maintain presence, be visible from and be oriented to the street, minimum setbacks apply to the flag portion of the lot with the rear yard opposite of the front setback line and any large windows or desk on the second floor must be oriented away from adjacent properties, the access drive must be 20 feet wide and have landscaping on both sides, the access drive must be asphalt or concrete and be properly maintained on a continuous basis. The following are required for fire protection for buildings constructed at greater than 150 feet from the street: approval by the fire marshal prior to issuance of a building permit, the structure may not be more than 500 feet away from a public street, concrete or asphalt access

driveways must be provided to within 150 feet of all portions of the exterior first story walls. Driveways are to be constructed of a minimum 2 ½" of asphalt and 6" of compacted road base or 5" or concrete over compacted road base and must be maintained in good repair with adequate snow removal, driveways must be 20' wide or 26' when adjacent to a fire hydrants and have a maximum grade of 15%, a turnaround must also be approved by the fire marshal, the access driveway must be marked with an identification sign, installation of a fire hydrant connected to a 6" line and installation of a fire sprinkling system.

Council Member Mumford commented that the minimal allowable slope for City roads is 12% grade but the proposed flag lots have a 15% grade. Sherrie Llewelyn replied that the 12% slope for City streets is most likely required for snow plowing and general traffic safety. As these are isolated individual homes with a low amount of traffic the 15% slope would be adequate.

Commissioner Mascaro asked in regards to the unusual building shape on Lot 35 on the Concept Lot Grading plan. Sherrie Llewelyn responded that this is due to the grading that will be done on the lot and said that these will be large lots.

Commissioner Baskin commented that the dwellings must maintain a presence from the street and be visible but that most of these lots have a 15% grade and 150 foot driveways. She asked if Lot 40 could be seen from the street. Sherrie Llewelyn replied that Lot 40 is higher than some of the other proposed properties and that the property owner must place the home in a location that is visible from the street as that is a requirement of the City code.

Commissioner Knowlton commented that by requiring that the home face the street it would have some visible presence towards the street. This would allow the home to be a relatable part of the neighborhood on some level.

Commissioner Baskin asked how the requirement of snow removal would be enforceable as it would be private property. Ken Leetham replied that the City would be the enforcing agency but the homeowners would have the responsibility of removing the snow.

Commissioner Mascaro asked if the shared driveway access would be noted on the plat. Ken Leetham replied that it would be noted on the plat and that the two property owners would be responsible for the maintenance of that driveway.

Ken Leetham provided clarification on the requirement of why homes must be visible from the street and said that, while the City discourages flag lots, the extended driveway and placement of the home could provide a challenge for emergency responders if the driveway is too long or the home is setback too far.

Commissioner Baskin said that these parcels of land might otherwise not be developable without the flag lot designation and asked if all the proposed lots would not be developable. Sherrie Llewelyn replied that to develop these properties a road would need to be built with less than a 12% grade and that these flag lots were created to avoid excessive cuts and fills and to reduce the creation of multiple cul-de-sacs.

Wilford Cannon, Eaglewood Development LLC, commented that the City discourages flag lots in the attempt to have more lots that are wide enough to allow the front of the home to face the street and have a backyard area.

Commissioner Kirkham arrived at 7:05 p.m.

Commissioner Garn expressed his concern with the length of the proposed driveways and the 15% slope in regards to emergency access for fire and ambulance vehicles.

Commissioner Knowlton moved that the Planning Commission approve the Conditional Use Permit for flag lots as requested in the proposed Eaglewood Cove Subdivision, Phase 13-15 located at approximately 600 South Tanglewood Loop, subject to the following findings and conditions:

Findings:

- 1) **The flag lots are necessary to reduce access onto major streets and thoroughfares;**
- 2) **The flag lots reasonably utilize irregularly shaped land;**
- 3) **The flag lots reasonably utilize land with severe topography;**
- 4) **The flag lots provide for the protection of significant natural or environmentally sensitive areas;**
- 5) **The flag lots allow a property owner reasonable use and benefit of a parcel of land not otherwise developable.**

Conditions:

- 1) **Final design of the flag lots meet the minimum standards of the Land Use Code**
- 2) **Building permits shall not be issued on the flag lots until a final plat is approved and recorded, and shall meet all requirements of the Land Use Code, including Section 10-7-9 Flag Lots.**

Commissioner Garn seconded the motion. The motion was approved by Commissioners Drinkall, Baskin, Knowlton, Garn, Mascaro, Kirkham and Council Member Mumford.

6. CONSIDERATION OF A CONCEPT PLAN APPLICATION FOR EAGLEWOOD COVE SUBDIVISION, PHASES 13-15 LOCATED AT APPROXIMATELY 600 SOUTH TANGLEWOOD LOOP. W. SCOTT KJAR, EAGLEWOOD DEVELOPMENT LLC, APPLICANT

Commissioner Drinkall commented that the Planning Commission had been provided with two emails from residents Chelsea Fife, and Ryan and Michelle Christensen regarding this agenda item.

Sherrie Llewelyn reported that the developer has been working on this project for several years and that City staff has been reviewing this application since February of this year. The proposed concept plan for Eaglewood Cove Subdivision Phases 13-15 consists of 75 lots east of the existing phases of Eaglewood Cove development. On August 5, 2014 the concept plan was scheduled for approval by the City Council but was pulled from the agenda due to the Parkway Drive landslide. The developer agreed to complete additional geotechnical analysis prior to re-applying for concept plan approval. Since 2014, the City placed a six month moratorium on the development of the hillsides for areas located within the Sensitive Lands Overlay Zone and during that time a new Geologic Hazards Ordinance was adopted. The developer of this project has been working with the City's geologic consultants to address the requirements of the new ordinance which includes the submittal of geotechnical reports with the Preliminary Plan and not with the concept plan as previously required. The purpose of this approval procedure is to ensure that the overall layout and basic elements of the design are approved by the Planning Commission and City Council prior to a full scale geotechnical investigation and subsequent engineering design of the development. This also allows the geotechnical consultants and engineers to complete a comprehensive evaluation and design that matches the approved layout of streets and lots.

The changes to the 2014 submittal include the reduction of the north cul-de-sac from 1,200 feet to 1,000 feet in length, the removal of Flag lots 23 and 24 in the southern cul-de-sac and replacement with lots that meet the minimum frontage and width requirements, the redesign of Lots 49-51 with Lots 49 and 50 meeting the minimum requirements of 45 feet of frontage and 90 feet of width at the 24 foot setback line, redesign of all remaining lots to meet the minimum frontage and width at the 24 foot setback line and will provide lots with more buildable area that will require fewer cuts and fills for building pads, redesign of the Tanglewood Loop intersection to facilitate a cul-de-sac less than 1,000 feet, the addition of a second storm drain detention area on the south portion of the development and the reduction of cuts and fill to less than 24 feet in conformance to the newly adopted geological hazards ordinance with the exception of a 28 foot fill area north of Lot 20.

Council Member Mumford asked if the storm drain detention area on the south portion of the development would be maintained by a Homeowners Association (HOA). Sherrie Llewelyn replied that Parcels C and D would be dedicated to and maintained by the City while MRF Parcels A and B by the water tank would not.

Commissioner Baskin asked why dedication of the land would be better than an easement. Sherrie Llewelyn replied that there would be public trail access and parking by the water tanks and that the dedication would help to avoid trespassing onto private land there.

Sherrie Llewelyn said that the concept plan review of this project requires a 14 day public comment period and that letters had been mailed to all property owners within 300 feet of the boundary. City staff has also received emails from Randy Shumway and Rick Schankel and a response letter from the developer which was attached to the staff report provided to the Planning Commission.

Ms. Llewelyn then said that all of the lots, with the exception of the flag lots if approved, meet the minimum requirements for frontage at 45 feet and 90 feet at the setback line for width. They also meet the minimum lot size of 12,000 square feet with the average lot size of 1.04 acres and the average buildable area of 16,194 square feet. The smallest lot is 0.34 acres and the largest is 3.28 acres.

Sherrie Llewelyn stated that the DRC supports the request for an exception to the cul-de-sac length as it reduces cuts and fills and preserves natural vegetation. The DRC also allows the loop road without a second means of egress based up on the Fire Marshal's condition to widen of the entrance portion of the road and requirement for all homes to be fire sprinkled. She explained that one of the regulations in the fire code is that when a road services more than 30 homes it is required to have a second means of egress, the Fire Marshal is willing to grant an exception if all of the homes on the loop are fire sprinkled regardless of size and that the right-of-way between Lots 8 & 9 and 42 & 41 will be widened in case of emergency. There are 33 buildable lots on that loop.

Sherrie Llewelyn then reviewed the required steps prior to application for a preliminary plat per the new geologic hazards ordinance requirements. Step one includes the Geologic Hazards Investigation Scoping Meeting and Permit which is a meeting between the City geologic consultant, City staff, the developer, and their geologic consultant to determine the consultant's qualifications and define the scope of the investigation and permit. The second step includes a submittal of a geologic hazards report outlining geologic hazards including slope stability, debris flow, rock fall, fault rupture, etc. The report must contain scientific data required in the ordinance, safety factors and the recommendations regarding hazard mitigation, engineering

design, drainage plans and vegetation. The third step involves the approval of the report, which must include the scientific methods used, data collection, findings and recommendations, by the City consultant and City engineer.

The DRC has reviewed the Concept Plan and finds it meets the minimum standards for approval with the following conditions: Conditional Use permit approval required for the proposed flag lots, the Fire Marshal must approve an exception to the requirement for a second means of egress with the terms that the right-of-way be widened between Lots 8 & 9 and also lots 41 & 42 to 60 feet, must receive Planning Commission and City Council approval of the requested exception to cul-de-sac length in accordance with Section 10-7-7(K)(4)(I)(6), MRF Agricultural Parcels A and B be rezoned to Natural Open Space (NOS) Zone in accord with the original annexation/development agreement and the fill area north of Lot 20 must be reduced to less than 25 feet by moving road to the south.

Sherrie Llewelyn reported that the following items have been reviewed with the developer and are to be addressed with the preliminary plan, engineering and geotechnical review: the cuts and fills design will be based upon an approved conceptual plan, the detention basin ownership and design to protect homes down-slope (i.e. Size, construction, overflow, outlet) LID (low impact design) techniques that can be incorporated into the design to lessen the impact on storm water runoff, geotechnical analysis is in conformance to the new ordinance required prior to Preliminary Plan Application, slope stability and fill may require mitigation, covenants and restrictions limiting the removal of natural vegetation on lots, phase/plat boundaries and lot numbering, Parcels A & B as required open space for the development or rezoned to Natural Open Space to ensure preservation, access to each lot, sloped driveway and sewer service, possible irrigation and landscaping restrictions for lots, roof drains may require pump to storm drain unless alternate methods or easements are provided.

If the Planning Commission approves the Concept Plan it will then go to the City Council for approval or denial. If it is approved the developer would then proceed with the geotechnical review.

Wilford Cannon said that this project has been in the works since 1991 and presented the original plat to those present. The original plat showed the golf course and 105 lots that had received preliminary approval. Mr. Cannon said that with the topography and the issues with the hillside that it has been prudent for Eaglewood Development to step back and voluntarily subject themselves to the additional Geologic Hazards Ordinance and geotechnical requirements as they want the best development possible. He also said that thirty lots have been removed which has allowed for bigger lots and improved roads as well.

At 7:30 p.m. Commissioner Drinkall invited those in the audience to comment on the proposed Concept Plan for Eaglewood Cove.

Steve Kelly, 647 Woodbriar Way, commented that he has lived on Woodbriar for almost 20 years and that he shares the concerns of other residents including Mr. Shumway and Mr. Schankel. These concerns include finding the cause of the landslide before further development is done in the area, issues with water pressure and access. He also expressed concerns for only having one route for evacuation in the event of an emergency and said that the streets are already narrow in that area and with the addition of more homes this will cause a bigger issue with traffic flow as well.

Council Member Mumford commented that the loop on the southeast portion has over 31 lots and asked why it would not be considered a cul-de-sac. Ken Leetham replied that by definition the loop area is not a cul-de-sac and that the fire department has conditions on how the loop will function including widening the road in certain areas for better access.

Council Member Mumford also expressed concern with Parcels B (which is a detention basin), C and D and the slopes there.

Steve Kelly commented that all the current egress routes in the area cannot be changed and since the roads are already narrow that putting in a large development will just make it worse.

Commissioner Kirkham asked what the answer to the problems with the water issues would be. Ken Leetham replied that the additional tanks in the area should help with water pressure and availability.

Wilford Cannon commented that they provided larger tanks than what their engineers recommended would be adequate for the area and that one of the tanks is dedicated to irrigation water.

Ken Leetham then addressed Council Member Mumford's question in regards to Parcels B, C and D and said that B and D are both intended for detention basins. After numerous discussion on the locations of these ponds in regards to safety and if they should be owned by the City or not that it is the consensus of the DRC staff that the best way to control storm drainage is for the City to own and operate the tanks. These facilities will also require drainage through lot lines to the City's storm drain system. Parcel C is complicated and the DRC recommends City owned open space with a trailhead and parking spaces.

Council Member Mumford commented that he is not opposed to double frontage lots but said that there appears to be multiple double frontage lots in this development. He asked who would be responsible for snow removal on the sidewalks of these double frontage lots. Sherrie Llewelyn replied that while City staff did not discuss snow removal on the sidewalks there would be areas marked on the plat as “no access” as these are big, “hilly” lots that may not have sidewalks on both sides.

Commissioner Kirkham commented in regards to traffic and said that while there are fewer lots than planned if staff had reviewed the impact on the narrow streets in that area. Ken Leetham replied on the traffic study done at Odell Lane and said that there were 15-18 vehicles in the morning. These proposed lots will generate about 10 trips in a 24 hour period. He said that the streets below will cause difficulty if people park on the streets but that this issue will develop any time lots are added to an existing area. There will be two routes that connect to the subdivision for traffic dispersion.

Ken Leetham then explained that the open space on Parcels A and B would be privately owned and that these parcels were never intended to be developed. He said this is the last portion of the original 450 acre plan. He also explained that the trail would be accessible through an easement at the water tank and would include parking. The trailhead would be in Parcel C and Parcels B and D would be maintained in a pleasing way.

Council Member Mumford commented in regards to the Geologic Hazards Ordinance and asked if the reports show that certain areas cannot be built on due to geographic issues what would happen at that point. Sherrie Llewelyn replied that any lots that were unsafe to build on would need to be eliminated from the plan. The developer would have to redesign a portion of or the entire plan depending on the review.

Wilford Cannon commented that they are involved in the review of the property and have a dozen test pits that have been analyzed and that their engineers have redrafted their reports multiple times to conform with the City’s requirements.

Commissioner Baskin commented on the letter from Scott Kjar which states that language would be included to say that the cuts and fills may not exceed 25 feet and asked what the background for this requirement would be. Sherrie Llewelyn replied that this is related to the City’s Geologic Hazard Ordinance and that when these lots are sold to homeowners they will understand there is a restriction on the lot and the home has to fit the lot. There will be good design and engineering and no over-grading or overfilling and requirements for mitigating the standards and keeping the natural drainage. These restrictions will be required on the plat and covenants and the real estate agent, builder, planner, etc. will be required to provide notice to the lot owner.

Commissioner Garn moved that the Planning Commission recommend approval of the proposed concept plan for Eaglewood Cove Subdivision, Phase 13-15 located at approximately 600 South Tanglewood Loop, subject to the following findings and conditions:

Findings:

- 1) The proposed concept plan meets the minimum standards of the land use code for concept plan approval;**
- 2) The proposed layout minimizes the necessary cuts and fills and provides an efficient design;**
- 3) The exception to maximum length of a cul-de-sac is warranted based upon the following:**
 - i. Physical conditions exist which preclude the ability to establish any other means of access, namely topography.**
 - ii. Construction of a through street will result in undesired cuts and fills, affecting natural drainage patterns and existing vegetation**
 - iii. The exception has received favorable recommendation from the Fire District and Development Review Committee**

Conditions:

- 1) Approval of a conditional use permit is required for the proposed flag lots;**
- 2) The Fire Marshal must approve an exception of requirement for second means of egress for roads with greater than the 30 lots. The terms of that approval are:**
 - a. Widening of right of way between lots 8/9 & 41/42 to 60 feet;**
 - b. All homes on loop road will be required to have automatic fire sprinkler systems, regardless of home size.**
- 3) Planning Commission & Council approval of the requested exception to cul-de-sac length in accordance with Section 10-7-7(K)(4)(I)(6);**
- 4) MRF Agricultural Parcels "A" & "B" be rezoned to Natural Open Space (NOS) Zone in accord with the original annexation/development agreement;**
- 5) Fill area north of lot 20 must be reduced to less than 25 feet by moving road to the south.**

Commissioner Knowlton seconded the motion. The motion was approved by Commissioners Drinkall, Knowlton, Garn, Mascaro, and Council Member Mumford. Commissioners Kirkham and Baskin voted in opposition to the motion.

- 7. CONSIDERATION OF THE PROPOSED TOWN CENTER MASTER PLAN, AN AMENDMENT TO THE CITY'S GENERAL PLAN**

Ken Leetham reported that City staff and the Planning Commission have put a lot of time and effort into this project and that it has been in the works for some time now. He then identified seven items in the plan for policy and direction. Item one includes committing to the proposed Land Use Plan which includes trails, open spaces, walkways and specific street cross-sections. Item two reaffirms the City's commitment to the expansion of Hatch Park, establishment of BRT and continued public investment in improvements in the town center. Item three commits to concepts like walk-ability, a complete streets network, trail building, shared parking, specific street cross-sections, decorative street lighting, and a host of street-level amenities. Item four commits to utilizing form-based code principles. Item five commits to a branding study. Item six commits to a new zone for the Town Center and item seven commits to a historic resource designation for the Bamberger sites.

Mr. Leetham then discussed additional recommendation from City staff which include: completion of an economic analysis that evaluates the approved land use plan as such an analysis will evaluate the feasibility of non-residential land uses at key locations such as US89/350 North, Eaglewood Village, Center Street and other issues related to the demand for office, retail, live/work space, etc, creation of an aggressive landscaping and streetscape beautification plan that would improve both City-owned property and private locations (Sinclair, Truck Trim, Bountiful Pointe Apartments), creation of a pathway/trail building capital facilities plan so that planned trails are implemented, completion of a parking analysis to determine how much parking and what type of parking should be included in future City ordinances and the implementation of tree planting/landscaping plans for Center Street between Town Center and Redwood Road. He said that the City could potentially use Redevelopment Area (RDA) funds and other incentives for development.

Commissioner Mascaro moved that the Planning Commission recommend approval to the City Council of the Town Center Master Plan including the twelve (12) amendments to the plan document contained in the staff memorandum dated June 28, 2016. In addition, I move that the Planning Commission recommend to the City Council that it authorize the five (5) additional tasks related to the Town Center Master Plan also noted in the same staff memorandum. Council Member Mumford seconded the motion. The motion was approved by Commissioners Drinkall, Baskin, Knowlton, Garn, Mascaro, Kirkham and Council Member Mumford.

8. APPROVAL OF MINUTES

The Planning Commission meeting minutes of June 14, 2016 were reviewed and approved. **Commissioner Knowlton moved to approve the minutes of the June 14, 2016 Planning Commission meeting as amended. Commissioner Garn seconded the motion. The motion was approved by Commissioners Drinkall, Baskin, Knowlton, Garn, Kirkham, Mascaro and Council Member Mumford.**

Council Member Mumford reported that the City's Fourth of July celebration was fantastic and the Eaglewood fireworks and 5K were a success. The Festival of Speed was also extremely well attended and is improved each year.

Commissioner Baskin commented that it was a great show and asked how much additional funding was spent on fireworks this year compared to last year. Ken Leetham commented that while he was not sure of the amount that the City had received some additional donations this year that were used for the fireworks.

9. ADJOURN

Chairman Drinkall adjourned the meeting at 8:35 p.m.



Chairman



Secretary