

NORTH SALT LAKE CITY
PLANNING COMMISSION MEETING
JULY 26, 2016

FINAL

Chairman Robert Drinkall called the meeting to order at 6:32 p.m. Commissioner Ted Knowlton 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: Sherrie Llewelyn, Senior City Planner; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Steve Israelsen, Villas Development Inc.; Spencer Ward, Tom Stuart Construction.

1. PUBLIC COMMENTS

There were no public comments.

2. CONSIDERATION OF SITE PLAN APPROVAL FOR AN INDUSTRIAL/OFFICE BUILDING LOCATED AT 1475 WEST CENTER STREET, SPENCER WARD, TOM STUART CONSTRUCTION, APPLICANT

Sherrie Llewelyn reported that this site is the location of the JT Thorpe building and the applicant is requesting to build a second building on the property. The total site is 3.38 acres in the Manufacturing Distribution (MD) zone. The property is adjacent to the Jordan River and across from the sewer treatment plant. At this time the applicant does not have a tenant and would be building an 18,000 square foot shell. There will be 23 additional parking spaces added to the site which will allow for 10% of the building to be used as office space with the remainder for warehouse use.

Mrs. Llewelyn explained that due to the number of parking stalls being provided, future tenants would be limited to businesses that did not require more parking than existing. Further given the

geometry of the site, a loading dock with a six foot screening wall cannot be accommodated on site. Under the code that limits delivery trucks to 12,000 pounds gross volume weight or less.

The total landscaped area of the site is 20,254 square feet or 13.7% of the total site with additional landscaping fronting Center Street and also providing a buffer between the building and the Jordan River. The landscaping plan and the proposed square footage meet the landscaping standards in the City code. No outdoor storage will be permitted for the new building and the existing building has been modified with a sight obscuring wall for the purpose of screening the outdoor storage associated with JT Thorpe.

Sherrie Llewelyn clarified that as the contractor for JT Thorpe had originally stated there would be no outdoor storage and was found to have outdoor storage that they have been required to install a site obscuring wall with the landscaping buffer between the wall and the future canoe take out site to the south. She then explained that for the new building the applicant was proposing to have the building 8' from the rear property line. There are several emergency egress doors that would access directly into the landscape buffer, therefore staff is recommending that the building be moved slightly to the north to provide a sidewalk between the building and the landscape buffer. The police chief has requested that a chain-link security fence between the landscaping and sidewalk to prevent vandalism, such as graffiti to the building.

Per the architectural review, the building is similar to the existing JT Thorpe building and will comply with the City ordinances. The City Engineer has reviewed the drawings and has a few items that need to be addressed including notes on the plan and the widening of the portion of Center Street fronting this building.

The Development Review Committee (DRC) recommends approval of the site plan permit for Tom Stuart Construction at 1475 West Center Street with the following conditions: final tenants shall be limited to uses which do not exceed the minimum parking required, no outdoor storage will be permitted, delivery of goods and materials will be limited to trucks no greater than 12,000 pounds, a sidewalk and fence is required on the rear portion of the building between the building and the landscape buffer, and the submission of a lighting and photometric plan as well as the engineers redline corrections.

Spencer Ward, Tom Stuart Construction, commented that the only issue they have is shifting the building to accommodate the chain-link fence as a decrease in the square footage has long lasting effects on the lease rate. He said that while he understands the 8' buffer is a requirement that he does not want to decrease the size of the building or reduce parking. He asked if they could provide a walking path and fence in the 8' buffer area instead of having an 8' buffer and then a fence and walkway.

Sherrie Llewelyn recommended decreasing the front landscaping by two to three feet and shifting the building forward so that there would be room for an adequate walkway. Spencer Ward replied that they would be happy to decrease the front landscaping or put the fence and walkway in the 8' buffer as long as they did not have to reduce the square footage of the building.

Commissioner Knowlton asked what the landscaping requirement would be. Sherrie Llewelyn commented that there is a 10' landscaping requirement between the parking area and the street and that she believes that there is extra space to design a site plan which will meet the requirements and not diminish the square footage of the building.

Council Member Mumford asked what fence type was put up against the Jordan River on the existing building on the property. Sherrie Llewelyn replied that previously it had been a chain-link fence which was replaced with a solid fence to obscure the outdoor storage. She said the applicant could install whatever type of fence they wanted here as there would be no outdoor storage.

Council Member Mumford commented that he had viewed the property and the current building has visible outdoor storage. Sherrie Llewelyn responded that the owner has been informed that this is a zoning violation. The equipment is supposed to be returned to Kennecott, if it is not moved from the property or moved inside the storage area, the matter will be referred to code enforcement.

Spencer Ward said that they have also talked to JT Thorpe about removing the visible outdoor storage as it is an eyesore and affects their ability to lease the proposed building.

Commissioner Drinkall asked the applicant if they were aware and could comply with the five conditions for approval. Spencer Ward replied that they would comply and asked what would need to be done to increase the weight for the delivery trucks.

Sherrie Llewelyn said that currently the building does not meet the minimum requirements for loading space to accommodate large trucks.

The Planning Commission then discussed whether a condition to avoid reducing the square footage of the building should be included in the motion. Sherrie Llewelyn commented that she did not believe a recommendation needed to be added as the proposed motion did not specify or require the building's square footage to be diminished. She said that the motion only required that the applicant provide a sidewalk and fence on the rear portion of the building between the building and the landscape buffer. The Commission determined that as the building's square

footage might have to be decreased to meet the buffer and fence requirements that it would be better not to include a requirement regarding the square footage of the building to allow flexibility for the applicant.

Commissioner Mascaro moved that the Planning Commission approve the conditional use and recommend approval of the site plan for Tom Stuart Construction at 1475 West Center Street subject to the following conditions:

- 1) Final tenants shall be limited to uses which do not exceed the minimum parking required, as provided on the site;**
- 2) No outdoor storage is permitted in association with this building;**
- 3) Delivery of goods and materials to this building will be limited to trucks no greater than 12,000 lbs. gross volume weight;**
- 4) Provide a sidewalk and fence on the rear portion of the building between the building and the landscape buffer;**
- 5) Submission of a lighting and photometric plan, as well as the engineers redline corrections.**

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

3. CONSIDERATION OF PRELIMINARY DESIGN PLAN AND FINAL PLAN PLAT APPROVAL FOR VILLAS AT BELLA VIDA, PHASE 3 LOCATED AT APPROXIMATELY 300 EAST BELLA VIDA DRIVE. STEVE ISRAELSEN, VILLAS DEVELOPMENT INC., APPLICANT

Sherrie Llewelyn reported that on May 20, 2014, the proposed amendment to the Bella Vida general development plan was approved by the City Council with no conditions. The amendment reduced the number of residential units from 103 to 73. Preliminary and Final Plat was approved by the City Council on July 15, 2014. On October 21, 2014, the City Council granted an extension to the approval and recording of the final plat until July 31, 2015 with the conditions that additional geotechnical reports be submitted and approved by the City Engineer prior to the recording of the subdivision plat and the City reserving the right to require changes to the final plat if needed based upon new geotechnical information. As the July 31, 2015 extension date was not met the applicant has filed a new preliminary and final application, which is before the Planning Commission at this time.

The developer has been working with City staff and the geotechnical consultant on this property for the last 2 years. The City consultant's main concern is that if there were to be an increase in the water table in the hillside, the hillside slope analysis safety factor would be reduced from the minimum requirement of 1.5. There are no existing high water conditions in the hillside, but to be cautious the geotechnical consultant has recommended installing 3 piezometers, for ground water monitoring, in three pumps to de-water the hillside should it ever become necessary in the future.

Mrs. Llewelyn clarified that the piezometers and pump wells would be installed before the homes are built and that it has been designed to work with the storm drain system in the area so as not to overload capacity of the system.

Commissioner Kirkham asked if the system has been designed with a backup pump in case of failure. Sherrie Llewelyn replied that there will be a monitoring system that would send an alarm and data if the pumps failed. She said the DRC has discussed maintenance plans including the option to have the HOA maintain the system and obtain reporting from a geotechnical firm hired by the HOA. The DRC is concerned with this proposal. The City manager has proposed creating a special service area which would require that each homeowner be billed monthly for maintenance with the City using those fees to monitor and maintain the pumps.

Sherrie Llewelyn commented that with the Planning Commission's recommendation the project engineers could be asked to put a backup pump in the system.

Commissioner Kirkham asked what the risk to the hillside would be if there was no backup pump and a delay in reporting. Steve Israelsen, Villas Development Inc., said that the pumps are more like wells instead of sump pumps and that they go down 85 feet. He explained that they have had piezometers in that area for the last two years and there has been no measureable amount of water and that the pumps and piezometers will be placed out of an abundance of caution. The sites for the piezometers and wells will be spaced out between the homes and located behind the curb and gutter.

Council Member Mumford asked how the pumps would appear above ground. Steve Israelsen replied that they would look like a utility box and anything pumped would go directly into the storm drain pipe. They are self contained and approximately three feet long with a sensor for when to pump.

Council Member Mumford also asked how the development has been selling. Steve Israelsen replied that phase 1 and 2 are sold out so they are anxious to begin phase 3.

Commissioner Baskin asked for clarification on the safety factor of 1.5. Sherrie Llewelyn replied that 1.5 is safe and 1 is considered failure.

Commissioner Baskin commented that when Eaglewood Village was first constructed that the storm drain system was not done correctly and had to be retrofitted. She asked if any water in the area was found, would it be pumped directly into the new storm drain system underground. Steve Israelsen replied that is how it has been designed.

Sherrie Llewelyn then said that as part of this approval phase 3 would complete the road system in the development. The developer has agreed to install the trail from the Views at Eaglewood Village up to Edgecrest Lane. The previous trail was to go across the Granite Ridge subdivision, which is no longer being developed; and as it will now go across Granite Construction's property the developer will have to get approval from Kern River and Questar Gas. The DRC is recommending the equivalent cost to install the trail be placed in escrow with the City. In the event the trail is built the funds could be used and if it is not built the funds will be returned to the developer.

Council Member Mumford commented in regards to the special service area and placing a condition in the motion regarding the payment for the maintenance and reporting of the pumps. He said that he did not like the HOA being in charge of the maintenance and reporting of the pumps and in essence for the safety of the hillside.

Steve Israelsen commented that the HOA has 79 units and possibly 24 condo units to help cover the cost for maintenance and that the amount would be insignificant. He also said that they have approval for the development and an agreement with the City on what will be required. The pumps and monitoring will be paid for by the HOA as it is in their benefit to have the pumps and monitoring.

Commissioner Kirkham inquired that as these are individual homes, would the HOA be responsible for landscape and maintenance of the yards. Steve Israelsen replied that the only thing the residents own is up to the foundation walls. All the ground and landscaping will be owned by the HOA and maintained by a professional management company with a professional landscaping and maintenance company to perform the work.

Sherrie Llewelyn said that the staff is recommending that sod not be placed in the side and backyards and that only natural landscaping and drip irrigation be provided with all valve boxes located in the front yard area where positive slope to the street existed.. Steve Israelsen commented that a north slope has been designed so that anything running off of the homes would be caught in a ditch or berm system, rather than running down the hill, and that all the surface runoff water be directed towards the storm drain on the east side of the property

Commissioner Garn expressed concern that the City would not do any type of monitoring of the wells in this development. Steve Israelsen replied that the development agreement is written that every quarter the development will have to make a report to the City.

Sherrie Llewelyn commented that the City Council will have to determine if the HOA maintains the wells and takes accountability or if a special assessment area is established, as this is a policy decision that has long term obligations for the city.

The Planning Commission discussed adding a condition that the City Council address who would maintain the drainage equipment and monitoring regardless of which entity would be responsible, the City or the HOA or if both parties would be responsible.

Commissioner Baskin moved that the Planning Commission recommend approval of the proposed preliminary design plan and final plat for The Villas at Bella Vida Phase 3 to the City Council with the following conditions:

- 1) Full payment for the installation of the trail, as shown on the general development plan, connecting Edgecrest Lane to the Views at Eaglewood Village PUD must be deposited with the City prior to recording the subdivision plat;**
- 2) A suitable agreement is reached for the HOA to fund, monitor and maintain the drainage equipment in perpetuity;**
- 3) If such agreement cannot be reached, an alternative agreement must be reached.**

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

4. APPROVAL OF MINUTES

The Planning Commission meeting minutes of July 12, 2016 were reviewed and approved. **Commissioner Knowlton moved that Planning Commission approve the minutes of July 16, 2016 as amended. Commissioner Kirkham seconded the motion. The motion was approved by Commissioners Drinkall, Baskin, Knowlton, Garn, Kirkham, Mascaro and Council Member Mumford.**

Commissioner Baskin asked if Ken Leetham had found the cost of the 2016 fireworks show. Sherrie Llewelyn replied that he had not given the amount to her and would ask that Ken disclose the amount at a future meeting.

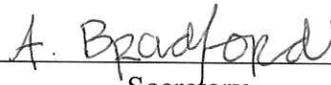
Council Member Mumford reported that the City Council discussed the Eaglewood development and had tabled the item until the Council could tour the property. The City Council is planning to view the property on August 2nd and if members of the Planning Commission were interested they were invited to attend.

5. ADJOURN

Chairman Drinkall adjourned the meeting at 7:41 p.m.



Chairman



Secretary