

NORTH SALT LAKE CITY  
PLANNING COMMISSION MEETING MINUTES  
JANUARY 25, 2011

Commission Chairman Eric Klotz called the meeting to order at 7:04 p.m. and welcomed those present.

PRESENT: Commission Chairman Eric Klotz  
Commissioner Jim Allen  
Commissioner Doug Cary  
Commissioner Beth Goodrich  
Commissioner Kim Jensen  
Commissioner Bruce Oblad  
Council Member Brian Horrocks

EXCUSED: Commissioner Jim Allen

STAFF PRESENT: Ken Leetham, Community and Economic Development Director; Ali Avery, City Planner; Linda Horrocks, Minutes Secretary.

OTHERS PRESENT: Mike and Jan Iftiger, Mary Ellen Dworshalk, Aren and Dana Zomani, Frank Wendz, Patsy Zamani, Tom and Andrea Johnson, Norman Petersen, Wendy Reyhand, Merle and Dave Schutz, Winnie and Mark Rohde, Kristine George, Gaby Falahati, Alireza Falahati, Debbie Koya, Wesley Koya, Bonnie Mendez, John Solomon, Dariush Zamani, Ray Rayhay, Kiarush Derekht, Margaret Petersen, Brady Davies, Lawrence Knight, Nicole Kershaw, Paul Barron, Michelle Walster, Clint Duke, residents; Scott Kjar, Steve Smoot, Steve Israelson, Wilford Cannon, Sky Properties.

1. PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE NORTH SALT LAKE LAND USE DEVELOPMENT AND MANAGEMENT ACT (LUDMA) RELATED TO THE KEEPING OF BACKYARD CHICKENS.

Ali Avery explained that the applicant, Jan Iftiger, is seeking to amend the LUDMA to allow the keeping of chickens in residential zones. Staff met with the applicant in an effort to write a code amendment reflecting this request, and the Development Review Committee (DRC) has reviewed this amendment. The DRC felt that the keeping of roosters should be prohibited. They also felt that the slaughtering of chickens should be allowed, contrary to the request of the applicant.

City staff spoke with Animal Control who recommends cities not allow chickens on residential properties. Animal Control will not enforce City code, but they have found that chickens make noise and potentially attract rodents, smells, bugs and flies.

Jan Iftiger, 960 East Foxhill Road, stated that she would like to dispute the fly problem. Chickens eat bugs and flies, and the feces make great fertilizer. She has also found that her chickens eat mice. The Iftigers have a coop in which they keep their chickens as they have to be protected at night, and kept warm in the winter. They do not eat the chickens, just the eggs; she is against slaughtering them. Mrs. Iftiger stated that she had chickens approximately ten years ago, and then purchased some more about two years ago. She added that they are great pets.

At 7:13 p.m. Chairman Klotz opened the public hearing.

Kristine George, Iftiger's neighbor on Eaglewood Drive, stated that her neighbors on both sides have chickens, and she enjoys having them around. She does not see any issue with cleanliness, smell, or noise, and is in support of her neighbors.

Mary Ellen Dworshalk, resident at 966 Foxhill Rd, stated that her neighbors have chickens, and she has never seen flies or smelled anything bad related to the chickens. They are grateful for the eggs they get, and they provide entertainment for her dogs.

Alireza Falahati, 48 N. Eaglewood Drive, has had chickens for about six months. After reading the ordinance regarding Family Food Production, he believed that chickens were allowed. The chickens have just started laying eggs. He has built a nice state of the art coop for them. He added that if individuals are not keeping the chicken habitat clean, or are not appropriately caring for the chickens, then they are not adhering to the proposed ordinance and should be cited.

Mark Rohde, 216 Wood Hill Drive, stated that he has been babysitting two chickens, and they are pets that eat snails, bugs and mice. He added that they are better than dogs as they do not smell.

Clint Duke, 34 N. Foxhill Road, stated that he finds it inconsistent that animal control would oppose chickens and allow dogs.

Chairman Klotz closed the public hearing at 7:20 p.m.

Chairman Klotz asked about the City's Code enforcement process. Ken Leetham stated that the City's enforcement process includes making contact with the property owner and determining if they will comply. A written notice is given, and if someone chooses not to comply, fines can be imposed, and the police can get involved to ensure compliance.

Commissioner Jensen stated that the number of animals allowed in the ordinance is questionable. Mr. Leetham stated that they all agree that this needs to be addressed.

Commissioner Cary asked if it might be a good idea to require licensing of the animals.

**Chairman Klotz moved to recommend approval of Ordinance Amendment 10.7 as written by City staff for backyard chickens, with the inclusion of 10.7.2 (prohibiting the slaughter of chickens). Council Member Horrocks seconded the motion. The motion was approved**

**by Council Member Horrocks, Commissioners Cary, Klotz, Goodrich, Oblad and Jensen. Commissioner Allen was excused.**

2. PROPOSED GENERAL DEVELOPMENT PLAN AMENDMENT FOR THE VILLAS AT BELLA VIDA LOCATED AT EDGEWOOD DRIVE AND BELLA VIDA LOOP – SKY PROPERTIES, APPLICANT.

Ken Leetham stated that this is an amended plan from their previously approved plan for Bella Vida. Steve Smoot presented a similar plan to the Planning Commission on December 14, 2010. Since then, several items have been addressed at the request of staff and the Planning Commission. Those items include: a geotechnical analysis for the sloped areas at the northwest portion of the development, changing lot lines to allow for appropriate setbacks, and including utility easements on the western side of the plan.

Staff recommends approval of the proposed concept plan for the Planned Unit Development (PUD) Amendment for the Villas at Bella Vida subject to the City Engineer making a determination that the geotechnical data is acceptable prior to the Planning Commission's review of a preliminary design plan for the project.

Steve Smoot approached the Commission and thanked Ken, Ali and Paul Ottoson for their work on the project. They are proposing a reduction in units, down to 43 residences, rather than 82 condo units. Sky Properties is proposing a detached, single family community with lower density, lower profile, and better vistas for the residents in the area with a decrease in height from the stacked units.

There has been concern from the Bella Vida owners about the clientele these new homes will attract. Mr. Smoot stated that these are designed to attract the senior couples, such as have purchased the Edgewood twin homes, and the other PUDs on the hill. He stated that HOA fees will be higher than what young couples would want to pay. The twin homes do not have an age restriction, yet 95% are owned by empty-nesters.

Chairman Klotz asked how the current owners of Bella Vida feel about the proposed change in plans. Steve Israelson reported that the residents were concerned about the removing of the 55 year age restriction; however, the developers think it will have no impact on who purchases these homes.

Commissioner Oblad asked about the large hole already in the ground for the second building's foundation. Steve Smoot stated that the second building will be built once it is feasible. They will be keep it fenced until that time.

**Council Member Horrocks moved to recommend approval of the concept plan for The Villas at Bella Vida. Commissioner Oblad seconded the motion. The motion was approved by Council Member Horrocks, Commissioners Cary, Klotz, Goodrich, Oblad and Jensen. Commissioner Allen was excused.**

Commissioner Cary stated that businesses have changed, lenders have changed, and he likes this plan.

3. PROPOSED CRESTPOINTE PROJECT LOCATED GENERALLY EAST OF EAGLERIDGE DRIVE, RIDGETOP CIRCLE AND WINDSONG LANE, SKY PROPERTIES, APPLICANT.

Ken Leetham stated that the plan has changed from what the Planning Commission reviewed on October 26, 2010. Six lots have been removed. Intersections have been improved, and lots have been redesigned fairly dramatically. Open space is now in the center of the project. Compatibility with surrounding lots was the City's biggest concern, and they have made a good attempt making this plan compatible with surrounding areas. Along Independence Way, lot sizes increased to 9500 square feet, or .22 acres. The previous plan had 1/5 of an acre. Along the areas to the west, the lot sizes have been increased as well. The lot sizes have decreased somewhat in the inside of the project because the buffering needed to be done on the outer edge. The DRC found this to be a much better plan. The difficult issue for the Planning Commission and City Council, is that these plans are always discretionary, and the City has to make a determination, not always based on the black and white code issue, but to use subjective judgment if the Commission believes the plan is of benefit to the City, whether it fits with the surrounding neighborhood and makes sense as a development proposal.

Council Member Horrocks asked about the access on Gary Way. Mr. Leetham said a cul-de-sac will be added, put in by the developer.

Mr. Leetham explained that all P districts require an ordinance changing it to a P, and are accompanied by a development agreement.

Commissioner Oblad stated that with the other homes in the neighborhood, people bought lots, brought in their own builder, proposed a house, got it approved and had it built. This is still going to all be developed by Sky Properties. Steve Israelson stated that CC&Rs will restrict what is built. Even if another builder was to build the home, they would be restricted by these covenants.

Steve Israelson then addressed those present and made a formal presentation to address all the concerns brought forward to them since their first proposed concept plan. The plan includes 60 homes on 17.3 acres. This is a cluster development, also known as a conservation development. Mr. Israelson then stated that they are just following what the City is recommending developers do; encouraging cluster building.

Mr. Israelson then asked if the proposed general plan for Crestpointe is more desirable than the current zoning? He said that is what the Commission must decide tonight.

Commissioner Klotz opened the meeting for public comment at 8:52 p.m.

Tom Johnson, 622 E. Ridgetop Circle, stated that three months ago, he was here with fellow neighbors to oppose this plan. They still have three issues of concern: safety, ecological and

economic. Connecting these two neighborhoods puts an unreasonable amount of traffic on Eagleridge Drive. With all the homes going in, there is no way Eagleridge Drive can handle the traffic.

Dariush Zamani, 659 E. Windsong Lane, stated he was not prepared, like the other homeowners in the area, because of the short notice of tonight's meeting. He is in agreement to send this to the City Council. He stated City staff does not want the R1-10 zone to be changed. If Sky Properties needs to make money, they can go on Redwood Road and build homes. Just because they own the land does not mean they have to build homes. He said he is not against them developing, but he believes the P district will really hurt the residents.

**Chairman Klotz moved to send the Proposed General Development Plan for Crestpointe to the City Council for approval. Commissioner Cary seconded the motion. Chairman Klotz clarified that this was a motion to recommend approval of the plan to the City Council. The motion was approved by Council Member Horrocks, Commissioners Cary, Klotz, Goodrich and Jensen. Commissioner Oblad voted in opposition, and Commissioner Allen was excused**

4. APPROVE MINUTES

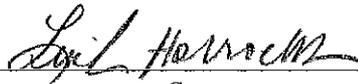
**Chairman Klotz moved to continue the approval of the January 11, 2011 minutes. Commissioner Goodrich seconded the motion. The motion was approved by Council Member Horrocks, Commissioners Cary, Klotz, Goodrich, Oblad and Jensen. Commissioner Allen was excused.**

5. ADJOURN

Chairman Klotz adjourned the meeting at 9:10 pm.

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Chairman

  
Secretary