

NORTH SALT LAKE CITY  
PLANNING COMMISSION MEETING  
JULY 31, 2012

Commission Chairman Eric Klotz called the meeting to order at 6:05 p.m. and welcomed those present.

PRESENT: Commission Chairman Eric Klotz  
Commissioner Ryan Mumford  
Commissioner Bruce Oblad  
Council Member Brian Horrocks

EXCUSED: Commissioner Robert Drinkall  
Commissioner Kim Jensen

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

OTHERS PRESENT: Garrett Seely, Woodside Homes; Wilford Cannon, Scott Kjar Sky Properties; Nola and Craig Lucke, John Hall, Lawrence Knight, Cheri and Rob Greenburg, Tom Johnson, Jared Lake, Robert Lund, Paul Barron, Juan Arce-Larreta, J. Roger Graves, Rick Sutton, Liz Welch, residents; Jason Henley, UDOT; and Mike Nadeau, Meridian Engineering.

1. PUBLIC COMMENTS

There were no public comments.

2. CONSIDERATION OF A PLAT AMENDMENT FOR THE NORTH REDWOOD INDUSTRIAL PARK PLAT A

Ali Avery reported that the purpose of this plat amendment, requested by the City, is to dedicate Center Street to the City and also to account for the installation of the Legacy Highway, which previously has traversed over many lot lines throughout the existing subdivision. UDOT is still reserving some property for the Legacy Highway right-of-way, but is requesting to plat Lots 1A, 1B, and 1C. All lots in the C-G zoning district have a one acre minimum size, and Ali Avery stated that the conditions recommended in the staff report by the Development Review Committee have been met.

**Council Member Horrocks moved that the Planning Commission recommend approval to the City Council of a plat amendment for the North Redwood Industrial Park Plat A. Chairman Klotz seconded the motion. The motion was approved by Commissioners Oblad, Klotz, Mumford and Council Member Horrocks. Commissioners Drinkall and Jensen were excused.**

3. PLAT AMENDMENT FOR WASATCH FRONT INDUSTRIAL PARK PLAT "A"  
LOT 2 AMENDED AND EXTENDED WITH STREET DEDICATION AND  
VACATING A PORTION OF CENTER STREET

Ali Avery reported that the City has requested that UDOT amend the plat for the Wasatch Front Industrial Park Plat "A" to dedicate Foxboro Drive and a portion of Center Street to the City. Previously, this portion of the road was all within lots and the streets were not designated on the plat. The proposed subdivision will dedicate the streets to the City and create two conforming lots (2A and 2B).

Paul Ottoson stated that these lots will remain as they are and will not be sold, as they are dedicated wetlands.

**Council Member Horrocks moved that the Planning Commission recommend approval of a plat amendment for Wasatch Front Industrial Park Plat "A" Lot 2 Amended and Extended with Street Dedication and Vacating a portion of Center Street with no conditions to the City Council. Chairman Klotz seconded the motion. The motion was approved by Commissioners Oblad, Klotz, Mumford and Council Member Horrocks. Commissioners Drinkall and Jensen were excused.**

4. PRELIMINARY DESIGN PLAN AND FINAL PLAT FOR FOXBORO NORTH PLAT  
9B

Ali Avery stated that this plat is located along Rothbury Court (980 West) in Foxboro North, and is bounded on the North by Norfolk Drive (1000 North) and on the south by 900 North. The proposed single-family lots are in conformance with the approved concept plan for Foxboro North. The plat and construction drawings have been reviewed by the City Engineer and have been found to be in compliance.

Mr. Seely, of Woodside Homes, stated that all open space parcels will be HOA maintained.

**Commissioner Oblad moved that the Planning Commission recommend approval of the proposed preliminary design plan and final plat for Foxboro North Plat 9B to the City Council. Chairman Klotz seconded the motion. The motion was approved by Commissioners Oblad, Klotz, Mumford and Council Member Horrocks. Commissioners Drinkall and Jensen were excused.**

5. PRELIMINARY DESIGN PLAN AND FINAL PLAT FOR FOXBORO NORTH PLAT  
10C

Ali Avery reported that the subject plat is located on the west side of Skipton Drive. The proposed single-family lots are in conformance with the approved concept plan for Foxboro North. Although there is no open space proposed on this particular plat, the open space requirements in the concept plan for Foxboro North are still being met. She added that the City Engineer has reviewed and approved the plat and construction drawings.

The DRC (Development Review Committee) recommended approval of the preliminary design plan and final plat for Foxboro North Plat 10C subject to the condition that the detention basin proposed to be located at the southwest portion of Foxboro North must be included in the next plat for Foxboro North (following the approval of plats 10C, 9B, and 16) and installed prior to issuance of a building permit for any of the lots located within the plat.

**Chairman Klotz moved to recommend approval of the proposed preliminary design plan and final plat for Foxboro North Plat 10C to the City Council subject to the following conditions: 1) that the detention basin proposed to be located at the southwest portion of Foxboro North must be included in the next plat for Foxboro North (following the approval of plats 10C, 9B, and 16) and installed prior to issuance of a building permit for any of the lots located within the plat, and 2) that the general development plan be corrected to show the open space in plat 10C as being moved to Plat 15. Council Member Horrocks seconded the motion. The motion was approved by Commissioners Oblad, Klotz, Mumford and Council Member Horrocks. Commissioners Drinkall and Jensen were excused.**

6. PRELIMINARY DESIGN PLAN AND FINAL PLAT FOR FOXBORO NORTH PLAT 16

Ali Avery stated that the subject plat includes the completion of 900 North from Foxboro North Plat 11 to Redwood Road, the expansion of Redwood Road from the "North Apartments" parcel to the Thurston parcel in Foxboro North, and the completion of Cutler Drive from the Thurston parcel at the south to Foxboro North Plat 2 at the north. The plat also includes Lots 1 and 2 which are respectively the North and South Apartments parcels. Parcel A is to be dedicated to the City for a filter station for the secondary water system. An access easement has been provided on Lot 1 for driveway access to the filter station parcel.

Driveway access will be limited to 900 North and Cutler Drive, and no driveway access will be permitted from Redwood Road for Lot 1. Driveway access for Lot 2 will also be limited to 900 North and Cutler Drive, and no access will be permitted from Redwood Road for this lot. There are 10' public utility easements along the street frontage for both Lots 1 and 2.

The driveway locations on Redwood Road have yet to be approved by UDOT, and the DRC recommends approval subject to the conditions included in the following motion.

**Commissioner Oblad moved to recommend approval of the preliminary design plan and final plat for Foxboro North Plat 16 subject to the following conditions: 1) the developer shall be required to widen and complete improvements on the west side of Redwood Road from the end of the existing improvements on the south side of the Thurston property to the north side of Lot 1, all as shown on the construction plans filed for this subdivision, and 2) approval of the construction plans for this subdivision must be granted by the City Engineer and UDOT, as needed, prior to beginning any construction. Council Member Horrocks seconded the motion. The motion was approved by Commissioners Oblad, Klotz, Mumford and Council Member Horrocks. Commissioners Drinkall and Jensen were excused.**

## 7. PROPOSED GENERAL DEVELOPMENT PLAN FOR EAGLEPOINTE ESTATES PHASES 17, 18 AND 19

Ken Leetham reported that the proposed general development plan is for an area of property that is currently zoned R1-12 located generally north and east of Parkway Drive and west of Eaglepointe Drive. The property is approximately 21.11 acres in size and is proposed to have single family lots ranging in size from 7,000 square feet to 16,248 square feet. According to application materials, the average lot size for this proposal is 10,118 square feet. The proposal also includes reduced setbacks including 5-foot side yards, 15 to 20-foot front yards and 20-foot back yards. There is also an open space component to this proposal which includes an area that is approximately 1.3 acres in size and is located within the Kern River Gas line easement.

Mr. Leetham stated that there are several reasons why the DRC has taken a position of denial of the proposed plan. First, and principally, the proposed development is inconsistent with surrounding neighborhoods, both existing and planned. There are five single family neighborhoods surrounding the subject property and the attached table indicates that the average lot sizes of these projects are significantly higher than those proposed in this plan. Second, the average home sizes for the existing homes that have been built in surrounding subdivisions are also significantly larger than those proposed in this plan.

Scott Kjar then made a presentation to the Commission and those present. He reported that Sky Properties typically has designed larger lots than the R1-12 zoning. They believe their proposal is not incompatible to what is there right now. They are asking for 18 more lots than would be approved under R1-12 zoning. They believe the advantages to North Salt Lake are: a 1.3 acre improved park (sprinklers and grass), two gazebos with picnic tables, a youth soccer field, access to trails, church, and school properties, parking for visitors, and a development agreement in place outlining these advantages. He believes it is an ideal tract of land for P District.

Sky Properties has visited with the owners of homes/lots within 300 feet and have shown them the proposed rezone, Mr. Kjar stated that most property owners support it. The property is isolated on three sides from adjacent homes because of the school property, church property and the elevation difference of the plateau. They believe it is geographically located to do something a little different. They are proposing a P-district with 68 lots on 21.11 acres with a density of 3.22 homes per acre. The average lot size would be 10,118 sq. ft. (lot size) and 11,750 sq. ft. on the south border. The minimum lot size is 7,000 square feet. The setbacks are similar to what are in the other P-districts (Eagles landing, Mont Clair, etc.) on the hill.

Mr. Kjar reported that Sky Properties has made major marketing efforts, including reduced prices and subordinating to builders. They believe there are plenty of large lots on the hill which are not selling, and idle property is not good for City economic development. The market has shifted to smaller lots (according to a U of U study and builder input). Sky Properties would like to get the 2013 Parade of Homes on this site. Mr. Kjar then listed what they believe are financial benefits to NSL and its residents, including 40-50 times more in property taxes, and \$1,156,000 in impact fees. There is an underutilized infrastructure in place (water tanks, sewer lines, and streets that are not collecting revenue to maintain). Also, in order to get more commercial

development, they look for the number of rooftops. This gives more rooftops and sales tax for the City. Mr. Kjar stated that Sky Properties is not asking for apartments, but for very nice \$4-500,000 homes.

Chairman Klotz asked Paul Ottoson if the roads would accommodate this many more homes. Mr. Ottoson responded that it would work, but would definitely be more congested, especially at rush hour. Wilford Cannon stated that Sky Properties has already reduced the units in Bella Vida which makes up for this.

At 7:25 p.m., Chairman Klotz opened the meeting for public comment.

John Hall, 981 South Parkway, said he has been in his home four years. He said Mr. Kjar displayed in his presentation that the area has grown into a nice development over time. The new setbacks and other proposals would make a very high density feel, and asked what it would do to our area. He added that Bella Vida isn't even selling, and there are plenty of available villa-type homes. There was a plan platted when they chose their lot, and he is concerned about that as he would like to maintain the harmony that would be in the original plan.

Cheri Greenburg, 1041 Eaglepointe Drive, stated that there is a lot of nice open space in that area, including the Wild Rose Park and the new city park being built (Tunnel Springs Park). There is green space and it's beautiful, and they love that. They bought their home based on the acreage they could have in that area. When you look at the homes in their neighborhood, the homes for sale are over a million dollars, so the \$4-500,000 homes proposed would hurt property values. There would be more cars on the roads, and it would be dangerous, and she urged the Planning Commission to please take into consideration that they purchased their lot based on the plan that would be going on that property.

Rob Greenburg, 1041 Eaglepointe Drive, agreed with the neighbors and his wife, Cheri. They felt like they had full disclosure when they bought their homes, and they really worry about their home values. The green space is great, but there is plenty, not to mention the open space that is designated open space with great trails, etc. He also asked that the City not take the traffic issue lightly. They do not want to see the change.

Tom Johnson, 623 Ridgetop Circle, commended Sky Properties for their efforts, but he feels like they are just trying to do what is best for them. They have Bella Vida and additional smaller homes throughout the City. There are plenty of homes of this size, including Foxboro. We do not need to be the high density city in Utah. North Salt Lake has given Sky Properties quite a bit in the past, but said they should stick with the original plan. The City does not need to keep putting in more and more homes.

Jared Lake, 889 Eaglepointe Drive, stated that one of the key things for them when purchasing a lot was to get a good variety of residents and families. They rented for awhile in Edgewood (which has a totally different feel) and they wanted to move where there are more families, larger homes, lots and a neighborhood feel.

Robert Lund, 503 Sugar Plum Lane, stated that he has worked with many developers struggling because lots are not moving. They built their home when things were not moving and were given a discount because it would be built right away. Since October of last year, at least 12 homes have been built, and one homeowner has purchased five lots to put his home on. So, things are picking up. He wouldn't want a reduction in value which these homes would inevitably bring.

Paul Barron, 368 Lofty Lane, stated that he is in support of these neighbors who do not want the rules to change after they purchased their property. It is unfair to change the rules after a project is in process.

Juan Arce-Laretta, 677 East 50 North, said his reason for being at the meeting was to discuss the general plan; however, he said he does not appreciate the thought that people don't like to live next to vacant fields. Open space is considered desirable by many people. Also, impact fees are one-time fees, and are not that much of an asset to the City. As far as taxes and tax revenue produced by these homes, there's actually a threshold of where a home has to be valued at before it is actually a benefit to the City. And, more roofs in the area may just put more of a burden on infrastructure, and this is not a destination City. If people move into an area with an expectation of the plan, it should not be changed.

Jay Roger Graves owns a home on 282 Eagleridge Drive, which he stated is extremely difficult to pull out of because of the traffic. They are building a home on 810 Eaglepointe Drive, and he also owns 1.2 acres behind the stake center. He said the reason he's moving from Eaglepointe Drive is to escape the Bella Vida monstrosity. Eagleridge Drive is already a bad street with way too much traffic. He believes that there is no support for the numbers being presented by Sky Properties. He echoes what the neighbors have already said.

Rick Sutton, 845 Skylark, and also owns a home on Duffer Lane. They bought the Skylark lot 4-5 years ago and moved in a year ago with the expectation that the neighborhood would maintain the character of the original plan. Changing the plan, even down a few blocks would change the complete feel of the neighborhood. He does not want to see major thoroughfares in this neighborhood. He said he watches the poor residents of Eagleridge trying to pull out of their driveways each morning. He urged the Commission to look at all the people up there who have spent a lot of money to get into that peaceful, quiet neighborhood, and reject this proposal.

After the public comments, Council Member Horrocks asked about water tables, and if Sky Properties has hit water in this area, as the City has found significant amounts in the park being built. He added that he has lived in NSL 16 years and he has continually heard people comment about the large homes on small lots. He said he also found that in this year's Parade of Homes, the NSL homes were smaller and of less quality than many of the other areas. All three of the City's P-districts are great developments, and Mont Clair and The Aerie contain million dollar homes. But, what Sky Properties is proposing is not what the existing P-districts are, and he agreed with staff that it is inconsistent with the surrounding homes. Council Member Horrocks added that he doubts school district property will ever become a school.

Commissioner Mumford said he has the same concerns and is less than happy with the changes in development that happened recently. If the City allows this increased density and proposed changes, it would lead the City even further away from what we want our City to be. What we have now with R1-12 is very good.

Commissioner Oblad agreed with the other commissioners, and stated that people are passionate about buying their lots because of what the plan shows. Chairman Klotz also agreed and stated he is inclined to deny this proposal. He noted that as a Planning Commission, they really look at the recommendations of the DRC as well.

**Commissioner Mumford moved to recommend denial of the proposed General Development Plan for Eaglepointe Estates Phases 17, 18, and 19. Chairman Klotz seconded the motion. The motion was approved by Commissioners Oblad, Klotz, Mumford and Council Member Horrocks. Commissioners Drinkall and Jensen were excused.**

#### 8. APPROVE MINUTES

The Planning Commission meeting minutes of July 10, 2012 were reviewed and amended. **Chairman Klotz moved to approve the July 10, 2012 Planning Commission minutes as amended. Commissioner Oblad seconded the motion. The motion was approved by Commissioners Oblad, Klotz, Mumford and Council Member Horrocks. Commissioners Drinkall and, Jensen were excused.**

#### 9. REVIEW AND DISCUSSION OF PROPOSED GENERAL PLAN AMENDMENTS

Ken Leetham reported that he has looked through every goal, policy and implementation strategy in the draft and has made the determination as to whether or not those represent a program change, a code amendment, a planning exercise, or require some work on the City's part in order to implement. He then went through the Land Use and Parks, Trails, and Recreation chapters and discussed them briefly with the Commission.

In the section about enhancing existing trails and parks, it was recommended that the City do some type of feasibility study.

#### 10. ADJOURN

Chairman Klotz adjourned the meeting at 10:15 p.m.

---

Chairman

---

Secretary