

NORTH SALT LAKE CITY  
PLANNING COMMISSION MEETING  
SEPTEMBER 24, 2013

**FINAL**

Chairman Eric Klotz called the meeting to order at 6:31 p.m. and welcomed those present.

PRESENT: Commissioner Chairman Eric Klotz  
Commissioner Bruce Oblad  
Commissioner Kim Jensen  
Commissioner Ted Knowlton  
Commissioner Ryan Mumford  
Council Member Brian Horrocks

EXCUSED: Commissioner Robert Drinkall

STAFF PRESENT: Ken Leetham, Assistant City Manager; Jon Rueckert, Assistant Public Works Director; Ali Avery, City Planner; Jim Spung, Administrative Planning Technician; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Wesley McDougal, Greg Larson, Roy Wall, Danielle Henriksen, Gary Knapp, Jeremy Budd, Nate Wickizer, Laurence Ge, Jeff Nielson, Ray Wall, Katy Carter, Cheri Greenburg, Rob Henriksen, residents; Marvin Hendrickson, John McGee, applicant for Cudahy Tract plat amendment; Steve Israelsen, Sky Properties.

1. PUBLIC COMMENTS

Ray Wall, 219 North 650 East, commented that he is concerned about the deer problem in the City and is in favor of allowing 8' fences as he believes this would eliminate the issues he has with deer eating his flowers and having to pay someone to clear the deer waste from his yard. Ken Leetham responded that there is an ordinance pending for 8' fencing which will be presented to the Planning Commission at a later date.

2. PUBLIC HEARING FOR AND CONSIDERATION OF A PROPOSED PLAT AMENDMENT FOR CUDAHY TRACT SUBDIVISION AMENDED PLAT "B".  
JOHN MCGEE, APPLICANT.

Ali Avery reported that the applicant is requesting a plat amendment to remove a center lot line and removal of an additional lot line where the City will be dedicating 6' of the public right-of-

way to the property owner. The property line is 6' behind the back of the sidewalk with a failed retaining wall and other issues on site that need to be cleaned up. The City Council has signed an agreement with the property owner that would deed the 6' of property over to the property owner who would then be required to provide improvements including fixing the retaining wall and adding landscaping on the main street frontage. The agreement also includes an option for the City to use that right-of way at no cost, if it determines that the property is needed to construct future road improvements.

Site plan approval is required before the property is deeded over to the applicant including repair of the retaining wall. The site is in the C-H zoning district, where minimum lot size is one (1) acre unless modified by a conditional use permit, and the proposed lot is .28 acres. If the Planning Commission grants the conditional use permit approval for a reduction in the minimum lot size that would make it a legal, conforming lot.

The Development Review Committee (DRC) recommends approval of the plat amendment and conditional use permit with conditions for compliance with the development agreement with the City and approval from the Planning Commission for the site plan prior to recording of the quit-claim deed and subdivision plat.

Commissioner Knowlton asked for clarification on what the 6' area is currently being used for, and also the 6' area on the north adjoining lot. Ali Avery responded that there is a failed retaining wall on the 6' area of the proposed property, which the applicant has been required to fix or replace and clear out the weeds, etc and the adjacent area north is owned by the City and is used for landscaping in front of the City Hall.

**Commissioner Klotz opened the public hearing at 6:43 p.m. There were no comments and he closed the public hearing at 6:43 p.m.**

**Commissioner Oblad moved that the Planning Commission recommend approval of a plat amendment and conditional use permit for a reduction in minimum lot size for Cudahy Tract Subdivision Amended Plat "B" with the following conditions:**

- 1) The Planning Commission must approve the site plan prior to recording of the quit-claim deed and subdivision plat.**
- 2) Prior to recording of the quit-claim deed and subdivision plat, the property owner must comply with the development agreement with the City.**

**Commissioner Mumford seconded the motion. The motion was approved by Commissioners Knowlton, Mumford, Oblad, Jensen, Klotz, and Council Member Horrocks. Commissioner Drinkall was excused.**

### 3. PUBLIC HEARING FOR AND CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A CITY WI-FI TOWER NEAR TUNNEL SPRINGS PARK. CITY OF NORTH SALT LAKE, APPLICANT.

Ken Leetham reported that the City has several vehicles and facilities throughout town, including City Hall, the Public Works building, the golf course, and City parks, which would be improved by using wireless internet services. This type of wireless service would require an antenna in the foothills with a clear line of sight to all the facilities. Mr. Leetham commented that the City sent a courtesy notice to residents within 300 feet of the proposed location of the intent to place a Wi-Fi tower in the foothills and would like to receive the public's input and ideas on this location. He said that City staff has already received feedback from residents prior to the meeting and recommends that the Commission take public comment and then table the conditional use permit until a later date while the City looks at other options as well.

Commissioner Klotz asked if the Wi-Fi would be available for residents to use. Jon Rueckert responded that he would ask the service provider if this would be a possibility.

Ken Leetham said that another use for the Wi-Fi could be for a security camera system to be placed in parks, etc for public safety and that the police and public works departments would also use the Wi-Fi in their vehicles.

Commissioner Oblad asked why this location was chosen and how this tower would compare to a cell phone tower in appearance. Jon Rueckert explained that the reason they chose this site is the clear line of sight across the City and also that it is close to a good power source (along a Public Utility Easement on Plum Tree Court). Mr. Rueckert said this tower would be wooden with Wi-Fi equipment and a separate antenna, similar to a telephone pole, while the cell phone towers are much larger and made of metal.

#### **Commissioner Klotz opened the public hearing at 6:56 p.m.**

Rob Henriksen, 1029 Eaglepointe Drive, addressed the Commission and said the tower would be right behind his home and that he is opposed to the pole as it would be an eyesore especially if a fence was built around it. He believes that this would bring down his property value and wonders if there is another way to receive internet in that area or if the pole could be moved further south into Tunnel Springs Park, Wild Rose Park or the golf course. He commented that most residents in that area purchased their homes because of the promise of unobstructed views. Commissioner Jensen asked who promised homeowners that nothing would be developed there. Mr. Henriksen responded that the developer had made this promise and that he believed all the land was owned

by the Bureau of Land Management.

Commissioner Klotz commented that the land is mostly owned by the Forest Service with the proposed section being owned by the City.

Jeff Nielson, 653 Country Court, commented that he would like the application denied for this area. He said it seemed like there were other locations and alternatives and that there should be a neighborhood meeting as that tall of a tower would be visible to more than just those living within a 300 foot radius.

Wesley McDougal, 1045 Plum Tree Court, would also like the City to consider alternate sites and commented that a lot of money has been spent on Tunnel Springs Park and that the view corridor should be protected and not ruined by a tall tower. He also asked how the City would access the area to build and maintain the tower as the access from Plum Tree Court is private property. Council Member Horrocks asked Mr. McDougal, who is the president of First Digital, if he had an idea for a better option. Mr. McDougal responded that there are additional sites that should work but has not explored any options yet.

Nate Wickizer, 944 Sugar Plum Court, commented that he purchased several lots in the area and asked if the City plans to become an internet service provider in the future and if the cameras would be installed directly on that pole. Mr. Wickizer asked that the City provide the residents with more information so they could decide if the benefits outweigh the negative aspects. Jon Rueckert said that there were no immediate plans to become an Internet Service Provider (ISP), and that cameras would not be placed on that pole. He commented that the Public Works program is Wi-Fi based and would help with setting and monitoring water meters, placing waste containers and other City services.

Council Member Horrocks commented that they have looked into adding cameras which would monitor areas such as water basins, City Parks and other areas for public safety.

Commissioner Klotz commented that this system would help save money as it would update the water meter reading versus the current method where a City employee has to physically drive around to collect this information.

Katy Carter, 1030 Plum Tree Court, stated that she is also against this location for the pole and would like to receive more information.

Cheri Greenburg, 1041 Eaglepointe Dr, commented that she is hoping the City will move the tower South towards the park where there is a small valley and is opposed to the current planned location for the tower.

Dani Henricksen, 1029 Eaglepointe Dr, said that she notified her neighbors and provided the City with a list of those who she said were in opposition to the proposed spot of the pole and were unable to attend: Keoki and Christy Williams, Trisha and Mark Burghardt, Justin and Katie Gough, Damon and Debra Holdaway, Rob and Cheri Greenburg, Eric and Jamey Nofsinger, Rob and Danielle Henriksen, David and Barbara Gill, Jared and Robilyn Lake, Rhett and Holly Germer, Bart and Juliette Longson, Dan and Katy Carter, Jeff and Camie Nielsen, Rick and Jodie Stratford, Rachel and Carter Dredge, and Trent and Heather Wright.

Greg Larson, 2010 Plum Tree Court, said that he is concerned about the appearance and is worried about safety issues with the pole including the risk of fire in the foothills.

**Commissioner Klotz closed the public hearing at 7:21 p.m.**

Ken Leetham thanked the public for coming to express their input and that City staff would take these concerns into consideration. They will plan on researching other sites and providing more information to residents. He suggested having a neighborhood meeting where the City can provide more information, and work with the residents who would be impacted.

Council Member Horrocks commented that when he reviewed the proposal he was reminded of a past proposal for a cell phone tower at the golf course, how the neighbors opposed the tower and the proposal was denied. He commented that you would be able to see the Wi-Fi tower everywhere and he would not support the motion at this time.

Commissioner Mumford said that he drove around the area and that it seemed out of place in the proposed location. He is in favor of saving money and modernizing the technology in the City but does not support that site or the motion at this time either.

Commissioner Klotz commented that the tower would work best in this type of location because of the clear line of sight and said if the tower is hidden it will not work as well. He said that wherever it is placed it will be visible.

**Commissioner Klotz moved to table the issue and that City staff work with the neighborhood to come up with a process to find a logical place for the Wi-Fi tower. Council Member Horrocks seconded the motion. The motion was approved by**

**Commissioners Knowlton, Mumford, Oblad, Jensen, Klotz, and Council Member Horrocks. Commissioner Drinkall was excused.**

Ali Avery asked that residents clearly sign in with their addresses so they could receive future notices regarding this issue.

**4. CONSIDERATION OF A SITE PLAN FOR A BUILDING ADDITION FOR JZW ARCHITECTURE LOCATED AT 135 EAST CENTER STREET. PAUL WARNOCK-JZW ARCHITECTURE, APPLICANT.**

Ali Avery reported that this building was originally a house that was converted into an architectural office and that this request is for an 804 sq foot expansion, including converting a covered porch, which will be used for additional office space on the northeast corner of the building. There will be a reduction in landscaping from 43% to 40% which is in compliance with City Code. With the expansion, four (4) additional parking stalls will be required on site with one (1) of the parking stalls overall being ADA compliant in accordance with City standards. Grading and drainage plans have been approved by the City Engineer and the Development Review Committee (DRC) recommends approval of the site plan for a building addition for JZW Architecture located at 135 East Center Street with no conditions.

Commissioner Knowlton asked why this office expansion was brought before the Planning Commission and what the current procedure for building expansion approval would be. Ali Avery responded that all new construction must go through site plan review and that if the building size is less than 30,000 square feet or the lot size is less than 5 acres in size that the Planning Commission grants the final approval.

**Council Member Horrocks moved that the Planning Commission approve the site plan for the building addition for JZW architecture located at 135 East Center Street with no conditions. Commissioner Klotz seconded the motion. The motion was approved by Commissioners Knowlton, Mumford, Oblad, Jensen, Klotz, and Council Member Horrocks. Commissioner Drinkall was excused.**

**5. CONSIDERATION OF A PRELIMINARY DESIGN PLAN AND FINAL PLAT FOR EDGEWOOD ESTATES PHASE 2 PLAT J. STEVE ISRAELSEN-SKY PROPERTIES, APPLICANT.**

Ali Avery reported that this is the final subdivision for the Edgewood P.U.D. and would include 5 twin homes, a common area, Parcel 1, and a trail easement. The distance between the twin homes will be 10' with 5' to the property line and a maximum driveway width of 40' with a minimum driveway length of 18'. The landscaping and yard spaces will be owned and

maintained by the Edgewood HOA except for Parcel 1 which will be retained for a potential roadway connection with the Granite parcel up through Lot 1323 to connect to Parkway Drive. Currently the Granite parcel is zoned for mining but has been marketed for home development and would need to get approval for rezoning to develop homes.

Council Member Horrocks asked if Lot 1323 was vacant and if the road would go through that lot. Ali Avery responded that it was vacant, owned by Sky Properties and would be used for the road connection and trail easement. She commented that there is a 40' wide trail easement on the west side of the subdivision and that there is a requirement for the trail to be installed there. It would be best if the trail meandered across the entire Kern River easement into the Granite parcel to help ease the steepness of the trail. Mrs. Avery said that the City Attorney and staff are working on an agreement in case the Granite parcel is not developed or who would be responsible for the trail installment when the area is developed, and also obligating Sky Properties to develop the entire Edgewood trail by a certain time.

The DRC recommends approval of the preliminary design plan and final plat for Edgewood Estates Phase 2 Plat J with the conditions that the changes to the subdivision plat required by the City Engineer must be made and submitted to City staff prior to City Council approval, and that the trail agreement must be approved by the City Attorney and recorded with Davis County with the subdivision plat.

**Commissioner Klotz moved that the Planning Commission recommend approval of the proposed preliminary design plan and final plat for Edgewood Estates Phase 2 Plat J to the City Council with the following conditions:**

- 1) The changes to the subdivision plat required by the City Engineer must be made and submitted to City staff prior to City Council approval.**
- 2) The trail agreement must be approved by the City Attorney and recorded with Davis County with the subdivision plat.**

**Commissioner Oblad seconded the motion. The motion was approved by Commissioners Knowlton, Mumford, Oblad, Jensen, Klotz, and Council Member Horrocks. Commissioner Drinkall was excused.**

## 6. APPROVAL OF MINUTES

The planning Commission meeting minutes of August, 27, 2013 were reviewed and amended.

**Commissioner Oblad moved to approve the August 27, 2013 Planning Commission**

**minutes as amended. Council Member Horrocks seconded the motion. The motion was approved by Commissioners Knowlton, Mumford, Oblad, Jensen, Klotz, and Council Member Horrocks. Commissioner Drinkall was excused.**

7. ADJOURN

Chairman Klotz adjourned the meeting at 8:02 p.m.

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Chairman

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Secretary