

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
FEBRUARY 12, 2019

FINAL

Commission Chair Ted Knowlton called the meeting to order at 6:30 p.m. and Kent Kirkham led those present in the Pledge of Allegiance.

PRESENT: Commission Chair Ted Knowlton
Commissioner Stephen Garn
Commissioner Kent Kirkham
Commissioner William Ward
Commissioner Brandon Tucker
Commissioner BreAnna Larson
Commissioner Natalie Gordon

STAFF PRESENT: Sherrie Llewelyn, Community Development Director; Kate Werrett, Planning Technician; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Russ Lang, Kim Lang, Lew Stuart, Colleen Stuart, Reuben Wolsey, Wendy Mele, Mike Mele, Paul Tooke, Eileen Tooke, Cindie Badger, Karl Badger, Kelly Jones, William Smith, Len Arave, Dee Lalliss, Melissa Ballard, Lisa Watts Baskin, Milt Buhrman, Vickie Buhrman, Jon Powers, Melissa Adams, Barry Bryson, Julie Bryson, Brigham Diaz, Willie Erickson, Carly Martin, M. Barker Allred, Laura Knowlton, Judy Bell, residents; Wayne Christiansen, Marta Garcia, Maria Wilkes, Lisa Hicks, Jessica Smith, Jerry Lynn, Brad Ramos, Christina Ramos, Tonya Passey, Ashley Petersen, Jami Key, Bountiful residents; Taylor Spendlove, Patrick Scott, Brighton Development; Parker McGarvey, CW Land; Clint Thomas, Clint Thomas Apartments; Travis Davis, Hughes General Contractors.

1. PUBLIC COMMENTS

There were no public comments.

2. CONSIDERATION OF AN AMENDED SITE PLAN FOR HUGHES GENERAL CONTRACTORS AT 675 WEST 900 NORTH, HUGHES CONTRACTORS, APPLICANT

Sherrie Llewelyn reported that the site plan amendment was a request for the construction of an additional storage building at the Hughes Construction property located at 1020 North Redwood

Road. The 9,600 square foot building would be used for storing construction equipment and would be located directly behind the existing Hugoe Trucking building. The Development Review Committee (DRC) recommended approval with three conditions including final engineering review and corrections of grading and drainage plan, relocation of water meters adjacent to new building, and that the building be modified to meet the parapet height variation and horizontal articulation. She explained that the DRC did not feel the building met certain regulations under the architectural guidelines for commercial buildings which would require parapets and horizontal articulation. The applicant felt that the third condition was not applicable as the proposed building would not be that visible from Redwood Road.

Travis Davis, Hughes General Contractors, commented that they had already spent a lot of money improving the frontage along Redwood Road including the appearance of the Hugoe Trucking building. He explained that as the proposed storage building would be located behind the Hugoe Truck building that the frontage requirements related to architectural upgrades should not apply.

Commissioner Larson asked if the proposed building would be behind the existing screening fence. Travis Davis replied that it would be located behind the fence. He explained that there were two types of fencing on the property with a seven foot precast concrete wall along Redwood Road and a chain-link fence with vinyl slats behind the building.

Commissioner Ward asked if the Commission required that the applicant conform to the design standards if it would affect the functionality of the building. Travis Davis replied it would just be an increased cost. He said that the building was designed a certain way to be cost effective.

Commission Chair Knowlton asked if the Commission had the ability to determine whether the building met the architectural standards. Sherrie Llewelyn replied that the proposed building was visible from the public right of way and that it did have an existing building in front of it.

Travis Davis commented that there was a precast fence along Redwood Road and the east side of the building as well as landscaping along the frontage. He said that the Hugoe Trucking building did have the required architectural elements and was located in front of the proposed building.

Commissioner Ward asked the applicant if the proposed building would be visible to those driving down Redwood Road. Travis Davis replied that under no condition would you be able to view the entire proposed building.

The Commission determined that they did not feel that the proposed building needed to meet the architectural design standards as the building was not completely visible from the public right of way.

Commissioner Kirkham moved that the Planning Commission approve the site plan amendment for Hughes Construction at 1020 North Redwood Road with the following conditions:

- 1) Final Engineering review and corrections of grading and drainage plan;**
- 2) Relocate water meters adjacent to the new building;**
- 3) The building be modified to meet the parapet height variation and horizontal articulation.**

Commissioner Kirkham amended his motion to remove condition number three. Commissioner Ward seconded the amended motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker, Larson and Gordon.

3. PUBLIC HEARING-CONSIDERATION OF AN APPLICATION TO REZONE PROPERTY LOCATED AT 3511 SOUTH ORCHARD DRIVE FROM COMMERCIAL SHOPPING (CS) TO PLANNED DISTRICT (P), CLINT THOMAS APPLICANT

Sherrie Llewelyn reported that the property was currently zoned Commercial Shopping (CS) and consisted of two apartment buildings each containing four units and two carport structures. Last year changes were made to the CS zone which required multi-family housing to be processed as a P District. She explained that in 2008 Clint Thomas had previously applied for and received an amendment to his conditional use permit to construct an additional four unit building; however, that building was never built due to the downturn in the economy and the conditional use permit expired.

The property is 0.7 acres in size and the requested density would be 17 dwelling units per acre. The proposal would be to tear down the existing carports and construct a new building and carports, additional guest parking, a dumpster enclosure, additional sidewalk, extended water and sewer lines, underground detention, and a retaining wall. Mrs. Llewelyn presented a graphic elevation of the proposed building. The apartments are all two bedroom units and the new building would have two units which are ADA accessible. The proposed parking would consist of 12 covered carports and 14 additional uncovered parking spaces including one ADA space. The parking would meet the minimum standard of 2.25 spaces per unit.

The existing and proposed additional landscaping area would be a combined total of 6,571 square feet or 21.6% of the site. The fencing onsite includes a chain-link fence on the north south, and east property lines and the applicant had proposed to maintain the chain-link fencing on the south and east property lines. There is also chain-link fence on the west property line separating the property from the commercial building. The Planning Commission must determine the appropriateness of the existing chain-link fencing and if it should be replaced with site obscuring materials.

Public comment was received prior to the meeting from the adjacent property owner, Connie Dunn, located on the west side of the proposed property. Ms. Dunn expressed concern about the condition of the current retaining wall and the need for a solid wall or fence along the property line. Sherrie Llewelyn commented that staff had reported to her that the city was requiring the applicant to replace the existing retaining wall.

Sherrie Llewelyn then explained that the existing units currently meet the City's Moderate Income Housing Plan with an average rental rate around \$800 per month. Given the topography and location of the property the visual impact of the redevelopment would be minimal but the upgrades and new construction will improve the visual aesthetic. The developer has agreed to make upgrades to the two existing buildings including roof/siding repair, painting trim, etc. He has requested to install aluminum siding and brick. The Planning Commission must weigh the goal of meeting the Moderate Income Housing Plan and the aesthetics/property value goals to determine the appropriate trade off that may impact affordability by requiring upgraded siding and fencing.

The DRC requires that all properties with a Bountiful address that apply for redevelopment or an amendment to a site plan have the address reassigned a North Salt Lake address. The new address will be 521 North Orchard Drive with individual unit numbers. The DRC recommended approval with six conditions including the address change, the wood siding on the existing buildings to be painted to match the new building, the proposed building to be constructed of brick and a composite or hardie siding, the existing chain-link fencing on the west property line be upgraded to a site obscuring material, the parking ratio at 2.25 spaces per unit, and final architecture, design, materials, and colors.

Commission Chair Knowlton explained that residents do not vote for planning commissioners. He said that commissioners are appointed and apply their professional judgment to make recommendations to the City Council. The Council then takes these recommendations into consideration along with the needs of residents. Chair Knowlton also said that the City Council would make the final decision on this application.

Commission Chair Knowlton explained that the Planning Commission was trying to determine the impacts and gather input from residents.

Commission Chair Knowlton opened the public hearing at 6:58 p.m.

Jerry Lynn commented that he lived near this development and felt that the fourplex fit into the neighborhood but was concerned about additional apartments. He said the existing buildings and landscaping were not maintained. Mr. Lynn said there was a big burned area from fireworks that was still not repaired and that these apartments were the worst residential units in the neighborhood with crime, drugs, and a drug overdose death.

Lisa Hicks said that she has lived in the area for over 20 years and felt that the apartment buildings were like slums as the owner does not provide necessary items like railing, snow removal, etc. She spoke about incidents with squatters, crime, snow removal, and the dead body in the building.

Jami Key commented that she was a Bountiful resident and her concern was with the crimes occurring in the area that she felt Bountiful and North Salt Lake would not address. She expressed concern with young children walking past these apartments to get to the elementary school.

Dee Lalliss asked for staff to clarify the difference between a P District versus the current zoning in regards to the concerns that had been addressed. Sherrie Llewelyn replied that with a P-District a development agreement is required, which is a legally binding agreement between the city and the property owner, which provides a method for the City to require certain improvements be made to the property.

Commission Chair Knowlton closed the public hearing at 7:10 p.m.

Chair Knowlton asked what the applicant could do under the existing zoning relative to this application. Sherrie Llewelyn replied that the CS Zone had previously allowed multi-family housing as a conditional use, but had no specific requirements for density or architectural design standards. She said the difference with the CS Zone versus a P District included ability for the city to set the number of units per acre, height of the buildings, required parking, building materials, landscaping, fencing, architectural design, etc. The reason the City changed the ordinance regarding the CS Zone is that under the old CS zoning the applicant would have been able to build without restriction after obtaining the conditional use permit.

Clint Thomas, the property owner, conceded that there were some things that did need to be taken care of and that he planned to do them during the construction of the new building so that the costs could be financed together.

Commissioner Larson asked if there was currently snow removal at the property. She said she visited the property today and many of the parking stalls were not accessible due to snow storage. Clint Thomas replied that he did have someone who performed snow removal. He said he did not have any issues with snow removal in the past.

Commissioner Kirkham spoke on the citizen comments related to sewer issues. Clint Thomas replied that he planned to make some changes and that he did have issues with tree roots in the pipes in the past and occasionally had to have the lines cleaned of the roots.

Commissioner Larson asked about exterior lighting. Clint Thomas replied that there were lights in the parking area, in the stairwells, and on the exterior of the buildings.

Commissioner Garn commented that when he visited the site he was surprised that there would be room for the construction of another building or vehicle egress. Clint Thomas replied that the entrance would be widened and the storage units would be removed which would make more room on the site.

Commissioner Garn also expressed concern with the current lack of upkeep on the existing buildings. He asked why the construction of the new building would be what it took to perform the upgrades on the existing buildings. Clint Thomas replied that there had been many exaggerations made by the residents and that he planned to do all the upgrades as part of the construction loan he would obtain for the new building. He said he was trying to improve the area.

Commissioner Tucker commented that the City wanted to allow for more moderate income housing but said the concerns of the residents were valid. He questioned how to find the balance between what it would take to allow for lower rent versus building construction/maintenance affordability.

Commissioner Ward commented that if a P District was used to impose certain conditions that the rent for the apartments may go up considerably.

Commissioner Gordon asked if the police chief would comment on the issues the citizens had voiced concerning the apartment complex. Chief Craig Black said that there had been calls to the area but there was no ongoing investigation. He said there were not regular instances of drug use

at the complex. As to the death, he explained that kind of situation could happen anywhere, in buildings such as sheds that aren't checked often.

Commissioner Gordon asked if better lighting would make the property safer. Chief Black replied that the complex was in an older area so there was not a lot of lighting in the parking lot. He said more lighting could be helpful to deter crime but could be bothersome to the residents that lived there.

Commissioner Gordon also asked about the grade change between the church and this property. She asked if this created a back alley. Chief Black replied that there was a grade change and retaining wall which could contribute to creating an obscured area.

Chair Knowlton commented that the applicant must go through the P Zone process to build the proposed apartment building. He asked if the Commission had the ability to add a condition related to upkeep of the property. Sherrie Llewelyn replied that the City would have some ability through the development agreement. She recommended conditions related to improve the roof, trim, and exterior lighting.

Commissioner Gordon asked if there was an opportunity for the building inspector to check if the current buildings were up to code. Sherrie Llewelyn replied only if the applicant applied for a building permit or invited the inspector to view the property.

Commissioner Ward asked what could be examples of a cause that would allow the building inspector to view the property. Sherrie Llewelyn replied that if a tenant reported that there was an electrical hazard and requested the building inspector to view their unit. (Staff later verified that permission of the property owner would be required).

Chair Knowlton said that this was the first step and the rezone would be the second step. He asked if the conditions for ongoing upkeep could be placed at a later date. Sherrie Llewelyn replied that the Commission could direct staff to incorporate specific upgrades and maintenance into the development agreement.

Commissioner Gordon asked if the development agreement was an administrative or legislative action. Sherrie Llewelyn replied that it was an administrative action. She said the development agreement would give the applicant a permit to construct the units as well as conditions that must be met which could relate to visual appearance, lighting, specific materials, and fencing.

Commissioner Garn asked if the City entered into an agreement with the property owner if the certificate of occupancy could be held until the work was completed. Sherrie Llewelyn replied that the City could require that a bond be put into place to ensure the work was done.

Commissioner Tucker commented that from an administrative standpoint that multifamily housing was allowed in the zoning. He asked what would constitute a complaint that would be actionable by City enforcement as at least three different complaints had been made by residents in the meeting.

Commissioner Ward commented that the City had a carrot and stick or that there was motivation for the applicant to complete certain requirements. He asked what conditions should be part of the development agreement as this was an opportunity to improve the property.

The Commission discussed potential conditions including roof improvements related to the mansard style roof and the best material for the siding of the new building.

Clint Thomas replied that he was planning to replace or repair the shingles that were visible on the side of the building.

Commissioner Gordon asked if, based on his construction experience, Commissioner Garn would give his recommendation on the condition related to the siding materials for the proposed building. Commissioner Garn recommended pre-dyed hardie board as it had a 25 year warranty and was a sturdy product. He said aluminum or vinyl would discolor, crack, etc.

Commissioner Kirkham suggested that the exterior of the existing buildings be upgraded and said that the brick on the existing buildings should be power washed.

Commissioner Gordon commented that more expensive building materials could make the rental rates increase. Commissioner Larson also said that there was not guarantee the rent would stay in the \$800 price range. She said the Commission could allow aluminum siding but suggested that the brick on the other buildings had held up and that the focus should be on the long term appearance of the buildings.

The Commission discussed the fourth condition related to fencing and that the fencing along the west boundary should be upgraded and repairs should be made to the fence on the north boundary. The conditions to be added to the motion included improved exterior lighting, ongoing property maintenance, and improved snow removal procedures.

Clint Thomas commented that he would repair or replace the shingles visible on the side of the building, repair the wooden accent trim, add additional lighting in the stairwells, and potentially add increased lighting in the parking lot.

4. CONSIDERATION OF A GENERAL DEVELOPMENT PLAN FOR PROPERTY
LOCATED AT 3511 SOUTH ORCHARD DRIVE, CLINT THOMAS APPLICANT

Commissioner Ward moved that the Planning Commission recommends approval to the City Council the proposed general development plan for the Clint Thomas Apartments located at 3511 South Orchard (AKA 521 North Orchard) with the following conditions to be included in the final development agreement and zone change:

- 1) **The property address will be reassigned to a North Salt Lake address of 521 North Orchard Drive;**
- 2) **The existing buildings wood siding will be painted to match the finish and color of the new building;**
- 3) **The proposed building will be of brick construction with either composite or hardie siding;**
- 4) **The existing chain-link fence located on the west boundary of the property be updated to a site obscuring material and the fence on the north boundary be repaired;**
- 5) **Parking approved at a ratio of 2.25 spaces per unit;**
- 6) **A plan is included to add additional exterior lighting to the property;**
- 7) **A plan is included related to continued maintenance to include ongoing maintenance plan, improved snow removal procedures for the property, and to ensure that snow is not stored in the existing parking areas;**
- 8) **Final architecture, design, materials, and colors;**
- 9) **The development agreement include a plan to upgrade the existing buildings including the stairs and railings, mansard roof, and T11 siding;**
- 10) **That the development agreement include a continuing maintenance plan.**

Commissioner Tucker seconded the motion.

The Commissioners asked if additional conditions related to updating the stairwells and an ongoing maintenance plan could be added to the motion.

Commissioner Ward amended the motion to include conditions 9 and 10. Commissioner Gordon seconded the amended motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker, Larson and Gordon.

5. PUBLIC HEARING-CONSIDERATION OF AN APPLICATION TO REZONE PROPERTY LOCATED AT 378 EAST ODELL LANE FROM RESIDENTIAL-MULTIFAMILY (RM-7) TO P-DISTRICT, BRIGHTON DEVELOPMENT, APPLICANT

Sherrie Llewelyn reported that the 1.24 acre property was located in the RM-7 Zone. Brighton Homes had requested a P-District Rezone and General Development Plan for 24 townhomes to be sold as individual units. The site was adjacent to two single family homes to the west and Peach Tree Apartments to the south. The requested density would be 20 dwelling units per acre. The Planning Commission would hold a public hearing followed by a recommendation of the General Development Plan to the City Council. The proposed site plan for Orchard Grove has two access points from Odell Lane with no vehicle access to Orchard Drive. Units 101-110 would have front doors facing Orchard Drive and would be two and a half stories tall with the front doors at street level. The sidewalk would be moved back and a park strip would be installed. Units 111-118 have front doors facing west with garages that would share a drive with units 101-110. Units 119-124 would be interior units with front door adjacent to the garages for each unit.

The proposed parking ratio would be 3 spaces per unit which exceeded the requirement of 2.25 spaces per unit. Each unit would have either a 2 car tandem or standard garage. Additional parking in some driveways combined with 14 guest parking spaces for a total of 73 spaces. The landscaping would be 0.34 acres equal to 27.2% of the site with a portion of open space to be fenced off for use as a dog park.

Sherrie Llewelyn explained that the developer had submitted two architectural renderings for the Planning Commission to choose from and said that after feedback from the DRC the second elevation was revised to include a pitched roof to fit with the architectural style of the neighborhood. The buildings would be brick and stucco with hardie board trim. The 24 units would include 15 two bedroom units at 1,347 square feet each and 9 three bedroom units at 1,800 square feet per unit. The DRC recommended approval with four conditions including that the proposed building have brick, stucco, and hardie board construction, the existing wood fencing be upgraded to composite, three spaces per unit parking ratio, and final architecture, design, materials, and colors.

Sherrie Llewelyn commented that staff had received several public comments via email which had been sent to the Planning Commissioners prior to the meeting.

Commission Chair Knowlton opened the public hearing at 8:11 p.m.

Kelly Jones commented that she lives near Odell Lane and had concerns about traffic safety and asked if an impact study had been done. Sherrie Llewelyn replied that the Planning Commission could require a traffic study. Kelly Jones said that there were poor sight lines on the corner and that the townhomes would make it even harder to see. She expressed concern with decreased property values, on-street parking, snow removal, and increased traffic on Odell Lane. She also asked how many units would be allowed in the current RM-7 Zoning and asked the City to consider allowing a smaller development. Sherrie Llewelyn replied that it would be approximately 10 multi-family units or 6 duplexes with 12 units.

Wendy Mele commented that the City should require quality and not quantity. She said 24 units would equal 72 addition cars which would be dangerous in the school crossing zone due to poor visibility. Ms. Mele said this area should be single family housing and not multi-family. She also said that garbage pickup on Odell was bad now but would be even worse with an additional 24 units.

Melissa Adams, 330 Odell Lane, said that she had lived in her home for 14 years and loved the area due to the walk-ability, the neighbors, and the open green space. She said that many of the single family homes have since been replaced with condos and apartments. Ms. Adams commented that her concerns were the narrow road which leads to increased accidents and prohibited snow plows from clearing the road, as well as decreased privacy and security. She asked that the Planning Commission deny the rezoning and the additional 24 units.

Milt Buhrman, 330 East Odell Lane & 8 North Valley View Drive, said that he would like to explain how the family came to the decision to sell the property and chose Brighton Development for the project. The family had discussed the best way to sell and develop the property while respecting the wishes and improvements that had been made to the Odell Lane property. The family required in the sales contract that the proposed property be housing that people could purchase. Their desire was that the people who bought the townhomes would be vested in the neighborhood and become members of the community as neighbors to those living on Odell Lane. He said that the prudent use of land was important and that the proposed plan would provide opportunities such as reasonable housing and allow for new people to move into the neighborhood. He felt that Brighton had proposed a nice development with good architecture that their deceased father would approve of.

Will Smith, 379 Odell Lane, said he had lived on Odell for 12 years and liked seeing deer in the neighborhood and in the orchard on the property. He said his concerns included his property facing the access point for 72 cars, that the Brighton Homes Odell Crossing project was proposed to have 28 owner occupied units but ended up with 44 for lease units. He expressed a need for a

traffic study. He said that the parking was not evenly distributed, even though the plan was for three spaces per unit. Mr. Smith also expressed concern that Odell was a narrow street and on-street parking would impact traffic, snow removal, and the crosswalk.

Jon Powers commented that he owns the neighboring flag lot and that there was a dispute regarding the proposed property, as he believed the development would cause his home to be out of compliance with City code. This related to the side yard area of the home that had been expanded by the previous owner (daughter of the development property owner) onto the property now proposed for development. He also said that he had objections to the project, in that he currently uses the property for the purposes of backing his trailer into its parking spot. He explained that he would have to widen his driveway and this would have a financial impact on him. Commissioner Gordon asked Mr. Powers if he was saying that he could not back into his own driveway without trespassing on the neighbor's property. Mr. Powers stated yes that was accurate. Mr. Powers said he spoke with Brighton Homes for the first time yesterday and that the solution to his problem regarding the side yard would be to remove one unit. He said that the Bells sold him his home but did not sell him a portion of the property included the full yard area.

Judy Bell explained that John Powers had been allowed to park his company trailer on their family property for the last three years. She said that her family had lived on the property for 38 years and while they did talk to Mr. Powers in the past about selling him additional land a verbal or written agreement had never been made. She said that Mr. Powers asked to buy the property and build a shop and had concerns about access to his property but she was unaware of any property dispute.

Chair Knowlton explained that the Planning Commission was not involved in property disputes as that was a civil matter between the property owners.

Brigham Diaz, 102 North Orchard Drive, said he was concerned with the plan for 24 units per as the street was not wide enough to accommodate the proposed development. He asked if the plan considered widening the street. Sherrie Llewelyn replied that the street would be widened in front of the development and that would allow parking on both sides of the street in this area. Brigham Diaz then said that if the proposed homes are right on the street frontage of Orchard Dr. that it would be loud for the residents and that a fence should be installed for a sound barrier as well as to prevent pedestrians from using the southeast corner of the property as a shortcut.

Carly Martin, 367 Odell Lane, said that she had the same concerns with traffic, safety, and density as others had stated and asked that the Commission keep the property zoned RM-7.

Reuben Wolsey suggested that the density be lessened as the proposed 24 units did not match the existing housing on Odell Lane. He asked if the townhomes would be owner occupied and why the Odell Crossing development had more units than the original proposal.

Vickie Buhrman commented that she had lived on Odell for 20 years and that her parents owned the proposed property. She said that she understands that people love having the open space of her parents' property, but that this was real life and people needed places to live. Ms. Buhrman said that Brighton Homes had created a beautiful development plan and the City needed to consider the growth of the State and the need to provide housing options.

Michelle Barker Allred commented that she lived on the neighboring Hillside Lane and said that the area had changed substantially including too much traffic on Odell Lane. She explained that the retention pond for her street had filled during a storm and asked about retention for the proposed development. Sherrie Llewelyn commented that the detention would be underground storage system.

Barry Bryson, North Shadow Ridge HOA, said that he knows that development would happen but asked that the developer have respect for the community and build something similar to his development four buildings with five units per building or duplexes. He said that a precedent was set at Odell Crossing which was supposed to be a smaller development.

Laura Knowlton commented that she surprised no one had mentioned the lack of yard or open space for the proposed development. She felt that the proposed density was too much for the area and suggested that the Commission deny the rezone which would force the developer to build no more than 12 units.

John Powers asked that the Commission postpone this item so that he could work on an agreement with the developer.

Commission Chair Knowlton closed the public hearing at 9:20 p.m.

Taylor Spendlove, Brighton Homes, addressed the resident's concerns including traffic, garbage pickup, water retention, and the open space. He said that they would be widening the right of way by 15 feet including the sidewalk. Mr. Spendlove also said they could perform a traffic study but that it would typically show 8-10 trips per day per unit. He then said that the units would be owner occupied and sold in the high \$200,000 to \$300,000 range. Garbage pickup would be done within the community and not on Odell Lane, he commented that they were currently working with the city to move the trash pickup to the interior of the Odell Crossing

project, rather than the street. Water would be retained on site, pedestrian accesses would be via a sidewalk in the development, and there would be open space via a dog park.

The Commission took a brief recess from 9:31 p.m. to 9:39 p.m.

Commissioner Larson asked how many feet would be in between the two driveway/accesses. Sherrie Llewelyn replied that it was approximately 60 feet.

Chair Knowlton asked what the maximum height for the RM-7 Zone is. Sherrie Llewelyn replied that the maximum height was 35 feet and the proposed height for the development was also 35 feet.

Commissioner Gordon asked what the residential setback would be for RM-7 and the setback for the proposed development. Sherrie Llewelyn replied that it would be 25 feet for the RM-7 Zone and the setback for the proposed development would be approximately 16.5 feet to the building.

Chair Knowlton commented that the property owner had the right to develop the property and the trade off would be either the RM-7 or the P District proposal. He said the focus had been on the number of units but explained how the zoning dictated things like the number of parking spaces, the amount of landscaping, and a density cap.

The Commission also discussed other tradeoffs including rental or owner occupied units, the setback, parking spaces, height maximums, landscaping, etc.

Commissioner Ward commented that he did not like how close the homes would be setback from Orchard Drive. He recommended something in between denial of the proposal and a bigger setback even if that meant fewer units.

The Commission then discussed requesting a potential traffic study. Sherrie Llewelyn asked Commissioner Tucker, per his background as a transportation engineer, to comment.

Commissioner Tucker commented that he had determined the calculations would be approximately 20 vehicles per hour or an average of 3 vehicles per minute. He said that while it may feel like residential areas created a mass of traffic the volume created by this development would not even warrant an additional traffic lane.

Commissioner Ward asked if Odell Lane was a standard size street. Sherrie Llewelyn replied that Odell had previously been a one-way County road that was originally 15 feet wide, the city had widened it to 24' of paving which was not a standard width. She said that at one point the City

did not allow on-street parking at all, but the neighbors had petitioned the city to allow parking on one side. When the Odell Crossing project was approved the city required the developer to widen that portion of the street, which now had 34 feet of pavement. This now allows parking on both sides of that portion of the street. The street in front of the proposed development would be widened to the same cross section. If in the future, the city had funding and the neighbors were willing to dedicated or sell additional right of way the remainder of the street could be widened.

The Commission discussed what would be a better fit for the area, road widening versus a bigger landscaping setback, and potentially removing unit 111.

Taylor Spendlove commented that they wanted to provide adequate parking but could potentially remove two units to allow for additional setback.

Commissioner Gordon asked if there was currently sidewalk on the south side of the street. Sherrie Llewelyn replied that they would be adding sidewalk in front of the project.

Chair Knowlton asked what the dog park would consist of. Sherrie Llewelyn replied that it would be a fenced in grass area.

Taylor Spendlove clarified that it would be a semi-private vinyl fence around a lawn area with garbage receptacles and benches.

The Commission agreed that the number of units should be reduced and discussed the potential to reduce the number of visitor parking stalls, increased open space, reconfiguration of the units, and increased setback on Odell Lane. Chair Knowlton commented that removing one of the two accesses and removing the visitor parking would allow for a different layout that would allow more parking in individual driveways of each unit.

Taylor Spendlove asked that the item be tabled until the next Planning Commission meeting so that they could bring the development back after addressing the suggested changes to the layout design of the project and the other items that had been discussed.

6. CONSIDERATION OF A GENERAL DEELOPMENT PLAN FOR ORCHARD GROVE LOCATED AT 378 EAST ODELL LANE, BRIGHTON DEVELOPMENT, APPLICANT

Commissioner Gordon moved to table action and reconsider the General Development Plan for Orchard Grove on February 26th as requested by the applicant. Commissioner

Ward seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker, Larson and Gordon.

7. CONSIDERATION OF FINAL PLAT APPROVAL FOR “THE WINNIE” (AKA WINEGAR’S TOWNHOMES) AT 620 NORTH ORCHARD DRIVE, CW LAND, APPLICANT

Sherrie Llewelyn reported that this was the final plat for the Winegar’s “The Winnie” Townhomes. This development consisted of 54 units on 2.5 acres with one 1.0 acre lot proposed for future development. The DRC recommended approval with the condition that the plat be amended to show cross easement access across the entire width of the south driveway.

Commissioner Gordon asked about the proposed development name. Parker McGarvey, CW Land, replied that the company named their development projects after women and determined that the “Winnie” was in recognition of the Winegar’s grocery store.

Commissioner Ward asked when construction would commence once the plat was approved. Parker McGarvey said that the demolition of the building would take a month so construction would start in March.

Commissioner Garn moved that the Planning Commission recommend approval on the proposed final plat for the Winnie located at approximately 3400 South Orchard Drive with the following condition:

- 1) **Amend the plat to show cross easement access across the entire width of the south driveway.**

Commissioner Gordon seconded the motion. Commissioner Garn seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker, Larson and Gordon.

8. PUBLIC HEARING-CONSIDERATION OF AN AMENDMENT TO THE CITY CODE 10-1-45, SHORT TERM RENTALS REGULATIONS

Commission Chair Knowlton opened the public hearing at 10:26 p.m. There were no public comments and he closed the public hearing at 10:27 p.m.

Chair Knowlton suggested tabling the consideration of an amendment to the City Code 10-1-45, Short Term Rentals regulations until the next Planning Commission meeting.

Commissioner Gordon moved to table this item until the next meeting. Commissioner Tucker seconded the motion. Commissioner Garn seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker, Larson and Gordon.

9. REPORT ON CITY COUNCIL ACTIONS ON ITEMS RECOMMENDED BY
PLANNING COMMISSION

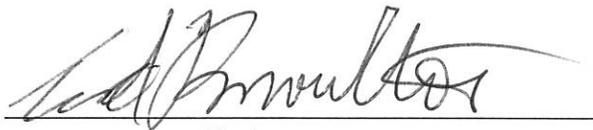
Sherrie Llewelyn commented that she would report on this item at the next Planning Commission meeting.

10. APPROVAL OF MINUTES

The Planning Commission meeting minutes of January 22, 2019 were reviewed and approved. **Commissioner Larson moved to approve the meeting minutes as they stand for January 22, 2019. Commissioner Garn seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker, Larson and Gordon.**

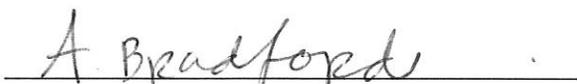
11. ADJOURN

Chair Knowlton adjourned the meeting at 10:30 p.m.



Chair

Recorder



Secretary