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13. Village @ Dimple Dell Mixed Use Development
1500 East 10600 South

SPR#04-31

Corey Solum and Mark Ossola, representatives for Nearon Enterprises, requested mixed use master plan approval and preliminary site plan review for the proposed Village @ Dimple Dell Mixed Use Development. This development is proposed to include 20 buildings that will house a total of 173 terraced condominiums, town houses, clustered townhouses, stacked flat condominiums, and approximately 52,580 square feet of commercial retail/office space.

The staff report addressed such issues as access, parking, architectural elevations and materials, building setbacks, building height, landscaping, amenities, signage, and lighting.

Staff concerns include the following issues:

1. All reviewing City departments have conducted a preliminary review of the proposed project. Additional required information will need to be reviewed and approved by all reviewing City departments prior to final approval by the Planning Commission.
2. The Engineering Division has determined that the preliminary plan needs to be revised to address the following issues:
 - a - Show the proposed right-of-way at the back of the proposed sidewalk on 10600 South.
 - b - Show how to address the slopes and small setback of the housing from the sidewalk along the south side of the proposed project.
3. The applicant needs to continue working with the owner of the Bell Canyon Center in an effort to revitalize this entire area.

Staff recommends that the Planning Commission grant Mixed Use Master Plan approval for the Village @ Dimple Dell Mixed Use Development and determine that preliminary site plan review is complete subject to the following conditions:

1. That street dedication and improvements be carried out in accordance with plan and profiles stamped and approved by the Sandy City Engineering Division. That specific information for 10600 South, as well as the interior street system/private driveway system, be provided at final site plan review. That the following also be required:
 - a - That no poles or overhead power lines be allowed across the development. All utilities must be placed underground in conformance with City Ordinance #96-9.
 - b - That appropriate measures be taken by the developer/builder to insure minimal problems with blowing soil or sand during construction.
 - c - That all utility boxes (i.e. transformers, switch gear, telephone, cable tv, etc.) shall be shown on the site plan and shall be placed underground or moved behind the front setback (minimum of 30 feet from the property line) and screened from view. Each box shall be shown in its exact location and shall be noted with its exact height, width, and length.

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- d - That the developer be required to comply with the City Engineering Department requirements included as Exhibit A.
- 2. That compliance be made with the Sandy City Water Policy, i.e., water line extensions, connections, water rights and fire protection.
- 3. That the project comply with all requirements of the MU (Mixed Use) zone.
- 4. That the developer provide staff with a fully engineered and dimensioned final site plan according to the site plan review procedures, including any modifications required by the Planning Commission.
- 5. That a total of 600 parking spaces be provided on the site. That 346 parking spaces be provided for the 173 units (ratio of 2 spaces per unit). That Buildings 1, 2, and 5 provide underground parking for owners. That 188 parking spaces be provided for the commercial retail/office space on the site (ration of 3.5 spaces per 1,000 square feet). That a shared parking arrangement be allowed in conformance with the goals and policies of the Sandy City Mixed Use Zone. That this information be provided at final site plan review.
- 6. That the architectural materials include: a heavy stone or brick base, a brick, hardi board siding or stucco facade, with standing seam metal or architectural grade asphalt shingle roofing. That the architectural elevations include varied roof styles, decks, and balconies with decorative railings, varied window shapes, covered porches or canopies over entry areas, stone/brick columns, and other decorative enhancements to the design of the buildings. Also, that the building, which include commercial retail/office space, be required to comply with the Sandy City Architectural Design Standards. That the final design, materials, and coloration of the buildings comply with that approved by the Planning Commission.
- 7. That the building setbacks be according to the dimensioned site plan. That the front setback be measured from the back of curb (17-18" minimum), with a minimum of 18 feet from the back of sidewalk to the garage for the front load town home units. That there be a minimum of 10 feet between buildings. Also, that a minimum rear setback be determined for the buildings adjacent to 10600 South prior to final approval.
- 8. That the Planning Commission determine whether or not Buildings 1-4 may be approximately 50 feet in height, or if additional information should be submitted at final site plan review to determine an allowable building height range. That Buildings 5-20 (residential units only) be required to comply with the height limitation of the R-1-8 zone.
- 9. That the applicant submit a final landscape plan and irrigation plan (including proper street cross-sections for street trees) that complies with the Water Efficient Landscaping Ordinance (Development Code, Section 15-07-04). That additional details be provided on the final plan.
- 10. That the amenities illustrated on the preliminary plan be a requirement of this development. That the clubhouse and pool area either be put in with Phase I or bonded for with the initial phase of the project. Also, that the developer work with staff to provide sidewalk cross-section drawings for the streetscape/furniture and plaza designs for final approval.
- 11. That a 10 foot multi-purpose trail be placed along the 10600 South frontage of the property, or as approved by the Planning Commission. That a horse crossing which is acceptable to the City Transportation Engineer be provided on the south side of 10600 South. That the

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- developer work with the Parks & Recreation Division and Salt Lake County to provide a lower trail connection into Dimple Dell Regional Park prior to final site plan review.
12. That the developer work with staff to create a master sign plan for the project. That this plan incorporate a “Main Street” sign theme for the project. That a detailed master sign plan be brought back to the Planning Commission for review and approval at a later date.
 13. That all exterior lighting be limited to those areas needed for security/safety purposes only. That village type street lights be utilized on the site. That all exterior lighting on the site or buildings be shielded and directed downward so light spill does not affect adjacent properties. Also, that the developer be required to use color corrected high pressure sodium (white light) as the primary light source on the site.
 14. That buildings along the northern portion of the site (urban wildland area) be constructed of materials approved with a minimum of a one hour rated fire resistive construction on the exterior side or constructed with approved non-combustible materials. This will be determined as a case by case basis at building permit review. That an approved non-combustible or fire treated roof covering will be required. That the proposed multi-family buildings may build to the toe of the slope but not encroach within 30% or greater slope areas.
 15. That a private association be created for this development to administer to the maintenance of all open space/plaza/amenities and private road areas. A road maintenance fund, the amount to be determined by the Public Works Department, shall be established as part of the CC&R’s. A copy of the CC&R’s shall be given to staff prior to final site plan approval or recordation of a condominium plat for each development phase. The City Deputy Attorney will also review and approve the document prior to final approval.
 16. That no outside storage of materials be allowed on the site.
 17. That no boats, personal water craft or RV parking be allowed on the site. That this be stipulated and recorded in the restrictive covenants.
 18. That the development comply with all Building and Safety, Fire and Life Safety Codes applicable for this type of use.
 19. That each phase of this project be brought back to the Planning Commission for final site plan approval.
 20. That the commercial retail/office space component of the project be under construction within 2 years of Phase I final approval, or as approved by the Planning Commission.

Mark Ossola, of Nearon Enterprises, explained that a previous developer was working with the City to develop this property with a mixed use project, and they decided not to pursue the project. Nearon Enterprises determined to step in to develop this property and continue with the same basic design. They feel that the changes they have made to the site plan are positive and will result in a better overall project. Specifically, they have reduced the amount of office space by 40%, reduced the height of the buildings and been able to eliminate the need for shared parking. They have assured the homeowners in the Bell Canyon Acres area that they will stand behind any agreements made by the previous developer.

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Corey Solum, the architect, reviewed details of the site plan with the Planning Commission which included cross-section drawings. One concern with the conditions is #11 which requires a 10 foot multi-purpose trail along 10600 South. He mentioned that they feel an 8 foot sidewalk would be adequate and would provide an opportunity for some additional landscaping.

Mr. Ossola commented that the only condition that causes them any concern is #20. He explained that their lenders require the office component to be pre-leased prior to providing funding. Condition #20 is requiring that the commercial retail/office space components of the project be under construction within two years of Phase I final approval. This condition puts them in a difficult position because they cannot be obligated to build something that cannot be financed. He further explained that it is their intent to build the commercial retail element with Phase I. In fact, it is their goal to build most of the project in Phase I.

Dan Medina, City Parks Superintendent, responded to the multi-purpose trail issue by explaining that the standard set forth in the Parks & Trails Master Plan calls for a 10 foot trail. He indicated that he would be willing to reduce it to a 9 foot trail because that is the width of the trail to the east of this property on 10600 South.

Chairman Milne invited public comment on this issue.

Craig McCullough, 1499 E. Ascot Circle, expressed concern that this development will have a substantial negative impact on the traffic flow on 10600 South.

Chairman Milne closed the public comment portion of the hearing.

Paul Goodrich, City Transportation Engineer, responded to Mr. McCullough's comments by explaining that traffic impacts will be mitigated by the widening of 10600 South on the north side, the installation of curb and gutter and some deceleration lanes.

Nancy Day commented that she understands why the Parks & Recreation Department wants an 10 foot trail. However, she felt that an 8 foot trail would be acceptable because the trails do not seem to be that busy. She felt that the additional landscape buffer is a more important benefit to the City than a 10 foot trail.

Ken Reber moved that the Planning Commission grant Mixed Use Master Plan approval for the Village @ Dimple Dell Mixed Use Development and determine that Preliminary Site Plan Review is complete subject to the conditions listed in the staff report with the following modifications:

8. That the Planning Commission determine *that* Buildings 1-4 *be allowed at four stories, and that* additional information be submitted at final site plan review to determine an allowable building height range. That Buildings 5-20 (residential units only) be required to comply with the height limitation of the R-1-8 zone.

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11. That an 8 foot multi-purpose trail be placed along the 10600 South frontage of the property. That a horse crossing which is acceptable to the City Transportation Engineer be provided on the south side of 10600 South. That the developer work with the Parks & Recreation Division and Salt Lake County to provide a lower trail connection into Dimple Dell Regional Park prior to final site plan review.

20. That the commercial retail/office space component of the project be under construction *within a time period that is feasible for the applicant and the overall development. That the developer be required to rough grade the two pads (Buildings 3 & 4) and install landscaping around the future development area.*

Max Burdick seconded the motion. The vote was as follows: Ken Reber, yes; Max Burdick, yes; Alan Matheson, yes; Monica Collard, yes; Bruce Steadman, yes; Nancy Day, yes; Don Milne, yes. The vote was unanimous in favor.

14. Approval of Minutes - May 5, 2005

Bruce Steadman moved to approve the minutes of the meeting held May 5, 2005 as amended. Nancy Day seconded the motion. The vote was unanimous in favor.

The meeting adjourned at 10:00 p.m.

The content of these minutes is not intended nor are they submitted as a verbatim transcript of the meeting. These minutes are a brief overview of what occurred at the meeting.

Respectfully submitted: _____
Eileen Luker, Secretary