

NORTH SALT LAKE CITY
PLANNING COMMISSION MEETING
SEPTEMBER 22, 2015

FINAL

Chairman Pro Tem Kim Jensen called the meeting to order at 6:33 p.m. and welcomed those present.

PRESENT: Commissioner Kim Jensen
Commissioner Kent Kirkham
Council Member Ryan Mumford
Commissioner Stephen Garn
Commissioner Ted Knowlton

EXCUSED: Commission Chairman Robert Drinkall
Commissioner Lisa Watts Baskin

STAFF PRESENT: Ken Leetham, Assistant City Manager and Community and Economic Development Director; Sherrie Christensen, Senior City Planner; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Jeff Ott, Nancy Ott, Goldstar Auto.

1. PUBLIC COMMENTS

There were no public comments.

2. CONSIDERATION OF A PROPOSED SITE PLAN AMENDMENT FOR GOLDSTAR AUTO, ADDITION OF 3 BAY STORAGE BUILDING AT AN AUTO DEALERSHIP LOCATED AT 110 NORTH HIGHWAY 89. JEFF OTT, APPLICANT

Sherrie Christensen reported that this is a site plan amendment for Goldstar Auto and would include the construction of a garage structure to replace an accessory garage structure which collapsed during the winter and which has since been torn down. The property is zoned Commercial Highway (CH) and while it is located in the area under the current moratorium, the City Council removed the property from the moratorium area and allowed the site plan amendment for the structure to proceed.

The amended site plan shows a new outbuilding, which will be closer to the property line than the previous building, and is a few square feet smaller than the original storage building. The new building will have LP SmartSide or hardy board exteriors. Landscaping on the site consists of frontage along Highway 89 with a buffer from the property line to the parking lot and a buffer on the remaining property lines with trees and shrubs. Landscaped areas are also along the rear and north side of the building. The current landscaping does not meet the current Redwood Road and Highway 89 standards in regards to street trees and park strip right of way widths. It would be reasonable for the applicant to plant two to three trees in the front park strip to comply with the intent of the ordinance.

The Development Review Committee (DRC) recommends approval of the site plan amendment for Gold Star Auto at 110 North Highway 89 subject to the condition that a minimum of two street trees be added to the front street landscaping, in accordance with section 10-7-7(k)(24), adopted February 7, 2012.

Council Member Mumford asked, after reviewing photographs of the site, if the two covered parking spaces next to the proposed garage structure would be removed. Sherrie Christensen replied that the covered parking spaces would remain.

Jeff Ott, property owner, commented that the property is a car dealership and that putting trees in the park strip would block the visibility of the cars on display. He said they usually put their best cars upfront and that there is not a lot of frontage on the property. Mr. Ott suggested that one tree could be placed on the north side of the lot and that a second tree could be put in the park strip next to the house. There are currently 20-25 cars on the lot with five displayed up front.

Council Member Mumford asked if there was any exception in the code which would allow the applicant to place the trees in a location other than the park strip. Sherrie Christensen replied that the issue with the street tree ordinance is that it does not clarify what action triggers the need for the addition of trees or specify what methods need to be taken to achieve it. She also said that it would be difficult to work with the Utah Department of Transportation (UDOT) on any changes to this cross section.

Commission Knowlton asked what the impacts of UDOT's right of way and any concerns. Ken Leetham replied that UDOT would require property ownership if sidewalks are adjusted to conform to the new cross section. When working with property owners to make improvements UDOT would require more property to be dedicated to them.

Commissioner Garn asked the applicant if the trees are required to be placed in the front park strip if there was an area that would be acceptable. Jeff Ott replied that he would prefer the trees be placed near the edges to minimize blocking the cars on display.

Nancy Ott, property owner, commented that there are already two existing trees on neighboring lots that block their property. She said that new trees would block the sign and showed the Planning Commission the areas of the property where the trees could be planted that would not affect the visibility as much.

Jeff Ott also commented that this request is just to replaced a storage shed and said that while he did not feel it was necessary to add more trees in the park strip he would do what was necessary to accommodate the City.

Commissioner Knowlton asked for clarification on when improvements trigger changes to the cross section. Sherrie Christensen replied that normally the code would clarify but that this section was unclear on when the trigger would be and that it was up to interpretation.

Commissioner Knowlton commented that the rationale could be clear that they are replacing a building and not building an entirely new structure or expansion and if it was reasonable to draw that distinction. Ken Leetham replied that the code would need to be re-written to clarify when the improvements would be triggered to bring these non-conforming properties into conformity. He commented that the applicant was correct in stating they were only replacing an existing building that had fallen down.

Sherrie Christensen commented that the applicant is not increasing the impervious surface or decreasing the parking. They are also not decreasing the landscaping and currently have exceeded the minimum landscaping requirements.

Council Member Mumford commented that the City is trying to improve the vision of the area and whenever a site changes it is required to be brought up to code.

Commissioner Knowlton moved that the Planning Commission approve the site plan amendment for Goldstar Auto at 110 North Highway 89, with the following findings and subject to the attached conditions:

Findings:

- 1) The existing automobile sales is approved use in the CH Zone;**
- 2) Sufficient parking is being maintained for proposed use;**
- 3) The proposed use meets all the requirements of the development code; and**

- 4) The proposed structure is replacing an existing structure which contained fewer square feet; it is thus not an expansion of a non-conforming use.**

Commissioner Kirkham seconded the motion. The motion was approved by Commissioners Jensen, Kirkham, Garn, Knowlton and Council Member Mumford. Commissioners Drinkall and Baskin were excused.

Commissioner Kirkham asked what the minimum square footage would be to require a fire suppression plan. Sherrie Christensen replied that every commercial building must be within 250' radius of a fire hydrant.

3. DISCUSSION- DRAFT GEOLOGIC HAZARDS ORDINANCE

Sherrie Christensen reported that the public hearing for September 29th for the Geologic Hazards Ordinance would be postponed until October 13th. The draft has been sent to the geotechnical consultant for review and also presented to the Planning Commission. The first steps that would be required for a Geologic Hazards Area would include scoping, investigation, preparation of a hazards report and a plan for re-vegetation of the property. The current steps for a proposed development include: Sketch Plan review, Geologic Hazards areas, Preliminary Plat review and then Final Plat/Conditional Use Permit. As the concept plan and additional changes are approved by the Planning Commission and then recommended to the City Council, the City Council may not review the project until Final Plat and Conditional Use permit are requested. This may cause issues if City Council members find issues with the proposed development. However once an official body gives approval, such as when the Planning Commission gives approval at the Sketch plan stage, the project is considered vested which the developer relies on to proceed with the planning stages. The DRC recommends that sketch plan review should not require an approval and would include review of the project by City staff and the chance to meet with the developer. The developer would then take a risk in investing in the geological study. This would give the City and the developer enough information to make an informed decision before vesting the project.

Commissioner Knowlton commented that this may introduce other risks for the developer as they would spend money without any sense on whether the project would be approved or not. Sherrie Christensen replied that if the ordinance is developed correctly it would prevent surprises to the developer and to the City such as preventing development on lots that should not be built upon.

Ken Leetham said that approving the concept plan at the City Council level would work as there are so many Planned District (P) applications. In a geologic hazard area approval would not be

granted until the hazard report is done. He commented that most areas above Orchard Drive would be subject to these regulations and that it would regulate many of the areas with any special considerations.

Ken Leetham then reported on the progress with the landslide. He said that good progress had been made including the elimination of the scarp and removal of the curb, gutter and asphalt on Pace Lane. Thousands of yards of material has been removed and placed on City property in Tunnel Springs Park. The project is approximately halfway done with crews working on smoothing and shaping the slide mass with a contractor to work on the Evan's property.

Commissioner Jensen commented that it would be helpful for residents to continue to receive regular updates on the progress of the cleanup.

4. APPROVAL OF MINUTES

The Planning Commission meeting minutes of September 8, 2015 were reviewed and approved.

Council Member Mumford moved to approve the Planning Commission meeting minutes from September 8, 2015. Commissioner Knowlton seconded the motion. The motion was approved by Commissioners Jensen, Kirkham, Garn, Knowlton and Council Member Mumford. Commissioners Drinkall and Baskin were excused.

5. ADJOURN

Chairman Pro Tem Jensen adjourned the meeting at 7:37 p.m.



Chairman Pro Tem



Secretary