

1 CITY OF NORTH SALT LAKE  
2 PLANNING COMMISSION MEETING  
3 JUNE 13, 2017

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5 **DRAFT**  
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7 Chairman Pro Tem Ted Knowlton called the meeting to order at 6:31 p.m. and led those present  
8 in the Pledge of Allegiance.  
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10 PRESENT: Commissioner Ted Knowlton  
11 Commissioner Lisa Watts Baskin  
12 Commissioner Stephen Garn  
13 Commissioner Kent Kirkham  
14 Commissioner Leslie Mascaro  
15

16 EXCUSED: Commission Chairman Robert Drinkall  
17 Council Member Ryan Mumford  
18

19 STAFF PRESENT: Sherrie Llewelyn, Community Development Director; Andrea Bradford,  
20 Minutes Secretary.  
21

22 OTHERS PRESENT: Cliff Lillywhite, Lila Lillywhite, Oakdell Egg Farms; Debra Holdaway,  
23 Damon Holdaway, Ethan Holdaway, Atlas Academy Preschool; Robert Owen, Emergency Road  
24 Service; Brett Kearney, JZW Architects; Amy Herold, Polly Tribe, Alisa Van Langeveld, Rob  
25 Baskin, residents.  
26

27 1. PUBLIC COMMENTS  
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29 There were no public comments.  
30

31 2. CONSIDERATION OF A PROPOSED FINAL PLAT FOR CHESHAM VILLAGE  
32 SUBDIVISION, PHASE 2 AT APPROXIMATELY 260 EAST 350 NORTH, TAYLOR  
33 SPENDLOVE, BRIGHTON HOMES, APPLICANT  
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35 Sherrie Llewelyn reported that Chesham Village located at approximately 260 East 350 North  
36 includes two phases with Phase 1, which is currently under construction, consisting of 53  
37 townhomes, park and pool amenities, and two commercial lots. Phase 2 will consist of 32  
38 townhomes on the south portion of the property. The Development Review Committee (DRC)  
39 recommends approval of the Final Plat for Chesham Village. Phase 2 with no conditions.

40 It was noted that the only change from the General Development Plan, was made on the southern  
41 street. The asphalt width is narrowed to twenty feet to provide for a landscape buffer between the  
42 curb and the adjacent retaining wall. This will provide additional buffer from neighboring  
43 properties and still meet the minimum width for the Fire District.

44 **Commissioner Kirkham moved that the Planning Commission recommend approval to the**  
45 **City Council on the proposed final plat for Chesham Village, Phase 2 located at**  
46 **approximately 260 East 350 North with no conditions. Commissioner Garn seconded the**  
47 **motion. The motion was approved by Commissioners Knowlton, Baskin, Garn, Kirkham,**  
48 **and Mascaro. Commissioner Drinkall and Council Member Mumford were excused.**

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50 3. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR ATLAS ACADEMY  
51 PRESCHOOL AT 51 SOUTH 130 EAST, DEBRA HOLDAWAY, APPLICANT

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53 Sherrie Llewelyn reported that this conditional request permit is for Atlas Academy Preschool to  
54 be located in the former Orchard Drug at 51 South 130 East. The property is zoned Commercial  
55 Shopping (C-S). Elementary and secondary schools are listed as permitted uses in the zone,  
56 child daycare is listed as a conditional use, and other miscellaneous schools are listed as an “S”,  
57 which is defined as a use which is permitted when similar to permitted uses in the zone and  
58 conditional when similar to conditional uses listed in the ordinance. City staff determined that  
59 this use would be categorized as a conditional use as preschools are not specifically listed and are  
60 more closely related to child care/day care facilities.

61

62 The proposed hours for the preschool classes will be Monday, Wednesday, and Friday with a  
63 morning class from 9 a.m. to 11:30 a.m. and an afternoon class from 12:00 p.m. to 2:30 p.m.  
64 Additionally there will be Kindergarten classes held Monday through Friday at 8:30 a.m. to  
65 11:15 a.m. and 12:15 p.m. to 3:00 p.m. There will be a fifteen minutes gap between class  
66 start/stop times to help mitigate traffic issues. The ages of the children will range from 3 to 5  
67 years old and each class will have the capacity for 24 students.

68

69 The business is approximately 3,800 square feet in size and will be divided into two classrooms.  
70 A maximum of two classes will be in session at any one time with a maximum of 24 students per  
71 class. There will be up to six employees on site and the applicant will be responsible to obtain all  
72 the appropriate licensing and approval through the State for preschools/kindergartens.

73

74 The site currently has 24 existing parking spaces with one ADA space. The City is currently  
75 improving 130 West which will include a new drive approach for the property, curbing,  
76 sidewalk, and street trees. The new curbing will provide for the future striping of eight to nine  
77 additional parking spaces if necessary as the parking standard for a daycare center, which is the  
78 most closely related use, is one stall per company vehicle and one stall per six children. With the

79 maximum occupancy of 48 students the requirement would be for eight parking spaces. The  
80 DRC recommends a minimum parking requirement of 14 spaces to accommodate up to six staff.  
81 If classes are staggered as recommended then no greater than 24 drop-off and pick-ups would  
82 occur within any 15 minute period and 24 parking spaces should meet the demand of parents and  
83 the six staff members. The DRC recommends approval with the following three conditions  
84 including pick up and drop off areas may not block access to the driveways for other tenants or  
85 emergency vehicles, start and stop times shall be staggered a minimum of 15 minutes with no  
86 two classes starting or stopping at the same time, and operation shall be limited to no greater than  
87 two classes at any one time with a maximum class size of 24 students.

88

89 Commissioner Kirkham asked if the start and stop times would correspond with Orchard  
90 Elementary school. Debra Holdaway, Atlas Academy, responded that the drop-off and pick-up  
91 times would coordinate with Orchard Elementary for those parents that wanted their children to  
92 attend kindergarten for a full day.

93

94 Commissioner Garn asked if there would be an outdoor play area. Debra Holdaway replied that  
95 there would be no outside play area as this would be a school and not a daycare.

96

97 Chase Chandler, representing Atlas Academy, asked why this application is considered a  
98 conditional use permit in this zone. He said that Orchard Elementary has a preschool. Sherrie  
99 Llewelyn replied that this is a preschool/kindergarten and provides similar uses to a daycare so  
100 staff felt that this application would be a conditional use with review by the Planning  
101 Commission. She explained that a conditional use is similar to a permitted use but has conditions  
102 and also that Orchard Elementary is a public school which the City does not regulate.

103

104 Chase Chandler then commented on the pick-up and drop-off designated area and the potential  
105 for unsafe conditions. He said that the main concern is that cars drive quickly through the  
106 parking lot and asked if there was anything that could be done in regards to condition one such as  
107 the potential to install a barrier in the future.

108

109 Commissioner Mascaro asked how many access points there are onto the property. Chase  
110 Chandler replied that there are two access points with one located where Orchard Drug used to  
111 be and the second access by Sunshine Café.

112

113 Sherrie Llewelyn commented that there is currently direct access to the site near the Sunshine  
114 Cafe. The DRC suggested speed bumps could be installed or traffic cones to help reduce the  
115 speed but did not want to restrict cross access with a permanent barrier.

116

117 Commissioner Baskin asked the applicants to clarify whether they wanted temporary or  
118 permanent obstacles in regards to the speeding issue. Chase Chandler replied that they were not  
119 requesting anything at this point but did not want to be stuck with a condition that would not  
120 allow them to do something in the future or would force them to come back the City.

121  
122 Sherrie Llewelyn replied that the DRC would like the applicant to come back especially if they  
123 wanted to add a permanent barrier or block part of the property off.

124  
125 Chase Chandler commented that they do not want cars to drive quickly through the area and then  
126 having to wait months to be able to do something, such as install a barrier, if it becomes an issue  
127 in the future. Sherrie Llewelyn replied that the concern by the fire marshal was that a permanent  
128 obstacle would require another access point to the adjacent properties, as the distance from the  
129 existing drive to the east and the end of parking where a barrier would be placed was over 150  
130 feet with no turn around. She further noted that the City Engineer is concerned that a barrier  
131 would restrict storm runoff and pose a flooding threat to this business and others in the  
132 development.

133  
134 Commissioner Baskin asked about the existing building and commented that the applicant was  
135 not asking for any changes to the exterior. Debra Holdaway replied that they were spending  
136 \$35,000.00 on the exterior including the installation of new windows. She said that her main  
137 concern is that the parking lot is already busy and has a blind corner which could potentially lead  
138 to an accident with the small children that will be in the area.

139  
140 Damon Holdaway, Atlas Academy, said that the improvements they are making to the building  
141 will be welcome in that area as it is currently rundown. He said that the concern is the safety of  
142 the children as the parking lot is used by others as if it were a public street.

143  
144 Commissioner Knowlton clarified that the City is willing to work with the applicant but would  
145 need to see more information on any proposed solutions to the speeding or traffic block in  
146 regards to the impact on emergency access and drainage.

147  
148 Sherrie Llewelyn commented that as a proposed solution was not part of the current application  
149 it would need to be prepared by the applicant along with the other affected property owners.

150  
151 Amy Herold, 574 Lofty Lane, said that her concern is the restrictions and what would or would  
152 not be approved in the future. She said an access point could be made above the proposed  
153 building and that the conditions on the application ties the property to certain restrictions which  
154 she felt would put the lives of children and the success of the business at risk.

155

156 Commissioner Knowlton commented that the applicant could postpone the application and work  
157 with staff on the proposal and conditions.

158  
159 Juan Loretta said that it appears the City and the applicants are on the same page as the City is  
160 asking for staggered class times to lessen the traffic impact. He said that everyone is concerned  
161 about the safety of the children and there are solutions to accomplish this such as potentially  
162 adding another access point, etc but that a speed bump and/or cones would not work that well.

163  
164 Sherrie Llewelyn commented that there are ways to mitigate the issue but the City cannot pay for  
165 the access or improvements as this is private property. Adding a new access would require a site  
166 plan amendment, engineered drawings with hydrology, drainage and possibly a crash gate, with  
167 review and approval by the City engineer and the fire marshal all of which must be done by the  
168 applicant.

169  
170 Commissioner Knowlton said that the applicant can continue with the application for approval or  
171 table and amend the application for future review. He commented that the proposed use is a great  
172 use for the site and for the City and said that the City's job is to administer the law including  
173 meeting access standards and site review.

174  
175 The applicant decided to discuss their options and come back before the Planning Commission  
176 later in this meeting with the decision to proceed with the application as is or withdraw it.

177  
178 **Commissioner Baskin moved to table the item temporarily so the parties could discuss**  
179 **their options. Commissioner Garn seconded the motion. The motion was approved by**  
180 **Commissioners Knowlton, Baskin, Garn, Kirkham, and Mascaro. Commissioner Drinkall**  
181 **and Council Member Mumford were excused.**

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183 4. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR EMERGENCY ROAD  
184 SERVICES AT 68 NORTH 640 WEST, ROBERT OWEN, APPLICANT

185  
186 Sherrie Llewelyn reported on the application for a conditional use permit for a towing and  
187 impound lot located at 68 North 640 West. It is zoned Manufacturing Distribution (M-D) with  
188 the building to consist of office space and storage. The tow yard will be located in the rear of the  
189 building enclosed by a six foot high fence with slats. The site plan meets the minimum standards  
190 for landscaping and the applicant will be required to obtain a sign permit for the City for any  
191 signs prior to installation. The DRC recommends approval with the conditions that the applicant  
192 must submit and receive a sign permit prior to installation of any signs and that a chain-link  
193 fence gate, visible from the street shall be slatted or otherwise screened from view.

194

195 **Commissioner Baskin moved that the Planning Commission approve the Conditional Use**  
196 **Permit for Emergency Road Service at 68 North 640 West with the following conditions:**

- 197  
198 **1) The applicant must submit a sign permit application and be issued a sign permit for**  
199 **any proposed signs on the site prior to installation;**  
200 **2) The chain link gate shall be slatted or otherwise screened from view from the street.**

201  
202 **Commissioner Mascaro seconded the motion. The motion was approved by Commissioners**  
203 **Knowlton, Baskin, Garn, Kirkham, and Mascaro. Commissioner Drinkall and Council**  
204 **Member Mumford were excused.**

205  
206 **5. CONSIDERATION OF A SITE PLAN AMENDMENT FOR OAKDELL EGG FARMS**  
207 **AT 675 NORTH MAIN STREET, CLIFF LILLYWHITE, APPLICANT**

208  
209 Sherrie Llewelyn reported that Oakdell Farms is currently located at 675 North Main Street in  
210 the M-D zone. The existing site is 9.2 acres in size with an existing warehouse of 3,957 square  
211 feet. The proposed addition will expand the office and warehouse spaces and improve the façade.  
212 The new accessory building will be 1,600 square feet and will contain bulk compost storage, and  
213 palletized bags of compost. The compost is processed off-site and will produce no odor. The  
214 existing structure is a metal structure and the proposed façade will have stone and timbers with  
215 architectural accents. The accessory structure will be a similar metal with a 4' wainscot on the  
216 façade that will match the main building. She then showed those present the existing building  
217 and the proposed extensions and accessory structure.

218  
219 As the parking proposal does not meet the minimum standard per City code which would require  
220 20 parking spaces the applicant is requesting variation to thirteen spaces as only a maximum of  
221 seven employees will be on-site with the majority of the building to be used for storage of dry  
222 egg cartons.

223  
224 The parking area on the north side of the property is 2' from the existing fence line and the  
225 Planning Commission can require an 8' buffer. However the applicant has a 20' easement north  
226 of the property line so the DRC is not recommending the 8' wide landscape perimeter. The  
227 landscaping is approximately 50% of the site with improved landscaping along the street. The  
228 DRC recommends approval with two conditions that a brick or stone wainscot be added to the  
229 front façade of the accessory structure and a reduction in the parking requirement is approved at  
230 13 parking spaces with one ADA space.

231  
232 Cliff Lillywhite commented that they have been doing business in the City for 25 years and are  
233 happy to be a part of the City.

234

235 Brett Kearney, JZW Architects, asked if the applicant could install rock mulch instead of a grass  
236 strip on the north side of the parking spaces along the fence line. . Sherrie Llewelyn replied that  
237 the area just needs to be landscaped which could consist of rock mulch, or shrubs instead of  
238 grass.

239 Commissioner Baskin thanked the applicant for doing business in the City and asked if lighting  
240 really has an effect on the chickens and their egg production. Cliff Lillywhite replied that  
241 lighting does have an effect on egg laying and the health of the chickens.

242 Commissioner Kirkham commented that he would recuse himself on this item due to a conflict  
243 of interest and would be abstaining from voting on this item.

244

245 Cliff Lillywhite commented on the compost and the potential for odor and said it has no smell  
246 because it is fully cured. He then produced samples for the Planning Commission which had no  
247 odor.

248

249 Commissioner Knowlton asked how many animals were anticipated to be at this location. Cliff  
250 Lillywhite replied that there would be no animals at this location and the warehouse would be for  
251 storage of dry products.

252

253 **Commissioner Baskin moved that the Planning Commission approve the site plan**  
254 **amendment for Oakdell Egg Farms at 675 North Main Street with the following**  
255 **conditions:**

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- 257 1) A brick or stone wainscot be added to the front façade of the accessory structure;  
258 2) A reduction in parking requirement is approved at 13 parking spaces, including one  
259 ADA space.

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261 **Commissioner Garn seconded the motion. The motion was approved by Commissioners**  
262 **Knowlton, Baskin, Garn, and Mascaro. Commissioner Kirkham abstained. Commissioner**  
263 **Drinkall and Council Member Mumford were excused.**

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265 6. CONDITIONAL USE PERMIT FOR ATLAS ACADEMY PRESCHOOL AT 51  
266 SOUTH 130 EAST CONTINUED

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268 Chase Chandler asked for clarification on condition one with access for emergency access and  
269 regular traffic access and if they could bring back a proposal that would block regular traffic but  
270 still allow emergency vehicles. Sherrie Llewelyn responded that staff could concede modifying  
271 the condition to remove the requirement for providing driveway access for other tenants as long  
272 as this matter was settled as a civil matter with the other business owners directly.

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**Commissioner Mascaro moved that the Planning Commission approve the Conditional Use Permit for Atlas Academy Preschool at 51 South 130 East with the following conditions:**

- 1) Pick up and drop off areas may not block access to the driveways for emergency vehicles;**
- 2) Start/Stop times shall be staggered a minimum of 15 minutes, with no two classes starting or stopping at the same time;**
- 3) Operation shall be limited to no greater than 2 classes at any one time with a maximum class size of 24 students.**

**Commissioner Garn seconded the motion.**

Commissioner Basking clarified that by voting in favor of this motion that it did not mean a crash gate was approved. She said this would be an option but the tenants must work among themselves for access and safety and return for an amendment to the site plan for any permanent barrier.

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

**7. APPROVAL OF MINUTES**

The Planning Commission meeting minutes of April 25, 2017 were reviewed and approved.  
**Commissioner Knowlton moved to approve the minutes of April 25, 2017 as amended. Commissioner Baskin seconded the motion. The motion was approved by Commissioners Knowlton, Baskin, Garn, Kirkham, and Mascaro. Commissioner Drinkall and Council Member Mumford were excused.**

**8. ADJOURN**

Chairman Pro Tem Knowlton adjourned the meeting at 7:35 p.m.

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Chairman Pro Tem

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Recorder