

NORTH SALT LAKE CITY
PLANNING COMMISSION MEETING MINUTES
MAY 10, 2011

Commission Chairman Eric Klotz called the meeting to order at 7:05 p.m. and welcomed those present.

PRESENT: Commission Chairman Eric Klotz
Commissioner Jim Allen
Commissioner Doug Cary
Commissioner Beth Goodrich
Commissioner Kim Jensen
Commissioner Bruce Oblad
Council Member Brian Horrocks

STAFF PRESENT: Ken Leetham, Community and Economic Development Director; Ali Avery, City Planner; Linda Horrocks, Minutes Secretary.

OTHERS PRESENT: Jesse Black, Kirsten Montague, Dirt Lab LLC; Doug Powell, Evergreen Industries; Steve Israelsen, Sky Properties; Marty and Ivy Peterson, residents.

1. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR EVERGREEN INDUSTRIES INC. TO BE LOCATED AT 600 NORTH TAYLOR WAY. DOUGLAS J. POWELL, APPLICANT

Ali Avery presented the following information regarding this item:

Evergreen Industries Inc. regrinds plastic scrap material and stores it until they have a full load to ship (4,400 lbs.). They have been operating at this location without a business license and have been storing many items outside the building. The proposed business is a conditional use in the M-D District, so the applicant has been asked to apply for a conditional use permit.

Staff recommends conditional use approval with a condition that all outdoor storage must be screened from view by a solid wall or fence at least six-feet high. This fence must be erected by a date to be determined by the Planning Commission.

Douglas Powell stated that he could have a fence installed by the end of the month.

Commissioner Allen moved to approve the conditional use permit for Evergreen Industries Inc. located at 600 North Taylor Way with the condition that all outdoor storage must be screened from view by a solid wall or fence at least six-feet high within 60 days. Council Member Horrocks seconded the motion. The motion was approved by Commissioners Allen, Cary, Klotz, Goodrich, Oblad, Jensen and Council Member Horrocks.

2. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR MAKING MEMORIES WHOLESALE INC. TO BE LOCATED AT 415 NORTH REDWOOD ROAD. DANNY HANSEN, APPLICANT.

Ali Avery reported that the applicant has requested a conditional use permit for Making Memories Wholesale Inc., to be located at 415 North Redwood Road. This use, "Stationery and Office Supplies Wholesalers," is conditional according to North Salt Lake City's LUDMA 11.6.22. Making Memories has a three-year lease on this property, and plan to move their existing signs from locations in Centerville and Salt Lake City. They send products to retailers through trucking companies, which will utilize the docks in the rear of the building. The only traffic at this location will be from trucks and 50 employees. There are 65 regular parking spaces and 3 handicapped spaces at this location, providing for 18 potentially vacant parking stalls. According to LUDMA Chapter 6, this business would need 30 parking spaces for the warehouse and 53 parking spaces for the office, based on square footage calculations. Council Member Horrocks stated it seems strange to base warehouse parking requirements on square footage and suggested that this be evaluated as the City considers LUDMA changes. The calculations for parking would have already been made when the building came through the city for site plan review. The building was originally constructed in 2008.

Commissioner Allen moved to approve the conditional use permit for Making Memories Wholesale Inc. at 415 North Redwood Road, allowing for "Stationery and Office Supplies Wholesalers" with a limit of 60 employees associated with the conditional use. Commissioner Jensen Seconded the motion.

Commissioner Allen amended the motion to replace "a limit of 60 employees associated with the conditional use" with "**the condition that there is at least one parking stall per employee.**"

Commissioner Jensen seconded the amendment to the motion. The motion was approved by Commissioners Allen, Cary, Klotz, Goodrich, Oblad, Jensen and Council Member Horrocks.

3. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR DIRT LAB, LLC TO BE LOCATED AT 890 WEST CENTER STREET SUITE #1. KIRSTEN MONTAGUE, JESSE BLACK, APPLICANTS

Ali Avery presented the following information regarding this item:

Dirt Lab, LLC performs mechanical repair and service of motor sports equipment (i.e. small engine, tires, etc.) They have one on-site employee and one remote employee, and one to four parking stalls will be needed for clients picking up their vehicles. There will be no retail services at this location.

When asked about hazardous materials, Mr. Black stated that they have contracted with Safety-Kleen to come as needed to dispose of hazardous materials.

Chairman Klotz moved to approve the conditional use permit for Dirt Lab, LLC, located at 890 West Center Street Suite #1, allowing for "All Other Automotive Repair and Maintenance" which is currently conditional in the General Commercial (C-G) District. Commissioner Allen seconded the motion. The motion was approved by Commissioners Allen, Cary, Klotz, Goodrich, Oblad, Jensen and Council Member Horrocks.

4. CONSIDERATION OF A CONCEPT PLAN FOR CRESTPOINTE TO BE LOCATED GENERALLY EAST OF RIDGETOP CIRCLE AND WINDSONG LANE AND BETWEEN EAGLEWOOD GOLF COURSE AND INDEPENDENCE WAY. SKY PROPERTIES, APPLICANT.

Ken Leetham introduced this item and presented the following information:

Prior to this meeting, the Planning Commission and City Council reviewed several development proposals for this property. All of those were discretionary on the part of the City; that is, they were proposals to rezone the property, and therefore, the City was authorized to take action based upon its own discretion and not based upon specific provisions of adopted ordinances. In this current application, however, there is no rezoning proposed, nor are there any exceptions being sought to the provisions of the City's LUDMA. This means that if it is determined that the request meets the City's adopted LUDMA, then the City is obliged to grant approval.

The City sought written public comments on this plan related mainly to environmental concerns, as required by the City's LUDMA, and Ken Leetham stated that they tried to identify and summarize the comments received to this point in the staff report. In the written staff material, he also included a discussion of relevant development codes, the issue of the Constitution Way connection, etc.

Sky Properties submitted another layout to the City for this property, which Ken Leetham displayed for the Commission and those present. As this is in the concept phase, Mr. Leetham said it is appropriate that the Commission review different options. Mr. Leetham then addressed some of the concerns raised through the comment period.

Environmental issues:

Environmental impact report: Sky Properties submitted an approved report previously, which included this property. The City Engineer has determined that this initial report meets the requirements of Section 3.3.1.2 of LUDMA.

Preserve and protect special environmental quality and aesthetic character of all hillside and mountainous areas.

Council Member Horrocks stated that if the City held that standard to the whole hillside, none of the current homes would have been built.

Mr. Leetham stated that with the slope of the property, there is a greater chance for erosion and slippage undeveloped than after the grading and building is complete. Construction periods, however, are a more vulnerable period.

Drainage issues: Steve Israelsen said those issues are addressed during construction; however, water will not be dumped into back yards of existing homes.

Grading issues: Mr. Leetham stated that the amount of site grading should relate to the slope of the natural terrain. This requirement is also subject to interpretation regarding how general or specific the intent of the language may be. Does it mean that only a gentle shaping of the natural terrain is allowed over the whole site, or are necessary cuts and fills allowed to fully utilize the property? In the absence of specific code language in Section 7.7.2.4 that answers these questions, a search of the LUDMA provisions related to allowed cutting and filling practices has been performed. As discussed with Sky Properties, they will fill low spots and cut where necessary, but will not build roads at a slope greater than 12%. Sky Properties proposes to maintain the site as close to the natural terrain as possible, which has a general elevation change running downhill from southeast to northwest over the entire property. Although it has a general downhill slope south to north, it also has a great deal of undulation from east to west. Those areas must be graded, by necessity, in order to create safe roadbeds and usable lots. That grading will be essential in reducing the number of individual retaining walls and potential drainage problems between lots.

Regarding the connection of Constitution Way, Mr. Leetham stated that the City Attorney's opinion is that the code is discretionary based upon the language that connections are required "where needed." The Planning Commission should make a recommendation about the need for the connection to Constitution Way.

Mr. Leetham timed several driving trips from the fire station to different spots in the area, taking different routes through the City. Time differences among those routes were less than 30 seconds, but public safety should be a concern.

Council Member Horrocks asked for the commissioners' opinions about the connection of Constitution Way. From a planning perspective, it makes sense, but there is an overwhelming dissent from residents to have it connect. Commissioner Allen stated that since it was originally planned to go through, it should go through. He added that he strongly dislikes dead ends.

Commissioner Jensen stated that not having multiple access routes from an area creates a problem during emergencies. Her biggest concern is improving safety and providing as many accesses as possible.

Chairman Klotz said that in terms of planning, the intent was to connect the street, and Commissioners Goodrich and Cary both said it makes sense that the road go through.

Mr. Leetham then summarized some of the public comments. Firstly, and repeatedly, was the concern about mass grading. In addition, several comments said an environmental impact report should be performed. Mr. Leetham reviewed all of the other public comments.

Council Member Horrocks stated that the Springhill slide area was originally a gravel pit, with a clay bottom and fill material on top. It does not resemble anything else in the City. The Crestpointe property is not that steep, but that seems to be a concern of many residents; however, the two parcels of property differ substantially from each other.

Additional concerns from the public included setbacks, the lack of open space (which would have been provided in the earlier proposed P District). Other comments encouraged “clustering” to preserve the natural terrain (also like the P District).

Chairman Klotz asked about the trail easement from the end of Gary Way up to the Bonneville Trail, as it is used regularly.

Steve Israelsen responded, stating that with the R1-10 zoning, the buildable area of the lots at the end of Gary Way is actually less than in the P District plan. He would have been willing to provide that trail easement had the City approved the P District.

Chairman Klotz said there are three concept plans to consider. Ken Leetham said the plan without the connection of the two inner streets is a better use of property. Steve Israelsen said without that road in the plan, it keeps the average grade to 6-8%.

Chairman Klotz moved to recommend approval of Crestpointe concept plan #2 (49 lots) as submitted. Chairman Cary seconded the motion. The motion was approved by Commissioners Allen, Cary, Klotz, Goodrich, Oblad, Jensen and Council Member Horrocks.

5. APPROVE MINUTES

The April 26, 2011 Planning Commission minutes were reviewed and amended. **Chairman Klotz moved to approve the April 26, 2011 Planning Commission minutes as amended. Commissioner Oblad seconded the motion. The motion was approved by Commissioners Allen, Cary, Klotz, Goodrich, Oblad, Jensen and Council Member Horrocks.**

6. ADJOURN

Chairman Klotz adjourned the meeting at 9:01 p.m.

Chairman

Secretary