

NORTH SALT LAKE CITY
PLANNING COMMISSION MEETING
SEPTEMBER 27, 2011

Commission Chairman Eric Klotz called the meeting to order at 7:00 p.m. and welcomed those present.

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

EXCUSED: Commissioner Doug Cary

STAFF PRESENT: Ken Leetham, Community and Economic Development Director; Paul Ottoson, City Engineer; Ali Avery, City Planner.

OTHERS PRESENT: Gary Ellison, Kenny Ellison, Ellison Auto Body & Custom Paint; Tuffer Patrick, Enviro Care; Ben and Steve Lowe, Compass Development.

1. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR ELLISON AUTO BODY & CUSTOM PAINT, TO BE LOCATED IN THE M-D DISTRICT AT 475 WEST 100 NORTH (UNIT 2).

Gary Ellison of Ellison Auto Body and Custom Paint has requested a conditional use permit for their business to be located at 475 West 100 North. This business was previously located in West Bountiful, and they would like to move to this building for long-term occupancy and an opportunity to expand their business. The applicant is proposing to lease approximately 3,000 square feet of an existing 12,200 square foot building.

This business has three (3) employees who will be working on-site. The only other traffic anticipated, besides employee commuting, would be receiving daily parts deliveries.

Ali Avery stated that staff has researched the parking at this location and concluded that this site is an assumed legally non-complying site. The City has the ability to assume legal non-compliance, because the buildings were constructed so long ago that the City does not have record of the site approval(s). According to parking calculations from City staff (based on requirements outlined in Chapter 6 of the City's LUDMA), twenty-nine (29) standard parking stalls and two (2) handicapped parking stalls with a loading zone would be required for the existing site. It would be impossible for this site to come into compliance with the City's current parking regulations. Additionally, the City cannot require this non-complying site to come into compliance at this time because there are no proposed alterations to the existing structure, and the unit has not been vacant for 365 days or more. Mrs. Avery then stated that City staff has calculated concluded that at least ten (10) standard parking stalls and one (1) handicapped

parking stall with a loading zone could be provided on-site. Staff is recommending that the majority of those parking stalls be required to be parallel parking stalls on the east side of the main building. Other parking stalls may be located on the southeast and northwest portions of the site and may be ninety-degree stalls. One parking stall in the southeast portion must be a handicapped stall with a loading zone.

There was additional discussion about outdoor storage, and the applicant was told that all storage must be screened from view by a solid fence or wall at least six (6) feet in height. Staff recommended that slats be placed in the existing fence along the west edge of the lot where the building is not already providing screening.

The applicant proposes to use an existing paint booth in the building, and plans to install a fire suppression system in the booth. The City Building Official and the South Davis Metro Fire District will require an inspection of that unit prior to this business receiving a business license.

Council Member Horrocks asked about the fire suppression system and wanted to make sure that it becomes a definite condition of approval. The fire department has already made their inspection, and Mr. Ellison stated that the system is being installed the following day. The Planning Commission discussed signage for this business, and the applicant was made aware that all temporary signs are allowed for a short period-of-time, by conditional use, after which, they should be replaced by permanent signage. The Commission felt that six months was an acceptable period to allow the temporary banner.

Chairman Klotz asked Mr. Ellison if he was comfortable with all of the proposed conditions or approval. Mr. Ellison responded that he is comfortable with them; however, parking is a concern, but they will do what they need to do to remain in compliance.

Commissioner Allen moved to approve the conditional use permit for Ellison Auto Body and Custom Paint, to be located at 475 West 100 North (Unit 2), allowing for “Automotive Body, Paint and Interior Repair and Maintenance”, which is currently conditional in the Manufacturing Distribution (M-D) District, with the following conditions:

- 1. At least ten (10) standard parking stalls and one (1) handicapped parking stall must be provided on-site, including appropriate striping and signage.**
- 2. The parking along the east edge of the main building must be parallel parking that is nine (9) feet by twenty-four (24) feet, and a fifteen (15) foot aisle width must be maintained between the east edge of the parallel parking stall and the west edge of the self-storage building. No parking may block pedestrian or vehicle access to the building (i.e. doors and garage doors).**
- 3. All parking stalls must meet City standards regarding dimensions, loading zones, signage, etc.**
- 4. All outdoor storage, including vehicle storage, must be screened from view by a solid fence or wall at least six (6) feet in height.**
- 5. All vehicle storage, excluding employee vehicles, must be stored at the rear of the main building.**

6. The banner sign above the door may only be displayed for six (6) months. After that period, a permanent sign must replace the banner. The permanent sign must receive a sign permit through the City at that time. Commissioner Jensen seconded the motion. The motion was approved by Commissioners Allen, Klotz, Jensen, Goodrich, Oblad, and Council Member Horrocks.

2 CONSIDERATION OF A SITE PLAN FOR ENVIRO CARE, TO BE LOCATED IN THE M-D ZONING DISTRICT AT 505 NORTH MAIN STREET. TUFFER PATRICK, APPLICANT.

Ali Avery referred to a building permit application submitted by Enviro Care for a wash bay, and at that time, City staff discovered that a lot line existed beneath the proposed wash bay, and that the site itself was non-complying. Because an addition is proposed on a non-complying site, the site must be brought into compliance with City code. A lot line adjustment has now been recorded with Davis County, which has effectively removed the interior lot lines, and will allow City staff to approve a building permit at that location.

Mrs. Avery stated that the applicant is proposing to expand the asphalt parking area at a later date. The hard surfacing of the lot is not a code requirement, and therefore the dustless gravel currently covering the majority of the site is acceptable. However, there is no detention currently provided on this site. Water appears to be soaking into the ground rather than channeling to a detention area. Staff is recommending that at the time that Enviro Care chooses to expand or increase the amount of impervious surface on-site, they must install the proposed detention basin shown on the site plan.

Regarding parking, Mrs. Avery reported that there appears to be adequate parking; however, none of the parking stalls are striped for handicapped parking.

Previously, the Planning Commission granted Enviro Care an exception to the 10% landscaping requirement, allowing the current 3% until the time they expand the business or buildings, or when the location of the existing fence is modified.

Chairman Klotz moved to approve the site plan for Enviro Care located at approximately 505 North Main Street with the following conditions:

- 1. The outdoor storage located on the property which is being leased at the rear of 521 North Main Street must be screened with a solid fence or wall at least six (6) feet in height. The fence must be installed within six (6) months of this approval.**
- 2. All existing fencing on-site must have slats installed to properly screen outdoor storage, or a new solid fence or wall is installed. The slats or new fence or wall must be installed within one (1) year of this approval.**
- 3. At the time that Enviro Care chooses to expand or increase the amount of impervious surface on-site, they must install the proposed detention area.**
- 4. One of the existing parking stalls on-site must be designated as a handicapped stall and include the appropriate striping and signage.**

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

3. SITE PLAN REVIEW FOR THE EAGLEWOD LOFTS APARTMENT COMMUNITY, COMPASS DEVELOPMENT, APPLICANT.

Ken Leetham referred to the site plan provided to the Planning Commission. He stated that the DRC (Development Review Committee) recommends approval of the site plan application with the condition that prior to review by the City Council, the developer provide letters from their engineering consultant that indicates agreement and commitment to the requirements of the City Engineer related to soils testing and other soil-related matters as they apply to this property. He stated that staff wants to ensure that Compass Development's engineer and the City's engineer consultant agree, and that those understandings are reduced to written commitments. Several reports, technical memos and correspondence have been produced thus far, but the DRC wants to be certain that the developer's commitment to follow recommended methods regarding soils testing and mitigation of poor soil conditions, if any, is clear and in a written form. Paul Ottoson noted that the soil report is not just for the loft area, but also for the entire site, and added that both sites are getting closer to agreement.

Regarding parking, Mr. Leetham reported that Compass Development has requested and receive development agreement approval for parking standards in the Eaglewood Village project that differ slightly from the City's adopted parking code. This is possible and allowed since their project is in a designated "P" District and those types of standards are flexible in this situation. This standard results in a reduction of .5 stalls per one bedroom unit or 42 stalls less than what the City's code would require. In evaluating this request, the DRC also reviewed parking standards from surrounding cities and found that most communities do require a standard of less than two parking stalls for a one-bedroom unit. Those cities include Bountiful, Woods Cross, Farmington, Layton, Salt Lake, Draper and Sandy. Mr. Leetham added that open space and landscaping meet the City's requirements.

The South Davis Metro Fire Agency has also reviewed these plans and made some changes to fire hydrant locations and drive aisles. Mr. Leetham reported that those changes have been made and are included in the current plan.

On September 20, 2011, the City Council agreed to accept Eaglegate and Village Center Drives as public streets. It was felt that the City would have much better control over future roadway needs such as expansion, if necessary, and that these roads should eventually be public streets. Chairman Klotz asked if they meet City code. Mr. Leetham responded that they do not meet City code requirements, but that the City Engineer was still in favor of having them be City-owned. Chairman Klotz stated that one of the reasons they were private was to prevent heavy-duty trucks from going through there and asked if this is a concern. Mr. Leetham responded that there is a 15-year restriction for gravel trucks, and the City could extend this restriction beyond that period. Paul Ottoson then stated that some of these streets could be widened in the future, if development were to happen to the south of this property.

Commissioner Oblad asked for the history of converting the condominiums to apartments. Ken Leatham responded that the City Council made that decision recently, and that the Planning Commission did not need to address it. Council Member Horrocks then asked to explain the Council's decision process. He stated that the Council struggled with this request by Compass and seriously evaluated all aspects of the situation. It was extremely important for City staff, and particularly the City Manager, that the City owns the roads within the project, and by making this accommodation for Compass Development, it was felt that the City would be granted ownership in a quid pro quo situation. Price point of the apartments was also a factor. These will be luxury apartments (similar to several complexes in downtown SLC), which attract a different clientele than government subsidized apartments which tend to result in higher crime rates. In addition, the construction and look of the structures will be identical whether they are platted as condominiums or apartments.

Chairman Klotz asked about construction differences between the apartments and condominiums and the metering of utilities, etc. He asked if there was the possibility of converting them to condominiums at some point. Ben Lowe addressed the Commission and stated that these apartments are being built to condominium specs, and that some utilities, such as water, are shared, but others will be separate. Mr. Lowe also added that only one piece of the project is designated apartments, and the rest of the units are for individual sale.

Mr. Lowe then presented a slide show for floor plans, amenities, high-end finishes, etc.

Commissioner Allen moved to recommend approval of the proposed site plan for the Eaglewood Loft apartments subject to the following condition of approval: that prior to review by the City Council, the developer provide letters from their engineering consultant that indicates agreement and commitment to the requirements of the City Engineer related to soils testing and other soil-related matters as they apply to this property. Chairman Klotz seconded the motion. The motion was approved by Commissioners Allen, Klotz, Jensen, Goodrich, Oblad, and Council Member Horrocks.

4. APPROVE MINUTES

The Planning Commission minutes of September 13, 2011 were reviewed and amended. **Council Member Horrocks moved to approve the Planning Commission minutes of September 13, 2011 as amended. Commissioner Goodrich seconded the motion. The motion was approved by Commissioners Allen, Klotz, Jensen, Goodrich, Oblad, and Council Member Horrocks.**

There was some discussion regarding non-conforming uses among city staff and the Planning Commission.

5. ADJOURN

Chairman Klotz adjourned the meeting at 8:25 p.m.

Chairman

Secretary