

NORTH SALT LAKE CITY
PLANNING COMMISSION MEETING
JANUARY 24, 2012

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

PRESENT: Commission Chairman Eric Klotz
 Commissioner Robert Drinkall
 Commissioner Allen Tidwell
 Commissioner Kim Jensen
 Commissioner Bruce Oblad
 Commissioner Allen Tidwell
 Council Member Brian Horrocks

EXCUSED: Commissioner Doug Cary
 Ali Avery, City Planner

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

OTHERS PRESENT: Steve Clark and his daughter, Superior Filtration Products; Doug Keefe, Bret Overson, Overson Consulting; Steve McCombre, Stericycle.

1. INTRODUCTION – NEW PLANNING COMMISSION MEMBER

Chairman Klotz introduced Allen Tidwell, the newest member of the Planning Commission, and asked him to introduce himself. Commissioner Tidwell stated that he has been a resident of North Salt Lake his whole life. He has been serving on the Parks and Trails Board for the City and is looking forward to this new opportunity.

2. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR SUPERIOR FILTRATION PRODUCTS, TO BE LOCATED AT 160 NORTH 400 WEST IN THE M-D DISTRICT. STEVE CLARK, APPLICANT

Ken Leetham presented the site location being discussed and reported that Superior Filtration Products manufactures air filtration devices for residential and commercial systems. This application originated from a code enforcement case because the company has been located in this building for some time without a business license. In addition to needing a business license, the applicant must also receive a conditional use permit for their use.

There was discussion about the number of handicap-accessible parking stalls. Steve Clark, of Superior Filtration Products, reported that they have two handicap stalls in front of their building, and one on the east side of the building, where the employees enter. Therefore, they do meet parking stall requirements.

Superior Filtration Products has three operations in the United States, and this is a minor operation for them. Mr. Clark stated that they would like to do a 50,000 square ft. addition to the building, and they have purchased the raw land to the south for that purpose. L. W. Miller will be doing an expansion, as well as using half of that property.

Council Member Horrocks asked where they would back their trucks once the expansion is complete. Mr. Clark said they would use the street. Mr. Leetham stated that doing so would be prohibited by City ordinance. If that is the case, Mr. Clark said they would have to keep the property, rather than selling to L. W. Miller, and make other arrangements.

Mr. Clark invited the City to use their filters, as they would like to have the City's account.

Chairman Klotz asked Mr. Clark to kill the weeds on the property. Mr. Clark said they did get rid of the weeds, and they need to redo the weed mat underneath the area fronting 700 West in the spring.

Commissioner Jensen moved to approve the Conditional Use Permit for Superior Filtration Products to be located at 160 North 400 West, allowing for "Miscellaneous Manufacturing" in the M-D District. Commissioner Oblad seconded the motion. The motion was approved by Commissioners Drinkall, Klotz, Oblad, Tidwell, Jensen and Council Member Horrocks.

3. DISCUSSION REGARDING CODE AMENDMENTS TO THE LAND USE ORDINANCE, AND POTENTIAL REZONING OF PROPERTY

Ken Leetham stated that the City began this general plan update process last year, and as part of this process, there was a moratorium on new construction, which will end in February. City management decided they would turn their attention from the general plan draft and create the ordinances they believe are needed to create and adopt before the end of the moratorium, and which are the most important, and most consistent with the City's general plan draft, i.e. landscaping, parking lot standards, etc.

The purpose is to adopt a number of provisions needed prior to lifting the moratorium -- to create two distinct and new zoning districts for Redwood Road: Regional Activity Center (RAC) and Foxboro Village Center (FVC). The next purpose would be to rezone various properties to conform to both the RAC and FVC districts and conform to the retail "node" approach that is a central objective of the draft general plan. Another purpose is to amend certain provisions of the general commercial C-G and Highway Commercial C-H Zones. The last purpose is to create new development design standards for land uses along Redwood Road.

Chairman Klotz asked what happens to the businesses that would become non-compliant when a zone changes. Mr. Leetham answered that in the workshops, different land use scenarios and compatibilities between Center Street and I-215, were discussed. By law, a land use would become legally non-compliant after the zoning of the property changes. As long as a business maintains its operations in the same form as it is approved for today, then it could continue forever. There are some restrictions that go along with that. The first one is that future changes, expansions, modifications to buildings, and increases in size and scope of legally non-conforming uses is prohibited, unless they comply with the new zoning. If they sell the property, a new owner maintaining the same use would be grandfathered.

Mr. Leetham then stated that the most important question is: Do we want to rezone all of the properties shown on the map? Commissioner Oblad asked what would happen to the value of the land

if it is zoned C-G. Mr. Leetham pointed out that commercial property can be more valuable per sq ft. than industrial properties.

Chairman Klotz said, based on the location of the RAC, and one of the reasons it's being pushed as commercial, is that we envision something like Knudson's Corner. It was an old gravel pit, but it became another mini-downtown, a mixed-use community with office buildings, stores, close to downtown, on a freeway, etc. The general plan also calls for UDOT creating an intersection with on-and-off-ramps, etc. Other concepts discussed are shopping, the creation of a redevelopment area to remove blighted land uses, etc. Ken Leetham stated that the City should look at this area as one of its prime commercial areas, as the City only has two (the gateway off Hwy. 89 at Eaglewood Village, and this area off Redwood Road). It has potential to be a high quality destination for more than just NSL residents, but it will not happen if the City does not put some of these zones in place.

Zoning Details:

- RAC zone is a new mixed use zone that is intended to be within a half mile of the intersection of Redwood Road and Center Street. It is a new mixed use zone that is intended to allow high density uses, making this location a living, working and entertainment destination for the region.

Residential characteristics of the RAC zone:

- Densities: 24-30 units per acre
- 30% landscaping in residential projects
- Requires high levels of amenities within residential projects
- Not closer than 800 feet from intersection of Center and Redwood
- Requires buffering, landscaping and specific street cross-section on Redwood
- Requires buffering adjacent to single family residential zoning

Residential characteristics of the FVC zone:

- Same as RAC, but 18-24 units per acre.

Non-residential characteristics of the RAC and FVC zones:

- FARs: 0.3 minimum and 1.5 maximum (RAC only)
- Requires urban plazas, parks or other public spaces (trails, open areas)
- Requires ground floor transparency for buildings (not big box)
- Requires architectural themes for buildings, walls, materials, signage, lighting, etc. large parking lots such as improved landscaping and pedestrian walkways
- Requires buffering adjacent to residential zoning

Development approval through the use of a comprehensive master development plan

- Process requires a pre-application meeting
- Submittal of a master development plan
- Planning Commission public hearing with 300 foot notification requirement
- City Council approval required
- A master development plan agreement is required

Council Member Horrocks stated that eight years ago, that whole area now called Foxboro was zoned M-D. The landowners took the staff and elected officials to the property and explained that there would not be any use for this property for 50 years. They asked to rezone it to residential/commercial. The property owners jumped through all the hoops and had it rezoned. The City pointed out the manufacturing businesses operating in the same area. Although the residents knew what was there prior to them building their homes, people came to the City and complained about the M-D businesses. Council Member Horrocks said he does not want more high density housing, and the City still does not have commercial development.

Doug Keefe addressed the Planning Commission and stated he has a long history of doing business as an industrial user. They have an office warehouse on eleven acres (north side of center street - 1000 W. Center Street) which is fairly unique. He stated that the property attracts large industrial companies, mainly being used for trucking services, and has virtually never been vacant. Mr. Keefe stated that this is the historical use of the property, and it has been productive. Rezoning it would be a very major impact for their businesses. He said he is not sure why their properties would be that much different or affect the City's long-term plan. He does not see the need for a change.

Ken Leetham stated that everyone should keep in mind that the City is made up of viable industrial users, and buildings, and a whole inventory of property and employees that bring a tremendous value. There is more than one method here for the City to achieve its goals, and he would like to find a way to maximize everyone's interests, including the City and the viable land owners in the City. We don't want to harm the six or eight landowners north of Center Street.

Bret Overson, with Overson Consulting and a developer, stated that he has extensive experience in development. He said he is here on behalf of Amcor, a large multi-national operation. If this were 24 months ago, there might be some sympathetic ears relative to Amcor, but in that time, the City approved a new facility costing Amcor \$7.5 million, and it is not the kind of operation that is easily moved. They own four parcels of land right off Redwood Road.

Ken Leetham stated that the initial proposal was to make Amcor's property C-G. Chairman Klotz said Amcor would be grandfathered. Mr. Overson said it would be an inverse condemnation. Every function of the use is a permitted use in the current zoning. There are strict standards with non-conforming uses. For example, if Amcor wanted to add on to the little office building in the front, they would not be able to do it. This proposed zoning would limit them to use their property as designed and would limit their property value. Amcor would request not to change the zoning at all. He cannot see any developer that would come in and offer to redevelop that property in a commercial manner. Mr. Overson added that Knudson corner was completely vacant prior to its development; there was nothing there. You can't really compare the NSL property to the Jordan Landing or Knudson Corner properties.

Commissioner Drinkall asked Mr. Overson what he would recommend for the City to be profitable. Mr. Overson stated it is a gateway property that the City would want to capitalize on, but there is a long-drawn-out property use. The incentives the City would have to give Amcor, or any other large industrial use, would be extremely expensive. He suggested the City do the best it can with what is has and leave the big industrial uses alone at this point.

Steve McCombre, Stericycle, stated they are right in the heart of the C-G zone. They will reserve the majority of their comments for next Tuesday, but you do not need a crystal ball to find out what is going to happen. He said the issues Council Member Horrocks mentioned will be multiplied 10-fold. Stericycle has been on that property since 1988-89 without any issue of compliance. They have been a responsible industry in the area and a good neighbor. It would be a problem to rezone that area for them.

Commissioner Oblad asked about the issue of not enough rooftops for retail, etc. How many rooftops does the City need in that area to draw the kinds of stores people want there? If residential properties are built there, would it be enough? Ken Leetham stated that it may not be. Staff has met with some potential tenants for the Kimball property. The lack of rooftops is a problem, and is always a problem. However, one of the anchors they met with likes the location today, and thinks they could make with the site work. The other problem is the perception and reality that the property is blighted, in the middle of an industrial area, and is surrounded by trucking/industrial areas. It would be a 30-year evolution, but the first initial steps would be to concentrate on that quadrant, put the tools in place to clean up the property and have a solid, beautiful piece of ground that has the benefit of being right off I-215, etc.

Mr. Overson stated that landscaping and beautification is critical to the area, including widening the road, adding curb and gutter, etc. so everything is in place for potential developers. Mr. Leetham showed some drawings of proposed street landscaping standards and stated that a recommendation needs to be given to the City Council next week.

Council Member Horrocks stated that he is uncomfortable impacting any existing businesses that have objections. Chairman Klotz asked Mr. Leetham to bring the Planning Commission some other options to review and consider.

Mr. Leetham asked the Planning Commission to take a look at what's allowed in the proposed FVC zone and see if they are comfortable with it, including the residential component, i.e. multi-family dwellings, etc.

Council Member Horrocks stated he still has reservation with high density housing.

4. APPROVE MINUTES

The December 13, 2011 Planning Commission minutes were reviewed. **Chairman Klotz moved to approve the December 13, 2011 Planning Commission minutes as written. Commissioner Klotz seconded the motion. The motion was approved by Commissioners Drinkall, Klotz, Oblad, Tidwell, Jensen and Council Member Horrocks.**

5. ADJOURN

Chairman Klotz adjourned the meeting at 9:05 p.m.

Chairman

Secretary