

NORTH SALT LAKE CITY
PLANNING COMMISSION MEETING
JANUARY 28, 2014

FINAL

Chairman Bruce Oblad called the meeting to order at 6:32 p.m. and welcomed those present.

PRESENT: Commissioner Chairman Bruce Oblad
Commissioner Robert Drinkall
Commissioner Kim Jensen
Commissioner Ted Knowlton
Commissioner Lisa Watts Baskin
Commissioner Stephen Garn
Council Member Ryan Mumford

STAFF PRESENT: Ken Leetham, Assistant City Manager; Jim Spung, Administrative Planning Technician; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Pamela Thompson, resident; Matt Blomquist, Mike Haslam, Tom Stuart Construction; Chris Faulhaber, Granite Construction Company; Nate Pugsley, Brighton Homes.

1. PUBLIC COMMENTS

There were no public comments.

2. CONSIDERATION OF A SITE PLAN AND CONDITIONAL USE PERMIT FOR AN INCREASE IN DRIVEWAY WIDTH FOR JORDAN RIVER PARTNERS LOCATED AT 1390 WEST JORDAN RIVER DRIVE. MATT BLOMQUIST-TOM STUART CONSTRUCTION, APPLICANT.

Jim Spung reported that Jordan River Partners is proposing to build a new office and warehouse building located at 1390 West Jordan River Drive near the Legacy Preparatory Academy Charter School. This building will be occupied by Summit Oil Company with the main operations being a maintenance facility for their petroleum tanker fleet. Truck traffic is anticipated to increase by 24-30 incoming and outgoing semi-trucks per day. There will be 24-30 employees per day with a peak shift of 15 employees on site at one time. This area is currently divided into two lots with a lot line adjustment application submitted and approved by the City to combine the lots. The Development Review Committee (DRC) recommends that a building permit not be approved until proof of the recording of that lot line adjustment has been provided from the County. The

applicant is proposing 50 parking stalls including 2 ADA stalls which meet the requirement of 41 required parking stalls including 2 ADA stalls. An additional 16 parking stalls for fleet vehicles will be located north of the building. The outdoor storage will be screened with a 6' tall chain-link fence with slats. The applicant is also proposing 3 strands of tightly strung barbed wire atop the fence. The applicant is proposing trees spaced 40' on center along the street frontages. The DRC recommends that this spacing be reduced to 30' on center which would require the applicant to resubmit a landscaping plan prior to receiving a building permit. There is also a proposed tree within the clear view area at the corner of Jordan River Drive and 1200 West that needs to be removed for safety reasons. This applicant is requesting an increase in the driveway width for two of the driveways; one on the west side of the lot fronting Jordan River Drive and the other on the east side of the lot fronting 1200 West. The current maximum for driveway width is 40' and the applicant is requesting 50' to accommodate the turning movements for their large tanker trucks.

Mr. Spung also reported that the charter school located on Center Street uses the access off of Center Street for pickups/drop-offs and uses the surrounding streets for stacked parking. A wider access way would help minimize the conflicts by allowing large trucks to have more room to turn. The DRC recommends the following conditions: that a lot line adjustment be recorded by Davis County and proof of recording be submitted to North Salt Lake City prior to issuance of a building permit, a new landscaping plan be submitted to the City with 30' tree spacing, and the tree proposed within the clear-view area at the corner of Jordan River Drive and 1200 West be removed or re-located prior to issuance of a building permit.

Commissioner Oblad asked that since these trucks would be coming in from the oil fields carrying extra mud and soil, how that would be dealt with. Jim Spung responded that the storage areas would be asphalt with detention bays and had been approved by the City Engineer.

Mike Haslam, Tom Stuart Construction, commented that there is a wash bay area and detention basin with a trench drain and grease separator that will handle the mud, oil and grease. Mr. Haslam also said they are proposing a solid vinyl fence without barbed-wire on the fence bordering the charter school.

Commissioner Garn asked if the trucks would be encouraged to use another street to avoid the school traffic and commented that it was worrisome for the trucks to be driving by where the children are getting picked up and dropped off. Mike Haslam commented that the trucks will most likely access Jordan River Drive from the west on Center Street and exit the site on 1200 West and then travel east on Center Street.

Commissioner Baskin commented that North Salt Lake had no choice or say in the location of this charter school. The state legislature determined only the State and the school can select the location, which is near a sewage plant and across from this proposed trucking facility. The school chose to be in this industrially-zoned location even though the City did not recommend this location.

Commissioner Jensen said that there is so much traffic and congestion near Spectrum Academy, which is another charter school in the City, and asked if there would be the same issue here. Ken Leetham responded that similar issues are likely at this location and the first step to reduce the conflict will be for the school to adjust how the children are dropped off and picked up. Solutions may include re-striping the street, adding crossing guards, or staggering start times. None of those methods are likely to be used until the school tries to resolve possible conflicts.

Commissioner Drinkall moved that the Planning Commission approve the site plan and the conditional use permit for the increase in driveway width for the Jordan River Partners located at 1390 West Jordan River Drive with the following two conditions:

- 1) Proof of recording of a lot line adjustment with Davis County must be submitted prior to the City in issuance of a building permit.**
- 2) Prior to the issuance of a building permit, the landscaping plan shall be re-submitted to City staff to include a tree spacing at a maximum of 30 feet. The landscaping plan should also include the re-location of a tree that is obstructing the clear view area at the intersection of 1200 West and Jordan River Drive.**

Council Member Mumford seconded the motion. The motion was approved by Commissioners Oblad, Drinkall, Jensen, Knowlton, Baskin, Garn and Council Member Mumford.

- 3. CONSIDERATION OF A GENERAL DEVELOPMENT PLAN FOR GRANITE RIDGE LOCATED DIRECTLY WEST OF THE EDGEWOOD ESTATES DEVELOPMENT. PATRICK SCOTT-BRIGHTON HOMES, APPLICANT.**

Ken Leetham reported that this is the third time this proposal has been brought before the Planning Commission. Previously there was no approval from the City Engineer or the third party engineering group on the geotechnical findings. They have now given their approval and the application is complete. The plan has also been altered so there are no road grades proposed above 12%.

Mr. Leetham also commented on the trail along the eastern property line and that it would need to meander across both the Edgewood and Granite sites to help minimize the slope of the trail. During the first discussion of this development plan, it was apparent the property is surrounded by mining activity, and that the southern boundary of the subdivision would be near active mining. City staff recommends approval of the concept plan but suggests that the Planning Commission consider requiring in the development agreement that there be a schedule for removal of material to accelerate the mining activities closest to the subdivision.

Council Member Mumford asked if the State owned parcel is currently in conflict and if the parcel closest to the proposed subdivision could be mined prior to mining the UDOT parcel. Ken Leetham responded that it is the former UDOT parcel.

Chris Faulhaber, Granite Construction Company, said that the State parcel is now owned by Lakeview Rock Products and they have entered into an agreement with Granite to potentially mine their property as well. He commented that may not be the most cost effective, but it would be in everyone's best interest to mine the area closest to the proposed subdivision as soon as possible. They will most likely add a small track mounted crusher up there to move the material quicker. Granite would like to have a phasing plan for mining operations that best suits Granite, Lakeview and Brighton Homes.

Council Member Mumford asked Mr. Faulhaber how long that phasing plan would take and if the site would be mined later as well. Mr. Faulhaber responded that it would be around 6-8 months and the additional mining would occur for approximately 5 more years; after which they would move to the southern portion. Mr. Faulhaber was not sure of the anticipated timeline because their mining operation is dependent on the economy.

Nate Pugsley, Brighton Homes, commented that it will take some time to get through all the property for mining but that the mining in the area west of the subdivision is mostly complete. Mr. Pugsley also added that they are proposing to install a 6' wrought iron fence along the western edge of the subdivision for safety, in addition to the 100 foot buffer between the subdivision and the drop-off.

Council Member Mumford asked if the earthen berms would be placed at the S curves on the proposed road. Ken Leetham responded that other areas of the City have sharp curves and that treatment of these issues would be addressed during the final platting process.

Commissioner Oblad asked if the issues regarding the proposed downhill cul-de-sac had been resolved. Ken Leetham responded that the cul-de-sac was acceptable to the City Public Works Director; however there were still some concerns so minor adjustment may have to be made. Mr.

Leetham also said a detention pond and access drive is proposed at the end of the cul-de-sac which will help with snow removal.

Commissioner Jensen asked if there would be any parks planned for this development. Nate Pugsley responded that depending on the final design, the detention pond may also serve as a park. There are also a few lots that may be too steep to develop, but could possibly be turned into trails. Mr. Pugsley also said this development may partner with the Bella Vida Properties HOA to share access to their pool, clubhouse, and parks which would help bring down HOA costs for everyone in that area. This would also help Bella Vida Properties sell more homes as they are currently having trouble due to the high HOA fee.

Commissioner Knowlton asked how the streetscape will appear and if it would be long rows of two car garages due to the smaller lot size. Mr. Pugsley responded that there will most likely be 20' to the garage and 15' to the living space to encourage variability along with the variety of plans available with the HOA maintaining the common areas.

Commissioner Baskin asked what the geotechnical report showed and who the third party engineer was. Nate Pugsley responded that there were some issues as the soil engineer added fill in some areas and the City Engineer did not like that solution and asked that all the fill be removed then replaced and compacted in layers. There was approximately 300 feet of linear road where this was an issue but Brighton Homes will comply. He also commented that the third party company was GeoStrata.

Commissioner Baskin commented that on the project's proposed development regulations that the Maximum Impervious Coverage was 60% on the smaller lots and what that entails. Ken Leetham responded saying that driveways, patios, roofs or any other impervious surface would be included in this calculation. He also stated that this was a reasonable regulation for this proposed lot size.

Commissioner Drinkall moved that the Planning Commission recommend approval of the general development plan for Granite Ridge to the City Council with the caveat to review and discuss those options for a phasing plan for the mining area south of the development. Commissioner Jensen seconded the motion.

Commissioner Knowlton commented that he was concerned that a 60 foot wide lot frontage with three car garages would be visually unappealing and might suffer from a low percentage of front yard landscaping. This would be the time to address streetscape and landscaping criteria as the opportunity may not arise later. He asked that there be some language that would give the builder and the City some flexibility and would specify the maximum width of the building frontage that

is dedicated toward the garage.

Ken Leetham recommended adding a condition to the general development plan to include design guidelines or architectural standards in the development agreement.

All motions were withdrawn.

Commissioner Drinkall moved that the Planning Commission recommend approval of the general development plan for Granite Ridge to the City Council subject to a development agreement that would specify architectural and site design standards for the purpose of addressing streetscapes on the smaller lots along with the caveat to discuss and review a phasing plan for the mining operations south of the development. Commissioner Jensen seconded the motion. The motion was approved by Commissioners Oblad, Drinkall, Jensen, Knowlton, Garn and Council Member Mumford. Commissioner Baskin voted in opposition of the motion.

Commissioner Baskin commented that in the early stages of this development plan she was concerned about safety and noise issues as well as the steepness of the terrain. This development would be visible upon entering the City and the small lots would give the appearance of low cost housing at a high price. Any future changes will not be able to mitigate the dangers and Commissioner Baskin said she could not support this development in good conscience.

4. CONSIDERATION OF PROPOSED AMENDMENTS TO THE LAND USE ORDINANCE REGARDING RESIDENTIAL FENCE HEIGHT

Jim Spung reported that the recommended changes from the last meeting were included in the most current draft. Those changes include clarifying references to the Land Use Ordinance, clarifying that property owners who desire to install a fence do not need permission from adjacent property owners, and clarification regarding the placement of 8' and special fencing regulations; and all other wording as specified by the Planning Commission.

Ken Leetham responded that lines 86-88 and lines 140-142 of the draft are referring to 8' fences and special fencing respectively. It is not proposed that these regulations apply to all fences as City Staff would not want to propose an ordinance which would create a large number of non-conforming fences.

Council Member Mumford commented that clarification should be given to show that special fencing will only be allowed in certain areas and that a conditional use permit would be required in these instances. Jim Spung responded explaining that special fencing does not require a

conditional use permit unless the proposed fence is greater than 10' in height or closer than 5' to any property line. This regulation exists in the currently adopted Land Use Ordinance, and City Staff is not proposing to change this regulation in the proposed draft.

Commissioner Knowlton asked if the fence height diagram could be adopted as part of the ordinance to clarify where different fence heights would be allowed.

Pamela Thompson, 320 North Orchard Dr, commented that the permit fee is based on the cost of the fence and that this seems like a penalty, especially for residents who want to build a nicer, more expensive fence. She said that the fee appears to be taxed, based on value of the project and that there should be a set fee.

Ken Leetham commented that in the case of building permitting it is based on the value of construction. The City is not authorized to collect more money than the cost of reviewing the project. The building official has the authority to charge the fee based on the table of fees that is based on the value of construction, or the fee can be calculated based on the actual cost to the City regarding the project. The building official has the discretion to determine which approach is most appropriate.

Ms. Thompson also asked what the front yard setback refers to and if only one building permit would be required for a fence on a single property line. Jim Spung responded that a fence taller than 4' in height between the principal structure and the front property line would not be permitted due to safety issues; but that a 6' fence behind the front yard setback would be permitted along the side property lines. The City would only require one building permit for one extended fence along a property line with two neighbors.

Commissioner Drinkall moved that the Planning Commission recommend approval to the City Council for the proposed amendments, as discussed here this evening, to the Land Use Ordinances related to fencing regulations and that the fencing diagram be included in the amendments. Commissioner Oblad seconded the motion. The motion was approved by Commissioners Oblad, Drinkall, Jensen, Knowlton, Baskin, Garn and Council Member Mumford.

5. APPROVAL OF MINUTES

The Planning Commission meeting minutes of January 14, 2014 were reviewed and amended.

Commissioner Baskin moved to approve the January 14, 2014 Planning Commission minutes as amended. Commissioner Drinkall seconded the motion. The motion was

approved by Commissioners Oblad, Drinkall, Jensen, Knowlton, Baskin, Garn and Council Member Mumford.

6. ADJOURN

Chairman Oblad adjourned the meeting at 8:23 p.m.

Chairman

Secretary