

NORTH SALT LAKE CITY
PLANNING COMMISSION MEETING
MAY 27, 2014

FINAL

Chairman Bruce Oblad called the meeting to order at 6:31 p.m. and welcomed those present.

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

EXCUSED: Commissioner Robert Drinkall

STAFF PRESENT: Ken Leetham, Assistant City Manager; Paul Ottoson, City Engineer; Ali Avery, City Planner; Jim Spung, Administrative Planning Technician; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Mary Newman, resident; Marvin Haney, Perma-Guard, Inc.; Ben Wellman, Horizon Manufacturing; Tyler Dehaan, Scott Hughes, Joe McAllister, Hughes General Contractors.

1. PUBLIC COMMENT

There were no public comments.

2. PUBLIC HEARING FOR AMENDMENTS TO PORTIONS OF THE ORCHARD HILLS PLAT "C" AND ORCHARD HILLS PLAT "D" SUBDIVISION PLATS LOCATED ALONG SPRINGHILL DRIVE, SPRINGHILL CIRCLE, AND BARRY CIRCLE. CITY OF NORTH SALT LAKE, APPLICANT.

Ali Avery reported that the public hearing is for amendments to both Orchard Hills Plats C and D. Orchard Hills Plat C is located in the Springhill landslide area and is east of 350 East and north of Eagleridge Drive. The City received a FEMA grant to remove the homes from the landslide area, capture the spring water in a drainage ditch, and deed the property as open space in perpetuity. This application is to clean up property lines in the area, vacate the portion of the street that was removed, and apply the deed restriction to the parcel that is created. A small

asphalt turnaround was added at the end of the street, for emergency personnel and snowplows, to be dedicated as part of the public roadway. The rest of the amended portion of the plat will be known as Parcel A, which will not be residential building lots but a park, and will be owned by the City. Plat D includes two lots at the east end of Barry Circle and an additional lot on Springhill Drive that will be included in this plat. The vacation of a small portion of Springhill Drive will also be included in Plat D.

The Planning Commission will hold a public hearing for the plat amendments and the City Council will hold a public hearing for the vacation of the right-of-way and the lot line and easement vacations.

The Development Review Committee (DRC) is recommending approval of the plat amendment for a portion of Orchard Hills Plat "C" located along Springhill Drive and Springhill Circle with no conditions.

Council Member Mumford asked where the trail access would be. Ali Avery replied that the ditch maintenance access-way begins on Barry Circle. The access-way comes up from Barry Circle and connects to the Gregerson Trail which continues to Cynthia Way.

Commissioner Baskin asked for clarification about the purpose and scope of the vacation of the property lines. Ali Avery replied that the vacation at the City Council level would include vacating the property lines for the residential building lots, vacating a portion of the right-of-way on both Springhill Drive and Springhill Circle, and vacating all the easements there.

Commissioner Jensen asked which home lots were eliminated. Ali Avery replied it included lots 39-45 and 29-31 in Plat C, and that in Plat D it would consist of lots 53, 54 and 46. Those homes under a certain threshold of property damage or outside of the slide area were not covered under the FEMA grant. She commented that the City had purchased 12 damaged homes with the grant funds.

Commissioner Oblad opened the public hearing at 6:39 p.m.

Mary Newman, 154 Valley View, said that she lives across from the Springhill landslide area homes that are now gone. She commented that it appears that there is still a water problem on additional lots in the area. She also said that the last lot purchased by the City still contains a foundation and asked if that would be removed. Ali Avery replied that lot 33, with the foundation, is owned by Lamar Carlson and not the City. Mrs. Newman also mentioned that there appears to be a drainage problem on some of the lots on 350 East. It was determined that the lots with current water issues are 48 and 50. Paul Ottoson replied that he would examine the

area to see if there were additional water issues present.

Ali Avery replied that the City has received a second grant from the State for lot 48 to remove the home and grade the lot, but that the spring water was not captured in that location because the City did not have control over the properties east of it.

Commissioner Oblad closed the public hearing at 6:45 p.m.

3. CONSIDERATION OF AN AMENDMENT TO A PORTION OF THE ORCHARD HILLS PLAT "C" SUBDIVISION PLAT LOCATED ALONG SPRINGHILL DRIVE AND SPRINGHILL CIRCLE. CITY OF NORTH SALT LAKE, APPLICANT.

Commissioner Baskin moved that the Planning Commission recommend approval of a plat amendment for a portion of Orchard Hills Plat "C" located along Springhill Drive and Springhill Circle with no conditions. Council Member Mumford seconded the motion. The motion was approved by Commissioners Oblad, Jensen, Knowlton, Baskin, Garn and Council Member Mumford. Commissioner Drinkall was excused.

4. CONSIDERATION OF AN AMENDMENT TO A PORTION OF THE ORCHARD HILLS PLAT "D" SUBDIVISION PLAT LOCATED AT THE EASTERN END OF BARRY CIRCLE. CITY OF NORTH SALT LAKE, APPLICANT.

Commissioner Baskin moved that the Planning Commission recommend approval of a plat amendment for a portion of Orchard Hills Plat "D" located approximately at the east end of Barry Circle with no conditions. Council Member Mumford seconded the motion. The motion was approved by Commissioners Oblad, Jensen, Knowlton, Baskin, Garn and Council Member Mumford. Commissioner Drinkall was excused.

Ali Avery commented that a ribbon cutting ceremony for Springhill Park is tentatively scheduled for July 19th at 9 a.m.

5. PUBLIC HEARING FOR AND CONSIDERATION OF A HOME OCCUPATION CONDITIONAL USE PERMIT FOR OROZCO LANDSCAPING AND CURBING LOCATED AT 967 WEST FOX HOLLOW DRIVE. JOSE OROZCO-OROZCO LANDSCAPING AND CURBING, APPLICANT.

Jim Spung reported that only a few home occupations are required to obtain a conditional use permit per City Code and include businesses that fall under the category of landscaping, swimming lessons, snow removal or group instruction facilities.

The applicant is proposing a landscaping business and will use one room in the home as an office . He will also have a landscaping trailer to be parked within a building or structure per City Home Occupation Standards.

The DRC recommends approval with the conditions that the applicant keep the trailer parked indoors and that they comply with all the City Home Occupation Standards.

Council Member Mumford asked how the Home Occupation Standards are enforced. He also asked in regards to multiple home business licenses being issued to the same applicant/residence. Jim Spung replied that these types of violations would be seen by the code enforcement officer on patrol or come from neighbor complaints. Per City standards residents cannot have two home occupation business licenses at the same time.

Commissioner Oblad opened the public hearing at 6:53 p.m. to consider a home occupation conditional use permit for Orozco Landscaping and Curbing located at 967 West Fox Hollow Drive. There were no public comments and he closed the public hearing at 6:54 p.m.

Commissioner Baskin commented that she was concerned about the popsicle truck parked at the home, which was visible in the site photos, as two home businesses would be non-compliant. Jim Spung replied that the Code Enforcement Officer had asked the applicant about the truck and was told it was not a current business at this time.

Commissioner Knowlton moved that the Planning Commission approve the conditional use permit for Orozco Landscaping and Curbing located at 967 West Fox Hollow Drive with the following conditions:

- 1) Any trailer or equipment related to the business must be parked within a building or structure or offsite in a permissible location. Outdoor storage and/or parking of these items are prohibited.**
- 2) Orozco Landscaping and Curbing must comply with all of the Home Occupation Standards outlined in the City Code, the violation of which may result in the revocation of the business license.**

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

6. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR PERMA-GUARD, INC. LOCATED AT 60 NORTH CUTLER DRIVE, UNIT 202. MARVIN HANEY-PERMA-GUARD, INC., APPLICANT.

Jim Spung reported that Perma-Guard specializes in the sale of animal feed supplements and non-toxic insecticides. The applicant is proposing to move from their current location at 100 North 700 West to 60 North Cutler Drive into a large complex with multiple units in the General Commercial (CG) zone. The use is categorized as a conditional use in the CG zoning district. The new unit will be 2,900 square feet and will be used for re-packing and warehouse space as well as office space. There will be four (4) employees on site with minimal traffic other than employee trips and shipping and receiving of freight. The existing parking was approved as a condo plat with shared parking among tenants. This business requires seven (7) parking stalls with one (1) ADA stall and there are currently twenty-seven (27) parking stalls already on-site which is sufficient for the building. Twenty-eight percent (28%) of the site is currently landscaped and is in compliance with the City's Land Use Ordinance. The DRC recommends approval of the conditional use permit for Perma-Guard, Inc. with no conditions.

Commissioner Mumford asked if the other units in the building were vacant or occupied. Jim Spung replied that when he viewed the site it appeared that more than half were occupied.

Commissioner Garn asked if dog food would be manufactured there. Marvin Haney, Perma-Guard, Inc. replied that they have been operating in the City for twenty years and that they were just relocating the business. He said they will only be repacking products, which are manufactured in Nevada, and that no manufacturing would occur on-site.

Council Member Mumford moved that the Planning Commission approve the conditional use permit for Perma- Guard, Inc. at 60 North Cutler Drive, Unit 202 with no conditions. Commissioner Jensen seconded the motion. The motion was approved by Commissioners Oblad, Jensen, Knowlton, Baskin, Garn and Council Member Mumford. Commissioner Drinkall was excused.

7. CONSIDERATION OF AN AMENDED SITE PLAN AND CONDITIONAL USE PERMIT FOR A REDUCTION IN THE LANDSCAPING PERCENTAGE FOR HUGHES BUSINESS PARK LOCATED AT APPROXIMATELY 900 NORTH 675 WEST. TYLER DEHAAN-HUGHES & HUGHES INVESTMENT CORP.,

APPLICANT.

Ali Avery reported that in 2004 a site plan was approved by the Planning Commission and subsequently a subdivision plat for Hughes Business Park was also approved by the Planning Commission and the City Council. The subdivision was constructed and building permits were issued for most of the buildings. All the buildings have now been completed except for a new building currently under construction on Lot 4. The subdivision also does not appear to have had a final inspection for approval. However, City Code allows the City to issue building permits while the subdivision is under construction. Final approval of the subdivision is not necessary before the building permits are issued. City staff performed an inspection in 2011 of the building on Lot 5 for a Certificate of Occupancy and it was discovered that the detention basin in the north of the cul-de-sac was paved over, and the parking and landscaping areas were out of compliance. Only 3 of the 10 buildings have received a Certificate of Occupancy from the City. City staff has been working with Hughes General Contractors for the last 3 years to bring the subdivision into compliance by agreeing to administratively approve a site plan that had the same number of parking stalls, landscaping and accommodate the detention necessary for the site. The applicant recently posted a cash bond with the City for the required improvements to bring the subdivision into compliance. The improvements would need to be done before July 1, 2014 as that is when the bond agreement expires. If the work is not completed the City would use those bond funds to complete the subdivision. Some of the improvements covered under the bond include landscaping, the completion of the street lights and the improvements to the detention basin. The applicant is now asking that the Planning Commission approve the amended site plan and a reduction in the landscaping to reflect the completed construction on site. This approval would allow for a release of the bond funds for any improvements not on the amended site plan.

Mrs. Avery then reviewed the difference between the 2004 approval and the proposed site plan amendment for 2014. In regards to detention, the applicant had paved over the detention basin at the north of the cul-de-sac and the new proposal would include drainage that utilizes an existing drainage ditch at the north of the site. The parking plan from 2004 included 102 parking stalls for the entire subdivision but some the buildings and landscaping have since been constructed differently which has affected the location of the parking stalls. Bay doors have been added in places that were not anticipated and some of the landscape islands have been redesigned which has also affected the location of the stalls. The proposed plan is for 103 parking stalls and designated loading zones in front of all the bay doors. All the parking stalls would need to be restriped prior to receiving Certificates of Occupancy for the buildings. There are also two very large driveways at the end of the cul-de-sac which were approved in the 2004 site plan and will not be included in the amendment to the site plan. In regards to the landscaping changes, in 2004 a reduction was granted by the Planning Commission to allow 8.2% landscaping instead of the required 10%. The original landscape plan included sod in the park strips and some landscaped

islands in the parking areas and also in the detention basin area. The applicant is now requesting a further reduction in landscaping to 6% or 10,110 square feet which is a 4% reduction from City Code requirements. The drainage ditch at the north of the property is included in the landscaping calculations and will consist of cobble rock. There will be gravel in two of the landscaped island and the rest will consist of sod, shrubs and trees along the islands fronting 900 North. The islands to the north are not included in the landscaping calculations. The Planning Commission has the authority to reduce the landscaping percentage via conditional use permit.

The DRC does not recommend approval of the reduction in landscaping as proposed. 51% of the proposed landscaping consists of only cobble rock in the drainage ditch area, and the DRC finds that this does not improve the appearance of the subdivision. The second issue is the excess of asphalt in the subdivision, as it is very visible and current City Code requires a 10' landscaped buffer from the street and a maximum driveway width of 40'. The exception to the driveway width was granted in 2004 with the knowledge that the large landscaped detention basin would visually break up the asphalt on the north end of the subdivision. The driveway areas are approximately 55' in width currently.

The DRC would be willing to recommend approval in the reduction of landscaping if some improvements are made to the existing landscaping. City staff recommends that Hughes include more intensive landscaping in the park strips specifically street trees, to install landscaping in the two gravel strips at the north end of the cul-de-sac in addition to 6 trees on the 900 North frontage, and 3 shrubs and 1 tree in the landscaped island on Lot 4. The DRC would then be willing to recommend approval of a conditional use permit with the following conditions: 1) that 1 tree be installed in each landscaped area with the exception of the two existing gravel park strips. The trees shall be in addition to the trees already proposed in the landscape plan. 2) That the gravel park strip at the north end of the cul-de-sac must be improved with living material and irrigation. This would not apply to the gravel park strip on the northeast end as there are utility boxes in that strip. The improvement and addition of the existing gravel park strip at the north end of the cul-de-sac would increase the total landscape percentage to 6.1%.

A lot line adjustment has been recorded which removes the property line south of Lot 4. The applicant had previously applied for a building permit without bay doors which they would now like to install on the south side of the building currently under construction and which cannot be installed on a property line. It also appears that an easement has not been recorded on the property to allow cross-access and parking in the subdivision. Hughes currently owns all the lots in the subdivision but if any of the property was sold it would be trespassing to access or park on the other side of the lot line. The DRC is recommending that a blanket easement be recorded on the subdivision allowing for access and parking.

The DRC also recommends approval of the amended site plan for Hughes Business Park located at approximately 900 North 675 West subject to the following conditions: 1) that the cash bond on file with the City shall be retained to reflect the amount for all improvements in the public right-of-way until said improvements are inspected and approved, and 2) A blanket easement shall be recorded on the entire Hughes Business Park providing for cross-access and cross-parking easements throughout the subdivision. Proof of recording shall be submitted to City staff prior to issuance of a Certificate of Occupancy for the building on Lot 4.

Commissioner Knowlton asked what the requirements for approval were, if any, at the time of approval for the drainage basin. Paul Ottoson replied that Hughes would be required to meet the same capacity set in 2004 for that basin.

Commissioner Baskin asked about the living material requirement and the approximate size of the gravel park strip at the north end of the cul-de-sac. Ali Avery replied that it could include shrubs, grass and anything living and that it was 140 square feet.

Joe McAllister, general counsel for Hughes General Contractors, stated that there were a few items he would like to address. All the buildings in the industrial park are owned by Hughes and would not be sold to other entities so a blanket easement would not be necessary at this time. In the process of building this industrial park there was an approved plan but the location of the park strips were moved due to the needs of the utility companies. There were also issues with drainage in the two detention basins that flowed west and north/south respectively. He then said that the reason Hughes covered the detention basin with asphalt was due to the City requirement for 102 parking spaces which he feels was too large of a parking requirement. He then commented on the recommendation for living material in the park strips and Hughes' preference for xeriscaping and cobble rock especially around the utility boxes. Hughes would be happy to provide denser landscaping along the 900 North frontage but does not see the point in adding trees and other landscaping to the back where there is no outlet or view to the public. He also said in regards to the final approval that he had a letter for the subdivision bond reduction request from 2007 to show completion was 100% for all the items and lists all the items that were originally bonded. He also said that a few weeks ago Hughes had made a cash deposit of \$11,900 for the bond requirements for the landscaping. Mr. McAllister then commented that Hughes would like to provide 6% landscaping even though the City is requesting 6.1% which is a cost difference of \$4,000 to add irrigation to the 140 square foot area.

Mr. McAllister then reviewed the park strips and the obstacles in some of those areas that would make it difficult to add more landscaping including streetlights, utility boxes and drains. He asked that the Planning Commission not require the condition to require vegetation in the gravel park strip at the north end of the cul-de-sac. He then said that the condition which requires the

\$11,900 cash deposit seems excessive for the amount of work that is left to be done and asked that it be reduced to a \$5,900 bond requirement.

Mr. McAllister also addressed the condition in regards to the blanket easement and said that Hughes does not plan to sell the property and that if they did the easement could be addressed at that time. He said in answer to Council Member Mumford's question that they are not using the access at the west side for access as there is gated access point further north.

Mr. McAllister then reiterated the changes to the conditions recommended by the DRC that Hughes would find acceptable. He stated that in regards to the landscape requirement of 6.1% that Hughes be allowed to provide 6% and that the gravel park strip not be required to have living material and irrigation. He commented that they would be happy to put the trees and bushes out front but not in the rear of the subdivision. They would like the cash deposit of \$5,900 to remain with the City and to eliminate the condition of a blanket easement. He also said that the trees be planted in accordance with the plan that had been submitted to the City.

Council Member Mumford asked about the gravel sections in between the buildings on the east side of the development and if that could be used as a way to meet the landscaping requirement. Tyler Dehaan, Hughes General Contractors, replied that they had looked at those areas but ultimately decided that due to the lack of sunlight it would not be feasible.

Scott Hughes, Hughes General Contractors, commented that they had given Mayor Arave a tour of the site and discussed the landscaping issues. Mr. Hughes said that there have been changes that had to be made due to the utility companies, including the placement of buildings and drainage issues, etc. He said these buildings are constructed by Hughes' new builders as a way for them to learn and that this is the reason the project has taken 10 years to build.

Ali Avery said that for clarification, the subdivision inspection includes the review of items in the public right-of-way including the roadways, park strips, utilities, etc. and are the items covered under the bond. Then the site plan process occurs which includes approval of building permits based on approved site plans. The detention issue was found when City staff went out to sign on a Certificate of Occupancy and discovered that the site did not match the approved site plan. She also said that City staff tried to resolve the issues administratively, without having to come before the Planning Commission for approval, by requiring a cash bond. The bond amount is higher due to all the improvements that are not done throughout the entire subdivision. This amended site plan approval would release the portion of the bond that is not tied to the public right-of-way.

Council Member Mumford asked if the Planning Commission has the authority to approve a reduction in landscaping and/or parking. Ali Avery replied that the Planning Commission does have the authority to reduce the parking percentage when the use is not defined. The landscaping requirement is reduced by the Planning Commission through a conditional use permit and the Planning Commission can also make recommendations for improvements.

Ken Leetham commented that City staff would not recommend approval with no trees in the cul-de-sac and that the applicant was only asking for trees along 900 North.

Joe McAllister said that the parking is already in place and that the request for the 102 parking spaces was made in 2004. Council Member Mumford asked if in order to meet the landscaping requirements that perhaps some of the existing asphalt could be removed and landscaping be placed there instead. Joe McAllister replied that the asphalt is already laid but that Hughes was more concerned with focusing the density in the front of the building and not as much in the gravel park strips.

Scott Hughes commented that it is only a 2% landscaping difference from what was approved and that Hughes is donating over \$100,000 worth of landscaping along Redwood Road and also providing the labor for the pipe that the City is laying there.

Ali Avery said that the DRC is not as concerned with the .1% but with the intensity of the landscaping. The Planning Commission has the ability with a conditional use permit to put conditions on the property and the DRC feels that even the addition of one tree in each park strip would improve the current condition of the subdivision.

Commissioner Mumford asked if there was a significant cost when subdivision plats are changed and why the applicant had waited until now to finish the subdivision. Ali Avery replied that three and a half years ago City staff had gone out to do an inspection of the site and discovered the aforementioned issues. City staff tried to resolve the issue administratively however the applicant has proposed an amended site plan.

Joe McAllister stated that, for the record, the DRC's statement about the nature of the improvements is incorrect and unfair. He said that the asphalt is clean, smooth and well maintained. The landscaping is green and maintained, and the buildings are aligned and uniform.

He also said there was no point in the statute where it said the intensity that is being requested by the DRC is required in this area. He commented that the landscaping and parking requirements seem excessive for the property and asked that the City be reasonable. He also said that the \$5,900 cash deposit was reasonable and that they were happy to increase the density where it

makes sense. He also said that the blanket easement was not necessary.

Council Member Mumford asked if the easement cost money and what the process for creating an easement would be. Joe McAllister replied that you have to create the easement, record it against every property on the parcel and update insurances.

Ken Leetham commented that for the record that City staff does not care about the easement and that it would be more of a concern to Hughes if they ever sold a portion of the property. He also said in regards to the cash bond that the issue is more about the improvements that need to be installed. Joe McAllister asked if the cash bond could be eliminated completely. Ken Leetham replied that it would be up to the Planning Commission's requirements and that the public improvements required should have a bond posted.

Commissioner Oblad asked for clarification on what the DRC recommends for landscaping and what Hughes is proposing. He commented that the DRC has recommended trees in the gravel park strips and asked if there was a reason that Hughes did not want trees there. Joe McAllister replied that the reasons include the cost to add irrigation there, maintenance of the trees, and that they would get hit by trucks and snow plows.

Scott Hughes commented that there is a streetlight in one of the strips and the tree would block the streetlight. There is a problem with many of the Albertson's freight trucks using their parking lot to turnaround which causes property damage. He also said that Hughes is not 100% against adding more trees in the other park strips. Commissioner Oblad asked Mr. Hughes how many of the streetlight posts had been hit. Mr. Hughes replied that none of the posts had been hit.

Commissioner Knowlton asked what type of tree species was being contemplated for the area. Ali Avery replied that they are proposing Evergreen, Swedish aspen and Cistena plum trees.

Commissioner Baskin commented that the cost-benefit analysis of the tree placement is not persuasive because the trees help to reduce heat, especially with the amount of asphalt there. She said that the amount of asphalt may have seemed ridiculous but that it is required based upon anticipated use and therefore was not unreasonable. Commissioner Baskin said the City appreciates the benefit that Hughes adds in terms of employment, beautification and construction projects. She also said that it is the City staff's job to give the Planning Commission information from their perspective and she did not appreciate the derogatory comments that were made by Hughes' council.

Commissioner Garn stated that the end of the cul-de-sac should remain the same as it may create problems for emergency vehicles if trees, etc were added. He would also like to see trees added along 900 North as the City has a plan to make these commercial areas look nice.

Commissioner Knowlton commented that he agrees that adding trees at the end of the cul-de-sac is probably not worth the effort but that there should be at least two trees added to each of the large islands at approximately two trees for each 20' length and increase the number of trees along 900 North.

Council Member Mumford said that when driving by the property that the drainage ditch was not visible from the road and that it would be more beneficial to focus on improving the park strips.

Commissioner Oblad clarified that the condition for the blanket easement could be eliminated from the amended site plan motion. The landscaping condition for the gravel park strip at the end of the cul-de-sac could be removed from the conditions of approval as well. He then reviewed the condition for the cash bond in regards to the amended site plan. Ken Leetham replied that the cash bond is required when public improvements need to be made and that the bond amount is calculated by how much it would cost the City to finish the work.

Ali Avery commented that if the Planning Commission does not require the additional landscaping in the streetlight park strip this would reduce the landscaping percentage to 6% for the conditional use permit approval.

Scott Hughes said that Hughes would put trees in the park strips wherever necessary, whether that be one to two trees in each park strip or otherwise. Ken Leetham replied that it would be helpful if Hughes submitted a revised landscaping plan to be reviewed by City staff.

Tyler Dehaan and the Planning Commission then revised the landscaping plan which is to be included with these minutes.

Joe McAllister commented that the purpose of the bond has been eliminated and should be released now that the trees would be installed. Ali Avery replied that a portion of the bond was for landscaping between the buildings and improvements in the public right-of-way including working street lights which has not been done. However, based on the Planning Commission's actions, a portion of the bond would be released to the applicant shortly.

Commissioner Oblad moved that the Planning Commission approve the amended site plan for Hughes Business Park located at approximately 900 North 675 West subject to the following condition:

- 1) The cash bond on file with the City shall be retained to reflect the amount for all improvements in the public right-of-way until said improvements are inspected and approved.**

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

Commissioner Baskin moved that the Planning Commission approve a conditional use permit for a further reduction in the landscaping percentage to 6.0% overall for Hughes Business Park located at approximately 900 North 675 West subject to the following condition:

- 1) A minimum of one tree be installed in each landscaped area except as provided by the amendments to the landscape site plan with the exception of the two existing gravel park strips, all of which will be incorporated into the minutes. The trees shall be in addition to the trees already proposed in the landscape plan.**

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

- 8. CONSIDERATION OF A SITE PLAN FOR A BUILDING ADDITION FOR HORIZON MANUFACTURING LOCATED AT 980 WEST CENTER STREET. BEN WELLMAN-HORIZON MANUFACTURING, APPLICANT.**

Ali Avery reported that this site plan approval is for a building addition for Horizon Manufacturing. They have been operating in the City for many years and would like to add approximately 3,040 square feet of warehouse and manufacturing space to their current building. The total site area is 3.98 acres but the portion of disturbed area consists of only 1.2 acres as there will be no utility, drainage or grading improvements to the back of the building. The applicant is proposing to include 17.2% of the disturbed area as landscaping with drought tolerant landscaping including rock mulch, decorative rock and street trees along the Center Street frontage. Those trees appear to be close to the future location of the sidewalk so the DRC recommends the trees be planted an additional two feet to the north to prevent root damage to the future sidewalk. The total required parking stalls are 14 stalls with 1 ADA stall. The applicant is providing 16 parking stalls with 1 ADA stall, which is in compliance. The building will be constructed of metal, and per City code, the applicant is proposing a 4' high wainscot finish on the building. The City has received a Surface Transportation Program grant to complete the curb and gutter on the north side of Center Street as there is currently no curb and gutter or sidewalk at this location. As the grant project will be completed in 2017 the DRC recommends that the applicant not install curb and gutter or sidewalk at this time. The grant funds were approved for curb and gutter but not the installation of sidewalk. The DRC recommends that a \$6,000 cash

payment be made to the City for the cost of the installation of the sidewalk in front of the applicant's property.

The DRC recommends approval with the following conditions: that prior to issuance of a building permit a cash payment in the amount of \$6,000 be deposited for the installation of the sidewalk, and that an updated landscape plan be submitted to City staff showing the trees on Center Street moved a minimum of 2' north of the proposed sidewalk and also showing the landscaping improvements ending at the property line.

Paul Ottoson commented that the City had just received funding for the Surface Transportation Project and that this project would include widening Center Street from Redwood Road to the Legacy overpass, striping of a third lane of traffic, and finishing off the 10' meandering asphalt trail on the south side of Center Street.

Council Member Mumford commented that the new building is being proposed under the existing uses overlay zone and asked if that was why the new zoning included the new building. Ali Avery replied that there is an existing uses overlay on this property after rezoning it to General Commercial in 2012. The existing uses overlay allows for the uses that were existing at the time to continue as a permitted use on that property in that zoning district.

Commissioner Baskin asked if the Surface Transportation Program grant was only for the installation of curb and gutter and if the \$6,000 cash payment was a reasonable estimate for the sidewalk. Ali Avery replied that the grant only covers the curb and gutter and that essentially the applicant was getting the curb and gutter for free if they provide the \$6,000 payment to the City, which was estimated by the City's Engineering Department.

Paul Ottoson replied that the \$6,000 includes the sidewalk, saw cutting the existing asphalt, blending the asphalt back in and putting in the road base.

Ben Wellman, Horizon Manufacturing, commented that he appreciates the City's Engineering Department for eliminating his need to put in the curb and gutter and the potential cost saved by only doing the sidewalk once. Ken Leetham replied that Mr. Wellman is an outstanding business owner in the City and that they appreciate his investment in North Salt Lake.

Commissioner Oblad moved that the Planning Commission approve the site plan for Horizon Manufacturing located at 980 West Center Street subject to the following conditions:

- 1) **Prior to issuance of a building permit, a cash payment in the amount of \$6,000 must be deposited with the City for the installation of the sidewalk in coordination with the work being completed with the Surface Transportation Program grant in 2017.**
- 2) **An updated landscape plan must be submitted to City staff showing the trees on Center Street moved a minimum of two feet to the north to prevent further damage to the sidewalk and that the improvements be made only to the property line.**

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

9. WORK SESSION RELATED TO CERTAIN AMENDMENTS TO THE CITY'S LAND USE AND SUBDIVISION ORDINANCES REGARDING GENERAL COMMERCIAL ZONING REGULATIONS

Ken Leetham commented that the Springhill grant was an amazing achievement for the City. Ali Avery was ultimately assigned as the project manager for these two grants which were difficult and complex. He said that she deserves credit for keeping the City on track and wanted to thank her publicly.

Commissioner Oblad moved that the Planning Commission commend and thank Ali Avery for completing and obtaining funding for the Springhill Landslide project. Council Member Mumford seconded the motion. The motion was approved by Commissioners Oblad, Jensen, Knowlton, Baskin, Garn and Council Member Mumford. Commissioner Drinkall was excused.

Jim Spung reported that City staff has been working on drafting a new zoning ordinance to primarily focus on the Center Street, Cutler Drive, Robinson Drive and 100 North areas. There have been many applications for people wanting to have businesses in this area but the challenge is that the built environment doesn't match the C-G zoning for this area. The City would like to encourage investment and improvement in this area and need to find a strategic way to do this. Outdoor storage, aesthetics and the close proximity to residential uses have raised issues with compatibility. The proposed zoning provisions have the goals to allow a broader range of uses with certain site improvements, to ensure new development is high quality and compatible with surrounding uses, and also to provide a way for existing sites to comply with the new zone without starting over. The purpose of the new zone type would be to enhance and protect the quality and community image of the City, to protect and promote the City's long-term economic vitality, to discourage less attractive and less enduring alternatives, to enhance and protect the

security, health, safety and welfare of all residents, and to facilitate an understanding of the City's expectations to help developers come forward with new site plans. The elements of the new zoning ordinance include: site planning, vehicular circulation and parking, pedestrian and bicycle circulation, architectural design, landscape design, fences and walls, sign design and exterior site lighting. The overall goal is to have a comprehensive zoning ordinance for this area that would address all the aforementioned items so a developer or business owner understands the City's vision for the area.

Mr. Spung then focused on the areas of site planning, storage, and landscape design. He commented that a key component of this new zone type is to define a public and a non-public space for each site. The public zone includes the building and any other associated site improvements located a certain number of feet from the public right-of-way or within the front half of the parcel, whichever is less. This public zone would be the focus of improvements such as landscaping, etc. The non-public zone would consist of any area outside of the public zone.

The strategy to effectively address the challenges mentioned earlier include more effective landscaping and screening requirements, dressing up building facades, focusing improvements in the public zone, and when practical, organizing site elements to improve the quality of the site such as loading/unloading, parking and storage. The landscaping options would include eliminating a required landscaping percentage and adopting specific landscape requirements, such as a 15' landscape buffer along all public right-of-ways, a landscape buffer alongside property lines with additional buffering between non-like uses. The landscaping in parking lots, in front of buildings, and other areas of the site would also be addressed. The landscaping requirements would be the same for every site; however the overall percentage of landscaping would be different.

The outdoor storage options would include: limiting the location of outdoor storage to non-public zones, limiting outdoor storage within required setbacks, requiring that storage be screened from public view, limiting the overall percentage of outdoor storage on a lot, limiting the stacking of materials not to exceed the height of the enclosure, and specifying what types of surfacing are appropriate for storage areas. Currently, the Planning Commission can grant approval for a dustless gravel storage yard. City staff questions if dustless gravel would be appropriate for this area given its close proximity to residential uses.

Commissioner Oblad commented that this type of zoning would be difficult and could be misconstrued by business owners. Jim Spung replied that the overall goal of the zoning ordinance is to minimize the subjectivity of the ordinance and to maximize the sense of place, aesthetics, and pedestrian amenities.

Council Member Mumford said that from the residences and taller businesses you could see over the fence and asked if the current dustless gravel would need to be removed and asphalt added instead. Jim Spung responded that it would be better not to have gravel in this area. The intent is to make it more flexible but not give up on a lot of the design elements that would be important in an area next to residential use.

Ali Avery stated that all the properties wouldn't be rezoned. The property owner would have to request the rezone. This is an attempt to incentivize property owners to re-zone their property to allow for more uses, so long as improvements are made to the site.

Ken Leetham commented that City staff will now work to get a draft to the Planning Commission of the actual document, but wanted to discuss the elements of the proposed new zone. There has not been significant investment in this study area for a number of years and this is an indicator that the regulations may not be assisting business owners. Mr. Leetham made clear there will still be limitations and standards for which types of uses would be allowed within the area, but they would be more flexible than today's standards.

Commissioner Baskin questioned why the landscaping percentage requirement is used as a performance measure, and why it may not work in this area. Jim Spung replied that the landscaping percentage is simple and can be applied to any lot, which is probably why it is a common performance measure used in many municipalities. The benefit of the alternative is so each site can be evaluated individually, to focus landscaping treatments in more visible areas, and to encourage a more cohesive and unified landscaping strategy for the entire area.

Ken Leetham commented that this area may require the City Council to make some investments through tree planting grants or giving consulting assistance to owners for site improvement. He also said City staff would prepare a draft for the Planning Commission to review so a public hearing could be held.

10. APPROVAL OF MINUTES

Council Member Mumford moved to postpone the approval of the minutes for April 22, 2014. Commissioner Oblad seconded the motion. The motion was approved by Commissioners Oblad, Jensen, Knowlton, Baskin, Garn and Council Member Mumford. Commissioner Drinkall was excused.

The Planning Commission meeting minutes of May 13, 2014 were reviewed and amended.

Council Member Mumford moved that the minutes from May 13, 2014 are approved as amended. Commisisoner Baskin seconded the motion. The motion was approved by Commissioners Oblad, Jensen, Knowlton, Baskin, Garn and Council Member Mumford. Commissioner Drinkall was excused.

11. ADJOURN

Chairman Oblad adjourned the meeting at 9:21 p.m.

Chairman

Secretary