

1 NORTH SALT LAKE CITY
2 PLANNING COMMISSION MEETING
3 NOVEMBER 24, 2015
4

5 **FINAL**
6

7 Chairman Robert Drinkall called the meeting to order at 6:36 p.m. and welcomed those present.
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9 PRESENT: Commission Chairman Robert Drinkall
10 Commissioner Kim Jensen
11 Commissioner Ted Knowlton
12 Commissioner Kent Kirkham
13 Commissioner Stephen Garn
14 Council Member Ryan Mumford
15 Commissioner Lisa Watts Baskin
16

17 STAFF PRESENT: Ken Leetham, Assistant City Manager and Community and Economic
18 Development Director; Sherrie Christensen, Senior City Planner; Andrea Bradford, Minutes
19 Secretary.
20

21 OTHERS PRESENT: Andy Jeon (Young Joon Jeon), World Class Martial Arts; Taylor
22 Spendlove, Brighton Development Utah LLC; Barrett Morley, Tom Stuart Construction.
23

24 1. PUBLIC COMMENTS
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26 There were no public comments.
27

28 2. CONSIDERATION OF A PROPOSED CONDITIONAL USE PERMIT FOR LITTLE
29 KICKERS PRESCHOOL LOCATED AT 555 NORTH MAIN ST. #N. YOUNG JOON
30 JEON, APPLICANT
31

32 Sherrie Christensen reported that this industrial building is located in the manufacturing district
33 (MD) zone. The applicant currently operates a martial arts studio during the evening hours and
34 would like to use the space for a preschool during the day. Under the M-D zone preschools are
35 listed as an "S" use which allows City staff and the Planning Commission to determine whether
36 it is a conditional or permitted use. As schools in this zone are categorized as a conditional use
37 Staff believes this use would be categorized similarly. The proposal would be for classes
38 Monday through Friday from 10am to noon with children age three to five. The business is
39 approximately 6,000 square feet consisting of classrooms and a 5,000 square foot gymnasium
40 area. The Development Review Committee (DRC) recommends denial of the conditional use

41 permit as they are concerned about the safety of the children during drop off and pick up due to
42 the industrial use in the area and that driveway access may be blocked during those times as well.

43
44 Young Joon Jeon "Andy", World Class Martial Arts, commented that they are currently using
45 units A, B, N and M which take up approximately 1/3 of the building and have 15 parking spaces
46 allotted to them. He explained that there are currently no issues with the pickup and drop off for
47 karate lessons and sees no issues with a small preschool during the day.

48
49 Commissioner Knowlton asked where the entrance to the preschool would be. Andy Jeon replied
50 that there are two entrances but that the front entrances on the east side would be used for pickup
51 and drop off.

52
53 The applicant provided photos to show that there would be enough access for pick up and drop
54 off with room for a car to pass in the driveway as the parking lot has been stripped with angle
55 parking and the circulation pattern changed to one way only. Cars enter on the north side of the
56 building, drive around the building and exit via the south driveway. The photos also showed
57 where the entrance for the preschool is located.

58
59 Commissioner Baskin asked how many children would attend the preschool each day. Andy Jeon
60 replied that there would be two teachers with approximately 8-13 children with one class per
61 day.

62
63 Ken Leetham commented that the DRC was under the impression that the preschool was to be
64 much larger than what the applicant had just presented to the Planning Commission. He said
65 there are concerns with the site not being designed for pickup and drop off but with only twelve
66 students it may not be as big of an issue. He suggested that there may have to be a limit on the
67 number of students in the preschool.

68
69 Sherrie Christensen said that the application showed 10-30 children were expected to attend the
70 preschool. She clarified that per State requirements a preschool can only run for two hours with a
71 class size of less than 16 students. Andy Jeon said that they would not have that many children in
72 one classroom. He explained that the karate classes are currently separated into two to three
73 classes.

74
75 Commissioner Drinkall asked for clarification on the ages and amount of people who attend the
76 martial arts classes. Andy Jeon replied that the students are between the ages of 3 to 60 years old
77 with approximately 250 students per week and that the karate classes go from 4-8:30pm.

78

79 Commissioner Baskin asked what the other uses in the building are and how often trucks deliver
80 supplies. Andy Jeon explained that the other businesses in the building do not have very much
81 traffic and include kitchen cabinetry making, doughnut bakery and a computer business. He said
82 that the trucks usually come in around 2-4 p.m. but that he could confirm with the other business
83 owners.

84
85 Commissioner Baskin expressed concern with the safety of the young children being picked up
86 and dropped off and asked if the parking lot could be striped to show with a loading/unloading
87 zone. Andy Jeon replied that the children would be dropped off right at the door and would be
88 escorted into the building by the teacher. He said there is already an arrow showing one way for
89 entrance and exit to the property.

90
91 Commissioner Garn commented that the location is not conducive to this type of business and he
92 is concerned with the safety at this location if the business expands to thirty children in the
93 preschool.

94
95 Commissioner Knowlton said that the he would be more apt to vote to approve this conditional
96 use permit if there is a limit set on the number of children that attend the preschool and that the
97 number needs to be closer to twelve children versus thirty. Andy Jeon replied that this was
98 reasonable as they only have one dedicated classroom and that there can only be seven children
99 per teacher. They would have to add more teachers or additional classes at different times if that
100 ratio was exceeded.

101
102 Commissioner Baskin commented that it is good to have a place where children can go to be
103 active and be supervised. She recommended that the motion include a restriction on the number
104 of children and that the parking situation is controlled. She asked the applicant if he could look
105 into having the parking lot striped or designate where the cars would line up for drop off.

106
107 Commissioner Baskin also said that Wasatch Peak and Spectrum Academy are located in an
108 industrial area and have a system in place for drop offs. She suggested that a system for the drop
109 off and pickup be put in place at the preschool to ensure the children's safety. Andy Jeon replied
110 that he has a rope barricade he uses for karate tournaments and that this could be used during the
111 preschool hours.

112
113 Commissioner Jensen asked what the likelihood of a second class being added from 1-3pm.
114 Andy Jeon replied that the preschool is not his main focus but that a second preschool class
115 could be added in the future. The maximum number for now would be two classes per day with
116 fourteen students per class.

117

Commissioner Baskin moved that the Planning Commission approve the proposed conditional use permit for Little Kicker's Daycare and Preschool with the following conditions:

Conditions:

- 1) No more than 14 children shall attend for any two hour period;**
- 2) Every child shall be supervised for ingress and egress into the building;**
- 3) There shall be proper signage, striping or temporary barriers installed to promote safety, prevent injury, and prevent auto-pedestrian accidents.**

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

**3. CONSIDERATION OF A PROPOSED SITE PLAN FOR PARKVIEW TOWNHOMES
A 24 UNIT TOWNHOME APARTMENT COMPLEX, LOCATED AT 3100 SOUTH
HIGHWAY 89. BRIGHTON DEVELOPMENT UTAH LLC, APPLICANT**

Sherrie Christensen reported that this is the site of the former La Puente restaurant. The property is zoned Commercial Highway (CH) and is north of 350 North, therefore it was not included in the recent moratorium. The application was submitted prior to the code changes in the CH zone which now includes a different process for residential developments in that zone. The site plan includes 24 townhome units on 1.16 acres and as it is a multifamily dwelling greater than four homes it is a permitted use in this zone. The proposal is for rental units that will be platted as condominiums and townhomes in the future. The frontage along Highway 89 will require the dedication of 6 to 7 additional feet, the current right-of-way will be increased with an 8' park strip, the existing retaining wall will be moved back and a 6' sidewalk will be installed to meet the new cross section. The applicant is proposing 28% of the site to be landscaped which exceeds the required 10%. The townhomes are three stories with half of the units to include a live/work space on the ground level. These units will have either tandem parking garages or a regular two car garage.

Council Member Mumford asked if the City expects to see a lot of home business permits for this building. Sherrie Christensen replied that most units would probably use the space for a home office but not necessarily a home occupation or retail space.

Sherrie Christensen clarified that the current condition of the park strip and with the required UDOT right-of-way being 55' from the centerline an additional dedication of 6-7' would be

required. The retaining wall will be removed and a new retaining wall will be constructed. The building would be setback 17' with pedestrian access from the street to the units.

Council Member Mumford commented that this site plan review meets the zoning and the conditions of the site plan. Sherrie Christensen replied that was correct and that in the future if the applicant wants to sell the units individually that they would need to come back to the City and plat the development.

Sherrie Christensen reported that the DRC recommends approval conditioned upon the submittal of a lighting plan with photometrics, as well as engineering and construction details for the retaining wall. She also said that the lighting plan had just been received by staff for review that afternoon.

Taylor Spendlove, Brighton Development Utah, commented that the live/workspace component could be used for a living room and that they have a similar development on Main Street in Layton which required the live/workspace element. He also said the square footage of each dwelling unit is 1,500 to 1,900 square feet.

Commissioner Jensen asked when the units would be switched to condominiums. Taylor Spendlove replied that they are building this model in several cities and do not want to keep them as rentals long term, however the real estate market will drive the conversion to for sale units. He stated the dwellings will be high end quality rental units. The units are being built to the code requirements for condos, including fire separation, separate utilities, etc.

Commissioner Knowlton moved that the Planning Commission recommends to the City Council approval of the site plan application of Parkview Townhomes at 3100 South Highway 89, with the following findings and subject to the attached condition:

Findings:

- 1) The proposed use of multi-family dwellings greater than four (4) units is a permitted use in the CH Zone;**
- 2) Sufficient parking is being provided for proposed use; and**
- 3) The proposed use meets all other requirements of the development code.**

Conditions:

- 1) Submit engineering and construction details for retaining wall.**

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

4. CONSIDERATION OF A PROPOSED SITE PLAN FOR RIVERBEND BUSINESS PARK, FOUR (4) INDUSTRIAL/MANUFACTURING BUILDINGS ON LOTS 8 & 9 LOCATED AT 245 WEST RIVERBEND WAY. TOM STUART CONSTRUCTION, APPLICANT

Sherrie Christensen reported that the site plan combines Lots 8 & 9 in the industrial building park in the MD zone. The proposed site plan contains four buildings with approximately 238,000 square feet. The applicant has also applied for a plat amendment as commercial condominium subdivision. Each building footprint could be sold individually with the parking lot and landscaping held in common space, similar to a homeowners association in a residential development. The building owners would share maintenance of that area through an association and pay monthly dues. Customer parking entrances have been separated from the delivery and loading area. A lighting plan has been received but lacks the required photometric analysis. The DRC recommends approval conditioned upon submittal of a lighting plan and detail of loading dock screening. One additional condition requires that prior to the issuance of building permits, the two lots must be combined into one lot via a boundary line agreement or that the condominium plat be approved and recorded.

The exterior of the buildings are tilt up concrete panels with the parapet and color variations as required by the architectural design standards. The applicant exceeds the 10% landscaping requirement and is not proposing any fencing around the property.

As the applicant does not have proposed tenants or uses, City staff has calculated an approximate requirement of 206-243 parking stalls with 12 ADA. This reflects an estimated 30% general office space. The remaining 70% will either be manufacturing uses or warehousing uses. If the entire 70% were used by manufacturing the total parking required would be 206 spaces, if entirely warehousing 243 spaces. There appears to be a disparity in the code requirement of 1 space per 1,000 sq. ft. of manufacturing area and 2 spaces per 1,000 sq. ft. of warehouse area. The applicant is proposing 210 parking spaces with 20 ADA spaces which City staff believes will adequately meet the requirement.

Council Member Mumford asked if the applicant came to the City and wanted to have the entire building as office space how the applicant would proceed at that point. Sherrie Christensen replied that the applicant could bring a shared parking agreement if the peak operation hours differed, further each building at the time of business license or conditional use permit will need to provide proof of sufficient dedicated parking for the requested use. The City could not

approve uses that on the whole exceeded the required minimum adequate parking for each business.

Commissioner Baskin commented that this building is in the MD zone and asked if it was also in a hazardous sensitive land overlay zone. Sherrie Christensen replied that when the subdivision was developed it was reviewed for any sensitive or hazardous conditions, such as wetlands or floodplain. During the building permit process a soils report will be required to address any seismic, liquefaction, or soil stability issues that may exist. This would be required under our sensitive lands overlay district.

Commissioner Kirkham moved that the Planning Commission recommend approval of the site plan for River Bend Business Park at 245 South River Bend Way to the City Council with the following findings and subject to the following conditions:

Findings:

- 1) The proposed use manufacturing/warehousing is a permitted use in the MD Zone;
- 2) Future tenants that are conditional uses will still be required to obtain a conditional use permit;
- 3) Tenants shall not be permitted which exceed the required parking for overall requirements; and
- 4) The proposed site plan meets all requirements of the development code.

Conditions:

- 1) Provide lighting sheet, detail of fixtures and photometric analysis
- 2) Provide detail of loading docks screening
- 3) Prior to issuance of a building permit, either an amended condominium plat combining the lots or a lot line adjustment joining the two lots into one must be recorded.

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

5. ADOPTION OF THE 2016 PLANNING COMMISSION MEETING SCHEDULE

Commissioner Drinkall asked if the Planning Commission had any concerns with the proposed meeting schedule.

Sherrie Christensen commented that as there are five Tuesdays in March that the second Planning Commission meeting would be moved to March 29th to accommodate the Republican Caucus meeting on March 22nd.

Commissioner Knowlton moved to approve the 2016 dates presented as proposed. Commissioner Baskin seconded the motion. The motion was approved by Commissioners Jensen, Drinkall, Knowlton, Baskin, Garn, Kirkham and Council Member Mumford.

6. APPROVAL OF MINUTES

The Planning Commission meeting minutes of November 10, 2015 were reviewed and approved.

Commissioner Garn moved to approve the minutes as amended for the Planning Commission meeting of November 10, 2015. Commissioner Jensen seconded the meeting. The motion was approved by Commissioners Jensen, Drinkall, Knowlton, Baskin, Garn, Kirkham and Council Member Mumford.

Commissioner Baskin asked about an item from the November 10th meeting regarding chain-link fencing with three strands of barbed wire being allowed on the Redbone Trucking application. Sherrie Christensen replied that it is allowed in the Manufacturing zone as long as it does not border a residential zone.

Council Member Mumford replied that the barbed wire issue had also been discussed in the City Council meeting. Ken Leetham stated that the City Council had tasked staff with preparing a code amendment to require decorative fences along the front properties in the industrial zones.

It was also discussed that Commissioner Jensen's last meeting would be January 19, 2016 and that Commissioner Knowlton had been re-appointed to the Planning Commission.

7. ADJOURN

Chairman Drinkall adjourned the meeting at 8:01 p.m.



Chairman



Secretary