



**CITY OF NORTH SALT LAKE
COMMUNITY & ECONOMIC DEVELOPMENT**

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

**NORTH SALT LAKE PLANNING COMMISSION
NOTICE & AGENDA
July 26, 2022
6:30 p.m.**

Notice is given of a public meeting of the North Salt Lake Planning Commission to be held on the above noted date and time in the North Salt Lake City Council Chambers located at 10 East Center Street. The agenda will be as follows:

- 1) Welcome and Introduction
- 2) Public comments
- 3) Consideration of a conditional use permit for Mike's All American Towing at 425 North 400 West, Mike Matthews, applicant
- 4) Report on City Council actions on items recommended by Planning Commission
- 5) Approval of minutes:
 - a. 7/12/2022

Adjourn

The public is invited to attend all Planning Commission meetings. If you need special accommodations to participate in the Planning Commission meeting, please call the City offices at (801) 335-8700. Please provide at least 24 hours' notice for adequate arrangements to be made. The agenda items may be heard in a different order as warranted by the Commission.

Notice of Posting:

I, the duly appointed recorder for the City of North Salt Lake, hereby certify that the foregoing agenda was posted on the Utah Public Notice website, at city hall, and sent to the required newspapers this 21st day of July, 2022

Dated this 21st day of July, 2022


Wendy Page, City Recorder





CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

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MEMORANDUM

TO: Planning Commission
FROM: Mackenzie Johnson, Planner
DATE: July 26, 2022
SUBJECT: Conditional Use Permit for Mike's All American Towing, located at 425 North 400 West

RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the conditional use permit for Mike's All American Towing located at 425 North 400 West with the following conditions:

1. The property of 425 North 400 West may not be used as a salvage yard for vehicles to be dismantled and this business shall only operate as a motor vehicle towing and impound lot, as defined by City code;
2. Storage of impounded vehicles by Mike's All American Towing shall be limited to a maximum of 8 vehicles within the gated area on the north side of the building;
3. Storage of impounded vehicles must only occur on hard, non-porous surfaces;
4. Drive aisles and fire access routes must be kept clear and maintained in good condition at all times;
5. Tow trucks shall not be parked on 400 West at any time;
6. Mike's All American Towing must provide and maintain a minimum of 3 parking stalls for employees and customers only.
7. Mike's All American Towing must obtain a sign permit from the City prior to issuance of the business license.

BACKGROUND

The applicant, Mike's All American Towing, is a state-registered non-consent towing and impound lot. The business has been classified as a "motor vehicle towing and impound lot" which is a conditional use in the Manufacturing-Distribution (MD) zone. City code 10-1-46 defines an impound lot as a facility that provides temporary storage for vehicles that are to be claimed by titleholders or their agents or where police or privately impounded vehicles may be kept for legal evidence or other purposes, or while awaiting repairs. Normally where damaged vehicles are taken after an accident".

Mike's All American Towing is currently operating out of Murray City where they have a property that holds over 100 impounded vehicles. They are proposing to open a second location at 425 North 400 West. That address is in the MD zone.

The property at 425 North 400 West has four existing buildings. The applicant will occupy approximately 135 sq. ft. of building 1 for office space. They will also use a portion of the gated outdoor storage area on the north side of building 1. That area is about 1,470 sq. ft. in size and is currently surfaced with roadbase. The remainder of Building 1 is occupied by Twisted Wrench, a mechanic shop, and the office of Anchor Communication Wireless, a company that works with communication towers.

Mike's All American Towing will employ a maximum of 2 people and the gate hours will be between 8:00 AM-5:00 PM, Monday through Friday. Tow trucks will go home with the driver every night and will not be stored at this location.

PARKING

The City does not have a specific parking code for tow yards and impound lots. Section 10-6-5 (J) of the City Code provides that the Planning Commission, upon the advice of the Community Development Director, shall determine the minimum required off street parking. Mike's All American Towing has provided 3 parking stalls for the use of employees and guests which the Community Development Director and DRC have deemed sufficient for the use.

OUTDOOR STORAGE

The outdoor storage area on the north side of building 1 is approximately 2,600 sq. f.t. and Mike's All American Towing will occupy approximately 1,470 sq. ft. of that space. Staff and the applicant have determined that no more than 8 vehicles should be stored in that area at any given time.

The DRC was concerned that the damaged/salvaged vehicles stored in this area may leak oils and fluids and potentially contaminate groundwater. As a solution, the DRC is recommending that the Planning Commission place a condition that all vehicles must be stored on a hard, nonporous surface, such as cement or asphalt. The applicant was informed of this potential condition and responded that all the severely damaged vehicles would be stored at the Murray location and the NSL location would be used for intact vehicles.

City code 10-1-33 requires that all outdoor storage areas be screened from the view of any adjacent public streets or residential land uses. The subject outdoor storage area is screened from the public right of way by buildings and a chain-link gate with a site obscuring material over it. The area is not adjacent to residential land use. The outdoor storage area appears to follow current City code.

POSSIBLE MOTION

I move that the Planning Commission approve the conditional use permit for Mike's All American Towing located at 425 North 400 West with the following conditions:

1. The property of 425 North 400 West may not be used as a salvage yard for vehicles to be dismantled and this business shall only operate as a motor vehicle towing and impound lot, as defined by City code;
2. Storage of impounded vehicles by Mike's All American Towing shall be limited to a maximum of 8 vehicles within the gated area on the north side of the building;
3. Storage of impounded vehicles must only occur on hard, non-porous surfaces;
4. Drive aisles and fire access routes must be kept clear and maintained in good condition at all times;
5. Tow trucks shall not be parked on 400 West at any time;
6. Mike's All American Towing must provide and maintain a minimum of 3 parking stalls for employees and customers only.
7. Mike's All American Towing must obtain a sign permit from the City prior to issuance of the business license.

Attachments

- 1) Zoning Map
- 2) Aerial Map
- 3) Parking Plan



Mike's All American Towing 425 North 400 West Zoning Map



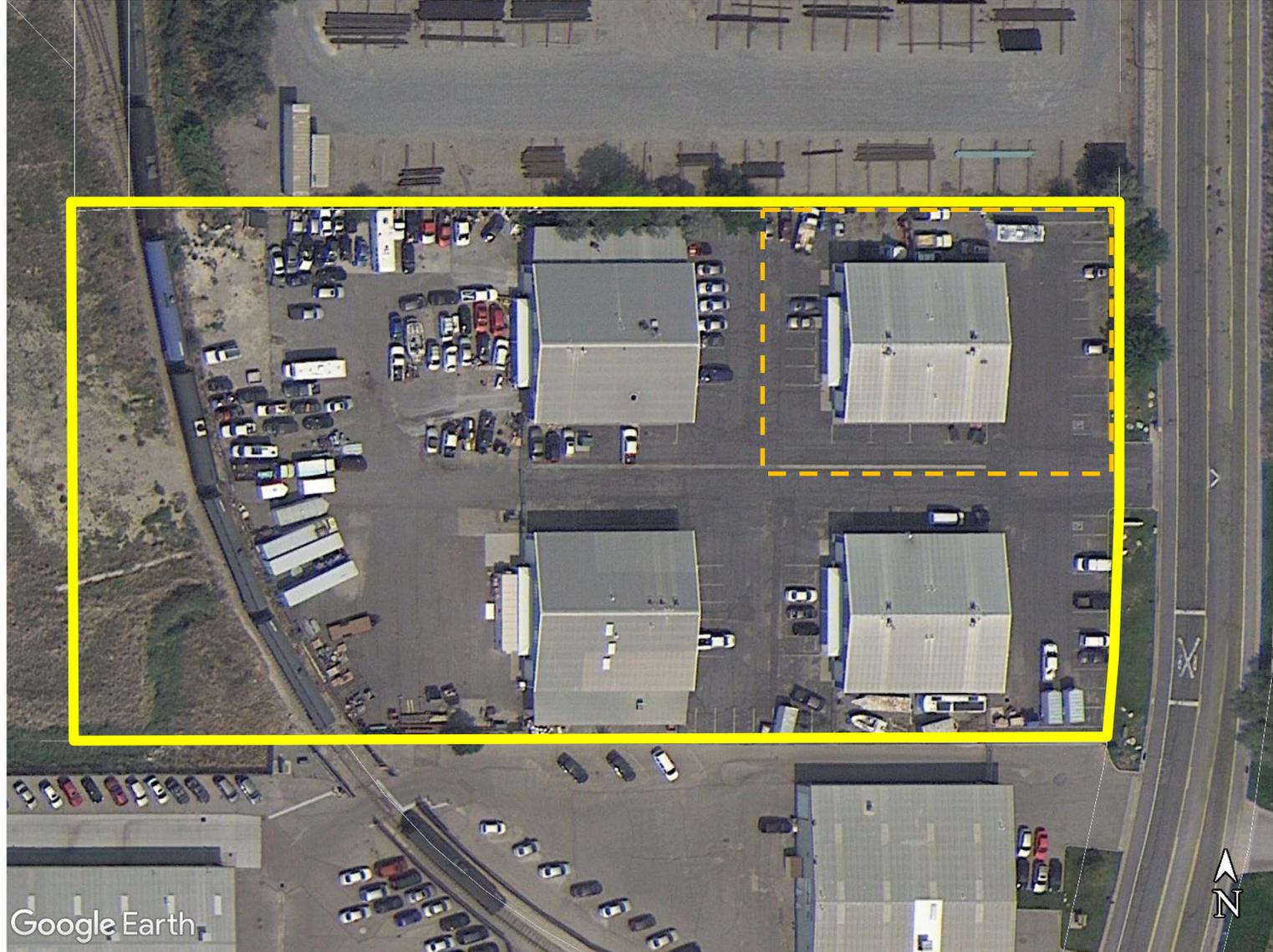
MD Zone

Google Earth





Mike's All American Towing 425 North 400 West Aerial Map





Mike's All American Towing
425 North 400 West
Parking & Storage Plan



Outdoor Storage Area

3 Parking Stalls

1 CITY OF NORTH SALT LAKE
2 PLANNING COMMISSION MEETING
3 ANCHOR LOCATION: CITY HALL
4 10 EAST CENTER STREET, NORTH SALT LAKE
5 JULY 12, 2022
6

7 **DRAFT**
8

9 Commission Chair BreAnna Larson called the meeting to order at 6:30 p.m.
10

11 PRESENT: Commission Chair BreAnna Larson
12 Commissioner Ryan Holbrook
13 Commissioner Ron Jorgensen
14 Commissioner Katherine Maus
15 Commissioner Brandon Tucker via Zoom
16 Commissioner William Ward
17

18 EXCUSED: Commissioner Irene Stone
19

20 STAFF PRESENT: Sherrie Pace, Community Development Director; Mackenzie Johnson,
21 Planner.
22

23 OTHERS PRESENT: In person: Taylor Spendlove, Brighton Homes Utah LLC; Dee Lalliss,
24 resident; Dale VanWagoner, Wright Development Group; Scott Babcock; Christian Michaelson,
25 Galloway & Company; Kathy Caloleuy; Brad Nelson, Spectrum Academy; Jesse Curtis, JCI
26 Inc.; Russell Platt, Russell Platt Architecture; Via Zoom: Mike Butler, Bird Rides Inc.; Alisa Van
27 Langeveld, resident.
28

29 1. PUBLIC COMMENTS
30

31 There were no public comments.
32

33 2. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR BIRD SCOOTERS,
34 MIKE BUTLER, BIRD RIDES INC, APPLICANT
35

36 Sherrie Pace reported that City staff was approached by Bird Rides, Inc., the operators of Bird
37 Scooters, with a proposal for a one year stand-up electric scooter sharing pilot program in the
38 City. The location of the scooters would be rotated to determine the best potential sites. The
39 proposed land use, micro-mobility, would most closely align with the use “all other transit and
40 ground passenger transportation” and would be a conditional use in all commercial zones. Micro-
41 mobility refers to small, lightweight human-powered or electric bicycles and electric kick-style
42 scooters operating at speeds below 20 miles per hour that are ideal for short trips.
43

44 The applicant has submitted an operational plan with the following specifics: hiring a local Fleet
45 Manager and finding a location for nightly storage and charging of the scooters, maintenance
46 issues monitored remotely via programming that notified the Fleet Manager of any operational
47 issues, conducting field inspections on the scooters for issues that could not be monitored
48 remotely, 24/7 customer service contact methods for any scooter issues, and deployment
49 locations to be coordinated with the City. The Fleet Manager would also monitor and relocate
50 scooters during the day from 8 a.m. to 6 p.m. to make sure they were neatly parked in locations
51 based on demand.

52

53 Ms. Pace said that while some cities allowed this as a home based business that the City would
54 require a commercial or industrial location for the scooters to be stored and charged. She
55 explained that after the Planning Commission approved the conditional use permit and the City
56 Council approved the Pilot Operating Agreement that Bird Rides, Inc. would then hire a Fleet
57 Manager and secure a location for the scooter storage.

58

59 Electric scooters are regulated the same as a bicycle within Utah State code. The City has
60 adequate enforcement capability under the existing bicycle motor law to regulate electric scooter
61 use. The proposed pilot program would give the City time to evaluate the use and determine
62 what regulations should be enacted to regulate e-scooters. The issues of consideration for this
63 conditional use permit and future regulations included: acceptable/designated parking locations
64 for electric scooters, limited speeds on and off sidewalks, if they would be allowed on sidewalks,
65 and limited areas where scooters would be operational such as business districts and transit
66 accessible areas.

67

68 The Development Review Committee (DRC) recommended approval of the conditional use
69 permit with the following conditions: The conditional use permit be subject to the City Council
70 approval of the Pilot Operating Agreement, the applicant will operate in conformity with the
71 Agreement and Operations plan including coordination with City staff on appropriate
72 deployment locations, and a suitable and properly zoned commercial or industrial location was
73 found for the overnight storage and charging of the scooters.

74

75 Chair Larson asked if there was an age limit on the use of the scooters. Sherrie Pace replied that
76 the rider would need to be eighteen years old.

77

78 Chair Larson spoke on the challenge of ensuring the scooters did not block pedestrian paths or
79 street travel lanes. She asked about the expectation of where the scooters would be parked.
80 Sherrie Pace responded that the scooters could be parked at the curb in a shoulder but not in a
81 travel lane, on private property behind the sidewalk, or in paved park strips.

82

83 Chair Larson asked if the app would provide instructions on where the scooter could be parked.
84 Sherrie Pace explained that the app requires the rider to take a picture of where they parked the
85 scooter.

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Commissioner Maus asked about the length of the pilot program and if the applicant would then return to the Planning Commission or City Council to evaluate. Sherrie Pace responded that it would be a one year program with the option to renew for an additional year provided there were no problems. She said that the City or Bird Scooter could terminate the program with a 30 day notice.

Commissioner Holbrook commented that the 30 day termination notice was not in the proposed agreement. Mike Butler, Bird Rides Inc., said that if the 30 day notice was not in the agreement it could be added and specified as such in the motion.

Commissioner Maus asked for clarification that bicycles and scooters were conditional uses in specified zones. Sherrie Pace explained that the closest use category was “other transit and ground passenger transportation”. She said that it was an accessory to formal transit service and was considered a micro-mobility.

Commissioner Jorgensen asked if the City obtained input from communities that had implemented the pilot program, particularly regarding insurance levels, claims, indemnification against negligence, etc. Sherrie Pace replied that the City Attorney would review the proposal prior to City Council approval. She said the operator would be liable and required to indemnify the City.

Commissioner Jorgensen spoke on the associated risk including helmet requirements and compatibility with higher speed areas like Highway 89. He asked if there were higher speed corridors where these scooters had been used. Sherrie Pace responded that the scooters could not be regulated any more than a bicycle and there was not a requirement for adults to wear a helmet on a bicycle.

Commissioner Jorgensen asked for a summary of accident claims or fatalities in Utah. Mike Butler said that he did not have that information for Utah. He said the risk was similar to riding a bike or even driving a car. Mr. Butler said the City was not introducing more risk by approving this and Bird Rides would indemnify the City. He estimated approximately a dozen fatalities a year across a million rides and multiple scooter operators.

Commissioner Jorgensen asked for something to be submitted showing accident and fatality rates. Mike Butler replied that he could share information he had found.

Sherrie Pace commented that staff could obtain information from the National Highway Traffic Safety Administration (NHTSA).

Commissioner Maus said she appreciated the safety concern and the addition of another distraction. She asked if other cities had implemented zone practices related to speed limits and

128 suggested that this, as well as public feedback, was something that could be discussed at the end
129 of the pilot program.

130
131 Commissioner Holbrook mentioned the agreement as written and that this could not be more
132 restrictive than the City's regulation on bicycles. Sherrie Pace said that this was per State
133 regulation and the City could not regulate any stricter than State law.

134
135 Chair Larson asked about the timeframe for when the scooters would be on the road. Mike Butler
136 replied that it would take four to five weeks to find the Fleet Manager and to work with the City.

137
138 Chair Larson asked if the scooters were collected each night and stored somewhere. Mike Butler
139 responded that the scooters would be rebalanced to the locations as needed. He said the Fleet
140 Manager would collect to service, clean, and rebalance. He said the program was structured to
141 benefit and incentivize the Fleet Manager to move the scooters to areas with higher use because
142 they made money off ride revenue.

143
144 Sherrie Pace commented that the operating plan specified that it would be between operating
145 hours and up to four hours afterhours to respond to scooters parked incorrectly or for operational
146 issues.

147
148 Chair Larson asked about the mileage range for the scooters on one charge. Mike Butler
149 responded that the scooters would be geo-fenced to remain within City limits but the mileage
150 range was 25-30 miles on one charge.

151
152 Commissioner Ward asked if the fence would also be put up for Bountiful. Mike Butler said that
153 the geo-fence would be placed at all the City boundaries/limits.

154
155 Commissioner Jorgensen said some thought should be given to the boundary in certain areas.
156 Sherrie Pace responded that if Bird Rides was successful in obtaining agreements with Woods
157 Cross and Bountiful that the fencing boundaries could be changed.

158
159 Commissioner Maus asked if the expectation was for the scooters to ride on the road, on the
160 sidewalk, or both. Mike Butler said the expectation was like bicycles in that the scooters were to
161 be ridden on the street and in a bike lane if possible.

162
163 Commissioner Ward questioned if the City anticipated any initial costs during the pilot program.
164 Sherrie Pace responded that nothing would be constructed and did not expect any fiscal impact to
165 the City.

166
167 Commissioner Holbrook recommended that the motion include the condition that approval was
168 determined upon the City Attorney's review that there were clear definitions of termination of
169 the program within the agreement to be approved by City Council.

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Commissioner Holbrook moved that the Planning Commission approve the conditional use permit for Bird Rides, Inc., for the operation of a scooter sharing business and pilot program with the following conditions:

- 1) Subject to the City Council approval of the Pilot Operating Agreement with Bird Rides, Inc.;**
- 2) The applicant will operate in conformity with the Agreement and Operating Plan, including coordination with City staff on appropriate deployment locations, as necessary;**
- 3) A suitable and properly zoned commercial or industrial location is found for the overnight storage and charging of the scooters; and**
- 4) Upon City Attorney review for inclusion of termination clause.**

Commissioner Ward seconded the motion. The motion was approved by Commissioners Holbrook, Larson, Maus, Tucker and Ward. Commissioner Jorgensen voted in opposition of the motion. Commissioner Stone was excused.

**3. CONSIDERATION OF A CONCEPT PLAN FOR PHOENICIA PLACE
SUBDIVISION, A TWO LOT COMMERCIAL SUBDIVISION AT 480 NORTH
CUTLER DRIVE, BRAD NELSON, SPECTRUM ACADEMY, APPLICANT**

Sherrie Pace reported that the proposal was to divide the property located at 480 North Cutler Drive into a two lot subdivision. The subdivision lots would each be approximately two acres in size. She said this application was a concept plan which meant the Commission would just need to ensure it met the standards for size and frontage. This project would return to the Planning Commission for site plan, preliminary, and final plat approval. She said the use of Lot 1 would be ball fields for Spectrum Academy and the current ball fields would be converted to an additional high school for Spectrum. Lot 2 would be marketed commercially.

The DRC recommended approval of the proposed two lot subdivision concept plan with the conditions of redline corrections and right of way dedications on Cutler Drive and Redwood Road be added to the plat.

Commissioner Jorgensen moved that the Planning Commission recommend to the City Council the approval of the proposed two lot Phoenicia Place Subdivision concept plan at 480 North Cutler Drive with the following conditions:

- 1) Redline corrections be completed for submission of preliminary/final application;**
- 2) Right of way dedications on Cutler Drive and Redwood Road be added to the plat.**

211 **Commissioner Maus seconded the motion. The motion was approved by Commissioners**
212 **Holbrook, Jorgensen, Larson, Maus, Tucker and Ward. Commissioner Stone was excused.**
213

214 4. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR SAMSONITE MUSIC
215 PRODUCTION AT 640 NORTH MAIN STREET, SAM KALT, APPLICANT
216

217 Mackenzie Johnson reported that Samsonite Music Productions was classified as “music
218 publishers and sound recording studios” which was a conditional use in the Manufacturing-
219 Distribution (MD) zone. The applicant proposed to open a music recording and production studio
220 at 640 North Main Street, located in the MD zone. The business would have one employee with
221 operating hours between 10:00 a.m. and 6:00 p.m. Typically no more than one artist or band
222 would be at the recording studio at a time. There would be ample parking provided on the
223 property for the various uses in the building.
224

225 The DRC recommended approval of the conditional use permit for Samsonite Music Production
226 with no conditions.
227

228 **Commissioner Holbrook moved that the Planning Commission approve the conditional use**
229 **permit for Samsonite Music Production located at 640 North Main Street with no**
230 **conditions. Commissioner Ward seconded the motion. The motion was approved by**
231 **Commissioners Holbrook, Jorgensen, Larson, Maus, Tucker and Ward. Commissioner**
232 **Stone was excused.**
233

234 5. PUBLIC HEARING: CONSIDERATION OF A GENERAL DEVELOPMENT PLAN
235 AND P-DISTRICT REZONE REQUEST FOR CLIFTON TOWNS LOCATED AT
236 APPROXIMATELY 2596 SOUTH AND 1095 NORTH REDWOOD ROAD,
237 PROPOSING 200 FOR SALE TOWNHOMES AND TWO COMMERCIAL LOTS,
238 TAYLOR SPENDLOVE, BRIGHTON HOMES UTAH LLC, APPLICANT
239

240 Mackenzie Johnson reported that this application was only for the general development plan for
241 Clifton Towns and not the P District rezone. The Planning Commission would review the
242 general development plan for the Clifton Towns subdivision with a recommendation to the City
243 Council. Once the City Council approved the general development plan the rezone to a Planned
244 District and negotiations for the development agreement would begin. The Planning Commission
245 would then review the site plan or preliminary plat.
246

247 The proposed development was located at approximately 2596 South and 1095 North Redwood
248 Road and consisted of commercial and residential lots. The property on the northwest corner of
249 the intersection, 2596 South Redwood Road, was 6.12 acres and located south of a car
250 dealership, City boundary, and to the east of a South Davis Metro fire station. The property on
251 the southwest corner of the intersection, 1095 North Redwood Road, was 7.18 acres and adjacent
252 to the Hampton Place apartments. Both properties, currently zoned General Commercial (CG),

253 each have one existing single-family home with accessory structures. The rezone request was to
254 change the zoning from CG to a Planned (P) District.

255
256 Ms. Johnson showed a rendering of the style of the proposed for sale townhome product. The
257 architecture would incorporate brick, stucco, metal accents, and fiber cement board. The
258 commercial buildings would complement this architectural style. The DRC recommended some
259 changes and the applicant has provided modifications to accommodate what was requested by
260 staff. This included updated driveway placement and the location of the tot lot. Staff would work
261 with the applicant on landscaping particularly an analysis of water conservation pertaining to
262 lawn/turf areas.

263
264 The commercial space would be on the corners of the intersection and each would be just over
265 one (1) acre in size. The developer has proposed approximately 22,000 square feet of
266 commercial building space on those lots. Staff would work with the applicant on permitted uses.
267 The parking for the commercial space would be determined by Chapter 6 of the City code when
268 more specific land uses were identified.

269
270 The townhome units would be two and three bedroom units, each with a two car garage. The
271 proposed plan would be for 89 units on the north side of 1100 North and 111 units on the south
272 side. There were 82 units designed as two bedroom townhomes with tandem garage parking for
273 two vehicles. Staff directed the Planning Commission to consider only counting one stall parking
274 for each tandem garage as tandem garage parking was often underutilized. The proposed parking
275 exceeded the minimum requirement of 2.25 parking stalls per unit with 264 stalls on the north
276 side and 323 stalls on the south side.

277
278 Sherrie Pace showed a site plan that highlighted the different types of townhomes and their
279 parking.

280
281 Commissioner Holbrook asked if only one space per tandem stall was counted, would the project
282 meet the parking requirement. Mackenzie Johnson replied affirmatively and said on the north
283 side there were 89 units with a parking ratio of 2.6 parking stalls per unit and 111 units on the
284 south side with 2.5 spaces per unit. Chapter 6 of the City code requires 2.25 parking stalls per
285 unit.

286
287 Sherrie Pace said the DRC was concerned about the number of parking spaces but it was
288 determined that there were over 500 parking spaces with at least one parking space per bedroom.

289
290 Mackenzie Johnson reported on design concerns including the commercial signage, design,
291 fencing material, and pedestrian improvements such as a crosswalk to the tot lot, pool, and
292 pickleball courts.

293

294 Sherrie Pace explained that the ordinance for a P District was changed to allow the public
295 hearing for the general development plan and P District rezone even though the Commission
296 would only vote on the general development plan tonight.

297
298 Mackenzie Johnson said the DRC recommended approval of the general development plan for
299 Clifton Towns with the following conditions to be determined at the time of development
300 agreement approval: final architecture design, final layout, final engineering, and submittal of a
301 required development agreement.

302
303 **Chair Larson opened the public hearing at 7:15 p.m.**

304
305 Resident Alisa Van Langeveld asked the Planning Commission to discuss why they would
306 entertain a zone change here. She said the property was zoned commercial in a residential area
307 that was lacking commercial. Ms. Van Langeveld commented that she was not certain of the
308 value of adding more residential and less commercial.

309
310 **Chair Larson closed the public hearing at 7:17 p.m.**

311
312 Commissioner Maus asked if the future proposed commercial uses would be brought to the
313 Commission for review. Sherrie Pace replied that when staff presented the formal zone change
314 request it would be accompanied with the draft development agreement which would outline all
315 the terms including exhibits for the land uses, parking, layout, architectural design, building
316 heights, etc.

317
318 Commissioner Maus said there did not seem to be sidewalks on the interior and asked if there
319 was a plan for this. Sherrie Pace replied that there would be sidewalks from the driveways and to
320 the front doors. She said staff would work with the applicant on some of those interior
321 connections.

322
323 Commissioner Holbrook asked about units per acre and if the recommendation would set that
324 number. Sherrie Pace responded that now was the time to make a recommendation on the
325 number of units, sidewalks, or general layout.

326
327 Chair Larson requested the number of units per acre on other developments including those on
328 Stonehaven, Odell, and Cutler. Sherrie Pace said that Orchard Grove on Odell Lane was 11 units
329 per acre, Wellington was also 11 units per acre, Mirella was 25 units per acre, and Stonehaven,
330 which was located directly west of the subject property and was 10 units per acre.

331
332 Chair Larson commented that the density for this project felt high and the commercial seemed
333 minimal. She asked for the Commission's feedback.

334

335 Commissioner Jorgensen said there was mixed use along Redwood Road so it was hard to say
336 what was the right use for any given parcel. He commented that if this was the Town Center area
337 he would feel more strongly about having exclusively residential with limited commercial but in
338 this area, he felt it may be appropriate as there was a housing shortage.

339
340 Taylor Spendlove, Brighton Homes Utah LLC, commented that they had done several P Districts
341 in the City and had reached out to a local broker who determined the dimensions and square
342 footage of the commercial. He said they put a lot of thought into the commercial and wanted to
343 maximize the value of the project. Concerns included the existing Lee's Market commercial
344 parcel and the number of rooftops. Mr. Spendlove said the densities, setbacks, parking, and
345 amenities were all considered in comparison to similar projects.

346
347 Sherrie Pace commented that some of the lessons learned from other developments in the City
348 included not counting a tandem garage as parking for two vehicles as they were generally used
349 for storage. She spoke on the addition of driveways to help avoid parking on 1100 North.

350
351 Chair Larson addressed some of the comments including building prices but said that the request
352 was for a zone change to residential. She spoke on the long range plan for the City, the existing
353 density in the Foxboro area, and the future redevelopment of Redwood Road. Chair Larson said
354 it may be a future asset to the area to keep the property at the current commercial zoning.

355
356 Commissioner Holbrook spoke on the area to the south and how this was prime commercial real
357 estate that may become townhomes. He said there was a need for residential but seemed like a
358 waste not to use the area along Redwood Road as commercial. Chair Larson suggested having
359 the residential piece on the back half of the property.

360
361 Chair Larson spoke on the units per acre of similar developments. She was in favor of a similar
362 density of 10-11 units per acre for this development. Sherrie Pace said that in the past when
363 commercial developers tried to develop other properties along Redwood that they were not able
364 to utilize the property as entirely commercial, as the depth from Redwood Road to Cutler is so
365 great.

366
367 Taylor Spendlove commented that these were three story units so it was difficult to compare to
368 other lower density units of a different product type. He said this project was more comparable to
369 City Center and Odell Crossing at 20 units per acre. Mr. Spendlove said a less dense project
370 would be similar to Chesham Village and the footprint would be larger with similar building
371 massing.

372
373 Chair Larson said that there was a need to be consistent with this area and how this area was
374 zoned commercial. She spoke on how the back half of the properties were not feasible for
375 commercial but the front parcel along Redwood Road was. Chair Larson felt like the Redwood
376 Road corridor was being revitalized and if this was not the right moment for commercial on the

377 property it may be in the future. She felt the proposed density was too high and would like to
378 preserve the Redwood Road corridor as commercial.

379
380 Commissioner Holbrook asked if the Redwood Road frontage remained commercial they could
381 change the strategy of the residential portion. Taylor Spendlove said if they went from an 18 unit
382 per acre project to an 11-14 unit per acre project the product would change but the building
383 massing may not change. He explained how there was a certain square footage needed to be
384 appealing as a townhome which included three bedrooms and two baths. Mr. Spendlove said
385 losing density meant the price per product would increase.

386
387 Commissioner Jorgensen asked why the project could not be commercial along Redwood and
388 higher density housing on the back of the property. Chair Larson replied that the project should
389 match the neighboring community and felt that the land use should match what was occurring
390 west of the property.

391
392 Taylor Spendlove commented that he did not want to build an apartment building. He felt a for
393 sale townhome was more obtainable housing and what they were proposing was justifiable.

394
395 Commissioner Maus was in favor of retaining the front portion of the property as commercial.
396 She was not as concerned about the density on the back portion with the variability of the density
397 in the area.

398
399 Taylor Spendlove said that while they were not thrilled with having the front portion of the
400 property as commercial, they would accept that recommendation being made to the City Council.

401
402 Commissioner Holbrook was in favor of higher density in the area and keeping Redwood
403 commercial. Commissioners Jorgensen and Ward concurred.

404
405 Sherrie Pace asked if the Commission's intent was to make a recommendation with the discussed
406 changes or to table the item until the applicant returned with changes.

407
408 Commissioner Maus was in favor of tabling the item in favor of seeing an updated plan.

409
410 Sherrie Pace said that the number of units had already been reduced due to the DRC's
411 recommendations to increase the distances between the buildings, add driveways, and increase
412 the distance between the project perimeters. She shared that these recommendations made the
413 project feel physically more comfortable and created an overall better layout.

414
415 Taylor Spendlove spoke on the need for them to move forward quickly. He asked for a
416 recommendation that they use the proposed project with modified commercial space so that it
417 expands the full length of the Redwood Road frontage and not table the item.

418

419 Staff showed those present the location of the proposed lot lines for commercial and residential
420 uses.

421

422 The Commission discussed density and the configuration of the properties.

423

424 Commissioner Ward suggested language for the motion to clarify the property lines could extend
425 the commercial north/south line on the north property to the north boundary line and extend the
426 existing commercial north/south line from the south property to the south boundary line.

427

428 **Commissioner Ward moved that the Planning Commission recommends approval to the**
429 **City council of the General Development Plan for Clifton Towns located at 2596 South and**
430 **1095 North Redwood Road with the following conditions to be determined at the time of**
431 **development agreement approval:**

432

433 1) **Final architecture design;**

434 2) **Final layout;**

435 3) **Final engineering;**

436 4) **Submittal of a required development agreement;**

437 5) **Extension of the commercial zones as previously stated to “extend the commercial**
438 **north/south line on the north property to the north boundary line and extend the**
439 **existing commercial north/south line from the south property to the south**
440 **boundary line.”**

441

442 **Commissioner Jorgensen seconded the motion. The motion was approved by**
443 **Commissioners Holbrook, Jorgensen, Larson, Maus, Tucker and Ward. Commissioner**
444 **Stone was excused.**

445

446 6. PUBLIC HEARING: CONSIDERATION OF A REZONE REQUEST FOR LOT 2 OF
447 THE 1100 NORTH KRAUSE CROSSING SUBDIVISION AT APPROXIMATELY
448 1096 NORTH REDWOOD, DALE VANWAGONER, WRIGHT DEVELOPMENT
449 GROUP, APPLICANT

450

451 Mackenzie Johnson reported that this was previously the Kum and Go Subdivision and would
452 now be known as the 1100 North Krause Crossing Subdivision. Lot 2 of this subdivision would
453 be directly south of the Skypark Airport runway and as such would be governed by City code
454 and regulated by the Federal Aviation Administration (FAA) regarding land use, building
455 placement, and height. The purpose of this rezone request was to rezone to Manufacturing
456 Distribution (MD) as the approved land uses were more consistent with those permitted by the
457 FAA. Lot 1 would remain zoned General Commercial (CG) as it was slated to be used as a
458 convenience store and gas station, Kum & Go. If rezoned the property would remain in
459 compliance with City code regarding lot size and frontage. The MD zone has a minimum lot size
460 of two acres and a minimum width of 100 feet. The subject property was 2.474 acres with frontage

461 along 1100 North of approximately 330 feet. The proposed rezoning of Lot 2 would be
462 compatible with the surrounding zones and existing uses.

463
464 The DRC recommended approval of the proposed rezone from General Commercial (CG) to
465 Manufacturing Distribution (MD) for Lot 2 of the 1100 North Krause Crossing Subdivision with
466 the condition that a letter of approval from the FAA must be provided to the City prior to the
467 issuance of any building or related permits.

468
469 **Chair Larson opened the public hearing at 8:00 p.m.**

470
471 Dale VanWagoner, Wright Development Group, said he just wanted to clarify that Lot 2 would
472 be rezoned from General Commercial (CG) to Manufacturing Distribution (MD).

473
474 **Chair Larson closed the public hearing at 8:01 p.m.**

475
476 **Commissioner Maus moved that the Planning commission recommend approval to the City**
477 **Council of the proposed rezone from General Commercial (CG) to Manufacturing**
478 **Distribution (MD) for Lot 2 of the 1100 North Krause Crossing Subdivision located at**
479 **approximately 1096 North Redwood Road with the following condition:**

480
481 **1) A letter of approval from the FAA must be provided to the City prior to the**
482 **issuance of any building or related permits.**

483
484 **Commissioner Holbrook seconded the motion. The motion was approved by**
485 **Commissioners Holbrook, Jorgensen, Larson, Maus, Tucker and Ward. Commissioner**
486 **Stone was excused.**

487
488 **7. CONSIDERATION OF A PRELIMINARY PLAN AND FINAL PLAT FOR 1100**
489 **NORTH KRAUSE CROSSING SUBDIVISION, A TWO LOT COMMERCIAL**
490 **SUBDIVISION AT 1096 NORTH REDWOOD ROAD, NATE ABBOTT,**
491 **GALLOWAY & COMPANY, APPLICANT**

492
493 Mackenzie Johnson reported that on June 21, 2022, the City Council approved the concept plan
494 for the proposed subdivision called 1100 North Krause Crossing (formerly known as Kum &
495 Go). The Planning Commission recommended approval of the concept plan on June 14, 2022.
496 The preliminary plan and final plat have been submitted for approval simultaneously, as a minor
497 two lot subdivision. The next step would be approval of the site plan for Lot 1 and then
498 eventually Lot 2.

499
500 No major modifications have been made to the subdivision since concept plan approval. The
501 applicant has corrected redlines regarding landscaping, parking layout, and driveway access.
502 During concept plan approval, the Planning Commission requested that the applicant provide a

503 Traffic Impact Statement. This statement would be provided by the applicant prior to site plan
504 review and approval. The preliminary plan and final plat have been reviewed for conformity to
505 the Land Use Code and construction standards. There were several minor redlines on the
506 construction drawings and plat such as minor alterations to the plat notes, driveway placement on
507 1100 North, and a revised drainage report. These redlines would need to be corrected prior to site
508 plan review and approval.

509
510 Chair Larson commented that this subdivision would return to the Commission for site plan
511 approval, review of the UDOT letter approving the location of the driveway and the Traffic
512 Impact Statement.

513
514 **Commissioner Ward moved that the Planning Commission recommend approval to the**
515 **City Council of the preliminary design plan and final plat for a two lot subdivision, called**
516 **1100 North Krause Crossing located at 1096 North Redwood Road with the following**
517 **conditions:**

- 518
519 **1) Provide a letter from UDOT Region 1 approving the location of the driveway on**
520 **Redwood Road.**
521 **2) Provide a Traffic Impact Statement.**
522 **3) Correction of redlines on the plat and construction drawings.**

523
524 **Commissioner Maus seconded the motion. The motion was approved by Commissioners**
525 **Holbrook, Jorgensen, Larson, Maus, Tucker and Ward. Commissioner Stone was excused.**
526

527 8. CONSIDERATION OF A GENERAL DEVELOPMENT PLAN AMENDMENT FOR
528 THE LOFTS AT NORTH LAKE (TOWNE PLAZA) LOCATED AT 120 AND 140
529 EAST CENTER STREET, PROPOSING THE CONVERSION OF THE APPROVED
530 OFFICE BUILDINGS TO MIXED USE MULTI-FAMILY HOUSING AND
531 INCREASED HEIGHT OF THE BUILDINGS, JESSE CURTIS, JCI INC.,
532 APPLICANT

533
534 Sherrie Pace reported that in April of 2015 David Curtis, the developer of the Towne Plaza PUD,
535 entered into an agreement with the City that included a general development plan with 52
536 townhomes and two commercial buildings. One commercial building was to be 16,600 square
537 feet of retail and office space and the second building was to be 22,000 square feet of Class A
538 commercial office space. The developer finished building the 52 townhomes and received a site
539 plan approval for the two commercial buildings, which were each two stories in height on May
540 15, 2018. The buildings have not yet been constructed and the developer has begun the process
541 of selling the remainder of the project and property to his son, Jesse Curtis.

542
543 Jesse Curtis has proposed an alternate development proposal for the two office buildings
544 including increasing the height of each building to five stories. The retail commercial building on

545 the west corner of 130 South and Center Street would remain commercial/office space on the
546 main level with four levels of residential apartments. The entirety of the office building on the
547 east corner would become residential apartments. The developer was also requesting a third
548 building on the same east site that would also be entirely apartments. This proposal, made to the
549 City Council on February 15, 2022, included that approximately 102 efficiency apartments that
550 met the goals set by the City's adopted Moderate Income Housing Plan.

551
552 The proposed plan would change the name for these 2 parcels to the Lofts at North Lake with the
553 general development plan amendment to affect only Lots 153 and 154 of the Towne Plaza PUD
554 Subdivision. The development would include 7,000 square feet of retail/office space, 120 studio
555 apartments, 28 one bedroom apartments, and 28 two bedroom apartments for a total of 176
556 residential units. Of those total units 102 would have rent restrictions meeting the income limits
557 related to Area Median Income (AMI) as established by the US Department of Housing and
558 Urban Development (HUD) with the requirements for 50 units at 80% AMI (low income), 26
559 units at 50% AMI (very low income), and 26 units at 30% AMI (extremely low income). Other
560 features of the development would include two parking garages with two levels for a total of 192
561 parking spaces, roof amenities on the western structure with a BBQ area, lounge, gas fire pits,
562 and games, and ground amenities on the eastern property such as a pool and BBQ area,
563 pickleball, dog park, and bocce court.

564
565 Sherrie Pace shared a FY2022 Income Limits Summary and explained that the AMI changed
566 yearly and was established and reassessed by HUD. She said if these units were currently built
567 the maximum rent that could be charged for a single individual at the 80% level would be
568 approximately \$1,400, at the 50% level would be \$880, and at the 30% level would be \$529. The
569 City's Moderate Income Housing Plan demonstrates the need to create 300 more units at the
570 50% level and 330 units at the 30% level. While there was not a current need to create additional
571 housing at the 80% level, needs change on a yearly basis.

572
573 The developer was asked to supply a parking study to analyze the impact on parking demand
574 associated with moderate and low income households. The study recommended a parking ratio
575 of 1.25 spaces per unit on a previous draft of 104 studio apartments only. The current proposal
576 provided 192 parking stalls in the two parking structures. Staff requested the applicant have the
577 parking study updated to reflect the current proposal.

578
579 Sherrie Pace spoke on the Town Center Form-Based Code and analyzed this proposal in
580 conformance with the Code as it was drafted today. This project was located in the Core
581 Subdistrict and storefront buildings including the east building with retail on the main floor were
582 permitted. The other two buildings, which are stacked flat apartments, were also permitted in the
583 Core Subdistrict. The side yard parking did not exceed 60 feet in width and the building met the
584 front property line coverage. The maximum front setback was increased from five feet from what
585 was recommended in the Form-Based Code to ten feet for the purpose of creating a pedestrian
586 area due to the elevation change. The retail area of that building created a patio area above the

587 sidewalk, which could be used for outdoor dining or other pedestrian uses. The minimum height
588 was three stories and the maximum height was five stories in the Core district. In the storefront
589 building to the west, the uses permitted on the ground floor were retail and service only and did
590 not allow residential on the main floor. The stacked flats building type allowed residential on all
591 floors. The minimum ground floor transparency (amount of glass) for the storefront building
592 would be 65% on the ground floor and 25% on the other stories. The minimum ground story
593 entrances for storefront buildings must be 1 per 75 feet of building width with the principal
594 entrance being on Center Street for the two corner buildings. Stacked flats require 1 per 100 feet.
595 Vertical and horizontal façade divisions were met in the proposed building designs. Maximum
596 impervious limits of 90% appear to be met but would require further analysis with formal site
597 plan submittal. The parking standard currently drafted required 1 space per unit for a studio or
598 one bedroom unit and 1.5 spaces per unit for two bedroom units. The draft also required that one
599 space per unit be a covered space. Approximately 90 spaces were covered of the 192 spaces
600 provided. The draft Town Center Code allowed for shared use based on a table for time of day.
601 The peak demand for parking for the project was 190 spaces based on the proposed ordinance.
602 An updated parking study was needed to determine recommendations for parking demand.
603 Additional reductions on residential uses for parking included providing bike lockers, parking
604 passes, or senior housing with a maximum reduction of 0.5 spaces per unit.

605
606 Ms. Pace shared the parking use table showing times of day on weekends and weekdays. The
607 demand showed 190 parking stalls per the draft ordinance and stated that the demand would need
608 to be verified once an updated parking study was received.

609
610 The DRC recommended approval of the proposed amendment to the Towne Plaza General
611 Development Plan with the conditions including a complete site plan submittal and approval
612 (civil drawings), fencing material surrounding the pool and other amenities be non-sight
613 obscuring decorative black metal fencing, street level pedestrian entrances be maintained at 130
614 East Center Street corners, and an updated parking study be completed assessing the parking
615 demand of the proposed development with the increased unit count including market rate units
616 demonstrating the development was providing parking to meet the demand.

617
618 Chair Larson clarified that the initial project was 52 housing units and 38,000 square feet of
619 commercial. The new plan included the 52 townhomes, which were built, 7,000 square feet of
620 commercial and apartments.

621
622 Sherrie Pace said the developer was asking for participation from the RDA with the affordable
623 housing component. She said that a portion of the RDA revenue must be used for affordable
624 housing.

625
626 Chair Larson asked about the obligation for affordable housing in the event the building was
627 sold. Sherrie Pace replied that the building would be deed restricted potentially in perpetuity.
628

629 Commissioner Holbrook commented that the 52 townhomes already had parking issues and felt
630 the 190 parking stalls could be problematic. He said there was not enough room for passing
631 traffic.

632
633 Commissioner Jorgensen spoke on the moderate income housing plan and if it was aspirational
634 or if there were deadlines. Sherrie Pace said it was incredibly difficult to develop affordable
635 housing, particularly brand new. She explained it was a requirement from the State Legislature
636 for an affordable housing plan in the City's code as well as yearly reporting.

637
638 Commissioner Jorgensen asked about retail parking. Sherrie Pace replied that the upper level of
639 the parking would be signed for residential only.

640
641 Commissioner Jorgensen commented in reference to the earlier discussion about commercial on
642 Redwood Road and said that the Core District was also heavy on residential. He said every
643 commitment to residential reduced space for commercial and expressed concern about a town
644 center with only housing. Chair Larson was in agreement.

645
646 Sherrie Pace said that one of the reasons the office buildings had not been built was due to
647 COVID and the uncertainty if the demand for office space would bounce back. Chair Larson said
648 with the parking and commercial concerns that the PUD zoning would allow for more
649 parameters to discuss the needs.

650
651 Jesse Curtis, JCI Inc., said that most of their other developments were in downtown Salt Lake.
652 He said this product would allow for the use of RDA funds and provide a housing need. He felt
653 this project would transform the area including bringing in single young adults and attract a
654 downtown feel and look. Mr. Curtis explained that they tried to find a balance between office
655 and retail but it had been difficult. He said they worked for about eight months in trying to find
656 the best use for the property. Mr. Curtis also spoke on parking, thoroughfares, and potential
657 tenants for retail.

658
659 Commissioners Larson and Jorgensen expressed that the downtown look and feel was the intent
660 of the Core District/Form-Based Code for this area.

661
662 Commissioner Jorgensen asked how the developer would restrict the use of Center Street for
663 parking by residents. Sherrie Pace commented that the street could be signed as two hour parking
664 only.

665
666 Commissioner Holbrook questioned how the parking issue would be handled if the study came
667 back that more parking was needed. Jesse Curtis replied they relied heavily on the first parking
668 study. He explained that the affordable housing units required less parking than office uses. Mr.
669 Curtis said the reduction of office/retail would alleviate some of the parking demand. He was
670 optimistic that the 192 parking stalls were adequate.

671
672 Commissioners Holbrook and Maus were in favor of the project. Commissioner Maus said her
673 full recommendation would come after viewing the updated parking report. She suggested
674 additional commercial space in the northeast main story if possible.

675
676 Jesse Curtis said they were seeking general approval including removal of the 38,000 square feet
677 of office and proposing a more successful project. He asked about addressing the minimum
678 parking requirement and when it would be established. Sherrie Pace replied that one of the
679 contingencies was satisfactory evidence of adequate parking being provided.

680
681 The Commission discussed additional commercial on the eastern building.

682
683 Jesse Curtis addressed additional commercial and said the difficulty with two uses in a building
684 was the physical aspects including more concrete, steel, etc. and essentially the two residential
685 only buildings were stick frame construction. He said commercial buildings had more structural
686 requirements.

687
688 Sherrie Pace also spoke on how restaurants also required additional needs such as exhaust,
689 ventilation, fire separation, fryers, etc.

690
691 Jesse Curtis mentioned that they had provided a market study on office space, which showed an
692 abundance of vacant commercial/office space. He said 7,000 square feet was still substantial and
693 may be difficult to fill.

694
695 Sherrie Pace commented that the additional dwelling units would help support the existing
696 commercial in the area.

697
698 The Commission discussed additional commercial/retail and their desire to review the updated
699 parking study.

700
701 **Commissioner Jorgensen moved that the Planning Commission recommend to the City**
702 **Council approval of the proposed amendment to the Towne Plaza General Development**
703 **Plan with the following conditions:**

- 704
705 **1) Subject to complete site plan submittal and approval (civil drawings);**
706 **2) The fencing material surrounding the pool and other amenities be non-sight**
707 **obscuring decorative black metal fencing;**
708 **3) Street level pedestrian entrances be maintained at 130 East Center Street corners;**
709 **4) An updated parking study be completed assessing the parking demand of the**
710 **proposed development with the proposed unit count, including market rate units,**
711 **which demonstrates to the satisfaction of the Planning Commission and the City**
712 **Council that the development is providing parking to meet the demand.**

713

714 **Commissioner Holbrook seconded the motion. The motion was approved by**
715 **Commissioners Holbrook, Jorgensen, Larson, Maus, Tucker and Ward. Commissioner**
716 **Stone was excused.**

717

718 9. REPORT ON CITY COUNCIL ACTIONS ON ITEMS RECOMMENDED BY
719 PLANNING COMMISSION

720

721 Sherrie Pace reported that the APA Fall Conference would be held September 8-9 in Lehi. Staff
722 would be happy to register any Commissioners who were interested in attending.

723

724 Mackenzie Johnson clarified that this training would go towards the four hours required each
725 fiscal year for Planning Commissioners.

726

727 Sherrie Pace reported that the Carl Rupp PUD plat amendment was approved as well as the
728 concept plan for the 1100 North Krause Crossing Subdivision (Kum & Go) at the last City
729 Council meeting.

730

731 10. APPROVAL OF MINUTES

732

733 The Planning Commission meeting minutes of June 14, 2022 were reviewed and approved.

734

735 **Commissioner Jorgensen moved to approve the minutes for the June 14, 2022 meeting as**
736 **drafted. Commissioner Maus seconded the motion. The motion was approved by**
737 **Commissioners Holbrook, Jorgensen, Larson, Maus, Stone, Tucker and Ward.**

738

739 11. ADJOURN

740

741 Commission Chair Larson adjourned the meeting at 9:20 p.m.

742

743 *The foregoing was approved by the Planning Commission of the City of North Salt Lake on*
744 *Tuesday, July 26, 2022 by unanimous vote of all members present.*

745

746

747 _____
Wendy Page, City Recorder