

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
FEBRUARY 28, 2017

FINAL

Chairman Robert Drinkall called the meeting to order at 6:30 p.m. and Commissioner Kent Kirkham led those present in the Pledge of Allegiance.

PRESENT: Commission Chairman Robert Drinkall
Commissioner Lisa Watts Baskin
Commissioner Ted Knowlton
Commissioner Kent Kirkham
Commissioner Stephen Garn
Council Member Ryan Mumford

EXCUSED: Commissioner Leslie Mascaro

STAFF PRESENT: Sherrie Llewelyn, Community Development Director; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: David Payne, Jay Mogford, Big West Oil; Brad Nelson, Dennis Bullard, Spectrum Academy; Christopher Robinson, Foxboro MP Development; Taylor Spendlove, Chesham Village LLC; Brent Harsha, Hancock & Associates.

1. PUBLIC COMMENTS

There were no public comments.

2. PUBLIC HEARING-CONSIDERATION OF A PROPOSED PLAT AMENDMENT TO FOXBORO SUBDIVISION PLAT 1A-LOT 101, (FOXBORO MARKETPLACE SOUTH SUBDIVISION, A FIVE LOT COMMERCIAL SUBDIVISION) AT 555 NORTH REDWOOD ROAD. CHRIS ROBINSON, FOXBORO MP LLC, APPLICANT

Sherrie Llewelyn reported that this requested amendment to Lot 101 would divide the property into five commercial Lots with no residential Lots and the previous request for a Planned (P) District has been withdrawn. The property is currently zoned General Commercial (CG) and each lot will have its own retention and detention through landscaping, a detention pond, or underground detention. The Development Review Committee (DRC) recommends approval with no conditions.

Chris Robinson, Foxboro MP LLC, commented that they had proposed one main detention but found that would not be practical here and that moving forward on this development there will be storm drains connections provided to give each lot access to either underground or landscaped detention. It had previously been proposed that lot 5 would have 40 townhomes but after meeting with the City Council and holding a public open house with the community they found that residential was not the best fit for the site. Mr. Robinson stated he had contacted Spectrum Academy they expressed a desire to expand their campus and have since entered into an agreement to sell Spectrum three acres (lot 5) for a future high school. He said they feel this is a good compromise and provides certainty on how to develop the entire site with lots 1-4 to be retail.

Commissioner Drinkall commended Mr. Robinson on their willingness to work with City staff and the community for a more desirable outcome.

Commissioner Kirkham asked what the timeline for the development of the property would be in regards to the high school. Brad Nelson, Director of Spectrum Academy, replied that they would like to have the new school open by August 2018.

Commissioner Drinkall opened the public hearing at 6:42 p.m.

Brad Nelson said that they have grown from 150 students to 1,100 students in the last seven years with a waitlist of 900 students wishing to attend Spectrum Academy. The proposed property will be a high school for grades 9-12 and as the current schools would continue to be K-8 grades. He said they have also purchased the office building on 35 North Redwood, which will be a developmental center for students that along with the proposed high school will allow them to accommodate an additional 300 students.

Council Member Mumford commented that many residents move to the City because of what Spectrum Academy offers and he thanked them for expanding as it is a great benefit for the community.

Commission Chairman Drinkall closed the public hearing at 6:44 p.m.

Commissioner Baskin commented that plat amendment in the staff report shows no conditions and asked if any conditions needed to be placed on this application as the proposal had been changed. Sherrie Llewelyn replied that City staff has been in contact with Chris Robinson and the school regarding the school proposal. Mr. Robinson has agreed that if ultimately the lot was sold to Spectrum that a term of the sale would be the dedication of an extra ten feet on Cutler Drive to facilitate a shoulder and on street parking where parents wait to pick up students. She said they

would that Spectrum Academy has planned start/stop times for the new high school to be one hour ahead of the K-8 schools to address traffic issues.

Chris Robinson commented that they have a signed letter of intent and should have a purchase agreement in March. He explained that Lots 1-4 have a set of CC&R's (covenants, conditions and restrictions) and other requirements and if the agreement with the charter school does not go through there is a contingency plan in place for Lot 5 to be commercial with all the same easements in place.

Commissioner Garn moved that the Planning Commission recommend approval to the City Council of the plat amendment to Foxboro Subdivision Plat 1A-Lot 101 (Foxboro Marketplace South Subdivision) with no conditions. Council Member Mumford seconded the motion. The motion was approved by Commissioners Drinkall, Knowlton, Baskin, Garn, Kirkham, and Council Member Mumford. Commissioner Mascaro was excused.

3. CONSIDERATION OF A TEMPORARY USE PERMIT FOR A SALES TRAILER AT CHESHAM VILLAGE PUD AT 260 EAST 350 NORTH. PATRICK SCOTT, CHESHAM VILLAGE LLC, APPLICANT

Sherrie Llewelyn reported that Chesham Village LLC would like a temporary use permit to place a sales trailer on the site until their first unit is built and used as a model home. The DRC recommends approval with the three conditions that the temporary use permit will be no longer than six months, that the sales trailer be removed from the site within 30 days of issuance of certificate of occupancy of the model home, and that a building permit be obtained prior to placing the trailer on the site.

Commissioner Drinkall asked the applicant when they would like to place the trailer on the site. He also asked if any units have been presold. Taylor Spendlove, Chesham Village LLC, responded that they would like to place the trailer as soon as they have obtained the temporary use permit. They will be pushing to have the pool and the first few buildings along the street completed by June 13th of this year so they can be featured in the Parade of Homes. He said they have not done any marketing yet so no homes have been presold at this point.

Commissioner Baskin asked if six months was enough time to complete the model home before the conditional use permit for the temporary sales trailer was expired. Taylor Spendlove replied that this should be enough time for them to complete a permanent unit.

Council Member Mumford moved to approve the temporary sales trailer for Chesham Village LLC at 260 East 350 North with the following conditions:

- 1) **The duration of the temporary use permit shall be no longer than six months;**
- 2) **The sales trailer be removed from the site within 30 days of issuance of certificate of occupancy for model home unit; and**
- 3) **A building permit shall be obtained prior to placement on the site.**

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

4. CONSIDERATION OF A SITE PLAN AMENDMENT FOR BIG WEST OIL AT 333 WEST CENTER STREET, JAY MOGFORD, BIG WEST OIL, APPLICANT

Sherrie Llewelyn reported that this application is for an amendment to the site plan and will address some operation issues. The site currently has four truck lanes for the delivery of crude oil and Big West Oil would like to add two additional lanes for the delivery of sweet crude oil which must be kept separate from the existing four lanes as it is waxy crude oil. The sweet crude oil is currently being delivered to the facility at a different access east of the office building and the applicant would like to combine all the deliveries to one area. The new truck lane access and exit will be added onto Center Street with a left turn one way exit.

Big West Oil also proposed to improve the landscaping, with the addition of trees and bushes, along the entire length of their property on Center Street. After reviewing the proposed landscaping plan which calls for ash trees City staff recommends that the applicant use an alternate tree due to the recent ash bore tree problem in the City. As the property is over five acres this will be a recommendation for site plan approval to the City Council.

The DRC recommends approval with three conditions including that the landscape plan be modified to replace the proposed ash tree with an alternate tree, submission of a storm water management maintenance agreement, and engineering redlines.

David Payne, Big West Oil, commented that the proposed plan should help with the queuing of truck traffic on Center Street and provide better traffic flow.

Sherrie Llewelyn said that with the addition of the two lanes Big West Oil will also fix the current drainage issues on the site as well as it currently pools on Center Street.

Commissioner Baskin thanked Big West Oil for their contributions to the City and asked what necessitated the proposed changes. David Payne responded that there will not be an increase in trucks but that this plan will optimize traffic flow and focus the deliveries to one area.

Commissioner Baskin commented that there are news reports about the danger of transporting crude oil and the potential for the trains, etc. to catch fire and cause a cataclysmic event. She asked about the potential dangers to the City. David Payne replied that the trains on the news are typically crude which they do not deal with and their crude usually comes in from all over the west via trucks.

Council Member Mumford asked if the trucks are heated as the waxy crude has to be a certain temperature to remain liquid. David Payne replied that it does have to be heated.

Council Member Mumford moved that the Planning Commission recommend approval to the City Council of the site plan amendment for Big West Oil at 333 West Center Street with the following findings and conditions:

Findings:

- 1) The amendment will be in the best interests of the city by reducing truck traffic congestion near the railroad tracks;**
- 2) The amendment solves existing storm water drainage issues on the site;**
- 3) The amendment complies with all applicable laws and regulations; and**
- 4) The amendment does not materially injure the public or any person and there is good cause for the amendment.**

Conditions:

- 1) The landscape plan be modified to replace the proposed ash tree species with an alternate tree species;**
- 2) Submission of a storm water management maintenance agreement;**
- 3) Engineering redlines**

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

- 5. CONSIDERATION OF A SITE PLAN AMENDMENT AND CONDITIONAL USE PERMIT FOR A MAXIMUM HEIGHT EXCEPTION FOR AMCOR AT 333 SOUTH REDWOOD ROAD. BRENT HARSHA, HANCOCK & ASSOCIATES, APPLICANT**

Sherrie Llewelyn reported that there are two applications; a recommendation to the City Council of a site plan amendment and a conditional use permit for the height exception for AMCOR. AMCOR is located at 333 South Redwood Road. Mrs. Llewelyn presented a layout of the existing building and showed where the proposed building additions would be located. The site

will be improved with new asphalt, storm drain detention, parking, and xeriscape landscaping. She commented that staff would like additional information on the proposed landscaping including around the perimeter and the front of the building.

The DRC recommends approval with three conditions that including the addition of drought tolerant plants/shrubs to landscaped areas and one tree in the landscape island at the end of the parking aisle, submittal of a storm water management maintenance agreement, and correction of minor engineering redlines.

Sherrie Llewelyn explained that the current building is a concrete block with a green roof and the maximum height in the zone is 45 feet. The applicant is asking for a height exception of 60 feet tall and the new addition will be located 675 feet from Redwood Road which will help mitigate the additional height. The buildings visible from the public right of way are proposed to meet the architectural building design standards and will be finished with architectural metal panels and 63% concrete block.

Commissioner Kirkham asked if the neighbors would have an issue with the requested height. Sherrie Llewelyn replied that the area is mostly industrial and most of the surrounding property is owned by AMCOR.

Commissioner Garn asked what the proposed building would be used for. Brent Harsha, Hancock & Associates, replied that there will be a covered conveyor belt that goes up to the top of the 60' building and will convey sand, gravel, etc. into the plant for the manufacture of cement blocks.

Commissioner Garn also asked about potential traffic stacking on Redwood Road. Brent Harsha replied that there will only be three to four trucks on-site per day and that there is traffic flow on the site so that trucks can loop around the property to prevent stacking.

Council Member Mumford commented on the reconstruction of Redwood Road and if the roadway changes would affect this site. Sherrie Llewelyn replied that staff has reached out to management at AMCOR as it might affect the site but this should not affect the proposed addition.

Council Member Mumford reported that Redwood Road is being reconfigured and a bridge will be added. The City is working on a solution with UDOT as the proposed reconfiguration would not allow traffic to turn left and re-enter the freeway.

Commissioner Kirkham moved that the Planning Commission approve the conditional use permit and recommend approval to the City Council of the site plan amendment for AMCOR at 333 South Redwood Road with the following findings and conditions:

Findings:

- 1) The amendment solves existing storm water drainage issues on the site;**
- 2) The amendment complies with all applicable laws and regulations; and**
- 3) The amendment does not materially injure the public or any person and there is good cause for the amendment.**

Conditions:

- 1) Addition of drought tolerant plants/shrubs to landscaped areas and one tree in landscape island at the end of the parking aisle;**
- 2) Submission of a storm water management maintenance agreement; and**
- 3) Correction of minor engineering redlines.**

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

6. APPROVAL OF MINUTES

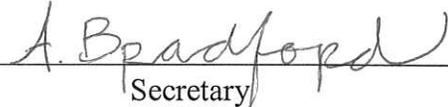
The Planning Commission meeting minutes of January 24, 2017 were reviewed and approved. **Council Member Mumford moved to approve the Planning Commission meeting minutes from January 24, 2017. Commissioner Garn seconded the motion. The motion was approved by Commissioners Drinkall, Knowlton, Baskin, Garn, Kirkham, and Council Member Mumford. Commissioner Mascaro was excused.**

7. ADJOURN

Chairman Drinkall adjourned the meeting at 7:16 p.m.



Chairman



Secretary