

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
JUNE 12, 2018

FINAL

Commission Chair Ted Knowlton called the meeting to order at 6:30 p.m. and Stephen Garn led those present in the Pledge of Allegiance.

PRESENT: Commission Chair Ted Knowlton
Commissioner Stephen Garn
Commissioner Kent Kirkham
Commissioner William Ward
Commissioner Brandon Tucker
Commissioner BreAnna Larson
Commissioner Natalie Gordon

STAFF PRESENT: Sherrie Llewelyn, Community Development Director; Kate Werrett, Planning Technician; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Taylor Spendlove, Nate Pugsley, Brighton Homes; Chad Polak, Phillips 66; Brent Harsha, Hancock & Associates; Mary Kay Porter, Alan Woolslayer, Earlene Woolslayer, Dee Lalliss, Kris Garcia, residents.

1. PUBLIC COMMENTS

There were no public comments.

2. WELCOME TO NEW PLANNING COMMISSIONER, NATALIE GORDON

Commission Chair Knowlton introduced Natalie Gordon as the newest member of the Planning Commission.

Commissioner Gordon commented that she and her family had lived in the City for almost twenty years. She served on the Planning Commission from 2002-2008 while her husband served on the City Council. Commissioner Gordon currently works for the State Board of Education.

3. APPOINTMENT OF NEW VICE-CHAIR

Commissioner Kirkham nominated Stephen Garn for the vice chair position. Stephen Garn accepted the nomination.

Commissioner Kirkham moved to nominate Stephen Garn for the vice chair position. Commissioner Ward seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker, Larson and Gordon.

4. CONSIDERATION OF A SITE PLAN AMENDMENT FOR PHILLIPS 66 FOR THE CONSTRUCTION OF TWO ADDITIONAL GASOLINE STORAGE TANKS AND A CONDITIONAL USE PERMIT TO EXCEED THE MAXIMUM HEIGHT OF 45 FEET IN THE MD ZONE AT 245 EAST 1100 NORTH, CHAD POLAK, PHILLIPS 66, APPLICANT

Sherrie Llewelyn reported that the site plan amendment was for the property located at 245 East 1100 North. This site was an existing storage facility of gasoline and gas products for the refinery. The applicant was requesting to construct two additional storage tanks at 5 million gallons each. There are currently 15 tanks on site in various sizes with the purpose of the proposed tanks for storage of summer blend gas during the winter months.

The tanks are to be located approximately 265 feet west of the existing fencing and landscaping along 800 West and 713 feet from 1100 North. As the proposed height of the tanks would be 54 feet high and the maximum height in the MD zone is 45 feet a conditional use permit must be issued to allow the applicant to exceed that maximum. The City Engineer and Fire Marshal required that containment area around the two tanks hold 110% of the contents of the largest tank on the site in the event of a spill or leak. The containment area would consist of a berm on the perimeter that would shield the bottom 5'6" of the tank from view. This would make the viewable area of the tanks 47'6" which the Development Review Committee (DRC) felt was acceptable. The site would also be shielded from view by the existing landscape buffer of evergreen and deciduous trees.

As the property was located within the City Well Head Protection Zone, careful consideration was given to compliance and meeting the engineering standards for the zone. The Assistant City Engineer, Karyn Baxter, worked closely with the applicant to ensure that the city well source was protected. The containment area was also reviewed by the Fire Marshal for compliance to the requirement for containment at 110% volume, an 18" dike between the two tanks, a 1% slope in grading around the tanks, and proper emergency access. The DRC recommended approval with the condition that the applicant must continue to work with City staff to meet all the

requirements of the Drinking Water Source Protection for the area during the final design and construction to ensure proper construction and compliance.

Commissioner Gordon asked if there were any wells located close to the site. Sherrie Llewelyn replied that the wells were not located on the site but were in the protection area and said that the City did not publish the location of the public wells for safety reasons.

Chad Polak, Phillips 66, commented that they had worked with the Fire Marshal on access routes including access to the west and east of the proposed tanks.

The Commission asked if the proposed tanks would be the tallest tanks on the site. Chad Polak replied that there were taller existing tanks on the site and one existing tank that was approximately the same height as the two proposed tanks.

Commissioner Gordon asked if the 45 foot maximum height in the MD zone was related to lessening the visual impact. Sherrie Llewelyn replied that she assumed that the visual impact was the original intent of the restriction but that the code provides a method for exception to the height and that the City had waived this requirement in the past based on several factors including setback distance from the road and landscape buffers and berms.

Commissioner Garn moved that the Planning Commission approve the conditional use permit for Phillips 66 at 245 East 1100 North with the following findings and no conditions:

Findings:

- 1) The exception to the maximum height is buffered by the containment dike and existing landscape buffer along 800 West;**
- 2) The conditional use permit complies with all applicable laws and regulations; and**
- 3) The conditional use permit does not materially injure the public or any person and there is good cause for the approval.**

Commissioner Larson seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker, Larson and Gordon.

Commissioner Ward moved that the Planning Commission recommend approval to the City Council of the site plan amendment for Phillips 66 at 245 East 1100 North with the following findings and conditions:

Findings:

- 1) The site plan amendment will have no increase in truck traffic;**

- 2) **The amendment will comply with DWSP for the city water source;**
- 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 applicant will meet all requirements of the DWSP (Drinking Water Source Protection) for this area and will work closely during final design and construction with the City Engineering Staff to ensure proper construction and compliance.**

Commissioner Kirkham seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker, Larson and Gordon.

5. CONSIDERATION OF A SITE PLAN AMENDMENT FOR LW MILLER FOR THE CONSTRUCTION OF A FREIGHT TRANSPORTATION YARD AT 325 WEST 225 NORTH, BRENT HARSHA, HANCOCK & ASSOCIATES, APPLICANT

Sherrie Llewelyn reported that the requested site plan amendment was for the construction of a parking area for a freight transportation yard. The rear portion of the site would be leased to FedEx for additional truck and trailer parking. The total acreage for the property was 13 acres and was currently being used by LW Miller. The applicant proposed to pave the site, fence the perimeter, and add storm drainage. The proposed landscaping would be installed along 400 West to consist of rock mulch and trees and shrubs which would be similar to the property to the north. There would also be a storm water detention area east of the landscaping with similar rock mulch. 225 North would remain a private street with easement and access for ADP and LW Miller and would not be dedicated to the City nor extended east due to the railroad tracks. As this street would be a private street City staff did not feel that landscaping was required. The applicant requested a reduction in the landscape requirement to 10% which would be 1.3 acres. Staff approved of this reduction due to the limited frontage of the property and that landscaping over 10% would be excessive for the area and the use.

The DRC recommended approval of the site plan amendment with two conditions including the payment of required storm water impact fees and City engineer redlines for storm water drainage calculations.

Commissioner Larson asked if there was an expected increase in truck traffic when the parking area was leased to FedEx. Sherrie Llewelyn replied that it would be the same amount of traffic and that the parking would be used for the existing subcontractor's trucks and trailers.

Brent Harsha, Hancock & Associates, commented that FedEx was leasing the property for use as contractor parking for personal vehicles and tractors.

Commissioner Larson moved that the Planning Commission recommend approval to the City Council of the site plan amendment for LW Miller at 325 West 225 North with the following findings and conditions:

Findings:

- 1) The amendment complies with all applicable laws and regulations; and**
- 2) The amendment does not materially injure the public or any person and there is good cause for the amendment.**

Conditions:

- 1) Payments of required storm water impact fees;**
- 2) City engineer redlines for storm water drainage calculations.**

Commissioner Larson amended her motion to correct the address to 325 West 225 North.

Commissioner Gordon seconded the amended motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker, Larson and Gordon.

6. CONSIDERATION OF A GENERAL DEVELOPMENT PLAN FOR NSL CITY CENTER AT 25 EAST CENTER STREET, TAYLOR SPENDLOVE, BRIGHTON HOMES UTAH, APPLICANT

Sherrie Llewelyn reported that this property was located across the street from City Hall and was 3.6 acres in size. The property was currently zoned Commercial Highway (CH) and R1-7 and has five homes and two businesses existing on the site. These homes and businesses would be razed for the proposed development and the property would be rezoned to a Planned (P) District. A P District required that a general development plan be approved, City Council approval, and then a P District rezone. The development agreement would address architectural standards, materials used, parking, density, and signage.

The proposed development would be a mixed use development with commercial retail and 54 owner occupied row townhomes. The commercial building would be approximately 7,000 square feet of main level retail and commercial space, 7,000 square feet of office space on the second floor, and an additional 2,500 square feet in the basement. The retail portion would be located mainly along Center Street, which would be widened in this area, diagonal parking would be

added, and an open plaza would be constructed on the corner with street trees, benches, and planters. The retail spaces would include a restaurant and office space.

There would be 22 two bedroom units and 34 three bedroom units. Five of the townhome units were proposed as live/work units and each of the 56 units would have two car garages. The parking requirement for the site are outlined in the staff report and amount to over 3 parking spaces per unit. Shared parking would be provided on the street and also behind the buildings.

The applicant was not proposing fencing along the perimeter and landscaping would be approximately 23.1% of the site or 0.84 acres. These areas contain a pedestrian plaza, street trees, benches, planter boxes, sidewalk, and other landscaping.

The proposed architecture incorporated dark brick, stucco and metal with a modern architecture style. The commercial building would utilize significant street glazing and pedestrian scale. Staff recommended that the roof line design be modified to be consistent throughout the development.

The site had good pedestrian circulation with access to Highway 89, Center Street, and Hatch Park. The applicant had proposed to bury the existing power lines along Highway 89. Highway 89, Center Street, and Main Street would all be widened.

The DRC recommended approval with four conditions including final architecture design, final layout including moving the units along Highway 89 to the same setback as the commercial building, final engineering with the widening of Highway 89, and submittal of a required development agreement conforming to the Town Center Master Plan.

Commissioner Garn asked if there would be a negative impact to the parking at Hatch Park per this project. Sherrie Llewelyn replied that she felt the proposed development had adequate parking and that the applicant had not asked for a reduction in the number of residential parking stalls.

Commissioner Tucker asked what was currently on the parcel located to the west of the proposed development. Sherrie Llewelyn replied that it was open space and a tennis court owned by the neighboring condominium development.

Commission Chair Knowlton asked what the driver for the widening of Highway 89 and Center Street. Sherrie Llewelyn replied that the drivers were the adopted required cross section on Highway 89 for a 110' right of way to accommodate future bus rapid transit routes and the Town Center Master Plan.

Taylor Spendlove, Brighton Homes, commented that the addition of driveways to the residential units would help with parking concerns.

The Commission discussed access and safety, on street parking, potential commercial tenants, and potential to lease the work space in the live/work units. The Commission also expressed approval of the project in the terms of how well it met the City Center Plan.

Commission Chair Knowlton asked how the City could ensure that the commercial was built. Sherrie Llewelyn replied that specific phasing could be outlined in the development agreement.

Commissioner Garn moved that the Planning Commission recommends approval to the City Council the proposed general development plan for NSL City Center located at 25 East Center Street with the following conditions to be determined at the time of development agreement approval:

- 1) Final Architecture Design;**
- 2) Final layout, including moving the units on Highway 89 to the same setback as the commercial building;**
- 3) Final engineering including, design of on street parking to minimize traffic conflicts or hazards, underground power, and future widening of Highway 89;**
- 4) Submittal of a required development agreement in conformance to the Town Center Master Plan.**

Commissioner Tucker seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker, Larson and Gordon.

7. APPROVAL OF MINUTES

The Planning Commission meeting minutes of May 22, 2018 were reviewed and approved. **Commissioner Larson moved to approve the meeting minutes for the Planning Commission meeting on May 22, 2018 with the corrections. Commissioner Garn seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker and Larson. Commissioner Gordon abstained from voting.**

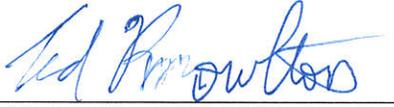
Sherrie Llewelyn introduced the new planning technician, Kate Werrett, and said she was a great addition to the planning staff. She said Kate was a student at the University of Utah in the planning program.

Kate Werrett commented that she was looking forward to working with the Commission and staff. She reviewed the general plan and loved to see the redevelopment and direction the City was going.

Sherrie Llewelyn reported that Lakeview Rock Products would be holding an open house on June 13th from 6:30 to 7:30. This open house would be regarding their blasting processes.

8. ADJOURN

Chair Knowlton adjourned the meeting at 7:33 p.m.



Chair

Recorder



Secretary