

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
OCTOBER 9, 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; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Taylor Spendlove, Brighton Homes Utah; Wade Foley Stan Porter, Mary Kay Porter, residents; Tanner Frey.

1. PUBLIC COMMENTS

There were no public comments.

2. PUBLIC HEARING-CONSIDERATION OF A PROPOSED CODE AMENDMENT
RELATED TO DRIVEWAYS AND ACCESS MANAGEMENT

Sherrie Llewelyn reported that the proposed code amendments would address issues related to regulations concerning driveways for commercial and industrial properties. The current code states that two driveways may be permitted for each 100 feet of frontage. Theoretically this would allow an applicant with 800 feet of frontage to have 16 driveways. The current code also allows for a minimum separation between driveways of 12 feet on a lot which is not an adequate separation along with a side property line setback of 3 feet which does not accommodate the landscape buffer requirement of 8' for a parking lot. The proposed changes allow each property would be permitted one driveway per street frontage, a second driveway on the same frontage would be allowed with more than 200 feet of frontage, a third driveway would be allowed with a conditional use permit and more than 400 feet of frontage. Other amendments would include a

minimum separation on a single property of two times the driveway width, eight foot setbacks from the property line, and the ability for the Planning Commission to require shared driveways when feasible and warranted.

Mrs. Llewelyn then reviewed several other changes to the ordinance that were suggested by the Development Review Committee (DRC) including the condition that a proposed second driveway may not pose an unreasonable impediment to traffic flow, that an applicant would have to provide evidence of the need or burden of proof for a third driveway, and that the City Engineer must recommend approval for a third driveway. She also showed a Driveway Exhibit which would be included in the ordinance and then reviewed several driveway examples.

Commission Chair Knowlton opened the public hearing at 6:38 p.m. There were no public comments and he closed the public hearing at 6:39 p.m.

Commissioner Kirkham commented that the proposed changes would give the City engineer flexibility to determine the need for certain properties.

Commissioner Tucker asked for clarification on the proposed amendment in regards to requiring access on both streets of a corner lot. Sherrie Llewelyn clarified that the amendment would allow a driveway on each street of a corner lot, the reference for a second driveway refers to the same frontage.

Chair Knowlton commented that there were several times when a pedestrian only connection from one side of a property to another would be appropriate but there were no tools for the City to require this. He asked if this would be an appropriate place to include language for this type of requirement. Sherrie Llewelyn replied that she would review this request but felt that the site plan review section of the code may be a better location.

Commissioner Tucker commented on section 10-6-2 B:10 and asked if “significant” needed to be defined or quantified as it pertained to traffic flow. Sherrie Llewelyn replied that there may be roads not classified as major or minor collector roads, which are classified by right of way width, but may still have significant traffic flow such as Franklin Parkway which was the only entrance into the FedEx hub.

Chair Knowlton suggested that a change be made to section 10-6-2 B-10 so that it read “On streets which are designated as minor arterial, major collector, minor collector, and local streets with significant traffic flows:”

Commissioner Gordon commented that in the event of a large lot that would require more than three driveways on frontage that a change be made to section 10-6-2 B:3 to say “The applicant must demonstrate that an undue hardship or unusual conditions exist on the property which justify the necessity of an additional driveway.”

Commissioner Ward clarified that the Planning Commission would have to approve any additional driveways and the applicant would have the burden to justify the need for an additional driveway.

Chair Knowlton asked the Commissioners Kirkham and Garn felt that these amendments would give the City protection as well as flexibility.

Commissioners Garn and Larson suggested that section 10-6-2 B:3 read “The Planning Commission may approve additional driveway approaches for properties with greater than four hundred (400’) of frontage as a conditional use.”

Commissioner Gordon moved that the Planning Commission recommend to the City Council approval of the proposed code amendments for 10-6-2 Access Requirements with the following findings:

- 1) **The proposed amendments are in accord with the comprehensive general plan, goals, and policies of the City.**
- 2) **Changed or changing conditions make the proposed amendments reasonably necessary to carry out the “purposes” stated in the Land Use Code.**
- 3) **Additional changes to the wording of the redline version to subsections B:3 and B:10 including:**

**“The Planning Commission may approve additional driveway approaches for properties with greater than four hundred (400’) of frontage as a conditional use.”
As well as “The applicant must demonstrate that an undue hardship or unusual conditions exist on the property which justify the necessity of an additional driveway.”**

“On streets which are designated as minor arterial, major collector, minor collector, and local streets with significant traffic flows:”

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

3. CONSIDERATION OF A PROPOSED SITE PLAN FOR A CAR SALES LOT AT 239 NORTH HIGHWAY 89, TANNER FREY, APPLICANT

Sherrie Llewelyn reported that this site was the former location of Barlow Furniture and that the previous building had been torn down. The applicant was to pave the site, add a 528 square foot temporary sales trailer, and install a garage on the property to accommodate a used car dealership. She said that approximately 40 display vehicles could be parked on the lot while still allowing for seven employee and customer parking stalls. The total landscaped area on the site would be 1,960 square feet or 11.5% of the site consisting of frontage along Highway 89 with a 16 foot park strip to accommodate 8 feet of widening for future Bus Rapid Transit (BRT) and a 7 foot sidewalk. The side property lines were required to have an 8 foot landscape buffer with trees and sod. A 10 foot landscape buffer would be required between the parking area and the street right of way and an additional 10 feet of landscaping would need to be added behind the sidewalk.

The temporary sales trailer would have composite wood siding and an ADA access ramp/entry. The DRC found that the temporary sales trailer would be appropriate as it would not be a permanent structure and could be easily removed for future redevelopment. The DRC reviewed the site plan and recommended approval with four conditions including the relocation of several park strip trees and adjusting the sidewalk taper to accommodate, limiting the display to 40 vehicles, submittal of a right of way dedication plat or warranty deed to UDOT, and the addition of curbing and a landscape buffer between the sidewalk and display cars.

Commissioner Garn asked about the elevation drop from the front to the rear of the property. Sherrie Llewelyn replied that the applicant had brought fill materials to the site.

Tanner Frey commented that they had already brought in 50 to 100 truckloads of dirt and planned to add even more fill. He said the site plan showed that there would be a four foot slope from the sidewalk to the back of the lot.

Mr. Frey also said that the proposed garage would not be built for some time and asked if they could display more cars until the time that the garage was constructed. Sherrie Llewelyn recommended that the motion be amended to allow for 50 display cars until the garage was built.

Commissioner Garn moved that the Planning Commission approve the site plan for Frey Auto at 239 North Highway 89, with the following findings and subject to the attached conditions:

Findings:

- 1) **The existing automobile sales is approved use in the CH Zone;**
- 2) **The proposed structure meets the minimum design standards;**
- 3) **Sufficient parking will be provided for proposed use; and**
- 4) **The proposed use meets all requirements of the development code.**

Conditions:

- 1) **Park strip trees: Relocate north tree out of sidewalk, relocate south tree and add 1 additional tree (adjust sidewalk trapper to accommodate);**
- 2) **Limited display of up to 50 vehicles until the garage in the rear corner is built and then limited to 40 vehicles;**
- 3) **Submission of right of way dedication plat or warranty deed to UDOT;**
- 4) **Addition of curbing and landscape buffer between sidewalk and display cars.**

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

4. **CONSIDERATION OF A PROPOSED FINAL SUBDIVISION PLAT FOR CITY CENTER & PARK LOFTS AT 25 EAST CENTER, TAYLOR SPENDLOVE, BRIGHTON HOMES, UTAH, APPLICANT**

Sherrie Llewelyn reported that the proposed project was located across from City Hall and consisted of one plat with construction to be completed in phases. The commercial building with the townhomes would be constructed first. The site plan included the location of the street lights which would be reviewed by the City's lighting consultant to ensure that the height and luminaries were sufficient for safety and met the overall aesthetic of the town center. The City Engineer would also review the site plan to verify that the redline corrections had been completed. The DRC recommended approval with two conditions that additional street lighting along Highway 89 be determined and that all final engineering redlines completed.

Chair Knowlton commented that once the corner building was completed it would be the most recognized building in the City, with the exception of City Hall.

Commissioner Gordon moved that the Planning Commission recommend approval on the proposed Final Plat and Final Site Plan for City Center and Park Lofts at City Center located at approximately 25 East Center Street with the following conditions:

- 1) **Additional street lighting locations along Highway 89, will be determined prior to building permit upon cross section lighting plan currently under design by city lighting contractor;**
- 2) **Final engineering redlines.**

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

5. APPROVAL OF MINUTES

The Planning Commission meeting minutes of September 25, 2018 were reviewed and approved. **Commissioner Tucker moved that the Planning Commission approve the meeting minutes for the September 25, 2018 meeting. Commissioner Larson seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Kirkham, Ward, Tucker and Larson. Commissioner Gordon abstained from voting.**

Sherrie Llewelyn presented information on accessory dwelling units in anticipation of a future review. She asked that the Commission consider requirements such as owner occupied, zoning, location, lot size, setbacks, square footage, parking, architecture and if it should match the main building, location such as over a garage or a detached building, and also short term rentals.

Commissioner Tucker asked what the general controversy with accessory dwellings would be. Sherrie Llewelyn replied that the issues stemmed around parking and undesirable renters.

Commissioner Tucker questioned why the Planning Commission would be reviewing short term rentals versus the City Council. Sherrie Llewelyn replied that the Planning Commission would make recommendations regarding accessory dwelling units and short term rentals to the City Council.

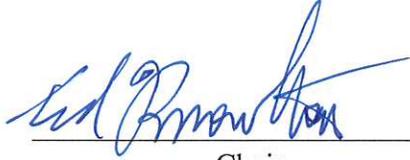
The Commission discussed the public hearing process for amendments to the Land Use Ordinance regarding the Commercial Shopping and Planned District zones and building height regulations and the public misconception and comments during that meeting. Commissioner Gordon asked if staff would provide updates from the City Council meetings on actions forwarded to the City Council.

Commissioner Garn suggested that the City could hold an open house, prior to the public hearing held in the Planning Commission meeting, to explain the potential impact of proposed amendments or large projects to the residents. Sherrie Llewelyn replied that this would be a good idea and could become a common practice.

Commissioner Ward commented that the Planning Commission would like to determine what their recommendation for accessory dwelling units and short term rentals would be before the public hearing was held. Sherrie Llewelyn suggested that a discussion of these requirements could be placed on the next Planning Commission agenda, staff would then schedule the open house and receive public feedback, with the public hearing to follow.

6. ADJOURN

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



Chair



Recorder

Secretary