

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
NOVEMBER 26, 2019

Commission Chair Ted Knowlton called the meeting to order at 6:46 p.m. and William Ward led those present in the Pledge of Allegiance.

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

EXCUSED: Commissioner Stephen Garn

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

OTHERS PRESENT: Maria Picasso, Picasso Shutters; Dee Lalliss, Valerie Robinson, residents; Brian G.M. Williams, Aaron Rodriguez, LaDiana Tortilla Factory; Colby Anderson, Anderson Wahlen; Seth Ravarino.

1. PUBLIC COMMENTS

There were no public comments.

2. CONSIDERATION OF A REQUEST FOR A CONDITIONAL USE PERMIT FOR A WOOD MANUFACTURING BUSINESS, PICASSO SHUTTERS AT 655 NORTH 700 WEST, MARIA PICASSO, APPLICANT

Kate Werrett reported that the applicant, Picasso Shutters, was proposing to locate a shutter manufacturing business at 655 North 700 West. “Wood product manufacturing” is a conditional use under “Manufacturing” in the Manufacturing-Distribution (MD) Zoning District. There would be 48 employees working at this location, with 38 onsite during the highest shift. Services will include milling, assembly, and painting of planation shutters. Onsite equipment will include: forklifts, paint, paint products, wood, and cargo vans and trucks. The hours of operation hours will be from 6:00am-6:00pm. Per the Code, manufacturing requires “one (1) stall per 1,000 square feet of gross floor area or one (1) stall per employee on highest shift, whichever is greater”. While the site does not appear to have adequate parking for 38 employees, which will

be onsite during the highest shift, the applicant is working with an adjacent property owner to lease additional parking stalls.

The applicant has stated that they intend to install a shed for outdoor storage on the property. The Development Review Committee (DRC) recommended approval with two conditions including confirmation that the parking and outdoor storage were in compliance with the City standards and that final approval from the fire marshal, as fire sprinklers are required for this site, prior to the issuance of a business license.

Maria Picasso, Picasso Shutters, clarified that there were 41 total employees with five employees who would use their own cars to perform business offsite during the day. She said they would only need 37 to 38 stalls for employee parking during the day.

Kate Werrett explained that they were required to have a parking stall for every employee at their highest shift so this would equal 37 to 38 parking spaces. She clarified that there were currently about 20-25 stalls onsite.

Maria Picasso stated that there were several additional parking stalls that currently contained machinery, which would be removed and could be used for parking. She also said she was waiting to hear back from the adjacent property owner on leasing additional stalls on their property.

Commissioner Kirkham asked what types of paints would be used onsite. Maria Picasso replied that ten years ago they switched to green products with low VOC and water based paints as they began reporting to the Division on Air Quality (DAQ).

Commissioner Gordon asked regarding outdoor storage requirements in this area. Sherrie Llewelyn replied that outdoor storage would need to be screened from public view with a six foot sight obscuring fence. She said the applicant was only proposing to have a storage shed which would not require the fencing.

Commissioner Tucker asked for clarification on the parking needs. Maria Picasso replied that four to five employees would use their personal vehicles for business offsite during the day.

Commissioner Gordon explained that the City code required that there must be one parking stall per employee during the busiest shift regardless if there was a car parked onsite or not.

Commissioner Larson asked if this requirement could be adjusted. Sherrie Llewelyn replied that the Planning Commission could adjust the parking. She said there were approximately 23 parking spaces so they would be under their parking requirement.

Chair Knowlton asked what would happen if the applicant could not meet the parking demand. Sherrie Llewelyn replied that the employees would park on the street or in the vacant lot next door. She said during a snow storm cars could not be parked on the street or they could be fined/towed.

Chair Knowlton asked Ms. Picasso what would happen if the employee vehicles were towed. Maria Picasso replied that she was trying to make arrangements for additional parking on the vacant lot adjacent to the proposed property. She said she would setup carpools if necessary.

Commissioner Ward explained that the conditional use approval could be conditioned on Ms. Picasso obtaining an arrangement with the neighbor for an additional 17 parking stalls or the Commission could approve this item with a reduced number of parking stalls to what was platted and then Ms. Picasso could obtain additional parking or her employees would have to park on the street.

Commissioner Gordon commented that the parking requirement was in the code for a reason and stated that she was not comfortable approving the conditional use permit with less than one parking stall per employee at the highest shift. She said she did not want cars parking along the street.

Commissioner Gordon moved that the Planning Commission approve the conditional use permit for Picasso Shutters located at 655 North 700 West with the following conditions:

- 1) Final approval from the fire marshal prior to business license approval,**
- 2) One parking stall per employee on the highest shift according to City code and;**
- 3) Outdoor storage must be screened.**

The motion died due to lack of a second.

Commissioner Gordon said that the DRC, which included the chief of police, recommended approval with the condition that the applicant must meet the City's minimum parking standards. She said changing the requirement and allowing fewer parking stalls would be contrary to that recommendation.

The Commission discussed allowing fewer parking stalls and the potential consequences as well as how to accommodate this business.

Sherrie Llewelyn suggested that the drive aisle could be reduced from 30 feet to 20 feet, as required by the fire marshal, and diagonal parking could possibly be installed to allow the applicant to meet the parking requirement onsite. Maria Picasso said that they could restripe the property if they were unable to obtain permission to park on the adjacent parking lot. She said she did not want her employees to risk getting towed by parking on the street.

Commissioner Larson asked the applicant if reducing the drive aisle, which would create a one way drive, would be acceptable. Maria Picasso replied that she had already planned for the deliveries to enter on the north side and exit on the other side.

Commissioner Gordon moved that the Planning Commission approve the conditional use permit for Picasso Shutters located at 655 North 700 West with the following conditions:

- 1) Final approval from the fire marshal prior to business license approval,**
- 2) One parking stall per employee on the highest shift according to City code and;**
- 3) Outdoor storage must be screened.**

Commissioner Kirkham seconded the motion.

Chair Knowlton suggested that the number of employees at the highest shift be specified in the motion. The Commission discussed parking solutions, the number of stalls particularly due to the potential for additional employees in the future, and possibly making changes to the code to state that there be one parking stall per onsite employee per shift.

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

3. CONSIDERATION OF A REQUEST FOR A CONDITIONAL USE PERMIT FOR A FOOD MANUFACTURING BUSINESS, LADIANA TORTILLA & BAKERY AT 190 NORTH 640 WEST, AARON RODRIGUEZ, APPLICANT

Kate Werrett reported that the applicant, LaDiana Tortilla and Bakery Factory, was proposing to locate a tortilla and bakery factory at 190 North 640 West. "Food manufacturing" is a conditional use under "Manufacturing" in the Manufacturing-Distribution (MD) Zoning District. There would be ten employees working at this location. The products manufactured at this location would include: tortillas, chips, and bread. Onsite equipment would be four delivery trucks, ovens, chip fryers, and plastic bag sealers. Operation hours will be 6 a.m. to 6 p.m. on weekdays, 6 a.m. to 3 p.m. on Saturdays, and 6 a.m. to noon on Sundays.

Per the Code, manufacturing requires "One (1) stall per 1,000 square feet of gross floor area or one (1) stall per employee on highest shift, whichever is greater". The building is approximately 12,000 sf, which would require a minimum of 12 parking stalls. The location currently has about 25 designated parking stalls and significantly more area that could be used for parking if needed in the future. The applicant does not plan to have any retail at this location and it will be manufacturing only. Staff has not identified any issues with locating this business at the location requested.

Aaron Rodriguez, LaDiana Tortilla Factory, commented that it had taken them several years to find this location as they wanted to remain in the area.

Commissioner Tucker moved that the Planning Commission approve the conditional use permit for LaDiana Tortilla and Bakery Factory at 190 North 640 West with no conditions. Commissioner Gordon seconded the motion. The motion was approved by Commissioners Knowlton, Kirkham, Ward, Tucker, Larson and Gordon. Commissioner Garn was excused.

4. CONSIDERATION OF A SITE PLAN DESIGN SPACE AT 147 EAST UNION AVENUE, PAUL MCSHANE, APPLICANT

Sherrie Llewelyn reported that the proposed site plan was located at 147 East Union Avenue behind Orbit. The site was currently an undeveloped and vacant 5.7 acre lot. Design space is a mobile office and storage building leasing company and this site would be used as their branch office for the area. The site would contain an office building, maintenance shop, and outdoor storage of the modular units.

Mrs. Llewelyn said that the proposed site plan had been evaluated and complied with the requirements for parking, circulation and traffic, as well as health, safety, lighting and noise; however, the it did not meet the minimum 10% landscaping requirement. She said that often times the Planning Commission would reduce the landscaping requirement if the frontage landscaping was improved. She presented the proposed landscaping plan with significant improvements 20 feet behind the curb and in the parking areas with islands and trees. These proposed improvements were approximately 4% of the site.

As the majority of the site would be used for storage of the modular buildings the Planning Commission would need to determine whether this would be classified as outdoor storage and if it would need to be screened from view. The DRC did not believe that the buildings qualified as equipment and materials storage that would require screening and was more of a product display area.

The proposed site would be secured with chain-link fencing and three strand barbwire. Access to the storage area will be limited by a gate on the west portion of the property with fencing to follow the property line in the area behind the building. A trash enclosure would be installed behind the maintenance building.

Sherrie Llewelyn said that the site consists of 9,885 square feet of landscaping which was approximately 4% of the site with the minimum requirement being 10%. The proposed landscape is a high quality and would visually improve the streetscape. Additional landscaping of native grasses could be added around the detention area if required by the Planning Commission. She

explained that the Planning Commission had the authority to reduce the minimum landscape requirement.

Lighting of the site will mainly be directed at the main entrance, driveway, parking area, and walkways. The City Engineer will review the resubmitted drawings for his redline corrections and any redlines that have not been addressed will be conditioned upon the approval.

Sherrie Llewelyn showed the façade of the office building to those present and said there would be wainscot with a brick or stone façade. She also showed a drawing of the maintenance building which would be a metal building and said that metal buildings were permitted as accessory structures provided the building had a four foot wainscot finish (of material compatible to the main structure) on any façade visible from a public right of way.

The DRC recommended approval with three conditions including a reduction in the minimum landscaping requirement, that the outdoor area would not need to be screened from view, and the completion of any engineering redlines.

Valerie Robinson asked when the public could comment on the proposed site plan. Chair Knowlton explained that as this application was administrative, in that if the application met the requirements of the code, that the Planning Commission was bound to provide approval.

Valerie Robinson commented that the Planning Commission could vote how they wanted regardless of how the public felt. Chair Knowlton replied that the Commission was only able to vote within the bounds set by the zoning code. He said the Commission did not have unbounded discretion. He also explained that some items were administrative and some were legislative.

Sherrie Llewelyn stated that the Planning Commission could chose to take public comments and explained how some comments were relevant, such as those related to drainage, but said the Commission was not required to hold a public hearing on administrative items.

Chair Knowlton further clarified that the Planning Commission was not a political body but provided technical feedback. Commissioner Tucker also said that the purpose of the Planning Commission was fact finding in an effort to gather information to make recommendations to the City Council. He said when the Commission solicited public comment it was to obtain information and not opinion as the Commission was not an elected body and did not represent the public.

At 7:35 p.m. Chair Knowlton allowed the public to provide any additional facts on this item.

Dee Lalliss commented on the 10% landscaping requirement and said it would not benefit this property. He said there was a drainage ditch and railroad tracks at the rear of the property and felt that what was proposed for the frontage was ample for this property.

Commissioner Kirkham asked if the modular buildings would be constructed onsite or just stored there. Sherrie Llewelyn replied that the buildings were constructed elsewhere and stored onsite.

Colby Anderson, Anderson Wahlen, commented that they had done the civil design for the site and would help with the permitting.

Commissioner Gordon commented on the condition in the motion that stated the outdoor area did not need to be screened from view from the street as the storage did not include materials or equipment. She asked if the storage included materials or equipment in the future if it would need to be screened at that time. Sherrie Llewelyn replied that if the use changed and materials or equipment was stored on the site in the future that it would need to be screened from public view.

Commissioner Larson move that the Planning Commission approve the site plan for Design Space Site Plan at 147 East Union Avenue the following findings and conditions:

- 1) The minimum required landscaping is approved at a reduced requirement as shown on the site plan;**
- 2) The outdoor area is not required to be screened from view from the street, as the storage does not include materials or equipment;**
- 3) Completion of any outstanding engineering redlines.**

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

5. REVIEW-DRAFT FORM BASED CODE (CHAPTERS 7 & 8)

Sherrie Llewelyn reported on Section 7 Parking and reviewed the proposed requirements for off-street vehicle parking in the various subdistricts in the Town Center. She explained that the requirements for all the subdistricts, minus the Core, that a studio or one bedroom units would require one stall per unit plus .25 spaces per unit for guest parking, two bedroom units would require 1.5 stalls per unit plus .25 spaces per unit for guest parking, and 2 stalls per unit for three plus bedroom plus .25 spaces per unit for guest parking. The Core subdistrict would not require the additional .25 spaces per unit for guest parking. The current code currently requires 2.25 spaces per unit for apartments regardless of the number of bedrooms.

Mrs. Llewelyn then reviewed the commercial parking requirements of two stalls per 1,000 square feet gross floor area in the Core subdistrict for retail, office, and civic uses and in restaurant/café one space per four seats and one stall per unit for lodging uses. In the other five subdistricts the commercial parking would require three stalls per 1,000 square feet of gross floor for retail, office, and civic uses.

Sherrie Llewelyn then reviewed the shared vehicular parking table, which was determined based on the hours with the highest use for entertainment, hotel, office, place of worship, restaurant, and retail rather than adding up the maximum parking for each of these uses. She also explained the incentives to reduce the percentages including bike lockers, transit passes, or senior housing, etc.

Commissioner Tucker asked about shared parking in relation to priority such as a hotel with established parking and a new use. Sherrie Llewelyn replied that some assumptions would need to be made regarding land uses and some accommodations would also need to be made for new uses. She said a scarcity of parking would make the area more vibrant and increase the use of transit. Ms. Llewelyn said they wanted to provide adequate parking but not over parking of the area.

Chair Knowlton said there were several approaches to parking including predicting the demand or being land efficient and prioritizing transit and walking. He said in the second approach the private market could determine parking and if needed in the future, the City could manage public parking space demand.

The Commission discussed the parking tables, parking flexibility, and adjusting the shared parking percentages for each use particularly in regards to restaurants and the proposed days and times, and residential visitor spaces. They recommended changes to Table 7.2 (2) Shared Vehicular Parking in relation to restaurant uses with reductions of the percentage from 50% for midnight to 7 a.m. on a weekday to 25% and from 70% to 35% on weekends from midnight to 7 a.m. and increasing the percentage to 50 or 60% on weekends from 7 a.m. to 6 p.m. to accommodate a restaurant such as a vibrant Denny's. They also suggested a revision of the existing or addition of a new timeframe during the weekday such as 9 a.m. to 5 p.m. office and 5 p.m. to midnight for restaurant uses.

Valerie Robinson questioned why the Planning Commission was writing the form based code, which would then also be administered by the Commission. Chair Knowlton said the City Council made legislation and would be adopting the form based code and the Planning Commission would just be making recommendations to the Council.

Sherrie Llewelyn clarified that the City Council was awarded a grant to hire a consultant to write the form based code to implement the adopted Town Center Master Plan. She said the code was written by a consultant and the Planning Commission was reviewing and making

recommendations. Two public open houses and a public hearing would be held and all the comments from the public and Planning Commission would be reviewed and may be incorporated into the draft by the consultant and prior to the form based code being presented to the City Council for adoption.

Valerie Robinson asked in regards to parking if there was a plan to install meters or another means of charging for parking. Chair Knowlton clarified when he referred to the price of parking he meant on-street parking, such as next to a curb, and responding to that condition if there was a demand for this.

Sherrie Llewelyn clarified that the Shared Vehicular Parking table and the percentages shown were based on parking demand observed in North Salt Lake by the consultant.

Valerie Robinson commented that the point behind the form based code was to devise a town that looked like a community. She suggested that senior housing may require a different form of transportation, such as golf carts, but would still require some visitor parking. Sherrie Llewelyn clarified that it would just be a reduction in parking for senior housing as there would be a lower demand but not the elimination. She explained that this was a draft ordinance and there would be many opportunities for public input on the entire code.

Sherrie Llewelyn said the public open houses would most likely be held on January 22nd and February 19th of 2020.

Sherrie Llewelyn then spoke on Section 8 Signs and Façade Lighting and said this would be an improvement from the current sign ordinance. The Commission reviewed different types of signage, wall, projecting, awning, canopy, roof, window, monument, and temporary signs such as A-Frame sign requirements.

Chair Knowlton suggested that there should be a review of the existing sign code related to aesthetics, quality, scale, etc. on signage citywide.

Commissioner Gordon made the suggestion on Table 8.8 (1) Roof Sign Requirements that roof signage be permitted in every subdistrict except Edge.

Sherrie Llewelyn then spoke on Section 2 Streets and the definition of Active Transportation Corridors. She clarified that a better name and description might be Pedestrian/Bike Corridors.

The Commission also discussed connector streets, right of way, on street parking, active transportation plan, pedestrian walkways, and cul-de-sacs. Sherrie Llewelyn said that there was not a need for cul-de-sacs in the city center as they did not inspire connectivity.

Sherrie Llewelyn reviewed the proposed schedule for the form based code and said that at the December 12th Planning Commission meeting there would be a review of the overall form based code, the draft Subdivision, PUD, P District, and RM zone changes related to moratorium. The proposed schedule for the code amendment work related to the moratorium and form based code is as follows: a joint work session with the City Council is tentatively scheduled for January 14th with a review of the form based code, other ordinance amendments, and a Main Street neighborhood report; a public open house tentatively scheduled on January 22nd for the form based code and Main Street neighborhood report; and a public hearing is also tentatively scheduled on January 28th for the subdivision and RM zones amendments. She also said a second public open house would be likely be held February 19th for the presentation of the final draft of the form based code with final recommendation to the City Council on February 25th for the form based code and Town Center zone.

6. REPORT ON CITY COUNCIL ACTIONS ON ITEMS RECOMMENDED BY PLANNING COMMISSION

Sherrie Llewelyn reported on City Council actions and said the Council approved the Arrowhead Twin Homes final plat on November 19th. She then spoke on the code enforcement case related to pygmy goats and the proposed ordinance change to allow two pygmy goats on a 14,000 square foot residential lot or larger.

Sherrie Llewelyn then reported on Wellington Place in Foxboro and said the Planning Commission recommended approval of the final plat; however, soil contamination was found on the site. The City required retesting of the soil and new reports after the contaminated soil was removed. She said the City Council will potentially review this item on December 17th. She also reminded the Commission of the holiday party on December 3rd.

7. APPROVAL OF MINUTES

The Planning Commission meeting minutes of November 12, 2019 were reviewed and approved. **Commissioner Gordon moved to approve the minutes of November 12, 2019. Commissioner Larson seconded the motion. The motion was approved by Commissioners Knowlton, Kirkham, Ward, Tucker, Larson and Gordon. Commissioner Garn was excused.**

8. ADJOURN

Chair Knowlton adjourned the meeting at 9:03 p.m.



Chair



Recorder

Secretary