

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
JANUARY 14, 2020

FINAL

Commission Chair Ted Knowlton called the meeting to order at 6:35 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 Brandon Tucker

EXCUSED: Commissioner William Ward
Commissioner BreAnna Larson

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

OTHERS PRESENT: Josh Gustaveson, Gusto Builds LLC; Dee Lalliss, Brian Horrocks, residents; Reid Mosman, Toll Brothers.

1. PUBLIC COMMENTS

There were no public comments.

2. CONSIDERATION OF A REQUEST FOR A CONDITIONAL USE PERMIT FOR A WELDING AND METAL FABRICATION BUSINESS, GUSTO BUILDS LLC, AT 605 NORTH 700 WEST, JOSH GUSTAVESON, APPLICANT

Kate Werrett reported that the applicant, Gusto Builds LLC, was proposing to locate a welding and metal fabrication shop at 506 North 700 West. As “Fabricated metal product manufacturing” is a conditional use under “Manufacturing” in the Manufacturing Distribution (MD) zone. There would be three to five employees on site during the highest shift. The manufacturing processes to be done on site included welding, metal fabrication, and powder coating. An air compressor and other machinery would be used. Hours of operation would be 6 a.m. to 3 p.m. during the week.

Per the code, manufacturing requires “one stall per every 1,000 square feet of gross floor area or one stall per employee on the highest shift, whichever is greater.” The applicant intends to rent the entire building which has 7,800 square feet of manufacturing floor area and requires eight parking stalls. The location currently has eight stalls and additional paved space for future parking if necessary. Staff did not identify any issues with the proposed use at the location

requested. As the Development Review Committee (DRC) found that this use would require a fire suppression system they recommended approval with the condition that final approval must be obtained from the fire marshal prior to business license approval.

Commissioner Kirkham asked what would be fabricated onsite. Josh Gustaveson, Gusto Builds, replied that they would fabricate ornamental iron, fencing, gates, custom siding, etc. and do powder coating projects.

Commissioner Garn asked if the metal and other items would be stored indoors. Josh Gustaveson replied that the majority of the items would be stored in the warehouse with the exception of some trailers.

Commissioner Garn asked if there would be a paint booth for powder coating. Josh Gustaveson replied that he would be purchasing new equipment which was OSHA and EPA regulated.

Commissioner Kirkham asked where the applicant was moving his business from. Josh Gustaveson replied that the current business was in Murray.

Commissioner Tucker moved the Planning Commission approve the conditional use permit for Gusto Builds LLC located at 506 North 700 West with the following condition:

- 1) Final approval from the fire marshal prior to business license approval.**

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

- 3. CONSIDERATION OF A REQUEST FOR A TEMPORARY USE PERMIT FOR A SALES PAVILION, TOLL BROTHERS, AT 105 EAST EDGECREST LANE, REID MOSMAN, APPLICANT**

Kate Werrett reported that the applicant, Toll Brothers, was requesting to build a temporary sales pavilion at 105 East Edgecrest Lane during the construction of the single family homes in The Ridge development. The pavilion and its parking lot would be built on lots 103 and 104. The pavilion would serve as a sales office for the duration of the project and would then be demolished to construct homes on those lots. There would be two sales employees at this location. They expect 20 to 30 potential homeowners to visit each week. The hours of operation would be 10 a.m. to 6 p.m. An onsite parking lot with nine or ten stalls would be provided for employees and prospective homeowners. The DRC recommended that one stall closest to the pavilion be marked as an ADA parking stall.

The structure would be one story with neutral colored stucco and siding. The building would meet the setback requirements for the site. Toll Brothers intend to landscape around the pavilion

and the parking lot. The DRC also recommends that the landscape plan be submitted prior to issuance of a building permit as a condition of approval.

Kate Werrett showed an example of a similarly constructed pavilion and said construction of the pavilion would begin in late January. She also said that per the development agreement the sales pavilion would need to be removed from the site within 30 days of issuance of the certificate of occupancy for the final dwelling unit for which the pavilion was utilized during construction. The DRC also recommended the inclusion of a condition on the temporary use approval noting the removal timeframe. Toll Brothers expects the building would be utilized for approximately three years.

Kate Werrett also reported on several engineering findings including a water meter in the driveway of the temporary pavilion and recommended it be covered or collared, a landscaping plan, and that the driveway be relocated for the final site plan.

Commissioner Kirkham asked if construction took longer than three years if there would be an issue. Sherrie Llewelyn replied that this would be constructed as a permanent and quality structure which could be used as a clubhouse if necessary. She said that the development agreement did not put an end date other than the 30 day removal after the issuance of the certificate of occupancy for the final dwelling unit.

Reid Mosman, Toll Brothers, commented that they were excited to build in Davis County and had constructed similar pavilions in other locations. He said the purpose of the pavilion was to make a good impression and sell the lots quickly.

Commissioner Tucker said that he did not think temporary use permits should be conditional. He felt they should be administrative and reviewed by staff. Commissioners Knowlton, Garn and Kirkham were in agreement.

Commissioner Garn moved that the Planning Commission approve the Toll Brothers temporary sales pavilion for The Ridge at 105 East Edgecrest Lane with the following conditions:

- 1) The sales pavilion shall be removed from the site within 30 days of issuance of certificate of occupancy for the final dwelling unit for which the pavilion was utilized during construction.**
- 2) A landscaping plan must be submitted prior to issuance of a building permit.**
- 3) An ADA parking stall shall be located in the parking spaces closest to the pavilion.**
- 4) After the temporary use is complete, the driveway must be relocated for the final site plan.**
- 5) A building permit shall be obtained prior to construction on the site.**

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

4. PUBLIC HEARING-CONSIDERATION OF AN UPDATE TO THE CITY'S
GENERAL PLAN TO INCLUDE AN ACTIVE TRANSPORTATION PLAN

Ali Avery reported that the Active Transportation Plan would be an addition to the transportation element of the General Plan. She said the State Legislature passed a code amendment, which required the City to address active transportation facilities in the General Plan, this would allow the City to continue to apply for TIF funds for roadway improvements. Bountiful, North Salt Lake and Centerville worked together to apply for a TLC grant from Wasatch Front Regional Council for a consultant to write an active transportation plan. Ms. Avery said the presented plan was geared towards the City. The project goals were connectivity, safety, recreation, sustainability, partnership, and health. She said there was an extensive public input process with an online survey and three pop up events. The results of the survey showed that 27% of the respondents lived in the City, the top three reasons people walked/rode a bike included health/fitness, spending time outdoors, or for pleasure/fun/socializing. The survey also showed that 1/3rd of the respondents felt uncomfortable walking with 38% feeling uncomfortable riding a bike. The deterrent of walking/biking in South Davis included aggressive drivers, facilities not taking them where they need to go, and streets/sidewalks felt unsafe. The top three priorities for future transportation were more paved and off-street paths, on-street bike lanes, and better sidewalks.

Ali Avery also showed several maps to those present, which highlighted barriers to walking and bicycling as well as opportunities. The map also showed that Orchard Drive was the most popular facility in the area for active transportation investment. She said a stakeholder committee was created which included City staff, Wasatch Front Regional Council, UDOT, UTA, and the school district. Moving forward the recommendations from residents and the stakeholder committee included separated and buffered bike lanes, neighborhood byways, shared use paths, side paths, and rail crossings. She then spoke on the proposed locations for the recommended bike lanes, byways, paths, etc. including connections to activity centers, trails, etc.

Ali Avery then said the plan had policy recommendations including a complete streets plan, a street connectivity plan, and a walkable parking policy with a draft in the appendix for easy adoptability. The recommended amenity requirements, which would be included in the form based code, included short/long term bike parking, wayfinding, bike amenities, etc. This plan also addressed walkable activity centers, multimodal integration, shared mobility (Uber/Lyft), promotion of active transportation, and parking enforcement. There were also two priority projects including a buffered bike lane on Eagleridge Drive as well as the Bamberger Trail.

Commissioner Tucker commented that the consultant, Alta Planning + Design, had done a great job but felt there were some conflicting recommendations for street cross sections, etc., which was different than the draft form based code. He asked which would take precedence. Sherrie Llewelyn said the active transportation plan was part of the general plan and was an advisory document while the form based code was an ordinance. She said that changes could be made to the form based code or the active transportation plan based on recommendations from the Commission and Council.

Chair Knowlton opened the public hearing at 7:07 p.m.

Dee Lalliss commented that he had lived in the City for approximately 50 years and was on the Planning Commission when the hillside was developed. He said that there was interesting topography on the hillside, which may not allow for bike paths on some of those roads. He also spoke on Highway 89 and Orchard Drive and where bike lanes could be installed. Mr. Lalliss said that there needed to be better speed enforcements on those roads and asked how to make the roads safer for bikes.

Ali Avery spoke on the concerns and said that the proposal for Eagleridge Drive was within the existing right of way. She said a buffered bike lane should naturally slow traffic there.

Chair Knowlton closed the public hearing at 7:13 p.m.

Chair Knowlton asked that UDOT and UTA be listed on the acknowledgment page as funding partners. He also asked that on page 50 under “Walkable Activity Center Policies” that the first sentence be changed to “Walkable centers such as those in the Wasatch Choice 2050 Vision (footnote), are areas of activity that draw people from a neighborhood..”.

Chair Knowlton commented that he also felt this plan was well done. He said a reasonable stance for the City to take would be some give and take from the driving public to accommodate safe bike facilities.

Sherrie Llewelyn said that this plan was also about safe pedestrian activity in addition to safe bicycling infrastructure.

Commissioner Kirkham commended the City for thinking ahead for future generations.

Chair Knowlton asked about the separated lanes on Orchard Drive and what the physical changes would need to be on the street to fulfill the plan. Ali Avery replied that the City Engineer had some concerns related to obtaining additional right of way and staff had concerns with parking enforcement there.

Sherrie Llewelyn commented that part of the problem with Orchard Drive was that right of way would be difficult to obtain in some areas and would have to be reviewed at a later date. Orchard Drive would also be a better alternative than Highway 89 especially if the BRT line was established there. She stated this Active Transportation Plan was the guiding document for construction projects on these roads.

Ali Avery spoke on several changes that had been made and also reviewed the recommended connections for the Town Center, Foxboro/Cutler, 2600 South, Five Points, downtown Bountiful, Centerville Main Street and Parrish Lane, and Centerville Community Park.

Chair Knowlton asked about funding sources. Ali Avery replied that the next step was to add projects to the Capital Facilities plan and then she could start to look for funding. She also spoke on the sample policies in the appendix including the streets, streets and pathway connectivity, and walkable parking policies were implementation strategies.

Ali Avery asked that the motion include the edits of January 2020 from the consultant.

Commissioner Kirkham moved that the Planning Commission recommend to the City Council the proposed Active Transportation Plan as an amendment to the Transportation Element of the City's General Plan with the listed findings:

- 1) The State legislature has determined that cities must include the general location and extent of active transportation facilities in the General Plan;**
- 2) The proposed draft meets the requirements of the State code to continue to allow the City to apply for Transportation Investment Fund money; and**
- 3) With the edits from the consultant with the January 2020 updates.**

Commissioner Tucker seconded the motion.

Chair Knowlton asked if the City applied for the funding before the passing of State Bill SB-34. Ali Avery replied affirmatively.

Chair Knowlton said that as the City was already in the process of creating an active transportation plan the findings of the motion should be reordered and a finding be added that the City prepared the active transportation plan prior to the requirement for SB-34 as the City was not driven to comply based on State law but with the goal of providing improved active transportation options for the residents of South Davis County.

Commissioner Garn asked if the City was bound to this plan or if changes could be made in the future. Ali Avery replied that this was an amendment to the General Plan.

Commissioner Kirkham amended his motion to include an additional finding as the first finding:

North Salt Lake with Bountiful and Centerville sought to address and improve active transportation in South Davis County and to create safe alternative transportation facilities for citizens.

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

Sherrie Llewelyn commented that she was proud of staff, particularly Ali Avery for their contribution to the project. She said that staff started this process and the moderate income housing plan before the State Legislature requirements were finalized.

5. WORK SESSION-REVIEW DRAFT FORM BASED CODE

Sherrie Llewelyn provided the latest draft with the majority of the requested changes. The Commission then reviewed the setbacks found on page 42 of the form based code and clarification of the December 10th minutes. The determination was made that the setback on all zones along Highway 89 should be a range from 10 feet minimum and 15 feet maximum from the property line without the need for an exception.

Sherrie Llewelyn then asked about row buildings with a proposed setback range of 15 feet to 20 feet on Orchard Drive and if this was a minimum of 15 feet and a maximum of 20 feet.

Chair Knowlton said the form based code had minimum and maximum ranges so it would not be out of character to specify.

The Commission determined that the range in the Edge subdistrict would be 20 feet minimum for yard buildings minimum and 15 feet minimum for row buildings. They then discussed the potential for the setbacks in the other subdistricts to be related to the street and not the subdistrict to maintain a uniform street appearance with a 10 foot minimum and a 15 foot maximum for the other building types. They also discussed redevelopment on Orchard Drive related to setbacks, setbacks on Center Street determined by building type, and the setbacks in the Arts & Parks subdistricts.

Chair Knowlton suggested that along Orchard Drive the setback would be 15-20 feet regardless of building type and the other setbacks as drafted would be maintained. He also suggested that in the Arts & Parks subdistrict that 5 feet be added to the listed setbacks.

Commissioner Tucker asked if the draft form based code was ready for review by the public. Sherrie Llewelyn replied that she would like the Commission to review the updated form based

code once more before the public outreach and also said the Commission would be reviewing the subdivision, PUD, and RM-7 changes per the moratorium.

6. WORK SESSION- DRAFT SUBDIVISION CODE AMENDMENTS

This item was postponed until a later date.

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

Sherrie Llewelyn reported that the City Council approved Wellington Place, which was 23 single family lots near Foxboro, which the Planning Commission recommended approval of final plat in July 2019. The applicant removed the soil contamination and obtained final plat approval from the Council on January 7, 2020.

Mrs. Llewelyn said that staff had interviewed Planning Commission candidates and the Mayor would be making a recommendation to replace Commissioner Gordon on January 21st.

8. APPROVAL OF MINUTES

The Planning Commission meeting minutes of November 26, 2019 were reviewed and approved. **Commissioner Kirkham moved to approve the minutes for the Planning Commission meeting on November 26, 2019. Commissioner Tucker seconded the motion. The motion was approved by Commissioners Knowlton, Kirkham, Garn and Tucker. Commissioners Larson and Ward were excused.**

The Planning Commission meeting minutes of December 10, 2019 were reviewed and approved. **Commissioner Tucker moved to approve the meeting minutes for December 10, 2019 with the recommended edits. Commissioner Garn seconded the motion. The motion was approved by Commissioners Knowlton, Kirkham, Garn and Tucker. Commissioners Larson and Ward were excused.**

9. ADJOURN

Chair Knowlton adjourned the meeting at 8:25 p.m.



Chair



Recorder

Secretary