

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-REGULAR SESSION  
MAY 19, 2020

**FINAL**

This meeting was held electronically via Zoom. The host site was located at 10 East Center Street in North Salt Lake.

Mayor Arave called the meeting to order at 6:00 p.m.

PRESENT: Mayor Len Arave  
Council Member Lisa Watts Baskin  
Council Member Natalie Gordon  
Council Member Brian Horrocks  
Council Member Ryan Mumford  
Council Member Stan Porter

STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; David Frandsen, Public Works Director; Janice Larsen, Finance Director; Craig Black, Police Chief; David Church, City Attorney; Brent Moyes, Golf Course Director; Sherrie Llewelyn, Community Development Director; Ali Avery, Long Range Planner; Linda Horrocks, City Recorder; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Mark Morris, VODA Landscape + Planning; Tom Freeman, Jonathan Gardner, Gardner Batt; Dee Lalliss, resident.

1. CITIZEN COMMENT

There were no citizen comments.

2. CONSIDERATION OF A SITE PLAN APPROVAL FOR AN ONLINE  
RETAILER/DISTRIBUTION FACILITY AT 989 WEST CENTER STREET, GB NSL  
INDUSTRIAL, LLC, JONATHAN GARDNER, APPLICANT

Sherrie Llewelyn reported that the proposed site plan property consisted of 56 acres located at 989 West Center Street and was the former location of the NSL Gun Club. She stated that Gardner Batt, a commercial developer, was in the process of purchasing the property from the Kimball family. The developer was proposing to construct a 201,000 square foot warehouse/office/distribution facility. The use "Electronic Shopping & Mail Order House" was listed as a conditional use in the General Commercial (CG) Zone. The Planning Commission issued a conditional use permit for the use on March 24, 2020. Gardner Batt would own the property and building and would lease the facility to an online sales and distribution company for

their last mile program and one-day delivery services. Packages would be shipped to the facility from the fulfillment center for customer delivery. The developer would construct a private road across the former Kelly property, which would require the razing of the existing buildings.

Sherrie Llewelyn reported that the haul trucks would enter the property solely from Redwood Road via this private road. The packages would then be unloaded, sorted in the building based on zip codes, and then loaded into delivery vans that were operated by delivery service partners or personal vehicles. She showed the site plan to those present and highlighted the location of the loading docks, parking lots, and access from Redwood Road.

Sherrie Llewelyn then reported that this facility would operate 24/7 with most of the sorting completed in the early morning when the line haul trucks arrived with customer packages. Line haul trucks would deliver packages to the facility each day, primarily between the hours of 10 p.m. to 8 a.m. Associates would then sort the packages by routes, place the packages onto movable racks and load the packages into the delivery vans primarily between 12:30 AM and 11:00 AM. This facility would employ approximately 800 people. The employees who drive delivery vans would park their personal vehicles in the van parking area when they pick up their van. The employees working within the facility would park in the north lot.

The first “wave” of drivers would arrive at the delivery station at approximately 10 a.m. to pick up their delivery vans. The drivers would then load their delivery vans and depart to deliver packages directly to customers. Each delivery wave would take about 20 minutes to load and depart. As a wave of drivers prepared to depart, a new wave of drivers would then queue and prepare to load their delivery vans. The last wave of drivers would depart the delivery station around 12:30 p.m. Delivery vans would depart the delivery station between 10 a.m. and 12:30 p.m. and return between 7:30 p.m. and 9:30 p.m.

After drivers have completed their routes, they would return to the delivery station with any packages that may have been non-deliverable. After proper checkout and release the driver would park the delivery van either onsite or at the offsite location and leave using their personal vehicle or public transport. The company would also use contracted employees with personal vehicles to deliver packages. This would be a new innovation from the company that would allow individuals to use their own vehicles to deliver packages to customers. These traditional passenger vehicles would enter the facility staggered between 4 p.m. and 6 p.m. The loading of personal vehicles would be similar to the van loading waves and would take 20 minutes to complete.

Sherrie Llewelyn reported that the proposed facility would be approximately 201,000 square feet with approximately 2,577 square feet of dedicated office space, 8,942 square feet of assembly area, and 189,583 square feet of warehouse space. The building would have primary access from Center Street for employee parking and for delivery van deployment. All large truck deliveries would be made per the secondary access from Redwood Road that would be shared with the

Kimball Retail Development. The second access would be located at the midpoint between the traffic signals at Center Street and the I-215 interchange. She explained that this was an ideal intersection for a traffic signal in the future if the traffic volumes warranted a light there. The Kimball investment group and the City have acquired the Kelly property for private access. A copy of the recorded ingress/egress agreement with the Kimballs would be required for this project.

Jonathan Gardner, Gardner Batt, commented that he had just received the recorded document for the shared access agreement.

Sherrie Llewelyn stated that on-site parking has been provided for both the employees and the delivery van area. The parking provided exceeds the minimum requirements for the office space and warehouse uses. Pedestrian access has been provided within the parking areas that were greater than 75,000 square feet as required by the code. There would also be a pedestrian walkway, which would extend all the way to Center Street. The developer would coordinate with UTA to obtain a bus stop in that location. The north parking lot contained 352 stalls and the east/west parking lots would have 1,134 stalls for a total of 1,486 stalls. The minimum required ADA parking stalls would be eight with a proposal for ten stalls in the north parking area. There would be 15 stalls for semi-truck loading at the south loading dock, 160 loading stalls for van and delivery vehicles adjacent to both the east and west side of the building. The minimum requirement under the code would be 210 parking stalls, thus the applicant has well exceeded this with the proposal for 1,486 stalls.

Sherrie Llewelyn then presented the landscape plan, which included 40,500 square feet of turf area and 410,150 square feet of planter areas with native grasses, planted shrubs, rock mulch and 248 trees. This equates to 10.35 acres or approximately 18% of the site. An additional 3.3 acres would remain in native vegetation. Tree buffers and landscaped berms would be planted along the western property lines to buffer the van parking areas from view of the Legacy Trail. Parking lot trees would be included internal to the parking areas as well, with the exception of the van parking areas where the required islands for every 20 spaces has been waived in favor of additional perimeter trees. Additional trees and manicured landscaping along Center Street exceed the minimum required. The total trees to be planted on the site would be 248.

The developer has also agreed to dedicate an additional 12' of right of way along Center Street to the City for any future widening necessary by other development in the area. One small section of Center Street would be widened at this time to accommodate a center turn lane into the western most entrance. This would also require a small section of the trail to be relocated a few feet south of the new curb. The city engineer has received a traffic study, which demonstrated that no additional improvements to Center Street or Redwood Road are required by this project. An addendum has also been submitted which demonstrates the possible impact of additional retail development along Redwood Road on the remaining portion of the Kimball properties

when developed. The only fencing on site would be between the loading areas and the van parking areas.

Mayor Arave asked about fencing. Sherrie Llewelyn replied that the existing chain-link fencing along Center Street would be removed and not replaced. She said that no perimeter fencing was proposed at this time but if it was installed at a later date it must conform to adopted standards.

Sherrie Llewelyn showed the proposed exterior elevations and said the architecture met all of the standards of the design criteria related to horizontal and vertical articulation with recesses, parapets and covered entryways. The materials would be tilt-up concrete, which would be painted and finished to meet the requirements. The building would be 46 feet in height, which is under the maximum height limit of 60 feet. The west and east sides of the building would have lean-to structures to provide coverage from the weather for the purpose of loading the delivery vans.

Mayor Arave asked about a ditch on the east side of the property. Sherrie Llewelyn replied that Davis County asked the property owner to maintain a 20-foot access easement there.

Sherrie Llewelyn then said the Development Review Committee (DRC) and the Planning Commission recommended approval with the conditions that a streetlight be required at the new intersection with Redwood Road, recordation of an ingress/egress agreement for this property across the Kimball property to Redwood Road, submission of approved UDOT access permit for Redwood Road and Davis County Flood Control Permit, and the verification of completion of engineering redlines.

Council Member Horrocks asked if the name of the tenant was still confidential. Jonathan Gardner replied that they were still acting somewhat confidential but said they could coordinate a future press release with the City to announce their identity.

Council Member Horrocks asked if the sales tax component would be favorable to the City. Jonathan Gardner responded that the point of sale would not be at the building and there would be no sales tax component for the City.

Sherrie Llewelyn clarified that the benefit to the City would be the increase of the tax increment. She also said the number of proposed employees would drive retail development on Redwood Road.

Council Member Baskin commented that there was an archeological site in this area. She asked if there were any written protections for the site. Sherrie Llewelyn replied that UDOT would be responsible for protecting the archeological site, as it was located on a UDOT parcel. She said this property should not encroach on that area.

Council Member Mumford asked for clarification on the access road off Redwood Road as it was a private road. He asked if there would be access for the commercial properties or if an easement was needed. Sherrie Llewelyn replied that there would be access to the retail. She explained that the Kimballs would have another access further north as well as cross easement access.

Sherrie Llewelyn showed the site plan to those present and emphasized the three access points off Center Street. This included an access for delivery vans and employees. She said Center Street would be widened for a left turn lane into the property.

Council Member Mumford asked if there were plans for a cafeteria onsite as there would be 800 employees. Jonathan Gardner replied that there would be a break room but as the majority of the employees would be the delivery van drivers that they would utilize the surrounding restaurants.

Council Member Mumford also asked if there were plans for outdoor seating and tables. Jonathan Gardner responded that they were promoting an efficient process with no loitering so no outdoor seating would be provided.

Council Member Porter asked about drones and the potential for drone deliveries. Jonathan Gardner replied that the company had a large investment in electric vehicles with the site to provide electric vehicle charging, etc.

Council Member Baskin asked for clarification on local residents using personal vehicles for 20 minute deliveries. Jonathan Gardner responded that the majority of deliveries would be accomplished with company vans as they had made a large investment in electric vehicles.

Tom Freeman then explained that the company would employ seasonal drivers during the holidays, which may entail drivers using their personal vehicles.

**Council Member Horrocks moved that the City Council approve the site plan. Council Member Horrocks seconded the motion.**

**Council Member Horrocks amended his motion to read: the City Council approve the site plan for the NSL GB Distribution Facility at 989 West Center Street, subject to the following conditions:**

- 1) A street light will be required at the new intersection with Redwood Road per the newly adopted Redwood Road Street Light Standard;**
- 2) Recordation of an ingress/egress agreement for this property across the Kimball property to Redwood Road;**
- 3) Submission of approved UDOT Access Permit for Redwood Road and Davis County Flood Control Permit; and**

**4) Verification of completion of minor engineering redlines.**

**Council Member Porter seconded the amended motion. The motion was approved by Council Members Baskin, Gordon, Horrocks, Mumford and Porter via Zoom chat.**

**3. DISCUSSION ITEMS: TOWN CENTER BRANDING & WAYFINDING PROGRESS REPORT**

Ali Avery reported that this project was being funded in part by the Wasatch Front Regional Council (WFRC) Transportation and Land Use Connection grant. She explained the process for the Town Center projects included completion of the form based code, branding, and wayfinding. Ms. Avery explained that branding entailed creating a sense of place with logos, banners, themed amenities, etc. along with wayfinding signage for streets and trails.

Mark Morris, VODA Landscape + Planning, shared a presentation with those present. He spoke on branding and showed two themed options including “historical” and “nature”. The historical concept was based on the Bamberger Railroad and trail and included the theme of a railroad type badge with mountains and a lake surrounding the name of the City. The nature concept was based on the “north” direction with a compass arrow and elements of nature such as topography, leaf/fruit orchard, and a railroad tie.

Council Member Porter commented that he preferred the historical concept and said that an old train station still existed in the City.

Ken Leetham showed an example of a wayfinding map and talked about different sign types, and how to brand the Town Center. He discussed the cost and staff review of different concepts. Mr. Leetham explained that the train concept was more traditional while the nature concept was more contemporary.

Mayor Arave commented that while he was thinking about what the City was known for in his opinion he would rather it be known for leaves, life, and green instead of highlighting the industrial aspect.

Ali Avery said that as the City Council reviewed the options to keep in mind that there would be more contemporary buildings constructed along Highway 89 but the streetlights would be more historical in design. She also said that the banners would be placed along Highway 89, 130 East, and Hatch Park.

Council Member Baskin commented that she preferred the option with the name of the City in between the mountains and the water on the green background as it represented the geographic distinction of the City.

Ali Avery stated that as the grant deadline ended in July that staff would need direction and approval from the City Council soon.

Council Member Gordon commented that she preferred the first set better and recommended removal of the badge around the image. Council Member Porter was in agreement and suggested that the mountain peaks be adjusted.

Council Member Horrocks commented that while he liked the sideways “NSL” lettering that if the mountains were adjusted and the badge removed that he was ok with the historical concept as well.

Council Member Mumford preferred the nature concept.

The City Council discussed the banner options and wayfinding signage.

Ken Leetham commented that the revisions could potentially be placed on the next City Council agenda for review and approval.

Council Member Baskin suggested that as the City was a member of Tree City USA that perhaps a tree or scrub oak could be added to the mountain logo as long as it did not detract from the cleanliness of the image.

Ken Leetham commented that logos and markings could potentially be added to the bottom of the signage such as the Tree City USA logo.

#### 4. CONSIDERATION OF DONATION TO THE BOUNTIFUL DAVIS ARTS CENTER FOR SUMMERFEST ‘20

Ken Leetham reported that the City received a request from the Bountiful Davis Art Center (BDAC) for a donation to their annual Summerfest event. He said in the past the City had donated \$500 annually to this event but that this year BDAC was requesting \$1,000 for exhibitions, summer classes, and Summerfest 2020.

Council Member Porter asked if this event would still occur this year due to the current restrictions per COVID-19, which limited large group gatherings. He said the City had cancelled many of their events this year. Council Member Baskin was in agreement. She said she was not willing to donate money if Summerfest was not occurring this year.

Ken Leetham commented that he could contact BDAC to see if the events were still scheduled to occur this year.

Mayor Arave suggested that the City could donate the usual \$500 that they had contributed in the past. Ken Leetham said staff would work with BDAC on a donation.

#### 5. APPROVE CITY COUNCIL MINUTES

The City Council minutes of March 31, 2020 were reviewed and approved. **Council Member Horrocks moved to approve the City Council minutes of March 31, 2020. Council Member Porter seconded the motion. The motion was approved by Council Members Baskin, Gordon, Horrocks, Mumford and Porter.**

The City Council minutes of May 4, 2020 were reviewed and approved. **Council Member Porter moved to approve the City Council minutes of May 4, 2020. Council Member Horrocks seconded the motion. The motion was approved by Council Members Baskin, Gordon, Horrocks, Mumford and Porter.**

The City Council minutes of May 5, 2020 were reviewed and approved. **Council Member Baskin moved to approve the City Council minutes of May 5, 2020 as amended. Council Member Horrocks seconded the motion. The motion was approved by Council Members Baskin, Gordon, Horrocks, Mumford and Porter.**

#### 6. ACTION ITEMS

The action items list was reviewed. Completed items were removed from the list.

#### 7. COUNCIL REPORTS

Council Members Horrocks and Baskin reported on the great Arbor Day event and thanked staff for their efforts.

Council Member Mumford reported on the sewer treatment plant smell in Foxboro. He also asked if the noise issue at the pump house had been resolved. Council Member Baskin commented that the noise level had not been as significant.

Council Member Mumford reported that the Parks and Trails Committee would most likely still hold the Saturday trails events this summer. He also said that as the plan to redesign Palmquist Park had been put on hold that the focus was now on a dog park. He suggested that Palmquist Park may be a good location for a water tank in the event of the annexation. Ken Leetham replied that he had not heard anything about an impact on Palmquist Park related to the annexation.

David Frandsen reported on the spring cleanup. He said this year's event was slow compared to past years but that the residents who did utilize the service were grateful.

Council Member Porter reported that the Jordan River Commission meeting was well attended with over 40 people in attendance on the Zoom call.

## 8. MAYOR'S REPORT

Mayor Arave reported that the Recreation District would reopen on May 21<sup>st</sup>. He said there would be a meeting held on June 21<sup>st</sup> to determine when public swimming would reopen.

Mayor Arave reported that the Fire District budget was approved with a 4% increase for the City due to increased growth and dealing with the wage gap.

## 9. CITY ATTORNEY'S REPORT

David Church had nothing to report.

## 10. CITY MANAGER'S REPORT

Ken Leetham reported on the landslide repair. He said the project would go out for bid on June 11<sup>th</sup>. Mr. Leetham said that while some of the parties were arguing about the details that these issues should be resolved. He said the cost for repair would be approximately \$2 million plus \$900,000.

Ken Leetham asked about extending the discounted golf rate that City employee and City council members received, to the Golf Advisory Board. The Council agreed to allow this during their terms of service.

Ken Leetham then reported on the South Davis Sewer District request for an extension on their violation. He said if this was a typical code enforcement case that the City would allow them an extension if they were making progress. Mr. Leetham said the solution to the odor issue would not be resolved until they completed the study with Jacobs Engineering.

Council Member Mumford commented that he felt South Davis needed a little pressure to continue to resolve the issue quickly. Council Member Gordon said that while the City could work with South Davis on the fees/fines that she did not want to offer an extension of time.

Sherrie Llewelyn explained the fines and code enforcement process with the hearing officer. She said the City would work with the Sewer District as long as they had a remediation plan. She said it was reasonable to give them a 30-day extension but they would need to provide status updates. Ken Leetham commented that this would keep pressure on them but did not feel that the

issue would be resolved in 30 days. He said that he felt compelled to keep the pressure on South Davis without harming the relationship.

Council Member Gordon asked why the City was worrying about the relationship at this point. She said that South Davis was not serious about fixing the issue until the City gave them notice. She said the City could give them an extension but she wanted the issue fixed as soon as possible. Council Member Mumford commented that residents were not interested in maintaining the relationship and had discussed filing complaints with the EPA.

Mayor Arave suggested that Dal Wayment, of the District, report to the City Council. Ken Leetham replied that he would try to arrange for Dal Wayment to report at the next City Council meeting.

Mayor Arave asked what would happen if the City did not grant the time extension. David Church replied that if South Davis Sewer did not comply the City would get an order from the administrative law judge requiring them to comply in addition to a \$1,000 fine. He explained that there was also the option to take South Davis Sewer to court. He asked if there was something the City wanted South Davis Sewer to shut down that was proven to be causing the issue. Ken Leetham replied that the City wanted South Davis Sewer to stop emitting noxious odors.

Mayor Arave explained that the Sewer District had spent money trying to fix the problem. He said they felt the issue was the trickling filter and had plans to fix it by May 31<sup>st</sup>. Mayor Arave said that the issue seemed to stem from someone putting toxic chemicals in the system and that fixing the filter should resolve the issue.

The City Council discussed options to apply pressure such as with fines or a bond without resulting in further injury to residents.

David Church clarified that the district court would require that the City specify what they wanted South Davis Sewer to do or stop doing. He asked if the smell was coming from existing services or the food digesting services. Ken Leetham replied that if this issue went before the district court that staff would have a set of specific requests prepared for the court. He said that while Dal Wayment had been very transparent about what was wrong he did not think this issue was to that point yet.

Council Member Mumford suggested that Dal Wayment attend the next City Council meeting with Jacobs Engineering to present solutions to the Council. He said that the entire South Davis Sewer District area would carry the brunt of this issue if rates increased.

Ken Leetham then reported on COVID-19 and spoke on reservations at the pavilions, sports and recreation, Food Truck Monday, and the splash pad. He said the City was planning to open the pavilions and host Food Truck Monday.

Ken Leetham brought up the issue of the Legacy Park splash pad and said it could not be reopened without extra precautions. He said one proposal was to put a wrought iron fence around the splash pad. This would keep dogs, skateboards, bikes and other things that could damage the splash pad out of the area. Mr. Leetham showed a map of the proposed location for the fence and said it would also help to limit the number of people accessing the splash pad. He said the City could use colored wristbands to allow an employee to monitor the amount of time people were in the splash pad area. Other options for limiting access included a turnstile and signage. He then spoke on staffing projections and presented a chart showing how much it would cost to staff the splash pad with two employees for the summer. There would be a total of four employees at an hourly rate of \$12 per hour at 33 hours per week for a total of \$23,760 for 15 weeks.

Ken Leetham said the wrought iron fencing could be installed within two to three weeks and paid for with park impact fees. He felt that it was a great short and long-term idea for the splash pad.

Mayor Arave commented that it was currently against State guidelines to have mass gatherings over 50 people. Ken Leetham said that if the City could control social distancing they would be authorized to allow more than 50 people. He felt that this would be controlling access into the splash pad.

Council Member Baskin felt that it may be too soon to build the fence or open the splash pad as this may last longer than anticipated. She said the fence was a good idea to protect the splash pad. Ken Leetham suggested that maybe the idea could be reevaluated in two weeks.

Ken Leetham then reported on the South Davis Fire paramedic issue and said that there were eight units but the County needed eleven. He said there was a funding gap as well as the desire by the Davis County Sheriff to end dual paramedic services and transition to a traditional paramedic service in conjunction with the fire department. Mr. Leetham said there was a countywide paramedic tax and the City generated more real dollars than they received. He felt that the property tax inequity would be resolved soon as there was a desire to make these changes and move forward.

Council Member Baskin suggested that the City could provide a thank you to the outgoing Youth City Council members. Council Member Gordon agreed that this would be a good idea.

## 11. ADJOURN

Mayor Arave adjourned the meeting at 8:34 p.m.

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Mayor

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City Recorder