CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
FEBRUARY 9, 2021

FINAL

This meeting was held electronically via 3CX. The host site was located at 10 East Center Street in North Salt Lake.

Commission Chair Ted Knowlton called the meeting to order at 6:30 p.m.

PRESENT: Commission Chair Ted Knowlton
Commissioner Ron Jorgensen
Commissioner BreAnna Larson
Commissioner Katherine Maus
Commissioner Brandon Tucker
Commissioner Alisa Van Langeveld
Commissioner William Ward

STAFF PRESENT: Sherrie Pace, Community Development Director; Mackenzie Bennett, Planner; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Dee Lalliss, resident.

1. PROCLAMATION BY PLANNING COMMISSION CHAIR REGARDING ELECTRONIC MEETING

Chair Knowlton read the following proclamation "Whereas, the Planning Commission Chair has determined that conducting public meetings of the Planning Commission with an anchor location where the public could attend in person, presents a substantial risk to the health and safety of those who may be present at that location based upon the current Covid-19 pandemic and the limited staff support to properly ensure physical distancing and sufficient disinfection for attendees and staff. Now, therefore, be it resolved, that the Planning Commission shall hold meetings for the month of January 2021 by electronic means only, and will not include an anchor location where the public could attend in person."

2. WELCOME, PLEDGE, AND INTRODUCTION

Commissioner Van Langeveld led those present in the Pledge of Allegiance.

3. PUBLIC COMMENTS

There were no public comments.

4. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR AMERICA AUTO OUTLET AT 1096 NORTH REDWOOD ROAD, CARLOS VIDAL, APPLICANT

Mackenzie Bennett reported the applicant, America Auto Outlet LLC, was proposing to locate a used car dealership with some outdoor storage at 1096 North Redwood Road. Their business plan would be to buy vehicles from auction, store the vehicles in a designated outdoor area, detail the vehicles and cycle them through the display area to be sold. No auto body, mechanical work, or emissions would be performed at this location. She explained that there was signage on the building which stated "America Auto Outlet LLC – El Proveedor – Safety & Emissions" but had verified with the applicant that only detailing and auto sales would occur onsite.

Currently zoned General Commercial (CG), "car dealers" was a permitted use while "outdoor storage, as an accessory use" was conditional. The applicant had proposed to store 50-70 cars outside with four display cars out front but staff has determined an insufficient amount of hard surfaced parking was provided with only a small concrete area in front of the building while the remainder of the parking lot was not hard surfaced. Per the Off Street Parking Requirements, the applicant must provide a minimum of five hard surfaced parking stalls along with the four parking stalls to be used for display vehicles. The total required hard surface and painted parking stalls would be nine with one ADA compliant space. The Development Review Committee (DRC) recommended that nine hard surface parking be provided and striped.

Vehicles not ready for display or sale would be stored in the back of the building. The designated storage area would be hard surface but was not properly screened from 1100 North, per City code. Currently there was chain link fencing which was not acceptable for screening. The DRC recommended that sufficient screening for the outdoor storage area, on the east side of the building, be provided.

As fire and emergency access to the back of the property was unclear, South Davis Metro Fire Agency requested that the applicant provide a clear access plan prior to beginning business operations. Per fire code, the access track must be surfaced in a minimum of road base and clear of all debris/junk and City code required dustless gravel. During a site visit on January 21, 2021, staff noted that there was debris blocking a portion of the entrance on the north side of the property.

Chair Knowlton confirmed that the applicant was not present.

Mackenzie Bennett spoke on the outdoor storage and said she was working with the applicant on screening just their specific storage area as they were a tenant and not the property owner

Commissioner Jorgensen asked if once the fire access was cleared if it would be the responsibility of the applicant to maintain that area. Sherrie Pace replied that this business application highlighted the problem and said the Fire District should have been enforcing this.

Ultimately, it would be the responsibility of the property owner and then the tenants to keep the property up to code.

Mackenzie Bennett commented that the applicant claimed they had cleaned up the site since staff's January site visit including the removal of nonworking cars, etc.

Commissioner Van Langeveld questioned if this was the unit that caught fire last year. Mackenzie Bennett replied that she was unsure if the fire occurred in the subject unit. She also mentioned that she was unsure how long the business had been operating prior to applying for a business license. Ms. Bennett explained that the current signage had been in place for some time but no business license or sign permit had been previously issued.

Commissioner Van Langeveld asked if this was a second location for the company. She questioned why the signage advertised safety and emissions services. Mackenzie Bennett responded that applicant told her they had previously provided those services but now they only sold cars.

Commissioner Van Langeveld asked for clarification if the applicant provided safety and emission services at this location if that would be a violation of City code. Sherrie Pace replied it would be a violation of their business license and that they would need a conditional use permit for auto repair.

Mackenzie Bennett commented that either way they would need a conditional use permit because of the storage at the back of the property.

Commissioner Van Langeveld questioned if the tandem parking was a violation. Mackenzie Bennett replied that vehicles for sale could be displayed in tandem but parking for employees and guests could not.

Chair Knowlton asked if it was legal for employee or customer tandem parking abutting cars that were displayed for sale. Sherrie Pace responded that she did not think there was a code issue for that.

Commissioner Larson asked if the cars for sale would be parked facing Redwood Road. Mackenzie Bennett replied that she believed they would place the cars for sale in front of their building and facing Redwood Road but said the applicant had not yet submitted a parking plan.

Commissioner Van Langeveld asked if the motion should include stipulations related to the existing signage and if it was required to be removed. Sherrie Pace cautioned the Commission against regulating the content of the sign but said they could make suggestions to the applicant regarding the signage.

The Commission recommended removal of the language that was misleading on the existing signage, specifically that related to safety and emission services being provided onsite. Sherrie Pace suggested the applicant could cover that portion of the sign, as it was misleading to customers.

Commissioner Maus asked if the applicant was still planning to store 50-70 vehicles onsite. Mackenzie Bennett replied that the applicant said they would be willing to reduce the amount of vehicles.

Sherrie Pace said if the Commission did not feel comfortable approving the application that it could be tabled.

Commissioner Van Langeveld commented that she viewed the site and it seemed improbable to store 70 vehicles on the property. She asked if the Commission could place a regulation on recommendation on the number of vehicles. Sherrie Pace responded that the Commission could require a storage plan for the site. She suggested that the Planning Commission provide conditions for the applicant to meet before the next review by the Commission.

Mackenzie Bennett recommended the Commission also request a parking plan with striping for the front of the site as well.

Commissioner Maus said that as cars would be brought to the location from auction it might be beneficial for the applicant to provide a plan for the movement of those cars on the site.

Sherrie Pace asked if the applicant had provided information on the number of cars from auction that would be brought to the location each week. Mackenzie Bennett replied that her understanding was that it would be based on supply and demand and did not think they would go to auction each week if the lot was already stocked.

Commissioner Larson questioned if the applicant would only purchase cars that were ready for resale and not those with salvaged titles that required repairs. Mackenzie Bennett said the applicant confirmed they would not perform any auto body or engine work onsite.

Chair Knowlton said that it appeared the Planning Commission would table the item with some direction for the applicant.

Commissioner Van Langeveld clarified per the discussion that there were two additional conditions including a storage plan for cars in the back and a parking plan for cars in the front. She did not think it was important whether or not the plan include a route/driving path for accessing the cars onsite.

Mackenzie clarified it would not just be a storage plan but would include a plan for vehicle circulation.

Commissioner Maus moved that the Planning Commission table the conditional use Permit for America Auto Outlet LLC located at 1096 North Redwood Road with the following condition(s):

1) **Provide an emergency/fire access plan containing the designated track used to access the east side of the building to South Davis Metro Fire Agency**
2) **Surface the emergency/fire access track with a minimum of road base (dustless gravel)**
3) **Clear all junk and debris from the emergency/fire access track**
4) **Provide sufficient screening for the outdoor storage area on the east side of the building**
5) **Hard surface and stripe a minimum of nine parking stalls compliant with NSL City Code Title 10 Chapter 6 on the west side of the building**
6) **Provide one ADA parking stall on the west side of the building**
7) **Delineation of a parking plan in the back area**
8) **Delineation of a parking plan in the front area.**

Commissioner Larson seconded the motion.

Chair Knowlton asked if the request should be for a "storage plan" in the back of the property instead of a "parking plan". The Commission was in agreement.

Commissioner Maus amended her motion to "delineation of a "storage plan in the back area"

The motion was approved by Commissioners Knowlton, Jorgensen, Larson, Maus, Tucker, Van Langeveld and Ward.

Commissioner Van Langeveld commented that the entire property was out of compliance and this tenant was being pushed into compliance. She asked if the property owner had been notified that the property was out of compliance. Mackenzie Bennett replied that the property owner was one of the tenants.

Sherrie Pace said she thought the property owner was aware of the issues but had not been cited by the code enforcement officer.

5. DISCUSSION: 2021 PRIORITIES

Chair Knowlton opened a discussion about Planning Commission priorities for the 2021 year. He said that the priorities could be implementing items in the General Plan, the Active Transportation Plan, and areas in need of improvement such as zoning.

Sherrie Pace reported on the projects staff was working on including the form based code, the subdivision ordinance, the annexation policy plan update, and the sign ordinance update. She said staff was struggling with how to provide the public input process for the form based code. Ms. Pace then spoke on the subdivision ordinance revisions made by the Planning Commission to the City Council and said that they had made multiple redline corrections for staff to implement. She said staff should receive the first draft of the annexation policy plan update next week from the consultant. This was related to the annexation request for the Misty River development. The analysis was performed by Lewis Young Robertson and Burningham and would provide the implications of annexing the property both fiscally and the impact on services. The first draft would come to the Planning Commission for review followed by a public hearing and a second review by the Commission.

Sherrie Pace said that with the Town Center development, she had been able to implement sign regulations into the development agreements that were better than the sign regulations in the City ordinance. She said that signage would affect how Redwood Road and Highway 89 appeared and would protect the character the City was trying to build.

Commissioner Larson commented that she would like to review the conditional use permits that may not need to be conditional use permits or be reviewed by the Planning Commission.

Commissioner Jorgensen spoke on the Main Street Neighborhood Report. Sherrie Pace replied that the City performed a survey in 2017 of the Main Street neighborhood and said she could share this data with the Commission.

Chair Knowlton suggested obtaining an inventory of the quality of design outside of the Town Center area. He also spoke on townhomes in the Town Center area with doors that were below the grade of the street and some doors that were above grade and if this was a code issue. Sherrie Pace responded that she did not think the form based code would address that and felt it was an issue in all residential zones.

Commissioner Van Langeveld said two priorities she would like to see would be walkability and how to assess a development in regards to paths, sidewalks and cycling options as well as including requirements for open spaces particularly in regards to new development.

Chair Knowlton said the health department had a walkability assessment. Sherrie Pace suggested that maybe the health department would provide a presentation, which would help the Commission to apply those concepts in the future.

Chair Knowlton asked if walkability, including pedestrian circulation, was part of the subdivision ordinance. Sherrie Pace replied that she would review the ordinance but was fairly certain that was correct.

Chair Knowlton said there was a subcommittee that worked on parks and trails and asked about the Planning Commission's role. Commissioner Van Langeveld said she was the chair of the Parks and Arts Board and felt that the Board would appreciate at list of the priorities, particularly for the Hatch Park redesign, from the Commission.

Sherrie Pace commented that there was a steering committee for the Hatch Park redesign comprised of Parks and Arts Board members, staff, and a City Council and Planning Commission representative. She said Hatch Park would be the anchor of the Town Center.

Commissioner Maus said that now would be a great time for the Planning Commission to solidify what they would like to see in the Town Center. She suggested the Commission discuss their priorities with the Hatch Park Steering Committee within the next month.

Sherrie Pace asked if the Commission would like to review this during their next meeting. The Commission was in agreement.

Chair Knowlton said he was interested in parking particularly as it was a massive land use and that being efficient would save people money and provide more tax revenue for the City. He said the market dynamics for retail, office and how people travel was changing due to the pandemic and transportation services like Lyft and Uber.

Commissioner Jorgensen asked how the City could collect data on this to make it more objective and less subjective. He felt case studies of areas in the City could also be helpful. Chair Knowlton said the City could always hire a consultant to provide data. He also said there were adjacent communities undertaking parking studies this year.

Chair Knowlton suggested that the Commission could reflect on previous developments and what improvements could be made for future development. Ms.Pace felt this was appropriate to ensure that adjustments could be made to the City code to better address this in the future. She provided the example of staff physically reviewing spaces to see what felt uncomfortable when they revised the PUD ordinance.

Commissioner Larson said that connectivity in a certain development had always bothered her and wanted the Commission to advocate harder in the future. She also said it was important to review potential easements for connectivity between properties in future applications.

Commissioner Tucker commented that he would like to see a comprehensive reevaluation of the City's master transportation plan as data mattered for funding and future development. He said one major problem was the east/west connectivity as well as the future of Orchard Drive. Commissioner Larson was in agreement and said a better picture of transportation would help with determining parking requirements.

Sherrie Pace said staff was working on a request for a Town Center circulation study, which would provide insight. She said she would bring these discussion items to staff as it was time to update other elements such as the parks plan.

Commissioner Ward said there was a development on Orchard that may have potential issues with unit spacing but would wait to review the project once it was completed.

Commissioner Maus commented her interest was open space and reviewing open space allocations in redevelopment and new developments.

Commissioner Jorgensen said it came down to livability including open space, transportation, as well as access and connectivity to the Town Center.

Commissioner Van Langeveld felt that a review of the transportation plan and the City's master plan would include walkability and cycling options as well as open space particularly related to the annexation policy.

Dee Lalliss commented about the space within or the layout of existing developments and mentioned several that he felt may be unsafe or how they fit with adjacent properties particularly for redevelopment.

Andrea Bradford suggested a focus on streetscapes including the width of the streets, number of trees, and overall appearance.

Chair Knowlton said that this was not a one time list and the Commission could continue to add items. Sherrie Pace said staff would organize the list and could provide regular updates on the items.

6. APPROVAL OF MINUTES

The Planning Commission meeting minutes of January 26, 2021 were reviewed and approved.

Commissioner Tucker moved that the Planning Commission approve the minutes for the January 26, 2021 meeting with no changes. Commissioner Van Langeveld seconded the motion. The motion was approved by Commissioners Knowlton, Jorgensen, Larson, Maus, Tucker, Van Langeveld and Ward.

7. ADJOURN

Chair Knowlton adjourned the meeting at 7:37 p.m.

The foregoing was approved by the Planning Commission of the City of North Salt Lake on Tuesday February 23, 2021 by unanimous vote of all members present.

Linda D Horrocks

Linda Horrocks, City Recorder