

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
JULY 13, 2021

FINAL

Commission Chair Ted Knowlton called the meeting to order at 6:30 p.m. and Katherine Maus led those present in the Pledge of Allegiance.

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

EXCUSED: Commissioner BreAnna Larson

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

OTHERS PRESENT: In person: Dee Lalliss, resident. Via Zoom: Michael Smith, applicant.

1. PUBLIC COMMENTS

There were no public comments.

2. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR UTAH WHOLESALE INDUSTRIAL SALES, LLC, LOCATED AT 130 SOUTH REDWOOD ROAD, UNIT L, MICHAEL SMITH, APPLICANT

Mackenzie Bennett reported that this conditional use permit was for Utah Wholesale Industrial Sales, LLC. The building located at 130 South Redwood Road was shared by multiple tenants and the applicant would occupy Unit L. The company sells overstock items online including tools, auto parts, clothing, shoes, backpacks, and fitness equipment. The company would primarily conduct sales over eBay but planned to sell on other websites including Amazon or Walmart in the future. Per City code 10-11-3, "Electronic shopping and mail order houses" would be a conditional use in the General Commercial (CG) zone.

The business does not plan to expand or grow at the 130 South Redwood Road location. The subject location would be temporary until a more permanent warehouse was found. Until that time, they would be on a month to month lease with the property owner. The square footage of the unit would be 5,500 square feet with 600 square feet of office and the remainder to be used as

freight warehousing. The parking requirement would be a minimum of eight parking stalls and the applicant has provided a total of ten parking stalls. The business plans to employ 3-10 part time employees and 2-3 fulltime employees. The maximum number of employees on the highest shift would be five. This location will be used for listing products online and shipping or receiving items. All business activity would take place within the building and no outdoor storage would be needed or approved with this conditional use permit. No potential health hazards or negative environmental impacts would be anticipated.

The Development Review Committee recommended approval of the conditional use permit with no conditions.

Michael Smith, Utah Wholesale Industrial Sales, commented that they currently sell on eBay and sold around \$38,000 per month and they planned to scale. He said his background was with autotrader.com and a car dealership. Mr. Smith explained that they may also expand into automotive in the future.

Commissioner Jorgensen moved that the Planning Commission approve the conditional use permit for Utah Wholesale Industrial Sales, LLC located at 130 South Redwood Road, Unit L, with no conditions. Commissioner Tucker seconded the motion. The motion was approved by Commissioners Knowlton, Jorgensen, Maus, Tucker, Van Langeveld and Ward. Commissioner Larson was excused.

3. WORK SESSION: CONDITIONAL USER REVIEW, CITY CODE 10-11-3, USE CATEGORIES FROM POSTAL SERVICE THROUGH EDUCATIONAL SERVICES

Sherrie Pace said the Planning Commission has been reviewing whether uses should be conditional or permitted and the next item to be reviewed was publishing industries.

Commissioner Jorgensen questioned whether the original list of uses may have come from the North American Industrial Classification System (NAICS). He said it may be advantageous to have the NAICS or Standard Industrial Classification (SIC) codes as it would allow an individual to look up the category description online. Sherrie Pace replied that the prohibited uses could then be listed underneath the description.

Sherrie Pace asked the Commission if it would be beneficial for staff to prepare a new table based on those codes with a general heading for most of the uses. The prohibited or conditional uses could then be listed underneath. She explained that this would condense the list to around 50 or 100 uses.

Commissioner Jorgensen also commented on the need to be consistent with similar business types even if they had different classifications or categories if the uses were alike. He said this was something for the Commission to be mindful of particularly in regard to fairness in zoning

and what would be allowed or prohibited. Sherrie Pace replied that the definition for the categories could be codified to match the NAICS/SIC. This would also allow a business to provide their classification code to staff to determine the correct use. She suggested that each category would show permitted, prohibited, or conditional uses.

Chair Knowlton asked how this would interact with the future form based code. Sherrie Pace responded that the form based code would be for the Highway Commercial (CH) zone which was not part of the proposed chart. She said the Town Center would be in a completely different category because in the form based code the use of the building was less important than the exterior appearance.

Mackenzie Bennett spoke on the CH zone regarding prohibited and permitted uses. She said it was very vague on permitted uses and very specific on prohibited uses. Ms. Bennett said this was the goal for the entire code as it was easier for staff to determine what was not allowed in certain areas.

Commissioner Van Langeveld commented that the previous applicant said his location was zoned to allow a car dealership. She said in the current code that car dealerships were permitted in the CG and the MD zones and suggested making this a prohibited use in the CG zone.

Sherrie Pace spoke on the issues staff had with car dealerships related to parking, capacity, dismantled cars, blocked drive aisles, etc. She said there needed to be better standards for car dealerships with supplemental regulations such as a certain amount of the lot dedicated to storage or display vehicles.

Sherrie Pace asked if the Planning Commission wanted to review the uses now or after staff had prepared a draft. She asked the Commission to identify any prohibited uses. Ms. Pace spoke on factors that would result in a prohibited use or only permitted in certain zones. These factors would include environmental factors, dust control, paint/varnish booth, noise, proximity to residential, etc.

Mackenzie Bennett spoke on the artisan/craftsman category and how to decipher this versus mass manufacturing. She asked about the timeframe to review this again. Sherrie Pace replied that staff could give a progress report in three weeks.

Commissioner Ward recommended that staff could share a draft in several weeks. Sherrie Pace recommended reviewing the general categories first.

It was determined that the next conditional use review would be during the August 9th Planning Commission meeting.

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

Sherrie Pace reported that the plat amendment for the Root Subdivision was reviewed and approved by the City Council. She also spoke on the annexation policy plan and said the draft was almost completed. The consultant would present an update to the City Council on August 3rd. Ms. Pace said the first public meeting would be August 24th and would include review of the draft annexation policy plan. Then on September 14th a public hearing would be held during the Planning Commission meeting. The Commission could then make changes and recommend approval or denial to the City Council.

Sherrie Pace spoke on the need for staff to review the annexation policy plan that had been prepared by the consultant.

Commissioner Ward asked about the momentum from the developer. Sherrie Pace replied that the developer had closed on the property and was eager to move forward. She said there was also a push from Cross E Ranch on developing a portion of the property and also expanding the ranch.

Chair Knowlton commented that he was unsure if he wanted to know the intended use of the property or if it was better to approach the annexation on what was in the public's best interest. Sherrie Pace responded that from her perspective when revising the plan was the potential density related to dwelling units and how it would affect population growth.

Commissioner Van Langeveld said she had not yet seen compelling evidence that the annexation was in the best interest of the City. She understood why the City would want to be involved and some benefits but upon review it did not seem to be in the City's best interest given the amount of infrastructure that would be required. Sherrie Pace responded that one thing the consultant did correctly in their analysis was to provide actual impacts including water systems and revenue to offset these costs. She spoke on some of the areas that was missed in the plan including an analysis of tax rates.

There was a discussion about the annexation including services such as snow plowing, the cost benefit analysis including capital costs of infrastructure, emergency services, all unincorporated areas, etc.

Chair Knowlton asked about the open house for the form based code. He asked if it would occur by the end of August. Sherrie Pace replied that September 14th would be the earliest date that the open house could happen as staff would have the conditional use revisions and the annexation policy to complete as well.

The Planning Commission felt that the form based code was more important to complete ahead of the conditional use revisions.

The Commission then discussed the proposed annexation and the public's possible misperception of the decision made.

Sherrie Pace clarified that the landowner had accepted the risk for the decision by closing on the property before anything was annexed or entitled. She said the City had no obligation to the property owner and could decide not to annex the property.

Commissioner Ward asked if the report detailed what would happen if the City decided not to annex the property. Sherrie Pace replied that this would not be part of the report. She said this would be addressed when there was a petition for annexation from the property owner. Ms. Pace said the study should provide a sense of whether the annexation would have a positive or negative impact on the City. She would provide a draft to the Commission in advance of the first meeting.

Mackenzie Bennett confirmed that the goal was for the annexation and form based code review during the August 24th Planning Commission meeting.

5. APPROVAL OF MINUTES

The Planning Commission meeting minutes of June 22, 2021 were reviewed and approved.

Commissioner Jorgensen moved to approve the minutes of June 22, 2021 as drafted with one typographical correction. Commissioner Ward seconded the motion. The motion was approved by Commissioners Knowlton, Jorgensen, Maus, Tucker, Van Langeveld and Ward. Commissioner Larson was excused.

6. ADJOURN

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

The foregoing was approved by the Planning Commission of the City of North Salt Lake on Tuesday July 27, 2021 by unanimous vote of all members present.



Linda Horrocks, City Recorder