



CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

NORTH SALT LAKE PLANNING COMMISSION NOTICE & AGENDA February 8, 2022 6:30 p.m.

Notice is given of a public meeting of the North Salt Lake Planning Commission to be held on the above noted date and time in the North Salt Lake City Council Chambers located at 10 East Center Street. The agenda will be as follows:

- 1) Welcome, Pledge, and Introduction
- 2) Public comments
- 3) New Commissioner introductions
- 4) Consideration of a conditional use permit for a combined total driveway width of 39 feet at 823 West Oxford Drive, Matt Shurtliff, applicant
- 5) Report on City Council actions on items recommended by Planning Commission
- 6) Approval of minutes:
 - a. 1/11/2022

Adjourn

The public is invited to attend all Planning Commission meetings. If you need special accommodations to participate in the Planning Commission meeting, please call the City offices at (801) 335-8700. Please provide at least 24 hours' notice for adequate arrangements to be made. The agenda items may be heard in a different order as warranted by the Commission.

Notice of Posting:

I, the duly appointed recorder for the City of North Salt Lake, hereby certify that the foregoing agenda was posted on the Utah Public Notice website, at city hall, and sent to the required newspapers this 3rd day of February, 2022

Dated this 3rd day of February, 2022.

Wendy Payne





CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

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MEMORANDUM

TO: Planning Commission
FROM: Mackenzie Bennett, Planner
DATE: February 8, 2022
SUBJECT: Conditional Use Permit for a combined total driveway width of 39 feet at 823 West Oxford Drive

RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the conditional use permit for a combined total driveway width of 39 feet at 823 West Oxford Drive with the following conditions:

1. Any sidewalk that is removed must be replaced in accordance with the City Engineering Standards;
2. An Excavation Permit must be issued by the City prior to any work occurring in the public right of way;
3. Trees, fences, and other site obscuring objects cannot be within the clear view area as defined by City code 10-1-31.

BACKGROUND

The applicant, Matt Shurtliff, is the owner of the property located at 823 West Oxford Drive. The lot is situated on the southwest corner of the Oxford Drive and Cutler Drive intersection. It is within the Foxboro P-District zone and adjacent to property zoned general commercial (CG). The lot currently has one two-story single family dwelling unit and a small shed on it. The existing driveway for the house fronts Oxford Drive and is 24 feet wide.

The applicant would like to build an accessory structure (detached garage) on the south side of their property. To access this garage, the applicant is requesting a conditional use permit that would allow him to create a second driveway that is 15 feet wide. When added together, the two driveways (existing and proposed) equal 39 feet.

This conditional use permit is not for the proposed accessory structure. Plans for that structure will be reviewed with City code during the building permit process. This application is specific to the total width of the driveway(s) allowed on the property. The subject lot is permitted up to two driveways because it has a frontage of approximately 200 linear feet and is a corner lot.

City code 10-6-2 allows a residential lot with greater than 100 linear feet of frontage to have up to two access driveways. When combined, these driveways must not equal more than 30 feet wide, unless a conditional use permit is granted by the Planning Commission. With a conditional use permit, the combined driveway size can be increased up to 40 feet.

This lot has an existing 6 foot vinyl fence that runs along Cutler Drive, directly against the sidewalk. City code 10-1-31 regulates the clear view area of interesting streets and driveways. This code states that “the clear view area for the intersection of a driveway and a street shall be determined by first establishing the point of intersection of the driveway edge and the street property line, then measuring ten feet (10') along the property line away from the driveway, and ten feet (10') along the edge of the driveway in toward the property. A line is then drawn from the termini of the two (2) lines, forming a triangle. Within this area, a chainlink fence or a fence seventy five percent (75%) or more open shall be a maximum of four feet (4') in height, and any wall or other type of fence or sight obscuring growth shall be a maximum of three feet (3') in height. (Ord. 07-13, 6-5-2007)”. A clear view area should not have any site obscuring objects within it. This includes, but is not limited to, solid fences, trees, walls, shrubs, etc.

In an effort to be compliant with this code, the applicant plans to remove a minimum of a 10.5 foot section of the 6' vinyl fence, measured from the north side of the proposed driveway and following the east property line. A portion of the fence on the south side of the applicant's property will be removed to match the southern neighbor's chain link fence location which is already compliant with the clear view code. The southern neighbor's fence begins approximately 11 feet behind the sidewalk. There are a couple of trees that might have to be removed along the eastern property line and within the park strip to protect the clear view area.

The site plan submitted by the applicant does not show the sidewalk along Cutler Drive being replaced. Any sidewalk that is removed must be replaced in accordance with the City Engineering Standards. Before any work can begin in the public right of way, the applicant must first obtain an Excavation Permit that is issued by the City. Before the construction of the accessory structure can commence, the applicant must obtain a City issued building permit.

This conditional use permit is subject to the requirements of the City's Land Use Ordinance (10-7-1-4), requiring that every Conditional Use Permit shall expire by limitation and become null and void if the work authorized by such permit has not commenced within one (1) year, or is not completed within two (2) years from date of issue.

POSSIBLE MOTION

I move that the Planning Commission approve the conditional use permit for a combined total driveway width of 39 feet at 823 West Oxford Drive with the following conditions:

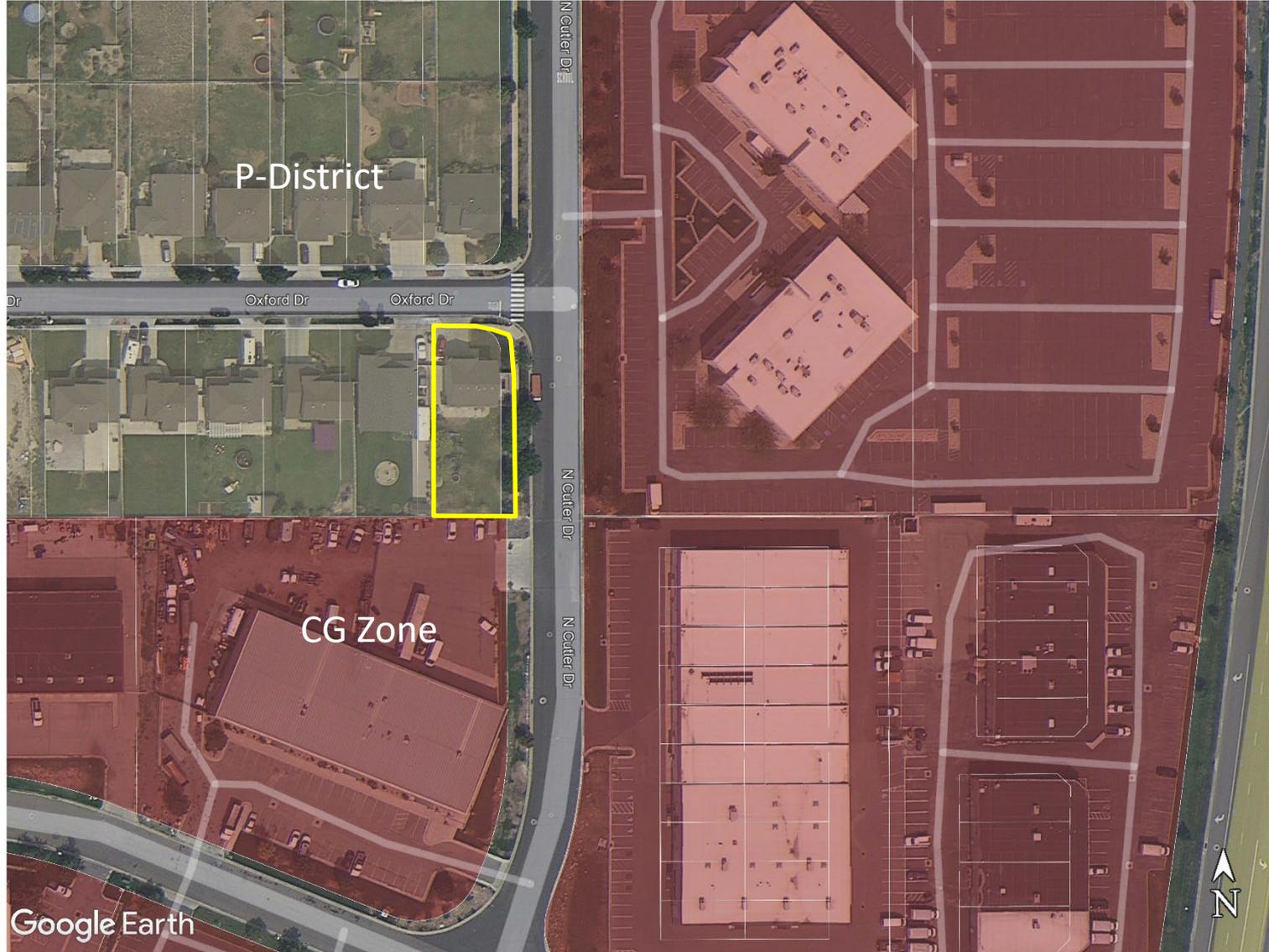
1. Any sidewalk that is removed must be replaced in accordance with the City Engineering Standards;
2. An Excavation Permit must be issued by the City prior to any work occurring in the public right of way;
3. Trees, fences, and other site obscuring objects cannot be within the clear view area as defined by City code 10-1-31.

Attachments

- 1) Zoning Map
- 2) Aerial Map
- 3) Site Plan

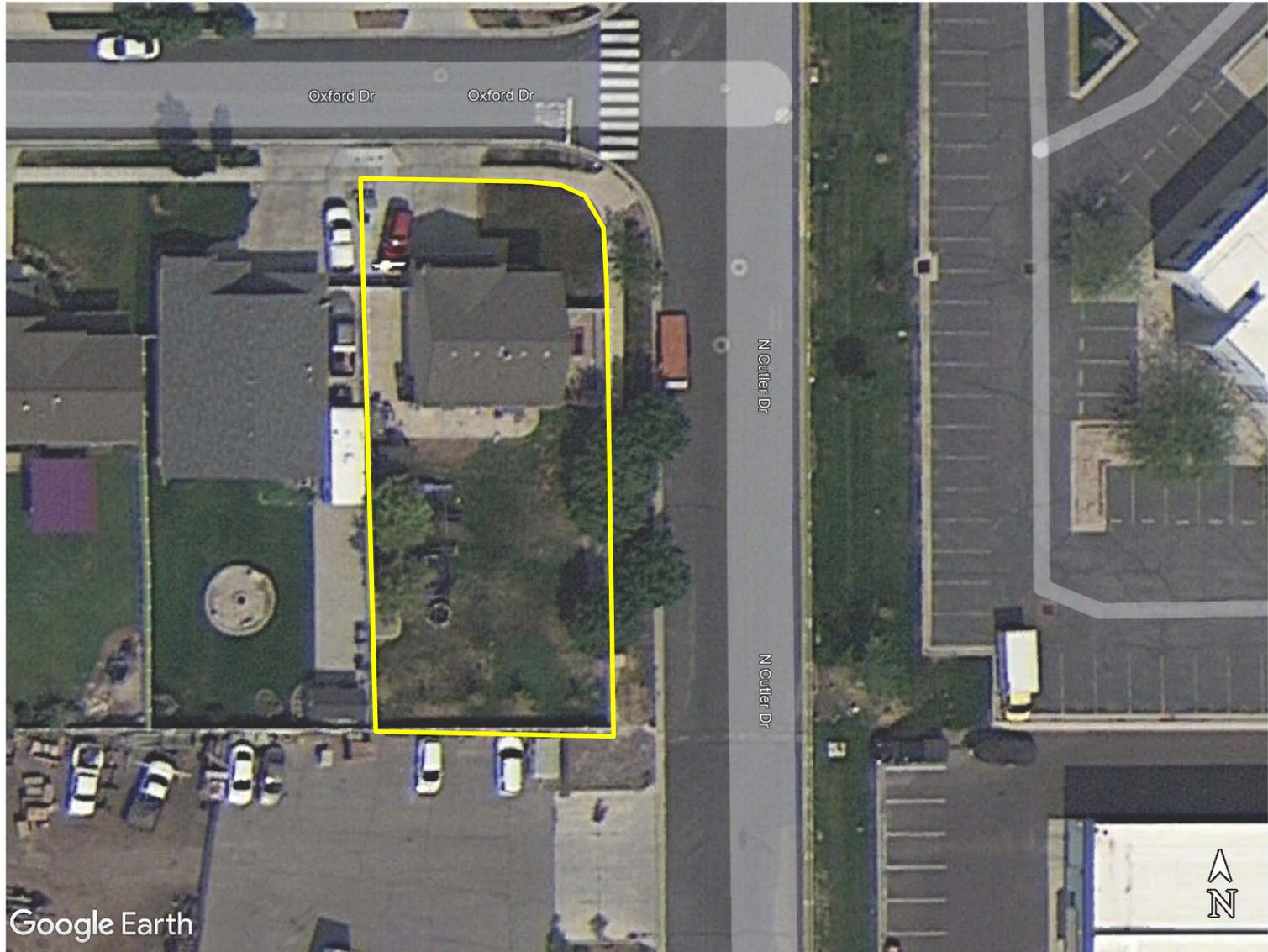


Total Driveway Width of 39 Feet 823 West Oxford Drive Zoning Map



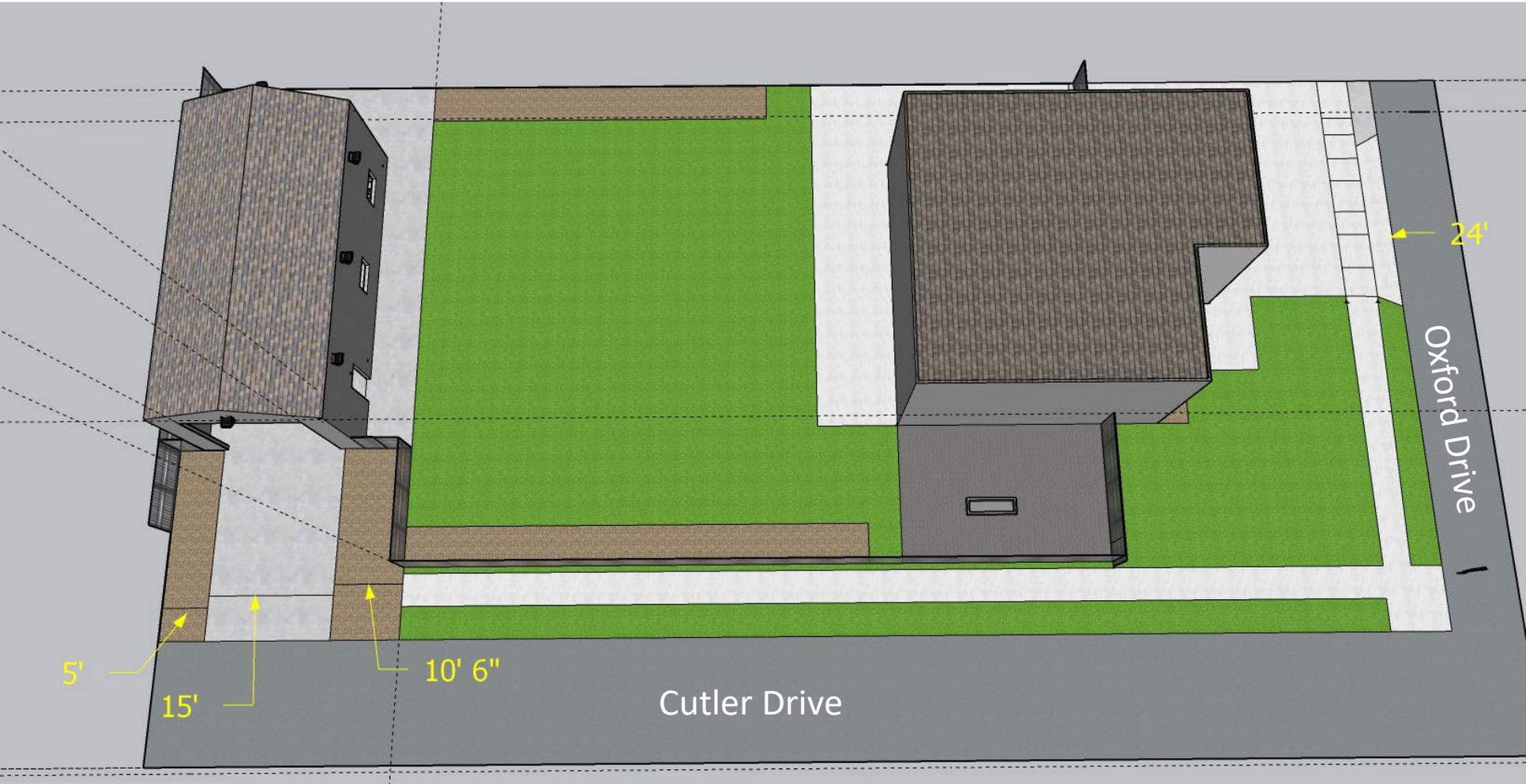


Total Driveway Width of 39 Feet
823 West Oxford Drive
Aerial Map





Total Driveway Width of 39 Feet
823 West Oxford Drive
Site Plan



5'

15'

10' 6"

Cutler Drive

24'

Oxford Drive

1 CITY OF NORTH SALT LAKE
2 PLANNING COMMISSION MEETING
3 JANUARY 11, 2022

4
5 **DRAFT**
6

7 Commission Vice Chair BreAnna Larson called the meeting to order at 6:30 p.m. and Brandon
8 Tucker led those present in the Pledge of Allegiance.

9
10 PRESENT: Commissioner Ron Jorgensen
11 Commissioner BreAnna Larson
12
13 Commissioner Brandon Tucker
14 Commissioner Alisa Van Langeveld
15 Commissioner William Ward
16

17 EXCUSED: Commissioner Katherine Maus
18

19 STAFF PRESENT: Sherrie Pace, Community Development Director; Mackenzie Bennett,
20 Planner.
21

22 OTHERS PRESENT: Yongzhen Yang, Angel 7 Spa; Joe Newell, Drift Hero; Ted Knowlton,
23 Dee Lalliss, residents.
24

25 1. PUBLIC COMMENTS
26

27 There were no public comments.
28

29 2. APPOINTMENT OF CHAIR AND VICE CHAIR
30

31 **Commissioner Tucker moved to appoint BreAnna Larson as the Planning Commission**
32 **Chair. Commissioner Jorgensen seconded the motion. The motion was approved by**
33 **Commissioners Jorgensen, Larson, Tucker and Ward. Commissioner Maus was excused.**
34

35 **Commissioner Jorgensen moved to appoint William Ward as the Planning Commission**
36 **Vice Chair. Commissioner Tucker seconded the motion. The motion was approved by**
37 **Commissioners Jorgensen, Larson, Tucker and Ward. Commissioner Maus was excused.**
38

39 Sherrie Pace shared that the long serving Planning Commission Chair Ted Knowlton had
40 recently been appointed to the City Council. She presented him with a plaque and thanked him
41 on behalf of the Mayor, City Council, and City staff for the years he served on the Planning
42 Commission. She elaborated that he had served from 2012-2021. .
43

44 Ted Knowlton said he was excited to continue serving the City and commented that the North
45 Salt Lake Planning Commission is great.

46
47 Commissioner Larson thanked Ted Knowlton for his service and spoke on how he mentored
48 those who were on the Commission as well as those who attended the meetings. She commented
49 on how he had helped to better the City. Commissioner Tucker agreed and spoke on how Ted
50 was a mentor and example to those who wanted to live and work in the City.

51
52 Commissioner Ward spoke on how Ted encouraged everyone to contribute and his style of
53 deliberation. Commissioner Jorgensen spoke on Ted's professionalism and negotiation skills.

54
55 3. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR ANGEL 7 SPA AT 460
56 NORTH REDWOOD ROAD, UNIT D, YONG ZHEN YANG, APPLICANT

57
58 Mackenzie Bennett reported on the conditional use permit and business license application for
59 Angel 7 Spa to be located at 460 North Redwood Road, Unit D. This property is located in the
60 Manufacturing Distribution (M-D) zone and the business type is classified as "Personal
61 Services". The spa would employ one licensed massage therapist immediately and planned to
62 employ one more therapist in the future. All clients would have scheduled appointments and
63 there would be one client per massage therapist at a time. There was ample parking provided on
64 the property for the various uses in the building.

65
66 The Development Review Committee (DRC) did not identify any potential issues with the
67 business and recommended approval of the conditional use permit with no conditions.

68
69 **Commissioner Jorgensen moved that the Planning Commission approve the conditional**
70 **use permit for Angel 7 Spa located at 460 North Redwood Road, Unit D with no conditions.**
71 **Commissioner Ward seconded the motion. The motion was approved by Commissioners**
72 **Jorgensen, Larson, Tucker and Ward. Commissioner Maus was excused.**

73
74 4. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR DRIFT HERO AT 164
75 EAST CENTER STREET, JOE NEWELL, APPLICANT

76
77 Mackenzie Bennett reported on the request for a conditional use permit for Drift Hero to be
78 located at 164 Center Street. She explained that the building had two units which are addressed
79 as 166 and 164 East Center Street. The applicant, Joe Newell, had leased the entire building with
80 Drift Hero to occupy the 164 East unit and the other unit to be used for a different business of his
81 as office space. The building is located within the Commercial Shopping (CS) zone.

82
83 Drift Hero supplies and sells youth-sized go karts and minibikes. The business has been
84 classified as a "recreational vehicle, motorcycle, and boat dealer", which is a conditional use in
85 the CS zone. One person would be employed at this location. The portion of the building to be

86 occupied by Drift Hero was approximately 1,900 square feet in size. Most of the space would be
87 utilized for warehouse storage with some office space and an area dedicated to a retail/display
88 area.

89
90 Per City code, the business must provide a minimum of five parking stalls, one of which must be
91 ADA compliant. There are eight parking stalls for the entire building, one of which is ADA
92 compliant. If needed, there are ten additional diagonal parking stalls to the east of the building
93 that are shared by other buildings and businesses in the complex.

94
95 The applicant has proposed to display some of the merchandise (go karts and minibikes) outside
96 along Center Street during business hours. The applicant informed staff that no more than 6-8 go
97 karts or minibikes would be displayed outdoors at any given time. There would not be any
98 outdoor storage onsite. Outdoor display of retail merchandise, as an accessory use is permitted in
99 the CS zone. City code 10-1-33(E) requires that all outdoor display be located outside of the
100 right of way or designated landscaped area and cannot obstruct a pedestrian walkway. The
101 subject property does not currently have a sidewalk or landscaped park strip. As such, the DRC
102 recommended that all outdoor display be located a minimum of ten feet behind the back of curb
103 to allow space for pedestrian movement. The outdoor display should not block or use any space
104 dedicated to drive aisles and parking stalls.

105
106 The DRC recommended approval of the conditional use permit for Drift Hero with the condition
107 that all outdoor display shall be located a minimum of ten feet behind the back of curb to provide
108 pedestrian access across the property at the street.

109
110 Chair Larson asked about the age range for the youth size go kart. Joe Newell replied that there
111 were gas and electric models and recommended 5 years and older for the electric model with
112 parent supervision. The gas model would be for children 12 years and up. He also said there
113 were one and two seat models and said that they could be used on the street or a track.

114
115 Commissioner Jorgensen asked about test drives of the go karts and minibikes and any
116 constraints on that. Joe Newell responded that the area around the building, on the property,
117 could be used for test drives. He also explained that the outdoor display would not be setup each
118 day but based on staff availability.

119
120 **Commissioner Tucker moved that the Planning Commission approve the conditional use**
121 **permit for Drift Hero located at 164 East Center Street with the following condition:**

122
123 **1) All outdoor display shall be located a minimum of 10 feet behind the back of curb**
124 **to provide pedestrian accesses across the property at the street.**

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126 **Commissioner Ward seconded the motion. The motion was approved by Commissioners**
127 **Jorgensen, Larson, Tucker and Ward. Commissioner Maus was excused.**

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

Sherrie Pace reported that the City Council approved the plat amendment for 674 Country Court. She also said the site plan approval for the Phillips 66 Butane Blending System was approved with a condition that the fencing be upgraded by October 1, 2022.

The City Council also gave direction for the Planning Commission and staff to update the City code to require that when sites were improved, or a site plan amendment was requested, the site would need to be brought into compliance with current standards.

Commissioner Jorgensen asked about the federal requirement for barbed wire on the top of the fencing. Sherrie Pace replied that the applicant had not yet proposed a certain type of fence but would no longer be allowed to have the chain link fencing along 1100 North.

6. APPROVAL OF MINUTES

The Planning Commission meeting minutes of December 14, 2021 were reviewed and approved.

Commissioner Jorgensen moved to approve the December 14, 2021 meeting minutes as drafted. Commissioner Ward seconded the motion. **The motion was approved by Commissioners Jorgensen, Larson, Tucker and Ward. Commissioner Maus was excused.**

7. ADJOURN

Chair Larson adjourned the meeting at 6:50 p.m.

The foregoing was approved by the Planning Commission of the City of North Salt Lake on Tuesday, February 8, 2022 by unanimous vote of all members present.

Wendy Page, City Recorder