

CITY OF NORTH SALT LAKE  
PLANNING COMMISSION MEETING  
ANCHOR LOCATION: CITY HALL  
10 EAST CENTER STREET, NORTH SALT LAKE  
JUNE 14, 2022

**FINAL**

Commission Chair BreAnna Larson called the meeting to order at 6:30 p.m.

PRESENT: Commission Chair BreAnna Larson  
Commissioner Ryan Holbrook  
Commissioner Ron Jorgensen  
Commissioner Katherine Maus  
Commissioner Irene Stone  
Commissioner Brandon Tucker  
Commissioner William Ward

STAFF PRESENT: Sherrie Pace, Community Development Director; Mackenzie Johnson, Planner.

OTHERS PRESENT: Roger Graves, Jennifer Graves, Dee Lalliss, residents; Scott Babcock, K&G; Christian Michaelson, Galloway & Company; Carl Rupp, Rupp PUD Subdivision.

1. PUBLIC COMMENTS

There were no public comments.

2. PUBLIC HEARING: CONSIDERATION OF A PLAT AMENDMENT TO ADJUST PROPERTY LINES AND VACATE AN EXISTING PUBLIC UTILITY EASEMENT. PROPERTY(S) LOCATED AT APPROXIMATELY 822 SOUTH EAGLEPOINTE DRIVE, CARL RUPP, APPLICANT

Mackenzie Johnson reported that this application was a plat amendment for the Rupp Subdivision, which was originally approved in 2021. In 2013 a building permit was issued to construct an accessory structure on the property of 810 South Eaglepointe Drive, Lot 1122 of the Eaglepointe Estates Phase 11 Subdivision. The owner of Lot 1122 also owned an adjacent parcel and the accessory structure was built over the separating property line. That parcel was sold to Carl Rupp and incorporated into the recently approved Rupp PUD Subdivision. The Rupp Subdivision plat was approved with half of the subject accessory structure on Lot 1122 of the Eaglepointe Estates Phase 11 Subdivision and half on Lot 1 of the Rupp PUD.

This plat amendment would adjust the property lines so that the entire accessory structure was within Lot 1122 of the Eaglepointe Estates Phase 11 Subdivision. In addition to adjusting that property boundary, the plat amendment would also vacate an existing eight-foot public utility easement on the back of Lot 1122 so that it did not interfere with the existing accessory structure. Lots 1 and 2 in the Rupp Subdivision would have altered lot lines to maintain lot size. Going forward, the lots would be identified as Lot 1122, Eaglepointe Estates Phase 11=Lot 6 Rupp PUD-first amended, Lot 1, Rupp PUD=Lot 5, Rupp PUD-first amended, and Lot 2 Rupp PUD=Lot 4, Rupp PUD-first amended. The Development Review Committee (DRC) recommended approval with no conditions.

**Commission Chair Larson opened the public hearing at 6:33 p.m. There were no public comments and she closed the public hearing at 6:34 p.m.**

Commissioner Jorgensen asked who was ultimately responsible for the proper placement of foundations and structures in relation to setbacks. Sherrie Pace replied that it was the responsibility of the builder to mark property corners. She said in this case the owners of Lot 1122 owned multiple parcels but did not join them together. When the Rupp PUD Subdivision received final approval, the intention was that the existing accessory structure on Lot 1122 be fully incorporated into that lot but the wrong property description was used. Staff has since implemented procedures including a plat amendment to ensure this does not occur again.

Chair Larson asked about the vacation of the eight-foot public utility easement. Mackenzie Johnson responded that all utility companies in the area were noticed prior to the meeting and the feedback received was that there was no issue with vacating the easement.

Commissioner Maus asked if any other landowners would be affected. Carl Rupp commented that this subdivision was approved last year and that due to the property description error, he had to repeat the process which included involving the property owners of Lot 1122, the Graves, and the party he sold Lot 1 to. Moving the property line approximately 20 feet would resolve the issue.

**Commissioner Tucker moved that the Planning Commission recommend approval to the City Council of the plat amendment to adjust property lines and vacate an existing public utility easement on Lots 1 and 2 of the Rupp PUD Subdivision and Lot 1122 of the Eaglepointe Estates Phase 11 Subdivision located at approximately 822 South Eaglepointe Drive with no conditions. Commissioner Ward seconded the motion. The motion was approved by Commissioners Holbrook, Jorgensen, Larson, Maus, Stone, Tucker and Ward.**

3. CONSIDERATION OF A CONCEPT PLAN FOR KUM & GO STORE SUBDIVISION  
LOCATED AT 1096 NORTH REDWOOD ROAD, NATE ABBOTT, GALLOWAY &  
COMPANY, APPLICANT

Mackenzie Johnson reported on the concept plan application for the Kum & Go Subdivision. The applicant requested to subdivide the 5.12 acre property, located at 1096 North Redwood Road in the General Commercial (GC) zone, into two lots. Lots in the GC zone were required to be a minimum of one acre in size with a minimum lot width of 100 feet. Each of the proposed lots would be compliant with the code as Lot 1 would be 2.646 acres and Lot 2 would be 2.474 acres. Lot 1 would be accessible from Redwood Road (if permitted by UDOT) and 1100 North. Lot 2 would only be accessible from 1100 North. She said the name of the subdivision would be changed to be less specific to the use.

Lot 1 would be used for a convenience store and gas station called Kum and Go. The City received an application to rezone Lot 2 from CG to Manufacturing Distribution (MD). Lot 2 is directly south of the Skypark Airport's runway and therefore regulated by the Federal Aviation Administration (FAA) in addition to City code. The FAA has a list of permitted land uses that are more cohesive with the City's permitted MD uses than CG. The DRC will support the future rezone because the neighboring properties to the east and south are currently zoned MD and Lot 1 would remain CG. Lots in the MD zone were required to have a minimum of two acres and 100 feet of frontage. If rezoned, Lot 2 would remain in compliance with City code.

The applicant was working with City staff to modify the proposed plat and site plan to follow code regarding items such as parking layout, building placement, and landscaping. The Planning Commission would review these changes during the preliminary plan and final plat. City code 10-6-2 stated that "each driveway shall not be more than forty feet (40') wide, measured at right angles to the centerline of the driveway, except as increased by permissible curb return radii, or as established by a conditional use permit. The entire flare of any return radius shall fall within the right-of-way". The applicant requested guidance from the Planning Commission as to if they would support one driveway on 1100 North to be 59 feet wide and the driveway on Redwood Road to be 50.5 feet wide when they returned for site plan review. The lot would be used as a gas station for standard vehicles, large trucks, and trailers. To accommodate the large truck traffic and increased driveway width was necessary for safer maneuverability in and out of the property.

Chair Larson clarified that the applicant would have two driveways on 1100 North including a 40 foot driveway for passenger cars and a 50 foot driveway for large trucks.

Commissioner Holbrook asked if the driveways should be labeled to identify which type of vehicle they accommodated. Mackenzie Johnson replied that this had been done at another gas station in the City and could be done here as well.

Mackenzie Johnson commented that the applicant had also stated they have a minimum standard driveway width of 40 feet at their narrowest point to allow for entry and exit of delivery vehicles for grocery and fuel products. They also constructed an “over curb” protection, which was a concrete pavement for three feet behind the curb to protect landscaping from trucks that cut corners. Fire code also required a minimum 28 foot inside turning radius for all fire accessible drive aisles.

Commissioner Jorgensen felt the Planning Commission should be accommodating for additional driveway widths for safety’s sake, particularly for someone unfamiliar with the gas station property. Mackenzie Johnson replied that the Commission had the authority to allow for all of the driveway widths to be more than 40 feet.

Commissioner Stone asked if anything would change in the intersection adjacent to this gas station and what the traffic circulation would be like. Sherrie Pace responded that she would consult with the City Engineer before preliminary and final approval.

Commissioner Tucker commented that he would be in favor of widening two of the driveways but would consider removing the western most entrance on 1100 North and placing a median on 1100 North prohibiting left turns.

Chair Larson asked about Lot 2 once the property was subdivided. Mackenzie Johnson said that she had already received a rezone application from a completely different entity that may be interested in flex space.

Chair Larson also commented on traffic issues at this location including having driveways on 1100 North and Redwood Road so close to the intersections. She suggested one large driveway on 1100 North and one on Redwood Road.

Commissioner Holbrook suggested a right turn only on the western most exit. Sherrie Pace replied that the entire frontage for Lot 1 along 1100 North was 329 feet and the subject driveway was 110 feet from the intersection.

Christian Michaelson, Galloway & Company, said that Commissioner Tucker’s remarks were in line with what they wanted to accomplish with a right in/right out. He said the City Engineer discouraged cutting into that road due to substantial City investment. Mr. Michaelson suggested right in/right out signage.

Commissioner Stone commented that her concern was with traffic exiting left and said the left turn there was problematic.

Commissioner Tucker asked if the rezone needed to be addressed today. Sherrie Pace replied that this was just the approval of the concept plan for the subdivision. She said the next step would be

preliminary and final plat approval. Staff would take the issues discussed today and make recommendations along with those provided by UDOT.

Chair Larson clarified that the decision was whether to subdivide the property regardless of land use. Mackenzie Johnson responded affirmatively and commented that the applicant was also seeking guidance on the driveways to ensure that the project would be approved at the time of site plan review.

Commissioner Ward commented that there was a certain driveway width specified in the City code but the Commission could allow for what was determined to make the best sense for traffic flow and safety.

Commissioner Holbrook said the concern was for the northwest driveway entrance.

Chair Larson said the motion was for recommendation of approval of the concept plan for the subdivision with the recommendation to allow for wider driveways than what was specified in City code. Mackenzie Johnson clarified that the allowance for a wider driveway would be a conditional use granted by the Commission at the time of site plan approval.

Commissioner Maus asked for more information on the concept plan and said she had discomfort approving it as is. Sherrie Pace said this would not be a recommendation of approval for the site plan and would only be the concept plan for the two lot subdivision.

Christian Michaelson commented that they would provide a traffic impact statement to the City and would analyze the data prior to returning before the Commission for preliminary plan and final plat review. He said the radii were based on providing the minimum turning radius for fire apparatus and good access for all vehicles.

Commissioners Maus and Jorgensen were in favor of wider driveways and recommended right in/right out.

Mackenzie Johnson clarified that the Commission would have multiple opportunities to review the layout of the property including at site plan approval.

**Commissioner Maus moved that the Planning Commission recommend approval to the City Council of the concept plan for the Kum & Go Subdivision located at 1096 North Redwood Road with no conditions. Commissioner Jorgensen seconded the motion.**

Commissioner Tucker asked if this approval locked the applicant into having the subdivision name as Kum & Go. Sherrie Pace replied that they would not be locked into the name. Staff would make a note on the file that the name would be changed.

**The motion was approved by Commissioners Holbrook, Jorgensen, Larson, Maus, Stone, Tucker and Ward.**

#### 4. TRAINING: OPEN AND PUBLIC MEETINGS ACT

Sherrie Pace explained that once a year all of the City's committees and boards that were formed by a resolution or ordinance would need to participate in a yearly open and public meetings training. The Commissioners present then watched a brief video from the State Auditor's Office in accordance with the Open and Public Meetings Act.

Sherrie Pace clarified that the Legislature made a change to the State code that public hearings no longer had to be advertised in a newspaper. She also commented on items related to closed meetings, the amount of time for noticing public hearings and posting notices.

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

Sherrie Pace reported that the City Council approved the water conservation landscape ordinance and included a requirement for some vegetative material in the park strip with street trees to be counted toward the requirement. Staff calculated the canopy and determined that small trees would count as 50 square feet, medium trees as 75 square feet, and large trees as 100 square feet. Typically this would be one tree every 25 feet to meet the requirement of one third vegetative material. The City was now compliant and could participate in the Flip Your Strip program through Weber Basin Water Conservancy District.

Commissioner Holbrook mentioned the canopy sizes for trees with the corresponding value and that this was not directly discussed by the City Council. Sherrie Pace replied that the Council provided direction for staff to determine a requirement. She said this could be adjusted in the future if necessary.

Commissioner Holbrook asked what benefits the City would be eligible for if they participated in the Flip Your Strip program. Sherrie Pace replied that the City could apply for the rebate but said if City property was converted that they would not apply for the funding which would allow for more residents to participate in the rebate program. She mentioned xeriscaping the park strips around City Hall in the future.

#### 6. APPROVAL OF MINUTES

The Planning Commission meeting minutes of May 24, 2022 were reviewed and approved.

**Commissioner Maus moved to approve the Planning Commission meeting minutes from May 24 with no changes. Commissioner Holbrook seconded the motion. The motion was**

**approved by Commissioners Holbrook, Jorgensen, Larson, Maus, Stone, Tucker and Ward.**

Sherrie Pace confirmed that the June 28<sup>th</sup> Planning Commission meeting would be canceled due to the primary election. She then provided an update of the Form-Based Code and said staff would prepare the remainder of the chapters for the July meetings.

7. ADJOURN

Commission Chair Larson adjourned the meeting at 7:34 p.m.

*The foregoing was approved by the Planning Commission of the City of North Salt Lake on Tuesday, July 12, 2022 by unanimous vote of all members present.*

  
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Wendy Page, City Recorder