

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
ANCHOR LOCATION: CITY HALL
10 EAST CENTER STREET, NORTH SALT LAKE
NOVEMBER 28, 2023

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 William Ward

EXCUSED: Commissioner Brandon Tucker

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

OTHERS PRESENT: Bill Salisbury, Lyle Nelson, Clyde Tolman, Linda Tolman, Cindy Schaer, Dee Lalliss, Gentry Holbrook, Daniel Schaffer, Trevor Edwards, Mara Hansen, David Hansen, Tammy Clayton, Bridger Dopp, Carlos Pena-Fuentes, Janae Rawlings, Makenzee Townsend, Matthew Dennis, Brooke Dennis, Lisa Midgley, Aubrey Pine, Jose Fonseca, Zach Nesbitt, Cameron Hawkins, Ryan Isbitt, Mariah Nesbitt, residents; Damon Holdaway, Debra Holdaway, Atlas Academy; Brian Carlisle, Lofts at North Salt Lake/HMS Development; Josue Chinchay, Gleam Garage. Via Zoom: Rafael Polendo, Polendo Auto Sales Corp.

1. PUBLIC COMMENTS

There were no public comments.

2. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR POLENDO AUTO SALES CORP. AT 873 WEST ROBINSON DRIVE, RAFAEL POLENDO, APPLICANT

Mackenzie Johnson reported that this conditional use permit was for Polendo Auto Sales at 873 West Robinson Drive in the General Commercial (CG) zone. The business is a used car dealership with general automotive repair. The parking plan showed three display vehicles and all vehicles under repair would be stored inside the building.

The Development Review Committee (DRC) recommended approval of the conditional use permit with the condition that all vehicles awaiting repair must be stored inside, there would be no outdoor storage of vehicles awaiting repair at this location. City code required three stalls per service bay plus one additional stall per every 300 feet of retail area. There would be a maximum of two employees on shift at one time and five parking stalls for guests.

Records show two active businesses on the property including Ninyo and Moore Geotechnical and Environmental Science Consultation with ten employees and 25 parking stalls and Robinson Lincare Inc with seven employees and ten parking stalls.

Chair Larson asked if there was adequate vehicle storage inside the building beyond the single service bay. Rafael Polendo, Polendo Auto Sales, replied that they could fit an additional four cars inside the building.

Commissioner Ward moved that the Planning Commission approve the conditional use permit for Polendo Auto Sales Corp. at 873 West Robinson Drive with the following condition:

- 1) All vehicles awaiting repair must be stored inside, there will be no outdoor storage of vehicles awaiting repair at this location.**

Commissioner Jorgensen seconded the motion. The motion was approved by Commissioners Holbrook, Jorgensen, Larson, Maus, Stone, and Ward. Commissioner Tucker was excused.

3. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR GLEAM GARAGE AT 230 NORTH CUTLER DRIVE, STE E, JOSUE CHINCHAY, APPLICANT

Mackenzie Johnson reported that Gleam Garage had applied for a business license at 230 North Cutler Drive, Suite E in the General Commercial (CG) zone. This location would serve as general automotive repair for an existing car dealership, Car Mart, located in Bountiful and for the general public. The services would include oil changes and brake repairs. There would be one service bay and no retail floor area. There would be a maximum of three employees on shift at one time and there are five parking spaces dedicated to the business. The Development Review Committee (DRC) recommended approval of the conditional use permit with the condition that all vehicles awaiting repair must be stored inside, there would be no outdoor storage of vehicles awaiting repair at this location. City code requires three stalls per service bay plus one additional stall per every 300 feet of retail area. The proposed parking ratio of five parking stalls was compliant with code.

Chair Larson asked if there would be customers or public at this building. Josue Chinchay, Gleam Garage, replied that they would not have walk in customers for the first year. He said they

would reevaluate after this to see if they would like to pursue a conditional use permit. Mr. Chinchay said they would be able to store up to four cars in the building.

Commissioner Stone asked about any code enforcement issues. Mackenzie Johnson replied that the majority of code enforcement issues were complaint based. She said staff would generally not follow-up with a new business unless there were complaints.

Sherrie Pace commented that the fire department performed periodic inspections for these types of businesses.

Commissioner Holbrook moved that the Planning Commission approve the conditional use permit for Gleam Garage located at 230 North Cutler Drive, Suite E with the following condition:

- 1) All vehicles awaiting repair must be stored inside, there will be no outdoor storage of vehicles awaiting repair at this location.**

Commissioner Jorgensen seconded the motion. The motion was approved by Commissioners Holbrook, Jorgensen, Larson, Maus, Stone, and Ward. Commissioner Tucker was excused.

4. PUBLIC HEARING: CONSIDERATION OF AN AMENDMENT TO THE TOWNE PLAZA GENERAL DEVELOPMENT PLAN FOR THE PROPOSED LOFTS AT NORTH SALT LAKE LOCATED AT 120 AND 140 EAST CENTER ST. THE PROPOSED AMENDMENT IS FOR THE APPROVAL OF MIXED USE PROJECT CONSISTING OF 2 BUILDINGS WITH 8,000 SQUARE FEET OF COMMERCIAL SPACE AND 79 RESIDENTIAL APARTMENTS WITH A MAXIMUM HEIGHT OF 3 STORIES, BRIAN CARLISLE, APPLICANT

Sherrie Pace provided background on the Towne Plaza development and its Planned (P) District zoning. The General Development Plan for the original project included 52 townhomes (which have been completed) and two commercial office/retail two story buildings. She showed the original site plan and elevations for the two office buildings. Ms. Pace explained that the remaining commercial property has been transferred to Lofts North Lake, LLC which was a partnership with Jesse Curtis, JCI Inc., and Brian Carlisle, HMS Development. The development agreement would run with the land and the new LLC assumed the responsibility of fulfilling the terms of the agreement.

Sherrie Pace said that the Planning Commission reviewed a requested amendment on March 14, 2023 which was denied. That proposal included an additional 1.3 acres and three six story buildings with 280 residential units and 13,000 sq. ft. commercial space. The applicant then brought a second proposal to the Commission on June 13, 2023 which removed the additional

1.3 acres and reduced the project to two three story buildings with 98 residential units and 7,900 square feet of commercial space. The Commission held a public hearing and tabled action to give the developer an opportunity to rework the design. On September 12, 2023 the Planning Commission and the City Council reviewed a third revision in a joint meeting. The proposed plan at that point included 86 apartments with 70 one bedroom units and 16 two bedroom units and 8,900 sq. ft. of commercial space.

Sherrie Pace reported on the current proposed General Development Plan which included 79 units with 22 in the west building and 54 in the east building. There was a total of 60 Jr. one bedroom units, three one bedroom units, and 16 two bedroom units. The west building contained 8,000 square feet of retail/commercial space with an outdoor patio area for a restaurant. The ground floor of the west building would be stepped in height to allow street level pedestrian entrances for the businesses with an estimated four to five commercial tenants. Landscaped/open areas increased from 10,000 to 13,000 square feet. The Center Street cross section included a five foot bike lane behind the curb, a 13 foot mixed use pedestrian area, proposed two hour parking (two spaces) on the west building, proposed 15-30 minutes loading/delivery parking on the east building (5 spaces), designated off street loading areas for each building. The parking included 142 stalls (87 covered and 55 surface) with 66 stalls at the west building and 76 stalls at the east building. She showed renderings of the buildings, parking, and outdoor rooftop amenity.

Ms. Pace explained that the developer had asked for a comparison of the density and parking by bedroom count instead of unit count compared to other Town Center developments that had received approval. She shared a table that included Williamsburg, Village Station, Eaglewood Lofts Phases 1 and 2, Mirella, and the proposed Lofts at North Salt Lake. The Lofts had a density of 49.1 units per acre and 57.1 bedrooms per acre. The parking ratio was 1.80 spaces per dwelling unit and 1.54 spaces per bedroom. She said as the Lofts at North Salt Lake had mainly one bedroom units and that the 1.54 spaces per bedroom was higher than all of the other compared developments.

Staff proposed the following parking conditions: each unit would have at a minimum one covered stall assigned to the unit included in monthly lease without additional charge, the occupancy of Jr. one-bedroom units shall be limited in the leasing terms to a single individual, a total of 142 parking stalls shall be provided and allocated as outlined in the proposed table, and off street loading areas have been designated in both the west and east parking areas. The proposed parking table for the west building included 16 covered spaces for the Jr. one bedroom units, six covered spaces for the two bedroom units, six spaces for guest/tenant overflow, and 32 business/tenant/guest parking spaces. Staff suggested that as there were six additional spaces that these could be offered for lease to the townhome residents.

Parking for the east building included 44 covered stalls for the Jr. one bedroom units, 10 covered stalls for the two bedroom units, and 22 stalls for residential guest/overflow for a total of 142 stalls in the project.

Sherrie Pace spoke on the proposed architecture which included a roofline that was intended to mimic the roof lines of the existing townhomes to the south with peaked roof structures. These peaked roofs would allow for vaulted ceilings for units on the third floor. She showed renderings of the buildings as well as perspectives of the proposed buildings in relation to existing townhomes, elementary school, and Orchard Drive. Ms. Pace said the visual impact of the height of the proposed buildings were mitigated by the site's natural slope and showed this in reference to the existing townhomes to demonstrate that the fall in elevation would be approximately the same with no added visual impact related to height.

The DRC recommended approval of the amendment to the General Development Plan with the following conditions: 1) Occupancy of the Jr. one-bedroom units shall be limited in the leasing terms to a single individual and shall be marketed to provide rental rates that met the 80% adjusted median Income (AMI) level as provided in the City's Moderate Income Housing Plan, 2) each unit will have at minimum one (1) covered stall assigned to the unit and be included in monthly lease without additional charge, 3) parking for the commercial area shall be provided at a rate of 1 space/250 sq. ft. and shall be open for tenant and guest use during non-business hours, 4) up to 6 stalls in the west parking lot may be leased to residents of the adjacent town homes, at the owner's discretion, 5) a recommendation that the City restrict on street parking in front of the west building to a maximum 2 hour limit and 15-30 minute limit in front of the east building. 6) the cross section for Center Street be modified so as to provide the bike lane behind the curb as shown on the proposed site plan, 7) off street loading areas for deliveries and tenant moving be provided for both buildings 8) the amenities shown on the plan shall be provided including the roof top gathering area, on site fitness center, fenced dog park, outdoor patio for commercial restaurant use (if applicable) or for other tenant use. 9) all landscaping shall be installed in accordance with Chapter 22, Water Efficient Landscaping Standards, 10) the ground floor story of the west building shall be stepped across the slope so that individual units maintain pedestrian access at the same elevation of the sidewalk as shown on the architectural renderings, 11) the architecture of the buildings shall be provided in the style, materials and colors as shown on the architectural renderings, with a maximum height of 50 feet measured from final grade.

Sherrie Pace explained that the parking for the commercial would become shared parking available for residents and guest during non-business hours. She said as this was a legislative decision and that the Planning Commission would be making a recommendation to the City Council.

Commission Jorgensen acknowledged the efforts made by the Commission, City Council, developer and the public. He asked if 130 East would continue to be unrestricted parking on both sides of the street. Sherrie Pace said the Commission could make a recommendation to the Council related to 130 East, but that the decision would have to be decided by the City Council. She stated that staff continues to monitor the situation as there were issues related to off-site construction and road closures that were causing potential and temporary impacts. She said the street was designed to slow down traffic and be pedestrian friendly and that the safety committee

had been given consideration to making it a one way street or restricting parking on one side of the road.

Commissioner Jorgensen asked about oversized vehicles such as large passenger trucks and the size of parking stalls. Sherrie Pace replied that the standard size for parking stalls in the city code was a 9 foot by 18 foot parking stall.

Commissioner Jorgensen spoke on parking ratios and questioned where any overflow parking currently goes. Sherrie Pace responded that overflow parking occurs on the street. She said cars were not supposed to park in a bike lane.

Chair Larson opened the public hearing at 7:08 p.m.

Sherrie Pace shared a comment from Dennis Lawrence, owner of Neighbors Market, who was unable to attend this meeting. Mr. Lawrence expressed support for the project and felt the proposed retail would bring customers to the area which would help his business.

Mara Hansen, resident, expressed concern with parking standards and suggested that this be updated. She also mentioned current parking/driving issues on Orchard Drive.

Damon Holdaway, Atlas Academy, said that all the current overflow parking ended up in his parking lot and caused issues with parking, towing, and snow removal. He said 130 East was already difficult to traverse and he felt that there would be more than one car per unit and parking would not be enforced. Mr. Holdaway mentioned issues with density, parking, and rental price of the apartments. He also said that the developer had previously mentioned they had made offers to buy adjoining properties and he wanted to clarify that no financial offer had been made to purchase Atlas Academy.

Janae Rawlings, resident, said she lived in the aforementioned Towne Plaza townhomes and the CC&Rs state that guests of any owner may park in the retail/commercial parking lots from 6 p.m. to 1 a.m. the following day. She mentioned that in order for her to afford her unit she had to rent to roommates which meant there were four cars for her one unit and that her tenants have to park on the street. She asked if she could direct her tenants to park at City Hall. She did not believe that the area had room for 79 more units.

Bill Salsbury, resident, said he had lived in the City for 70 years. He said if the proposed businesses are subsidized by the City and the apartments are low income that this may cause impacts. He was against the proposed development.

Matthew Dennis, resident, was concerned with the precedent the City was setting by letting the original plan be reconfigured, parking, allowing residential in this area, and more traffic. He was not in favor of this development.

David Hansen, resident, mentioned issues with parking, traffic, issues with school pickup/drop off, and sanitation in the development. He suggested the commercial be built first prior to any more housing.

Bridger Dopp, resident, said this was a density issue and wanted to see good retail development in this area. He said there were other areas in the City that made better sense for this residential density.

Chair Larson asked the percentage of retail in the original development agreement. Sherrie Pace replied that the west building had 8,300 square feet of retail with office space on the second story. The east building had 11,000 square feet of office space on each of the two levels.

Lisa Midgley, said that the developer originally promised parking for the townhomes at this development in the retail parking lot after hours. She said that Highway 89 was currently car lots and did not have retail or a sense of community. She was concerned with regard to the recommendation that the DRC made in relation to charging the townhome residents to park. Sherrie Pace clarified that she was stating that there are 6 spaces that could be offered permanent lease for use 24 hours a day at the discretion of the developer or management and that the commercial retail spaces could still be used after hours.

Daniel Schaffer, resident, said 130 East was poorly designed and also felt the City did not need any more apartments. He also expressed concern with parallel parking and a bike lane on Center Street. He did not believe that protected bike lanes work and felt that was proving true in Salt Lake City. Mr. Schaffer spoke on developers not keeping their promises and the issues this caused.

Mara Hansen, resident, spoke on one way streets and issues with school pickup and drop off. She also said that one bedroom apartments could accommodate two people and that meant multiple cars per unit. She was not in favor of adding more apartments due to additional parking needs and traffic issues.

Trevor Edwards, resident, was in favor of retaining the commercial at this location. He spoke on difficulties in locating the City and putting commercial and retail in the location would help to bring people to the area.

Aubrey Pine, resident, mentioned issues related to garbage removal, and deliveries. She questioned if the parking, traffic, and safety near the school would continue to get worse.

Jose Fonseca, resident, said he also recalled that the developers promised available parking on the weekends for residents of Walker Lane. He spoke on traffic concerns and suggested different uses for the property instead of apartments.

Lyle Nelson, resident, felt the developers should be held to the original development agreement of providing commercial buildings. He echoed the issues on 130 East and that it was not designed for additional traffic.

Brooke Dennis, resident, mentioned the proposed protected bike lane and said that similar bike lanes in Salt Lake were unsafe. She felt parking and the density were the main issues and said the City had already made a compromise for the existing townhomes to get the retail/commercial component. Ms. Dennis said residents would be happy with retail and community gathering spaces and how critical this area was for good development.

Zach Nesbitt, resident, said he was a real estate attorney and expressed concern that the City was allowing the developer to change the plan. He felt this was a bad precedent to be set and that the developer should be held to the original agreement. Mr. Nesbitt spoke on increasing traffic issues with construction, development, and the school.

Cameron Hawkins, resident, mentioned that many residents were not notified of this meeting unlike the last public hearing when they received notices taped to their doors. He mentioned issues with the City agreeing to work with the developer even when the plans had changed to apartments, parking, and density. Sherrie Pace clarified that the City had mailed around 100 notices property owners within 300 feet of the project boundaries as required by the City ordinance. She explained that it was her understanding that the notices taped to doors previously was done by a resident who received a mailed notice and distributed it to additional properties outside the 300 foot boundary.

Mariah Nesbitt, resident, said that the City was a suburb and in the last decade had seen an increase of apartments and townhomes with no infrastructure. She spoke on a lack of commercial and community areas and felt there had been an increase in crime.

Cindy Schaer, resident, commented she had lived in the City for over 30 years and missed the small town feel. She was opposed to additional apartments in this area, and mentioned issues with parking, congestion, water availability, and school safety.

Dee Lalliss, resident, said he was a long time resident of over 50 years and said the City had never been a destination town. He felt that if the residents in opposition to the development should raise funds to purchase the property and donate it to the city for a park if they don't want to see a development there. He noted that Hatch Park is currently being redeveloped and will be the town center and gathering place for the city. He recommended private property signage for Atlas Academy and spoke on issues related to attracting and supporting local retail as well as developer rights. He noted that residents in this area did not support Winegars and they went out of business. He noted that we have unusual shaped lots in the city and we have to allow uses that fit the properties that we have. He supported a restriction on occupancy on 1 bedroom units and

the number of cars. He said office space would not be successful and that strictly retail uses would attract more cars and traffic than residential.

Chair Larson closed the public hearing at 8:46 p.m.

Commissioner Jorgensen asked about parking stalls and larger vehicles. Brian Carlisle, Lofts at North Salt Lake/HMS Development, replied that standard parking stalls were 9 feet by 18 feet with a 24 foot wide drive aisle and said they could do a 26 foot drive aisle.

Chair Larson asked about dumpsters and waste removal. Brian Carlisle explained that they would do valet trash pickup which was becoming standard in apartments.

Chair Larson asked about the phasing for building. Brian Carlisle responded that they would be built in one phase.

Commissioner Maus asked about the private parking and enforcement. Brian Carlisle said they would limit the number of cars per unit through registration. He spoke on shared parking which would be based on the type of retail tenants and said research showed that retail in this location was not ideal. Mr. Carlisle anticipated commercial tenants such as a food establishment, insurance agent, or dentist.

Commissioner Holbrook mentioned dead trees along 130 East near the townhomes and asked that this be taken care of. Brian Carlisle said they would have professional landscaping done and would keep the property well maintained.

Commissioner Stone mentioned that 130 East was problematic and asked for possible solutions. Sherrie Pace replied that if the street was widened it would require property acquisition. Other solutions could be smaller sidewalks and less of a park strip.

Brian Carlisle commented that they would be open to any suggestions.

Sherrie Pace said the issue with the trees on 130 East was due to an irrigation connection that would be resolved with the construction of the two remaining lots. She spoke on the parking for the townhomes and read Exhibit E of the development agreement which states that rear loading units and their tenants may park no more than two vehicles on the property, guest stalls were intended only for guests, owners of front loading units and their tenants may park in the garage or driveway, spillover parking for resident guests was allowed in the retail parking lots from 6 p.m. to 1 a.m. of the following day.

Commissioner Ward spoke on the process of taking input from the public and making the application conform to the goals. He said that the legislative decision was to decide if this use

was appropriate for the land. Commissioner Ward said this was the proposal from the developer and felt it was now up to the City Council to decide.

Commissioner Jorgensen said that the Planning Commission was in an awkward position because the P District zoning is a legislative decision that should be made by the City Council. He acknowledged that moderate income housing was an important consideration of the City Council based on his impressions of the joint meeting. He mentioned that there were issues with 130 East and safety concerns with Orchard Elementary that were not necessarily the developer's problems to resolve. He then spoke to the overall desire for a Town Center and questioned how this P District fit with it. Commissioner Ward mentioned that the Commission could look at solutions for 130 East and review the bike lane proposal.

Commissioner Holbrook explained that there was an opportunity with the proposed amendments and mentioned the eleven conditions from staff. He said that the retail would not occur here without the residential aspect.

Commissioner Maus said the recommendation from the Planning Commission was important and current issues should be addressed.

Chair Larson asked for feedback on the bike lane.

Commissioner Maus said that parking protected bike lanes work well in other city but in small areas where it was unexpected and without proper signage and bike lane markings it may not work as well. Commissioner Jorgensen commented in relation to the South Davis Wasatch Choice meeting he recently attended where recent statewide trail initiatives were discussed. He stated that UDOT is going in the direction of what they called family friendly bike lanes and trails and that they had plans to build them statewide, including through North Salt Lake and Davis County.

Commissioner Ward felt that if the bike lane behind the curb was extended up Center Street to the Orchard Drive intersection, he would not have the same concern.

Commissioner Jorgensen had reservations on the land use, parking ratio, and overflow parking issues.

Commissioner Stone commented that as there was already a parking issue in the area and that the proposed restriction for one car per Jr unit may not help the existing issue.

Commissioner Stone asked about improving 130 East and who would be responsible. Sherrie Pace replied that the City was responsible for the street. She noted that street cannot be widened on the west due to the existing townhomes and that widening on the east would require property acquisition of property owned by Atlas Academy for additional right of way.

Commissioner Maus questioned if the City's Safety Committee could prioritize 130 East. Sherrie Pace responded that 130 East was a residential street with 25 feet of pavement which was the same width as Mason Lane. She noted that the Safety Committee was aware of the situation and continues to monitor the issues for solutions.

Commissioner Holbrook mentioned the restriction of limiting the Jr apartments to one occupant. He asked how successful this lease agreement would be. Brian Carlisle replied that there may be fair housing laws which prohibit applying certain restrictions on the number of tenants but they could certainly limit the number of cars by lease agreement.

Commissioner Ward suggested red curb on a portion of the east side of 130 East. Sherrie Pace said this could be a recommendation to the City Council for the City to paint the curb and explained that private property owners or developers were not permitted to decide what curbs would be painted red.

Commissioner Jorgensen asked about data to substantiate the proposed number for the parking ratio. Brian Carlisle replied that they had completed a parking study by unit type which showed that the studio/Jr one bedroom required 1.25 stalls per unit 1.5 stalls for the one bedroom units, and 1.90 stalls for the two bedroom units.

The Commission discussed the one car per Jr bedroom unit, the recommendation for the Safety Committee to review solutions for 130 East single side parking, school crossing on Center Street, the bike lane, pushing the building back, painting the curb, crossing guards, crosswalk at Center Street and 130 East, and a sidewalk on Center Street at this location.

Commissioner Jorgensen suggested adding findings of the conflicts that needed to be mitigated to the motion. This included the issues with 130 East, parking, and traffic.

Commissioner Stone spoke on the legislative issues and problems with 130 East. Commissioner Ward commented that the potential out was for the City Council to deny the request for multifamily housing at this location.

Commissioner Holbrook said he believes this proposal fits with the Town Center Master Plan.

Commissioner Holbrook moved that the Planning Commission recommend to the City Council that the Towne Plaza General Development Plan amendment be amended for the Lofts at North Salt Lake with the following findings and conditions:

Findings:

- 1) The proposed amendment is in accordance with the North Salt Lake Towne Center Master Plan;**

- 2) **The proposed amendment is necessary, due to changed or changing market conditions for office space; and**
- 3) **The proposed amendment should be considered at the City Council for safety concerns on 130 East and Center Street crossing for Orchard Elementary.**

Conditions:

- 1) **Occupancy of the Jr. one bedroom apartment units shall be limited in the leasing terms to a single individual and shall be marketed to provide rental rates that meet the 80% AMI level as provided in the City's Moderate Income Housing Plan;**
- 2) **Each unit will have a minimum one covered stall assigned to the unit and be included in monthly lease without additional charge;**
- 3) **Parking for the commercial area shall be provided at a rate of 1 space/250 sq. ft. and shall be open for tenant and guest use during non-business hours;**
- 4) **Up to 6 stalls in the west parking lot may be leased to residents of the adjacent town homes in the same development, at the owner's discretion;**
- 5) **A recommendation that the City restrict on street parking in front of the west building to a maximum 2 hour limit and 15-30 minute limit in front of the east building;**
- 6) **The cross section for Center Street be modified so as to provide the bike lane behind the curb as shown on the proposed site plan;**
- 7) **Off street loading areas for deliveries and tenant moving be provided for both buildings;**
- 8) **The amenities shown on the plan shall be provided including the roof top gathering area, on site fitness center, fenced dog park, outdoor patio for commercial restaurant use (if applicable) or for other tenant use;**
- 9) **All landscaping shall be installed in accordance with Chapter 22, Water Efficient Landscaping Standards including the existing townhome development;**
- 10) **The ground floor story of the west building shall be stepped across the slope so that individual units maintain pedestrian access at the same elevation of the sidewalk as shown on the architectural renderings;**
- 11) **The architecture of the buildings shall be provided in the style, materials and colors as shown on the architectural renderings, with a maximum height of 50 feet measured from final grade**

Commissioner Ward seconded the motion.

Commissioner Jorgensen mentioned a possible third finding related to safety concerns on 130 East and Center Street as well as condition six related to the proposed bike lane being continued east to Orchard Drive. He also mentioned his concern related to the lack of overflow parking in the area.

Chair Larson suggested an amendment to add to the third finding that overflow parking be explored by the City Council. As well as an amendment to condition six that the design was consistent with the Active Transportation Plan and expand the protected bike lane further east on Center Street. Sherrie Pace suggested that condition five include “Center” to Street parking. She also included a recommendation in the findings that the City Council consider changing the parking to one side only on 130 East.

Commissioner Jorgensen moved to amend the motion to add to the third finding that overflow parking be explored by the City Council. An amendment to condition six that the design was consistent with the Active Transportation Plan and the adjacent sidewalk plan further east on Center Street continue the same cross section. Revision to condition five to include “Center” to Street parking. And a revision to the findings that the City Council consider changing the parking to one side only on 130 East. Commission Holbrook seconded the amended motion. The motion was approved by Commissioners Holbrook, Stone, and Ward. Commissioners Jorgensen, Larson, and Maus voted in opposition to the motion. Commissioner Tucker was excused.

The motion failed due to a tie vote.

There was a discussion on parking ratios, overflow parking, and limits for the number of cars per unit.

Commissioner Maus explained that her vote would be no, because she felt that the unit density was still too high for this location. Commissioner Jorgensen said his concern was that this area was prone to traffic problems and the lack of a clear alternative for overflow parking.

Sherrie Pace commented that the Commission could recommend approval or denial to the City Council or elect to table the item.

Brian Carlisle said that the property owner to the east may be amenable to providing overflow parking.

The Commission had a discussion about denying the application which would require the applicant to appeal to the City Council.

Brian Carlisle commented that he had hoped for a positive recommendation from the Commission.

Commissioner Holbrook mentioned attending the recent APA conference which highlighted cities were using community funds to provide public parking in their town centers. Sherrie Pace replied that it would be difficult to tie something like that to this development because it may not

be the best location for the overall Town Center, but that the idea could be considered during next years General Plan update.

Commission Holbrook said the west building could accommodate another layer of parking to be used for public parking that may not be needed at this time but may be needed in the future. Sherrie Pace suggested that a public-private partnership could be considered by the City Council or RDA in the future.

Commissioner Maus moved that the Planning Commission recommend to the City Council the denial of the requested amendment to the Towne Plaza General Development Plan for Lofts at North Lake. Commissioner Jorgensen seconded the motion.

Commissioner Maus discussed the motion to add findings 1 & 2 from the recommended motion that the proposed amendment was in accord with the Town Center Master plan and that it was necessary due to changed or changing market conditions for the office space. In addition she discussed a 3rd finding that the Planning Commission recognizes that some residential was likely necessary at this site due to changing market conditions for retail space, 130 East considerations, and that overflow parking be considered.

Commissioner Maus moved that the Planning Commission recommends to the City Council the denial of the requested amendment to the Towne Plaza General Development Plan for Lofts at North Lake with the following findings regarding the request:

- 1) **The proposed amendment is in accordance with the North Salt Lake Town Center Master Plan;**
- 2) **The proposed amendment is necessary, due to changed or changing market conditions for office space; and**
- 3) **The Planning Commission recognizes that the provision for some residential use of this site is likely necessary due to the changed market demand for office and retail space, however existing conditions on 130 East/Center Street are also necessary as part of an approval process and require solutions and policy decisions from the City Council, including the following:**
 - a. **Traffic congestion on 130 East which is affected by:**
 - i. **the allowance of on street parking on both sides of the street;**
 - ii. **elementary school pickup from parents parking on the street after school because adequate pickup area is not being on the school property;**
 - iii. **thru traffic from adjacent neighborhoods;**

- iv. lack of HOA parking control and enforcement of CCRs rules regarding maximum allowed of vehicles/townhome.**
- b. School crossing safety on Center Street at 130 East needs to be addressed and may include a cross-walk and crossing guard**
- c. The proposed off-street parking may be too low or unit density too high. The Planning Commission recommends the Safety Committee, City Council, and the RDA consider the possibility of a public-private partnership to establish public parking areas in the Town Center, which could include partnering with this development proposal to expand the parking structure to provide additional overflow parking for the new residential units and the existing townhomes. Additional developer driven solutions for other off-site parking should also be considered.**

Commissioner Stone seconded the amendment.

The motion was approved by Commissioners Jorgensen, Larson, Maus, and Stone. Commissioners Holbrook and Ward voted in opposition to the motion. Commissioner Tucker was excused. The motion was approved.

The Planning Commissioners expressed their desire that the item be forwarded to the City Council because the parking and traffic issues on 130 East required policy decisions by the City Council and determination as to whether additional residential should be added to the area by amending the development agreement.

- 5. WORK SESSION: DRAFT CODE AMENDMENTS**
 - a. Table of Contents
 - b. Review of Schedule

Sherrie Pace reported that she would like to provide a clean version of the draft code amendments and asked if the Commission would like a paper copy or an electronic version. She said the review of Chapter 3: Amendments and Rezones and Chapter 7: Conditional Uses would be on December 12th the public hearing would be held in January with adoption by the City Council prior to February 1, 2024.

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

Sherrie Pace reported that there was not a City Council meeting on November 21st due to the election. She said Ted Knowlton, Suzette Jackson, and Tammy Clayton were elected to the City Council. Ms. Pace said the City Council would vote to reappoint Ron Jorgensen to a second term

and Ryan Holbrook to his first full term, as he had served the last 2 years of the unexpired term vacated by now Councilwoman Van Langeveld.

7. APPROVAL OF MINUTES

The Planning Commission meeting minutes of November 14, 2023 were reviewed and approved.

Commissioner Jorgensen moved to approve the meeting minutes as drafted for November 14, 2023 Planning Commission meeting with two typographical corrections. Commissioner Maus seconded the motion. The motion was approved by Commissioners Holbrook, Jorgensen, Larson, Maus, Stone, and Ward. Commissioner Tucker was excused.

8. ADJOURN

Commission Chair Larson adjourned the meeting at 9:40 p.m.

The foregoing was approved by the Planning Commission of the City of North Salt Lake on Tuesday, December 12, 2023 by unanimous vote of all members present.



Wendy Page, City Recorder

