

NORTH SALT LAKE CITY  
PLANNING COMMISSION MEETING  
JUNE 10, 2014

**FINAL**

Chairman Bruce Oblad called the meeting to order at 6:31 p.m. and welcomed those present.

PRESENT: Commission Chairman Bruce Oblad  
Commissioner Kim Jensen  
Commissioner Robert Drinkall  
Commissioner Lisa Watts Baskin  
Commissioner Stephan Garn  
Council Member Ryan Mumford

EXCUSED: Commissioner Ted Knowlton

STAFF PRESENT: Ken Leetham, Assistant City Manager; Ali Avery, City Planner; Jim Spung, Administrative Planning Technician; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Liz Maguire, Teresa McEntire; Pele Puefua, Pele's Polynesian Center; David Garlick, resident.

1. PUBLIC COMMENT

There were no public comments.

2. CANCELLED-PUBLIC HEARING REGARDING A REQUEST TO AMEND A PORTION OF THE SUBDIVISION PLAT FOR NORTH SALT LAKE INDUSTRIAL PARK PLAT A.

Ali Avery reported that this item was not postponed.

3. CANCELLED- PUBLIC HEARING REGARDING PROPOSED AMENDMENTS TO THE CITY'S LAND USE ORDINANCE.

Ali Avery reported that this item was not postponed.

4. CONSIDERATION OF A SITE PLAN FOR A NEW STORAGE BUILDING AT 240 NORTH 400 WEST. AREC LEE- ADVANCED DRAINAGE SYSTEMS, APPLICANT.

Jim Spung reported that Advanced Drainage Systems specializes in the production of corrugated piping for subsurface drainage. The applicant is proposing to build a 2,000 square foot free-standing structure for outdoor storage within an existing storage yard. The structure will affect the impervious surface on the property and the applicant has submitted an engineered plan for detention and water drainage which was reviewed and approved by the City Engineer. Traffic is not expected to change and the structure will not have any impact on landscaping. As the addition is less than 30,000 square feet and the site is less than five (5) acres the Planning Commission will have the final approval authority for this application. The Development Review Committee (DRC) recommends approval with no conditions.

Commissioner Oblad asked if this were a bigger project or included construction of a concrete building, would more improvements need to be made. Jim Spung replied that if this were construction of a building that the applicant would then need more parking and additional landscaping. City Code requires that any nonresidential development must go through site plan review.

Council Member Mumford asked how much of the existing lot was landscaped. He also asked if the applicant would need to bring the site up to code. Jim Spung replied that the entire frontage area was landscaped with trees that screened the piping but that he was unsure of the total percentage. Mr. Spung also said the applicant had updated some of the drainage on-site but the applicant would not be required to address screening, landscaping or parking for this application due to the minimal impact on the site.

**Commissioner Garn moved that the Planning Commission approve the site plan for the Advanced Drainage Systems storage building located at 240 North 400 West with no conditions. Commissioner Oblad seconded the motion. The motion was approved by Commissioners Oblad, Jensen, Drinkall, Baskin, Garn and Council Member Mumford. Commissioner Knowlton was excused.**

Commissioner Baskin asked for clarification on the construction materials for the free standing building. Jim Spung responded that this addition is similar to a metal carport, would be affixed to the ground and is approximately 18' tall.

5. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR PELE'S POLYNESIAN CENTER LOCATED AT 490 EAST 1000 NORTH. PELE & PELENATETE PUEFUA-PELE'S POLYNESIAN CENTER, APPLICANTS.

Jim Spung reported that this application originated from a code enforcement case. Island Mart received a business license on October 24, 2013 to operate a convenience store selling non-perishable goods. The code enforcement officer was notified that food was being prepared and sold in the convenience store. The applicant was then notified that a series of inspections and approvals must occur before food may be prepared and sold to the public. After an inspection by the City's building inspector it was found that several improvements would need to be made to the building to meet minimum building codes to sell and prepare food.

The applicant is now proposing to locate a food truck on the property to prepare and sell food. This is a conditional use in the C-S (Commercial Shopping) zoning district with no parking requirements required for a mobile food truck. However mobile food service cannot occupy or block the required parking stalls for the site where it is located. This site requires 13 parking stalls with 1 ADA stall. There are currently 12 parking stalls with 1 ADA stall on site but because the business is already licensed and is a permitted use in the City's Land Use Ordinance, the City will not require the applicants to stripe additional parking as part of this application. The catering truck will be located outside of the parking areas and will not occupy any parking stalls on site.

The DRC recommends that the truck may not obstruct parking, drive aisles, or drive approaches as provided in City code. If the catering truck were parked in a required parking stall on site the applicant would then be required to relocate that stall elsewhere on site. This conditional use permit will only authorize the applicant to prepare and serve food from a licensed and approved food truck located on this property. Prior to receiving approval to operate, the applicant must provide the City with a certificate of approval from the Davis County Health Department.

Commissioner Drinkall asked if there were any concerns with the canopy covers located at the front of the property. Jim Spung replied that because it is an outdoor retail area there were no regulations as long as it did not obstruct access or occupy required parking stalls.

Jim Spung commented that outdoor storage is not permitted at this location. City staff has been working with the applicant to remove all storage and come into compliance with City standards. He said the City would not issue a business license until the outdoor storage was removed and the site was in compliance.

Commissioner Oblad asked about the shed area and items located there. Ali Avery replied that the applicant would store wood and items associated with the food truck in the shed. She commented that the applicants have made a huge effort to clean up the site so far.

Commissioner Drinkall asked the applicant how customers would find the business. Pele Puefua replied that they try to advertise, mostly through word of mouth, and invited the Planning Commission to come try the food.

Commissioner Jensen asked when the applicant roasts a pig on site if food prep was allowed outside the truck. Jim Spung replied that they would not be digging a hole on the property but that the food would be cooked on a grill and that the fire inspector said this was not something they regulated. The Davis County Health Department would have to approve this and would be inspecting the truck and cooking areas.

Council Member Mumford asked the applicant if they had already started the process with the Davis County Health Department. Mr. Puefua replied that they had.

Ali Avery commented that the applicant had previously said that the pig roasting would only occur occasionally at a customer's request.

**Commissioner Drinkall moved that the Planning Commission approve a 90-day conditional use permit for mobile food services at Pele's Polynesian Center at the address of 490 East 1000 North which will become a permanent approval if the following conditions are met and verified by City staff with a site visit:**

- 1) The catering truck may never be parked in required parking stalls, drive approaches, or other drive aisles on the site.**
- 2) The applicant shall provide approval from Davis County to operate a mobile food truck.**
- 3) Any signage pertaining to the catering truck must be attached to the truck, and may never be located in the parking area, landscaping, etc.**

**Commissioner Garn seconded the motion. The motion was approved by Commissioners Oblad, Jensen, Drinkall, Baskin, Garn and Council Member Mumford. Commissioner Knowlton was excused.**

- 6. CONSIDERATION OF A TIME EXTENSION FOR CONDITIONAL USE PERMITS FOR 735 WEST 200 NORTH IN ORDER TO COMPLETE THE REQUIRED**

CONDITIONS OF APPROVAL FOR VARIOUS TOWING AND IMPOUND COMPANIES. LIZ MAGUIRE, APPLICANT.

Jim Spung reported that the City had received a commercial business license application for The Tow Doctor to be located at 735 West 200 North. City staff notified the applicant that the site was out of compliance with previous conditional use permit approvals for GS Towing and Salt Lake Towing & Recovery and that the previous conditions had not been met and would need to be satisfied prior to the issuance of a business license. A few of the conditions have now been completed including the resurfacing of the storage area with dustless gravel, keeping outdoor storage within approved storage areas and the addition of parking stalls. The landscaping improvements and signage approval conditions have not yet been met.

The prior applicants were given a 30-day extension to complete the improvements prior to the City revoking the conditional use permit. The extension expired on June 2, 2014 and rather than requiring a new conditional use permit for The Tow Doctor, the previous approval will be enforced since the new business will be the same in nature and scale. The new applicant is eager to comply and would like to request an extension for more time to make the necessary improvements. This company will be the 8th business licensed at this location with only 4 of the businesses on-site currently in operation. The existing tow yard is divided into 3 sections which will be occupied by Salt Lake Towing & Recovery and The Tow Doctor. The third impound yard is vacant at this time.

Jim Spung commented that The Tow Doctor has already made some improvements including the addition of dustless gravel and some landscaping work. The signage is currently not permitted as it is posted to the fence and would need to be a freestanding sign or affixed to the building. The DRC recommends that the Planning Commission grant a 30-day time extension based on the conditional use permit approval on December 10, 2013.

Commissioner Garn asked if there was a concern about the trucks driving in the gravel area and over the curb without requiring a curb cut there. Jim Spung replied that City staff had spoken to the Tow Doctor about not driving in that area. Heritage Stone Supply, who also occupies part of the property, would be improving the landscaping in that area as part of their conditional use permit approval on May 13, 2014.

Liz Maguire, The Tow Doctor, commented that the curb and gravel area will not be used as an entrance.

David Garlick, property owner, said that last week the Utah Highway Patrol were inspecting a vehicle on the lot and drove over the curb to exit the property.

Council Member Mumford asked if the tow trucks used the gravel area for a turnaround. He said that Heritage Stone will be removing the gravel and landscaping the area in question. Dillon Bauer, The Tow Doctor, replied that there is plenty of room for the tow trucks to turn around in the yard and that they would not need to use the gravel area near the curb.

Jim Spung commented that another reason this was a concern is because gravel was being tracked onto the street and into the storm drains.

Council Member Mumford asked if there was irrigation installed to water living material outside of the storage fence along 700 West and 200 North. He also asked if the landscaping improvements would be part of the 30-day extension. Jim Spung replied that there was no irrigation and the applicant had mowed and sprayed chemicals in the area to kill all plant life. City staff will work with the applicant to meet minimum City landscaping standards and that improving the landscaping was the primary reason for the extension.

Jim Spung commented that the City requires some living plant material and that a temporary irrigation system would probably need to be installed. Liz Maguire said that when she first started working with the City that the cheapest and best option for landscaping was a decorative rock as there is no irrigation there and multiple gas lines are located along that area. She then asked for a 30-day extension as they had done a lot of improvements already and needed more time to complete the requirements.

David Garlick asked if they could just install washed gravel along the property as it appeared that other properties in the area had done this. Council Member Mumford replied that living material is required and that those properties would need to come into compliance as well.

Ken Leetham replied that the washed gravel may work but that living material and irrigation would need to be installed as well.

Jim Spung commented that it was important to address all of the landscaping on-site and it may be in the property owner's best interest to be sure it was consistent with the improvements provided by Heritage Stone Supply.

Ken Leetham said that the timeframe for completion was not as important as achieving a viable overall solution for the property. City staff could work with the owner of the property to make improvements to the site.

**Commissioner Drinkall moved that the Planning Commission approve a deadline of October 1<sup>st</sup> 2014 to complete the required conditions of approval for the various towing**

**and impound companies at 735 West 200 North. Commissioner Baskin seconded the motion. The motion was approved by Commissioners Oblad, Jensen, Drinkall, Baskin, Garn and Council Member Mumford. Commissioner Knowlton was excused.**

7. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR STAPP  
CONSTRUCTION LOCATED AT 125 NORTH 400 WEST, UNIT E. GREG STAPP-  
STAPP CONSTRUCTION, APPLICANT.

Jim Spung reported that this conditional use permit is for a contractor in the Manufacturing-Distribution (M-D) zoning district. This application was initiated through a code enforcement case for an unlicensed business and un-screened outdoor storage. The applicant is leasing unit E in a 6 unit building which includes Harwood Mechanical in unit A. The space will serve as office and warehouse space with 4 employees on site during a peak shift. They anticipate 10 vehicles per day with the parking shared among all the units. The required number of stalls for this business is 11 with 63 stalls currently available on-site which satisfies the Land Use Ordinance.

During a site visit, City staff notified the applicant that outdoor storage must either be removed or screened from view and that a storage and screening plan would need to be submitted as part of the application. The applicant responded that they would remove the outdoor storage from the site or store items in the building. The DRC recommends that the Planning Commission approve this application with a 90-day conditional use permit which would become permanent if the applicant satisfies all of the conditions.

The landscaping on the site appears to have been installed at one time but is now mostly rocks or weeds. City Code requires that all land not covered by structures and paving shall be landscaped, planted and maintained in reasonable condition. Automatic irrigation systems shall function to properly provide moisture to plant life. All landscape elements shall be maintained in an orderly, free from debris, etc., condition, including painted surfaces and other finishes, as necessary and generally attractive. The DRC is requesting that City staff contact the property owner to create a landscaping improvement strategy for the entire site. The property is being sold and the new landlord is planning to make improvements to the site.

The DRC recommends approval with the condition that no outdoor storage is allowed unless the applicant complies with the screening requirements found in the City Code.

Ken Leetham reported that a real estate broker he spoke with said the building would be purchased and that the architecture and other site improvements would be made. The new owner will submit a landscaping plan and does not want outside storage at this site. Mr. Leetham said this is one of the more dilapidated properties in the industrial park and is in a prominent location.

This property has been a code enforcement issue for a number of years and the current tenant is out of compliance with the minimum City landscaping requirements.

Council Member Mumford asked if applications should be denied until the property is brought up to code. Ali Avery replied that per the City Code the landlord may be cited for leasing to businesses that do not have a City business license.

**Commissioner Jensen moved that the Planning Commission approve a 90-day conditional use permit for Stapp Construction at 125 North 400 West, Unit E which will become a permanent approval if the following conditions are met and verified by City staff:**

- 1) **No outdoor storage is allowed unless it complies with the screening requirements found in 10-1-33(B) of the City Code. Outdoor storage includes commercial vehicles, equipment, or any other item or material related to the business.**

**Commissioner Drinkall seconded the motion.**

**Commissioner Jensen moved to amend her motion from “permanent approval” to “final approval.” Commissioner Drinkall seconded the amended motion. The motion was approved by Commissioners Oblad, Jensen, Drinkall, Baskin, Garn and Council Member Mumford. Commissioner Knowlton was excused.**

8. WORK SESSION RELATED TO CERTAIN AMENDMENTS TO THE CITY’S LAND USE AND SUBDIVISION ORDINANCES REGARDING GENERAL COMMERCIAL ZONING REGULATIONS.

Jim Spung reported that the work session would be postponed.

9. APPROVAL OF MINUTES

The Planning Commission meeting minutes of April 22, 2014 were reviewed and amended.

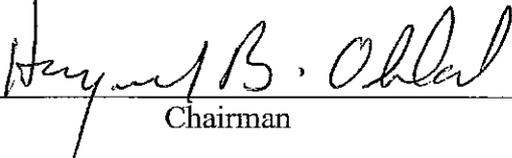
**Commissioner Baskin moved that the minutes from April 22, 2014 be approved as amended. Commissioner Oblad seconded the motion. The motion was approved by Commissioners Oblad, Jensen, Drinkall, Baskin, Garn and Council Member Mumford. Commissioner Knowlton was excused.**

The Planning Commission meeting minutes of May 27, 2014 were reviewed and amended.

**Commissioner Drinkall moved that the minutes from May 27, 2014 be approved as amended. Commissioner Jensen seconded the motion. The motion was approved by Commissioners Oblad, Jensen, Drinkall, Baskin, Garn and Council Member Mumford. Commissioner Knowlton was excused.**

10. ADJOURN

Chairman Oblad adjourned the meeting at 7:50 p.m.

  
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Chairman

  
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Secretary