NORTH SALT LAKE CITY
PLANNING COMMISSION MEETING
OCTOBER 14, 2014

FINAL

Chairman Pro Tem Kim Jensen called the meeting to order at 6:31 p.m. and welcomed those present.

PRESENT: Commissioner Kim Jensen
Commissioner Lisa Watts Baskin
Commissioner Stephen Garn
Commissioner Ted Knowlton
Commissioner Robert Drinkall
Council Member Ryan Mumford

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

OTHERS PRESENT: Kim Archer, Don Archer, State Brass Foundry; Jared White, UC Techs/Verizon Wireless; Anthony Williams, Altus Motors Inc.; Daniel Heugly, Brighton Bank; Sandra Keelu, resident.

1. PUBLIC COMMENTS

There were no public comments.

2. CONSIDERATION OF A CONDITIONAL USE PERMIT AND SITE PLAN FOR VERIZON WIRELESS LOCATED AT 845 NORTH 400 WEST. JARED WHITE-UC TECHS, APPLICANT

Jim Spung reported that Verizon Wireless is requesting approval for a cell tower, which is a conditional use in the Manufacturing Distribution (M-D) zoning district, to be located at 845 North 400 West. The applicant is proposing an 11'6" x 25'5.5" equipment shelter in addition to the tower with a 6' chain-link fence surrounding the tower and equipment. Due to the location of this facility a 12' wide access easement is also being proposed for access to the tower. As the site is not visible to the public the Development Review Committee (DRC) does not feel it is necessary for the applicant to provide additional screening as the existing buildings and landscaping provide a sufficient buffer.

The impacted area is currently being used for material and equipment storage and does not meet City standards so the DRC recommends that this storage area be improved with dustless gravel or portland cement.

Verizon Wireless is also seeking approval of a height exception to construct a 106' tall tower as 45' is the current height limit in the M-D zone. Additionally, due to the proximity of the airport, approval from the Federal Communication Commission (FCC) and Federal Aviation Administration (FAA) is also required. The DRC recommends that a condition be placed on this conditional use permit that FCC and FAA approval is required.

Jim Spung addressed the Planning Commission's concerns including screening of the tower and if the tower would be in the flight path. He said that the tower would be hard to screen due to the proposed height and that the tower is not in the flight path and is a certain distance from the runway and overlay zone of the refineries.

Commissioner Garn commented that he lived in Woods Cross near the airport and that in bad weather there were issues with planes trying to land in neighborhoods. Jim Spung replied that visibility is one mile and if pilots cannot see they are not supposed to land.

Commissioner Drinkall asked if there would be lights on the cell phone tower and what would happen if the height approval for the tower was not granted. Jared White, UC Techs/Verizon Wireless, responded that the lights would be imposed by the FAA and that if the 106' height was not approved that they would have to determine the feasibility of building the tower at that point.

Jared White also said that the tower would help increase capacity for data and that this tower and the proposed tower at the golf course are both necessary. He also said that the FCC makes the rules that govern the towers but the FAA was the only authority who would grant approval.

Council Member Mumford commented that there were several cell towers nearby and asked if Verizon could co-locate with other carriers on those existing towers. Jared White replied that the issue with those existing towers is that they are too close to existing Verizon tower sites, including the two towers on Center Street.

Council Member Mumford also asked if co-locating on billboards near the freeway would be an option versus constructing a new tower. Jared White responded that typically the billboard owner is leasing the property from the landowner and does not have sublease rights. The only way this would be an option is if the landowner also owns the billboards.

Commissioner Baskin asked if this would be a lease situation to place the tower on the property of the NSL Office Warehouse Complex. She also asked the heights of the other towers in the area. Jared White replied that Verizon Wireless always leases property for their towers. He said that the other nearby towers range from 80' to 120' in height. Mr. White clarified that they will not be leasing city-owned property at this site.

Commissioner Baskin also asked if the residents, who lived on the adjacent streets, had been notified. Jim Spung replied that the City had mailed a notification and site plan to all property owners within 1,000 feet of the site and that they had received one reply from a business owner.

Commissioner Baskin commented that to her knowledge local schools received money from wireless companies if they allow towers to be located on school property. Jared White replied that Davis County School District has the most cell towers on their property of any district in the State and that Odyssey Elementary might be used in the future. He said that they have considered that site but they need a tower in between that property and one near the airport to reduce the issue of dead spots. Mr. White also said he could not disclose the price that the schools make for allowing the towers on their property.

Commissioner Drinkall moved that the Planning Commission approve the conditional use permit allowing "Cellular and Other Wireless Telecommunications" and a height exception for a 106 foot tall Verizon cell tower to be located at 845 North 400 West subject to the following condition:

1) **Submit proof of approval to the City from the FAA prior to the issuance of a building permit.**

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

Commissioner Drinkall moved that the Planning Commission approve the site plan application for the Verizon Cell Tower to be located at 845 North 400 West subject to the following condition:

1) **The unimproved outdoor storage area on the southwest corner of the lot to be surfaced with an asphaltic or portland cement, other bindery pavement, or dustless gravel to provide a dustless surface prior to receiving a certificate of occupancy.**

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

3. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR STATE BRASS FOUNDRY LOCATED AT 120 SOUTH 1300 WEST. DANIEL HEUGLY-BRIGHTON BANK, APPLICANT

Jim Spung reported that the State Brass Foundry is requesting a conditional use permit to allow a brass foundry to be located at 120 South 1300 West. State Brass Foundry specializes in custom machine work and foundry services and produces a range of products from industrial brake drums to claw-foot bathtub feet. The applicant intends to relocate their business from 1400 South State Street in Salt Lake City to build a permanent facility in North Salt Lake. They are currently under contract to purchase the property to develop a 30,000 square foot facility with 27,000 square feet of shipping and warehouse space and 3,000 square feet of office space. State Brass Foundry currently employs 18 people and all work will be conducted indoors. The applicant is proposing some outdoor storage which will be reviewed with the site plan application. The onsite traffic will consist of employee trips and pick-up and delivery of materials a few times a week. All byproducts will be contained within the building and filtered with a ventilation system. Any potential dust will be contained within a commercial filtration system. OSHA completed an audit at their current facility one year ago and noted no environmental concerns. The DRC recommends approval of the conditional use permit with no conditions.

Council Member Mumford commented that the Planning Commission and City staff are currently discussing land use and exterior surfacing and that this might affect the construction of the project. Jim Spung replied that City staff spoke to the architect and that during the site plan review the requirements would be re-evaluated.

Commissioner Garn asked if the proximity of the proposed foundry to the Jordan River would allow for possible drainage into the river. Kim Archer, State Brass Foundry, replied that the site plan shows the required retention ponds and that nothing would drain into the river.

Commissioner Knowlton asked if there would be a planter buffer at the back corner near the Jordan River and what the City code requires there. Jim Spung responded that Acme Construction was required to do a landscaping buffer there and that State Brass would also be required to do the same.

Commissioner Drinkall asked why State Brass had selected North Salt Lake for their new location. Kim Archer replied that Salt Lake had been difficult to deal with in regards to growth and expansion and the issues with the location on State Street. North Salt Lake is convenient to their suppliers and there is room to expand.

Council Member Mumford commented that there is a stigma with foundries as they produce a lot of smells. Kim Archer replied that they use a no-bake system in their molding process that is chemically bonded sand that is recyclable. He also said they have considered adding odor retardant scents, such as orange or cinnamon, to the process.

Commissioner Garn moved that the Planning Commission approve the conditional use permit for the "fabricated metal product manufacturing" for State Brass Foundry, Inc. to be located at 120 South 1300 West with no conditions. Commissioner Knowlton seconded the motion. The motion was approved by Commissioners Drinkall, Jensen, Garn, Knowlton and Council Member Mumford. Commissioner Baskin voted in opposition to the motion.

4. CONSIDERATION OF A SITE PLAN FOR LEGACY PREPARATORY SCHOOL TUFF SHED LOCATED AT 1375 WEST CENTER STREET. JAMES PACKER-TUFF SHED, APPLICANT

Jim Spung reported that Legacy Preparatory Academy is a private charter school located at 1375 West Center Street and is proposing to construct a 720 square foot tuff shed on the northeast portion of the lot. The building, which will consist of a wooden exterior, will serve as a storage building for school programs and activities. A five foot (5') wide sidewalk is proposed between the shed and existing parking area to allow access. The building will affect the impervious surface on the property but will not affect the landscaping or parking requirements. The DRC recommends approval with no conditions.

Commissioner Knowlton moved that the Planning Commission approve the site plan for the Legacy Prep School tuff shed located at 1375 West Center Street with no conditions. Commissioner Drinkall seconded the motion. The motion was approved by Commissioners Drinkall, Jensen, Garn, Knowlton, Baskin and Council Member Mumford.

5. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR ALTUS MOTORS, INC. LOCATED AT 520 EAST 1000 NORTH. KYLE BLOSS-ALTUS MOTORS, INC., APPLICANT

Jim Spung reported that the applicant would like to lease 1,500 square feet of office space at 520 East 1000 North for a proposed car dealership. Altus Motors has 2 employees and would conduct a majority of their business through internet sales with vehicles that are stored off-site to be picked up at this proposed location by the online buyer. The applicant anticipates having no more than 10 vehicles on-site at one time with traffic limited to employees and customers picking up their vehicles. The site currently has a 10.5% landscaped area which is in compliance with City

code and 15 parking stalls with 1 ADA stall which exceeds the required parking requirements. The DRC recommends that a sign permit be obtained prior to installation as a condition of approval.

Council Member Mumford commented that the landscaping should be maintained as a condition of approval. Ken Leetham replied that it appears there used to be landscaping and it was removed. He recommended that the code enforcement officer work with the property owner to bring the site into compliance as it would be a burden for the tenant (s) and should not hold up a business license.

Commissioner Garn moved that the Planning Commission approve the conditional use permit allowing "car dealers" in the CS zone for Altus Motors, Inc. to be located at 520 East 1000 North subject to the following condition:

1) **The applicant obtains a sign permit from the City for any proposed signage prior to installation.**

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

6. PUBLIC HEARING FOR AND CONSIDERATION OF AMENDMENTS TO THE CITY'S LAND USE ORDINANCE REGARDING THE EXTERIOR SURFACING OF COMMERCIAL AND INDUSTRIAL BUILDINGS

Ali Avery reported that over the past several years the Planning Commission, City Council and City staff have had the goal to improve the appearance of the industrial and commercial areas in the City and to enhance the quality of design for new and re-developing buildings. The current City code is lacking in design standards and only requires that all metal buildings have a 4' high wainscot finish on any facade visible from the street. The DRC is recommending that the requirement be changed so that the primary structures would be allowed to have up to 20% of the outside surface of the building constructed of metal and accessory structures would have the 4' high wainscot finish requirement. The proposed code amendment would address how to review additions to non-complying structures and indicates that the portion of the addition must be in compliance with the new regulations but the entire building would not have to be retrofitted.

Ali Avery reported further that the DRC finds this code amendment is urgent as there has been significant development pressure for metal buildings in the City and that in order to ensure the longevity and quality of the new buildings this amendment is necessary.

Ali Avery commented that Garth Woolsey, an architect with Woolsey Design, had written to the City to express his opinion on metal buildings and suggested that metal siding be an alternative as it gives building owners more options. He also recommended that a combination of exterior materials be allowed and that only a certain percentage of metal would be allowable.

Commissioner Drinkall asked if City staff would continue to improve City design standards or if these were all the improvements that would be made. He also asked if this would impose a greater cost to developers and building owners. Ali Avery replied that staff is currently working on C-G zoning amendments and industrial design standards and would continue to provide more proposed code changes to improve the appearance of the City.
The Planning Commission recommended several changes to the amendments including the exemption of publicly owned and operated utility buildings (with Planning Commission review and City Council approval), the possibility of allowing certain types of metal siding on buildings, the percentage of metal to be allowed and whether to specify that metal could only be used as a decorative accent.

Ken Leetham suggested that the 20% metal allowance could include the exemption of windows, doors and decorative accents.

Chairman Pro Tem Jensen opened the public hearing at 7:43 p.m.

Don Archer with State Brass Foundry commented that his company, who had just been approved for a conditional use permit in the City, was interested in constructing a metal building with insulated panels that have embossing or other nice looking finishes which gives the appearance of concrete. He said that the metal panels seemed to be comparative in price with concrete tilt-up.

Ken Leetham said that it may be possible that applications could be granted an exception to certain restrictions by the Planning Commission. (For clarity purposes, this idea is not included in the proposed code change and so will not be possible).

Chairman Pro Tem Jensen closed the public hearing at 7:52 p.m.

Commissioner Baskin moved that the Planning Commission recommend approval to the City Council of language as currently drafted with amendments to be proposed now:

A new subsection A which shall read "Buildings shall relate to each other in their massing and forms. Square box-like structures of large, blank, unarticulated wall surfaces are deemed to be unacceptable. Buildings shall have features and patterns that provide visual

interest at the scale of the pedestrian which reduces apparent mass and relates to local architectural structure.

A new subsection B which is as written with the insertion of "At no time may more than 20% of the outside surface of a Primary Structure be constructed of metal, except when used as architectural accents."

At line 3 under subsection B "publicly-owned or operated utility buildings may be exempted from this requirement upon approval of the Planning Commission and City Council."
A new subsection C, which was formerly B, at line 3 will read "publicly-owned or operated utility buildings may be exempted from this requirement upon approval of the Planning Commission and City Council."

Subsection C will then change to subsection D. Initial caps will be made lower case in the body of each of the sections.

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

Commissioner Baskin also suggested that the terms "primary structures" and "zoning district" did not need to be capitalized throughout the code, but only the first time that they appear or in formal headings that require capitalization.

7. SELECTION OF PLANNING COMMISSION CHAIR AND VICE-CHAIR

Ali Avery presented a copy of the by-laws for the Planning Commission positions and clarification was made on the Vice-Chair position and nominations were made for the Planning Commission Chairman. Commissioner Jensen nominated Ted Knowlton who deferred to Robert Drinkall.

Council Member Mumford nominated Robert Drinkall. Commissioner Knowlton seconded the nomination. The nomination was approved by Commissioners Jensen, Garn, Knowlton, Baskin and Council Member Mumford.

8. DISCUSSION OF PROPOSED ZONING PROVISIONS RELATED TO DESIGN STANDARDS AND GUIDELINES FOR NON-RESIDENTIAL DEVELOPMENT

Ken Leetham reported that there was no formal presentation and that this was an open forum for comments. He confirmed that this item was the material on the CD that had been previously given to the Commission.

Commissioner Knowlton asked what the timeframe on this project was and what the next step in the process would be. Jim Spung replied that City staff hoped to have a draft ready in November for adoption that could then be recommended to the City Council before the end of the year.

Council Member Mumford asked if there was an update on the proposal for the Orchard Bowling Alley. Ali Avery responded that the applicant has indicated that they will submit a general development plan in November. The proposal includes townhouses/condo units south of the bowling alley with a round-about to be installed on 130 East. The bowling alley would be demolished and office and retail space would be built on that property and the vacant lot to the east.

Commissioner Drinkall commented that he had been involved in the development and that it would occur in three phases with the first phase to include the two-story townhouses and the second and third phases would consist of office space. He also said he was involved in a development on Redwood Road as well but that his interest was developmental and not financial. For these two future developments Commissioner Drinkall will recuse himself when these items come before the Planning Commission.

9. APPROVAL OF MINUTES

Council Member Mumford moved to approve the minutes from the Planning Commission meeting of September 9, 2014 as amended. Commissioner Garn seconded the motion. The motion was approved by Commissioners Drinkall, Jensen Garn, Knowlton, Baskin and Council Member Mumford.

10. ADJOURN

Chairman Drinkall adjourned the meeting at 8:32 p.m.

Chairman

Secretary