

Planning Commission Work Meeting Minutes
Thursday, January 19, 2017
City Council Chambers
220 East Morris Avenue
Time 6:30 p.m.

Commission Members Present: Jeremy Carter, Presiding
Susan Dickstein
Leslie Jones
Laura Vernon
Holly Carson
Jonathan Meakin

Staff Members Present: Michael Florence, Community Development Director
Francis Lilly, Deputy Community Development Director
Alexandra White, City Planner

1. Discussion of Agenda Items

City Planner, Alexandra White, presented the first item on the agenda and explained that the applicant requested that "automobile restoration" be added to the commercial land use matrix. The applicant is in the business of restoring classic and antique cars and would like there to be a differentiation between the Automobile Restoration definition and Auto Service and Repair and Auto Body. Ms. White read the definitions for Automobile Restoration and Classic and Antique Cars, as proposed by the applicant. The new land use would be allowed as a conditional use in the Commercial General Zone and the Transit Oriented Development (TOD) District, and a permitted use in the Light Industrial District. Ms. White then presented the conditions that would potentially be attached to the conditional use permit.

Chair Carter asked if the underlying zoning in the TOD would have an effect on where the use was allowed. Community Development Director, Michael Florence, explained that the TOD had changed since its creation, and now has its own permitted and conditional uses that are separate from the underlying zoning. Chair Carter was concerned that the proposed use could be located adjacent to a residential use within the TOD. Mr. Florence explained that one of the conditions would limit the hours of operation for those businesses located next to a residential zone. The other conditions and requirements of the code would mitigate potential nuisances and limit where such a business could be located.

Chair Carter was still concerned that someone will attempt to convert a residential home in order to house this type of business. Commissioner Carson agreed. Chair Carter suggested that the proposed language be altered to prohibit Automotive Restoration from being a certain distance from a residential use. He emphasized that this should be a residential use rather than a residential zone.

Deputy Community Development Director, Francis Lilly, presented the second item on the agenda regarding an amendment to the land use ordinance. He explained that the applicant owns Ararat

Auto and was recently granted a conditional use permit allowing the construction of a second smaller building on the property. The business currently does automotive repair and the applicant specializes in the resale of gently used, high end vehicles. In order to sell the vehicles out of the smaller building an amendment is necessary. The applicant is proposing to add a stipulation allowing an exemption from the existing requirements for one acre of display area and 200 feet of street frontage. An exemption would be allowed provided that the business displays all vehicles indoors. Outdoor storage was prohibited. Mr. Lilly stated that there would also be new design standards included in the amendment.

Commissioner Jones asked if the applicant intended to have a repair shop and a sales area. Mr. Lilly explained that the repair shop will remain in the existing building and the show room will be in the new building. He noted that the applicant already has a dealer license.

Chair Carter asked about the nearest residential use. Mr. Lilly stated that the Brickstone Apartments are directly adjacent to Ararat Auto.

Ms. White presented the final item on the agenda, which was a request for a conditional use permit to construct a new cell tower. The proposed tower will be a 67-foot monopole with a small ground facility. The facility and tower will be surrounded by a chain link fence. Ms. White presented an aerial photograph of the area and identified the proposed location of the tower. She explained that the applicant has offered a "stealth" tower design due to its proximity to residential development.

Commissioner Dickstein asked if staff had information regarding possible health hazards associated with cell towers. Ms. White stated that the applicant will be present during the regular meeting and a specialist will be able to speak to that concern.

The Planning Commission Work Meeting adjourned at approximately 7:00 p.m.

Planning Commission Regular Meeting Minutes
Thursday, January 19, 2017
City Council Chambers
220 East Morris Avenue
Time 7:00 p.m.

Commission Members Present: Jeremy Carter, Presiding
Susan Dickstein
Leslie Jones
Laura Vernon
Holly Carson
Jonathan Meakin

Staff Members Present: Michael Florence, Community Development Director
Francis Lilly, Deputy Community Development Director
Alexandra White, City Planner

Moment of Reflection: **Chair Carter**

Pledge of Allegiance: **Commissioner Jones**

Motion to Approve the Agenda: **Commissioner Jones**

Second to the Motion: **Commissioner Meakin**

Vote: **Unanimous**

New Business

• **T-17-001**

- 1. Public Hearing for a Recommendation to the South Salt Lake City Council to Amend Title 17.03 and 17.15 of the South Salt Lake Municipal Code. The ordinance Amendment Petition (T-17-001) Proposes Establishing ‘Automobile Restoration’ as a Use in the Commercial Land Use Matrix.**

Action Item

Applicant Leon Allem

City Planner, Alexandra White, presented the staff report regarding a proposed amendment to add Automobile Restoration as a use in the commercial land use matrix as well as adding definitions for Automobile Restoration and Classic and Antique Cars. Ms. White explained that the applicant desires to separate Automobile Restoration from the Auto Body and Auto Service and Repair uses. She then read the proposed definitions. Staff determined that the use should be allowed as a conditional use in the Commercial General Zone and Transit Oriented District

(TOD) and an allowed use in the Light Industrial District. Ms. White presented the conditions that would be attached to the conditional use, including the prohibition of outdoor storage of vehicles and equipment and the limiting the hours of operation for businesses adjacent to a residential zone. Staff recommended approval of the application. In response to a question from Commissioner Vernon, Ms. White stated that the applicant's property is located in the TOD.

The applicant and co-owner of DNM Custom Classics, Matt Feuer, stated that the current address of the business is 4098 South 300 West in Millcreek. He explained that the business originated in South Salt Lake City and he was excited to move the business back into the City. He then described the nature of the business, which is to restore and repair classic and antique vehicles. The business will restore roughly 10 vehicles per year but they need a facility that can house 40 cars at a time. Mr. Feuer stated that the proposed amendment will allow the business to be in a better location than what is currently allowed.

Mr. Feuer stated that the hours of operation will be from 7:00 a.m. to 4:00 p.m. He also informed the Planning Commission that there are apartment buildings located roughly one block to the south of the subject property but there were no residential uses directly adjacent to the property.

Chair Carter opened the public hearing at 7:17 p.m. There were no public comments. Chair Carter closed the public hearing.

Chair Carter expressed a desire to limit the ability for this type of business to be adjacent to a residential use. Commissioner Vernon suggested that 150 or 200 feet would be an appropriate distance. After some discussion, the Planning Commission agreed to 150 feet between the Automobile Restoration use and any residential use. Chair Carter emphasized that the language read "residential use" rather than "residential zone".

Community Development Director, Michael Florence, suggested that the distance identified in the condition regarding hours of operation be changed to 150 feet to be consistent.

Motion to recommend that the City Council AMEND Title 17.03 and 17.15 of the South Salt Lake Municipal Code to establish standards for "automobile restoration"; with the amendment that the proposed use cannot be located within 150 feet of a residential use.

Commissioner Vernon

Second on the motion:

Commissioner Dickstein

Vote:

Unanimous

- **T-17-002**
- 2. **Public hearing for a Recommendation to the South Salt Lake City Council to Amend Chapter 17.06.110 and 17.15 of the South Salt Lake Municipal code. The**

ordinance Amendment Petition (T-17-002) Proposes Amending 17.06.110 to Establish Standards to Allow for Indoor Only Automobile Sales.

Action Item

Applicant Tony Ouzounian

Deputy Community Development Director, Francis Lilly, presented the staff report regarding a proposed land use ordinance amendment. He explained that the applicant wishes to amend two requirements of the Code. The first was that the requirement that all new automobile sales businesses must have at least one acre of display area. The second was that the business must have 200 feet of frontage. These two requirements prohibit new small-scale auto sales businesses anywhere in South Salt Lake City. Mr. Lilly explained that the applicant was recently granted a conditional use permit to construct another small building on the property. He would like to sell gently used, high end automobiles from that building. The existing structure would continue to be used as a repair shop. Mr. Lilly then read the proposed language.

The applicant, Tony Ouzounian, gave the business address as 3333 South 200 East. He explained that the business, Ararat Auto, has been at this location for 28 years and adding the new showroom would help sell the vehicles and increase the attractiveness of the site.

Chair Carter opened the public hearing at 7:40 p.m. There were no public comments. Chair Carter closed the public hearing.

Commissioner Jones asked if the Planning Commission would be allowed to dictate the number of cars that would be allowed in the showroom at one time. Mr. Florence stated that the City would not be regulating the number of cars, but the ordinance limits the size of the showroom to 1,500 square feet, which would help to limit the number of cars. He noted that the owner would also have to allow enough room to maneuver the cars within the space. Mr. Lilly stated that the Fire Code requirements would likely limit the number of vehicles. The Planning Commission had a brief discussion regarding the distance from residential uses and determined that the language should be altered similar to that of the previous item.

Motion to recommend that the City Council AMEND Chapter 17.06.110 of the South Salt Lake Municipal Code to establish standards allowing for indoor-only automobile sales, and to exempt rental businesses from the special requirements established in the ordinance; and changing the term "residential zone" to "residential use".

Commissioner Dickstein

Second on the motion:

Commissioner Jones

Vote:

Unanimous

• **C-17-001**

3. Conditional Use Permit (C-17-001) to Construct a 67-Foot Tall New Cell Tower Facility Located at 633 East 3300 South.

Action Item

Address 633 East 3300 South

Applicant Verizon Wireless and Technology Associates

Ms. White presented the staff report regarding the request for a conditional use permit that would allow the applicant to construct a new 67-foot cell tower facility at the address listed above. The applicant proposed a stealth monopole in the design of a pine tree. Ms. White presented an aerial photograph and identified the subject property and the proposed location of the cell tower facility.

The applicant, Daniel Thurgood, gave his address as 5710 South Green Street in Murray and stated that he works for Technology Associates. Nick Jensen from Verizon Wireless was also present to address any technical questions that the Planning Commission or public may have. Mr. Thurgood stated that Verizon was looking to improve service and cell capacity in the area, particularly with the future growth that would be coming to the old Granite High School site. He briefly addressed their attempts to find another location for the tower and how they came to the proposed site. He also discussed the mono-pine design of the pole the ground equipment and fencing. In terms of colocation, Mr. Thurgood stated that there were no other cell towers in the area for them to collocate, but they would be designing their pole so that other carriers will have the option to collocate on this pole. Mr. Thurgood then presented renderings of the tower, the ground equipment, and presented photographs of other mono-pine towers.

Commissioner Vernon asked what kind of maintenance the mono-pine design will require. Mr. Thurgood explained that the tree branches are very durable and designed to be easily replaced if damaged.

Commissioner Meakin asked how wide the base of the tower will be to accommodate the proposed height. Mr. Thurgood stated that the width is dependent upon the number of carriers the pole is designed to carry and the wind and snow loads expected at the location. Each tower is engineered and designed separately, so the width of this particular tower has not yet been determined. Mr. Thurgood estimated the width to be between three and four feet.

Commissioner Carson asked about the potential dangers to wildlife and humans.

Nick Jensen, a radio frequency engineer with Verizon Wireless, gave his address as 14780 South Falkland Cove in Draper. He explained that very specific rules and regulations have been established by the EPC and the FCC that Verizon is required to follow. With regard to wildlife, they have to be very cautious with animals that may make a home in the monopole trees. They must either wait for the animal to move on or have a professional relocate them. Mr. Jensen then

explained that anything that uses radio technology falls under the purview of the federal government, specifically the Federal Communications Corporation. The FCC is serious about the health and safety of life surrounding all radio equipment and Verizon is extremely conservative when following the safety regulations set out by the FCC. Mr. Jensen explained that he and his co-workers spend a lot of time around this equipment and they would not do so if the equipment was unsafe.

Commissioner Vernon asked if branches would be removed when other companies collocate. Mr. Thurgood explained that the pole will be designed in such a way that an additional mount could be added below the Verizon antenna without removing the branches.

Chair Carter asked if the applicants had any documentation regarding the safety of the equipment and its potential effect on human life. Mr. Thurgood stated that he emailed such documentation to Ms. White earlier in the day. Mr. Jensen briefly summarized the contents of the documents.

In response to a question from Chair Carter, Mr. Jensen explained that Verizon does not use very high powered transmitters and this particular site was intended to cover less than a mile in terms of service.

Commissioner Dickstein stated that the Planning Commission received email communication from residents who questioned the tower's effect on special health conditions such as CIDP and pacemakers. She was concerned that these people will be more susceptible to emissions from the tower.

Mr. Jensen stated that this issue is raised frequently when they propose a new tower. He explained that pacemakers and things of that nature are tested extensively to ensure that they can operate in an environment with cell phone signaling. Mr. Jensen confirmed that the equipment used by Verizon was tested on many different levels before becoming operational, and he was confident that it was safe. He noted that there are many existing cell towers in the Salt Lake Valley and Verizon will be using equipment that already exists. The addition of the tower will not have a different effect on pacemakers.

Chair Carter opened the public hearing at 8:24 p.m.

Judy Mincher gave her address as 3233 South Water Lily Drive, and stated that she sent an email to the Planning Commission earlier in the day expressing her concerns with the application. Her home is less than 200 feet from the proposed site. She has been diagnosed with CIDP and was concerned about the potential effects the tower will have on her condition. Mrs. Mincher had done her own research and found that experts are divided as to the possible health hazards related to tower emissions. She was also concerned that her property value will decrease if a tower is constructed so close to her home. Mrs. Mincher was aware that the City will not legally deny the application based on health concerns, so she urged the applicant to find another location for the tower that would not be so close to existing residences.

Kathy Self, who resides at 3232 South Water Lily Drive, stated that her back fence is within 20 feet of the proposed tower location. Her son had been diagnosed with multiple disabilities and

has a BNS implanted in his chest, which pulses more frequently than a pacemaker. Her son is also non-verbal. She was concerned that he would not be able to communicate if there was an issue as a result of the tower emissions. Mrs. Self gave the Planning Commission a copy of a petition signed by the residents of Water Lily Drive and Bulrush Drive expressing opposition to the tower.

Kathy Blackwood gave her address as 3247 South Water Lily Drive and expressed opposition to the proposed tower. She felt that Verizon should consider the needs of the residents as well as their own.

Ryan Thomas, who resides at 603 East Spring View Drive, asked the Planning Commission to consider how the tower will benefit the community. Mr. Thomas is a Verizon Wireless customer and he has not had any issues with service in the area. He also stated that research regarding the effect of cell towers is inconclusive, which was a major concern.

There were no further public comments. Chair Carter closed the public hearing at 8:35 p.m.

Mr. Florence suggested that the item be continued so that the Planning Commission can have time to review the documents provided by the applicant as staff did not have the chance to forward those to the Commissioners before the meeting. Chair Carter agreed that continuing the item would allow the Planning Commission to make a more informed decision. Mr. Florence also stated that staff could do some additional research, if necessary.

Chair Carter asked that staff look to other municipalities that have had similar discussions regarding cell towers as they may be able to find value in their discussions.

Commissioner Vernon was concerned about the location of the tower on the subject property and asked if the applicant had considered placing the tower closer to 700 East. Mr. Thurgood explained that the owner of the subject property had plans for future redevelopment, the details of which were not shared with him. It was the property owner's decision to have the tower in the back corner so that it would not interfere with the redevelopment plans.

Commissioner Meakin asked for more renderings of the monopole tree design. Mr. Thurgood stated that he could give the Planning Commission a list of locations where the tree design has been implemented. He felt that seeing the monopoles in person would provide a better representation than a photograph.

Motion to CONTINUE the item to the next regular Planning Commission Meeting.

Commissioner Carson

Second the motion:

Commissioner Vernon

Vote:

Unanimous

Continuing Business

There was none.

Commission Business

Motion to APPROVE the January 5, 2017 Planning Commission Meeting Minutes.

Motion to approve: Commissioner Jones

Second the motion: Commissioner Dickstein

Vote: Unanimous

Staff Business – Information Items

Ms. White noted that staff received several emails from individuals that could not attend the meeting, and those emails would be entered into the record and included as part of the minutes.

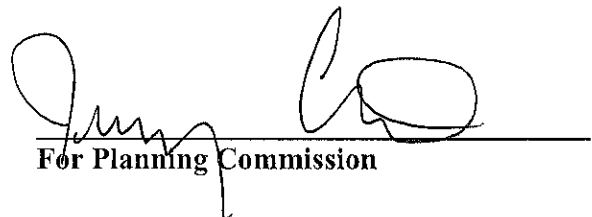
Adjournment

Motion to Adjourn: Commissioner Carson

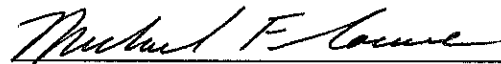
Second: Commissioner Jones

Vote: Unanimous

The Planning Commission Meeting adjourned at approximately 8:43 p.m.



For Planning Commission



Michael Florence
Community Development Director

PLANNING COMMISSION MEETING

DATE: Jan. 19, 2017

Please sign and pass on, thank you.

NAME	ADDRESS	REPRESENTING
<u>Brycen Carter</u>	<u>66 W CRYSTAL AVE.</u>	<u></u>
<u>Leon Allen</u>	<u>P.O. Box 9126.</u>	<u>Krisis LLC.</u>
<u>Mat Fhrere</u>	<u>4098 S 300 W</u>	<u>DTM Kustoms and Klassics</u>
<u>Tony Auzo</u>	<u>3323 So 2nd St.</u>	<u>Auto Dealer.</u>
<u>Todd Timmons</u>	<u>3323 S 2nd E.</u>	<u>" "</u>
<u>Daniel Thurgood</u>	<u>5710 S Green St. - Murray</u>	<u>Verizon Wireless</u>
<u>Troy Benson</u>	<u>3287 E 5710 S. Green St. Murray</u>	<u></u>
<u>Nick Jensen</u>	<u>14720 S Falkland, Daper</u>	<u>Verizon Wireless</u>
<u>Judy Muncher</u>	<u>3233 S. Water Lily Dr</u>	<u>Self</u>
<u>KATHY BLACKWOOD</u>	<u>3247 S. WATER LILY</u>	<u>SELF</u>
<u>RYAN THOMAS</u>	<u>603 E SPRINGVIEW DR</u>	<u>RESIDENT (SELF)</u>
<u></u>	<u></u>	<u></u>
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