

PLANNING COMMISSION STAFF REPORT

Iglesia De Dios Christiana Santidad A Jehova
Conditional Use – Place of Worship
PLNPCM2008-00680
893 South Bending River
February 11, 2009



Planning and Zoning Division
Department of Community and
Economic Development

Applicant:

Eliseo Alforo

Staff:

Doug Dansie 535-6182
Doug.Dansie@slcgov.com

Tax ID:

15-10-152-002

Current Zone:

M-1 Manufacturing

Master Plan Designation:

West Salt Lake Master Plan:
light manufacturing

Council District:

District Two Van Turner

Lot Size:

1.36 acres

Current Use:

Vacant

Applicable Land Use

Regulations:

21A.28.020 M-1 Light
Manufacturing District
21A.54 Conditional uses

Notification

- Notice: January 27, 2009
- Sign: January 30, 2009
- Web: February 5, 2009

Attachments:

- A. Site Plan & Elevation Drawings.
- B. Photographs
- C. Citizen Input.
- D. Conditional Use map

Request

This is a request by Iglesia De Dios Santidad A Jehova for a Conditional Use for a place of worship in a manufacturing zone, represented by Eliseo Alfonso.. The ordinance allows churches in manufacturing zones as a conditional use. The proposed church is to be located at approximately 893 South Bending River, which is approximately 1900 West. The site is west of Redwood Road and east of I-215.

Staff Recommendation

Based on the findings listed in the staff report, it is the Planning Staff's opinion that overall the project generally meets the applicable standards and therefore, recommends that the Planning Commission approve the petition with the following conditions:

1. That the Church agrees to waive any objection if a Class B Private Club, Class C Beer (Tavern) or Brewpub chooses to locate within 600 feet of the Church.
2. The Planning Commission delegates final authority for the site plan and landscaping review to the Planning Director.



VICINITY MAP

Background

Project Description

The proposal is to build a church in a manufacturing district. Historically, churches were not allowed in manufacturing zones because they were deemed more of a neighborhood use. As churches have evolved, many have located in non-traditional sites. The proposed church is approximately 12,000 square feet and may be expanded by an additional 6,000 square feet. Salt Lake City ordinance was recently changed to allow churches in manufacturing zoning districts. During the discussion, the primary issue was liquor control. By State law, bars and clubs may not be located within 600 feet of a school, church or park. A church may waive this requirement if it does not object. The City Council felt that schools, churches and parks already limited the location of bars and that the introduction of churches into areas that presently allowed bars infringes on territory of alcohol locations that were already limited. The Council decided to make churches a conditional use, based upon the condition that the church would waive any future objection to alcohol establishments nearby in the

future. The zoning ordinance states: *If a place of worship is located within 600 feet of a tavern, private club, brewpub or microbrewery, a written waiver of spacing requirements is required as a condition of approval.*

The proposed location is on a vacant lot within a new industrial park.

The proposed construction is of split block, similar to other buildings in the area. The proposed building meets all landscape and parking requirements.

Comments

Public Comments

The item was scheduled to be presented to the Poplar Grove Community Council held on January 27, 2009. But for a variety of reason the item was not discussed.

City Department Comments

Permits

SALT LAKE CITY BUILDING SERVICES

Preliminary Zoning Review

Permits and Licensing

Log Number: PLNPCM2008-00680 Date: December 20, 2008

Project Name: Iglesia De Dios Christiana Santidad A Jehova

Project Address: 893 South Bending River

Contact Person: Doug Dansie

Fax Number: (801) 535-6174

Phone Number: (801) 535-6182

E-mail Address:

Zoning District: M-1 Reviewer: Alan Hardman Phone: 535-7742

Comments

1. Obtain Address Certificate from the city's Engineering Division.
2. The Conditional Use petition PLNPCM2008-00680 must be approved.
3. The lot lies within a Surface Fault Rupture Study Area. Provide a Geotechnical Hazard Report.
4. Provide an Avigation Easement from the Airport.

5. Provide a Landscape Plan that meets all conditions of 21A.48.
6. Public Utilities approval required.
7. Fire Department approval required.
8. Engineering Division approval required for all street and public way improvements.
9. Transportation Division approval required for all parking and traffic-related issue.

Fire

The following are issues

- Fire hydrants shall be within 400 feet of all exterior walls.
- Automatic fire sprinkler shall be provided if the total occupant load is over 300 people,
- Provide inter connection to a remote station.

Airport

Doug,

Thank you for the notice regarding Conditional Use for a church in an M-1 zoning district located at 893 South Bending River. This address is in the Salt Lake City's Airport Influence Zone "H" this area having specific height restrictions. This project area has a height restriction of 4,450' MSL approximately 230' AGL. Salt Lake City does not require an aviation easement for new development in this zone. This project creates no observed impacts to airport operations.

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Airport Principal Planner
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Transportation

November 18, 2008

Doug Dansie, Planning

Re: PLNPCM2008-00680 Iglesia De Dios Santidad A Jehova Conditional use for a church in a manufacturing zone at 893 South Bending River Road.

The division of transportation review comments and recommendations are as follows:

We have reviewed the Traffic Impact Study submitted and find no traffic issues or mitigation requirements.

In reviewing the site plan proposal I have the following comments –

The parallel parking stalls are shown at 20' long. Our standard on site parallel parking stall is to be 22' long.

The parking calculations indicate 72 stalls provided and require 3 ADA stalls with the first being a van accessible stall. The grading indicates a 3.1% slope near the proposed ADA stalls, the maximum grade is 2% within the ADA designated area. Show the ADA signing centered on each stall. The 5% bike parking requires 3-4 stalls.

A pedestrian access walk is required from the public sidewalk to the building.

The driveway approaches are noted to be APWA 221, We recommend the APWA 215 subject to Engineering review.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.
Randy Drummond, P.E.
Ted Itchon, Fire
Peggy Garcia, Public Utilities
Larry Butcher, Permits
File

Engineering

Morning Doug-

Engineering has reviewed a request for a conditional Use to allow a church in an M-1 zone, located at 893 South Bending River. Our department does not have any issues with regards to this request, therefore, the decision would be bourn by the planning department.

Sincerely,

Craig

Project Review

Planning Commission Subcommittee

This project was not scheduled for review by the Planning Commission subcommittee

Analysis and Findings

Options

Denial of the petition will logically result in the property being used for manufacturing purposes and the Church being located in a more traditional area.

Findings

21A.54.080 B. Specific Standards: A conditional use permit shall be approved unless the evidence presented shows that one (1) or more of the standards set forth in this subsection cannot be met. The Planning Commission, or, in the case of administrative conditional uses, the Planning Director or the Director's designee, may request additional information as may be reasonably needed to determine whether the standards of this subsection can be met.

1. **Master Plan and Zoning Ordinance Compliance:** The proposed conditional use shall be:
 - a. Consistent with any policy set forth in the City-Wide, Community, and Small Area Master plan and future land use map applicable to the site where the conditional use will be located, and
 - b. Allowed by the zone where the conditional use will be located or by another applicable provision of this title.

Finding: The West Salt Lake Master Plan does not encourage housing west of Redwood Road because of industrial conflicts, however it is generally silent regarding the location of churches in this area. The site is generally surrounded by manufacturing uses. The primary issue is the potential for conflicts with liquor sales in the general area. There are currently no liquor sales in the near vicinity.

2. **Use Compatibility:** The proposed conditional use shall be compatible with the character of the site, adjacent properties, and existing development within the vicinity of the site where the use will be located. In determining compatibility, the Planning Commission shall consider:
 - a. Whether the street or other means of access to the site where the proposed conditional use will be located will provide access to the site without materially degrading the service level on such street or any adjacent street;
 - b. Whether the type of use and its location will create unusual pedestrian or vehicle traffic patterns or volumes that would not be expected with the development of a permitted use, based on:
 - i. Orientation of driveways and whether they direct traffic to major or local streets, and, if directed to local streets, the impact on the safety, purpose, and character of these streets;
 - ii. Parking area locations and size, and whether parking plans are likely to encourage street side parking for the proposed use which will adversely impact the reasonable use of adjacent property;
 - iii. Hours of peak traffic to the proposed use and whether such traffic will unreasonably impair the use and enjoyment of adjacent property; and
 - iv. Hours of operation of the proposed use as compared with the hours of activity/operation of other nearby uses and whether the use, during hours of operation, will be likely to create noise, light, or other nuisances that unreasonably impair the use and enjoyment of adjacent property;
 - c. Whether the internal circulation system of any development associated with the proposed use will be designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic;
 - d. Whether existing or proposed utility and public services will be adequate to support the proposed use at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources;
 - e. Whether appropriate buffering or other mitigation measures, such as, but not limited to, landscaping, setbacks, building location, sound attenuation, odor control, will be provided to protect adjacent land uses from excessive light, noise, odor and visual impacts and other unusual disturbances from trash collection, deliveries, and mechanical equipment resulting from the proposed use; and
 - f. Whether detrimental concentration of existing non-conforming or conditional uses substantially similar to the use proposed is likely to occur based on an inventory of uses within one-quarter (1/4) mile of the exterior boundary of the subject property.

Finding: The building has been reviewed by appropriate departments who have determined that the use

and layout of the site is generally acceptable. The Church will primarily be used on Sunday, when other uses in the general area are least active, therefore conflicts will be minimal. Due to its location in an industrial area, buffering from other uses is generally not needed. There is no detrimental concentration of conditional uses (See attachment D).

3. Design Compatibility: The proposed conditional use shall be compatible with the character of the area where the use will be located with respect to:

- a. Site design and location of parking lots, access ways, and delivery areas;
- b. Whether the proposed use, or development associated with the use, will result in loss of privacy, objectionable views of large parking or storage areas; or views or sounds of loading and unloading areas; and
- c. Intensity, size, and scale of development associated with the use as compared to development and uses in the surrounding area.
- d. If a proposed conditional use will result in new construction or substantial remodeling of a commercial or mixed-used development, the design of the premises where the use will be located shall conform to the conditional building and site design review standards set forth in Chapter 21A.59 of this title (*Separate analysis later in this report*).

Finding: The conditional use is to allow the new construction of a building compatible with the rules and regulations of the zoning code. Departmental review has revealed no major concerns that cannot be resolved prior to the issuance of a building permit. The proposed condition use is compatible with surrounding uses.

4. Detriment to Persons or Property: The proposed conditional use shall not, under the circumstances of the particular case and any conditions imposed, be detrimental to the health, safety, and general welfare of persons, nor be injurious to property and improvements in the community, existing surrounding uses, buildings, and structures. The proposed use shall:

- a. Not emit any known pollutant into the ground or air that will detrimentally affect the subject property or any adjacent property;
- b. Not encroach on any river or stream, or direct runoff into a river or stream;
- c. Not introduce any hazard or potential for damage to an adjacent property that cannot be mitigated;
- d. Be consistent with the type of existing uses surrounding the subject property; and
- e. Improve the character of the area by encouraging reinvestment and upgrading of surrounding properties.

Finding: The conditional use does not emit any pollutants or impact any environmentally fragile sites, nor does it encroach on any river or stream. The use is compatible.

5. Compliance with Other Applicable Regulations: The proposed conditional use and any associated development shall comply with any other applicable code or ordinance requirement.

Finding: The proposal must meet building and fire codes.

21A.59.060 Standards For Design Review:

In addition to standards provided in other sections of this title for specific types of approval, the following standards shall be applied to all applications for design review:

A. Development shall be primarily oriented to the street, not an interior courtyard or parking lot.

1. Primary building orientation shall be toward the street rather than the parking area. The principal entrance shall be designed to be readily apparent.
2. At least sixty percent (60%) of the street frontage of a lot shall have any new building located within ten feet (10') of the front setback. Parking is permitted in this area.
3. Any buildings open to the public and located within thirty feet (30') of a public street shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be a distinctive and prominent element of the building's architectural design, and shall be open to the public during all business hours.
4. Each building shall incorporate lighting and changes in mass, surface, or finish to give emphasis to its entrances.

Finding: The Church does not face the street and does not meet this standard, however this is an industrial zoning district, not a walkable neighborhood and the proposed architecture is consistent with adjacent buildings.

B. Primary access shall be oriented to the pedestrian and mass transit.

1. Each building shall include an arcade, roof, alcove, portico, awnings, or similar architectural features that protect pedestrians from the rain and sun.

Finding: Due to lack of housing and transit in the area, access will be by vehicle.

C. Building facades shall include detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction.

1. At least forty percent (40%) of any first floor wall area that faces and is within thirty feet (30') of a primary street, plaza, or other public open space shall contain display areas, windows, or doorways. Windows shall allow views into a working area or lobby, a pedestrian entrance, or display area. First floor walls facing a side street shall contain at least twenty five percent (25%) of the wall space in window, display area, or doors. Monolithic walls located within thirty feet (30') of a public street are prohibited.
2. Recessed or projecting balconies, verandas, or other usable space above the ground level on existing and new buildings is encouraged on a street facing elevation. Balconies may project over a public right of way, subject to an encroachment agreement issued by the city.

Finding: The proposed church building is primarily an enclosed building with few windows. Because of its location in an industrial zoning district, it remains consistent with adjacent architecture.

D. Architectural detailing shall emphasize the pedestrian level of the building.

Finding: The proposed church contains some architectural detailing in the façade. It is only one story tall and is oriented to the ground level.

E. Parking lots shall be appropriately screened and landscaped to minimize their impact on adjacent neighborhoods.

1. Parking areas shall be located behind or at one side of a building. Parking may not be located between a building and a public street.

2. Parking areas shall be shaded by large broadleaf canopied trees placed at a rate of one tree for each six (6) parking spaces. Parking shall be adequately screened and buffered from adjacent uses.
3. Parking lots with fifteen (15) spaces or more shall be divided by landscaped areas including a walkway at least ten feet (10') in width or by buildings.

Finding: The proposed parking lot layout is consistent with other industrial uses in the area. It will be required to meet minimum landscaping standards prior to receiving a building permit.

F. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods.

Finding: There is no adjacent residential neighborhood. Lighting levels shall be reviewed prior to issuance of a building permit.

G. Parking and on site circulation shall be provided.

1. Connections shall be made when feasible to any streets adjacent to the subject property and to any pedestrian facilities that connect with the property.
2. A pedestrian access diagram that shows pedestrian paths on the site that connect with a public sidewalk shall be submitted.

Finding: Parking and on-site circulation should be modified to the satisfaction of the Salt Lake City Transportation Department.

H. Dumpsters and loading docks shall be appropriately screened or located within the structure.

1. Trash storage areas, mechanical equipment, and similar areas are not permitted to be visible from the street nor permitted between the building and the street.
2. Appropriate sound attenuation shall occur on mechanical units at the exterior of buildings to mitigate noise that may adversely impact adjacent residential uses.

Finding: There are no adjacent residential areas. All major loading is to the rear of the site, not visible from the street. Final plans will receive more detailed review for compliance prior to the issuance of a building permit

I. Signage shall emphasize the pedestrian/mass transit orientation.

Finding: Signage is located on a monument sign, which is at pedestrian level.

J. Lighting shall meet the lighting levels and design requirements set forth in chapter 4 of the Salt Lake City lighting master plan dated May 2006.

Finding: Lighting levels will be reviewed prior to the issuance of a building permit

K. Streetscape improvements shall be provided as follows:

1. One street tree chosen from the street tree list shall be placed for each thirty feet (30') of property frontage on a street.
2. Landscaping material shall be selected that will assure eighty percent (80%) ground coverage occurs within three (3) years.
3. Hardscape (paving material) shall be utilized to designate public spaces. Permitted materials include unit masonry, scored and colored concrete, grasscrete, or combinations of the above.
4. Outdoor storage areas shall be screened from view from adjacent public rights of way. Loading facilities shall be screened and buffered when adjacent to residentially zoned land and any public street.

5. Landscaping design shall include a variety of deciduous and/or evergreen trees, and shrubs and flowering plant species well adapted to the local climate.

Finding: The proposed layout includes landscaping and traffic control consistent with , or in excess of, other building sin the area..

L. Street trees shall be provided as follows:

1. Any development fronting on a public or private street shall include street trees planted consistent with the city's urban forestry guidelines and with the approval of the city's urban forester.
2. Existing street trees removed as the result of a development project shall be replaced by the developer with trees approved by the city's urban forester.

Finding: This is an industrial subdivision with few street trees.

M. The following additional standards shall apply to any large scale developments with a gross floor area exceeding sixty thousand (60,000) square feet:

1. The orientation and scale of the development shall conform to the following requirements:
 - a. Large building masses shall be divided into heights and sizes that relate to human scale by incorporating changes in building mass or direction, sheltering roofs, a distinct pattern of divisions on surfaces, windows, trees, and small scale lighting.
 - b. No new buildings or contiguous groups of buildings shall exceed a combined contiguous building length of three hundred feet (300').
2. Public spaces shall be provided as follows:
 - a. One square foot of plaza, park, or public space shall be required for every ten (10) square feet of gross building floor area.
 - b. Plazas or public spaces shall incorporate at least three (3) of the five (5) following elements:
 - i. Sitting space of at least one sitting space for each two hundred fifty (250) square feet shall be included in the plaza. Seating shall be a minimum of sixteen inches (16") in height and thirty inches (30") in width. Ledge benches shall have a minimum depth of thirty inches (30");
 - ii. A mixture of areas that provide shade;
 - iii. Trees in proportion to the space at a minimum of one tree per eight hundred (800) square feet, at least two inch (2") caliper when planted;
 - iv. Water features or public art; and/or
 - v. Outdoor eating areas or food vendors.

Finding: The proposed building is less than 12,000 square feet. This standard does not apply..

N. Any new development shall comply with the intent of the purpose statement of the zoning district and specific design regulations found within the zoning district in which the project is located as well as adopted master plan policies, the city's adopted "Urban Design Element" and design guidelines governing the specific area of the proposed development. Where there is a conflict between the standards found in this section and other adopted plans and regulations, the more restrictive regulations shall control. (Ord. 61-08 □ 2 (Exh. B), 2008; Ord. 89-05 □ 8, 2005; Ord. 3-05 □ 11, 2005)

Finding: The proposed layout is consistent with the Master Plan and Urban Design Element.

21A.59.020 Authority:

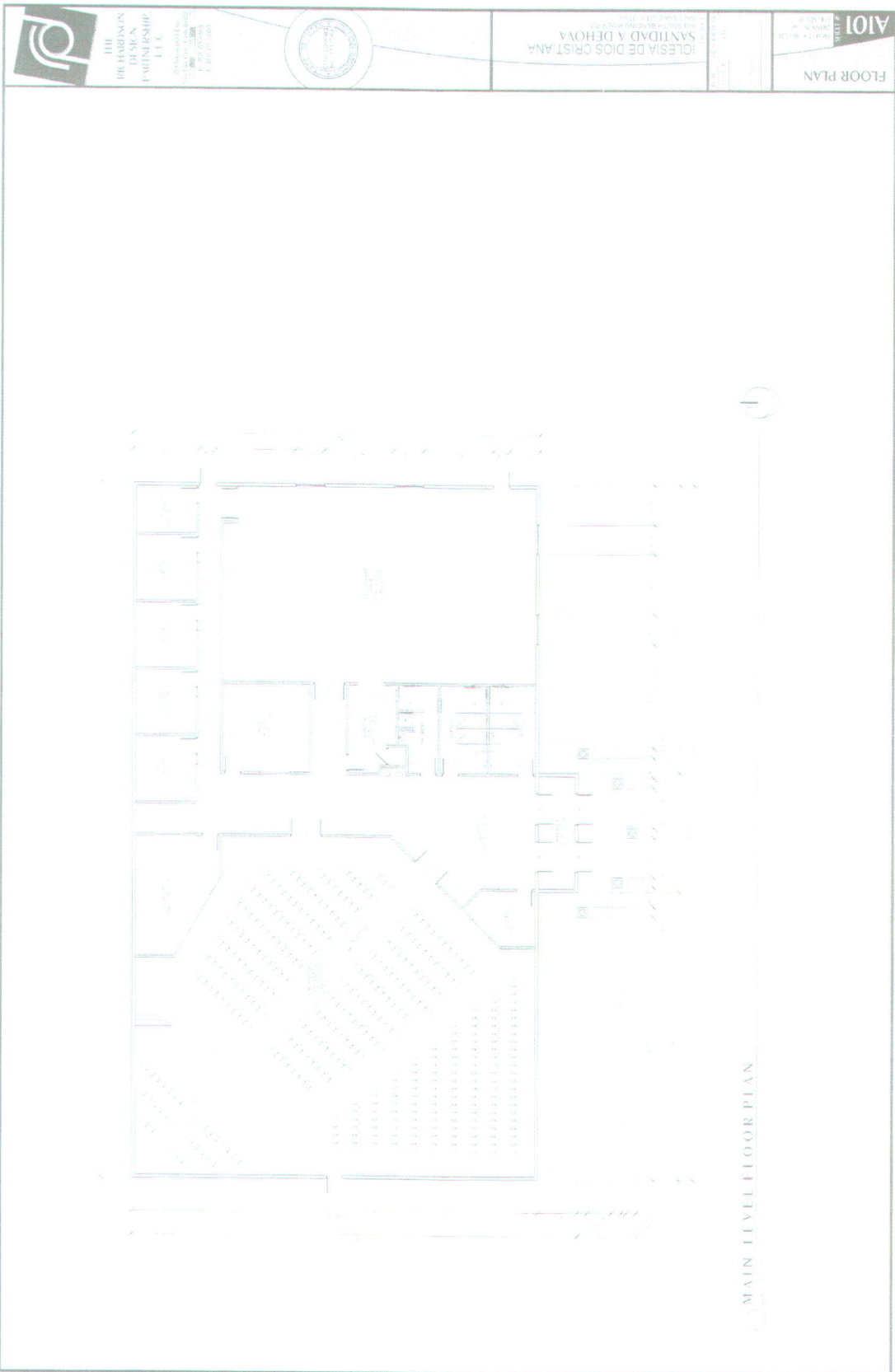
Design review shall be required pursuant to the provisions of this chapter for uses as specified within individual zoning districts before zoning certificates, building permits or certificates of occupancy may be issued.

A. The planning commission shall approve design criteria upon consideration of comments received from city departments and determining whether modification of specific design regulations meets the intent of the individual zoning district.

B. The planning commission may modify individual design requirements for specific projects if they find that the intent of the basic design criteria of the zoning district has been met. (Ord. 3-05 □ 11, 2005)

Finding: The proposed church is located in an industrial zoning district and is not near a residential or walkable commercial district, therefore exemption of some of these design requirements (as noted and/or outlined on the site plan) is appropriate.

Attachment A
Site Plan and Elevation Drawings



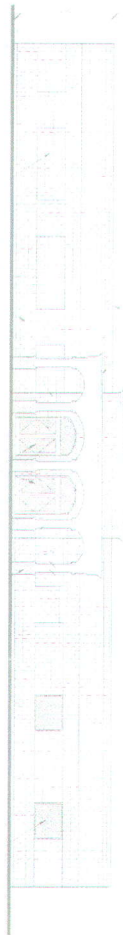
MAIN LEVEL FLOOR PLAN

FLOOR PLAN
A101

IGLESIA DE DIOS CRISTIANA
SANTIDAD A DEHOYA



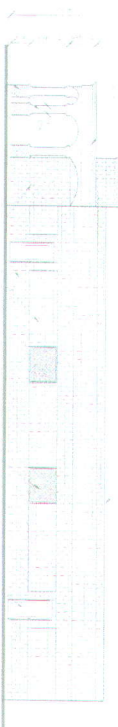
THE
RICHARDSON
DESIGN
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Oklahoma City, Oklahoma 73106
Phone: (405) 232-1000
Fax: (405) 232-1001



SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION



BUILDING SECTION



MONUMENT SIGN

EXTERIOR ELEVATIONS

A201

IGLESIA DE DIOS CRISTIANA
SANTIDAD A DEHOVA

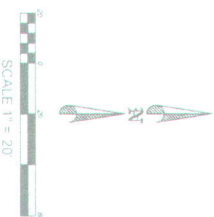


THE
DAVIDSON
DESIGN
PARTNERSHIP
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SITE PLAN



LEGEND

EXISTING CONDITIONS	
PROPOSED CONCRETE	
PROPERTY LINES	
TOTAL LOCAL TOWN	
TOP OF ASPHALT TOP OF CURB TOP OF CONCRETE	
TOP OF ASPHALT ELEVATION TOP BACK OF CURB ELEVATION	

NOTE:
1. ONE-Y DOUBLE UNIT TRUCKS PERMITTED IN DT STREET
LOADING AREAS.
2. DRIVE APPROACH FOR ALPHA STANDARD PLAN 221
DRAWING 2

TABLE 4. TONNES	
OVERALL	59,073
LANDFILL/INC	8,740
ASPHALT	2,678
CONCRETE	8,206
BUILDING	11,480
FLUORE	6,089

[illegible]

Attachment B
Photographs



Attachment C
Citizen Input

Attachment D
Conditional Use Map



- Conditional Uses in Residential Districts
- 3-4 Dwelling Units NonConforming Uses
- Multi-Family NonConforming Uses
- Commercial/Office NonConforming Uses

- Subject Properties
- 1320 Foot Buffer around the Subject Property
- Parcels that Intersect the 1320 Foot Buffer around the Subject Property

