

**PLANNING COMMISSION STAFF REPORT
ADMINISTRATIVE ITEM**



Planning Division
Department of Community
and Economic Development

**Smith's #94 Fuel Center
Planned Development PLNSUB2011-00418
479 South 600 East
October 26, 2011**

Applicant: Smith's Food and Drug Centers, represented by Jeff Randall

Staff: Maryann Pickering
(801) 535-7660
maryann.pickering@slcgov.com

Tax ID: 16-06-434-009

Current Zone: CS
(Community Shopping District)

Master Plan Designation:
Central Community – High Density Transit Oriented Development (50 or more units per acre)

Council District: District 4 – Luke Garrott

Community Council: Central City

Lot Size: Approximately 13,984 square feet

Current Use: Vacant

Applicable Land Use Regulations:

- 21A.26.040
- 21A.26.080
- 21A.55

Attachments:

- A. Site Plan and Elevations
- B. Photographs
- C. Citizen Input
- D. Department Comments
- E. Additional Applicant Information

Request

Jeff Randall of Great Basin Engineering is requesting a Planned Development for new construction at 479 South 600 East in order to construct a new Smith's fuel center. The Planning Commission has final decision making authority for Planned Developments.

Recommendation

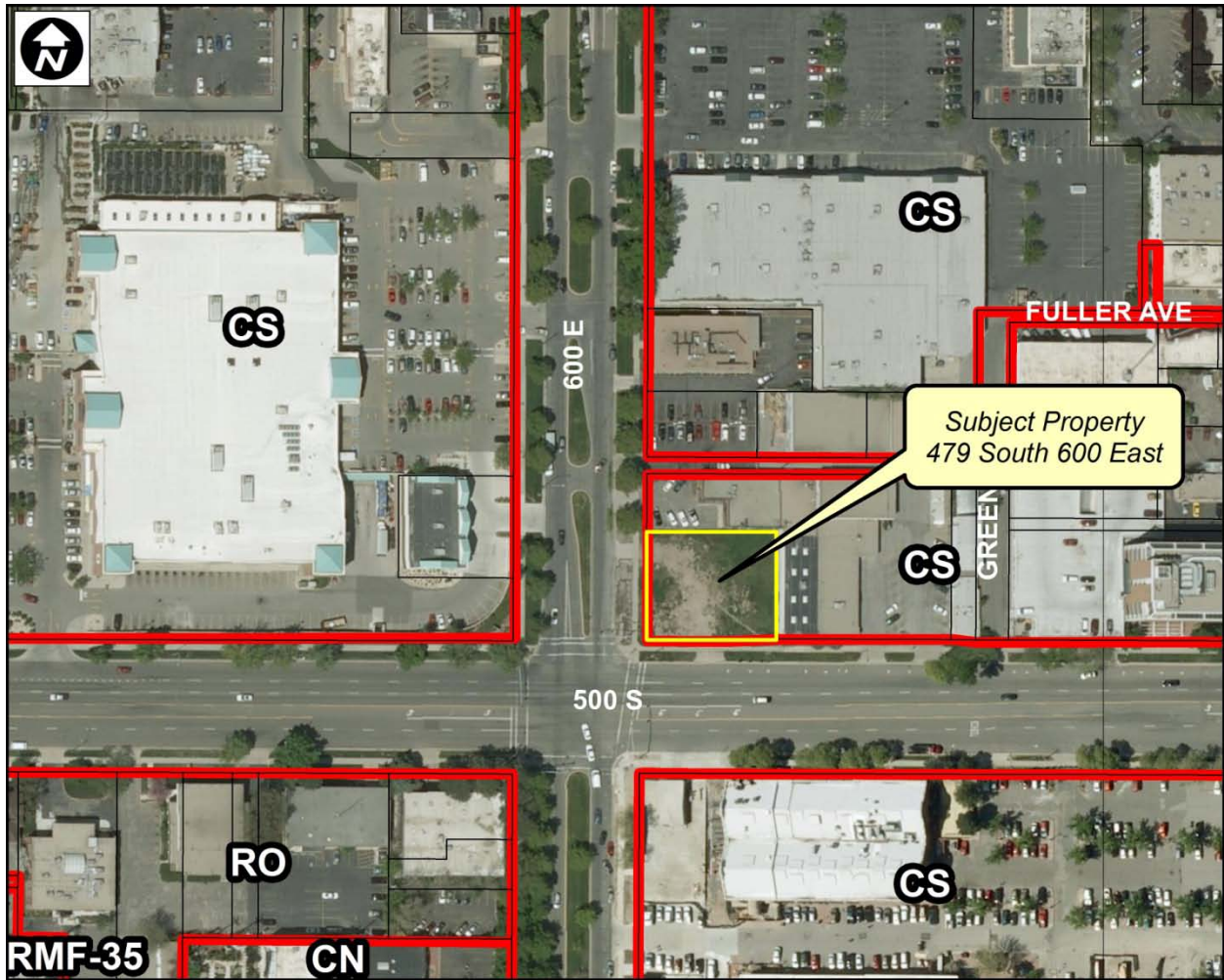
Based on the findings listed in the staff report, it is the Planning Staff's opinion that overall the project generally meets the applicable standards and therefore, recommends the Planning Commission approve the request with conditions.

Recommended Motion

Based on the findings listed in the staff report and the testimony heard, I move that the Planning Commission approve the proposed planned development with the following conditions:

1. Prior to submitting for any building permit review, the applicant shall obtain a Certificate for Appropriateness new construction within a historic district.

VICINITY MAP



Background

Project Description

The applicant proposes to construct a new Smith's Fuel Center. The proposed fuel center will have a canopy that is 43 feet by 76 feet or 3,268 square feet. Under the canopy will be four multiproduct fuel dispensers with a total of eight fueling stations. There will also be a kiosk that is approximately 176 square feet in size and will accommodate one employee and one restroom. The attendant in the kiosk will be available during regular operating hours from 6 am to 10 pm. Customers who prepay with a credit or debit card will be able to access the fuel pumps 24 hours a day.

The building will be situated on the site so that the canopy is angled and the larger side of the canopy faces the two streets. The kiosk building and restroom will be located at the southwest corner of the site with the canopy located near the middle of the site. By placing the building and canopy at an angle to the streets, it will allow for easier access by vehicles to the fuel pumps. There will be no hard turns required on the interior of the site.

The kiosk building will be finished with a brick veneer. The proposed veneer has a weathered look to it so it will look like brick that has been exposed to the elements for some time. The screen wall will have a similar brick veneer. Both the kiosk and the screen wall will be finished with a cast stone cap. The canopy top will be finished with stucco and the color will match the cast stone cap of the kiosk and screen wall. The columns supporting the canopy will be a metal lattice pattern that is painted a dark bronze. All decorative bollards and doors on the site will also be painted the dark bronze color to match the canopy support columns.

A majority of the landscaping proposed will be located in the public right of way. The site is somewhat unique as there is a large right of way on both the streets that abut the project. There is approximately 25 feet of right of way from the back of the curb to the property line. In addition, there is a park strip that is approximately eight feet wide between the detached sidewalk and the property line. The applicant is proposing to landscape this area with trees and shrubs.

Delivery of the fuel products will occur during non-peak traffic hours. There will be one parking stall provided onsite. Signs will consist of a canopy price sign as well as a freestanding price sign at the intersection of 500 South and 600 East. Lighting will be located under the canopy and will be recessed to avoid glare and light pollution.

This application is being reviewed as a Planned Development because it is new construction in the CS zoning district. The use is permitted in the underlying zoning district.

Project Details

Requirement	Standard	Proposed	Met
Use	Gasoline service stations are a permitted use in the CS zoning district subject to approval of Planned Development.	Gasoline service station	Yes
Front and Corner Side Yards	30 feet	0 feet	No
Interior Side Yard	15 feet	18 feet (to edge of canopy)	Yes
Rear Yard	30 feet	34 (to edge of canopy)	Yes
Buffer Yards	Lots abutting residential districts require a buffer.	The project does not abut any residential districts.	N/A
Landscape Yard Requirements	15 feet for front and corner side yards	0 feet on site, eight feet adjacent to the site in the public right of way.	No
Maximum Height	45 feet	19 feet	Yes
Access Restrictions	One driveway per 150 feet of frontage on arterial or major collector streets.	Each frontage on an arterial or major collector street is less than 150 feet. One driveway is proposed per frontage.	Yes
Accessory Buildings and Structures	Awnings and canopies may extend up to 2½ feet into any required yard.	The canopy extends approximately two feet into a required yard.	No

21A.55.030 Authority to Modify Regulations:

In approving any Planned Development, the Planning Commission may change, alter, modify or waive any provisions of this title or of the city's subdivision regulations as they apply to the proposed planned development; however, additional building height may not be approved in the FR, R-1, SR, or R-2 zoning districts. In zoning districts other than the FR, R-1, SR, or R-2 districts, the planning commission may approve up to five feet (5') maximum of additional building height in accordance with the provisions of this title if it further achieves one or more of the objectives in Chapter 21A.55.

Public Notice, Meetings and Comments

The following is a list of public meetings that have been held related to the proposed project:

- Open House held on September 12, 2011. Comments and notes can be found in Attachment C.
- Community Council held on September 7, 2011. Comments and notes can be found in Attachment C.
- Historic Landmark Meeting held on October 6, 2011. Draft minutes can be found in Attachment C.

Notice of the public hearing for the proposal includes:

- Public hearing notice mailed on October 14, 2011.
- Public hearing notice posted on property on October 14, 2011.
- Public hearing notice posted on City and State websites on October 14, 2011.
- Public hearing notice emailed to the Planning Division list serve on October 14, 2011.

City Department Comments

The comments received from pertinent City Departments / Divisions are attached to this staff report in Attachment D. The Planning Division has not received comments from the applicable City Departments / Divisions that cannot reasonably be fulfilled or that warrant denial of the petition.

Historic Landmark Commission Architectural Subcommittee

At the October 6 meeting of the Historic Landmark Commission, an architectural subcommittee was formed to work with the applicant on a revised design for the fuel center. The subcommittee met on October 17 with the applicant and staff to discuss a revised design. Some of the suggestions made by the subcommittee included:

- breaking up the canopy into different sections,
- stepping the canopy up from the southwest corner of the site,
- streamlining the fascia of the canopy to make it more streamlined, and
- use the recycled brick material on the building, but making the building look more modern.

A revised design is being prepared by the applicant and the item will be discussed again at the November 3 meeting of the Historic Landmark Commission.

Analysis and Findings

Findings

21A.55.050: Standards for Planned Developments:

The Planning Commission may approve, approve with conditions, or deny a planned development based upon written findings of fact according to each of the following standards. It is the responsibility of the applicant to provide written and graphic evidence demonstrating compliance with the following standards:

- A. Planned Development Objectives:** The planned development shall meet the purpose statement for a planned development (Zoning Ordinance Chapter 21A.55) and will achieve at least one of the objectives stated in said section;

Analysis: The purpose statement for Planned Developments is as follows: A planned development is intended to encourage the efficient use of land and resources, promoting greater efficiency in public and utility services and encouraging innovation in the planning and building of all types of development. Further, a planned development implements the purpose statement of the zoning district in which the project is located, utilizing an alternative approach to the design of the property and related physical facilities. A planned development will result in a more enhanced product than would be achievable through strict application of land use regulations, while enabling the development to be compatible and congruous with adjacent and nearby land developments. Through the flexibility of the planned development regulations, the city seeks to achieve any of the following specific objectives:

- A. Combination and coordination of architectural styles, building forms, building materials, and building relationships;
- B. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion;
- C. Preservation of buildings which are architecturally or historically significant or contribute to the character of the city;
- D. Use of design, landscape, or architectural features to create a pleasing environment;
- E. Inclusion of special development amenities that are in the interest of the general public;
- F. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation;
- G. Inclusion of affordable housing with market rate housing; or
- H. Utilization of “green” building techniques in development.

Finding: The project complies with criteria A, D and H. The project has coordinated architectural materials that seek to emphasize the significance of a corner property located at a major intersection in the central city area. Landscaping around the perimeter of the site will further emphasize the corner property. The applicant has proposed to use recycled brick on the building and has agreed to look at a design that will accommodate solar panels in the future.

B. Master Plan and Zoning Ordinance Compliance: The proposed planned development shall be:

1. Consistent with any adopted policy set forth in the citywide, community, and/or small area master plan and future land use map applicable to the site where the planned development will be located, and
2. Allowed by the zone where the planned development will be located or by another applicable provision of this title.

Analysis: The Central Community Master Plan calls for High Density Transit Oriented Development in this area. While this area is designated as a transit area, a policy in the transit oriented development chapter of the master plan calls to ‘encourage a variety of commercial uses that share the same clientele and patrons’. Though it can be argued that a fuel center and transit oriented development are not compatible, it can be said that they are compatible as some transit riders who park in the area and use transit need a fuel center for their vehicles. It can also be stated that those who use transit may do so for their commute, but when traveling outside of the area on evening or weekends, they still need a place to put fuel in their vehicle. Gasoline service stations are a permitted use in the CS zoning district.

Finding: The Planned Development is consistent with the master plan and zoning.

C. Compatibility: The proposed planned development 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:

1. Whether the street or other means of access to the site provide the necessary ingress/egress without materially degrading the service level on such street/access or any adjacent street/access;
2. Whether the planned development and its location will create unusual pedestrian or vehicle traffic patterns or volumes that would not be expected, based on:

- a. 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;
 - b. Parking area locations and size, and whether parking plans are likely to encourage street side parking for the planned development which will adversely impact the reasonable use of adjacent property;
 - c. Hours of peak traffic to the proposed planned development and whether such traffic will unreasonably impair the use and enjoyment of adjacent property.
3. Whether the internal circulation system of the proposed planned development will be designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;
 4. Whether existing or proposed utility and public services will be adequate to support the proposed planned development at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources;
 5. 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 planned development; and
 6. Whether the intensity, size, and scale of the proposed planned development is compatible with adjacent properties.

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.

Analysis: The use is a permitted use in the CS zoning district. Adjacent uses consist of other commercial businesses and some offices in the vicinity. The site has existing adequate utility services. Services on the site may need to be upgraded in order to accommodate the new use and the applicant is willing to upgrade as needed.

The project has been designed to be compatible with the character of the site and the surrounding area. The site is smaller than most other sites where fuel centers are built. The applicant has studied several layouts for the site and the proposed layout works the best with the circulation on the interior of the site. Because this

is the best layout for the site, the applicant needs to modify some of the setbacks for the kiosk and the canopy over the fueling stations. The applicant is requesting that the kiosk be built at a zero setback. The canopy will also need to be closer than the required setback of 30 feet and project into a required yard of more than 2½ feet, but as the building moves into the site, towards the northeast corner, the projection into the required setback will become less and less until there is no projection into a required yard. At the October 6 Historic Landmark Commission meeting, there was much discussion about the placement of the kiosk and canopy on the site and the general consensus was that by anchoring or placing the kiosk building on the corner, it gave definition to the corner and was the appropriate location.

As part of the request, the applicant is also requesting to reduce the landscape buffer as required by the CS zoning district. Similar to the setback discussion above, the landscape buffer is requested to be reduced from 15 feet to zero feet. However, landscaping will be provided along the perimeter of the project within the public right of way and as further discussed below.

The proposed gasoline service station is a permitted use, not a conditional use. Therefore the conditional building and site design review standards set forth in Chapter 21A.59 are not applicable.

Finding: The planned development is compatible with the site, adjacent properties, and the existing development within the vicinity of the site where the project will be located.

- D. Landscaping:** Existing mature vegetation on a given parcel for development shall be maintained. Additional or new landscaping shall be appropriate for the scale of the development, and shall primarily consist of drought tolerant species;

Analysis: At this time, there is no existing mature vegetation on the site. The site has been vacant for several years. As part of the new project, the applicant is proposing to plant trees around most of the north and east property lines within the boundaries of the property. Some landscaping will be provided on the site at the southwest corner of the property. One tree will be included within this area. Most of the landscaping will be provided within the public right of way between the back of the curb and the property line. The site is somewhat unique in that there is 25 feet from the back of the curb to the property line and approximately eight feet between the sidewalk and the property line. When considering the large public right of way area, the site will have the appearance of a standard landscape buffer.

Finding: There is no existing mature vegetation on site. Additional landscaping will be provided in the public right of way that is appropriate for the scale of the development. The plant species have not been identified on the plan so it cannot be determined if they are drought tolerant or not.

- E. Preservation:** The proposed planned development shall preserve any historical, architectural, and environmental features of the property;

Analysis: The site is currently vacant and there are no other features that would need preservation. The property is located within the boundaries of the Central City Historic District and the Historic Landmark Commission has held one hearing on the proposed project and continued the item to November 3. However, the issues that are under the purview of the Historic Landmark Commission deal with the design of the buildings on the site and the architectural details. The Planning Commission has the authority through the Planned Development process for the layout of the site and determining if the Planned Development standards are met.

Finding: The project satisfies this standard.

- F. Compliance With Other Applicable Regulations:** The proposed planned development shall comply with any other applicable code or ordinance requirement.

Analysis: As stated above, the application is in the process of being reviewed by the Historic Landmark Commission. Because this is new construction within a historic district, a Certificate of Appropriateness will need to be issued prior to submitting for building permit review. Staff has included a condition regarding the concurrent historic review.

In addition, other than the specific modification requested by the applicant, the project appears to comply with all applicable codes. Further compliance will be ensured during review of construction permits.

Finding: The project satisfies this standard.

Commission Options

Should the Planning Commission approve the application, the applicant would need to obtain a Certificate of Appropriateness before plans can be submitted for building permit review. In addition, any conditions for the project would need to be complied with prior to occupancy of the building or the use commencing.

If the Planning Commission chooses to deny the application, the applicant could choose to appeal the decision per the procedures of Chapter 21A.55. Because of the pending Historic Landmark Commission application, that application could be put on hold until an appeal is decided. If the applicant chose not to appeal, the application before the Historic Landmark Commission should be withdrawn.

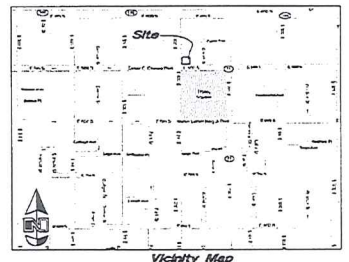
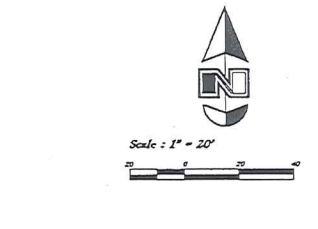
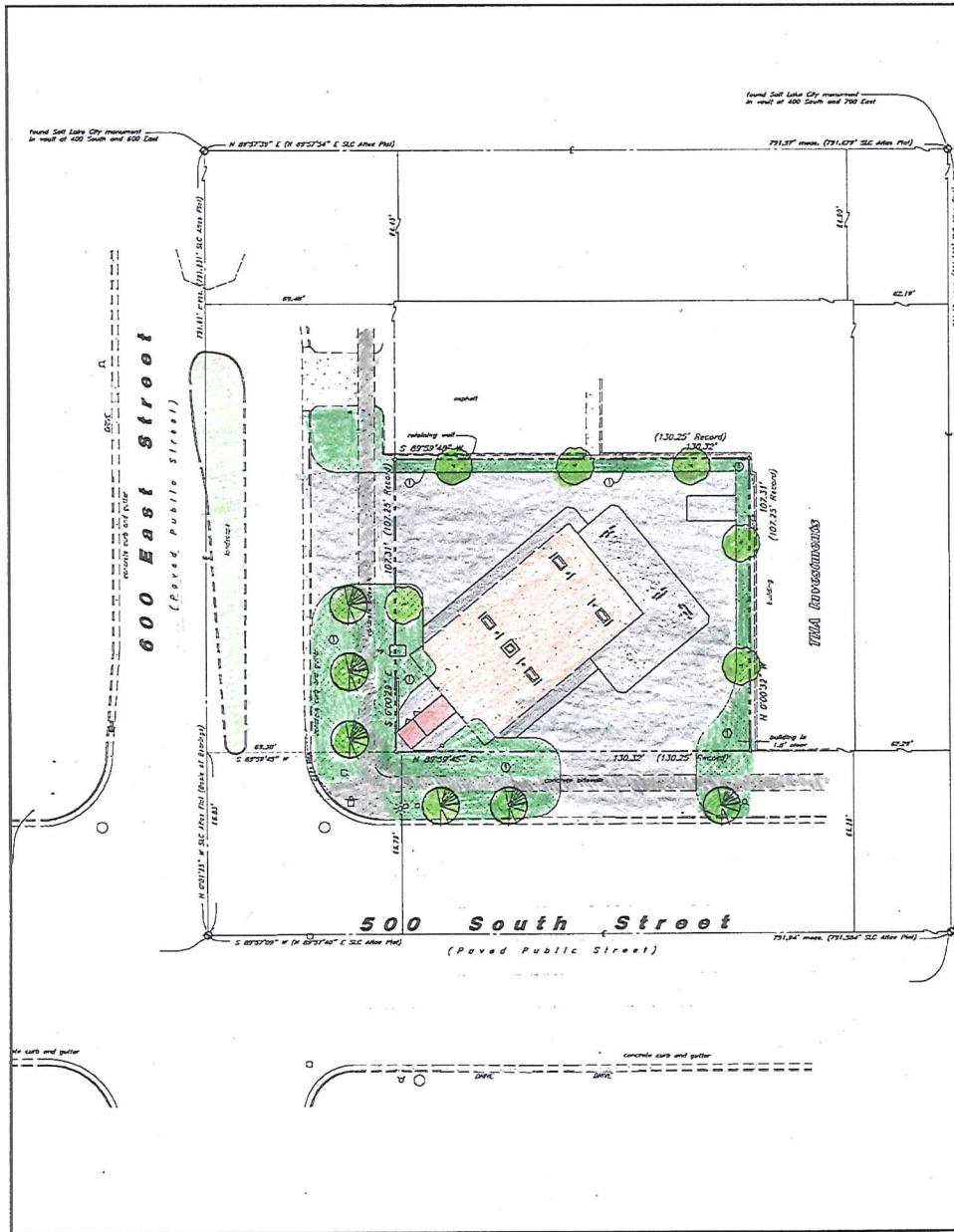
Potential Motions

The motion recommended by the Planning Division is located on the cover page of this staff report. The recommendation is based on the above analysis. The Planning Commission may approve planned developments for uses listed in the tables of permitted and conditional uses for each category of zoning district or procedures set forth in Chapter 21A.55 and other regulations applicable to the district in which the property is located. Below is a potential motion that may be used in cases where the Planning Commission determines a planned development should be denied.

Not Consistent with Staff Recommendation: Based on the testimony, plans presented and the following findings, I move that the Planning Commission deny the planned development to allow for construction of a new fuel center, located at approximately 479 South 600 East. The Planning Commission must identify specifically any detrimental effects which cannot be reasonably mitigated. Therefore, the proposed planned development is not compliant with the standards found in Chapter 21A.55.

**Attachment A
Site Plan and Elevations**

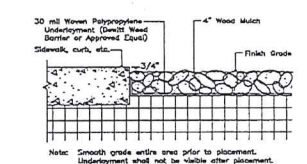
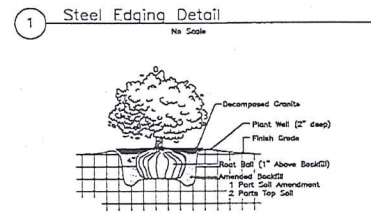
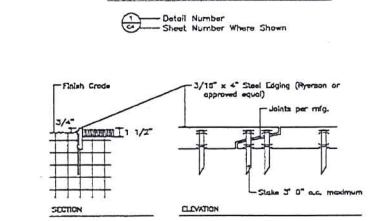
Please note that due to the applicant working with the Historic Landmark Commission Architectural Subcommittee, revised elevations may be presented at the October 26 Planning Commission hearing.



KEYED NOTES

① Sed, Shrubs & Ground Cover as Required by Salt Lake City Ordinance

LEGEND



SPRINKLER NOTE

All Plant Materials shown on the drawing shall be serviced by an Automatic Underground Irrigation System. The Contractor is to have a qualified Irrigation System specialist prepare a design on an Automatic Underground Irrigation System and submit drawings to the Engineer for approval at least 30 days prior to the system installation. Underground Irrigation System drawings shall be prepared on 20 x 30 sheets, neatly drawn and very legible. Drawings are to include: final layout, types of heads, piping with sizes, valves, fittings, and all other items required for proper installation of the system. The Landscape Contractor shall be responsible for the evaluation of all regions. The Utility Contractor is to provide an Irrigation System connection to either the Cullinary or Secondary Waterline, as applicable, within State and Local jurisdictional codes. The Irrigation Contractor is responsible to coordinate this item with the Utility Contractor. If Secondary Water is used, the system shall be filtered with a Disposable Filter system. The Irrigation Control Box shall be located at the direction of the Project Manager.

Smith's
FOOD & DRUG STORES
#094

27 Jul, 2011
SHEET NO. **L11**

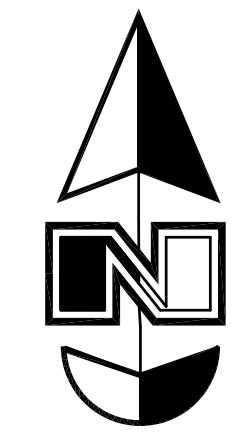
Designed by: _____
Checked by: GJK

Client Name: Smith's Food and Drug Stores

PROJECT NO. 0400-03

GREAT BASIN ENGINEERING - SOUTH
CONSULTING ENGINEERS AND LAND SURVEYORS
2010 North Redwood Road, P.O. Box 16747
Salt Lake City, Utah 84116
Tel: (801) 487-8200 Fax: (801) 487-1551

Fuel Center
Conceptual Landscape Plan
Smith's Food and Drug Stores
429 South 600 East
Salt Lake City, Salt Lake County, Utah
A Part of the SE 1/4 of Section 6, T15, S18M



Scale : 1" = 20'



Legend

- Manhole
- △ FH Fire Hydrant
- ⊗ WV Water Valve
- - - T - - - Buried Phone Cable
- - - S - - - Sanitary Sewer Line
- - - W - - - Culinary Water Line
- - - G - - - Gas Line
- - - SD - - - Storm Drain Line
- PP Power Pole
- Power Pole w/Guy
- Overhead Power, Telephone & Cable TV Line
- Irrigation Control Box
- ICB Telephone Box
- EB Electrical Box
- Post
- ECAB Electrical Cabinet
- LP Light Pole
- TA Top of Asphalt
- EA Edge of Asphalt
- SW Top of Walk
- TP Top of Concrete
- LP Lip of Gutter
- WP Working Point
- FL Flowline
- CL Centerline
- TC Top of Curb
- Flowline
- 99.00 Spot Elevation
- Contour
- Asphalt
- Concrete
- Existing Building
- Inlet Box
- CB Catch Basin
- PM Power Meter
- SP Signal Pole
- SB Signal Box

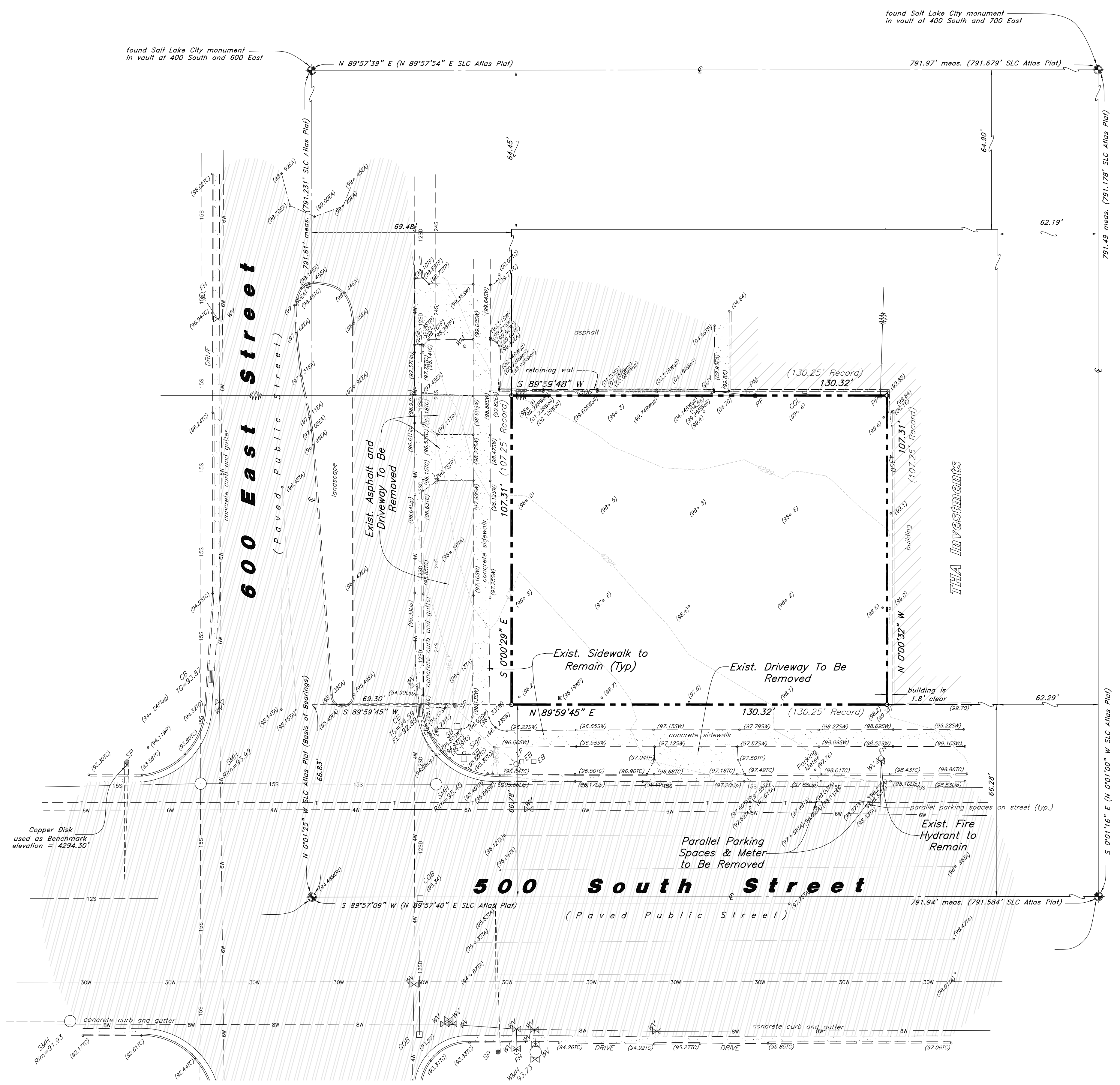
Designed by: ---
 Drafted by: BPH
 Client Name:
 Smith's Food and Drug Stores

94GAS-DM

GREAT BASIN ENGINEERING - SOUTH
 CONSULTING ENGINEERS and LAND SURVEYORS
 2010 North Redwood Road, P.O. Box 16747
 Salt Lake City, Utah 84116
 Salt Lake City (801)551-8529 Ogden (801)394-7288 Fax (801)921-9551

Fuel Center
Conceptual Demolition Plan
Smith's Food and Drug Stores
 479 South 600 East
 Salt Lake City, Salt Lake County, Utah
 A Part of the SE 1/4 of Section 6, T1S, R1E, SLB&M

27 Jul, 2011
 SHEET NO.
C0.1



Flood Plain Data

Map Index Number 49035CINDO A dated 15 May, 2002 designates this property within FEMA Flood Insurance Rate Map Number 49035C0163 E a non printed map due to the entire area of the map being within Flood Zone X. Flood Zone X is defined as "Areas determined to be outside 500-year floodplain." (no shading)

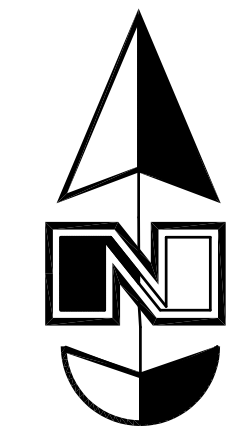
Zoning Information

Zone	=	CC (Community Commercial)
Building Setback Requirements	=	25'
Front yard	=	none (35' against residential)
Back yard	=	none (interior)
Side yard	=	20' (street)
Height Restrictions	=	45'
Bulk Restrictions	=	50%

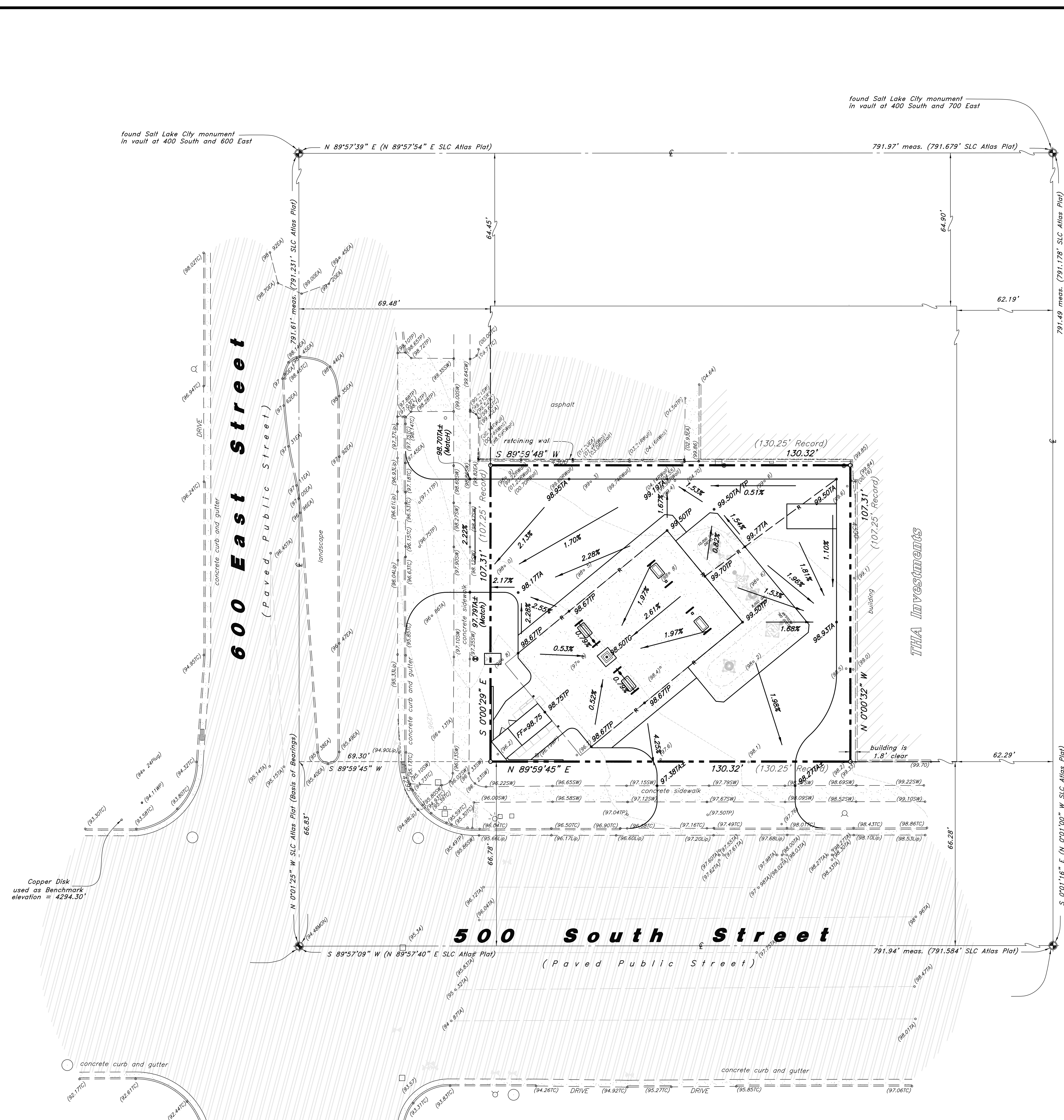
Benchmark

Copper Disc in concrete at the South base of the signal pole at the Northwest Corner of 500 South Street and 600 East Street
 Benchmark 2034, Salt Lake City Surveyor Elevation = 4294.30'
 (Observed May, 1985)
 Observed RTK for this project May 14, 2008

Smith's
 FOOD & DRUG STORES
#094
NEC 600 East & 500 South
Salt Lake City, Utah



Scale : 1" = 20'



REV	DATE	DESCRIPTION

Designed by: ---
 Drafted by: BPH
 Client Name:
 Smith's Food and Drug Stores

94GAS-GR

GREAT BASIN ENGINEERING - SOUTH
 CONSULTING ENGINEERS and LAND SURVEYORS
 2010 North Redwood Road, P.O. Box 16747
 Salt Lake City, Utah 84116
 Salt Lake City (801)551-8529 Ogden (801)394-7288 Fax (801)551-9551

Fuel Center
 Conceptual Grading Plan
Smith's Food and Drug Stores
 479 South 600 East
 Salt Lake City, Salt Lake County, Utah
 A Part of the SE 1/4 of Section 6, T1S, R1E, SLB&M

Benchmark

Copper Disc in concrete at the South base of the signal pole at the Northwest Corner of 500 South Street and 600 East Street
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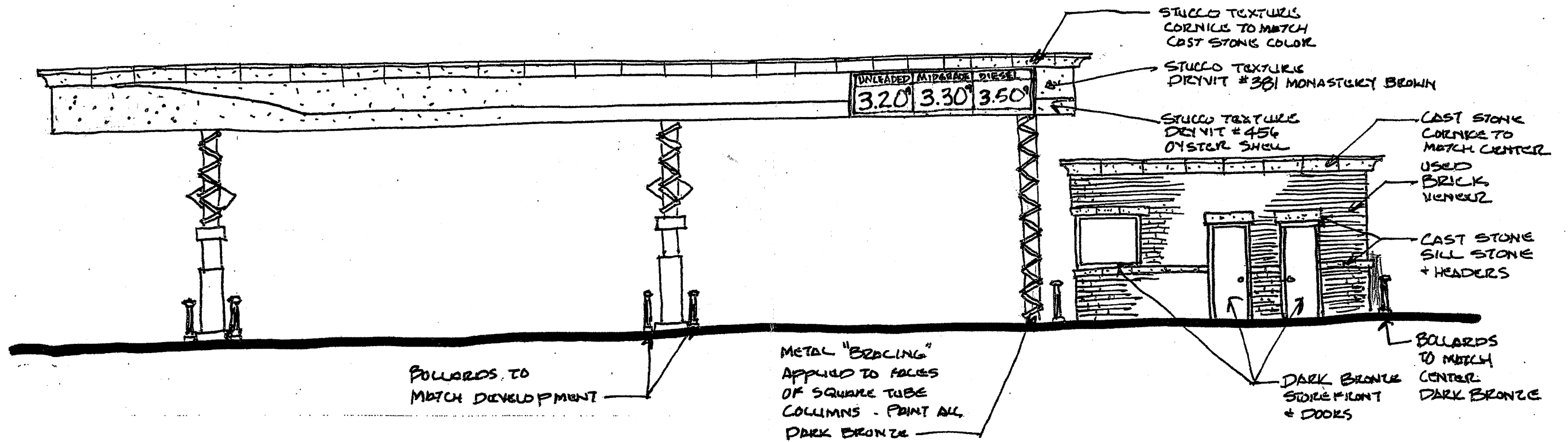
Smith's
 FOOD & DRUG STORES

#094
 NEC 600 East & 500 South
 Salt Lake City, Utah

27 Jul, 2011

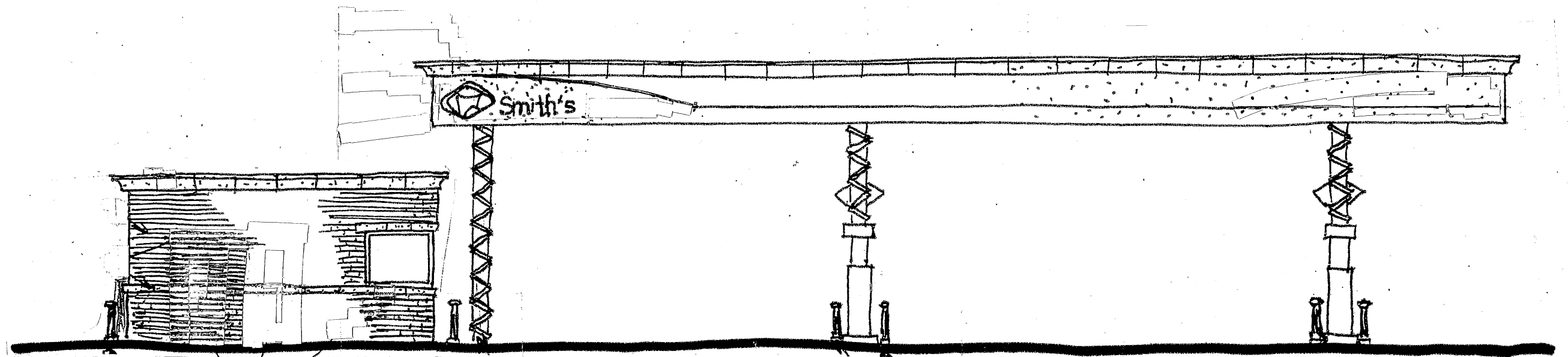
SHEET NO.

C2.1



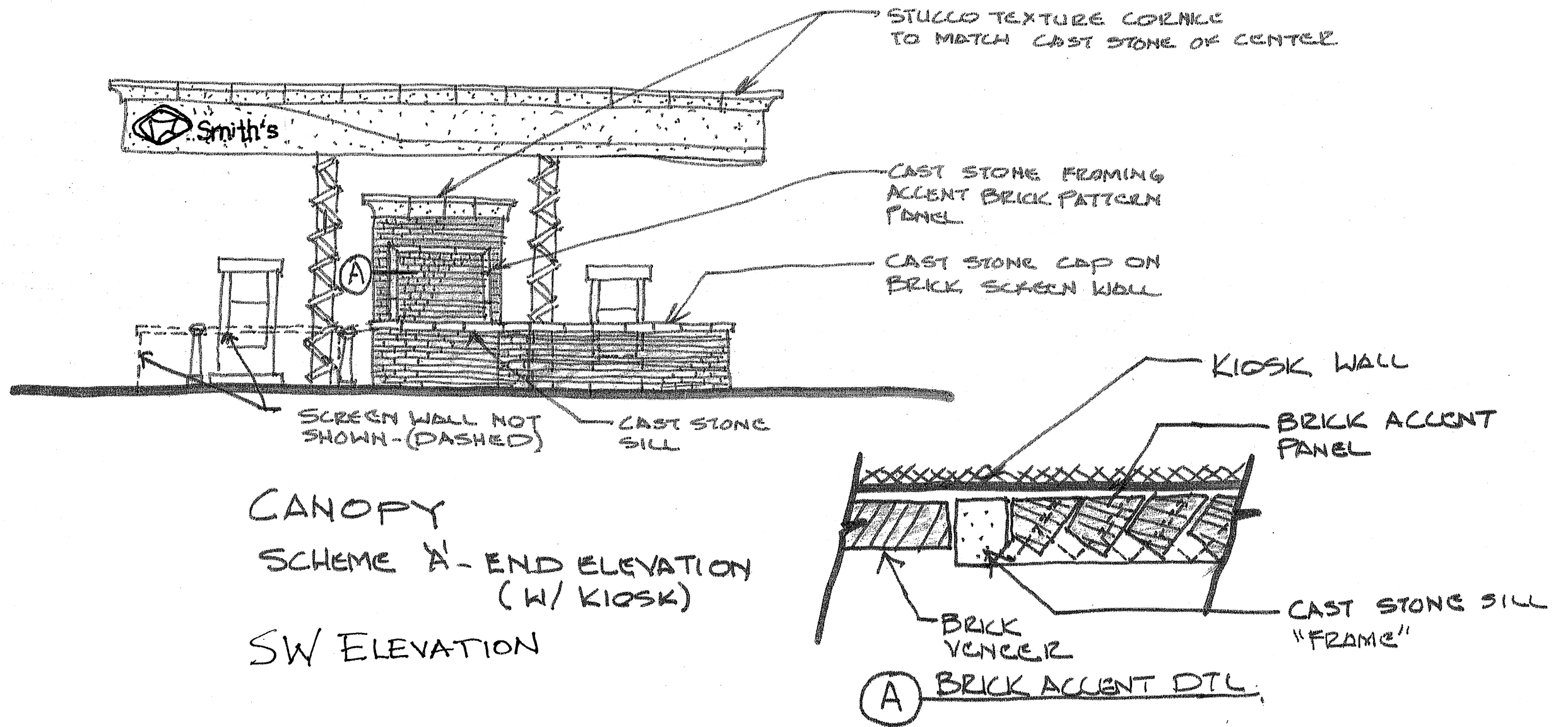
CANOPY + KIOSK
SCHEME 'A'
NW ELEVATION

SMITH'S
SALT LAKE CITY, UT
5094



CANOPY + KIOSK
SE ELEVATION

SMITH'S
SALT LAKE CITY, UT
S094



CANOPY
 SCHEME A' - END ELEVATION
 (W/ KIOSK)
 SW ELEVATION

SMITH'S
 SALT LAKE CITY, UT
 5094

**Attachment B
Photographs**



Looking southwest from corner of subject site.



Looking north at site from across 500 South (taken from Trolley Square)



Looking north from across 500 South at building located directly to the east of the subject property.



Looking northeast (across 500 South) at other buildings along 500 South.



Looking at northwest corner of site from across 600 East.



Looking at full site (towards the east) from across 600 East.



Corner of site at 500 South and 600 East



View of public right-of-way that will be landscaped.



View of building (across 600 East) to the west and located next to Smith's Marketplace.



View of Trolley Square (looking south) taken from the subject property.

**Attachment C
Citizen Input**

CENTRAL CITY NEIGHBORHOOD COUNCIL

DATE: September 12, 2011

TO: Maryann Pickering-SLC Planning Department

FROM: Central City Neighborhood Council

REGARDING: Smiths Planned Development- # 94 Fuel Center-at 479 S. 600 E.

Central City Neighborhood Council (CCNC) heard this request at our September 7th meeting. There were approx 20 people in attendance. There was not a yes or no vote taken. In general the comments were negative for the project. I have included the comments below.

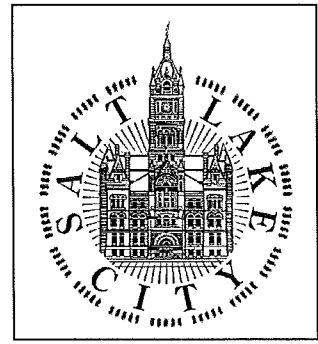
- 1.) A number of comments regarding saturating the area with gas stations. A Smiths gas station on S. Temple one by Smiths at 800 S. 900 E.. A gas station on the same block as this proposal. Another Station at 300 S. 500 E. and one at 300 E. 400 S. and one at 800 S. 200 E....
- 2.) The applicant told us of giving the project a historic sense by using some form of metal lattice work up the columns. It was noted by a resident that the applicants historic reference was inaccurate and did not represent Central City nor Trolley Square.
- 3.) There was talk of how a patron might use the new station after shopping at the Smiths grocery store. There were concerns expressed about how cars would be accessing the site and potentially jamming up through traffic.
- 4.) There was a concern that the partial height wall out front may alienate pedestrians.
- 5.) City pushes for alternate forms of transportation and cutting back the use of automobiles yet there are car dealerships and gas stations one block from a TRAX station.
- 6.) I understand step down zoning with respect to TOD zoning but a one story gas station a block away from the TRAX station seems counterintuitive.
- 7.) There were some concerns with the landscape but I was unable to catch them. Perhaps the Planner heard these comments.

Thank you for your time and the opportunity to have this presented to our Council.

Tom Mutter
CCNC Chairperson

OPEN HOUSE PUBLIC COMMENT FORM

September 12, 2011



Planning and Zoning Division
Department of Community
and Economic Development

Smith's #94 Fuel Center

Name: Cindy Cromer

Address: 816 E 100 S

Zip Code: 84102-4109

Phone: 801 209-9225

Email: 3cins10@live.com

Comments: ① Consider alternative fuel location for charging at Smith's Marketplace (across the street).

② Need to engineer the canopy to support photo-voltaic panels in the future when the technology improves.

Please provide your contact information so we can notify you of other meetings or hearings on this issue. You may submit this sheet before the end of the Open House, or you can provide your comments via e-mail at maryann.pickering@slc.gov or via mail at the following address: Maryann Pickering, Principal Planner Lake City Planning Division, PO Box 145480, Salt Lake City, UT 84114-5480. **Please provide your comments by Friday, September 23.**

**EXCERPT OF
SALT LAKE CITY
HISTORIC LANDMARK COMMISSION**

**Minutes of the Meeting
Room 326, 451 South State Street
October 6, 2011**

This document along with the digital recording constitute the official minutes of the Historic Landmark Commission regular session meeting held on October 6, 2011.

Historic Landmark Commission Meetings are televised on SLCTV 17. Archived video of this meeting can be found at the following link under, "Historic Landmark Commission and RDA": http://www.slctv.com/vid_demand.htm,

6:14:26 PM

PLNHLC2011-00417 Smith's #94 Fuel Center – A request by Jeff Randall of Great Basin Engineering South for construction of a new Smith's fuel center located at approximately 479 South 600 East.

Ms. Maryann Pickering, Principal Planner, reviewed the application as presented in the Staff Report. She explained the proposal needed a Certificate of Appropriateness because it was new construction in a historic district. She reviewed the plans, purpose of the layout and operation of the site as stated in the Staff Report. Ms. Pickering stated a Community Council meeting and an Open House had been held regarding the petition. She stated two emails had been received and passed on to the Commission, opposing the project. She stated a hearing with the Planning Commission was also required due to the requirement of a planning development permit. Ms. Pickering reviewed the three standards that had not been met for the planning development permit which were setbacks on the corner, the fifteen foot landscaping setback and the awning encroachment. She explained the standards could be modified by the Planning Commission. Ms. Pickering stated it was Staff's recommendation to forward the petition to the Planning Commission with a favorable vote.

Commissioner Hart asked about the location of the pedestrian walkways on the site.

Ms. Pickering reviewed the path at the corner of the lot.

Commissioner Hart asked if the one car stall on the north east corner was all that was required.

Ms. Pickering stated yes, it was the required one stall.

Commissioner Hart stated Commissioner Funk had expressed some concern over only having the one stall, but it looked like there was plenty of parking and the Applicant was just not planning to paint the lines.

Ms. Pickering stated that was correct and in the Zoning Ordinance parking was not required for gasoline stations unless there was a convenience store.

Commissioner Funk asked about the entrance to the restroom from the public right of way.

Ms. Pickering explained the restroom had a screen wall that blocked it from the sidewalk.

Commissioner James asked how a standard was applied to something that was not fundamentally a building.

Ms. Pickering stated it was difficult because it was not a typical building. She explained the way service stations had evolved over the years and why it was determined that putting it on an angle was the best way to meet the standards and needs on the property.

Commissioner James stated it seemed like the angle was directly counter to the standard because the standard stated buildings should have the same side orientation.

Ms. Pickering stated yes that was the standard but what was proposed was the best design in order to make the circulation on site work, because if it were straight with the sidewalk it would be difficult for fuel trucks to enter, unload the fuel safely and exit the property.

Commissioner Davis asked if other service stations on the block had a difficulty with delivery trucks. He stated he was trying to understand the layout of the site and wondered if there was an outcome the Applicant was looking for that would not occur otherwise.

Ms. Pickering stated the Applicant had been working on the project for several years and in previous meetings with the City there was discussion about putting the building back further to allow for setbacks but the current plan was the best way to accommodate internal circulation.

Ms. Lesa Bridge, Director of Real-estate for Smith's, reviewed the layout and reasons for the present configuration. She explained it was for the best use of the property and to get the best financial results. Ms. Bridge explained Smith's did not own the property where the Smith's Marketplace store was located. She explained it was owned by another entity and therefore it was not available for Smith's to have a fuel center on the property.

Ms. Nikki Anderson, Great Basin Engineering, explained the reason for the layout was mainly for truck circulation and trying to make sure activities on the site were safe. She presented samples of the materials that would be used on the building and drawings of the layout of the facility.

Commissioner James asked if any consideration had been given to alternative fuel being sold at the location in the future. He said it would be in the City's best interest when looking at fuel centers to look at more than just diesel and gasoline.

Ms. Bridge explained Smith's intentions was to have those type of fuels available but it would require a contract with Questar Gas, who did not have the budget for a station at the proposed location.

Chairperson Oliver stated there had been public comment regarding why the proposed location was chosen over other possible locations.

Ms. Bridge explained Smith's did not own the property where the food center was located and had looked at the opportunity to locate a fuel center on site but there was not space to do so. She explained the property owner did not want the fuel center on site because it would take up parking. Ms. Bridge explained Kroger would like to see a fuel station at every store regardless if it was within a short distance from others to keep the one stop shopping experience.

[6:36:11 PM](#)

Chairperson Oliver opened the Public Hearing.

Ms. Cindy Cromer, resident, stated she was delighted to hear Smith's was making a commitment to negotiate a charging station on the site of the Smith's Marketplace and to engineer the canopy to allow the placement of solar energy collectors in the future. She explained Smith's had done similar things in other locations as well and she felt it was a move in the right direction. Ms. Cromer stated she did not see how the Commission could guarantee this would happen and that they didn't have the authority to make it a condition of approval.

Mr. Spencer Vriens, Ensign Wholesale Floral and Modern Display, stated the sidewalk on the corner not being accessible to pedestrian traffic was a concern. He said he felt this was a flaw in the area and explained the public transportation routes along the street would lead people to walk that section of sidewalk, but if a sidewalk along the fuel center was not available people would have to cross the street and then cross back to get to Trolley Square which was not good for pedestrian traffic flow. Mr. Vriens stated there were other gas stations on the block and he didn't understand why another gas station was needed. He stated the companies he was representing opposed the gas station but if it were approved he would recommend the reconfiguration of the sidewalk along the area to allow direct access to Trolley Square.

Chairperson Oliver stated Mr. Joel Paterson, Planning Manager, pointed out that the sidewalk did run all the way through along the street frontage of the proposed gas station.

Mr. Vriens stated he felt the gas station accommodated cars in the area and not pedestrians. He reiterated there are other gas stations in the area, another one was not needed.

Chairperson Oliver closed the Public Hearing

EXECUTIVE SESSION [6:40:17 PM](#)

Commissioner Funk stated she was concerned about the way the facility was proposed to be built and it did not meet the setback or landscaping standards. She said it was in a historic district and the gas station should fit with the rest of the block. Commissioner Funk stated she agreed with Commissioner James regarding the alignment of the station being parallel to the street and not on an angle. She said if it did not work for the Applicant to make the change then the Commission did not necessarily need to accommodate it if it didn't fit in with the neighborhood. Commissioner Funk said the canopy also reached almost to the street and she felt it was undesirable for a pedestrian walkway.

Commissioner James stated the petition showed a specific reference to try to fit in. He said he felt the addition of the wall along the right-of-way made a direct reference to Trolley Square with the

use of brick and metal diagonal lines along the posts. He stated that the design was awkward at best, in terms of how it works architecturally. Commissioner James said it was a challenge because it was not a real building and was not addressed in the standards. He stated that applying the standards fundamentally would be a challenge and fairly compromising. Commissioner James reviewed the architectural aspects of the project and asked if the canopy could be oriented in combination with the wall to reinforce the existing pattern.

Ms. Bridge asked for clarification regarding what was meant by reinforcing the existing pattern.

Commissioner James stated it was the buildings relationship to the street. He said the proposed building was fundamentally a non-building, trying to be built based on truck transportation and as a result created awkward conditions. He said constructing the fuel center with the small kiosk located diagonally at the corner and wrapped by a stone wall, had no relationship with the existing neighborhood. Commissioner James read the standards required for the building and stated none of them were being met.

Chairperson Oliver stated she agreed and felt it could be an interesting building. She suggested instead of referencing the domestic part of Trolley Square the canopy could reference the engineering aspect. Chairperson Oliver gave examples of how the canopy could be more of a factory looking canopy or another theme other than the domestic architecture. She stated the orientation was not a problem in her opinion. She said she liked the way the solid building mass was placed at the corner and therefore, anchored the corner. Chairperson Oliver said if the building was placed any other way the corner orientation would be lost. She said her issues with the design were the use of the weathered brick, the attempt to make it look like a un-gas station when it was a gas station and it was an engineering facility rather than a house or a apartment building.

Commissioner James questioned if the landscape contributed to the issues. He explained many urban gas stations had hardscape corners. He said with the landscaping it made it seem as though the gas station was not on a busy intersection.

Ms. Bridge stated they were not married to the design of the building and would be willing to work with the Commission to make any needed adjustments.

Commissioner Davis stated there are other gas stations in the area and asked if it was appropriate to add another one.

Commissioner James stated that was part of the question he had as well as how it worked in the context of the historic district.

Commissioner Davis stated it was interesting how the block worked in the historic district. It was his opinion that it was another building and it matched what was all ready in place.

Commissioner James stated it was not whether or not it was a new or old building, it was the point that there are places people feel comfortable circulating through on foot and places they don't. He said, on a significant corner it was important to keep the character of the district, make sure plans supported the area and do not erode it.

Chairperson Oliver stated it was important to keep in mind that the Commission could not change the use.

Commissioner James stated he knew it was irrelevant and a separate subject but how was it relevant to apply the traditional historic preservation standard to something that was not of historic value.

Chairperson Oliver stated she thought anything could be designed within the historic preservation standards. She said a project could focus on the idea that the building should be a product of its own time. Chairperson Oliver said it was not a brick house or Trolley Square it was a modern gas station.

Commissioner James stated it was in contest that it should be sensitive.

Chairperson Oliver stated yes but context was not using brick to make the building fit in, it was that the mass and scale should be as sensitive as possible. She said the canopy could be diminished to make it exciting and fit in better.

Commissioner James stated with the rotated setback the landscaping intuitively felt like the wrong response.

Chairperson Oliver said another thing to keep in mind, as far as the landscaping, was that 600 East was somewhat of a park street so there was some general softening.

Commissioner Harding stated she agreed that the canopy was the major issue and wondered if it would be something good for an Architectural Subcommittee to address.

Commissioner Funk asked why the landscape requirements in the front were being ignored, to make the gas station work. She said she felt the fifteen foot setback on the corner was a critical issue.

Mr. Paterson stated the Applicant was trying to address the other buildings on the block, all of which come out to the side walk. He explained the Applicant was trying to respond to other development in the area, particularly this block, by providing a presence along the property line and to anchor the corner with a building instead of pushing the structures back away from the property line.

Commissioner Funk stated because the development was so different from anything else on the block, she felt the landscape requirements were necessary.

Mr. Paterson stated the application was subject to the planned development process and the landscaping modification would be one of the requests the Planning Commission would consider.

Commissioner Davis asked how the Commission felt about the facility putting its back to the corner where urban design logic would say to face the corner.

Chairperson Oliver stated she was fine with it because of what as she said before that the solid mass was on the corner where it should be. She said if the little kiosk was on the back side of the

lot there would be an open pavilion and, in a sense, another empty corner. She gave the examples of the parking garage on the Southeast corner and the parking lot on the Northwest corner and stated changing the building location would cause a vacant intersection with no buildings. Chairperson Oliver said it may not be much of a building but she was in favor of it.

Commissioner Davis stated the observation of trying to apply the standards to a structure that the standards were never intended to apply to was interesting. He asked would it disqualify the structure or should the standards be applied to something that they weren't designed for.

Commissioner Davis stated the role of the Commission was to apply the standards and if the building functionally couldn't meet the standard the project would not be approved.

Chairperson Oliver stated it would be more appropriately addressed under commercial design guidelines. She asked if gas stations were address in the up and coming design guidelines.

Mr. Paterson stated the new guidelines did not specifically address gas stations.

Chairperson Oliver stated it may be something to add due to issues such as the one being discussed, that was why the process for the guidelines started.

Mr. Paterson stated that even if the commercial guidelines were adopted and contained such information, the Commission would have to make a decision based on the standards in the Zoning Ordinance. Mr. Paterson said the project was subject to the new construction standards and any new construction of a principal use on the site would be subject to those standards regardless of the type of business.

Commissioner Davis stated the question was very good but was just a little awkward.

Commissioner James stated he didn't think the proposed design met any of the standards. He stated that it is not the role of the Commission to make exceptions but to actually interpret the standards. Commissioner James stated again that he did not think the proposed structure could be classified as a building.

Commissioner Davis stated if it was not a building then it did not have hope of ever being approved because every standard referenced a building.

Commissioner James stated that that was the dilemma; the standards didn't apply and the Commission shouldn't make an exception or ignore the standards because the project didn't fit in them.

Commissioner Bevins stated by definition a gas station was allowed in under the Zoning Ordinance. He asked what kind of gas station could be there under the standards.

Commissioner James stated one that met the standards.

Commissioner Bevins asked if there was one that would.

Commissioner Funk stated yes, one with a building.

Commissioner James stated it would have to be innovating, a new gas station prototype.

Commissioner Bevin asked what if it was not called a gas station but a fueling center.

Commissioner James stated fueling stations are evolving to be non-convenient stores so maybe there was a different model.

Ms. Coffey read the language in the ordinance regarding structures and buildings. She said it was the Commission's purview to determine whether the proposal met the standards in the ordinance. Ms. Coffey stated it had been said that there are no guidelines yet, but if the project was found to meet the ordinance standards a decision based on those standards could be made whether it was all the standards of just some of them. She stated it was not a question of not taking action, the action could be to approve, approve with conditions, deny or table it and ask the applicant to make changes addressing certain issues but a decision can be made.

Commissioner Harding said that brought her back to having an Architectural Subcommittee because it sounded to her that a lot of problems were with the angle of the fuel station and how close it was to the sidewalk. She said the applicant had stated they were not married to the particular design, so perhaps it would be helpful to meet with them and to consider other acceptable designs.

Commissioner James stated he agreed with having a subcommittee meeting as well as with Chairperson Oliver about the design because part of the design guideline was to make the gas station a product of its own time and making it look like Trolley Square seemed to be the wrong direction.

Commissioner Funk stated most of Trolley Square was from this time era.

Commissioner James stated something very unique and interesting could be done with the project.

Commissioner Hart said the question was whether it was the Commission's job to do something unique and interesting or was it the Commission's job to try and evaluate the project and see if it met the criteria.

Chairperson Oliver stated before the Applicant was asked if they were willing to work with the Commission on a redesign, the Commission needed to decide if an Architectural Subcommittee would be a useful thing.

Commissioner James stated he thought it would be useful because with Staff involved, it would help the Commission understand the path the project had all ready traveled and the important outcomes. He said he also knew that it was probably hard for someone to anticipate what the feedback would be; a subcommittee would allow for feedback in real time, and therefore, it would be useful.

Chairperson Oliver asked who would like to be on the Architectural Subcommittee.

Commissioner Hart stated she felt a subcommittee was not necessary.

Chairperson Oliver invited the Applicant forward and asked if they were willing to entertain such a notion. She said the debate was how to make the design coincide best with the design guidelines and be a product of its own time. She asked the Applicant if they would be willing to participate.

Ms. Bridge stated they were willing to work with the Commission. She explained that Smith's has a contract to purchase the site that includes a timeline for project approval that she was concerned about.

Chairperson Oliver stated normally the Subcommittee would meet within the next several weeks and the project would then be addressed at the November 3rd meeting.

Ms. Bridge stated they were willing to work with the Commission.

Ms. Anderson stated they would bring in the different site plans for the fuel center that may help with making a decision.

Chairperson Oliver asked the Applicant to bring past history as well as any thoughts they had after hearing the Commission's discussion and concerns.

Ms. Bridge stated that Smith's developed the site plan using input from the City Staff.

Chairperson Oliver stated the Commission was aware of that and Staff would also come to the subcommittee meeting.

Ms. Anderson asked for clarification that there would be a work session and then it would come back to another Historic Landmark Commission meeting and then on to the Planning Commission.

Chairperson Oliver stated yes that was correct.

EXECUTIVE SESSION [7:10:33 PM](#)

Commissioner Funk asked if the Applicant was trying to put too much on a lot of this size. She said she understood the Applicant wanted to get the most out of the property but she wondered if it would be an improvement to decrease the size of the station.

Commissioner Davis stated that was something that could be addressed at the Architectural Subcommittee meeting. He said it would also be critical to have turning radius information for the supply trucks in order to help understand circulation needs, as well as any engineering and economic data.

MOTION [7:11:28 PM](#)

Commissioner Harding stated in the case of PLNHLC2011-00417 she moved to table the matter until the November 3, 2011 Historic Landmark Commission meeting to allow the Commission to conduct an Architectural Subcommittee meeting. Commissioner Davis seconded the motion. Commissioners Harding, Davis Funk, Hart, James and Bevins voted Aye. The motion passed with a 6-0 vote. Chairperson, Anne Oliver did not vote.

Ms. Coffey asked which Commissioner would make up the subcommittee.

Chairperson Oliver stated Commissioners James, Davis, Oliver and Bevins would make up the subcommittee and the meeting would need to be held in the next couple of weeks. She stated they would work with Ms. Pickering on a date and time for the meeting.

DRAFT

Attachment D
Department/Division Comments



Work Flow History Report

479 S 600 E

PLNSUB2011-00418

Date	Task/Inspection	Status/Result	Action By	Comments
8/3/2011	Staff Assignment	Routed	Jacobson, Marci	
8/12/2011	Planning Dept Review	In Progress	Pickering, Maryann	
8/15/2011	Fire Code Review	Complete	Itchon, Edward	
8/23/2011	Transporation Review	Additional Information	Walsh, Barry	Need site plan to show staging, parking, and fueling along with circulation patterns to include delivery truck turning geometric to justify proposed D/W widths over 30' wide and site congestion (Site plan and Geotechnical report Figure 2 does not match.) Grading plan suggest sheet flow drainage over public sidewalk, show drainage control.
8/30/2011	Zoning Review	Complete	Hardman, Alan	The following zoning comments are noted: 1) Separate Historic District approval is required; 2) Waiver or modification of the 30 foot front and corner side yard setbacks is required; 3) Signage requires separate historic district approval and a separate sign permit. A pole sign in the CS zone is only allowed for freestanding buildings within "shopping centers". Pole signs must also be located at the approved landscape setback.
9/7/2011	Community Council Review	Complete	Pickering, Maryann	Central City Community Council was presented the item on September 7, 2011.
9/8/2011	Public Utility Review	Complete	Stoker, Justin	We have reviewed the submittal application and the conceptual plans. We have noted that there were no conceptual utility plans that were submitted for review. There are three existing water services that were not properly disconnected when the previous property was developed. These three connections must be property terminated. There is also an existing 4" sewer lateral connection, however this line is 85-years old and was officially terminated in 2002. As part of the new fuel station, new water and sewer services will be required. It should be noted that 600 East has an existing 4" water main and 500 South has a 6" water main. These line are undersized by current code. A hydraulic analysis will need to be provided to determine if the existing supply lines will provide adequate fire protection. If it is determined that the mains cannot provide the necessary fire flow, the developer would need to upsize the water mains accordingly to achieve necessary fire flow.
9/12/2011	Community Open House	Complete	Pickering, Maryann	Community open house held on September 12, 2011.
9/23/2011	Building Review	Complete	Sauter, Logan	No issues. (Reviewed same day I received it)
10/17/2011	Engineering Review	Complete	Pickering, Maryann	No response received from Engineering.
10/17/2011	Planning Dept Review	Complete	Pickering, Maryann	
10/17/2011	Police Review	Complete	Pickering, Maryann	The PD responded that there were no comments regarding this request.

10/17/2011	Sustainability Review	Complete	Pickering, Maryann	Sustainability staff did not have any comments regarding the proposed application.
10/20/2011	Staff Review and Report	Planning Hearing	Pickering, Maryann	
10/20/2011	Transporation Review	Complete	Walsh, Barry	<p>October 20, 2011</p> <p>Jeff Randall, P.E.</p> <p>Re: PLNSUB2011-00418 Smiths Fuel Center at 479 So. 600 East.</p> <p>The division of transportation review comments and recommendations are as follows;</p> <p>The revised PDF site plan and truck turning geo's submitted address past transportation review issues.</p> <p>Building permit approval are subject to final plan review.</p> <p>Sincerely,</p> <p>Barry Walsh</p> <p>Cc Kevin Young, P.E. Scott Weiler, P.E. Maryann Pickering, Planning Larry Butcher, Permits File.</p> <p>From: Jeff Randall [mailto:jeffr@gbesouth.com] Sent: Wednesday, October 19, 2011 4:09 PM To: Pickering, Maryann; Walsh, Barry Cc: Bridge, Lesa C; Bret Wahlen; Nikki Anderson Subject: RE: PLNSUB2011-00418 Smiths Fuel center</p> <p>Maryann & Barry -</p> <p>Attached are the revised site plans. We have addressed the circulation and staging (stacking) of cars by making half the fuel center flow one direction and the other half flowing the opposite direction, see the attached plan. Also, I have attached a second plan that shows the truck turning movement. The wider driveways are necessary for two reasons, 1 - to allow the truck to adequately enter the site and 2 - to allow for the directional flow of traffic and stacking.</p> <p>The sheet flow of the site will be adjusted to not flow over the sidewalk with the final engineering plans. Appropriate drainage features will be installed to eliminate this concern.</p> <p>Please review and let me know if you have any further questions. Thanks.</p> <p>Jeff Randall Dir. of Commercial Development</p> <p>Great Basin Engineering South 2010 N. Redwood Road Salt Lake City, UT 84116</p> <p>v 801.521.8529 f 801.521.9551 c 801.403.6846</p>

Attachment E
Additional Applicant Information

GREAT BASIN ENGINEERING - South

2010 North Redwood Road • P.O. Box 16747 • Salt Lake City, Utah 84116
(801) 521-8529 • (801) 394-7288 • Fax (801) 521-9551



CONSULTING ENGINEERS
AND LAND SURVEYORS

July 27, 2011

Salt Lake City Buzz Center
451 South State Street, Room 215
Salt Lake City, Utah 84111
Telephone: 801-535-7700

**RE: Smith's Food & Drug Centers Proposed Fuel Center #94
NEC 600 East & 500 South, Salt Lake City, Utah
Planned Development Application**

To Whom it May Concern:

On behalf of Smith's Food & Drug Centers, Inc., we are requesting approval of a Planned Development for a proposed Fuel Center to be located at the Northeast Corner of 600 East and 500 South in Salt Lake City, Utah.

The fuel center would be located East of the Existing Smith's Marketplace store downtown. The proposed fuel center consists of a Smith's Fuel Canopy (43'x76') and four multiproduct dispensers (eight fueling positions). A 21.7'x8' (176 square feet) sales kiosk will accommodate one employee and one restroom. The attendant will be available during regular store hours 6am-10pm. Pre-paying customers may pay at the pump 24 hours. Delivery hours would be during the non peak traffic hours. Refuse would be disposed of in the existing grocery store compactors. One parking stall will be provided on site. A Canopy price sign would be located to face the intersection of 500 South and 600 East. Canopy lighting is recessed to minimize glare and light pollution.

There are two underground tanks. One to house unleaded fuel (20,000 gal) and one split tank for the premium/diesel fuel (10,000/8,000). The underground storage tanks are double walled fiberglass-reinforced plastic tanks and do not corrode when in contact with soil. The tanks and piping are monitored continuously for leaks using sensors in the tank interstitial space and in the containment sumps at the both the tanks and dispensers.

Adjacent to the proposed fuel center site on the north and east is an existing wholesale floral business (commercial). The south side of the proposed site is bounded by 500 South with Trolley Square across the street the same direction. To the west of the site is 600 East and the existing Smith's Marketplace with additional retail shops and restaurants. It has been discussed with the city that the fuel center elevations be designed to blend with the surrounding historic area. As you can see on the attached elevation, the columns have been treated with a steel bracing, neutral tones of stucco texture has been to the canopy fascia along with a stone looking cornice, and a used brick veneer has been shown on the kiosk. Antique looking bollards and light poles in a dark bronze color will

also be used. A 3' screen wall has been proposed to tie into the kiosk and run parallel to adjacent street frontages. We feel that we have made significant effort to architecturally coordinate our fuel center with the surrounding commercial uses.

We believe that a Smith's Fuel Center at this location is an appropriate use based on the current zoning and the neighboring commercial and retail development. We do not feel this will create a danger to the public health, safety or welfare. We feel like a fuel center at this site will blend well with its surroundings and provide a needed service to the community.

We would ask that Salt Lake City approve a Planned Development for this project. Please contact me should you have any additional questions or concerns. 801-521-8529.

Sincerely,

A handwritten signature in black ink that reads "Jeff Randall". The signature is written in a cursive style with a large, stylized "J" and "R".

Jeff Randall
Dir. of Commercial Development

Legal Description

479 South 600 East
Salt Lake City Utah

Beginning at the Southwest Corner of Lot 2, Block 32, Plat B, Salt Lake City Survey and running thence East 130.25 feet along the South Line of Block 32; thence North 107.25 feet; thence West 130.25 feet to the West Line of Block 32; thence South 107.25 feet along said West Line to the point of beginning.

13984 square feet
Or 0.321 acre

Smith's[®]

FOOD & DRUG STORES

August 29, 2008

To Whom it May Concern

RE: Smith's Fuel Center #094
479 South 600 East
Salt Lake City Utah

Smith's Food & Drug hereby give Great Basin Engineering – South authorization to act as Smith's Food & Drug agent in submitting plans for the Smith's Fuel Center #094 in Salt Lake City Utah

Should you have any questions, please call me at 801-974-1529. Thank you.

Sincerely,



Roger Gough
Construction Manager

CC: File