



Staff Report

PLANNING DIVISION
COMMUNITY & NEIGHORHOOD DEVELOPMENT

To: Salt Lake City Planning Commission

From: David J. Gellner, AICP, Principal Planner, 801-535-6107, david.gellner@slcgov.com

Date: January 25, 2017

Re: PLNSUB2016-00838 – Harmons Brickyard Fuel Center Planned Development

Planned Development

PROPERTY ADDRESS: 3200 South Richmond Street (approx. 3270 South 1300 East)
PARCEL ID: 16-29-427-003-0000
MASTER PLAN: Sugar House
ZONING DISTRICT: CS – Community Shopping District

REQUEST:

Kristen Voros of Design Sequence representing the property owner of Harmons is requesting approval for a new Fuel Center at the Harmons Brickyard store located at 3200 South Richmond Street. The property is zoned CS – Community Shopping district and is located within Council District 7, represented by Lisa Adams. The CS zoning district requires that the Planned Development process be followed for any new uses or construction, however, it should be noted that the applicant is not seeking any relief from or variation from the standards of the Zoning Ordinance to accommodate the fuel center through this process.

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 Planned Development request with conditions.

Staff recommends the following motion:

Based on the information in the staff report, public testimony, and discussion by the Planning Commission, I move that the Planning Commission approve the Planned Development and Conditional and Building Site Design Review request. In order to comply with the applicable standards, the following conditions of approval shall apply:

1. The applicant shall comply with all other Department/Division conditions attached to this staff report.
2. Final approval authority for the development shall be delegated to Planning staff based on the applicant's compliance with the standards and conditions of approval as noted within this staff report.
3. That the owner comply with all applicable zoning regulations that have not specifically been modified by the Planning Commission through the planned development process.

ATTACHMENTS:

- A.** Vicinity Map
- B.** Site Plans
- C.** Building Elevations and Renderings
- D.** Additional Applicant Information
- E.** Property & Vicinity Photographs
- F.** Existing Conditions
- G.** Analysis of Standards – Planned Development
- H.** Public Process and Comments
- I.** Department Review Comments
- J.** Motions

PROJECT DESCRIPTION:

Harmons is requesting approval from the City for a new Fuel Center at the Harmons Brickyard store located at 3200 South Richmond Street (approx. 3270 South 1300 East). The total parcel is approximately 6.92 acres in size. The proposed fuel center would be located on the north side of the site in the existing parking area adjacent to Brickyard Road. The property is zoned CS – Community Shopping District. A fuel center/gas station is a Permitted Use in the zone, however, the CS zoning district requires all new uses and additions to follow the Planned Development process with approval granted through the Planning Commission.

KEY ISSUES:

The key issues listed below have been identified through the analysis of the project, neighbor and community input and department review comments.

1. Traffic and Street Impact
2. Parking Impact
3. Design Concerns for Storm Water and Contamination

Issue 1 – Traffic and Street Impact

The proposed use will be located in a section of the existing parking lot that does not have direct access onto Brickyard Road. No additional access point is proposed. There is an access point to Brickyard Rd. just to the west of the proposed fuel center along a defined drive aisle. The fuel center should not impede traffic flow within the existing plaza. This proposal was sent to the City's Transportation Division for review. Transportation did not indicate any concern about the proposed use or adverse impacts that would be created by the use.

Issue 2- Parking Impact

The proposed use is located in a section of parking lot adjacent to Brickyard Road that appears to be generally underutilized. This area is on the north portion of the paved parking area and does not lie directly in front of the entrances to Harmons store or the America First Credit Union. This less utilized portion of the parking lot has occasionally been utilized for seasonal sales and currently has a glass recycling bin. The proposal must meet the minimum parking requirements specified in 21A.44.030 after the new use is constructed and stalls are removed from the available parking at the plaza. Review and analysis of the parking available before and after the installation of the proposed fuel center was conducted using field investigation, a review of Assessor's information and submitted plans. The existing building with the attached bank included comprises approximately 72,000 square feet of usable space on the parcel. Parking requirements specify that 2 parking stalls per 1,000 square feet of usable area be provided which equates to 144 parking stalls. Currently, there are 313 existing parking stalls on the site for all uses. The proposed fuel center would eliminate approximately 55 parking stalls leaving a remainder of 258 stalls. This number far exceeds the minimum number required so the parking will be compliant with the requirements of 21A.44.030 after the fuel center is constructed.

Issue 3 – Design Concerns for Storm Water and Contamination

Salt Lake City Public Utilities requires that the area under the canopy be constructed in a way that prevents storm water from sheet flowing under the canopy which could mobilize contaminants. There are a number of ways that the specific technical design could be modified mitigate this concern. These are outlined further in Attachment I:

Issue 3 – Design Concerns for Storm Water and Contamination

Salt Lake City Public Utilities requires that the area under the canopy be constructed in a way that prevents storm water from sheet flowing under the canopy which could mobilize contaminants. There are a number of ways that the specific technical design could be modified mitigate this concern. These are outlined further in Attachment I: Department Review Comments section of this report. Public Utilities also requires that the existing Jordan and Salt Lake Canal be shown on review plans as it is unclear if any construction or structures are being proposed in the easement. The design details and the considerations of Public Utilities will be reviewed for compliance at the building permit stage if the project is approved.

NEXT STEPS:

Planned Development Approval

If the Planned Development petition is approved, the applicant will need to need to comply with the conditions of approval, including any of the conditions required by City departments and the Planning Commission. The applicant will be able to submit for building permits for the development and the plans will need to meet any conditions of approval. Final certificates of occupancy will only be issued once all conditions of approval are met.

Planned Development Denial

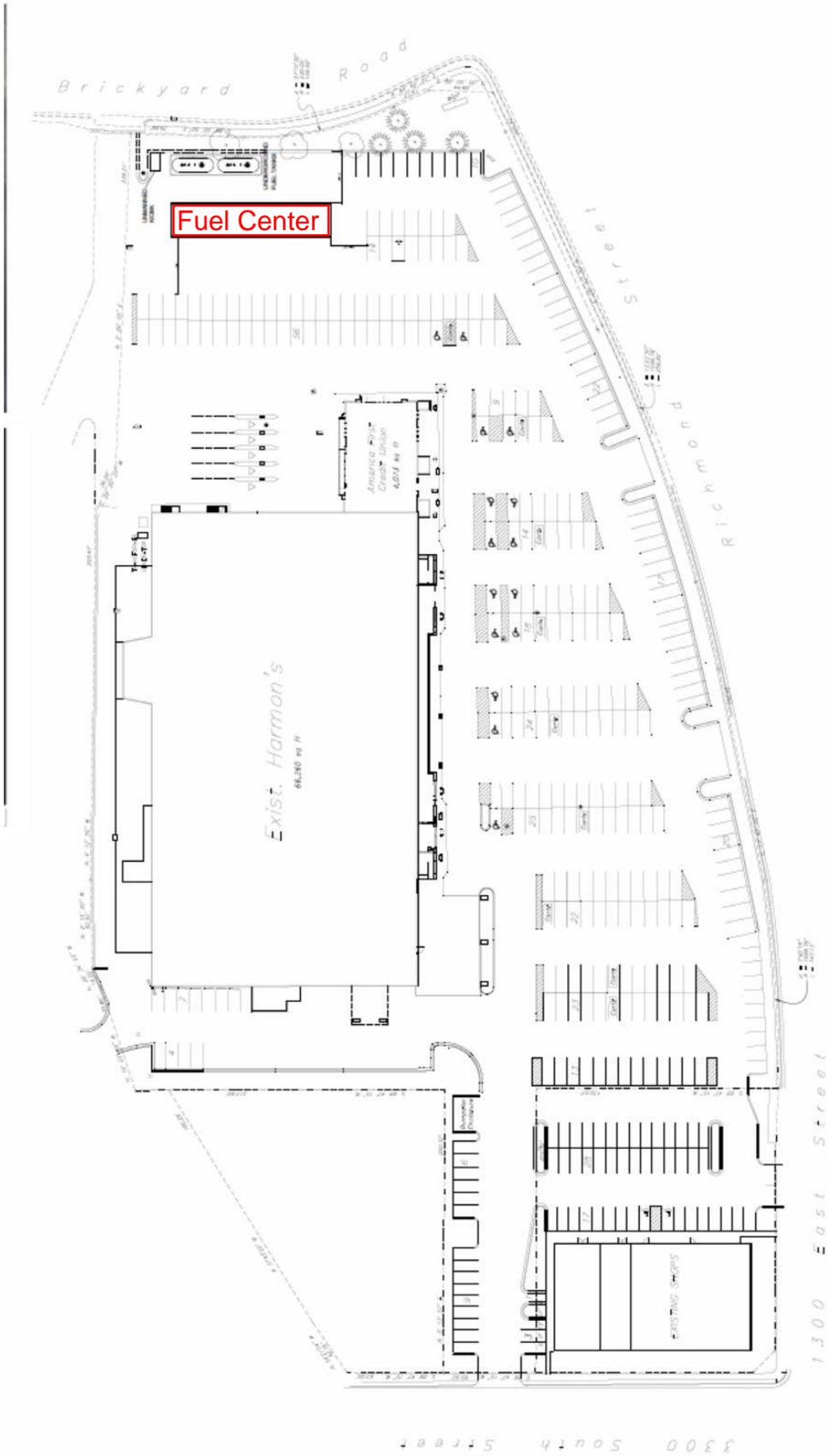
If the Planned Development is denied, the applicant would not be able to develop this use at this location.

ATTACHMENT A: VICINITY MAP



Aerial view of the Harmons plaza site. The fuel center would be located on the north side of the site in the existing parking area. The outline above represents an approximate location.

ATTACHMENT B: SITE PLANS



ATTACHMENT C: BUILDING ELEVATIONS & RENDERINGS



Representative elevation of the proposed fuel center concept of the Harmons plaza site. The fuel center would be located on the north side of the site in the existing parking area. Model from a Harmons store in another jurisdiction.

**ATTACHMENT D: ADDITIONAL APPLICANT
INFORMATION**

October 28, 2016

Salt Lake City Planning Department
451 South State Street
Salt Lake City, Utah 84111

RE: Harmons Brickyard Fuel Center

To whom it may concern,

I am submitting this planned development application to add a fuel center in the parking lot of the existing Harmons Brickyard Grocery store. The existing use is a grocery store parking lot. The new use is a fuel center. The fuel center will consist of a canopy approximately 107'-6" long and 24' wide, underground fuel tanks and an unmanned kiosk that is 6' wide x 12' long.

For the Planned Development Application we must have a purpose statement. This project is unique in relationship to this, but we feel that the fuel canopy will blend well with the existing architecture in the development through coordination of building materials and building relationships. We also feel that the fuel canopy provides an amenity to the site and to the shopping center visitors.

Sincerely,

Kristen Voros AIA, LEED AP BD+C
Principal

ATTACHMENT E: PROPERTY & VICINITY PHOTOGRAPHS



View to the north and the proposed location of the fuel center adjacent to Brickyard Road.



View to the west from 1300 East toward the proposed location of the fuel center

ATTACHMENT F: EXISTING CONDITIONS

Sugar House Master Plan Discussion

The subject property is located within the Sugar House Master Plan area. The Future Land Use map in the master plan designates the property as “Mixed Use – High Intensity” and the property has been zoned Community Shopping district in compliance with this designation. The proposed fuel center/gas station is a Permitted Use in the CS zoning district.

The High-Intensity Mixed Use allows an integration of residential with business uses, typically at ground floor levels. Proposed development and land uses within the High-Intensity Mixed Use area must be compatible with the land uses and architectural features surrounding each site.

The Master Plan includes a section related to the Brickyard Plaza that describes it as a community-level commercial mall that includes retail space, anchor stores, office space and some condominium dwelling units. While the center has undergone changes in tenants over the years, it remains a vibrant, auto-oriented retail center for the Sugar House community, the City and outlying residential areas.

While the Sugar House Master Plan does not specifically identify the proposed use, it fits with the general property designation and vision for the Brickyard area and could be considered a supporting amenity to the auto-oriented commercial nature of the area and an accessory use to the main use of the parcel for the Harmons store.

Applicable General Zoning Standards:

CS Zoning Standards

Requirement	Standard	Proposed Development Status	Impact on Development
Uses	Gas Station is a Permitted use	Complies	None
Process	Planned Development for new uses in the CS zoning district	Complies	None
Landscape Yard Requirements	15' front and corner side yards	Complies	None
Maximum Height	45'	Complies	None
Access Restrictions	One driveway per 150' of frontage – no new driveways are proposed	Complies	None

ATTACHMENT G: ANALYSIS OF STANDARDS – PLANNED DEVELOPMENT

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:

Standard	Finding	Rationale
<p>A. Planned Development Objectives: The planned development shall meet the purpose statement for a planned development (section 21A.55.010 of this chapter) and will achieve at least one of the objectives stated in said section:</p> <ul style="list-style-type: none"> 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. 	<p>Complies</p>	<p>The applicant intends to achieve objectives A and E of the Planned Development Ordinance.</p> <p>The applicant has stated this project meets objective A because of the architectural design of the structure and that the canopy will blend well with the existing architecture in the development through the coordination of building relationships and materials. The proposal also achieves objective E by incorporating an amenity that will be utilized by visitors to the site.</p> <p>Staff has noted that in regard to the CS zoning district, the Planned Development process is required and is not being used to seek relief from or modification of any of the zoning standards by the applicant. This means that the project does not fit as neatly into the objectives and other aspects of the Planned Development ordinance. However, staff finds that this project generally meets the Planned Development objectives as stated by the applicant.</p>
<p>B. Master Plan And Zoning Ordinance Compliance: The proposed planned development shall be:</p> <ul style="list-style-type: none"> 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. 	<p>Complies</p>	<p>The proposal is located within the Sugar House Community Master Plan area. The future land use map in the plan designates this property as "Mixed Use – High Intensity".</p> <ul style="list-style-type: none"> 1. The Master Plan identifies the Brickyard Plaza as community-level commercial mall that is auto-oriented and serves the Sugar House community as well as a larger area. A fuel center (gas station) would fit within the general scale and character of development of the area. Master Plan considerations and how this proposal meets those is discussed in more depth in Attachment F. 2. A gas station is a Permitted Use in the CS zoning district.
<p>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</p>	<p>Complies</p>	<ul style="list-style-type: none"> 1. The property is located adjacent to Richmond (1300 East), a busy arterial street. The property has been developed as a community level retail center. The proposed use will be located within a section of the existing parking lot adjacent to Brickyard Road and will utilize the existing drive aisles within the parking

<p>site where the use will be located. In determining compatibility, the planning commission shall consider:</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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, non-motorized, 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 	<p>lot. The existing roads are sufficient to support the use and will not be substantially impacted by the same.</p> <ol style="list-style-type: none"> 2a. As mentioned previously, the proposed use will utilize the existing drive aisles within the parking lot. No new driveways for ingress or egress are planned onto Brickyard Road or 1300 East. As such, the use should have little impact on traffic volumes or patterns. 2b. The proposed use will eliminate some of the existing parking in the plaza parking lot. The applicant has indicated that this parking is not necessary for normal operation of the main use, the Harmons store. The proposal must meet the minimum parking requirements specified in 21A.44.030 after the new use is constructed and stalls are removed from the available parking at the plaza. Staff has verified that parking will be sufficient once existing parking stalls are eliminated to accommodate the proposed fuel center. This issue and the parking calculations are outlined in more detail in the Key Issues section of this report, Issue 2 – Parking Impact. 2c. The development will have weekday peak traffic that corresponds with peak demand at the rest of the plaza. The adjacent properties are not expected to be negatively affected by the proposed use. 3. The main patterns of circulation through the development are not being changed or modified by the proposed use. 4. Any required upgrades will be addressed through the building permit process although there has not been any indication that they are not currently adequate. 5. The development will be located in the existing Harmons store parking lot, close to other commercial retail uses. Any existing multi-family residential uses are located to the north of the plaza on the other side of Brickyard Road. Given the existing scale and intensity of uses and the anticipated minimal additional impacts from the proposed use, no additional buffering is being recommended or required. 6. The development is located in a community-level commercial area with a mix of uses and considerable surface level traffic. The proposal is an accessory use to the main use of the property and will be compatible with adjacent properties and uses.
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<p>mechanical equipment resulting from the proposed planned development; and</p> <p>6. Whether the intensity, size, and scale of the proposed planned development is compatible with adjacent properties.</p> <p>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.</p>		
<p>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;</p>	<p>Complies</p>	<p>There are some trees and a park strip located along the north side of the site adjacent to Brickyard Road. The trees are located between the sidewalk and the edge of the parking lot. There is no indication that the existing landscaping and trees will be impacted by this development. Staff is not recommending the addition of trees to the park strip as they would provide very little additional screening given the scale of the overall development and because there are already street trees along Brickyard Road.</p>
<p>E. Preservation: The proposed planned development shall preserve any historical, architectural, and environmental features of the property;</p>	<p>Complies</p>	<p>There are no structures present on the site and no significant historical, architectural, or environmental features of the site that warrant preservation.</p>
<p>F. Compliance With Other Applicable Regulations: The proposed planned development shall comply with any other applicable code or ordinance requirement.</p>	<p>Complies</p>	<p>The project appears to comply with all other applicable codes. Further compliance will be ensured during the review process for building permits.</p>

ATTACHMENT H: PUBLIC PROCESS AND COMMENTS

Public Notice, Meetings, Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project:

- Notice of the project and request for comments sent to Sugar House CC on October 27, 2016
- Sugar House Community Council Land Use and Zoning Committee – November 21, 2016
- Sugar House Community Council Meeting – December 7, 2016

Notice of the public hearing for the proposal included:

- Public hearing notice mailed on January 12, 2017
- Public notice posted on City and State websites and emailed to the Planning Division list serve on January 12, 2017
- Public hearing notice sign posted on the property on January 12, 2017

Public Input:

This project was presented to the Sugar House Community Council at two meetings noted above. There were no negative comments expressed about the proposed use. Questions were raised about the parking and how pollution issues were being addressed. These items are addressed in more detail in the Key Issues section of this staff report.

The Sugar House Community Council submitted a letter dated December 27, 2016 in relation to this project. A copy of the SHCC letter is included on the following page of this report. The SHCC received few comments on the proposal and felt that this would be a good location for this kind of use, there would be few residences impacted due to separation distances and that the architectural design would fit with the existing Brickyard stores. There were concerns about the impacts on available customer parking near the store. Staff has analyzed the parking requirements in terms of the proposal which would eliminate approximately 55 parking spaces and determined that even with the parking spaces removed to accommodate the fuel center, the plaza would be in compliance with the City's parking requirements. Analysis of this issue is included in the Key Issues section of this report, Issue 2 – Parking Impact and also in Attachment G: Analysis of Standards, Standard C.2.b.

December 27, 2016



TO: Salt Lake City Planning Commission

FROM: Judi Short, First Vice Chair and Land Use Chair
Sugar House Community Council

RE: PLNSUB2016-00838 PD Fuel Center Harmon's Brickyard

The Sugar House Land Use and Zoning Committee reviewed this proposal at the November 21 meeting, and the full Sugar House Community Council (SHCC) heard a presentation from the petitioner at the December 7 meeting.

There were very few comments, except to clarify the proposal. However, I heard a number of comments after the meetings about the fact that the Harmon's parking lot is quite full most of the time. The only place there is available parking much of the time is on the north side of the building, which is exactly where the fuel station is proposed. Several suggested that they look at removing the credit union and its drive through, or even put it on the west side where the gym is located off the Brickyard Road.

This is a use that is allowed in the zone, and a number of nearby fuel stations have closed in recent years. It appears that this is a good location. We assume they have looked at the data to determine this is a good use and will be profitable for them. There is plenty of access to the area from both Richmond Street and Brickyard Road. There are no close residences that might be affected by the lights at night. The closest is the tall apartment building on Brickyard Road, and it is set back quite a ways, and the apartments are on the upper levels, so light should not be a problem. The architectural design seems to fit with the rather clean cut design of the Brickyard stores.

I don't see anything in the information provided to address the issue of parking, although the drawing clearly labels the number of stalls in each row. We know that the city parking requirements are very minimal, and the parking seems to be in short supply most of the day. We think Harmon's should count vacant parking spaces at various times and days, and think about whether this might hurt their business to reduce available parking. They should also consider whether there is another location that would work, or relocating the credit union might be an option. Public transportation is not plentiful in this area. While there is a bus along Richmond, there are not many east/west routes to pull people from other parts of Sugar House to the Brickyard. We want to see this store remain successful.

ATTACHMENT I: DEPARTMENT REVIEW COMMENTS

Engineering: Scott Weiler

No work is proposed in the public way. Engineering has no objections.

Zoning Review: Greg Mikolash

CS Zone - New fuel center to the north of the grocery store.

1. This proposal will need to comply with the appropriate provisions of 21A.26.010 and .040; commercial bulk, setback, area and height criteria.
2. This proposal will need to comply with any appropriate provisions of 21A.36. regarding accessory structures.

Public Utilities: Jason Draper

1. The area under the canopy needs to be constructed in a way that prevents storm water from sheet flowing under the pavement and mobilize possible contaminants. This can be done by making the pad higher in elevation than the surrounding area, or with a cut-off gutter.
2. If there are to be drains under the canopy they must go to the sanitary sewer through a sand/oil separator and be design to minimize precipitation water from getting into the sanitary sewer.
3. If regrading more than 1 acre a SWPPP is required.
4. Public Utilities will need to review a civil site plan.
5. The existing Jordan and Salt Lake Canal must be shown on the plans. It is unclear if any construction or structure are being proposed in the easement.

Transportation Review: Michael Barry, PE

1. Proposed addition of fuel pumps to existing large grocery store (Harmon's). No additional parking is required for unmanned fuel stations.
2. Provide parking calculations showing the minimum parking requirement per 21A.44.030; and demonstrate that the remaining parking provided, after construction, satisfies the minimum parking requirement.

Fire Review: Edward Itchon

Fuel dispensers need vehicle impact protection or be placed in an island 6 inches above the driving surface.

ATTACHMENT J: MOTIONS

Potential Motions

Staff Recommendation: Based on the information in the staff report, public testimony, and discussion by the Planning Commission, I move that the Planning Commission approve the Planned Development request. In order to comply with the applicable standards, the following conditions of approval apply:

1. The applicant shall comply with all other Department/Division conditions attached to this staff report.
2. Final approval authority for the development shall be delegated to Planning staff based on the applicant's compliance with the standards and conditions of approval as noted within this staff report.
3. That the owner comply with all applicable zoning regulations that have not specifically been modified by the Planning Commission through the planned development process.

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 request due to the following standard(s) that are not being complied with:

(The Planning Commission shall make findings on the Planned Development and specifically state which standard or standards are not being complied with. Please see attachments G and H for applicable standards.)