

NORTH SALT LAKE CITY  
PLANNING COMMISSION MEETING  
AUGUST 11, 2015

**FINAL**

Chairman Robert Drinkall called the meeting to order at 6:30 p.m. and welcomed those present.

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

STAFF PRESENT: Ken Leetham, Assistant City Manager and Community and Economic Development Director; Sherrie Christensen, Senior City Planner; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Sean Gilliland, Winegars; Newel Wilson, Kathy Wilson, Jacob Winegar, Bountiful residents.

1. PUBLIC COMMENTS

There were no public comments.

2. PUBLIC HEARING FOR CONSIDERATION OF A PROPOSED CONDITIONAL USE PERMIT FOR AN ELECTRONIC MESSAGE SIGN FOR WINEGARS LOCATED AT 3371 SOUTH ORCHARD DRIVE. DIANA EGBERT, APPLICANT REPRESENTING WINEGARS (TABLED JULY 28, 2015)

Sherrie Christensen reported that this is a conditional use permit for Winegars which is located in the Commercial Shopping (CS) zone in the S-2 Sign Overlay zone. The applicant is proposing to replace a portion of the existing sign and replace it with an electronic sign on the lower half of the sign. The electronic portion is equipped to ensure the light emission does not exceed .03 foot above ambient light measured 55' from the display. The photocell on the sign will adjust the display intensity automatically as well. Staff recommends that there is an 8 second display with a maximum 3 second transition between the two displays and limiting the hours of operation for

the sign. These requirements are from the Federal Highway Administration and State code. This item was tabled from the July 28, 2015 meeting so that a public hearing could be held.

Commissioner Drinkall commented that he had driven by the existing sign and noticed that it was not currently lit up. Sean Gilliland, Winegars, commented that the top portion of the sign is currently not illuminated and that if the conditional use permit is approved the sign will be repaired and illuminated again.

**Commissioner Drinkall opened the public hearing at 6:38 p.m.**

Newel Wilson, 1613 West 3300 South, commented that he owns a home across from Winegars and that they have been good neighbors but that he is concerned about safety. He said that the LED sign can distract drivers at night which might cause accidents and that LED lights are a source of light pollution. Mr. Wilson also presented the Commissioners with information on LED lights and possible adverse health effects such as eye damage.

Jacob Winegar, 3300 South 612 West, commented that he lives near Winegars and can see the sign from his home. He asked what the possible hours of operation for the sign would be. Sean Gilliland replied that the store would be open until 8 p.m. on Sunday, midnight on Saturday and 11 p.m. during the week. He said that the sign would be turned off at 11 p.m. regardless of when the store closes. Mr. Gilliland then said that to be a good neighbor they could even turn the sign off at 10 p.m.

Jacob Winegar then said that having the entire sign illuminated would be a better look than having only half the sign illuminated now due to burnt out light bulbs.

Kathy Wilson, 1613 West 3300 South, commented that she rents her property located near Winegars and that having the light on until 10 or 11 p.m. at night may make her property harder to rent especially to those with young children as the bedroom windows face the sign.

**Commissioner Drinkall closed the public hearing at 6:48 p.m.**

Commissioner Knowlton commented that the sign is currently a legally non-conforming size and asked if the conditional use would create a non-conforming status. Sherrie Christensen replied that the DRC, in its review, did not consider the change substantial enough to create a non-conforming status. The applicant had previously requested an increase in sign size which was denied by the Development Review Committee (DRC).

Sherrie Christensen also clarified that a foot candle is the light from one candle so .03% foot candles is 3% of the light emitted by one single wax candle.

Commissioner Baskin commented that the document presented by Mr. Wilson regarding the allegation of possible eye damage from LED lights was something that could be considered at a later date. She also said that Winegars had just made a concession to turn the light off at 10 p.m. versus the original time of 11 p.m.

Commissioner Drinkall commented that the Commission could make the condition that the City has the authority to monitor the sign for compliance in the event of complaints from residents. Sean Gilliland was in agreement to this condition and also to turning the sign off at 10 p.m.

**Commissioner Baskin moved that the Planning Commission approve the conditional use permit for an electronic “message center” sign at Winegars located at 3427 Orchard Drive subject to the following findings and conditions:**

**Findings:**

- 1. The existing sign will not be increased in size.**
- 2. The sign is located more than one hundred feet from any dwelling.**

**Conditions**

- 3. The sign is equipped to ensure that the light emission does not exceed .03 foot candles above ambient light as measured 55 feet from the display.**
- 4. A photocell on the sign detects ambient light levels and adjusts the display intensity automatically.**
- 5. Electronic sign area shall not exceed 75% of total sign**
- 6. Duration of changing sign copy shall be at minimum of 8 seconds, with transitions no longer than 3 seconds**
- 7. A sign permit must be issued by the City’s Building Department prior to installation of a message center sign.**
- 8. The sign shall be subject to monitoring by the City for compliance as needed.**
- 9. Based upon today’s discussion the sign will be shining until 8 p.m. on Sunday evenings and 10 p.m. on weekday nights.**

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

**Commissioner Drinkall amended the motion to “3371 Orchard Drive” with all the findings and conditions as previously mentioned. Commissioner Jensen seconded the amended**

**motion. The motion was approved by Commissioners Drinkall, Jensen, Baskin, Kirkham, Garn, Knowlton and Council Member Mumford.**

3. PUBLIC HEARING FOR CONSIDERATION OF PROPOSED AMENDMENTS TO THE CITY OF NORTH SALT LAKE LAND USE ORDINANCE:

A. ON-PREMISE SIGNAGE IN THE S-3 SIGN OVERLAY ZONE. JOSH PATEL- PROPERTY OWNER, APPLICANT (TABLED MARCH 10,2015)

B. MISCELLANEOUS SIGN CODE AMENDMENTS-STAFF PROPOSAL

Sherrie Christensen reported that this item was tabled at the March 10, 2015 Planning Commission meeting. The applicant, Josh Patel, is requesting to upgrade an existing freeway oriented sign to include a full color LED message center. Mr. Patel is requesting to amend the City's Land Use Ordinance to increase the sign height in the S-3 overlay zone from 45' to 60' and changing the allowable sign square footage from 200 square feet to 600 square feet. The DRC reviewed the requests and recommend that the maximum sign square footage allowed be increased to 300 square feet, but does not recommend an increase in allowable sign height. City staff has also drafted revisions to modify other standards for electronic message signs.

Sherrie Christensen then reported that some recommended revisions had been made which were then presented to the Planning Commission for review and includes: removal of the "community use" section, regulations on LED signage, avoiding blocking street safety signs, maximum sign sizes, wall signage on multi-tenant buildings, and the reorganization and clarification of content and grammatical corrections.

The Commissioners discussed the sign overlay zones, classifications of certain zones and if changes needed to be made. Council Member Mumford commented that when businesses are adjacent to residential areas that illuminated signage can be an issue and that the City needs to try and cater to the needs of the businesses as long as it does not cause issues for residents.

Sherrie Christensen commented that City staff will be re-writing portions of the sign code and creating a more comprehensive guide while the Towne Center area is under the current moratorium.

Council Member Mumford asked for clarification on Mr. Patel's request in regards to the on-premise multi tenant sign in the S-3 zone. Sherrie Christensen replied that Mr. Patel is requesting an amendment to allow a 600 square feet sign but that the DRC is only recommending an

amendment for a 300 square foot sign. Mr. Patel is also requesting an increase in the maximum sign height from 45' to 60' which the DRC does not recommend.

Council Member Mumford also commented that with the vision for the Towne Center, US-89 and CDA projects that the applicant's signage request did not fit in with the proposed ideas for future development. Ken Leetham replied that City staff can take a more comprehensive approach to the sign ordinances and make them more manageable. He recommended that the Planning Commission act on Mr. Patel's application and that further revisions could be made to the City code and design standards.

Sherrie Christensen commented that there were two options to either recommend approval of the applicant's request with amendments or to recommend denial at this time.

**Commissioner Drinkall opened the public hearing at 7:35 p.m. There were no comments, and he closed the public hearing at 7:36 p.m.**

Council Member Mumford commented that the sign request and proposed modifications from the applicant were too large for the use and should be denied at this time. The other Commissioners were in agreement that the applicant's request could not be approved at this time.

**Council Member Mumford moved that the Planning Commission recommend denial to the City Council of the proposed amendments to the Land Use Ordinance regarding on-premise signage in the S-3 sign overlay zone and message center signage. Commissioner Kirkham seconded the motion. The motion was approved by Commissioners Drinkall, Knowlton, Jensen, Baskin, Kirkham, Garn and Council Member Mumford.**

4. CONSIDERATION OF A PROPOSED CONDITIONAL USE PERMIT FOR UNDERGROUND PRODUCTIONS, A SOUND RECORDING STUDIO LOCATED AT 445 NORTH 700 WEST, UNITS 111&112

Sherrie Christensen reported this application is for a sound recording studio located in the Manufacturing Distribution (MD) zone. There is currently a sound recording studio at this location and the applicant will be ensuring that his business is soundproof so there should be no noise issues at this location. As all parking and landscaping requirements are met the DRC recommends approval of the conditional use permit with the condition that a sign permit be issued by the City's Building department prior to installation. The Fire Department also requests that if the interior is remodeled by the applicant that all fire sprinkler heads be inspected.

**Commissioner Baskin moved that the Planning Commission approve the conditional use permit for Under Ground Sound, a sound recording studio, located at 445 North 700 West, Units 111 & 112 subject to the following findings and conditions:**

**Findings:**

- 1. Sound recording studio is listed as a conditional use in the MD Zone;**
- 2. Appropriate sound dampening and insulating material will be used to ensure that noise from the studio cannot negatively affect the adjacent businesses or properties.**
- 3. Sufficient parking has been provided for the use.**
- 4. The proposed use meets all requirements of the development code.**

**Conditions**

- 5. Any structural, electrical or mechanical changes to the building will require a building permit;**
- 6. Prior to placing any signage on the building applicant must submit application for a sign permit.**

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

**5. APPROVAL OF MINUTES**

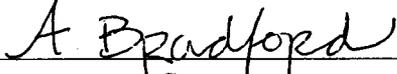
The Planning Commission meeting minutes of July 28, 2015 were reviewed and approved.

**Council Member Mumford moved that the Planning Commission minutes of July 28, 2015 be approved as amended. Commissioner Garn seconded the motion. The motion was approved by Commissioners Drinkall, Jensen, Baskin, Kirkham, Garn, Knowlton and Council Member Mumford.**

**6. ADJOURN**

Chairman Drinkall adjourned the meeting at 7:50 p.m.

  
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Chairman

  
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Secretary