

*Planning Commission Meeting Minutes
Thursday, October 5, 2023
South Salt Lake Council Chambers
220 East Morris Avenue
Time: 6:45 p.m.*

Commission Members Present:

George Pechmann, Chair
Jeremy Carter
Christy Dahlberg (via Zoom)
Olivia Spencer
Suzanne Slifka
Mary Anna Southey

Staff Members Present:

Amy Jones, City Attorney
Jonathan Weidenhamer, Community Development Director
Eliza Ungricht, Deputy Community Development Director
Jed Shum, City Planner
Tereza Bagdasarova, City Planner
Dawn Emery, City Planner
Alexandra White Halleck, Planning Consultant (via Zoom)

PLANNING COMMISSION WORK MEETING

Chair George Pechmann called the meeting to order at 6:45 p.m.

1. Review of Regular Meeting Agenda.

Deputy Community Development Director, Eliza Ungricht, reviewed the Planning Commission Meeting agenda. There were four items on the agenda. The first Public Hearing was a petition for a Final Subdivision Plat to consolidate two existing parcels into a one-lot plat for a flex building. She noted that the project was reviewed by the Planning Commission at the last meeting. The next two items were also Public Hearings and related to In-N-Out Burger. One was for a rezone and the other was for an Ordinance amendment. The last item on the agenda was a Public Meeting for a Conditional Use Permit for Victory Outreach Church at 3125 South State Street.

Chair Pechmann asked what areas were noticed for the In-N-Out Burger application. Ms. Ungricht reported that notices were sent to all property owners within a 600-foot radius of the property. Commissioner Slifka wanted to make sure that potential traffic issues had been mitigated at the In-N-Out Burger site. Ms. Ungricht reported that there were a handful of residents in the nearby area as there is an apartment complex across the street. There were not a lot of single-family residences in the area. Commissioner Slifka wondered what would happen if traffic backed up to 2100 South. Community Development Director, Jonathan Weidenhamer, noted that the answer to that question was more aligned with the Use Permit process rather than the Rezone process. However, there was time during the Work Meeting to address some Commissioner concerns about the property.

Chair Pechmann questioned the metric for vehicles per day on 2100 South. Mr. Weidenhamer stated that there is a lot of traffic in the area. Staff had spent time discussing traffic, staging, and stacking with the In-N-Out Burger applicant. A Traffic Study was conducted and accepted. On 2100 South, the Level of Service (“LOS”) is C or D and it would remain approximately the same. There would not be enough trips to the site to warrant concerns about the street not being able to handle the additional traffic. Mr. Weidenhamer reported that the original project proposal included one-third of the ability to stack and stage vehicles. Since then, the site has more than doubled the ability to hold and stage vehicles on the site. There had been reviews with the Police Department, Fire Department, and the City Engineer, who were confident in the numbers. It was expected that there would be more volume to start, but the applicant had committed significant resources for that period of time to either separately contract for assistance or to help pay for South Salt Lake Police, Fire, and Public Works assistance. Mr. Weidenhamer felt that the applicant site was an appropriate location for the proposed In-N-Out Burger.

Commissioner Mary Anna Southey asked for site history. Mr. Weidenhamer explained that approximately 15 years ago, his predecessor spoke to the Mayor and the Council to discuss building a sales tax base. The State Legislature was prohibiting the City from keeping a sales tax base based on population. Essentially, the sales tax was being shipped back out to the rest of the State. Since the City had a high daytime working population and a smaller permanent residency, there were a lot of issues with the sales tax base. A local option was given, where 2% could be kept, but there was a sunset date. As a result, work was done to create a sales tax base. An anchor tenant was initially recruited but fell through. From there, the decision was made to focus on a grocery store, which ended up being WinCo Foods. A Community Development Reinvestment Area (“CDRA”) was created. The focus was on vehicles, traffic, visibility, and attracting a sales tax base. From a City standpoint, the In-N-Out Burger location made sense in the proposed location.

Chair Pechmann asked what the sales tax projections were for In-N-Out Burger and how they compare to the sales taxes from the Mad Greek. Mr. Weidenhamer stated that he was not permitted to speak about the specific numbers and he did not believe the applicant would share that information. Some assumptions had been made and he was excited about the evolution of the site.

Commissioner Slifka understood that a lot of study had been done on the site, but she wanted to make sure the traffic levels would remain manageable. Chair Pechmann believed the idea was that residents who live within walking distance of In-N-Out Burger would walk there rather than drive. Planning Consultant, Alexandra White Halleck, shared additional background information about previous nearby developments. There had not been enough length without the Mad Greek site to have a two-story parking structure, which was required to build a four-story building on that size of parcel. Mad Greek was not available at that time and there was also a billboard in the middle of the site. Several factors made it difficult for a developer to move forward because the parking could not be accommodated without the additional property. There was discussion regarding previous proposals and what is now envisioned.