



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

MONICA ZOLTANSKI
MAYOR

SHANE E. PACE
CHIEF ADMINISTRATIVE OFFICER

Staff Report Memorandum March 7, 2024

To: Planning Commission
From: Community Development Department
Subject: Macey’s Market Little Cottonwood Flagpole
(Special Exception)
1860 E. 9400 S.
[Community #17, Willow Canyon]

SPX02142024-006712

SD (Magna) (CC)
4.8 acres

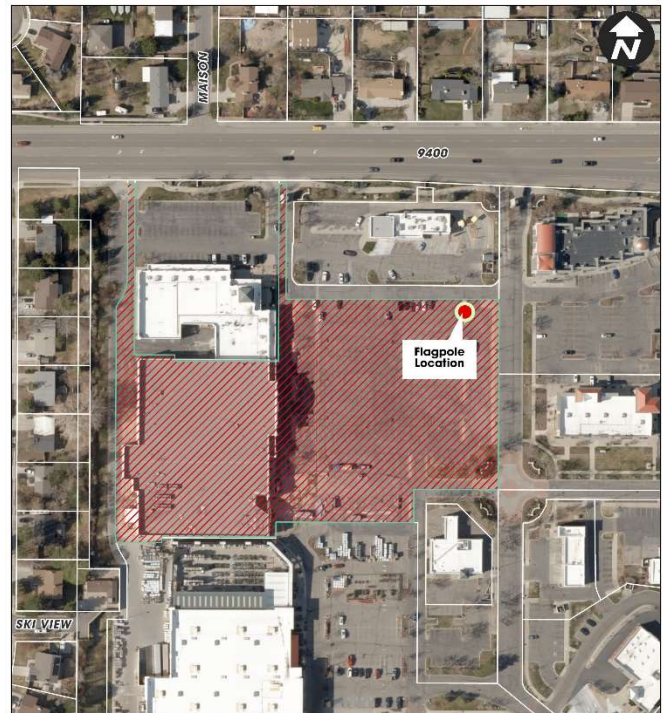
Public Meeting Notice: This item has been noticed to property owners within 500 feet of the subject area, on public websites, and at public locations.

Request

The applicant, David Tilley of Associated Foods, with the permission from the property owner, Mitchel Kirkorian of JMK Limited Partnership, is requesting approval of a special exception for a flagpole that exceeds 60 feet in height for the Macey’s Market located at 1860 E. 9400 S. The applicant is requesting a special exception for a 120 foot flagpole at the Macey’s Market Little Cottonwood store (see Exhibit A).

Background

The Macey’s Market site is located in the SD(Magna)(CC) zone. The parcel property is 4.8 acres. The property was developed in the 1990’s and previously had other grocery stores onsite. Properties to the south and east are commercial properties also in the SD(Magna)(CC) zone. To the west properties are zoned R-1-20A with single family residential. Properties to the west are zoned R-1-8 with single family residential.



0 37.5 75 150 225 300 375 Feet

SPX02142024-006712
Special Exception
1860 E 9400 S
● Flagpole Location
Sandy City, UT
Community Development Department

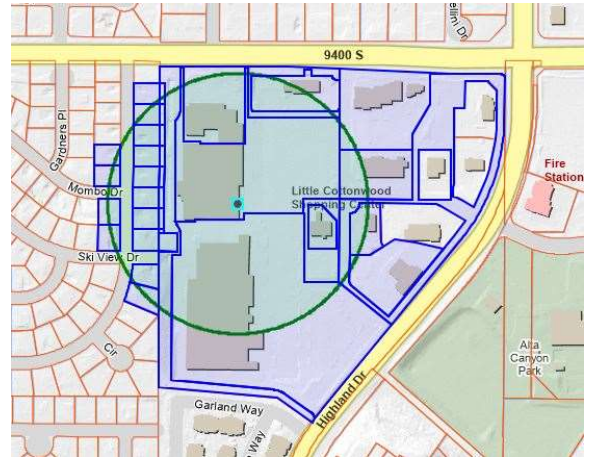
Property Case History	
Case Number	Case Summary
SPR 94-22B	Magna Little Cottonwood Commerical
SPR 97-48	Little Cottonwood Center
SUB 06-17	Little Cottonwood Center

Public Notice and Outreach

This item has been noticed to property owners within 500 feet. A neighborhood meeting was not held for this item. Staff has received one email and no phone calls regarding the project (See Exhibit C).

Analysis

The new Macey’s Market Little Cottonwood grocery store located 1860 E. 9400 S. proposes to install a new flagpole within their parking lot. The proposed flagpole's height of 120 feet exceeds the permitted 60 feet, necessitating a special exception. the Sandy City Land Development Code includes the regulations for flagpoles over 60 feet in height (see Sec. 21-26-14(3) & (4)):



(3) *Flags Allowed with a Permit in Commercial and Industrial Zones.*

- a. Up to three commercial flags per parcel in Commercial and Industrial Zones may be displayed. A total of six (three commercial and three noncommercial) flags may be displayed on a single parcel in Commercial or Industrial Districts.
- b. Such flags shall require a permit, regardless of size of flag or flagpole.
- c. Flagpoles shall not exceed 60 feet or the maximum height limit for structures in the zone district in which it is located, whichever is less, except as allowed herein.
- d. The Planning Commission may grant a special exception for a taller flagpole based upon the following criteria:
 - 1. A maximum height of 120 feet may be approved.
 - 2. The parcel must be at least two acres.
 - 3. Minimum flagpole setback from any property line shall equal the height of the flagpole.
 - 4. The Planning Commission may be able to impose additional conditions directed at minimizing or eliminating nuisance factors related to noise.

(4) *Lighting of Flags.* If a flag is lit, it shall be lit using directional up-lighting from ground level only. No lighting is permitted on the flagpole itself. Exceptions to the ground-level requirement may be made in order to properly light a noncommercial flag according to protocol established by the Congress of the United States and the State of Utah (U.C.A. 1953, § 76-9-601) with permission from the Director, provided such lighting does not constitute a hazard to traffic or pedestrians or an undue burden on neighboring properties.

The Planning Commission may approve a flagpole up to 120 feet if the parcel is at least 2 acres. The Macey’s Market parcel is 4.8 acres. The intended location is the northeast corner of the parking lot, within one of the four existing landscape islands (see Exhibit A). The flag accompanying the pole will measure 30x60 feet. Setbacks from property lines must, at a minimum, match the flagpole's height. The setbacks from the property line are approximately 210 feet to the north, 700 feet to the east, 580 feet to the south, and 590 feet to the west (See Exhibit B). The location of the flagpole is surrounded by the commerical retail development. Residential properties to the north are across the street from 9400 S. and to the west behind the grocery store building. Lighting for the flagpole will be directional up-lighting from ground level only. No lighting is permitted on the flagpole itself.

Staff Concerns

Staff is concerned that parking islands do not currently have any landscaping. Landscaping in the island with the proposed flagpole and remaining parking islands would need to be installed.

Recommendation

Staff recommends that the Planning Commission approve a special exception for a 120-foot flagpole and as described in the staff report for the property located at 1860 E. 9400 S based on the following findings and subject to the following conditions:

Findings:

1. The request meets, or exceeds, all of the criteria for this type of Special Exception as listed in the sandy City Land Development Code.
2. Based upon the surrounding properties the impacts of noise from this flagpole and associated flag should be minimal on adjacent properties.

Conditions:

1. The property owner and Macey's Market replace landscaping within the landscape islands of the parking lot within one year of this approval as per the approved site plan. Alternatively the property owner may submit a modified site plan for water efficient landscape review prior to installing improvements.
2. That the flagpole be in compliance with Sandy City Sign Ordinance and obtain the proper permits.
3. The flagpole shall not exceed 120 feet.
4. The flat pole shall be installed where it is shown on the site plan, which does meet all the required setbacks.
5. That this special exception be reviewed upon legitimate complaint.

Planner:



Sarah Stringham
Planner

File Name: S:\USERS\PLN\STAFFRPT\2024\SPX02142024-006712 - MACEY'S FLAG POLE\STAFF REPORT MACEY'S FLAGPOLE.DOCX

Exhibit "A"

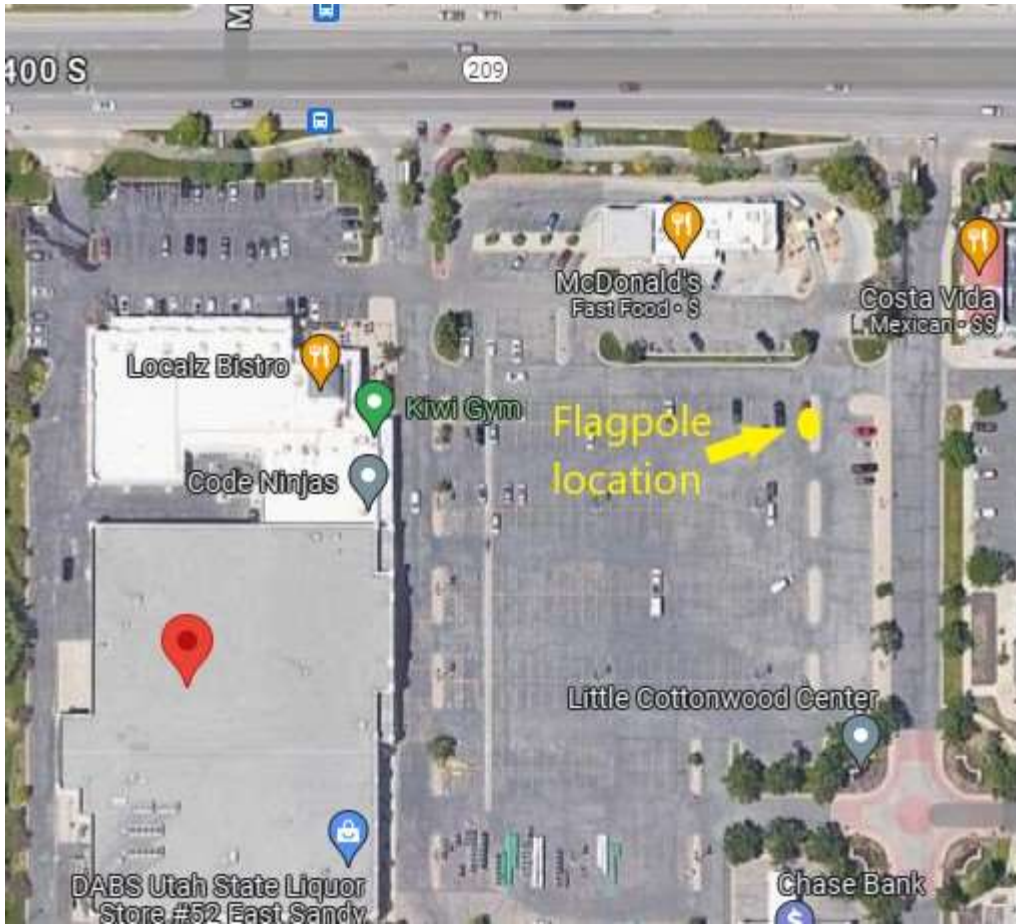


Exhibit "A" continued

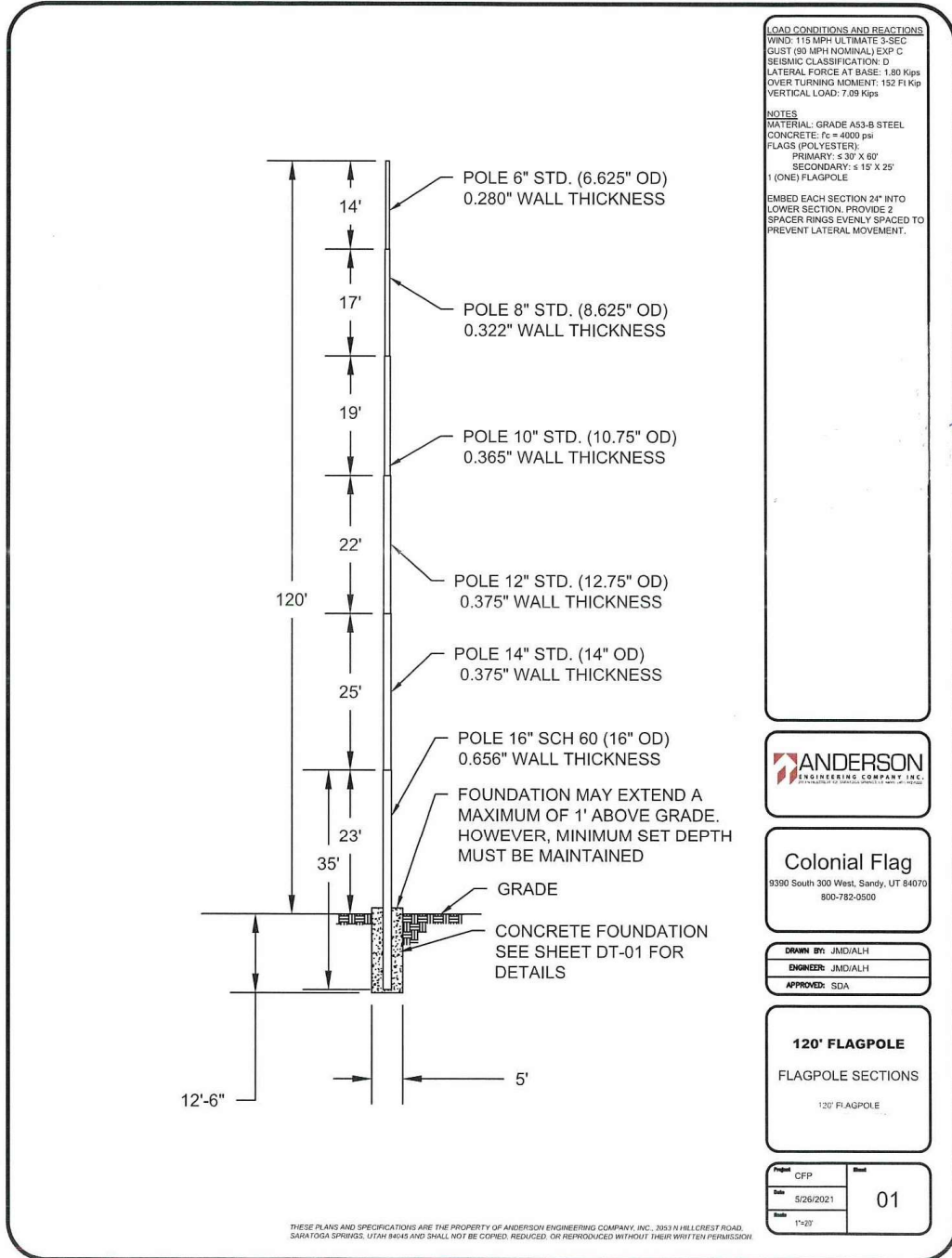


Exhibit "B"

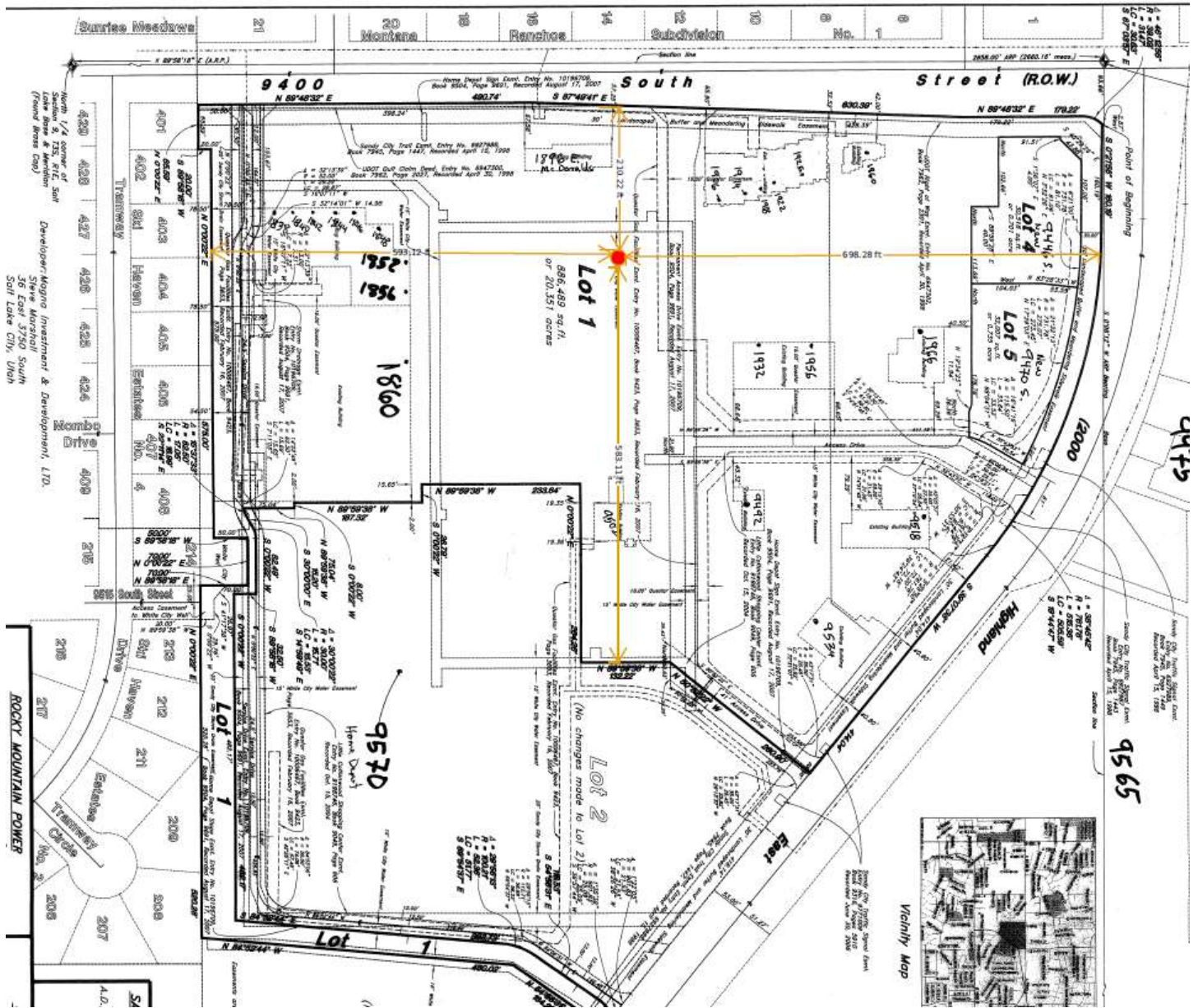


Exhibit "C"

From: Megan Deppen <megandeppen835@gmail.com>
Sent: Wednesday, February 28, 2024 5:01 PM
To: Sarah Stringham <sstringham@sandy.utah.gov>
Cc: Austin Smith <austinsmith2011@gmail.com>
Subject: [EXTERNAL] Macey's Flagpole in 9400 Shopping Mall

Hi! I'm writing to express my *disinterest* in a Macey's Flagpole at 1860 E 9400 S. We love to dine at Localz Bistro and enjoy the view of little cottonwood canyon from the patio. This is the *only* good restaurant in the area with decent outdoor seating. It would be tragic if a giant ugly sign blocked the view.

Please don't approve!

Thanks,
Megan Deppen