

**SALT LAKE CITY
PLANNING COMMISSION MEETING
In Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, March 22, 2006**

Present for the Planning Commission were Laurie Noda (Chairperson), Tim Chambless, Babs De Lay, John Diamond, Robert Forbis Jr., Peggy McDonough (Vice Chairperson), Prescott Muir, and Kathy Scott. Craig Galli and Jennifer Seelig were excused from the meeting.

Present from the Planning Division were Alexander Ikefuna, Planning Director; Doug Wheelwright, Deputy Planning Director; Joel Paterson, Planning Programs Supervisor; Janice Lew, Principal Planner; Lex Traughber, Principal Planner; and Cindy Rockwood, Planning Commission Secretary.

A roll is being kept of all who attended the Planning Commission Meeting. Chairperson Noda called the meeting to order at 5:46 p.m. Minutes are presented in agenda order and not necessarily as cases were heard by the Planning Commission. Audio recordings of Planning Commission meetings are retained in the Planning Office for an indefinite period of time.

A field trip was held prior to the meeting. Planning Commissioners present were Tim Chambless, Laurie Noda and Kathy Scott. Planning Division Staff present were Doug Wheelwright, Joel Paterson, Janice Lew, and Lex Traughber.

APPROVAL OF MINUTES from Wednesday, March 8, 2006.

(This item was heard at 5:49 p.m.)

Commissioner Scott noted one correction on page four of the minutes. The change is noted below:

Mr. Henderson stated that the subject property is bordered by an RMF-45, and is one lot removed from a RMF-75. The building presently on the subject property is a non-conforming medical office building.

Commissioner Scott moved to approve the March 22, 2006 minutes with the changes above. Commissioner Chambless seconded the motion. All voted "Aye". Commissioner De Lay abstained. The motion passed.

Commissioner Muir requested further information regarding the relay of the Planning Commission discussion to the City Council. He noted that the minutes were synopsisized and might not contain the detailed discussion held during the meeting. He noted concern regarding complex issues discussed by the Planning Commission that might not get relayed in full detail to the City Council.

Mr. Ikefuna stated that the City Council is briefed by Staff regarding the petitions heard during the Planning Commission meeting. A transmittal to the City Council includes the minutes from the meeting, the Staff Report, and a synopsis of the Public Hearing in cover letter form.

Mr. Wheelwright stated that the City Council does receive the minutes reviewed by the Commissioners in the packet, but they also have access to the full, computerized recording of the meeting.

REPORT OF THE CHAIR AND VICE CHAIR

(This item was heard at 5:53 p.m.)

Chairperson Noda stated that there was nothing to report.

REPORT OF THE PLANNING DIRECTOR

(This item was heard at 5:53 p.m.)

Mr. Ikefuna stated that the final meeting for the Research Park Work Group was held on Monday, March 20, 2006. An update by Commissioner Chambless, appointed representative for the Work Group was presented.

Commissioner Chambless requested the Commission to lift the moratorium placed on the Research Park area in October 2005. He stated that the monthly meetings held by the Work Group were productive and effective to define the possible long- and short-term solutions. The meetings have included representatives of UDOT, UTA, University of Utah, Research Park, Transportation Division, Mayor's Staff, Community Councils, and the Planning Division.

Commissioner Chambless stated that the long-term concerns are anticipated to be ongoing, with possible involvement of the Federal Government, while short-term concerns have been addressed and will be resolved through meetings with appropriate representatives. Commissioner Chambless requested the Commission hear from Steve Alder, a neighborhood representative of the Work Group.

Mr. Alder stated his gratitude to the Commission for allowing the Work Group to meet and also gratitude for the City Staff who provided input. He stated that the Work Group was able to coordinate suggestions, ideas, and concerns with numerous representatives. The representatives were able to consider the numerous points of discussion and create a foundation for change.

Commissioner De Lay requested further information from Commissioner Chambless regarding the possible involvement of the Federal Government.

Commissioner Chambless responded that the concerns of the area extend further than the impact of the Research Park. He stated that demographically, the area surrounding the University is causing traffic overflow problems. Although the concerns were not resolved years ago, the impact is increasing. Commissioner Chambless stated that representatives from the Federal Government are anticipated to be present at future meetings regarding the long-term concerns.

Commissioner Muir noted the importance of the growth of the Research Park as necessary, as it is the economic engine of the State. He suggested encouragement for the University to begin considering expanding into areas where transportation already exists; i.e., Downtown. Commissioner Muir proposed to the Planning Commission to consider strongly encouraging residential development in the Downtown area with better homes and surrounding neighborhoods. He noted that the Planning Commission shares in the responsibility of better development in the Downtown and Northeast area and should not downzone the areas. Neighboring properties' concerns should be considered, but not remove the long-term outlook of the City. Commissioner Muir proposed the City consider incentives to further encourage the development of good housing in the Downtown area.

Commissioner Chambless agreed with Commissioner Muir's suggestions and stated that the University is working towards creating a greater presence in various areas of Utah. Although the suggestions and issues are genuine, they will not be resolved in the near future. Commissioner Chambless also stated that the University is working effectively with the appropriate representatives to openly discuss the impacts on the surrounding area. He noted that the next meeting hosted by the University will be on March 28 at 5:00 p.m.

Commissioner Diamond raised concern regarding the original reasoning of building height and questioned if it had been addressed during the meetings. He reiterated the importance of the height as a consideration of the Work Group. He also agreed with Commissioner Muir in regards to the possible incentives the City might offer the University for residential development.

Mr. Alder stated that the Work Group did consider a great deal of the regional planning problems of traffic, but the Research Park has become more involved and aware of the concerns of the neighborhoods. Mr. Alder noted that additional square footage has the potential to affect traffic, view, and style, but stated that the Work Group did not significantly consider these issues.

Mr. Ikefuna stated that in the Fall of 2005, the City Council approved a Transit Corridor Zoning in the area between 200 and 900 East and 400 South, creating an opportunity for the University to grow towards the Downtown area. He also stated that the Planning Commission approved the allowance of multi-family residential development in the Downtown and Commercial districts that would ultimately encourage residential development and University Housing downtown.

Commissioner McDonough stated that the approval of the City Council removed the portion of the 700 and 900 East, decreasing the actual allowed density.

Mr. Ikefuna stated that the revised recommendation has not been completed, but will be presented to the City Council. He also stated that the Planning Commission will have the opportunity of being briefed by Staff if it is finally approved by Council.

Commissioner Diamond noted concern about possible incentives to encourage housing development by the University because, as a separate entity, the University is not required to comply with City or County Codes.

Mr. Ikefuna agreed with the point and stated that there is room for the University to work together. The University is scheduled to conduct a meeting with the Campus Master Plan as the topic on March 31, 2006, at 1:30 p.m. A representative from the Planning Division and Transportation Division will be in attendance at the meeting and cooperation is anticipated to determine the necessary requirements and needs.

Commissioner McDonough clarified the motion regarding the moratorium, and requested further information about the advantages to lifting the moratorium now.

Commissioner Chambless stated that the citizens and respective divisions have been able to create a better opportunity for coordination and cooperation in the future growth outlook.

Commissioner Chambless made a motion to remove the moratorium placed on the Research Park area in October 2005 by the Planning Commission. Commissioner De Lay seconded the motion. Commissioners Chambless, Commissioner De Lay, Commissioners McDonough, Commissioner Muir, Commissioner Scott, and Commissioner Forbis voted "Aye". Commissioner Diamond voted "Nay". The motion passed.

Commissioner Diamond explained his vote because of the possibility of a Conditional Use request for additional height appearing before the Commission without specified criteria. He noted that a proactive position should be considered and criteria be established.

Mr. Ikefuna stated that Planning Staff will compile a report with the findings of the Work Group and present them to the Planning Commission. He also noted that the president of the University of Utah, President Young, could provide insight in developing a metropolitan university, because of his background at George Washington University. Mayor Anderson will be inviting President Young to a meeting with the appropriate community councils, and the associated members of the Work Group to address some of the concerns relating to the impact of the growth of the Research Park. Commissioner Chambless requested to be the representative from the Planning Commission present at the meeting.

Commissioner Muir stated that the Planning Division should have criteria established for future Conditional Use (height) requests and promote the proactive position. Commissioner Muir requested the criteria be studied internally. Mr. Ikefuna stated that research would be assigned to Staff.

PUBLIC NOTICE AGENDA

(This item was heard at 6:17 p.m.)

Salt Lake City Property Conveyance Matters — (Karryn Greenleaf at 483-6769 or karryn.greenleaf@slcgov.com or Doug Wheelwright at 535-6178 or doug.wheelwright@slcgov.com):

- a) Salt Lake City Property Management and New Cingular Wireless PCS, LLC—Cingular Wireless is requesting that Property Management approve a site lease agreement to allow a portion of the City-owned street right-of-way to be used to install underground power and signal cables connecting a utility pole-mounted cellular telephone antenna installation within the public way to a remote site equipment shelter to be constructed in the rear yard area on an neighboring property at approximately 1314 South 1100 East Street. The property is located within Salt Lake City and the adjacent properties are zoned Neighborhood Commercial (CN) and Residential/Business (RB). Property Management staff intends to approve the site lease request.
- b) Salt Lake City Public Utilities Department and Freeport West Development—Freeport West is requesting that Public Utilities approve a new standard use permit to allow the re-routing of the Ridgeland Irrigation Canal (not City owned) to cross the City owned easement for the Lee Drain (storm water drain) at a new location located at approximately 4898 West California Avenue. Adjacent property is zoned Light Industrial (M-1). The Public Utilities staff intends to approve the standard use permit as requested.
- c) Salt Lake Public Utilities Division and UTOPIA DBA Murray City—UTOPIA is requesting that Public Utilities issue a standard utility permit to allow installation of overhead telecommunications cables over the Salt Lake and Jordan Canal property located at approximately 700 East and I-215 within the boundaries of Midvale City. The Public Utilities staff intends to approve the utility permit request.
- d) Salt Lake City Public Utilities Division and the Utah Telecommunications Open Infrastructure Agency—Utah Telecommunications Agency is requesting that Public Utilities issue a standard utility permit to allow installation of telecommunications cables to cross Salt Lake City-owned canal property, at approximately 930 East South Union Avenue, in Midvale City. The Public Utilities staff intends to approve the utility permit request.
- e) Salt Lake City Public Utilities Department and Mr. Alonzo A. Hinckley—Mr. Hinckley is requesting that Public Utilities issue a standard use permit to allow him to continue gardening and maintaining landscaping on a small portion of Public Utilities owned property adjacent to the rear of 4471 Camille Drive in Holladay City. The Public Utilities staff intends to approve the standard use permit request.
- f) Salt Lake City Public Utilities Department and Donna and Graham Doxey—The Doxeys are requesting that Public Utilities vacate an existing right-of-way for the Big Cottonwood Conduit which impacts the rear of their property located at 6320 South Canyon Cove Drive in un-incorporated Salt Lake County. The conduit right-of-way is no longer needed because the conduit was relocated during the 1980s into Wasatch Drive. The Public Utilities staff intends to vacate the right-of-way in favor of the Doxeys, subject to compensation at fair market value, as requested.
- g) Salt Lake Public Utilities Department and Norine Kautzman and Doug Burnett—Ms. Kautzman and Mr. Burnett are requesting that Public Utilities approve a renewal permit to a previously granted standard use permit, which grants access rights over a Public Utilities owned access road right-of-way, to benefit the property located at approximately 6456 South Crest Mount Drive, in un-incorporated Salt Lake County. The Public Utilities staff intends to approve the access renewal permit request.
- h) Salt Lake City Public Utilities Department and Mr. Marv Thomas—Mr. Thomas is requesting that Public Utilities approve a bridge, utility and access permit in favor of the purchasers of her property, located at approximately 2825 North Rose Park Lane, at an existing bridge crossing

which was constructed by Salt Lake County over the City Drain (storm water drain) canal, in unincorporated Salt Lake County. The existing bridge structure provides access to the property owned by Mr. Thomas. The Public Utilities staff intends to approve the bridge, utility and access permit as requested.

Chairperson Noda noted that there were no comments or questions from the public or Commissioners. The matters were approved.

PUBLIC HEARINGS

Petition 400-06-01 — A request by the Salt Lake City Planning Commission to amend provisions of the zoning ordinance to allow tandem parking. This petition would allow for limited parking, one (1) space, in a tandem configuration in the front and corner side yards for new and existing single-family residential development and said space can be included in the required parking calculation for the proposed residential use.

(This item was heard at 6:18 p.m.)

Chairperson Noda stated that the hearing of this petition during this meeting consists of “issues only”; namely, the Staff Report and public comment. A discussion and vote will not occur at this time.

Mr. Lex Traugher was the staff representative for this petition. He stated the reasoning behind the “issues only” decision at the Public Hearing was due to comments received from the City Transportation Division that require thoughtful consideration.

Mr. Traugher gave a brief synopsis of the background and creation of this request. One of the reasons for the request is that by allowing tandem parking, on-street parking will be lessened. Mr. Traugher noted that developers of new residential developments must meet parking requirements in small areas. Planning Staff contends that it is not in the City’s best interest to forgo new residential development due to a lack of parking. Mr. Traugher stated that flexibility in residential parking requirements could increase the City’s housing stock.

The proposal states that one tandem parking space could be placed in a front or corner side yard. Mr. Traugher noted that this is presently not allowed within the City. The following four criteria must be met to utilize the tandem parking in a single, residential district:

1. The tandem parking space is at least nine feet (9’) wide by twenty feet (20’) deep;
2. The vehicle will not encroach into the public right-of-way;
3. The tandem parking space is located within a driveway that leads to a properly located new or existing parking space (garage, carport or parking pad);
4. Parking on the hard surface tandem space is limited to passenger vehicles only.

Mr. Traugher also noted that existing tandem parking options should be recognized by the Planning Division. For new residential, an additional tandem parking spot could be presented as a parking stall allotted to the new home.

Commissioner De Lay requested more information regarding stacked parking; as found in larger cities. She questioned its relevance and relation to the possibility of this adoption.

Mr. Traugher stated that the main focus on the petition for tandem parking maintains a strict focus on residential. He stated that tandem parking is a common occurrence found in the City, but is not part of the ordinance. He also stated that enforcement of tandem parking is not strong unless the vehicle is blocking a fire hydrant or encroaching into the right-of-way.

Commissioner Forbis stated that people he knew have been ticketed for tandem parking on 900 South.

Commissioner Scott clarified that only one passenger vehicle would be allowed in the designated tandem parking stall. She requested the definition of a passenger vehicle.

Mr. Traugher stated that Staff would need to research the passenger vehicle definition and determine if it is presently in the Zoning Ordinance. Mr. Traugher stated that the issue would be researched by Staff prior to the next hearing in relation to this petition.

Mr. Ikefuna stated that one of the concerns addressed by the Transportation Advisory Board was that tandem parking be disallowed in an area where "no parking" signs are placed on the street. Also, Staff will be reviewing the option of duplex and residential development to utilize tandem parking as a fulfillment of parking requirements.

Chairperson Noda requested comments from the public.

Russ Watts, Watts Enterprises, is a representative to the many developers of housing in the City. He stated that a decision relating to tandem parking is a critical point to further develop City housing. Mr. Watts stated that a simple way to approach the idea is land cost and parking cost. The two costs impact the affordability and the level of housing created. He stated that affordable, purchasable units are difficult to create considering the cost of land and the standard parking requirements. In order to create vitality in the City, the parking requirements need to be altered. Mr. Watts suggested locating parking one to two blocks away from the Main street area to place more people in the Downtown area. He suggested shared use/share leasing with parking lots, to better utilize the space.

Commissioner McDonough requested clarification for the on-street parking limitation in areas where "no parking" signs are posted proposed by the Transportation Division.

Mr. Kevin Young, Salt Lake City Transportation, stated that the tandem parking option can cause difficulty to some individuals because of the possibility of moving one car before the other. An example was cited in the lower Avenues by Chairperson Noda. Mr. Young stated that most of the concern presented by the Advisory Board was from the representatives of the Capitol Hill and Avenues area, and a "park by permit" option had not been considered.

No motion was made. Chairperson Noda closed the "issues only" Public Hearing.

Petition No. 400-06-03 — A legislative action item initiated by the City Council requesting revisions to the Zoning Ordinance relating to registered home daycare and preschools. Two actions were requested by the City Council; to change the current child home care group size limitation of six (6) to eight (8) children to correspond with State Licensing standards. The second request is to require an annual business license for this type of home occupation.

(This item was heard at 6:39 p.m.)

Chairperson Noda recognized Janice Lew, Principal Planner, on behalf of Planning Staff.

Ms. Lew provided a background and synopsis of the petition. She stated that the proposed text amendments would change the group size limitation from six to eight, to coincide with State Licensing, and would require a current business license.

Ms. Lew stated that, in review of the request, Staff is recommending that the Planning Commission forward a favorable recommendation to the City Council.

Commissioner McDonough requested further information regarding the requirement for the size of the home. Ms. Lew stated that when applying for state licensing, the size of the home is a consideration, but not for the City's home daycare review.

Chairperson Noda requested comments from the public.

Chris Bray, Director of Child Care Resource and Referral Metro of Salt Lake, presented a brief history of the reasoning for changing the maximum capacity. The eight children capacity has been in place for over three years, but not heavily enforced until recently. Approximately 1200 home daycare facilities are located within the database of the Resource and Referral Metro and many have difficulty removing family members from their home daycare facility.

Commissioner Chambless requested a number for how many licensed, residential certified were present in the City.

Ms. Bray stated 200-300 facilities as a ballpark figure for those found within the City. She stated that daycare professions are paid very low, but remain in high demand. She stated concern that an annual City license could cause a burden on the cost of the daycare facility. She mentioned that a family group home is considered, because it would provide one employee to be hired in the facility to better provide for the children. Ms. Bray noted that a national study concluded that the ratio of illegal to legal daycare facilities is three to one.

Commissioner Diamond requested information about the transportation safety of the home.

Ms. Bray responded that generally more than one child arrives at a time in one vehicle. The hours of the provider vary and transportation is not considered heavily with relation to the change in maximum capacity.

At 6:51 p.m., Chairperson Noda closed the Public Hearing and the Planning Commission entered Executive Session.

Based upon the comments and findings in the Staff Report, Commissioner De Lay made a motion that the Planning Commission recommend approval to the City Council to adopt the proposed text amendments. The motion was seconded by Commissioner Scott. All voted "Aye". The motion passed.

Petition 410-770 — A request initiated by Jeffrey Keller for conditional use approval to operate a used car sales lot at 853 South State Street #3 in a Downtown Support (D-2) zoning district.

(This item was heard at 6:52 p.m.)

Chairperson Noda recognized Janice Lew, Principal Planner, as the representative from the Planning Division.

Ms. Lew stated that the site currently operates a car repair business, and the Applicant has had a used car dealership license since 1993. Although Mr. Keller has the dealership license he is also required to add the dealership to his current business license. Upon notification of the violation, the applicant submitted a Conditional Use request.

The property is located on five parcels, located interior to the block, and accessible from Upton Place; a private right-of-way. The business consists of six service bays and an office, retail service area. No changes to the property are being proposed at this time.

Ms. Lew stated that Staff conducted an open house and received comments from Mr. Kurt Sirstins regarding his concerns of the lack of street frontage on the property and the general condition of the property.

Based on the analysis included in the Staff Report, Staff is recommending approval with the conditions outlined in the Staff Report.

Commissioner Scott noted clarification regarding the comments versus suggestions found in the Staff Report that Mr. Keller would be required to comply with. Commissioner Scott also noted that the Upton area has been a vacated alley.

Ms. Lew confirmed that a quiet title action had been completed, where the property owners received a judgment to split the alley abutting their property. The applicant received an access easement for Upton Place.

Mr. Wheelwright confirmed that the City had no action in regards to the Upton right-of-way, as all action is between private owners.

Commissioner McDonough requested further expansion on the ingress/egress of State Street to Upton. Ms. Lew stated that the applicant has an access agreement to use the Upton right-of-way with the property owner for ingress/egress.

Mr. Jeffrey Keller, applicant, stated that the dealership license has been in his name since 1993, and he would like to add it to his business license. He stated that there are no intentions to alter the method of things presently in place, but this addition to his business license would place him in compliance with City standards.

Chairperson Noda requested comments from the public.

Mr. Kurt F. Sirstins, Management Services, is an owner of the surrounding properties. He requested further information regarding the scale of the proposed site plan and the location of the stalls next to the dumpster; namely the parking stalls on the south border located closely to the dumpster, prohibiting movement with a truck or large vehicle. The proposed dumpster site as an enclosed area could prohibit the movement of the pickup. Mr. Sirstins also requested clarification for landscaping on the site, as a neighboring site would be required to have landscaping. Mr. Sirstins also stated that some of the neighboring property is being utilized by Mr. Keller to install stereo equipment and unauthorized traffic.

Mr. Ikefuna stated that Mr. Sirstins had mentioned that no business should be conducted on the adjoining properties, as they are not Mr. Keller's. Mr. Ikefuna stated that an opaque fence could be erected to screen the use from neighboring properties. Any violation by Mr. Keller in terms of use is the responsibility of Code Enforcement.

Mr. Wheelwright responded to the concerns Mr. Sirstins by stating the following four points:

1. Fencing off the property in order to avoid disturbance by Mr. Keller.
2. Installation of an opaque fence would ensure no visual impact to Mr. Sirstins properties.
3. New development standards are not required by Mr. Keller because of the consideration of the property as non-conforming and the existing use.
4. A lack of street frontage on State Street allows the subject property to bypass the landscaping requirements.

Mr. Sirstins requested clarification regarding the proposed site plan.

Commissioner Scott clarified that the dimensions of the site plan can change, and will be sent through the permits office to determine that conditions are met before a permit is approved.

Mr. Keller noted that his business primarily works on Audi and Volkswagen vehicles and therefore hasn't had a problem with larger vehicles trying to park or move around in the area near the dumpster. He stated that the ADA parking guidelines had not been presented to him, but he would be more than willing to comply. He also stated that the dumpsters are moved from the east side to the property line for pickup.

Ms. Lew stated that the matter of an enclosed dumpster is only noted as a suggestion and is not a required condition upon approval. Ms. Lew stated that the City divisions and departments have found no reason that Mr. Keller would not be capable of meeting the parking requirements.

Mr. Wheelwright stated that the general position of parking requirements is to have fewer stalls that work rather than more stalls that do not work. Although Mr. Keller might not be able to utilize the space as he is right now, the permits office will review the final site plan to determine the appropriate number and use. Mr. Kevin Young also stated that the present site plan does propose many stalls that might not work, and the dimensioned site plan will be reviewed and altered to find the appropriate number of stalls that will work.

Mr. Sirstins requested clarification regarding the fire department request. Ms. Lew confirmed that the Fire Department's site visit has found an appropriate number of hydrants located near enough to the property.

At 7:27 p.m., Chairperson Noda closed the Public Hearing and the Commission began the Executive Session.

Based on the comments, analysis, and finding of facts in the Planning Staff recommendation, Commissioner Scott made a motion for the Planning Commission to approve the Conditional Use request subject to the following conditions:

- 1. All lots comprising the use shall be consolidated into one lot;**
- 2. Compliance with departmental comments as outlined in the Staff Report, making note that some comments are merely suggestions;**
- 3. Final plans shall be reviewed during the building permit process for compliance with all applicable City code and ordinances.**

Commissioner McDonough seconded the motion. All voted "Aye". The motion passed.

Petition 400-05-02 — A request initiated by the Salt Lake City Council to amend provisions of Chapter 21A.46 of the Salt Lake City Zoning Ordinance regarding portable signs which are often referred to as "A-frame" signs. The proposed amendments would limit the distance that portable signs could be located from an advertising business.

(This item was heard at 7:28 p.m.)

Chairperson Noda recognized Joel Paterson, Planning Programs Supervisor, as the representative from the Planning Division.

Mr. Paterson gave a brief history of the background of the petition. Mr. Paterson stated that portable signs have been included in the Ordinance since 2003. In 2004, the City Council requested a modification to the amendment regarding the portable sign standards to require a maximum distance away from the advertising business. As Staff considered the proposal, Staff is recommending that portable signs be permitted only on the block face on which the advertising business is located and on up to two block faces that intersect with that original block face. Mr. Paterson stated that in the Downtown area, the definition of block face has been modified to include properties that front on one side of the street between intersecting arterial or collector streets. He also noted that outside of the Downtown or Gateway area, the definition of block face is the same as defined in the City Ordinance.

Mr. Paterson also noted that Staff is recommending other minor amendments to the Sign Standards, including the clarification that signs are not allowed in the roadway; clarification of the clear space

required surrounding the signs; clarification of the attended sign standards to allow portable signs to be placed within 25 feet of the front door or a window. Mr. Paterson stated that the Public Utilities Division requested a modification to allow the City to request the removal or relocation of the portable sign to accommodate construction in the right-of-way.

Mr. Paterson stated the Business Advisory Committee had reviewed the proposals and recommended approval. He also noted that an Open House had been held where business owners from the Downtown area attended to request the continued use of portable signs.

Mr. Paterson stated that Staff is recommending the Planning Commission forward a positive recommendation to the City Council.

Chairperson Noda requested comments from the public. No comments were received. The Planning Commission entered Executive Session.

Commissioner McDonough requested further information regarding the use of portable signs in the Research Park area, and the terms of block face and intersections in relation to the area.

Mr. Paterson stated that the standards in the Ordinance do allow portable signs in Research Park which is zoned Research Park (RP) Zoning District. He noted that the definition for block face found in the Ordinance is applicable for the Research Park area.

Commissioner Chambless requested further information regarding the liability of the City in relation to the temporary signs.

Mr. Paterson stated that to the best of his knowledge there had not been any liability issues with portable signs. He also noted that with the exception of portable signs, signs in the public right-of-way are generally prohibited. Other types of signs that encroach into the right-of-way, such as marquee signs, require insurance.

Based on the analysis and findings presented in the Staff Report and discussion, Commissioner McDonough made a motion for the Planning Commission to transmit a favorable recommendation to the City Council to approve the amendments portrayed in the Portable Signs Provisions, Section 21A.46.055 of the Zoning Ordinance. Commissioner Forbis seconded the motion. All voted "Aye". The motion passed.

UNFINISHED BUSINESS

(This item was heard at 7:38 p.m.)

Commissioner Scott referenced the prior Planning Commission meeting and a motion she made, to inform the Planning Commission that the petitioner, in the form of a letter, made specific allegations that she had made a deal with Community Councils and participated in illicit van rides. She stated that the allegations were unfounded and questioned her integrity and that of the Planning Commission's decision. Commissioner Scott was outraged and disappointed in relation to the situation and felt it appropriate to share this information with the Planning Commission.

Mr. Wheelwright noted that Cindy Rockwood has been appointed to the Planning Commission Secretary and Sarah Carroll has been promoted to the Principal Planner position. He also noted that two Associate Planner positions remain open. Mr. Ikefuna stated that the Division is working towards obtaining an additional Principal Planner position in the new budget.

Meeting was adjourned at 7:40 p.m.

Cindy Rockwood, Planning Commission Secretary