

**SALT LAKE CITY
PLANNING COMMISSION MEETING
In Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, May 10, 2006**

Present for the Planning Commission were Laurie Noda (Chairperson), Peggy McDonough (Vice Chairperson), Babs De Lay, John Diamond, Robert Forbis Jr., Prescott Muir, and Matthew Wirthlin. Tim Chambless, Jennifer Seelig, and Kathy Scott 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; Jackie Gasparik, Principal Planner; Marilyn Lewis, Principal Planner; Ray McCandless, Principal Planner; Lex Traugher, 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 5:47 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 Robert Forbis Jr., and Matthew Wirthlin. Planning Division Staff present were Doug Wheelwright, Marilyn Lewis, and Ray McCandless

APPROVAL OF MINUTES from Wednesday, April 26, 2006.

(This item was heard at 5:47 p.m.)

Commissioner De Lay moved to approve the April 26, 2006 minutes. Commissioner Forbis seconded the motion. Commissioner De Lay, Commissioner Diamond, Commissioner Forbis, Commissioner McDonough, and Commissioner Wirthlin voted "Aye". Commissioner Muir abstained.

REPORT OF THE CHAIR AND VICE CHAIR

(This item was heard at 5:48 p.m.)

Chairperson Noda provided a brief synopsis of the American Planning Association Conference she attended at the end of April in San Antonio, Texas. She commended the Planning Commission for their participation in the process of LEED certification in the City. Chairperson Noda stated that another topic discussed in accordance with LEED certification was affordable housing projects in various cities. She stated that this initiative may become a part of the City of Salt Lake. She noted that Design Review has proven progressive, as developers are working well with City planners and commissioners for approval. She encouraged developers to continue working with the City in recognizing the helpful criteria established by design review. Chairperson Noda stated that she was impressed with the persona of many other Commissioners from various cities. She extended appreciation to her fellow Commissioners and commended their participation for creating a better community.

REPORT OF THE PLANNING DIRECTOR

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

Mr. Ikefuna stated appreciation for the summary of Chairperson Noda's experience.

Mr. Ikefuna acknowledged and recognized Mr. Craig Galli for his service to the Planning Commission, and requested Chairperson Noda present him with an appreciation award. Chairperson Noda presented Mr. Galli with an appreciation award and acknowledged his service. Mr. Ikefuna included that Mr. Galli may have another opportunity to serve the City on the Land Use Appeals Board.

PUBLIC NOTICE AGENDA

(This item was heard at 5:56 p.m.)

- a) Cricket Utah Property Company and Salt Lake City Property Management Division — A request for Property Management to grant a lease agreement to allow the installation of a utility pole mounted cellular telephone antenna and connecting underground telecommunications conduits within a portion of the public street right-of-way for:
 - i. 1300 West Street which adjoins the property located at 530 North 1300 West Street and
 - ii. 1100 East Street which adjoins the property located at 1336 South 1100 East StreetA separate, administratively approved Conditional Use application is required for both utility pole installations. The Property Management staff intends to approve the requested lease agreements.
- b) Board of Realtors/ASWN and Salt Lake City Public Utilities Department — A request for Public Utilities to exchange a right-of-way interest in a portion of the Jordan and Salt Lake City Canal for a fee title interest in a similar portion of the Canal involving the property located at 9661 South Monroe Street in Sandy City. The proposal will better align the actual canal facilities with the easement or property interest. Public Utilities staff intends to approve the transaction as proposed.
- c) Chapman Richards, Layton Construction, and Salt Lake City Public Utilities Department — Two requests for Public Utilities to approve a temporary lease agreement in a portion of the Jordan and Salt Lake City Canal involving the property located at 9661 South Monroe Street in Sandy City.
 - i. A proposed lease term will be for an 18-month period to allow Chapman Richards to install an advertising sign for the leasing of an adjacent business/office complex project. Public Utilities staff intends to approve the temporary lease as proposed.
 - ii. A proposed lease term will be for an 18-month period to allow Layton Construction to place a temporary, construction office trailer during the construction of an adjacent business/office complex project. Public Utilities staff intends to approve the temporary lease as proposed.

Chairperson Noda requested comments from the public or Commission regarding the public notice items. No comments were made and the items were approved.

OTHER BUSINESS

(This item was heard at 5:56 p.m.)

Salt Lake City Critical Open Lands Inventory and Preservation Priority Assessment presentation by Jan Striefel; Principal and President of Landmark Design Incorporated. Salt Lake City applied for and received a LeRay McAllister Fund grant to develop a classification system of nearly 27,000 acres of land zoned Open Space, Foothill Preservation or Agricultural Use. The classification system will provide a framework for defining critical open lands and making informed planning decisions.

Chairperson Noda recognized Jackie Gasparik as Staff representative. Ms. Gasparik stated that the City had applied for the LeRay McCallister Grant to develop a classification system for property zoned Open Space, Foothill Preservation, and Agricultural. She stated that the system will be utilized as a tool for Master Planning and Planning as development continues; namely, the Northwest Quadrant. She noted that Landmark Design had been hired to complete an inventory of the property to determine ownership, land use, and environmental and physical conditions of the property to aid the City in identifying further opportunities for the creation of Open Space zones to preserve critical lands and to help determine how identified parcels should be developed.

Ms. Gasparik introduced Jan Striefel, Principal and President of Landmark Design, as the presenter of the new classification system. Ms. Striefel stated that the process of gathering the information proved exciting

for many of the organizations from which information was obtained. She presented a Power Point presentation, which is included on compact disk in the record.

Ms. Striefel stated that the plans objectives were 1) to evaluate the natural development and ownership constraints on lands and 2) to develop a hierarchical classification of designated open lands. It was noted and recognized that the information obtained for the development of the plan was the "best available" information to this date, with the potential of updating at a later time upon further research.

Ms. Striefel identified thirty different land characteristics applied to a matrix, including the location, zoning, current land use, proximity to water and sewer lines, and numerous environmental characteristics. She displayed a portion of the newly created matrix, stating that the matrix is linked to the GIS mapping system. Ms. Striefel showed various maps during the presentation with an emphasis on the map illustrating ownership of Open Space lands due to the heightened (or lessened) potential for development. She also stated that the map illustrating the wildlife classification includes songbirds and mule deer, although mule deer are not endangered.

Ms. Striefel indicated that the properties currently zoned Open Space will remain as such until they are rezoned into one of the recommended new Open Space Zones. She stated that the new Open Space Zones include, Developed Land, Public Use, Watershed Protection, Natural Open Space, Agricultural Preservation, and Sensitive Lands. The established information that helped define which zone would be applicable in various areas is as follows:

| | |
|-----------------------------------|---|
| <u>Developed Land:</u> | Parks, golf courses, cemeteries, schools and universities, Jordan River Parkway, & trail corridors; Primarily public ownership; and No development or redevelopment potential |
| <u>Public Use:</u> | Airport, utilities, water treatment facilities, landfills, & transportation facilities Public ownership; No development or redevelopment potential; and Expansion potential |
| <u>Watershed Protection:</u> | Passive and managed recreation uses; Salt Lake City Public Utilities owned property; Other watershed properties in public ownership; and No development potential |
| <u>Natural Open Space:</u> | Lands considered pristine or nearly so; Property owner agrees to maintain it as undeveloped; Public or private ownership; and No development potential |
| <u>Agricultural Preservation:</u> | Includes agricultural zones A-2 and A-5; Intent to preserve agricultural use and lifestyle; Private ownership; and Limited development potential based on zoning requirements |
| <u>Sensitive Lands:</u> | Lands with environmental characteristics; Private ownership; Requires developer to conduct environmental analysis and identify areas not suitable for development; and Development potential varies |

The proposed classification system will be considered for adoption as an amendment to the existing Open Space plan and general plans. The presentation also included the critical land characteristics that were considered during the allocation of appropriate zoning. Ms. Striefel stated that an important facet of the matrix is to aid research in further explanation of specific zoning for planning and development purposes. She also noted that this study will be used to protect against the potential cost of development that is incompatible with the natural environment.

Commissioner Muir stated that it seems the premise of the study was to consider preserving open lands and assessing the value of current lands, but it seems an adjunct to it would be to place an overlay for the consideration of reclaiming some patterns that the City may have lost. By joining the data and allocating

appropriate funding, the city can better establish Open Space creation. Ms. Striefel stated that the gaps in the matrix might provide the information required to consider reacquisition of specific property.

Commissioner Muir requested that the Administration be briefed on the potential reclamation of possible preserved area. Commissioner McDonough stated appreciation for the material and encourages its use in Staff Reports.

PUBLIC HEARINGS

Petition 410-06-02 — A request by Maurine Bachman representing Sprint Spectrum for conditional use approval to locate a wireless telecommunications antenna on an existing wooden pole located at approximately 1388 South 1900 East in an I (Institutional) Zoning District. This project is being forwarded to the Planning Commission by the Administrative Hearing Officer.

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

Chairperson Noda recognized Marilyn Lewis as Staff Representative. Ms. Lewis stated that the petition had been previously heard in an Administrative Hearing on April 6, 2006, but due to opposition expressed had been forwarded to the Planning Commission.

Ms. Lewis provided a brief background of the project stating that the request from the applicant is to install an antenna structure on an existing wooden, utility pole. She stated that the three antennas would be mounted flush with the top of the pole, with electrical equipment installed in a cabinet on a concrete pad north of the power pole.

Ms. Lewis stated that the applicant claims that the existing above ground pole height was 30 feet and that based on the standard process in 21A.40, they should be allowed to go up to 40 feet and receive permission to install their antenna. In late 2005 Sprint paid Utah Power in advance to change the pole to a taller one. This was prior to submitting an application to the City or attending the Wasatch Hollow Community Council meeting in early 2006. Sprint now claims that the pole is 46 feet high.

Ms. Lewis continued by stating that the Planning Division was not aware of this proposal nor was Staff present at the meeting to hear or view exactly what information was presented to the community. Staff contacted the community council chair prior to the Administrative Hearing to find out if there were any issues with the installation of the antenna on the existing pole. The community council stated that in general there were no issues.

Ms. Lewis stated that Utah Power has standard utility pole lengths that are used, where typically 10 percent plus 2 feet of the original pole height is buried. Utah Power has stated that the original utility pole was 35 feet in length with 5 ½ feet buried for a total of 29 ½ feet above ground. Ms. Lewis noted that the replacement pole started as a standard 55 foot pole with 7 ½ feet buried for a total of 47 ½ feet above ground height. She added that the above dimensions are not consistent with drawings submitted by Sprint.

Ms. Lewis stated that normally, in order to change out the utility poles, Utah Power should have applied for a Special Exception (21A.02.050B) for the utility pole to be changed to an extended height. To accommodate a wireless antenna, Conditional Use approval is required and the increased pole height could have been included in this Conditional Use request. Ms. Lewis clarified that Utah Power did not obtain approval to change out the existing pole for a taller one. She stated that the pole was replaced out of sequence, prior to the submission of the Conditional Use application. Ms. Lewis stated that the replacement pole cannot exceed the 10 foot maximum height increase allowance from the original pole height (29 ½ feet).

Ms. Lewis stated that based on the findings of fact, Staff recommends that the Planning Commission approve the request with the following conditions:

1. The property owner must cut the existing 47 ½ feet utility pole off from the top, in order to bring the pole to the maximum allowable height of 39 ½ feet above ground level in order to mount the proposed telecommunication antenna.
2. The applicant must submit verification from a licensed surveyor for the height of the existing utility pole once it has been cut to a 39 ½ feet above ground height. Two copies of this documentation must be submitted (one for Permits and one for the Planning Division) in order to receive a permit for the installation of the proposed antenna.

Commissioner Muir requested information regarding the federal guidelines for antenna placements be reviewed for the Commissioners to make a sound decision and understand the appropriate parameters.

Mr. Wheelwright stated that the allowance for utility pole antenna installation is a recent addition to the Zoning Ordinance required by technology advancements. He stated that the provision does allow for penetration into primarily residential neighborhoods of the City. He indicated that he had been the Administrative Hearing Officer for this petition and Staff received comments from various neighbors regarding the switch of the utility pole prior to submission of the application. Mr. Wheelwright stated that there are some broader restrictions on local governments regulating the telecommunication industry because the industry is empowered on the national level, and the City cannot show favoritism of companies nor impede their expansion. He stated that the City can adopt ordinance requirements, and have adopted provisions to densify the telecommunication networks. Mr. Wheelwright concluded that more intense installations will be appearing before the Planning Commission for approval decisions of Conditional Use.

Ms. Maurine Bachman, representing Sprint Spectrum, appeared before the Planning Commission and agreed to the information stated in the Staff Report. She stated that to create a lease agreement with Utah Power, the company requires the lessee meet with their estimators and their planning staff, and make an advance payment for any consideration of the application. Ms. Bachman included comments that Utah Power had changed the pole prior to completing the process in full. She stated that the location is in a substation yard and Sprint is willing to comply with Staff Recommendations.

Commissioner Diamond requested clarification from Sprint regarding the potential to comply with the neighborhood zoning height requirements of 35 feet, and whether or not additional poles had been considered for the placement of the antennas. Commissioner Diamond stated that views are important to maintain when considering height, and suggested that the possibilities of technology, and the potential of placing boosters, may serve as other options in the surrounding area.

Ms. Bachman stated that, in speaking with the radio frequency engineer reducing the height to 35 feet could eliminate the possibility of a signal to the east. She stated that originally the height was requested at 60 feet to further enhance the coverage provided by the pole. Ms. Bachman stated that research had been conducted to determine if other poles would provide suitable coverage, but was not found; although, some of the poles in the surrounding area are taller. She concluded that the coverage area required to serve the neighborhood well would require the pole to stand at an increased height from the LDS Church Building located to the east of the property.

Commissioner Wirthlin suggested a height of 38 feet and requested an absolute minimum height from the applicant. He stated that the 39 ½ feet request is the maximum allowable height under the statutes.

Ms. Bachman stated that the radio frequency engineer had stated that he could "make it work" at 39 ½ feet, but as the pole is lowered in height, various things impede the signal. She stated that cell phone service is essentially low-powered radio and can be impeded by the full-block building to the east.

Commissioner Forbis noted that the coverage in the area already exists, but requested clarification to the potential increase of coverage to the area.

Ms. Bachman informed the Commissioners that, generally, topography is a main determining factor in suggesting placement for the signal propagation with capacity of the telephone site as another determining factor. She stated that both of the factors are reasoning behind this request.

Mr. Wheelwright stated that he has been a participant of the various subcommittees on telecommunications conducted throughout the years. He noted that one of the things discovered during subcommittee meetings was that build-out on the facilities would never be reached, because of new companies continually entering the market with additional height and additional coverage needs. He stated that the companies constantly request more height and more installations.

Ms. Bachman stated that in her work, she has worked with Highland City and a national consulting firm to determine the appropriate location and height of antenna sites where it was stated that Highland City should be considering placement of an additional 25 sites within their City in the next 10 years. She stated that some of the reasoning behind this suggestion is due to the amount of people switching from land-line phone usage to cell phones in their homes.

Chairperson Noda stated that the expansion aspect of cell phone usage was anticipated and discussed when she represented the Division of Public Utilities 1996 Communication Format. She agreed with Mr. Wheelwright that the need for towers will continue to increase, but never build out. She stated that Utah Power should have appeared at the meeting and should assume responsibility for building the tower at an inappropriate height without City input.

Chairperson Noda requested comments from the Community Council chairs and the public.

Brad Zaba, 1828 East Harrison Avenue, stated three main concerns to the proposed height change:

- (1) The alteration of the pole height without a Conditional Use permit. He stated that the information provided to the public did not mention the taller pole that had been switched from the lower pole, and that the Staff report was unclear in its statements regarding the existing pole.
- (2) The finding of no impact on the surrounding area. He stated that the proposed development of the power pole does not provide buffering.
- (3) The use of the substation site. He stated that that substation area topography is not flat, and is located in a gully and has no buffer. He noted that the pole is used for lighting the adjacent property and sits outside of the fence surrounding the substation.

Commissioner Diamond requested recommendations from Mr. Zaba regarding the situation.

Mr. Zaba responded by stating that the surrounding area poles are slightly lower in height and his recommendation would be to lower the existing pole. He suggested attaching the antennas to an existing pole or on the roof of the LDS Building to the east.

Commissioner Muir requested further information regarding the potential increase of light leakage from the lights in the parking lot.

Mr. Zaba stated that the lights have been raised, and neighbors have stated that the lights do shine into their living room and have become more intense.

Commissioner Forbis stated that while on the field trip the height of the pole was highly visible and requested comments from Mr. Zaba regarding the accommodation between both parties in reducing the height to a shorter form.

Mr. Zaba stated that a shorter height would be helpful, but the height as it stands is too tall.

Mr. Wheelwright clarified that the LDS Church has a policy to not allow the sub leasing of building facilities for antennas. The Division would prefer an antenna on top of an existing building or structure to a utility pole installation, although a utility pole does have less impact than a monopole installation. Mr.

Wheelwright clarified that the existing pole is the new pole, at 47 ½ foot in height and is thicker to support the antenna weight.

At 6:43 p.m., there being no further questions for the applicant or public, Chairperson Noda closed the Public Hearing.

Commissioner Muir requested, on condition of approval, an additional condition be supported to shield the light fixtures to help eliminate the impact to the neighbors.

Discussion commenced between the Commissioners regarding the ability to change the height, balance the view of the neighbors and help allow the company to function. A proposal was placed before the Commission to allow the maximum height to be 39 ½ feet with a suggestion to locate the absolute minimum height for the tower function and suggest the lower height be used. It was noted that technology and capacity are ever changing, but the companies are sincerely trying to appropriately incorporate the towers into the area. The Commissioners discussed the option of placing a condition that stated the preferred maximum height of 35 feet, but if a study was provided demonstrating the necessity of a larger height the decision could be made administratively.

Mr. Wheelwright stated that the terms of the Conditional Use approval lies within the Commissioners' discretion, while the maximum amount of pole height allowed for approval is 10 feet above the existing pole.

Discussion amongst the Commissioners was held regarding the height requirement and the potential for remaining at the 35 feet limit. It was determined that if the requirement of 35 feet was required, the company may not utilize the pole with the antennas. It was clarified that if the height was lower, the coverage to the east may be less due to the block building and antenna location.

Ms. Bachman stated that when the radio frequency engineer ran the tests for appropriate level of coverage, the engineer requested 40 feet in height. She emphasized that the antennas, if placed on a pole 35 feet in height will move the radio frequency in the direction of the block building to the east; therefore, requiring a height of 39 ½ feet for the utility pole for maximum coverage potential.

Mr. Ikefuna stated that the Planning Commission may approve the 35 foot request as a Conditional Use request because the antenna addition is the Conditional Use.

Commissioner Muir made a motion based upon the Findings in the Staff Report, with the exception of Finding F, which states: Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts. Also, an exception to Finding K, which states: The proposed conditional use is compatible with the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood or the City as a whole. A condition of 35 feet in maximum height will be added to the petition request based on the adjusted findings. Commissioner Muir moved that the Conditional Use be approved with the following altered conditions:

- 1. The property owner must cut the existing 47 ½ feet utility pole off from the top, in order to bring the pole to the maximum allowable height of 35 feet above ground level in order to mount the proposed telecommunication antenna.**
- 2. The applicant must submit verification from a licensed surveyor for the height of the existing utility pole once it has been cut to a 35 feet above ground height. Two copies of this documentation must be submitted (one for Permits and one for the Planning Division) in order to receive a permit for the installation of the proposed antenna.**
- 3. The property owner must install light shields to the existing light fixtures before the issuance of a permit, so as not to impact neighboring properties.**

The motion was seconded by Commissioner Diamond. All voted "Aye". The motion passed.

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 existing single-family residential development and new single-family attached dwellings (which includes condominiums), twin home dwellings, and two-family dwellings. For new attached single-family dwellings, twin home dwellings and two-family dwelling said tandem parking space can be included in the required parking calculation for the proposed residential use.

(This item was heard at 7:19 p.m.)

Chairperson Noda recognized Lex Traughber as Staff representative. Mr. Traughber noted that the original petition had been heard at the March 22, 2006 Planning Commission meeting as an Issues Only hearing due to additional comment received from the Transportation Division. He stated that the previous presentation had heard public comment and did present the Staff Report. The issues of the Transportation Division have been addressed in the Supplemental Staff Report, along with other changes suggested by the Commission.

Mr. Traughber stated that based on the comments, analysis, and findings of fact noted in the staff report dated March 15, 2006, and the revisions noted in the supplemental staff report dated May 10, 2006, Planning Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to adopt the following language adding Section 21A44.020M – Tandem Parking to the Salt Lake City Zoning Ordinance. This Section would read as follows:

21A44.020M – Tandem Parking - One (1) tandem parking space shall be permitted for existing residential development or new single-family attached residential development (including condominiums), new twin home residential development, new two-family residential development, or new detached single-family residential development where the tandem parking is approved as part of a Planned Development in accordance with Chapter 21A.54 of this Code. Additionally, the one (1) parking space in a "tandem" configuration located within the front or corner side yard setback can be included in the required parking calculation for these new residential developments. All tandem parking spaces must meet the following criteria:

1. The tandem parking space shall be at least nine feet (9') wide by twenty feet (20') deep.
2. The tandem parking space shall be entirely located on private property unless otherwise approved by the City.
3. The parking stall shall not impede vehicular or pedestrian traffic.
4. The tandem parking space shall be located within a driveway that leads to a new or existing properly located, legal parking space.
5. The tandem parking space shall be located in a driveway that abuts and is assigned/dedicated to the dwelling unit that it serves, and use of the tandem parking space shall not block the use of the driveway to access other parking spaces if the driveway is a shared driveway.
6. Parking on the hard surface tandem space shall be limited to passenger vehicles only.
7. The right-of-way fronting the new residential development must allow parking on both sides or neither side of the street.
8. Tandem parking shall not be allowed where the tandem parking is being requested as a result of a remodel or rehabilitation project that includes the elimination of legally configured off-street parking.

In addition, Planning Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to revise Table 21A.44.050 – Parking Restrictions Within Yards.

Planning Staff also recommends that the Planning Commission forward a favorable recommendation to the City Council to adopt the definition of "Passenger Vehicle", and add this definition to Section 21A.62 – Definitions of the Salt Lake City Zoning Ordinance as follows:

Passenger Vehicle – a four-wheel, two-axle, motor vehicle, designed, sold, and licensed to accommodate private passenger transportation on public roads, not to include vehicles such as recreation vehicles, motor homes, boats, box vans or trailers.

Commissioner De Lay requested a potential timeframe for the City Council to adopt the ordinance and definitions if favorably transmitted by the Commission.

Mr. Traughber responded that the City Council timeframe is not a decision made by the Planning Division, but is left to the discretion of the City Council.

Chairperson Noda requested comments from the Community Council Chairs and the public.

Peter Von Sivers, Capitol Hill Community Council Chair, addressed the Commission regarding two concerns held by the Community in relation to the proposed tandem parking ordinance.

- 1) Tandem parking can require maneuvering between the two vehicles, possibly eliminating on-street parking once the switching of the placement of the vehicles is completed. The on-street parking is a concern because of the narrowness of the streets located in the Capitol Hill area.
- 2) Developers may pursue the option of buying property and allowing tandem parking to be utilized as a required parking space.

Mr. Von Sivers stated that the City Council had conducted a recent tour of Council District Three with a stop at the Watts Project on Apricot Street to illustrate the difficulties that could arise from tandem parking and requested that the allowance of tandem parking be linked to the width of the streets. Mr. Sivers was not sure of the exact width to help determine the appropriate request, but suggested Apricot and Quince Street be considered as appropriate widths to disallow tandem parking.

Commissioner McDonough requested further clarification regarding the relation of the width of the street to the demand of the parking.

Mr. Von Sivers stated that the relation of the width of the street to the demand of the parking is important because of the potential for development, and the possibility the developer may have to allow the tandem parking be utilized as a parking requirement fulfilled. He stated that he would rather have the developer maintain the parking requirements on their own property, rather than use on-street parking.

Commissioner Diamond requested information regarding the number of residents or new developments that meet the required setback, eliminating the need for tandem parking.

Mr. Traughber stated that if the proposed criteria are not met, the tandem parking is not a legal solution. He clarified that tandem parking would not apply on streets wherein parking is available on one side, as stated in the criteria: "The right-of-way fronting the new residential development must allow parking on both sides or neither side of the street"; therefore, excluding the possibility of allowing tandem parking on streets that only allow parking on one side of the street.

Mr. Ikefuna stated that statistics are not available at this time to determine the number of streets that meet the requirements, but overall many do meet the requirements. He added that the Transportation Advisory Board had the same concerns as Mr. Von Sivers, and the Planning Staff has addressed the concerns.

Discussion commenced between the Commissioners, Planning Staff, and Mr. Von Sivers regarding the language of the condition. It was concluded that the language was appropriate and clear in statutory language.

Mr. Russ Watts, Watts Enterprise, addressed the Commission regarding the parking situation of Downtown. Early in the year, he had attended a symposium with members of the City Council discussing the revitalization of the Downtown area, with parking as a concern. He stated that many opportunities exist in the City for revitalization to bring vitality to the certain areas of the City. Mr. Watts stated that numerous cities and various residents are already utilizing the tandem parking option to incorporate more room for parking. He mentioned that the City is in a growing stage in determining how to meet the requirement, while allowing the option (and perhaps encouraging) of mass transit and light rail. Mr. Watts concluded by suggesting that tandem parking is a step in the process of encouraging vitality growth.

Based on the comments, analysis, findings of fact, testimony heard, and the information noted in the supplemental Staff Report dated May 10, 2006, Commissioner De Lay made a motion that the Planning Commission forward a favorable recommendation to the City Council to adopt the language adding Section 21A.44.020M – Tandem Parking to the Salt Lake City Zoning Ordinance and would read as follows:

Tandem Parking - One (1) tandem parking space shall be permitted for existing residential development or new single-family attached residential development (including condominiums), new twin home residential development, new two-family residential development, or new detached single-family residential development where the tandem parking is approved as part of a Planned Development in accordance with Chapter 21A.54 of this Code. Additionally, the one (1) parking space in a “tandem” configuration located within the front or corner side yard setback can be included in the required parking calculation for these new residential developments. All tandem parking spaces must meet the following criteria:

- 1. The tandem parking space shall be at least nine feet (9’) wide by twenty feet (20’) deep.**
- 2. The tandem parking space shall be entirely located on private property unless otherwise approved by the City.**
- 3. The parking stall shall not impede vehicular or pedestrian traffic.**
- 4. The tandem parking space shall be located within a driveway that leads to a new or existing properly located, legal parking space.**
- 5. The tandem parking space shall be located in a driveway that abuts and is assigned/dedicated to the dwelling unit that it serves, and use of the tandem parking space shall not block the use of the driveway to access other parking spaces if the driveway is a shared driveway.**
- 6. Parking on the hard surface tandem space shall be limited to passenger vehicles only.**
- 7. The right-of-way fronting the new residential development must allow parking on both sides or neither side of the street.**
- 8. Tandem parking shall not be allowed where the tandem parking is being requested as a result of a remodel or rehabilitation project that includes the elimination of legally configured off-street parking.**

The motion included a favorable recommendation to the City Council to adopt the revised Table 21A.44.050 – Parking Restrictions Within Yards and the definition of “Passenger Vehicles” be included in Chapter 21A.62 as stated below:

Passenger Vehicle – a four-wheel, two-axle, motor vehicle, designed, sold, and licensed to accommodate private passenger transportation on public roads, not to include vehicles such as recreation vehicles, motor homes, boats, box vans or trailers.

The motion was seconded by Commissioner Forbis. All voted “Aye”. The motion passed.

Petition 410-761 and 490-06-04 — A request by Borg Holdings L.L.C., represented by Alan Borg, for a conditional use/planned development and preliminary subdivision approval of a proposed six-lot, single-family residential subdivision located at approximately 1566 West 500 North in a Single Family Residential (R-1/7000) Zoning District.

(This item was heard at 7:47 p.m.)

Mr. McCandless was recognized by Chairperson Noda as Staff representative. He presented a brief background of the subject proposal. He stated that the property is approximately one acre, and has been through the Planned Development Subcommittee process twice. Issues from the subcommittee that have been addressed are as follows:

- Driveway for Lot 1 – To allow more turning room, the garage has been shifted to the north with the home oriented towards 500 North Street.
- Front yard setback – A 25 foot setback for the front yard area.
- Garage door on Lot 4 – The Planning Commission Subcommittee recommended a more decorative garage door be installed. The applicant agreed to do this.
- Eliminate the hard line along the west fence line. The developer has proposed a 3 foot wide by 43 foot long planter area placed along the western fence.
- A walkway will be installed between Lots 5 and 6 leading to the Jordan River Parkway.
- Creating a lighted, hammerhead access to the school between Lots 2 and 3.
- Access to the neighbors' property through the west fence was addressed by providing an easement. (This was noted as an item not within the purview of the Commission but was included in the Staff Report because the gate itself is within its purview.)

Mr. McCandless stated that based on the analysis and findings, Staff recommends the following:

- A. Conditional Use/ Planned Development approval subject to:
 1. Modifications of the Zoning Ordinance yard setback, frontage and perimeter setback requirements as discussed in this Report or as approved by the Planning Director (if needed) to implement the proposed site plan.
- B. Preliminary Subdivision approval subject to:
 1. Recordation of a final plat including necessary cross-access and pedestrian easements and utility easement dedications.
 2. Meeting all City, County or State requirements including, resolving any sewer and storm drainage issues with the Public Utilities Department.
 3. Implementation of a Homeowners Association that addresses the maintenance of streets, entry features, utilities, etc.
 4. Compliance with the Compatible Residential Infill Development Ordinance including approval by the Planning Director of the final house plans and location of the driveway on lot 1.
 5. Inclusion of a Fire Department access easement on the private street and turn around area on the Subdivision Plat and approval by the Fire Department.
 6. Providing a geotechnical report that addresses groundwater / basement depth concerns as addressed in the Staff Report.
 7. Creating a lighted hammerhead / access to the School walkway between Lots 2 and 3.
 8. The pathway to the Jordan River Parkway be located between Lots 5 and 6 with the necessary easement shown on subdivision plat.
 - ~~9. Create a lighted hammerhead / access to the School walkway between lots 2 and 3.~~
 10. Provide an easement for the adjoining neighbor to the west to allow access to the rear of his property.

Mr. McCandless noted a duplication of the conditions listed 7 and 9, requesting one to be removed.

Commissioner Muir mentioned that it was regretful that the school district resisted the recommendation to place the street adjacent to the sidewalk, as the potential of increased attention on the sidewalk would increase safety.

Mr. McCandless stated that a phone call had been received from Mr. Gary Hicks of 1560 West 500 North regarding the irrigation line that serves the properties to the east. Mr. Hicks expressed concern regarding the water line pressure changing and requested it remain the same. A second phone call had been received from Ms. Hicks, with the same concern. Mr. McCandless confirmed that the developers are coordinating with their engineers to install a new six-inch water main through the property, in order to maintain the same water pressure.

Alan Borg, Applicant, was the representative for Borg Holdings. He stated that the property of Mr. Paul Bouck is under contract and will be included in the Planned Development upon approval.

Commissioner Diamond stated that some subcommittee meeting discussion addressed the landscaping along the west property line. He noted that the diagram only places landscaping on the property 40 feet back from 500 North Street along the west property line.

Mr. Borg stated that Mr. Bouck, the adjacent land owner, has requested access to the property. Mr. Borg stated that he would be agreeable to adjust the landscaping along the west property line, as long as it was acceptable to the property owner and the Commission. It was noted that the Fire Department has seen the hammerhead design, which was drawn to their specifications. Mr. Borg stated that the property owners will individually own their property, but a home owners association would exist.

Commissioner Diamond expressed concern regarding the amount of access that Mr. Bouck had requested. The Commissioners discussed the option of removing the 3 foot planting area on the east of Lot 2, to allow more access to the adjacent property owner. It was noted that if that was the case, the 20' setback would not be met the entire length of the road and would violate the Fire Department standards.

Chairperson Noda requested comments from the Community Council Chairs and public.

Mr. Paul Bouck, 1572 West 500 North, is the adjacent property owner to the west and requested the road next to the driveway be open because of the maneuvering required when parking his boat near the back of his property. He stated that the water line was a concern, but arrangements have been made to maintain the appropriate pressure. Mr. Bouck agreed with the easement proposed because of the access he may need to the water line on the neighboring property.

Ms. Elaine Holman, 1520 West 500 North, requested attention to the water line pressure, but noted that it seems to have been addressed by the developer.

At 8:02 p.m., there being no further questions from the public, Chairperson Noda closed the Public Hearing.

Mr. Wheelwright stated that the access easement was addressed in the Staff Report because it was an issue relating to the sale of Mr. Bouck's property. Mr. Bouck required an easement to access the property to the west and that the private road could not be shifted to the east adjacent to the walkway, because the access wouldn't be granted.

Commissioner Diamond addressed the potential relocation of the hammerhead, but stated that the school district did not agree with the road being on the east side of the property.

Commissioner McDonough requested an addition to the existing conditions regarding the potential of moving the proposed lot line and home on Lot 2, three feet to the east, to alter the landscaping required and maintain access for the boat.

The Commissioners discussed the potential of the altering the landscape requirements along the west property line in order to enhance the developments. It was determined that 112.9 feet of landscaping along the west property line would avoid the shifting of the home on Lot 2 and satisfy additional landscaping requirements.

Mr. Bouck stated that he has tried to park the boat within a limited amount of space, namely 25 feet, and has been unsuccessful. He noted concern that the landscaping might not be well taken care of.

Based on the Findings of Fact, comments heard during the Public Hearing, Commissioner Wirthlin made a motion to approve the Conditional Use and Planned Development of Petition No. 410-761 and 490-06-04 with the approval of the modifications to the Zoning Ordinance regarding yard setback, frontage, and perimeter setback requirements to implement the proposed site plan. The motion included an approval for the Preliminary Subdivision with the following conditions:

1. **Recordation of a final plat including necessary cross-access and pedestrian easements and utility easement dedications.**
2. **Meeting all City, County, or State requirements including, resolving any sewer and storm drainage issues with the Public Utilities Department.**
3. **Implementation of a Homeowners Association that addresses the maintenance of streets, entry features, utilities, etc.**
4. **Compliance with the Compatible Residential Infill Development Ordinance including approval by the Planning Director of the final house plans and location of the driveway on lot 1.**
5. **Inclusion of a Fire Department access easement on the private street and turn around area on the Subdivision Plat and approval by the Fire Department.**
6. **Providing a geotechnical report that addresses groundwater / basement depth concerns as addressed in the Staff Report.**
7. **Creating a lighted hammerhead / access to the School walkway between Lots 2 and 3.**
8. **The pathway to the Jordan River Parkway be located between Lots 5 and 6 with the necessary easement shown on subdivision plat.**
9. **Provide an easement for the adjoining neighbor to the west to allow access to the rear of his property.**
10. **Extend landscaping along the west border of the property from the 500 North Street for 112.9 feet to the north.**

The motion was seconded by Commissioner Forbis. All voted "Aye". The motion passed.

UNFINISHED BUSINESS

Mr. Ikefuna noted that the next meeting will be held on May 24, 2006, not as stated on the agenda as May 26.

Mr. Ikefuna also requested comments and suggestions for the retreat occurring on June 7 in the City and County Building. He noted that a request had been made for an open dialogue with representatives from the City Council, Mayor's Office, Redevelopment Agency, Transportation, and Utah Department of Transportation (UDOT) and that the Division is working on including the requested parties.

Mr. Ikefuna also requested a determination if it would be appropriate to invite Lynn Pace to present the applicable legislation for the 2006 year at the retreat.

The Commissioners agreed with the stated information and requested informational updates from the City Council and Mayor's office to their strategy on implementing the Planning Commission's suggested approvals to the petitions in a timely manner, also to address the long-range master plan issues and the budgets as they relate to that information.

Mr. Ikefuna requested clarification for the long-range master plan concerns.

Commissioner Diamond stated that numerous discussions have been held for the creation and updating process of master plans, but nothing has been followed through. He included that subcommittees have been established and under utilized for long-term concerns. He stated that at some point the processes were cut off, and he requested information to be given at the Retreat as to why and how the Commission place the items back on the agenda as important issues.

Mr. Ikefuna stated that the long-range planning and master plans are aligned with the existing goals, for example, the Northwest Quadrant will be returning to the Planning Commission for the selection process of the advisory committee. He included that the Planning Commission Subcommittee will play a key role in the Downtown Master Plan process, with the Chamber of Commerce. Mr. Ikefuna stated that he would email the Commissioners an email prepared for the Council members regarding the master plan amendment process.

Commissioner Diamond stated that the City Council does have quite a bit of say in the process, because they are the deciding source for funding allocation and staff resources. Commissioner De Lay requested a copy of the budget for planning and zoning.

Mr. Ikefuna clarified that the City Council and the Planning Commission can cooperatively play a role for funding allocation. He noted that the budget was being reviewed by the City Council at this time.

Mr. Wheelwright stated that it might be relevant and helpful for the Commissioners to write down their concerns and issues prior to the retreat, in order for them to be scheduled in the agenda, and how they will be addressed.

Chairperson Noda stated that last year, Commissioner Seelig and herself lobbied for one more Planner at the budget meeting and were successful. She stated that it is critical to attend the meeting to provide input on behalf of the Planning Commission.

Mr. Wheelwright stated that the City Council has heard the budget proposal from the Mayor, but the Department briefings are being held at this time. The Council will then make the final decision on the budget.

Chairperson Noda stated that she would like these items addressed at the Retreat along with those that relate to the Downtown Subcommittee.

The meeting was adjourned at 8:20 p.m.

Cindy Rockwood, Planning Commission Secretary