

**SALT LAKE CITY
PLANNING COMMISSION MEETING
In Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, August 8, 2007**

Present for the Planning Commission meeting were Chairperson Peggy McDonough and Vice Chairperson Matthew Wirthlin; Commissioners Frank Algarin, Babs De Lay, Susie McHugh, Prescott Muir, Kathy Scott, and Mary Woodhead. Commissioner Robert Forbis and Commissioner Tim Chambless were excused from the meeting. Also present from the Transportation Advisory Board (TAB) were Joel Ban, Milton Braselton, Randy Dixon, Kelly Gillman, Joe Perrin, Sherry Repscher, Steve Sturzenegger and Alama Ulu'ave.

Present from the Planning Division were George Shaw, Planning Director; Cheri Coffey, Deputy Planning Director; Doug Dansie, Senior Planner, Nick Norris, Principal Planner, and Cecily Zuck, Senior Secretary. Also present were: City Staff members Lynn Creswell, City CIO; John Naser, Deputy City Engineering and Kevin Young, Transportation Planning Engineer.

A roll is being kept of all who attended the Planning Commission Meeting. Chairperson McDonough called the meeting to order at 5:48 p.m. 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: Kathy Scott, Susie McHugh, Prescott Muir, Matthew Wirthlin and Mary Woodhead. Planning Staff present were: George Shaw, Nick Norris and Doug Dansie.

DINNER

There was a discussion of Planning Division issues during the dinner.

Mr. Shaw noted that there was a Planned Development Subcommittee meeting scheduled for Wednesday August 15, 2007.

Mr. Shaw informed the Commission that the Planning Development Process would be undergoing a city-initiated audit. Mr. Shaw noted that this audit would include a possible interview with a Planning Commission subcommittee to provide the consultants with input, and to this end, Mr. Shaw asked for five volunteers.

Commissioners De Lay, Muir, Algarin, McHugh and Chairperson McDonough volunteered.

Mr. Shaw stated that Lynn Pace would be present at dinner on August 22, 2007 to provide required annual training for the Commissioners and Mr. Shaw requested that all Commissioners try to attend.

Mr. Shaw noted that on Monday, August 6, 2007, there was a Sugarhouse Granite Block Development Subcommittee meeting. He noted that at the meeting the applicants submitted their plans, and that the Commission could expect to hear more regarding this development in the future.

Mr. Shaw stated that the discussion tonight regarding UTA updates was a discussion and that the Commission could take public comment. Mr. Shaw noted that in any case, the intent was to hold Public Hearing on this issue in September, at which time a staff recommendation would be presented.

Chairperson McDonough noted that while she did not feel it would be necessary at this time to open the floor to public comment, if the Commission sensed that the public felt the need to speak, it could be allowed.

APPROVAL OF THE MINUTES from Wednesday, June 13, 2007.

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

Commissioner De Lay made a motion to approve the minutes with noted changes. Commissioner McHugh seconded the motion. Commissioner Algarin abstained. All others voted 'Aye'. The minutes were approved.

REPORT OF THE CHAIR AND VICE-CHAIR

(This item was heard at 5:50 p.m.)

Chairperson McDonough noted that there was nothing to report at this time.

REPORT OF THE DIRECTOR

(This item was heard at 5:50p.m.)

George Shaw stated that the Commission would be receiving a letter from the City Council inviting the Commission to a special outreach meeting for District Five on September 13, 2007. Mr. Shaw noted that Mark Fenton, a recognized authority on walkability, would be present as a guest speaker at the upcoming Utah League of Cities and Towns Convention and that Mr. Fenton had been invited by the City Council to look at three areas in District Five, to discuss walkability and his perceptions regarding those areas at the outreach meeting. Mr. Shaw noted that the Planning Commission was invited to look at those sites on the Council bus tour at 5:00 p.m. and/or to attend the presentation at 7:30 p.m.

DISCUSSION

Joint briefing of the Planning Commission and TAB by the Utah Transit Authority on options of development, including alignment and station locations, of the proposed Airport Light Rail Transit line. No final recommendations will be made on this project at this meeting

(This item was heard at 5:52 p.m.)

A copy of the Airport Corridor Re-evaluation Phase I Summary Report reviewed during this discussion is available in the Planning Office with the record of these minutes.

Chairperson McDonough noted that the discussion would not be open to public comment as it was early in the process, however, there would be a Public Hearing on this issue open to public comment in September.

Mr. Shaw noted that if the public wanted to provide the Planning Department with any written comments that could be used in the review period prior to the public hearing, it would be appreciated.

Chairperson McDonough recognized George Shaw as staff representative Mr. Shaw introduced Lynn Creswell, City CIO, as a representative for the discussion.

Mr. Creswell invited forward John Naser, Deputy City Engineer and Airport/Light Rail Project Manager, to discuss this project with the Commission and TAB.

Mr. Creswell noted that concluding in 1999, the City, in conjunction with the Utah Transit Authority (UTA), developed approval of a rail line from the University of Utah to the Airport. Mr. Creswell noted that a segment of that line was currently in use, which extended from 400 South to the University and University Hospital. Mr. Creswell stated that after 1999, there had been a continuing low-level dialogue between UTA and the City regarding the completion of this extension. Mr. Creswell stated that in July of 2007, UTA approached the City and informed the City that they wished to get the development process of this line underway. Mr. Creswell noted

that in regards to timing, this initiation was interesting because just about that time, Delta came out of bankruptcy and decided to make SLC one of their major hubs. He stated that the Airport then became intensively active in rebuilding their Transportation Hub, however, the first dilemma for the City was how the City could approve a line for Airport light rail if the connection to the Airport was not something that the City could even consider at this time.

Mr. Creswell noted that at this time the intent was to bring to the Commission an alignment decision that would include everything except the line out to the Airport. Mr. Creswell stated that the intent was that after the approval of the non-airport line segment, beginning early in 2008, to dovetail the continuation of the Airport and UTA planning, so that by the middle or end of 2008, the City would be closer to understanding where that Airport line would be built. Mr. Creswell noted that this process would bring a second decision back to the Planning Commission in consideration of the continuation of the light rail line.

Mr. Creswell stated that a new possibility was being explored; that of a western extension of the light rail line, and especially given the development occurring in the Northwest part of the City, he stated that the City was anticipating significant development beyond the Airport to justify extending the light rail line beyond the Airport. Mr. Creswell noted that regardless of the information presented, the City had no preferred solution on the issue. Mr. Creswell noted that the City would ask that the Commission make a recommendation to City Council of which the Commission would feel was appropriate.

John Naser noted that the first portion to be approved would go from Downtown to the Intermodal Hub, and eventually to the Airport. Mr. Naser noted that where the proposed project would currently be stopping, near the South entrance to the Airport, it was necessary to bring several elements together before actually connecting with the Airport.

Mr. Creswell noted that part of the timeline included several pressures which UTA was experiencing, particularly with cost-effective contract and equipment acquisition. Mr. Creswell noted that there was also legislature dialogue which could be eased by some decisions being made before the end of 2007. Mr. Creswell noted that the City was in support of the decision being made this year on the non-Airport segment of the alignment, rather than next year. Mr. Creswell noted that if the Commission felt too rushed by this process, the Commission should voice their concern.

Mr. Shaw noted that the rail extension would effect the Downtown Master Plan, Downtown Transportation Plan, the East West Corridor and the Northwest Quadrant Master Plan. Mr. Shaw stated that there were presentations which had been made to most of the effected Community Councils, with a couple more briefings scheduled in August. Mr. Shaw noted that when these presentations were completed, staff would be scheduling a public hearing before the Planning Commission with the intent to forward a recommendation to the City Council for a final decision on the alignment.

Mr. Creswell noted that he had been meeting with Community Council Chairs since last week and had impressed upon leadership that the City was hoping for as much detail as possible from them regarding the possible extensions rather than a straight yes or no vote as this would be most effective in the decision making process.

Ralph Jackson, Deputy Chief Major Developer for UTA, gave an overview of the project to the Commission and the TAB Board.

Mr. Jackson addressed the key evaluations performed as part of this study, including: the Airport, the alignment as it comes through the central part of the City, downtown extensions, and southern extensions. He focused particularly on the proposed 600 West and North Temple proposed extensions and noted that UTA would recommend the 600 West extension, as it would be fifteen percent more cost-effective than the proposed North Temple extension and North Temple would not have as much networking ability as the 600 West proposal.

Mr. Jackson noted that UTA had also identified a number of options to extend TRAX service to the west of the Airport.

Mr. Jackson noted that the Cornell Street station would move slightly, just across the street from where it currently was situated. Mr. Jackson noted that in order to accommodate the turning movements at the intersection of Cornell Street and Redwood Road, the station could not be moved closer to Redwood Road. Mr. Jackson also noted that the 800 West station would move across the street as well, to serve two areas for walk access.

Mr. Jackson added that the original alignment of the TRAX line in the 1999 Environmental Document came across 400 South to 400 West and then up to North Temple and out to the Airport. Mr. Jackson noted that this western extension was never completed.

He noted that in performing the study on possible extensions, UTA looked at five factors: cost, travel time, impact on the community from a view/development point of view, transit operations, and the City Downtown Transportation Master Plan.

Mr. Jackson also presented the Commission and TAB members with several renderings of what the proposed extensions might look like.

Mr. Jackson noted that UTAs technical committee's recommendation was for approval of the proposed 600 West extension.

Commissioner McDonough opened the floor to questions and comments from the Planning Commissioners and TAB Board members.

Joel Bay (TAB Member) inquired how wide the North Temple right-of-way was.

Mr. Jackson noted that it was 132' in width and that there would be no need to widen the street or take any additional right-of-way.

Kelly Gillman (TAB Member) noted that Mr. Jackson had touched on the trains hitting the Intermodal Hub and wondered if all trains would do so, or if some trains would travel directly from the Airport to downtown and out to other locations such as Sandy.

Mr. Jackson stated that UTA felt the best way to have the system operate would be to have the North/South line come directly through Downtown and interface with the Intermodal Hub, then to the Airport. Therefore, the endpoints would be Sandy, Draper or the Airport. Mr. Jackson noted that the Mid-Jordan line would combine with the North/South line and travel to the Hub but not to the Airport, so if traveling on the Mid-Jordan line, a transfer would have to occur somewhere. Mr. Jackson noted that the best option for the West Valley line would travel through Downtown and towards the University. Mr. Jackson added that if the 600 West extension were approved it would mean that travelers could transfer at some point earlier than the Hub and take that 600 West line to the Airport, which was better from a network point of view.

Commissioner De Lay voiced her concern over the island of development which might be created by approving the 600 West extension.

Mr. Jackson noted that the primary impact upon those condominiums being built would be that the developed center area would not allow drivers to make a left turn.

Milton Braselton (TAB member) noted his concern that everything seemed to be directed towards the Intermodal Hub, which he did not feel was the most efficient method of transporting people around the City.

Mr. Jackson noted that it depended on where the traveler was coming from or going to, however, Mr. Jackson noted that Mr. Braselton's point was valid and some connections would certainly be easier than others.

Mr. Braselton noted that the extension beyond the Airport was discussed, and he wondered where that line would originate from and terminate at.

Mr. Jackson noted that the line needed to service the Airport and there were three or four ways that might be accomplished.

Mr. Braselton stated his concern that he did not see any data on ridership within the report given to the Planning Commission and TAB, and asked what the proposed or projected ridership would be on rail lines or key intersections and how that compared with commuter rail.

Mr. Jackson noted that UTA ran a forecast model with all proposed routes. Mr. Jackson noted that the change in ridership between the proposed routes would be fairly minimal, and the information was in the full report, but not the summary report which the Commission and TAB received, however, that information could be provided if necessary.

Mr. Braselton noted that he was concerned with the level of service which may not be provided by this system, chiefly that it would not provide riders with the fast, convenient service they desired.

Mr. Jackson stated that commuter rail would be able to run ten-car trains with the ability to carry up to 1400 passengers on a single ride.

Mr. Braselton noted that the North line would have to work or people would not support the commuter line to the South. Mr. Braselton also inquired what the capacity of the light rail and commuter cars were.

Mr. Jackson noted that one light rail car had about 75 seats and could carry about 125 passengers conveniently but had been known to hold up to 160 people, and a single double-decker commuter rail car would hold about 150 people.

Commissioner McHugh expressed her concern regarding a two-story rail station.

Alama Ulu'ave (TAB member) noted his concern regarding the Community view and the height of the proposed overpass for 600 West.

Mr. Jackson noted that the height of the overpass would be around 32' in total, and 24' from the street to the bottom of the underpass generally.

Commissioner De Lay noted that the objective was to make suggestions regarding this proposal and wanted to state that there was the potential for a very high density residential situation at North Temple and 600 West and that all of those people would be greatly impacted by this proposal.

Chairperson McDonough noted that a matrix of the pros and cons of the proposed routes would be appreciated by the Commission.

Mr. Jackson noted that this matrix already existed and that he could procure that document for the Commission.

Commissioner De Lay noted that the Commission could back the matrix up with feedback from the effected community councils.

Mr. Johnson noted that they had already visited with Jordan Meadows, Capitol Hill and the Downtown Community Council, and were set to meet with Fairpark and Poplar Grove the third week of August.

Steve Sturzenegger (TAB member) noted that the proposal seemed fairly set on pulling the trains into the Airport to service the terminals, but was concerned with what would happen later when new terminals were added to the airport.

Mr. Jackson noted that it would be possible to create a type of loop, but it would all depend on what configuration the Airport would take. Mr. Jackson noted that the conventional way to develop the Airport would be to create several concourses with a type of 'people mover' to shuttle travelers between the concourses.

Commissioner Woodhead noted that she understood there were lots of traffic reasons why the stations were not closer to Redwood Road; however, it was an area where there was the potential for a fair number of new shopping facilities. Commissioner Woodhead stated that given that Salt Lake blocks were fairly large, which might make a station a fair distance away; it seemed that those stations would not be very functional in servicing those shopping areas.

Mr. Jackson noted that there unfortunately was a balance to be met in that area which included the turning traffic at that intersection, a large government facility in the area which wished to be serviced by the station as well as an RV park nearby; however, he noted that UTA would look at that area and all the options available.

Chairperson McDonough inquired if there would ever be the possibility of a North South line on Redwood Road.

Mr. Jackson stated that the current long range planning indicated Redwood Road should be a bus rapid transit line.

Mr. Gillman inquired what the timetable for the alternate route on 400 South would be and if it would be part of the 2015 timetable.

Mr. Jackson noted that it was not part of the 2015 timetable, as it was only developed in the last year or so with the Downtown Plan, and therefore would have to be reevaluated as far as revenue was concerned. Mr. Jackson noted that the Downtown Study would like to see that extension finished by 2015, but no source of revenue for that project had yet been identified.

Mr. Gillman noted his concern that the existing lines may or may not have the capacity to withstand all of the trains UTA would like to run.

Mr. Jackson noted that in the last two weeks, UTA had completed a very detailed study, noting that it would be possible, when converging all of the proposed lines into the downtown area to get an acceptable level of service, however, it was becoming increasingly congested.

Chairperson McDonough noted that there were no further questions and thanked the TAB members for their input and Mr. Jackson for his presentation.

City-wide Historic Preservation Plan— Staff discussed the project and asked the Commissioners to identify issues they would like addressed as part of the planning process
(This item was heard at 8:03 p.m.)

Chairperson McDonough recognized Cheri Coffey as staff representative.

Ms. Coffey noted that the first phase of this process was information gathering. Ms. Coffey noted that there was an open house on August 23, 2007, to be held with the intent not only to receive input from the public and stakeholders, but also to receive input from the Commissions and

identify issues so that the consultants would have an idea of what to address in the City-wide plan.

Commissioner Muir stated that a conflict which he noted in his questionnaire and in the goals and objectives, was the conflict often presented between the Master Plans and the Ordinance, specifically regarding housing, transit-oriented development and walkable communities. Commissioner Muir also inquired if the process did not usually include hiring a Historic Preservation Advocate to reconcile different agendas.

Ms. Coffey noted that the main strength of the chosen consultants was that they had a lot of experience in ordinance development, and a main goal of this plan was to strengthen the policies which conflict in these neighborhoods. Ms. Coffey stated that this conflict had always been an issue which the Planning Commission and Historic Landmark Commission had to grapple with. Ms. Coffey stated that there were other issues concerning the boundaries of these historic districts; for example if they should be expanded or condensed, as well as the question of what exactly it was that the City was trying to preserve. Ms. Coffey brought up the 'recent past', i.e. buildings which were 50 years old or older were now eligible for the Historic Register, meaning that buildings built in 1957 could now be deemed historic structures. Ms. Coffey noted also that historic preservation was not compatible infill and these issues needed to be addressed in the policy document.

Ms. Coffey stated that the consultants would be in Salt Lake City the 22nd and the 23rd of August and the Advisory Committee members would meet with the consultants on the 22nd and a public open house would be held on the 23rd. She stated that Thursday, the 23rd would also include stakeholder meetings: more of a series of roundtable discussions with the consultants to obtain feedback regarding how the stakeholders viewed the Preservation Planning process and what they would like to see addressed. Ms. Coffey stated that staff had set aside two sessions on the 23rd to obtain information from City Council and Planning Commission members; 9:00 - 10:00 a.m. or 2:15 - 3:15 p.m. in the City and County Building.

Commissioner Scott inquired if information about the open house and invitations had been forwarded to the Community Councils and to owners of Historic Landmark Sites.

Ms. Coffey noted that they had extended this information to the Community Councils, but not the owners of local Historic Landmark Sites, and that she would look into sending the notice on to those individuals.

Chairperson McDonough noted that some of these changes might impact the Compatible Infill Ordinance.

Ms. Coffey noted that the Compatible Infill Ordinance was being reviewed for revisions, but not as part of this plan. Ms. Coffey stated that the consultants would be able to do a lot to educate individuals about the difference between historic preservation and compatible infill and when either should be implemented.

Chairperson McDonough stated her concern that there were areas of the City with a definite historic feel in which, for example, a garage constructed under the Compatible Infill Ordinances would look extremely out of place.

Ms. Coffey noted that this was true and that there were different degrees of preservation. She stated that another tool which other Cities were using was conservation districts. She stated that in conservation districts you would again have to have a board to review those types of projects and comparatively; the goal with compatible infill was to create more of an over the counter process with more dimensional criteria. Ms. Coffey noted that this would certainly not be the case in historic preservation where the criteria are much more general and subject to the discretion of a board.

Commissioner Scott noted that it would be nice to receive an update regarding what occurred in these Advisory Committee meetings.

Long Range Planning—Staff gave the Commission an update on various long-range master planning projects the Division was currently working on.

Chairperson McDonough recognized Doug Dansie as staff representative.

Mr. Dansie gave the Commission an update on the Downtown Master Plan. Mr. Dansie noted that staff was currently incorporating information from the Downtown Transportation Master Plan and the Downtown Rising Plan into the update.

Mr. Dansie noted that the goal was to have this plan before the City Council by the end of the year. Mr. Dansie noted that staff was looking at tentatively having a draft by October for the Planning Commission, and after meeting with several other groups, a more formal document might be available to be viewed by the Planning Commission in November or December.

Mr. Shaw noted that there were still a number of things within the plan that may be reconsidered, but asked the Commission to keep in mind that this is an update and not a new plan.

Mr. Dansie noted that there could be some sort of a hybrid process for the Planning Commission; possibly by first giving the document to the Commission for review and allowing the Commission to sift through the primary issues and then have a work session.

The Commission agreed that this was a good idea.

Commissioner Scott noted that she came across several matrices which the Planning Commission used to receive, such as the Long Range Planning Matrix, the Planning Commission Initiated Petition Log and the Land Use Appeals Board Case Log. Commissioner Scott stated that these matrices would be extremely helpful for the Commission to have once more.

Ms. Coffey noted that these matrices were still available and could easily be forwarded to the Commissioners.

Commissioner Scott stated that she noticed in looking at these matrices that the Planning Commission used to turn down conditional uses.

Mr. Shaw noted that with the changes to the zoning ordinance land use matrix, there would be less land uses that could be approved as conditional uses. Mr. Shaw stated that the Planning Commission would see some fairly aggressive changes regarding conditional uses.

Ms. Coffey noted that the Planning office could not accept any new applications or process any current applications for conditional uses within a residential district or abutting a residential district until January 17, 2008, or when the changes were adopted if sooner.

Ms. Coffey noted that the matrices, particularly Long Range Planning, had not changed much recently because there hadn't been adequate Planning Staff to work on these issues. Ms. Coffey stated that Mr. Shaw had rearranged the office somewhat to allow some planners to work on Long Range Planning, noting that Everett Joyce was working on the Northwest Quadrant Master Plan, Doug Dansie was working on the Downtown Master Plan Update and Lex Traughber was working on the West Salt Lake Master Plan. Ms. Coffey noted that she was working on the Euclid Small Area Plan and Ray McCandless was helping to oversee the Foothill/East Bench Corridor Plan. Ms. Coffey noted that there were around forty-seven City-initiated petitions currently on hold. She stated that as staff became caught up on the current back log, master planning issues would receive more attention.

Commissioner Scott inquired after the Streambed Corridor moratorium.

Mr. Shaw noted that on July 17th, 2007, the City Council passed two moratoriums, one on streambed corridors and one on conditional uses. Mr. Shaw noted that the stream bed corridor moratorium prevented any new construction within 100 feet of a streambed area, excluding fences, within the next six months, and the Planning Division would need to get an ordinance on the books to address this within the next six months.

Ms. Coffey stated that the Commission would receive current, published Central Community and Sugar House Master Plans in September.

PUBLIC HEARING

Petition 410-07-15— a request by Urban Renaissance Group for a conditional use for increased building height and approval of proposed exterior building materials for a proposed residential condominium located at 567 South 200 East in a D-3 Downtown Warehouse/Residential Zoning District

(This item was heard at 7:12 p.m.)

Commissioner De Lay recused herself from the remainder of the meeting.

Chairperson McDonough recognized Nick Norris as staff representative.

Mr. Norris noted that there was an Open House held in July regarding this petition, and the issues which were raised by the public included parking, the first floor glass requirements, the lack of openings in the concrete wall in the south elevation, and the proximity of the proposed building to the building on the north of the property.

Mr. Norris noted that The D-3 Downtown Warehouse/Residential Zoning District did allow for structures to exceed the 75' height limit, up to a maximum height of 90' as a conditional use, provided the request is supported by the applicable master plan, the overall square footage of the structure was over fifty percent residential and it was subject to the standards for a conditional use. Mr. Norris stated that the proposed building contained seven stories, the first two stories parking and the ground level would contain a retail space on the street frontage. Mr. Norris added that the remaining five floors of the structure would be residential condominiums, at which point the height would be 75'4". Mr. Norris noted that the rooftop would contain a structure that would contain the elevator shaft and stairwells, which could exceed the height exception by up to sixteen feet. Mr. Norris noted that the roof structure would also contain a fitness center, which would be the portion of the building for which the conditional use was being requested. Mr. Norris noted that the fitness center would occupy approximately 1,050 square feet of the roof top.

Mr. Norris noted that the East Downtown Master Plan included a View Corridor Map, a copy of which was included in the staff report for the petition. Mr. Norris noted that this map limited height limits in certain areas; this particular property was located in an area which was intended to protect views of the City and County Building. Mr. Norris noted that staff also created a map showing the view impacts of the proposed project which was also included in the staff report.

Mr. Norris stated that the properties which would be impacted by the loss of view were primarily City owned properties; however, it was possible that in the future those properties could possibly be developed to heights similar to the proposal. Mr. Norris noted that based upon this fact and other considerations within the East Downtown Master Plan including increasing residential density in the downtown area zones, therefore, staff felt that the proposal was compliant and supported by both the East Downtown and Central City Master Plans.

Mr. Norris noted that the D-3 Zoning District regulations also included special provisions that addressed exterior building materials, requiring all new buildings to have a minimum of seventy

percent of the exterior material to be: brick, masonry, textured or patterned concrete and or cut stone, with glass also included in that count. Mr. Norris stated that the materials which the applicant was proposing included concrete, wood, metal, glass and stucco, broken down on an average for the entire building as: 31 percent concrete, 23 percent stucco, 21 percent glass and 16 percent metal, 9 percent wood and less than 1 percent stainless steel mesh. Mr. Norris noted that the materials which were required to meet the ordinance totaled around 62 percent. Mr. Norris stated that staff still recommended approval of the petition, based upon surrounding developments with similar use of materials.

Chairperson McDonough noted that she was concerned that while she did not feel there was a significant impact to the view corridor on this particular project, she was concerned that the Commission might establish a grey line with this decision for future developments.

Mr. Norris noted that in the D-3 zone a property owner was allowed to build up to 75' and could exceed that through the conditional use process. Mr. Norris noted that the structure would primarily effect the views of the area directly to the south, and other impacts would be from the 600 South right-of-way and on City-owned property. Mr. Norris stated that the City and County Building is quite a bit taller than many of these structures.

Commissioner Scott noted her concern that the view corridor for the surrounding properties would be impacted, and wished to maintain some type of scenic view for these properties .

Mr. Norris noted that there were already several other buildings within the area which exceeded the height limit and provided limited views, particularly south and east of the subject property in areas outside of the view corridor area.

Commissioner McHugh noted that buildings outside of the view corridor could be taller and block the view from within the corridor.

Commissioner Scott inquired if the front elevation contained forty percent glass.

Mr. Norris indicated that it did.

Commissioner Scott noted her concern regarding the distance between the subject property and the building to its north.

Mr. Norris noted that both properties had about a four foot wide walkway between them. Commissioner Scott noted that there would then be approximately eight feet between the neighbors and a brick wall.

Commissioner McHugh noted that there currently was a structure located next to the Metro Apartments with a concrete wall, and this situation was not being created by the applicant.

Chairperson McDonough invited the applicant forward to comment at 7:30 p.m.

Pierre Langue, architect, Bruce Jackson and Jeff Taylor with Urban Renaissance Group, and Dave Anderson with Axis Architects were present to speak to this petition.

Jeff Taylor noted that currently the wall was right on the property line and the condominiums would be set back from the property line, increasing the space between the two buildings.

Mr. Langue noted that the condominium levels above the second floor would be set back ten feet on their side and on the other side as well providing a twenty foot distance between the two buildings after the second level.

Commissioner Scott noted that she thought the building existing on the subject property was one story in height.

Mr. Taylor stated that it was about eighteen feet to the top of the wall.

Commissioner Woodhead inquired what the plan was for the ground floor retail space.

Mr. Taylor noted that they were looking at putting in an art gallery or possibly a café.

Commissioner Woodhead inquired if the applicant considered any designs with more glass on the ground floor.

Mr. Langue noted that with the exception of the garage, the glass would be about eighty percent.

Commissioner Muir noted his concern that the garage did not have a pedestrian feel, and wondered if the applicant would entertain the idea of making the retail space extend two floors and making it live/work space to make it more aesthetically pleasing. Commissioner Muir stated that the applicant may lose some parking spaces, but that they had already improved their ratios by reducing the number of total units, and that this option may be more forgiving to the streetscape.

Mr. Langue noted that there was at least one parking space which would not really be useable and they were considering removing some of the street facing stalls and replacing them with a two story lobby and retail space.

Commissioner Scott noted her concern that the applicant was straying from the bounds of the ordinance with their choice of building materials, and that the D-3 Zoning District was meant to reflect a certain kind of continuity among the neighboring buildings.

Dave Anderson noted that he did not feel adjacent buildings took on a warehouse feel as Commissioner Scott suggested. Mr. Anderson noted that this project was directly south of the Library which contained a lot of glass and metal.

Mr. Langue noted that they were trying to develop an aesthetic which reflected the more modern buildings and materials in the area.

Commissioner McHugh noted that the Library Condominiums contained a great deal of stucco. She stated that she felt this project would blend in with the surrounding buildings in regards to their choice of building materials.

Commissioner Scott inquired if the applicant had considered subterranean parking.

Mr. Langue noted that the original design incorporated a level of underground parking, but water was found at seven feet below grade in the initial survey.

Chairperson McDonough opened the floor to comments from the Community Council and public at 7:44 p.m.

Scott Safford, with Liberty Metro/Cowboy Partners, noted that the Metro development had one level of below grade parking, and did pump a little water. Mr. Safford stated that his concern with the project was that there was an ordinance which required a certain percentage of glass frontage on the first floor, however, the first floor seemed very blank to him and he desired some more animation in the design. Mr. Safford noted that the residents on the south face of his building would find no visual interest in the blank concrete wall.

Commissioner Scott inquired of Mr. Safford how many parking stalls were in the Liberty development.

Mr. Safford noted that there were seventy-five stalls.

Chairperson McDonough closed the public hearing portion at 7:49 p.m.

Chairperson McDonough noted that the intent of the ordinance was not about dictating the amount of a particular material but rather about compatibility.

Commissioner Scott noted that she agreed with Chairperson McDonough and that it was about compatibility, but felt as though metal was not an acceptable material in downtown.

Chairperson McDonough noted that she felt that metal was a material absolutely contextual with Downtown, and also felt that the design was well-executed, therefore, she did not feel she personally should call the choice of materials into question.

Vice Chairperson Wirthlin stated that if there was a reasonably anticipated detrimental effect which could not be reasonably mitigated, then the Commission could turn the application down, however, he did not see any detrimental effects by allowing the extra metal.

Commissioners Algarin and McHugh noted that they also had no issues with the choice of building materials.

Commissioner Woodhead noted that she did not have a problem with the metal element of the design, but she was concerned regarding the lack of visual interest on the parking structure, and wondered if the Commission could add some sort of condition to that effect.

Commissioner Muir noted that the project would be greatly improved by the placement of one level of parking underground. He stated that the material component within the ordinance was geared towards the Gateway and the Commission had made a number of concessions towards the materials on that project. Commissioner Muir stated that the Commission could easily require that the second story be more animated somehow, possibly with an additional living unit.

Commissioner Scott stated that it might also be solved by requiring a level of subterranean parking, and noted her concern that the development would not be sufficiently ameliorating the negative impacts which were previously discussed.

Mr. Norris noted that in terms of materials, the ordinance allowed textured or patterned concrete to be allowed as part of the seventy percent, in which case the argument regarding materials would be irrelevant.

Commissioner Muir noted that he would suggest that the concrete on the side walls not exceed the floor level of the third floor.

Regarding Petition 410-07-15, a request for excess height and exterior building materials for a proposed condominium, Commissioner Muir made a motion to approve the petition based upon the staff report and the findings therein, and subject to the following conditions:

1. The concrete podium that the residential development sits upon shall exist of a minimum of architectural concrete and will not exceed the third level (floor slab level)
2. The second level at street side will be converted into two stories of glass with an official use in lieu of parking.
3. The project complies with all applicable codes and ordinances

Commissioner Algarin seconded the motion. Commissioners Woodhead, Wirthlin and McHugh voted in favor. Commissioner Scott voted against. The motion carried 5-1.

UNFINISHED BUSINESS

Chairperson McDonough noted that she and Commissioner Wirthlin had discussed with Mr. Dansie and John Naser the need for more information regarding the UTA Extension Update and how it correlated to the Downtown Master Plan Update at the next Planning Commission meeting.

There was no further business.

The meeting adjourned at 8:39 p.m.

Cecily Zuck, Senior Secretary