

**SALT LAKE CITY
PLANNING COMMISSION MEETING
In Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, February 28, 2007**

Present for the Planning Commission meeting were Chair Peggy McDonough, Vice Chair Matthew Wirthlin, Tim Chambless, Babs De Lay, Robert Forbis, Susie McHugh, Prescott Muir, Kathy Scott, and Mary Woodhead.

Present from the Planning Division were Doug Wheelwright, Deputy Planning Director; Cheri Coffey, Deputy Planning Director; Nick Norris; Principle Planner; Marilynn Lewis, Environmental Planner and Tami Hansen, Senior Planning Commission Secretary.

A roll is being kept of all who attended the Planning Commission Meeting. Chairperson McDonough called the meeting to order at 5:45 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 Staff Office for an indefinite period of time.

A field trip was held prior to the meeting. Planning Commissioners present were: Robert Forbis, Peggy McDonough, Susie McHugh, Kathy Scott, Matthew Wirthlin, and Mary Woodhead. Salt Lake City Staff present were: Doug Wheelwright, Marilynn Lewis and Nick Norris, Principle Planners.

APPROVAL OF MINUTES from Wednesday, February 14, 2007.

(This item was heard at 5:45 p.m.)

Commissioner McHugh made a motion to approve the minutes with noted changes. Commissioner Scott seconded the motion. All voted "Aye" the minutes were approved.

REPORT OF THE DIRECTOR

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

Planning Director George Shaw noted that on the March 14, 2007 Planning Commission meeting there will be two items the Commission should make note of. First, George Ramjoue from Wasatch Front Regional Council, and perhaps a representative from Envision Utah, will be briefing the Commission on Wasatch Choices 2040, regarding the process of refining land use standards that may be used as a prototype for communities to adopt in future land use patterns and sustainability.

Staff will also be briefing the Commission on the timeline and processes for the Downtown Master Plan. Downtown rising has completed their recommendations and the Transportation Advisory Board and Technical Committees are nearing completion of the Downtown Transportation Plan.

UNFINISHED BUSINESS-ISSUES ONLY HEARING

The City Creek Center project forum, to receive public comments, was cancelled until further information arises that needs to be discussed with the Commission and the applicant.

PUBLIC HEARINGS

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

Petition 410-06-37 and Petition 490-0643 as a request by Salt Lake Housing Division for a conditional use/flag lot development and 2 lot subdivision located at approximately 1017 South 1400 West. The property is 0.48 acres in size and is zoned R-1-7000 (Single Family Residential). The proposed development would include subdividing the parcel into two

new parcels with one parcel becoming a flag lot. The existing house would be demolished and replaced with a new single family dwelling. A single family dwelling would be constructed on the flag lot.

Chairperson McDonough recognized Nick Norris as Staff representative.

Mr. Norris noted that the applicant's intents were to demolish the existing home on the flag lot and construct one new single family home there and one home on the remainder lot. A public Open House was held in December and two neighbors attended. He noted that Flag lots require a Conditional Use and this proposal met the standards in regards to the conditions found in the Staff Report.

Mr. Norris noted that a couple of the findings listed in the Staff Report included:

Potential impacts on adjacent properties; noting that one way to mitigate this would be to limit the height of the flag lot structure to one story.

Mr. Norris noted that the landscaping plan was not submitted and the flag lot standards would require certain specific landscaping to be installed. Staff recommended that prior to a building permit being issued Staff would review a landscaping plan to make sure that it would meet the minimum requirements.

Commissioner De Lay inquired about the standard square feet of a flag lot.

Mr. Norris noted that the flag lot regulations required that it be at least 1 ½ times the minimum lot size or 10,500 square feet, in that zone.

Vice Chair Wirthlin inquired if there were reasons to add a condition of a privacy fence on the lot.

Mr. Norris noted that it could be applied as a condition at the Commissions recommendation.

Commissioner McHugh noted that she did not think their needed to be a privacy fence added because there is quite a bit of space between the two houses.

Chairperson McDonough invited the applicant to the table.

Marion Barnhill (The Housing Division of Salt Lake City) noted that with the land available it would be better to build two new homes, instead of remodeling the old home on the site.

Chairperson McDonough opened the public portion of the hearing.

Stephanie Davidson (1025 South 1400 West) inquired if the two new homes would be for low income housing residents and noted she was in favor of the subdivision.

Mr. Barnhill noted that is was the applicant's mission to provide housing to low and moderate income families. He noted that this would include families that earn 80% or less of the median income.

Commissioner De Lay inquired what those income figures were presently.

Mr. Barnhill noted that for a family of four the gross income level would be \$49,100 and that amount was subjected to change each year.

Commissioner Muir inquired how the median income varied from the prevailing income in the neighborhood.

Mr. Barnhill noted that the neighborhood is a targeted neighborhood so 51% of the inhabitants would have to be at median or below.

Chairperson McDonough closed the public portion of the hearing.

Commissioner De Lay made a motion based on the comments, findings, and Staff Report to approve Petition 410-06-37, a conditional use for a flag lot and Petition 490-06-43, preliminary approval for a minor subdivision, with the following conditions:

- 1. That the proposed flag lot meets all applicable city ordinances and regulations and that the size of the flag lot be 10,500 square feet, excluding the access strip;**
- 2. That the applicant must address and comply with the department comments outlined in this report;**
- 3. That the home that is to be built on the flag lot be limited to a single story in height.**
- 4. That the final building plans and landscaping plan be approved by the Planning Director.**
- 5. That the subdivisions documents are recorded in the Salt Lake County Recorders Office and that they comply with all requirements of the Salt Lake County Recorder.**

Commissioner Muir suggested that condition 3 be deleted from the motion. He noted that it did not seem fair to impose a height restriction on these two parcels and not have the applied restriction exist for any of the surrounding parcels.

Commissioner Scott noted that it would be the home on the flag lot that would be limited to a single story because of the location of the house being in the middle of a number of many houses this should be restricted because of intrusion of visibility.

Commissioner De Lay noted she would leave condition 3 in the motion as per the recommendation in the Staff Report.

Commissioner Forbis seconded the motion. All in favor voted "Aye". The motion passed unanimously.

(This item was heard at 6:07 p.m.)

Petition 410-06-40 a request for a Conditional Use for Bada Bean Coffee Shop Drive-Through. The applicant, Mr. James Watts is requesting conditional use approval for a drive-through to an existing commercial (retail goods establishment) site. The site is located at approximately 1302 South 500 East Street and is zoned CN (neighborhood commercial).

Chairperson McDonough recognized Marilyn Lewis as Staff representative.

Ms. Lewis noted the proposed project is a small-scale commercial use that occupies an existing commercial structure. Drive-through facilities for retail goods establishments are allowed as Conditional Uses within the CN zoning district. The applicant has planned to place the drive-up window on the rear façade of the existing structure and of the 21 existing parking spaces, 5 will be eliminated to provide stacking and circulation for the drive-through facility.

The use is compatible and consistent with the development pattern of the adjacent neighborhood and with the Master Plan. Based on the Findings of fact, Staff recommends that the Planning Commission approve this Conditional Use request with the condition:

1. Standard permit plan review process is required for compliances with Fire, Engineering, Public Utilities and Transportation.

Commissioner Forbis inquired if there was a possibility to make another condition of approval for the project, as having a right-turn only out of the project, given that there is a short space to make a left-turn to go north on 500 East, and due to traffic congestion at certain hours of the day at the intersection of 500 East and 1300 South.

Ms. Lewis noted that it would be possible for the Commission to make that condition.

Commissioner De Lay inquired if the City Transportation Department had already assessed the project.

Ms. Lewis noted that the Transportation Department did not have further comments other than making sure the parking requirements were met. She noted that she did not think that they would have any issues with the applicant installing some kind of signage notifying customers to make a right-turn only.

Commissioner Chambless inquired if the hours of operation from 6:00 a.m. to 10:00 pm. were year round.

Ms. Lewis indicated that they were.

Vice Chair Wirthlin noted that the Staff Report indicated that the hours of operation were similar to other businesses in the area, which seemed like fairly early and late hours, and inquired what the other businesses were.

Ms. Lewis noted that there was a gasoline station and a 7-11 in the vicinity of the area.

Commissioner Woodhead inquired if the city had any policies or preferences regarding drive-through businesses and the environmental consequences of them.

Ms. Lewis noted there was nothing in the ordinance that addressed that.

Chairperson McDonough invited the applicant to the table.

Neither the applicant nor any representatives for the applicant were present at the meeting.

Chairperson McDonough inquired if the Community Council had reviewed the petition.

Ms. Lewis noted that there was an Open House held because this location fell on the border of two different Community Councils: Liberty Wells and Central City.

Chairperson McDonough opened the public portion of the hearing.

Robin Davis (524 East Browning Ave) noted that drive-throughs degrade the air quality due to idling cars and was concerned that the tailpipe emissions would be compounded with the gasoline fumes that were already emanated from the 7-11 located across from the property on 500 East street.

Vice Chair Wirthlin inquired if there was anything that might be done to mitigate the effect of the idling cars besides having no drive-through at all.

Ms. Davis noted that a requirement to turn off cars while waiting might help.

Katy Byers (525 East Sherman) noted that she felt that the surrounding area would be further polluted by idling cars. She also had traffic concerns and noted that making a left hand turn from the facility would cause additional traffic problems in an already congested area.

Anna Marie Fiore (417 East 1300 South) noted that there was already traffic congestion and concerns that would be further complicated by the drive-through.

Chairperson McDonough closed the public portion of the hearing.

Vice Chair Wirthlin noted he would like to hear from Kevin Young from the City's Transportation Department.

Mr. Young noted that a lot of times traffic turns become self-regulating, meaning that at certain times of the day it is difficult to make certain traffic maneuvers and is left up to the driver to choose ingress and egress routes into business areas. There needs to be a time when to put in traffic restrictions and when to refrain from that. He noted that in this case it would be better to be kept self-regulating and let the public make the decision at certain times of the day how they exit from the facility.

Commissioner Muir inquired about the standard curb cut size for a commercial area.

Mr. Young noted that typically the maximum for that would be 40 feet. He noted that a curb cut would have to be 10 feet back from the property line and the intersection corner.

Commissioner Muir inquired if the curb cut on 1300 South met city standards. He noted he would like to see a condition to see the curb cuts be more pedestrian friendly and brought up to City standards which would include: elimination of the eastern curb cut and reducing the curb cut along 500 East to 40 feet.

Commissioner De Lay inquired if there were any statutes or laws regarding the idling cars and public transportation in the area.

Mr. Young noted that the health department would be over the studies of that particular occurrence.

Commissioner De Lay inquired if there was an environmental standard regarding rules for drive-throughs passing air quality standards.

Mr. Doug Wheelwright noted that environmental air quality is not an issue that the City regulates.

Vice Chair Wirthlin inquired if the Commission found that air quality could impose a detrimental effect under the state statute and they wanted to mitigate that detrimental effect, could the Commission mitigate it as a Conditional Use.

Mr. Wheelwright noted that the Commission could do so.

Commissioner De Lay inquired if the City does not regulate air quality, would the Commission need to ask the state to do so.

Chairperson McDonough noted that findings could be based on the State Statute.

Ms. Lewis noted that the Health Department for the County usually dealt with those types of issues.

Commissioner McHugh noted that because there are no current ordinances, if the Commission prohibits a drive-through it could create a slippery slope for future drive-throughs in the area including: banks and fast food facilities.

Vice Chair Wirthlin inquired if the double stacking drive-through lanes could be mitigated to single stacking and lessen the number of cars that could be idling.

Ms. Lewis noted that double stacking is allowed.

Commissioner De Lay noted that she would like to see a study or an ordinance created that future drive-throughs would have to pass a standard that currently does not exist in the city.

Chairperson McDonough noted that it would be a matter of proposing an ordinance that would mitigate the potential negative effect of vehicle emissions.

Commissioner Scott made a motion regarding Petition 410-06-40 based on testimony, the findings of facts, and the Staff recommendation, the Planning Commission approved this Conditional Use request with the following three conditions:

- 1. Standard permit plan review process is required for compliances with Fire, Engineering, Public Utilities and Transportation.**
- 2. That the curb cuts as shown on the drawing renderings included in the Staff Packet be modified so that the 500 East exit entrance be reduced from 50 feet to 40 feet and that the eastern entrance/exit on 1300 South, closest to the intersection, be eliminated.**
- 3. That the final landscape be augmented, improved and be approved by the Planning Director.**

Commissioner Muir seconded the motion.

Commissioner Woodhead noted that the reason for the conditions was because of the traffic problems identified in the public testimony, for instances traffic back-up on the neighboring streets.

All in favor voted, "Aye" the motion passed unanimously.

Commissioner De Lay requested from Staff, within the next month and a half, a report on air quality standards and enforcement to be used to interact with future rules and regulations specific to Salt Lake City that would be more restrictive than in other smaller cities.

Chairperson McDonough announced a five minute break before the final petition of the meeting.

Commissioner Muir noted that he would recuse himself from the meeting due to business conflicts with the applicant.

(The meeting reconvened at 5:58 p.m.)

Petition 400-06-40, 400-06-41, and 400-06-42 a request by Sugar Mill LLC for an amendment to the Sugar House Master Plan to increase the density and a Zoning Map amendment for six parcels located at approximately north and west of the intersection of 2100 South and 1400 East Streets.

1385 East 2100 South St.	16-16-354-032-0000	CN
1391 East 2100 South St.	16-16-354-033-0000	CN
1381 East 2100 South St.	16-16-354-031-0000	CN
1381 East 2100 South St.	16-16-354-026-0000	R-1/5,000 (parking lot)

1998 South 1400 East St. 16-16-354-027-0000 R-1/5,000
2006 South 1400 East St. 16-16-354-028-0000 R-1/5,000

The proposal is a request by the Sugar Mill LLC for a zoning map amendment to the adopted Sugar House Zoning Map to change properties currently zoned R-1/5,000 (single-family residential) and CN (neighborhood commercial) to RMF-35 (moderate density multi-family residential). The applicant is also requesting that a portion of the adjacent alley (running east to west) be vacated under Petition 400-06-42.

Chairperson McDonough recognized Marilyn Lewis as Staff representative.

Ms. Lewis noted that the applicant wished to rezone six properties and close a portion of the existing alley in order to develop a 27 unit multiple-family dual structure complex with underground parking, to be sold as condominiums. This request also requires an amendment to the adopted Sugar House Master Plan (adopted 2001, amended 2005).

She noted that the Sugar House Future Land Use Map identified the area of the subject property for Low-Density Residential and Neighborhood Business. Low-density makes up the majority of the residential land use within the Sugar House community. The desire of the Master Plan is to preserve and protect the dominant, single-family character of the neighborhoods.

Proposed development and land uses within the neighborhood business area must be compatible with the land uses and architectural features surrounding each site. These objectives are reflected in the current Zoning Map, which shows the subject area as R-1/5,000 (single-family residential) and CN (Neighborhood Commercial).

The proposal to amend the Master Plan and rezone the parcels along 2100 South Street would also permanently eliminate the commercial uses. The proposed structures are out of scale and character with all of the surrounding existing structures. Therefore, this proposal is inconsistent with the Sugar House Community Master Plan,

Ms. Lewis noted that the Zoning Amendment included the following:

- A. Rezoning the subject properties goes against the adopted Sugar House Master Plan because it allows development that is not compatible with the existing surroundings. It further sets a precedent in Sugar House, as well as other communities, to allow "spot zoning".
- B. The applicant is proposing to develop two 35 foot high structures adjacent to the existing neighborhood commercial and low-density residential structures. While the architect has made an attempt to mimic some of the materials in the neighborhood, the proposed buildings are larger and taller than any that currently exist. The project is not in harmony with the overall character of existing development.
- C. The Master Plan calls for these higher density projects to be located closer to the Sugar House Business District. If the zoning is changed to RMF-35 the density will be extremely intensified for the three parcels located inside the R-1/5,000. Allowing more intense land use to encroach into the low-density single-family area.

Ms. Lewis noted that regarding the alley vacation/closure the subject alley is part of the public right-of-way. The alley is not blocked or obstructed from use and is currently used for vehicular and pedestrian traffic and also provides direct separation between the existing commercial and residential uses. The Transportation Division determined that they would require the entire alley to be vacated and all of the property owners adjacent to the alley would need to give their consent.

Ms. Lewis also noted that the petitioners were proposing to restrict the use of the alley for personal use. The closure of the alley would allow the petitioner a contiguous site for the proposed development and the community was concerned that the closing would encourage the use of other interior neighborhood streets as by-pass corridors for 2100 South Street.

Commissioner De Lay noted that she had been in contact with the applicant for another project and left it up to the Commission on whether or not she should recuse herself.

Chairperson McDonough noted she also had been in contact with a business that had done marketing for the applicant.

The remaining Commission did not feel that either member should recuse themselves.

Chairperson McDonough invited the applicant to the table.

George Hunt (Partner for the Sugar Mill, LLC) introduced John Frank (Partner for the Sugar Mill, LLC).

Mr. Hunt noted that he disagreed with some aspects of the Staff Report. He noted that he had considered the Sugar House Master Plan in relation to the RMF-35 zoning and that the Sugar Mill LLC had reviewed the impact of the project to the existing area including: parking, buffering interior neighborhoods from 2100 South, and the impact of commercial versus residential traffic studies and reports, to settle on a condominium project.

He noted that he did not agree with Staff findings in relation to the east to west alleyway and that most of the public using the alley were people visiting the Sugar Mill properties and was not used for vehicular traffic as far as they had observed. He noted that the finding that the north to south alleyway should be vacated was interesting to them because they observed it was virtually vacant.

Chairperson McDonough inquired if the applicant would like further clarification from Staff on these issues, or if he was only expressing disagreement to the findings.

Ms. Lewis noted that Staff had asked Transportation, along with other City divisions, for their recommendations. She noted that Staff did recommend that the alley not be vacated or closed because they are public alleys that anyone can access. She noted that the Transportation Department stated that if you closed the lower east to west alley, the north to south alley must also close.

Mr. Hunt also noted that he did not agree with the unanimous permission that would need to be obtained from adjacent property owners, which he noted was inconsistent with city ordinances which requires only 80%.

Ms. Lewis noted that if the entire length of the alley is closed, the applicant would need permission from the property owners to the north, and it would still be the required 80%.

Mr. Hunt noted that in respect to the rezone, the residential use the applicant was suggesting would have lower traffic impacts in the neighborhood and the condominium parking would be off the street and be placed underground.

Mr. Hunt noted that the applicants had a traffic study done on the property and at the Community Council meeting one of the negative responses was that there might be additional traffic running through the neighborhood. He noted that the traffic study that was conducted concluded the following:

1. The site was viewed as a commercial use and a multi-family residential use to and concluded that the traffic increase with the residential use would be about 3.5%, where as the commercial use would impose a 65% increase of traffic in the area.
2. The arterial gravity concept effectively draws most of the traffic into 2100 S. rather than additional traffic being drawn into the Garfield neighborhood.

Mr. Frank noted that in regards to the alley closure, this would reduce the amount of traffic in the neighborhood.

Commissioner De Lay inquired of the applicant if they had any alternative ideas to the condominium project, like live/work spaces that would be less dense.

Mr. Hunt noted that they had not looked at additional possibilities yet because of lack of space for adequate parking.

Kevin Young (Transportation Department) noted that the traffic report was studied by giving two scenarios mentioned; residential use, and commercial retail. Based on industry standards if the project were of a commercial nature it would cause four times the traffic impact versus the project being a residential use.

Chairperson invited the Community Council representation to the table.

Helen Peters (Land Use and Zoning Chair for the Sugar House Community Council) introduced Phil Carlson (Chair of the Sugar House Community Council) and noted that the recommendations in the Staff Report are succinctly stated. She noted that according to the Sugar House Master Plan the zoning was intended to be residential business within limitation of 25 feet or 2 ½ stories, which ever is less, and used as a buffer to the residential neighborhood.

She noted that Sugar House sees alleys as an urban design element and used as an informal street network for pedestrians and would therefore not agree with the alley vacation/closure requested by this proposal.

Commissioner Chambless inquired how many times the Chairs had met with the developers. Ms. Peters noted about a half dozen times.

Chairperson McDonough opened the public portion of the meeting by reading comments from the public who were present at the meeting, but did not wish to publicly speak.

In opposition of the project were:

Antonia Sears (1841 South 1500 East) did not want to see the pedestrian aspect of the community change due to traffic impactions.

Karen Anthony (1999 View Street) noted no more emissions from traffic in the area.

Ron Snarr (1353 Ramona Avenue) noted he was in favor of following the Mater Plan as is.

Kevin Winn (1438 E. Redondo Avenue) in opposition.

Steven Beier (1934 South 1400 East)

Eleni (Ellen) Vetas (1558 East Westminster Avenue) opposed the project.

C. Crompton (1935 South 1400 East) noted no zoning changes.

Mindy Thompson (1408 Ramona Avenue) noted she did not want high density housing because it would change the environment of the neighborhood.

June Wang (1908 View Street) noted that this project does not fit into the neighborhood.

Garry Burg (1430 Westminster Avenue) opposed the project.

Jerry Bittle (1343 Westminster Avenue) noted the scale of the development was too large for the area and did not want to see an increase in traffic, noise, and pollution.

Wick Swain (2021 Wilson Avenue) noted he was opposed to the spread of condominiums in the neighborhood of nicely established homes, which might bring residents with no investment interest.

Richard W. Howell (1975 South View Street) noted he was opposed to the development and that it would limit access to the north-south alleyway which he uses.

Laurie Summers (1369 Westminster Avenue) noted the Sugar House Master Plan should be followed and she does not want to see additional traffic in the area.

James McMillan (1440 E. Hollywood Avenue) noted that he and his wife are opposed to the scale of the project; it is not consistent with the neighborhood.

John Michie (1983 South View Street) would like to see low-density commercial residential in the area.

Eric Strain (1984 View Street) noted the project is too large for the neighborhood and had concerns of additional traffic congestion.

Jordan Diamond (1401 Hollywood Avenue) does not want to lose the quietness of the neighborhood.

Susan Murray (1451 Hollywood Avenue) does not want additional traffic in the area and opposes the height of the project.

Pauline Cordray (1415 Ramona Avenue) noted the project is too large for the neighborhood and she does not want additional traffic congestion.

Michelle Weis (1469 Redondo Avenue) does not want traffic increased in the area.

Chairperson McDonough invited the following members of the public up to the table to speak:

Ron Solstad (1982 South 1400 East) noted he would like to keep the ambiance of the neighborhood.

Clovis Lark (1884 South 1600 East) would like to keep pedestrian friendly neighborhoods.

Jim Deschenes (1403 East Redondo Avenue) noted he did not think that people would use the underground parking and was concerned that there would be parking on the street in front of houses in the area, as well as further congesting the area.

Sharlotte Wolf (1384 Ramona Avenue) noted she was in strong opposition to this "nightmare" project. She would like to keep the uniqueness and low density living in the area.

Sean Thompson (1451 East Redondo Avenue) noted he was strongly opposed to the project, because it did not fit into the neighborhood. He noted that there would be better uses for this area.

Mari Lee Latta (1401 Ramona Avenue) noted she thought that the entrance to the program from 2100 South would cause more congestion in the neighborhood.

Sue Stewart (1311 Ramona Avenue) noted she did not want to see a change like this in the neighborhood and did not want additional traffic.

Bill Cordray (1415 Ramona Avenue) opposed the size of the project and future problems with traffic congestion.

Barbara Cahill (1428 East Westminster Avenue) noted she liked the family oriented feel of the neighborhood and was worried about environmental decay due to increased traffic in the area.

Van Lund (1425 Hollywood Avenue) was concerned that the developers had only addressed the increased residential traffic, but had not mentioned how additional visitor traffic to the project would be handled.

Dana Denton (1414 Westminster Avenue) also did not want to see additional traffic in the area.

Karri Schlegel (1388 Westminster Avenue) does not want additional traffic and would like to see neighborhood commercial for the community to use and enjoy, not additional residential.

Chamity Larsen (1457 East Westminster Avenue) noted that this project was not site specific and would not fit into the neighborhood.

Anne Moore (1465 Redondo Avenue) noted she was in opposition of the project.

Janet Sloan (1403 Westminster Avenue) noted there have been two discussions on making the neighborhood a Historical District; she feels that this project would deteriorate that proposal.

Don Lucas (2007 South 1500 East) noted he had done his own shadow study and was concerned about the shadows that this project would cast on the surrounding neighborhood. He was also concerned that this project would take away sunrise and sunset views.

Tony Gutierrez (1992 South 1400 East) noted he would like to keep the ambiance of the neighborhood. No additional traffic in the area. Noted the alley is not vacant it is being used.

Wanda Gutierrez (1992 South 1400 East) noted she is strongly opposed to the new development.

LeeAnn Diamond (1401 Hollywood Avenue) noted she would like to keep the village feel ambiance of the neighborhood and a walkable community. She would like to keep small business in the area that residents can walk to.

Andrea Wargula (1403 Redondo Avenue) noted she would like the Master Plan stay as it is.

Bonne Remington (1444 Redondo Avenue) noted that she and a group took information about the rezoning around the neighborhood and had neighbors sign a petition against this project. She did not want to see additional traffic in the area.

Jeff Quick (1964 South 1400 East) noted that he was opposed to the project and used the alleyway weekly as a pedestrian. He noted that the proposed building heights of the development would result in an invasion of privacy to existing, surrounding neighbors. He noted he did not want to see increased traffic in the area.

Marion Cook (1610 Garfield Avenue) noted she was in opposition to the development because it would cause unfair zoning priorities in the area.

Bill Hadfield (1427 Westminster Avenue) noted he was in opposition of the development.

Ann Lange (1468 Redondo Avenue) noted she was opposed to the height of the development, and did not want to see increased traffic in the area.

Karin Whitlock (1526 E. Ramona Avenue) noted she was in opposition of the development.

Glenda Shendhal (1719 South 1500 East) noted that she wanted to preserve the delightful ambiance of Sugar House and the quality of life in the area.

Valerie Hale (Business in Sugar House) noted that she wants to keep the sense of caring, community, and closeness in the neighborhood.

Gary Findley (1411 Redondo Avenue) noted he did not want to see additional traffic in the already congested area.

Chairperson McDonough closed the public portion of the hearing and invited the applicant back to the table.

Mr. Frank noted that the developers wanted to welcome new families into the area and he felt they would fit into the Sugar House neighborhood. He felt the community comments were hyperbole. He noted that he felt this was the best use of the land and the neighborhood, and he felt the Planning Commission was depriving 27 families with the opportunity to live and enjoy Sugar House.

Commissioner De Lay inquired if the applicant had done a shadow study for the development.

Mr. Frank noted that they had not.

Commissioner De Lay noted that it is common for developers to do this type of study to show the Commission. She noted that the developers had met up with the Community Council at least six different times and inquired if they had made major modifications to the project since these meetings.

Mr. Frank noted that the building elevations had been changed.

Commissioner De Lay inquired if they had done a ground water study to see if the development would interfere with that.

Mr. Frank noted they had not.

Vice Chair Wirthlin inquired about the spot zoning that would be made available for the development against the city courts and citizens digression.

Mr. Frank noted that the applicants had viewed going from a neighborhood commercial zone to a residential zone as a down-zoning and the other two lots were an up-zoning. He noted that he felt that the zoning was consistent with the Master Plan.

Vice Chair Wirthlin noted that one of the big concerns was that on Page 7 of the Sugar House Master Plan there was a section on low-density residential being sustained in the area. He noted that the problem was the encroachment into the actual neighborhood. He inquired of the applicant

how they felt the proposed rezone preserved and protected the predominant single family character of the neighborhood.

Mr. Frank noted that it does not, but it provides housing for families just not the single family aspect. He noted that the project would be a substantial residential buffer from 2100 South and would allow multiple families to take advantage of the views.

Vice Chair Wirthlin inquired about the guest parking that would be available within the development.

Mr. Frank noted that there were nine guest spaces and two ADA spaces underneath.

Chairperson McDonough inquired if the northern most parcel that aligns with Redondo Avenue was more compatible with the surrounding area, and would fit with the Master Plan more succinctly, would the developers be willing to change that portion of the project.

Mr. Frank noted the applicants had not looked at that in great detail and had the option of building office spaces there instead.

Chairperson McDonough noted that this project could be viewed more sympathetically for the surrounding residential if the project were to be reconsidered and re-proposed.

Commissioner Scott inquired of the applicant what it is about this development that they felt was good for the neighborhood.

Mr. Frank noted that bringing 27 families to the neighborhood will add to the community.

Mr. Rinaldo Hunt noted that in the future Salt Lake City will be dealing with population density and growth and on a long term scale developments in the Sugar House area now that are technologically and environmentally efficient would help in starting to provide a standard in the area for the future.

Commissioner Scott noted that is what the Master Plan helps to establish and why the Planning Commission is charged to interpret the Master Plan. She noted that the neighborhood commercial is, "a district that is intended to provide for small scale commercial uses that can be located within residential neighborhoods that promote walkability and are intended to reinforce the historical feel and ambiance of traditional neighborhood retail". She inquired if the development did accomplish this.

Mr. Frank noted that he could not answer that because he was not sure.

Commissioner Chambless noted that though the project was a nice proposal, it is in the wrong place and it does not fit into the surrounding neighborhood.

Commissioner De Lay noted that this proposal does not support or enhance the dominant single-family character of the existing low-density residential neighborhoods, nor does it preserve the unique character of the neighborhood.

Vice Chair Wirthlin noted that it seemed the applicant had chosen to ignore much of the Sugar House Master Plan he quoted from this saying, "*All though few areas in Sugar House are suitable for medium-high density housing, it should be encouraged where feasible. Location criteria are similar to those of medium-density residential area with emphasis on existing patterns of medium-high density development*". He noted that there is no pattern of medium-high density residential in this area and he was not convinced that this project was feasible in this area.

Commissioner De Lay made a motion based on the findings of facts identified in this report, and tremendous amounts of testimony, the Planning Commission made the following recommendations to the City Council:

Petition 400-06-40 Master Plan Amendment: Policies as stated in the Sugar House Master Plan (A - C). The Planning Commission recommends denial based on the policies below:

- A. The proposal does not support or enhance the dominant, single-family character of the existing low-density residential neighborhoods.
- B. The proposal does not maintain the unique character of older predominantly low-density neighborhoods.

Petition 400-06-41 Zoning Map Amendment: Standards listed in the Zoning Ordinance (A - E). The Planning Commission recommends denial based on the standards below:

- A. The proposed amendment is inconsistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.
- B. The proposed amendment is not harmonious with the overall character of existing development in the immediate vicinity of the subject property.
- C. The proposed amendment will adversely affect adjacent properties.

Petition 400-06-42 Alley Vacation/Closure: Criteria listed in the Salt Lake City Code (A - D).The Planning Commission recommends denial based on the criteria below:

- A. The existing alley does not suffer from Lack of Use.
- B. The existing alley does not pose a threat to Public Safety.
- C. The existing alley serves as an Urban Design element.
- D. The proposed alley closure will not serve a Community Purpose.

Commissioner Forbis seconded the motion.

All in favor voted, "Aye" the motion passed unanimously.

There was no unfinished business.

(The meeting adjourned at 9:24 p.m.)