

**SALT LAKE CITY
PLANNING COMMISSION MEETING
In Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, February 27, 2008**

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

Present from the Planning Division were George Shaw, Planning Director; Doug Wheelwright, Deputy Planning Director; Cheri Coffey, Deputy Planning Director; Nick Britton, Principal Planner; Nick Norris, Principal Planner; Tami Hansen, Planning Commission Senior Secretary; and Lynn Pace, City Attorney.

A roll is being kept of all who attended the Planning Commission Meeting. Chair Wirthlin called the meeting to order at 5:49 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: Tim Chambless, Prescott Muir, Kathy Scott, Susie McHugh, and Vice Chair Mary Woodhead. Salt Lake City Staff present were: George Shaw and Nick Britton.

DINNER WORKSHOP SESSION

Ms. Coffey reviewed general Residential Zoning District information with the Commission.

APPROVAL OF MINUTES from Wednesday, January 23, 2008.

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

Commissioner McHugh made a motion to approve the minutes with noted changes. Commissioner Forbis seconded the motion. Commissioner Algarin, De Lay, and Vice Chair Woodhead abstained. All others voted, "Aye". The minutes were approved.

REPORT OF THE CHAIR AND THE VICE-CHAIR

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

Chair Wirthlin stated that he and Vice Chair Woodhead had scheduled a meeting with City Council Jill Chair Remington-Love; however, she was ill at the time and that meeting would be rescheduled.

REPORT OF THE DIRECTOR

(This item was heard at 5:54 p.m.)

Mr. Shaw noted that a memorandum was placed in the meeting packets requesting that the Commission initiate a petition to rezone properties from approximately North Temple to 600 North, and approximately 400 West to 550 West, which were properties that parallel the commuter rail tracks and were currently zoned M-1 for manufacturing. The Capitol Hill Master Plan future land use map identifies the properties for mixed use development over time in these areas and this petition would aid in allowing these types of developments.

Mr. Shaw stated that there was a request from a specific property owner to rezone a portion of the area to mixed use and as staff reviewed it, they felt rather than allowing that type of use in the midst of a larger industrial area, it made sense to try to implement part of the master plan to help guide development in the area in line with the master plan. The area is on the periphery of downtown and was likely to change to new uses over time. Mr. Shaw stated that as long as the area was viewed as transitory for new uses, then under the M-1 zone, the current owners could expand that use and make it more difficult over time to transition the area.

Commissioner Scott inquired about the study timeframe.

Mr. Shaw noted that staff was still looking at density and other issues in the area to decide on what the allowable zones would be, which would probably take a few months to complete.

Commissioner Scott inquired if the existing uses in the area would be grandfathered in or need to transition to new uses when properties are sold.

Mr. Shaw stated that the use did not depend on ownership, because the zoning ran with the land. If the zoning were to be changed, the existing uses that do not conform to the new zone would be classified as legal non-conforming uses and could continue, but the business as is, but there would be limits in expansion.

Commissioner McDonough inquired how the Commission could initiate a petition, when it was explained at the February 13, 2008 meeting that the Commission should not initiate any more petitions.

Mr. Wheelwright stated that there had not been any additional discussions on an administrative level regarding that, but he had only cautioned the Commission to not initiate a petition without first discussing it with staff.

Chair Wirthlin noted that this was a staff request for the Commission to initiate a specific petition.

Commissioner Scott took action to initiate a petition to analyze the feasibility of rezoning properties from approximately North Temple to 600 North and from 400 West to approximately 550 West, as identifies in the CH Master Plan.

Since the zoning ordinance states a commissioner can initiate a petition a formal motion was not requested

Mr. Wheelwright gave a preliminary report of the 2008 Annual Report and budget, and noted that the final report would be given to the Commissioners when completed.

PUBLIC HEARING

(This item was heard at 6:12 p.m.)

Petition 410-07-29, 2100 South Retail Center Planned Development—a request by Chung-Ji Dai at 204 West 2100 South for **planned development approval** of a retail center. The proposal consists of an existing private club with two new retail buildings. The applicant is requesting planned development approval for modifications to the rear yard setback and the perimeter parking lot landscaping. The Planning Commission is the approval body for Planned Developments. The subject property is located in the General Commercial (CG) Zoning District and Council District 5.

Chair Wirthlin recognized Nick Britton as staff representative.

Mr. Britton stated that the lot size was 1.5 acres and next to the 2100 South Trax station that ran to the east. He noted that the applicant proposed to tear down a majority of the existing structures and rebuild the west Building, A, which would be used for retail and the north Building, B, which would be used for entertainment. In the CG zone there can only be five retail units per building. The east Building, C, would be remodeled to match the proposed new buildings.

Mr. Britton stated that the project did not meet the interior side yard setback, or the rear yard setback along the entire north property line. The project also did not meet the required perimeter parking lot landscaping, which was seven feet where the parking lot was located within 20 feet of a property line.

Mr. Britton noted there was a problem with an alleyway that would be created along the north property line. The applicant expanded the building size to come to the property line, which increased the parking requirement by six spaces; however, there were concerns from the police

department that the alleyways would increase crime. Mr. Britton stated that after the subcommittee meeting he recalculated the parking requirement and realized that the applicant did not meet the parking requirements. He sent a letter to the applicant with options to address this issue, which included: either using the suggestion from the police department, to use gating and security cameras, or to make the buildings smaller. He noted that the applicant chose to follow through with the police department's suggestions, which would be included in the conditions of approval; however, the conditions could still be revisited by the Commission to further mitigate possible impacts of crime in the area.

Mr. Britton stated that the applicant and the subcommittee had discussed lighting in the area and based on the location of the project, lighting would be a key piece for crime mitigation attempts.

Commissioner McDonough asked Mr. Britton to review again why Building B was not set back to the property line, and why there would be an alleyway.

Mr. Britton noted that the applicant choose to expand the buildings to meet the new parking need.

Commissioner Forbis stated that in the subcommittee it had been suggested to move the buildings to mitigate crime probability, and wondered if there still was the possibility to move the buildings, and if so how much square footage would need to be lost to meet the parking requirement.

Mr. Britton noted that to meet the parking requirement, the buildings as a whole would have to be reduced by 3,000 square feet, and that would still be an option.

Commissioner McHugh stated that the buildings would be demolished, so the applicant could build any size building to comply with the parking requirement.

Mr. Britton noted that no matter how they shifted the buildings they would still need a modification of the side yard and rear yard set back.

Chair Wirthlin invited the applicant forward to answer questions from the Commissioners.

Mr. Chung-ji Dai, the applicant, stated that the buildings he had proposed would look much better than the junk buildings that currently existed, and would bring more retail into the area. He also noted that next to his property was a Sam's Club, which could also be accessed by vehicle from his property. This extra access would help reduce the traffic on the corner of 2100 South and 300 West, turning right.

Commissioner McDonough inquired why Mr. Dai preferred to have the alleyway behind the north building, and if there were doors on the back of the building.

Mr. Dai stated that because the land was a small size he was trying to positively use as much of it as he could. The alleyway could be used for merchandise loading, and there would be three to four doors along the back building along with gates on both ends of the new alley to prevent crime.

Commissioner Scott inquired if the existing chain link fence was where the property line was located.

Mr. Dai noted that it was. He stated that for a year and a half there was a property line distinction problem with the abutting property owner, so he decided to put that fence in.

Commissioner Chambless inquired about the four locations, identified in the site plan, regarding lighting.

Mr. Dai stated that his architect had told him that due to the buildings size the lighting should be placed on the front of the buildings, and each tenant would have a lighted sign along 2100 South. Each of the two additional buildings would have additional lighting in the front of the buildings to lighten the parking lot.

Commissioner Chambless stated that he was concerned that homeless people might be tempted to sleep in the alleyway.

Mr. Dai noted that he would provide lighting along the alleyway as well. He stated that already dealing with homeless people sleeping on his property and he had been in contact with the police department regularly to mitigate this problem, which was why he was going to make sure there was enough lighting.

Chair Wirthlin opened up the public hearing portion of the meeting. There were not any members of the public that wanted to comment. Chair Wirthlin closed the public hearing portion.

Commissioner Scott inquired about the transit oriented district and what kind of density and development was encouraged in those areas.

Mr. Britton stated that the development was limited by building height and the master plan called for a higher density in these developments. It was also noted that there was no Transit Corridor Zoning in this area.

Commissioner Forbis made a motion regarding Petition 410-07-29 a conditional use planned development request at approximately 204 West 2100 South, the Planning Commission approved this request with the following conditions:

1. **Applicant must demonstrate to the Planning Division that the proposal meets the shared parking calculations based on the square footages for each of the uses as identified on the site plan**
2. **Applicant must install gates with a locking mechanism at each open end of the "alleyways" created behind Building "A" and Building "B".**
3. **Applicant must meet the requirements identified within the department and division comments contained in this staff report.**
4. **Any modifications to driveway require approval from the Utah Department of Transportation.**
5. **The Planning Division review and approve for any lighting plans that the applicant submits that meets the recommendations that the police department made in there review of this request.**

Commissioner De Lay seconded the motion.

Commissioners De Lay, Forbis, McHugh, Scott, Chambless, Algarin, McDonough, and Vice Chair Woodhead voted, "Aye", Commissioner Muir voted, "Nay". The motion carried.

Petition No's. 410-07-25 and 490-07-44 North Port Commerce Center Planned Development and Subdivision — Sam Gustafson, Vice President of Capitol Industries Inc., a request for a development of a 28.62 acre business park located at approximately 1810 North 2200 West. The applicant requests a conditional use planned development to develop the business park as a planned development in order to utilize appropriate street and to modify various zoning regulations. The applicant also requests **preliminary approval of a three lot subdivision**. The Salt Lake City Planning Commission has the final authority to approve the proposed planned development and subdivision. The proposed development is in the BP Business Park District and is in City Council District 1 (Staff — Michael Maloy at 535-7118 or michael.maloy@slcgov.com).

This item was postponed until a future date.

The meeting adjourned at 6:39 p.m.

Tami Hansen, Planning Commission Secretary