

**SALT LAKE CITY
PLANNING COMMISSION MEETING
In Room 315 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, July 30, 2008**

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

Present from the Planning Division were; Joel Paterson, Acting Assistant Planning Director; Katia Pace, Associate Planner; Marilynn Lewis, Principal Planner; Lex Traughber, Principal Planner; Casey Stewart, Principal Planner; Ray Milliner Associate Planner; Paul Nielson, City Land Use Attorney; and Tami Hansen, Planning Commission Secretary.

A roll is being kept of all who attended the Planning Commission Meeting. Chair Wirthlin called the meeting to order at 5:45 p.m. Audio recordings of the 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: Frank Algarin, Tim Chambless, Prescott Muir Kathy Scott, Matthew Wirthlin, and Mary Woodhead. Salt Lake City Staff present were: Joel Paterson and Marilynn Lewis.

APPROVAL OF MINUTES from Wednesday, July 9, 2008.

(This item was heard at [5:45:17 PM](#))

Commissioner Muir made a motion to approve the minutes with noted changes. Commissioner Scott seconded the motion. All in favor voted, “Aye”, the motion passed unanimously. Commissioners De Lay and McDonough abstained.

PUBLIC HEARING

1. **Petition 410-07-59, Property Conveyance**—a request for a Public hearing by Salt Lake County for the conveyance of property from Salt Lake City to Salt Lake County, in order to build a new recreation facility on the property located at approximately 1300 West 300 North. The property is located in the Open Space (OS) District, and is accessed from Clark Avenue. The property is located in Council District One, represented by Carlton Christensen (Staff contact: Ray Milliner 535-7645 or ray.milliner@slcgov.com).

(This item was heard at [5:46:53 PM](#)) [View: Staff Report](#)

Commissioner Forbis recused himself.

Chair Wirthlin opened the public hearing portion of this petition, there was no public comment, and Chair Wirthlin then closed the public hearing.

No action was required by the Planning Commission.

2. **Petition 480-08-13 Park Vu Condominium**—a request by David C. Lee for preliminary approval for an eleven (11) unit residential condominium conversion located at approximately 174 North Canyon Road in an RMF-35 (Moderate Density Multi Family Residential) Zoning District in Council District Three, represented by Eric Jergensen. After an administrative public hearing on June 23, 2008, this request was forwarded to the Planning Commission by the Hearing Officer following the receipt of an objection from a nearby property owner (Staff contact: Katia Pace at 535-6354 or katia.pace@slcgov.com).

(This item was heard at [5:49:19 PM](#)) [View: Staff Report](#)

Commissioner Forbis returned to the meeting.

[5:58:24 PM](#) The following people spoke or submitted hearing cards in opposition of the proposed ordinance: **Cindy Cromer.**

[6:08:51 PM](#) **Commissioner De Lay made a motion regarding Petition 480-08-13; based on testimony heard and comments made in the staff report, the Planning Commission approve the preliminary plat for the Park Vu Condominium Conversion located at 174 North Canyon Road and subject to the following conditions:**

1. **A final condominium plat application shall be filed with the Planning Division and the final plat shall be recorded with the Salt Lake County Recorder prior to issuance of Certificate of Occupancy.**

2. Compliance with the departmental comments as outlined in this staff report and in the attached comments.
3. Full compliance with the Utah Condominium Act of 1975 and the Condominium Approval Procedure regulations in the Salt Lake City Zoning Ordinance (Section 21A.56).
4. The execution and recording of the Declaration of Covenants. The Declaration of Covenants must be approved by the Salt Lake City Attorney for compliance with State of Utah and Salt Lake City Code requirements.
5. No condominium shall have final approval, or shall said units be sold, until the plat has been recorded with the Salt Lake County Recorder.

Commissioner Scott seconded the motion.

Commissioner Scott inquired if Commissioner De Lay would consider adding onto condition 5 that *The plat should properly show off site parking, and the parking easement on 180 Canyon Road and the right-of-way-between the property at 172 Canyon Road should also be shown on the plat.*

Commissioner De Lay stated that if this was a legal requirement by the City then yes.

Mr. Paterson noted that all easements need to be shown on the plat.

Vice Chair Woodhead seconded the amendment to the motion.

All in favor voted, "Aye," Commissioner Forbis voted, "No". The motion carried.

3. **Petition 430-08-01 McDonald's Conditional Design Review for restaurant rebuild**—a request by McDonald's Corporation for Conditional Design Review for the rebuilding of the McDonald's restaurant located at approximately 1533 South State Street. The subject property is located in the Commercial Corridor (CC) District and the South State Street Corridor Overlay (SSSC) District. Conditional Design Review is required because the applicant is seeking relief from some design requirements of the SSSC Overlay District. The Planning Commission tabled this case on June 11, 2008. The property is located in City Council District Five, represented by Jill Remington-Love (Staff contact: Casey Stewart at 535-6260 or casey.stewart@slcgov.com).

(This item was heard at [6:10:05 PM](#)) [View Staff Report](#)

There was no public comment.

[6:41:23 PM](#) Commissioner Scott made a motion regarding Petition 430-08-01; based on testimony, the staff report, and comments made, that the Planning Commission deny this Conditional Building Design Review because it does not satisfy the standards of approval.

Vice Chair Woodhead seconded the motion.

Commissioners De Lay, Scott, Chambless, McDonough, Muir, and Vice Chair Woodhead voted, "Aye," Commissioners Forbis and Algarin voted, "No," the motion carried to deny the petition.

4. **Petition 410-08-48 Conditional Use for Carwash**—a request by Mark Miller Toyota for a private carwash facility in the D-2 (Downtown Support District). Carwash facilities in the D-2 within 165 feet of a residential structure are a specifically listed conditional use. The property is located at approximately 751 South 200 West Street. The property is located in City Council District Four, represented by Luke Garrott (Staff contact: Marilyn Lewis at 535-6409 or marilyn.lewis@slcgov.com).

(This petition was heard at [6:43:37 PM](#)). [View: Memorandum](#) [View Staff Report](#)

There was no public input.

[7:26:04 PM](#) Commissioner Algarin made a motion regarding Petition 410-08-48, a Conditional Use for a carwash in a D-2 Zoning District, that the Planning Commission approve this petition subject to the following conditions:

1. The car wash operation hours are allowed from 7:00 a.m. to 9:00 p.m. Monday through Friday and from 9:00 a.m. to 9:00 p.m. on Saturday.
2. A Cross-access agreement is recorded between to parcels (auto sale lot and carwash lot) until such time that the parcels are combined through the subdivision process. This must be coordinated with the Transportation Division.

Commissioner Chambless seconded the motion.

Commissioners De Lay, Forbis, Algarin, Chambless, Muir, McDonough voted, “Aye,” Commissioners Scott and Vice Chair Woodhead voted, “No,” the motion carried.

5. **Petition 430-07-04, Granite Furniture Block/Craig Mecham Conditional Building and Site Design Review**—a request for a new mixed-use development located at approximately 2100 South and 1100 East in the Sugar House Business District (CSHBD1 Zone) consisting of commercial/office/retail and residential uses. The proposal involves construction of two new buildings with underground parking. This project is being reviewed by the Planning Commission due to the proposed building height and floor area. Buildings in the CSHBD1 that exceed fifty feet (50') in height or 20,000 square feet in size are subject to the Conditional Building and Site Design Review process. The Planning Commission has decision making authority in these matters. The property is located in City Council District Seven, represented by Søren Simonsen (Staff contact: Lex Traughber at (801) 535-6184 or lex.traughber@slcgov.com).

(This item was heard at [7:37:20 PM](#)) [View: Staff Report](#), [View: Community Council Comment](#), [View: Sugar House Merchants Association](#)

[8:27:54 PM](#) The following people spoke or submitted hearing cards in support of the proposed petition: **Grace Sperry**, Community Council; **Michelle Gilvear**, **Christian Nielsen**, **Todd Daynes**, **Stephen Benjamin**, **Eric A. White**, **Hillary McChesney**, **Don Stringham**, **James W. Woolley**, **Jerry Green**, **Barbara Green**, **Debra Williamson**, **Dereck Payne**, **Craig Lelis**, **Jerry Gurr**, **Susie Petheram**, **Jim Johnson**, **Soren Simonsen (with conditions of approval)**, **Brett Okland**, **Jaimie Boyer**, **Lisa Edgington**, **Curis Beckrest**, **Dennis Glass**, and **Ray Gardiner**.

The following people spoke or submitted hearing cards in opposition of the proposed petition: **Eric Nelson**, **Walter Carucci**, **Judi Short**, **Amy Barry**, **Laurie Brag**, and **Cindy Cromer**.

[10:40:07 PM](#) Commissioner Muir made a motion to table Petition 430-07-04 until the next Planning Commission meeting on August 13, 2008 as the first item, and that staff work with the Transportation Department/ traffic consultant to prepare a more expanded description in lay terms highlighting surrounding streets and critical intersections that may reflect what will happen in the future to surrounding neighborhoods; especially on Elm and McClellan Streets. Staff should also look specifically at the recommendations submitted by Councilman Simonsen and give a response about those, and that he developer should entertain greater permeability of the development. Condition 3 should also be expanded upon regarding the Jordan and Salt Lake City Canal, what are the grand ideas the City has about that, and what are the potential implications of that.

Commissioner Algarin amended the motion that pictures and other visuals should also be prepared for the next presentation.

Commissioner Forbis noted that he would like to add a condition to this petition, that the developer becomes LEED certified at the “Silver level”, in addition to the conditions that Council Member Soren Simonsen had suggested. [View: Councilman Simonsen's comments](#)

Commissioner Muir did not accept this as a condition, but as a minimum certification.

Vice Chair Woodhead seconded the motion.

All in favor voted, “Aye,” the motion carried unanimously.

[10:54:07 PM](#) Vice Chair Woodhead made a motion to clarify that this Petition 430-07-04 would be continued at the August 13, 2008 Planning Commission meeting, with the option of continuing it beyond this meeting if necessary.

Commissioner De Lay seconded the motion.

All in favor voted, “Aye,” the motion carried unanimously.

The meeting adjourned at 10:54 p.m.

This document, along with the digital recording, constitute the official minutes of the Salt Lake City Planning Commission held on July 30, 2008.

Tami Hansen