

**SALT LAKE CITY
PLANNING COMMISSION MEETING
In Room 315 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, July 9, 2008**

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

Present from the Planning Division were; Joel Paterson, Acting Assistant Planning Director; Kate Pace, Associate Planner; Everett Joyce, Senior Planner; Lex Traughber, 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 5:46 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: Kathy Scott, Susie McHugh, Chair Wirthlin, and Vice Chair Woodhead. Salt Lake City Staff present were: Joel Paterson, Ray Milliner, Katia Pace, Everett Joyce, and Lex Traughber.

APPROVAL OF MINUTES from Wednesday, June 25, 2008.

(This item was heard at 5:46 p.m.)

Vice Chair Woodhead made a motion to approve the minutes with noted changes. Commissioner McHugh seconded the motion. All in favor voted, "Aye", the motion passed unanimously. Commissioners De Lay and McDonough abstained.

REPORT OF THE CHAIR AND VICE CHAIR

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

Chair Wirthlin noted that neither he nor Vice Chair Woodhead had anything to report.

REPORT OF THE DIRECTOR

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

A request by Mr. David Harries for an extension of a Planned Development approval for **Petition 410-06-14**, located at approximately 479 South 600 East.

Mr. Patterson stated that this was the old Bill and Nada's Restaurant site, which had been demolished and was currently vacant. The Commission had approved a planned development on this site for a new restaurant, and the applicant was still in the process of considering their options for this site, and have requested a year extension.

Commissioner Muir stated that he needed to recuse himself for this petition.

Commissioner Chambless inquired of staff how long this lot had been vacant.

Mr. Paterson noted at least three years.

Vice Chair Woodhead inquired of staff if there was any requirement that this lot should be landscaped, pending the planned development.

Mr. Paterson stated that he inquired about that through the permit and licensing division. Typically demolition was not allowed unless a building permit had been issued or landscaping had been put in place. He noted that there was a surety bond for landscaping on the site, and he discovered that this bond had lapsed, so this was currently being looked into.

Vice Chair Woodhead inquired if the Commission should make landscaping a condition of the extension.

Mr. Paterson stated that it was required by the ordinance and it should be left as an enforcement issue.

Commissioner De Lay made a motion regarding Petition 410-06-14, that the Commission extends the approval for one year, and that the ordinance be upheld to provide landscaping on the parcel.

Commissioner Chambless seconded the motion.

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

Commissioner Muir rejoined the meeting.

Mr. Paterson stated that at the last meeting Chair Wirthlin had requested a copy of the Salt Lake City Futures Commission report; he noted that staff had made copies of that and each Commissioner should have received one.

Chair Wirthlin thanked Mr. Paterson for getting those copies to the Commission.

Commissioner De Lay inquired about the search for a new Planning Director.

Mr. Paterson stated that the search was still ongoing.

PUBLIC HEARING

Petition 400-08-08, Declaration of Surplus Property and Street Closure—a request by Thomas A. Wolff to narrow the Hot Springs Road right-of-way from approximately 86 feet to 66 feet between approximately Duluth Avenue and 1500 North and declare it as surplus property. The petition also includes a request to close a portion of the alley adjacent to the applicant's property at approximately 758 West 1500 North. The property is located in the Heavy Manufacturing (M-2) Zoning District, and in Council District Three, represented by Eric Jergensen.

(This item was heard at 5:51 p.m.)

Chair Wirthlin recognized Katia Pace as staff representative.

Ms. Pace stated that currently Hot Springs Road had an approximately 86 feet of right-of-way width; she noted that only approximately 30 feet of that was paved. She stated that as staff reviewed the application they found an alley, and the applicant was now requesting to close a portion of it. She noted that according to the Transportation Department's master plan, Hot Springs Road should only be a 66 foot width because it was a local business road.

Ms. Pace stated that she had received a complaint from one of the residents, who had a problem with the paved area of Hot Springs Road because it was too narrow and there were a lot of trailers and semi trucks parked along the street that complicated this situation. Ms. Pace noted that the City Fire Chief noted that semi-trucks should not be allowed to park along Hot Springs Road; because of this comment staff had requested that the Transportation Department perform a traffic study, which was currently being done, and signs should be put in stating that trailer and semi-truck parking was prohibited.

She noted that by closing this right-of-way it would be a benefit to this community, by simply avoiding industrial equipment and materials in that right-of-way. She noted that staff had recommended that the perimeter of the property also be fenced off.

Chair Wirthlin invited the applicant forward.

Mr. Thomas Wolff stated that the site was about three or four feet lower than the existing paved road, so for the City to use it they would have to build it up. He noted that over the years this had been an eye sore, and had been used by some of the residences and businesses in the area to park trucks, but had been blocked off so there was no access. He noted that this area was currently maintained at their expense. He also noted that the property was flooded by runoff quite frequently and he would like to re-grade it.

Chair Wirthlin opened up the public hearing portion of this petition.

Bill Whitaker (1537 South 1000 East) stated that he opposed the closing of the right-of-way, he thought if the City wanted to widen the road and make it nice that would be beneficial, but they should retain ownership and maintain the road and also enforce parking.

Vice Chair Woodhead inquired if Mr. Whitaker would still have a problem with the abutting property owner buying it if one of the options was that the City kept up the roadway.

Mr. Whitaker stated that he still did not like the idea.

Mr. Paterson noted that typically for requests like this the City would sell the property to the adjacent property owner and if that owner did not want to buy it, the City could retain ownership of it.

Vice Chair Woodhead noted that the property sold would not affect Mr. Whitaker's property.

Mr. Paterson stated that was correct.

Mr. Whitaker inquired if it would be possible for anyone to come in and purchase that property.

Mr. Paterson stated that the City tried to avoid any situation where there was a third party coming in to buy property like this, which could hold the adjacent property owners hostage.

Ms. Pace stated that there were some special circumstances surrounding this, the applicant had purchased a railroad right-of-way, which was actually one of two parcels that ran along the properties of Mr. Wolff, Mr. Whitaker, and Utah Metal Works. She noted that technically Mr. Wolff was the abutting property owner when requesting a street closure along Hot Springs Road.

Commissioner Scott inquired if in the future a situation like this happened on Mr. Whitaker's block the City could add some provision at that time so Mr. Whitaker would still have access, but which would not directly affect tonight's case.

Mr. Nielson stated that the City could not sell a parcel that would land lock a property owner.

Mr. Wolff stated that when the railroad sold him the right-of-way, they would not let him just buy the section next to his property, they made him purchase the full strip of land. He noted that he approached Utah Metal Works and Mr. Whitaker and offered their section to them at a consistent reasonable cost; but Mr. Whitaker was under the impression that he already owned it, because his title company told him he did. Mr. Wolff noted that he had no interest in really having the new sections of land that were outside of his current property boundaries, but he would use the additional square footage for parking.

Chair Wirthlin closed the public hearing.

Commissioner Scott stated that she had one concern about the containers and vehicles that currently lined the street, and wondered if the Commission could pass this onto the Enforcement Department to look at.

Commissioner McHugh stated that probably could not be done in the motion, but it should be passed along by staff as a suggestion to take a look at the issues.

Commission Scott made a motion regarding Petition 400-08-08, Hot Springs Road partial street and alley closure between Duluth Avenue and 1500 North, that the Planning Commission transmit a favorable recommendation to the City Council to partially close the subject street and alley, declare it surplus property, and recommend to Mayor Becker to sell the property to the applicant at fair market value, recommending the following conditions:

- 1. That a public drainage easement be retained over the portion of the right-of-way proposed to be closed, and that it be recorded before the property is declared surplus and sold (See Public Utilities comments on Attachment B).**
- 2. That the applicant purchases the surplus property according with Salt Lake City Code Chapter 2.58.**
- 3. That upon finalizing the purchase of the property, the applicant erects a fence around the perimeter of the property.**

Commissioner McHugh seconded the motion.

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

Petition 490-07-65, Federal Heights Subdivision Amendment—a request by Joseph and Annette Jarvis for a subdivision amendment for lots 15 (partial), 16 and 17, on Block 6 of the Federal Heights Subdivision, by subdividing the existing property into two lots. The property is located at approximately 51 North Wolcott and is located in a single family residential R-1/5,000 Zoning District in Council District Three, represented by Eric Jergensen.

(This item was heard at 6:11 p.m.)

Chair Wirthlin recognized Everett Joyce as staff representative.

Mr. Joyce stated that the lot was approximately 16,700 square feet, and the request was to split this into two lots, the new lot would be to the southwest. He noted that staff recommended approval, subject to compliance with City Departmental comments, and the recording of a final plat. It would also require that the deck removal from the southwest corner of the existing home be done in a manner to meet the setback requirements of the new lots, and that they provide two off-street parking spaces within the rear yard.

Commissioner Scott inquired about the lot width on the south side of the parcel.

Mr. Joyce stated that it was a 50 foot minimum. It narrowed on the backside, but that was on an alleyway and not a public right-of-way.

Chair Wirthlin invited the applicant forward.

Mr. Ira Rubinfeld (representing the applicant) stated that they had applied for a variance through the Board of Adjustment in April, which was denied and they were working to get bids to remove the garage, in terms of the new lot. Part of the reason they were seeking preliminary approval was to give a buyer the option of not having a huge yard. He stated that if preliminary approval was granted, this would not be a final plat until a buyer knew what a prospective buyer wanted to do.

Commissioner Chambless inquired if the Board of Adjustment rejected the petition specifically because of the garage.

Mr. Rubinfeld stated that the petition was not for the subdivision, it was for them to keep the existing garage that was too close to Wolcott, and so the order from 1979 and 1983 was that the garage had to be moved back 20 feet from the street, and if that happened the new lot could not be created, so the decision was made to demolish the garage.

Chair Wirthlin opened up the public hearing portion of the petition.

Dave Johnson stated that he did not agree with the staff finding that this change would not affect other neighbors, because he felt that the house that would be built there would be large and would depreciate property in the area.

Jenny McOmber (1389 Military Way) stated that she was concerned about the suggestion of selling the additional part of the lot to the Heritage Foundation, and wondered if that was for the current house or the new lot.

Mr. Joyce stated that the applicant first suggested that they keep the house and create only a second lot; however, by City standards three lots could actually be created from that one parcel, therefore staff gave them some ideas on how they could protect the home, but it was not required, it was just information for the applicant. He noted that through that housing protection program it would be more difficult to make major changes to the existing house.

John L. McCoy (1465 East) stated he was opposed to this petition, because if the lots were not taken care of it would prove detrimental to the neighborhood. He stated that he would like to submit a letter with the rest of his comments along with pictures for the Commissioners to review.

Vice Chair Woodhead inquired if Mr. McCoy's letter could actually be made part of the record if the Commissioners would not have an opportunity to review it in detail before they made a motion for this petition.

Mr. Nielson stated that the Commission could vote on whether or not they wanted to accept this into the record, or another remedy would be to postpone a decision on this petition until the letter and photographs were reviewed by the Commissioners.

Commissioner McHugh stated that there was a method for materials to be submitted before the meeting, so she felt it was not necessary to postpone this petition.

Chair Wirthlin stated that the Commission would not accept Mr. McCoy's letter and photographs into the record.

Commissioner De Lay stated that this was a prerogative of the Chair, but it would be a first.

Mr. Paterson stated that materials received during the meeting were included into the record.

Commissioner McHugh stated that she felt that the Commission should not postpone petitions because the whole Commission could not read a submitted letter in time.

Chair Wirthlin stated that he would pass the letter around to the Commissioners to read before making a decision.

Mr. Jarvis stated that his preference would be to sell the whole lot without splitting it into multiple lots.

Mrs. Jarvis stated that this was a very old house, and needed a lot of renovation work, and this split would give the option to the buyer, if they did not want a big yard, which several people had said they did not, or if they could not afford the big lot they could use the money to do the renovations on the home.

Vice Chair Woodhead noted that she was not quite sure what a preliminary subdivision approval meant and that this may or may not be the final outcome of what happened to this property.

Mr. Paterson stated that with the preliminary subdivision process, the Commission granted that approval, but it was not made final until the plat was prepared and recorded with the county and then it would be finalized administratively.

Commissioner Chambless inquired about how many fraternity and sororities were nearby.

Mrs. Jarvis stated that there were none north of South Temple Street, and the first was south about a block and a half away from this property.

Commissioner Chambless inquired if there was a restriction on the style of home that could be built on that lot.

Mr. Joyce stated this was not a historic district; any style of house could be built there.

Chair Wirthlin closed the public hearing.

Commissioner Scott stated that even with the lot divided she was concerned that this was still a huge lot for this neighborhood.

Commissioner McDonough stated that she felt the R-1/5,000 Zone was not a match for the neighborhood, because of the variation in lot sizes, and this could be setting a precedent for this area. She felt the zoning should be reexamined to fit the existing lot sizes.

Commissioner De Lay stated she agreed, but the neighborhood needed to be more involved in changing some of the rules and regulations in that area to help preserve and update the area.

Vice Chair Woodhead made a motion regarding Petition 490-07-65, a subdivision amendment for lots 15 (partial), 16, and 17, Federal Heights Subdivision located at approximately 51 North Wolcott, that the Planning Commission grant preliminary approval for the requested two lot subdivision amendment based on the staff report and testimony heard tonight, and subject to the following conditions:

- 1. Compliance with departmental comments.**
- 2. Final subdivision approval and recordation of a final plat.**
- 3. Removing the deck on the southwest corner of the existing house sufficient to meet side and rear yard setback requirements and providing two off street parking spaces within the rear yard.**

4. Any new construction will need to meet the standard and criteria of the R-1/5,000 Zoning District and other applicable zoning and City codes.

Commissioner Scott seconded the motion.

All in favor voted, “Aye”, Commissioner Chambless voted, “No”, the motion carried.

Petition 400-08-03, BNA Realty Jordan River State Park Annexation, Land Use Master Plan and Zoning Map Amendment—a request by BNA Realty for **annexation, master plan amendment and rezoning** of approximately 300 acres of unincorporated land located between 1700 North and 2400 North and between Redwood Road/Jordan River and 2700 West. The annexation requires amendment of the Northwest Community Master Plan and zoning of subject properties. The property is located in City Council District One, represented by Carlton Christensen.

(This item was heard at 6:47 p.m.)

Chair Wirthlin recognized Everett Joyce as staff representative.

Mr. Joyce stated that the area had two master plans, west of I-215 was the Northpoint small area plan, and east of I-215 was the Rose Park small area master plan. He noted that the recommended land uses in both of these master plans called for Business Park (BP) zoning, and the public properties would be zoned Open Space (OS). Staff recommended that the guidelines of the two master plans and policies adopted by the City be followed. He stated the recommended zoning would be Airport zoning for City properties, Business Park zoning for the west of 200 West adjacent to the airport, Agricultural zoning for the areas with single family homes and residential uses on smaller lots, and the petitioner’s subject parcel would be zoned Business Park (BP).

He noted that there were some overlay zones that would also affect this property, the Airport Influence Overlay Zone and the Riparian Corridor; any new development would have to get approval from the airport to make sure that the height did not affect the flight patterns of aircraft. The airport also had a landscape requirement, which restricted tree vegetation, but would only affect the properties west of 2200 West in the proposed annexation.

Chair Wirthlin invited the applicant Mr. Keith Wilson forward.

There were no questions for the applicant from the Commission.

Chair Wirthlin opened up the public hearing portion of the petition.

Paul Horlet (property owner 2200 West and 2100 North) stated that he was concerned because he would have a fifteen percent tax increase and less land with the new zoning. He did want to develop the property in the future and he did not want his property to be zoned Business Park (BP).

Chair Wirthlin closed the public hearing.

Commissioner De Lay made a motion regarding Petition 400-08-03, based on the analysis and findings in the staff report, and testimony heard at the meeting, that the Planning Commission forward a favorable recommendation to the City Council to annex property located within the general boundaries of 1700 North and 2400 North and between Redwood Road/ Jordan River and 2700 West. The Planning Commission recommends zoning the subject annexation parcels consistent with the Northpoint and Rose Park small area plans, and that specific zoning recommendations included on page 10 of the staff report shall be included in the motion, under Attachment A: recommended zoning.

Vice Chair Woodhead seconded the motion.

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

Chair Wirthlin called for a short break at 6:59 p.m.

Chair Wirthlin reconvened the meeting at 7:09 p.m.

Petition 410-08-09, YWCA Campus of Salt Lake City Conditional Use/Planned Development—a request by the YWCA of SLC to redevelop and expand their operation at their current location at approximately 322 East 300 South. In an effort to have a greater outreach to the community, and replace inadequate facilities, the YWCA proposes to construct two new buildings on the campus which will be women’s crisis shelters and residences and will include support spaces. The subject site is zoned R-MU (Residential/Mixed Use District) and located in City Council District 4, represented by Luke Garrott.

(This item was heard at 7:09 p.m.)

Chair Wirthlin recognized Lex Traugher as staff representative.

Commissioner De Lay disclosed that she had met with the YWCA several times to assist them with information about planning and zoning and had also helped them raise a lot of money throughout the years. She inquired if the Commissioners felt she should recuse herself.

Commissioner McHugh stated that she had contributed financially to this building fund, and felt there was no conflict, but posed the same question to the Commission.

Commissioner Chambless stated that he too had contributed money, but felt that if the Commissioners did not get financial gain he did not feel there was a conflict.

Chair Wirthlin noted that the Commission did not feel there was a conflict.

Mr. Traugher stated that the YWCA was proposing two new buildings; Building A would front 300 East and Building B would be a new building located on the south portion of the campus where there was currently tennis courts and a parking lot. He noted that the applicant was also planning on reducing some of their hard surface parking by installing green space for the use of their clients.

Mr. Traugher stated that the reason this was before the Commission was because there was a code section that required requests of this nature to seek approval, should the floor area increase by 1,000 gross square feet, or a parking requirement increase, which the applicant was asking for both. He noted that the applicant was also requesting Planned Development approval and a relaxation of development standards for several items; first, the relaxation of the 15 foot maximum setback, required in the R-MU Zone; second, a relaxation for the minimum 40 percent glass requirement for the first floor of the new building which will face 300 East; third, a relaxation for the requirement for one operable building entrance per elevation that faces a public street, the applicant is proposing an entrance that faces north and would be accessed through the courtyard.

He stated that the R-MU Zone required a 15 foot setback; essential to create a walkable streetscape/community. The applicant was requesting that Building B be placed approximately 335 feet from the property line on 300 south, and this new building would act to create and frame the campus. There were several reasons why staff felt this was appropriate; first, a transitional victim home had the need for privacy and security and by creating the enclosed campus it would create that type of atmosphere; second, the structures would frame the internal parking lot; third, the internal green space would create a safe and pleasing environment for the clients of the YWCA.

He stated that in terms of the 40 percent glass requirement waiver request on the east face of Building A, the applicant had done a lot to meet that requirement, but staff felt there was still more that could be done, particularly around the main entrance off the courtyard—it would not have to be clear glass, just something that would allow light to pass.

Commissioner De Lay stated that she was concerned that staff was pushing the 40 percent glass requirement, and when considering all the services of the YWCA it seemed the less glass the better for the privacy and protection of the people utilizing the campus. She inquired how staff weighed the sensitivity versus the use.

Mr. Traugher stated that the applicant could probably answer that more effectively.

Commissioner McDonough inquired if Mr. Traugher knew what was on the second level of Building A.

Mr. Traugher stated he did not.

Commissioner Muir inquired how the setback was measured, was it to the property line or the front door of the facility; and as this campus expanded would the difference of proximity issues expand with it.

Mr. Traugher stated it was measured to the property line, so as long as in the future new structures were contained in the property line it had no effect on the proximity issue.

Chair Wirthlin invited the applicant forward.

Ms. Anne Burkholder (Chief Executive Officer of the SLC YWCA) stated that the crisis shelter was on the second and third floors of Building A. She noted that was partly why they had requested the relaxation of the 40 percent glass requirement, because part of the YWCA's charge in providing shelter to a vulnerable population was to really protect their confidentiality, safety, and privacy. She stated that the concern was if there was a lot of glass at that entrance it would compromise that.

Commissioner De Lay inquired if perpetrators were always coming to the shelter.

Ms. Burkholder stated that yes, they did have a lot of problems with abusive partners coming to the campus, and even though there were security cameras, they were trying to create the safest place possible.

Commissioner Chambless inquired about how long the exterior fencing had existed.

Ms. Burkholder stated that it was put up in the late 1990s, when some landscaping was done on the corner of 300 East and 300 South and they planned on erecting more fencing.

Commissioner Chambless inquired if the YWCA felt that the lighting in the area was sufficient.

Ms. Burkholder stated that they were trying to establish sufficient lighting.

Commissioner De Lay inquired if they were building environmentally friendly.

Ms. Burkholder stated that they were trying to make the project as environmentally friendly and sustainable as possible within their limited budget.

Ms. Jill Jones (architect) stated that they had designed a sustainable project, they were not doing LEED certification, but if they were this project would measure somewhere between silver and gold LEED standards.

Mr. Matt Wallace (architect) stated that one of the existing buildings on campus was undergoing a solar water heating system upgrade.

Vice Chair Woodhead inquired about staff's condition 3, which required more glass and how the applicant felt about that.

Ms. Jones stated that they had reviewed many renderings to increase the glass, they tried to comply with this condition, but for safety reasons they were never able to completely achieve the 40 percent and keep the privacy of the clients.

Commissioner McDonough stated that on the elevation she saw cabling over the windows, and wondered if that was for landscaping purposes.

Ms. Jones stated yes, on several of the elevations there would be a rooftop garden and cabling to allow landscape to grow vertically on that façade.

Chair Wirthlin opened the public hearing portion of this petition. There was no one present to speak to the petition; Chair Wirthlin closed the public hearing.

Commissioner De Lay stated that she did not have any issues with relaxing the glass requirement because of the security issues, so her inclination would be to strike the second part of condition 3.

Vice Chair Woodhead stated she was a little conflicted with this because in some ways she felt this use was incompatible with this neighborhood, because it was in a very walkable neighborhood and this project was not pedestrian friendly. She felt that this design however did come close enough.

Commissioner McDonough stated that she saw this as being compatible with the neighborhood because of the historic structure that people could walk by and see, and it was a great use of an interior block, which was not seen in this City very often.

Commissioner Scott stated that this project was internally focused, but it was important that people passing by were not looking at the backs of buildings, which was why the ordinance had the forty percent glass requirement. She stated that she would be willing to waive this, but she did like the idea of the Planning Director being the final decision maker.

Commissioner McHugh stated that she was thinking of the security of the clients, the more glass the easier it was for somebody to break through and get into the facility. She noted that she was not leaving the final decision up to the Planning Director because staff had already stressed that they would like more glass, and the Commission seemed to be fine with the design. She stated that she agreed with Commissioner De Lay to keep condition 3, but strike the second part of the condition.

Commissioner Muir inquired if the applicant could explain the south elevation of Building A, and if there were inset panels on the first story of the parking structure.

Mr. Wallace stated those were openings into the parking garage and part of the screen system would be to secure those openings so somebody could not physically get through them.

Commissioner Muir inquired why they would not move those around to the front elevation, it would seem that the visibility from 300 East would be made more secure if that was done.

Commissioner McDonough made a motion regarding Petition 410-08-09, YWCA Campus of Salt Lake City that the Planning Commission approve this petition based on the staff report and testimony heard at the meeting, based on the following conditions:

- 1. Compliance with the departmental comments as attached to this staff report.**
- 2. The setback for Building B is modified as shown on the attached site plan. This setback exceeds the fifteen foot (15') maximum setback required in the R-MU Zone.**
- 3. The forty percent (40%) minimum first floor glass is waived in part to provide security and privacy for the client "intake" area. ~~however the applicant shall use more glass than shown on the attached elevations.~~ The Planning Director will have final decision making authority regarding the amount of glass used.**
- 4. The requirement for an operable building entrance on 300 East is waived for privacy and security needs of the YWCA and the clients that are served. This waiver of standard is also based on the proximity of a proposed entrance on the north elevation of Building A adjacent to 300 East.**

Discussion of the motion:

Commissioner McDonough stated that she would like to leave in condition 3, that the Planning Director did have the final decision.

Commissioner De Lay clarified that the language removed from condition 3 would be, *however the applicant shall use more glass than shown on the attached elevations.*

Commissioner McDonough stated yes.

Commissioner Scott seconded the motion.

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

Petition 410-07-59, Planned Development—a request for a Planned Development by Salt Lake County for two buildings on one lot and a modification of the minimum front yard setback, 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. Recreation facilities are a permitted use in the OS District. The building will be approximately 61,000 square feet in size. The property is located in Council District One, represented by Carlton Christensen.
(This item was heard at 7:43 p.m.)

Chair Wirthlin recognized Ray Milliner as staff representative.

Mr. Milliner stated that the reason this planned development was before the Commission was because there were two primary structures on the property and because the applicant was requesting a reduction in the front yard setback to accommodate parking.

He stated that there was an error in the staff report, the reduction for the required front yard setback for the parking area was actually 45 feet to 20 feet.

He stated that the primary reason for the setbacks was by placing the parking in the front yard setback, it would preserve more open space and park area in the rear and would preserve more usable open space.

Chair Wirthlin invited that applicant forward.

Mr. John McConkie (Cooper, Robert, Simonsen, Associates) stated that they had been working to try and maintain the green space in this park, which was currently being used as soccer and baseball fields and if this parking were to be placed anywhere else it would take away from the use of those scheduled activities.

Commissioner Scott inquired if the existing building would be kept, and if it would be upgraded because it looked a bit worn down.

Mr. McConkie stated that the existing building would continue to house certain functions; a food bank, a daycare center, a senior center, and some other community functions. He stated that the building was undergoing a renovation currently and there would be some outside efforts to improve the appearance of the exterior by painting; however, most of the exterior finish would remain as it was partly because of some aspestice used in some of the exterior features that had been deemed irreplaceable. He noted that the entrance to the north would become a stronger entrance and have a new plaza.

Chair Wirthlin opened up the public hearing portion of the petition; he noted there was no one present to speak. Chair Wirthlin closed the public hearing.

Commissioner Scott made a motion based on Petition 410-07-59, that the Planning Commission approves the Northwest Recreation Center Planned Development based on the following conditions:

- 1. Approval of the planned development application shall be contingent upon compliance with all applicable departmental comments and development policies included within the staff report.**
- 2. The front yard setback shall be reduced from 45 feet on the front to 20 feet.**
- 3. Approval of a special exception request for alternative parking is required prior to the issue of a final building permit. If the alternative parking application is not approved, the parking situation shall be modified to meet the requirements of the Zoning Ordinance.**
- 4. Prior to the issue of a building permit, the applicant shall modify the driveway approaches to the minimum standard acceptable by the City Transportation and Engineering Divisions.**
- 5. The applicant shall plant a seven foot (7') side landscape buffer between the parking lot and the property line.**

Commissioner De Lay seconded the motion.

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

Chair Wirthlin expressed that he was thankful for Planning Staff and their hard work.

The meeting was adjourned at 7:51 p.m.

Tami Hansen