

**SALT LAKE CITY
PLANNING COMMISSION MEETING
In Room 315 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, October 8, 2008**

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

Present from the Planning Division: Wilf Sommerkorn, Planning Director; Joel Paterson, Programs Manager; Paul Neilson, City Attorney; Everett Joyce, Senior Planner; Casey Stewart, Principal Planner; Wayne Mills, Senior Planner; 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, and Kathy Scott. Staff members present were: Joel Paterson, Casey Stewart, Everett Joyce, and Wayne Mills.

APPROVAL OF MINUTES FROM WEDNESDAY, September 24, 2008.

[5:47:32 PM](#) Commissioner De Lay made a motion to approve the minutes from Wednesday, September 24, 2008 with noted changes. Commissioner McHugh seconded the motion, Commissioner Chambless abstained. All in favor voted, "Aye," the motion passed unanimously.

[5:48:49 PM](#) REPORT OF THE CHAIR AND VICE CHAIR

[5:49:15 PM](#) REPORT OF THE DIRECTOR

Mr. Wilf Sommerkorn noted that Pat Comarell had been appointed as the new Assistant Planning Director.

PUBLIC HEARING

[5:50:32 PM](#) **Metropolitan Landing Condominiums**—a request by International Commercial Properties, LLC, for conditional use—planned development approval, conditional use for extra building height, and preliminary plat approval to build a new five building residential condominium project. The project consists of 79 total residential units, accessory carports, a basketball court, and children's play area. The project address is approximately 961 South Redwood Road in a CC (Corridor Commercial) zoning district. The property is located in City Council District Two, represented by Van Turner. [View: Staff Report](#) [View: U.S. Welding Letter](#)

- a. **Petition 410-08-52 Conditional Use for Planned Development and extra building height.** The applicant is requesting approval to construct multiple principal buildings (five) on the same lot. The buildings will contain residential condominium units.
- b. ****Petition 480-08-10 Condominium Preliminary Plat.** The applicant requested preliminary approval for a condominium plat to divide up the ownership of the proposed residential buildings.

Chair Wirthlin recognized Casey Stewart as staff representative.

6:19:23 PM Public Hearing:

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

The following person spoke or submitted a hearing card in *opposition* to the proposed petition: **Richard Lofgren**, President of United States Welding (600 S. Santa Fe, Denver, Co 80223). Mr. Lofgren stated that he was not necessarily directly opposing the project; he just wanted to make sure that the neighbors understood that they were next to a chemical facility.

Chair Wirthlin noted that there was no one else present to speak, and closed the public hearing.

6:32:23 PM Motion:

Commissioner De Lay made a motion regarding Planned Development Petition 410-08-52, based on the findings listed in the staff report, the Planning Commission finds that the project meets the applicable standards and approves this development with the following conditions:

1. **Compliance with the City department comments for the project.**
2. **Final approval of the site plan, building elevations drawings, and the landscape plan is delegated to the Planning Director.**
3. **The pedestrian pathway leading from the concrete sidewalk along Redwood Road, across the circulation drive, shall be constructed of stone pavers with different color pavers for the borders.**
4. **Approval of 6 extra feet to allow a building height of 36 feet.**
5. **Provide future access on the north side of the property to any future trail corridor developed on the old railway line.**
6. **Move Building C and associated parking, approximately 25 feet to the east, or at the Planning Director's discretion.**
7. ***The Planning Commission suggests that staff should forward to the Public Safety and Fire Departments revisit the site and be given the letter submitted by U.S. Welding to review.***
8. **A fenced area, specifically used as a dog park, should be included on the site.**
9. **One hundred percent native trees should be used.**
10. **At least fifty percent (50%) xeriscaping shall be used on the site.**
11. **The basketball court shall be fenced, for safety reasons.**
12. **Four (4) barbeques and six (6) to eight (8) permanent tables should be placed in the interior of the project.**
13. **Additional windows on the west side shall be included into the plans.**

Commissioner Chambless seconded the motion.

6:33:48 PM Discussion of the motion:

Mr. Nielson noted that condition seven (7), for the Public Safety and Fire Departments to revisit the site should not be a condition because conditions are for the applicant to fill and not a third party. He noted that it would be more appropriate for the Commission to direct staff to forward that suggestion and letter to the applicable departments.

Commissioner De Lay accepted this amendment.

Chair Wirthlin inquired about the fifty percent xeriscaping and if that included the front of the project. He stated that this project was family oriented, and he needed more insight as to what this requirement would entail.

Commissioner De Lay stated that the xeriscaping was not intended for the green interior space, but for the front of the project and behind the buildings around the parking area.

Commissioner McDonough noted that she did not think fifty percent xeriscaping was too much, because there were plenty of opportunities around the entries to each of the buildings, in between patios and between the buildings.

Chair Wirthlin stated that if the xeriscaping was fulfilled around the perimeter that was fine, but if it encroached onto the green space that might be a problem.

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

Commissioner De Lay recused herself from the meeting.

[6:39:49 PM](#) **Petition No. PLNSUB2008-0031, The Flats at Capitol Hill, Conditional Use at 477 N. 300 West**—a request by Metaview Development for approval of a modification to the density regulations as allowed through conditional use in the RMU-45 zoning district. The applicant requests an increase in density allowance for five additional dwelling units. The density increase would be from 22 units to 27 units. **View:** [Staff Report](#)

Chair Wirthlin recognized Everett Joyce as staff representative.

Public Hearing: Chair Wirthlin opened up the public hearing, there was no one present to speak to the petition. Chair Wirthlin closed the public hearing.

[6:49:23 PM](#) **Motion:**

Commissioner McDonough made a motion regarding Petition PLNSUB2008-0031, based on the findings listed in the staff report, testimony and discussion heard at the meeting, the overall project generally meets the applicable standards and therefore, the Planning Commission approves the conditional use request for increased density.

Commissioner Algarin seconded the motion.

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

[6:49:59 PM](#) **Petition No. PLNPCM2008-0538, Salt Lake City Code Maintenance; Fine Tuning text amendments**—a request by the Salt Lake City Mayor to analyze the feasibility of amending the City Code including the Subdivision and Zoning Ordinances to provide for clarity and efficiency of use as part of an ongoing process of code maintenance. The following issues are being considered: **View:** [Staff Report](#)

1. Subdivision Posting—Change posting period from 14 to 10 days,
2. Maximum Building Height—Use number of feet only, rather than number of feet and number of stories relating to the maximum height requirement.
3. Unit Legalization—change apartment license requirement from 5 dwelling units to 3 dwelling units,

4. Correct Reference—Within the Qualifying Provisions reference section of the RMU-35 and RMU-45 Zoning Districts, the minimum lot area and lot width requirements reference the wrong section of the ordinance, and
5. Multiple Structures in MU Zoning District—allow more than one principal building on a lot in the MU Mixed-Use Zoning District.

Chair Wirthlin recognized Everett Joyce as staff representative.

Commissioner De Lay rejoined the meeting.

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

[6:53:53 PM](#) **Motion:**

Commissioner Scott made a motion regarding Petition PLNPCM2008-00538 Salt Lake City Code Maintenance Zoning Text Amendment, that the Planning Commission transmits a favorable recommendation to the City Council to adopt the proposed text amendments for code maintenance purposes.

Commissioner McHugh seconded the motion.

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

[6:54:51PM](#) **Petitions PLNSUB2008-00198 and PLNSUB2008-00355, Planned Development/Minor Subdivision, Edmonds Court**—a request by Neighborworks Salt Lake for Planned Development/Minor Subdivision approval to construct a six dwelling unit single-family attached town house project on three existing lots located at approximately 645 West 400 North, 363 North Edmonds Place, and 357 North Edmonds Place. The property is located in the SR-3 Special Development Pattern Residential District. **View:** [Staff Report](#)

Chair Wirthlin recognized Wayne Mills as staff representative.

Public Hearing: Chair Wirthlin opened the public hearing portion of this petition; he noted that there was no one present to speak. Chair Wirthlin closed the public hearing.

[7:05:39 PM](#) **Motion:**

Commissioner Algarin made a motion to approve Petitions PLNSUB2008-00198, and PLNSUB2008-00355, based on comments, analysis and staff recommendation, and subject to the following conditions:

1. **Compliance with the departmental comments as attached to the staff report.**
2. **A final subdivision application shall be submitted to the City and, upon completion of the final plat process, the plat shall be recorded at the Salt Lake County Recorders Office.**
3. **The developer shall provide notice to the property owners that the area between the rear lot line and the I-15 sound wall is owned by the Utah Department of Transportation, and is subject to any recorded easements on the land. The notice shall be recorded with the Salt Lake County Recorder on each affected parcel in the development.**

Commissioner Scott seconded the motion.

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

Chair Wirthlin stated that the Commission needed to entertain a motion to bring back to the table the first public hearing, for the Metropolitan Landing Condominiums, because there were two petitions and the Commission only voted on the first.

[7:06:33 PM](#) **Motion:**

Commissioner De Lay made a motion to bring Petition 480-08-10 back to the table.

Commissioner Algarin seconded the motion.

**** Petition 480-08-10 Condominium Preliminary Plat.** The applicant is requesting preliminary approval for a condominium plat to divide up the ownership of the proposed residential buildings.

[7:07:06 PM](#) **Motion:**

Commissioner McDonough made a motion regarding Preliminary Condominium Plat, Petition 480-08-10, based on the findings in the staff report, and testimony heard at the meeting, the Planning Commission approves the petition with the following conditions:

- 1. The final condominium plat shall be recorded with the Salt Lake County Recorder.**
- 2. Compliance with the departmental comments as outlined in this staff report.**
- 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. 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 Muir seconded the motion.

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

The meeting adjourned at 7:07 p.m.

This document, along with the digital recording, constitute the official minutes of the Salt Lake City Planning Commission held on October 8, 2008.

Tami Hansen