

MEMORANDUM

451 South State Street, Room 406
Salt Lake City, Utah 84111
(801) 535-7757



Planning and Zoning Division
Department of Community Development

TO: Salt Lake City Planning Commission

FROM: Doug Dansie, Senior Planner

DATE: September 15, 2009

SUBJECT: PLNSUB2009-00292 River Glen Subdivision Amendment, and
PLNSUB2009-00293 River Glen Planned development

This is a request by Dewayne Iverson to eliminate a (never constructed) pedestrian easement within the River Glen subdivision.

Attached are drawings for the River Glen Subdivision Amendment. The proposed subdivision amendment is located at 1368 South Dokas Lane (1630 West). The amendment involves the elimination of a pedestrian access walk way between Dokos Lane and the Jordan Surplus Canal. The pedestrian easement was on the plat of the original planned development and subdivision (petition 410-565) but was never constructed.

The original subdivision and planned development were approved in January 2002, with the requirements of a public open space and retention basin area. The public access to the Jordan Surplus Canal was shown on the plat but not mentioned in the minutes as a requirement. The public amenities were approved in exchange for reduced street widths. The open space resulted in one less lot being developed than was originally proposed. Several of the lots were "zero lot line", including the lot adjacent to the easement. The actual subdivision was built with the open space and detention basin; however the developer did not construct the pedestrian walkway; although there is a locked gate that may be reopened.

The walk way was never built, however the City is holding a bond to insure its construction. The petitioner is asking that the requirement for a walkway be eliminated, the land incorporated into the adjacent building lot and the bond money is returned to him. The easement is not owned by

the City, but is controlled by a non-functioning homeowners association. Therefore there is no City surplus property involved and the City Council does not need to take action regarding the abandonment of the easement.

The Jordan Canal has access from the retention basin area 9 lots to the south at 1430 South Utah Street, or approximately 400 feet from the easement location. Access to the Jordan Surplus Canal is also available to the north at California Avenue and Redwood Road.

Salt Lake City has been working with Federal Agencies to upgrade the Jordan Canal as a formal trail; however the Army Corp of Engineers is reviewing levee standards and working to determine if the height and construction of the canal are adequate. It is not likely that any formal trail will exist along the canal until that work is determined. Recently there was a drowning in the canal, near this area, which has raised concerns by the neighborhood.

Applicable City Departments were contacted regarding the proposed elimination of an easement. No concerns were expressed.

The issue was presented to the Glendale Community Council on September 16, 2009. They expressed support for eliminating the access, citing safety concerns. They took a vote: 21 support closure, 1 opposed.

Analysis

Amendments to subdivisions are subject to the following standards:

20.31.090: STANDARDS FOR APPROVAL OF AMENDMENT PETITION:

An amendment petition shall be approved only if it meets all of the following requirements:

- A. The amendment will be in the best interests of the city;
- B. All lots comply with all applicable zoning standards;
- C. All necessary and required dedications are made;
- D. Provisions for the construction of any required public improvements are included;
- E. The amendment complies with all applicable laws and regulations; and
- F. The amendment does not materially injure the public or any person and there is good cause for the amendment. (Ord. 7-99 § 23, 1999)

Discussion: The findings of the original staff report remain valid. The lots are in conformity with City standards as modified by the Planned Development, easements are in place and construction has been concluded, except for the walkway. Closure of this easement will be in the best interests of the City because the City does not own the property and the homeowners association is not maintaining it. The majority of property owners in the subdivision (which would comprise the homeowners association) have requested the elimination of the easement. The neighborhood is served by other access points to the Jordan Surplus Canal. The amendment to the planned development and the subdivision do not require the surplus of any City property, they merely require altering the plat to reflect what is constructed on the ground.

Finding: The amendment will be in the best interest of the City, all lots comply with applicable zoning standards as modified by the planned development, all other necessary dedications and easements have been made, provisions for public improvements have been made, the amendment does not materially injure the public and there is good cause for the amendment.

Amendments to planned developments are subject to the following standards:

21A.54.150 S. Modifications To Development Plan:

1. New Application Required For Modifications And Amendments: No substantial modification or amendment shall be made in the construction, development or use without a new application under the provisions of this title. Minor modifications or amendments may be made subject to written approval of the planning director and the date for completion may be extended by the planning commission upon recommendation of the planning director.
2. Minor Modifications: During build out of the planned development, the planning director may authorize minor modifications to the approved final development plan pursuant to the provisions for modifications to an approved site plan as set forth in chapter 21A.58 of this title, when such modifications appear necessary in light of technical or engineering considerations. Such minor modifications shall be limited to the following elements:
 - a. Adjusting the distance as shown on the approved final development plan between any one structure or group of structures, and any other structure or group of structures, or any vehicular circulation element or any boundary of the site;
 - b. Adjusting the location of any open space;
 - c. Adjusting any final grade;
 - d. Altering the types of landscaping elements and their arrangement within the required landscaping buffer area; and
 - e. Signs.

Such minor modifications shall be consistent with the intent and purpose of this title and the final development plan as approved pursuant to this section, and shall be the minimum necessary to overcome the particular difficulty and shall not be approved if such modifications would result in a violation of any standard or requirement of this title.

3. Major Modifications: Any modifications to the approved final development plan not authorized by subsection S2 of this section shall be considered to be a major modification. The planning commission shall give notice to all property owners whose properties are located within one hundred feet (100') (exclusive of intervening streets and alleys) of the planned development, requesting the major modification. The planning commission may approve an application for a major modification to the final development plan, not requiring a modification of written conditions of approval or recorded easements, upon finding that any changes in the plan as approved will be in substantial conformity with the final development plan. If the commission determines that a major modification is not in substantial conformity with the final development plan as approved, then the commission shall review the request in accordance with the procedures set forth in this subsection.

Discussion:

The access closure is not specifically listed in the criteria for minor amendments; therefore it is a major amendment. There is no discussion of the pedestrian easement in the minutes of the original approval which indicates it was of secondary concern. Even with elimination of the easement, access remains to the Jordan Surplus Canal at arguably better, more visible, nearby locations.

Finding:

Staff finds the proposed modification within substantial conformity of the original planned development because the primary open spaces were constructed, access to the Jordan Canal is maintained at nearby locations and the immediate neighborhood and community support the closure.

Recommendation

Staff recommends that the Planning Commission approve the elimination of the pedestrian easement in River Glen Subdivision and Planned Development.

Attachments

Original plat

Plat amendment

Original staff report and minutes

Photo of easement location (easement is supposed to be located north of the wooden fence)

Photos of open space park

Photos of retention basin

Homeowner signatures

Comments from other departments

DESERT DESIGN

ARCHITECTURAL AND CONSULTING ENGINEERS, L.L.C.

A FULL SERVICE DESIGN AND ENGINEERING COMPANY

300 N. BURNETT AVE.
SUITE 100
PALM SPRINGS, CA 92262-1000
TEL. 760/325-1000 FAX 760/325-1004



MADISON EAST-WEST SUBDIVISION PH. 4

1850 S. CALIFORNIA AVE.
SALT LAKE CITY, UT 84119

LOCATED IN SECTION 16, TOWNSHIP 36 NORTH RANGE WEST-
SALT LAKE BASIN - MOUNTAIN

NERSON HOMES, L.P.C.

4222 E. KANAWA HOLLAND RD. #208
SALT LAKE CITY, UT 84119-8957
PH: 377-7041

LANDSCAPE PLAN

SHEET NUMBERED 14 OF 14

CRAWFORD BY: W. J. FRANKIE
 DATE: AUG. 7, 2000
 CHECKED BY: W. J. FRANKIE
 DATE: JUNE 3, 2002
 SCALE: 1" = 60'

RIVER GLEN SUBDIVISION AMENDED
AMENDING LOT 10, RIVER GLEN SUBDIVISION
LOCATED IN THE NORTHEAST QUARTER OF SECTION 15,
TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN
SALT LAKE CITY, SALT LAKE COUNTY, UTAH

SURVEYOR'S CERTIFICATE
I, Patrick M. Harris, do hereby certify that I am a Professional Land Surveyor, and that I hold
Certificate No. 286882 as prescribed under the laws of the State of Utah. I further certify that by authority
of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have
described the streets, hereafter to be known as:

**RIVER GLEN SUBDIVISION
AMENDED**

AMENDING LOT 10, RIVER GLEN SUBDIVISION

and that same has been surveyed and staked on the ground as shown on this plat.

BOUNDARY DESCRIPTION

Beginning in the Southeast corner of Lot 10, River Glen Subdivision as shown on the plat of the Salt Lake County
Recorder's Office, Book 2002, Page 306, and running:

Thence South 21°16'52" East 37.13 feet along the west line of Doka Lane;
thence Southwesterly 9.80 feet along the arc of a 93.13 foot radius curve to the left (center near) South 64°11'44"
East and the long chord bears South 24°17'43" East 9.79 feet with a central angle of 8°01'41" in the Southwest Corner
of Lot 8, River Glen Subdivision;
thence South 64°11'44" West 85.78 feet along the north line to the Northwest Corner of Lot 10;
thence North 21°16'52" West 53.63 feet to the Southwest Corner of Lot 8, River Glen Subdivision;
thence North 64°11'44" East 85.00 feet along the north line of said Lot 8 to the point of Beginning.

Content 4.276 square feet 0.10 acre ± 1.1%

Closure = 1" 54.816"

March 10, 2009

Date

Patrick M. Harris
License No. 286882



OWNER'S DEDICATION

Know all men by these presents that the undersigned owner(s) of the above described
tract of land, having caused the same to be described the streets to be hereafter known as:

**RIVER GLEN SUBDIVISION
AMENDED**

AMENDING LOT 10, RIVER GLEN SUBDIVISION

do hereby dedicate for perpetual use of the public all rights-of-way as shown on this plat as intended
for Public Use.

In witness whereof, have hereunto set this day of A.D. 20

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF

On the day of A.D. 20, personally appeared before me,
the undersigned Notary Public, in and for said County of, in the State of, who after
being duly sworn, acknowledged to me that
signed the Owner's Dedication freely and voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES: NOTARY PUBLIC
RESIDING IN COUNTY

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF

On the day of A.D. 20, personally appeared before me,
the undersigned Notary Public, in and for said County of, in the State of, who after being
duly sworn, acknowledged to me that
a Limited Liability Company, that signed the Owner's Dedication freely
and voluntarily for and in behalf of said limited liability company for the purposes therein mentioned.

MY COMMISSION EXPIRES: NOTARY PUBLIC
RESIDING IN COUNTY

**RIVER GLEN SUBDIVISION
AMENDED**

AMENDING LOT 10, RIVER GLEN SUBDIVISION

LOCATED IN THE NORTHEAST QUARTER OF SECTION 15,
TOWNSHIP 1 SOUTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN
SALT LAKE CITY, SALT LAKE COUNTY, UTAH



LEGEND

- EXISTING STREET MONUMENT
- SECTION CORNER
SET 5/8" REBAR WITH YELLOW
PLASTIC CAP OR NAIL STAMPER
'ENGIN' ENG. & LAND SURV.'
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE



HORIZONTAL GRAPHIC SCALE



SURVEYOR'S NARRATIVE

I, Patrick M. Harris, do hereby state that I am a Registered Professional
Land Surveyor and that I hold certificate no. 286882 as prescribed by the laws
of the State of Utah and represent that I have made a survey of the following
described property: The Purpose of this survey is to provide a plat amendment
to an owner. The basis of bearing is between a PT and a PC monument to
Doka Lane measuring South 55°36'26" East 85.55 feet.



SALT LAKE CITY
40 E. First Union Blvd.
Suite 100
Midvale UT 84049
Phone: 801.255.0529
Fax: 801.255.4499
WWW.ENSIGNUTAH.COM

SHEET 1 OF 1

PROJECT NUMBER: 27470

MANAGER: P. HARRIS

DRAWN BY: C. MOODY

CHECKED BY: P. HARRIS

DATE: 03/05/09

LAYTON

Phone: 801.547.1100

PLEASANT GROVE

Phone: 801.794.8446

TOOELE

Phone: 435.845.3500

NOTES

QUESTAR APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE
PLAT CONTAINS PUBLIC UTILITY EASEMENTS. QUESTAR MAY REQUIRE OTHER
EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT
CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS
OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE
ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE
PLAT, INCLUDING THOSE SET FORTH IN THE OWNER'S DEDICATION AND THE NOTES AND
DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS
SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT QUESTAR'S REGIONS MARK
DEPARTMENT AT 1-800-366-8552.

NUMBER	BOARD OF HEALTH	CITY PLANNING DIRECTOR	CITY ENGINEERING DIVISION	CITY PUBLIC UTILITIES DEPARTMENT	CITY ATTORNEY	CITY APPROVAL	RECORDED #	NUMBER
ACCOUNT	APPROVED THIS DAY OF A.D. 20	APPROVED THIS DAY OF A.D. 20	I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE.	APPROVED AS TO SANITARY SEWER AND WATER UTILITY DETAIL THIS DAY OF A.D. 20	APPROVED AS TO FORM THIS DAY OF A.D. 20	PRESENTED TO SALT LAKE CITY THIS DAY OF A.D. 20 AND IS HEREBY APPROVED	STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF: DATE: TIME: BOOK: PAGE: FEES: DEPUTY SALT LAKE COUNTY RECORDER	ACCOUNT
SHEET 1 OF 1 SHEETS	DIRECTOR S.L. BOARD OF HEALTH DATE	SALT LAKE CITY PLANNING DIRECTOR DATE	CITY ENGINEER DATE CITY SURVEYOR DATE	SALT LAKE CITY PUBLIC UTILITIES DIRECTOR	SALT LAKE CITY ATTORNEY	SALT LAKE CITY MAYOR SALT LAKE CITY RECORDER		SHEET 1 OF 1 SHEETS

SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 126 of the City & County Building at 451 South State Street
Thursday, December 6, 2001, at 5:48 p.m.

Present from the Planning Commission were Chairperson Robert "Bip" Daniels, Jeff Jonas, Tim Chambless, Kent Nelson, Laurie Noda, Kay (berger) Arnold Prescott Muir, Arla Funk, Peggy McDonough and Andrea Barrows.

Present from the Planning Staff were Planning Director Stephen Goldsmith, Deputy Planning Directors Brent Wilde and Doug Wheelwright, Cheri Coffey, Greg Mikolash, Everett Joyce and Ray McCandless.

A roll is being kept of all who attended the Planning Commission Meeting. Mr. Daniels called the meeting to order at 5:50 p.m. Minutes are presented in agenda order and not necessarily as cases were heard by the Planning Commission. Tapes of the meeting will be retained in the Planning Office for a period of one year, after which, they will be erased.

APPROVAL OF MINUTES

Mr. Jonas made a motion to approve the minutes of Thursday, November 15, 2001, subject to the discussed corrections being made as requested.

Ms. Noda seconded the motion. Ms. Arnold, Ms. Noda, Ms. Funk, Mr. Nelson, Mr. Jonas, Mr. Chambless and Ms. Barrows voted "Aye". Mr. Muir abstained, as he didn't attend the meeting. Mr. Daniels, as Chairperson, did not vote. The motion carried.

PUBLIC HEARINGS

PUBLIC HEARING - Petition No. 410-559, by Qwest Wireless, requesting conditional use approval to allow a wireless telecommunication facility disguised as a 60 foot high flag pole at 1611 West 700 North in a CB Community Business "CB" zoning district.

Mr. McCandless presented the staff report. Qwest Wireless is requesting approval to install a 60-foot high wireless telecommunication antenna disguised as a flag pole at the southeast corner of the River Park Plaza strip commercial building located at 1611 West 700 North. The site is located between McDonalds and the Jordan River on 700 North. To the south is a parking lot. The electrical equipment will be located on the southeast corner of the building. The proposed flagpole is 14 inches in diameter. The telecommunication antennas will not be visible.

Mr. Jonas stated that during the field trip, he saw a wireless telecommunication antenna, disguised as a flagpole, that had been approved as a conditional use, but it did not support a flag.

development would have a material net cumulative adverse impact on the neighborhood.

Mr. Chambless seconded the motion. Ms. Arnold, Ms. Noda, Ms. Funk, Mr. Nelson, Mr. Jonas, Mr. Chambless, Mr. Muir and Ms. Barrows voted "Aye". Mr. Daniels, as Chairperson, did not vote. The motion carried.

PUBLIC HEARING – Madison Estates Phase 3, Planned Development Subdivision request by Iverson Homes L.C., consisting of: **Petition No. 400-01-53**, requesting that Salt Lake City close a portion (narrowing the right-of-way from 80 to 50 feet) of Utah Street (1605 West) between California Avenue (1330 South) and High Street (1450 South); and, **Petition No. 410-565**, requesting a Conditional Use for a reduced width Public Street, and a Planned Development Subdivision approval request for 27 single-family residential lots on 5.04 acres, in an R-1/7000 Zone, located at 1650 West California Avenue (1330 South).

Mr. Mikolash presented the staff report. The site development plan for the proposed subdivision and partial street closure show that Utah Street gradually shifts west 20 feet, approximately 390 feet south of the California Avenue/Utah Street intersection, allowing for a small "S" shape along the 945-foot long right-of-way. This subtle "S" curve is primarily due to the *Wasatch Commons* development constructing a 24-foot wide asphalt street (no curb, gutter or sidewalk) along the old Utah Street alignment to avoid removing large trees on the east side of the street. Utah Street will end in a cul-de-sac approximately 120 feet short of High Street to the south. Mr. Iverson, the petitioner, is requesting to develop and construct Madison Estates Phase 3, Planned Development Subdivision, comprising of 27 single-family dwelling units. The Planning Commission may be flexible as to lot sizes and dimensions in order to encourage efficient and innovative uses of the land.

Mr. Jonas asked what the intent of Utah Street was.

Mr. Wheelwright explained that Utah Street was originally dedicated as an 80 ft. right of way, predating construction of the Surplus Canal. He believed that the Surplus Canal cut off Utah Street when it was constructed.

Ms. Barrows asked if the site is above the 500-year flood plain as explained in the packet.

Mr. Mikolash stated that he didn't know at the current time. The petitioner would have to get the level approved before he received a building permit.

John Francis, Project Engineer, stated that the site is 4 feet above the plain.

Mr. Muir asked if staff had investigated the potential of using zero lot lines for this development.

Mr. Goldsmith explained that the developer believes that the proposal that is front of the Planning Commission is the best, most marketable plan. The Planning Commission has the prerogative to recommend using a zero lot line in this development.

Ms. Barrows asked what traffic impact this development would have on Redwood Road and California Avenue.

Mr. Mikolash explained that according to the traffic counts calculated by UDOT, the subdivision would not cause an impact on traffic in the area. He explained the feasibility of a traffic light for the residents to gain easier access to the major adjoining roads, detailing that traffic engineers would have the decision on the matter.

Ms. Barrows asked if the Fire Marshall had approved the length of the cul-de-sac.

Mr. Mikolash explained that the Fire Marshall felt that the length of the cul-de-sac was appropriate.

Mr. Daniels invited the petitioner to speak to the Planning Commission.

DeWayne Iverson, Petitioner, stated he doesn't have a problem using zero lot lines in this development, explaining that he had even requested zero lot lines. Mr. Iverson explained that he has been in communications with the Wasatch Co-Housing people and has been trying to meet their requests by providing for as much open space as possible. He then stated that Wasatch Co-Housing prefers that he construct single-family dwellings this development.

Mr. Nelson asked if there was a plan for the common area near the canal.

Mr. Iverson explained that the Army Corps of Engineers restricts any development on the levy, adding that vegetating the area east of the levy is very limited.

Mr. Francis explained that the flat surface of the levy is a road that doubles as a trail system for the neighborhood.

Mr. Nelson asked where the neighborhood children would play.

Mr. Francis explained that there would be open space at the end of the cul-de-sac where children could play.

Mr. Iverson stated that he spoke to Mr. Van Turner, the City Councilman for the area of the development. Mr. Van Turner told the Petitioner that no more parks were wanted in the area.

Mr. Muir felt that with a zero lot line, the Petitioner could create a central open space for a playground for the neighborhood children, and still keep the building density.

Mr. Iverson stated that he would not be apposed to Mr. Muir's suggestion. He stated that with zero lot line, he could put the open space in Lot 24.

Mr. Muir asked the Petitioner how he felt about joining High Street with Utah Street and not having a cul-de-sac.

Mr. Iverson stated he was open to the recommendation of joining High Street with Utah Street.

Mr. Nelson asked if each lot was going to be fenced as per the CC&R's.

Mr. Iverson stated that he had planned to fence each lot in this subdivision and run a fence along the toe of the levy of the surplus canal.

Mr. Nelson asked what the monthly home owners fee's would be.

Mr. Iverson stated that the fee's would be minimal, fifteen dollars a month. Mr. Iverson then added that he would try to leave as many existing trees on-site as feasibly possible.

Mr. Daniels opened the public hearing.

Jay Ingleby, West Salt Lake Community Council Vice Chair, stated he is in favor of single-family developments in the area and asked the Planning Commission to approve this Petition.

Corey Middleton, architect student at U of U, felt there is a need for green space between the street and the houses; however, he recognized that the missing picture was the people, due to the transition space between the garage and the home. Mr. Middleton added that scale is also a problem with the development as well as variation in the type of homes and setbacks. He felt too many walls were being put up in neighborhoods.

Mary English, resident, asked that Lot 24 be made into open space for the neighborhood children to play. She liked the cul-de-sac design.

Hugh Graham, resident, is opposed to this large of a development and would like more usable open space. He is opposed to the narrowing of the street.

Naomi Franklin, resident, agreed with the last two speakers. She would like a better design for the development. She wants usable open space for children to play. She is concerned about there being on-street parking on the internal loop

street. Ms. Franklin also added that she would like to see as many existing trees to remain as possible.

Amber Bills, concerned citizen, stated she doesn't believe this development is affordable housing.

Michael Polacek, resident of the Wasatch Commons, explained how a detailed letter was signed by 46 area residents concerning the over-use of the land, architectural design of the homes and the lack of usable open space and parking for the residents. Mr. Polacek indicated that his first choice of use for the land would have been mixed-use, explaining that there are serious design issues with the plan being proposed to the Planning Commission; furthermore, Mr. Polacek had concerns with the density calculations as submitted by the developer, stating that by his calculations, there should only be 22 homes on the site. Mr. Polacek does not believe that the subdivision as proposed meets the criteria for a Planned Unit Development per the City's code, nor meet the intent of a walkable community. In conclusion, Mr. Polacek questioned whether this specific proposal was seen before the West Salt Lake Community Council.

Kay Argyle, resident, stated she is concerned about usable open space, pedestrian access and lack of parking.

Samantha Francis, resident, stated that a \$150,000 home in Salt Lake City is considered affordable housing and that she would be moving to the area within the year. She would like to see more single-family developments on the west side. Ms. Francis explained that she was in attendance at the West Salt Lake Community Council meeting, stating that the proposal for development on the south side of California Avenue was heard and voted upon by the council, contrary to Mr. Polacek's comments.

Linda Reed, resident, stated she would like to see the R-1/7000 zoning to remain adding that she is against this Petition. She felt that the living next to the canal is dangerous.

Randy Sorensen, West Side Community Council Chairperson, stated that the transients are now living on the proposed site due to people being pushed out of the Gateway area, living in the fields in the canal area. (His registration card shows that he opposes this petition.)

Mr. Daniels closed the public hearing.

Mr. Wheelwright explained that the lots in this development are larger than the lots in the other Madison developments, with 27 lots that average 7,000 per lot. Each building site will have a large backyard. He felt that the children would play in their own backyards. He stated that the City is working with the Corp of Engineers and the County to allow the levy road to be used as a walkway or a recreational

amenity. Mr. Wheelwright explained what open space areas could be counted toward density calculations, adding that the Open Space Master Plan looks at various pedestrian corridors, but this walkway is not called out in the plan.

Mr. Jonas asked how much usable space would be between the slope of the levy and the lot fences.

Mr. Francis stated there would be 15 feet between the slope of the levy and the lot fences.

Mr. Mikolash explained that the usable area outside the slope of the levy (dry side) is approximately 20 feet.

Mr. Jonas stated that he didn't feel that this development was an attempt to cram a lot of houses onto the site so the petitioner can make a lot of money.

Mr. Wheelwright stated that Mr. Iverson has a product that he knows he can sell. That is why he is driving the design of the homes that he builds.

Stephen Goldsmith explained that Mr. Iverson has been working with various designs and sharing those with the City. Mr. Goldsmith explained that the City also worked with Mr. Kenten Peters on a pro bono basis to determine the feasibility of different types of development along California Avenue; however, with Mr. Iverson's experience being in single-family lot development, it was mentioned that Mr. Iverson builds what he can sell.

Ms. Arnold had concerns with the open space being proposed at the south end of the subdivision, backing what Mr. Muir has indicated, that Lot 24 should be made into open space. She believed there are also issues with people trying to leave the subdivision during high traffic times, adding that turning left on to California Avenue will be next to impossible. Ms. Arnold explained that another concern is that when we do construction of this type with very modestly priced homes, the owners will move on and this may perhaps create future ghettos down the road.

Mr. Wheelwright explained that the street closure has to be approved by City Council and that that item shall be acted upon regardless of how we act on the planned development, due to the considerable amount of work left to be completed.

Mr. Jonas stated that he agreed with Mr. Muir about connecting Utah and High Streets. He felt that it was appropriate to reduce the right-of-way from 80 feet to 50 feet. Mr. Jonas also stated that he had some concerns with not connecting Utah Street with High Avenue, concerned with the same issues as the co-housing people that the people from this proposal will be walking through their property due to no other alternative.

Mr. Nelson stated that he liked the idea of zero lot lines, and that Lot 24 be developed as open space; however, he felt concerned about the lack of guest parking in throughout the interior loop street. Mr. Nelson stated that he was concerned about second generation owners, mentioning that he had no solution to future generation landowner problems, other than landscaping/sprinkling is key to maintaining good development.

Ms. Barrows asked if reducing the public street width would negate the connection to High Street.

Mr. Wheelwright explained that Utah Street is City dedicated right-of-way. Reducing the width of the public street will not negate the connection to High Street.

Ms. Barrows stated that she felt comfortable reducing the public street width.

Motion for Case #400-01-53:

Mr. Jonas made a motion based on the findings of fact, as stated in the staff report, to approve Petition No. 400-01-53, to close a portion of Utah Street (1605 West) between California Avenue (1330 South) and High Street (1450 South). The purpose is to close up to 30 feet of the existing 80-foot right-of-way to provide for a more residential scale streetscape for a 27-unit planned development and to declare the area of the partial street closure as surplus property to be sold to the Petitioner for inclusion in the subdivision lots. Based upon the findings of fact, I move that we forward this recommendation on to City Council, and that we approve the Petition as presented.

Ms. Barrows seconded the motion.

Ms. Funk asked if they had to state that the surplus property is to be sold to the petitioner, or is it open to anyone who would like to buy the property.

Mr. Wheelwright explained that it is City policy to sell the surplus property to the Petitioner.

Ms. Barrows asked if the Planning Commission had to specify that this petition is providing a residential streetscape for 27 lots, or can the motion state that it is for a residential subdivision.

Mr. Wheelwright explained that this would not be necessary.

Mr. Jonas asked for the words, "residential subdivision" to replace the words, "27 lots"

Ms. Arnold, Ms. Noda, Ms. Funk, Mr. Nelson, Mr. Jonas, Mr. Chambless, Mr. Muir,

Ms. McDonough and Ms. Barrows voted "Aye". Mr. Daniels, as Chairperson, did not vote. The motion carried.

Continued discussion for Petition No. 410-565:

Ms. Funk commented that since this is a planned development that she would be very much in favor design considerations such as having porches that extend beyond the garages. She added that she would like to see a more residential friendly neighborhood by possibly extending porches and eliminating the garage as the most dominant feature of the house.

Mr. Muir suggested narrowing the driveway at the street entrance, then widening the driveway to the garage entrance. That would increase the landscaping and decrease the amount of asphalt.

Mr. Jonas stated that where there is no street parking, there is a need for visitor parking in the driveway between the street and the garage.

Ms. Funk felt that zero lot lines would give fewer driveways and less cement. She would like Lot 24 developed into an open space play area for the neighborhood children to play.

Stephen Goldsmith explained to the Planning Commission that in conversations with Mr. Iverson, it was agreed that the first four lots would be designed to have garages flush with the rest of the house.

Ms. Barrows stated that she is concerned with the concept of the planned development, indicating that it should be innovative, combining architectural styles and building relationships, which she is not seeing in this proposal, adding that zero lot lines should be pursued in this development.

Mr. Wheelwright explained that zero lot line housing was approved in the previous two phases of Madison Estates; however, this idea was reviewed throughout the application process for this phase, and it is not being pursued at this time.

Mr. Jonas stated that he is happy to see the west side being developed with planned developments. He would like Lot 24 to be developed into open space, and reducing the total number of lots by using zero lot lines. He doesn't believe additional restrictions should be placed on the developer.

Mr. Muir asked if staff would prefer the Planning Commission to make conditions of approval to stipulate what the houses should look like architecturally, as per Ms. Funk's suggestions, or be more lenient, as per Mr. Jonas' recommendation.

Mr. Goldsmith stated that staff has gone as far as they can with Mr. Iverson. It is up to the Planning Commission to make the conditions of approval that they feel

are appropriate for this planned development, then, staff will work with Mr. Iverson on the conditions of approval.

Ms. Funk explained that she is willing to take some risks in order to get a better project.

Motion for Case #410-565:

Ms. Funk made a motion based on the findings of fact, as stated in the staff report, to approve Petition No. 410-565, by Iverson Homes, L.C., requesting a conditional use for a reduced width public street and a planned development for a residential subdivision located at 1650 West California Avenue.

Conditions of Approval:

1. Lot #1 be permitted to have a reduced rear yard setback of 20 feet rather than 25 feet, due to the irregular shape of the lot.
2. Appropriate, aesthetic fencing be installed by the developer along the west side of the subdivision to secure a safety buffer between the Surplus Canal/Open Space and the newly created rear lot lines.
3. The first four (4) lots have dwellings with garages that do not protrude beyond the principle structure itself, with porches being the main focal point of those structures. Since the developer is applying for a Planned Development, the criteria as noted in Section 21A.54.150 shall be taken in consideration, specifically related to the following:
 - *Combination and coordination of architectural styles, building forms and building relationships.*
4. Indicate what the lowest recommended floor elevation is to be as per the Geotechnical Investigation Report, and the 500-year flood plan of the Surplus Canal.
5. That final plat and development approval authority be granted to the Planning Director.

Planning Commission recommendations beyond that of the Planning staff:

1. Lot #24 be designated as open space. Allow cluster or zero lot lines in order to keep the same number of houses.
2. That the developer re-design the front of the homes to be "usable and occupiable", eliminating the garage as the predominate feature of the home, making the porch the focal point.
3. The connection of Utah Street into High Street.
4. Consider narrowing the driveways at the discretion of the Planning Director.
5. That the final plat be returned to the Planning Commission for final approval.

Ms. Barrows seconded the motion.

The motion reflects the discussed changes of the Planning Commission.

Mr. Nelson stated he would like to include a recommendation for guest parking.

Mr. Jonas stated provisions have not been made for guest parking in other parts of the City. He felt that the residents should be able to figure out how to solve this problem themselves.

Ms. Funk stated that the street is wide enough for on street parking.

Mr. Jonas amended the motion to connect High Street into Utah Street.

Ms. Noda agreed with Mr. Jonas. She felt that cul-de-sacs serve as gated communities, adding that connecting the two streets is preferable.

Mr. Muir amended the motion to consider narrowing the driveways at the discretion of the Planning Director.

Mr. Jonas asked if the front porches to be the focal point of the houses, should be at the discretion of the Planning Director

Mr. Wheelwright stated that the final plat could be returned to the Planning Commission for final approval, and that the development could be approved per their recommendations.

Ms. McDonough asked if a better description of front porches to be the focal point of the houses, would be to 'design the front of the homes to be "usable and occupiable".'

Mr. Chambless asked if increased lighting should be included in the motion.

Mr. Iverson explained that the City already has increased lighting requirements throughout the City

Ms. Arnold, Ms. Noda, Ms. Funk, Mr. Nelson, Mr. Jonas, Mr. Chambless, Mr. Muir, Ms. McDonough and Ms. Barrows voted "Aye". Mr. Daniels, as Chairperson, did not vote. The motion carried.

BREAK

Ms. Barrows was excused for the rest of the meeting.

PUBLIC HEARING - Petition No. 400-00-57, by the Salt Lake City Housing and Neighborhood Development Division to amend the Residential RMF-75, R-MU and RO; Downtown D-1, D-2, D-3, and D-4; and Gateway GMU zoning district text, to amend Title 5 Business Taxes, Licenses and Regulations, and amend Chapter

SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 126 of the City & County Building at 451 South State Street
Thursday, January 31, 2002 at 5:52 p.m.

Present from the Planning Commission were Chairperson Robert "Bip" Daniels, Kay (berger) Arnold, Kent Nelson, Prescott Muir, Peggy McDonough, Laurie Noda, Andrea Barrows. Tim Chambless, Jeff Jonas and Arla Funk were excused

APPROVAL OF MINUTES

Mr. Muir made a motion to approve the minutes of Thursday, January 31, 2002 subject to the discussed corrections being made as requested.

Peggy McDonough seconded the motion. , Kay (berger) Arnold, Kent Nelson, Prescott Muir, Peggy McDonough, Laurie Noda, Andrea Barrows voted aye. Robert "Bip" Daniels, as chair did not vote.

PUBLIC HEARINGS

Petition No. 410-573. Gold Cross Ambulance
requested a conditional use to allow a temporary 118 foot
Communicator antenna during the 2002 Winter Olympics.
Property is located 762 South Redwood Rd. CC Commercial
Corridor zone.

- 16 Ray McCandless presented the staff report. Gold Cross is
17 requesting a conditional use approval to operate a 123
18 foot antenna. This is for a temporary communication antenna
19 that will be operated during the 2002 winter games. This
20 petition is processed under ordinance 67 of 2001. It allows
21 the Planning Commission to approve temporary conditional uses
22 related to the winter games through an expedited process.
- 25 Mr. Daniels asked if there were any questions.
- 3 Andrea Barrows questioned Ray about the bonds. Should the
4 questions be directed to the petitioner?
- 6 Ray McCandless answered yes.
- 8 Kent Nelson asked if the tower would be permanent rather than
9 a temporary one. Are there sufficient safeguards that the

6 Kent Nelson states the traffic is backed up because the
7 traffic signal on 4th South is red. He doesn't understand
8 how this is going to back it up any more.

10 **Motion for Petition No.400-02-15:**

12 Laurie Noda made a motion based on the findings of fact, as
13 stated in the staff report, to approve Petition No.
14 400-02-15, to operate a temporary commercial parking lot at
15 404 West 400 South, with the appropriate entrance and exit.

17 Peggy McDonough seconds the motion.

19 Andrea Barrows states a concern about an end to the parking lot
21 Kent Nelson state since it's under ordinance 67 that it
22 automatically has a termination.

24 Andrea Barrows states in the discussion with Fire Stone that
25 when they have a building permit they have to sign to an end
1 date.

3 Laurie Noda states it terminates February 26.

5 All in attendance voted "Aye", Andrea Barrows opposed.

7 Petition No. 410-565, Iverson Homes, L.C.

8 requesting final approval of the conditional use for a
9 reduced width public street and a planned development for a
10 27 lot, single-family residential subdivision, located at
11 1650 West California Avenue. The proposed subdivision will
12 be located on a 4.90 acre site, which is currently zoned
13 R-1/7000, a single-family zone that requires at least 7,000
14 square feet per lot.

16 Greg Mikolash states this came in for a preliminary approval
of the December 6, meeting. It's back because of certain
conditions set upon by the Planning Commission. The Petition is

back today with the revised plans showing those changes.

Greg Mikolash then presented the staff report.

22 Kent Nelson asks if you were to turn the dwellings to a twin
23 home and straddle the lot line, and you did that
24 consistently, how far would it be between neighboring dwellings.

2 Greg Mikolash states there is no difference, it's an attachment.

4 Kent Nelson asks instead of six feet, it would be twelve
5 between homes and two homes would be together.

7 Greg Mikolash states you could also connect the driveways.

9 Brent Wilde wants to clarify that to have two units per structure
would require a zoning change.

12 Greg Mikolash states the reduce widths lots on the island area are
almost exactly the same, reduced from 50 feet to 40 feet, which
was part of the original request. He presented page three of the
staff report.

17 Andrea Barrows asks Greg why he made the distinction between
18 public and private open space?

20 Greg Mikolash states the state and the county will still maintain
21 portions for what will be in the (canal) Levy Road. We tried to
22 make a difference between dark green and light green.

24 Doug Wheelwright states they tried to make a point of this
25 when they had this in for preliminary. The Planning Commission
1 focused on providing the playground as the amenity, that was
2 the quid proquo of them accepting this publicly owned land that
3 would be maintained and dedicated, prepared as open space by
4 the projects. That's one of the reasons why they're making a
5 differentiation, if they didn't accept the publicly owned
6 opened space, that would mean a reduction in the number of lots
to meet the zoning.

9 Andrea Barrows stated her concern is more from a language
10 consideration through the public at large. Those that are

11 deemed private are exclusive and they are unable to use them.
12 We're not dealing with a private gate, it's all public
13 street.

15 Prescott Muir states as part of procedural clarification to
16 go back to the conditions of the previous review of this
17 project. We can legally strike item number 4. That should not
18 be a consideration tonight. Page one recaps the conditions
19 from our previous approval. It directs the applicant to look
20 at a zero lot line as part of the PUD approval.

22 Doug Wheelwright states they have complied with that because
23 this is a zero lot line on one side and that's what was
24 proposed.

1 Prescott Muir states his thought was common wall zero lot
2 line and maybe didn't understand the terminology. It
3 technically reads that we cannot leave it in there.

5 Andrea Barrows asks does it meet one of the objectives they
6 had?

8 Prescott Muir answers no, he was thinking common wall. He
9 thinks the problem is the six foot side yards. Close the
10 buildings and allow some decent space between them. He
11 doesn't know if the Planning Commission can initiate an
12 investigation of a zone change, but he would like to put that
13 on the petition.

15 Kent Nelson states he would like that flexibility, but it's
16 another issue.

18 Mr. Daniels asks for questions.

20 Peggy McDonough asked a question about the floor plans of the
21 homes, and elevations. Is this an example of the
22 typical unit home to be repeated throughout?

24 Greg Mikolash understood from the last meeting that the Planning

Commission did not want any protruding garages beyond the face. The Planning Commission wanted the garage flush with the porch. The petitioner didn't get revised elevations because he didn't think it was a requirement.

5 Peggy McDonough states the only point of confusion is the
6 conflict with the plan. So the intent of the plan is
7 governing in terms of the relationship between the garage.

9 Greg Mikolash states that the intent was to not have the garage be
a predominant feature.

11 Peggy McDonough asks if this is a plan that is going to be
12 repeated?

14 Greg Mikolash states that the second elevation drawing is a
typical home seen in Phase #1 and #2 which is not what they wanted
in this subdivision

18 There is flexibility on what could be done architecturally
19 and it could be discussed with the petitioner.

21 Kent Nelson asks if the plans and elevations are the same now
22 as they were when it was first presented?

24 Greg Mikolash answers yes.

1 Mr. Daniels invites the Petitioner to speak.

3 DeeWayne Iverson, Petitioner, Iverson Homes, states they've
4 attempted to solve everything that was asked of them. The
5 issue they recall from last December was the lot that extend
6 from Utah Street back to the open green space, where the lots
7 that were asked to have the garages set back. The discussion
8 was that the porch set out even with the garage, but it was
9 never clarified that all the homes would have the garages
10 behind the front of the houses. They complied with the request
to connect the Utah Street to High Street and everything that was
asked they tried to accommodate.

14 Prescott Muir asks what models are going to go where and

15 numbers of each model?

17 DeeWayne Iverson states market trend determines placement of
homes... Some homes with double garages sit back from the house.
They've re-drawn the

19 home differently so the roof is different, but the floor plan
20 is the same.

22 Prescott Muir asks if the left elevation is to the right,
23 facing the street?

25 DeeWayne Iverson answers yes.

2 Kent Nelson asks if it's modified so you don't see the
3 garage?

5 DeeWayne Iverson states the porch is pulled out to the front,
adding that the porch will be flush with the garage, but

7 the front door will be set back. One of Mr. Iverson's plans may
need to be abandoned.

11 Kent Nelson asks how many models are there?

13 DeeWayne Iverson states there are four different home plans
14 and 27 lots.

16 Peggy McDonough asks if it can be modified?

18 Deewayne Iverson answers yes, with a full front porch.

20 Peggy McDonough asks how lot 17 is accessed? What model and
21 how's that oriented?

23 John Francis states lot 17 has an existing house on
24 it and accesses off California Ave. There are currently two
25 houses on the site and it's going through a common access

1 with the car wash that adjoins it on the west.

3 Peggy McDonough asks if the intent is to have the garage
4 flush with the porch, the porch becoming a more prominent
5 feature?

7 Deewayne Iverson states the request was for the lots on Utah

8 Street. There was not a consensus among the Planning Commission
that that's what they wanted. That's why they didn't change the
packet.

11 Mr. Daniels stated that it was the consensus of the Planning
12 Commission to have the porch be out in front of the garage.

14 Peggy McDonough states they didn't stipulated those
15 particular lots.

17 Kent Nelson states Mr. Goldsmith might have led them in a
18 certain way, using certain elevations as examples.

20 Kay Arnold states they did stipulate design criteria; look at the
last two pages of the packet where Arla made her motion.

23 Andrea Barrows states they prefer porches prominent rather
24 than garages.

1 Kent Nelson states they don't want them all the same either.

3 Andrea Barrows suggests to go on to the hearing and then
4 discuss this further.

6 DeeWayne Iverson states they have completed all the requests,
7 unless there is something that has been overlooked.

9 Andrea Barrows asks if they ever got in touch with the Army
10 Corps of Engineers or the County to see if they were going to
11 do anything about cleaning up and providing something more
12 attractive for the neighborhood?

14 John Francis states the county will let them use any
15 landscaping with no restrictions. No trees. They want
16 everybody to be responsible for maintenance.

18 Andrea Burrows asks to include that in a landscaping plan.

20 Deewayne Iverson states no trees between the Levy Road and the
21 canal.

23 Andrea Barrows asks if there are going to be any amenities
24 for the neighbors directly involved?

1 DeeWayne Iverson states in Phase I the kids love to play

2 soccer, but his fear is little children get hit by other
3 children on the swings and the slides. He would
4 rather have an open field with trees rather than an amenity
5 on a swing or a sandbox.

7 Andrea Barrow asks if there are no amenities at this point?
9 DeeWayne answers no.

11 Andrea Barrows states there are additional sub area amenity,
12 like a water fountain and a bench.

14 DeeWayne Iverson asks what kind of fountain?

16 Andrea Barrows states the city has guidelines on how the
17 water is getting paid for, etc.

19 DeeWayne Iverson asks if the zero lot line issue is resolved?

21 Prescott Muir answers yes. He then asks if they understand
22 the preponderance of cell phone antennas and transmission
23 towers is a detriment to the marketing ability of residential
24 property?

1 John Francis answers yes.

3 Kay Arnold states it is the resale of the homes that is hurt
4 by the antennas.

6 Mr. Daniels opens the public hearing.

8 Mary English states she lives of Utah Street. She's
9 concerned about opening Utah Street and making more traffic.

10 The other thing is the fences along the canal. Also Wasatch
Commons rent out their club house and the visitors park on Utah
12 Street. If there are homes there they will lose parking.

14 Andrea Barrows asks if they want the southern end open space
15 to now be a parking lot?

17 Mary English states now that they have given space for the
18 children, all the neighbors would like more parking.

20 DeeWayne Iverson states the road is narrow now and it will be

21 wider than it is.

23 David Lykins states his concerns are with safety, noise,
24 pollution, and practical issues. It will have a serious
25 impact on the quality of life.

2 Frances Lykins states she counted the children on the street
3 and there are 28. It measures 30 feet from curb to curb.
4 The children play on that street. They were promised ten
5 years ago by the last Planning Commission that the street
6 would never be opened. They're also concerned about criminal
7 activity increasing.

9 Janis Maestas states she lives on High Avenue at the end
10 house. Her house, kids, dog, fence, is in the most danger of
11 an accident.

13 Jessica Lykins states she lives there too and not just 28
14 kids play there because they bring their friends. Sometimes
15 semi trucks come down that street and they will go faster.

17 Michael Polacek states he lives across Utah Street. He wants
18 to thank everybody for listening to the concerns of the
19 people and hopefully everything comes together for a good
20 place to live.

22 Kay Arnold asks how often is the club house used?

24 Michael Polacek states about every two weeks or one or two
25 times a week.

2 Kent Nelson asks what is the average number of people that
3 attend?

5 Michael Polacek states it could vary around 50 or 60 people,
6 but usually 15 to 25.

8 Lynne Robison states she is against having the street open.

10 Kay Arnold wants to clarify the parking. Currently people
11 park in the dirt at the side, narrowing the right of way
12 doesn't leave any place for cars to be, except in somebody's

13 yard.

15 Doug Wheelwright states the street being restricted on parking is
the Loop Street to the west, not Utah Street. Utah Street would
17 still have parking, unless it was a problem, then it could be
18 removed. The cars parked along the street will
19 psychologically and physically narrow the road. That should
20 help keep the speed down.

22 Kent Nelson asks if there were two cars parked on both sides
23 of the street, could you still have two cars pass?

25 Doug Wheelwright states you could, but it would be tight.

2 Mr. Daniels closes the public hearing.

4 Kay Arnold states she is not concerned with the parking, she
5 is concerned with the extra traffic and can not see one
6 positive reason to open that area. People who own homes
7 there have a right to keep it the way it is.

9 Andrea Barrows states the staff's recommendation was not to
10 open it and to do a pedestrian access. Her concern is did
11 the Commission promise there would never be a connection
12 there?

14 Doug Wheelwright states he doesn't remember the exact
proposal, but the Planning Commission looked at it before about 15
years ago.

17 Andrea Burrows states that you can't turn west off of that
18 street and they want it to be a community that is accessible.

20 Peggy McDonough states traffic issues is something with the
21 traffic department, but when people feel this strong about
22 their street, it can not go unheard. She also feels it is
23 more dangerous for a semi to get stuck at the end of a road
24 and have to back up, than it is to go straight through.

1 Prescott Muir states he supports the recommendation of staff.

3 Kay Arnold asks if the people on High Street understood from
4 the previous meeting that that street was going to be open?
5 If not, it was unfair.

7 Andrea Barrows doesn't agree. Once they've advertised
8 they're having a hearing, they have the authority to
9 hopefully make something better.

11 Greg asks Doug to explain the noticing that was done at the
12 meetings.

14 Doug states the notices would have informed everybody within
15 300 feet of the boundary in that subdivision, of the
16 preliminary and the final. He also did a memo along High
17 Street and Wasatch Commons, letting them know High Street
18 will be connected to Utah Street. He notified them three
19 times.

21 Kent Nelson states the first plat map that was put out had a
22 cul-de-sac and that was distributed for the first meeting.
23 If they didn't come to the meeting, then they learned later
24 that there's not a cul-de-sac.

1 Greg stated he had mailed a memo to tell people there was
2 another public hearing coming up that's going to entail the
3 connection of Utah Street with High Street. They were not
4 required to do that.

6 Laurie Noda states what the vision is an open and
7 connecting community. They understand that the community
8 likes the private street, but the Planning Commission has to
9 look at the overall community.

11 Kent Nelson states the concern of the citizens is increased
12 traffic of people that don't live in the area. Perhaps speed
13 bumps can help.

15 Prescott Muir states 15th East is a good example.

17 Laurie Noda agrees.

19 Andrea Barrows states there is no traffic there yet, so maybe
20 put a time frame on it.

22 Laurie Noda agrees. There are no traffic studies to back up
23 the comments of thinking traffic is going to be a huge problem.
24 Perhaps make a possible condition to look at it in a year.

1 Prescott Muir concurs with Laurie that the overall objective
2 of the Planning Commission and the City is to tie the
3 neighborhoods together.

5 Andrea Barrows asks with the garages being so prominent, does
6 the Commission feel that it meets their objectives?

8 Kent Nelson states he shares the concern. The lots aren't
9 big enough to have anything but a straight on garage.

11 Andrea Barrows states she's not satisfied with the design of the
homes. And asks if the designs are going to be left to be tweaked
13 with the planning director?

15 Prescott Muir states he's not sure the designs as submitted
reflect the recommendations of staff. So if they go with the
17 recommendations, would they get what they hope for?

19 Mr. Daniels states Mrs. Funk made a comment that she was in
20 favor of design consideration, such as having porches extend
21 beyond the garages. He heard the developer say he was going
22 to bring the porch out to the garage.

24 Andrea Barrows states that Mr. Jonas asks if the front porch
25 is to be the focal point of the house? It is at the:

1 discretion of the Planning Director. That was the motion
2 that was passed. She thinks leaving it to the Planning
3 Director is important.

5 Kent Nelson asks if it is better to have one style or have
6 some with the porch and some with the garage?

8 Brent Wilde states he wouldn't be opposed to adding a

9 condition that there be variables.

11 Mr. Daniels agrees and states Mr. Iverson has proven he's
12 trustworthy.

14 **Motion for Case #410-565**

16 Prescott Muir made a motion based on the findings of fact, as
17 stated in the staff report, to approve Petition No. 410-565,
18 requesting approval of the conditional use for planning a
19 subdivision. Also encourage the variability of design,
20 including the variability of front yard setbacks as
21 appropriate and proportional to the lot depths.

23 Greg asks to clarify that for a building permit, is that side
24 by side as well as front yard setbacks?

1 Prescott Muir answers yes.

3 Greg then asked about a 20 foot setback to a 40', or up to 5 feet
in the front yard?

6 Prescott Muir states given the tightness of the street, you
7 want to be able to park a car in front of the garage door.

9 Greg asks if they should start at a maximum of 20 and then go
10 back from there?

12 Prescott Muir answers a minimum of 20.

14 Andrea Barrows states she'll second it after she states
15 something. Is it the staff's recommendation of #2 that the
16 word "all homes" is holded?

18 Greg states he put that in there because he thought that
19 was the intent of the Planning Commission..

Conditions of approval

1. That appropriate, aesthetic fencing be installed by the developer along the west side of the Subdivision. (at the base of the levee) to secure a safety buffer between the Surplus Canal/Open Space and the newly created rear lot lines. The Planning Director

shall approve the fence style and type.

2. That the developer designs the front of "ALL HOMES" in the Subdivision to eliminate the garage as a protruding, predominate feature of the home, making the porch area "usable and occupiable".

- *Combination and coordination of architectural styles, building forms and building relationships*

3. Indicate what the lowest recommended floor elevation is to be as per the Geotechnical Investigation Report, and the 500-year flood plain of the Surplus Canal.

4. The lots 9 through 16 be allowed to have one side-yard with a zero

lot line. (The opposite side shall allow for a 10 ft. side-yard setback.)

5. No building permit for any structure within the Subdivision shall be issued prior to the recording of the final plat with the Salt Lake County Records Office.

6. A detailed landscape plan for all common open space areas (private and public) shall be submitted to the Planning Director for approval.

7. That final plat and development approval authority be granted to the Planning Director

22 Andrea Barrows states she would like to add to number six,
23 the landscaping that is being allowed by Salt Lake County be
24 incorporated and you can reference that which was mentioned
25 specifically by the Petitioner. And then number eight, open
1 space amenities be included, but not limited to, a trash can,
2 water fountain, bench, as agreed to by the Petitioner.

4 Prescott Muir states he accepts the amendments.

6 The motion has been moved and second. Everybody voted Aye.

7 Kay Arnold opposed. The motion was carried.

Other Discussions





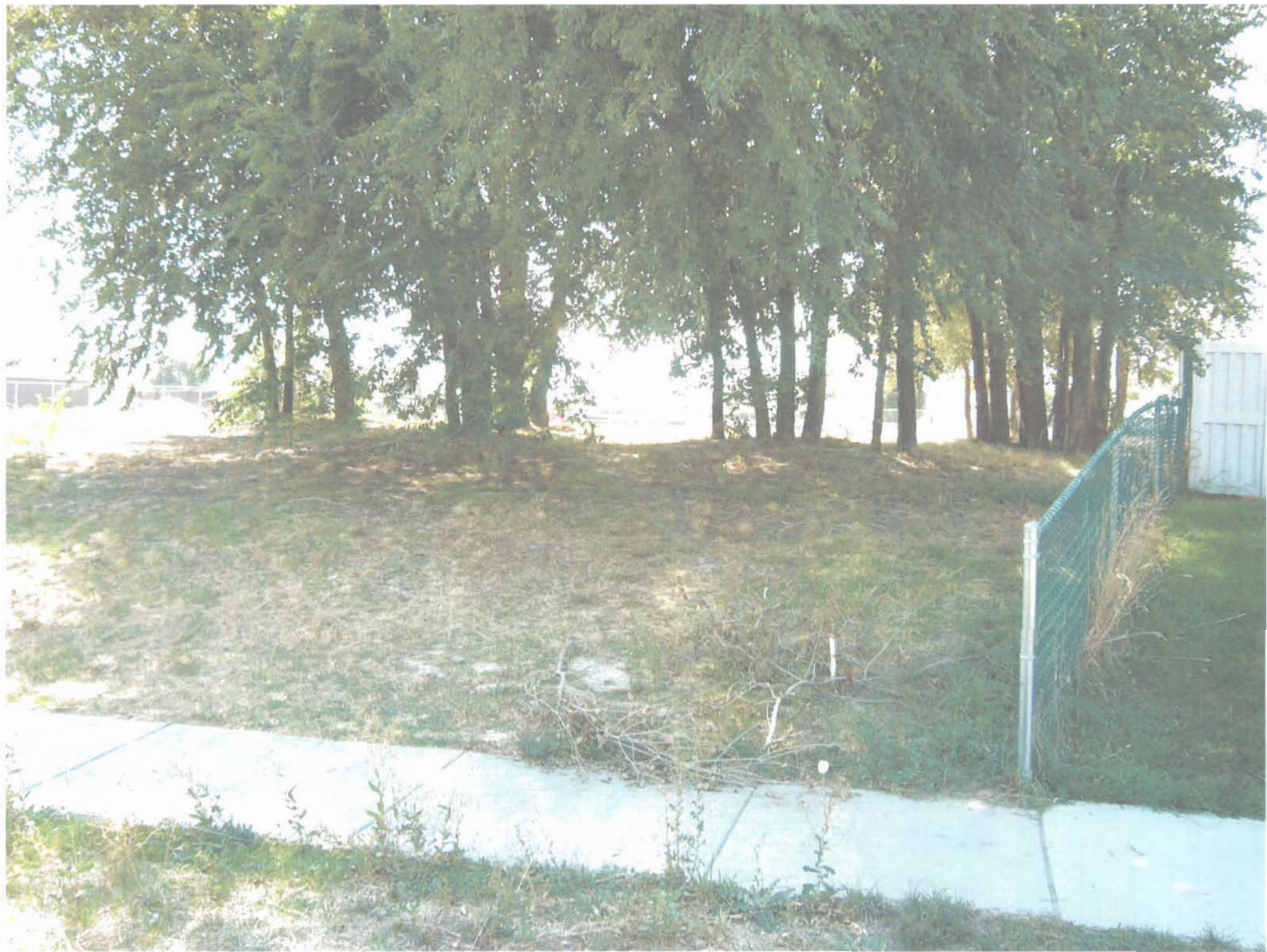
















Salt Lake City Corporation
 451 South State Street
 Salt Lake City, Utah 84111

Attention Mr. Joel Paterson AICP

The following home owners of the River Glen Planned unit Development request Salt Lake City Corporation to terminate the proposed access between lots 9 and 10 of the above said subdivision, and any access that may be planned along the canal road.

Direct access to the canal road allows our children access that may not be supervised by an adult or a responsible party thus, putting them in danger of falling into the open canal. Also, trespassers would have direct access from canal road into our subdivision and our homes.

Thanks, and we look forward to an affirmative reply.

The River Glen Home Owners

To the Mayor from Ben
 141 owners of the
 subdivision

5 74,716

Result: 52.8% of owners signed petition
 14 owners represent 56.5% of
 subdivision

RIVER GLEN HOME OWNERS

LOT	ADDRESSES	OWNER	
1	1416 S. Utah St.		5112
2			
3	1406 Utah St.	SERGIO GARCIA	7420
4	1402 Utah St.	Sekita and Kymbertee Feholko	8523
5	1394 Utah St.	Likeli & Alexandrina Latui	8554
6			
7	1374 S DOKOS LN	Santiago Chagallo B	8524
8	1372 S DOKOS LN	Germin Jarama	8524
9	1370 S DOKOS LN	Scott A Hansen	8524
10		(IN MEX)	
11	1364 South DOKOS Lane.	Bony Yola	8524
12	1366 S. DOKOS LN		8524
13	1360 DOKOS LN	Kerna TRUJILLO	8524
14			
15			
16	1628 W. Marshall Ave.	Alexandra Alatorre.	8524
17			
18			
19			
20			
21			
22			
23	1376 DOKOS	P. Jarama	8524
24	1367 S DOKOS LN	Jose Torres	8524
25			
26	1357 DOKOS LN.	Evangelina P. Reynaga	8524

12/1/200

<u>PARCEL</u>	<u>RESIDENT</u>	<u>own_addr</u>	<u>own_citystate</u>	<u>own_zip</u>
1515201016	RESIDENT	2001 S STATE ST # N4500	SALT LAKE CITY UT	84115
1515201041	RESIDENT	PO BOX 1029	WEST JORDAN UT	84084
1515201040	RESIDENT	1416 S UTAH ST	SALT LAKE CITY UT	84104
1515201039	RESIDENT	PO BOX 3267	EL SEGUNDO CA	90245
1515201038	RESIDENT	1406 S UTAH ST	SALT LAKE CITY UT	84104
1515201037	RESIDENT	1402 S UTAH ST	SALT LAKE CITY UT	84104
1515201036	RESIDENT	1394 S UTAH ST	SALT LAKE CITY UT	84104
1515201042	RESIDENT	1374 S DOKOS LN	SALT LAKE CITY UT	84104
1515201043	RESIDENT	1376 S DOKOS LN	SALT LAKE CITY UT	84104
1515201033	RESIDENT	1372 S DOKOS LN	SALT LAKE CITY UT	84104
1515201032	RESIDENT	1370 S DOKOS LN	SALT LAKE CITY UT	84104
1515201029	RESIDENT	1368 S DOKOS LN	SALT LAKE CITY UT	84104
1515205007	RESIDENT	1368 S UTAH ST	SALT LAKE CITY UT	84104
1515201028	RESIDENT	1366 S DOKOS LN	SALT LAKE CITY UT	84104
1515205003	RESIDENT	1367 S DOKOS LN	SALT LAKE CITY UT	84104
1515205006	RESIDENT	1368 S UTAH ST	SALT LAKE CITY UT	84104
1515201027	RESIDENT	1364 S DOKOS LN	SALT LAKE CITY UT	84104
1515205002	RESIDENT	1361 S DOKOS LN	SALT LAKE CITY UT	84104
1515205005	RESIDENT	1362 S UTAH ST	SALT LAKE CITY UT	84104
1515201030	RESIDENT	1368 S UTAH ST	SALT LAKE CITY UT	84104
1515201026	RESIDENT	1360 S DOKOS LN	SALT LAKE CITY UT	84104
1515201025	RESIDENT	1356 S DOKOS LN	SALT LAKE CITY UT	84104
1515205001	RESIDENT	1357 S DOKOS LN	SALT LAKE CITY UT	84104
1515205004	RESIDENT	1358 S UTAH ST	SALT LAKE CITY UT	84104
1515201015	RESIDENT	3065 W SOUTHBOURNE WY	WEST VALLEY UT	84119
1515201024	RESIDENT	1352 S DOKOS LN	SALT LAKE CITY UT	84104
1515201022	RESIDENT	1620 W MARSHALL AVE	SALT LAKE CITY UT	84104
1515201023	RESIDENT	1612 W MARSHALL AVE	SALT LAKE CITY UT	84104
1515201021	RESIDENT	1624 W MARSHALL AVE	SALT LAKE CITY UT	84104
1515201020	RESIDENT	1628 W MARSHALL AVE	SALT LAKE CITY UT	84104
1515201019	RESIDENT	PO BOX 586	DRAPER UT	84020

This list of ownership was compiled by the Salt Lake County Recorder's office, with a copy being sent to the city it pertains to. Any alteration or deletion will be tracked and appropriate action taken. Feb2006Page 1 of 1

MEMORANDUM

451 South State Street, Room 406
Salt Lake City, Utah 84111
(801) 535-7757



Planning and Zoning Division
Department of Community Development

TO:	Scott Weiler, Engineering	5506
	Edward Itchon, Fire Code Review	5490
	Peggy Garcia, Public Utilities	5528
	Larry Butcher, Building Permits and Licensing	5490
	Barry Walsh, Transportation	5502
	Lt. Rich Brede, Police Fusion Division	5497
	Paul Nielson, Attorney	5478

FROM:	Doug Dansie, Planning	5480
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DATE:	May 18, 2009
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SUBJECT:	PLNSUB2009-00292 River Glen Subdivision Amendment
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Attached are drawings for the River Glen Subdivision Amendment submitted by Dewayne Iverson. The proposed subdivision amendment is located at 1368 South Dokas Lane. The amendment involves the elimination of a pedestrian access walk way. It is associated with petition PLNSUB2009-00293, which is a modification of the original planned development 410-565.

Please review the attached documents and respond on Accela by May 29, 2009. If you have questions or need additional information, please contact me at 535-6182, or doug.dansie@slcgov.com.

Thank you.

Building Services

Doug, the Building Services Division has no zoning issues related to the proposed River Glen subdivision amendment to lot 10 and the elimination of the pedestrian walkway.

Transportation

June 1, 2009

Doug Dansie, Planning

Re: PLNSUB2009-00292 River Glen Subdivision Amendment to remove Pedestrian easement and Walkway removal at 1368 South Dokas Lane.

The division of transportation review comments and recommendations are as follows:

The reference to past petition 410-565 per transportation records was to address the sub standard road width for the Prospect St. and Jensen Meadows projects that related to this development at that time. No mention of the pedestrian access from Dokas to the canal pedestrian walkway trail is noted.

The current proposal to remove the walk way easement, presents no issue to transportation in that we have no record of request for development of the walkway. There is access to the canal trail to the south at 1430 South Utah Street.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.
 Scott Weiler, P.E.
 Dan Bergenthal, P.E.
 Ted Itchon, Fire
 Peggy Garcia, Public Utilities
 Larry Butcher, Permits

PS - Transportation has not been assigned to the Accela Task and therefore comment responses input are not accessible.