

## **SALT LAKE CITY PLANNING COMMISSION MEETING**

**In Room 326 of the City & County Building**

**451 South State Street, Salt Lake City, Utah**

**Wednesday, April 14, 2010**

Present for the Planning Commission meeting was Chair Babs De Lay and Vice Chair Frank Algarin, and Commissioners Tim Chambless, Angela Dean, Michael Fife, Michael Gallegos, Kathleen Hill, Susie McHugh, Matthew Wirthlin, and Mary Woodhead.

There was no field trip prior to the meeting. A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at 5:47 p.m. Audio recordings of the Planning Commission meetings are retained in the Planning Office for an indefinite period of time. Planning staff members present at the meeting were Wilford Sommerkorn, Planning Director, Joel Paterson, Programs Manager; Nick Norris, Senior Planner; Everett Joyce, Senior Planner; Doug Dansie, Senior Planner; Paul Nielson, City Attorney; and Angela Hasenberg, Senior Secretary.

### **Approval of Minutes from Wednesday, March 24, 2010**

**Commission McHugh made a motion to approve the minutes as written. Commission Gallegos seconded the motion. All in favor voted, "Aye". Commissioner Woodhead abstained. The motion passed unanimously.**

### **Report of the Chair and Vice Chair**

Chair De Lay stated neither she nor Vice Chair Algarin had any business to report.

### **Report of the Director**

Mr. Sommerkorn stated actions taken by the City Council since the Commission last met included the cremation services ordinance amendments were passed, the redesignation of the Odd Fellow's building as a historic landmark site at its new address was passed, the historic preservation plan public hearing was continued, the Scenic Motel zoning ordinance change was approved by the City Council, and the City Council changed their policy and will now consider adopting additional designations of historic districts and enacted the temporary regulations for the Yalecrest and Westmorland districts, placing a moratorium on any demolitions in that area. The City Council also approved the amendments to the planned development ordinance.

### **Public Hearings**

**PLNPCM2009-00510; North Temple Boulevard Station Area Plans**—a master plan amendment regarding the North Temple Viaduct Station Area Plan, a section of the North Temple Boulevard Station Area Plans. A public draft of the plan can be viewed on the project website at **[www.northtempleboulevard.com](http://www.northtempleboulevard.com)**. Located in Council District 3 represented by Stan Penfold and District 4 represented by Luke Garrott.

Chair De Lay recognized Nick Norris as staff representative.

Mr. Norris gave a PowerPoint presentation and noted he would focus on recent issues because the Commission had received a detailed briefing at the last meeting. He stated there had not been a lot of change in terms of the content of the plan but a couple things have changed on the stationary map. He noted the area along North Temple between 400 West and 300 West was initially identified as a transition area and that was changed to a core area.

Mr. Norris stated there were a few areas where the North Temple Boulevard Station Area Plan differed from the Capitol Hill Community Master plan and one of the big discrepancies was density. The recommended density in the Capitol Hill plan is too low for the type of development and level of transit in the area with the installation of Frontrunner and Trax. Staff is recommending changing that policy to allow the market to dictate the density which would also be reflective in the zoning ordinance.

Mr. Norris stated there were questions about the building heights and he noted that the Capitol Hill master plan is vague regarding this topic except for stating that views of prominent buildings in the area should be preserved, including the capitol building and the LDS Temple. He stated the recommended ten story building heights in the station area plan would prohibit some of those views mainly along streets that have an east to west orientation. He stated currently the views of the LDS temple are already blocked so staff felt that these views would not be more compromised with the new plan than it currently is.

### **Public Hearing:**

Chair De Lay opened the public hearing.

The following person spoke in *support* of the petition: **Tom DeVroom** (213 North 800 West) stated he would like to address the structure and pedestrian pathways on the North Temple Viaduct. He stated he had attended a few of the open houses but had not seen important suggestions from those meetings included in the plan. He stated he had addressed a letter to the Commission that discussed pedestrian flow and accesses being hampered by the retaining walls and widths of this structure. He stated mitigating suggestions included at a minimum established pedestrian sidewalk paths and easements provided by the City, or required of the developers, around the entire structure so there were no dead pockets but instead a free flow of access by pedestrians. He suggested that a stairway be built from the station to the Guadalupe neighborhood from the top of the light rail station to 500 West so pedestrians would not have to walk all the way around. The Rio Grande Street corridor should continue under the viaduct into Gastonomy's Land from the Gateway development, with routes to the transit stations. He also suggested generous lighting and public art should be designed into this project to facilitate safety and to soften the extraordinary retaining walls.

Chair De Lay stated it was already decided that this project would spend at least one percent of the project budget on art.

Mr. DeVroom stated maybe that was the case, but the City had the opportunity to incorporate a lot of great art and there was also a lot of concern about safety so lighting would be the key.

Commissioner Chambless stated safety and walkability were important in this neighborhood and the lighting should not be blight but should add to the area as a positive visual.

Mr. Devroom stated this would be an intense land use where a lot of people were going to go and if they felt safe it would be great for the neighborhood. He stated to get to the Gateway development pedestrians would have to walk quite a ways along the retaining wall and it seemed counterproductive to put up so much of a barrier to get to the cool features in the area.

Chair De Lay stated that she lived in this area and there is a lot of lighting but not necessarily good lighting in the right areas.

Mr. Devroom stated the structure would also be built wide so there would be no room for sidewalks around the retaining walls which inhibited the ability for development to occur. He stated the City should not overlook this because it could be the downfall of this project.

Chair De Lay stated the safety and design of this station had been discussed in a lot of meetings and Mr. Devroom seemed to be echoing the views of the Commission.

Mr. Devroom also suggested a pedestrian tunnel underneath the viaduct.

Chair De Lay noted there was no one else present to speak to this petition and closed the public hearing.

Commissioner McHugh stated the idea of a pedestrian tunnel seemed like a bad idea.

Mr. Norris stated as far as a tunnel on Rio Grande Street, the station area plan did mention some version of that. He stated it might be an automobile access or a pedestrian/bicycle pathway. He stated as far as a pedestrian circulation the plan does talk about putting staircases in and enlivening and lighting the area under the viaduct to make it a safe and unique public space. He stated that philosophy is continued throughout the rest of the corridor as well through the construction process and in the future when properties redevelop.

He stated as far as circulation around the viaduct, there would be a six to eight foot walkway from 400 West to the transit stations in that area. He stated further to the west there will also be an approximate ten foot easement along the viaduct. He stated it is unlikely there will be any automobile streets on either side of the viaduct as there is currently. Mr. Norris stated that currently the right-of-way is approximately 130 feet and of that 80 feet is the current viaduct. After the new viaduct and TRAX lines are built the width will increase to 132 feet. He stated if another 25 feet of travel lane, whether they were one way or not, was added to either side of the viaduct the street would essentially be 185 feet wide which is not conducive to pedestrian crossing because it would interfere with the timing of traffic lights as well as the train itself. He stated alternatives regarding where different streets could be placed were included in the station area plan which might be midblock between North Temple and 200 North, and to the south streets could follow the rail line as it bends to the west or built as properties in the area redevelop in the future.

Commissioner Fife inquired if the Commission would have a chance to weigh in on the design of the viaduct.

Mr. Norris stated those details are for the most part finalized.

Mr. Sommerkorn stated that UTA needed those design details to be able to move forward quickly. He stated those decisions were made in late 2009.

Commissioner Fife inquired if Rio Grande Street would tunnel under the viaduct.

Mr. Norris stated it would not. Staff spoke to UTA about that issue and there would obviously have to be a change to the engineering of the structure because it would either be an earth or compact dense foam fill.

Commissioner Fife inquired if there would be a barrier between Gateway and Gateway north.

Mr. Norris stated the viaduct would be between those. 500 West currently ends on the south edge of the viaduct and would be extended to either 200 or 300 North, which is yet to be decided. There is always an opportunity to add more staircases that would lead from the viaduct down to the street. There would also be elevator and escalator access on the north side next to the TRAX platform.

Commissioner Fife inquired if the current plans included a connection on Rio Grande Street between the North and South sides.

Mr. Norris stated some of the drawings show an arrow through there, but there is nothing in the plan that states there will be a tunnel under the viaduct.

Mr. Sommerkorn stated the designs he reviewed showed there was the ability to have a walkway under the viaduct but not a street.

Mr. Fife stated a walkway would at least provide some access through that area.

Mr. Sommerkorn stated there had been a lot of discussion regarding the viaduct itself and with the barrier it presents. He stated everyone involved was sympathetic to the idea of making that area as open as possible but the issue became one of cost. It is much cheaper to do fill and build the bridge that way rather than having an open span with designed hugely expensive girders.

Commissioner Dean stated it seemed designs had progressed beyond the master plan the Commission was being asked to approve which would supposedly influence the design so there was obviously a disconnect. She stated even though the Commissioners had no say over the design process, it would be helpful for the Commissioners to review the designs while also reviewing the master plan.

Mr. Norris stated staff had also not seen a final copy of those designs.

Commissioner Dean stated there was a note in the staff report regarding the integration of the crime prevention design but she did not see it integrated in the draft document.

Mr. Norris stated they were integrated into what was the introduction for the entire set of plans. He stated it was one of those elements that would be incorporated into the plans for all of the stations and was incorporated as part of the introduction as one of the guiding principles for the entire document.

Commissioner Dean stated the plan also referenced the design guidelines throughout the document and inquired if there was a draft version of these guidelines that was ready to review.

Mr. Norris stated staff was working on those guidelines and they would be available in the near future. He stated the Commission would be briefed on the zoning ordinance and design guidelines on May 28.

Commissioner Hill stated this hearing seemed premature. She stated under the Salt Lake City Design Element it talks about maintaining pedestrian-oriented ground floor buildings and encouraged pedestrian walkway networks that connect individual buildings, blocks, groups of blocks, and entire districts. She stated she felt strongly about incorporating a pedestrian thoroughfare for the North Temple viaduct so there would be a connection.

Mr. Sommerkorn stated the Commission could include that suggestion in their recommendation to the City Council.

Mr. Norris stated in the urban design framework portion of the plan the Commission would see a number of places where those connections were discussed. He stated it might not say it in those exact words, but it addresses finding ways to connect pedestrians around, over, and through the viaduct. He stated one of the things staff would be doing with the Urban Design Framework section of the plan was cleaning up some of the drawings because they did not transfer to print very well. He stated those would be easier to read and an emphasis would be placed on the pedestrian connection under the viaduct, but whether that happens sooner or later would depend on what the City Council decides to do budget wise in the future.

Commissioner Woodhead stated she wanted to echo the importance of the pedestrian connection, one of the things about the Gateway was it tended to be self enclosed and she felt the developers had seen it as sort of an inside mall that happens to be outside so the Gateway has not really done much for the neighbors around it. She stated that to the extent that the Gateway could connect northward is really important and she would love to see something stated in the plan that states the City is committed to doing that. She stated she walked over the viaduct today and she was passed by somebody in their wheelchair and inquired if people in wheelchairs and on bicycles would be accommodated as well.

Mr. Norris stated there would be bicycle lanes over the viaduct and the sidewalk would be wide enough to accommodate wheelchair users, particularly on the north side where the sidewalk would be separated from the vehicle travel lanes by the rail lines.

Commissioner Woodhead stated she read the vision section at the beginning of the document and it mentioned that safe, vibrant, and useful public spaces should be created. She inquired if there should also be a reference to safety under connectivity where it states, "Improve the pedestrian environment to create a walkable, transit-oriented neighborhood."

Mr. Norris stated that would not be a problem.

Commissioner Wirthlin stated a lot of the comments had referred to the design of the project, which was not what was before the Commission, but rather approving the station area master plan. He stated the Commission would have more input on the design in respect to the zoning ordinance. Commissioner Wirthlin also agreed with the pedestrian connectivity at Rio Grande Street.

Commissioner Chambless stated he agreed with Commissioner Woodhead regarding the ADA accommodations, he stated if so much time and money is going to be invested in this project it might as well be done right and well. He stated just to the west of North Temple the areas around the fairgrounds would eventually be fully developed and he inquired if that was considered.

Mr. Norris stated in this past legislative session there was a bill passed that allowed the department of facilities and construction management and the Utah State Fair Nonprofit Organization to enter into a long term lease to use that site. He stated part of that lease would relinquish the Fairpark's rights to the white ballpark, which would allow the DCFM to start planning for development on that site. He stated it would also allow them to enter into a lease agreement that would allow the Fairpark organization to find alternative year-round uses for that site that would include possible private/public partnerships.

**Motion:**

**Commissioner Wirthlin made a motion regarding Petition PLNPCM2009-00510, based on the information listed in the staff report and the discussion at the meeting, the Planning Commission transmits a favorable recommendation to the City Council, regarding the North Temple viaduct station area plan as amended to add the word "safe" to #2 on Page 23 to create a safe, walkable, transit- oriented neighborhood with respect to Page 37 under policy #2 Connectivity, to have specific language that recommends a pedestrian connector under the viaduct at the Rio Grande Street at ground level for the following reasons:**

- 1. The proposed station area plans are compatible with city-wide policies related to land use, including the Salt Lake City Futures Commission Report (1998), the Salt Lake City Urban Design Element (1990), The Salt Lake City Community Housing Plan (2000), and the Salt Lake City Transportation Plan (1996).**
- 2. The proposed station area plans update the Capitol Hill Community Master Plan in regards to development intensity, specifically residential densities in the area north of the Viaduct.**
- 3. The proposed station area plans is consistent with the Capitol Hill Community Master plan in terms of type of land use near the viaduct.**
- 4. The proposed station area plans are generally consistent with the comments received during an extensive public participation process.**
- 5. The proposed plans include best practices to guide future development along and adjacent to North Temple Boulevard.**

**Commissioner Gallegos seconded the motion.**

Discussion of the Motion

Mr. Norris inquired if the Commission wanted to include something in the motion about the area north of North Temple.

**Mr. Wirthlin amended the motion to include that the block area north of North Temple should be moved from transitional to core.**

**Commissioner Gallegos seconded the amendment.**

Commissioner Woodhead stated she would like to comment on the public testimony of Mr. Devroom. She noted that he did bring up a lot of great ideas that would be appropriately raised at the design phase.

Chair De Lay stated Mr. Devroom's letter would also be included as part of the record.

**Commissioner Gallegos, Hill, Woodhead, Wirthlin, Chambless, and Algarin voted, "Aye". Commissioner Fife, Dean, McHugh voted, "No". The motion passed.**

**Eastside Apartments Development Project**—a request by Peg Development LLC to develop multi-family housing on the properties at approximately 556 East 300 South and approximately 350 South 600 East. The property is located within Council District 4 represented by Luke Garrett.

- a. PLNPCM2009-01347; Rezoning**—a request for a zoning map amendment to change the zoning on the property at approximately 556 East 300 South from Residential Office (RO) to Residential Mixed Use (RMU) and to change the zoning on the property at approximately 350 South 600 East from Residential Multi-Family -35 (RMF-35) to Residential Mixed Use (RMU).
- b. PLNPCM2009-01348; Planned Development / Conditional Use**—a request for Planned Development/Conditional Use approval to construct two a multi-family apartment buildings one of which be built at approximately 556 East 300 South and one of which will be built at approximately 350 South 600 East. The applicant is requesting the Planning Commission modify the rear yard setback requirements in the RMU zoning district to accommodate access to the shared underground parking garage in the middle of the block and to allow for cross access between the properties. The applicant is also requesting modification to design regulations of the Conditional Building and Site Design Review regulations in order to ensure consistency with the H Historic Preservation Overlay Zoning District regulations.

Commissioner Wirthlin noted that his firm represented an entity that has an interest and recused himself.

Chair De Lay recognized Doug Dansie as staff representative.

Mr. Dansie stated there is a third petition that is also associated with these apartments. The Historic Landmark Commission (HLC) would be hearing and approving that. He stated if the Planning Commission approved the rezone and the planned development the Historic Landmark Commission would review the decision to ensure compatibility with the Central City Historic District.

He stated the site is located between 500 and 600 East and 300 and 400 South and this project had been around for approximately twelve years in some form, a planned development and rezone was approved about six years ago in three phases, Emigration Court and two other apartment buildings around the central courtyard which is built atop a parking garage. He stated because of the economy the second and third phases were never built so basically a new developer had proposed to build what were originally those last phases.

Mr. Dansie stated a subcommittee met that included members of the Planning and Historic Landmark Commissions, and the design was reviewed and revamped by the HLC. Originally the developer proposed that this project would facilitate assisted living but now this development would

provide senior apartments. He stated this was also presented before the community council in January, the community did not like the design because it seemed to massive and suburban and did not reflect what they felt the character of the neighborhood was. He stated the developer changed the mass of the building by developing two buildings in the front that were kept to three stories, which is the historical height of many apartment buildings in the neighborhood. The corners were also dropped off the building to help the building appear less massive. There is also space between the two buildings and a fifteen foot landscape setback from the property line on 600 East in order to be sensitive to the spine of the Central City Historic District.

Mr. Dansie stated the difference between the RMU and RO zones is the RMU zone allows some commercial uses, while RO only allows residential and office uses. He stated the RMF-35 zone had a thirty-five foot height limit, so the rezone petition is to rezone all of the parcels to RMU to give the project the density needed as well as consistent zoning across the whole site.

Commissioner Chambless inquired if along with senior living this would also provide fair market housing.

Mr. Dansie stated yes.

Mr. Cameron Gunter, managing member of Peg Development, stated the 600 East piece of this development would be the fair market one and two bedroom units. He stated there would not be any three bedroom units based on the market study they reviewed. He stated the senior living side of the development would be restricted to 55 and older where functions would be available for seniors who lived there, including weekly socials.

Commissioner Hill stated the neighborhood is a pretty heavy mix of commercial and residential and while reviewing the design for the north side the possibility of either two commercial spaces on the main level of that entry or residences that front on the street should be considered for permeability and movement of people through the spaces so it is not just one entry and massive windows.

Commissioner Dean stated she was on the subcommittee and a mixed-use component was discussed, but apparently it was tried before in Orem and did not work; however, Salt Lake City is a different place and she felt it was certainly worthy of consideration especially at this location.

## **Public Hearing**

Chair De Lay opened the public hearing.

The following person spoke to the petition: **Carl Barton** (60 East South Temple Street #2000) stated he was a partner with the Holland and Hart law firm in Salt Lake City, representing TGM associates. He stated the developer was prepared to comply with everything in the CC&Rs that encumber phase 1, the existing apartments and the two later phases 2 and 3. He stated there were questions in the reports that went beyond legal question and he had spoken with Mr. Dansie over the past year. These questions related to land use and the parking and access. He stated there were approximately 240 units in the existing complex and more than 500 units would be added with common access ways that were fairly narrow which he viewed as a land use issue. He stated they would like input and participation in the land use process to make this a good, safe project where people enjoyed living.

Commissioner Woodhead inquired if Mr. Barton was asking the Commission to table this petition and not adopt the land use portion of this petition.

Mr. Barton stated they were asking for an opportunity to visit with PEG and the Planning staff to get the answers to some of their questions before the Commission made their decisions.

Chair De Lay stated there was a request for the amendment and then for the planned unit development, she inquired if they wanted input into both.

Mr. Barton stated they were more concerned about the conditional use then the rezone.

Chair De Lay closed the public hearing.

Mr. Dansie stated in terms of the CC&Rs between the two property owners, the City generally does not get involved in the details of legal contracts, but in terms of how it affects this project as in access, staff felt comfortable recommending the Commission's approval because when the original project was done the access points really had not changed and they were designed off of 500 and 600 East with roughly the combined number of apartments in all three phases, and the City Transportation Department felt comfortable with the size of the access points. He stated the petitioner had other issues, for example they originally had the potential to build on top of the existing parking structure, which is in the CC&Rs, but they were not proposing to do that.

He stated the second and third phase would be entirely self-contained in terms of their parking. He stated he did not have a problem with facilitating a discussion to make sure these issues were worked out if needed.

Commissioner Fife inquired if the access to the existing apartments was from 500 East.

Mr. Dansie stated yes, on 500 East there was access on the North and South sides of the Emigration Court Apartments, the original and the current planned development had a continuation of the North side access going clear through the block to 600 East along with pedestrian access.

Chair De Lay stated she liked this project because the design would open the block to pedestrians.

Commissioner Chambless inquired if the senior living structures should be defined and included in the zoning ordinance.

Mr. Dansie stated there was a distinction between assisted living and other aspects of at home medical or senior medical facilities. He stated the zoning ordinance did allow parking reductions for specialized populations for reasons like this because most assisted living facilities probably do not need 200 parking stalls.

Chair De Lay suggested a briefing at a future meeting regarding this because it is important.

Commissioner Dean stated she would suggest keeping some of the variation, roof pitch and height, and bracket detailing that were found in an earlier sketch of this project.

Mr. Rory Walker, senior design partner of Beecher Walker Architects, stated the color renderings had the same details as the black and white renderings Commissioner Dean had referred to.

Commissioner Hill stated there was a pitch on the roof on the front that was missing.

Mr. Walker stated the middle section where the roof was pitched was changed. He stated this project was originally presented to the Labor Commission then the HLC to get ideas and suggestions for the project. He stated as this project goes forward they are looking forward to additional comments and ideas from the various subcommittees and the HLC.

Chair De Lay stated this meeting did not have anything to do with design.

Commissioner Dean stated it would also be reasonable to suggest xeriscaping in park strips and front setbacks where the developer did not anticipate people hanging out on the lawn and turf grass.

Mr. Walker stated there is a 35 foot setback from the curb to the property line and then 15 more feet of property that is part of the Historic Landmark buffering zone and requires the building to be 50 feet from the street. He stated that is a large area and there needed to be some trees and grass there. He stated all of the parking for this project would be underground and would not be shared with surrounding units.

Mr. Dansie stated part of the staff recommendation was that the final landscaping plan be delegated to the Planning Director along with designs shown to the HLC. He stated another subcommittee could be scheduled to talk about landscaping details.

Chair De Lay inquired if the Commissioners who had been a part of the previous subcommittee would be willing to attend another meeting for landscaping.

Commissioner Dean, Hill, and Fife agreed.

**Commissioner Woodhead made a motion regarding Petition PLNPCM2009-01347, based on the findings in the staff report, the testimony heard received in the public hearing, the Planning Commission finds that this proposal meets the general applicable standards and recommends that this be petition be forwarded to the City Council to approve the requested zoning map amendment from RMF-35 and RO to a residential mixed-use (RMU).**

**Commissioner Dean seconded the motion.**

**Commissioners Gallegos, Fife, Dean, Hill, McHugh, Woodhead, Chambless, and Algarin voted, "Aye". The motion passed unanimously.**

Commissioner Woodhead stated she was inclined to defer to the information from staff and the staff report as far as that there is not anything specific in this petition that might require the Commission to table this. She stated the Commission had not heard any specific problems regarding this petition that would impact the other property but the property owners were encouraged to talk to each other.

**Commissioner Woodhead made a motion regarding Petition PLNPCM2009-01348; a planned development and conditional use, that the Planning Commission approves the request with modifications to setbacks and glass requirements pending adoption of the RMU zoning by the City Council as requested in this petition. The Planning Commission also delegates final decision authority regarding building materials, the site plan, and**

**landscaping to the Planning Director based on the Historic Landmark Commissions petition approval. The project will also comply with all other applicable City codes and master plans.**

**Commissioner McHugh seconded the motion.**

**Commissioner Dean suggested an amendment to add a requirement of a pedestrian way between 500 and 600 East.**

**Commissioner Woodhead accepted the amendment.**

**Commissioner McHugh seconded the amendment.**

**Commissioners Gallegos, Fife, Hill, McHugh, Dean, Woodhead, Chambless, and Algarin voted, “Aye”. The motion passed.**

*Chair De Lay announced a short break at 7:00 p.m.*

*Chair De Lay reconvened the meeting at 7:11 p.m.*

**PLNPCM2010-00028; Regional Sports Complex Master Plan Amendment and Zoning Map Amendment**—a request by Mayor Ralph Becker to accommodate the future construction of a field house and the construction of additional sport play fields as part of the Regional Sports Complex at approximately 2223-2349 North Rose Park Lane. The subject property is located in Council District 1, represented by Carlton Christensen.

- a. Master Plan Amendment**—a request to amend the Rose Park Small Area Master Plan future land use map to identify the property as Open Space rather than Agriculture. The proposal is to acknowledge the City’s purchase of this property for the purpose of incorporating the land into the Regional Sports Complex facility.
- b. Zoning Map Amendment**—a request to rezone the property from Agriculture (AG-2) to Open Space (OS) and Public Lands (PL) zoning. The request also includes rezoning a portion of the OS zoning to Public Lands (PL) in order to accommodate a future field house at the Regional Sports Complex.

Chair De Lay stated numerous emails were received regarding this petition and she wanted to disclose that she received an email from former Councilmember Nancy Saxton who called to ask how the agenda order was determined and how members of the public could testify, and she was told emails in advance were helpful, but all other questions should be directed to the Planning Director Wilford Sommerkorn.

Commission Woodhead stated she was on Jeff Salt’s email list; however, when she saw the emails were about the soccer stadium she did not read them.

Chair De Lay stated she had receive a call from a gentleman that lives in the area and was approached to sale his property and she told him she was not a commercial realtor and he should get an appraisal.

Chair De Lay recognized Everett Joyce as staff representative.

Mr. Joyce stated this petition was for the Rose Park Small Area Master Plan future land use map (Rose Park Plan) amendment and the northwest community zoning map amendment. He stated the Rose Park plan was adopted in 2001 and identified future land use goals and objectives for this area that at the time were located in the unincorporated county. He stated in 2008 the subject area was annexed into the City and the zoning was put into place. He stated the request of this petition was to amend the future land use map of the Rose Park Plan and the zoning amendment to the map.

Mr. Joyce stated in the future land use map Agriculture and Open Space are designated as the two zones that will be applied to the subject area. He noted in the policies of the Rose Park plan it discussed the recreation open space and the Jordan River Parkway. There were existing facilities at the model plan airport and off the Highway Vehicle Training Center. In the master plan it identified the State's Parks Department would process a master plan for recreation uses and the City supported expansion of the State recreation facilities in the area, and the policy was to retain existing public recreation open space lands. He stated as far as agriculture policies around the Rose Park lane area the properties were identified as agricultural and the policy was to retain those agricultural land uses.

Mr. Joyce stated when looking at this project the sports complex and its recreational uses did meet the definition for the City's zoning ordinance as a community recreation center, a place or structure used to provide social or recreational programs generally open to the public and designed to accommodate and serve segments of the community. He stated under the existing zoning this complex is allowed in the open space and public land zoning and there was a proposed future field house on this project site, which is considered an arena and permitted as a conditional use in the public lands zoning.

Mr. Joyce stated the staff report included some floodplain information gathered from FEMA maps, which included 100 and 500 year flood areas. He stated the City's Public Utilities Department provided a photograph from 1987 where the area was flooded. He stated there are restrictions regarding land uses for recreational uses that are not privately owned. The blueprint Jordan River Plan supports strong natural uses only along the Jordan River, but in a segment of that plan under the City focus it showed a nature area across from the sports complex which is the current subject area.

Mr. Joyce stated there is currently 21 acres of agriculture zoned land and approximately 145 acres of open space zoned land and after the proposed zoning change it would be approximately 149 acres of open space and 17 acres of public land.

He stated the staff recommendation was based on the findings and discussions presented in the staff report and it was the Planning staff's opinion that the Planning Commission should transmit a favorable recommendation to the City Council.

Commissioner Woodhead inquired about the scope of the Planning Commission's jurisdiction. She stated her understanding was that the Commission could vote for or against this but there were a number of recommendations from the public for the Commission to zone the entire acreage of the area and not just the 17 acres in the petition, or that the zoning be natural open space which is not requested in the petition. She stated there might be some due process issues with the Commission making decisions on some of these suggestions but she wanted to ask staff.

Commissioner Dean stated on Page 10 of the staff report it did list several options for approval from staff.

Mr. Joyce stated it identified alternative recommendations that could not be acted upon at this point it would have to come back through the process for further study. He stated to the boundaries of the area rezone were not finalized yet either.

Mr. Nielson stated he was concerned with discussing anything that was not advertised on the agenda because a notice regarding a public hearing on alternative proposals had not occurred. He stated as far as alternative uses, that is something the applicant could put on the table and certainly the public could make certain suggestions, but the Commission could not make a decision on those tonight. He stated City ordinance indicated there were a limited number of people who could actually suggest or apply for rezoning on a parcel which included the Mayor, Planning Commission, City Council, and the property owner. He stated there may be useful ideas, but the Commission needed to make sure to corral the appropriate subject matter at this hearing and limit discussion to what is actually on the agenda.

Chair De Lay stated that is true for the public as well when giving testimony the Commission, the purpose of the meeting was to discuss very specific issues.

Mr. Sommerkorn stated this was a specific petition for a certain amount of acreage and the rezone of that area. He stated if after the discussion and hearing tonight the Commission felt something else should be proposed, say rezoning other portions of the land or doing something different outside of the boundaries of this petition then Commission members would have the ability to initiate petitions and the noticing and hearing process could then be handled for that new petition. He stated this petition deserved action even if it was modified to an extent and if the Commission felt they needed to go out of those boundaries that was when he would encourage a new petition initiation.

Chair De Lay invited Rick Graham the applicant to the table.

Mr. Graham stated he was the Director of Public Services for Salt Lake City and he was representing the City administration as the applicant for this project. He stated the City had worked on this project since 2003 as a result of a voter authorized general bond that the City was granted approval to bond for 15.3 million dollars contingent upon the City raising 7.5 million dollars, a total of 22.8 million dollars, for the construction of this Regional Sports Complex.

He stated during the last seven years the City acquired the land from the State of Utah and developed a concept plan and the City Council had authorized 2 million dollars for design of the plan, which was currently underway. He stated the preferred course of action was to fully build out the entire site, but they were short funds to do that by almost half. He stated the City was working on finding additional funds to accomplish this and now planned on building the project in two stages. The first stage would be built within the 22.5 million dollar budget and the second stage could be added appropriately as the City secured those additional funds.

Mr. Graham stated the City was beginning an Army Core of Engineer wetland mitigation process and anticipated having the application to them by the first of May to be taken through that process. He stated the ideal plan was to work through all of these issues and to have the site ready for construction

in the Fall of 2010 and completion of the project in the Fall of 2011. He stated the City supported the recommendation by the Planning Staff.

## **Public Hearing**

Chair De Lay opened the public hearing.

The following people spoke or submitted cards in *opposition* to the petition: **Jeff Salt** (723 East 3120 South), Executive Director of Spirit of Utah Wilderness, which is an umbrella nonprofit organization for Great Salt Lake Keeper and a coalition of citizens and other nonprofits called Jordan River Restoration Network, stated he submitted written comments to the Commission as well.

Chair De Lay stated the Commissioners did receive and read those comments and noted they did not need anything repetitive of that information.

Mr. Salt stated when thinking about the subject property it was important to think of the Jordan River's history as well as Salt Lake City's place within the river community and what we are doing to the Jordan River collectively as communities. He stated the people on the frontline who are making decisions that affect the Jordan River Parkway and floodplain are Planning Commissioner and City Councilmembers. He stated the public indicated they wanted the Jordan River to again look like it did at the time of settlement in this City. He stated Salt Lake City started a process to protect this floodplain back in the 1940s.

Mr. Salt stated this was not the same project voters voted for back in 2003 by any means. There were a variety of issues of concern including the flood issue. If the City was going to invest millions of dollars on a facility and then put it in an active floodplain the public would argue that is insanity. He stated at the time of the vote of the bond the public did not understand all for the nuances, problems, and risk factors. He stated they paid for a survey of the property and found that the County surveyor's data, which is official, differed from the data the City's Public Utilities Department provided for this staff report and to the City Council. He stated the difference is approximately 2 feet. He stated the survey they did showed the land was approximately 4,212 feet and the administration claims the property averages 4,213-4,214 feet. When the lake reached its high point it was 4,215 feet that is a 3 foot difference. He stated in elevations there were two data sets which can make it confusing. There is a 1929 dataset and a 1988 dataset and there was a difference of technique in measuring elevations. He stated the difference between the two datasets was 3.24 feet and what the administration did in public meetings was they mixed and matched the datasets and gave false comparison of numbers.

Mr. Salt stated in 1986 the subject property was under 3 feet of water, which can be verified with ariel photography. Those photos show the 1986 FEMA data was not correct. In 1987 the ariel photos show the property completely underwater because the property is the old river channel and the river migrates back and forth naturally. He stated the canal in the area also created a vector for salt water to inundate the property and the property needed to be filled six to eight feet for any type of development to be protected.

He stated the staff report did not list alternatives. The Army Core of Engineers permit would require an alternative analysis. He stated his group and those citizens involved have found four viable

alternative sites that the City refused to acknowledge and two of those sites are previous sites where the City had characterized and had plans to build the sports complex on originally. He stated he did not know why those sites were still not viable today. The West Jordan soccer complex is another interesting aspect of these alternatives because the City owned that property and there was already a sports complex in the valley that was not functioning and needed to be fixed. He inquired why Salt Lake City was spending 40 million dollars to build new when there was an existing facility that could be fixed for cheaper somewhere else.

He stated the Mayor in his inaugural speech stated he was committed to preserving and turning the Jordan River into a jewel, but this project completely conflicts with that statement. He stated they were also concerned about the master plan and the information provided in the staff report. He stated the northwest community master plan specifically addresses this property and preserving open space and wetlands and protecting and keeping development out of the floodplain, so did the Rose Park plan and both plans identified this site as the wetland park project and identified the City as one of the initiators.

Mr. Salt stated these master plans were outdated and did not provide specific language regarding how to protect these valuable resources and how to go about guiding development in a responsible manner. He stated they disagreed with the City's definition and characterization of this sports complex as fitting the community recreation center definition. If you think about the use of this facility it would be used for an elite tournament facility with spectators, a soccer academy facility, a place for soccer camps, and a facility for Real Salt Lake's team training. He stated all of those uses were very different from a community recreation center and this sports complex had a unique definition that was not covered by any of the zones and not included on the table of permitted uses; therefore, it should not even be allowed in the OS zone or any of the other categories.

Mr. Salt stated they disagreed with all of the findings presented in the staff report; City staff had not done a thorough examination of the standards and did not look at all of the zones, overlaid districts, or the master plan. Staff picked and chose the elements they wanted to give a favorable recommendation. The sports complex in the rezoning application definitely conflicts with the northern studying of the Rose Park plan and with the Northwest Community Master Plan that suggests there be no build below the contour of 4,217 feet and the property is well below that level.

Mr. Salt stated they would like the Planning Commission to table this petition because it is not time to vote on this. There are so many problems, risk factors, and unanswered questions regarding this project that it would be inappropriate and arbitrary for the Commission to vote at this time. He stated the Commission should consider imposing a moratorium on any land use or zoning petitions in this area until a review of all of the City's zones, overlay districts, and master plans for this area could be studied, updated, and revised because they were so out of date and ineffective. He stated for example the Riparian Corridor Overlay District, which was recently adopted by the City, did not reflect the true nature of the Jordan River or the floodplain of this property. The RCO only covered up to 100 feet, which barely touched the boundaries of the property. He stated the RCO was actually designed for urban waterways, so when more land is annexed into the City going toward the lake more issues were going to arise concerning this. He stated the more appropriate overlay district for this property would be the Lowland Conservancy Overlay (LCO) but staff had not even considered this in their analysis.

Mr. Salt stated they would like the Planning Commission to also review the consistency of the sports complex with the OS zone, because the definition of a community recreation center did not match the use intended for this facility. The Commission should also consider denying this petition and require that staff provide more specific and complete information regarding this complex and its plan. He stated they had heard that the RSL was going to be a partner of this project and they would be bringing in a soccer academy and were planning on using this facility for the RSL team training which would affect the use, which in turn affects the zoning. He suggested the City hosts a public engagement process to allow the community to get to the bottom of all of these issues to come up with more meaningful ordinances and zones.

**Nancy Saxton** (732 East 200 South) stated she had been working with this organization and this area was important because it was the largest piece of property Salt Lake City owned on the Jordan River that was natural open space. She stated the City was willing to spend taxpayer's money to build on an area that had flooded significantly three times since the 1920s. She stated there were other options and NOS should be reevaluated and considered since it was not available as an option at the time of the open space zoning. She stated the staff report stated that Planning staff and the City had not gone to every department and that may very well derail this petition. She stated this was appalling if anybody should be above and beyond reproach it is the City. She noted the Commission should consider that this may be a very good use in the wrong place and other options should be looked at with taxpayer dollars.

Chair De Lay stated the Planning Commission does want to look at open space designations and find subdesignations for them and they were going to try to create those studies.

Ms. Saxton stated the open space zoning should be relooked at to determine what is allowed now and what should be added etc.

Mr. Salt stated there was a point in time when he was the chairman of the Mayor's open space advisory committee during the Rocky Anderson administration and when this project was developed it was the reason he resigned. He stated in the early 2000s the City had discussed this same issue and recognized that the open space zone of the City was not specific and did not differentiate between recreational, natural, or cultural open space. He stated part of the dialogue of this project discussion back in 2000-2001 was to put in a nature center but the Mayor was doing something completely different at that time.

Chair De Lay stated the Planning Commission agreed the open space zoning was not well defined.

Commissioner Woodhead stated within the last few months the City Council voted to go ahead with this project at this location, not in the zoning context but in another context. She was wondered of the information that was presented tonight what did the Council not know when they decided to go ahead with this project.

Mr. Salt stated they had been lobbying the City Council for several months and tried to bring this information to light with some difficulty and they had never been allowed a full presentation. He stated documents were submitted and meetings were set up as well for those who would meet and listen.

Ms. Saxton stated it is generally disarming when a City comes with a project because it would be assumed they have all of the information, but since staff admitted to not going to all of the departments it was very disarming.

Commissioner Chambless inquired if there were any facts regarding the floods of 1986 and 1987 as far as how much the taxpayers of the City paid due to that damage.

Ms. Saxton stated she did not have figures regarding that, but public utilities had taken considerable measures since then as far as some basins to help prevent flooding. She stated even those holding ponds would not contain the water if there were flood threats. She stated if the project included flood protection all that did was narrow the corridor. What flooded in the 1980s was salt water, so if the natural places that normally filter the flood are changed the flooding would be even more dramatic.

Mr. Salt stated the 100 year floodplain obviously did not mean anything; the City is due for another flood.

**Dave Iltis** (1124 4<sup>th</sup> Avenue) stated he agreed with Mr. Salt's presentation.

**Shirley McLaughlan** (160 West Clinton Avenue) inquired why she only received one notice for this meeting. She inquired if the Capitol Hill Community Council was notified of this project.

Mr. Sommerkorn stated staff notified property owners within a 300 foot radius of the proposed rezoning and then the rest of the noticing was done by general noticing in the newspapers and on the City website.

Chair De Lay stated the Westpoint community council was notified because the subject property is located within that community.

Ms. McLaughlan stated this sports complex is fabulous, but it should be built for the public on Indiana Avenue.

**Barbara Rufenacht** (444 Goshen Street) stated she agreed with Mr. Salt's presentation.

**Ray Wheeler** (1115 Mead Avenue) thanked Mr. Salt for a thorough and concise summary of the issues and he wholeheartedly supported his recommendations. He wanted to emphasize a couple of things from the perspective of someone that lives on the Jordan River and has been intimately involved in the planning effort for the entire Jordan River corridor for two years. He stated this project is setting a precedent in countless ways. Did Salt Lake City have the will post Hurricane Katrina not to build in a floodplain at taxpayer expense. He stated the Planning Commission had an obligation to speak and act on behalf of the public based on that principle. He had studied other soccer sports complexes around the nation and they were one third the cost of this one per sports field because of the cost of building in a floodplain, which included bringing in millions of cubic feet of fill to artificially levitate the entire site to keep it out of the water. He inquired what happens when the site floods with saline water from the Great Salt Lake, as it repeatedly has in recorded history, for periods of up to two years at depths up to three feet. He inquired what happens to turf that has to be babied to be kept alive and sufficient to meet regulations for tournament play when it is under two feet of saline water for two years. He stated this location was not in the best interest of the public on land that is clearly a prize ecologically. What precedent is set by allowing this site to be used commercially at this cost with public dollars funding it and what price will be paid long-term to

restore this site after it floods again, which it inevitably will. He stated he felt a profound sense of betrayal because of the Mayor's decision to support this project.

**Jen Colby** (160 Lincoln Street) stated the City attorney told the City Council they had no choice but to move forward with the project and there was alternative legal opinion that stated that may not be the case. She stated the match agreement funding was tied specifically to the location of this. The match agreement recited the agreement of the bond and it was fallaciously recited because it did not name a specific site. She stated any contract could be renegotiated and if the City went back to Real Salt Lake to renegotiate the site location for a lower cost they would probably reconsider. She stated the bond was issued by the City Council to go ahead with the design of the project and not the entire project. She stated the agricultural zone had actual value and the County is working on an urban farming initiative so in the meantime this area is perfectly fine and has habitat and agricultural value.

Commissioner Chambless stated the need for the stadium is apparent so what alternative would she offer.

Ms. Colby stated there were several good alternatives in the staff report and this should be tabled to review those. There are large land owners on the Westside that would be interested in doing a TDR swap or the RDA has a lot of land that could be used.

**Michael Budig** (1111 Mead Avenue) stated the staff report inaccurately characterized the nature corridor as land that presents increased opportunities for environmental stewardship, recreation opportunities, and public access to the river. He stated the nature corridor that was provided is insufficient in providing any meaningful ecological benefits. The strip of land was simply too narrow to sustain multiple uses and the entire sports complex would be fenced off to become an elite pay-to-play facility and would not provide for education.

**Jan Bartlett** (732 East 200 South) stated the public was going to be upset to find out that their proposition entitled them to 33 soccer fields and at best even after both phases they were only going to get about 17.

**Keith Johnson** (1234 Sherman Avenue) stated opposition.

**Sherry McLaughlin** (455 South 1000 West) stated opposition.

**Danny Potts** (415 South 1000 West) stated opposition.

**Sara Solaimania** (4525 South Park Hill Drive) stated opposition.

**Karen Potts** (415 South 1000 West) stated opposition.

**Christine Vickers** (1865 West Independence Blvd. # I) stated opposition.

**Valerie Stewart** (1026 West 200 South) stated opposition.

Chair De Lay closed the public hearing.

Chair De Lay inquired why all of the City departments were not contacted.

Mr. Joyce stated the departments were contacted but comments staff received back applied to the design of the soccer stadium and not the rezone.

Commissioner Woodhead inquired of Mr. Graham if it would be helpful for the Commission to table this issue for one meeting to organize answers to some of the public comment that was heard.

Mr. Graham stated he was prepared to answer any questions.

Commissioner Gallegos stated most of the issues raised regarded the floodplain and flood control issues and he inquired if the City Engineering department had given any information regarding this.

Mr. Graham stated those reports were prepared and referenced in the staff report from the Public Utilities Division and clearly the City's analysis was a bit different than what was heard in the public hearing. He stated Public Utilities went through a great deal of study and analysis based on scientific and appropriate engineering analysis and the staff report stated this area had flooded twice in the last 167 years. He stated the City knows this area is in a floodplain but this is a reasonable risk to take.

Commissioner Dean stated there were a lot of issues raised that were compelling and concerning but this was the first time Mr. Graham and Mr. Joyce had seen Mr. Salt's presentation, so was there anything brought to light that they felt needed further study before this petition was approved.

Mr. Graham stated no. There had been more than one public hearing regarding this with the City Council, but clearly Mr. Salt's information had mostly been shared with the City and in public meetings. He stated there was some new information, but nothing that would prompt a delay in a decision.

Commissioner McHugh inquired about the report of from the Army Core of Engineers and when dealing with the UNEV Pipeline she was told that one did not really need to have that, but in the staff report it states the City is waiting for that report. She inquired if it is necessary than why is it not necessary to make this decision.

Mr. Graham stated there are wetlands on the site and the City would be filing the proper application with the Core to do that, but the Core's issue is dealing with wetlands and mitigation and the issue tonight was zoning. The Core will come up with some decision on whether they accept the City's mitigation plan or not and if they do they may come back with conditions. He stated the site is predominantly zoned for open space and the sports complex is a permitted use under that zone so the City could go ahead without this zoning tonight and do some things on that site.

Mr. Sommerkorn stated the Army Core of Engineers report is usually something done in the course of development.

Commissioner McHugh stated she felt it could so drastically change the project.

Mr. Sommerkorn stated it potentially could.

Mr. Graham stated yes there were wetlands on site and the definitions of those were still being looked at but the amount of wetlands on that 160 acres is a very, very small portion of those acres.

Commissioner Hill stated the information received tonight was compelling and alarming and she wondered why the City had proposed to build a facility on a floodplain when other sites were available.

Mr. Graham stated the City had looked at sites throughout the City and they were trying to maximize the greatest potential in building the largest and most economical, as well as most viable, site for the City. He stated there would be a fee to play, but that is no different than City-owned tennis or golf courses and fees were currently even paid to use the soccer fields in every neighborhood of the City.

Commissioner Woodhead stated these soccer fields were going to need to be groomed and may use some level of pesticides, she inquired if Mr. Graham felt this site was configured in the best possible way to make sure no pesticides ended up in the Jordan River.

Mr. Graham stated that is the City's commitment to the project, to design and grade this project so that whatever chemicals used for the maintenance of the site are contained onsite and do not drain or flow into the river. He stated this facility would have a high level of maintenance because of the investment and because of the economic opportunities that keeping the fields well groomed would yield for the City. He stated this is a facility that would cost money to operate and a balance would need to be found to keep the costs as low as possible.

Commissioner Woodhead inquired about the results of the community council votes.

Mr. Joyce stated there was a presentation to the Westpoint community council and they did provide a response e-mail that was attached to the staff report. They had some concerns regarding how this facility would be used.

Commissioner Dean stated she was disturbed to hear the City was spending 2 million dollars on a site that is not yet buildable.

**Motion:**

~~Commissioner Dean made a motion regarding Petition PLNPCM2010-00028, that the Planning Commission table this petition for further study and form a subcommittee to look at the issues brought forth in the public hearing as far as looking at alternative sites in a serious way and to not make the assumption that this is the only end all.~~

Commissioner Woodhead inquired if the Planning Commission had a legal obligation to make a decision in a certain period of time.

Mr. Nielson stated not in a prescribed period of time unless the applicant were to demand a decision within 45 days.

Chair De Lay stated these were two different issues and Commissioner Dean needed to make a motion to table the petition and then a motion to form a subcommittee.

**Motion:**

**Commissioner Dean made a motion regarding Petition PLNPCM2010-00028 to table the petition.**

**Commissioner Hill seconded the motion.**

**Commissioners Gallegos, Woodhead, Wirthlin, and Algarin voted, “No”. Commissioners Dean, Hill, McHugh, Chambless voted, “Aye”. Chair De Lay voted, “Aye”. The motion passed.**

**Motion:**

~~**Commissioner Dean made a motion to form a subcommittee regarding Petition PLNPCM2010-00028 to evaluate the issues brought forth at the public hearing in a more through manner as well as looking at reasonable alternative sites.**~~

Mr. Nielson stated this petition was dealing with a rezone and not the placement of a sports complex. He stated it would be way outside a subcommittee’s jurisdiction to start talking about where to put a soccer complex.

Commissioner Dean stated the subcommittee should still evaluate the best development options for the site.

Chair De Lay stated maybe as staff and the Commission received new information a subcommittee could be used later after Mr. Sommerkorn and Mr. Joyce came up with a proposal regarding what information was needed and how it would be gathered.

Commissioner Woodhead stated the petition was related to 17 acres and another little segment, so was that the information it was pertaining to or is the Commission deciding to give themselves control over the whole parcel.

Commissioner Algarin inquired what tabling this petition accomplished since the Commission would not be designing the soccer field.

Commissioner McHugh stated she personally felt a floodplain site should not be considered for this project.

Commissioner Wirthlin stated then a motion should be made on whether to approve or deny this petition because tabling this petition is not going to allow for any new information.

Commissioner Woodhead stated she felt the motion to table was filibustering, it was not to get more information it was really a vote no with the result of in sending it into some unknown time period.

Commissioner Dean stated she was hoping by tabling there would be a process to work with Mr. Graham to minimize any possible detriments.

Commissioner Algarin stated that is not part of the Planning Commission’s purview.

Commissioner Hill inquired if the Commission denied this petition could they make a recommendation that said given this disturbing information that has come forward and pages of unanswered questions that say a public facility should not be built on a floodplain, could the

Commission send a negative recommendation and then request this property be zoned natural open space.

Commissioner Woodhead stated she would vote for a motion to table for say a month to give the City a chance to respond more completely to what was heard in the public hearing.

Commissioner Algarin stated it had to be more specific. Mr. Graham was pretty clear that the City did not want more time, what they have given you was their case.

Mr. Graham stated a petition to rezone was presented and if the Commissioners felt the staff report was short in terms of what was heard tonight and if additional questions could be articulated for the administration, he would be happy to respond to those. He stated the City believed the information needed to evaluate and make a decision on this petition had been presented. He stated more than one site was looked at through this process and that information was presented to the City Council and the reasons why this site was picked over other sites.

Commissioner Hill inquired if there was any openness at all to look at TDRs and other sites.

Mr. Sommerkorn stated that was a question for the City Council because as Mr. Graham has indicated that was a decision the Council had already made.

**Motion:**

**Commissioner Algarin made a motion to bring the prior decision to table this petition back to the table.**

**Commissioner Woodhead seconded the motion.**

**Commissioners Gallegos, Dean, Hill, McHugh, Woodhead, Wirthlin, Chambless, Algarin voted, "Aye".**

**Motion:**

~~**Commissioner Dean made a motion regarding Petition PLNPCM2010-00028 that the Planning Commission forward a negative recommendation to the City Council.**~~

~~**Commissioner Hill seconded the motion.**~~

Commissioner Woodhead asked to propose a substitute motion.

**Motion:**

**Commissioner Woodhead made a motion regarding Petition PLNPCM2010-00028 presuming that the City Council had made a decision to place the soccer fields at the location set forth in the petition, the Planning Commission submits a positive recommendation to the City Council that the appropriate zoning category for the areas under consideration are to amend the Rose Park Small Area Master Plan Future Land Use Map from Agricultural (AG-2) to an Open Space (OS) designation, and as proposed rezone 17 acres of the Salt Lake City Regional Sports Complex site to Public Lands (PL) and the balance of the site to Open Space (OS) zoning classifications. The Planning**

**Commission asks that the City Council considers the environmental evidence brought forth in the Planning Commission public hearing to consider whether the site set forth in the petition is the appropriate site for the soccer fields.**

**Commissioner Algarin seconded the motion.**

**Commissioners Gallegos, McHugh, Woodhead, Wirthlin, and Algarin voted, “Aye”. Commissioners Dean, Hill, and Chambless voted, “No”. The motion passed.**

*Chair De Lay adjourned the meeting at 9:13 p.m.*

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Tami Hansen

