

**SALT LAKE CITY PLANNING COMMISSION MEETING**  
**In Room 326 of the City & County Building**  
**451 South State Street, Salt Lake City, Utah**  
**Wednesday, June 23, 2010**

Present for the Planning Commission meeting were Chair Babs De Lay and; and Commissioners Mary Woodhead, Charlie Luke, Michael Fife, Michael Gallegos, Susie McHugh, and Matthew Wirthlin. Commissioners Frank Algarin, Angela Dean and Kathleen Hill were excused.

A field trip was held prior to the meeting Planning Commissioners present were: Chair Babs De Lay, Commissioners Mary Woodhead, Charlie Luke, Michael Fife, and Michael Gallegos.

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at 5:45 p.m. Audio recordings of the Planning Commission meetings are retained in the Planning Office for an indefinite period of time. Planning staff members present at the meeting were: Wilford Sommerkorn, Planning Director, Nick Norris Planning Manager; Casey Stewart, Senior Planner; Wayne Mills, Senior Planner; Michael Maloy, Principal Planner; Ray Milner, Principal Planner; Doug Dansie, Senior Planner; Katia Pace, Associate Planner; Paul Nielson, City Attorney; and Michelle Poland, Senior Secretary.

**Field Trip Notes** (Taken by Nick Norris)

Planning Commissioners visited the proposed building site for A1 Auto Parts located at 5 South 5100West. The Commissioners noted the following:

- Landscape setback
- Access from cul-de-sac
- Railroad tracks
- View from interstate and international center
- Fence along interstate and issue with canal crossing it and where fence will be in relation.

Planning Commissioners visited the Buena Vista Subdivision located between Fulton street (3000 West and Gladiola Street (3400 West) and between 500 South and 325 South. The Planner explained the layout of the property and the following issues

- Property owner access road changing
- Road will be widened, require more land dedication or subject property versus property North of 500 South.

Chair De Lay introduced Charlie Luke as the newest Commissioner.

[5:46:40 PM](#)

**Approval of Minutes from Wednesday, April 14, 2010.**

**Commissioner Woodhead made a motion to approve the April 14, 2010 minutes as written. Commissioner Gallegos seconded the motion. Commissioners voted, "Aye". The motion passed unanimously. Commissioner Luke abstained from voting.**

[5:47:00 PM](#)

**Approval of Minutes from Wednesday, May 26, 2010.**

Commissioner McHugh stated her name is not listed as voting on the motions on pages 8, 11, 14 and 15 she did vote in the affirmative with everyone else.

**Commissioner McHugh made a motion to approve the May 26, 2010 minutes as corrected. Commissioner Fife seconded the motion. Commissioners voted, "Aye". The motion passed unanimously. Commissioners Gallegos and Luke abstained from voting**

[5:47:43 PM](#)

**Approval of Minutes from Wednesday, June 9, 2010.**

**Commissioner Wirthlin made a motion to approve the June 9, 2010 minutes as written. Commissioner Fife seconded the motion. Commissioners voted, "Aye". The motion passed unanimously. Commissioners Woodhead and Luke abstained from voting**

[5:48:01 PM](#)

**Report of the Chair and Vice Chair**

Chair De Lay reported the meeting with the City Council was canceled due to everyone's schedule problems. Therefore, there is nothing to be reported at this time.

[5:48:10 PM](#)

**Report of the Director**

Mr. Sommerkorn stated the City Council did not take action on any Planning items so nothing to report.

**Public Hearings**[5:48:38 PM](#)

**PLNSUB2010-00044 Alder-Robinson Subdivision** - a request by Mr. Robinson to amend the Amended Plat of the Arcadia Heights Plat A Subdivision. The proposed subdivision is located at approximately 2857 East 2100 South in the FR-3 Foothills Residential zoning district

Chair De Lay recognized Wayne Mills as the staff representative.

Mr. Mills stated this project was brought in to the Planning Commission on May 26 as an issues only hearing. It was a requested subdivision in a Foothills Zoning District.

Mr. Mills indicated the location of the property and stated it was comprised of four lots. The petitioner would like to combine these lots and then divide them into two new lots. One lot already had a driveway in place the other had an existing home on it. If the petitioner was unable to combine the lots some of the property would be developed. These lots were very unique as they were large in size but had varying grades that would cause construction on them to be an issue. Mr. Mills indicated the proposed property lines and the location of the preferred construction sites. The changes to the property lines would also aide the current home in complying with the rear yard setback. The buildable areas were relatively the same size as other buildable lots along the block face.

Ms. Woodhead asked how the number for lot two was figured.

Mr. Mills stated it came from information the applicant provided. There was a large area that is a non-buildable area.

Ms. Woodhead questioned how this may change the compatible infill factor in the future.

Mr. Mills stated the only way that could happen was if someone purchased two properties and tore down the existing structures. All of the properties were constrained by their existing property lines, setback and building coverage.

Mr. Fife asked what keeps people from building a “Monster Home” on these lots and what constitutes a “Monster Home”.

Mr. Mills explained it would be something that does not fit in the neighborhood. We would look at the building foot print and what could be built in the neighborhood. This home would be set far back from the street and would be hard to see from the street.

The applicant Greg Robinson introduced himself (2356 Scenic Drive). He acknowledged the great job Mr. Mills did in describing what they are looking to do and what the intent is. Mr. Robinson stated they are currently looking to purchase a home that is all on one level and is much easier for elderly and handicap to access.

**Public Hearing [6:00:49 PM](#)**

Chair De Lay opened the public hearing portion of this petition.

No public comment was given.

Chair De Lay closed the public hearing.

**Motion [6:01:03 PM](#)**

**Commissioner Wirthlin stated he would like to make a motion.**

**Regarding PLNSUB2010-00044, I move that Planning Commission approve the Alder-Robinson Subdivision amendment to the amended Plat of the Arcadia Heights Plat A Subdivision according to the Findings Analysis, Staff Report and public discussion tonight. Subject to the following conditions of approval 1-4 listed on page one of the staff report. Seconded by Commissioner McHugh**

**Commissioners Luke, Gallegos, McHugh, Woodhead, and Wirthlin voted, “Aye”. Commissioner Fife voted nay. The motion passed.**

**Public Hearing [6:01:44 PM](#)**

**PLNPCM2009-01423 Public Safety Complex-Central Community Master Plan**

**Amendment**—a request by Salt Lake City Mayor Ralph Becker to amend the Central Community Master Plan in preparation for the new public safety building and emergency operations center building and other possible mixed uses. The subject area is located approximately between 400 South and 500 South and 300 East and 400 East. The subject property is located in Council District 4, represented by Luke Garrott

Chair De Lay recognized Casey Stewart as staff representative.

Mr. Stewart stated this plan amendment was previously heard in the March PC meeting. The Mayor’s administration decided to revise the proposal and it is back again for your review and recommendation.

for the city council.—Mr. Stewart reviewed the process taken to decide where the Public Safety Building would be located. He reviewed the original proposal relating to the civic campus plan and the different use designations within the. Instead of a full civic campus plan, the revision is to simply designate the block for the public safety building as Civic/mixed use to allow for civic uses that are being proposed and discussed as well as any number of mixed uses which could include residential and retail uses. Along with the Central City master plan map amendment, changing it from what it currently is to a Civic/Mixed use designation, there were some related text amendments that support the new designation. With that Mr. Stewart left the Commission to discuss the revised proposal and reminded them that staff's recommendation is on the first page of the staff report.

Ms. McHugh asked if it was also a nod to some of the things Commissioner Dean had brought up about a softer line between designated uses for the block and surrounding existing civic uses?.

Mr. Stewart affirmed that was part of the reason. The term softer was used in a number of discussions afterward and the Administration decided that the revised designation would work better with a general plan dealing with general guidelines. The hard civic campus boundary lines seemed to create a stricter separation of designated uses than intended.

Chair De Lay stated the only public present at that hearing were the Freshmans who own a property on 500 South that has been there for a long time. The Freshmans will have an opportunity to speak during the public hearing portion. Chair De Lay asked about other issues when the Commission saw this before?

Mr. Gallegos stated the question was the provision for housing. He recalled the northern piece of the block was designated for housing. This revised proposal could change the location of the housing is there any thought to that or is it still on that northern 400 South.

Mr. Stewart explained that is correct the current zoning along 400 South is TC75 which is a transit-oriented design zoning. Residential is still encouraged there; with the Civic/Mixed use we are taking a broader brush stroke and designating the entire block as a general category but it would still be intended for residential uses mixed with the civic uses.

Mr. Gallegos stated that at the time residential use was designated along 400 South. Could that possibly change?

Mr. Stewart stated it could, meaning residential uses could be located anywhere on the block

Ms. McHugh asked Mr. Gallegos when he said it could change did he mean go away or that it might be more than originally planned.

Mr. Gallegos stated that at the last presentation the housing was proposed to be on the northwest corner of that block facing 400 South. With the revised designation it is possible the housing could be possible located anywhere on the block. Has there been any discussion on that issue?

Mr. Stewart stated no it is still designed for residential along 400 South based on the current zoning district of TC-75.

Mr. Luke asked if the intent for the flexibility is to locate the building anywhere on that block.

Mr. Stewart stated the Public safety building will be sited on the western portion of the block and away from 400 South. With the City acquiring other properties outside of the previously approved civic campus boundary it began to look like the City was not following the civic campus boundary. By designating the entire block for Civic/Mixed Use purposes more flexibility is achieved but the public safety building is sited for this location that the Mayor has chosen.

Mr. Gallegos stated that it could move.

Mr. Luck asked if the revised designation negatively impacts businesses that are all ready there?

Mr. Stewart stated it will not affect the businesses all ready there. There are zoning districts currently in place that regulate uses and would allow them to still operate in this area.

Ms. De Lay questioned if it would impact a lot of business around the public safety building. Those business owners will have an opportunity to speak during the public hearing.

**Public Hearing :10:34 PM**

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Claudia Freshman part owner of freshman's Inc., and at 353 east 500 South, spoke. She reviewed the history of her building and what she had heard from other sources about buildings being taken down. She feels it may come to her losing her business at its current location. She would like confirmation that her business is not going to be affected by the Public Safety Building.

Ms. Woodhead asked would this change affect her use.

Mr. Sommerkorn explained that is where the mixed use comes into play. The zoning would not change just the Master Plan designation.

Ms. Cindy Cromer gave the Commission a hand out with her opinion for the record. She gave her history in planning and where she stands as far as this proposal stands. Ms. Cromer stated if you put the Public Safety building there you would displace other uses and the use that I was certainly intent on seeing there was highly desirable housing. Mixed use does not convey the percentage of housing. You can have mixed use and have a small or large amount of housing.

She would like a percentage allotted to housing and stated in the Master Plan. Ms Cromer asked about urban landscape or greenscape on other city blocks. Ms. Cromer would like to see it continued on the new block that ties it all together.

Ms. McHugh stated this goes back to what Mr. Gallegos was saying about the housing. That what is there could stay but we do not know how much will end up being actual housing

Mr. Gallegos stated it seemed the purpose of this is because of the Public Safety Building and Emergency Operations Center.

Ms. Woodhead stated since we are talking about master plan language there is nothing that would prevent there from being language in the master plan reflecting some of what Ms. Cromer talked about which is just to renew the commitment to housing in the Central City core and to also add language that says the master plan values landscape continuity between this block and the library block.

Mr. Stewart stated he feels the first point of language encouraging housing is valid but the landscape continuity is a little more specific and that might be a little too specific for a master plan. The current master plan language does speak to a pedestrian corridor from 450 South with maintaining residents there as much as possible.

Mr. Sommerkorn stated he agreed with Mr. Stewart and language to that effect that would certainly be appropriate it would be in character with the plan, still being fairly general but encouraging housing and encouraging landscaping uniformity or something to tie the entire civic area and uses together.

[:19:18 PM](#)

**Commissioner Woodhead motioned, as to PLNPCM2009-01423 the Public Safety Building Master Plan amendment. I moved that we transmit a favorable recommendation to the City Council the recommendation is based on the Staff Report, the hearing in March, the hearing tonight and the input we received. With two amendments one that the Master Plan be amended to included language emphasizing the importance of housing in the Central City core and in the Public Safety Building block and further to emphasize the importance of landscape continuity on those blocks.**

**Seconded by Commissioner McHugh**

Ms. Woodhead stated that because it is the Master Plan it is important that it be mixed use. We don't want to say it has to be housing.

Mr. Gallegos stated he is going back to Administrative Services Department gave us strong commitment to house.

**Commissioners Luke, McHugh, Woodhead, and Wirthlin voted, "Aye". Commissioners Fife and Gallegos voted nay. The motion passed.**

**Public Hearing [6:21:45 PM](#)**

**PLNPCM2009-010337 Amendments to the Use Table Sustainability Regulations** - A petition by Mayor Ralph Becker to create new language in the Salt Lake City Zoning Ordinance to create a series of regulations promoting sustainability throughout the City. Regulations are City wide

Chair De Lay recognized Ray Milliner as staff representative.

Mr. Milliner stated this is the first of many sustainability amendments to come. He reviewed the reason behind the petition and the amendments to the use tables for the following uses:

- a. Community Gardens: Modify the use table, create a definition and qualifying provisions to allow community gardens in various zones throughout the City

Mr. Milliner explained an Urban Farm was a collective where individuals could grow the produce and sell them. It is very common with Urban Agriculture that there is a farm and a group of people who will buy into that farm and every week they pick up produce from the farm.

Ms. Woodhead asked if it is always a collective.

Mr. Milliner explained it is not. It was the most common use now.

Mr. Fife asked how an individual could have a community garden.

Mr. Milliner gave this example- He is the farmer who raises the farm and people could buy into the farm to buy produce and they pick up the produce.

Ms. Woodhead was concerned about how this would effect someone with a garden in their backyard and decides to sell them at the people's market.

Mr. Milliner replied if they rented out a space at the Farmer's Market to sell produce out of their garden it would not meet the definition because this would be where the business is operated out of the home. Included were amendments to the home occupation ordinance.

Mr. Sommerkorn stated he does not think this would preclude an individual raising vegetables in their own backyard.

Ms. Woodhead stated that it was her concern because she knew of people that have backyard farms as their business.

Mr. Nielson asked if this would constitute an Urban Farm being a principal use on a lot could be the only use on a lot.

Mr. Milliner stated that it did.. Staff is determining ways to allow the use while mitigating any of the potential impacts, because it is quite possible that if someone were to acquire a large sizable piece of ground in a residential area there could be some significant impacts.

Mr. Milliner stated he would like input on the following:

- Would it be appropriate to limit the size of the farm in residential areas
- Are the zones we have proposed appropriate?
- Should it be a conditional use in some zones or
- Should we be stricter about the limits and hours of operation?

Ms. Woodhead stated because the packets were late she felt the item should be tabled.s She noted that she had so many questions and hadn't formulated all of them yet.

Mr. Milliner asked for the Commissioners to go through each item individually and give him feedback.

Mr. Fife asked at what point did it go from you growing vegetables in your back yard to it becomes an Urban Farm.

Mr. Milliner explained that it would be when a family garden turns into Commercial Enterprise.

The Commission discussed the definition of Urban Farming.

Ms. McHugh stated that she is concerned about the dismantling of signage, and if that could be added.

- a. Urban Agriculture: Modify the use table; create a definition and qualifying provisions to allow urban agriculture in certain zones.
- b. Seasonal Farm Stand: Modify the use table; create a definition and qualifying provisions to allow seasonal farm stands in limited zones throughout the City.
- c. Solar Array: Modify the use table; create a definition and qualifying provisions to allow solar arrays in limited zones throughout the City.
- d. Large Wind Energy System: Modify the use table; create a definition and qualifying provisions to allow large wind energy systems in limited zones throughout the City.

Ms. Woodhead asked how these regulations would go into effect.

Mr. Milner stated that enforcement is based on a complaint basis.

Ms. Woodhead stated. That she would like to find out how this could be done in a way to make it work for everyone.

Mr. Milliner stated that the goal was to amend the ordinance in a way that would not be onerous on the farmer and the neighborhood.

Mr. Sommerkorn stated it is interesting in this process, the intent of this and a lot of what we are doing on the sustainability is to make it easier to encourage it to happen. We started out with that as a general principal and then like with our Zoning Task Force and other groups the Business Advisory Board they start bring up all these questions of what happens when this and that case. Pretty soon the ordinance is overwhelming we need to balance that so everyone is able to function under the ordinance.

Ms. McHugh stated that the Riparian Corridors a concern, because we have had feedback. She was concerned about regulating distance between the farms and the water.

Mr. Milliner explained that it would be subject to the Riparian Corridor section.

Mr. Milliner stated it was 100' from the high water line.

Mr. Norris explained the landscaping sections in the Riparian Corridor are varied based on whether the lot is developed or undeveloped as well as it does allow certain types of landscaping within those encroachments. The setbacks are primarily for structure. There is a 25'-50' buffer where natural vegetation is there it has to remain.

Ms. McHugh stated she would like to know specifically what the regulations are in placement of gardens by the water.

Mr. Fife asked what the purpose of having a separate water meter is.

Mr. Milliner stated that was a request from Public Utilities Division I believe as it is a business they would like to monitor those separate from the residential use. So if it was in a residential zone they would like to have a separate monitoring system.

Mr. Fife asked if there was a separate fee structure.

Mr. Milliner stated he did not believe so.

The Commission discussed the cost of adding an additional water meter.

Mr. Norris stated we need to revisit the irrigation because there are some State Legislation on rain water harvesting that will come into play.

Chair De Lay asked if there were Federal rules for selling produce.

Mr. Milliner noted that the State Department of Agriculture and FDA had rules in place.

Mr. Milliner stated he discussed this with the county Health Department and the State allows persons to sell produce off the vine without regulation. However, there were certain limitations to that. If you start selling it as a cooked or prepared food the regulations kick in. The way we wrote the Farm Stand criteria was to just make it so it is either from a Health Department approved facility or it is off the vine.



Ms. Woodhead stated she noticed there was a reference to people not being required to get solar easements but maybe negotiate them.

The Commissioners discussed the appropriateness of getting involved in this type of argument with neighbors and legal issues. It was determined that it is not the role of the City.

Ms. Woodhead stated that there was such limited ability to say no to Conditional Uses.

Mr. Milliner stated the way you would do that is with the conditional use criteria and the section on the impact to adjacent properties. You may be able to add that condition in on an individual basis.

Mr. Wirthlin stated it is the property owner's responsibility to buy the easements to allow for the solar to be used properly. It is not this Commission's responsibility to police that.

The Commission discussed language that would not guarantee users of solar power easements and more rights than anyone else. It was discussed what could be done by the property owner to help give them a better guarantee.

Staff would look into the solar issues and bring them to the next meeting.

Ms. McHugh stated she would like to know the different types of wind generators that could be proposed for residential property.

Mr. Milliner stated we are not proposing they be used in residential areas. He reviewed the areas wind generators would be allowed as conditional use.

Mr. Sommerkorn stated we would not see a lot of wind generated items here as it would not be beneficial in the valley.

Mr. Wirthlin asked pertaining to both solar and wind facilities, under the non-maintained or abandoned sections you have a time frame of 30 days, and how was that determined?

Mr. Milliner stated that language is taken from the existing ordinance which is used for other uses.

Public Hearing [:48:14 PM](#)

Chair De Lay asked for public comment.

Ms. Cindy Crommer stated this is the easy stuff and it only gets harder as it moves forward when it comes to sustainability. She would like to have the plans modified for Salt Lake City. She would like to see these areas taken care of to the best of people's abilities. We need to think about the off season maintenance of the property. Recommends you tie them to best practices. In the case of wind power you have to do a cost benefit and their appropriateness for historic districts.

Jeff Snelling stated that as a former Public Utilities employee the cost to install a water meter was approximately around two thousand dollars in fees and the other installation is around five thousand.

MOTION [:52:29 PM](#)

**Commissioner Gallegos motioned to table PLNPCM2009-010337 Amendments to the Use Table Sustainability Regulations until the July 14, 2010 meeting. Seconded by Commissioner Woodhead, Commissioners Luke, McHugh, Woodhead, Wirthlin Fife and Gallegos voted, "Aye". The motion passed.**

**Public Hearing [6:53:00 PM](#)**

**PLNPCM2010-00188 – A1 Auto Parts Conditional Use** – A request by Mike Vanikiotis for a conditional use to operate an outdoor auto salvage and recycling facility at approximately 5 South 5100 West.

Chair De Lay recognized Katia Pace as staff representative.

Ms. Pace stated this is a request for auto salvage and recycling business to be located on this property 5 South 5100 West. They are requesting a Conditional Use. There are special circumstances about this lot specifically that it does not have street frontage. The property runs along I-80. The access for this lot was through a cul-de-sac. The lot was created by UDOT and used as a staging area for the construction of I-80 due to this it was exempt of subdivision regulations. Therefore, it is a legal lot.

Ms. Pace presented a slide depicting the area in question. She outlined the property lines and issues that may arise with the lot. Ms. Pace stated the parking lot would be blacktop and cement. The lot for the cars would be gravel. There are EPA standards that need to be met and Public utilities will also be reviewing the area for water quality, site drainage and for the ditch. Ms. Woodhead asked if A high fence will not block the hotels in the area and asked if they were notified.

Ms. Pace stated we sent notices to them and did not receive any comments in return.

Ms. Pace added that this was a M1 Zoning district and one to mitigate that issue is the 20' landscaped setback. There is a specific landscape requirement for this freeway setback.

Mr. Gallegos stated that the map provided indicated the section to the north of the freeway is also M1 but has a very different physical appearance than would be on the south of I-80. The compatibility issue is compelling looking at the type of businesses looking to be developed in the parcel we are discussing tonight. He felt visually it was not compatible.

Chair De Lay asked Mr. Sommerkorn to state the Commissions' task for this issue.

Mr. Sommerkorn referred to the conditional use parameters and indicated that they could impose those requirements. Public Hearing

Mike Vanikiotis (4118 West 2150 S) Owner of A1 Auto Parts, first of all we would like to give Planning a thank you. They have helped us out a lot over the last four months trying to get this through. The large poster going around is what the facility is going to look like. We run a very clean operation, we do not stack cars for keep more than a 20-40 cars on the lot at one time. All of the cars are drained and striped prior to being parked on the lot. The cars are then sent to shredders. We have a lot off of 2100 South across from the Raceway. We comply with EPA and environmental standards. This location would be for our expansion and did notify everyone within 500 feet. We will put up a privacy link or metal 8' fence. We agreed with the 20' landscape set back.

Ms. McHugh when people like of auto salvage they think of heaps of autos. You are not looking to do that at this location correct.

Mr. Vanikiotis stated that they are parked in the parking spaces. They do not pile cars or stack cars on cars.

Mr. Gallegos asked once the cars were striped of the parts what happens to the leftovers.

Mr. Vanikiotis stated that it would stay on site and the shredders come to pick them up.

Mr. Gallegos asked about the landscape buffer.

The Commissioners discussed the types of trees, shrubs and other landscaping that would be required in the setback. A tree is required for every 300 sq feet. The nature of the trees and how the number of trees is calculated for the space, we would like a concert number of trees and no substitutions.

Mr. Vanikiotis stated that line is 3564 or a mile of fence. Therefore, you are looking at a tree every 25' , that is a lot of trees.

Ms. Woodhead stated as much as we all want to be green. She would like to see evergreen trees because they would best serve the purpose.

Mr. Vanikiotis stated that evergreens did not grow well in salty ground. Mr. Norris stated that different soils could be brought in to plant evergreen trees.

Chair De Lay stated we need to use trees that are native to the area and we need to make it work for everyone.

Mr. Norris stated that one of the requirements in the freeway landscape ordinance is that drought tolerant plants be used.

Mr. Norris stated we can work with the Department of Forestry to come up with a list of acceptable trees that they could use, with the purpose to mask the area.

**Motion [18:32 PM](#)**

**Commissioner Wirthlin made a motion regarding PLNPCM2010-00188 based on the findings listed in the Staff Report, the Public Hearing and discussion this evening, I move that the Planning Commission approve the petition for the conditional use of A1 Auto Parts in the M1 zone with conditions 1-6 with the first condition amended as follows: Include a 20' landscaped setback along I-80 corridor as per zoning ordinance 21-A.48-110 that the parameter fence be placed behind the landscaped setback or 20' except for approximately 168' from the northwest corner of the lot where the fence will be 9' from the property line with the additional landscape requirements that the trees be placed per the ordinances at approximately every 25' along the fence in a way to sufficiently soften and mask the visual impact of the fence with the details of the types of trees to be determined by the Planning Director and Urban Forestry as it borders I-80. Commissioner Luke Seconded, Commissioners Luke, McHugh, Woodhead, Wirthlin Fife and Gallegos voted, "Aye". The motion passed**

**Public Hearing [7:20:41 PM](#)**

**PLNPCM2010-00320 South Temple Street Closure** - A request by Mayor Becker for a street closure and sale of the South Temple right-of-way between 500 West and 600 West The property is located in a GMU (Gateway Mixed-Use) zoning district in Council District 4, represented by Luke Garrett

Chair De Lay recognized Doug Dansie as staff representative.

Mr. Dansie reported the proposal is to sell a portion of South Temple west of the Gateway Mall. He explained this area is not an actual street as it is not developed and is railroad property. The City has acquired some of the property from the railroad. The Mayor has requested that we declare the street surplus it has to be declare surplus and closed for a street but also that some of this other property to the

north be declared surplus. What the administration intends to do with this is in part resolve land issues up here at North Temple where the Boyer Company has their parking in what used to be the lot under the North Temple Via Duct.

Chair De Lay asked if it was a brown field area from the FEDS.

Mr. Dansie stated he does not believe so. The bigger issue is not so much the title issues but the Boyer Company has contracts with the Gateway to provide parking. This land swap helps the Boyer Company to meet their required parking contracts. The Master Planning issues are on a larger scale. The City's has had a policy of extending City Creek all the way down to the Jordan River. Day Lighting and a walkway to the Jordan River is part of the plan as well. The City wants to maintain that so we are not giving all of the land to the tracks and this plan will allow for that route. Any new construction in this area will require the Planning Commission's approval. Therefore, the Commission has the ability to require the City Creek features to be added to any proposed site plans in order to maintain the pathway.

Mr. Dansie explained the bottom line is that the street is not really there it only appears on paper. This transaction will help to tie up some legal issues and the City is not forgoing any Master Plan issues of continuing the City Creek walk way in this area.

Mr. Wirthlin asked about a section of land indicated in blue was owned by the City.

Mr., Dansie stated the City does own that plot and will retain the ownership of that area. He explained the City is looking at some issues with Brown's Field that need to be addressed in order to get the area clean and ready to be surplus. They are just not looking at that now.

Mr. Sommerkorn stated the Boyer Company has expressed interest in purchasing that property as well. We are just not looking to sell it at the moment.

Mr. Wirthlin stated he feels we should sell it as well.

#### **MOTION**[7:27:52 PM](#)

**Commissioner Whirthlin made a motion regarding PLNPCM2010-00320 the street closure, based on the findings listed in the Staff Report and the Public Hearing this evening I move that the Planning Commission recommend to the Mayor and City Council the street be closed the property be declared surplus sold with conditions 1-2 on page one of the staff report also the adjacent land to the North as identified in the staff report be declared surplus and sold. Seconded by Commissioner Woodhead Commissioners Luke, McHugh, Woodhead, Wirthlin Fife and Gallegos voted, "Aye". The motion passed**

#### **Public Hearing** [7:28:29 PM](#)

**Buena Vista Subdivision** – a request by Allen Kimball to amend the Buena Vista subdivision located approximately between Fulton Street (3000 West) and Gladiola Street (3400 West), and between 500 South and 625 South. The request includes the following three petitions:

- a. **PLNSUB2009-00575 Buena Vista Subdivision Amendment** – a request to amend the Buena Vista Subdivision to consolidate 38 existing lots into 3 new lots; and
- b. **PLNPCM2009-00576 Buena Vista Street Closure** – a request to close portions of three (3) streets within the Buena Vista subdivision; and

- c. **PLNPCM2009-00577 Buena Vista Alley Closure** – a request to close approximately nine (9) alleys within the Buena Vista subdivision. (Staff contact: Michael Maloy at 801-535-7118 or [michael.maloy@slcgov.com](mailto:michael.maloy@slcgov.com).)

Chair De Lay recognized Michael Maloy as staff representative

Mr. Maloy asked for it to be noted there is a typo on the Staff Report. File number PLNPCM2010-00576 should be PLNPCM2009-00576. The agenda was correct so it was advertised correctly. Initially there was a plan to actually create a new subdivision for this entire area and request most of the streets in this subdivision to be closed as well as the alley ways to be closed. Mr. Maloy explained where as in a closure, in a commercial project we require the property be purchased or exchanged at fair market value and what comes along with that comes all the frontage improvements along 500 South Fulton Street and Gladiola Street. That became a very expense proposition for the applicant. What they now have proposed is essentially a phase one hoping that over time there would bean opportunity to re-plat these older smaller lots that were originally platted for residential development. The property was zoned M2. Mr. Maloy explained how the subdivision had been laid out On the map you can see that all of the interior streets and alleys have never been paved or established.

Mr. Maloy reviewed the proposed changes to 500 South and the new lot outlines.

Mr. Maloy discussed the letter from a property owner that has property inside the Buena Vista Subdivision. The letter is in regards to access and possible negative impacts to her property value.

There is a small piece of property that is owned by Mr. Michael Layton. We have not been in contact with Mr. Layton regarding his feelings on this proposed petition. There is an alley that abuts to Mr. Layton's property and if it were to be closed both the applicant and Mr. Layton would have the ability to purchase half of the alley. If Mr. Layton does not want to purchase the alley, the applicant has expressed his interest in acquiring this property. This may be an amendment in the future to the plat line. The applicant is also willing to make the proposed improvements along the frontage within the existing right of way fronting Mr. Layton's property. Therefore, you can see Mr. Layton is not being harmed by this project but his property is actually being improved.

There was another comment on the Staff Report. At one time the applicant was showing some turnarounds for emergency vehicles. Since engineering reviewed the proposed lot changes, they have eliminated the need for some of the turnarounds.

All department comments recommended approval of all three petitions.

Chair De Lay asked the Applicant to set forward. The applicant did not have anything to add regarding the petition. Chair De Lay asked Mr. Maloy if he wanted one motion for all three items or to vote on the individually.

Mr. Maloy stated one motion would be best and this petition will be going to the City Council for approval. Therefore the Commission would just be giving their recommendation to the City Council.

**MOTION :38:29 PM**

**Commissioner Wirthlin made a motion regarding PLNSUB2009-00575 for Subdivision Amendment, PLNPCM2009-00576 Street Closure and PLNPCM2009-00577Alley Closure. I move that the Planning Commission forward to the City Council a recommendation for the approval based on the comments, Staff Report and discussion this evening with**

**conditions 1-7 on page one of the staff report. Commissioner Woodhead seconded. Commissioners Luke, McHugh, Woodhead, Wirthlin Fife and Gallegos voted, “Aye”. The motion passed**

*The meeting adjourned at 7:39 p.m.*

**This document, along with the digital recording, constitute the official minutes of the Salt Lake City Planning Commission held on June 23, 2010.**

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Michelle Poland