

**SALT LAKE CITY PLANNING COMMISSION MEETING  
In Room 326 of the City & County Building  
451 South State Street, Salt Lake City, Utah  
Wednesday, May 26, 2010**

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

A field trip was held prior to the meeting. Planning Commissioners present were: Tim Chambless, Angela Dean, Michael Fife, and Matthew Wirthlin. Staff members present were: Joel Paterson, Wayne Mills and Ray Milliner.

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, Joel Paterson Programs Manager; Janice Lew, Senior Planner, Ray Milliner, Principle Planner, Nick Norris, Programs Manager, Doug Dansie, Senior Planner, and Wayne Mills, Senior Planner; and Angela Hasenberg, Senior Secretary.

**Field Trip Notes** (Taken by Joel Paterson)

**PLNPCM2010-00173: Conditional Use for Crematorium** – A request by Russon Brothers Mortuary for a conditional use to install a crematorium in an existing funeral home located at approximately 255 South 200 East. Planning Commissioners visited the site, Ray Milliner, Planner, discussed the proposal.

**PLNPCM2010-00071 900 South Railroad Rezoning:** A request by Mayor Becker to rezone 1.385 acres of land that is currently zoned Open Space to M-1 Light Industrial. The subject property is within the right of way of the Union Pacific Railroad property on the south side of 900 South, between 700 and 800 West. This rezoning is for the south half of the property. Joel Paterson, Programs Manager discussed the proposed rezoning.

**PLNPCM2010-00132: Conditional Use for an Animal Cremation Service** – A request by Major Street Pet Services for a conditional use to install an animal cremation service in an existing building located at approximately 1727 South Major Street. Ray Milliner, Planner, described the proposed project. The commission asked questions about the operation of the facility.

**PLNSUB2010-00044 Alder-Robinson Subdivision** - a request by Greg Robinson to amend the Amended Plat of the Arcadia Heights Plat A Subdivision. The proposed subdivision is located at

approximately 2857 East 2100 South. Wayne Mill, Planner, described the proposed subdivision, the commission asked questions regarding 30% slopes, and lot size restrictions.

**PLNHLC2010-00181 Westmoreland Historic District.** A request by the Salt Lake City Council to amend the Salt Lake City Zoning Map and establish an H Historic Preservation Overlay District for the area known as Westmoreland Place. The property is generally located between 1500 and 1600 East and 1300 South and Browning Avenue. Joel Paterson, Programs Manager, described the proposal for the designation of a local Historic district. The Commissioners asked questions regarding contributing vs. non contributory structures.

#### **Approval of Minutes from Wednesday, April 28, 2010**

**Commissioner McHugh noted that she was not in attendance, and asked that the correction be made on the minutes.**

**Commissioner Fife made a motion to approve the March 10, 2010 minutes with correction. Commissioner Dean seconded the motion. Commissioners Chambless, Dean, Fife, Hill, Wirthlin, McHugh and Woodhead voted, "Aye" Commissioner McHugh abstained. The motion passed unanimously.**

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

There was no report

#### **Report of the Director**

Mr. Sommerkorn stated the City Council passed the Ordinance amendment for utility boxes. He also referenced a memo regarding time extensions for Bouck Village Planned Development. Originally known as Mc Gland Planned development, they had asked for another year extension. The petition was originally approved in 2006, the current owner bought the property shortly after the first year after it was approved, has subsequently has been unable to complete the work and was attempting to sell the property to another buyer to complete the improvements.

Chairperson De Lay asked if the city had ever extended a five year extension, and if the permit needed review.

Mr. Sommerkorn replied that he did not know if there had been an extension that long, but noted that he did not believe that the permit would need additional review. Mr. Sommerkorn stated that the developer had gotten all of the permits from the different agencies within the city, but it was a matter of financing at this point.

#### **Motion:**

**Commissioner Wirthlin made the motion for a one year extension. Commissioner Hill seconded the motion.**

**Commissioners Chambless, Dean, Fife, Hill, McHugh, Wirthlin and Woodhead all voted aye. The vote was unanimous and the motion passed.**

**Public Hearings [5:53:53 PM](#)**

**PLNHLC2010-00181 Westmoreland Historic District.** A request by the Salt Lake City Council to amend the Salt Lake City Zoning Map and establish an H Historic Preservation Overlay District for the area known as Westmoreland Place. The property is generally located between 1500 and 1600 East and 1300 South and Browning Avenue. This request requires the Historic Landmark Commission and Planning Commission to forward a recommendation to the City Council. The property is zoned R-1-7000 and R-1-5000 (Single-Family Residential District) and is located in City Council District 5, represented by Jill Remington Love. (Staff contact: Janice Lew, 801-535-7625, janice.lew@slcgov.com)

Chairperson De Lay stated that she had sold a home in the area just prior to the hearings, and had sent her clients emails regarding the amendment, but felt that it had no impact on her opinion.

Commissioner Wirthlin disclosed that his family owns property in the proposed area and recused himself.

Chairperson De Lay recognized Janice Lew as staff representative.

Ms. Lew stated that this is the local designation for the Westmoreland Place neighborhood. This was an amendment to the zoning map, it included neighborhood and community council meetings, an informational meeting was held on April 15 in the neighborhood, in addition the Wasatch Community Council considered the request during their April 28 meeting, and those attending the meeting voted to support the application. Additionally, within 600 ft of the area, is the Yalecrest neighborhood Community Council they considered the request on May 5, and had concerns regarding the proposed designation.

The amendment also required review by the Historic Landmark Commission, who met on May 19, held a public hearing and forwarded a positive recommendation to the Planning Commission, as well as City Council.

Ms. Lew asked for a favorable recommendation that would be forwarded to the City Council.

The proposed district would be known as the Westmoreland Historic district, which is generally located between 1500 and 1600 East and 1300 South and Browning Avenue. To the south, the boundary does not go to Browning, but does include the south side of Harrison.

The subdivision fronts 1500 East and 1300 South. It was only the interior facing properties that were being proposed for this district that included 52 properties.

Based on the analysis that was included in the staff report, staff found that Westmoreland Place history is included in the high quality of design construction and landscaping established by the Dunshee brothers who were credited with introducing the restrictive subdivisions that came to characterize the East Bench area. Most of the homes were built during the early 20<sup>th</sup> century and illustrate the desirability of the area for residential development above the valley. The neighborhood was accessible by the street car system that ran along 1500 East.

Because the neighborhood was built by prominent developers and builders, it's architectural resources demonstrate a remarkable level of visual cohesiveness, and style that distinguishes it from surrounding subdivisions, there was an impressive collection of bungalows, and they were special to this particular area, and also a number of period revival styles that were included in the neighborhood, and thus the Westmoreland Place neighborhood contributes significantly to the Historic Resources of Salt Lake City, and stands an excellent example of the East Bench community developed over time, and the factors that played a role in its' development.

Staff also finds that the proposed designation significantly met the standards as outlined by the Zoning Ordinance and recommended that if the Planning Commission concurred with those findings, that they would forward a positive recommendation to the City Council.

**Questions from the Commission:** [6:01:19 PM](#)

Commissioner Dean asked why the gateway to the neighborhood was excluded from the district.

Ms. Lew replied that it was included.

Commissioner Chambless inquired about the number of properties, clarifying whether it was every property that was seen on the field trip, and specifically which properties would be excluded.

Ms. Lew stated that they were structures that were built outside of this time period, as well as some additions, but they didn't compromise the integrity of the district as a whole. Those that are excluded would have been along 1300 South and the majority of the homes along 1500 East. There were two properties that were included on 1500 E, and that was at the request of the property owners.

Commissioner Woodhead noted her appreciation of the historical information provided with the staff report.

**Public Hearing:** [6:04:29 PM](#)

Jean Zancanella, 1374 Glenmare, Salt Lake City, spoke in *support* of the petition. She asked for the Planning Commission's recommendation as a representative of Westmoreland Place neighbors, sharing the cohesiveness of the neighborhood, and noting no dissent from anyone in

the neighborhood, and has made a large effort to make the designation as transparent and as inclusive in their efforts, with no opposition.

Kurt Huffaker, Utah Heritage Foundation, spoke in *support* of the petition. He encouraged the Planning Commission to move the petition forward and make a favorable recommendation to the City Council. He noted the architectural integrity of the area. He also stated that this is a major step in moving the Preservation Plan forward.

**Motion:** [6:08:24 PM](#)

**Commissioner Hill made the motion regarding PLNHLC2010-00181 Westmoreland Historic District, based on the findings of staff Planning Commission would like to forward a favorable recommendation to the City Council, that the City Council amend the Salt Lake City zoning map and establish an age historic preservation overlay district for the area known as Westmoreland Place.**

**Commissioner Dean seconded the motion**

**Commissioners Chambless, Dean, Fife, Hill, McHugh, and Woodhead all voted aye. Commissioner Wirthlin recused himself from the vote. The vote was unanimous and the motion passed.**

**Commission Wirthlin returned to his seat.**

**Public Hearing:** [6:10:11 PM](#)

**PLNPCM2010-00173: Conditional Use for Crematorium** – A request by Russon Brothers Mortuary for a conditional use to install a crematorium in an existing funeral home located at approximately 255 South 200 East.

Chairperson De Lay recognized Ray Milliner as staff representative.

Mr. Milliner stated that the petition is a conditional use request for the mortuary located at 255 South, 200 East. The applicant was requesting an approval of a crematorium structure which was attached to the rear of existing funeral home. Staff had reviewed the application for compliance and found that it was compliant with the criteria, and recommended an approval based on the conditions of approval, 1 and 2 found in the staff report.

**Public Hearing:** [6:12:56 PM](#)

Chairperson De Lay opened the public hearing. She noted there was no one present to speak to the petition, and closed the public hearing.

**Motion:** [6:13:09 PM](#)

**Commissioner Wirthlin made the motion regarding PLNPCM2010-00173: Conditional Use for Crematorium based on the findings of fact of the staff report and the testimony of Mr. Milliner and the study of this topic, It is moved that the Planning Commission approve a conditional use subject to conditions 1 and 2 of the staff report.**

- 1. The crematorium shall not be used for the disposal of medical or industrial waste.**
- 2. All building permits shall be received prior to any construction.**

**Commissioner McHugh seconded the motion**

**Commissioners Chambless, Dean, Fife, Hill, McHugh, Wirthlin and Woodhead all voted aye. The vote was unanimous and the motion passed.**

**Public Hearing [6:13:49 PM](#)**

**PLNPCM2010-00132: Conditional Use for an Animal Cremation Service** – A request by Major Street Pet Services for a conditional use to install an animal cremation service in an existing building located at approximately 1727 South Major Street.

Chairperson De Lay recognized Ray Milliner as staff representative.

Mr. Milliner stated that this was an application for conditional use for an animal crematorium located at 1727 S. Major Street. The application had been reviewed for compliance with the criteria and was found that it did comply, therefore recommended that the Commission approve the conditional use pursuant to the conditions of approval of the staff report with one change to condition number 2 that states “The Crematorium shall serve only individual pet owners, disposal of farm animals or wild animals is not allowed” to “disposal of farm animals for profit, or wild animals, not be allowed.”

Mr. Milliner noted that this petition had been reviewed many times before, and there had been discussion regarding the sensory effects the crematorium would have. This had been reviewed and it was determined that the effects had been substantially mitigated. Therefore, staff is recommending approval.

**Questions from the Commission [6:15:44 PM](#)**

The commissioners debated the topic of farm animal cremation. They clarified the intent.

**Motion: [6:17:38 PM](#)**

**Commissioner Dean made a motion regarding PLNPCM2010-00132, approve the application based on the staff recommendation and findings with conditions of approval 1-5 striking the second sentence and replacing it with “Crematoriums will only serve individual pet owners”**

Commissioner Woodhead seconded the motion.

**Commissioners Chambless, Dean, Fife, Hill, McHugh, Wirthlin and Woodhead all voted aye.**

**The vote was unanimous and the motion passed.**

**Decision: The Commission approved the petition with the following conditions:**

1. The crematorium shall not be used for the disposal of medical or industrial waste.
2. The crematorium shall serve only individual pet owners. ~~Disposal of farm animals or wild animals is not allowed.~~ **Crematorium will only serve individual pet owners.**
3. All animal remains must be stored within an enclosed building.
4. All deliveries and drop offs of animal remains must be conducted when there is a Major Street Pet Services employee present. No exterior drop off is allowed.
5. All building permits shall be received prior to any construction.

**PLNPCM2009-00510 North Temple Boulevard Station Area Plans:** a request to the Planning Commission to reconsider the boundaries of the draft Cornell and 1950 West Station Area Plans. The Planning Commission will hold a public hearing to consider a clarification on the station area map within the Cornell and 1950 West Station Areas. A public draft of the plan can be viewed on the project website at [www.northtempleboulevard.com](http://www.northtempleboulevard.com). The properties are located in Council Districts 1 represented by Carlton Christensen and District 2 represented by Van Turner. (Staff: Nick Norris at 801.535.6173 or [nick.norris@slcgov.com](mailto:nick.norris@slcgov.com)).

Chairperson De Lay recognized Nick Norris as staff representative

[6:19:47 PM](#) Mr. Norris stated that this was a reconsideration of the maps of two station areas, one at Cornell, which would be added to the core, rather than the transition area, and 1950 W. adding the rest of the State Office Complex to the core and remove the area that is owned by the airport, and was requested that it be taken out of the plan.

Commissioner Chambless asked if it was going to be permanent open space.

Mr. Norris responded that it would remain undeveloped.

Commissioner Fife asked the reasoning of adding the two areas.

Mr. Norris responded that the Cornell area is something that the consultants were pushing for, and that the State has room to do something with the area in the future.

Commissioner Chambless asked for clarification of the ownership of the buildings along 1950 West.

Mr. Norris replied that buildings on 1950 West **were** State owned, but the properties along North Temple were not.

Comment [MSOffice1]: "are" is correct

**Public Hearing**

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

Myra Close, resident of All Season Mobile Home Park, She was also the Chairperson of the All Seasons Manufactured Home Association, on the corner of Redwood Road and 3<sup>rd</sup> North. Ms. Close was concerned with how the changes would impact their mobile home park. Mr. Norris stated that it would not have an impact, and that zoning issues would be discussed with the next item on the agenda.

Jeff Salt with Great Salt Lake Keeper, addressed the definition of the core and transition zones, noting that the application stated that the core zone was to be a quarter mile from the station, and the transition zone was to be a half mile. He observed that the current drawings indicate that near the Fair Park, the core area exceeds the quarter mile description, indicating a discrepancy. He suggested that the map and the description need to match.

Commissioner Fife asked if the distance was a general description, and the maps indicate the actual area.

Mr. Norris stated that the descriptions were intended to describe the area and the type of development that could occur there. When the wording said it was a quarter mile, it was generally within a quarter mile, and that it actually indicated an average. Mr. Norris stated that it isn't a regulation, but gives administrative direction. He gave examples outlining how a strict guideline in these cases would create split zone properties which are issues the city is trying to avoid.

Comment [MSOffice2]: "Means"

#### **Motion:**

**Commissioner Woodhead made a motion regarding Petition PLNPCM2009-00510 North Temple Boulevard Station Area Plans: The Planning Commission transmits a favorable recommendation to the City Council regarding the amendments to the station area plans proposed in the May 5, 2010 memorandum from Nick Norris, making amendments as to the Cornell Station and the 1950- 2200 W Station Area plans.**

**Kathleen Hill seconded the motion**

**Vote: Commissioner Woodhead, McHugh, Chambless, Dean, Fife, Hill, and Wirthlin all voted aye, the motion passed unanimously.**

**Public Hearing:** [6:27:24 PM](#)

**PLNPCM2010-00096 North Temple Boulevard and Vicinity Rezoning:** A request by the Salt Lake City Planning Commission regarding the adoption of the TSA Transit Station Area Zoning District and amending the official zoning map by rezoning certain properties along North Temple Boulevard and other properties in close proximity to the Airport Light Rail Line between approximately 300 West and 2400 West.

Chairperson De Lay recognized Nick Norris as staff representative.

Mr. Norris explained the items that have changed since the last presentation on April 28.



Based on the feedback that was received, wording has been changed and added to and amending the development guidelines, and modified the prohibited use chart, based on the recommendations of the Planning Commission, clarifications were made to definitions, i.e., regulations that prohibited secondary use structures in front yards, increased threshold values for the development score to 0-49 points for tier one, 50-99 for tier two, 100+ for tier three.

The number of points available for certain guidelines, such as floor-area ratio, vertical mix of uses, water wise landscaping were increased. New guidelines were added for development located near an existing mixed-use area.

Clarification was made regarding community serving uses and what specific uses would. The guidelines for open space and open space at transit station were combined, as were the guidelines for parking structure and wrapped parking structures.. Concerns had been noted about outdoor storage and what it would entail; it was listed as a prohibitive use but some property owners had suggested prohibiting it as a primary use, allowing it when it was incidental to the main use and located behind the main building.

Regulations have been added to clarify the location of surface parking lots located at block corners. Staff is proposing to use the TC-75 zoning district language which required surface parking lots to have been located a minimum of 60 feet from a front or a corner side yard lot line.

Green building points regarding LEED certification had not been finalized. There were protocols in place to expedite permits that allows people to post a bond of \$10,000.00 that was refundable if the applicant could demonstrate that they actually received the certification from the US Green Building Council. The question became was that the direction we really want to go. The main issue was administrative. What happened if the project is completed but the owner never submits for certification from the US Green Building Council? Mr. Norris stated that if the approval was based on these conditions, it wasn't likely that the City could take back the approval. Another option was something that was built off of the ICC code, the National Green Building Codes, which was more in line with the existing building code and has been used by the permits office as an alternative for the expedited LEED permits. The benefit was that upon the submission of a building permit, the applicants were including a check list and descriptions of how they meet the standard. This made the permit process easier. There were still issues to be resolved.

Planning Staff's recommendations for this is to take the LEED segment out, and not issue points for LEED certification. Doing that would allow staff to expedite this issue to the City Council before the temporary zoning requirements expire August 2, 2010.

There was debate over the wording of the point system.

Myra Close, a citizen, spoke *against* the petition, asking how the rezoning will impact the All Seasons mobile home park.

**Comment [MSOffice3]:** Can you make this a complete sentence? Something along the lines of the Commission discussed the working used to describe the point system?

**Comment [MSOffice4]:** Section heading to indicate that the Public Hearing was opened.

Mr. Norris responded that the All Seasons community would be rezoned to transit station area transitional zone, which would have allowed increased building height over the current zoning. Mr. Norris noted that its current use was an allowed current use and the rezoning would not change that. He also stated that the added uses would give the landowner more options for the use of his property.

Chairperson De Lay asked if they manufactured home residents own the land.

Ms Close responded that they did not, that they leased it.

Mr. Norris stated that there could be an increased number in dwelling units.

Ms. Close inquired if the property could be sold “out from under them”.

Chairperson De Lay clarified that a property owner is entitled to sell their own land.

Ms. Close stated that her understanding was that it was zoned as a mobile home park and that its’ use could only be that.

Mr. Norris reiterated that the rezone increases the uses of the property.

Ms. Close asked why there needed to be more uses.

Ms. Hill stated that the property owner has the right to the greatest possible use of the land.

Ms. Close noted that it is a senior citizen park, and the residents chose to live there.

Commissioner Woodhead asked if it is zoned that manufactured homes are the only legal use permitted there.

Mr. Norris and Ms Close both agreed that it was.

It was clarified that the owner has the ability to apply for a zoning amendment.

Mr. Sommerkorn asked what the current designation for that area was; he inquired whether it was low density. Stating that if it were, under the master plan for the area, designated for low density residential, the owner could petition for a rezone to a residential zone, he explained that it was a possibility, under the current plan. The new plan designates an additional number of uses that could be designated, and could be rezoned, as well.

Chairperson De Lay noted that the owner could petition the city at any time to change the use of the property.

Mr. Norris stated that the rezone is multifamily, and therefore, the owner could change the type of housing in that area.

Jeff Salt, Great Salt Lake Keepers 723 E. Lisonbee Ave.

Issues: open space planning

Policy conflicts with the City and City Council Ordinance for the RCO did not work for the Jordan River and needs to be re-written. 100 foot setback was inadequate, and therefore, 50 foot setback would be worse. Property located at North Temple and the Jordan River is owned by the State of Utah.

**Comment [MSOffice5]:** Existing City policies? Means the "Riparian Corridor Overlay"

**Comment [MSOffice6]:** Spell out Riparian Corridor Overlay

Commissioner Chambless asked if 100 feet was not ideal, how much space would be.

Mr. Salt responded that 200 feet would be more functional.

JoAnn Anderson, 1590 Spring St, spoke *against* the rezone.

Mr. Norris made note that many of the issues presented had not be made until this meeting. He suggested changing the boundary of the rezone to remove the area in question. He added that this is just one step in the process, and that the City Council would make the ultimate decision.

Rod Olsen and Jeri Olsen 744 Jackson Avenue spoke in *support* of the North Temple rezone. They would like the rezone to extend to 200 North.

Mr. Norris responded that density, building intensity, the location of the National Historic District and the location of Jackson Elementary were the reasons why staff is not recommending changes to the 200 North blockface.

Commissioner Woodhead asked if Mr. Olsen's property zone was split, transitional and R1-5000. She asked what was on the property.

Mr. Olsen responded that a single family house and two duplexes. He also noted that the city property was 120 feet wide, 200 North could accommodate more traffic.

Major Raymond, 35 North Orange Street, asked for clarification of the rezoning.

7:21:01 PM Motion:

**Comment [MSOffice7]:** Heading indicating that the public hearing was closed.

Commissioner Woodhead made the motion that in the case of **PLNPCM2009-00510 North Temple Boulevard Station Area Plans** to table the decision on this petition until the next meeting and that staff provides additional information regarding options in regard to the manufactured homes and information options regarding the Jordan River. Additionally change the wording regarding scale along the riverfront.

Second: Mathew Wirthlin

**Vote: Commissioner Woodhead, McHugh, Chambless, Dean, Fife, Hill, and Wirthlin all voted aye, the motion passed unanimously.**

**PLNPCM2010-00071 900 South Railroad Rezoning:** A request by Mayor Becker to rezone 1.385 acres of land that is currently zoned Open Space to M-1 Light Industrial. The subject property is within the right of way of the Union Pacific Railroad property on the south side of 900 South, between 700 and 800 West. This rezoning is for the south half of the property.

Chairperson De Lay recognized Joel Paterson as staff representative.

Mr. Paterson stated that this was a petition that was initiated by Mayor Becker to rezone property along the railroad corridor along 900 S. between 700 and 800 W. The property was currently zoned open space and the request was to rezone the southern portion of that. The request was to change the zoning to M-1 manufacturing.

The purpose of the request was to change the zoning to allow some expansion of the Utah Paper Box facility that was located at that site and consolidate their uses. Utah Paper Box's move to this location allowed for a relocation of a tire recycling facility that was formerly located at this site.

Mr. Paterson stated that the master plan for this area and the West Salt Lake master plan future plans showed this site as industrial; therefore, the M-1 zoning was consistent and will not require an amendment to the master plan. The master plan also discussed the need to create a bikeway through the community, improve bicycle safety and further the use of bicycles as alternative forms of transportation. The zoning change would allow that to occur on the property on the 900 S right of way and the northern side of the railroad tracks, that property will remain open space.

This proposal was considered by two community councils, the Glendale Community Council submitted a letter of general support of the proposal, and they raised concerns regarding truck traffic on 800 W. and potential emissions from this facility. Based on the zoning change, Utah Paper Box has proposed an addition to the building which would eliminate the truck traffic from 800 W. and change the parking to 700 W., which a more industrial street and be a more appropriate location.

The Poplar Grove Community Council considered this issue in April and forwarded a letter of support as well.

Staff is recommending that the Planning Commission forward a favorable recommendation to the City Council to rezone this area.

**Questions from the Commission:**

Commissioner Woodhead asked a questions regarding the request from the Poplar Grove Community Council that the proceeds of the sale go to the "Rails to Trails" campaign, she noted that although it isn't within the jurisdiction of the Planning Commission to make that decision, she inquired as to the status of the trail that was planned along the old railroad route.

Mr. Paterson responded that the property is currently owned by the railroad, the ownership will be transferred to the City, and the City will sell it to Utah Paper Box. Because the sale is coming through the city, a future action will come through the Commission for a surplus property action.

The potential for the trail is still a proposal the City is considering and an idea they would like to pursue.

Commissioner Chambless asked about the time frame, how far in the future will this project come into fruition?

Mr. Paterson stated that with this proposal, it is anticipated that ownership will transfer from the railroad to the City within a few months and that the City will anticipate transferring the property shortly after that.

Questions to the Applicant: [7:37:55 PM](#)

DJ Baxter spoke stating that this came about because of the railroad reconfiguration process with Grant Tower. Utah Paper Box had considered several different sites, some in Salt Lake City and some in North Salt Lake. An important element to this issue is room for growth; Utah Paper Box is a successful locally owned business that has employed many Salt Lake residents.

Another positive element is that Utah Paper Box was able to move the tire recycling facility. Commissioner Chambless asked based on the idea of a win/win situation of safe growth coupled with helping the tax base, what is the time frame to get the issues resolved and move forward?

Mr. Baxter replied that Utah Paper Box was ready to move forward then, and were ready to order the steel for construction. He noted that Utah Paper Box had also fulfilled part of their obligation by removing the tire recycling plant and expanding there.

Mike Salazar , Utah Paper Box, spoke *in support* of the petition. He stated that he was there to answer any questions from the public or the Commission regarding the matter.

Commission Chambless addressed Mr. Salazar and asked when the project would be finished.

Mr. Salazar responded that they were ready to submit plans immediately, as soon as June 2, 2010. He also noted that the building would be LEED certified and that it would be completed within 11 months.

Mr. Salazar stated that additionally, Utah Paper Box hoped that the public right of way would not be located adjacently to their property.

Chairperson De Lay asked if this would be the only LEED certified building on the west side.

Mr. Salazar responded that it would be.

**Public Hearing** [7:46:07 PM](#)

Jay Ingleby, 1148 Redwood Dr., *spoke in support* of the petition and stated that he believed that the business would be a great addition to the neighborhood. He noted that he toured the facility and found it to be noise free and a huge improvement over the tire recycling plant. He stated that the business as a whole will enhance the neighborhood.

Randy Sorensen, representing the Glendale Community council, 1184 Redwood Drive., *spoke in support* of the petition. He stated his support of the petition as asked that the Commission expedite their approval.

**Motion:** [7:51:29 PM](#)

**Commissioner Hill made a motion regarding Petition PLNPCM2010-00071 900 South Railroad Rezoning :The Planning Commission transmits a favorable recommendation to the City Council to rezone of 1.385 acres of land that is currently zoned open space, be rezoned to M-1 light industrial.**

**Commissioner McHugh seconded the motion.**

**Vote: Commissioner Woodhead, Chambless, Dean, Fife, Hill, McHugh and Wirthlin all voted aye, the motion passed unanimously.**

**PLNPCM2009-01347: Eastside Apartments:** A request by Peg Development LLC for a zoning map amendment to change the zoning at approximately 556 East 300 South (including 419 S 600 East) from RMF-35 (Residential Multi-Family) and RO (Residential Office) to RMU (Residential Mixed-Use). The purpose is to construct a multi-family apartment/senior living complex in Council District 4 represented by Luke Garrott

Chairperson De Lay recognized Joel Paterson as staff representative.

Mr. Paterson stated that the proposal was to change the zoning from RMF-35 and RO to RMU. The commission considered this on April 14 and forwarded a positive recommendation to the City Council. Due to a noticing error, the petition was brought back to open the public hearing and issue an additional motion.

**Public Hearing:** [7:53:54 PM](#)

Chairperson De Lay opened the public hearing. She noted there was no one present to speak to the petition, and closed the public hearing.

Chairperson De Lay noted that the decision will be based on the testimony from the April 14 Planning Commission hearing and information provided in the staff report.

**Motion:** [7:54:13 PM](#)

**Commissioner Wirthlin made a motion regarding PLNPCM2009-01347: Eastside Apartments regarding the rezone for property from RMF-35 and RO to RMU recommend a positive recommendation for such a rezone based on the staff report and testimony received at the April 14 Planning Commission meeting.**

**Commissioner Fife seconded the motion**

**Vote: Commissioner Woodhead, McHugh, Chambless, Dean, Fife, Hill, and Wirthlin all voted aye, the motion passed unanimously.**

**Issues only Hearing 7:55:56 PM**

**PLNSUB2010-00044 Alder-Robinson Subdivision** - a request by Greg 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 in Council District 7 represented by Council Member Soren Simonsen. (Staff Contact: Wayne Mills at 801-535-7282 or wayne.mills@slcgov.com)

Chairperson De Lay recognized Wayne Mills as staff representative.

Mr. Mills stated that this was a proposed subdivision with four lots.

Commissioner Chambless recalled the first public discussion before the City Council as well as the Planning Commission in 1992; he noted that at that time there were two public hearings. Commissioner Chambless noted that he is a resident of Scenic Drive, but lives far enough away that he felt he did not need to recuse himself.

Discussion from the Commissioners followed, it was determined that they agreed he did not need to be recused.

Commissioner Chambless asked if when Scenic Circle was designed, was it apparent that this lot was being isolated from 2100 S.

Mr. Mills responded that it was known and the reasoning was that there were no build lots created to cut off future access. The plan was that there would be no future through roads.

The applicants live in the single family home located on the lot to be subdivided. Their intention was to build an addition that would enclose the current carport. The issue was there was a rear property line that had a required set back. The problem is that they own the property behind the home but were not able to make the improvements that they want with the lots as they were.

Lot sizes: Lot 1, 37,000 sq ft  
Lot 2, 34,500 sq ft

There were requirements for minimum and maximum lot sizes, however, larger lots could be approved. The reasoning behind the maximum lot size was so that someone would not be able to buy two lots, combine them and create a larger size home that was not compatible with the neighborhood.

Larger lots could be approved if it is shown that the lots are compatible with other lots, configuration is compatible in the relationship lot with lot depth is compatible.

The applicant had proposed to subdivide the lot, but change the size of the allowable footprint in the two larger lots to be smaller in scale than what would generally be allowed, and the structures that would be built would have been more compatible with the neighborhood. The proposal is 64,000 sq ft on lot one, 53,000 sq ft on lot two. The building foot prints under the potential would be 24,000 sq ft to 68,000 sq ft.

Under the current configurations there were no building limitations, just the standard setbacks and the 35% lot coverage, under the current configuration of this buildable lot, there is potential for a 12,650 sq ft home. Additionally, there is no limit to the slope, because it is a preapproved subdivision that was established prior to 1994, after that point there is a 30% slope restriction.

Questions from the Commissioners: Could the lots be combined as one and have the maximum sq ft be 6500?

Mr. Mills responded that it would be an option for the Planning Commission to consider. But under every circumstance, the applicant would have to have approval from the Planning Commission.

Commissioner McHugh noted that there were benefits to two buildable lots that this would create a lot with potential for a home to be built in an area that no longer has buildable lots.

Mr. Mills noted that this lot is already zoned residential; if it was open space and the applicant was trying to change it to residential the options would be different.

Commissioner Fife asked if it was possible to go to the Board of Adjustment and get a variance for the set back.

Mr. Mills stated that in order to do an in line they would have to get a variance, the problem is variances are difficult to get and when you look at the amount of space that could be built on the lot, the variance would be denied.

Questions to the Applicant: [8:09:28 PM](#)

Greg Robinson, lives at 2356 Scenic Drive he reiterated that their hope is to divide the lot in two and have a buildable lot.



Comments from the Public: [8:12:45 PM](#)

Homer Smith and Evan Smith, residents of 2084 Scenic Circle, Mr. Homer Smith asked if there would be different access other than from the driveway.

Mr. Mills responded that the driveway would be the only access.

Mr. Evan Smith added that their concern is with traffic.

It was determined that there was no need for additional input.

[8:17:16 PM](#) Meeting was adjourned.