

**SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, August 10, 2011**

Present for the Planning Commission meeting were Chair Michael Fife, Vice Chair, Angela Dean, Commissioners, Babs De Lay, Emily Drown, Kathleen Hill, Charlie Luke, Michael Gallegos, and Matthew Wirthlin. Commissioner Mary Woodhead was excused.

A field trip was held prior to the meeting Planning Commissioners present were: Michael Fife, and Michael Gallegos. Staff members in attendance were Nick Norris, Nole Walkingshaw, and Planning Intern Daniel Echeverria.

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at 5:30 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: Wilf Sommerkorn, Planning Director; Nick Norris, Planning Manager; Nole Walkingshaw, Planning Program Supervisor; Elizabeth Reining, Principal Planner; Daniel Echeverria, Planning Intern; Paul Nielson, Land Use Attorney; and Angela Hasenberg, Senior Secretary.

Field Trip Notes taken by Nick Norris:

PLNPCM2011-00176 Zoning Map Amendment; and PLNPCM2011-00385, Hansen's Garage, located at 206 N 200 West Commissioners asked about allowed uses in the zone. Staff gave answers about proposed zoning districts. Staff gave an overview of the proposal.

PLNPCM2011-00211 Conditional Use for Addition to the First Unitarian Church; and PLNSUB2011-00212 Preliminary Minor Subdivision Application for the First Unitarian Church, First Unitarian Church Addition Condition Use and Minor Subdivision, located at approximately 569 S 1300 East Street. Staff gave an overview of the project. Commissioners asked questions regarding the location of the addition and if there were any public comments. Staff answered the questions.

Public Hearing

5:33:03

Approval of Minutes from July 13, 2011:

Motion: Commissioner Wirthlin moved to approve the minutes of July 13, 2011 as amended.

Second: Commissioner Gallegos seconded the motion.

Vote: Commissioners Drown, Dean, De Lay, Gallegos, Hill, Luke and Wirthlin all voted "aye" the motion passed unanimously.

Report of the Chair and Vice Chair:

Chairperson Fife had nothing to report.

Report of the Director:

Planning Director Wilf Sommerkorn stated that the Planning Commission would receive a briefing the next meeting that would address the neighborhood parking requirements.

Planning Director Wilf Sommerkorn added that in the last meeting the Planning Commission passed on an ordinance change for noticing requirements. The Planning Department had subsequently found a section that had been inadvertently excluded regarding newspaper noticing. He stated that when the item was before the City Council, the Planning Department would let them add it in.

He also informed the Planning Commission that the Woodbury Project that had been approved at a prior Planning Commission Meeting, had a design change in the parking structure. Due to issues with a neighboring building, there was a possibility that there would be an enclosed wall.

5:38:35

PLNPCM2009-00615 Small Neighborhood Business Zoning Text Amendment- A request by Mayor Ralph Becker to amend sections of the zoning ordinance creating the SNB, Small Neighborhood Business Zoning District and modifications to the purpose statements for Section 21A.26.020 CN, Neighborhood Commercial Zoning District and Section 21A.26.030 CB, Community Business Zoning Districts. The creation of the SNB zone will remove much of the uncertainty associated with being a nonconforming business, as the uses, and site requirements will established and clear for the business owners, the neighboring residences and those who regulate the business. Related provisions of Title 21A- Zoning may also be amended as part of this petition. (Staff contact: Nole Walkingshaw at 801-535-7128 or nole.walkingshaw@slcgov.com)

Chairperson Fife recognized Nole Walkingshaw as staff representative.

Mr. Walkingshaw stated he had an addition to the staff report of public response generally in favor of the zoning text amendment.

Mr. Walkingshaw referred to the briefing given in the July 13, 2011 Planning Commission and stated he wanted to draw attention to the changes as a result of that meeting.

Mr. Walkingshaw said that one of the requests was to add plant and garden shops to the table of permitted uses, it stated that it had been added.

Changes regarding restaurants had not been added because of the parking impact of restaurants and that the City considers smaller coffee shop and delis to be a retail service which more people

felt was appropriate to the district that they were looking at. Coffee and light food service has been listed as a permitted use in the table.

Commissioner De Lay asked for the definition of a deli versus a restaurant.

Mr. Walkingshaw stated that the definitions were for restaurants and retail services, it did not differentiate the difference between restaurant and deli.

Mr. Norris added that at the next meeting staff will be bringing forth some new definitions for various land uses and if the definitions were not on there, staff could add it.

Mr. Walkingshaw said that there were some questions about developments within the park strip area and parking, that it would be managed by the Transportation Division and not through the Planning Division.

Mr. Walkingshaw stated that there were concerns about the sign allowances and to be more specific with our sign and awning and canopy signs. He stated that staff had noted the location where signage could be on an awning sign, and that they created a footnote leading a person to the illustrations where its located in the ordinance.

Commissioner De Lay asked for examples.

Mr. Walkingshaw stated that there was an email that he sent that showed different sign examples.

Mr. Walkingshaw referred to page eight of the staff report and discussed the sign table.

Commissioner De Lay asked if the ordinance regarding awnings had changed at all.

Mr. Walkingshaw responded that the definition would not be changing.

Chairperson Fife stated that the discussion was dealing with the Neighborhood Small Business Zone and not the Sign Ordinance.

Mr. Walkingshaw added that in this Small Neighborhood Business District, the signage options somewhat conservative compared to other districts, and was intended to keep signage at the minimum in order to keep visual clutter in check.

Chairperson Fife referred to complaint about a jewelry shop that had an irritating sign, an electronic flashing sign, and asked if it would be prohibited.

Mr. Walkingshaw said that there was a very specific no strobing, flashing, flickering light, not only signs, but lighting. He said that lighting needed to be down directed.

5:46:07

Questions from the Commissioners:

Commissioner Dean asked about the table of uses. She stated that in general on the table, it refers them back to qualifying provisions. She wondered if it was in draft form, because they did not seem fully developed.

Mr. Walkingshaw responded that he thought that it was an inadvertent repetition and they would eliminate the footnote.

Commissioner Dean asked about square footages of non conforming buildings. She asked if it was studied, or if he had a sense of the size. She asked if the 2500 sq ft minimum parking exemption, that would mean all the buildings would qualify for the no parking requirement.

Mr. Walkingshaw asked for clarification of the question, was the question how many would be in the 2500 or less than the 2500. He answered that he did not have that answer.

Mr. Walkingshaw stated that the ordinance rules were already established on this matter, they were not setting new ordinance. He said that they were just adding Small Neighborhood Business Districts to that section of the code.

Planning Director Sommerkorn added that they were only changes being made. He stated that the parking requirements would be part of the briefing during the August 24, 2011 Planning Commission Meeting.

Commissioner Dean stated that she felt this issue could stand alone.

Commissioner Dean and Commissioner Hill expressed their concern over the parking regulations, and that just because it was already in the ordinance, it did not mean that the regulation was sufficient at this time.

Mr. Walkingshaw stated that changes were being discussed, it seems that there were two policies within the City, the established policy listed in the Ordinance that says we are trying to establish more pedestrian friendly amenities, we are not trying to establish larger parking lots for commercial areas that abut residential areas and by doing so we make this reduction. We have concern from the community where they do not want to see people parking in the streets, and they want to see parking at a higher density. It stated that it becomes a value statement of the City on parking. Do we want to see larger parking lots within these neighborhood districts, or do we want to try to push more pedestrian oriented development, minimizing the parking footprint.

Commissioner Hill asked if there was an approach that allowed them to look at both scenarios in context.

Chairperson Fife asked if the Planning Commission was asking for review of the City's Parking Ordinance.

Planning Director Sommerkorn responded that they were, and that was part of the discussion coming in the following Planning Commission meeting. He stated that the City needed to stay consistent in each of the zones, and what Mr. Walkingshaw represented what was had City wide.

Planning Manager Norris added in regard to the context question, if you read through 21A-44.00.20m it establishes context based on requiring certain types of things. There was an

automatic write-off with the first 2500 sq ft, but in places where there was time limited parking, you get more because time limited encourages more turnover of customers. The other ones, based it on the angle of parking because it reduces the size of roadway and made it more pedestrian friendly, and context was built into the existing ordinance.

Mr. Walkingshaw added that the City would allow the Small Businesses to utilize off street parking as a credit.

Commissioner De Lay asked if there would be clarification of signage during the briefing at the next meeting.

Planning Director Sommerkorn responded that the briefing would be about parking.

Commissioner De Lay asked when this item would be voted upon.

Planning Director Sommerkorn stated that parking ordinance as proposed would fit into the context of all the other commercial zones, and the neighborhood zones that exist. If the Planning Commission recommended any changes to any of the parking, it would apply to all the zones. Therefore, it would be better to have the discussion on parking in a larger context rather than this particular zone.

Commissioner Dean asked if this would be the cart before the horse because parking had such a great impact on this ordinance.

Planning Director Sommerkorn stated that it would be up to the Planning Commission to decide how to handle this item.

Mr. Walkingshaw stated that the discussion would initiate a petition, and there would be resolution to a parking amendment at a future date.

6:00:09

Public Hearing:

Chairperson Fife opened the public hearing.

Capitol Hill Community Council Chair Catherine Gardner spoke in *favor* of the Small Neighborhood Business Amendment. She presented a picture that represented the Hansen Garage, but used it as a general example of why the Small Neighborhood Business Amendment was needed.

She stated her appreciation of Mr. Walkingshaw's work.

She discussed the importance of preserving older buildings and changing their use to benefit the community.

She let the Planning Commission know that she was in favor of a positive recommendation to the City Council.

Commissioner Dean asked if there had been a vote taken in the Capitol Hill Community Council.

Ms. Gardner stated that there had been two votes taken. She said that the first vote was all in favor save one vote, and the second vote was unanimous. Ms. Gardner made note that this was a rare occasion for their Community Council to vote unanimously on an issue.

Commissioner Gallegos asked for clarification on whether the vote was specific to the Small Neighborhood Business Amendment and whether or not any small business owners were involved.

Ms. Garner said the second vote was, and that there were definitely small business owners involved in the vote.

Cindy Cromer spoke in **opposition** of the Small Neighborhood Amendment. She stated that as a small business owner she would like to preserve her status as non conforming. She stated that there were tax benefits to being listed as a non conforming business in a residential zone. She stated that her taxes would increase exponentially if she were to be taxed as a commercial property. She stated that she received a residential exemption because she has a residential unit on the property and stated that reduced her property taxes by 55%.

She noted some "myths", Non conforming properties became non conforming in 1995, she stated that many properties became non conforming because of density in 1995, but most became non conforming in 1928 when the City adopted its first land use ordinance.

Ms. Cromer said that it was a myth that the City had tried to encourage non conforming properties to become conforming uses. She stated that it was simply not true. There had not been a package of incentives and no effort to help small business owner to tackle the obstacles they face. She said the State Legislature intervened and the City made some modifications. She said there had been no package of incentives, no density bump, nothing to help people with non conforming properties.

She added that this is a non issue to most of the City, the greatest impact was clearly in the central community, the oldest part of the City in the parts of its development and the analysis of any rezoning would have to be at the small neighborhood level.

She said she did not see a reference to housing mitigation, housing units that might be lost to an urban rezone.

Greg Bergman spoke in **favor** of the petition. He stated that he was the owner of Cafe Espresso at the intersection of 900 South 1100 East. He said that he had spoken with Mr. Walkingshaw earlier in the week and he wanted to make sure that for non conforming, non complying use as in a drive through coffee location, that it would be unlikely that he would be rezoned, and if they were, that they would not be required to comply with the requirements of the rezone.

Mr. Walkingshaw clarified that Mr. Bergman was concerned that the changes in the new rezone would impact the way he currently did business.

Mr. Walkingshaw stated that in that instance, his location would be considered legal non-complying. The city would not require any change on properties already designated to conform to a new set of rules.

Land Use Attorney Paul Nielson explained that as long as the use stays the same, they can maintain business as usual.

Mr. Bergman stated that it might affect his marketability, but not his business practice.

Mr. Nielson said that was true.

Commissioner De Lay asked if he were to sell the property, would the next property owner who wanted have the same use, would there be a need for new applications.

Mr. Nielson answered that as long as the property had the same the use, that use would continue with the property. A change of ownership would not change it's use status.

Mr. Walkingshaw asked if a bank would finance a non-conforming use when the use is not "legally" represented on the property.

Chairperson Fife stated that that was an issue they could not resolve.

Commissioner Dean asked what the process for re-zoning would be.

Mr. Walkingshaw responded that once the Small Neighborhood Text Amendment was established, then the next step would be an initiation of a series of map amendments. Not every property would get a separate petition; it would most likely be a cluster of a number of businesses within an area. Each property would receive an analysis as to some appropriate reclassification of rezoning.

6:16:43

Close of Public Hearing

Discussion:

Commissioner De Lay asked Mr. Walkingshaw about the housing mitigation that Ms. Cromer had mentioned.

Mr. Walkingshaw responded that housing mitigation was addressed in a separate section of the ordinance. He stated that housing mitigation begins when a certain number of units lost. He said he believed the threshold was four.

Commissioner Luke asked about the parking situation and whether that needed to be discussed before the decision.

Planning Manager Nick Norris responded that was up to the Planning Commission if they wanted to table it.

Commissioner Luke asked what the negative implications of postponing the decision would be.

Mr. Walkingshaw responded that there were two scenarios, to have the discussion and make a decision that the suggested ordinance was acceptable, or that there was discussion and the proposed ordinance would be acceptable if certain criteria were met, or the discussion that

would say the parking dialogue too large and we want to hold the ordinance and look at in a broader scoping way, which would cause this to linger.

Commissioner Luke stated that he did not want the issue to linger.

Planning Director Sommerkorn added that the parking regulations affect all of the zoning ordinances, including the commercial zones throughout the City. He stated that this would be another commercial zone. Planning Director Sommerkorn stated that the Planning Commission would have a broader discussion on the parking regulations at the following meeting. Any changes recommended at that time would impact the other zones, including the current issue.

Commissioner Dean asked if a revised parking regulation does not quite fit with this specific issue, could they add qualifying provisions for parking to this particular ordinance.

Mr. Walkingshaw added that if they did not feel comfortable with the pedestrian friendly exemption, and it was not offered in this area, and they were only required to meet base parking, which would be two spaces per thousand for retail service, and three for retail service, and three for residential.

Planning Director Sommerkorn stated that really came down to what the Planning Commission felt comfortable with.

Commissioner De Lay asked about signage in regard to real estate, she asked for clarification on the one sign per street frontage.

Mr. Walkingshaw responded that it was one per property.

Commissioner Dean stated that this item was legislative, so it would be going to City Council and the Planning Commission could recommend it with the suggestion that it not be finalized until there would be a better sense of the implications.

Chairperson Fife stated that he hoped they could craft an ordinance that would apply to all small commercial areas regardless of whether its neighborhood, or neighborhood commercial.

Planning Director Sommerkorn stated that the recommendations to the parking regulation that the Planning Commission may recommend would apply to a number of commercial zones, not just this specific zone.

6:24:23

Motion:

Commissioner De Lay made the motion in regard to PLNPCM2009-00615, Small Neighborhood Business Amendment, based on the findings listed in the staff report, the testimony heard tonight, I move that the Planning Commission recommend to City Council a favorable recommendation.

Commissioner Gallegos seconded the motion.

Discussion on the motion: Commissioner Drown asked if she wanted to amend the motion that they include along with the favorable recommendation, future amendment to this legislative item as it pertains to the parking.

Planning Manager Norris said if the Planning Commission wanted to have further input on parking regulations, the appropriate method would be to remove that section and transmit a favorable recommendation without adding the SNB zoning district to 21A.44.020-m as a zoning district where that reduction in parking would apply. He said that there was another petition that the Planning Commission had been briefed on, the Transportation Demand Management which does include some parts of 21A.44.020, he said that there was ample to have time and discuss these issues and make other modifications to the parking chapter.

Commissioner Luke asked if they took the section out, and made the motion without the parking, would they have to return to this item later and add the SNB.

Planning Manager Norris stated that it would happen as a modification to chapter 21.A.44. specifically to the parking chapter where there are outstanding petitions that are being worked on that will deal specifically on that issue. He said that the Planning Commission would have to go back, but then the Planning Commission would have a more broad area versus focusing on the zoning district and the parking relations for this zoning district.

Chairperson Fife asked if that section was included and they change the parking regulation, it will automatically change.

Planning Manager Norris said that yes, it would automatically change to the base for whatever the uses are.

Commissioner De Lay asked if someone was putting forth an amendment, because she was not willing to accept that.

Land Use Attorney clarified that another member of the Planning Commission could make a separate motion to amendment. A Commissioner may not accept the amendment, but a Commissioner could propose a substitute motion.

Commissioner Dean asked if they were to pull pieces out of this, the petition would be ineffective until it was complete.

Mr. Walkingshaw answered that the intent of the district, once it was mapped, was not to encourage new development, the intent was so that things would stay the same physically on the property. If the section were to be removed, and someone wanted to rezone the SNB and they were to go through the Conditional Design Review process to tear a property down and come before the Planning Commission, then they would not qualify for that and they would have to meet the standard parking requirements.

Commissioner Dean stated that then they would be created many non conforming uses right from the beginning.

Planning Director Sommerkorn explained that it would not create non conforming uses; it only changes when someone wanted to build something new on the site, or change the use substantially. There would not be a huge impact if the section in question were to be removed, in the short term, the section only applies to the pedestrian friendly amenities and waivers that are allowed.

Chairperson Fife clarified that the item did not actually rezone anything. If a petition came to the Planning Commission to change the zone, and the parking regulation had not been dealt with, then the Planning Commission can say no until the parking regulations have been dealt with.

Commissioner Dean stated that if you wanted to re-add the pedestrian friendly items, then it would have to be a new petition.

Commissioner Gallegos suggested that since the concern had been raised and will be dealt with the following meeting, that the Planning Commission move ahead with the motion.

Chairperson Fife asked Commissioner Drown would like to make a separate motion.

Commissioner Drown declined.

6:30:56

Vote: Commissioners Drown, Dean, De Lay, Gallegos, Hill, Luke and Wirthlin all voted "aye" the motion passed unanimously.

Mr. Walkingshaw stated that he would add to his transmittal to the City Council the two key points of clarification, Specific to the pedestrian friendly amenities, and Ensuring clear discussions and illustration on signage.

6:31:38

PLNPCM2010-00591 Noise Regulations Text Amendment- A request by Salt Lake City Mayor Ralph Becker to amend the Environmental Performance Standards in regards to noise to require review by the Salt Lake Valley Health Department when specific non-residential uses are proposed to locate near residential uses. The amendment will affect sections 21A.36.180, 21A.24.190, 21A.26.080, 21A.30.050, 21A.31.050 and 21A.32.140 of the zoning ordinance. Related provisions of Title 21A- Zoning may also be amended as part of this petition. (Staff Contact: Elizabeth Reining at 801-535-6313 or elizabeth.reining@slcgov.com)

Chairperson Fife recognized Elizabeth Reining as staff representative

Ms. Reining stated that Mayor Becker's office was requesting a text amendment to require specific types of businesses to get a noise review from Salt Lake Valley health Department to assure new businesses can meet current noise regulations standards before a conflict occurs between businesses and neighboring residences. She stated that if a new specific business was going in directly next to a residential use that business would have to submit a professional study showing it would meet current noise regulations of the City and Health Department.

Ms. Reining noted that the proposed text amendment would affect specific businesses that operate between the hours of 10 pm and 7 am either in residential zoning districts or within 300 feet of a residence in non-residential zoning districts, excluding manufacturing districts. The types of businesses affected would include: private clubs, taverns, lounges, brewpubs, live performances theaters, drive through restaurants, amusement parks, sexually oriented businesses, microbreweries, performance art facilities, arenas, amphitheaters, and auditoriums.

Ms. Reining said that the request was made in response to past noise conflicts between businesses and neighboring residences. It was hoped that a change to the zoning ordinance would help prevent future conflicts. It was noted that the City noise standards during the affected hours are 50 decibels in residential districts and 55 decibels in commercial districts. Salt Lake Valley Health Department, which measured by receiving readings at property lines, set standards that were 50 decibels for residential and 55 for commercial districts.

This ordinance only affected new developments and changes in use. Current businesses would not be affected by this new requirement.

Ms. Reining stated that staff had tried to contact affected businesses and had not received any response.

Ms. Reining stated that there had been a change to the proposed amendment to include drive through restaurants after hearing public comment.

Ms. Reining concluded by stated that staff recommends the Planning Commission approve the petition.

6:34:58

Questions from the Commissioners:

Chairperson Fife asked if it was necessary to get the noise permit from the County before building permits could be issued and before a business license was issues. He noted that there would not be a business there to make the noise study applicable. What would the noise study so.

Ms. Reining stated that it would be for the properties that abut a residence either vertically or horizontally, that would require professional acoustical study, the specialized engineer that would do the study should look at the type of use that was going in and the building materials in use to make sure the building has the sound mitigation physically to stop the noise from continuing.

Chairperson Fife clarified that the building plans would be used in the study.

Commissioner De Lay clarified that if a coffee shop started with a small stage that could hold one singer, could not have larger bands there.

Ms. Reining stated that if it were a coffee shop it would not fall under its specified use. Coffee Shop would be its primary use.

Commissioner Wirthlin inquired to the cost of the noise study.

Ms. Reining responded that she did not know.

Commissioner De Lay asked how many licenses you need to open a business.

Commissioner Dean asked what a noise analysis looks like.

Ms. Reining answered that she had seen examples from private entrepreneurs and that it seemed like a typical engineering study, pages where they would look at the building plans, and an examination of how those materials would affect the sound attenuation.

Commissioner Dean asked if there was a final analysis where they turn up the volume and test the sound at full volume.

Ms. Reining answered that it was not required.

Commission Gallegos asked if it would be the developers seeking the services of professionals to certify based on the design of the building, from there it would go to the Salt Lake Valley Health department and based on the certification, they then would determine whether the applicant had conformed.

Ms. Reining agreed.

Chairperson Fife stated that he was uncomfortable creating a regulation without knowing its cost.

Ms. Reining stated that if the Planning Commission would like to continue this item to the next meeting, she would be happy to provide she stated that she could provide more details on the professional acoustical study and an example of what a study would look like.

Commissioner Wirthlin asked what the impetus for this item was.

Land Use Attorney Nielson stated that it was specifically the Rail Events Center, a situation where there was residential next to a train track, and the other side was a facility that held concerts.

Commissioner Dean asked if the philosophy the same for any district in the City.

Ms. Reining stated that it was for the Downtown and Sugar House districts.

Commissioner Dean asked what would happen during event, she made note that music can be heard into the mid avenues during concerts at the Gallivan.

Ms. Reining stated that temporary special events have different rules, the rules in this ordinance would not apply, this ordinance would be for permanent locations.

Commissioner Dean asked if there could be an exception, and could it be defined in this ordinance.

Planning Manager Nick Norris said it was defined in other places in the ordinance. He added that there was a special event permit process.

Commissioner De Lay asked about comments from Cindy Cromer that noted some loopholes in the new ordinance, such as a McDonalds and a Training Table.

Ms. Reining responded that those were comments made at the open house, and that the City's response was to add drive-thru restaurants to the list of uses that require a study.

6:41:07

Public Hearing:

Chairperson Fife opened the public hearing, seeing no one chose to speak, he closed the public hearing.

6:41:18

Motion:

Commissioner Gallegos made the motion that in regard to PLNPCM2010-00591 that the Planning Commission table the motion.

Commissioner Drown seconded the motion.

Vote: Commissioners Drown, Dean, De Lay, Gallegos, Hill, Luke and Wirthlin all voted "aye" the motion passed unanimously.

6:42:29

Hansen's Service Garage Master Plan and Zoning Map Amendment- A request by the Planning Division to rezone the property located at 206 N 200 West from RMF-35 (Moderate Density Multifamily Residential) to CN (Neighborhood Commercial.) The property is currently nonconforming and the change would facilitate the reuse of this historic property as a commercial structure. The subject property is located in Council District 3, represented by Stan Penfold. (Staff contact: Daniel Echeverria at 801-535-7152 or daniel.echeverria@slcgov.com)

- a) PLNPCM2011-00176 Zoning Map Amendment- A request to rezone the property from RMF-35 (Moderate Density Multifamily Residential to) CN (Neighborhood Commercial) in order to provide the property with conforming status.**
- b) PLNPCM2011-00385 Master Plan Amendment- A request to amend the Future Land Use Map of the Capitol Hill Master Plan. The amendment would change the future land use classification of the property from Medium Density Residential to Neighborhood Commercial.**

Chairperson Fife recognized Daniel Echeverria as staff representative.

Mr. Echeverria stated that this was petition for a rezone, zoning map and a Master Plan Amendment for the Hansen Service Garage located at 206 w 200 North.

He stated it was an extension of the Small Neighborhood Business Project that had been initiated by the Mayor.

Mr. Echeverria presented a PowerPoint presentation.

Mr. Echeverria stated that there were two items in the Capitol Hill Master plan that supported the rezone, the first was a policy that was to maintain and encourage neighborhood uses where appropriate. He said that the action item was to encourage the use of small neighborhood commercial structures.

6:48:08

Discussion:

Chairperson Fife and Commissioner Gallegos made note that the comments made by Community Council member Katherine Gardner should be added to this item.

Land Use Attorney added that as part of the Small Neighborhood Business Amendment staff report, images of the Hansen Service Garage were included from 1945.

6:47:01

Public Hearing:

Chairperson Fife opened the Public Hearing, seeing no one chose to speak, he closed the Public Hearing.

Mr. Walkingshaw stated that this item was presented as part of the SNBA as an example of a non conforming property that had struggled at market for a long period of time.

Chairperson Fife added that this location was part of the field trip, and it seemed to have ample parking. He believed that it would be an excellent property to be converted into a small business.

6:49:13

Motion:

Commissioner Hill made the motion in regard to PLNPCM2011-00176 and PLNPCM2011-00385 based on the findings listed in the staff report, it is the Planning Staff's opinion that overall the project generally meets the applicable standards and therefore, recommends the Planning Commission transmit a favorable recommendation to the City Council.

Commissioner Luke seconded the motion.

Vote: Commissioners Drown, Dean, De Lay, Gallegos, Hill, Luke and Wirthlin all voted "aye" the motion passed unanimously.

6:50:24

First Unitarian Church Addition Condition Use and Minor Subdivision- A request by Ed Dieringer, on behalf of the First Unitarian Church, to construct an addition to the primary structure and to combine the underlying parcels located at approximately 569 S 1300 East Street. The property is zoned R-2 Single and Two Family Residential District. The property is located within Council District 4, represented by Luke Garrott. (Staff contact: Michael Maloy at 801-535-7118 or michael.maloy@slcgov.com).

- a. **PLNPCM2011-00211 Conditional Use for Addition to the First Unitarian Church- Request conditional use to construct a 1,550 square foot addition to the primary structure.**
- b. **PLNSUB2011-00212 Preliminary Minor Subdivision Application for the First Unitarian Church- Request preliminary subdivision to combine three parcels into one parcel.**

Chairperson Fife recognized Daniel Echeverria as staff representative.

Mr. Echeverria stated that this was a conditional use and also an application for a preliminary subdivision plat.

Mr. Echeverria stated that this was an existing conditional use, the purpose of the application process was due to the fact that the expansion went beyond 1,000sq ft which triggers another conditional use application. The exact specifications of the expansion were 1550 sq ft.

Mr. Echeverria gave a PowerPoint presentation which detailed the floor plan.

Mr. Echeverria said that due to the fact that this project was a place of worship, there were no additional parking spots required.

The proposed height requires a special exception because it goes over the current maximum of 20 feet for a flat roof. The application for that portion was submitted on August 3, 2011.

6:52:53

Comments from the Applicant:

Nathan Webster, architect with AKC Architect, and Ed Deringer, capital campaign manager spoke. Mr. Webster explained that the purpose of the project was to make accessibility upgrades to the existing facility. Currently the facility had no elevator; there was a wing that was not connected to the rest of the building. He noted the addition of accessible bathrooms on the first floor that met code.

6:55:49

Public Hearing:

Paula Julander spoke in *favor* of the petition. She wondered if the project would change any of the use of utilities in the neighborhood.

Mr. Echeverria stated that there would be no impact.

Mr. Norris stated that the only way property owners are required to upgrade utilities if they are adding dwelling units or a big enough expansion that their existing service did not meet current needs.

6:55:49

Motion:

Commissioner Wirthlin made a motion in regard to PLNPCM2011-00211 and PLNSUB2011-00212 I move that the Planning Commission approve the petition for conditional use and preliminary subdivision comprised of one lot with conditions 1-5 of the staff report.

Commissioner Drown seconded the motion.

Vote: Commissioners Drown, Dean, De Lay, Gallegos, Hill, Luke and Wirthlin all voted "aye" the motion passed unanimously.

6:59:44 meeting adjourned.

This document, along with the digital recording, constitute the official minutes of the Salt Lake City Planning Commission held on August 10, 2011.

Go to FTR Gold at <ftp://ftrftp.slcgov.com/FTRPlayerPlusV21.exe> to download the digital recording.

Angela Hasenberg