

SALT LAKE CITY PLANNING COMMISSION MEETING
Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, November 14, 2012

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:34:13 PM](#) . Audio recordings of the Planning Commission meetings are retained in the Planning Office for an indefinite period of time.

Present for the Planning Commission meeting were: Chairperson Michael Gallegos; Vice Chair Emily Drown; Commissioners Angela Dean, Lisa Adams, Michael Fife, Bernardo Flores-Sahagun, Clark Ruttinger, Marie Taylor, Matthew Wirthlin and Mary Woodhead.

Planning Staff members present at the meeting were: Wilford Sommerkorn, Planning Director; Nick Norris, Planning Manager; Nole Walkingshaw, Program Manager; Nick Britton, Senior Planner; Lex Traughber, Senior Planner; Ray Milliner, Principal Planner; Michaela Oktay, Principal Planner; Maryann Pickering, Principal Planner; Paul Nielson, City Attorney; and Michelle Moeller, Senior Secretary.

FIELD TRIP NOTES:

A field trip was held prior to the meeting. Planning Commissioners present were: Chairperson Michael Gallegos, Lisa Adams, Michael Fife, Bernardo Flores-Sahagun, Clark Ruttinger, and Mary Woodhead. Staff members in attendance were Nick Norris, Ray Milliner and Maryann Pickering. The following locations were visited:

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1. Ronald McDonald House- Conditional use- 50 foot building, HLC approved design, tonight was for the conditional use, meets requirements and staff recommended approval. There will be a bridge between buildings connecting the old and new buildings.
2. Korean Presbyterian Church- Master Plan land use change only. This would be done to protect residential nature of the area.

APPROVAL OF THE MINUTES FROM THE October 24, 2012 MEETING

MOTION [5:34:27 PM](#)

Commissioner Fife made a motion to approve the October 10, 2012 minutes with the noted changes. Commissioner Woodhead seconded the motion. Commissioners Dean, Fife, Flores-

Sahagun, Ruttinger, Taylor and Woodhead voted “aye”. Commissioners Adams and Wirthlin abstained from voting. The motion passed.

REPORT OF THE CHAIR AND VICE CHAIR [5:35:00 PM](#)

Chairperson Gallegos stated he had nothing to report at this time.

Vice Chairperson Drown stated she had nothing to report at this time.

REPORT OF THE DIRECTOR [5:35:06 PM](#)

Mr. Wilford, Sommerkorn, Planning Director, stated there were no items scheduled for the November 28, meeting. He asked if the Commission would like to take a tour of some of the approved projects on November 28.

The Commissioners stated they would be willing to take the tour.

PUBLIC HEARING [5:36:22 PM](#)

PLNPCM2012-00618, PLNPCM2012-00619, and PLNSUB2012-00705 - Glendale Branch Library -A request by the Salt Lake City Library for conditional use, planned development, and minor subdivision approval of the Glendale Branch Library project located at approximately 1375 S. Concorde Street. The subject property is zoned R-1/7,000 (Single-Family Residential District) and is located in City Council District 2 represented by Kyle LaMalfa. (Staff contact: Lex Traughber at (801) 535-6184 or lex.traughber@slcgov.com).

Mr. Lex Traughber, Senior Planner reviewed the petition as outlined in the Staff Report (located in the case file). He stated it was Staff’s recommendation that the Planning Commission approve the petition as presented.

Commissioner Woodhead asked if the operating hours were restricted to what was listed in the proposal in order to not conflict with the neighborhood.

Mr. Traughber stated the hours were not limited to what was proposed but were only listed in the Staff Report to show what the operating hours were.

PUBLIC HEARING [5:42:09 PM](#)

Chairperson Gallegos opened the Public Hearing seeing there was no one present to speak for or against the petition; Chairperson Gallegos closed the Public Hearing.

MOTION [5:42:21 PM](#)

Commissioner Fife stated in regards to Conditional Use PLNPCM2012-00618, Planned Development PLNPCM2012-00619 and Minor Subdivision PLNSUB2012-00705 based on the findings listed in the Staff Report and the information provided by Staff, he moved that the Planning Commission approve the three petitions subject to the three conditions listed in the Staff Report. Commissioner Drown seconded the motion. The motion passed unanimously.

[5:43:19 PM](#)

PLNPCM2012-00751 Ronald McDonald House - A request by Casey McDonough, representing the Ronald McDonald House for conditional use approval of an eleemosynary facility (a facility that provides temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease and/or their family members). The Applicant would like to build a new building adjacent to their existing facility located at approximately 935 East South Temple. The subject property is located in the RMF-35 (Residential Multi-family) zoning district and is located in Council District 3, represented by Stan Penfold. (Staff contact: Ray Milliner at (801) 535-7645 or ray.milliner@slcgov.com).

Mr. Ray Milliner, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated it was Staff's recommendation that the Planning Commission approve the petition as presented.

Ms. Carrie Romano, Applicant, reviewed the use of the building and the proposal. She stated they were looking forward to being able to help additional families.

PUBLIC HEARING [5:45:40 PM](#)

Chairperson Gallegos opened the Public Hearing.

Ms. Gwen Springmeyer, Greater Avenues Community Council, stated the Council approved the project and hoped it would move forward as quickly as possible.

Ms. Cindy Cromer asked the Commission to put a condition of approval on the proposal to accommodate a smoking area away from the neighborhood. Ms. Cromer stated the SR1-A zoning was not appropriate for the mansions on South Temple and it was very difficult to develop under this zoning. She asked the Commission to review this zoning in the future. Ms. Cromer asked the Commission to issue a petition for transfer development rights within a site and explained there were issues with the subject proposal that could have been avoided with a transfer of development rights.

Mr. Bob Springmeyer, Ronald McDonald House, reviewed the history of the Ronald McDonald House. He stated the business was a good neighbor and had improved the area.

Chairperson Gallegos closed the Public Hearing.

DISCUSSION [5:51:57 PM](#)

The Commission and Staff discussed the additional height and if it was under consideration by the Planning Commission. Staff stated the additional height was reviewed by the Historic Landmark Commission and was approved.

The Commission and Staff discussed the designated smoking area for the property and if it was something that needed to be added as a condition of approval. Staff explained there were regulations for smoking under the Conditional Use criteria and the Planning Commission could add it as a condition of approval if needed. Staff stated they would work with the Applicant as to where the smoking area would be located on the property.

The Applicant stated they were willing to work with Staff to accommodate the neighborhood as well as people that smoke.

The Commission and Staff discussed if midblock walkways were appropriate for this block and if the Planning Commission had the ability to initiate petitions regarding the transfer of development rights. Staff stated the Commission did have the authority to initiate petitions regarding development rights.

The Commission asked to have a discussion at the November 28 meeting regarding transfer of development rights.

MOTION [5:57:49 PM](#)

Commissioner Woodhead stated regarding PLNPCM2012-00751 the Ronald McDonald House request for a Conditional Use, she moved that the Planning Commission approve the Conditional Use with the conditions listed in the Staff Report and also with the direction that the Applicant work with Planning Staff on an appropriate plan to mitigate smoking. Commissioner Dean seconded the motion. Commissioners Drown, Dean, Adams, Fife, Flores-Sahagun, Ruttinger, Wirthlin and Mary Woodhead voted "aye". Commissioner Taylor voted "nay". The motion passed 8-1.

[5:59:00 PM](#)

TMTL2012-00013 Community Based Organizations - A request by Mayor Becker for an amendment to the Salt Lake City Code. The purpose of this revision is to create a framework by which the people of the City may effectively organize into community associations representing a geographic neighborhood or area, or area of interest, and use this as one way to participate in civic affairs and improve the livability and character of the city and its neighborhoods. The amendment will affect sections 2.60 and 2.62 of the Salt Lake City Code. Related provisions of Title 21A- Zoning referencing sections 2.60 and 2.62 may also be amended as part of this petition. (Staff contact: Nole Walkingshaw at (801) 535-7128 or nole.walkingshaw@slcgov.com).

Mr. Nole Walkingshaw, Program Manager, reviewed the petition as presented in the Staff Report (located in the case file). He explained the missing pages that were mistakenly left out of the published PDF file and reviewed what was contained on the pages. Mr. Walkingshaw stated it was Staff's recommendation that the Planning Commission forward a favorable recommendation to the City Council for the petition as presented.

The Commissioners and Staff discussed the requirement for the Community Organizations to register as non-profit Corporations with the State. They discussed the need for that requirement and if it was feasible for small groups. Staff explained the idea for the requirement was to help make the groups be more formalized and structured. The Commission and Staff reviewed the requirement, the possible cost and hassle of requiring groups to meet it.

The Commission and Staff discussed the need to bring all the Community Councils in to compliance with the ordinance and the current requirements for Community Councils. They discussed the ways the City would communicate with the Community Councils and Community Organizations.

The Commission and Staff discussed how boundaries are changed and how they would be addressed with the proposal.

PUBLIC HEARING [6:18:08 PM](#)

Chairperson Gallegos opened the Public Hearing.

The following people spoke in opposition to the proposal:

Ms. Judy Short, Sugar House Community Council

Ms. Cindy Cromer

Ms. Amy Barry, Sugar House City Council

Mr. Steve Alder, Community Council Member

Mr. Steve Johnson, Fairpark Community Council

Ms. Anne Cannon

The following comments were made:

- Sugarhouse Community Council was a 501C3 and has established bylaws
- Letters in the utility bills would help to notify the community of Community Organizations.
- Notice requirement to Community Councils was necessary,
- Accela reports are not enough information
- Table the issue until the process was made clearer
- Not appropriate to identify members of Community Organizations as volunteers as that was not always the case.
- All community involvement was important
- Sugarhouse has been filing yearly the document required by the City Recorder for the last five years.
- Oppose the approving of the ordinance as the policies for how the communities groups will participate are not in place.
- Removal of language that was not necessary was great.
- Removal of the notice provisions would hinder the Public involvement in the process.
- The noticing period needs to be lengthened as 12 days was not long enough to review issues.
- There was a need for additional language regarding the intent on what Community Councils are and how they are recognized by the City.

Chairperson Gallegos closed the Public Hearing.

DISCUSSION [6:40:45 PM](#)

Mr. Walkingshaw stated the word “volunteer” came from the State code and allowed for the City to offer the Community groups indemnification, as was requested. He stated he was not sure if there was a way to change the wording and still offer that protection.

The Commissioners and Staff discussed the number of Community Council in the City. Staff indicated there are roughly 23 and he had met repeatedly with them regarding this proposal. The Commissioners and Staff discussed the noticing provision for Community Councils and when they should receive that notice for a project. It was stated that if the Community Councils receive the notice of a proposal early in the process it gave the developer a chance to

address the Communities concerns prior to presenting the proposal to the Commission. Mr. Walkingshaw explained the twelve day notice was the legal requirement for a Public Hearing.

Mr. Sommerkorn stated this was a policy and the proposal would require that all divisions in the City develop a written policy of how the notification and involvement process would be conducted. He stated the Planning Commission would have input on the Planning Division's policy as it was developed.

Mr. Walkingshaw stated the ordinance currently stated the Applicant would meet with the Community Council prior to making an application.

The Commissioners stated that was not necessary. Staff stated that was the part that was being struck from the ordinance and the process followed by the Planning Division was not being changed.

The Commissioners asked if Staff agreed that it was premature to adopt the proposal when the rest of the process was still being developed. They asked if there was a reason that this part was being done first.

Mr. Walkingshaw stated Staff could continue to work on their part and get the Commissions opinions however; Staff would like to get comments from the City Council as well. He stated to get all the paperwork together was going to take a lengthy amount of time.

The Commissioners and Staff discussed if the current proposal would work with future changes to the ordinance. Staff stated the current policy could be adopted and made to work with the policies that would be proposed in the future. Staff explained that all groups would be notified of proposals in the City but earlier involvement would be directed to those groups that were specifically affected by a proposal. Staff stated this would happen at a City level to determine who should be involved in the early parts of the process making sure that groups with similar interests or the greatest impacts were involved.

Commissioner Drown asked how many of the current Community Councils were within the minimum requirements and if there were any other groups that were not being recognized.

Mr. Walkingshaw stated Staff felt the current list of Community Councils generally fit the proposed requirements. He stated there were not any organizations that would not comply and if one arose Staff would work with the group to help them meet the requirements.

Commissioner Adams stated she would be in favor of tabling the issue for further review and asked Staff if that was something they would do.

Mr. Walkingshaw stated he would follow the Commission's recommendation.

Commissioner Taylor asked if there were any concerns about it becoming a problem in terms of having special interest becoming more influential than the individual Citizens.

Mr. Walkingshaw stated Staff would work with the individuals that wanted to be involved as a group. He stated they were not looking to restrict involvement to any one group.

Mr. Nick Norris, Planning Manager stated the City feels all input was valuable regardless of where it came from. He stated the role of the ordinance was to help the City make better decisions. Mr. Norris asked the Commission if what they were requesting was that Staff put the policies on paper and include them in the ordinance.

Mr. Sommerkorn stated it was his understanding that the Public would like to see the policies articulated and reviewed prior to the approval of the proposal. He stated the policies would not be part of the ordinance.

Commissioner Fife asked what the benefit would be to an organization, if they went through the proposed process.

Mr. Walkingshaw stated they would get the early notice for the issues. He stated the City recognized the value of these organizations in the process.

The Commissioners discussed the options to table the proposal or send it to the City Council. They discussed what would be approved by the Commission as far as policies were concerned. They discussed the role of Community Councils and other Community Organizations.

MOTION [7:01:04 PM](#)

Commissioner Woodhead stated regarding petition TMTL2012-00013 the Recognized Community Organization Ordinance, she moved that the Planning Commission table the ordinance until such time as Planning Staff was able to come back to the Planning Commission with policies associated with the ordinance that would give the Planning Commission more information about how the ordinance would work in terms of both

Community Councils and other organizations specifically with regards to notice and City interaction. Commissioner Flores-Sahagun seconded the motion.

Commissioner Fife asked if the Planning Departments policies were what was being requested or if every City Department was required to have their plan included prior to approval.

Commissioner Woodhead stated she thought the Planning Commission only had authority over the Planning Department.

Mr. Norris stated anything that the City was doing that would require Planning Commission approval would come through the Planning Division in one way or another.

Mr. Walkingshaw asked if the Commission was requesting two definitions for Community Councils and Community based organizations.

Commissioner Woodhead stated that would be an option to bring for consideration.

Mr. Sommerkorn stated that issue could possibly be addressed in the policies as well.

Commissioners Drown, Dean, Adams, Flores-Sahagun, Ruttinger, Taylor and Woodhead voted “aye”. Commissioners Wirthlin and Fife voted “nay”. The motion passed 7-2.

[7:04:48 PM](#)

PLNPCM2012-00546 Korean Presbyterian Church - A request by the Salt Lake City Council to amend the Future Land Use Map for the property located at approximately 2018 East 2100 South. The request is to change the master plan designation from Institutional and Public Lands to Very Low Density Residential (less than five dwelling units per acre) to make it consistent with zoning of the property. The property is located in the R-1/12,000 (Single Family Residential) zoning district and is located in Council District #7, represented by Søren Simonsen. (Staff contact: Maryann Pickering at (801) 535-7660 or maryann.pickering@slcgov.com.)

Ms Maryann Pickering, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). She stated it was Staff’s recommendation that the Planning Commission forward a favorable recommendation to the City Council for the petition as presented.

Mr. Søren Simonsen stated he was not speaking for the City Council. He gave a background for the proposal and the unusual nature of the property. Mr. Simonsen stated

the change in the land use map would make the property consistent with other similar properties throughout the planning district.

PUBLIC HEARING [7:09:33 PM](#)

Chairperson Gallegos opened the Public Hearing.

The following people spoke in favor of the petition: Ms. Judy Short, Mr. Rex Sears

The following comments were made:

- Issue was most likely a mapping error.
- Would make sense to make it consistent with similar properties.
- Community Council supported the change.
- Current Zoning did not make sense and should be changed

Chairperson Gallegos closed the Public Hearing.

DISCUSSION [7:12:58 PM](#)

Commissioners and Staff discussed why the VLD zoning was chosen over other zoning. Staff stated it was consistent with surrounding parcels.

MOTION [7:13:35 PM](#)

Commissioner Wirthlin stated regarding petition PLNPCM2012-00546 the Future Land Use Amendment for the 2018 East 2100 South , based on the findings listed in the Staff Report and the testimony given, he moved that the Planning Commission forward a favorable recommendation to the City Council. Commissioner Drown seconded the motion. The motion passed unanimously.

[7:14:34 PM](#)

West Capitol Hill Amendments – (PLNPCM2012-00462, 00463, 00464) - Three petitions initiated by Mayor Becker as part of analysis identifying zoning and master plan conflicts within the RDA project area. The request is for several related zoning map amendments, Capitol Hill Master Plan amendments and a text amendment to the MU Mixed Use zoning district. The proposal would make the following changes:

- Amend Master Plan future land use designation from “General Commercial” in the area of 400 West between 600-800 North to “High Density Mixed Use,” and to rezone those parcels to MU Mixed Use to match the surrounding area;
- Amend the Master Plan future land use designations from “Medium Density Residential” and “General Commercial” for most of the west side of 300 West between 400 and 500 North to “Medium Density Mixed Use,” and to rezone four RMF-35 parcels to MU to allow for commercial/retail uses along the 300 West corridor;
- Amend the Master Plan future land use designation, for one commercial property located on the northeast corner of 300 West and 300 North, from “Medium Density Residential” to “Medium Mixed Use,” to rectify a conflict;
- Amend the text of the MU: Mixed Use zoning district to encourage residential through changes to the unit requirements for multi-family residential and to generally bring the district regulations closer to its intended purpose.

The zoning text amendment is city-wide will generally affect sections 21A.32.130 MU Mixed Use District. Related provisions of Title 21A-Zoning may also be amended as part of this petition. Other properties affected by the petition are located in Council District 3, represented by Stan Penfold. (Staff Contact: Michaela Oktay at 801-535-6003 or michaela.oktay@slcgov.com).

Ms. Michaela Oktay, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). She stated it was Staff’s recommendation that the Planning Commission forward a favorable recommendation to the City Council for the petition as presented.

The Commission asked Staff if a bonus provision could be added for access that was placed at the rear of a property on a Single Family detached structure similar to what was being done with the Single Family attached structures. Staff stated it was possible but there were not many alley accesses in the area.

The Commission and Staff discussed the proposed square footage and if it was enough to make it worth the development. Staff reviewed the proposal as it pertained to the square footage of single family and multifamily dwellings. Staff stated developers had indicated condos were not economical at this time therefore Single Family Detached would be the ideal in the area. Staff stated the Commission needed to decide if they wanted to treat Single Family Attached the same as Multi Family in regards to the maximum lot area.

The Commission and Staff discussed the opinions of Developers regarding lot area. Staff stated the Developers would like there to no limitation to the lot area.

The Commissioners and Staff discussed the side yard for the twenty two foot lot as outlined in the Staff Report.

The Commission and Staff discussed the Mixed Use Zoning and what was allowed in it. Staff stated it was the intent of the zoning to allow the best use of the property.

PUBLIC HEARING [7:27:10 PM](#)

Chairperson Gallegos opened the Public Hearing.

The following people spoke in favor of the proposal: Mr. Paul Christenson, Mr. Wade Peabody, Mr. Dave Robinson and Mr. Randall Henderson

The following comments were made:

- This was a fair change to the zoning and would improve the area.
- People wanted single family residents as well as multifamily dwellings so the decrease in square footage would help to accommodate that.
- Minimum lot sizes would restrict development
- Taking away the maximum square footage would help with development and reflect the economy.
- Alleys could be put in for rear accesses

Chairperson Gallegos closed the Public Hearing.

DISCUSSION [7:36:24 PM](#)

The Commission and Staff discussed the elimination of the minimum lot size. Staff stated it was not necessary to have a minimum lot size in the area. The Commission suggested keeping the three thousand square foot lot size and encouraging access in the rear of properties. They stated it would not have a minimum lot area if those criteria were met.

MOTION [7:44:26 PM](#)

Commissioner Fife stated regarding PLNPCM2012-00462 Master Plan Amendments, PLNPCM2012-00463 Zoning Map Amendments and PLNPCM201200464 MU Mixed Use District Text Amendment, he moved that based on the findings in the Staff Report and the information discussed, that the Planning Commission transmit a favorable recommendation to the City Council relating to the three request to make the Capitol Hill Master Plan and Zoning Map Amendment as indicated in the maps found in the Staff Report and to amend the text of the Zoning Ordinance relating to the MU-Mixed Zoning District with one change that within the qualifying provision it should read that there will be no minimum lot area

requirement or minimum lot width provided that the units follow qualifying provisions A-C outlined in the Staff Report. Commissioner Taylor seconded the motion.

Mr. John Anderson, Principal Planner, asked if the language to eliminate minimum lot area was for both attached and detached structures.

Commissioner Fife stated he was referring to attached structures.

The motion passed unanimously.

Commissioner Taylor left the meeting

[7:46:51 PM](#)

PLNPCM2010-00468 Parking and Transportation Demand Management - A public hearing proposed amendments to the Salt Lake City Zoning Ordinance to incorporate transportation demand management strategies into the city's off-street parking regulations, found in Chapter 21A.44 of the Zoning Ordinance. As part of this proposed text amendment, related sections of Title 21A would also be amended. Transportation demand management (TDM) is a system of regulations and policies that are designed to influence residents' and employees' travel decisions for the purpose of decreasing vehicle miles traveled, reducing traffic volume during peak periods, and varying travel modes. Effective TDM strategies thus reduce pollution, congestion and infrastructure costs while improving public health and promoting sustainable development. Developments that incorporate TDM strategies in their plans would be able to reduce their parking. Examples include transit passes, carpooling and bicycle lockers. (Staff contact: Nick Britton at 801-535-6107 or nick.britton@slcgov.com).

Mr. Nick Britton, Senior Planner reviewed the petition as presented in the Staff Report (located in the case file). He stated it was Staff's recommendation that the Planning Commission forward a favorable recommendation to the City Council for the petition as presented.

The Commissioners and Staff discussed RV parking in side yards and why single cars were not allowed to be parked in the same location. Staff stated anywhere a RV could be parked a car could be parked.

The Commission and Staff discussed the number of parking spaces required to have electric hookups for vehicles. The Commission asked if there would be a prohibition for the development to have a charge for the hook up. Staff stated there would not be any language

restricting a development from charging for services in the proposed ordinance as it was not something that Zoning would regulate.

PUBLIC HEARING [7:55:33 PM](#)

Chairperson Gallegos opened the Public Hearing seeing there was no one in the audience to speak for or against the petition; Chairperson Gallegos closed the Public Hearing.

MOTION [7:56:01 PM](#)

Commissioner Dean stated regarding petition PLNPCM2010-00468 regarding Parking and Transportation Demand Management, based on the findings in the Staff Report and the information presented, she moved that the Planning Commission transmit a favorable recommendation to the City Council for the Text Amendment to Chapter 21A.44 as well as the listed included in the Staff Report, recommendation was based on the following standards one through four included in the Staff Report. Commissioner Woodhead seconded the motion. The motion passed unanimously.

The meeting adjourned at [7:57:26 PM](#)