

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

Present for the Planning Commission meeting were Commissioners Lisa Adams, Michael Fife, Kathleen Hill, Clark Ruttinger, Marie Taylor, Matthew Wirthlin, and Mary Woodhead. Chair Angela Dean, Vice Chair Michael Gallegos, and Commissioner Bernardo Flores-Sahagun, were excused.

A field trip was held prior to the meeting. Planning Commissioners present were: Commissioners Michael Fife, Clark Ruttinger, and Lisa Adams, Staff members in attendance were Nick Norris, Casey Stewart, Michael Maloy, Maryann Pickering, and Daniel Echeverria.

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at 5:36:21 PM . 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; Nick Britton, Senior Planner; Casey Stewart, Senior Planner; Michael Maloy, Principal Planner; Elizabeth Buhler, Principal Planner; Maryann Pickering, Principal Planner; Daniel Echeverria, Associate Planner; and Michelle Moeller, Senior Secretary.

FIELD TRIP NOTES:

Planning Commissioners visited the following locations:

PLNPCM2011-00438 – Pierpont Street Closure; Commissioners asked questions regarding sidewalk attachment to the curb, variances that would be necessary to develop the lots, the neighbors support for the proposed project.

PLNPCM2011-00665 West Capitol Hill Amendment; Commissioners asked questions regarding the difference between M-1 and UC zoning, encouraged uses in a TSA Zone, building types.

PLNSUB2012-00030 Terrace Hills Circle Subdivision Amendment of Lot 3; Commissioners discussed the different view from the ridge as opposed to street level, the house was visible because it was on top of a ridge and the location of the properties that do not support the proposal.

[5:36:30 PM](#)

Commissioner Woodhead moved to allow Commissioner Michael Fife to Chair the meeting. Commissioner Wirthlin seconded the motion. The motion passed unanimously.

[5:38:32 PM](#)

Approval of the Minutes from February 22, 2012.

MOTION

Commissioner Ruttinger moved to approve the minutes from February 22, 2012. Commissioner Hill seconded the motion. The motion passed unanimously.

Commissioners Wirthlin, Woodhead and Adams abstained from voting as they were not present at the subject meeting.

[5:39:30 PM](#)

Briefing:

PLNPCM2010-00656-West Salt Lake Master Plan Briefing (Staff Contact: Nick Britton at 801-353-6107 or nick.britton@slcgov.com)

Acting Chairperson Fife recognized Mr. Nick Britton as staff representative.

Mr. Nick Britton, Senior Planner stated the current plan was last updated in 1995 therefore this would be an update for the entire area from I-80 South to Highway 201 then I-15 West to Bangerter Highway. He reviewed the following aspects of the proposal:

- Project Timeline
 - Community meetings between January and June of 2011
 - Community review of draft in September
 - Internal city review between December and March
 - Final review and draft in April 2012
- Plan Organization
 - Community Identity
 - Gateways
 - Residential
 - Commercial
 - Redwood Road Corridor
 - Neighborhood Centers and Corridors
 - 900 South/900 West
 - 900 South Corridor
 - Parks and Public Spaces
 - Jordan River
 - Surplus Canal

- Industrial
 - West of Redwood Road
- Transportation
- History & Architecture
- Sustainability
- Goals
 - Facilitate a more positive identity
 - Strengthen connections and gateways
 - Promote reinvestment through land use and infrastructure improvements
 - Protect existing low-density residential with compatible improvements
 - Recognize and facilitate opportunities for neighborhood centers
 - Highlight and support the community's unique recreation opportunities
 - Support and grow the industrial base west of Redwood Road
- Areas of Change
- Future Land Use
- Notable Policy Recommendations
 - Infrastructure and visual upgrades at gateways
 - Focus on infill development throughout most of community
 - Focus on economic development on commonly identified community needs
 - Infrastructure upgrade on Redwood Road
 - Support of long-term public transportation investment on Redwood Road
 - Gradual Shift of all heavier industrial uses west of I-215
 - Infrastructure upgrades to key intersections on 900 West
 - Improvement of interface between neighborhood and Jordan River
 - Highlight the 900 South corridor as an important multi-modal east-west connection
 - Upgrade 900 West for safe use by all modes of transportation
 - Provide more programming in existing parks
 - Improve Jordan River/Jordan River Parkway experience
 - Explore opportunities for a surplus canal trail
 - Explore options for improving connectivity west of I-215
 - Focus on urban farms and community gardens (West Salt Lake as a “showcase”)
- Zoning Ordinance Recommendations
 - Design guideline for industrial uses east of I-215
 - Additional design guidelines and tweaks to the residential mixed-use zoning districts
- Land Use/Zoning Recommendations
 - Residential mixed use districts along 900 South, 900 West, parts of Glendale Drive and parts of Redwood Road

- Community residential/office/commercial node at Indiana and Redwood Road
- Elimination of split zoning on the west side of Redwood Road
- Ensure all city open space in West Salt Lake is properly zoned
- Next Steps
 - Final efforts for public response to plan
 - Finalize draft with latest round of feedback
 - Bring final draft to Planning Commission for recommendation
 - Initiate petitions for zoning changes and possible zoning ordinance changes

The Commission and Staff discussed the updates to the infrastructure on Redwood Road needed to make it safer for pedestrians.

Acting Chairperson Fife clarified that most of the area between Redwood Road and I-215 was currently industrial and asked why it was proposed to move the zoning to the other side of I-215 as it seemed it was currently an appropriate use.

Mr. Britton stated it needed to be moved because of the residential zoning almost directly across the street on Redwood Road. He said it was a concern raised by the community and given the fact that there is vacant land west of I-215 it would be more appropriate for manufacturing and industrial uses to move to the west of its current location.

Commissioner Woodhead stated it also helped keep the heavy trucks out of neighborhoods.

Mr. Britton agreed and stated traffic conflicts between neighborhood traffic and industrial traffic currently exist on Redwood Road.

Commissioner Hill stated 900 West should also be considered as a connection for community hubs and centers.

Mr. Britton stated the node on Redwood Road and Indiana Avenue that was mentioned would not be a real neighborhood node but would be more commercial in nature and would play upon the higher traffic levels of Redwood Road.

Commissioner Hill stated she supported the proposed ideas and suggested there be an inclusion, of art projects and things that would help to identify the local cultures, history and people of the areas.

Mr. Britton stated public art was included in the plan for example on the surplus canal area.

Commissioner Hill asked if there was RDA funding being targeted for the area.

Mr. Britton stated no however, there are RDA areas on the east side of I-15.

Commissioner Hill asked if Staff knew if there was a plan to acquire RDA funding.

Mr. Nick Norris, Planning Manager, stated future RDA funding was not planned for the area as the RDA project areas were limited on the West side.

Mr. Britton explained there were future long term recommendations for RDA on Redwood Road.

[5:58:23 PM](#)

Report of the Director:

Planning Director Wilf Sommerkorn stated Staff would send copies of the West Salt Lake Master Plan proposal to the Commission and explained it was also available on the City's website. He encouraged the Commissioner's to review the plan and send comments to Staff as they would be scheduling a Public Hearing in the next few weeks.

Mr. Sommerkorn reviewed the extension of the moratorium on historic districts, by the Legislature, for another year. He explained this gave the City a year to address the process for initiating petitions and designating new historic districts. Mr. Sommerkorn stated the Commission previously sent their recommendation to the City Council regarding the subject and he was unaware if the City Council had scheduled anything to specifically address the issue. He stated if the process was not addressed within the year the sponsor of the bill indicated something would be drafted. Mr. Sommerkorn stated the Legislature did not make any decisions regarding billboards. He stated the Commission's recommendations for the sign ordinance, including on and off premise signs, were previously sent to the City Council of which some of the provisions were enacted in January with instructions to move forward after the Legislative Session. Mr. Sommerkorn reported the City Council would be moving forward in regards to alcohol establishments in April in partnership with the Commission's recommendations for small neighborhood businesses. He stated Staff would keep the Commission informed on the progress.

Acting Chairperson Fife asked if it was in regards to what zones could have alcohol establishments.

Mr. Sommerkorn stated the Commission had made changes to the provisions as to where alcohol establishments could be located and changes to definitions. He stated some of the changes had to do with locating establishments in neighborhood business districts.

Commissioner Wirthlin asked if the current chair and vice chair had been meeting with the City Council.

Mr. Sommerkorn explained the lack of the meetings and reported the Chair and Vice Chair of the Historic Landmark Commission met with the City Council last week. He stated it was his understanding that the City Council wanted to start meeting with all of the Boards and Commissions.

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LEGISLATIVE PETITIONS

PLNPCM2011-00438 – Pierpont Street Closure – A request by Rodney Newby for approval to close a portion of Pierpont Avenue adjacent to the properties located at approximately 1010, 1020 and 1046 Pierpont Avenue for relocation of the existing sidewalk in front of the subject properties. This request will not close any portion of Pierpont Avenue; it will only relocate the detached sidewalk in front of the subject properties and attach it to the existing curb along Pierpont Avenue. No portion of the street between the curb and gutter will be affected or closed. The applicant is requesting to relocate the sidewalk in order to make the three lots a little larger in order to develop a residence on each lot. The subject property is located in an R-1/5000 (Single Family Zoning District) zoning district. The subject properties are located in Council District 2, represented by Kyle LaMalfa. (Staff contact: Maryann Pickering at (801) 535-7660 or maryann.pickering@slcgov.com.)

Acting Chairperson Fife recognized Ms. Maryann Pickering as the staff representative.

Ms. Maryann Pickering, Principal Planner, reviewed the proposal as outlined in the Staff Report. She stated it was Staff's opinion that the project generally did not meet the applicable standards and therefore, recommended the Planning Commission transmit a negative recommendation to the City Council. Ms. Pickering stated if the Commission decided to approve the request and forward a positive recommendation to the City Council six stipulations, page 5 of the Staff Report, would need to be met in order for the application to go through the final process.

Commissioner Woodhead asked if the lots could be developed without moving the sidewalk.

Ms. Pickering stated variances would need to be obtained if the sidewalk was left as is. She stated regardless of the Commission's decision variances would need to be requested.

Commissioner Woodhead stated she thought the proposal was far better than the lots being vacant and that piece of the public policy was not addressed in the Staff Report. She asked how much moving the sidewalk affected the development of the lots.

Ms. Pickering stated it would give the applicant an extra five feet and would help with parking in regards to the location of a proposed garage. She stated variances would have to be obtained for setbacks due to the lot configuration.

The Commission discussed the need for a variance to comply with the required setbacks.

Mr. Norris stated the City recognized the subject lots as legally existing lots, shaved down when UDOT made modifications to I-80 in the area. He explained that the owner of a legally existing lot was entitled to some development right and said similar cases had been approved to develop such lots. Mr. Norris stated even with the sidewalk in the current location and in his professional opinion, the lots met the requirements for a variance.

Commissioner Adams asked what would be the most direct way for the Applicant to get approval in order to develop the subject lots.

Ms. Pickering stated the easiest route would be to apply for the variances because the Commission was only making a recommendation and the City Council had the final decision. She stated if the City Council approved relocating the sidewalk the Applicant would still need to apply for the variance.

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Mr. Rodney Newby, Property Owner, stated prior to purchasing the lots he inquired whether or not it would be viable to build houses on the subject lots at which time the City assured him they would work with him to develop the lots as it was in the City's best interest. He stated based on that assurance, he purchased the lots and was moving forward with development plans. Mr. Newby asked the Commission to take into consideration the location and size of the lots when making their decision. He presented the Commission with a petition, located in the case file, from supporting neighbors and asked for a favorable recommendation to be forwarded to the City Council.

Commissioner Hill asked what the Applicant was hoping to accomplish by moving the sidewalk forward.

Mr. Newby stated he would like to have garages and parking available on the property.

Commissioner Hill asked if the parking would be at the rear of the house.

Mr. Newby explained the widest end of the house would be designed as the garage.

Commissioner Hill clarified the Applicant bought the property based on what he was initially told from the City.

Mr. Newby stated he double checked with the City to ensure their willingness to work with him regarding these lots, prior to putting in an offer on the property. He said if the City had not stated they would work with him, he would not have purchased the lots.

PUBLIC HEARING [6:21:25 PM](#)

Acting Chairperson Fife opened the Public Hearing. He stated he had not received any comment cards for the case and asked if anyone in the audience wanted to speak, seeing no one he closed the Public Hearing.

DISCUSSION [6:21:42 PM](#)

The Commissioners discussed the process and requirements for a variance and whether or not it was right to make the Applicant come back to the Commission after going through the variance process with the Board of Adjustment.

Commissioner Hill stated denying the proposal was honoring the letter of the law and not really getting to the intent and spirit of the law.

Commissioner Taylor stated she was in favor of the proposal and the development of the property.

Commissioner Adams commended the Applicant on how clean the property was and on his willingness to develop the property as it would be a nice addition to the area.

Commissioner Woodhead stated the public policy argument, in favor of allowing the proposal, was that developing the property was better than having a vacant lot and flexibility was needed in order for the lots to be developed.

Acting Chairperson Fife stated the lot was so unusual that moving the sidewalk did not create any kind of precedent.

Commissioner Woodhead indicated there was not a lot of car traffic in the area therefore; separating the car and pedestrian traffic was not an issue.

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MOTION

Commissioner Wirthlin made a motion regarding PLNPCM2011-00438 based on findings 1 and 2 listed in the Staff Report, the discussion and public policy issues dealing with findings 3 and 4, where the Commission disagreed with Staff, he moved that the Planning Commission transmit a favorable recommendation to the City Council relating to the request to close a portion of Pierpont Avenue located at approximately 1010, 1020 and 1046 West Pierpont Avenue subject to conditions 1 through 6 listed on page 5 of the staff report, with the clarification to number 5 to be at the discretion of the Planning Director and Public Utilities Department. Commissioner Hill seconded the motion. The motion passed unanimously.

[6:28:56 PM](#)

PLNPCM2011-00665 West Capitol Hill Amendment - A request by Mayor Ralph Becker to amend the Salt Lake City Zoning Map from M-1 Light Manufacturing District to TSA-UC Transit Area Station Urban Center District for properties located approximately at 548 W 300 North Street, 375 N 500 West Street, and 543 W 400 North Street. The purpose of the request is to ensure that future development of the properties will comply with the North Temple Boulevard Plan. The subject properties are located in Council District 3, represented by Stan Penfold. (Staff contact: Michael Maloy at (801) 535-7118 or michael.maloy@slcgov.com)

Acting Chairperson Fife recognized Mr. Michael Maloy as the staff representative.

Mr. Maloy, Principal Planner, reviewed the petition as presented in the Staff Report, located in the case file. He stated he received a letter opposing the proposal. Mr. Maloy stated Staff recommended that the Planning Commission forward a favorable recommendation to City Council relating to the request.

PUBLIC HEARING [6:36:54 PM](#)

Acting Chairperson Fife opened the Public Hearing. He stated he had not received any comment cards for the case and asked if anyone in the audience wanted to speak, seeing no one he closed the Public Hearing.

Discussion [6:37:05 PM](#)

MOTION

Commissioner Hill moved with regard to petition number PLNPCM2011-00665, based on the findings listed in the Staff Report, plans and testimony presented she moved that the Planning Commission transmit a favorable recommendation to the City Council relating to Petition PLNPCM2011-00665 to amend the Zoning Map from M-1 Light Manufacturing District to TSA-UC Transit Station Area—Urban Center District for properties as outlined in the Staff Report, page 1. Commissioner Wirthlin seconded the motion. The motion passed unanimously.

[6:38:48 PM](#)

Administrative Petitions

PLNSUB2012-00030 Terrace Hills Circle Subdivision Amendment of Lot 3 – A request by Peter and Susan Dolan Stevens for preliminary approval of a proposed subdivision plat amendment that would reconfigure the buildable area on Lot 3 of the Terrace Hills Circle Subdivision. A new single family residence would be constructed within the revised buildable area. The subject property is located at approximately 1020 Terrace Hills Drive in a Foothills Residential zoning district (FR-2), in Council District 3, represented by Stan Penfold. (Staff contact: Casey Stewart at 801-535-6260 or casey.stewart@slcgov.com.)

Acting Chairperson Fife recognized Mr. Casey Stewart as the staff representative.

Mr. Casey Stewart, Senior Planner, reviewed the petition as presented in the Staff Report, located in the case file. He stated a packet of emails was delivered to the Commission prior to the meeting and stated he received another email prior to the meeting which he read for the record. The email was in support of the project, a hard copy of the email along with all other information given to the Commission is located in the case file. Mr. Stewart stated it was Staff's recommendation based on the finding and facts in the Staff Report that the Planning Commission grant preliminary approval for the proposed subdivision amendment as requested. Acting Chairperson Fife asked if other plats specified the buildable area or if it was based on square footage and required setbacks of the zoning district.

Mr. Stewart stated most often when a lot is platted the required standard building setbacks determine the buildable area. He explained there are times when specific buildable envelopes were established.

Acting Chairperson Fife asked if construction in a wildlife area was encouraged.

Mr. Stewart stated the property was not designated as a wildlife area as that would not be allowed.

Acting Chairperson Fife asked if there was vegetation on the new buildable area and if the reasoning behind the proposal was to protect the scrub oak.

Mr. Stewart stated there are fewer trees in the proposed area.

Commissioner Woodhead asked, regarding the actual proposed structure, if the Commission approved the plat amendment would these buyers or future property owners be tied to a particular design. She stated the design was for a low house that would not be disruptive, but there was nothing that would prevent the addition of a second story or the construction of larger in the future.

Mr. Stewart stated that was correct there was nothing that would restrict future, larger construction on the property.

Commissioner Woodhead asked if the Commission could put those types of conditions on a plat approval

Commissioner Hill stated yes the Commission could include conditions.

Commissioner Woodhead clarified the Commission could limit it to a single story structure.

Mr. Stewart stated that was correct.

Commissioner Hill stated the Commission placed restrictions on other properties in the past.

Mr. Norris stated when building on a slope, the proposed condition would be very problematic when the time comes for reviewing the building plans. He stated there are a number of plats with similar stipulations in the Foothill Zones that are constantly being reviewed. Mr. Norris stated the FR-2 Zoning district had a maximum building height of 28 feet that would certainly allow two story structures that follow the slope of a lot. He stated if the Commission was limiting the height of the structure they needed to tie it to one of the standards.

Commissioner Ruttinger asked if there were other prohibitions on the property such as the restriction of removing existing vegetation.

Mr. Stewart stated the previous plat did not have any preclusion for removing vegetation.

The Commissioners and Staff discussed the vegetation on the property and what the conditions could be put in place to protect the existing vegetation.

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Mr. Peter Dolan Stevens presented the rationale for their design stating they had tried to respect the community in designing the proposed home. Mr. Stevens reiterated that this was a plat amendment to reconfigure the buildable area. He reviewed the proposed project, layout/placement of the proposed home, vegetation they wished to preserve and visibility of the proposed home from different areas surrounding the property.

Mr. Warren Lloyd, project architect, reviewed the maximum elevation cap for the property and the allowable height for the buildable area.

[7:10:44 PM](#)

PUBLIC HEARING

Acting Chairperson Fife opened the Public Hearing.

The following individuals spoke in opposition of the petition:

Ms. Laurel Casjens, Ms. Karen Brittain, Mr. Christian Fannesbeck, Ms. Evan Moore, Mr. Carleton DeTar, Mr. Denise Chancellor, Mr. Josh Rhea, Ms. Kathy Miklossy, and Mr. Alex Mitkus.

The following points were made:

- The proposal would impede on neighbor's privacy
- Increase the noise level in the area
- Start a precedent for building on the ridgeline

- Cause light pollution on the ridge
- Existing property owners purchased property with the understanding that nothing would be built behind their homes. The proposed home would lower the property values of those homes.
- Proposal was all about the view not the buildable area.
- Proposed area is a protected area.
- Preserving vegetation not an issue and the removal of trees would be expected.
- Would go against the Planning Commission's original intent when the lots were originally approved.
- Lot allows sizeable home to be constructed without the adjustment.
- Would change the appearance of the area.
- Home would be visible from the trail.
- Existing buildable area is adequate and in the appropriate location

The following individual spoke in support of the petition:

Mr. Gary Evershed stated he lived directly across from the subject property. He said he supported the project and was excited to see the lot developed as it would be a great addition to the area. Mr. Evershed stated the home would not impede on the neighborhood and would not be visible from other properties.

Acting Chairperson Fife closed the Public Hearing.

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Ms. Susan Dolan Stevens, Applicant, thanked the audience for their concerns. She stated a precedent would not be set as petitions are considered individually. She addressed the visibility of the house from other properties, the noise concerns and the preservation of the scrub oak at the front of the property. Ms. Stevens stated fifty percent of the proposed square footage was within the existing buildable area. She asked the Commission to forward a favorable recommendation to the City Council.

Mr. Stevens stated the proposed site was not considered ridgeline but was clearly on a knoll. He stated there were other homes in the area that are higher than the proposed home, light and noise pollution would not be issues.

Commissioner Woodhead asked the Applicant if they would still build on the lot if the plat was not changed.

Ms. Stevens stated they would not because the buildable area required the removal of the scrub oak and was set close to the curb. She stated the proposed buildable area would allow the preservation of the scrub oak.

Mr. Stevens stated it was difficult to build an energy efficient home in a hollow and the proposed location would allow for solar energy to be used.

Commissioner Hill asked in addition to the buffer, how far was the proposed house set back.

Mr. Lloyd stated it was approximately an additional fifteen feet for a total of approximately sixty five feet from the east.

Commissioner Hill asked if it was reasonable to move it twenty feet.

Mr. Lloyd stated shifting the house further west would impact the garage.

Mr. Stevens stated it would cause an interference with the oak brush. He stated the proposed area fit more naturally.

The Commissioners and Applicant discussed moving the house to mitigate the neighbors' concerns. They discussed the layout of the property and the view from the other properties. The Commissioners discussed the height of the building, the original foothill zone /plat ordinance and the impact of the house on the area. They discussed the conditions needed for approval, the evidence presented to support the project, the open space designated on the lot and the definition of the word ridgeline.

Acting Chairperson Fife stated the decision came down to if the proposal was in the best interest of the City and would it materially injure the public or an individual. He stated if the Commission thought it met those criteria there was no reason to deny it but if it did not meet the criteria then it should be denied.

Commissioner Woodhead clarified there was nothing in the Zoning Ordinance regarding ridgelines.

Mr. Norris stated no, not that he could see.

Commissioner Wirthlin asked if conditions could be set for approval other than what was in the Staff Report. He asked if the Applicant's presentation was specific enough to address the issue of height.

Mr. Norris stated by placing a condition the Commission was acknowledging that there was some adverse impact that violated one of the standards for an approval of a subdivision amendment and that the condition was intended to mitigate the impact so the proposal would then meet the standards.

The Commission and Staff discussed the aspects of the proposal that could be added as conditions for approval. They discussed the allowed height and if it would allow future owners to build a larger, taller home.

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Commissioner Wirthlin moved with regard to petition number PLNPCM2012--00030, based on the findings listed in the Staff Report, plans and testimony presented he moved that the Planning Commission grant preliminary approval to the proposed minor subdivision as requested. Commissioner Hill seconded the motion. The vote was as follows

Commissioner Woodhead – Nay

Commissioner Taylor – Nay

Commissioner Hill- Aye

Commissioner Wirthlin –Aye

Commissioner Ruttinger- Aye

The vote was 3 to 2.

[8:11:49 PM](#)

PLNSUB2012-00017 Country Club Acres Amended Plat Preliminary Subdivision Amendment – A request by Blake Luther, Luther Studio Architects, on behalf of Katherine Eccles, to amend a subdivision plat for properties located at 2268 E and 2272 E Country Club Drive. The purpose of the amendment is to increase the area of the parcel at 2268 E and reduce the area of the parcel at 2272 East. The subject properties are located in the R-1/12,000 (Single Family Residential) Zoning District in City Council District 7, represented by Søren Simonsen. (Staff contact: Daniel Echeverria at 801-535-7165 or daniel.echeverria@slcgov.com)

Acting Chairperson Fife recognized Mr. Daniel Echeverria as the staff representative.

Mr. Daniel Echeverria, Associate Planner, reviewed the petition as presented in the Staff Report, located in the case file. He stated Staff recommended the Planning Commission approve the petition as presented with the conditions listed in the Staff Report.

Commissioner Woodhead asked if there was a city policy regulating the demolition of a home.

Mr. Echeverria explained a request for demolition was required to go through the HAAB board but the HAAB board did not have the authority to deny a demolition, only to delay it.

The Commissioners and Staff discussed the construction date of the home, the intention of the smaller lot, compatibility of the lots with others in the neighborhood and the impact of what the proposed petition would do. Staff explained the second lot would remain a buildable lot and could be developed in the future.

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Ms. Katherine Eccles, Applicant, reviewed the purchase history for the property. She stated her home was becoming difficult to keep up due to its age. Ms. Eccles stated she wanted to maintain the look of the neighborhood and the buffer between her and her neighbors. She stated it was not just to build a larger home. Ms. Eccles stated she had no intention of building on or selling the

second lot. She stated it came down to the question of whether or not the house was built on one lot with an empty lot next door or if it was balanced between the lots.

Mr. Blake Luther, Luther Studio Architects, stated the intent was never to increase the buildable area as the lot coverage was very generous. He stated the extra lot would allow the screening of parking, preserving the existing buffer and overall would better enhance the use of the property.

Commissioner Woodhead asked how large of a garage was being proposed.

Mr. Luther stated a three for four car garage was in the proposal.

Commissioner Taylor asked if the manipulation to the house could be done without tearing a house down.

Mr. Luther stated the reasoning behind tearing the home down was to provide a larger landscaped open space for the new structure.

[8:30:37 PM](#)

PUBLIC HEARING

Acting Chairperson Fife opened the Public Hearing.

The following individuals spoke in opposition to the petition:

Mr. Will Connelly, Mr. Jonathan Thorne, Ms. Wendy Carrigan, Ms. Beck Burbidge.

The following points were made:

- The lots would not be compatible/ proportionate with the area.
- Set a precedent for the area.
- Empty lot would look out of place
- Loss of beautiful homes
- Not necessary to combine the lots to build a bigger house
- Changed look of neighborhood

Acting Chairperson Fife closed the Public Hearing.

[8:39:29 PM](#)

Mr. Luther stated he knew the demolition issue was sensitive but he didn't think that was the issue being addressed.

Ms. Eccles stated the previous hearing dates had been changed due to City errors and not on her behalf. She stated the rhythm of the area would be changed regardless of the lot line adjustment. Ms. Eccles stated she had the same goal and desire to protect the neighborhood but felt a more

centered and balanced structure would look better than an open area. She explained it was not an attempt to build something bigger as she could do that on the present configuration.

The Commissioners discussed how changing the lot line would negatively affect the neighborhood, would be inconsistent with the City's rules about compatible lot and building size. They stated it was a substantial change to the area that would not go unnoticed and possibly cause a precedent in the area.

[8:55:09 PM](#)

Commissioner Woodhead moved with regard to petition number PLNSUB2012-00017, proposal to amend the plat of blocks 18 to 11 she moved that the Planning Commission deny the proposed petition on the basis of the discussion, information provided in the Staff Report, the materials presented to the Planning Commission and the denial is based on the failure of the petition to comply with the zoning standards of the city which require that the size and configuration of the new lot be compatible with other lots on the same block face. Commissioner Hill seconded the motion. The vote was as follows:

Commissioner Woodhead – Aye

Commissioner Taylor – Nay

Commissioner Hill- Aye

Commissioner Wirthlin –Aye

Commissioner Ruttinger- Aye

The motion passed with a 4-1 vote.

[8:56:49 PM](#)

Meeting adjourned.