

SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, March 28, 2012

Present for the Planning Commission meeting were: Chairperson Angela Dean, Vice Chair Michael Gallegos and Commissioners Lisa Adams, Emily Drown, Bernardo Flores-Sahagun, Michael Fife, Kathleen Hill, Clark Ruttinger, Marie Taylor, Matthew Wirthlin, and Mary Woodhead. A field trip was held prior to the meeting. Planning Commissioners present were: Commissioners Emily Drown, Bernardo Flores-Sahagun, Clark Ruttinger, Marie Taylor, Mary Woodhead and Lisa Adams. Staff members in attendance were Joel Paterson, Casey Stewart, and Katia Pace.

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:35:38 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: Cheri Coffey, Assistant Planning Director; Joel Paterson, Planning Manager, Casey Stewart, Senior Planner; Maryann Pickering, Principal Planner; Katia Pace, Principal Planner; Ana Valdemoros, Principal Planner; Paul Nielson, Senior City Attorney ; and Angela Hasenberg, Senior Secretary.

FIELD TRIP NOTES:

Planning Commissioners visited the following locations:

PLNBOA2012-00066 Konopa Grade Change: 263 East 10th Avenue, Staff explained the proposal to excavate the basement and add a garage. Commissioners asked questions about access to the back of the house and the possibility of adding parking in the rear. Commissioners asked about the amount of grading in the front yard and along the sidewalk to accommodate the driveway grade and the development pattern along the block face.

PLNSUB2012-00030 Terrace Hills Circle Subdivision Amendment of Lot 3: 1020 Terrace Hills Drive. Commissioners asked questions about the process for the possible vote on this item, the location on the lot where the proposed amended buildable area would be.

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Briefing:

PLNPCM2010-00647 - 400 South Livable Communities Station Area Plans - A request by Salt Lake City Mayor Ralph Becker for an amendment to the Central Community Master Plan, Salt Lake City Zoning Ordinance and Zoning Map regarding transit station area plans along the 400 South transit corridor (approximately 200 East to 1100 East). The intent of the project is to implement

livability goals for the corridor including land use policies and zoning that support mixed use development and transportation choices for current and future residents and workers. The project is located in City Council District 4 represented by Luke Garrott. (Staff contact: Maryann Pickering at 801-535-7660 or maryann.pickering@slcgov.com)

Chairperson Dean recognized Maryann Pickering as staff representative.

Ms. Pickering stated that this was a briefing on the current status of the 400 South Livable Communities project.

Ms. Pickering gave a background on the project outlining that this was a project that received a grant from the Department of Housing and Urban Development (HUD) to undertake a rezoning process for a portion of the University TRAX line. The amount of the grant was approximately \$23,000.00 with a commitment from the City to provide and an additional \$10,000.00 in the form of staff resources for the project.

As Part of the project three stations were identified. Those stations are Liberty, Trolley and 900 East. The goal was to create stationary plains that promote more mixed use development in the area.

Ms. Pickering described the public outreach efforts, stating that there were four public workshops and staff met with various local community groups and developers to gain input. Staff attended four Community Council meetings, two with the Central City group and two with the East Central group. Over all feedback had been positive with only a few negative comments.

Ms. Pickering stated that the proposed changes to the Central Community Masterplan were minimal and the changes were to the existing Transit Oriented Development (TOD) section. The 400 South project and station area plans were being modeled after the existing categories and zoning regulations that are currently in place for the North Temple area. This was being done so that there was consistency between the regulations that were in place for the transit corridors throughout the City.

Ms. Pickering noted that staff was recommending that as part of the master plan amendment and rezoning process, staff was recommending that the boundaries of the Central City Historic District be modified. An analysis had been completed that showed within the blocks on the north and south side of 400 South between 500 East and 700 East, there were few historic resources remaining and therefore the Historic Overlay may not be the most appropriate tool to regulate new development on these blocks. The entire two blocks bounded by 400 and 500 South between 500 and 700 East are proposed to be removed. The two blocks between 300 and 400 South and 500 and 700 East will be partially removed. This will be presented to the Historic Landmark Commission for their input.

Ms. Pickering asked for input from the Planning Commission regarding the modification of some of the RMU district standards and would like feedback on the following:

- Increase maximum allowable height five feet in both zones. Traditionally, mixed-use buildings are designed with a distinct base, which is larger and designed to accommodate commercial or office uses, a middle which is generally residential in nature, and a top, which is also residential but designed with architecturally appealing features such as parapets and cornices. In order to ensure proper scale between the first floor and the upper floors, staff is proposing that the first floor ceiling height of a mixed use building be at least 14 feet. This will ensure that retail/commercial space on the first floor is properly designed to accommodate uses that serve the community.
- Elimination of minimum lot area requirement for multi-family dwellings. This provision will promote the development of smaller lots that may accommodate appropriately scaled development but do not meet the minimum lot size requirements.
- Elimination of qualifying provisions for multi-family units as it relates to density calculations, (i.e., 9,000 square feet of lot area for first three units and 1,000 square feet for each additional unit). Development constraints would be primarily based on the petitioner's ability to meet maximum height limits, setbacks, and parking.
- Creation of building design standards. These standards are based on the Small Neighborhood Business standards created by the Planning Commission last August. Their purpose is to promote human scaled massing, varied articulation and traditional façade design.
- Creation of site specific standards for 500 South corridors between State Street and 700 East. These standards are intended to maintain the existing pedestrian/low impact design of the street while allowing the increased density that would come with the RMU zones.

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Questions from the Commissioners:

Commissioner Adams asked about the elimination of minimum lot area requirement for multi-family dwellings and asked for an example and why it was a good idea.

Ms. Pickering responded that some of the properties that have the RMU zoning are small and there is a minimum for each of the dwelling units in the zoning designation, lots need to be a minimum size to be developed.

Commissioner Woodhead stated that she felt that the items presented for discussion were generally good ideas she like the idea of the height increase and density, that it made sense for the area and was headed in the right direction.

Ms. Pickering asked for input regarding the area surrounding Trolley Square. She noted that there had been negative input from the community in the area, and the intent was to help Trolley Square if they

should ever have plans to expand or improve the parking lot. It could not currently happen because it does not have the proper zoning.

Commissioner Gallegos asked if Trolley Square wanted to develop in that area, or if there was concern about developing near single family housing to the south.

Ms. Pickering responded that the question was whether or not they should change the zoning or leave it as it was today, which was Residential Multi-family zoning district which would not allow any retail or mixed use.

Commissioner Hill stated that it was apparent that there was a need for high density there and a zoning change, and wondering what the negative feedback was.

Ms. Pickering responded that the concerns were with the proposals south of Trolley Square, that the zoning change would derogate the historic resources that were there because of the nature of the development. Other feedback was near Gilgal Gardens and concerns about the density classifications proposed.

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Public Hearing:

Report of the Chair and Vice Chair:

Chairperson Dean stated she had nothing to report.

Vice Chair Gallegos stated that he had nothing to report.

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Old Business:

Assistant Planning Director Coffey stated that at the last Planning Commission meeting there was an issue regarding the vote for the Terrace Hills Subdivision. The issue was due to the fact that there were six Commissioners in attendance, which constitutes a quorum. The vote was three to two which invalidated the vote because there was not a majority of the people present.

Assistant Planning Director Coffey noted that an email was sent to all of the Planning Commissioners asking them to read the staff report and the minutes and watch the video of the past meeting in order to familiarize themselves with the issue.

Senior City Attorney Nielson asked if there was anyone in attendance at the current meeting that had not read the information provided, Commissioner Gallegos noted that he had not. Senior City Attorney Nielson stated that Commissioner Gallegos should not vote.

Senior City Attorney Nielson explained the situation and explained the need for the new vote. He explained that there was a quorum present, which was why there was no need for a new public hearing.

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Motion:

Commissioner Wirthlin moved with regard to petition PLNPCM2012-0030 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.

Discussion on the motion:

Commissioner Adams disclosed that the applicant Dr. Stevens was her parent's next door neighbor for many years, but felt that she could make an unbiased decision.

Vote: Commissioners Ruttinger, Flores, Wirthlin, Hill, Drown and Adams all voted "aye", Commissioners Woodhead, Fife, and Taylor all voted "nay". The motion passed 6-3.

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Approval of the Minutes:

Commissioner Adams noted a change in a spelling of a name. Commissioner Woodhead noted a change on page 11.

Commissioner Woodhead made the motion to approve the minutes with corrections.

Commissioner Fife seconded the motion.

Vote: The motion passed unanimously.

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PLNSUB2012-00001 Rockefeller Group Foreign Trade Zone Planned Development - A request by Coury Morris for approval of a planned development that will create seven new lots with four private drive accesses in order to accommodate future warehouses. The property is located at approximately 1100 South 4800 West, in Council District 2 represented by Kyle LaMalfa. (Staff contact: Ana Valdemoros at 801-535-7236 or ana.valdemoros@slcgov.com)

Chairperson Dean recognized Ana Valdemoros as staff representative.

Ms. Valdemoros outlined the staff report as found in:
[://www.slcclassic.com/boards/plancom/plancom.htm](http://www.slcclassic.com/boards/plancom/plancom.htm)

Ms. Valdemoros gave a PowerPoint presentation outlining the request.

Ms. Valdemoros stated that she spoke with the Chair of the Glendale Community Council and they were in support of the project.

Ms. Valdemoros stated that conditions of approval as noted in the staff report.

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Questions from the Commissioners:

Commissioner Gallegos asked about the name, Foreign Trade Zone, and wondered if they were a licensee of the Commerce Department, and asked if there was some connection with the City.

Assistant Planning Director Coffey answered that the applicant would respond to the question.

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Comments from the Applicant:

The applicant, Corey Morris stated he was representing Great Basin Engineering and the Rockefeller Group. He explained that they intent was to change the subdivision from four lots subdivision to seven lot planned development to facilitate approximately 1.2 million square feet of concrete panel warehousing and distribution.

Mr. Morris explained that the City and the Rockefeller Group have agreed to have the 71 acres allocated as a foreign trade zone.

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Comments from the Commissioners:

Commissioner Gallegos explained that manufacturers could assemble components at the location without tax levy or duty to support foreign trade.

The Commission and the Applicant discussed the configuration of the project.

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Public Hearing:

Chairperson Dean opened the public hearing, seeing no one chose to speak, she closed the public hearing.

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Motion:

Commissioner Gallegos made the motion in regard to Rockefeller Planned Development and Subdivision Amendment PLNSUB2012-00001, Consistent with the staff recommendation, based on

testimony, plans presented the following findings I move that the Planning Commission approve the Planned Development and Preliminary Subdivision to the subject properties located approximately at 1100 S 4800 W with the aforementioned conditions as listed in the staff report.

Commissioner Woodhead seconded the motion.

Vote: Commissioners Adams, Drown, Hill, Taylor, Wirthlin, Fife, Flores, Gallegos, Woodhead and Ruttinger all voted "aye". The motion passed unanimously.

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PLNBOA2012-00066 Konopa Grade Change - A request by Charles Konopa for a special exception for additional grade change in the required yard in order to build a garage in the basement with access from the front yard. The subject property is located at approximately 263 East 10th Avenue in the SR-1A (Special Development Pattern District) in City Council District 3, represented by Stan Penfold. (Staff contact: Katia Pace, 801-535-6354 or katia.pace@slcgov.com).

Chairperson Dean recognized Katia Pace as staff representative.

Ms. Pace outlined the staff report as found in:

<http://www.slcclassic.com/boards/plancom/plancom.htm>

Ms. Pace noted that this was the first Special Exception case presented to the Planning Commission, before this time, Special Exceptions were reviewed by the Board of Adjustment.

She stated that usually a Special Exception is noticed to the abutting property owners with the notice of application and it is approved administratively, unless it does not comply with the standards for a Special Exception. In this particular case, planning staff felt that it did not comply with existing standards.

Ms. Pace gave a PowerPoint presentation and explained that the request was to excavate the front yard and the sidewalk to add a garage to the basement of the house.

Ms. Pace explained that in order to comply with the existing standards, the building needed to be compatible with the development pattern of the block. Planning staff felt that the block face that has a development pattern that is tiered step down with a terrace pattern.

Ms. Pace stated that planning staff found that the application does not comply with the standards of the Special Exception and that the recommendation was to deny approval.

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Questions from the Commissioners:

Commissioner Gallegos asked if there was a neighborhood covenant guiding architectural design for the block face.

Ms. Pace stated that it was not a subdivision, and therefore doubted that would be the case.

Ms. Pace added that a neighboring property owner had sent an email regarding their adamant opposition to the request.

Commissioner Fife asked if there had been any other comments.

Ms. Pace responded that she had received a phone call from a property owner who was interested in the project.

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Comments from the Applicant:

The applicant, Charles Kopopa spoke as the engineer and applicant for the project.

He stated that the project met all of the codes and zoning ordinances including light, ventilation, stairs, fire codes, height ordinance, ADA, and if completed, would meet the parking ordinance of two minimum parking spaces per lot. It met egress and the 40% buildable area requirements. A garage in the backyard would exceed 40% and would not meet the zoning ordinance for SR1-A.

He stated that additionally, the backyard was considerably higher in grade than the front, and would involve 14 feet of excavation of the backyard to put a garage underneath the house. He stated that the front yard was 6.5 feet at the point of the house and zero at the street.

He noted that they would not be changing the existing façade of the height, nor the height of the roof. He stated that he had asked neighbors for their input, and their initial concern was that he was not raising the height of the building.

He described the landscape buffer included in the design, providing for safety and sight triangles per the zoning ordinance.

Mr. Konopa presented exhibits representing his neighborhood.

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Questions from the Commissioners:

Commissioners asked about the grade and if transportation had approved the plans.

Mr. Konopa responded that transportation had reviewed it, and Barry Walsh did not like the width of the driveway.

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Public Hearing:

Cindy Cromer spoke in **opposition** to the petition. She discussed ramifications of approving the petition and the unit of measurement in the compatible infill ordinance is the block face.

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Comments from the Commissioners:

Chairperson Dean noted that she was familiar with the neighborhood and lived a few blocks away. She stated that she had experienced some of the modifications that had been proposed. She was concerned about the disruption to the character of the face. She also noted the disruption to pedestrians and did not the placement of the garage on the front of the house.

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Motion:

Commissioner Woodhead made a motion in regard to PLNPCM2012-00066 the Planning Commission's first Special Exception petition I make a motion that the Commission find that this request is not compatible with the surrounding development and therefore not consistent with all of the Special Exception standards found in section 21 A 52-060 and on that basis deny the Special Exception. This motion is based on the staff report, the testimony and discussion here tonight and the field trip.

Commissioner Hill seconded the motion.

Vote: Woodhead, Flores, Wirthlin, Taylor, Hill, Drown and Adams all voted "aye" Commissioners Ruttinger, Gallegos, and Fife all voted "nay". The motion passed 7-3.

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Meeting adjourned.