

SALT LAKE CITY PLANNING COMMISSION MEETING
Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, October 10, 2012

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:35:09 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; Commissioners Lisa Adams, Angela Dean, Michael Fife, Bernardo Flores-Sahagun, Matthew Wirthlin and Mary Woodhead. Vice Chair Emily Drown; Commissioners Clark Ruttinger and Marie Taylor were excused.

Planning Staff members present at the meeting were: Wilford Sommerkorn, Planning Director; Cheri Coffey, Assistant Planning Director; Joel Paterson, Planning Manager; Nick Britton, Senior Planner; John Anderson, Principal Planner; Michaela Oktay, 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: Michael Fife and Bernardo Flores-Sahagun. Staff members in attendance were Wilf Sommerkorn, Joel Patterson, Doug Dansie, John Anderson and Michaela Oktay. The following locations were visited:

1. 700 South Street Closure- Staff described the proposed street closure request and the issues indentified in the Staff Report. The Commissioners asked about a billboard located on a parcel fronting 700 South and the purpose of the request to increase storage/parking areas for the Petitioner.
2. West Capitol Hill Master Plan Map and Text Amendments – Staff explained the proposed amendments along 400 West. The Commissioners asked if any of the affected property owners had commented on the proposal. Staff explained some property owners initially felt loosing the CG zoning would be detrimental but once they understood the amendments to the MU zoning, they were more supportive of the proposal. Staff explained proposed amendments along 300 West.

WORK SESSION [5:35:28 PM](#)

Salt Lake City's Comprehensive Housing Policy – LuAnn Clark, Director of Housing and Neighborhood Development will provide a briefing regarding the City's Comprehensive Housing Policies.

Ms. LuAnn Clark, Director of Housing and Neighborhood Development, reviewed the thirteen new policies in the Comprehensive Housing Policy (available online) for the Commission reading each key point and explaining how it would be applied in Salt Lake City.

Commissioner Fife asked if housing was still planned for the property east of Harmon's in City Creek.

Ms. Clark stated it was her understanding that it would eventually be a housing project.

Chairperson Gallegos asked how the plan was being integrated with the work from other City Divisions.

Ms. Clark reviewed how the Housing and Neighborhood Development agency worked closely with all City Departments to ensure the processes were being followed and implemented into other Division's future plans and proposals.

Commissioner Woodhead asked about the proposed options for parking. She asked if it was the best language for the policy and if the assumption of parking on the street needed to be questioned.

Ms. Clark stated the plan was that many people do not want other people parking in front of their houses, which was not something that could be controlled in this urban setting. She reviewed the zoning changes limiting parking and explained the statement in the proposal was to take a comprehensive look at parking and be creative to find ways to promote shared parking.

Commissioner Woodhead stated there was nothing in the plan that addressed housing on the West side. She asked if there needed to be language that promoted the West side and growth in that area.

Ms. Clark stated most of the reasonably priced housing was on the West side as the properties on the East side are quite expensive. She stated the West side should be listed as one of the City's strengths.

Chairperson Gallegos stated the housing policy would be used by various City Departments as a guide to developing plans for housing throughout Salt Lake City.

Commissioner Fife asked if the city wide historic resource survey had been funded.

Ms. Clark stated that would be a question for Planning Staff.

Mr. Wilf Sommerkorn, Planning Director, stated Ms. Cheri Coffey could address that in the next presentation.

Chairperson Gallegos stated housing had been a large part of the Planning Commission's work in the past year and asked Mr. Sommerkorn if a training or retreat could be set up for the Planning Commission to familiarize them with the policy.

Mr. Sommerkorn stated a retreat could be scheduled. He explained that a Housing Plan was one of the three parts of the City's overall plans and that the Planning Commission was required to review and approve the Housing Plan. Mr. Sommerkorn stated the proposal would be brought back to the Planning Commission later in the year for a public hearing and approval.

Ms. Coffey stated the City wide survey had not been funded and Staff was looking for grants to cover the cost of the survey.

[5:59:04 PM](#)

Community Preservation Plan Work Session - Update to the Planning Commission regarding the Community Preservation Plan. (Staff contact: Cheri Coffey at 801-535-7757 or cheri.coffey@slcgov.com)

Ms. Cheri Coffey, Assistant Planning Director, reviewed the Community Preservation Plan (available online) explaining the review process the plan went through and the changes to the plan since the Planning Commission had last reviewed it. She reviewed the ways historic preservation could be done in the city and the benefits of it.

Commissioner Woodhead asked why the Planning Commission worked on the issue and then it went to the City Council and was changed to a different document. She stated it made the work the Planning Commission less relevant to the process.

Ms. Coffey stated the majority of the plan was still what the Planning Commission recommended in 2009 but there were some items that the City Council wanted addressed in the plan so those items were added.

Commissioner Flores-Sahagun asked Ms. Coffey to elaborate on item 4.4 listed on the document.

Ms. Coffey stated the Historic Landmark Commission would continue overseeing the local historic districts and landmark sites. She stated part of the text amendments presented to the City Council included language regarding the authority of the Historic Landmarks Commission, currently they are to be an advocate for historic preservation which conflicted with their regulatory role. She stated the plan clarified that position, tried to streamline the process and educate the public on Historic Preservation.

[6:10:00 PM](#)

PLNPCM2010-00468 Parking and Transportation Demand Management - A briefing regarding 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 proposal as presented in the Staff Report (located in the case file). He stated the petition would be brought back to the Commission for review and approval in November.

Commissioner Fife asked if the multi-family zoning was in a quarter mile of a transit stop would they only be required to have 25 parking spaces.

Mr. Britton stated that was correct it was an available reduction for the use but not a requirement.

The Commissioners and Staff discussed the required six foot setback for off street parking in residential districts. Staff stated it was a current requirement that would be carried forward and could be adjusted to accommodate narrower lots. It was suggested to clarify that it was a flexible requirement.

The Commission stated they did not like the on-street parking credit as individuals did not own the street in front of their homes and would not be guarantee available parking. Staff stated it would not necessarily be reserved parking however; the idea was that on-street parking was currently allowed in most zones and would be expanded to the Downtown zones and other zones throughout the City. Staff stated it was one way to reduce the amount of parking and spread it out to places where it all ready existed. The Commission stated it was not really a benefit and would create more of a parking problem.

The Commissioners asked if tandem parking had been considered in residential areas. Staff explained the parking requirements and the issues with tandem parking. The Commission and Staff discussed when tandem parking had been approved in the past, where it worked for projects and if that was the appropriate plan for parking.

Staff asked the Commission if they had an issue with the proposed maximum parking requirement. The Commission stated they thought it was a fabulous idea and would work well in the city. They discussed how parking would be assigned and divided stating it was up to the property owner how the parking was divided.

APPROVAL OF THE MINUTES FROM THE SEPTEMBER 26, 2012 MEETING

MOTION [6:35:47 PM](#)

Commissioner Wirthlin made a motion to approve the September 26, 2012 minutes.

Commissioner Fife seconded the motion. Commissioners Adams, Dean, Fife, Flores-Sahagun, and Wirthlin voted “aye”. Commissioners Taylor abstained from voting. The motion passed.

REPORT OF THE CHAIR AND VICE CHAIR [6:36:29 PM](#)

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

REPORT OF THE DIRECTOR [6:36:37 PM](#)

Mr. Wilford, Sommerkorn, Planning Director, stated in the past the Commission had only one meeting in November due to holidays however, this year that was not an issue. He stated having an Urban Design tour for the meeting on November 28, could be a possibility.

Mr. Sommerkorn stated the City Council was suggesting a redesign of the Master Plan process for the City. Mr. Sommerkorn stated Planning Staff agreed with the suggestion and was moving ahead with the process. He stated Staff would have something for the Council to consider and review by the end of the year.

PUBLIC HEARING [6:38:39 PM](#)

PLNPCM2011-00485 Time Extension for Volunteers of America Conditional Use - a request by Volunteers of America for a one year time extension for a previous conditional use approval of a proposed residential group home in support of homeless young men. The original approval was granted by the Planning Commission on October 26, 2011. A recent fire destroyed the building, prolonging the building permit process. The property is located at approximately 556 South 500 East, in Council District 4 represented by Luke Garrott. (Staff contact: Casey Stewart at 801-535-6260 or casey.stewart@slcgov.com)

Mr. Joel Paterson, Planning Manager, gave the history of the project and reasoning behind the request for an extension as outlined in the Staff Report (located in the case file).

MOTION [6:39:27 PM](#)

Commissioner Fife moved to approve the time extension for a previous conditional use approval of a proposed residential group home in support of homeless young men. Commissioners Woodhead seconded the motion. The motion passed unanimously.

Ms. Kathy Bray, Director of the Volunteer of America, thanked the Commission for their support and approval.

[6:40:01 PM](#)

PLNPCM2012-00454: 700 South Street Closure - A request by Univar USA, Inc for a street closure and sale of the 700 South right-of-way between I-15 and the railroad tracks located west of 600 West. The street is a "paper street" that does not facilitate access to adjacent properties because it is blocked on the west by I-15 and on the east by railroad tracks. The property is located in a CG (General Commercial) zoning district in Council District 4, represented by Luke Garrott (Staff contact: Doug Dansie at 801-535-6182 or doug.dansie@slcgov.com)

Mr. John Anderson, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending the Planning Commission approve the petition as presented.

Commissioners Gallegos asked if easements would need to be put in place due to the utilities under the street as well as the billboard on the property.

Staff explained that if the property were leased and not sold the easements would be given to those that needed access.

Mr. Kyle Green, Applicant, reviewed the reasoning for asking for the street closure.

Commissioner Woodhead asked if there was an issue with leasing the property other than selling the property.

Mr. Green stated he would rather purchase the property than lease it but would do what was asked.

Mr. Sommerkorn stated it was up to Property Management to decide if the property was leased or sold. He stated it was the Planning Commissions roll to consider whether the property should be declared as surplus property and to make a recommendation on the proposed street closure.

PUBLIC HEARING [6:46:39 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.

DISCUSSION [6:46:44 PM](#)

Staff stated the request was to vacate the property and declare it surplus.

Mr. Joel Paterson, Planning Manager, stated part of the request was to declare the property surplus as was the purview of the Commission. He stated even if the property were leased it would still need to be declared surplus.

MOTION [6:47:51 PM](#)

Commissioner Woodhead stated as to petition PLNPCM2012-00454 Street Closure and Right of Way of Property, based on the findings listed in the staff report, testimony and plans presented, She moved that the Planning Commission declare the property surplus and forward a positive recommendation to the City Council to approve a street closure of 700 South, between approximately 650 West and I-15 with conditions one through three listed in the Staff Report. Commissioner Wirthlin seconded the motion. The motion passed unanimously.

[6:48:38 PM](#)

PLNPCM2012-00114 Epic Brewing Zoning Map Amendment – A request by Peter Erickson, representing Epic Brewing LLC to amend the Salt Lake City Zoning Map for the rear portions of properties located at approximately 834 and 836 South Edison Street. The proposal would modify the zoning map for properties currently zoned SR-3 Special Development Pattern zoning district to D-2 Downtown Support. The purpose of the proposal is to facilitate the expansion of Epic Brewing located at approximately 825 S. State Street. The amendments would increase the allowed density and the allowed height of any buildings constructed on the rear portions of the subject properties. The property is located in Council District 4 represented by Luke Garrott. (Staff Contact: John Anderson at 801-535-7214 or john.anderson@slcgov.com)

Commissioner Bernardo Flores-Sahagun recused himself as he had personal interest in the project

Mr. John Anderson, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending the Planning Commission deny the petition as presented.

Commissioner Dean asked if the lots were currently conforming and if the proposal would make them non-conforming.

Mr. Anderson stated the lots were currently conforming, explained the lot requirements for the area and that the lots would remain conforming with the proposal.

Mr. Peter Erickson, Epic Brewing, gave a history of the project and the reason for the expansion. He reviewed the old proposal, the new proposal and how it would benefit the surrounding neighborhood. Mr. Erickson stated if the Commission did not see the proposal as something that could be approved he asked for the proposal to be tabled which would allow

Epic Brewing to return with a proposal that would fit the master plan and most likely be approved.

Commissioner Dean asked how the current proposal addressed the required parking for the use.

Mr. Bernardo Flores-Sahagun, architect, stated the parking would be in compliance.

Mr. Erickson stated the main reason for the D-2 section was for the turnaround for the vehicles.

Commissioner Dean stated she was asking because if the row of parking on the east side was not required it would be an extra twenty feet of usable space.

PUBLIC HEARING [6:58:40 PM](#)

Chairperson Gallegos opened the Public Hearing.

The following individuals spoke in favor of the petition:

Mr. Karl Lins, Ms. Deborah Walling, Ms. Callie Bennett, Ms. Mallika Filtz, Ms. Maya Soueidi, Mr. Ryan Buxton, Mr. Max Schwartz, Mr. Philip Handke, Mr. Michael Malachowski, Mr. Jordan Schupbach, Mr. Kyle Rossman, Mr. Robert Mansfield, Mr. Mark Fisher, Ms. Lara Fisher, Mr. Dylan McDonnell, Mr. Justin Hyde, Mr. Aaron Selya, Ms. Stacey Oliveto-Byrd, Mr. Doug Peterson, Mr. Evan Lewandowski, Mr. Alex Whitney and Mr. Tom Mudder.

The following comments were made:

- Epic Brewing was a great business and addition to the Community.
- Epic offers a great product and should be allowed to grow.
- Proposal did not negatively impact the parties involved and helped Epic to expand without having to relocate.
- Epic was a benefit to the economy and provided employment opportunities for people.
- Expansion would allow for future growth in employment.
- If the project was not allowed and had to move, it would leave a vacancy and be more detrimental to the area.
- Epic Brewing was a great employer and good to its employees
- Epic Brewing supported local causes and expansion would be a benefit to the entire community.
- Epic Brewing was tax revenue for the City proposal would increase tax revenues.

- Need to keep new fun businesses in the area
- Proposal was consistent with the Master Plan
- Growth of Epic helps other businesses grow as they purchase their products from them.
- Any improvement in the area was welcomed.
- Not many locations for this type of use and if space was restricted the business could not grow.
- Epic has worked with the neighborhood to improve the relationship between the business and its neighbors.
- The proposal was the best proposal to allow Epic to grow and the neighborhood to stay intact.

The following individuals spoke in opposition of the proposal:

Ms. Cindy Cromer, Mr. Richard Jones, Ms. Tiffany Taylor, Mr. Lloyd Hart, Ms. Pat Peterson, Mr. David Richardson and Mr. Andrew Hodge.

The following comments were made:

- Pocket neighborhoods should be protected
- Proposal would eliminate the green space and would be irreversible.
- Property rights of neighbors on Edison need to be protected
- Proposal would damage the look and feel of Edison Street
- Would depreciate property values.
- Backyards of houses should be kept as is.
- It was not an issue of Epic being a good business but a zoning issue.
- Preserve the SR-3 zoning in the pocket neighborhoods.
- Should expand up not out.
- Would wipe out parking to the residents
- Would be detrimental to the Salt Lake Arts Academy
- Rezone would negatively alter the neighborhood

Chairperson Gallegos closed the Public Hearing.

Mr. Erickson reviewed the public comments, he stated the trucks that would be driving on the property would be smaller and the Transportation Department agreed on the space required to turn around the trucks. Mr. Erickson said there would not be traffic exiting onto Edison Street from the business. He stated if the size of the backyard to the residences was an issue it would fall on Epic as the owner of the homes and not the neighborhood as most people don't

have vehicles and don't want a yard to maintain. He said the neighborhood on Edison was not historic and they were doing everything they could to ensure the houses remained as they were. Mr. Erickson stated the residential properties that Epic owns on Edison Street had been improved and so had the buildings that house the business. He said there would be space behind the homes for parking and they had never considered parking vehicles in the shared driveway as the plan did not eliminate that shared access.

Mr. David Cole, Epic Brewing, stated it was very difficult to find locations for breweries in the City. He stated most of the D-2 properties in the City are not available.

Commissioner Dean asked why deliveries could not be made from the existing curb cut.

Mr. Erickson stated currently deliveries were made in that location. He stated the proposed expansion would eliminate the exit drive on the north side of the building but would allow for more indoor storage. The proposed design would not have significant impact on the trucks or deliveries.

Mr. Cole stated the City would not allow trucks to back in to the property therefore, the expansion plans had to take that into consideration.

The Commission and Applicants discussed the amount of parking required for the proposal, parking for the residences, green space and ways to place a buffer between the building and the neighborhood. They discussed the option of building up instead of out. The Applicant stated they would still have to build out to build up.

DISCUSSION [7:53:01 PM](#)

Mr. Anderson reviewed the Central Community Master Plan as it applied to the neighborhood.

Commissioner Woodhead stated the Applicant had asked for the issue to be tabled if it was not approved. She asked if there was a more suitable plan that would be supported by Staff.

Mr. Anderson stated he had discussed zoning the lots RMU – 35 which would fit with the master plan. He stated that had not been analyzed.

Commissioner Woodhead stated the Applicant indicated the current proposal resulted in a better outcome for the business and the neighborhood and that the RMU-35 proposal would not be a benefit to either party.

Mr. Anderson reviewed the uses that would be permitted in RMU-35.

Mr. Paul Nielson stated the Architect for the project was a Planning Commissioner and needed to formally recue himself from voting on the issue. He explained the Policies and Procedures for the Commission requiring the Chair to vote on the issue due to quorum requirements.

The Commissioners discussed why they would or would not vote for the proposal. They discussed the traffic not exiting onto Edison Street and protecting Edison Street from large business that would encroach on the neighborhood. The Commission discussed what the standards allowed and how the proposal was to be addressed.

MOTION [8:04:18 PM](#)

Commissioner Dean stated as per petition PLNPCM2012-00114 Epic Brewing Zoning Map Amendment; based on the findings listed in the staff report, testimony and plans presented, She move that the Planning Commission transmit a negative recommendation to the City Council relating to this request to amend the Salt Lake City Zoning Map from the SR-3 Special Development Patter Residential zoning district to the D-2 Downtown Support zoning district located on properties at 834 and 836 South Edison Street. Commissioner Wirthlin seconded the motion.

The Commissioners and the City Attorney discussed the possibility of a tie vote and what the next step would be if that were to happen. It was stated that a transmittal stating a recommendation had not been reached would be sent to the City Council if a tie vote occurred.

**Commissioner Wirthlin, Adams, Gallegos, Dean voted “aye”
Commissioner Fife, Woodhead voted “nay”**

The motion to deny passed with a 4-2 vote

[8:13:53 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 400-500 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 reviewed the petition as presented in the Staff Report (located in the case file). She stated Staff was recommending the Planning Commission forward a positive recommendation to the City Council regarding the petition as presented.

The Commission and Staff discussed the location of a proposed library on 300 West.

PUBLIC HEARING [8:25:47 PM](#)

Chairperson Gallegos opened the Public Hearing.

The following people spoke in favor of the petition:

Mr. Dave Robinson, Ms. Stacy Grover, Ms. Tracy Nuttall, Ms. Corine Henderson, Mr. Randall Henderson, Mr. Paul Christenson, Ms. Babs DeLay, Mr. Nathan Anderson and Mr. Nephi Kemmethmueller.

The following comments were made:

- Mixed use would be good for the Marmalade area to increase density.
- Options for single family residential need to be added to the proposal
- Neighborhood is wonderful
- Challenging for families to live in condos or apartments
- Very Diverse Neighborhood
- Proposed lot sizes did not make sense in an area where density proposed to be increase.
- Follow the suggestions of the Planning Department but still allow flexibility on properties.
- Neighborhoods in the area are wonderful and diverse.
- The minimum square feet for the single family attached dwellings/detached dwellings, twin homes and alike are not reasonable for the area and needed to be revised.
- Proposed changes were great but high density not the ideal for the area, mid density would be better.

Commissioner Woodhead asked Mr. Nathan Anderson if the square footage requirements were changed would he develop more properties in the area.

Mr. Anderson stated RDA had met with him earlier with ideas for developments in the area. He stated the square footage limits hindered development of anything but apartments but if the standards were changed twin homes and attached single family homes could be constructed.

Chairperson Gallegos closed the Public Hearing.

DISCUSSION [8:45:52 PM](#)

The Commissioners asked Staff if they would be willing to review the suggestions to reduce the square footage requirements to allow for single family attached and detached dwellings.

Staff stated they would be willing to review the proposal and adjust the square footage requirements. They said the comments were welcomed and they concurred with the statements. Staff stated they would rework the proposal and bring it back to the Commission at the November 14, Planning Commission meeting.

MOTION

Commissioner Woodhead stated in regards to PLNPCM2012-00462 Master Plan Amendments, PLNPCM2012-00463 Zoning Map Amendments and PLNPCM2012-00464 MU Mixed Used District Text Amendment, she moved that the Planning Commission table the discussion and decision in this matter until the November 14, Planning Commission Meeting Commissioner Wirthlin seconded the motion. The motion passed unanimously.

The meeting adjourned at [8:54:23 PM](#)