

**PLANNING COMMISSION STAFF REPORT  
ADMINISTRATIVE ITEM**



Planning Division  
Department of Community and  
Economic Development

**ARLINGTON PARK  
Planned Development PLNSUB2013-00049  
1075 East 800 South  
June 12, 2013**

**Applicant:** Jeff Beck

**Staff:** Ray Milliner  
[ray.milliner@slcgov.com](mailto:ray.milliner@slcgov.com)  
(801)535-7645

**Current Zone:**  
R-2 Residential Single and Two  
Family

**Master Plan Designation:**  
Central Community Master Plan –  
Residential Low Density 1-15  
dwelling units per acre

**Council District:**  
District 4, Luke Garrott

**Community Council:**  
East Central Community

**Lot Size:**  
.62 acres or approximately 27,007  
square feet

**Current Use:**  
Vacant

**Applicable Land Use  
Regulations:**

- 21A.24.110 R-2 zone
- 21A.55 Planned Developments

**Attachments:**

- A. Site Plan and Landscape Plan
- B. Grading Plan
- C. Elevation Drawings.
- D. Photographs
- E. Citizen Input.
- F. Department Comments
- G. Minutes from May 8, 2013

**REQUEST**

The petitioner, Jeff Beck, is requesting planned development approval for the following:

1. Relief from Section 21A.36.010B requiring that not more than one principal building is allowed on a single lot.
2. Relief from Section 21A.24.110.E to reduce rear yard setback from 25 feet to 10 feet.
3. Relief from Section 21A.44.020 to allow for tandem parking on site.

The purpose of the request is to enable the construction of three duplex buildings on a single lot at 1075 East 800 South. The Planning Commission has final decision making authority for planned developments.

**RECOMMENDATION**

It is staff's finding that the project generally meets the applicable standards in the zoning ordinance. Staff recommends that the Planning Commission approve the proposed Arlington Park planned development based on the analysis and findings in this staff report, and subject to the conditions of approval written below.

**POTENTIAL MOTIONS**

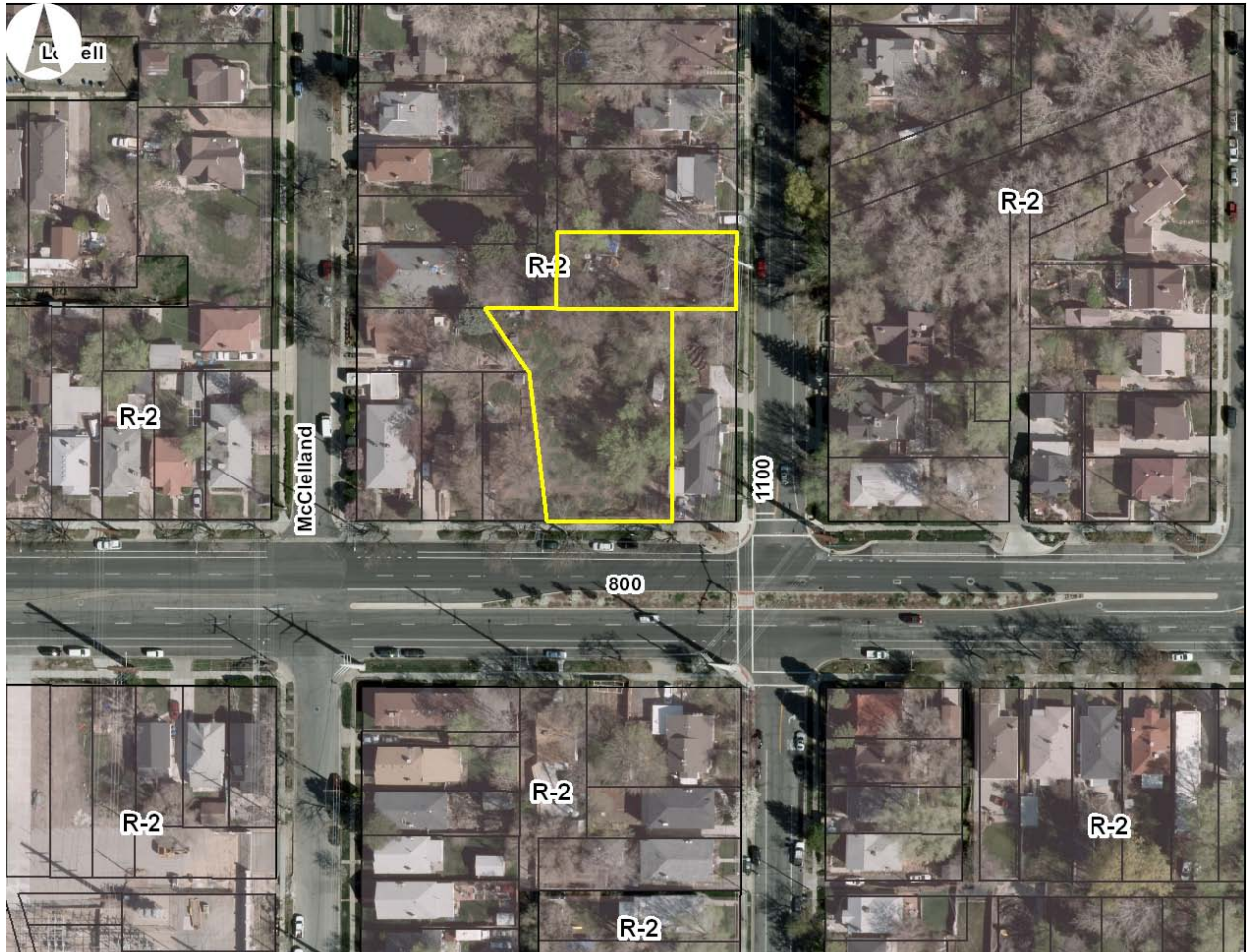
**Approval:** Based on the findings listed in the staff report and the testimony heard, I move that the Planning Commission approve the proposed Arlington Park planned development with the following conditions of approval:

**CONDITIONS OF APPROVAL**

1. Prior to final occupation of the buildings, the applicant shall record either a subdivision amendment combining the two lots of record into one, or a condominium plat.
2. The minimum setback for the building rear yard along the north property line shall be ten feet (10’).
3. Tandem parking is allowed as part of this petition. All tandem parking spaces shall be reviewed by the City Transportation Division for turnaround dimensions, and all other applicable requirements.
4. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by applicable City Department/Divisions prior to commencing construction.
5. All required landscaping to be installed along property boundaries prior to the occupation of the buildings.

**Denial:** Based on the testimony, plans presented, and the following findings, I move that the Planning Commission deny the Arlington Heights Planned Development at 1075 East 800 South because the proposal fails to meet the standards for a Planned Development. The proposed project therefore, is not compliant with the following standards and is denied (the commissioner then states which standards the project does not comply with):

## VICINITY MAP



1075 East 800 South

-  Neighboring Parcels
-  Subject Property

## Background

On February 6, 2013, the applicants, Jeff Beck and Mitch Spence submitted a petition for a planned development to enable the construction of three two family dwellings on a single piece of property at 1075 East 800 South. The property is approximately .62 acres or 27,007 square feet in size, and located in the R-2 zone.

As part of the planned development, the petitioners are requesting the following:

1. Relief from Section 21A.36.010B to allow more than one principal building to be located on a single lot.
2. Relief from Section 21A.24.110.E to reduce the rear yard setback from 25 feet to 10 feet.
3. Relief from Section 21A.44.020 to allow for tandem parking on site.

This petition was reviewed by the Planning Commission on May 8, 2013. At the meeting, the Commission expressed concerns about the impact of the development on adjacent property owners, specifically the reduction of the rear yard setback, on existing vegetation, and the impact of the buildings on adjacent property owners. The petitioner was directed to return with more specific information regarding site plan, indicating all existing mature trees which are to remain and which are to be removed, indicating the existing and new grade changes and options modifying the building massing to maintain the rear twenty five (25) foot setback as well as locating a main entry off of 800 South (this information is provided in attachment A).

The applicant has submitted a revised landscape plan, showing existing trees, those that are proposed to be retained and those that would be removed, a plan showing the proposed grading of the site as it relates to the north property line, and plans showing a main entry off of 800 South. The applicant did not submit options modifying the building massing in the rear of the lot, stating that the grade change and proposed landscaping mitigate the reduced rear yard and the options reviewed were not feasible, because they would create a building that is too narrow to build. They are now requesting further review from the Planning Commission.

## **Project Description**

The property is currently vacant; consists of two legal lots of record, one with frontage on 800 South and the other with frontage on 1100 East. The rear of the lot is steeply sloped with a significant retaining wall along 1100 East. There is an existing ditch that enters the property from the north east corner near 1100 East (water flows onto the property from a culvert that runs under 1100 East), and traverses the lot exiting into an underground culvert at the south west corner at 800 South. All vehicular access to the site is proposed from 800 South. The driveway would run along the east side of the lot with entries to each unit crossing the ditch.

The buildings are configured with buildings A and B facing east and building C facing north. Per direction from the Planning Commission, the petitioner has revised the design of building A to have a significant porch and entry facing 800 South.

Because of the abundance of water on the site, there is a considerable amount of natural vegetation, ranging from shrubs and bushes to large mature trees. Construction will result in the loss of a significant amount of this vegetation, which the petitioner is proposing to replace (see landscape plan exhibit A).

In order to preserve as much of the existing vegetation on site as possible, the petitioner is requesting that the Commission allow tandem parking for each building. This would reduce the amount of paving necessary for onsite parking spaces, and increase the amount of green space available. Originally, the petitioner had requested that City staff grant 6 on street parking credits for the site to achieve the same purpose, but it was found that off street parking credits are not allowed in the R-2 zone.

If the Planning Commission makes findings for approval of this application, the project will be able to proceed with building permits and begin construction. Nonetheless, the applicant will be required to submit for approval a subdivision amendment or condominium plat that will need to be approved and recorded prior to the final issue of a certificate of occupancy by the Building



Division. A final review for zoning ordinance compliance will occur at the time of building permit application.

## Project Details

Regulation	Zone Regulation	Proposal
<b>Use</b>	8,000 square feet of lot area per two family dwelling	3 two family dwellings, lot has 27,007 square feet of area.
<b>Density/Lot Coverage</b>	27,007 square feet of lot area	27,007 square feet (requesting planned development approval of 3 principal buildings on a single lot). <b>Meets density requirements for R-2 zone</b>
<b>Height</b>	Twenty eight feet (28') measured to the ridge of the roof; or the average height of other principal buildings on the block face.	28 feet at the highest point <b>Meets Zoning Ordinance requirements</b>
<b>Front/Corner Yard Setback</b>	The average of the front yards of existing buildings within the block face. Where there are no existing buildings within the block face, the minimum depth shall be twenty feet (20').	Front near the street = 20 Feet. <b>Consistent with existing buildings on the block face.</b>
<b>Rear Yard Setback</b>	Twenty five percent (25%) of the lot depth, but not less than fifteen feet (15') and need not exceed twenty five feet (25').	10 feet ( <b>requesting relief as part of the planned development</b> ).
<b>Side Yard Setback</b>	Four feet (4'); provided, that on interior lots one yard must be at least ten feet (10').	8 feet 6 inches on the west side and approximately 40 feet on the east side. <b>Meets Zoning Ordinance requirements</b>

## Public Notice, Meetings and Comments

The following is a list of public meetings that have been held related to the proposed project:

- The East Central Community Council held a meeting on March 21. Comments and notes can be found in Attachment C.
- The Salt Lake City Planning Commission conducted a public hearing on May 8, 2013. Minutes from that meeting are attached as Attachment D.

Notice of the public hearing for the proposal includes:

- Public hearing notice mailed on May 31, 2013
- Public hearing notice posted on property on May 31, 2013.
- Public hearing notice posted on City and State websites on May 31, 2013.
- Public hearing notice emailed to the Planning Division list serve on May 31, 2013.

Prior to the initial public hearing on May 8, 2013, staff received a significant amount of public comment on the project. That comment is included in this staff report as Attachment E. The project was noticed for the June 12, 2013 meeting on May 31, 2013. Since that time, staff has not received additional public comment.

### **City Department Comments**

The comments received from pertinent City Departments / Divisions are attached to this staff report in Attachment D. Although there are issues relating to the project raised by City divisions, the Planning Division has not received comments from the applicable City Departments / Divisions that cannot reasonably be fulfilled or that warrant denial of the petition.

### ***Analysis and Findings***

#### **21A.55.050: STANDARDS FOR PLANNED DEVELOPMENTS:**

The Planning Commission may approve, approve with conditions, or deny a planned development based upon written findings of fact according to each of the following standards. It is the responsibility of the applicant to provide written and graphic evidence demonstrating compliance with the following standards:

- A. Planned Development Objectives:** The planned development shall meet the purpose statement for a planned development (Zoning Ordinance section [21A.55.010](#)) and will achieve at least one of the objectives stated in said section;

#### **The purpose of planned developments is:**

A Planned Development is intended to encourage the efficient use of land and resources, promoting greater efficiency in public and utility services and encouraging innovation in the planning and building of all types of development. Through the flexibility of the Planned Development regulations, the City seeks to achieve any of the following specific objectives:

- A. Combination and coordination of architectural styles, building forms, building materials, and building relationships;
- B. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion;
- C. Preservation of buildings which are architecturally or historically significant or contribute to the character of the city;
- D. Use of design, landscape, or architectural features to create a pleasing environment;
- E. Inclusion of special development amenities that are in the interest of the general public;
- F. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation;
- G. Inclusion of affordable housing with market rate housing; or
- H. Utilization of "green" building techniques in development.

**Analysis:** The proposed development meets the purpose statement for Planned Developments and also meets two of the specific objectives of the Planned Development process; specifically items A, and D.

**Item A** - Combination and coordination of architectural styles, building forms, building materials, and building relationships

The buildings are designed to coordinate with each other architecturally, with sloping roof lines, larger windows, and significant breaks in the facades. The main exterior material would be brick, which is a common building material found throughout the Central City community. Accent materials are generally 6" x 6" rough sawn timber posts on porches, metal railings on balconies and metal sheathing around the windows, and doors. The buildings are similar but not exactly the same and complement each other architecturally.

Concern has been expressed by the community regarding the design of the buildings and the incompatibility of the design with the surrounding neighborhood. It is true, that they do not replicate the design of the older homes in the neighborhood. Even so, the design of the buildings is similar to the surrounding vernacular in mass and scale as well as building materials. This architectural style is not uncommon in newer buildings found throughout the Central City Community.

**Item D** - Use of design, landscape or architectural features to create a pleasing environment.

There are significant natural features on the site, including an existing ditch, and vegetation that give the property a park like feel. The applicant has worked with City staff, as well as representatives of the East Central Community Council to preserve the existing vegetation on site, and will continue to work with City staff to ensure that any negative impacts of the development along the ditch are mitigated to ensure water pureness (staff has included a condition of approval requiring final approval of a landscape plan prior to occupancy of the buildings). Because of the proposed construction some of the existing vegetation will be removed, most notably along the north property line. To mitigate these impacts, the petitioner proposes to replace trees that are removed with new trees along the perimeter of the site and preserve existing trees along the ditch and property lines.

To mitigate the impact of paving, the applicant is proposing tandem parking, lawn landscape strips and porous pavement in areas where it would not negatively impact the ditch (this paving will be secondary to the preservation of the water quality).

The new landscaping and site design will be incorporated to match the neighborhood and to complement the existing natural features on the site. The existing ditch will be used as a water feature flowing through the property (The petitioner does not own water rights to the ditch and therefore the way in which the ditch is used is limited to flowing through the property).

**Finding:** Staff finds that the project meets the intent of the purpose statement adopted for Planned Developments. The project also achieves at least two (2) of the objectives for Planned

Development, thereby satisfying this standard. Those objectives are A, and D related to a combination and coordination of architectural styles and the creation of a pleasing environment.

**B. Master Plan and Zoning Ordinance Compliance:** The proposed planned development shall be:

1. Consistent with any adopted policy set forth in the citywide, community, and/or small area master plan and future land use map applicable to the site where the planned development will be located, and
2. Allowed by the zone where the planned development will be located or by another applicable provision of this title.

**Analysis:** The subject property is located within the Central Community Master Plan area. The property is identified for low density residential use, and is zoned to be consistent with this residential land use category. The residential land use goals of the Central Community Master Plan state:

- Encourage the creation and maintenance of a variety of housing opportunities that meet social needs and income levels of a diverse population.
- Ensure preservation of low-density residential neighborhoods.
- Ensure that new development is compatible with existing neighborhoods in terms of scale, character, and density.

The proposed development will contribute to the creation of a variety of housing types in the neighborhood, without exceeding the density requirements of the R-2 zone. The mass, scale and height of the proposed buildings is similar to that of the surrounding neighborhood, and will be compatible in design, materials and character.

The property is zoned R-2 (Residential Single and Two Family Dwellings). The Zoning ordinance states that a two family dwelling in the R-2 zone requires 8,000 Square feet of lot area for a two family dwelling. The subject lot has 27,007 square feet of lot area, sufficient for 3 two family dwellings.

**Finding:** Staff finds that the proposed development is consistent with all applicable City policies set forth in the Central Community Master Plan as well as the Central Community Future Land Use Map. Further, staff finds that the proposed two family dwelling use is an allowed use in the R-2 zone.

**C. Compatibility:** The proposed planned development shall be compatible with the character of the site, adjacent properties, and existing development within the vicinity of the site where the use will be located. In determining compatibility, the planning commission shall consider:

1. Whether the street or other means of access to the site provide the necessary ingress/egress without materially degrading the service level on such street/access or any adjacent street/access;

2. Whether the planned development and its location will create unusual pedestrian or vehicle traffic patterns or volumes that would not be expected, based on:
  - a. Orientation of driveways and whether they direct traffic to major or local streets, and, if directed to local streets, the impact on the safety, purpose, and character of these streets;
  - b. Parking area locations and size, and whether parking plans are likely to encourage street side parking for the planned development which will adversely impact the reasonable use of adjacent property;
  - c. Hours of peak traffic to the proposed planned development and whether such traffic will unreasonably impair the use and enjoyment of adjacent property.
3. Whether the internal circulation system of the proposed planned development will be designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;
4. Whether existing or proposed utility and public services will be adequate to support the proposed planned development at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources;
5. Whether appropriate buffering or other mitigation measures, such as, but not limited to, landscaping, setbacks, building location, sound attenuation, odor control, will be provided to protect adjacent land uses from excessive light, noise, odor and visual impacts and other unusual disturbances from trash collection, deliveries, and mechanical equipment resulting from the proposed planned development; and
6. Whether the intensity, size, and scale of the proposed planned development is compatible with adjacent properties.
7. If a proposed conditional use will result in new construction or substantial remodeling of a commercial or mixed used development, the design of the premises where the use will be located shall conform to the conditional building and site design review standards set forth in chapter 21A.59 of this title.

**Analysis:** Staff has received verbal and written communication from community members who are concerned that the project does not meet standards 1-6 above. Concerns have focused on:

- The proximity of the buildings to adjacent properties and the negative impact they will have as it relates to noise, loss of light, and back yard privacy.
- The impact of having the rear of the buildings facing the side of the adjacent homes.
- The impact of having three buildings on site opposed to one.
- The general impacts of having 6 units on site.
- The potential dangers of having additional traffic entering 800 South at that location, which is steep and busy.
- The impacts of having development on and around the ditch, as it relates to contamination and flooding.
- Orientation of building A should face 800 South in order to be consistent with the existing development pattern.



The project has been reviewed by all applicable City Departments/Divisions for compliance with City standards. No comments were received that would prevent the proposed redevelopment in terms of compatibility with the surrounding area. A member of the City Transportation Division visited the site specifically to determine whether or not the proposed driveway to the site provides the safe and efficient ingress/egress without negatively impacting the flow of 800 South. It was determined that due to an existing cut out for street parking, there is sufficient area for a motorist to safely review the street prior to entering traffic, without being impeded by the existing tree or large power pole to the east. Additional comments from the Transportation Division state that adequate turn around areas will be provided on site so that vehicles will not be backing onto the street, and all vehicle traffic entering and exiting the site will be directed on and off of 800 South via a right hand turn due to the island in the median. This traffic pattern is acceptable to the Transportation Division and will not degrade the existing traffic flow.

The project has been designed to be compatible with the character of the site and surrounding area as it relates to mass and scale and is not anticipated to create unusual pedestrian or traffic patterns/volumes.

Comments from the Public Utilities Division indicate that the significant care will need to be taken with regard to the ditch. No development will be permitted that will have a negative impact on the water quality of the ditch, or that will impede the flow of the water. The applicant will be required to work closely with City representatives to ensure that the flow and quality of the water are preserved within the ditch boundaries.

The proposed tandem parking has been reviewed and found adequate to meet the minimum requirements for onsite parking (assuming the Planning Commission approves the proposed planned development). All required parking will be contained on site. Screening and landscaping are provided to minimize impact to adjacent properties staff will review the landscape plan prior to final approval of the project to ensure that all conditions of approval are met. Staff has reviewed these concerns and made the following findings:

- Although the applicant is proposing to reduce the setback in the rear along the north property line to 10 feet, this is similar to the required 4 feet or 10 feet side yard on the adjacent lot
- The rear of the property is significantly lower in elevation relative to the home directly to the north; this will create a natural buffer between the two homes and help to mitigate the reduced rear yard setback.
- The petitioner has proposed landscaping along the west and north property lines, where the greatest potential visual impacts would occur (see attachment A.
- The density is allowed in the R-2 zone, and the buildings have been sited to minimize their impact on the stream, and adjacent properties. Review of all grading and drainage plans
- Building A is designed to address its frontage on 800 South by placing a porch and entry element on the area facing said street (see Attachment A).

Staff acknowledges that the proposed orientation of the buildings with the rear of the building facing the side yard is not ideal. The impacts of this issue are proposed to be mitigated through

the construction of a fence along each adjacent property line, and the landscape plan that includes the preservation of existing vegetation and the planting of new vegetation.

**Finding:** The project satisfies this standard. Staff finds that the development is compatible with the existing adjacent properties and the potential impact to surrounding properties is mitigated by existing grade changes and existing and proposed landscaping.

**D. Landscaping:** Existing mature vegetation on a given parcel for development shall be maintained. Additional or new landscaping shall be appropriate for the scale of the development, and shall primarily consist of drought tolerant species;

**Analysis:** The applicant has been working with staff and representatives from the East Central Community Council to limit the number of trees that are removed during construction. The proposed landscaping plan indicates that vegetation that is removed will be replaced, and overall enhanced particularly along the property lines, where it is proposed to create a screen between properties. Prior to the issue of a Certificate of Occupancy, front yard and parkway landscaping must be installed for both street frontages. Additionally, all landscaping along each of the property boundaries shall be installed as well (see attachment A for the proposed landscape plan).

**Finding:** Staff finds that the proposed Planned Development adequately meets this standard.

**E. Preservation:** The proposed planned development shall preserve any historical, architectural, and environmental features of the property;

**Analysis:** The existing ditch is a significant environmental feature on the property. The petitioner will be required to work with all applicable City Departments, specifically the Public Utilities Division to ensure that any negative impacts of the development on the ditch are mitigated and that site grading issues are addressed.

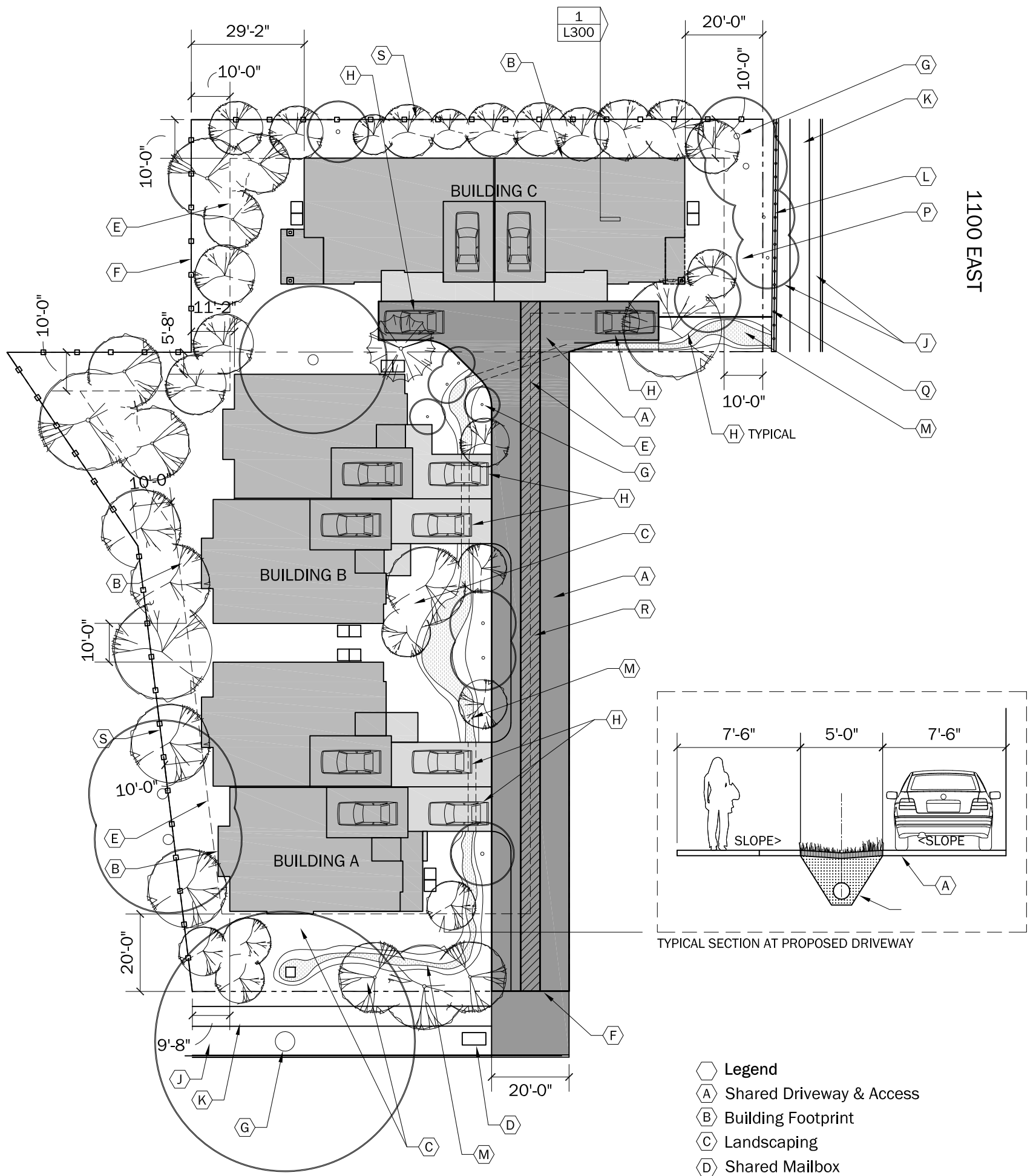
**Finding:** Staff finds that the proposed planned development meets this standard.

**F. Compliance With Other Applicable Regulations:** The proposed planned development shall comply with any other applicable code or ordinance requirement.

**Analysis:** Prior to the occupation of the buildings, a condominium or subdivision amendment plat will need to be recorded by the applicant. A condition of approval requiring that the applicant submit this application has been included in this staff report. Further zoning ordinance compliance will be ensured during review of construction permits.

**Finding:** The project satisfies this standard.

**Attachment A**  
Site Plan and Landscape Plan



**General Notes**

Property = 27,264.734sf / 0.626 Acres

Shared Drive = 4,194.831sf = 15%

**Building Footprints**

A = Area 3,203.309sf / perimeter 260.289lf = 12% of property

B = Area 2,970.500sf / perimeter 255.667lf = 11% of property

C = Area 3,247.695sf / perimeter 300.600lf = 12% of property

Combined = 9,421.504sf = 35% of property

**Legend**

- (A) Shared Driveway & Access
- (B) Building Footprint
- (C) Landscaping
- (D) Shared Mailbox
- (E) Setback as dimensioned
- (F) Property Line
- (G) Existing Tree
- (H) Parking
- (J) Lawn Landscape Strip
- (K) Existing Sidewalk
- (L) Existing Steel Pipe Rail Fence
- (M) Water Course
- (N) Not Used
- (P) Not Used
- (Q) Gated Access
- (R) Porous Pavement Bio Swale
- (S) 6' Height Privacy Fence at Perimeter
- (T) Culvert



Colony Design Collective  
1370 South West Temple, Salt Lake City, UT, 84115  
ph.801.913.3014 colonydesigncollective.com

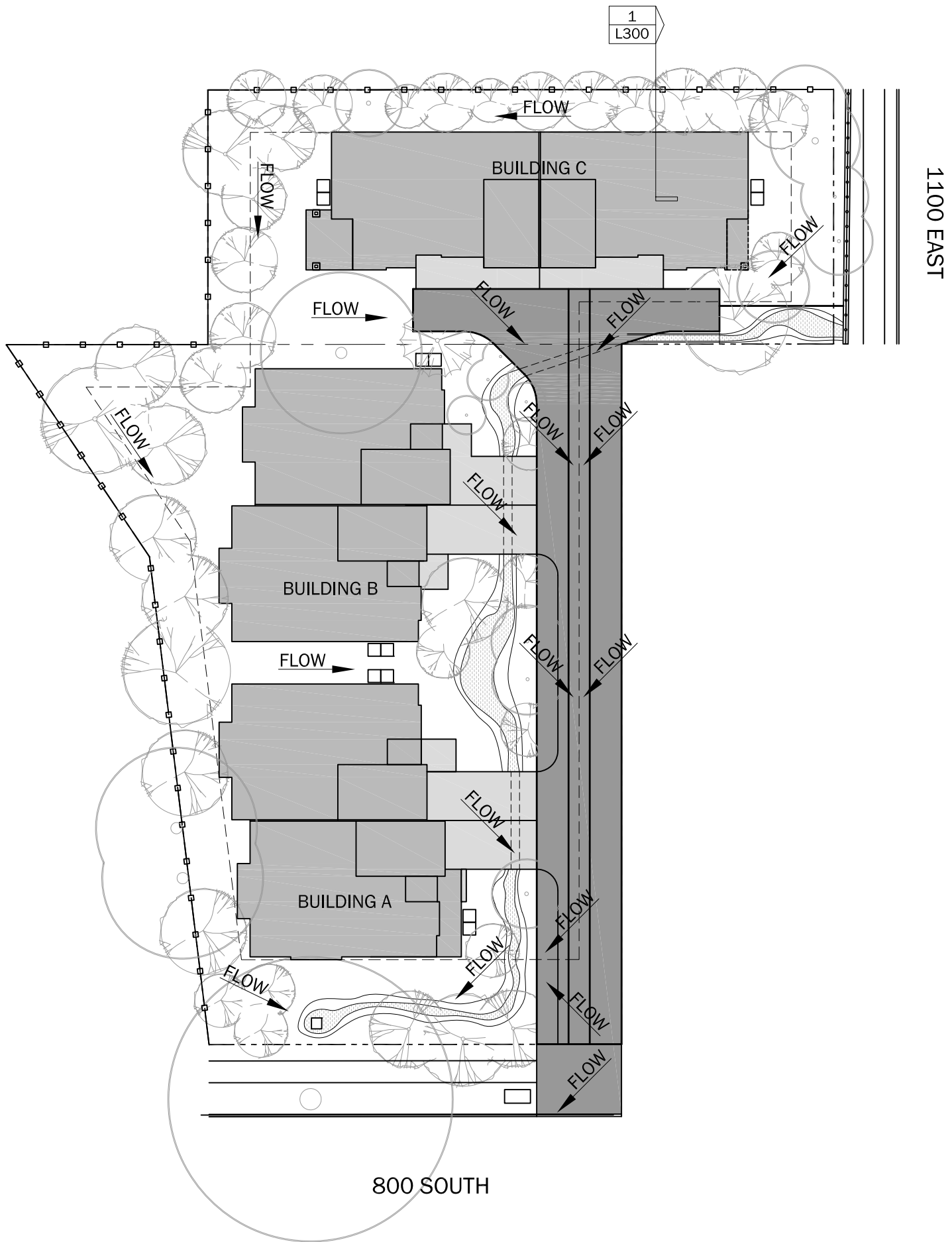
**Redfish Investments. Arlington Park**

3rd June 2013



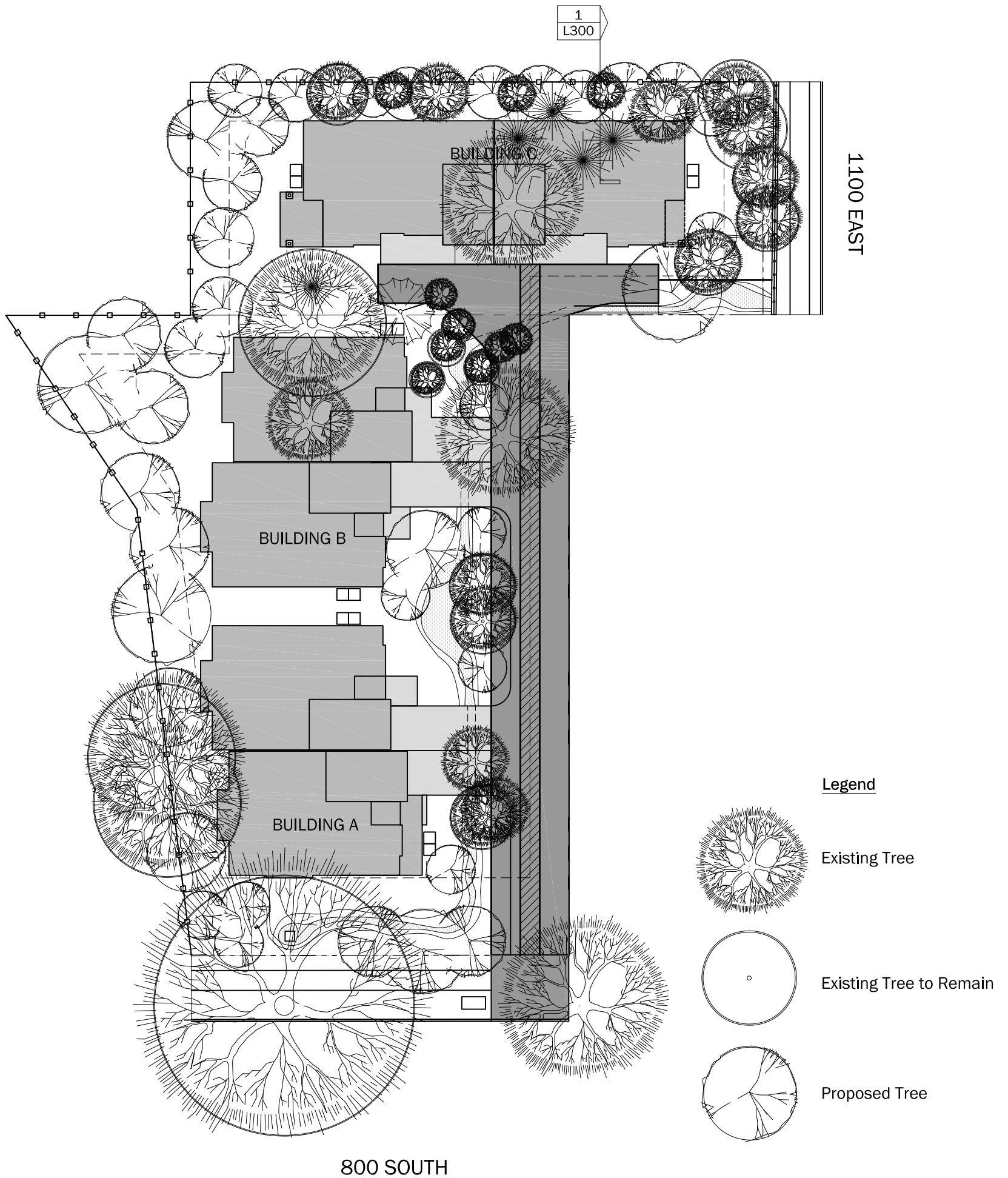
SITE PLAN

L100

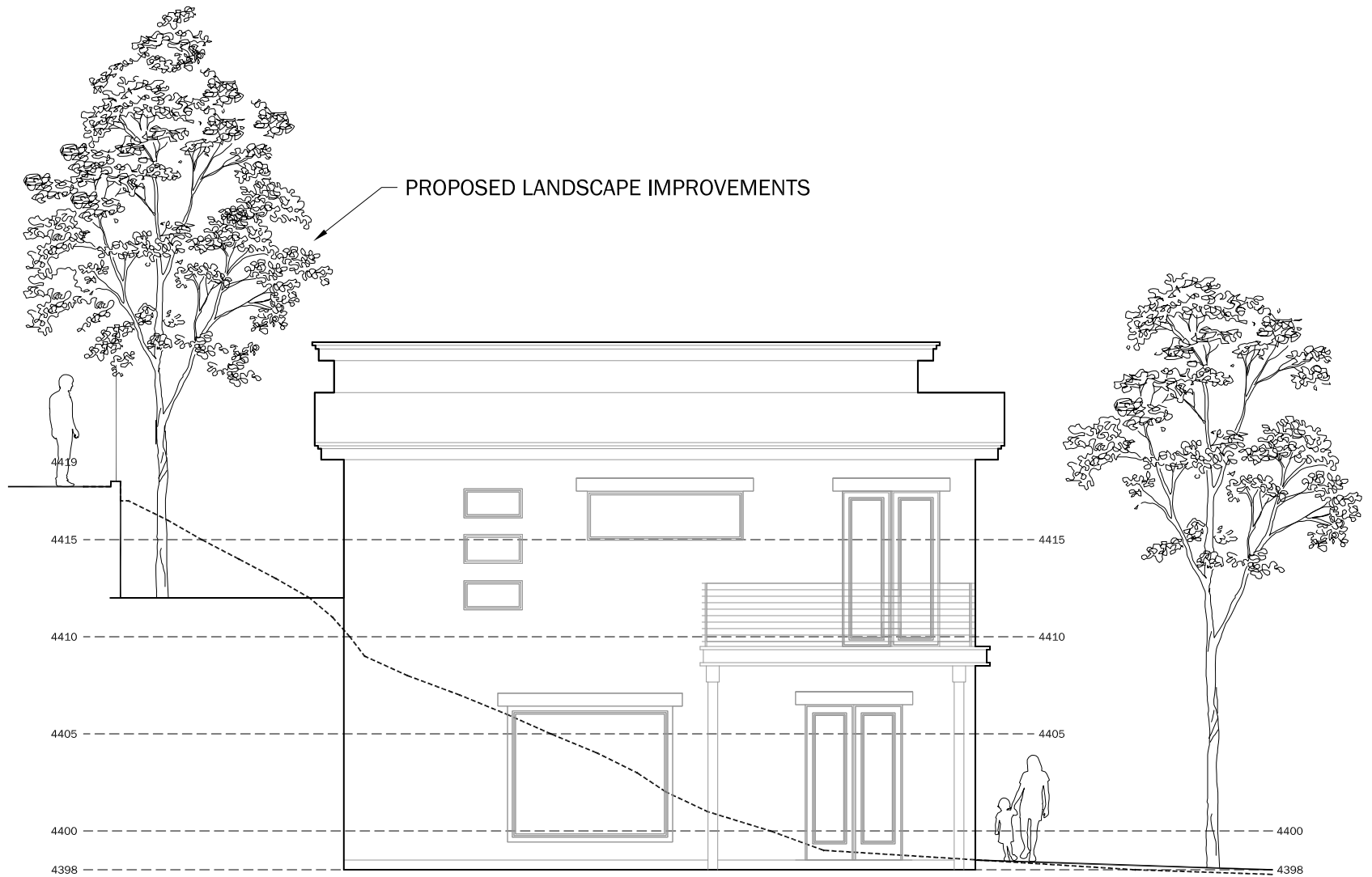


FLOW → = DIRECTION OF SURFACE STORM WATER FLOW





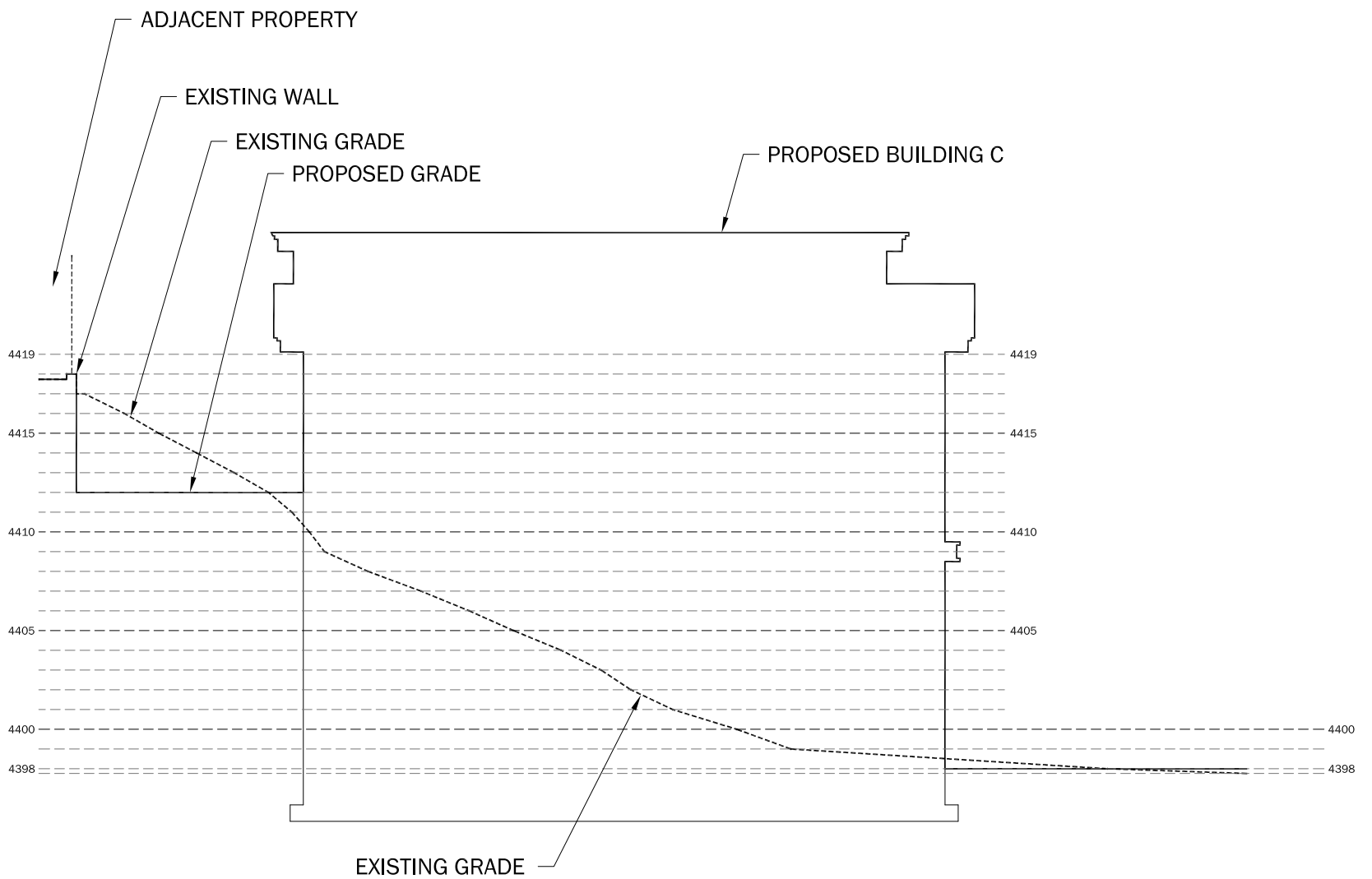
**Attachment B**  
Grading Plan



SECTION A-A INDICATING PLANT MATERIAL AND PROJECTED WEST ELEVATION OF BUILDING

1
L300

1/8" = 1'-0"



SECTION A-A AS NOTED ON L100

1
L300

1/8" = 1'-0"

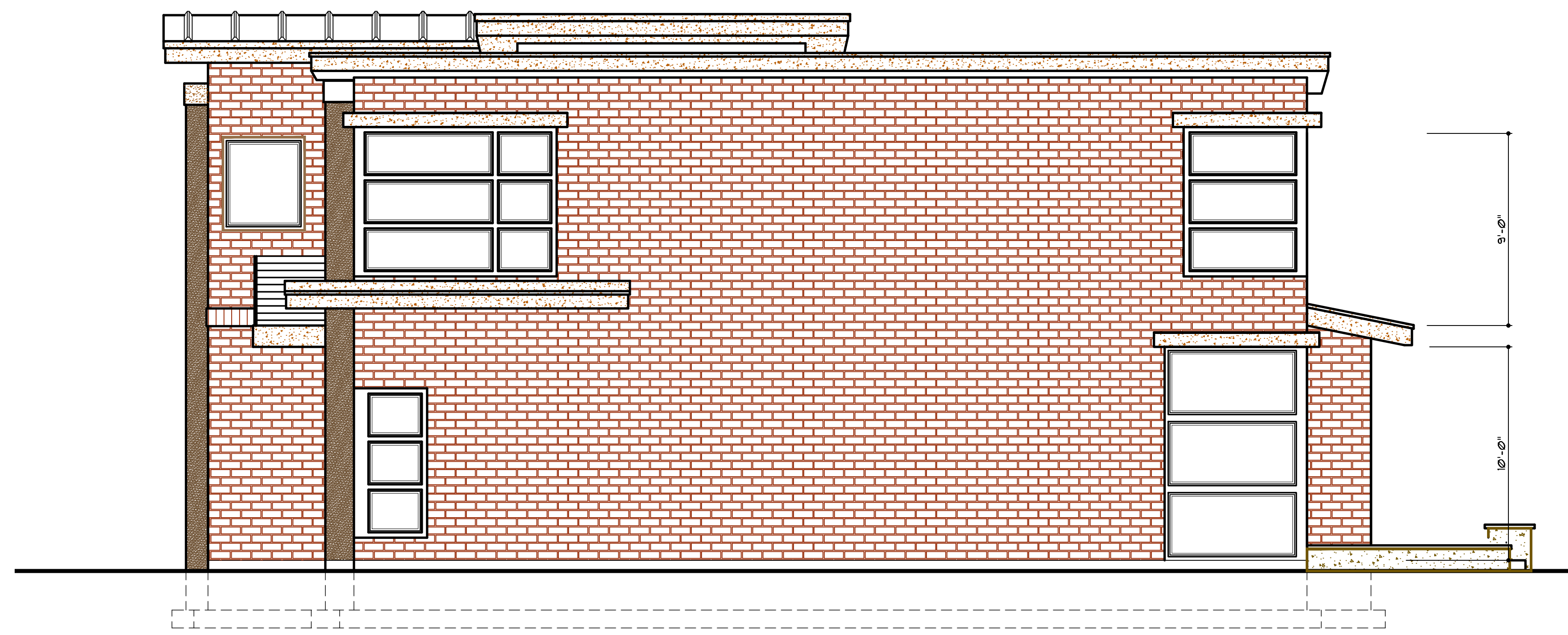
**Attachment C**  
Proposed Elevations



↑ NORTH ELEVATION

SCALE: 1/4"=1'-0"  
**BUILDING: A**





↑ SOUTH ELEVATION

SCALE: 1/4"=1'-0"  
**BUILDING: A**



WEST ELEVATION

SCALE: 1/4"=1'-0"

**BUILDING: A**

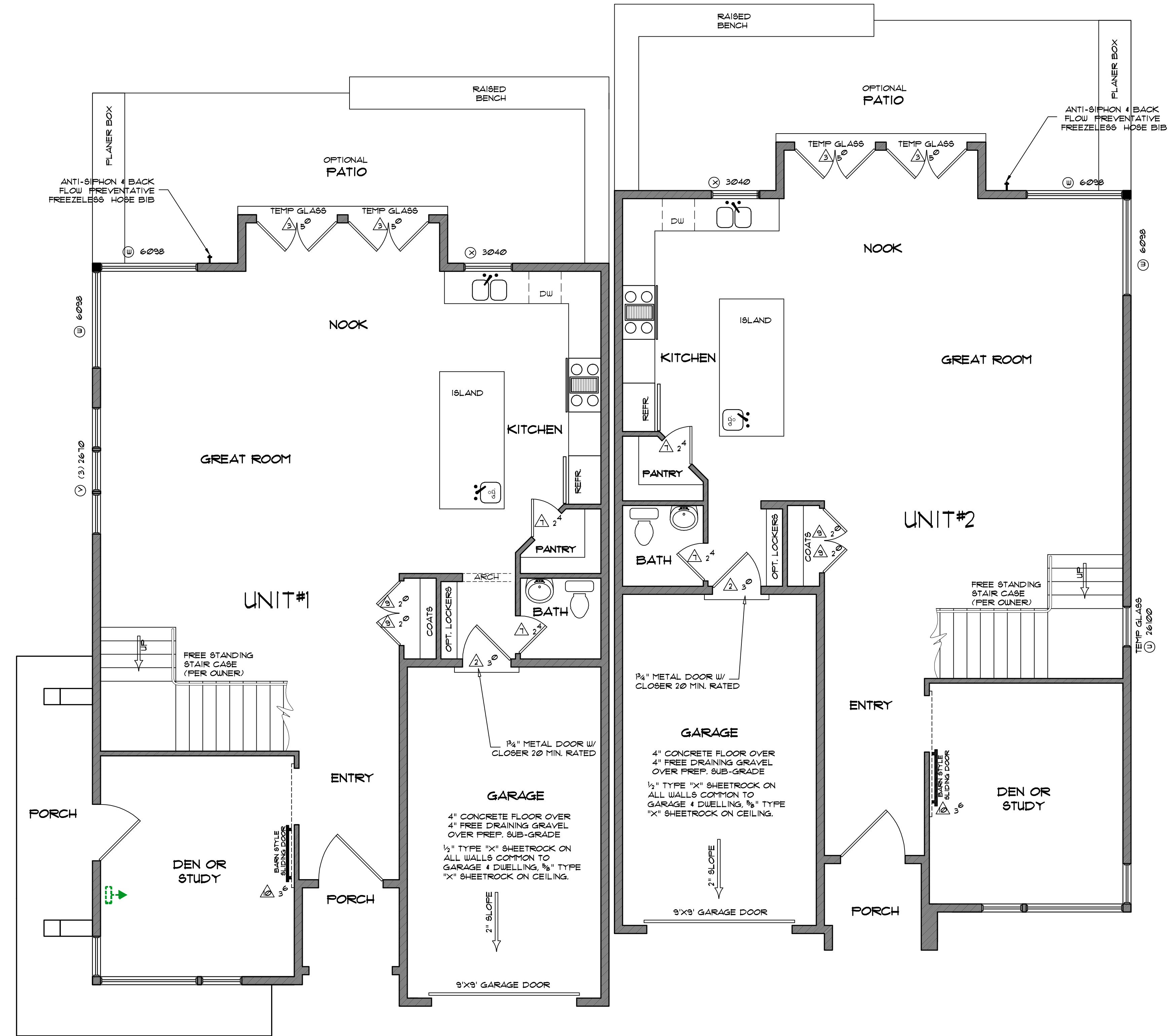


EAST ELEVATION

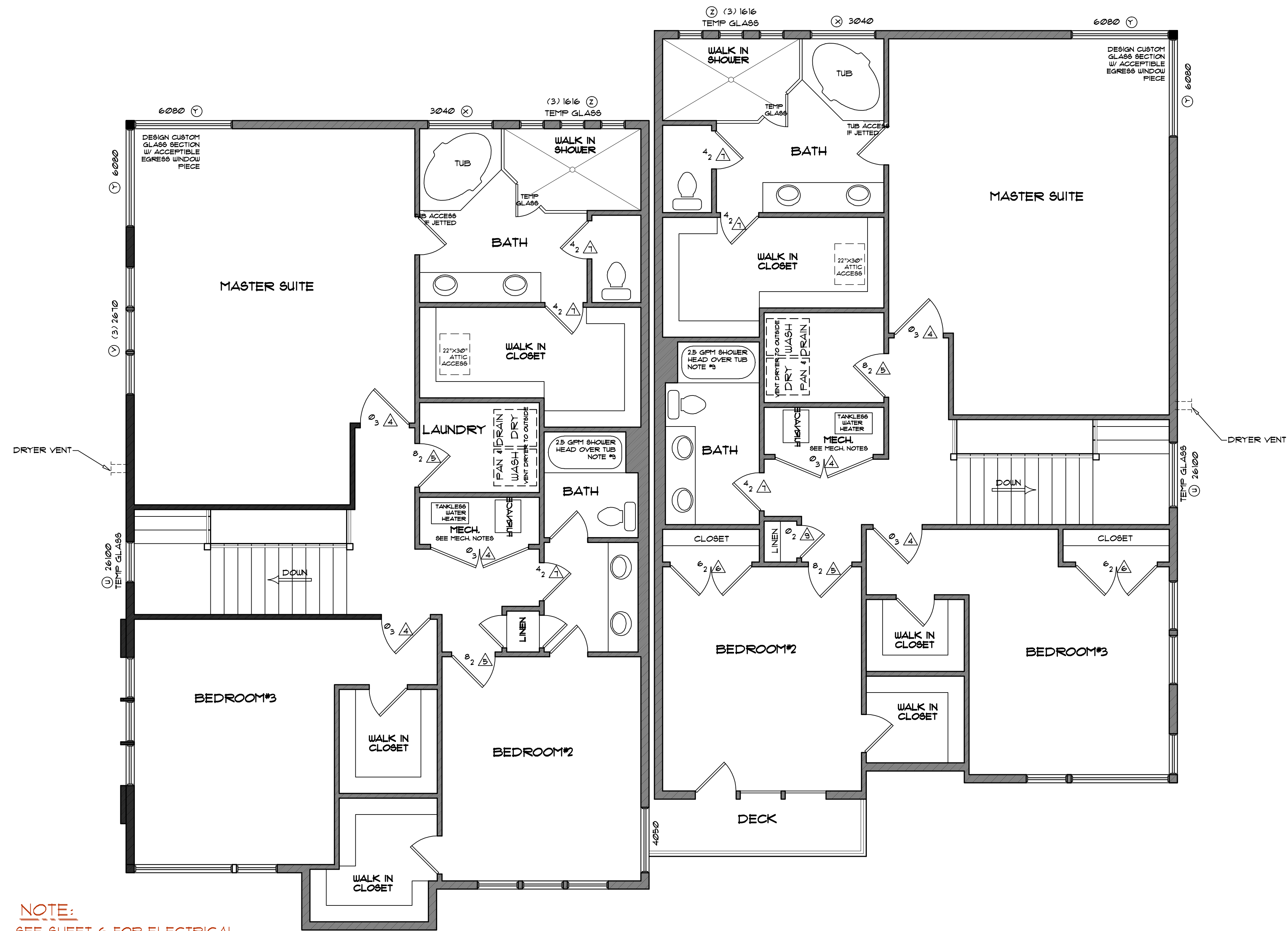
SCALE: 1/4"=1'-0"

**BUILDING: A**






**MAIN FLOOR PLAN** SCALE: 1/4"=1'-0"  
 1168 MAIN FLOOR SQUARE FEET - UNIT #1  
 1168 MAIN FLOOR SQUARE FEET - UNIT #2  
**BUILDING: A**  
 TOTAL MAIN FLOOR SQUARE FEET = 2,336



**NOTE:**  
SEE SHEET 6 FOR ELECTRICAL,  
& HEAT REGISTER LOCATIONS.



UPPER FLOOR PLAN

SCALE: 1/4" = 1'-0"

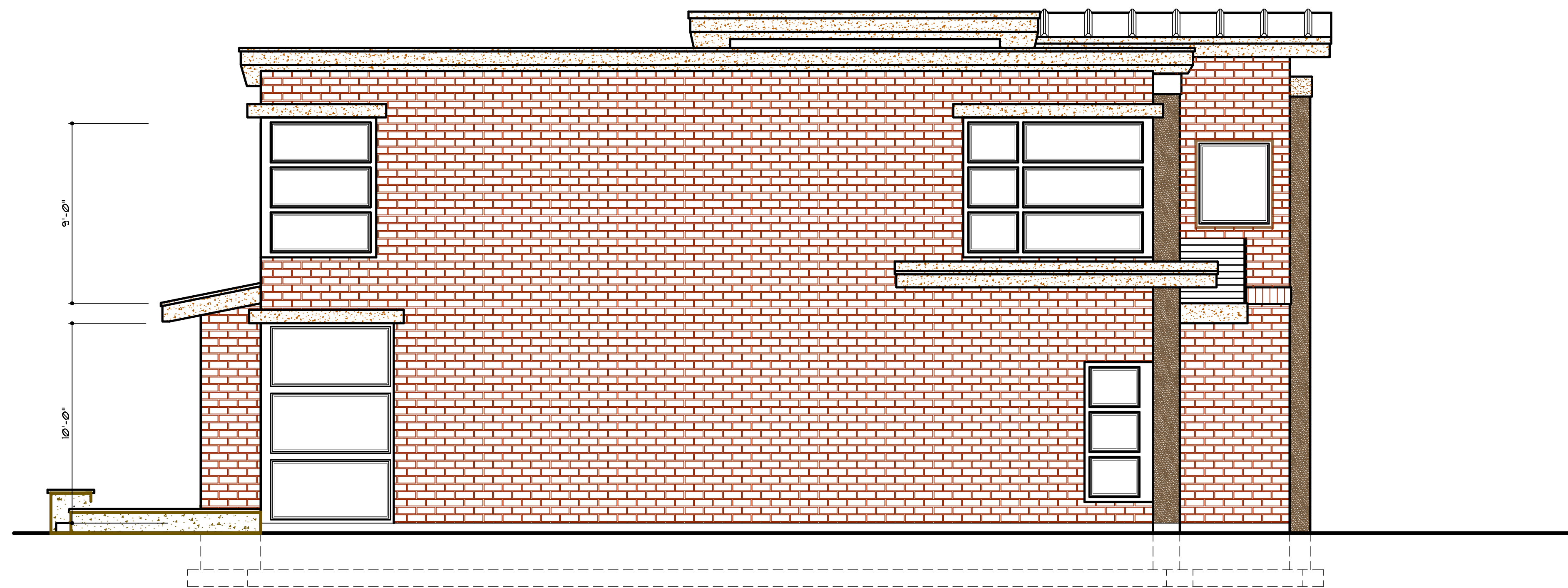
**BUILDING: A**

1,362 UPPER SQUARE FEET - UNIT #1

1,362 UPPER SQUARE FEET - UNIT #2

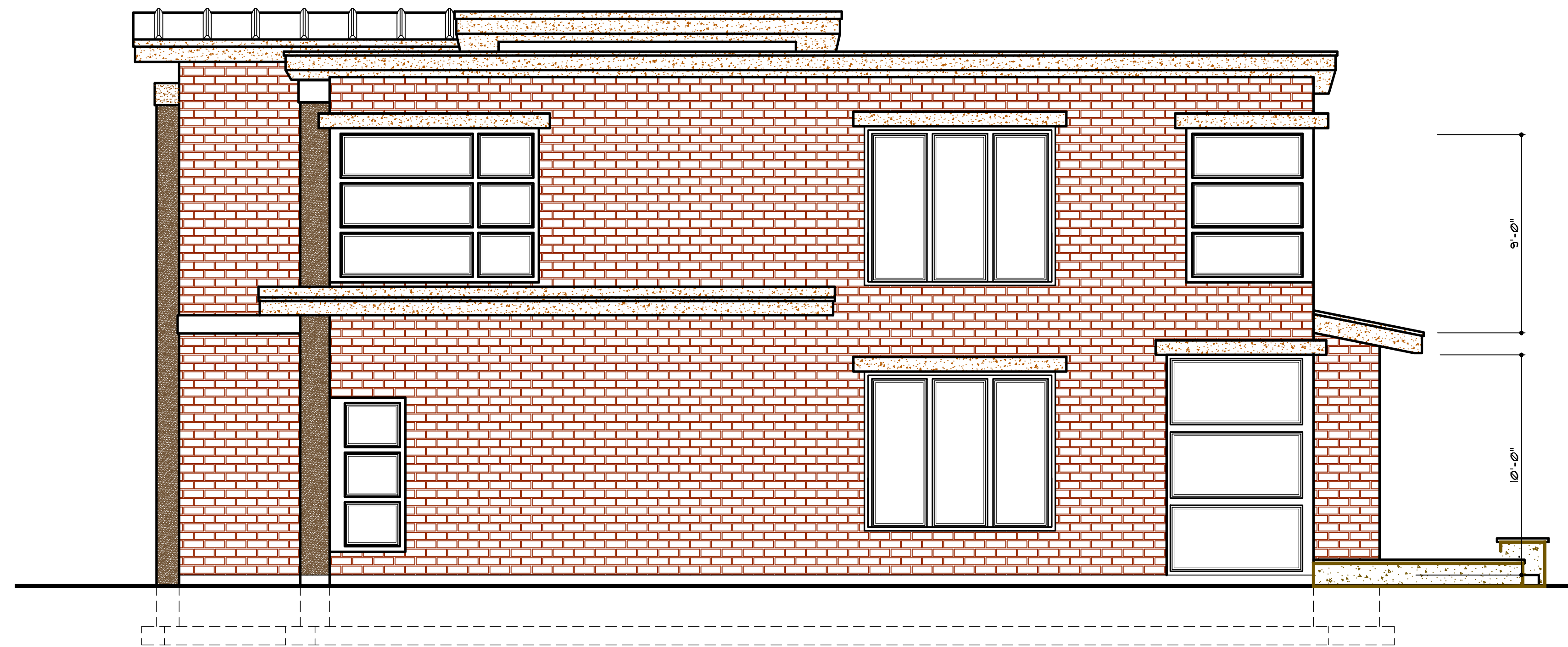
TOTAL UPPER FLOOR  
SQUARE FEET = 2,724





 NORTH ELEVATION

SCALE: 1/4"=1'-0"  
**BUILDING: B**



↑ SOUTH ELEVATION

SCALE: 1/4"=1'-0"  
**BUILDING: B**



EAST ELEVATION

SCALE: 1/4"=1'-0"

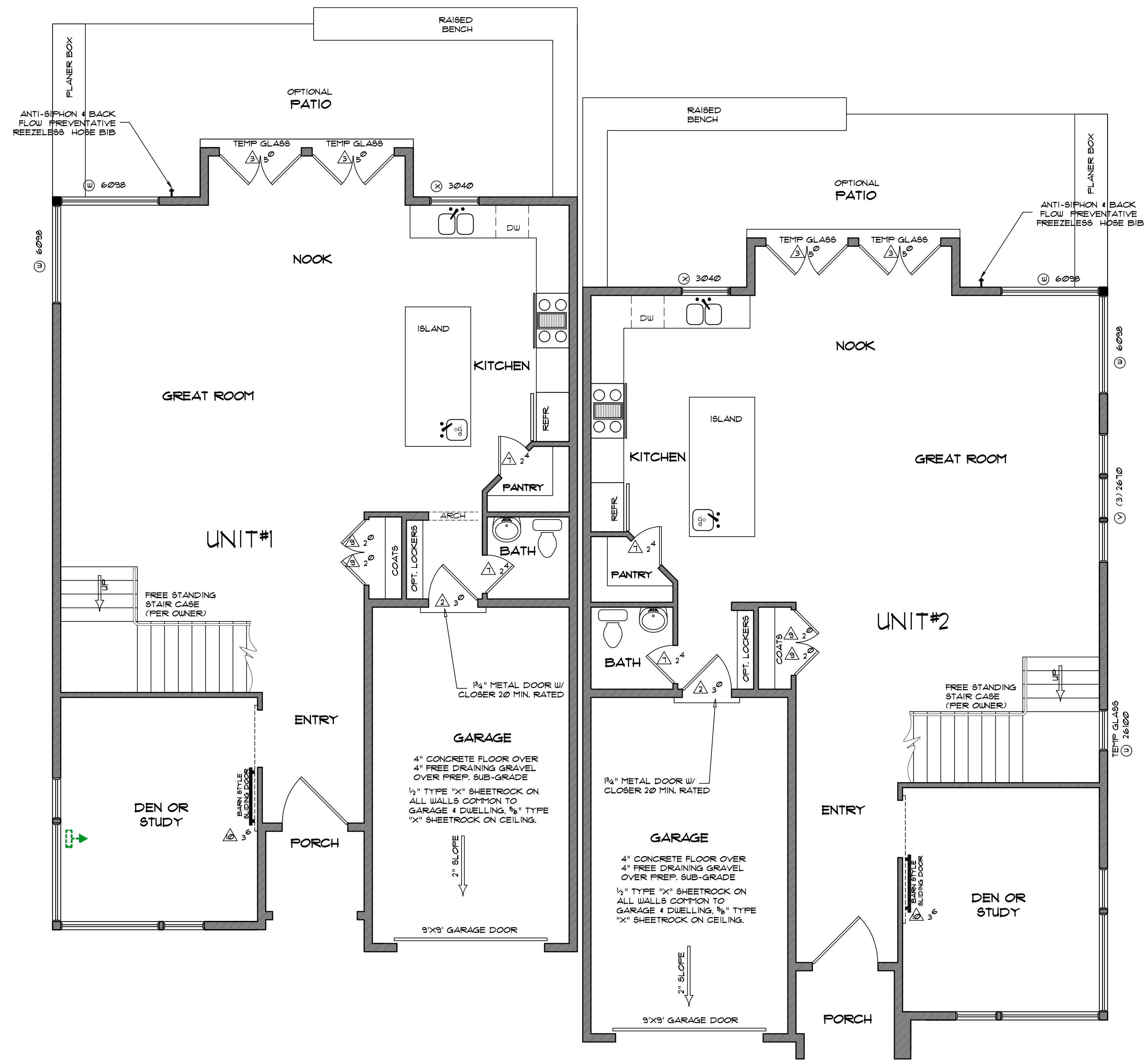
**BUILDING: B**





WEST ELEVATION

SCALE: 1/4"=1'-0"  
BUILDING: B

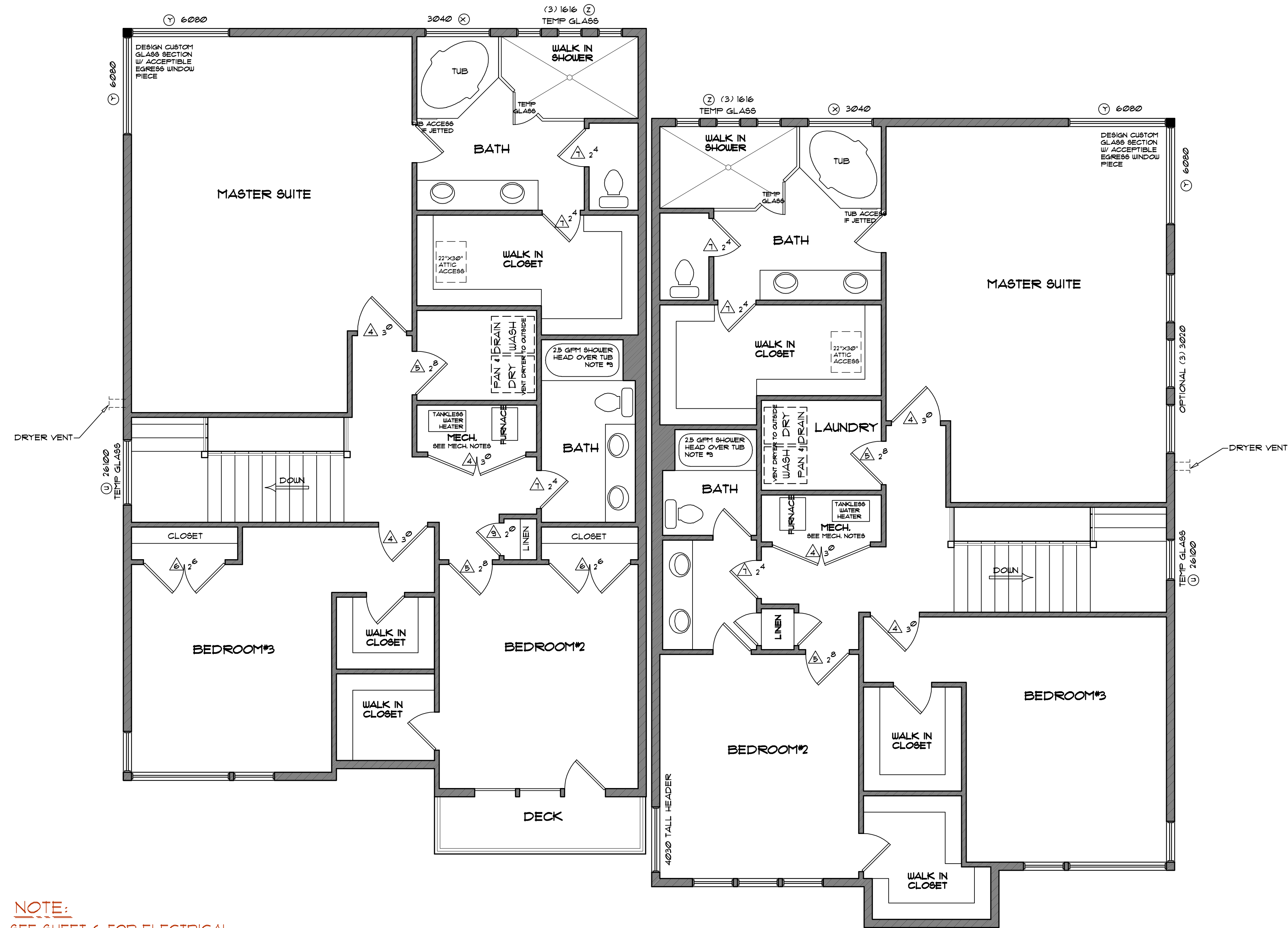


**MAIN FLOOR PLAN**

1/68 MAIN FLOOR SQUARE FEET - UNIT #1  
 1/68 MAIN FLOOR SQUARE FEET - UNIT #2

TOTAL MAIN FLOOR  
 SQUARE FEET = 2,336

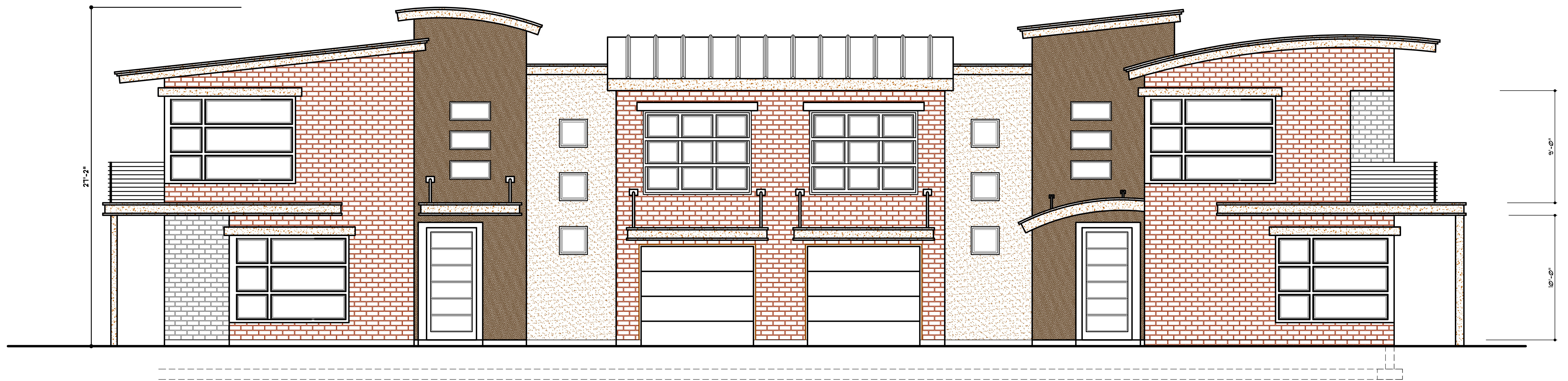
SCALE: 1/4"=1'-0"  
**BUILDING: B**



**NOTE:**  
 SEE SHEET 6 FOR ELECTRICAL,  
 & HEAT REGISTER LOCATIONS.

**UPPER FLOOR PLAN** SCALE: 1/4"=1'-0"  
**BUILDING: B**  
 1362 UPPER SQUARE FEET - UNIT #1  
 1362 UPPER SQUARE FEET - UNIT #2  
 TOTAL UPPER FLOOR  
 SQUARE FEET = 2,724

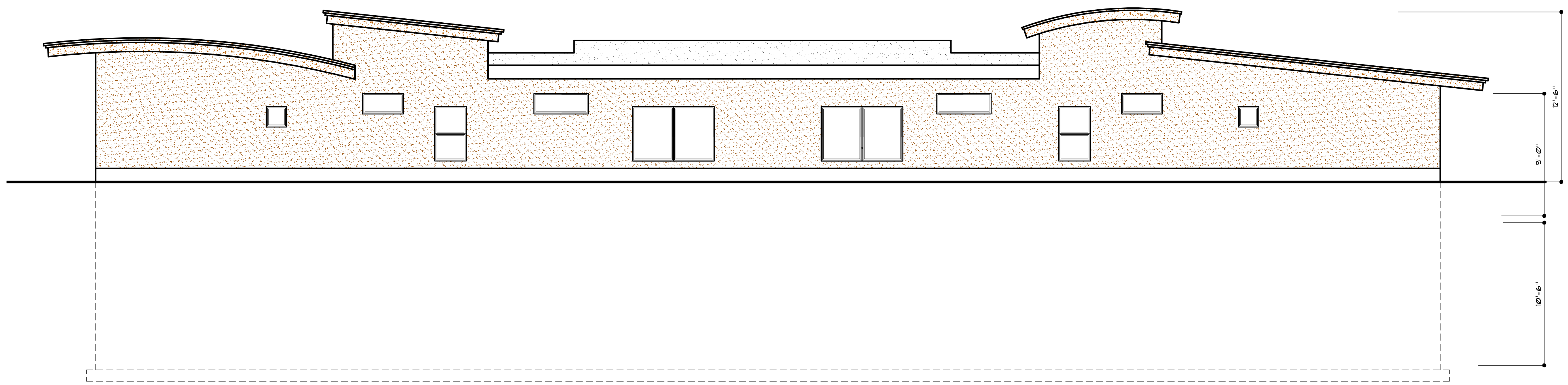




 NORTH ELEVATION

SCALE: 1/4"=1'-0"

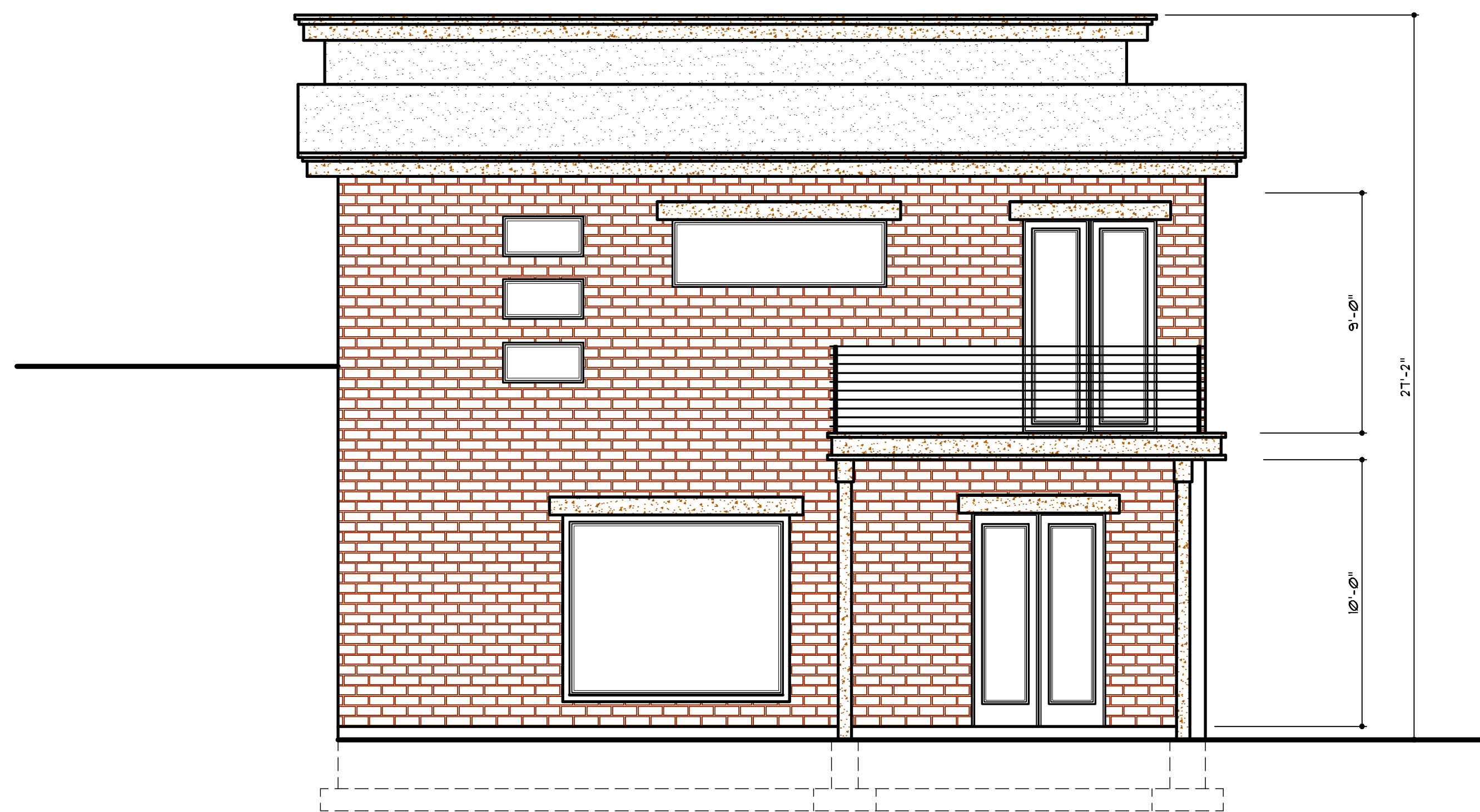
**BUILDING: C**



↑ SOUTH ELEVATION

SCALE: 1/4"=1'-0"  
BUILDING: C

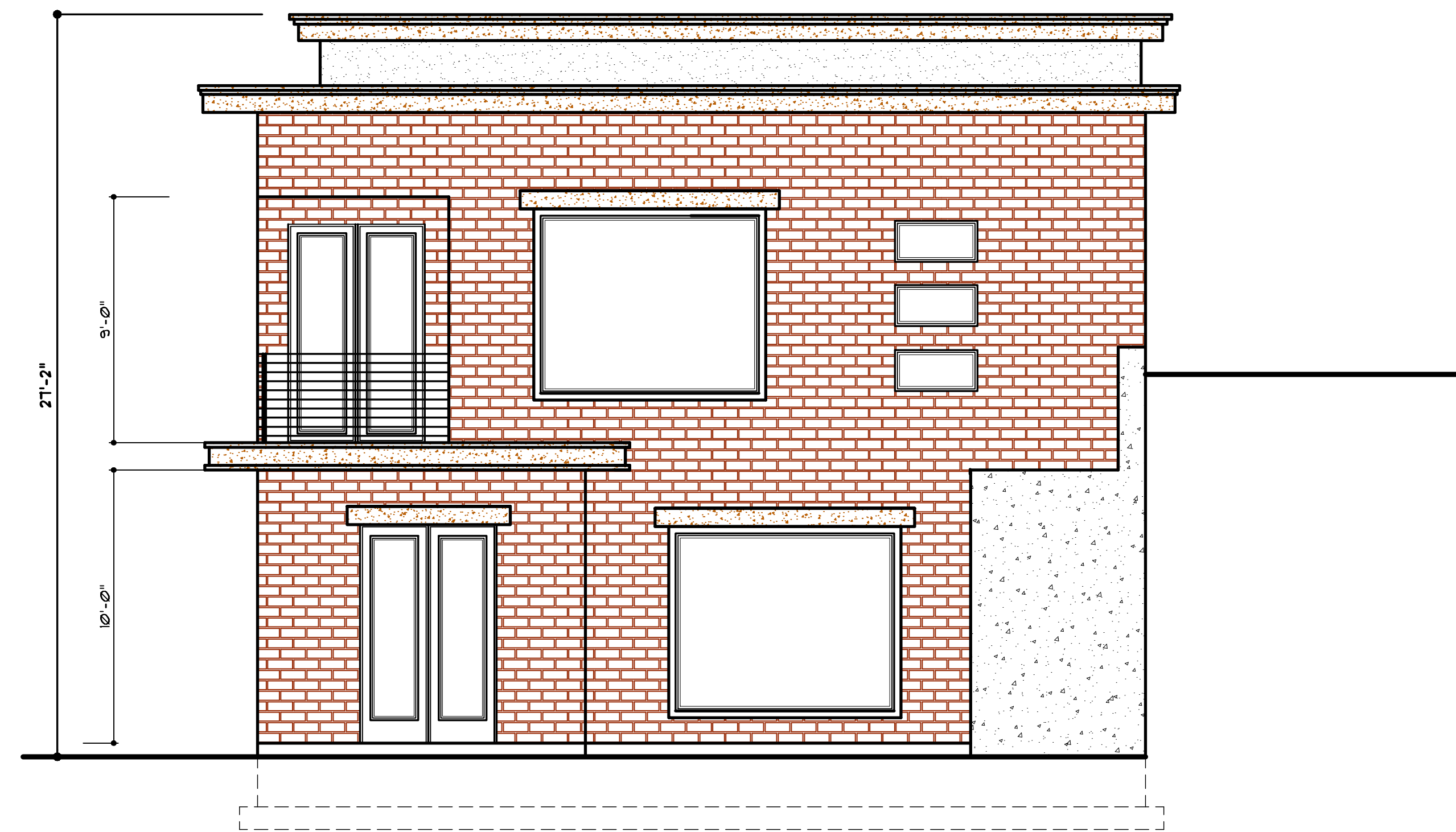




WEST ELEVATION

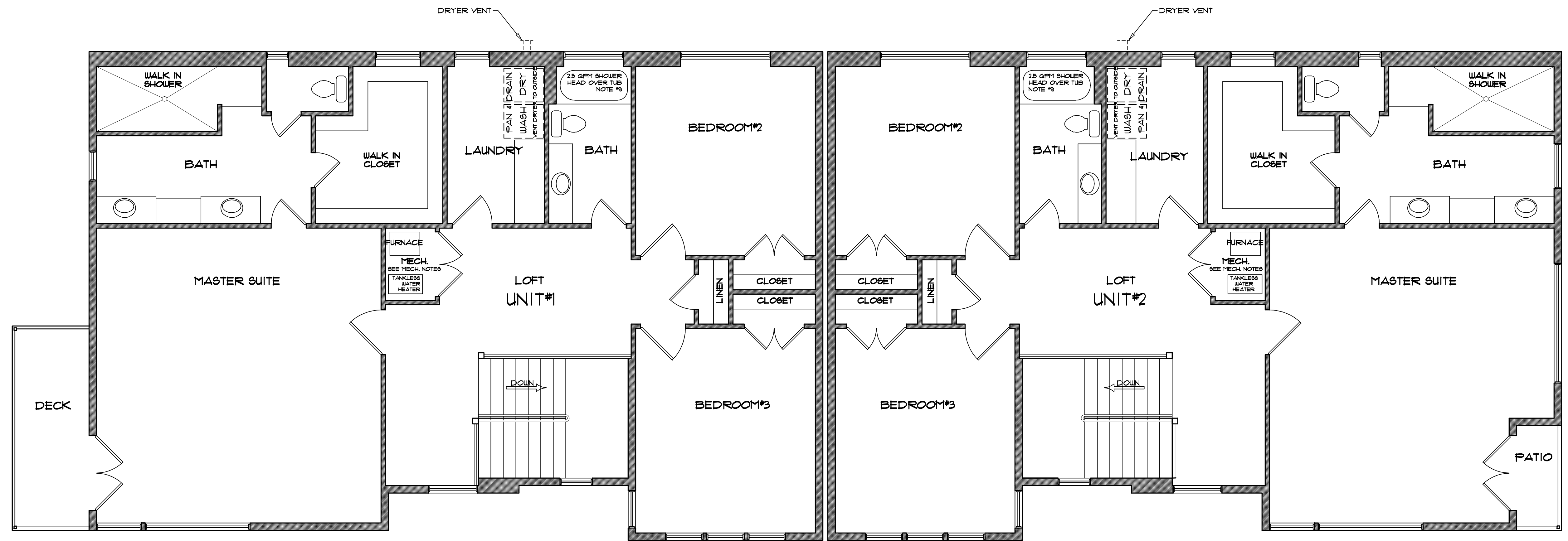
SCALE: 1/4"=1'-0"

**BUILDING: C**

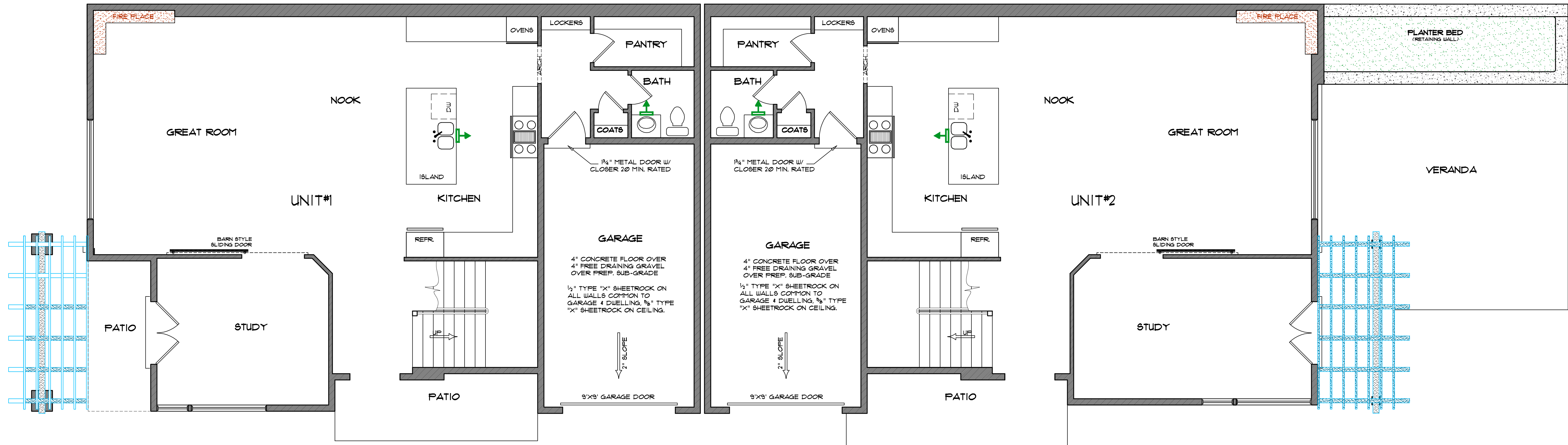


EAST ELEVATION

SCALE: 1/4"=1'-0"  
BUILDING: C




**UPPER FLOOR PLAN** SCALE: 1/4"=1'-0"  
 1,444 UPPER FLOOR SQUARE FEET - UNIT #1  
 1,444 UPPER FLOOR SQUARE FEET - UNIT #2  
**BUILDING: C**  
 TOTAL UPPER FLOOR SQUARE FEET = 2,888



**MAIN FLOOR PLAN** SCALE: 1/4" = 1'-0"

1188 MAIN FLOOR SQUARE FEET - UNIT #1  
 1188 MAIN FLOOR SQUARE FEET - UNIT #2  
 TOTAL MAIN FLOOR SQUARE FEET = 2,376

**BUILDING: C**

**Attachment D**  
Photos of Site





**View of property from 800 South**



**View of ditch (covered in watercress)**



**View from 1100 East**

**Attachment E**  
Citizen Input



April 29, 2013

Dear Planning Commission Members:

I am writing to you about the proposed six-unit development at 1075 East 800 South called Arlington Park. As the owner of the home directly west of the proposed development (1067 East 800 South), I have several concerns about the compatibility of the development with adjacent uses and its consistency with adopted City policies and the surrounding community. The compatibility issues primarily focus on appropriate buffering and other mitigation issues based on the intensity and size of the proposed development and the request for an exception to the 25 ft. rear setback requirement. My concerns are outlined below:

1. Request for waiver of 25 ft. rear setback requirement - The developer's request to reduce the backyard setback will result in the loss of 12 mature trees and compromise buffering and mitigation measures that are required in the Standards for Planned Developments. The Plan Development standards require that "existing mature vegetation on a given parcel for development shall be maintained." The standards also call for the "preservation and enhancement of desirable site characteristics such as natural topography and vegetation." The proposed 25 ft. waiver will result in the loss of existing mature vegetation that cannot be replaced through mitigation and is not consistent with the surrounding development pattern of small backyards that provide open space and buffering.
2. Development Impact to adjacent properties - The site layout places two buildings directly to the east of my property at 1067 East 800 South. Even though these buildings face east, and the back of the buildings face my property, the buffer is treated as a side yard setback, not a rear yard setback. The current 10 ft. setback that is included in the plan does not provide adequate buffering and will result in the loss of natural light on the eastside of my home. The loss of natural light is not mitigated in the current layout as required by the Plan Development standards. The current design will also result in a significant loss of privacy. The privacy issues may be mitigated through landscaping and other features, but a dialogue still needs to occur with the developer to reach a reasonable standard of mitigation.
3. Other outstanding issues- Other issues that need to be addressed include flooding concerns from the existing water elements on the site. The current site serves as an overflow area when the stream breaches its banks during the spring and fall. The loss of the area that provides natural overflow raises concerns about future flooding potential. The secondary issue is parking for the neighborhood and increased traffic on a dangerous section of 800 South.

Please consider these concerns and issues as you vote on the Arlington Park development plan. Your time and attention is greatly appreciated.

Sincerely,

Edward Butterfield

Dear Mr. Milliner & City Council Members,

I am writing regarding the proposed Condo Development adjacent to our property on 750 So. 1100 E. We met with the developers, (who are very nice guys) but my husband and I still have major concerns!

Our biggest concern is **CUTTING DOWN 12 MATURE TREES**. These trees are the home to various birds, quail families, squirrels and other wild life that add charm and quality of life to our neighborhood. These trees also provide much needed shade in the spring, summer and fall which reduces the need for use of A/C.

By removing the trees you will be removing a major sound barrier from the fast and heavy traffic on 800 South. Currently from our upstairs bedroom some traffic noise travels over and through the trees but is tolerable because of the singing birds who live in those trees. If the trees are removed, so would be the birds, and the noise from 800 South traffic would travel not only to our yard but also to our neighbors and neighborhood.

Another major concern I have is that the removal of the existing mature trees may compromise the stability of the retaining wall which essentially holds up our yard. Even though the developers assured us verbally that the retaining wall in their plans would be even stronger and more stable than the existing wall, **I WOULD LIKE TO SEE THIS IN WRITING TO PROTECT US AND FUTURE HOMEOWNERS OF OUR PROPERTY.**

Besides the extra traffic that six condo units would bring down 1100 E, I am also concerned there would be additional problems with parking along 1100 E. with not only additional cars from the residents of the condo but also their families, friends, and visitors. Increased traffic and parking would also bring down the quality of life of our neighborhood.

I am also concerned that extra traffic from the development onto 800 South where there is a combination of poor visibility because of the gigantic power pole, very fast oncoming traffic because of the steep hill on 800 South (especially when it's ICY in the winter) and bicyclists racing full speed down the hill as they do is a combination for more accidents, injuries, fatalities, emergency vehicles up and down the street, etc.

I also have concerns regarding density. The environmental features of the property (even though the plans include new trees, foliage, etc. they can **NEVER** replace or makeup for the existing environmental features, nor the impact the removal of those features would have on our property, our neighborhood and our city), preservation of the historical aspects of our neighborhood (which of our forefathers planted those trees - do we want to go down in history as the generation who allowed them to be cut down?), and the inconsistency of the condominium's architecture with the planning, layout, and design of this neighborhood's homes).

I did not feel satisfied with the answers to these concerns and others after meeting with the developers of Redfish and ask, rather, **BEG** that you do not grant the variances for 6 units on the small beautiful piece of property and **THAT YOU ESPECALLY DON'T GRANT THE**

VARIANCE TO BE 10 FEET FROM OUR PROPERTY. That would almost most certainly allow for the devastating removal of 12 much needed trees.

Thank you for your time in considering our concerns in this important matter,

Rose and Tom Burchett

To: Esther Hunter, Chair, East Central Community Council  
Ray Milliner, Planning Division Staff

From: Tom and Rose Burchett, homeowners at 750 S. 1100 E.

Date: April 9, 2013

RE: Planned Development at 1075 E. 800 S.

It has come to our attention that Jeff Beck is requesting the Salt Lake Planning Commission approve a Planned Development for six units in three buildings on the property at 1075 E. 800 S.

The East Central Community Council is seeking comments from the community on this project.

The information on the East Central Community Council website regarding this development states:

“A new condo development called Arlington Park is being proposed in our community at 1075 East 800 South.

The applicant is requesting the following:

1. A special exception to increase the allowed height
2. A planned development for more than one principal building on a lot (they are proposing 3)
3. A planned development to reduce the rear yard setback from 25 feet to 10 feet.”

While we are not opposed to development on the property, we are opposed to the applicant’s request for the three items above.

Height restrictions, number of buildings on a lot and setback requirements are all put in place to benefit communities and residents of neighborhoods. The purpose of these requirements is to ensure that views, privacy, density and other desired attributes of a neighborhood are maintained for all.

Zoning requirements and master plans for any given area are and should be well known to developers as they begin their planning process. Building projects should be designed to fit within existing requirements. Exceptions should only be made when there are unusual mitigating circumstances and when the exceptions would provide a benefit to the neighborhood as a whole. In this case, granting the exceptions being requested will not add benefit but in fact will have a negative impact on our neighborhood in general and our property in particular. Negative impacts on the neighborhood in general include:

Granting the exceptions requested and allowing the development to continue as planned would not be consistent with the Central Community Master Plan.

Granting a higher density than allowed will increase traffic in and out of the property on 8<sup>th</sup> south. Cars coming down the hill on 8<sup>th</sup> south are often travelling at excessive speeds, so having more cars coming in and out of the property at 1075 will increase the likelihood of accidents. There is a bike lane coming down the hill at 8<sup>th</sup> south. With more cars coming in and out at 1075 E, there will also be more likelihood of injury to bicyclists. Perhaps the flashing yellow pedestrian signal on 11<sup>th</sup> East and 8<sup>th</sup> South should be replaced by a red stop signal like those currently on 13<sup>th</sup> East.

The planned development calls for moving the course of the natural spring that currently flows through the property. The developer refers to it as a “ditch” and promises to “incorporate it into the new landscape scheme”. Will moving the stream result in flooding during spring runoff times?

One of the unique attributes of the neighborhood are all the old trees that are there that provide shade and a tranquil, park like charm to a city neighborhood. The plan for 3 buildings shows only a handful of these trees that will be spared. They will be replaced by “proposed deciduous trees”. Will the replacement trees be saplings that will take years to truly replace the trees that are to be removed?

Negative impacts specific to our property include:

Exceeding the setback restriction would result in significant loss of privacy to our home. Currently our view to the south is of the trees and other greenery in the “gully” below us. If the requested exemptions are approved, we would look upon the back of a 2 unit condo 10 feet away from our driveway and patio. Currently there are a number of large evergreens and other trees on the property line along our driveway that provide shade and privacy. According to the Planting Plan of the developer, these trees will be removed. From our driveway and to neighbors walking down 11<sup>th</sup> East will see the back of a building instead of a wall of trees.

Exceeding the setback restriction would also impact the quietness we enjoy. Instead of hearing the sound of the stream and the sounds of the birds and squirrels that live in the “gully” below, we would hear the sounds coming from people’s bedrooms and bathrooms from our new neighbors 10 feet away.

Will excavation required for a building 10' away from our driveway and several feet below the current grade compromise the existing retaining wall?

We would also worry that if there were ever to be a fire in a building 10 feet away, it is much more likely that our house would suffer damage than if the building were 25 feet away.

Finally, there is no question, the development would affect our property value. We currently have our house on the market and have had two purchase offers withdrawn once we informed the potential buyers of the planned development. Clearly, the thought of having the back of a condo unit 10 feet away, the removal of many of the trees and vegetation, additional traffic and noise and the loss of the tranquility has had a significant negative impact on the desirability of our property.

In summary, we are not opposed to a development of the property at 1075 E 800 S provided that would be in conformance with existing zoning and building regulations.

In the Project Descriptions provided by the developer it states: "we will create an environment that will complement and improve the local neighborhood". If the exemptions being requested are approved and the development is allowed to proceed as planned, the result would certainly not be an environment that complements and improves our neighborhood, rather quite the opposite.

We would hope that the Planning Commission will not grant the exceptions being requested and suggest the developer submit a revised plan that does conform to current regulations.

---

As a direct neighbor of this property (775 S 1100 E), I am concerned about the neighborhood and the precedents set in the area.

This proposed development is not in line with the existing plans or zoning.

I do NOT support this zoning change.

It will devalue the homes in the neighborhood and set a bad precedent for future development. The council should not support this change.

Swany

\*\*\*\*\*

**Dave Swanwick • SVP Events / COO**

**Mountain Sports International, Inc.**

1435 S. State St. • Salt Lake City, UT 84115

+1.801.349.4646 **direct**

+1.801.349.4600 **main**

+1.801.349.4647 **fax**

[swany@mtsports.com](mailto:swany@mtsports.com)

Check out the new MSI website

<http://mtsports.com>

**Attachment F**  
Department Comments

# SALT LAKE CITY CORPORATION

ORION GOFF  
BUILDING OFFICIAL

Department of Community and Economic Development  
Building Services Division

RALPH BECKER  
MAYOR

## MEMORANDUM

**To:** Ray Milliner, Planning Division  
**From:** Alan Michelesn, Building Services Division  
**Date:** February 27, 2013

**Re:** PLNSUB2013-00049

**Subject:** Arlington Park PUD

- 1) The structures exceed the maximum 28 feet height requirement of the R-2 zone for pitched roofs and exceed the maximum 20 feet flat roof height requirement. As per 21A.55.030, additional building height in the R-2 zone may not be approved by the planning commission through the planned development process. Increased building height may be approved as a special exception as per 21A.52, and if the proposed building height is in keeping with the development pattern on the block face.
- 2) A rear yard setback is required along the north property line unless an alternate setback is stipulated by the planned development process and in keeping with 21A.55.100.
- 3) Both street frontages along 800 South and 1100 East are required to meet the average front yard setback requirements pursuant to section 21A.24.110.E.1, unless alternate setbacks are stipulated by the planned development.
- 4) The covered porches for buildings A and C are not permitted front yard encroachments as per Table 21A.36.020.B.
- 5) For clarity, please identify elevations for all buildings as north, south, east and west instead of front, rear, left and right and show that buildings A and C meet the front façade controls as per 21A.24.010.I, or comply with landscaping and setback requirements for side entry buildings as per 21A.24.010.H.
- 6) Dimensions are required to show compliance with maximum exterior wall heights adjacent to interior side yards as per 21A.24.110. D.3.

- 7) Two parking stalls per unit are required. All parking and maneuvering areas shall be dimensioned to comply with the standards in Table 21A.44.020. It also appears that the permeable paver stalls do not have driveway access and require bumping over the curb.
- 8) Section 21A.44.020.B, requires lots with more than 5 parking stalls to be designed in such a manner that will allow vehicles to enter and exit the lot in a forward direction.
- 9) Section 21A.44.020.F.7.a, requires driveways to be located at least 6 feet from the property line.
- 10) Please document the surface coverage of all principal and accessory buildings on the plans (not to exceed 45% of the lot area).
- 11) Show existing and proposed public way improvements such as sidewalks, lights, trees, drive approaches, fire hydrants, etc., for both street frontages on the site plan.
- 12) Front yard and parkway landscaping is required for both street frontages as per 21A.48.060 and 21A.48.090.
- 13) The combined mailbox encroaches into the line-of site triangle and as per 21A.36.020.B; the combined mail box is not a permitted front yard encroachment.
- 14) A new legal description and parcel number are required and property lines matching the new legal description shall be dimensioned on the site plan.
- 15) A copy of the address certificate for the new buildings obtained from the SLC Engineering Division shall be provided to the Building Services Division at the time an application for a building permit is submitted.

The Utilities department has a number of concerns with this project.

First, would be the need to protect the stream. City requires that any storm runoff from a parking area go through a mechanical pre-treatment device before being discharged to any storm drain or creeks, rivers, or streams. Not only does this appear to not be happening on this plan, but there are permeable pavers located above the stream. This is not acceptable and could result in severe penalties from the EPA, should oil, vehicular fluid, sediment or other contaminants enter the water body. The quality of the stream is going to be closely reviewed prior to permitting.

Second would be the access that the development has to a water line. Please note that it appears that the only source of culinary water would be located on the south side of 800 South. Depending on the requirements from the streets departments, due to the median, it is likely that it would be necessary to bore under the road to connect to culinary water on the south side of 800 South. Other engineering solutions will be considered, but it should be noted that service lines,



must be connected perpendicular to the main and continue straight from the main to the property line. Service lines may not run along the right-of-way.

Many of these details will be covered during the permitting phase, when plans are submitted for review, but they should be know and addressed before the project is permitted. Please let me know if you have any questions.

Thanks,  
Justin

**Justin D. Stoker, PE, LEED® AP, CFM**  
**Salt Lake City Public Utilities**  
1530 S. West Temple, SLC, UT 84115  
ph. (801) 483-6786 - [justin.stoker@slcgov.com](mailto:justin.stoker@slcgov.com)



Please consider the environment before printing this e-mail

Ray

RE: PLNSUB2013-00049

Transportation review comment entered into Accela are as follows:

Two stalls per units or 12 stalls are required. The site plan shows parking in front of the single stall garages, and some of the stalls shown on the Permeable paver stall locations are not accessible per city standards. The stalls for unit "C" do not have adequate turn around maneuvering area to enter the public road way in a forward manner.

Barry Walsh

TO: RAY MILLINER, PLANNING

FROM: SCOTT WEILER, P.E., ENGINEERING

DATE: FEBRUARY 27, 2013

SUBJECT: **Arlington Park – Planned Development**  
1075 E. 800 South  
PLNSUB 2013-00049,  
Engineering Job No. 880448

SLC Engineering review comments are as follows:

1. It is anticipated that a plat will be required for the proposed condominiums.
2. The developer must enter into a subdivision improvement construction agreement. This agreement requires a security device, such as payment and performance bonds, for the public improvements, which include any work in the public way of 800 South plus the pavement section to create the interior driveway. A fee is also required (5% of the estimated value of these improvements, not including utilities). A copy of the agreement is available in my office and can be emailed to the applicant, upon request. The developer should contact Joel Harrison (535-6234) to discuss insurance requirements for the project. This agreement must be executed after obtaining approval of the civil improvement plans and prior to recording the plat.
3. Civil improvement plans, stamped by a licensed civil engineer, are required for the proposed public improvements described above. A standard SLC Subdivision cover sheet is required at the front of the plans. When the improvement plans have been finalized, a paper set must be submitted by the developer to the following SLC divisions for signature approval:
  - SLC Transportation
  - SLC Fire Department
  - SLC Public Utility Department
  - SLC Engineering Division
  - SLC Planning Department
4. A certified address is required from Alice Montoya (535-7248) prior to applying for a building permit.

cc: Joel Harrison  
Peggy Garcia  
Barry Walsh  
Ted Itchon  
Vault

**Attachment G**  
Minutes from May 8, 2013 Planning Commission Meeting

**SALT LAKE CITY PLANNING COMMISSION MEETING**  
**Room 126 of the City & County Building**  
**451 South State Street, Salt Lake City, Utah**  
**Wednesday, May 8, 2013**

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:33:51 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, Michael Fife, Bernardo Flores-Sahagun Clark Ruttinger, Marie Taylor, and Mary Woodhead. Commissioner Lisa Adams and Matthew Wirthlin were excused.

Planning Staff members present at the meeting were: Wilford Sommerkorn, Planning Director; Joel Paterson, Planning Manager; Everett Joyce, Senior Planner; Ray Milliner, Principal Planner and Michelle Moeller, Senior Secretary.

**PUBLIC HEARING [5:36:34 PM](#)**

**Arlington Park Planned Development at approximately 1073 East 800 South - Jeff Beck is requesting City approval to develop 3 duplex buildings (6 units total) with a single access from 800 South. The applicant is requesting that the Planning Commission grant a reduction in the rear yard setback from 25 feet to 10 feet, and relief from the requirement that a single lot have only one principal building (the site would have 3 principal buildings) at the above listed address. Currently the land is vacant and the property is zoned R-2 Single and Two Family Residential. This type of project must be reviewed as a (Planned Development). The subject property is within Council District 4, represented by Luke Garrott. The (Staff contact: Ray Milliner at (801) 535-7645 or [ray.milliner@slcgov.com](mailto:ray.milliner@slcgov.com). File number PLNSUB2013-00049).**

Mr. Ray Milliner, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending approval of the petition as presented.

Mr. Mitchell Spence, Architect reviewed the site plan and the proposed project. He discussed the landscaping for the property and the use of existing vegetation. Mr. Spence discussed the history of the property and its uniqueness.

The Commission and Applicant discussed the number of trees that would be removed and/or replanted on the property. They discussed the grade of building C and the retaining wall to the rear of building C. The Commission and Applicant discussed the height of the building and retaining wall. They discussed on street parking and if it would be available in the area or if it would need to be incorporated on the property.

## **PUBLIC HEARING [5:57:26 PM](#)**

Chairperson Gallegos opened the Public Hearing.

Ms. Ester Hunter, Community Council, stated the Developer had been great to work with; the park idea needed to be reviewed and that the elimination of on-street parking would cause more concrete than what was proposed. She stated if the parking was onsite the Community Council would not support the proposal. Ms. Hunter reviewed the layout of the proposal and the determination of the setbacks. She stated the Community would like the trees preserved.

The Commission and Ester Hunter discussed the density of the area and the opinion of the Community Council on the proposal.

The following persons were in opposition of the petition: Mr. Ed Butterfield, Ms. Rose Berchett, Mr. Nate Salazar, Mr. Tom Berchett, Ms. Paula Lee, Mr. Christopher Lee, Ms. Barbara Jones, Mr. Garrett Christopher, Ms. Julia Robertson, Mr. David Swanwick and Mr. Gavin Gillespie

The following comments were made:

- Replacement trees will not be able to replace the loss of mature trees
- Proposal puts pressure on the home to the rear of the property
- Trees create a noise barrier for the surrounding neighbors
- Proposal would detract from the area
- Park would be a great option
- Development needs to fit with the area
- New development requirements are in place to protect the neighborhood
- The 1100 East side is the rear of the development not the side
- Setbacks need to meet the ordinance standards
- Three buildings do not fit on the property
- Proposal will change the look of the area
- Precedent will be set for large developments
- Parking is all ready a problem in the area, proposal will increase it
- Three exceptions, for one property, is excessive
- Compromise for the neighbors is greater than that to the developer
- Development agreement should be put in place
- Put the garages at the rear of the buildings
- Property is unique and should be kept
- Neighbors do not want the proposal in the area

Mr. Christopher Lee presented a two minute video reflecting his opinion on the proposal; comments are reflected in the list above.

The Commission and Mr. Lee discussed who put the pink ribbon on the trees and what it represented.

Chairperson Gallegos closed the Public Hearing.

Mr. Mitch Spence stated he appreciated the comments made and they have implemented many of the suggestions. He reviewed the comments and concerns of the neighbors and explained how each would be addressed. Mr. Spence stated there would be a fence and trees at the rear of the property that would offer privacy for both properties, parking would be incorporated on the property and the majority of the mature trees would remain on the property or be replanted.

The Commission and Mr. Spence discussed the trees that would remain on the property. They discussed the grade changes, the roof color and the way the buildings addressed the street face. The Commission and Mr. Spence discussed the plan that incorporated on-site parking.

The Commission and Staff discussed why on -street parking could not be counted toward the required number of off-street parking stalls, the options for parking and the option for the Planning Commission to approve tandem parking through a Plan Development process. The Commission and Applicant discussed the effect of adding additional parking to the property.

The Commission discussed tabling the issue until the Applicant could present a plan depicting the required parking spaces. It was determined the plan included in the staff report supported tandem parking.

The Commission and Staff discussed what authority the Planning Commission had regarding vegetation. Staff stated the Planning Commission did not regulate vegetation but tried to encourage developers to work with existing vegetation.

Mr. Spence reviewed the setbacks on the north and the west sides of the property and the proposed buffers that would be put in place in those areas.

The Commission and Staff discussed the Plan Development process and if the orientation of the building to the street would be required if the front door was moved. It was noted that the existing plan for Building A meet the front façade controls noted required in the Zoning Ordinance. The Commission and Staff discussed if the building coverage was consistent with an R-2 zone.

#### **DISCUSSION [6:55:44 PM](#)**

The Commissioners stated they needed more information regarding the location of mature trees, the grading of the lot, an option to clearly address the street face and an option to address the existing setbacks before a decision could be made. It was stated to get a full idea of the impact of the proposal one needed to visit the property.

The Commission discussed the proposal and how it fit in the area and what the restrictions on the property should be. They discussed the proposed density of the proposal and if it fit into the area. The Commission discussed the rights of the Property Owner to develop the property.

Mr. Joel Paterson stated the proposal met the density requirements for the area and the Planning Commission did not have the authority to increase the density allotments.

The Commission agreed they would take a second field trip to the site.

#### **MOTION [7:04:16 PM](#)**

**Commissioner Dean stated regarding PLNSUB2013-00049, Arlington Park Planned Development, she moved to table the petition, leave the Public Hearing open and have the Applicant to return with more specific information regarding site plan, indicating all existing mature trees which are to remain and which are to be removed, indicating the existing and new grade changes and options modifying the building massing to maintain the rear twenty five (25) foot setback as well as locating a main entry off of 800 South. Commissioner Woodhead seconded the motion.**

Commissioner Woodhead stated as long as there was an understanding that not all of the things Commissioner Dean requested for the Applicant to address were necessarily things required to be changed for approval. She asked the Applicant and Staff for clarification on the tandem parking and if the Commission needed to change the conditions to allow it.

Staff stated the petition would need to be modified and re-noticed to address the tandem parking. Staff explained the Planning Commission could not reduce the number of required parking stalls but could offer a way to change the alignment of parking.

**Commissioner Dean stated as an amendment to the motion she would like to see maneuvering radius for vehicles to access all parking areas.**

The Commission and Staff discussed the application changes and the re-noticing process that would be taken to address the changes. They discussed the 1100 East frontage and the grade changes. Staff stated there was no way to bring the grade up to the street level.

**Commissioner Dean and Commissioner Woodhead accepted the amendments.**

**Commissioners Drown, Dean, Flores-Sahagun, Taylor and Woodhead voted "aye". Commissioners Ruttinger and Fife voted "nay". The motion passed with a 5-2 vote.**

[7:11:01 PM](#)

The Commissioners took a short break.