

SALT LAKE CITY PLANNING COMMISSION MEETING
Room 126 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, February 27, 2013

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:34:30 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, Bernardo Flores-Sahagun, Michael Fife, Clark Ruttinger, Marie Taylor, Matthew Wirthlin and Mary Woodhead. Vice Chair Emily Drown and Commissioner Angela Dean were excused.

Planning Staff members present at the meeting were: Wilford Sommerkorn, Planning Director; Joel Paterson, Planning Manager; Nick Britton, Senior Planner; Casey Stewart, Senior Planner; Daniel Echeverria, Principal Planner; Michelle Moeller, Senior Secretary and Paul Neilson, City Attorney.

FIELD TRIP NOTES:

A field trip was held prior to the work session. Planning Commissioners present were: Lisa Adams and Marie Taylor. Staff members in attendance were Joel Paterson, Casey Stewart, Daniel Echeverria, and Richard Decker, Planning Intern .

The following locations were visited:

- 857 W Simondi- Over height fence- Staff described the request to legalize an over height fence in the front yard and noted the existing pattern of fences in front yards along the street. Existing fences are generally three to four feet in height.
- 1779 S Foothill- Unit Legalization- Staff explained the proposal for legalizing a second dwelling unit. Staff noted the affidavits that were submitted provided information regarding the length of time the second unit had existed. The Commission asked questions about the location of the entrance to the second unit.

APPROVAL OF THE MINUTES FROM THE February 13, 2013 MEETING

MOTION [5:34:44 PM](#)

Commissioner Woodhead made a motion to approve the February 13, 2013 minutes. Commissioner Adams seconded the motion. Commissioners Flores-Sahagun abstained from voting. The motion passed unanimously.

REPORT OF THE CHAIR AND VICE CHAIR [5:35:08 PM](#)

Chairperson Gallegos stated he had nothing to report at this time

REPORT OF THE DIRECTOR [5:35:12 PM](#)

Mr. Wilford, Sommerkorn, Planning Director, stated the Legislature was currently in session, some items being addressed are billboards and some rezoning requirements. He stated if available an overview of the activities will be given at the March 13, meeting.

DISCUSSION

The Commission and Staff discussed when it was appropriate to talk to applicants after a hearing. Staff stated if it was not related to the petition anytime was fine however; if related to a petition it was best to wait until after the appeals period had ended.

The Commission took a short recess as there were some technical difficulties with the projection screen.

WORK SESSION [5:41:28 PM](#)

Bicycle and Pedestrian Master Plan - The Salt Lake City Transportation Division is in the process of updating the City's Bicycle and Pedestrian Master Plan. The current master plan was adopted in 2004. Staff would like to present the anticipated project scope of work and schedule and solicit feedback on the proposed stakeholder committee. (Staff contact: Nick Britton at 801-535-6107 or nick.britton@slcgov.com).

Mr. Nick Britton, Senior Planner turned the time over to Ms. Becka Roolf with the Transportation Department for a presentation.

Ms. Roolf reviewed the following topics:

Why Update the Plan?

- Current plan from 2004
 - Emphasized on-road bikeways
 - Very standard designs

Increased City focus

- The City has adopted a Complete Streets ordinance (2007, 2010)
 - Complete Streets are designed for everyone:
 - Walkers
 - Bicyclists
 - Drivers and transit

Changing design options

- Many innovations in bicycle / pedestrian field
 - More emphasis on separated on-road bikeways (perfect for SLC's wide streets!)
 - Innovative crossing treatments
 - New design manuals especially for urban bikeways

New focus on programs

- Education & encouragement: LOTS of ideas
 - How to prioritize?
 - How to sequence so one program leads logically to (or builds capacity for) the next?

Special Project #1

- Enhanced bikeway connection- University to Downtown
 - Conceptual design on 2 potential corridors
 - Initial input via a special focus group
 - To be followed by public input, incorporated in plan

Special Project #2

- Downtown "Low-Stress, Family-Friendly" bikeway network
 - Design may be similar to 300 E Cycle Track
 - Several potential corridors within the downtown area
 - Maximize SLC resource: wide streets
 - Knit together the "loose ends" of our trail network

Summary

- Progressive designs
- Prioritized programs
- Emphasis on measuring progress (performance measures)
- Public process schedule

Planning Process:

- Employing the new six-step planning process
- Working with Alta Planning and Design

- Planning Commission involvement:
 - Step 1: Introduction, feedback on scope, stakeholders
 - Step 2: Review / approval of data, engagement calendar, framework
 - Step 3: Review / approval on vision, values, engagement, framing
 - Step 4: Review. Approval on draft plan, implementation
 - Step 5: Feedback and recommendation to City Council
 - Step 6: Progress reports, Ongoing recommendations to City Council

The Commission asked if people who were not in favor of the plan were among the Stake Holders. They stated it would be a good idea to get the opinions of those individuals.

Ms. Roolf stated they did try to balance it with pedestrians including seniors.

Mr. Britton stated this plan would not follow the new proposed process for Master Plans as it was brought about prior to that proposal. He reviewed the process the plan would follow and the involvement of the Planning Commission in that process.

The Commission expressed the need to include the West side of Salt Lake in the review process.

Ms. Roolf stated a bicycle committee was currently being put together which may provide additional information for this master plan.

The Commission and Staff discussed the importance to have various levels of bicyclists involved in the process so that all needs are addressed. They discussed the pilot areas currently in place and the data being gathered from those areas. The Board and Staff discussed the difficulty in going East to West, on a bike in Salt Lake, and the importance to make travel easy in all directions.

PUBLIC HEARING [6:07:01 PM](#)

PLNPCM2012-00817 Blankevoort Special Exception-Unit Legalization - A request by John and Ingrid Blankevoort for legalization of a second dwelling unit within the existing single family dwelling located at approximately 1779 South Foothill Drive. The property is located in the SR-1 (Special Development Pattern Residential) zoning district, in Council District 6, represented by Charlie Luke. (Staff contact: Casey Stewart at (801) 535-6260 or casey.stewart@slcgov.com)

Mr. Casey Stewart, Senior Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated it was Staff's recommendation that the Planning Commission deny the petition as presented

The Commission and Staff discussed whether the house was sold as a single family dwelling or a two-family dwelling and what constituted a duplex. They discussed if a duplex would be allowed to be constructed on the property if the current home were not

in place. The Commission and Staff discussed the parking in the area and if the house was consistent with the neighborhood.

Mr. John Blankevoort reviewed the history of the property, the proposal and why they were asking for legalization. He stated they started the legalization process two years ago and it was put on hold while the ordinance and regulations were updated. Mr. Blankevoort reviewed the history of the property. He stated they purchased the property with the intent of it being a rental/duplex. Mr. Blankevoort explained the occupancy records were hard to find and the utilities were on one meter. He stated parking on his property had not been an issue as the tenants park in the existing garage and do not need the required four parking spaces. He discussed the square footage of the lot and if it was compatible with the ordinance. Mr. Blankevoort asked the Commission to approve the petition as presented.

The Commission and Applicant discussed the parking on the property and if it was part of the rental agreement or an issue with the neighbors. They discussed if the property was sold as a duplex or a single family home. The Commissioners and Applicant discussed the area and how many duplexes in the area were legal.

PUBLIC HEARING [6:45:28 PM](#)

Chairperson Gallegos opened the Public Hearing;

The following person spoke in opposition of the petition: William Henderson

The following comments were made:

- Problems have existed for an extended period of time
- Many rentals are in the area
- Parking is the number one problem in the area
- The City has looked at the area various times and nothing had been said about the duplexes

Chairperson Gallegos closed the Public Hearing.

DISSCUSSION [6:51:51 PM](#)

The Commission asked if there was a door, in the home, that gave access to both units without going outside the structure.

Mr. Blankevoort stated there are two doors on the interior of the structure that allow access between the units. He stated the down stairs is a one bedroom apartment.

The Commissioners asked if the bus stop, located within one-quarter mile, affected the parking requirements.

Mr. Stewart stated it did lessen the requirement for parking but the question was if the duplex increase the parking density in the area. He stated the current met the parking requirements under the unit legalization standards.

The Commission and Staff discussed the required documentation of past tenants to prove a duplex existed on the property. The Commission, the Applicant and Staff discussed if given more time could documents supporting the existence of a duplex be gathered and if that should be considered. Staff stated time had been given to acquire the needed documents. The Commissioners discussed if the Applicant was aware that the property was two units upon purchase and if that should be a factor in the decision.

The Commission and Staff discussed if the Mayor's new ordinance allowing leniency would apply to this proposal. Staff stated the ordinance change had not been approved so it would not apply to this case.

MOTION [7:02:38 PM](#)

Commissioner Fife stated regarding PLNPCM2012-00817 1779 South Foothill Dr., based on the findings listed in the Staff Report, testimony given and the additional evidence provided, he moved that the Planning Commission approve the Blankevoort Special Exception- Unit Legalization. Commissioner Ruttinger seconded the motion.

Commissioner Ruttinger stated it seemed clear from the testimony that the building has had a second dwelling unit which has been rented consistently over time.

The Commissioners discussed if giving the Applicant more time to provide supporting documentation would be the ideal decision. They Commissioners discussed the fact that parking was going to be an issue in the area regardless if the duplex was in existence and that parking issues needed to be worked out between the neighbors and City Enforcement.

Commissioners Wirthlin, Adams, Ruttinger, Woodhead, Fife and Flores-Sahagun voted "aye". Commissioner Taylor voted "nay". The motion passed 6 to 1.

[7:07:03 PM](#)

PLNPCM2013-00003 Gosdis Over Height Fence - A request by Sherry Gosdis for a Special Exception for a fence in the front yard that exceeds the four foot height limit of the zoning ordinance by two feet. The property is located at approximately 857 W Simondi Ave in the Single Family Residential (R-1/7000) zoning district in Council District 2, represented by Kyle LaMalfa. (Staff contact: Daniel Echeverria at 801-535-7165 or daniel.echeverria@slcgov.com)

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

The Commissioners and Staff reviewed the height of the different sections of the fence and at what point the fence became non-conforming. Staff explained the fence needed to be lowered to four feet beginning at the front façade of the house. The Commissioners and Staff discussed the original application that indicated the fence in the front yard would be four feet in height.

Ms. Sherry Gosdis Hospadura, Applicant, presented a picture of the fence from the front of the property. She stated the fence was see-through in design; it did not create a walled-in effect but created a sense of security and did not create a place where someone could hide. Ms. Hospadura stated the height helped to shield the garbage cans from the street and the street view was not blocked. She stated the fence added to the property and gave it character.

Mr. Hospadura stated there was about eighty feet of fence with nine or ten that was in violation. He stated the graduation in height of the fence along the front property line was for design purposes.

The Commission asked if neighbors had commented on the fence.

Ms. Hospadura stated the neighbors were pleased with the fence.

PUBLIC HEARING [7:17:41 PM](#)

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

DISCUSSION [7:18:06 PM](#)

Commissioner Fife stated the fence needed to comply with the building code and what was originally on the application.

The Commissioners discussed the design of the fence and what would be aesthetically pleasing.

MOTION [7:19:03 PM](#)

Commissioner Wirthlin stated based on the findings listed in the Staff Report, testimony and plans presented, he moved that the Planning Commission deny petition PLNPCM2013-00003, a request for a Special Exception to allow an over height fence located at approximately 857 W Simondi Ave. Commissioner Adams seconded the motion. Commissioners Wirthlin, Ruttinger, Adams, Fife and Flores-Sahagun voted “aye”. Commissioners Taylor and Woodhead voted “nay”. The motion passed with a 5-2 vote.

The meeting adjourned at [7:21:20 PM](#)