

**SALT LAKE CITY PLANNING COMMISSION MEETING**  
**Room 126 of the City & County Building**  
**451 South State Street, Salt Lake City, Utah**  
**Wednesday, November 12, 2014**

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:31:29 PM](#). Audio recordings of the Planning Commission meetings are retained for an indefinite period of time.

Present for the Planning Commission meeting were: Chairperson Clark Ruttinger, Vice Chair Matt Lyon, Commissioners Emily Drown, Michael Gallegos, Michael Fife, James Guilkey and Marie Taylor. Commissioners Angela Dean and Carolynn Hoskins were excused.

Planning Staff members present at the meeting were: Nick Norris, Acting Assistant Planning Director; Michaela Oktay, Planning Manager; Doug Dansie, Senior Planner; Casey Stewart, Senior Planner; Lex Traughber, Senior Planner; Daniel Echeverria, Principal Planner; Michael Maloy, Senior Planner; Katia Pace, Principal Planner; Michelle Moeller, Administrative Secretary and Paul Nielson, Senior City Attorney.

**Field Trip**

A field trip was held prior to the work session. Planning Commissioners present were: Emily Drown, James Guilkey, Clark Ruttinger, Matt Lyon and Marie Taylor. Staff members in attendance were Nick Norris, Michaela Oktay, Lex Traughber, Doug Dansie, Casey Stewart, Michael Maloy, Daniel Echeverria and Katia Pace.

The following location was visited:

- **Ball Park Apartments** - Staff gave an overview of the proposal.
- **Sugar House Townhomes** - Staff gave an overview of the proposal. The Commissioners asked about the fencing along the streetcar corridor.
- **900 S Office Building** - Staff gave an overview of the proposal. The Commissioners asked if the walkway could be reduced along the building and parking, how the north setback changed and were there windows on the second level. Staff reviewed the setbacks and there were windows along 900 S and 700 East.
- **Seasons a Library Square** Staff gave an overview of the proposal. The Commission asked if this was a zoning change. Staff stated that was their recommendation.

**APPROVAL OF THE MINUTES FROM THE OCTOBER 22, 2014, MEETING [5:31:55 PM](#)**  
**MOTION [5:31:58 PM](#)**

**Commissioner Fife moved to approve the October 22, 2014. Commissioner Guilkey seconded the motion. Commissioner Drown abstained from voting as she was not present at the subject meeting. The motion passed unanimously.**

**REPORT OF THE CHAIR AND VICE CHAIR [5:32:12 PM](#)**

Chairperson Ruttinger stated he had nothing to report.

Vice Chairperson Lyon stated he had nothing to report.

**REPORT OF THE DIRECTOR [5:32:25 PM](#)**

Mr. Nick Norris, Acting Assistant Planning Director, stated he had nothing to report.

[5:32:38 PM](#)

**[Ball Park Apartments Planned Development at approximately 1380 S West Temple -](#)**

**A request by Rusty Snow, Ball Park Apartments LP, for approval from the City to eliminate the rear yard setback and develop affordable senior housing comprised of 62 dwelling units and 36 parking stalls at the above listed address. Currently the land is vacant and the property is zoned R-MU Residential Mixed Use. This type of project must be reviewed as a Planned Development. The subject property is within Council District 5, represented by Erin Mendenhall. (Staff contact: Michael Maloy at (801)535-7118 or [michael.maloy@slcgov.com](mailto:michael.maloy@slcgov.com).) Case number PLNSUB2014-00570**

Mr. Michael Maloy, Senior Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending that the Planning Commission approve the petition as presented.

The Commission and Staff discussed the following:

- The location of the angled parking for the proposal.
- The proposed age of the residence and the legality of making this an age specific development.
- The activation of the street level with retail shops or resident entrances.
- If there was a step back requirement for the zone.
  - The step back requirement was not applicable in the subject zoning.
- If the building height and amount of green space was something that could be considered by the Commission.
  - The zoning code allowed for seventy five feet.
- The elevated outdoor plaza/courtyard.
- The distance to the light rail corridor.
- If the abutting property was also zoned RMU.
  - No, it is zoned differently and the subject property is the only RMU zoned property on the block.

- If the proposal was for anything other than senior housing would parking be an issue.
  - No the proposal met the parking requirements in the ordinance.
- The height requirement for the RB zoning.
  - The allowable height is thirty feet.

Mr. Rusty Snow, Summit Housing Group, reviewed the history of the company and the size, materials and layout of the apartment complex and the age and income level of the target tenants. He stated under the tax program that is being used to fund the project a developer could differentiate between two different groups, families and 55 and older. Mr. Snow gave the history of the proposal, reason behind the request and the layout for the parking. He reviewed what the building design would look like if the thirty foot setback was required.

Mr. Teran Mitchell, Architect, reviewed how the project met the standards of the ordinance and the safety aspects of the proposal. He reviewed the materials, landscaping and design of the proposal.

The Commission, Staff and Applicant discussed the following:

- The view from the south west and if there were one or two wings proposed for the structure.
  - There was one wing with a stairwell.
- If the age restriction was long term.
  - Yes, there would be a land use restriction for forty five years.
- If the proposal was in the current round for tax credits.
  - The tax credits had been awarded and the funding was in place.

**PUBLIC HEARING [6:05:24 PM](#)**

Chairperson Ruttinger opened the Public Hearing.

The following individuals spoke in favor of the petition: Mr. Reed Sherman.

The following comments were made:

- Proposal would be a great addition to the neighborhood.
- The original design would be esthetically appealing and would help to revitalize the area.

The following individuals spoke in opposition of the petition: Ms. Sandra Tanner and Mr. Judd Jones.

The following comments were made:

- Water table was too high to allow for underground parking.

- The project was too large for the area.
- Not enough parking for the proposal.
- How did the thirty foot setback benefit the proposal?
- Parking was an issue in the area and the proposed traffic pattern would not work for the area.
- Proposed structure was too big for the property.
- Would create more traffic in a currently congested area.
- Parking in the area was a problem and this would make it worse.
- Seniors do drive and would have cars that required parking stalls and their visitors would need parking too.

Mr. Satar Tabrise, subject property owner, reviewed the reason for proposed setbacks and that the required setbacks were more for a property located in the middle of a block where there was not an alley. He stated his property on the north would shoulder the greatest impact and he supported the proposal.

Chairperson Ruttinger closed the Public Hearing.

[6:16:34 PM](#)

The Commission and Staff discussed the following:

- If the proposed elevations were final or could be changed after the request was approved.
  - Staff stated if the petition were approved, it would be for the current proposal, however there were a few areas that may need to be tweaked and adjusted.
  - These changes would have to meet the ordinance.
  - Staff reviewed the section on City Code regarding backing onto an alley or street space. These items would need to be addressed and redesigned.
  - Staff stated the building permit was the final step of the process.
- Parking for the proposal.
- How the guidelines for High-rise, Midrise apartments and Senior Housing were followed.
  - Those were actually studies not guidelines.
- When the property was rezoned to RMU and if it was done for this development.
  - Approximately 2012 and it was rezoned to accommodate a mix use development.
- The height limit for the surrounding zoning (CG zoning district).
  - Permitted height would be sixty feet with a conditional height of up to ninety feet.
- If the proposal would have been permitted under the old zoning.
  - The proposal would have been permitted under the old zoning but there was a conflict in the ordinance regarding the setbacks. This required clarification resulting in the current ordinance.
- The requirement to have a sidewalk on Albermarle.

- Staff stated sidewalks were not required on streets that did not meet current standards or were under a certain width.
- If the angled parking could be reviewed at a later date or needed to be addressed before the petition was approved.
  - It could be reviewed as a separate issue at a later date.
- Transportations thoughts on making Albermarle a one way street.
  - Transportation was aware of the issues but had not made a determination on the one way street or the angled parking.

Mr. Snow stated they had met with Transportation about the parking and nothing was brought up. He reviewed the parking for the proposal and stated it met the parking requirements.

The Commission asked if the parking stalls were assigned.

Mr. Snow stated the residents would need a key card to access the parking. He stated the individuals that would live in the proposed apartments would be low income and most likely would not need the use of a vehicle.

The Commission and Applicant discussed the number of units that would be in the redesigned proposal. The Applicant stated there were sixty two units in the facility.

**MOTION [6:30:12 PM](#)**

**Commissioner Guilkey stated regarding petition PLNSUB2014-00570, Ball Park Apartments Planned Development, based on the findings listed in the Staff Report, plans presented, and testimony heard, he moved the Planning Commission approve Planned Development to reduce the rear yard setback from 30'-0" to 0'-0" for an affordable senior housing project comprised of 62 dwelling units at 1380 S West Temple Street subject to the conditions one through five listed in the Staff Report.**

The Commission asked if they could add a condition regarding the modification of the three parking stalls.

Staff stated that was not under the Commissions purview and Transportation would have to review the proposal.

**Commissioner Drown seconded the motion. The motion passed unanimously.**

[6:32:38 PM](#)

**[Sugar House Townhomes Planned Development and Preliminary Subdivision at approximately 2204 S 800 East](#)** - A request by Wayne Corbridge, representing Sego Homes, for approval from the City to develop a 4-unit attached single-family (“townhome”) development at the above listed address. The applicant is requesting to modify the requirement that the proposed lots have street frontage, modifications to setbacks and lot size standards. The purpose of these modifications is to align the homes so that they face the Sugar House Streetcar Greenway. This type of project requires Planned Development and Preliminary Subdivision approval. The property is zoned RMF-35, Moderate Density Multi-family Residential, and is currently occupied by a vacant single-family residence. The subject property is within Council District 7, represented by Lisa Adams. (Staff contact: Daniel Echeverria at (801) 535-7165 or [daniel.echeverria@slcgov.com](mailto:daniel.echeverria@slcgov.com).) Case numbers PLNSUB2014-00439/00441

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

The Commission and Staff discussed the following:

- The side yard setback along the transit corridor.
  - The setback is approximately four feet.
- The landscaping for the proposal.
- The square footage of the lot and if it was regular practice to include half the alley in the calculation.
  - City ordinance allows for half the alley to be included in the lot square footage.

Mr. Wayne Corbridge, Applicant, reviewed the proposal, site plan and orientation to the street. He stated the development was transit and pedestrian oriented which was a driving factor as to why they chose the site. Mr. Corbridge explained the benefit of building the proposal as town homes rather than condo units.

**PUBLIC HEARING [6:43:03 PM](#)**

Chairperson Ruttinger opened the Public Hearing.

Ms. Judy Short, Sugarhouse Community Council, stated the proposal was an exciting project and would make the existing greenway an amenity. She stated the Community Council supported the project however, they did not like to lose a house but would be gaining three homes on the parcel.

The following individuals spoke in opposition of the petition: Mr. George Chapman.

The following comments were made:

- The neighboring homeowners are against the proposal because of the height of the structure.
- The homes would encroach on the privacy of the surrounding neighbors.
- The proposal would destroy the character of the area.
- Parking was an issue in the area and this would increase the issues.
- Traffic noise would be bounced back to the surrounding single family homes.
- Encouraged the Commission to table the issue, allow for modifications that would make the proposal a two story structure.
- Would set a precedent for taller structures in the area.

Chairperson Ruttinger closed the Public Hearing.

Mr. Corbridge stated the apartment complex to the north was three stories, the proposal was lower than the neighboring structures and parking was included.

**MOTION [6:48:56 PM](#)**

**Commissioner Guilkey stated regarding petition PLNSUB2014-00439/00441 Sugar House Townhomes Planned Development Preliminary Subdivision, based on the findings listed in the Staff Report, he moved that the Planning Commission approve the Preliminary Subdivision and Planned Development request subject to the conditions listed in the Staff Report. Commissioner Gallegos seconded the motion.**

Commissioner Fife stated this was exactly what the City had envisioned for the greenway.

Commissioner Taylor stated she thought this was a great project for the area.

**The motion passed unanimously.**

**[6:51:00 PM](#)**

**[Office Building Planned Development at approximately 705 East 900 South](#) - A request by Rob White, Sugar House Architects, representing the property owner, GRW Holdings, for Planned Development approval to construct a new two story commercial office building located at the above listed address. The subject property is zoned SNB (Small Neighborhood Business). An office building is a permitted use in this zone; however the applicant is seeking a relaxation of development standards related to building setbacks, building height, roof form, and perimeter and parking lot landscaping. The subject property is located in City**

**Council District 4, represented by Luke Garrott. (Staff Contact: Lex Traugher at (801) 535-6184 or [lex.traugher@slcgov.com](mailto:lex.traugher@slcgov.com).) Case number PLNPCM2014-00616**

Mr. Lex Traugher, Senior Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending that the Planning Commission approve the petition as presented.

The Commission and Staff discussed the following:

- The general reasons for opposition to the proposal.
  - Traffic, parking and building height.
- The current use of the building.
- The difference in square footage between the existing building and the proposal.

Mr. Rob White, Sugar House Architects, reviewed the proposal, the reasoning for the height and design. He stated the flat roof added character to the building and complimented the surrounding structures. Mr. White stated the setback would allow for the structure to be moved closer to the intersection, allow for additional onsite parking and use the property to the maximum potential.

The Commission and Applicant discussed the following:

- The reasoning for the landscape reduction request in the parking area.
  - The parking design did not allow for the landscaping.
- If the parking could be moved west to allow for landscaping on the east.
  - The proposal was recommended by transportation, possibly due to the proximity to the driveway and existing turn lane.
- The difference in square footage between the current building and the proposal.
- The flat roof, how it added to the design of the building and would not block the view from the surrounding properties.

Mr. Phil Winston reviewed the previous proposals, rezoning of the parcel and issues with the zoning requirements. He reviewed the need for the parking and moving the building to the street. Mr. Winston stated the developer felt this was a better use of the parcel and allowed people to park onsite.

**PUBLIC HEARING [7:10:36 PM](#)**

Chairperson Ruttinger opened the Public Hearing,

The following individuals spoke in favor of the petition: Mr. Kirkland Graham.

The following comments were made:

- The area was mixed use and the reason he moved to the area.



- His house was taller than the proposed building.
- The proposed onsite parking was a generous and would accommodate the patrons of the business.

The following individuals spoke in opposition of the petition: Mr. Mark Lawrence, Mr. Mike Bernard, Ms. Clara McKenna, Mr. Tosh Hatch and Mr. Jim Struve.

The following comments were made:

- The scale and height of the proposal was too big for the site.
- The size and design of the building did not fit with the area.
- Would make it easier for taller buildings to be built, in the area, in the future.
- Retail space was not the appropriate use for the area.
- Parking would be an issue for the property and a safety hazard along the street.
- The corner was the gateway to the 9<sup>th</sup> and 9<sup>th</sup> district and the proposal should match the character of the area.
- Landscaping should reflect the area standards.
- Would increase traffic in the area.
- Would take away the views of the neighbors.
- Parking was an issue and this would make it worse.
- A low impact business would be ideal but not a coffee shop.

Chairperson Ruttinger read the following comments:

Mr. Jeff Bell- I am deeply concerned about the impact on traffic, parking and home values. Parking is already a significant problem and is affecting resident's quality of life.

Chairperson Ruttinger closed the Public Hearing.

Mr. Rob White stated the proposal met the standards and moving the structure allowed for the parking to be increased. He stated the height was allowed in the zone.

Mr. Winston stated this was to be zoned CN but was changed due to complaints from the neighbors.

The Commission, Applicant and Staff discussed the following:

- If a traffic analysis was done or was required for the proposal.
  - Staff stated Transportation did not raise any concerns or ask for an analysis.
- The allowable building height for the zone.
  - Staff read the zoning code and height restrictions for the area.
- If the zoning was CN would the building have to comply with the standards for the abutting neighbors?

- No the regulations were specifically written into the SNB for a more precision review, however the Planned Development process did allow for modifications for certain situations.
- The intention of the City Council in zoning this property SNB and not CN.
  - It was to restrict the uses that could occupy the space.
- If there were maximum lot coverage issues for the property.
- The setbacks are not an issue but the height was a concern.
- If the proposal was appropriate for the area.

**MOTION [7:33:47 PM](#)**

**Commissioner Drown stated regarding petition PLNSUB2014-00616, Planned Development 7105 East 900 South, based on the information in the Staff Report and the testimony heard, she moved that the Planning Commission approve the proposal subject to conditions one through eight listed in the Staff Report. Commissioner Gallegos seconded the motion.**

Commission Drown stated the proposal would anchor the corner.

Commissioner Taylor stated the project met the zoning and fit with the neighborhood.

**Commissioner Lyon, Taylor, Fife, Drown and Gallegos voted “aye”. Commissioner Guilkey voted “nay”. The motion passed 5-1.**

**[7:36:41 PM](#)**

The Commission took a five minute break.

**[7:42:34 PM](#)**

**[Ken Garff Planned Development at approximately 525 South State Street](#) - A request by Curtis Miner for a planned development located at the above listed address. The proposal is to create a unified auto dealership complex with multiple automobile showrooms with cross access easements for the entire site and includes a request for modification to the landscaping and signage requirements of the zoning ordinance. The proposed site is located in the D-2 Downtown District and is located within Council District 4, represented by Luke Garrott. (Staff contact: Doug Dansie at (801) 535-6182 or [doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com).) Case number PLNSUB2014-00522**

Mr. Doug Dansie, Senior Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending that the Planning Commission approve the petition as presented.

The Commission and Staff discussed the following:

- What the Applicant was requesting and what Staff was recommending regarding the park strip trees.
  - Staff was recommending following the ordinance and requiring one every thirty feet.
- How landscaping could be accommodated in the lot space.
- The location of street trees in relation to the property.

Mr. Curtis Miner, Architect, reviewed the project and issues with redevelopment of the lot. He reviewed the proposed landscaping, building placement and use of the property.

Mr. Matt Garff, Business Owner, gave the background of the property and the issues with the Car Manufactures dictating the specifics of the building and lot designs. He reviewed the possible brands that could be brought to the market which would require updates to the facilities and block. Mr. Garff reviewed the signage requirements for the brands and the placement of the signs. He discussed the issue with the trees dropping sap, bugs and leaves on the cars and breaking up the sidewalk.

Mr. Mick Mackintosh, Maintenance Manager, reviewed the history of the trees in the area in relation to the cars and sidewalks. He asked if the property owner could be given permission to trim the trees as needed. Mr. Macintosh stated the trees block the entrance to the business, create a mess and are not good for car lots. He stated car dealers are different from other retail uses as their merchandise was stored outside not indoor.

The Commission and Applicant discussed the following:

- The types and sizes of signs that would be on the site.
  - The Applicant stated they would be allowed to have a monument sign on all four block faces under the zoning ordinance, if the lots were consolidated.
- The current signs on the site and how those would be incorporated into the proposal.
- Ken Garff's signage plan proposal versus what Staff was recommending for signage.
- If a discussion with the Urban Forester was needed prior to approving the issues with the trees.
  - Staff stated the Planning Commission could not regulate the trees once they were planted. It was under the Urban Foresters jurisdiction and up to them to decide the maintenance and possible removal of the trees.
- If the proposal reduced the number of allowable signs.
  - Staff stated it was intended to say that the Applicant could have six signs, per block face, or less at one hundred and ten square feet each. That being said those signs could be consolidated or made smaller to allow for more signage on the block face.

**PUBLIC HEARING [8:33:10 PM](#)**

Chairperson Ruttinger opened the Public Hearing.

The following individuals spoke in opposition of the petition: Mr. George Chapman.

The following comments were made:

- Forward the proposal to the City Council for review as it was a City Council issue not a Planning Commission decision.
- A car lot taking up an entire city block did not fit with the initiative to create a walkable city.
- Proposal should be denied.

Chairperson Ruttinger closed the Public Hearing.

The Commission and Staff discussed the following:

- If the trees were under the Planning Commission's purview.
  - No they were regulated by the Urban Forester.
- The ordinance regarding Planned Developments that allowed for the Planning Commission to make modifications to the base zoning district.
- If the proposal should be tabled or denied.

The Commission and Applicant discussed if the petition should be tabled or if they would like a decision made. The Applicants stated they would like to further review the petition and work with the Commission on a plan for the signs and trees.

**MOTION [8:43:21 PM](#)**

**Commissioner Guilkey made a motion regarding petition PLNSUB2014-00522, he moved to table the petition allowing further discussion between Staff and the Applicant to clarify their needs and to meet the Applicants business objectives. The Public Hearing was closed. Commissioner Drown seconded the motion. The motion passed unanimously.**

**[8:45:07 PM](#)**

**[The Seasons at Library Square Apartments \(phase 2\) Planned Development at approximately 324 and 332 East 500 South](#) - Akbar Matinkhah requests approval from the City to develop phase two of the Seasons at Library Square apartments located at the above address. Specifically, the applicant seeks approval to modify the building setbacks and building coverage limits of phase 2. Currently the land is occupied by a commercial building and requires larger building setbacks because the property is in a different zoning district than phase one. This type of project**

**must be reviewed as a Planned Development. The subject property is within Council District 4 represented by Luke Garrott (Staff contact: Casey Stewart at (801)535-6260 or [casey.stewart@slcgov.com](mailto:casey.stewart@slcgov.com).) Case number PLNSUB2014-00596**

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

The Commission and Staff discussed the following:

- What the zoning would have been if the two parcels were initially combined in phase one.
  - The zoning would have stayed the same regardless of the properties being combined.
- It would be better for the proposal to be reviewed under the Zoning Amendment process.
- The zoning for the surrounding area.
  - The east block face is zoned RO.
- The setbacks on the Public Safety building.
  - Approximately fifty feet
- The reason for choosing to go through this process rather than the rezoning process.

Mr. Akbar Matinkhah and Ms. Angie Matinkhah, Property Owners, reviewed the current setbacks, the history and the challenges with renting the property. They stated the proposal would be the best use for the property.

The Commission and Applicant discussed the following:

- If the setbacks were not granted what would happen to the property.
  - If the setbacks were not granted the structure would be smaller than what was currently being constructed to the west.
- Why the Applicant chose the Planned Development process rather than the rezoning process.
  - The Applicant stated Planning Staff suggested the Planned Development process.
- The percentage of lot coverage for the proposal.

#### **PUBLIC HEARING [9:02:45 PM](#)**

Chairperson Ruttinger opened the Public Hearing.

The following individuals spoke in opposition of the petition: Ms. Brooklyn Ottens, Mr. Joe Smith, Ms. Emma Maaranen, Mr. Alexander Johnstone, Ms. Jennifer Robin Denham and Mr. Matt Monson.

The following comments were made:

- The proposal did not comply with the zoning.
- Blocked the views from the surrounding buildings.
- Safety concerns have been raised with the construction of phase one and phase two would increase those concerns.
- Proposal was not compatible with the neighborhood.
- Density did not match the area.
- Parking access created an issue for the residents on Stanton Ave.
- The project should be required to have as little impact as possible on the surrounding neighborhood.
- Would distract from the feel of the neighborhood.
- Parking was all ready an issue in the area.
- Project should be done in a way that it highlighted the community and not detract from what was currently in place.
- Changing the zoning would not be in keeping with the zoning in the area.
- Would create an issue with pedestrian traffic.
- Took away from the walkability of the neighborhood.
- There was no consideration of green space in the proposals.

Chairperson Ruttinger closed the Public Hearing.

Mr. Akbar Matinkhah, stated he could not speak to phase one and understood it was a concern to the neighbors. He stated the access for the proposal would be from the north side (500 South) and green space was included in the proposal. He reviewed the setbacks on the south side would make the project more attractive.

The Commission, Applicant and Staff discussed the following:

- The proposed setbacks would align the project with the phase one but would the proposal work within the current setbacks.
  - The Applicant stated that option was not reviewed and the connection to phase one may be an issue.
- The access to the parking structure and the number of stalls on each parking level.
- Would phase two increase traffic on Staton Ave?
  - There would be more traffic on Staton Ave going into and out of the complex.
  - It would impact those trying to exit Staton Ave and the bike lanes on 300 East.
- Phase one should have been made to interact with the street and continuing the pattern would be a detriment.
- The petition as presented would have been better addressed through a zoning change.

- Mr. Norris reviewed why the Planned Development process was followed and that the Central City Master Plan would not support the zoning change.
- Did the impact to the bike lanes change the way Transportation reviewed the petition?
  - No, it may impact the type of bike lane .

The Commission would like more detailed comments from the Transportation Department on petitions.

Mr. Norris stated Staff would ask Transportation to include more detail in their responses.

**MOTION [9:28:45 PM](#)**

**Commissioner Lyon stated regarding petition PLNSUB2014-00596, Phase Two of the “Seasons at Library Square “ apartments, based on the findings listed in the Staff Report, testimony and plans presented, he moved that the Planning Commission deny the requested. Commissioner Fife seconded the motion. Commissioner Gallegos and Taylor voted “nay”. Commissioners Drown, Guilkey, Lyon and Fife voted “aye”. The motion passed 4-2.**

**[9:30:12 PM](#)**

Commissioner Taylor recused herself from the hearing.

**[AT&T Rooftop Antennas at approximately 115 South 1100 East \(Arlington Place Apartments\)](#) – A request by AT&T for new wireless antennas located on the rooftop of the Arlington Place Apartments at the above listed address. All equipment cabinets are proposed to be installed in an existing storage room in the parking garage. This project is located in the RMF-45 (Moderate/High Density Multifamily Residential) zoning district, in the University Historic District and in City Council 4, represented by Luke Garrott. (Staff contact: Katia Pace, (801) 535-6354, or [katia.pace@slcgov.com](mailto:katia.pace@slcgov.com).) Case number PLNPCM2014-00178**

Ms. Katia Pace, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). She stated Staff was recommending that the Planning Commission approve the petition as presented.

The Commission and Staff discussed the following:

- If AT&T would be liable for the maintenance of the antennas.
  - AT&T would maintain the antennas.
- The proposal was to put the antennas on the roof of a condo complex correct.
  - Yes that was correct.
- If the antennas could be seen from the street.

- Staff stated at one hundred and fifty feet from the site one would see about eight feet of the antennas.

Mr. Chris Martinez, NSA Wireless, reviewed the petition, the maintenance and setup for the proposed antennas.

The Commission and Applicant discussed the following:

- The agreement with the building owner.
- The Administrative Hearings that were denied.
  - Staff explained the proposal that was denied by the Administrative Hearing Officer.
- Why the antennas could not be approved Administratively.
  - Staff stated it was due to the Zoning Ordinance.

### **PUBLIC HEARING [9:41:22 PM](#)**

Chairperson Ruttinger opened the Public Hearing.

The following individuals spoke in opposition of the petition: Mr. John Colin Stevens, Mr. George Chapman and Mr. Peter Stevens MD.

The following comments were made:

- The public notice was not sent to everyone in the area.
- The safety affects were not accurately represented for the product.
- The proximity to the hospital, playground and other surrounding areas should be addressed and the public health should be taken into concern.
- The antennas would affect the medical equipment inside the neighboring hospital.
- A RF magnitude map should be sent to the surrounding businesses for review.
- The antennas were detrimental to everyone's health.

The Commission asked why the proposed antennas would be more of a health issue than the current antennas.

Mr. Chapman stated he was not sure about the existing antennas but the proposed antennas should have a RM magnitude map sent to the surround businesses and hospital.

Chairperson Ruttinger closed the Public Hearing.

The Commission Applicant and Staff discussed the following:

- If health concerns could be discussed during the meeting.
  - The health concerns could not be the basis for denial of the petition.
  - Legitimate safety concerns had to be written into the municipality's code and the RF factor was not something that could be written into the code.



- The appeal process for the petition.
- How many cell phone towers and antenna were located in Salt Lake City.
- The noticing process for the petition.

**MOTION [9:55:45 PM](#)**

**Commissioner Gallegos stated regarding petition PLNPCM2014-00178 AT&T Rooftop Antennae at 115 South 1100 East, based on the information in the Staff Report, public testimony, and discussion by the Planning Commission, he moved that the Planning Commission approve application PLNPCM2014-00178, for AT&T Rooftop Antenna at 115 South 1100 East subject to conditions one through four as listed in the Staff Report. Commissioner Lyon seconded the motion. The motion passed unanimously.**

**[9:58:37 PM](#)**

**[Assisted Living Facilities Text Amendment](#) - A request by Salt Lake City's Mayor Ralph Becker to analyze the appropriateness of amending the Land Use Table to allow Assisted Living Facilities in more zoning districts and to change the definition of Assisted Living Facilities to better reflect the State's definition. The proposed changes may affect sections 21A.33 Land Use Tables and 21A.62 Definitions. Related provisions of Title 21A-Zoning may also be amended as part of this petition. (Staff contact: Katia Pace at (801) 535-6354 or [katia.pace@slcgov.com](mailto:katia.pace@slcgov.com)). Case number PLNPCM2014-00388**

Ms. Katia Pace, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). She stated Staff was recommending that the Planning Commission transmit a favorable recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- The petition was to bring the City Code into line with the State code.
- The definitions that would change regarding the size of a facility.

**PUBLIC HEARING [10:02:32 PM](#)**

Chairperson Ruttinger opened the Public Hearing.

The following individuals spoke in opposition of the petition: Mr. George Chapman.

The following comments were made:

- Stated older people should not be locked up in dilapidated facilities.

- The petition required further discussion on location and amenities for residents of these facilities.

Chairperson Ruttinger closed the Public Hearing.

The Commission and Staff discussed the following:

- The petition was for a city wide text amendment.
- If it was in the Commissions purview to recommend where these facilities were constructed.
  - Staff stated the City felt the market should determine where these facilities were best constructed.

**MOTION [10:06:25 PM](#)**

**Commissioner Guilkey stated regarding petition PLNPCM2014-000388 Assisted Living Facilities Zoning Text Amendment, based on the findings in the Staff Report, public input and discussion, he moved to transmit a favorable recommendation to the City Council to adopt the proposed zoning text amendment relating to Sections 21A.33 Land Use Tables, 21A.62 Definitions and 21A.36 General Provisions to expand Assisted Living Facilities in more zoning districts and to change the definition to better reflect the State's definition. Commissioner Gallegos seconded the motion. The motion passed unanimously.**

**The meeting adjourned at [10:07:45 PM](#)**