

**SALT LAKE CITY PLANNING COMMISSION MEETING**  
**Room 126 of the City & County Building**  
**451 South State Street, Salt Lake City, Utah**  
**Wednesday, April 23, 2014**

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:30:18 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: Commissioners Angela Dean, Michael Fife, Michael Gallegos, James Guilkey, Matt Lyon, Matthew Wirthlin and Mary Woodhead. Chairperson Emily Drown, Vice Chair Clark Ruttinger, Carolyn Hoskins and Marie Taylor were excused.

Planning Staff members present at the meeting were: Wilford Sommerkorn, Planning Director; Michaela Oktay, Planning Manager; Nick Britton, Senior Planner; Casey Stewart, Senior Planner; Molly Robinson, Urban Planner; Chris Lee, Associate Planner; Michelle Moeller, Senior Secretary and Paul Nielson, Senior City Attorney.

**FIELD TRIP NOTES:**

A field trip was held prior to the work session. Planning Commissioners present were: Michael Fife, Michael Gallegos and James Guilkey. Staff members in attendance were Michaela Oktay and Casey Stewart.

The following locations were visited:

- **Capitol Hills Plat B, 37 E Dartmoor Place**- Staff gave an overview of the proposal.
- **Tower 151, 151 South State Street** - Staff gave an overview of the proposal.
- **Capitol Hills Plat C, 973 N Churchill Dr**- Staff gave an overview of the proposal.

**APPROVAL OF THE MINUTES FROM THE APRIL 9, 2014, MEETING [5:30:53 PM](#)**  
**MOTION [5:30:59 PM](#)**

**Commissioner Fife moved to approve the April 9, 2014. Commissioner Woodhead seconded the motion. The motion passed unanimously.**

**REPORT OF THE DIRECTOR [5:31:16 PM](#)**

Mr. Wilford Sommerkorn, Planning Director, stated the City Council approved the ordinance changes for projecting signs, construction waste recycling and street trees and water conservation. He stated the A-frame sign ordinance should be approved in the next month. Mr. Sommerkorn reviewed the City Council briefings and that the Hearing Appeal Office upheld the Planning Commission's approval of the Conditional Use permit for the utility box in the Avenues. He stated Staff was in the process of proposing modifications to the ordinance for the utility boxes that will be brought to the Commission for review and approval.

**WORK SESSION [5:33:05 PM](#)**

**Downtown Master Plan - As part of the planning process for the Downtown Master Plan, planning staff will brief the Planning Commission on the status of the project. We will report on the status of the Draft Plan and next steps. (Staff contact: Molly Robinson at (801) 535-7261 or [molly.robinson@slcgov.com](mailto:molly.robinson@slcgov.com)) Case number PLNPCM2013-00768**

Ms. Molly Robinson, Urban Planner, reviewed the plan and the time line for the project. She stated future updates and reviews would be brought to the Commission.

The Commission and Staff discussed the following:

- The metrics that are the key indicators for the “Is Beautiful” principle.
  - Some of the examples on the list are similar, such as tree canopy and percent shade, perhaps they could be combined.
- The definition and examples of special lighting projects.
  - Downtown where the Indian Head lamp designs are used.
    - This theme and the use of these lamps may not be apparent to the casual observer.
- Elements that would impede view corridors.
  - Sky bridges would impede the view corridor.
    - The ability to develop public spaces in the middle of the public way would enable the enjoyment of the view.
- How to protect buildings constructed before 1940 that are not buildings currently protected by way of the designation under the H Historic Preservation Overlay.
- Award winning projects and what qualifies a building as award winning.
  - This element had not been defined yet, but it would be the process continued.
- The negative effect the percentage of vacant properties has on the feel of an area.
- Underutilization of vacant or parking lots was a concern and a large detriment.
- Surface parking was a detriment to the overall look and feel of downtown.
  - Pocket parks and unique spaces create a sense of place and add an element of beauty to cities.
  - A way to measure this would be measuring the amount of money used for parks.
- If green space was included in the document.
  - It is included in other principals in the document such as Uniting Cities and Nature.
- Cross references could help link the metrics to show where overlaps occur.
- If the government actually has the leverage to affect the issues listed in the plan.
  - The City did not have complete control over the development of the city.
- If there was a principal that addressed the environment, such as air and water quality.
  - It is addressed under the Uniting Cities and Nature principal.
- Making the metrics more important than the heading.

Staff asked the Commission to review the metrics of each principal, determine which metrics are the most important (choosing their top 2 or 3) and to be ready to discuss them at the May 14, Planning Commission Meeting. Staff will provide step by step instructions to guide their review of the draft plan prior to the May 14, meeting so the Commission can be prepared.

The Commission and Staff discussed if it would be a benefit to go over the plan during a Commission retreat or during the dinner portion of the meeting rather than during formal meetings. Staff stated the review of the plan will be done over the next few months. The Commission discussed how to review and discuss the document and give it their full attention without time pressures. The Commission agreed to have the discussion at the dinner meeting and to start the formal meeting at 6:00 p.m. on May 14, and for future meetings when the Downtown Master Plan is discussed.

Staff asked Commissioner Dean and Fife what role they wanted to play in the next steps for the plan as they were the Commissions representatives on the review committee. It was stated that they could possibly facilitate the discussion along with Staff during the dinner discussions.

[6:12:45 PM](#)

**West Salt Lake Master Plan - Planning Staff will provide the Planning Commission with the draft implementation schedule for the *West Salt Lake Master Plan* for its review before the master plan is transmitted to the City Council. This briefing is a follow-up to the Planning Commission's recommendation of approval. (Staff contact: Nick Britton at (801)535-6107 or [nick.britton@slcgov.com](mailto:nick.britton@slcgov.com)) Case number PLNPCM2010-00656**

Mr. Nick Britton, Principal Planner, reviewed the plan and the time line for implementation of the Master Plan.

**UNFINISHED BUSINESS** [6:16:18 PM](#)

**Capitol Hills Plat B, Lot 216 Subdivision Plat Amendment at approximately 37 E. Dartmoor Place - Douglas Olson is requesting approval from the City to amend a subdivision plat to adjust the building area of his lot to accommodate an addition to the existing home located at the above listed address. Currently the land is used as residential and the property is zoned FR-3/12,000 (Foothills Residential District). The subject property is located within Council District 3, represented by Stan Penfold. (Staff contact: Casey Stewart at (801)535-6260 or [casey.stewart@slcgov.com](mailto:casey.stewart@slcgov.com).) Case number PLNSUB2014-00028.**

Commissioner Lyon stated he had a conflict of interest regarding the issue and recused himself from the discussion and left the chambers.

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

The Commission and Staff discussed the following:

- If additional petitions would require the Planning Commission's review and approval.

Mr. Bruce Baird, Applicant's attorney, reviewed the reasons the City was recommending denial of the petition. He stated there was no real cause for denial and that the City's best interest was not at stake because the property was on a small cul-de-sac with five houses. Mr. Baird stated it would not create a precedent in the area as applications are approved on a case by case basis, the ten foot addition would not be a big difference in the area, the neighbors supported the petition and setbacks complied with the other properties in the area. Mr. Baird reviewed the reason for the variance that was granted.

The Commission and Applicant discussed if it was a possibility to shift the buildable area allowing the addition but limiting the future buildable area on the property. Mr. Baird stated the Applicant would be willing to adjust the buildable area to accommodate the addition.

Ms. Tristan Olsen and Mr. Doug Olsen, Applicants, reviewed the reasons for the placement of the addition in the subject location on the property.

The Commission and Staff discussed if it was in the Commission's purview to approve the petition with the condition that the buildable area be adjusted on the property to prohibit additional lot coverage in the future. Mr. Neilson stated the Commission could add that as a condition of approval.

The Commission and Staff discussed that if Staff agreed or thought the adjustment of the buildable area would be in the best interest of the city.

Mr. Stewart stated he was hesitant to allow the adjustment as maintaining the side yards set backs was important to keep the character of the neighborhood.

The Commission asked if there would there be an issue with the surrounding neighbors, was there enough room for emergency response vehicles to access to the surrounding properties. Staff stated the neighbors supported the project; access to the properties was not an issue although it would change the side yards on this property to not be consistent with the other properties in the area.

**MOTION [6:35:33 PM](#)**

**Commissioner Dean stated regarding petition Plat Amendment for Lot 216 in Capitol Hills, PLNSUB2014-00028, based on the information provided by the applicant, the previous public hearings and comments, testimony and plans presented, she moved that the Planning Commission approve the application with the condition that the existing square footage of the buildable area not increase and that Staff work with the applicants to establish a reasonable new boundary line for the buildable area to**

**allow the applicant the ten foot expansion to the north and west. Commissioner Fife seconded the motion.**

Commissioner Wirthlin stated he was previously against the addition however, with the suggested changes he would change his vote to support the petition.

Commissioner Fife stated he would also change his vote to support the petition with the suggested changes.

**The motion passed unanimously.**

**PUBLIC HEARINGS [6:38:17 PM](#)**

**Tower 151 Conditional Building and Site Design Review at approximately 151 South State Street - David Dixon, representing The Boyer Company, is requesting approval from the City for additional height (Approx 295 feet, rather than the typical limit of 100 feet) on a proposed office building at the above listed address. Currently the land is vacant and the property is zoned D-1 (Downtown). This type of project must be reviewed as a Conditional Building and Site Design Review. 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 PLNPCM2014-00045.**

Mr. Casey Stewart, Senior Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff recommended the Planning approve the petition as presented.

The Commission and Staff discussed if the additional height could be approved or if re-noticing the petition would need required. They discussed the requirement for the distinct roof line.

Mr. David Dickson and Mr. Jake Boyer, Applicants, reviewed the need for the sloped roof on the mechanical penthouse and the design for the proposed building's roof.

The Commission and Applicant discussed the height of the surrounding buildings in relation to the proposed building. They discussed the fact that the building reads like it is on the corner and is reflected by the direction of the proposed sloped roof.

The Commission and Staff discussed why lower buildings were in the middle of the blocks and higher on the corners. Staff stated the practice of having lower buildings at the center of the block would be addressed in upcoming ordinance changes.

**PUBLIC HEARING [6:53:53 PM](#)**

Commissioner Gallegos opened the Public Hearing; seeing no one in the audience wished to speak to the petition, Commissioner Gallegos closed the Public Hearing.

**MOTION** [6:54:11 PM](#)

Commissioner Wirthlin stated regarding petition PLNPCM2014-00045, based on the testimony and the new plans presented, and the findings listed in the Staff Report, he moved that the Planning Commission approve the requested Tower 151 Conditional Building and Site Design Review to allow extra building height as proposed subject to conditions one through four listed in the Staff Report. Commissioner Fife seconded the motion. The motion passed unanimously.

[6:55:26 PM](#)

**Capitol Hills Plat C Amendment at approximately 973 N. Churchill Drive - James Carroll & Associates is requesting approval to amend section 12(a) of the Capitol Hills Plat C subdivision text to clarify height limitations and living space allowances for the upper level of homes in this subdivision specifically as it applies to flat roofs, which are not addressed in the existing language of the plat. Currently the land is under construction for a single family residence and the property is zoned FR-3 (Foothills Residential). This type of application must be reviewed as a subdivision amendment. The subject property is within Council District 3, represented by Stan Penfold. Staff contact: Chris Lee at (801)535-7706 or [christopher.lee@slcgov.com](mailto:christopher.lee@slcgov.com). PLNSUB2014-00088.**

Mr. Chris Lee, Associate Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff recommended the Planning Commission approve the application as proposed, subject to compliance with all applicable code regulations.

The Commission and Staff discussed the following:

- If the proposal would apply to all of the lots in the subdivision or only the subject lot.
  - It would apply to the subdivision as a whole.
- The degree of slope that dictated a sloped roof versus a flat roof.
- If other homes in the area had second floor living areas.

Mr. James Carroll, Carroll and Associates Architect, reviewed the current ordinance that allowed second floor livable space in a home with a sloped roof but not a flat roof. He stated the project met the height restrictions for the area and the additional space would not change the height. He reviewed the layout of the home and the size of the proposed second floor space.

The Commission and Applicant discussed the percentage of curved roof to flat roof on the proposed structure and the slope of the roof.

Mr. Rodriguez, Applicant, stated that if the proposal was not approved the outside of the home would remain the same but it would be nice to have the additional space on the second floor.

**PUBLIC HEARING [7:08:00 PM](#)**

Commissioner Gallegos opened the Public Hearing.

The following individuals spoke to the petition: Ms. Gina Dalton and Ms. Maureen Reading

The following comments were made:

- Design was attractive and added to the neighborhood.
- In support of the proposal

**DISCUSSION [7:08:39 PM](#)**

The Commission and Staff discussed the comments from the neighbors in the Staff Report.

**MOTION [7:11:21 PM](#)**

**Commissioner Fife stated regarding petition PLNSUB2014-00088 Capitol Hills Plat C Amendment, based on the findings within this Staff Report, testimony and plans presented, he moved that the Planning Commission approve the petition as presented subject to the conditions listed in the Staff Report. Commissioner Wirthlin seconded the motion. The motion passed unanimously.**

**PETITION INTIATION**

Commissioner Dean reviewed the proposal for initiating a petition to add language in the ordinance regarding bird safe elements on structures.

The Commission discussed where it would be applied and how to start the process of applying it to the zoning ordinance.

The Commission and Staff discussed the steps of initiating a petition and the process for how a petition was designed and approved. The Commission asked what Staff's view was on moving this type of petition forward, if it was feasible and if a work plan could be wrapped into something that was currently underway.

Staff reviewed the process for initiating a petition.

The Commission and Staff discussed whether there was a need for these regulations in the ordinance and if there were current issues with bird strike deaths in the city. They stated they would like to see what other cities are doing to address this issue.

**MOTION [7:25:05 PM](#)**

**Commissioner Wirthlin motioned to recommend to Planning Staff to review the potential petition, bring back information regarding cost, time and possible effectiveness of the petition to be brought back at the May 28 meeting. Commissioner Lyon seconded the motion.**

The Commission discussed if a petition was necessary, the process for moving it forward and approving a petition.

**Commissioner Woodhead stated she would vote for the motion if it were amended to say, that Staff would determine if the proposed requirements were viable in the ordinance and if other cities were requiring something similar and how the proposal would actually work.**

**Commissioner Wirthlin agreed to the amendment.  
Commissioner Lyon seconded the amendment.  
The motion passed unanimously.**

**The meeting adjourned at [7:31:31 PM](#)**