

SALT LAKE CITY PLANNING COMMISSION MEETING
Room 126 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, February 11, 2015

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:34:05 PM](#). Audio recordings of the Planning Commission meetings are retained for an indefinite period of time.

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

Planning Staff members present at the meeting were: Nick Norris, Planning Manager; Everett Joyce, Senior Planner; Maryann Pickering, 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: Carolyn Hoskins, Michael Fife and Marie Taylor. Staff members in attendance were Nick Norris, Maryann Pickering and Everett Joyce.

The following site were visited

- **336 W 700 S** - Staff gave an overview of the proposal.
- **9 + 9** - Staff gave an overview of the proposal and the comments received related to parking. The Commission asked if on street parking was limited. Staff stated yes, to one side of Lincoln. The Commission asked if the building was stepped back from the home to the south. Staff stated yes a setback was required and provided.

APPROVAL OF THE MINUTES FROM THE JANUARY 28, 2015, MEETING [5:34:46 PM](#)
MOTION [5:34:47 PM](#)

Commissioner Fife moved to approve the January 28, 2015. Commissioner Guilkey seconded the motion. Commissioner Dean abstained from voting as she was not present at the subject meeting. The motion passed unanimously.

REPORT OF THE CHAIR AND VICE CHAIR [5:35:00 PM](#)

Vice Chairperson Lyon stated he had nothing to report.

REPORT OF THE DIRECTOR [5:35:04 PM](#)

Mr. Nick Norris, Planning Manager, stated he had nothing to report.

[5:35:27 PM](#)

The Planning Commission received an update from Mr. Ed Butterfield, Redevelopment Authority of Salt Lake City, Mr. Jessie Allen, GSBS Architects, and Mr. Mark Morris, VOTA Landscape and Design, on the planning, design and timeline for the redesign and

reconstruction of Regent Street. Regent Street is being redesigned as part of the construction of the Eccles Theater. Reconstruction of the street is anticipated to start in 2015.

The Commission and RDA discussed the following:

- Great proposal for the use of the area.
- How the area would be blocked off when it was being used for events.
- The research done to ensure safety of pedestrians along the curbless roadway.
- If the RDA was working with surrounding property owners to update or develop properties.
- Access to the theatre from the subject street.

[5:49:53 PM](#)

9+9 Mixed Use at approximately 932 E 900 South - 9th and 9th Property, LLC, represented by Rinaldo Hunt is requesting Conditional Building and Site Design Review approval from the City to construct a mixed use development that exceeds more than 15,000 square feet for the first floor or 20,000 square feet overall at the above listed address. Currently, the land is developed with a retail store and surface parking lot and is zoned CB (Community Business). This type of project must be reviewed as a Conditional Building and Site Design Review by the Planning Commission. The subject property is located within Council District #5, represented by Erin Mendenhall. (Staff contact: Maryann Pickering at (801) 535-7660 or maryann.pickering@slcgov.com.) Case number PLNPCM2014-00890

Ms. Maryann Pickering, 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 the maximum building size complied or did not comply with the standards.
 - It would comply if the petition was approved.
- The location of the retail space.
- How the proposal encroached on residential neighborhoods and created traffic and parking issues for the surrounding neighborhood.
- Why additional parking was not required for the proposal.
 - Based on the ordinance standards they were required to have 14 stalls and they are providing 23.
- The maximum number of parking stalls required and how the parking percentage was calculated for the proposal.
- There needed to be some give or take to accommodate some of the issues.
 - A Conditional Building and Site Design review was different than a Conditional Use.

Mr. Rinaldo Hunt, architect, stated they had plans to talk with the Community Council about the neighbors concerns. He said they were willing to review the concerns. Mr. Hunt reviewed the elevator shaft height required for the proposed elevator and the additional street parking along Lincoln.

The Commission, Staff and Applicant discussed the following:

- The number of additional parking stalls proposed along Lincoln.
 - There will be two additional parking stalls.
- There fact that there was not even one parking space per unit for the proposal.
 - The Applicant stated they were in compliance with the ordinance for parking.
- More parking could be added to reach the maximum requirements.
 - The Applicant stated parking was not the issue being reviewed.
- If more parking could be required for the proposal.
 - Staff stated the Commission was reviewing the building size and the parking was established by ordinance.
- If the building would be LEED certified.
 - Not at this time but they were working on a future solar program.
- The square footage of the building and the property.
- The use and location of the proposed roof deck.
 - It was allowed in commercial and residential zones but was required to be within the building height.
- The standards for review for Conditional Building and Site Design Review.

Mr. Paul Nielson, City Attorney reviewed meeting etiquette and how the meeting would be conducted. He reviewed the standards of review and approval for the petition and that parking was not something that could be addressed by the Commission.

PUBLIC HEARING [6:15:03 PM](#)

Vice Chairperson Lyon opened the Public Hearing.

Mr. Darryl High, East Community Council, stated they would have liked better notice for the proposal. He read the Community Master Plan and stated the proposal was 75% larger than what was allowed by city code, it did not comply and restricted encroachment on residential neighborhoods, on traffic issues and parking. Mr. High stated it had zero lot line on 900 South and Lincoln and the existing businesses and residents had setbacks and more parking. He stated the development did not fit with the character of the neighborhood, would create a traffic issue on Lincoln and in the surrounding neighborhood and the exemptions should not be allowed in the zoning.

The Commission and Mr. High discussed the operating hours of the bus line on 900 South.

Ms. Cindy Cromer reviewed the history of the 9 + 9 Small Area Plan and zoning in the area. She stated the neighborhood should have remained a small business neighborhood. Ms.

Cromer stated the subject neighborhood would be a great candidate for a Conservation District, the 9 + 9 Small Area Plan needed to be updated and the CB zoning would not move the neighborhood in the right direction.

The following individuals spoke to the petition: Mr. Myron Wilson, Mr. Berit Champion, Mr. Josh Levey, Ms. Judi Short, Mr. Josh Plumb, Mr. Jarrett Fisher, Ms. Linda Peterson, Mr. Tom Denison, Ms. Jacquie Bernard, Mr. Mike Bernard, Ms. Heidi Preuss, Ms. Henrietta Prater, Mr. Mark Schwarz, Mr. Nate White, Ms. Catalina De La Torre, Mr. Derek Hackmann, Ms. Kim Ventura, Ms. Amie Rosenberg and Mr. Jim Ack.

The following comments were made:

- Size of the building did not fit and there should be accommodations made for the surrounding neighborhood.
- Supported the transit oriented building.
- Design of the building was beautiful but was too big for the area.
- Traffic in the area would be greatly affected.
- Something could be done to convert the existing buildings into useable space.
- Parking was all ready an issue and this would make it worse.
- Concerned over garbage pickup because of limited access to the surrounding properties.
- People own cars and they would need somewhere to park them.
- Want the property developed but not at the proposed size.
- Needed to preserve the feel of the neighborhood.
- Neighborhood was almost to capacity and the proposal would push it over the limit.
- Project would lead to the demise and reduce commercial business in the area.
- Access to the neighboring properties should be allowed.
- Easements, setback and stepping should be required for the development.
- Development may establish a precedent for three story buildings in the area.
- The proposed development was never the intention for the area.
- Scale did not fit with the area.
- Proposed roof line did not match other buildings in the area.
- Impact to the neighborhood had not been addressed.
- Inadequate notice was sent for this proposal.
- Developer's interest was not for the area.
- Developer was asking for a variance and there was nothing that constituted a variance being granted.
- How some of the businesses approved without parking.
- Proposed units should be larger and owner occupied.
- Code was confusing and contradictory.

Vice Chairperson Lyon read the following comment:

Mr. William Robinson – I live in a walkable community. I walked past the property to be developed thousands of times. I've been a bicycling commuter for years but I have a car. My wife also has one. At time we have had three cars. How the regulations have evolved to having half a parking space for a unit is insane and beyond any practical reality, even hoped for by the most fervent walkable advocate. Lincoln Street is entirely too narrow, it is phenomenally over used and any development would increase this pressure. Twenty three units would overwhelm capacity. If this City is hamstrung by regulations that make no sense and violate every concept of practicality and sensibility as well as violate every intent of planning then there is something wrong with the process or with the Commissions ability to resolve the problems. The simple answer is to half the size at least.

Vice Chairperson Lyon closed the Public Hearing.

Mr. Norris clarified that the one stall for parking was strictly for residential buildings and the half stall applied to building with both residential and commercial uses.

The Commission, Staff and Applicant discussed the following:

- If a development housed more residential than commercial use would it still qualify for the parking reduction.
 - The ordinance did not have a size qualifier for mixed use.
- The pedestrian friendly parking standards only applied to businesses.
- If a dinner discussion could be had to discuss the parking ordinance.
 - Yes and the Commission could initiate a petition to review parking requirements.
- Transportation reviewed and signed off on the proposal.
- The easements to the rear of neighboring properties
 - There was no legal easement and was not something the Commission could require.
- The square footage of the building.
- The impact on Lincoln Street versus the other surrounding streets.
- If a design with fewer housing units was considered.
 - No, just different configurations of the plan.
- If setbacks were included in the design.
 - Yes, within the rear yard setback.
- Why would Staff support the proposal if it was more than what the ordinance allowed.
 - The ordinance established a maximum footprint by right and clearly established a review process for things that were bigger. It did not prohibit bigger building and the proposal was not for a variance as suggested.
- If the current proposal was not approved would a smaller building be constructed.
- How the proposal fit with the current Master Plan.
- The standards for approval and if the proposal met those standards.

MOTION [7:10:06 PM](#)

Commissioner Guilkey stated based on the findings in the Staff Report, the testimony, plans presented and in light of the conflict with the Master Plan for this area, he moved that the Planning Commission deny the request for the 9+9 Mixed Use Conditional Building and Site Design Review, PLNPCM2014-00890, to allow a development with a first floor square footage in excess of 15,000 square feet and an overall maximum square footage of 20,000 square feet. Commission Fife seconded the motion.

Mr. Nielson asked for clarification on the motion. He stated the Commission needed to state the findings for denial as they were going against the Staff recommendation.

Commissioner Guilkey stated specifically items CLU-1.2 that the proposal would generate community wide parking issues.

The Commission and Staff discussed which standards the proposal did not meet.

Commissioner Guilkey clarified the motion stating that referring to the analysis of standards specifically standard L, that the development shall comply with the intent of the zoning district found within and therefore refers back to the CLU-1.2 and the Community Master Plan.

Mr. Nielson asked if the finding was that section 21A.59.060L of the ordinance was not met.

Commissioner Guilkey stated that was correct.

Commissioner Dean stated it was a great design but it could be modified to fit the neighborhood and be a great asset.

The Commission discussed if the proposal could be tabled to allow the proposal to be modified. They asked if the Applicant was willing to work with the neighborhood to modify the proposal.

The Commission and Applicant discussed the options for review to modify the proposal and make it more compatible with the neighborhood. The Applicant stated they felt they had complied with the standards and fit the area.

The Commission discussed if it would benefit the proposal to hold a subcommittee meeting to review the proposal to work through the compatibility issues.

Commissioner Dean, Guilkey, Fife, Drown, and Hoskins voted “aye”. Commissioners Gallegos and Taylor voted “nay”. The motion passed 5-2.

[7:23:55 PM](#)

The Commission took a short break.

[7:29:49 PM](#)

The Commission reconvened.

[7:29:53 PM](#)

[Atmosphere Studios Industrial Assembly Conditional Use at approximately 336 W 700 South and 650 S 300 West](#) – Atmosphere Studios, LLC is requesting approval from the City to place a new use in an existing warehouse building that includes approximately 16 percent of the building for industrial assembly use at the above listed address. Currently the land consists of a vacant warehouse and the property is zoned D-2 Downtown and CG General Commercial. The industrial assembly portion of the project must be reviewed as a conditional use. The subject property is within Council District 4, represented by Luke Garrott. (Staff contact: Everett Joyce at 801-535-7930 or everett.joyce@slcgov.com. Case number PLNCM2014-00875).

Mr. Everett Joyce, 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:

Ms. Katie Hansen, applicant, reviewed the nature of the business, how the building would be used and the purpose of moving the business downtown.

The Commission stated this was a great neighborhood and the business fit the area.

PUBLIC HEARING [7:35:51 PM](#)

Vice Chairperson Lyon opened the Public Hearing.

The following individual spoke in favor of the petition: Ms. Cindy Cromer.

The following comments were made:

- The petition fit with the area and the use.
- The Commission needed to find a way to address the easements to help make these areas more walkable and safer for all modes of transportation.
- Was there was a way for the city to incentivize relinquishing the easements to create better projects.

The Commission and Applicant discussed the following:

- Ways to address easements with incentives while balancing property rights.

MOTION [7:39:24 PM](#)

Commissioner Fife stated regarding petition PLNSUB2014-00875 Atmosphere Industrial Assembly Conditional Use, based on the findings in the Staff Report, public testimony and discussion by the Planning Commission, he moved that the Planning Commission approve PLNPCM2014-00875, Atmosphere Studios Industrial Assembly Conditional Use subject to complying with all applicable regulations. Due to the potential for detrimental impacts created by the proposal identified in the report, the Planning Commission applies the following conditions of approval to the project:

1. Obtain appropriate City approvals to accommodate the proposed loading dock and stairway on the west elevation (at middle of the parcel) that crosses the existing property line.
2. Provide evidence of crossover access easements or create easements between the three parcels front on 700 South Street.

Commissioner Drown seconded the motion. The motion passed unanimously.

[7:40:46 PM](#)

[Solar Panel Installations in Historic Districts](#) - Mayor Ralph Becker is requesting to revise the ordinance relating to the approval process for installation of solar panels in all H Historic Preservation Overlay Zones. The proposed change would allow staff to administratively approve applications unless the solar panels are proposed to be located on the front roof plane facing a street. The proposed changes would apply Citywide within all H Historic Preservation Overlay Zones. (Staff contact: Maryann Pickering at (801) 535-7660 or maryann.pickering@slcgov.com.) Case number PLNPCM2014-00883

Ms. Maryann Pickering, 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 forward a favorable recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- The process for reviewing the panels on different types of the roofs.
- The percentage of a roof allowed to be covered by fire code.

PUBLIC HEARING [7:44:23 PM](#)

Vice Chairperson Lyon opened the Public Hearing.

The following individual spoke in favor of the petition: Ms. Cindy Cromer

The following comments were made:

- A gap of thirty inches from the ridgeline was required per the fire code.
- The proposal would benefit everyone involved in reviewing solar panel petitions.

Vice Chairperson Lyon closed the Public Hearing.

The Commission and Staff discussed the following:

- The process of review for solar panel petitions.

MOTION [7:46:53 PM](#)

Commissioner Dean stated regarding petition PLNPCM2014-00883 Zoning Text Amendment for Historic Preservation Overlay, based on the findings in the Staff Report, testimony and Staff presentation, she moved that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed zoning ordinance text amendment related to review of small solar energy collection systems within all Historic Districts. Commissioner Gallegos seconded the motion.

Staff clarified that the proposal was for landmark sites also.

Commissioner Dean amended the motion to include landmark sites. The motion passed unanimously.

[7:48:07 PM](#)

[Pedestrian and Bicycle Master Plan](#) - Mayor Ralph Becker is proposing a major update to the City's existing Pedestrian and Bicycle Master Plan. The Pedestrian and Bicycle Master Plan is a citywide master plan that will guide the development and implementation of the City's pedestrian and bicycle infrastructure and programs. The Transportation Division will review the draft plan with the Planning Commission prior to a public hearing, which will be held at a future meeting. (Staff contact: Becca Roolf at (801) 535-6630 or becka.roolf@slcgov.com.)

Ms. Becca Roolf, Transportation Division, gave an overview of the plan and reviewed the changes made to the document. She stated they were asking that the Planning Commission forward a favorable recommendation to the City Council regarding the plan.

Ms. Robin Hutchinson, Transportation Director, reviewed the process the plan had gone through and stated they were still taking comments into consideration.

PUBLIC HEARING [7:49:25 PM](#)

Vice Chairperson Lyon opened the Public Hearing.

The following individuals spoke to the petition: Ms. Whitney Ward, Mr. Jason Hamula, Ms. Ekiucia Cardenas, Mr. Dan Fazziui, Ms. Cindy Cromer and Mr. Dave Iltis.

The following comments were made:

- The Bicycle Advisory Committee fully supported the proposal.
- Important to develop plans to promote other modes of transportation.
- The document was a plan not a specific blueprint and should not include specifics.
- Plan was supporting strategies to make the City better.

- Gave the city a beginning and a place to move forward.
- Plan needs to be more detailed and include an inventory of the city.
- Plan was a step in the right direction for the city.
- Plan needed to address bridge safety.
- A list of objective goals and a steering committee that followed the plan to make sure it was implemented.
- Measureable goals should be outlined to hold the plan accountable.
- Need to make sure safety was a key factor of the plan.
- The plan needed to address arterial streets and how bikes are incorporated into the street plans.
- Plan should be tabled to allow further review of how it linked to other cities.

Vice Chairperson Lyon read the following card:

Mr. Andy McKerrow- I support the Bicycle Master Plan. Salt Lake City will benefit hugely from well planned bicycle transportation infrastructure and programs. If we build it people will use it.

The Commission and Ms. Cardenas discussed the following:

- Which part of the blue print she felt was the best.
 - Ms. Cardenas stated the education and encouragement part are particularly interesting as they serve all people.

The Commission and Mr. Fazziui discussed the following:

- The changes that could be made to bridges in the city.

The Commission and Mr. Iltis discussed the following:

- The meaning of a contra flow lane.
 - Where bikes go one direction and cars go the other.

Vice Chairperson Lyon closed the Public Hearing.

The Commission and Transportation Staff discussed and stated the following:

- How the plan worked with other City plans relating to bridges and helping to accommodate bikes.
 - The Transportation Master Plan addresses all modes of transportation.
 - The Complete Street Policy stated they would accommodate all modes of transportation as much as they could. Such as the new design on 1300 South that would be put in place in March 2015.
- The proposal was a guiding document and all transportation policies and procedures would play into the implementation and function of this plan.
- Public comments regarding east/west connection and bridge safety have been incorporated in the complete streets chapter of the plan.
- Addressing recreational bicycling in the plan.

- It was listed as a goal in the plan however, recreational cycling and transportation cycling are very similar.
- This was a transportation focused plan as it was a modal plan under the transportation plan for the city.
- There was additional information about mountain biking available in the Open Space Plan.
- The bike data program and if accountability could be built into the plan.
 - Staff was working on gathering information, developing a program to outline what was happening and developing an evaluation procedure to look at the best possible interventions to reduce collisions on the street.
- The time frame for the data.
- The arterials are addressed in strengthening Complete Streets and other places in the plan.
- How to reach the different levels of bicycle friendly status.
- The next steps for the proposal and if the plan would continue to evolve.

MOTION [8:18:41 PM](#)

Commissioner Gallegos stated, based on the findings and analysis in the Staff Report and testimony provided, he moved that the Planning Commission forward a positive recommendation to the City Council regarding the Salt Lake City Bicycle and Pedestrian Master Plan. Commissioner Fife seconded the motion.

Commissioner Dean suggested amending the motion to include that they increase verbiage regarding the bike data collection programs and assessment review of actual performance.

Commissioner Gallegos stated he accepted the amendment. Commissioner Fife seconded the amendment.

The Commission discussed incentive programs employers could use to encourage more people to use alternative modes of transportation.

The motion passed unanimously.

The Commission discussed when to put the parking issues on the agenda for review. Staff stated March would be the soonest it could be put on the agenda.

The meeting adjourned at [8:23:31 PM](#).