

SALT LAKE CITY PLANNING COMMISSION MEETING
Room 126 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, February 25, 2015

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:34:21 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; Commissioners Michael Fife, Michael Gallegos, James Guilkey,Carolynn Hoskins and Marie Taylor. Vice Chair Matt Lyon, Commissioners Angela Dean and Emily Drown were excused.

Planning Staff members present at the meeting were: Nora Shepard, Planning Director; Cheri Coffey, Assistant Planning Director; Michaela Oktay, Planning Manager; Doug Dansie, Senior Planner; Molly Robinson, Urban Planner; David Gellner, Principal Planner; Tracy Tran, 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: Clark Ruttinger, Carolyn Hoskins, Michael Fife and James Guilkey. Staff members in attendance were Nora Shepard, Michaela Oktay, Tracy Tran, David Gellner and Doug Dansie.

The following site were visited

- **600 South Rezone**- Staff gave an overview of the proposal.
- **934 E 300 S** – Staff gave an overview of the landscaping.
- **Forest Dale Golf Course** - Staff gave an overview of the proposal.

APPROVAL OF THE MINUTES FROM THE FEBRUARY 11, 2015, MEETING [5:35:31 PM](#)
MOTION [5:35:38 PM](#)

Commissioner Fife moved to approve the February 11, 2015. Commissioner Guilkey seconded the motion. The motion passed unanimously.

REPORT OF THE CHAIR AND VICE CHAIR [5:36:57 PM](#)

Chairperson Ruttinger stated he had nothing to report.

REPORT OF THE DIRECTOR [5:36:59 PM](#)

Ms. Nora Shepard, Planning Director, stated Staff would like to hold a workshop on April 15 or April 29. She reported on the City Council’s decision to re-initiate a petition for the Northwest Quadrant Plan and reviewed how the process would move forward.

Ms. Michaela Oktay, Planning Manager, asked the Commissioners to let Staff know if they wanted to attend the Utah Heritage Conference on March 13th.

Mr. Paul Nielson, City Attorney, reported on the appeals for the 9 & 9 and Capitol Hill (10th Ave) projects. He stated the Appeal's Hearing Officer upheld the Planning Commission's decision regarding the Capitol Hill project and a hearing would be held for the 9 & 9 appeal in March.

The Commission and Mr. Nielson discussed the grounds for the appeals and the appeals process.

[5:42:16 PM](#)

[Rezone and Master Plan Amendment at approximately 563 & 567 East 600 South](#) -

Kristen Clifford, representing the property owner Ernesto Gutierrez, is requesting that the City amend the zoning map for the two subject properties and associated future land use map designation for the 563 E 600 S property. The 563 E 600 S property (.16 acres) is currently zoned RMF-35 (Moderate Density Multi-Family Residential) and the 567 E 600 S property (0.06 acres) is zoned CN (Neighborhood Commercial). The applicant is requesting that the City rezone the 563 E 600 S property from RMF-35 to MU (Mixed Use) and amend the associated future land use map from "Medium Density Residential" to "Medium Density Residential Mixed Use." The applicant is also requesting that the City rezone the 567 E 600 S property from CN to MU, Mixed Use. Both properties are located in the Central City Local Historic District and subject to the H Historic Preservation Overlay. The 563 E 600 S property is currently occupied by a historically contributing duplex and a parking lot. The 567 E 600 S property is currently occupied by a noncontributing commercial retail building. This type of project requires a Zoning Map and Master Plan Amendments. The subject property is within Council District 4, represented by Luke Garrott. (Staff contact: Tracy Tran at (801)535-7645 or tracy.tran@slcgov.com.) Case Numbers PLNPCM2014-00832 & PLNPCM2014-00833

- a. Zoning Map Amendment- The petitioner is requesting to amend the zoning map designation of the 563 E 600 S property from RMF-35 to MU and the 567 E 600 S property from CN to MU. The intent of the proposed rezone is to more fully utilize the entire properties for future development. Although the applicant has requested that the property be rezoned to the MU zone, consideration may be given to rezoning the property to another zoning district with similar characteristics. (Case number PLNPCM2014-00832)**
- b. Master Plan Amendment - The associated future land use map in the Central Community Master Plan currently designates the 563 E 600 S property for "Medium Density Residential;" The 567 E 600 S property is currently designated for "Medium Density Residential Mixed Use." The petitioner is requesting to amend the future land use map so that the 563 E 600 S property is designated as "Medium Density Residential Mixed Use." (Case number PLNPCM2014-00833)**

Ms. Tracy Tran, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). She stated recommend that the Planning Commission forward a favorable recommendation to the City Council for the petition.

The Commission and Staff discussed the following:

- The Public comments regarding the Landmark Commission reviewing MU zoning for the subject areas.
 - Staff stated because of the overlay the Historic Landmark Commission would review any development in the area.
- If it was common to have an MU in a historic overlay area.
 - Staff stated most of the areas zoned MU are in Capitol Hill, West Capitol Hill and 300 West. The zoning district was tailored for this area and its development. Staff stated these areas are local and national districts.
 - Staff explained that the Historic Landmark Commission did not review land use and there were many types of zoning in historic districts.
- If the Historic Landmark Commission could restrict height of a structure even if the zoning allowed for something taller to be constructed.
 - Staff stated the Historic Landmark Commission had the ability to reduce the height of a new structure based on the standards of the Historic Overlay.
- If the proposal should have been reviewed by the Historic Landmark Commission prior to coming to the Planning Commission. It would have to go after the Planning Commission.
- The average height for the surrounding buildings should be part of the development analysis.
- The potential motions and what the Commission was approving.

Mr. Kristen Clifford, Project Planner, reviewed the petition, the history of the property and the purpose of the proposal. She stated the parking and setbacks would dictate the structure that allowed on the lot. Ms. Clifford reviewed the different zoning and how it would affect the proposal. She stated they preferred the proposed RMU-35 changes and understood they would have to wait for the City Council to review/approve the zoning but they would have to wait anyway for the City Council to review their request so time was not an issue.

The Commission and Applicant discussed the following:

- The parking for the duplex and where it was located.

PUBLIC HEARING [5:57:06 PM](#)

Chairperson Ruttinger opened the Public Hearing.

Mr. Warren Lloyd stated he opposed the rezoning of the property to mixed use. He stated the Central City Historic District was one of the most threatened in the city and combining the lots into a CN zone would be more appropriate. Mr. Lloyd stated to rezone the parcels to a MU zone placed a lot of pressure on the Historic Landmark Commission in regulating

something that was over scaled. He stated Staff should have provided a block face average for the property because it would show that the proposed height limit would not fit the area. Mr. Lloyd asked the Commission to table the petition until the density of the block face and the impact of the zoning was reviewed. He stated as a former Landmark Commission member he knew that one of the biggest challenges had been zoning miss match with design guidelines and this petition would be creating that.

Chairperson Ruttinger closed the Public Hearing.

6:00:08 PM

The Commission, Staff and Applicant discussed the following:

- If the Commission could forward a recommendation for an RMU-35 even though it did not exist.
 - Staff stated the Commission could forward a recommendation for RMU-35 and noticing was done to support the recommendation.
- If MU zoning was not right for the area due to the height allowed, it should not even be a consideration.
- What uses were allowed in RMU-35 zoning versus CN zoning.
 - Staff stated density, setbacks, and uses would be different.
- Was the proposed use an allowed use in the MU. It was but the plans for the site likely need a planned development and Historic Landmark Commission review.
- Staff stated the issues was that under the current RMU-35 and 45 there were density limits and the proposal (on its way to the City Council) removed those density limits allowing for more flexibility. The MU was proposed because it currently allowed for the desired flexibility and density needed by the applicant.
- By the time the proposal was project ready they would likely be under the new RMU-35 standards.
 - Staff stated the RMU - 35/45 proposal was moving ahead of this proposal for City Council approval therefore, the new zoning would be likely in place prior to the subject proposals review.
- What would happen if the City Council did not approve the RMU-35/45.
 - Staff stated that if the Planning Commission recommended RMU-35 versus the MU, the subject proposal would come back to the Planning Commission if the qualifying provisions for density were not taken out as proposed.
 - It was suspected that if the Commission recommended MU the City Council would require a development agreement to address the concerns of height. It may be easier to recommend the RMU-35 contingent on the Council passing the new regulations in that zone.
 - The City Council initiated the RMU-35/45 petition so the likeliness of it getting approved was greater.

MOTION 6:04:16 PM

Commissioner Guilkey stated regarding PLNPCM2014-00832/00833 563 & 567 East 600 South Master Plan and Zoning Map Amendment, based on the findings listed in

the Staff Report and the testimony and plans presented, he moved that the Planning Commission transmit a positive recommendation that these parcels be rezoned to the RMU-35 zone pending the City Council's adoption of the proposed changes to that zoning district and the Master Plan. Commission Gallegos seconded the motion.

Chairperson Ruttinger asked if language needed to be included to address what would happen if the City Council did not approve the RMU-35 zoning.

Mr. Nielson stated if the City Council did not adopt the zoning then this petition could not move forward.

The motion passed unanimously.

6:06:34 PM

Forest Dale Golf Course Rezone and Master Plan Amendment at approximately 2425 South 900 East - James Rich, representing Salt Lake City Corporation, is requesting that the City amend the zoning map and associated future land use map for a portion of the Forest Dale Golf Course property located at 2425 South 900 East. The property parcel (61.1 acres) is currently zoned OS (Open Space). The applicant is requesting that a 0.86 acre portion be rezoned to PL-2 (Public Lands) in order to allow a new Sugar House Fire Station to be built on the property. The property is currently being used for salt storage by the City. This type of project requires a Zoning Map and Master Plan Amendment. The subject property is within Council District 7, represented by Lisa Adams. (Staff contact: David J. Gellner at (801)535-6107 or david.gellner@slcgov.com.) Case Numbers PLNPCM2014-00881 & PLNPCM2014-00882

- a. **Zoning Map Amendment** - The petitioner is requesting to amend the zoning map designation of the subject property from OS to PL-2. The intent of the proposed rezone is to allow a new Sugar House Fire Station to be built. A separate Conditional Use permit approval would be required at a later time to allow for a fire station. That application is pending and will be heard separately at a future meeting of the Planning Commission. (Case number PLNPCM2014-00881)
- b. **Master Plan Amendment** - The associated future land use map in the Sugar House Master Plan currently designates the property as "Parks & Open Space." The petitioner is requesting to amend the future land use map so that the subject property is designated as "Institutional and Public Lands" (Case number PLNPCM2014-00882)

Mr. David Gellner, 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 forward a positive recommendation to the City Council for the petition.

The Commission and Staff discussed the following:

- If this Open Space designation was removed and the firehouse was not built what would happen.
 - The City was committed to constructing a fire station at this location.
 - If the Fire station was not built it would be used for another public/government use.

PUBLIC HEARING [6:11:56 PM](#)

Chairperson Ruttinger opened the Public Hearing.

Ms. Judy Short, Sugar House Community Council, discussed the public outreach for the proposal, the decibel level of the sirens and the options for mitigation of noise. She stated the location was a great place for the station and issues would be addressed as the design went through the approval process. Ms. Short stated there had not been a large number of people that came to the meetings or raised concerns. She stated the Community Council supported the petition.

The following individuals spoke to the petition: Mr. Taylor Hudson, Ms. Amy Barry and Ms. Linda Thomas.

The following comments were made:

- Proposed fire station was too close to residential uses.
- Siren would be pointed directly at the homes across the street at all times of the day.
- Law stated the sirens had to be on if the fire engine lights were in use.
- Equipment checks are being done at shift changes and would create noise issues for the neighbors.
- Proposal would impact the surrounding property values.
- Parcel was a blight and should be developed.
- The rezone was a non issue for the community because it was not used as open space and therefore, would not be a change the value to the community.
- It was important to look at the location of the station and there were no emergency services in the area.
- Fire Stations had to meet federal regulations on response time and this station would assist in that.

Chairperson Ruttinger closed the Public Hearing.

[6:24:05 PM](#)

The Commission and Staff discussed the following:

- The distance between the proposed station versus other stations in the city relating to residences.
 - It was not uncommon to have a station embedded in a neighborhood.
- The proximity of the residents in regards to the proposed location.

- If the current station had to be moved prior to the S Line being installed.
- If the proposal would accommodate a ladder truck.
- The traffic flow for the property.
 - The station was not yet designed and Transportation would review all traffic patterns prior to approval.
- That the issue of Property values affected by zoning cannot be discussed by the Planning Commission.
- The financial benefit to the surrounding neighbors, regarding insurance, if the fire station was constructed in that location.
- The next steps for the proposal.
- The law for using the fire department lights and sirens.
- The neighbor response for the proposal.

MOTION [6:32:24 PM](#)

Commissioner Fife stated regarding petition PLNPCM2014-00882 Sugar House Fire Station Master Plan and PLNPCM2014-00881 Zoning Map Amendment, based on the analysis and findings in the Staff Report and the information heard, he moved that the Planning Commission forward a positive recommendation to the City Council. Commissioner Guilkey seconded the motion.

Commissioner Taylor asked because this benefited a larger number of people was it then okay to dismiss the neighbors other concerns.

Mr. Nielson stated that was not a relevant consideration as the Commission was determining if the proposal met the standards for approval.

Commissioners Hoskins, Guilkey, Fife and Gallegos voted “aye”. Commissioner Taylor voted “nay”. The motion passed 4-1.

[6:34:20 PM](#)

Ms. Shepard reviewed activities over the past couple weeks and the new city programs that played a part in the Downtown Master plan. She stated Staff was asking the Commission to review the draft plan, continue the Public Hearing and table the issue for further review.

The Commission and Staff discussed if there was a goal date for the final decision.

[Downtown & Gateway Master Plan Update](#) - Planning Staff is recommending changes to the Draft Downtown Community Plan that the Planning Commission recommended for adoption on August 27, 2014. Mayor Ralph Becker is proposing an extensive update to the Downtown Master Plan for property located within or near the boundaries of North Temple, 200 East, 1000 South, and Interstate 15. The proposed Downtown Master Plan will replace the existing Downtown Master Plan, Gateway District land Use and Development Master Plan and the Gateway Specific

Master Plan. The Planning Commission is required to make a recommendation to the City Council. The City Council will make a decision to adopt, adopt with changes or not adopt the proposed master plan. A copy of the proposed Downtown Master Plan can be found on the project website project website. A printed copy can be provided by contacting the staff indicated below. The subject property is within Council Districts 3, 4, and 5, represented by Stan Penfold, Luke Garrott, and Erin Mendenhall. (Staff contact: Molly Robinson at (801)535-7261 or molly.robinson@slcgov.com.) Case number PLNPCM2013-00768

Ms. Molly Robinson, Urban Planner, reviewed the petition as presented in the Staff Report (located in the case file). She stated Staff was recommending that the Planning Commission table the petition for further review and comment.

The Commission and Staff discussed the following:

- How the plan addressed the need for development along major corridors.
- How the plan related to other plans for adjacent areas.
- Too much was taken out of the arts and culture section of the plan.
- Should change the language regarding downsizing the park.
- An active use park was needed downtown to draw people in and encourage people to be outside for the right purposes.
- Homeless plan and if the plan addressed the Mayor's new proposals.
- If housing would be built in the downtown area.
- How bicycles would be incorporated into the plan.

PUBLIC HEARING[7:01:16 PM](#)

Chairperson Ruttinger opened the Public Hearing.

The following individuals spoke to the petition: Mr. Jason Mathis.

The following comments were made:

- Need one consistent set of goals and criteria for the downtown area.
- Made great progress and moving in the right direction.
- Need to coordinate with the RDA

The Commission and Mr. Mathis discussed the following:

- What it meant to extend the business improvement district.
 - Extending the maintenance programs passed 400 West.
 - Expanding the sports section of the plan such as encouraging additional sports teams to locate downtown and if the Energy Solutions Arena was ever replaced making sure it remained in the downtown area.
- The significant differences between the RDA plan and the Downtown Plan.
- How to incorporate the RDA Board's comments into the current draft plan and encourage the Departments to work with each other to align the plans.

Chairperson Ruttinger stated the Public Hearing would remain open for the next meeting.

The Commission and Staff discussed and stated the following regarding changes to the document:

- Under “Is Prosperous” wording stating “develop programs to attract major business downtown” needed to be stronger such as stating “actively promote” to be a more proactive approach.
- The definition of parklets and what they were.
- How Downtown Historic districts may benefit the city as we want to continue to encourage development.
- Page 95 - change wording to “invite” people to walk instead of “compel” people to walk.

Staff asked the Commission to email any additional comments or suggestions to Ms. Robinson.

MOTION [7:16:25 PM](#)

Commissioner Gallegos motioned to table the petition to a future Planning Commission meeting and continue the Public Hearing. Commissioner Fife seconded the motion. The motion passed unanimously.

[7:16:50 PM](#)

Ms. Nora Shepard reviewed the suggested changes from the City Attorney’s Office and asked the Commission to discuss the substantive changes in the plan. She stated Staff would review the suggestions and if there were substantive changes to the document Staff would return to the Commission for review and approval.

The Commission and Staff discussed if the request was to table the petition or approve it.

Ms. Shepard stated it was up to the Commission on which direction to move however, a motion could be made forwarding a positive recommendation to the City Council with the understanding that the final ordinance would not look like the packet information. She stated this was not unusual as Staff generally updates documents before they are sent to the City Council.

[Park Strip Landscaping](#) - The Salt Lake City Council is requesting the City amend the waterwise/park strip landscaping related ordinances in Title 21A-the Salt Lake City Zoning Ordinance. The proposal specifically lists review of the allowable limit to plant height, assurance that water is being adequately provided to street trees in the park strip and to consider possible educational outreach. The proposed changes would apply city wide. (Staff contact: Doug Dansie at (801)535-6182 or doug.dansie@slcgov.com.) Case number PLNPCM2014-00194.

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 forward a favorable recommendation to the City Council regarding the petition.

The Commissioners and Staff discussed and stated the following:

- The prohibited plants and trees.
- If the height of structures and plants in park strips would be required in all districts and on all streets in the City.
 - Staff stated it was for all park strips however, there were exceptions such as on Main Street and to allow outdoor dining through a special exception process.
- The definition of a park strip, that it is public right of way.
- The plants that are allowed and appropriate in park strips.
- Who would enforce the size of the plants.
- Why artificial grass would be prohibited in the park strips.
- The size of rock that is allowed in the park strip.
- Clarifying the information regarding concrete use.
- The basis for the suggested plant height. To allow for waterwise native plants and to ensure visibility and safety.

PUBLIC HEARING [7:49:08 PM](#)

Chairperson Ruttinger opened the Public Hearing, seeing no one in the audience wished to speak for or against the petition; Chairperson Ruttinger closed the Public Hearing.

MOTION [7:49:22 PM](#)

Commissioner Fife motioned to table the petition to a future meeting.

The Commission and Staff discussed if they should table or approve the petition as presented with the idea that staff and the attorney's office work to polish the language. The Commission asked for a final draft to be forwarded to them later.

Commissioner Fife withdrew his motion to continue.

MOTION [7:51:36 PM](#)

Commissioner Gallegos stated regarding PLNPCM2014-00194 Park Strip/Water Wise, based on the analysis and findings of the Staff Report, he moved that the Planning Commission forward a positive recommendation to the City Council regarding the proposed changes as illustrated in the document and direct Staff to put forth the final ordinance to the City Council. Commissioner Taylor seconded the motion.

Mr. Nielson asked if the motion included the changes from the City Attorney's Office.

Commissioner Gallegos amended the motion to state with regard to what had been presented and that the Planning Director works with the Attorney on any pertinent changes to the proposed ordinance.

Commissioner Taylor seconded the amendment.

The motion passed unanimously.

The meeting adjourned at [7:53:24 PM](#)