

SALT LAKE CITY PLANNING COMMISSION MEETING
Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, January 13, 2016

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:32:08 PM](#). Audio recordings of the Planning Commission meetings are retained for an indefinite period of time.

Present for the Planning Commission meeting were: Vice Chairperson Andres Paredes; Commissioners Maurine Bachman, Jamie Bowen, Emily Drown, Michael Fife, Michael Gallegos,Carolynn Hoskins, Matt Lyon and Clark Ruttinger. Commissioner Angela Dean was excused.

Planning Staff members present at the meeting were: Nora Shepard, Planning Director; Nick Norris, Planning Manager; John Anderson, Senior Planner; Wayne Mills, Senior Planner; Casey Stewart, Senior Planner; Daniel Echeverria, 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: Michael Fife, Michael Gallegos, Andres Paredes and Clark Ruttinger. Staff members in attendance were Nick Norris, Wayne Mills, Casey Stewart, and Tracy Tran.

The following sites were visited:

- **720 East Ashton Ave (2335 South)** – Staff gave an overview of the proposal.
 - The Commission asked the following questions:
 - ♣ What is the nature of the occupants
 - Mental health patients
 - ♣ Do people stay in the home.
 - Yes
 - ♣ How many residents
 - Fifteen
- **2570 Wilshire Circle and 2564 S Wilshire Circle** – Staff gave an overview of the proposal.
 - The Commission asked the following questions:
 - ♣ When was the home built
 - ♣ Is the current fence on the property line
- **1700 East Street Closure**– Staff gave an overview of the proposal.

APPROVAL OF THE DECEMBER 9, 2015, MEETING MINUTES. [5:32:21 PM](#)
MOTION [5:32:35 PM](#)

Commissioner Ruttinger moved to approve the December 9, 2015, meeting minutes. Commissioner Drown seconded the motion. The motion passed unanimously. Commissioner Fife, Gallegos, Lyon, Bowen and Bachman abstained as she was not present at the subject meeting.

Vice Chairperson Paredes welcomed new Commissioner Maurine Bachman.

He thanked former Commissioner James Guilkey for his service on the Commission and presented him with a thank you gift from the Commission and Planning Staff.

REPORT OF THE CHAIR AND VICE CHAIR [5:35:50 PM](#)

Vice Chairperson Paredes stated he had nothing to report.

REPORT OF THE DIRECTOR [5:35:54 PM](#)

Ms. Nora Shepard, Planning Director, thanked James Guilkey for his time on the Commission and encouraged him to stay involved. She reviewed the changes in and meetings with the Mayor's Office. Ms. Shepard reviewed the schedule of items being reviewed by the City Council in the next few months.

[5:38:58 PM](#)

Salter Large Group Home Conditional Use at approximately 720 East Ashton Ave (2335 South) - A request by Johanna and Ryan Salter, for Conditional Use approval from the City to operate a large group home in the existing building at the above listed address. A group home is a dwelling where a group of people live and receive counseling, therapy or other specialized treatment or rehabilitation for disabled persons. This review is required because the proposed number of residents exceeds six. Currently the land is occupied by a historic building/landmark site (George Cannon home) being used for a bed and breakfast. The property is zoned RMF-35 (Residential Multi-family) and is within Council District #7, represented by Lisa Ramsey Adams. (Staff contact: Casey Stewart at (801)535-6260 or casey.stewart@slcgov.com.) Case number PLNPCM2015-00800.

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

The Commission and Staff discussed the following:

- If the Community Council had reviewed the proposal.
 - The petition was addressed by the Community Council and the letter was included in the Commission's information packet.
- The legal definition of a group home in the ordinance.

Mr. Ryan Salter, Discover Center, reviewed the use of the facility and treatments that would be offered.

The Commission and Applicant discussed the following:

- The average time the patients would be living in the center.
- The type of treatments the center would offer.
- The other centers operated by Mr. Salter.
- The onsite staff.
- If the patients were allowed to roam the neighborhood or were on lockdown.
 - Depended on the patient and the program that patient was participating in.
- The background of the people who would be staying in the center.
 - Would not be adjudicated individuals.
 - Would be mental health individuals.
- The age of patients in the facility.
 - Ages Eighteen to thirty.
- The number of patients that would be in the facility and if Staff would be living onsite.
 - Typically nine patients would be receiving treatment.
 - Staff would work shifts and not live in the facility.
- If there would be substance abuse patients.
 - Addiction patients would go to another program and not be located on this property.

PUBLIC HEARING [5:55:16 PM](#)

Vice Chairperson Paredes opened the Public Hearing.

Ms. Judy Short, Sugar House Community Council, stated the neighborhood was worried about the group home and the beautiful home being turned into a group home. Ms. Short stated Mr. Salter's organization was reputable and held to higher standards therefore, the Community Council was confident it would be a good use of the home. She asked the Commission to follow up with the group homes that were not licensed in the Sugar House area.

The Commission asked if the Community was in favor of the petition within the parameters of the proposal.

Ms. Short stated the Community Council was in favor of the facility but, the neighbors had concerns over the activities of the proposed facility and the other facilities in the area that were not licensed.

The following individuals spoke to the petition: Mr. George Chapman, Mr. Paul Atkinson, Mr. Mark Hullinger and Ms. Barbara Astorga.

The following comments were made:

- Against the project but the Commission was not in the position to turn it down.
- Neighbors were worried there would be issues with smoking at the facility.
- Putting people in a residential area where they would not have access to retail uses would be a problem for patients and residents.

- Other group homes within two blocks of the proposed facility.
- The proposed house was big enough to qualify as a large group home even if they did not have fifteen people in the home.
- The subject structure could be sold at any time and someone else could come in and use the facility to the maximum capacity.
- The building was historic and should not be made into a group home.
- Any changes should have to comply with the national historic regulations and standards.
- The area was the last historic neighborhood in the Salt Lake and the group home would deter from it.
- The Commission should have looked at the inside of the home not just the outside.
- The neighbors were told there would only be one person at the facility at night.
- There are other places this group home would work; this neighborhood was not the place for it.

Commissioner Hoskins left the meeting.

Chairperson Paredes closed the Public Hearing.

Mr. Salter stated they have not finalized the number of patients but the max should be around nine people. He stated the facility would be considered an asset to the community and would improve the home. Mr. Salter stated the home had fallen into disrepair and his business would preserve the structure. He stated they held themselves to a higher standard and there would be two staff members for every eight patients in the facility at all times. Mr. Salter stated they comply with the JCHO standards to ensure the highest quality of care. He stated the facility had to meet ADA standards and it was important for patients to be integrated with the neighborhood while healing.

The Commission, Applicant and Staff discussed the following:

- What would happen to the Conditional Use if the property were sold.
- The curfew for the residence.
- If the patients would need access to shopping and public transportation.
 - The first three months they are completely provided for but after that they are slowly integrated back into the public
- How tobacco and drug use was regulated.

The Commission and Staff discussed the following:

- What would happen to other group homes in the area if the proposal was approved.
 - The home causing the concern appeared to be a boarding house, Enforcement had been notified and was addressing the issue.
- Conditional uses had to be approved unless there was something that could not be mitigated.
- If a cap on the number of patients could be placed on the approval.
- Would changes be made to the home for ADA compliance.

- A fire escape may have to be added but would be determined by the building department.
- The City regulations for local Landmark Sites regulated the outside of the home; therefore, any changes would follow those regulations. The national registration was not regulatory in structure changes.
- The Planning Commission could not base their decision of historic aspects.

MOTION [6:27:55 PM](#)

Commissioner Ruttinger stated regarding, PLNPCM2015-00800 Salter Large Group Home Conditional Use, based on the findings and information listed in the Staff Report and the testimony and plans presented, he moved that the Planning Commission approve the requested Salter large group home conditional use petition PLNPCM2015-00800 subject to the conditions listed in the Staff Report. Commissioner Bowen seconded the motion. Commissioners Bachman, Bowen, Fife, Lyon, Drown and Ruttinger voted “aye”. Commissioner Gallegos voted “nay”. The motioned passed 6-1.

[6:29:13 PM](#)

SLC Airport Hotel Planned Development and Preliminary Subdivision at approximately 192 N Jimmy Doolittle Drive - A request by Judd Lawrence, representing the property owner SLC Airport Hotel, for approval for a hotel development located at the above listed address. The developer is requesting to modify zoning requirements related to perimeter parking lot landscaping, freeway landscaping, and signage. Currently the land is vacant and the property is zoned M-1, Light Industrial. This type of project must be reviewed as a Planned Development and Preliminary Subdivision. The subject property is located within Council District 1, represented by James Rogers. (Staff contact: Daniel Echeverria at (801)535-7165 or daniel.echeverria@slcgov.com.) Case number PLNSUB2015-00926 & PLNSUB2015-00925

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

The Commission and Staff discussed the following:

- If the lots could be combined and the project follow a Planned Development process.
- If two buildings could be built on one lot.

Mr. Ron Witzel reviewed the issues with utilities for the lot. He reviewed the reasoning behind the request.

Mr. Shane Smoot reviewed the financing and franchising issues with developing the hotels. He stated if the request was not granted the road frontage would be an issue for the second hotel.

The Commission and Applicant discussed the following:

- The time frame for construction.
- The location of the property.

PUBLIC HEARING [6:41:54 PM](#)

Vice Chairperson Paredes opened the Public Hearing seeing no one wished to speak; Vice Chairperson Paredes closed the Public Hearing.

MOTION [6:42:37 PM](#)

Commissioner Ruttinger stated regarding PLNSUB2015-00925/00926 – SLC Airport Hotel Planned Development, Based on the information in the staff report, public testimony, and discussion by the Planning Commission, he moved that the Planning Commission approve petitions PLNPCM2015-00925 and PLNPCM2015-00926, regarding the SLC Airport Hotel Planned Development and Preliminary Subdivision requests, subject to the conditions listed in the Staff Report. Commissioner Gallegos seconded the motion. Commissioners Gallegos, Bachman, Bowen, Lyon, Drown and Ruttinger voted “aye”. Commissioner Fife voted “nay”. The motioned passed 6-1.

[6:44:00 PM](#)

Wilshire Over Height Walls at approximately 2570 Wilshire Circle and 2564 S Wilshire Circle - A request by two adjacent property owners for Special Exceptions to construct an 8' sound wall along the rear of the properties. The Applicants are requesting the additional wall height to reduce noise levels associated with the proximity to Interstate-80. The properties are located within Council District 7, represented by Lisa Adams. (Staff Contact: Tracy Tran at (801)535-7645 or tracy.tran@slcgov.com)

- a. 2570 Wilshire Circle: A request by Mitch Maio to construct an 8' sound wall at the rear of the property. Case number PLNPCM2015-00942**
- b. 2564 S Wilshire Circle: A request by Gary Keck to construct an 8' sound wall at the rear of the property. Case number: PLNPCM2015-00943**

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

The Commission and Staff discussed the following:

- The height of the walls surrounding the property.
- If the changes should be made to all of the properties or should be reviewed on a case by case basis.
- The evidence of the health and safety issues that made the fence height relevant.
- The elevation difference between the backyards and the freeway causing the properties to be higher than the freeway which should be a natural sound barrier.
- The basis of Staff's recommendation.
- The standards of review for a Special Exception that allow for additional fence height.

- The view was not a factor of approval.
- If the materials of the fence would make a difference in the noise level.
- If the higher fence made a difference on the noise.

Mr. Mitch Maio reviewed the decibel levels of the freeway traffic and the effect on the use of his backyard and the health of his family.

Mr. Gary Keck reviewed the handout for the decibel levels of the noise in the area. He stated the levels are in the dangerous ranges.

Mr. Maio stated the extra height was for safety and views were not a basis to deny the petition. He reviewed the different elevations of the properties, how the view of the proposed fence and the large trees in the neighbors yard that were helping to block the noise to that home.

The Commission and Applicants discussed the following:

- The materials proposed for the fences and how each would affect the sound from the freeway.
- How the decibel levels were measured.
- The increase in light pollution in the area.
- If there was a fence in the side yards.
- Other over height fences in the neighborhood.

The Commission and Staff discussed the following

- The elevation level of I-80 and I-215.
- Fence materials that would block the sound.
 - The issue in front of the Commission was for the extra two feet in fence not the fence materials.
- The path of sound waves and how the fences would help deflect the noise over the properties.
- The height of the UDOT sound walls.
- Why this part of I-80 did not have sound walls.
- If it would be better to change the ordinance to allow everyone along the I-80 corridor to have an eight foot rear yard fence.

PUBLIC HEARING [7:17:14 PM](#)

Vice Chairperson Paredes opened the Public Hearing.

Ms. Tacy Hartman stated she was not aware of the request until the notice for the Planning Commission meeting arrived at her home. She stated her family purchased the home for the view, she would like to see the proposed materials for the fence, all of the views from her backyard would be blocked by the proposed fence in Mr. Keck's yard and the extra two feet in height would only lessen the sound by two decibels. Ms. Hartman read the section of the ordinance regarding fences and negative impacts. She stated there would be

negative impacts to her property if the fence was installed and the neighbors knew the freeway was there when they purchased their homes.

Mr. Eric Hartman stated the bottom line was an eight foot fence would only decrease the sound by two decibels. He stated the noise would still be there because of the freeway regardless of the fence height and would only impact his view from his home. Mr. Hartman stated there was no reason to have an eight foot fence on Mr. Keck's property.

The Commission asked Mr. Hartman if the former trees in Mr. Maio's back yard were an issue.

Ms. Hartman stated the issue was in Mr. Keck's back yard not the Maio's

Chairperson Paredes closed the Public Hearing.

Mr. Maio apologized to the Hartman's for not talking to them before the meeting. He stated he understood the emotion of the issue but it was his property and if he could lessen the noise by two decibels that was what he wanted to do.

Mr. Keck clarified the statement of the two decibels and how the increased height would help quite the noise from the freeway.

The Commission and Applicants discussed the following:

- If the light pollution on Mr. Keck's property would be blocked with the increase in height.

The Commission discussed the following:

- If the Commission could take the uncertified decibel level readings into consideration.
 - Land Use Code does not require scientific evidence, it refers to credible evidence therefore; the Commission needed to determine if the evidence from the Applicant was credible.
- The effects of the trees, in the Hartman's back yard, and the trees, that Mr. Maio removed, had on the sound and light pollution in the area.
- The grounds for approval or denial of the petition.

The Commission made the following comments:

- The property owners could build a six foot fence regardless of the material being used, so the issue was the two extra feet not the materials.
- A six foot fence made of solid materials would be sufficient to block the noise.
- One could not judge the effects of the fence without visiting the property.

MOTION [7:39:30 PM](#)

Commissioner Ruttinger stated regarding, PLNPCM2015-00942 and PLNPCM2015-00943 - 2570 S and 2564 S Wilshire Circle Over Height Walls, based on the

testimony, plans presented, and the following findings, he moved that the Planning Commission approve the special exceptions for additional fence height requested at 2570 S. Wilshire Circle and 2564 S Wilshire Circle, petitions PLNPCM2015-00942 and PLNPCM2015-00943. Commissioner Drown seconded the motion. Commissioners Bowmen, Bachman, Lyon, Drown, Fife and Ruttinger voted "aye". Commissioner Gallegos voted "nay". The motioned passed 6-1.

[7:41:00 PM](#)

700 West Alley Vacation at approximately 723 W Pacific Ave. - A request by, Jim Lewis representing FFKR Architects, for an alley vacation of two alleys located along the south and west property lines of the parcel at the above listed address. The Planning Commission is required to transmit a recommendation to the City Council for alley vacation requests. The adjacent properties are zoned CG, General Commercial. The subject property is located within Council District 4, represented by Derek Kitchen. (Staff contact: Daniel Echeverria at (801)535-7165 or daniel.echeverria@slcgov.com.) Case number PLNPCM2015-00935

Mr. Daniel Echeverria, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending the Planning Commission forward a favorable recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- What would happen to the alley if it were closed.

Mr. Jim Lewis, FFKR Architects, reviewed the history of the petition and why they were looking to close the alley way. He stated it has never been used as an alley and it would benefit the area to close it.

Mr. Scott Thorton, Thorton Investments LLC, stated they are using the subject property as a parking lot and they would continue to use it as such if the alley were closed.

Mr. Joe Sasich, Comb Enterprises, reviewed the location of his building in conjunction to the alley and stated it would benefit his company if the alley were vacated.

PUBLIC HEARING [7:48:45 PM](#)

Vice Chairperson Paredes opened the Public Hearing seeing no one wished to speak; Vice Chairperson Paredes closed the Public Hearing.

MOTION [7:49:11 PM](#)

Commissioner Fife stated regarding, PLNPCM2015-00935, 700 West Alley Vacation, based on the findings and analysis in the Staff Report, testimony, and discussion at the public hearing, he moved that the Planning Commission transmit a positive recommendation for the alley vacation to the City Council with the conditions listed in the Staff Report. The motioned passed unanimously.

[7:50:41 PM](#)

1700 East Street Closure in the Wasatch Hollow Open Space Area - A request by the Salt Lake City Division of Real Estate Services and the Parks and Public Lands Division to change the status of a piece of property located in the Wasatch Hollow Natural Open Space Area from a public street to a City-owned parcel. The property is an unimproved portion of 1700 East Street located between Emerson Avenue and Logan Avenue. This portion of 1700 East was dedicated as a public street in the old Salt Lake City survey plats, but was never constructed as a street due to its location within the Emigration Creek riparian corridor. The overall purpose of vacating the street is to incorporate the land into the Wasatch Hollow open space. The property is located within Council District 6, represented by Charlie Luke. (Staff contact: Wayne Mills at (801)535-7282 or wayne.mills@slcgov.com.) Case Number PLNPCM2015-00766

Mr. Wayne Mills, Senior Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending the Planning Commission forward a favorable recommendation to the City Council regarding the petition.

PUBLIC HEARING [7:52:45 PM](#)

Vice Chairperson Paredes opened the Public Hearing.

Vice Chairperson Paredes read comments from the following individuals:

- Ms. Anne Cannon in support of the petition (located in the case file)

Chairperson Paredes closed the Public Hearing.

MOTION [7:53:17 PM](#)

Commissioner Gallegos stated regarding, PLNPCM2015-00766, 1700 East Street Closure, between Emerson Avenue and Logan Avenue, based on the findings listed in the Staff Report, testimony and plans presented, he moved that the Planning Commission transmit a favorable recommendation to the City Council for the request to close 1700 East between approximately Emerson Avenue and Logan Avenue. Commissioner Fife seconded the motion. The motioned passed unanimously.

[7:54:33 PM](#)

Issues Only Briefing (A Public Hearing will be held at a later date)

Clift Infill Zoning Map Amendment and Planned Development at approximately 550 North 1500 West - A request by Mr. Dave Robinson, for approval from the City to develop a proposed 11 lot subdivision at the above listed address. The proposal includes 3 existing homes at 552 N. 1500 W., 1500 W. 500 N. and 1516 W. 500 N. The homes along 500 North are proposed to remain. The home on 1500 West is proposed to be demolished and the remainder of the property would be divided into 9 single family lots. This proposal would require a change in zoning to be developed. The subject property is located within Council District 1, represented by

James Rogers. (Staff contact: John Anderson at (801)535-7214 or john.anderson@slcgov.com.)

- a. Zoning Map Amendment- The applicant is requesting that the City amend the zoning map on three properties as described above. The requested change is from the R-1/7000 Single Family Residential District to the R-1/5000 Single Family Residential District. Case number PLNPCM2013-00057.**
- b. Planned Development - In order to build the above referenced project, the applicant is requesting Planned Development approval for relaxation of certain required zoning standards related to setbacks, lot size, lot width, lots without frontage on a public street, front façade controls and lot coverage. The proposed development has been designed using the R-1/5000 zoning standards. The applicant is requesting that the Planned Development is approved with a condition that the zoning on the property becomes an R-1/5000. Case PLNSUB2014-00856.**

Mr. John Anderson, Senior Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated this was an issues only hearing and a Public Hearing would be held at a later date.

The Commission and Staff discussed the following:

- The concern over the detached garages and why those homes were not as the others in the proposal.
 - The lot size and alley access to those homes.

Mr. Dave Robinson, applicant, stated the homes could not be developed under the current standards. He expressed his frustration in trying to develop properties such as the one in the proposal with the infill standards in the ordinance. Mr. Robinson reviewed other approved projects in the City similar to the subject proposal and the cost to develop the properties in the proposal.

Commissioner Fife left the meeting.

The Commission, Staff and Applicant discussed the following:

- What the Applicant was requesting from the Commission.
- The process for changing the zoning.
- The Commission's role in the process.
- The layout of the proposal.
- If the proposal worked for the area and the zoning that would be best for the property.
- The purpose of the Planned Development process.
- The location of the garages.
- Which homes were part of the proposal and which were staying.
- The location of the porches.
- The Compatibility of the homes to the surrounding neighborhood.
- The front that appeared to be the back of the homes.

- The window layout on the homes.
- The parking, setback and pedestrian use of the homes.
- Before the development of the property it would be better to acquire the additional parcels, allow for a more overall vision of the proposal and develop the property in a single phase.
- If there was another way to configure the lots to make the proposal feasible and affordable.
- Why nine homes were needed to make the lots affordable.
- The cost of construction.
- The major issues as to why the petition was not approvable.
 - Staff did not feel the proposal met the standards and objectives of a Planned Development.

[9:15:39 PM](#)

Chairperson Vote- The Commission will vote to elect a new Chairperson to serve in the position through September 2016.

Commissioner Gallegos nominated Commissioner Lyon to serve as Chair. Commissioner Ruttinger seconded the nomination.

Commissioner Paredes nominated Commissioner Drown to serve as Chair. Commissioner Bowen seconded the nomination.

Commissioner Lyon nominated Commissioner Ruttinger to serve as Chair. Commissioner Bowen seconded the nomination.

Commissioner Emily Drown was elected as Chair.

The meeting adjourned at [9:21:55 PM](#)