

SALT LAKE CITY PLANNING COMMISSION MEETING
Room 126 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, March 23, 2016

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:41:37 PM](#). Audio recordings of the Planning Commission meetings are retained for an indefinite period of time.

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

Planning Staff members present at the meeting were: Nora Shepard, Planning Director; Nick Norris, Planning Manager; Doug Dansie, Senior Planner; Michael Maloy, Senior Planner; David Gellner, Principal Planner; Christopher Lee, Principal Planner; Maryann Pickering, Principal Planner; Anthony Riederer, 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, Emily Drown, Michael Gallegos, Andres Paredes and Clark Ruttinger. Staff members in attendance were Nick Norris, David Gellner, Doug Dansie, Michael Maloy, Christopher Lee and Anthony Riederer.

The following sites were visited:

- **740 S 700 E** - Staff gave an overview of the proposal.
 - The Commission asked if the block building would be demolished. Staff stated yes.
 - The Commission asked if it would comply with parking. Staff stated yes.
 - The Commission asked how many people attend the building. Staff stated at the largest time it would be about 200 people.
- **1528 West North Temple** - Staff gave an overview of the proposal.
- **315 East 200 South** - Staff gave an overview of the proposal.
- **800 N 800 W** - Staff gave an overview of the proposal.
- **1932 N. 2200 West** - Staff gave an overview of the proposal.
- **211-251 N. Cornell Street** - Staff gave an overview of the proposal.
 - The Commission asked the difference between core and transition. Staff stated they would address this during the meeting and the primary difference was height.
 - The Commission asked would they have to bring the project back to the Commission for approval. Staff stated it depended on the design of the building.
- **1117 E South Temple Street** - Staff gave an overview of the proposal.

- **1724 E 2700 S** - Staff gave an overview of the proposal.
 - The Commission asked if the shed could be moved somewhere else on the property. Staff stated it exceeded the maximum square footage permitted on the site.

APPROVAL OF THE MARCH 9, 2016, MEETING MINUTES. [5:42:04 PM](#)
MOTION [5:42:12 PM](#)

Commissioner Fife moved to approve the March 9, 2016, meeting minutes. Commissioner Lyon seconded the motion. The motion passed unanimously.

REPORT OF THE CHAIR AND VICE CHAIR [5:42:30 PM](#)

Chairperson Emily Drown stated she had nothing to report.

Vice Chairperson Paredes reminded the Commissioners of the March 31, workshop regarding windows and encouraged everyone to attend.

REPORT OF THE DIRECTOR [5:43:00 PM](#)

Ms. Nora Shepard, Planning Director, stated she had nothing to report.

Mr. Norris stated the petition for McClelland Enclave was appealed.

The Commissioners discussed the issues with noticing multiple Community Councils and public notices. They discussed if the process could be changed to ensure Community Councils were given a chance to hold meetings for issues in their areas prior to the Planning Commission hearings.

Ms. Shepard stated Staff had been discussing the issue, reviewed the current Open House and notification process and how to make the notification process clear. She stated it was always best to over notify an item and Staff was looking on ways to train Community Councils on the process.

The Commission asked when the TSA briefing would be presented to the Commission.

Mr. Norris stated the goal was to have it on the next meeting agenda.

[5:51:50 PM](#)

Conditional Use for Masjid Al-Noor Mosque at approximately 740 S 700 E - Kimly Mangum, architect on behalf of the property owner, is requesting a Conditional Use Approval to construct a place of worship on lots less than 4 acres in size located at the above listed. The subject property is located in an RMF-35 (Moderate Density Residential Multi Family) zoning district and is located in Council District 4, represented by Derek Kitchen. (Staff contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com.) Case number PLNPCM2015-00968

Mr. Anthony Riederer, 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:

- The parking for the facility.

Mr. Kimly Mangum reviewed the project and need for the additional space.

The Commission, Staff and Applicant reviewed the following:

- The configuration of the offsite parking and if it would continue with the new plan.
- The number of people that use the facility.

PUBLIC HEARING [6:00:56 PM](#)

Chairperson Drown opened the Public Hearing.

The following individuals spoke to the petition: Mr. Dave Alderman, Mr. Abdul Arridi, Mr. Arle Motowala, Mr. Peter Corroon and Mr. Bryan Schellenberg.

The following comments were made:

- Would like to have a nice building for people to gather and pray.
- New building would help teach people about the Muslim culture.
- Needed more space to accommodate worshipers.
- In favor of the proposal.
- Parking was not an issue for the facility.
- Excited for the updates to the building.
- Thankful for the community support.
- Would bring a new architecture to the city.

Vice Chairperson Paredes read the following cards:

- Ms. Noor Hason- Thank you for providing board support and we appreciate being able to expand this so we can serve refugees better in Salt Lake City.

Chairperson Drown closed the Public Hearing.

MOTION [6:07:04 PM](#)

Commissioner Fife stated regarding, PLNPCM2015-00968, Conditional Use for Mosque, based on the analysis of the Staff Report and public comments, he moved that Planning Commission approve the requested Conditional Use application (PLNPCM2016-00968) with conditions one through three listed in the Staff Report. Commissioner Gallegos seconded the motion. The motion passed unanimously.

[6:08:43 PM](#)

Cornell Alley Vacation at approximately 1528 West North Temple - Power Station Investments, LLC, is requesting to vacate an alley adjacent to Cornell Street located at the above listed address. The alley runs north/south along the western edge of the property and east/west through the middle of the property. The alley does not provide access to any other property. The project is located in Council District One represented by James Rogers (Staff contact: Doug Dansie at (801)535-6182 or doug.dansie@slcgov.com) Case Number PLNPCM2015-00941

Mr. Doug Dansie, 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 positive recommendation to the City Council regarding the petition.

Mr. Blake Henderson, Power Station Investments, LLC, reviewed the project and the history of the alley.

PUBLIC HEARING [6:13:12 PM](#)

Chairperson Drown opened the Public Hearing, seeing no one wished to speak; Chairperson Drown closed the Public Hearing.

MOTION [6:13:30 PM](#)

Commissioner Lyon stated regarding, PLNPCM2015-00941 Cornell Alley Closure, based on the findings and analysis in the Staff Report and public comment, he moved that the Planning Commission transmit a favorable recommendation to the City Council to approve PLNPCM2015-00941, Cornell Alley Closure. Commissioner Bowen seconded the motion. The motion passed unanimously.

[6:14:27 PM](#)

Cornell Station Area Zoning Map Amendment, Alley Vacation and Street Closure for the properties located at approximately 211-251 N. Cornell Street - Peter Corroon, representing Little Diamond Housing, LLC is requesting that the City amend the zoning map for seven parcels, vacate the platted alleys, and, close a platted but non-existing segment of Stewart Avenue through the properties. These requests are part of a proposal to develop multi-family housing on the subject parcels. Currently the properties contain 2 single-family residences and the undeveloped street and alleys. The current zoning does not permit multi-family housing. The alleys and street would be incorporated into a new development and would be sold if the proposal is approved by the City Council. The property area, including the alleys and street encompasses approximately 1.57 acres (68,432 square feet) total. The project area is located within Council District 1, represented by James Rogers. (Staff contact: David J. Gellner at (801)535-6107 or david.gellner@slcgov.com.)

- a. Zoning Map Amendment - The petitioner is requesting to amend the zoning map designation of the property parcels, adjacent alleys and street segment from BP (Business Park) to the TSA-MUEC-C Zoning District

(Transit Station Area Mixed Use Employment Center Station Core). Although the applicant has requested that the properties be rezoned from BP to TSA-MUEC-C, consideration may be given to rezoning the properties to another zoning district with similar characteristics. Case number PLNPCM2015-00824

- b. Alley Vacation - The petitioner is requesting the City vacate and close the platted but undeveloped alleys located around the subject properties so the area can be incorporated into a proposed multi-family residential project as private property. The alleyways encompass approximately 11,500 square feet (0.26 acres) of property. Case number PLNPCM2015-01002**
- c. Stewart Avenue Street Closure - The petitioner is requesting the City close a platted segment of Stewart Avenue that exists on paper only. This undeveloped street segment is located just north of the property located at 211 N. Cornell Street. It runs from Cornell Street to the west for a distance of approximately 200 feet and contains approximately 11,500 square feet (0.26 acres) of public property which would be incorporated into a proposed multi-family residential project as private property. Case number PLNPCM2016-00079**

Mr. David Gellner, 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 positive recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- If the parcel were required to be combined.

Mr. Peter Corroon and Mr. McNedo, Little Diamond Housing stated they did not have anything to add to the presentation.

The Commission, Staff and Applicant reviewed the following:

- The reasoning behind the requested zoning.
- The Master Plan called out TSA Zoning for the area.

PUBLIC HEARING [6:26:16 PM](#)

Chairperson Drown opened the Public Hearing.

Ms. Joann Anderson, Jordan Meadows Community Council, stated the Staff Report miss labeled the title of the trailer park and there were two entrances to the All Seasons Mobile Home Park. She stated the Jordan Meadows and Fairpark Community Councils did not want the proposed zoning. Ms. Anderson stated the proposed zoning would allow for large buildings to be constructed in the backyard of the mobile homes. She reviewed the preferred zoning that was more compatible for the area. Ms. Anderson stated the issue was not with removing the alley but parking and the zoning

both of which would not fit with the area. She reviewed how other projects worked with the zoning and where the TSA Zoning was intended to be used.

The following individuals spoke to the petition: Mr. Walter Gunn, Ms. Cheyenne Nimes and Ms. Shawna Peck.

The following comments were made:

- The alley way needed to be maintained as a buffer zone from the development and a corridor to the Cornell Trax Station.
- Maintaining the alley would give sight lines to the wall around the mobile home park and help with crime.
- Height was not an issue if the buffer was there.
- The potential allowable height would be an issue for the surrounding properties.
- The additional people and traffic would be an issue for the area.
- Development should be a grocery store or some type of community based business not more housing.
- How would the development affect the schools in the area?

The Commission and Mr. Walter discussed the access points to Trax from the mobile home park.

Chairperson Drown closed the Public Hearing.

The Applicant reviewed the access to the mobile home park. They stated the current alley was a driveway for the existing home.

The Commission, Staff and Applicant discussed the following:

- The setbacks for the proposal and different zones.
- When the Master Plan was updated for the area.
- If the proposal would include mixed use.
- The possible use and design for the property.
- The parking for the proposal.
- The streets affected by the proposal.

The Commission discussed the following:

- Concerns from the public about multifamily housing and the fair housing act.
- Conducting an assessment of the area regarding fair housing.
- City needed to look at disbursement of affordable housing to ensure low income housing was not concentrated in one area.
- If the petitions should be considered separately or together.

MOTION [6:55:38 PM](#)

Commissioner Dean stated regarding, Alley Vacation PLNPCM2015-01002, based on the findings and analysis listed in the Staff Report and the testimony and plans presented, she moved that the Planning Commission forward a positive

recommendation to the City Council for the Alley Vacation PLNPCM2015-01002. Commissioner Bowen seconded the motion. The motion passed unanimously.

MOTION [6:56:43 PM](#)

Commissioner Dean stated regarding PLNPCM2015-00824 Amending Zoning from BP to TSA-MUEC-C, based on the findings and analysis listed in the Staff Report and the testimony and plans presented, she moved that the Planning Commission forward a positive recommendation to the City Council for a Zoning Map Amendment from the existing BP (Business Park) zoning district to the TSA-MUEC-T (Transit Station Area Mixed Use Employment Center Transition) zoning district. Commissioner Lyon seconded the motion. The motion passed unanimously.

MOTION [6:57:37 PM](#)

Commissioner Bowen stated regarding PLNPCM2016-00079, Street Closure, based on the findings and analysis listed in the Staff Report and the testimony and plans presented, he moved that the Planning Commission forward a positive recommendation to the City Council for the Street Closure. Commissioner Fife seconded the motion. The motion passed unanimously.

[6:58:55 PM](#)

Public Safety Building Land Transfer at approximately 315 East 200 South - Dan Rip, Salt Lake City Property Management, is requesting authorization for the conveyance of a significant parcel of real estate pursuant to City Code 2.58.040. The property is the former public safety building located the above listed address. The sale of the building is preceding though an RFP (Request for Proposal) process administered by Salt Lake City Real Property Management, who is in negotiation with a private developer to restore the historical building, built in 1958, and construct additional housing. The project is, located in Council District Four represented by Derek Kitchen (Staff contact: Doug Dansie at (801)535-6182 or doug.dansie@slcgov.com.) Case number PLNPCM2016-00066

Mr. Doug Dansie, 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 positive recommendation to the Mayor regarding the petition.

The Commission and Staff discussed the following:

- If the item needed to be heard by the Commission since they were not required to make a recommendation.
 - A Public Hearing was required for the petition.

Mr. Dan Rip and Mr. Todd Reider, Salt Lake City Property Management, reviewed the proposal for the building.

The Commission, Staff and Applicant reviewed the following:

- What the building was currently used for.

PUBLIC HEARING [7:04:35 PM](#)

Chairperson Drown opened the Public Hearing, seeing no one wished to speak; Chairperson Drown closed the Public Hearing.

MOTION [7:05:11 PM](#)

Commissioner Fife moved that the Public Hearing be closed. Commissioner Lyon seconded the motion. The motion passed unanimously.

[7:05:27 PM](#)

Adding Community Recreation Center as a Conditional Use in RMF-35 - The Good Samaritan Foundation is requesting to amend the Land Use Table to allow Community Recreation Centers as a Conditional Use in the RMF-35 (Residential Multi-Family, Medium Density) zoning district. The amendments will affect section 21A.33.020 of the zoning ordinance. Related provisions of Title 21A (Zoning) may also be amended as part of this petition. (Staff Contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com.) Case number PLNPCM2015-00775

Mr. Anthony Riederer, 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 positive recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- If the facilities under the proposed definition were publicly funded.
- If a new definition for the proposed use was needed.
- Who would be using the facilities and what types of uses would fall under the definition.
- Why the proposal was to add the use to only RMF 35 zoning.
 - Staff was reviewing other zones where the use could be allowed but did not want to hold up the petition.
- If the proposal was denied where would facilities such as these be allowed.

[7:17:05 PM](#)

The Commission took a short break.

[7:22:55 PM](#)

The Commission reconvened.

The Commission and Staff reviewed the following:

- If the item should be tabled since the application was not present.
- The approval process for the proposed facility and the Commissions role in that process.

PUBLIC HEARING [7:24:17 PM](#)

Chairperson Drown opened the Public Hearing, seeing no one wished to speak; Chairperson Drown closed the Public Hearing.

The Commission discussed the following:

- If the item should be tabled or moved forwarded.

MOTION [7:25:40 PM](#)

Commissioner Fife stated regarding, petition PLNPCM2015-00775, based on the analysis of the Staff Report and public hearing, he moved that the Planning Commission forward a positive recommendation to the City Council regarding petition PLNPCM2015-00775, text changes to amend section 21A.33.020 Table of Permitted and Conditional Uses for Residential Districts, to allow for Community Recreation Centers as a conditional use in the RMF-35 (Residential Multi-Family, Low Density) zoning district. Commissioner Dean seconded the motion. Commissioners Bowen, Gallegos, Dean, Fife, Lyon and Paredes voted “aye”. Commissioner Ruttinger voted “nay”. The motion passed 6-1.

[7:27:09 PM](#)

Street Closure at approximately 800 N 800 W - The Good Samaritan Foundation is requesting to close a section of street located at the above listed address to allow for the development of a new Rose Park Refugee and Immigration Neighborhood Center. The subject property is located in the RMF-35 (Residential Multi-Family, Medium Density) zoning district and is within Council District 3, represented by Stan Penfold. (Staff Contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com.) Case number PLNPCM2015-00462

Mr. Anthony Riederer, 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 positive recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- What happened to the property if the petition was approved and the Applicant decided not to buy the property.
- If the item should be tabled since the Applicant was not present at the meeting.
 - Applicant had been working with Real Property who could speak on their intent.

Mr. Dan Ripp, Salt Lake City Real Property Manager, reviewed the proposal, the recommendation given to the Applicant and the basis for the street closure.

The Commission, Mr. Ripp and Staff discussed the following:

- If the lots could be combined.

- Regardless of the Applicants intent the property could be developed by someone else.
- The petition was a cleanup issue for the neighborhood and not tied to the Applicant.
- If the parcel across the street could be added to the proposal.

PUBLIC HEARING

Chairperson Drown opened the Public Hearing, seeing no one wished to speak; Chairperson Drown closed the Public Hearing.

MOTION [7:37:16 PM](#)

Commissioner Ruttinger stated regarding, PLNPCM2015-00462, Eight North Street Closure, 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 800 West between the terminating cul-de-sac and the Right-of- Way associated with Interstate 15. Commissioner Bowen seconded the motion. Commissioners Ruttinger, Lyon, Fife, Dean, Gallegos and Bowen vote “aye”. Commissioner Paredes voted “nay”. The motion passed 6-1.

[7:38:15 PM](#)

Beck Rezone at approximately 1932 N. 2200 West - Jeff Beck is requesting approval from the City to rezone approximately 18.39 acres from AG-2 (Agricultural District) to BP (Business Park). Any owner of real property that is proposed to be rezoned may file a written objection to the inclusion of their property in the proposal within 10 days following the public hearing with the Planning Commission. All written objections will be forwarded to the City Council. The subject property is located within Council District 1, represented by James Rogers. (Staff contact: Maryann Pickering at (801)535-7660 or maryann.pickering@slcgov.com). Case number PLNPCM2016-00007

Ms. Maryann Pickering, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). She stated Staff was recommending the Planning Commission forward a positive recommendation to the City Council regarding the petition.

Mr. Jeff Beck, applicant, reviewed the proposal for the property and the intended use.

The Commission, Staff and Applicant reviewed the following:

- If the buildings were spec developments.

PUBLIC HEARING [7:42:01 PM](#)

Chairperson Drown opened the Public Hearing, seeing no one wished to speak; Chairperson Drown closed the Public Hearing.

The Commission, Staff and Applicant discussed the following:

- The notice to the property owners and the objection process.
- The proposal was compatible and fit the area.

MOTION [7:43:38 PM](#)

Commissioner Bowen stated regarding, PLNPCM2016-00007 Former Beck Rezone, based on the findings in the Staff Report, Planning Staff finds the factors for zoning map amendments supports the proposed zoning map amendment and therefore recommends the Planning Commission transmit a positive recommendation for PLNPCM2016-00007 to the City Council to adopt the proposed zoning map amendment. Commissioner Gallegos seconded the motion. The motion passed unanimously.

[7:44:25 PM](#)

Commissioner Bowen left for the evening.

[7:44:29 PM](#)

Master-Plan & Zoning Amendment at approximately 1117 E South Temple Street - Tariq Mughal is requesting to amend the Salt Lake City Master Plan and Zoning Map for property located at the above address. The purpose of the amendment is to facilitate construction of a new 14 unit apartment building. The property is zoned RMF-35 Moderate Density Multi-Family Residential District, and located within Council District 3, represented by Stan Penfold. (Staff contact: Michael Maloy, AICP, at (801)535-7118 or michael.maloy@slcgov.com.)

- a. **Master Plan Amendment - A request to amend the Future Land Use Map of the Avenues Community Master Plan from Medium-Density 8-20 Units per Gross Acre to High-Density over 20 Units per Gross Acre for property located at 1117 E South Temple Street. Case number PLNPCM2015-00887**
- b. **Zoning Map Amendment - A request to amend the Salt Lake City Zoning Map from RMF-35 Moderate Density Multi-Family Residential District to RMU-35 Residential/Mixed Use District for property located at 1117 E South Temple Street. Case number PLNPCM2015-00808**

Mr. Michael Maloy, 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 positive recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- If the setback amendment was to be included in the motion.
- Why the proposal was for a Rezone and not a Planned Development.
- The number of units allowed on the property.
- The parking for the property and how it would be reviewed.

Mr. Tariq Mughal, property owner, reviewed the project and proposal. He stated he would be living in the facility and the other units would be used to house exchange

students throughout the year. Mr. Mughal asked the Commission to forward a favorable recommendation to the City Council.

PUBLIC HEARING [8:07:25 PM](#)

Chairperson Drown opened the Public Hearing.

Mr. Dave Alderman, Greater Avenues Community Council, stated they had met with the Applicant to review the proposal. He stated the Community Council was concerned over potential commercial uses on the property however, the applicant agreed to a zoning restriction prohibiting commercial uses. Mr. Alderman stated parking was an issue and they would like to see final drawings/ plans for the proposal. He stated there was an elementary school to the east and the proposal would create an additional drive on the street and the Council would like to ensure all regulations were followed in regard to the driveway.

The following individuals spoke to the petition: Mr. Bob Kalm, Mr. Scott Anderson, Mr. Larry Foote, Ms. Sunny Sundstrum, Mr. Michael Marron and Mr. Tariq Lowsar.

The following comments were made:

- Stop light was a great addition to the neighborhood and sorely needed.
- Parking for the proposal would need to be adequate and not affect the surrounding area.
- Could the current zoning and Master Plan remain and allow the development.
- Would set a precedent for density increases in the area.
- Would like to see the density of five to six units with parking.
- There was a need for additional housing in the area.
- New building should fit with the character of the neighborhood.
- The proposal would improve the lot.
- Would be a great addition to the neighborhood.

Chairperson Drown read the following cards:

Mr. Josh Surprise – I love this area and was initially concerned but every issue was addressed. I am impressed; we need quality housing for families.

Chairperson Drown closed the Public Hearing.

The Commission, Staff and Applicant discussed the following:

- How long the applicant had owned the property.
- The number of proposed units in the structure.
- If the proposal was spot zoning.
- If the proposal opened the area up to commercial uses in the future.
- How to ensure commercial uses were not allowed on the property.
- The square footage of the lot.
- If restrictions could be put on the petition regarding commercial uses.
- If other zoning was more appropriate for the development.

The Applicant stated the property would be part of a trust and not allowed to be sold in the future. He stated he was more than happy to restrict the commercial uses on the property.

The Commission discussed the following:

- Like the proposal but there were conflicts with rezoning one parcel.
- If a recommendation could be made to enter into a Development Agreement.

MOTION [8:33:29 PM](#)

Commissioner Dean stated regarding, PLNPCM2015-00887 Master Plan Amendment and PLNPCM2015-00808, Zoning Map Amendments at 1117 E South Temple Street, based on the information contained in the Staff Report and comments received, she moved the Planning Commission forward a recommendation of approval to the City Council for the proposed master plan and zoning map amendments at 1117 E South Temple Street with a condition that there be a development agreement or deed restriction that limits any potential future commercial use maintaining it only as residential. Commissioner Gallegos seconded the motion.

The Commission and Staff discussed if the reason the Master Plan Amendment was needed was so there was not a spot zone. It was stated that the Master Plan and the zoning should match and the State Legislature had done away with actual spot zoning. The Commission asked Staff to include area zoning maps in the Staff Reports. They discussed the units per acre and if they would or would not support the Master Plan Amendment.

Staff explained why changing the Master Plan and zoning worked for the property and benefited the area.

The Commission and Staff discussed the land use table and the role of the Master Plan.

Commissioner Ruttinger, Paredes, Fife, Dean and Gallegos voted “aye”. Commissioner Lyon voted “nay”. The motion passed 5-1.

[8:44:38 PM](#)

Commissioner Fife left for the evening.

[8:45:30 PM](#)

The Commission took a short break

[8:47:00 PM](#)

The Commission reconvened.

[8:47:07 PM](#)

Appeal of Special Exception Decision at approximately 1724 E 2700 S - Amir Cornell, owner of the property located at the above listed address, has filed an Appeal of the Findings and Order issued for Special Exception PLNPCM2015-01034. The Special Exception was meant to resolve height, use, and design issues associated with an existing garage that was not built to approve plans. It was determined that the garage can remain if a permit is pulled and certain alterations are made. City ordinance allows up to 720 square feet of accessory structures on a property. The footprint of the shed and the garage exceeds 720 Square feet. The approved special exception required the removal of the smaller shed so that the total square footage of all accessory buildings on the property is 720 square feet or less. The appellant contends that he received approval from a City employee for both buildings although no records or approved plans support his claim. (Staff contact: Chris Lee at 801.535.7706 or chris.lee@slcgov.com.) Case number PLNPCM2015-01034

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

The Commission and Staff discussed the following:

- The time line for the construction of the shed and garage and what was originally approved to be built.
- The process for the appeal and the next steps for the petition.

Mr. Amir Cornell, property owner, reviewed statements from his neighbors, square footage of the garage and stated the shed existed before he purchased the property. He reviewed the trouble with the petition and the history of the property.

Mr. Danny Mathews stated the shed existed from the beginning but was hidden by shrubs.

The Commission, Staff and Applicant reviewed the following:

- The total square footage of building space allowable under the code.

PUBLIC HEARING [9:23:05 PM](#)

Chairperson Drown opened the Public Hearing.

Ms. Ruth Norton stated she had faced a similar situation and obtained permits up front. She stated the code was in place because of safety issues and to improve the property. Ms. Norton stated she felt everyone should comply with the code and requirements. She asked the Commission to help ensure the property was brought into compliance although the applicant showed a pattern of non-compliance.

The Commission and Ms. Norton discussed when her garage was constructed and where she lived in relation to the Applicant's property.

Chairperson Drown closed the Public Hearing.

The Applicant stated the property was in compliance and the only thing he did wrong was to put plumbing in the upstairs of the garage. He reviewed the compliant from his neighbor and the dormers on the structure.

The Commission, Staff and Applicant discussed the following:

- The Planning Commissions purview on the application and appeal.
- More communication was needed prior to the construction of the garage.
- The contents of the shed.

MOTION [9:33:09 PM](#)

Commissioner Gallegos stated regarding, Appeal of Findings and Order of Special Exception PLNPCM2015-01034, based on the findings and analysis in the Staff Report, testimony, and discussion at the public hearing, he moved that the Planning Commission deny the appeal of the Findings and Order issued for Special Exception PLNPCM2015-01034. Commissioner Ruttinger seconded the motion. The motion passed unanimously.

The meeting adjourned at [9:34:06 PM](#)