

**SALT LAKE CITY PLANNING COMMISSION MEETING**  
**Room 326 of the City & County Building**  
**451 South State Street, Salt Lake City, Utah**  
**Wednesday, January 27, 2016**

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:32:18 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 Maurine Bachman, Jamie Bowen, Angela Dean, Michael Fife,Carolynn Hoskins, Matt Lyon and Clark Ruttinger. Commissioner Michael Gallegos was excused.

Planning Staff members present at the meeting were: Cheri Coffey, Assistant Planning Director; Michaela Oktay, Planning Manager; Michael Maloy, Senior Planner; Lex Traughber, Senior Planner; Jonathan Goates, Principal 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: Michael Fife, Maurine Bachman, Carolynn Hoskins and Clark Ruttinger. Staff members in attendance were Michaela Oktay, Lex Traughber, Michael Maloy, Maryann Pickering, and Jonathan Goates.

The following sites were visited:

- **418 N. B Street, 253 and 257 E. 8th Avenue** – Staff gave an overview of the proposal.
- **326, 332, 338, 344 W Reed Ave and 775,765 S 300 W** – Staff gave an overview of the proposal.
- **535 N. Arctic Court** – Staff gave an overview of the proposal.
- **830 - 836 S. Jefferson Street, and 833 - 839 S. 200 West Street** – Staff gave an overview of the proposal.

**APPROVAL OF THE JANUARY 13, 2016, MEETING MINUTES. [5:32:31 PM](#)**

**MOTION [5:32:38 PM](#)**

**Commissioner Fife moved to approve the January 13, 2016, meeting minutes. Commissioner Gallegos seconded the motion. The motion passed unanimously. Commissioner Dean and Hoskins abstained as they were not present at the subject meeting.**

**REPORT OF THE CHAIR AND VICE CHAIR [5:33:08 PM](#)**

Chairperson Drown stated she had nothing to report.

Vice Chairperson Paredes stated he had nothing to report.

**REPORT OF THE DIRECTOR** [5:33:12 PM](#)

Ms. Cheri Coffey, Assistant Planning Director, stated the City Council would be reviewing the Northwest Quadrant and the Conditional Building and Site Design Review regulations on Tuesday, February 2. She discussed the issue with the Planning Commission vacancies and how Staff was working with the Mayor's Office to fill them.

The Commission and Staff discussed the Commissioners terms that would be expiring in the summer and that these positions were part of the request to the Mayor's Office.

**MOTION** [5:36:35 PM](#)

**Commissioner Gallegos motioned to have Staff present an update on the affects the TSA Zoning has had on the City and if it was time to make changes to the standards and processes. Commissioner Fife seconded the motion. The motion passed unanimously.**

[5:37:04 PM](#)

**Healing Homes Conditional Use at approximately 418 N. B Street, 253 and 257 E. 8th Avenue - Brian Junge, on behalf of Intermountain Healthcare, requests approval from the City to operate three eleemosynary or temporary living facilities for family of patients within existing residential buildings at the above listed addresses. The housing will be temporary in nature and will allow families to live together during cancer treatments. Currently the land is owned by Intermountain Healthcare and used as ancillary uses to hospital operations and the property is zoned SR-1A (Special Development Pattern Residential District). This type of project must be reviewed as a conditional use. The subject property is within Council District 3, represented by Stan Penfold. (Staff contact: Maryann Pickering at (801) 535-7660 or [maryann.pickering@slcgov.com](mailto:maryann.pickering@slcgov.com).) Case number PLNPCM2015-00693**

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 approve the petition as presented.

Mr. Brian Junge, applicant, stated he had nothing to add to the presentation.

**PUBLIC HEARING** [5:40:50 PM](#)

Chairperson Drown opened the Public Hearing.

Mr. Dave Alderman, Avenues Community Council, stated the Community Council reviewed the petition and their concerns were addressed therefore; they supported the petition as presented.

Chairperson Drown closed the Public Hearing.

**MOTION [5:43:34 PM](#)**

**Commissioner Gallegos stated regarding, PLNPCM2015-00693 Healing Homes Conditional Use, based on the information contained within the Staff Report and public testimony received, he moved that the Planning Commission approve Conditional Use petition PLNPCM2015-00693 for an eleemosynary facilities at approximately 418 B Street, 253 and 257 E. 8th Avenue, subject to the following condition**

- 1. A lot line adjustment shall be completed to combine the private right-of-way south of the 418 B Street property into one of the adjoining properties.**
- Commissioner Bowen seconded the motion. The motion passed unanimously.**

**[5:44:49 PM](#)**

**Marmalade Courtyards Planned Development at approximately 326, 332, 338, 344 W Reed Ave and 775,765 S 300 W - Neighbor Works Salt Lake is requesting a Planned Development and Subdivision approval to construct a residential planned development located at the above listed addresses respectively. The property is zoned MU (Mixed Use District) and located in City Council District 3 represented by Stan Penfold. (Staff contact: J.P. Goates at (801)535-7236 or [jp.goates@slcgov.com](mailto:jp.goates@slcgov.com))**

- a. Planned Development - The proposed development involves rehabilitating existing structures for seven housing units, and developing 23 new townhome units which includes: a reduced width private street, lots that do not front a public street, and reduced front yard setbacks for two of the townhomes proposed on Reed Ave. which is subject to Planned Development review and Planning Commission approval. Case number: PLNSUB2015-00218**
- b. Preliminary Subdivision - Preliminary subdivision request to create 28 buildable parcels, and one common parcel. Case number: PLNSUB2015-00219**

Commissioner Gallegos disclosed that he has a professional relationship with Neighbor Works and asked the Commissioners if there were any objections to him participating in the conversation and hearing for the petition.

There were no objections or concerns from the Commissioners.

Mr. Jonathan Goates, 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 lack of a statement from the Fire Inspector in the Staff Report.

Mr. Bernardo Flores-Sahagun, architect, reviewed the challenges with the site and the development.

Mr. Robert Lund, Neighbor Works Salt Lake, reviewed the subsidizing for the projects and the affordability of the units.

The Commission and Applicant discussed the following:

- What would be done with the existing structures.
- The proposed width of the road.
- The affordability of the units.
- If the units would be owner occupied or rented.

**PUBLIC HEARING [5:54:53 PM](#)**

Chairperson Drown opened the Public Hearing.

The following individuals spoke to the petition: Mr. Paul Christenson, Mr. Wade PeaBody, Mr. Dee Anesee, and Mr. Lon Durrant.

The following comments were made:

- Supported the petition and the project would be great for the block.
- Would benefit the area and improve it.
- Concerns over the drainage for the property.
- The public safety vehicle entrance and having a possible easement onto neighboring properties.
- What kind of landscaping would be used for the proposal.
- What the parking arrangements would be for the proposal.
- Would the project improve Reed Ave as part of the proposal.

Chairperson Drown closed the Public Hearing.

The Commission, Applicant and Staff reviewed the following:

- The parking for the proposal.
- The landscaping plan for the property.
- The upgrades to Reed Ave. and Green Street.
- The drainage for the property.
- The access to the neighboring properties for emergency vehicles and personal use.

**MOTION [6:02:57 PM](#)**

**Commissioner Fife stated regarding, PLNSUB2015-00218 Marmalade Courtyards Planned Development, based on the findings listed in the Staff Report, he moved the Planning Commission approve the Planned Development and Subdivision located at approximately 326 West Reed Ave and at 765 North 300 West, subject to the six conditions listed in the Staff Report. Commissioner Dean seconded the motion. The motion passed unanimously.**

[6:04:02 PM](#)

**Marmalade Townhomes Subdivision and Planned Development at approximately 535 N. Arctic Court -Everest Builders is requesting approval from the City to develop twelve (12) townhomes on the property located at the above listed address in the Capitol Hill Historic District. Historic Landmark Commission approved a Certificate of Appropriateness for this project on September 3, 2015. The project also requires subdivision and planned development approval. The Planning Commission has decision making authority in these matters. The site is zoned R-MU (Residential Mixed-Use), and is located in City Council District 3, represented by Stan Penfold. (Staff contact: Lex Traughber, (801)535-6184, or [lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com)). Case Numbers PLNSUB2015-00928 & PLNSUB2015-00929**

Mr. Lex Traughber, 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.

Mr. Eric Saxey, Everest Builders stated the design was the best use of the property and met the RDA request.

Mr. Ed Butterfield, RDA, reviewed the park in the neighborhood and the open space that would be around the subject development. He stated the RDA would bring an overall site layout to a future meeting.

The Commission and Applicant discussed the following:

- The courtyard at the east end of the library and if it would continue to the North.

**PUBLIC HEARING** [6:12:22 PM](#)

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

The Commission, Applicant and Staff discussed the following:

- The reason for the ten foot setback.
- If the development were not abutting residential zoning would the requested setback be required.
- Comments from the neighbors regarding access to their properties.

**MOTION** [6:14:37 PM](#)

**Commissioner Bowen stated regarding, PLNSUB2015-00928 & PLNSUB2015-00929 Marmalade Townhomes Subdivision and Planned Development, based on the analysis and findings listed in this staff report, testimony and the proposal presented, he moved that the Planning Commission approve the planned development and subdivision requests for new construction for the twelve (12) new townhomes located at approximately 535 N. Arctic Court, subject to the four**

conditions listed in the Staff Report. Commissioner Gallegos seconded the motion. The motion passed unanimously.

[6:15:51 PM](#)

**Jefferson Walkway Planned Development at approximately 830 - 836 S. Jefferson Street, and 833 - 839 S. 200 West Street** - Garth Hare, Benchmark Modern, in partnership with the Salt Lake City Redevelopment Agency, is requesting to construct a residential planned development located at the above listed address. The property is zoned FB-UN1 and FB-UN2 Form Based Urban Neighborhood District, and located within Council District 4, represented by Derek Kitchen. (Staff contact: Michael Maloy, AICP, at (801)535-7118 or [michael.maloy@slcgov.com](mailto:michael.maloy@slcgov.com))

- a. **Planned Development** - A planned development request to relocate an existing single-family dwelling, construct 6 new cottages, a detached dwelling unit, and a mid-block walkway for pedestrian circulation. Case number: PLNSUB2015-00801
- b. **Preliminary Subdivision Amendment** - A preliminary subdivision amendment request to create seven buildable parcels, and two common parcels. Case number: PLNSUB2015-00919

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 approve the petition as presented.

The Commission and Staff discussed the following:

- The view from the upper level of the proposal.
- Public access to the property
- The parking for the proposal.

Mr. Stewart Gray and Mr. Garth Hare, Benchmark Modern reviewed the proposal and the RDA requirements. They reviewed preservation of the existing historic home, the parking, layout and setbacks for the proposal.

The Commission and Applicant discussed the following:

- The walkways and landscape maintenance for the property.
- If covered parking was considered.
- The risk of moving the historic home.

**PUBLIC HEARING** [6:33:54 PM](#)

Chairperson Drown opened the Public Hearing.

The following individuals spoke to the petition: Mr. Matt Mataeus and Mr. Collin Strauser.

The following comments were made:

- Thanked Staff and the Applicant for involving the neighbors in the development process.
- Privacy for the neighbors was an issue and should be addressed.
- The window layout on the homes would affect the privacy of the neighbors.
- Support the proposal as it would benefit the neighborhood.
- The height of the fence/wall in the front yard should only be three feet.

Chairperson Drown closed the Public Hearing.

The Commission, Applicant and Staff discussed the following:

- The fencing for the project.
- The privacy factors for both the new homes and the neighbors.
- The public comments for the proposal listed in the Staff Report.
- If the applicant would be willing to provide landscaping on the neighbors property to help with privacy.
  - The applicant stated they would be willing to provide the needed landscaping.

Commissioner Dean commended the Developer on the proposal and how well it met the purpose and intent of the Planned Development process.

**MOTION [6:45:37 PM](#)**

**Commissioner Dean stated regarding PLNSUB2015-00801 and PLNSUB2015-00919 Jefferson Walkway Planned Development, based on information contained within the Staff Report, public testimony received, and discussion by the Planning Commission, she moved that the Planning Commission approve petitions PLNPCM2015-00801 and PLNPCM2015-00919 for the Jefferson Walkway Planned Development and Preliminary Subdivision Amendment, subject to the twelve conditions listed in the Staff Report. Commissioner Bowen seconded the motion. Commissioners Parades, Hoskins, Bachman, Bowen, Fife, Gallegos, Dean and Ruttinger voted “aye”. Commissioner Lyon voted “nay”. The motioned passed 8-1.**

**[6:47:13 PM](#)**

Commissioner Gallegos left for the evening.

**[6:47:15 PM](#)**

**Fine Tuning of Local Historic District Designation Process - Former Mayor Ralph Becker initiated a text amendment in 2015 to fine tune and clarify regulations regarding the designation of local historic districts in Salt Lake City. Changes proposed are intended to clarify language and to make the designation process more transparent. The proposed regulation changes will affect section 21A.34.020 of the zoning ordinance. Related provisions of Title 21A-Zoning may also be amended as part of this petition. The changes would apply citywide. Staff contact is**

**Lex Traughber at (801)535-6184 or [lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com) .) Case number PLNPCM2015-00149**

Mr. Lex Traughber, 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:

- The current process for proposing and initiating a district.
- Why fifteen percent was chosen initially and why people felt it was too low.
- The community outreach and process that would be followed to help educate people on the Local Historic District Designation process.
- The number of Local Historic District petitions received since the designation process began.
- The purpose of a Local Historic District and why it was a benefit for communities to become a Local Historic District.
- If getting the fifteen percent of signatures was an issue.
- The benefits of increasing the signature initiation percentage and getting the information out to the public.
- Staffs concerns over misinformation being given to the public.

The following comments were made:

- It should be easy to initiate a petition and requiring so many people to be involved up front could become an issue.

**PUBLIC HEARING [7:12:41 PM](#)**

Chairperson Drown opened the Public Hearing.

Ms. Lynn Pershing, Yalecrest Neighborhood Community Council, stated the Council largely supported the petition. She reviewed the number of signatures gathered on previous petitions and why the petitions failed. She stated having the City send out the information prior to the initiation of the petition would help with confusion and education. Ms. Pershing stated the process was onerous and the community could work with a requirement to obtain additional signatures. She reviewed the potential issues with getting signatures for rental properties, would be harder the more the petition initiation percentage was increased, and stated the process worked regardless how many signatures were gathered at the start of the process because the signatures were non-binding. Ms. Pershing reviewed the issues with the two year cooling off period, the demolitions/changes that could happen in a neighborhood within two year cooling off period could have a detrimental impact and asked the Commission to approve the petition as presented.

The Commission asked if the proposed ninety day signature gathering period limitation worked?

Ms. Pershing stated it worked and the overall signature process needed to be shorter.

Ms. Kelly Marinaran stated the process was hard and people felt that when others signed the initiation petition they were voting for it. She stated people wanted to be anonymous and the thirty percent was too high and reviewed the issues with rentals when initiating petitions.

Ms. Kathy Bealy asked why the process was being addressed prior to the Harvard Heights proposal on the agenda that evening. She was pleased with comments from the Commission and explained why the fifteen percent worked. She commended the Staff on the website and information available for Local Historic Districts. She stated those who are complaining were not aware of the facts of the proposal.

Chairperson Drown closed the Public Hearing.

The Commission and Staff discussed the following:

- If the current proposals were regulated by the current regulations or the new proposal. The current LHD applications fall under the regulations in place at this time, not affected by the proposed code changes.
- If the moratorium should be one or two years.
- How other Cities addressed process such as this and if they had been reviewed. Staff had looked at other cities across the country and the process are different across the board.
- The required signature percentage for the initiation process right now is 15%. What was an appropriate proposed number and why.

**MOTION [7:28:36 PM](#)**

**Commissioner Dean stated regarding, PLNPCM2015-00149 Fine Tuning of Local Historic District Designation Process, based on the analysis and findings listed in the Staff Report, testimony and the proposal presented, she moved that the Commission forward a positive recommendation to the City Council with the amendments as listed with the exception of modification to issue one that the application imitation threshold be twenty five (25%) percent of the property owners rather than fifteen. Commissioner Lyon seconded the motion. The motion passed unanimously.**

**[7:29:43 PM](#)**

**Yalecrest-Harvard Heights Local Historic District - A request to create a new local historic district known as Yalecrest-Harvard Heights. The proposed boundaries of the Yalecrest-Harvard Heights Local Historic District are generally along the north and south sides of Harvard Avenue from 1300 East to 1500 East except homes within the Yalecrest-Normandie Heights Local Historic District. 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 district is located in Council District 6, represented by Charlie Luke. (Staff contact: Michael Maloy at (801) 535-7118 or [michael.maloy@slcgov.com](mailto:michael.maloy@slcgov.com).) Case number PLNHLC2015-00032.**

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.

Ms. Amy Reed and Mr. Cory Reed reviewed the history of the area and the importance of preserving it. They reviewed the changes to the area in the short time they have lived there and asked the Commission to forward a favorable recommendation to the City Council regarding the petition.

**PUBLIC HEARING [7:38:43 PM](#)**

Chairperson Drown opened the Public Hearing.

Ms. Lynn Pershing, Yalecrest Neighborhood Council, stated Harvard Height reflected the best of the City. She reviewed the importance of the neighborhood and the need to protect it from disappearing.

Ms. Kelly Marinan reviewed why she supported the proposal and the importance of the area.

Chairperson Drown closed the Public Hearing.

The Commission and Staff discussed the following:

- The public comments in the Staff Report.
- The properties on Normandie Circle that were not part of the current proposal.
- The next steps for the proposal.

**MOTION [7:44:04 PM](#)**

**Commissioner Lyon stated regarding, PLNHLC2015-00032 Yalecrest-Harvard Heights Local Historic District, based on the findings listed in the Staff Report, testimony received, and information presented, he moved to forward a positive recommendation to the City Council to designate a new local historic district for Yalecrest- Harvard Heights located approximately on Harvard Avenue between 1300 East and 1500 East and described within Attachment B – Proposed District Boundary and Attachment C – Parcel Identification. Commissioner Bowen seconded the motion. The motion passed unanimously.**

**The meeting adjourned at [7:45:13 PM](#)**