

SALT LAKE CITY PLANNING COMMISSION MEETING
Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, March 9, 2016

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:31:48 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, Michael Fife, Michael Gallegos,Carolynn Hoskins, Matt Lyon and Clark Ruttinger. Chairperson Emily Drown and Commissioner Angela Dean and Jamie Bowen were excused.

Planning Staff members present at the meeting were: Cheri Coffey, Assistant Planning Director; Nick Norris, Planning Manager; Casey Stewart, Senior Planner; Lex Traughber, Senior Planner; Christopher Lee, 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, Andres Paredes and Clark Ruttinger. Staff members in attendance were Nick Norris, Lex Traughber, Casey Stewart, Christopher Lee and Maryann Pickering.

The following sites were visited:

- **546 S. McClelland Drive** - Staff gave an overview of the proposal.
 - The Commission asked if they could acquire more land for access. Staff stated the neighbor would not sell.
- **214 East 10th Ave** - Staff gave an overview of the proposal.
 - The Commission asked what the purpose for the request was. Staff stated it was to increase the yard area on the south side of the building.
- **Trolley Square** - Staff gave an overview of the proposal.
 - The Commission asked could they build to full height along Ely Place? Staff stated the zone allowed it, but all new construction would require review by the Historic Landmark Commission for scale and compatibility.
- **1964 S 900 E** - Staff gave an overview of the proposal.

APPROVAL OF THE FEBRUARY 24, 2016, MEETING MINUTES. [5:35:58 PM](#)

MOTION [5:36:06 PM](#)

Commissioner Ruttinger moved to approve the February 24, 2016, meeting minutes. Commissioner Hoskins seconded the motion. The motion passed unanimously. Commissioner Gallegos abstained from voting as he was not present at the subject meeting.

REPORT OF THE CHAIR AND VICE CHAIR [5:36:38 PM](#)

Vice Chairperson Paredes stated he had nothing to report.

REPORT OF THE DIRECTOR [5:36:45 PM](#)

Ms. Cheri Coffey, Assistant Planning Director, stated she had nothing to report.

McClelland Enclave at approximately 546 S. McClelland Drive – A request by Jacob Ballstaedt, Garbett Homes, for approval to develop a new six lot subdivision at the above listed address. Currently the land is used for residential purposes and is zoned SR-3 (Special Development Pattern Residential District). This type of project requires Subdivision and Planned Development review. The subject property is within Council District 4, represented by Derek Kitchen. (Staff contact: Maryann Pickering at (801)535-7660 or maryann.pickering@slcgov.com)

- a. **Preliminary Subdivision**-In order to build the project noted above, a preliminary subdivision is required to create six lots and a private street as part of the development. Case number PLNSUB-2015-00358.
- b. **Planned Development** -In order to build the project noted above, a Planned Development is required for the subdivision to have a private street and to reduce the setbacks for some of the proposed lots in the subdivision. Case number PLNSUB2015-00567.

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 deny the petition as presented.

Commissioner Lyon recused himself from the meeting.

Mr. Jacob Ballstaedt, Garbett Homes, reviewed the project, history and purpose of the proposal. He reviewed the traffic, access and waste program for the property.

The Commission, Staff and Applicant reviewed the following:

- If the eight homes included the two existing homes.
- If the existing homes would be part of the HOA.
- The access to the site for construction vehicles.

PUBLIC HEARING [5:55:32 PM](#)

Vice Chairperson Paredes opened the Public Hearing.

The following individuals spoke to the petition: Ms. Cindy Jones, Mr. Dave Jones, Mr. Craig Webb, Mr. Dean Mohr and Mr. Joseph Redd.

The following comments were made:

- Concerned over the egress and ingress of the lane.
- Parking was an issue and the proposal would make it worse.
- Current property owners use the subject area for parking.
- The proposal would help to improve the area.
- The proposal fit the area and should be allowed.
- A limited number of places existed in the city where this plan worked and this area was one of those.
- Something needed to be done to improve the property as it was not being maintained.
- In its current state, the area was a magnet for crime.
- Would like the property line measurements moved to reflect the current fence line.
- How would the sewer lines be configured for the proposal and current homes.
- Plan should be denied as no more than three homes should be allowed on the property.
- The car and pedestrian traffic in the area was all ready an issue.
- The use of the road would cause problems for the existing home owners.
- The road was too narrow for emergency vehicles.
- Builder had the right to develop the property and maximize the use of the property but not at the expense of the current residence.

Vice Chairperson Paredes closed the Public Hearing.

The Applicant stated the property line would be moved to match the existing fence line. He addressed the sewer line updates and how it would affect the neighborhood. The Applicant stated the development would improve the area under the zoning.

The Commission, Staff and Applicant discussed the following:

- If the proposal met the standards.
- The ownership of the private lane.
- The potential risk for the home owners without knowing who owned the lane.
- The easements to the properties.
- Waste removal program for the proposal.

The Commission discussed the following:

- The access to the property.
- The area was blighted and changes needed to be made.
- The development would add to the area.
- A couple extra housing units would not be a detriment to property access.
- Anyone trying to develop the area would have issues with the narrow drive.

MOTION [6:17:10 PM](#)

Commissioner Ruttinger stated regarding, PLNSUB2015-00358 McClelland Enclave at 546 S. McClelland Street Preliminary Subdivision and PLNSUB2015-00567 Planned Development, based on the Staff Report, testimony and proposal presented, he moved that the Planning Commission approve the planned development and subdivision request for the property located at approximately 546 S. McClelland Street. Commissioner Gallegos seconded the motion.

Mr. Norris stated the Staff Report identified that standards C and E were not met. He explained the motion should state the Commission's findings on how the standards were met.

The Commission and Staff discussed the standards of approval and the findings. They discussed the eight standards in the Staff Report, if the proposal met the standards and the findings needed in the motion.

Mr. Nielson disclosed that a member of the public approached him regarding giving a statement. He stated the Commission did call for additional comments during the Public Hearing, a motion was on the table and the Public Hearing had been closed.

Commissioner Ruttinger amended the motion to state based on the Commission's discussion, testimony, information from the applicant and public, the Commission did not feel that the waste collection would be overly impactful nor the increased traffic from the two additional units. The applicant was preserving the home that was in good condition and would be adding to the housing stock, and it fit within the existing requirements with conditions one through eight in the Staff Report. Commissioner Gallegos seconded the amendment. The motion passed unanimously.

[6:26:44 PM](#)

Commissioners Lyon returned to the meeting.

[6:26:47 PM](#)

Merrill Residence Planned Development & Height Special Exception at approximately 214 East 10th Ave - A request by David and Colleen Merrill for approval to reduce the front yard setback and increase the allowed height of a new single family residence at the above listed address. Currently the land is occupied by one single family dwelling, which would be demolished. This type of project must be reviewed as a Planned Development and Special Exception. The subject property is within Council District 3 represented by Stan Penfold. (Staff contact: Casey Stewart at (801)535-6260 or casey.stewart@slcgov.com.) Case numbers PLNSUB2015-00965 and PLNPCM2016-00004

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 deny the petition as presented.

The Commission and Staff discussed the following:

- The access to the structure from 10th Ave.
- If the rooms above the garage would be attached to the main structure.
- The setbacks for other properties in the area.

Mr. Alan Roberts, architect, reviewed the project and requests. He explained the issues with the grade of the lot and why the additional height was being requested. Mr. Roberts stated the neighbors supported the petition; the new structure would not impede on the views from the neighboring properties and would improve the area. He reviewed the setback request and the layout of the home on the lot.

Mr. David Merrill and Ms. Colleen Merrill, applicants, reviewed the project, history of the neighborhood and why they were asking for the exceptions. They stated the proposal fit the area and would be a benefit to the blighted property.

Mr. Scooll, architect, read the purpose statement of the zoning and how the proposal met the standards.

The Commission, Staff and Applicant reviewed the following:

- How the design would be changed if the setbacks were met.
- If there was something that prohibited moving the home to meet the setbacks.
- The seismic requirements for the proposal.

PUBLIC HEARING [6:53:48 PM](#)

Vice Chairperson Paredes opened the Public Hearing.

The following individuals spoke to the petition: Mr. Carl Hodges.

The following comments were made:

- Would not affect the view from the surrounding properties.
- Would improve the area.

Vice Chairperson Paredes closed the Public Hearing.

The Commission and Staff reviewed the following:

- The average size of homes in the area.
- The reason the Planned Development process was chosen.
- If other similar proposals had been completed in the past.

The Commission discussed the following:

- The Planned Development process was unusual for this type of proposal but the other options may take longer.
- If they would or would not support the approval of the petition.
- Zone should not be changed for one petition and one lot.

The Commission and Applicants discussed the following

- The reason for the garage placement.
- How moving the home back ten feet would affect the design and proposal.
- The plan for the trees on the property.

MOTION [7:06:21 PM](#)

Commissioner Gallegos stated regarding, PLNSUB2015-00965 Merrill Residence Planned Development, based on the findings listed in the Staff Report, testimony and plans presented, he moved that the Planning Commission approve the requested Merrill Residence Planned Development, based on the testimony regarding Standard A - the concerns were addressed. The proposal met the requirement for building materials, the stabilization of the construction and would be adding to the character of the area. The proposal was compatible with the surrounding structures and area. Commissioner Ruttinger seconded the motion. Commissioners Gallegos, Hoskins, Bachman and Ruttinger voted "aye". Commissioners Lyon and Fife voted "nay". The motion passed 4-2.

MOTION [7:10:27 PM](#)

Commissioner Gallegos stated regarding, PLNPCM2016-00004 Merrill Special Exception for Building Height, based on the findings listed in the Staff Report, testimony and plans presented, he moved that the Planning Commission approve the requested Merrill Residence Special Exception for height as there were varying building heights in the surrounding neighborhood, the proposed height was lower than the existing home, and the lot was not level therefore, it created some complexities with the height. Commissioner Ruttinger seconded the motion. Commissioners Gallegos, Hoskins, Bachman and Ruttinger voted "aye". Commissioners Lyon and Fife voted "nay". The motion passed 4-2.

[7:12:17 PM](#)

Commissioners Lyon recused himself from the meeting.

[7:12:21 PM](#)

Trolley Square Ventures Zoning Map Amendment - A request by Douglas White, representing the property owner Trolley Square Ventures, LLC, to amend the zoning map for the following seven properties: 644 E 600 S (Parcel #16-06-481-019), 603 S 600 E (Parcel #16-06-481-001), 652 E 600 S (Parcel #16-05-353-001), 658 E 600 S (Parcel #16-05-353-002), 664 E 600 S (Parcel #16-05-353-003), 628 S 700 E (Parcel #16-05-353-016), 665 E. Ely Place (Parcel #16-05-353-014). The subject parcels are currently zoned RMF-45 (Moderate/High Density Multi-Family Residential District),

RMF-30 (Low Density Multi-Family Residential District) and SR-3 (Special Development Pattern Residential District). The applicant is requesting that the properties be rezoned to FB-UN2 (Form Based Urban Neighborhood District) with the intent to redevelop the site in the future as a mixed-use (residential & commercial) development. The properties are located within City Council District 4 represented by Derek Kitchen. (Staff Contact: Lex Traugher, (801) 535-6184 & lex.traugher@slcgov.com) Case Number PLNPCM2015-00031

Mr. Lex Traugher, 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 as presented.

The Commission and Staff discussed the following:

- If the proposal would be reviewed by the Historic Landmark Commission and the process for review.
- The use of the FBUN 2 zone in a Historic District.
- If there would be conflicts with the H overlay and the proposed zoning.
- The Planning Commission's role in the process of approving items on the site.
- If the FBUN 2 could be used without being next to FBUN 1 zone.
- If there was a requirement to make the entire block one zone.

Mr. Khosrow Semnani, property owner, reviewed the background of Trolley Square and his vision for the site. He reviewed the history of Trolley Square and the challenges with the site and current zoning.

The Commission and Applicant reviewed the following:

- A great opportunity for an active hub to be created.
- Great opportunity to make the area walkable.
- The public outreach conducted for the proposal.

PUBLIC HEARING [7:45:57 PM](#)

Vice Chairperson Paredes opened the Public Hearing.

Mr. Michael Iverson, Central City Community Council, stated the Community Council had not been able to review the proposal and therefore; they could not support the petition either way. He stated there was a total lack of communication for the proposal from the City Planner or the Applicant. Mr. Iverson stated the community needed the opportunity to understand the proposal and how it would affect the area. Mr. Iverson stated he would hesitate to call the Master Plan a Master Plan as it was amended continuously. He asked the Commission to table the petition to allow for further community outreach.

Chairperson Paredes read cards from the following individuals:

- Ms. Karen Bradakis – I am against changing the zoning so they can build a high rise apartment or condominium south of Trolley Square. I prefer keeping the zoning as is.
- Ms. Lynn Schwarz- I oppose.
- Mr. Bradley DeHerrera- Mixed use zoning is beneficial and good however; FB-UN 2 does not seem to represent the mixed uses that the neighborhood seeks. The current proposed redevelopment is poorly designed and not supporting of the community at stake. The neighborhood in this Trolley area has not been asked for their opinions. There are alternatives propositions that could liven the block south of Trolley Square.
- Mr. Christian Laedlke – That vacant lot is under used and an eyesore. It would do well to be open for mixed residential (commercial) zoning.
- Ms. Melisa Martinez- While I'm in favor of the mixed use and higher density in downtown Salt Lake City neighborhoods. I also think they have a great potential of changing the character of such neighborhood in a negative way. The housing complexes we have seen go up in the Trolley Square area so far have been cookie cutter in similar structures, creating a sense of separation from the existing neighborhood instead of what many of us current residents would like to see, which is integration and an added sense of community. I honestly don't know what the solution is but in order to avoid this continued gentrifications and housing projects that will eventually push current residents out of the neighborhood because they won't be able to afford it. We need more conversations, neighborhood involvement and collaboration in making these decisions that affect existing residents many of whom are not present today and are not involved in these processes and decisions, many are low income.

The following individuals spoke to the petition: Mr. Stuart Clason, Mr. Brent Uberty, Ms. Becky Brown, Mr. Warren Lloyd, Mr. James Miska, Mr. Jack Davis, Mr. Joe Scovel, Ms. Cindy Cromer, Mr. Alan Ragsdale, Ms. Mandy McKenna, Mr. Nickolas Rupp, Mr. Dallin Johnson, Ms. Leslie Trubetzkoj, Mr. William Nevins, Mr. James Webster, Ms. Collette Gillian, Mr. Scott Howell.

The following comments were made:

- The area needed improvement and it was important to help the process move in the right direction.
- Would love to see the surface level parking lot changed into something more.
- In favor of form based code.
- Excited to see the property developed in a positive way.

- In favor of the proposed rezone.
- Would help improve the area and rid it of the blight.
- Area was an urban neighborhood where apartment buildings belonged.
- Would not affect the diversity of the area in a negative way.
- Changing the zoning to allow development would help the neighborhood.
- Table the petition and reconsider changing the zoning.
- The preservation plan did apply to the area and should be considered.
- Something needed to be done to improve the historic nature of the area.
- Should consider other options than rezoning to the FBUN zone.
- Rezone would dilute the type of businesses in the area as local business owners could not afford rents in these developments.
- Did not strengthen the area or neighborhood.
- This part of town did not need more commercial entities.
- The new zoning should complement the surrounding zoning.
- Zoning was incompatible with current City Master Plans.
- The proposed zone did not match the height, scale, setbacks, parking requirements and intensity of uses that were incompatible with the area.
- The proposal would render the existing historic structures as non-conforming.
- Proposal should be considered an amendment to the master plan and had not been properly noticed to the public as such.
- Proposed zone would create a mismatch with H Overlay Zoning and the base zoning, which was discouraged under the preservation plan.
- Businesses in the area want the rezone and support the petition.
- Most of the homes in the area are rentals and renters did not want to comment on the proposal.
- The site had been addressed in detail in the current plans because everyone had been anticipating the redevelopment of the surface parking lot for years.
- The FBUN 2 zone did not comply with Master Plan.
- The Planning Division had made a conceptual error in claiming the Historic Landmark Commission could deal with any issues associate with the application of an inappropriate zone.
- Historic Preservation was under siege in the city.
- The Planning Commission was the body to help regulate zoning in the city.
- Created a walkable and urban neighborhood for the area.
- The proposal would give the property the opportunity to have the best value and quality for the Community, Residents and Local Businesses.
- Disagreed with Staff on the interpretation and direction given to the Planning Commission both academically and functionally.
- Disappointed with the applicant on the lack of engagement with the public.
- The Staff Report ignored the Community Preservation Plan, the Livable Communities Project and the most recent Central City Historic District Reconnaissance Level Survey.
- Salt Lake City had a habit of rezoning historic structures with the assumption that the Historic Landmark Commission would take care of the structures later in the

process which was an academic fail and directly contrary to the adopted planning documents.

- RMU-45 zoning would be a better fit for the area.
- Historic Landmark Commission should not carry the sole burden of protecting the historic properties in the area.
- Something needed to be done in the area but the proposal would not bring economic benefits.
- Consider the economic effects of the proposal before approving something that could be a detriment to the area.
- Changes have been made to the neighborhood that the residences were not notified of.
- The historic buildings in the area are the patina of the city and should be protected.
- How would rezoning maintain the community esthetic.
- Did the Property Owner buy the property with the intent to change the area or work with what existed.
- New mega developments are a detriment to the area.
- Proposal was premature and more information was needed.
- Need to wait for the development proposal in order to know if the zoning was necessary.
- Notices were sent to residences and people were notified of the meetings.
- Can't move forward with development unless the zoning was changed.
- A lot of the comments given were hearsay and not factual.
- Rezone would allow for development of affordable housing that was necessary in the area.
- The project would bring tax money back to the city.

The Commission and Mr. Lloyd discussed what zoning would be beneficial for the area. Mr. Lloyd stated the FBUN zone was untried and more research was needed.

The Commission asked Ms Cromer what her view as to what the big differences were between FNUB 2 and RMF-45.

Ms. Cromer stated she thought the property should be zoned RMU-45, as it would be consistent with the Master Plan and future land use map.

The Commission stated the current zoning was RMF-45. They discussed the history of the zoning on the property.

Ms. Cromer stated the RMF-45 and the RMU-45 were consistent with the Master Plan in terms of intensity of use. She stated the city had different zoning tools and all should be considered before one was chosen.

The Commission and Mr. Rupp discussed how the rezone would affect the historic properties in the proposal.

Mr. Rupp stated it was the first step in approving the demolition of the properties and he would not support rezoning that did not support the historic district and the Historic Landmark Commission in retaining the historic structures. He stated the proposed zoning would make the structure completely non-conforming.

The Commission and Mr. Johnson discussed how changing the zoning to form based zoning caused the development of a luxury apartment units.

Mr. Johnson stated with introducing the proposal Planning was allowing for an increase in mixed use housing and the Commission was providing an incentive to provide high end condos/apartments and different hotels. He stated by allowing these the rent ceiling would be increased.

The Commission asked Mr. Johnson about the supply out pacing the demand.

Mr. Johnson stated currently Salt Lake City was seeing unprecedented development in terms of luxury apartments but there were not a lot of vacancies and lower income housing was not being constructed.

The Commission asked Mr. Wally Wright if he wished to speak on the issue. He stated he did not wish to speak.

Vice Chairperson Paredes closed the Public Hearing.

Mr. Semnani stated they did not have a proposal to show the public regarding the future development of the property. He stated they would work with the community to make the design fit with the area and highly encouraged the community to give their input on the future development. Mr. Semnani reviewed the businesses housed in Trolley Square, the Community Outreach for the proposal, the affordable housing that would be part of the development and that they would keep in mind the historical nature and economic viability of the development.

Mr. Doug White, attorney, stated the decision to rezone was not haphazard it had been in the works for three years. He stated it was impossible for the developer to ask everyone what should be in the zone as everyone would have their own opinion. Mr. White stated research had been gathered on what to do with the site and there was a great need for apartments in Salt Lake City. He asked the public not to make a judgment on a project that had not been presented. Mr. White stated the lots were all ready non-conforming and the City had recognized that eventually the lots would be changed. He stated the proposed zone would make it possible to have a development in the area that was reasonable and sensitive to the historical zone and the neighborhood

The Commission and Staff discussed the following:

- The outreach to the Community Councils and why presentations were not given at those Councils.

- Why the proposed zoning was chosen.
- The Trolley Square area goal, listed in the Staff Report, and if the language was taken from the Master Plan.
- The difference in density and height in the various zones.

MOTION [8:53:57 PM](#)

Commissioner Gallegos stated regarding, PLNPCM2016-00031, Trolley Square Ventures Zoning Map Amendment, based on the analysis and findings listed in the Staff Report, and the testimony and plans presented, he moved that the Planning Commission transmit a positive recommendation to the City Council for the proposed zoning map amendment to FB-UN2 (Form Based Urban Neighborhood District) for the following parcels:

- 644 E 600 S (Parcel #16-06-481-019)
- 652 E 600 S (Parcel #16-05-353-001)
- 658 E 600 S (Parcel #16-05-353-002)
- 664 E 600 S (Parcel #16-05-353-003)
- 628 S 700 E (Parcel #16-05-353-016)
- 665 E. Ely Place (Parcel #16-05-353-014)

With the exception of the property located at 603 S 600 E (Parcel #16-06-481-001) which shall remain zoned as RMF-30 (Low Density Multi-Family Residential District). Commissioner Bachman seconded the motion.

The Commission and Staff discussed the following:

- The difference in the current zoning and the proposed zoning.
- The setbacks for the proposal.

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

[9:01:31 PM](#)

The Commission took a short break.

[9:07:49 PM](#)

Master Plan and Zoning Map Amendment at approximately 1964 S 900 E – A request by Cottonwood Residential to amend the master plan and zoning map designation of eight properties near the intersection of Ramona Avenue and 900 E. The intent of the proposal is to consolidate the parcels into one and then construct a multi-family residential development. The applicant proposes to rezone the subject properties from RMF-35 (Moderate Density Multi-family Residential) to R-MU-45 (Residential/Mixed Use) to allow for structures up to 45’ tall and allow more apartments. The subject properties are currently residential uses ranging from a single family home to multi-family buildings. The Planning Commission may

consider other zoning designations that are equal or less intense to what is being proposed. (Staff contact: Chris Lee at (801)535-7706 or chris.lee@slcgov.com.) Case numbers PLNPCM2015-00956 and PLNPCM2015-00957

Mr. Christopher 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.

Mr. Jeremy Carver and Ryan Heath, Cottonwood Residential, reviewed the proposal, the property history and how the proposal would benefit the area. They reviewed the public outreach and changes made to the plan due comments received in that outreach. They stated they would be willing to enter into a Development Agreement stating there would not be commercial spaces available in the development. They asked the Commission to approve the proposal.

PUBLIC HEARING [9:34:25 PM](#)

Vice Chairperson Paredes opened the Public Hearing.

Ms. Judy Short, Sugar House Community Council, reviewed the reasoning for the current zoning, the public outreach for the proposal and the lack of support. Ms. Short stated there were many apartment units being constructed in Sugar House and that crime was not any worse in this area than other areas. She reviewed the number of apartments in the Salt Lake and the number of vacancies in those units. Ms. Short stated the Community, Community Council and Master Plan did not support the rezoning or proposal. She stated they did not want to remove the historic homes from the streetscape and the proposal would bring more traffic to the area. Ms. Short asked the Commission to deny the petition.

Vice Chairperson Paredes read the following cards:

Mr. Michael Rubin – The Sugar House Master Plan was crafted over several years with the input of a great many people and was designed for a specific purpose, to maintain the character and viability of the neighborhood. Much has changed over the years in Sugar House with a dramatic increase in the number of large apartment complexes and as a result in the number of residents and cars. Although many of us appreciate the need for more housing in Sugar House, this can't come at the expense of the principles designed into the Master Plan. Changes to the Sugar House Master Plan should only be made for the most justified reasons and conditions. There is no clearly justifiable reason for this change. The reason is only to accommodate a developer's wish to significantly increase the density of housing in this area. This will dramatically change the character of this area in Sugar House and does not conform with the goals of the Master Plan. Please respect the Master Plan and reject this proposal and help us maintain the charm of Sugar House.

Ms. Kim Payne – I'm concerned that someone can petition or a rezone to accommodate their own commercial interests (in this case a large apartment complex that wants to maximize the height of their structure for profits) and dwarf the surrounding residential

structures. Where would the line be drawn between commercial interest and residents? Also, the size of the proposed apartments should it be allowed will bring a greater impact to traffic on 900 East worsening the situation that we currently have in that area with traffic concerns.

Mr. Eric Wynn – I'm opposed to the proposed rezone and change in the master plan. The area cannot support the increased traffic that would accompany the change in zoning. Additionally this type of high density housing is not in the character of the area. We should keep current zoning regulations. I'm not against improved, refreshed development of the lots in question. However, irrevocably changing the zoning will not improve the area but will add to already congested traffic and change the character of the area.

Ms. Cindy Walker – I am opposed to the rezoning of this area. I am already impacted by the traffic in trying to get out of my driveway (across the street from Memorial Clinic). Sugar House area already has two new huge apartment complexes (Vue & Liberty Village and two more in the building stage, Granite Furniture area). The charm of Sugar House is being replaced by apartments. We have had enough! Please don't rezone this area with the possibility of more high density apartments and more traffic.

Ms. Krista Barns – I oppose the rezoning due to the increased traffic, loss of the charm Sugar House currently has and blockage of any views we have. Sugar House is over building high rise condo's and apartments and this takes away the appeal it currently has. Thank you for your consideration of these views.

Ms. Lynn Swartz – I oppose.

The following individuals spoke to the petition: Mr. George Chapman, Mr. John Dauna, Mr. Allen Spencer, Mr. Richard Pasmann, Mr. Fredrick Perfuma, Mr. Derek Payne, Ms. Teresa Wilhelmsen, Mr. Gerald McDough, Mr. Dan Heaton, Ms. Megan Heaton, Mr. Mahan Khalsa, Mr. Justin Bowcutt, Ms. Jen Golembeski, Mr. Kyle Williams, Ms. Vicki Townsend, Ms. Steve Townsend, Mr. Carl Pollock, Mr. Bruce Hagans, Ms. Julie Ban, Mr. Charles Kirkham, Ms. Tracie Kirkham, Ms. Susan Rose, Mr. Todd Holbrook, Ms. Philippa Magone, Ms. Amy Vera and Ms. Elaine Thorton.

The following comments were made:

- Deny the petition as the negative impacts could not be mitigated.
- Would increase traffic and air pollution in the area.
- Development needed to be done but not at the sake of the Master Plan or the zoning.
- Sugar House did not need additional high rise apartments.
- Crime in the area was very low.
- Supported the project and the area had continuously changed over the years.
- Properties next to apartments are usually devalued when they are appraised.
- If the value of the properties changed after the proposal was built would the developer compensate the property owners.

- Concentrating renters in any area was not good as they tend to not care about the property as much as an owner would.
- Commercial creep would erode the residential area.
- The Master Plan committee would not have wanted to up zone any of the residential areas that qualify as a transitional zone.
- It was important to have affordable apartments in the area.
- Not fair to call renters nomads and inverts.
- Would be a good amendment to the Master Plan and the zoning.
- There was no guarantee that the original proposal would be constructed.
- What proposal was being approved as there were many shown to the public.
- Important to buffer the area and protect the bungalow homes in the area.
- At least ninety five percent of the neighbors were against the proposal.
- Not right to rezone for the benefit of the developer at the detriment of the surrounding property owners.
- Large structure will deteriorate the uniqueness of the neighborhood.
- Would destabilize the neighborhood.
- Proposal would not improve the area.
- Current apartments are hidden so removing them would not change the character of the neighborhood.
- Would rather keep the property values high with the quality proposal from the Developer.
- Community could work with the Developer on a great design.
- Scope of work needed to fit the area and not be a detriment.
- The difference in the current parking requirements and what would be allowed under the proposal.
- Townhomes were not affordable to construct in the area.
- Good renters were hard to come by.
- The Master Plan was a guideline for how the inevitable change was addressed.

The Commission and Ms. Short discussed the wishes of the Community Council and the surrounding community.

Ms. Short stated they wanted the area to be a buffer zone between the commercial and the residential areas. She stated town homes would be more appropriate for the area.

The Commission, Staff and Ms. Thorton discussed the grandfather clause that prohibited more units to be constructed on the site under the current zoning.

Vice Chairperson Paredes closed the Public Hearing.

The Applicants stated there were people who supported the proposal that were scared to express their support. They stated townhomes would not be viable in the area and they would own the property forever as it would be a flagship development for their company. They explained they were willing to work with the Community to develop a viable and

community friendly development on the property. They asked the Commission to approve the proposal as presented.

The Commission and Applicants discussed the following:

- Why the zoning was compatible for the area and if there was a compromise.

MOTION [10:41:48 PM](#)

Commissioner Lyon stated regarding, PLNPCM2015-00956 and PLNPCM2015-00957 Master Plan Amendment and Zoning Map Amendment at 1964 S 900 E, 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 negative recommendation to the City Council for the proposed Master Plan and Zoning Amendments. Commissioner Ruttinger seconded the motion.

The Commission discussed the following

- Understand the issues the Developers have but the zoning was too much for the area.
- Like the product but not in the proposed area.
- Needed to maintain the affordability in the area.

The motion passed unanimously.

The meeting adjourned at [10:44:18 PM](#)