

SALT LAKE CITY PLANNING COMMISSION MEETING
City & County Building
451 South State Street, Room 326, Salt Lake City, Utah
Wednesday, February 8, 2017

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:30:17 PM](#). Audio recordings of the Planning Commission meetings are retained for a period of time.

Present for the Planning Commission meeting were: Chairperson Matt Lyon, Vice Chairperson Carolynn Hoskins; Commissioners Maurine Bachman, Weston Clark, Emily Drown, Ivis Garcia, Clark Ruttinger and Sara Urquhart. Commissioner Andres Paredes was excused.

Planning Staff members present at the meeting were Nick Norris, Planning Director; Michael Maloy, Senior Planner; David Gellner, Principal Planner; Kelsey Lindquist, Associate Planner; Michelle Poland, Administrative Secretary and Paul Nielson, City Attorney.

Field Trip

A field trip was held prior to the work session. Planning Commissioners present were: Maurine Bachman, Clark Ruttinger, Weston Clark, Ivis Garcia, Carolyn Hoskins and Sara Urquhart. Staff members in attendance were Nick Norris, Kelsey Lindquist and David Gellner.

The following sites were visited:

- **1008 South 1100 East** - Staff gave an overview of the proposal. The Commissioners asked what the setbacks were. Staff stated the two eastern properties have a proposed fifteen foot setback the other meeting the zoning.
- **1978 South West Temple** - Staff gave an overview of the proposal. The Commission asked how far from the street could they build. Staff stated the CG front setback would have to be complied with at approximately twenty feet.

APPROVAL OF THE JANUARY 25, 2017, MEETING MINUTES. [5:31:39 PM](#)

MOTION [5:31:55 PM](#)

Commissioner Urquhart moved to approve the January 25, 2017, meeting minutes. Commissioner Hoskins seconded the motion. Commissioner Ruttinger abstained from voting as he was not present at the subject meeting. The motion passed unanimously.

REPORT OF THE CHAIR AND VICE CHAIR [5:32:17 PM](#)

Chairperson Lyon stated he had nothing to report.

Vice Chairperson Hoskins stated she had nothing to report.

REPORT OF THE DIRECTOR [5:32:21 PM](#)

Mr. Nick Norris, Planning Director, reviewed the bills that were currently under review at the State Legislature and stated Staff would keep the Commission updated on the status of these bills.

[5:34:23 PM](#)

Madison Park Planned Development and Subdivision at approximately 1008 South 1100 East - The applicant, ALMS Holding, is proposing to redevelop the site located at the above listed address. The site currently contains two four-unit residential structures. The applicant is seeking to demolish the existing multi-unit housing and construct 7 new single-family homes. The subject property is approximately 35,719 square feet in size and is located within the R-1/5000 (Single-Family Residential District). It is located in Council District 5, represented by Erin Mendenhall. (Staff Contact: Kelsey Lindquist at (801)535-7930 or Kelsey.lindquist@slcgov.com)

- a. **Planned Development** - The planned development request includes approval for 7 new single-family lots that do not front a public street and are accessed from a private drive. The applicant is requesting a decrease in the lot width and minimum lot square footage, as well as decreasing the front yard and interior side yard requirements. Additional modifications include, a reduction in two rear yard requirements, additional lot coverage and a modification to allow a tandem parking stall partially located within the front yard. Case number PLNSUB2016-00914
- b. **Preliminary Subdivision Plat** - The proposed development is seeking Preliminary Subdivision approval to create 7 new lots. Case number PLNSUB2017-00040

Ms. Kelsey Lindquist, Associate 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.

Ms. Allison Leishman and Mr. David Mattiussi, applicants, reviewed the history of the project and area. They reviewed the LEED certification and amenities included in the proposal, the layout, materials and how the proposal met the standards of the ordinance. They reviewed the request for the setbacks and why it fit the area and improved the proposal. They reviewed the landscaping, fencing, access, footprint, and that the proposal was consistent with the zoning codes.

The Commission, Applicant and Staff discussed and stated the following

- The height of the structure and how it fit the neighborhood.
- If attached garages were common in the neighborhood.
- The setbacks for the proposal.
- The parking and garages for the project.

- Why some of the homes have the required setbacks and some need the exception.
- How the proposal impacted the neighbors.

PUBLIC HEARING [6:04:09 PM](#)

Chairperson Lyon opened the Public Hearing.

Mr. Darryl High, East Liberty Community Council, reviewed the meetings held for the proposal and the motion to not support the development. He stated there was transition in the neighborhood but there were concerns over the proposal and how it fit with the area.

Mr. David Richards, East Liberty Community Council, reviewed the Planned Development process and how the proposal did and did not meet with the standards due to the requested in the proposal. He stated the proposal was too dense for the area and the big issue was compatibility.

The following individuals spoke to the petition: Ms. Susan Flandro, Mr. Chad Menlove, Mr. Tom Midden, Mr. Brian Belnap, Mr. Tony Denison, Ms. Alice Olch, Ms. Laura Gray, Mr. Tekehu Munanui, Ms. Judy Short, Mr. George Chapman, Ms. Gillian Tuffs, Mr. Russel Bell, Ms. Meredith Warner, Mr. Dean Magnesen, Ms. Carol Steffens, Mr. Allan Flannoro, Ms. Bonnie Wilson, Mr. Rich Patch, Mr. Kevin Garcia, Mr. Matthew Blaser, Ms. Qikang Sun, Mr. Jeremy Higgins, Ms. Teresa Bell and Ms. Natasha Griffith.

The following comments were made:

- Supported the proposal and how it would improve the area.
- The proposal would increase the property values in the area.
- The proposal increased the density but the alternative was the existing dilapidated apartments
- The proposal fit the development of the area.
- Opposed the Special Exception requests, density and height.
- The existing apartments were much smaller in square footage than the proposal.
- Would create a privacy issue for the neighbors.
- The proposed structure height did not fit with the surrounding homes.
- The proposal should fit the neighborhood and its size.
- The development should not be built at the expense of the neighborhood.
- The proposal would create additional issues with traffic.
- The existing sewer line may not be able to handle the additional use.
- The requested exceptions did not met the code and were asking for too much.
- The development did not fit the neighborhood or the development pattern.
- The garages were too big for the proposal.
- Granting the special exception was a danger to the neighborhood.
- Proposal did not fit with the nature, style, size, setbacks, parking or any other aspect of the neighborhood.

- The PUD process was to create something better than the code and the proposal was not a better product.
- The proposal would remove much needed affordable housing.
- The Community Council voted against the proposal for a reason.
- The proposed structures would block light to the neighbor's yards.
- Neighbors were against the proposal as it was too big for the area.
- Not opposed to the area being developed but the proposal was too dense for the lot.
- The proposed development would set a precedent for the area.
- Not only would the number of people increase the number of pets would also, creating another issue for the area.
- The parking needed to be reviewed to ensure it was adequate for the project.
- The current use of the property was non-conforming the proposal would change it to be conforming.
- The uniqueness of the lot was the reason for the requested special exceptions.
- The garages were attached and made the homes look larger.
- Second levels were allowed under the zoning and other properties could do the same.
- The neighborhood was changing and this fit those changes.
- The property lines were not accurate to the historic properties.
- The proposal would be lowering the density for the property.
- The height was two feet under the zoning requirement.
- The footprint and cost of the homes fit with the area.
- The proposal was a definite improvement to the area
- Project was thoughtful and appropriate for the area.
- The setbacks and garages would not be seen from the public streets.
- Supported the proposal at it bettered the neighborhood.
- The size and shape of the property made development an issue and the proposal was a great addition to the area.
- What prevented lots from being combined and larger homes being constructed.
- Existing homes were not dilapidated.
- Proposal fit the neighborhood and should be allowed.
- The attached garages would help deter from crime.
- Change was hard but would happen.

Chairperson Lyon read the following cards:

- Dr. Judith Hall – I'm in support. The project improves density within the neighborhood. Increases home ownership as opposed to apartments. The proposed homes are more in keeping with the look of the neighborhood and improvement over the apartments that exist there now.
- Mr. Daniel DeMuri – Older homes will be replaces. This plan is in keeping with neighborhood flavor.
- Mr. Marc Menlove – Improves current structures, reduces density, allows home owners not renter hopefully reduces issues that some with rentals.

- Ms. Jessica Patch – Madison Park is a well planned community that will benefit and improve our neighborhood. Strong support.
- Ms. Suzy Sumsion – Madison Park will further the urban feel of an exciting part of Salt Lake City. Strong Support.

Chairperson Lyon closed the Public Hearing.

The Commission, Applicant and Staff discussed the following:

- How the lot size was calculated.
- The cost of the proposed homes.
- The snow removal and drainage for the proposal.
- The fire access for the development.
- The allowable height under R1/5,000 zoning.
- The boundary markers and who would address those markers.
- The average square footage of the units versus the homes in the area.
- The number of homes in the proposal and if that was the appropriate number of homes for the lot.
- The layout of the development and how the yards were determined.
- How the homes impacted the properties to the rear of the development.
- The requested Special Exceptions and if the proposal was compatible with the area.
- If the sewer system was adequate for the development.
- If single story homes were considered versus the two story structures.
- If the current homes could remain and the structural integrity of those homes.
- If the Commission could take property values into consideration.

The Commission and Staff discussed and stated the following:

- The shape of the property and how the developer addressed the lot with their proposal.
- The question was, did the development fit the feel and nature of the area.
- The number of exceptions in the proposal and if it was common for Planned Developments to ask for numerous exceptions.
- The height fit but it was hard to grant the exceptions.
- The issue was to decide if the proposal met the standards.
- If the proposal set a precedent for the area.
- If the proposal was compatible considering the size of land around each home.
- It was a private subdivision and would not be seen from the street.
- Concern was how it impacted the immediate neighbors.
- The motion for the proposal.

MOTION [7:18:07 PM](#)

Commissioner Ruttinger stated regarding Madison Park Planned Development, based on the public comment and discussion he moved that the Planning Commission deny the petition based on compatibility, that it did not meet

standards for rear, side, and front yard setbacks listed as standard C in the Staff Report. Commissioner Urquhart seconded the motion.

The Commission discussed if the petition should be denied or tabled.

The motion passed unanimously.

[7:25:37 PM](#)

Okland Construction Rezone and Master Plan Amendment at approximately 1978 South West Temple - Okland Construction Company is requesting the City amend the zoning map and associated future land use map for a portion of their property located at the above listed address. The requests are part of an effort to expand the existing office and parking to meet company needs. The property is located within Council District 5, represented by Erin Mendenhall. (Staff contact: David J. Gellner at (801)535-6107 or david.gellner@slcgov.com.)

- a. Master Plan Amendment - The associated future land use map in the Central Community Master Plan currently designates the subject portion of the property as "Medium Density Residential" while the remainder of the property is designated as "Medium Residential/Mixed Use." The petitioner is requesting to amend the future land use map so that the entire property is designated as "Medium Residential/Mixed Use". Case number PLNPCM2016-00936
- b. Zoning Map Amendment - The property is currently split-zoned between RMF-35 (Moderate Density Multi-Family Residential) on the west portion and CG (General Commercial) zoning on the east portion. The petitioner is requesting to amend the zoning map designation for the eastern portion of the property parcel from RMF-35 to CG zoning. This would make the parcel zoning uniform and would allow the office and parking expansion, uses which are not allowed in the current RMF-35 zoning district. Case number PLNPCM2016-00935

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.

The Commission and Staff discussed and stated the following:

- Which Master Plans applied to the area and which were being amended in the proposal
- The history of the zoning in the area.
- Which review body would review future developments on the property?
- The permitted uses, landscape buffers and setbacks in the CG zone.

Mr. Brett Oakland and Mr. John McEntire, Oakland Construction, reviewed the history of the property, future design possibilities and the reasoning behind the proposal. They reviewed the history of the neighborhood and how they had helped improve the area.

The Commission and Applicant discussed the following:

- Where the proposed building would be on the property.
- How the building would address West Temple.

PUBLIC HEARING [7:44:34 PM](#)

Chairperson Lyon opened the Public Hearing.

Mr. Bill Davis, Ballpark Community Council, stated the Community Council supported the conceptual plan of the building. He stated Oakland Construction was a great neighbor and would not impede on West Temple. Mr. Davis stated there was concern that someone could purchase the property and develop it in an undesirable manner. Mr. Davis stated they would like the development approved with a development agreement in conjunction with the specific plans when they are submitted. Mr. Davis reviewed the nature of the neighborhood and the importance to protect it.

The following individuals spoke to the petition: Ms. Cindy Cromer and Mr. George Chapman.

The following comments were made:

- The CG zone does not contemplate residential uses.
- There are no Step backs which characterize our newer zoning classifications.
- A landscaped setback would be inconsequential next to a 60 foot tall structure which might morph to 90 feet.
- The compatibility in this proposal is tied to the current owner and is not likely to be maintained under any subsequent business which requires a CG zone
- The city did not have a good zone for this use.
- Oakland Construction was a great neighbor.
- Attendees of the Community Council supported the proposal and the property owner was great at helping the neighborhood.
- This was a great project and would protect the homes in the area.

Chairperson Lyon closed the Public Hearing.

The Commission, Staff and Applicant discussed the following:

- The potential uses for the property and why this process was chosen.
 - How to protect the area in the future.
 - If a development agreement could be put in place to help protect the neighborhood.
 - West Temple was a mix of commercial and residential uses so what was the plan for the area.
-
- The Commission and Staff discussed the following:

- If conditions could be put on the proposal.
- The Commission could state their concerns but it was ultimately up to the City Council.
- The concern over future uses of the property.

MOTION [8:04:16 PM](#)

Commissioner Urquhart stated regarding Master Plan Amendment – PLNPCM2016-00936 and Zoning Map Amendment – PLNPCM2016-00935, based on the findings and analysis in the Staff Report, testimony and plans presented, she moved that the Planning Commission forward a positive recommendation to the City Council for the Master Plan Amendment and Zoning Map Amendment as proposed with the concern that the City Council consider future owners and uses of the property. Commissioner Drown seconded the motion. The motion passed unanimously.

[8:05:33 PM](#)

Regulation Changes for Open Space and Similar Uses - Salt Lake City is requesting amendments to the Zoning Ordinance relating to the regulations of open space and other similar uses. The amendments include text changes that address issues relating to development standards, update to the use tables, definitions and sign regulations relating to park, adaptive reuse, urban farming, open space and public facility uses. Related provisions of Title 21A-Zoning may also be amended as part of this petition. The proposed regulation changes will affect various sections of the zoning ordinance. (Staff contact: Cheri Coffey at (801)535-6188 or cheri.coffey@slcgov.com.) Case number PLNPCM2010-00406

Ms. Cheri Coffey, Assistant Planning Director, reviewed the petition as presented in the Staff Report (located in the case file). She stated Staff was recommending the Planning Commission continue the public hearing and request the Planning Staff revise the draft ordinance to reflect the direction of the Planning Commission as discussed in this meeting.

The Commission and Staff discussed and stated the following:

- Where solar farms were currently allowed.
- If solar farms could be privately or publicly owned on public open space.
- The amount of open space property that was privately owned and publicly owned in the city.
- Other cities that have similar ordinances and how they function in those cities.
- How to determine what uses were appropriate in the zoning.
- Defining recreational uses throughout the zoning ordinance and specifying those the uses.
- What uses were in the public's best interest in parks such as reception centers or restaurants.

PUBLIC HEARING [8:32:06 PM](#)

Chairperson Lyon opened the Public Hearing.

The following individuals spoke to the petition: Mr. George Chapman, Mr. Chris Croswite, Ms. Anne Cannon,

The following comments were made:

- Plan did not address the increases of light and vehicle pollution.
- Amphitheaters would create noise pollution.
- Golf courses would make it easier to change to Frisbee golf.
- Height restrictions should remain the same.
- Putting pump stations in open space were an issue.
- Parking would be an issue for restaurants in these areas as they would have offsite parking in adjacent neighborhoods.
- Restaurants would create issues with people smoking.
- Open space was not storage space for city equipment.
- Great idea for living quarters for park rangers.
- No solar farms in open space
- Concerned over the egress and ingress to properties along Jordan River Parkway.
- Need to add places for dogs and dog parks in the plan.

Chairperson Lyon closed the Public Hearing.

Ms. Coffey reviewed the where dogs were allowed and how the City addressed dogs in the code. She stated dogs could be in parks as long as they were on leash.

The Commission and Staff discussed the following:

- How to address/define dog parks in the Open Space Plan.
- If there would ever be a time where an open space property owner could create a dog park without asking the neighbors.
- Was there a difference between public and private open space.
- Language stating what uses were allowed in public open space and private open space could be added while allowing different permitted uses in each.
- The location of privately owned open space in the city.
 - Staff will research the privately owned properties and if they are developable.
- If restaurants are an appropriate use for parks.
 - Staff will gather more information on restaurant uses and return to the Commission.
- If the City could lease open space to a private entity.
- If Solar Panels were appropriate for open space.
- Why public utilities needed additional height for structures in open space.

MOTION [8:59:25 PM](#)

Commissioner Drown stated regarding Open Space Land Use PLNPCM2010-00, based on the information and findings in this staff report, public input and discussion she moved to continue the public hearing and request the Planning Staff revise or provide additional input on the draft ordinance to reflect the direction of the Planning Commission as discussed. Commissioner Urquhart seconded the motion. The motion passed unanimously.

Work Session

[9:00:31 PM](#)

Homeless Resource Center Zoning Regulations - Salt Lake City is requesting to amend the zoning ordinance to (1) define what a homeless resource center is, (2) add homeless resource center as a conditional use in zoning districts that currently permit homeless shelters, and (3) establish qualifying provisions that mitigate potential adverse impacts of homeless resources centers. The amendment will affect chapter 21A.36, and sections 21A.33.030, 21A.33.050, 21A.60.020, and 21A.62.040 of the zoning ordinance. Related provisions of Title 21A Zoning may also be amended as part of this petition. (Staff contact: Michael Maloy, AICP at (801)535-7118 or michael.maloy@slcgov.com.) Case number PLNPCM2016-00910

Mr. Michael Maloy, Senior Planner, reviewed the petition as presented in the Staff Report (located in the case file).

The Commission and Staff discussed and stated the following:

- Where zoning allowed a homeless shelter, a homeless resource center would also be allowed.
- The number of comments received on the proposal.
- If the public understood the difference between a shelter and a resource center.
- The definition of Homeless Resource Center in the Staff Report.
- The Public Hearings that would be held for the petition and making it know what specific topic would be discussed at those meetings to direct public comments.
- Where the public could find information for this petition and how information would be distributed for this project.
- Needed to address the items that are not usually looked at like property values.
 - There are some issues Cities are not allowed to consider because the Courts have already made decisions on those items, property values were one of these issues.
- Ensuring the Public understood the process and the Commission's purview over the petition.
- The best way to communicate with Staff on the petition.

- The way to address the Simpson Ave site versus the other sites and ensure everyone felt heard.
- The conditional uses, process to review and approve these uses.
- Ex parte communication regarding this petition and how to address any issues the Commissioners may encounter.
- Hold an information session to give the Commission an understanding of the form based zone, its history and the intent of the zoning.
- What other cities do for their homeless and best practices for those cities.
- The reasoning why the subject properties were chosen and the history behind the specific sites.
- The timeline for the proposal.

The meeting adjourned at [9:39:28 PM](#)