

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

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:29:37 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 ChairpersonCarolynn Hoskins; Commissioners Maurine Bachman, Weston Clark, Ivis Garcia, Andres Paredes and Sara Urquhart. Commissioner Emily Drown and Clark Ruttinger were excused.

Planning Staff members present at the meeting were Nick Norris, Planning Director; Doug Dansie, Senior Planner; Nora Shepard, Senior Planner; Katia Pace, Principal Planner; Anthony Riederer, Principal Planner; Tracy Tran, Principal 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, Weston Clark, Ivis Garcia, Carolyn Hoskins and Sara Urquhart. Staff members in attendance were Nick Norris, Doug Dansie, Nora Shepard and Anthony Riederer.

The following sites were visited:

- **1452 Perry's Hollow Road**- Staff gave an overview of the proposal. The Commission asked do the properties abut each other in the gully. Staff stated yes, there is an undevelopable area in the bottom of the gully. The Commission asked if there was public access to the gully. Staff stated no.
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- **740 North 800 West** - Staff gave an overview of the proposal. The Commission asked if the street was closed how it would end. Staff stated there will be a drive and street will be designed to accommodate. The Commission asked why here. Staff stated the location was close to the refugee community. The Commission asked was there some sort of zoning error. Staff stated we believe so, the city never owned the property. The Commission asked is the property in the flood plain. Staff stated they believed that it was given the proximity to Jordan River.

**APPROVAL OF THE FEBRUARY 22, 2017, MEETING MINUTES. [5:32:38 PM](#)**  
**MOTION [5:32:54 PM](#)**

**Commissioner Urquhart moved to approve the February 22, 2017, meeting minutes. Commissioner Hoskins seconded the motion. Commissioners Hoskins, Bachman, Clark, Garcia, Ruttinger and Urquhart voted “aye”. The motion passed unanimously.**

**[5:33:08 PM](#)**

## **REPORT OF THE CHAIR AND VICE CHAIR**

Chairperson Lyon stated he had nothing to report.

Vice Chairperson Hoskins stated she had nothing to report.

[5:33:18 PM](#)

## **REPORT OF THE DIRECTOR**

Mr. Nick Norris, Planning Director, reviewed the status of the TSA Zoning Changes and the Design Standards on the City Council's calendar, the bills currently being reviewed by the State Legislature and how those bills affected the zoning ordinance. He stated Staff would be updating the Commission on past items and creating a separate motion sheet for agenda items for easier access to the language.

[5:36:11 PM](#)

**Special Exception for Retaining Walls and Grade Changes at approximately 1452 Perry's Hollow Road - J. Steen Price, represented by Russ Naylor, is proposing to change the grade and construct retaining walls at his home at the above listed address. A Special Exception is required since the grading and retaining wall exceed 4 feet in height. The property is zoned FR-3 and is in District 3 represented by Stan Penfold. (Staff Contact: Nora Shepard at (801)535-7226 or nora.shepard@slcgov.com.) Case number PLNPCM2017-00053.**

Chairperson Lyon recused himself for this portion of the meeting and stated Vice Chairperson Hoskins would be running the meeting.

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

The Commission and Staff discussed the following:

- Other similar sized retaining walls in the area.

Mr. Russ Naylor, architect, reviewed the proposal, how it fit the area, the access and construction plan for the retaining wall. He stated the engineering was completed and reviewed the materials that would be used to construct the walls. Mr. Naylor stated the natural vegetation in the area was approximately 20 feet tall and would hide the wall from view. He review how the wall would be seen from different points in the neighborhood and the view of the new backyard. Mr. Naylor reviewed the easement for the public utilities stated the proposal would not negatively affect property values in the area or neighboring properties.

Mr. J. Steven Price, property owner, stated most of the homes in the area had pools and the proposal would not negatively impact the area. He reviewed the data collected to support his claims.

Mr. Naylor reviewed the studies conducted to ensure rain water and sediment would not affect neighboring properties.

Mr. Price reviewed the vegetation preserve created when he purchased the property and it was his intention to protect that vegetation.

Mr. Naylor reviewed other properties with similar retaining walls and pools and how the proposal would fit with the existing neighborhood features. He discussed the support for the proposal and the comments given.

Mr. Price reviewed the public outreach done for the proposal and the support they were given.

The Commission, Applicant and Staff discussed the following:

- The length of other retaining walls in the area.

**PUBLIC HEARING [6:08:50 PM](#)**

Vice Chairperson Hoskins opened the Public Hearing.

The following individuals spoke to the petition: Ms. Jean Calder, Ms. Gretta Spendlove, Ms. Terry Becker, Mr. John Becker, Mr. Mike Caldwell and Ms. Margret Frandell

The following comments were made:

- The wall was massive and did not meet the regulations.
- The area was fragile and the wall would negatively impact the canyon.
- The risk and benefit of the retaining wall on the canyon needed to be determined.
- The swimming pool and sports court could be constructed in another area on the property.
- People buy the lots in the area because of the view not the swimming pools.
- The proposal would cause problems with vegetation and animals.
- Not everyone has a pool in the area and not to the extent of the proposal.
- The ramifications of the proposal would be very serious and affect the entire area.
- The proposal would set a precedent for the area.
- The proposal should have been presented to the Greater Avenues Community Council.
- The proposal was not in the best interest for the City or the area.
- This was a chance to make sure the area was protected and studied.

- The standards of the ordinance needed to be met and items B, C and E were without basis.
- There should be supporting data to should the standards were met.
- The proposal would impede on the view across the canyon.

Vice Chairperson Hoskins closed the Public Hearing.

Ms. Shepard reviewed the notification process and stated the Community Council was included in that notification. She stated private CCNRs and private covenants were not something the City could enforce.

Mr. Naylor reviewed the elevation of the proposed yard and stated it would not impede on the view from any location in the area.

Ms. Tiffany Price presented documents showing the view of the property from the neighbor's yard.

Mr. Naylor stated no harm would be done to the canyon or the animals that lived in the area. They would not encroach on the vegetation in the canyon.

Mr. Price stated they loved the canyon as much as the neighbors and they appreciated the concerns over the use of the canyon.

My Naylor and Mr. Price reviewed the view of the proposal and how it would be seen from various points in the area.

The Commission, Applicant and Staff discussed the following:

- If a fence could be built on the top of the wall.
  - It would be a railing to prevent someone from falling off the wall.
- If anything could be built on the space without the Special Exception.
- Other options for shoring up the slope would take away the natural look of the canyon.
- The type of materials being requested and what would be approved in the motion.
- Other locations where the pool could be constructed on the property.

Mr. Nielson stated the number of existing swimming pools in the area was not a criteria for approval.

**MOTION [6:39:14 PM](#)**

**Commissioner Bachman stated regarding PLNPCM2017-00053 Perry's Hollow Special Exception, based on the information in the Staff Report, public testimony, and discussion by the Planning Commission, she moved that the Planning Commission approve the Special Exception for two retaining walls, one measuring 102 feet long and 17 feet high and the second measuring 53 feet long and 19 feet**

high, at the rear of the property located at approximately 1452 E Perry's Hollow Road subject to the two conditions listed in the Staff Report and a condition that it be a Gabion Wall. Commissioner Garcia seconded the motion.

Mr. Norris asked the Commission if they wanted to determine the type of fencing on the top of the wall.

The Commission and Staff discussed the type of material for the fence and the height of the fence.

[6:41:51 PM](#)

**Commissioner Bachman amended the motion to allow security fencing of a not solid nature. Commissioner Garcia seconded the amendment. Commissioners Bachman, Clark, Garcia, and Urquhart voted "aye". Commissioner Parades voted "nay" The motion passed 4-1.**

[6:43:39 PM](#)

Chairperson Lyon returned to the meeting.

[6:43:40 PM](#)

**Zoning Amendment at approximately 1144 West 500 South and 1111 W Arapahoe - Mayor Jackie Biskupski is requesting to correct zoning errors at the above listed address. The entire City Zoning Code was rewritten in 1995 and new zoning districts and maps were created to reflect the City's policy. These properties were inadvertently zoned Open Space despite the presence of residential structures on the sites. This proposal is to correct the zoning errors and zone the property for residential use. There is no specific development proposal for these sites at this time. The subject properties are within Council District 2 represented by Andrew Johnston. (Staff Contact: Doug Dansie at (801)535-6182 or [doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com).) Case number PLNPCM2016-00882**

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

**PUBLIC HEARING** [6:45:38 PM](#)

Chairperson Lyon opened the Public Hearing.

The following individuals spoke to the petition: Mr. Chris Crosswhite

The following comments were made:

- The Rescue Mission was in favor of the rezone.

Chairperson Lyon closed the Public Hearing.

**MOTION** [6:47:34 PM](#)

Commissioner Urquhart stated regarding Petition PLNPCM2016-00882 – Zoning Map Amendment, based on the analysis and findings listed in the Staff Report, testimony and the proposal presented, she moved that the Planning Commission forward a positive recommendation on to the City Council regarding the Zoning Map Amendment request to rezone the property from OS Open Space to R-1/5,000. Commissioner Hoskins seconded the motion. Commissioners Bachman, Clark, Garcia, Paredes and Urquhart voted “aye”. The motion passed unanimously.

[6:48:20 PM](#)

**Eleemosynary Text Amendment** - Salt Lake City Council is requesting Text Amendment to ensure that Salt Lake City has a land use classification for temporary housing for persons who are dying or recovering from an acute illness or injury and that this land use, and land uses like it, are compatible with the residential neighborhood adjacent to the I (Institutional) zoning district. As part of this project the city is also reviewing the removal of the distance requirement for land uses that are residential in character. The proposed changes might affect sections 21A.33 Land Use Tables and 21A.62 Definitions. Related provisions of Title 21A-Zoning may also be amended as part of this petition. (Staff contact: Katia Pace at (801)535-6354 or [katia.pace@slcgov.com](mailto:katia.pace@slcgov.com)). Case number PLNPCM2016-00024

Ms. Katia Pace, 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 favorable recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- The capacity of the Ronald McDonald House.
- The cap of twenty five persons in a facility and where it needed to be removed from the code.
- The number of people allowed to stay in the different types of housing and the zones they were located in.
- The impact of Eleemosynarys on neighborhoods.
- The number of existing Eleemosynarys that would qualify as a large facility and a small facility.

**PUBLIC HEARING** [7:13:53 PM](#)

Chairperson Lyon opened the Public Hearing.

The following individuals spoke to the petition: Ms. Dionn Nielsen, Mr. Bill Pike, Mr. Selvam Rajavelu, Mr. Kort Prince, Ms. Michele Gilbert, Mr. Larry Jackson, Mr. James Gilbert, Ms. Kim Carrea, Ms. Sandy Timboe, Mr. Franciso Hernadez and Ms. Natalie Hart and Mr. Javier Hernadez.

The following comments were made:

- Against any expansion of the Inn Between facility.

- The Inn Between should not be compared to an eleemosynary facility or a hospice.
- Was not the area for this type of facility.
- The people using the Inn Between were not rent paying individuals.
- The cap of twenty five people was to protect the neighborhood.
- The Inn Between was becoming a homeless shelter and that was not the original purpose or proposal.
- The facilities and buildings for these facilities should be reviewed for the occupancy number prior to operation.
- The Inn Between is a stepping stone to become a special purpose shelter for the homeless.
- The impacts to the area are negative and the crime increases.
- The increase in people using the facility would increase the crime in the area.
- The facilities have created issues with parking.
- Don't want the issues with the homeless in their area.
- Why was the use that was granted for the In-between not being enforced
- Thankful for the work that went into the proposal except the cap on twenty five people.
- Cannot use the existing building because of the seismic issues.
- Programing at the Inn Between in a new building would better assist the people using the facility.
- Worried about the safety of the kids in the area.
- There are issues with homeless in the area and they impact the neighbors.
- No studies have been done to show the impacts of the facility on the neighborhoods.
- The twenty five person cap was the only thing keeping these facilities small.
- The place was not safe for kids and scary to walk through.

The Commission and Ms. Carria discussed who was staying at the facility, the regulations of the facility and the emergency calls to the area.

Chairperson Lyon read the following cards:

- Ms. Diana Oaks – Let me start by saying that I am not in any way against the Inn Between as it is currently running. Quite the opposite I am alarmed however, at the proposal to change the zoning to accommodate a much larger population, with apparently no restraints. My concerns are related to the lack of transparency by the Inn Between with regards to the background of their residences (such as sex offenders), their ability to mitigate the unpleasant aspects such as loitering and smoking with the moderate size they presently have and their proximity to a school and single family homes. I don't have any issues with the zoning change in general but have deep concerns over what appears to be court blanch to the Inn Between for expansion.

- Ms. D’yani Wood – I think the removal of the twenty five bed cap is unwise in a residential area. Any cap is better than none. In combination with removing any distance requirements, removing a bed cap just doesn’t seem right in any residential area, particularly so close to an elementary schools.
- Mr. Chandler Wood- Zoning is in place to protect the safety and comfort of the local area. Why should this be defacto homeless shelter be able to come in and make changes to something in place to ensure our personal comfort and peace of mind? Instead, the Inn Between should be required to fit themselves into existing zoning, as they have come in to our neighborhood, not the other way around. This is a slippery slope towards allowing a full homeless shelter literally in our backyard. I respect what they are trying to do, but they are pushing the limits beyond the initial goals and promises. This is another way that the Inn Between has lied to the neighbors and the zoning is the only thing holding them at bay.

Chairperson Lyon closed the Public Hearing.

The Commission and Staff discussed the following:

- The location of the Inn Between and if the twenty five person cap would apply to that facility.
- How the proposed changes would affect the Inn Between and how they would be regulated under the new requirements.
- If the Inn Between was not using the facility as permitted; was there a place the neighbors could go to have their concerns addressed.
- What would be allowed under the new zoning.
- The proposed text amendments were not to approve the Inn Between but to change the language in the code.

The Commission stated they would like to review the following to help them better understand the purpose and use of the proposed changes:

- The language as it would look in the code and red lined.
- The definition of a homeless shelter in the code and how these facilities differ from other housing uses in the city.
- A permitted land use table.
- Examples of other facilities in the city and best practices.
- How these facilities affect the fair housing act as it related to the twenty five cap.
- The distance requirements for these facilities.
- More history of how the Inn Between came about and the impacts to neighborhoods.

**MOTION [8:06:39 PM](#)**

**Commissioner Bachman stated regarding PLNPCM2016-00024: Eleemosynary Text Amendment, she moved that the Planning Commission table the petition to allow staff to return with further information and research as discussed.**



Commissioner Hoskins seconded the motion. Commissioners Bachman, Hoskins, Clark, Garcia, Parades and Urquhart voted “aye”. The motion passed unanimously.

Commissioner Parades left for the evening. [8:08:05 PM](#)

[8:08:08 PM](#)

**Northwest Quadrant Zoning - AG Text Amendment - A request by the Mayor's office to remove the residential land uses and analyze the AG (Agricultural) zoning district. The changes would help implement the vision and goals of the recently adopted Northwest Quadrant Master Plan. All of the parcels in the city zoned AG are located within the Northwest Quadrant area of the city. This proposed amendment to the AG zone is part one of a series of zoning text changes for the Northwest Quadrant. Staff contact: Tracy Tran at (801) 535-7645 or [tracy.tran@slcgov.com](mailto:tracy.tran@slcgov.com). Petition number PLNPCM2017-00001**

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

The Commission and Staff discussed the following:

- How the light industrial uses would be regulated in the Northwest Quadrant.
- The location of the duck hunting clubs.

#### **PUBLIC HEARING [8:17:06 PM](#)**

Chairperson Lyon opened the Public Hearing.

The following individuals spoke to the petition: Mr. Zachry Hartman and Mr. Adam Vaughmach.

The following comments were made:

- Would like the petition tabled until the M1 Zoning caught up and move them forward together.
- The added definitions for Agriculture uses were a must and benefited the landowners in the area.

Chairperson Lyon closed the Public Hearing.

The Commission and Staff discussed the following:

- Why the two zoning issues were brought forward separately.
- The biggest risk for landowners under the current zoning.
- Why it was important to move the proposal through now and not wait until the M1 Zoning was ready for review.
- A recommendation to approve the whole package at once could be added to the motion.

- Was there any reason to be concerned about the duck hunting.

**MOTION** [8:27:42 PM](#)

**Commissioner Garcia stated regarding PLNPCM2017-00001 – AG (Agricultural) Zone Text Amendment (Northwest Quadrant Text Amendments), based on the information in the Staff Report and the discussion heard, she moved that the Planning Commission transmit a positive recommendation to the City Council regarding petition PLNPCM2017-0001, text amendments to the AG (Agricultural) zoning district.. Commissioner Bachman seconded the motion. Commissioners Bachman, Clark, Garcia, Hoskins and Urquhart voted “aye”. The motion passed unanimously.**

[8:28:49 PM](#)

**Street Closure at approximately 740 North 800 West - Shellie Sepulveda of Salt Lake City's Real Estate Services Division, on behalf of 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](mailto:anthony.riederer@slcgov.com).) Case number PLNPCM2016-01008**

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 location of the previous street closure.
- The public outreach for the proposal.
- The proposal was just to close the street and not what was going to be constructed on the property.
- The cities benefit to closing the street.
- If the potential use was allowed under the zoning.

**PUBLIC HEARING** [8:34:35 PM](#)

Chairperson Lyon opened the Public Hearing.

The following individuals spoke to the petition: Mr. Tom Lloyd

The following comments were made:

- The use of the potential building would be to house refugees.
- It was imperative to build in this area and work with the existing University of Utah programs.
- The Community Council was very supportive and grateful for the proposal.

Chairperson Lyon closed the Public Hearing.

**MOTION [8:37:48 PM](#)**

**Commissioner Bachman stated regarding PLNPCM2011-01008, 740 N 800 W Street Closure, based on the findings listed in the staff report, testimony and plans presented, she moved that the Planning Commission transmit a favorable recommendation to the City Council for the request to close 800 West as indicated in Attachment H of the staff report. Commissioner Urquhart seconded the motion. Commissioners Bachman, Clark, Garcia, Hoskins and Urquhart voted “aye”. The motion passed unanimously.**

The Commission discussed the status of the Homeless Resource Center with the changes and when they would be brought to the Commission for review.

**The meeting adjourned at [8:39:47 PM](#)**