

SALT LAKE CITY PLANNING COMMISSION MEETING
City & County Building
451 South State Street, Room 326, Salt Lake City, Utah
Wednesday, July 12, 2017

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:34:36 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, Brenda Scheer, Ivis Garcia, Sara Urquhart and Weston Clark. Commissioners Emily Drown, Andres Paredes and Clark Ruttinger were excused.

Planning Staff members present at the meeting were Cheri Coffey, Assistant Planning Director; Casey Stewart, Senior Planner; Lex Traughber, Senior Planner; JP Goates, Principal Planner; Lauren Parisi, Associate Planner; Anthony Riederer, Principal Planner; Michelle Poland, Administrative Secretary and Paul Nielson, Senior City Attorney.

Field Trip

A field trip was held prior to the work session. Planning Commissioners present were: Sara Urquhart, Brenda Scheer, Carolyn Hoskins, Maurine Bachman, Ivis Garcia and Weston Clark. Staff members in attendance were Cheri Coffey, Lauren Parisi, Casey Stewart and JP Goates.

- **1229 East 1700 South** - Staff gave an overview of the proposal and oriented the Commission to the area.
- **1463 W. Van Buren Ave** - Staff gave an overview of the proposal and oriented the Commission to the area.
- **842 West Hoyt Place** - Staff gave an overview of the proposal and oriented the Commission to the area.

APPROVAL OF THE JUNE 28, 2017, MEETING MINUTES. [5:34:42 PM](#)

MOTION [5:35:01 PM](#)

Commissioner Clark moved to approve the June 28, 2017, meeting minutes as amended. Commissioner Scheer seconded the motion. Commissioners Hoskins, Bachman, Scheer, Garcia, Urquhart and Clark voted “aye”.

REPORT OF THE CHAIR AND VICE CHAIR [5:38:39 PM](#)

Chairperson Matt Lyon reviewed the time limit for applicants and how it would be applied.

Vice Chairperson Carolynn Hoskins stated she had nothing to report.

REPORT OF THE DIRECTOR [5:39:31 PM](#)

Ms. Cheri Coffey, Assistant Planning Director, reviewed the reappointment of Commissioners Lyon and Hoskins through 2021.

[5:39:54 PM](#)

Special Exception for a Hobby Shop Use at approximately 1229 East 1700 South - AJ Waller, the property owner, is requesting approval for a hobby shop (home office) use in the 2nd story of his existing detached garage. Uses other than parking a vehicle or storage in an accessory structure require Special Exception approval for a “hobby shop.” Hobby shop uses include, but are not limited to, home offices, art studios, exercise rooms, and dressing rooms adjacent to swimming pools. A hobby shop cannot be used as an accessory dwelling unit. The subject property is located within Council District 5, represented by Councilwoman Erin Mendenhall. (Staff Contact: Lauren Parisi at (801)535-7932 or lauren.parisi@slcgov.com). Case number: PLNPCM2017-00222 (Administrative Matter)

Ms. Lauren Parisi, Associate Planner, reviewed the petition as outlined in the Staff Report (located in the case file). She stated Staff recommended that the Planning Commission approve the petition as presented.

The Commission and Staff discussed the following:

- The definition of living space in the ordinance.
- The difference between a hobby shop and a retail space.
- If a bathroom was required in a hobby shop.
- If the size of the bathroom was restricted or constituted an accessory dwelling unit.
- The layout of the space and location of the windows.
- The language in the motion regarding the removal of the windows.

The applicant was not present at the meeting.

PUBLIC HEARING [5:48:53 PM](#)

Chairperson Lyon opened the Public Hearing.

The following individuals spoke to the petition: Mr. Richard Brockmeyer, Ms. Carolyn Metskir and Mr. Ken Hall.

The following comments were made:

- The property owner had not followed any of the rules or anything he said he was going to do from the beginning of the proposal.
- Why was the hobby shop added now versus when the garage was constructed?
- The property owner did not live at the residence so why was an office needed.
- The property owner had stated he was going to rent the space and allow someone to live there.
- Civil enforcement did not enforce anything and this proposal would create a bigger problem in the neighborhood.
- The structure did not match the plans submitted for the original building permit.

- The property owner tried to turn the garage into an apartment in the beginning and was denied.
- The back windows should have been removed when the garage was originally constructed.
- Please do not approve the petition.
- The neighbor's privacy would be impacted if the proposal was approved.
- A full bathroom should not be allowed in the upstairs area as it would allow for someone to live in the space.

Chairperson Lyon closed the Public Hearing.

The Commission and Staff discussed the following:

- If the applicant resided at the residence.
- The rental history of the property.
- The applicant's spouses occupation.
- If the height and setback requirements were met.
- If the rear windows would be removed if the proposal is approved.
- The size of the landing at the top of the stairs and if it was part of the proposal.
- The standards for review and next steps for the proposal.
- The identity of the property owner.
- If the Special Exception was tied to the property owner or the property.
 - The Special Exception was tied to the property.

MOTION [6:04:38 PM](#)

Commissioner Scheer stated regarding the Special Exception for a Hobby Shop, PLNPCM2017-00222, she moved that the Planning Commission table the petition until the Applicant was able to attend the meeting. Commissioner Urquhart seconded the motion. Commissioners Hoskins, Bachman, Scheer, Garcia, Urquhart and Clark voted "aye". The motion passed unanimously.

[6:05:44 PM](#)

Cottam Acre Planned Development and Preliminary Plat at approximately 1463 W. Van Buren Ave - Dave Brach is requesting approval of a planned development to create a flag lot in a proposed three lot subdivision and to locate a detached garage in the front yard area of the flag lot located at the above listed address in a R-1/7,000 (Single Family Residential) zoning district. The subject property is located within Council District 2, represented by Andrew Johnston. (Staff contact: Casey Stewart at (801)535-6260 or casey.stewart@slcgov.com) Case number: PLNSUB2017-00346 & PLNPCM2017-00347 (Administrative Matter)

Mr. Casey Stewart, Senior Planner, reviewed the petition as outlined in the Staff Report (located in the case file). He stated Staff recommended that the Planning Commission approve the petition as presented.

The Commission and Staff discussed the following:

- The setbacks for the property if the lot was not considered a Flag Lot.

- The height of the proposed structures.
- If the structures were one story would the setback rules still apply?

Mr. Dave Brach, applicant, reviewed the history of the property and the accessory structure. He reviewed the proposal and the reasoning for the two story home versus a one story home. Mr. Brach reviewed the energy efficiency of the proposed home.

The Commission, Applicant and Staff discussed the following:

- If solar panels would be used to achieve the proposed energy efficiency.
- If the home were moved fifteen feet to the east and complied with the required setback would it change the energy efficiency?
 - It would not affect the efficiency but would affect the existing tree.
 - The distance to the fire hydrant would be an issue if the home were moved.

PUBLIC HEARING [6:26:08 PM](#)

Chairperson Lyon opened the Public Hearing.

The following individuals spoke to the petition: Mr. Dave Robinson

The following comments were made:

- The garage could be moved and the code required the impact of the garage on streetscape be minimized.

Chairperson Lyon closed the Public Hearing.

The Commission, Applicant and Staff discussed the following:

- The comments from the Fire Department regarding the proposal.
- The reason the Fire Department did not address the distance from the home to the hydrant in their comments.
- The use of the existing accessory building.
- The setbacks for the proposal and why the proposal was more compatible with the area than what existed.
- The public comments for the proposal.
- The standards for approval.

The Commission discussed and stated the following:

- A substantive reason to forego the setback requirement had not been presented.
- The energy efficiency was great but it was not mandatory for the proposed structure.
- If the property would create an issue down the road if it was sold.
- The public comments for the proposal.
- The height of the building and if it should be one or two stories.
- The placement of the garage was not esthetically pleasing.
- The language in the motion regarding the setbacks.

MOTION [6:38:53 PM](#)

Commissioner Clark stated based on the information in the Staff Report, the information presented, and the input received during the public hearing, he moved that the Commission approve the Cottam Acre Planned Development PLNSUB2017-00346 and Cottam Acre Preliminary Subdivision Plat PLNSUB2017-00347 with the conditions listed in the Staff Report with the exception to allow the ten foot setback. Commissioner Bachman seconded the motion. Commissioners Hoskins, Bachman, Garcia, Urquhart and Clark voted “aye” Commissioner Scheer voted “nay”. The motion passed 5-1.

[6:40:21 PM](#)

Hoyt Place Planned Development and Preliminary Plat at approximately 842 West Hoyt Place - Dave Robinson is requesting approval for a Planned Development to develop two existing lots on approximately 0.55 acres with ten single family units on individual lots that will not front a public street. The proposed project consists of two single-family townhome structures with three units each, and four single family detached units with optional accessory dwellings, to be accessed by a private street requiring full street and utility infrastructure improvements. The proposed project is located at the above listed address in an SR-3 (Special Development Pattern Residential District) within Council District 2, represented by Andrew Johnston. (Staff contact: JP Goates at (801)535-7236 or jp.goates@slcgov.com) Case number: PLNSUB2017-00324 & PLNSUB2017-00504 (Administrative Matter)

Mr. JP Goates, Principal Planner, reviewed the petition as outlined in the Staff Report (located in the case file). He stated Staff recommended that the Planning Commission approve the petition as presented.

The Commission and Staff discussed the following:

- The relief the applicant was requesting in the proposal.
- The definition of a front yard in the ordinance.
- The required front yard and rear yard setbacks and if they were met in the proposal.
- The property that would be developed.

Mr. Dave Robinson, applicant, stated the proposal would not only enhance the area but lessen the crime. He reviewed the status of the street and that it would be privately owned. Mr. Robinson reviewed the reason for the proposed design and the importance of keeping the price point manageable. He stated the design was walkable and accessible.

The Commission, Applicant and Staff discussed and stated the following:

- The possible addition of accessory dwelling units.
- The flexibility of the floor plans.
- The parking for the proposal.

- Was the request to include the accessory dwelling unit in all of the structures or only the ones shown?
 - Accessory dwelling units were allowed under the ordinance and not part of the request. The proposal was just showing the potential of the proposal.
- The proposal would be done in three phases with a total of thirty homes.
- The effects of the current proposal on phases two and three.
- The affordability of the development.
- The materials and efficiency and walkways for the proposed homes.
- The status and maintenance program for the private street.
- How neighboring properties were affected by the improvements of the private street.
- The parking easements and provisions that would be requested for the properties.
- The requests in the subject proposal and what the Commission would be approving under that proposal.
- The setback reduction request.
- The requirements for fire and emergency vehicle access and how those requirements were met.
- The distance between the front of the building and the front property line.
- The review process for the next phases.
- The history of the area and the street.
- Why on street parking was part of the request.
- The width of the garages in the proposal.
- How the ownership of the private road would be determined.
- The turning radius for a vehicle and if the proposal allowed for enough space.

PUBLIC HEARING [7:33:22 PM](#)

Chairperson Lyon opened the Public Hearing.

Ms. Elizabeth Nielson stated her property was not part of the development, the road crossed her property line and would shorten the depth of her property. She stated she was looking to sell her property and the new owners would still need access. Ms. Nielson stated she was concerned the development would fence the new owners off and not allow full use of the property. She stated most of the properties were currently renter occupied and asked what stopped the developer from abandoning the other phases after the current property was developed.

Mr. Mike Nielson asked if the developer owned the current phase one property, was the road constructed prior or after the homes were built, did the improvements to the road increase the property taxes for the neighboring properties and what was the waste management plan for the development.

Chairperson Lyon closed the Public Hearing.

The Commission, Applicant and Staff discussed the following:

- The trash removal plan for the proposal.

- The construction timeline for the private street and how neighbor access would be impacted during the construction.
- How property taxes were impacted by the development of the private street.
- Who owned the property being developed in phase one.
- The property access neighbors would have to their property after the development.
- The history of the existing home that would be demolished and if consideration was given to its historic significance.

The Commission discussed and stated the following:

- The impacts to the neighbors was not oppressive and the street improved the area.
- Concerned over the number of cars that would be parking in the area.
- Language to add to the motion regarding parking.
- The regulations for parking in the ordinance and how to regulate parking with the allowed ADUs.
- How the historic nature of the homes was protected and who determined that these homes should be saved.
- The process for designating a property a landmark site.
- The standards the proposal met and how the historic structure was affected by those standards.

MOTION [8:03:06 PM](#)

Commissioner Bachman stated based on the findings listed in the Staff Report, the information presented, and the input received during the public hearing, she moved that the Planning Commission approve petitions PLNSUB2017-00324 and PLNSUB2017-00504, Hoyt Place Planned Development and Preliminary Subdivision, with conditions one through three as listed in the Staff Report. Commissioner Urquhart seconded the motion. Commissioners Hoskins, Bachman, Garcia, Urquhart, Scheer and Clark voted “aye” The motion passed unanimously.

[8:04:03 PM](#)

HLC New Construction Standards - A text amendment to amend sections of Title 21A (Zoning) of the Salt Lake City Code and clarify regulations concerning new construction in the H – Historic Preservation Overlay District. Changes proposed are intended to clarify language and to improve the process and its outcomes. The proposed regulation changes will affect section 21A.34.020 of the zoning ordinance. Related provisions of title 21A may also be amended as part of this petition, as necessary. The changes would apply citywide. (Staff contact: Anthony Riederer at (801)535-7625 or anthony.riederer@slcgov.com) Case number: PLNPCM2016-00905 (Legislative Matter)

Mr. Anthony Riederer, Principal Planner, reviewed the petition as outlined in the Staff Report (located in the case file). He stated Staff recommended the Planning Commission continue the petition to a future meeting.

The Commission and Staff discussed the following:

- The applicant was required to supply the documentation required for the application.
- The process for review of the proposal for new construction in a historic district.
- The requirement of a 3D streetscape, and if it was onerous.
- The submission requirements and how they impacted the applicant.

PUBLIC HEARING

Chairperson Lyon opened the Public Hearing, seeing no one wished to speak; Chairperson Lyon continued the Public Hearing.

The Commission and Staff discussed and stated the following:

- The two theories of new construction in historic districts and it how to address them in the proposal.
 - Staff explained that Salt Lake City's preservation policy encourages new projects to be reflections of their own time and not replicate historic buildings.
- Why certain materials were called out specifically.
- How to encourage more historic detailing in new construction.
- Why durability was called out in a preservation code and not in the general building requirements.

MOTION [8:25:39 PM](#)

Commissioner Scheer stated based on the information in the Staff Report, the information presented, and the input received during the public hearing, she moved that the Commission continue PLNPCM2016-00905 to a future meeting, pending action by the Historic Landmarks Commission. Commissioner Garcia seconded the motion. Commissioners Clark, Garcia, Bachman, Hoskins, Urquhart and Scheer voted "aye". The motion passed unanimously.

[8:26:27 PM](#)

Amendments to the Local Historic District Demolition Process - A text amendment to amend certain sections of Title 21A (Zoning) of the Salt Lake City Code to amend and clarify regulations concerning the demolition of historic resources in the H – Historic Preservation Overlay District. Changes proposed are intended to clarify language and to make the demolition process more transparent. The proposed regulation changes will affect section 21A.34.020 of the zoning ordinance. Related provisions of title 21A may also be amended as part of this petition as necessary. The changes would apply citywide. (Staff contact: Lex Traughber at (801)535-6184 or lex.traughber@slcgov.com.) Case number: PLNPCM2009-00014 (Legislative Matter)

Mr. Lex Traughber, Senior Planner, reviewed the petition as outlined in the Staff Report (located in the case file). He stated Staff recommended that the Planning Commission continue the petition to a future meeting.

The Commission and Staff discussed the following:

- The economic hardship review panel and the number of members on the panel.
- The profession of the person that would review an economic hardship application.
- The criteria for reviewing economic hardship.
- The definition of economic hardship in the ordinance.
- Who determined if willful neglect of a building occurred and the repercussions of willful neglect.
- The issues with enforcing and proving willful neglect.

PUBLIC HEARING [8:39:29 PM](#)

Chairperson Lyon opened the Public Hearing, seeing no one wished to speak; Chairperson Lyon continued the Public Hearing.

MOTION [8:39:33 PM](#)

Commissioner Clark stated based on the information in the Staff Report, the information presented, and the input received during the public hearing, he moved that the Commission continue PLNPCM2009-00014 to a future meeting, pending action by the Historic Landmarks Commission. Commissioner Hoskins seconded the motion. Commissioners Clark, Garcia, Bachman, Hoskins, Urquhart and Scheer voted “aye”. The motion passed unanimously.

The meeting adjourned at [8:40:48 PM](#)