

SALT LAKE CITY PLANNING COMMISSION MEETING
Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, May 9, 2012

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:36:17 PM](#). Audio recordings of the Planning Commission meetings are retained in the Planning Office for an indefinite period of time.

Present for the Planning Commission meeting were: Chairperson Angela Dean, Vice Chair Michael Gallegos and Commissioners, Emily Drown, Bernardo Flores-Sahagun, Michael Fife, Clark Ruttinger, Marie Taylor, Matthew Wirthlin, Lisa Adams and Mary Woodhead. Commissioner Kathleen Hill was excused.

Planning Staff members present at the meeting were: Wilf Sommerkorn, Planning Director; Nick Norris, Planning Manager; Everett Joyce, Senior Planner; Casey Stewart, Senior Planner; Anna Anglin, Principal Planner; Ray Milliner, Principal Planner; Daunte Ruston, Planning Intern; Paul Nielson, City Land Attorney; and Angela Hasenberg, Senior Secretary.

FIELD TRIP NOTES:

A field trip was held prior to the meeting. Planning Commissioners present were: Commissioners Michael Fife, Michael Gallegos, Clark Ruttinger and Lisa Adams. Staff members in attendance were Nick Norris, Anna Anglin and Casey Stewart. The following locations we visited:

New Balance Store- Staff gave an overview of the proposal. The following questions were asked:

- Current use of properties
- Access to the property
- Parking location

Adult Detoxification Renovation Project-252 West Brooklyn Avenue – Staff gave an overview of the proposal. The following questions were asked:

- About closure of the alley and street and how that impacted the project

Briefing: [5:36:24 PM](#)

Planning and Zoning Projects in RDA Project Areas: The Planning Division will update the Planning Commission on joint planning and zoning activities between the Planning Division and RDA that are occurring in seven of the RDA Project Areas. The activities include analyzing

existing master plan policies, zoning regulations and implementation strategies to address inconsistencies and introduce best practices. (Staff contact: Nick Norris at 801-535-6173 or nick.norris@slcgov.com)

Mr. Nick Norris, Planning Manager reviewed the proposed RDA projects as follows

- Identify master plan changes in RDA areas
- Make zoning and master plans consistent in RDA areas
 - Sugar House
 - Master Plan and Zoning Changes related to Street Car Project
 - West Capitol Hill Master Plan Changes
 - Analyze the current General Commercial designations on 300 West and 400 West
 - Analyze mixed use designations
 - Zoning Changes
 - Make zoning consistent with master plan : CG to MU
 - Central Business District Master Plan Changes
 - Update Downtown Plan (starts Fall 2012)
 - Zoning Changes
 - Analyze building height regulations
 - Depot District Master Plan Changes
 - Update Gateway Master Plan, if needed
 - Zoning Changes
 - Move to Form Based Code for area around SL Central Station
 - Granary Master Plan Changes
 - Update Gateway Master Plan if needed
 - Zoning Changes
 - Move to Form Based Code
 - West Temple Gateway Zoning Changes
 - Move to Form Based Code
 - Draft code is 90% complete
 - Form Based Code Basics
 - Building Form Type
 - Identify the building forms allowed
 - Identify where building forms are allowed
 - Identify building form regulations
 - Identify development regulations
 - Identify what uses are allowed

The Commissioners and Staff discussed the projects along 300 West between 500 and 600 North, a library extension and other development that will be determined after RDA studies are complete.

[5:51:41 PM](#)

Approval of Minutes for April 25, 2012

Commissioner Gallegos made the motion to approve the minutes with the corrections.

Commissioner Woodhead seconded the motion

Vote: The motion passed, Commissioner Adams abstained.

[5:52:49 PM](#)

REPORT OF THE CHAIR AND VICE CHAIR

Chairperson Dean and Vice Chairperson Gallegos stated they did not have anything to report.

[5:52:58 PM](#)

REPORT OF THE DIRECTOR

Planning Director Sommerkorn stated the City Council passed the Mobile Food Truck Ordinance which will go into effect upon publication. He stated two Planning Commission decisions were being appealed, the Terrace Hills Subdivision and the Country Club Estates Subdivision property. Mr. Sommerkorn stated since there was no longer a Board of Adjustment the cases would be heard by the new Hearing Appeals Officer.

[5:54:04 PM](#)

Chairperson Dean proposed an adjustment to the agenda stating the Adult Detoxification Renovation Project would be moved to the last item.

[5:54:30 PM](#)

Planning Commission Policies and Procedures: The Planning Commission will consider adopting an update to the Planning Commission Policies and Procedures. The Policies and Procedures are required by Zoning Ordinance section 21A.06.030 and outline how the Commission will conduct meetings, process applications and other purposes necessary for its proper function. (Staff contact: Nick Norris at 801-535-6173 or nick.norris@slcgov.com)

Mr. Norris reviewed the updated Policies and Procedures as presented to the Planning Commission, (available in the Planning Division).

Motion [5:55:04 PM](#)

Commissioner Gallegos moved to approve the Policies and Procedures as presented.

Commissioner Adams seconded the motion.

The motion passed unanimously.

[5:55:34 PM](#)

Public Hearing

New Balance Store Conditional Use and Planned Development - A request by Scott Spurrier for conditional use and planned development approvals for a new retail store located at approximately 2816 and 2818 South Highland Drive, in a Residential/Business (RB) zoning district of Council District 7 represented by Soren Simonsen (Staff contact: Casey Stewart at 801.535.6260 or casey.stewart@slcgov.com).

- a. **PLNPCM2012-00111 Conditional Use - A request for conditional use approval to demolish two single family dwellings and replace with a retail building in the RB zoning district.**
- b. **PLNSUB2012-00112 Planned Development - A request for planned development approval for the proposed retail building that seeks modification of building setback requirements and certain design standards of the RB zoning district.**

Mr. Casey Stewart, Senior Planner, reviewed the public comments and the petition as presented in the Staff Report (items are located in the case file). He stated Staff recommended approval of the proposal as presented with a fifth condition, that the Applicant must work with the Lower Millcreek irrigation company to resolve all irrigation issues on the property prior to receiving a final certificate of occupancy.

The Commissioners asked the following questions:

- Regarding the RB Zone, did the project meet the criteria in terms of height and buildable area.
- Had the traffic been addressed by the Transportation Division and what were the findings.
- Was an actual irrigation easement in place or did one need to be put in place.
- Would drive ways, to the property, be located on both the east and west sides of the property.

Mr. Stewart stated the height was within the allowable limits and larger buildings were currently present in the neighborhood. He stated there was no buildable area limits other than setbacks that contained the building.

Mr. Norris stated there was also a fifty percent lot coverage restriction and proposed structure was not currently at that limit.

Mr. Stewart stated the traffic was addressed between the Applicant and the Transportation Division prior to the application being submitted. Mr. Stewart stated he confirmed with Transportation that there was no concern over the traffic flow or patterns for the area. Mr. Stewart stated the irrigation easement was in regards to a pipe located on the property. He said the Applicant would work with the irrigation company to work out easement legalities and specifications. Mr. Stewart explained the Transportation Division did not feel it was necessary to change the ingress and egress of the proposed driveways.

Mr. Scott Spurrier, Applicant, stated he did not have anything to add to the presentation.

Commissioner Gallegos asked if the roof was designed to hold the mechanical systems and if noise issues regarding the systems had been addressed.

Mr. Stewart stated the cooling and heating units could extend above the allowable building height but in this case they were well below the height limit. He stated he was not certain how much of it would be covered with parapet walls which could reduce the sound.

Commissioner Gallegos asked if fencing was proposed along the side of the parking lot that abutted the residential area.

Mr. Stewart stated a fence was not being proposed as no fence was required, only landscaping.

Commissioner Gallegos asked if landscaping would be sufficient to muffle any noise from the parking area.

Mr. Spurrier stated the house, to the south of the proposed property, was a landscaping business.

Mr. Stewart stated the Applicant would need to comply with the standards regarding landscaping in the area.

[6:22:00 PM](#)

PUBLIC HEARING

Chairperson Dean opened the Public Hearing.

Ms. Judy Short, Land Use Chair for Sugar House Community Council, stated she was sad to say this was the gate way to Sugarhouse as it was a sad corner and the proposal may or may not enhance the look of it. She reviewed the property layout and the Applicant's meeting with the Sugar House community Council. Ms. Short stated she would like to see the area used more fully and effectively to enhance the area. She spoke of the entrance and exit to the property and stated she hoped the landscaping would be taken care of to accommodate a safe ingress and egress to and from the property. Ms. Short stated it was not a walkable area which was a shame.

Commissioner Woodhead asked Ms. Short if the Community Council was in support of the project.

Ms. Short stated there was not a formal vote however, most of the conversation was negative other than the fact that the project would clean up the space and bring in a new building.

Commissioner Woodhead asked Ms. Short if it was better than what was there but not ideal.

Ms. Short stated correct and that in her view there was nothing in the project that could cause it to be turned.

Commissioner Fife asked if the roof design was addressed by the Community Council.

Ms. Short stated it was addressed, but the surrounding buildings were similar to the proposal so it was in keeping with the character of the neighborhood.

Mr. Craig Hinckley, neighbor, stated they are concerned with the subject property and the fact that it had not been maintained over the years. He stated the property needed to be developed however, his primary concern was that the subject proposal was not in keeping with the RB zone or its intent. Mr. Hinckley stated he was not opposed to the project but felt it needed to be redesigned to bring it in line with the policies and regulations for the RB zone. He read the standard stating a proposal needed to be compatible with existing uses and explained he did not feel the proposed building would meet that standard. Mr. Hinckley reviewed the specifications of the building regarding height and square footage and indicated it was his opinion that the proposed building was not compatible with the district.

Chairperson Dean closed the Public Hearing. She invited Mr. Spurrier to address the public's concerns.

Mr. Spurrier stated the store was a relatively low traffic store.

Chairperson Dean asked if the proposed parking was the minimum required by the code or if additional parking was being provided.

Mr. Spurrier stated the parking was what the code required.

Chairperson Dean asked why the setbacks were changed.

Mr. Spurrier stated the setbacks were changed due to the response of the Community Council and compromising with the code requirements

Commissioner Adams asked if the proposed square footage was necessary.

Mr. Spurrier stated the current New Balance store location in the Sugar House shopping center was 6100 square feet and the proposal would allow for growth which he anticipates.

Chairperson Dean stated there were green building standards of which the proposal had addressed a few. She asked the Applicant if he would consider adding a place for recycling and if he would consider having a white roof.

Mr. Spurrier stated neither item would be an issue and would be added to the proposal.

The Commissioners and Staff discussed the size of the building in comparison to the surrounding structures. It was determined that the proposed building met the standards for the area. They discussed the layout, setbacks and size of the building.

[6:40:31 PM](#)

MOTION

Commissioner Woodhead stated regarding PLNPCM2012-00111 the conditional use request for the New Balance Shoe Store, based on the Public Hearing, the discussion with Staff, the Staff Report and the discussion among the Commissioners she moved that the Planning Commission approve the application subject to conditions one through four in the Staff Report and add the following additional conditions:

5. The Applicant must resolve the irrigation issues with the Lower Millcreek Irrigation Company prior to receiving a certificate of occupancy
6. The applicant will have recycling on site and a white roof.

Commissioner Ruttinger seconded the motion

Commissioner Wirthlin asked when the Planning Commission became the arbitrator of real property and easement rights between private parties, for example the condition of working out the easement irrigation issue. He asked if that was within the scope of what the Planning Commission did and could do within their authority.

Commissioner Woodhead stated she agreed with Commissioner Wirthlin and therefore, withdrew condition five of the motion.

Commissioner Gallegos agreed to the amendment.

Commissioners Woodhead, Gallegos, Adams, Drown, Flores-Sahagun, Ruttinger, Wirthlin voted *aye*. Commissioners Taylor and Fife voted *nay*. *The motion passed 7-2.*

[6:43:46 PM](#)

MOTION

Commissioner Woodhead stated as to PLNSUB2012-00112 the Planned Development petition for the New Balance Shoe Store based on the Staff Report, testimony received and the Public Hearing, she moved that the Planning Commission approve the Plan Development application and with conditions one through four and condition six attached to the Conditional Use application, to the extent they are appropriate, in the Planned Development.

Commissioner Gallegos seconded the motion.

Commissioners Woodhead, Gallegos, Adams, Drown, Flores-Sahagun, Ruttinger, Wirthlin voted *aye*. Commissioners Taylor and Fife voted *nay*. *The motion passed 7-2.*

[6:45:11 PM](#)

PLNPCM2011-00451 Localized Alternative Sign Overlay District at Library Square - A request by Mayor Ralph Becker to analyze the appropriateness of amending the Salt Lake City Zoning Ordinance to create a localized alternative sign overlay district at Library Square. This proposed overlay district would allow for more signage and different types of signage than is currently allowed in the PL-2 Public Lands District. Library Square encompasses the entire city block between 400 South and 500 South and 200 East and 300 East and is located in City Council District 4, represented by Luke Garrott. (Staff contact: John Anderson at 801-535-7214 or john.anderson@slcgov.com)

Mr. John Anderson, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff recommended a positive recommendation be forwarded to the City Council.

Commissioner Gallegos asked what signage was being proposed for use by the business within the Library.

Mr. Anderson reviewed the signage and explained signs would be attached to the east side of the library and on windows as well as a monument sign on the corners of the property.

Chairperson Dean asked what was meant by special event/ temporary signage.

Mr. Anderson stated it would be the ninety day special event signage that would change frequently.

Chairperson Dean asked if year round signage should be expected as there would be events throughout the year.

Mr. Anderson explained the Ordinance and stated signs could only be in place for ninety days out of the year, this was total for all signs not per event. He explained the temporary signage differed for the Library and the Leonardo and would be tapered to their needs.

The Commissioners and Staff discussed the types and sizes of signs that could be used on the property and the restrictions outlined in the proposed ordinance.

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PUBLIC HEARING

Chairperson Dean opened the Public Hearing

Ms. Julianne Hancock, Salt Lake City Public Library, stated the signage would allow the Library and the Leonardo to better promote and showcase the events and programs that happen on Library Square. She stated it would also allow the Libraries retail tenants to promote their commercial presence at the Library. She stated currently without the signage people are not aware that retail shops exist within Library Square. Ms. Hancock reviewed the sign restrictions

and the approval process required to install signage at the library. She stated the monument sign would be reviewed and carefully considered to ensure it worked well with the different uses and events at Library Square. Ms. Hancock stated Library Square was City property therefore they would work closely with the City for approval of the signage.

Chairperson Dean asked what was being proposed for the twenty foot high monument sign.

Ms. Hancock stated that was the proposed code restriction but, she doubted anything that high would be installed on the property. She stated the proposed designs were slatted and not over eight feet tall.

Ms. Lisa Davis, Leonardo Museum, explained the difficulty in advertising the events in the building. She stated the ninety day limit may become an issue with extended events such as "Body World" that ran for four months. Ms. Davis stated the time limit for these events would need to be flexible in order for these events to properly advertise. She asked the Commission to consider changing that section of the proposed ordinance.

Commissioner Gallegos asked how much flexibility was being requested.

Ms. Davis explained most traveling exhibitions ran between three and six months, the longer being very rare. She stated large signs would be limited because of the cost of production.

Commissioner Adams stated it made sense to her to allow the flexibility for the signage however, would it benefit the exhibits if there were always a sign on the building. She explained people may become used to seeing the advertising and stop paying attention.

Ms. Davis stated that was the purpose of limiting the time, because both the cost and keeping the public's attention.

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Chairperson Dean closed the Public Hearing.

[7:01:31 PM](#)

COMMISSION DISCUSSION

Chairperson Dean stated, regarding the large scale signs, that a monument sign was more for the pedestrians therefore, she did not see a need for anything over ten feet tall.

Mr. Anderson stated Planning Management had suggested the height be lowered and that change had not been added to the Staff Report. He stated it was Staff's recommendation for the height to be ten feet.

Commissioner Gallegos stated many facilities use large banners and signs for long periods of time as they are ideal for these venues and the ninety days was too strict. He stated he was not certain what the time limit should be if one were put in place.

The Commissioners discussed the length of time signage should be in place and if the Library and Leonardo should be the ones to gauge the length of time necessary to promote an event. They discussed having permanent signage and event signage language in the ordinance. Mr. Norris suggested changing the language, under number nine in the ordinance, to state the sign must be removed within a reasonable time following the close of the event. He stated some of the signage is quite unique and may require more time to remove than others.

Commissioner Gallegos asked if a permit was required for each sign.

Staff indicated a permit was required.

Commissioner Taylor stated she was not certain the signs were the answer to properly advertise events.

Chairperson Dean asked what the approximate time period to remove a large sign was.

Ms. Davis stated it took about five days to remove the "Body World" signs.

The Commissioners suggested allowing seven days, a week, to remove the signage.

Mr. Norris stated the issues regarding sign size along the street still needed to be reviewed. He stated the maximum square footage for a sign should be considered.

Commissioner Gallegos asked for suggestions on what the size should be.

The Commissioners and Staff discussed what the appropriate square footage should be, if one or multiple monument signs would be allowed, what would most benefit the property and who would have the final approval for permanent signage. The motion reflects the decisions made.

[7:17:11 PM](#)

MOTION

Commissioner Fife stated regarding PLN2011-00451, based on the findings listed in the Staff Report the testimony given and the discussion among the Commissioners, he moved that the Planning Commission forward a favorable recommendation to the City Council with the following changes:

- **That the monument signs be changed back to a maximum area per sign face of sixty square feet.**
- **That the monument sign maximum height of free standing signs be eight feet**

- Changing number nine to read, Special Event signs may hang during the entirety of a Special Event and may be installed three weeks prior to the event. Special Event signage shall be removed within one week of the close of the event.

Commissioner Gallegos seconded the motion. Commissioners Woodhead, Gallegos, Adams, Drown, Flores-Sahagun, Ruttinger, Wirthlin and Fife voted *aye*. Commissioner Taylor voted *nay*. *The motion passed 8-1.*

[7:18:53 PM](#)

Commissioner Gallegos excused himself from the meeting.

[7:19:00 PM](#)

PLNPCM2012-00029 Adult Detoxification Renovation Project - A request by Mark Manazer on behalf of Volunteers of America for a conditional use to allow the expansion of a large residential substance abuse treatment home located at approximately 252 West Brooklyn Avenue. The subject property is located in a CG (General Commercial) zoning district in Council District 5, represented by Jill Remington Love. (Staff contact: Anna Anglin at 801-535-6050 or anna.anglin@slcgov.com)

Ms. Anna Anglin, Principal Planner, reviewed the petition as presented in the Staff Report. She stated Staff recommended that the Planning Commission approve the petition with the conditions listed in the Staff Report.

Mr. Mark Manazer, Volunteers of America, stated this location has been in business for twenty six years and the proposal would allow for future services to be provided to the Community.

[7:23:38 PM](#)

PUBLIC HEARING

Chairperson Dean opened the Public Hearing seeing there was no one that wished to speak for or against the petition; Chairperson Dean closed the Public Hearing.

[7:23:53 PM](#)

MOTION

Commissioner Fife stated regarding PLNPCM2012-00029, based on the findings listed in the Staff Report and the testimony given he moved that the Planning Commission approve the proposed expansion of a conditional use for a large residential substance abuse treatment home at approximately 252 West Brooklyn Avenue with the conditions listed in the Staff Report. Commissioner Taylor seconded the motion. The motion passed unanimously.

[7:24:50 PM](#)

Meeting Adjourned.