

***Planning Commission Work Meeting Minutes***

*Thursday, January 18, 2018*

*City Council Chambers*

*220 East Morris Avenue*

*Time 6:30 p.m.*

**Commission Members Present:** Jeremy Carter, Presiding  
David Veenstra  
Susan Dickstein  
Stacey Holscher  
Jacob Lauritzen  
Laura Vernon  
George Pechmann

**Staff Members Present:** Michael Florence, Community Development Director  
and Economic Development Director  
Alexandra White, City Planner  
Lynn Creswell, City Attorney

**1. Discussion of Agenda Items.**

Community Development Director, Michael Florence, presented the first item of continuing business regarding a Conditional Use Permit request for a billboard height modification. The item was continued because the Planning Commission wanted more information regarding the sign in relation to the road height. The applicant had since provided the requested information. The existing sign is 37 feet tall. The pavement elevation of the freeway going eastbound is 11 feet above grade, and the barrier is 16 feet above grade. City Code allows a billboard company to adjust the height of a billboard if it is obstructed from view, but limits the height to 25 feet above the pavement or 25 feet above the barrier wall. The applicant was proposing a height of 55 feet, which is beyond the City Code allowance. State Code also allows for a height modification to allow the sign to be fully visible, but it does not provide a height restriction. Mr. Florence recommended adding a condition of approval limiting the sign height to 55 feet.

Commissioner Lauritzen asked if the applicant could increase the sign square footage if the Planning Commission limits the height of the sign. Mr. Florence responded that the Code requires the sign square footage to remain the same.

City Planner, Alexandra White, presented the second item of continuing business regarding an application the Planning Commission heard in October 2017. The application is a request for a General Plan Future Land Use Map Amendment changing the designation of the subject property from General Commercial to High-Density Residential. The applicant proposed to redevelop the site from an existing vacant office building to a townhome development. Ms. White reminded the Planning Commission that the project will require several applications, and, upon approval of this application, the developer will have to return for a zoning map amendment and a planned unit subdivision application. Ms. White presented an aerial photograph of the property and identified the surrounding uses. The applicant made changes to the concept plan presented in October,

including the removal of Unit 31, the addition of a small park and a five-foot landscape buffer between the development and the existing single-family homes. Ms. White reported that the concerns of the Planning Commission during the previous meeting included the density transition, the height of the townhomes, privacy, and the buffer between uses.

In response to a question from Commissioner Lauritzen, Ms. White stated that five or six residents attended the October 5 meeting and emails were sent to staff regarding this issue. They had the same concerns as the Planning Commission. She noted that a traffic study would be required with a later application.

The Planning Commission Work Meeting adjourned at approximately 6:47 p.m.

*Planning Commission Regular Meeting Minutes*  
*Thursday, January 18, 2018*  
*City Council Chambers*  
*220 East Morris Avenue*  
*Time 7:00 p.m.*

**Commission Members Present:** Jeremy Carter, Presiding  
David Veenstra  
Susan Dickstein  
Stacey Holscher  
Jacob Lauritzen  
Laura Vernon  
George Pechmann

**Staff Members Present:** Michael Florence, Director Community Development  
and Economic Development Director  
Alexandra White, City Planner  
Lyn Creswell, City Attorney

**Moment of Reflection:** Chair Carter

**Pledge of Allegiance:** Chair Carter

**Motion to Approve the Agenda:** Commissioner Veenstra

**Second to the Motion:** Commissioner Holscher

**Vote:** Unanimous

**Planning Commission Business**

**1. Election of a Planning Commission Chair for 2018.**

City Attorney, Lyn Creswell, described the Election process and stated that they will not be doing a secret ballot, although the Planning Commissioners could cast a written vote rather than vocal.

Chair Carter opened the floor for nominations.

**Commissioner Veenstra nominated Jeremy Carter to serve as Planning Commission Chair for 2018. Commissioner Lauritzen seconded the motion. The motion passed with the unanimous consent of the Commission.**

**Chair Carter nominated Laura Vernon to serve as Planning Commission Chair for 2018. Commissioner Veenstra seconded the motion. The motion passed with the unanimous consent of the Commission.**

Chair Carter closed the nomination period and called for a paper vote. The voting was as follows: Commissioners Pechmann, Vernon, and Dickstein voted for Jeremy Carter. Commissioners Lauritzen, Carter, Veenstra, and Holscher voted for Laura Vernon.

Laura Vernon was elected as Planning Commission Chair for 2018.

### **New Business**

There was no new business.

### **Continuing Business**

- **C-17-038**
- 1. **Conditional Use Permit for a Height Modification to an Existing Freeway-Oriented Billboard.**

#### **Action Item**

**Address**      1147 West 2100 South

**Applicant**    YESCO Outdoor Media

Community Development Director, Michael Florence, presented the staff report regarding a request for a Conditional Use Permit to modify the height of an existing YESCO billboard located at the address listed above. He presented an aerial photograph of the area and identified the location of the billboard. The item was continued from the previous meeting because the Planning Commission asked for additional information regarding the height of the freeway in relation to the height of the sign. Mr. Florence reported that the applicant had since provided the requested information. The eastbound freeway pavement height is 11 feet from grade and the barrier is 16 feet from grade. The difference between the existing sign, at 37 feet in height, and the pavement was determined to be approximately 25 feet.

Mr. Florence explained that City Code allows for a billboard company to petition for a height modification if the billboard is not clearly visible; however the cost only allows the sign to be 25 feet above the pavement or above the barrier wall. The applicant proposed to increase the sign height to 55 feet, which is 44 feet above the pavement and 39 feet above the barrier wall. State Code also allows for a height modification if the sign is not clearly visible, and states that “the height adjusted sign may be erected to a height to make the entire advertising content of the sign clearly visible... and shall be the same size as the previous sign”. State Code does not specify a height limitation. Staff recommended approval of the sign modification with the conditions set forth in the staff report and an additional condition limiting the sign height to a maximum of 55 feet.

In response to a comment made by Commissioner Lauritzen, Mr. Florence stated that the proposed billboard is the only one on the north side of the freeway between the Jordan River and 900 West.

Commissioner Vernon was concerned about the proposed height in relation to the height of other billboards along the freeway. Mr. Florence stated that the closest billboards to this one are in West Valley City. He was not sure what their requirements are. Other billboards in South Salt Lake City along freeways are much taller than 55 feet.

**Motion to APPROVE the Conditional Use Permit for the modification of an existing freeway-oriented billboard located at 1147 West 3300 South, subject to the following conditions:**

- 1. The billboard shall meet all requirements of Title 17.16.**
- 2. The billboard shall meet all requirements of Utah State Code 72-7-510.5.**
- 3. The applicant shall obtain a South Salt Lake City Sign Permit prior to any modifications to the billboard.**
- 4. All items of the staff report.**
- 5. The sign shall not exceed 55 feet in height.**

**Commissioner Veenstra**

**Second the motion:**

**Commissioner Lauritzen**

**Vote:**

**Unanimous**

- GP-17-03**
- 2. A Recommendation to the City Council to Amend the General Plan Future Land Use Map Designation of a Parcel Located at 441 East 3900 South, from General Commercial to Hight Density Residential.**

**Action Item**

**Address** 441 East 3900 South

**Applicant** Property Dynamics Management, LLC

City Planner, Alexandra White, explained that the application was brought before the Planning Commission in October 2017 and was continued due to concerns raised during that meeting. She gave a brief synopsis of the proposed project for the Planning Commission Members who were not

present at that meeting. The applicant requested an amendment to the General Plan Future Land Use Map to change the designation of the subject property from General Commercial to High-Density Residential to facilitate the development of an owner-occupied townhome project. If the amendment were approved by the City Council, the applicant would have to return with applications to amend the Zoning Map and for Planned Unit Development Subdivision approval. Ms. White presented an aerial photograph of the area and identified the surrounding uses, including a medium density development to the east and single-family homes to the east. She explained that the applicant made changes to the concept plan shown in October, including the removal of Unit 31, the addition of a small park and a five-foot landscape buffer between the development and the existing single-family homes. Ms. White reported that the concerns of the Planning Commission during the previous meeting included the density transition, the height of the townhomes, privacy, and the buffer between uses.

Commissioner Lauritzen asked if the height of a townhome was measured from the ground to the parapet. The proposed units were planned to have flat roof-top patios. Ms. White explained that the measurement depends on the type of structure. The design standards would be addressed in a future application. Normally, the measurement includes only the structure and not amenities that may be on top. That issues, however, could be taken into consideration.

Commissioner Lauritzen asked if there were specific numbers or other qualifiers in the City's definition of "encroachment". Ms. White responded that the definition was not that specific. The City typically judges encroachment on a case-by-case basis.

The applicant, Brandon Pehrson, gave his address as 11099 South Farnsworth Lane in Sandy. He stated that one of the concerns expressed during the previous meeting was the privacy of the single-family homes to the west. In response to those concerns, they removed Unit 31 and shifted the units to the east. This allowed for a small park and a five-foot landscape buffer along the back of the homes. The buffer would include trees to increase privacy. Mr. Pehrson also spoke about the adjustment of the stairways so that fewer windows face west. He spoke with one of the adjacent property owners who was in the process of selling his home. The owner told him that he would be more willing to remain in the home if the subject property were developed as residential. The property owner was concerned about crime and other problems associated with the vacant parking lot.

Commissioner Pechmann asked about the square footage of the units. Mr. Pehrson stated that they will range in size between 1,600 and 1,800 square feet.

Commissioner Vernon thanked the applicant for the modifications made to the concept plan. She asked if he would be willing to consider reducing the project to two-stories. Mr. Pehrson explained that the commercial land was expensive and they want to make the project work financially. They would, however, be willing to work with the City to make a project that works for the City while still being successful. Mr. Pehrson stated that their goal is to attract young families who are willing to spend a money on a quality property that is close to Salt Lake City. He

commented that the property could redevelop commercially with a building just as tall or taller than the proposed townhomes.

Chair Carter asked if Mr. Pehrson was committed to this concept plan as the final design. He stated that they were willing to make adjustment but were already working on civil engineering for the sewer and water.

Ms. White noted that staff still needs to do a full review of the concept plan to be sure that it meets all Code requirements and design standards.

**Chair Carter opened the public hearing at 7:35 p.m.**

Dea Smith gave her address as 3805 South 400 East and repeated phrases she had heard in the previous Planning Commission Meeting. She questioned why the proposal is back before them. It was stated during the previous meeting that “high density housing was never a good idea next to residential”, and that should have ended the discussion. Mrs. Smith stated that she has lived next to the empty parking lot for eight years and it had never been a problem. She did not feel an urgency to improve the property. If there were issues, they should be resolved by the property owner, not the City or the neighbors. Mrs. Smith stated that South Salt Lake City is already built out and additional residential housing is not needed. She stated that the goal of tonight’s meeting is to determine whether a zone change is appropriate for the property, not to discuss site plans, windows, and landscaping. She suggested that the City let the developer make a smaller return on their investment and build something else, such as a nursing home. Mrs. Smith was also adamant that three-story homes are not appropriate in the neighborhood.

**There were no further public comments. Chair Carter closed the public hearing at 7:42 p.m.**

There was a brief discussion regarding the commercial possibilities for the subject property. Staff confirmed that they would be subject to height restrictions, including a height transition where adjacent to residential.

Commissioner Vernon expressed concern about the height, density, and lack of transition between the single-family homes and the proposed project. She was also concerned about traffic in and out of the development. She did not think the proposal met the goals of the General Plan to protect the low-density residential homes in the area. Chair Carter agreed.

Commissioner Pechmann asked if a condominium-style development would be considered medium density. Ms. White quickly pulled up the requirements for condominiums and reported that they would be roughly 9-15 units per acre. There is a maximum height of 65 feet, but the Code also includes a transitional requirement. She stated that it would be difficult to provide parking for a condominium development on this particular property.

Commissioner Dickstein commented that there are three-story buildings on 300 East near Welby Street, and none of the residents like them. In addition, there is a privacy issue.

Commissioner Lauritzen commented that the developer is willing to work with the City on their residential design, but the City would not have much say if they decide to develop commercially because it is already allowed.

**Commissioner Lauritzen moved to CONTINUE the item. The motion died for lack of second.**

**Motion to recommend to the South Salt Lake City Council to AMEND the General Plan Future Land Use Map to change the land use designation of a parcel located at 441 East 3900 South, from General Commercial to High Density Residential (16-29 units per acre).**

**Commissioner Veenstra**

**Second the motion:**

**Commissioner Lauritzen**

**Vote:**

**Commissioner Holscher – Aye  
Commissioner Veenstra – Aye  
Commissioner Dickstein – Nay  
Chair Carter – Nay  
Commissioner Vernon – Nay  
Commissioner Lauritzen – Aye  
Commissioner Pechmann – Nay**

**The motion failed 4-to-3.**

**Motion to recommend that the South Salt Lake City Council DENY the petition to amend the General Plan Future Land Use Map to change the land use designation of a parcel located at 441 East 3900 South, from General Commercial to High Density Residential (16-29 units per acre).**

**Commissioner Vernon**

**Second the motion:**

**Commissioner Dickstein**

**Vote:**

**Commissioner Holscher – Nay  
Commissioner Veenstra – Aye  
Commissioner Dickstein – Nay  
Chair Carter – Aye  
Commissioner Vernon – Aye  
Commissioner Lauritzen – Nay  
Commissioner Pechmann – Aye**

**The motion carried 4-to-3.**

**Commission Business**

**Motion to APPROVE the January 4, 2018 Planning Commission Meeting Minutes.**

**Motion:** Commissioner Veenstra

**Second the motion:** Commissioner Holscher

**Vote:** Unanimous

**Staff Business – Information Items**

There was no staff business.

**Adjournment**

**Motion to Adjourn:** Commissioner Dickstein

**Second:** Commissioner Veenstra

**Vote:** Unanimous

The Planning Commission Meeting adjourned at approximately 7:55 p.m.

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**For Planning Commission**

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**Michael Florence**  
**Community Development Director**