

Planning Commission Work Meeting Minutes

Thursday, October 5, 2017

City Council Chambers

220 East Morris Avenue

Time 6:45 p.m.

Commission Members Present:

Jeremy Carter, Presiding
Ray deWolfe
David Veenstra
Stacey Holscher
Laura Vernon
Susan Dickstein

Staff Members Present:

Michael Florence, Community Development Director
Francis Lilly, Deputy Community Development Director
Alexandra White, City Planner
Lyn Creswell, City Attorney

1. Discussion of Agenda Items.

City Planner, Alexandra White, explained that the one item of new business includes a General Plan Map amendment changing the designation of a parcel located at 441 East 3900 South from General Commercial to High Density, 16 to 29 units per acre. The applicant intends to redevelop the property from a vacant office building to an owner-occupied townhome development. Ms. White emphasized that this is the first part of the application. If the amendment were approved, the applicant would have to apply for a zone change and a Planned Unit Development subdivision. The project site is 1.69 acres in size and the surrounding uses are varied. Ms. White briefly touched on the concept plan submitted by the applicant and reminded the Planning Commission that the plan needs to be reviewed for compliance with Code requirements.

Ms. White noted that the Planning Commission reviewed a similar application several years ago for the property and found it to be unfavorable due to the density of the project.

Community Development Director, Michael Florence, added that staff was unable to locate the minutes from the 2014 Planning Commission Meeting, but would pass them on via email once they are located. He urged the Commission to judge this new application based on its own merits.

The Planning Commission Work Meeting adjourned at approximately 6:52 p.m.

Planning Commission Regular Meeting Minutes
Thursday, October 5, 2017
City Council Chambers
220 East Morris Avenue
Time 7:00 p.m.

Commission Members Present: Jeremy Carter, Presiding
Ray deWolfe
David Veenstra
Stacey Holscher
Laura Vernon
Susan Dickstein

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

Moment of Reflection: Chair Carter

Pledge of Allegiance: Commissioner Carter

Motion to Approve the Agenda: Commissioner Veenstra

Second to the Motion: Commissioner deWolfe

Vote: Unanimous

New Business

- GP-17-003

1. **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 High Density Residential.**

Action Item

Address: 441 East 3900 South

Applicant: John Thomas & Brandon Pehrson

City Planner, Alexandra White, presented the staff report regarding a request for a General Plan Map amendment changing the designation of a parcel located at 441 East 3900 South from General Commercial to High Density, 16 to 29 units per acre. The applicant intended to redevelopment the property from a vacant office building to an owner-occupied townhome development. Ms. White

emphasized that this was the first part of the application. If the amendment were approved, the applicant would have to apply for a zone change and a Planned Unit Development subdivision. The project site is 1.69 acres in size and the surrounding uses are varied. Ms. White briefly touched on the concept plan submitted by the applicant and reminded the Planning Commission that the plan needed to be reviewed for compliance with code requirements.

Ms. White noted that the Planning Commission reviewed a similar application several years ago for this property and found it unfavorable due to the density of the project. However, the property was under new ownership and this is a new applicant and a new layout. Ms. White then reviewed the General Plan considerations. Staff felt that the density should be reduced to Medium Density to be a better transition between the single-family homes and the Mitchell Cove Condominiums. However, South Salt Lake City supports infill housing, increasing home ownership, and providing a variety of housing options.

Commissioner Vernon asked about the density of the neighboring Mitchell Cove Condominiums. Ms. White responded that it was 9 to 15 units per acre. The concept plan presented by the applicant showed a density of approximately 18 units per acre.

The applicant, John Thomas, identified himself as the owner of Property Dynamics Property Fund and gave his business address as 11650 South State Street, Suite 240, in Draper. Mr. Thomas explained that they are proposing this density because it is the best fit for the property. They understood that the west property line is adjacent to single-family residential homes, which is why the site plan showed the access road running along the west side. The three-story townhomes would match the height of the adjacent condominiums. The site plan also included a park and plenty of green space. Mr. Thomas noted that the proposed density of 18 units per acre was at the lower end of the High Density designation.

The applicant, Brandon Pehrson, gave his address as 11699 South Farnsworth Lane in Sandy. He added that the density was only a few units higher than the neighboring Mitchell Cove Condominiums. Financially, they needed to develop the proposed number of units to make the project work. Mr. Thomas noted that there is an easement for the cell towers that run through the property. He assured the Planning Commission that they considered every other type of use for the property and this was the only one that worked financially.

Mr. Pehrson stated that they had spoken to a number of commercial real estate agents who informed them that the existing office building, left as-is or improved, will always be a Class C office space. Rather than keep the building and rehabilitate it, they wanted to come up with a plan that would better serve the neighborhood and the City. With regard to the height of the units, Mr. Pehrson stated that save one flag lot, all of the adjacent single-family homes have very large backyards. They cannot see homes from the property because of the distance and the large trees. He noted that the subject property is about four feet higher than the single-family properties.

Chair Carter was concerned about the height of the townhomes and did not think the distance would be enough of a buffer.

Mr. Pehrson stated that the townhomes will be at least 40 feet from the property line because of the road and parking area. They tried to shift the townhomes as far east as possible. They would be willing to put up a wall, if requested.

Chair Carter did not think an eight-foot wall would make much of a difference against a 30-foot building. He preferred to see very large trees planted to obstruct the view. Mr. Pehrson stated that there are existing trees on the subject property but they had not been well maintained and need to be replaced. The single-family properties contain many mature trees that are blocking the view.

Commissioner Vernon asked if they were proposing three-story units for financial reasons. Mr. Pehrson answered in the affirmative and stated that if they want to go lower they will have to do a stacked flat development, however, typically people do not invest in those kinds of units.

Commissioner Veenstra asked if any lighting from the development will bleed into the neighboring properties. Mr. Pehrson stated that they would ensure that does not happen. He emphasized that most of the development is surrounded by commercial development and only 280 feet of the western property line is adjacent to single-family homes. They would do their best to buffer that property line.

Ms. White noted that this is only a concept plan. The final site plan will be subject to all of the City's residential design standards for aesthetics, lighting, height, landscaping, parking, and so on.

Chair Carter opened the public hearing at 7:32 p.m.

Alaine Marshal gave her address as 3809 South 400 East and expressed concern about the proposed development and other changes that have occurred in the neighborhood over the years. Ms. Marshal reported that there was a 51-inch wall in her backyard, but the proposed buildings will be twice that high. She also spoke of the existing parking issues on 400 East and was concerned that the proposed development will only add to them. Ms. Marshal was opposed to the height proposed because of the invasion of privacy.

Dee Smith gave her address as 3805 South 400 East and stated that she lives on the property in front of the flag lot mentioned earlier. Ms. Smith explained that the large building on Fenton is also higher than their properties and looks directly into their backyards. There is no privacy, and the addition of the proposed townhomes will put them in a "fishbowl". She commented that what is being considered is unfair to the existing residents. Ms. Smith stated that the residents spoke out about this issue when it was proposed two years ago and their minds have not changed. She briefly spoke about the current problems with theft and crime. She was sure that the owners of the townhomes will likely rent out their units rather than occupy them.

Gloria Kucia gave her address as 3786 South 500 East and commented that the plan was better than the one proposed two years ago, but it is not perfect. She echoed the comments made by her neighbors and emphasized that the owners of the townhomes will very likely rent them out. Ms. Kucia stated that this is not an appropriate area for high-density housing. She felt that the project will only benefit the developer.

Mick Sutcliff, who resides at 3807 South 500 East, agreed with the comments made and stated that the City needs to take into account that the plan was just an aerial view. The view will be very different from the neighbors' perspective. He asked what the prices of the units will be in comparison to the average area income.

There were no further public comments. Chair Carter closed the public hearing at 7:49 p.m.

Chair Carter thanked the residents for coming and commenting on the issue. He noted that the residents are a valuable resource to the City officials as they make decisions. He encouraged them to continue to participate and share their opinions. Chair Carter's primary concerns were with the height and the view of the single-family residential homes. He was not convinced that high density would ever be an appropriate use next to single family.

Commissioner deWolfe commented that he was "back and forth" on the proposal. He noted that housing is very important to South Salt Lake City. Reports have shown that Utah's population will double in 25 to 30 years, so every City is facing the same issue. The City, however, adopted a General Plan to guide this kind of development and this did not seem like a good fit for the area. He commended the developer for wanting to build something nice and improve the community.

Commissioner Holscher commented that the office building is currently vacant. Commissioner deWolfe agreed and said that the City will probably see similar proposals for this property over and over. He remarked that this may be the only valuable development for the property.

City Attorney, Lynn Creswell, commented that the subject property had become one of the biggest challenges for the City Attorney's office because the previous owners and the fact that some of the tenants did whatever they wanted at the property. The property needs to change from what it has been over the past few years. The property had been a nuisance for the City and the neighborhood.

Community Development Director, Michael Florence, added that the building had never been fully occupied while he had worked with the City and it was vacant most of the time. The property was poorly maintained.

Attorney Creswell stated that the new owners seemed to be willing to work with the City and develop something that is beneficial to the City. It would be appropriate to provide the applicants with feedback on what the Planning Commission envisions for the property.

Commissioner Veenstra asked how many windows will be facing the residential homes. Chair Carter stated that details such as windows will be addressed during the site plan review. Commissioner Veenstra stated that privacy is a real concern but perhaps there was something they could do to mitigate that.

Chair Carter stated that it was clear that the neighborhood is opposed to the proposed development. He strongly suggested that the developer do some neighborhood outreach and maintain open communication with the residents.

Commissioner Vernon commented that the use seems to fit the property but she was still not convinced about the density. She felt that stopping development completely was not appropriate, but maybe there could be a compromise.

Commissioner deWolfe suggested that the Commission give the developer direction to strive for a medium density and to be mindful of the height. Commissioner Vernon agreed and added that a traffic study might be warranted as well.

Mr. Pehrson commented that the previous applicant proposed an access going through to 400 East, but they would not be including that access. He did not think their development would significantly affect 400 East, but they would be willing to do a traffic study if necessary. Mr. Pehrson also stated that they would be willing to face the unit entrances and windows away from the single-family residences and shift balconies. He noted that the Project Architect was present at the meeting and took note of the Planning Commission's discussion and suggestions.

Mr. Thomas commented that the proposed terraces will face each other. They included the terraces to create a garden atmosphere and to beautify the neighborhood. If the Planning Commission does not feel they are appropriate, they could be altered. Mr. Thomas stated that they were aware that the commercial building had been a blight to the City and they want to improve the area.

Commissioner Holscher stated that the proposed density and height were not that different from the Mitchell Cove development, which was on two sides of the subject property. The height issue was already present in the neighborhood. Commissioner Veenstra agreed and added that the townhome development will be much better than what was currently on the property.

Mr. Florence stated that the Planning Commission could continue the item and give the applicants direction to look at density and height. Chair Carter again urged the applicants to conduct some public outreach, although it would not be a requirement. It was determined that the issue would be continued without a date, which would allow the developers ample time to speak with the public and revise their site plan. They would approach staff when they were ready to come back before the Planning Commission.

Motion to CONTINUE the item, giving direction to the applicant to reconsider density and height and present a revised concept plan.

Commission deWolfe

Second to the motion:

Commissioner Dickstein

Vote:

Unanimous

South Salt Lake City Planning Commission Meeting
September 7, 2017

Continuing Business

There was no continuing business.

Commission Business

Motion to APPROVE the September 7, 2017 Planning Commission Meeting Minutes.

Motion to continue: Commissioner deWolfe

Second the motion: Commissioner Veenstra

Vote: Unanimous

Staff Business – Information Items

There was no staff business.

Adjournment

Motion to Adjourn: Commissioner Veenstra

Second: Commissioner Holscher

Vote: Unanimous

The Planning Commission Meeting adjourned at approximately 8:20 p.m.

For Planning Commission

**Michael Florence
Community Development Director**