

Planning Commission Work Meeting Minutes

Thursday, September 18, 2014

City Council Chambers

220 East Morris Avenue

Time 6:36 p.m.

Commission Members Present: Rachael Lauritzen, Presiding
Holly Carson
Brandon Dalton
Mark Kindred
Jonathan Meakin

Staff Members Present: Michael Florence
Francis Lilly
Hayley Pratt

Discussion of Agenda Items.

Deputy Director-Housing Administrator, Francis Lilly, reported on the two agenda items consisting of a General Plan Amendment and an Appeal of a decision of a Category 1 Conditional Use Permit that staff attempted to work with the owners of a dog grooming business to modify. They could not come to terms so the applicants requested that the Planning Commission review the application.

Mr. Lilly reviewed the staff report for the General Plan Amendment proposed by Director's Alliance at 441 East 3900 South. He stated that the Commission had previously seen a very similar iteration to the proposal. The same applicants approached the City in April and hoped to pursue a General Plan Amendment that would have created a 1.3-acre townhome development. At that meeting a number of concerns were raised by the residents such as access onto 400 East. That access was critical to save the existing building and keep the two projects separate. Mr. Lilly noted that the Fire Code would require a second access given the depth of the lot. That was of concern to the residents as well as the proximity of the buildings to existing single-family properties.

Rather than go to the City Council with an adverse recommendation from the Planning Commission, the applicants decided to rethink their strategy and have come back with a second proposal that would result in the demolition of the office building and repurposing of the full 1.9-acre site as a townhome development. Because the current General Plan designation does not allow for this, the applicants are requesting a General Plan Amendment to redesignate the area shown in red on the map displayed from a combination of General Commercial and Low Density Residential to High Density Residential. The applicants are seeking to develop 34 units with a density of approximately 17 units per acre. It was noted that the density designation is 16 to 29 units per acre.

Mr. Lilly reported that the rezone would take place as part of the subdivision approval process. He noted that a Planned Unit Development Overlay is a zoning amendment as well. Should the

Planning Commission and City Council approve the request, the applicants could pursue subdivision approval. At that time, additional information would be available about the design of the building and the types of amenities planned for the corridor. Staff submitted for Commission review a preliminary sketch of what the project might look like. Staff had concerns they believed could be resolved in the design development and subdivision approval processes.

Photos of the site were displayed. Mr. Lilly explained that currently there is outdoor storage and parking lot at the rear of the building. The access onto 400 East was shown. Mr. Lilly stated that that access is still needed for fire access, however, the applicants are now proposing to block it off so that emergency vehicles can still have access via a crash gate. Otherwise, it would remain as open space for the benefit of the development. There would be no guest or resident access to the development off of 400 East. All access would be off of 3900 South. The request was reviewed preliminarily by the Fire Marshal who found it to be satisfactory.

Mr. Lilly reminded the Planning Commission that they voted to recommend denial of the previous proposal based on two critical issues on the site. First, was the potential adverse impact of townhouse units next to existing single-family homes. Second, was the traffic generated by the access off of 400 East.

Mr. Lilly named considerations that could be used by the Planning Commission on which to base a decision. First, the City has a goal to regulate land uses based on compatibility with surrounding uses, residential areas, and economic feasibility. A policy is also in place that states that encroachment should not be allowed into existing residential areas on a lot-by-lot basis. If encroachment is allowed into a residential area it should be done on a larger scale with significant amenities and buffers to upgrade the neighborhood. Mr. Lilly stated that technically this is probably not an encroachment situation and instead an issue of whether the density is appropriate.

It was reported that a policy is also in place that only residential uses should be allowed in business areas that are compatible with surrounding uses by type, scale, and size. One of the questions the Planning Commission should weigh is whether this is an appropriate location for higher density housing. High density housing is encouraged in South Salt Lake but needs to be in appropriate areas. General Plan considerations encourage where possible, infill housing and improving the overall home ownership ratio. A question was raised earlier in the day to staff about what is known about the tenancy of existing townhome and condominium developments. Mr. Lilly stated that staff does not have a source of data that specifies who is a renter and who is not, however, they can look at the county tax records and see where there is a discrepancy between the owner's address and the location address that indicates that the property could be a rental. Based on that, the renter percentage varies from 10% at Century Park located at 3300 South 200 East to 97% at Hidden Oaks at 3417 South 200 East. City-wide about one-third of the units appear to be rentals.

A rendering of the proposed layout was displayed. Staff had concerns with the layout but would work with the developer should the project move forward. Mr. Lilly recommended the Commission base its decision on how they understand the General Plan to function rather than the specifics of the site proposal.

Chair Lauritzen asked if there was a frontage requirement for a depth ratio with the recent remodeling of the residential design standards. Mr. Lilly stated that that refers to multi-family buildings, in particular, and not to a townhome project.

Community Development Director, Michael Florence, described the second agenda item for a modification of a conditional use permit. He explained that the City adopted the new conditional use permit process about 1 ½ to 2 years ago. The matter tonight would be an appeal from the Community Development Director. Mr. Florence explained that conditional use permits were split into two categories. Category 1 deals with more basic conditional use permits for existing uses and usually doesn't require new development. These types of conditional use permits are approved by the Community Development Director. If an applicant disagrees with the outcome of their hearing they can appeal it to the Planning Commission. Such an action would take place tonight. Mr. Florence explained that the business has a current conditional use permit.

Chair Lauritzen asked if there had been any modifications to mitigate some of the nuisances. Mr. Florence responded that City Attorney, Paul Roberts, discussed a couple of items with the applicants' attorney but no resolution had been reached. The applicants asked that the Planning Commission postpone a decision for two more weeks while they look at other options. The public was notified of tonight's hearing and staff thought it would be best to proceed and conduct the public hearing as noticed.

Planning Commission Regular Meeting Minutes
Thursday, September 18, 2014
City Council Chambers
220 East Morris Avenue
Time 7:00 p.m.

Commission Members Present: Rachael Lauritzen, Presiding
Holly Carson
Brandon Dalton
Mark Kindred
Jonathan Meakin

Staff Members Present: Michael Florence
Francis Lilly
Hayley Pratt
Paul Roberts

Moment of Reflection: Commissioner Lauritzen

Pledge of Allegiance: Commissioner Kindred

Motion to Approve the Agenda: Commissioner Kindred

Second the motion: Commissioner Carson

Vote: Unanimous

New Business

- 1. **Public Meeting**
GP-14-004

A Recommendation to the City Council to Amend the Future Land Use Map to Designate 1.9 Acres Located at Approximately 441 East 3900 South from Low-Density Residential (3-8 units per acre) and General Commercial to High-Density Residential (16-29 units per acre).

Action Item

Address: 441 East 3900 South

Applicant: Director’s Alliance

Deputy Director-Housing Administrator, Francis Lilly, presented the staff report and stated that Developer’s Alliance is a partnership that is seeking to develop the subject property into a

residential townhome development. The project has been reviewed previously by the Commission. The differences between the two will be described as well as the General Plan implications of the current petition. The current proposal includes one entrance onto 3900 South, an emergency vehicle turnaround, and a crash gate exit onto 400 East that could be used by emergency vehicles but would not be accessible to residents or guests. This was a significant difference from the previous proposal. Since the applicants are now proposing that the existing building on the site be demolished, there is no need for the second exit and there will be sufficient vehicular access onto 3900 South. A secondary emergency access is still required by the Fire Marshal due to the length and depth of the lot. The developer has agreed that it would only be for emergency vehicle access and served by a crash gate. The area would act as open space and not be considered drivable space.

Mr. Lilly stated that the resubmitted project is somewhat larger. Previously it was 1.3 acres and now it is nearly 1.9 acres. The applicants are contemplating developing three to four townhome units intended for owner occupancy. Should the General Plan Amendment be approved, it would come forward as a Planned Unit Development (PUD) subdivision plat as well as a rezone. At that time staff and the Commission would have time to go into details pertaining to building design, site layout, etc.

The applicant is now requesting an amendment to the General Plan and Future Land Use Map from its current designation of Commercial General and Low-Density Residential to High-Density Residential, which will accommodate the 17 unit per acre density. The current zoning is Commercial Corridor for the old office building and parking lot. The second parcel is zoned Single-Family Residential. Photos of the existing site were displayed. The building currently sits empty although the applicants are using the parking lot for storage.

Mr. Lilly reminded the Commission that they recommended denial at the April 3, 2014, meeting. The reasons were set forth in the meeting minutes. The feeling of the Commission was that the proposal was a poor fit for the neighborhood. The developer came up with a new proposal in an effort to obviate some of the critical issues raised at the meeting. Mr. Lilly reviewed some of the General Plan considerations. For example, the General Plan has a strategy to support quality neighborhoods. It asks the Commission to regulate land uses based on compatibility with surrounding uses, residential areas, and economic feasibility, to maintain residential business in industrial areas that are vibrant and where the health and safety of all are protected. There is also a policy that prevents encroachment into residential areas on a lot-by-lot basis.

Mr. Lilly stated that commercial development is the ultimate intention of the General Plan; however, whatever development takes place should be compatible and help maintain the value and integrity of the existing neighborhoods. A goal exists that addresses accommodating higher density housing in appropriate areas. The City has a policy where the creation of residential mixed use development could be supported on long and deep lots as long as commercial frontage is maintained. The General Plan also encourages the development of infill housing. It does, however, present challenges such as building size and height, yard area, design, parking, private roads, and road function. Staff believes these issues can be overcome with proper design and planning. Staff and the Commission have worked hard to enhance the zoning regulations and design standards. With regard to a question raised earlier in the meeting about frontage

requirements for multi-family developments, staff believes that the Planned Unit Development Overlay District requirements will apply in this case. One requirement is that the minimum width of any lot in a residential PUD be 50 feet along the length of the property for single-family detached homes and 30 feet for attached units. Any unit consisting of three or more single-family attached structures shall be 20 feet in width at all points along the length of the property. Rental occupancy statistics were discussed.

Mr. Lilly stated that the site plan shows a current configuration that staff has concerns with. They felt that something that could help the project and resolve the concern about units being too close to existing single-family homes would be to shift the road to the west and have units face each other in a courtyard. The applicant expressed a willingness to proceed in that manner. What was presented was meant to serve as a concept of what could happen on the site and was a reasonable expectation of what the density will look like. The specific configuration, however, will be resolved as part of the PUD review that will be entertained should the General Plan Amendment go through.

Staff asked that the Commission focus its recommendation to the City Council on findings determined by their understanding of the General Plan. Staff believed that the two critical issues, to adequately buffer new uses from adjacent residential and maintain the required off-street parking, can be resolved with an appropriate land use designation and subsequent development reviews. The two options available to the Commission were discussed.

Project Designer, Steve Juback, gave his address as 990 Villa La Costa, in Kaysville. Chair Lauritzen asked if consideration had been given to annexing the project with the Mitchell Cove subdivision or other adjacent development. Mr. Juback stated that they have not.

In response to a question raised by Commissioner Kindred, Mr. Juback stated that the units are two stories in height. The projected square footage of the units was approximately 1,400 square feet.

The public comment period was opened at 7:19 p.m.

Kristie Catidiz identified herself as a new homeowner. She identified her property on the map displayed and was upset that she spent a lot of money to move from Millcreek to now have high density housing built in her backyard. She noted that her backyard is four feet lower than the property line and the neighbors will be looking directly into her backyard.

Dee Smith, a five-year 400 East resident, stated that the neighborhood was quiet when they moved there. They spent a lot of money restoring their property. They have been to court three times in an effort to get a backyard because the man who sold them the house illegally subdivided the lot leaving them with only a two-inch backyard. Ms. Smith stated that there are several schools nearby and a daycare across the street that operates five to six days per week. She saw no reason for such high density in an already dense area. She suggested the possibility of a park instead of what is proposed or at least leaving the zoning as is. Ms. Smith asked if the crash gate allows pedestrian access or if it will just serve as a barrier to keep cars out. She asked what criteria the City has for granting approval when the neighborhood is opposed. She

commented that those who will benefit from the development live in other areas where there is no high density housing and traffic.

Samantha Marshall gave her address as 3809 South 400 East and stated that lots in the area are typically narrow and long with single-car garages. She pointed out that the owner of the property to the south of her built a home on a ditch easement which she owns a share in. If she were to turn the water on, her neighbor's basement would be flooded because it literally was built even with the elevation of the ditch. Ms. Marshall understood economics but was concerned about the very high density proposed. She also noted the lack of a playground and stated that what was to have been open space was developed as a subdivision. She noted that there is no park in the area and South Salt Lake City lacks amenities that every other community has. Ms. Marshall was concerned that it seems that the City wants to develop every square inch of the City with low-income housing. She remarked that some individuals on Fenton Avenue are low income and from foreign countries and haven't watered their lawn since they moved in. The homes used to be well kept but aren't any longer. She stressed that the City doesn't need any more subsidized housing destroying the area. She recommended the City concentrate on building better homes and inviting more affluent people to South Salt Lake instead of lower income individuals. The result would be fewer police calls and less crime. She expressed her strong disapproval.

Luke Catidiz gave his address as 3857 South 400 East and identified his property on the map displayed. He expressed concern about the high density development and the potential decrease in property values. He paid \$280,000 for his home and stated that if low-income housing is built nearby the homes won't sell for anywhere near that. He was also concerned that his property value will decrease substantially. As a fire fighter his department responds to numerous calls on 300 East between 3300 South and 3900 South. He reiterated that the homes behind theirs are higher than their yard and will have two-story homes on them. He did not think the City needs more high density residential housing, especially in the proposed location. When he purchased his home he was expecting a single-family dwelling to be built on the subject property, which would have been better for the neighborhood. He hoped another option would be pursued or at least a lower number of higher priced units.

Mr. Lilly read a letter from Heike Gulla, a 20-year resident residing at 3834 South 400 East. Ms. Gulla expressed concern with increased traffic from the elementary school and medical clinic employees parking on their street. Many children use the street to get to and from school and it is already dangerous with the current amount of traffic. She believed that adding a high density project with an outlet onto 400 East will only increase traffic and increase the risk to pedestrians. Ms. Gulla thought the neighborhood would benefit from single-family homes, allow the land to be put to good use, and help the community grow while maintaining a beautiful view and friendly neighborhood feel. She hoped the developer would respect the residents' point of view.

Todd Neilson gave his address as 3807 South 400 East and stated that his is one of the narrow lots described. He reported that he works in the construction industry as a plumber. He likes the plot plan but stated that an elevation view might give the Commission a better idea of what the neighbors will be facing. He, like many of his neighbors, has a view of Mount Olympus from

his backyard and enjoys the pleasant neighborhood atmosphere. He stated that adjacent properties look down into his backyard and his privacy has already been violated. He objected to the proposed zone change and thought single-family homes would be a better option.

The applicant, Dirk Pierson, gave his address as 597 East 3790 South and stated that he lives in the community and currently lives in an environment that he detests. He lives on a dead end street and purchased the very last lot and values his privacy. At one time there was a drug house across the street from him. A neighbor who had a great deal of fortitude was able to drive the tenant out with eviction notices because it was a rental property. Mr. Pierson was not happy having needles, drugs, and rental properties because the quality of ownership decreases dramatically. Crime problems in the area were detailed. Mr. Pierson reported that when the property was purchased in 1996 it was in Salt Lake County and zoned RM, which allowed 24 units per acre. A careful analysis was performed before the purchase was finalized and subsequently it was annexed into South Salt Lake. Mr. Pierson's understanding was that the zoning of the major parcel allows 25 units per acre provided they meet all of the requirements.

Mr. Pierson had no problem redesigning the property but indicated that he has owned the property longer than anyone else along the back fence except for one owner occupant. He referenced Mitchell Cove and considered it to be a relatively stable, robust community. What they are proposing to develop will have a greater economic value than Mitchell Cove, which has two car carports. They will instead have two-car garages. Mitchell Cove offers a combination of two and three-bedroom units with exactly the same square footage. What they are trying to do is not come with apartments. He remarked that it is in their best interest to keep the project owner occupied because there are guidelines with FHA financing that prevent more than 10% of the units being rentals. With regard to the other four lots on the property, Mr. Pierson did not object to leaving them off. He stated that in addition, it isn't necessary to have the crash gate to satisfy the Fire Department. If that were the case, they would have to increase the density to closer to 26 units per acre to make it feasible economically.

Commissioner Kindred asked Mr. Pierson to respond to an earlier question about public access to the crash gate. Mr. Pierson stated that the crash gate will have a combination lock box. It will only be used in the event of a fire when more than one truck needs to be brought in. If the neighbors prefer there be no pedestrian access, they can accommodate that. With regard to parking, they are required to have ½ parking stall per unit for guest parking. They have also discussed putting in additional parallel parking.

Ms. Marshall asked about the setbacks and observed that Mr. Pierson has not downsized the project from the previous request but has instead removed the commercial building and put in additional units. The design was not changed. Chair Lauritzen informed Ms. Marshall that tonight's discussion focuses on density and not the project details. She begged the Commission to not approve the requested density.

Mrs. Hull gave her address as 3803 South 400 East and stated that they have not yet built a house but want to build their dream home on their property. She expressed concern with privacy since there is an apartment building on the north side. If more housing is built on the east side they will have no privacy at all.

Travis Hull, the husband of the previous speaker, stated that a four-foot retaining wall has already started to collapse into their property. He was concerned that construction on the property will make it fail more quickly.

There were no further public comments. The public comment period closed at 7:55 p.m.

Chair Lauritzen described the criteria for making the decision. She explained that it is private property and the City is required to follow its own rules when making a decision. Whatever recommendation is made to the City Council will be based on the standards contained in the City ordinances.

Commissioner Carson noticed that the same concerns from last April had to do with privacy and that situation did not seem to have been resolved. Community Development Director, Michael Florence, stated that the matter could be continued to determine compatibility. Staff recommended that the developer conduct a neighborhood meeting on his own.

Chair Lauritzen was concerned that the project is not to a large enough scale to support the high density. She stated that the Mitchell Cove development is a medium density project. She was concerned with the depth of the project proportional to its width. She was not convinced that it is suited to the neighborhood due to the narrowness and deepness of the lot. She also preferred that there be more 3900 frontage included. She commented that attractive high density development can enhance a neighborhood.

In response to a question raised by Commissioner Kindred, Mr. Florence stated that Mitchell Cove was built in the County prior to 1998. It was estimated that Mitchell Cove has a rental ratio of 26% or 11 of the 43 units. Mr. Lilly urged the Commission to avoid any implication that they are not furthering fair housing in the community.

Commissioner Dalton thought the question the Commission is faced with is what is more compatible with the neighborhood. He did not consider high density to be appropriate in the proposed location and thought medium density was preferable. Mr. Florence stated that 9 to 15 units per acre is considered medium density. The General Plan considers high density to be 16 to 29 units per acre. In this case, the proposed density is only two units above the medium density ratio.

It was noted that the height requirement for the commercial corridor is a maximum of 45 feet but must be compatible with the neighborhood. In addition, any commercial building would have to obtain design review approval from the Planning Commission because it is next to a single-family neighborhood.

Chair Lauritzen felt that annexing the flag lot from the property would be problematic but was aware of no alternative. Her preference was to see greater width on the property. She stated that the ordinances specify that they must have something that is of a large enough scale to accommodate the high density housing. Her sense was that it works better as a larger development. Her preference was to have medium density with fewer problems. Commissioner Dalton commented on the compatibility of uses.

Mr. Lilly indicated that the developer is asking that the matter be continued.

Motion to continue the matter and that the developer meet with as many neighbors as possible between now and the next meeting. It was recommended that buffering issues be carefully considered as well as allowing for privacy for the neighbors and make it a part of the presentation.

Commissioner Carson

Second on the motion:

Commissioner Meakin

Vote:

Unanimous

**2. Public Meeting
C-14-043**

Appeal of a Conditional Use Permit for the Central Valley Pet Retreat, a Pet Boarding and Daycare Facility.

Action Item

Address: 55 East Miller Avenue

Applicant: Jacquelyn J. Hansen

Mr. Florence explained that the request is for an appeal of a conditional use permit. He reported that Central Valley Pet Retreat made application to the Community Development Department for a Category 1 Conditional Use Permit. The hearing was held on November 15, 2012.

Mr. Florence explained that Category 1 Conditional Use Permits are approved and reviewed by the Community Development Director. They can be appealed with a new hearing held before the Planning Commission.

Mr. Florence gave the history of the property and stated that prior to Central Valley Pet Retreat occupying the building there was a veterinary office there for a number of years. The applicant, who was also the owner of the property at the time, decided to start her own business in the building and applied for the conditional use permit. After a few months of obtaining the conditional use permit, the City started receiving complaints about noise from barking dogs. The

City investigated and found that the applicant had increased the original square footage of the outdoor play area.

An aerial photo of the property was displayed. A red box showed the play area that was originally established by the veterinary office. When staff investigated, they discovered that the applicant had expanded the entire rear yard area of the property. A photo showing what the property looked like previously was displayed. The home to the west is approximately eight feet from the expanded outdoor play area. An aerial and site plan provided by the applicant were displayed. After the City received complaints about the expanded outdoor area, the applicant was informed that she would need to modify the conditional use permit. The complainants to the west in the single-family home were leaving for the winter and it was agreed that the business owner would apply for a modification when they returned because they had a number of concerns. Over the summer staff received complaints again and investigated. They found that the applicant had removed the gravel because it had caused problems with the dogs' paws and more permanent amenities were installed.

The applicant applied for a modification of her conditional use permit on August 12, 2014. As part of the review, Mr. Florence took all factors into consideration such as the fact that the business needed to expand and complaints from the residents. Based on his decision, the applicant filed her application to appeal. The following conditions were added to the original conditional use permit:

1. A staff member will be outdoors at all times with the dogs to monitor barking and to remove dogs from the outdoor play area when found to be barking.
2. The microphone sound system will continually be used by the indoor staff in order to monitor barking by the dogs in the outdoor play area.
3. The outdoor play area may include the covered awning area, and the area extending to the originally approved play area as indicated in the November 2012, staff report. This area may not be expanded to include other areas of the yard without going through the conditional use permit modification process.

Mr. Florence explained that when considering conditional use permits, staff looks to state law and the City's own zoning ordinance. City and state ordinances were reviewed and discussed. The state law requires the City have standards for reviewing conditional use permits. The City's zoning ordinance contains design and compatibility standards that deal with noise and buffers. When the original conditional use permit was approved there was a 75-foot buffer between the use and the single-family residence. There were also two aisles of parking with a drive aisle between that Mr. Florence felt would help mitigate the impact.

Mr. Florence referenced portions of the City Code pertaining to modification proceedings. Chair Lauritzen asked about the requirements for noise buffers. Mr. Florence stated that distance and fencing materials can be implemented, however, there are very few guidelines.

Jeff Hollingworth gave his address as 68 South Main, Suite 600, and was present on behalf of the applicant, Jacky Hansen. He stated that their intent tonight is to gather and give information and not necessarily to try the appeal. Although Ms. Hansen could not be present, Rich Chromar, Manager of Central Valley Pet Retreat, was in attendance. Mr. Hollingworth reported that Central Valley Hospital operated from the subject property for many years. When Ms. Hansen and her husband purchased the property 15 years ago it was a full-service veterinary hospital with seven veterinarians, emergency staff, a full surgical suite, and 75 overnight boarding kennels. When the veterinary office moved approximately one year ago, Ms. Hansen decided to continue with the boarding and daycare aspect on a more tailored and upscale level. Ms. Hansen, along with her two daughters, repurposed a portion of the large building. On the outside, what was historically a parking lot and subsequently a grassy area where pets were exercised, was converted the area beyond what was originally anticipated.

The applicant had come to learn the benefits of keeping pets happy and quiet. One is to separate the small and large dog areas. The small dog, aka the non-social dog area, now has vinyl fencing between the use and the neighbors to the west. The turf play area for small dogs has canopies, which provides the pets with shade. It also serves as a noise buffer. The vinyl fencing between the two areas helps prevent parking because the dogs cannot see each other. In the large dog area the gravel was removed and replaced with natural grass or canine turf with a splash pad area. They also have a sound monitoring system so that if there is barking the staff will know immediately and can take steps to remedy it. Mr. Hollingworth welcomed comments on how they can improve from the neighbors and stated that the small dog area is only used between 9:00 a.m. and 7:00 p.m. They hoped to also discuss additional buffering and identified parking as a concern. The applicant expressed an interest in working with staff to ensure that the parking is adequate.

Chair Lauritzen commented that the unauthorized expansion makes tonight's meeting necessary. She liked that the applicant was working with the neighbors and the City to remedy excessive barking. She visited the site earlier in the day and found the expansion to be of high quality but still unauthorized. She also observed that one corner of the neighboring home is very close to the fence line. She understood why there had been issues. Mr. Hollingworth invited the Commission to take an onsite visit. He thought it would be helpful in understanding what they have done and what they would like to do. Chair Lauritzen suggested that instead of scheduling one visit for the entire Commission, Commission Members should be encouraged to make visits on their own. Commissioner Carson indicated that she visited the site prior to the improvements being made.

Mr. Chromar stated that they take the concerns of the neighbors very seriously and want to fit in the neighborhood. Their staff has gone through extensive training and done a great deal to quiet the dogs. They do a lot in group play that keep the dogs quiet and active. The new sound system ensures that staff is aware of what is going on outside and if there is a problem they can address it immediately. Mr. Chromar described the type of people who use their boarding and daycare services and stated that their clients come from all over the Salt Lake Valley and North Davis and Utah Counties. They do extensive advertising on line and are able to attract customers from the surrounding areas. Because of their location they also have good access to the airport. Their

goal is to operate a positive, attractive facility that is safe and fun for dogs. Often their clients also patronize area businesses as well, which Mr. Chromar considered to be significant. He expressed a willingness to work with staff and the neighbors to mitigate all of their concerns.

The public comment period was opened at 8:35 p.m.

Albert Williams gave his address as 24 East Angelo Avenue and stated that he has lived in South Salt Lake for approximately 60 years. Their home is adjacent to the pet retreat and their bedroom and family room are in the back of the dwelling. When the hospital was in business the animals were sick and didn't make much noise. Since being converted to a dog retreat, there has been a lot of noise. At 7:30 a.m. the barking began and disturbed them all day. Over the past few months things have gotten better but there is still a lot of noise. Mr. Williams was opposed to the expansion and stated that a buffer is needed. He noted that the dogs are within eight feet of their property and when they bark it is very noisy. He did not know what could be done to buffer the noise but was tired of hearing barking dogs.

Barbra Williams stated that regardless of the fence height, when there are 15 to 20 dogs in the yard and they are barking there is noise. She contacted Ms. Hansen the previous week because there was fighting going on that was not stopped. There are also bushes between the two properties but they don't stop the noise. When the veterinary office was there, the staff would bring dogs out two at a time and sit with them before taking them back inside. She found that to be quite different from the daycare operation.

Rebekah Neuns gave her address as 50 East Angelo Avenue and identified her property on the map displayed. She stated that her fence line borders the subject property. She stated that she can see the dogs playing but doesn't hear much barking. She considered the business to be an asset to the neighborhood and likes having it there.

Tim Sullivan reported that he stayed with Ms. Neuns and her boyfriend for a time and helped renovate the home after they purchased it. He had found the applicants to be very good to work with and have been good neighbors. He had found the barking to be minimal and had not noticed a smell.

There were further public comments. The public comment period was closed at 8:44 p.m.

City Attorney, Paul Roberts, reported that the applicant would like to come back with a more formal proposal at a future meeting. Chair Lauritzen recommended that the applicants propose something that addresses privacy and mitigates noise. To her, the canvas canopies did not seem adequate for stopping noise. Commissioner Dalton observed that the neighbors who are opposed to the use have no buffer or trees between them and the operation.

Motion to continue the appeal of the conditional use permit for the Central Valley Pet Retreat until the next Planning Commission Meeting.

Motion to approve:

Commissioner Dalton

Second the motion: Commissioner Meakin

Vote: Unanimous

Commission Business

Approval of the September 4, 2014, Planning Commission Meeting Minutes.

Motion to approve: Commissioner Carson

Second the motion: Commissioner Dalton

Vote: Unanimous

Staff Business – Information Items

Mr. Florence asked that any Commission Members who knows someone who might be interested in serving on the Planning Commission contact the Mayor, who is compiling a list of potential new Planning Commission Members.

The following day was the Parley's Trail Ribbon Cutting at 11:30 a.m. on the street car line at 600 East. There will also be various activities from 5:30 p.m. to 7:30 p.m. Additional details were available on the City's website.

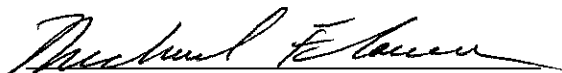
Adjournment

Motion to Adjourn: Commissioner Kindred

Second: Commissioner Meakin

Vote: Unanimous

The Planning Commission Meeting adjourned at approximately 8:50 p.m.


Michael Florence
Community Development Director


For Planning Commission

PLANNING COMMISSION MEETING

DATE: 18 Sept. 2014

Please sign and pass on, thank you.

NAME	ADDRESS	REPRESENTING
<u>Steve Jurack</u>	<u>9910 VIA CINCOSA</u>	<u>Patna Goff</u>
<u>Nancy Anuscavage</u>	<u>3478 S. 500 E.</u>	<u>self</u>
<u>Christy Koetitz</u>	<u>3857 SO. 400 E.</u>	<u>self</u>
<u>Luke Koetitz</u>	<u>3857 S. 400 E</u>	<u>Self</u>
<u>Rick Cromar</u>	<u>55 Miller Ave</u>	<u>Central Park Pet Retreat</u>
<u>Jeff Hollingsworth</u>	<u>55 MILLER AVE</u>	<u>CENTRAL PARK PET RETREAT</u>
<u>GIR WILLIAMS</u>	<u>24 EAST ANGELO AVE</u>	<u>SELF</u>
<u>Barbara Williams</u>	<u>24 E. Angelo Ave.</u>	<u>Self</u>
<u>Jeanne Ashby</u>	<u>415 E. 3900 S.</u>	<u>Mauihuh Free Clinic</u>
<u>Dea Smith</u>	<u>3805 S 400 E</u>	<u>Self</u>
<u>Tim Sullivan</u>	<u>50 E Angelo Ave</u>	<u>self</u>
<u>Rebecca Nunes</u>	<u>50 E Angelo Ave</u>	<u>self</u>
<u>TRAVIS Hays</u>	<u>3803 S 400 E</u>	<u>self</u>
<u>Robt Wood</u>	<u>PO Box 8412</u>	<u>Coldwell Banker</u>

PLANNING COMMISSION MEETING

DATE: _____

Please sign and pass on, thank you.

NAME

ADDRESS

REPRESENTING

Flaine Childs

38095044E

Self
