

CITY OF SOUTH SALT LAKE
CITY COUNCIL MEETING

COUNCIL MEETING Wednesday, August 26, 2015
7:00 p.m.

CITY OFFICES 220 East Morris Avenue
South Salt Lake, Utah 84115

PRESIDING Council Vice-Chair Roy
Turner

CONDUCTING: Council Member Kevin Rapp

SERIOUS MOMENT OF REFLECTION/
PLEDGE OF ALLEGIANCE Debbie Snow

SERGEANT AT ARMS Bill Hogan

COUNCIL MEMBERS PRESENT:
Sharla Beverly, Ryan Gold, Kevin Rapp, Michael Rutter,
LeRoy Turner and Debbie Snow

COUNCIL MEMBERS EXCUSED:
Irvin H. Jones, Jr.

STAFF PRESENT:
Mayor Cherie Wood
Charee Peck, Assistant Mayor
Lyn Creswell, City Attorney
Hannah Vickery, Deputy City Attorney
Dennis Pay, Public Engineering Director
Mike Florence, Community and Economic Development Director
Frank Lilly, Deputy Community and Economic Development Director
Alexandra White, City Planner
Sharen Hauri, Urban Design Director
Craig D. Burton, City Recorder
Niels Melville, Information Technology

OTHERS PRESENT:
See attached list.

APPROVAL OF MINUTES

August 12, 2015 Work Meeting. Council Member Rutter moved to approve these minutes.

MOTION Michael Rutter
SECOND Roy Turner

Voice Vote:

Beverly	Aye
Gold	Aye
Jones	Absent
Rapp	Aye
Rutter	Aye
Snow	Abstain
Turner	Aye

Council Member Snow abstained because she wasn't in attendance at the meeting.

August 12, 2015 Regular Meeting. Council Member Turner moved to approve these minutes.

MOTION	Roy Turner
SECOND	Sharla Beverly

Voice Vote:

Beverly	Aye
Gold	Aye
Jones	Absent
Rapp	Aye
Rutter	Aye
Snow	Abstain
Turner	Aye

Council Member Snow abstained because she wasn't in attendance at the meeting.

NO ACTION COMMENTS

1. **SCHEDULING.** The Deputy City Recorder informed those at the meeting of upcoming events, meetings, activities, etc.

2. **CITIZEN COMMENTS/QUESTIONS.** **Linda Adams, 378 E. Utopia Avenue.** She has concerns about the streetcar Crossing at 400 East. She attended an outreach meeting where they discussed the dangers, particularly at 400 East. There are refugee families in the area and most of them do not speak English. They requested, to both the City and UTA, that flashing lights be installed but they chose not to. There is only a stop sign. They were aware of this in the very early stages of planning. The result of that is her friend was killed in an accident there. There are four places along the streetcar line that only have a stop sign, 400 East being the largest. The people of South Salt Lake deserve the safety of having adequate signs and warnings. She hopes the City is planning on doing something. She asked that the City do all that they can to address this issue.

Don Sargent, 533 E. Leland Avenue. He is worried about what is going to happen to Granite High. Every school he has gone to in this valley is gone. Is any part of Granite going to be saved? Is any of the green space going to be

saved for the local people? It is one of the oldest schools in the State of Utah and it should be on the Historical Society register. There is a great history there and it is all being thrown away. It's disgusting to him that they will let a school like that go. He would like to see it saved.

Daniel Holstad, 350 East Utopia Avenue. He explained that when traveling south on 400 East you come up to the stop sign at the streetcar crossing and there are buildings there and you can't see the streetcar coming from the west. When the stop sign was first put in he didn't see it. He suggested that if there was a stop sign with lights around it that starts flashing it would help.

George Hatch, 468 East Truman Avenue. He voiced his displeasure over the closure of Burton and Truman Avenues. He has kids over at Woodrow Wilson Elementary and every time he has to take them or pick them up it is a pain. It seems they were closed for the benefit of a business and not for the benefit of the citizens here. It doesn't seem right. He hopes the court case is successful in turning them back to open streets. He thinks it was a bad choice. It makes it harder for the Fire Department, police, paramedics and parents and people just trying to commute.

- 3. MAYOR COMMENTS.** Mayor Wood advised that the City investigators are currently working closely with UTA's major accident investigations on the reconstruction of the accident. There are a few missing pieces they are waiting for which they hope to get by the end of this week. One of them being the download from the vehicle involved. As soon as the investigation is complete the City plans on having a meeting with UTA to see if any additional security measures can be implemented at that crossing. The City definitely supports that.

There was a S.W.A.T. barricade that occurred just outside of the City and our officers were dispatched and the first on the scene. The male suspect was taken into custody without injury and no officers returned any gunfire when they received some.

- 4. CITY ATTORNEY COMMENTS.** None.
- 5. CITY COUNCIL COMMENTS.** Council Member Rutter expressed his feelings that the accident on the S-Line is terrible. He expressed his appreciation to the Police Department.

Council Member Gold said the S-Line accident is in his district. He promised those that he talked to that the Council will discuss this once the findings are released and see what can be done to make it safer.

Council Member Turner expressed his condolences to those affected by the S-Line accident. He is looking forward to seeing if there is something they can do about it.

Council Member Beverly expressed her condolences as well and reminded everyone that school is back in session and to keep an eye out for the children and try to prevent any other accidents in the City.

Council Member Snow expressed her condolences as well. She is committed to increasing the safety of the Streetcar line. She appreciates the input the Council gets from citizens.

Council Member Rapp expressed his condolences as well. He would like to see what they can do to make the intersection a safer place. He hopes the Council can make it safer.

ACTION ITEMS

NEW COUNCIL BUSINESS

- 1. Approval to amend the Zoning Map Designation of approximately 14.5 acres located at 2250 South between State Street and Main Street, from North District and Commercial Corridor to Master Planned Mixed Use.** Deputy Community and Economic Development Director, Frank Lilly, reviewed a presentation with the Council. A Master Plan Narrative was also handed out to the Council. A copy of both is attached to these minutes and incorporated by this reference. Mr. Lilly explained that the Master Plan Narrative and book of exhibits will serve as the regulating document for this land use district.

Mr. Lilly reviewed the presentation with the Council.

Mr. Wade Williams, with The Boyer Company, explained that they aren't planning to do any additional multi-family housing at this point but Pad 1 on Main Street is a little problematic for commercial because of its size and configuration. They want the flexibility to look at the opportunity to add additional multi-family in the event the market dictates it, but it is not part of their plan right now. The plan is to try to develop pads 1, 2 and 3 with commercial and retail uses.

Council Member Rutter said he hasn't heard this before and is very concerned.

Mr. Williams explained that Pad 1 is the most problematic parcel in the whole development because access is still a little questionable whether they will get access off of 2100 South. UDOT will require a variance to allow access onto it. Pad 1 is also very narrow.

Council Member Rutter said they expressed interest to Boyer in keeping it retail and they agreed saying it was a perfect place for retail and now they are saying they want it as a possible apartment complex.

Mr. Williams said if it is a deal killer with the City they would be willing to come back later. The other option would be that they would not buy that land and let the

City keep it. They are willing to do that as well. They are just making sure they don't paint themselves into a corner where that pad is not developable. It is the most expensive piece of property they are buying. It has the existing office building on it. It is very, very expensive. It is very hard to make the whole deal work if that parcel can't develop properly. That's their real concern is how do they maximize the flexibility on that parcel. If they could not buy that parcel, they would prefer not to buy it. It adds to the risk and really adds some challenges to the whole development with that parcel. It's the biggest concern they have had. They have presented it to a number of different retailers and so far they haven't had any positive reactions yet. They like the location they just don't like the configuration. It is just a little tight.

Council Member Rutter asked if they could tell the Council the types of users they are talking to.

Mr. Scott Verhaaren, of The Boyer Company, said that every tenant but one that they have talked to so far is a food user. There is one that they know the City does not want which is a convenience store and gas station, is quite interested in it. Every other candidate they have talked to is a food candidate. The configuration of the site is problematic and the lack of access on 2100 South is also concerning as well. They think they may get access from UDOT but they do have to go through the variance process to get that access. They are confident they will get it but they don't know yet.

Council Member Rutter is concerned because they don't need more apartments in the City. They would receive much greater benefits if this property is retail than if they have apartments. The Council will work with Boyer but he doesn't want to see multi-family housing put on Pad 1.

Council Member Snow said it appears Pads 2 and 3 are set back from State Street quiet a bid and they are putting parking spaces between the building and State Street. Her preference would be to have the frontage on State and have the parking behind it.

Mr. Verhaaren said none of the buildings are set in stone. The drawings are conceptual at this point. They don't have specifics users. There may be users that would like to be up on State Street and some may prefer some parking on State. They don't know who the users are yet.

Mr. Lilly explained that there is a provision in the Master Plan narrative that stipulates that even if the side of the building is on State Street it needs to be treated differently than if it were anywhere else. The side of a building on State Street has to have the same level of detail as the primary façade. Staff hopes that even if there is parking the narrative forces a design that has a good quality façade on either side. There is always the possibility of coming back in the future and readdressing the plan.

Mr. Verhaaren advised that Boyer is a commercial development company. They

are not residential developers. They don't get into projects to do residential. It's a fall back if they absolutely have to. They have not contacted anyone about developing Pad 1 residentially. That is not their intent they just want to have that flexibility.

Council Member Rutter said he would rather have the gas and go tenant than the residential because of the tax that will be generated for the growth of the City.

Mr. Verhaaren agreed.

Council Member Snow verified that the language is clear that Pads 2 and 3 will not have the option of residential development and Pad 1 will have the option only if it returned to the Redevelopment Agency.

Mr. Verhaaren agreed.

Council Member Rapp agreed with Council Member Rutter and would like to keep retail on Pad 1.

Council Member Rutter moved to place this item on Unfinished Business on the next Council meeting.

MOTION Michael Rutter

SECOND Debbie Snow

Voice Vote:

- Beverly Aye
- Gold Aye
- Jones Absent
- Rapp Aye
- Rutter Aye
- Snow Aye
- Turner Aye

Economic Development Consultant, Randy Sant, advised the Council that Pearson's signed the property purchase agreement. They will close on September 20, 2015.

- 2. **Final plat approval and recommendation for a rezone for a 6-unit Planned Unit Development located at 135 West 3030 South.** City Planner, Alexandra White, reviewed a presentation with the Council. A copy is attached to these minutes and incorporated by this reference.

Council Member Snow asked why the sixth unit was one only story.

Joseph Cook, the developer, explained that the owner of the property needs a walk in residence and offered to trade his property if they would build him a unit without steps.

Council Member Rutter moved to place this item on Unfinished Business on the next Council meeting.

MOTION Michael Rutter

SECOND Roy Turner

Voice Vote:

Beverly Aye

Gold Aye

Jones Absent

Rapp Aye

Rutter Aye

Snow Aye

Turner Aye

3. Approval to amend the Transit Oriented Development Overlay Parking Standards, Chapter 17.27.060 of the South Salt Lake Municipal Code.

Community and Economic Development Director, Mike Florence, advised that his ordinance would amend the parking ordinance that would apply the same parking ratio and parking standards that the Council adopted for the East Streetcar District to the TOD Core Area. The TOD Core Area is the area within a quarter mile around the 3900 South and 3300 South TRAX stations. The parking ratio would begin at 1.5 parking stalls per unit and then, by providing specific amenities, the ratio would decrease for those.

Council Member Snow expressed concern at reducing parking. She lived in Waverly Station for five years and there are parking issues there with people spilling out from the townhomes onto the street. At one point the City had to administrate the parking and only allow parking on one side of the street because the throughway was getting jammed up. She is not convinced that people do away with their cars as much as they think. She doesn't think it's a good idea.

Mr. Florence explained that the current parking for the project is 1.35 cars so this proposal would be staying in that same ratio for this second phase. This would only apply within a quarter mile area of transit. This project is touching property lines with the TRAX station.

Council Member Snow asked if they could grant a variance for this project rather than apply the rule to the entire TOD Core.

Mr. Florence advised that there is not a lot of property available within a quarter mile of the transit stations. Right now the ordinance says you can receive up to a twenty-five percent reduction if you are in the TOD Core area. The Council could change that to thirty or thirty-five, whatever makes this work, but he would rather have some standards amenities that developers would have to provide to develop in the area. Staff could go back and look at the ratios they currently have in the ordinance and look at those for transit projects.

Council Member Rapp feels that as people become more adjusted to the transit

oriented area they may tend to lose the second car. He doesn't mind having the reduction.

Dwayne Rasmussen, the developer of this project, drew distinctions between his project and Waverly Place. They are proposing to build smaller units in this project with a number of studio one bedrooms and no three bedroom units. There are just a few two bedroom units. So the number of people congregating will be smaller. You don't have two people living in a studio apartment and the parking spaces will be per unit so if someone doesn't have a car they won't have an unused parking space going to waste. It will be managed very carefully. They feel it's a prudent use of the space available.

Council Member Beverly moved to place this item on Unfinished Business on the next Council meeting.

MOTION Sharla Beverly

SECOND Roy Turner

Voice Vote:

Beverly Aye

Gold Aye

Jones Absent

Rapp Aye

Rutter Aye

Snow Aye

Turner Aye

- 4. **Approval to amend Chapter 17.07, Administration, Enforcement, and Appeals.** Mr. Florence explained this has to do with the section regarding community development interpretations. Currently, if someone needs an interpretation of an ordinance, or phrase, the Community Development Director renders an interpretation. That interpretation may be appealed to the Administrative Law Judge and he has the final determination. This amendment would establish a standard of review for the Administrative Law Judge. In rendering a decision, the Administrative Law Judge shall give significant weight to the Directors interpretation in light of the director's professional and technical expertise.

Mr. Florence explained that the Community Development Director works closely with the City Council, tries to understand the legislative intent of an ordinance when passed, how it is implemented, the practices of the ordinance, and tries to insure a consistent code interpretation.

Council Member Turner moved to place this item on Unfinished Business on the next Council meeting.

MOTION Roy Turner

SECOND Sharla Beverly

Voice Vote:

Beverly	Aye
Gold	Aye
Jones	Absent
Rapp	Aye
Rutter	Aye
Snow	Aye
Turner	Aye

5. **Approval to amend Chapter 17.21, Residential Designs Standards; and Chapter 17.47 , Definitions.** Mr. Lilly advised that this amendment is to clarify design review requirements for additions to existing homes, clarify height limitations for new homes in existing neighborhoods and to establish a review process to allow an applicant to exceed height requirements. Staff has encountered situations where they feel there needs to be some additional flexibility. The City has long had the policy to facilitate growing households within the existing fabric of the neighborhoods. This amendment is to fine tune that policy into the existing ordinance. He reviewed the summary of the proposed changes (pages seven and eight of the staff report). A copy is attached to these minutes and incorporated by this reference.

Council Member Gold asked if that the amendment could state that the house can be no higher than two stories and have a little more flexibility on the roof design.

Mr. Florence said he would like anything over thirty feet go to the Planning Commission because then you have residents of the City reviewing it. Any new homes being built are right around twenty-eight to thirty feet in height. It gives them their second story.

Mr. Lilly and Mr. Florence agreed it would be good to add that a home can have two stories and be up to thirty feet in height.

Council Member Gold believes this is a good amendment.

Council Member Rapp likes the flexibility. It allows good design standards but some flexibility if necessary.

Council Member Gold moved to place this item on Unfinished Business on the next Council meeting.

MOTION	Ryan Gold
SECOND	Sharla Beverly

Voice Vote:

Beverly	Aye
Gold	Aye
Jones	Absent
Rapp	Aye
Rutter	Aye
Snow	Aye
Turner	Aye

Council Member Snow moved to adjourn City Council meeting.

MOTION Debbie Snow
SECOND Ryan Gold

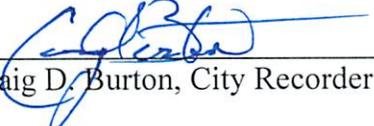
Voice Vote:

Beverly	Aye
Gold	Aye
Jones	Absent
Rapp	Aye
Rutter	Aye
Snow	Aye
Turner	Aye

Meeting adjourned at 8:59 p.m.



LeRoy R. Turner, Council Vice-Chair



Craig D. Burton, City Recorder

