

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, JULY 22, 2008

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, July 22, 2008 at 7:00 p.m. in Room 315, City Council Chambers, City County Building, 451 South State.

The following Council Members were present:

Carlton Christensen	JT Martin	Van Turner
Jill Remington Love	Søren Simonsen	

The following Council Members were absent:

Eric Jergensen	Luke Garrott
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Cindy Gust-Jenson, Executive Council Director; Edwin Rutan, City Attorney; David Everitt, Mayor's Chief of Staff; and Scott Crandall, Deputy City Recorder; were present.

Councilmember Love presided at and Councilmember Simonsen conducted the meeting.

OPENING CEREMONY

#1. 7:10:04 PM The Council led the Pledge of Allegiance.

The Council recognized Scout Troop 190.

#2. 7:12:20 PM Adopting a **joint resolution** with the Mayor **naming a baseball diamond** at Sunnyside Park in honor of **Robert W. Jones**.

The resolution was read by Councilmember Love and presented to Mr. Jones. View Resolution

Councilmember Love moved and Councilmember Christensen seconded to **adopt Resolution 32 of 2008**, which motion carried, all members present voted aye.

#3. 7:16:44 PM Councilmember Turner moved and Councilmember Love seconded to **approve the minutes** of the Salt Lake City Council meeting held **July 1, 2008**, which motion carried, all members present voted aye. (M 08-3)

PUBLIC HEARINGS

#1. **RE:** 7:17:06 PM Accept public comment and consider adopting **two ordinances** - 1) **rezoning** property at **477 North 300 West** from Community Business (CB) to Residential Mixed Use (RMU-45) and 2) **amending the Capitol Hill Community Master Plan Future Land Use Map**

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from General Commercial to Medium Mixed Use pursuant to Petitions 400-07-37 and 400-07-38. (Capitol Hill Investments Partners) View attachments

Councilmember Love moved and Councilmember Martin seconded to **close the public hearing**, which motion carried, all members present voted aye.

Councilmember Love moved and Councilmember Christensen seconded to adopt **Ordinance 56 of 2008, rezoning property located at 477 North 300 West from Community Business (CB) to Residential Mixed Use (RMU-45) subject to the conditions stated in the ordinance, with two modifications:** a. The height of the structures on the subject parcel will not exceed 35 feet, as measured in the Salt Lake City Zoning ordinance. b. The ordinance is also conditioned upon the filing of an application for a building permit consistent with the terms set forth herein, which motion carried, all members present voted aye.

Councilmember Love moved and Councilmember Christensen seconded to adopt **Ordinance 57 of 2008, amending the Capitol Hill Community Master Plan Future Land Use Map, subject to the same conditions indentified in the previous motion**, which motion carried, all members present voted aye.

(P 08-4)

#2. RE: 7:18:58 PM Accept public comment and consider adopting an ordinance **rezoning** property generally located at **1955 East Stratford Avenue** from Open Space (OS) to Institutional (I) pursuant to Petition No. 400-06-49. (**Redeemer Lutheran Church and School**) View attachments

The following spoke or submitted written comments regarding the proposal: **Linda Tatomer, Darren Morrison, Sarah Carlson, Constance Smith, Rawlins Young and Ken Jones.** Comments included adding a multi-purpose building, decreased enrollment, allow growth/expansion, negative impact on park, opposing petition, reduction of open space, preservation and parking issues, air lease, rightful property owner, and improved public access.

Councilmember Love moved and Councilmember Turner seconded to **close the public hearing**, which motion carried, all members present voted aye.

Councilmember Love moved and Councilmember Martin seconded to adopt **Ordinance 58 of 2008, rezoning property generally located at 1955 East Stratford Avenue from Open Space (OS) to Institutional (I) and further moved to adopt a legislative intent that the Council request information from the Administration to outline the cost of capital**

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improvements to Hillcrest Park in a manner consistent with the Sugar House Master Plan and to provide information as to whether these improvements are included in the City's Ten Year Capital Improvement Plan (CIP) and further moved that the Council request that the Administration begin the process of amending the land use map in the Sugar House Master Plan to reflect the adopted ordinance.

Councilmember Simonsen said a question was raised concerning ownership of the Hillcrest Park property. He said it was important to ensure the City held proper title and asked the Administration to follow-up.

Councilmember Simonsen called for the question, which motion carried, all members present voted aye.
(P 08-11)

#3. RE: 7:36:55 PM Accept public comment and consider adopting a joint resolution of the Salt Lake City Council and Mayor adopting a locally preferred alternative for the Utah Transit Authority (UTA) to extend transit options within the Sugar House Transit Corridor. View attachments

The following spoke or submitted written comments: **Robin Carbaugh, Milton Braselton and Rawlins Young.** Comments included environmental studies, trail use in Sugar House, develop various interests along corridor, street car, planning and feasibility studies, ongoing public input, accessible bicycle/pedestrian pathway, historic rail spur, develop/maintain single track, wide trail, green space, use existing bus route, analyze necessity for transit route, Trans-Plan 2000 recommendations, develop 2700 South system, and develop Sandy/University TRAX line along 1300 East.

Councilmember Martin moved and Councilmember Love seconded to **close the public hearing**, which motion carried, all members present voted aye.

Councilmember Martin moved and Councilmember Turner seconded to adopt **Resolution 33 of 2008, adopting a locally preferred alternative for the Utah Transit Authority to extend transit options within the Sugar House Transit Corridor with the following amendments: That the 14th paragraph which starts "Whereas, the criteria should include:..." contain the following changes: The language of Criterion No. 2 be changed to read, "it should provide stations or boarding platforms at a maximum spacing of two blocks." The language of Criterion No. 3 be changed to read, "it should provide a low-speed system in which vehicles travel at speeds not-to-exceed 25 to 30 miles per hour." That Criterion No. 4 be deleted and replaced with language that reads, "it**

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should utilize conventional signals at street and highway crossings that can also accommodate pedestrian crossings." That Criterion No. 6 be changed to read, "it should include a landscaped, multi-use trail at least 15-feet-wide throughout the entire corridor to serve as a parkway that increases beauty, enhances socialization and contributes to the walkable nature of the surrounding neighborhoods." That a Criterion No. 7 be added which reads, "it should make a complete transit-to-transit connection from the 200 West Station on the North-South TRAX line to other mass transit options, including high-frequency buses and future transit modes along the 1100 East/Highland Drive and 1300 East Street traffic corridors, which motion carried, all members present voted aye.

(R 08-4)

#4. RE: 7:49:34 PM Accept public comment and consider adopting an ordinance **rezoning** a portion of property located at **313 North 300 West** from Public Lands (PL) to Mixed Use (MU) and **amending** the **Zoning Map** pursuant to Petition No. 400-08-05. (**Newport CitiView LLC, by Akerlow**)
View attachments

Councilmember Turner moved and Councilmember Love seconded to **close the public hearing**, which motion carried, all members present voted aye.

Councilmember Christensen moved and Councilmember Turner seconded to adopt **Ordinance 59 of 2008**, which motion carried, all members present voted aye.

(P 08-10)

QUESTIONS TO THE MAYOR FROM THE CITY COUNCIL 7:56:48 PM

Councilmember Turner said the Administration/Police Department was very responsive in providing help/support regarding the murder of a young girl in his district. He said it was important for neighborhoods to feel safe and wanted to see increased enforcement.

Councilmember Martin said the City needed to do a better job in protecting its citizens. He said it was time to stop gangs and gang activity. He said he hoped the Council and Administration would be supportive and do everything they could to ensure that Salt Lake City would not be a haven for gangs.

COMMENTS TO THE CITY COUNCIL 7:50:48 PM

Douglas Cotent spoke concerning the need to put bus service back on 700 East.

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Cindy Cromer spoke concerning riparian, conditional use and parking proposals. She asked the Council to adopt intent language to establish a six-month to one-year timeframe to review how changes were working.

Anne Cannon spoke concerning the importance of preserving the riparian corridor for future generations.

UNFINISHED BUSINESS

#1. RE: 7:59:22 PM Amending Section 21A.62.040, Salt Lake City Code, pertaining to zoning Code Definitions, and Sections 21A.44.010, 21A.44.020, 21A.44.030, and 21A.44.060, Salt Lake City Code, pertaining to off street parking and loading requirements, and amending tables in Section 21A.44.060E, pertaining to schedule of shared parking, Section 21A.44.060F, pertaining to schedule of minimum off street parking requirements, Section 21A.24.190, pertaining to permitted and Conditional Uses for Residential Districts, and Section 21A.26.080, pertaining to permitted and conditional uses for commercial districts pursuant to Petition No. 400-02-22. (Business Parking Regulations)
View attachments

Councilmember Martin said under advice of legal counsel he needed to recuse himself from this item.

Councilmember Love moved and Councilmember Christensen seconded to adopt **Ordinance 60 of 2008, with the following legislative intent statements: Request that the Administration develop a comprehensive program to mitigate neighborhood commercial business district parking spillover impacts in residential neighborhoods which could include the following elements: a. Painting curbs to indicate no parking zones within 5-feet of driveways or fire hydrants. b. Developing a broad educational outreach campaign targeted toward neighborhood businesses that help facilitate positive neighbor relations and to mitigate impacts on the neighborhood. c. Implementing urban design elements to indicate the transition from a neighborhood commercial business district to a residential neighborhood which could include signage and d. Investigating parking benefit district for neighborhoods most directly impacted by neighborhood businesses.**

Councilmember Love said small businesses were part of the community and she hoped the flexibility provided in the ordinance would help them address impacts to adjoining residential properties. She said the Council could review the ordinance in a year or so to evaluate impacts and consider additional tools if necessary. She said the Council would work with the community to find solutions.

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Councilmember Turner said he agreed with Councilmember Love and felt the City needed to send a message that it supported local businesses. He said having walkable communities with small businesses would benefit everyone.

Councilmember Christensen said he felt some amendments to the ordinance would provide incentives to small businesses to create a better atmosphere for patrons and lessen the impact on residential neighborhoods. He said he thought the proposal created a fair balance between competing interests and was optimistic the results would be positive.

Councilmember Simonsen said he knew some residents were concerned about the impact of businesses and thought the legislative intents would help provide additional tools to mitigate those impacts. He said he felt the proposal would provide alternatives for people to access businesses beyond automobiles and create incentives to develop that infrastructure.

Councilmember Simonsen called for the question, which motion carried, all members present voted aye, except Councilmember Martin, who was recused.

(P 08-7)

#2. RE: 8:06:14 PM Amending the Salt Lake City Code, Section 21A, Zoning relating to **permitted and conditional uses, conditional use standards and limitations and building and site design review regulations pursuant to Petition No. 400-07-19. (Conditional Uses) View attachments**

Councilmember Christensen moved and Councilmember Love seconded to adopt **Ordinance 61 of 2008 and request that the Planning Commission review the design guidelines and make any further amendments or recommendations through a separate process**, which motion carried, all members present voted aye.

(O 07-29)

#3. RE: 8:10:47 PM Repealing and re-enacting Section 21A.34.130, Salt Lake City Code, pertaining to the **Riparian Corridor Overlay District (RCO) and applying the RCO District to all property located within one hundred (100) feet of the annual high water level of **City Creek, Red Butte Creek, Emigration Creek, Parleys Creek and the Jordan River** pursuant to Petition No. 400-07-18. (Streambed Corridors) View attachments**

Councilmember Love moved and Councilmember Christensen seconded to adopt **Ordinance 62 of 2008 with the following legislative intent statements: request that the Administration implement the consultant's**

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non-regulatory issues recommendations relating to restoration, signage and education identified in the Riparian Corridor Ordinance Review Diagnosis and request that the Administration explore additional incentive options for stream bank restoration or daylighting in nonresidential districts and provide recommendations to the Council, which motion carried, all members present voted aye, except Councilmember Turner, who voted nay.
(O 07-21)

#4. RE: 8:17:00 PM Approving a resolution **extending the deadline** in Ordinance 55 of 2006 requiring execution and confirmation of a **development agreement** for rezoning properties generally located on the east and west sides of **300 West between 500 and 600 North** from a variety of zoning classifications to Residential/Mixed Use RMU and **amending the Capitol Hill Community Master Plan Future Land Use Map**.
View attachments

Councilmember Love moved and Councilmember Christensen seconded to **adopt Resolution 34 of 2008**, which motion carried, all members present voted aye.
(P 03-6)

CONSENT AGENDA 8:17:37 PM

Councilmember Christensen moved and Councilmember Turner seconded to **approve the Consent Agenda**, which motion carried, all members voted aye.

#1. RE: Approving the appointment of **Todd Erskine** to the **Salt Lake City Mosquito Abatement Board** for a term extending through December 31, 2010.
(I 08-13)

#2. RE: Approving the re-appointment of **Jan Striefel** to the **Public Utilities Advisory Committee** for a term extending through January 16, 2012.
(I 08-7)

#3. RE: Approving the re-appointment of **Richard Gaddis** to the **Public Utilities Advisory Committee** for a term extending through January 16, 2012.
(I 08-7)

#4. RE: Setting the date of **August 19, 2008 at 7:00 p.m.** to accept public comment and consider adopting an ordinance **amending Section 5.04.070** of the Salt Lake City Code, relating to **business license base fees**.

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(O 04-22)

#5. RE: Setting the date of **August 19, 2008** at **7:00 p.m.** to accept public comment and consider adopting an ordinance **modifying certain permit fees** in the Salt Lake City Code and an ordinance **amending Section 12.96.025**, Salt Lake City Code, relating to **vehicle towing, impound, storage and booting fees.**

(O 08-8)

The meeting adjourned at 8:18 p.m.

Council Chair

Acting City Recorder

This document along with the digital recording constitute the official minutes of the City Council Regular Session meeting held July 22, 2008.

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