

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, OCTOBER 5, 2004

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, October 5, 2004, at 7:00 p.m. in Room 315, City Council Chambers, City County Building, 451 South State.

The following Council Members were present:

Van Turner
Dave Buhler

Nancy Saxton
Dave Lambert

Jill Remington Love

The following Council Members were absent:

Carlton Christensen Eric Jergensen

Mayor Ross C. "Rocky" Anderson; Cindy Gust-Jenson, Executive Council Director; Lynn Pace Deputy City Attorney; and Chris Meeker, Chief Deputy City Recorder; were present.

Councilmember Love presided at and conducted the meeting.

#1. The Council led the Pledge of Allegiance.

comment, which motion carried all members present voted aye.

#2. Councilmember Turner moved and Councilmember Saxton seconded to approve the **minutes** of the Salt Lake City Council meeting **held September 21, 2004**, which motion carried, all members present voted aye.

(M 04-3)

Councilmember Buhler moved and Councilmember Saxton seconded to **close the public hearing and adopt Resolution 63 of 2004**, which motion carried, all members present voted aye.

Councilmember Lambert moved and Councilmember Turner seconded to **adjourn as the Municipal Building Authority and reconvene as the City Council**, which motion carried, all members present voted aye.

(B 04-2)

PUBLIC HEARINGS

#1. **RE:** Accept public comment and consider adopting a resolution **amending Salt Lake City Resolution 36 of 2004** which adopted the Budget of the **Municipal Building Authority of Salt Lake City for Fiscal Year beginning July 1, 2004 and ending June 30, 2005.**

Councilmember Buhler moved and Councilmember Saxton seconded to **recess as the City Council and convene as the Municipal Building Authority and accept public**

#2. **RE:** Accept public comment and consider adopting an ordinance **rezoning property located at approximately 1532 West 200 South and 1560 West 200 South from Residential R-1/5000 to Commercial Neighborhood CN and amending the West Salt Lake City Master Plan.** Pursuant to Petition 400-03-10. (Requested by Shaw Homes, Inc.,

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Shad Vick representing approximately 72 condominium owners in the area spoke in opposition to the rezoning.

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

Councilmember Turner said the area was challenging with the proximity of the railroad being so close. He said he favored keeping the area a residential neighborhood. He said retail was limited because the street was a dead end. He said he opposed the petition.

Marilyn Lewis, West Salt Lake/Environmental Planning, said the idea was to keep homes from being built close to the railroad and under the highway. She said this would cause noise and vibration.

Councilmember Saxton asked if the property could be purchased as residential and made into a park. She asked if there would be a taking by being zoned for a park rather than commercial to residential. Ms. Lewis said there were still dangers in the area. She said the railroad was not in favor of certain types of usage close to railroad right-of-ways.

Councilmember Lambert asked if there was evidence the property would succeed as commercial property. Ms. Lewis said the Planning Commission wanted to find a zone which was more palatable for the neighborhood without putting

residents in a dangerous situation. She said the lesser commercial zone was what the Planning Commission selected and recommended.

Councilmember Lambert asked what uses the CN zone would allow. Ms. Lewis said there could be offices, a small gas station, a laundry facility, a convenience store, a garden center etc.

Councilmember Saxton said the issue was to change the zoning to commercial from residential. She asked if the Council could change the zoning to something different than requested. Mr. Pace said there was a range between where the property was located and what the request was. He said what was between the two would be acceptable. He said steering the property toward a public park needed to meet certain criteria.

Councilmember Buhler moved and Councilmember Turner seconded to **defer the issue until Tuesday, October 12, 2004**, which motion carried, all members present voted aye except Councilmember Saxton who voted nay.

(P 04-24)

#3 RE: Accept public comment and consider adopting an ordinance amending the **text of the of the Salt Lake City Zoning Ordinance to allow conference centers, convention centers with or without hotels, and exhibition halls as permitted land uses in the "D-4" Downtown Secondary Central Business District.** Pursuant to Petition 400-04-35.

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(Salt Palace)

The following citizens spoke in opposition of the ordinance. **Floyd Mori, Diane Akiyama, and Dr. Shig Matsukawa.**

The following citizens were in opposition to the ordinance but did not wish to speak. **May Akiyama, Mandi Knonishi Knaras, Miki Harada, Martha Okawa, Jeanne M. Konishi, Jane Sakajhita, Dawn Nodzu and Kenneth Nodzu.**

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

Councilmember Buhler said it was important for members of the community to understand that the process would be two steps. He said the zoning ordinance acknowledged what was already a fact, convention centers were downtown. He said in the 1999 zoning re-write the area was mistakenly not included in the zone. He said the issues related to the expansion of the Salt Palace would follow next week at a public hearing. He said he was not in favor of the closure of 100 South unless issues raised by the Japanese community were resolved. He said he urged the County and designers to work with the community.

Councilmember Turner said there should be a compromise for the needs of the Japanese community.

Councilmember Saxton thanked the Japanese community for

contributions to Salt Lake City and for speaking to the issue. She said it was never too late for concerns to be heard. She asked Joel Paterson, Special Projects Planner, if the zoning glitch for the Salt Palace had caused proposals not to come to the City. Mr. Paterson said the Salt Palace had expanded and the zoning administrator was able to make an interpretation that the Salt Palace was similar to other types of uses currently allow in the D-4 zone. He said convention centers and exhibition halls had been listed for a specific use in the Public Land (PL) zone. He said the ordinance would clarify the uses in the D-4 zone.

Councilmember Lambert said zoning needed to be changed to reflect use. He urged the community to be specific with solutions, suggestions or requests.

Councilmember Love said the City wanted to preserve the sense of culture in the downtown area. She asked the Japanese community to work with representatives from the County to find preservation solutions.

Councilmember Buhler moved and Councilmember Turner seconded to **adopt Ordinance 79 of 2004**, which motion carried, all members present voted aye.

(P 04-25)

#4. RE: Accept public comment and consider adopting an ordinance amending Salt Lake City Code regarding the sign regulations for the Delta Center specialized signage district.

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Pursuant to Petition No. 400-04-10.

Robert Tingey, supported the ordinance.

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

Councilmember Saxton cautioned Council Members that changes had already been made to the sign ordinance expanding the use of signs.

Councilmember Turner moved and Councilmember Buhler seconded to **adopt Ordinance 80 of 2004**, which motion carried, all members present voted aye.

(P 04-23)

COMMENTS TO THE CITY COUNCIL

Douglas Cotant spoke regarding skateboarders and bicyclists on City sidewalks.

Emily Leavitt spoke in support of speed bumps on 600 South between 900 and 1300 East.

Jared Lee spoke regarding recycling bins being placed in public places.

Ai Mitsufuji spoke regarding lack of lively atmosphere in the downtown area.

Scott Lloyd spoke regarding mixed-use buildings.

Aaron Silver spoke regarding the pigeons in downtown Salt Lake City.

Bill Cobage spoke regarding the cross walk flags.

Ryan Gorley spoke regarding the walkable communities and parking lots behind buildings.

Laurie Williams said she was a City Council member from New Westminster, British Columbia, Canada. She brought greetings from New Westminster, a letter from the Mayor, and a smart growth development check list.

CONSENT AGENDA

Councilmember Buhler moved and Councilmember Saxton seconded to **adopt the consent agenda with the change of setting the date for Item No. 1 from October 21, 2004 to November 9, 2004**, which motion carried, all members present voted aye.

#1. RE: Setting the date of November 9, 2004 at 7:00 p.m. to accept public comment and consider action on a pre-annexation agreement identifying certain terms and conditions for the future annexation of undeveloped property in excess of 300 acres owned by the Romney Lumber Company and Robert and Honora Carlson that is currently located within the unincorporated area of Salt Lake County at approximately 2982 Benchmark Drive.

(P 99-30)

#2. RE: Approving the reappointment of Anne N. Erickson to the Sister Cities Board for a term extending through July 2,

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2007.
(I 04-18)

#3. RE: Approving the reappointment of **Byron Russell** to the **Library board** for a term extending through June 30, 2007.
(I 04-5)

#4. RE: Approving the reappointment of **Daniel Levin** to the **Police Civilian Review Board** for a term extending through September 3, 2007.
(I 04-13)

#5. RE: Approving the appointment of **Antje Curry** to the **Police Civilian Review Board** for a term extending through September 3, 2007.
(I 04-13)

#6. RE: Approving the appointment of **Cecilia M. Romero** to the **Utah Air Travel Commission** for a term extending through September 1, 2007.
(I 04-26)

#7. RE: Approving the appointment of **Keith Jensen** to the **Transportation Advisory Board** for a term extending through July 2, 2007.
(I 04-24)

#8. RE: Approving the appointment of **Inga Regenass** to the **Land Use Appeals Board** for a term extending through December 31, 2007.
(I 04-2)

#9. RE: Approving the appointment of **Nano Podolsky** to the **Salt Lake Valley Board of**

Health for a term extending through August 29, 2009.
(I 04-17)

#10. RE: Approving the appointment of **Joana "Joey" Behrens** to the **Community Development Advisory Committee** for a term extending through July 2, 2007.
(I 04-23)

#11. RE: Approving the appointment of **Georg Stutzenberger** to the **Capital Improvement Program** for a term extending through June 4, 2007.
(I 04-20)

#12. RE: Approving the re-appointment of **Samual Straight** to the **Community Development Advisory Committee** for a term extending through July 2, 2007.
(I 04-23)

#13. RE: Approving the re-appointment of **Peggy A McDonough** to the **Planning Commission** for a term extending through July 1, 2008.
(I 04-25)

#14. RE: Approving the appointment of **Tim Dolan** to the **Arts Council** for a term extending through July 1, 2007.
(I 04-11)

The meeting adjourned at 7:57 p.m.

Council Chair

Chief Deputy City Recorder
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