

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, OCTOBER 12, 2004

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, October 12, 2004, 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	Van Turner	Nancy Saxton
Jill Remington Love	Eric Jergensen	Dave Buhler
Dale Lambert		

Mayor Ross C. "Rocky" Anderson; Cindy Gust-Jenson, Executive Council Director; Edwin Rutan, City Attorney; and Scott Crandall, Deputy City Recorder; were present.

Councilmember Love presided at and conducted the meeting.

#1. The Council led the important health and safety Pledge of Allegiance. issues.

#2. Councilmember Jergensen moved and Councilmember Turner seconded to approve the **minutes** of the Salt Lake City Council meeting held **October 5, 2004**, which motion carried, all members voted aye.

(M 04-3)

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

Councilmember Buhler moved and Councilmember Saxton seconded to **defer the issue to a future meeting**, which motion carried, all members voted aye.

PUBLIC HEARINGS

#1. RE: Accept public comment and consider adopting an ordinance amending the Salt Lake City Code regarding **fences** pursuant to Petition No. 400-04-26.

Laura Howat and **Jimmie Hartley** spoke in opposition of the proposed ordinance. Comments included limited interaction with neighbors, inability to observe children and neighbors, unsightly fences, obstructed views, livable neighborhoods, inequities in zoning regulations, unfair fines, grandfather existing structures, see-through fences, unenforceable laws, and focusing on more

Councilmember Buhler said he felt the proposal needed additional consideration by the Council. He said he wanted the item scheduled for a briefing.

(P 04-27)(G 03-14)

#2. RE: Accept public comment and consider adopting an ordinance request by the Salt Lake City Administration to **close and vacate** a portion of the north side of 100 South between 200 West and 300 West streets to accommodate a loading facility for the **Salt Palace** pursuant to Petition No. 400-04-36.

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Councilmember Love said the petition had been withdrawn and the public hearing would not be held. She said anyone wishing to speak on the issue could make their comments under the public comment section.

Councilmember Love said several Council Members would be appointed to work with the Mayor and the Japanese American Community to develop a master plan for the area.

(P 04-26)

COMMENTS TO THE CITY COUNCIL

The following people spoke or submitted written comments regarding Agenda Item C-2, Salt Palace street closure: Jani Iwamoto, Nancy Gasser, Karie Minage-Miya, Diane Akiyama, Lorraine Crouse, Aki Chow, Lynne Ward, Jane Sakashita, Walter Jones, Edith Mitko, Douglas Cotant, John Kikuchi, Bob Fisher, Laverne Koga Kyed, Carmela Javellana, Reverend Patricia Alexander, Frank Yoshimura, Sadie Yoshimura, and Shigeo Nagata.

Additional speakers: Eleanore Nakamura, Mas Nakamura, Jeanne Konishi, Wesley Koga, Cassandra VanBuren, Stephen Adams, Silvana Watanabe, Richard Galster, Phillip Sakashita, Brenda Koga, Taka Kida, Kenneth Pollard, Sam Lucas, Laura Olson, Karen Kwan, Marisa Eng, James Carlson, William Osborn, Charles Smith, Dr. Shiq Matsukawa, Stephanie Nakao, Gary Nakao, Jerry Mori, Yeika Homma, Neil Chow, Mike Nakamura, Lillian Nakamura, Betty Kubota, Setsuko

Nagata, Fujio Iwasaki, Takeko Doi, Tosh Nakaya, Kent Larsen, Reiko Watanabe, Katie Misaka, Kenny Fong, Debbie Koga, Steve Koga, Faye Mitsunaga, Jerdravee Thammavong, Yoshiko Uno, Keith Chow, Maya Chow, Stephanie Bruhnke, Yoshio Nakamura, Roxanna Nakamura, Jennifer Fong, Joy Furubayashi, Marie Matsukawa, Keiko Mori, Valerie Mugleston, Michael Fong, Harry Arima, Brenda Mugleston, Michael Bradshaw, Rachel McKenzie, Paul Sed, and Bruce Fong.

Additional speakers: Ron Nishijima, Christy Fong, Karen Tohinaka, Jeff Watanabe, Sumi Arakaki, Renee Matsuura, Marc Stillman, Pat Nakaya, Ichiro Doi, Takae Nakamura, Kim Nakamura, David Sekino, Joni Sueoka, Henry Hirano, Monet Watanabe, Nobby Iwamoto, Henry Kuramoto, Tammara Kuramoto, Emma Van Burns, Kay Berensen, Roger Green, Ivan VanLaningham, Kayla Watanabe, Tomio Mitsunaga, Reiko Mitsunaga, Patricia Arakaki, and Yukie Okubo.

Comments included cultural growth, religious tolerance, lack of adequate notice, community involvement, negative impact, safety issues, traffic congestion, encroachment, devaluation and damage to church property, diversity, pollution, compensation, preserve heritage, Japan Town, Japanese Buddhist Community, tangible/intangible issues, economic benefits, Salt Palace expansion, spiritual and cultural center of community, discrimination, parking lots, joint solutions, intrusion on

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Japanese Community, cultural events, festivals, historical photographs, J-Town, Japanese Church of Christ, preservation, taxpayers, ethnic identify, deny closure, petition withdrawal, architect involvement, and oversight committee to work with Japanese Community.

Additional comments: temporary solution, community asset, conventions, relocate temple, fundraising, small congregation, operating expenses, street festival, Outdoor Retailers, economic factors, detrimental impact, Multi-Ethnic Senior Citizens High Rise, access for emergency vehicles, Sister Cities, economic growth and development, valuable contributions, and gathering place.

The following people spoke or submitted written comments regarding **Agenda Item F-2**, Shaw Home's zoning petition: **Jim Shaw, Shad Vick, James Walter, and Todd Bishop.**

Comments included best use for the property, residential, commercial, open space, contiguous zoning, condominiums, home owners association, table issue, Planning Commission review, include residents in planning process, compromise, support for the RMF-45 zone, investment returns, and housing needs.

UNFINISHED BUSINESS

#1. RE: Adopting an ordinance prohibiting the sounding of **train warning devices** along the 900 South Rail Line between 700 West Street and Redwood Road, inclusive; temporarily superseding the effectiveness of Section 14.44.095 of the Salt Lake City Code; establishing an effective date and a termination date; and related matters.

Councilmember Turner moved and Councilmember Jergensen seconded to **adopt Ordinance 81 of 2004.**

Councilmember Turner said the west side would now have relief from train whistles. He said the Council talked about eventually having quiet zones throughout the City. He said this was the first step toward that goal. He said this would make the community more livable and improve automobile and pedestrian safety. He said he hoped housing values would increase and the neighborhood would take pride in what had been accomplished.

Councilmember Lambert called for the question, which motion carried, all members voted aye, except Councilmember Love who was absent for the vote.

(O 01-7)

#2. RE: Adopting an ordinance rezoning the 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 Master Plan** pursuant to Petition

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No. 400-03-10. (Request by Shaw Homes, Inc.)

Councilmember Turner moved and Councilmember Christensen seconded to **refer the petition back to the Planning Commission to consider rezoning the property to Residential Multi-Family RMF-45, as requested by the petitioner, to allow multi-family residential development consistent with the adjacent condominium uses in the area.**

Councilmember Turner said this was a difficult issue. He said there were concerns from condominium and new home owners in the area. He said discussions with the developer resulted in the conclusion that commercial did not belong in that area. He said there was a 100-foot setback from the railroad track which could be used for open space.

Councilmember Turner said there were no street improvements so this would provide sidewalk, curb and gutter and maintain the look of the street. He said the developer wanted the development to match existing housing. He said the property could be developed as a community garden or playground.

Councilmember Saxton asked how many units could be built on the property under the R-1/5000 zone. **Marilyn Lewis**, West Salt Lake/Environmental Planner, said three single family homes could be constructed with the current lot configuration. Councilmember Saxton asked what the impact would be if the property was rezoned RMF-45. Ms. Lewis said

preliminary tabulations showed the potential for nine units. She said that did not take into consideration the irregular lot shape, setbacks, encumbrances, or front-yard landscaping.

Councilmember Saxton said she still had concerns but was more comfortable with residential. She said she was not compelled to rezone the property to allow the owner to get the maximum amount of value out of the land. She said she did not know why the property would be more buildable and useable under the RMF-45 zone. She said she felt the best use of the property was open space or a park.

Councilmember Christensen said he shared some of Councilmember Saxton's concerns. He said some condominium owners suggested the option of closing 200 South to create a larger parcel of land. He said a number of things needed to occur for that to happen because the street provided access to other properties. He said he thought there was a dead-end in that area and asked if that option was considered during the analysis. Ms. Lewis said no. **Cheri Coffey**, Northwest/Long Range Planner, said 200 South turned into Montgomery Street. She said the street abutting Mr. Shaw's property did not actually dead-end.

Councilmember Turner said eventually a quiet zone would be created in the area which would help surrounding property owners. He said the street continued

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under the freeway to an industrial area. He said a number of vehicles used the street for access. He said the street closure was considered a few years ago. He said property owners to the west of Redwood Road opposed the closure. He said the large area located west of the railroad tracks would be perfect for an open space off-leash dog area.

Councilmember Lambert called for the question, which motion carried, all members voted aye, except Councilmember Love who was absent for the vote.

(P 04-24)

CONSENT AGENDA

#1. RE: Setting the date of **November 9, 2004 at 7:00 p.m.** to accept public comment and consider adopting an ordinance vacating the east segment of the **east-west alley that connects View Street**, between the properties at 1974 and 1984 South View Street pursuant to Petition No. 400-03-32.

(P 04-28)

#2. RE: Specify the correct term ending date for the appointment of **Keith Jensen** to the **Transportation Advisory Board** for a term extending through September 24, 2007.

(I 04-16)

#3. RE: Approving the appointment of **Dianne Hesleph** to the **Arts Council** for a term extending through July 1, 2007.

(I 04-11)

#4. RE: Approving the reappointment of **Jorge A. Fierro** to the **Business Advisory Board** for a term extending through December 31, 2007.

(I 04-15)

#5. RE: Approving the appointment of **Thomas E. Wright** to the **Golf Enterprise Fund Advisory Board** for a term extending through July 21, 2008.

(I 04-7)

#6. RE: Approving the appointment of **Janice Carpenter** to the **Utah Air Travel Commission** for a term extending through September 1, 2007.

(I 04-26)

#7. RE: Approving the appointment of **Joseph B. Wirthlin** to the **Utah Air Travel Commission** for a term extending through September 1, 2007.

(I 04-26)

#8. RE: Approving the appointment of **William Dalton** to the **Housing Trust Fund Advisory Board** for a term extending through December 27, 2004.

(I 04-12)

Councilmember Buhler moved and Councilmember Turner seconded to **adopt the Consent Agenda**, which motion carried, all members voted aye, except Councilmember Love who was absent for the vote.

The meeting adjourned at 8:28 p.m.

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Council Chair

Chief Deputy City Recorder

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