

***Planning Commission Work Meeting Minutes
Thursday, February 16, 2023
City Council Chambers
220 East Morris Avenue
Time: 7:00 p.m.***

Commission Members Present:

George Pechmann, Chair
Jeremy Carter
Chad Ewell
Stacey Holscher
Oliva Spencer
Mary Anna Southey

Staff Members Present:

Jonathan Weidenhamer, Community Development Director
Eliza Ungricht, Deputy Community Development Director
Damian Rodriguez, City Planner
Hanna Tuia, City Planner
Josh Collins, City Attorney

Attendees:

Elyas Raigne
Andrew So
Jeff Miller
Kyle Lane
Suzanne Slifka
Milton Tuia

Chair George Pechmann called the meeting to order at 7:00 p.m.

Pledge of Allegiance: Commissioner Holscher

Motion to APPROVE the Agenda as written.

Motion: Commissioner Southey

Second: Commissioner Holscher

Vote: Commissioner Carter – Aye;
Commissioner Ewell – Aye;
Commissioner Holscher– Aye;
Commissioner Spencer – Aye;
Commissioner Southey – Aye;
Chair George Pechmann– Aye.

The vote was unanimous.

NEW BUSINESS

1. Public Hearing – A Petition for Preliminary Subdivision Plat Amendment to Consolidate One Existing Parcel and One Condominium Plat Consisting of 57 Units into One Lot.

Action Item

Applicant: Elyas Raigne
Address: 3423 South Main Street

Chair Pechmann opened the public hearing at 7:02 p.m. Procedural issues were discussed.

City Planner, Hanna Tuia, presented the Staff Report and stated that the request was a Petition for a Preliminary Subdivision Plat Amendment for Chinatown Investment, Inc. The intent was to consolidate one existing parcel with one condominium plat consisting of 57 units. This would make one parcel consisting of all of Chinatown and a proposed addition. The property is located in the commercial corridor and is a proposed retail space. The business that was previously on the southern portion was the Southern X-Posure Strip Club. Chinatown has purchased the property and would like to convert it into retail spaces.

The existing building does not engage the street very well and it is right next to Chinatown. Photos of the site were presented. Chinatown is proposing to remove the fence between the two properties and add that parking to their overall parking count. Ms. Tuia reported that the General Plan is intended to preserve and enhance the unique identity of South Salt Lake. This is a cultural hub that is unique to South Salt Lake City. The proposal will add six retail spaces and approximately 86 new parking spaces to the Chinatown Mall. The Vision Statement in the Economic Development Section specifies that South Salt Lake is a community of opportunity for a variety of businesses with diverse ownership serving a diverse community. It serves primarily the Asian community with existing Korean, Chinese, Vietnamese, and Japanese restaurants. What is proposed will help expand the use further.

The proposal was to expand the building and convert it to face the rest of the Chinatown development. The main entrance will be on the north side of the building. The elevations will mirror the building it will be facing with the same color themes and architectural motifs being used. The applicants have a blanket easement they are working to resolve. That was expected to be complete prior to the final plat being reviewed by the Planning Commission. Staff recommended approval with the conditions set forth in the Staff Report.

Commissioner Southey mentioned the proposed 86 new parking spots and asked if that was the result of absorbing the parking from the strip club. Ms. Tuia confirmed that was the case. Commissioner Southey commented that it seemed like a lot of parking since there is usually adequate parking there.

The applicant, Elyas Raigne, identified himself as the property manager. He stated that they look forward to seeing the process through. He commented that currently on Main Street there is a dirt

area that will be paved. He identified parking as a significant issue. He thanked staff for their assistance. Mr. Raigne noted that the blanket easement with CenturyLink has been challenging for them.

There were no public comments. The public hearing was closed at 7:11 p.m.

Commissioner Holscher expressed her support and stated that she loves the area.

Motion to APPROVE the application by Elyas Raigne, on behalf of Chinatown Investment, Inc. for a Preliminary Subdivision Plat Amendment for the fifty-seven (57) lot subdivision consolidation of the subject properties located at 3390 South State Street and 3423 South Main Street, with the conditions enumerated in the staff report and on the record as follows:

Conditions:

- 1. The applicant will continue to work with City staff to make all technical corrections necessary prior to recording.**
- 2. Prior to plat recordation and any additional development of the subsequent lot, the applicant must provide city staff the final plat mylar to include notarized signatures of owners' consent to dedication; obtain signatures of all entities indicated on the subdivision plat attached hereto.**
- 3. The applicant shall complete (or post an adequate improvement completion assurance), warrant and post required warranty assurance for all required landscaping and public infrastructure improvements.**
- 4. The applicant shall ensure that all site improvements are installed consistent with the requirements of the South Salt Lake City Municipal Code.**
- 5. The applicant shall dedicate an easement to the City of South Salt for purposes of stormwater management practices and ensure the plat includes language of the dedication of such easement, in a form as approved by the City Attorney's Office.**
- 6. The proposed building shall be constructed according to South Salt Lake commercial design standards.**
- 7. The plans shall provide a fencing plan that is constructed according to South Salt Lake commercial design standards.**
- 8. All items of the staff report.**

Motion:

Commissioner Carter

Second: Commissioner Holscher

Vote: Commissioner Carter – Aye;
Commissioner Ewell – Aye;
Commissioner Holscher – Aye;
Commissioner Spencer – Aye;
Commissioner Southey – Aye;
Chair George Pechmann – Aye.

The vote was unanimous.

CONTINUING BUSINESS

1. **Public Meeting – SV-19-001 – A Petition to Vacate a Public Right-of-Way located at 200 East at Approximately 3550 South through 3570 South.**

Action Item

Applicant: Katmark Partners, LLC
Address: 200 East (at approximately 3550 South through 3570 South)

Deputy Community Development Director, Eliza Ungricht, presented the Staff Report and stated that the request is for the vacation for Katmark Partners. The matter was presented to the Commission at the January 19, 2023 meeting. At that time, it was continued pending the City Council's decision on the rezone of the four properties. The City Council approved the rezone for 130 East and the duplex in the back on 200 East at 3549 through 3555 South 200 East as outlined. If the vacation is approved, the applicant will be required to pay fair market value for the property. An appraisal was conducted and completed in December 2022 for \$46,000 or \$4.19 per square foot. The total area to be vacated is approximately 11,000 square feet in size.

There are multiple steps in the process with the first having already been completed involving the ordinance amendment for the rezone. The vacation is the next step. The applicants will then need to consolidate the parcels via plat and obtain a Conditional Use Permit for their automobile dealership. The matter before the Commission tonight was simply vacation of the right-of-way. There is a chain link fence at the end where there is pavement. The current right-of-way was shown. Ms. Ungricht stated that the property has not been maintained by the City and has not been used due to the fence being constructed. There is currently a dead end so access would not be cut off for anyone. The only property with access is the applicant's own property which was recently rezoned. By approving the vacation, the applicants will be able to utilize the property and expand their dealership. It was noted that the applicants are required by the manufacturer to provide a certain number of stalls. Currently, they are under that count. If the vacation were granted, they could utilize the parcel on the east to expand their lot.

As part of the vacation, good cause must be proven. This means there must be adequate or substantial grounds or reason to take certain action. What is proposed will not negatively affect any

adjacent parcels and the City will no longer be liable for the unused right-of-way. The vacation will allow the applicants to clean up the property lines and expand their dealership. Other General Plan considerations involve ensuring that it is a fiscally responsible decision for development. Since the property is not being used by the City, it makes sense for the City to be compensated for it and allow it to be used legally.

An ALTA Survey was conducted that showed utilities running through the right-of-way including water and sewer. The applicant will be required to provide easements to the City and the owners of the lines during the subdivision process. This will prevent them from building any structures over the lines. The proposed site plan showed on the east side where the new stalls are proposed. Underwater detention was also provided to meet the stormwater requirements. Landscape buffering was to be provided around the edge as well. Staff recommended approval subject to the conditions set forth in the staff report.

Commissioner Southey felt good about the compromise. She walked the property and confirmed that it clearly is a dead end that cannot be used for anything. What was proposed seemed like a very good solution.

Motion to recommend the City Council APPROVE, with conditions, the application by Katmark Partners, LLC, to vacate the public right-of-way located at 200 East at approximately 3550 South through 3570 South. The Vacation Petition is consistent with the goals and objectives in the South Salt Lake City General Plan as stated on the Staff Report and enumerated on the record. Approval was subject to the following:

Conditions:

- 1. The applicant shall pay fair market value for all vacated property based on the appraisal conducted by Valbridge Property Advisors for South Salt Lake on December 28, 2022.**
- 2. The applicant will submit and complete a subdivision plat application to consolidate all subject parcels within 180 days of the vacation approval.**
- 3. As part of the subdivision approval, the applicant will need to enter into a Public Utility and Public Access Easement Agreement, which shall be recorded to the satisfaction of the South Salt Lake Community Development Department, South Salt Lake Engineering, and the South Salt Lake City Attorney's Office.**
- 4. All items of the staff report.**

Motion:

Commissioner Southey

Second:

Commissioner Holscher

Vote: Commissioner Carter – Aye;
Commissioner Ewell – Aye;
Commissioner Holscher– Aye;
Commissioner Spencer – Aye;
Commissioner Southey – Aye;
Chair George Pechmann– Aye.

The vote was unanimous.

PLANNING COMMISSION BUSINESS

1. Approval of the January 19, 2023, Planning Commission Meeting Minutes

Action Item

Motion to APPROVE the January 19, 2023, Planning Commission Meeting Minutes.

Motion: Commissioner Holscher

Second: Commissioner Ewell

Vote: Commissioner Carter – Aye;
Commissioner Ewell – Aye;
Commissioner Holscher– Aye;
Commissioner Spencer – Aye;
Commissioner Southey – Aye;
Chair George Pechmann– Aye.

The vote was unanimous.

ADJOURNMENT

Ms. Ungricht reported that the new website is up and running. All agendas, staff reports, and minutes will be posted there going forward.

Motion to ADJOURN.

Motion: Commissioner Carter

Second: Commissioner Holscher

Vote: Commissioner Carter – Aye;
Commissioner Ewell – Aye;
Commissioner Holscher– Aye;

**Commissioner Spencer – Aye;
Commissioner Southey – Aye;
Chair George Pechmann– Aye.**

The vote was unanimous.

The Planning Commission Meeting adjourned at approximately 7:22 p.m.

For Planning Commission

Community Development Director

DRAFT