

MEETING MINUTE SUMMARY
SALT LAKE COUNTY PLANNING COMMISSION MEETING
Wednesday, July 12, 2017 8:30 a.m.

****Meeting minutes approved on August 16, 2017****

Approximate meeting length: 2 hours 22 minutes

Number of public in attendance: 60

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Cohen

***NOTE:** Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.

ATTENDANCE

Commissioners	Public Mtg	Business Mtg	Absent
Neil Cohen	x	x	
Ronald Vance	x	x	
Mark Elieson	x	x	
Bryan O’Meara			x
Kim Barbushev	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Todd Draper	x	x
Wendy Gurr	x	x
Max Johnson		
Zach Shaw (DA)	x	x
Spencer Hymas		

BUSINESS MEETING

Meeting began at – 8:35 a.m.

- 1) Approval of Minutes from the June 14, 2017 meeting.

Motion: To approve minutes from the June 14, 2017 meeting, with amendments

Motion by: Commissioner Vance

2nd by: Commissioner Elieson

Vote: Commissioners voted unanimous in favor (of commissioners present)

- 2) Other Business Items (as needed)

No other business items to discuss

PUBLIC HEARINGS

Hearings began at – 8:38 a.m.

30284 – Thomas Godfrey on behalf of Recovery Land Holdings is requesting approval for changes to the site plan and recreational amenities for an existing Planned Unit Development (PUD) that is being

converted from commercial to residential mixed-use. **Location:** 4905-4953 South 900 East. **Zone:** RM.
Planner: Todd A. Draper, AICP

Salt Lake County Planning and Development Services Planner Todd Draper provided an analysis of the staff report.

Commissioner Cohen said the commission is being asked to approve changes to a site plan transitioning from commercial to residential mixed use. Mr. Draper said allowing applicant to remove parking stalls and replaced with landscaping, changes to courtyard, potentially turning a parking area into basketball court and allowing applicant to work out fencing with staff and acceptance of the club house and picnic gathering area.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Representing Recovery Land Holdings

Name: Wade Budge

Address: 15 West South Temple

Comments: Mr. Budge said he agrees with the staff report. Thinks what they have is a remarkable opportunity. Purchased the property and working with staff to accommodate this use. Growing need to provide residential treatment facilities. Services to professionals or others who became chemically dependent. They are allowed to locate in residential areas. No active users allowed and people who made the choice to seek recovery and rehabilitation. Found great success in locating areas such as this one. This is great access off 900 east. Staff indicated recreational amenities, building D is where clubhouse will be. This facility is well received to recreate. Other buildings will be housing the residents. Wants to explore this commission's view of a basketball in the center of all buildings. Residents aren't allowed to have cars and as a result to place a basketball court and nice amenity.

Commissioner Cohen asked about a pickleball court. Mr. Budge said in lieu of basketball court.

Speaker # 2: Citizen

Name: Nate Sundwall

Address: 4948 South 1021 East

Comments: Mr. Sundwall said his neighbors and friends are concerned about the development and informed today not to discuss the residential facility. He sees a lot of drug dependent people. They have disease and need help. He doesn't know whose lives haven't been affected by this epidemic. This is a serious problem and what can they do to help. Not suggesting embracing this, but wants to make the point we all need to do something about this. His brother came home to find his son dead in the basement, this is a serious problem and we need to help address it. Whether or not this is part of that, need to understand the seriousness. Patients he sees are not the kind that would put the community at risk.

Speaker # 3: Citizen

Name: Lauraine Stephen

Address: 4953 Eastridge Lane #146

Comments: Ms. Stephen said she's lived there since 2001 and enjoys the amenities. She has explored the area and thought what a shame left to molder and is happy to hear of the plans to rehabilitate the area and the people. She is fortunate to live where she lives and she wants to support this facility to enable other people to enjoy the standard of living which she enjoys.

Speaker # 4: Citizen

Name: Jerold Ottley

Address: 4952 South 975 East

Comments: Mr. Ottley said the planning commission and prospective developers to provide more information to the area. He is in favor of being a good citizen for the community. Unanswered questions relative to the use of the property beyond what's here today with more information.

Speaker # 5: Citizen

Name: Loren Lambert

Address: 998 East 4895 South

Comments: Ms. Lambert said he isn't insensitive to overall intent of development. Those as a society reap what they sow, down the street south is valley mental health. He has a lot of clients with addictions and services have diminished and not provide tax dollars to serving that population and this is targeted to the wealthy. These developments devolve and controls not in place and this doesn't become gathering place to do harm. Why in this area when other areas are vacant to better serve and better address this problem. The security they feel as neighbors eroded, why does there need a change and no change needs to be made in order to preserve.

Speaker # 6: Citizen

Name: David Mash

Address: 883 East 4900 South

Comments: Mr. Mash said he has several concerns, not really opposed. Basketball courts and lighting and time limit on usage. Quiet and sedate neighborhood. Most neighbors are over 50 and they go to bed early. Lighting for parking lot, will existing lighting be in existence and will there be more. Concerned about security and neighbors implementing neighborhood watch and it is up to this facility to provide security. The facility should have 24 hour security. The flyer talks about police and having a liaison, security shouldn't be up to residents. Signage, commercial property north and they put up a neon fluorescent structure and is inappropriate. He is worried about lighting, security and signage.

Speaker # 7: Citizen

Name: Cindy Wood

Address: 995 East Mobina Court

Comments: Ms. Wood said she isn't opposed. She has lived there two years and it is an eye sore and the city owns the rear property. Nobody has made this decent and is the county going to keep and make sure it continues to keep up. If lock down facility and recreational in the middle, it isn't fenced. Signage would need to come in for a change. This could be great for the community and know what can be expected and never know what is going on there. Is the basketball court going to be gated. Is it locked down, area to change locked down and county make sure its cared for.

Speaker # 8: Citizen

Name: Joe Rossi

Address: 1050 Eastgate Road

Comments: Mr. Rossi asked what point to be the process. This is his first time ever at this meeting. He is shocked that they weren't notified that this was a done deal that this is done. Impression this was going to be talked about and community could give input. He's appalled and assumes most haven't been notified where there was input given and made a decision. He has nothing against amenities. They have concern beyond recreational amenities. He is appalled they weren't notified in advance. When they first came up, the commission gave Mr. Draper and applicant more than three minutes. Traffic issue, already a horrible traffic issue on 900 east.

Commissioner Cohen said this is not a rezone and it's already a PUD and they want to change from commercial to residential.

Speaker # 9: Citizen

Name: James Haskins

Address: 4895 South 1075 East

Comments: Mr. Haskins said security concern and he practices law and finds it naïve to assume because this is a lock down facility. It's a residential area and they aren't allowed to walk the streets. During the course, most represented escaped. They had an issue in their community and had two folks who were addicted and created mayhem. Representative said protected under the ADA and don't have an addiction to drugs or alcohol. As the physician expressed, none of these people are harmful. His career has been these people are addicted, needs intense security parameter enforced by the county.

Speaker # 10: Representing Recovery Land Holdings

Name: Wade Budge

Address: 15 West South Temple

Comments: Mr. Budge said this is not a lockdown facility and not allowed to place people in this facility.

Speaker # 11: Citizen

Name: Della Farnsworth

Address: 4906 Esther Circle

Comments: Ms. Farnsworth said her understanding is it has not been rezoned R-M. County assessor's website is listed as commercial and when was this changed and why weren't they required to notify residents of rezone. She said if any zoning change, certainly need to have notice. Once this goes in, home value drops 17% and this is something they should not have to tolerate and security issue with knowing they have these kinds of people.

Mr. Draper said this is currently zoned R-M and is no change. This is not a rezone, and hasn't been rezoned. This is a commercial type of use. Commissioner Cohen said Ms. Farnsworth provided a petition to reject.

Speaker # 12: Citizen

Name: Sherry Marchant

Address: 984 East 4895 South

Comments: Ms. Marchant said her home is right on the border of the facility, west of the home. There will be a smoking area and where it will be. Basketball facility, concerned about lighting. Older citizens and children should be considered. No reason for two entrances and could enter and exit on 900 east and close off other and continue masonry wall for added security. Have rod iron fencing on 900 east and that could be helpful. Parking said each resident can have a parking spot, plus staff, plus visitation. To eliminate all parking have conversation and add to the area. They have family come to their home and all parking on street taken up. Mr. Draper said it is a lockdown facility and nice to have clarification. They are not happy about the facility.

Speaker # 13: Citizen

Name: Richard Leyba

Address: 1040 Eastgate Road

Comments: Mr. Leyba said on numerous occasions he has had to call the Murray city police about homeless people coming out of the woods on Van Winkle. Police come and question the individual and when the police came all they could do is take him back to his home. This is not a lock down facility and they can come and go as they please, unless ordered by the court. Concern so near housing the homeless and throwing paraphenilia over the fence and not very good neighbors, by not informing us.

Speaker # 14: Citizen

Name: Gordon Young

Address: 4933 South 1065 East

Comments: Mr. Young provided a handout. Groups difference and in the event can't come to an arrangement. Security is important. He read from his handout. People who live close are across the fence and this is a major concern. When they moved in, it had offices and was maintained and recently it hasn't been kept up. Security is a major concern for him. Idea is to maintain the neighborhood, but need to be accommodating.

Speaker # 15: Citizen

Name: Lori Sorensen

Address: 4939 South 975 East

Comments: Ms. Sorensen said her home is next to the wall where all the changes will be. She has worked hard to provide herself and her mother a home. This is affecting many people's lives and there are a lot of elderly people and they are defenseless. Main concern is security. Propose should have 24 hour security and monitor it. She would want the fences all raised to 12 feet. She likes her community and needs to provide and remain safe and shouldn't be on the residents.

Speaker # 16: Citizen

Name: Rosemary Barton

Address: 993 East 5014 South

Comments: Ms. Barton said she has a husband who is recovering alcoholic. The problem with this, they only have 48 to 64 people and she knows what an alcoholic does. The only reason to approve to have a community recreation center and asked if it is part of the zoning, if not, disapprove it. Don't need 48 to 64 people living there with drug problems. If we are only here to have recreation in order to have them living there. Deny it.

Speaker # 17: Citizen

Name: Sam Robertson

Address: 4942 South 975 East

Comments: Mr. Robertson said he lives within a stones throw. He practices a branch of medicine and does their best 100% of treatment. Them who have studied rehab centers are aware that solving the problems, success ratio is poor, it's getting better. He's sure all of them drug addicts will do and doesn't care about the security they will find a way. The people at risk are the people in the area. He applauds the idea of rehabilitating them instead of incarceration, but they have a long way to go to be successful. This is immoral to place upon a community such a facility.

Speaker # 18: Citizen

Name: Steve Black

Address: 931 East 4895 South

Comments: Mr. Black said he has lived there six months. Security is his main concern, not lockdown facility. People with a disability, what reactions will be when they can't cope and walk across to his front yard. Who is protecting his family. He is disappointed to not be notified for the security of his family. Those trying to cope, potentially gone back several times and this isn't a lockdown facility and security no one has talked about. He loves the neighborhood and quietness. His daughter goes to bed early and her security is his main concern.

Speaker # 16: Citizen

Name: Catherine Sundwall

Address: 4948 South 1021 East

Comments: Ms. Sundwall asked who the residents are coming. Are they paying clients or assigned. Brighton recovery has a number of facilities and do we know their success rate. If they don't have a good success rate, they have no idea. What kind of success rate and how is company run. They only have say on recreational facility and if they don't have a good track record this should be denied.

Mr. Draper said this is not being decided today.

Speaker # 17: Citizen

Name: Grace Mitchell

Address: 4915 South Esther Circle

Comments: Ms. Mitchell said she has lived there for 18 years. She has been able to let her children ride bicycles and run around the neighborhood. She is concerned more about money than public safety. Property management systems from Three Fountains east. She said you have to decide to read the letter. More than likely if they don't have them they will not come in and do that. There are other uses to this property. She knows there is an epidemic, but not in a neighborhood with children and elderly. Crime rate will go up. The property has plummeted and gotten worse with new owner and who says they will live up to what they are saying. Without the recreation they probably will not operate. She said Commissioner Cohen has already made his decision. The walls are not high enough. The road into there, it needs to be gone and entered from 900 east and why can't we have a facility for handicapped, instead of drugs. The effects of drugs on a citizens whether high class or indigent. Two years ago she had drug addicts tried to break into her home and they could not take them down. They find ways to get out. Multiple thefts and neighborhood went back to peaceful when they moved out. They would rob you blind to get their next fix, and will the new owners will keep their word to continue with this facility. How will the county help.

Commissioner Elieson said this is not a zoning change. Mr. Shaw said this is to change from a commercial PUD to a residential PUD mixed use. Recreational facilities, the recreation facility is a permitted use under the zoning ordinance and is independent. The recreational facility is not dependent. This is a PUD and when you have a PUD it's a conditional use and mitigate impacts and one way is to have a recreational. Mr. Draper said it is already a PUD, just the changes to the existing residential. What is before them whether to approve the recreational facilities or not you can decide not to have them but does not impact the ability to come in.

Speaker # 18: Citizen

Name: Dawn Crus

Address: 4875 South Laily Court

Comments: Ms. Crus said Mr. Draper said access to 900 east. She couldn't get a hold of Mr. Draper and this is a waste of time. She doesn't like the way this was handled.

Mr. Draper said existing site layout. Commissioner Cohen said just telling them where it is and mentioning you could get to it from 900 east. There is a requirement for noticing.

Speaker # 16: Citizen

Name: Robert Auger

Address: 981 East 5014 South

Comments: Mr. Auger said he is appalled about lack of communication and time misrepresented. He wouldn't have come if they knew what they were deciding. Individuals driven and now no parking, now finding out not lockdown. Bus stop will be enjoyed at their leisure, because that will bring a lot of traffic, he has had experience and took his mom out of a facility because they put a rehab center near her facility but eroded and became a safety issue. They have a primary senior population, obviously security and this seems to be a done deal. Everyone is more than willing to participate.

Speaker # 17: Citizen

Name: Mark Burgess

Address: 4921 South 1065 East

Comments: Mr. Burgess said he knows opportunity to find ways to help extend their voice and ears of county council, bosses, and DA. Things they rely to help resolve, a council has heard a lot of emotion and hopes they understand where they are coming from. Issues raised and unable to address, but hopes they are heard from a community standpoint and concerned and input into their community. They're trying to preserve their community and relying on the county and hear their concerns. Should be resolved in the future to bring at appropriate times and reflect on their concerns. Safety can bring something to the table as a former sergeant, he was in charge of protective service unit and one area that they staff is a drug rehab clinic. Protect with a security officer, peace officer powers. They staff that person because of the real security risk every day. Friends coming into the parking lot, that were associated with people coming and using facility. He understands to not look at intended use, he differs, than they're missing half the vote. Look at the map, surrounded every direction by other residences, other people and right in the center. He asked if that was where you lived would you want that operating. If there is action that will hear their voice and prevent that from going in by denying the request, he requests they deny it.

Speaker # 18: Citizen

Name: Joe Watts

Address: 4975 South Beaver Brook Lane

Comments: Mr. Watts said they are here under false representation and thought they had a voice in the outcome and it's already been determined of practices of the past. Now concerned with how to deal with the new environment. First tell the developer that they admire the work, critical for society to have rehabs in different places. This is a different problem than the homeless problem. Disappointed didn't have the confidence to deal with them directly. Many concerned with equity in their homes and his concern with equity in his property. Thanks for the notice from PDS, and has questions. This property is zoned for the intention. Disabilities are permitted outright in residential zones for people with disabilities. Clause that limits the facilities to accommodate no more than sixteen persons, and asks if they have more than sixteen people. Would be considered institutional not residential if more than sixteen people. How will the people be housed and total number for the area. That doesn't make a lot of sense, saying that if you separate them, you can get as many as you want, would qualify under the zoning, but not following. If rehab center will do with more than sixteen people, he would challenge that. This doesn't meet the code, if there will be more than sixteen people, he's not zoned for it.

Mr. Shaw said referring to county ordinance, sixteen individuals per building. Mr. Shaw said the sixteen comes from the county ordinance and is consistent with international building code and is sixteen per building. He said this is not before the planning commission today. Commissioner Cohen said could propose ordinance changes.

Speaker # 16: Citizen

Name: Pam Worthington

Address: 1064 East 5000 South

Comments: Ms. Worthington said her concern is not knowing, not in control. Whether in compliance, some line of protest in such a condensed area, that they would allow that many residents, consideration to lower to facilities rather than the high numbers, but negative impact on the citizens. It should become a locked down facility. If residents are court ordered, or privately funded what the source is and not compliant, are they put out on the street.

Speaker # 17: Citizen

Name: Susan Riley

Address: 4906 South 1065 East

Comments: Ms. Riley said she has lived there for 32 years. Reiterate what they dealt with, with the homeless, someone was in her home while she was asleep. She feels like now working with police, they have the homeless situation under control and other people in the neighborhood, maybe not safe and rehab has great if not failed. Worries about the safety, are they going to be on the street roaming and will someone pay to put a security system in her home and consider what that is saying. Other places for them not in a community.

Mr. Draper said an email came in during the meeting. Wants to receive a copy of the letter from Three Fountains. He never indicated this is a rezone and never indicated increases in crime and the property value is objective.

Speaker # 18: Representing Recovery Land Holdings

Name: Wade Budge

Address: 15 West South Temple

Comments: Mr. Budge said he doesn't want to get into the use, it is not here before us. Benefit of all, the decision to allow this use was made decades ago and to say this kind of use is allowed in all residential zones was made. How can we incorporate the recreational amenities to make this valuable. Basketball will not be requested to accept a condition, no ability to light the basketball court, as this is a day facility. Trying to make use better, its ability is better with a better recreational plan. Only smoking areas within the courtyard as a condition. This facility with full time staff, if they disobey they are kicked out. If they can't pay, these are high end clients at the facility. Disappointed with so much confusion. Ownership offered him to say, the attitude with the public will be to meet quarterly. Very successful. Seek the approval and they are fine without basketball and lighting.

Commissioner Cohen said to be a good neighbor should reach out to the neighbors and meet with them.

Mr. Shaw said the conditions are all appropriate set on this application. Could put a condition for signage and fencing. A lot of people raised security issues and applicant mentioned 24 hour staff on site and may be a state requirement. No requirement for 24 hour video surveillance. Fencing may or may not go to that issue, but addressed in the ordinance. Commissioner Cohen said issue with proposed clubhouse. Mr. Draper said the issue is buildings are on their own lots and could be sold in the future and would typically require access to those that are available to all other lots by updating CC&R's would take care of the same issues. If any reason to replat, that would come back to commission completely separately.

Commissioner Barbushev motioned to close the public hearing, Commissioner Elieson seconded that motion. Commissioners voted unanimous in favor (of commissioners present).

PUBLIC PORTION OF MEETING CLOSED

Commissioners, Counsel and staff had a brief discussion with regards to the basketball court, courtyard, and improvement to the property, fencing, parking, and entrances.

Motion: To approve application #30284 with Staff Recommendations and additional conditions:

1. Comply with PUD fencing and signage requirements;
2. Smoking is limited to the inner Courtyard areas; and
3. No nighttime lighting of the Basketball court.

Motion by: Commissioner Barbushev

2nd by: Commissioner Elieson

Vote: Commissioners voted unanimous in favor (of commissioners present)

MEETING ADJOURNED

Time Adjourned – 10:57 a.m.