

**SALT LAKE CITY PLANNING COMMISSION MEETING**  
**City & County Building**  
**451 South State Street, Room 326, Salt Lake City, Utah**  
**Wednesday, December 13, 2017**

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:36:15 PM](#). Audio recordings of the Planning Commission meetings are retained for a period of time.

Present for the Planning Commission meeting were: Chairperson Weston Clark, Vice Chairperson Ivis Garcia; Commissioners Maurine Bachman, Matt Lyon, Clark Ruttinger and Brenda Scheer. Commissioners Carolyn Hoskins, Emily Drown, Sara Urquhart and Andres Paredes were excused.

Planning Staff members present at the meeting were Wayne Mills, Planning Manager; John Anderson, Senior Planner; Doug Dansie, Senior Planner; Molly Robinson, Urban Designer; David Gellner, Principal Planner; JP Goates, Principal Planner Michelle Poland, Administrative Secretary and Paul Nielson, Senior City Attorney.

**Field Trip**

A field trip was held prior to the work session. Planning Commissioners present were: Weston Clark, Maurine Bachman, Clark Ruttinger and Brenda Scheer. Staff members in attendance were Wayne Mills, John Anderson, JP Goates and Doug Dansie.

- **744 West Jackson Avenue** - Staff gave an overview of the proposal.
- **1710 S. West Temple** - Staff gave an overview of the proposal.
- **1149 S West Temple** - Staff gave an overview of the proposal.
- **230 W 200 S** - Staff gave an overview of the proposal.

**APPROVAL OF THE NOVEMBER 29, 2017, MEETING MINUTES. [5:36:26 PM](#)**

**MOTION [5:36:29 PM](#)**

Commissioner Bachman moved to approve the November 29, 2017, meeting minutes. Commissioner Garcia seconded the motion. Commissioners Bachman, Garcia, Lyon, and Scheer voted “aye”. Commissioners Lyon and Ruttinger abstained from voting as they were not present at the subject meeting. The motion passed unanimously.

**REPORT OF THE CHAIR AND VICE CHAIR [5:36:54 PM](#)**

Chairperson Clark stated he had nothing to report.

Vice Chairperson Garcia stated she had nothing to report.

**REPORT OF THE DIRECTOR [5:37:01 PM](#)**

Mr. Wayne Mills, Planning Manager, reviewed the planning items the City Council had reviewed and stated a more formal report would be given at the beginning of 2018.

[5:38:59 PM](#)

**Zoning Map Amendment at approximately 744 West Jackson Avenue** - Rod and Jeri Olsen, property owners, are requesting a zoning map amendment for their property at the above listed address. The property is currently split-zoned between SR-1(Special Development Pattern Residential) zoning district on the north portion and TSA-UN-T (Transit Station Area Urban Neighborhood Transition Area) zoning district where the property fronts on Jackson Avenue. The applicant is requesting to amend the zoning map designation for a portion of the property from SR-1 to TSA-UN-T in order to make the parcel zoning uniform. The property is located within Council District 2, represented by Andrew Johnston. (Staff contact: David J. Gellner at (801)535-6107 or david.gellner@slcgov.com.) Case number: PLNPCM2017-00709 (Legislative matter)

Mr. David Gellner, Principal Planner, reviewed the petition as outlined in the Staff Report (located in the case file). He stated Staff recommended that the Planning Commission forward a favorable recommendation to the City Council as outlined in the Staff Report.

Mr. Rod and Jeri Olsen, property owners, stated they did not have anything to add to the presentation.

**PUBLIC HEARING** [5:41:39 PM](#)

Chairperson Clark opened the Public Hearing, seeing no one wished to speak; Chairperson Clark closed the Public Hearing.

**MOTION** [5:42:20 PM](#)

Commissioner Scheer stated based on the findings and analysis in the Staff Report, testimony, and discussion at the public hearing, she moved that the Planning Commission recommend that the City Council approve the proposed Zoning Map Amendment, file PLNPCM2017-00709, for the rear portion of the property located at 744 W. Jackson Avenue, proposed zone change from the SR-1 (Special Development Pattern Residential) zoning district to the TSA-UN-T (Transit Station Area Urban Neighborhood Transition) zoning district in order to make the parcel zoning uniform. Commissioner Ruttinger seconded the motion. Commissioners Garcia, Bachman, Lyon, Ruttinger and Scheer voted “aye”. The motion passed unanimously.

[5:43:21 PM](#)

**The Edith Planned Development at approximately 1710 S. West Temple** - CW Urban, represented by Jake Williams, is requesting approval for a Planned Development to develop several properties located at the above listed address. The proposed development would consist of 23 townhomes. The development is required to receive Planned Development approval, due to a lack of street frontage for 9 of the proposed units and a reduction in the rear yard setback along the south property line. The subject property is located in the RMU-45 (Residential Mixed Use) zoning district within Council District 5, represented by Erin Mendenhall. (Staff Contact: John Anderson (801)535-7214 or john.anderson@slcgov.com.) Case number: PLNSUB2017-00789 (Administrative matter)

Mr. John Anderson, Senior Planner, reviewed the petition as outlined in the Staff Report (located in the case file). He stated Staff recommended that the Planning Commission approve the petition as outlined in the Staff Report.

The Commission and Staff discussed the following:

- The location of the pedestrian and vehicle access.
- The required setbacks under the zoning.
- The requested rear yard setbacks and the benefits to the reduction.
- The request to demolish the existing home on the site.
- Options and considerations that were reviewed to make the project fit the zoning.

Mr. Jake Williams, CW Urban, reviewed the proposal and how it fit the area. He reviewed the different projects CW Urban had in Salt Lake and how they try to make each project reflect the specific areas. Mr. Williams reviewed what could be built without Planning Commission approval, why the design was presented and the issues with the existing home. He reviewed the public outreach for the proposal and asked the Commission to approve the petition.

The Commission and Applicant discussed the following:

- If the units would be owner occupied.
- The commercial aspects of the petition.

#### **PUBLIC HEARING [6:04:06 PM](#)**

Chairperson Clark opened the Public Hearing.

The following individuals spoke to the petition: Mr. Ernest Lloyd-Cox, Mr. Paul Svendsen, Mr. Casey McDonough and Mr. David Amott.

The following comments were made:

- The proposal was over planned and more could be done to meet the requirements in the code.
- The over development would cause issues with people utilizing the street.
- The proposal was a great example of infill in Salt Lake City.
- The look and architecture were perfect.
- The parking was adequate.
- The rear yard was a side yard and should have a required four foot setback.
- The proposal would createsafety issues for children in the area.
- The historic home should be saved.
- More could be done to make the proposal fit the area.
- Community Council would like the existing home preserved, restored or moved.

Chairperson Clark closed the Public Hearing.

The Commission, Applicant and Staff discussed the following:

- The historic nature of the existing home.
- The approved rezone on the property.

- The standard setback for the street face.
- The history of the existing home and if it could be moved to another location.
- If there was a way to preserve the home under the ordinance.
- What was allowed to be constructed under the current zoning.

**MOTION [6:23:20 PM](#)**

**Commissioner Lyon stated based on the information in the Staff Report, the information presented, and the input received during the public hearing, he moved that the Planning Commission approve the Planned Development PLNSUB2017-00789. Commissioner Bachman seconded the motion.**

The Commission discussed and stated the following:

- Concerned over the setbacks and the orientation of the proposal.
- If there was a compromise for the front yard setback.
- The frontage on 1700 South put the units on an extremely busy street therefore, the ground floor should be commercial.
- The applicant had not tried to save the existing home.
- The average setback along West Temple.
- The future redevelopment of the area and how the proposal would or would not fit with the Master Plan.
- A much larger development could be built on the site without Planning Commission review.
- The proposal was a great compromise for the area versus a big box apartment complex.

**Commissioners Garcia, Bachman, Lyon and Ruttinger voted “aye”. Commission Scheer voted “nay”. The motion passed 4-1.**

**[6:35:31 PM](#)**

**Book Cliffs Lodge Conditional Building and Site Design Review at approximately 1149 S West Temple - The Housing Authority of Salt Lake City, represented by Joe Post, is requesting approval of a Conditional Building and Site Design Review application to develop a 54 unit apartment building located at the above listed address. The proposed development would be approximately 45 feet in height with a varied parapet up to five additional feet. The proposed 15 feet of additional height requires Conditional Building and Site Design Review approval. The subject property is located with the CC (Corridor Commercial) zoning district. The property is located within Council District 5, represented by Erin Mendenhall. (Staff Contact: JP Goates (801)535-7236 or [jp.goates@slcgov.com](mailto:jp.goates@slcgov.com).) Case number: PLNPCM2017-00708 (Administrative matter)**

Mr. JP Goates, Principal Planner, reviewed the petition as outlined in the Staff Report (located in the case file). He stated Staff recommended that the Planning Commission approve the petition as outlined in the Staff Report.

The Commission and Staff discussed the following:

- The next steps for the petition.

Mr. Dan Nakerman, Mr. Jeff Leonardo and Mr. Anthony Buzman, applicants, reviewed the proposal, the affordability of the units, the public outreach, the condition of the site and how the proposal would help improve the area. They reviewed the design, architecture, why the additional height was required for the proposal and the people that would be using the facility.

**PUBLIC HEARING [6:48:53 PM](#)**

Chairperson Clark opened the Public Hearing.

The following individuals spoke to the petition: Mr. Matt Haydon. Mr. Patrick Quinn, Mr. Dan Rivers, Ms. Michelle Cook, Mr. Anthony Buzman, Mr. Derk Babbit and Ms. Jennifer Love.

The following comments were made:

- The neighborhood was opposed to the proposal.
- The building would shadow the surrounding properties.
- The development would increase the parking issues in the area.
- The views from neighboring buildings would be lost.
- The proposal would negatively affect property values in the area.
- The area was a single family neighborhood and did not have the ability to handle the development.
- Would love the improvement but there was no need for mixed income housing.
- The project would ruin the neighborhood.
- The development would be a great addition to the area.
- The shadows are not an issue and the development would provide housing for a unique group of people.
- The proposal would be a perfect addition to the area and no negative impacts would be created.
- The infrastructure was a concern.
- How would the influx of people be policed?
- Mixed income properties helped diversify communities.
- Parking in the area was limited but street parking was not an entitlement.
- The concerns are trivial as there is a housing crisis in Salt Lake City.

Chairperson Clark read the following cards

- Mr. Jerel McShane - My partner and I both disagree with the height of the structure-obstruction, and parking provided, not enough to prevent parking issues in immediate area.
- Mr. Joe Schmidt - Maintain esthetic and comply with setback with limited parking for one quarter residences and no commercial, eliminate fourth floor and reduce height, mixed income needs for parking.

Chairperson Clark closed the Public Hearing.

The Commission, Applicant and Staff discussed the following:

- The parking requirements for the proposal.
- The Commission's purview over property values and views.

- The nature of the area and how it had changed over time.
- The proposal for the neighborhood under the Master Plan.
- The distance to the public transit from the development.
- The shadow study conducted for the proposal and surrounding area.
- The view impact to the neighborhood.
- If there was a view requirement or shadow standard.
- The impact of a shorter building.
- The length of the building.
- The access to the residential units.
- The use of the ground floor.
- The roof line and how it was or was not unique in design.
- If there would be a clinic on the fourth floor.
  - No, that was a previous proposal.
- The number of one and three bedroom units in the home.
- The measurements for building and ceiling height.

The Commission discussed and stated the following:

- The affordable housing portion of the proposal was appreciated.
- If the project met or did not meet each of the standards.

#### **MOTION [7:40:38 PM](#)**

**Commission Lyon stated based on the findings listed in the Staff Report, the information presented, and the input received during the Public Hearing, he moved Planning Commission deny Petition PLNPCM2017-00708 the Conditional Building and Site Design Review because the evidence has not been presented that demonstrates the proposal applies to the following standards:**

- a. **Development shall be primarily oriented to the street, not an interior courtyard or parking lot.**
  - i. **The lobby, leasing office and the gym, residential access are oriented at the rear of the building and not on West Temple.**
- b. **Building facades shall include detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction.**
  - i. **The way the building is designed with private courtyards, patios that are unlikely to be used, these are no entrance ways that people will be moving in and out of. The building is a pretty long building more or less being pretty consistent along the bottom and not broken up therefore it is not interesting pedestrian building with a lot of interaction along the street.**

**21A.59.065: A- The roofline contains architectural features that give it a distinctive form or skyline**

- i. **The building is pretty much a straight flat top, there is no creative use of the roofline, there is certainly no public viewing platforms, shading or daylighting, rooftop garden etc. it is just an additional part of the building.**

**Therefore the petition should be denied.**

**The motion died due to a lack of a second.**



**MOTION** [7:44:36 PM](#)

Commissioner Ruttinger stated based on the findings listed in the Staff Report, the Commissions discussion, the testimony presented, he moved Planning Commission approve the Conditional Building and Site Design Review PLNPCM2017-00708 Salt Lake City Housing Authority Book Cliff Apartments request with conditions:

1. The proposal meets standard A with the eight different entrances.
2. The roof line standards is met with the use of the word “or”. Staff determined it met the standard with the use of the parapet wall.

**Commissioner Garcia seconded the motion.**

Commissioner Scheer asked to amend the motion to state the Planning Commission approved the project with the condition that the main entrance be oriented to West Temple such that it is very similar in scale and in look to the existing east façade of the building.

**Commissioner Ruttinger accepted the amendment to the motion.**

**Commissioner Garcia seconded the amendment.**

The Commission and Applicant discussed if they would be willing to change the building orientation.

**Commissioners Garcia, Bachman, Ruttinger and Scheer voted “aye”. Commission Lyon voted “nay”. The motion passed 4-1.**

**The Commission took a short break.** [7:55:31 PM](#)

**The Commission reconvened.** [8:03:25 PM](#)

[8:03:29 PM](#)

**Block 67 Zoning Map Amendment at approximately 230 W 200 S -The Ritchie Group (applicant) is seeking to develop 6.45 acres in downtown for a mixed-use project developed in multiple phases. The site is located southeast of the Vivint Smart Home Arena and southwest of the Salt Palace on the block bounded by 100 S, 200 W, 200 S, and 300 W, known as Block 67. The applicant is requesting a zoning change from D-4 Downtown Secondary Business District to D-1 Central Business District for development of a new office, apartment and hotel complex as part of a larger development approved by the Planning Commission on November 8, 2017. The City Council has the final decision making authority for the Zoning Amendment. The property is located within Council District 4, represented by Derrick Kitchen. (Staff contact: Molly Robinson at (801) 535-7261 or [molly.robinson@slcgov.com](mailto:molly.robinson@slcgov.com) OR Doug Dansie at (801)535-6182 or [doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com)) Case number: PLNPCM2017-00420 (Legislative matter)**

Mr. Doug Dansie, Senior Planner, and Ms. Molly Robinson, Urban Designer reviewed the petition as outlined in the Staff Report (located in the case file). They stated Staff recommended that the Planning Commission forward a favorable recommendation to the City Council as outlined in the Staff Report.

Mr. Dave Abraham, Architecture Nexus, reviewed the proposal and why the rezone was necessary. He reviewed how the proposal fit with the area, how they would work with the community to accommodate the festivals and parking and asked the Commission to approve the proposal.

Mr. Ryan Ritchie, the Ritchie Group, reviewed the public outreach for the proposal and reviewed the function of churches in urban settings. He reviewed the future growth in the city and how the proposal would help to facilitate that growth.

The Commission and Applicant discussed the following:

- The zoning for the surrounding properties.

#### **PUBLIC HEARING [8:33:50 PM](#)**

Chairperson Clark opened the Public Hearing.

Mr. Jesse Dean, Downtown Alliance, stated the proposal was an important aspect of the growing economy and they Downtown Alliance supported the proposal. He stated the proposal would help bridge the east and west sides of the city. Mr. Dean stated the Downtown Alliance did not support a wholesale height change to the D-4 however, they believed the alternative presented by Planning Staff represents a targeted approach to an overlay.

The following individuals spoke to the petition: Senator Jani Iwamoto, Mr. Raymond Uno, Mr. Rolen Yoshinaga, Ms. Karen Kido, Mr. Isaac Yamamoto, Dr. Shu Cheng, Mr. Kenneth Pollard, Mr. Tipiloma Pupue, Mr. Kimji La Ja, Ms. Heather Dorrell, Ms. Irelene Arnet, Mr. Ty Chu, Mr. Seria Romney, Mr. Josh Jones, Mr. Jerry Hernano, Mr. Brent Koga, Mr. Gavin Sun and Mr. La Chi Lang.

The following comments were made:

- The meetings with the Developer were through text messages not in person.
- Historically Salt Lake City had been a very diverse City but it was diminishing due to development.
- Japan Town had been reduced with the development and growth of the Salt Palace and surrounding neighborhood.
- The proposal would negatively impact the neighboring streets and businesses.
- Support keeping Block 67 in the current D-4 zoning.
- The Japanese Community supported Staff's recommendation for Block 67 to remain in the D-4 with an extension of the height overlay.
- The D-1 is not supported by a Master Plan.
- If there was a Master Plan it needed to include the Japan Town Community.
- The development should not impede on the Japanese community.
- Diversity was important in cities and Japan Town should be able to grow with the city.
- Community wants concessions that are meaningful.
- There was enough vacant office space downtown.
- There are other places to put this type of development.
- Parking was already an issue downtown.
- The building was too large for the area and will shadow Japan Town.



- Concerns for health and safety of clients of the Asian Association/ Refugee and Immigrant Center.
- The Japanese culture needed to be protected.
- The developers never reached out to the community to discuss the proposal.
- The development would affect the health and safety of the people using the neighboring buildings.
- The D-1 zoning was the best option for the site however, the way it was drawn or overlaid needed to be tied to the Master Plan.
- The Code was related to form and not function.
- The D-1 should be defined by where the building was going to be.
- The churches needed to be included in the design process.
- There had already been a great impact on the neighborhood and a compromise needed to be made to accommodate the churches.
- Please listen to the Community.
- The proposed building was severely encroaching on the existing temple.
- People are afraid of disappearing and should be included in the growth of the city.
- The environmental aspects of the proposal needed to be taken into consideration.
- The religious community thrive on the temples ability to be seen.
- Because of the nature of the churches they tend to be run over by the larger developments.
- Zoning change will add to parking problem, particularly for events at the Arena.
- Concern that rezone would set a precedent for future rezones for office space.

Chairperson Clark read the following cards:

- Mr. Brent Koga – Opposition to Development plans from Ritchie Group, impeding functionality at Japanese Church of Christ and Salt Lake Buddhist Temple.
- Mr. Richard Gregersen – The festivals provided by the Japanese Church of Christ and those of the Buddhist Temple are extremely important for fund raising and cultural awareness. All the festivals are strongly supported by Salt Lake, Therefore, independent of the zoning change (which by the way is not needed), 100 South must be able to be closed three times a year to support these churches. Japan Street has already been decimated by the Salt Place Expansion. Please preserve these extremely important events by allowing 1<sup>st</sup> South festivals. Thank you
- Ms. Laura Olson – Change affects the Salt Lake Buddhist Temple and Japan Church of Christ worship and Tongan Congregation worship and Kachin worship and activities.

Commissioner Ruttinger stated the Commission was hearing that the Community was scared that the development would decimate the area. He asked the public to express what they felt the danger of the development was and what they would suggest to improve the development. Commissioner Ruttinger stated the developer had shown and stated they would not be impacting the community but would be facilitating the activities in the area.

Chairperson Clark closed the Public Hearing. He stated it felt that the community did not feel heard and was uncertain of the Commission's purview over that feeling.

The Applicants reviewed the public outreach for the proposal and scheduling conflicts. They stated they were open to working with the community and supporting the activities in the area. They reviewed the options for parking in phase two that would help accommodate the churches and parking for events at the Arena through shared parking. They reviewed the benefits of the parking for surrounding businesses, activities, the support from surrounding neighbors and how the project would be benefiting the area.

The Applicant stated they are being considered as a possible alternative site for the convention center hotel, if the currently selected site does not work out.

The Commission, Applicant and Staff discussed the following:

- If there was any reason to believe that the City would not allow 1<sup>st</sup> South to be closed during the festivals in the future.
- The options for the use of parking by the churches.
- If a Memorandum of Understanding would be put in place regarding parking for the churches.
- If the extension of the D-4 zoning or the zone change would be preferred by the Applicant.
- The issue was whether or not the additional height was appropriate for the corner.
- If there was a zone between the D-4 and the D-1 that would work for the site.
- The Commission's purview to determine a different height and if it was considered spot zoning. Mr. Nielsen explained that the State Legislature determined that there is no such thing as spot zoning in Utah.
- The buildings in the area listed on the historic registry and if there were zoning regulations for properties around those buildings.
- The view shed for prominent buildings in the city and how it was documented in Master Plans.
- Why the proposed overlay was being recommend versus the zoning.
- The design review process included in the overlay zoning.
- The setback requirements for the D-4 and D-1 zones.
- The issues with allowing a huge building on the lot next to the existing churches.
- If the Commission could create a buffer zone against the north edge of the property.
- The options for rezoning the property and adding buffers. Commission could recommend change to property selected for rezone to ensure lower height along adjacent property lines.

The Commissioners discussed the following:

- Whether or not they supported the proposal.
- The history of the D-4 overlay and the Commissions thoughts when it was originally brought to the Planning Commission.
- Language for the recommendation to the City Council.

**MOTION** [10:00:42 PM](#)

**Commissioner Bachman stated based on the information in the Staff Report, the information presented, and the input received during the public hearing, she moved that the Planning Commission forward a favorable recommendation to the City Council to approve PLNPCM2017-00420, with the following conditions: that the D-4 overlay zone be extended on the subject property for a distance of three hundred and thirty (330) feet north of the south property line and that the property north of that line remains D-4.**

Mr. Mills stated the motion was recommending that the text of the zoning ordinance be amended to allow additional height up to three hundred and seventy five (375) feet, with conditional building and site design review, on the parcel proposed but only extending the number of feet stated going north from the property line.

Ms. Robinson directed the Commission to the motion sheet (contained in the staff report) and to read through to where it said southeast quarter of block 67, and then scratch as described in the staff report, and add west to the mid line of the applicant's mid-block street and 330 feet north from the 200 south right of way, within the D-4 Additional permitted height Location: 21A.30.045.C.7.a. She stated this would clearly define what the Commission was stating in the motion.

#### **MOTION**

**Commissioner Bachman stated based on the information in the Staff Report, the information presented, and the input received during the public hearing, she moved that the Planning Commission forward a positive recommendation to the City Council to approve PLNPCM2017-00420, regarding the Zoning Text Amendment request, to include the southeast quarter of block 67, west to the mid line of the applicant's mid-block street and 330 feet north from the 200 south right of way, within the D-4 Additional permitted height Location: 21A.30.045.C.7.a. Commissioner Scheer seconded the motion. Commissioners Garcia, Bachman, Lyon, Ruttinger and Scheer voted "aye". The motion passed unanimously.**

The meeting adjourned at [10:03:56 PM](#)