

SALT LAKE CITY PLANNING COMMISSION MEETING
City & County Building
451 South State Street, Room 326, Salt Lake City, Utah
Wednesday, October 23, 2019

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:34:17 PM](#). Audio recordings of the Planning Commission meetings are retained for a period of time.

Present for the Planning Commission meeting were: Vice Chairperson Brenda Scheer; Commissioners Maurine Bachman, Amy Barry, Weston Clark,Carolynn Hoskins, Jon Lee, and Darin Mano. Chairperson Adrienne Bell; Commissioners Andres Paredes and Sara Urquhart were excused.

Planning Staff members present at the meeting were Wayne Mills, Planning Manager; Paul Nielson, Attorney; Chris Earl, Associate Planner; Chris Lee, Principal Planner; Lex Traughber, Senior Planner; Daniel Echeverria, Senior Planner; and Marlene Rankins, Administrative Secretary.

Field Trip

A field trip was held prior to the work session. Planning Commissioners present were: Maurine Bachman, Carolynn Hoskins, and Jon Lee. Staff members in attendance were Wayne Mills, Chris Earl, and Chris Lee.

- **828 W Duluth Ave** - Staff summarized proposal and explained that replacement of homes in this zone requires conditional use
- **Text Amendment for Increased Height Limits in part of the G-MU Zone** – Staff summarized proposal.

APPROVAL OF THE OCTOBER 9, 2019, MEETING MINUTES. [5:34:35 PM](#)

MOTION [5:34:39 PM](#)

Commissioner Clark moved to approve the October 9, 2019 minutes. Commissioner Bachman seconded the motion. Commissioners Lyon, Mano, Barry, Hoskins, Bachman, Clark, and Lee voted “Aye”. The motion passed unanimously.

REPORT OF THE CHAIR AND VICE CHAIR [5:35:10 PM](#)

Chairperson Bell was not present.

Vice Chairperson Scheer stated she had nothing to report.

REPORT OF THE DIRECTOR [5:35:12 PM](#)

Wayne Mills, Planning Manager, stated he had nothing to report.

[5:35:20 PM](#)

Home Replacement at approximately 828 W Duluth Avenue - Bill Whitaker, property owner, is requesting a Conditional Use to demolish the existing single-family residential structure and build a new single-family residential structure on the property located at 828 W Duluth Avenue in a manufacturing zoning district. The subject property is in the M-2 Heavy Manufacturing zoning district and located within Council District 3, represented by Chris Wharton. (Staff contact: Chris Earl at (801) 535-7932 or christopher.earl@slcgov.com) **Case number PLNPCM2019-00552**

Chris Earl, 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 project.

PUBLIC HEARING [5:41:38 PM](#)

Vice Chairperson Scheer opened the Public Hearing; seeing no one wished to speak; Vice Chairperson Scheer closed the Public Hearing.

The Commission and Staff discussed the following:

- Clarification on standards when rezoning a property
- Clarification on intent of property use
- Whether there are landscaping requirements
- Whether there are any health and safety concerns with replacing the structure

Bill Whitaker, Applicant, provided further details regarding intent use for the property.

MOTION [5:47:04 PM](#)

Commissioner Hoskins stated, based on the information listed in the staff report, the information presented, and the input received during the public hearing, I move that the Planning Commission approve the request for the Conditional Use to replace the existing single-family residential structure with a new single-family residential structure at 828 W Duluth Ave, as presented in petition PLNPCM2019-00552, with the conditions listed in the staff report.

Commissioner Bachman seconded the motion. Commissioners Lee, Clark, Bachman, Hoskins, Barry, Mano and Lyon voted “Aye”. The motion passed unanimously.

[5:48:32 PM](#)

Text Amendment for Increased Height Limits in part of the G-MU Zone - A zoning text amendment petition from Doug Thimm, on behalf of STACK Real Estate, to increase the maximum height of buildings within a portion of the G-MU zoning district. The G-MU zone currently allows for building heights of 75 feet but heights of up to 120 feet can be approved through the Design Review process. The applicant proposes to increase maximum heights up to 190 feet for buildings located on street corners and 100 feet for midblock sections in the area located between 500 West and the railroad tracks (approximately 625 West) and approximately 250 South and 350 South. The purpose of the request is to accommodate a large-scale development within the subject area. (Staff Contact: Christopher Lee at (801) 535-7706 or christopher.lee@slcgov.com) **Case number PLNPCM2019-00639**

Chris Lee, 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 negative recommendation to the City Council.

The Commission and Staff discussed the following:

- Clarification as to what the RDA’s take on the matter is
- Clarification as to what is currently the highest building in downtown Salt Lake

Doug Thimm, Arch Nexus; Andrew Bybee, STACK Real Estate; and Nathan Ricks, STACK Real Estate, provided further details regarding the proposed project.

The Commission, Staff and Applicant discussed the following:

- Clarification on need for height over 120 feet
- Clarification on why applicants feel they meet the requirements
- How much of the property is currently owned by the applicant?
- Clarification as to why the applicant is not requesting an entire zone versus just partial

PUBLIC HEARING [6:18:30 PM](#)

Vice Chairperson Scheer opened the Public Hearing; seeing no one wished to speak; Vice Chairperson Scheer closed the Public Hearing.

The Commission and Staff further discussed the following:

- Whether there are mixed use requirements in the zone

MOTION [6:28:07 PM](#)

Commissioner Lyon stated, based on the findings listed in the staff report, the information presented, and input received during the public hearing, I move that the Planning Commission forward a negative recommendation to the City Council in regard to the zoning text amendment to increase height limits for a portion of the G-MU zone (petition PLNPCM2019-00639).

Commissioner Bachman seconded the motion.

Further discussion was made regarding the motion.

Commissioners Lee, Clark, Bachman, Hoskins, Barry, Mano, and Lyon voted “Aye”. The motion passed unanimously.

[6:30:50 PM](#)

Medicinal Cannabis Text Amendment - A text amendment to amend section(s) of Title 21A (Zoning) of the Salt Lake City Code to establish regulations, in accordance with recently adopted State law, concerning the cultivation, production, and distribution of medicinal cannabis. Related provisions of title 21A may also be amended as part of this petition as necessary. The changes would apply citywide. (Staff contact: Lex Traughber at (801) 535-6184 or lex.traughber@slcgov.com) **Case number PLNHLC2019-00678**

Lex Traughber, Senior 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 positive recommendation to the City Council regarding as proposed.

PUBLIC HEARING [6:34:55 PM](#)

Vice Chairperson Scheer opened the Public Hearing; seeing no one wished to speak; Vice Chairperson Scheer closed the Public Hearing.

MOTION [6:35:34 PM](#)

Commissioner Barry stated, based on the analysis and findings listed in the staff report, testimony, and the proposal presented, I move that the Planning Commission forward a positive recommendation regarding the amendments on to the City Council as proposed. The Planning Commission finds that the proposed amendments comply with the review standards as demonstrated in Attachment C of the staff report.

Commissioner Lee seconded the motion. Commissioners Lyon, Mano, Barry, Hoskins, Bachman, Clark, and Lee voted “Aye”. The motion passed unanimously.

[6:36:50 PM](#) The Commission took a short water break.

[6:41:31 PM](#)

Business Park-I Overlay Zoning Map and Text Amendment - Bryon Prince, representing Ivory Development, is requesting to rezone property located at approximately 2691 N 2200 West. The property is currently zoned Business Park (BP). The applicant is proposing to add a new overlay zone to the property, which would add additional development regulations to the property. The overlay regulations are proposed to add additional allowed uses, allow required open space to be distributed across the property, require additional buffering, increase the building height limit, limit vehicle access from 2200 West, and add environmental protections related to potential bird and water quality impacts. The purpose of the requested rezone and text amendment is to accommodate a future “Research Park” development involving businesses and industries related or similar to those in the existing “Research Park” located next to the University of Utah. The proposal includes two petitions:

- a. PLNPCM2019-00677** – Text amendment to adopt the proposed “Business Park-I” overlay zone ordinance as a new overlay zone in the City Zoning Code (Title 21A).
- b. PLNPCM2018-00856** – Map amendment to map the proposed “Business Park-I” overlay zone over the property on the official City zoning map.

Related provisions of Title 21A-Zoning may also be amended as part of this petition. The property is located within Council District 1, represented by James Rogers. (Staff Contact: Daniel Echeverria at (801) 535-7165 or daniel.echeverria@slcgov.com)

Daniel Echeverria, Senior 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 positive recommendation to the City Council with conditions.

The Commission and Staff discussed the following:

- Clarification on what is proposed that would work towards making the arterial street
- Clarification as to what is currently controlled
- Whether there will still be the same amount of open space
- Clarification if the open space will still be privately owned
- Whether it would be possible to require that the public space be dedicated to the public
- Whether there are any restrictions as to what the open space would be or how it would function
- Whether a commercial airport parking lot would be allowed

Scott Bates, Ivory Foundation; Wade Budge, Ivory Foundation; and Bryon Prince, Ivory Development, provided a presentation with further details.

The Commission and Applicant discussed the following:

- Clarification as to how big this is in relation to the current research park
- Clarification as to what can't be done on the current designation

PUBLIC HEARING [7:17:30 PM](#)

Vice Chairperson Scheer opened the Public Hearing;

Dorothy Owen, Chair of the Westpointe Community Council and Dan Thompson, Community Council member- Dorothy stated her support and the Community Councils support of the project. They also provided written recommendations on the proposal.

Heidi Hoven – Commend the intentions of the applicants proposed zoning codes for bird friendly elements, and the inclusion of requiring buffers. However, suggested that the buffers be greater than 60 feet. (Written comments were also provided to the Commission)

Jack Ray, President of Utah Waterfowl Association – Stated that the 60-foot buffer and berm is inadequate.

The Commission asked Mr. Ray what he suggests for a buffer and height of a berm. Mr. Ray stated, he suggests the berm be 20-feet high with a 6-foot wall on top of it.

Terry Marasco – Stated that a project like this is incredibly necessary for the folks on the westside.

Bonnie Christensen – Stated that she feels a dog kennel should be allowed if they are allowing a veterinary clinic at this business park

Brady Fredrickson – Stated that all the uses the applicant is proposing typically fit and are compatible with the airport environment but wants to emphasize that the development is subject to the airport flight path overlay district and FAA regulations

Lynn de Freitas, Executive Director of Friends of Great Salt Lake – Stated Friends of Great Salt Lake believe this process has the potential to serve as a model for helping shape the future and they invite the SLC Planning Commission to champion the development of future ordinances that will achieve far reaching examples for others to follow. (Written comments were also provided to the Commission)

Seeing no one else wished to speak; Vice Chairperson Scheer closed the Public Hearing.

The Commission and Staff further discussed the following:

- Clarification as to why certain uses are allowed in the current BP zone and some are not
- Clarification as to what was the reasoning for leaving out things that are addressed in the overlay like a laboratory, etc.
- Whether staff has any issues with additional uses
- Whether the applicant would prefer certain uses remain allowed
- Bus line yard repair facility use
- Buffer and berm height requirements
- Whether the applicant has a masterplan for the property
- What guidelines for this district that would prevent business park style of development from happening?
- Parking requirements

Paul Nielson, Salt Lake City Attorney, asked the applicant if they would be willing to record a deed restriction against the property that would lock in the uses that are being discussed for this new district.

The applicant addressed their intent with the proposal.

The Commission and Staff discussed how to approach the motion.

MOTION [8:08:22 PM](#)

Commissioner Mano stated, based on the information in the staff report, the information presented, and the input received during the public hearing, I move that the Planning Commission recommend that the City Council approve the proposed amendments, PLNPCM2018-00865 Business Park-I Overlay Zoning Text Amendment and PLNPCM2019-00677 Business Park-I Overlay Zoning Text Amendment, with the conditions noted in the staff report with the additional recommendation that staff and the applicant study three additional items:

- 1. Berm height**
- 2. Buffer width**
- 3. List of permitted and conditional uses**

And that the City Council consider those things in their decision.

Further discussion was made for clarification of motion. Staff requested clarification on the motion regarding the list of uses (item 3).

Commissioner Mano clarified that item 3 is, in regard to the two documents that were submitted. One by the Westpointe Community Council and one by Dr. Hoven.

Commissioner Barry seconded the motion. Commissioners Lee, Clark, Bachman, Hoskins, Barry, Mano and Lyon voted “Aye”. The motion passed unanimously.

The meeting adjourned at [8:11:37 PM](#)