

**SALT LAKE CITY JOINT PLANNING COMMISSION MEETING
& APPEALS (VARIANCE) HEARING**

**This meeting was held electronically pursuant to the
Salt Lake City Emergency Proclamation
Wednesday, October 28, 2020**

A roll is being kept of all who attended the joint Planning Commission Meeting & Appeals (Variance) Hearing. The meeting was called to order at [5:31:07 PM](#). Audio recordings of the joint Planning Commission meeting & Appeals (Variance) Hearing are retained for a period of time.

Present for the Planning Commission meeting were: Chairperson, Adrienne Bell; Vice Chairperson, Brenda Sheer; Commissioners, Maurine Bachman, Amy Barry, Carolynn Hoskins, Jon Lee, Matt Lyon, and Crystal Young-Otterstrom. Commissioners Andres Paredes, and Sara Urquhart were excused.

Appeals Hearing Officer: Mary J. Woodhead.

Planning Staff members present at the meeting were: Molly Robinson, Planning Manager; John Anderson, Planning Manager; Paul Nielson, Attorney; Caitlyn Miller, Principal Planner; David Gellner, Principal Planner; Amanda Roman, Principal Planner; Casey Stewart, Senior Planner; and Marlene Rankins, Administrative Secretary.

[5:33:14 PM](#)

Chairperson, Adrienne Bell, read the Salt Lake City emergency proclamation.

[5:34:12 PM](#)

Appeals Hearing Officer, Mary J. Woodhead concurs.

APPROVAL OF THE PLANNING COMMISSION SEPTEMBER 30, 2020 AND OCTOBER 14, 2020, MEETING MINUTES. [5:35:37 PM](#)

Commissioner Scheer moved to approve the September 30, 2020 and October 14, 2020 meeting minutes.

Commissioner Young-Otterstrom seconded the motion. Commissioners Barry, Bachman, Lee, Young-Otterstrom, Lyon, and Scheer voted "Aye". Commissioner Hoskins abstained from voting for the October 14, 2020 meeting as she was not present. The motion passed 6-1.

REPORT OF THE CHAIR AND VICE CHAIR [5:37:10 PM](#)

Chairperson Bell stated she had nothing to report.

Vice Chairperson Scheer stated she had nothing to report.

REPORT OF THE DIRECTOR [5:37:21 PM](#)

Molly Robinson, Planning Manager, reminded the commission regarding the added meeting for December 2, 2020.

[5:43:29 PM](#)

Conditional Use for an ADU at approximately 1977 South Scenic Drive - Tim and Cathy Chambless, owners, request approval of a conditional use to establish a 1,313 square foot Accessory Dwelling Unit attached to the rear of their home at approximately 1977 South Scenic Drive. The subject property is

located in the FR-3/12,000 Zone and is within Council District 6, represented by Dan Dugan. (Staff contact: Caitlyn Miller at (385) 315-8115 or caitlyn.miller@slcgov.com) **Case number PLNPCM2020-00620**

And

Variance for an ADU at approximately 1977 South Scenic Drive – Tim and Cathy Chambless, owners, request the granting of a variance to allow a proposed Accessory Dwelling Unit to encroach between 13 and 15 feet into the required 35-foot rear yard at approximately 1977 South Scenic Drive. The subject property is located in the FR-3/12,000 Zone and is within Council District 6, represented by Dan Dugan. (Staff contact: Caitlyn Miller at (385) 315-8115 or caitlyn.miller@slcgov.com) **Case number PLNZAD2020-00490**

Commissioner Lyon recused himself from the item due to possible conflict of interest.

Caitlyn Miller, Principal Planner, reviewed the petition as outlined in the Staff Report (located in the case file).

Tim and Cathy Chambless, applicants and Kenton Peters, architect, provided further design details.

The Planning Commission opened the public hearing, which served as the public hearing for both the Planning Commission and the Appeals Hearing Officer.

PUBLIC HEARING [6:07:23 PM](#)

Chairperson Bell opened the Public Hearing;

Zachary Dussault – Stated his support of the request.

Allison Harman – Stated her support of the request.

Ray Levey – Stated his support of the request.

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

MOTION [6:15:00 PM](#)

Commissioner Bachman, based on the analysis and findings listed in the staff report, information presented, and the input received during the public hearing, I move that the Planning Commission approve the conditional use request to establish an attached accessory dwelling unit located at approximately 1977 South Scenic Drive (PLNPCM2020-00620) with the conditions listed in the staff report.

Commissioner Hoskins seconded the motion. Commissioners, Barry, Bachman, Lee, Young-Otterstrom, Scheer, and Hoskins voted “Aye”. The motion passed unanimously.

MOTION [6:16:34 PM](#)

Appeals Hearing Officer, Mary J. Woodhead stated she is going to take this under advisement.

Appeals Hearing adjourned [6:17:13 PM](#)

Commissioner Crystal Young-Otterstrom excused herself from the rest of the meeting. Commissioner Lyon rejoined the meeting.

[6:19:47 PM](#)

Special Exception for Height at approximately 1400 East Federal Way - Geoffrey Tice, applicant, requests a special exception for additional building height to add a second story to the home located at 1400 East Federal Way. By ordinance the maximum building height is 20' for flat roofs; the applicant is requesting special exception approval to build to 27'6" in height. The property is located within the R-1-5,000 Zone and is within Council District 3, represented by Chris Wharton. (Staff contact: Caitlyn Miller at (385) 315-8115 or caitlyn.miller@slcgov.com) **Case number PLNPCM2020-00465**

Caitlyn Miller, Principal Planner, reviewed the petition as outlined in the Staff Report (located in the case file). She stated Staff recommended that the Planning Commission approve the request with the conditions listed in the staff report.

The Commission and Staff discussed the following:

- Clarification on how the trees will be protected during construction
- Clarification on window requirements
- Clarification on variance setback being requested

Geoffrey Tice, applicant, provided further design details.

PUBLIC HEARING [6:39:01 PM](#)

Chairperson Bell opened the Public Hearing;

Scott Jaffa – Stated his opposition of the request.

Terese Walton – Stated her opposition of the request due to incompatibility with the neighborhood.

Andi Olsen – Stated her opposition of the request.

Zachary Dussault – Stated his support of the request.

Marie Jackson – Stated her concerns with the compatibility with the neighborhood.

Melissa Watt – Stated her concerns with maintaining the character of the neighborhood.

Scott Jaffa read an email comment from Marjean McKenna stating her opposition of the request.

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

The applicant addressed the public comments.

The Commission, Staff and Applicant discussed the following:

- Clarification on why the applicant didn't respond to neighbors prior to the meeting
- Clarification on whether the applicant met the requirements
- Clarification on standards for special exceptions
- Whether the property must be in a historic district
- Whether compatibility is considered by staff

The Commission made the following comments:

- I don't feel the application meets all the standards
- I disagree, the issue is for the additional height for the roof
- I don't feel this meets all the standards

MOTION [7:24:47 PM](#)

Commissioner Scheer stated, based on the analysis and findings listed in the staff report, information presented, and the input received during the public hearing, I move that the Planning Commission approve the special exception request to allow additional building height at the rear of the home located at approximately 1400 East Federal Way (PLNPCM2020-00465) based on the conditions of approval listed in the staff report.

Commissioner Bachman seconded the motion. Commissioners Bachman, Lyon, and Hoskins voted "Aye". Commissioners Barry, Lee, Scheer voted "Nay". As a tie breaker, Chairperson Adrienne Bell voted "Aye". The motion passed 4-3.

[7:27:33 PM](#)

Block 67 Changes to Building Design at approximately 131 South 300 West - A request by Emir Tursic, architect, to modify the approved hotel building of the Block 67 development located at approximately 131 S 300 W. The Planning Commission approved the Conditional Building and Site Design Review and Planned Development on November 8, 2017. The proposed modifications include changes to the design and massing of the building and material changes. These changes are required by ordinance to be reviewed by the Planning Commission. The site is zoned D-4 (Downtown Secondary Central Business District). The subject property is located within Council District 4, represented by Ana Valdemoros. (Staff contact: Molly Robinson at (385) 226-8656 or molly.robinson@slcgov.com) **Case numbers PLNPCM2017-00448 & PLNPCM2017-00418**

Molly Robinson, Planning Manager, reviewed the petition as outlined in the Staff Report (located in the case file). She stated Staff recommended that the Planning Commission approve the request with the conditions listed in the staff report.

The Commission and Staff discussed the following:

- Clarification on why staff didn't request additional landscaping
- Clarification on what the changes are for the East corner

Emir Tursic, and Ryan Ritchie, applicants, provided a presentation with further details.

The Commission, Staff and Applicant discussed the following:

PUBLIC HEARING [7:56:39 PM](#)

Chairperson Bell opened the Public Hearing;

Zachary Dussault – Stated his support of the request.

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

MOTION [7:58:42 PM](#)

Commissioner Barry 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 approve the modifications to PLNPLCM2017-00417 Planned Development and PLNPCM2017-

00448 Conditional Building and Site Design Review for the Block 67 hotel, to allow changes to the overall design, waive the previous condition requiring modification to the northeast corner of the building ,and allow the changes to the 300 West street engagement with the following condition:

- 1. That the applicant include at least four additional trees along the north and east facades along the mid-block street to provide sufficient shade.**

Molly Robinson, Planning Manager, made a correction to the petition number PLNSUB2017-00418. The amendment was accepted.

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

[8:01:18 PM](#)

Central Station West Apartments Planned Development & Design Review at approximately 577 West 200 South - Eric Balls representing Gardner Batt LLC, has requested Planned Development and Design Review approval for the Central Station West Apartments project to be located at approximately 577 West 200 South. The proposed project is for a 65-unit apartment building on a 0.46-acre (20,000 square feet) parcel. The proposed building will be six stories in height. The property is located in the G-MU – Gateway-Mixed Use zoning district. The G-MU zoning district requires Planned Development approval for all new principal buildings and uses. In addition, Design Review approval has been requested in order to address some design aspects of the building including material choices, the length of blank walls and street-level glass requirements on the west façade of the building. The proposal is located within Council District 4, represented by Ana Valdemoros. (Staff contact: David J. Gellner at (801) 535-6107 or david.gellner@slcgov.com) **Case numbers PLNPCM2020-00187 & PLNPCM2020-00647**

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 approve the request with the conditions listed in the staff report.

Michael Batt, applicant, provided further information and was available for questions.

PUBLIC HEARING [8:12:28 PM](#)

Chairperson Bell opened the Public Hearing;

Zachary Dussault – Stated his support of the request.

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

The Commission and Staff discussed the following:

- Durability of materials
- Number of materials and colors being used
- Architectural versus engineering changes in the design
- Clarification on the reason for using multiple colors

MOTION [8:31:48 PM](#)

Commissioner Scheer stated, based on the findings and analysis in the staff report, testimony, and discussion at the public hearing, I move that the Planning Commission approve the proposed Planned Development and Design Review applications for the Central Station West Apartments located at approximately 577 West 200 South, files PLNPCM2020-00187 and PLNPCM2020-00647

with the conditions of approval listed in the staff report. With the additional recommended changes:

1. That we limit the number of materials on the building façades to five (5) different materials with each material being of a single color.

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

The Commission took a five-minute break.

[8:35:12 PM](#)

Permitting Restaurants in the PL Public Lands Zoning District Text Amendment - Mayor Erin Mendenhall has initiated a text amendment to the zoning ordinance pertaining to restaurant uses within the PL – Public Lands Zoning District. Under the current ordinance restaurants are allowed to operate as an accessory use only. The amendment would allow restaurants to operate as a principal use. The purpose of the PL district is to provide areas in the city for public uses and regulate the development of those uses. The proposed amendment affects section 21A.33.070 Table of Permitted and Conditional Uses for Special Purpose Districts of the zoning ordinance. Related provisions of Title 21A-Zoning may also be amended as part of this petition. (Staff contact: Amanda Roman at (385) 386-2765 or amanda.roman@slcgov.com) **Case number PLNPCM2020-00503**

Amanda Roman, Principal Planner, reviewed the petition as outlined in the Staff Report (located in the case file). She stated Staff recommended that the Planning Commission forward a positive recommendation to the City Council.

PUBLIC HEARING [8:45:29 PM](#)

Chairperson Bell opened the Public Hearing;

Cindy Cromer – Stated her concerns on how the City determines the market rate negotiating a lease. There doesn't appear to be standard lease for commercial and non-profit activities in public buildings.

Zachary Dussault – Stated his support of the request.

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

The Commission and Staff discussed the following:

- Clarification on permitted uses

MOTION [9:10:55 PM](#)

Commissioner Lyon 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 text amendment, PLNPCM2020-00503 Permitting Restaurants in the PL – Public Lands Zone Text Amendment.

Commissioner Hoskins seconded the motion. Commissioners Hoskins, Lyon, Lee, Bachman, and Barry voted “Aye”. Commissioner Scheer voted “Nay”. The motion passed 5-1.

[9:12:16 PM](#)

Billboard Ordinance Amendments - The City Council is requesting amendments to the zoning ordinance regulations regarding billboards. The proposed amendments would modify city code to align with state law, eliminating the city's use of a "billboard bank" (a method for managing billboard relocations) to align more closely with Utah state law regulating billboards. The amendments would continue to prohibit new billboards. State law would regulate future billboard modification and relocation. The amendments also include specifics on size, height, and spacing of billboards, along with landscaping, when not already specified in the state law. The proposed amendments affect Chapter 21A.46 of the zoning ordinance. Related provisions of Title 21A-Zoning may also be amended as part of this petition. The changes would apply Citywide. (Staff contact: Casey Stewart at (385) 226-8959 or casey.stewart@slcgov.com) **Case Number PLNPCM2020-00351**

Katie Lewis, Salt Lake City Attorney, reviewed the petition as outlined in the Staff Report (located in the case file). She stated Staff recommended that the Planning Commission forward a positive recommendation to the City Council.

PUBLIC HEARING [9:18:12 PM](#)

Chairperson Bell opened the Public Hearing;

Dewey Reagan, representing Reagan Outdoor Advertising – Requested clarification on whether the majority of billboards are conforming or non-conforming. He also asked why this issue is being brought up at this time and what are the concerns.

Braden Saunders, representing YESCO Sign Co. – Stated he is curious as to what the major push behind the push is.

Nate Sechrest, representing Reagan Outdoor Advertising – Stated he has represented Reagan Billboards throughout the State and that most Cities are moving towards billboards banks not away from them. He stated it provides flexibility for the City as they try to relocate signs in an effort not to have to condemn and pay compensation.

Scott Howell, representing Reagan Outdoor Advertising – Stated his concern in this process is that the timing is questionable. He requested the commission postpone the item.

Zachary Dussault – Stated his support of the request.

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

Katie Lewis address the public's questions and concerns.

The Commission and Attorney discussed the following:

- Clarification on what areas billboards are prohibited
- Percentage of amount of nonconforming billboards
- Clarification on how this fits in with a master plan other city plans for gateway districts where billboards are non-conforming

MOTION [9:45:26 PM](#)

Commissioner Scheer 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 text amendment, PLNPCM2020-00351 Billboard Ordinance Text Amendment.

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

OTHER BUSINESS [9:46:40 PM](#)

Chairperson and Vice Chairperson elections.

Commissioner Matt Lyon nominated Brenda Scheer for Chairperson. Commissioner Carolynn Hoskins seconded the motion. All were in favor. The motion passed unanimously.

Commissioner Matt Lyon nominated Amy Barry for Vice Chairperson. All were in favor. The motion passed unanimously.

The meeting adjourned at [9:51:25 PM](#)