

SALT LAKE CITY PLANNING COMMISSION MEETING
This meeting was held electronically pursuant to Salt Lake City Emergency
Proclamation No. 2 of 2020 (2)(b)
Wednesday, June 24, 2020

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:31:29 PM](#) . Audio recordings of the Planning Commission meetings are retained for a period of time.

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

Planning Staff members present at the meeting were: Wayne Mills, Planning Manager; Nick Norris, Planning Director; Paul Nielson, Attorney; Kelsey Lindquist, Senior Planner; Caitlyn Miller, Principal Planner; Krissy Gilmore, Principal Planner; and Marlene Rankins, Administrative Secretary.

Wayne Mills, Planning Manager, provided the public information on how to participate during the meeting.

APPROVAL OF THE JUNE 10, 2019, MEETING MINUTES. [5:31:39 PM](#)
MOTION [5:31:56 PM](#)

Commissioner Scheer moved to approve the June 10, 2020 minutes. Commissioner Lee seconded the motion. Commissioners Bachman, Barry, Lyon, Paredes, Scheer, and Lee voted “Aye”. Commissioners Hoskins and Young-Otterstrom abstained from voting due to technical difficulties. The motion passed 6-2.

REPORT OF THE CHAIR AND VICE CHAIR [5:36:02 PM](#)

Chairperson Bell reminded the commission to let Staff know their availability in attending the Planning Commission Meetings. This will help staff ensure that there will be a quorum for the meeting as it is part of the Planning Commission process.

Vice Chairperson Scheer stated she had nothing to report.

REPORT OF THE DIRECTOR [5:36:57 PM](#)

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

[5:42:40 PM](#)

Conditional Use ADU at approximately 2496 South 1700 East - A request by Andrea Palmer, property owner representative, for Conditional Use approval for a 432 square foot detached accessory dwelling unit (ADU) on a property located at approximately 2496 South 1700 East. The property is zoned R-1/7,000 Single Family Residential and is located within Council District 7, represented by Amy Fowler. (Staff Contact: Caitlyn Miller at (385) 202-4689 or caitlyn.miller@slcgov.com) **Case number PLNPCM2020-00155**

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.

Andrea Palmer representing Modal Living and Architect Ian Kaplan, were available for questions. She address concern of using the ADU being used as a short-term rental. The property owner will be living in the ADU and should not be a concern.

PUBLIC HEARING [5:48:27 PM](#)

Chairperson Bell opened the Public Hearing;

Judi Short, Sugar House Community Council – Stated that the application was advertised around the community. She expressed the community had serious concerns regarding privacy, owner occupancy, and fearing the ADU will be used as an air bnb. Also, that people feel this will ruin their neighborhood.

Zachary Dussault – Stated his support of the request. He also stated that if the property owner wanted to demolish and rebuild what is allowed by right, the owner could build a home that is twice the size of the 28-feet.

Brett Evans – Provided a question in the Q&A. “Is the property owner required by law to reside on the property either in the ADU or main house? If yes, what would be the recourse if the owner violates this law?”

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

The Commission, Staff and Applicant discussed the following:

- What type of review the Fire Department uses for ADU’s
- Owner occupancy requirement and recourse for violating the ordinance

Andrea Palmer, addressed the owner occupancy concerns.

MOTION [5:59:03 PM](#)

Commissioner Bachman stated, motion to approve petition number PLNPCM2020-00155 meets the applicable standards of approval and to also include all three conditions listed in the Staff Report.

Commissioner Scheer seconded the motion. Commissioners Bachman, Barry, Lyon, Paredes, Scheer, Young-Otterstrom, and Lee voted “Aye”. Commissioner Hoskins abstained from voting due to technical difficulties. The motion passed 7-1.

[6:00:49 PM](#)

Conditional Use ADU at approximately 1673 East Garfield Avenue- A request by Andrea Palmer, property owner representative, for Conditional Use approval for a 432 square foot detached accessory dwelling unit (ADU) on a property located at approximately 1673 East Garfield Avenue. The property is zoned R-1/7,000 Single Family Residential and is located within Council District 7, represented by Amy Fowler. (Staff Contact: Caitlyn Miller at (385) 202-4689 or caitlyn.miller@slcgov.com) **Case number PLNPCM2020-00156**

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 petition with the conditions listed in the staff report.

Andrea Palmer, with Modal Living, addressed the use of the ADU. She stated the applicant was made aware that short-term rental is not allowed in SLC.

PUBLIC HEARING [6:05:20 PM](#)

Chairperson Bell opened the Public Hearing;

Judi Short, Sugar House Community Council – Stated that the application was advertised around the community. She also said that it appears that the ADU, the garage and the shed would exceed the 50% allowable coverage. It looks like there won't be space in the driveway for the tenant to utilize. And comments from the neighborhood stated that parking is already full most of the time. There are too many rentals filling the streets with traffic and extra cars.

Helen – Concerned about parking, fire hazard, and property value going down.

Brett Evans - Left comment in the Q&A. "Four feet from neighbors yards will have negative impact on this family neighborhood and our quality of life".

Zachary Dussault – Stated his support of the request.

Brett Evans – Left several other comments in the Q&A. And left an email comment that was read into the record.

Judy Drew commented on the 2496 South 1700 East – Stated her opposition of the request. Raised concern with the property owner occupancy.

Donald Drew commented on the 2496 South 1700 East – Stated his opposition of the request. Would like a letter from the property owner stating that it will be owner occupied as the owner is not currently occupying the residence.

Robert Erickson provided an email comment – Raised concern on expected impact on street parking.

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

The Commission and Staff further discussed the following:

- Lot coverage issues
- Location of parking for the ADU

Andrea Palmer addressed the public comment concerns.

The Commission and Staff further discussed the following:

- Clarification on parking available for the ADU

Call in user, name inaudible – Stated that the garage is not used for parking and is filled with several items and the parking she's ever seen being used by the people who live in the home is on the driveway.

MOTION [6:32:52 PM](#)

Commissioner Scheer stated, based on the information presented, the findings in the staff report and the input received during the public hearing, I move that the Planning Commission approve the conditional use petition PLNPCM2020-00156 for the detached accessory dwelling unit (ADU) with the conditions of approval listed in the staff report.

Commissioner Lee seconded the motion. Commissioners Bachman, Barry, Lyon, Paredes,

Scheer, Young-Otterstrom, and Lee voted “Aye”. Commissioner Hoskins abstained from voting due to technical difficulties. The motion passed 7-1.

[6:34:33 PM](#)

Conditional Use ADU at approximately 2579 S Park Street - A request by Andrea Palmer, property owner representative, for Conditional Use approval for a 432 square foot detached accessory dwelling unit (ADU) on a property located at approximately 2579 South Park Street. The property is zoned R-1/7,000 Single Family Residential and is located within Council District 7, represented by Amy Fowler. (Staff Contact: Caitlyn Miller at (385) 202-4689 or caitlyn.miller@slcgov.com) **Case number PLNPCM2020-00157**

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 Conditional Use with the conditions listed in the staff report.

Andrea Palmer, Modal Living, stated that the property will be owner occupied.

PUBLIC HEARING [6:38:02 PM](#)

Chairperson Bell opened the Public Hearing;

Judi Short, Sugar House Community Council – Stated the parcel is zoned R-1/5,00. One parking space is provided onsite. The parking space for the ADU will be on the parcel access off the alley and hopefully this won't add parking to the street. She also stated that the plans are hard to read.

Kathleen Hanna-Millar – Provided an email comment asking for clarification on what the conditional use is for exactly and if it's an apartment complex, etc. Also asked where the main access location is and opposed the request.

Zachary Dussault – Spoke in favor of the application.

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

Nick Norris, Planning Director, provided the purpose of the ADU regulations.

MOTION [6:46:28 PM](#)

Commissioner Bachman stated, based on the information presented, the input received during the public hearing and the findings in the staff report, I move that the Planning Commission approve the Conditional Use petition PLNPCM2020-00157 for the detached accessory dwelling unit with the conditions listed in the staff report.

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

[6:48:38 PM](#)

Conditional Use ADU at approximately 1395 S Park Street - Mathias Richards, the owner of the property, is requesting Conditional Use approval to construct an Accessory Dwelling Unit (ADU) to the rear of the house on the property. The property is located in the R-1/5000 (Single Family Residential) zoning district which requires Conditional Use approval to establish an ADU. The proposal is located within Council District 5 represented by Darin Mano. (Staff contact: Amy Thompson at amy.thompson@slcgov.com) **Case number PLNPCM2020-00242**

Kelsey Lindquist, Senior Planner, representing Amy Thompson, 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.

Mathias Richards, applicant, was available for questions.

PUBLIC HEARING [6:53:55 PM](#)

Chairperson Bell opened the Public Hearing;

Zachary Dussault – Stated his support of the request.

Liz Hunt – Stated her support of the request.

David Fernandez – Provided a comment on the Q&A. Stated the common architectural style of the Modal houses don't seem to match any of the surrounding neighbors and seem out of place.

Hal Noyce – Provided an email comment. Raised concerned with the owner property usage and parking.

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

MOTION [6:59:29 PM](#)

Commissioner Scheer stated, based on the information presented, the findings in the staff report and the input received during the public hearing, I move that the Planning Commission approve the Conditional Use petition PLNPCM2020-00242 for the detached accessory dwelling unit with the conditions of approval listed in the staff report.

Commissioner Barry seconded the motion. Commissioners Hoskins, Lee, Scheer, Paredes, Lyon, Barry, and Bachman voted “Aye”. Commissioner Young-Otterstrom abstained from voting due to technical difficulties. The motion passed 7-1.

[7:02:10 PM](#)

Devonshire Grade & Height Exceptions at approximately 1639 E. Devonshire Drive - Brad Waltman, on behalf of the property owners, is requesting special exception approval to construct a new single-family detached structure that exceeds the maximum permitted building height and maximum allowable grade changes in the FR-3/12,000 Foothills Residential District. The subject property is located at 1639 E. Devonshire Drive is currently vacant. The proposed structure will exceed the height limit of 28' by 1'8"-2' at two points on the street facing elevation. The requested grade changes in the front and northern side yard will exceed the permitted 4' by 2' in dimension. The grade changes within the buildable area will exceed the permitted grade change of 6' by 8"-3' in dimension. The subject property is located in the FR-3/12,000 (Foothills Residential) zoning district and within Council District 6, represented by Dan Dugan. (Staff Contact: Kelsey Lindquist at (801)535-7930 or kelsey.lindquist@slcgov.com) **Case number PLNPCM2020-00215**

Kelsey Lindquist, Senior 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 proposed exceptions.

The Commission and Staff discussed the following:

- Clarification on grade changes and height request
- Definition on what the buildable area means
- Clarification on location of the retaining wall

- Clarification on reasoning behind the grade change
- Whether there is a limit to what is allowable by exception
- Special exception standards

Florian Solzbacher, applicant, provided a presentation along with further details regarding the requests. He also addressed the concerns regarding the retaining wall.

The Commission and Applicant discussed the following:

- Clarification on entry way of the home
- Whether other considerations were made to avoid special exceptions
- Clarification on why the owner chose a home with a high slope

PUBLIC HEARING [7:40:03 PM](#)

Chairperson Bell opened the Public Hearing;

Aimee Burrows, East Bench Community Council – Provided a comment email stating her opposition of the requests on the said property. She also stated that the lots that border open spaces are particularly sensitive to our neighborhood and I would like to see all the codes specifically written for these lots to be followed.

Dan Kaschmitter & Cindi Louie – Provided an email comment requesting that the Commission delay consideration of the project until the issues listed in their email can be resolved.

Martha Rieser – Stated her opposition of the requests and requested the Commission deny the request.

Karen & Shawn – Provided an email comment stating opposition of the requests.

Zachary Dussault – Stated he wanted to bring focus on the two feet of exception of the grade changes and doesn't believe it's excessive.

Karen – Stated she feels once one exception is created, especially for height, then it leads to another in the future and it concerns her.

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

The applicant addressed the public's concerns and comments.

The Commission made the following comments:

- I think 1.8 & 2 feet in height exception is very reasonable
- I think the 2 feet of height is reasonable in this case. I don't think it's going to have an impact on the site as some of the neighbors mentioned.
- I went out to the site and I think that the actual view of the house from the street will be of a building that is barely just a peak of 2 stories, has convinced me that this is a reasonable request.

MOTION [8:02:25 PM](#)

Commissioner Barry stated, based on the information and the findings in the staff report, the information presented, and the input received during the public hearing, I move that the Planning Commission approve PLNPCM2020-00215.

Commissioner Bachman seconded the motion. Commissioners Bachman, Barry, Lyon, Paredes, Scheer, Young-Otterstrom, and Lee voted “Aye”. Commissioner Hoskins abstained from voting due to technical difficulties. The motion passed 7-1.

[8:04:39 PM](#)

West Temple Duplex Planned Development at approximately 1048 S West Temple - Adam Sapers, property owner representative, is requesting Planned Development approval to construct a new duplex at approximately 1048 S West Temple. The proposal includes retaining the existing single-family home on-site and building a new duplex on a newly created lot. Planned Development approval is requested to modify the required lot width from 50 feet to approximately 37 feet, and lot area from 8,000 square feet to approximately 6,000 square feet for the new lot. The site is located in Council District #5, represented by Darin Mano (Staff Contact: Krissy Gilmore at (801) 535-7780 or kristina.gilmore@slcgov.com) **Case number PLNSUB2020-00174**

Krissy Gilmore, 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:

- Whether they can build a larger multi-family unit
- Clarification on why staff feels a duplex and single-family home is more consistent with the neighborhood than a row house
- Clarification on the perspective of the revised submittal
- Clarification on the placement of the wooden slats and whether it's roofed

Adam Sapers, applicant, provided a presentation with further design details.

The Commission, Staff and Applicant discussed the following:

- Whether there is any reason why the building can't be pushed back behind the pine tree
- Clarification on the missing windows on the south façade

PUBLIC HEARING [8:21:45 PM](#)

Chairperson Bell opened the Public Hearing;

Zachary Dussault – Stated his support of the request.

Forest – Stated his support of the request.

Kevin Randall – Stated his concern with electric pole and whether it's going to be relocated.

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

The applicant addressed the concern with the utility pole.

The Commission made the following comments:

- This Planned Development doesn't hit the mark in terms of street engagement
- I think there's better uses for this site and location

The Commission and Staff further discussed the following:

- Clarification on what the recommendation would be to better fit the compatibility with the neighborhood
- Options of adding conditions to the motion

MOTION [8:39:33 PM](#)

Commissioner Scheer stated, I move that we table this discussion to another moment where we can review a different design of this project and to table the public hearing as well.

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

The Commission made the following general comments:

- Requesting Staff to provide an overview of standards when there are 2 or more ADU's to provide at the public with a little more education
- Request that staff move the ADU's to the end of the agenda
- Consistency with motion sheets

The following is a list of Q&A's that were received during the meeting:

Q&A Session for Planning Commission Meeting June 24, 2020

Session number: 1464193086

Date: Wednesday, June 24, 2020

Starting time: 4:57 PM

-Zachary Dussault (zacharydussault@gmail.com) - 5:29 PM

Q: if you click the link, the password was auto filled for me

Priority: N/A-

-Marlene Rankins - 5:31 PM

A: Thank you Zachary!

-Brett Evans (brettrax@gmail.com) - 5:53 PM

Q: Is the property owner required by law to reside on the property (either in the ADU or the main house)? If yes, then what would be the recourse if the owner violates this law?

Priority: N/A-

-Brett Evans (brettrax@gmail.com) - 5:59 PM

Q: So it's up to the neighbors to "police" and follow through if the owner violates ordinance?

Priority: N/A-

-Brett Evans (brettrax@gmail.com) - 6:05 PM

Q: The onsite parking at this residence is not user friendly and likely would increase onstreet parking on a street that is already over-crowded. Also 4' away

Priority: N/A-

-Brett Evans (brettrax@gmail.com) - 6:07 PM

Q: Also, 4 feet away from neighbors yards will have negative impact on this family neighborhood and our quality of life.

Priority: N/A-

-Wayne Mills - 8:40 PM

A: Yes.-

-Zachary Dussault (zacharytdussault@gmail.com) - 6:07 PM

Q: audio cutting out

Priority: N/A-

-Brett Evans (brettrax@gmail.com) - 6:12 PM

Q: We've lived here over 20 years and have worked hard to create a safe and beautiful home. As a home owners in our 60's we would like to be able to keep enjoying our family neighborhood - there are already too many homes being converted to rentals.

Priority: N/A-

-Zachary Dussault (zacharytdussault@gmail.com) - 6:13 PM

Q: sounds like her audio is delayed

Priority: N/A-

-Brett Evans (brettrax@gmail.com) - 6:16 PM

Q: Yes

Priority: N/A-

-David Fernandez (dfernandezclimb@gmail.com) - 6:49 PM

Q: Does Modal make any buildings that aren't ugly? These buildings dont match any of the architectural styles in Highland Park. They look like man camp buildings in the West Texas Oilfields

Priority: N/A-

-Zachary Dussault (zacharydussault@gmail.com) - 7:12 PM
Q: greenish tan
Priority: N/A-

-Zachary Dussault (zacharydussault@gmail.com) - 7:13 PM
Q: west
Priority: N/A-

-Zachary Dussault (zacharydussault@gmail.com) - 7:25 PM
Q: lost audio
Priority: N/A-

-Kevin Randall (randallkevin75@gmail.com) - 8:26 PM
Q: There is a telephone or electric pole on this property. Will it be moved to a location that does not block access to the adjacent properties?
Priority: N/A-

-Zachary Dussault (zacharydussault@gmail.com) - 8:33 PM
Q: is this a design review? or a subdivision?
Priority: N/A-

-nicteha reza (uvita_dulce@hotmail.com) - 8:39 PM
Q: HI
Priority: N/A-

-nicteha reza (uvita_dulce@hotmail.com) - 8:39 PM
Q: CAN YOU SEE MY COMMENTS??
Priority: N/A-

-nicteha reza (uvita_dulce@hotmail.com) - 8:40 PM
Q: THE STYLE DOES NOT FIT
Priority: N/A-
-Wayne Mills - 8:41 PM
A: Yes I can see them. I will bring it up. -

-nicteha reza (uvita_dulce@hotmail.com) - 8:42 PM
Q: PUBLIC HEARING WILL BE GOOD
Priority: N/A-

-Wayne Mills - 8:42 PM

A: Looks like you will have another chance to speak. -

-Zachary Dussault (zacharytdussault@gmail.com) - 8:43 PM

Q: yes please amy

Priority: N/A-

-Zachary Dussault (zacharytdussault@gmail.com) - 8:44 PM

Q: yea brenda, i don't like it either lol

Priority: N/A-

-nicteha reza (uvita_dulce@hotmail.com) - 8:45 PM

Q: NEIGHBORS ARE UPDATING/REMODOL HOUSES TO MAINTAIN VALUE HOWEVER WE BELIEVE THAT THIS DUPLEX WILL DECREASE VALUE BECAUSE ITS HARD TO SELL WHEN HOUSE IS TOO CLOSE A BOX LIKE THAT

Priority: N/A-

-nicteha reza (uvita_dulce@hotmail.com) - 8:46 PM

Q: NO PRIVACY BECAUSE THEY ARE HIGHER

Priority: N/A-

The meeting adjourned at [8:44:18 PM](#)