

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, August 12, 2020

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:30:01 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. Commissioner Sara Urquhart was excused.

Planning Staff members present at the meeting were: John Anderson, Planning Manager; Michaela Oktay, Planning Deputy Director; Paul Nielson, Attorney; Kelsey Lindquist, Senior Planner; Chris Earl, Principal Planner; Krissy Gilmore, Principal Planner; Linda Mitchell, Principal Planner; and Marlene Rankins, Administrative Secretary.

Michaela Oktay, Planning Deputy Director, provided information on how to participate in the Planning Commission Meeting.

APPROVAL OF THE JULY 22, 2020, MEETING MINUTES. [5:32:07 PM](#)

MOTION [5:32:27 PM](#)

Commissioner Scheer moved to approve the July 22, 2020 minutes. Commissioner Lee seconded the motion. Commissioners Bachman, Barry, Lee, Paredes, and Scheer voted "Aye". Commissioner Hoskins abstained from voting. The motion passed 5-1.

REPORT OF THE CHAIR AND VICE CHAIR [5:33:18 PM](#)

Chairperson Bell stated she had nothing to report.

Vice Chairperson Scheer stated she had nothing to report.

REPORT OF THE DIRECTOR [5:33:30 PM](#)

John Anderson, Planning Manager; and Michaela Oktay, Planning Deputy Director stated they had nothing to report.

Commissioners Matt Lyon and Crystal Young-Otterstrom joined the meeting.

[5:33:52 PM](#)

Special Exception for Outdoor Dining at approximately 89 North D Street - Suzette Eaton, property owner, is requesting approval for an outdoor dining patio within the buildable area and the required front and corner side yards associated with a nonconforming restaurant. Outdoor dining, as an accessory use is allowed as a special exception. The Planning Commission has final decision-making authority for special exceptions. The subject property is located in the RMF-35 (Moderate Density Multi-Family Residential) zoning district. The subject property is located within Council District 3, represented by Chris Wharton. (Staff contact: Kelsey Lindquist at (801) 535-7930 or kelsey.lindquist@slcgov.com) **Case number: PLNPCM2020-00578**

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 requested Special Exception with the conditions listed in the staff report.

Suzette and Josh Eaton, applicants, provided further information regarding their intent for the Special Exception. Suzette Eaton addressed the public concerns previously received.

The Commission, Staff and Applicant discussed the following:

- Clarification on the area that was chosen for outdoor seating
- Discussion on whether the applicant will be using the patio space being requested
- Clarification on size of tables
- Clarification on seating on whether it will be a permanent set up or temporary during COVID
- Number of chairs that will be provided at each table
- Clarification on what the Commission is approving
- Clarification on designation of outdoor dining use
- Conditions listed in the staff report regarding the of hours of operation
- Whether the applicant has considered moving more seating to 2nd Avenue

PUBLIC HEARING [6:08:41 PM](#)

Chairperson Bell opened the Public Hearing;

Shoeleh Assemi – Stated her opposition of the request and raised concerns with privacy of her property. She also provided a petition to the commission with signatures from surrounding neighbors opposing the request.

William Littig – Stated his opposition of the request.

Jo Lloyd – Stated her opposition of the request. She also raised concerns with lack of parking and the bus stop.

Pam Grubaugh – Stated her opposition of the request. She also raised concerns with possible nuisances that would occur if approved.

Sandel Briggs – Stated parking is already tight and raised concern with who will be monitoring the area.

Zachary Dussault – Stated his support of the request. He stated he believes that the outdoor dining would provide additional eyes on the street and provides an extra layer of security.

Ryan Kendrick – Provided an email comment stating his opposition of the request.

Susan Black – Provided an email comment stating her opposition of the request.

Soheyl Tadjiki – Provided an email comment stated her opposition of the request.

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

The applicant's address the public comments and concerns.

The Commission, Staff and Applicant discussed the following:

- Clarification on how the slope area will accommodate seating

- ADA concerns
- Clarification on where the tables and chairs will be kept overnight or after business hours
- Distance between of the Southern property line and the edge of the building
- Clarification if there is a way to approve it only for use during COVID
- Whether there can be a condition to limit seating to only customers dining

The Commission made the following comments:

- I'm concerned that the request is not meeting compatibility with the surrounding neighborhood
- I would be more on board if it was more of a temporary use

MOTION [7:03:55 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 approve PLNPCM2020-00578 to only apply to the front of the building with the conditions listed in the staff report, with the following modifications:

- 1. Seating customers in the outdoor dining are must be managed in a manner that the patio can be closed and shut down at the designated closing time. The hours of operation for the patio shall be limited to 11 am to 9 pm;**
- 2. No amplified music shall be permitted;**
- 3. That a fence be located along the southern property line to shield the abutting property from the outdoor dining use;**
- 4. Wood fence to be located along the southern property line to shield the abutting property from the outdoor dining use;**
- 5. Wood fence to be located in front of the dumpster and trash location to the west;**
- 6. Plantings or planters must be located along the southern property line to help buffer noise;**
- 7. Obtain a Certificate of Appropriateness for fencing and other site improvements. Also, to add:**
- 8. Limit outdoor seating;**
- 10. All tables and chairs are secured after hours.**

Commissioner Paredes seconded the motion.

Clarification on the motion made.

MODIFIED MOTION [7:05:30 PM](#)

Commissioner Lyon stated, I would like to remove conditions 3,4 & 5.

Commissioner Scheer seconded the motion. Commissioners Bachman, Hoskins, Lee, Lyon, Paredes, and Scheer voted "Aye". Commissioners Young-Otterstrom, and Barry voted "Nay". The motion passed 6-2.

[7:07:45 PM](#)

Conditional Use ADU at approximately 1756 S Windsor Street - Stephen Brendle, property owner, is seeking Conditional Use approval for an Accessory Dwelling Unit (ADU) in a new detached accessory structure in the rear yard of the property at the above listed address. The ADU will measure 650 square feet and the entire structure will measure a height of approximately 19 feet. The subject property is located in the R-1/5,000 (Single-Family Residential) The subject property is located within District 7, represented by Amy Fowler. (Staff contact: Chris Earl at (801) 535-7932 or christopher.earl@slcgov.com) **Case number: PLNPCM2020-00092**

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 Conditional Use request with the conditions listed in the staff report.

Stephen and Madeline Brendle, applicant, provided a presentation along with further detailed information.

The Commission, Staff and Applicant discussed the following:

- Clarification on the standards of building materials

PUBLIC HEARING [7:19:51 PM](#)

Chairperson Bell opened the Public Hearing;

Judi Short, Land Use Chair for Sugar House Community Council - Stated the Community Council advertised the proposal and that they received a number of comments. She mentioned some of the concerns were; there are already a number of multi-residents homes in the immediate neighborhood and curbside parking is already non-existent. The Community Council requests that the Commission approve the request because it meets the standards.

Alison Denyer – Stated her opposition of the request and raised concern with her privacy.

Kristen Black-Bain – Provided an email comment stating her opposition of the request.

Greg Wilson – Stated his opposition of the request.

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:

- Deed restrictions
- Clarification on the proposed height and how it complies with the ordinance
- Side yard setback clarification
- Clarification if the applicant is aware of the number of occupancies in the standards

MOTION [7:46:44 PM](#)

Commissioner Scheer 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 Commission approve the request for Conditional Use for an accessory dwelling unit (ADU) at 1756 S Windsor Street, as presented in petition PLNPCM2020- 00092, with the conditions listed in the staff report.

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

The Commission took a quick break.

Chairperson Bell recused herself due to possible conflict of interest.

[7:49:30 PM](#)

Conditional Use ADU at approximately 1072 S Jeremy Street - Andrea Palmer with Modal, representing the property owner, is seeking Conditional Use approval for an Accessory Dwelling Unit

(ADU) in a detached structure at the above listed address. The ADU will be located in the northwest corner of the rear yard of the subject property. The ADU will measure approximately 425 square feet in area and will measure a height of approximately 12 feet. The subject property is zoned R-1/5,000 (Single-Family Residential) which requires Conditional Use approval for the construction of an ADU. The subject property is located within Council District 2, represented by Andrew Johnston. (Staff contact: Chris Earl at (801) 535-7932 or christopher.earl@slcgov.com) **Case number: PLNPCM2020-00429**

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 Conditional Use request with the conditions listed in the staff report.

Andrea Palmer, Modal Living, provided information regarding the intended use of the ADU and was available for questions.

PUBLIC HEARING [7:53:25 PM](#)

Chairperson Bell opened the Public Hearing;

Zachary Dussualt – Stated his support of the request.

Ryan Diener– Provided an email stating

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

MOTION [7:54:52 PM](#)

Commissioner Barry 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 Commission approve the request for Conditional Use for an accessory dwelling unit (ADU) at 1072 S Jeremy Street, as presented in petition PLNPCM2020-00429, with the conditions listed in the staff report.

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

Chairperson Bell rejoined the meeting.

[7:56:27 PM](#)

Conditional Use ADU at approximately 1336 South 1000 East – Paul Swenson, the property owner, is requesting Conditional Use approval for an attached accessory dwelling unit (ADU) which will be located in the room above the garage of a new home being constructed at the above listed address. The attached ADU would be approximately 670 square feet. The property is zoned R-1/5,000 (Single-Family Residential), which requires Conditional Use approval for the construction of an ADU. The subject property is located within Council District 5 represented by Darin Mano. (Staff contact: Krissy Gilmore at Kristina.Gilmore@slcgov.com) **Case number: PLNPCM2020-00421**

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 Conditional Use request with the conditions listed in the staff report.

The Commission and Staff discussed the following:

- Clarification on whether the driveway goes all the way through from the front of the property to the rear of the property to access to the ADU

- Clarification on what faces the alley
- Entrances of the ADU and whether there would be a second unit

Paul Swenson, applicant, provided further information regarding his request for Conditional Use.

The Commission, Staff and Applicant discussed the following:

- Clarification on whether the applicant intends to add lighting by the back alley

PUBLIC HEARING [8:08:54 PM](#)

Chairperson Bell opened the Public Hearing;

Barbara Pioli – Provided an email comment stating her opposition.

Zachary Dussault – Stated his support of the request.

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

The applicant addressed the public comment.

MOTION [8:13:02 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 Commission approve the request for Conditional Use for an accessory dwelling unit (ADU) at 1336 S 1000 E, as presented in petition PLNPCM2020-00421, with the conditions listed in the staff report.

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

[8:14:51 PM](#)

Conditional Use ADU at approximately 2297 S Lake Street - Thomas Bath, property owner representative, is requesting Conditional Use approval for an approximate 590 square foot accessory dwelling unit (ADU) above the existing detached 2-car garage at the above listed address. The property is zoned R-1/5,000 (Single-Family Residential) and is located within Council District 7, represented by Amy Fowler. (Staff Contact: Linda Mitchell at (385) 386-2763 or linda.mitchell@slcgov.com) **Case number PLNPCM2020-00427**

Linda Mitchell, 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 request with the conditions listed in the staff report.

Thomas Bath, property owner representative, provided a presentation along with further detailed information of the request.

Jen Dalley was also available for questions.

The Commission, Staff and Applicant discussed the following:

- Clarification on whether the fence encloses the area around the property

PUBLIC HEARING [8:23:51 PM](#)

Chairperson Bell opened the Public Hearing;

Judi Short, Land Use Chair for Sugar House Community Council – Stated her support of the request and would like to see the commission approve the request.

Zachary Dussault – Stated his support of the request and stated he liked the design.
Seeing no one else wished to speak; Chairperson Bell closed the Public Hearing.

MOTION [8:26:49 PM](#)

Commissioner Bachman, 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 approve the Conditional Use request (PLNPCM2020-00427) as proposed, subject to complying with the conditions listed in the staff report.

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

The meeting adjourned at [8:28:50 PM](#)