

SALT LAKE CITY PLANNING COMMISSION MEETING
This meeting was held electronically pursuant to the
Salt Lake City Emergency Proclamation
Wednesday, March 10, 2021

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at approximately 5:30 pm. Audio recordings of the Planning Commission meetings are retained for a period of time. These minutes are a summary of the meeting. For complete commentary and presentation of the meeting, please visit <https://www.youtube.com/c/SLCLiveMeetings>.

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

Planning Staff members present at the meeting were: Nick Norris, Director; John Anderson, Planning Manager; Paul Neilson, Attorney; Krissy Gilmore, Principal Planner; Amanda Roman, Principal Planner; David Gellner, Principal Planner; Casey Stewart, Senior Planner; Michaela Oktay, Deputy Director; Aubrey Clark, Administrative Secretary.

Commissioner Brenda Scheer read the emergency proclamation for holding a virtual meeting.

Planning Manager John Anderson explained the meeting instructions.

APPROVAL OF THE FEBRUARY 24, 2021, MEETING MINUTES.
MOTION

Commissioner Sara Urquhart motioned to approve the meeting minutes. Commissioner Jonathan Lee seconded the motion. Commissioner Andres Paredes abstained from voting. Commissioners Barry, Bachman, Bell, Hoskins, Lee, Lyons, Young-Otterstrom and Urquhart voted "Aye". The motion passed.

REPORT OF THE CHAIR AND VICE CHAIR

Chairperson Brenda Scheer stated she had nothing to report.
Vice Chairperson Amy Barry stated she had nothing to report.

REPORT OF THE DIRECTOR

Nick Norris, Director, reported that the legislative session had significant land use bills passed and the commission will be updated in the next meeting or two with those changes.

UNFINISHED BUSINESS

IRA Planned Development & Preliminary Subdivision Plat at approximately 1024 East 500 South -

The commission tabled the item and asked for research into the legal status of the street named Koneta Court. A request by IRA 1024, LLC for approval of a preliminary subdivision plat as a planned development to divide one existing lot into two lots for a new two-family dwelling at approximately 1024 E 500 South. The reason for the planned development application is the new lot will front Koneta Court, which is not a dedicated public street. The site is located within Council District 4, represented by Ana Valdemoros. (Staff contact: Casey Stewart at (801) 535-6260 or casey.stewart@slcgov.com) **Case numbers PLNSUB2020-00413 & PLNSUB2018-00697**

Casey Stewart, Planner, addressed the legal status of the street and outlined that the street in question is not a city street. He stated it is considered a private alley by the city. He stated that some homes on Koneta Court have deeds with expressed access and some do not. He stated that the applicant has reduced the number of bedrooms from three in each unit to two in each unit to reduce the parking demand placed on the alley way. He reviewed the Planning Staff recommendation.

Commissioner Scheer stated they must decide whether to subdivide the lot. Commissioners Lyon, Paredes and Bell asked for clarification about:

- Who the decision making body is for this issue
- City ownership or lack thereof for the street
- If any standards are being modified to allow the proposal
- If there will be conditions listed for the approval
- The off street parking plans

MOTION

Commissioner Bell motioned to approve the item with conditions.

Commissioner Bell stated, based on the information in the staff report and the testimony and plans presented, I move that the Planning Commission approve the IRA 1024, LLC Planned Development petition PLNSUB2020-00413 and Preliminary Subdivision Plat PLNSUB2018-00697 as presented in the petitions, with conditions in the staff report and the conditions that it be limited to 2-bedrooms for each unit and no reduction in the parking proposed.

Commissioner Lee seconds the motion.

The motion passed unanimously, 9-0.

Planning Manager, John Anderson, notified commission of technical difficulties.

Commissioner Scheer ordered a five-minute break.

PUBLIC HEARING

Ground Lease Area at approximately 1269 S Legacy View Street - The petitioner, T-Mobile, is requesting conditional use approval to enlarge the area used for ground equipment that is part of a project to co-locate wireless antennas (cell phone) on an existing monopole. The monopole and antenna array will not increase in height. Per section 21A.40.090.E.2.g(E) of the Zoning Ordinance, conditional use approval is required review if the new ground equipment does not fit into the existing fenced (leased) area. The subject property is located within the M-1 (Light Manufacturing) zoning

district and is located within Council District 2, represented by Andrew Johnston. (Staff contact: Krissy Gilmore at (801) 535-7780 or kristina.gilmore@slcgov.com) **Case number PLNPCM2020-00845**

Krissy Gilmore, Planner, reviewed the petition as outlined in the Staff Report (located in the case file). Reports that Planning Staff recommends the that the Planning Commission approve the Conditional Use request for the ground lease area.

Jared White, Applicant, agrees with Krissy's presentation. The commission didn't have any questions.

PUBLIC HEARING

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

MOTION

Commissioner Amy 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 Conditional Use PLNPCM2020-00845.

Commissioner Jonathan Lee seconded the motion.

Commission passes motion unanimously, 9-0.

Fence Height Special Exception at approximately 134 E Edgecombe Drive - Jon Rogers, property owner representative, has requested to amend a special exception approval issued in 2018 (PLNPCM2018-00846), which allowed the property owner of 134 E Edgecombe Drive to erect a 6-foot tall wrought iron fence within the front and side yard setbacks. The applicant is requesting to amend the original decision to now allow for a 4-foot privacy screen to be attached to the existing fence. The property is zoned R-1/7,000 (Single-Family Residential) and within Council District 3, represented by Chris Wharton. (Staff contact: Amanda Roman at (385) 386-2765 or amanda.roman@slcgov.com) **Case number PLNPCM2020-00926**

Amanda Roman, Principal Planner, reviewed the petition as outlined in the Staff Report (located in the case file). She stated that based on the information in the staff report, Planning Staff recommends that the Planning Commission deny the request for additional fence height at 134 E Edgecombe Drive. She stated that if the Commission does approve the special exception request, the applicant would be required to change the fencing materials to meet city code. The materials could be approved at staff level.

Jon Rogers, attorney for the applicant, stated the neighbors want the privacy screening, which they believe would deter foot and vehicular traffic on the street. He stated the current situation is a nuisance and the screening would be beneficial to the community. He stated that if approved, the property owner would use compliant residential fencing material.

Commissioner Lyon and Perades asked for clarification on:

- When the previous privacy screening was put in place
- Police calls
- When the privacy screening was removed
- What the intent is for the property
- How the city found out about the privacy screening that previously in place

Commissioner Scheer opened the public hearing.

PUBLIC HEARING

Megan Colston – for the exception

James Schulte – for the exception, states there is a land use conflict

Jonathan Mann – property owner, for the exception, talks of property damage and vandalism.

Douglas Fadel – for the exception, concerned for his children's safety

Charles Cowley – for the exception, states the privacy screen limited violations to ordinances

Tom Huckin – for the exception. States trash, noise, fireworks, parking violations are constant

Rhonda Deveraeux – for the exception, 88 Edgecombe Drive, says the type of people the lot is attracting are not a friendly crowd

Kathy Titze –, says they often can't drive through Edgecombe because people are often double parked.

Jim Romano – neighbor at 118 Edgecombe, states they go out twice a week to pick up the garbage.

People often turn in around in their driveway. States lot next to them has a wood fence to block the easy view and is effective.

Maggie Probst – for the exception.

Greg Probst – for the exception.

Vanja Watkins – for the exception. States the people are more important than the ordinances. Feels the mesh helped deter traffic and violations.

Amy Leach – for the exception. States contacting the police does nothing.

Chairperson Scheer closed the Public Hearing seeing no one else wished to speak.

Chairperson Scheer opened up a discussion with the commission.

Commissioner, Amy Barry, asked how many vacant lots are in the area and wanted to know what the potential is for vacant lot issues if an exception is made. Planning Manager, John Anderson stated that vacant lots are not that uncommon, and this lot is not a singular problem, but unsure how large of a problem it would be. Commissioner, Matt Lyon, asked if there needs to be articulation on if staff is for or against the proposal and if the Commission needs to address each standard. Principal Planner, Amanda Roman, stated that the Commission should make findings if they go against the Staff's recommendation to deny the request. Commissioner Scheer asks for clarification on fencing and whether it would need to be transparent. Staff stated that the property owner could build a 4ft fence that is not transparent. Commission discussed appropriate fencing materials. Planning Director, Nick Norris, asked the Planning Commission to consider the applicable standards relating to the application and move forward with a decision. Commissioner Sara Urquhart doesn't believe the body should be a part of making an exception and thinks the problems associated with the property should be solved by the property owner rather than the Commission. Commissioner Adrienne Bell agreed with that statement and said the Commission does not have the authority to approve the proposed screening, due to the lack of transparency. Commissioner Matt Lyons asked for clarification on whether the exception request meets the general standard criteria. Planning Director, Nick Norris, put special exception authorization language the on record. Commission discussed the special exception standards as they related to the proposal.

Commissioner Scheer asked for a motion.

MOTION

Commissioner Sara Urquhart 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 deny the Special Exception request (PLNPCM2020-00926) as proposed, because evidence has not been presented that demonstrates the proposal complies with the following standards:

1. Section 21A.52.030(A)(3) Specific Special Exception Standards for Additional Fence Height

a. Standards A, C, D, E, F, and G

2. Section 21A.52.060 General Standards for Special Exceptions

a. Standards A, C, D, and G

Commissioner Adrienne Bell moved to second the motion to deny.

Commissioners Maurine Bachman, Amy Barry, Adrienne Bell, Jon Lee,Carolynn Hoskins, and Sara Urquhart voted “Aye”. Commissioners Matt Lyon, Andres Paredes and Crystal Young-Otterstrom voted “No”.

Commission passed the motion to deny with 6 ayes 3 nos.

Alley Vacation at approximately 968 E Elm - Jonas & Danielle Sappington, owners of the property at approximately 968 E Elm Avenue, are requesting to vacate the alley that runs south of their property, more specifically between 1000 E and Lincoln Street. The alley is oriented east-west, and the proposal is to vacate the eastern half of the alley, which abuts 4 residential properties. The applicants identify public safety and lack of use of the public right-of-way as the main reasons for the request. The subject property is located within Council District 7, represented by Amy Fowler. (Staff contact: Amanda Roman at (385) 386-2765 or amanda.roman@slcgov.com) **Case number PLNPCM2020-00999**

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

Structures built without building permits in the alleyway. Staff believes alley is better used as a public right-of-way and should be opened to allow for public utility maintenance. Stated that the Sugar House Community Council is against vacating the alley.

Danielle Sappington (applicant) – stated there is misinformation presented and they are going to try and clear it up.

Jonas Sappington (applicant) –When they moved in, they found out that part of their backyard was not in fact theirs, but public. They do not use the illegal structures. The applicant presented the pros and cons of vacating the alley. Stated that opening the alleyway would not improve the public usability and could attract transients. Removal of the structures could be costly. Partial vacation is preserving utility access and residences on the block are in 100% agreement.

Commissioner Scheer opened up the public hearing portion of the meeting.

PUBLIC HEARING

Judi Short – The Sugar House Community Council believes the alley should remain open. That it could provide additional parking and walking areas for people with dogs. Says it would limit utility usage.

Dany Tremblay – Stated he’s in favor of vacating the alley.

Trent Toler – Property owner at 2188 S 1000 E - Stated that utility companies would not have access issues and that the alley doesn’t need to be there as it is a small block and there are other access points.

Genevieve Tuenge – Is in favor of the vacation, stating there is not a need for walkability in alleyways. Utilities can be accessed using homeowners’ driveways.

Forest Good – Property owner at 2187 E Lincoln Street- Stated there is no issue with utility accessibility.

Aaron Stevenson – Property owner at 956 E Elm Ave - Concerned the city will vacate the whole alley rather just half and block his access.

Kimberly Colton – 2186 Lincoln St, for the vacation

Chairperson Scheer closed the Public Hearing seeing no one else wished to speak.

Chairperson Scheer opened up a discussion with the commission.

Commissioners Barry, Scheer, Lee, Bell, Urquhart, and Lyon discuss:

- When the alley was vacated
- If the vacation would impact crime levels
- Maintenance
- Current structure encroachment
- Usage by the city and any plans for the alley
- The standard set by the current structures
- When the alley to the east was vacated

Chairperson Scheer closed the discussion with the Commission.

MOTION

Commissioner Matt Lyon states, Based on the findings and analysis in the staff report, the policy considerations for alley vacation, and the input received I move that the Planning Commission forward a positive recommendation to the City Council for the alley vacation proposed in PLNPCM2020-00999.

Findings

- **Because of structure 1 being there for over 20 years it meets lack of use**
- **There have been city repairs that haven’t needed access**
- **Not contrary to city policies**

Commissioner Crystal Young-Otterstrom seconded the motion.

Commissioners Maurine Bachman, Jon Lee,Carolynn Hoskins, Matt Lyon, Andres Paredes Crystal Young-Otterstrom voted “Aye”. Commissioners and Sara Urquhart, Adrienne Bell, Amy Barry no voted “No”.

Commission passed the motion with 6 “Ayes” and 3 “Nays” with a recommendation to forward it to the city council with a positive recommendation.

Tradition Pointe Apartments Design Review at approximately 1425 S Jefferson Street- Mark Garza of TLG Company, has requested Design Review approval for the Tradition Pointe Apartments project to be located on three (3) contiguous parcels located at 119 W 1400 S, 1411 S Jefferson Street, and 1425 S Jefferson Street. The proposed project is for a 78-unit apartment building on a 0.45 acre (19,602 square feet) consolidated parcel. The proposed building will be seven stories in height and will be approximately 74-feet tall. The apartments will be a mix of studio and 1-bedroom apartments. The properties are located within the CG- General Commercial zoning district. The CG zoning district requires Design Review approval for proposed buildings over 60' in height. The proposal is located within Council District 5, represented by Darin Mano. (Staff contact: Eric Daems at (385) 226-3187 or eric.daems@slcgov.com) **Case number PLNPCM2020-00661**

David Gellner, Planner presenting on behalf of Eric Daems, presented the staff report (located in the case file). It is Planning Staff’s opinion that the request for additional building height generally meets the applicable Design Review standards and therefore recommends the Planning Commission approve the request with the following conditions:

- Alter building entrance along 1400 South to lead into occupiable space and to include more pedestrian-oriented design elements
- Revise the ground floor façade along 1400 South to include a solid-to-void ratio of windows and doors more in character with the neighborhood

Commissioner Amy Barry asked for clarification about on-street parking stalls on Jefferson Street and whether those will be maintained or changed.

Commissioner Scheer opened the meeting for the applicants to present their project.

Mark Garza, designer, outlined the design. He addressed the on-street parking changes, parking structure stalls and lighting. He stated they found a higher water table than anticipated, which triggered the desire for additional building height.

Jory Aia, designer, presented the pedestrian-oriented elements of the building and various considerations they have contemplated to meet the staff’s recommendations along the 1400 South facade.

Commissioner Barry asked for clarification on the 14th South façade. Commissioner Scheer agreed there needs to be changes made so that it does not look like a parking structure.

Commissioner Scheer opened the public hearing portion of the meeting.

PUBLIC HEARING

Christopher Tribe – student at University of Utah in the school of architecture was initially concerned there would be a blockage of daylight to the multifamily housing nearby. A study was done. The 14ft allotment doesn't block significant light and approves of the project.

Commissioner Scheer, seeing that no one else wished to speak, closed the public hearing.

Discussion returned to the Planning Commission.

Commissioner Amy Barry asked if the changes discussed are in line with the planning staff recommendations, or if more specific recommendations would be helpful.

David Gellner, planner, stated that the commission may want to more particularly articulate the changes expected.

MOTION

Commissioner Amy Barry states, Based on the finding listed in the staff report, the information presented, and the input received during the public hearing, I move that the Planning Commission approve the Design Review petition (PLNPCM2020-00661) for Tradition Pointe Apartments with the conditions listed in the staff report, with the following modifications:

- **Treat the 1400 South façade as a front façade: altering the building entrance along 1400 South to lead into occupiable space including more pedestrian-oriented design elements and materials throughout the 1400 South façade as well as potential landscaping additions**
- **Revise the ground floor façade along 1400 South to possibly include a solid to void ratio of windows and doors more in character with the neighborhood**

Commissioner Maurine Bachman seconded the motion.

All commissioners voted "Aye".

Commission passed the motion unanimously.

Commissioner Scheer motioned to adjourn. 9:21pm

The meeting adjourned.