

**SALT LAKE CITY PLANNING COMMISSION MEETING**  
**This meeting was held electronically**  
**Wednesday, August 11, 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, Jon Lee, and Sara Urquhart. Commissioners Andres Paredes, and Crystal Young-Otterstrom were excused.

Planning Staff members present at the meeting were: John Anderson, Planning Manager; Nick Norris, Planning Director; Paul Nielson, Attorney; Krissy Gilmore, Principal Planner; Sara Javoronok, Senior Planner; David Gellner, Senior Planner; Caitlyn Tubbs, Principal Planner; and Marlene Rankins, Administrative Secretary.

**APPROVAL OF THE JULY 14, and 28<sup>th</sup>, 2021, MEETING MINUTES.**  
**MOTION**

**Commissioner Bachman moved to approve**

**Commissioner Barry seconded the motion. Bachman, Barry, Lee, Bell, and Urquhart voted “Aye”. The motion passed unanimously.**

**REPORT OF THE CHAIR AND VICE CHAIR**

Chairperson Scheer stated she had nothing to report.

Vice Chairperson Barry stated she had nothing to report.

**REPORT OF THE DIRECTOR**

John Anderson, Planning Manager, stated he had nothing to report.

Nick Norris, Planning Director, updated the Commission regarding funding that was provided to the Planning Division.

**Ground Lease Area at approximately 1269 S Legacy View Street** - The petitioner, AT&T, 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 in 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](mailto:kristina.gilmore@slcgov.com)) **Case number PLNPCM2021-00669**

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.

Liz Walker, and Brian Sieck, applicants, were available for questions.

### **PUBLIC HEARING**

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

### **MOTION**

**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 Conditional Use PLNPCM2021-00669.**

**Commissioner Bachman seconded the motion. Commissioners Bachman, Barry, Bell, Lee, and Urquhart voted “Aye”. The motion passed unanimously.**

**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 the lot area from 8,000 square feet to approximately 6,000 square feet for the new lot. The proposal was originally brought before the Planning Commission at their June 24, 2020 meeting. The request was tabled to allow the petitioner time to address concerns raised by the Commission. 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.

Adam Sapers, applicant, provided further details and was available for questions.

### **PUBLIC HEARING**

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

The Commission made the following comments:

- I think it will be a really good addition to the neighborhood

### **MOTION**

**Commissioner Urquhart 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 petition PLNPCM2020- 00174 with the conditions listed in the staff report.**

**Commissioner Bell seconded the motion. Commissioners Bachman, Barry, Bell, Lee, and Urquhart voted “Aye”. The motion passed unanimously.**

Chairperson, Brenda Scheer, recused herself from the next item. Vice Chairperson lead the following item.

**Conditional Use and Special Exception for a Detached ADU at approximately 1228 South 800 East**

- Jason Wheeler of Assist, Inc., on behalf of Lisa Benham, the property owner, is requesting Conditional Use approval for a 642 square foot, 15'2" tall detached accessory dwelling unit (ADU) in the rear yard and Special Exception approval for a condensing unit located less than 4 feet from the north lot line of the property. The property is zoned R-1/5,000 Single-Family Residential and is located within Council District 5, represented by Darin Mano. (Staff contact: Sara Javoronok at 385-226-4448 or sara.javoronok@slcgov.com) **Case numbers PLNPCM2021-00009 & PLNPCM2021-00777**

Sara Javoronok, Senior Planner, reviewed the petition as outlined in the Staff Report (located in the case file). She stated Staff recommended that the Planning Commission approval of the request subject to the conditions listed in the staff report.

Sam Ball, applicant, provided a presentation along with further design details.

**PUBLIC HEARING**

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

**MOTION #1**

**Commissioner Bell 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 1228 South 800 East as presented in petition PLNPCM2021-00009 with the conditions listed in the staff report.**

**Commissioner Bachman seconded the motion. Commissioners Urquhart, Bachman, Lee, and Bell voted "Aye". The motion passed unanimously.**

**MOTION #2**

**Commissioner Bell 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 Special Exception for a condensing unit located less than 4 feet from the north lot line of the property at 1228 South 800 East as presented in petition PLNPCM2021-00777 with the conditions listed in the staff report.**

**Commissioner Bachman seconded the motion. Commissioners Urquhart, Bachman, Lee, and Bell voted "Aye". The motion passed unanimously.**

The meeting was turned back to Chairperson, Brenda Scheer.

**Zoning Map Amendment and Master Plan Amendments for the Properties Located at 1948 and 1950 South West Temple Street**

- The Banks Group, LLC, property owner is requesting that the City amend the zoning map and associated future land use map for their property located at 1950 South West Temple and a portion of their property located at 1948 South West Temple. The requests are part of an effort to expand the existing Intermountain Wood Products operation to meet company needs and to have uniform zoning on their properties which would later be consolidated. This project requires both a Zoning Map and Master Plan Amendment. The property is located within Council District 5, represented by Darin Mano. (Staff contact: David J. Gellner at (385) 226-3860 or david.gellner@slcgov.com) **Case numbers: PLNPCM2021-00291 & PLNPCM2021-00292**

- a. **Master Plan Amendment** - The associated future land use map in the Central Community Master Plan currently designates the subject portion of the properties as "Medium Density Residential" while the remainder of the property is designated as "Medium Residential/Mixed Use." The petitioner is requesting to amend the future land use map so that the entire property is designated as "Medium Residential/Mixed Use". **Case number PLNPCM2021-00292.**
- b. **Zoning Map Amendment** - The main property is currently split-zoned between RMF-35 (Moderate Density Multi-Family Residential) on the east portion and CG (General Commercial) zoning on the west portion while the smaller parcel along South West Temple is fully zoned RMF-35. The petitioner is requesting to amend the zoning map designations for the properties or portions that are zoned RMF-35 to CG. This would make the zoning of the consolidated parcel uniform. **Case number PLNPCM2021-00291**

David Gellner, 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.

The Commission and Staff discussed the following:

- Clarification on future land use
- Clarification on the CG zone
- Clarification on what way is the CG zone compatible with the neighborhood frontage
- Whether there is a reason that consolidation of the rezone wasn't included in the application

Paul Washburn, Taylor Smith and Brad Banks, applicants, provided further details and were available for questions.

## **PUBLIC HEARING**

Chairperson Scheer opened the Public Hearing;

Amy Hawkins, Community Council – Stated the neighborhood highly supports a height limit.

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

The Commission, Staff and Applicant discussed the following:

- Office building interaction with the public
- Clarification on how long the applicant has occupied the site
- Whether there is another zone that would provide the applicant flexibility

## **MOTION**

**Commissioner Bell stated, based on the findings and analysis in the staff report, testimony, and discussion at the public hearing, I move that the Planning Commission recommend that the City Council forward a positive recommendation to City Council for the proposed Master Plan and Zoning Map Amendment for the properties located at 1948 and 1950 South West Temple as requested through the following applications and with the following changes:**

1. **Master Plan Amendment – PLNPCM2021-00292 – proposed change to the future land use map in the Central Community Master Plan from Medium Density Residential to Medium Residential/Mixed Use.**

2. **Zoning Map Amendment PLNPCM2021-00291- proposed change to the CG – General Commercial zoning district for the properties or portions thereof zoned RMF-35 – Moderate Density Multi-Family Residential.**

**With the following additional conditions:**

1. **Both Approvals are conditioned on the consolidation of the parcels owned by the applicant**
2. **The applicant and City Council enter into a development agreement to limit the height of future development and approve the final site plan for the rezone lot**

**Commissioner Urquhart seconded the motion. Commissioners Bachman, Barry, Bell, Lee, and Urquhart voted “Aye”. The motion passed unanimously.**

**Ward Over Height Fence Appeal** - Jeremiah Taylor, on behalf of the property owner, is appealing the denial of a Special Exception request for an over height fence at 179 West Paxton Avenue. The fence has already been constructed and ranges from four feet to eight feet in height. The subject property is located in the RMF-35 Moderate Density Multi-Family Residential District and is within Council District 5, represented by Darin Mano. (Staff contact: Caitlyn Tubbs at (385) 315-8115 or caitlyn.tubbs@slcgov.com) **Case number PLNAPP2021-00560**

Caitlyn Tubbs, Planner Planner, reviewed the petition as outlined in the Staff Report (located in the case file). She stated Staff recommended that the Planning Commission to uphold the denial for an over height fence Special Exception.

Jeremiah Taylor and Clint Ward, applicants, provided a presentation along with further details.

#### **PUBLIC HEARING**

Chairperson Scheer opened the Public Hearing;

Amy Hawkins, Community Council – Was interested in hearing the discussion because she is aware that there are others in the neighborhood that would like to file similar requests.

Alex Hamrick – Stated his support of the request.

Paul Garcia – Stated his support of the request due to similar incidents near his property.

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

The Commission made the following comments:

- I’m sympathetic with the landowner; I think it’s a unique set of circumstances that he’s dealing with
- I think the special exception implies a unique situation rather than I’m just afraid of things going on around my neighborhood
- I don’t know if I’m seeing a particular set of circumstances where we should make an exception
- I do worry about where the Special Exceptions stop within the neighborhood and when will 8 feet not be tall enough, or ten feet not be tall enough
- I agree with a lot of the Planning issues of walling people out; it definitely is an issue when people jump the fence but what’s going to stop them from jumping an 8-foot fence versus 6-foot fence

**MOTION**

Commissioner Urquhart 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 uphold the denial for an over height fence Special Exception (PLNPCM2021-00276), and deny the Appellant's petition PLNAPP2021-00560 with the following findings:

1. The request does not comply with the adopted standards of approval.

Commissioner Bachman seconded the motion. Commissioners Bachman, Barry, Lee and Urquhart voted "Aye". Commissioner Bell voted "Nay". The motion passed 4-1.

The meeting adjourned at 7:15 pm.