

SALT LAKE CITY PLANNING COMMISSION MEETING
This meeting was held electronically pursuant to the
Salt Lake City Emergency Proclamation
Wednesday, January 13, 2021

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at 05:30 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, Adrienne Bell,Carolynn Hoskins, Matt Lyon, Sara Urquhart, and Crystal Young-Otterstrom. Commissioners Jon Lee, and Andres Paredes were excused.

Planning Staff members present at the meeting were: Michaela Oktay, Planning Deputy Director; Nick Norris, Planning Director; Paul Nielson, Attorney; Amy Thompson, Senior Planner; Katia Pace, Principal Planner; Daniel Echeverria, Senior Planner; Sara Javoronok, Senior Planner; Nannette Larsen, Principal Planner; Krissy Gilmore, Principal Planner; and Marlene Rankins, Administrative Secretary.

Chairperson Brenda Scheer, read the emergency proclamation for holding a remote meeting.

APPROVAL OF THE DECEMBER 9, 2020, MEETING MINUTES. 02:31

MOTION 02:46

Commissioner Young-Otterstrom moved to approve the December 9, 2020 meeting minutes.

Commissioner Urquhart seconded the motion. Commissioners Bachman, Barry, Bell, Lyon, Urquhart, and Young-Otterstrom voted “Aye”. Commissioner Hoskins abstained from voting as she was not present for the said meeting. The motion passed unanimously.

REPORT OF THE CHAIR AND VICE CHAIR 04:24

Chairperson Scheer informed the public of the long agenda and that there will be a break half-way through the agenda.

Vice Chairperson Barry stated she had nothing to report.

REPORT OF THE DIRECTOR 05:33

Michaela Oktay, Planning Director, stated she had nothing to report.

05:55

Maven Lofts Design Review & Planned Development at approximately 156 East 900 South - Joe Jacoby, representing Jacoby Architects, has submitted applications to the city for Design Review and a Planned Development to construct an addition that would create 57 new residential units located at approximately 156 E 900 South. The proposal is for a 4-story building that will be located roughly on the same footprint as the existing building. The applicant is requesting Design Review approval to allow for an additional 15 FT of building height, for a total building height of approximately 45 FT. Through the Planned Development process, the applicant is requesting to decrease the front, rear, and corner side yard setbacks for the second, third, and fourth stories of the building. The exterior wall of the proposed upper stories is slightly stepped back from the exterior wall of the existing building, which is located right at the property line. The CC zoning district requires a front and corner side yard setback of 15’ and a rear yard setback of 10’. In order to utilize the ground floor of the existing building, the applicant is also

requesting to allow the rooftop garden areas to count toward landscaping requirements. The property is located within the CC (Commercial Corridor) zoning district in council district 5, represented by Darin Mano (Staff contact: Amy Thompson at (385) 226-9001 or amy.thompson@slcgov.com) **Case numbers PLNPCM2020-00721 & PLNPCM2020-00722**

Amy Thompson, 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 request.

Joe Jacoby, applicant, provided further design details.

PUBLIC HEARING 17:33

Chairperson Scheer opened the Public Hearing;

Zachary Dussault – Stated his support of the request.

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

MOTION 21:23

Commissioner Bell 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 Design Review request for additional height (PLNPCM2020-00721) and the Planned Development request for setback and landscaping modifications (PLNPCM2020-00722) for the Maven Lofts project located at approximately 156 E 900 South.

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

22:45

Windsor Court Planned Development at approximately 1966 S Windsor Street - Mike Spainhower, representing the property owner, is requesting approval for a 17-unit multi-family dwelling at 1966 S. Windsor Street. The project would be built on an existing vacant lot. The total site is 0.7 acres. The Planned Development is needed to address a modification to the front yard setback and landscape buffers. The subject property is located in the RMF-35 zoning district and within Council District 7, represented by Amy Fowler (Staff contact: Katia Pace at (385) 226-8499 or katia.pace@slcgov.com) **Case number PLNPCM2020-00727**

Katia Pace, 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 the front façade

Michael Spainhower and Ryan Heath, applicants, provided further design details.

PUBLIC HEARING 41:21

Chairperson Scheer opened the Public Hearing;

Judi Short, Sugar House Land Use Chairperson – Stated the project will add 17 new units to the neighborhood but it doesn't mean it's the right location. There's no room to walk dogs and the housing is

not affordable. She added the street is extremely narrow. She would like to see conditions added such as a traffic study.

Teresa Wilhelmsen – Stated she does not feel the project is compatible with the surrounding neighborhood.

Zachary Dussault – Stated his support of the request.

Melissa Nelson-Stippich – Raised concerns with the entrance of the building facing her property and the height.

Nancy Atkinson – Provided an email comment stated her opposition of the request.

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

The Commission and Staff discussed the following:

- Clarification on why the South façade was chosen for the front of the building
- Reduction of the landscape

Chad Christensen, applicant representative provided further information regarding the request.

The Commission, Staff and Applicant further discussed the following:

- Clarification on the reduction of landscaping
- Clarification on why the entrance will not be on the Southeast corner
- Clarification on where the applicant is proposing to move the landscaping

MOTION 1:09:42

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 deny PLNPCM2020-00727, Windsor Court - Planned Development because evidence has not been presented that demonstrates the proposal complies with the following standard 21A.55.050.C3.

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

Commissioner Bell recused herself due to possible conflict of interest.

1:11:47

Village at North Station Building D Design Review at approximately 1925 W North Temple – Michael Batt, representing the property owner, is seeking Design Review approval to modify a front setback requirement for a proposed building located at approximately 1925 W North Temple. The applicant is requesting to modify the maximum 5' front yard setback requirement due to the location of a high voltage power line along Orange Street. They are requesting increased front yard setback so that the front of the building is a required minimum safe distance from the power line. Modifications to the front yard setback can be approved through the Design Review process. The subject property is located within the TSA-MUEC-T (Transit Station Area District - Mixed Use Employment Center Station – Transition) zoning district. The property is in Council District 1, represented by James Rogers (Staff contact: Daniel Echeverria at (385) 226-3835 or daniel.echeverria@slcgov.com) **Case Number PLNPCM2020-00730**

Daniel Echeverria, Senior 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.

The Commission, Staff and Applicant discussed the following:

- Affordability of the units

PUBLIC HEARING 1:21:38

Chairperson Scheer opened the Public Hearing;

Zachary Dussault – Stated his support of the request.

Pachuco L – Stated the property owner is making an effort to make the units affordable which is needed in the community. He also stated he hopes the owner doesn't buy out the existing properties surrounding the proposed property.

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

The applicant addressed the public concerns.

MOTION 01:25:36

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 PLNPCM2020-00730 The Village at North Station Building D Design Review with the conditions listed in the staff report.

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

01:26:52

9th Mixed-Use Multifamily Design Review – Eric Moran, on behalf of the property owner and management company, RD Management, along with architects Peter Jacobsen and Jeff Byers of The Richardson Design Group, are seeking Design Review approval to redevelop the property located at the southwest corner of the intersection of 400 South and 900 East with residential and commercial space. The proposal includes 264 residential units and approximately 16,000 square feet of commercial space. The applicant is requesting Design Review by the Planning Commission to allow for a façade length greater than 200 feet in the TSA-UN-C zoning district and for modifications to the design standards in 21A.37. The property is located within Council District 4, represented by Ana Valdemoros. (Staff contact: Sara Javoronok at (385) 226-4448 or sara.javoronok@slcgov.com) **Case number PLNPCM2020-00641**

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

The Commission and Staff discussed the following:

- Clarification on whether there is an outdoor deck or amenities that connect the building

Jeff Byers, Eric Moran, and Craig Zwick, applicants, provided a presentation and further design details.

The Commission, Staff and Applicants discussed the following:

- Distance between the street front to the amenity deck
- Clarification on what's facing the entrance of the garage
- Driveway location

PUBLIC HEARING 1:54:31

Chairperson Scheer opened the Public Hearing;

Zachary Dussault – Stated he's concerned about the excessive amount of parking.

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

The Commission and Applicant's further discussed the following:

- Clarification on number of parking spaces being proposed
- Width of the sidewalk on 4th South

MOTION 2:03:55

Commissioner Lyon 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 Design Review (Petition PLNPCM2020-00641) for modification of the 60% glass requirement on the ground floor and the 200' maximum length of a street-facing façade subject the conditions listed in the staff report. With the added conditions:

1. That the amenity deck is pushed back 40-45 feet from the property line and;
2. That the upper level material color is changed

Commissioner Barry seconded the motion. Commissioners Bachman, Barry, Bell, Hoskins, Lyon, Urquhart, Young-Otterstrom voted "Aye". The motion passed unanimously.

The Commission took a 15-minute break.

2:20:12

AT&T Wireless Communication Facility Conditional Use at approximately 1550 South 5600 West

– A request by Brian Sieck of Smartlink for a new AT&T wireless communications facility with an 80' monopole and unmanned communication site located at approximately 1550 South 5600 West. The proposed site would be located in the northwest corner of the parcel. 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: Sara Javoronok at (385) 226-4448 or sara.javoronok@slcgov.com)

Case number PLNPCM2020-00819

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

The Commission and Staff discussed the following:

- Clarification on the diameter of the pole

Brian Sieck, applicant, provided further information and was available for questions.

The Commission, Staff and Applicant discussed the following:

- Whether the lease is finalized

PUBLIC HEARING 2:28:51

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

MOTION 2:29:15

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 for the AT&T communications site with an 80-foot monopole and associated equipment (Petition PLNPCM2020-00819) subject to the following conditions:

1. Any modifications to the approved plans after the issuance of a building permit must be specifically requested by the applicant and approved by the Planning Division prior to execution.
2. Applicant shall comply with all other department/division requirements.

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

2:30:50

Master Plan Amendment & Rezone at approximately 810 East 800 South – Salt Lake City has received a request from Stanford Bell of Altus Development Group representing the property owner of 810 East 800 South, to amend the Central Community Master Plan and the zoning map. The proposal would rezone the property located at approximately 810 East 800 South from R-2 (Single and Two-Family Residential) to CB (Community Business) and the Central Community Master Plan Future Land Use map designation from Low Density Residential to Community Commercial. The applicant anticipates developing the site with a two-story building with commercial on the first floor and residential units on the second floor. The subject property is zoned R-2 (Single and Two-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 PLNPCM2020-00740 & PLNPCM2020-00741**

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 forward a positive recommendation to the City Council.

The Commission and Staff discussed the following:

- Whether it's in the Commissions purview to require a development agreement

Phillip Winston, applicant, provided a presentation with further details.

The Commission, Staff and Applicant discussed the following:

- Clarification on why the CB zone was chosen
- Setback standards for CB zone

PUBLIC HEARING 2:48:35

Chairperson Scheer opened the Public Hearing;

Zachary Dussault – Stated his support of the request.

Cindy Cromer – Stated there is no way that the CB zone with its wide array of allowed uses is appropriate with at this sensitive location.

Nathan Florence - Provided an email comment stating his support of the request.

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

The Commission discussed the following:

- Possibility of additional condition for a recommendation to the City Council

MOTION 3:01:53

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 forward a positive recommendation to the City Council for the proposed Zoning Map Amendment, file PLNPCM2020-00740, proposed zone change from R-2 (Single and Two Family Residential District) to CB (Community Business) and file PLNPCM2020-00741 proposed master plan amendment from Low Density Residential to Community Commercial.

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

3:03:36

Master Plan Amendment and Rezone at approximately 554 & 560 South 300 East - Salt Lake City has received a request from Mariel Wirthlin, with The Associated Group and representing the property owner of 554 and 560 South 300 East, to amend the Central Community Master Plan and the zoning map. The proposal would rezone the properties located at approximately 554 and 560 South 300 East from RO (Residential Office) to RMU (Residential/Mixed Use) and amend the Central Community Future Land Use Map from Residential/Office Mixed Use to High Mixed Use. The proposed Master Plan amendment to High Mixed Use and rezone to RMU is intended to allow retail service uses on the property, in addition to office use. The subject property is zoned RO (Residential Office) and is located within Council District 4, represented by Ana Valdemoros (Staff contact: Nannette Larsen at (385) 386-2761 or nannette.larsen@slcgov.com) **Case numbers PLNPCM2020-00604 & PLNPCM2020-00712**

Nannette Larsen, 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.

The Commission and Staff discussed the following:

- Clarification on how the height difference changes with the RMU zone
- Clarification on what the rezone is allows

Mariel Wirthlin, applicant, provided further information.

PUBLIC HEARING 3:16:38

Chairperson Scheer opened the Public Hearing;

Zachary Dussault – Stated his support of the request.

Cindy Cromer – Stated this RO zone is a bad zone and every square inch of it we can get rid of in the City is a good thing.

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

The Commission, Staff and Applicant further discussed the following:

- Clarification on whether the RO zone will be eliminated

MOTION 3:20:56

Commissioner Lyson stated Based on the information in the staff report I move that the Planning Commission recommend that the City Council approve the proposed master plan amendment, as presented in petition PLNPCM2020-00712.

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

MOTION 3:22:40

Commissioner Lyon stated, Additionally, I move that the Planning Commission recommend that the City Council approve the proposed zoning map amendment, as presented in PLNPCM2020-00604.

Commissioners Bachman, Barry, Bell, Hoskins, Lyon, Urquhart, and Young-Otterstrom voted “Aye”. The motion passed unanimously.

3:23:46

Fence Height Zoning Ordinance Amendment – A request by the City Council to amend the zoning ordinance regulations to remove the special exception process that allows for over-height fences (Chapter 21A.52.030) and to define instances where a taller fence may be appropriate and approved by right. The proposed amendments would limit fence, wall, and hedge height to four feet (4') in front yards and six feet (6') in the side or rear yards, except for in a few specific instances. Those instances include when a residential district abuts a nonresidential district, in extraction industries and manufacturing districts, public facilities and recreation facilities where a greater height is necessary to protect public safety, private game courts, and construction fencing. Additionally, the Planning Commission and the Historic Landmark Commission would have the authority to grant additional fence, wall, or hedge height as part of a land use application. The amendments proposed to Chapter 21A.40 will affect all zoning districts throughout Salt Lake City. The changes would apply Citywide. (Staff contact: Krissy Gilmore at (801) 535-7780 or kristina.gilmore@slcgov.com) **Case number PLNPCM2020-00511**

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 forward a positive recommendation to the City Council.

The Commission and Staff discussed the following:

- Clarification on unique conditions
- Clarification on how fence height is measured when a property has an abrupt grade change
- Clarification on whether a property owner can build a 10-foot fence around a backyard swimming pool or tennis court

PUBLIC HEARING 3:38:39

Chairperson Scheer opened the Public Hearing;

Cindy Cromer – Stated when you're dealing with Historic properties which were built prior to the City's zoning ordinance, you ought to be able to repurpose fencing.

Jim Schulte – Stated he requests special exceptions that addresses special circumstances where some additional fencing or screening can address the public nuisance, and criminal activity that isn't compatible with the surrounding neighborhood.

Zachary Dussault – Stated his support of the request.

Judi Short, Sugar House Land Use Chairperson – Stated her support of the request.

David Fernandez - Stated his support of the request. Also, he asked whether it has been determined whether vinyl or plastic is considered a durable material.

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

The Commission and Staff further discussed the following:

- Clarification on what constitutes a durable material
- Clarification on whether there are any limitations of materials
- Whether a multi-family mixed use building is considered a non-residential use
- Vacant property that is attracting nuisance

MOTION 4:05:07

Commissioner Bell 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, PLNPCM2020-00511 Fence Height Zoning Text Amendment. With the additional recommendation:

- 1. That Planning Staff draft a provision to the ordinance allowing for a fence height allowing up to 6-feet in front yards of vacant lots without existing structures, which non-conforming fences must be removed when the vacant lot is developed and;**
- 2. To add a maximum height of up to 8-feet to residential and non-residential over height allowances section**

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

The meeting adjourned at 4:07:59