

SALT LAKE CITY PLANNING COMMISSION MEETING
This meeting was held electronically
Wednesday, January 26, 2022

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 Amy Barry, Vice-Chairperson Maurine Bachman, Commissioners Andra Ghent, Jon Lee, Andres Paredes, Mike Christensen, Brenda Scheer, Adrienne Bell, and Aimee Burrows.

Planning Staff members present at the meeting were: Deputy Director Michaela Oktay, Planning Manager Kelsey Lindquist, Senior City Attorney Paul Nielson, Senior Planner Kristina Gilmore, Principal Planner Caitlyn Tubbs, Senior Planner Sara Javoronok, Principal Planner Diana Martinez, Senior Planner Eric Daems, Urban Planner Laura Bandara, Administrative Secretary David Schupick, and Administrative Secretary Aubrey Clark.

REPORT OF THE CHAIR & VICE-CHAIR

Chairperson Amy Barry reported that she appreciated the timely responses of the commissioners to the attendance request for the meeting.

Vice-chair Maureen Bachman had nothing to report.

REPORT OF THE DIRECTOR

Deputy Director Michaela Oktay reported that she missed seeing everyone.

CONSENT AGENDA

Extension Request for 9th East Mixed-Use Multifamily - Jeff Byers of The Richardson Design Group, on behalf of the property owner and management company, RD Management, has submitted a letter requesting a one-year extension for the 9th East Mixed-Use Multifamily project that was approved by the Planning Commission on January 13, 2021. The approval was for a multi-family development located at approximately 410 South 900 East. The subject site is zoned TSA-UN-C and is located within Council District 4, represented by Analia Valdemoros. (Staff contact: Sara Javoronok at 801-535-7625 or sara.javoronok@slcgov.com) **Case number PLNPCM2020-00641**

APPROVAL OF THE MINUTES FOR JANUARY 12, 2022

MOTION

Vice-Chairperson Maurine Bachman motioned to approve the consent agenda. Commissioners Andra Ghent seconded the motion. Commissioners Adrienne Bell, Andres Paredes, Jon Lee, Mike Christensen, Maurine Bachman, Brenda Scheer, and Aimee Burrows all voted “yes”. The motion passes unanimously.

PUBLIC HEARINGS

ADU Conditional Use at approximately 2900 South 900 East - Jon Layne, project architect, is requesting Conditional Use approval to build an Accessory Dwelling Unit (ADU) over a detached garage at the above-listed address. The ADU would measure approximately 650 square feet in size and 20 feet in height. The subject property is zoned R-1/7,000 (Single Family Residential) and is located within Council District 7, represented by Amy Fowler. (Staff contact: Krissy Gilmore at 801-535-7780 or kristina.gilmore@slcgov.com) **Case number PLNPCM2021-00930**

Senior Planner Kristina Gilmore reviewed the petition as outlined in the staff report. She stated that staff recommends approval with condition.

Commissioner Andra Ghent stated that the condition is redundant since the ordinance does not allow for short term rentals. Senior Planner Krissy Gilmore stated that she is correct, and that it was added by request of community council to make sure that it is clear that no short-term rentals are allowed. Commissioner Ghent stated that it seems unnecessary to have it as a condition. Deputy Director Michaela Oktay stated that it can be removed in the motion if the Commission wished to do so.

Project architect Jon Layne stated he had no formal presentation. He stated he had nothing to add but willing to answer any questions.

PUBLIC HEARING

Chair Barry opened the public hearing.

- Judi Short – Sugar House Community Council stated that people are having ADUs approved and then being listed as Airbnb’s. She stated that even when they are reported, enforcement has trouble with enforcing the no short term rentals. Adding the condition enforces the idea to the applicant who might not be familiar with the city codes and requirements. She also stated concerns with lighting on the second floor of the ADU shinning into the neighbors’ yards and that lighting should be focused on the main level into the walkways. If it meets all the criteria of an ADU it should be approved.
- Teri Giles-Fuessel stated her disapproval of the ADU.
- Marcia Forak stated her disapproval of the ADU.

Seeing that no one else wished to speak, Chair Barry closed the public hearing.

Chair Barry stated that she understands the concerns of the public but clarified that the commission is unable to require more than what is listed in the code.

Commissioner Andra Ghent stated concerns about consistency with holding conditional use restrictions for only certain districts. Deputy Director Michaela Oktay stated that she will talk with staff about having the restrictions be addressed in the staff report and not in the condition.

Project architect Jon Layne stated that the homeowner is not opposed to the idea of planting trees to help with privacy for the neighbors.

Commissioner Brenda Scheer stated that the size of the ADU is larger than is allowed. Senior Planner Krissy Gilmore stated that the footprint of the garage is 720 sq. ft. but the ADU itself is only 650 sq. ft. which does meet the standards. Commissioner Scheer stated that it may meet the standard, but its perceived size is bigger than the standard.

MOTION

Commissioner Andra Ghent 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 (PLNPCM2021-00930)

Vice-chair Maureen Bachman seconded the motion. Commissioners Andra Ghent, Andres Paredes, Jon Lee, Mike Christensen, Adrienne Bell, Maurine Bachman, Brenda Scheer, and Aimee Burrows all voted “yes”. The motion passed unanimously.

ADU Conditional Use at approximately 2346 S Park Street - Steve Floor, the property owner, requests conditional use approval for a new detached 648-square foot Accessory Dwelling Unit (ADU) in the rear yard of the above-listed address. The property is located in the R-1/7,000 (Single Family Residential) zoning district and is within Council District 7, represented by Amy Fowler. (Staff contact: Caitlyn Tubbs at 801-535-7706 or caitlyn.tubbs@slcgov.com) **Case number PLNPCM2021-01122**

Principal Planner Caitlyn Tubbs reviewed the petition as outlined in the staff report. She stated that Staff recommends approval of the request.

There were no questions from the Commission for Staff.

Property Owner Steve Floor reviewed the latest site plan of the proposed ADU. He stated that the architect missed that the ADU and garage will be stucco to match the house, not as rendered with lap siding.

PUBLIC HEARING

Chair Barry opened the public hearing.

- Judi Short – Sugar House Community Counsel – In favor of the petition

- Ty Rosser – Has concerns about the construction process and accessibility in the alley during the construction process
- Amy Buchanan – In favor of the petition

Chair Barry closed the public hearing.

The applicant addressed access to the alley during the construction of the ADU. He stated that the amount of heavy construction will be minimal. He said that the footing excavation will take roughly a week. He said they will do the best they can to keep that access open during construction.

MOTION

Commissioner Adrienne 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 conditional use request to establish a detached accessory dwelling unit located at approximately 2346 S Park Street (case number #PLNPCM2021-01122).

Commissioner Mike Christensen seconded the motion. Commissioners Andra Ghent, Brenda Scheer, Maurine Bachman, Andres Paredes, Adrienne Bell, Jon Lee, Aimee Burrows, and Mike Christensen voted “yes”. The motion passed unanimously.

Chicago Street Townhomes at approximately 928 & 938 W South Temple, 18, 28, 30, and 36 N Chicago - Jarod Hall of Di'velept, representing the property owners, is requesting Planned Development, Design Review, and Preliminary Subdivision approval to develop 30 townhomes. Currently the land has four single-family residences and a small warehouse building, and the property is zoned TSA-UN-T (Transit Station Area – Urban Neighborhood – Transition). The proposed project is subject to the following petitions:

- Planned Development** – Planned Development approval is required for lots without frontage. Case number **PLNPCM2021-00824**.
- Design Review** – Design Review approval is required since the development did not receive enough points through the TSA development review process for administrative (staff level) approval. The petitioner is also requesting design standard modifications to building materials and entry feature requirements through this process. Case number **PLNPCM2021-00825**
- Preliminary Subdivision** – The Preliminary subdivision is required to create the individual townhome lots. **Case number PLNSUB2021-00826**

The subject property is located within Council District 2, represented by Alejandro Puy. (Staff contact: Sara Javoronok at 801-535-7625 or sara.javoronok@slcgov.com)

Senior Planner Sara Javoronok reviewed the petition as outlined in the staff report. She stated that Staff recommends approval with conditions.

Project Architect Jarod Hall shared a formal presentation. He showed visuals of the surrounding area and the site plan. Jarod Hall explained ways they tried to keep costs low. He also stated that the goal of this project is to help with density in the area.

Chair Barry stated her concerns for the structure providing an inviting feel on the pedestrian level. Jarod Hall stated the property line is further away from the street and that he anticipates occupants in the future adding additions to the plot of grass in front of the entrances. Chair Barry asked about lighting for an inviting pedestrian experience. Jarod Hall stated that there will be lighting in the hangover of the entrance door.

Commissioner Andra Ghent stated her appreciation of the trees. She did state some concerns of the amount of grass landscape and asked if there was a possibility to add desert landscape. Jarod Hall stated that it would defiantly be possible, and that the grass was just used for rendering the pictures.

PUBLIC HEARING

Chair Barry opened the public hearing.

- Cyan Larson stated disapproval for the townhomes.
- Fredy Davis stated disapproval for the townhomes.
- Juan Garcia stated disapproval for the townhomes.
- Qiru Cantua stated disapproval for the townhomes.
- Simon Chavez stated disapproval for the townhomes.

Seeing that no one else wished to speak, Chair Barry closed the public hearing.

Amy Barry stated that the Planning Commission is not able to address public comment

Property owner Mike Stettner stated that this is his first project in Salt Lake City and that all the departments have been very positive of the project.

Commissioner Aimee Burrows stated that she feels empathetic to the public comments and concerns. She also stated that even if the planning commission disapproves the motion, they are still able to build the building, it would just not be subdivided as townhomes. She also stated she has been keeping up with the gentrification study and is not sure if that has added changes to the planning commission decision processes. Senior Planner Sara Javoronok stated that the gentrification study is still new and is not aware of any pauses in development. Deputy Director Michaela Oktay stated that the gentrification study is still in the beginning process.

Chair Barry asked for clarification on if the commission needs the city hall to make a discission to allow them to be able to pause a development. Deputy Director Michaela Oktay clarified that they are legally obligated to decide on the application before them.

Commissioner Andra Ghent stated that although Salt Lake City has not completed a gentrification study, other gentrification studies have shown that the more restrictive

development is, the worst displacement gets. She also stated that stopping development only increases prices that will move people not just out of neighborhoods but out of state.

Commissioner Mike Christensen stated that he has read similar statistics as Commissioner Andra Ghent with the negatives of stopping development.

MOTION

Commissioner Mike Christensen 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 Planned Development, Design Review, and Preliminary Subdivision (Petitions PLNPCM2021-00824, PLNPCM2021-00825, and PLNSUB2021-00826) for the Chicago Street Townhomes subject to the following conditions:

- 1. Applicant shall submit a final plat for review within 18 months.**
- 2. Applicant shall comply with all required department comments and conditions.**
- 3. Applicant shall submit a cost estimate and associated documentation assuring shared infrastructure maintenance in compliance with 21A.55.110 with the final plat application.**
- 4. Final approval of the details for signage, lighting, and landscaping are delegated to Planning staff.**

Commissioner Andra Ghent seconded the motion. Commissioners Andra Ghent, Andres Paredes, Jon Lee, Mike Christensen, Adrienne Bell, Maurine Bachman, Brenda Scheer, and Aimee Burrows all voted “yes”. The motion passed unanimously.

LaraDean Townhomes at approximately 355-365 West 800 North - Jarod Hall of Di'velept, representing the property owners, is requesting approval for a new townhome development. The development includes fourteen single-family attached units in two separate buildings. The proposed townhomes are approximately 45 feet in height and are three stories tall. The development involves two applications:

- a. Preliminary Subdivision-** The Preliminary subdivision to create the individual townhome lots. **Case number PLNSUB2021-00848**
- b. Planned Development-** Planned Development is required for lots without frontage, reduction of the rear yard setback from 20' to 15', and reduction in the front yard setback from 10' to 6.5'. **Case number PLNPCM2021-00847**

The subject property is zoned MU (Mixed Use), located within Council District 3, represented by Chris Wharton. (Staff contact: Diana Martinez at 801-535-7215 or diana.martinez@slcgov.com)

Principal Planner Diana Martinez reviewed the petition as outlined in the staff report. She stated that Staff recommends approval the planned development and preliminary subdivision plat with conditions.

Project Architect Jarod Hall shared a presentation of the proposed project. He stated there will be 14 townhomes on .45 acres. He also stated that there will be 1+ car garage units. He stated

that there are three trees in the park strip that they are planning to protect as well as adding new ones. He pointed out that there will be one point of entry which will limit missed pedestrian and vehicle traffic. There was a consideration of lots without frontage as well as creating condos or apartments. They ultimately decided that townhomes were a better fit because they are easier to finance and promote homeownership. He said they are asking for a 15ft rear yard setback, that would be allowed if they were building condos or apartments, and a reduction of the front and side yard setback as well. He remarked that they had met with the Capital Hill Community Council and one of their concerns was this location being used for short-term rentals. Mr. Hall spoke with the owner of the property, and they felt it would be ok provided that the proper permits were attained.

PUBLIC HEARING

Chair Barry opened the public hearing.

- David Scheer – Chair of the Capital Hill Community Council – Against the front yard setback. Feels it doesn't meet the planned development standards.

Chair Barry closed the public hearing.

Jarod Hall addressed the roof eaves that extend past the required setbacks. He felt it was a good trade off to have the balconies. He also commented on the short-term rentals.

Principal Planner Diana Martinez clarified that the applicant could essentially build the same building even if the petition is denied. She also reviewed the zoning administration determination made on short term basis rentals in the MU zone.

The Staff and Commission discussed short-term rentals being a permitted use in the MU zone but that not being part of the decision before them tonight.

MOTION

Commissioner Andra Ghent stated, Based on the information in the staff report, the information presented, and the input received during the public hearing, I move that the Commission approve the LaraDean Townhomes Planned Development and Preliminary Plat applications PLNPCM2021-00847 & PLNSUB2021-00848.

Commissioner Mike Christensen seconded the motion. Commissioners Adrienne Bell, Mike Christensen, Jon Lee, Andres Paredes, Andra Ghent, Aimee Burrows, and Maurine Bachman voted “yes”. Commissioner Brenda Scheer abstained. The motion passed with 7 “yes” and 1 abstention.

There was a seven-minute break taken. The meeting reconvened at 7:29 PM.

TAG SLC General Plan and Zoning Map Amendments – Jake Billitteri, on behalf of the property owner, is requesting a General Plan Map and Zoning Map Amendment for approximately 0.91 acres located at approximately 2435 South 500 East. The Applicant is seeking to amend the General Plan Land Use Map from Low Density Residential to Medium

Density Residential and the Zoning Map from R-1-7,000 (Single Family Residential) to RMF-35 (Moderate Density Multi-Family Residential). The proposed project is subject to the following petitions:

- a. **General Plan Map Amendment** – This map amendment is necessary to facilitate the proposed Zoning Map Amendment. **Case number PLNPCM2021-01041**
- b. **Zoning Map Amendment** – This map amendment is necessary to allow for the construction of the proposed single family attached development. Single family attached buildings are not permitted in the R-1-7,000 zoning district. **Case number PLNPCM2021-01042.**

The subject property is located within Council District 7, represented by Amy Fowler. (Staff contact: Caitlyn Tubbs at 801-535-7706 or caitlyn.tubbs@slcgov.com)

Principal Planner Caitlyn Tubbs reviewed the petition as outlined in the staff report. She stated that Staff recommends a positive recommendation be forwarded to City Council.

Applicant representative Jake Billitteri reviewed the project. He said that given the proximity to the freeway and the depth of the lot they thought they would try for single-family attached housing and that is why they are requesting the zoning map amendment and the future land use amendment.

PUBLIC HEARING

Chair Barry opened the public hearing.

- Judi Short - Sugar House Community Council - stated concerns with the proximity of the houses facing the freeway and materials that will be used and its protection from carbon dioxide. She stated approval of the rezone.
- Chelsea McGowan – emailed comment - I would like to make a public comment about the re-zoning of Nibley Park concerning property 2435 South 500 East. The request to change zoning from Low Density Residential to a Medium Density Residential would have a negative effect on the neighborhood. I live in the neighborhood and often walk by this property and believe that keeping it a Low Density property is best for the community. The lot has many old growth trees on it and it would be devastating to see all the trees cut down.

Seeing that no one else wished to speak, Chair Barry closed the public hearing.

Commissioner Brenda Scheer asked how many units would be allowed on site after the zoning change. Principal Planner Caitlyn Tubbs stated that the concept plan indicates 16 units on site but would need to double check if that would be possible. Jacob Billitteri stated that he believes there is 6 single family homes that could be placed. Commissioner Scheer asked if there is a plan for retaining the trees. Jacob Billitteri stated that they don't have a final sight plan but will try to retain as many trees as possible. He stated that more of the larger trees are on surrounding properties. Planning Manager Kelsey Lindquist clarified that the applicant is correct, it would be 6 single family homes on the property.

Commissioner Burrows asked for clarification on what's on the other side of the freeway. Jacob Billitteri stated there is one single family residence and a LDS church to the South.

MOTION

Commissioner Adrienne 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 forward a Positive Recommendation to the City Council for the requested General Plan Map Amendment (case number PLNPCM2021-01041) from Low Density Residential (5-10 dwelling units per acre) to Medium Density Residential (8-20 dwelling units per acre) for approximately 0.97 acres at approximately 2435 South 500 East.

Commissioner Andra Ghent seconded the motion. Commissioners Andra Ghent, Andres Paredes, Jon Lee, Mike Christensen, Adrienne Bell, Maurine Bachman, and Brenda Scheer voted "yes". Commissioner Aimee Burrows voted "no". The motion passes with 1 "no" and 7 "yes".

Commissioner Adrienne 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 forward a Positive Recommendation to the City Council for the requested Zoning Plan Map Amendment (case number PLNPCM2021-01042) from R-1-7,000 to RMF-35 for approximately 0.97 acres at 2435 South 500 East.

Commissioner Brenda Scheer seconded the motion. Commissioners Andra Ghent, Andres Paredes, Adrienne Bell, Jon Lee, Mike Christensen, Maurine Bachman, and Brenda Scheer voted "yes". Aimee Burrows voted "no". The motion passed with 1 "no" and 7 "yes".

Aimee Burrows asked what city is up against this property. Amy Barry stated South Salt Lake is to the West of it.

Alta Terra Sugar House Design Review - BKV Group has requested a Design Review for the property located at approximately 1121 East Ashton Avenue. The proposed development is for a 228-unit, 10 story, mixed-use building proposed to be 102' 6" in height. The subject property is located in the Commercial Sugar House Business District-1 (CSHBD-1) zone. Buildings over 50' tall or 20,000 square feet in the CSHBD-1 zone are required to go through a Design Review process. The Planning Commission may permit buildings up to 105' tall. The site is located within Council District 7, represented by Amy Fowler (Staff contact: Eric Daems at 801-535-7236 or eric.daems@slcgov.com) **Case number PLNPCM2021-00548**

Senior Planner Eric Daems reviewed the petition as outlined in the staff report. He stated that Staff recommends approval of the request with the condition that the final approval of the signage be submitted to staff for review.

Commissioner Aimee Burrows asked for clarification on whether there would be retail spaces. Staff clarified that there would be a maker space, coffee shop, theater, fitness center and a few other amenities proposed. Commissioner Burrows asked for clarification on what a maker space is. Staff clarified that it is a space that could be leased or rented out by emerging artists or startups for a small amount.

Commissioner Ghent asked for clarification on how many single and double units there will be. Staff clarified that the latest plans include 3-bedroom units that were not included in the original staff report.

Mark Isaac and Mike Augustine of BKV Group reviewed their project. Mr. Isaac said they are still working with transportation and the City's engineering departments to create bike lanes and wider sidewalks so that there will be better public engagement. He said they are trying to calm vehicle traffic and engage bike use. He stated that they never intended for the two projects to be considered separately but the City encourage that due to there being two separate parcels. It is meant to be a cohesive space. Mike Augustine clarified that the maker space is meant as more of a co-workspace. He reviewed the patio and coffee shop as well as the bike shop and pet lounge. He

Commissioner Scheer asked for clarification on the townhouse with their entrances on the ground floor. She wanted to know where the entrances are located. The applicant clarified that the 12 3-level townhomes will have entrances on the ground floor. He also spoke on the other entrances available for the apartments and parking structure. Commissioner Scheer said that she is concerned with the pedestrian experience. He said that the designed with the park frontage in mind ground floor townhomes, amenities such as the pool deck and sky lounge, co-working spaces, and combo fitness area that face the park.

Commissioner Scheer asked about the townhomes on the street and to know about the entrances to them as well as the other entrances to the main building. The applicant clarified that the townhomes have their own entrances, and the main building has a main lobby with an elevator core that can take you up or down into the parking garage. Commissioner Scheer also wanted to know about the shape of the building. The applicant clarified that it is U shaped. There was clarification on the ADA ramps as well. They also covered the sunken entry areas.

PUBLIC HEARING

Chair Barry opened the public hearing.

- Judi Short – Sugar House Community Council – Said the building is well designed, in favor of the petition. She said they would like to see bird reflective glass on the west side of the building.

Seeing that no one else wished to speak, Chair Barry closed the public hearing.

Chair Barry asked staff to clarify when they sent notice. Staff clarified the initial notice was sent on July 7, 2021, and further clarified the criteria.

Commissioner Scheer stated that her concerns have been addressed.

Chair Barry expressed that she was very excited about the lighting on the dog park.

MOTION

Commissioner Brenda Scheer stated, Based on the findings 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 request for the Alta Terra North project located at 1121 East Ashton Avenue for petition PLNPCM2021-00548, subject to complying with the following condition listed in the staff report: 1. The final approval for signage for the development be delegated to staff to review in accordance with adopted standards and ordinances.

Commissioner Mike Christensen seconded the motion. Commissioners Brenda Scheer, Andres Paredes, Jon Lee, Maurine Bachman, Adrienne Bell, Aimee Burrows, Mike Christensen, Andra Ghent all voted “yes”. The motion passed unanimously.

WORK SESSION

Urban Forest Action Plan Briefing - The Planning Division is developing a city-wide Urban Forest Action Plan. The Plan will provide goals, objectives, and actions to realize the vision for the urban forest established in “Plan Salt Lake”. Details about the proposed plan, including the project background, the public engagement process, and the plan’s priorities, will be included in the Staff Memorandum. (Staff contact: Laura Bandara at 801-535-6188 or laura.bandara@slcgov.com)

Urban Planner Laura Bandara reviewed the Action Plan. She reviewed the action plan principles. She stated that the urban forest is a public good and reviewed the anticipated outcomes if the action plan is adopted. She stated that this plan lines up with Salt Lake City’s goals.

Chair Barry asked if staff is looking for feedback. Staff said that they wanted the commission to know what was happening and what will be coming before them in the future.

Commissioner Ghent stated that the report is outstanding and that she has shared it with several people. She said she was concerned with the funding mechanisms. She would like to see this implemented not just with the property that Salt Lake City owns but a more general program to plant more trees.

Commissioner Scheer recommended an executive summary. She said that there are people who confuse low water use and trees. She also said she is concern that the City will plant trees, but people will not water them. She wanted to know hoe these plans were going to be implemented. Staff clarified that there will be a executive summary in chapter five of the plan and stated that it will be a collaborative effort.

Chair Barry commented that on the large parking lots throughout the City creating heat islands and out like to see a plan that encourages different types of materials to be used for those structures.

Commissioner Bell said that it would be great to incentivize the keeping of existing trees. Staff clarified that they would be coming back with a text amendment related to trees.

The meeting adjourned at 9:08 PM.