

**SALT LAKE CITY PLANNING COMMISSION MEETING**  
**This meeting was held electronically**  
**Wednesday, February 9, 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, Commissioners Andra Ghent, Jon Lee, Andres Paredes, Mike Christensen, Adrienne Bell, and Aimee Burrows.

Planning Staff members present at the meeting were: Planning Manager Wayne Mills, Planning Manager John Anderson, Senior City Attorney Paul Nielson, Principal Planner Caitlyn Tubbs, Senior Planner Sara Javoronok, Principal Planner Amanda Roman, and Administrative Secretary David Schupick.

**REPORT OF THE CHAIR & VICE-CHAIR**

Chairperson Amy Barry reported that she wanted to bring forward a discussion regarding initiating a petition to the planning division to remove ADUs from the conditional use process. Commissioner Andra Ghent stated she was thrilled about this petition and gives her approval. Commissioner Mike Christensen stated he is in favor of the petition. Commissioner Adrienne Bell stated she is in favor of the petition. Jon Lee stated he is in favor of the petition. Commissioner Aimee Burrows asked if this petition would remove the public comment from the process. Amy Barry clarified that it would remove the public comment and be done all administratively. Planning Manager Wayne Mills clarified that this only applies to ADUs in accessory buildings, which are detached buildings from the house, in single-family residential districts. This petition would make all ADUs permitted uses so they would not have to go through the conditional use process. There would not be public notification since it would be allowed. The ADU's would have to comply with all the codes and receive a building permit.

**Commissioner Andra Ghent stated, I move that the Planning Commission initiate a petition to update the ADU regulations of the city in order to make all ADUs permitted uses and make other necessary changes to do so, including changes to comply with Utah Code changes adopted in 2021 and clarifying applicable standards so they can be administered as permitted uses.**

**Commissioner Mike Christensen seconded the motion. Commissioners Andra Ghent, Andres Paredes, Jon Lee, Mike Christensen, Adrienne Bell, and Aimee Burrows all voted "yes". The motion passes unanimously.**

**REPORT OF THE DIRECTOR**

Planning Manager Wayne Mills stated he had nothing to report. Nick Norris stated the planning department is about two weeks away from becoming fully staffed. He also stated Mayara Lima has accepted the role of Zoning Administrator.

## **CONSENT AGENDA**

**Time Extension Request - Planned Development at 1159 E 1300 S** - Anthony Reilly, property owner, has submitted a letter requesting a one-year extension for a Planned Development approval that was granted by the Planning Commission on February 24, 2021. The approval was for a two-lot subdivision at 1159 E 1300 S. Development plans were not submitted with the proposal, but a conditional of approval stated that, "The structure on Lot 2 shall have quality primary exterior building materials such as brick and stone and accent materials such as hardie board siding and stucco." Staff will review building plans for compliance. The subject property is zoned R-1/5,000 and is located in Council District 5, represented by Darin Mano. (Staff contact: Amanda Roman at 801-535-7660 or amanda.roman@slcgov.com) **PLNPCM2020-00681**

## **APPROVAL OF THE MINUTES FOR JANUARY 26, 2022**

**Commissioner Mike Christensen motioned to approve the consent agenda. Commissioner Adrienne Bell seconded the motion. Commissioners Andra Ghent, Andres Paredes, Jon Lee, Mike Christensen, Adrienne Bell, and Aimee Burrows all voted "yes". The motion passes unanimously.**

## **PUBLIC HEARINGS**

**Special Exception Request for Additional Building & Wall Height at 321 E Stanton Avenue** - The applicants, Michael and Kevin Fairbanks, have requested Special Exception approval for additional building and wall height at 321 E Stanton Avenue. The proposal is to build four single family attached units measuring approximately 33 feet, with a wall height of approximately 28 feet. The property is in the SR-3 Special Development Pattern Residential zoning district, which permits buildings with a pitched roof to have an overall height of 28 feet or the average height of other principal buildings on the block face. The maximum wall height in the zone is 20 feet. Additional building and wall height may be granted through the special exception process if the proposal meets the general special exception standards and if the proposed building height is in keeping with the development pattern of the block face. The property is within Council District 4, represented by Ana Valdemoros. (Staff contact: Amanda Roman at 801-535-7660 or amanda.roman@slcgov.com) Case number: **PLNPCM2021-00976**

Principal Planner, Amanda Roman, reviewed the petition as outlined in the staff report. She stated that Staff recommends approval of the application request.

Mike Fairbanks shared a formal presentation. He shared visuals to give a better idea of the scale of the building in comparison to the other buildings on Stanton Avenue and the abutting streets. Mike also stated that they are focused on keeping off street parking. They worked on having the design of the building match the neighborhood.

## **PUBLIC HEARING**

Chairperson Amy Barry opened the public hearing.

Jennifer Nielsen stated she approves of the design, however, has concern for the on-street parking for guests to the building.

Chairperson Amy Barry closed the public hearing.

Mike Fairbanks stated he understands the concerns for the on-street parking and is willing to help resolve any of the issues.

## **MOTION**

**Commissioner Adrienne Bell 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 Special Exception request (PLNPCM2021-00976) as proposed.**

**Commissioner Mike Christensen seconded the motion. Commissioners Andra Ghent, Andres Paredes, Jon Lee, Mike Christensen, Adrienne Bell, and Aimee Burrows all voted “yes”. The motion passes unanimously.**

**The Harvey at approximately 501, 511, and 515 East 2700 South** – Alina Kowalczyk of Babcock Design, representing the property owners, is requesting Planned Development and Design Review approval for a mixed-use building with one commercial unit and 14 residential units. Currently the land has a commercial building and one single-family residence. The property is zoned CN (Neighborhood Commercial). The proposed project is subject to the following petitions:

- a. Planned Development – Planned Development approval is required for the driveway, dumpster enclosure, and utility transformer in the rear yard and 7' landscape buffer on the north property line, additional building height up to 5' to accommodate the sunken garden level patios and stairs, and an increase in the lot size maximum from 16,500 sq. ft. to approximately 18,000 sq. ft in the CN zoning district. Case Number: PLNPCM2021-01092.
- b. Design Review – Design Review approval is required for modification to the required front and corner side yard setbacks from 15' to 10' for the sunken garden level patios and associated stairs and 2' encroachment of the steel canopies in the front and corner side yards. Case Number: PLNPCM2021-01254.

The subject property is located within Council District 7, represented by Amy Fowler. (Staff contact: Sara Javoronok at 801-535-7625 or sara.javoronok@slcgov.com) Case numbers: **PLNPCM2021-01092 and PLNPCM2021-01254**

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

Chairperson Amy Barry asked for clarification that if it is not approved, the height of the building would not change, but the sunken patio would be eliminated. Sara Javoronok clarified that that is correct, the height is measured from the bottom of the sunken patio.

Commissioner Andra Ghent asked for clarification on the parking and if permit parking could be possible. Sara Javoronok clarified that she can't speak on allowing permit parking but that there is a bus stop in front of the building which provides other ways of transit. Andra Ghent stated that she is in favor for seeing more permit parking to push transit transportation.

David Anderson of Babcock Design stated he had a formal presentation. He stated he is in favor of permit parking. He also stated they tried to keep construction cost low.

Tyler McArthur of Manifest Development stated that the property is going to be an all-electric building and will not use any fossil fuels. He also stated that they are trying to match the materials of the neighborhood.

Alec Myres of Manifest Development stated that they want to try to make the units face the street to add to the neighborhood. He also stated that all the minor adjustments were to help implement good urban design.

Commissioner Adrienne Bell asked what type of commercial use the commercial space will be used for. Alec Myres stated that the commercial condominium unit will be owned not rented. He said it could fit the needs of many different businesses. Tyler McArthur said that they would not be installing the fixtures for a commercial restaurant though.

## **PUBLIC HEARING**

Chairperson Amy Barry opened the public hearing.

Judi Short with the Sugar House Community Council stated she really likes the project. However, she did state concerns for the reduced setbacks on the front and that the neighbors to the East have stated concerned for losing their view of the sunset. She also stated concerns for parking. She stated that the whole alley needs improvements and should all be paved.

Brandon Darr stated disapproval for the project.

Steph Holmgren stated disapproval for the project.

Darrell Newbold stated disapproval for the project.

Chairperson Amy Barry closed the public hearing.

Chairperson Amy Barry asked for clarification on if the bottom units would become ADUs. Alec Myres stated that owners are subject to the same rules as anyone else in the city for ADUs. It is considered a single residential unit that has a separate entrance at the bottom for convince.

Chairperson Amy Barry asked for clarification on the process for which a homeowner can apply to vacate an alley. Sara Javoronok detailed that there is an application on the city's website that they can fill out to apply, would recommend talking to staff first, and that the process required review by the Planning Commission and a decision by City Council. Amy Barry asked what the city's process is for making an alley one way. Sara Javoronok stated she was not sure on that process.

Commissioner Andres Paredes asked if the applicant would be willing to fully pave the alley. Tyler McArthur stated that the extra cost associated with paving the whole alley would not be in the budget. Chairperson Amy Barry stated that behind her house is an alley that is half paved and has high traffic but that it has never seemed to be an issue for the residents.

## **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 and Design Review (Petitions PLNPCM2021-01092 and PLNPCM2021-001254) for The Harvey subject to the following conditions:**

- 1. Final approval of the plans shall be delegated to planning staff to ensure compliance with the zoning standards and conditions of approval, including signage, lighting, and landscaping.**
- 2. Approval is for the specific items discussed and identified in the staff report. All other applicable zoning regulations and requirements from other city departments still apply.**
- 3. The developer will need to record against the property an estimate of the costs for maintenance and capital improvements of all infrastructure for the planned development for a period of 60 years in compliance with 21A.55.110 Disclosure of Private Infrastructure Costs for Planned Developments.**
- 4. The developer shall submit preliminary and final plats for review.**
- 5. The developer shall improve the alley to the north along their property line as indicated on Sheet C501 or as required by Engineering.**
- 6. The utility transformer shall be fully located in the rear yard.**

**Commissioner Adrienne Bell seconded the motion. Commissioners Andra Ghent, Andres Paredes, Jon Lee, Mike Christensen, Adrienne Bell, and Aimee Burrows all voted "yes". The motion passes unanimously.**

**Dowland Townhomes General Plan and Zoning Map Amendments at 1902 S 400 East** - Paul Dowland, on behalf of the property owner, is requesting an amendment of the General Plan and Zoning Map for a property located at approximately 1902 South 400 East. The Applicant is requesting to change the General Plan Land Use Map from Low Density Residential to Medium Density Residential and to change the Zoning Map from R-1-5,000 (Single Family Residential

District) to RMF-35 (Moderate Density Multi-Family Residential District). The purpose of the request is to facilitate future development of 4 townhome units. The subject property is located within Council District 5 represented by Darin Mano. (Staff contact: Caitlyn Tubbs at (801)-535-7706 or caitlyn.tubbs@slcgov.com) Case numbers: **PLNPCM2021-00717 and PLNPCM2021-00718** (This item was tabled at the November 10, 2021 Planning Commission meeting).

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

Paul Dowland stated he has no formal presentation.

## **PUBLIC HEARING**

Chairperson Amy Barry opened the public hearing.

Sharlene Kiuvara stated approval for the project.

Doyle Buchanan stated approval for the project.

Vincent Gryboski stated disapproval for the project.

Darlene Kaufusi stated disapproval for the project.

Seeing that no one wished to speak she closed the public hearing.

Commissioner Aimee Burrows asked for clarification on the first time this was presented to them, the request was to change it to RMF 45 and now the request is to change it to RMF 35. Caitlyn Tubbs stated that because of the feedback they got from the first request, staff reviewed the existing master plan of the neighborhood and forwarded a negative recommendation. Planning commission tabled the request at that time. Staff has worked with the applicant and decided that RMF 35 is much more compatible with the surrounding neighborhood.

## **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 from Low Density Residential (1-5 dwelling units per acre) to Medium Density Residential (15-30 dwelling units per acre) for 0.33 acres at approximately 1902 South 400 East.**

**Commissioner Andra Ghent seconded the motion. Commissioners Andra Ghent, Andres Paredes, Jon Lee, Mike Christensen, Adrienne Bell, and Aimee Burrows all voted “yes”. The motion passes unanimously.**

**Commissioner Mike Christensen 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 from R-1- 5,000 to RMF-35 for 0.33 acres at approximately 1902 South 400 East.**

**Commissioner Andra Ghent seconded the motion. Commissioners Andra Ghent, Andres Paredes, Jon Lee, Mike Christensen, Adrienne Bell, and Aimee Burrows all voted “yes”. The motion passes unanimously.**

Chairperson Amy Barry closed the meeting at 7:31 pm.

The Planning Commission took a break with the meeting to reconvene at 7:38 pm.

## **OTHER BUSINESS**

### **Appeals and Variances – Planning Commission training**

Paul Nielson discussed the topic of appeals and variances for the Planning Commission Training.