

SALT LAKE CITY PLANNING COMMISSION MEETING
City & County Building
451 South State Street, Room 326
Salt Lake City, Utah 84111
Wednesday, May 11, 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, Levi de Oliveira, Brenda Scheer, Aimee Burrows, Andra Ghent, Rich Tuttle, Adrienne Bell, Andres Paredes, and Mike Christensen. Commissioner Jon Lee was excused.

Planning Staff members present at the meeting were Planning Manager Kelsey Lindquist, Planning Manager John Anderson, Deputy Director Michaela Oktay, Senior City Attorney Paul Nielson, Principal Planner Aaron Barlow, Senior Planner David Gellner, Associate Planner Michael McNamee, Senior Planner Sara Javoronok, Planning Manager Wayne Mills, and Administrative Assistant David Schupick.

REPORT OF THE CHAIR AND VICE CHAIR

Chairperson Amy Barry stated that the minutes for the previous Planning Commission meeting will be voted on in the next Planning Commission.

REPORT OF THE DIRECTOR

Deputy Director Michaela Oktay stated that attendees who parked under the library would be able to call the help desk through the ticket scanner to exit free of charge. She also stated that an agenda item will be added to a Planning Commission meeting in June to discuss the Commissioners' roles in citywide priorities and petition initiation.

Chairperson Amy Barry asked if the Commissioners would be able to have time after that meeting to ask a few questions. Michaela Oktay stated that the purpose of the planned presentation, was to give information and answer any questions.

PUBLIC HEARINGS

Affordable Housing Incentives - The Mayor, at the request of the Planning Division, initiated amendments to the zoning ordinance regulations regarding affordable housing. The proposal would permit various incentives when affordable housing is provided. The incentives include administrative Design Review and additional building height in various zoning districts, Planned Development requirement modifications, removal of the density requirements in the RMF zoning districts, and additional dwelling types in various zoning districts. The proposed amendments involve multiple chapters of the Zoning Ordinance. Related provisions of Title 21A Zoning amended as part of this petition. The changes would apply Citywide. (Staff contact: Sara Javoronok at 801-535-7625 or sara.javoronok@slcgov.com) **Case number PLNPCM2019-00658**

Senior Planner Sara Javoronok reviewed the petition as outlined in the staff report. She stated that this would be the first of two hearings prior to a Commission vote on a recommendation. She added that the issue of ADUs had not been addressed in the staff report because they are already permitted based on family size.

Commissioner Brenda Scheer asked for clarification on the ordinance that states the property owner must live in the house in order to have an ADU built on the property, while under this proposal, owner occupancy is not required in the case of a house converted to two dwellings.

Sara Javoronok confirmed that a duplex does not have the same owner occupancy requirements.

Commissioner Brenda Scheer asked whether she could avoid the owner occupancy rule if she were to construct an affordable housing unit in her back yard and then convert her main house into a duplex by converting her garage into an apartment.

Sara Javoronok stated that staff has held internal discussions on the definition of a cottage home and that the review should be communicated to the Commission. She also said that not every external unit meets the definition of a cottage home.

Chairperson Amy Barry stated that this discussion might be the basis for potential revisions.

Commissioner Andra Ghent stated that she believes some rezoning is better than none, but that more “upzoning” is needed. She stated that increased supply in the housing market will lower prices. She also stated that the complexity of some zoning rules hinders developers, especially those from out-of-state who might be able to build more cheaply. She further stated that there is an equity issue because the historic districts do not need to provide affordable housing, and she wants the Commission to consider repealing that exemption.

Commissioner Brenda Scheer asked for clarification on whether projects in historic districts are entirely exempt from affordable housing requirements or whether the Historic Landmarks Commission has the authority to approve new projects.

Sara Javoronok stated that new projects could be approved by the Historic Landmarks Commission. She also stated that there could be some properties in historic districts such as vacant lots, or non-contributing properties, that are not subject to the same standards and guidelines as contributing properties. Commissioner Brenda Scheer commented that contributing properties are very hard to tear down.

Chairperson Amy Barry stated that historic overlays do not come before the Planning Commission because they go before the Historic Landmarks Commission.

Commissioner Adrienne Bell asked for clarification on whether most affordable housing restrictions would be enforced through deed restrictions. Sara Javoronok confirmed that they would be enforced through deed restrictions, and that staff is looking at examples of what has been done in other communities. However, she stated that staff needed direction from the commission on what changes are favored before

addressing the “mechanics” of how to implement the changes. Commissioner Adrienne Bell stated that administrating the deed restrictions will be a huge administrative burden for the City.

Chair Amy Barry asked whether there were other mechanisms that other communities use beyond deed restrictions. Sara Javoronok stated some projects have federal programs that have monitoring as part of their projects.

Commissioner Brenda Scheer asked for clarification on whether financial qualifications will be enforced on those who live in the affordable homes. She expressed concern that offering an approved rate may not be the same as qualifying the occupant, and that current language is not clear. Sara Javoronok stated that there will be enforcement for deed restrictions and that the restrictions will be tied to income restrictions.

Commissioner Brenda Scheer stated that the City is not enforcing the illegal ADU short term rentals on third party sites such as Airbnb and Vrbo. She stated that she recently counted 1500 such units within the City.

Commissioner Andra Ghent asked if there is a cost estimate for this proposal.

Commissioner Rich Tuttle asked whether there are any studies from other cities that can give some insight into how much these incentives have helped affordability. Sara Javoronok stated that there are cities that have similar incentives, but they have different circumstances to Salt Lake City.

PUBLIC HEARING

Chairperson Amy Barry opened the public hearing after explaining the rules of public comment.

- Janet Hemming, Yalecrest Community Council, stated they are opposed to the applications. There was low public participation during the planning phase because of COVID. The Community Council favors affordable housing but feels that this proposal needs more review. One concern is that models are taken from cities very unlike Salt Lake City.
- Judy Short, Sugar House Community Council, stated opposition to the application. They feel that housing is too expensive, and wages are too low. Those most in need will not be served. Also, planners take pictures of available parking during the workday, so parking availability is unrealistically portrayed.
- Nigel Swaby, Fair Park Community Council, stated opposition to the application. This Council believes that the affordability problem is a city-wide problem. Districts two, four, and five will see an increase in rental units, although they already have most of the City’s rental units. A better solution would be to stimulate investment in neighborhoods like Fair Park and allow houses in areas not currently zoned for them.
- Amy J Hawkins, Ballpark Community Council, stated opposition to the application. The area is 79 percent renters. They wish to encourage more single-family homes. A crime deterrence is long-term residency. Also, there are financial benefits to ownership
- Brian Burnette, Foothill Sunnyside Community Council expressed concerns about the effect on single-family homes. This Council fears that the area will become a college student rental area.

People have purchased homes in the area because of its zoning. Salt Lake City cannot enforce affordable housing rules. Also, the parking restrictions will add to an existing problem.

- William Metcalf stated opposition to the petition. Chose his home because of the zoning.
- Josh Memmot for Wasatch Tenants stated opposition to the petition.
- Bryn Dayton stated opposition to the petition.
- James Lewis supports an emphasis on density along transit corridors but no other elements of the petition.
- Steve Littlefield stated opposition to the petition.
- Cydney Cromer stated opposition to the petition.
- Elizabeth Littlefield stated opposition to the petition.
- Jakey Slolo stated opposition to the petition.
- Abbie Hoffman stated opposition to the petition.
- Ben La Riviere stated opposition to the petition.
- Jenny Pulsipher stated opposition to the petition.
- Anne Tanner stated opposition to the petition.
- Cesar Hernandez stated support for the petition.
- Ransom Smith stated opposition to the petition.
- Michael Valentine stated opposition to the petition.
- David Newlin stated opposition to the petition.
- Jamison Hayes stated opposition to the petition.
- Landen Farmer stated opposition to the petition.
- Alex Pursell stated opposition to the petition.
- Thea Brannon stated opposition to the petition.
- Ben Ofisen stated opposition to the petition.
- Devin Warsen stated opposition to the petition.
- Brooks stated opposition to the petition.
- Jim Webster stated opposition to the petition.
- Malissa Hunt stated opposition to the petition.
- Jody Nelson stated opposition to the petition.
- Matt Theis stated opposition to the petition.
- Meagan Copecky stated opposition to the petition.
- Lynn Shorts stated opposition to the petition.
- Jason Barlow stated opposition to the petition.
- Judy Shots stated opposition to the petition.
- Jane Lindquist stated opposition to the petition.
- Chad Whitaker stated opposition to the petition.
- John Ribbons stated opposition to the petition.
- Crystal Ruds stated opposition to the petition.
- Jared Stauter stated opposition to the petition.
- David Berg stated opposition to the petition.
- Cristine Carver stated opposition to the petition.
- Monica Heming stated opposition to the petition.
- Paul Nasaka stated opposition to the petition.

Chairperson Amy Barry read comments from Monica Hilding, Jessica Ikebauer, Paul Metucca, Norman Yonkers, Arlo M, Allen Cunningham, Barb Schultz, Phyllis S, Leeann Welch Brunette, Mary Catherine Yonker, Susan Olson, Holden Holloway, Abby Minkler, Paul Flood, John Whittach, Amanda Andreas, all

in opposition. Jan Jinelle, Jessica Hernandez, in support of the petition. Dannon Rampton encouraged “responsible development.

Comments in opposition to the petition received via email from Rick Gregory, Heidi Middleton, Heidi Belka read by Planning Division staff member John Anderson.

Chair Barry closed the public hearing.

Chair Barry asked whether Sara Javoronok had comments she would like to make. No comments were offered.

Chairperson Barry asked for clarifications about tax breaks for developers in this petition. Sara Javoronok said there were none. Amy Barry asked for clarification on the terms “low, middle, and high density.” Sara Javoronok stated that a multi-family dwelling is three or more units. Proposed definitions are for three family dwellings and four family dwellings. Different master plans define median and high density differently. However, this proposal would not recommend additions that would change area designations to high density.

Chairperson Barry asked for clarifications on any loopholes. Sara Javoronok said she is not aware of any public comments identifying loopholes.

Chairperson Barry stated that she agrees that “80% AMI is way too high.” She requested a reconsideration to decrease the percentage of AMI and increase the number of units subject to AMI requirements. She also stated that she would like to include housing vouchers in the incentive program.

Commissioner Adrienne Bell expressed concern about problems associated with mixing land use issues and housing programs especially because deed restrictions are the primary enforcement measure. She provided Park City as an example where they have affordability and workforce housing programs that are managed by deed restrictions and stated that they can be cumbersome to work with.

Commissioner Ghent stated that she agrees with Commissioner Bell in that it may not be a Land Use issue, but she has heard of other places that the housing vouchers are problematic. She felt that the City could do something about the issue although she was unclear on the specifics of that process. She suggested that some entity within the City, other than the Planning Division should work with Utah Housing Corp., particularly because federal funds are involved and feeling that the vouchers are the best way of addressing affordability.

Chair Barry asked Planning staff for responses to the concerns expressed by Commissioners to be presented at the next meeting.

Commissioner Brenda Scheer stated that some things in the petition need more attention. She noted that all neighborhoods represented in the public comment were opposed to additional types of housing being introduced to their neighborhoods. She stated that smaller lot sizes are unlikely to be a problem provided

that the issue of minimum unit size is addressed. She agreed with Chair Barry's position that 80% of AMI is "meaningless" but said that more incentives are needed to encourage ADUs.

Commissioner Burrows asked for more clarifications on regulations on SRO's. Sara Javoronok explained that SROs are not part of this petition, but that they may have been listed on the same flier, which caused confusion.

Commissioner Brenda Scheer asked for confirmation that the Planning Commission has previously passed an SRO proposal and that it is now before the City Council. Sara Javoronok confirmed that that was the case.

Commissioner Burrows asked whether existing standards include a minimum unit size. Sara Javoronok stated that they do not, however, there is a proposal in the RMF zoning district for a maximum of 25 percent of the units could be 500 square feet or less. Commissioner Burrows also asked for clarification about whether a mixture of sizes is allowed. Sara Javoronok said that units must be of similar size.

Commission Amy Barry asked about improving enforcement of ADU and short-term rentals. Staff explained that they are constrained by state law in their enforcement but can sometimes take action based on neighbor complaints.

Amy Barry stated that she understands that some issues are not in the Planning Commission's legal preview, but the information is helpful.

Commissioner Andreas Paredes stated that four issues need to be part of the record of his perceptions of the proceedings: 1. developers seem to have "an upper hand" in the City, 2. the definition of "affordable" is questionable, 3. the Commission should understand how enforcement works, 4. the Commission should confirm whether the City can put caps on rent prices.

Commissioner Mike Christensen stated he agreed with Commissioner Paredes and that his concerns are the high AMI requirement and enforcement problems.

Sara Javoronok was asked whether she had comments. She said that she had no immediate responses.

Commissioner Andra Ghent stated that it is her understanding that landlords have to "opt into" housing vouchers. Commissioner Ghent asked whether, while working with Utah Housing Corp., some sort of voucher requirement could be made for certain landlords. Sara Javoronok stated that she would investigate that issue

Sara Javoronok asked about a position on the TSA core areas. Amy Barry stated that the TSA zones are "underperforming", specifically on 4th South, and therefore, she would have no problem reviewing that area.

Commissioner Brenda Scheer would like to see "the math" on the square footage price for units. She made the point that setting percentage requirements must be based on an understanding of profitability

which requires input from successful developers. Sara Javoronok said that “some math” has been done, but clearly, more review is needed before lowering AMI percentages.

Commissioner Amy Barry stated that she has noticed an increase in parking rates for rental units.

Commissioner Burrows reiterated the concern that there be a clear distinction between income restrictions and low-priced units. Sara Javoronok stated that the proposal is for income restrictions.

Commissioner Barry asked for clarification on whether she is allowed to close the public comment. The City Attorney present stated that by closing the public comment on the old proposal, a new public comment period at a subsequent meeting would address the new proposal.

MOTION

Commissioner Mike Christensen moved that the petition be tabled.

Commissioner Brenda Scheer seconded the motion.

Commissioners Maurine Bachman, Levi de Oliveira, Brenda Scheer, Aimee Burrows, Andra Ghent, Rich Tuttle, Adrienne Bell, Andres Paredes, and Mike Christensen voted “yes”.

The motion passed unanimously.

The commission took a 5-minute break to reconvene at 8:24 PM

Modifications to The Harvey Planned Development and Design Review at approximately 501, 511, and 515 East 2700 South – A request by Alina Kowalczyk of Babcock Design, representing the property owners, for approval of modifications to earlier Planned Development and Design Review approvals to develop a mixed-use building with one commercial unit and 14 residential units. The applicant received Planned Development and Design Review approvals from the Planning Commission on February 9, 2022. Since that time, the applicant has modified their design including changes to approved exterior building materials, building height, building setbacks, and removal of sunken patios and external staircases. In accordance with sections 21A.55.100 and 21A.59.080, these types of modifications to the approved Planned Development and Design Review plans require approval from the Planning Commission. The project 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. Revisions of this previously approved plan are based on rising expenses. Changes in height and materials mandate review by the Planning Commission.

Dave Anderson and Tyler MacArthur of Babcock Design Group and Alec Meyers Alina Kowalchek representing the owner gave a formal presentation on additional changes they are requesting because of the cost of building supplies. The project is for 14 units. The walk-out patios on one side of the building will no longer be part of the design.

PUBLIC HEARING

Chairperson Amy Barry opened the public hearing.

- Judy Short from Sugar House Community Council stated opposition to the petition primarily because of a lack of parking, but also because the alleyway would receive more traffic trying to avoid the 2700 South intersection. She recommends improvement—either paving, or some sort of leveling. She repeated her prior objection to the project, that parking is insufficient. She stated that the redesign makes the building look more like a multiplex, rather than individual condos. She suggested reducing costs by building fewer units. She commented that the sunken patios were the best features of the project.
- Lynn Schwartz stated opposition to the petition.

Chairperson Amy Barry read stated opposition on the comment cards of Martin Newbold and Darrell Nash both in opposition of the petition and then closed the public hearing.

The applicants stated that they didn't want to change the look of the building and explained that they had only eliminated three of the stairways to the sunken patio area on the west side. Since there was never street access, the developer does not feel that the appearance has been significantly changed. Also, a door has been added to the design.

Commissioner Amy Barry stated that she feels the alley is very drivable. She does not consider the development to be high-density problem and doesn't think alley traffic will be an issue. The applicants stated that they are paving about half of the alley.

MOTION

Commissioner Brenda Scheer stated, "Based on the findings and analysis in the staff report, testimony, and discussion at the public hearing, I move that the Planning Commission approve the requested modifications to the previously approved Planned Development and Design Review (Petitions PLNPCM2021-01092 and PLNPCM2021- 001254) for The Harvey."

Commissioner Mike Christensen seconded the motion.

Commissioners Andra Ghent, Adrienne Bell, Rich Tuttle, Maurine Bachman, Levi de Oliveira, Andres Paredes, Mike Christensen, Brenda Scheer, Aimee Burrows, and Brenda Scheer voted "yes".

The motion passed unanimously.

Modification to the Sugar House Heights Planned Development at 2660 S Highland Drive – Clint Larson, representing the property owner (Ivory Homes, LTD) is requesting approval of a modification to the previously approved planned development. The Planning Commission approved a four-lot single-

family residential planned development and subdivision called Sugar House Heights on September 26, 2018. Two of the four lots have frontage along Highland Drive and the Planning Commission approved specific designs for the homes on those lots. The single-family home on Lot 1 has been constructed. The applicant is requesting approval to change the design of the home on Lot 2. The request is considered a major modification pursuant to Section 21A.55.100 of the Zoning Ordinance and requires Planning Commission approval. (Staff Contact: Wayne Mills at 801-718-9431 or wayne.mills@slcgov.com) **Case Number: PLNSUB2017-01027**

Commissioner Andra Ghent excused herself from this next item to avoid the appearance of a conflict of interest.

Planning Manager Wayne Mills explained that the Sugar House Heights Planned development is a four-lot subdivision previously reviewed by the Planning Commission. The Planning Commission requested revisions to plans for lots 1 and 2 and subsequently approved revisions and the project. Construction of the homes on lots 1,3, and 4 is underway. Plans for lot 2 require review by the Commission because of a change in the design of the home. The current applicant is Ivory Homes-- the current owner of the development.

The applicant Clint Larsen of Ivory Homes stated that Ivory Homes is implementing green building concepts and summarized the changes in the design, as well as the reasons for the design change.

PUBLIC HEARING

Chairperson Amy Barry opened the public hearing and read the comment card of Judy Short representing Sugar House Community Council stating opposition to the petition because the design does not fit the neighborhood.

Chairperson Amy Barry then closed the public hearing having received no other comment cards.

Commissioner Brenda Scheer stated that she had visited the site and found that fit nicely with the 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 approve the modification to lot 2 of the Sugar House Heights Planned Development, project number PLNSUB2017-01027.”

Commissioner Maurine Bachman seconded the motion.

Commissioners Maurine Bachman, Levi de Oliveira, Brenda Scheer, Aimee Burrows, Rich Tuttle, Adrienne Bell, Andres Paredes, and Mike Christensen voted “yes”. The motion passed unanimously.

The Row at Ballpark Planned Development at approximately 367 W 1700 S - Jarod Hall of Di'velept Design, representing the property owner, has requested Planned Development approval to construct a rowhouse-style multi-family development at approximately 367 West 1700 South. The applicant is requesting Planned Development approval to allow the construction of four (4) buildings that would not front the street (1700 South). The subject property is located within the CG General Commercial Zoning District and Council District 5, represented by Darin Mano. (Staff contact: Aaron Barlow at 801-535-6182 or aaron.barlow@slcgov.com) **Case number PLMPCM2021-01241**

Principal Planner Aaron Barlow reviewed the petition as outlined in the staff report. He noted that the development is next to Costco. The neighborhood has several warehouses, but staff anticipates other similar apartment complexes in the future. Staff recommends approval because the project meets planned development standards, generally meets relevant zoning standards, and the requested modifications appear to allow for an enhanced product.

The applicant Jared Hall stated the project matches the development pattern of the area.

Commissioner Mike Christensen asked why commercial wouldn't be viable for the build.

Jared Hall stated that most existing commercial businesses in the area are not doing well. He thinks that this is because there are not enough residents living nearby and that projects like this will benefit existing businesses.

Chair Amy Barry stated that she liked the enclosed fencing for individual units along 1700 South but would like clarification on whether added lighting is planned. Aaron Barlow stated that there is a lighting plan in the staff report that is not shown on the rendering included with the presentation.

Commissioner Andra Ghent asked whether the owner intends to use green grass as shown in the rendering. Mr. Hall stated that the rendering does not include the proposed water-wise landscaping.

PUBLIC HEARING

Chairperson Amy Barry opened the public hearing.

Chairperson Amy Barry closed the public hearing, seeing no one wished to speak.

Commissioner Brenda Scheer asked for clarification as to whether the Ball Park Community Council had expressed any objections when Mr. Hall had made his presentation. The applicant stated that there had been no objections to the proposal, but there were concerns about the adjacent access drive to Costco, which would be undisturbed by construction or future residents.

MOTION

Commissioner Aimee Burrows 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 the Planned Development request for the Row at Ballpark located at approximately 367 West 1700 South as proposed."

Commissioner Mike Christensen seconded the motion. Commissioners Maurine Bachman, Levi de Oliveira, Brenda Scheer, Aimee Burrows, Andra Ghent, Rich Tuttle, Adrienne Bell, Andres Paredes, and Mike Christensen voted “yes”.

The motion passed unanimously.

Black Pearl Planned Development at approximately 968 W Quayle Avenue - TAG C-Group, LLC, the property owner, has requested Planned Development approval to construct a rowhouse-style multi-family development at approximately 968 W Quayle Avenue. The applicant is requesting Planned Development approval to allow the construction of nine (9) curb cuts that would be spaced closer together than 100 feet apart, fronting Pearl Street. The subject property is located within the CG General Commercial Zoning District and Council District 2, represented by Alejandro Puy. (Staff contact: Michael McNamee at 801-535-7226 or michael.mcnamee@slc.gov.com) **Case number PLMPCM2021-01306**

Associate Planner Michael McNamee reviewed the petition as outlined in the staff report. Staff is recommending denial of the request. Pearl Street is narrow. Driveways would be nine curb cuts four feet apart, rather than the standard 100 feet. The configuration of the curb cuts and short driveways would discourage pedestrian activity. He stated that the “streetscape would be overwhelmingly oriented to motor vehicles.” This is the second phase of a larger development.

Michael McNamee further stated that the Glendale Community Council has provided a letter of support following a presentation from the developer. One public comment received by staff supported the project as a buffer to the adjacent commercial property, a second comment was opposed based on the negative impact for pedestrians. A new design change to the garage doors was presented to staff today and has not been reviewed by staff.

Commissioner Andra Ghent asked for clarification about the length of the driveways and whether there would be effectively no sidewalk if a car were to park on it. She asked whether there were similar developments in Salt Lake City. Commissioner Burrows stated that there is a problem in the Avenues for houses with short driveways. Commissioner Bachman stated that she has encountered such problems when walking her dog.

Commissioner Tuttle asked how long a driveway would need to be to accommodate a car and leave pedestrian space. Michael McNamee stated that the necessary length would be 17 feet six inches.

Planning Manager Kelsey Lindquist stated that there are new developments in the Capital Hill area that have the problem of short driveways and extra curb cuts.

Jordan Atkin and Kyle Griffin for applicant TAG SLC discussed the proposed site plan with renderings. Mr. Atkin added that his company’s plan for the former Raging Waters site is currently before the City Council. He stated that he has also spoken with developers of a nearby housing development and believes that housing is needed in the area. He does not think that pedestrian concerns are pertinent

because no sidewalk exists currently. Also, it was his understanding that driveway length regulations pertained to commercial, rather than residential developments.

Commissioner Brenda Scheer asked for clarification on why there was no door to the landscaped area. Mr. Atkin said that a door could be easily added, but the first level was exclusively for parking.

Commissioner Aimee Burrows expressed concern about the lack of sidewalk space combined with the fact that the driveways would be street-facing. She stated that the nearby townhome property is very attractive, and that is partly because of the garage access is in the rear. She added that there may be no current pedestrian problem, but it will become inevitable with more development--residents will want to use the sidewalk.

Mr. Jordan responded that, while not ideal, the proposal was “the best we could do given the parameters.”

Aimee Burrows asked whether unreviewed design changes mentioned in the staff report would be part of the vote. Michael McNamee responded that the change was to the garage door design.

Commissioner Andreas Paredes asked for clarification on the meaning of the three-foot difference in the driveway length. Michael McNamee stated that the driveway could not be counted as part of the development’s parking requirements.

Chairperson Amy Barry opened the public comment period, but having no cards, emails, or audience requests for comment, she then closed the public comment period and returned to Commission comments.

Chairperson Barry stated that she agreed that projects should be evaluated based on “what will come,” or “what we are trying to build,” The front facing garages are not compatible with that goal.

Commissioner Brenda Scheer stated that she would prefer to preserve greenspace because the alternative is a smaller footprint building with fewer units. Since this is a “for sale” property she wants to “maximize the number of units.” She also stated that the current 14-foot length would accommodate most vehicles.

Commissioner Andra Ghent stated that she is bothered by the possibility of a blocked sidewalk but has “mixed feelings” about how often that would be the case.

Commissioner Christensen stated that it is a short, low traffic street.

MOTION

Commissioner Adrienne Bell stated, “Based on the findings in the staff report, the information presented, and the input received during the public hearing I move that the Planning Commission approve the Planned Development Petition PLMPCM2021-01306 as proposed because evidence

has been presented that demonstrates that the proposal complies with the following standards: that the staff report concludes the application meets two objectives stated in the planned development section, and that the plan will result in a more enhanced development than would be achieved through strict application of zoning because it allows for an increase in density, provides for more units--and a greater variety of units in terms of size--encourages the efficient use of land development, and reinvestment on an underutilized parcel. I would add the condition that doors be added to allow access to the greenspace in the rear of the property.”

Commissioner Scheer seconded the motion.

Commissioners Maurine Bachman, Brenda Scheer, Aimee Burrows, Andra Ghent, Rich Tuttle, Adrienne Bell, Andres Paredes, and Mike Christensen voted “yes”.

Commissioner Aimee Burrows voted “no.”

Commissioner Levi de Oliveira abstained because of his position on the Glendale Community Council.

The motion passed.

Volunteers of America Large Group Home - Conditional Use at approximately 1875 S Redwood Road - Volunteers of America (VOA) is requesting Conditional Use approval for a new clinical detoxification/recovery facility to be located on the first floor of an existing building at the above stated address in the CC – Corridor Commercial zoning district. The proposed use will consist of a dorm style in-patient facility with 24-hour supervision, a commercial kitchen providing meals for clients, and counseling and medical services provided for up to 165 individuals staying at the facility. The use is classified as a Dwelling - Large Group Home and is allowed as a Conditional Use in the CC zoning district. The property is located within Council District 2, represented by Alejandro Puy. (Staff contact: David J. Gellner at 801-535-6107 or david.gellner@slcgov.com) **Case Number PLNPCM2022-00019**

Senior Planner David Gellner reviewed the petition as outlined in the staff report. He informed the Commission that 20-25 facility staff would be on-site at any one time. He reported that the management, security, and operations plan should mitigate any detrimental impacts associated with the detoxification group home facility. Zoning standards have been met and the project is compatible with the neighborhood. Staff recommended approval with two conditions: compliance with other City regulations and compliance with the VOA’s submitted management, security, and operations plan.

Applicant representatives Sue Ativalu, Dennis Ferris and Kathy Bray gave a formal presentation. They identified the functions of VOA and the need for the facility and emphasized that they had reached out to the community including Poplar Grove and Glendale Community Councils.

Chairperson Barry called for Commissioner questions.

Commissioner Levi de Oliveira commented that he lives near the planned facility and noted that promises regarding security measures have been made on similar facilities with dubious success. He said, "I just don't think that the neighborhood can handle that."

Ms. Bray stated that the site was chosen based upon property availability, price, and location, later adding that the facility would have a very "structured" program with limited release time "...so they really don't go anywhere." Mr. Ferris stated that problems tied to detox facilities differ from those of the homeless services existing in Commissioner de Oliveira's neighborhood. He stated that the VOA detox facility in the Ball Park neighborhood has existed for over 35 years with "virtually no problems."

Commissioner Scheer asked how patients are admitted.

Mr. Faris stated that the program is a voluntary 30-day residential program. Prior to COVID the program was for a shorter time period to accommodate more people. He said that COVID restrictions have changed the program, and improved outcomes, but increased the need for more space. Some people are referred by police to avoid jail or by hospitals upon discharge, but many patients appear independently.

Commissioner de Oliveira's related problems with violence tied to the Fortitude half-way house in his area. Mr. Faris stated that the programs are differ in multiple ways, but particularly because the Fortitude facility is court-referred. Ms. Bray added that most patients leave the VOA program and go to treatment, which has become more available in recent years because of Medicaid expansion and other initiatives.

Commissioner Tuttle asked what happens after release. The VOA representatives stated multiple possibilities but added that case management has become more effective now that the program is 30 days.

PUBLIC HEARING

Chairperson Amy Barry opened the public hearing.

- Brennan Moss speaking as the attorney for a nearby business owner stated opposition to the petition.

Chairperson Amy Barry closed the public hearing.

Chairperson Barry stated that state law obligates the Commission, after identifying detrimental factors, to hold to a standard of "reasonable mitigation," not "fully mitigating."

Commissioner Paredes asked for responses to additional items brought up from the public comment.

Mr. Faris said that the smoking issue raised by Mr. Moss could be easily managed because the facility parking lot is extremely large. He explained that previous owner used the building as the Zion's Bank call center, but the number of people in the building under VOA ownership will be smaller, and there are many

possibilities for using the parking lot including segregated male and female smoking areas. The concern of loitering could be managed in a similar way with the possible exceptions of passersby. Ms. Bray stated that the security camera system should address that issue.

Chairperson Barry asked applicants for comments on the community advisory councils mentioned in the staff report. Mr. Faris stated that the VOA currently uses such groups in the other communities in which it operates, and that residents and business owners would be welcome.

Commissioner Scheer questioned why no landscaping, or fenced smoking areas were indicated.

Senior Planner David Gellner responded that change of use on an existing building does not require landscaping plans.

Commissioner Scheer would like to see planning address that aspect on projects. There would be a benefit to both residents and the neighborhood.

Dennis Faris stated that the building is flanked by a golf course and the Jordan River Parkway. Landscaping the Parking lot has not been a VOA priority. Ms. Bray stated that she appreciated the need for a pleasant environment and stated that the other VOA facility does have a small garden area. She indicated that the project architect was present and that they would review the issue.

Commissioner Burrows asked whether the VOA would occupy the entire building. Ms. Bray indicated that it is possible that a small part of the building will be rented to another program.

Commissioner Burrows commented that both the City Council member, and the Community Council chair representing the Ball Park area had been recently quoted as praising the problem free operations of the VOA detox facility in that area.

MOTION

Commissioner Andra Ghent stated, “Based on the analysis and findings in the staff report, the information presented, and the input received during the public hearing, I move that the Planning Commission approve Conditional Use application PLNPCM2022-00019 - Conditional Use for the Volunteers of America Large Group Home subject to the conditions listed in the staff report as follows:

- a. Compliance with all other City Department Conditions & Requirements**
- b. Adoption of and adherence to the procedures and principles outlined in the Management, Security and Operations Plan included in the narrative submitted by the VOA as part of this application.”**

Commissioner Aimee Burrows seconded the motion.

Commissioners Maurine Bachman, Levi de Oliveira, Brenda Scheer, Aimee Burrows, Andra Ghent, Rich Tuttle, Adrienne Bell, Andres Paredes, and Mike Christensen voted “yes”.

Levi de Oliveira voted “no”.

The motion passed.

OTHER BUSINESS

Update to Policies and Procedures - The Planning Commission will consider changes to the policies and procedures of the commission. The proposed changes include addressing policies for electronic meetings, defining a quorum, and voting and the necessary formatting and numbering and correcting any grammar or spelling errors. The purpose of this proposal is to update the policies and procedures to comply with Utah Code requirements that go into effect on May 4, 2022. The Commission may discuss other changes to the policies and procedures at their discretion.

The Update to Policies and Procedures was postponed.

The meeting closed at 10:15 PM.

For Planning Commission agendas, staff reports, and minutes, visit the Planning Division’s website at slc.gov/planning/public-meetings. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission.