

**SALT LAKE CITY PLANNING DIVISION
PLANNING COMMISSION HYBRID MEETING AGENDA
June 22, 2022 at 5:30 p.m.
City & County Building
451 South State Street, Room 326
Salt Lake City, Utah 84111**

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, Brenda Scheer, Aimee Burrows, Rich Tuttle, Adrienne Bell, Andres Paredes, and Mike Christensen.

Commissioner Jon Lee participated remotely.

Commissioner Levi de Oliveira joined the meeting late but was present for the staff report on the first agenda item.

Commissioner Andra Ghent was excused.

Planning Staff members present at the meeting were Planning Manager Amy Thompson, Planning Manager John Anderson, Senior City Attorney Paul Nielson, Senior Planner Daniel Echeverria, Administrative Assistant Aubrey Clark and Administrative Assistant David Schupick.

APPROVAL OF THE MINUTES FOR MAY 25, 2022

Commissioner Brenda Scheer motioned to approve the May 25, 2022 meeting minutes.

Commissioner Bell seconded the motion.

Vice-Chairperson Maurine Bachman, Commissioners, Aimee Burrows, Jon Lee, Rich Tuttle, Adrienne Bell, and Mike Christensen all voted “yes”.

The motion passed.

Commissioners Andres Paredes and Brenda Scheer abstained because of their absence on May 25. Commissioner Levi de Oliveira joined the meeting after this vote.

REPORTS OF THE CHAIR AND VICE CHAIR

Chairperson Amy Barry announced that this is the Planning Commission’s first hybrid meeting of the year and asked for everyone to be patient should unforeseen issues arise. She asked that anyone speaking speak into the microphone.

Vice-Chairperson Maurine Bachman that she had nothing to report.

REPORT OF THE DIRECTOR

Planning Manager John Anderson reported that the newly adopted budget allows for the hiring of a new planner, to start in September, whose work would be focused on land use applications in

the Utah Inland Port jurisdictional area. John Anderson gave a reminder to speak into the microphone for the benefit of the people in the overflow room and those joining the meeting online.

Hearing no discussion from the Commission, Chairperson Barry reviewed the procedures for public comments and general rules of decorum in regard to the public hearing. She then explained that the Planning Commission recommendations on the two agenda items would be referred to the Salt Lake City Council for a final decision. Chairperson Barry then opened the public hearing.

PUBLIC HEARINGS

1. **Capitol Park Cottages Zoning Map and Master Plan Amendments at approximately 675 N F Street** - Peter Gamvroulas, representing the property owner, Ivory Development, is requesting zoning map and master plan amendments for property located at approximately 675 N F Street. The request includes the following applications:

- A. **Zoning Map Amendment (Rezone):** The applicant is requesting to amend the zoning of the property from the FR-3/12,000 "Foothills Residential District" to the SR-1 "Special Development Pattern" zoning district. Although the applicant has requested that the property be rezoned to the SR-1 zone, consideration may be given to rezoning the property to another zoning district with similar characteristics. **Case number PLNPCM2020-00335**
- B. **Master Plan Amendment:** The applicant is requesting to amend the master plan designation for the property in the Avenues Community Master Plan from "Very Low Density" to "Low Density." **Case number PLNPCM2020-00334**

The final decision maker on these requests is the City Council. The requests are intended to accommodate two pending Planned Development and Subdivision requests for a 19-lot single-family dwelling development titled "Capitol Park Cottages." Those requests may be heard by the Commission at a later date. The property is currently vacant and is zoned FR-3/12,000 "Foothills Residential District." The property is located in Council District 3, represented by Chris Wharton. (Staff contact: Daniel Echeverria at 801-535-7165 or daniel.echeverria@slcgov.com)

Senior Planner Daniel Echeverria reviewed the petition as outlined in the staff report. He explained that the detailed plans of the subdivision were not before the Commission in the current meeting but may come before the Commission in the future. The matters immediately before the Commission pertained to a zoning change and a change in the area masterplan resulting in reductions of allowable lot sizes and setbacks. Height and parking restrictions are similar.

The staff recommendation is conditional approval. The conditions are, that second story structures have a minimum setback of 30 feet to safeguard backyard privacy, and that the west rear yards next to the on-going FR-3 zone should not have accessory building in order to be compatible with FR-3 standards.

Daniel Echeverria noted that 637 negative comments were received when the developer submitted the first version of the plans for this project, with 20 in support. A 2000 signature petition in opposition was also received. Daniel Echeverria said that Community groups in opposition include the Greater Avenues Community Council, and the Preserve Our Avenues Zoning Coalition. The groups appear to be in support of development within FR-3 guidelines but oppose increased density. Adjacent property owners expressed opposition to density, traffic, loss of trees, and safe evacuation in an emergency, and one specifically requested a 35 setback.

Daniel Echeverria described large condominium projects surrounding the currently undeveloped project area and described current similar densities along nearby Avenue's streets. He informed the Commission that the dominant zone in the lower Avenues area is SR-1A and that most standards in that zone are identical to those of the petitioned SR-1 zone with the exception of a height limit of 23 feet, rather than the 28 feet of the SR-1 zone. The proposed development density is 10 dwellings per acre which is roughly equivalent to the estimated practical maximum of 11 units per acre of the zone. Daniel Echeverria then estimated that if half the lots in the nearby SR-1A blocks had ADUs the density would match the applicant's proposal. He added that the blocks below the nearby blocks have approximately equivalent density to the proposal.

He also pointed out that the planned new street within the development would be a private, not public, street. He reported that, taking allowances for streets and access points into consideration, and assuming that ADUs are included, the total dwelling units in the current FR3 zone could be 18, and the requested SR-1 designation could be 36 potentially. The current application envisions a total of 33 dwelling units.

Daniel Echeverria also stated that the applicant had provided a traffic study that predicted a low traffic impact on the neighborhood. He stated that the neighborhood has a low level of traffic currently. He noted that staff approval is, in part, driven by the current housing market.

Commission Amy Barry asked for clarification on side setbacks. Daniel Echeverria stated that there would be a loss of six feet on one side of a building, meaning 10 feet on one side and 4 feet on the other. Amy Barry suggested that the wording of the conditions should take the circumstances of the lot in the northwest corner of the development into account to clearly distinguish between side yard and rear yard. Daniel Echeverria agreed.

Commissioner Brenda Scheer commented that there would be opportunities to discuss particular concerns about conditional use within the planned development at a later meeting. Daniel Echeverria agreed.

The applicants then addressed the Commission.

Peter Gamvroulas and Chris Gamvroulas, president of Ivory Development, thanked the planning staff for assistance provided throughout the process. Peter Gamvroulas stated that Ivory Development has been recognized for its innovative approaches to the “housing affordability crisis.” He pointed out that the planned project is adjacent to three different zones with five different housing types. He also reviewed the history of Avenues planning and stated that the current large-lot zoning of the area would make homes “unattainable.” He stated that the proposed Ivory development was compatible with the City’s current 5-year housing plan, “Growing SLC,” and cited an existing Ivory project in Midvale called “The Pines” that is very similar.

Commissioner Brenda Scheer asked for the approximate slope of the property, north to south. Chris Gamvroulas consulted with his engineer and quoted a 10 percent slope. He noted that the slope matches the slope of F Street.

Chairperson Barry then asked the applicants to remain seated in order to respond to public comment and she then opened the public comment portion of the meeting.

PUBLIC COMMENT

Chairperson Barry opened the public hearing.

- Dave Alderman, representing the Greater Avenues Community Council, requested that the current masterplan and zoning be maintained. He noted that the GACC had held numerous meetings with Ivory and also held two votes on the development with adequate advance notice. The first vote was 688 opposed to the development and 4 in favor. The second vote was 1,244 to 25.
- Peter Wright, representing the Preserve our Avenues Zoning Coalition, stated opposition to the petition. The PAZC is mindful of the housing crisis and is prepared to accept “a reasonable increase in density on this lot.” However, the Ivory proposal would not preserve neighborhood character because it would lead to a “300 percent increase in the number of allowed households” in the available space. Given the size of the proposed lots, the resulting density would be higher than anywhere in the Avenues, yet homes would be double the size of other SR1 homes. “Ivory wants a rezone to put FR3 sized homes onto SR1 sized lots.” Massing large homes onto small lots with minimal green space is out of character for the neighborhood. The PAZC suggested solution is a demonstration project, which he believed could be done without rezoning,
- Mark Levitt stated opposition to the petition.
- Sarah Van Voorhis stated opposition to the petition.
- Linda Dean stated opposition to the petition.
- Daniel Payne stated opposition to the petition.
- Bob Kenney stated opposition to the petition.
- Garry Crittenden stated opposition to the petition.
- Judy Dencker stated opposition to the petition.

- Sarah De Long-stated opposition to the petition.
- Dirk van Klaveren stated opposition to the petition.
- Katherine Kennedy stated opposition to the petition.
- Katie Davis stated opposition to the petition.
- Don Warmbier stated opposition to the petition.
- Larry Perkins stated opposition to the petition. As a member of the Capitol Park HOA he explained that Capitol Park Avenue is owned by his HOA. The curb cut easement now owned by Ivory Development—following its purchase of the development land in question from the LDS Church—was originally granted in anticipation of use as access to a church parking lot. That access point will now be the sole access to almost the entire development project.
- Lon Jenkins stated opposition to the petition.
- Drew Hall stated opposition to the petition.
- Nate Dean stated opposition to the petition.
- Jill Kinney stated opposition to the petition.
- Paul McKinnon stated opposition to the petition.

The Planning Commission took a 5-minute break to reconvene at approximately 7:08 pm.

- Scott Young stated opposition to the petition.
- Evy Warmbier stated opposition to the petition.
- Julie Thompson stated opposition to the petition.
- Joseph Cook stated opposition to the petition.
- Tom Keen stated opposition to the petition.
- Vern Rice stated opposition to the petition.
- Cindy Van Klaveren stated opposition to the petition.
- Ail Hayes stated opposition to the petition.
- Cynthia Conner stated opposition to the petition.
- Jan McKinnon, HOA president at the Meridian stated opposition to the petition. She noted that the area serves as a wildlife buffer zone and is noted as “high risk” by the U.S. Fire Administration. Also, there is no infrastructure to justify higher density.
- Nigel Swaby, hired by Ivory to do project outreach, stated support for the petition. He worked with the GACC, held an open house, and developed a website. He said, “It makes sense to allow incremental density for infill projects.” He stated that the neighborhood is eclectic and therefore the project is not out-of-character.
- Maureen Botomen stated support for the petition.
- Anthony Arrasi stated support to the petition.
- Michael Valentine stated opposition to the petition.
- Ruthann Hamilton stated opposition to the petition.
- Maria Mastakas stated opposition to the petition.
- Lynn Keen stated opposition to the petition.
- Joel Deaton, President of the NorthPoint Homeowner’s Association stated opposition to the petition. Consideration should be given to the FR-3 and SR-1 purpose statements would indicate that FR-3 is more appropriate for a foothill location. Most nearby developments are FR-3. Higher density does not fill well on steep slopes. The proposed

housing itself fits better into the FR-3 zone. The community at large is opposed to the project. The FR-3 zone is more appropriate for concerns about fire, wild life, and environmental issues, including drainage. The location is not the walkable neighborhood envisioned for higher density zoning. The planned development is not compatible with the character of the neighborhood.

- Leila Brown stated opposition to the petition.
- Charlie Cannon stated opposition to the petition.
- Erin Beck stated opposition to the petition.
- Erica Farr stated opposition to the petition. Comments were read into the record by Chairperson Barry.
- Ben Farr stated opposition to the petition. Comments were read into the record by Chairperson Barry.
- Kathy Tenny stated opposition to the petition. Comments were read into the record by Chairperson Barry.
- Susan MacNamara stated opposition to the petition. Comments were read into the record by Chairperson Barry.

Chairperson Barry then moved to public comment by Webex.

Emails from the following participants were read by John Anderson

- Genevieve Atwood stated opposition to the petition.
- Casey O'Brian stated opposition to the petition.
- Andrew Steiner stated opposition to the petition.

The following Webex participants were unmuted to enable them to speak. (Audio was very weak.)

- Diane Thompson stated support for the petition.
- Darci Taylor stated opposition to the petition.
- Frank Langheinrich stated opposition to the petition.
- Nathan Peters stated opposition to the petition.

Four other Webex participants declined to speak.

Chairperson Barry then closed the public hearing.

Chairperson Barry stated, as a response to some public comment, that the Commission is limited in what it is able to consider when making petition recommendations because, as unelected volunteers, Commissioners lack the flexibility of the elected officials on the City Council. The primary considerations for the Planning Commission are always legal standards. She then invited the applicant to respond to the public comment.

Chris Gamvroulas, president of Ivory Development, commented that he had served on the City's Redevelopment Advisory Committee for eight years and had been its chair. He has lived in the city all his life and worked on many developments within the City. He said that traffic study was done by a traffic engineer even though the City Traffic Engineer had stated that it probably

wouldn't be necessary. The study found no significant increase in traffic. He also stated that the risk of fire danger remains the same no matter the size of housing. Chris Gamvroulas stated that comments about insufficient infrastructure were not relevant because of easements onto Capitol Park Avenue included in the purchase of the land. He also stated that the project was endorsed by a past director of UCARE because dense housing projects close to the downtown area, mean short commutes. Therefore, the pressure of "moving people to Herriman" is reduced. Chris Gamvroulas stated that the density is compatible with nearby developments. He also stated that the site plan is still being "perfected" and that there is a true commitment to affordability, however, the rezone must be the first step.

Chairperson Amy Barry then opened the Commission discussion portion of the meeting.

Commissioner Aimee Burrows commented that that the public comments presented were very thoughtful and " a compliment to your neighborhood." She stated that she understood the concerns about access routes in an emergency because they would be at issue in her own neighborhood. She stated she questions whether this particular land use is compatible with current planning especially with regard to public transport.

Andres Paredes stated that the impact of the project on its neighbors appears to be "adverse." He wonders whether the stated goals of the developer could be met within current zoning.

Chairperson Amy Barry stated that just because an ADU is built doesn't mean it will be operated as an ADU. Therefore, the Commission can only evaluate "potential" new housing.

Commissioner Brenda Scheer agreed stating that the primary residence must be owner-occupied in order to allow for ADU rental. She added that many comments made "seemed a little over the top," because the difference between the current zoning and petitioned zone change is "11 units." She stated the addition of 11 more units will not destroy the character of the neighborhood. She stated that as a certified planner, she does not see a significant traffic impact, even with regard to emergency exists. She stated that while the design of the project has yet to be evaluated, adherence to the masterplan is not a major concern because "many things have changed" since the masterplan was written, especially with regard to the ideal minimum lot size. Commissioner Scheer said that some very "reasonable" public comments related to walkability, wildlife, open space, and sloping had been raised that should be evaluated carefully in the design review process. She stated that while the "Avenues is a wonderful place," high density projects are going up all over the City, and so fairness is also a consideration.

Commissioner Adrienne Bell said that, as an Avenues resident, she welcomes diversity and she agrees with the points raised by Commissioner Scheer.

Commissioner Christensen said that he agreed with Commissioners Scheer and Bell. He described the petition as “a modest increase” in the number of allowable units.

Commissioner Rich Tuttle stated that all neighborhoods will have to face more density. He stated that he felt that decisions were being made “in the wrong order” and that he wanted to review the plan first. Chairperson Barry then reminded the audience that clapping was inappropriate. He stated that he supported the general principles described by Ivory, however, given his personal experience with high density in his own neighborhood, knowing “what the final result is going to be,” is important.

Vice-Chairperson Maurine Bachman stated that she is a former Avenues resident and doesn’t believe that the number of additional units is significant, but (she told the applicants) “it puts the burden on you guys to come back with a really, really good plan.”

MOTION

Vice-Chairperson Maurine Bachman 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 forward a positive recommendation for the Zoning Map and Master Plan Amendment Requests, PLNPCM2020-00335 and PLNPCM2020-00334, with the conditions listed in the staff report.” Commissioner Mike Christensen seconded the motion.

Commissioner Burrows suggested an amendment to add “rear or side” to the staff recommendations pertaining to setbacks. Vice-Chairperson Bachman accepted the amendment and seeing no discussion Chairperson Barry proceeded to the vote.

Vice-Chairperson Maurine Bachman, Commissioners, Levi de Oliveira, Brenda Scheer, Aimee Burrows, Jon Lee, Adrienne Bell, and Mike Christensen all voted “yes”. Commissioners Andres Paredes and Rich Tuttle voted “no.” The Chair, Amy Barry, also voted yes at the end. The motion passed.

The meeting adjourned at 8:37 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.