

SALT LAKE CITY PLANNING COMMISSION MEETING
City & County Building
451 South State Street, Room 326
Salt Lake City, Utah 84111
Wednesday, September 28, 2022

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at approximately 5:30 p.m. 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 Maurine Bachman, Vice-Chair Mike Christensen, and Commissioners, Amy Barry, Aimee Burrows, Adrienne Bell, Rich Tuttle, Andra Ghent, Jon Lee, Levi de Oliveira, and Brenda Scheer. Commissioner Andres Paredes was excused from the meeting.

Staff members present at the meeting were: Planning Manager Casey Stewart, Planning Manager Amy Thompson, Senior City Attorney Paul Nielson, Principal Planner Katilynn Harris, Principal Planner Aaron Barlow, Senior Planner David Gellner, and Administrative Assistant Aubrey Clark.

APPROVAL OF THE MINUTES

Vice-Chair Mike Christensen moved to approve the minutes for September 14, 2022. Commissioner Jon Lee seconded the motion.

Chairperson Maurine Bachman, Vice-Chair Mike Christensen, and Commissioners, Amy Barry, Aimee Burrows, Rich Tuttle, Andra Ghent, Jon Lee, Levi de Oliveira voted “yes.”

Commissioners Adrienne Bell and Brenda Scheer abstained because of their absences from the meeting of September 14, 2022.

The motion passed, eight “yes” votes, and two abstentions.

REPORT OF THE CHAIR AND VICE CHAIR

Chair Bachman stated that she had nothing to report.

Vice-chairperson Christensen said that he had nothing to report.

REPORT OF THE DIRECTOR

Planning Manager Casey Stewart informed the Commission that three ordinance amendments concerning shared housing, off-street parking, and RMF 30 zoning district amendments, would be presented to the City Council on October 18th. A public hearing for the ordinance amendments would be held at the same meeting.

PLANNING COMMISSION DISCUSSION

Commissioner Levi de Oliveira asked whether there could be further discussion on code enforcement with emphasis on RV parking. Chair Bachman said that she would request a scheduled date from staff.

PUBLIC HEARINGS

Conditional Use for an ADU at approximately 1726 E. Hollywood Avenue - DeAnna Agbor, the property owner, is requesting a Conditional Use in order to construct an Accessory Dwelling Unit (ADU) at the above-stated address, located within the R-1/7000 zone. The proposed ADU will be located on the second floor of an existing detached accessory building located in the rear yard of the property. The project is within Council District 7, represented by Amy Fowler. (Staff contact: Katilynn Harris at 801-535-6179 or katilynn.harris@slcgov.com)) **Case number PLNPCM2021-01142**

Principal Planner Katilynn Harris addressed the Commission. She said that the staff recommends approval of the application without conditions and noted that the ADU will be located in the attic space of the existing garage and that the use of the garage space will not change. She further explained that this conversion is allowed in code for an existing building accessory building, and that the only code compliance requirement is gross square footage. She stated that the ADU complies based upon the count of square footage with at least a seven-foot ceiling. The existing structure is one foot from the west property line but has been in place for twenty years. No new windows or doors are planned. Katilynn Harris stated that no public comments have been received regarding this project and that the property owner was unable to attend.

Seeing no questions for staff from the Commission, Chair Bachman then called for public comment.

PUBLIC HEARING

Seeing that no one from the public wished to speak, and no comments submitted by email, Chair Bachman then closed the public comment period.

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 PLNPCM2021-01142, 1726 E Hollywood Avenue Conditional Use Request.”

The motion was seconded by Vice-Chair Mike Christensen.

Chairperson Maurine Bachman, Vice-Chair Mike Christensen, and Commissioners, Amy Barry, Aimee Burrows, Adrienne Bell, Rich Tuttle, Andra Ghent, Jon Lee, Levi de Oliveira, and Brenda Scheer voted “yes.”

The motion passed unanimously.

Conditional Use for an ADU at approximately 535 E Division Lane - Andrea Palmer, representing the property owner, is requesting Conditional Use approval for a detached Accessory Dwelling Unit (ADU) at the above- stated address, located in the R-1/7000 zone. The proposed ADU is prefabricated by Modal Living and will be located in the rear yard. The project is within Council District 7, represented by Amy Fowler. (Staff contact: Katilynn Harris at 801-535-6179 or katilynn.harris@slcgov.com) **Case number PLNPCM2022-00493**

Principal Planner Katilynn Harris addressed the Commission. She stated that staff recommends approval for the two-bedroom 567 square-foot prefabricated ADU to be located in the rear yard of the residence. Setbacks comply, however, the square footage of the ADU is slightly below the required 50 percent of the principal residence by about one percentage point. Windows and doors are to be found on the south elevation facing the rear of the principal structure. She noted that the air conditioning unit is interior. Katilynn Harris reported that the only public comments received were concerns about parking expressed at the Sugar House Community Council. She said that those issues had been resolved.

Chair Bachman called for questions from the Commission to staff, and seeing none, she invited the applicant to speak.

Chris Drent representing the ADU manufacturer, Modal Living, addressed the Commission on behalf of the applicant. He praised the staff involvement and responded to Commissioner Scheer's question about the location of the driveway. Katilynn clarified that the property owners own two adjacent parcels of land and that the ADU tenant will have a separate parking area located on the side parcel with the driveway. The driveway will serve as access to the garage and the ADU.

Chair Bachman opened the public hearing.

PUBLIC HEARING

Seeing no one who wished to speak, Chair Bachman closed the public hearing and asked for comments from the Commission.

Commissioner Aimee Burrows asked whether tying the two parcels together would be appropriate to preserve the parking. Katilynn Harris explained that on-street parking is available so there is no concern about ensuring that the off-street parking is preserved.

MOTION

Commissioner Aimee Burrows stated, "Based on the analysis and findings in staff report, and the information presented, I move that the Planning Commission approve PLNPCM2022-00493, 535 E. Division Lane ADU Conditional Use Request."

The motion was seconded by Commissioner Brenda Scheer.

Chairperson Maurine Bachman, Vice-Chair Mike Christensen, and Commissioners, Amy Barry, Aimee Burrows, Rich Tuttle, Andra Ghent, Jon Lee, Levi de Oliveira, and Brenda Scheer voted "yes."

Commissioner Adrienne Bell recused herself because of a conflict of interest; the applicant is a client of her law firm.

The motion passed, nine “yes” votes, and one recusal.

Rocky Mountain Power North Temple Headquarters Zoning Map Amendment at approximately 1223 W North Temple St. - Melissa Jensen of the Giv Group, representing property owner Utah Power and Light (part of Rocky Mountain Power), is requesting a Zoning Map Amendment for a 3.57-acre parcel of land located at approximately 1223 W North Temple as well as portions of the properties located at 1219, 1275 and 1407 W North Temple Street respectively. The requested change is from the M-1 (Light Manufacturing) district to the TSA-UC-C (Transit Station Area Urban Center Core) zoning district. The purpose of the amendment is to accommodate new office headquarters for Rocky Mountain Power that would be located on the combined 5.5-acre site. The rezone of this property and the headquarters office will be the inaugural project in the redevelopment of the larger Rocky Mountain campus in the future. This request only relates to the zoning designation of the identified properties. No specific site development proposal has been submitted or is under consideration at this time. The subject properties are located within City Council District 2, represented by Alejandro Puy. (Staff contact: David J. Gellner at 801-535-6107 or david.gellner@slcgov.com) **Case number PLNPCM2022-00450**

Senior Planner David Gellner addressed the Commission and stated that staff recommends a positive recommendation to City Council for a rezoning request of an approximate five-acre [rather than 5.5 acres] combined property abutting the Jordan River Corridor. Additional conditions would apply to development proposals along a riparian corridor that are not immediately relevant to the rezoning request. He reminded the Commission that future plans to create a much larger campus are pending, but that the initial request is prompted by plans for a new headquarters building. The rezone would allow an increased height, and therefore, a smaller footprint and more activated ground space on the site. He stated that the site property has been largely underutilized and that staff had reviewed multiple zoning options prior to agreeing with the request. David Gellner said that the proposal reflects the goals of *Plan Salt Lake*; he noted expanded non-industrial employment near mass transit but added that this project is proposed long after the North Temple Boulevard Plan, and related plans, were adopted. He said that there would be no impacts on neighboring properties.

This project sits on the borders of three community councils. David Gellner commented that only the Fair Park Community Council responded to the petition notifications by stating both support for the rezone, and concern for future parking. David Gellner stated that parking issues would become relevant after formal building plans are submitted. He said that no other public comments were received.

Commissioner Barry asked for the dates of the master plans that did not include a similar project. David Gellner said that they were adopted around 2010. Commissioner Barry then asked why no master plan amendment, or a future land use zoning map amendment, had been submitted with the proposal. David Gellner replied that the request for the five-acre rezone was a small portion of the larger, 100-acre, project and that the master plan amendments and zoning map amendments would be more appropriately proposed when the full project is submitted. He agreed with Commissioner Barry that phased rezoning for a project was a new process and that moving away from M1 zoning had not been part of earlier visions

for the area. Commissioner Barry stated that she felt that a large area of neighboring properties should be reviewed because it may be desirable to rezone a much larger area.

Commissioner Barry also asked how zoning requirements address riparian corridors. David Gellner stated that regulation of riparian corridors is largely the responsibility of public utilities. Commission Scheer commented that all zones require a 100-foot setback from a riparian area. Commissioner Barry then asked why the UCC zone would be appropriate. David Gellner stated that it was his understanding that the benefit would be the additional height that the zone allows, bringing the building to 90 feet, rather than 75 feet.

Vice-Chairperson Christensen stated that as a neighborhood resident he was supportive of Commissioner Barry's concerns regarding the ability to review the entire planned development as part of a larger master plan before agreeing to a zoning change. He said that "...we, as the city, could miss out on an opportunity to get the walkability correct...we could potentially squander the investment of having two TRAX stations next to this development." He also noted one of those stations is currently known as Power Station, rather than Cornell Station.

Chair Bachman then asked for additional Commission questions to staff and seeing none she invited the applicant to address the Commission.

Melissa Jensen, of Giv Development, Mario Costanza of Rocky Mountain Power, and Susie Petheram and Brandon Francom of FFKR Architects addressed the Commission on behalf of Rocky Mountain Power. Melissa Jensen described the Rocky Mountain Power's need for a headquarters building that could manage emergency situations, especially earthquakes. The increased height allowed by the rezone would allow for better site activation and parking. However, the building would not be indicative of plans for the entire project. She explained that placement of the building had been carefully considered and that long-range plans were for a "pedestrian-focused campus."

Susie Petheram, with FFKR Architects, explained that a 90-foot six-story headquarters building, a "central services building" plus a parking structure, community plaza, and "a potential residential" project, linked (by a new road) to a community park space at the Jordan River trailhead were planned. She said that the project would complement the vision of the North Temple Boulevard as a gateway to the downtown area. She said that this initial project will be slightly smaller than five acres. Brandon Francom of FFKR commented that, per code, there will be a 75-foot riparian buffer that "continues onto the site."

Commissioner Ghent asked what time constraints had prompted a move to begin the headquarters building project separately from the full development, and therefore delay the rezoning of the full area. Susie Petheram said that there were regulatory deadlines related to the completion of the building. Mario Costanza of Rocky Mountain Power said that a new building was considered a priority in order to maintain "grid resilience" and systems operations.

Commissioner Scheer asked for clarification that the headquarters building would be built based upon zoning change approval meaning that future review by the Commission would not be needed. She noted that the renderings showed a 500-foot setback from North Temple, but it wasn't clear why that distance

was chosen. Melissa Jensen then explained that a mixed-use development was being pursued to front North Temple. She added that plans for the existing headquarters building are not finalized.

Commissioner Scheer then asked how the existing transmission lines would be repositioned. Mario Costanza then stated that they would be moved south of the railroad.

Commissioners Ghent, Scheer and Chair Bachman asked for specific information about the boundaries of the project and the square footage of the buildings. Commissioner Christensen reiterated his concerns about walkability given the massive scope of the full project (and the fact that the block grid system of the city ends at 1000 West) and then commented that he had concerns about the buildings that were positioned in the renderings as having rear elevations fronting “what would be South Temple.” He pointed to plans to move the railyards, and to decommission the Gadsby plant in the near future that would significantly change the appearance of some project borders. He said that he wanted to review renderings that took those changes into account. Melissa Jensen said that project designers were aware of those issues and that they were currently under consideration.

In response to a question from Commissioner Scheer, David Gellner clarified that the area in question had been reduced from the property originally outlined in the staff report and the section to be approved for rezoning would be approximately 4.8 acres.

Chairperson Bachman opened the public hearing.

PUBLIC HEARING

- Soren Simonsen—Jordan River Commission—remarks were mostly inaudible. He referred to a master plan for the river. He described opportunities for expanding community access and enjoyment of the river. He expressed support for the rezoning.

There was a brief pause to address audio difficulties.

- Cindy Cromer— stated support for the request and described 100 acres as comparable to the size of Liberty Park. She said that although housing is not required in the requested TSA-UC-C zone, it could be required if the Planning Commission initiated a petition to do so, and she said that the crisis in housing makes such a petition appropriate. Cindy Cromer urged the Commission to think creatively about zoning changes that would allow housing in areas not previously used for housing such as office buildings.

Seeing no further public comment, Chairperson Bachman closed the public comment period.

Commissioner Scheer commented that she agreed that it would be appropriate to add housing requirements to a broader range of zones. Brandon Francom of FFKR added that multiple housing projects were planned for the full Rocky Mountain site. Chair Bachman said, “We hope to see that in your plan.”

Commissioner Barry asked what the Planning Division's policy would be related to recommendations from the Jordan River Commission in as much as the City is represented on the Commission but does not directly control it because JRC is a coalition. Senior City Attorney Paul Nielson stated that there is no JRC direct policy impact on "zoning efforts" because it is not an entity identified in Utah Code.

Commissioner Andra Ghent commented that, since the Planning Commission might not be consulted on this project phase again, she wanted to mention a need for trash bins and restrooms along the Salt Lake City portion of the Jordan River Trail—a problem she has not observed in other cities along the Trail.

Commissioner Rich Tuttle asked when the revisions to the master plan would be available. No specific timeframe was given, but the applicant representatives stated that discussions about the larger project were underway with the Planning Division director. Commissioner Adrienne Bell said that the development agreement should include housing projects. Planning Manager Casey Stewart said that discussion issues were unaffected by a zoning change, and that the issue at hand was a zoning change. Vice-chairperson Mike Christensen said that he saw an "urgency" for the project. He praised the abilities of the design team and said he hoped a that work session to discuss the larger project could be arranged.

Commissioner Bell then proposed a motion.

MOTION

Commissioner Adrienne Bell stated, "Based on the finding and analysis in the staff report, testimony, and the discussion of the public hearing, I move that the Planning Commission recommend that City Council approve the proposed zoning map amendment file PLNPCM2022-00450 for the properties located at 1219, 1223, 1275 and 1407 W North Temple Street respectively, a proposed zone change from the M-1 (Light Manufacturing) and TSA SPC (Transit Station, Special Purpose Area Core District) zoning district to the TSA-UC-C (Transit Station Area Urban Center Core) zoning district.

Chairperson Maurine Bachman, Vice-Chair Mike Christensen, and Commissioners, Amy Barry, Aimee Burrows, Adrienne Bell, Rich Tuttle, Andra Ghent, Jon Lee, Levi de Oliveira, and Brenda Scheer voted "yes"

The motion passed unanimously

Zoning Map and Master Plan Amendments for Riverside Cottages at approximately 552 N 1500

West - Bert Holland of Hoyt Place Development LLC, representing the property owners, has submitted multiple Zoning Map and Master Plan Amendment requests specified below. The intent of these amendment requests is to accommodate a future redevelopment project that the Commission will review at a later date. The Planning Commission's role in this application is to provide a recommendation to the City Council, who will make the final decision on the requested zoning map and master plan amendments. The project is located within Council District 1, represented by Victoria Petro-Eschler (Staff contact: Aaron Barlow at 801-535-6182 or aaron.barlow@slcgov.com)

- A. Master Plan Amendment (Case number PLNPCM2022-00674)**– 552 N 1500 W and all portions ~110 feet away from 500 N of 1500, 1516, 1520, & 1522 W 500 N – Modify the Northwest Community Master Plan’s Future Land Use Map designation from Low Density Residential to Medium Density Residential.
- B. Zoning Map Amendment (Case number PLNPCM2021-01075)** – 552 N 1500 W and all portions ~110 feet away from 500 N of 1500, 1516, 1520, & 1522 W 500 N –from R-1/7,000 Single-family Residential to SR-3 Special Development Pattern Residential.
- C. Zoning Map Amendment (Case number PLNPCM2021-01203)** the front ~110 feet of 1500, 1516, 1520, & 1522 W 500 N – from R-1/7,000 to R-1/5,000 Single-family Residential.

Principal Planner Aaron Barlow addressed the Commission and stated that a master plan amendment has also been submitted with the development petition—a step recommended, but not required. Aaron Barlow said that staff recommends approval of the linked petitions. Aaron Barlow noted that an earlier version of this project, involving only one property was denied. However, this proposal involves multiple properties. He stated that only one public comment had been received by phone earlier this year. It had expressed concern about the project.

Aaron Barlow explained that rezoning is requested for a project that would downsize lots from 7,000 to 2,000 with smaller setbacks on one side of a single-family house (from 10 feet to four feet), and in the rear (from 25 feet to 15 feet. He explained that in this project, each single-family home would have its own lot and that multi-family housing is not permitted in the district. He added that the proposed SR-3 zoning could allow other projects to build up to six attached single-family townhouses per building (each house would need to have its own lot), and that duplexes would also be allowed.

Aaron Barlow noted that there were conflicting objectives in relevant overlapping masterplans. The *Northwest Community Masterplan*, updated in 1992 favors limiting density, but recent City-wide plans, *Plan Salt Lake*, and *Growing SLC* promote home ownership through medium density and infill housing. Aaron Barlow explained the SR-3 meets that more recent objective. He also noted a nearby planned development on 500 North and the adjacent duplexes have a similar in scale.

Commissioner Barry asked for information about SR3 parking space requirements. Aaron Barlow responded that the zoning change would drop the numbers from two per unit to one per unit. He stated that concerns regarding the volume of additional traffic along 1500 West and the proximity to an elementary school could be addressed in the planned development phase. In response to Commissioner Scheer’s question regarding possible alternate zoning Aaron Barlow stated that SR3 is a good fit for the project and so staff did not review any other zoning options.

Bert Holland, of Hoyt Place Development LLC, addressed the Commission on the behalf of the property owners. He praised the work of Aaron Barlow and explained that a planned development application has been delayed by a neighboring property owner’s request to participate in the project. He stated that no attached homes would be included in the project. In response to Commissioner Burrows’ question, he stated that only one home, on a larger lot, would be demolished, which would be replaced by three homes. Existing homes on the other lots would be renovated, and renderings presented showed that new

homes would be built behind them, deeper into the block. Bert Holland mentioned a community garden a system of connected walkways. Street access from 1500 West was later discussed.

Chairperson Bachman opened the public hearing.

PUBLIC HEARING

- Tyler Peck and Others - A written letter was read into the record. The statement expressed opposition to the linked petitions stating that “multifamily housing” would create traffic and safety problems, because of the narrow width of 500 North near the project site, and because enrollment at nearby schools is very high.
- Tori Bandle of 1462 W 500 N – stated she agreed with the letter that was read by the Chair but had a follow-up question about water rights that may be connected to the properties included with the proposal.

Seeing no one else who wished to speak, Chair Bachman closed the public hearing.

Chair Bachman then asked Bert Holland whether there were problems with water rights. Bert Holland said that he was unaware of any problems.

Commissioner Scheer commented that historically, the SR3 zone has been used for interior of blocks and that the use is quite common in Salt Lake City. She said she felt that the zoning is appropriate and that the traffic problems are manageable. Commissioner Barry commented that there had been a misconception about the term “multifamily.” She noted that in this case the [density] shift would be minor and that, because of the nature of the changes to the lots, the planned development must return to the Planning Commission. Therefore, there will be additional time for public comment.

Commissioner Burrows asked for clarification about the potential density allowed by SR3 and noted that this project planned for a total of 18 units. Aaron Barlow explained that detached single family houses would be allowed on 2,000 square foot lots as contrasted to the current 7,000 minimums, and that up to six attached row-style homes, each of 1,500 square feet, would be allowed per building, but he wasn’t certain of the allowable units per acre. Commissioner Burrows then asked that a police officer be requested to do a speed watch of the area, stating that she was aware of a recent tragic accident. Commissioner Ghent agreed stating that traffic calming efforts should be requested. She then proceeded to propose three motions.

MOTION A

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 forward a positive recommendation to the City Council with the conditions listed in the staff report for zoning map amendment petition PLNPCM2021-01075 to rezone 552 N 1500 W and northern portions beginning approximately 110 feet north of the 500 North right of way line

of 1500 West 1500, 1516, 1520, & 1522 W 500 N –from R-1/7,000 Single-family Residential to SR-3 Special Development Pattern Residential District on the condition that the proposal complies with the conditions within the submitted housing loss mitigation plan.

Commissioners Barry and Christensen seconded the motion.

Chairperson Maurine Bachman, Vice-Chair Mike Christensen, and Commissioners, Amy Barry, Aimee Burrows, Adrienne Bell, Rich Tuttle, Andra Ghent, Jon Lee, Levi de Oliveira, and Brenda Scheer voted “yes”

The motion passed unanimously

MOTION B

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 forward a positive recommendation to the City Council with the conditions listed in the staff report for master plan amendment petition PLNPCM2022-00674 to change the future land use map designation of 552 North 1500 West and northern portions beginning approximately 110 feet north of the 500 North right of way line of 1500 West 1500, 1516, 1520, & 1522 W 500 N – from low density residential to medium density residential with the condition that the proposal complies with the recommendations within the submitted housing loss mitigation plan.

Commissioner Mike Christensen seconded the motion.

Chairperson Maurine Bachman, Vice-Chair Mike Christensen, and Commissioners, Amy Barry, Aimee Burrows, Adrienne Bell, Rich Tuttle, Andra Ghent, Jon Lee, Levi de Oliveira, and Brenda Scheer voted “yes”

The motion passed unanimously.

MOTION C

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 forward a positive recommendation to the City Council with the conditions listed in the staff report for master plan amendment petition PLNPCM2021-01203 to rezone the southern 110 feet (approximate) of 1500 West 1500, 1516, 1520, & 1522 W 500 North from R1/7,000 single family residential to R1/5,000 single family residential conditional on the proposal complying with the recommendations within the submitted housing loss mitigation plan.

Commissioner Burrows seconded the motion.

Chairperson Maurine Bachman, Vice-Chair Mike Christensen, and Commissioners, Amy Barry, Aimee Burrows, Adrienne Bell, Rich Tuttle, Andra Ghent, Jon Lee, Levi de Oliveira, and Brenda Scheer voted “yes”

The motion passed unanimously.

The meeting adjourned at 7:27 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.