

SALT LAKE CITY PLANNING COMMISSION MEETING
City & County Building
451 South State Street, Room 326
Salt Lake City, Utah 84111
Wednesday, March 8, 2023

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, Andres Paredes, Levi de Oliveira, Rich Tuttle, Jon Lee, Andra Ghent, and Anaya Gayle. Commissioner Brenda Scheer was absent from the meeting.

Staff members present at the meeting were: Planning Director Nick Norris, Planning Manager John Anderson, Senior City Attorney Paul Nielson, Planning Manager Casey Stewart, Senior Planner Daniel Echeverria, Principal Planner Diana Martinez, Principal Planner Katilynn Harris, Planning Manager Kelsey Lindquist, Associate Planner Grant Amann, Senior Planner Cassie Younger, Principal Planner Meagan Booth, Project & Policy Manager Ruedigar Matthes, and Administrative Assistant David Schupick.

APPROVAL OF THE MINUTES FOR FEBRUARY 8, 2023

**A motion to approve to approve the minutes for February 8, 2023 was proposed by Vice-Chairperson Mike Christensen
Commissioner Jon Lee seconded the motion.**

**Vice-Chair Mike Christensen, and Commissioners, Aimee Burrows, Rich Tuttle, Jon Lee, Anaya Gayle, Andra Ghent, Andres Paredes, Amy Barry and Chairperson Maurine Bachman voted “yes.”
Commissioner Levi de Oliveira was not present at the time of the vote.
The motion passed unanimously.**

REPORT OF THE CHAIR AND VICE CHAIR

The Chair stated that she had nothing to report.

The Vice-Chair stated that he had nothing to report.

REPORT OF THE DIRECTOR

Nick Norris discussed a request for the Planning Commission to ask for input from the Historic Landmark Commission on a text amendment related to the Historic Preservation Overlay. **Case Number PLNPCM2023-00123**

**Commissioner Aimee Burrows motioned to have the Historic Landmark Commission review this text amendment as described by Nick Norris.
Commissioner Rich Tuttle seconded the motion.**

Vice-Chair Mike Christensen, and Commissioners, Amy Barry, Aimee Burrows, Andres Paredes, Jon Lee, Rich Tuttle, Anaya Gayle, and Chairperson Maurine Bachman voted “yes.” Commissioner Andra Ghent voted “no.”

Commissioner Levi de Oliveira was not present at the time of the vote.

The motion passed.

Nick Norris also mentioned that there will be a third meeting in March on the 29th to help mitigate the backup from the cancelled meeting on the 22nd of February. He also mentioned upcoming items for the future meetings.

Commissioner Rich Tuttle asked if there was anything passed in the legislative session that would be important for the Planning Commission to know. Nick Norris stated that the planning division will be working on putting together a summary that will outline changes important for the Planning Commission.

Commissioner Andra Ghent asked if they would be able to watch the summary video of legislative bills put together by the Utah League of Cities and Towns and count it towards their continual education hours. Nick Norris stated that could be an option to work into schedules or for Commissioners to complete on their own to be counted towards their stated mandated trainings.

Commissioner Aimee Burrows asked if the City Council had scheduled to hear the North Point small area plan. Nick Norris stated that they have received several briefings and will give more direction as to what changes might be made after the public hearing. Aimee Burrows asked if the Planning Commission would hear the map amendment project in the plan area again after the City Councils decision is passed. Nick Norris stated that yes, once the plan is in place then it will move forward.

Commissioner Levi de Oliveira arrived.

PLANNING COMMISSION DISCUSSION - The Commissioners had no topics to discuss.

YWCA Campus Conditional Use Modification For Fence Height at Approximately 322 E 300 S –

The YWCA has submitted a request to modify the conditional use granted in 2008 for the campus development to allow for taller fence height. The applicant wants to install taller fences in certain areas of the campus to improve security for their clients/customers. The request is being reviewed under Section 21A.40.120.E.4.i of the city zoning ordinance which potentially allows for fences to exceed the height limits when the fence is part of a conditional use. The subject property is located within Council District 4, represented by Ana Valdemoros. (Staff Contact: Casey Stewart at 801-535-6260 or casey.stewart@slcgov.com.) **Prior Case Number 410-08-09**

Planning Manager Casey Stewart reviewed the staff report.

Commissioner Anaya Gayle asked for clarification on whether there are any other provisions in the code that allow for higher fences that does not rely on the conditional use. Nick Norris stated based on interpretations from 21A.54.135 within the conditional use chapter, it allows the ability to modify a structure if it's related to the conditional use. Commissioner Gayle asked that Staff pull up the ordinance. Nick Norris stated that even though it says “structure”, the standard applies to a building because it talks about increasing the floor area. He stated that Planning has interpreted that to imply that there is the ability to modify a structure if it is related to the conditional use. Commissioner Gayle felt the ordinance supplied in the memo did not apply in the way that Staff intended it to. She spoke of the Commission needing to use the section of the code reviewed, rather than what was sighted in the memo, in their motion.

MOTION

Commissioner Anaya Gayle stated, “I move that we ‘the Commission’ approve this application based on 21a.54.135 of the Salt Lake City code section A and section C with no other qualifications or conditions.”

Vice-Chair Mike Christensen seconded the motion.

Commissioner Amy Barry stated that the Planning Commission has denied similar applications in the past because the Planning Commission decided that six feet was appropriate for their security needs, and is concerned that if this motion passes, they will be applying different standards within the same body of code. Commissioner Andres Paredes agreed with that statement. Commissioner Jon Lee stated that in the past they denied increased fence height for single family homes while the application before them now is a commercial site which has more people traffic. Amy Barry stated that the previous one was a site near a traffic spot and was impacted adversely from that. The Commissioners stated discussing their justifications on how they will vote.

Vice-Chair Mike Christensen, and Commissioners, Aimee Burrows, Levi de Oliveira, Rich Tuttle, Jon Lee, Anaya Gayle, Andra Ghent, and Chairperson Maurine Bachman voted “yes.” Commissioner Andres Paredes and Amy Barry voted “no.”

The motion passed.

PUBLIC HEARINGS

Conditional Use for Big-D Construction Headquarters at Approximately 404 W 400 S - Big-D Construction, represented by Rob Moore and property owner VENTURE 404 WEST LC, is requesting Conditional Use approval to construct a 31,350 square foot 3-story addition to their existing 64,573 square foot office building at the above-stated address. The subject property is located in the D-3 (Downtown Warehouse / Residential) Zoning District. Commercial/office uses in buildings of three (3) stories or more without multi-family dwellings shall be allowed only as a conditional use and then only when the applicant has demonstrated that the proposed location is not suitable for multi-family residential use. The subject property is within Council District 2, represented by Alejandro Puy. (Staff contact: Grant Amann at grant.amann@slcgov.com or 801-535-6171) **Case Number PLNPCM2022-00750**

Associate Planner Grant Amann reviewed the staff report.

Commissioner Amy Barry asked the applicants how they intend on designing the structure that will be facing 450 West so that it won't resemble a parking structure. The architect, David Brims, stated that there will be a green wall on the lower levels of the structure. Amy Barry asked staff for any directions given within the code for how parking structures need to be treated. Grant Amann stated that there are design standards, however the conditional use process is not a design review so both proposed structures will need to meet the required design standards. John Anderson stated that there is a glass and durable material requirement, so if the applicants want to propose their current design for the structure, they will have to go through a design review.

Commissioner Aimee Burrows asked if the Planning Commission were not to approve the application tonight but the rules were to change with the downtown building height ruling, would that change what they are able to do by right. Nick Norris stated that if the application is approved, they are able to move forward with the project. If there is a change in zoning with the downtown building heights, which addresses this issue, then they would have the option to follow that but be required to follow the extensive development standards. Aimee Burrows asked what stage of the process the proposed downtown building heights ordinance was with City Council. Nick Norris stated that the City Council tentatively has it scheduled to be on their first briefing next week.

Commissioner Andra Ghent brought up concerns from a public comment on how the project is looking to add 294 parking spaces for 100 new employees. The applicant stated that the additional parking spots were to satisfy lack of parking currently, as well as for the additional new employees. Commissioner Aimee Burrows asked the applicants on their reasoning on why the site is incompatible for residential use. The applicants stated that they are only looking to continue to operate the business in its current location, and not become landlords.

PUBLIC COMMENT

Chairperson Maurine Bachman opened the public hearing.

Seeing no one wished to speak, Chairperson Maurine Bachman closed the public hearing.

Commissioner Andra Ghent brought up concerns for this project creating auto centric density to the downtown area. Commissioner Anaya Gayle stated concerns for lack of evidence providing why the project location is not appropriate for multi-family. The Commissioners discussed different interpretations and outcomes for the project.

MOTION

Commissioner Amy Barry stated, “Based on the findings listed in the staff report, the information presented, and input received during the public hearing, I move that the Planning Commission approve the Conditional Use petition (PLNPCM2022-00750) as proposed with the additional condition specifying that the parking structure must indeed comply with current design standards.”

Commissioner Levi de Oliveira seconded the motion.

Commissioners Amy Barry, Andres Paredes, Levi de Oliveira, Jon Lee, and Chairperson Maurine Bachman voted “yes.”

Vice-Chair Mike Christensen, Commissioners Aimee Burrows, Rich Tuttle, Anaya Gayle, Andra Ghent voted “no.”

The motion failed to pass.

Commissioner Aimee Burrows stated, “Based on the findings listed in the staff report, the information presented, and input received during the public hearing, I move that the Planning Commission deny the Conditional Use petition (PLNPCM2022-00750) as proposed because evidence has not been presented that demonstrates the proposal complies with the following standards and that it shows this location is not suitable for multi-family use and is not considered consistent with the downtown masterplan.”

Commissioner Anaya Gayle seconded the motion.

Vice-Chair Mike Christensen, Commissioners Aimee Burrows, Rich Tuttle, Anaya Gayle, Andra Ghent voted “yes.”

Commissioners Amy Barry, Andres Paredes, Levi de Oliveira, Jon Lee, and Chairperson Maurine Bachman voted “no.”

The motion failed to pass.

Commissioner Anaya Gayle stated, “I move that as to this matter of the Conditional Use petition (PLNPCM2022-00750) that we table our decision pending further information from the applicant to demonstrate that the proposed location is not suitable for multi-family residential use.”

Vice-Chair Mike Christensen seconded the motion.

Vice-Chair Mike Christensen, and Commissioners, Aimee Burrows, Rich Tuttle, Jon Lee, Anaya Gayle, Andra Ghent, Andres Paredes, and Chairperson Maurine Bachman voted “yes.” Commissioner Levi de Oliveira and Amy Barry voted “no.”
The motion passed.

Zoning Map Amendment at Approximately 1549 S, 1551 S, & 1565 S 1000 W, and 1574 S 900 W -

Jordan Atkin, representing the property owner, has submitted an application to amend the Zoning Map for four separate parcels. The requested Zoning Map amendment would rezone the property from R-1/7000 (Single-Family Residential) to RMF-30 (Low Density Multi-Family Residential). The requested amendment would allow for expanded residential uses not permitted under the existing zoning district. Other zones with similar characteristics to the proposed zone may be considered. The subject properties are located within Council District 2, represented by Alejandro Puy. (Staff contact: Katilynn Harris at 801-535-6179 or katilynn.harris@slcgov.com) **Case Number PLNPCM2022-00733**

Principal Planner Katilynn Harris reviewed the staff report.

Commissioner Levi de Oliveira asked the applicant why they didn’t push for more density. The applicant stated that they originally had a desire for more density but could not get staff support for the project.

Commissioner Amy Barry asked the applicant what their vision of the project will make it more transitional. The applicant elaborated on how they came to the decision of their development.

PUBLIC COMMENT

Chairperson Maurine Bachman opened the public hearing.

Renee Martinez stated their disapproval for the project.

Gordon Lyman stated their disapproval for the project.

Seeing no one else wished to speak, Chairperson Maurine Bachman closed the public hearing.

Commissioner Aimee Burrows stated that she believes having more neighbors would help add more watchful eyes on the neighborhood. Commissioner Andra Ghent stated that she would recommend neighbors in the area to reach out to transportation department to help add to traffic calming implementations to the neighborhood.

Commissioner Levi de Oliveira asked the applicant what they are going to do to take care of unkept land that belongs to TAG. The applicant stated that they are constantly working with the Sheriff’s Department to get people off the properties.

Commissioner Amy Barry stated that she believes this is not an appropriate transition zone for a zoning map amendment.

MOTION

Commissioner Levi de Oliveira stated, “Based on the information presented and discussion, I move that the Commission recommend that the City Council approve this zoning map amendment proposal.”

Commissioner Mike Christensen seconded the motion.

Vice-Chair Mike Christensen, and Commissioners, Aimee Burrows, Andres Paredes, Levi de Oliveira, Rich Tuttle, Jon Lee, Anaya Gayle, Andra Ghent, and Chairperson Maurine Bachman voted “yes.” Commissioner Amy Barry voted “no.”

The motion passed.

Zoning Map Amendment at Approximately 510 S 200 W - Jason Boal, representing the property owners, is requesting a Zoning Map Amendment for the property located at the above-stated address. The proposal would rezone the subject property from D-2 (Downtown Support District) to D-1 (Central Business District). The subject property is approximately 1.02 acres or 44,431 square feet. No development plans were submitted with this application. The subject property is within Council District 4, represented by Ana Valdemoros. (Staff contact: Diana Martinez at 801-535-7215 or diana.martinez@slcgov.com) **Case Number PLNPCM2022-01108**

Principal Planner Diana Martinez reviewed the staff report. The applicant Jason Boal shared a formal presentation.

PUBLIC COMMENT

Chairperson Maurine Bachman opened the public hearing.

Seeing no one wished to speak, Chairperson Maurine Bachman closed the public hearing.

MOTION

Vice-Chair Mike Christensen stated, “Based on the information presented and discussion, I move that the Commission recommend that the City Council approve this Zoning Map Amendment proposal.”

Commissioner Anaya Gayle seconded the motion.

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

The motion passed unanimously.

Zoning Map Amendment at Approximately 2350 N and Annexation at Approximately 2441 N Rose Park Lane - JWright Communities, LLC, property owner, is requesting a Zoning Map Amendment for an approximately 6-acre parcel of land located at 2350 N Rose Park Lane. In conjunction with this request, the property owner has filed a petition to annex approximately 28 acres of property located at approximately 2441 N Rose Park Lane. The following petitions are associated with this proposal:

- A. **Annexation (PLNPCM2021-01124)** – A petition to annex into Salt Lake City approximately 28 acres of property generally located at approximately 2441 N Rose Park

Lane. The annexation requires designating a zone for each property within the annexation area. The properties are proposed to be zoned as follows:

- i. 2440 N Rose Park Lane – OS, Open Space
- ii. 2441 N Rose Park Lane – R-MU, Residential/Mixed-Use
- iii. 2462 N Rose Park Lane – OS, Open Space

B. Zoning Map Amendment (PLNPCM2021-01134) – A petition to rezone property located at approximately 2350 North Rose Park Lane from AG-2 – Agricultural to R-MU, Residential/Mixed Use. The zoning is intended to support future development of an 1,800-unit multi-family residential development. The property is currently within Salt Lake City boundaries.

Although the petitions propose specific zones for the properties, the Commission may consider other zones with similar characteristics. The properties at 2350 and 2441 N are currently used for horse boarding and outdoor equipment storage. The properties at 2440 N and 2462 N are currently vacant. The properties are in or near Council District 1, represented by Victoria Petro-Eschler. (Staff contact: Daniel Echeverria at 801-535-7165 or daniel.echeverria@slcgov.com)

Senior Planner Daniel Echeverria reviewed the staff report. The applicant Jason Boal shared a formal presentation.

Commissioner Andra Ghent recommended the applicants look into their unit mix before finalizing to anticipate demand for each type.

Commissioner Anaya Gayle stated concerns that the annexation will create an illegal island. Daniel Echeverria stated that there is a portion of land separating the two boundaries to not cause an illegal island, that was verified by City and County surveyors.

PUBLIC COMMENT

Chairperson Maurine Bachman opened the public hearing.

Dorothy Pappas Owen representing the Westpointe Community Council stated their disapproval for the project.

Rhonda Deverow stated their disapproval for the project.

Chris McCormick stated their disapproval for the project.

Cindy Cromer stated their disapproval for the project.

Cathy Nelson stated their disapproval for the project.

Terry Marasco stated their disapproval for the project.

Ken Kingston stated their disapproval for the project.

Mark Swedeham stated their disapproval for the project.

Jennifer Carter stated their disapproval for the project.

Seeing no one else wished to speak, Chairperson Maurine Bachman closed the public hearing.

Commissioner Anaya Gayle asked for clarification on if there is a formal agreement between the county and the city that the annexation is in everyone's best interest. Daniel Echeverria stated that before coming to the city it had to be approved by the County Council.

Commissioner Andra Ghent stated she liked the idea of giving a disclosure to future residents of pollution risks. Commissioner Levi de Oliveira stated he also has concerns about the pollution.

Commissioner Aimee Burrows asked clarifying questions on the project to staff.

Commissioner Andres Paredes asked for clarification on if there is no UTA available into this area. Daniel Echeverria stated that is correct. Vice-Chair Mike Christensen stated that if City Council were to approve this project, that he would suggest they look into working with UTA for potential on providing service to that area.

The Commissioners shared their concerns with the project.

Commissioner Anaya Gayle asked for clarification from Staff regarding the Staff recommendation and related plan policies. Daniel Echeverria clarified the reasons for the recommendation.

MOTION

Commissioner Amy Barry stated, “Based on the information presented and the discussion, I move that the Commission recommend that the City Council deny the following applications associated with this proposal:

- 1. The Zoning Map Amendment for the reason that it does not comply with the stated zoning goals of the small area master plan**
- 2. The Annexation based on Plan Salt Lake and the access to open space are not met and the 2016 Salt Lake housing policy points of emphasizing the value of transit oriented developments and the livability of neighborhoods.”**

Commissioner Levi de Oliveira seconded the motion.

Vice-Chair Mike Christensen, and Commissioners, Amy Barry, Andres Paredes, Levi de Oliveira, Anaya Gayle, and Andra Ghent voted “yes.” Commissioners Aimee Burrows, Rich Tuttle, Jon Lee, and Chairperson Maurine Bachman voted “no.”

The motion passed.

Woodland Commons Planned Development at Approximately 2435 S 500 E - Altus Development, the property owner, has requested Planned Development approval to construct a rowhouse-style multi-family development consisting of 20 dwelling units spread across five buildings at approximately 2435 S 500 E. The applicant is requesting Planned Development approval to allow the construction of buildings without frontage on a public street, a reduction in the required minimum lot width for multi-family developments, and for relief on setback and landscape buffer requirements. The subject property is located within the RMF-35 Moderate Density Multi-Family Residential Zoning District and Council District 7, represented by Amy Fowler. (Staff contact: Michael McNamee at 801-535-7226 or michael.mcnamee@slcgov.com) **Case Number PLMPCM2022-00864**

Principal Planner Kelsey Lindquist reviewed the staff report. The applicant Phillip Winston provided additional information on the project.

Commissioner Andra Ghent asked if there are any code requirements regarding air quality. Kelsey Lindquist stated that the only items required in the zoning code are the landscape buffer.

PUBLIC COMMENT

Chairperson Maurine Bachman opened the public hearing.

Seeing no one wished to speak, Chairperson Maurine Bachman closed the public hearing.

MOTION

Vice-Chair Mike Christensen stated, “Based on the information presented and discussion, I move that the Commission approve the Planned Development application associated with this proposal.”

Commissioner Andra Ghent seconded the motion.

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

The motion passed unanimously.

WORK SESSION

PC Work Session to discuss proposed Planned Development at 1512 S 300 W - Arlie Green, representing Western Region Nonprofit Housing Corporation, has applied for a planned development for a new 60-unit apartment building at approximately 1512 S 300 W. As part of the request, the building would have zero setbacks on the east, north, and south property lines. The CG zone requires a front, corner, and rear setback of 10 feet. 21A.55.050 outlines the standards for planned developments. The applicant is requesting a work session with the Planning Commission to discuss modifications to the setbacks, landscape, and parking requirements. The subject property is located in Council District 5, represented by David Mano (staff contacts: Meagan Booth (801) 535-7213, meagan.booth@slcgov.com, and Cassie Younger (801) 535-6211, casimira.younger@slcgov.com)

Case Number PLNPCM2022-01154

Senior Planner Cassie Younger & Principal Planner Meagan Booth gave a formal presentation. The applicants and staff answered questions presented from the Planning Commission and open discussion happen on the project.

Housing SLC Briefing - Housing SLC, which will replace Growing SLC as the City's five-year moderate income housing plan, is being drafted prior to a public comment period. This briefing will provide an overview of the engagement and data collection period, which overlapped with efforts on the Thriving in Place process and took place throughout 2022. From the engagement and data collection period, trends were observed and six key findings emerged. These key findings will be presented to the Planning Commission and will be used to inform the goals and action items in Housing SLC. (Staff contact: Ruedigar Matthes at 385-415-4701 or Ruedigar.Matthes@slcgov.com)

Project & Policy Manager Ruedigar Matthes gave a formal presentation. The applicants and staff answered questions presented from the Planning Commission and open discussion happen on the project.

The meeting adjourned at approximately 10:18 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.

