

SALT LAKE CITY PLANNING COMMISSION MEETING
City & County Building
451 South State Street, Room 326
Salt Lake City, Utah 84111
Wednesday, March 22, 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, Brenda Scheer, Levi de Oliveira, Rich Tuttle, Andra Ghent, and Anaya Gayle. Commissioner Jon Lee was excused from the meeting.

Staff members present at the meeting were: Planning Director Nick Norris, Planning Manager Casey Stewart, Senior City Attorney Katherine Pasker, Principal Planner Meagan Booth, Principal Planner Aaron Barlow, Senior Planner Cassie Younger, Senior Planner Sara Javoronok, Urban Designer Amanda Roman, and Administrative Assistant Aubrey Clark.

APPROVAL OF THE MINUTES

Commissioner Anaya Gayle suggested amendments to the March 8, 2023 draft minutes. She motioned to approve the minutes with the suggested edits. Commissioner Mike Christensen seconded the motion. Commissioner Mike Christensen, Andres Paredes, Levi de Oliveria, Aimee Burrows, Andra Amy Barry, Rich Tuttle, Anaya Gayle, and Maurine Bachman voted “yes”. Commissioner Scheer abstained due to absence at the March 8, 2023 meeting. The motion passed with the amendments.

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

Director Nick Norris reported on the actions taken by the City Council.

PLANNING COMMISSION DISCUSSION -

Commissioner Rick Tuttle stated that he would like to visit the option of having the 6 missed meetings limit not apply to the specially scheduled meetings throughout the year. After discussion by the commission, Chair Scheer stated that she felt that a motion was not needed, and that the Commissioners could discuss options with staff at a later time.

PUBLIC HEARINGS

1. **Conditional Use ADU at Approximately 1163 S Lake Street** - Eric Egenolf, on behalf of the property owner, Jennifer Cleveland, is requesting Conditional Use approval for a new detached ADU (Accessory Dwelling Unit) at the above-stated address. The unit would be 576 square feet and 11 feet 4 inches high. The subject property is zoned R-1/5,000 (single-family residential), located within

Council District 5, represented by Darin Mano. (Staff contact: Meagan Booth at 801-535-7213 or meagan.booth@slcgov.com) **Case Number PLNPCM2022-01158**

Principal Planner Meagan Booth reviewed the petition as outlined in the Staff Report. She stated that Staff recommends approval of the petition.

The applicant was not present, and the Commission had nothing to discuss.

PUBLIC HEARING

Chair Bachman opened the public hearing.

- Kristina Robb, chair of East Liberty Park Community Organization – Stated that they only received positive feedback on the proposed project and no negative feedback.

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

MOTION

Commissioner Andra Ghent stated, “Based on the information presented and discussion, I move that the Commission approve this proposal for a Conditional Use for an ADU. Commissioner Levi de Olivera seconded the motion. Commissioners Mike Christensen, Andres Paredes, Levi de Oliveria, Brenda Scheer, Aimee Burrows, Andra Ghent, Amy Barry, Rich Tuttle, Anaya Gayle, and Chair Maurine Bachman voted “yes.” The motion passed unanimously.

2. **Design Review at Approximately 435 East 400 South** - Gonzalo Calquin of Envision Architects, on behalf of the property owner, is seeking Design Review approval for a street-facing building façade longer than 200 feet. The proposed multi-family residential development at the above-stated address is located in the TSA-UN-C (Transit Station Area Urban Neighborhood Core) Zoning District, and within Council District 4, represented by Ana Valdemoros. (Staff Contact: Aaron Barlow at 801-535-6182 or aaron.barlow@slcgov.com & Cassie Younger at 801-535-6211 or cassie.younger@slcgov.com) **Case Number PLNPCM2022-01103**

Senior Planner Cassie Younger reviewed the petition as outlined in the Staff Report. She stated that Staff recommends approval with the conditions listed in the Staff Report that include signage, lighting and streetscape improvements. She stated that the existing Beto’s restaurant and Reagan billboard, the billboard lease expires this year, will be demolished prior to the development of the project.

The applicant’s representative, Gonzalo Conquito, stated that he did not have a presentation to share but he was happy to answer any questions the commission might have.

Commissioner Barry asked what the ground floor use would be. The representative stated that it would contain the non-residential portions of the project including the fitness area, clubhouse, coworking space and mailroom.

Commissioner Bachman wanted to know if there was any available commercial space that would be permitted within the design. The representative stated that the current design would not allow for more commercial space because that is not its intended current use but that could change in the future.

Commissioner Gayle asked if the applicant was confident that the billboard owner was going to allow the lease to expire. The representative stated that the lease for the billboard ends at the end of the month.

PUBLIC HEARING

Chair Bachman opened the public hearing.

- Cindy Cromer – discussed needed streetscapes for Denver Street.

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

Commissioner Gayle expressed concerns over the billboard placement. Staff clarified that the project cannot move forward unless the billboard is removed from the property.

Commissioner Scheer also commented on The Post and the billboard that needed to be moved in order to construct that project. She did not feel that the billboard would be a hinderance to renting out units behind it.

Commissioner Burrows stated that the Commission was headed toward a discussion about what counts as active uses on the ground floor and did not feel that the proposed design was a contribution to the neighborhood.

Commission Barry stated that 400 South felt dead and is disappointed with the projects that don't get to the point of pedestrian activation that the commission has discussed.

Commissioner Ghent doesn't feel zoning is the best way to address the issue. She says she agrees that she doesn't like the lack of activation. She doesn't feel that additional denials will get them where they want to be.

Commissioner de Oliveria says he wouldn't vote against it because it brings valuable housing to the city.

Commissioner Scheer felt the retail space was very skinny and not really viable. She stated that the definition of street activation needs to be changed.

Commissioner Ghent stated that she would like to see density bonuses. Commissioner Scheer stated that in some places a coffee shop is considered an amenity and that the Commission should be discussing that. Commissioner Ghent asked if the way the space is currently designed whether it could be converted into a retail space. Commissioner Scheer stated that it could be, but it would be very costly to accommodate a restaurant or coffee shop. Commissioner Ghent wanted to know how narrow the space is.

The applicant stated that they are around 25ft. He also stated that Denver Street is a private street.

The Commissioners discuss the right of way and more on the street activation.

MOTION

Commissioner Christensen stated, "Based on the information presented and discussed, I move that the Planning Commission approve the proposed Design Review with the conditions listed in the staff report.

Commissioner Brenda Scheer seconded the motion. Commissioners Anaya Gayle, Rich Tuttle, Andra Ghent, Aimee Burrows, Brenda Scheer, Levi de Oliveria, Andres Paredes, Mike Christensen, and Chair Maurine Bachman voted "yes." Commissioner Barry voted "no". The motion passed with 9 "yes" and 1 "no" vote.

- 3. Modifications to Design Review Approval for Chicago Street Townhomes at approximately 928 & 938 W. South Temple and 18, 28, 30, & 36 N. Chicago** - Jarod Hall and Mike Smith of Di'velept, representing the property owners, are requesting modifications to the earlier Design Review approval to develop 30 townhomes. Since receiving the Planned Development, Design Review, and Preliminary Subdivision approval on January 26, 2022, the applicant has modified their design placing

the primary entrances facing Chicago Street perpendicular to the street. The subject property is located within Council District 2, represented by Alejandro Puy. (Staff contact: Sara Javoronok at 801-535-7625 or sara.javoronok@slcgov.com) **Case Number PLNPCM2021-00825**

Senior Planner Sara Javoronok reviewed the suggested modifications to the application. She stated that Staff recommends approval of the modification.

The applicant Jarod Hall stated that he felt the requested modification is minor. He shared a small slide show of the changes.

PUBLIC HEARING

Chair Bachman opened the public hearing.

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

MOTION

Vice-Chair Mike Christensen stated, “Based on the information presented and discussion, I move that the Commission approve this application based on staff’s recommendation.”

Commissioner Anaya Gayle seconded the motion.

Commissioners Mike Christensen, Andres Paredes, Levi de Oliveria, Brenda Scheer, Aimee Burrows, Andra Ghent, Rich Tuttle, Anaya Gayle, and Chair Maurine Bachman voted “yes.” Commissioner Amy Barry voted “no.” The motion passed with 9 “yes” and 1 “no” vote.

Chair Bachman called for a 5 minute recess with the Commission meeting reconvening at 6:29 PM.

4. **Zoning Map & Text Amendment at Approximately 754 S State Street** - Kirton McConkie, represented by Tyler Buswell, Attorney for IHC Health Services, Inc. (the property owner), is requesting a zoning map and text amendment that would facilitate the development of an urban hospital at the address stated above. The subject property, commonly referred to as the “former Sears site” includes 10 parcels and is approximately 9 acres in size. The addresses included are: 754 S. State St., 709 S. Main St., 36, 48, 56 E. 700 S., and 725, 727, 728, 735, 739 S. Major St. The applicant is requesting the following amendments:
- a. Zoning Map Amendment: The proposal is to change the above-indicated parcels from the D-2 (Downtown Support District) zone to the D-1 (Central Business District) zoning designation.
 - b. Text Amendment: The proposal is to add the following land uses to the D-1 land use table as Permitted Uses:
 - i. Hospital, including accessory lodging facility.
 - ii. Ambulance service (indoor).
 - iii. Ambulance service (outdoor).

The subject properties are located within Council District 4, represented by Ana Valdemoros. (Staff Contact: Amanda Roman at 801-535-7660 or amanda.roman@slcgov.com) **Case Number PLNPCM2022-01109**

Urban Designer Amanda Roman reviewed the petition as outlined in the Staff Report. She stated that Staff recommends forwarding a positive recommendation to City Council for the Zoning Map Amendment and Text Amendment. She stated the by-right height is 65ft in the D2 zoning district, up to 120ft with Design Review approval. The requested D1 zoning district allows for no height limit with a Design Review approval. She stated that the property is within the Ballpark Community.

Commissioner Ghent asked staff to clarify the requirements between midblock walkways in D1 versus D2 zoning district. Staff clarified that if the property is rezoned, the applicant will most likely request additional building height when they submit development plans. If the Downtown Building Heights & Street Activation Ordinance is adopted prior to the applicant submitting a Design Review application, one of the options they have in exchange for the additional height is adding a midblock walkway.

Commissioner Scheer asked what other kinds of uses could be proposed with the definition of hospital if the Text Amendment is approved. Director Nick Norris clarified other medical uses have more specific definitions.

Commissioner Amy Barry asked if Life Flight would be permitted in the suggested zone. Staff clarified that it is a permitted use in the D1 zone.

The applicants Heather Whal, the CEO and administrator of LDS Hospital, and Bently Pay, leader of IHC's real estate portfolio introduced themselves. They presented the site priorities, annual statistics, and community engagement.

Commissioner Paredes asked how many acres LDS hospital is on. The applicant stated that it was on a little more than 9 acres. Commissioner Paredes asked if it would look similar to LDS hospital in the Avenues. The applicants stated they are still in the process of discovering what services to provide and haven't started the process of designing the structure. They also stated that the design will look different than LDS hospital.

The Applicants and Commission discussed the projected number of visitors to the hospital each day and how that would affect parking.

PUBLIC HEARING

Chair Bachman opened the public hearing.

- Tom Merrill with Downtown Community Council – approved of the project. Stated that they would like to see a concept plan at the minimum but ideally would like there to be a development agreement prior to the D1 zoning.
- Cindy Cromer – discussed the impacts on the central city community. She expressed concern that single family homes will be adversely affected. She also shared concern over having a flight path over people's homes and for the additional height request and would like to see IHC engage in workforce housing.

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

Commissioner Gayle felt the application approval is an easy decision and also felt that asking for a development agreement at this point in the process would be inappropriate.

Commissioner Ghent stated that she felt that a development agreement wouldn't be out of the question, that it would give the City Council the ability to negotiate key points on what the neighborhood councils want to see in the development.

Commissioner Gayle and Chair Bachman weighed in stating that development agreements can only be entered into by City Council. Commissioner Ghent expressed that the Commission could recommend it to City Council as part of the zoning change.

Commissioner Scheer agreed with most suggestions made by the community councils. She stated that she is in favor of having an urban hospital on the site but expressed concern over the amount of open space requirements by changing it to D1 zoning.

Commission de Oliveria expressed his approval of the project and stated he would approve of plenty of parking.

Commissioner Burrows wanted to know if there were any zones where hospitals were conditional uses. Staff clarified that there were other zones where hospitals are conditional uses.

Vice-Chair Mike Christensen stated his support of the proposal. He asked the applicants to take advantage of a Work Session. He also stated that he would only be comfortable with the rezone if any permitted uses would instead be conditional uses and that be included in the motion of recommendation to City Council. He stated that he was not committed to the recommendation of a

development agreement but is leaning towards it. He wants to see a high quality environment with a focus toward the community with walkability that encourages transit use.

Commissioner Tuttle asked the applicants what concerns they have regarding the gentrification of the surrounding neighborhoods, who are struggling, and what services will be available to help them. The applicant responded that the proposed location will provide better access for individuals that need healthcare and also referred to job opportunities for local residents.

Commissioner Ghent asked how often they anticipate helicopter landings at the hospital. The applicant stated that the urban hospital will not be a trauma one center but there will still be a need for helicopter transport for some patients at a one to two time per week average.

Commissioner Burrows asked if a heliport was a conditional use in D1 and D2 zoning. Staff clarified that it is a conditional use in D1 only.

MOTION

Commissioner Anaya Gayle stated, “Based on the information in the staff report, the information presented, and the input received during the public hearing, I move that the Planning Commission forward a positive recommendation to the City Council to approve PLNPCM2022-01109.”

Commissioner Levi de Oliveria seconded the motion.

Commissioner Christensen asked to amend the uses requested by the applicant to be added to the table of permitted and conditional uses for downtown districts as permitted uses in the D1 zone should instead be added to the table as conditional uses.

Commissioners Ghent asked whether the Commission needed to specify what conditions would be mitigated in a conditional use. It was clarified that it was not necessary to specify the conditions.

Commissioner Gayle did not accept the amendment.

Commissioner Barry stated that a substitute motion could be made.

Commissioner Christensen stated, “Based on the information and the staff report the information presented and the input received during the public hearing I move that the Planning Commission recommended that the City Council approve PLNPCM2022-01109 with the following conditions the uses requested by the applicant to be added to the table of permitted conditional uses for downtown districts as permitted uses in D1 zone should instead be added to the table as conditional uses.”

Commissioner Ghent seconded the motion. Commissioners Mike Christensen, Brenda Scheer, Aimee Burrows, Andra Ghent, Amy Barry, Rich Tuttle, and Chair Maurine Bachman voted “yes”. Commissioners Andres Paredes, Levi de Oliveira, Anaya Gayle voted “no”. The Motion passed with 7 “yes” and 3 “no” votes.

Chair Bachman called for a 5 minute recess with the Commission meeting reconvening at 7:35 PM

BRIEFINGS

- 1. Affordable Housing Incentives** - The Planning Commission will receive a briefing from staff on the proposal to amend the zoning ordinance to incentivize affordable housing. The proposed incentives include allowing administrative Design Review and additional building height in various zoning districts, modifying Planned Development requirements, removing the density requirements in the RMF zoning districts, and allowing additional dwelling types in various zoning districts when affordable housing is provided. 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 proposed amendments and incentives.

The goals of the affordable housing incentives include:

- Implementing Growing SLC and Plan Salt Lake,
- Making taxpayer dollars go further by allowing for development right.
 - Affordable Projects
 - May increase the number of affordable units.
 - May provide units affordable to those with lower AMIs.
 - Market rate development may provide affordable units.
- Options for property owners to provide new, affordable housing units.

She defined affordable by reviewing the 2022 HUD income guidelines. She shared maps of where multi-family and single and two family housing is permitted through the city. She showed that housing is permitted in less than 20% of the city.

She reviewed the process that Staff has gone through on this project since starting in 2019.

She stated that the proposal is incentive based, allowing an applicant to request additional height, additional building types, possible process modifications or waivers, and modification to development standards. There would be income restrictions required for the incentives under an agreement with the property.

Sara shared examples of how the incentives could apply. She discussed the focus group process and scenarios for the process. She reviewed the previous proposal brought before the commission in 2022 and shared the changes in the new proposal and where the changes would apply.

The Commission and Staff discussed questions and concerns regarding the AHI proposal.

The meeting adjourned at approximately 8:25 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.