

SALT LAKE CITY PLANNING COMMISSION MEETING
City & County Building
451 South State Street, Room 326
Salt Lake City, Utah 84111
Wednesday, April 12, 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 and not a verbatim transcript. A video recording of the meeting is available at <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, Jon Lee, Andra Ghent, and Anaya Gayle.

Staff members present at the meeting were: Planning Director Nick Norris, Planning Manager Amy Thompson, Planning Manager Kelsey Lindquist, Senior City Attorney Katherine Pasker, Principal Planner Diana Martinez, Senior Planner Sara Javoronok, Senior Planner Cassie Younger, and Administrative Assistant David Schupick.

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

Planning Director Nick Norris gave updates on proposals that were brought to the City Council.

OPEN FORUM

Commissioner Andra Ghent brought up a discussion for ways to allow more development of street level retail. Nick Norris stated that staff would be willing to research this topic and present more information to the commission.

CONSENT AGENDA

1. APPROVAL OF THE MINUTES FOR MARCH 22, 2023

2. Conditional Use Permit for an Accessory Dwelling Unit at approximately 1005 E. Princeton Avenue - Troy Rawlings, representing the property owner, is seeking approval of a detached ADU (Accessory Dwelling Unit) at 1005 E Princeton Ave. The ADU is on the second story of a detached garage behind the primary residence. This property is located in District 5, represented by Darin Mano. (Staff contact: Cassie Younger at cassie.younger@slcgov.com or 801-535-6211) **Case Number: PLNPCM2022-01149**

3. Conditional Use Permit for an Accessory Dwelling Unit at approximately 926 S 800 East -

Timothy Vreeland, the property owner, is requesting a Conditional Use to construct an Accessory Dwelling Unit at 926 S 800 E which is located in R-1/5,000 zone. The proposed ADU will be located in the second story of a detached garage in the rear yard accessed from the adjacent alley. The gross square footage of the ADU is 633-square-feet. The project is within Council District 5, represented by Darin Mano. (Staff contact: Katilynn Harris at 801-535-6179 or katilynn.harris@slcgov.com) **Case Number: PLNPCM2022-00569**

A motion to proceed with the consent agenda as posted was proposed by Commissioner Brenda Sheer. Vice-Chairperson Mike Christensen seconded the motion.

Commissioner Levi de Oliveira arrived at the meeting.

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

The motion passes unanimously.

Chairperson Maurine Bachman opened the public hearing.

Kristinna Robb, chair of the East Liberty Park Community Organization, ELPCO, stated their approval for both conditional use permits on the Consent Agenda.

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

A motion to pass all items on the consent agenda was proposed by Vice-Chairperson Mike Christensen. Commissioner Brenda Sheer seconded the motion.

Vice-Chair Mike Christensen, and Commissioners, Amy Barry, Andres Paredes, Brenda Scheer, Levi de Oliveira, Rich Tuttle, and Anaya Gayle, and Chairperson Maurine Bachman voted “yes.”

Commissioner Aimee Burrows, Andra Ghent, and Jon Lee abstained from the minutes because of absence, but approve the other items listed on the Consent Agenda.

The motion passed.

PUBLIC HEARINGS

Commissioner Brenda Scheer motioned to rearrange the order of regular agenda items. Commissioner Andra Ghent.

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

Commissioner Anaya Gayle abstained from the motion since they will be recusing themselves from one of the agenda items.

The motion passes.

1. Modifications to a Planned Development and Design Review for The Harvey a Mixed-Use Structure at approximately 501, 511, & 515 E. 2700 South - A request by Alec Myres of Manifest Development, for approval of modifications to earlier Planned Development and Design Review approvals to develop a mixed-use building with one commercial unit and 14 residential units. The applicant received Planned Development and Design Review approvals from the Planning Commission on February 9, 2022, and modifications from the approval on May 11, 2022. Since that time, the applicant has further modified their design including a reduction in units, changes to the parking, and design of the secondary elevations. In accordance with sections 21A.55.100 and 21A.59.080, these types of modifications to the approved Planned Development and Design Review plans require approval from the Planning Commission. The project is located within Council District 7, represented by Amy Fowler. (Staff contact: Sara Javoronok at 801-535-7625 or sara.javoronok@slcgov.com) **Case Number: PLNPCM2021-01092 & PLNPCM2021-01254**

Senior Planner Sara Javoronok reviewed the staff report.

PUBLIC COMMENT

Chairperson Maurine Bachman opened the public hearing.

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

Commissioner Brenda Scheer asked if this would change the number of parking spaces. Sara Javoronok stated that it would reduce the number of parking spaces, and still would comply with the requirements of the zone.

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 Rich Tuttle seconded the motion.

Vice-Chair Mike Christensen, and Commissioners, Brenda Scheer, Rich Tuttle, Jon Lee, and Andra Ghent, and Chairperson Maurine Bachman voted “yes.”

Commissioners Amy Barry, Aimee Burrows, Anaya Gayle, Levi de Oliveira, and Andres Paredes voted “no.”

The motion passes.

Commissioner Anaya Gayle was recused from the next item due to a conflict of interest.

2. Conditional Use for Kum & Go Gas Station at approximately 2111 S. 1300 East - Nathan Abbott with Galloway US, representing the lessee Kum & Go, is requesting conditional use approval for a gas station that will be located at the above-stated address. The proposed project will consist of a 3,957 square foot convenience store to be located in the northwest corner of the property, three (two-

sided) gas pumps located in the south area and underground fuel storage tanks placed along the eastern portion of the property. The subject property is approximately 0.83 acres combined (36,155 square feet) in size and is in the CB (Community Business) Zoning District. The subject property is within Council District 7, represented by Amy Fowler. (Staff Contact: Diana Martinez, Principal Planner at diana.martinez@slcgov.com or 801-535-7215) **Case Number: PLNPCM2022-00053**

Principal Planner Diana Martinez reviewed the staff report. Chris Hogle, the lawyer for the applicant, gave a formal presentation.

PUBLIC COMMENT

Chairperson Maurine Bachman opened the public hearing.

Judi Short, vice chair of the Sugarhouse Community Council, stated their disapproval of the application.

Jackie Rosen representing the Sugar House Park Authority stated their disapproval of the application.

Lynn Schwartz stated their disapproval of the application.

Cinthia Spigle stated their disapproval of the application.

Richard Layman stated their disapproval of the application.

Thea Brannon stated their disapproval of the application.

Carol Hansen stated their disapproval of the application.

Yvonne Martinez stated their disapproval of the application.

Kim Paturzo stated their disapproval of the application.

Molly Jones stated their disapproval of the application.

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

Commissioner Aimee Burrows asked if there is a disclosure requirement for when staff reports need to be sent out. Senior City Attorney Katherine Pasker stated that the staff reports are posted for everyone in advance.

Commissioner Aimee Burrows stated that being this is a conditional use, they are to decide if the site and the use are appropriate and they don't conflict. She stated that she thinks the use of this particular lot is problematic.

Commissioner Levi de Oliveira asked what the difference is between this potential gas station and the gas station located across the street. Diana Martinez stated that the existing gas station was approved in 2006 under the Central Sugarhouse business district, with different regulations. She also stated that the existing gas station is 550 feet from the park and does not have the same environmental impacts. Levi de Oliveira asked if this petition had come before the Planning Commission in 2006, would it have been approved. Nick Norris stated that in that zone gas stations are a permitted use, and he believes they were back then, and they would not have gone through the Planning Commission.

Commissioner Andra Ghent asked if the applicant received a copy of the letter from the environmental consultant provided by the Sugarhouse Park Authority. Diana Martinez stated that they were provided with a copy in the staff report on March 27th, 2023. Andra Ghent asked the applicant if they feel like they have had an opportunity to reply to this environmental assessment. The applicant stated that they feel they have not had enough time and if allowed, would be able to fully inform the Commission by experts they would be able to provide.

Commissioner Andres Paredes asked if the applicant was provided with the supposedly missing reports, would they still be presenting the same application. The applicant stated that the application would have changed because they would have supplied more information to allow the Commission to be more informed about the situation and the geological context. They stated would have tried to inform the Commission more fully but would have not changed the proposed use.

Commissioner Rich Tuttle asked the applicant if they stated that they were not close to a water source. The applicant stated that they were not close enough to affect a water source. The applicant also stated that the area is prohibited from providing drinking water from the Sugarhouse Park Municipal well due to a PCE plume that was found in 1988.

Commissioner Amy Barry brought up the detrimental impacts of the project and the ability or inability to mitigate them. Amy Barry also brought up concerns for the traffic.

The Commission discussed the option for tabling the item.

MOTION

Commissioner Andra Ghent motioned to table the decision to give the applicant additional time to respond. Commissioner Levi de Oliveira seconded the motion.

Commissioner Aimee Burrows offered a substitute motion.

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 request because the potential for detrimental impacts to the environment near the site cannot be mitigated. As referenced in the staff report for consideration one, two, three, four, five, six, seven, eight.” Commissioner Amy Barry seconded the motion.

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

Commissioner Levi de Oliveira voted “no”.

The motion passes.

The meeting adjourned at approximately 7:29 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.