

**SALT LAKE CITY PLANNING COMMISSION MEETING**  
**City & County Building**  
**451 South State Street, Room 326**  
**Salt Lake City, Utah 84111**  
**Wednesday, April 26, 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, Deputy Director Michaela Oktay, Senior City Attorney Katherine Pasker, Urban Designer Amanda Roman, Planning Manager Kelsey Lindquist, Principal Planner Andy Hulka, Senior Planner Sara Javoronok, Project & Policies Manager Ruedi Matthes, and Administrative Assistant Aubrey Clark.

**APPROVAL OF THE MINUTES FOR MARCH 29 AND APRIL 12, 2023**

**Commissioner Barry motioned to approve the minutes for March 29 and April 12, 2023.**

**Commissioner Scheer seconded the motion. Commissioners Christensen and Lee abstained due to absence. Commissioner Paredes and Scheer voted “yes”. Commissioners Burrows and Ghent voted “yes” for the April 12 minutes and abstained from the March 29 minutes due to absence. Commissioners Barry and Tuttle voted “yes”. Commissioner Gayle abstained from the March 29 minutes and voted “yes” for the April 12 minutes. Chair Bachman voted “yes”. The motion passed.**

Commissioner de Oliveira was not present for the voting of the minutes.

**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 reported that a previously heard application has been appealed.

**OPEN FORUM**

Commissioner Scheer asked staff how applications are noticed for citywide items. Director Nick Norris replied that Planning follows state code requirements.

Commissioner Andra Ghent wondered if it would be appropriate for the conditional uses to be changed for the Community Business District. Nick Norris stated that the Mayor has initiated zoning amendments in regard to gas stations in proximity to bodies of water and looking at other places that have large areas of public assembly such as schools. He stated that Planning would be doing a mapping analysis as part of that petition.

Commissioner de Oliveira joined the meeting.

**PUBLIC HEARINGS**

1. **Design Review and Planned Development for West Village a Mixed Use Development at approximately 401 W 900 South** - James Alfandre of Urban Alfandre, has submitted Design Review

and Planned Development applications to develop a mixed-use project which consists of 602 residential units, 180,000 square feet of commercial/office, and 8,000 square feet of ground floor retail. The property is zoned CG (General Commercial) and includes five lots, covering approximately 4.63 acres.

- a. **Design Review (PLNPCM2022-00866):** Building 1 (Life-Science Building) is proposed to be 75 feet, with 20 feet of mechanical equipment screening, for a total height of 95 feet. The Life-Science building is also going through the Planned Development process to obtain an additional 5 feet of height to accommodate the screening. Buildings 2 and 3 (residential mixed-use) are proposed to be 90 feet.
- b. **Planned Development (PLNPCM2022-00867):** Building 1 (Life Science Building): Request for 5 additional feet of building height (in addition to the 30 feet of building height being requested through the Design Review process). Buildings 2 & 3 (Residential Mixed-Use): Reduction in required building setbacks and Reduction in the landscape yard requirements, which is a result of having reduced building setbacks.

The property is located in the Granary District, within Council District 5, represented by Darin Mano. (Staff contact: Amanda Roman at 801-535-7660 or amanda.roman@slcgov.com) **Case Numbers: PLNPCM2022-00866 and PLNPCM2022-00867**

Urban Designer Amanda Roman reviewed the staff report. She stated that Staff recommends approval with conditions.

James Alfandre, Steven Alfandre, and Carl Damas gave a presentation reviewing their project.

Commissioner Barry wanted to know if the CG zone limited the length of the buildings. Staff stated that the CG zone does not have many design standards and does not regulate building length. Commissioner Barry and the applicants discussed options for the 400 West frontage.

## **PUBLIC HEARING**

Chair Bachman opened the public hearing.

Ann Wright – Wanted to know if the homes to be demolished had current tenants.

Victoria Gorman – Concerned over the building height and the units needing more than 1 or 2 bedrooms to accommodate local families.

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

Commissioner Bachman asked the applicants to respond to the public questions. The applicant responded that the homes to be demolished do not have any active leases, but they have had transient activity and damage to the structures. They also stated that they did not have pricing for the units set at this time.

Amanda Roman addressed the concern of Victoria Gorman who stated that an additional 90 feet seemed excessive. She stated that it wasn't an additional 90 feet but rather an additional 30 feet. She stated that by right the structure could be 60 feet and the applicant is asking for an additional 30 feet for a total building height of 90 feet.

Commissioners Scheer and Barry and the applicants discussed street activation on Montague and the frontage of the 400 West side of the structure. Commissioner Lee and the applicants discussed the articulation of Building and how its massing could be broken up a little more through use of differing materials.

Commissioner Scheer asked the applicants if they would be interested in applying for affordable housing incentives if they were available to them. The applicants didn't feel that it would be feasible for them.

## **MOTION**

Commissioner Levi de Oliveira stated, "Based on the information presented and the discussion, I move that the Commission approves the Design Review and Planned Development, with the following modifications: 1. Lot consolidation and lot line adjustment applications for the 4 southern parcels must be submitted and approved by Planning Staff. 2. All signage, lighting, and site details may be finalized administratively. 3. Applicant must provide documentation that they meet the Minor Parking Demand Management Strategy that allows them to participate in, invest in, or provide sponsorship of an approved bicycle sharing program. 4. A public access easement must be recorded on the property for the plaza, which is privately owned and maintained, but a publicly accessible open space."

Commissioner Mike Christensen seconded the motion.

Commissioners Gayle abstained to avoid the appearance of a conflict of interest.

Commissioners Tuttle, Barry, Ghent, Burrows, Scheer, de Oliveira, Paredes, Lee, Christensen, and, Chair Bachman voted "yes". The motion was approved with 10 "yes" votes and 1 abstention.

2. **Zoning Map and Master Plan Amendment at Approximately 1782 S 1600 East** - Blaine Properties LLC is requesting to amend the Sugar House Master Plan and the Zoning Map for the above-listed property. These amendments are sought for the purpose of eventually legalizing the property in order to construct a single-family dwelling.
  - a. **Zoning Map Amendment (PLNPCM2022-01138)**: The applicant is seeking to rezone the property from R-1/7000 (Single-Family Residential) to SR-3 (Special Development Residential).
  - b. **Master Plan Amendment (PLNPCM2022-01139)**: The applicant is seeking to amend the Sugar House Future Land Use Map from Low Density Residential to Medium Density Residential.

The subject property is located within Council District 7, represented by Amy Fowler. (Staff contact: Kelsey Lindquist at 385-226-7227 or kelsey.lindquist@slcgov.com) **Case Number: PLNPCM2022-01138 & PLNPCM2022-01139**

Planning Manager Kelsey Lindquist reviewed the staff report. She stated that staff recommends forwarding a recommendation of denial to City Council.

Anthony Arrasi gave a presentation reviewing the proposal.

Planning Manager Kelsey Lindquist clarified that the City does not recognize the subject property as a legal lot. She stated that it is an illegal subdivision and was recorded without a deed. She added that the City recognizes it as part of 1572 Blaine which has an existing duplex on it and that there was a variance approval issued for an oversized garage for the use of the tenants of the duplex.

The Commission and Staff discussed the potential of the lot.

## **PUBLIC HEARING**

Chair Bachman opened the public hearing.

Judy Short – Sugar House Community Council – Opposed to the petition.

Rebecca Davis – Opposed to the petition.

Larry Wright – Opposed to the petition.

Anne Wright – Opposed to the petition.

Jan Thomas – Opposed to the petition.

Scott Mickelson – Approves of the petition.  
Hal Krimmel – Opposed to the petition.  
Camile Thorpe – Opposed to the petition.  
Peter Gavrulis – Approves of the petition.  
Angelo Nelfis – Approved of the petition.  
Doria Gorman – Opposed to the petition.  
Megan Stopchinski – Opposed to the petition.

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

The applicant stated his intent is to live in the proposed residence.

Commissioner Gayle asked how the deed was issued. Staff answered. Commissioner Gayle spoke her opinion on the need to follow the rules and laws.

Commissioner Barry stated that she was familiar with this area. She shared that she felt the proposal does meet the goals of the Sugar House Master Plan and not against a favorable recommendation to City Council.

Commissioner Burrows felt there could be different types of houses near each other without issue.

Commissioner Scheer addressed the audience saying that their neighborhoods will eventually change due to the City goal of higher density.

Vice-Chair Mike Christensen reminded everyone that the Planning Commission is not the ultimate decision maker on this proposal, rather it is City Council.

## **MOTION**

**Commissioner Andra Ghent stated, Based on the information presented and discussion, I move that the Commission recommend that the City Council approve this proposal for zoning map and master plan amendment for 1782 S 1600 E based on the following reasons: It has consistency with Housing SLC and Plan Salt Lake and the goals outlined in Thriving in Place. Commissioner Lee seconded the motion.**

**Commissioners Anaya Gayle, Rich Tuttle, Aimee Burrows, Brenda Scheer, Levi de Oliveira, and Chair Maurine Bachman voted “no”. Commissioners Amy Barry, Andra Ghent, Andres Paredes, Jon Lee, and Mike Christensen voted “yes”. The motion failed.**

**Commissioner Aimee Burrow stated, Based on the information presented and discussion, I move that the Commission recommend that the City Council deny this proposal for a zoning map and master plan amendment for 1782 S 1600 East.**

**Commissioner Anaya Gayle seconded the motion. Commissioners Mike Christensen, Jon Lee, Andres Paredes, Andra Ghent, and Amy Barry voted “no”. Commissioners Levi de Oliveira, Brenda Scheer, Aimee Burrow, Rich Tuttle, Anaya Gayle, and Chair Maurine Bachman voted “yes”. The motion passed.**

A short break was called for at 7:35 PM. The meeting reconvened at 7:43 PM

- 3. Sugar House Drive Through Text Amendment** - The Planning Commission has initiated a request for the City to modify drive through zoning regulations in order to promote the Sugar House Business District as a walkable community. The requested change would specifically prohibit new drive through uses in the CSHBD1 and CSHBD2 zones. The proposed changes will affect section 21A.33.030 "Table of Permitted and Conditional Uses for Commercial Districts" of the zoning ordinance. Related

provisions of Title 21A-Zoning may also be amended as part of this petition. The affected properties are within Council District 7, represented by Amy Fowler. (Staff contact: Andy Hulka at 801-535-6608 or andy.hulka@slcgov.com) **Case Number: PLNPCM2023-00026**

Principal Planner Andy Hulka reviewed the staff report. He stated that staff recommends forwarding a positive recommendation to City Council.

Commissioner Burrows asked whether car washes and gas stations were considered drive-throughs. Staff clarified that they were not.

## **PUBLIC HEARING**

Chair Bachman opened the public hearing.

Judy Short – Wondered if specific conditions could be made to accommodate pharmacies and banks.

Lynn Schwarz – Approves of the petition but wants to see accommodations for pharmacies.

Cindy Cromer – Spoke about non-conforming drive-throughs on 400 South.

Chair Bachman closed the public hearing.

Commissioner Barry is in support of the petition stating that the drive-throughs in the area create a pedestrian hazard.

## **MOTION**

**Commissioner Andra Ghent stated, Based on the information presented and discussion, I move that the Commission recommend that the City Council approve this zoning text amendment proposal.**

**Commissioner Mike Christensen seconded the motion.**

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

**Commissioner Levi de Oliveira voted “no”. The motion passed.**

- 4. Landscaping and Buffers Chapter Zoning Text Amendment** - A petition initiated by Mayor Erin Mendenhall to update the Landscaping and Buffers Chapter, Chapter 48 of Title 21A. The proposed amendments seek to clarify, simplify, and reorganize the landscaping chapter to be more accessible, address turf and artificial turf, and ensure water conservation. It also will enhance livability in the city by reducing the urban heat island effect, improving air quality and endurance of the urban forest, reducing water runoff, and instilling the importance of community appearance as experience from the public realm. The proposed amendments are a complete rewrite of the Landscaping and Buffers Chapter and amend other chapters of the Zoning Code as they are affected. The proposed amendments apply Citywide. (Staff Contact: Nan Larsen at 801-535-7645 or nannette.larsen@slcgov.com) **Case Number: PLNPCM2023-00098**

Senior Planner Nan Larsen reviewed the petition as outlined in the staff report. She stated that Staff is recommending the Commission forward a positive recommendation to City Council.

Staff and the Commission discussed the proposed changes to the landscaping ordinance.

## **PUBLIC HEARING**

Chair Bachman opened the public hearing.

Judy Short – Felt the proposal needed some clarification and said a manual would be helpful.

Cindy Cromer – Commented on public trees on private land. Said artificial turf is setting the wrong standard.

Chair Bachman closed the public hearing.

Commissioner Andra Ghent spoke on the health concerns of artificial turf and said she was concerned about the requirement of a certified professional to review the landscaping plans. Other Commissioners echoed those concerns while Commissioner Jon Lee felt there could be middle ground regarding artificial turf.

## **MOTION**

**Commissioner Andra Ghent stated, “Based on the information presented and the discussion, I move that the Commission recommend that the City Council adopt this proposal with the following modifications: Define a landscaping or irrigation professional; remove the allowance for artificial turf.**

**Commissioner Paredes seconded the motion.**

The Commission and staff discussed permeable surfaces and bio swells. Commissioner Burrows asked if there could be an amendment to the motion stating that sod is prohibited in a required storm water retention basin. After discussion Commissioner Barry rescinded the amendment.

**Commissioners Mike Christensen, Jon Lee, Andres Paredes, Brenda Scheer, Aimee Burrows, Andra Ghent, Amy Barry, Rich Tuttle, Anaya Gayle, and Chair Maurine Bachman voted “yes”. Commissioner Levi de Oliveira voted “no”. The motion passed 10 “yes” votes to 1 “no” vote.**

- 5. Affordable Housing Incentives** - The Mayor, at the request of the Planning Division, initiated amendments to the zoning ordinance regulations regarding affordable housing. The proposal would permit various incentives when affordable housing is provided. The incentives include administrative Design Review and additional building height in various zoning districts, Planned Development requirement modifications, removal of the density requirements in the RMF zoning districts, and additional dwelling types in various zoning districts. 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 petition as outlined in the staff report. She stated that staff recommends the Commission forward a positive recommendation to City Council.

## **PUBLIC HEARING**

Chair Bachman opened the public hearing.

Lynn Schwarz – Feels an incentive program is necessary and feels this is the wrong program.

Cindy Cromer – Felt it would be more accurate to call it an initiative than an incentive.

Brian Burnett – Vice-Chair of the Sunny Side Community Council – Opposed to the petition.

Janet Hemming – Opposed to the petition.

Ryan Smith – Had concerns that the survey was not conducted properly.

TAG SLC (email) – Concerned over the proposal’s effectiveness.

Turner Bitton (email) – Approves of Affordable Housing Incentives but had concerns over the financial viability.

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

Commissioner Scheer felt there would be some benefit to the proposal but had concerns over how it would affect single family neighborhoods. She stated that she was not in favor of the petition.

Commissioner Paredes was also worried how the proposal would affect the single family housing areas as well as the West side of the City.

Commissioner Ghent stated that she also felt the way commissioner Scheer felt and shared concerns over enforcement.

Commissioner Gayle proposed adding a time limit for allowing the incentives in order to gauge results.

Commissioner Ghent stated that the proposal is a form of inclusionary zoning.

Director Nick Norris commented that it was not inclusionary zoning but rather the opposite. He used the City of Los Angeles as an example stating that their TOD incentives have produced a number of units and that Salt Lake can be one of those cities too, to see how they progress and to see if they work.

## **MOTION**

**Commissioner Gayle stated, Based on the information presented and discussion, I move that the Commission recommend that the City Council approve the proposed text amendment for Affordable Housing Incentives with the condition that the incentives be analyzed 24 months after approval with a full report of the costs and benefits of the implementation to the Planning Commission.**

**Commissioner Aimee Burrows seconded the motion. Commissioners Mike Christensen, Jon Lee, Andres Paredes, Aimee Burrows, Amy Barry, Rich Tuttle, Anaya Gayle, and Chair Maurine Bachman voted “yes”. Commissioners Levi de Oliveira, Brenda Scheer, and Andra Ghent voted “no”. The motion passed 8 to 3.**

A short break was called for at 9:51 PM. The meeting reconvened at 9:58 PM.

- 6. Housing SLC** - Salt Lake City is replacing its expiring five-year moderate-income housing plan with a new five-year moderate-income housing plan. The proposed plan, Housing SLC, complies with all requirements in the Utah State Code and establishes three goals to guide City housing efforts over the next five years. To aid in accomplishing the goals, Housing SLC outlines more than 40 action items to undertake over the next five years and outlines their implementation. These action items include land use and zoning changes, policy adoption, program implementation, funding allocation, and collaboration. The plan is a citywide plan. (Staff contact: Ruedigar Matthes at 385-415-4701 or [Ruedigar.Matthes@slcgov.com](mailto:Ruedigar.Matthes@slcgov.com))

Project & Policies Manager Ruedi Matthes reviewed the proposal addressed in the staff report.

## **PUBLIC HEARING**

Chair Bachman opened the public hearing.

Cindy Cromer – Felt there were elements of the proposal missing.

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

Staff and the Commission discussed received comments and data collection.

## **MOTION**

**Commissioner Amy Barry stated, Based on the information presented and discussion, I move that the Commission recommend that the City Council adopt Housing SLC as the City's five-year Moderate Income Housing Plan and as the Moderate Income Housing Element of the City's General Plan.**

**Commissioner Mike Christensen seconded the motion. Commissioners Mike Christensen, Jon Lee, Andres Paredes, Brenda Scheer, Aimee Burrows, Andra Ghent, Amy Barry, Rich Tuttle, Anaya Gayle, and Chair Maurine Bachman voted "yes". Commissioner Levi de Oliveira voted "no". The motion passed with 10 "yes" votes and 1 "no" vote.**

The meeting adjourned at approximately 10:19 PM.

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