

**SALT LAKE CITY PLANNING COMMISSION MEETING**  
**City & County Building**  
**451 South State Street, Room 326**  
**Salt Lake City, Utah 84111**  
**Wednesday, August 23, 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: Chair Mike Christensen, Vice-Chair Andra Ghent, and Commissioners, Aimee Burrows, Anaya Gayle, Bree Scheer, Rich Tuttle, and Amy Barry. Commissioners Jon Lee and Levi de Oliveira were excused from the meeting.

Staff members present at the meeting were: Planning Manager Wayne Mills, Planning Manager Kelsey Lindquist, Senior City Attorney Katherine Pasker, Planning Manager John Anderson, Principal Planner Michael McNamee, Associate Planner Ben Buckley, Senior Planner Eric Daems, and Administrative Assistant Aubrey Clark.

Chair Mike Christensen read the opening statement.

**APPROVAL OF THE MEETING MINUTES FOR AUGUST 9, 2023**

**Commissioner Aimee Burrows motioned to approve the August 9, 2023, meeting minutes. Commissioner Andra Ghent seconded the motion. Commissioners Scheer, Tuttle, Barry, Burrows, Ghent, and Chair Christensen voted “yes”. The motion passed. Commissioner Anaya Gayle had not yet joined the meeting.**

**REPORT OF THE CHAIR AND VICE CHAIR**

The Chair and Vice-Chair stated that they had nothing to report.

**REPORT OF THE DIRECTOR**

Planning Manager Wayne Mills reported that there are open positions on the planning commission.

Commissioner Anaya Gayle joined the meeting.

**OPEN FORUM**

Commissioner Anaya Gayle would like the City to address the character and upkeep of developments that are being built. Planning Manager Wayne Mills discussed design standards for more durable materials but stated that they were not imposed in all zoning districts. Commissioner Andra Ghent stated that she would be reluctant to impose additional costs because it would directly impact the cost of housing.

**REGULAR AGENDA**

1. **Victory Heights Planned Development at Approximately 1060 E 100 South** - Jonathan Hardy, representing the property owner, BCG Holdings, is requesting Planned Development approval. The proposal is to convert an existing medical office building to a multi-family residential use by reusing the existing building, expanding the tower on the western portion and in place of some of the existing surface parking, and converting the majority of the upper parking deck to an amenity area. The

applicant is seeking planned development approval for three items: 1) Density: Conversion of the nonconforming commercial use to a permitted residential use. In the RMF zoning districts developments that change a nonconforming commercial use to a permitted residential use with a Planned Development are exempt from the density limitations of the zoning district. 2) Building Height: The applicant is seeking up to an additional 5' of building height. 3) Yards/setbacks: The applicant is seeking reductions to the corner side, interior side, and rear yard requirements. The property is located within Council District 4, represented by Ana Valdemoros. (Staff Contact: Sara Javoronok at 801-535-7625 or sara.javoronok@slcgov.com) **Case Number: PLNPCM2023-00365**

Planning Manager John Anderson reviewed the petition as outlined in the Staff Report. He stated that Staff recommends approval with conditions listed in the Staff Report.

The applicants, Jonathan Hardy and Mike Ackley, reviewed their project.

Commissioner Aimee Burrows and Staff discussed the density of the project. Staff clarified that the change from a nonconforming commercial use to a residential use is exempt from the density limitations of the zoning district. Commissioner Burrows also asked about the existing carports and the applicant stated that they would remain in place.

Commissioner Bree Scheer asked why the existing building character was being changed significantly. The applicant stated that they wanted to tie the existing building in with the new structure.

Seeing no further Commission discussion, Chair Christensen opened the public hearing.

## **PUBLIC HEARING**

Esther Hunter – Chair of East Central Community Council – Approves of the project and doesn't have any concerns.

Cindy Cromer – discussed the history of the neighborhood including the nonconforming developments that have occurred. She also talked about her research regarding her own properties rent prices and the impact that had on vehicle ownership.

Spencer Hogan – Concerned about the parking and traffic.

Jen Colby – Stated she was personally in favor of the project because it addresses the need for open space preservation, affordable housing, and sustainability.

Robin Crochet – concerned that the project will draw more university students who will not be invested in the quality of the neighborhood.

Morgan Galbraith – Concerned about the parking and says families have been driven out of the neighborhood.

Merrily Ronniger – Concerned about the low income housing, cars, and more people.

Chris Parker – One of the developers on the project – discussed how he felt was the way to bring back families to the community.

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

Vice-Chair Andra Ghent addressed the parking stating that she understood the frustration and felt the blame lies with the University of Utah.

Commissioner Scheer wanted to know whether university students would be allowed to rent the units. The applicant stated that they would not be likely to qualify for the low-income housing tax credit parameters.

Commissioner Burrows felt that this project would be a good place for families to live.

Commissioner Gayle stated that it would be a presumption that people who lived in these units would not care for, or somehow diminish the enjoyment of, the neighborhood.

Commissioner Scheer stated The Commission had no control over the design of the project.

Commissioner Burrows encouraged the public to call code enforcement when they have problems.

Commissioner Barry approves of the design changes saying that it reflected the change of use.

## MOTION

**Commissioner Burrows stated, “Based on the information presented and discussion, I move that the Commission approves this application based on staff’s recommendation. Commissioner Tuttle seconded the motion. Commissioner Gayle asked for a friendly amendment stating that she would like to see the conditions that are listed in the staff report dictated in the motion: 1. Final approval of the plans shall be delegated to planning staff to ensure compliance with the zoning standards and conditions of approval, including off-street loading, signage, lighting, and landscaping. 2. Approval is for the specific items discussed and identified in the staff report. All other applicable zoning regulations and requirements from other city departments still apply. Commissioner Burrows agreed to the amendment. Commissioners Scheer, Burrows, Ghent, Barry, Tuttle, Gayle, and Chair Christensen voted “yes”. The motion passed unanimously.**

- 2. 21 on 9th Rezone at Approximately 1380 S 900 West** - Drake Powell of TAG SLC, representing the property owners, is requesting a Zoning Map Amendment for the property located at the above-stated address. Specifically, the applicant has requested a rezone from R-1/7,000 (Single-Family Residential) to RMF-30 (Low-Density Multi-Family Residential). The requested rezone is in anticipation of a town-home style development at the site. Although the applicant has requested that the property be rezoned to the RMF-30 zoning district, consideration may be given to a district with similar characteristics. The subject property is located within Council District 2, represented by Alejandro Puy. (Staff Contact: Aaron Barlow at 801-535-6182 or aaron.barlow@slcgov.com) **Case Number: PLNPCM2023-00172**

Planning Manager Wayne Mills, filling in for Principal Planner Aaron Barlow, reviewed the petition as outlined in the Staff Report. He stated that Staff recommends forwarding a positive recommendation to City Council.

The applicants Jordan Atkin and Drake Powell reviewed their project concept.

Commissioner Barry and the applicant discussed access to the property. Commissioner Barry also asked if any future development would end up being a Planned Development and if so would have to come back before the Planning Commission. Planning manager Wayne Mills said that that's a possibility, but it depended on how they designed their project. Planning manager Kelsey Lindquist added that she was a project manager for the new RMF-30 code and there are some provisions that allow lots without street frontage without Planning Commission approval.

Chairperson Christensen opened the public hearing.

## PUBLIC HEARING

Planning Manager Kelsey Lindquist read called in comments into the record.

Gabriel Lyons – Opposed to the petition to rezone the property.

Julie Foster - Opposed to the petition to rezone the property.

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

Commissioner Burrows commented on property taxes and asked for clarification on the concept driveway, asking if it met up with an alley that wasn't shown on the plans. The applicant stated that it was a hammerhead turn around for fire access.

Commissioner Ghent commented on property taxes and parking, wondering if permit parking was something that could be implemented. Staff clarified that Transportation Department would be the correct contact to address that issue.

## **MOTION**

**Commissioner Scheer stated, "Based on the information presented and the discussion, I move that the Commission recommend that the City Council approve this Zoning Map amendment". Commissioner Barry seconded the motion. Commissioners Gayle, Barry, Burrows, Scheer, Ghent, Tuttle, and Chair Christensen voted "yes". The motion passed unanimously.**

A five-minute break was called. The meeting was reconvened at 7:04 PM.

- 3. Rezone at Approximately 680 South Gladiola Street** - Tony Sieverts of Gladiola Street, LLC, the property owner, is requesting a Zoning Map Amendment for the property at the above-stated address from M-2 (Heavy Manufacturing) District to M-1 (Light Manufacturing) District. The stated intent of the proposed rezoning is to enable the use of the property as a commercial truck driving school (classified as a vocational school with outdoor activities), which is permitted within the M-1 zoning district and not within the M-2 zoning district. Although the applicant has requested that the property be rezoned to the M-1 zoning district, consideration may be given to a district with similar characteristics. The subject property is located within Council District 2, represented by Alejandro Puy. (Staff Contact: Aaron Barlow at 801-535-6182 or aaron.barlow@slcgov.com) **Case Number: PLNPCM2023-00236**

Planning Manager Wayne Mills, again filling in for Principal Planner Aaron Barlow, reviewed the petition as outlined in the Staff Report. He stated that Staff recommends that the Planning Commission forward a positive recommendation to City Council.

The applicant was not present.

Chair Christensen opened the public hearing.

## **PUBLIC HEARING**

Robert Miller – Neighbor to the property, would like to see the property stay M2 or something similar.

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

Commissioner Barry stated that because the property to the south is zoned M1 this rezone request seemed appropriate.

## **MOTION**

**Commissioner Gayle stated, "Based on the information presented and the discussion, I move that the Commission recommend that the City Council approve this Zoning Map amendment". Commissioner Scheer seconded the motion. Commissioners Tuttle, Ghent, Scheer, Burrows, Barry, Gayle, and Chair Christensen voted "yes". The motion passed unanimously.**

4. **Alley Vacation at Approximately 1518 S 300 West** - Jarod Hall is requesting approval for an Alley Vacation located south and west of the above-stated address. The proposal is to vacate (or to give up public ownership of) two public alleys. One is approximately 16.5 feet by 148.6 feet, starting at a point 133.5 ft west of 300 West on Andrew Avenue and running north to south. The other is approximately 16.5 feet by 298.7 feet, starting at a point 56.1 ft north of Van Buren Avenue on 300 West and running east to west. The property is located within District 5, represented by Darin Mano. (Staff Contact: Michael McNamee at 801-535-7226 or michael.mcnamee@slcgov.com) **Case Number: PLNPCM2023-00408**

Principle Planner Michael McNamee reviewed the petition as outlined in the Staff Report. He stated that Staff recommends the Planning Commission forward a positive recommendation to City Council with the conditions listed in the staff report.

The applicant Jarod Hall reviewed his petition.

Commissioner Barry asked if there was a railroad track easement on the property. The applicant stated that there used to be, but it is all private property now.

Commissioner Burrows asked the applicant to clarify where the midblock connect would be. She also asked if the location was negotiable. Staff stated that it was recommended that the mid-block connect to be running north/south and not east/west and that they are recommending approval with the caveat that a development agreement would be put in place for the mid-block walkway.

Staff and the Commission discussed the location of the mid-block walkway and the turnaround time on a development agreement.

Chair Christensen opened the public hearing.

## **PUBLIC HEARING**

Riley Rogers – Works with Jarod Hall, stated there will be more development soon to be in the area that would make the mid-block walkway beneficial.

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

Commissioner Burrows commented on where she felt the mid-block walkway should be located.

Commissioner Barry felt the alley vacation was appropriate.

## **MOTION**

**Commissioner Scheer stated, “On the east-west alley, identified in the staff report as Alley B: based on the information presented and discussion, I move that the Commission send a positive recommendation to the City Council, with the following condition: 1. The applicant shall not purport to convey the property encompassing any portion of the alleys until at least 60 days after a final decision by the City Council on the petition. On the north-south alley, identified in the staff report as Alley A: based on the information presented and the discussion, I move that the Commission sends a positive recommendation to the City Council, with the following conditions: 1. A development agreement must be secured ensuring that a mid-block connection be created between Andrew and Van Buren Avenues in exchange for vacating the alley. The location of the mid-block connection will be flexible but there should be buildings on both the east side and west side of the property that the applicant owns. A public access easement must also be secured, ensuring public access to the private right-of-way. 2. The applicant shall not purport to convey the property encompassing any portion of**

the alleys until at least 60 days after a final decision by the City Council on the petition.” Commissioner Burrows seconded the motion.

Commissioner Burrows asked to amend the motion to require a building on the east and west side of the mid-block connection so that it meets the Urban Design policy consideration. Commission Scheer accepted the amendment.

Commissioners Scheer, Burrows, Ghent, Barry, Tuttle, Gayle, and Chair Christensen voted “yes”. The motion passed unanimously.

5. **Zoning Terms and Definitions Amendment** - Mayor Erin Mendenhall has initiated a petition to amend Part VI of Title 21A to provide consistency throughout the zoning ordinance and remove unnecessary language. The proposed changes will remove section 21A.60 List of Terms entirely and amend 21A.62.040 Definition of Terms. Related provisions of Title 21A may be amended as part of this petition to promote consistency. (Staff Contact: Ben Buckley at 801-535-7142 or benjamin.buckley@slcgov.com) **Case Number: PLNPCM2023-00194**

Associate Planner Ben Buckley reviewed the proposed changes to the zoning terms and definitions. He stated that Staff recommends the Planning Commission forward a positive recommendation to City Council.

There were no questions or comments from the Commission.

Chair Christensen opened the public hearing.

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

#### **MOTION**

Commissioner Barry stated, “Based on the information presented and discussion, I move that the Commission recommend that the City Council approve this zoning text amendment.”. Commissioner Gayle seconded the motion. Commissioners Gayle, Tuttle, Barry, Ghent, Burrows, Scheer, and Chair Christensen voted “yes”. The motion passed unanimously.

#### **WORK SESSION**

6. **Subdivision Code Amendment** - This city initiated petition is proposing changes to Title 20 Subdivisions. The changes are necessary to bring the city's subdivision regulations into compliance with recent state code changes that require cities to update their codes by February 1, 2024. This proposal reorganizes the subdivision regulations, updates application requirements, makes minor changes to subdivision approval processes, updates the standards for approval for dividing land and modifying lots and parcels, updates the subdivision standards to align with city goals identified in the city's general plan, and makes changes necessary to align with state code mandates for review times and review processes. (Staff Contact: Nick Norris, Planning Director at 801-535-6173 or nick.norris@slcgov.com) **Case Number: PLNPCM2023-00494**

Senior Planner Eric Daems reviewed the reasons for the changes to the subdivision code and what those changes would be.

Staff and Commission discussed the definition of a review cycle and what is entailed in that process.

Staff reviewed the subdivision process and design standards.

Commissioner Burroughs asked whether the natural features section of the code would protect water aquifer recharge areas and asked if there were special natural features in the Foothill zones. Staff replied that there are slope protections and that there may be recharge areas, but he would get back to her on that.

Commissioner Gayle commented on the complexity of this area of code and stated that commissioners should take their time to read it in detail. Commissioner Burrows asks whether the divisions mentioned in the preliminary process also commented on the final approval of subdivisions. Staff clarified that those departments do comment throughout the whole process of a subdivision.

The Commission and staff discussed who the target audience was for the new state legislation regarding subdivisions. Staff commented that Salt Lake City was already in compliance with most of these new standards and was not likely the target of the new legislation. They also discussed how the new language would be less ambiguous.

The meeting adjourned at approximately 8:20 PM.

*For Planning Commission agendas, staff reports, and minutes, visit the Planning Division's website at [slc.gov/planning/public-meetings](http://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.*