

SALT LAKE CITY PLANNING COMMISSION MEETING
City & County Building
451 South State Street, Room 326
Salt Lake City, Utah 84111
Wednesday, October 25, 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, Turner Bitton, and Amy Barry. Commissioner Carlos Santos-Rivera was excused from the meeting.

Staff members present at the meeting were: Deputy Director Michaela Oktay, Planning Manager Wayne Mills, Senior city attorney Paul Nielson, Senior Planner Krissy Gilmore, Principal Planner Katilynn Harris, Senior Planner Diana Martinez, Principal Planner Trevor Ovenden, Principal Planner Brooke Olson, Principal Planner Andy Hulka, and Administrative Assistant Aubrey Clark.

Chair Mike Christensen read the opening statement.

REPORT OF THE CHAIR AND VICE CHAIR

The Chair and Vice-Chair had nothing to report.

REPORT OF THE DIRECTOR

Deputy Director Michaela Oktay had nothing to report.

OPEN FORUM

Commissioner Bree Scheer shared concerns regarding the design standards found in city code 21A.59.050. She asked the Planning Division staff to create a text amendment to remove sections of part D of the standard. A consensus was reached among the commission that they would like further discussion on the topic.

CONSENT AGENDA

1. **Approval of the Meeting Minutes for September 27 & October 11, 2023**
2. **Hardware Village II Time Extension at approximately 152 N 500 West** - Tim Helgeson, representing the property owner, has requested a one-year extension for the Salt Lake Hardware II project. A Design Review for the project was approved by the Planning Commission on October 26, 2022. The property is located in the TSA-UC-C (TSA Urban Center Station Core Area) District, within Council District 3, represented by Chris Wharton. (Staff contact: Kelsey Lindquist at 801-535-7930 or kelsey.lindquist@slcgov.com) **Case Number: PLNPCM2022-00586**

Commissioner Turner Bitton motioned to approve the Consent Agenda. Commissioner Bree Scheer seconded the motion. Commissioner Bitton, Scheer, Burrows, Barry, Tuttle, Gayle, and Chair Christensen voted “yes”. Commissioner Andra Ghent voted “yes” for the time extension but abstained from the minutes due to absences at both meetings. The motion passed.

REGULAR AGENDA

- 1. Planned Development for The Maven at approximately 777 S 200 East** - Tim Watcke, the property owner, is requesting a Planned Development for the above-listed property. This property is zoned RB (Residential Business) and the applicant is requesting the following modifications to the zoning standards: reduce the required minimum lot width, reduce the required minimum front yard setback, reduce the required minimum side yard setback for one side yard, and increase the maximum building height by 2.5 feet. The proposed development is a mixed-use project with 10 residential units and 1,160 square feet of commercial space on the ground floor. Two of the residential units will be reserved as affordable units. The subject properties are located within Council District 4, represented by Ana Valdemoros. (Staff Contact: Katilynn Harris at 801-535-6179 or katilynn.harris@slcgov.com) **Case Number: PLNPCM2023-00093**

Principal Planner Katilynn Harris reviewed the petition as outlined in the staff report. She stated that Staff recommends approval of the petition.

Sydney Garcia, representing JZW Architects, shared a brief overview of the request.

Commissioner Scheer questioned how many affordable units there would be and why there wasn't going to be an elevator included in the project. The applicant replied that there would be 10 affordable units and that they were under the 3000 square foot requirement that would dictate the use of an elevator.

Chair Christensen opened the public hearing.

PUBLIC HEARING

Rodney Smith – had concerns over the property lines.

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

Chair Christensen asked the applicant to reach out to Mr. Smith regarding the property line. Commissioner Ghent asked whether the applicant would be required in order to acquire a building permit. Staff stated that it is part of due diligence on the City's part, and they require a survey prior to issuing a building permit.

MOTION

Commissioner Andra Ghent stated, "Based on the information presented and discussion, I move that the commission approve this Planned Development application as recommended by Staff."

Commissioner Burrows seconded the motion. Commissioner Bitton, Burrows, Tuttle, Gayle, Barry Scheer, Ghent, and Chair Christensen voted "yes". The motion passed unanimously.

- 2. Design Review and Planned Development for Lusso 2 Apartments at approximately 57 N 1000 West** - Jarod Hall of Di'velop Design LLC, representing the property owner, is requesting approval for a 160-unit residential building at the above-stated property. The project site is in the TSA-SP-T (Transit Station Area Special Purpose Transition) zoning district.
 - A. Design Review:** Modify the maximum length of a street-facing building façade along 1000 West from 200 feet to 282 feet. Modify the active ground floor use required from 80% of the façade to 37% along the Learned Avenue facade. Modify the ground floor glass requirement from 45% to 34% on the Learned Avenue facade. Modify the number of required building

entrances on both the 1000 West and Learned Avenue facades. **Case Number: PLNPCM2022-00653**

B. Planned Development: A maximum of 5' of extra building height for a total building height of 75'. **Case Number: PLNPCM2023-00685**

The subject properties are located within Council District 2, represented by Alejandro Puy. (Staff Contact: Krissy Gilmore at 801-535-7780 or kristina.gilmore@slcgov.com)

Senior Planner Krissy Gilmore reviewed the petition as outlined in the Staff Report. She stated that Staff recommends approval with the conditions listed in the staff report.

The applicant Jarod Hall shared a presentation and reviewed their request.

Commissioner Ghent and Staff discussed the parking requirements.

The Chair opened the public hearing.

PUBLIC HEARING

Email read into the record from Nigel Swaby – In support of the project.

Michelle Watts – opposed to the petition.

Pachuco – experienced audio issues.

Teresa Molina – felt that the developer doesn't care about the neighbors.

Kiru Katua – With Brown Berets – opposed to the petition.

Pachuco – opposed to the petition.

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

Commissioner Ghent asked if it would be possible to add more retail space to the ground floor. The applicant stated that the owner would be reluctant to add more retail space since he cannot fill the retail space that was built into phase one of the project.

Commissioner Burrows spoke on the type of application and what the purview of the commission is regarding this project.

Commissioner Barry spoke on the entrances and them working with the street level and doesn't feel that it is an engaging design.

Commissioner Bitton asked how the parking was calculated. The applicant responded that they generally look at a 1:1 ratio.

MOTION

Commissioner Turner Bitton stated, "Based on the information presented and in the discussion, I move that the commission approves this design review application as recommend by staff for application PLNPCM2022-00653.

Commissioner Ghent seconded the motion. Commissioners Scheer, Gayle, Burrows, Bitton, Ghent, and Chair Christensen voted "yes". Commissioners Barry and Tuttle voted "no". The motion passed with 6 "yes" and 2 "no" votes.

Commissioner Tuttle stated, "Based on the information presented and the discussion, I move that the commission approves the Planned Development application as recommended by staff for application PLNPCM2023-00685.

Commissioner Ghent seconded the motion. Commissioners Bitton Burrows Gayle Barry Ghent, and Chair Christensen voted “yes”. Commissioners Tuttle and Scheer voted “no.” The motion passed with 6 “yes and 2 “no” votes.

3. Planned Development and Design Review at approximately 2903 S. Highland Drive - Matthew Pockrus with Axis Architects, on behalf of the property owners, is requesting approval for a 22-unit multi-family townhome development project. The subject property is located in the CB (Community Business) zoning district and is approximately 0.54 acres (or 23,522 sq. ft.). The proposed project is subject to the following petitions:

A. Design Review- The development is required to go through the Design Review process because the proposed buildings exceed the size limit of fifteen thousand gross square feet of floor area. Building 1 is proposed at 17,940 sq ft. Building 2 is proposed at 25,667 sq ft. **Case Number: PLNPCM2023-00407**

B. Planned Development- The development is required to obtain Planned Development approval for the following modification to allow a height increase from 30' to 33' for proposed building 2 -to allow rooftop decks for 10 of the 11 units. The second modification is of ordinance 21A.37.050.K: Dumpsters must be located a minimum of twenty five feet (25') from any building on an adjacent lot that contains a residential dwelling or be located inside of an enclosed building or structure, the applicant is asking to reduce this to 21'. **Case Number: PLNPCM2023-00525**

The subject property is located within Council District 7, represented by Sarah Young. (Staff Contact: Diana Martinez at 801-535-7215 or diana.martinez@slcgov.com)

Senior Planner Diana Martinez reviewed the petitions as outlined in the staff report. She stated that staff recommends approval of the petitions.

The applicant Pierre Langue shared a presentation of the proposed project.

The Commission, Staff, and Applicant discussed the trash pickup location and hours. They also discussed the façade on Highland Drive. Staff clarified that there was no upper glass requirement in the CB zone, but they worked with the applicant to get the upper glass, which was originally not included in the project.

Chair Christensen opened the public hearing.

PUBLIC HEARING

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

MOTION

Commissioner Andra Ghent stated, “Based on the information presented and the discussion, I move that the commission approves this Planned Development application as recommended by staff.” Commissioner Bree Scheer seconded the motion.

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

Commissioner Anaya Gayle stated, “Based on the information presented and discussion, I move that the Commission approves the Design Review application PLNPCM2023-00525 as recommended by staff.” Commissioner Bree Scheer seconded the motion.

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

4. **Rezone and General Plan Amendment for Douglas Ward at approximately 721 S 1200 East** -

Jim Brewer, the applicant and Head of the McGillis School, is requesting a General Plan and Zoning Map Amendment to expand the McGillis School campus by purchasing the Douglas Ward Building at the above-stated address.

A. Zoning Map Amendment: A rezone is required to use the building as a school, currently zoned R-2 (Single and Two-Family Residential District), because the proposed use is not permitted or conditional in the R-2 Zone. The request is for the zone to be changed to I (Institutional). **Case Number: PLNPCM2023-00496**

B. General Plan Amendment: A General Plan Amendment is also required to change the designation on the Future Land Use Map in the Central Community Master Plan from Low-Density Residential to Institutional. **Case number: PLNPCM2023-00639**

The subject property is within Council District 4, represented by Ana Valdemoros. (Staff Contact: Meagan Booth at 801-535-7213 or meagan.booth@slcgov.com)

Principal Planner Meagan Booth reviewed the petitions as outlined in the staff report. She stated that Staff recommends the Commission forward a recommendation of approval to City Council.

The applicant Jim Brewer shared a presentation of the proposal.

The commission, staff and applicant discussed building massing and rezoning with a development agreement.

The Chair opened the public hearing.

PUBLIC HEARING

Esther Hunter – In favor of the petition.

Joy Waldren – In favor of the petition.

Cindy Cromer – In favor of the petition.

Carollyn Abravanel – Concerned there will be an increase in vehicle and pedestrian traffic.

Kelly Manning – In favor of the petition.

Andrew Garin – In favor of the petition.

Millie Pichardo – In favor of the petition.

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

The Commission and Staff discussed why a rezone would be needed, what uses could take place on the site should it cease being owned or used by McGillis School, why a private school cannot be permitted in the R2 zone. The applicant stated that they are in the project for the long haul and want

to use the site to expand their school and are seeking the same zoning as all other private schools within the city.

The Commission and Staff continued to discuss what a development agreement could look like for the property. They also discussed recommending a restrictive covenant to City Council.

MOTION

Commissioner Anaya Gayle stated, “Based on the information presented and the discussion, I move that the Commission forward a positive recommendation to the City Council for the Zoning Map Amendment with an additional recommendation that City Council engage in a discussion regarding a possible development agreement or restrictive covenant limiting long-term use of the property to a school or similar institutional function.” Commissioner Andra Ghent seconded the motion.

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

Commissioner Aimee Burrows stated, “Based on the information presented and the discussion, I move that the Commission forward a positive recommendation to the City Council for the General Plan Amendment.” Commissioner Scheer seconded the motion.

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

5. **General Plan Amendment, Zoning Map Amendment, & Planned Development at approximately 2445 S 500 East** - Jason Foster, representing the property owner, is proposing to rezone the above-listed property and build eight new townhomes that will be subdivided onto individual lots and sold separately. The existing house at this address will be demolished.

A. General Plan Amendment: A request to amend the future land use designation of this property from “Low Density Residential” (5-10 units/acre) to “Medium Density Residential” (8-20 dwelling units/acre) to facilitate the Zoning Map amendment request. **Case Number: PLNPCM2023-00538**

B. Zoning Map Amendment: A request to rezone the property from R-1/7,000 Single-family residential to RMF-35, Moderate Density Multi-Family. **Case Number: PLNPCM2023-00462**

C. Planned Development: Approval is required because the individual lots created through the subdivision would not meet dimensional requirements such as setbacks, building coverage, and street frontage requirements. The applicant is also requesting relief from several setback requirements. **Case Number: PLNPCM2023-00461**

The property is located within Council District 7, represented by Sarah Young. (Staff Contact: Trevor Ovenden at 801-535-7168 or trevor.ovenden@slcgov.com)

Principal Planner Trevor Ovenden reviewed the petition as outlined in the staff report. He stated that staff recommends the Commission approve the Planned Development with conditions and recommend approval to City Council regarding the General Plan and Zoning Map Amendment.

The property owner and developer, Phillip Winston, summarized the request and provided background information regarding the house that is currently on the property that will be demolished to facilitate construction of the new development.

The commission and property owner discussed the removal and replacement of trees at the site.

The Chair opened the public hearing.

PUBLIC HEARING

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

MOTION

Commissioner Anaya Gayle stated, “Based on the information presented and discussion, I move that the commission recommend that the City Council approve this proposal for a General Plan Amendment.” Commissioner Turner Bitton seconded the motion.

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

Commissioner Anaya Gayle stated, “Based on the information presented and the discussion, I move that the commission approves the application for the Planned Development with the conditions listed in the staff report and based on staff’s recommendation.” Commissioner Turner Bitton seconded the motion.

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

Commissioner Gayle stated, “Based on staff’s recommendation and the information presented and discussion, I move that the commission recommend that the City Council approve the proposal for the Zoning Map Amendment.” Commissioner Bitton seconded the motion.

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

6. **Zoning Map & Text Amendments for SLC Ballpark Station Area** - Mayor Erin Mendenhall has initiated a petition to implement the recommendations in the Ballpark Station Area plan, and rezone properties identified within three future land use areas specified in the plan including the Heart of the Neighborhood, Main Street Area, and Jefferson Park Mixed Use Area. The proposal consists of the following amendments:

A. Zoning Map Amendments: The proposed zoning map amendments are intended to establish zoning districts that align with the goals, policies, future land use recommendations, and community vision established in the plan.

B. Zoning Text Amendments: The City is proposing zoning text amendments to establish a new zone, MU-8, Form Based, Mixed Use 8 Zoning District. The City is proposing associated zoning map amendments to implement the proposed MU-8 zone in the Ballpark Station Area, within a portion of Heart of the Neighborhood and Main Street Area.

The project boundary is located within Council District 5, represented by Darin Mano. (Staff Contact: Brooke Olson at 801-535-7118 or brooke.olson@slcgov.com) **Case Number: PLNPCM2023-00169**

Principal Planner Brooke Olson reviewed the petition as outlined in the staff report. She stated that staff recommends the Commission forward a recommendation of approval to City Council. Commissioners and Staff discussed open space requirements, landscape requirements, and setbacks.

Chair Christensen opened the public hearing.

PUBLIC HEARING

Amy Hawkins – Ballpark Community Council – Shared concerns about plans to add housing density when public lands and open spaces are in short supply and plans for rezoning that eliminate setbacks. She also shared concerns over rezoning the Horizonte school.

Keith Hernunley – Home and business owner in the proposed amendment area would like to see the zoning extended.

Fraiser Nelson – Concerned about the quality of the buildings and public engagement elements support the health and enhances the beauty of the neighborhood.

Sharon Wilbur – Opposed to the proposed MU8 zoning for the two parcels that they own.

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

The Commission and Staff discussed the Horizonte property, rezoning uniformity, concerns over reduction of landscaping, and the affordable housing incentives.

MOTION

Commissioner Scheer stated, “Based on the information presented and the discussion, I move that the Commission forward a recommendation to adopt the Zoning Map and Zoning Text Amendments to City Council.” Commissioner Bitton seconded the motion.

Commissioners Bitton, Burrows, Tuttle, Gayle, Scheer, Ghent, and Chair Christensen voted “yes”. Commissioner Barry voted “no”. The motion passed.

7. **Zoning Map & General Plan Amendment for Hardage Hospitality at approximately 775 E. 400 South and 354 & 370 S. 800 East** - Sean Thompson, the applicant on behalf of the property owner, Hardage Hospitality, is requesting approval from the City to amend the Zoning Map and General Plan future land use map designations of the above-stated properties to allow for higher density residential development on the corner of the intersection.

A. Zoning Map Amendment: In order to build a higher density residential development, the applicant is requesting to rezone the subject properties from TSA-UN-T (Transit Station Area Urban Neighborhood Transition Area) and RMF-35 (Moderate Density Multi-Family Residential) to TSA-UN-C (Transit Station Area Urban Neighborhood Core Area). **Case Number: PLNPCM2023-00223**

B. General Plan Amendment: In order to keep the proposed rezone consistent with the Central Community Master Plan, the applicant is also requesting to amend the future land use designation for the subject properties from Medium Density Transit Oriented Development and Medium Density Residential to High Density Transit Oriented Development. **Case number: PLNPCM2023-00401**

The subject properties are within Council District 4, represented by Ana Valdemoros. (Staff Contact: Andy Hulka at 801-535-6608 or andy.hulka@slcgov.com)

Principal Planner Andy Hulka reviewed the petition as outlined in the Staff Report. He stated that Staff recommends the Commission forward a recommendation of approval to City Council for the Zoning Map and General Plan Amendment.

The applicant Sean Thompson shared a presentation and reviewed the proposal. Commissioners, staff, and the applicant discussed design review standards that would be applicable to the project for height and the difference between TSA core and TSA transition zoning.

The Chair opened the public hearing.

PUBLIC HEARING

Easter Hunter – Chair of the Central Community Council – Feels there is more work to do to get to a middle ground for the project.

Monica Hilding – Says spot zoning sets a bad precedent and the project fails to provide affordable housing, doesn't want to see anymore teardowns.

Cindy Cromer – Does not want to see an out of scale building in the area.

Melinda – Does not feel this project will preserve the walkable nature of the neighborhood.

Email from Rich Wilcox – Opposed to the project.

Email from Jen Colby – Opposed to the Zoning Map Amendment saying it is inconsistent with the Citywide Master Plan.

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

The Commission discussed concerns that the proposal does not meet the Central City Master Plan, spot rezoning, whether the request is an appropriate transitional zoning. The Chair asked the applicant to provide input to which the applicant stated that they were looking to keep the density to the south and the neighborhood to the north. The Commission and applicant discussed size and scale of the project, and why a parcel had multiple zoning designations.

MOTION

Commissioner Aimee Burrows stated, “Based on the information presented and the discussion, I move that the Commission forward a negative recommendation to City Council for this General Plan Amendment for the following reason: Higher density transit oriented development will not align with the Central Community Future Land Use Map.” Commissioner Scheer seconded the motion.

Commissioners Tuttle, Burrows, Scheer, Barry, and Gayle voted “yes”. Commissioners Bitton, Ghent and Chair Christensen voted “no”. The motion passed.

Commissioner Aimee Burrows stated, “Based on the information presented and the discussion, I move that the Commission forward a negative recommendation to City Council for the Zoning Map Amendment for the following reasons: 1) Consideration 3 is not supported because of the extent the proposed Amendment will affect adjacent properties significantly. 2) Consideration 2 is not met because the existing zoning allows for enough density for the

development potential of vacant commercial property and enough for density for adjacent transit.” Commissioner Tuttle seconded the motion.

Commissioner Burrows, Scheer, Barry, Gayle, and Tuttle voted “yes”. Commissioners Bitton, Ghent, and Chair Christensen voted “no”. The motion passed.

Commissioner Bitton made a statement regarding his resignation.

The meeting adjourned at approximately 10:19 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.