

SALT LAKE CITY PLANNING COMMISSION MEETING

**City & County Building
451 South State Street, Room 315
Salt Lake City, Utah 84111
Wednesday, December 13, 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, Commissioners Anaya Gayle, Landon Kraczek, Brian Scott, Bree Scheer, Amy Barry, Rich Tuttle, and Carlos Santos-Rivera. Commissioner Aimee Burrows was absent from the meeting.

Staff members present at the meeting were: Planning Director Nick Norris, Planning Manager John Anderson, Senior City Attorney Katherine Pasker, Senior Planner Diana Martinez, Principal Planner Aaron Barlow, Senior Planner Amanda Roman, Principal Planner Olivia Cvetko and Administrative Assistants David Schupick.

Chair Mike Christensen shared the opening statement.

REPORT OF THE CHAIR AND VICE CHAIR

The Chair stated that he had nothing to report.

REPORT OF THE DIRECTOR

Planning Director Nick Norris reported on recent actions from the City Council regarding zoning map amendments as well as affordable housing incentives.

OPEN FORUM

The Commission had nothing to discuss.

CONSENT AGENDA

- 1. Conditional Use: The Tasting Room Bar Establishment at approximately 357 W 200 S (Public Hearing)** - Terry Lyman (applicant) is representing Kaleb Crafts (owner) requesting approval from the City to establish a bar at the above listed address. The site of the proposed use is within an existing building, no additions to the building or modifications to the site are proposed. The property is zoned D-3 (Downtown Warehouse/residential) District. This type of project must be reviewed as a conditional use permit. The subject property is within Council District 4, represented by Ana Valdemoros. (Staff contact: Olivia Cvetko at 801-535-7285 or olivia.cvetko@slcgov.com) **Case Number: PLNPCM2023-00729**

PUBLIC HEARING

Chair Mike Christensen opened the public hearing.

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

MOTION

Commissioner Santos-Rivera stated, "I motion to approve the consent agenda."

Commissioner Scheer seconded the motion. Commissioners Scheer, Santos-Rivera, Barry, Gayle, Tuttle, Christensen, Scott, and Kraczek voted “yes”. The motion passed unanimously.

REGULAR AGENDA

- 1. Brooklyn Avenue Vacations and Subdivision Amendment** - This is a request from Jonah Hornsby of Jodah One, LLC, the adjacent property owner, to vacate the 13.25-foot-wide alley that bisects 1007 South 500 West and all of Brooklyn Avenue from 500 W to the West Temple Viaduct right of way. If approved, this section of Brooklyn Avenue would be divided and sold to the property owners of 1005 & 1007 South 500 West at fair market value. Mr. Hornsby has made this request because he claims there is a lack of maintenance and issues with public safety. The property is within Council District 5, represented by Darin Mano. (Staff contact Aaron Barlow at 801-535-6182 or aaron.barlow@slcgov.com) **Case Numbers: PLNPCM2022-00068, PLNPCM2022-00349, & PLNSUB2023-00493**

Principal Planner Aaron Barlow reviewed the proposal as outlined in the Staff Report.

PUBLIC HEARING

Chair Mike Christensen opened the public hearing.

Douglas Smith stated their opposition to the application.

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

Commissioner Scheer asked clarifying questions on the fire access that will be in place.

MOTION

Commissioner Santos-Rivera stated, “Based on the information presented and discussion, I move that the Commission forward a positive recommendation the City Council to adopt this Street Vacation Petition with the condition listed in the staff report.”

Commissioner Tuttle seconded the motion. Commissioners Scheer, Santos-Rivera, Barry, Gayle, Tuttle, Christensen, Scott, and Kraczek voted “yes”. The motion passed unanimously.

Commissioner Santos-Rivera stated, “Based on the information presented and discussion, I move that the Commission forward a positive recommendation the City Council to adopt this Alley Vacation Petition with the conditions listed in the staff report.”

Commissioner Tuttle seconded the motion. Commissioners Scheer, Santos-Rivera, Barry, Gayle, Tuttle, Christensen, Scott, and Kraczek voted “yes”. The motion passed unanimously.

Commissioner Santos-Rivera stated, “Based on the information presented and discussion, I move that the Commission forward a positive recommendation the City Council to adopt this Preliminary Plat for amending the Brooklyn and Dolan Subdivisions, and vacating Brooklyn Avenue with the conditions listed in the staff report.”

Commissioner Tuttle seconded the motion. Commissioners Scheer, Santos-Rivera, Barry, Gayle, Tuttle, Christensen, Scott, and Kraczek voted “yes”. The motion passed unanimously.

- 2. Edison Street Design Review at approximately 250 S 200 E** - Mitch Vance with J. Fisher Companies, property owner representative, is requesting Design Review approval of a 7-story, 201-unit mixed use building at approximately 220 & 250 South 200 East. The site consists of two parcels totaling approximately 1.45 acres (63,000 SF). The subject property is located in the D-1 Central Business District. Design Review approval is required for the following modifications to both the D-1 Central Business District standards in 21A.30.020 and the Design Standards in 21A.37.060.D:
 - A. A reduction in the minimum building height from 100' to approximately 78' 6"**

- B. An increase in the maximum street facing facade length from 150' to approximately 307' 4", along 200 East
- C. A decrease in the required glass percentages on both the ground floor and upper floors
- D. Modifications to the upper floor setbacks required for buildings between 78-104' within the D-1 zone

The property is within Council District 4, represented by Ana Valdemoros. (Staff contact: Amanda Roman at 801-535-7660 or amanda.roman@slcgov.com) **Case Number: PLNPCM2023-00707**

Urban Designer Amanda Roman reviewed the proposal as outlined in the Staff Report. The applicants gave a formal presentation.

Commissioners discussed the height requirements for the zoning giving that the proposed item does not meet the minimum required height. They also discussed construction materials. Commissioner Gayle stated concerns for the use of the midblock walkway due to the potential of undesired uses.

PUBLIC HEARING

Chair Mike Christensen opened the public hearing.

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

Commissioner Scheer stated that the intended purpose of the height requirement in the D-1 zoning district is to move from the low-density typologies into a more densified downtown.

The applicant provided additional details supporting the proposed typology to enhance the walking experience for residents.

Commissioner Santos-Rivera mentioned that the reduction of the use of glass and durable materials the applicant is using and how that can help with compensating with the height deficit. Commissioner Santos-Rivera mentioned that the 22 feet height deficit for the proposed item is not necessarily a deterrent for compliance, given that the applicant is providing a rationale for supporting the proposed typology.

Commissioner Kraczik mentioned concerns about affordability. Commissioner Scheer responded that the cost of housing or construction is not in the Commission's purview.

Commissioner Gayle reiterated concerns around approving an item that does not comply with the minimum building height, which can set a precedent, potentially sending a message to other future projects to build under building height requirements.

Commissioner Barry mentioned that according to the SLC Design Standards there are some intents that talk about density and uses and how they enhance property values. Commissioner Barry mentioned that there are many aspects regarding the intent of the application that we can consider and use those as a precedent.

The applicant responded to the commission by explaining the design intent is rooted in a livable city to activate office spaces, retail, restaurants, and park spaces.

Commissioner Kraczik asked staff about the midblock walkways and whether they are part of our standards. Commissioner Barry responded by saying that the midblock walkways are embedded in our adopted planning standards.

Commissioner Gayle asked staff if the Design Review comprised of approving or not, the rendering, plans, and floor plans.

Planning Director, Nick Norris responded by explaining that when applicants come forward with a Design Review, the commission approves the entire design. The code allows for minor modifications, however, when major changes are proposed, the Applicant needs to come back to the Planning Commission.

Urban Designer Amanda Roman explained the building height requirements. The maximum height of the D-1 zone is not 200 feet. The 200 foot height is allowed by right. When applicants' intent to surpass 200 feet in height, they need to go through Design Review and provide one to five public benefits such as: midblock walkway, historic preservation, affordable housing, open space, or an active use on the ground floor. If approved through the Design Review process, building height is unlimited in the zone.

Commissioner Scheer mentioned the building and midblock walkway renderings and how it is important for the Commission to consider the sun positionality.

MOTION

Commissioner Barry stated, "Based on the information presented and discussion, I move that the Commission approves this Design Review application as recommended by staff. Given that it meets the intent of the Design Standards, section A. Specifically calling out Urban Design enhancing opportunities, property values, and creating a unique downtown center space."

There was no second to the motion.

Commissioner Scheer stated, "Based on the information presented and discussion, I move that the Commission deny this Design Review application because evidence has not been presented that demonstrates the proposal complies with the following standards: Standard 21A.59.50, part A. Which is the intent of the downtown district to provide use, bulk, efficient use of space, high urban density, and very intensiveness."

Commissioner Gayle seconded the motion. Commissioners Scheer, Santos-Rivera, Gayle, Tuttle, Scott, and Kraczek voted "yes". Commissioner Barry and Christensen voted no. The motion passed with 6 yes votes and 2 no votes.

The Commission took a 5-minute break.

3. **Zoning Map Amendment at approximately 2760, 2828, & 2800 N 2200 W** - Continuation of a Tabled Item from the January 11, 2023 Planning Commission meeting. Will Channell with OCC Industrial, representing the property owner of 2828 N., and who is under contract for the properties at approximately 2760 and 2800 N. at 2200 West, is requesting a Zoning Map Amendment to allow development of the properties. The proposed amendment would rezone three parcels from AG-2 (Agricultural) to M-1 (Light Manufacturing). The subject properties in total are approximately 14.33 acres (624,216 square feet). Plans for future development were not submitted with these applications. The subject property is within Council District 1, represented by Victoria Petro. (Staff contact: Diana Martinez at 801-535-7215 or diana.martinez@slcgov.com) **Case Numbers: PLNPCM2022-00699, PLNPCM2022-00700, & PLNPCM2022-00701**

Senior Planner Diana Martinez reviewed the proposal as outlined in the Staff Report. The applicants gave a formal presentation outlining additional information on the rezone request.

Commissioner Santos-Rivera asked for clarification on the owners of the parcels. Diana Martinez stated that all three of the parcels have agreed to enter into a development agreement.

PUBLIC HEARING

Chair Mike Christensen opened the public hearing.
Brad Auger stated their approval for the application.
Chris Jenkins stated their approval for the application.
Seeing no one wished to speak, Chair Mike Christensen closed the public hearing.

MOTION

Commissioner Scheer stated, “Based on the information presented and discussed, I move that the Commission forward a recommendation to adopt this zoning map amendment to the City Council with the following condition:

- **The property owners of each parcel must enter into a development agreement with Salt Lake City. The development agreement will note the development intent of the North Point Small Area Plan, and the applicant shall comply with the agreement.”**

Commissioner Santos-Rivera seconded the motion. Commissioners Scheer, Santos-Rivera, Barry, Tuttle, Scott, and Kraczek voted “yes”. Commissioner Christensen voted “no”. Commissioner Gayle abstained due to a personal relationship with one of the representatives of the applicant. The motion passed with 6 yes votes, 1 no vote, and 1 abstention.

OTHER BUSINESS

1. Vice Chair Election

MOTION

**Commissioner Scheer nominated Commissioner Santos-Rivera.
Commissioner Santos-Rivera accepted the nomination. Commissioners Scheer, Santos-Rivera, Barry, Gayle, Tuttle, Christensen, Scott, and Kraczek voted “yes”. The motion passed unanimously.**

The meeting adjourned at approximately 7:37 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.