

SALT LAKE CITY PLANNING COMMISSION MEETING

**City & County Building
451 South State Street, Room 326
Salt Lake City, Utah 84111
Wednesday, January 10, 2024**

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, Aimee Burrows, Bree Scheer, Rich Tuttle, and Carlos Santos-Rivera. Commissioner Amy Barry was excused from the meeting.

Staff members present at the meeting were: Planning Director Nick Norris, Planning Manager Casey Stewart, Senior City Attorney Paul Nielson, Senior Planner Cassie Younger, Senior Planner Lex Traugher, Planning Manager Mayara Lima, Senior Planner Diana Martinez, Principal Planner Grant Amann, Principal Planner Michael McNamee and Administrative Assistants David Schupick.

Chair Mike Christensen shared the opening statement.

REPORT OF THE CHAIR AND VICE CHAIR

The Chair wanted to welcome the two newest Planning Commission members, Landon Kraczek and Brian Scott.

The Vice-Chair stated that he had nothing to report.

REPORT OF THE DIRECTOR

Planning Director Nick Norris updated the Commission on a previous meeting item that had been appealed. He also stated that staff is working on setting up a Planning Commission retreat.

OPEN FORUM

The Commission had nothing to discuss.

CONSENT AGENDA

- 1. Approval of the Meeting Minutes for November 29**
- 2. California Ave Design Review at approximately 1665 W California Ave.** - Jared Forsyth of RAD Architects, representing the property owner, is requesting approval from the City to develop a 45' tall residential building with 24 studio apartments and 24 parking stalls at the above listed address. Currently the land is used for a car wash and the property is zoned CC Commercial Corridor. This type of project must be reviewed as a Design Review due to the request for an additional 15' in height, for a total of 45'. The subject property is within Council District 2, represented by Alejandro Puy. (Staff contact: Cassie Younger at 801-535-6211 or cassie.younger@slcgov.com) **Case Number: PLNPCM2023-00586**

PUBLIC HEARING

Chair Mike Christensen opened the public hearing.

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

MOTION

Commissioner Gayle stated, "I motion to approve the consent agenda."

Commissioner Tuttle seconded the motion. Commissioners Scheer, Santos-Rivera, Burrows, Gayle, Tuttle, and Christensen voted "yes". Commissioners Scott, and Kraczek voted "yes" but abstained from the minutes due to not being present for that meeting. The motion passed unanimously.

REGULAR AGENDA

MOTION

Commissioner Kraczek stated, "I motion to move item #3 to the end of the agenda. Commissioner Santos-Rivera seconded the motion. Commissioners Scheer, Santos-Rivera, Burrows, Gayle, Tuttle, Christensen, Scott, and Kraczek voted "yes". The motion passed unanimously.

1. **Window Requirements for New Construction in the City's Local Historic Districts Text Amendment** - A request by Mayor Erin Mendenhall directing the Planning Division to update the Salt Lake City Zoning Ordinance text, and the Historic Residential and Multifamily/Historic Apartment Design Guidelines text, to coordinate and clarify the use of vinyl windows in new construction projects in the City's Local Historic Districts (LHDs). The text amendments apply citywide in all local historic districts and individually listed landmark sites. (Staff contact: Lex Traughber at 801-535-6184 or lex.traughber@slcgov.com) **Case Number: PLNPCM2023-00444**

Senior Planner Lex Traughber reviewed the petition as outlined in the staff report.

PUBLIC HEARING

Chair Mike Christensen opened the public hearing.

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

MOTION

Commissioner Gayle stated, "Based on the information presented and discussion, I move that the Commission forward a recommendation to adopt this text amendment to the City Council."

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

2. **Zoning Text Amendment for Enforcement on work done without a COA** - Mayor Erin Mendenhall has initiated a petition for a Zoning Text Amendment to address unlawful construction and demolition activities in the H Historic Preservation Overlay District. The purpose of the petition is to protect historic resources, which includes designated local historic districts and local landmark sites. The text changes are aimed at adding enforcement tools to prevent and counter potential code violations. It also aims to establish a clear process to remedy alterations or demolition that occur without a COA (Certificate of Appropriateness). The proposed changes will affect Chapter 21A.34.020 and related provisions of Title 21A-Zoning. (Staff Contact: Mayara Lima at 801-535-6141 or mayara.lima@slcgov.com) **Case Number: PLNPCM2023-00336**

Planning Manager Mayara Lima reviewed the petition as outlined in the staff report. Staff stated that the Historic Landmark Commission voted to forward a positive recommendation with the condition

that the 25-year restriction on redevelopment be increased to 50 years and a fine be considered for properties left vacant.

Commissioner Scheer stated concerns for having vacant property in a historic district for 25 years. She discussed with Staff on alternatives to deter demolishing of contributing historic buildings. Commissioner Gayle stated interest in the 50 years without development to discouraging demolishing.

PUBLIC HEARING

Chair Mike Christensen opened the public hearing.
Cindy Cromer stated concerns for vacant buildings.
Seeing no one else wished to speak, Chair Mike Christensen closed the public hearing.

Vice-Chair Santos-Rivera stated concerns for vacant buildings for long periods of time within a fast growing city.

MOTION

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

Commissioner Burrows stated an alternant motion, “Based on the information presented and discussion, I move that the Commission forward a recommendation to adopt this Zoning Text Amendment to the City Council with a change to 21A32020n13 to change 25 years to 50 years.” Commissioner Tuttle seconded the motion. Commissioners, Burrows, Gayle, and Tuttle voted “yes”. Commissioners Christensen, Scheer, Santos-Rivera, Scott, and Kraczek voted “no”. The motion failed.

The Commission then voted on the original motion. Commissioners, Christensen, Scheer, Santos-Rivera, Scott, Burrows, Gayle, and Tuttle voted “yes”. Commissioner Kraczek voted “no”. The motion passed.

- Standards for Attached Structures, Garages, Entrance Landings, and Building Foundations Text Amendment** - The Salt Lake City Planning Division is proposing a text amendment to update the standards related to attached structures, which includes garages, entrance landings, and building foundations. In 2021, Utah State code was amended, changing standards required of these structures. The changes to the state code impose limitations on what municipalities can require in terms of design elements. As a result, City code needs to be updated to match these regulations. The amendment would focus on aligning the standards with city goals and addressing state law. The text amendments apply citywide. (Staff contact: Grant Amann at 801-535-6171 or grant.amann@slcgov.com) **Case Number: PLNPCM2023-00952**

Principal Planner Grant Amann reviewed the petition as outlined in the staff report.

PUBLIC HEARING

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

MOTION

Commissioner Gayle stated, “Based on the information presented and discussion, I move that the Commission forward a recommendation to adopt this text amendment to the City Council.” Commissioner Kraczek seconded the motion. Commissioners Scheer, Santos-Rivera, Burrows, Gayle, Tuttle, Christensen, Scott, and Kraczek voted “yes”. The motion passed unanimously.

4. **300 West Apartments Planned Development & Design Review at approximately 1518 S 300 W**
- Jarod Hall of Di'velept Design LLC, representing the property owner, is requesting approval for two residential mixed-used buildings at the above stated address. The project site is in the CG zoning district.
 - A. **Design Review:** Exceed the by-right height in the CG zone by 26 feet, 5 inches for a total building height of 86 feet, 5 inches. Construct a street facing building facade that lacks a building entrance on the Andrew Avenue facade. **Case Number: PLNPCM2023-00001**
 - B. **Planned Development:** A reduction in building setbacks in five locations along front and corner side yards on 300 West, Andrew Avenue, and Van Buren Avenue facades. A reduction in required front and corner side yard landscaping by 3,599 square feet. A reduction in the required number of off-street parking stalls from 457 to 421. **Case Number: PLNPCM2023-00456**

The subject properties are located within Council District 5, represented by Darin Mano. (Staff contact: Michael McNamee at 801-535-7226 or michael.mcnamee@slcgov.com)

Principal Planner Michael McNamee reviewed the petition as outlined in the staff report. The applicants presented a formal presentation providing additional details and renderings of the project.

Commissioner Burrows asked for the width of the sidewalk in the midblock walkway. The applicant stated it was about 8 feet wide. Commissioner Santos-Rivera asked for clarification on that lighting that will be in the midblock walkway. Planning Director Nick Norris stated that the lighting will be sufficient to create a safe condition while also not impacting people who live in the adjacent residential buildings. Commissioner Burrows asked if the public easement will be always open. The applicant stated that it will be open from 7:00 AM to 8:00 PM.

PUBLIC HEARING

Chair Mike Christensen opened the public hearing.

Cindy Cromer stated concerns for pedestrian, bicycle, and driver safety around construction sites. Seeing no one else wished to speak, Chair Mike Christensen closed the public hearing.

MOTION

Commissioner Scheer stated, “Based on the information presented and the discussion, I move that the Commission approve this design review application as recommended by staff with the following condition listed in the staff report.”

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

Commissioner Scheer stated, “Based on the information presented and discussion, I move that the Commission approve this planned development application as recommended by staff.”

Commissioner Santos-Rivera Commissioners Scheer, Santos-Rivera, Burrows, Tuttle, Christensen, Scott, and Kraczek voted “yes”. Commissioner Gayle voted “no”. The motion passed.

The Commission took a 5-minute break to reconvene at 7:09 PM.

Commissioner Gayle recused herself from the last item due to potential conflict of interest with employer.

5. **Standards for Gas Stations and Facilities with Underground and Above-Ground Fuel Storage Tanks Text Amendment** - Mayor Erin Mendenhall has initiated a petition to amend the zoning ordinance to propose minimum distances that any gas station can be from a river, stream, or other water body, a park, or open space area over a certain size and establish more stringent zoning standards for any gas station that is located in the secondary groundwater recharge area of the city. The proposed text amendment would prohibit gas stations that do not meet the proposed standards regardless of being permitted or conditioned land use in an allowable zoning district. The proposed standards will be listed in the Ordinance under section 21A.36.370, "Standards for Gas Stations and Facilities with Underground and Above-Ground Fuel Storage Tanks". City wide text amendment. (Staff contact: Diana Martinez at 801-535-7215 or diana.martinez@slcgov.com) **Case Number: PLNPCM2023-00260**

Senior Planner Diana Martinez reviewed the petition as outlined in the staff report.

Commissioner Tuttle asked if this text amendment would only apply to gasoline. Diana Martinez stated that since propane is stored differently, this would only pertain to gasoline, diesel, regular and unleaded fuels.

PUBLIC HEARING

Chair Mike Christensen opened the public hearing.

Carter Shaw stated their disapproval for the project.

John Hill stated their disapproval for the project.

Elliot Christensen stated their disapproval for the project.

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

Commissioner Scheer asked how much staff worked with associations that had given public comments. Diana Martinez stated that they worked with the state and the two City departments but not with other associations. Commissioner Scheer stated concerns that the industry was not consulted on the particular standards of the project. Diana Martinez stated that staff has worked closely with the State Department who are the regulators and there is room within the ordinance amendment to make change. Planning Director Nick Norris stated that if there are operators in the industry that the Planning Commission wants staff to work with then it would be an appropriate time to specify those topics of concern. Commissioner Burrows stated the concern of the EV stations being close to the front entrance of the building which could conflict with handicap parking or traffic.

MOTION

Commissioner Scheer stated, “Based on the information presented I motion to table PLNPCM2023-00260 to give better consideration of the EV location to not conflict with the business, and to engage further with stakeholders both in the industry and from the community, and to have a better sense of where in the city this would be applicable. In addition to keep the public hearing open.”

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

The meeting adjourned at approximately 7:42 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.