MOTION SHEET

CITY COUNCIL *of* SALT LAKE CITY

TO: City Council Members

FROM: Nick Tarbet, Analyst

DATE: June 9, 2015 @ 6:30 p.m.

RE: Highland Drive Master Plan and Zoning Map Amendment
PLNPCM2014-00769 & 00770

Council Sponsor: **N/A**

MOTION 1 (*adopt*)
I move the Council **adopt** an ordinance amending the zoning map for property at 2855 South Highland Drive to rezone a portion of that parcel from R-1/7000 Single Family Residential to Community Business (CB), and amending the Sugar House Master Plan Future Land Use Map, Pursuant to Petition Nos. PLNPCM2014-00769 & 00770.

MOTION 2 (*adopt with development agreement*)
I move the Council adopt an ordinance amending the zoning map for property at 2855 South Highland Drive to rezone a portion of that parcel from R-1/7000 Single Family Residential to Community Business (CB), and amending the Sugar House Master Plan Future Land Use Map, pursuant to Petition Nos. PLNPCM2014-00769 & 00770, subject to the Administration and petitioner entering into a development agreement to be recorded against the property, that requires:

- The developer to plant two inch (2") caliper trees every fifteen feet (15') within the required landscape buffer, along the eastern and northern property lines to provide screening.
- The trees shall be planted prior to the developer receiving a certificate of occupancy.
- The petitioner shall prepare the development agreement in a form that is satisfactory to the City Attorney.

See motion three on next page

MOTION 3 (*Reject*)

I move the Council **reject** an ordinance amending the zoning map pertaining for property at 2855 South Highland Drive to rezone a portion of that parcel from R-1/7000 Single Family Residential to Community Business (CB), and amending the Sugar House Master Plan Future Land Use Map, Pursuant to Petition Nos. PLNPCM2014-00769 & 00770.

COUNCIL STAFF REPORT

CITY COUNCIL *of* SALT LAKE CITY

TO: City Council Members

FROM: Nick Tarbet, Policy Analyst

DATE: June 9, 2015

RE: **Highland Drive Master Plan and Zoning Map Amendment**
PLNPCM2014-00769 & 00770

PROJECT TIMELINE:
Briefing: May 5, 2015
Set Date: May 5, 2015
Public Hearing: May 19, 2015
Potential Action: June 2, 2015

Council Sponsor: *Not Required – Private Petition*

View the Administration's proposal

NEW INFORMATION

Four individuals spoke during the May 19 public hearing. All four expressed support for the project; however, one individual asked that the Council also consider requiring a forty ft (40') buffer be included as a condition of the rezone. Council Member Adams requested that staff contact the applicant to talk about this request. The Council closed the public hearing and deferred action to a future Council meeting.

The following week, Council Member Adams met with the applicant to discuss the proposal. During the meeting, the developer said they would consider a potential development agreement that would create a thirty ft (30') setback from the eastern property line.

Ultimately, the developer said the request for a thirty foot (30') setback will severely impact their ability to proceed with the project. However, they agreed to plant two inch (2") caliper trees every fifteen feet (15') along the eastern property line to provide screening. This is in effect a doubling of the required amount of trees as required by the ordinance.

A motion has been prepared for the Council's consideration that includes a development agreement with the following provisions:

- The Administration and petitioner entering into a development agreement to be recorded against the property that requires the developer to plant two inch (2") caliper trees every fifteen feet (15') the length of the eastern property line, to provide screening.
- The petitioner/developer will prepare the development agreement in a form satisfactory to the Attorney's Office.

The following information was provided for the May 5 Work Session briefing. It is provided again for background purposes.

ISSUE AT-A-GLANCE

The Council will be briefed on a proposal that would amend the Sugar House future land use map and rezone the property located at 2855 South Highland Drive. The property is currently "split-zoned" with the majority of the property (1.06 acres) zoned CB-Community Business, and the remainder (0.35 acres) zoned R-1/7,000-Single Family Residential. The applicant is requesting that the City rezone the R-1/7,000 portion of the property to CB.

The property is currently occupied by a vacant commercial building and parking lot. This type of project requires the following amendments:

- Zoning Map Amendment- The petitioner is requesting to amend the zoning map designation of the R-1/7,000 portion of the property to CB-Community Business. The intent of the proposed rezone is to more fully utilize the entire property for future development.
- Master Plan Amendment- The associated future land use map in the Sugar House Master Plan currently designates the majority of the property for "Low-Intensity Mixed Use;" however, the area proposed for rezone to CB-Community Business is designated for "Parks & Open Space." The petitioner is requesting to amend the future land use map so that the entirety of the property is designated as "Low-Intensity Mixed Use."

The Planning Commission forwarded a unanimous positive recommendation to the Council.

KEY ISSUES

The Planning Commission staff report outlines the key issues identified by Planning Staff:

- **Issue 1** – Current "Parks & Open Space" Designation Relevance
  - Pages 2-3 explain why this parcel was listed as parks/open space on the future land use map and why the change to Low-Intensity Mixed Use is recommended.
  - A different parcel, approximately 1/3 of a mile from this site has been developed into a City park (Imperial Park).

- **Issue 2** – Zoning Compatibility with Adjacent Properties
  - Pages 3-4 outline the existing conditions and zoning standards that will help mitigate impacts on adjacent properties.

ADDITIONAL INFORMATION

Community Business (CB) District

The proposal is to rezone the entire property to CB-Community Business District. The zoning ordinance states the purpose of the **CB-Community Business District** is to:

> provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.

Attachment D of the Planning Staff report includes a fact sheet that outlines the development standards for the Community Business zone, including: height, setback, parking and lighting requirements. Additionally, the design standards (21A.26.030) and the list of permitted and conditional uses (21A.33.030) for the zone are included in the fact sheet.

Since the parcel abuts a residential zone, it will be required to follow the landscape buffer requirements outlined in Chapter 21A.48. Those requirements include:

- Seven foot (7') landscape buffer (*When adjacent to residential zone*)
- Shade trees shall be planted at the rate of one tree for every thirty (30) linear feet of landscape buffer.
- Shrubs, having a mature height of not less than four feet (4'), shall be planted along the entire length of the landscape buffer.
- Landscape yards shall be maintained per section 21A.48.090 of this chapter.
- A solid fence between four (4) and six feet (6') in height shall be erected along the property line unless waived by the zoning administrator.

Page six (6) of the Planning Commission staff report notes that due to the size of the property, any development will likely be large enough that it will have to go through the Conditional Building and Site Design Review process (21A.59).

The intent of the conditional building and site design review process is to "to help ensure that newly developed properties and redeveloped properties are designed to encourage pedestrian access, circulation and orientation while acknowledging the need for transit and automobile access" (21A.59.10).

PUBLIC PROCESS

The Sugar House Community Council submitted a letter to the Planning Commission expressing support for the request to remove the parcel from the future open space map and to rezone the property to CB**. (See *Attachment F*).**

Additionally, at the Planning Commission public hearing an adjacent resident expressed support for the proposal.

- Sugar House Community Council January 7, 2015

- Planning Commission January 28, 2015

CC: David Everitt, Nichol Bourdeaux, Karen Hale, Art Raymond, Holly Hilton, Jill Love, Mary De La Mare-Schafer, Nora Shepard, Cheri Coffey, Nick Norris, Michaela Oktay, Daniel Echeverria, Orion Goff, Les Koch, Margaret Plane, Paul Nielson, City Council Liaisons, Mayors Liaisons

File Location: Community and Economic Development Dept., Planning Division, Highland Drive Master Plan and Zoning Map Amendment.

Back to Staff Report

SALT LAKE CITY CORPORATION
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
OFFICE OF THE DIRECTOR

RALPH BECKER
MAYOR

CITY COUNCIL TRANSMITTAL

David Everitt, Chief of Staff

Date Received: 3/17/15
Date sent to Council: 3/19/15

TO: Salt Lake City Council
Luke Garrott, Chair

DATE: March 5, 2015

FROM: Jill Remington Love
CED Director

SUBJECT: Petitions PLNPCM2014-00769 & 00770 - 2855 S Highland Drive Master Plan and Zoning Amendment

STAFF CONTACT: Daniel Echeverria, Principal Planner
801-535-7165, daniel.echeverria@slcgov.com

COUNCIL SPONSOR: Exempt - Privately Initiated

DOCUMENT TYPE: Ordinance

RECOMMENDATION: Adopt the Planning Commission's recommendation to approve the master plan and zoning amendments.

BUDGET IMPACT: None

BACKGROUND/DISCUSSION:

Issue Origin

The petitioner, Wayne Reaves, is requesting that the City amend the Sugar House future land use map and zoning map for a portion of the property located at 2855 S Highland Drive. The associated future land use map in the *Sugar House Master Plan* currently designates the majority of the property for "Low-Intensity Mixed Use;" however, the remainder is designated for "Parks & Open Space." The petitioner is requesting to amend the future land use map so that the entirety of the property is designated as "Low-Intensity Mixed Use."

The property is also "split-zoned" with the west side of the property (1.06 acres) zoned CB, Community Business, and the remainder (0.35 acres) zoned R-1/7,000, Single

Family Residential. The R-1/7,000 portion of the property is approximately 73 feet wide and 213 feet deep and is occupied by a parking lot used for the commercial building on the same parcel. The petitioner is requesting to amend the zoning map designation of the 0.35 acre R-1/7,000 portion so that it matches the CB designation of the majority of the property.

The intent of the proposed rezone is to more fully utilize the entire property for future development. The developer originally stated in their application that the rezoning was intended to support new multi-family development on the site. However, the developer has retracted that statement and has not specified an intended use for the property at this time. Currently, the subject portion of property could normally only be developed for one single-family home.

Key Issues

The applicant is requesting an amendment to the future land use map found in the Sugar House Master plan because the proposed CB zone is not compatible with the "Parks & Open Space" designation. The applicant is requesting that the designation be changed to "Low-Intensity Mixed Use." Staff recommended approval for the amendment in part due to the development of a new park (Imperial Park) approximately 1/3rd of a mile away from the subject property that made the current "Parks & Open Space" designation unnecessary. The subject property was designated as "Parks & Open Space" in order to encourage the City to buy the property and develop a park on the site as there was a lack of park space in the neighborhood. However, the "Parks & Open Space" designation incorporated a larger area that was vacant at the time but has subsequently been developed for homes. The remaining vacant land in the "Parks & Open Space" designation is no longer adequate to develop the park envisioned by the Master Plan. In light of the new park development and the residential development on the potential park site, staff recommended approval of the proposal. After a public hearing, the Planning Commission adopted a motion to recommend approval of the proposal.

Zoning Ordinance 21A.50.050 lists several factors that should be considered by the Council in reviewing zoning map amendments. These factors include being consistent with adopted policies, goals and objectives found in the City's planning documents, furthering the purpose of the zoning ordinance, the affect on adjacent properties, the ability for the City to provide service to the property and if there are any applicable overlay districts that may impose additional standards. A complete analysis of these factors can be found in the Planning Commission Staff Report (Attachment 5A). In summary, the proposed rezone would maintain compatibility with the adjacent properties due to buffering provided by the existing property configuration and the development regulations of the CB zone. The adjacent single-family properties are buffered from the rezone site by a 3 to 5 foot grade difference as well as by being oriented so that their rear yards face the rezone site. The CB zone requires landscaped setbacks, including new trees, which would provide additional buffering with new development. Additionally, the CB zone has a height limit of 30', which is only 2' higher than the adjacent 28' residential homes, limiting the potential for height issues. Further, due to the size of this property, any new development would likely require Conditional Building and Site Design review,

which provides additional controls over building orientation and compatibility with the adjacent single-family homes. Additional analysis regarding compatibility can be found in the staff report in Attachment 5A.

Master Plan Considerations
The property is located within the *Sugar House Master Plan* community area. Zoning amendments, or rezones, are evaluated for compliance with the associated Master Plan's future land use map, and compliance with the goals, objectives, and policies of that Master Plan and any other adopted City documents. Although the proposal does not comply with the Future Land Use map designation, the proposed master plan and zoning amendments were found to generally further other goals and policies in the Master Plan and reflects the changes (creation of Imperial Park) that have happened since the Plan was adopted.

The property is an existing non-conforming commercial use in a residential zone. The *Sugar House Master Plan* provides some flexibility in the determination of whether a rezone is appropriate for such properties with the following policy:

> "…the City should be cautious in rezoning these nonconforming properties to commercial. Each one should be considered on its own merits, with the public and surrounding residents given the opportunity to provide input into the decision making process."

The general public and surrounding residents were given the opportunity to weigh in on the proposal at two meetings of the Sugar House Community Council and were generally supportive of the proposal. Following the meetings, the Sugar House Community Council submitted a letter in support of the proposal. Details of this public input are located below under the Public Process discussion.

The *Sugar House Master Plan* includes policies that support medium to high density multifamily development near arterial or collector streets and in higher density, mixed-use areas. With regard to these proximity policies, this property is located on a City arterial, Highland Drive and is near an area targeted by the master plan for mixed use and higher density residential in-fill development between Highland Drive and Richmond Street.

The Master Plan also includes policies related to ensuring high quality, pedestrian oriented design of commercial development near neighborhoods. The proposed CB zone includes pedestrian oriented building and site design standards that implement these policies and any large new development on this site would require additional design review by the Planning Commission. Additional details and analysis regarding the Sugar House Master Plan is located in the staff report in Attachment 5A.

PUBLIC PROCESS:
The general public and surrounding residents were given the opportunity to weigh in on the proposal at two meetings of the Sugar House Community Council, including one with their Land Use Committee. At their general meeting on January 7, 2015, residents near

the development were generally amenable to the rezone proposal as long as the resulting development will be of a high quality design. Specifically, two adjacent residents expressed that any development on the property is better than the parking lot that currently occupies the site and were supportive of the rezone. One other adjacent resident, while not directly opposing or supporting the rezone, expressed a desire that the development be safe as he has children and that the development not hurt his property value.

Following the meetings with the Sugar House Community Council, the Community Council sent a formal letter recommending approval of the rezone and Master Plan amendment proposal. That letter is attached to the staff report in Attachment 5A.

The Planning Commission discussed the proposal at their January 28, 2015 meeting. During the public hearing for the proposal, an adjacent resident spoke and requested that the Planning Commission recommend approval of the proposal. He expressed a desire to see anything on this site instead of the existing parking lot. One other person expressed concerns regarding potential parking impacts to the neighborhood and asked that the Planning Commission recommend denial.

A representative of the Sugar House Community Council also spoke at the public hearing. On behalf of the Community Council, she asked that the Planning Commission recommend approval of the amendments. Her comments are summarized in the letter from the Community Council in the staff report (Attachment 5A). Following these comments, the Planning Commission closed the public hearing and passed a motion to transmit a positive recommendation for the master plan and zoning amendments to the City Council. The vote was unanimous.

RELEVANT ORDINANCES:
Amendments to the Zoning Ordinance and Maps are authorized under Section 21A.50 of the Salt Lake City Zoning Ordinance, as detailed in Section 21A.50.050: "A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard." It does, however, list five standards, which should be analyzed prior to rezoning property (Section 21A.50.050 A-E). The five standards are discussed in detail starting in the Planning Commission Staff Report (ATTACHMENT 5A).

TABLE OF CONTENTS

1. PROJECT CHRONOLOGY

PROJECT CHRONOLOGY

Petition: PLNPCM2014-00769/00770

November 11, 2014	Petition PLNPCM2014-00769/00700 assigned to Daniel Echeverria, Principal Planner, for staff analysis and processing.
December 15, 2014	Petition was presented to the Sugar House Community Council Land Use Committee.
January 8, 2015	Petition was presented at the Sugar House Community Council general meeting.
January 17, 2015	Planning Commission hearing notice was published in the paper.
January 28, 2015	Planning Commission reviewed the petition and conducted a public hearing. The commission voted unanimously to send a positive recommendation to the City Council.
February 2, 2015	Ordinance requested from City Attorney's office.
March 2, 2015	Ordinance received from City Attorney's office.
March 3, 2015	Transmittal was sent to the CED Director for review.

2. ORDINANCE

SALT LAKE CITY ORDINANCE
No. _____ of 2015

(Amending the zoning map pertaining to property located at 2855 South Highland Drive to re-zone a portion of that parcel from R-1-7000 Single Family Residential to Community Business (CB), and amending the Sugar House Master Plan Future Land Use Map)

An ordinance amending the zoning map to re-zone property located at 2855 South Highland Drive to re-zone a portion of that parcel from R-1-7000 Single Family Residential to Community Business (CB), and amending the Sugar House Master Plan Future Land Use Map pursuant to Petition Nos. PLNPCM2014-00769 and PLNPCM2014-00770.

WHEREAS, the Salt Lake City Planning Commission held a public hearing on January 28, 2015 on an application submitted by Wayne Reaves ("Applicant") to amend the city's zoning map to re-zone a portion of property located at 2855 South Highland Drive (the "Property") from R-1-7000 Single Family Residential to Community Business (CB), and to amend the Sugar House Master Plan Future Land Use Map pursuant to Petition Nos. PLNPCM2014-00769 and PLNPCM2014-0770; and

WHEREAS, the Property is currently split-zoned, meaning that there are two different zoning districts--R-1-7000 and CB--that regulate the use of land thereon; and

WHEREAS, Applicant has petitioned to have the entire Property zoned Community Business (CB); and

WHEREAS, the Future Land Use Map of the Sugar House Master Plan designates the majority of the Property "Low Intensity/Mixed Use" with the remainder designated "Open Space"; and

WHEREAS, Applicant has petitioned to have the Future Land Use Map of the Sugar House Master Plan designate the entire Property as "Low Intensity/Mixed Use"; and

WHEREAS, at its January 28, 2015 meeting, the planning commission voted in favor of forwarding a positive recommendation to the Salt Lake City Council on said applications; and

WHEREAS, after a public hearing on this matter the city council has determined that adopting this ordinance is in the city's best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending the Zoning Map. The Salt Lake City zoning map, as adopted by the *Salt Lake City Code*, relating to the fixing of boundaries and zoning districts, shall be and hereby is amended to reflect that the portion of Property located at 2855 South Highland Drive (Tax ID No. 16-29-235-007) presently zoned R-1-7000 shall be and hereby is re-zoned to Community Business (CB) so that the entirety of the Property is zoned Community Business (CB). The Property is more particularly described on Exhibit "A" attached hereto.

SECTION 2. Amending the Sugar House Master Plan. The Future Land Use Map of the Central Community Master Plan shall be and hereby is amended to change the portion of the Property presently designated Open Space to be designated Low Intensity/Mixed Use so that the Future Land Use Map reflects that the entirety of the Property is designated Low Intensity/Mixed Use.

SECTION 3. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this _____ day of _____, 2015.

_____
CHAIRPERSON

ATTEST AND COUNTERSIGN:

_____
CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____Approved. _____Vetoed.

_____
MAYOR

_____
CITY RECORDER
(SEAL)

Bill No. _____ of 2015.
Published: _____.
HB_ATTY-#43615-v1-Ordinance_amending_zoning_map_and_MP_2855_Highland.DOCX

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date: March 2, 2015
By: _____
Paul C. Nielson, *Senior City Attorney*

EXHIBIT "A"

Legal description of Property
located at 2855 South Highland Drive

Lot 107, Crandall Cove Subdivision 1st Amendment

3. NOTICE OF CITY COUNCIL HEARING

NOTICE OF PUBLIC HEARING

The Salt Lake City Council is considering petition **PLNPCM2014-00769 & 00770- 2855 S Highland Drive Rezone and Master Plan Amendment**- Wayne Reaves, representing the property owner DTRL & Associates, is requesting that the City amend the zoning map and associated future land use map designation for a portion of property located at 2855 S Highland Drive. The property is currently "split-zoned" with the majority of the property (1.06 acres) zoned CB, Community Business, and the remainder (0.35 acres) zoned R-1/7,000, Single Family Residential. The applicant is requesting that the City rezone the R-1/7,000 portion of the property to CB. The property is currently occupied by a vacant commercial building and parking lot. This type of project requires a Zoning Map and Master Plan Amendment. The subject property is within Council District 7, represented by Lisa Adams.

a. Zoning Map Amendment- The petitioner is requesting to amend the zoning map designation of the R-1/7,000 portion of the property to CB. The intent of the proposed rezone is to more fully utilize the entire property for future development. Although the applicant has requested that the property be rezoned to the CB zone, consideration may be given to rezoning the property to another zoning district with similar characteristics.
b. Master Plan Amendment- The associated future land use map in the Sugar House Master Plan currently designates the majority of the property for "Low-Intensity Mixed Use;" however, the area proposed for rezone to CB is designated for "Parks & Open Space." The petitioner is requesting to amend the future land use map so that the entirety of the property is designated as "Low-Intensity Mixed Use."

As part of their study, the City Council is holding an advertised public hearing to receive comments regarding the petition. During this hearing, anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The hearing will be held:

DATE:

TIME: 7:00 p.m.

PLACE: Room 315
City & County Building
451 South State Street
Salt Lake City, Utah

If you have any questions relating to this proposal or would like to review the file, please call Daniel Echeverria at (801) 535-7165 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at daniel.echeverria@slcgov.com.

The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the City Council Office at council.comments@slcgov.com, 801-535-7600, or relay service 711.

4. MAILING LABELS

Name
Address1
Address2

AULT, WAYNE H
1502 18TH GREEN CT
BELLEVILL, IL 62220

GORILLA CAPITAL UT 201 LLC
25195 SW PARKWAY AVE
WILSONVILLE, OR 97070

GREER, GREGORY A
5032 FORBES AVE #1121
PITTSBURGH, PA 15213-3815

JONES, KRISTI L R
14302 BUTTERFIELD PARK WY
HERRIMAN, UT 84096-3405

BUTLER, HOPE H & ANDREW R; JT
5603 S INDIAN ROCK RD
HOLLADAY, UT 84117

PITA RENTALS, LLC
1187 N 1100 E
OREM, UT 84097

CONNOR, STEPHEN L & CHRISTEL T;
8350 POINT ROAD #124
PARK CITY, UT 84098

VIVA CORPORATION
160 S 1000 E #320
SALT LAKE CITY, UT 84102-1454

JONES, MELANIE W
2800 S 1300 E
SALT LAKE CITY, UT 84106-3135

RICKS, CHRISTINE
2804 S 1300 E
SALT LAKE CITY, UT 84106-3135

PENDLETON, KRISTOPHER R
2805 S 1300 E
SALT LAKE CITY, UT 84106-3136

GOODMAN, BRETT
2811 S 1300 E
SALT LAKE CITY, UT 84106-3136

HANSEN, ROGER L & SHEILA R; JT
2814 S 1300 E
SALT LAKE CITY, UT 84106-3135

BESS, MATHEW D & ESMERALDA; JT
2847 S 1335 E
SALT LAKE CITY, UT 84106-3485

CHIVERS, DANNY; ET AL
2848 S 1335 E
SALT LAKE CITY, UT 84106

DOWNS, SUSAN M & JAMES R; JT
2853 S 1335 E
SALT LAKE CITY, UT 84106-3485

WATSON, BRENT & ZIEBA, RENATA; JT
2856 S 1335 E
SALT LAKE CITY, UT 84106-3485

GAMVROULAS, CHRISTOPHER P
2865 S 1335 E
SALT LAKE CITY, UT 84106

DE PRENEUF, SEBASTIEN & VANINA E M; JT
2866 S 1335 E
SALT LAKE CITY, UT 84106-3485

SALT LAKE CITY SCHOOLS CREDIT UNION
3675 S 900 E
SALT LAKE CITY, UT 84106-1964

WILLIAMS, RYAN & FRANCHESCA; JT
2801 S ALDEN ST
SALT LAKE CITY, UT 84106-3110

SCOTT, DOUGLAS L & YANG, YINGHONG; JT
2805 S ALDEN ST
SALT LAKE CITY, UT 84106-3110

ROGERS, CINDY Z; TR (CZR LIV TR)
2806 S ALDEN ST
SALT LAKE CITY, UT 84106-3111

ANDERSON, JENNIFER & BLAKE C; JT
2812 S ALDEN ST
SALT LAKE CITY, UT 84106-3111

WARLICK, WILLIAM & SPRATLING, AMY; JT
2813 S ALDEN ST
SALT LAKE CITY, UT 84106-3110

MILLER-VIGIL, STACY L
2817 S ALDEN ST
SALT LAKE CITY, UT 84106-3110

BUTTERFIELD, RENN T & ANDREA M; JT
2818 S ALDEN ST
SALT LAKE CITY, UT 84106-3111

JORGENSEN, DORENE; TR (DTH FAM TRUST)
841 E APPLE PARK WY
SALT LAKE CITY, UT 84106-1600

BARTLETT, WILLIAM D & KNIBBE, ABIGAIL; JT
1291 E ATKIN AVE
SALT LAKE CITY, UT 84106

DENISON, SPENCER J & SARAH L; JT
1300 E ATKIN AVE
SALT LAKE CITY, UT 84106-3115

KESSLER, JULIE H & ROBERT R; TRS
1305 E ATKIN AVE
SALT LAKE CITY, UT 84106-3112

OLSEN, KENT D
1326 E ATKIN AVE
SALT LAKE CITY, UT 84106-3115

COX, CARRIE E; TR (CEC LIV TRUST)
1332 E ATKIN AVE
SALT LAKE CITY, UT 84106-3115

KEITH, CASSIDY
1338 E ATKIN AVE
SALT LAKE CITY, UT 84106-3115

NIELSEN, JERRY L & VICKI; JT
1342 E ATKIN AVE
SALT LAKE CITY, UT 84106-3115

BARRUS, ANDREW R
1348 E ATKIN AVE
SALT LAKE CITY, UT 84106-3115

HANSEN, CLARENCE L & LINDA D; TRS
1350 E ATKIN AVE
SALT LAKE CITY, UT 84106-3115

ANDERSEN, TROY C
2814 S BEVERLY ST
SALT LAKE CITY, UT 84106-3125

ANDERSON, JEFFREY J & JANET; JT
2820 S BEVERLY ST
SALT LAKE CITY, UT 84106-3125

WATERS, DOUGLAS W
2828 S BEVERLY ST
SALT LAKE CITY, UT 84106-3170

TUTTLE, BLAIR & JENNY JO; JT
2838 S BEVERLY ST
SALT LAKE CITY, UT 84106-3170

MITCHELL, REID B & CHRISTINE M; JT
2846 S BEVERLY ST
SALT LAKE CITY, UT 84106-3170

DIAMOND, JOEL C & MOLLIE W; JT
2852 S BEVERLY ST
SALT LAKE CITY, UT 84106-3170

PATER, CRAIG A & ASHMAN, LISA M; JT
2858 S BEVERLY ST
SALT LAKE CITY, UT 84106-3170

TRENT, BRADFORD J & RACHEL A; JT
2864 S BEVERLY ST
SALT LAKE CITY, UT 84106-3170

LOWNDS, PATRICIA & CHARLES M; JT
4504 S BROCKBANK DR
SALT LAKE CITY, UT 84124-3912

SUGAR HOUSE POST #3586 VETERANS OF FOREIGN AFFAIRS
5268 S CAMINO REAL DR
SALT LAKE CITY, UT 84117-6555

PETERSON, MARILYN H
3069 E CARRIGAN CANYON DR
SALT LAKE CITY, UT 84109-1478

JONES, KORY
1257 E CRANDALL AVE
SALT LAKE CITY, UT 84106-3059

NADASDY, GEORGE S
1258 E CRANDALL AVE
SALT LAKE CITY, UT 84106-3058

DRULINER, GRETCHEN A
1264 E CRANDALL AVE
SALT LAKE CITY, UT 84106-3058

HUT, JOHN B & JUDY M; JT
1270 E CRANDALL AVE
SALT LAKE CITY, UT 84106-3058

SHEOW, DUKE T & MELANIE Q; JT
1272 E CRANDALL AVE
SALT LAKE CITY, UT 84106-3058

MCCONKIE, JAMES & LAUREL; JT
1322 E CRANDALL AVE
SALT LAKE CITY, UT 84106-3003

POPP, BRENT D. & LYNN M.
1328 E CRANDALL AVE
SALT LAKE CITY, UT 84106-3003

SMITH, MARK W & CASEY C; JT
1340 E CRANDALL AVE
SALT LAKE CITY, UT 84106-3003

AOYAGI, JEFF & KRISTI; TRS (J&KA TR)
1352 E CRANDALL AVE
SALT LAKE CITY, UT 84106-3003

WAYMAN, JULIEANN H
1364 E CRANDALL AVE
SALT LAKE CITY, UT 84106-3003

DTRL & ASSOCIATES LLC
1127 W DALTON AVE
SALT LAKE CITY, UT 84104-2004

BLACK, BRITTANY J & SETH W; JT
730 E EIGHTEENTH AVE
SALT LAKE CITY, UT 84103-3717

DENOS, JIM L & RUBY L; TRS
2837 S HIGHLAND DR
SALT LAKE CITY, UT 84106-3176

2876 HIGHLAND DRIVE LLC
2876 S HIGHLAND DR
SALT LAKE CITY, UT 84106-3177

DONNELL, JUDITH J, TR; ET AL
2892 S HIGHLAND DR
SALT LAKE CITY, UT 84106-3177

GREEN, JAMES W & JOANN; TRS
1865 E ORCHARD CIR
SALT LAKE CITY, UT 84106

SALT LAKE COUNTY
PO BOX 144575
SALT LAKE CITY, UT 84114-4575

SALT LAKE CITY CORP.
PO BOX 145460
SALT LAKE CITY, UT 84114-5460

GRANT, JEFFREY K
3507 S SCOTT PARK LN
SALT LAKE CITY, UT 84106-3328

SUGARHOUSE TOUCHSTONE LLC
4174 S SHANNA ST
SALT LAKE CITY, UT 84124-3036

POURSOHRAB, SEYED ALI; TR (AP LIV TRUST)
6514 S TANNER LN
SALT LAKE CITY, UT 84121-2768

NORTHSTAR BUILDERS, INC
1451 E UINTAH CIR
SALT LAKE CITY, UT 84105-1941

LILJENQUIST, KRISTIN Y
1349 E ZENITH AVE
SALT LAKE CITY, UT 84106-3425

BLACK, ANTHONY D
1355 E ZENITH AVE
SALT LAKE CITY, UT 84106-3425

HENRIOD, KATHLEEN S; TR
1363 E ZENITH AVE
SALT LAKE CITY, UT 84106-3425

HSU, SUK WAI; TR ET AL
8493 S 1275 E
SANDY, UT 84094-1363

SUSHI GROOVE, LLC
4564 W LENNOX DR
SOUTH JORDAN, UT 84095-9746

ARNELL, DARIN
101 LAKEVIEW
STANSBURY PK, UT 84074-9609

HIGHLAND PARTNERS LLC
1231 W 9000 S #D
WEST JORDAN, UT 84088-9014

Resident
2802 S ALDEN ST
Salt Lake City, UT 84106-3111

Resident
2840 S BEVERLY ST
Salt Lake City, UT 84106-3170

Resident
2830 S BEVERLY ST
Salt Lake City, UT 84106-3170

Resident
1314 E CRANDALL AVE
Salt Lake City, UT 84106-3003

Resident
1316 E CRANDALL AVE
Salt Lake City, UT 84106-3003

Resident
1334 E CRANDALL AVE
Salt Lake City, UT 84106-3003

Resident
1360 E CRANDALL AVE
Salt Lake City, UT 84106-3003

Resident
1325 E ZENITH AVE
Salt Lake City, UT 84106-3425

Resident
1331 E ZENITH AVE
Salt Lake City, UT 84106-3425

Resident
1333 E ZENITH AVE
Salt Lake City, UT 84106-3425

Resident
1341 E ZENITH AVE
Salt Lake City, UT 84106-3425

Resident
1343 E ZENITH AVE
Salt Lake City, UT 84106-3425

Resident
2840 S HIGHLAND DR
Salt Lake City, UT 84106-3147

Resident
1265 E CRANDALL AVE
Salt Lake City, UT 84106-3059

Resident
1267 E CRANDALL AVE
Salt Lake City, UT 84106-3059

Resident
1275 E CRANDALL AVE
Salt Lake City, UT 84106-3059

Resident
1277 E CRANDALL AVE
Salt Lake City, UT 84106-3059

Resident
2858 S HIGHLAND DR
Salt Lake City, UT 84106-3147

Resident
2872 S HIGHLAND DR
Salt Lake City, UT 84106-3147

Resident
2872 S HIGHLAND DR #1/2
Salt Lake City, UT 84106-3147

Resident
2834 S HIGHLAND DR
Salt Lake City, UT 84106-3147

Resident
1283 E ZENITH AVE
Salt Lake City, UT 84106-4802

Resident
2815 S HIGHLAND DR
Salt Lake City, UT 84106-3146

Resident
2801 S 1300 E
Salt Lake City, UT 84106-3136

Resident
1310 E ATKIN AVE
Salt Lake City, UT 84106-3115

Resident
1320 E ATKIN AVE
Salt Lake City, UT 84106-3115

Resident
2845 S HIGHLAND DR
Salt Lake City, UT 84106-3176

Resident
2845 S HIGHLAND DR #1/2
Salt Lake City, UT 84106-3176

Resident
2885 S HIGHLAND DR
Salt Lake City, UT 84106-3175

Resident
2903 S HIGHLAND DR
Salt Lake City, UT 84106-3040

Resident
2910 S HIGHLAND DR
Salt Lake City, UT 84106-3018

Resident
2888 S HIGHLAND DR
Salt Lake City, UT 84106-3177

Resident
2855 S HIGHLAND DR
Salt Lake City, UT 84106-3176

Resident
2816 S HIGHLAND DR
Salt Lake City, UT 84106-3147

Amy Barry - SHCC Chair
1178 RAMONA AVE
Salt Lake City, UT 84105

Daniel Echeverria - Salt Lake City Planning
PO BOX 145480
Salt Lake City, UT 84114

Wayne Reaves - Strategic Builders
1148 W Legacy Crossing Blvd Ste 400
Centerville, UT 84014

5.A PLANNING COMMISSION
STAFF REPORT

Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission

From: Daniel Echeverria, 801-535-7165, daniel.echeverria@slcgov.com

Date: January 22, 2015

Re: PLNPCM2014-00769/00770 2855 S Highland Drive Master Plan and Zoning Amendment

Master Plan and Zoning Amendment

PROPERTY ADDRESS: 2855 S Highland Drive
PARCEL ID: 16-29-235-007
MASTER PLAN: Sugar House
ZONING DISTRICT: R-1/7,000, Single Family Residential & CB, Community Business

REQUEST: The petitioner, Wayne Reaves, is requesting approval to amend the Sugar House future land use map and zoning map for a portion of the property located at 2855 S Highland Drive. The associated future land use map in the *Sugar House Master Plan* currently designates the majority of the property for "Low Intensity/Mixed Use;" however, the remainder is designated for Open Space. The petitioner is requesting to amend the future land use map so that the entirety of the property is designated as "Low Intensity/Mixed Use."

The property is also "split-zoned" with the majority of the property (1.06 acres) zoned CB, Community Business, and the remainder (0.35 acres) zoned R-1/7,000, Single Family Residential. The petitioner is requesting to amend the zoning map so that the entire property is zoned CB.

The intent of the proposed rezone is to more fully utilize the property for future development. If the zoning is amended for the property, the entire property could be used for any use allowed in the CB zone. The developer has not specified their intended use for the property at this time. The property is currently occupied by a vacant commercial building and parking lot. The City Council has final decision making authority for master plan and zoning amendments.

RECOMMENDATION: Based on the information in this staff report, Planning Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the proposed zoning map and master plan amendment.

The following motion is provided in support of the recommendation:

Based on the findings listed in the staff report and the testimony and plans presented, I move that the Planning Commission transmit a positive recommendation to the City Council for the proposed zoning and master plan amendment.

ATTACHMENTS:

A. Vicinity Maps
B. Property Photographs

Back to Council Staff Report

PROJECT DESCRIPTION:

The subject property is located within the Sugar House Community. The Sugar House Community Master Plan contains a future land use map that designates the desired type of land use that should occur on the property. The future land use map has a split designation for the property, with the majority of the property designated as "Low Intensity/Mixed Use." However, the eastern most portion (about 0.35 acres) is designated for "Parks & Open Space." Although parks are an allowed use in the CB zone, the original intent of this designation was to encourage the City to build a park on this land. Since the plan was created, the City acquired a parcel of land at 1560 East Atkin Avenue for the purpose of building a new park. The new park is under construction and is approximately 1/3rd of a mile away from the subject property. The park is o.86 acres in size, more than double the size of the subject property.

The property is currently "split-zoned" with the west side of the property (1.06 acres) zoned CB, Community Business, and the remainder (0.35 acres) zoned R-1/7,000, Single Family Residential. The R-1/7,000 portion of the property is approximately 73 feet wide and 213 feet deep. The petitioner is requesting to amend the zoning map designation of the 0.35 acre R-1/7,000 portion so that it matches the CB designation of the majority of the property. Please see Attachment A for a vicinity map highlighting the piece of property proposed for rezoning.

The intent of the proposed rezone is to more fully utilize the property for future development. The developer originally stated in their application that the rezoning was intended to support new multi-family development on the site. However, the developer has retracted that statement and has not specified an intended use for the property at this time. Currently, the subject portion of property could normally only be developed for one single-family home. Through a Planned Development process, thereby modifying some zoning standards, the property could potentially be developed for two single-family homes.

KEY ISSUES:
The key issues listed below have been identified through the analysis of the project, neighbor and community input and department review comments.

1. Current "Parks & Open Space" Designation Relevance
2. Zoning Compatibility with Adjacent Properties

Issue 1 - Current "Parks & Open Space" Designation Relevance
The portion of land proposed for rezoning is identified on the future land use map of the *Sugar House Community Master Plan* (2005) as "Parks & Open Space." When the plan was written in 2001, this land was being used as parking and landscaping for the commercial building on the property. The building and the associated parking have been on this property since 1959 according to City records and aerial photography.

To the east of the developed section of the property was a large undeveloped area of approximately 1 acre in size that had been vacant for at least 60 years. Together these areas of the property were identified as a potential new "Neighborhood Park" of approximately 1.35 acres in size. This large property had been identified as a potential park in the 1985 *Sugar House Master Plan* as well. The discussion from the 2001/2005 master plan is as follows:

> *The Wilford, Highland, and Nibley neighborhoods exhibit the greatest need for Neighborhood Parks. Therefore they have the highest priority for park development. There are a few areas that have been identified for potential neighborhood park sites.*

A parcel on Crandall Avenue, just east of Highland Drive, has been vacant for many years and would be ideal for use as a park.

However, the associated vacant property on Crandall Avenue identified by the master plan was never obtained by the City for the use of a park and the associated zoning was never changed to prevent its development. In 2010, the large vacant area on the east of the property was developed for the Crandall Cove six-lot residential subdivision. The development of this land eliminated the potential for the land to become a City park as envisioned in the master plan. The remaining 0.35 acres of land being considered for rezoning could potentially support a small pocket park or "tot lot"; however, Planning Staff does not foresee a significant desire or need for such an additional small park in this neighborhood given the recent City park development approximately 1/3rd of a mile from this site. This park fulfills the need for a park in the Wilford and Highland neighborhoods and the need for an additional park on the subject property no longer exists. Additionally, such a small park space would not provide much greater open space or recreational opportunities than are typically provided by residential yard areas in the surrounding neighborhood.

The Church of Jesus Christ of Latter Day Saints recently closed a church at 1560 E Atkin Ave, which is 1/3rd of a mile from the rezone site. This 0.85 acre church property was then deeded to the City in 2011 on the condition that it is to be used for a City park. The land is currently being developed for Imperial Park, a new City park. Though this park is slightly smaller in size than the area originally identified for park space in the *Sugar House Master Plan,* it helps fill in the gap in park service that was identified for this neighborhood. Furthermore, the park is more centrally located in the neighborhood than the site on Crandall Avenue and provides better park accessibility to the neighborhood. Highland Drive and Richmond Street serve as an artificial pedestrian barrier due to being arterial streets and so the Crandall Avenue park site would likely not have seen as much pedestrian traffic from the residential neighborhoods to the west of these streets.

In light of the new park development and the residential development on the potential park site, the future land use map identification of "Parks & Open Space" for the remaining land on Crandall Avenue no longer appears appropriate for this property. As such, amending the designation from "Parks & Open Space" to "Low Intensity/Mixed Use" is appropriate and recognizes the reality of the conditions on the ground. Staff recognizes that there is still a lack of park space in the neighborhoods immediately west of Richmond Street/Highland Drive and park opportunities should continue to be explored closer to those neighborhoods.

Issue 2 - Zoning Compatibility with Adjacent Properties

With commercial zoning next to single-family residential properties there can be concerns for compatibility issues between the two uses, such as negative noise or visual impacts to the residential properties. In this case the property has a couple of existing characteristics that buffer the residential properties from potential impacts that could result from new commercial or multifamily development.

The first characteristic is that there is a retaining wall between this property and the single family homes to the east. This retaining wall varies between approximately 3' to 5' in height and runs along the entire length of the east property line. Due to the associated grade difference, the residential homes to the east sit above the subject property and this creates some natural buffering for the homes. This grade difference can help direct any noise created by more intense uses on the property away from residential properties and increases privacy for the single family homes. The additional 6' foot fence results in an 11' barrier in some places along the property line.

In addition to this grade difference, the residential homes to the east have their required rear yards facing the property proposed for rezoning. This provides 25' of horizontal buffering from their rear property line to the homes themselves and reduces potential noise or visual impacts to

these properties. Similarly, the residential properties to the north of the site have 50' to 60' deep rear yards that abut the property and so these homes have significant existing horizontal buffering.

Overall, the grade difference and rear-facing orientation of the homes to this property create a buffer that reduces the potential for negative impacts to these residential homes. In addition to the existing buffering, new development on the site would be required to install a 7' wide landscape buffer along the property line shared with residential properties. The landscape buffer would need to include shade trees every 30', shrubs of at least 4' in height, and a solid 6' fence for the entire length of the buffer. In the long term, the shade trees would limit visual impacts of development on the residential uses to the east and may muffle noise. As this is a corner property, the east side of the property can be designed as the rear or side yard. An additional 3' of horizontal setback, for a total of 10' of setback will be required if this side of the property is designated as a side yard. If the yard is designated as a rear yard by the developer, no additional setback beyond the 7' landscape buffer would be required.

The two single-family homes across the street to the south may experience some visual and noise impacts but would be buffered by a 60' wide right-of-way, existing street trees, as well as existing 25' to 30' front yard setbacks. Any new development on the site would be required to install additional street trees, helping reduce the visual impact of the higher intensity uses allowed on the property.

Due to the existing conditions on the ground and the site improvements that would result from redevelopment, the proposed rezone will be generally compatible with the adjacent properties and uses.

Aerial view of property (highlighted in yellow) with existing buffering

DISCUSSION:

Applicable Master Plan Policies

The *Sugar House Master Plan* includes some general policies about commercial and residential areas applicable to this rezone and master plan amendment request. Some policies related to this request include:

- *Support and enhance the dominant, single-family character of the existing low-density residential neighborhoods.*
- *Maintain the unique character of older, predominantly low-density neighborhoods.*

- *Prohibit the expansion of non-residential land uses into areas of primarily low-density dwelling units.*

Although this master plan and zoning amendment would expand the commercial CB zoning designation and associated "Low-Intensity Mixed Use" future land use designation, the property is already used for a commercial parking lot rather than a low density residential use. It is considered a non-complying land use because the current use conflicts with the zoning. As such, this is not an expansion of non-residential land use into a low-density residential area and this rezone will not result in the loss of any existing residential dwellings. This corridor is characterized by existing commercial and mixed use properties on the edges of neighborhood, directly interfacing with adjacent residential properties.

The master plan also includes policies related to nonconforming commercial properties, such as the existing parking lot. The master plan says the following about these properties:

> *"...the City should be cautious in rezoning these nonconforming properties to commercial. Each one should be considered on its own merits, with the public and surrounding residents given the opportunity to provide input into the decision making process."*

The general public and surrounding residents were given the opportunity to weigh in on the proposal at two meetings of the Sugar House Community Council, including one with their Land Use Committee. At the meeting, residents near the development were generally amenable to the rezone proposal as long as the resulting development will be of a high quality design. Specifically, two adjacent neighbors expressed that any development on the property is better than the parking lot that currently occupies the site and were supportive of the rezone. One other adjacent resident, while not directly opposing or supporting the rezone, expressed a desire that the development be safe as he has children and that the development help and not hurt his property value. One community council member expressed concern at the meeting that the rezone is being proposed without knowing what the development will be. Please see the letter from the Community Council in Attachment F for a summary of comments expressed at the Council meeting and those provided to the land use committee chairperson. The Community Council's letter requests that the City approve the rezoning and Master Plan amendment proposal.

Medium to high density multifamily residential development is one of the allowed used in the CB zone and the developer initially expressed interest in such a development type. As such, the *Sugar House Master Plan* also includes the following policies for determining appropriate locations for Medium and High Density development:

- *Proximity to arterial or collector streets;*
- *Proximity to higher density residential areas, mixed-use areas, neighborhood commercial nodes or the urban town center of the Business District;*
- *Proximity to existing and proposed parks and open space;*
- *Prohibit the expansion of non-residential land uses into areas of medium-density residential.*

With regard to these proximity policies, this proposal is located near a City arterial, Highland Drive. The proposal is also located near an area targeted by the master plan for mixed use and higher density residential in-fill development between Highland Drive and Richmond Street. The location of this commercial site is generally supported by these policies. While the site is located in an area once identified for a possible park, as discussed in Issue 3 above, park space no longer appears to be a viable option for this site.

The Master Plan also includes policies related to the development potential of commercial sites near neighborhoods, such as commercial strip and neighborhood commercial developments. Some of these policies include:

- *Eliminating incompatible automobile-oriented uses where allowed;*
- *Requiring windows on the first floor of new buildings with entrances facing the street and parking located in the rear;*

- *Providing a pedestrian circulation component in every development approved;*
- *Requiring multiple public entrances in new larger buildings;*
- *Requiring design review or site design standards;*
- *Requiring signage to be at the pedestrian level.*

In compliance with these, the proposed CB zone includes pedestrian oriented building and site design standards that implement these policies. The "Development Potential" section on page 6 details some of the specific CB zone standards.

Although the Master Plan doesn't specifically reference height limitations for these properties, it does state that the goal of the "Future Land Use Plan" is to "promote compatible land uses while maintaining the integrity of the Sugar House Community." As such, height can be a concern when it comes to compatibility of commercial or medium density development near single-family residences. With regard to this, the CB zone has a 30' height limit, which is just 2' higher than the 28' limit for R-1/7,000 properties. The existing R-1/7,000 zoned homes to the east of the property are 28' tall. The 30' height limitation of the CB zone thus helps ensure that commercial development will be of a compatible scale with adjacent residential development.

Overall, the *Sugar House Master Plan* provides some flexibility in the determination of whether a rezone is appropriate for a property such as this one. Based on the above discussed standards and additional analysis located in this staff report, staff has found the proposed zoning amendment and associated Master Plan amendment to be compatible with the general Master Plan policies.

Current "Split-zone" Development Potential

The overall property is "split-zoned" due to a zoning decision in the 1990s that designated the parking area on the east side of this property as R-1/7,000 and the west side of the property as CB. With this split zone situation, the west side of the property can currently be developed for any use allowed in the CB and with the zoning heights and setbacks allowed in the CB zone. However, the development and use limitations of the R-1/7,000 zone mean that the developer could not extend any multifamily or commercial use into the R-1/7,000 zoned area on the east. As of right, a developer could build one single-family detached home on this part of the property. Alternatively, the developer could leave the parking lot on the property as it is or develop it as another use allowed in the R-1/7,000 zone, such as a park.

The R-1/7,000 zoning district requires new residential lots to be at least 50 feet wide and have a minimum lot area of 7,000 square feet. The rezone property has approximately 15,246 square feet of possible lot area and is 70' wide. Although the property has enough lot area for two single-family homes, the lot width limits would only support one single-family lot. A developer could potentially go through a Planned Development process to modify some zoning standards in order to build two single-family homes on this property. A typical single family home on this property would face Crandall Ave and have a minimum side yard of 6' or 10' adjacent to the CB property. A home could also reach a height of 28' at the ridge of the roof.

Proposed CB Rezone Development Potential

If the property is rezoned to CB it could be developed for any use allowed in the CB zone in compliance with the height and bulk requirements of the zone. The CB zone allows buildings up to 30' in height, which is close to the 28' height limit of the adjacent R-1/7,000 zone. This helps ensure that development is compatible in scale with residential uses and reduces the potential for negative height impacts onto residential properties. A diagram showing the associated development regulations for the CB zone, as well as a list of conditional and permitted uses are located in Attachment D. Although the CB zone has no front setback requirement, the basic design features required by the zone help ensure that the development is pedestrian, rather than automobile oriented. Further, the CB zone generally allows for a variety of low intensity commercial uses as well as multifamily residential uses, such as apartments or condominiums. The use intensity restriction reduces the potential for conflicts related to use on adjacent residential properties.

Due to the overall size of the property (including the existing CB zoned area), and thus the likely resulting total floor area of development, any new development would need to go through a Conditional Building and Site Design Review (CBSD) process. This process is required for any development in the CB zone that exceeds 15,000 square feet on the first floor or 20,000 total square feet overall. As stated in the zoning ordinance, the

process is "intended to help ensure that newly developed properties and redeveloped properties are designed to encourage pedestrian access, circulation and orientation while acknowledging the need for transit and automobile access." The standards relate to architectural and façade detailing, signage, landscaping, and building orientation among others. Generally, these additional standards help result in a higher quality development that is more compatible, in terms of building mass and scale, with nearby, single family neighborhoods.

If development on the property exceeds 60,000 square feet of gross floor area, additional amenities would be required as part of the CBSD process, such as one square foot of park, plaza, or public space per 10 square feet of gross floor area. For example, with a 60,000 square foot building, 6,000 square feet of the development would need to be devoted to park, plaza, or public space. Additionally, the building would be subject to a more stringent review relating to its building and pedestrian orientation.

NEXT STEPS:

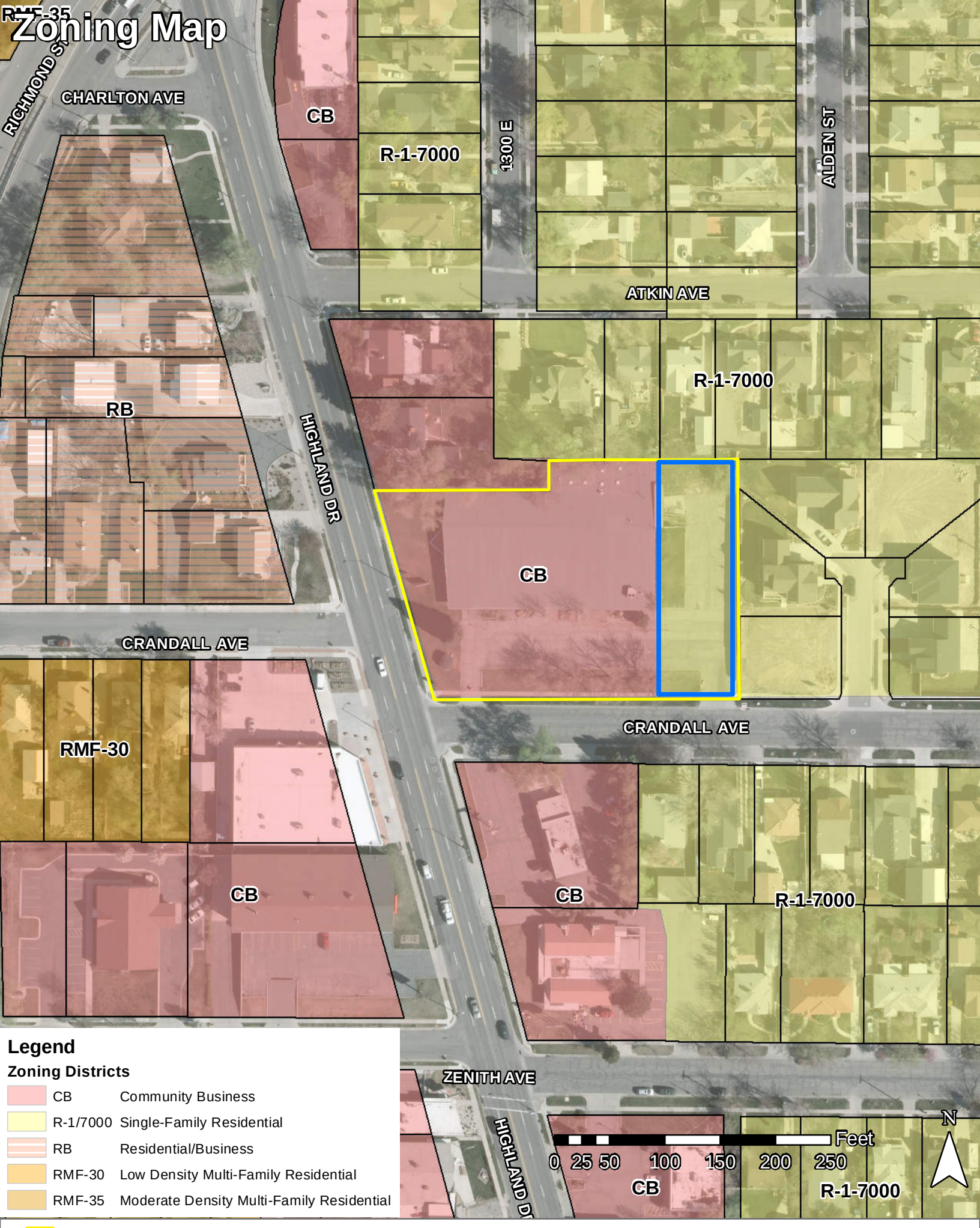
With a recommendation of approval or denial for the zoning amendment, the amendment proposal will be sent to the City Council for a final decision by that body.

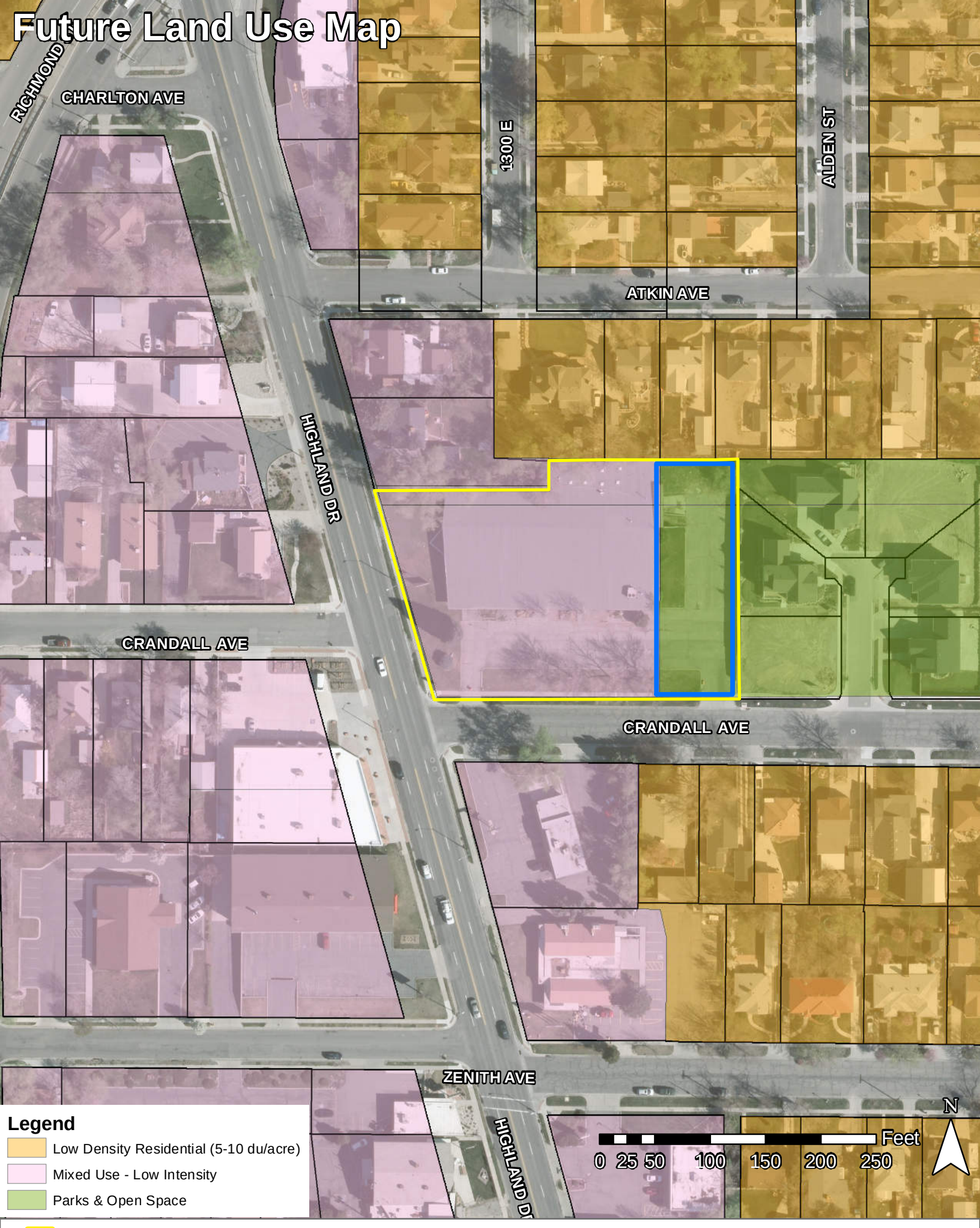
If the zoning amendment is approved, the developer will be able to build any use allowed in the CB zone on the property. A list of uses allowed by the zone is located in Attachment D. The developer will need to obtain a building permit for any development and will need to comply with the necessary zoning standards, including buffering where the property is adjacent to single-family zones. If the development exceeds 15,000 square feet on the first floor or 20,000 square feet overall, the development will need to go through a Conditional Building and Site Design review process before building permits are approved.

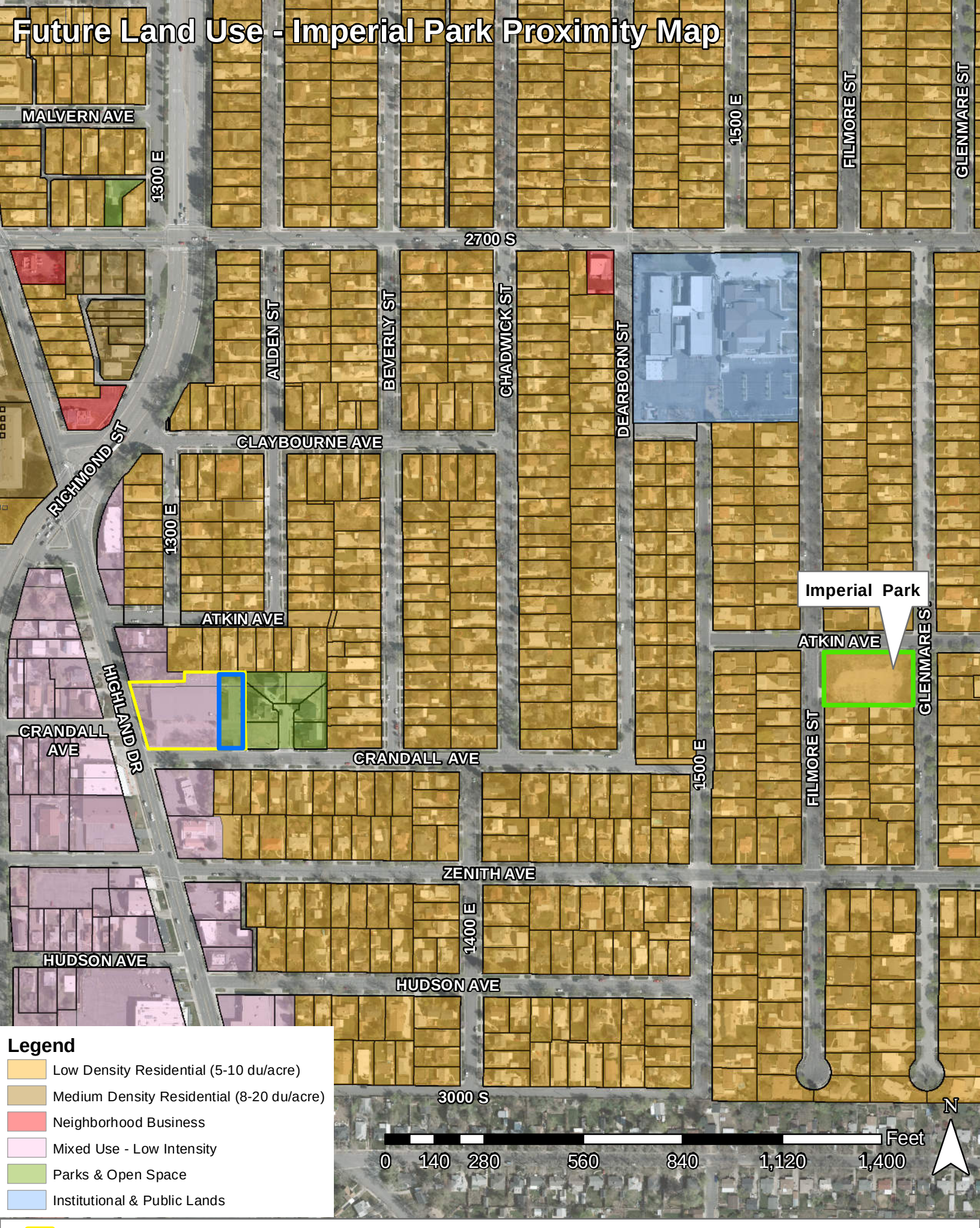
If the zoning amendment is denied, the property will remain zoned R-1/7,000, Single Family Residential. With this zoning, the developer would be able to build one to two single-family dwellings on the property at a maximum. Alternatively, the property could continue to be used as a parking lot or developed for other uses allowed in the R-1/7,000 zone. The developer will still be able to develop the existing CB zoned portion of the property to the west for any use allowed in the CB zone.

ATTACHMENT A: VICINITY MAPS

Birds-eye view of subject property (yellow outline) and surrounding area


Zoning Map
RMF-35
RICHMOND ST
CHARLTON AVE
CB
R-1-7000
1300 E
ALDEN ST
ATKIN AVE
R-1-7000
RB
HIGHLAND DR
CB
CRANDALL AVE
CRANDALL AVE
RMF-30
CB
CB
R-1-7000
ZENITH AVE
HIGHLAND DR
CB
R-1-7000
Legend
Zoning Districts
CB Community Business
R-1/7000 Single-Family Residential
RB Residential/Business
RMF-30 Low Density Multi-Family Residential
RMF-35 Moderate Density Multi-Family Residential
0 25 50 100 150 200 250
Feet
N
Overall Property
Area Proposed for Rezone from R-1/7,000 to CB


Future Land Use Map
RICHMOND
CHARLTON AVE
1300 E
ALDEN ST
ATKIN AVE
HIGHLAND DR
CRANDALL AVE
CRANDALL AVE
ZENITH AVE
HIGHLAND DR
Legend
Low Density Residential (5-10 du/acre)
Mixed Use - Low Intensity
Parks & Open Space
0 25 50 100 150 200 250
Feet
N
Overall Property
Area Proposed to be Amended from Open Space to Mixed Use- Low Intensity


Future Land Use - Imperial Park Proximity Map
MALVERN AVE
1300 E
2700 S
1500 E
FILMORE ST
GLENMARE ST
ALDEN ST
BEVERLY ST
CHADWICK ST
DEARBORN ST
CLAYBOURNE AVE
RICHMOND ST
1300 E
ATKIN AVE
Imperial Park
ATKIN AVE
GLENMARE ST
HIGHLAND DR
CRANDALL AVE
CRANDALL AVE
1500 E
FILMORE ST
ZENITH AVE
1400 E
HUDSON AVE
HUDSON AVE
3000 S
Legend
Low Density Residential (5-10 du/acre)
Medium Density Residential (8-20 du/acre)
Neighborhood Business
Mixed Use - Low Intensity
Parks & Open Space
Institutional & Public Lands
0
140
280
560
840
1,120
1,400
Feet
N
Overall Property
Area Proposed to be Amended from Open Space to Mixed Use- Low Intensity

ATTACHMENT B: PROPERTY PHOTOGRAPHS

View of the R-1/7,000 zoned subject property looking north. The retaining wall can be seen below the fence on the right side of the property. The CB zoned portion of the property is on the left (west) and starts just a few feet east of the building.

Panoramic view of the site looking north. The subject property is highlighted in yellow.

View from the middle of the subject property looking south. A commercial building can be seen on the right (west) side of the photo.

ATTACHMENT C: ADDITIONAL APPLICANT INFORMATION

1. Project Description

A statement declaring the purpose for the amendment.

The parcel (16-29-235-007-0000) is currently split between two zones. CB (1.06 acres) and R-1-7000 (.35 acres). We are requesting a rezone from R-1-7000 to CB for the .35 acres on the east side of the parcel.

A description of the proposed use of the property being rezoned.

We anticipate building multi-family housing that would complement and be appropriate to the area.

List the reasons why the present zoning may not be appropriate for the area.

The majority of this parcel is zoned CB (1.06 acres) and the portion that is zoned R-1-7000 (.35 acres) is insufficient to be developed according to its current zoning. In order for the property to be developed, the CB zone needs to be continuous across the entire parcel.

Is the request amending the Zoning Map?

Yes

If so, please list the parcel numbers to be changed.

Parcel: 16-29-235-007-0000

Is the request amending the text of the Zoning Ordinance?

No

1. Project Description

Describe the proposed master plan amendment.

The parcel (16-29-235-007-0000) is currently split between two zones. CB (1.06 acres) and R-1-7000 (.35 acres). The master plan shows the R-1-7000 as proposed open space. We request that this small portion of land is considered mixed use – low intensity which is what the CB zoned portion of the property is designated in the future land use plan.

A statement declaring the purpose for the amendment.

The master plan shows the R-1-7000 portion of the parcel as proposed open space and the larger portion as mixed use – low intensity. We propose to amend the plan to reflect the mixed use – low intensity across the entire parcel.

It should also be noted that the remaining portion of the proposed open space in this area is currently an approved and developed subdivision.

Declare why the present master plan requires amending.

The parcel (16-29-235-007-0000) is currently split between two zones. The west side of the parcel (1.06 acres) is designated mixed use – low intensity and the smaller eastern portion (.35 acres) is designated open space. To allow for development, we would need the entire parcel to allow CB zoning. The present master plan would need to be amended to allow the east portion of the parcel to be mixed use – low intensity.

Is the request amending the Land Use Map?

Yes, the .35 acres will need to be amended.

If so, please list the parcel numbers to be changed.

Parcel #16-29-235-007-0000

Is the request amending the text of the master plan?

I do not believe the text will be amended.

If so, please include exact language to be changed.

Not applicable.

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ATTACHMENT D: EXISTING CONDITIONS

Uses in the Immediate Vicinity of the Property

To the east of the land proposed for rezone are two single-family homes. Two single-family homes also border the property to the north. To the west of the subject property is the remainder of the subject property that is zoned CB. This portion of the property is occupied by a commercial building that has most recently been used for furniture retail. To the south, across the street, are two single-family homes. Please see the vicinity map in Attachment A for reference.

Current R-1/7,000 Zoning Standards

The property proposed for rezoning is currently zoned R-1/7,000, Single Family Residential. The following table provides the yard and bulk requirements for the R-1/7,000 district.

R-1/7,000 Development Standards (21A.24.200)							
LOT WIDTH	LOT AREA	FRONT YARD	REAR YARD	SIDE YARDS	HEIGHT	LOT COVERAGE	LANDSCAPE YARDS
50′ min	7,000 sq ft min	Average of the block face or 20′ min	25' min	6′/10′ min	Pitched roof: 28′ max Flat roof: 20′ max	40% max	Front and corner side yards

Proposed CB Zoning Standards

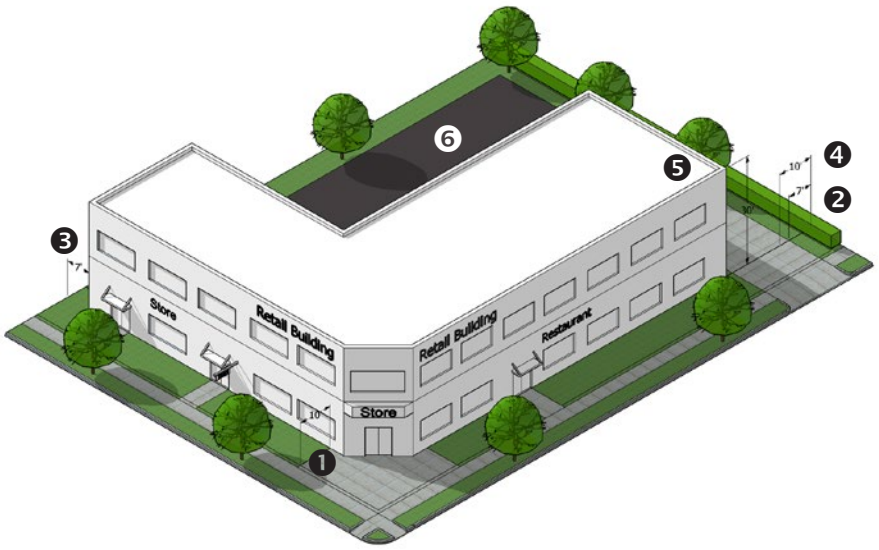
The developer is proposing to rezone the subject property to CB, Community Business. The development standards for that zone, including yard and bulk requirements, as well as a list of permitted and conditional uses are located on the following pages.

CB COMMUNITY BUSINESS

The CB, Community Business, zoning district is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.

Development in the CB zone allows for a variety of lower intensity commercial uses, such as retail uses, offices, and restaurants. Commercial development does not need to include a residential component, but such mixed-use development is allowed. Multifamily residential development, such as condominiums and apartments, are also allowed and such development does not need to include a commercial use. Front yard building setbacks are limited in this zone so as to encourage a pedestrian building orientation.

Development Examples



Zoning Diagram

CB Development Standards (21A.26.030)									
LOT WIDTH	LOT AREA	FRONT YARD ❶	REAR YARD ❷	SIDE YARDS ❸	LANDSCAPE BUFFERS ❹	HEIGHT ❺	SURFACE PARKING ❻	PARKING LIGHTING	FLOOR AREA LIMITATION
No min or max	No min, 4 acre max*	0' min, 15' max for 75% of facade	10' min	None	7' required next to residential zones	30' max	Located behind building or setback 20' from front property line	If next to residential, light poles limited to16'; must be shielded	CBSD[1] required if 1st floor area is ≥15,000 sq ft or total floor area is ≥20,000

[1]Conditional Building and Site Design (CBSD) requires that development meet a higher level of design standards, see 21A.59.

CB Building Design Standards (21A.26.030)			
1ST FLOOR FACADE	FRONT ENTRANCE	FIRST FLOOR DETAILING	MECHANICAL EQUIPMENT/SERVICE AREAS
40% glass & non-reflective*	1 entry that faces street	No blank walls over 15' long	Screened or located out of public view

*These standards can be modified through the Conditional Building and Site Design (CBSD) process, see 21A.59.

The above information is a synopsis of the CB zoning regulations. The complete CB zoning regulations are located in 21A.26.030.

PERMITTED AND CONDITIONAL USES - COMMERCIAL DISTRICTS

USES	CN	CB	CS1	CC	CSHBD1	CG	SNB
Accessory use, except those that are specifically regulated elsewhere in this title	P	P	P	P	P	P	P
Adaptive reuse of a landmark site	P	P	P	P	P	P	
Alcohol:							
Brewpub (2,500 square feet or less in floor area)		C[12,13]	P[12]	P[12]	P[12]	P[12]	
Brewpub (more than 2,500 square feet in floor area)			P[12]	C[12]	P[12]	P[12]	
Dining club (2,500 square feet or less in floor area)	C[12,13]	C[12,13]	P[12]	P[12]	P[12]	P[12]	
Dining club (more than 2,500 square feet in floor area)			P[12]	C[12]	P[12]	P[12]	
Distillery						P[19]	
Microbrewery						P	
Social club (2,500 square feet or less in floor area)		C[12,13]	P[12]	P[12]	P[12]	P[12]	
Social club (more than 2,500 square feet in floor area)			P[12]	C[12]	P[12]	P[12]	
Tavern (2,500 square feet or less in floor area)		C[12,13]	P[12]	P[12]	P[12]	P[12]	
Tavern (more than 2,500 square feet in floor area)			P[12]	C[12]	P[12]	P[12]	
Ambulance service (indoor)			P	P	P	P	
Ambulance service (outdoor)			P[7]	P[7]	P[7]	P	
Amusement park			P			P	
Animal:							
Cremation service				P		P	
Kennel						P	
Pet cemetery						P[4]	
Veterinary office	C	P	P	P	P	P	
Antenna, communication tower		P	P	P	P	P	
Antenna, communication tower, exceeding the maximum building height in the zone		C	C	C	C	C	
Art gallery	P	P	P	P	P	P	P
Auction (outdoor)				P		P	
Auditorium			P	P	P	P	
Bakery, commercial						P	
Bed and breakfast	P	P	P	P	P	P	P[17]
Bed and breakfast inn	P	P	P	P	P	P	
Bed and breakfast manor	C[3]	C[3]		P	P	P	
Blacksmith shop						P	
Blood donation center				C		P	
Bus line station/terminal				P		P	
Bus line yard and repair facility						P	
Car wash			P	P		P	
Car wash as accessory use to gas station or convenience store that sells gas			P	P	P	P	
Check cashing/payday loan business				P[10]		P[10]	
Clinic (medical, dental)	P	P	P	P	P	P	
Community correctional facility, large							
Community correctional facility, small						C[9,14]	
Community garden	P	P	P	P	P	P	P
Contractor's yard/office				C		P	

USES	CN	CB	CS1	CC	CSHBD1	CG	SNB
Crematorium			C	C	C	C	
Daycare center, adult	P	P	P	P	P	P	
Daycare center, child	P	P	P	P	P	P	
Daycare, registered home daycare or preschool							P
Dwelling:							
Assisted living facility (large)		P		P	P	P	
Assisted living facility (small)		P		P	P	P	P
Group home (large)		P		C		C	
Group home (small) when located above or below first story office, retail, or commercial use, or on the first story where the unit is not located adjacent to street frontage	P	P	P	P	P	P	P
Living quarter for caretaker or security guard	P	P	P	P	P	P	
Manufactured home							P
Multi-family		P	P	P	P	P	P
Residential substance abuse treatment home (large)				C		C	
Residential substance abuse treatment home (small)				C		C	
Rooming (boarding) house		P	P	P	P	P	
Single-family attached							P
Single-family detached							P
Single room occupancy							
Transitional victim home (large)				C		C	
Transitional victim home (small)				C		C	
Twin home							P
Two-family							P
Eleemosynary facility		P					
Equipment rental (indoor and/or outdoor)				P		P	
Farmers' market			C	C	P	P	
Financial institution	P	P	P	P	P	P	
Financial institution with drive-through facility		P[11]	P[11]	P[11]	P[11]	P[11]	
Flea market (indoor)			P	P	P	P	
Flea market (outdoor)						P	
Funeral home			P	P	P	P	
Gas station		C	P	P	P	P	
Government facility		C	C	C	C	C	C
Government facility requiring special design features for security purposes	P	P	P	P	P	P	
Homeless shelter						C	
Hotel/motel		C		P	P	P	
House museum in landmark sites (see subsection 21A.24.010T of this title)							C
Impound lot						C[14]	
Industrial assembly						P	
Intermodal transit passenger hub						P	
Laboratory (medical, dental, optical)			P	P		P	
Laboratory, testing			P	P		P	

USES	CN	CB	CS1	CC	CSHBD1	CG	SNB
Large wind energy system		P		P		P	
Laundry, commercial						P	
Library	P	P	P	P	P	P	C
Limousine service (large)						P	
Limousine service (small)		C		C		P	
Manufactured/mobile home sales and service						P	
Mixed use development	P	P	P	P	P	P	P[15]
Mobile food business (operation on private property)	P	P	P	P	P	P	
Municipal service uses, including city utility uses and police and fire stations		C	C	C	C	C	C
Museum	P	P	P	P	P	P	P
Nursing care facility		P		P		P	
Office	P	P	P	P	P	P	P[18]
Offices and reception centers in landmark sites (see subsection 21A.24.010T of this title)							C
Open space	P	P	P	P	P	P	
Open space on lots less than 4 acres in size							P
Park	P	P	P	P	P	P	
Parking:							
Commercial				C	P	P	
Off site	C	P	P	P	P	P	
Park and ride lot		C	C	P		P	
Park and ride lot shared with existing use		P	P	P	P	P	
Place of worship on lot less than 4 acres in size	P	P	P	P	P	P	C
Radio, television station			P	P	P	P	
Reception center		P	P	P	P	P	
Recreation (indoor)	P	P	P	P	P	P	P
Recreation (outdoor)			C	C		P	
Recreational vehicle park (minimum 1 acre)				C			
Recycling collection station	P	P	P	P	P	P	
Research and development facility							
Restaurant	P	P	P	P	P	P	
Restaurant with drive-through facility		P[11]	P[11]	P[11]	P[11]	P[11]	
Retail goods establishment	P	P	P	P	P	P	P[16]
Plant and garden shop with outdoor retail sales area	P	P	P	P	P	P	P
With drive-through facility		P[11]	P[11]	P[11]	P[11]	P[11]	
Retail service establishment	P	P	P	P	P	P	P[16]
Furniture repair shop	C	P	P	P	P	P	
With drive-through facility		P[11]	P[11]	P[11]	P[11]	P[11]	
Reverse vending machine	P	P	P	P	P	P	
Sales and display (outdoor)	P	P	P	P	P	P	

USES	CN	CB	CS1	CC	CSHBD1	CG	SNB
School:							
College or university		P	P	P	P	P	
Music conservatory		P	P	P	P	P	
Professional and vocational		P	P	P	P	P	
Seminary and religious institute		P	P	P	P	P	C
Seasonal farm stand	P	P	P	P	P	P	
Sexually oriented business						P[5]	
Sign painting/fabrication						P	
Solar array						P	
Storage (outdoor)				C		P	
Storage, public (outdoor)				C		P	
Storage, self				P		P	
Store:							
Department			P		P		
Mass merchandising			P		P	P	
Pawnshop						P	
Specialty			P	P	P	P	
Superstore and hypermarket			P			P	
Warehouse club						P	
Studio, art	P	P	P	P	P	P	P
Studio, motion picture						P	
Taxicab facility						P	
Theater, live performance		P[14]	P[14]	P[14]	P[14]	P[14]	
Theater, movie		C	P	P	P	P	
Urban farm	P	P	P	P	P	P	
Utility, building or structure	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]
Utility, transmission wire, line, pipe, or pole	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]	P[2]
Vehicle:							
Auction						P	
Automobile repair (major)				P		P	
Automobile repair (minor)	C	P	P	P	P	P	
Automobile sales/rental and service				P		P	
Automobile salvage and recycling (indoor)						P	
Boat/recreational vehicle sales and service				P		P	
Truck repair (large)						P	
Truck sales and rental (large)				P		P	
Vending cart, private property					P		
Warehouse				P		P	
Welding shop						P	
Wholesale distribution				P		P	
Wireless telecommunications facility (see section 21A.40.090, table 21A.40.090E of this title)							C
Woodworking mill						P	

QUALIFYING PROVISIONS

1. Development in the CS district shall be subject to planned development approval pursuant to the provisions of chapter 21A.55 of this title. Certain developments in the CSHBD zone shall be subject to the conditional building and site design review process pursuant to the provisions of subsection 21A.26.060D and chapter 21A.59 of this title.
2. Subject to conformance to the provisions in subsection 21A.02.050B of this title for utility regulations.
3. When located in a building listed on the Salt Lake City register of cultural resources (see subsections 21A.24.010T and 21A.26.010K of this title).
4. Subject to Salt Lake Valley health department approval.
5. Pursuant to the requirements set forth in section 21A.36.140 of this title.
6. Subject to location restrictions as per section 21A.36.190 of this title.
7. Greater than 3 ambulances at location require a conditional use.
8. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review.
9. A community correctional facility is considered an institutional use and any such facility located within an airport noise overlay zone is subject to the land use and sound attenuation standards for institutional uses of the applicable airport overlay zone within chapter 21A.34 of this title.
10. No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.
11. Subject to conformance to the provisions in section 21A.40.060 of this title for drive-through use regulations.
12. Subject to conformance with the provisions in section 21A.36.300, "Alcohol Related Establishments", of this title.
13. In CN and CB zoning districts, the total square footage, including patio space, shall not exceed 2,200 square feet in total. Total square footage will include a maximum 1,750 square feet of floor space within a business and a maximum of 450 square feet in an outdoor patio area.
14. Prohibited within 1,000 feet of a single- or two-family zoning district.
15. Residential units may be located above or below first floor retail/office.
16. Construction for a nonresidential use shall be subject to all provisions of subsections 21A.24.160I and J of this title.
17. In the SNB zoning district, bed and breakfast use is only allowed in a landmark site.
18. Medical and dental offices are not allowed in the SNB zoning district.
19. Permitted in the CG zoning district only when associated with an on site food service establishment.

ATTACHMENT E: ANALYSIS OF STANDARDS

ZONING MAP AMENDMENTS

21A.50.050: A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard. In making a decision to amend the zoning map, the City Council should consider the following:

Factor	Finding	Rationale
1. Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;	**Consistent with general goals and policies, but requires amendment to the future land use map of the *Sugar House Master Plan*, which is part of this proposal.**	Please see the "Discussion" section on pages 4-6 regarding applicable master plan policies. As discussed, staff finds that the zoning amendment is consistent with the general policies of the *Sugar House Master Plan.* However, the proposed CB zone is not consistent with the Master Plan's specific designation of the property as "Parks & Open Space" and requires a master plan amendment. The appropriateness of this current designation given the changes on the ground since the plan's adoption is discussed under "Issue 1" on page 2. Staff has determined that the "Parks and Open Space" designation is no longer appropriate for this site and that an amendment to "Low Intensity/Mixed Use" is consistent with the applicable general policies of the master plan. The Master Plan defines a "Low Intensity/Mixed Use" as the following: *Low-Intensity Mixed Use allows an integration of residential with small business uses, typically at ground floor levels. Height limits generally include one- and two-story structures. The intent is to support more walkable community development patterns located near transit lines and stops. Proposed development and land uses within the Low-Intensity Mixed Use area must be compatible with the land uses and architectural features surrounding each site.* The proposed CB zone includes scale and pedestrian oriented design standards that fit within these parameters. As discussed on page 6, these standards are meant to ensure

		compatible development with adjacent residential land uses. As such, the proposed designation is also compatible with the proposed CB zoning district.
2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.	**Complies**	The CB purpose statement is as follows: *The CB community business district is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.* In compliance with this purpose statement, the property is located adjacent to a residential neighborhood and would closely integrate with the residential development. The location of the proposal is compliant with the purpose statement of the zone.
3. The extent to which a proposed map amendment will affect adjacent properties;	**Some noise and view impacts may occur with new development, but existing and required additional buffering are expected to minimize any negative impacts.**	As discussed in the issue section on page 3 of the staff report, the amendment could result in some potential impacts to adjacent properties from resulting development. For example, the westward views from the second level of the single-family residential buildings to the east may be reduced and some additional noise may be produced if a use such as outdoor dining develops on the site. However, the required landscape buffering, grade difference between the property and the adjacent property to the east, as well as the adjacency to the rear yards of the residential lots to the east and north, are expected to provide adequate buffering from any negative impacts related to potential commercial or multifamily uses on the property. Additionally, the 30' height limit for the CB zone is close to the 28' limit of the adjacent residential zone, which reduces the potential for negative impacts related to the scale of development.
4. Whether a proposed map amendment is consistent with the purposes and provisions of	**Complies**	The property is not located within an overlay zoning district that imposes additional standards.

any applicable overlay zoning districts which may impose additional standards		
5. The adequacy of public facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.	**Complies**	The subject property is located within a built environment where public facilities and services already exist. More intense uses, such as large commercial or multifamily development may require upgrading utilities and drainage systems. However, such upgrades would be required for any new large use on the existing CB portion of the property through the building permit process. The inclusion of the 0.35 acres of land in any new development is not expected to appreciably increase utility service requirements. As noted by Transportation in their department review, the rezone of the property is not expected to have an impact on street service levels. City departments and division have not indicated that public facilities or services are inadequate to serve the subject property.
NOTES:		

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ATTACHMENT F: PUBLIC PROCESS & COMMENTS

Public Notice, Meetings, Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project:

Notice of Application:
A notice of application was mailed to the Sugar House Community Council chairperson. The Community Council was given 45 days to respond with any concerns and to request that the applicant meet with them.

The Community Council requested that the developer meet with their Land Use Committee and also attend their general meeting. The developer met with their Land Use Committee on December 16th and attended their general meeting on January 7th. Staff attended both meetings to answer any planning or zoning related questions. A letter from the Sugar House Community Council Land Use Committee chairperson is on the following page and includes notes and comments from the meeting, as well as a recommendation of approval for the rezone.

Notice of the public hearing for the proposal included:
Public hearing notice mailed on January 15, 2015
Public hearing notice posted on January 15, 2015
Public notice posted on City and State websites and Planning Division list serve on January 15, 2015

Public Input:
No public comments received as of staff report publication.

January 18, 2015

TO: Salt Lake City Planning Commission

FROM: Judi Short, Land Use Chair and First Vice President
Sugar House Community Council

RE: 2855 S Highland Drive

Sugar House
Community Council

The Sugar House Community Council has reviewed the application by Wayne Reaves for a Zoning Map Amendment to rezone the R-1/7000 portion of the property to CB, and a Master Plan Amendment to change the designation of this parcel in the Sugar House Master Plan Future Land Use Map from Parks & Open Space to Low Intensity/Mixed Use.

We first reviewed this property on December 15 at our Land Use and Zoning Committee. We had passed out flyers to the homes and businesses nearby, summarizing what was being proposed and had some of those people in attendance. (see attached) We also had neighbors attend our January 7 Sugar House Community Council meeting where the project was presented. They had a number of questions. My notes from both meetings are included below.

After reviewing the comments made at these two meetings, along with additional statements by the Land Use Committee, **we are asking you to approve the request to rezone the parcel on the east that is .35 of an acre from r-1/7000 to CB. We further request that you remove this parcel from the Future Open Space Map of the Sugar House Master Plan.**

At the time that we approved the new Imperial Park, which will be two blocks east of this parcel, we discussed the fact that Imperial Park would replace this parcel as Open Space. Originally, the parcel now known as Crandall Court was to be included as part of the Open Space, and that has now been converted to housing. This is a fair trade, as the Imperial Park was built on a parcel that was zoned R-1/7000, and we got a park, and Crandall Court added six homes.

We further suggest to the developer that they carefully look at the layout of their project, and try to make it tucked up along Highland Drive, to minimize the impact on the neighborhood to the east. The parking on the east should provide a buffer, along with required landscaping. We also request that they try not to add a curb cut on Highland Drive, to minimize the congestion on that street.

NOTES from SHCC Land Use and Zoning Committee Meeting December 15, 2014.

Wayne Reaves presented the reason for the request to rezone the parcel. He did not want to be misleading in any way. He put multifamily use in the application, but all they are requesting is a rezone for the one parcel that is R 1/7000, which is a driveway to the loading dock.. Until that is done, they cannot proceed with deciding what they will do with the property. He did say that whatever it was would comply with the uses allowed in the CB zone. Adding this extra parcel will make it more feasible. Not adding the extra parcel leaves one lot that might never be developed, because of what is on either side.

He said it could be live/work, retail on the first floor with housing above, perhaps office. We want to create value for the city. One of the neighbors asked about the CB zone. He said that it could be up to

30 feet. Master plan called for Open Space, but the zoning was never changed. One of the neighbors asked about why they were not informed about the master plan. The planner (John Anderson) explained that this is not a new plan. He said it does have to be removed from the Open Space Plan. Existing zone is 28' feet, CB is 30 feet. Would be 2 stories, tough to get three with retail on the first floor. One of the neighbors said they already have a lot of traffic, and Anderson said that a traffic study would be done as part of the review. The city in general will discourage extra in and out along Highland Drive. Reaves said it was too early to decide if a curb cut would be requested. The real issue is what is the best design for a project on this parcel. Once the zoning is changed, we won't have any control over what is on the property, it could be anything that fits within the CB zone.

The parcel currently is one parcel with two zones. The person he bought it from did not even realize that it was not all one zone. The CB parcel is 1.06 acres, plus the residential portion is .35 acre. Right now they have a "right to purchase" but they don't own anything at this point in time. If it isn't rezoned, they would not purchase the property. Rawlins talked about commercial encroachment into this residential area. Reaves said it matches the Master Plan.

Reaves said to start designing something, they would have to spend time and money with a design firm, etc. They won't do that until they have a rezone. A neighbor asked about ideas for what might go in. Sea Salt and Finca restaurant were given as an example of a restaurant with apartments above, or retail below and offices above. Some combination of this could be done, that fits into the CB zone. A neighbor said that we will support you if you put something into the neighborhood that fits. 30' high and landscape buffers next to residential zones, no side yard. Sheila said that activity after business hours would make a difference, because this has been a dead zone for many years. The parcel is about 6' below the residential Crandall Cove on the eastern end, so that would act as a buffer.

Reaves said after the rezone it becomes suggestive as to what might go in. It would need to be something that fits in the zone. John Anderson said if you meet the minimum standards, you would get a permit. You would need Planning Commission site and design review to build something over 14,000 square feet. The public has input at the Sugar House Community Council, and at the Planning Commission. Reaves said this should be a buffer between the neighborhood and a big highway. A neighbor asked about the buffer wall, and he said it would be right at the edge of the existing Crandall Cove without creating a vacant space between the two parcels. He said it is most likely that it would be oriented up to the Highland Drive. Reaves said he might build underground parking, or it could be senior housing, but probably not a community garden. Could be a live work space. Who rents the space would be the tenant that is most interested.

George Chapman said that once the rezone happens, the community loses all leverage. Reaves said it wouldn't matter what sort of a plan he showed us, the actual engineering etc. wouldn't happen until they had the certainty of a rezone. Sally pointed out that it could be sitting like it is now for another decade, if the parcel isn't big enough as it stands to build a viable CB building. Grace Sperry said it could be a very nice commercial building. Lynn Schwartz said if you are going to eliminate the nuisance, this is a solution. Sheila said it was not unlikely that someone will buy the two residential homes that are north of this parcel along Highland Drive. Judi reminded the group that Sally put flyers on all the residential porches and surrounding businesses. The men from Forsey's were here for a bit and had their questions answered. The neighbors said they had their questions answered and left the meeting.

Notes from January 7, 2015 meeting of SHCC.

Mr. Reaves attended the Sugar House Community council meeting and gave an overview of trying to get a rezone before the company invests money into drawings for a specific proposal. Daniel Echeverria from Salt Lake City Planning gave a listing of the uses that are allowed in the CB zone. Includes retail uses, and retail sales. CB zone requires 7' landscape buffer. One petitioner said it

didn't make sense to him that Reaves had no idea what he would build there. Judi said that the other choice is for the petitioner to hire an architect and an engineer, and spend a bunch of money to design some sort of projects, and then if the Planning Commission says no, they are out all that money. This way, they can ask for a rezone and then submit a project that fits the zone. Potentially, the project will be up against Highland Drive, and the east portion will be a parking lot, which in essence will be a buffer between the building and the homes to the east. One man who said he lived directly east of the parking lot said we want something done with this parcel, we are tired of the eyesore it has been for years. Rawlins said he would like to see housing on this parcel, and then residential on the two parcels on the north side along Highland Drive.

If the rezone happens, the project can be approved if it fits the zone. If the project is larger than 14,000 square feet, the project will come back to us for further discussion and approval, as part of the design review process. This will have to be presented to the Planning Commission and then City Council will have the final say in whether to rezone or not.

I got no more comments from the public after this meeting.

Comments from some of the Land Use Committee Members

I also think that the up-zone of the parcel on the lot on Highland should go through. In reality, the owner would never ask that the larger part be down-zoned. It seems that the parcel to be up-zoned is in bad shape, and at least some of the neighbors would appreciate something else there. I only hope they stay with the firm of Mr. Reeves, though the CB does have some good limits.

I have no opposition to the rezone of the parking area. I do think orienting to Highland is the appropriate measure and help communicate a desire for a buffer. The height really isn't an issue to me because of the 6' elevation change and those homes are all 2 story so this won't "tower" over them, but a buffer would be very helpful to give them privacy.

I'm glad we distributed flyers for this so we can say we did outreach and the only responses we received were people wanted something done here and the buffer. I think those are easily mitigated to get a successful development.

I know, through the grapevine, that that property has been in family battles for a long time and it is such a blight. So to see something happen would be great. We do have to realize that Highland is going to be all commercial to various degrees. And at some point the properties on the east side are going to take a hit for it. So, the key here is how do we mitigate this contrast. The height, I would guess is not going to be the issue here... the real issue is, will there be enough set back or, simply put, space between the commercial and residential. All this said, I agree with changing the zone. I also agree with giving significant weight to the neighbors when considering what design / building will then be built there and how much space or screening is needed to help protect their privacy.

I like the guy's honesty, don't see much of that. The neighbors even suggested at the LUZ meeting that he add the two houses north of the Campos to the project. I don't remember Crawford and Day's location.

I'm inclined to recommend approval unless some negative comments come from neighbors we haven't heard from yet. The ones that came to LUZ seemed to be satisfied after they got their questions answered, didn't go away mad. I can't imagine that would be an attractive parcel for someone to buy and build a house. So it could just sit for a long time. I don't think the owner wants to sell them separately.

ATTACHMENT G: DEPARTMENT REVIEW COMMENTS

Department Review Comments

Engineering – Scott Weiler (scott.weiler@slcgov.com or 801-535-6159)
No objections.

Zoning
No comments.

Transportation - Barry Walsh (barry.walsh@slcgov.com or 801-535-7102)
Transportation review comment for the proposed zoning change to remove the lot split from CB and R-1/7000 to CB does not impact the transportation corridors of Highland Dr. an Arterial class roadway or Crandall Avenue a local roadway.

Public Utilities
No comments.

Fire
No comments.

Police
Police have no concerns with this proposal.

Parks
No comments.

ATTACHMENT H: MOTIONS

Potential Motions

Staff Recommendation:
Based on the findings listed in the staff report and the testimony and plans presented, I move that the Planning Commission transmit a positive recommendation to the City Council for the proposed zoning and master plan amendment.

Not Consistent with Staff Recommendation:
Based on the testimony, plans presented and the following findings, I move that the Planning Commission transmit a negative recommendation to the City Council for the proposed zoning map and master plan amendment.

(The Planning Commission shall make findings on the Zoning Amendment standards and specifically state which standard or standards are not being complied with. Please see Attachment E for applicable standards.)

5.B PLANNING COMMISSION
AGENDA AND MINUTES

SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA
In Room 326 of the City & County Building
451 South State Street
Wednesday, January 28, 2015, at 5:30 p.m.
(The order of the items may change at the Commission's discretion.)

The field trip is scheduled to leave at 4:00 p.m.
Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m. in Room 126 of the City and County Building. During the dinner break, the Planning Commission may receive training on city planning related topics, including the role and function of the Planning Commission.

PLANNING COMMISSION MEETING WILL BEGIN AT 5:30 PM IN ROOM 326
APPROVAL OF MINUTES FOR JANUARY 14, 2015
REPORT OF THE CHAIR AND VICE CHAIR
REPORT OF THE DIRECTOR

Administrative Matters

1. **Verizon Wireless Rooftop Antennas at approximately 1430 W Andrew Avenue** – A request by Verizon Wireless for a Conditional Use for new unmanned wireless antennas located on the rooftop of Glendale Middle School and electrical equipment related to the roof mounted antennas that exceed the measurements to be considered a permitted use at the property located at the address listed above. The subject property is located in the PL (Public Lands) zoning district and is located in Council District #2, represented by Kyle LaMalfa. (Staff contact: Amy Thompson at (801) 535-7281 or amy.thompson@slcgov.com). Case number PLNPCM2014-00643

2. **Electrical Equipment Associated with Wall Mounted Antennas at approximately 560 E South Temple** - A request by Verizon Wireless for a Conditional Use regarding electrical equipment associated with wall mounted antennas that exceed the permitted size in a residential zoning district at the property located at the above listed address. The subject property is located in the RO (Residential Office) zoning district and is located in Council District #4, represented by Luke Garrott. (Staff contact: Amy Thompson at (801) 535-7281 or amy.thompson@slcgov.com). Case number PLNPCM2014-00826

3. **Adaptive Reuse of an Historic Landmark Building Conditional Use at approximately 1135 E South Temple** – A request by Ronald McDonald House Charities, represented by Carrie Romano, for a Conditional Use for the adaptive reuse of an historic landmark building to operate as an inn/bed & breakfast or office located at the above listed address. The subject property is in a RMF-35(Moderate Density Multi-family Residential) Zone and SR-1A Zone (Special Development Pattern Residential District). The adaptive reuse of an historic landmark building is a Conditional Use in both of these Zones. The subject property is located within Council District 3 represented by Stan Penfold. (Staff contact: Lex Traughber at (801) 535-6184 or lex.traughber@slcgov.com) Case number PLNPCM2014-00838

Legislative Matters

4. **Rezone and Master Plan Amendment at approximately 2855 S Highland Drive** - A request by Wayne Reaves, representing the property owner DTRL & Associates, for the City to amend the zoning map and associated future land use map designation for a portion of property located the above listed address. The property is currently "split-zoned" with the majority of the property (1.06 acres) zoned CB, Community Business, and the remainder (0.35 acres) zoned R-1/7,000, Single Family Residential. The applicant is requesting that the City rezone the R-1/7,000 portion of the property to CB. The property is currently occupied by a vacant commercial building and parking lot. This type of project requires a Zoning Map and Master Plan Amendment. The subject property is within Council District 7, represented by Lisa Adams. (Staff contact: Daniel Echeverria at (801)535-7165 or Daniel.echeverria@slcgov.com Case Numbers PLNPCM2014-00769 & PLNPCM2014-00770)
    a. **Zoning Map Amendment**- The petitioner is requesting to amend the zoning map designation of the R-1/7,000 portion of the property to CB. The intent of the proposed rezone is to more fully utilize the entire property for future development. Although the applicant has requested that the property be rezoned to the CB zone, consideration may be given to rezoning the property to another zoning district with similar characteristics. (Case number PLNPCM2014-00769.)
    b. **Master Plan Amendment**- The associated future land use map in the Sugar House Master Plan currently designates the majority of the property for "Low Intensity/Mixed Use;" however, the area proposed for rezone to CB is designated as "Parks & Open Space." The petitioner is requesting to amend the future land use map so that the entirety of the property is designated as "Low Intensity/Mixed Use." Case number PLNPCM2014-00770.

5. **R-MU-35 and R-MU-45 Zoning District Changes** - A request by the City Council for modifications to the R-MU-35 and R-MU-45 Residential/Mixed Use zoning districts. The amendment will affect section 21A.24 of the Salt Lake City Zoning Ordinance. Other related sections of Title 21A may also be amended as part of this proposal. The proposal will add additional design standards, modify density requirements, height requirements and other changes. (Staff contact: John Anderson at (801)535-7214 or john.anderson@slcgov.com). Case number PLNPCM2014-00127

6. **Transportation Master Plan Update at approximately 5700 West between California Avenue and the 2100 South frontage road (north of SR201)** - A request by Salt Lake City Mayor Ralph Becker for an amendment to the Major Street Plan Map at the above listed location. Currently the Major Street Plan Map proposes a collector street. This requested would is remove the proposed 5700 West Collector Street due to UDOT's determination of the alignment of the Mountain View Corridor. This type of project requires a master plan amendment. The subject property is located within Council District 2, represented by Kyle LaMalfa. (Staff contact: Everett Joyce at (801)535-7930 or everett.joyce@slcgov.com.)Case number PLNPCM2014-00586

7. **Pedestrian and Bicycle Master Plan** - Mayor Ralph Becker is proposing a major update to the City's existing Pedestrian and Bicycle Master Plan. The Pedestrian and Bicycle Master Plan is a citywide master plan that will guide the development and implementation of the City's pedestrian and bicycle infrastructure and programs. (Staff contact: Becka Roolf at (801) 535-6630 or becka.roolf@slcgov.com.)

The files for the above items are available in the Planning Division offices, room 406 of the City and County Building. Please contact the staff planner for information, Visit the Planning Division's website at www.slcgov.com/CED/planning for copies of the Planning Commission agendas, staff reports, and minutes. 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. Planning Commission Meetings may be watched live on SLCTV Channel 17; past meetings are recorded and archived, and may be viewed at www.slctv.com.

The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the Planning Office at 801-535-7757, or relay service 711.

SALT LAKE CITY PLANNING COMMISSION MEETING MINUTES EXCERPT
Room 126 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, January 28, 2015

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at 5:37:18 PM. Audio recordings of the Planning Commission meetings are retained for an indefinite period of time.

Present for the Planning Commission meeting were: Vice Chair Matt Lyon, Commissioners Michael Fife, Michael Gallegos, James Guilkey and Carolynn Hoskins. Chairperson Clark Ruttinger, Commissioners Angela Dean, Emily Drown and Marie Taylor were excused.

Planning Staff members present at the meeting were: Cheri Coffey, Assistant Planning Director; Nick Norris, Planning Manager; Everett Joyce, Senior Planner; Lex Traughber, Senior Planner; John Anderson, Principal Planner; Daniel Echeverria, Principal Planner; Amy Thompson, Associate Planner; Michelle Moeller, Administrative Secretary and Paul Nielson, Senior City Attorney.

6:36:10 PM
Rezone and Master Plan Amendment at approximately 2855 S Highland Drive - A request by Wayne Reaves, representing the property owner DTRL & Associates, for the City to amend the zoning map and associated future land use map designation for a portion of property located the above listed address. The property is currently "split-zoned" with the majority of the property (1.06 acres) zoned CB, Community Business, and the remainder (0.35 acres) zoned R-1/7,000, Single Family Residential. The applicant is requesting that the City rezone the R-1/7,000 portion of the property to CB. The property is currently occupied by a vacant commercial building and parking lot. This type of project requires a Zoning Map and Master Plan Amendment. The subject property is within Council District 7, represented by Lisa Adams. (Staff contact: Daniel Echeverria at (801)535-7165 or Daniel.echeverria@slcgov.com Case Numbers PLNPCM2014-00769 & PLNPCM2014-00770)

a. **Zoning Map Amendment- The petitioner is requesting to amend the zoning map designation of the R-1/7,000 portion of the property to CB. The intent of the proposed rezone is to more fully utilize the entire property for future development. Although the applicant has requested that the property be rezoned to the CB zone, consideration may be given to rezoning the property to another zoning district with similar characteristics. (Case number PLNPCM2014-00769.)**
b. **Master Plan Amendment- The associated future land use map in the Sugar House Master Plan currently designates the majority of the property for "Low Intensity/Mixed Use;" however, the area proposed for rezone to CB is designated as "Parks & Open Space." The petitioner is requesting to amend the future land use map so that the entirety of**

the property is designated as "Low Intensity/Mixed Use." Case number PLNPCM2014-00770.

Mr. Daniel Echeverria, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending that the Planning Commission forward a favorable recommendation to the City Council regarding the petition.

The Commission and Staff discussed the following:

- If the Planning Commission had previously reviewed a plan for this area.
- The retaining wall on the property.
- The setbacks for the property.
    - Seven feet is the minimum required landscape buffer however, the rear yard setback was ten feet. It would depend on the orientation of the development if the seven foot setback were allowed.
- The allowable height for the building in the area.
- The maximum lot coverage in the CB zone.

Mr. Wayne Reaves, DTRL & Associates, stated he did not have anything else to add to Staff's comments or drawings. He stated they do not have a designated end use in mind, they are in the process of buying the property and the Commission's decision would determine how they were going to move forward with the property.

The Commission, Staff and Applicant discussed the following:

- If the Applicant was required to have interest in the property to make the proposed request.
    - No, however they are required to have some sort of permission from the property owner to act on their behalf.
    - The Applicant stated they had a signed document allowing them to proceed with the process.
- Why the change was needed to build on the property.
    - It would not be valuable to the buyer to not have full use of the property.

PUBLIC HEARING 6:50:05 PM
Vice Chairperson Lyon opened the Public Hearing.

Ms. Judy Short, Sugarhouse Community Council, gave the history of the property and split zoning. She stated the Council met with the Applicant, notified the public and there were no objections to the proposal just a lot of questions. Ms. Short stated the open space was not an issue because Imperial Park would be constructed in the spring. She stated the Community Council fully supported the proposal.

The following individuals spoke in favor of the petition: Mr. Brent Popp

The following comments were made:

- The property was a disaster and the neighborhood wanted something done with it.
- Please approve the proposal to allow something better to be built in the neighborhood.

The following individuals spoke in opposition to the petition: Mr. George Chapman.

The following comments were made:

- There were a lot of objections to the proposal because of the potential parking issues.
- The detrimental impacts in the neighborhood could not be mitigated.
- The community did not want the proposal in their backyard.
- Please do not support the proposal.

Vice Chairperson Lyon closed the Public Hearing.

The Commission and Ms Judy Short discussed the information regarding objections to the proposal at the Community Council meeting. Ms. Short stated there were concerns regarding parking and noise but as the issues were discussed people seemed to agree with the proposal. They discussed if the concerns were over the entire parcel or the small area. Ms. Short stated the concerns were for the entire parcel.

The Commission and Applicant discussed the following:

- If the area could stay a parking lot or had to change in order for the property to be developed.
    - They could change the structure and there would be a point at which the parcel would no longer be allowed to be used.
- If the existing structure would be removed.
- The project that would possibly be constructed on this parcel would be reviewed by Planning and issues could be addressed to mitigate the impacts to the neighborhood at that time.

Mr. Norris stated the City Council did initiate a petition to review the CB zone to address some of the issues with setbacks where these zones interface with residential zones. He stated anything constructed on this property would be required to be reviewed by the Commission in terms of sale and use.

Commissioner Fife stated the development of this site would most likely not come as a surprise to the surrounding neighborhood due to the existing nature of the property.

MOTION 7:01:47 PM

Commissioner Guilkey stated regarding petition PLNPCM2014-00769 and PLNPCM2014-00770 Highland Drive Master Plan Zoning Amendment, based on the findings listed in the Staff Report and the testimony and plans presented, he moved that the Planning Commission transmit a positive recommendation to the City Council for the proposed zoning and master plan amendment. Commissioner Fife seconded the motion. The motion passed unanimously.

5.C PLANNING COMMISSION
HEARING NOTICE AND POSTMARK

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SCHEDULE	
Start 01/17/2015	End 01/17/2015
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PH 1/28	
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Notice of Public Hearing On January 28, 2015, at 5:30 p.m. in room 326 of th	
SIZE	
69 Lines	2.00 COLUMN
TIMES	RATE
2	
MISC. CHARGES	AD CHARGE
	TOTAL COST
	177.50

Notice of Public Hearing

On January 28, 2015, at 5:30 p.m. in room 326 of the City and County Building, 451 South State Street, Salt Lake City, UT the Salt Lake City Planning Commission will hold a public hearing to consider making recommendations to the City Council regarding the following petitions:

1. Rezone and Master Plan Amendment at approximately 2855 S Highland Drive - A request by Wayne Reaves, representing the property owner DTRL & Associates, for the City to amend the zoning map and associated future land use map designation for a portion of property located the above listed address. The property is currently "split-zoned" with the majority of the property (1.06 acres) zoned CB, Community Business, and the remainder (0.35 acres) zoned R-1/7,000, Single Family Residential. The applicant is requesting that the City rezone the R-1/7,000 portion of the property to CB. The property is currently occupied by a vacant commercial building and parking lot. This type of project requires a Zoning Map and Master Plan Amendment. The subject property is within Council District 7, represented by Lisa Adams. (Staff contact: Daniel Echeverria at (801)535-7165 or Daniel.echeverria@slcgov.com Case Numbers PLNPCM2014-00769 & PLNPCM2014-00770)

a. Zoning Map Amendment- The petitioner is requesting to amend the zoning map designation of the R-1/7,000 portion of the property to CB. The intent of the proposed rezone is to more fully utilize the entire property for future development. Although the applicant has requested that the property be rezoned to the CB zone, consideration may be given to rezoning the property to another zoning district with similar characteristics. (Case number PLNPCM2014-00769.)

b. Master Plan Amendment- The associated future land use map in the Sugar House Master Plan currently designates the majority of the property for "Low Intensity/Mixed Use," however, the area proposed for rezone to CB is designated as "Parks & Open Space." The petitioner is requesting to amend the future land use map so that the entirety of the property is designated as "Low Intensity/Mixed Use." Case number PLNPCM2014-00770.

PLNPCM2014-00586 Transportation Master Plan Update - A request by Salt Lake City Mayor Ralph Becker to remove the proposed 5700 West Collector Street on the Major Street Plan Map due to the placement of the UDOT Mountain View Corridor located at approximately 5700 West between California Ave and the 2100 South frontage road (north of SR201).

Pedestrian and Bicycle Master Plan - Mayor Ralph Becker is proposing a major update to the City's existing Pedestrian and Bicycle Master Plan. The Pedestrian and Bicycle Master Plan is a citywide master plan that will guide the development and implementation of the City's pedestrian and bicycle infrastructure and programs. The Transportation Division will review the draft plan with the Planning Commission prior to a public hearing, which will be held at a future meeting. (Staff contact: Becka Roolf at (801) 535-6630 or becka.roolf@slcgov.com.)

The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the Planning Office at 801-535-7757, or relay service 711.

UPAXLP
1005591

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH LEGAL BOOKER, I CERTIFY THAT THE ATTACHED **Notice of Public Hearing On January 28, 2015, at 5:30 p.m. in room 326 of the City and County Building, 451 South State Street, Salt Lake City, UT the Salt Lak** FOR **PLANNING DIVISION,** WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINATELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 01/17/2015 End 01/17/2015

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DATE 1/19/2015

VIRGINIA CRAFT
NOTARY PUBLIC - STATE OF UTAH
My Comm. Exp. 01/12/2018
Commission # 672963

NOTARY SIGNATURE

THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"
PLEASE PAY FROM BILLING STATEMENT

Salt Lake City Planning Commission Wednesday, January 28, 2015 5:30 p.m.
Room 326 of the City and County Building

Rezone and Master Plan Amendment at approximately 2855 S Highland Drive - A request by Wayne Reaves, representing the property owner DTRL & Associates, for the City to amend the zoning map and associated future land use map designation for a portion of property located the above listed address. The property is currently "split-zoned" with the majority of the property (1.06 acres) zoned CB, Community Business, and the remainder (0.35 acres) zoned R-1/7,000, Single Family Residential. The applicant is requesting that the City rezone the R-1/7,000 portion of the property to CB. The property is currently occupied by a vacant commercial building and parking lot. This type of project requires a Zoning Map and Master Plan Amendment. The subject property is within Council District 7, represented by Lisa Adams. (Staff contact: Daniel Echeverria at (801)535-7165 or Daniel.echeverria@slcgov.com Case Numbers PLNPCM2014-00769 & PLNPCM2014-00770)

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SALT LAKE CITY PLANNING DIVISION
451 S STATE STREET ROOM 406
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SALT LAKE CITY UT 84114-5480

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6. ORIGINAL PETITION

1. Project Description

A statement declaring the purpose for the amendment.

The parcel (16-29-235-007-0000) is currently split between two zones. CB (1.06 acres) and R-1-7000 (.35 acres). We are requesting a rezone from R-1-7000 to CB for the .35 acres on the east side of the parcel.

A description of the proposed use of the property being rezoned.

We anticipate building multi-family housing that would complement and be appropriate to the area.

List the reasons why the present zoning may not be appropriate for the area.

The majority of this parcel is zoned CB (1.06 acres) and the portion that is zoned R-1-7000 (.35 acres) is insufficient to be developed according to its current zoning. In order for the property to be developed, the CB zone needs to be continuous across the entire parcel.

Is the request amending the Zoning Map?

Yes

If so, please list the parcel numbers to be changed.

Parcel: 16-29-235-007-0000

Is the request amending the text of the Zoning Ordinance?

No

1. Project Description

Describe the proposed master plan amendment.

The parcel (16-29-235-007-0000) is currently split between two zones. CB (1.06 acres) and R-1-7000 (.35 acres). The master plan shows the R-1-7000 as proposed open space. We request that this small portion of land is considered mixed use – low intensity which is what the CB zoned portion of the property is designated in the future land use plan.

A statement declaring the purpose for the amendment.

The master plan shows the R-1-7000 portion of the parcel as proposed open space and the larger portion as mixed use – low intensity. We propose to amend the plan to reflect the mixed use – low intensity across the entire parcel.

It should also be noted that the remaining portion of the proposed open space in this area is currently an approved and developed subdivision.

Declare why the present master plan requires amending.

The parcel (16-29-235-007-0000) is currently split between two zones. The west side of the parcel (1.06 acres) is designated mixed use – low intensity and the smaller eastern portion (.35 acres) is designated open space. To allow for development, we would need the entire parcel to allow CB zoning. The present master plan would need to be amended to allow the east portion of the parcel to be mixed use – low intensity.

Is the request amending the Land Use Map?

Yes, the .35 acres will need to be amended.

If so, please list the parcel numbers to be changed.

Parcel #16-29-235-007-0000

Is the request amending the text of the master plan?

I do not believe the text will be amended.

If so, please include exact language to be changed.

Not applicable.