

PLANNING COMMISSION STAFF REPORT

Rescue Mission of Salt Lake Petition PLNPCM2009-00398 Zoning Text Amendment 2945 West 900 South May 13, 2009



Planning and Zoning Division
Department of Community and
Economic Development

Applicant: Rescue Mission of Salt Lake

Staff: Nick Norris, 535-6173 or
nick.norris@slcgov.com

Tax ID: 15-09-177-020

Current Zone: M-1 Light
Manufacturing

Master Plan Designation:
City Wide

Council District: City Wide

Lot Size:

223,898 square feet

Current Use: NA

Applicable Land Use Regulations:

- 21A.28.020
- 21A.62

Notification

- Notice mailed on April 29, 2009
- Sign posted on April 30, 2009
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites and in the newspaper April 29, 2009

Attachments:

- A. Applicant Information
- B. Conceptual Development Plan
- C. Photographs
- D. Letter from Airport
- E. Public Comment
- F. M-1 Zoning Map

Request

The Rescue Mission of Salt Lake desires to relocate an existing homeless shelter to property located at 2945 West 900 South in an M-1 Light Manufacturing zoning district. In order to accomplish this, the applicant is proposing to amend the definition of a homeless shelter to better reflect the services that are common to homeless shelters and so that the definition indicates that a homeless shelter is an institutional type of land use. In addition, the applicants are proposing to amend Zoning Ordinance section 21A.28.040 "Table of Permitted and Conditional Uses for Manufacturing Districts" to add a homeless shelter as a conditional use in the M-1 Zoning District. If approved by the City Council, the applicants would need to go through the conditional use process.

Staff Recommendation

Based on the analysis and findings listed in the staff report, it is the Planning Staff's opinion that the Planning Commission transmit a negative recommendation to the City Council regarding amending the table of permitted and conditional uses in the M-1 zoning district for the following reasons:

1. The current adopted policies of the City do not support locating a homeless shelters in the M-1 zoning district; and
2. The M-1 zoning district is not adequately served by mass transit to support this type of land use; and
3. The City needs to preserve industrial land for economic development.

The Planning staff does recommend that the Planning Commission transmit a favorable transmittal to the City Council to amend the definition of a homeless shelter as follows:

"Homeless shelter" means a building or portion thereof in which sleeping accommodations are provided on an emergency basis for the temporarily homeless together with other services directly related to caring for the homeless. A homeless shelter is considered an institutional type of land use."

1. The Planning Commission may adopt the findings and recommendation of the Planning Division and send a recommendation to the City Council that they deny the zoning text amendment; or
2. The Planning Commission may find that the proposal complies with the factors to be considered and send a recommendation to the City Council that they approve the zoning text amendment. The Planning Commission may also recommend specific standards to the City Council as part of this option.
3. The Planning Commission may continue the item if they determine not enough information is available to make a recommendation to the City Council.

Background

Project Description

The Rescue Mission of Salt Lake City is proposing to relocate their existing facility from 463 South 400 West to a new location at 2945 West 900 South. The property is zoned M-1 Light Manufacturing. Across the street from the subject property is property that is zoned M-2 Heavy Manufacturing. The services offered by the Rescue Mission include a homeless shelter. A homeless shelter is not listed as a permitted use or a conditional use in the M-1 Zoning District. In order to operate a homeless shelter from the proposed location, the Rescue Mission would have to amend the Manufacturing Zones table of permitted and conditional uses to include a homeless shelter.

The subject property is located within Airport Influence Zone B, which prohibits residential types of land uses. Currently, a homeless shelter is classified as a residential type of land use. In order to address this issue, the applicants are proposing to amend the definition of a homeless shelter found in Zoning Ordinance 21A.62.040 to better reflect the services homeless shelters generally provide and to classify a homeless shelter as an institutional type of land use. Institutional uses are permitted in the Airport Influence Zone B provided they meet certain construction criteria.

On February 25, 2009 the Planning Commission reviewed a petition submitted by the applicant to amend the West Salt Lake Master Plan. The proposed petition included amending two goals within the WSLMP in order to allow certain residential types of land uses in the manufacturing areas provided they were adequately buffered. After the public hearing, the Planning Commission asked the applicant if they would consider amending their petition to a zoning text amendment that would alter the definition of a homeless shelter to indicate it was an institutional type of land use and add a homeless shelter as a conditional use to the table of permitted and conditional uses in the manufacturing zoning districts. The Planning Commission directed staff to work with the applicant on crafting the definition. The resulting definition is as follows:

"Homeless shelter" means a building or portion thereof in which sleeping accommodations are provided on an emergency basis for the temporarily homeless together with other services directly related to caring for the homeless. A homeless shelter is considered an institutional type of land use."

Amending the petition from a master plan amendment to a zoning text amendment resulted in the creation of a new file number for the zoning text amendment, as indicated on the cover page of this report.

Master Plan Information

The proposed zoning amendment would add a homeless shelter as a conditional use in the M-1 Zoning District. Therefore, any master plan that covers an area that includes M-1 zoning is applicable. The following master plans apply to this proposal:

- Capitol Hill Master Plan
- Central Community Master Plan
- Northwest Master Plan
- West Salt Lake Master Plan
- Rose Park Small Area Master Plan

In addition, the following city wide policy documents apply to the proposal

- Salt Lake City Futures Commission Report
- Salt Lake City Vision and Strategic Plan Final Report

The Salt Lake City Housing Plan does not include applicable policies because it does not address homeless shelters. It does address transitional housing, which is often the next step in terms of housing type for the homeless.

Capitol Hill Master Plan

The area covered by the Capitol Hill Master Plan includes some industrial types of land uses north of North Temple and west of 300 West. The Planning Division is currently processing a petition that would rezone the manufacturing areas between North Temple and 800 North to a mixed use zoning district. If approved by the City Council, the remaining industrial area would be north of 800 North and west of Beck Street. Some areas along 300 West are zoned CG, where homeless shelters are a conditional use.

The Planning Goal for Industrial land use is to “provide for appropriate industrial uses which are clean, quiet and attractively developed, buffered from surrounding residential areas.” This goal indicates that industrial uses in this area should have a relatively low impact on adjacent uses. To accomplish this, appropriate sized and designed buffers could be installed as part of the conditional use process for any use that may be impacted or that may impact adjacent land uses.

The area designated as industrial in this master plan includes the Swedetown Area. The master plan calls for the phasing out of the industrial land uses in Swedetown and envisions the area redeveloping as a business park.

Central Community Master Plan

The Central City Community Master Plan does not include any areas that are zoned M-1. However, it does include a discussion of Institutional Land Uses. On page 12 of the CCMP, a homeless shelter is included as an example of an institutional land use. The plan also states (page 13) that “for convenience, some social services are located in specific areas of the City and within walking distance to other social services as well as commercial and residential land uses.” However, this paragraph also states that “the distribution of services to other areas of the City is appropriate to help relieve the concentration of services.” In regards to homeless shelters, the zoning districts (CG and D-3) where they are currently listed as a conditional use are primarily found in the Central Community. There are areas that are zoned CG in other areas, including the Capitol Hill, West Salt Lake and Northwest planning communities.

Northwest Community Master Plan

The Northwest Community Master Plan identifies the area north of the Rose Park Golf Course and between Redwood Road and I-15 as industrial. This area is identified as an area with specific land use conflicts, primarily due to existing land uses (the water treatment facility and oil refineries) and environmental factors (water table, soil conditions). The master plan encourages large landscaping buffers between the oil refineries and water treatment plant and any other type of land use.

West Salt Lake Master Plan

The majority of industrial land in Salt Lake City is located within the area covered by the West Salt Lake Master Plan. The West Salt Lake Master Plan identifies three main goals relating to land use in this area of the City. Those goals include:

Goal 1: Preserve the existing predominantly low density character and related land use patterns in the residential part of the West Salt Lake Community.

Goal 2: Encourage properly regulated new growth in areas of anticipated development, especially in the West Salt Lake Industrial District.

Goal 3: Propose a future land use plan that will minimize and eventually eliminate land use conflict in developed areas.

Goal 1 is specific to residential areas of the West Salt Lake Community and does not apply to the industrial areas. Goal 2 is specific to industrial areas. Under the "Overview of Industrial Land Use" section on page 5, the WSLMP states that industrial development within the West Salt Lake Industrial District should be of a high quality, similar to the Centennial and Pioneer Industrial Parks. These developments provide an attractive, well landscaped and clean industrial environment. The West Salt Lake Industrial District is located between I-80 and 2100 South and Redwood Road and Bangerter Highway. The plan states that this area is to be devoted exclusively to industrial development and related uses. The City Council recently approved this area as a "Recycling Enterprise Zone." This is not a zone that is related to the zoning ordinance, but is an economic development zone that provides incentives for businesses related to recycling to locate in this area. The City Council recently added community correctional facilities as a conditional use in the M-1 zone, indicating that under certain circumstances, that this is an appropriate use in the M-1 zoning district. Other similar uses are allowed in the M-1 zoning district, including hotels and motels.

Eliminating land use conflicts, primarily when they involve residential land use, is one of the main goals of the WSLMP. In the Residential Land Use discussion on page 3 of the WSLMP, it is stated that residential uses in non-residentially zoned areas conflict with adjacent commercial and industrial uses. While technology has improved that can mitigate some impacts from industrial use, there are uses that exist in the area or that are listed as permitted or conditional uses in the M-1 and M-2 zoning district that could produce impacts that are not conducive to a safe and healthy living environment. Typical impacts created by industrial land uses include truck traffic, noise, pollution, noxious odors, visual impacts, attractive nuisances, etc. These impacts occur whether a homeless shelter is considered a residential land use or an institutional land use. It may be possible through the conditional use process to address potential adverse impacts, not only on a homeless shelter, but also the adverse impacts the homeless shelter may have on adjacent uses. However, it may be difficult to address issues such as truck traffic and lack of sidewalks due to the condition of 900 South in this area.

The WSLMP identifies environmental constraints that could impact future land uses in the area. The environmental constraints identified include a high water table, liquefaction potential, poor soil suitability, and airport noise. These types of constraints limit the type of development that can occur in the area. Often times industrial types of land uses are one of the few land use categories that may be suitable in areas with these types of environmental issues.

On Page 15 of the WSLMP is a summary of the Buena Vista Small Area Master Plan. The Buena Vista Small Area Master Plan covers the area between the Surplus canal and 4000 West and I-80 and 900 South. The proposed location of the homeless shelter is directly across the street from the southern boundary of the area covered by the Buena Vista Small Area Master Plan. The Buena Vista Master Plan discourages any further residential development. Since the plan was adopted, all but one of the residential uses in the Buena Vista neighborhood has been relocated to other areas of the City. The Airport purchased these properties to decrease the conflicts between the residential land uses and the airport operations. While the proposed location is not within the area covered by the Buena Vista Small Area Master Plan, it provides an example of the problems associated with incompatible land uses.

Rose Park Small Area Master Plan

The Rose Park Small Area Master Plan includes the industrial area north of the Rose Park Golf Course. This industrial area contains the petroleum storage areas and a water treatment facility. There are residential land

uses in this same area. According to this plan, there are 13 fuel storage tanks on 84 acres of land. The tanks have the potential to leak and may explode due to a catastrophic type of event (i.e. large earthquake). The environmental conditions in this area limit or eliminate potential future land uses.

Salt Lake City Futures Commission Report

The Salt Lake City Futures Commission Report does discuss homeless shelters. Assertion M, Recommendation 3 in the Built Environment Section states “During the Gateway Project, protect the shelter and other services for the homeless. Find ways to integrate these services in this new neighborhood. The Proposed Action to accomplish this is to “Protect service providers from encroachment by development. Provide incentives—tax credits or other bonuses—to developers to protect and strengthen these services as the neighborhood develops. Encourage partnerships to allow for the most efficient and effective location of these services in the neighborhood.” Based on this recommendation and proposed action, the City policy has been to concentrate homeless shelters and services in the Gateway neighborhood.

On page 62, the Futures Commission Report states that clustering of social services should be done to promote efficiency. This statement has also reinforced the concept of keeping homeless shelters and services in close proximity to one another.

Salt Lake City Vision and Strategic Plan Final Report

The City Vision and Strategic Plan Final Report (1993) also talks about the effectiveness of homeless services. Action item 25 (page 25) states “encourage the provision of effective services and constitutionally appropriate responses to transients and the homeless.” While this statement is vague, it does reiterate the concept of providing effective services.

Comments

Public Comments

The boundary of the Poplar Grove and Glendale Community Councils runs through the subject property. Therefore, an open house was held on December 18, 2008 to gather public input. Approximately 20 people attended the Open House. No written comments were submitted during the open house; however, several in attendance submitted comments via email (see attachment E). The topic of this open house was the Master Plan Amendment. During the open house, those in attendance were generally opposed to the proposed Master Plan Amendment. The opposition can be generalized into concerns about introducing residential land uses into industrial areas, the lack of infrastructure on 900 South; the potential for increased crime; liability for those operating large vehicles on the public streets and the width of 900 South and lack of sidewalks and the need to protect the general population from the impacts associated with light and heavy manufacturing land uses.

Due to the Planning Commission’s direction at the February 25th public hearing, a second open house was held to focus on the zoning text amendment. Approximately 20 people attended the open house on March 19, 2009. No written comments were received during the open house. The verbal comments received were similar to the issues raised at the open house for the master plan amendment.

City Department Comments

The comments received from pertinent City Departments / Divisions are as follows:

Transportation (Barry Walsh): The division of transportation review comment and recommendations are as follows:

- The proposed development is located on 900 South a future Minor Arterial class roadway. The present status is a two lane undeveloped paved industrial roadway, with a current acceptable level of service.
- As part of the proposed site development the Transportation Division will require verification of right of way dedication for a 42 foot half width.
- The roadway development of 900 South is to be a five lane 65 foot (TBC) roadway on an 84 foot right of way to include pedestrian sidewalk on both sides per the transportation corridor arterial classification.
- The public way infrastructure improvement requirement; as to when they would be required and what improvements will be required, are subject to the evaluations of various city agencies including – Engineering, Transportation, Public Utilities, etc.

Engineering (Craig Smith): Engineering has received and reviewed a request by the rescue mission of Salt Lake for a Master Plan Amendment to allow residential type land uses in Industrial areas. Our department is more concerned about civil improvements; that is, improvements to the public way. We really have no issues with regards to changes to any master plan.

Building Services (Alan Hardman): Our office has no comments on this proposal at this time.

Police Department (Lt. Richard Brede): I do not oppose the Rescue Mission's desire to relocate to 2945 W 900 S.

Economic Development (Bob Farrington): Thanks. While I am not too familiar with the site in question and what the impacts and issues might be, it seems worthwhile considering other parts of the city as possible locations for homeless shelters, otherwise we will continue to have the same constrictions and issues downtown.

Public Utilities (Brad Stewart): Public Utilities has no comments on the proposed zoning amendment. However, when the site is developed a full review of the plans will be required.

Airport (Allan McCandless): The airport submitted a letter (Attachment D) regarding this proposed amendment. The letter states that the airport is generally opposed to allowing residential land uses in areas that are within the Airport Influence Zone B. The airport would not have issues if the use was considered institutional and could meet the construction standards for new construction within Influence Zone B.

The Planning Division has not received comments from the applicable City Departments / Divisions that cannot reasonably be fulfilled or that warrant denial of the petition.

Project Review

The applicants attended a pre-submittal meeting on October 9, 2008. At that meeting, the applicants were told that a master plan amendment was required because the West Salt Lake Master Plan did not support introducing residential type of land uses into industrial areas. In addition, the applicants were informed that a zoning text amendment would be required as well because the M-1 Zoning District does not allow homeless shelters. The text amendment would modify the table of permitted and conditional uses. If the use was added as a conditional use, then the proposed project would also have to go through the conditional use process.

On November 20, 2008 an internal (planning staff) project review meeting was held where it was reiterated that a master plan amendment would be necessary. The applicants are asking the City to change its policies related to land use in the manufacturing zoning districts. Therefore, the required processes, including a zoning map amendment, could not run concurrently. This is consistent with the policies of the Department of Community and Economic Development. The primary issue identified with the proposal is whether or not it is appropriate for people to live in manufacturing areas. The M-1 zoning district, as well as the Airport Overlay District, does not allow residential land uses in this area. In addition, the City has concentrated services for the homeless in downtown to ensure adequate access to those services as well as public transportation.

Based on the internal reviews, the Planning Division recommended that the applicants submit a master plan amendment in order to amend the goals and policies of the West Salt Lake Master Plan so that they would support their proposed land use. The Planning Commission held a public hearing on the proposed amendment on February 25, 2009. At that time, the Planning Commission directed staff to amend the petition to a zoning text amendment as discussed on page 2-3 of this report.

The properties on the north side of 900 South are zoned M-2 Heavy Manufacturing. This zone allows intense land uses. The purpose of the M-2 Zoning District states:

The purpose of the M-2 heavy manufacturing district is to provide an environment for larger and more intensive industrial uses that do not require, and may not be appropriate for, a nuisance free environment.

Zoning Review

If approved as proposed, a homeless shelter would be a conditional use in the M-1 zoning district. The purpose of the M-1 zoning district is to provide an environment for light industrial uses that produce no appreciable impact on adjacent properties and desire a clean attractive industrial setting.” The standards found in the M-1 zoning district are designed to provide adequate lot area, building spacing, buffer requirements, etc. for the permitted uses. Conditional uses, unless processed through a planned development process, are required to meet at least the minimum standards. Types of manufacturing uses allowed in the M-1 zoning district include recycling facilities, fabrication, solid waste transfer stations, and sewage treatment facilities. However, through the conditional use process additional requirements may be attached to a development in order to mitigate adverse impacts and fulfill the purpose statement of the M-1 zoning district.

Homeless Shelters are currently allowed as a conditional use in the D-3 Downtown Warehouse/residential and CG General Commercial zoning districts. There are no specific standards for homeless shelters in either of these zoning districts. However, the conditional use standards provide a manner in which the City can mitigate adverse impacts by attaching certain conditions. The conditional use standards are intended to address specific issues related to a specific use and/or design. The impacts identified in open houses and public hearings range from criminal activity to property values. These issues could likely be mitigated by the operation plan of the applicant and enforcement by the City. Some issues, such as a lack of sidewalks on 900 South and the potential liability to vehicle operators if a pedestrian were to be struck in the general vicinity, would be more difficult to assess.

The subject property is located within Airport Influence Zone B which specifically prohibits residential types of land uses except on properties zoned for agricultural use. This would impact a homeless shelter because the zoning ordinance lists homeless shelters as a residential type of land use. If a homeless shelter was considered an institutional type of land use, then one could be located within the Airport Influence Zone B. Institutional

land uses that are currently allowed as a permitted or conditional use in the M-1 zoning district include adult and child day care facilities, schools, government facilities, churches, etc.

As part of the review of this proposal, the Planning Division looked at how other urban cities regulate homeless shelters. Due to the complexities of some zoning ordinances, the chart is a synopsis based on Planning staff's cursory review of the zoning regulations found on line and in some cases, information provided directly by the City in question. The following chart indicates that the City, what types of zoning districts homeless shelters are allowed in, and if they are allowed as permitted, conditional, or some other form of use.

City	Zoning Districts that allow Homeless Shelters Allowed as Permitted, Conditional, or other special use
Denver	Shelters for the homeless shall be allowed only in the C-MU-20, R-MU-30, C-MU-30, T-MU-30, R-3, R-4, R-5, B-A-1, B-3, B-A-3, B-4, B-5, B-5-T, B-7, B-8, MS-1, MS-2, MS-3, I-0, I-1, I-2 and O-1 zone districts. Allowed in industrial zoning districts (I-0, I-1 and I-2). Limits placed on size, location from certain uses (residential, etc.), provisions for temporary shelters included. Also allowed as an accessory use in churches.
Reno	Permitted use in Industrial zones. Limit the number of facilities (up to 3 allowed within City), location, etc.
Phoenix	Allowed as a related use to churches. Regulations limit size, location, etc. Larger facilities are allowed in industrial areas and within a limited area in downtown with a special use permit.
Portland	Portland uses the term "mass shelter" and considers them a community service type of land use. Mass shelters have a set of standards that apply in certain zones. They are allowed as permitted uses in some residential and commercial zones if they meet these standards. They are allowed in other residential or commercial zones as a conditional use if the standards are not met. The number of beds allowed is based on the zoning district they are located in. They are not permitted in industrial areas.
Boise	When associated with a church, allowed as a conditional use in Residential Districts. Allowed as a conditional use in most commercial districts, except in most intense commercial district where it is a permitted use. They are not permitted in industrial areas.
Seattle	In Seattle, for purposes of land use regulations, "homeless" shelters that are located within buildings are treated as a "community center" use; this can be reviewed in the Seattle Land Use Code in section 23.84A.018 under "Institutions". Community center uses are allowed in all zones although in single family zones they would only be allowed through an administrative conditional use review. In multifamily zones, institutions are required an administrative conditional use review only if the institution will not meet the development standards of the multifamily zone in which it would be proposed. In some industrial zones, there is further restriction that certain types of institutions are only allowed within existing buildings. Also, Seattle does not regulate overnight shelters that are located within existing religious facilities. Seattle does not specifically regulate tent cities for now as long as they are located on sites where the principal use on the site is a religious facility and as long as the "tent city" is sponsored by the religious facility.

The chart indicates that different communities address homeless shelters in different ways. Some are very restrictive and only allow them in Industrial areas while others are less restrictive and have specific standards that address size, location, types of services, how people are managed within the facility, etc. Denver, Portland and Seattle seem to have the most extensive regulations and list the use as permitted or conditional based on individual districts.

In determining appropriate locations for homeless shelters, several factors should be considered, including:

- Proximity to public transportation
- Proximity to social services (food banks, medical clinics, etc)
- Proximity to professional services (doctors office, barber shops, legal aid, etc.)
- Proximity to jobs
- Proximity to daily needs (grocery stores, schools, etc)

Homeless shelters should be located within walking distance to public transportation in order to provide a means of getting around in order to get to the shelter and to needed services. When necessary social and professional services are nearby, they provide the homeless with easy access and increase the opportunity to treat some of the causes of homelessness, such as drug and alcohol addiction, mental disorders and loss of employment. When a facility includes families and children, proximity to education, parks, etc. is important.

Industrial areas may not be able to meet all of the needs of the homeless when considering these factors. In Salt Lake City, the industrial areas located in West Salt Lake are not served well by public transportation. In regards to the site proposed by the Rescue Mission, the closest bus stop is approximately $\frac{3}{4}$ of a mile away near the intersection of Pioneer Road and California Avenue. This route (#232) primarily runs north and south along 3200 West from South Jordan and then into the downtown area. There are no sidewalks between the bus stop and the proposed location. Sidewalks are not a common public improvement in the industrial areas in Salt Lake City. Many operators of homeless shelters utilize their own shuttle system to drive the homeless to and from the shelter. This may negate the need for nearby public transportation. Necessary social services are not always provided by the operators of a homeless shelter and they often rely on those services being nearby. The Rescue Mission plans on offering a number of social services on site, which may negate the need for these services being nearby. In terms of education, there are no schools in close proximity to the proposed location. The closest schools are located east of Redwood Road, more than a mile from the proposed facility. Parks and open space are generally not found within industrial areas. Parks are not listed as an allowed use in the M-1 zoning district.

There are factors that may make some locations undesirable for homeless shelters. These include:

- Near residential neighborhoods outside of an urban setting
- In close proximity to establishments that sell alcohol
- In areas where permitted land uses create impacts that are not conducive to a healthy living environment, such as loud noise, outdoor storage of harmful materials, the production of noxious odors and other similar things that would be considered a nuisance if they occurred in other zoning districts.

The M-1 zoning district would provide an area that is removed from most residential neighborhoods. There are some areas in the City where M-1 zoning is adjacent to residential neighborhoods, including the area around 900 South and 800 West. Liquor stores, taverns, clubs, brewpubs, convenience stores and sexually oriented businesses are all allowed as either a permitted or conditional use in the M-1 zoning district. These uses, however, are also allowed in other zoning districts that currently allow homeless shelters. Because the Rescue Mission is planning on including a church on their site, it may prohibit any establishment that sells liquor from being located within 600 feet of the church. In past cases where a church is proposing to locate in an M-1

zoning district, the City has required that the church sign a waiver to the distance regulation. The purpose of the M-1 zoning district is to provide areas within the city for light industrial uses that produce no appreciable impact on adjacent properties and desire a clean attractive industrial setting. This type of development is reflected in the relatively new industrial parks located along California Ave. and Indiana Ave.

Analysis and Findings

Options

With regard to zoning text amendments, the Planning Commission makes a recommendation to the City Council and the City Council has the decision making authority. If the City Council approves the request, then a homeless shelter would be allowed as a conditional use in the M-1 zoning district. Prior to construction of their facility, the applicant would have to go through the conditional use process. If the City Council denies the request, then the zoning ordinance would not be amended.

Analysis

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. However, in making its decision concerning a proposed amendment, the city council should consider the following factors:

- a. **Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City;**

Discussion: Adding a homeless shelter as a conditional use in the M-1 zoning district is a change in adopted City policy relating to this type of land use. The adopted policy is to concentrate homeless shelters in the Gateway neighborhood. The Planning Division is charged with the task of implementing the adopted policies of the applicable master plans of the City.

The City may want to consider reviewing the adopted policies regarding homeless shelters. There may be some standards that could be adopted that could mitigate adverse impacts created by this land use. Standards that may be appropriate include:

- Proximity to public transit (shelters should be located within walking distance, generally a 10 minute walk or about a quarter mile)
- Separation requirements from other homeless shelters and from other uses that may impact the operation of the shelter or that may often contribute to homeless issues, such as alcohol sales;
- Limits on the number of beds within a single facility;
- Requiring the operator to submit an operation plan and have it reviewed on an annual basis. An operation plan may include transporting people to and from the facility, security, screening users for intoxication or weapons, crime prevention, control of loitering, control of litter, length of stay, number of employees, etc.
- Require certain social services, such as counseling, drug and alcohol treatment, job placement programs, etc. be provided on site.
- Hours of operation
- Minimum standards for outdoor facilities, such as playgrounds and recreation facilities;
- Separation of clients (separate facilities for single men, women and children, families).

Finding: The proposed text amendment is a change in current City policy relating to homeless shelters. Therefore, the proposal is not consistent with this factor.

b. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property;

Discussion: This factor is site specific and the proposed petition is an amendment to the text of the zoning ordinance. However, the petition is being requested by an applicant with a specific location. The location at 2945 West 900 South is zoned M-1. The surrounding uses are industrial in nature. 900 South lacks curb, gutter and sidewalk in the area, although some newer developments have added curb and gutter. The applicants have submitted a conceptual development plan for their facility. A more substantial development plan would be reviewed as part of the conditional use process if the text of the zoning ordinance is amended. Requiring conditional use review for this type of use allows the City to identify potential adverse impacts and determine if the adverse impacts can be reasonably mitigated. If the adverse impacts can be reasonably mitigated, a conditional use shall be approved. If not, then the Planning Commission may deny the conditional use. One of the standards of review for a conditional use is to determine the compatibility of the use and design with the surrounding area.

If the use is added as a permitted use, then only the standards of the M-1 zoning district and other applicable standards (parking, landscaping, etc) would apply. The conditional use standards of review and public process would not apply to a homeless shelter if it were a permitted use.

The City could consider placing specific standards on homeless shelters, similar to what other communities have done, in order to improve compatibility with surrounding development. These standards may include setting size requirements, licensing requirements, spacing requirements, etc.

Finding: The proposed text amendment may be harmonious with the overall character of existing development provided the proposed use is added as a conditional use to the M-1 zoning district.

c. The extent to which the proposed amendment will adversely affect adjacent properties;

Discussion: The proposed text amendment includes altering the definition of a homeless shelter and amending the table of permitted and conditional uses in the M-1 zoning district. Amending the definition classifies a homeless shelter as an institutional use. Because this is a definition of a land use type, it does not involve or impact specific properties.

The purpose of the M-1 zoning district is to provide areas for light industrial activities that produce no appreciable impact on adjacent properties and desire a clean attractive industrial setting. Based on the purpose of the M-1 zoning district, this district may be appropriate for this type of use. However, the subject property is located across the street from an M-2 zoning district. The purpose of this district is to provide an environment for larger and more intensive industrial uses that do not require, and may not be appropriate for, a nuisance free environment. It is unknown if the homeless who would be utilizing the Rescue Mission's facility could be protected from the impacts of the types of uses allowed in the M-2 zoning district.

The impact that a homeless shelter has on the industrial land uses would be similar to the impacts on land uses adjacent to their downtown facilities. At the February 25th Planning Commission meeting, property owners adjacent to the existing facility downtown testified that they did not experience adverse impacts from the proposed use. Testimony was also presented about the adverse impacts experienced

adjacent to other homeless shelters downtown and from neighboring property and business owners of the proposed site. These impacts generally include increased crime and negative public behavior. The fact that testimony was presented on both sides of the adverse impact issue indicates that some facilities do not have an impact due to their operation plan while other facilities that may have a different operation plan do have an adverse impact. It should be noted that when the homeless shelters opened in their current location, the area was primarily an industrial area. However, other industrial areas have developed in different manner than the Gateway neighborhood and may lack public infrastructure and are not in close proximity to downtown, where there are abundant services available and a higher public safety presence.

Locating the proposed homeless shelter in an M-1 zoning district introduces a new use group into industrial areas. The homeless shelter is not a lock down type of facility, so the users of the shelter are free to come and go. As is the case with the subject property, many streets within the M-1 district lack sidewalks. Business owners in the area have expressed a concern with pedestrians on a substandard street, such as 900 South and the concentration of large trucks. The applicants do have a plan to shuttle people to and from the facility.

The City could consider placing specific standards on homeless shelters, similar to what other communities have done, in order to improve compatibility with surrounding development. These standards may include setting size requirements, licensing requirements, spacing requirements, etc. A homeless shelter is a type of land use that is not going to be well received by surrounding property owners wherever they are located, as evident by the testimony at the February 25, 2009 public hearing. Adopting specific standards may be the best way to accommodate the use while mitigating adverse impacts.

Finding: Adding a homeless shelter as a conditional use may adversely affect adjacent property owners. This could be addressed by having an annual review of the operation plan, the level of impacts, etc. for homeless shelters and adopting specific standards for this type of land use.

d. Whether the proposed amendment is consistent with the provisions of any applicable overlay zoning districts which may impose additional standards; and

Discussion: The main overlay district that applies to M-1 zoning districts is the Airport Flight Path Protection Overlay District. This district consists of a series of rings (Airport Influence Zones A, B, C and H) that surround the airport and regulate use, building height, construction type and other similar items related to development. Residential uses are generally prohibited in Airport Influence Zones A and B. In zone B, institutional uses are allowed provided they are constructed with air circulation systems and at least 25 dBs of sound attenuation in sleeping areas. This standard also applies to other types of overnight uses, such as hotels and motels. A similar standard would apply to Airport Influence Zone C, where an institutional use requires an air circulation system but does not require sound attenuation. Zone H allows all uses listed in the underlying zone. Defining a homeless shelter as an institutional use would allow a shelter to be constructed in Airport Influence zones B, C, and H.

Finding: If a homeless shelter is redefined as an institutional use and added as a conditional use in the M-1 zoning district, it would be required to comply with the standards of any applicable overlay zoning district.

- e. **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, storm water drainage systems, water supplies, and wastewater and refuse collection.**

Discussion: The proposed development is located on a portion of 900 South that lacks sidewalks, park strips, curb and gutter. The review comments of applicable City Departments and Divisions indicates that roadway in front of the proposed location must be improved to minimum standards, including appropriate street width and other improvements deemed necessary. Requiring these improvements during construction is common practice. There are no parks, recreational facilities or schools in the vicinity. However, the facility would have private recreational facilities on their ground. The Police Department returned comments that they do not have an issue with a homeless shelter at this location. Public Utilities generally would review a project when a more complete development plan is available. If the public utility systems in the area are not adequate to serve the facility, then the applicant is typically required to upgrade the systems so that they are able to serve their project.

Further review of the adequacy of public facilities and services would be performed during the conditional use process. All development applications that require a conditional use are routed to applicable City Department and Divisions for review comments. These comments are typically required to be complied with if a conditional use is approved.

Finding: Adding a homeless shelter as a conditional use would provide for additional City review to determine if public services and facilities are adequate for the type of use.

Attachment A

Applicant Information

APPLICANT'S REPLY TO QUESTIONS 1, 2, AND 3 OF MASTER PLAN AMENDMENT APPLICATION

1. General Description of the proposed Master Plan Amendment:

The proposed amendment allows the Rescue Mission of Salt Lake, Inc. to construct a campus consisting of the following buildings and purposes in a M1 zone as per the West Salt Lake Planning Area. Some of the structures are in compliance with permitted uses as per the M1 definition while others are partially or functionally:

<u>Building</u>	<u>Intended Purpose(s)</u>	<u>M1 Status</u> (NP=Not Permitted) (P=Permitted) (PPF=Possibly/Partially /Functionally Permitted)
Men's Facility	The Men's facility will be utilized to (1) feed, clothe, provide temporary shelter for homeless men; (2) provide a free long term residential alcohol and substance abuse recovery program; (3) provide an outpatient recovery program in the evenings and on the weekends for the working poor; (4) provide job placement; (5) limited educational classes including GED & ESL; (6) provide administrative offices; (7) provide cafeteria and dining room services; (8) provide recreational and physical conditioning services	PPF¹ P P P P P P
Women & Family Facility	The Women & Family Facility will be utilized to provide the same services set forth above.	PPF & P
Social Enterprise Building	The Social Enterprise Building will be utilized for two primary purposes: (1) provide a medical/dental clinic available for use by Rescue Mission Clients <u>and the community</u>; (2) provide Daycare and after school care for Rescue Mission Clients <u>and the community</u>.	P P
Chapel	The Non-Denominational Chapel will be used for worship, weddings, funerals and as an overflow	P

¹ Restaurants, Retail Goods Establishments, Adult Daycare Centers, and Hotels/Motels each providing essentially the same services as the Rescue Mission except: the Rescue Mission provides it for a special (underprivileged) population.

(Answer 1 Continued)

<u>Building</u>	<u>Intended Purpose(s)</u>	<u>M1 Status</u>
Future Use	Although not determined at this point, highly likely to be additional family housing	P

2. A statement declaring the purpose of the amendment and the exact language. Include proposed boundaries, master plan area, and/or zoning district changes.

The purpose of the amendment is to allow a shelter in the M1 zone in the West Salt Lake Community Master Plan. The proposed boundaries are all of Lot 1, WAGU Express Estates Minor Subdivision, a subdivision being located in the Northwest Quarter of Section 9, Township 1 South, Range 1 West, Salt Lake Base and Meridian, according to the official plat thereof on file and or record in the office of the Salt Lake County Recorder.

Prior Sidwell Number – 15-09-177-017

New Sidwell Number after July 15, 2008 Closing – 15-09-177-020

The property is located at approximately 2951 W. 900 South in Salt Lake City. Approximately half the property lies in the Poplar Grove Community and the other half in the Glendale Community. The property is currently zoned M1 and it is requested that the Master Plan and Zoning for these 5.14 acres only be changed to D-3, Downtown Warehouse/Residential District, as per 21A.30.040

The proposed language amending 21A.28.040, Table of Permitted And Conditional Uses For Manufacturing Districts, page 5, Miscellaneous, after “Sewage Treatment Plants” and before Slaughterhouses, inserting “**Homeless Shelter and related services within Lot 1, Wagu Express Estates Minor Subdivision, a subdivision located in the Northwest Quarter of Section 9, Township 1 South, Range 1 West, Salt Lake Base and Meridian, according to the official plat thereof on file and or record in the office of the Salt Lake County Recorder.**”

3. Declare why the present master plan requires amending.

The 1990 Master Plan for the West Salt Lake area does not and could not anticipate the rise in homelessness and that 83% or 78,589 citizens, according to the 2007 State of Utah Substance Abuse and Mental Health Annual Report, asked for, but could not be referred to free substance abuse treatment centers. This is not only a human and moral tragedy but also financially wasteful when one considers that it costs on average \$15,142 per chronically homeless for jail time, ambulance calls, bookings, etc. per year compared to

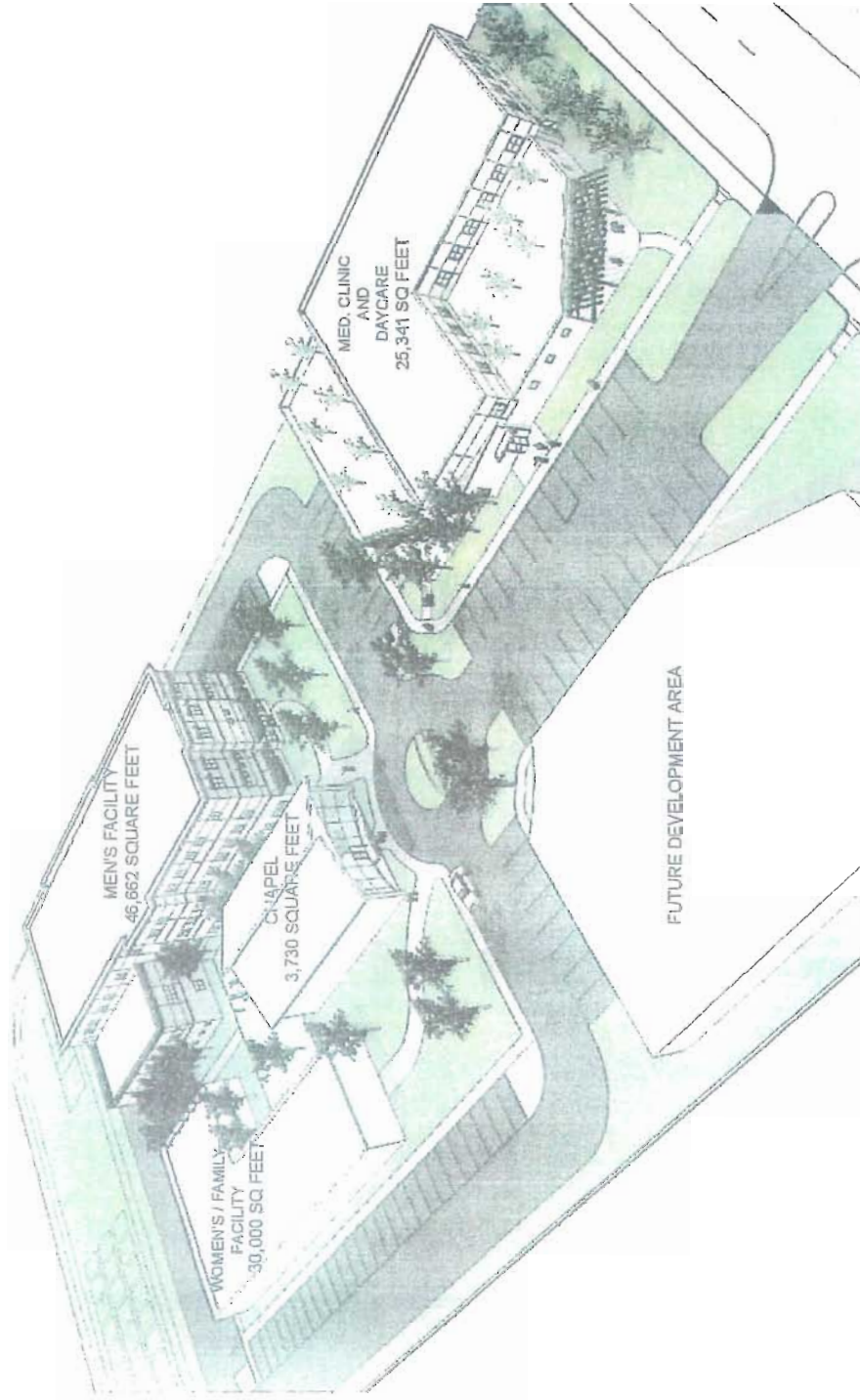
\$11,000 per chronically homeless to simply house them for a year, according to Gordon Walker, Director of the Utah Division of Housing and Community Development.

Additionally, the 1990 Master Plan could not have envisioned at that time the full extent of the public outcry against the homeless gathering in Pioneer Park as well as the open and rampant drug use in the Park. Allowing the Rescue Mission to relocate from its present facility, $\frac{3}{4}$ of a block South of the Park, to a light manufacturing zone far from the Park will immensely decrease the homeless presence plus allow them to be treated in a highly successful residential long term recovery program. Specifically, **53%** of all clients reported the recovery program was either “**extremely successful or highly successful**” for them, **while 84% felt they were “successful”** when success was measured in five areas, namely, state of recovery (drug/alcohol use), housing, income, employment, and spirituality upon entering the program versus upon completion.

Finally, the 1990 Master Plan could not have anticipated the confluence of the current economic instability and resulting increase for social services and the cut-backs in social service spending by the state government in light of its \$272 million deficit.

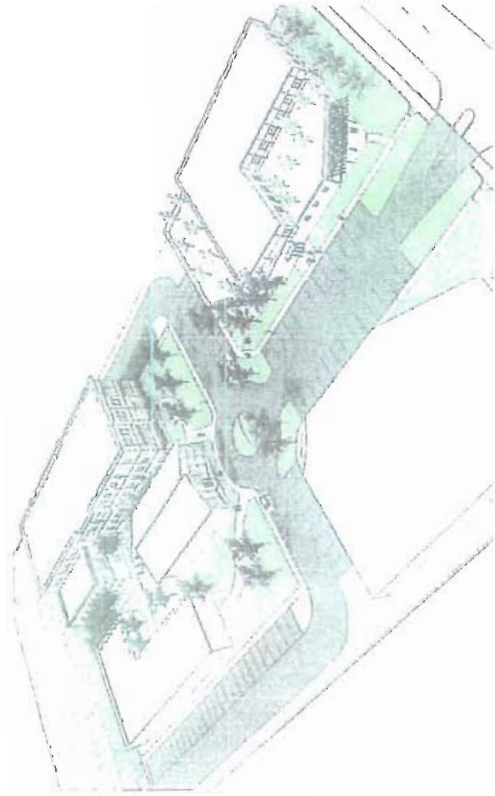
Attachment B

Conceptual Development Plan

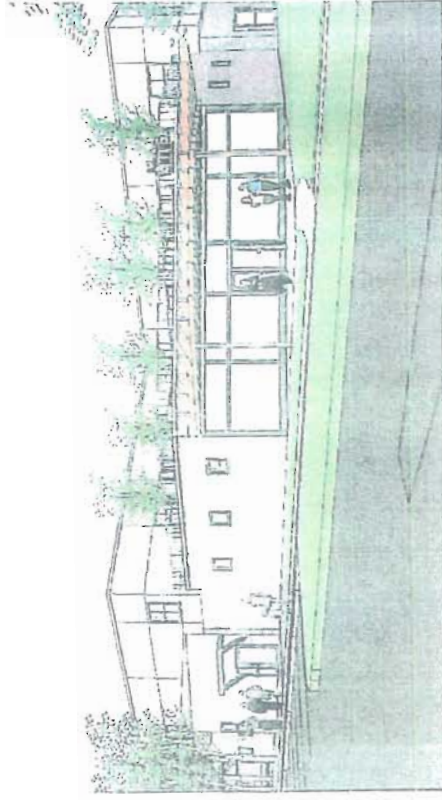


Rescue Mission of Salt Lake City
SALT LAKE CITY, UT

Birdseye View 2 of 3
10/10/2004 1:10:10 PM

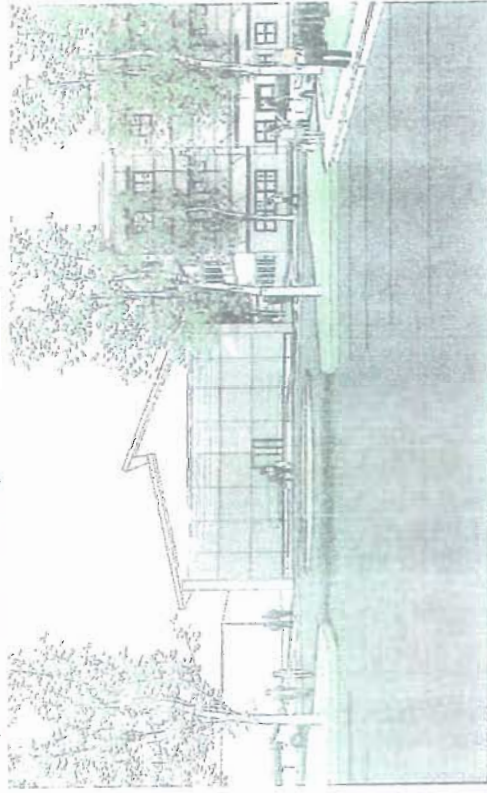


Birds Eye View

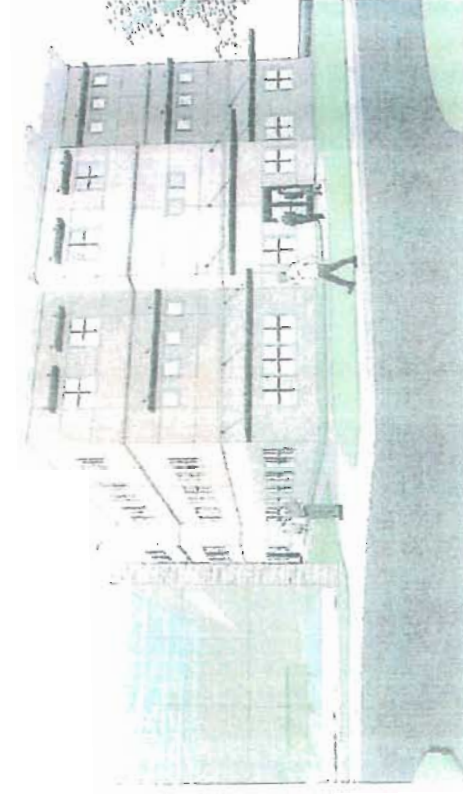


Social Enterprise Building

Chapel and Men's Facility



Men's Facility



The Rescue Mission of Salt Lake City

Attachment C

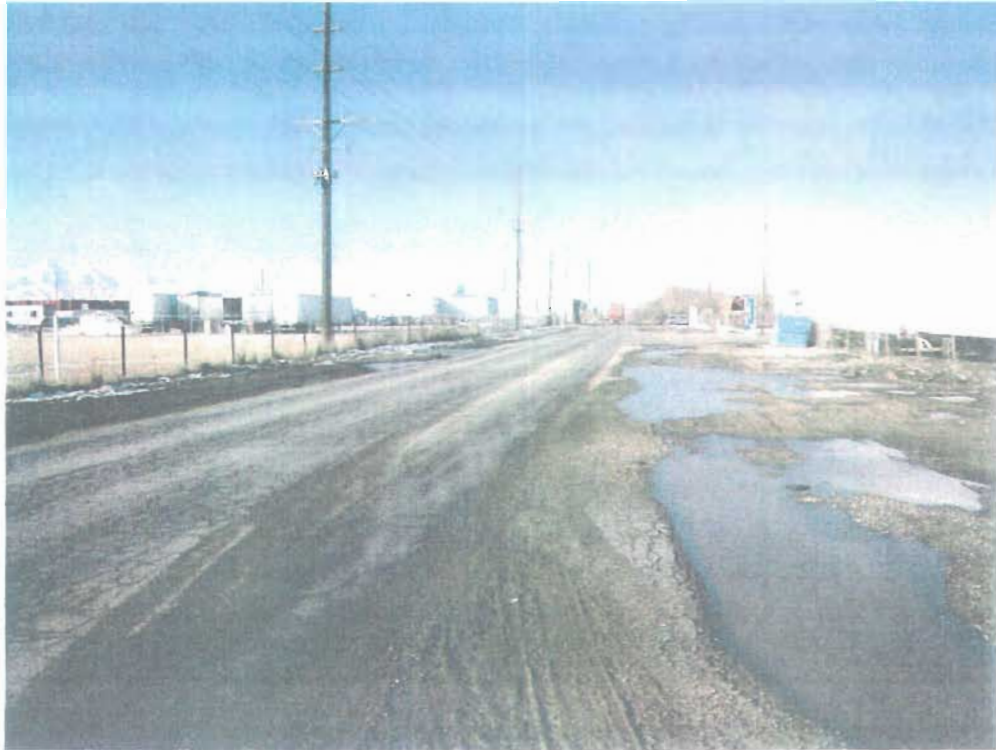
Photographs



Existing Facility (463 South 400 West)



Proposed Location (2945 West 900 South)



900 South in front of proposed location



Geneva Pipe (existing use to the west, M-1 zoning district)



Pallet manufacturing and storage facility (existing use to the north; M-2 Zoning District)



Rocky Mountain Recycling (existing use to the north, M-2 zoning district)

Other uses in the vicinity





Attachment D

Airport Letter

December 15, 2008



Nick Norris
Salt Lake City Corporation
451 South State Street
PO Box 145480
Salt Lake City, Utah 84111-5480

Dear Nick,

I am commenting on the Master Plan Amendment to allow residential land uses in an M-1 industrial area. This is in reference to Petition PLNPCM2008-00742.

We are concerned that residential uses may be allowed in Manufacturing M-1 zoning districts. A majority of the Salt Lake City's M-1 zoning districts is located south of the Salt Lake City International Airport's runways. Most of the city's M-1 zoning district is also within the City's Airport Influence Zone B. Zone B is listed as a high noise impact area where arriving and departing aircraft can be expected during all days of the year and at all hours. Industrial zoning is appropriate and compatible with the existing airport operations. Residential uses are prohibited except for residential uses in agricultural zones. The current Airport Influence Zone text reads as follows.

Airport Influence Zone B prohibits, "residential uses, except residences in agricultural zones with air-circulation systems and at least twenty-five dBs of sound attenuation,"

Airport Influence Zone B does allow institutional uses, including such uses as rest homes, if they have sound attenuation. The text reads as follows.

Airport Influence Zone B prohibits, "institutional uses such as schools, hospitals, churches and rest homes, except those constructed with air-circulation systems and at least twenty-five dBs of sound attenuation;"

The airport does not oppose limited institutional uses such as those listed above within Airport Influence Zone B. We understand the issue at hand is for a Master Plan amendment to allow a Homeless Shelter within the M-1 zoning district. The proposed homeless shelter could be interpreted administratively to be a similar use such as a rest home and allowed as an institutional use in the Airport Influence Zone B. The airport would not oppose this interpretation to allow a homeless shelter. The airport's main concern is that general residential uses continue to be prohibited within Airport Influence Zone B because of aircraft over flights and the associated noise impacts.



Allen McCandless
Director, Planning & Capital Programming

C. Maureen Riley
Wilt Sommerkorn
File Copy

Attachment E

Public Comment

BRUCE R. BAIRD P.C.

ATTORNEY AND COUNSELOR

2150 SOUTH 1300 EAST, FIFTH FLOOR

SALT LAKE CITY, UTAH 84106

TELEPHONE (801) 328-1400

FACSIMILE (801) 328-1444

BBAIRD@DIFFICULTDIRT.COM

March 31, 2009

HAND DELIVERED

Wilford Sommerkorn
Planning Director
Salt Lake City Corporation
451 South State Street, Room 406
Salt Lake City, Utah 84114

**Re: Amendment to Zoning Code Requested by Rescue Mission
PLNPCM2008-00742**

Dear Wilf:

I am counsel for a number of businesses¹ in the M1 and M2 Zoning Districts in the area of the proposed Rescue Mission relocation on 900 South at approximately 2900 West regarding the above-referenced Petition. As you know, this petition would change the definition of a homeless shelter to make such uses "Institutional" and to include "Institutional" uses as conditional uses in the M1 zone. To put it simply, this is a phenomenally bad idea.

First, as a matter of good planning and zoning practice, it is not wise to make changes in the zoning text to, essentially, allow a back door site-specific rezoning. That is what is proposed here. The West Salt Lake Master Plan reserves this area of Salt Lake City for manufacturing, industrial and similar uses while specifically prohibiting residential uses. When the Rescue Mission proposed changing the West Salt Lake Master Plan to allow its homeless shelter facilities the Planning staff wisely opposed the request. This proposed text change would undo that Master Plan prohibition. I should point out to you that the area of the proposed site of the Rescue Mission is the very heart of the manufacturing/industrial area of the City and must be preserved to allow the City to maintain a base for such industries and the jobs they produce. If you have any doubt about the vital importance of this area I would refer you to the Utah Manufacturers Association for its input.

Second, and related to the first point, a text change such as proposed creates the problem of unintended consequences. That is, a text change would be applicable to all of the property throughout the City that is zoned M1. As you know, properties zoned M1 are located not just where the Rescue Mission is proposed but, also, along Beck Street, near the I-15 corridor and at the International Center. A text change to allow homeless shelters as "Institutional" uses as

¹ A partial list of my clients includes DMSI, Pacific Steel, Streadbeck Enterprises, Metro Group, Rocky Mountain Recycling, Cambelt International, IRH and Eaton Metal Products.

conditional uses in an M1 district would permit homeless shelters to be sited almost without any restrictions in any of these locations. I hardly need to point out to you the incompatibility of a homeless shelter with manufacturing/industrial uses in the area of my clients (and, also, literally across the street from the even more intense uses in an M2 zone) as well as adjacent to the other uses that are allowed in other M1 areas such as the International Center. While the uses of my clients are too intense to be an appropriate neighborhood for a homeless shelter the uses at the International Center are too mild for a homeless shelter to be an appropriate neighbor.

Third, a text change that allows a homeless shelter in an area without any consideration about whether public services necessary to support such a use are present (or even legally allowed) makes no sense. A homeless shelter at the location proposed by the Rescue Mission would have absolutely no related services available and not even any good way of even getting to it. The homeless at the Rescue Mission would, literally, be isolated from the world they desperately need help in rejoining.

Fourth, the proposed text change is utterly lacking in giving any consideration to the impact of a homeless shelter on the existing neighboring uses and the conditional use process is a poor substitute for such thoughtful consideration. For example, would a homeless shelter be required to be secured (as the Rescue Mission's briefing says it will be) to prevent any secondary effects such as loitering, littering, vagrancy, sleeping rough, drug and alcohol dealing, crime, vandalism or, to the contrary, would the homeless shelter become a magnet for such problems? This and other questions must be addressed before any zoning change should be considered.

My clients understand that the current location of a number of facilities for the homeless concentrated in downtown Salt Lake City may not be an ideal solution to the very real problems of homelessness, drug and alcohol addiction, crime, etc. However, in trying to resolve this issue the proposed text change is a notably bad idea. A comprehensive solution addressing all of the issues involved after discussions with all of the stakeholders is required. (I note that despite having been apparently advised to discuss its proposal with the neighborhood the Rescue Mission virtually ignored any communications with my clients until the City advised them of the proposal.)

My clients urge you to have your staff carefully consider the impacts of this proposed text change and make a strongly negative recommendation to the Planning Commission and the City Council. My clients also urge you to make sure that every landowner/business in the M1 zone is directly notified of this request so that they can provide their valuable input. As you know, mere published notice for text changes is largely ineffectual in providing actual notice to affected persons.

If you have any question or if I can be of any further assistance please feel free to call me I look forward to working with you and your staff regarding this matter.

Sincerely,



Bruce R. Baird

cc: Clients (by email)

Nick Norris
AICT Senior Planner

As a business community I feel it is our responsibility to make sure our business and employees are happy, healthy and profitable. We also, certainly want to make sure all of society is taken care of in the best possible manner. I do not believe this mission location is the safest and most desirable location to house a mission. The families of the homeless deserve better. This location is amongst a recycling company, heavy equipment, empty trailer storage, wood and waste company, heavy truck and automobile traffic.

There is limited infrastructure, no sidewalks and large trucks on the road all day and many at night. These liabilities will have an impact on other industries wanting to move into the area. Thirteen hundred South is a main artery for trucks to exit freeway many with double and triple trailers what will happen to the homeless as they wander off amongst this traffic. Fire safety is a big concern with the hundreds of vacant house trailers being stored on vacant properties in the area.

This doesn't sound like a homeless shelter for families that are temporary out of work. Out of work families are better intergraded in something like the Hope Gardens in the City of Los Angeles is doing. They say the open space and exquisitely landscaped acres are a healing touch.

If it is a shelter for people that make it their choice due to drug addiction and mental illness I believe they do not choose to be integrated into society and nor can you keep them confined to a plan such as this.

I also believe this combination of Drug and alcohol mixed with the heavy truck traffic is a serious problem, which could kill the addict wandering the streets and leave the driver injured for the rest of his life.

The following quote from the internet from the city of Bellingham.

(BELLINGHAM -- With a fierce stare, Pastor Chuck Sargent describes how homeless people he's feeding have slashed his tires, only to come back later and apologize. He says one is threatening to kill him. The rules prevent sleeping on the property, but drunks still pass out on the front porch.

From the log-cabin-style building in Old Town, Sargent and his Church on the Street Bellingham practice tough love for the homeless. But he's first to admit it's not easy.

That's why he doubts the city's plan to transform the industrial area -- Bellingham's Skid Row, as one neighbor calls it -- into an urban village with commercial-residential buildings and a mix of people. He doesn't believe the homeless and condo owners will

blend. In successful redevelopments, no one demographic dominates the public space, said Kent, of the Project for Public Spaces. The best way to handle areas with homeless is to bring in other people with new developments designed to create attractive, vibrant shared public spaces, he said. Using those spaces actively—with outdoor concerts, vendors and outdoor café seating—also helps make the area feel safer, he added.)

The best way to help the homeless is with hope in a nice safe neighborhood and not within the confines of this industrial area. Children need to be in a neighborhood socializing and leaning from the whole of society not confined with drug addicts and alcoholics that don't want to be confined either.

My hope is that the city will share the responsibility and find a safer, healthier environment for the children, unemployed adults and a separate environment for those suffering from mental illness and addictions.

Diversified Metal Services, Inc.

Michael Long
President

Norris, Nick

From: harman@xmission.com
Sent: Tuesday, March 31, 2009 3:42 PM
To: Sommerkorn, Wilford; Sommerkorn, Wilford
Cc: Norris, Nick
Subject: Rescue Mission and Planning Commission

Mr. Sommerkorn,

I am writing on behalf of the Poplar Grove Community Council to request that the Planning Commission reschedule the discussion regarding the Rescue Mission's request for a text amendment. We understand that it is currently scheduled for April 22, 2009, which falls on the same night of our next Community Council meeting. We are therefore asking that this issue be rescheduled for May 13, 2009.

We are requesting this action as we feel the members of the Poplar Grove Community Council were somewhat deceived because the Rescue Mission came to us requesting a conditional use permit to operate their facility within the manufacturing zone, which would apply only to their facility. We have recently been informed that they went to the Planning Commission trying to amend the Master Plan, and now are looking to amend the zoning ordinance.

We realize that there has been two open houses to discuss this issue, which we did not attend, as we were under the impression that they were requesting a conditional use. The letter that was sent from the Community Council indicates that our support was for a conditional use. In no way should that letter of support be construed as support for a change in the Master Plan and/or a text change in the zoning ordinance.

Please let me know if you are willing to reschedule this issue, so that our Community Council members can have a discussion about this issue with the actual facts, some of which we were not given in August, 2008. Rescheduling will also give us the opportunity to attend the Planning Commission meeting.

Thanks

Mike Harman
Chair, Poplar Grove Community Council
(801) 455-0571

To Salt Lake City Planning Commission

From: Cambelt International Corp.
2820 West 1100 South
Salt Lake City, Utah 84104

Colin D. Campbell, President

Subject: Petition #PLNPCM2008-00742 Rescue Mission of Salt Lake

I am writing to express the views held by this company regarding the proposed relocation of the Rescue Mission of Salt Lake to 2945 West 900 South.

With all due respect to the humanitarian nature of the Rescue Mission, we believe that it is a singularly bad idea for all parties concerned.

This area operates as M-1 industrial property for a lot of very good reasons. Almost by definition, M-1 industrial and the urban population don't mix well. That's why we were deliberately located away from the city in the first place. There are no services that cater to the public anywhere near here. Even the bus stop is half a mile away. Homeless people are oftentimes on foot.

While we have a lot of people and car traffic in this area during the day, this is a wild and woolly place late at night and on the weekends. The physical safety of myself, my employees and the safety of the residents of the homeless shelter is my continuing primary concern.

You do remember that we have a prison "half way" house just a couple of blocks to the east? Foot traffic through this area is largely their people. Last year, I was alone in my business on a Saturday morning, and I watched a drug deal go down in my own parking lot. This was a transaction between two guys, one of which I know was a half way house guy because I had employed him briefly, prior to that day. I was trapped in my own building for a short time. It wasn't the first time, either.

This is a scary place late at night, and we get very little support from the police. The last time we were burglarized (and it happens way too often, come and look at the pry marks all over our doors, inside and out of our offices), we were told that it was an "inside job", but 5 minutes after the officer left we found obvious signs of forced entry. It's like the police only come out to verify. "yep, you got hit again". Well, we knew that already.

This year, we have groups of road racers that are holding some pretty wild weekend parties in our parking lot. Come look at the tread marks and gouges in our new asphalt. We cleaned up the shredded tires (I'm not making this up!) and orange course marker cones they left behind.

Not all, but certainly some homeless people don't have a reputation for law abiding temperaments. Even though we have entirely fenced our lot, our back yard is sometimes

illegally entered (they cut the fence), as people come in to haul off scrap steel, and generally create havoc. It happened last month, again. What happens when a scrap thief hurts himself in the dark?

Please don't burden us with even more of the same kinds of personal safety and financial problems that we are already having to deal with. It's already dangerous enough to be out here alone on a weekend with the half way house traffic.

Sincerely,

Colin D. Campbell, President

Norris, Nick

From: Larry Streadbeck [Larry@palletex.com]
Sent: Monday, February 02, 2009 4:36 PM
To: Norris, Nick
Cc: Jeff Streadbeck; Dave Streadbeck
Subject: Rescue Mission PLNPCM2008-00742

Dear Nick Norris, in my earlier E-Mail I notified you that I was opposed to the Rescue Mission residential development on 900 South. Now I would like to give you some additional details to replace my earlier brief submission.

Residential vs Industrial?

Since our initial contact, I have reviewed the existing (1995) and the DRAFT (2006) Master Plans for our area. I was very pleased about the language within the plans for our Manufacturing/Industrial area. In one place, it describes our area as "one of the most promising industrial development opportunities along the Wasatch Front." We certainly agree. Our adjacent businesses are trucking companies, recyclers, manufacturers, Steel suppliers, foundry operators, heavy haulers, and warehousemen, to mention a few. Most of these businesses have fleets of trucks (as we do), and most depend on the trucking corridor that 900 South provides. To the East, the residential areas and Salt Lake City Police restrict our large trucks to only a couple of corridors through the area, and rightly so. The residents complain about the large trucks in the area, and even complain about the Sapp Brothers Truck Stop on 1300 South. In our area, we depend on the large trucks. We appreciate the nearness of the Sapp Brothers Truck Stop. 900 South has no sidewalks. The increased pedestrian traffic that the Rescue Mission would invite, would increase the risk and liability of all the businesses in the area.

Please don't bring residents into our area.

Many of the properties in our area have railroad spurs in their back yards. Many companies depend on the rail transportation to bring materials into (and out of) their plants. Just East of us, in the residential area, the residents have complained for several years about the railroad tracks in their back yards. We depend on the railroad transportation system and appreciate it.

Please don't bring residents into our area.

The area right across the street from the subject property, is zoned M-2 Heavy Manufacturing. In this area we have a great deal of heavy equipment, with more to be installed in the coming years. Any manufacturing area has increased risks and hazards above and beyond that of a residential area. In addition, we have all the noise, odor, smoke, fumes, glare and other issues that residents like to complain about.

Please don't bring residents into our area.

What constitutes a Buffer?

In addition to the M-2 Zoned area right across the street from the subject property (mentioned above), this same area (all the way to the Airport) has been **purged of residences** by the joint Salt Lake City/Airport Authority efforts. **Now that is a "Buffer" that we can understand.** We have reviewed the cute little definition that has been supplied by the Rescue Mission applicants, and we are concerned that it is so nebulous, that it would give anyone the ability to build any residential structure in the M-1 Zone they wished, with no more than their fence line for a **"buffer"**. I certainly hope the Planning Commission would not let any definition so vague, enter into the Master Plan. In any case, **this particular location does not seem to be either "appropriate placed or buffered"**.

We hope the Planning Commission will carefully consider our concerns as property owners near the proposed site, and deny any changes to current zoning.

Sincerely,

2/2/2009

A. Larry Streadbeck

Streadbeck Development, LLC

Streadbeck Enterprises, Inc.

3040 W 900 S

Salt Lake City, UT 84104

We own one parcel right next door to the subject property in the M-1 zone, and one parcel across the street in the M-2 Zone. For the last couple of years, we have been watching with interest, the concerns of the residents in the residential areas

2/2/2009

STREADBECK ENTERPRISES, INC. dba

3040 W. 900 S.

Salt Lake City, UT

84104

Phone: (801) 978-9238 FAX: 978-9575

Pallet Express

30 Jan 09

Salt Lake City Planning Division
451 South State Street Room 406
PO Box 145480
Salt Lake City, UT 84114-5480

c/o Nick Norris,

Dear Nick, I have previously expressed concerns to you about the Rescue Mission's request for an amendment to the West Salt Lake Master Plan as they attempt to interject a "residential facility" into the M-1 Manufacturing area (PLNPCM2008-00742).

Attached to this letter is a visual identification of the immediate area affected. On this map, we have been collecting the signatures of the CEOs and Owners in the industrial area, **who are also opposed to the Rescue Mission's proposed amendments**. Many of these individuals attended your 18 December 08 meeting. Others have only heard about the proposal since that time and come forward to voice their opposition. Still others, have expressed an interest in adding their signatures in the coming days. All have indicated a desire to attend your future meetings.

We sincerely hope that you will relay our opposition and concerns to the Planning Commission.

Sincerely,



A. Larry Streadbeck
Streadbeck Enterprises, Inc.
Streadbeck Development LLC.
3040 W. 900 S.
Salt Lake City, UT 84104

Cc: Neighborhood group

Norris, Nick

From: Mark Bond [markbond@metro-grp.com]
Sent: Monday, February 02, 2009 1:06 PM
To: Norris, Nick
Cc: danfloyd@metro-grp.com
Subject: Rescue Mission development

Dear Mr. Norris,

My company owns a parcel near the proposed Rescue Mission development on 900 South in West Salt Lake City. We have some definite concerns regarding the appropriateness of locating any residential development within an existing industrial zone. Some of our concerns are as follows:

Heavy Equipment - Our company has many heavy duty semi trucks coming in and out of our facility every day. We are concerned that possible pedestrian traffic due to the new development near our location would present potential risks and liabilities to our company and other trucking companies servicing us. For the same reason that the planning commission prevents industrial uses in residential areas, we believe it is prudent to prevent residential uses near a sight with industrial risks.

Lack of Facilities - We operate a recycling buy back facility currently near the present Rescue Mission and are familiar with the clientele. Many of the people they serve actually are customers of ours. As we view the situation, homeless people need to have convenient transportation, availability to stores and restaurants to allow them to purchase food and necessary staples.

In the proposed location, there are no facilities such as this. We believe a location closer to stores, shops and restaurants would seem to be more prudent. There is also no bus service or public transportation to permit residents to travel to their necessary locations.

Crime - Much of the inventory we hold is in outside storage and is more easily subject to theft. Even though we have security systems in place, we have had troubles with theft. We fear that with an additional population of homeless near our facility, our risk for additional theft and possible other crime is higher. There are less police patrols currently taking place in these industrial areas, but these patrols may have to increase with additional population living there.

I am hopeful the planning commission will carefully review the concerns of current property owners near the proposed site and deny any changes to current zoning.

Sincerely,

Mark Bond
President/CEO
Metro Group Inc.
401 West 900 South
Salt Lake City UT 84101
(801) 328-2051
(801) 328-2055 fax
www.metro-grp.com

Norris, Nick

From: steve [steve@intermountainrigging.com]
Sent: Tuesday, December 23, 2008 5:08 PM
To: Norris, Nick
Subject: Rescue mission of Salt Lake petition

Mr. Norris,

Thank you for the information concerning the proposed changes to zoning to accommodate the Salt Lake Rescue Mission. I operate a business located on the corner of Pioneer Road and Indiana Avenue, very close to the property owned by the Rescue Mission. I am still a bit perplexed as to the reason for the change. Is there a lack of available property that is currently properly zoned for such use? Is this a change to accommodate a single party, i.e. the rescue mission? I do feel that the current uses to which owners of property, myself included, are not compatible with a residential type use as proposed by the mission. Public transportation, sidewalks, lighting and other infrastructure features do not currently facilitate residential use in this area. Nor would it be fair for the current property owners benefit from these should they be installed. For this reason, I am not in favor of amending the current master plan.

Thanks,

Steven C. Knight
Intermountain Rigging and HeavyHaul

2/2/2009

Norris, Nick

From: Pat Kons [pat_kons@pacific-steel.com]
Sent: Tuesday, February 03, 2009 3:01 PM
To: Norris, Nick
Cc: 34-Randy Webster
Subject: Rescue Mission Proposed Amendment Zoning Variance for M-1 to allow Residential

February 3, 2009

Nick,

Patrick Kons & Randy Webster of Pacific Steel Branch had attended the preliminary hearing the Planning Department had held on December 18th 2008. We were with the majority of attendees who had admittedly opposed this zoning ordinance to allow the relocation of the Rescue Mission into a M-1 manufacturing area adjacent to our property.

For the record Pacific Steel & Recycling Located at 2850 West 900 South Salt Lake City, Utah 84104 opposes any variance in relationship to relocation of the Rescue Mission residential facility to a property across the street from our operating facility.

- We feel the ordinance is not in the best interest of the residents of the Mission Facility; Safety concerns related to Traffic Hazards is Leading Concern.
- The single Lane traffic in this area is a hazard to the People in the Rescue Mission Campus-No Curb and Side Walk. The people will leave and lotter around the streets near this facility. I feel you will have many fatalities with the proposed action plan.
- Security issues will be pushed on to our business; more costs more taxes with improvements to benefit a residential campus.
- More Liability for our trucking fleets operating in this area.
- No residential allowed in this area due to Airport-Air traffic corridor, you are going to have residential in a flight path?
- We don't believe that their are enough facilities, i.e Groceries stores, Restaurants, Clothing store etc... for these people out side of the campus that would draw them to this area. Rescue Mission Campus can't take all the people all the time! Now where to the go? Typically they are on the street and that will cost people/residents lives in this industrial area part of Salt Lake City.

I appreciate the opportunity to voice our shopping on this pending amerdment that will deeply impact our business in a negative way. I feel their are better areas of S.L.C. that would accomodate this facility in a safer and better way for the dependent sector of our society.

Sincerely,

--

Pat Kons
 Manager
 Pacific Steel
 Salt Lake City, UT 84104
 801-973-9086



2/3/2009

Norris, Nick

From: David Boren [davidboren@yahoo.com]
Sent: Tuesday, February 03, 2009 4:55 PM
To: Norris, Nick
Subject: Re:resue mission of Sal Lake request for chare to Master Plan

I as a property owner in the area I am opposed to the plan to change the Salt Lake City Master Plan to allow a new shelter to be constructed at 2945 West 900 South.

I know that the services provided by the Rescue Mission of Salt Lake are sorely needed. The Mission provides a great service which helps all who live within our community. I believe the propsed location is not the place to provide these services for the following reasons.

1. Limited public transportation. No tracks and very limited,if any bus service.
2. 900 South from Redwood Road to 3800 West is without any traffic control. The road is very poor condition.
3. The entire area is not pedestian friendly. There aren't any sidewalks nor curb and gutter.
4. There is a high volume of heavy commercial traffic. Vehicles between 54,000-80,000 gvwr. Someone getting hit and killed is likely to happen.
5. There are three transfer stations and a recycling facility that accept high volumes of material twenty four hours seven days a week.
6. The road is designated as an Arterial Street per the Salt Lake City Master Plan map approved July 17. 2005.
7. The area is zoned M-1. Most businesses that locate in the area do so to avoid pedestrian traffic.

Thank you

David Boren
ABC Real Estate LLC
832 Gladiola
SLC, Ut 84104
801-580-3706

Norris, Nick

From: Christian Harrison [christian.harrison@gmail.com]
Sent: Wednesday, February 04, 2009 1:56 PM
To: Mayor; Garrott, Luke; City Council Liaisons; Valdez, Joyce; Norris, Nick; Hansen, Tami
Cc: Mary Gordon; Luann Lakis
Subject: Endorsement for the Rescue Mission's Relocation Efforts

Dear Mayor, City Council, other interested parties:

It has come to our attention that the Rescue Mission — currently located at the 400 block of South 400 West — is requesting certain accommodations from the city and others in an effort to move their operations to a spacious campus in the warehouse district. We would like to add ours to a chorus of support for the move, as it:

vastly improves the Mission's ability to serve their community, offering more bed space for both overnight guests and long-term recovery clients. It also brings together on one campus a number of their services.

reduces the exposure of their most vulnerable clients to active solicitation by drug and sex dealers — making recovery efforts more effective.

lightens the pressure on Pioneer park and the surrounding neighborhood neighborhood, which currently hosts an unusually high concentration of such service providers.

Please join us in supporting the relocation — and the Mission's continued success.

Warmest regards,

The Downtown Community Council

D Christian Harrison
Mary Gordon
Luann Lakis

** Please forward as necessary. **

Downtown Community Council

Be Here. Be Heard...
Third Wednesday of Every Month



Via E-Mail Nick.Norris@slcgov.com

February 17, 2009

Salt Lake City Planning Commission
c/o Mr. Nick Norris
451 S. State Street
Room 406
P.O. Box 145480
Salt Lake City, UT 84114-5480

Re: Petition #PLNPCM2008-00742 Rescue Mission of Salt Lake

Dear Mr. Norris:

I am General Counsel to Shapco Inc. An affiliate of Shapco, Directors Row Partnership owns the property at 2702 West Directors Row in Salt Lake City. The partnership leases the property to another Shapco affiliate, Kelly Pipe Co., LLC, which operates a pipe storage and distribution facility at the location. I am writing this letter to advise you of Shapco and its affiliates' opposition to the proposed relocation of the Rescue Mission of Salt Lake to 2945 West 900 South, just to the north of our property.

While we recognize and support the humanitarian nature of the Rescue Mission, we believe that its relocation as proposed would not be in the best interest of the people served by the Mission or the owners and users of the surrounding properties.

The property which the Mission desires to use is in an industrial area; is zoned M-1 (manufacturing); and is directly across the street from an area zoned for heavy manufacturing (M-2). The existing uses are consistent with the zoning and the proposed use is so different and distinct that the situation itself proves why industrial uses are typically segregated from other property uses. This area is typical of most industrial areas in that sidewalks are non-existent or in general disrepair; there is significant heavy truck traffic; and there is little public transportation available. The area is not amenable to foot traffic or automobiles and there are no services such as restaurants and convenience stores. Additionally, this, like most industrial areas, is a "tough neighborhood" with higher incidences of crime than in areas designated for residential or other activities. This is particularly true given the half-way house located several blocks east of our location.

In addition to all of the foregoing, we are concerned with the security of our facility. While we recognize that many people are on the streets because of unfortunate circumstances, some have drug dependency or psychological issues and criminal tendencies. We maintain a significant inventory which we believe would be at risk to the influx of homeless and are also concerned that a trespasser might be injured in our facility.

Real Estate

Manufacturing

Distribution

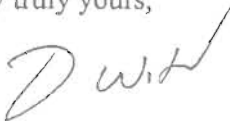
1666 20th Street, Suite 100, Santa Monica, CA 90404 (310) 264-1666, FAX (310) 264-1675

Salt Lake City Planning Commission
c/o Mr. Nick Norris
February 17, 2009
Page 2

Based on all of the foregoing, we urge the Planning Commission to deny the above-referenced petition filed by the Rescue Mission of Salt Lake.

If you have any questions or wish to discuss this matter, please do not hesitate to call.

Very truly yours,

A handwritten signature in dark ink, appearing to read "J. Witkow", with a stylized flourish at the end.

Jerry A. Witkow

cc: Leonard Shapiro
Bernard Shapiro
Steven Teller
Jaime Gesundheit
Larry Streadbeck (Larry@palletex.com)



February 4, 2009

Planning & Zoning Department
City & County Building Room 406
451 South State Street
PO Box 145480
Salt Lake City UT 84114-5480

Re: Proposed Rescue Mission on 900 South

Dear Committee Members:

I am writing to express my concern over a proposal to site a Rescue Mission on 900 South at approximately 2600 West.

Currently, I oversee the pick-up and transportation of trash that is transported to a disposal transfer station just south of the proposed Mission location. Most of the trucks, up to 75 per day, weighing up to 27 tons, travel down 900 south. This road is a main arterial for truck transportation, trucks that are big, heavy, and that take awhile to come to a stop. Some of the trucks that use this road are transfer truck and trailers that weigh even more and that would have even a greater difficulty maneuvering and stopping to avoid a pedestrian related accident. There are many more companies in this area that use 900 south for their truck transportation.

It just seems to me that putting a Mission there, that would undoubtedly add a great deal of foot traffic, would make for a very dangerous situation of which we all want to obviously avoid.

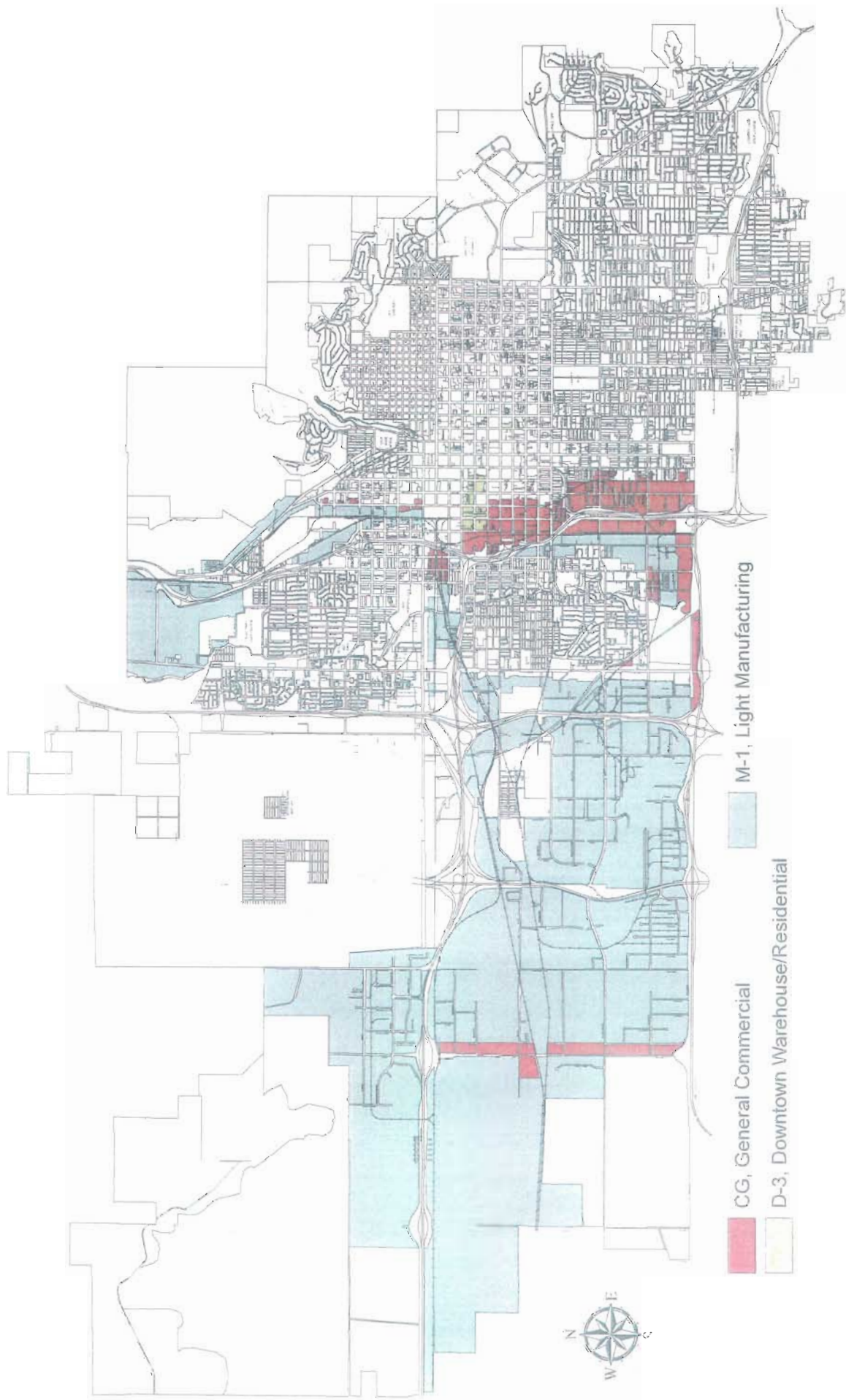
Thank you for your consideration.

Reece DeMille
General Manager

cc: SL City Council

Attachment F

M-1 Zoning Map



Norris, Nick

From: Mike Kibbie [mkibbie@ues.cc]
Sent: Monday, May 04, 2009 3:40 PM
To: Norris, Nick
Subject: PLNPCM2009-00398 Rescue Mission

I have two business out here. UES @ 1111 So. 3200 W. and NBE @ just behind us.

Comment against. I know that you are aware of our high crime rate out here, without any support from the police department. But, to add to this situation with a Rescue Mission just to get them out of the inner SLC area is absolutely not to our advantage. You the city don't offer anything out here, no bus route, no parks, no stores, occasional snow plowing a day after it snows, no traffic control (speeders everywhere), lack of good freeway ingress, no nothing other than Industrial manufacturing etc.

Just another sticking it to the business owners in our area from SLC Planning Commission.

Information from ESET NOD32 Antivirus, version of virus signature database 4052 (20090504)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

5/6/2009



SIMS
METAL
MANAGEMENT

3260 West 600 South
Salt Lake City, UT 84104

Telephone: 801 954-8888
Facsimile: 801 908-8079
info@simsmm.com
www.simsmm.com

May 1, 2009

Nick Norris
Salt Lake City Corporation
451 South State Street
PO Box 145480
Salt Lake City, UT 84111-5480

Re: Proposed Zoning Amendment – PLNPCM2008-00742

To Whom It May Concern:

It has come to my attention that the Rescue Mission of Salt Lake has proposed an amendment to the West Salt Lake City Master Plan in order to relocate their homeless shelter into the M-1 light industrial zone. I must express concern over the potential of having a transient residential facility adjacent to our company along with the other industrial companies in the area, most of which are located in a manner as to avoid pedestrian traffic. The following reasons are a few that explain our position in this matter.

- There are no stores or restaurants in the area and public transportation is not conveniently located. These seem to be vital resources to those who would be living at the shelter.
- The increase in pedestrian traffic would lead to increased risk and liability to us and the trucking companies that visit our facility on a daily basis. There are no sidewalks, streetlights and the roads are in poor condition. For the same reason industrial vehicles and operations are prevented in residential areas, I feel residential uses should be prevented in industrial areas.
- Potential for increase in crime. As a recycling facility, the majority of our inventory is stored outside in open top containers. We have been the victims of numerous thefts, and fear that the addition of a homeless shelter would increase the crime at our facility and the other industrial companies in the area.

Although we support and appreciate the efforts made by the Rescue Mission, we strongly oppose this amendment and feel that the risks and lack of resources at the proposed location vastly outweigh any potential benefits of relocating to this area.

Sincerely,

Steve Allen
Sales Manager

In March of 2008, Sims Group Limited and Metal Management, Inc., two industry leaders combined to create the world's largest metal recycler. As a true GLOBAL LEADER we are uniquely positioned with a firm financial footing to provide our supplier customers with leadership in Recycling and Raw Material Management.

NYE: SMS