

PLANNING COMMISSION STAFF REPORT

ZONING MAP AMENDMENT

**PLNPCM2011-00091- Zoning Map Amendment
PLNSUB2011-00090 – Subdivision Amendment**

**Approximately 700 North Columbus Court
August 10, 2011**



Planning and Zoning Division
Department of Community and
Economic Development

Applicant: Christopher Robinson, representing Columbus Court HOA and Ensign Foreground L.C.

Staff: Michaela Oktay
801-535-6003
michaela.oktay@slc.gov.com

Tax ID: 09-30-041-00009-30-042-000, 09-30-043-000, 09-30-044-000, 09-30-045-000, 09-30-046-000, 09-30-047-000, 09-30-050-000, 09-30-051-000, 09-30-052-000

Current Zone: FR-2, Foothills Residential

Master Plan Designation: Capitol Hill Community Master Plan – Very low-density Residential

Council District: District 3 – Council Member Stan Penfold

Community Council: Capitol Hill – Katherine Gardner, Chair

Total Size of FR-2 Lots: Approximately 4.98 acres
Current Use: improved residential lots

Notification

- Notice mailed on 8/12/11
- Newspaper ad on 8/13/11
- Sign posted on 8/15/11
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites 8/11/11

Request

Christopher Robinson, Ensign Foreground LC, is requesting a Zoning Map amendment to rezone the property from FR-2, Foothills Residential to R-1/5,000, Single Family Residential zoning district. The amendment would allow for the proposed subdivision amendment creating 12 lots from the current 6 lots and consolidation of three lots into one, making a total of 12 lots in the Columbus Court PUD, and three lots into one lot of Plat J, Block 20.

Staff Recommendation

PLNSUB2011-00090– Subdivision Amendment

Planning Staff recommends that the Planning Commission grant approval of the preliminary plat for Columbus Court PUD Subdivision Amendment and Plat J Block 20, subject to the following condition:

1. Approval is conditioned upon compliance with all departmental comments as outlined in this staff report. If during the building permit review process, additional requirements are stipulated by the City Departments, the applicant shall satisfy said requirements prior to the recording of any approved plat.

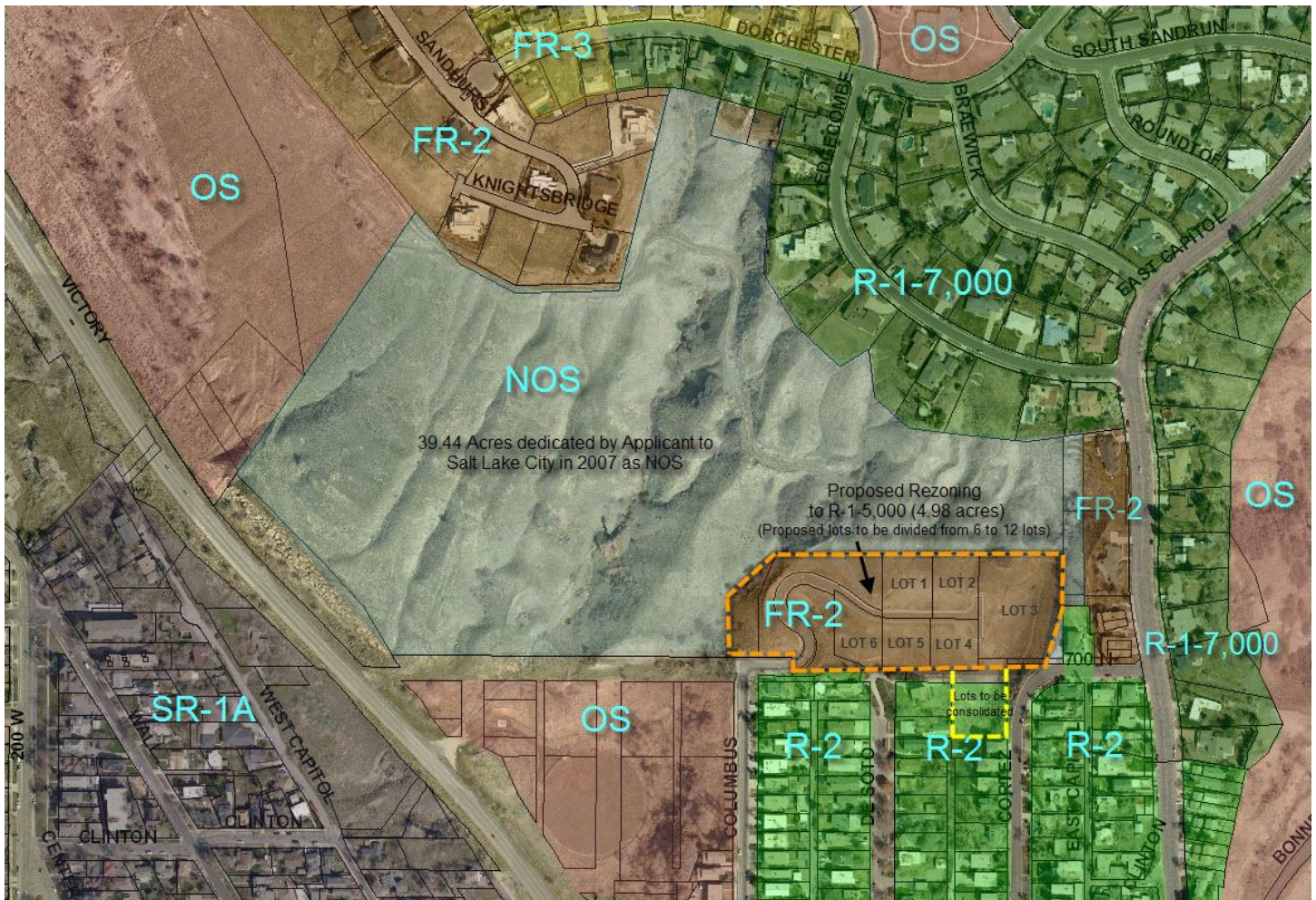
PLNPCM2011-00091– Zoning Map Amendment

Planning Staff recommends that the Planning Commission review the Staff Report and accept public comments. Planning Staff recommends that the Planning Commission forward a positive recommendation on the proposal to the City Council.

Attachments:

- A. Application Submittals
- B. FR-2 & R-1-5,000 Zoning Table of Allowed Uses
- C. City Department/Division Comments
- D. Public Comments
- E. Capitol Hill Future Land Use Map
- F. Site Photos

VICINITY MAP



Background

Request

The applicant is requesting that Salt Lake City amend the zoning map changing the zoning for the subject properties from Foothills Residential (FR-2) to Single-Family Residential (R-1/5,000). The amendment is requested to allow the applicant proceed with a request to subdivide the existing six lots into 12 smaller single-family residential lots, and to consolidate 3 lots that are accessed from the current development. The subdivision amendment is possible only through a rezoning.

Purpose of Request

The overall purpose of the applicant's request is to allow the existing half acre lots (FR-2) to be divided so that they are more marketable properties. In order to understand the purpose further, Staff provides the following history of area, development and zoning of the property:

- Prior to 2007, the Applicant, Christopher Robinson owned approximately 44.51 acres of property. The property contained mostly undisturbed foothills property; however portions of the property particularly north of Columbus, DeSoto and Cortez Streets had been significantly altered by grading activities over time. Much of the grading in this area occurred when a Chevron pipeline was installed where there once existed a paper street showing a westerly extension of 700 North Street.
- In 2007, Applicant, Christopher Robinson deeded 39.44 acres of the total 44.51 acres of land to Salt Lake City. That 39.44 acres was subsequently rezoned to Natural Open Space (NOS). He got approval to amend the Capitol Hill Master Plan future land use designation from Foothill Preservation to Low-density Residential. As part of that dedication, he also rezoned the current subject properties from Foothills Preservation (FP) to Foothills Residential (FR-2), vacated a portion of 700 North that was located generally between Columbus and Cortez Streets, and transferred the property to abutting property owners. As part of those petitions he received Planned Development approval to develop a cluster development with minimum lot size averaging and a private street. The result is the existing 6-lot development that exists today.
- The final plat was recorded in 2008, and construction was finished in 2009.
- The subject properties are currently Lots 1-6 of Columbus Court PUD. The private road has been constructed on the site. There is a private gate leading into the development but pedestrian and bicycle access through the street allows, in perpetuity, access through his development to existing foothill trails and there is a sign that was erected identifying that access.
- The subject properties were zoned Foothills Residential (FR-2) in 2007. The FR-2 zoning district allows "single-family" as a permitted use, on lots with a minimum lot area of 21,780 and lot width of 100 feet with front yard setbacks of 20 feet and rear yard setbacks of 40 feet.
- Christopher Robinson has been actively marketing property and there has not been any development of homes in the Columbus Court Development.

Current Proposal

In March 2011, Christopher Robinson submitted two petitions, a Subdivision Amendment and a Zoning Map Amendment. The applicant's current plan is to divide the existing lots in half to allow for 12 lots in the development with access to another additional lot proposed to be consolidated, a total of 13 lots. This would only be possible with a rezoning. The applicant contends that since his final plat was recorded in 2008 and subsequent construction on the site was finished in 2009, due to the economic downturn, the market demand has changed to more modest lot sizes. The proposed minimum lot size is significantly less than allowed by the current FR-2 zoning designation. If the applicant was allowed to rezone the properties from FR-2 to R-1-5,000 the following table represents residential single-family scenarios:

Zoning District	Averaged of Combined Lot Area (existing or proposed)	Minimum Lot Area	Minimum Lot Width	Front Yard setback	Side Yard/Rear Yard Setbacks
FR-2	Existing average 26,731 Sq.Ft.	21,780 Sq.Ft.	100 Ft.	Min. 20 ft.	20 ft./ 40 ft.
R-1-5,000	Proposed 13,192 Sq.Ft.	13,192 Sq.Ft.	50 Ft.	Min. 20 ft.	4 ft & 10 feet/ 20 ft.

Comments

City Department Comments

The comments received from pertinent City Departments are attached to this staff report in Attachment C. The Planning Division has not received comments from the applicable City Departments that cannot reasonably be fulfilled or that warrant denial of the petitions. Most comments focus on the proposed subdivision.

Community Council Comments

The subject properties are in the Capitol Hill Community Council area and the petitions were presented on May 19th by the applicant, City Staff was in attendance. In addition, the Community Council took a straw vote at their June meeting, the applicant was not in attendance.

Capitol Hill Community Council - May 19, 2011

The petitions were presented by Christopher Robinson to the Capitol Hill Community Council on May 19, 2011. Approximately 25 people attended the community council meeting. During the meeting the general public was given the opportunity to speak. Most of the members of the public were in favor of the petitions and a few citizens had questions about the increase in traffic caused by an increase in density. Some members expressed that the gate had late night traffic issues when people used to drive up Columbus to look at the views. Most agreed that the gate had increased security at the site of Columbus Court and in the area. There were some concerns raised regarding erosion control when development eventually occurs. The Capitol Hill Community Council Trustees then discussed the petitions and decided to take a straw vote at a later (June) meeting.

Capitol Hill Community Council – June 15, 2011

Neither the applicant nor Staff was in attendance but a straw vote was taken and the proposals were voted down. Parking issues on Columbus Street were allegedly the main concerns. Staff hasn't received official comment from the Community Council about this meeting.

Public Comments

There has been one letter received by Staff from a neighboring property owner. (See Attachment D)

Project Review

Zoning Amendment Discussion

The subject property is currently zoned FR-2 Foothill Residential. The following is the purpose statement of the FR-2 zoning district:

The purpose of the FR-2/21,780 foothills residential district is to promote environmentally sensitive and visually compatible development of lots not less than twenty one thousand seven hundred eighty (21,780) square feet in size, suitable for foothills locations as indicated in the applicable Community

Master Plan. The district is intended to minimize flooding, erosion, and other environmental hazards; to protect the natural scenic character of foothill areas by limiting development; to promote the safety and well being of present and future residents of foothill areas; to protect wildlife habitat; and to ensure the efficient expenditure of public funds.

The applicant is requesting a zoning map amendment to change the zoning of the property from FR-2 to R-1-5,000 Single-family residential. The following is the purpose statement of the R-1-5,000 zoning district:

The purpose of the R-1/5,000 single-family residential district is to provide for conventional single-family residential neighborhoods on lots not less than five thousand (5,000) square feet in size. This district is appropriate in areas of the City as identified in the applicable Community Master Plan. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

The FR-2 and R-1-5,000 zoning districts allow a majority of the same limited land uses; however, it is essentially the scale, or size of the buildings that house the uses, that are different between the zones. For example, both zoning districts are limited in allowing single-family detached dwellings, small group homes, but no duplex or multi-family dwellings. The R-1-5,000 zoning district, however, allows one additional land use not allowed in the FR-2, that is “small assisted living facilities” as a conditional use. (see Attachment B).

The issue of scale can also be seen when comparing the lot and building size regulations between the two zoning districts. In the R-1-5,000 zone there is a smaller minimum lot area, and reduced side and rear yard setback requirements. Although the proposed lot sizes are larger than usual for an R-1-5,000 lot, building sizes would be reduced in size and scale due to reduced buildable areas proposed on the plat. In the R-1-5,000 zone, lot sizes should not exceed 7,500 square feet in size unless compatibility standards are met. Those standards can generally be met through the proposed subdivision.

When analyzing the future land use designation of very low-density and comparing it with both the FR-2 and R-1-5,000 zoning districts and surrounding zoning designations particularly south and east of the development, R-1-5,000 is an appropriate density for the properties. The property as a whole has characteristics that would allow it to be associated with both zones. The property and the proposed subdivision would yield lots that are comparable in size to those south of it. The proposals would allow for a buffer between the foothills development of the north and the more dense R-2 zoning districts to the south. The private street of Columbus Court is accesses from Columbus Street, a public local street. The proposal would essentially allow 6 more single-family residences which would mean there would be more vehicles using Columbus Street to access the development. It is estimated by Staff that this would not be a substantial traffic impact to residents in the area or on Columbus Street.

Analysis and Findings

Zoning Map Amendment- A decision to amend the Salt Lake City 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 found in the Zoning Ordinance under Section 21A.50.050B:

1. Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;

Analysis: The Capitol Hill Community Master Plan is the current master plan for the area. The Capitol Hill Community Master Plan was amended in 2007 calling for the subject properties to be “very low-density residential,” (1-5 dwelling units per acre). The approximate density of the proposal is 2.96 dwelling units per acre, this is consistent with the Master Plan land use designation. The policies for the neighborhood are to ensure that new infill development be compatible with the existing character of the neighborhood. It calls to ensure that the established low-density residential character of the neighborhood is preserved. In summary, it is the opinion of Staff that the requested zoning amendment is consistent with the Future Land Use Map classification and generally meets the policies as stated in the Capitol Hill Master Plan.

Finding: Staff finds that the request to rezone the properties located at approximately 700 Columbus Court from FR-2 to R-1-5,000 is consistent with the purposes, goals, objective, and policies of the adopted general plan of Salt Lake City, and of the future land use designation of very low density residential.

2. Whether the proposed map amendment furthers the specific purpose statements of the Zoning Ordinance;

Analysis: Currently surrounding the subject properties is very low density residential development and or natural open space. The area directly south of Columbus Court is zoned R-2 which allows single and two-family dwellings.

The following purpose statements pertain to the proposed zoning districts:

The purpose of the R-1/5,000 single-family residential district is to provide for conventional single-family residential neighborhoods on lots not less than five thousand (5,000) square feet in size. This district is appropriate in areas of the City as identified in the applicable Community Master Plan. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

The location and site characteristics of the subject properties are consistent with the purpose of the R-1-5,000 zoning district. The properties lie between very low-density to the north and low-density to the south. The zoning would provide a buffer separating Ensign Downs and DeSoto/Cortez areas.

Finding: Staff finds that the proposed amendment does not conflict with the purpose and intent of the Zoning Ordinance and the characteristics of the property are consistent with the purpose of the proposed zoning district.

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

Analysis: The proposed amendment is to change the zoning on the property from FR-2 to R-1-5,000. The permitted uses are essentially unchanged from FR-2 to R-1-5,000 and should not be an impact to adjacent properties. Because of the unique situation of lots on Columbus Court, and the location of undevelopable parcels between its adjacent neighbors to the south, the 20 foot rear yard setbacks of the R-1-5,000 should

provide an adequate buffer. The creation of 6 new lots should not cause a significant traffic impact to adjacent property owners on Columbus Street.

Finding: Staff finds that the proposed amendment will not adversely affect adjacent properties.

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

Analysis & Finding: This site is located within an aquifer recharge area. However the development of the site will be consistent with the overlay requirements.

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.

Analysis: Applicable City departments and divisions were given the chance to review and comment on the proposed rezoning and preliminary site plans. No immediate deficiencies were noted as part of the review process.

Finding: Staff finds that the current public facilities and services intended to serve the subject property are adequate, and any necessary modifications and changes to facilities will be identified upon application for building permits or part of the subdivision amendment.

Subdivision Amendment Discussion

Minor Subdivisions - Section 20.20.020 Required Conditions and Improvements

A minor subdivision shall conform to the required improvements specified in Section 20.28.010, or its successor, of this Title, and shall also meet the following standards:

- A. *The general character of the surrounding area shall be well defined, and the minor subdivision shall conform to this general character.*

Analysis: The surrounding area is characterized by very low density residential uses in established neighborhoods. The proposed subdivision is consistent with the very low density character. The proposed lots will be smaller than some in the area and larger than others, however the overall development is somewhat physically isolated from neighbors and its proposed larger than average lot sizes for the R-1-5,000 would be in character with other lots in the development as well as the neighborhood. (see Vicinity Map above).

Finding: The proposed subdivision satisfies this standard.

- B. *Lots created shall conform to the applicable requirements of the zoning ordinances of the city.*

Analysis: The entire development is somewhat physically isolated from adjacent neighbors. The proposed lot sizes are larger than the usual lot sizes for the R-1-5,000 but because the applicant would

be creating the block face and pattern on the street, the proposal would be in character with other lots in the development as well as the neighborhood. Lots larger than 7,500 square feet in size, are permitted in the R-1-5,000 if their configuration is compatible with other lots on the block face, and the relationship of the lot width is compatible with other lots on the same block face. Because the subdivision is creating the block face, the proposal meets the standards. The lots as proposed shall meet the requirements for the R-1-5,000 zoning district.

Finding: The proposed subdivision amendment satisfies these standards for maximum lot size.

C. *Utility easements shall be offered for dedication as necessary.*

Analysis: No dedication of utility easements is required.

Finding: The proposed minor subdivision satisfies this standard.

D. *Water supply and sewage disposal shall be satisfactory to the city engineer.*

Analysis: The site is developed at the moment. The City's Public Utilities Department will be required to review the water supply and sewage plans at any future time when building permits are submitted for further development.

Finding: The proposed minor subdivision satisfies this standard.

E. *Public improvements shall be satisfactory to the planning director and city engineer.*

Analysis: The proposed subdivision has been forwarded to the pertinent City Departments/Divisions for comment. All public improvements must comply with all applicable City Departmental standards. All plans for required public improvements must be submitted and approved prior to approval of the minor subdivision.

Finding: The proposed minor subdivision satisfies this standard.

Attachment A
Application Submittals & Proposed Subdivision Amendment Plat

**ENSIGN FOREGROUND, L.C. AND
COLUMBUS COURT HOMEOWNERS'
ASSOCIATION**

**925 West 100 North, Suite F
P.O. Box 540478
North Salt Lake, Utah 84054**

March 4, 2011

Mayor Ralph Becker
c/o Salt Lake City Buzz Center
451 South State Street, Room 215
Salt Lake City, Utah 84111

RE: Master Plan Amendment, Zoning Amendment, and Subdivision
Amendment for *Amended Plat of Lots 1-6 and Parcels B, C, F, and G of
Columbus Court PUD and Lots 12-14 of Salt Lake City Survey, Plat J,
Block 20* (the "Amended Plat")

Dear Mayor Becker:

We, Ensign Foreground, L.C., recorded the Columbus Court PUD subdivision plat (the "CC Plat") in early 2008. It consists of single family estate building Lots 1-6, which each is approximately ½ acre in size or bigger and several non-buildable "alpha" parcels, including the 39 acre Parcel A which was deeded to the City and zoned as natural open space. All of the subdivision improvements for the CC Plat were completed in 2009 and all improvement bonds have been released.

The CC Plat also provided access via a private driveway to Lots 12-14 of Salt Lake City Survey, Block 20, Plat J ("Plat J" and the "Plat J Lots") which theoretically "front" on Cortez Street but which couldn't easily be accessed from Cortez Street due to very steep slopes.

However, because of the "Great Recession" and the paradigm shift in attitudes away from high-end homes, coupled with the fact that the surrounding DeSoto/Cortez neighborhood is made up of more modest homes, we have been unable to sell these high-end lots. Nor do we believe that there will be a market for these lots as currently configured in the foreseeable future.

Therefore, we desire to basically divide in half the six lots in the CC Plat into twelve (12) smaller lots. We also desire to amend Plat J to combine the Plat J Lots into one lot and officially make it a part of the Columbus Court development. Therefore, upon approval and recordation, the Amended Plat would consist of thirteen (13) lots, as conceptually shown in the attached drawing.

In order to process the Amended Plat, we understand that we must first amend the Capitol Hill Master Plan to change the area encompassed by the CC Plat from *Foothill Preservation Residential* to *Very Low Density Residential 1-5 du/acre*, which is the same Future Land Use now shown for the DeSoto/Cortez neighborhood. In essence, Columbus Court would become an extension of the DeSoto/Cortez neighborhood.

Please find attached our application for the Master Plan Amendment.

In addition to the Master Plan Amendment, we hereby request that the tracts of land described in the Amended Plat and shown by tax parcel number, address, and size in the Land Summary attached hereto be rezoned from *FR-2* to *R-1/5000 Single Family Residential District* (except for the Plat J Lots which are already zoned R-2, an acceptable zone).

Please find attached our application for Zoning Amendment.

Finally, please find attached our Subdivision Amendment Application to allow us to amend the CC Plat and Plat J to create the Amended Plat.

There will be very little additional improvements needed to finish these 13 lots in the Amended Plat. All of the roadways are in, but six additional sewer and water laterals will need to be stubbed into half of the lots and some of the dry utility (gas, electric, telecom, cable) boxes may need to be relocated. There should not be a need for any earthmoving or grading, other than during the construction of the homes.

We respectfully request that these applications be processed concurrently (as much as is possible) to allow us to make these changes during the upcoming construction season.

Best regards,

ENSIGN FOREGROUND, L.C. AND
COLUMBUS COURT HOMEOWNERS'
ASSOCIATION

By: Christopher F. Robinson
Christopher F. Robinson
Manager & President, respectively

Attachments:

- Concept of Amended Plat
- Property Summary
- Master Plan Amendment
- Zoning Amendment
- Subdivision Amendment Application



Subdivision Amendment Application

___ Residential
___ Non Residential
___ Street involved

OFFICE USE ONLY
Petition No. PLNS4152011-00090
Date Received: 3-4-2011
Reviewed By: John Anderson

SALT LAKE CITY PLANNING

Amended Plat of Lots 1-6 and Parcels B, C, F, and G of
SUBDIVISION NAME: Columbus Court PUD and Lots 12-14 of Salt Lake City Survey
Plat J, Block 20
Property Address: Approx 700 N Columbus Street **Number of Lots:** 13 (after amendment)
Applicant name: Christopher F. Robinson **Applicant Phone:** 801-599-4397
Address of Applicant: P.O. Box 540478, North Salt Lake, UT 84054
E-mail for Applicant as Contact: crobinson@theensigngroup.com **Cell/Fax:** 801-599-4397/801-677-6416
Name of Property Owner: Ensign Foreground, L.C. & Columbus Court Homeowners' Association **Phone:** 801-599-4397
E-mail for Property Owner: crobinson@theensigngroup.com **Cell/Fax:** 801-599-4397/801-677-6416
County Tax ("all Sidwell #"): See attached **Zoning:** FR-2 and R-2

Please include with the application:

Attach additional sheets, if necessary

1. The names and addresses of all property owners located within four-hundred fifty feet (450') of the subject parcel(s). The names, address and Sidwell number of each property owner must be typed or clearly printed on gummed mailing labels. Please include yourself and the appropriate Community Council Chair. **The cost of first class postage for each address is due at the time of application. Do not provide postage stamps.**
2. A legal description of the boundaries of the subject property together with a legal description of each of the proposed lots.
3. One (1) 11"x 17" (reduced) copy of the plat drawings, and an electronic version of plat drawings.
4. Ten (12) of preliminary plat drawings (complete set if multiple sheets) showing the land to be subdivided, properly and accurately drawn to scale, certified as accurate by a Registered Land Surveyor or Professional Engineer.
5. A digital copy of documents is required if it the petition is forwarded to a Planning Commission hearing.
6. A current Sidwell Map (with aerial photography and ownership lines) showing the entire area of the proposed subdivision.
7. A letter addressed to the Mayor requesting the Subdivision Amendment. Must state specifically what you are doing (combing, or dividing) and into/from how many lots, etc.
8. Filing Fee (due at time of application) of \$332.22 plus \$110.74 per lot is required.

Notice: Additional information may be required by the project planner to ensure adequate information is provided for staff analysis.

All information submitted as part of the application may be copied and made public including professional architectural or engineering drawings which will be made available to decision makers, public and any interested party.

If you have any questions regarding the requirements of this application, please contact the Salt Lake City Buzz Center at 535-7700 prior to submittal.

County tax parcel ("Sidwell") maps and names of property owners are available at:

Salt Lake County Recorder
2001 South State Street, Room N 1600
Salt Lake City, UT 84190-1051
Telephone: (801) 468-3391

File the complete application at:

Salt Lake City Buzz Center
451 South State Street, Room 215
Salt Lake City, UT 84111

BY: [Signature]

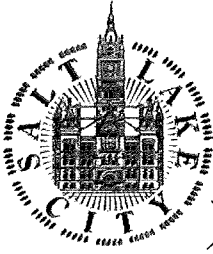
ENSIGN FOREGROUND, L.C. and COLUMBUS COURT HOMEOWNERS' ASS'N

Signature of Property Owner

BY: Christopher F. Robinson 3/3/2011

Or authorized agent

Christopher F. Robinson, Manager and President, Respectively.



Zoning Amendment

OFFICE USE ONLY
 Petition No. PLN/PCM 2011-00011
 Date Received: 3-4-2011
 Reviewed By: John Anderson

- Amend the text of the Zoning Ordinance by amending Section:
- Amend the Zoning Map by reclassifying the above property from a zone to a zone. (attach map or legal description)

SALT LAKE CITY PLANNING

Address of Subject Property: Approximately 700 North Columbus Street, Salt Lake City, UT

Name of Applicant: Christopher F. Robinson **Phone:** 801-599-4397

Address of Applicant: P.O. Box 540478, North Salt Lake, UT 84054

E-mail Address of Applicant: crobinson@theensigngroup.com **Cell/Fax:** 801-599-4397/801-677-6416

Applicant's Interest in Subject Property: Manager of Entity that Owns Property or President

Name of Property Owner: Ensign Foreground, L.C. * **Phone:** 801-599-4397

E-mail Address of Property Owner: crobinson@theensigngroup.com **Cell/Fax:** 801-599-4397/801-677-6416

County Tax ("Sidwell #"): See attached **Zoning:** FR-2

Legal Description (if different than tax parcel number): See attached

		Existing Property Use	Proposed Property Use

Please include with the application:

1. A statement of the text amendment or map amendment describing the purpose for the amendment and the exact language, boundaries and zoning district.
2. A complete description of the proposed use of the property where appropriate.
3. Reasons why the present zoning may not be appropriate for the area.
4. Printed address labels for all property owners within 450 feet of the subject property. The address and Sidwell number of each property owner must be typed or clearly printed on gummed mailing label. Please include yourself and the appropriate Community Council Chair(s). Address labels are available at the address listed below. **The cost of first class postage for each address is due at time of application. Please do not provide postage stamps.**
5. Legal description of the property.
6. Six (6) copies of site plans drawn to scale and one (1) 11 x 17 inch reduced copy of each plan and elevation drawing.
7. If applicable, a signed, notarized statement of consent from property owner authorizing applicant to act as agent
8. **Filing fee of \$885.92, plus \$110.74 for each acre over one acre and the cost of first class postage is due at time of application.**

Applications must be reviewed prior to submission. Please call 535-7700 for an appointment to review your application.

Notice: Additional information may be required by the project planner to ensure adequate information is provided for staff analysis.

All information submitted as part of the application may be copied and made public including professional architectural or engineering drawings which will be made available to decision makers, public and any interested party.

* and the Columbus Court Homeowners' Association

RECEIVED

MAR 04 2011

BY: [Signature]

**County tax parcel ("Sidwell") maps and names
of property owners are available at:**

Salt Lake County Recorder
2001 South State Street, Room N1600
Salt Lake City, UT 84190-1051
Telephone: (801) 468-3391

File the complete application at:

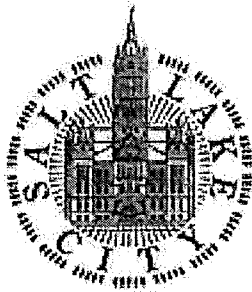
Salt Lake City Buzz Center
451 South State Street, Room 215,
Salt Lake City, UT 84111

Columbus Court Homeowners' Association and
Ensign Foreground, L.C., a Utah limited liability company

Signature of Property Owner
Or authorized agent

By: Christopher F. Robinson 3/3/2011
Christopher F. Robinson, Manager and President

February 28, 2011



SALT LAKE CITY CORPORATION

Buzz Center

451 South State Street, Room 215 Phone: (801) 535-7700

P.O. Box 145471 Fax : (801) 535-7750

Salt Lake City, Utah 84114

Date: Mar 04, 2011

SUBDIVISION AND CONDOMINIUM

PO BOX 540478

NORTH SALT LAKE, UT 84054

Project Name:

Project Address: 72 E COLUMBUS CT

Detailed Description:

Description	Qty	Dept	C Ctr	Obj	Amount		
					Invoice	Paid	Due
Invoice Number: 844782							
Filing Fee (	13	06	00900	125123	\$1,771.84		
Postage for Planning Petitions (	93	06	00900	1890	\$40.92		
Total for invoice 844782					\$1,812.76		\$1,812.76
Total for PLNSUB2011-00090					\$1,812.76		\$1,812.76

OFFICE USE ONLY

Intake By: AJ1631

CAP ID #

PLNSUB2011-00090

Total Due: \$1,812.76

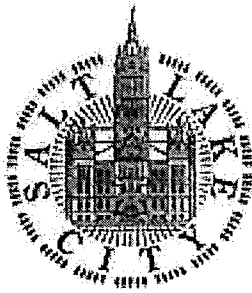
Rept# 177829
PL PLNSUB2011-00090 DK
\$1,812.76 3/7/2011

Salt Lake City Treasurer



* PLNSUB2011-00090 *

www.slpermits.com



SALT LAKE CITY CORPORATION

Buzz Center

451 South State Street, Room 215 Phone: (801) 535-7700

P.O. Box 145471 Fax : (801) 535-7750

Salt Lake City, Utah 84114

Date: Mar 04, 2011

PLANNING COMMISSION

PO BOX 540478

NORTH SALT LAKE, UT 84054

Project Name:

Project Address: 50 E COLUMBUS CT

Detailed Description:

Description	Qty	Dept	C Ctr	Obj	Amount		
					Invoice	Paid	Due
Invoice Number: 844783							
Filing Fee (	6	06	00900	125111	\$1,439.62		
Postage for Planning Petitions (	93	06	00900	1890	\$40.92		
Total for invoice 844783					\$1,480.54		\$1,480.54
Total for PLNPCM2011-00091					\$1,480.54		\$1,480.54

OFFICE USE ONLY

Intake By: AJ1631

CAP ID #

PLNPCM2011-00091

Total Due: \$1,480.54



* P L N P C M 2 0 1 1 - 0 0 0 9 1 *

www.slcpermits.com

Rec'd # 178287
PL NPCM2011-00091 OK
\$1,480.54 3/7/2011

Salt Lake City Treasurer

Attachment B

FR-3 & R-1-5,000 Zoning District Regulations and Allowed Uses

21A.24.190: TABLE OF PERMITTED AND CONDITIONAL USES FOR RESIDENTIAL DISTRICTS:

Legend: C = Conditional. P = Permitted

Use	Permitted And Conditional Uses, By District Residential Districts																			
	FR-1/ 43,560	FR-2/ 21,780	FR-3/ 12,000	R-1/ 12,000	R-1/ 7,000	R-1/ 5,000	SR-1	SR-2	SR-3	R-2	RMF-30	RMF-35	RMF-45	RMF-75	RB	R-MU-35	R-MU-45	R-MU	RO	
Residential:																				
Accessory guest and servants' quarters																				
Accessory uses on accessory lots																				
Assisted living facility, large												C	P	P		C	P	P	P	P
Assisted living facility, small					C	C	C	C		C	C	P	P	P	P	P	P	P	P	P
Dormitories, fraternities, sororities (see section 21A.36.150 of this title)																				
Eleemosynary facilities	C	C	C	C	C	C	C		C	C	C	C	P	P		C	P	P	P	P
Group home, large (see section 21A.36.070 of this title)																				
Group home, small (see section 21A.36.070 of this title)	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P
Manufactured home	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P

Use	Permitted And Conditional Uses, By District Residential Districts																			
	FR-1/ 43,560	FR-2/ 21,780	FR-3/ 12,000	R-1/ 12,000	R-1/ 7,000	R-1/ 5,000	SR-1	SR-2	SR-3	R-2,	RMF-30	RMF-35	RMF-45	RMF-75	RB	R-MU-35	R-MU-45	R-MU	RO	
Mixed use develop- ments, including residential and other uses allowed in the zoning district															P ¹	P	P	P	P	P
Multiple-family dwellings									P		P	P	P	P	P	P	P	P	P	P
Nursing care facility (see section 21A.36.060 of this title)												P	P	P			P	P		
Resident healthcare facility (see section 21A.36.040 of this title)									P		P	P	P	P	P	P	P	P	P	P
Residential substance abuse treatment home, large																				
Residential substance abuse treatment home, small														P		P	P	P	P	P
Rooming (boarding) house													C	C	C	C	C	C	C	C
Single-family attached dwellings								P	P		P	P	P	P		P	P	P	P	P
Single-family detached dwellings	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Use	Permitted And Conditional Uses, By District Residential Districts														R-MU-45	R-MU	RO		
	FR-1/ 43,560	FR-2/ 21,780	FR-3/ 12,000	R-1/ 12,000	R-1/ 7,000	R-1/ 5,000	SF-1	SF-2	SF-3	R-2	RMF-30	RMF-35	RMF-45	RMF-75				RB	R-MU-35
Transitional treatment home, large (see section 21A.36.090 of this title)													C	C			C	C	C
Transitional treatment home, small (see section 21A.36.090 of this title)												C	C	C		C	C	C	C
Transitional victim home, large (see section 21A.36.080 of this title)												C	C	C			C	C	C
Transitional victim home, small (see section 21A.36.080 of this title)												C	C	P		C	C	P	P
Twin home dwellings									P								P	P	P
Two-family dwellings									P	P ²							P	P	P
Office and related uses:																			
Financial institutions with drive-through facilities																			
Financial institutions without drive-through facilities																	P	P	P ⁶
Medical and dental clinics and offices													C	C	C	C	C	C ³	C ⁶

Permitted And Conditional Uses, By District Residential Districts																				
Use	FR-1/ 43,560	FR-2/ 21,780	FR-3/ 12,000	R-1/ 12,000	R-1/ 7,000	R-1/ 5,000	SR-1	SR-2	SR-3	R-2	RMF-30	RMF-35	RMF-45	RMF-75	RB	R-MU-35	R-MU-45	R-MU	RO	
Municipal service uses, including city utility uses and police and fire stations	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Offices, excluding medical and dental clinics and offices													C	C	C ⁴	C	C	C ³	C ⁶	
Recreation, cultural and entertainment:																				
Art galleries															P	P	P	P ³	P	
Art studio															P	P	P	P	P	
Community and recreation centers, public and private on lots less than 4 acres in size																				P
Community gardens as defined in chapter 21A.62 of this title and as regulated by subsection 21A.24.010Q of this chapter	C	C	C	C	C	C	C		C	C	P	P	P	P	P	P	P	P	P	P
Dance studio															P	P	P	P ³		
Live performance theaters															C	C	C	C	C	C
Movie theaters															C	C	C	C	C	C

Use	Permitted And Conditional Uses, By District Residential Districts														R-MU	R-MU-45	R-MU	RO
	FR-1/ 43,560	FR-2/ 21,780	FR-3/ 12,000	R-1/ 12,000	R-1/ 7,000	R-1/ 5,000	SR-1	SR-2	SR-3	R-2	RMF-30	RMF-35	RMF-45	RMF-75					RB	R-MU-35	R-MU-45
Natural open space and conservation areas on lots less than 4 acres in size	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P
Parks and playgrounds, public and private, less than 4 acres in size	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P
Pedestrian pathways, trails and greenways	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P
Private clubs/tavern/lounge/brewpub; 2,500 square feet or less in floor area																		C ⁸
Retail sales and service:																		
Gas station (may include accessory convenience retail and/or minor repairs) as defined in chapter 21A.62 of this title															C	C	C	C
Health and fitness facility															C	C	C	C
Liquor store																		
Restaurants, without drive-through facilities																P		P ⁸
Retail goods establishments																P ⁴	P	P ⁵

Permitted And Conditional Uses, By District Residential Districts																			
Use	FR-1/ 43,560	FR-2/ 21,780	FR-3/ 12,000	R-1/ 12,000	R-1/ 7,000	R-1/ 5,000	SR-1	SR-2	SR-3	R-2	RMF-30	RMF-35	RMF-45	RMF-75	RB	R-MU-35	R-MU-45	R-MU	RO
Retail service establishments															P ⁴	P	P	P ⁵	
Institutional:																			
Adult daycare center																P	P	P	P
Child daycare center														P	P	P	P	P	P
Governmental uses and facilities															C	C	C	C	P ⁶
Library	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Museum															P	C	C	P	
Music conservatory															P	C	C	P	
Nursing care facility (see section 21A.36.060 of this title)													P	P			P	P	
Places of worship on lots less than 4 acres in size	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Schools, professional and vocational															P ⁴	C	C	P ⁵	P ⁶
Seminaries and religious institutes				C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Commercial:																			
Laboratory, medical, dental, optical																		P ⁵	

Permitted And Conditional Uses, By District Residential Districts																				
Use	FR-1/ 43,560	FR-2/ 21,780	FR-3/ 12,000	R-1/ 12,000	R-1/ 7,000	R-1/ 5,000	SR-1	SR-2	SR-3	R-2	RMF-30	RMF-35	RMF-45	RMF-75	PB	R-MU-35	R-MU-45	R-MU	RO	
Plant and garden shop, with outdoor retail sales area																				
Miscellaneous:																				
Accessory uses, except those that are otherwise specifically regulated in this chapter, or elsewhere in this title	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Bed and breakfast															P	P	P	P	P	P
Bed and breakfast inn															P	P	P	P	P	P
Bed and breakfast manor																		P		
Crematorium																C	C	C		
Funeral home																C	C	C		
House museum in landmark sites (see subsection 21A.24.010T of this chapter)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Offices and reception centers in landmark sites (see subsection 21A.24.010T of this chapter)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C ⁶

Use	Permitted And Conditional Uses, By District Residential Districts																				
	FR-1/ 43,560	FR-2/ 21,780	FR-3/ 12,000	R-1/ 12,000	R-1/ 7,000	R-1/ 5,000	SR-1	SR-2	SR-3	R-2	RMF-30	RMF-35	RMF-45	RMF-75	RB	R-MU-35	R-MU-45	R-MU	RO		
Park and ride parking, shared with church parking lot on arterial street																					
Parking, off site facilities (accessory to permitted uses)																					
Parking, off site (to support nonconforming uses in a residential zone or uses in the CN or CB zones)															C	C	C	C	C	C	
Public/private utility buildings and structures ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵			P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ^{5,7}	
Public/private utility transmission wires, lines, pipes and poles ⁵	P	P	P	P	P	P			P	P	P	P	P	P	P	P	P	P	P	P	
Reuse of church and school buildings																					
Veterinary offices																			P ³	P ⁶	
Wireless telecommunications facilities (see table 21A.40.090E of this title)																					

21A.24.190

21A.24.190

Qualifying provisions:

1. A single apartment unit may be located above first floor retail/office.
2. Provided that no more than 2 two-family buildings are located adjacent to one another and no more than 3 such dwellings are located along the same block face (within subdivisions approved after April 12, 1995).
3. Subject to conformance with the provisions of subsection 21A.24.170E of this chapter.
4. Construction for a nonresidential use shall be subject to all provisions of subsections 21A.24.160I and J of this chapter.
5. See subsection 21A.02.050B of this title for utility regulations.
6. 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 the conditional use process.
7. Subject to conformance to the provisions in section 21A.02.050 of this title.
8. A conditional use permit for a class B or C private club or association shall be subject to the following qualifying provisions. For the purpose of these provisions a class B or C private club or association shall have the meaning set forth in title 5, chapter 5.50 of this code, as amended.
 - a. In approving a conditional use permit for a class B or C private club or association the planning commission shall:
 - (1) Require that a security and operations plan be prepared and filed with the city which shall include:
 - (A) A complaint-response community relations program;
 - (B) Having a representative of the private club or association meet with neighbors upon request to attempt to resolve any neighborhood complaints regarding the operations on the premises;
 - (C) Design and construction requirements to ensure that any sound level originating within the premises, measured within 15 feet from an exterior wall or door thereof, does not exceed the maximum permissible sound level set forth for residential use districts in section 9.28.060 of this code;
 - (D) Allowing live entertainment only within an enclosed building subject to the foregoing sound limit;
 - (E) Prohibiting electronically amplified sound in any exterior portion of the premises;
 - (F) Designating a location for smoking tobacco outdoors in conformance with state law;
 - (G) Having trash strewn on the premises, including any smoking and parking lot areas, be collected and deposited in a trash receptacle by 6:00 A.M. the following day; and
 - (H) Having portable trash receptacles on the premises emptied daily and automated receptacles emptied at least weekly. Automated receptacles shall be located only within a city approved trash storage area;
 - (2) Review the site plan and floor plan proposed for the premises, and as result of such review may require design features intended to reduce alcohol related problems such as consumption by minors, driving under the influence, and public drunkenness;
 - (3) Require buffering where a private club or association abuts a residential building or area, including landscaping or walls along any property line or within any required yard area on the lot where the premises are located;
 - (4) Require that landscaping be located, and be of a type, that cannot be used as a hiding place; and
 - (5) Require that the exterior of the premises be maintained free of graffiti at all times, including the main building, any accessory building or structure, and all signs.

Qualifying provisions (cont.)

- b. if necessary to meet the standards for approval of a conditional use permit set forth in section 21A.54.080 of this title, the following conditions may be imposed:
 - (1) Require parking area lighting to produce a minimum foot-candle that provides safe lighting for pedestrians but does not intrude on residents' enjoyment of their homes; and
 - (2) Consider the proposed location of an outdoor smoking area in the security and operations plan and the potential effect on neighboring residences, businesses and buildings and designating a new area if the area designated in the security and operations plan appears to adversely affect neighboring residences, businesses and buildings.

(Ord. 79-10, 2010: Ord. 27-10, 2010: Ord. 19-10 § 5, 2010: Ord. 12-09 § 1 (Exh. A), 2009: Ord. 61-08 § 4 (Exh. C), 2008: Ord. 60-08 § 9 (Exh. C), 2008: Ord. 21-08 § 2 (Exh. A), 2008: Ord. 2-08 § 1, 2008: Ord. 13-06 § 4 (Exh. C), 2006: Ord. 54-05 § 1 (Exh. A), 2005: Ord. 11-05, 2005: Ord. 71-04 § 3 (Exh. C), 2004: Ord. 13-04 § 5, 2004: Ord. 5-02 § 2, 2002: Ord. 19-01 § 6, 2001: Ord. 35-99 § 20, 1999: Ord. 30-98 § 2, 1998: Ord. 19-98 § 1, 1998: amended during 5/96 supplement: Ord. 88-95 § 1 (Exh. A), 1995: Ord. 84-95 § 1 (Exh. A), 1995: Ord. 26-95 § 2(12-18), 1995)

Attachment C

City Department/Division Comments

SUBDIVISION AMENDMENT PLNSUB2011-00090

ZONING MAP AMENDMENT PLNPCM2011-00091

Salt lake City Department Comments

Attorney-Lynn Pace

Applicant will remove "Relinquishment and Quitclaim of Easement" language on proposed amended plat.

The following language on the original plat shall be copied onto any amended plat:

- Sheet 2, "Notice to purchasers" language, item 12, shall be carried over to the new plat.

General comments are to ensure original language is carried over to any amended plat for consistency.

Public Utilities-Justin Stoker

As part of the previous subdivision an 8-inch water main was installed at a high elevation of the pressure zone, it is not certain this pipe size will be able to support additional lots. A private consulting engineer will need to verify that the 8-inch water main will be able to handle the additional water connections and still provide adequate pressure.

The owner will also be responsible to submit a revised improvement plan by a civil engineer proposing the additional utility connections. Utility services to the previous lot, now straddles the property line of the proposed Lots 1 and 2. These services may have to be relocated to properly serve the owner of Lot 1 or Lot 2. Services to Lots 6 and 9 appear to be remarkably close to the property line dividing the lots. Utility services must be located in front of the lots they service and may not cross private property to serve another lot. These issues will need to be worked out after the plat has been approved. For information only, the owner will also be responsible for additional fees associated with the new utility connections after the plat is approved and the new utility connections are proposed.

Zoning-Alan Michelson

Proposed lots exceed the maximum lot size for the R-1/5000 zone.

Building Permits-Larry Butcher

No comment.

Engineering- Scott Weiler

Columbus Court is a private street. SLC Engineering does not have a direct interest in the maintenance of Columbus Court but recommends that the sewer and water laterals that are needed to serve the 6 additional lots be grouped (to the extent possible) so as to avoid 12 separate trench patches in the asphalt. Landscaping is recommended along the north side of the entrance road to Columbus Court (west of the gate). A plat is required for the proposed amendment. The City Surveyor will begin a review of the plat when it is submitted. Certified addresses are required for the additional 6 lots. See Alice Montoya at 801-535-7248.

Transportation-Barry Walsh

The division of transportation review comments and recommendations are for approval as follows: There are no changes indicated to the existing public ROW of Columbus, Desoto, or Cortez Streets and no change to the existing private roadway Columbus Court, a paved roadway with defined edges C&G and pedestrian sidewalk on the north side.

Fire-Ted Itchon- No comments received.

Police-Richard Brede-No comments received.

Attachment D
Public Comments

Georg Stutzenberger
Neighbor
Voting for zoning change
06-13-2011

COLUMBUS COURT

Dear fellow neighbors,

It has come to our attention that Chris Robinson is on the Capitol Hill Neighborhood Council roster tomorrow Wednesday the 15th to present changing the 6 building lots on Columbus Court into 13 lots.

Three years ago he came before us to gain positive vote developing his property for 6 building lots. Several changes have been done during the construction without the knowledge of the neighbors at that time.

This new zoning change he is trying to gain will cause a dramatic increase in traffic on Columbus Street creating more noise, speeding problems, environmental distraction and is against the Capitol Hill Master Plan which so many people worked on it.

Many things have been changed during the development such as bull dozing of the pristine open space from it's original planes to removal of dirt to upgrade from single gate to a double gate with a larger set back of about 30 feet. This is an extra hardship in that people park, cause light pollution late night to early morning hours. The city engineering was more concerned about the disabled ramp on a steep hill rather than how the neighborhood functions.

Also we would like to bring to attention, as he is the property owner of Columbus Court, it is as the neighbors who keep cleaning up garbage and debris and not him who shows no interest of bare bottom maintaining his property like a good neighbor should be. The promise of landscaping as original agreed did not happen and weed is growing out of control.

We urge you to come this wednesday, tomorrow night, to the CHNC meeting at the Capitol Cafe on the east side to vote a no to his plan to change the zoning and to stop Chris Robinson from continuing to put more burden upon our nice neighborhood and using as for his benefit to make more money. We have to live with the decision we make on this matter for the future.

The meeting will start at 6:30 pm with the voting to follow during the meeting.

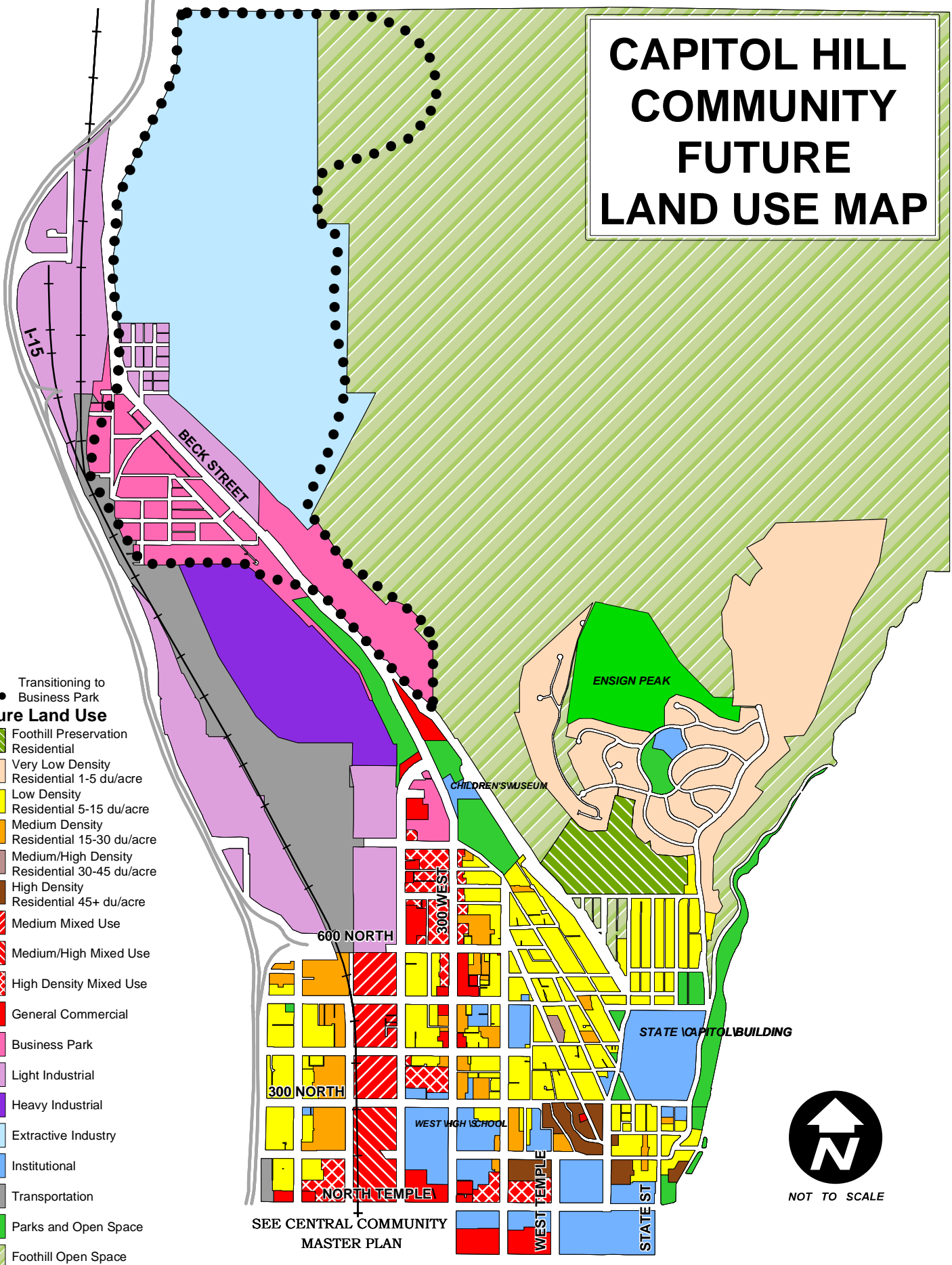
Georg 801-510-1603

Julianne 801-243-2673

Attachment E
Capitol Hill Future Land Use Map

CAPITOL HILL COMMUNITY FUTURE LAND USE MAP

- Transitioning to Business Park
- Future Land Use**
- Foothill Preservation Residential
- Very Low Density Residential 1-5 du/acre
- Low Density Residential 5-15 du/acre
- Medium Density Residential 15-30 du/acre
- Medium/High Density Residential 30-45 du/acre
- High Density Residential 45+ du/acre
- Medium Mixed Use
- Medium/High Mixed Use
- High Density Mixed Use
- General Commercial
- Business Park
- Light Industrial
- Heavy Industrial
- Extractive Industry
- Institutional
- Transportation
- Parks and Open Space
- Foothill Open Space



SEE CENTRAL COMMUNITY
MASTER PLAN



NOT TO SCALE

Attachment F
Site Photos

Site Photos: Columbus Court PUD



Looking South



Looking Southeast



Looking Southeast



Looking East