PLANNING COMMISSION STAFF REPORT Legislative Item

900 South 900 East Rezone Zoning Map Amendment PLNPCM2010-00360 700 East – 900 East, 700 South – 900 South December 12, 2012



Applicant:

City Council Luke Garrott

Staff:

Jordan Swain and Ray Milliner, (801)535-7645 ray.millner@slcgov.com

Current Zone:

RMF-30, RMF-35, RMF-45, CN

Master Plan Designation:

RMF-30, RMF-35, RMF-45, CN

Council District:

District 4

Community Council:

East Central

Lot Size:

Multiple

Current Use:

Residential Commercial

Attachments:

- A. Proposed Zoning Map
- B. Existing Zoning and Future Land Use Maps
- C. Photographs
- D. Recommendations
- E. Public Input

Request

On June 5, 2012 the City Council initiated a petition for a Zoning Map Amendment to rezone single family homes and businesses within the area from 700 South to 900 South and 700 East to 900 East. If approved, the petition will:

- Rezone existing single family homes and duplexes from multi-family (RMF-30, RMF-35 or RMF-45), to Single and Two Family Residential (R-2).
- Rezone existing commercial properties from multi-family (RMF-30, RMF-35 or RMF-45), to either Small Neighborhood Business (SNB) or Commercial Neighborhood (CN).

There are approximately 187 parcels affected by this petition (see vicinity map below, and proposed zoning maps attached as exhibit A). The Planning Commission is required to transmit a recommendation to the City Council for Zoning Map Amendment Requests.

Recommendation

Based on the analysis in the staff report, it is the Planning Staff's finding that the project generally meets the applicable standards for a Zoning Map Amendment and therefore recommends that the Planning Commission forward a positive recommendation to the City Council.

Recommended Motion

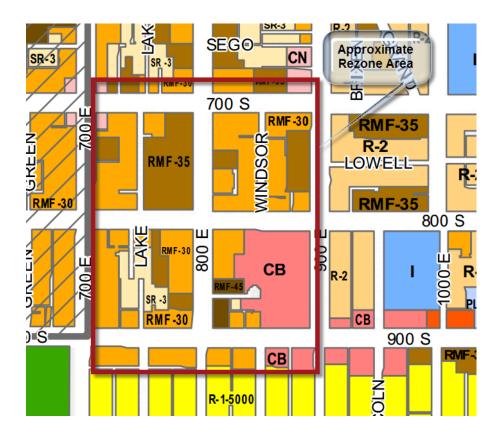
Based on the testimony, plans presented, and the findings written in this staff report, I move that the Planning Commission forward the City Council a positive recommendation to rezone the properties within the area of 700 South to 900 south and 700 East to 900 East from Multi-Family residential (RMF-30, RMF-35 or RMF-45) to either Single or Two Family Residential (R-2), Small Neighborhood Business (SNB), or Neighborhood Commercial (CN) as shown on the draft zoning map attached to this staff report. The proposal meets the minimum standards necessary for a Zoning Map Amendment

VICINITY MAP



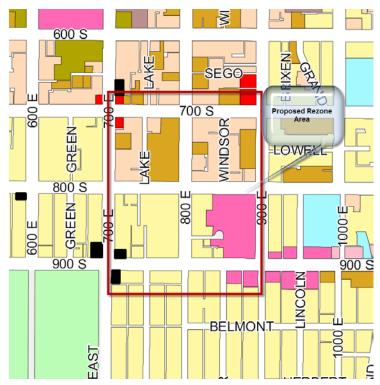
Central Community Zoning Map

Entire map with key attached as exhibit B



Future Land Use Map from Central Community Master Plan

Entire map with key attached as exhibit B



Background

On June 6, 2012, the City Council initiated a petition to rezone all properties within the area between 700 South and 900 South and 700 East and 900 East that are inconsistent with the policies, goals and future land use map designations of the Central Community Master Plan. These properties are mostly zoned Multi-family (RMF-30, RMF-35 or RMF-45) but have a single family home or duplex on them. Additionally, the petition would change improperly zoned commercial properties to either Small Neighborhood Business (SNB) or Neighborhood Commercial (CN). The purpose of the petition is to create greater consistency between existing land use and the Central Community Master Plan.

Over the years, local residents have expressed concerns that the residential nature of the area is being threatened by commercial growth, especially in those properties located near the existing commercial areas (the 900 South 900 East intersection, and Smiths market). They state that the residential feel of the neighborhood will be lost entirely unless the property is zoned to mirror the existing development.

On November 1, 2005 the City Council adopted an extensive update of the Central Community Master Plan. On December 21, 2005 a petition to review potential zoning conflicts between the Future Land Use map of the Central Community Master Plan and the Central Community Zoning Map was initiated by the then Mayor Rocky Anderson. No action was taken on the petition and it expired. As a result, much of the land in the Central Community has been zoned contrary to its designation on the Future Land Use Map.

Project Description

The area in question includes the area between 700 South and 900 South and 700 East and 900 East. There is a mixture of Single-Family, Two-Family, and Multifamily dwelling units within the defined area. Of the approximately 187 parcels within the area in question; 7 contain Multi-Family dwelling units; 13 contain Two-Family dwelling units; 5 contain commercial buildings and; 155 contain Single-Family dwelling units (many with accessory apartments). Heights of the existing residential and commercial units range from approximately 13 to 36 feet. Currently this area is zoned either Low- Moderate- or Moderate/High- Density Residential (RMF-30 – RMF-45).

Those properties currently containing single-family units or duplex units are proposed to be rezoned from multifamily to Single Family and Two Family Residential (R-2). Those parcels that contain three units or more will remain unchanged. Four of the commercial units are proposed to be changed to either CN or SNB.

Each zone was chosen because it best fits the purposes of the Central Community Master Plan, and the actual development on the ground. Purpose statements for the proposed zones state:

- **R-2** = The purpose of the R-2 single- and two-family residential district is to preserve and protect for single-family dwellings the character of existing neighborhoods which exhibit a mix of single- and two-family dwellings by controlling the concentration of two-family dwelling units. 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 and to promote sustainable and compatible development patterns.
- **CN** = The CN neighborhood commercial district is intended to provide for small scale, low intensity commercial uses that can be located within and serve residential neighborhoods. This district is appropriate in areas where supported by applicable master plans and along local streets that are served by multiple transportation modes, such as pedestrian, bicycle, transit and automobiles. The standards for the district are intended to reinforce the historic scale and ambiance of traditional neighborhood retail

that is oriented toward the pedestrian while ensuring adequate transit and automobile access. Uses are restricted in size to promote local orientation and to limit adverse impacts on nearby residential areas.

• **SNB** = The purpose of the small neighborhood business zoning district is to provide areas for small commercial uses to be located adjacent to residential land uses, including midblock. This district will preserve and enhance older commercial structures and storefront character by allowing a variety of commercial uses and placing more strict regulations on new construction and major additions to existing buildings. The regulations are intended to restrict the size and scale of the commercial uses in order to mitigate negative impacts to adjacent residential development and encourage pedestrian oriented development. This zoning district is appropriate in places where it is supported by a community master plan, small area master plan or other adopted city policies.

Public Notice, Meetings and Comments

The following is a list of public meetings that have been held related to the proposed project:

- Open House held on 10/19/2012. Comments and notes can be found in attachment C.
- Open House held on 11/15/2012. Comments and notes can be found in attachment C.

Notice of the public hearing for the proposal includes:

- Public hearing notice posted in newspaper on November 26, 2012.
- Public hearing notice mailed on November 26, 2012.
- Public hearing notice posted on property on November 26, 2012.
- Public hearing notice posted on City and State websites on November 26, 2012.
- Public hearing notice emailed to the Planning Division listserve on November 26, 2012.

Analysis and Findings

21A.50.050 Standards for general amendments. 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.

- B. In making a decision to amend the zoning map, the City Council should consider the following factors:
 - 1. Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;

Analysis: The Future Land Use Map in the Central Community Master Plan defines the property as low density residential 1-15 units per acre. Current zoning designations allow 10-30 units per acre, which exceeds the master plan. The Central Community Master Plan consistently emphasizes the need to preserve the existing single family housing stock, and discourages the replacement of single family homes with multi-unit dwellings.

• Residential Land Use Policy 1 states, "Preserve low density residential areas and keep them from being replaced by higher density residential and commercial uses."

- The future residential land use changes section states, "The Central Community has a notable diversity of housing options which this master plan seeks to preserve. Therefore, most residential neighborhoods will retain existing zoning or be zoned to a lower density."
- The Commercial Land Use section states: "Non-conforming land uses such as a commercial business on residentially zoned property, can serve the local community. In some cases these businesses may be 20 to 50 years old and have provided convenient service to the neighborhood. These types of businesses also add character and opportunities for social exchanges in the neighborhood."

The proposed map amendment will rezone the residential properties in the defined area to R-2 (1-15 units per acre), which will enable the current uses to continue legally, while preventing their replacement by higher density residential. Likewise, the rezone of the commercial properties will enable each existing entity to operate legally as they have done as non-conforming uses for many years.

Finding: Staff finds that the proposed amendment brings the defined area closer to the goals and recommendations found in the current master plan.

2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance;

Analysis: When these properties were zoned medium density, policy makers had determined that the Central Community area would be a good receiving zone for multi-unit housing, as it is close to downtown and the University of Utah. Over the years, however, this philosophy has changed, and policy makers have determined that the preservation of the existing housing stock is desired over any increase in density. This policy change is reflected in the current edition of the Central Community Master Plan and the Central Community Future Land Use Map but not on the Zoning Map. This amendment will bring the Zoning Map into conformance with the stated goals and policies of the Central Community Master Plan.

Each proposed zone (R-2, SNB and CB) was chosen specifically because its purpose statement, and use requirements are the best fit for the rezone areas. The existing single- and two-family dwelling units within the defined area are more consist with the definition of an R-2 district than with the existing zone designation. The RMF-30, RMF-35, and RMF-45 zoning districts would allow much larger amounts of building mass and density than what currently exists. Further, the R-2 zone allows single family and 2 family homes with a limit on the number of 2 family dwellings for properties subdivided after 1995.

Likewise, the commercial buildings on the corners of; 900 South / 700 East; and 800 South / 800 East are in a RMF-35 zoning district. The proposed amendment will change these parcels to Small Neighborhood Business (CN or SNB), thus making the existing land use more consistent with its zone designation. Such an amendment would be the first instance of an SNB district being implemented since its inception in July, 2012.

Finding: Staff finds that the proposed rezone furthers the specific purpose statements of the Zoning Ordinance because the proposed zones match the existing development better than the existing zone.

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

Analysis: The proposed Zoning Map Amendment will have no effect on adjacent properties because no physical changes to the area will occur as a direct result of the rezone. The purpose of the amendment is to preserve the existing character and feel of the neighborhood.

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

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

Analysis: There are no overlay zones on the property

Finding: This standard is not applicable.

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: This application has been reviewed by all applicable City Divisions. Comments from each indicate that they have no objection to the proposed zoning map amendment.

Finding: Staff finds that the proposed amendment will have all utility and public services necessary to accommodate the site.

Alternatives

When reviewing the proposed Zoning Map Amendment, the Planning Commission has three options:

- 1. Forward a positive recommendation to the City Council as proposed
- 2. Direct staff to modify the proposal and forward a positive recommendation to the City Council once the directed change is made.
- 3. Forward a negative recommendation to the City Council.

When reviewing the petition, staff looked at a number of alternatives to the proposal, such as using the R-1/5,000 zone instead of the R-2 zone. However, after touring the neighborhood and receiving public opinion at the October 19, 2012 open house, it was determined that the R-2 zone best met the wishes and needs of the property owners while more closely mirroring the existing development. Therefore, it is staff's finding that the best alternative for the neighborhood is proposed in the analysis section above.

Commission Options

Section 21A.50.40.F states that the Planning Commission shall recommend approval or denial of the proposed amendment or the approval of some modification of the amendment and shall then submit its recommendation to the City Council. Standard "1" of Section 21A.50.050 of the Zoning Ordinance requires that the Planning Commission and City Council consider whether the zoning map amendment is consistent with the purposes, goals, objectives and policies of the various City planning documents. In this case, the Zoning Map of the Central Community is not consistent with the Central Community Master Plan and the City Council and Planning Commission are being asked to make them consistent. If it is decided in the affirmative, then positive motions for the zoning map amendment should follow. If it is determined that the proposed amendment is not consistent, then direction for changes should be given to staff, or a negative recommendation should follow.

It is important to note that the City Council is the final decision maker on the petition, and has the right to adopt, modify or deny any recommendation forwarded by the Planning Commission.

Potential Motions

The motion recommended by the Planning Division is located on the cover page of this staff report. The recommendation is based on the above analysis. The following is a potential motion that may be used in case the Planning Commission determines that a negative recommendation should be forwarded to the City Council:

Not Consistent with Staff Recommendation: Based on the testimony, plans presented, and the findings written in this staff report, I move that the Planning Commission forward the City Council a negative recommendation for the rezone of the properties within the area of 700 South to 900 south and 700 East to 900 East from Multi-Family residential (RMF-30, RMF-35 or RMF-45) to either Single or Two Family Residential (R-2), Small Neighborhood Business (SNB), or Neighborhood Commercial (CN) as shown on the draft zoning map attached to this staff report. The proposal does not meet the minimum standards necessary for a Zoning Map Amendment

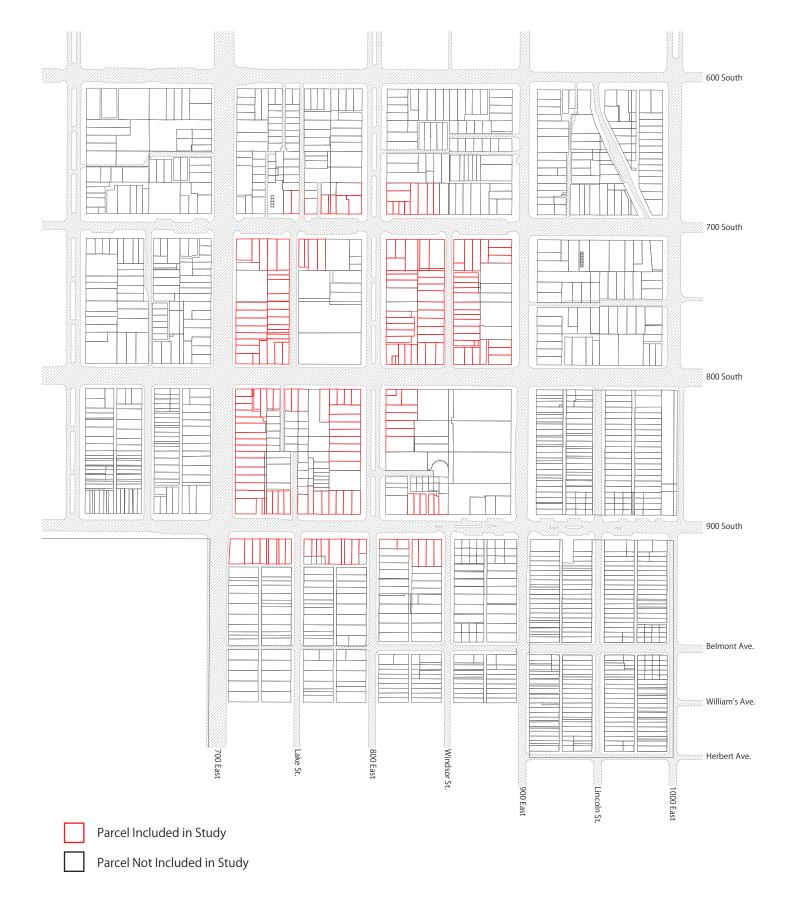
The Planning Commission shall make findings on the Zoning Map Amendment standards as listed below:

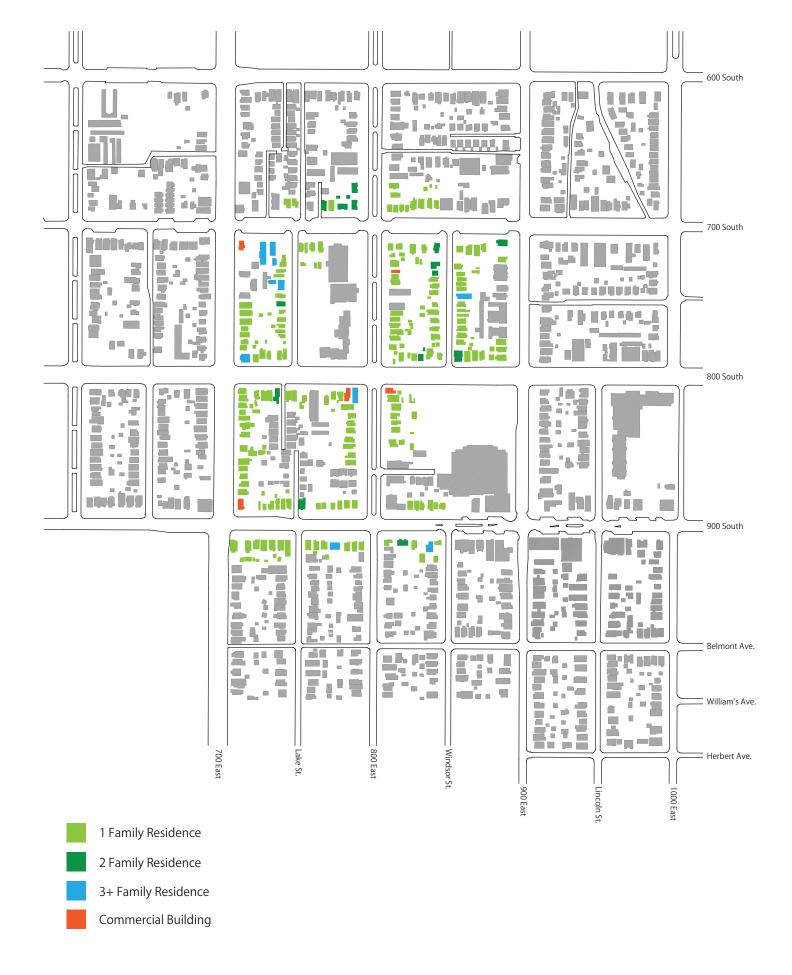
- Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;
- Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance:
- The extent to which a proposed map amendment will affect adjacent properties;
- Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and
- 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.

Attachment A

Proposed Zoning Map







Attach	าmer	าt B
--------	------	------

Existing Central Community Zoning And Future Land Use Maps

Central Community Zoning Map

Ballpark Sign

South State Street

Transitional

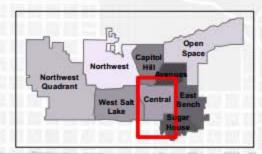
BP

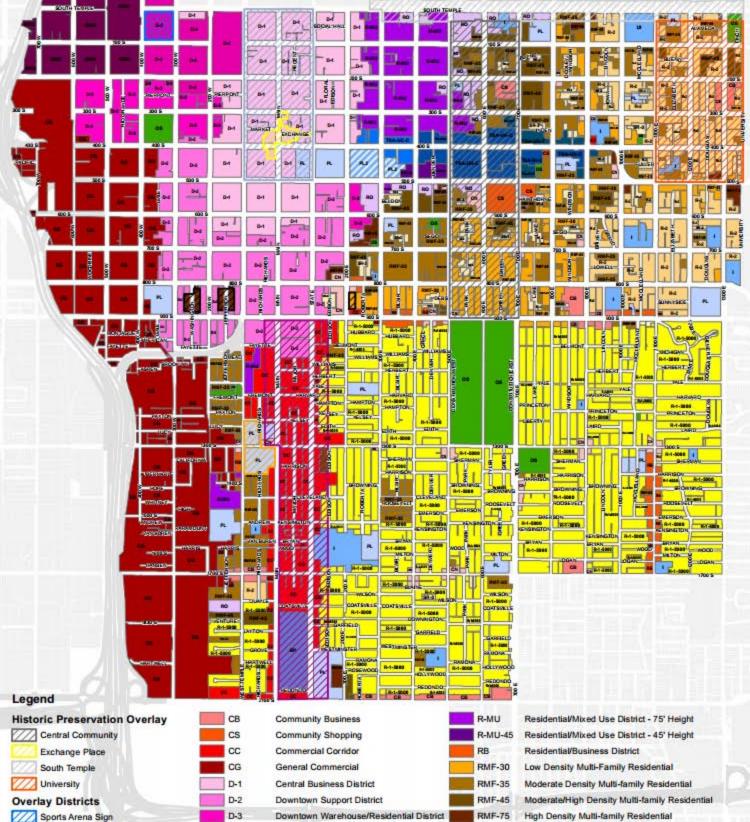
Zoning

Downtown Main Street Core

Business Park

Neighborhood Commercial





Downtown Secondary CBD

Single-Family Residential

Single- and Two-Family Residential

Gateway Mixed Use

Institutional

Open Space

Public Lands

Public Lands 2

OS

PL

PL2

R-2

R-1-5000

Salt Lake City Planning Division Updated November 2012

Residential/Office

Urban Institutional

Special Development Pattern

TSA-UC-C Transit Station Area - Urban Center - Core

Special Development Pattern Residential

TSA-UN-C Transit Station Area - Urban Neighborhood - Core

TSA-UN-T Transit Station Area - Urban Neighborhood - Transition



Central Community Future Land Use

* NOTE: The Low-Medium and Medium Density Land Use designations may include multiple zoning designations (e.g.; a single land use designation and map color may represent RMF-35 or SR-3 classifications)

Map Legend

Light Rail Stations

Proposed Lightrail Stations
 Historic Preservation

++ Light Rail

Later Phase of Light Rail

CBD Boundary

-- CBD Support Boundary

 Salt Lake Community College/Future Expansion Area

- - West Temple Gateway Plan

Future Land Use

Low Density Residential (1-15 dwelling units/acre)

Low Medium Density Residential

(10-20 dwelling units/acre) *
Medium Density Residential

(15-30 dwelling units/acre) *
Medium High Density Residential
(30-50 dwelling units/acre)

High Density Residential

(50 or more dwelling units/acre)

Low Residential/Mixed Use
(5-10 dwelling units/acre)

Medium Residential/Mixed Use (10-50 dwelling units/acre) Residential/Office Mixed Use (10-50 dwelling units/acre)

High Mixed Use (50 or more dwelling units/acre)

Neighborhood Commercial

Community Commercial

Central Business District

Central Business District Support

Regional Commercial/Industrial

Low Density Transit Oriented Development

(1-20 dwelling units/acre)

Medium Density Transit Oriented Development

(10-50 dwelling units/acre)

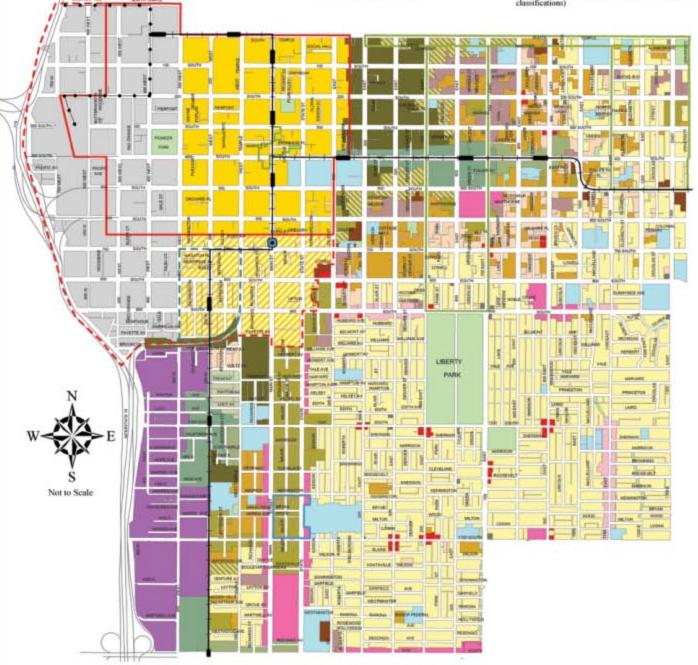
High Density Transit Oriented Development (50 or more dwelling units/acres)

Open Space

Institutional

Gateway Master Plan (Note: Future Land Use Shown in the Gateway Master Plan)

Non-conforming properties to be evaluated for appropriate land use designation. (Interim land use policy would be adjacent land use classifications)



Attachment C

Photos



900 South 900 East looking west



700 South 800 East looking south



800 South 800 East Looking South



900 East 700 South Looking East



900 South 800 East Looking North

Attachment D

Public Input

New suggestion

3 votes

Business on 705 East 900 South should be kept Low Density / Moderate Density

Posted in Between 700 South and 900 South and 700 East and 900 East

I feel that a change to commercial zoning would have a multitude of irrevocable negative impacts. Our home is so close to the parking lot that we would undoubtedly be bombarded at all hours with the sounds of people talking, car doors slamming, engines starting. I strongly feel that having a high traffic business would both reduce the value of our property as well as make it more difficult to sell. I am also concerned about the effect a high traffic business would have on the parking situation. Most of the residents on our street rely on street parking and that would undoubtedly be effected if the corner became a high traffic business.

on Dec 5, 2012 (comments)

DeleteMark as Spam

If you would like to stop receiving these emails you may unsubscribe from suggestion notifications.

COMMENT SHEET

PLNPCM2012-00360

Name_	MARY BISHAD	·
Address	(include zip code) 839 5, 706 /=	
Phone _	801-910-4620	
Email	Many bishoo 4 (2) Comeast, NET	

Written comments:

As a 60 year resident of salt fale ?
Hs a 60 year resident of salt fale ? Il + years in our current home. I would
Love to see this neighborhood down sound
to R. 2. this neighborhood has a wondeful
bickora is dilled all home alatina from late
1500 to 1930's, I have lived all over the
Cite and this is the home and neighborhood
Liter and this is the home and neighborhood

COMMENT SHEET

Name	Larry B	1 ch P		
Address (include zi		200 72225	. 760 676	
Phone	· ·	7		
Email				
	Laryby	hap 2 (8) Co	mcast. Net	
en comments:				
		4.2.4	16 17 7	
•				

				- · · · · · · · · · · · · · · · · · · ·
			·	

COMMENT SHEET

PLNPCM2012-00360

If we may contact you for further discussion about your comments, please provide us with contact information:

Name	Clara	McKenna			
Address (include zip code)	717 East	900	South, SLC, C	T 84105
Phone	801-	532~0343			, , , , , , , , , , , , , , , , , , ,
Email	ce. even	star@amail	com		

Written comments:

(next door to)

Our home is directly East of the vacant commercial property at the corner of 700 East and 900 South. We are very concerned about the negative effect that both ownselves and our neighbors would experience if a higher traffic business (restaurant bor store with late hours) is allowed to exist at this site. We is a frame house built in 1910—no insulation in the outer walls, our bedroom wall is about 15 feet away from the parking lot. I think we should have the right and ability to go to steep without hearing noisy diners or ear doors and engines till late hours (100 m or 20). I

am very concerned about the potential decrease of value in our property and soleobility is a high impact business is allowed.

years. Originally there was a chiroproctic office and upartments in the basement of the commercial building. They had good tenants and the business was closed by topm. I believe a low intensity.

Use such as existed previously is the ideal for both the adjoining reighbors and the neighborhood at large.

COMMENT SHEET

PLNPCM2012-00360

If we may contact you for further discussion about your comments, please provide us with contact information:

Name ToS	Hatch			9	
Address (include a	zip code)	East 900	South	34105	_
Phone Yol-	949-867	4.			
Email_ +654	nation of a	mail, com			

Written comments:

I was very concerned to learn the commercial
holding next door may be re-zoned for more
agressive commercial purposes. Our home is
only about 15 feet away from the parking lot
of said commercial building.
The changes proposed would undoubtedly create
a tremendous increase of noise pollution that
would be inavaidable either in my home or
Small yard.
I strongly believe that the integrity of this
residental area would experience severe
degredation from the effects of a high impact

Both our selves and our immediate neighbors rely on street parking, our next door neighbors do not even have a drive way. Street parking would be very limited if the said changes are applied to this commercial site. I believe the best use for this property both for the immediate boundary property and the neighborhood, would be to keep it a low intensity business.

COMMENT SHEET

Name Will Mill	
Address (include zip code) 77 (900 5	
Phone 503 713 3997 Email howie smith @ me . Com	
en comments:	
upleses but begins the Sol of Il	gnation allowing for
Thanks her including us in the discu	10 SLOY · ·

COMMENT SHEET

PLNPCM2012-00360

If we may contact you for further discussion about your comments, please provide us with contact information:

Name CIKIS BROWN	,
Address (include zip code) 850 MENDON CT	
Phone 50 - 631 - 3963	
Email nwork, Sinhe @ GMAIL, COM	

Written comments:

·
I'M NOT A BIG FAN OF DOWNZONENG. I THINK THE ARMS ON the
NORTH SEDE OF THE DACK LEWIS HEATTELVES TO BETTING DENSE. THERE
IS ALSO A LOT OF OTHER STANGLE FAMILY ZONED PROPERTY AROUND
THE AREA. PARK. THE CHERENT ZONT NE, ALLOWS FOR THESE BLOCKS TO
TAKE ON THEEK OWN THENTTY ONER TIME RATHER THAN BEENLY THE SAME
AS THE ATTEMS AROND THE PARK.
I ALSO THINK THE CURRENT ZUNTNE WILL WORK RETTER WITH A
FUMARE TRAIN LINE.
I THENK HIGHER DENSETY WOULD ALSO GIVE THE SURROUNDENG
BUSTNESSES MURE CUSTOMERS, PARTCHLAZLY FROLLEY SCHARE, WHICH
NEEDS MURE RECEDENTS IN THE AREA.

COMMENT SHEET

PLNPCM2012-00360

If we may contact you for further discussion about your comments, please provide us with contact information:

Name_	Joh	n Sano	lers			•	
Addres	ss (inclu	ide zip code)_	328	L	S T	84105	
Phone		ñ			1	,	
Email	;01	insander.	s 1960	10	amail.	com	
_	J			Catalan	e, l		

Written comments:

To preserve the residential look of
the neighborhood with fever lage blocks
and to preceive density and protect the
how end interests of the small seemes if
change takes place the new range field
be R-Lo

COMMENT SHEET

we may contact	you for further discussion about your comments, please provide us with contact information
Name 🖟	24 Bell Braun
Address (in	nclude zip code) 363 Mendon court 84105
Phone 🔌	01-575-7808
Email(12	wil Braun Erfationcon
+	
itten commen	ts:
/\`	
Kestals 1	read Bother enforcement at it would
<u> rogilo</u>	TILTURE CATORILADO WATALVANCE DU CHRID
	,
V	

COMMENT SHEET

e may	y contact you for further discussion about your comments, please provide us with contact information
N	ame Levi Jones
	ddress (include zip code) 940 2 760 \$ 84102
	none 901-244-4359
Eı	mail Levilianes @ human, can
tten (comments:
	We would be hope of a R2 designation, (or R1)
	Λ1 Ι
	<u>Ohankya</u>

COMMENT SHEET

we may contact you for further discussion about you		formatior
Name Peter and Ka	thrun Negys	
1 (64116	800E 84702	
Phone 80 \ 835 8328	g var var constant	-
Email pheaus@live.co	m	
•		
witten community		
ritten comments:		
We suprovt R-2	and single famely	(
70000		
- COTTINA,		······
,		
• .		,
	. :	
<u> </u>		

COMMENT SHEET

we ma	y contact you for further discussion about your comments, please provide us with contact information
N	Same David 1. Welson
	Address (include zip code) 2929 La Rue Lavi C
	Phone 80/9/876/2
	Email da voll 563 (a) coviced. VIET
Vritten	comments:
	Don't like down 20 willen
-	
 	

COMMENT SHEET

PLNPCM2012-00360

If we may contact you for further discussion about your comments, please provide us with contact information:

Name ELIZABETH	PETERSON			
Address (include zip code)	760 LAKE	ST SALT	LMKE	84102
Phone				
Email Chizanth pe	esson & utah.	edu		

Written comments:

lain totally in favor of R-Z - even R 1 5 with
accommodation for bldgs already R 2
I hope to keep the quality of law density in
this area to present historic lag buildings
and to keep the parking more readily available
and to limit the traffic in a neighborhood
that is blessedly quick
L