

**PLANNING COMMISSION STAFF REPORT**  
**Legislative Item**



Planning Division  
Department of Community &  
Economic Development

**2022 LLC**

**PLNPCM2012-00367 Master Plan Amendment**  
**PLNPCM2012-00366 Zoning Map Amendment**  
**2016 S 2100 East Street**  
**September 26, 2012**

**Applicant:**

Ellen Reddick

**Staff:**

Michael Maloy AICP  
801-535-7118  
michael.maloy@slcgov.com

**Tax Identification:**

16-15-358-040

**Current Zone:**

R-1/7,000 Single-Family Residential  
District

**Master Plan Designation:**

Low Density Residential (5-10  
du/acre) – Sugar House Community  
Master Plan

**Council District:**

District 6 – Charlie Luke, Councilman

**Community Council:**

Sugar House Community Council –  
Christopher Thomas, Chair

**Lot Size:**

≈ 9,583 square feet or 0.22 of an acre

**Current Use:**

Single-family residence

**Applicable Land Use Regulations:**

- 21A.50 Amendments
- 21A.24.060 R-1/7,000 Single-Family Residential District
- 21A.26.020 CN Neighborhood Commercial District
- 21A.26.030 CB Community Business District

**Attachments:**

- A. Letter from Applicant
- B. Site Plan
- C. Property Photographs
- D. Department Comments
- E. Community Council Comments
- F. Public Comments

***Request***

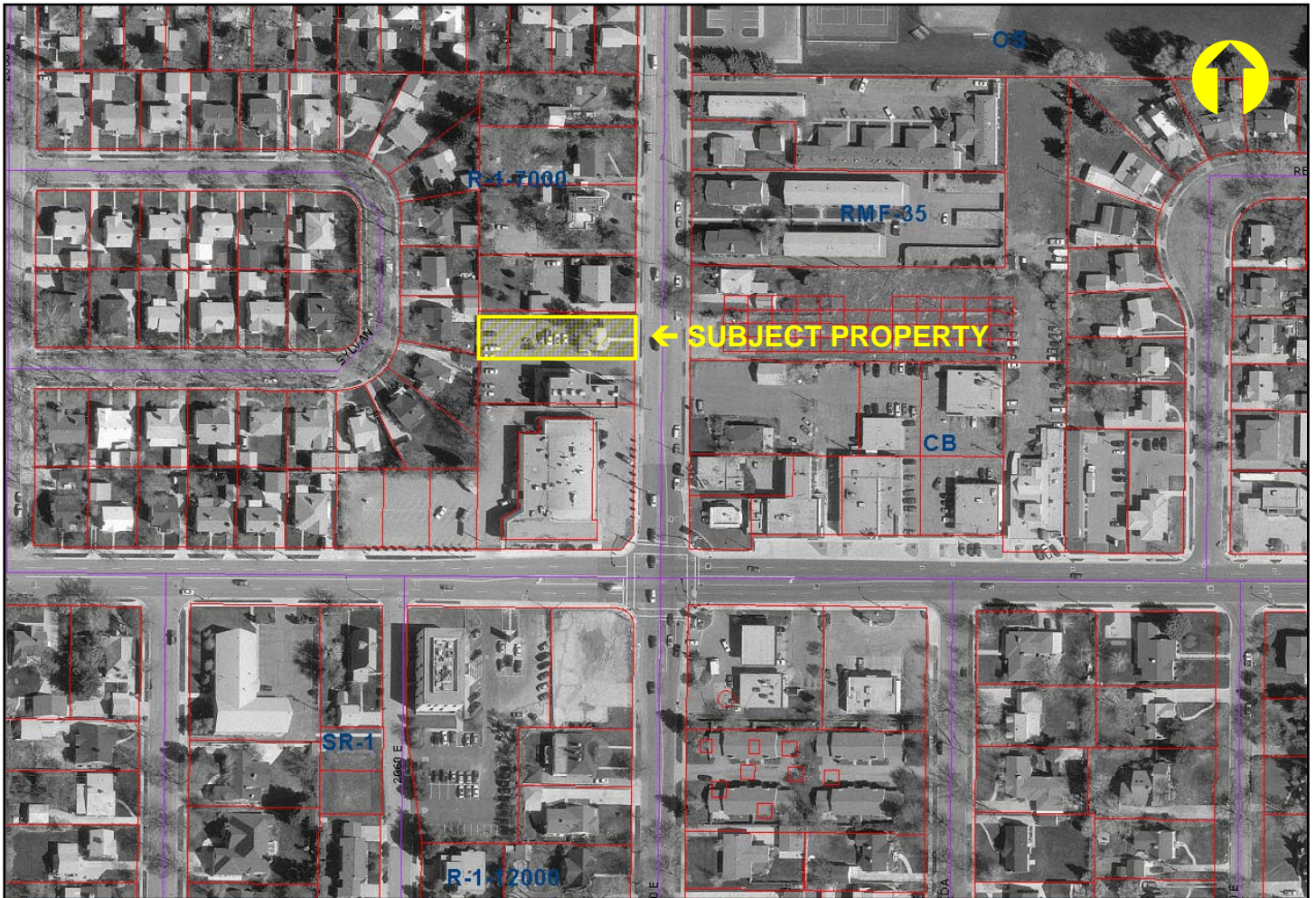
Ellen Reddick is requesting a Master Plan and Zoning Map amendment for property located at 2016 S 2100 East Street to facilitate a future change of use from residential to commercial. The Planning Commission is required to transmit a recommendation to the City Council for Master Plan and Zoning Map Amendment requests.

***Recommendation***

Based on findings listed within the staff report, it is the opinion of Planning Staff that the project generally does not meet the applicable standards and therefore, recommends the Planning Commission transmit a negative recommendation to the City Council relating to petitions PLNPCM2012-00367 Master Plan Amendment from Low Density Residential to Mixed Use – Low Intensity; and PLNPCM2012-00366 Zoning Map Amendment from R-1/7,000 Single-Family Residential District to CB Community Business District for property located at approximately 2016 S 2100 East Street.

**Recommended Motion:** Based on findings contained within the staff report, testimony received, and plans presented, I move the Planning Commission transmit a negative recommendation to the City Council relating to petitions PLNPCM2012-00367 Master Plan Amendment from Low Density Residential to Mixed Use – Low Intensity; and PLNPCM2012-00366 Zoning Map Amendment from R-1/7,000 Single-Family Residential District to CB Community Business District for property located at approximately 2016 S 2100 East Street.

## Vicinity Map



## Background

### Project Description

The applicant, Ellen Reddick, acting in behalf of the property owner, 2022 LLC, has submitted petition PLNPCM2012-00367 to amend the Future Land Use Map of the Sugar House Community Master Plan from Low Density Residential (5-10 dwelling units per acre) to Mixed Use - Low Intensity for property located at 2016 S 2100 East Street. The applicant has also submitted petition PLNPCM2012-00366 to amend the Salt Lake City Zoning Map from R-1/7,000 Single-Family Residential District to CB Community Business District for the subject property. The purpose for the amendments is to change the use of the property from single-family residential to commercial, however no specific commercial use has been identified by the applicant (see Attachment A – Letter from Applicant).

The subject property, which measures approximately 9,583 square feet or 0.22 of an acre, contains a single-family dwelling that is currently rented as student housing. Access to the property is from a common drive approach on 2100 East Street. The drive approach is shared with a commercial office building located on the south side of the subject property, which is also owned by 2022 LLC.

The subject property also contains 13 parking stalls that are used by the adjacent office building (see Attachment B – Site Plan, and Attachment C – Property Photographs). The parking lot—which is a nonconforming use in the current R-1/7,000 Single-Family Residential District—was approved by the Salt Lake City Planning Commission as a conditional use on December 12, 1985.

## ***Public Notice, Meetings and Comments***

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

- Sugar House Community Council held a Land Use Committee meeting on July 16, 2012 to consider the proposal. Comments and notes can be found in Attachment E – Public Comments. No recommendation made.
- Sugar House Community Council held a General Committee meeting on August 1, 2012 to discuss the proposal. Comments and notes can be found in Attachment E – Public Comments. Recommended amending zoning district to CN Neighborhood Commercial District.
- The Business Advisory Board reviewed the petition on September 12, 2012. No recommendation made.

Notice of the public hearing for the proposal includes:

- Public hearing notice posted in newspaper on September 14, 2012
- Public hearing notice mailed on September 14, 2012
- Public hearing notice posted on property on September 14, 2012
- Public hearing notice posted on City and State websites on September 14, 2012
- Public hearing notice emailed to the Planning Division listserv on September 14, 2012

## **City Department Comments**

The comments received from pertinent City Departments and Divisions are attached to this staff report in Attachment D – Department Comments. The Planning Division has not received comments from the applicable City Departments or Divisions that cannot reasonably be fulfilled or that warrant denial of the petitions.

## ***Analysis and Findings***

### **Master Plan Amendment Analysis and Finding**

In preparation for the Planning Commission’s public hearing of the proposed Master Plan amendment, staff complied with the public notice requirements found in Utah Code 10-9a-404, which regulates municipalities when considering an amendment to a general plan. Staff also reviewed the proposed master plan amendment in relation to the strategies listed in the Sugar House Community Master Plan (SHCMP). Based on this review staff has provided the following analysis and findings:

**Analysis:** The subject property is accessible from an adjacent “Collector” street—2100 East Street—as designated by the Salt Lake City Transportation Master Plan, which provides the following definition:

Collector streets provide the connection between Arterial and Local streets. Collectors can be Multi-Lane, but are meant to carry less traffic at lower speeds and for shorter distances than Arterials. They provide direct access to abutting property and carry a mix of local traffic and commuter traffic headed for nearby destinations.

It is the applicant’s claim that due to the volume of traffic on 2100 East Street, the subject property is no longer suitable for use as a single-family dwelling. Scott Vaterlaus, Salt Lake City Transportation Engineer 7, reported that this portion of 2100 East Street was last studied in 2010 and had an average daily traffic count of 8,655 vehicles.

As mentioned previously, the subject property shares a drive approach with a commercial office building located at 2022 S 2100 East Street. The adjacent property is zoned CB Community Business District, which zone is consistent with the applicant’s petition. However, the Future Land Use designation for both properties is “Low Density Residential”—which is not consistent with the CB Community Business District. According to the SHCMP, a designation of “Mixed Use - Low Intensity” would be consistent with the proposed zone.

Although the proposed amendments have received statements of support from the 21<sup>st</sup> & 21<sup>st</sup> Business District, and an adjacent residential property owner (see Attachment F – Public Comments), staff is concerned that approval of the petitions might encourage additional property owners along 2100 East Street to seek additional commercial zoning amendments, which is discouraged by the following statements in the SHCMP:

**Residential Land Use – Low Density Residential Policy.** Support and enhance the dominant, single-family character of the existing low-density residential neighborhoods (page 2, SHCMP).

**Commercial Land Use – Strip Commercial.** *Sugar House has adequate amounts of commercially zoned land. No additional land needs to be designated commercial in the master plan or zoned for commercial development* (page 7, SHCMP, italics added for emphasis).

**Commercial Land Use Policy.** *Prohibit the expansion of commercial sites into residential areas* (page 7, SHCMP, italics added for emphasis).

Upon review of the applicant’s master plan and zoning map amendments on August 1, 2012, the Sugar House Community Council voted unanimously to recommend the subject property be amended to CN Neighborhood Commercial District instead of CB Community Business District, which has been requested by the applicant. The Future Land Use Map designation that most closely resembles the CB Community Business District is “Neighborhood Business”, which is described by the Sugar House Community Master Plan below:

**Neighborhood Business.** Small commercial centers located within or immediately adjacent to neighborhoods provide a necessary service to Sugar House residents. Historically, however, the demand for neighborhood convenience stores has been varied, particularly with the emergence of regional shopping centers and easy access to transportation facilities. Today, there is a renewed recognition of the value of having neighborhood businesses that residents can walk to instead of having to drive to. In addition, neighborhood businesses are frequently locally owned so more of the profits stay in the area.

Neighborhood Commercial areas may consist of four corner sites or isolated parcels. The businesses range from grocery stores to restaurants. *Some neighborhood business centers identified in the land use plan are at 2100 South and 2100 East, Stratford Avenue and Glenmare Street, 2700 South and 2000 East, and portions of 2300 East and Parley's Way.* The community supports a Citywide effort to revise and strengthen the Neighborhood Commercial zoning district (page 7, SHCMP, italics added for emphasis).

However, the SHCMP urges caution when rezoning properties as Neighborhood Commercial:

Notwithstanding the acknowledgement that neighborhood business can be positive for the City and neighborhood, *the community emphasizes the need to protect adjoining residences from negative impacts of these commercial uses. These impacts include: lighting, noise, litter, smells, insensitive design, traffic and parking* (page 7, SHCMP, italics added for emphasis).

City should be cautious in rezoning these (nonconforming) properties to commercial. Each one should be considered on its own merits, with the public and surrounding residents given the opportunity to provide input into the decision making process (page 7, SHCMP).

**Finding:** Overall, staff finds the proposed master plan amendment is not consistent with the stated objectives and policies of the SHCMP. Although the proposal may seem consistent with certain Neighborhood Commercial objectives found within the SHCMP, it is the opinion of staff that this language should be narrowly applied to properties immediately adjacent to the intersection of 2100 South Street and 2100 East Street.

## **Zoning Map Amendment 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:** See above Master Plan analysis (pages 3 through 4).

**Finding:** Staff finds the proposal is not consistent with the stated purposes, goals, objectives, and policies of the City as identified in the Sugar House Community Master Plan for Low Density Residential or Strip Commercial land uses.

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

**Analysis:** If approved, the property owner intends to maintain the existing residences until a suitable commercial tenant or land use is identified. The owner intends to lease (or sell) the property to a locally owned business that will occupy the existing structure, however there are no guarantees that the existing structure will be retained, or that the new land use will be a local business. Whereas the property owner does not have a pending development proposal, the proposal must be reviewed primarily on the attributes of the existing, proposed, and alternate zoning designation.

The purpose statement for the current R-1/7,000 Single-Family Residential District is defined below:

#### **City Code 21A.24.060.A R-1/7,000 Single-Family Residential District Purpose Statement:**

The purpose of the R-1/7,000 single-family residential district is to provide for conventional single-family residential neighborhoods with lots not less than seven thousand (7,000) 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 purpose statement for the proposed CB Community Business District is defined below:

#### **City Code 21A.26.030.A CB Community Business District Purpose Statement:**

The CB community business district is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods while limiting adverse impacts through appropriate design standards. This district is appropriate in areas supported by applicable master plans and along collector or arterial streets. Development is intended to be oriented to the pedestrian with

buildings close to the street and compatible with the scale of the adjacent neighborhood. Uses are restricted in size and intensity in order to limit adverse impacts on adjacent residential areas.

The purpose statement for the CN Neighborhood Commercial District, which has been recommended by the Sugar House Community Council, is defined below:

**21A.26.020.A CN Neighborhood Commercial District Purpose Statement:**

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.

As stated previously, the existing R-1/7,000 District is consistent with the current Sugar House Future Land Use Map and adjacent residential zoning for parcels located west and north of the subject property. The applicant's proposal is consistent with adjacent commercial zoning.

Regarding the Sugar House Community Council recommendation to amend the zone to CN Neighborhood Commercial District, staff is concerned the proposal would constitute a "spot zone"—which action is generally discouraged by "best practices" as recommended by land use professionals and legal counsel—but may be appropriate in rare or unusual circumstances.

**Finding:** Although the proposed CB Community Business District is consistent with adjacent commercial zoning, it is not supported by the Sugar House Community Master Plan or the Sugar House Community Council.

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

**Analysis:** According to the applicant, adjacent property owners have been informed of the proposal and support the amendment (see Attachment A – Letter from Applicant, and Attachment F – Public Comments). Due to the existing parking lot located on the rear portion of the subject property, staff agrees with the applicant that the zoning amendment will not impact adjacent properties if the existing structure is reused for a commercial purpose. However, if the Zoning Map were amended to CB Community Business District, the subject property could be combined with the adjoining commercial parcel and be redeveloped in a manner that may negatively impact adjacent properties. Staff is also concerned with the potential for "commercial creep" on residential parcels north of the subject property if the amendment is approved.

**Finding:** The CB Community Business District may negatively impact adjacent properties if the existing structure is not maintained or is redeveloped for a more intense land use. The CN Neighborhood Commercial District is more restrictive than the applicant's proposal and has a maximum lot size regulation that would limit the potential intensity of a redevelopment proposal.

**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:** As stated previously, the subject property is currently zoned R-1/7,000 Single-Family Residential District, and is not subject to any additional overlay zoning districts.

**Finding:** Staff finds the subject property is not subject to any applicable overlay zoning districts for the subject property that impose additional standards.

5. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.

**Analysis:** The City Engineer, Transportation Division, and Public Utilities have reviewed the proposal and have recommended approval subject to conditions specified within Attachment D – Department Comments.

**Finding:** The subject property is adequately served by public facilities and services, 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 (pending recordation of easement agreements as specified in Attachment D – Department Comments).

## **Alternatives**

As stated previously, the Sugar House Community Council recommended amendment of the Zoning Map from R-1/7,000 Single-Family Residential District to CN Neighborhood Commercial District, which permits less intensive land uses, prohibits vehicle “drive through” service, and has a maximum lot size of 10,500 square feet. Although staff generally discourages “spot zoning” a single parcel, small scale neighborhood commercial zones are more likely to be applied in this manner than other zoning districts. The alternative could also be viewed as a transition from the more intense CB Community Business District to the adjacent R-1/7,000 Single-Family Residential District.

## **Commission Options**

Following the public hearing, the Planning Commission may vote on one of the following options:

- Forward a positive recommendation of the petition as proposed by the applicant to the City Council. If this course is taken, the Planning Commission should state findings to support the positive recommendation.
- Forward a positive recommendation of an alternate zoning district to the City Council. If this course is taken, the Planning Commission should state findings to support the positive recommendation.
- Forward a negative recommendation of the petition as proposed by the applicant to the City Council. If this course is taken, the Planning Commission should state findings to support the negative recommendation.
- The Planning Commission may vote to “continue” or “table” the petition for further review and discussion.

## **Potential Motions**

**Consistent with Staff Recommendation:** Based on findings contained within the staff report, testimony received, and plans presented, I move the Planning Commission transmit a negative recommendation to the City Council relating to petitions PLNPCM2012-00367 Master Plan Amendment from Low Density Residential to Mixed Use – Low Intensity; and PLNPCM2012-00366 Zoning Map Amendment from R-1/7,000 Single-Family to CB Community Business District for property located at approximately 2016 S 2100 East Street.

**Not Consistent with Staff Recommendation:** Based on findings on the following findings, testimony received, and plans presented, I move the Planning Commission transmit a positive recommendation to the City Council relating to petitions PLNPCM2012-00367 Master Plan Amendment from Low Density Residential to

Mixed Use – Low Intensity; and PLNPCM2012-00366 Zoning Map Amendment from R-1/7,000 Single-Family to CB Community Business District for property located at approximately 2016 S 2100 East Street.

The Planning Commission shall make findings on the Master Plan and Zoning Map Amendment on the standards listed below:

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;
2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance;
3. The extent to which a proposed map amendment will 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; and
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.

**Not Consistent with Staff Recommendation:** Based on the following findings, testimony received, and plans presented, I move the Planning Commission transmit a positive recommendation to the City Council relating to petitions PLNPCM2012-00367 Master Plan Amendment from Low Density Residential to Neighborhood Business; and PLNPCM2012-00366 Zoning Map Amendment from R-1/7,000 Single-Family to CN Neighborhood Commercial District for property located at approximately 2016 S 2100 East Street.

The Planning Commission shall make findings on the Master Plan and Zoning Map Amendment on the standards listed below:

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;
2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance;
3. The extent to which a proposed map amendment will 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; and
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.



**Attachment A**  
**Letter from Applicant**

**E-mail Address of Applicant:**

Shawn Barr [shawnbarr@gmail.com](mailto:shawnbarr@gmail.com)  
Rich Whittaker [reporich1961@hotmail.com](mailto:reporich1961@hotmail.com)  
Phone: Shawn 801-913-9659  
Rich 801-580-0474

**Applicants Interest in Subject Property:**

Owners wish to change the zoning from R1-7000 Residential to CB Community Business

**Name of Property Owners:**

Shawn Barr  
Rich Whittaker  
John Bouzek

**County Tax: VDTI 16-15-358-040-0000**

**Zoning: R1-7000**

**General Description of the proposed Master Plan Amendment:**

The current zone is R1- Residential; the current use of this house is a rental for college boys. Due to the lack of a back yard this house has not been rented to a family for over 20 years. South of the property is CB and north is R1-7000. North from 2016 to 1984 are all rental properties.

The proposed Master Plan Amendment is from R1-7000 Residential to CB - Commercial Business.

**A statement declaring the purpose for the amendment and the exact language.**

The petition to amend the Master Plan would change the classification to Community Business.

The zoning district is commercial business 21<sup>st</sup> & 21<sup>st</sup> Business District.

**Declare why the present master plan requires amending.**

The present map requires amending due to current status R1- Residential.

## **Request for Master Plan Amendment and Zoning Amendment – Overview**

**The following is a request for a Master Plan Amendment and a Zoning Amendment for the property at 2016 South 2100 East, VTDI 16-15-358-040-0000 Dist 13 contained in the Sugar House Master Plan.**

**The current zoning is R1-7000 Residential and the request is for a zoning change to CB – Commercial Business.**

**The purpose of the request from 2022 LLC property owners is to convert a rental home to a business zone and upgrade the property use.**

**The property has been owned by 2022 LLC for over 20 years and in this time frame has always been a rental property housing college age boys. Due to lack of a proper back yard and the close proximity to the businesses to the south and the rentals to the north, the owners have been unable to rent to a family.**

**In discussion with the home owners and families to the west and the 21<sup>st</sup> & Twenty First Business District Officers the property owners of 2022 LLC feel that the best use for the property would be a small locally owned business such as:**

**Small book store**

**Athletic shoe store**

**Yarn Shop**

**Flower Shop**

**The neighbors and the Business District support this approach and feel it will add to the quality of life of the area and their immediate property.**

### **Zoning Amendment**

**Address of Subject Property:**

2016 South 2100 East  
Salt Lake City, Utah 84109

**Name of Applicant:**

2022 LLC

**Address of Applicant:**

407 East 300 South  
Salt Lake City, Utah 84111

**Request:**

**Zoning Amendment & Master Plan Amendment**

**Request and Purpose Statement:**

**Rental property at 2016 South 2100 East from residential to community business.**

**The configuration of the property is not conducive to a family home and has been a rental to college boys for over twenty years. The owners do not feel this is a positive contribution to the business district or the community.**

**They would like to have a small locally owned boutique shop at the location:**

**Such as:**

**Small book store**

**Athletic shoe store**

**Yarn Shop**

**Flower Shop**

**The neighbors to the west agree and support this request and change.**

**John Bouzek has just purchased the Blue Plate Diner land. John is and will continue to be a destination, highly rated restaurant and the anchor for the business district.**

**As a long time business and property owner of Blue Plate, 2016 and 2022, he would like to continue his positive investment in the Business District and the community.**

**We appreciate your consideration.**

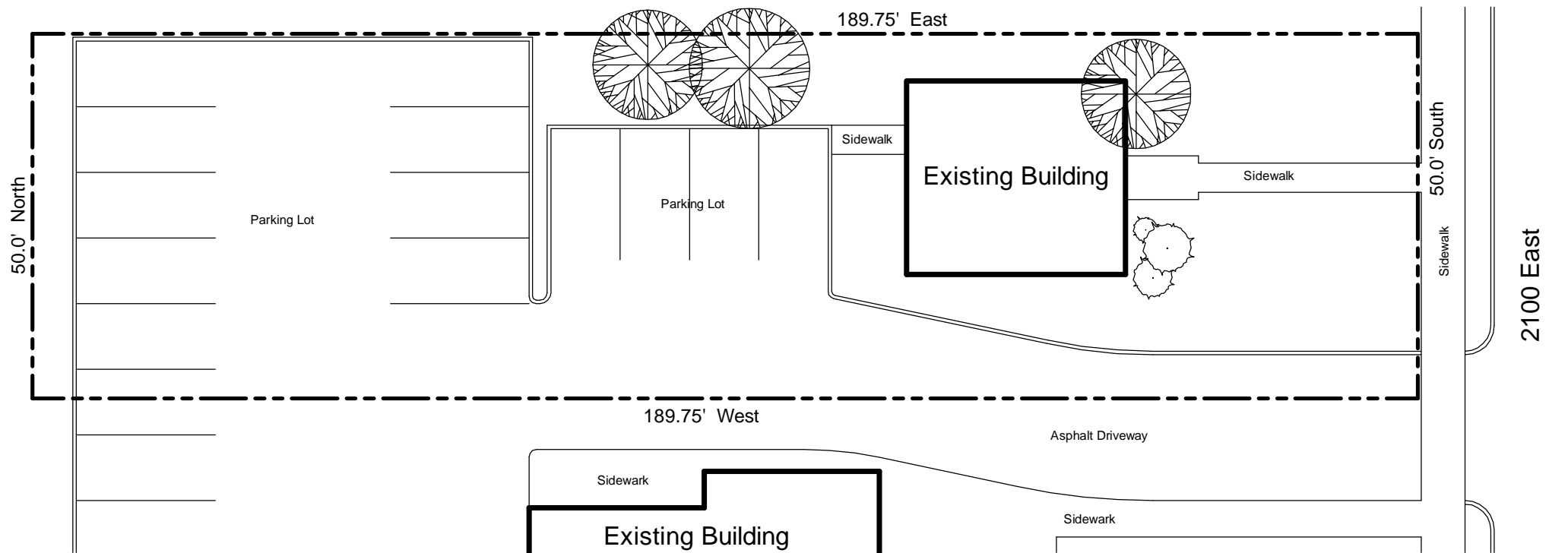
**Sincerely**



**Ellen Reddick  
Representative**

# **Attachment B**

## **Site Plan**



**Site Plan**  
Scale: 1" = 20'-0"



**KDG Drafting and Design, Inc.**  
3361 South Forsythia Drive  
West Valley, Utah 84119  
(801) 414-9144

REVISIONS	
REV.#	DATE

**Site Plan Update**  
2016 South 2100 East  
Salt Lake City, Utah

PROJECT:  
DESIGN: K. Greeff  
CHECKED: K. Greeff  
DRAWN: K. Greeff  
DATE: 05/05/09

**S1**

**Attachment C**  
**Property Photographs**

2016 S 2100 East Street – Property Photographs





# **Attachment D**

## **Department Comments**



# Department Comments

## 2016 S 2100 East Street

### PLNPCM2012-00367

Date	Task/Inspection	Status/Result	Action By	Comments
7/23/2012	Sustainability Review	Complete	Maloy, Michael	Not opposed to proposal.
7/26/2012	Engineering Review	Complete	Weiler, Scott	No objections.
7/26/2012	Transportation Review	Complete	Walsh, Barry	<p>The Division of Transportation review comments and recommendations are as follows:</p> <p>The property at 2016 S 2100 East Street requires a cross access easement with the property at 2022 S 2100 East Street. As a single family residence it requires only two parking stalls, there are presently 13 surface parking stalls.</p> <p>The abutting property at 2022 S also should have a cross access easement with 2016 S. As a commercial business it has 11 surface parking stalls.</p> <p>For the proposed change, parking calculations for the existing uses and for the proposed uses needs to be provided for both lots to establish a base line. The base line parking calculations will indicate intensification status of the properties and requirements for parking lot up grades etc.</p> <p>We recommend combining both lots or providing the cross access, drainage, and maintenance agreements between both lots and offsite parking lease agreements as needed.</p> <p>Barry Walsh</p>
8/1/2012	Community Council Review	Complete	Maloy, Michael	Sugar House Community Council reviewed proposal and recommended CN Neighborhood Commercial District.
9/13/2012	Building Review	Complete	Maloy, Michael	No comments received.
9/13/2012	Fire Code Review	Complete	Maloy, Michael	No comments received.
9/13/2012	Police Review	Complete	Maloy, Michael	No comments received.
9/13/2012	Public Utility Review	Complete	Maloy, Michael	No comments received.
9/13/2012	Zoning Review	Complete	Maloy, Michael	No comments received.

# **Attachment E**

## **Community Council Comments**

August 11, 2012

TO: Salt Lake City Planning Commission  
FROM: Judi Short, Land Use Chair and Vice President  
Sugar House Community Council  
RE: Rezone of 2016 South 2100 East



The Land Use Committee of the Sugar House Community Council (SHCC) reviewed this proposal on July 16, 2012, and the full SHCC reviewed the proposal on August 1, 2012. This parcel has been reviewed twice before by this council – first in 1985 when the parking lot behind 2016 was requested. There is evidence in the Board of Adjustment and Planning Commission minutes that SHCC did not approve of the proposal at that time. The applicant requested the parking to serve his business building to the south, and wanted landscape buffers less than what the zone required. In 2008, we reviewed a proposal similar to the one today, for a rezone from residential to a business zone. At that time, we denied the request, and I don't know if it ever went to the Planning Commission.

The Land Use committee of SHCC did not take a position for or against this proposal. We wanted to hear what the larger body would recommend. We felt that each of us individually could approve or deny this request. That tells me the Land Use Committee was lukewarm. There was much discussion about the intense uses allowed by the CB zone, and I even made a chart comparing the uses of CN and CB to use with a potential motion at the SHCC meeting. We were concerned that the parcel was a problem because it didn't seem to have a good yard and the type of tenants that it seemed to be always rented to seem to cause a problem with the neighborhood. However, if we allowed this to be rezoned, the rest of the block to the north might make a similar request, one parcel at a time. None of those parcels is owner occupied, nor do they appear to be in wonderful shape, and we fear it is just a matter of time before they request a rezone as well. Once the rezone is approved, they can put in anything allowed in the zone. We do not want a drive through, a car wash, a bank, a more intense use.

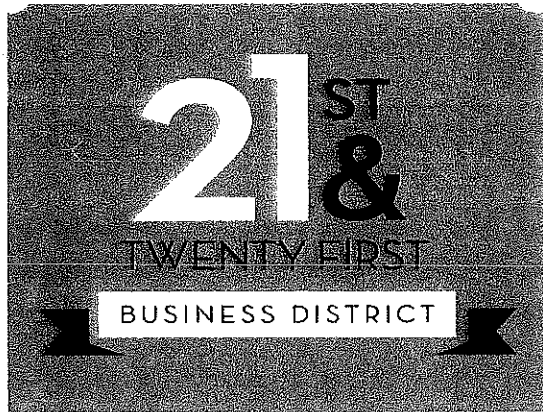
At the SHCC meeting on August 1, Shawn Barr said they bought the parcel in 2006 and have been unable to find good tenants. He felt that was mostly because of the fact that there isn't much yard, because it was made into parking in 1985. Some members of the council thought there were families out there who would be pleased to rent the house and be good tenants. The owners gave examples to us of the kind of business they would like in the house, such as New Balance, a copy shop, an attorney, a coffee shop. Other comments included whether the parking spaces were really needed for the business to the south, or whether it could be converted back to grass.

It is difficult to imagine how rezoning this one parcel will forward the 21 and 21 Business District much. It is the Northeast corner of that intersection that has the most potential with all the businesses around that corner, including the Blue Plate Diner. The first motion was to approve the rezone from R1-7000 to CB. That motion failed 8 in favor and 9 against.

A second motion was made to approve a rezone from R1-7000 to CN. Scott read the allowed uses for the two zones, and there was clear objection to allowing a drive through in that space, whether it be a coffee shop, a bank, or a restaurant. We are continually educating the council that it isn't the "zone" that causes the problems, and we aren't voting against a business. The issue for us is that it is the uses that are allowed in a particular zone, and the fact that once it is rezoned, we lose our vote and can't weigh in on the particular use for the parcel. The motion passed unanimously to recommend that this parcel be rezoned to CN.

We will weigh in on the individual use tables being proposed for revision by the city. Right now, to us there seems to be a big gap between CB and CN, and sometimes we feel like there could be something in between. Maybe we can recommend some changes that will make that transition.

# **Attachment F Public Comments**



2157 East 2100 South, Suite A  
Salt Lake City, Utah 84109  
Phone: 801-953-1313  
e-mail contact: jsnd.smith@gmail.com

March 21, 2012

Salt Lake City Planning Dept.  
c/o: Noel Walkingshaw  
451 South State Room 406  
Salt Lake City, UT 84111

Dear SLC Planning Department:

It is my pleasure to write a letter in support of the rezone proposal for the residential unit located at 2016 South 2100 East.

As a business district we have been looking at ways to improve our business node into more of community gathering place and a neighborhood destination. The above referenced property is currently surrounded by asphalt business parking and feels as though it spills into the business district. We believe this zoning change will ultimately be a better fit for both commercial and residential members of the 21<sup>st</sup> & 21<sup>st</sup> community as it will better define where the BD ends and residential starts.

In conclusion, we fully support the efforts of the property owners to rezone this parcel in order to create a better bookend to our business district.

Sincerely,

JD Smith  
Chair 21<sup>st</sup> & Twenty First Business District

David Jensen  
2057 Redondo Place  
Salt Lake City, UT 84108

April 2, 2012

Salt Lake City Planning Dept.  
c/o: Noel Walkingshaw  
451 South State Room 406  
Salt Lake City, UT 84111

Dear SLC Planning Department:

I wish to offer my support for the rezone of the property located at 2016 South and 2100 East. I am a homeowner located directly behind the house that sits on that property. My family has lived here over 10 years and that has been a rental property for at least as long as we have been here.

Over the years, we have endured a significant amount of offensive behavior involving the tenants that have inhabited that home. We have experienced loud parties that extended past midnight, the excessive use of foul language (often heard by my children), and people playing basketball in the early hours of the morning. On several occasions, the situations have required police intervention.

Given the unruly behavior of the tenants and the fact that the property adjoins the parking lot of an existing business establishment, I am in favor of a rezone for that property. In addition, I welcome the improvements and upgrades that a new business will bring to the area.

Sincerely,

David J. Jensen  
Homeowner