



# Staff Report

PLANNING DIVISION  
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission  
From: Christopher Lee, 801-535-7706, [christopher.lee@slcgov.com](mailto:christopher.lee@slcgov.com)  
Date: March 5, 2015  
Re: PLNPCM2014-00375: 400 S. 900 W. Zoning Map Amendment

## Zoning Amendment

**PROPERTY ADDRESSES:** 360, 362, 364, 366, 376, 412, 417, and 435 S. 900 W., 841, 843, 848, 852, 857, 858, 859, 864, 865, and 877 W. 400 S., 866 W. Pacific Avenue, 869 W. 300 S., 321, 331, 365, and 371 S. 870 W.  
**PARCEL ID:** 15-02-402-028, 15-02-402-029, 15-02-402-030, 15-02-402-031, 15-02-402-032, 15-02-405-035, 15-02-406-015, 15-02-406-009, 15-02-406-006, 15-02-406-005, 15-02-403-018, 15-02-403-017, 15-02-406-004, 15-02-403-066, 15-02-406-003, 15-02-403-011, 15-02-406-002, 15-02-406-001, 15-02-406-010, 15-02-258-005, 15-02-403-012, 15-02-403-013, 15-02-403-014, and 15-02-403-015

**MASTER PLAN:** Westside

**ZONING DISTRICT: Current:** RMF-35 and CN

**Proposed:** R-MU-35 (Residential/Mixed Use)

**REQUEST:** The City is proposing to amend the zoning map designation for twenty four properties on, or near, the intersection of 400 South and 900 West. The intent of the proposal is to establish the zoning regulations necessary to create a “community node” as identified in the Westside Master Plan. To accomplish this, the proposal includes rezoning the subject properties from RMF-35 (Moderate Density Multi-family Residential) and CN (Neighborhood Commercial), to R-MU-35 (Residential/Mixed Use). The R-MU-35 designation will allow for a greater diversity of mixed uses to accomplish the stated goals of the Master Plan. The change would result in all 4 corners of the intersection being zoned R-MU-35 along with several other parcels in the node. The properties are currently used for a variety of residential and commercial uses. Some are also vacant or undeveloped parcels or parking lots.

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

The following motion is provided in support of the recommendation:

*Based on the findings and analysis in the staff report, testimony, and discussion at the public hearing, I move that the Planning Commission transmit a positive recommendation to the City Council for the proposed zoning amendment.*

### ATTACHMENTS:

- A. [Existing Conditions](#)
- B. [Analysis of Standards](#)
- C. [Public Process & Comments](#)
- D. [Department Review Comments](#)
- E. [Motions](#)

## PROJECT DESCRIPTION:

The subject properties are located in Poplar Grove which is one of the neighborhoods within the Westside Community. The Westside Master Plan recognizes a need to encourage growth, redevelopment, and reinvestment in the Westside in order to support the vision of the Westside Community as a “beautiful, safe, sustainable place for people to live, work, and have fun.” The Master Plan proposes a number of ways to accommodate this growth, and a key component of this includes the concept of “nodes.”

A node is defined as “an intersection consisting of at least one major road where there is potential for changes in land use and the development pattern.” Additionally, they are “integrated centers of activity” and critically, they are the “key types of locations for redevelopment” in the community. The Master Plan designates these nodes as places where the community can and should accommodate future growth and development.

There are several different levels of nodes. From lowest to highest intensity of development, these include “neighborhood,” “community,” and “regional” nodes. The Master Plan designates a number of intersections in the community as “nodes.” The subject properties are all located at the intersection of 400 South and 900 West, which was identified as a “community node.” The Master Plan describes this type of node as the following:

*“Community nodes are larger in scale than their neighborhood counterparts because they generally offer retail and services that attract people from a larger area. While some existing community nodes do not have residential components, new developments at these locations should incorporate housing. These nodes provide good opportunities to add density with multi-family residential units. Densities should be on the order of 20 to 30 dwelling units per acre with appropriate building forms to complement adjacent lower density uses if necessary. Accessory dwelling units (ADUs), which are fully separate dwelling units that are located on the same lot as the primary residence, may be appropriate at community nodes. ADUs are an effective way to increase density within the stable areas, especially with the community’s deep singlefamily lots. Retailers such as grocery stores, clothing stores or small professional offices are appropriate anchors for community nodes. These nodes can also be anchored around or include institutional uses, such as churches, schools or daycares. Community nodes should be comfortable and safe for pedestrians and bicyclists while providing some off-site parking that is located behind or to the side of the buildings. Developments around these type of nodes should also be accessible to regular public transportation service.” (41)*

The purpose of the rezone is to support the development of this node into what is envisioned by the Master Plan. Eighteen of the subject properties are currently zoned CN (Neighborhood Commercial) and six are zoned RMF-35 (Moderate Density Multi-family Residential). Three of the four properties at the intersection of 400 S and 700 W are currently zoned CN (Neighborhood Commercial) and have commercial uses. However, at least two of the businesses appear to no longer be in operation. The property on the northeast corner is zoned RMF-35 and is largely vacant except for one single family dwelling on the eastern edge of the property. The other parcels that are currently zoned CN are located on both sides of 400 S eastward to the I-15 freeway, on the west side of 900 W to Pacific Avenue, on the west side of 900 W north to 360 N, and 866 Pacific. The majority of the uses on those parcels are residential units with most being single family dwellings. Five of them are either vacant or parking lots and one, at 848 W 400 S, is retail use. The five other parcels currently zoned RMF-35 are located between 870 W and I-15. Three of them are used as single family dwellings and the other two are large, undeveloped parcels.

The proposal will rezone all of the CN (Neighborhood Commercial) parcels in the node, along with the six RMF-35 (Moderate Density Multi-family Residential) parcels, to R-MU-35 (Residential/Mixed Use). The intent of this rezone is to support the long-term development of these properties to support additional residential growth, while continuing to encourage a mix of uses at this node. Although the CN zone currently allows for development of similar intensities and densities as the R-MU-35 zone, the additional height allowed by the proposed zone may encourage additional residential development at this node because it allows for slightly

larger structures and allows single-use residential development. The CN zone only allows residential if it is part of a mixed use building. Future redevelopment and reinvestment in these properties, in combination with City infrastructure improvements to the public realm, such as street treatments and pedestrian amenities, are intended to help achieve the vision for the Westside community.



Parcels Proposed for R-MU-35 Zoning

**KEY ISSUES:**

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

1. Development Continuity
2. Single-Family Home Status
3. Zone Compatibility
4. Potential R-MU-35 Changes

**Issue 1 – Development Continuity**

Planning staff considered different zoning districts for this node but ultimately determined that the R-MU-35 (Residential/Mixed Use) zone was most appropriate due to the fact that it allows uses and residential densities which support the goals of the “community node”. The parcel at the northeast corner of the intersection is currently zoned RMF-35 and the three others are CN. From an urban design perspective, it is often good practice to have the four corners of an intersection be zoned consistently and this proposal would accomplish that. With the allowed scale, with a permitted building height of 35’, the impacts due to building scale are relatively minor in nature. There are limited opportunities for new development within the Westside Community. Increasing the development potential of the subject properties, while still maintaining a scale that is similar to the surroundings, is an important goal of the Westside Master Plan.

**Issue 2 – Single-Family Home Status**

Seven single family homes are proposed to be rezoned from CN to R-MU-35, and four from RMF-35 to R-MU-35. Although single-family homes are not an allowed use in the CN district, these properties are considered “legal complying” single-family homes. This legal complying status means that the homes are recognized by the city as legal residences and can be maintained like normal single-family homes located in residential zones. These homes can also be expanded and rebuilt, although there are special size restrictions due to their special status.

Unlike the CN zone, the R-MU-35 zone allows for detached single-family residential as a permitted use, so these homes would be able to continue to function and expand as allowed uses if they are rezoned. This would allow them to be expanded and rebuilt up to the full R-MU-35 zoning allowances. For example, they could be replaced with new, detached single-family homes with heights of up to 35’, as opposed to being limited to 25’ as they currently are under CN zoning.

**Issue 3 – Zone Compatibility with Adjacent Properties**

The purpose of the R-MU-35 zone, as stated in the current proposal before the City Council, is as follows:

*The purpose of the R-MU-35 residential/mixed use district is to provide areas within the city for mixed use development that promote residential urban neighborhoods containing residential, retail, service commercial and small scale office uses. The standards for the district reinforce the mixed use character of the area and promote appropriately scaled development that is pedestrian oriented. This zone is intended to provide a buffer for lower density residential uses and nearby collector, arterial streets and higher intensity land uses.*

As indicated by the purpose statement, the zone is intended for a community node such as this one. The zoning standards of the R-MU-35 are intended to support mixed-use development along arterials, such as 400 South and 900 West, and to provide a transitional buffer between the arterial and adjacent single-family dwellings. Given the generally low intensity uses allowed by the zone and the associated development standards, the proposed zone change is not expected to have substantial negative impacts on adjacent residential properties.

The CN and R-MU-35 zones are both low-intensity zones and are nearly identical as far as what uses they allow. One small difference is that the R-MU-35 zone doesn't allow for auto repair uses, which results in the R-MU-35 zone having slightly lower potential use intensity. Therefore, the proposed rezone will not introduce the potential for any new, higher intensity uses that are not already possible under the current zone. This fact reduces the potential for any new compatibility issues for this node, such as negative noise or visual impacts to residential properties.



Properties Proposed for Rezoning at the Northeast corner of the Intersection



Street View of Properties Proposed for Rezoning at the Northwest corner of the Intersection



Street View of 869 W 300 S (looking south)



Street View of vacant lot at 365 S 870 W (looking south)

The most significant difference between the two zones as far as intensity of development is that the CN limits development to 25' and the R-MU-35 zone allows for up to 35' of height. This 35' of height is only allowed for residential or mixed-used development. For purely commercial development, only 20' of height is allowed, similar to the existing CN development limits. For the properties at the intersection itself, due to being located along a City arterial and across the street from an existing commercially zoned area, staff does not foresee issues regarding height along the street facing portions of the properties. However, residential property owners adjacent to these parcels may express some concerns about visual/privacy and sound impacts to their properties. In regards to potential visual impacts, the subject parcels that abut residences that are zoned RMF-35 should not raise an issue due to the height limits being equal in those zones. Where the subject parcels abut existing single family dwellings that are zoned R-1/5,000, there could be some impacts because that zone has a maximum height of 28' and the R-MU-35 zone exceeds that height by 7 feet.

However, the R-MU-35 zone includes standards that are intended to reduce the potential for this loss of privacy. This includes the requirement that any new development incorporate a minimum rear yard setback of 25% of the lot depth (but need not exceed 30') from the rear property line, providing some horizontal buffering. As these properties are approximately 140' deep, this would result in a minimum 30' rear setback for these properties. This 30' setback would be supplemented by the existing 15' wide alley between the subject properties and the single-family homes to the west, resulting in at least a 45' horizontal setback. This distance reduces the potential loss of privacy and also prevents the buildings from permanently shadowing the adjacent rear yards. Given the layout of the parcels and the required setbacks, this isn't an issue.



Properties Proposed for Rezoning at the Northwest corner of the Intersection

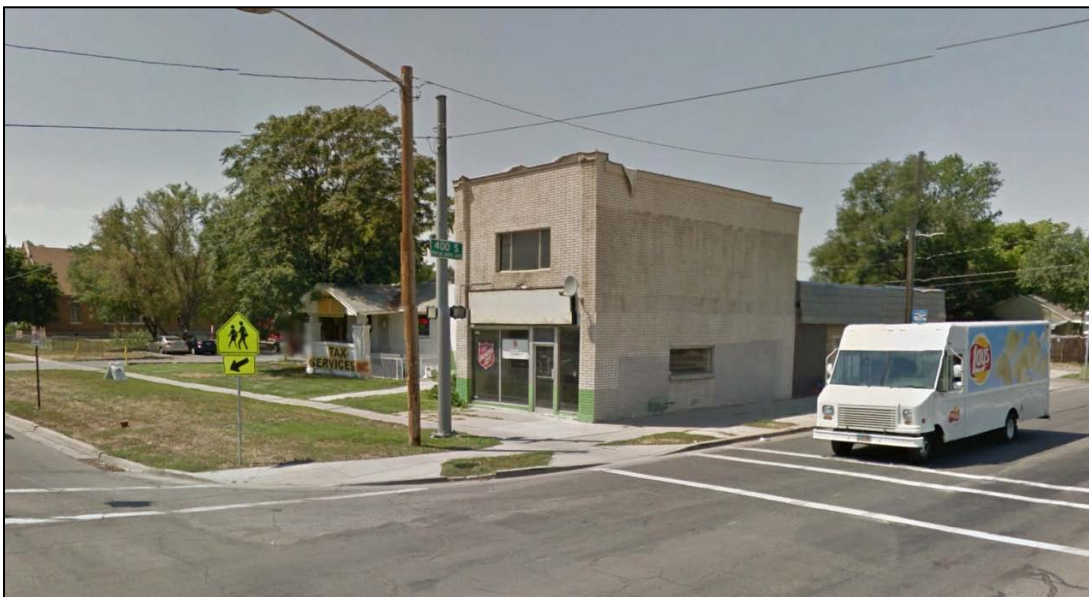


Street View of Properties Proposed for Rezoning at the Northwest corner of the Intersection

Additionally reducing privacy and visibility concerns from increased height is the requirement that any new developments install shade trees every 30' feet along rear or side property lines shared with single-family zoned properties. Though in the short term, there may be some visibility into the rear yard of the single-family homes, in the long term it will be significantly reduced, especially in the summer months.



Property Proposed for Rezoning at the Southwest corner of the Intersection



Street View of Property Proposed for Rezoning at the Southwest corner of the Intersection

On Pacific Avenue, where the proposed parcels abut other residences that are also zoned R-1/5000 there is not an alley separation. The different zones would share side property lines. Any multifamily or mixed use development in the R-MU-35 zone would be required to be setback 10' from the side property line and any height above 25' would need to be stepped at least 1' for every 1' of additional height. This reduces the potential visual or shadow impacts to the neighboring property.





Properties Proposed for Rezoning at the Southeast corner of the Intersection



Street View of Properties Proposed for Rezoning at the Southwest corner of the Intersection



Street View of Properties Proposed for Rezoning on Pacific Avenue

On-street parking by future users of the rezoned properties and the additional vehicle activity that may result on these corners may be a concern for the surrounding neighborhood. The CN zone requires the provision of ½ a parking space per dwelling unit for mixed uses. Similarly, the R-MU-35 zone requires ½ a parking space per dwelling unit for any multi-family residential uses. These are both relatively low compared to the parking requirement of 1 or 2 spaces per dwelling unit for many other zones in the City. Further, these zones also allow parking exemptions for some commercial uses, including “recreational, cultural, or entertainment” and “retail goods and services” uses. To obtain an exemption, pedestrian amenities must be provided, such as bike racks or benches. The low number of parking stalls required by the zones is meant to encourage pedestrian friendly development.

It should also be noted that unlike some other areas of the city, the majority of homes around this node have two or more parking spaces located on their own property and do not appear to use the street for their primary parking spaces. Therefore, any parking overflow into the neighborhood would not result in residents being unable to find a place to park. Additionally, Even if this zone change encourages more commercial development, it will likely not be very extensive due to the close proximity to major commercial areas Downtown, at the Gateway, and on North Temple Street.

This node is served by several bus routes including the 509, 513, and 516. Both the 509 and the 513 terminate at the Salt Lake Central Station which is less than one mile away from the intersection of 400 S and 900 W. The Salt Lake Central Station offers multiple transportation options including Trax and Frontrunner trains and multiple bus routes to various parts of the city. Going the other direction, the 509 follows 900 W to 2100 S then heads west past Redwood Road to eventually terminate at the West Valley Central Trax Station. Route 513 follows a similar path but heads west on California Avenue, extends to 5600 W and eventually terminates at the West Valley Central Trax Station also. The node is approximately a 15 minute walk (¾ mile) to both North Temple and the 9 Line trail which provides off street walking and cycling access as far east as I-15 as well as to the Jordan River Parkway. With the variety of transportation modes available in the area, staff does not anticipate any substantial negative impacts on the neighborhood from possible parking overflow from future development.

#### **Issue 4– Proposed R-MU-35 Regulation Changes**

A number of changes to the R-MU-35 regulations were recently heard by the Planning Commission and have been transmitted to the City Council for their consideration and possible adoption. Staff has evaluated the proposed rezone in the context of these changes. Significant changes to the R-MU-35 regulations include the following:

- Elimination of density limits
- Additional design standards, such as architectural detailing and material restrictions
- Stepping requirement for the sides of buildings next to single/two family zones

It is expected that the changes will allow for more flexibility for developers and will encourage new development, while also reducing the impact new development may have on single family areas. Additionally, the design standards are expected to help ensure higher quality development. A summary of the R-MU-35 zoning regulations as currently drafted are located in Attachment A. The Planning Commission reviewed these changes and forwarded a positive recommendation to the City Council in January, 2015. It is not known when the changes may be considered by the City Council. When this proposal is transmitted to the Council, it will be noted that the zoning map amendments associated with this petition should not be made unless the changes to the R-MU-35 zoning district have also been made or are made at the same time.

## DISCUSSION:

### ***Applicable Master Plan Policies and Goals***

The Westside Master Plan discusses nodes within the context of how the community can accommodate future growth and development. In particular, the plan identifies nodes as “key types of locations for redevelopment” and “where there is potential for changes in land use and the development pattern.” The plan designates this specific intersection as a “community node” that “has the potential to be a significant commercial node based on its location, but it is currently underdeveloped, with isolated commercial uses and vacant and underutilized land.” The Plan goes on to state that, “The current makeup of the node does not meet what is expected of a community center. However, the node’s proximity to the interstate, potential for redevelopment and importance to the community are all factors that make it a future candidate for a community node.”

The plan describes “community nodes” as the following:

*“Community nodes are larger in scale than their neighborhood counterparts because they generally offer retail and services that attract people from a larger area. While some existing community nodes do not have residential components, new developments at these locations should incorporate housing. These nodes provide good opportunities to add density with multi-family residential units. Densities should be on the order of 20 to 30 dwelling units per acre with appropriate building forms to complement adjacent lower density uses if necessary. Accessory dwelling units (ADUs), which are fully separate dwelling units that are located on the same lot as the primary residence, may be appropriate at community nodes. ADUs are an effective way to increase density within the stable areas, especially with the community’s deep singlefamily lots. Retailers such as grocery stores, clothing stores or small professional offices are appropriate anchors for community nodes. These nodes can also be anchored around or include institutional uses, such as churches, schools or daycares. Community nodes should be comfortable and safe for pedestrians and bicyclists while providing some off-site parking that is located behind or to the side of the buildings. Developments around these type of nodes should also be accessible to regular public transportation service.” (41)*

In accordance with the above Master Plan discussions, the rezone is intended to allow more flexibility for development in order to encourage the nodes’ redevelopment and revitalization. In particular, the large lot with an abandoned single family dwelling on the northeast corner of the intersection has an immediate potential for redevelopment along with several other undeveloped parcels. Although the current CN zone has some design standards and there have been some high quality developments under the CN zone, it is anticipated that the R-MU-35 zones’ additional height and density allowances, as well as more thorough design standards, will encourage high quality development on this site and the other rezoned parcels.

The plan includes the following specific policy for these types of nodes:

### ***C.2 Create a more flexible regulatory environment for redevelopment at community nodes.***

#### ***C.2.a Maximize use of Property.***

*Allow property owners at the identified community nodes to take full advantage of their properties to add density and commercial intensity to the area. A certain percentage of residential development should be required for developments over a certain size and the density benchmarks should be between 25 to 50 dwelling units per acre. Developers should be encouraged to aim for three to four stories in height, provided appropriate buffering and landscaping can make the new development compatible with any surrounding single-family development. Parking should be required for all uses, but it*

*should be located behind or to the side of buildings and shared parking should be strongly encouraged to maximize developable space. (89)*

The proposed zoning amendment implements the policies of the Master Plan by better enabling the node to redevelop and support future growth in the community and generally meets the criteria established in the above policy. It specifically sets density benchmarks between 25-50 dwelling units per acre. The R-MU-35 zone is intended to provide additional housing opportunities that would not be as easily achieved through the existing CN and RMF-35 zones. In compliance with the above policy, the R-MU-35 zone will allow for development up to 35 feet or three stories and the draft R-MU-35 regulation changes that are currently awaiting review by the City Council will remove the density limitation for this zone. The additional housing is anticipated to add more activity to the node and reinforce the node's status as a neighborhood activity center. Further, allowing growth at nodes also helps to reduce the development pressure on well established neighborhoods, as there is space for new development to occur outside or on the edges of the single family neighborhoods.

In regards to the policy concerning incentivizing residential development, 35' of height is allowed only for residential or mixed-use buildings. Commercial development without a residential component is restricted to 20' in height. The additional height allowance may encourage residential and mixed-use development, rather than exclusively commercial development. The zone standards are located in Attachment A.

The rezone also supports a number of general Master Plan goals related to encouraging more growth and development in the community, including the following:

- ***Promote reinvestment and redevelopment in the Westside community through changes in land use, improved public infrastructure and community investment to spur development that meets the community's vision while maintaining the character of Westside's existing stable neighborhoods.***
- ***Protect and encourage ongoing investment in existing, low-density residential neighborhoods while providing attractive, compatible and high density residential development where needed, appropriate or desired.***
- ***Recognize, develop and foster opportunities for unique, mixed use neighborhood and community nodes in the Westside that reflect the diverse nature of the community and provide resources to allow for their growth. (4)***

In compliance with these goals, the additional R-MU-35 zoned land is intended to promote redevelopment and reinvestment at this node, which is one of the places deemed appropriate by the Master Plan to accommodate such growth. This proposal provides the R-MU-35 designation along the City arterials, 400 South and 900 South, to provide additional residential development opportunities while not encroaching into low-density neighborhoods on adjacent local streets. The redevelopment of these properties, in combination with City investments in public amenities, is hoped to foster the development of this node into an active community activity center that will be an asset to the surrounding neighborhood.

#### **NEXT STEPS:**

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

If the zoning amendment is approved, the properties will be given the zoning designation R-MU-35 (Residential/Mixed Use). No immediate changes would happen to these properties and they could continue to remain as they are. Any future development of these properties would need to comply with the R-MU-35 zoning regulations. The general R-MU-35 zoning district development standards are located in Attachment A.

If the zoning amendment is denied, the properties will remain zoned CN (Neighborhood Commercial) and RMF-35 (Moderate Density Multi-family Residential). With this zoning, the properties in the CN zone will continue to be able to redevelop as commercial or mixed uses up to 25' in height and those in the RMF-35 zone will redevelop as residential uses. A complete list of uses allowed in this zone is located in Attachment A.

# ATTACHMENT A: EXISTING CONDITIONS

## Uses in the Immediate Vicinity of the Properties



Northeast corner of the intersection: Three of the subject properties in this area are currently zoned CN and six are zoned RMF-35. They are all currently used as single family dwellings with the exception of two undeveloped lots and a business use at 848 W 400 S. The parcel at 864 W 400 S is a mostly vacant lot with one small boarded house on the eastern property line. They are bounded by parcels that are used for single family dwellings which front on 900 W, and are zoned RMF-35.

Northwest corner of the intersection: All five of the subject properties are zoned CN. The one on the corner has a retail use, two of the others serve as a parking lot, and the two others are vacant except for a concrete pad. They are bounded by parcels to the north that are zoned RMF-35 and to the west that are zoned R-1/5000. The vast majority, if not all, appear to be single family dwellings.

Southwest corner of the intersection: There is one large subject property on this corner which is zoned CN and utilized for retail and office uses. It is bounded by parcels to the south that is zoned RMF-35 and to the west that are zoned R-1/5000. The parcel to the south is used by the Salvation Army for charitable purposes while those to the west are single family dwellings.

Southeast corner of the intersection: All nine of the subject properties are zoned CN. Four of them are used for single family dwellings, two for a multi-unit building, two for formally commercial uses (both businesses are abandoned), and one is undeveloped. They bound four parcels used for single family dwellings to the south and east on Pacific Avenue.

**Current RMF-35 and CN Zoning Standards**

The properties proposed for rezoning are currently zoned RMF-35 (Moderate Density Multi-family Residential) and CN (Neighborhood Commercial). The following table provides the general yard and bulk requirements for those zoning districts.

<b>RMF-35 Development Standards (21A.24.130)</b>							
LOT WIDTH	LOT AREA	FRONT YARD	REAR YARD	SIDE YARDS	HEIGHT	LOT COVERAGE	LANDSCAPE YARDS
22'-140' min (depending on type of development)	3,000-26,000 sq ft min (depending on type of development)	20' min	25% of lot depth (not less than 20' or more than 25')	4'/10' min (4' and 4' for corner lots)	35'	45-60% max (depending on type of development)	Front and corner side yards

<b>CN Development Standards (21A.26.020)</b>							
LOT WIDTH	LOT AREA	FRONT YARD	REAR YARD	SIDE YARDS	HEIGHT	LOT COVERAGE	LANDSCAPE YARDS
No min	No min 16,500 sq ft max	15' min	10'	none	25'	Not specified	Front and corner side yards

**Proposed R-MU-35 Zoning Standards**

The City is proposing to rezone the subject properties to R-MU-35 (Residential/Mixed Use). The development standards for that zone, including yard and bulk requirements, as well as a list of permitted and conditional uses are located on the following pages. Significant changes have been proposed to the regulations for this zone and are waiting to be heard by the City Council. As such, staff has analyzed the proposed rezone in the context of the proposed regulation changes. The proposed and not yet adopted development standards for that zone, including yard and bulk requirements and a list of permitted and conditional uses, are located on the following pages.

# ATTACHMENT B: ANALYSIS OF STANDARDS

## ZONING MAP AMENDMENTS

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

Factor	Finding	Rationale
<p><b>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;</b></p>	<p><b>Complies</b></p>	<p>Please see the “Discussion” section on pages 11-12 regarding applicable master plan policies and goals. As discussed, staff finds that the proposed zoning amendment is consistent with the purposes, goals, objectives, and policies of the <i>Westside Master Plan</i>.</p>
<p><b>2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.</b></p>	<p><b>Complies</b></p>	<p>The R-MU-35 purpose statement is as follows:</p> <p><i>The purpose of the R-MU-35 residential/mixed use district is to provide areas within the city for mixed use development that promote residential urban neighborhoods containing residential, retail, service commercial and small scale office uses The standards for the district reinforce the mixed use character of the area and promote appropriately scaled development that is pedestrian oriented. This zone is intended to provide a buffer for lower density residential uses and nearby collector, arterial streets and higher intensity land uses.</i></p> <p>In compliance with this purpose statement, the proposed location of the zoning district fits the location criteria of the zone. The zone would be located adjacent to a residential neighborhood and the uses allowed in the zone would serve the neighborhood. As discussed on pages 1-10, the master plan supports small scale, low intensity uses at the proposed location.</p>
<p><b>3. The extent to which a proposed map amendment will affect adjacent properties;</b></p>	<p><b>Some noise and view impacts may occur with new development, but required additional buffering and the</b></p>	<p>As discussed in the issue section on pages 4-8 of the staff report, the amendment could result in some potential impacts to adjacent properties from resulting development. However, the regulations of the R-MU-35 district</p>

	<b>limited size and scale allowances of the zone are expected to minimize any negative impacts.</b>	restrict the size and scale of commercial uses in order to mitigate the negative impact to adjacent residential development.
<b>4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards</b>	<b>Complies</b>	The property is not located within an overlay zoning district that imposes additional standards.
<b>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.</b>	<b>Complies</b>	<p>The subject property is located within a built environment where public facilities and services already exist. Future development on these properties, such as larger commercial or multifamily development may require upgrading utilities and drainage systems that serve the properties.</p> <p>No concerns were received from other City departments regarding the zoning amendment or the potential for additional development intensity/density on these properties.</p>
<b>NOTES:</b>		



## **ATTACHMENT C: PUBLIC PROCESS & COMMENTS**

---

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

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

#### **Property Owner Notice and Meeting**

Staff notified property owners of the subject properties about the proposed zoning changes to their properties in July 2014 and let them know that a stakeholder meeting would be held on August 5, 2014 at the City and County Building. Seven property owners attended and discussed the proposal with staff at that meeting.

#### **Notice of Application:**

A notice of application was sent to the Poplar Grove Community Council chairperson. The Community Council was given 45 days to respond with any concerns or request staff to meet with them and discuss the rezone.

The Community Council requested that staff attend their October 22<sup>nd</sup>, 2014 meeting. Staff sent a notice to property owners and residents within 300 feet of the proposal, notifying them that the proposal would be discussed at the October 22<sup>nd</sup> meeting.

At the meeting staff presented the proposal and received a number of questions about the proposed rezone and what it would allow. At the end of the meeting, the Community Council held a vote on the proposal. The vote came out in favor of the proposed rezone.

Staff received two phone calls prior to the meeting and one after the meeting, from nearby residents inquiring about the proposal. One caller expressed concerns with the proposal and simply wanted to discuss the proposed changes in more depth. Two callers stated that they didn't support any changes to the zoning on these parcels.

#### **Notice of the public hearing for the proposal included:**

Public hearing notice mailed on February 25, 2015

Public hearing notice posted on February 25, 2015

Public notice posted on City and State websites and Planning Division list serve on February 25, 2015

#### **Public Input:**

No public comments received as of staff report publication.

# **ATTACHMENT D: DEPARTMENT REVIEW COMMENTS**

---

## **Department Review Comments**

### **Engineering**

No objections.

### **Zoning**

No comments.

### **Transportation**

There are no changes proposed or required to the existing CN or RMF-35 properties uses or transportation demand items (parking) in instigating the proposed RMU-35 zone change. Future development change will align with specific RMU-35 issues as addressed in the City Codes to include any requirements and provisions for transportation services . These issues should not affect the basic transportation services currently in place.

### **Public Utilities**

We have no comment on the proposed rezone application. Actual changes to the properties, including demo and rebuild, will be handled through the typical permitting processes.

### **Fire**

No comments.

### **Police**

No comments.

# **ATTACHMENT E: MOTIONS**

---

## **Potential Motions**

### **Staff Recommendation:**

*Based on the findings and analysis in the staff report, testimony, and discussion at the public hearing, I move that the Planning Commission transmit a positive recommendation to the City Council for the proposed zoning amendment.*

### **Not Consistent with Staff Recommendation:**

*Based on the findings and analysis in the staff report, testimony, and discussion at the public hearing, I move that the Planning Commission transmit a negative recommendation to the City Council for the proposed zoning amendment.*

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