



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission

From: David J. Gellner, AICP, Principal Planner
(801) 535-6107
david.gellner@slcgov.com

Date: February 8, 2017

Re: Master Plan Amendment (PLNPCM2016-00936) and Zoning Map Amendment (PLNPCM2016-00935)

Master Plan and Zoning Map Amendment

PROPERTY ADDRESS: 1978 South West Temple

PARCEL: One parcel that is currently split-zoned – 2.395 acres (104,313 square feet) total

PARCEL ID: 15-13-478-036-000

MASTER PLAN: Central Community Master Plan (2005)

ZONING DISTRICT: GC – General Commercial and RMF-35 – Moderate Density Multi-Family Residential

REQUEST: Okland Construction Company is requesting that the City amend the zoning map and associated future land use map for a portion of their property located at 1978 South West Temple. The requests are part of an effort to expand the existing office building and parking lot to meet company needs.

- a. Master Plan Amendment - The associated future land use map in the Central Community Master Plan currently designates the subject portion of the property as "Medium Density Residential" while the remainder of the property is designated as "Medium Residential/Mixed Use." The petitioner is requesting to amend the future land use map so that the entire property is designated as "Medium Residential/Mixed Use". Case number PLNPCM2016-00936
- b. Zoning Map Amendment - The property is currently split-zoned between RMF-35 (Moderate Density Multi-Family Residential) on the smaller east portion of the property and GC (General Commercial) zoning on the larger western portion. The petitioner is requesting to amend the zoning map designation for the eastern portion of the property parcel from RMF-35 to GC zoning. This would make the parcel zoning uniform and would allow the office and parking expansion, uses which are not allowed in the current RMF-35 zoning district. Case number PLNPCM2016-00935

The Planning Commission's role in these applications is to provide a recommendation to the City Council, who will make the final decision.

RECOMMENDATIONS:

Based on the analysis and findings of fact in this staff report, Planning Staff recommends that the Planning Commission forward a positive recommendation to the City Council for the proposed master plan amendment.

Based on the information in this staff report, planning staff finds that the zoning map amendment petition meets the standards, objectives and policy considerations of the city for a zoning map amendment and recommends that the Planning Commission forward a positive recommendation to City Council for a change to the CG – General Commercial zoning district.

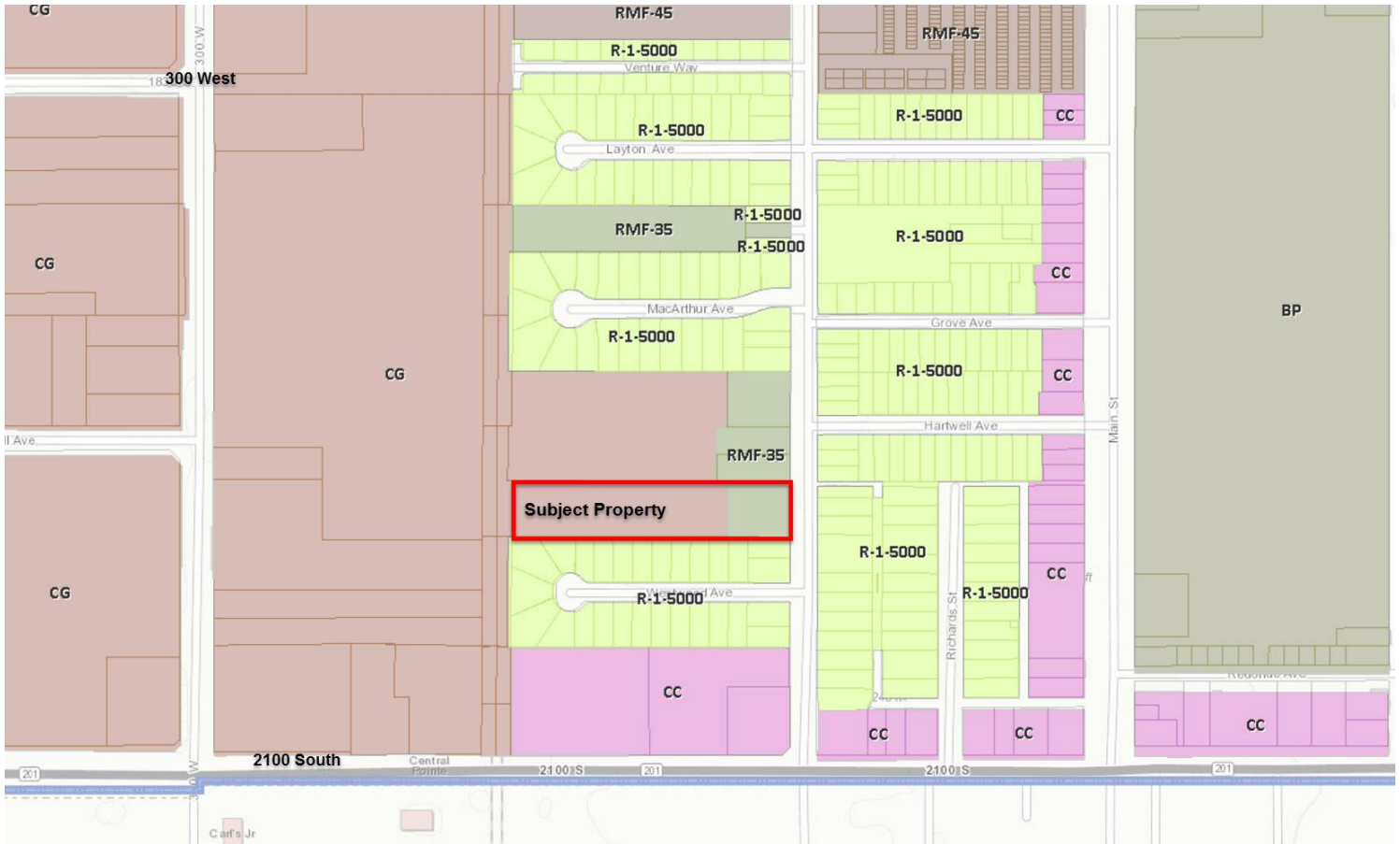
The following motions are provided in support of the recommendation:

1. *Based on the findings and analysis listed in the staff report and the testimony and plans presented, I move that the Planning Commission forward a positive recommendation to the City Council for the Master Plan Amendment – PLNPCM2016-00936.*
2. *Based on the findings and analysis listed in the staff report and the testimony and plans presented, I move that the Planning Commission forward a positive recommendation to the City Council for a Zoning Map Amendment from the existing RMF-35 zoning district on the east part of the property parcel to the CG – General Commercial zoning district - PLNPCM2016-00935.*

ATTACHMENTS:

- A.** Zoning Map and Aerial Photo
- B.** Applicant Information
- C.** Existing Conditions
- D.** Zoning Ordinance & Master Plan(s)
- E.** Analysis of Standards
- F.** Public Process and Comments
- G.** Department Comments
- H.** Motions

VICINITY MAP



PROJECT DESCRIPTION:

These requests are part of an overall effort to expand the existing office building and parking lot on the property in order to meet company needs. The property is currently split-zoned between the GC – General Commercial and RMF-35 – Moderate Density Multi-Family Residential zoning districts. The total property parcel is approximately 2.395 acres or 104,000 square feet in size. The eastern portion (23,900 SF/.548 acres or 23%) is zoned RMF-35 while the rest of the property (77% or 79,800 SF/1.83 acres) is zoned CG. The RMF-35 zoning district would not allow the proposed expansion as it does not allow the office use or parking. The intent of the proposal is to rezone the smaller eastern portion of the property from the current RMF-35 zoning to GC to make the parcel zoning uniform which would allow for the changes. The project is located within the boundaries of the Ballpark Community which lies within the Central Community Master Plan area. The petitioner is requesting to amend the future land use map so that the entire property is designated as "Medium Residential/Mixed Use". This project requires both a Zoning Map and Master Plan Amendment.

KEY ISSUES:

The key issues associated with this proposal are:

1. Zoning Compatibility with Adjacent Properties
2. Change to GC Zoning for the Entire Parcel
3. Master Plan and Current Zoning
4. Consideration of Alternate Zoning Districts

The key issues are discussed further in the following paragraphs and were identified through the analysis of the project (Attachment "F") and department review comments (Attachment "G").

Issue 1: Zoning Compatibility with Adjacent Properties

Properties along West Temple are predominantly zoned residential along the street face. On the east side of the street near the project area the zoning is R-1/5000 (Single-family Residential). To the south of the project area, lies Westwood Avenue, a street of single-family residential development that is also zoned R-1/5000. To the north and west the properties are zoned CG and have been developed for a variety of commercial and light industrial uses.

While the CG zoning district potentially allows more intense uses, the applicant has expressed a desire to expand the existing office on the property which would be allowed and supported by the CG zoning. It is also notable that the use has already existed on the majority of the property for a long time and that the community and neighboring property owners have expressed support for the proposal to rezone the property and allow an expansion of the existing office building. This issue is analyzed in more detail in Attachment E: Analysis of Standards.

Issue 2: Change in Zoning to CG (General Commercial) for the Entire Parcel

The applicant asked for a zone change to the CG – General Commercial zoning district in order to uniformly zone the parcel and accommodate an expansion to the existing office use. The portion of the parcel that is zoned RMF-35 represents less than one-quarter of the total property, approximately 23,900 square feet of the total 104,000 square foot parcel. The current split-zoning of the property requires that redevelopment of the parcel for the current owner (or for a different owner in the future) would be subject to different land use and building regulations and may have different requirements for things such as open space and maximum street setback on one portion of the property compared to the other. This makes future development of the parcel more cumbersome through the imposition of non-uniform zoning and building rules on the property. Zoning the entire parcel uniformly CG would eliminate this issue.

Issue 3: Master Plan and Current Zoning

The associated future land use map in the Central Community Master Plan currently designates the front portion of the property as "Medium Density Residential" while the remainder of the property is designated as "Medium Residential/Mixed Use." The petitioner is requesting to amend the future land use map so that the entire property is designated as "Medium Residential/Mixed Use". This change would apply to approximately 23% of the total 2.4 acre parcel. The master plan supports a business-friendly environment that limits planning and zoning restrictions to those instance that provide clear and substantial benefits to residents (Central Community Master Plan, 2005 – Vision – Vital and Sustainable Commerce – Page 3). Given the overall commercial and industrial character of the area and the majority of the property already being zoned CG, no substantial benefits would be provided to neighboring residents through a denial of the changes to the master plan and zoning map amendment. Staff is recommending approval of the change to the future land use map in the Master Plan to designate the property as Medium Residential/Mixed Use from the current Medium Density Residential designation.

A change to CG zoning from the current RMF-35 would allow additional commercial and light industrial uses on the subject portion of the parcel that are not currently allowed. As the majority (77%) of the parcel already allows for mixed use and many more impactful commercial uses through the CG zoning than the current zone, changing to the CG zone to allow for the office expansion will do little to change the overall character of the site. The majority of the site is already zoned CG and has been zoned CG since 1995. Rezoning the remaining property to CG would not create new impacts to the area because most of the property is already zoned CG. Staff is recommending approval of the zone change from the RMF-35 to the CG zoning district.

Issue 4: Consideration of Alternate Zoning Districts

Planning Staff considered and analyzed different zoning districts for the subject portion of the property in lieu of a change to the requested CG zoning district. A number of mixed use and other zones would allow for the expansion of the office and parking, while limiting the maximum building height and limiting some of the potentially more impactful

uses allowed under the CG zoning. The other districts considered included the R-MU, R-MU-35 and R-MU-45 (Residential/Mixed Use), the MU - Mixed Use, the RO- Residential Office, and, the CB – Community Business zoning districts. While each of these districts would allow for an office on the subject portion of the property, there were notable limitations on the maximum building height allowed for non-residential buildings (limited to 20-feet in the R-MU-35/45), additional process steps required for building an office (Planning Commission approval) or they allowed additional residential building height (up to 75-feet in the R-MU zone). More notable was that a change to a district other than CG would also perpetuate the issues associated with the current split-zoning of the property. Split-zoning makes future development of the property cumbersome through the imposition of different standards and requirements on different portions of the property. For these reasons and the issues identified in the Key Issues and Analysis of Standards sections of this report, a change to an alternate zoning district in lieu of the original request is not being recommended by staff.

DISCUSSION:

The applicant has proposed to rezone a portion of the property from RMF-35 to GC in order to allow an expansion to the existing office building on the site. While the applicant has expressed a desire to expand the existing business and office, consideration must be given toward a future scenario where the entire property could be redeveloped under the CG zoning designation if the property were to be sold.

The GC zoning district allows a mix of land uses including retail sales and services, entertainment, offices, heavy commercial and low intensity manufacturing and warehouse uses. It is generally located along major arterials. Some of the uses allowed in the CG zoning district may be potentially impactful to surrounding properties due to their nature and the more intense scale of activities that take place through regular operational noise, odors from operations, increased traffic for deliveries and shipping of goods, and impacts from customer traffic.

However, the overall area is not low density residential in nature, and the residential component exists within a larger commercial and industrial area of the city. This area includes a number of heavy commercial/industrial uses. The property immediately to the north of the Oakland site is used for the operations of Intermountain Wood Products. This use includes material and equipment storage that is more intense than the office uses on the subject property. The subject property has been used for the headquarters of Oakland Construction for many decades, a use that has fit within the neighborhood and included some contractor equipment storage. In recent years, Oakland Construction has moved much of their material and equipment storage from the back of property (zoned CG – storage is an allowed use) to sites elsewhere in the city. This has occurred to meet company needs and due to the nature of the site access via South West Temple which is not accommodating to heavy equipment traffic. As such, many of the heavier uses allowed by the CG zoning have already been moved for practical and logistic reasons.

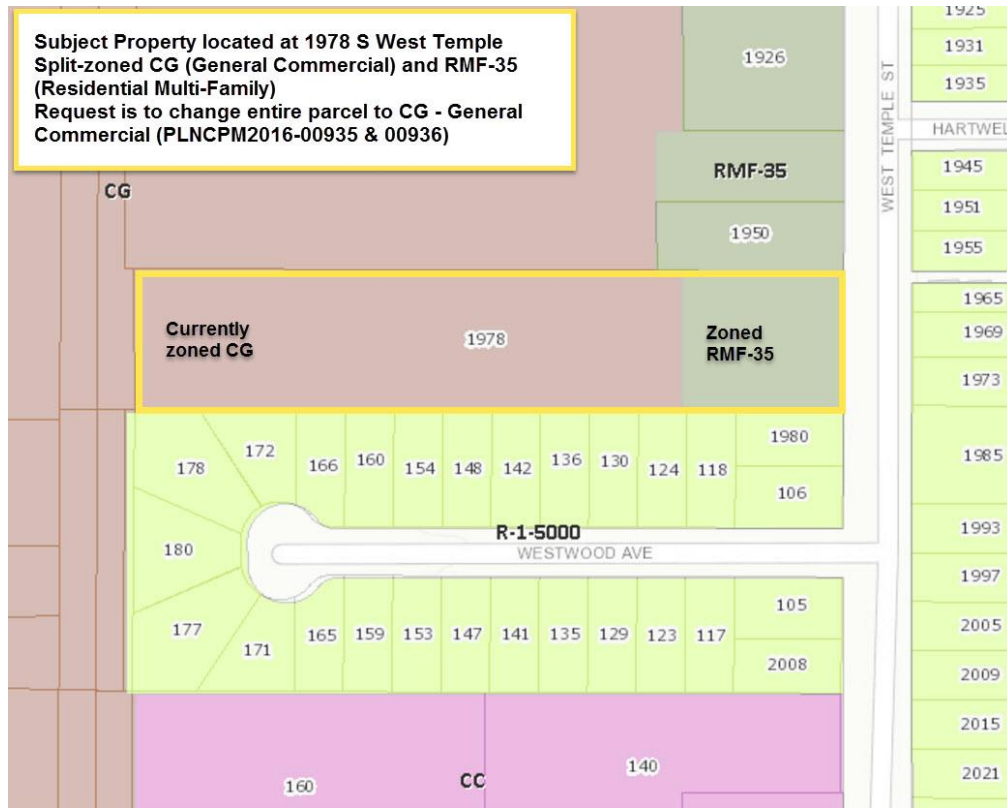
Given the nature of the existing property use for office, and that the majority of the property of the property allows more impactful uses in the CG, changing the front of the property to uniformly zone it and allow for the office expansion will do little to change the overall character of the site and will not substantially increase current or potential impacts.

NEXT STEPS:

The Planning Commission's recommendation will be forwarded to the City Council for their consideration as part of the final decision on these petitions. If ultimately approved, the applicant may proceed with the submission of plans for the project.

If ultimately denied, the applicant would still be eligible to develop the properties in accordance with the respective zoning regulations for each existing zoning.

ATTACHMENT A: Current Zoning Map & Aerial Photo



ATTACHMENT B: Applicant Information

The narrative and other exhibits found on the following pages was submitted by the applicant in relation to this project.

MASTER PLAN AMENDMENT – 1978 SOUTH WEST TEMPLE, SALT LAKE CITY

PROPOSED MASTER PLAN AMENDMENT: Change the Master Plan to reflect a CG – General Commercial Zone for Salt Lake County Parcel No. 15-13-478-036 in lieu of the split zone (east 167' is RMF-35 and the west 571' is CG).

PURPOSE: Okland Construction has occupied this location for approximately 60 years as our corporate office. The growth of the company necessitates an expansion of the size of the office and parking. Additionally for Okland to showcase the great work we do it is our desire as part of the expansion to significantly improve the look and architecture of the office. In order to have the space to meet our expansion plans it is necessary to request a change to the zoning of the front part of the property.

Currently the parcel has a split zone. The front 167' is currently zoned RMF-35 - Multi-Family Residential and the rear 571' of the parcel is zoned CG - General Commercial. It should be noted that the front 167' has never had any residential use. Because of the zoning of this front section Okland over the years has kept this front portion as greenspace (lawn) with the "grandfathered parking" which existed before the zoning as now established.

The east side of our property fronts on West Temple, the north side neighbor is Intermountain Lumber (again a split zone, RMF-35 on the front and CG on the rear), the west side borders the Trax line, and the south borders the back yards of single family residences (zoned R-1-5000).

Okland is requesting that the front 167' that is currently zoned RMF-35 be rezoned to CG – General Commercial to match the zoning of the rear of the parcel. That will allow Okland the space needed to expand and update its current corporate office building and provide the necessary parking. Okland is planning on keeping an area of planting and green space in front of the expanded office building to complement the single family residential feel of the neighborhood. The new proposed office building with the well landscaped parking and site areas (in compliance with the landscape buffer standards Chapter 21A.48) will complement the single family residential area to the south of the parcel and will also serve as a buffer between this residential area on the south and our manufacturing neighbor on the north, Intermountain Lumber.

PRESENT MASTER PLAN ZONING IS NOT APPROPRIATE: The RMF-35 zoning is for a residential "density of less than thirty (30) dwelling units per acre....and other uses that are typically found in multi-family residential neighborhood of this density." (21A.24.130). The zoning of all of the adjacent areas other than parcels occupied by Okland and Intermountain Lumber is R-1-5000, single family residences, not multi-family. The east 167' of this parcel that is currently zoned RMF-35 has never had any residential use.

The minimum lot width for a residential development within the RMF-35 zone is 80' (21A.24.130). Currently, with the driveway to our office and the grandfathered parking area, the front parcel has a width less than the required 80'.

It is appropriate to change the master zoning to reflect the use of the parcel.

ADDITIONAL INFORMATION:

Okland has had a preliminary meeting with the chairman of the Ball Park Community Council, Bill Davis, and he indicated that he will support the zoning change and will encourage the other board members to also support the zoning change. Okland is scheduled to present this zoning change to the full board of the Ball Park Community Council on December 2nd.

Okland as a "good neighbor" in this single family residential area - One of the single family homes that fronted on West Temple two doors down from our office had a fire and sat vacated and boarded up for several years after the fire, causing an attractive nuisance and an eyesore to the neighborhood. Okland purchased that property, and removed the burned out house and then purchased the next adjacent property. Okland has owned these properties for approximately 2 decades and have kept them well landscaped with grass and security lighting. Okland encourages the use of this area by our residential neighbors for family activities, playing ball, relaxing, etc. It is our intention to keep this area landscaped with a single row of additional parking for use of those visitors to our office and those visiting this "neighborhood park".

REQUEST AMENDING THE LAND USE MAP: Okland respectfully requests that the split zone on the following parcel be changed to a single zone of CG – General Commercial.

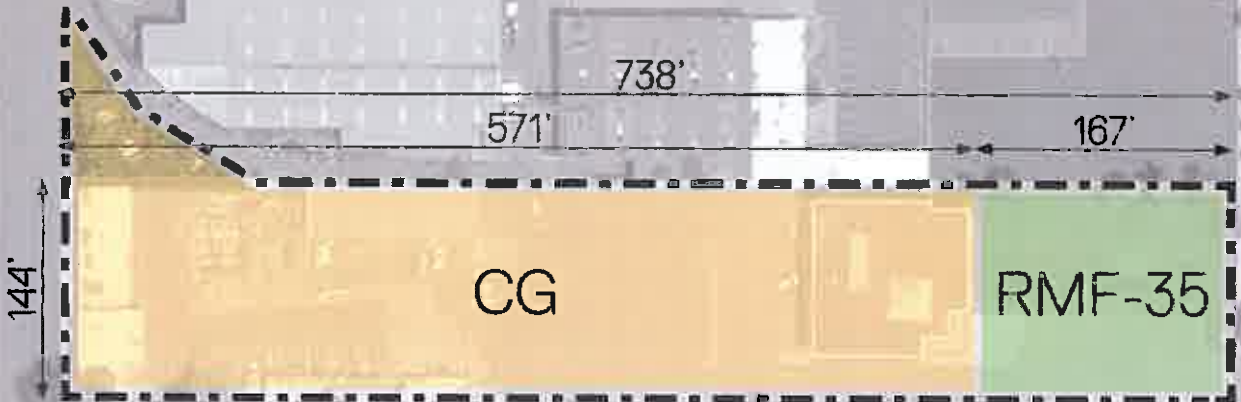
Salt Lake County Parcel No. 15-13-478-036

Legal Description: Commencing at the Southeast corner Lot 19, Block 7, 5 Acre Plat "A", Big Field Survey; and running thence North 8.7 Rods; thence West 726 feet; thence South 8.7 rods; thence East 726 feet to point of beginning.

Attachments:

- (1) Master Plan Zoning Map
- (2) SLCo Parcel Map
- (3) Current zoning map
- (4) Proposed zoning map
- (5) Photo of current office building with lawn area in front
- (6) Photo of lawn area to south of property owned by Okland

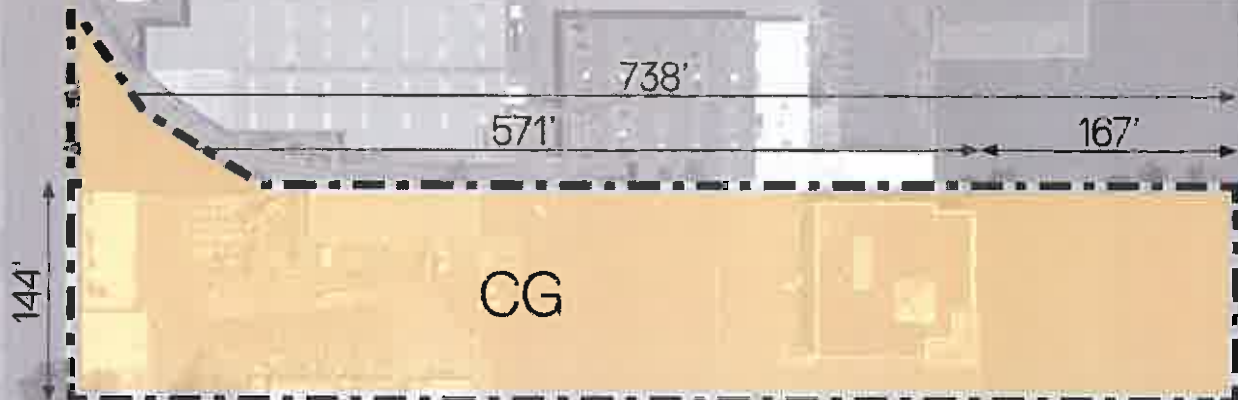
1978 S W TEMPLE STREET
CURRENT ZONING



W TEMPLE

1978 S W TEMPLE STREET

PROPOSED ZONING



Additional Property Owned by Oakland



ATTACHMENT C: Existing Conditions



Existing Okland Construction office and frontage along South West Temple.



To the north of the Okland property are other commercial and industrial uses along South West Temple. Intermountain Wood Products is located on the neighboring property to the north and includes heavy commercial uses.



Immediately south of the subject property lies Westwood Avenue, a short street of single-family homes that runs parallel to the Okland property

Existing Conditions:

The entire parcel is approximately 2.39 acres in size. The parcel is currently split-zoned between GC and RMF-35 zoning with approximately 75% of the parcel zoned CG and the remaining 25% zoned RMF-35.

Adjacent land uses and zoning include:

- North: Zoned CG (General Commercial) and RMF-35 (Moderate Density Multi-Family Residential) that roughly lines up with line of split zoning on the subject parcel. Properties in the RMF-35 zoning district that front on South West Temple have been developed for multi-family housing or remain vacant. Properties zoned CG have been developed for commercial purposes that are typical for the CG zoning district.
- South: Single-family residential development – zoned R-1/5000 (Single-family Residential). This includes two vacant parcels owned by the applicant that are not part of the rezone request.
- East: On the east side of South West Temple properties are zoned R-1/5000 (Single-family Residential) and have been developed as single-family homes.
- West: To the west of the subject property, properties are zoned CG (General Commercial) and have been developed for a variety of commercial and industrial uses.

It should be noted that the overall development pattern of the area is not a residential neighborhood, but is rather more commercial and industrial in nature based on the existing uses. While there is some residential development, it exists within a larger area that is generally not residential in nature. This is illustrated on the Vicinity Map on page 2 of this report.

ATTACHMENT D: Zoning Ordinance & Master Plans

PLAN SALT LAKE ELEMENTS & CONSIDERATIONS

Plan Salt Lake (December 2015) outlines an overall vision of sustainable growth and development in the city. This includes the development of a diverse mix of uses which is essential to accommodate responsible growth. At the same time, compatibility, that is how new development fits into the scale and character of existing neighborhoods is an important consideration. New development should be sensitive to the context of surrounding development while also providing opportunities for new growth.

Guiding Principles specifically outlined in Plan Salt Lake include the following:

- Growing responsibly while providing people with choices about where they live, how they live, and how they get around.
- A beautiful city that is people focused.
- A balanced economy that produces quality jobs and foster an environment for commerce, local business, and industry to thrive.

The proposed zoning map amendment and overall project will help to implement the vision contained in Plan Salt Lake and are supported by the policies and strategies in that document cited above.

CENTRAL COMMUNITY MASTER PLAN ELEMENTS

The subject area is discussed in the Central Community Master Plan (CCMP - 2005). More specifically, it is located with the People's Freeway Neighborhood Planning Area, a district characterized by a mixture of low-density residential, and major manufacturing and commercial uses. The location of I-15 and railway lines through the area supports many commercial and industrial uses.

The future land use map in the CCMP shows the subject area of the parcel as being medium density residential which allows for 15-30 dwelling units per acre. This corresponds to the current RMF-35 zoning. The map also shows the west part of the property as medium residential/mixed use which would allow for 10-50 dwelling units per acre. This corresponds to the majority of the property which is currently zoned CG.

The CCMP includes this vision statement related to vital and sustainable commerce:

Limiting planning and zoning restrictions on businesses to those instances that provide clear and substantial benefits to residents to sustain a business-friendly environment.

The residential land use policies in the CCMP include RLU 1.5 which speaks to using residential mixed use zones to support commercial and small-scale office uses while monitoring the mix of uses to preserve the residential component.

The Commercial Land Use policies in the CCMP (CLU-4.0 – Ensure commercial land uses are compatible with neighboring properties) include items relating to ensuring that commercial land development does not disrupt existing low-density residential neighborhoods and to the preservation of viable residential structures that contribute to the fabric and character of the neighborhood. In this case, the overall area is not low-density residential in character but rather part of a larger overall commercial and industrial area.

The master plan recognizes the mix of manufacturing and commercial uses that predominate in the area while also including some low-density residential uses. This pattern is expected to continue. The project is in alignment with the predicted future land uses in the area as reflected in the master plan.

ATTACHMENT E: ANALYSIS OF STANDARDS

MASTER PLAN AMENDMENTS

State Law, Utah Code Annotated, Title 10 Chapter 9a, requires that all municipalities have a master plan. However, there is no specific criteria relating to master plan amendments. The City does not have specific criteria relating to master plan amendments. However, City Code Section 21A.02.040 – Effect of Adopted Master Plans or General Plans addresses this issue in the following way:

All master plans or general plans adopted by the planning commission and city council for the city, or for an area of the city, shall serve as an advisory guide for land use decisions. Amendments to the text of this title or zoning map should be consistent with the purposes, goals, objectives and policies of the applicable adopted master plan or general plan of Salt Lake City. (Ord. 26-95 § 2(1-4), 1995)

In this case, the master plan is being amended in order to provide consistency between the Central Community Master Plan and the zoning designation of the subject property. This request facilitates a rezoning of the property to a district that will allow the office expansion on the subject property. State Law does include a required process in relation to a public hearing and recommendation from the Planning Commission in relation to a master plan amendment. The required process and noticing requirements have been met.

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>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;</p>	<p>The proposed amendment is consistent with the master plan and other planning documents and policies adopted by the city.</p>	<p>The Central Community Master Plan (CCMP) speaks to limiting planning and zoning restrictions on businesses to those instances that provide clear and substantial benefits to residents to sustain a business-friendly environment.</p> <p>Consideration must be given in regard to the appropriateness of the CG zoning district and the potential impacts it may have for this area if the CG zoning were to be expanded. Staff believes that based on the existing land uses and the adopted master plan, that rezoning the front of the parcel to CG as requested is appropriate for the following reasons:</p> <ul style="list-style-type: none"> • The property is located within a larger commercial and industrial of the city that accommodates a number of heavy commercial and industrial uses. The area is not solely residential in nature. • The majority of the property is already zoned CG. The split-zoning on the property makes future development cumbersome through the imposition of different standards and requirements on different portions of the property. • Since the majority of the property allows for CG uses, changing the front of the property to uniformly zone it and allow for the office expansion will do little to change the overall character of the site and will not substantially increase current or potential impacts. • A change to the CG zoning district is supported by the proposed amendments to the master plan.

<p>2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.</p>	<p>This has been considered and the proposal furthers the specific purpose statements of the zoning ordinance.</p>	<p>The proposed zone change from RMF-35 to CG would support the specific purposes of the zoning ordinance. The change would help protect the tax base (E.) while helping to support the city's business development (G.)</p> <p>The purpose of the Zoning Ordinance is to promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Salt Lake City, to implement the adopted plans of the city, and, in addition:</p> <ul style="list-style-type: none"> A. Lessen congestion in the streets or roads; B. Secure safety from fire and other dangers; C. Provide adequate light and air; D. Classify land uses and distribute land development and utilization; E. Protect the tax base; F. Secure economy in governmental expenditures; G. Foster the city's industrial, business and residential development; and H. Protect the environment. (Ord. 26-95 § 2(1-3), 1995)
<p>3. The extent to which a proposed map amendment will affect adjacent properties;</p>	<p>The map amendment will facilitate additional development in the area, specifically expansion of the existing office building. While this may create additional impacts on neighboring properties, those impacts will be reviewed in relation to any specific future development proposal.</p>	<p>The proposed GC zoning district would allow a mix of land uses including heavy commercial and low intensity manufacturing and warehouse uses along with residential uses. Some of the uses allowed in the CG zoning district may be potentially impactful to surrounding uses due to their nature and the more intense scale of activities that take place through regular operational noise, odors from operations, increased traffic for deliveries and shipping of goods, and impacts from customer traffic.</p> <p>It should be noted that the area is not low density residential in nature and that the use has already existed on the majority of the property for a long time and that the community and neighboring property owners have expressed support for the proposal to rezone the property and allow an expansion of the existing office building.</p>
<p>4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards</p>	<p>Complies</p>	<p>The property is not located within an overlay zoning district that imposes additional standards.</p>
<p>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.</p>	<p>The city has the ability to provide services to the subject property. The infrastructure will need to be upgraded at the owner's expense in order to meet specific City requirements.</p>	<p>The proposed development of the subject properties was reviewed by the various city departments tasked with administering public facilities and services, and the Public Utilities Department identified some issues that are outlined in Attachment G: Department Comments that relate to the water, sewer and storm water connections and infrastructure on the site. If the rezone is approved, the proposal will need to comply with these requirements. Public Utilities and other departments will also be asked to review any specific development proposals submitted at that time.</p>

ATTACHMENT F: Public Process and 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:

- Notice of the project and request for comments sent to the Ball Park Community Council on November 30, 2016
- Staff and the applicant attended the Ball Park Community Council Meeting – December 1, 2016

Notice of the public hearing for the proposal included:

- Public hearing notice mailed on: January 26, 2017
- Public hearing notice sign posted on property: January 26, 2017
- Public notice posted on City and State websites and Planning Division list serve: January 26, 2017

Public Input:

One neighboring property owner, Intermountain Wood Products expressed support for the proposed rezone in relation to a public hearing notice they received.

This project was presented to the Ball Park Community Council at their meeting of 12/01/2016. There were no negative comments expressed about the proposed use at the meeting. Several neighboring residents expressed support for the project and noted that Okland Construction has been a good neighbor and an important asset and fixture in the community, and fits into the existing neighborhood. Subsequent to the BPCC meeting, staff has received the following recommendation from the Ball Park Community Council (paraphrased):

Recommend approval of the rezone to CG but in conjunction with a Development Agreement (DA). The Development Agreement would be for the specific project proposed. There are concerns about a stand-alone CG rezone as it would potentially allow the following:

10" setback front, rear and corner side yards - Zero setback for interior side yards - 60' height with up to 90' thru the conditional building and site review process.

The fear is that if Okland decided to sell the property and move this could be a real possibility in the future. My understanding is that a Development agreement would allow the proposed project to move forward without any modification. DA's can also be modified in the future by the City Council. The rezone with a DA would be the best for the neighborhood in the long term.

Staff's response on this issue follows:

A development agreement is not a matter for the Planning Commission whose role in a rezone and master plan amendment request is to make recommendations to City Council on these petitions. Since this is an issue outside of the purview of the Planning Commission and Zoning Ordinance, staff does not have a recommendation in regard to a development agreement. The PC staff report has included the Ballpark CC's recommendation for a development agreement to be considered as a matter of public record for City Council who has decision-making authority on these applications.

ATTACHMENT G: Department Comments

CITY DEPARTMENT COMMENTS

Zoning

No concerns with respect to the proposed changes.

Sustainability

No comments provided.

Public Utilities

Water - There is a 2" culinary meter and a 6" fire line tapped onto the 6" CIP water main in West Temple. This water main is potentially undersized for any new building on the property. The applicant will need to provide SLCPU with fire flow requirements, and SLCPU will model these flows on the current system. If flows are not adequately delivered, a water main upsizing will be required at the owner's expense. An upsizing would potentially include significant off-site improvements as the new water main would need to be connected to a larger water main and extended across the frontage of this property. Larger water mains are located in 1700 South and 2100 South.

Sewer - There are two sewer laterals from this property connecting into a 36" main in West Temple. Reuse the existing sewer laterals if at all possible to avoid any new construction on the large sewer main. Pretreatment is required for any work area drains with potential to produce pollutants inside any building on-site.

Storm Water - There is a 24" RCP storm drain to the west of the property. It is likely that the existing site storm drainage connects here. The portion of the property disturbed by this project will be required to comply with current storm water requirements. Storm water detention and treatment are required.

Engineering:

No objections.

Transportation

No comments provided.

Fire

No comments provided.

ATTACHMENT H: Motions

Potential Motions

Consistent with Staff Recommendation:

Based on the analysis and findings of fact in this staff report, Planning Staff recommends that the Planning Commission forward a positive recommendation to the City Council for the proposed Master Plan Amendment to change the future land use map for the subject portion of the property to Medium Residential/Mixed Use (PLNPCM2016-00936).

Based on the information in this staff report, planning staff finds that the zoning map amendment petition meets the standards, objectives and policy considerations of the city for a zoning map amendment and recommends that the Planning Commission forward a positive recommendation to City Council for a change to the CG – General Commercial zoning district (PLNPCM2016-00935).

Not Consistent with Staff Recommendation:

Alternate Motion 1:

Based on the findings and analysis listed in the staff report and the testimony and plans presented, I move that the Planning Commission forward a negative recommendation to the City Council for the Master Plan Amendment to change the future land use map for the subject portion of the property to Medium Residential/Mixed Use (PLNPCM2016-00936).

Based on the findings and analysis listed in the staff report and the testimony and plans presented, I move that the Planning Commission forward a negative recommendation to the City Council for a Zoning Map Amendment from the existing RMF-35 zoning district on the east part of the property parcel to the CG – General Commercial zoning district PLNPCM2016-00935.

(The Planning Commission shall make findings on the zoning map amendment standards and specifically state which standard or standards are not being complied with.)