



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission
From: Mayara Lima, Principal Planner
(801) 535-7118 or mayara.lima@slcgov.com
Date: December 2, 2020
Re: PLNPCM2020-00703 – 3rd Avenue Rezone

Zoning Map Amendment

PROPERTY ADDRESS: 860 and 868 E 3rd Avenue
PARCEL IDs: 09-32-379-001 and 09-32-379-002
MASTER PLAN: Avenues Master Plan
ZONING DISTRICT: CN Neighborhood Commercial & SR-1A Special Development Pattern Residential
OVERLAY DISTRICT: Avenues Local Historic Preservation District

REQUEST: Remarc Investments, representing the property owner, is requesting a Zoning Map Amendment from CN (Neighborhood Commercial) and SR-1A (Special Development Pattern Residential) to R-MU-35 (Residential/Mixed Use) at the above-listed addresses. The applicant would like to rezone the properties to allow a multi-family development on the lots. The properties are located within the Avenues Local Historic District and any future demolition or new construction must be approved by the Historic Landmark Commission.

RECOMMENDATION: Based on the information included in the staff report, Planning Staff recommends that the Planning Commission forward a positive recommendation to the City Council for the proposed zoning map amendment with the following condition:

- Any future development of the properties must include a commercial component at the intersection of 3rd Avenue and N Street.

ATTACHMENTS:

- [Vicinity Zoning Map](#)
- [Site Photographs](#)
- [Application Materials](#)
- [Master Plan Policies](#)
- [Existing Conditions & Development Standards](#)
- [Analysis of Standards](#)
- [Public Process and Comments](#)
- [Housing Loss Mitigation Report](#)

BACKGROUND: The proposal is to change the zoning designation of the properties at 860 and 868 E 3rd Avenue from CN (Neighborhood Commercial) and SR-1A (Special Development Pattern

Residential) to R-MU-35 (Residential/Mixed Use). The surrounding properties are predominantly residential, zoned SR-1A, and include single-family, two-family and some multi-family dwellings.

The applicant has submitted a conceptual redevelopment plan for the properties under the proposed zoning district. The anticipated development would include combining the two lots, preserving the existing single-family dwelling, demolishing the commercial structures and constructing six attached single-family dwellings on the properties. Because the two properties are within the Avenues Local Historic district, any future development would have to be approved by the Historic Landmark Commission.

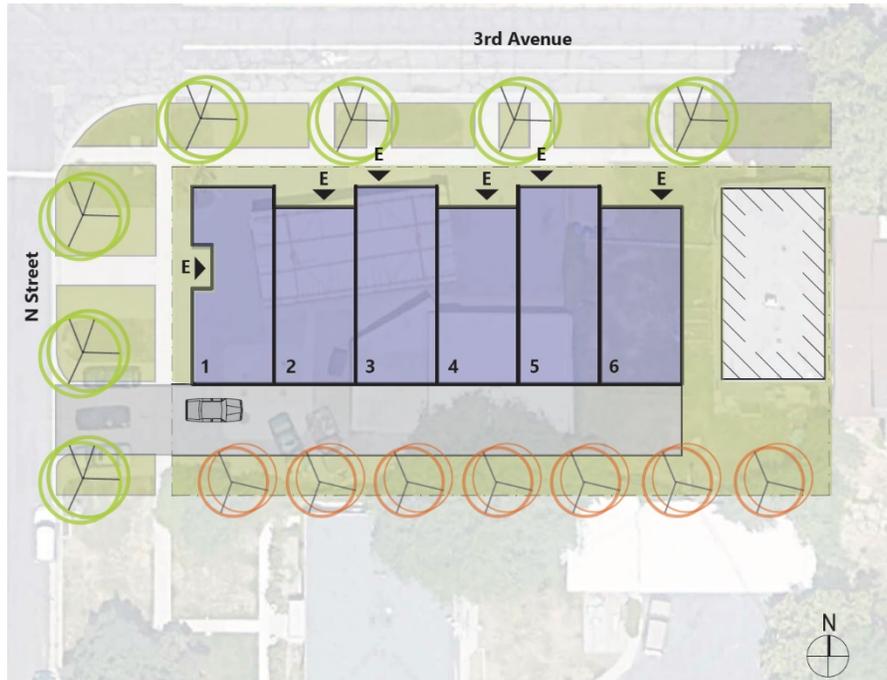


Figure 1 – Conceptual plan submitted by the applicant.

The gas station and auto repair on 860 E 3rd Avenue date back to 1962 when the property was given a building permit to operate a service station. The canopy was constructed later, but the use of the property as commercial has been consistent for almost 60 years. Despite the age, the structures are not considered contributing to the historic district. In regard to the standards of the underlying zoning district, the land uses are nonconforming (not permitted but created prior to the zoning) and the structures noncomplying to the current CN zoning.



Figure 2 – Photo of the gas station and auto repair at 860 E 3rd Avenue

The house on 868 E 3rd Avenue was built in 1892 and has always been a single-family dwelling. The house is listed as contributing to the historic district. The use of the property is permitted in the current SR-1A zoning district, but the small east side setback renders the existing structure noncomplying. This property is included in the rezone request because of its lot size, which remains partially unobstructed by buildings on the west side.



Figure 3 – Photo of the single-family dwelling at 868 E 3rd Avenue

KEY CONSIDERATIONS:

Consideration 1: Development plans and rezone request

A rezone request need not be associated with a specific project and it is not typically conditioned on one. Even though the applicant has provided a conceptual redevelopment plan for the properties that help indicate their intentions to the community and review boards, the development could change as the design progresses or because of unforeseen circumstances. Hence, the rezone request should be considered on its own merits.

[Attachment E](#) shows that the existing structures on the properties would continue to be considered noncomplying to the proposed zoning district without necessarily increasing the degree of noncompliance. As far as future development goes, the proposed R-MU-35 zoning district could result in more density within the combined properties than it is currently attainable. This is because the lot consolidation and single zoning would allow for easier siting of a new building and provide an additional 10' in permitted building height. However, the increase in development potential resulting from the rezone should not increase potential negative impacts to adjacent properties and the neighborhood.

Currently, the existing SR-1A zoning of 868 E 3rd Avenue limits its development potential. The property contains approximately 5,449 square feet and therefore, can only accommodate a single-family dwelling. 8,000 square feet of lot area would be required for a duplex. The CN zoning of 860 E 3rd Avenue could create in a mixed-use development any density at a maximum 25' in height that complies with applicable codes and regulations. The subject properties combined would result in a 13,616 square-foot lot that is reasonably small but would accommodate a moderate increase in density.

An increase landscape buffer requirement would also reduce the impact of the proposed rezone. Under the R-MU-35 zoning, any future development would have to comply with a required 10'

landscape buffer along the south and east property lines. The buffer requirement in the CN zoning district is 7' and the existing structures are noncomplying to this standard. This increase in buffer requirement would help to protect the adjacent SR-1A zoned properties and preserve the residents' enjoyment of their properties.

As discussed in [Attachment D](#), the Avenues Master Plan discourages density increases in the neighborhood. However, the master plan was adopted in 1987 when there was not much discussion about building form. Recent planning best practices have shown that building form has more impact in neighborhood character than density itself, and that density can support community's livability, walkability and promote the efficient use of resources. Indeed, newer master plans such as Plan Salt Lake and the city's Housing Plan, Growing SLC, encourage density in areas that can accommodate it. The overall goal of the Avenues Master Plan is hence understood as being to promote and protect compatible development, rather than strictly limit housing units.

Furthermore, the rezone would not impact the authority of the Historic Landmark Commission as any future development of the properties would have to comply with the standards of the overlay district and receive the appropriate approvals. HLC review will address scale, size and form of new structures and proposed modifications to existing buildings and should be sufficient to ease density concerns.

It is worth noting that more density is often associated with more parking demand and traffic impacts. The proposed R-MU-35 zoning district requires 1 parking stall for every dwelling unit, which a new development would have to comply with. This neighborhood offers many transportation options, including public sidewalks, bike lanes and two bus lines with stops located adjacent to the property. The smaller blocks compared to other areas in the city also encourage walking. Thus, the proposed zoning parking requirement is appropriate for the area.

Consideration 2: Loss of a commercial use in a neighborhood node

Historic research indicates that the property at 868 E 3rd Avenue has had commercial use for over a century. The Sanborn map shows a store siting on the corner of N street and 3rd Avenue in 1911. The store occupied the lot with another dwelling and both structures were also documented in the 1950 Sanborn map and in a 1958 aerial photograph. The permit history of the service station suggests that the store and the dwelling on the property were demolished prior to 1962, when the current use was established.

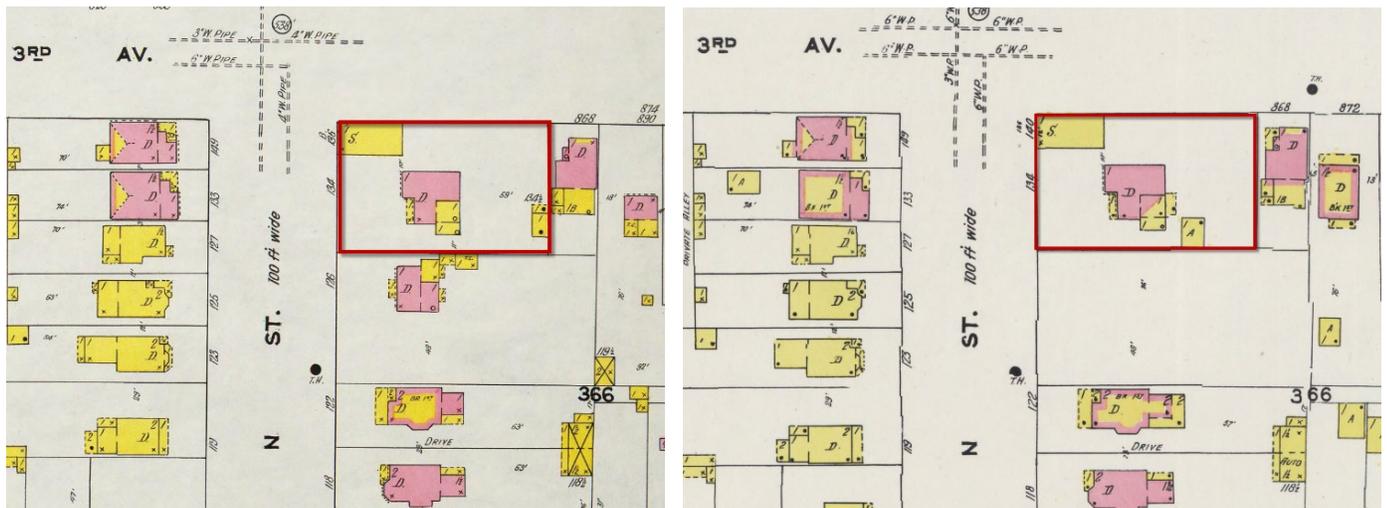


Figure 4 – 1911 and 1950 Sanborn maps show a corner store and a dwelling on the property.



Figure 5 – Aerial photograph shows that the two structures existed at least until 1958.

The Avenues Master plan is one of the main guiding documents for land use decisions in the neighborhood. However, the fact that it was adopted in 1987, earlier than most current master plan documents, should be taken into consideration when considering neighborhood and citywide goals. The plan does maintain some relevancy given that the area has not substantially changed. In this master plan, zoning for commercial uses is recommended in a few neighborhood nodes such as this one, where businesses had been long established. As discussed in [Attachment D](#), additional commercial zones are discouraged unless the need for retail services is clearly expressed by residents. This limitation on future commercial development raises the question of whether the loss of an already commercially zoned property would reduce services available at the community level and alter the character of this neighborhood node.

On one hand, large commercial uses may create negative impacts to adjacent residential uses. However, smaller commercial uses such as those permitted in the CN zone could be desirable, appropriate in scale with the neighborhood, and serve the community's future needs. A proposal to rezone another property in the Avenues to allow commercial land uses in the future could face multiple challenges given the neighborhood's established residential character, the policies currently in place, and the potential impacts to abutting properties. The existing commercial zone of this corner property offers the neighborhood an opportunity to provide for resident's daily needs, support walkability and promote a more livable community.

On the other hand, the applicant is proposing a mixed-use zone, where both residential and commercial uses are allowed. The property could still be developed as strictly commercial under the new zoning district, as well as it could be solely residential, or mixed-use. This is an important distinction between the proposed R-MU-35 zone and the existing CN zone: the latter would require a commercial component in order to construct a residential development. The applicant has expressed interest in developing single-family attached dwellings on the rezoned properties, with a possibility of creating live/work units.

Given these considerations, staff finds that it is important for a commercial land use to remain on the corner of 3rd Avenue and N Street. Live/work units may not activate this neighborhood node to its full potential, but it would help to increase activity on the corner. Retail shops and services would

certainly contribute more to the intended character of this node and attract more people to give life to the street. Another possibility is to construct convertible spaces, where residential units can easily be converted into commercial space. Understanding that zoning should not be prescriptive and that the current zoning allows for different nonresidential uses, staff is recommending that the rezone be conditioned on a future redevelopment containing a commercial component on the corner property.

Consideration 3: Expansion of nonresidential uses into residential area

As mentioned above, the proposed R-MU-35 zoning district allows for both residential and commercial uses without requiring a mixed-use combination. This would allow not only for the property at 860 E 3rd Avenue to be developed as multi-family but would also allow a nonresidential use at 868 E 3rd Avenue. Hence, the rezone from SR-1A to R-MU-35 could mean an expansion of nonresidential uses into an area that has long been established as residential.

The Future Land Use Map in the Avenues Master Plan is not clear on boundaries of zoning designations because it is intended to serve as a guiding tool and not as a binding regulation. Even so, the Business/Commercial designation on the southeast corner of 3rd Avenue and N Street seems to be larger than the existing 860 E 3rd Avenue property, possibly encompassing 868 E 3rd Avenue. Independently of how one reads this future map, if the two lots were to be combined, the single zoning would simplify future redevelopment of the properties.

Any rezone that would permit nonresidential uses in a residential property containing housing units must include a Housing Loss Mitigation plan, as outlined in Chapter 18.97 of the City Code. Even though the chapter does not address situations where no residential building is targeted for demolition, the difference between housing value and replacement cost was assessed for the existing housing unit at 868 E 3rd Avenue. [Attachment H](#) includes the housing loss mitigation report approved by the Department of Community and Neighborhoods Director. The report determines that the applicant is not responsible for mitigating the housing loss resulting from this rezone.

Although the conversion of the single-family dwelling to nonresidential uses could create some impacts to the abutting properties, the historic status of the property provides some assurances. The existing structure is listed as contributing to the Avenues Local Historic district and therefore, it would be difficult to demolish it or accommodate any use that cannot preserve the integrity of the structure. A conversion to another use will likely trigger building improvements for compliance with building and fire codes. Any exterior modifications to the structure would require a Certificate of Appropriateness whether issued for minor modifications Administratively or major modifications by the Historic Landmark Commission. The review would focus on design elements, however, the limitations on reuse of the building could somewhat limit the intensity of the house conversion.

DISCUSSION:

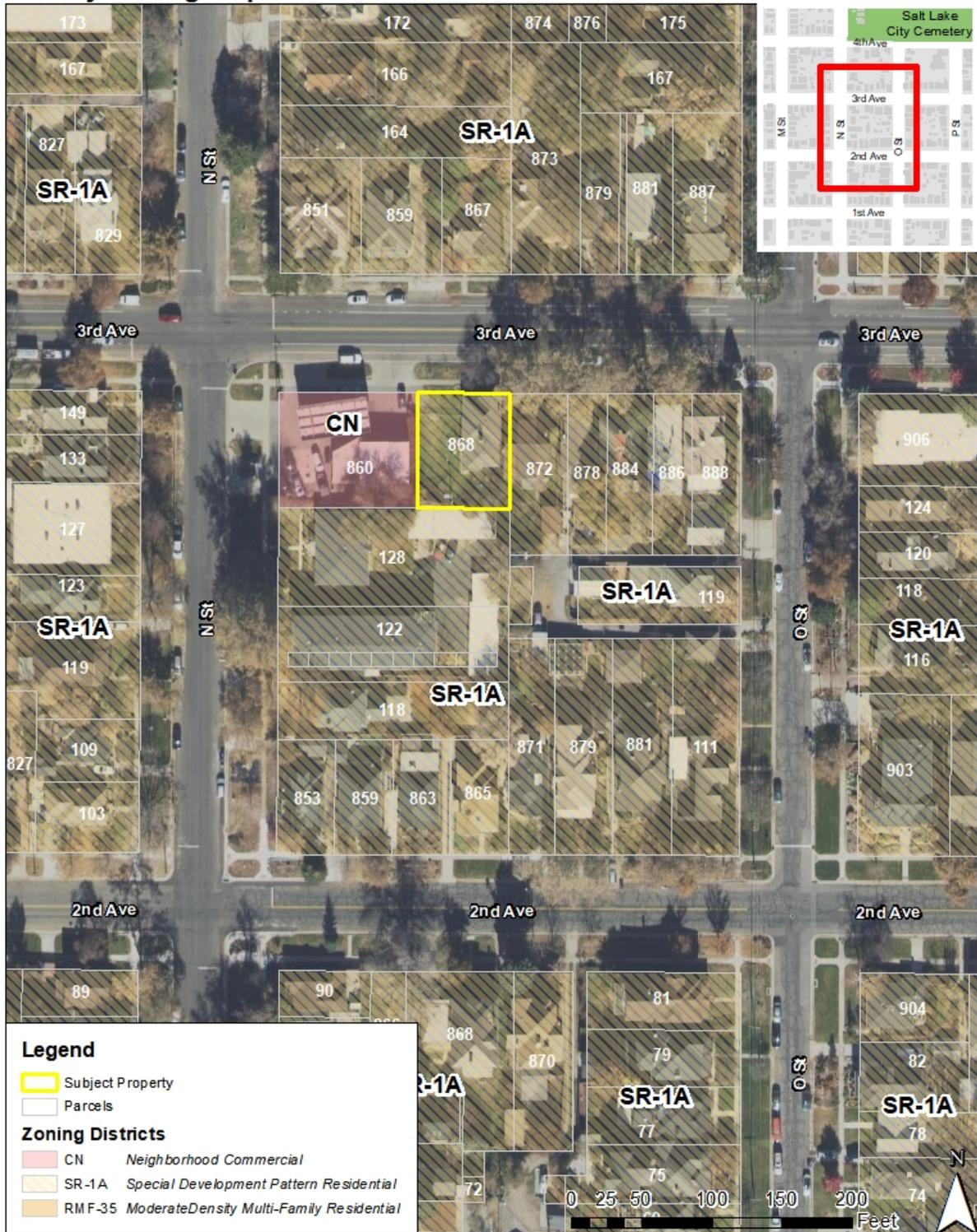
The proposed zoning map amendment from CN and SR-1A to R-MU-35 would allow for the redevelopment of the subject properties. The possible loss of commercial on the corner of 3rd Avenue and N Street is a concern because that street corner has had commercial land uses for over a century and could continue to serve the community's future needs. The commercial zone of this node is both an opportunity to provide services to immediate residents and an urban design strategy to promote a livelier neighborhood. In considering these factors, staff finds that the commercial aspect of the street corner should be maintained. The impacts of an expansion of commercial land uses further into the east of the block and the moderate increase in density are mitigated with the assurances given by the historic overlay district and required landscape buffers. Future development on the properties and even modifications to the existing structures are subject to HLC review, which would limit impacts to the adjacent properties and ensure design compatibility. Thus, staff is supportive of the proposed rezone.

NEXT STEPS:

The Planning Commission's recommendation will be forwarded to the City Council for their consideration as part of the final decision on this petition. If the request is approved, any future development of the property would need to comply with the R-MU-35 zoning regulations and would be subject to any conditions imposed. If denied, the subject property would maintain its current zoning designations and could potentially be redeveloped but utilizing the existing zoning standards.

ATTACHMENT A: Vicinity Zoning Map

Vicinity Zoning Map



Salt Lake City Planning Division, 11/9/2020

ATTACHMENT B: Site Photographs



Figure 6 – Properties located to the south of 860 E 3rd Avenue.



Figure 7 – Southwest view of 860 E 3rd Avenue.



Figure 8 – West view of 860 E 3rd Avenue.



Figure 9 – Properties located west of 860 E 3rd Avenue



Figure 10 – Gas station and auto repair at 860 E 3rd Avenue.



Figure 11 - Gas station and auto repair at 860 E 3rd Avenue.



Figure 12 – House on 868 E 3rd Avenue.



Figure 13 – Northwest view of 860 and 868 E 3rd Avenue.



Figure 14 – Properties located north of the 860 E 3rd Avenue.



Figure 15 – Properties located north of 868 E 3rd Avenue.

ATTACHMENT C: Application Materials

THIRD AVENUE HOMES | SLC PLANNING APPLICATION SUBMISSION

03 SEPTEMBER 2020

the

REMARC INVESTMENTS |
BLALOCK & PARTNERS
ARCHITECTURAL DESIGN STUDIO

A V E N U E S

Salt Lake City Planning Department:

The following information is part of the "Project Description" associated with a request for rezone (Map Amendment) in consideration of the parcels at 860 and 868 E 3rd Avenue, in the Lower Avenues.

PROJECT DESCRIPTION

Located at the southeast corner of the intersection at 3rd Avenue and N Street, the two parcels include a Gas Station / Auto Repair Shop (CN Zone) and a single-family residence, with attached vacant lot (SR-1A Zone).

The applicant proposes combining the two parcels and rezoning the property to a Residential Mixed-Use zone (RMU-35). The historic single-family residence would be restored through renovation and maintained per its original use and intent. The remaining site area would be developed as six (6) single-family homes, with pedestrian access from the north and west (3rd Ave and N Street), and dedicated garages accessed from the rear of the property.

There are two goals with this project:

1. To create a for-sale housing solution addressing the City's need for small- and mid-sized developments compatible with the surrounding neighborhood;
2. To create a sensitive design solution that strengthens the neighborhood fabric and restores the streetscape;

The first goal addresses a need for increased housing options in Salt Lake City. These proposed homes will offer three-bedroom options in an established neighborhood setting. The project seeks to help balance the low supply of for-sale residences within the city limits, particularly at the smaller development scale. This "missing-middle" housing dilemma is due, in part, from the rising land costs and the challenges limiting density.

A preliminary site plan has been developed to conceptually illustrate the project's second goal: a sensitive design solution. A "traditional" front porch configuration and garage access from the rear of the site allow for completing the streetscape with planting and a more pedestrian-focused approach. This development would sensitively enhance this neighborhood

corner. The current conditions - asphalt parking lot, tired & outdated Repair Shop, extensive concrete drive lanes, multiple parked cars and traffic - would be replaced with fresh landscaping, a restored sidewalk and pedestrian-first activity, restoring the streetscape and revitalizing the neighborhood energy.

REASONS FOR RE-ZONING

The current CN and SR-1A zones are prevalent throughout the Avenues district. However, the Avenues Master Plan, and corresponding Zoning Ordinance, were implemented several decades ago and are substantially outdated. The City and District have changed considerably since the adoption of these two documents. The applicant's proposed approach seeks to marry the original planning intent with today's conditions in a manner that works as a long-term solution. As guiding resources, the applicant and design team referred to the *Plan Salt Lake* and *Growing SLC* documents for references supporting this proposed re-zone approach.

The CN zone promotes a neighborhood-scaled commercial use. Revising this property to a RMU-35 allows for both a residential and a commercial use, maintaining opportunities for the original planning intent while broadening it to meet today's demand for additional housing opportunities.

Similarly, the intent of the SR-1A zone allows for single-family residences on 50' wide / 5,000 square foot lots. However, the majority of the residential lots within this district are narrower and smaller. Again, by combining these parcels and rezoning to RMU-35, the approach permits the applicant to maintain a single-family development solution that is in keeping with the smaller, narrower lots that have long existed, while still respecting the scale and context of the neighborhood.

Further, within the immediate 2-block radius and within the SR-1A zone, there are currently a handful of dense, multi-family developments. It is understood that these structures are grandfathered into the zoning ordinance, but they do still speak to a greater density than, and a similar scale to, what this project proposes. In keeping with the *Plan Salt Lake* and *Growing SLC* observations and recommendations, this project substantially

restores the streetscape and promotes a safer, more walkable community. By virtue of its location, the project supports alternate methods of transportation with bus routes on 3rd Avenue, South Temple and Virginia Street. These aspects speak directly to addressing some of the primary goals outlined in *Plan Salt Lake* and *Growing SLC*: providing responsible density where transit is readily available; and, providing housing product to entice in-commuters to relocate to the city, or current residents to remain.

APPROACH

In order to develop the best possible project, the applicant proposes working closely with the SLC Planning Department, the Greater Avenues Community Council and the Historic Landmark Commission to develop a solution that maximizes the available opportunities.

The applicant has reached out to the GACC requesting an opportunity to share the proposed conceptual development approach with the residents and listen to their feedback. We are currently awaiting a response to our request.

In this regard, this application does not yet include any exterior development studies. Instead, we would prefer to troubleshoot the proposed site development with a dedicated Planner, understand any challenges, solicit feedback from the Avenues community and then develop informed site and architectural solutions. We understand the importance, and benefit to all, of following the necessary review steps and we are anxious to get the application process started. Thank you for your time and consideration in reviewing this Application.

Regards -

Oren Hillel
Marcus Robinson
Remarc Investments

Kevin Blalock, AIA
Blalock & Partners

Excerpt from *Growing SLC*

"However, in the context of Salt Lake City's anticipated growth it is also clear that there are not enough housing types or housing affordability to sustain the demand from each of these populations. Our current neighborhoods are not equipped to serve the needs of our growing and evolving population. Therefore, it will be critical that there is a focus on land-use reform that can integrate the needs of each growing population into the now homogenous design of neighborhoods and there is demonstrable support for such a shift. According to an Envision Utah survey, 78 percent of Utahns want communities that include a full mix of housing types (including small lot detached homes, townhomes, condos, and apartments) that match the affordability profile of residents. Furthermore, Utah residents are willing to allow more housing types in more communities in order to achieve this goal.

These preferences are in line with national trends favoring the development of "Missing Middle" housing types, which bridge the product gap between large-lot single-family homes and large apartment or condo structures. An increase in diverse ownership products—in terms of structure, type, and price-point—could help the city attract and retain workers and residents in the city, as well as increase ownership rates for disadvantaged populations."

SITE OVERVIEW

860 + 868 E 3rd Ave

- Lower Avenues Neighborhood
- Predominant SR-1A zoning w/ occasional CN Neighborhood Commercial
- Avenues Historic District



EXISTING CONDITIONS:

- Gas / Service Station in CN Zone at corner
- Single-family residence on double-wide lot
- Vacant Land on other half of double-wide lot
- Creation of for-sale townhomes w/ opportunity for live/work

PROPOSED PROJECT:

- Combination of (2) parcels
- Rezone to RMU-35
- Maintain / renovate historic single-family home
- Create For-Sale townhomes at a sensitive scale

SITE DEVELOPMENT STUDY

The diagram at the adjacent page illustrates, at a conceptual level, our proposed development approach. Six, single-family homes would be developed on the site in a sophisticated, sensitive manner; paying particular attention to scale, materials and sidewalk activation.

Each unit is proposed as a three-story, for-sale home with dedicated 2-car garages loaded from the rear. A richly-planted, 10' wide landscape buffer would be located along the southern edge of the property. The conceptual approach for each unit is to acknowledge the traditional "front porch" typically found throughout the Lower Avenues area. The corner unit would offer opportunities to engage both 3rd Avenue and N Streets.

In addition to the rear planting scheme, the multiple, broad concrete drives from both 3rd Ave and N Street are replaced with a dense, but water-conscious, planted park strip and a continuation of the street tree rhythm. Sidewalks at the entire property are re-poured to address cracks and settlement issues that are currently a walking hazard. In the tradition of walk-up brownstones, inviting walks extend from the sidewalk to each unit's "front porch".

A summary of key aspects of our proposed site development approach are included to the right of the site diagram.



SITE DEVELOPMENT APPROACH

**RMU-35 Rezone
(6) 3 Story Townhomes**

- 2 car garages loading @ south side
- Lot Area = 13,612 sf
- 32% Open Space Area
- Existing House to Remain
- Variation & Relief along primary facades
- Exploration of the "Front Porch"
- Park strip landscaping

From Growing Salt Lake
These preferences are in line with national trends favoring the development of "Missing Middle" housing types, which bridge the product gap between large-lot single-family homes and large apartment or condo structures. An increase in diverse ownership products—in terms of structure, type, and price-point—could help the city attract and retain workers and residents in the city, as well as increase ownership rates for disadvantaged populations.

RMU-35 UNDERSTANDING

Maintains intent by allowing Commercial uses;

- Developer may consider Live/ Work unit anchoring corner

Allows for greatest flexibility:

- Provides for an ideal unit size and density in keeping with the neighborhood
- Site development setbacks consistent with current area
- Provides needed single-family residences at a scale that is highly sought after

Matches existing District's lot size as compared to current SR-1A zone



SITE OVERVIEW

Avenues Neighborhood

- Density & Scale Precedents in Immediate Neighborhood; multi-story, dense multi-family developments highlighted in relation to proposed site area



THANK YOU

the

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THIRD AVENUE |
SLC PLANNING APPLICATION SUBMISSION
SUPPLEMENTAL INFORMATION
22 OCTOBER 2020

REMARC INVESTMENTS |
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ARCHITECTURAL DESIGN STUDIO

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A V E N U E S

Mayara Lima:

Thank you for taking the time to review our project with us on Thursday, September 29 via virtual meeting. That conversation was very helpful to us in understanding the process, the timeline and in getting clarity on the additional information you've requested.

We are eager to continue the conversation with you and maintain some momentum with this project. And we are equally committed to fulfilling all of the necessary steps for project acceptance. To that point, we have prepared this brief summary addressing the five planning standards you outlined in your September 28 email:

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;*
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.*

The following pages address each of these planning standards with the information we have available to us. As always, please do not hesitate to contact us with any further questions or concerns. We look forward to furthering the conversation.

Regards -

Oren Hillel
Marcus Robinson
Remarc Investments

Kevin Blalock, AIA
Blalock & Partners

Project Overview

RMU-35 Rezone to create
six new 3 Story homes
Rear-loaded 2-car garages
Lot Area = 13,612 SF
32% Open Space Area
Existing residence to be
renovated and restored
Variation & relief along
primary facades
Exploration of the "Front
Porch"
Park strip landscaping

PLANNING STANDARD #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.

PLANNING STANDARD #2

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

The project proposes combining two parcels, 860 E and 868 E 3rd Ave, into a single parcel and rezoning that to the Residential Mixed-Use RMU-35 zone. The corner lot, 860 E, currently contains a gas / automotive service station and is zoned CN, Neighborhood Commercial. The adjacent parcel, within the SR-1A zone, is a double-wide lot with an historic single-family residence. The existing home would be renovated and restored, while the remaining parcel would be developed with six new 3-story homes.

Our team has reviewed and consulted a number of city resources and we are confident that rezoning this property is not only consistent with city-wide objectives, but furthers the long-term vision for responsible growth. Specific to the first two Planning Standards, the issues of the project being consistent with the purposes, goals, objectives and policies of the City and furthering the purpose statements of the zoning ordinance, we offer the following insights, statements and observations:

A. A map amendment to RMU-35 maintains the intent of the original CN zoning. The CN zone is meant to provide small commercial uses within a predominantly single-family residential neighborhoods. The RMU-35 zone allows and encourages commercial uses while also acknowledging the benefit of maintaining a residential presence.

By allowing both residential and commercial occupancies, the proposed project provides opportunities addressing tomorrow's live/work modes: individual home-ownership with potential for operating a small business out of their own residence. As compared to a traditional commercial project, this idea of "live above your shop" affords a low-barrier of entry for a commercial or retail business and, therefore, a higher chance of long-term success.

- The type of housing proposed blends in with the size, scale and character of the single-family neighborhood while accommodating more housing units in order to create missing middle housing. From the [Growing SLC](#) document, the first objective is to *review and modify land-use and zoning regulations in order to promote a diverse housing stock, increase housing options, create redevelopment opportunities, while minimizing neighborhood impacts.*
- In the City's [Plan Salt Lake](#) from 2015, the document identifies an overarching goal of "sustainable growth and development" with several supporting areas of focus needed for successful implementation. One of those areas of focus is entitled "Diverse Mix of Uses" and states: *By creating places with a diverse mix of uses, building types, connections, and transportation options, people have the choice of where they live, how they live, and how they get around. As our City grows and evolves over time, having a diverse mix of uses in our neighborhoods citywide will become increasingly important to accommodate responsible growth and provide people with real choices.*

B. A map amendment to RMU-35 maintains the intent of the original SR-1A zoning. The SR-1A zone is designed to promote single- and two-family residences "that display a variety of yards, lot sizes and bulk characteristics". The RMU-35 zone, again, allows for single-family residences with lot sizes consistent with the SR-1A zoning.

The proposed project creates six new modestly-sized homes to directly address the city's current challenges with the "Missing Middle" housing, a lack of for-sale housing stock and a lack in the range of types of housing available.

This project seeks to offer home ownership in a beautiful, established, walkable neighborhood and intends to do so in a sensitive, respectful way.

This project is located directly on a transit route providing connections to downtown and the University district. The project creates needed density - but in a responsible way. It respects and reinforces the traditional Lower Avenues streetscape and is in concert with the lot sizes found on this block face and throughout the Avenues Historic District. It reduces large areas of concrete, asphalt and multiple curb-cuts, and relies on rear-loaded garages to reduce street congestion.

- The City's most recent Master Plan document, [Plan Salt Lake](#), clearly articulates in it's vision statement: *We expect to have true choices about how we live our lives, from what kind of home we live in to how we travel to work, shop, worship or recreate.*
- Further to the point of realizing the City's vision statement, the "Guiding Principles" include: *Growing responsibly while providing people with choices about where they live, how they live, and how they get around, and Access to a wide variety of housing types for all income levels throughout the City, providing the basic human need for safety and responding to changing demographics.*
- In late 2015, the City invested in the [Sustainable Salt Lake - Plan 2015](#) document, which identified as a "Housing Goal": *Promote a diverse and balanced community by ensuring a wide variety of housing types.*
- Specific to the category of "Neighborhoods" in the [Creating Tomorrow Together](#) document, one of the recommendations: *Neighborhoods should offer a range of housing types, which in turn, offer residents of various income levels choices as to where they might live. The recommendations specific to housing design continues to state: Encourage "neighborhood-friendly housing design" where homes are oriented to the street, parking is placed in the rear, and front yards and porches encourage people to use the street side of their homes for activities.*
- Although the Avenues Master Plan document was adopted in 1987, there are still valuable principles identified which provide guidance on reinforcing the neighborhood character, even with new development. The proposed project intends to preserve the existing, historically significant single-family home through a comprehensive renovation effort. As noted elsewhere in this document, the project's approach removes concrete and asphalt paving, as well as several street curb cuts. The streetscape is then enhanced by continuing the rhythm of street trees and a planted park strip.

RESOURCES UTILIZED

Avenues Master Plan
July 1987

Creating Tomorrow Together
March 1998

Salt Lake City Design Guidelines for New Construction in Historic Districts
December 2012

Plan Salt Lake
December 2015

Sustainable Salt Lake - Plan 2015
December 2015

Growing SLC: A Five Year Plan | 2018-2022
January 2018

Salt Lake City Zoning Ordinance
June 2020 update

PLANNING STANDARD #3

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

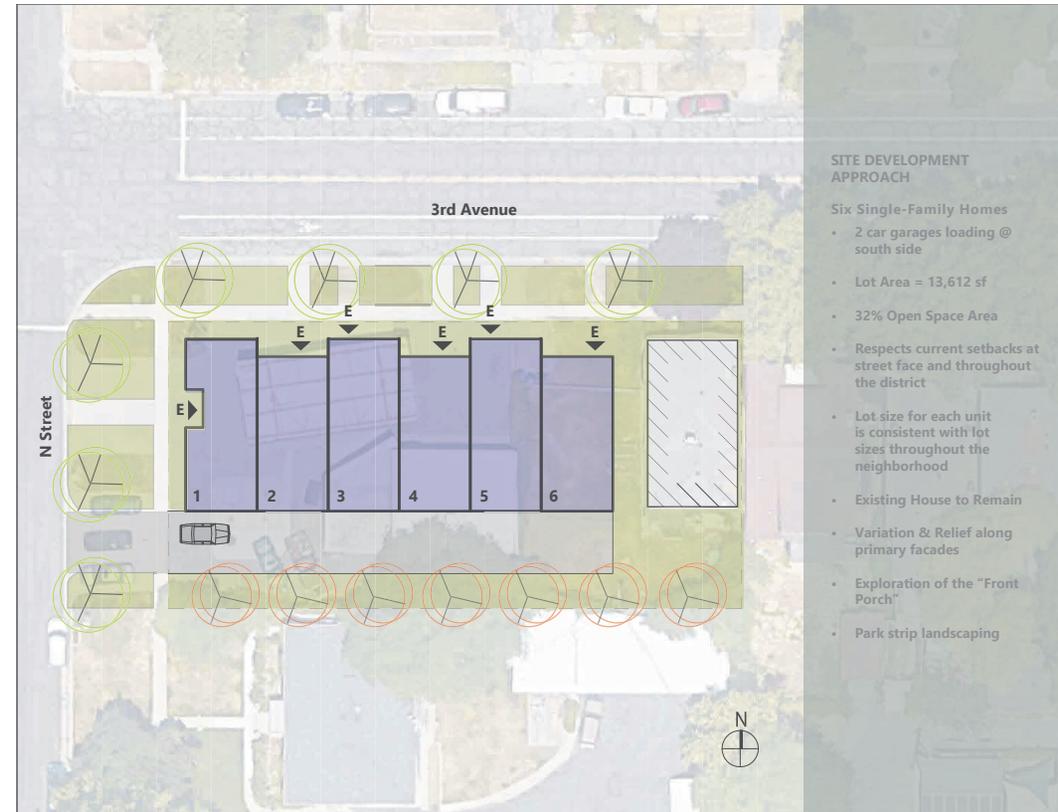
The proposed map amendment will have no negative affect on adjacent properties. While the RMU-35 zoning allows for a variety of uses and configurations, the proposed project associated with our re-zone request seeks to achieve six single-family attached homes. The development creates lot sizes consistent with the neighborhood scale, would add greenery and park strip planting to restore the streetscape. Similarly, the RMU-35 zone allows front, corner and rear yard setbacks that are consistent with the immediate block face, the surrounding blocks and the historic patterns found throughout the greater Lower Avenues district.

- Within the City's 2015 document, *Creating Tomorrow Together*, one of the City's recognized goals for creating stronger neighborhoods is identified as follows: *The ideal neighborhood will be well maintained. Landlords, tenants, and homeowners will share responsibility for keeping properties in good condition. Home ownership will be encouraged where possible. Neighborhoods should contain a variety of housing types, but more units should be owner occupied than renter occupied. This leads to longer term residents and stabilizes property values.*

The site diagram on the adjacent page illustrates, at a conceptual level, our proposed development approach. Six, single-family homes would be developed on the site in a sophisticated, sensitive manner, paying particular attention to scale, materials and sidewalk activation.

Each unit is proposed as a three-story, for-sale home with dedicated 2-car garages loaded from the rear. A richly-planted, 10' wide landscape buffer would be located along the southern edge of the property. The conceptual approach for each unit is to acknowledge the traditional "front porch" typically found throughout the Lower Avenues area. The corner unit would offer opportunities to engage both 3rd Avenue and N Street.

In addition to the rear planting scheme, the service station's multiple, broad concrete drives from both 3rd Ave and N Street are replaced with a dense, but water-conscious, planted park strip and a continuation of the street tree rhythm. Sidewalks at the entire property are re-poured to address cracks and settlement issues that are currently a walking hazard. In the tradition of walk-up brownstones, inviting walks extend from the sidewalk to each unit's "front porch".



PLANNING STANDARD #4

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

PLANNING STANDARD #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.

The parcels in question are within the Lower Avenues Historic District and, therefore, any new construction or renovation projects are subject to Historic Landmark Commission review and approval. The applicant understands and embraces a variety of input to achieve a Planning and neighborhood sensitive solution.

A zone amendment to RMU-35 is consistent with the Historic Overlay District in that any construction effort will also have to comply with any additional standards imposed by the historic district requirements. A zone amendment neither supersedes nor restricts any requirements of the historic district, but allows the project to be further defined by virtue of the HLC review process.

The Lower Avenues district is one of low-density development; historically single-family homes and low- to moderate-density apartments and condominiums. The zone amendment does not impose additional constraints on public facilities and services any more than the current SR-1A and CN zones. Specifically, the CN zone allows for a variety of commercial uses which could result in a greater density than allowed by the proposed zone amendment.

As with any new project, upon achieving a formal zone amendment, the applicant will address all of the mandated infrastructure concerns and continue to explore opportunities to support a vibrant, walkable community.

THANK YOU

the

A V E N U E S

ATTACHMENT D: Master Plan Policies

Avenues Master Plan

The subject property is located within the Avenues Master Plan (adopted July 1987) and is designated in the future land use map as “Business/Commercial”.

The land use goal of that master plan is to:

Preserve the residential character and existing land use patterns in the Avenues Community. Special emphasis should be placed on regulating foothill development and preserving the historically significant sites and districts.

Relevant land use recommendations to this proposal include a general policy that *additional zoning changes to accommodate higher density multiple-family dwellings in the Avenues are not desirable or needed, and that no immediate need exists for additional business property.* The plan indicates that *additional retail services may eventually be needed.* However, it recommends that *changing zoning to accommodate new retail service should not be made until Avenues residents express the need for additional retail shopping* and specific criteria should be considered in the decision.

The historic preservation goal is also relevant to this proposal:

Encourage preservation of historically and architecturally significant sites and the established character of the Avenues and South Temple Historic Districts.

Staff Discussion: The proposed rezone will continue to allow residential uses on the two properties but could alter the existing land use pattern of the neighborhood. The difference between the current zoning and the proposed is that for 860 E 3rd Avenue multifamily would be allowed without any commercial component, and for 868 E 3rd Avenue multifamily and commercial uses would be allowed. Because these properties are located in the Avenues Local Historic District and there are tools in place for historic preservation, new land uses and new development would not diminish the character of the area. The overlay district requires compatibility in the design of new buildings and modifications to existing, which ensures the appropriate scale, size and form of structures. Staff is recommending a condition to maintain a commercial component on the properties to help preserve the already established neighborhood node. The proposed rezone, if approved with this condition, is in line with the Avenues Master Plan, including its Future Land Use map designation.

Plan Salt Lake

This citywide master plan adopted in 2015 provides a vision and policies for the future of Salt Lake City. The following principles and initiatives are relevant to this project:

Guiding Principle: Neighborhoods that provide a safe environment, opportunity for social interaction, and services needed for the wellbeing of the community therein.

Initiative:

- *Maintain neighborhood stability and character.*

Guiding Principle: Growing responsibly, while providing people with choices about where they live, how they live, and how they get around.

Initiative:

- *Locate new development in areas with existing infrastructure and amenities, such as transit and transportation corridors.*
- *Encourage a mix of land uses.*
- *Promote infill and redevelopment of underutilized land.*

Guiding Principle: Access to a wide variety of housing types for all income levels throughout the city, providing the basic human need for safety and responding to changing demographics.

Initiative:

- Increase the number of medium density housing types and options.
- Direct new growth toward areas with existing infrastructure and services that have the potential to be people-oriented.
- Enable moderate density increases within existing neighborhoods where appropriate.

Guiding Principle: Maintaining places that provide a foundation for the City to affirm our past.

Initiative:

- Preserve and enhance neighborhood and district character.
- Balance preservation with flexibility for change and growth.

Guiding Principle: A balanced economy that produces quality jobs and fosters an innovative environment for commerce, entrepreneurial local business, and industry to thrive.

Initiative:

- Support the growth of small businesses, entrepreneurship and neighborhood business nodes.

Additionally, the proposal relates to several sustainable growth & development concepts outlined in the master plan, including:

- **Diverse mix of uses:** By creating places with a diverse mix of uses, building types, connections, and transportation options, people have the choice of where they live, how they live, and how they get around. As our City grows and evolves overtime, having a diverse mix of uses in our neighborhoods citywide will become increasingly important to accommodate responsible growth and provide people with real choices.
- **Density:** Density and compact development are important principles of sustainable growth, allowing for more affordable transportation options and creating vibrant and diverse places. Density in the appropriate locations, including near existing infrastructure, compatible development, and major transportation corridors, can help to accommodate future growth more efficiently. This type of compact development allows people to live closer to where they work, recreate, shop, and carry out their daily lives, resulting in less automobile dependency and greater mobility.
- **Compatibility:** Compatibility of development generally refers to how a development integrates into the existing scale and character of a neighborhood. New development should be context sensitive to the surrounding development, taking into account the existing character of the neighborhood while providing opportunities for new growth and to enhance the sense of place.

Staff Discussion: As discussed above, the rezone would not negatively impact the character of the neighborhood. The proposal would however increase the development potential of the properties, which could result in a land use that is more compatible with adjacent uses, serviced by existing infrastructure, and with potential to be people-oriented. The allowance of multifamily uses would provide a moderate increase in density that is appropriate for the area, especially considering the

HLC authority over the historic district. The historic preservation review required for new construction and modifications of the properties would help to preserve the character of the area, ensuring compatibility while allowing flexibility for growth. The proposed zoning allows for a mix of land uses and a condition to maintain a commercial component on the intersection of 3rd Avenue and N street would help support this neighborhood node and the city's economy.

ATTACHMENT E: Existing Conditions & Development Standards

860 E 3rd Avenue					
Development standard	Existing conditions	CN	Complies	R-MU-35	Complies
Land Use	Gas station/ Minor Auto repair	Prohibited/ Conditional	No	Prohibited	No
Lot Area	8,168 sq ft	16,500 sq ft max.	Yes	5,000 sq ft min. for conditional use	Yes
Height	~15'	25'	Yes	20' nonresidential	Yes
Yard setback:					
Front/ Corner	~ 10' and 8.5'	15' min., 25' max. for 65% of façade	No	5' min., 15' max.	Yes
Interior	~0.5'	None	Yes	None	Yes
Rear	~7.5'	10'	No	25% of lot depth, 30' max.	No
Landscape Buffer	None	7' if abutting residential district	No	10' if abutting single/two- family residential district	No
Parking setback	None	30' or behind structure	No	Not permitted in front/corner	No
Open Space	None	None	Yes	20%	No

868 E 3rd Avenue					
Development standard	Existing conditions	SR-1A	Complies	R-MU-35	Complies
Land Use	Single-family dwelling	Permitted	Yes	Permitted	Yes
Lot Area	5,449 sq ft	5,000 sq ft min.	Yes	2,500 sq ft min. for single- family detached	Yes
Lot Width	66'	50'	Yes	25' for single-family detached	Yes
Height	~23'	23'	Yes	35' residential	Yes
Yard setback:					
Front	~7'	Existing	Yes	5' min., 15' max.	Yes
Interior	~45' and 1.6'	4' and 10'	No	10' if abutting single/two- family residential district	No
Rear	~22'	25% of lot depth, 15' min., 30' max.	Yes	25% of lot depth, 30' max.	Yes
Lot Coverage	~25%	40%	Yes	None	Yes
Landscape Buffer	None	None	No	10' if abutting single/two- family residential district	No
Open Space	65%	None	Yes	20%	Yes

Land use comparison:

Use	SR-1A	CN	R-MU-35
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P	P
Adaptive reuse of a landmark site	C ⁸	P	P
Alcohol, bar establishment (2,500 square feet or less in floor area)		C ^{10,11}	C ⁹
Alcohol, brewpub (2,500 square feet or less in floor area)			C ⁹
Animal, veterinary office		C	C
Art gallery		P	P
Artisan food production (2,500 square feet or less in floor area)		P ²⁴	P ³
Bed and breakfast		P	
Bed and breakfast inn		P	
Bed and breakfast manor		C ³	
Clinic (medical, dental)		P	P
Commercial food preparation		P	P
Community garden	C	P	P
Crematorium			C
Daycare center, adult		P	P
Daycare center, child	C ²²	P	P
Daycare, nonregistered home daycare	P ²²	P ²²	P ²²
Daycare, registered home daycare or preschool	P ²²	P ²²	P ²²
Dwelling, accessory guest and servant's quarter		P	
Dwelling, accessory unit	P		P
Dwelling, assisted living facility (large)			C
Dwelling, assisted living facility (limited capacity)	C		P
Dwelling, assisted living facility (small)			P
Dwelling, group home (large) ¹⁴			C
Dwelling, group home (small) ¹⁵	P		P
Group home (small) when located above or below first story office, retail, or commercial use, or on the first story where the unit is not located adjacent to street frontage ¹⁸		P	
Dwelling, manufactured home	P		P
Dwelling, multi-family			P
Dwelling, residential support (small) ¹⁷			C
Dwelling, rooming (boarding) house			C
Dwelling, single-family (attached)			P
Dwelling, single-family (detached)	P		P

Dwelling, twin home and two-family	P		P
Eleemosynary facility	C		C
Financial institution		P	P
Funeral home			P
Governmental facility	C		C
Government facility requiring special design features for security purposes		P	
Home occupation	P ²⁴	P ²³	P ²⁴
Laboratory (medical, dental, optical)			P
Library		P	C
Mixed use development		P	P
Mobile food business (operation on private property)		P	P
Municipal service use, including City utility use and police and fire station	C		C
Museum		P	C
Nursing care facility			P
Office			
Office, excluding medical and dental clinic and office			P
Open space		P	
Open space on lots less than 4 acres in size	P		P
Park	P	P	P
Parking, off site (to support nonconforming uses in a residential zone or uses in the CN or CB Zones)		C	C
Parking, park and ride lot shared with existing use	P		P
Place of worship on lots less than 4 acres in size	C	P	C
Reception center			P
Recreation (indoor)		P	P
Recycling collection station		P	
Restaurant		P	P
Retail goods establishment		P	P
Retail goods establishment, plant and garden shop with outdoor retail sales area		P	P
Retail service establishment		P	P
Furniture repair shop		C	
Reverse vending machine		P	
Sales and display (outdoor)		P	
School, music conservatory			C
School, professional and vocational			C
School, seminary and religious institute	C		C
Seasonal farm stand		P	P

Studio, art		P	P
Temporary use of closed schools and churches	C ²³		C ²³
Theater, live performance			C ¹³
Theater, movie			C
Urban farm	P	P	P
Utility, building or structure	P ⁵	P ²	P ⁵
Utility, transmission wire, line, pipe or pole	P ⁵	P ²	P ⁵
Vehicle, Automobile repair (minor)		C	

** Uses marked with a footnote have qualifying provisions.*

ATTACHMENT F: 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>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>Complies with condition</p>	<p>As discussed in Attachment D, the proposed rezone is consistent with the Avenues Master Plan and citywide master plan, Plan Salt Lake. The proposal would continue to support residential uses on the properties while allowing for a moderate increase in density. This supports goals for flexible growth and compatibility. The historic overlay district also ensures compatibility in the design of new construction and building modifications. Staff is recommending a condition that any redevelopment of the properties must have a commercial component at the intersection of 3rd Avenue and N street to support the neighborhood node envisioned and encouraged in both master plans.</p>
<p>2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.</p>	<p>Complies</p>	<p>The proposed amendment helps to <i>foster the city's business and residential development</i>. It contributes to residential development because it allows for a moderate increase in density. It also fosters businesses by potentially supporting the redevelopment of the property with a more attractive and usable commercial space.</p>
<p>3. The extent to which a proposed map amendment will affect adjacent properties;</p>	<p>Complies</p>	<p>The subject properties are surrounded by residential, including single and two-family dwellings and some multi-family. The proposed zoning will allow residential and nonresidential uses on the properties. However, it should have similar impacts to adjacent properties as land uses allowed by the current zoning. Impacts created by potential nonresidential uses on the existing home at 868 E 3rd Avenue will be limited given the contributory status of the structure and required HLC review of physical modifications of the building. Any new development will also have to comply with landscaped buffer requirements.</p>
<p>4. Whether a proposed map amendment is consistent with the purposes and provisions of any</p>	<p>Complies</p>	<p>The properties are located within the Historic Preservation overlay district. The proposed amendment is consistent with</p>

<p>applicable overlay zoning districts which may impose additional standards;</p>		<p>the purpose of the overlay district in that it encourages redevelopment that is compatible with the character of existing development patterns, fosters economic development consistent with historic preservation, and encourages social, economic and environmental sustainability. The proposed zoning achieves these goals by providing a moderate increase in density and allowing for a mix of land uses on the properties.</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>Complies</p>	<p>This zoning amendment is not tied to a specific development proposal. Nonetheless, no objections were received from other City departments regarding this amendment, but Public Utilities noted that development will likely require offsite improvements. Any redevelopment or modifications of the properties will be reviewed to ensure compliance with all applicable City codes and policies.</p>

ATTACHMENT G: Public Process and Comments

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

Public Notices:

- Notice of the project and request for comments sent to the Chair of the Greater Avenues Community Council on October 16, 2020 in order to solicit comments. The 45-day recognized organization comment period expires on November 30, 2020.
- Early engagement notice was mailed to owners and tenants of properties within 300 feet on October 30, 2020.

Public Hearing Notice:

- Public hearing notice mailed on November 20, 2020.
- Public hearing notice posted on City and State websites on November 20, 2020.
- Sign posted on the property on November 19, 2020.

Public Comments:

- The Community Council Chair did not ask staff to attend a meeting to present the project and did not provide any public comment.
- At the time of the publication of this staff report, two public comment was received. A neighboring property owner called on November 12, 2020 to state their opposition to the rezone because of the impact the new development would cause to the neighborhood given the allowed density and resulting traffic. Another comment was provided via email in support of the proposal. The email is attached. Any other comments received after the posting of this report will be forwarded to the Planning Commission.

From: [Vaafuti Tavana](#)
To: [Lima, Mayara](#)
Subject: (EXTERNAL) Resident Letter of Support for the 860 E 3rd project.
Date: Wednesday, November 18, 2020 6:58:03 PM

Hi Mayara,

As a member of the Avenues community, I would like to fully support the zoning map amendment proposed at 860 E 3rd. The proposal brings to life an underutilized gas station corner with single family homes that align with the rest of the neighborhood. The proposal also includes restoring and keeping the historic home instead of demolishing it. A project of this nature will bring long-term residents that add value to the community. This development will better the walkability of 3rd avenue and add much needed greenery and landscaping.

Futi Tavana/ 123 E. 2nd Ave #P3, SLC. UT 840103

Futi Tavana



USA Men's National Volleyball Team Athlete
Alumni BYU 2012

ATTACHMENT H: Housing Loss Mitigation Report

Mitigation of Residential Housing Loss Report
Property Located at:
868 E 3rd Avenue

Background

The applicant, Remarc Investments, has submitted a Mitigation of Residential Housing Loss application on behalf of the property owner, Rose Family Investments, for the property located at 868 E 3rd Avenue. The property is currently zoned SR-1A (Special Development Pattern Residential) and is the subject of a Zoning Map Amendment application to rezone it to R-MU-35 (Residential/Mixed Use).

The proposed zoning map amendment also involves the property at 860 E 3rd Avenue, which is zoned CN (Neighborhood Commercial), and the purpose of the rezone is to allow for the redevelopment of the two parcels with multi-family dwellings. While the applicant is anticipating that the existing dwelling on 868 E 3rd Avenue will be maintained, City Code section 18.97.020 requires that *any petition for a zoning change that would permit a nonresidential use of land, that includes within its boundaries residential dwelling units, may not be approved until a housing mitigation plan is approved by the city.*

Housing Mitigation Ordinance Requirements

In accordance with the provisions of the Housing Loss Mitigation Ordinance, the Director of Community & Neighborhoods shall prepare a report justifying the recommended method of housing mitigation.

The Housing Mitigation Ordinance requires that a housing impact statement includes the following elements:

1. Identify the essential adverse impacts on the residential character of the area of the subject petition.

Discussion: Aside from 860 E 3rd Avenue, zoned CN, the surrounding properties are zoned and used as residential. The property is located within the Avenues Local Historic District and it is listed as contributing. Demolition of contributing structures must comply with strict historic preservation standards and receive approval from the Historic Landmark Commission. If the subject property at 868 E 3rd Avenue is maintained as a single-family dwelling as anticipated by the applicant, the rezone will not create any adverse impacts to the character of the area. If the use of the property changes with the rezone, there may be minor impacts to adjacent uses but should not create substantial adverse impacts to the character of the area.

2. Identify by address any dwelling units targeted for demolition, following the granting of the petition.

Discussion: No dwelling units are being targeted for demolition with the proposed rezone. A demolition of the existing single-family on the subject property would require compliance with strict historic preservation standards and receive approval from the Historic Landmark Commission.

3. State the current fair market value, if that unit were in a reasonable state of repair and met all applicable building, fire and health codes.

Discussion: The Salt Lake County Assessor's Office lists the market value of the single-family dwelling on site at \$111,200.

4. State the square footage of land zoned for residential use that would be rezoned for purposes sought by the petition, other than residential housing and appurtenant uses.

Discussion: The subject property is approximately 5,449 square feet in size.

5. Specify a mitigation plan to address the loss of residential zoned land, residential units or residential character. The Mitigation of Residential Housing Loss Ordinance outlines three options for mitigation housing loss:

- A. Construction of replacement housing,
- B. Payment of a fee based on difference between the existing housing market value and the cost of replacement, and
- C. Payment of a flat mitigation fee if demonstrated that the costs of calculating and analyzing the various methods of mitigation are unreasonably excessive in relationship to the rough estimated costs of constitutionally permitted mitigation)

Discussion: The options outlined do not address the specific situation with this zoning map amendment, where no residential building is targeted for demolition. However, the rezone itself would allow for the elimination of an existing housing unit.

Option A - Staff could recommend to City Council that the rezone be conditioned on prohibiting nonresidential uses on the property or that the applicant enters a development agreement with the city to replace the existing housing unit.

Option B - Under this option, the applicant would pay into the City's Housing Trust Fund an amount calculated as the difference between the market value of the homes, as determined by the Salt Lake County Assessor's Office, and the replacement cost of building a new dwelling unit of similar size and meeting all existing building, fire and other applicable law (excluding land value).

The Salt Lake County Assessor's Office shows the market value of the single-family dwelling as \$111,200, which does not include the market value of the land.

The replacement cost is calculated using the Building Valuation Data published by the International Code Council. The most recent data from the ICC was published in August 2020 and, indicates the construction cost per square foot for R-3 (One- and Two-family Dwellings) Type VB is \$123.68/SF of finished floor area and \$22.45/SF of unfinished floor area. This rate takes into account only the costs of construction and does not include the land costs. Type VB is the typical construction type for residential buildings due to the use of the building and the buildings occupant load.

Market value of the property (based on County assessment) = \$111,200.00
Replacement cost = \$141,920.06
Difference = -\$30,720.06

Because replacement costs exceed the market value of the existing single-family homes, the difference is a negative number and no mitigation fee is required.

Findings:

1. The proposed rezone could result in a net loss of one dwelling unit.
2. The proposed housing mitigation option A for the construction of replacement housing if the existing dwelling unit is eliminated was considered. However, option B shows that the replacement cost of the existing housing unit is greater than the market value of the structure.
3. The applicant is not required to replace the housing unit nor make a contribution to the City's Housing Trust Fund.

Determination of Mitigation

Based on the findings outlined in this report, the Director of Community and Neighborhood, has determined that the applicant would not be responsible for mitigating the loss of the single dwelling unit located at 868 E 3rd Avenue.


Jennifer McGrath (Nov 19, 2020 10:12 MST)

Jennifer McGrath, Deputy Director
Department of Community and Neighborhoods

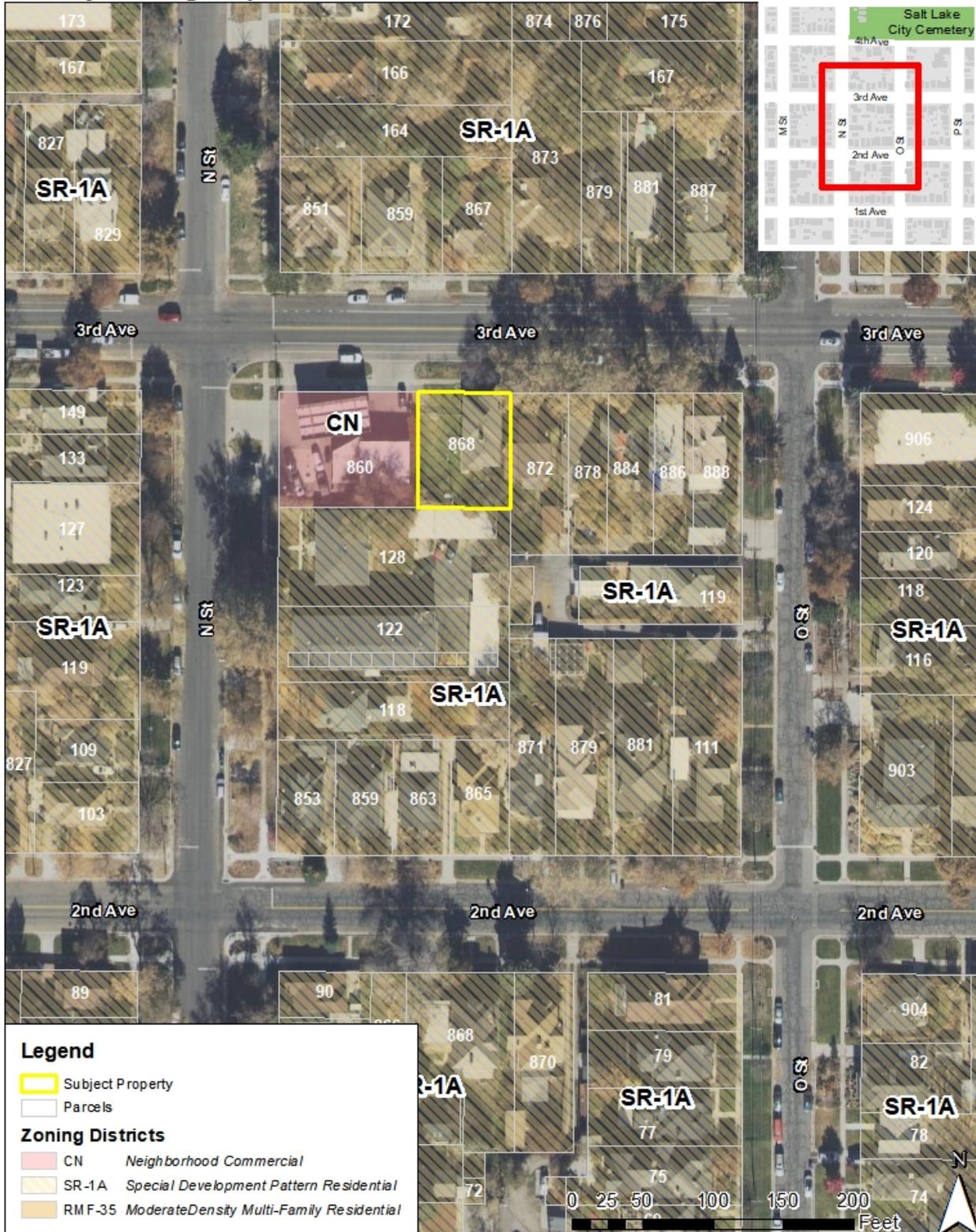
Dated: 11/19/2020

Attachments

1. Vicinity Maps
2. Salt Lake County Assessor – Evaluation Summaries
3. International Code Council Building Valuation Data – August 2018
4. Mitigation of Residential Housing Loss Applications

ATTACHMENT 1
VICINITY MAP

Vicinity Zoning Map



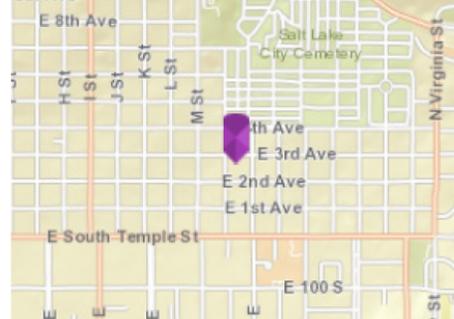
Salt Lake City Planning Division, 11/9/2020

ATTACHMENT 2
SALT LAKE COUNTY ASSESSOR
EVALUATION SUMMARIES

SLCo ---> Assessor ---> Parcel Search ---> Valuation Summary ---> Printable Version

Parcel	09-32-379-002-0000
Owner	ROSE FAMILY INVESTMENTS
Address	868 E THIRD AVE
Total Acreage	0.12
Above Ground sqft.	1052
Property Type	111 - SNGL FAM RES
Tax District	13

Value History					
Record	Land Value	Building Value	Market Value	Tax Rate	
2020	\$ 140,200	\$ 111,200	\$ 251,400		
2019 1	\$ 134,000	\$ 78,600	\$ 212,600	.0129960	
2018 1	\$ 134,000	\$ 66,000	\$ 200,000	.0133450	
2017 1	\$ 134,000	\$ 57,000	\$ 191,000	.0142450	
2016 1	\$ 124,100	\$ 54,400	\$ 178,500	.0150010	
2015 1	\$ 114,400	\$ 50,400	\$ 164,800	.0158260	



Land Record 09-32-379-002-0000

Record ID 1		Influence Effect		Lot Shape	REGULAR	Traffic	MEDIUM
Lot Use	RESIDENTIAL	Assmt. Class	RES-PRIMARY	Lot Location	INTERIOR	Traffic Influence	NEGATIVE
Lot Type	PRIMARY-LOT	Lot Depth		Neighborhood	63	Street type	TWO-WAY
Land Class		Acres	0.12	Nbhd Type	STATIC	Street Finish	PAVED
Income Flag		Zone	1205	Nbhd Effect	TYPICAL	Curb Gutter	Y
Seasonal use		Sewer	PUBLIC	Topography	LEVEL	Sidewalk	Y
Influence Type		Number Lots	1				

Residence Record 09-32-379-002-0000

Building Style	CB	Full Baths	1	Interior Condition	F	Main Floor Area	1052
Assessment Classification	P	3/4 Baths		Exterior Condition	A	Upper Floor Area	
Exterior Wall Type	BR	Half Baths		Overall Condition	F	Finished Attic Area	
Roofing	AS	Number of Kitchens	1	Visual Appeal	A	Above Ground Area	1052
Central AC	Y	Finished Fire places	1	Maintenance	A	Basement Area	526
Heating	C	Year Built	1904	Conformity	E	Finished Basement Area	
Owner Occupied	Y	Effective Year Built	1992	Livability	A	Finished Basement Grade	
Number of Stories	1.0	Interior Grade	F	Primary Kitchen Quality	O	Carport Surface Area	
Total Rooms	5	Exterior Grade	A	Primary Bath Quality	O	Attached Garage S. Area	
Bedrooms	2	Overall Grade	F	Percent Complete	100	Builtin Garage S. Area	
						Basement Garage S. Area	
						Above Grade Area + Basement Area:	1578

Legal Description 09-32-379-002-0000

COM AT NE COR LOT 3 BLK 24 PLAT G SLC SUR W 4 RDS S 5 RDS E 4 RDS N 5 RDS TO BEG 7569-1280 7824-0165

Click here for [Classic Parcel Details Page](#) [Search Again?](#)
 This page shows the assessor's CAMA data, as it was, on May 22, 2020.

ATTACHMENT 3
INTERNATIONAL CODE COUNCIL
BUILDING VALUATION DATA –
FEBRUARY 2020

Building Valuation Data – AUGUST 2020

The International Code Council is pleased to provide the following Building Valuation Data (BVD) for its members. The BVD will be updated at six-month intervals, with the next update in February 2021. ICC strongly recommends that all jurisdictions and other interested parties actively evaluate and assess the impact of this BVD table before utilizing it in their current code enforcement related activities.

The BVD table provides the “average” construction costs per square foot, which can be used in determining permit fees for a jurisdiction. Permit fee schedules are addressed in Section 109.2 of the 2018 *International Building Code* (IBC) whereas Section 109.3 addresses building permit valuations. The permit fees can be established by using the BVD table and a Permit Fee Multiplier, which is based on the total construction value within the jurisdiction for the past year. The Square Foot Construction Cost table presents factors that reflect relative value of one construction classification/occupancy group to another so that more expensive construction is assessed greater permit fees than less expensive construction.

ICC has developed this data to aid jurisdictions in determining permit fees. It is important to note that while this BVD table does determine an estimated value of a building (i.e., Gross Area x Square Foot Construction Cost), this data is only intended to assist jurisdictions in determining their permit fees. This data table is not intended to be used as an estimating guide because the data only reflects average costs and is not representative of specific construction.

This degree of precision is sufficient for the intended purpose, which is to help establish permit fees so as to fund code compliance activities. This BVD table provides jurisdictions with a simplified way to determine the estimated value of a building that does not rely on the permit applicant to determine the cost of construction. Therefore, the bidding process for a particular job and other associated factors do not affect the value of a building for determining the permit fee. Whether a specific project is bid at a cost above or below the computed value of construction does not affect the permit fee because the cost of related code enforcement activities is not directly affected by the bid process and results.

Building Valuation

The following building valuation data represents average valuations for most buildings. In conjunction with IBC Section 109.3, this data is offered as an aid for the building official to determine if the permit valuation is underestimated. Again it should be noted that, when using this data, these are “average” costs based on typical construction methods for each occupancy group and type of construction. The average costs

include foundation work, structural and nonstructural building components, electrical, plumbing, mechanical and interior finish material. The data is a national average and does not take into account any regional cost differences. As such, the use of Regional Cost Modifiers is subject to the authority having jurisdiction.

Permit Fee Multiplier

Determine the Permit Fee Multiplier:

1. Based on historical records, determine the total annual construction value which has occurred within the jurisdiction for the past year.
2. Determine the percentage (%) of the building department budget expected to be provided by building permit revenue.
- 3.

$$\text{Permit Fee Multiplier} = \frac{\text{Bldg. Dept. Budget x (\%)}}{\text{Total Annual Construction Value}}$$

Example

The building department operates on a \$300,000 budget, and it expects to cover 75 percent of that from building permit fees. The total annual construction value which occurred within the jurisdiction in the previous year is \$30,000,000.

$$\text{Permit Fee Multiplier} = \frac{\$300,000 \times 75\%}{\$30,000,000} = 0.0075$$

Permit Fee

The permit fee is determined using the building gross area, the Square Foot Construction Cost and the Permit Fee Multiplier.

$$\text{Permit Fee} = \text{Gross Area} \times \text{Square Foot Construction Cost} \times \text{Permit Fee Multiplier}$$

Example

Type of Construction: IIB

Area: 1st story = 8,000 sq. ft.

2nd story = 8,000 sq. ft.

Height: 2 stories

Permit Fee Multiplier = 0.0075

Use Group: B

1. Gross area:
Business = 2 stories x 8,000 sq. ft. = 16,000 sq. ft.
2. Square Foot Construction Cost:
B/IIB = \$179.18/sq. ft.
3. Permit Fee:
Business = 16,000 sq. ft. x \$179.18/sq. ft x 0.0075
= \$21,502

Important Points

- The BVD is not intended to apply to alterations or repairs to existing buildings. Because the scope of alterations or repairs to an existing building varies so greatly, the Square Foot Construction Costs table does not reflect accurate values for that purpose. However, the Square Foot Construction Costs table can be used to determine the cost of an addition that is basically a stand-alone building which happens to be attached to an existing building. In the case of such additions, the only alterations to the existing building would involve the attachment of the addition to the existing building and the openings between the addition and the existing building.
- For purposes of establishing the Permit Fee Multiplier, the estimated total annual construction value for a given time period (1 year) is the sum of each building's value (Gross Area x Square Foot Construction Cost) for that time period (e.g., 1 year).
- The Square Foot Construction Cost does not include the price of the land on which the building is built. The Square Foot Construction Cost takes into account everything from foundation work to the roof structure and coverings but does not include the price of the land. The cost of the land does not affect the cost of related code enforcement activities and is not included in the Square Foot Construction Cost.

Square Foot Construction Costs ^{a, b, c}

Group (2018 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	250.39	241.91	235.63	226.10	212.32	206.18	218.83	197.45	190.33
A-1 Assembly, theaters, without stage	229.42	220.94	214.66	205.12	191.35	185.21	197.86	176.48	169.35
A-2 Assembly, nightclubs	196.13	190.29	185.62	178.02	167.82	163.20	171.70	151.89	146.71
A-2 Assembly, restaurants, bars, banquet halls	195.13	189.29	183.62	177.02	165.82	162.20	170.70	149.89	145.71
A-3 Assembly, churches	232.04	223.57	217.29	207.75	194.34	189.19	200.49	179.48	172.35
A-3 Assembly, general, community halls, libraries, museums	194.17	185.69	178.41	169.87	155.09	149.96	162.61	140.23	134.10
A-4 Assembly, arenas	228.42	219.94	212.66	204.12	189.35	184.21	196.86	174.48	168.35
B Business	202.30	194.92	188.44	179.18	163.55	157.42	172.13	143.89	137.46
E Educational	212.03	204.70	198.82	190.25	177.27	168.29	183.70	155.00	150.26
F-1 Factory and industrial, moderate hazard	119.53	113.92	107.38	103.45	92.64	88.38	99.02	76.33	71.73
F-2 Factory and industrial, low hazard	118.53	112.92	107.38	102.45	92.64	87.38	98.02	76.33	70.73
H-1 High Hazard, explosives	111.77	106.15	100.62	95.69	86.11	80.85	91.26	69.81	N.P.
H234 High Hazard	111.77	106.15	100.62	95.69	86.11	80.85	91.26	69.81	64.20
H-5 HPM	202.30	194.92	188.44	179.18	163.55	157.42	172.13	143.89	137.46
I-1 Institutional, supervised environment	199.81	192.96	186.97	179.69	164.91	160.39	179.84	148.44	143.75
I-2 Institutional, hospitals	338.94	331.56	325.08	315.82	299.46	N.P.	308.77	279.79	N.P.
I-2 Institutional, nursing homes	235.48	228.11	221.62	212.37	197.49	N.P.	205.32	177.82	N.P.
I-3 Institutional, restrained	230.03	222.65	216.17	206.91	192.77	185.64	199.86	173.11	164.69
I-4 Institutional, day care facilities	199.81	192.96	186.97	179.69	164.91	160.39	179.84	148.44	143.75
M Mercantile	146.21	140.37	134.70	128.11	117.54	113.93	121.78	101.61	97.44
R-1 Residential, hotels	201.71	194.86	188.87	181.59	166.56	162.04	181.74	150.09	145.40
R-2 Residential, multiple family	168.94	162.09	156.10	148.82	135.04	130.52	148.97	118.57	113.88
R-3 Residential, one- and two-family ^d	157.40	153.13	149.31	145.53	140.33	136.62	143.14	131.34	123.68
R-4 Residential, care/assisted living facilities	199.81	192.96	186.97	179.69	164.91	160.39	179.84	148.44	143.75
S-1 Storage, moderate hazard	110.77	105.15	98.62	94.69	84.11	79.85	90.26	67.81	63.20
S-2 Storage, low hazard	109.77	104.15	98.62	93.69	84.11	78.85	89.26	67.81	62.20
U Utility, miscellaneous	85.53	80.63	75.42	72.03	64.67	60.42	68.74	51.21	48.79

- a. Private Garages use Utility, miscellaneous
- b. For shell only buildings deduct 20 percent
- c. N.P. = not permitted
- d. Unfinished basements (Group R-3) = \$22.45 per sq. ft.

**ATTACHMENT 4
MITIGATION OF RESIDENTIAL
HOUSING LOSS APPLICATION**



SALT LAKE CITY PLANNING

Mitigation of Residential Housing Loss

OFFICE USE ONLY

Pre-demolition #:	Received By:	Date Received:	Zoning:
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Project Name:

PLEASE PROVIDE THE FOLLOWING INFORMATION

Address of Subject Property: 860 & 868 E 3rd Avenue

Name of Applicant: Remarc Investments	Phone: 818-606-2410
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Address of Applicant: 770 N 532 E., Orem, UT 84097

E-mail of Applicant: oren@remarcinvestments.com; marcus@remarcinvestments.com	Cell/Fax:
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Applicant's Interest in Subject Property:

Owner Contractor Architect Other:

Name of Property Owner (if different from applicant):
Rose Family Investments, LLC

E-mail of Property Owner:	Phone:
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Existing Property Use: Gas Station; Auto Body Repair Shop; Vacant Land; Single Family Home

Proposed Property Use: Restore and maintain existing single family home; RMU-35 for remaining property for potential to develop additional homes

➔ Please note that additional information may be required by the project planner to ensure adequate information is provided for staff analysis. All information required for staff analysis will be copied and made public, including professional architectural or engineering drawings, for the purposes of public review by any interested party.

WHERE TO FILE THE COMPLETE APPLICATION

<i>Mailing Address:</i> Planning Counter PO Box 145471 Salt Lake City, UT 84114	<i>In Person:</i> Planning Counter 451 South State Street, Room 215 Telephone: (801) 535-7700
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SIGNATURE

➔ If applicable, a notarized statement of consent authorizing applicant to act as an agent will be required.

Signature of Owner or Agent: 	Date: 11/7/20
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SUBMITTAL REQUIREMENTS