



# Staff Report

PLANNING DIVISION  
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission

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Date: February 12, 2020

Re: Zoning Map Amendment (PLNPCM2019-00923)

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## Zoning Map Amendment

**PROPERTY ADDRESS:** 1616 W 700 N, 1632 W 700 N and 1640 W 700 N  
**PARCEL SIZE:** Total of 1.149 acres (Approx. 50,000 square feet)  
**PARCEL ID:** 08-27-452-038, 08-27-452-046 and 08-27-452-035-0000  
**MASTER PLAN:** Northwest Master Plan  
**ZONING DISTRICT:** R-1/5000 – Single-Family Residential

**REQUEST:** Property owners Anna Tran and Hoc Van Do are requesting that the City amend the zoning map for three (3) properties located at 1616 W 700 N, 1632 W 700 N and 1640 W 700 N respectively. The properties currently contain individual single-family dwellings, one on each property. The applicants are requesting to change the zoning map designation of the properties from R-1/5000 (Single-Family Residential) to CB (Community Business) in order to consolidate the parcels and develop a commercial use on the combined site. The consolidated parcel would be approximately 50,000 square feet in size. No specific site development proposal has been submitted at this time.

The Planning Commission's role in this application is to provide a recommendation to the City Council, who will make the final decision on the requested zoning map amendment.

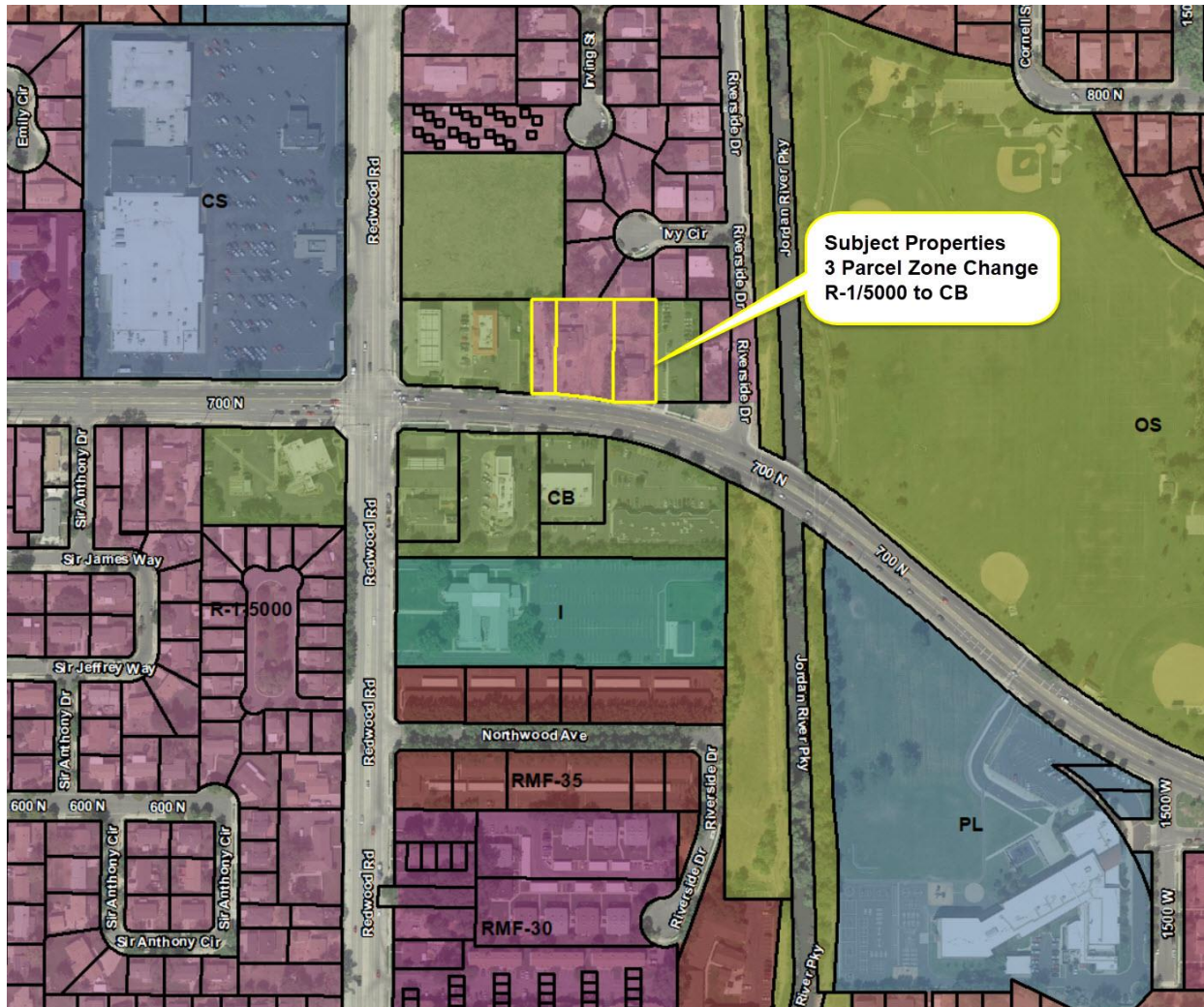
### RECOMMENDATIONS:

Based on the analysis and findings of fact 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 the City Council for the requested change to the CB – Community Business zoning district.

### ATTACHMENTS:

- A. [Future Land Use Map](#)
- B. [Applicant Information](#)
- C. [Existing Conditions](#)
- D. [Analysis of Standards](#)
- E. [Public Process and Comments](#)
- F. [Department Comments](#)

## VICINITY MAP



## PROJECT DESCRIPTION:

### Reason for Request

The applicants are requesting to change the zoning map designation of the properties from R-1/5000 (Single-Family Residential) to CB (Community Business) in order to consolidate the parcels and develop a commercial use on the combined site. The subject properties contain three (3) individual single-family dwellings. The properties are currently zoned R-1/5000 – Single Family Residential which would prohibit the development of commercial uses on the site. The proposed CB – Community Business zone would allow commercial uses on the properties. While no specific site plan has been submitted, the applicant has indicated that if the zone change is approved, they intend to consolidate the parcels and develop a commercial use on the combined property parcels.

City Council approved a zoning change to several parcels along 700 N and on Redwood Road in this general area in 2000. The proposed change is consistent with amendments to the Northwest Master Plan approved in 2000 and 2004 which designated the area along the north side of 700 N from Redwood Road to Riverside drive as a commercial area. The Master Plan is not being changed and the proposed zoning would match the CB zoning of adjacent parcels in the same block of 700 North. The change is supported by the Future Land Use Map found in the Northwest Master Plan. The applicant's narrative explaining the rationale for the zoning map amendment request can be found in [Attachment B](#) of this report.

## Property Location Context and Existing Conditions

The subject properties are located along 700 North in an area consisting largely of small-scale commercial uses. The subject properties contain some of the few remaining residential uses on the north side of 700 N within the area. Each of the properties contains a single-family dwelling which would be removed to redevelop the properties. The combined parcels encompass an area approximately 50,000 square feet in size.

## Adjacent Land Uses and Zoning

North, West and East: Zoned R-1/5000 - Residential. Properties away from 700 N to the north are primarily single-family residential uses. To the north-west along Redwood Road and to the immediate east and west on 700 N the properties are zoned CB – Community Business and have been developed for commercial uses.

South: Zoned CB – Community Business. The properties on the south side of 700 N are all zoned CB and have been developed for a variety of commercial uses.

## Development Pattern

The overall development pattern of the area is dominated by commercial uses along 700 N and Redwood Road. The uses are smaller scale and include a variety of retail uses, strip mall development and stand-alone professional offices and banks. While the area was once residential, those residential uses are now largely confined to the neighborhoods away from the main transportation corridors such as 700 N and Redwood Road. The businesses in these commercial areas are supported by the residential uses away from the main corridors. The Northwest Master Plan identified this as an area that would transition from residential to commercial along this corridor.

## Comparison of the Existing and Proposed Zoning

The subject property is zoned R-1/5000- Residential. The purpose of the R-1/5000 zoning district follows:

*The purpose of the R-1/5,000 Single-Family Residential District is to provide for conventional single-family residential neighborhoods on lots not less than five thousand (5,000) square feet in size. This district is appropriate in areas of the City as identified in the applicable community Master Plan. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.*

The applicant has requested that the property be changed to the CB – Community Business zoning district. The purpose of the CB zoning district follows:

*The CB Community Business District is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.*

Some highlights of the differences in allowed uses and building design between the existing R-1/5000 and proposed CB zoning districts are:

- The R-1/5000 zoning district prohibits all types of commercial and multi-family uses.
- The CB zone does not allow single-family uses but allows multi-family. It also allows a wide variety of business and retail uses.
- The height limit in the CB zone is 30 feet while it is 28-feet in the R-1/5000 district for a peak-roofed building.
- The CB zone imposes building size limits - 7,500 gross square feet of floor area for a first-floor footprint or in excess of 15,000 gross square feet floor area overall. Larger buildings are subject to the design review process.

## **KEY CONSIDERATIONS:**

The key considerations associated with this proposal are:

1. Neighborhood and City-Wide Master Plan Considerations
2. Change in Zoning and Compatibility with Adjacent Properties
3. Housing Mitigation Loss Requirements
4. Consideration of Alternate Zoning Districts

Key considerations are discussed further in the following paragraphs and were identified through the analysis of the project ([Attachment D](#)) and department review comments ([Attachment F](#)).

### **Consideration 1: Neighborhood and City-Wide Master Plan Considerations**

The subject area is discussed in the Northwest Master Plan (NWMP - 1992). The NWMP as originally conceived is general in terms of discussing the specific area of the zone change however, the Plan touches on these general themes that would relate to the proposed changes:

- Revitalization of the commercial area around 700 N and Redwood Road with an eye toward making this and other neighborhood commercial areas more attractive is discussed. The goal is to provide goods and services near the residential areas so that goods and services are available to community residents.
- The plan discusses neighborhood commercial expansion and considerations that should be taken into account when allowing additional commercial development in residential areas. This included “Business projects being of a density, design and scale, that would not negatively impact neighboring residential properties.”

The Future Land Use Map in the Northwest Master Plan was amended in 2004 to designate the properties along 700 N as a future commercial area. The amendments recognized that an expansion of the existing commercial area was desirable. The amendments did speak to the area on the north side of 700 N between 1612 W and 1640 W being only rezoned for a project that comprehensively addresses these projects as one commercial development. These properties (5 parcels total) are not under single ownership and the parcel at 1614 W 700 N was rezoned in 2013 from R-1/5000 to CB as a single parcel. It was subsequently developed for its current function as a dental office. The remaining parcel located at 1612 W 700 N is the subject of petition PLNPCM2019-00986 before the Planning Commission on this meeting agenda requesting a zone change from R-1/5000 to CB. Thus, it would not be possible to have all 5 parcels as part of a single development, but this proposal seeks to include three (3) of those originally identified properties in this manner.

The proposed change is generally in compliance with the Northwest Master Plan and future vision for the area. Moreover, the proposed change is to a zoning district that aligns with changes to the Master Plan that were adopted in 2004.

### **Plan Salt Lake Elements and 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 outlined in Plan Salt Lake that would relate to the proposed change include the following:

- *Neighborhoods that provide a safe environment, opportunity for social interaction, and services needed for the wellbeing of the community therein.*
- *Growing responsibly while providing people with choices about where they live, how they live, and how they get around.*

Plan Salt Lake also talks about the following initiatives that would relate to the proposed changes:

- *Neighborhoods - Encourage and support local businesses and neighborhood business districts.*
- *Economy - Support the growth of small businesses, entrepreneurship and neighborhood business nodes.*

The proposed zoning map amendment and overall project is aligned with the vision and guiding principles contained in Plan Salt Lake and are supported by the policies and strategies in that document as cited above.

### **Consideration 2: Change in Zoning and Compatibility with Adjacent Properties**

The subject properties front on 700 North, an east/west corridor that passes through the community. Properties in the vicinity of the subject parcels are zoned CB – Community Business along the corridor, giving way to R-1/5000 away from 700 N. The overall development pattern of the area includes a mix of small-scale commercial uses including a variety of stand-alone retail and service uses as well as some strip mall development. The existing single-family dwellings on the subject property are an anomaly in the area rather than the predominant development pattern as the area has transitioned to commercial uses.

The requested CB zoning allows for a variety of commercial uses that are not allowed under the current zoning. The CB zoning district includes building size limits - 7,500 gross square feet of floor area for a first-floor footprint or in excess of 15,000 gross square feet floor area overall. Buildings larger than that are subject to the design review process which is intended to make larger new developments compatible with their surroundings.

Given the location of the property and surrounding zoning, it is staff's opinion that the change in zoning from R-1/5000 to CBlong this corridor would be appropriate and desirable in the context of the area and would not lead to changes that are out of character or incompatible with the existing development in the area.

### **Consideration 3: Housing Mitigation Loss**

If the properties are developed for a commercial use, the removal of the existing dwellings would be subject to the provisions of Chapter 18.97 – Mitigation of Residential Housing Loss of City Code. The applicant would have to pay a mitigation fee for removing the three (3) housing units. The application and process would be a matter separate from the Planning Commission and will be reviewed by the Housing Advisory and Appeals Board (HAAB). While this is outside of the purview of the Planning Commission it is mentioned here for process clarification.

### **Consideration 4: Consideration of Alternate Zoning Districts**

Planning Staff considered and analyzed different zoning districts for the property in lieu of a change to the requested CB zoning district and considered the following:

- The main driver for this change is the applicant's desire to develop a commercial use on the property. Commercial uses are not allowed by the current single-family zoning.
- Surrounding zoning and the abutting zoning is largely CB. The CB zoning would make the block uniform.
- The Master Plan calls for neighborhood scale commercial uses and future development in this area which is in line with the requested CB zoning amendment.

The applicant specifically requested the CB zoning district. Changing to another commercial zone other than CB would create a "small island" between the existing CB zoned parcels which would not promote harmonious and compatible development.

For these reasons and the issues identified in the Key Considerations and Analysis of Standards sections of this report, a change to an alternate zoning district in lieu of the applicant's original request for the CB zoning district is not recommended by staff

**DISCUSSION:**

The applicant has proposed to rezone the properties from the existing R-1/5000 to CB zoning designation in order to develop a commercial use on the site. It is staff's opinion that the change in zoning for these properties would not substantially impact the character of the area. As such, staff finds that the requested zone change is appropriate when considered in the context of the area and is recommending that the Planning Commission forward a positive recommendation to the City Council in regard to the proposed amendments.

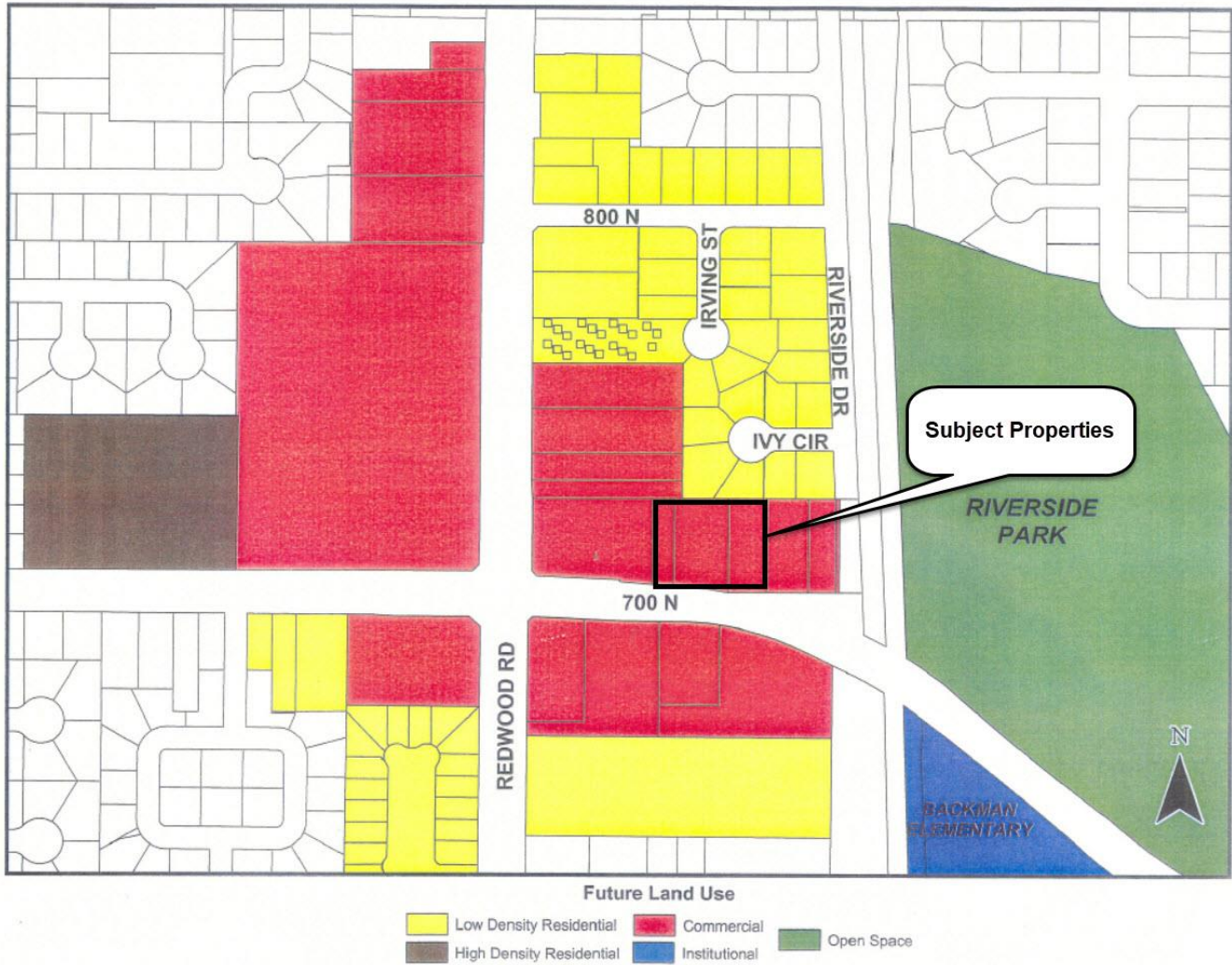
**NEXT STEPS:**

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 ultimately approved, the applicant may proceed with the submission of plans for the commercial project under the parameters of the CB zoning.



## ATTACHMENT A: Future Land Use Map in the Master Plan

### Northwest Master Plan - 2004 Amendment to the Future Land Use Map



## **ATTACHMENT B: Applicant Information**

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The narrative and other exhibits found on the following pages were submitted by the applicant in relation to the requested zoning change.



## **PROPOSED AMENDMENT TO THE SALT LAKE CITY ORDINANCE**

(Rezoning 3 Properties Located at the Northeast Corner of  
700 North and between 1616 West and 1640 West)

There are three properties of interest that are located in Rose Park area of Salt Lake City, UT 84116. The three properties are located at:

Sidwell Number: **08-27-452-038**

**1616 West 700 North**

**Salt Lake City, UT 84116**

Sidwell Number: **08-27-452-046**

**1632 West 700 North**

**Salt Lake City, UT 84116**

Sidwell Number: **08-27-785-035**

**1640 West 700 North**

**Salt Lake City, UT 84116**

All three properties are located next to each other and are currently zoned low density residential. **There was a previous amendment to the Salt Lake City Ordinance which amended the Northwest Community Master Plan which was pursuant to petition no. 400-03-18 & petition no. 400-99-34.** Within this amendment it was stated and passed by the City Council of Salt Lake City to change the land designation of the foresaid properties listed above to be changed from existing land use of SF Residence to Commercial. *(CCB Commercial District)*

Currently the three parcels are owned by Anna Tran and Hoa Van Do. The owners have a plan on developing a commercial strip to the three properties, which at some point along the approval process with the city council; will need to be combined/consolidated into one parcel. The commercial property will replace 3 residential dwellings currently located on each parcel of land.

The proposed use of the property is to replace the residential properties to a commercial strip mall so that the residents around the area can have more retail shops and restaurants choices. It will also replace 3 homes that are older in age with a new structure that will revitalize the area and community, and also bring in more jobs to the community.

The present zoning of the property is currently residential and is sandwiched by two other piece of property directly west and east to all three properties, wherein those properties are already zoned as commercial. Therefore the owners would like to convert their three parcels into commercial zoning so that the project can begin on developing a commercial retail building which will match the current zoning of the two side properties next to them giving it a straight commercial zoned area for the area of 700 North and Redwood Rd.

## **ATTACHMENT C: Existing Conditions**

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**Single-family dwelling located at 1640 W 700 N – adjacent to a gas station in the CB zone**



**Single-family dwelling located at 1632 W 700 N – middle of 3 parcels**





**Single-family dwelling at 1616 W 700 N – abutting a dental office zoned CB**



**Small-scale commercial development across 700 N (south) of subject properties – zoned CB – developed with front yard parking that would not be allowed under current CB zoning regulations.**

# ATTACHMENT D: 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
<b>1. Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;</b>	Complies with Master Plan policy statements and Future Land Use Map	<p>The Northwest Master Plan (NWMP) speaks to developing and expanding certain commercial areas to serve the community residents and expanding commercial uses in this area.</p> <p>Staff believes that based on the existing land uses, development pattern and the adopted master plan, that rezoning the parcel to CB is appropriate for the following reasons:</p> <ul style="list-style-type: none"> <li>• The proposed change in zoning is consistent with the future land use map in the Master Plan which was amended in 2004 to designate this area as commercial.</li> <li>• The proposed change is in compliance with the future vision for the area.</li> <li>• The proposed zoning map amendment is aligned with the vision and guiding principles contained in Plan Salt Lake.</li> <li>• The property is located along a major street and the CB zoning change will not be out of character with the area.</li> </ul>
<b>2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.</b>	Complies	<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"> <li>A. Lessen congestion in the streets or roads;</li> <li>B. Secure safety from fire and other dangers;</li> <li>C. Provide adequate light and air;</li> <li>D. Classify land uses and distribute land development and utilization;</li> <li>E. Protect the tax base;</li> <li>F. Secure economy in governmental expenditures;</li> <li>G. Foster the city's industrial, business and residential development; and</li> <li>H. Protect the environment. (Ord. 26-95 § 2(1-3), 1995)</li> </ul> <p>The proposed zone change from R-1/5000 to CB would support the purposes of the zoning ordinance found in Chapter 21A.02.0303: Purpose and Intent as outlined above. It would also help implement the applicable Master Plan for the area.</p>

<b>3. The extent to which a proposed map amendment will affect adjacent properties;</b>	Complies	<p>The proposed CB zoning district would allow commercial uses which are not currently allowed by the R-1/5000 zoning. The overall scale and allowed uses in the proposed zone are intended to be compatible with existing residential uses. Given the location context of the property, the change in zoning from R-1/5000 to CB would not lead to changes that are out of character or incompatible with the development in the area.</p>
<b>4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards</b>	Complies	<p>The subject properties are within the Airport Flight Path Protection Zone C. The overlay imposes additional conditions upon new residential uses including air circulation and sound attenuation measures. A commercial use would not require these measures and is compatible with the overlay district.</p>
<b>5. The adequacy of public facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.</b>	Complies	<p>The proposed development of the subject properties was reviewed by the various city departments tasked with administering public facilities and services. The city has the ability to provide services to the subject property. The infrastructure may need to be upgraded at the owner's expense in order to meet specific City requirements.</p> <p>If the rezone is approved, any new use will need to comply with the applicable requirements for redevelopment of the site. Public Utilities and other departments will also be asked to review any specific development proposals submitted at that time.</p>

## **ATTACHMENT E: Public Process and Comments**

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### **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 Chairs of the Rose Park, Jordan Meadows, Westpointe and Fairpark CC on October 21, 2019
- Staff sent an early notification announcement of the project to all residents and property owners located within 300 feet of the project site on October 24, 2019 providing notice about the project and information on how to give public input on the project.
- Staff held an Open House for the project at the Salt Lake City Downtown Public Library to solicit comments on November 21, 2019. No comments were submitted in relation to the proposal.
- The 45-day recognized organization comment period expired on December 6, 2019.
- To date, no comments were submitted by the Community Council (s) or public in relation to this proposal.

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

- Public hearing notice mailed on: January 31, 2020
- Public hearing notice sign posted on property: January 31, 2020
- Public notice posted on City and State websites and Planning Division list serve: January 31, 2020

#### **Public Input:**

As of the date of this staff report, no formal comments were submitted, and no objections were raised in regard to the proposed changes.



## **ATTACHMENT F: Department Comments**

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### **CITY DEPARTMENT COMMENTS**

#### **Zoning Review**

Demolition permits will be required to remove the existing structures.

#### **Engineering:**

No objections.

#### **Sustainability**

No objections from Sustainability.

#### **Transportation**

No comments provided.

#### **Fire**

No comments provided.

#### **Public Utilities**

No comments provided.