



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission

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

Date: March 11, 2020

Re: Zoning Map Amendment (PLNPCM2019-01011) and Master Plan Amendment (PLNPCM2019-01095)

Master Plan and Zoning Map Amendment

PROPERTY ADDRESS: 771 & 795 North 400 West
PARCEL SIZES: 0.4172 acres & 0.8339 acres (combined area approx. 1.25 acres/54,500 square feet)
PARCEL ID: 08-25-376-018 & 08-25-376-021-0000
MASTER PLAN: Capitol Hill Master Plan (2001)
ZONING DISTRICT: M-1 – Light Industrial

REQUEST: Derek Christensen representing DW Asset Management, the property owner, is requesting that the City amend the zoning map and associated future land use map for their properties located at 771 North 400 West and 795 North 400 West. The intent is to allow development of the currently vacant property parcel at 771 North for multi-family housing which is not allowed under the current M-1 zoning. No specific site development proposal has been submitted at this time. This project requires both a Zoning Map and Master Plan Amendment.

- a. Zoning Map Amendment - The properties are currently zoned M-1 – Light Industrial. The petitioner is requesting to amend the zoning map designation of the properties to the MU – Mixed Use zoning district. Case number PLNPCM2019-01011
- b. Master Plan Amendment - The associated future land use map in the Capitol Hill Master Plan currently designates the properties as "Light Industrial". The petitioner is requesting to amend the future land use map for the parcels to "High Density Mixed Use". Case number PLNPCM2019-01095

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

RECOMMENDATIONS:

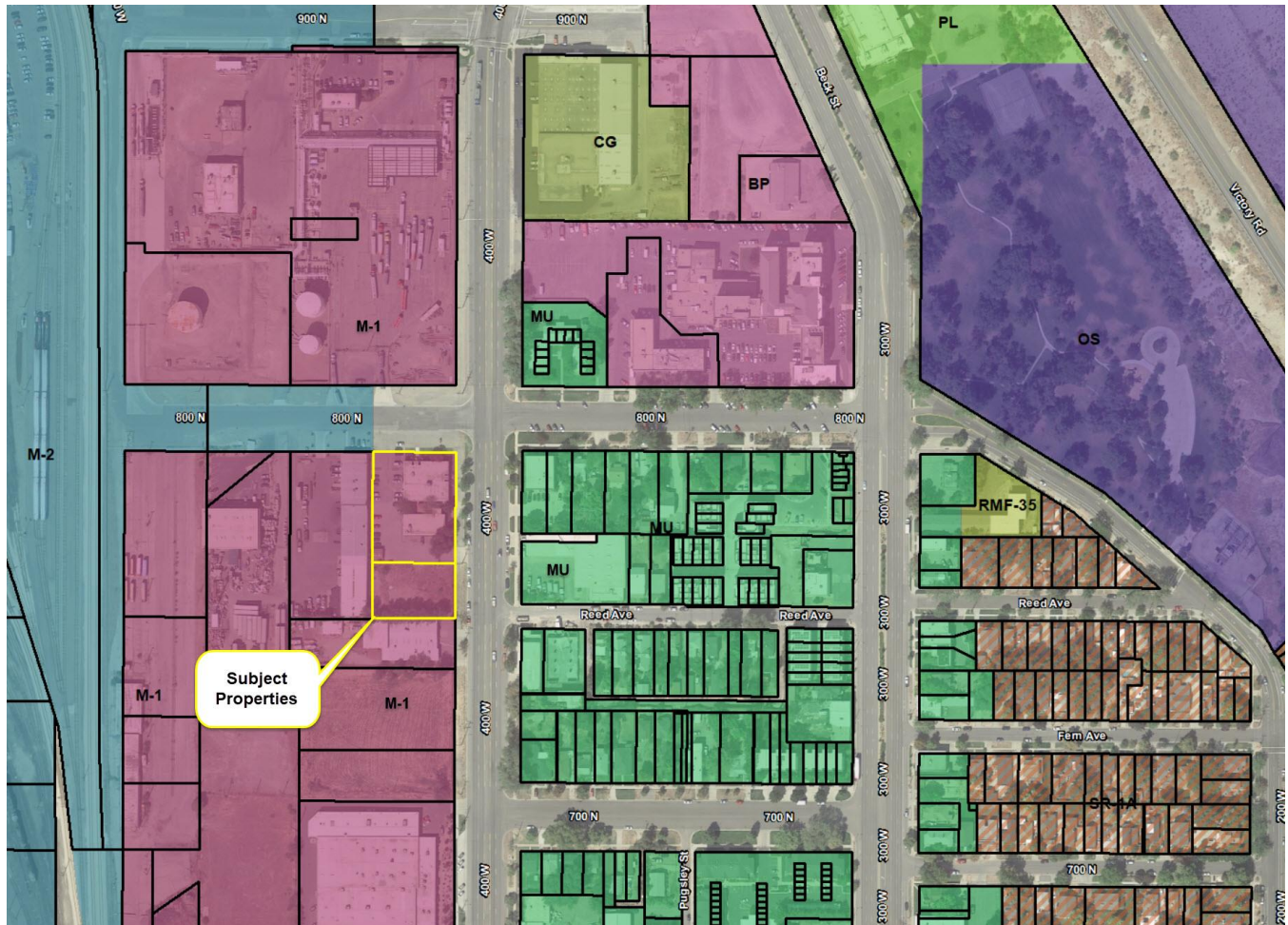
Based on the analysis and findings of fact in this staff report, Planning Staff recommends that the Planning Commission forward a positive recommendation to the City Council for the proposed amendment to the future land use map in the Capitol Hill Master Plan for the change from as "Light Industrial" to "High Density Mixed Use".

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

ATTACHMENTS:

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

VICINITY MAP & ZONING



PROJECT DESCRIPTION:

Reason for Request

According to the applicant, this request is being made in order to allow the future development of an apartment building on the vacant subject property located at 771 North. The property at 795 North has been developed for office and professional uses and no changes are anticipated at this time. The applicant's detailed narrative explaining the rationale for the zoning map and master plan amendment requests can be found in [Attachment B](#) of this report.

Property Location Context, Existing Conditions & Adjacent Zoning & Land Uses

The properties are located on the southwest corner of the intersection of 400 W and 800 N in an area that consisting of commercial, residential and industrial uses. The predominant street frontage for the property is along 400 West. The east side of 400 W is predominantly zoned MU – Mixed Use and contains a variety of business and residential uses. However, 400 W effectively serves as a dividing line and that MU zoning designation does not continue over on the west side of 400 W. To the north the uses are more industrial in nature and include oil refining operations and a train yard to the west.

To the west and north of the property the uses are more intensely industrial in nature and include railyards, manufacturing and an oil refinery to the north of 800 N. The adjacent zoning is M-1 – Light Industrial which transitions into the M-2 – Heavy Manufacturing zoning district further north and west. Along the street frontage on the west side of 400 W to the south of the subject property are a number of commercial uses. On the east side of 400 W there are both residential and commercial uses including multi-family uses. Farther south at 600 N, the west side of 400 W is zoned TSA-UC-T – Transit Station Area Urban Core Transition.

North: Zoned M-1 – Light Manufacturing

South: Zoned M-1 – Light Manufacturing until 600 N, then TSA-UC-T

East: Zoned M-U – Mixed Use – This is the zoning to the north, south and east on 400 W

West: Zoned M-1 – Light Manufacturing

The request involved two (2) property parcels. The northern parcel at 795 N is approximately 0.83 acres or 36,150 square feet in size and contains two (2) existing commercial office buildings and a small accessory structure. No changes are being discussed on the northern parcel. The south parcel at 771 North is 0.42 acres or 18,300 square feet in size and is vacant. The applicant would like to develop a multi-family use such as an apartment building on the vacant parcel. No specific site development plan has been submitted at this time.

Comparison of the Existing and Proposed Zoning

A simplified table showing a comparison of the building size limits and yard requirements as well as some of the design requirements for both zones is included below. This is extracted from the more detailed requirements for each zone found in the Zoning Ordinance in Chapter 21A.28.020 – M-1 – Light Manufacturing District and Chapter 21A.32.130 – MU – Mixed Use District.

The subject property is zoned M-1 – Light Industrial. The purpose of the M-1 zoning district follows:

The purpose of the M-1 Light Manufacturing District is to provide an environment for light industrial uses that produce no appreciable impact on adjacent properties, that desire a clean attractive industrial setting, and that protects nearby sensitive lands and waterways. This zone is appropriate in locations that are supported by the applicable Master Plan policies adopted by the City. This district is intended to provide areas in the City that generate employment opportunities and to promote economic development. The uses include other types of land uses that support and provide service to manufacturing and industrial uses. Safe, convenient and inviting connections that provide access to businesses from public sidewalks, bike paths and streets are necessary and to be provided in an equal way. Certain land uses are prohibited in order to preserve land for manufacturing uses and to promote the importance of nearby environmentally sensitive lands.

The applicant has requested that the property be changed to the MU –Mixed Use zoning district. The purpose of the MU zoning district follows:

The purpose of the MU Mixed Use District is to encourage the development of areas as a mix of compatible residential and commercial uses. The district is to provide for limited commercial use opportunities within

existing mixed-use areas while preserving the attractiveness of the area for residential use. The district is intended to provide a higher level of control over nonresidential uses to ensure that the use and enjoyment of residential properties is not substantially diminished by nonresidential redevelopment. The intent of this district shall be achieved by designating certain nonresidential uses as conditional uses within the Mixed Use District and requiring future development and redevelopment to comply with established standards for compatibility and buffering as set forth in this section. The design standards are intended to facilitate walkable communities that are pedestrian and mass transit oriented while still ensuring adequate automobile access to the site.

The main differences in allowed uses and building design between the existing M-1 and proposed MU zoning districts are:

- Both zones allow for a variety of commercial uses.
- The MU zone does not allow manufacturing and industrial uses.
- The MU zone incorporates more lot and bulk controls that are intended to help maintain compatibility between residential and commercial uses.
- The M-1 zone does not allow residential uses while the MU zone allows for a variety of residential uses.

	Light Industrial (M-1) – Existing Zoning	Mixed Use (MU) – Proposed Zoning
Maximum Building Height	The maximum building height permitted in this district is sixty-five feet (65'). Additional height is allowed for certain structures such as distillation columns generally associated with petroleum refining	The maximum building height is 45-feet, but additional height can be authorized through the design review process. Non-residential buildings are limited to 30-feet or two (2) stories. Mixed used buildings are limited to 45-feet. Non-residential uses in a mixed-use building are limited to the first two (2) stories.
General Yard Requirements	Front: 15 feet Corner Side: 15 feet Interior Side: None required Rear: None required Maximum coverage: Not specified	For multi-family developments: Front: 10 feet Corner Side: 10 feet Interior Side: 10 feet Rear: 25% of 30 feet There are differing requirements for non-residential developments and for single-family attached, detached and two-family dwellings. The MU zone also includes maximum setbacks which may be modified through the Design Review process.
Parking Requirements – Number of Spaces	Parking is based upon the use in the zone and includes calculations for the amount of space in the building devoted to office functions as well as warehouse space etc.	Residential – 1/2 space for multi-family dwelling unit and 1-space for single-family, two-family and twin home dwellings.

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. Consideration of Alternate Zoning Districts

The applicant makes the argument that there is a need for additional housing in the area and that other areas of the Salt Lake Valley would be more suitable for light industrial uses. The applicant also envisions the creation of a transitional neighborhood with both housing and businesses in the area. The applicant's rationale as to why the MU zoning district would be more appropriate for this property is included in the narrative found in [Attachment B: Applicant Information](#).

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

Capitol Hill Master Plan (2001) - Analysis of the Proposed Zoning Change

The subject property is not located discreetly within a specific neighborhood identified in the Capitol Hill Master Plan. It is located in what the plan describes more generally as the "industrial areas of Capitol Hill". It lies slightly to the north of the Guadalupe Neighborhood which is located west of 400 W but ends at 600 North. It is located to the west of the West Capitol Hill Neighborhood which uses the east side of 400 West as its defined western boundary. It is located outside of the West Capitol Hill RDA area which ends at 400 W. Within the context of the industrial area described in the Plan, it is roughly within the area between North Temple and 900 North and 400 West and 550 West that is discussed in the context of "redevelopment of existing railroad property."

With regard to the specific subject property, it is located across the street from MU – Mixed Use zoning which includes a variety of commercial, business and residential uses. The Future Land Use Map in the Plan recognizes the uses in the area to be either General Commercial or High-Density Mixed Use in the future. The properties are however in the area shown as Light Industrial on the west side of 400 West. Mixed uses including residential have been long established in the area on the east side of 400 W which is classified as a City Arterial Street. Having mixed-use zoning along the frontage of 400 W would be considered desirable in the context of future development of the area and would help to provide a more logical transition between the industrial and residential areas in that part of the City.

The Master Plan is somewhat contradictory in the sense that it envisions changes to several areas in the community as discussed above but the future land use does not reflect those same anticipated changes. The associated future land use map in the Capitol Hill Master Plan currently designates the property as "Light Industrial". The petitioner is requesting to amend the future land use map so that the property is designated as "High Density Mixed Use". The 400 W corridor serves as the dividing line between the more industrial uses to the west and the mixed-use zoning to the east. This dividing line is not a physical barrier such as an Interstate Highway or some other defined topographical or physical feature so is somewhat arbitrary in nature.

Additional policies and elements from the Capitol Hill Master Plan that staff considered including the following:

- The plan outlines a vision for the future redevelopment of the industrial areas between North Temple and 900 North and 400 to approximately 550 West as businesses rely less on railroad access than they did when uses in the area were established.
- Promote the redevelopment of the area between the Guadalupe and West Capitol Hill Neighborhoods as a mixed-use area with medium density residential development west of 500 West and medium-high density residential-mixed use development (including residential, office and commercial land uses) east of 500 West.
- Allow moderate increases in multi-family uses in appropriate locations and with the mixed-use area.
- Encourage new medium/high density housing opportunities in certain appropriate locations with the West Capitol Hill Neighborhood.

- Mixed use zoning offers opportunities for a mix of commercial and residential uses. This type of zoning is predominant along major corridors identified in the CHMP such as 300 W and 400 W.

Although the proposal does not meet the future land use map, it is consistent with other policies in the plan and the proposed changes are generally supported by the visions and policies contained in the Capitol Hill Master Plan, Plan Salt Lake and Growing SLC. Staff is recommending approval of the zoning change and the change to the future land use map in the Master Plan to designate the property as High Density Mixed Use from the current Light Industrial designation and to change the zoning map designation from M-1 to MU as requested. This issue is also discussed in [Attachment D: Analysis of Standards](#).

Plan Salt Lake (2015)

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 zone 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.*
- *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.*

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.

Growing SLC: A Five-Year Housing Plan (2018)

Growing SLC (City Housing Plan) adopted in 2018 includes a number of goals and policies that are related to the requested zoning map change. One of the overall and over-arching goals of the Housing Plan is to Increase Housing Options. The requested change is being made in order to develop an apartment building (multi-family residential use) on the property, which is prohibited by the current zoning. The proposal meets the overall goal of the plan by providing an opportunity to potentially develop additional housing units in the area. Since there is not a specific development plan under consideration with this application, staff cannot provide additional analysis or an assessment of the type of housing that could be provided including details related to housing needs or cost structure.

The Salt Lake City Comprehensive Housing Policy adopted in 2016 is intended to help achieve the following:

- Develop new housing opportunities throughout the City

The proposed zoning map amendment and overall change is aligned with the vision and guiding principles contained in Growing SLC and are supported by the policies and strategies in that document as cited above.

Consideration 2: Change in Zoning and Compatibility with Adjacent Properties

Zoning compatibility with adjacent properties generally considers how a change will negatively impact surrounding properties, often in terms of an intensification of use. In this case, one concern about the change is the introduction of a residential use into a non-residential setting and how those surrounding land uses could impact this property and the

residents living there if it is rezoned and developed for a multi-family use. Given the likely future transition of the area into one of mixed uses, having mixed-use zoning along the frontage of 400 W is desirable in the context of future development. This predicted transition to an area of mixed uses also helps to address the concerns about some of those existing industrial uses intensifying over time which would further impact residents in the area. Related, the applicant has stated their intent to keep the existing offices on the parcel at 795 North operational. This parcel with existing low-scale offices lying between any future multi-family development on the 771 North parcel and the more industrial uses to the north of 800 North will provide additional buffering adjacent to any new residential uses.

In terms of building height, lot setbacks and massing, the MU zoning is generally more restrictive than the M-1 zoning district. The MU zone also seeks to create more street presence than the M-1 district by providing for more walkability while also preserving the attractiveness of the area for residential uses. These requirements will vary depending if the type of use is strictly residential or includes a mix of uses. While the applicant has stated a desire to develop an apartment building on the site, in the absence of a specific development plan for consideration, staff cannot comprehensively analyze the compatibility that any new development will share with adjacent properties. However, any future redevelopment of the property under the MU zoning is likely to be less impactful to neighboring properties than the current M-1 zoning given the massing and setback requirements and the more intense uses allowed under the current zoning.

It is staff's opinion that the change in zoning from M-1 to MU along this corridor would be appropriate and make sense in the context of the area and would provide a logical transition between the industrial and residential areas in this part of the City and not lead to development that would be incompatible within the context of the area.

Consideration 3: Consideration of Alternate Zoning Districts

Planning Staff considered and analyzed different zoning districts for the property in lieu of a change to the requested MU zoning district but ultimately rejected those options.

The CG – General Commercial zoning district was considered in lieu of the MU zoning district. CG zoning would allow multi-family residential uses and mixed uses. While residential and mixed uses are allowed in the CG zone, the main focus of the zone is to create an attractive commercial setting. As such, there are fewer design standards incorporated into the CG zone. This includes no requirements for ground floor glass or entrance requirements, elements that add to the pedestrian and street-level experience. As such, staff does not believe this zone should be considered in lieu of the MU zoning district.

R-MU – Residential Mixed Use zoning is another option that staff considered. Like the MU zoning, it would allow a mix of residential and commercial uses. The height limit in R-MU is 75-feet which is considerably taller than the 45-feet allowed by right in the MU zone and 60 feet allowed through the Design Review process in that same zone. The M-1 zone allows for a building height of 60-feet which is closer to what could be built under the proposed MU zoning so MU would provide some consistency in scale along 400 W in terms of what could potentially be built in the area.

The MU zoning district would allow both residential and commercial uses in the area which would mirror the zoning on the east side of 400 W. This would help to provide a transition between the industrial areas to the west and MU areas to the east and would help maintain some continuity of development along 400 W.

The general area on the east side of 400W is mixed use and given the purpose statement for the proposed zoning district “to encourage the development of areas as a mix of compatible residential and commercial uses” the proposed MU zoning is both appropriate and an accurate reflection of the zoning and development pattern of the surrounding area.

For the reasons cited above 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 MU zoning district is not being recommended by staff.

DISCUSSION:

The applicant has proposed to rezone the property from the existing M-1 to the MU zoning designation in order to develop a multi-family use on the site. The change in allowed uses is the driving factor in this request as current zoning does not support residential uses.

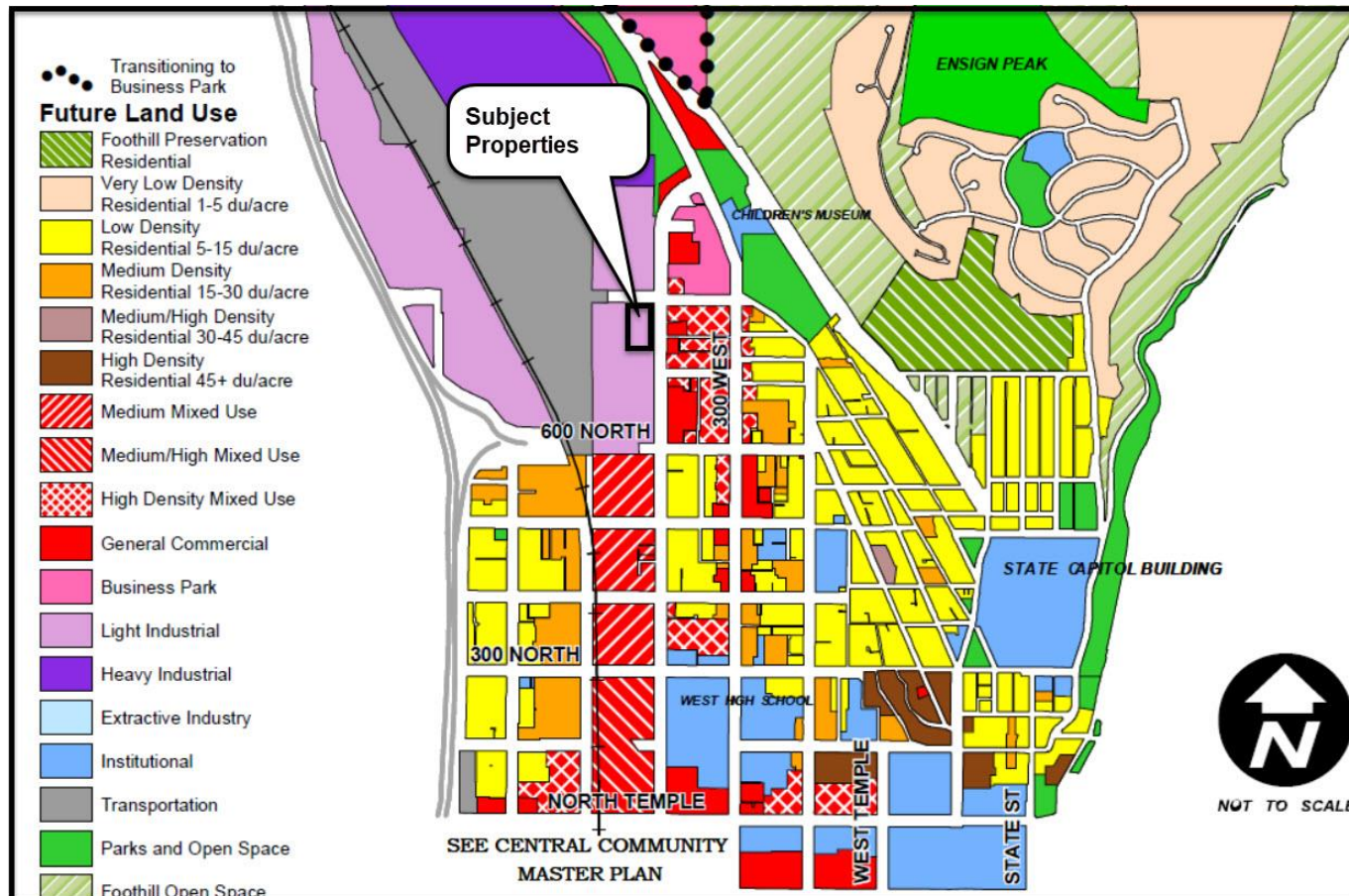
It is staff's opinion that the change in zoning from M-1 to MU would be appropriate when considered in the context of the area and is recommending approval. Staff is also recommending approval of the master plan amendment in order to provide consistency between the zoning and master plan.

NEXT STEPS:

The Planning Commission's recommendation will be forwarded to the City Council for their consideration as part of the final decision on these petitions. If ultimately approved, the applicant may proceed with the submission of plans for the project. If ultimately denied, the applicant would still be eligible to re-develop or modify the existing development on the property in accordance with the regulations for the existing M-1 zone.

ATTACHMENT A: Future Land Use Map in the Master Plan

Future Land Use Map in the Capitol Hill Master Plan (2001)



ATTACHMENT B: Applicant Information

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

Planning and Zoning Change Request

July 22, 2019

Report Prepared for:
DW Asset Management
(DWAM)

Prepared by:
Design West Architects

Project Synopsis

Addresses:

795 North 400 West, Salt Lake City, UT– Parcel Number 08253760210000

765 North 400 West, Salt Lake City, Ut – Parcel Number 08253760180000

DW Asset Management (DWAM) owns connecting parcels of land located **795 North 400 West & 765 North 400 West Salt Lake City** and desires to change the Zoning District Classification from M-1 Light Manufacturing District into MU Residential/Mixed Use District.

This .83 acre property is currently developed with 2 connected commercial office buildings and a small out building. Approximately 1/3 of the property is undeveloped and is not utilized for any purpose.

According to the 2001 Capitol Hill publication created by Salt Lake City, the property is identified within the Capitol Hill Community and is surrounded by the Marmalade Neighborhood, the Guadalupe Neighborhood/Railroad Redevelopment area and the West Capitol Hill Neighborhood.

While determining interest in development options for the property it was found that M-1 limits development for uses that are not desired in the area.

Housing continues to be needed in the area, re-zoning will allow for a future development on the property to create housing via an apartment building.

Upon visiting with Current Planning and Zoning staff it was requested we submit a formal statement demonstrating our desire for this rezoning effort.

Site description

See Photos at end of document for further reference

According to the Salt Lake City Planning and Zoning Map the Address of the property is 795 N. 400 W. The .83 acre property is located on the South West corner of the intersection of 400 West and 800 North. The property currently is home to single story structures used for office/professional purposes. An Architectural firm and an Engineering firm currently occupy the 2 buildings. On the southern portion of the property is a vacant lot which has been used for miscellaneous storage and a stockpile of soil. The vacant portion has never held any formal development to our knowledge. According to the Salt Lake City Planning and Zoning Map the Address of the vacant property is 765 N. 400 W.

The adjacent surrounding the property are the following uses/conditions:

North: Marathon Petroleum refinery / truck refilling station – Also previously known as Andeavor and Tesoro

South: Unidentified business, Office/Warehouse

East: 2-Story professional office (currently an engineering office) and Multi-Family and Single-Family residential housing

West: Office warehouse facilities

Purpose for request

While researching opportunities for development of the vacant portion of the lot it has been discovered that there is still a need for housing in the area. This is also supported by publications commissioned by Salt Lake City personnel.

As stated in "Growing SLC", (2018) there is a "*Housing Crisis*" in the City. The need for high/medium density housing is needed.

Other areas of the Salt Lake Valley are better suited for light industrial areas.

The property in question is in an area which needs to have a transition from light industrial areas into the more mixed-use / residential areas found in the area.

"Capitol Hill", (2001) is also commissioned by Salt Lake City and states that future uses and improvements for the industrial area of this property should "*Encourage the relocation of the existing industrial and heavy commercial land uses to industrially zone land in other appropriate areas of the City by rezoning the existing properties...*", "*to encourage mixed use development of residential and office / commercial in this area.*"

Currently the Property is classified as M-1 which prevents the construction of Mixed Use housing.

In the adjacent neighborhoods MU Zoning is found along with many housing projects. Continuing development in the area such as this property will help to provided ongoing stabilization of property values in the community.

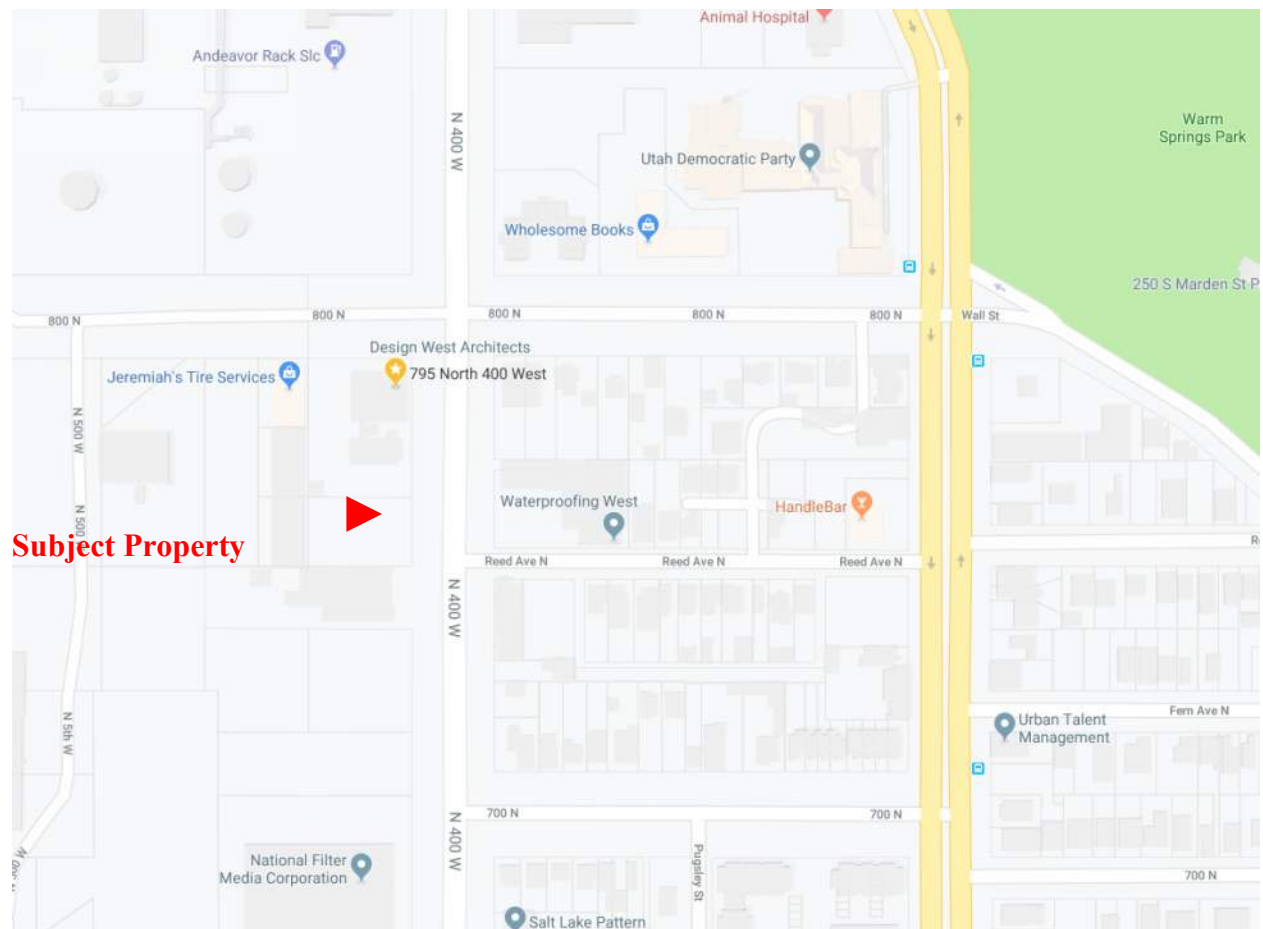
To address the recommendations found in the master plan documents, to help create a transitional neighborhood, and to clean up and provide continued improvements and growth in the area it is desired that the parcel be rezoned to a MU classification.

A MU classification would allow similar uses to those found in the area to occur while allowing residential development to also occur.

Such improvements would have minimal impact to traffic counts on the road which is currently a 5 lane surface street.

We would encourage the City utilize existing regulation for any new uses permitted to the area to provide the appropriate landscape barriers. These actions will continue to beautify the city and promote growth in an otherwise declining area.

Vicinity Map





Subject Property – 400 West Frontage - Looking South West & West



Subject Property – Vacant Lot - 400 West Frontage – Looking West



Subject Property – 400 West Frontage - Existing Buildings



Subject Property – 400 West Frontage - Existing Building (cont.)



Subject Property- 800 North Frontage – Existing Building



Property to North – 800 North



Property to North – 400 West



Property to East – 400 West



Property to South – 400 West



Property to North East – 400 West & 800 North



Property to West – 800 North



- End of Planning and Zoning Change Request -

ATTACHMENT C: Existing Conditions



Existing building on the subject property visible on right – looking south on 400 West.



Vacant parcel at 771 N 400 W



Heavy industrial uses including refining operations to the north of the subject property.



Existing building frontage on 800 North. Frontrunner Train visible in background. Office buildings to remain on 795 North parcel.



Multi-family residential uses to the north-west of the subject property on the east side of 400 West



Multi-family residential development and mixed uses to the east of the subject property on the east side of 400 west



Small-scale commercial development on the east side of 400 W. in the vicinity of the subject properties.

ATTACHMENT D: ANALYSIS OF STANDARDS

MASTER PLAN AMENDMENTS

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

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

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

ZONING MAP AMENDMENTS

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

Factor	Finding	Rationale
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;	Complies with Master Plan policy statements but does not comply with Future Land Use Map. A petition for a Master Plan amendment has also been submitted as part of this request.	<p>The subject property is not located discreetly within a neighborhood identified in the Capitol Hill Master Plan. It is located across the street from MU – Mixed Use zoning which includes a variety of commercial, business and residential uses. The Future Land Use Map in the Plan recognizes the uses to the east to be either General Commercial or High-Density Mixed Use in the future. Policy statements supporting the change can be found in the Capitol Hill Master Plan, Plan Salt Lake and Growing SLC (Housing Plan). There are also contradictory statements and the proposal does not meet the future land use map in the area.</p> <p>In the overall balance, Staff believes that based on the existing land uses, development pattern and the adopted City plans and policies, that rezoning the parcel to MU is appropriate for the following reasons:</p> <ul style="list-style-type: none"> • The property is located along a City arterial street (400 W) with MU zoning being the predominant classification on the east side of the street. • The proposed change would help to create a transition boundary between the mixed uses on the east side of 400 W and more intense industrial uses to the west of 400 W. • The zoning change will not substantially increase current or potential impacts on the site and would not be out of character with the area. <p>The proposed change in zoning is not consistent with the future land use map. However, it is consistent with other policies in the plan and the proposed changes are generally supported by the visions and policies contained in the Capitol Hill Master Plan as well as other City plans and policies. As such, staff is recommending approval.</p>
2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.	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"> A. Lessen congestion in the streets or roads; B. Secure safety from fire and other dangers; C. Provide adequate light and air; D. Classify land uses and distribute land development and utilization; E. Protect the tax base; F. Secure economy in governmental expenditures; G. Foster the city's industrial, business and residential development; and H. Protect the environment. (Ord. 26-95 § 2(1-3), 1995) <p>The proposed zone change from M-1 to MU would support the purposes of the zoning ordinance found in Chapter 21A.02.0303: Purpose and Intent as outlined above. The change would help to</p>

		distribute land and utilizations (D.), while helping to support the city's residential and business development (G.)
3. The extent to which a proposed map amendment will affect adjacent properties;	Complies	<p>The proposed MU zoning district would allow a mix of land uses and residential uses that are not currently allowed by the M-1 zoning. The development standards in the MU zoning district are intended to encourage the development of areas as a mix of compatible residential and commercial uses. The design standards in the zone are intended to facilitate walkable communities that are pedestrian and mass transit oriented while still ensuring adequate automobile access to the site.</p> <p>A change to the MU zoning may facilitate additional residential development on this property which could potentially be impacted by the more intense industrial uses on adjacent properties. Development could consist of residential uses as well as commercial or mixed uses.</p> <p>Given the likely future transition of the area into one of mixed uses, having mixed-use zoning along the frontage of 400 W is desirable in the context of future development. Since 400 W does not in and of itself impose a solid physical barrier between the mixed use and industrial areas, it is essentially an arbitrary boundary. While there is some potential for the surrounding uses to have some impact on this property and any future residents, it is not in excess of that which currently would be experienced by residents on the opposite side of 400 W which consists of both residential and commercial uses.</p>
4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards	Complies	<p>The north-east corner of the property is located within the Groundwater Source Protection Primary Zone. This ordinance is administered by the Salt Lake City Department of Public Utilities. During the evaluation of a specific development proposal, Public Utilities will review the proposal and may impose additional mitigation conditions that must be met under the building permit. The extent of these cannot be fully assessed in the absence of a specific site development plan.</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.	Complies	<p>The proposed development of the subject properties was reviewed by the various city departments tasked with administering public facilities and services.</p> <p>The city has the ability to provide services to the subject property. Any infrastructure upgrades will be evaluated with a specific site development plan. Infrastructure may need to be upgraded at the owner's expense in order to meet specific City requirements for future development or redevelopment of the site.</p>

ATTACHMENT E: Public Process and Comments

Public Notice, Meetings, Comments

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

- Notice of the project and request for comments sent to the Chair of the Capitol Hill Neighborhood Council (CHNC) on November 25, 2019.
- The CHNC did not ask the applicant or staff to attend a regular meeting to explain the proposal.
- To date, no comments have been submitted by the CHNC related to this proposal.

Notice of the public hearing for the proposal included:

- Public hearing notice mailed on February 28, 2020
- Public hearing notice sign posted on property: February 28, 2020
- Public notice posted on City and State websites and Planning Division list serve: February 28, 2020

Public Input:

To date, the only public comments that have been submitted in relation to this proposal have been from Michael Benson and other representatives of Marathon Petroleum which operate a refinery and other operations a short distance to the north of the subject property. Their comments included concerns about introducing housing and residential uses into the area and how that would impact their future operations with more residents living nearby.

Staff's Response:

The juxtaposition of these different land use classifications that previously had a defined boundary – 400 W and 800 N and the introduction of possibly incompatible uses in the area is a concern that staff considered in their analysis. This change would allow multi-family residential uses into an area that has been traditionally industrial in nature. At the same time, these types of mixed uses including residential have been long established in the area on the east side of 400 W which is classified as a City Arterial Street. The purpose of this type of street is to facilitate through traffic movement of traffic from one neighborhood to another. Having mixed-use zoning along the frontage of 400 W is considered desirable in the context of future development and would provide a more logical transition between the industrial and residential areas in that part of the City. The change is generally supported by policies in the Capitol Hill Master Plan and other City plans and policies.

ATTACHMENT F: Department Comments

CITY DEPARTMENT COMMENTS

Zoning Review

Building Services has identified no issues with proposed requests.

Public Utilities

No comments from Public Utilities

Sustainability

No comments provided.

Engineering:

No objections.

Transportation

No objections.

Fire

No comments provided.