



# Staff Report

PLANNING DIVISION  
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

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To: Salt Lake City Planning Commission  
From: Sara Javoronok, Senior Planner, 801-535-7625  
Date: January 13, 2021  
Re: PLNPCM2020-00740 and PLNPCM2020-00741 – 810 East 800 South

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## Master Plan and Zoning Map Amendment

**PROPERTY ADDRESS:** 810 East 800 South

**PARCEL ID:** 16-08-176-024-0000

**MASTER PLAN:** Central Community

**ZONING DISTRICT:** R-2 (Single and Two-Family Residential)

**REQUEST:** The applicant, Stanford Bell of Altus Development Group, on behalf of the property owner, 810 E Holdings LLC, is requesting Master Plan and Zoning Map amendments for an approximately 0.15 acre (6,850 sq. ft.) property located at approximately 810 East 800 South. The applicant is requesting a Master Plan amendment to change the Central Community Future Land Use Map designation from Low Density Residential to Community Commercial. The applicant is also requesting a Zoning Map amendment to change the zoning of the parcel from R-2 (Single and Two-Family Residential) to CB (Community Business). The applicant submitted preliminary development plans for a two-story building that would have commercial space on the first floor, residential units on the second floor, and parking located to the rear.

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

### ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Site Photographs](#)
- C. [Additional Applicant Information](#)
- D. [Existing Conditions & Development Standards](#)
- E. [Analysis of Standards](#)
- F. [Public Process & Comments](#)
- G. [Department Review Comments](#)

**BACKGROUND/PROJECT DESCRIPTION:**

The property is approximately 0.15 acres (6,850 sq. ft.) and is zoned R-2. The applicant is requesting a Zoning Map amendment to change the zoning of the parcel to CB. The Central Community Master Plan was adopted in 2005 and the Future Land Use Map designates this area as Low Density Residential. The zoning map amendment to CB requires a change in the land use designation to Community Commercial. The property is currently vacant. The city's permit card files show that a single-family home was demolished in 1989. Per the applicant, this was due to a fire. The residence is shown on the 1898 Sanborn maps, the first to cover this area, and is shown as two stories with brick on the first floor. The 1950 Sanborn maps also show the residence on the site (and approximately 19 residences and an 11-unit apartment building on the Smith's site).



*Map showing the area proposed for rezoning outlined in yellow with existing adjacent zoning identified*

## **KEY ISSUES:**

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

### **Issue 1: Compatibility with adopted planning documents**

The proposal is consistent with the *Central Community Master Plan* and *Plan Salt Lake*. The *Central Community Master Plan* identifies this property as Low Density Residential (5-10 dwelling units/acre). The property is currently vacant and located to the west of a Smith's grocery store and is to the east of a duplex zoned R-2. Slightly further to the east on the corner of 800 East and 800 South is a Small Neighborhood Business (SNB) zoned parcel. Residential properties are located to the north. The preliminary plans for a mixed-use development require the zoning map and master plan amendments. The CB zoning district and Community Commercial land use designation are consistent with the proposed development. They are also consistent with the zoning and land use on the adjacent Smith's property. While a change from the existing designations, it is appropriate for the site and the neighborhood. The property has been vacant since 1989. There is a commercial use on the adjacent Smith's property and on the corner of 800 East and 800 South (Vis). As such, the proposed amendments are appropriate for the context and the neighborhood.

Several goals and criteria in the *Central Community Master Plan* are applicable to this project. The plan's Vision for the Future identifies several applicable criteria among four goals:

#### *Livable communities and neighborhoods*

- A variety of residential land use supports all types of housing and the affordability of the housing stock.
- The appropriate transition of multi-family housing with mixed land uses in designated areas supports sustainable development within the community.

#### *Vital and sustainable commerce*

- Increased pedestrian accessibility and cultural activities encourage more housing that supports the employment center of the downtown area.
- An enhanced built environment encourages employees to work and live in the Central Community and supports the creation of smaller locally owned businesses.

#### *Unique and active places*

- New places where people can gather, meet, socialize, and recreate are created using design excellence and shared resources.
- Existing destination centers and gathering places are enhanced through urban design recommendations.

#### *Pedestrian mobility and accessibility*

- Children, senior adults, and those with disabilities can access destination points without being threatened by vehicular movement.
- Improved pedestrian movement along arterials and collectors ensures pedestrian safety.

The proposed rezoning and master plan amendment would allow for a future development that could include commercial and residential uses, including the development proposed in the preliminary plans for a building with a first-floor commercial use and second floor residential. The property is in a location that is accessible to pedestrians and near other commercial and residential uses.

Specific to the East Central North Neighborhood Planning Area, the following issues apply:

- Ensure that commercial development is compatible with any adjacent residential land uses
- Reduce excessive density potential, stabilize the neighborhood, and conserve the neighborhood's residential character.
- Improve zoning enforcement, including illegal conversion to apartments, yard cleanup, "slum lords," etc.

The current zoning and small size of the parcel limits the property to a single-family residence. This is likely why it remains vacant. While a single-family residence was its historic use, the previous residence on the property was demolished 30 years ago and it has not been redeveloped in the past 30 years. In addition, while not recent, the construction of the Smith's and the change to the character of the neighborhood with its development makes the proposed commercial zoning, change in the land use designation, and the preliminary proposal for a mixed-use development appropriate for the site.

The proposed master plan amendment and zoning map amendment are also compatible with the citywide *Plan Salt Lake*. Consistent with *Plan Salt Lake*, the proposal will provide a mix of uses, redevelopment of a vacant property, and additional commercial space and residential units in the central area of the city. The plan identifies several initiatives that the proposed rezoning helps to implement. In the Growth Chapter, the following apply:

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

The proposed rezoning is located on 800 South, one block north of the 900 South "Funding our Future" frequent service transit route and one block west of the 900 East Route 209. As stated above, the site is currently vacant, and the proposed rezoning and master plan amendment are consistent with the use to the east and, given the small nature of the property, would serve as a transition to the residential and small neighborhood business uses to the west.

While a residential use would not be required, the applicant submitted a preliminary proposal that included housing units. In this case, two initiatives in the Housing Chapter apply as well:

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

The site is located in close proximity to existing infrastructure, including frequent service transit routes. The preliminary proposal for commercial and residential would provide additional space for small businesses and additional residential units in the neighborhood.

### **Issue 2: Zoning compatibility with adjacent properties**

As detailed in Attachment A – Vicinity Maps and Attachment D – Existing Conditions and Development Standards, the surrounding properties are zoned CB and R-2. The R-2 zone generally permits single- and two-family residential properties. The CB zone, consistent with the Smith's property to the east, allows for a variety of commercial uses and multifamily development. Given these standards, the anticipated use of the site with commercial on the first floor and residential on the second floor would serve as a transition from adjacent higher intensity uses and would be compatible with the commercial development to the east and the mix of small scale commercial and residential development to the west.

### **Issue 3: Existing zoning limitations and proposed zone**

The subject property is currently zoned R-2, which allows for single-family and two-family dwellings. However, two-family dwellings require a minimum of 8,000 square feet, which is approximately 1,200 square feet larger than this parcel. With this requirement, the property is generally limited to single-family uses. It has been vacant since the previous residence was demolished in 1989, so this reuse seems unlikely. This is detailed in Attachment D – Existing Conditions and Development Standards.

As previously stated, the proposed CB zoning district is consistent with the zoning of the Smith's property to the east. Grocery stores are frequently zoned CB, which is intended to provide for the close



integration of moderately sized commercial areas with adjacent residential neighborhoods. It allows for an additional 5' of building height compared to the Neighborhood Commercial (CN) and SNB zoning districts, which could allow for a taller first floor ceiling height that often benefits commercial uses and is consistent with the zoning to the east. The maximum height in CB at 30' is 2' greater than the 28' permitted for a single-family home with a pitched roof in the R-2 zoning district. CB allows for a wider variety of uses compared to SNB. The uses in CB are similar to CN and many of the additional uses permitted in CB, such as an assisted living facility, gas station, or hotel are likely to be developed on larger parcels. This property is adjacent to an existing CB zoned property and the uses, height, and design standards related to glass and blank wall length as well as the maximum 30' height are appropriate for the site.

#### **DISCUSSION:**

The proposed master plan amendment from Low Density Residential to Community Commercial and the proposed zoning map amendment from R-2 to CB would allow for a variety of commercial uses and multifamily residential on the site. Currently, the property is vacant since a historically single-family residence was demolished in 1989. Generally, due to the small size of the site, development of a greater intensity than a single-family residence is not permitted due to lot area restrictions. The proposed CB zoning district is located on the Smith's property to the east and a rezoning of this small parcel to CB would serve as a transition to the R-2 and SNB zoned properties near the subject property.

The East Liberty Park Community Council discussed the proposed rezoning at their October meeting and submitted a letter in support of the proposal. At the meeting, there were questions about the proposed use, including whether a restaurant or bar would be permitted and a potential development agreement with a restriction on these uses. In addition, staff has received three emails in support of the proposal ([Attachment F](#)).

#### **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 to redevelop the site. If ultimately denied, the applicant would be able to construct a single-family home on the property.

## **ATTACHMENT A: VICINITY MAP**

**Legend**

- Subject Property
- Parcels

0 40 80 160 240 320 Feet

800 S 800 E 800 S 800 E

Chase Ave

810

801 809 813 817 823 829 833 835 847 841 819 834 825 825 829 832 834 802 774 768 764 756 752 839 847 851 853 855 857 859 863 751 763 765 775 777 848 854 844 836 832 828 824 818 814 810 834 876 859 865 870

800 E 800 E 800 E 800 E

Windsor St

Belmont Ave

Lowell Ave

Lincoln St

Sego Ave

Eglu Ct

Lake St

700 E 700 S 800 S 900 S 900 E



## ATTACHMENT B: SITE PHOTOGRAPHS

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*View of the property.*



*View of the property, the accessory structure on the property to the west, and the back of the commercial building on the corner of 800 S and 800 E.*





*View of Smith's property to the east.*



*View of east/front façade of commercial property at 800 S and 800 E.*





*View of adjacent duplex to the east – 800 E/front facade.*



*View of the front/west façade (800 E) of the property to the south of the subject property.*





*View from the site looking across 800 S*

## **ATTACHMENT C: ADDITIONAL APPLICANT INFORMATION**

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# Master Plan Amendment

SALT LAKE CITY PLANNING

☐ Amend the text of the Master Plan ☒ Amend the Land Use Map

## OFFICE USE ONLY

Received By:

Date Received:

Project #:

Name of Master Plan Amendment:

## PLEASE PROVIDE THE FOLLOWING INFORMATION

Address of Subject Property (or Area):

810 E 800 S, Salt Lake City, UT

Name of Applicant:

Altus Development Group, LLC

Phone:

Address of Applicant:

336 West Broadway, Salt Lake City, UT 84101

E-mail of Applicant:

Cell/Fax:

Applicant's Interest in Subject Property:

☐ Owner

☒ Contractor

☐ Architect

☒ Other:

Name of Property Owner (if different from applicant):

Josh Cook (with 810 East Holdings, LLC purchasing the property during this process)

E-mail of Property Owner:

Phone:

**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.

## AVAILABLE CONSULTATION

Planners are available for consultation prior to submitting this application. Please call (801) 535-7700 if you have any questions regarding the requirements of this application.

## REQUIRED FEE

Filing fee of **\$992** plus **\$121** per acre in excess of one acre.

**\$100** for newspaper notice.

Plus additional fee for mailed public notices.

## SIGNATURE

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

Signature of Owner or Agent:

*Stanford Bell*

Date:

September 22, 2020

## SUBMITTAL REQUIREMENTS

Staff Review

### 1. Project Description (please attach additional sheets.)

- |                          |                                     |   |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Describe the proposed master plan amendment.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | A statement declaring the purpose for the amendment.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Declare why the present master plan requires amending.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Is the request amending the Land Use Map?<br>If so, please list the parcel numbers to be changed.           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Is the request amending the text of the master plan?<br>If so, please include exact language to be changed. |

### WHERE TO FILE THE COMPLETE APPLICATION

*Mailing Address:* Planning Counter  
PO Box 145471  
Salt Lake City, UT 84114

*In Person:* Planning Counter  
451 South State Street, Room 215  
Telephone: (801) 535-7700

### INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

SB I acknowledge that Salt Lake City requires the items above to be submitted before my application can be processed. I understand that Planning will not accept my application unless all of the following items are included in the submittal package.





# Zoning Amendment

SALT LAKE CITY PLANNING

☐ Amend the text of the Zoning Ordinance ☒ Amend the Zoning Map

## OFFICE USE ONLY

Received By:

Date Received:

Project #:

Name or Section/s of Zoning Amendment:

## PLEASE PROVIDE THE FOLLOWING INFORMATION

Address of Subject Property (or Area):

810 E 800 S, Salt Lake City, UT

Name of Applicant:

Altus Development Group

Phone:

Address of Applicant:

336 West Broadway, Suite 110, Salt Lake City, UT 84101

E-mail of Applicant:

Cell/Fax:

801-884-9044

Applicant's Interest in Subject Property:

☐ Owner

☒ Contractor

☐ Architect

☒ Other:

Name of Property Owner (if different from applicant):

Josh Cook (with 810 East Holdings, LLC purchasing the property during this process)

E-mail of Property Owner:

Phone:

**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.

## AVAILABLE CONSULTATION

If you have any questions regarding the requirements of this application, please contact Salt Lake City Planning Counter at (801) 535-7700 prior to submitting the application.

## REQUIRED FEE

**Map Amendment:** filing fee of **\$1,058** plus **\$121** per acre in excess of one acre

**Text Amendment:** filing fee of **\$1,058**, plus fees for newspaper notice.

Plus additional fee for mailed public notices.

## SIGNATURE

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

Signature of Owner or Agent:

Date:

*Stanford Bell*

September 22, 2020

## SUBMITTAL REQUIREMENTS

Staff Review

### 1. Project Description (please attach additional sheets.)

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | A statement declaring the purpose for the amendment.   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | A description of the proposed use of the property being rezoned.   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | List the reasons why the present zoning may not be appropriate for the area.   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Is the request amending the Zoning Map?<br>If so, please list the parcel numbers to be changed.  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Is the request amending the text of the Zoning Ordinance?<br>If so, please include language and the reference to the Zoning Ordinance to be changed. |

### WHERE TO FILE THE COMPLETE APPLICATION

*Mailing Address:* Planning Counter  
PO Box 145471  
Salt Lake City, UT 84114

*In Person:* Planning Counter  
451 South State Street, Room 215  
Telephone: (801) 535-7700

### INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

SB I acknowledge that Salt Lake City requires the items above to be submitted before my application can be processed. I understand that Planning will not accept my application unless all of the following items are included in the submittal package.

**September 22, 2020**

Salt Lake City Planning Commission  
451 South State Street  
Salt Lake City, UT 84114

Re: Description of Master Plan Amendment and Zone Change for 810 E 800 S

Planning Commission,

We are seeking to develop and construct a mixed commercial / residential building at 810 E 800 S, Salt Lake City, UT, Salt Lake County Parcel Number 16-08-176-024-0000 (the “Property”). We are submitting two applications in conjunction with each other to begin this process: 1) an amendment to the Future Land Use Map in the Central Community Master Plan, changing the Property from Low Density Residential to Community Commercial, and 2) a zoning map amendment changing the Property from R-2 to CB (Community Business).

The Property is subject to the Central Community Master Plan, East Central North Neighborhood, which has the Property listed as Low Density Residential on the Future Land Use Map. Additionally, the property is currently zoned as R-2. The Property is an empty lot and has been that way for well over twenty-five years. It currently attracts the transient population and has been not beneficially used for a significant period of time.

The corner of 800 S 800 E has turned into a small commercial hub, with several businesses located immediately to the west of the Property and zoned as Small Neighborhood Business.<sup>1</sup> Smith’s grocery store is located immediately to the east of the Property, which is zoned CB. With the Property sandwiched between commercial uses, it is not a desirable location for a single family or two-family dwelling. Additionally, the market value of the Property, given its excellent commercial location, makes it cost prohibitive to build a single-family dwelling or two-family dwelling under the current zoning. The Property will most likely continue to sit vacant unless it is allowed to be used for commercial or mixed-use purposes.

We intend to build a two-story mixed-use building with commercial space on the first floor and residential units on the second floor. We have included a proposed site plan and a rough rendering of the elevation of the building as seen from 800 South. This use meets the purposes of the Master Plan by locating “community level retail sales and services on appropriate arterials,” in an area that is already surrounded by commercial uses. *See Central Community Master Plan, CLU-1.2, page 11.* There is also a heavy emphasis in the Central Community Master Plan on providing mixed use commercial / residential properties with “ground level

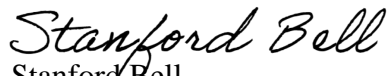
<sup>1</sup> There is a garage immediately to the west of the Property that is zoned R-2. However, that garage juts out from a parcel further to the south that has a duplex with in home business operating out of the property. The block face surrounding the Property appears to be all commercial. The only property that adjoins the Property and is used solely as a residential home is immediately to the south.

commercial space [and] apartment or condominium units above the first floor,” especially in the 9<sup>th</sup> and 9<sup>th</sup> area just to the south of the Property. *See* Central Community Master Plan, page 11. This development meets these objectives and will add to the community.

We respectfully request that the Central Community Master Plan Future Land Use Map be amended so that the Property is designated at Community Commercial and that the Property be rezoned to from R-2 to CB.

We’re excited to move forward with this project. Please reach out to me if you have any questions.

Best,

A handwritten signature in black ink that reads "Stanford Bell". The script is cursive and fluid.

Stanford Bell  
801-884-9044







810 EAST CONCEPT SKETCH 8/24/20  
BOUTIQUE COMMERCIAL GROUND FLOOR  
RESIDENTIAL UNITS ABOVE

## ATTACHMENT D: EXISTING CONDITIONS & DEVELOPMENT STANDARDS

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### CURRENT USES OF THE SUBJECT PARCELS AND THOSE WITHIN THE IMMEDIATE VICINITY

#### **Abutting property to the north:**

The properties to the north and across 800 South are single-family residences that are zoned R-2 (Single and Two-Family Residential).

#### **Abutting property to the south:**

The property to the south is zoned R-2 and there is a single-family home on the property.

#### **Abutting property to the east:**

The property to the east is zoned CB (Community Business) and there is a Smith's grocery store on the site.

#### **Abutting property to the west:**

The property to the west is zoned R-2 and there is a duplex on the property. The property to the west of it has a commercial building and is zoned SNB (Small Neighborhood Business).

### CURRENT AND PROPOSED ZONING STANDARDS (21A.24.110 and 21A.26.030)

The subject property is zoned R-2 and the proposal is for CB. The following table provides the general yard and bulk requirements for development within the zoning districts.

R-2 Zoning District (Existing)	
Minimum Lot Area (single-family detached dwellings)	Minimum Lot Width
5,000 sq. ft.	50 ft.

CB Zoning District (Proposed)	
Minimum Lot Area	Minimum Lot Width
None	None

R-2 Zoning District (Single-family)				
Front Yard	Rear Yard	Interior Side Yards	Maximum Building Coverage	Height
Average of block face or 20 ft.	25% of lot depth not less than 15 ft., need not be more than 25'	4 ft. on one or 10 ft. on the other	40%	28 ft. to the ridge or the average of the block face; 20 ft. for flat roofs

CB Zoning District						
Front Yard	Rear Yard	Interior Side Yards	Height	Maximum Building Coverage	Landscape Yards	Buffer Yards
None required	10 ft.	None required	30 ft.	NA	Front yard, if provided	7 ft. next to residential

### Allowed uses in each zone:

Land use tables for each zone are below for reference.

Permitted and Conditional Uses by District		
Use	R-2	CB
Accessory use, except those that are specifically regulated elsewhere in this title	P	P
Adaptive reuse of a landmark site	C <sup>8</sup>	P
Alcohol:		
Bar establishment (2,500 square feet or less in floor area)		C <sup>10,11</sup>
Brewpub (2,500 square feet or less in floor area)		C <sup>10,11</sup>
Tavern (2,500 square feet or less in floor area)		C <sup>10,11</sup>
Animal: Veterinary office		P
Antenna, communication tower		P
Antenna, communication tower, exceeding the maximum building height in the zone		C
Art gallery		P
Artisan food production (2,500 square feet or less in floor area)		P <sup>24</sup>
Bed and breakfast		P
Bed and breakfast inn		P
Bed and breakfast manor		C <sup>3</sup>
Clinic (medical, dental)		P
Commercial food preparation		P
Community garden	C	P

Daycare center, adult		P
Daycare center, child	C <sup>22</sup>	P
Daycare, nonregistered home daycare or preschool	p <sup>22</sup>	p <sup>22</sup>
Daycare, registered home daycare or preschool	p <sup>22</sup>	p <sup>22</sup>
Dwelling:		
Assisted living facility (large)		P
Assisted living facility (small)		P
Dwelling, accessory unit	P	
Dwelling, assisted living facility (limited capacity)	C	
Dwelling, group home (small) <sup>15</sup>	P	
Dwelling, manufactured home	P	
Dwelling, single-family (detached)	P	
Dwelling, twin home and two-family	p <sup>2</sup>	
Group home (large) <sup>17</sup>		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 <sup>18</sup>		P
Living quarter for caretaker or security guard		P
Multi-family		P
Rooming (boarding) house		P
Eleemosynary facility	C	P
Financial institution		P
Financial institution with drive-through facility		p <sup>9</sup>
Gas station		C
Government facility	C	C
Government facility requiring special design features for security purposes		P
Home occupation	p <sup>24</sup>	p <sup>23</sup>
Hotel/motel		C
Large wind energy system		P
Library		P
Limousine service (small)		C
Mixed use development		P
Mobile food business (operation on private property)		P
Municipal service uses, including City utility uses and police and fire stations	C	C
Museum		P
Nursing care facility		P
Office		P
Open space		P
Open space on lots less than 4 acres in size	P	
Park	P	P
Parking:		

Off site		P
Park and ride lot		C
Park and ride lot shared with existing use	P	P
Place of worship on lot less than 4 acres in size	C	P
Reception center		P
Recreation (indoor)		P
Recycling collection station		P
Restaurant		P
Restaurant with drive-through facility		p <sup>9</sup>
Retail goods establishment		P
Plant and garden shop with outdoor retail sales area		P
With drive-through facility		p <sup>9</sup>
Retail service establishment		P
Furniture repair shop		P
With drive-through facility		p <sup>9</sup>
Reverse vending machine		P
Sales and display (outdoor)		P
School:		
College or university		P
Music conservatory		P
Professional and vocational		P
Seminary and religious institute	C	P
Seasonal farm stand		P
Studio, art		P
Theater, live performance		p <sup>12</sup>
Theater, movie		C
Urban farm	P	P
Utility, building or structure	p <sup>5</sup>	p <sup>2</sup>
Utility, transmission wire, line, pipe, or pole	p <sup>5</sup>	p <sup>2</sup>
Vehicle:		
Automobile repair (minor)		P

Qualifying provisions for CB:

2. Subject to conformance to the provisions in subsection 21A.02.050B of this title for utility regulations.
9. Subject to conformance to the provisions in section [21A.40.060](#) of this title for drive-through use regulations.
10. Subject to conformance with the provisions in section [21A.36.300](#), "Alcohol Related Establishments", of this title.
11. In CN and CB Zoning Districts, the total square footage, including patio space, shall not exceed 2,200 square feet in total. Total square footage will include a maximum 1,750 square feet of floor space within a business and a maximum of 450 square feet in an outdoor patio area.
22. Subject to section [21A.36.130](#) of this title.
23. Allowed only within legal conforming single-family, duplex, and multi-family dwellings and subject to section 21A.36.030 of this title.



24. Must contain retail component for on-site food sales.

Qualifying provisions for R-2:

2. Provided that no more than 2 two-family buildings are located adjacent to one another and no more than 3 such dwellings are located along the same block face (within subdivisions approved after April 12, 1995).
5. See subsection [21A.02.050B](#) of this title for utility regulations.
8. Subject to conformance with the provisions of subsection [21A.24.010S](#) of this title.
22. Subject to section [21A.36.130](#) of this title.
24. Subject to section [21A.36.030](#) of this title.

## ATTACHMENT E: ANALYSIS OF STANDARDS

### MASTER PLAN AMENDMENTS

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

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

In this case, the master plan is being amended in order to provide consistency between the *Central Community Master Plan* and the proposed zoning designation of the subject property. In this case, the master plan identifies the property as low density residential. The zoning map and master plan requests facilitate a rezoning of the property to the Community Business district, consistent with the adjacent property to the east. This district allows for a much wider variety of uses. The small size of the parcel limits the practicality of many of these permitted uses on the site. The applicant's preliminary proposal for two-story mixed-use building with commercial on the first floor and residential units on the second floor would be compatible with the neighborhood and serve as a transition between the more intensive use of the Smith's property to the east and the duplex and small commercial building to the west. State Law does include a required process in relation to a public hearing and recommendation from the Planning Commission for a master plan amendment. The required process and noticing requirements have been met. Should the Planning Commission make a positive recommendation for the zoning map amendment, an amendment to the master plan is also appropriate.

### 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	As discussed in Issue 1, the proposed zoning amendment is consistent with <i>Plan Salt Lake</i> and policies within the <i>Central Community Master Plan</i> . The master plan amendment will provide consistency with the land use map in the <i>Central Community Master Plan</i> . This proposal would provide a transition from the more intensive commercial development to the east with the residential and small commercial development to the west.
2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.	Complies	Section 21A.02.030 of the Salt Lake City Code provides the purpose and intent of the overall Zoning Ordinance stating that it is to, "promote the health, safety, morals, convenience, order, prosperity and

		<p>welfare of the present and future inhabitants of Salt Lake City, to implement the adopted plans of the city, and to carry out the purposes of the municipal land use development and management act...and other relevant statutes.” Additionally, it is to address the following:</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.</li> </ul> <p>The proposed master plan and map amendment would foster the city's development with additional commercial space and residential units on a parcel that has been vacant for 30 years. It would protect, and likely increase, the tax base and possibly lessen congestion in the streets by placing more residences and neighborhood scale commercial space in the neighborhood.</p>
<b>3. The extent to which a proposed map amendment will affect adjacent properties;</b>	<b>Complies</b>	<p>As discussed in Issue 2 and Attachment D, the proposed map amendment will have an effect on the adjacent properties since a use more intensive than a single-family home could be constructed. However, the parcel has been vacant for 30 years and has not redeveloped. The proposed zone is consistent with the property to the east and, given its size, would likely provide a transition to the less intensively developed properties to the west.</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>	<b>The zone is consistent with any other applicable overlays.</b>	<p>The site is located within the Groundwater Source Protection Overlay and is within the boundaries of a National Historic District. It would be required to comply with the requirements of the Groundwater Source Protection overlay. City historic preservation requirements do not apply to properties within National Historic Districts.</p>

<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></p>	<p><b>City services can be provided to the site.</b></p>	<p>The subject property is located within a built environment where public facilities and services already exist. Redevelopment on this property may require upgrading or installation of utilities and drainage systems.</p> <p>No concerns were received from other City departments regarding the zoning amendment or the potential for development on these properties as long as normal development requirements are met.</p>
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## **ATTACHMENT F: PUBLIC PROCESS AND COMMENTS**

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

The following is a list of public meetings and other public input opportunities related to the proposed project:

#### **Notice of Application to Recognized Community Organization:**

A notice of application was sent to the East Central and East Liberty Park Community Councils on October 14, 2020. The community council was given 45 days to respond with any concerns or to request staff to meet with them and discuss the proposed zoning amendment.

The East Liberty Park Community Council held a Zoom meeting on October 22, 2020 that the applicant, developer, and staff attended. Phil Winston presented the project and also stated the applicant was willing to enter into a development agreement prohibiting a restaurant or bar. Comments were generally supportive of the proposal and neighbors have indicated that they were against a restaurant or bar.

The Community Council submitted a letter of support (attached) for the project with a development agreement.

#### **Open House:**

An online open house was posted on October 19, 2020.

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

Early notification sent to property owners within 300' on October 15, 2020.

Public hearing notice posted on December 29, 2020.

Public notice posted on City and State website and Planning Division list serve on December 29, 2020.

Public hearing notice sent to property owners within 300' on December 29, 2020.

#### **Public Input:**

Staff has received three emails in support of the proposal that are attached.



January 6, 2021

Dear SLC Planning Commission:

The board of ELPCO, the East Liberty Park Community Organization, is writing in support of the request by Stanford Bell and Phil Winston of Altus Development Group to amend the Central Community Master Plan and the zoning map for a development project at [810 East 800 South](#) [Case numbers PLNPCM2020-00740 & PLNPCM2020-00741].

Our positive recommendation results from a careful examination of this proposal, a comprehensive presentation by the developers, and feedback from residents who live near the project area.

We support this project for the following reasons:

- The development creates a better use for a vacant property
- The project adds housing units to the neighborhood
- The zoning change to CB (Community Business) is consistent with the proposed design and with the zoning of adjacent parcels
- The project mixes residential and commercial uses in a scale that is appropriate for the streetscape
- The zoning and master plan changes are supported by nearby residents

In October 2020, Phil Winston from Altus Designs presented about this project for 20 minutes during an online ELPCO community meeting. He described the purpose of the development and the reason for the zoning changes and reviewed his team's community engagement efforts.

You can watch the ELPCO presentation by Phil Winston here: <https://youtu.be/IYhdavQ-QIE?t=480>

During this presentation, Phil Winston mentioned his [decision to not allow a restaurant or bar to occupy the commercial space](#) based on his conversations with residents. He added he would codify this in a development agreement attached to the project.

ELPCO supports this development agreement, would recommend that it be expanded to include confirmation of mixed-use design with residential units and the use of durable building materials consistent with the surrounding properties. We would also like to see this development agreement attached to the title of the property. We recommend the SLC City Council work with Altus to complete this development agreement.

Additionally, ELPCO contacted residents of 800 East who live adjacent to the project and have recently been involved with the Telegraph Exchange Lofts proposal. Here are two comments we received regarding this project.

*We support it completely. First of all, it fits the location and scale very well. They have done a great job of checking in and clearing the idea with us and other neighbors. We feel it does a great job filling that eyesore of a space that is not ideal for home or duplex, while also adding housing. The design acts as a buffer to yards/homes from 800 S and has well thought out design and greenery to blend, while still creating a structure that will visually enhance the neighborhood.*





*[...] are in support of the project. While hesitant to set the precedent of spot rezoning, we agree that this is a different situation than Telegraph Exchange and this lot will never thrive as anything but commercial. Phil Winston and the Demuris did a good job in engaging the immediate neighborhood for feedback and the mixed-use design will greatly improve this stretch of 800 South.*

In summary, ELPCO supports the master plan and zoning map amendments for the project at 810 East 800 South.

Sincerely,

Jason Stevenson, ELPCO co-chair  
Darryl High, ELPCO co-chair  
Dave Richards, Land Use advisor  
Judi Short, Land Use advisor

**About ELPCO**

*ELPCO is the East Liberty Park Community Organization—a local, city-sanctioned community organization that represents the residents and businesses in the East Liberty Park area of Salt Lake City. The area covered by ELPCO is defined by the boundaries of 700 E to 1300 E and 800 S to 1700 S. ELPCO currently meets online on the fourth Thursday of every month. Learn more at [www.facebook.com/ELPCO](http://www.facebook.com/ELPCO) or by emailing [elpcoslc@gmail.com](mailto:elpcoslc@gmail.com) - Sign up for ELPCO's twice-monthly e-newsletters here: <http://eepurl.com/qcOcCL>*

**From:** [John Webster](#)  
**To:** [Javoronok, Sara](#)  
**Subject:** (EXTERNAL) 810 East 800 South proposal  
**Date:** Friday, November 20, 2020 12:01:54 PM

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Hi Sara,

I'm writing in favor of the development proposal on 800 south and 810 East, just West of the Smith's grocery store.

I've been a home owner in the area since the early 1990s and watched the surrounding area improve dramatically. That 800 South area around Smiths has been a bit of a neglected space. Seems that city and private development has favored the 900 South corridor. We appreciate the amenities that development afforded and would welcome extending the rejuvenation to 800 South. The mix of commercial space with residential above is a great combination. We need the tax base business brings and more residential housing. Win win.

Thank you for your consideration.

If you have any questions please feel free to contact me.

Warm regards,  
- John Webster

**From:** [Tom Brennan](#)  
**To:** [Javoronok, Sara](#)  
**Subject:** (EXTERNAL) PLNPCM2020-00740/00741 Public Comment  
**Date:** Friday, October 23, 2020 8:46:48 AM

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Sara,

I'm writing in general support of the proposed development at 810 East 800 South. This is an appropriate use at this location. The general scale of the proposed development is in character with other neighborhood business in the 9<sup>th</sup> and 9<sup>th</sup> neighborhood.

While this is an application for a zoning change and not a design review, I would encourage that the application to change zoning be tied in some manner to the materials used for the exterior. Specifically I would encourage that materials be appropriate for the neighborhood – specifically not Exterior Insulated Insulation (EIFS) more commonly referred to as stucco or Dryvit. While the rendering is conceptual (and could in fact drastically change), what appears to be proposed is a traditional brick and industrial sash façade could easily be built using an EIFS system which would be completely inappropriate for the area.

Thank you,

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Thomas S. Brennan, AIA, LEED AP, NCARB  
1018 S. Lake Street  
Salt Lake City, UT 84105



**From:** [John Ewanowski](#)  
**To:** [Javoronok, Sara](#)  
**Subject:** (EXTERNAL) Public Comment - 810 E. 800 South development  
**Date:** Monday, November 30, 2020 1:03:33 PM

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Sara,

I am writing as an architect, member of the SLC Historic Landmark Commission, and 9th and 9th resident to register my support for Altus Development Group's proposed project at 810 E. 800 South. The current vacant lot is an eyesore, and the building depicted in the 8/24/20 Concept Sketch is handsome and appropriately scaled. I like how the design references the past while utilizing contemporary materials. As a result, I support the zoning map amendment and master plan amendment as depicted by the applicant.

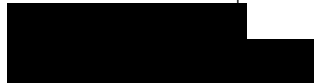
Sincerely,

John

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**John Ewanowski**

1022 S. 900 East | Salt Lake City, UT 84105





## **ATTACHMENT G: DEPARTMENT REVIEW COMMENTS**

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**Public Utilities** – Jason Draper, [Jason.Draper@slcgov.com](mailto:Jason.Draper@slcgov.com)

No objections to the zone and master plan amendment. Development will likely require off-site improvements including and upgrade of the water main.

**Zoning, Building, and Fire Code** – Greg Mikolash, [Gregory.Mikolash@slcgov.com](mailto:Gregory.Mikolash@slcgov.com)

Building Services finds no zoning, building code, or fire code related issues associated with this request.

**Engineering** – Scott Weiler, [Scott.Weiler@slcgov.com](mailto:Scott.Weiler@slcgov.com)

No objection.

**Transportation** – Michael Barry, [Michael.Barry@slcgov.com](mailto:Michael.Barry@slcgov.com)

Transportation has no objections to this Zoning Map and master Plan amendment