



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Caitlyn Tubbs, caitlyn.tubbs@slcgov.com, 385-315-8115

Date: November 10, 2021

Re: PLNPCM2021-00717 and PLNPCM2021-00718 – 1902 S 400 E Master Plan and Zoning Map Amendments

General Plan Map and Zoning Map Amendments

MASTER PLAN: Central Community

FUTURE LAND USE (EXISTING): Low Density Residential (1-5 du/acre)

FUTURE LAND USE (PROPOSED): Medium Density Residential (15-30 du/acre)

ZONING DISTRICT (EXISTING): R-1-5,000 Residential

ZONING DISTRICT (PROPOSED): RMF-45 Moderate Density Multifamily Residential

PROPERTY ADDRESS: 1902 South 400 East (Salt Lake County Parcel ID: 16-18-452-012)

REQUEST:

Paul Dowland, on behalf of the property owner, is requesting a Master Plan and Zoning Map Amendment for the parcel located at approximately 1902 South 400 East.

- **Zoning Map Amendment** - The property is currently zoned R-1-5,000 Residential and the request is to rezone it to RMF-45 Moderate Density Multifamily Residential.
- **Master Plan Amendment** - The subject property is located within the boundary of the Central Community Master Plan where the existing future land use designation is Low Density Residential (1-5 dwelling units/acre). The Applicant is requesting to amend this designation to Medium Density Residential (15-30 dwelling units/acre) in order to facilitate the Zoning Map amendment request.

The purpose of this request is to allow for future construction of eight (8) townhome units on the subject property.

RECOMMENDATION:

Based on the findings and analysis in this staff report and the factors to consider for zoning map amendments in 21A.50.050 of the zoning ordinance, Planning Staff recommends that the Planning Commission forward a negative recommendation to the City Council regarding this proposal..

ATTACHMENTS:

- [Zoning and Vicinity Maps](#)
- [Applicant's Narrative](#)
- [R-1-5,000 Residential & RMF-45 Zoning Land Use Comparison](#)
- [City Plan Considerations](#)
- [Analysis of Zoning Amendment Standards](#)
- [Property Photographs](#)

G. Public Process & Comments
H. City Department Review Comments

PROJECT DESCRIPTION AND BACKGROUND:



Figure 1: View of the vacant subject property from 400 East.



Figure 2: Photograph of damage to Sears Mansion following March 2021 earthquake.

Paul Dowland, on behalf of the property owner, is requesting a master plan and zoning map amendment for the property located at approximately 1902 South 400 East. The total area of the subject property is approximately 0.3316 acres or approximately 14,444 square feet.

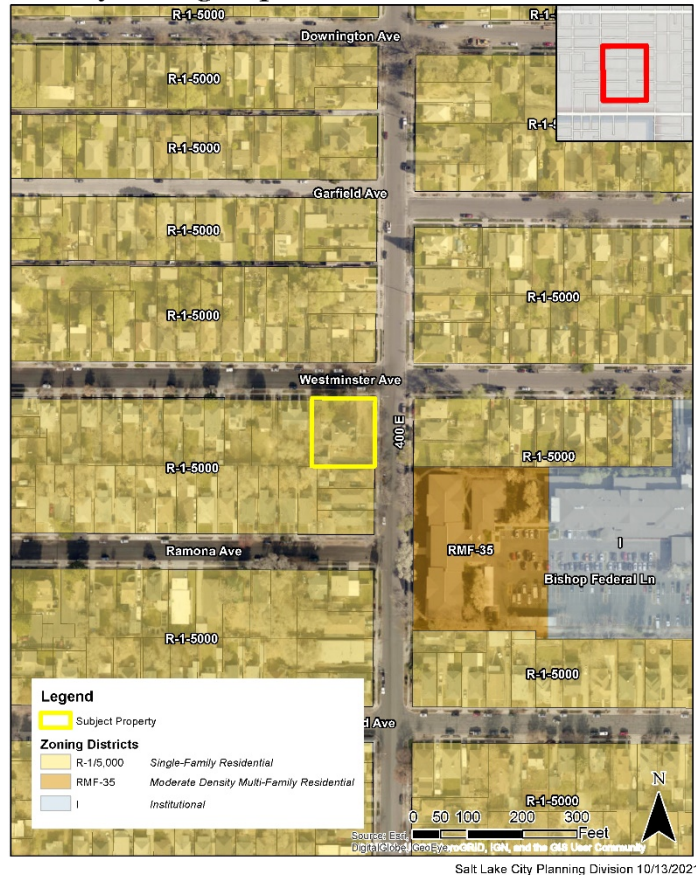
The subject property was home to the historic Septimus and Isabella Sears Residence. The home was constructed in 1896 and suffered catastrophic damage in the March 2020 earthquake. The historic home has been demolished and the property currently stands vacant. The purpose of the Zoning Map and Master Plan Amendment requests is to facilitate future development of eight (8) townhome units on the subject property. Please refer to Attachment B for a detailed narrative submitted by the applicant for the proposed amendments.

The subject property is located just north of 2100 South, a major vehicular, pedestrian, and transit corridor. While the subject property is close to the major corridor 400 East itself is a calmer street which primarily provides access to residential streets and properties. The properties across the street to the east are zoned RMF-35 and Institutional and are the location(s) of the St. Joseph

Villa and Senior Living development. The surrounding properties on the block and within the surrounding area are zoned R-1-5,000 and are strictly residential properties. The nearest properties zoned RMF-45 are approximately 1,300 feet to the southwest of the subject property. The primary reason for the rezone request is so the applicant will have the ability to construct eight (8) townhome units, which is not currently allowed under the existing R-1-5,000 zoning district but is allowed as a permitted use under the requested R-MU-45 zoning district. New permitted uses would include: assisted living facilities (small and large), multi-family dwellings, single-family attached dwellings, and a nursing care facility. New conditional uses would include:

adult daycare center, congregate care facility (large), residential support (small and large), and rooming (boarding) house. There are no uses which are currently permitted which would become conditional uses but there are conditional uses which would become permitted. These include: community garden, accessory dwelling units, limited capacity assisted living facility, and small congregate care facility. Additionally, dormitories, fraternity and sorority houses (which are currently permitted) would no longer be allowed. For a complete list of uses that are allowed under the existing R-1-5,000 Residential zone and the proposed RMF-45 Multifamily Residential zone, please refer to Attachment C.

Vicinity Zoning Map



Salt Lake City Planning Division 10/13/2021

Zoning Map Amendment Considerations

Planning staff is required by ordinance to analyze proposed zoning map amendments against existing adopted City policies and other related adopted City regulations. Planning staff is also directed to consider whether zoning map amendments implement best planning practices. However, ultimately, a decision to amend the zoning map is fully up to the discretion of the City Council and is not subject to any particular standard of review or consideration.

The full list of factors to consider for a zoning map amendment are located in Attachment E.

KEY CONSIDERATIONS:

The key considerations and concerns below have been identified through the analysis of the project, neighbor and community input, and department reviews.

1. Existing Area Plan Guidance

Consideration 1: Existing City Plan Guidance – Central City Master Plan

For zoning map amendments, Planning Staff is directed by ordinance to consider the associated City master plans and adopted policies that apply to a proposal. Staff reviews general City policies, including adopted policies in Citywide master plans such as *Plan Salt Lake*, and considers plans that are specific to an area. In this case the property is within the boundaries of the *Central Community Master Plan*. The Central Community Master Plan outlines how this area developed; beginning as a residential area into which commercial uses began to infiltrate after WWII.

The Future Land Use Map associated with the Central Community Master Plan indicates the subject property is intended to be a Low-Density Residential land use (beige), which is not consistent with the proposed zoning map amendment. The Applicant has also requested an Master Plan Amendment of the Central Community Future Land Use Map to Medium-Density Residential (golden color) in order to facilitate the zoning change. This change would allow for zoning changes consistent with 15-30 dwelling units per acre as opposed to the 1-15 dwelling units per acre currently encouraged under the existing land use and zoning map designations.

The subject property is located in the “Liberty neighborhood planning area” within the Central Community Master Plan. This area is bounded between 900 South to 2100 South and State Street to 700 East. The Plan indicates single-family detached residential uses are the most common in this area. Page 9 of the Central Community Master Plan (2005) states “the Central Community has a notable diversity of housing options which this master plan seeks to preserve. Therefore, most residential neighborhoods will retain existing zoning or be zoned to a lower density.” Since the Plan indicates a need to preserve the existing housing stock and not add higher density developments into areas zoned for low-density uses the Applicant’s amendment requests are not in keeping with the adopted master plan. The residential land use goals outlined in the Central Community Master Plan encourage higher density developments to be located in appropriate areas including East Downtown, the Central Business District, the Gateway area and nearby downtown light rail stations. It also seeks to ensure the preservation of low-density residential neighborhoods and to ensure new developments are compatible with the existing scale, character and density of the surrounding neighborhoods. While the Plan encourages the creation of various housing opportunities it is clear that projects not in keeping with the surrounding scale, character and density of a neighborhood should not be allowed.

See Attachment D for policy statements and goals from various city plans that staff considered as part of the review of this rezone request. Generally, staff finds that the proposed map amendments do not meet the considerations outlined in section 21A.50.050.

NEXT STEPS:

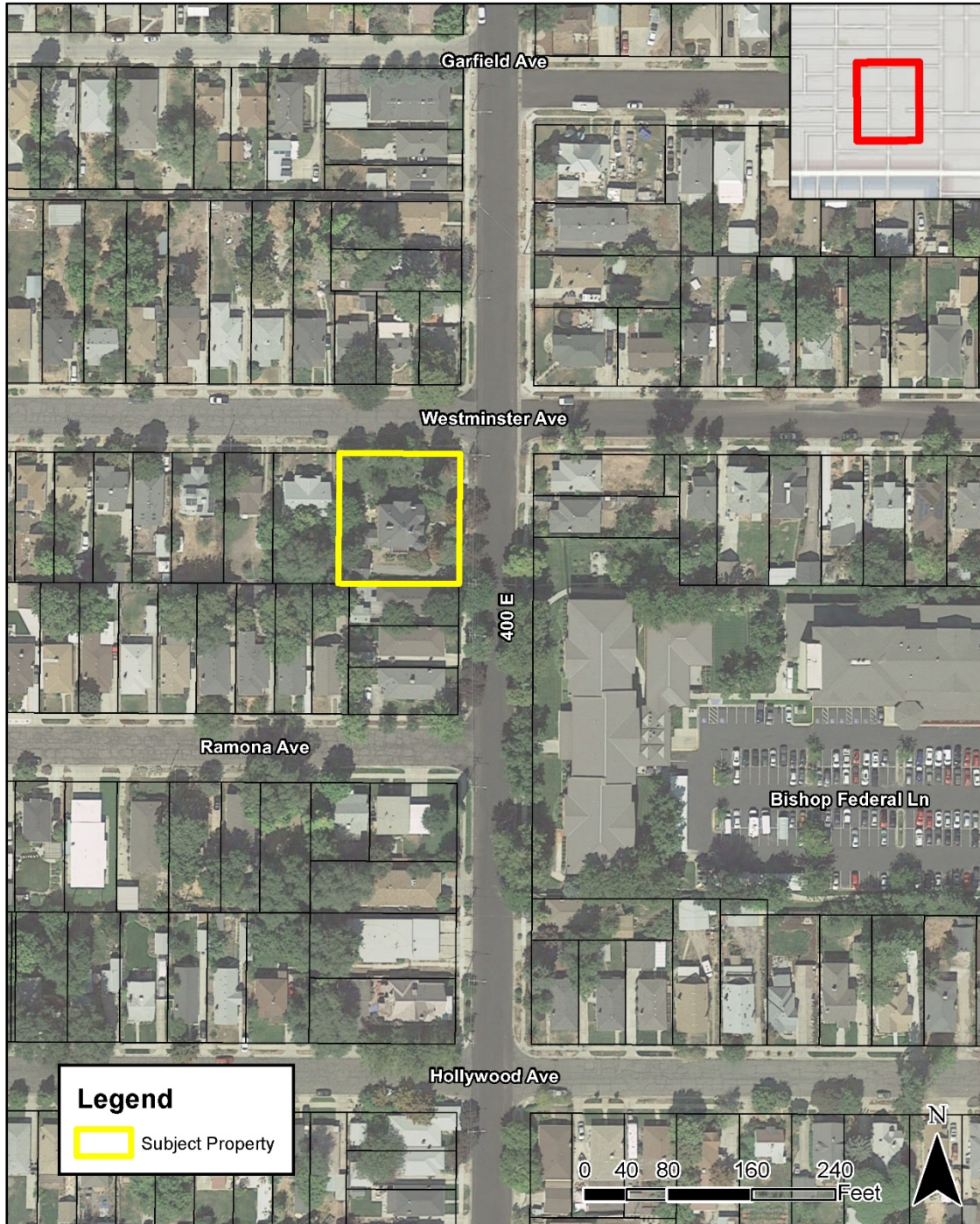
The Planning Commission can provide a positive or negative recommendation for the proposal and as part of a recommendation, can add conditions or request that changes be made to the proposal. The recommendation and any requested conditions/changes will be sent to the City Council, who will hold a briefing and additional public hearing on the proposed zoning changes. The City Council may make modifications to the proposal and approve or decline to approve the proposed zoning map amendment.

Zoning Map and Master Plan Amendment Approval - If the requests are ultimately approved by the City Council, the changes would be incorporated into the official City Zoning map and the future land use map within the Central Community Master Plan and the subject property could be developed under the RMF-45 zoning regulations.

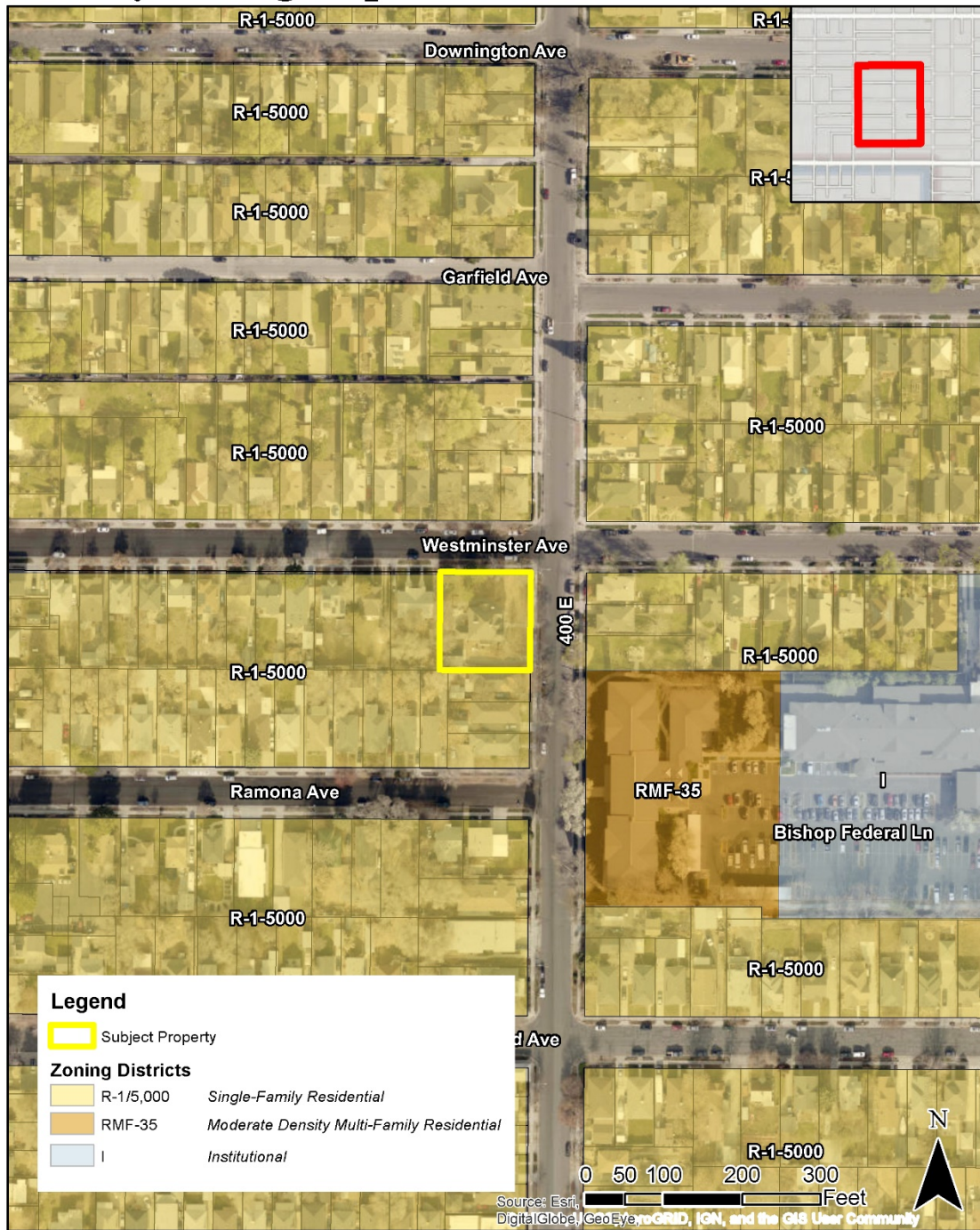
Zoning Map and Master Plan Amendment Denial - If the proposed amendments are not approved by the City Council, the property could still be developed under the current R-1-5,000 zoning designation, however, the property would not be able to have eight (8) townhome units as they are not permitted in the existing zoning district.

ATTACHMENT A: Zoning and Vicinity Maps

Vicinity Map



Vicinity Zoning Map



ATTACHMENT B: Applicant's Narrative

June 28, 2021

Via Electronic Mail

Salt Lake City Planning Division
451 S. State Street
Salt Lake City, UT 84111
Attn: Daniel Echeverria – Senior Planner

Re: Written Narrative in Support of Master Plan and Zoning Amendment Applications

Dear Daniel,

This firm represents PJJD LLC (the “*Developer*”) in connection with a proposed multi-family residential real estate development in Salt Lake City. Developer owns a vacant lot located at 1902 S 400 E in Salt Lake City (the “*Property*”). Developer is proposing to develop the Property into an 8-Unit/Lot multi-family residential subdivision (the “*Project*”). The Property is currently zoned R-1/5,000 (Single - Family Residential District) and in order to develop the Property as intended by Developer, it is necessary to request a rezone and a master plan map amendment of the Property from R-1/5,000 (Single-Family) to the RMF-45 (Moderate/High Density Multi-Family Residential District (“*RMF-45 Zone*”).

Concurrent with this letter, Developer is submitting: (i) a General Master Plan Map Amendment Application; (ii) a General Zoning Amendment Application; and (iii) supporting materials (collectively the “*Application*”) as required by Salt Lake City (the “*City*”). The purpose of this letter is to address the Application requirements and provide written support for the Application.

1. **Current General Plan Classification.** The current City General Plan classification for the Property is located in the Central Community district.
2. **Current Zoning Classification.** The current City Zoning classification is R-1/5,000 (Single-Family Residential) and Low Density Residential (*See Central Master Plan*).
3. **Requested Zoning Classification.** The Developer is requesting a Zoning Classification and change of the Zoning Map to RMF-45 Zone (*Moderate/High Density Multi-Family Residential*).
4. **Parcel Number Change.** The Developer is requesting the Zoning Map to be amended for only one Parcel Id: 16-18-452-012-0000.
5. **Project Description and Proposed Use.** Developer purchased the Property on October 20, 2020. Prior to Developer’s ownership, a single-family home was located on the Property which received substantial earthquake damage. As a result of such damage and for safety reasons, the home was razed, and the Property now sits vacant. Developer proposes to subdivide and construct 8 tasteful townhomes on

the Property for sale and use as a multifamily residential subdivision. Each townhome will have 4 bedrooms, 2 baths with a double car garage. There will be no on street parking.

6. **Reasons in Support of Requested Zone Change.** In support of rezoning the Property to the RMF-45 Zone, Developer respectfully requests the City to balance existing rules and regulations with flexibility for change and growth and consider the following:

(a). **General Statement.** Salt Lake City is one of the fastest growing cities in the nation and boasts a strong housing and employment market. Although this growth in population and employment supports a vibrant community, for many residents and workers, SLC is becoming a city out of reach. Similar to cities across the country, Salt Lake City is faced with housing prices that are rising more rapidly than wages, resulting in a lack of diverse and affordable housing.

To address the growth and housing challenges, over the years the City has developed goals, objectives and policies as stated through its various adopted planning documents, including, Plan Salt Lake; Salt Lake City/Citywide Vision, adopted 2015 (“**Master Plan**”); Growing SLC, A Five Year Housing Plan, (2018-2022) (“**City Housing Plan**”); Salt Lake City Consolidated Plan; Hud Program Years 2020-2024; Fiscal Years 2021-2025, (“HUD Plan”), Central Community Neighborhood Master Plan, adopted 2005 (“Central Master Plan”); Building Affordable in Salt Lake City: An Affordable Residential Development Guide, 2019 (“Affordable Residential Guide”); various zoning regulations (“**Ordinances**”) and other city wide and community plans, etc.

Implementing these various goals, objections and policies as reflected in the adopted planning documents requires a unique approach of balancing existing rules and regulations while exercising flexibility to achieve real and responsive change that will encourage the market to develop the diverse and affordable housing needed to accommodate the growing SLC community.

(b) **The Project is consistent with the purposes, goals, objectives and policies of the City.** The Master Plan, City Housing Plan, HUD Plan, Central Master Plan, Affordable Residential Guide and Ordinances all recognize, support and call for increasing the housing supply and expanding housing opportunities throughout the city, including removing local barriers to housing development. For example, both the Master Plan and the City Housing Plan specifically provide:

- (1) By creating places with a diverse mix of uses, building types, connections, and transportation options, people have the choice of where they live, how they live, and how they get around. As our City grows and evolves overtime, having a diverse mix of uses in our neighborhoods citywide will become increasingly important to accommodate responsible growth and provide people with real choices. See Master Plan; Sustainable Growth & Development, Page 9.
- (2) Compatibility of development generally refers to how a development integrates into the existing scale and character of a neighborhood. New development should be context sensitive to the surrounding development, taking into account the existing character of the neighborhood while providing opportunities for new growth and to enhance the sense of place. See Master Plan; Sustainable Growth & Development, Page 10.

- (3) Guiding Principle; Access to a wide variety of housing types for all income levels throughout the City, providing the basic human need for safety and responding to changing demographics; Initiatives; Increase the number of medium density housing types and options; Enable moderate density increases within existing neighborhoods where appropriate. See Master Plan, Guiding Principles and Housing Initiatives, Pages 14 & 21.
- (4) Guiding Principle; Maintaining places that provide a foundation for the City to affirm our past; Initiatives; Preserve and enhance neighborhood district character; Balance preservation with flexibility for change and growth. See Master Plan, Guiding Principles and Housing Initiatives, Pages 14 & 33.
- (5) In order to respond to Salt Lake City's changing demographics and the housing needs of its diverse communities, it is critical to begin to look within the City for real and responsive change that will encourage the market to develop the housing and infrastructure needed to accommodate our growing community. This goal focuses on the need to increase the diversity of housing types and opportunities in the city by seeking policy reforms that can enhance the flexibility of the land-use code and create an efficient and predictable development process for community growth. *See City Housing Plan, Section 3, Goal 1, Page 17.*
- (6) In order to respond to the demographic shift described above, modernizing zoning is key not only to catching up with the demand, but creating housing that responds to every stage of life whether just starting out or downsizing later in life... *In addition, there is a need for in-fill ordinances that allow for greater density in existing neighborhoods, offering owners the option to subdivide large parcels to increase the utility and value of their land, removing impediments to innovative construction types, such as accessory dwelling units, and reducing parking requirements to bring down the cost of developing new housing units. See City Housing Plan, Section 3, Objective 1.1.1, Page 18; (Emphasis Added).*
- (7) *In-fill ordinances provide both property owners and developers with options to increase the number of units on particular parcels throughout the city. Such options would also help restore the "missing middle" housing types where new construction has principally been limited to single-family homes and multi-story apartment buildings for decades. Missing middle housing types are those that current zoning practices have either dramatically reduced or eliminated altogether: accessory dwelling units, duplexes, tri-plexes, small multi-plexes, courtyard cottages and bungalows, row houses, and small apartment buildings. Finding a place for these housing types throughout the city means more housing options in Salt Lake City and restoring choices for a wider variety of household sizes, from seniors to young families. Apart from traditional infill ordinances, responding to the unusual age, form, and shape of housing stock should be addressed and leveraged to add incremental density in existing structures. This would include options for lot subdivision where there is ample space to build an additional home on a property or alternatively*

expand rental opportunities in existing structures. This solution responds to the strong preference for single-family homes that was captured in the Salt Lake Live Work Survey. Allowing landowners to subdivide their large, underutilized lots creates a path to building more single-family homes in a city that has limited space left for them under its current land-use regulations. See City Housing Plan, Section 3, Objective 1.1.2, Page 19 (Emphasis added).

The Project creates a real opportunity to respond to and satisfy many of the City's stated goals and objectives to find places to enable moderate density increases within existing neighborhoods to provide for a wider variety of housing types. The Property is a corner lot and is currently vacant. Developer is not requesting demolition of an existing single-family home. The Project will provide 8 residential townhomes to enhance the character of the neighborhood. The Project will create new "missing middle" housing growth on a small scale at a price point more affordable than currently exists in this area.

(c) Further Purposes of Zoning Ordinance. Developer will establish CC&R's (and, if necessary, an HOA) for the development and use of the Project in order to protect and enhance the value and desirability of the Project and to provide a clean and safe neighborhood for its residents.

(d). The Project will not materially affect adjacent properties. Developer recognizes that the Property is located in the Central Community district and subject to, among other planning documents, the Central Master Plan which provides for "preservation of historic structures and neighborhoods" as an important goal. Yet we note that the Central Master Plan was created and adopted in 2005 when market dynamics were much different and may even conflict with more modern goals and policies of the City as adopted in the Master Plan and City Housing Plan as they relate to creating a diversity of housing types in the city to address growth.

Developer believes that the Project will not fundamentally change the residential nature of the neighborhood and is willing to engage with the City on "form-based zoning" (i.e., ensuring that the form of a building fits into the neighborhood surrounding it, rather than focusing regulation on the specific use of that building as traditional zoning code requires) to tweak height, depth and general shape of the Project to best utilize the space on the Property and ensure that the residential neighborhood character is preserved and enhanced. Working with the City, the Project will be context sensitive to the existing character of the neighborhood while providing opportunities for new growth and to enhance the sense of place.

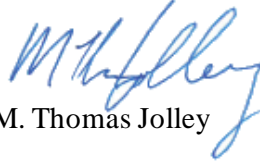
(e). Consistent Land Use. The land use of the Property will remain residential and not mixed use. Moreover, the Project is consistent with land uses immediately surrounding the Property. The St. Joseph's project is zoned RMF-35 and allows for moderate multifamily residential development. Additionally, a drive through of the surrounding neighborhoods also show various multi-family duplexes, tri-plexes and apartments that have been built over the years.

(f). Adequate Public Facilities and Services. The Project is small scale and limited to 8 residential units/lots and will have a minimal impact on traffic and other required public facilities.

We believe the Project is consistent with the City's development goals and objectives to provide diversity of housing types and to support attractive and well-maintained neighborhoods. We appreciate the City's consideration of these matters and look forward to working with you.

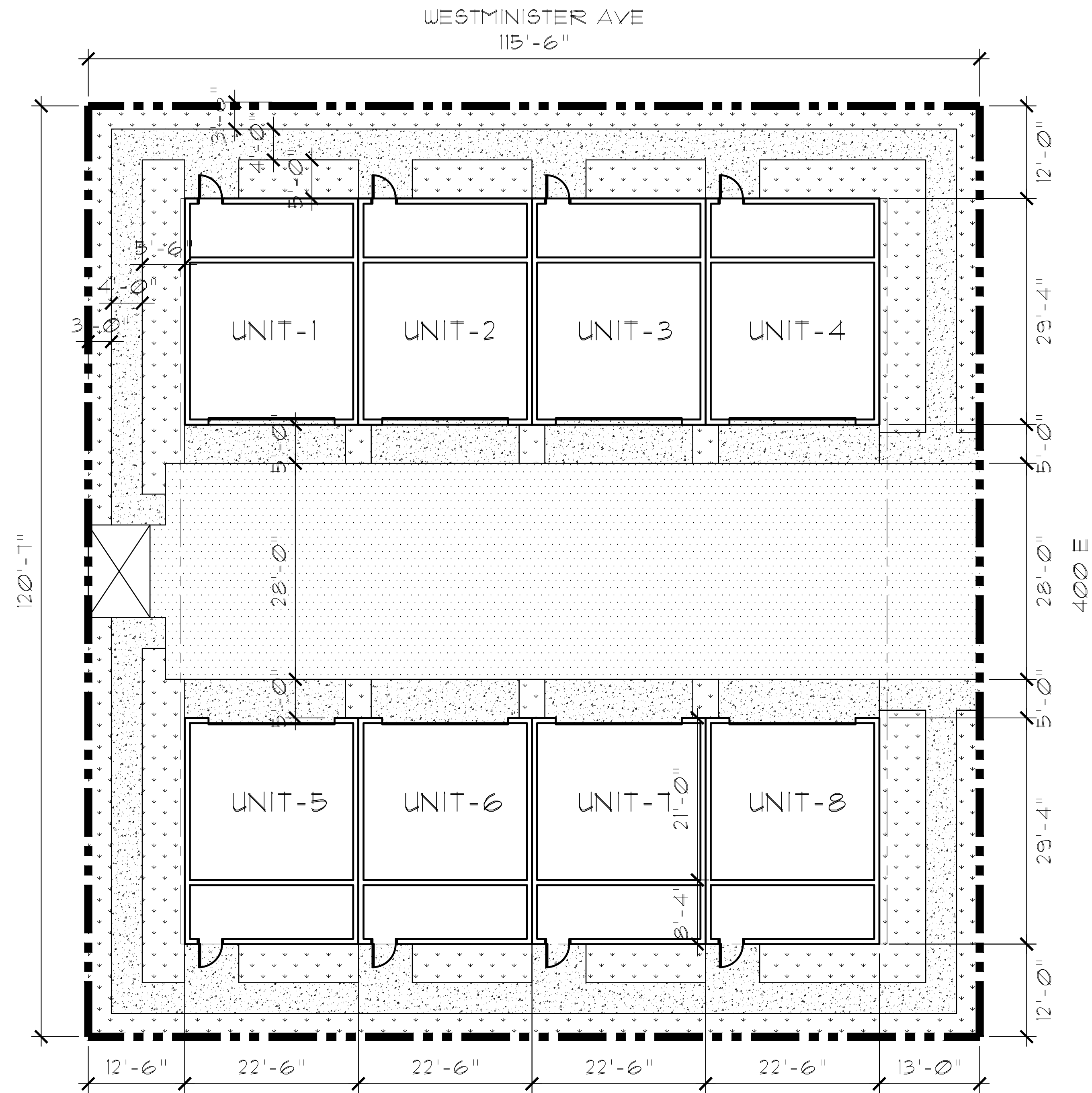
Best regards,

YORK HOWELL & GUYMON



M. Thomas Jolley

cc: Paul Dowland
John Davis



1 ARCHITECTURAL - SITE PLAN
A001 SCALE: 1"=10'

PROGRESS SET

PRINTED DATE
04.30.2021

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DOWLAND TOWNHOMES

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SLC, UT -----

CHRONOLOGY

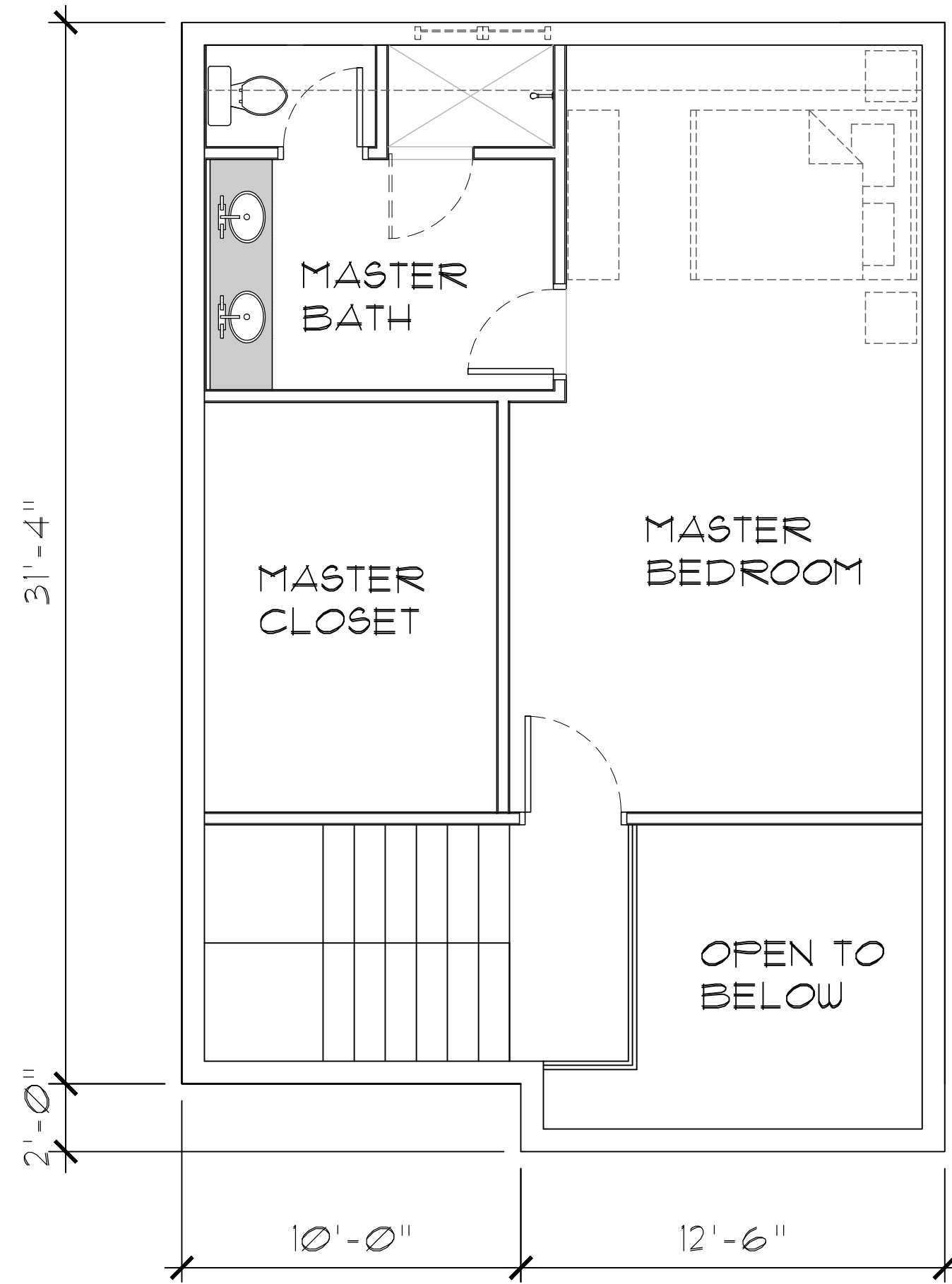
PROJECT NO
21.038

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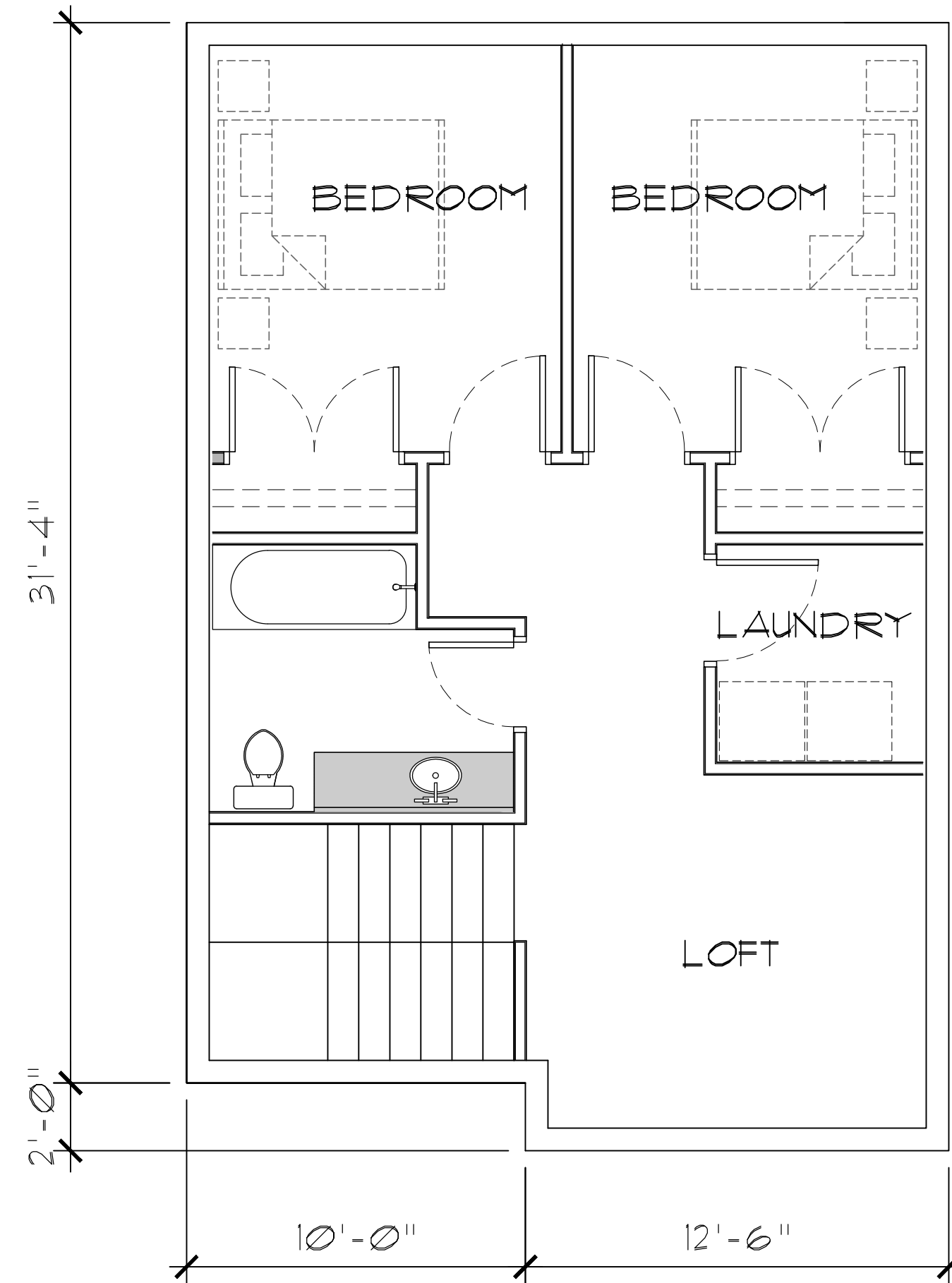
TITLE
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24X36 SHEET #
A001

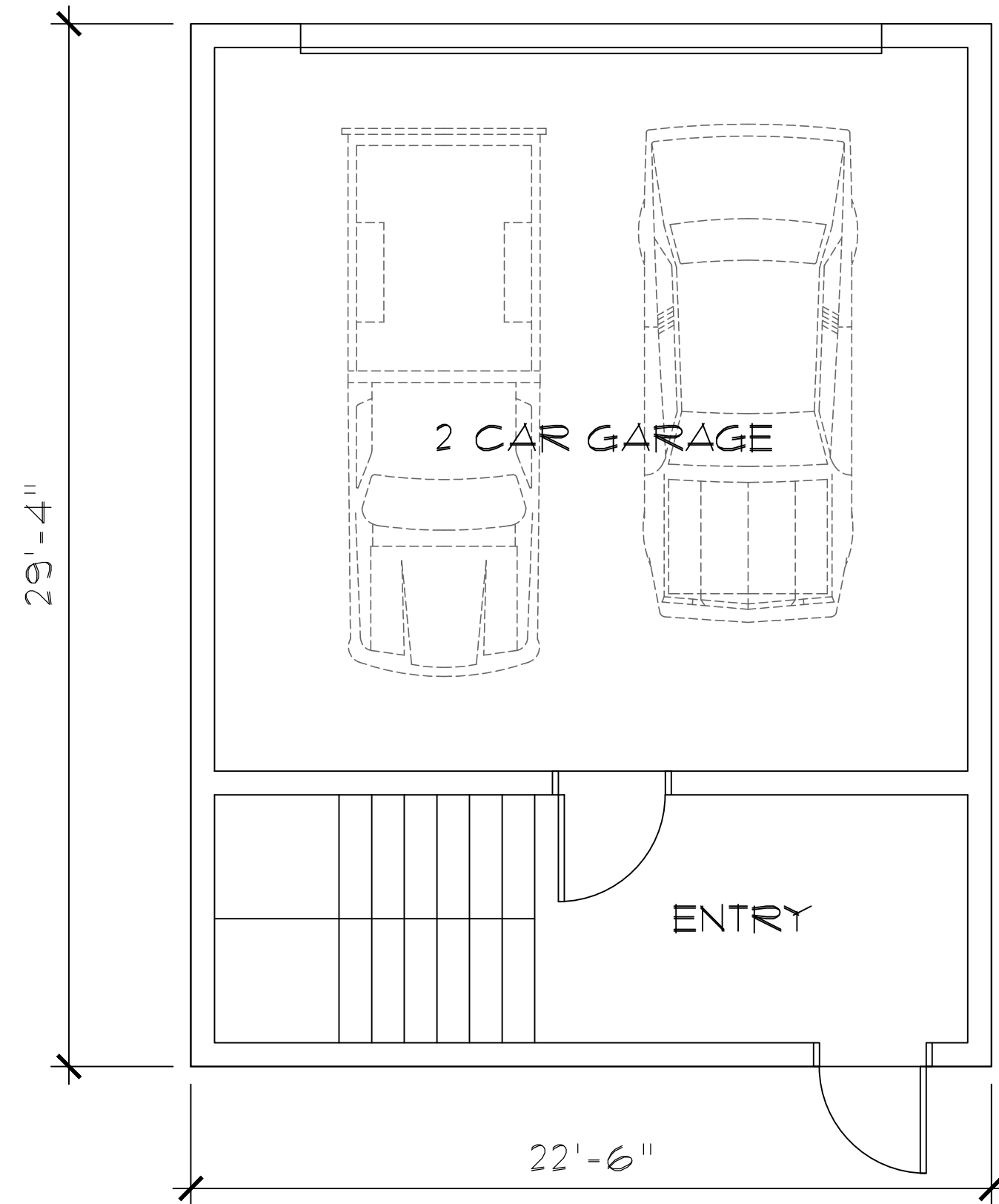
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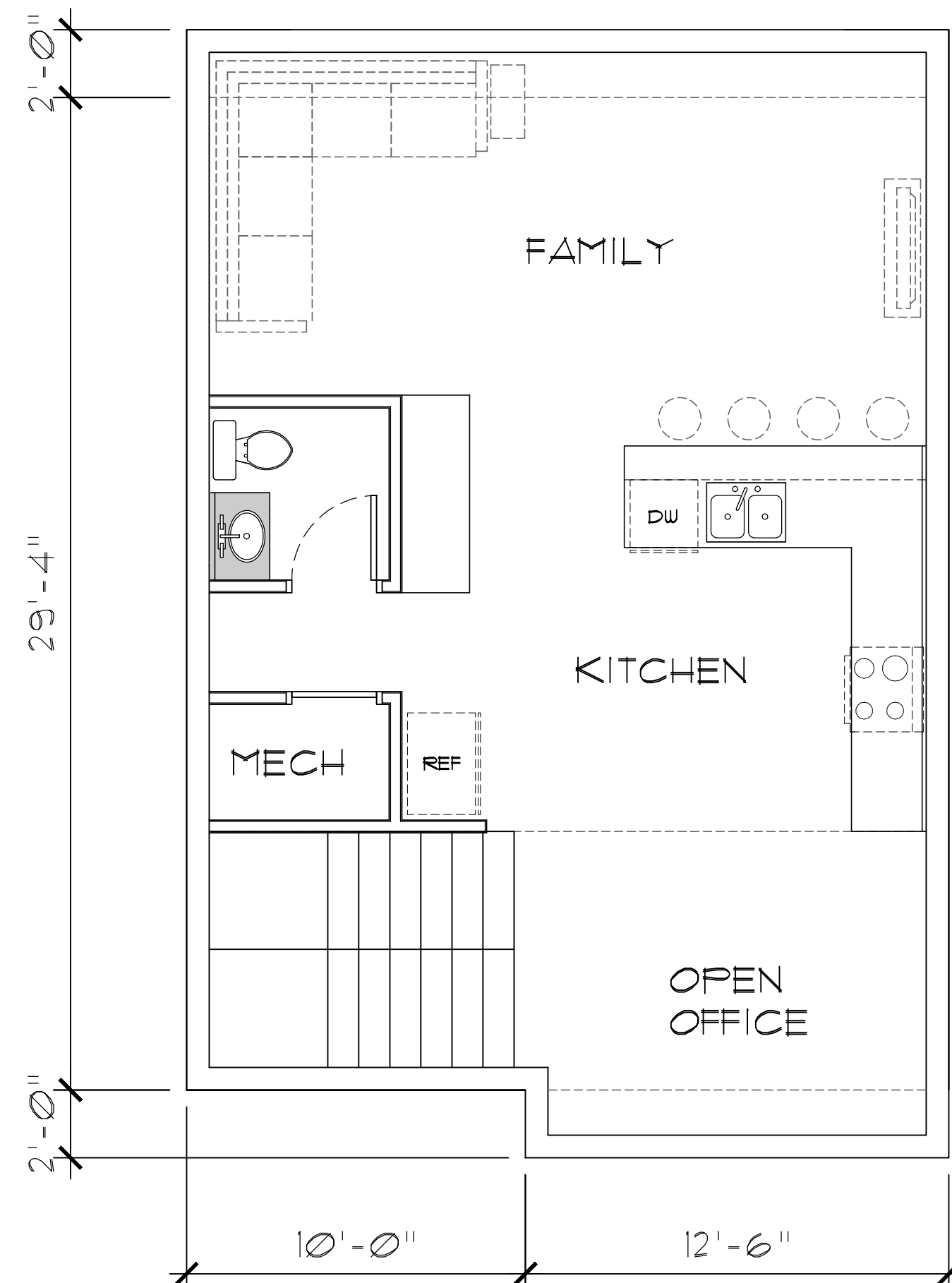
3 LEVEL 3 - FLOOR PLAN
SCALE: 1/4" = 1'-0"



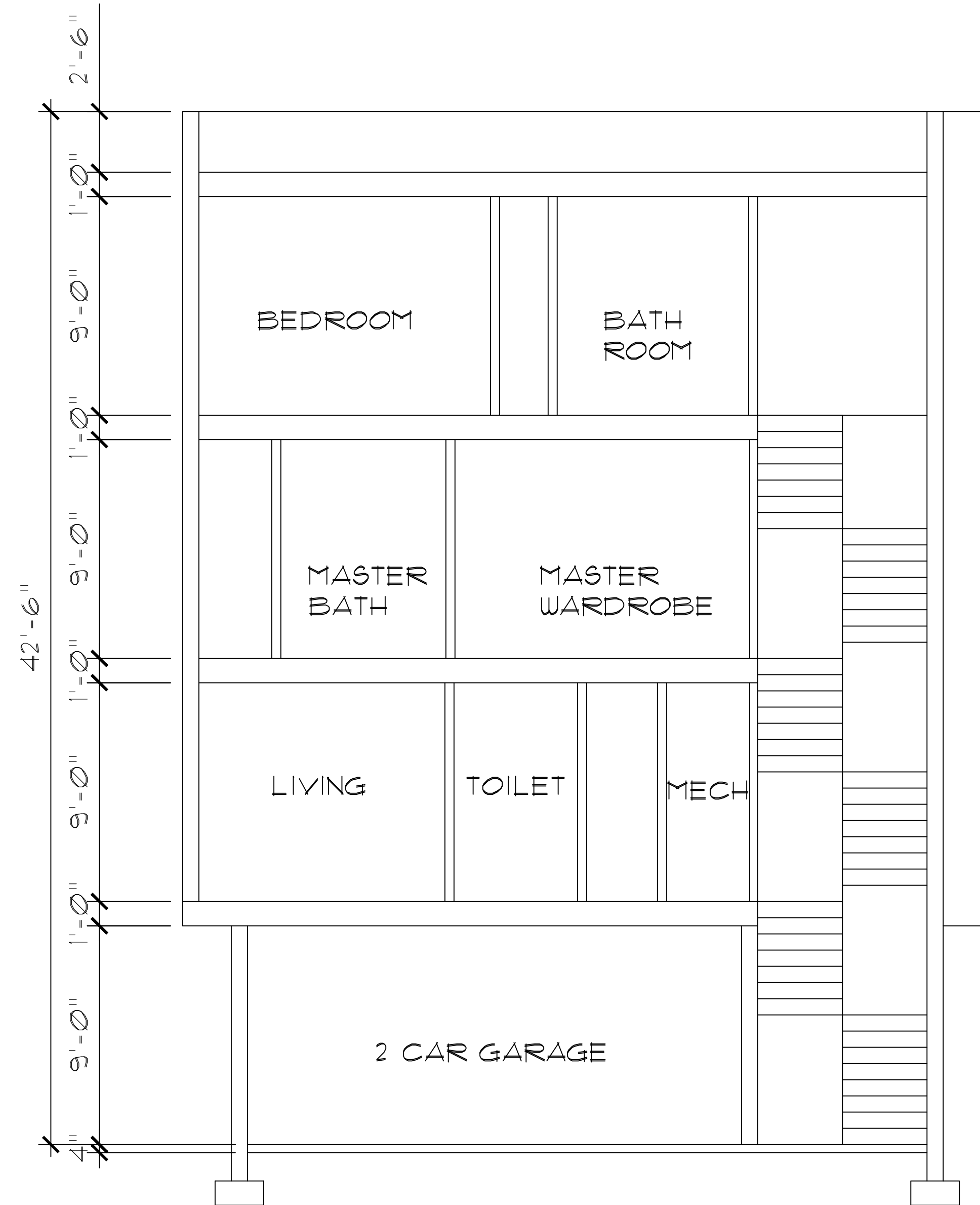
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SCALE: 1/4" = 1'-0"



1 LEVEL 1 - FLOOR PLAN
SCALE: 1/4" = 1'-0"



2 LEVEL 2 - FLOOR PLAN
SCALE: 1/4" = 1'-0"



5 BUILDING SECTION
SCALE: 1/4" = 1'-0"

PROGRESS SET

PRINTED DATE
04.30.2021

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DOWLAND TOWNHOMES

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CHRONOLOGY

PROJECT NO
21.038

DWN BY/ CHK BY
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TITLE
ARCHITECTURAL
SITE PLAN

24X36 SHEET #

A002

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ATTACHMENT C: R-1-5,000 & RMF-45 Zoning Comparison

The following uses are not currently allowed in the R-1-5,000 zoning district but are listed as permitted or conditional uses under the proposed RMF-45 zoning district designation:

New Permitted	New Conditional
Dwelling, assisted living facility (small)	Daycare center, adult
Dwelling, assisted living facility (large)	Dwelling, congregate care facility (large)
Dwelling, multifamily	Dwelling, residential support (large)
Dwelling, single-family attached	Dwelling, residential support (small)
Nursing care facility	Dwelling, rooming (boarding) house

Changing from Permitted to Not Allowed	Changing from Conditional to Not Allowed
Dwelling, dormitory, fraternity, sorority	-none-
Changing from Permitted to Conditional	Changing from Conditional to Permitted
-none-	Community garden
	Dwelling, accessory unit
	Dwelling, assisted living facility (limited capacity)
	Dwelling, congregate care facility (small)

A comparison of zoning standards between the existing R-1-5,000 zoning district and the proposed RMF-45 zoning district are as follows below:

	Existing R-1-5,000	Proposed RMF-45
Building Height	28 Feet for pitched roofs and 20 Feet for flat roofs	45 Feet
Front Setback	Equal to average of the front yards of existing buildings on block face or minimum 20.	20% of lot depth, not to exceed 25 Feet
Corner Side Yard Setback	10 Feet	Single Family Attached: 10 Feet Multi-Family Dwellings: 20 Feet All other: 20 Feet
Interior Side Yard Setback, corner lot	4 Feet	Single Family Attached: none required but if provided no less than 4 Feet. Multi-Family Dwellings: 8 Feet provided not within 10' of another principal building. All other: 10 Feet on each side.
Interior Side Yard Setback, interior lot	4 Feet on one side and 10 Feet on the other side	
Rear Setback	25% of lot depth of 20 Feet, whichever is less	25% of lot depth, not to exceed 30 Feet

Maximum Building Coverage	40%	60%
Maximum Lot Size	7,500 square feet	None listed

ATTACHMENT D: City Plan Considerations

Adopted City Plan Policies and Guidance

Zoning map amendments are reviewed for compliance with City master plans and adopted policies. The below plans were adopted for the area:

- **Central City Master Plan (Current Community Plan)**
 - The Plan indicates single-family detached residential uses are the most common in this area. Page 9 of the Central Community Master Plan (2005) states “the Central Community has a notable diversity of housing options which this master plan seeks to preserve. Therefore, most residential neighborhoods will retain existing zoning or be zoned to a lower density.” Since the Plan indicates a need to preserve the existing housing stock and not add higher density developments into areas zoned for low-density uses, the Applicant’s amendment requests are not in keeping with the adopted master plan.
 - The residential land use goals outlined in the Central Community Master Plan encourage higher density developments to be located in appropriate areas including East Downtown, the Central Business District, the Gateway area and nearby downtown light rail stations. Since the subject property is not located in the aforementioned areas of the city it is not a suitable location for higher density developments.
 - It also seeks to ensure the preservation of low-density residential neighborhoods and to ensure new developments are compatible with the existing scale, character and density of the surrounding neighborhoods. While the Plan encourages the creation of various housing opportunities it is clear that projects not in keeping with the surrounding scale, character and density of a neighborhood should not be allowed.
- **Growing Salt Lake**
 - **Objective 1.1.2** – “Apart from traditional infill ordinances, responding to the unusual age, form, and shape of housing stock should be addressed and leveraged to add incremental density in existing structures. This would include options for lot subdivision where there is ample space to build an additional home on a property or alternatively expand rental opportunities in existing structures.” This objective encourages *incremental* density increases in existing structures and neighborhoods; there are other zoning districts which are more similar and compatible with the existing R-1-5,000 zoning district would have less impact on the established neighborhood while also allowing for a more intense use of the property.
- **Plan Salt Lake**
 - **Growth Initiative 1** – “Locate new development in areas with existing infrastructure and amenities, such as transit and transportation corridors.” The subject property is minimally served by public transit; there is a bus route which runs on 500 East and another which runs along 2100 South.
 - **Housing Initiative 4** – “Direct new growth toward areas with existing infrastructure and services that have the potential to be people-oriented.” The subject property is nearby a large traffic corridor and this section of 2100 South is not particularly hospitable to pedestrians. The surrounding neighborhood is walkable but offers minimal amenities.

ATTACHMENT E: Analysis of Zoning Amendment Standards

ZONING MAP AMENDMENTS

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

FACTOR	FINDING	RATIONALE
<p>1. Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;</p>	<p>Does not comply</p>	<p>The Plan indicates single-family detached residential uses are the most common in this area. Page 9 of the Central Community Master Plan (2005) states “the Central Community has a notable diversity of housing options which this master plan seeks to preserve. Therefore, most residential neighborhoods will retain existing zoning or be zoned to a lower density.” Since the Plan indicates a need to preserve the existing housing stock and not add higher density developments into areas zoned for low-density uses the Applicant’s amendment requests are not in keeping with the adopted master plan. The residential land use goals outlined in the Central Community Master Plan encourage higher density developments to be located in appropriate areas including East Downtown, the Central Business District, the Gateway area and nearby downtown light rail stations. It also seeks to ensure the preservation of low-density residential neighborhoods and to ensure new developments are compatible with the existing scale, character and density of the surrounding neighborhoods. While the Plan encourages the creation of various housing opportunities it is clear that projects not in keeping with the surrounding scale, character and density of a neighborhood should not be allowed.</p>
<p>2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.</p>	<p>Does not comply</p>	<p>The purpose of the existing R-1-5,000 zoning district is to “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 proposed change would allow for a larger-scale development than those immediately surrounding the subject property. The</p>

		purpose of the proposed RMF-45 zoning district is to “to provide an environment suitable for multi-family dwellings of a moderate/high density with a maximum building height of forty five feet (45')...and 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.”
3. The extent to which a proposed map amendment will affect adjacent properties;	Does not comply	<p>If the proposed amendments were approved this would be a singular parcel of medium density residential land use surrounded by low density residential land uses. 8 single family attached units could potentially be built on the property. The existing zoning allows for construction of buildings between 20 to 28 feet (depending on the roof style) and the proposed zoning allows for buildings up to 45 feet in overall height, smaller interior side yard setbacks (none required for single family attached) and with increased lot coverage allowance. This would decrease the amount of open space on the parcels. Additionally, the proposed RMF-45 zone does not contain any design standards or review. The lack of design standards could permit an out of context and character structure to be constructed.</p> <p>Attachment C contains a comparison of the uses and development standards of both zoning districts. The existing zoning regulations provide more compatible development regulations in relation to the existing context which is lower scaled residential structures.</p> <p>Although the proposed RMF-45 zoning designation would permit the number of dwelling units the applicant desires for the property, there is an impactful difference between the level of development that would be allowed under the current R-1/5000 zoning and the proposed RMF-45 zoning.</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	Not Applicable	There are no overlay zoning districts governing the subject property.

<p>5. The adequacy of public facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.</p>	<p>Complies</p>	<p>The surrounding area is fully developed, and all public infrastructure and utilities are already in place.</p> <p>An increase in the number of dwelling units permitted under the proposed RMF-45 zone may require upgrading the utilities and drainage systems. However, such upgrades would be required for any new larger/intensification of use on the property through the building permits process.</p>
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ATTACHMENT F: Photographs



Figure 3: Photo of subject property as viewed from 400 East looking west.



Figure 4: View of neighboring property to the northeast.



Figure 5: View of neighboring property to the north.



Figure 6: View of neighboring property to the southeast.



Figure 7: View of neighboring property to the south.

ATTACHMENT G: Public Process And Comments

The following attachment lists the public meetings that have been held, and other public input opportunities, related to the proposed project. All written comments that were received throughout this process are included within this attachment.

Early Notification

A notice of application was sent to the chair of the Liberty Wells Community Council; the Community Council was given 45 days to respond with any concerns or comments. The Applicant team and Staff were invited to participate in an online meeting with the Liberty Wells Community Council on September 8, 2021.

Notice of the application was also sent to property owners and residents within 300 feet of the project. The purpose of this notice is to inform surrounding property owners and residents that an application has been submitted, provide details regarding the request, outline steps in the planning review and decision-making process, and to let them know how to obtain more information and submit comments early on in the review process.

Public Hearing Notice

The Planning Division provided the following notices for the Planning Commission meeting:

- Mailed notice sent: October 29, 2021
- E-mailed notice to listserv sent: October 29, 2021
- Public hearing notice signs posted on the property: October 29, 2021

Public Input Received

Staff has received a few comments from surrounding neighbors regarding the proposed general plan and zoning map amendments. The neighbors are not in favor of the change and are concerned about the potential development of higher density housing on this site. The emails received by staff have been included on the following pages.

From: [george chapman](#)
To: [Tubbs, Caitlyn](#); [Norris, Nick](#); [Mano, Darin](#)
Cc: LWCC@mailman.xmission.com; [Liberty Wells Community Council](#)
Subject: (EXTERNAL) Comments on 1902S 400E to rezone a single family lot for 8 townhomes
Date: Wednesday, October 13, 2021 5:01:45 PM

The proposal is to change property from R-1/5000 to RMF-45 moderate/high density multi-family by rezone and amend the master plan for the property the proposal subdivides the property into 8 lots.

So essentially, a home with a large lot (many more large lot homes are in the area and will be redeveloped if this is approved) will encourage more older homes to be torn down and the low . That destroys affordable housing in Salt Lake City, destroys the single family home neighborhood character, increases traffic in the already congested streets that were designed to handle single family home traffic. My comments below are based on the developer's arguments to rezone.

The developer calls this proposal a unique approach of balancing existing rules and regulations while exercising flexibility to achieve real and responsive change that will encourage the market to develop the diverse and affordable housing needed to accommodate the growing SLC community.

Despite claims by the developers, the Project is not consistent with the purposes, goals, objectives and policies of the City. It is even worse than the similar RMF 30 proposal that the City Council tabled due to the valid arguments that the proposal would encourage landlords to sell out their moderate income properties to developers for new market rate housing, destroying affordability in the City.

The single family home is the American Dream and to imply that low income and poor don't deserve a detached home and a relatively stable street where everyone knows everyone else is economic racism. Single family neighborhoods deserve protection since there is an implied promise, when they move into that neighborhood, that the area is already built out and won't change.

Responsible housing growth makes more sense to be in areas with employment and not allowed to have housing and not in the stable 12% that is zoned single family.

This project is not compatible with neighboring housing. It is not context sensitive to the surrounding area. This project essentially is 8 monster homes next to family homes.

Providing the basic human need for safety is successfully created with single family home neighborhoods, not infill developments. This is high density, not moderate density. This proposal does not maintain places and is an insult to single family neighborhoods that are trying to maintain places. This proposal is not appropriate.

This is not a balanced proposal but a one sided, give the developer the ability to rezone the whole neighborhood since it will result in many nearby homes being sold for high density.

Housing needs in SLC can be better accomodated by allowing housing in the other areas that are not the 12% zoned single family.

Modernizing zoning by increasing infill is an insult when most people, according to surveys, no matter what income, want stable single family home neighborhoods.

This City approved around 1500 apartments last year and only 63 detached homes. This City should not be increasing density but providing exponentially more detached homes.

There is a big difference in a lot subdivision that protects the character of the neighborhood with maybe an extra detached home, not 8 attached townhomes. Claiming more single family homes with these 8 attached townhomes is bastardization of the definition of single family detached housing. Even the City defines detached housing as different from townhomes.

This project, with 8 townhomes replacing a single family detached home will not "enhance the character of the neighborhood".

The proposal will create 8 times more parking and traffic issues in the neighborhood and will not "protect and enhance and to provide a clean and safe neighborhood for its residents." The statement that the "Developer believes that the Project will not fundamentally change the residential nature of the neighborhood" is his opinion but neighbors disagree. The project is not small scale with 8 townhomes!

I do not believe that "the Project is consistent with the City's development goals and objectives to provide diversity of housing types and to support attractive and well-maintained neighborhoods".

I look forward to listening to the Liberty Wells community thinks of this project tonight.
George Chapman, [REDACTED]

From: [george.chapman](#)
To: [Tubbs, Caitlyn](#)
Cc: [Mano, Darin](#)
Subject: (EXTERNAL) Please add concerns about 1902S 400E proposal
Date: Wednesday, October 13, 2021 9:12:21 PM

How many mature trees are going to be lost with this project. The area's walkability is mainly due, in my opinion, to the large population of mature trees.

Also, I may have not emphasized enough that at least 70% choose to live in single family areas to enjoy the less traffic and walkability. (I acknowledge that maybe 30% may want less yards and gardens and more stores and restaurants for walkability. It comes down to the implied promise that a housing zoning of the area will not change.

George Chapman

To: The Liberty Wells Community Council Chair, Project Planner of Salt Lake City, and the Planning Commission

September 27, 2021

RE: PLNPCM2021-00717 and PLNPCM2021-00718

Dear Ms. Caitlyn Tubb, Chair Caitlin Lutsch, and the Salt Lake Planning Commission,

I am writing this letter to express my concerns for the zoning amendment being presented by Paul Dowland. The request is to change the master plan map for one parcel from low-density residential (1-20 units per acre) to medium density residential (11-15 units per acre) and to rezone the same parcel from R-1-5000 to RMF-45 for the 0.32-acre property. I would like to request that the Commission consider opposing this amendment because of the negative impact an 8-unit apartment structure would have along the corridor of 400 E between 1700 S and approximately 2000 S (not including the condominium units on the corner of 2100 S).

As a homeowner, one of the greatest concerns that I have is the negative impact the proposed 8-unit development project will have on the quality of life in our Liberty Wells South Community. This area of Liberty Wells South is primarily a residential area and is charming, and peaceful, with minimal traffic because it is primarily zoned for residential homes. It is one of the few corridors of the Liberty Wells community that has maintained its historical charm with single-family homes that are over 100 years old.

There are only a few multiple unit properties along this 400 E corridor with the largest parcel being 0.35 acres, and this multiple unit has just 4 units (1815-1917 S 400 E), which minimizes the impact of added automobile traffic, noise, and activity. The north-south buses are routed along 500 East, so our corridor maintains its residential atmosphere. St. Joseph's Villa is the only structure along this corridor with 3 levels above ground. The residents of St. Joseph's are often seen enjoying the tree-lined corridor and peaceful neighborhood.

Although I understand the need for developing the empty parcel where an historical home once stood, I hope to see that the number of units be reduced from 8 to 4. I also hope to see that the masterplan for development include reduced noise from HVAC units and that the units maintain a structure that is 2-stories to keep the neighborhood view consistent along this corridor.

Thank you for your consideration and time, and please contact me if you have any questions or concerns.

Sincerely,



Sharlene Kiuvara



ATTACHMENT H: **City Department Review Comments**

Engineering: SLC Engineering will review project specifics when plans for a building permit are submitted but encroachments for private purposes are not allowed in the public way. Where vehicles are anticipated to travel, pavers are not allowed, even in a crosswalk. Public way improvements must meet APWA Standards. – Cory Legge

Transportation: There are no issues from Transportation. Each residence has an adequate two-car garage. – Michael Barry

Public Safety/Fire: no comments received

Public Utilities: no comments received

Building: no comments received

Zoning: no comments received