



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission
From: Caitlyn Tubbs, caitlyn.tubbs@slcgov.com, (801)-535-7706
Date: January 26, 2022
Re: PLNPCM2021-01041 and PLNPCM2021-01042 –
2435 South 500 East General Plan and Zoning Map Amendments

Master Plan and Zoning Map Amendments

MASTER PLAN: Sugar House
FUTURE LAND USE (EXISTING): Low Density Residential (5-10 du/acre)
FUTURE LAND USE (PROPOSED): Medium Density Residential (8-20 du/acre)
ZONING DISTRICT (EXISTING): R-1-7,000 Residential
ZONING DISTRICT (PROPOSED): RMF-35 Moderate Density Multi-Family Residential
PROPERTY ADDRESS: 2435 South 500 East (Salt Lake County Parcel ID: 16-19-428-009)

REQUEST:

Jake Billitteri, on behalf of the property owner, is requesting a General Plan and Zoning Map Amendment for the parcel located at approximately 2435 South 500 East.

- **Zoning Map Amendment** - The property is currently zoned R-1-7,000 Residential and the request is to rezone it to RMF-35 Moderate Density Multi-Family Residential.
- **Master Plan Amendment** - The subject property is located within the boundary of the Sugar House Master Plan where the existing future land use designation is Low Density Residential (5-10 dwelling units/acre). The Applicant is requesting to amend this designation to Medium Density Residential (8-20 dwelling units/acre) to facilitate the Zoning Map amendment request.

The purpose of this request is to allow for future construction of 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 positive recommendation to the City Council regarding this proposal.

ATTACHMENTS:

- [Zoning and Vicinity Maps](#)
- [Submittal Materials](#)
- [R-1-7,000 Residential & RMF-35 Zoning Land Use Comparison](#)
- [City Plan Considerations](#)
- [Analysis of Zoning Amendment Standards](#)

[F. Photographs](#)
[G. Public Process & Comments](#)
[H. City Department Review Comments](#)

PROJECT DESCRIPTION AND BACKGROUND:

Jake Billitteri, on behalf of the property owner, is requesting a master plan and zoning map amendment for the property located at approximately 2435 South 500 East. The total area of the subject property is approximately 0.9758 acres or approximately 42,505.85 square feet.

The subject property is located just south of the Interstate-80 right of way at 500 East. It is surrounded on three sides by properties zoned R-1-7,000 and there is an existing brick bungalow cottage on the property with several mature trees. The property to the east of the subject property is a church with a playground and open field. The surrounding area is an established neighborhood with a mix of housing types and styles.

The Applicant has requested these map amendments to facilitate the construction of townhomes. The Applicant has provided a conceptual site plan to illustrate what the intended development may look like but these petitions are related to the general plan land use and zoning maps and would not constitute approval of the Applicant's conceptual project. If these map amendments are approved the Applicant may have further processes to apply for (such as a planned development) before a building permit could be issued.

Although the Applicant has provided a conceptual site plan they will not be required to develop what is currently proposed; if the map amendments are approved any land use allowed in the RMF-35 zoning district could potentially be developed on this site. For a complete list of uses that are allowed under the existing R-1-7,000 Residential zone and the proposed RMF-35 Multifamily Residential zone, please refer to Attachment C.

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

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 *Sugar House Master Plan*.

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 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 Sugar House Master Plan and the subject property could be developed under the RMF-35 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-1-7,000 zoning designation, however, the property would not be able to have townhome units as they are not permitted in the existing zoning district.

ATTACHMENT A: Zoning and Vicinity Maps

Vicinity Map



Salt Lake City Planning Division 11/4/2021

Vicinity Zoning Map



Salt Lake City Planning Division 11/4/2021

ATTACHMENT B: **Submittal Materials**

2435 S 500 E Master Plan Zoning Map Amendment

Background

The Sugar House Community Master Plan, composed in 2005, laid out the vision for the future of the community. Written at a time when the population of the area had been relatively stagnant for several decades, the plan included extensive areas of low-density single-family zoning. This was a time when schools in the area were closing as there were no longer enough families to support keeping them open. The environment in which the plan was written was very different from the Sugar House of today. Recent decades have seen explosive growth in the Sugar House neighborhood and prices have rapidly increased as many people have sought to move into the high opportunity neighborhoods of Salt Lake City. The TAG Nibley Park Townhomes though modest in size will seek to provide a model for how providing infill with greater density can increase the attainability for families seeking to move into the Sugar House neighborhood.

We will outline why our request is reasonable in more detail later in this document, but broadly speaking, the current zoning (including the zoning map) for this parcel is no longer serving the community and is not congruent with the guidelines of several city documents including the Sugar House Community Master Plan, Growing SLC: A 5 Year Housing Plan and Plan Salt Lake. Moreover, the large lot size does not meet the modern requirements of the current R-1-7000 zoning, which states that new lots in the zone must not exceed 10,500 square feet. This is roughly a quarter of the size of the subject lot. Allowing our map amendment will serve the community by increasing density in a location that according to the most recent Master Plan meets all guidelines for Moderate Density.

Request

We are requesting an amendment to the Future Land Uses Map of the Sugar House Community Master Plan. Our parcel which is located at 2435 S 500 E is currently shown as a site where the city should encourage low-density housing development in the Master Plan's map. We would like to rezone the property to RMF-35 to allow for the development of townhome style condos on the site. To allow for the rezone, the map would need to be altered to allow for greater density. The characteristics of the site abutting the highway are such that it will necessitate the development of a private road, thus our current site plan has 18 units. Medium density zoning in the master plan allows for 8-20 du/acre, this is the density we would strive for, the request for RMF-35 zoning is simply to allow for additional ceiling height in the units.

Rationale

Sugar House Community Master Plan

The Sugar House Community Master Plan calls out location criteria and policies for Medium Density Residential development. These criteria include locations that are close to arterials, close to higher density residential, mixed use and Business District areas, proximity to parks and prohibiting the expansion of non-residential uses into residential areas. Our proposed site fits these criteria well as it is located on an arterial, is within a quarter mile of several higher density districts and within a mile of the Business District, is close to parks in Salt Lake and South Salt

Lake and most importantly is a residential use that will minimally disrupt neighboring properties while adding housing stock. The Master Plan also called for policies of allowing new Medium-Density housing where appropriate, encouraging a variety of densities within the medium range, prohibiting boxcar design, encouraging street patterns that connect streets and discouraging gated developments. As a Medium-Density an ungated development that will add variety to the neighborhood with tasteful design choices while connecting two streets TAG Nibley Park will comply with all Medium-Density housing policies laid out in the Master Plan.

Physical Characteristics of the Subject Site

The subject site is near the highway, changing width as the highway turns. There are sound barriers and trees present, but the influence of the highway on the site is undeniable. We believe that the negative effects of proximity to the highway can be lessened by providing additional filtration for ventilation system intakes and placing rear yards facing away from the highway, something not possible with the layout feasible for R-1-7000 zoned homes. The additional height allowed by RMF-35 zoning will provide additional quiet from highway noise for neighboring properties. Current zoning in the neighborhood includes a mix of densities near our site, including RMF-35 within .2 miles. Moreover, several properties near TAG Nibley Park are non-conforming uses with greater density. This includes the property 2 doors to the south with density of 8.3 du/acre as well as the property directly across 500 E which features density of 13.3 du/acre. Additionally, while most zoning on Warnock abutting the highway is R-1-7000, this area which has very similar characteristics to the site of TAG Nibley Park, is shown as medium-density on the Future Land Uses Map. These factors taken when combined with the suitability of the site for Medium-Density according to the Sugar House Master Plan support our map amendment.

Growing SLC: A 5 Year Housing Plan

In the most recent housing plan, the impacts of rising home prices on middle-income households are called out. Specifically, middle income households are oftentimes forced to live outside of their preferred areas, accept being house-poor or forced to leave the Salt Lake Community altogether. The role of density limitations in contributing to this problem, particularly on the east side, is recognized in this document. One policy goal outlined in the plan is to increase housing options. The plan suggests doing so by developing flexible zoning tools, particularly along transportation routes. TAG Nibley Park will be in close proximity to transit options including a bus stop and a station on the S-Line within a quarter mile. Another policy goal outlined in the document is to increase diversity in the housing stock and increase units while minimizing neighborhood impacts. TAG Nibley Park will feature a design that represents the missing middle in terms of scale and density. In doing so, on an underutilized lot we will be leveraging precious developable land appropriately and in a manner that creates a product attainable for the Salt Lake workforce.

Plan Salt Lake

The citywide Master Plan encourages the location of new development in areas with existing transportation, including public transit. It also suggests promoting infill of underutilized land, accommodating an increasing population and providing access to opportunities for a healthy

lifestyle. The plan specifically calls out increasing the number of medium density housing types and enabling moderate density increases where appropriate. The location of the TAG Nibley Park project will clearly be well aligned with the city Master Plan as it provides an opportunity to increase density in an area that has characteristics making it an appropriate location to do so according to several city documents. Moreover, the location in Sugar House will allow residents access to grocery stores, recreational opportunities, shopping and employment that is very much congruent with promoting a healthy lifestyle.

Summary

In conclusion, the current Future Land Uses Map of the Sugar House Community Master Plan no longer lives up to the needs of a growing and increasingly expensive city. By allowing for the development of a project with greater density in an area where it appropriate according to the text of the Sugar House Community Master Plan, the city will advance goals laid out in Growing SLC and Plan Salt Lake. The Future Land Uses Map of the Master Plan was drawn at a time when the population was stagnant and city plans in the time since the drawing of the map have consistently advocated for infill and greater density where appropriate, including criteria for appropriateness that very much align with our site. Land uses next to the highway provide the opportunity for smart design decisions that limit the impact that the highway has on residents and neighbors. Our site is in close proximity (~300 feet) to property with very similar that is highlighted for medium density development. In fact, this area is one of the few areas directly abutting the highway without a buffer that is zoned for single family residential. When all these factors are taken together, we feel that the Map Amendment request is fair and justified.

Parcel ID

16-19-428-009

Rezone Narrative R-1-7000 to RMF-35 Zone Map Amendment September 30, 2021

Project Description:

Utilizing nearly an acre currently occupied by a condemned single-family dwelling, the TAG Nibley Park Townhomes will create a moderate density townhome development that matches the character of the surrounding neighborhood. Specifically, the project will mirror surrounding buildings architecturally by paying homage to features that are prevalent in the neighborhood. It will also serve to fill a niche by offering a more attainable and family friendly housing option in a high opportunity neighborhood. The development will include townhomes built in blocks to preserve green space and match the intensity of an area that often includes larger yards. The TAG Nibley Park Townhomes will be built in close proximity to public-transit options such as the 500 East TRAX Station (.25 miles), as well as a stop for the 205-bus line (2 doors south), providing opportunities for residents to access entertainment and employment, while minimizing traffic impacts on 500 East. For residents that do choose to drive, the project will feature a meandering drive aisle that connects Warnock and 500 East, integrating it with the surrounding community. The current R-1-7000 zoning is not congruent with the housing goals of the city, which has increasingly recognized in housing plans that a lack of density is leaving many residents, particularly young residents, priced out. The zone amendment is supported by the following city documents:

Sugar House Community Master Plan
Growing SLC: A Five Year Housing Plan
Plan Salt Lake

Background:

The 2005 Sugar House Community Master Plan provides the outline for the future development of a neighborhood that was and is very much in flux. Historically, Sugar House has served as one of the most desirable residential areas in the city, featuring a variety of housing densities and types. Although the neighborhood has pockets of dense development, particularly in the Business District, much of the housing stock in the area has been dominated by single-family residences.

When the Sugar House Community Master Plan was released the planning commission was guided by a desire to strengthen existing neighborhoods while supporting new development particularly in the budding Sugar House Business District. At the time, the city enacted policies against un-permitted housing conversions as these unauthorized alterations to properties attracted fewer families and the area faced school closures.

In the nearly two decades since the Master Plan was developed, the situation on the ground has changed substantially. According to Growing SLC: A Five Year Housing Plan, “the city has not had a significant update to its zoning code since the mid-1990s” when decisions were guided by “the

gradual population decline that occurred over the preceding three decades". In fact, growth patterns have changed dramatically, even from 2005, as noted by Growing SLC, "From 2010-2014, the city gained 4,400 new residents, doubling the pace of growth that was recorded between 2000 and 2010". Over the last several years the population and prices in Salt Lake have spiked. The proposed TAG Nibley Park project, though modest in size, marks a step towards addressing the housing squeeze by adding density on an underutilized lot.

Proposed Project and Compliance with Salt Lake City Policy Objectives:

Located at 500 E and abutting the highway, the TAG Nibley Park Townhomes will be on a lot that changes in size along the contours in the highway. The TAG Nibley Park Townhomes are the ideal use for this underutilized parcel and are in alignment with city policies laid out in several city housing documents as well as the Sugar House Community Master Plan. The project will increase density and add a housing option in Sugar House while minimizing the impact on surrounding housing, matching intensity of surrounding residences utilizing breaks of green space. The plan for the project will create a sense of place and connectivity with the surrounding community for the families that will live there. It will do so in a location that is suited for higher density (near an arterial street), creates minimal conflict with neighboring properties and provides a plethora of transit options, services and access to parks. These aspects are aligned with city goals. In the most recent Sugar House Master Plan, the city outlined policy for moderate density development, the proposed project meets all of these policy requirements and does so while also aligning with objectives in Plan Salt Lake and Growing SLC: A Five Year Housing Plan.

The Sugar House Community Master Plan, adopted in 2005, contains many provisions relating to where future planners should locate more dense development within the Sugar House neighborhood. The TAG Nibley Park Townhomes meet all of these requirements, providing a location that is close to arterial streets, areas with higher density development and several parks. Going item by item, the Sugar House Community Master Plan states the following policies in regards to the location moderate density housing:

- **Proximity to arterial or collector streets-** The TAG Nibley Park Townhomes are located on 500 E which is outlined in the Master Plan as a City Arterial. 500 E is a north south street provides access to much of the city, as well as east-west arterials. The development is also close to 700 E (.4 miles) which is highlighted as a State Arterial, providing access to I-80.
- **Proximity to higher density residential areas, mixed-use areas, neighborhood commercial nodes or the urban town center of the Business District-** The TAG Nibley Park Townhomes will be built in close proximity to other dense development. The nearest RMF-35 development is just .2 miles to the north, with form-based transit development within .25 miles to the north. There are also stretches of RMF-30 along 700 E which is .4 miles east of the TAG Nibley Park Townhomes. A bit further out is the Sugar House Business District which is 1 mile using local roads. The TAG Nibley Park

Townhomes are situated among several higher density residential areas and also features the intense development of the Business District within 1 mile.

- **Proximity to existing and proposed parks and open space-** The TAG Nibley Park Townhomes will be built in close proximity to several parks in Salt Lake and South Salt Lake. Lions Park in South Salt Lake is just .2 miles to the west, while Nibley Park and Fairmont Park in Salt Lake are within .5- and 1-miles distance to the TAG Nibley Park Townhomes respectively. The access to parks provided by the location of the TAG Nibley Park Townhomes will help to ensure that the development is engaged with the community and a healthy place to live.

The Sugar House Community Master Plan, recognized that the community was growing and would need to accommodate new development, including development classified as moderate density. TAG Nibley Park meets these requirements because the location is appropriate, the high-concept design will fit well with the existing neighborhood, the development will be connected with the surrounding neighborhood and these objectives will be accomplished with minimal conflict with surrounding properties. Going item by item, the Sugar House Community Master Plan states the following policies in regards to the development of moderate density housing:

- **Encourage new Medium-Density housing opportunities in appropriate locations in Sugar House.-** As demonstrated above, the TAG Nibley Park Townhomes meet all of the criteria for the location of a moderate density housing development. The city's stated policy in the Sugar House Community Master Plan is to encourage the construction of this type of development when appropriately situated.
- **Encourage a variety of densities in the Medium-Density range while ensuring the design of these projects is compatible with surrounding residential structures.-** The TAG Nibley Park Townhomes will be designed in a manner that is compatible with surrounding structures and may serve as a needed relief from highway noise for neighbors to the south. The planned breaks and scale of the buildings will ensure that although the buildings are larger than surrounding houses, they will feature green space and sense of intensity that is comparable with single family residences in the surrounding neighborhood.
- **Continue to prohibit the development of "box car design of multi-family dwellings.-** The developers of the TAG Nibley Park Townhomes will collaborate closely with an architectural team to ensure that the development features an interesting design that fits well within the surrounding neighborhood.
- **Encourage street patterns that connect with other streets.-** The TAG Nibley Park Townhomes will be situated between 500 E and where Warnock dead ends. The developer is open to having a conversation about potentially connecting 500 E and Warnock via a private road through the development. This would create better access to 700 E to the south of I-80 and reduce the time/distance that non-car users will have to spend on busier arterials.

- **Discourage gated developments-** The TAG Nibley Park Townhomes will not be a gated development. The developer desires to foster a sense of connection with the surrounding community, thus ingress and egress to the townhomes on a private road will be unrestricted.
- **Support opportunities for conversion and infill development of Medium Density housing while requiring appropriate design and location to minimize conflicts with existing single-family development.-** The TAG Nibley Park Townhomes will involve a project that infills moderate density development into an existing neighborhood. As outlined above, the project will pursue a high concept design in conjunction with the architectural team. The orientation of the lot and border with the highway provide a rare opportunity to infill with higher density, while disturbing neighbors minimally. The project directly borders just one single family residence and a field owned by the LDS church.

The Sugar House Community Master Plan, acknowledged the need for a variety of housing types, particularly those that would appeal to and be obtainable by young, single and older people. The Master Plan specifically called out “alley-fed townhomes”, like the TAG Nibley Park Townhomes as one option that could provide this variety. The policy adopted by the Master Plan for housing variety is as follows:

- **Provide a diversity of housing types, sizes, and prices within the community-** The TAG Nibley Park Townhomes will provide more housing diversity in a part of Sugar House that is lacking attainable and starter home options.

Growing SLC: A 5 Year Housing Plan compiled in 2018, details an emerging housing crisis in Salt Lake City. According to the report the crisis is due in part to local barriers to housing development. Specifically, significant portions of the east side of the city being zoned single-family has constrained housing supply, this has been reflected in the housing prices. The TAG Nibley Park Townhomes will address several objectives and policy guidelines outlined in the report.

- **Objective 1: Review and modify land-use and zoning regulations to reflect the affordability needs of a growing, pioneering city-** As noted in the Growing SLC housing report, zoning regulations have not undergone major revisions since the mid-90s, a time when the city had seen several decades of moderate population contraction. As discussed above the housing market has changed significantly, even in the years since 2005, when the Sugar House Community Master Plan was compiled. The TAG Nibley Park Townhomes fill a concrete need for greater affordability in an area where it is sorely lacking, but in order to do so, the project needs increased density from what is offered by the current zoning code.
- **Develop flexible zoning tools and regulations, with a focus along significant transportation routes (1.1.1)-** The TAG Nibley Park Townhomes are located along several significant public transit options. The project is in close proximity to a TRAX

station (.25 miles) and a bus stop (<.1 mile). Access to these transportation amenities will allow residents to access work and play opportunities without being dependent on their cars. The increased density necessitated by the TAG Nibley Park Townhomes will also serve to bolster the utilization of public transit in the Sugar House neighborhood.

- **Develop in-fill ordinances that promote a diverse housing stock, increase housing options, create redevelopment opportunities, and allow additional units within existing structures, while minimizing neighborhood impacts (1.1.2).**- The TAG Nibley Park Townhomes are an infill project that will increase the diversity of the housing stock in Sugar House and provide new housing options by redeveloping an underutilized lot. The location along the freeway will allow it to achieve these aims in a way that impacts the neighborhood very minimally and affects few neighbors.
- **Objective 3: Implement Life cycle Housing principles in neighborhoods throughout the city-** By allowing for the development of townhomes in the Sugar House neighborhood, the city will facilitate an option for young people and families as well as people desiring to age in place in the community. Townhomes offer a more affordable option for young and budding families, while simultaneously offering the possibility of downsizing and reduced maintenance responsibilities for those looking to age in the community where they have spent their lives. One goal of the TAG Nibley Park Townhomes is to create a thriving community where people at different points in the life cycle can live in harmony with each other.

In Plan Salt Lake a 2015 document outlining policy for the entire city, the need for expanded housing opportunities was recognized in calls for growth and housing initiatives. The TAG Nibley Park Townhomes align well with the initiatives outlined in Plan Salt Lake by offering an option to strategically increase density in a location where it is appropriate.

Growth Initiatives

- **Locate new development in areas with existing infrastructure and amenities, such as transit and transportation corridors.**- As outlined above the project will be located in an area with abundant access to city infrastructure that promotes healthy work and play, as well as efficient transportation to recreation and employment opportunities.
- **Promote infill and redevelopment of underutilized land.**- In an era when single family homes in the 84106 area code have an average asking price \$656,000 over the last 90 days and houses are spending less than 2 weeks on the market, having a single family residence or even several single family residences on the parcel with the characteristics of the proposed site represents an extreme underutilization of the land.
- **Accommodate and promote an increase in the City's population.**- As mentioned in Growing SLC, the city is growing rapidly, and the pace has only increased over recent years. A denser zoning code will allow for the property to accommodate more units, thereby better promoting growth in the City's population.
- **Provide access to opportunities for a healthy lifestyle (including parks, trails, recreation, and healthy food).**- The TAG Nibley Park Townhomes will be close to

resources that allow a healthy lifestyle including multiple parks, shopping/recreation opportunities and several grocery stores.

Housing Initiatives

- **Increase the number of moderate density housing types and options.-** The TAG Nibley Park Townhomes will provide a moderate density option in an area of the city where it is sorely needed.
- **Encourage housing options that accommodate aging in place.-** The TAG Nibley Park Townhomes will encourage aging in place by offering a lower maintenance option for folks looking to age in place within the Sugar House community by downsizing.
- **Direct new growth towards areas with existing infrastructure and services that have the potential to be people-oriented.-** Sugar House is a highly developed part of the city, therefore it has the infrastructure and services needed to support a high quality of life for the residents of the proposed development.
- **Enable moderate density increases within existing neighborhoods where appropriate.-** The parcel on which the TAG Nibley Park Townhomes will be developed is very well suited for an increase in density according to the criteria laid out in the Sugar House Community Master Plan. The minimal disturbance provides a unique opportunity in the Sugar House neighborhood.
- **Promote high density residential in areas served by transit.-** The area around the proposed project is served by bus and light rail transit options, all within a quarter mile. Additional density would promote higher utilization of these resources.

Equity Initiatives

- **Support policies that provide housing choices, including affordability, accessibility and aging in place.-** Sugar House is a high opportunity neighborhood that has a high barrier to entry. Our project will serve to increase equity in the city by providing a housing choice that is more attainable than single family homes on large lots in this area. Moreover, the resources in the area will promote accessibility and aging in place as outlined above. The TAG Nibley Park Townhomes will advance this equity related initiative as outlined in Plan Salt Lake.

Purpose:

The purpose of the amendment to the zone map amendment is to work towards better fulfilling the city's stated goals and vision as demonstrated in the Sugar House Community Master Plan and other city planning documents. The current zoning code applied to the property is outdated and preventing growth in an area that is well suited for it, especially given the characteristics of the lot allowing for more housing without affecting a significant number of neighbors. The proposed development will achieve the goals and purpose of the RMF-35 zone far more effectively than those of the current R-1-7000 zone. Our team is committed to making this a project that will work not only for future members of the community, but also current community members. Thus, we will be including neighbors in the process of finalizing the formulation of our project to make sure we minimize disturbance and bring as much benefit as possible. We will work with appropriate community bodies to ensure that the project fits the style and intensity of the surrounding neighborhood. Moreover, we will be collaborating with a

top notch architectural team to design a product that Sugar House will be proud to have as an addition to their neighborhood. Our team will work with the community to establish that RMF-35 is the appropriate zoning code for this property.

Parcels for Zone Map Amendment:

16-19-428-009

RMF-35 Zoning:

The purpose statement for the RMF-35 zone is as follows:

The purpose of the RMF-35 Moderate Density Multi-Family Residential District is to provide an environment suitable for a variety of moderate density housing types, including single-family, two-family, and multi-family dwellings with a maximum height of thirty five feet (35'). This district is appropriate in areas where the applicable Master Plan policies recommend a density of less than thirty (30) dwelling units per acre. This district includes other uses that are typically found in a multi-family residential neighborhood of this density for the purpose of serving the neighborhood. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

The TAG Nibley Park Townhomes fit well within the purpose statement for the RMF-35 Zone. The development will be located on an interior block linking together 500 East and Warnock Ave. Additionally, by using smaller blocks of townhomes with green space interspersed throughout the TAG Nibley Park Townhomes will mirror the intensity of the surrounding neighborhood. Through thoughtful design the TAG Nibley Park Townhomes will preserve the character of the neighborhood, while providing a sustainable development both in terms of attainability and access to surrounding amenities via public transit. Amending zoning follows the Sugar House Community Master Plan by allowing a moderate density development in an area that meets all criteria and policies for moderate density residential. While recognizing that use on the property will be denser than the surrounding single family and non-conforming multifamily homes, the denser development at the TAG Nibley Park Townhomes will shield the neighboring properties from the noise of the highway directly abutting the property. The RMF-35 Zone Requirements are as follows:

Minimum Lot Area And Lot Width: The minimum lot areas and lot widths required in this district are as follows:

Land Use	Minimum Lot Area	Minimum Lot Width	
Multi-family dwellings (3 through 11 units)		9,000 square feet ¹	80 feet
Multi-family dwellings (12 or more units)		26,000 square feet ¹	80 feet

Municipal service uses, including City utility uses and police and fire stations	No minimum	No minimum
Natural open space and conservation areas, public and private	No minimum	No minimum
Places of worship less than 4 acres in size	12,000 square feet	140 feet
Public pedestrian pathways, trails and greenways	No minimum	No minimum
Public/private utility transmission wires, lines, pipes and poles	No minimum	No minimum
Single-family attached dwellings (3 or more)	3,000 square feet per unit	Interior: 22 feet Corner: 32 feet
Single-family detached dwellings	5,000 square feet	50 feet
Twin home dwellings	4,000 square feet per unit	25 feet
Two-family dwellings	8,000 square feet	50 feet
Utility substations and buildings	5,000 square feet	50 feet
Other permitted or conditional uses as listed in section 21A.33.020 of this title	5,000 square feet	50 feet

Qualifying provisions:

1. 9,000 square feet for 3 units, plus 2,000 square feet for each additional dwelling unit up to and including 11 units. 26,000 square feet for 12 units, plus 1,000 square feet for each additional dwelling unit up to 1 acre. For developments greater than 1 acre, 1,500 square feet for each dwelling unit is required.

D. Maximum Building Height: The maximum building height permitted in this district is thirty five feet (35').

E. Minimum Yard Requirements:

1. Front Yard: Twenty feet (20').
2. Corner Side Yard: Ten feet (10').
3. Interior Side Yard:
 - a. Single-family detached and two-family dwellings:
 - (1) Interior lots: Four feet (4') on one side and ten feet (10') on the other.
 - (2) Corner lots: Four feet (4').
 - b. Single-family attached: No yard is required, however, if one is provided it shall not be less than four feet (4').
 - c. Twin home dwelling: No yard is required along one side lot line while a ten foot (10') yard is required on the other.
 - d. Multi-family dwellings:
 - (1) Interior lots: Side yard shall be at least ten feet (10').
 - e. All other permitted and conditional uses: Ten feet (10') on each side.

4. Rear Yard: Twenty five percent (25%) of the lot depth, but not less than twenty feet (20') and need not exceed twenty five feet (25').

5. Accessory Buildings And Structures In Yards: Accessory buildings and structures may be located in a required yard subject to section [21A.36.020](#), table 21A.36.020B, "Obstructions In Required Yards", of this title.

6. Existing Yards: For buildings legally existing on April 12, 1995, the required yard shall be no greater than the established setback line of the existing building unless the proposed yard encroachment is to accommodate additional units. New principal buildings must conform to current yard area requirements, unless the new principal two-family dwelling or twin home has legal conforming status as outlined in section [21A.38.070](#) of this title.

F. Required Landscape Yards: The front yard, corner side and, for interior multi-family lots, one of the interior side yards shall be maintained as landscape yards.

G. Maximum Building Coverage:

1. Single-Family Detached: The surface coverage of all principal and accessory buildings shall not exceed forty five percent (45%) of the lot area.

2. Single-Family Attached Dwellings: The surface coverage of all principal and accessory buildings shall not exceed sixty percent (60%) of the lot area.

3. Two-Family And Twin Home Dwellings: The surface coverage of all principal and accessory buildings shall not exceed fifty percent (50%) of the lot area.

4. Multi-Family Dwellings: The surface coverage of all principal and accessory buildings shall not exceed sixty percent (60%) of the lot area.

5. Existing Dwellings: For dwellings existing on April 12, 1995, the coverage of such existing buildings shall be considered legally conforming.

6. Nonresidential Land Uses: The surface coverage of all principal and accessory buildings shall not exceed sixty percent (60%) of the lot area.

H. Landscape Buffers: Where a lot abuts a lot in a single-family or two-family residential district, a landscape buffer shall be provided in accordance with [chapter 21A.48](#) of this title. (Ord. 46-17, 2017: Ord. 66-13, 2013: Ord. 12-11, 2011: Ord. 62-09 §§ 6, 9, 2009: Ord. 61-09 § 7, 2009: Ord. 35-99 §§ 18, 19, 1999: Ord. 26-95 § 2(12-12), 1995)

Surrounding Zoning:

R-1-7000

Existing R-1-7000 Text:

A. Purpose Statement: The purpose of the R-1/7,000 Single-Family Residential District is to provide for conventional single-family residential neighborhoods with lots not less than seven thousand (7,000) square feet in size. This district is appropriate in areas of the City as identified in the applicable community Master Plan. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

B. Uses: Uses in the R-1/7,000 Single-Family Residential District, as specified in section [21A.33.020](#), "Table Of Permitted And Conditional Uses For Residential Districts", of this

title, are permitted subject to the general provisions set forth in section [21A.24.010](#) of this chapter and this section.

C. Minimum Lot Area And Lot Width: The minimum lot areas and lot widths required in this district are as follows:

Land Use	Minimum Lot Area	Minimum Lot Width
Municipal service uses, including City utility uses and police and fire stations	No minimum	No minimum
Natural open space and conservation areas, public and private	No minimum	No minimum
Places of worship less than 4 acres in size	12,000 square feet	80 feet
Public pedestrian pathways, trails and greenways	No minimum	No minimum
Public/private utility transmission wires, lines, pipes and poles	No minimum	No minimum
Single-family detached dwellings	7,000 square feet	50 feet
Utility substations and buildings	7,000 square feet	50 feet
Other permitted or conditional uses as listed in section 21A.33.020 of this title	7,000 square feet	50 feet

D. Maximum Building Height:

1. The maximum height of buildings with pitched roofs shall be:
 - a. Twenty eight feet (28') measured to the ridge of the roof; or
 - b. The average height of other principal buildings on the block face.
2. The maximum height of a flat roof building shall be twenty feet (20').
3. Maximum exterior wall height adjacent to interior side yards shall be twenty feet (20') for exterior walls placed at the building setback established by the minimum required yard. Exterior wall height may increase one foot (1') (or fraction thereof) in height for each foot (or fraction thereof) of increased setback beyond the minimum required interior side yard. If an exterior wall is approved with a reduced setback through a special exception, variance or other process, the maximum allowable exterior wall height decreases by one foot (1') (or fraction thereof) for each foot (or fraction thereof) that the wall is located closer to the property line than the required side yard setback.

- a. Lots with cross slopes where the topography slopes, the downhill exterior wall height may be increased by one-half foot (0.5') for each one foot (1') difference between the elevation of the average grades on the uphill and downhill faces of the building.

b. Exceptions:

- (1) Gable Walls: Walls at the end of a pitched roof may extend to a height necessary to support the roof structure except that the height of the top of the widest portion of the gable wall must conform to the maximum wall height limitation described in this section.

- (2) Dormer Walls: Dormer walls are exempt from the maximum exterior wall height if:
 - (A) The width of a dormer is ten feet (10') or less; and
 - (B) The total combined width of dormers is less than or equal to fifty percent (50%) of the length of the building facade facing the interior side yard; and

(C) Dormers are spaced at least eighteen inches (18") apart.

4. Building height for initial construction of a building shall be measured as the vertical distance between the top of the roof and the established grade at any given point of building coverage. Building height for any subsequent structural modification or addition to a building shall be measured from finished grade existing at the time a building permit is requested. Building height for the R-1 districts, R-2 District and SR districts is defined and illustrated in [chapter 21A.62](#) of this title.

5. Where buildings are stepped to accommodate the slope of terrain, each step shall have a horizontal dimension of at least twelve feet (12').

6. a. For properties outside of the H Historic Preservation Overlay District, additional building height may be granted as a special exception by the Planning Commission subject to the special exception standards in [chapter 21A.52](#) of this title and if the proposed building height is in keeping with the development pattern on the block face. The Planning Commission will approve, approve with conditions, or deny the request pursuant to [chapter 21A.52](#) of this title.

b. Requests for additional building height for properties located in an H Historic Preservation Overlay District shall be reviewed by the Historic Landmarks Commission which may grant such requests subject to the provisions of section [21A.34.020](#) of this title.

E. Minimum Yard Requirements:

1. Front Yard: The minimum depth of the front yard for all principal buildings shall be equal to the average of the front yards of existing buildings within the block face. Where there are no existing buildings within the block face, the minimum depth shall be twenty feet (20'). Where the minimum front yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail. For buildings legally existing on April 12, 1995, the required front yard shall be no greater than the established setback line of the existing building.

2. Corner Side Yard: The minimum depth of the corner side yard for all principal buildings shall be equal to the average of the existing buildings on the block face. Where there are no other existing buildings on the block face, the minimum depth shall be twenty feet (20'). Where the minimum corner side yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.

3. Interior Side Yard:

a. Corner lots: Six feet (6').

b. Interior lots: Six feet (6') on one side and ten feet (10') on the other.

4. Rear Yard: Twenty five feet (25').

5. Accessory Buildings And Structures In Yards: Accessory buildings and structures may be located in a required yard subject to section [21A.36.020](#), table 21A.36.020B of this title.

F. Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed forty percent (40%) of the lot area.

G. Maximum Lot Size: With the exception of lots created by a subdivision or subdivision amendment recorded in the Office of the Salt Lake County Recorder, the maximum size of a new lot shall not exceed ten thousand five hundred (10,500) square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:

1. The size of the new lot is compatible with other lots on the same block face;
2. The configuration of the lot is compatible with other lots on the same block face; and
3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

H. Standards For Attached Garages:

1. Width Of An Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the front facade of the house. The width of the garage is equal to the width of the garage door, or in the case of multiple garage doors, the sum of the widths of each garage door plus the width of any intervening wall elements between garage doors.

2. Located Behind Or In Line With The Front Line Of The Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in section [21A.62.040](#) of this title), unless:

a. A new garage is constructed to replace an existing garage that is forward of the "front line of the building". In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced;

b. At least sixty percent (60%) of the existing garages on the block face are located forward of the "front line of the building"; or

c. The garage doors will face a corner side lot line. (Ord. 46-17, 2017: Ord. 59-16, 2016: Ord. 7-14, 2014: Ord. 66-13, 2013: Ord. 73-11, 2011: Ord. 12-11, 2011: Ord. 90-05 § 2 (Exh. B), 2005: Ord. 26-95 § 2(12-5), 1995)

The R-1-7000 zoning on this property does not align with the cities stated goals because it lacks the density needed to ensure attainability in a high opportunity part of the city. A more dense development pattern would offer more to the city in terms of sustainability. Less dense, more dispersed single family zoning was appropriate in this area when the city was shrinking and schools were closing. In an era when demand is at an all time high and many of the workers in the Sugar House Business District commute in from other parts of the city or outlying communities, it is far more important and sustainable to increase housing options than to keep an underutilized parcel next to the highway zoned R-1-7000. This is especially true when the proposed development will mirror the surrounding community in terms of intensity. In fact, the site plan for the proposed project currently has coverage less than what is typically allowed in R-1-7000 (roughly 25% versus 40% allowed) and the lot is currently so large at nearly an acre that it does not comply with modern R-1-7000 code implemented in the 90s which caps lots at 10,500 square feet. The proposed revision to the zoning on this property will allow development on the parcel that is congruent with the modern needs of the city as well as goals stated in the most recent city plans and guiding documents.

Summary:

Map Amendments are approved based on several criteria including:

- Whether the proposed map amendment is consistent with the purposes, goals, objectives, and policies of the City as state through its various adopted planning documents.
- The extent to which a proposed map amendment will affect adjacent properties
- The adequacy of public facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.

The consistency of the proposed amendment with city policies, goals and objectives is discussed above in extensive detail. Specifically, there is strong support for this zone amendment in the following documents:

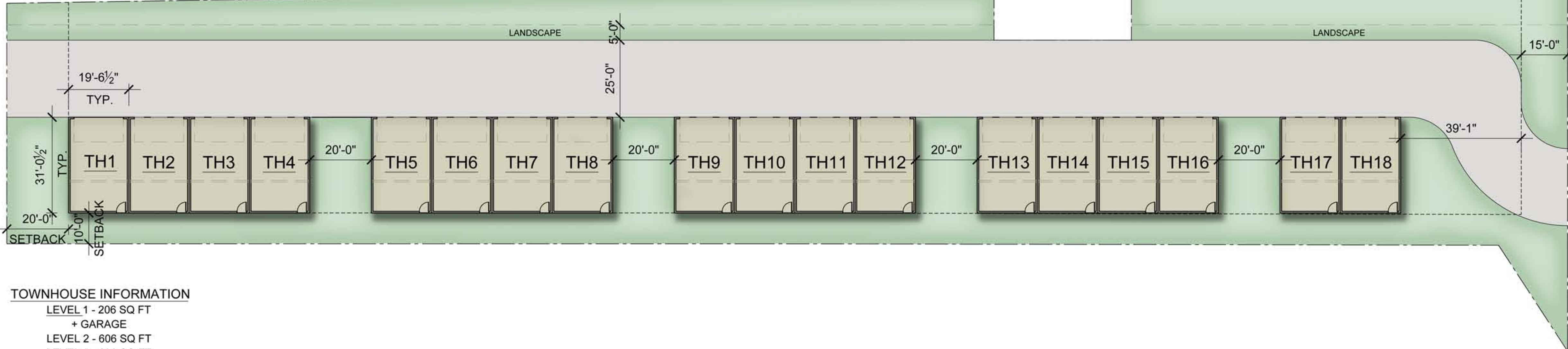
Sugar House Community Master Plan
 Growing SLC: A 5 Year Housing Plan
 Plan Salt Lake

The TAG Nibley Park Townhomes will provide a new, more attainable housing option in a high opportunity neighborhood. The location of the site on a narrow lot near the highway makes it very well suited to the type of development possible in the RMF-35 zone. Moreover, by adding a connection between 500 E and Warnock Ave, the project would be well integrated into the community and foster the sense of connectivity that is communicated as being important throughout planning documents for the area. Currently, the parcel is occupied by a condemned house and its depth and proximity to the highway have encouraged campers to frequently take up residence on the property. The construction of the TAG Nibley Park Townhomes will provide several benefits to neighboring properties. Most notably amongst these are the removal of an eyesore and increased safety and activity in the neighborhood. Additionally, by engaging a talented architectural team, we hope to contribute to the high quality design people have come to associate with Sugar House. The TAG Nibley Park Townhomes will contribute to the area and add value to surrounding properties.

Stepping into an established area always brings a unique set of challenges. In order to address these challenges we have already started engaging with a very strong architectural team to ensure that the project fits in the area in terms of style and quality. However, the development team also recognizes the importance of engaging with the neighborhood to build a product is something that will benefit the community. We have already started engaging with the only single family neighbor of the project and will work hard to minimize the disruptions that construction often brings. Moreover, we have met with the city by having a pre-submittal meeting with the planning department to get feedback on the project's site plan. We also presented our project to the community council for the area at the most recent land use and zoning meeting. This meeting provided us with feedback about how we might address some of the highway issues and since then we have looked into filtration options to improve indoor air quality close to major highways. Feedback from neighbors will be considered as we continue to advance the project's design.

The current zoning code on the parcel does not advance city plans outlined in the Sugar House Community Master Plan, Growing SLC and Plan Salt Lake. Modernizing the zoning on the property will bring land use regulations into agreement with stated city goals. Recent city plans and documents have recognized that as the population of Salt Lake grows, prices are spiking, leaving folks with fewer housing options and pushing some out altogether. TAG Nibley Park provides the unique opportunity to build in an area where it will cause minimal disruption and with the increased density of the project will come increased attainability in pricing. Creative infill projects are needed if Salt Lake wants to create attainable workforce housing and TAG Nibley Park will be an exemplary project furthering the purpose of the RMF-35 zone and city goals and plans alike.

500 E STREET



TOWNHOUSE INFORMATION

LEVEL 1 - 206 SQ FT
+ GARAGE
LEVEL 2 - 606 SQ FT
LEVEL 3 - 606 SQ FT
TOTAL - 1,418 SQ FT



NORTH

JLEIGH
DESIGN

Note: this conceptual landscape plan is intended to propose ideas & layout



Revision:

DATE:

Site 500 East
Salt Lake City, UT 84103

Site Plan Townhouse Concept 1

DATE:
08/10/21

scale:
 $1'' = 20'$

DRAWN BY:
JLN

JOB number:
080922

SHEET: **L-1**

ATTACHMENT C: R-1-7,000 & RMF-35 Zoning Comparison

The following uses are not currently allowed in the R-1-7,000 zoning district but are listed as permitted or conditional uses under the proposed RMF-35 zoning district designation:

New Permitted	New Conditional
Dwelling, assisted living facility (small)	Community recreation center
Dwelling, multi-family	Dwelling, assisted living facility (large)
Dwelling, single-family (attached)	Dwelling, congregate care facility (large)
Dwelling, twin home and two-family	Dwelling, group home (large)
	Dwelling, residential support (small)

Changing from Permitted to Not Allowed	Changing from Conditional to Not Allowed
-none-	-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-1-7,000 zoning district and the proposed RMF-35 zoning district are as follows below:

	Existing R-1-7,000 (Single Family, Detached)	Proposed RMF-35 (Single Family, Attached)
Building Height	28 feet for pitched roofs or 20 feet for flat roofs	35 feet
Front Setback	Equal to the average setback on block face or 20 feet	20 feet
Corner Side Yard Setback	Equal to the average setback on block face or 20 feet	10 feet
Interior Side Yard Setback, corner lot	6 feet	4 feet
Interior Side Yard Setback, interior lot	6 feet on one side and 10 feet on the other side	None required, but if provided not less than 4 feet
Rear Setback	25 feet	25% of lot depth, not less than 20 feet but not more than 25 feet
Maximum Building Coverage	40%	60%
Maximum Lot Size	10,500	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:

- **Sugar House Master Plan (Current Community Plan)**

- The Plan indicates the location criteria for medium density land uses include the following:
 - Proximity to arterial or collector streets,
 - Proximity to higher density residential areas, mixed-use areas, neighborhood commercial nodes, or the urban town center of the Business District,
 - Proximity to existing and proposed parks and open space, and
 - Prohibit the expansion of non-residential land uses into areas of medium density residential.

The subject property is located on 500 East which is a minor collector road and directly abuts the Interstate-80 corridor. The subject property is also approximately a third of a mile from Nibley Park and is also nearby the Forest Dale Golf Course and Fairmont Park. The proposed RMF-35 zoning district also serves to prevent the expansion of non-residential uses into the area because that zoning district allows assorted dwellings, community gardens, and community recreation centers.

- **Growing Salt Lake**

- Housing Initiative 2 suggests the City increase the number of medium density housing types and options. Allowing the zoning change would increase the medium density housing types in this area of the city in a location where the additional units would have access to amenities such as parks.
- Housing Initiative 3 encourages housing options that accommodate aging in place. The development of multiple housing types in a neighborhood provides opportunities for residents to live in homes that serve their specific needs for their age while also keeping them in the same neighborhood and nearby the amenities they have grown accustomed to.
- Housing Initiative 5, similarly to Plan Salt Lake, states the City should enable moderate density increases within existing neighborhoods where appropriate. As seen in the Sugar House Master Plan the subject property is appropriate for a moderate density increase because it is in close proximity to multiple collector streets and local amenities.

- **Plan Salt Lake**

- Growth initiative 3 encourages the City to “promote infill and redevelopment of underutilized land.” The subject property is much larger than other properties in the surrounding area and directly abuts the Interstate-80 corridor. The parcel is somewhat irregular in shape because it is significantly deeper than other neighboring parcels (approximately 500 feet deep) and is 0.95 acres in size. The property is currently utilized by an abandoned home which was built in 1900. The subject property’s location in an already established neighborhood and the size of the land makes this parcel a good candidate for infill redevelopment.
- Housing Initiative 2 promotes the increase of medium density housing types and options. The Plan also advocates for the city to enable moderate density increases

within existing neighborhoods where appropriate. As seen in the Sugar House Master Plan the subject property is appropriate for a moderate density increase because it is in close proximity to multiple collector streets and local 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
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	The proposed map amendments are consistent with the housing and growth initiatives of multiple citywide housing plans and is a good candidate for a moderate density increase per the Sugar House Master Plan.
2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.	Complies	The general purpose statement of the City's residential zoning districts includes: providing a range of housing choices, types, and densities and to ensure compatible development, among other goals. The proposed map amendments are consistent with the purpose statements.
3. The extent to which a proposed map amendment will affect adjacent properties;	Complies	The subject property is in an already established neighborhood but also directly abuts the Interstate-80 corridor. The freeway structure is taller than the maximum allowed height and impacts the surrounding area more than the proposed use change would.
4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards	N/A	The subject property is not within any zoning overlays.
5. The adequacy of public facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and	Complies	The subject property is located nearby multiple parks and the existing roadways are adequate to serve the proposed use. Utility connections and services are readily available.

recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.		
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ATTACHMENT F: **Photographs**



DO NOT
BLOCKEATE

PRIVATE
PROPERTY

NO TRESPASSING
No Parking or Loitering
after hours
Customers only during
Business hours
Violators will be cited
or vehicle towed

NO TRESPASSING
No Parking or Loitering
after hours
Customers only during
Business hours
Violators will be cited
or vehicle towed





700 East

NOTICE OF
PUBLIC HEARING

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 Sugar House 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 Sugar House Community Council on Monday, December 13, 2021.

Notice of the application was also sent to property owners and residents within 300 feet of the project on November 8, 2021. 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: January 13, 2022
- E-mailed notice to listserv sent: January 13, 2022
- Public hearing notice signs posted on the property: January 2022

Public Input Received

The residents in attendance of the December 13th meeting were generally supportive of the zoning change request; many indicated their hopes the Applicant would preserve as many mature trees on their property as possible and others reiterated the need for robust air filtration systems for the proposed units due to their proximity to Interstate-80. The Sugar House Community Council has provided a letter to the Planning Commission regarding this project and this letter has been included on the following page.



January 8, 2022

TO: Salt Lake City Planning Commission

FROM: Judi Short, Vice Chair and Land Use Chair
Sugar House Community Council

RE: PLNPCM2021-01941 and PLNPCM2021-01041
TAG SLC General Plan and Zoning Map Amendments

We received a request by Jake Billetteri to rezone a parcel from R1/7000 to RMF-35, along with an amendment to the General Plan from Low Density Residential (5-10 units per acre) to Medium Density Residential (8-20 units per acre). We think the Zoning map amendment is generally appropriate. This lot is .95 of an acre and adding more townhomes adds to the missing middle housing we really need in Sugar House. And we need more housing in Salt Lake City. However, we have concerns about the pollution from the freeway, and I discussed this with Mr. Billetteri before our land use meeting. As a result, he changed the direction of the units so the front is on the south side, they would not have a balcony leaning out on the freeway side. We talked about adding a row of tall columnar trees along the north property line, to absorb some of the CO particles. The building could be wrapped with special siding and insulation to prevent these chemicals from coming inside. Perhaps, instead of any windows on the north side, skylights that do not open can be put on the roof to allow light in, but not the chemicals. And the HVAC system needs a higher filtration system installed.

We have heard from the neighbors who very much like the huge grove of trees in this area, I believe those are on the LDS Church property to the East, and those should remain. The developer should do whatever possible to save any trees on the parcel, rather than just scraping the ground bare, because even if new trees are planted, it will take 15 or more years for them to reach any sort of mature size. Even if they are trash trees, they filter the air.

Eighteen units means 36 additional cars in the area. Even if there is a bus stop and it is within walking distance of the S-line, people will still have cars. I don't know if the driveway is wide enough to allow for guest parking along it, the neighborhood indicates there is not much street parking available.

We don't have much in the way of drawings, one simple one showing 18 units and a driveway. I would like to see this rezone approved, but have the petitioner need to come back to the Planning Commission to get the building design approved. We don't know that these are going to have two parking stalls for each unit, or what sort of greenspace they might have, and whether there is parking for visitors or extra cars on the premise. We'd like to see a development with fewer units and more on-site parking, along with a robust landscaping plan, with larger trees planted than the 2" caliper trees that will take forever to grow. These will be for sale properties, at about \$400k per unit. There are a lot of pages of language quoting zoning laws and justifying why this rezone should take place. We are more interested in seeing that these will be livable units, well designed, where the pollution is mitigated as much as possible. We need more of the missing middling housing in Sugar House, but it needs to be done thoughtfully.

Enclosure:

Comments from the public, Map and Flyer

TAG NIBLEY PARK COMMENTS 2435 S 500 EAST

I will not be at the meeting but I have a comment re Nibley Park and it goes for all construction facing I 80 and I 15. Rich and I lament that the new apartments have balconies right over the freeway where pollution is highest. This is a health hazard. Plans should not have windows that open or balconies on the freeway side and should have a much better air filtration system than a home a block away. It will never happen, but it should be a point of record. Suzanne Stensaas

I took time yesterday to walk the dogs by 2435 South 500 East property. I wanted to look at it firsthand before commenting. Clearly, the space is in disrepair, and something needs to be done. I never considered the environmental impact of building so close to I-80. My thinking was always a quality of life, "Who'd want to live so close to a loud freeway?" Also, when we learned each unit would be \$400K, it's hard not to shake your head and think that our perspective of affordable housing has shifted dramatically over the last decade.

Soren made a comment that I have been thinking about a bit since Monday. Homes this close to a major road should have higher filtration systems for the HVAC and the building should be wrapped with a higher insulation fabric/material to protect the residents. This can protect them from CO particles. The counter to this argument is each home will now be more expensive. Developers will never absorb the cost and will always push the cost to the consumer. Like most decisions, it comes down to dollars.

I support the decision to rezone to RMF 45. Given the location and condition of the property and the need for more housing in the community, this could be a net positive. Ben Rasband

Hi Judi, here are my comments on 500 E - I thought Soren's comments were valid, and aside from those concerns, I am all for the rezone. Seems like a good property for a development like this!
Brandon Hill

Hi Judi,

I live on 549 E. Division Lane and received a notice in the mail of a future zoning hearing in my neighborhood. As a resident since 1992, I would like to express my concerns about the future rezoning and building of 14 Townhome units, on the southside of I-80, between 500 East and 600 East.

Petition numbers: PLNPCM2021-01041 & 01042

I am not against reasonable development; but here are my concerns:

1. The developer want 4 more units built on there property and desires a change in zoning. On the notice I received I count 18 units. What's up?
2. My fence line is beside the LDS Stake park, where there are mature Cottonwood and Elm trees surrounding the park.
Not only is this a refuge for wildlife, but the large trees add oxygen and the shade cools down the area. I am wondering if the developer is going to de-forest his property to squeeze all these townhome in.
3. My next concern is parking. A lot of new town homes do not have enough parking to the residence and visitors. Some building in the neighborhood have no where for U Haul vans to park; so they have to block public streets for residence to move in and out.
4. I have concern for our local water shortage. If every acre in Sugarhouse had 14 townhomes on them; how much water would we have to water our gardens, trees and bushes. Why can't the builder live with 10 units?

5. Quality of Life for the residence of the 14 townhomes would be miserable. They would constantly hear rumbling from the freeway and breathing carbon monoxide.
The carbon footprint in the neighborhood would increase from vehicles, water heaters, and furnaces added to one little acre. If they cut down huge trees, there will be less oxygen too.

6. If they are allowed to rezone in this neighborhood; then the door would be open for other developers to do the same.

Thanks, Dave Tucker

From: Thea Brannon <[REDACTED]><1768 E Wilson>

Subject:TAG Nibley Park 2435 S 500 East

Driving by here one day, I was so struck by the beauty of the extensive yard and the ruined charm of the old house itself that I turned around, parked, and explored a bit. There is a beautiful meadow and many gorgeous old trees on that property. I find it very sad that it may all be torn down. Perhaps we shouldn't bother with vetting any property plans anymore, just go on ahead with having every inch of open, natural land paved over or built on.

From: Ben Hagenhofer-Daniell <[REDACTED]><768 E 1700 S>

Subject:TAG Nibley Park 2435 S 500 East

I support the proposed zoning change. I walk by this site frequently and the proposed development and increased density suits it. I would be fine with going even denser/taller to be honest. Given the proximity to the freeway, it is not suitable for single family, and R-7000 is a needlessly restrictive designation we should be eliminating city wide. I am glad to see this marginal infill property being put to good use.

Regarding the property at 2435 S 500 East, I think a setback of more than 10 feet would be better on the south side of the property since there is a single family home next door. I understand the builders are trying to get more space between the north side of the property and the freeway and this is a long, narrow lot which makes this challenging Unknown

ATTACHMENT H: City Department Review Comments

Engineering: No comments received.

Transportation:

“I have just one comment. In the attachment titled “2435 S 500 E Rezone Documentation”, on page 2, 2nd bullet point from the bottom, it calls 500 E a “City Arterial” according to the “Master Plan” (I assume referring to The Sugar House Master Plan, updated Dec. 2005) which contains a map showing 500 E as an “City Arterial”. However, the Major Street Plan (adopted 2018, see attached) indicates 500 E is a “Collector” throughout the City, having just one lane in each direction south of 900 S with a maximum speed of 30 mph which is more consistent with a “Collector” road. This is probably a minor issue, but it caught my eye. No other comments.” – 12/9/2021 email from Michael Barry

Public Safety/Fire:

“Areal access road does not meet IFC Appendix Section D105.3.” – Edward Itchon

Planning response – the access road indicated on the conceptual site plan will be required to meet the adopted building and fire codes but the proposed project is not under consideration with these petitions.

Public Utilities: No comments received.

Building:

“No comments at this stage of design.” – Heather Gilcrease