



Staff Report

PLANNING DIVISION

DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission
From: David J. Gellner, AICP, Senior Planner – 801-535-6107 - david.gellner@slcgov.com
Date: July 27, 2022
Re: PLNPCM2021-01191 and PLNPCM2022-00065 & 00086

Zoning Map & Master Plan Amendments & Alley Vacation

PROPERTY ADDRESS: 1518, 1530, 1540, 1546 S Main Street and 1515 S Richards Street
MASTER PLAN: Central Community Master Plan
ZONING DISTRICT: CC – Corridor Commercial and R-1/5000 – Single-Family Residential

REQUEST:

Urban Alfandre is requesting that the City amend the zoning map and master plan for multiple contiguous property parcels located at 1518, 1530, 1540, 1546 S Main Street and 1515 S Richards Street respectively. Some of the parcels have duplicate addresses. An alley that runs through the properties would be vacated as part of this request. The applicant intends to combine all parcels as well as the alley into one cohesive parcel under the new zoning in order to develop a mixed use development on the site. No specific site development plan has been proposed or is under consideration at this time. The following petitions are associated with this proposal:

1. **Zoning Map Amendment – PLNPCM2021-01191** – Rezoning subject parcels from CC (Corridor Commercial) & R-1/5000 (Single-family residential to FB-UN2 (Form Based Urban Neighborhood).
2. **Master Plan Amendment – PLNPCM2022-00065** – Change to the future land use map in the Central Community Master Plan from Community Commercial to High Mixed Use.
3. **Alley Vacation – PLNPCM2022-00086** – Request to vacate and close the platted alley to incorporate the area into the development as private property.

RECOMMENDATION:

Based on the information and findings listed in the staff report, it is the Planning Staff's opinion that the request generally meets the applicable standards of approval and therefore recommends that the Planning Commission transmit positive recommendations to the City Council for the Zoning Map, Master Plan and Alley Vacation petitions with the following recommendations:

1. The housing being removed from the site must be replaced.
2. The property for the vacated alley be integrated into the future development.
3. The rezoned parcels must be consolidated through the appropriate process.

ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Applicant's Narrative & Materials](#)
- C. [Property and Vicinity Photos](#)
- D. [Housing Loss Mitigation Report](#)
- E. [Zoning District Comparison](#)
- F. [Review Standards](#)
- G. [Public Process & Comments](#)
- H. [Department Review Comments](#)

PROJECT DESCRIPTION



Quick Facts

This request involves seven (7) contiguous property parcels.
Proposed zoning change from CC and R-1/5000 to FB-UN2
An alley vacation is part of the request. Existing alley runs through the proposed rezoning area.
Applicant intends to combine all parcels and build a mixed use development with ground floor commercial uses.
No specific site development plan is under consideration with these requests.
The total area of all parcels and the alley is approximately 2 acres
Six (6) existing housing units on the properties will be removed.
Removal will be subject to Housing Loss Mitigation requirements.

The applicant is proposing to rezone seven (7) property parcels in an around 1518 – 1546 S Main Street in what is being called “The 1550 S Main Street Assemblage”. All properties are zoned CC – Commercial Corridor with the exception of the parcel at 1515 S Richards Street which is zoned R-1/5000, Single-Family Residential. The applicant is requesting a zoning change to the FB-UN2 – Form Based Urban Neighborhood Zoning District as well as a change to the future land use map designation in the Central Community Master Plan from Community Commercial to High Mixed Use on these parcels. An application has also been submitted to vacate the platted alley that runs through the properties. No specific site development plan has been submitted or is being review with these requests.

The intent of these petitions would be to combine all parcels as well as the alley into one cohesive parcel of approximately 2 acres. Under the new zoning, the applicant intends to a build a new mixed use development on the site. The current zoning would support the establishment of multi-family and mixed-use developments on the site, however, that applicant is looking to utilize some of the design standards of the form-based district in order to create a higher-quality development with a sensitivity to massing and active pedestrian spaces. These differences are discussed in more detail in the Key Considerations section of this report under **Consideration 2: Neighborhood Compatibility & Anticipated Impacts**.

The applicant’s original proposal, since revised, included an accompanying request for a text amendment to allow additional building height on the subject parcels. The proposal was to allow multi-family/mixed-use building forms up to 65-feet in height on these parcels. The FB-UN2 Zoning District allows buildings of this type to a maximum height of 50-feet. Based upon public and staff feedback, the applicant withdrew the text amendment portion of this request. The proposed zoning map change would be to the FB-UN2 district as it exists without additional height being requested.

The applicant’s proposal is described more fully in their narrative included in [Attachment B](#) of this report. Revisions to the applicant’s original proposal indicating that the text amendment to allow additional height was being withdrawn from consideration are also included in this attachment.

APPROVAL PROCESS AND COMMISSION AUTHORITY

The Planning Commission’s role in these applications is to provide a recommendation to the City Council. The Planning Commission’s recommendation for the proposed zoning map and master plan amendments, and alley vacation, whether negative or positive, will be forwarded to the City Council for their consideration. City Council has final decision making authority for these types of applications.

KEY CONSIDERATIONS

The key considerations listed below were identified through the analysis of the project:

1. Compliance with City Goals, Policies & Plans
2. Neighborhood Compatibility & Anticipated Impacts
3. Consideration of Alternate Zoning Districts
4. Housing Loss Mitigation Requirements
5. Alley Vacation Request
6. Public Input and Concerns

Consideration 1: Compliance with City Goals, Policies and Plans

Central Community Master Plan (2005)

The subject property and surrounding area are discussed in the Central Community Master Plan. The Central Community Master Plan (CCMP) is the relevant neighborhood plan for the area at this time. The future land use map in the CCMP shows the properties as “Community Commercial” for those along Main Street as well as the motel property in the interior of the block. The map shows the property fronting on Richards Street as “Medium Density Residential”. The properties are located within the “People’s Freeway Neighborhood” described within the Plan.

The following policies and statements in the CCMP are relevant to this proposal:

- RLU-1.3- Restrict high-density residential growth to Downtown, East Downtown, TOD areas and Gateway.
- RLU-1.5 - Use residential mixed uses zones to provide residential land uses with supportive retail, service and commercial uses.
- Mixed Use Policy – RLU-4.0 - Encourage mixed use development that provides residents with a commercial and institutional component while maintaining the residential character of the neighborhood.
- Mixed Use Policy – RLU-4.2 – Support small mixed use development on the corners of major streets that does not have significant adverse impact on the residential neighborhood.
- Commercial land use policy CLU-1.4 – High Density Mixed Use – Target areas adjacent to light rail station in the downtown area for higher intensity commercial use and medium to high density housing.
- Ensure that new development is compatible with existing neighborhood in terms of scale, character, and density.

The Central Community Master Plan contains policies and statements that both support the proposed rezoning of the property and statements that conflict with the proposed changes as noted above.

Ballpark Station Area Plan (DRAFT in progress – not yet adopted)

The Ballpark Station Area Plan is currently in the drafting stage and has not received input or a recommendation from the Planning Commission to City Council at this time nor has it been reviewed by City Council. The Draft Plan has been discussed with the local community and the public has been involved in its creation. Several of the public comments received by Planning Staff referenced this plan. Staff is mentioning the Draft Plan for the sake of clarification in regard to submitted comments. Since the Plan is still in Draft form, the final form may change in terms of content and recommendations.

In and of itself, the Ballpark Station Area Plan is not an adopted City document nor the relevant community plan upon which decisions can be based upon at this time. That being said, in context of the ongoing efforts to establish an updated vision and master plan for this area, the draft document must be mentioned as part of the “larger picture” in considering changes in this area.

Initial analysis of the latest draft indicates the following with respect to the subject properties:

- The subject area is located just south of the “Heart of the Neighborhood/Ballpark Entertainment Zone” in what the draft plan is listing as the “Main Street Area”
- The subject properties are about 0.66 miles from the Ballpark TRAX Station via the shortest walking path.

- Descriptions in the “Main Street Area” include the following language:
 - The east side of Main Street is included in the State Street overlay zone which addresses the scale and placement of buildings in the area. To ensure compatible development on both sides of Main Street the overlay zone should be extended to include the properties on the west side of Main Street.
 - New buildings in the area should be considered for redevelopment at a scale comparable to the surrounding area with front doors on Main Street, stoops and yards.

The proposed changes meet some of the anticipated policies and recommendations in the forthcoming Ballpark Plan while they may not meet others. In the absence of a specific development proposal under review, and in consideration of the plan being in draft form and subject to change, it is not possible to fully analyze compliance in terms of the Plan.

Plan Salt Lake (2015)

Plan Salt Lake (December 2015) outlines an overall vision of sustainable growth and development in the city. This includes the development of a diverse mix of uses which is essential to accommodate responsible growth. At the same time, compatibility, that is how new development fits into the scale and character of existing neighborhoods is an important consideration. New development should be sensitive to the context of surrounding development while also providing opportunities for new growth.

Plan Salt Lake, emphasizes the need for a variety of housing options. This is expressed in the guiding principles and related initiatives under each guiding principle as listed below:

- ***Growing responsibly while providing people with choices about where they live, how they live, and how they get around.***
 - *Locate new development in areas with existing infrastructure and amenities, such as transit and transportation corridors.*
 - *Promote infill and redevelopment of underutilized land.*
- ***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.***
 - *Increase the number of medium density housing types and options.*
 - *Direct new growth toward areas with existing infrastructure and services that have the potential to be people oriented.*
 - *Enable moderate density increases within existing neighborhoods where appropriate.*
 - *Promote high density residential in areas served by transit.*

The proposed development is supported by the general principles and initiatives found in Plan Salt Lake. It would provide additional housing options within a walkable neighborhood with commercial services served by convenient transit opportunities.

Growing SLC: A Five-Year Housing Plan – 2018-2022 (2017)

Additionally, the city’s housing plan, Growing SLC, reinforces the growing demand for housing. The plan cites density limitations as a local barrier, which has been exacerbating the city’s housing crisis. The following goals and objective are relevant to this proposal:

- *Increase housing options: Reform City practices to promote a responsive, affordable, high-opportunity housing market.*

The proposal is in line with the strategy of providing more housing units and housing variety in the neighborhood.

Consideration 2: Neighborhood Compatibility & Anticipated Impacts

Neighborhood compatibility and the anticipated impacts of new development are important considerations in a zoning change. The applicant’s stated intent for the rezone is to remove the existing motel and other buildings in order to develop a mixed use/multi-family residential development on the properties. However, no specific site development plan is under consideration so it is important to note that if the rezone is approved, the applicant would not be bound to building this kind or form of development and could construct other uses allowed under the new FB-UN2 zoning designation.

The existing CC zoning would allow buildings up to 30-feet by right and up to 45-feet through the Design Review process. Since the properties are not in a historic district or subject to any additional overlay provisions, the existing parcels could be combined and redeveloped by right or through processes to allow additional height. A comparison of development requirements in the CC and FB-UN2 districts is included in a table in [Attachment E](#) of this report.

The FB-UN2 zoning district would allow buildings up to 50-feet in height provided all of the zoning standards are being met. This is a slight increase over the maximum potential height in the CC district. However, the FB-UN2 zone has a higher requirement in any new development for design elements such as glass percentages, building materials, ground floor uses and other elements that are not required in the CC zoning district. The intent of these standards is to create higher quality and more pedestrian friendly developments.

In addition, when abutting single-family residential zoning, the FB-UN2 district requires additional upper level building step backs in order to lessen the impact on lower scale adjacent development. The CC zone does not require this.

Given the negligible difference in maximum building height combined with more robust design standards, it is Staff’s finding that the new zoning would not introduce additional impacts beyond those that could potentially occur under the existing CC zoning if the properties were to be redeveloped.

Consideration 3: Consideration of Alternate Zoning Districts

The original request by the applicant was for a change to the FB-UN2 zoning district with an accompanying text amendment to allow up to 65-feet in height on the subject parcels. That request has since been modified and additional height is no longer being considered. The FB-UN2 zoning district would allow buildings up to 50-feet in height to be developed if they are utilizing a multi-

family or mixed-use form. In addition, where the FB-UN2 zoning district abuts single-family the upper portions of the building must be stepped back 1-foot for every 1-foot of building height above 30' along a side or rear property line.

The CC zoning district allows buildings of up to 30-feet by right and up to 45-feet through the Design Review process. If additional height is being requested, additional landscaping would be required under the CC zoning. However, no upper building step backs or other requirements apply in the CC zoning district. In addition, the CC zoning district includes almost no general design standards (Chapter 21A.37) to influence the aesthetics of the building such as requirements for ground floor glass, building materials or ground floor uses. In that regard, the FB-UN2 zone is intended to create a better product in terms of high quality design, something that is important in the context of a site being redeveloped that abuts an existing neighborhood and development.

Another zone that would provide additional development options in terms of allowed uses and flexibility would be the R-MU45 – Residential/Mixed Use district. The R-MU-45 zone would also incorporate additional development standards for the ground floor and upper floor step backs, something not included in the existing CC zoning district. To be clear, there are other zoning districts that would allow both residential and mixed use developments in addition to the R-MU-45 zone. These districts vary in height and other requirements. Staff chose to highlight the R-MU-45 zone specifically in comparison to the FB-UN-2 as it has a similar maximum heights, requires additional step-backs when adjacent to single-family residential zoning and is intended to provide areas within the City for mixed use development containing residential, retail, service commercial and small scale office uses. The standards for the district are intended to promote appropriately scaled development that is pedestrian oriented. In that regard, the FB-UN-2 and R-MU-45 zones have a good number of similarities to serve as a basis of comparison. This is the reason why Staff chose to highlight the R-MU-45 zone specifically in lieu of other alternate zoning districts.

Comparing the FB-UN2 to the R-MU-45 zoning districts, more of the allowed uses in the R-MU-45 zone are Conditional, thereby requiring additional processes at the time of a specific development proposal. The FB-UN2 district requires more design elements for every use, thereby making the “form” more important than the actual use. The maximum height difference between the existing CC zone (45 feet), proposed FB-UN2 zone (50 feet) and the R-MU-45 district (45 feet) are roughly equivalent.

One major difference between the FB-UN2 district and R-MU-45 and other “non form based” districts are the parking requirements. The form-based district such as FB-UN2 don’t have a specific parking requirement. As such, the development could be built without required parking. The applicant has stated that they intend to provide adequate off-street parking and were willing to have that required through a development agreement. It should be noted however that the provision of parking was also based upon the original proposal which included additional building height in order to provide parking. This request for additional height has now been withdrawn. The applicant also discusses the parking and willingness to be held to a development agreement in [Attachment B](#).

Planning Staff is not recommending the consideration of an alternate zoning district such as R-MU-45 in lieu of the requested FB-UN2 zoning given the similarity of maximum building height, additional design standards in the FB-UN2 district and the applicant’s desires.

Consideration 4: Housing Loss Mitigation Requirements

Per Chapter 18.97 of City Code, any petition for a zoning change that would permit a nonresidential use of land, that includes within its boundaries residential dwelling units, may not be approved until a housing mitigation plan is approved by the city. The housing mitigation plan shall be proposed and submitted to the city's Planning Director and the Director of Community and Neighborhoods and shall be accompanied by a housing impact statement. The applicant is proposing to remove six (6) existing housing units. Their plan is to build more housing but a housing mitigation plan is required for this petition because the FB-UN2 district allows nonresidential uses to be built.

Options for mitigating residential housing loss include providing replacement housing, paying a fee to the City's housing trust fund based on the difference between the housing value and replacement cost of building new units, and where deteriorated housing exists and is not caused by deliberate indifference of the landowner, the petitioner may pay a flat fee to the City's housing trust fund.

The applicant submitted a housing loss mitigation plan that satisfies the mitigations requirements by providing replacement housing. The final plan was evaluated and approved by Blake Thomas, Community and Neighborhoods Director, prior to the petition being heard by the Planning Commission. A signed copy of the HLM Plan is included in [Attachment D](#) of this report. Staff is adding a recommendation to require replacement of the existing housing on the site as part of the rezoning. In addition, this may be required by City Council as part of a Development Agreement yet to be determined as Council considers the request.

Consideration 5: Alley Vacation Request

This proposal includes a request to vacate the platted alley that runs through the center of the development. The alley is currently blocked off for the majority of its length and is being used for parking or storage. An alley vacation requires that at least one (1) policy consideration as listed in Title 14.52.02 be met in order to process the application and that a signature threshold of 75% of abutting property owners be met. The request satisfies two (2) policy considerations, which are, Public Safety and Urban Design Considerations. The signature threshold has also been met.

An analysis of the factors found in Title 14.52.030.B. that must be reviewed for an alley vacation shows that the petition generally meets the policy considerations and factors considered for an alley vacation. This is discussed in more detail in [Attachment F: Review Standards](#) under the section for Alley Vacations. Planning Staff is recommending that the Planning Commission forward a positive request to City Council for the Alley Vacation.

Consideration 6: Public Input and Concerns

The majority of public comments received indicated opposition to the proposed rezoning. Most residents agreed that the current motel and properties created issues within the community in terms of crime and other undesirable activities, and that a change to these properties would be welcomed. However, there was concern about the proposed height and scale of any future development on the site and the impacts it would have on the existing neighborhood.

The original proposal that was sent out for community comments included a text amendment to the FB-UN2 district allow an additional 15-feet of building height on these properties up to 65-feet. So the comments received are reflective of the original proposal with additional building height request

which many felt was too tall in the location context of the property. The applicant has since modified the proposal and eliminated the text amendment request seeking additional building height.

Planning Staff sent out a supplemental notice postcard to all property owners and residents within 300-feet of the subject properties informing them of changes to the proposal and the elimination of the request for additional height. No additional comments were received in relation to the supplemental information sent.

STAFF RECOMMENDATION & SUMMARY

The Central Community Master Plan and other City plans and documents contains policies and statements that both support the proposed rezoning of the properties and statements that conflict with the proposed changes. In addition, the proposed changes will have a short-term impact on the adjacent neighborhood as the property is redeveloped for another use. However, this impact is similar to impacts that could occur under the current zoning if the properties were redeveloped. The redevelopment of the properties will add housing and commercial uses into the neighborhood and remove a use that has been a safety concern in the neighborhood. The proposed changes must be weighed against the existing policies in terms of what is in the City's best interest and priorities as well as public concerns about the proposed changes.

Based upon the key considerations and analysis in this report, Staff is recommending that the Planning Commission forward positive recommendations to the City Council for the Zoning Map, Master Plan and Alley Vacation petitions.

NEXT STEPS

The Planning Commission's recommendation for the proposed zoning map and master plan amendments, and alley vacation, will be forwarded to the City Council. City Council has final decision making authority for these types of applications. Additional public hearings will be held by City Council as part of their consideration of these applications.

ATTACHMENT A: Vicinity Map



ATTACHMENT B: Applicant's Narrative

Includes the following documents:

1. Revised narrative dated 05/16/2022 – indicates withdrawal of text amendment for additional building height.
2. Original narrative dated 02/03/2022 – includes text amendment for additional building height
3. Massing study – dated 01/24/2022 – reflects original request for additional height.

ATTACHMENT C: Property and Vicinity Photos



Property at 1518 S Main containing a closed restaurant being used to package food items.



The Main Street Motel at 1530 S Main Street



Street view looking north along Main Street



Duplex at 1515 S Richards & back of Main Street Motel



Duplex at 1515 S Richards Street – 1 of 2 duplexes



Existing alley through the properties - to be vacated



Richards Street – Gated off at near project area.



Existing duplex at 1515 S Richards – 1 of 2 duplexes



Back of duplex at 1515 S Richards



Existing dwelling at 1540 S Main – to be removed



Existing dwelling at 1546 S Main – to be removed

ATTACHMENT D: Housing Loss Mitigation Report

A copy of the Housing Loss Mitigation report, as required per Title 18.97 of City Code, signed by Blake Thomas, Director of Community & Neighborhoods on July 6, 2022, is included on the following pages of this report.

ATTACHMENT E: Zoning District Comparison

CC (Corridor Commercial District)

Purpose Statement: The purpose of the CC Corridor Commercial District is to provide an environment for efficient and attractive commercial development with a local and regional market area along arterial and major collector streets while promoting compatibility with adjacent neighborhoods through design standards. This district provides economic development opportunities through a mix of land uses, including retail sales and services, entertainment, office and residential. Safe, convenient and inviting connections that provide access to businesses from public sidewalks, bike paths and streets are necessary. Access should follow a hierarchy that places the pedestrian first, bicycle second and automobile third. This district is appropriate in areas where supported by applicable master plans. The standards are intended to promote a safe and aesthetically pleasing environment to all users.

R-1/5000 – Single-Family Residential

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

FB-UN2 – Form Based Urban Neighborhood

Purpose Statement: The purpose of the form based districts is to create urban neighborhoods that provide the following:

1. People oriented places;
2. Options for housing types;
3. Options in terms of shopping, dining, and fulfilling daily needs within walking distance or conveniently located near mass transit;
4. Transportation options;
5. Access to employment opportunities within walking distance or close to mass transit;
6. Appropriately scaled buildings that respect the existing character of the neighborhood;
7. Safe, accessible, and interconnected networks for people to move around in; and
8. Increased desirability as a place to work, live, play, and invest through higher quality form and design.

Context Description: The form based districts are intended to be utilized in areas with the following characteristics:

1. **Street, Block, And Access Patterns:** A regular pattern of blocks surrounded by a traditional grid of streets that provide mobility options and connections for pedestrians, bicyclists, and automobiles. Blocks include sidewalks separated from vehicle travel lanes by a landscaped park strip. Front yards are landscaped or include active, outdoor uses.
2. **Building Placement And Location:** Residential buildings are generally located close to the sidewalk with a small, transitional, semipublic space, such as a landscaped front yard, that is consistent along the block face. Buildings along arterials are located close to the sidewalk with parking to the side or rear of building.

3. **Building Height:** Building heights on local streets are relatively low and consistent with existing building heights with little variation. Buildings located on arterial streets are generally taller.
4. **Mobility:** A balance between pedestrians, bicyclists, transit riders, and motorists exist in the area, and residents are well connected to other parts of the city.

Intent Of Form Based Districts:

1. **Statement Of Intent:** Form based districts are intended to provide zoning regulations that focus on the form of development, the manner in which buildings are oriented toward public spaces, the scale of development, and the interaction of uses within the city. Form based districts provide places for people to live, work, and play within a close proximity. Regulations within form based districts place emphasis on the built environment over land use.

2. **How To Use This Chapter:** Form based districts emphasize the form, scale, placement, and orientation of buildings. Each subdistrict includes a table of permitted building forms and specific development regulations for each building form. The first step is to identify which subdistrict the property is located in, and then identify what building forms are permitted, and finally what standards apply to the specific building form. All new developments and additions to existing buildings shall comply with the specific requirements of this chapter. (Ord. 23-16, 2016)

FB-UN2 urban neighborhood 2 subdistrict: Generally includes buildings up to four (4) stories in height, with taller buildings located on street corner parcels, which may contain a single use or a mix of commercial, office, and residential uses. Development regulations are based on building type, with the overall scale, form, and orientation of buildings as the primary focus.

Zoning District Comparison Table – CC and R-1/500 versus the proposed FB-UN2

Parameter	CC Zone	R-1/5000	FB-UN2 - Proposed
Allowed Uses	Multi-family and mixed use developments, gas stations, alcohol uses, animal cremation, art gallery, food production, various commercial retail and service uses, assisted living and support uses, boarding house, funeral home, crematoriums, motel uses, offices, school uses, commercial parking, recreation, storage uses, movie theater, automobile sales, service, repairs and rentals among others.	Mostly single-family detached uses. Multi-family and commercial uses are not allowed. Some government and municipal and school uses allowed as conditional.	Dwellings to include single, multi-family and others, mixed use developments, alcohol uses, various commercial retail and service uses, assisted living and support uses, assisted living and support uses, boarding house, funeral home, clinic and medical uses, motel uses, offices, school uses and others.

<p>Maximum Building Height</p>	<p>30-feet by right 45-feet through Design Review</p>	<p>28-feet to ridge for pitched roofs or 20-feet for flat roofed buildings.</p>	<p>50-feet for a multi-family or mixed-use form. A variety of other uses are allowed and the height limit varies. In the absence of a specific development proposal, the applicant could build any of the allowed uses under the new zoning if it were to be approved.</p>
<p>Front/Corner/ Side/Rear Yard Setbacks</p>	<p>Front and corner side yards: 15 feet Interior side – None Rear yard: 10 feet</p>	<p>Front: 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. Interior side: Corner lots – 4-feet Interior side for Interior lots – 4 feet on one side and 10 feet on the other. Rear yard: 25% of lot depth or 20-feet, whichever is less.</p>	<p>No minimum on front and corner side. Maximum 10 feet. Side: 15-feet along a side property line that that abuts a residential zoning district less than 35-feet otherwise none. Rear: Minimum 20 feet along rear adjacent to residential less than 35-feet.</p>
<p>Required Build to Line</p>	<p>Not applicable</p>	<p>Not applicable</p>	<p>Minimum of 50% of street facing facade shall be built to the minimum setback line</p>
<p>Upper Level Step Back</p>	<p>None required</p>	<p>Not applicable.</p>	<p>Buildings shall be stepped back 1 additional foot for every foot of building height above 30' along a side or rear property</p>

			line adjacent to FB-UN1 or any residential zoning district that has a maximum building height of 35' or less, unless the building is set back from the property line 45' or more.
Buffer Yard	Required if abutting single-family residential Specific landscaping requirements and trees are required.	Not applicable.	No specific buffer required but a 20 foot rear yard is required and upper building step backs are required when located adjacent to residential.
Lot Size	Minimum 10,000 SF	5,000 SF but cannot exceed 7,000 SF	4,000 SF
Minimum Lot Width	75-feet	Not specified	30-feet
Landscaped Yards	15-feet required on all front and corner side yards. Additional landscaping required is if additional building height is allowed.	Required yards must all be maintained as landscaped yards.	Open Space Area: A minimum of ten percent (10%) of the lot area must be open space area which may include landscaped yards, patio, dining areas, common balconies, rooftop gardens, and other similar outdoor living spaces.
Off Street Parking & Loading (21A.44.030)	The CC zone requires the following for multi-family uses: 2 parking spaces for each dwelling unit containing 2 or more bedrooms 1 parking space for 1 bedroom and efficiency dwelling 1/2 parking space for single room occupancy dwellings (600 square foot maximum) Additional parking will be required for the commercial	Two parking spaces for each single-family residences. Additional spaces required for other uses when allowed.	No parking minimum specified or required.

	aspects of the project. This varies depending on the use.		
<p>General Design Standards:</p> <ul style="list-style-type: none"> • Ground floor uses • Percentage glass • Building materials • Entrance Requirements • Balconies • Open space requirements 	<p>No general design standards or requirements if building to 30-feet. If requesting Design Review, additional elements may be requested.</p>	<p>None specified for commercial or multi-family as they are not allowed.</p>	<ul style="list-style-type: none"> • Ground floor uses required • 60% of ground floor facing façade must be glass • 15% on all upper floors on street facing facades. • 70% of any street facing building facade must be clad in high quality, durable, natural materials • Specific entrance requirements based on building type. • Balconies required on all street-facing units • Open Space Required: A minimum of ten percent (10%) of the lot area must be open space area.

ATTACHMENT F: Review Standards

MASTER PLAN AMENDMENTS

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

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

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

ZONING MAP AMENDMENTS

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

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;

The applicant is seeking a zoning map amendment to redevelop the larger site for a mixed-use/multi-family type development. In addition, a master plan amendment is being sought because the proposed zoning amendment is not consistent with the future land use map in the Central Community Master Plan.

Plan Salt Lake

The proposed changes are supported by the general principals and initiatives found in Plan Salt Lake. The proposed zoning amendment is also in line with growth and housing goals outlined in the city's 5-year housing plan, Growing SLC. These goals include increasing medium density housing and providing more housing types and options in terms of unit size and price while directing growth to areas with existing infrastructure. At the same time, the proposal conflicts with policies aimed at the preservation of existing neighborhoods and discourages the expansion of multi-family uses in areas that are predominantly low-density or single-family in nature.

Community Plan and Small Area Plan

The proposed amendments are in line with some of the goals and policies in the Central Community Master Plan and in conflict with others. In addition, the City is currently developing a new plan for this area, the Ballpark Station Area Plan. That plan has not yet been adopted but is important to note in the overall big picture for the area.

Overall, Staff finds that the proposed amendments are consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents.

2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.

The proposal helps to foster the city's residential development by allowing additional housing options to be established. The proposal would help to promote the convenience, order, prosperity and welfare of the present and future inhabitants. The proposal helps to implement aspects of the City's adopted plans and policies as discussed above.

21A.02.030 Purpose and Intent

The proposal supports the purpose and intent of the Zoning Ordinance as stated in Title 21A.02.030. The proposal helps to foster the city's residential development by allowing additional housing options to be established. The proposal helps to implement aspects of the City's adopted plans and policies

Zoning District Purpose

The proposal would support the purposes of the proposed FB-UN2 zoning district by helping to create people oriented places, creating options for housing and commercial spaces and promoting higher quality form and design.

21A.50.010 Purpose Statement – Amendments

The general purpose statement for amendments which includes zoning map amendments codified in Chapter 21A.50-010 follows:

The purpose of this chapter is to provide standards and procedures for making amendments to the text of this title and to the zoning map. This amendment process is not intended to relieve particular hardships nor to confer special privileges or rights upon any person, but only to make adjustments necessary in light of changed conditions or changes in public policy.

The proposal is intended to facilitate redevelopment of a site for additional housing and commercial spaces that will benefit the neighborhood and City. While the requested change could arguably be cast in the light of "benefitting the developer", in the big picture of City needs and policies, the zoning change is justified. Staff finds that the proposed changes are not in conflict with the purpose statement for amendments as highlighted above.

3. The extent to which a proposed map amendment will affect adjacent properties;

Concerns have been raised through the public outreach process in relation to the impact of the zone change on adjacent properties This is discussed further in the Key Considerations section of this report under *Consideration 2: Neighborhood Compatibility & Anticipated Impacts* and also in *Consideration 3: Consideration of Alternate Zoning Districts*.

While staff finds that while the proposed zoning change could lead to additional impacts on neighboring properties, it is not substantially more than what could be experienced if the property was re-developed under the current zoning allowances in place.

4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards;

The property is not located within an overlay district. This standard is not applicable.

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.

In the absence of a specific development proposal, few comments were provided by other City Divisions and Department. Comments from other City Departments and Divisions are included in [Attachment H](#).

The city has the ability to provide services to the subject property. The existing infrastructure may need to be replaced or upgraded at the owner's expense in order to meet specific City requirements. If the rezone is approved, any new use will need to comply with the applicable requirements for redevelopment of the site. Public Utilities and other departments will review any specific development proposals submitted at that time and additional comments and requirements may apply to that development proposal.

ALLEY VACATIONS

14.52.020: Policy Considerations for Closure, VACATION or Abandonment of City Owned Alleys: *The City will not consider disposing of its interest in an alley, in whole or in part, unless it receives a petition in writing which demonstrates that the disposition satisfies at least one of the following policy considerations:*

- A. Lack of Use: The City's legal interest in the property appears of record or is reflected on an applicable plat; however, it is evident from an on-site inspection that the alley does not physically exist or has been materially blocked in a way that renders it unusable as a public right-of-way.*
- B. Public Safety: The existence of the alley is substantially contributing to crime, unlawful activity or unsafe conditions, public health problems, or blight in the surrounding area.*
- C. Urban Design: The continuation of the alley does not serve as a positive urban design element.*
- D. Community Purpose: The Petitioners are proposing to restrict the general public from use of the alley in favor of a community use, such as a neighborhood play area or garden.*

Policy Considerations the Applicant is Proposing to Meet:

Policy Consideration C – **Urban Design**

Policy Consideration B – **Public Safety**

The policy consideration of Urban Design and Public Safety are the driving factors for this request. The applicant argues that the alley does not contribute as a positive urban design element and that the property would be better used as part of their future development. The applicants also argue that the alley contributes to crime in the area. Although no substantive reports in support of the alley contributing to crime have been provided, officers from the SLCPD in community meetings have reported that the motel property in general and the alley serves as a problem area in the community. The applicants' narrative found in [Attachment C](#) outlines the reason for the request.

Chapter 14.52.030 specifies that *"The petition must bear the signatures of no less than seventy five percent (75%) of the neighbors owning property which abuts the subject alley property;"* The applicant's petition has received signatures from six (6) of the eight (8) property owners who abut the alley.

Finding:

Staff finds that at least one policy consideration has been sufficiently met in order to process the petition and that the 75% petition signature and noticing requirements have been met.

Salt Lake City Code, Section 14.52.030B: Processing Petitions – Public Hearing and Recommendation from the Planning Commission.

Upon receipt of a complete petition, a public hearing shall be scheduled before the Planning Commission to consider the proposed disposition of the City owned alley property. Following the conclusion of the public hearing, the Planning Commission shall make a report and recommendation to the City Council on the proposed disposition of the subject alley property. A positive recommendation should include an analysis of the following factors:

Factor	Finding	Rationale
<p>1. The City Police Department, Fire Department, Transportation Division, and all other relevant City Departments and Divisions have no objection to the proposed disposition of the property;</p>	<p>Complies</p>	<p>Staff requested input from pertinent City Departments and Divisions. Comments were received from Public Utilities and Engineering. The Engineering Department does not support the request while Public Utilities has no objections. Part of the objections of Engineering concerned the possible location of utilities underground in the alley. Public Utilities indicated that there may be some water lines but did not have concerns. Since the site consists of multiple parcels to be combined, the issue of utilities and any required relocation will be dealt with on an individual development proposal under consideration.</p> <p>Individual department comments are included in Attachment H.</p>
<p>2. The petition meets at least one of the policy considerations stated above;</p>	<p>Complies</p>	<p>The proposed alley closure satisfies at least one policy consideration in order for the petition to be processed.</p>
<p>3. The petition must not deny sole access or required off-street parking to any adjacent property;</p>	<p>Complies</p>	<p>Vacation of the alley would not impact parking or sole access to any property. The applicant owns or has under contract the majority of the parcels that abut the alley and is looking to integrate the alley property into a future development.</p>
<p>4. The petition will not result in any property being landlocked;</p>	<p>Complies</p>	<p>No properties would be rendered landlocked by this proposal.</p>
<p>5. The disposition of the alley property will not result in a use which is otherwise contrary to the policies of the City, including applicable master plans and other adopted statements of policy which address, but</p>	<p>Complies</p>	<p>The petitioner is requesting the vacation of a platted segment of alley in order to incorporate the property into a new development for the property. There is no identified future use or need for the alley.</p> <p>City documents and policies do not speak to the future use or closure of alleys in this area</p>

which are not limited to, mid-block walkways, pedestrian paths, trails, and alternative transportation uses;		of the City. Closing of the alley will not result in uses that are contrary to any City policy.
6. No opposing abutting property owner intends to build a garage requiring access from the property, or has made application for a building permit, or if such a permit has been issued, construction has been completed within 12 months of issuance of the building permit;	Complies	No abutting property owners have opposed the alley vacation. No applications for a permit have been made.
7. The petition furthers the City preference for disposing of an entire alley, rather than a small segment of it; and	Complies	The applicant is requesting closure of an existing alley. The continuation of the alleyway to the north is intact and not a part of this petition. The subject alley does not pass fully through the block between Andrew Avenue and Van Buren so it is essentially a segment of alley. Since there is no continuation to the alley, for all intents and purposes this remaining segment would act as an “entire alley” so this factor has been met.
8. The alley is not necessary for actual or potential rear access to residences or for accessory uses.	Complies	The alley is not necessary to access the rear of the existing residences.

The petition generally meets the policy considerations and factors considered for an alley vacation. While the Engineering Department indicated that they opposed the request, their objections did not take into account the overall re-development of the site which will likely necessitate the relocation or removal of all utilities on the existing site. As such, Planning Staff is recommending that the Planning Commission forward a positive request to City Council for the Alley Vacation.

ATTACHMENT G: Public Process & Comments

Public Notice, Meetings, Comments

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

- February 9, 2022 – The Ballpark Community Council and Midtown District Community Council were sent the required 45-day notice for recognized community organizations. The letter included information about the Online Open House being held during the comment period.
- February 9, 2022 - Property owners and residents within 300 feet of the development were provided early notification of the proposal. The notice included information about the Online Open House.
- February 9, 2022 – The project was posted to the Online Open House webpage. The Open House webpage was online from February 9, 2022 until March 30, 2022.
- March 3, 2022 – Staff attended an online meeting held by the Ballpark CC in order to answer questions about the project and required processes.
- May 23, 2022 – Staff sent out a notice postcard to all property owners and residents within 300 feet of the development informing them of changes to the proposal, specifically that the request for a text amendment to allow additional building height was no longer being proposed by the applicant.

Notice of the public hearing for the proposal included:

- July 14, 2022
 - Public hearing notice signs posted on the properties
- July 14, 2022
 - Public hearing notice mailed
 - Public notice posted on City and State websites and Planning Division list serve

Public Input:

Staff received approximately 25 comments via email about the proposal as well as an official letter from the Ballpark CC and one other letter from the community. The redacted comments received as well as any letters are included on the following pages of this report.

The majority of comments indicated opposition to the proposed rezoning. It should however be noted that the comments received came in relation to the original proposal which has since been revised by the applicant. This does not represent a dismissal of public comments by Staff, it is merely intended as a notation that the proposal did change between when the comments were made and the final version was being considered by staff. This is explained in more detail below.

As a general theme, while most residents agreed that the current motel and properties created issues in the community with crime and other activities, and that a change would be welcomed, there was concern about the proposed height and scale of any future development on the site. It should be noted that the original proposal included a text amendment to the FB-UN2 district allow an additional 15-feet of building height on these properties up to 65-feet. The applicant has

since modified the proposal and eliminated the request for additional building height. The current proposal is for FB-UN2 as it exists which would allow development up to 50 feet in height.

On May 23, 2022, Planning Staff sent out a supplemental notice postcard to all property owners and residents with 300-feet of the subject properties informing them of changes to the proposal and the elimination of the request for additional height. Staff received two (2) additional emailed comments in support of the revised request, both in support of the proposal.

Public Comments and Letters Received by Planning Staff

The following pages contain the letters and email comments received by Planning Staff in relation to this proposal.

ATTACHMENT H: Department Review Comments

This proposal was reviewed by the following departments. Any requirement identified by a City Department is required to be complied with.

Engineering: Scott Weiler

Rezone and Master Plan Comments:

No objections to the proposed zoning or master plan changes.

Alley Vacation Comments:

SLC Engineering does not support the proposed alley vacation. The power runs down the alley on both sides (with the transformers) and it appears that underground utilities may also exist. They are parking vehicles in the alley currently.

Transportation: Michael Barry

No comments provided

Fire Review

No comments provided.

Police: Lamar Ewell

No objections or comments from the SLCPD on any of the requests.

Public Utilities: Jason Draper

Rezone and Master Plan Comments:

No comments provided.

Alley Vacation Comments:

It does look like power is in the alley but I don't have any public utilities here. The private water and sewer probably crosses the alley to the back units but right now is all held by the same owner.