



# Staff Report

PLANNING DIVISION

DEPARTMENT of COMMUNITY and NEIGHBORHOODS

**To:** Salt Lake City Planning Commission  
**From:** Grant Amann, Associate Planner, [grant.amann@slcgov.com](mailto:grant.amann@slcgov.com), (801) 535-6171  
**Date:** May 24, 2023  
**Re:** PLNPCM2022-01161 & PLNPCM2022-01160  
Zoning Map and Master Plan Amendments for 116 E Edith Ave (OR 1207 S STATE ST)

## Application Type

**PROPERTY ADDRESS:** 116 E Edith Ave

**PARCEL ID:** 16-07-357-047-0000

**MASTER PLAN:** Central Community Master Plan Future Land Use Map, (Low Density Residential)

**ZONING DISTRICT:** R-1/5000 (Single Family Residential)

### REQUEST:

Salt Lake City has received the following requests from Ian Kaplan of ADDvirtue LLC representing the Property Owner, Nazar Enterprises, regarding the property located at 116 E Edith Ave. This parcel is being used as an extension of the parking lot for the commercial building directly West (1207 S State St.) The property has maintained this use for the life of the existing structure. The applicant desires to amend the Master Plan Future Land Use Map and zone to match its historic existing use. Because the property owner owns both pieces of property, they desire to combine the parcels into one single lot, if the amendments are approved.

1. Master Plan Amendment: Amend the Central Community Future Land Use Map (PLNPCM2022-01161) from Low Density Residential to Community Commercial.
2. Zoning Amendment: Amend the Zoning Map (PLNPCM2022-01160) from R-1-5000 (Single Family Residential) to CC Corridor Commercial.

### RECOMMENDATION:

Based on the information and findings listed in the staff report, it is the Planning Staff's opinion that the proposed master plan amendment is consistent with adopted City policies stated in the applicable plans and the proposed zoning map amendment does meet the applicable factors for consideration and therefore recommends the Planning Commission forward a positive recommendation to the City Council.

### ATTACHMENTS:

- A. [ATTACHMENT A: Zoning and Future Land Use Map](#)
- B. [ATTACHMENT B: Property and Vicinity Photos](#)

- C. [ATTACHMENT C: Applicant Information](#)
- D. [ATTACHMENT D: Comparison of R-1/7000 and SR-3 Zoning](#)
- E. [ATTACHMENT E: Amendment Standards](#)
- F. [ATTACHMENT F: Public Process & Comments](#)
- G. [ATTACHMENT G: Department Review Comments](#)

## PROJECT DESCRIPTION

### Project Background

The applicant is requesting to change the zoning and amend the Central Community Master Plan Future Land Use Map for the property located at 116 E. Edith Ave. (Sometimes referred to as 1207 S State St.), which is approximately 0.1171 acres (roughly 5,100 square feet) in size. The current existing use of the property is a parking lot for the commercial lot directly west. The existing use is composed of two contiguous parcels, each with separate zoning designations. The two amendments are being sought to continue the current use which would give the potential to combine the two lots and potentially redevelop the site.

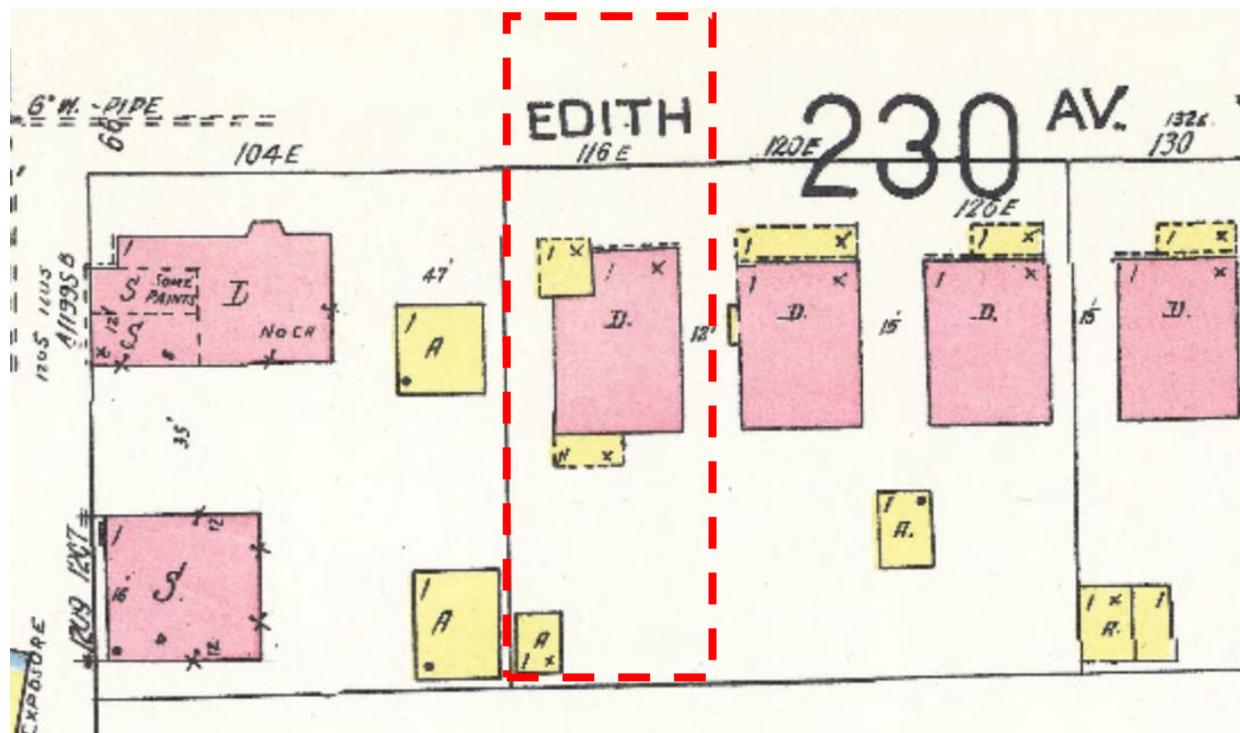
The current Central Community Master Plan Future Land Use Map designates the parcel in question as *Low Density Residential*. The owner would like to amend the Master Plan to change the current designation into *Community Commercial* land use due to the historic use of, and adjacency to, *Community Commercial* designation of the 1207 S State lot. The owner says that a successful Master Plan Amendment would lead to the utilization of underdeveloped land in the city. There is currently no official proposal to redevelop the property.

The subject property was created as a lot in the Walker Place Plat A recorded in 1919. As seen in the image below, the property in question is Lot 14. Lots 15 and 16 have been combined to create the commercial property owned by the same owner.



The parcel in question and smaller of the two parcels, zoned R-1-5000, is a vacant lot and has historically been accessory to the commercial use of the State Street parcel. Although the historical record for the property is imperfect, it appears that the current commercial use has existed since at least 1979.

Staff conducted research and found a Sanborn map from 1950, which indicates that a single-family residence existed at 116 E Edith Street. Because there is no record of a building permit on file since 1979, it is estimated that the house was torn down sometime between 1950 and 1979.



1950 Sanborn Map, Page 195

### Project Description

The proposal involves two requests:

- (1) to amend the Central Community Master Plan Future Land Use Map from *Low Density Residential (1-15 Dwelling Units/Acre)* to *Community Commercial*, which would match the existing commercial property next door to the west.
- (2) to amend the zoning map designation from R-1/5000 (Single Family Residential) to CC (Corridor Commercial) zoning district. The applicant identified CC zoning to match the zone of the adjacent commercial.



### **Existing Use of the Property**

The subject property is currently used to satisfy the parking of the commercial building on the adjacent lot to the west addressed as 1207 S State St.

### **Neighborhood Context**

The neighborhood along Edith Street generally consists of single-family dwellings, however its proximity to State Street does establish a nearby context of uses other than single-family dwellings. The existing development scale is relatively low in nature. The zoning is relatively consistent with the majority of the properties zoned as R-1/5000. Directly South of the property is the “Lincoln Plaza”, a shopping plaza or strip mall that contains a variety of commercial uses. In between the property and Lincoln Plaza is a vehicular access alleyway to access Lincoln Plaza. None of the homes that back up against the alleyway have pedestrian or gated access to the alley.

## **APPROVAL PROCESS AND COMMISSION AUTHORITY**

Zoning map amendment proposals are reviewed against a set of considerations from the Zoning Code. The considerations are listed in Attachment F. Generally, Planning Staff is required by ordinance to analyze proposed zoning map amendments against existing adopted City policies and other related adopted City regulations, as well as how a zoning map amendment will affect adjacent properties. The decision is ultimately up to the discretion of the City Council.

There are no specific considerations for master plan amendments. However, staff generally considers the same considerations required for a zoning amendment and takes into account other related adopted City policies and current best planning practices. A decision to amend a plan is ultimately up to the discretion of the City Council.

## KEY CONSIDERATIONS

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

1. Relevant Adopted Master Plan Documents
2. Comparison of R-1/5000 and CC

### Consideration 1: Relevant Adopted Master Plan Documents

#### Central Community Master Plan

The subject properties are located within the Central Community Master Plan, which was adopted in 2005. The Central Community Master Plan Land Use Map designates the property as Low Density Residential (1-15 Dwelling Units per Acre). The adjacent lot is designated as Community Commercial. The applicant is requesting to modify the future land use designation to match the adjacent property.

The Central Community Master Plan provides the following definitions for the existing land use designation and the proposed amendment:

#### *Existing Land Use Designation – Low Density Residential*

*This land use designation allows moderate sized lots where single family detached homes are the dominant land use. Low-density includes single-family attached and detached dwellings as permissible on a single residential lot subject to zoning.*

Location criteria for Community Commercial land uses include:

*The Community Commercial designation (fuchsia on map) provides for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. Examples include, but are not limited to, grocery stores, hardware stores and garden centers. Community Commercial land use designation also supports businesses with drive-through facilities, professional offices, automobile services, small retail sales and services, small scale assembly and distribution, and repair services.*

The Master Plan also addresses “preventing zoning changes for commercial land use encroachment into residential neighborhoods”. In this paragraph of the plan, the topic of demolition in conjunction with encroachment is addressed.

*Commercial land use encroachment occurs when new businesses are established on formerly residential properties and when existing neighborhood businesses appropriate contiguous residential properties. Both types of expanding commercial development often cause the demolition of residential structures for commercial land use. This has a severe impact on the character, livability, and stability of the existing residential neighborhood.*

The plan does purposely address commercial land use encroachment by discouraging unnecessary demolition. However, after conducting research, the single-family residence that once existed on the site has not existed since at least 1979. Although it would be discouraged to demolish the building if it were existing today, the current and maintained use of the site is

estimated to have been commercial since the building was demolished prior to 1980. The proposed amendments would help to increase the conformity of the existing use.

### *Policies*

- *Community Commercial: Locate community level retail sales and services on appropriate arterials and do not encroach upon residential neighborhoods or generate community-wide parking and traffic issues.*
- *Ensure commercial land development does not disrupt existing low-density residential neighborhood patterns and follows future land use designations.*
- *Locate commercial land uses on streets that have adequate carrying capacity. For example, locate regional commercial businesses on arterials and freeways, not on local residential streets.*

Discussion: The Central Community Master Plan designates this area as Low Density Residential to preserve and protect the older low density single-family neighborhoods. The plan states that areas designated as Low Density Residential Mixed-Use should preserve the residential component of the neighborhood. However, it is important to note that the property in question is already being used commercially and not as a residential property.

The plan amendment generally does align with the goals or policy statements within the Central Community Master Plan. The proposed Community Commercial use desires and integration between moderately sized commercial areas with adjacent residential neighborhoods. As stated, *“Commercial businesses along State Street, provide services and merchandise that differ from those of businesses located at a neighborhood commercial corner such as 900 South and 900 East. The location of neighborhood businesses within residential areas shortens travel times and makes it possible to walk, cycle, or take the bus rather than using the automobile, thus benefiting the community through improved air quality and reduced congestion on the City’s streets.”* The Master Plan also recognizes that *“non-conforming land uses, such as a commercial business on residentially zoned property, can serve the local community. In some cases, these businesses may be 20 to 50 years old and have provided convenient service to the neighborhood. These types of businesses also add character and opportunities for social exchanges in the neighborhood.”* This recognition indicates that existing commercial uses on residentially zoned land can continue and contribute to the neighborhood. The proposed Community Commercial use aligns with the Master Plan's goal of integrating commercial areas with adjacent residential neighborhoods, which could have positive impacts on the community by providing access to services and amenities within walking distance.

Additionally, the CC zoning designation does align with current use, which would allow off-site parking as a permitted use. Currently the R-1/5,000 Zone does not allow off-site parking as a permitted use. This means that the current use, off-site parking lot, is considered a legal, non-conforming use. By designating the lot as Community Commercial, the current use would become a legal conforming use.

Overall, the proposal to designate the property as Community Commercial aligns with the goals and policy statements of the Central Community Master Plan. The change would allow a commercial use without demolishing an existing building, while also utilizing a site that is already impacting the community as a commercial use.

## **Plan Salt Lake**

### **1) Neighborhoods**

Guiding Principle/Neighborhoods that provide a safe environment, opportunity for social interaction, and services needed for the wellbeing of the community therein.

*Neighborhoods Initiatives* (applicable initiatives)

1. Maintain neighborhood stability and character.
2. Support neighborhoods and districts in carrying out the City's collective vision.
3. Create a safe and convenient place for people to carry out their daily lives.
4. Support neighborhood identity and diversity.
5. Support policies that provides people a choice to stay in their home and neighborhood as they grow older and household demographics change.
6. Incorporate artistic elements and support cultural events on a neighborhood scale to reinforce neighborhood character and identity.
7. Promote accessible neighborhood services and amenities, including parks, natural lands, and schools.
8. Encourage and support local businesses and neighborhood businesses and neighborhood business districts.
9. Provide opportunities for and promotion of social interaction.

**2) Growth**

Guiding Principle/ Growing responsibly, while providing people with choices about where they live, how they live and how they get around.

*Growth Initiatives*

1. Locate new development in areas with existing infrastructure and amenities, such as transit and transportation corridors.
2. Encourage a mix of land uses.
3. Promote infill and redevelopment of underutilized land.
4. Preserve open space and critical environmental areas.
5. Reduce consumption of natural resources, including water.
6. Accommodate and promote an increase in the City's population.
7. Work with regional partners and stakeholders to address growth collaboratively.
8. Provide access to opportunities for a healthy lifestyle.

In terms of Neighborhoods, the project supports maintaining neighborhood stability and character because it does not alter the expectation of a current commercial property for the property. It also aligns with the initiative to provide accessible neighborhood services and amenities by validating the existing commercial space.

Regarding Growth, the project aligns with the initiative to locate new development in areas with existing infrastructure and amenities, as the proposed CC zone is located along arterial State St. The project also supports a mix of land uses in the neighborhood. Furthermore, the project promotes infill and redevelopment of underutilized land by allowing further potential to develop the property.

Overall, the proposal to designate the property as Community Commercial and Corridor Commercial aligns with the goals and policy statements of both Plan Salt Lake and the Central Community Master Plan.

## **Consideration 2: Comparison of R-1/5,000 and CC**

When considering the appropriateness of a new zone, it is important to compare the differences between the existing and proposed zone. This comparison can be found in more detail in Attachment D.

The R-1/5,000 zoning is appropriate for the existing residential uses along Edith Ave. The CC zone is congruent with existing properties North and South of the site, running along State Street. The list of permitted and conditional uses would be appropriate for its surroundings, especially give the lots current size and shape. 116 E Edith Ave is limited by existing zoning, so that if the site were redeveloped, the development would be limited to a single family dwelling.

By designating the lot as CC, the lot would become more conforming with the code. The proposed CC zoning designation does align with the current use as off-site parking as a permitted use, while the R-1/5,000 Zone does not allow for any commercial uses which would include associated uses such as parking. Because the current use was created legally through city processes, the existing off-site parking lot, is considered a legal, non-conforming use.

It is important to recognize that if rezoned to the CC zone, the lot would not be fully conforming to zoning standards, especially lot width. However, if 116 E Edith Ave. is combined with the adjacent commercial lot, which shares the same owner, the lot would then be conforming to the lot width standard in question.

It is important to note that the Corridor Commercial zone has a significantly broader and more intense range of permitted uses compared to the R-1/5,000 zone. While the Planning Staff acknowledges that such uses are permissible under the CC zone, they feel that the current list of allowed uses is appropriate for the site, given the existing commercial use. Furthermore, the impacts of the use and potential future redevelopment can generally be assumed because the commercial use has been continuous on the site for several decades.

In conclusion, the proposed CC zoning designation appears to align with the existing use of the property and the list of permitted uses would be appropriate for the site, given its current use. The comparison between both zones does indicate that the proposed zone would allow for greater height and fewer setback requirements. However, if the property were redeveloped or existing adjacent commercial building expanded, a landscaped buffer would need to be installed along the east property line to maintain the neighborhood character as required by the applicable Master Plan. Overall, the proposed zoning change would make the existing off-site parking use a legal, conforming use and align with the current expectations of neighboring stakeholders.

## **STAFF RECOMMENDATION**

Based on the information in this staff report and the factors to consider, as well as the goals and policy statements in the applicable plans, Planning Staff recommends that the Planning Commission forward a positive recommendation to the City Council regarding these amendments.

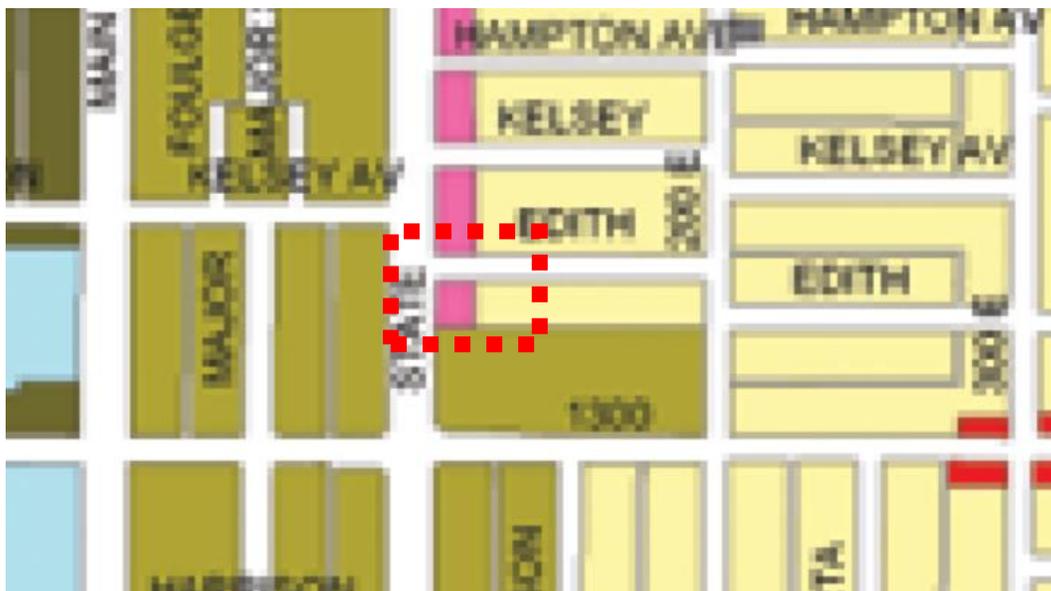
## NEXT STEPS

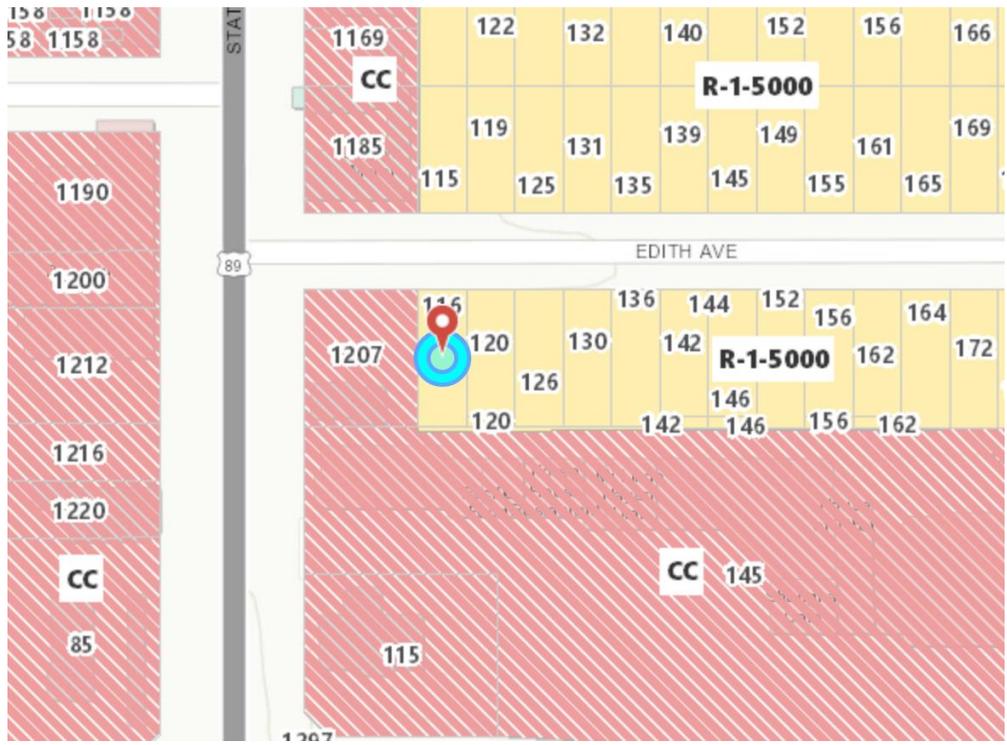
With a recommendation of approval or denial for the zoning and master plan amendments, the proposal will be sent to City Council for a final decision by that body.

If the zoning and plan amendments are approved by the City Council, the properties could be developed under the CC zone. A list of uses allowed by the zone is in Attachment D. All development would be required to comply with the necessary zoning standards.

If the zoning and plan amendments are denied by the City Council, the property located at 116 E Edith Ave would remain R-1/5000. With this zoning, the property could potentially be developed subject to the necessary zoning standards. The existing use of the site as a parking lot would be able to continue.

## Attachment A: Zoning and Future Land Use Map

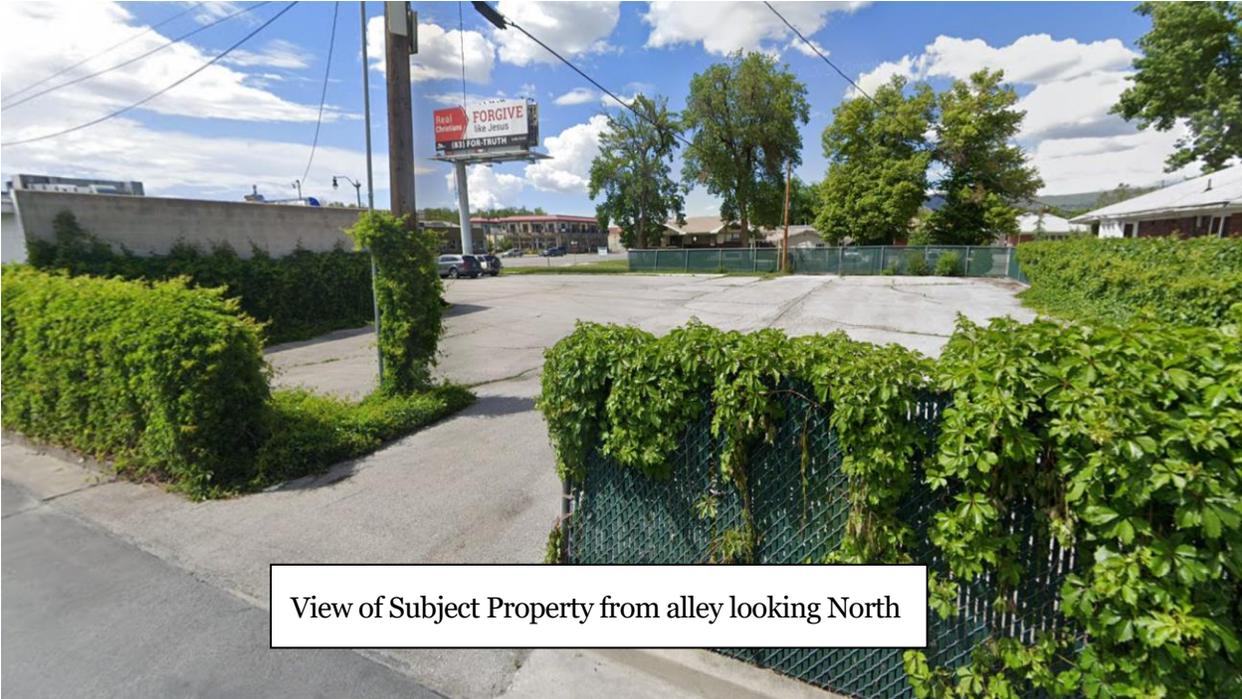




## Attachment B: Property and Vicinity Photos



View of Subject Property from Edith Ave looking South



View of Subject Property from alley looking North



View of Subject Property from State St looking East

# Attachment C: Applicant Information

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# Master Plan Amendment

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

## OFFICE USE ONLY

Received By:	Date Received:	Project #:
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Name of Master Plan Amendment:

## PLEASE PROVIDE THE FOLLOWING INFORMATION

Address of Subject Property (or Area): 116 E Edith Avenue	
Name of Applicant: Ian Kaplan	Phone: 5852611856
Address of Applicant: 9897 S 2700 E, Sandy, UT 84092	
E-mail of Applicant: ian@addvirtue.com	Cell/Fax:
Applicant's Interest in Subject Property: <input type="checkbox"/> Owner <input type="checkbox"/> Contractor <input checked="" type="checkbox"/> Architect <input type="checkbox"/> Other:	
Name of Property Owner (if different from applicant): Ikbal Sial	
E-mail of Property Owner: miqbalsial48@gmail.com	Phone: 8014846226

**Please note** that additional information may be required by the project planner to ensure adequate information is provided for staff analysis. All information required for staff analysis will be copied and made public, including professional architectural or engineering drawings, for the purposes of public review by any interested party.

## AVAILABLE CONSULTATION

Planners are available for consultation prior to submitting this application. Please email [zoning@slc.gov](mailto:zoning@slc.gov) if you have any questions regarding the requirements of this application.

## REQUIRED FEE

Filing fee of **\$1070** plus **\$121** per acre in excess of one acre.  
Plus, additional fee for mailed public notices. Mailing fees will be assessed after application is submitted.

## SIGNATURE

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

Signature of Owner or Agent: DocuSigned by: <i>ian kaplan</i> BE594004FA84414	Date: 12.13.2022
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SALT LAKE CITY PLANNING

**ACKNOWLEDGEMENT OF RESPONSIBILITY**

This is to certify that I am making an application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application will be processed under the name provided below. By signing the application, I am acknowledging that I have read and understood the instructions provided by Salt Lake City for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that the documents provided are considered public records and may be made available to the public. I understand that my application will not be processed until the application is deemed complete by the assigned planner from the Planning Division. I acknowledge that a complete application includes all of the required submittal requirements and provided documents comply with all applicable requirements for the specific applications. I understand that the Planning Division will provide, in writing, a list of deficiencies that must be satisfied for this application to be complete and it is the responsibility of the applicant to provide the missing or corrected information. I will keep myself informed of the deadlines for submission of material and the progress of this application. I understand that a staff report will be made available for my review prior to any public hearings or public meetings. This report will be on file and available at the Planning Division and posted on the Division website when it has been finalized.

**APPLICANT SIGNATURE**

Name of Applicant: Ian Kaplan	Application Type: Masterplan Amendment
Mailing Address: 9897 S 2700 E, Sandy, UT 84092	
Email: ian@addvirtue.com	Phone: 5852611856
Signature:  BE594004EA84414...	Date: 12.13.2022

**AFFIRMATION OF SUFFICIENT INTEREST**

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

**FEE TITLE OWNER SIGNATURE**

Legal Description of Subject Property:	
Name of Owner:	
Mailing Address	Street Address:
Signature:	Date:

The following shall be provided if the name of the applicant is different than the name of the property owner:

1. If you are not the fee owner attach a copy of your authorization to pursue this action provided by the fee owner.
2. If a corporation is fee titleholder, attach copy of the resolution of the Board of Directors authorizing the action.
3. If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership
4. If a Home Owner's Association is the applicant than the representative/president must attach a notarized letter stating they have notified the owners of the proposed application. A vote should be taken prior to the submittal and a statement of the outcome provided to the City along with the statement that the vote meets the requirements set forth in the CC&Rs.

**Be advised that knowingly making a false, written statement to a government entity is a crime under Utah Code Chapter 76-8, Part 5. Salt Lake City will refer for prosecution any knowingly false representations made pertaining to the applicant's interest in the property that is the subject of this application.**

**SUBMITTAL REQUIREMENTS**

Staff Review

**1. Project Description** (please attach additional sheets electronically.)

- Describe the proposed master plan amendment.
- A statement declaring the purpose for the amendment.
- Declare why the present master plan requires amending.
- Is the request amending the Land Use Map?  
If so, please list the parcel numbers to be changed.
- Is the request amending the text of the master plan?  
If so, please include exact language to be changed.

**WHERE TO FILE THE COMPLETE APPLICATION**

Apply online through the [Citizen Access Portal](#). There is a [step-by-step guide](#) to learn how to submit online.

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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



ADDVIRTUE

Advocacy | Design | Development

Re: Authority to Pursue

To Whom It May Concern,

As owner of the property located at 116 E Edith Avenue, I authorize Ian Kaplan with ADDvirtue as an agent to submit an application for Zoning Amendment located at the aforementioned address.

Sincerely,

M. Iqbal Sial

Signature

OWNER

Title

IQBAL SIAL

Print

10/31/2022

Date



ADDVIRTUE

Advocacy | Design | Development

**RE: Application for Masterplan Amendment Supplemental Information**

**Prepared By:**

Ian Kaplan (Owner Representative)  
ADDvirtue LLC  
Ian@ADDvirtue.com

**Date:**

October 31st, 2022

**Owner Information:**

Iqbal Sial  
Nazar Enterprises  
[miqbalsial48@gmail.com](mailto:miqbalsial48@gmail.com)

**Project Addresses**

1207 S State Street

**Parcel Number:**

357-047

**Site Area:**

.12 Acres

**Existing Zone:**

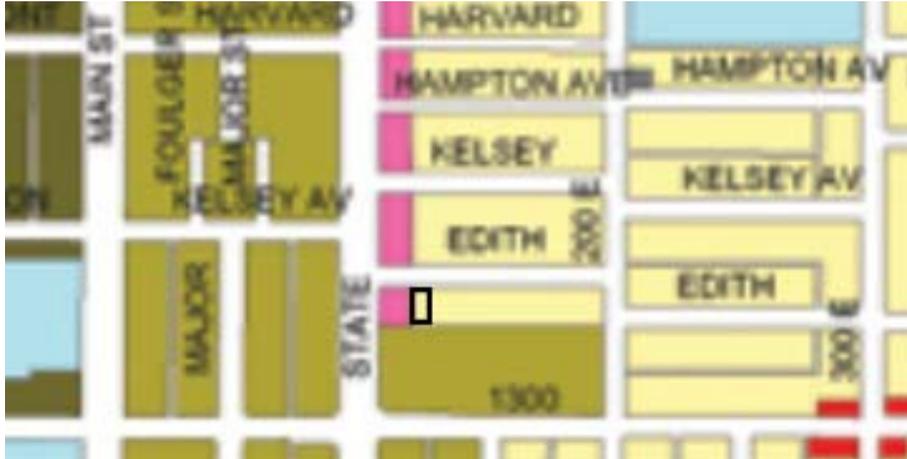
R-1-5000 (Single Family Residential)

**Proposed Zone:**

CC (Corridor Commercial)

**Master Plan:**

Central Community



**Purpose For Amendment:**

The current Central Community Masterplan Future Land Use Map designates this parcel as Low Density Residential. The owner would like to amend the masterplan to show a Community Commercial land use due to the historic use of, and adjacency to, Community Commercial zoning. A successful Masterplan Amendment would lead to the utilization of underdeveloped land in the city.

# Attachment D: Comparison of R-1/5000 and CC Zoning

The applicant is proposing to change the zoning of this property from R-1/5000 (Single-Family Residential) to CC (Corridor Commercial).

## Purpose statement of the R-1/5000 zoning district:

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.

## Purpose statement of the CC zoning district:

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.

	<b>R-1/5000</b>	<b>CC</b>
Building Height	28' for pitched roofs 20' for flat roofs	30' permitted up to 45' if granted through design review
Front Setback	Average of block face	15'
Side Setback	4' and 10'	None required
Corner Side Setback	4'	
Rear Setback	25% of lot depth or 20', whichever is less	10'
Lot Minimums	5,000 square feet	10,000 square feet
Lot Width	50'	75'
Building Coverage	40%	Requirements of 21a.48.

<b>Permitted and Conditional Uses in R-1/5000</b>	<b>Permitted and Conditional Uses in CC</b>
Permitted Uses <ul style="list-style-type: none"> <li>• Accessory use, except those that are otherwise specifically regulated elsewhere in this title</li> <li>• Daycare, registered home daycare or preschool</li> <li>• Daycare, nonregistered home daycare</li> <li>• Dwelling, group home (small)</li> <li>• Dwelling, manufactured home</li> <li>• Dwelling, single-family (detached)</li> <li>• Home occupation</li> </ul>	Permitted Uses <ul style="list-style-type: none"> <li>• Accessory use, except those that are otherwise specifically regulated elsewhere in this title</li> <li>• Adaptive reuse of a landmark site</li> <li>• Alcohol: Bar Establishment, Tavern, Brewpub (2,500 sf or less)</li> <li>• Ambulance service</li> <li>• Animal: Cremation Service, Veterinary Office</li> <li>• Antenna, Communication tower</li> </ul>

<ul style="list-style-type: none"> <li>• Open space on lots less than 4 acres in size</li> <li>• Park</li> <li>• Parking, park and ride lot shared with exiting use</li> <li>• Urban farm</li> <li>• Utility building or structure</li> <li>• Utility transmission wire, line, pipe or pole</li> </ul> <p>Conditional Uses</p> <ul style="list-style-type: none"> <li>• Community Garden</li> <li>• Adaptive reuse of a landmark site</li> <li>• Daycare center, child</li> <li>• ADU</li> <li>• Dwelling, assisted living facility (limited capacity)</li> <li>• Dwelling, congregate care facility (small)</li> <li>• Government facility</li> <li>• Municipal service use</li> <li>• Place of worship on lots less than 4 acres in size</li> <li>• School, seminary and religious institute</li> <li>• Temporary use of closed schools and churches</li> </ul>	<ul style="list-style-type: none"> <li>• Art Gallery</li> <li>• Artisan food production</li> <li>• Auction (outdoor)</li> <li>• Auditorium</li> <li>• Bed and breakfast, or inn, or manor</li> <li>• Bio-medical facility</li> <li>• Bus line station/terminal</li> <li>• Car wash, or as accessory use to gas station or convenience store that sells gas</li> <li>• Check cashing payday loan business</li> <li>• Clinic (medical, dental)</li> <li>• Commercial food preparation</li> <li>• Community garden</li> <li>• Daycare, registered home daycare or preschool</li> <li>• Daycare, nonregistered home daycare</li> <li>• ADU</li> <li>• Dwelling, assisted living facility (large or small)</li> <li>• Dwelling, Group home (small) located above or below first story commercial</li> <li>• Living quarter for caretaker or security guard</li> <li>• Dwelling, multifamily</li> <li>• Dwelling, manufactured home</li> <li>• Dwelling, rooming (boarding) house</li> <li>• Equipment rental (indoor and/or outdoor)</li> <li>• Financial institution</li> <li>• Financial institution with drive through</li> <li>• Flea market (indoor)</li> <li>• Funeral home</li> <li>• Gas station</li> <li>• Government facility requiring special design features for security purposes</li> <li>• Home occupation</li> <li>• Hotel/motel</li> <li>• Laboratory, medical related</li> <li>• Large wind energy system</li> <li>• Library</li> <li>• Mixed use development</li> <li>• Mobile food business (operation on private property)</li> <li>• Museum</li> <li>• Nursing care facility</li> <li>• Office</li> <li>• Open space</li> <li>• Park</li> <li>• Parking, off site, park and ride with or without lot shared with exiting use</li> <li>• Place of worship on lot less than 4 acres in size</li> <li>• Radio, television station</li> <li>• Reception center</li> <li>• Recreation (indoor)</li> <li>• Recycling collection station</li> </ul>
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	<ul style="list-style-type: none"> <li>• Research and development facility</li> <li>• Restaurant (with or without drive through)</li> <li>• Retail goods establishment</li> <li>• Retail services establishment</li> <li>• Reverse vending machine</li> <li>• Sales and display (outdoor)</li> <li>• School, all</li> <li>• Seasonal Farm stand</li> <li>• Storage, self</li> <li>• Specialty Store</li> <li>• Studio, art</li> <li>• Technology facility</li> <li>• Theater, live performance, movie</li> <li>• Urban farm</li> <li>• Utility building or structure</li> <li>• Utility transmission wire, line, pipe or pole</li> <li>• Vehicle, automobile repair, sales and service, boat sales and service, truck sales and rental (large)</li> <li>• Warehouse</li> <li>• Wholesale distribution</li> </ul> <p>Conditional Uses</p> <ul style="list-style-type: none"> <li>• Bar establishment, Brewpub and Tavern (more than 2,500 sqft in floor area)</li> <li>• Antenna, Communication tower, exceeding the maximum building height in the zone</li> <li>• Blood donation Center</li> <li>• Contractor's Yard/Office</li> <li>• Dwelling, congregate care facility (large)</li> <li>• Group home, Large</li> <li>• Residential Support (small or large)</li> <li>• Government facility</li> <li>• Municipal service use</li> <li>• Commercial Parking</li> <li>• Recreation (outdoor)</li> <li>• Small Brewery</li> <li>• Outdoor Storage</li> <li>• Storage, Public (outdoor)</li> </ul>
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It is acknowledged that the Corridor Commercial zone has a significantly broader and more intense range of permitted and conditional uses compared to the R-1/5,000 zone. These uses include noise and environmental impacts that are more significant than is normally found in the uses listed in the R-1/5,000 zone. However, as discussed earlier in this report the property has been in continual use as a commercial property.

# Attachment E: Amendment Standards

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## 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 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 plan is being amended in order to provide consistency between the Central Community Master Plan and the proposed zoning designation of the subject property. State Law does include a required process in relation to a public hearing and recommendation from the Planning Commission in relation to a plan amendment. The required process and noticing requirements have been met.

### **21A.50.050: Standards for General Amendments**

**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.**

#### **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;**

Finding: The Master Plan documents that are applicable to the site are Plan Salt Lake and the Central Community Master Plan. This proposal is consistent with Plan Salt Lake, the Central Community Master Plan and is found to be in accordance with their goals, standards, and policies.

Discussion: The proposal does not conflict with the policy statements and goals in Plan Salt Lake or the Central Community Master Plan. The Central Community Master Plan aims to maintain neighborhood stability and character, support local businesses, and encourage a mix of land uses, which is what the proposed amendments aim to achieve. The plan amendment also aligns with Plan Salt Lake's initiatives to locate new development in areas with existing infrastructure, encourage a mix of land uses, and promote infill and redevelopment of underutilized land. Overall, the proposed amendments support responsible growth while preserving the neighborhood's character and providing necessary services and amenities for the community's wellbeing.

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

21A.02.030 General Purpose and Intent of the Zoning Ordinance

*The purpose of the zoning ordinance is to promote health, safety, morals, convenience, order, prosperity, and welfare of the present and future inhabitants of Salt Lake City, to implement the adopted plans of the city, and, in addition:*

- A. Lessen congestion in the streets or roads;*
- B. Secure safety from fire and other dangers;*
- C. Provide adequate light and air;*
- D. Classify land uses and distribute land development and utilization;*
- E. Protect the tax base;*
- F. Secure economy in governmental expenditures;*
- G. Foster the city's industrial, business and residential development; and*
- H. Protect the environment.*

The proposed amendments to the zoning ordinance have been evaluated against the purposes of the ordinance. The amendments are found to either support or have no appreciable impact on these purposes. Furthermore, the proposal aims to classify land uses and distribute land development and utilization in a way that promotes the economy of the present and future inhabitants of Salt Lake City, to foster the city's development. Finally, the proposal is not expected to increase congestion in the streets or roads, and it will not impede access to adequate light and air.

#### CC Corridor Commercial Zoning District Purpose

*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.*

The proposed map amendment would allow for commercial or mixed use development, which would be compatible with the existing scale and context of the neighborhood. The properties within this neighborhood primarily consist of CC and R-1/5000 zoning. The proposal meets the definition by providing an environment for commercial development that can be efficient and attractive, which would be compatible with adjacent neighborhoods through design standards. This would provide economic development opportunities through a mix of land uses, as desired in the definition. Overall, the proposed amendments would align with the goals and policies of the Central Community Master Plan.

#### 21A.50.010 Purpose Statement

The zoning amendment section of the ordinance notes the following with regard to its purposes:

*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 up any person, but only to make adjustments necessary in light of changed conditions or changes in public policy.*

The property owner is not seeking relief from particular hardships. The proposal is only to make adjustments necessary in light of the historical use of the property.

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

Finding: The proposed CC zone will impose different development regulations than the R-1/5,000 district but as the property has been historically utilized as a commercial use the impacts would be negligible.

Discussion: The primary differences between the R-1/5000 and the CC districts are the setback requirements, height and permitted uses. The proposed zone would increase the development potential of the property from low density to mixed use and commercial uses. The lot requirements would increase from 5,000 square feet to 10,000 square feet. This is discussed in further detail in Attachment D. This proposed density is found within the existing neighborhood, the adjacent property to the south is a shopping plaza. Staff recognizes that the proposed amendments will allow for a more intense redevelopment of the property, but the use has been commercial for many decades and this will make the use complying.

It is important to note that although there would be an increase in the development potential of the property, the use of the site has been commercial for a long time. Therefore, the proposed zoning change would not result in any significant impact as it would only formalize the existing use.

The proposed CC zone is intended to promote economic development opportunities by allowing a mix of land uses, including retail sales and services, entertainment, office, and residential. The zone also requires safe and inviting connections for pedestrians and vehicles. The proposed amendments are aligned with the city's goals for promoting commercial development along arterial and major collector streets while maintaining compatibility with adjacent neighborhoods through design standards. Given that the property has been historically used for commercial purposes, the proposed zoning change would not only align with these goals but also make the use complying.

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

Finding: The map amendment doesn't conflict with any overlays that affect the property.

Discussion: The property is not located within an overlay that would impose additional standards on the uses allowed on the property.

#### **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.**

Finding: The City's public facilities and services have adequate capacity to serve the additional dwellings that would be allowed with this rezone.

##### Roadways

The existing roadways will not be severely impacted by the proposed development. The Transportation Division did not express concerns about the proposed amendments.

##### Parks and Recreation Facilities

The proposal is in an area of the City close to the following Parks:

Liberty Park  
Jefferson Park

##### Police and Fire Protection

The development is located within an existing developed area with dedicated police and fire services. The services are adequate to serve additional residents. Any development would need to adhere to the requirements of the Departments.

Police did conduct a review of the proposal and did not express any concerns.

#### Stormwater Drainage Systems

Public Utilities has reviewed the proposal and did not identify any concerns with the adequacy of utilities to serve the property. If any deficiencies are identified in being able to serve the property in more detailed reviews. Public Utilities can require the developer to upgrade public facilities that serve the property.

#### Refuse Collection

The proposal would be served by the City's Recycling and Waste Services or a private waste service. The proposal would not have a substantive impact on the City's service level.

## Attachment F: 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:

- March 7th, 2023 – 45 Day Notice of this application was sent to the Central City Community Council. Contact for the Central City Neighborhood Council is: Rhianna Riggs, [rriggsslc@gmail.com](mailto:rriggsslc@gmail.com), (801-941-6515). They did not request attendance at a meeting, nor have any comments.
- March 7th, 2023 - Property owners and residents within 300 feet of the development were provided early notification of the proposal.

### Public Input:

Staff received no comments.

# Attachment G: 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**

No comments.

## **Zoning: Grant Amann**

See review in staff report body.

## **Fire: Doug Bateman**

No issues with the Master Plan Amendment. Additional comments for code compliance may arise with building permit submittal and construction document review.

## **Urban Forestry: Rick Nelson**

Urban Forestry has no concerns with this proposal.

## **Sustainability:**

No comments received.

## **Police: Andrew Cluff**

No comment on the re-zone from a public safety standpoint.

## **Public Utilities: Kristeen Beitel/ Ali Farshid**

*Public Utilities has no issues with the proposed Zoning Map AND Master Plan Amendment.*

*Additional comments have been provided to assist in the future development of the property. The following comments are provided for information only and do not provide official project review or approval. Comments are provided to assist in design and development by providing guidance for project requirements.*

- Public Utility permit, connection, survey, and inspection fees will apply.
- All utility design and construction must comply with APWA Standards and SLCPU Standard Practices.
- All utilities must meet horizontal and vertical clearance requirements. Water and sewer lines require 10 ft minimum horizontal separation and 18” minimum vertical separation. Sewer must maintain 5 ft minimum horizontal separation and 12” vertical separation from any non-water utilities. Water must maintain 3 ft minimum horizontal separation and 12” vertical separation from any non-sewer utilities.
- Utilities cannot cross property lines without appropriate easements and agreements between property owners.

- Parcels must be consolidated prior to permitting.
- Site utility and grading plans will be required for building permit review. Site utility plans should include all existing and proposed utilities, including water, irrigation, fire, sewer, stormwater, street lighting, power, gas, and communications. Grading plans should include arrows directing stormwater away from neighboring property. Please refer to APWA, SLCDPU Standard Practices, and the SLC Design Process Guide for utility design requirements. Other plans such as erosion control plans and plumbing plans may also be required, depending on the scope of work. Submit supporting documents and calculations along with the plans.
- Applicant must provide fire flow, culinary water, and sewer demand calculations to SLCDPU for review. The public sewer and water system will be modeled with these demands. If the demand is not adequately delivered or if one or more reaches of the sewer system reach capacity as a result of the development, a water/sewer main upsizing will be required at the property owner's expense. Required improvements on the public water and sewer system will be determined by the Development Review Engineer and may be downstream of the project.
- One culinary water meter is permitted per parcel and fire services, as required, will be permitted for this property. If the parcel is larger than 0.5 acres, a separate irrigation meter is also permitted. Each service must have a separate tap to the main.
- Site stormwater must be collected on site and routed to the public storm drain system. Stormwater cannot discharge across property lines or public sidewalks.
- Stormwater treatment is required prior to discharge to the public storm drain. Utilize stormwater Best Management Practices (BMP's) to remove solids and oils. Green Infrastructure should be used whenever possible. Green Infrastructure and LID treatment of stormwater is a design requirement and required by the Salt Lake City UPDES permit for Municipal Separate Storm Sewer System (MS4).
- This property is located in a Stormwater Quality High Profile Area and will require a Storm Water Pollution Prevention Plan (SWPPP). Submit the SWPPP to be reviewed along with the plans in the "Soils, SWPPP, & Drainage Reports" folder. It is recommended to use the State of Utah SWPPP template. Ensure that it includes all relevant contacts, the Utah State Construction General Permit, Salt Lake City Notice of Intent (NOI), any relevant figures, and is signed by the Author, Owner, and Operator. A State NOI is not required. Plans will not be approved until the SWPPP is approved.

Public street lighting upgrade requirements will be determined by the SLCDPU Street Lighting Manager. For potential requirements, please reach out to the manager at 801-483-6738