



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission
From: Eric Daems, Senior Planner, eric.daems@slcgov.com, 801-535-7236
Date: September 13, 2023
Re: PLNPCM2023-00385 - Zoning Map Amendment

Zoning Map Amendment

PROPERTY ADDRESSES: 2260, 2270, & 2290 E 1300 South
PARCEL SIZE: 0.65 acres combined
PARCEL ID's: 16-10-379-004, 16-10-379-005, & 16-10-379-006
MASTER PLAN: [East Bench Master Plan](#)
CURRENT ZONING DISTRICT: [R-1-7000](#) (Single-Family Residential)
PROPOSED ZONING DISTRICT: [CB](#) (Community Business)

REQUEST:

Tyler Morris, the applicant representing the property owner, has submitted a petition for a Zoning Map Amendment for the properties located at 2260, 2270, and 2290 E. 1300 South. The properties are currently zoned R-1-7000, which is a single-family residential zone. The petition is to rezone the properties to CB- Community Business. The CB zone allows for a wider range of land uses including multi-family, commercial, retail, and restaurants. However, a specific development proposal has not been provided at this point.

RECOMMENDATION:

Based on the findings and analysis in this staff report and the factors to consider for zoning map amendments in 21A.50.050 of the zoning ordinance, Planning Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to rezone the properties, with the following condition:

- The applicant shall enter a Development Agreement for the replacement of at least three dwelling units on the property to comply with the Housing Loss Mitigation standards outlined in Title 18.97.

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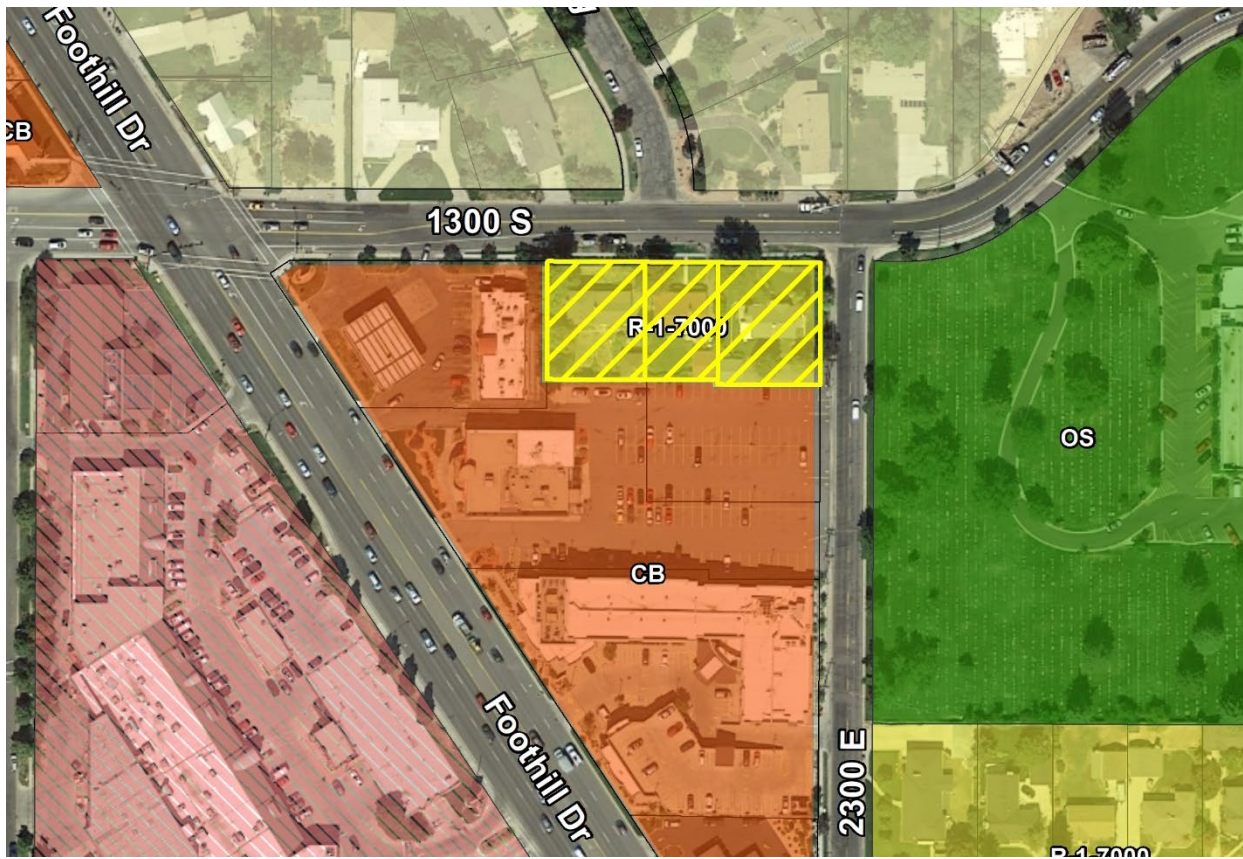
PROJECT DESCRIPTION:

The subject properties front along 1300 South, between Foothill Drive and 2300 East. 1300 South is listed as a collector street where 2300 East is a local street and Foothill Drive is a State arterial street. The property currently contains three single-family homes. Each of the dwellings are currently used as housing rentals.



Bird’s eye view of the subject properties- looking south

Within proximity of the subject property, there is a mix of single-family and commercial uses. The neighborhood to the north (across 1300 South) contains single-family homes and is zoned R-1-12,000. The properties to the south and west include a single-story gas station, 2-story restaurant/office, and 3-story hotel. The commercial properties are zoned CB. The property to the east (across 2300 East) is a cemetery and is zoned OS (Open Space).



Current Zoning Map

At this point, the applicant has not stated an intended use proposal for the property. However, it is anticipated that it would be developed in junction with adjoining properties to the south and would be used for multi-family housing or a mixed-use development.

ZONING AMENDMENTS SUMMARY

Existing Zoning District- R-1/7,000 Single-Family Residential

The subject site currently is within the R-1/7,000 Single-Family Residential zoning district. The purpose of this district is to provide for conventional single-family neighborhoods, limiting lots to not less than 7,000 square feet. Uses in this district are limited to single-family dwellings and land uses meant to be compatible with the scale and intensity of the neighborhood. They include schools, churches, and parks. Some government facilities and utility uses are also permitted as needed. The standards for the district are intended to provide safe and comfortable places to live and play, promote sustainable and compatible development patterns, and to preserve the existing character of the neighborhood.

Proposed Zoning District- CB Community Business

The CB district is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. It includes design guidelines that are intended to facilitate retail development that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site. Uses permitted in this district include multi-family, office, retail, and restaurants.

Any future development with a building footprint in excess of 7,500 square feet will be subject to additional design standards in the CB zone as well as Design Review by the Planning Commission.

APPROVAL PROCESS AND COMMISSION AUTHORITY

The Planning Commission's role in map amendment requests is to provide a recommendation to the City Council based on the standards for zoning map amendments as outlined in City Code section 21A.50.050 – *Zoning Map Amendments*. The City Council has final decision-making authority in zoning map amendment requests.

KEY CONSIDERATIONS:

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

1. Master Plan Compatibility
2. Housing Loss Mitigation Plan
3. Neighborhood Impacts

Consideration 1: Master Plan Compatibility

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

Plan Salt Lake

Plan Salt Lake states that almost half of the total housing units in Salt Lake City are single-family detached dwellings. While preserving the existing housing stock will continue to be a priority for Salt Lake City, over the next 25 years, it will be critical for us to encourage and support a diversity of new housing options and types with a range of densities throughout the city to best meet the changing population.

Plan Salt Lake contains various sections and initiatives that speak to broad issues that could be impacted by an increase in the housing density in this zoning district. The proposed rezone helps support the following initiatives found in plan:

Neighborhoods

- Create a safe and convenient place for people to carry out their daily lives
- Support policies that allow people to stay in their homes and neighborhood as they grow older and household demographics change

Growth

- Locate new development in areas with existing infrastructure and amenities, such as transit and transportation corridors
- Promote infill and redevelopment of underutilized land
- Accommodate and promote an increase in the City's population
- Provide access to opportunities for a healthy lifestyle (including parks, trails, recreation, and healthy food)

Housing

- Increase the number of medium-density housing types and options
- Encourage housing options that accommodate aging in place

- 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

East Bench Master Plan

The East Bench Master Plan includes a series of guiding principles and initiatives that could be supported by this rezone request. They include:

Guiding Principle N-03- Provide a diverse mix of housing choices for all stages of life and income ranges (pages 42-43)

- Initiative N-3.1- No net loss in housing
- Initiative N-3.2- Housing affordability, access, and choices

The majority of housing within the East Bench community is single-family. This rezone would allow the potential of medium density housing to be built, providing housing choices for the various stages of life or income.

Future Planning Efforts for Foothill Drive (page 52)

The section on future planning efforts for Foothill Drive states the following: *“Foothill Drive should also be targeted as an area that can accommodate future growth based on the initiatives identified in Plan Salt Lake. The Foothill Drive corridor should accommodate future growth with mixed-use development focused at the existing commercial and multi-family nodes and low to medium residential in between those nodes.”*

Although the property to be rezoned does not have a direct connection to Foothill Drive, it will likely be combined with the property to the south that does connect to Foothill Drive. The rezone would allow for mixed-use, medium density multi-family, or neighborhood scale commercial development. Rezoning these properties would allow cohesive development for the entire block.

Guiding Principle MC-04- Development along Foothill Drive and Parley’s Way provide a mix of housing and commercial choices. Development is people-oriented, built at a community level scale, compatible with adjacent neighborhoods, and maximizes the City’s investment in public infrastructure

- Initiative MC- 4.1- Develop the nodes along Foothill Drive

Initiative MC- 4.1 contains the following narrative:

The Community nodes are located near key intersections. These are the focal point for creating places that connect neighborhoods on both sides of the corridor. Uses should be focused on providing housing, retail, office, entertainment, and institutional services at the community level. To the extent possible, primary automobile access to development should be from Foothill Drive to discourage additional traffic in the adjacent neighborhoods. Shared driveways should be encouraged to minimize impacts between automobiles and pedestrians. All development should include clearly identified and safe pedestrian connections to adjacent sidewalks. Building height should be two to three stories. Overall, development in Community Nodes should:

- *Provide active uses and design features at the street level to encourage social interaction and create a sense of place;*
- *Ensure accessibility for all modes of transportation;*
- *Respect the existing character of adjacent residential neighborhoods; and*
- *Create an attractive, vibrant, and human-scale environment.*

The vicinity of 1300 South and Foothill Drive is shown as a community node in the East Bench Master Plan. Commonly, these maps are somewhat nebulous based on existing conditions or property lines. If rezoned, these properties would likely be combined with the property to the south, which is under the same ownership. That would give the option of a direct connection to Foothill Drive. The permitted uses and building height allowance in the CB zone is consistent with those described in the narrative for the area.



HOUSING PLAN

The Salt Lake City Housing Plan calls out three main goals for alleviating the current crisis in housing affordability:

Goal 1: Make progress toward closing the housing gap of 5,500 units of deeply affordable housing and increase the supply of housing at all levels of affordability.

Goal 2: Increase housing stability throughout the city.

Goal 3: Increase opportunities for homeownership and other wealth and equity-building opportunities.

This application request if approved, would give the applicant the potential to increase housing on the subject properties, therefore meeting the intent of the Housing Plan. In accordance with the requirements for Housing Loss Mitigation, the applicant would be obligated to replace at least three housing units on the property.

Consideration 2: Housing Loss Mitigation

When a property includes residential dwelling units within its boundaries, an application for a zoning change that would permit nonresidential land uses cannot be approved until a housing loss mitigation plan is approved by the city. The options for mitigating housing loss are listed in [Title 18.97.030](#). In this case, the applicant has chosen to enter into a Development Agreement to replace the three single-family homes with at least the same number of units, if they are demolished at a future date. The Development Agreement is still in draft form, but will be finalized prior to the public hearing with the City Council.

Please see [ATTACHMENT I](#) for the complete Housing Loss Mitigation Plan for this proposal.

Consideration 3: Neighborhood Impacts

Additional Building Height

The maximum building height allowed in the R-1-7,000 (subject property) and R-1-12,000 (neighborhood to the north) zones is 28' whereas the maximum height allowed in the CB zone is 30'. Although the additional height could accommodate a 3rd story in some situations, it would not entirely be out of character with the surrounding zones. Additionally, separation to the R-1-12,000 zone is created by 1300 South, thereby minimizing the impact of the additionally allowed building height. In the CB zone, building height is measured from the finished grade. Since the property is on a slope, any given façade could not exceed 30' from the finished grade.

Parking and Traffic

The subject properties face 1300 South, with the easternmost property cornering on 2300 East. 1300 South is classified as a collector street, while 2300 East is a local street. The properties are within a few hundred feet of Foothill Drive, which is classified as an arterial street. The design and purpose of each of the streets is important to consider for this rezone. The Salt Lake City Transportation Master Plan defines each of the street typologies as follows:

- **Arterial Street-** *Arterial streets facilitate through traffic movement over relatively long distances such as from one end of the city to the other and from neighborhood to neighborhood. Arterials are generally multi-lane streets carrying high traffic volumes at relatively high speed limits. These are commuter streets and typically offer controlled access to abutting property.*
- **Collector Street-** *Collector streets provide the connection between arterial and local streets. Collectors can be multi-lane but are meant to carry less traffic at lower speeds and for shorter distances than arterials. They provide direct access to abutting property and carry a mix of local traffic and commuter traffic headed for nearby destinations.*
- **Local Street-** *Local streets provide direct access to and from abutting property. Local streets are usually one land in each direction, meant to carry traffic over short distances and at low speeds.*

Based on those definitions, collector streets, particularly with easy access to arterial streets really become ideal locations for additional density or commercial businesses. They are designed to carry sufficient traffic volume, while still providing direct access to a property.

The close proximity to an arterial street (Foothill Drive) also ensures that undue traffic will not spill into the surrounding neighborhood.

Parking for any future development will need to be provided on-site in accordance with the standards of [Table 21A.44.040.A Minimum and Maximum Off Street Parking](#). If rezoned the subject properties would be within the Neighborhood Center parking context. That context is for small- or moderate-scale shopping, gathering, or activity spaces often within or adjacent to General Context (which includes single-family zones), but that are not necessarily well served by transit. The category includes zoning districts with pedestrian-scale development patterns, building forms, and amenities.

Neighborhood Character

The purpose of the CB (Community Business District) is to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The uses allowed in the zone can contribute to the walkability of the neighborhood by providing additional businesses

that support daily activities of the nearby residents. They can contribute to a more self-sustaining neighborhood. The design guidelines of the CB zone are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.

These properties are already bordered by CB zoned development to the west and south. If additional development were to occur on the properties currently zoned CB, the single-family homes would feel isolated and potentially out of place. The expansion of the CB zone to include these 3 properties would allow the entire block to provide more cohesive development at a moderate scale that would act as a transition to Foothill Drive.

Any future buildings with a footprint greater than 7,500 square feet would be subject to additional design standards required in the CB zone, as well as Design Review approval from the Planning Commission. These include standards for compatibility, rooflines, vehicular access, façade design, buffers, and more.

The standards of the CB zone will ensure that future development will be compatible with surrounding development.

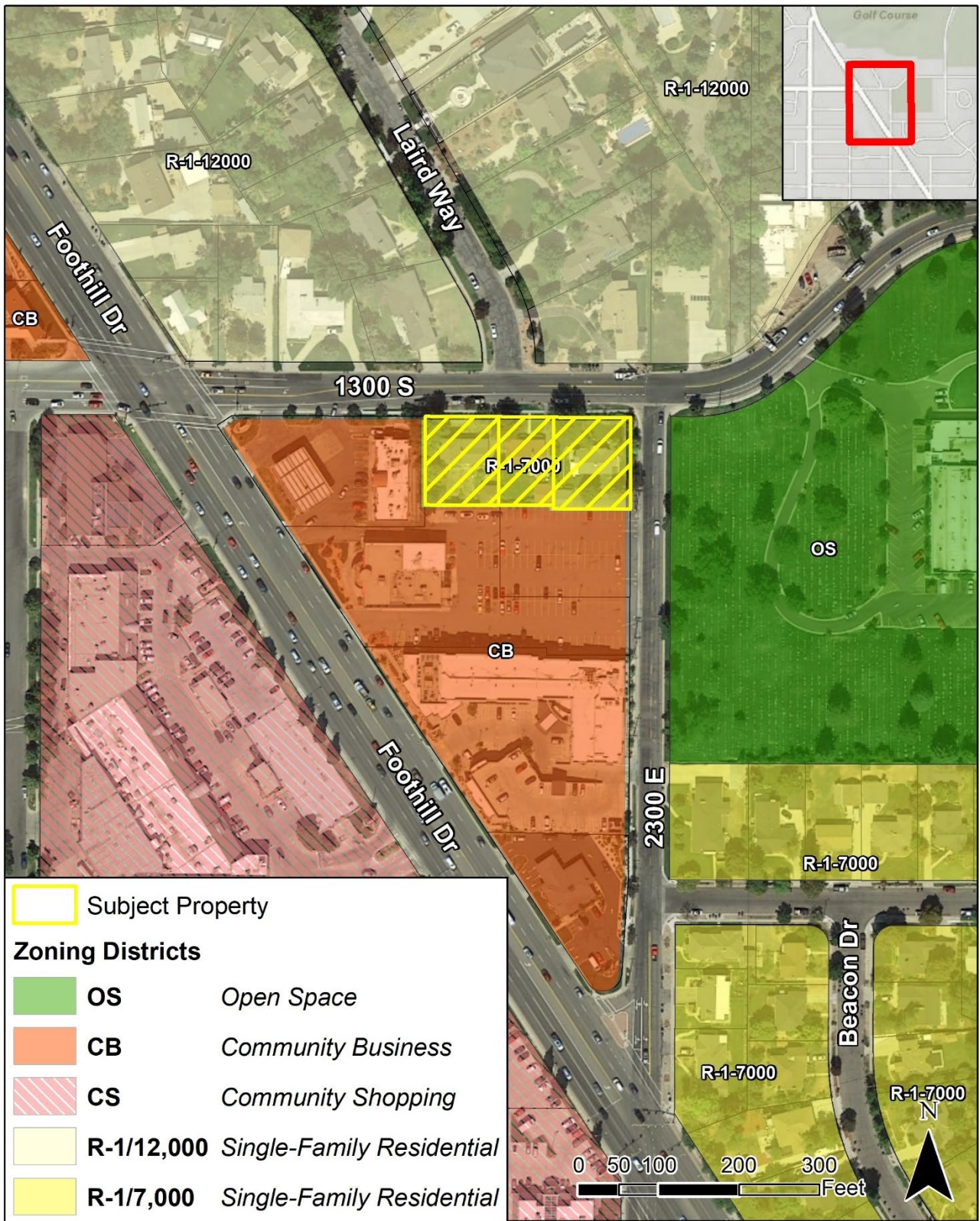
A comparison of zoning regulations and allowed permitted and conditional uses for the existing R-1-7,000 and proposed CB zoning regulations are located in [ATTACHMENT D](#) of this report.

NEXT STEPS:

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

If ultimately approved by the City Council, the changes would be incorporated into the official City Zoning map. However, if the City Council does not approve the proposed zoning amendment, the property would remain subject to the R-1-7,000 zoning regulations.

ATTACHMENT A: VICINITY MAP



ATTACHMENT B: APPLICANT'S INFORMATION

Submittal Requirements:

1. A statement declaring the purpose for the amendment.

This proposed amendment of the zoning map is to change the zoning for the 3 parcels totaling 0.65 acres, 16-10-379-006, 16-10-379-005, 16-10-379-004, from the current R-1/7000 Single Family Residential use to CB Community Business District in their entirety. This zoning map amendment change will facilitate the potential redevelopment of these parcels into a multifamily or mixed-use commercial project.

These parcels currently contain three single-family homes. The owner of these homes also owns the adjacent properties to the south and would like to incorporate these homes into a broader redevelopment of a combined site. These adjacent parcels are already zoned CB.

The zone change to CB respects the 2017 East Bench Master Plan identifying this location as a Community Node, which are intended to "create places that connect neighborhoods on both sides of major corridors. Uses should be focused on providing housing, retail, office, entertainment, and institutional services that serve the needs of the surrounding neighborhoods, as well as the adjacent communities. The Community Nodes are located along the major corridors."

The requested zone change would also broadly support and reinforce many of the guiding principles and stated initiatives identified in the 2015 Plan Salt Lake Citywide Vision document and the draft of Housing SLC 2023-2027. A rezone and subsequent redevelopment of the property would deepen the local pool of housing variety for the immediate area without displacing any naturally occurring affordable housing. The requested zone change would also facilitate a thoughtful redevelopment that would incorporate and enhance existing retail, repurpose and better utilize an oversized and underused surface parking lot, and remain consistent with the existing fabric of what is an established mixed-use node within the East Bench neighborhood. Future residents would benefit from existing retail and commercial options and immediate access to a well-established High Priority Corridor on the Frequent Transit Network of the 2017 Salt Lake City Transit Master Plan.



2. A description of the proposed use of the property being rezoned.

The proposed new use of this property is a multifamily residential or mixed-use commercial development.

3. List the reasons why the present zoning may not be appropriate for the area.

The present zoning is a single-family residential zone that is inconsistent with adjacent uses within the block, although single-family residential use is the predominant use north of 1300 South. Multi-family residential or mixed-use commercial would support the surrounding commercial uses and provide an adjacent workforce to support the retail and commercial functions.

4. Is the request amending the Zoning Map?

Yes; Addresses – 2260 E 1300 S, 2270 E 1300 S, and 2290 E 1300 S, Salt Lake City, UT 84108; Parcels 16-10-379-004, 16-10-379-005, and 16-10-379-006

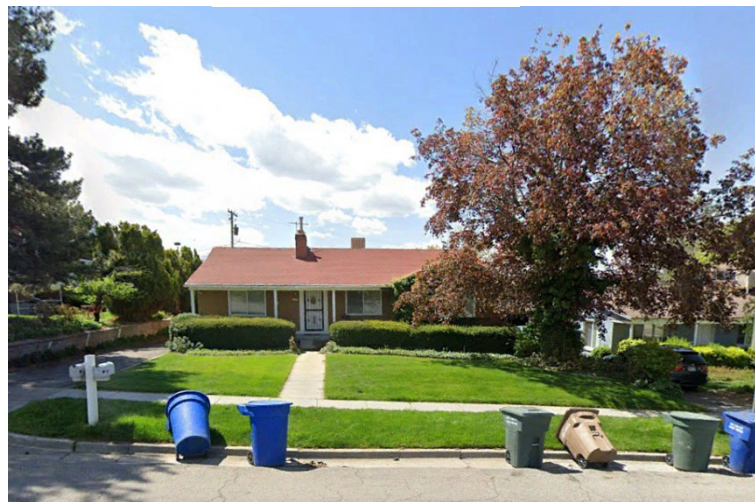
5. Is the request amending the text of the Zoning Ordinance?

No.

ATTACHMENT C: PROPERTY PHOTOS



2260 E. 1300 South



2270 E. 1300 South



2290 E. 1300 South



Property North of 2260 East



Property North of 2270 East



Property North of 2290 East



Cemetery to East



Commercial Development to Rear of Properties (South)



Adjacent Commercial Development on Foothill Drive

ATTACHMENT D: ZONING COMPARISONS

The following uses are permitted or conditional in the R-7,000 or CB zones:

USE	R-1-7,000	CB
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P
Adaptive reuse of a landmark site	C ⁸	P
Alcohol:		
Bar establishment (2,500 square feet or less in floor area)		C ^{10, 11}
Brewpub (2,500 square feet or less in floor area)		C ^{10, 11}
Tavern (2,500 square feet or less in floor area)		C ^{10, 11}
Animal, veterinary office		P
Antenna, communication tower		P
Antenna, communication tower, exceeding the maximum building height in the zone		C
Art gallery		P
Artisan food production (2,500 square feet or less in floor area)		P ²⁰
Bed and Breakfast inn		P
Bed and Breakfast manor		C ³
Clinic (medical, dental)		P
Commercial food preparation		P ²¹
Community Garden	C	P ²³
Daycare center, adult		P
Daycare center, child	C ¹⁸	P
Daycare, nonregistered home daycare	P ¹⁸	P ¹⁸
Daycare, registered home daycare, or preschool	P ¹⁸	P ¹⁸
Dwelling:		
Accessory Unit	C	P
Assisted living facility (large)		P
Assisted living facility (small)		P
Assisted living facility (limited capacity)	C	
Congregate care facility (large)		C
Congregate care facility (small)	C	P
Group home (large)		C
Group home (small)	P	
Group home (small) located above or below first story commercial	P	P
Living quarter for caretaker or security guard		P
Manufactured Home	P	
Multi-family		P
Rooming (boarding) house		P
Single-Family (detached)	P	
Financial Institution		P
Financial Institution with drive-through facility		P ⁹
Government facility	C	C
Government facility requiring special design features for security purposes		P
Home Occupation	P ²⁰	P ¹⁹
Hotel/motel		C
Laboratory, medical related		P ²³
Large wind energy system		P
Library		P
Limousine service (small)		C
Mixed Use Development		P
Mobile food business (operation on private property)		P
Municipal services uses, including City utility uses and police and fire stations	C	C

Museum		P
Nursing care facility		P
Office		P
Open space		P
Open space on lots less than 4 acres in size	P	
Park	P	P
Parking, off site		P
Parking, park and ride lot		C
Parking, park and ride lot shared with existing use	P	P
Place of worship on lots less than 4 acres in size	C	P
Reception Center		P
Recreation (indoor)		P
Recycling collection station		P
Restaurant		P
Restaurant with drive-through facility		P ⁹
Retail goods establishment		P
Retail goods establishment- plant and garden shop with outdoor retail sales area		P
Retail goods establishment- with drive-through facility		P ⁹
Retail services establishment		P
Retail services establishment- furniture repair shop		P
Retail services establishment- with drive-through facility		P ⁹
Reverse vending machine		P
Sales and display (outdoor)		P
School:		
College or university		P
Professional and vocational		P
Music conservatory		P
Seminary and religious institute	C	P
Seasonal farm stand		P
Studio, art		P
Theater, live performance		P ¹²
Theater, movie		C
Temporary use of closed schools and churches	C ¹⁹	
Urban Farm	P	P
Utility, building or structure	P ⁵	P ²
Utility, transmission, wire, line, pipe or pole	P ⁵	P ²
Vehicle- automobile repair (minor)		P

Qualifying provisions:

1. A single apartment unit may be located above the first-floor retail/office.
2. Provided that no more than two two-family buildings are located adjacent to one another and no more than three such dwellings are located along the same block face (within subdivisions approved after April 12, 1995).
3. Must contain a retail component for on-site food sales.
4. Reserved.
5. See subsection B of this title for utility regulations.
6. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a design review.
7. Subject to conformance to the provisions in section 21A.02.050 of this title.
8. Subject to conformance with the provisions of subsection 21A.24.010S of this title.
9. Subject to conformance with the provisions in section 21A.36.300, "Alcohol-Related Establishments" of this title.
10. In the RB Zoning District, the total square footage, including patio space, shall not exceed 2,200 square feet in total. Total square footage will include a maximum 1,750 square feet of floor space within a business and a maximum of 450 square feet in an outdoor patio area.
11. Accessory guest or servant's quarters must be located within the buildable area on the lot.

12. Subject to conformance with the provisions of section 21A.36.150 of this title.
13. Prohibited within 1,000 feet of a Single- or Two-Family Zoning District.
14. Large group homes established in the RB and RO Districts shall be located above the ground floor.
15. Small group homes established in the RB and RO Districts shall be located above the ground floor.
16. Large residential support established in RO Districts shall be located above the ground floor.
17. Small residential support established in RO Districts shall be located above the ground floor.
18. Subject to section 21A.36.130 of this title.
19. Subject to section 21A.36.170 of this title.
20. Subject to section 21A.36.030 of this title.
21. Consult the water use and/or consumption limitations of Subsection 21A.33.010.D.1.

REGULATION	EXISTING ZONING R-1-7,000	PROPOSED ZONING CB
Lot Area/Width	<ul style="list-style-type: none"> • No minimum size or width for Municipal services, open space and trails, utility lines • 12,000 square feet and 80' wide for places of worship less than 4 acres in size • 7,000 square feet and 50 feet wide for all other permitted uses 	None
Setbacks	<ul style="list-style-type: none"> • Front- average of buildings on block face or 20' where none exist • Corner side- average of buildings on block face or 20' where none exist • Side- 6' and 10' • Rear- 25' 	<ul style="list-style-type: none"> • Front- none • Sides- none • Rear- 10' <p>A maximum setback of 15' is required for at least 75% of the façade. Exceptions approved only through Design Review</p>
Parking	Two parking spaces per dwelling unit	Min: Studio and 1+ bedrooms: 1 space per DU Max: All Contexts: Studio & 1 Bedroom: 2 spaces per DU 2+ bedrooms: 3 spaces per DU
Building Height	<ul style="list-style-type: none"> • 28' pitched roofs or average of block face • 20' flat roofs • 20' maximum exterior wall height adjacent to interior side yards 	30'
Coverage/Open space	At least 60% required	All provided yards to be landscaped

ATTACHMENT E: ANALYSIS OF STANDARDS

ZONING MAP AMENDMENTS

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

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: An analysis of how the proposal is consistent with the various master plans of the city has been provided in the Key Considerations section of this report. Staff has found the proposal to further objectives of <i>Plan Salt Lake</i> , the <i>East Bench Master Plan</i> , and <i>Salt Lake City Housing</i> .
Discussion: The applicant has not proposed a future land use at this point. However, it is the group’s intention to explore multi-family residential or mixed-use options. This type of development would help to implement those stated goals and policies from the relevant city plans by activating this property with the proposed map amendment.
2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.
Finding: The proposal generally furthers the purpose statements of the zoning ordinance.
Discussion: <u>21A.02.030 General Purpose and Intent of the Zoning Ordinance</u> <i>The purpose of the zoning ordinance is to promote the 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:</i> <i>A. Lessen congestion in the streets or roads;</i> <i>B. Secure safety from fire and other dangers;</i> <i>C. Provide adequate light and air;</i> <i>D. Classify land uses and distribute land development and utilization;</i> <i>E. Protect the tax base;</i> <i>F. Secure economy in governmental expenditures;</i> <i>G. Foster the city's industrial, business, and residential development; and</i> <i>H. Protect the environment.</i> The development generally supports or has no appreciable impact on these purposes. There may be additional traffic by future development of the property, but staff does not anticipate congestion on nearby streets due to the moderate scale of development permitted within the CB zone and its location along a collector street (1300 South) and its proximity to a state arterial street (Foothill Drive). A potential moderate density residential development or a mixed-use project on this site could provide needed housing within proximity to services and amenities. Having retail goods and service establishments in the area allows walkability to and from these services from the subject property.
3. The extent to which a proposed map amendment will affect adjacent properties;

Finding: The proposed map amendment to the CB zone would primarily have impacts on the adjacent properties to the north. The properties to the north (across 1300 South) are single-family homes, but they do not face 1300 South. They may be mildly impacted by the reduced front yard setbacks (0' in the CB zone versus 20' in the R-1-12,000) and slightly increased building height allowed in the CB zone (30' versus 28' in the R-1-12,000). The permitted uses of the CB zone could also create additional activity in the area but would be appropriate as they would be located along a collector street (1300 South, and within a few hundred feet of an arterial street (Foothill Drive). The property to the east is a cemetery and is zoned OS, while those to the south and west are already zoned CB. This proposal would have minimal impact on those properties.

Discussion: The impacts to adjacent properties will be minimal because of the separation created by 1300 South and 2300 East as well as the minimal height increase allowed in the CB zone compared to the R-1-7,000 zone. The zone change would allow these properties to be consistent with the rest of the block and provide opportunity for additional housing or commercial uses to support the neighborhood.

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: Some City's public facilities and services may need to be upgraded and improved if the density changes or if land use changes to a more intense use permitted in the CB zone.

Discussion:

Roadways

There may be additional traffic caused by future development of this site, but staff does not anticipate congestion on the streets due to the moderate scale of development permitted within the CB zone and its location along a collector street (1300 South) and its proximity to a state arterial street (Foothill Drive).

Parks and Recreation Facilities

The property is located within walking distance to Bonneville and Curtis parks and is close to many other outdoor amenities including the Bonneville Golf Course and Hogle Zoo.

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 density.

Schools

The property is in the Salt Lake City School District and is within a few blocks of the nearest elementary school, 1/2 mile to the nearest middle school, and approximately 1 1/2 miles to the nearest high school.

Library

The Anderson- Foothill branch of the Salt Lake City Library is located less within 2 blocks of the proposal.

Water/Sewer/Storm Drainage

Public Utilities has reviewed the proposal and has no objections to the proposed rezone, however, noted that an increased density on the property may require offsite system improvements.

Refuse Collection

Development may be served by the City's Recycling and Waste Services.

In general, the site is located within a developed area of the City. The change of zoning is not likely to significantly increase the need for roadways, parks, recreation facilities, police, fire protection, or schools. Any future development would be reviewed by the Public Utilities department and if additional water or sewer capacity is required to serve the property, the owner/developer would need to make the necessary public improvements.

ATTACHMENT F: PUBLIC PROCESS & COMMENTS

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

EARLY NOTIFICATION

July 3, 2023

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

July 3, 2023:

- A notice of application was sent to the chair of the East Bench Community Council.
- The Community Council was given 45 days to respond with any concerns or comments or to request that the applicant attend a community council meeting.
- A letter in opposition to the proposal was provided by the East Bench Community Council and has been provided below:

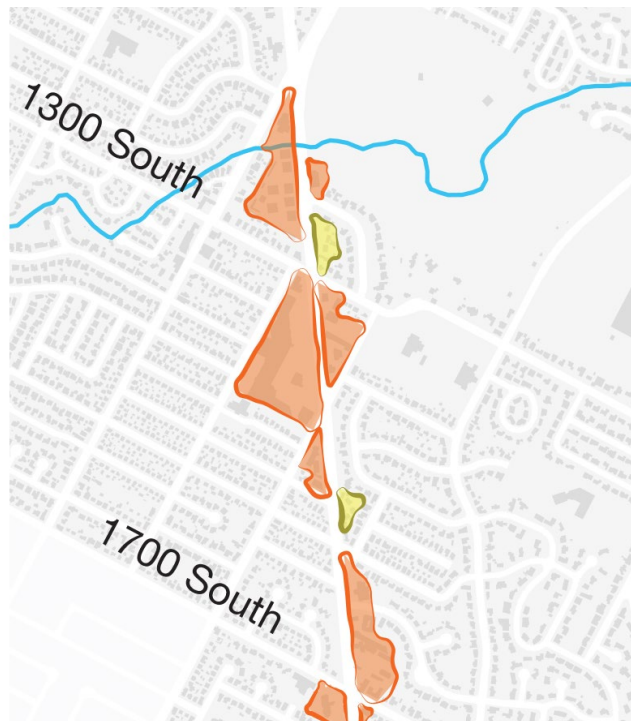
EAST BENCH COMMUNITY COUNCIL LETTER OF OPPOSITION

PLNPCM2023-00385

2260 E 1300 S Rezone

The East bench Community Council board is in unanimous opposition to the proposed rezone of three single family homes on 1300s from R-1/7000 Single Family Residential use to CB Community Business District for the reasons detailed below. It is our opinion that the rezone does not follow the East Bench Master Planning document (EBMP).

East Bench Master Planning Document:



As you can see from the map included in the EBMP, and copied above, the area in orange indicates the Community Nodes. The 3 parcels in question for rezone do not fall within a Community Node and thus are not included. Further, the addition would cause encroachment into the neighborhood and add further congestion onto one of the only East West Corridors that serves the entire east bench community.

If you reference the EBMP, 1300s is identified as a key intersection and collector street for the neighborhood.

INITIATIVE MC-3.1

There are a number of existing commercial and multifamily land uses that have developed around key intersecting streets along Foothill Drive. These intersecting streets are neighborhood collector streets that feed people and vehicles onto Foothill Drive. **The areas should be embraced as connection points**

for neighborhoods and public space design improvements should be prioritized at these locations. The design improvements should focus on creating an identity for the node, providing safe pedestrian crossings, and lowering the speed of automobile traffic entering the adjacent residential neighborhoods from the corridor. In particular, the proposed closure of some schools would result in more foot and vehicular traffic along 13th South.

Community Node: (Key points are highlighted in yellow)

INITIATIVE MC-4.1

Community nodes are located near key intersections. These are the focal point for creating places that connect neighborhoods on both sides of the corridor. Uses should be focused on providing housing, retail, office, entertainment, and institutional services at the community level. **To the extent possible, primary automobile access to development should be from Foothill Drive to discourage additional traffic in the adjacent neighborhoods.** Shared driveways should be encouraged to minimize impacts between automobiles and pedestrians. All development should include clearly identified and safe pedestrian connections to adjacent sidewalks. Building height should be limited to two to three stories. Overall, development in Community Nodes should:

- Provide active **uses and design features at the street level to encourage social interaction and create a sense of place;**
- Ensure accessibility for all modes of transportation, including foot traffic;
- **Respect the existing character of adjacent residential neighborhoods;** and
- Create an attractive, vibrant, and human-scale environment.

Background:

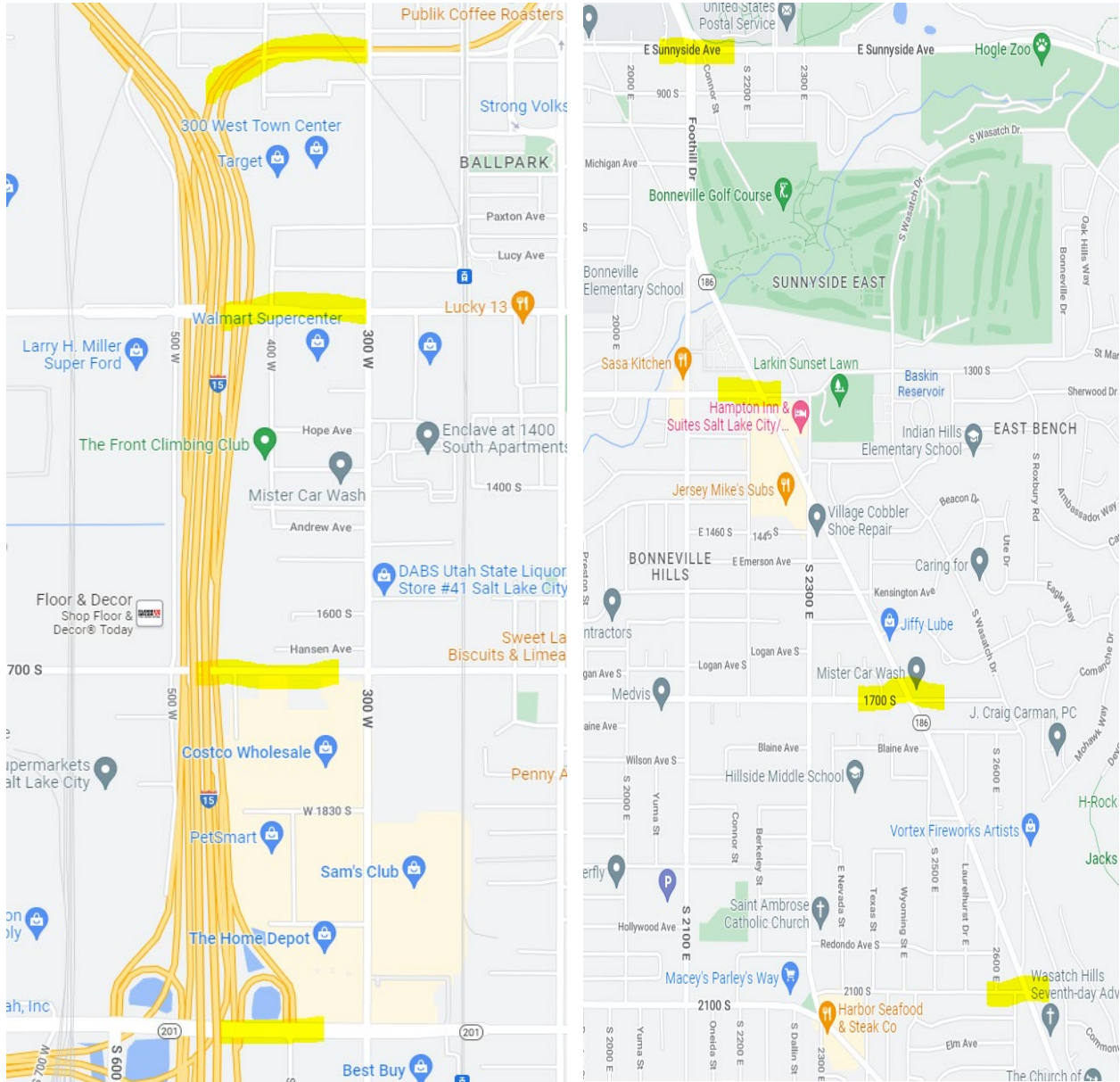
Over the past few years, the EBCC community has vehemently opposed a similar proposal and design at 1700s with Lamplighter Square. The owners of that parcel purchased a single-family home and have planned to direct traffic to and from the development to 1700s which is a residential street and also one of the few East/West feeder streets for the entire east bench community. It is not that the EBCC opposes development and improvements to these nodes; it is that the community understands the critical importance of preserving the very few East/West protected crossings across the heavily traveled (often at speeds well above posted limits) and often congested Foothill Drive.

By granting the rezone request at 1300s, you would be setting the precedent that all community nodes can direct their development ingress and egress points to these major neighborhood corridors that the entire community relies on for safe passage.

The request at 1300s (as well as 1700s), if granted, would allow the developers to build much larger scale projects at the expense of the neighborhood. These projects already have significant commercially zoned areas that can accommodate development without further encroachment and granting the

accommodations of a rezone of single-family parcels does little but advantage the developers at the expense of the community at large.

Below is a comparison of I-15 to Foothill drive. As you can see, the only direct east west entrances to the community are identical with the configuration of onramps to I-15. It is unlikely that the planning commission would approve an apartment building cited next to a freeway onramp.



1300s: Serves as the heart of Saint Mary's travel east and west and is the only primarily straight-line road. It is highly used and often congested especially at Foothill Drive where multiple light rotations are needed to cross Foothill during peak hours.

Further narrative about the East Bench community and its relationship with Foothill drive:

Existing routes for east west travel over a 1.5 mile stretch between Sunnyside and 1700s:

The thousands of residents between Sunnyside and 1700S have only four (4) east west travel routes. Nowhere else in Salt Lake City do we see so few options over such a long stretch of road. The effect is that residents are effectively isolated above Foothill and cut off from the city by Foothill Drive in a similar manner as the freeway cuts off communities.

Many of us have relied on 1300s our entire lives. What one finds is a line of cars, some trying to both merge onto Foothill and others trying to cross Foothill. It is very common that the intersection is blocked by north south traffic during peak hours, and it takes multiple lights to accomplish one's goal. Adding any traffic, of necessity associated with a large apartment building, would exacerbate the issue.

Further, adding to the congestion in one of the few access points for the community at 1300s increases the risk for pedestrians and traffic on 1300s and would be expected to impact traffic on Foothill as well.

CITY OPEN HOUSE

A virtual open house was hosted by the city to obtain feedback from residents and property owners and to provide information about the public process and city regulations. The virtual open house ran from **July 3, 2023 - August 17, 2023**.

PUBLIC HEARING NOTICE

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

- Mailed notice sent **September 7, 2023**
- Emailed notice to listserv sent **September 7, 2023**
- Public hearing notice signs posted on the property **September 4, 2023**

PUBLIC INPUT RECEIVED

The Planning Staff has received two emails regarding this petition:

Eric,

As the property owner and resident directly across the street to the north, I have concerns about this re-zone. The majority of the properties on 1300 South above Foothill are single family homes, and this change would be a significant shift in the characteristic of the street. The three homes in question are currently rental properties and I find myself quite often picking up trash and debris left in my yard from those tenants. I'm concerned that a re-zone would make matters worse. Furthermore, I'm concerned that the developer has not shared their plans with the neighborhood. The nature of the proposed businesses or multi-family housing will directly affect me and my property values. Will we get more information before the vote is taken? What are the developer's plans to mitigate harm to the existing residents? Any additional information you can provide will be helpful.

Thanks!

Brad Russell

Dear sir

I received notice of rezoning request for properties along 1300 south. I am unable to attend upcoming meeting. Please present this letter to planning commission for this meeting.

I am writing to oppose rezoning for properties at 2260, 2270, and 2290 East 1300 south. Rezoning should absolutely not be granted without detailed information regarding future planned development, though no matter what eventual development is planned, this is a busy, high traffic and high speed section of 1300 south without adequate parking already. Traffic congestion would/should require a traffic light at junction of Laird Way and 1300 South which already has a no left turn sign from Laird. Any development would imperil the walkability of this residential neighborhood.

-John Doane

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.

PLANNING DIVISION COMMENTS

Comments by: Eric Daems

Email: eric.daems@slcgov.com

Status: General Comment

- Proposed rezone to be in conformance with City and Neighborhood Master Plans
- Proposal subject to recommendation from Planning Commission and final approval or denial will be provided by City Council

PUBLIC UTILITY COMMENTS

Comments by: Kristeen Beitel

Email: Kristeen.beitel@slcgov.com

Status: No Objections

The following comments are provided for information only and do not provide official project review or approval.

- 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 and 18” minimum vertical separation. Sewer must maintain 5 ft minimum horizontal and 12” vertical separation from any non-water utilities. Water must maintain 3 ft minimum horizontal and 12” vertical separation from any non-sewer utilities.
- Contact SLCPU Street Light Program Manager, 801-483-6738, for information regarding street lights.
- Utilities cannot cross property lines without appropriate easements and agreements between property owners.
- Site utility and grading plans will be required for building permit review. 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.
- 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 because 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.
- An exterior, below-grade grease interceptor is required for any and all food service and preparation applications. The interceptor must be sized by a licensed design professional. A sampling location must be located downstream of the interceptor and upstream of any other connections.
- Covered parking area drains and work shop area drains are required to be treated to remove solids and oils prior to discharge to the sanitary sewer. These drains cannot be discharged to the storm drain. Use a sand/oil separator or similar device. A sampling location must be located downstream of the device and upstream of any other connections.
- 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 BMP's to remove solids and oils. 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). The applicant will need to provide options for stormwater treatment and retention for the 80th percentile storm. If additional property is not available, there are other options such as green roof or other BMP's. Lack of room or cost is generally not an exception for this requirement.
- Stormwater detention is required for sites over one acre. The allowable release rate is 0.2 cfs per acre. Detention must be sized using the 100-year 3-hour design storm using the farmer Fletcher rainfall distribution. Provide a complete Technical Drainage Study including all calculations, figures, model output, certification, summary, and discussion.
- Projects larger than one acre require that a Stormwater Pollution Prevention Plan (SWPPP) and Technical Drainage Study are submitted for review.

ENGINEERING REVIEW COMMENTS

Comments by: Scott Weiler

Email: scott.weiler@slcgov.com

Status: No Objections

TRANSPORTATION REVIEW COMMENTS

Comments by: Julianne Sabula

Email: julianne.sabula@slcgov.com

Status: No Comments provided at this point

FIRE DEPARTMENT REVIEW COMMENTS

Comments by: Doug Bateman

Email: douglas.bateman@slcgov.com

Status: No Objections

No comments during this phase of the development process

BUILDING DEPARTMENT REVIEW COMMENTS

Comments by: Heather Gilcrease

Email: heather.gilcrease@slcgov.com

Status: No Objections

No comments during this phase of the development process

ECONOMIC DEVELOPMENT

Comments by: Peter Makowski

Email: peter.makowski@slcgov.com

Status: No objections

URBAN FORESTRY REVIEW COMMENTS

Comments by: Rick Nelson

Email: rick.nelson@slcgov.com

Status: General Comment

As long as the one tree for every 30' of street frontage code is maintained and all existing trees in the public ROW park strips are maintained, Urban Forestry has no concerns with this proposal.

ATTACHMENT H: ORDINANCE

SALT LAKE CITY ORDINANCE
No. _____ of 2023

(An ordinance amending the zoning of properties located at 2260 East 1300 South, 2270 East 1300 South, and 2290 East 1300 South from R-1/7,000 Single-Family Residential District to CB Community Business District)

An ordinance amending the zoning map pertaining to property located at 2260 East 1300 South, 2270 East 1300 South, and 2290 East 1300 South from R-1/7,000 Single-Family Residential District to CB Community Business District pursuant to Petition No. PLNPCM2023-00385.

WHEREAS, Tyler Morris (“Petitioner”) submitted an application to rezone the parcels located at 2260 East 1300 South, 2270 East 1300 South, and 2290 East 1300 South (Tax ID. Nos. 16-10-379-004-0000, 16-10-379-005-0000, and 16-10-379-006-0000) (collectively, the “Property”) from R-1/7,000 Single-Family Residential District to CB Community Business District; and

WHEREAS, at its [Click or tap to enter a date](#) meeting, the Salt Lake City Planning Commission held a public hearing and voted in favor of forwarding a [Positive or Negative](#) recommendation to the Salt Lake City Council on the application; and

WHEREAS, after a public hearing on this matter, the city council has determined that adopting this ordinance is in the city’s best interests.

NOW, THEREFORE, be it ordained by the city council of Salt Lake City, Utah:

SECTION 1. Amending the Zoning Map. The Salt Lake City zoning map, as adopted by the *Salt Lake City Code*, relating to the fixing of boundaries and zoning districts, shall be and hereby is amended to reflect that the Property, as legally described on Exhibit A attached hereto, shall be and hereby is rezoned from R-1/7,000 Single-Family Residential District to CB Community Business District.

SECTION 2. Condition. The zoning map amendment set forth herein is conditioned upon the Petitioner entering into a development agreement with Salt Lake City that requires the Property's owner and its successors to retain the three existing dwelling units on the Property.

SECTION 3. Effective Date. This Ordinance shall become effective on the date of its first publication. The Salt Lake City Recorder is instructed to not publish this ordinance until the condition set forth in Section 2 is satisfied as certified by the Salt Lake City Planning Director or his designee.

SECTION 4. Time. If the condition set forth in Section 2 has not been met within one year after adoption of this ordinance, then this ordinance shall become null and void. The city council may, for good cause shown, extend the time period for satisfying the above condition by resolution.

Passed by the City Council of Salt Lake City, Utah, this ___ day of _____, 20__.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER
(SEAL)

Bill No. _____ of 20__

Published: _____.

Ordinance rezoning 2260 E. 1300 S., 2270 E. 1300 S., and 2290 E. 1300 S. to CB

APPROVED AS TO FORM
Salt Lake City Attorney's Office

Date: _____

By: _____
Katherine D. Pasker, *Senior City Attorney*

Exhibit "A"

Legal description of the Property

Tax ID No. 16-10-379-004-0000

326 COM N 89°53'42" W 156.5 FT FR NE COR LOT 12 BLK 15 5 AC PLAT C BIG FIELD SUR N 89°53'42" W 91.5 FT S 0°02'52" E 110 FT S 89°53'42" E 91.5 FT N 0°02'52" W 110 FT TO BEG 0.23 AC 5445-1625 5853-2576

Tax ID No. 16-10-379-005-0000

326 COM N 89°53'42" W 88 FT FR NE COR LOT 12 BLK 15 5 AC PLAT C BIG FIELD SUR N 89°53'42" W 68.5 FT S 0°02'52" E 110 FT S 89°53'42" E 68.5 FT N 0°02'52" W 110 FT TO BEG 0.17 AC 5595-1401 5681-1152 5686-282

Tax ID No. 16-10-379-006-0000

326 COM AT NE COR LOT 12 BLK 15 5 AC PLAT C BIG FIELD SUR N 89°53'42" W 88 FT S 0°02'52" E 114 FT S 89°53'42" E 96 FT N 0°02'52" W 114 FT W 8 FT TO BEG 938-41, 1197-97 6110-2590 6116-1628 6119-0622 6129-740

ATTACHMENT I: HOUSING LOSS MITIGATION PLAN

Housing Impact Statement and Project Description

2260e-2290e 1300s, Salt Lake City, UT 84108

Planning Staff,

Please consider this housing loss impact statement as it relates to the three properties listed above and the application for zoning amendment that has been submitted. The properties are currently occupied by three single-family homes. Owner is in the early stages of planning a mixed-use redevelopment that would incorporate these parcels as part of a project that will likely include commercial and residential components.

- The negative impacts on the residential character of the area associated with the proposal are limited, as the immediately adjacent uses are commercial. The nearest single-family homes are across 1300S and are oriented away from the subject.
- It is expected that all three single-family homes would be demolished as a part of a future redevelopment.
- It is owner's intent to provide replacement housing as the mitigation plan to address the residential loss
- A zoning amendment application to change the zoning from R-1-7000 to CB is the project triggering the Housing Loss Mitigation. It is expected that the parcels would then be part of a redevelopment, but details and timing of any such project are not yet available

Tyler Morris | EVP, Development



1245 Brickyard Rd Suite 250 | Salt Lake City, UT 84106

Direct: 801.826.4946