TO: City Council Members

FROM: Nick Tarbet, Policy Analyst

DATE: July 29, 2014

RE: 878 - 880 West 200 North Rezone
R-1-7000 - Single Family Residential to
SNB - Small Neighborhood Business
PLNPCM2013-000942

Council Sponsor: N/A

View the Administration’s proposal

PROJECT TIMELINE:
- Briefing: July 29, 2014
- Set Date: July 29, 2014
- Public Hearing: Aug 12, 2014
- Potential Action: Aug 19, 2014

ISSUE AT-A-GLANCE
The Council will be briefed on a proposal that would amend the zoning map for property located at 878 - 880 West 200 North Street from R-1-7000 – Single Family Residential to SNB – Small Neighborhood Business. The property currently has both a residential and retail use. The proposal would bring an existing legal nonconforming retail use into compliance with zoning regulations.

The home was built in 1901; the commercial component of the structure was built in 1947. The commercial use is considered a legal nonconforming use. The building is legal noncomplying because it doesn’t meet current development standards.

When the City’s Planning Division conducted the Small Neighborhood Business Report, this parcel was identified as the only nonconforming parcel in the West and Northwest communities. Once the Council adopted the Small Neighborhood Business zone in 2012, it was expected that this parcel would be proposed for rezoning.

The Fairpark Community Council was informed of the request; no concerns about the proposal were expressed. The Planning Commission voted unanimously to forward a favorable recommendation.

PUBLIC PROCESS
- Fairpark Community Council informed of request December 13, 2014
- Planning Commission Public Hearing March 26, 2014
ZONING DISTRICTS PURPOSE STATEMENTS

R-1/7,000 SINGLE-FAMILY RESIDENTIAL DISTRICT
The purpose of the R-1/7,000 single-family residential district is to provide for conventional single-family residential neighborhoods with lots not less than seven thousand (7,000) square feet in size. This district is appropriate in areas of the city as identified in the applicable community master plan. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

SNB SMALL NEIGHBORHOOD BUSINESS DISTRICT
The purpose of the small neighborhood business zoning district is to provide areas for small commercial uses to be located adjacent to residential land uses, including mid block. This district will preserve and enhance older commercial structures and storefront character by allowing a variety of commercial uses and placing more strict regulations on new construction and major additions to existing buildings. The regulations are intended to restrict the size and scale of the commercial uses in order to mitigate negative impacts to adjacent residential development and encourage pedestrian oriented development. This zoning district is appropriate in places where it is supported by a community master plan, small area master plan or other adopted city policies.

CC: David Everitt, Karen Hale, Art Raymond, Holly Hilton, Eric Shaw, Mary De La Mare-Schafer, Wilf Sommerkorn, Cheri Coffey, Nick Norris, Michaela Oktay, BreAnne McConkie, Orion Goff, Les Koch, Larry Butcher, Margaret Plane, Paul Nielson, City Council Liaisons, Mayors Liaisons

File Location: Community and Economic Development Dept., Planning Division, Zoning Map Amendment, 878 - 880 West 200 North Street, Small Neighborhood Business
TO: Salt Lake City Council  
Charlie Luke, Chair  

FROM: Eric D. Shaw, CED Director  

SUBJECT: Petition PLNPCM2013-00942: request by Li Chen to amend the zoning at 878/880 West 200 North in order to bring an existing nonconforming commercial business into compliance with the zoning regulations

STAFF CONTACT: BreAnne McConkie, Principal Planner  
801-535-7236 or breanne.mcconkie@slcgov.com

COUNCIL SPONSOR: Exempt

DOCUMENT TYPE: Ordinance

RECOMMENDATION: That the City Council adopt the zoning amendment as proposed and recommended by the Planning Commission

BACKGROUND/DISCUSSION:

Issue Origin
The property located at 878/880 West 200 North (the “Subject Property”) is currently zoned Single-Family Residential (R-1-7000). Li Chen (the “Applicant”) has requested the property be rezoned Small Neighborhood Business (SNB) or Neighborhood Commercial (CN). Based on the analysis of existing City policy and master plans, Staff is recommending the Subject Property be rezoned Small Neighborhood Business (SNB). The Planning Commission has transmitted a favorable recommendation to the City Council to rezone the Subject Property from Single-Family Residential (R-1-7000) to Small Neighborhood Business (SNB).

The existing home on the property was constructed in 1901. The attached commercial component of the property was built in 1947. The commercial use on the property is formally recognized by the City as shown by current business licensing records and considered a legal
nonconforming use in the Single-Family Residential (R-1-7000) zoning district. The building is considered legal noncomplying, regardless of whether it is zoned R-1-7000 or SNB, because it does not meet the current development standards. The residential portion of the building contains an existing single family residential unit.

Analysis

Staff has reviewed the petition and is recommending that the property be rezoned with the following designation:

**SNB (Small Neighborhood Business) Zone**
The purpose of the small neighborhood business zoning district is to provide areas for small commercial uses to be located adjacent to residential land uses, including midblock. This district will preserve and enhance older commercial structures and storefront character by allowing a variety of commercial uses and placing more strict regulations on new construction and major additions to existing buildings. The regulations are intended to restrict the size and scale of the commercial uses in order to mitigate negative impacts to adjacent residential development and encourage pedestrian oriented development. This zoning district is appropriate in places where it is supported by a community master plan, small area master plan or other adopted city policies.

The proposed SNB zoning district is recommended because it best fits the purposes of the district and adopted planning documents and reflects the development pattern on the ground. The proposal is consistent with the purpose statement of the Small Neighborhood Business (SNB) zoning district.

Additionally, it is staff's findings that the proposal will not have any additional effects on the adjacent properties.

Master Plan Considerations
The proposed zoning map amendment is consistent with the North Temple Boulevard Plan and the Small Neighborhood Business Report.

The North Temple Boulevard Plan (2010) identifies the area where the Subject Property is located as a “Stable Area” in the 800 West Transit Station Area. The Stable Area supports minor changes within the existing development pattern that are compatible to the overall scale of the surrounding structures. Since 1947, the Subject Property has housed a commercial component in addition to a residential use. The Subject Property contributes to the existing development pattern on the ground.

Over the last decade, the City has analyzed various ways to allow and encourage commercial land uses which provide important community gathering spaces, necessary services, employment, and an enhanced tax base for the City. With the goal of sustainable neighborhoods and fostering the development of businesses to serve the City’s communities, Mayor Ralph Becker initiated a petition in April of 2009, requesting the Planning Division analyze the appropriateness of rezoning lower intensive commercial uses to appropriate zoning districts.
Since that time, the Planning division took a comprehensive look at small businesses in all neighborhoods of the City. This review included preparing an inventory of all existing small businesses, developing the Small Neighborhood Business Report, conducting an extensive public process, and establishing a new zoning classification titled “Small Neighborhood Business” (adopted by City Council in 2012). It was anticipated that following the adoption of the new zoning district there would be a series of map amendments modifying the specific zoning designation of nonconforming businesses. The Small Neighborhood Business Report identified the Subject Property as the only nonconforming parcel in the West and Northwest communities. The conforming parcels that were identified in the process are all already zoned Neighborhood Commercial (CN) or Community Business (CB) and include multiple businesses per parcel.

PUBLIC PROCESS: No public comments were received regarding the proposal. The Fairpark Community Council was provided notice of the zoning amendment request but had no concerns with the proposal and therefore did not provide comments.

RELEVANT ORDINANCES: Amendments to the Zoning Ordinance and Maps are authorized under Section 21A.50 of the Salt Lake City Zoning Ordinance, as detailed in Section 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 anyone standard." It does, however, list five standards, which should be analyzed prior to rezoning property (Section 21A.50.050 A-E). The five standards are discussed in detail starting in the Planning Commission Staff Report dated March 26, 2014 (ATTACHMENT 5B).
TABLE OF CONTENTS

1. PROJECT CHRONOLOGY
2. ORDINANCE
3. NOTICE OF CITY COUNCIL HEARING
4. MAILING LABELS
5. PLANNING COMMISSION
   A) ORIGINAL HEARING NOTICE AND POSTMARK
   B) STAFF REPORT
   C) AGENDA AND MINUTES
       March 26, 2014 – Planning Commission
6. ORIGINAL PETITION
1. PROJECT CHRONOLOGY
PROJECT CHRONOLOGY
Petition PLNPCM2013-00942 Chen Rezone – Zoning Map Amendment

November 15, 2013  Petition initiated by Li Chen, property owner.
November 18, 2013  Petition assigned to planning staff.
December 13, 2013  Fairpark Community Council was informed of request, had no concerns with the proposal.
March 26, 2014    Planning Commission held public hearing and recommended in favor of the petition.
March 27, 2014    Ordinance requested from City Attorney’s office.
April 9, 2014     Planning Commission ratified minutes of the March 26, 2014 meeting.
April 23, 2014    Ordinance received from City Attorney’s office.
SALT LAKE CITY ORDINANCE
No. _____ of 2014

(Amending the zoning map pertaining to property located at 878-880 West 200 North Street from R-1-7000 Single Family Residential to Small Neighborhood Business (SNB))

An ordinance amending the zoning map to re-zone property located at 878-880 West 200 North Street from R-1-7000 Single Family Residential to Small Neighborhood Business (SNB) pursuant to Petition No. PLNPCM2013-00942.

WHEREAS, the Salt Lake City Planning Commission held a public hearing on March 26, 2014 on an application submitted by Li Chen ("Applicant") to amend the city’s zoning map to re-zone property located at 878-880 West 200 North Street (the “Property”) from R-1-7000 Single Family Residential to Small Neighborhood Business (SNB) pursuant to Petition No. PLNPCM2013-00942; and

WHEREAS, at its March 26, 2014 meeting, the planning commission voted in favor of forwarding a positive recommendation to the Salt Lake City Council on said 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 located at 878-880 West 200 North Street (Tax ID No. 08-35-406-009), and which is more particularly described on Exhibit “A” attached hereto, shall be and hereby is re-zoned from R-1-7000 Single Family Residential to Small Neighborhood Business (SNB).
SECTION 2. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this _____ day of _____________, 2014.

__________________________________________
CHAIRPERSON

ATTEST AND COUNTERSIGN:

__________________________________________
CITY RECORDER

Transmitted to Mayor on _____________________.

Mayor's Action: _______Approved. _______Vetoed.

__________________________________________
MAYOR

__________________________________________
CITY RECORDER
(SEAL)

Bill No. _______ of 2014.
Published: _______.

HB_ATTY-#38160-v1-Ordinance_rezoning_878_W_200_N.DOCX

APPROVED AS TO FORM
Salt Lake City Attorney’s Office
Date: April 23, 2014
By: Paul C. Nielson, Senior City Attorney
EXHIBIT “A”
Legal description of Property
878-880 West 200 North Street
Tax ID No. 08-35-406-009

COMMENCING AT THE SOUTHWEST CORNER OF LOT 2, BLOCK 70, PLAT “C”, SALT LAKE CITY SURVEY AND RUNNING THENCE EAST 3 RODS; THENCE NORTH 7 RODS; THENCE WEST 3 RODS; THENCE SOUTH 7 RODS TO THE PLACE OF BEGINNING.
3. NOTICE OF CITY COUNCIL HEARING
NOTICE OF PUBLIC HEARING

The Salt Lake City Council is considering Petition PLNPCM2013-00942 Chen Rezone – A request by Li Chen to amend the Salt Lake City Zoning Map for property located at approximately 878-880 West 200 North. The purpose of this proposal is to bring an existing retail use into compliance with zoning regulations. The proposal would modify the zoning map for the property currently zoned SR-1/7,000 (Single Family Residential District) to SNB (Small Neighborhood Business). The subject property is located within Council District 2, represented by Kyle LaMalfa.

As part of their study, the City Council is holding an advertised public hearing to receive comments regarding the petition. During this hearing, anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The hearing will be held:

DATE: 

TIME: 7:00 p.m.

PLACE: Room 315
City & County Building
451 South State Street
Salt Lake City, Utah

If you have any questions relating to this proposal or would like to review the file, please contact BreAnne McConkie at (801) 535-7236 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at breanne.mcconkie@slcgov.com.

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact the Planning Division at (801) 535-7757; TDD (801) 535-6021.
4. MAILING LABELS
5.A PLANNING COMMISSION
ORIGINAL HEARING NOTICE AND POSTMARK
Chen Rezone at approximately 878-880 West 200 North - Li Chen is requesting approval from the City to amend the Salt Lake City Zoning Map for property located at the above listed address. Currently the land contains a retail and residential use. The purpose of this proposal is to bring the existing retail use into conformance with zoning regulations. The proposal would modify the zoning map for the property currently zoned SR-1/7,000 (Single Family Residential District) to SNB (Small Neighborhood Business). Although the applicant has requested that the property be rezoned to the SNB zone, consideration may be given to rezoning the property to another zoning district with similar characteristics. The subject property is located within Council District 2, represented by Kyle LaMalta. (Staff contact: BreAnne McConkie at (801) 535-7236 or breanne.mcconkie@slcgov.com.) Case number PLNPCM2013-00942.

Salt Lake City Corporation complies with all ADA guidelines. People with disabilities may make requests for reasonable accommodations no later than 48 hours in advance in order to attend this meeting. Accommodations may include alternative formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact the Planning Office at 335-7757, TDD 535-6220.
To: Salt Lake City Planning Commission

From: BreAnne McConkie
801-535-7236
breanne.mcconkie@slcgov.com;

Date: March 26, 2014

Re: PLNPCM2013-00942 Chen Zoning Map Amendment

Zoning Map Amendment

PROPERTY ADDRESS: 878-880 West 200 North
PARCEL ID: 08-35-406-009
MASTER PLAN: North Temple Boulevard Plan – Stable Area
ZONING DISTRICT: R-1-7000 (Single-Family Residential)

REQUEST: The applicant, Li Chen, is requesting a Zoning Map Amendment for property located at 878-880 West 200 North (the “Subject Property”) in order to bring an existing nonconforming commercial business into compliance with the zoning regulations. The subject property is currently zoned Single-Family Residential (R-1-7000). The Applicant has requested the property be rezoned Small Neighborhood Business (SNB) or Neighborhood Commercial (CN). Based on the analysis of existing City policy and master plans, Staff is recommending the property be rezoned Small Neighborhood Business (SNB). The Planning Commission is required to transmit a recommendation to the City Council for Zoning Map Amendment requests.

RECOMMENDATION: Based on the findings listed in the staff report, it is the Planning Staff’s opinion that overall the project generally meets the applicable standards and therefore, recommends the Planning Commission transmit a favorable recommendation to the City Council to rezone the Subject Property located at 878-880 West 200 North from Single-Family Residential (R-1-7000) to Small Neighborhood Business (SNB).

ATTACHMENTS:
A. Vicinity Map
B. Site Photographs
C. Existing Conditions
D. Analysis of Standards
E. Zoning Materials
F. Public Process and Comments
G. Dept. Comments
H. Motions
PROJECT DESCRIPTION:
The Applicant owns the property at the corner of 900 West and 200 North. The Subject Property measures approximately 5,663 square feet or .13 acre. The existing home on the property was constructed in 1901. The attached commercial component of the property was built in 1947. Access to the property is located on 900 West. The drive approach leads to an area used for parking and includes a detached garage. The commercial use on the property is formally recognized by the City as shown by current business licensing records and considered a legal nonconforming use in the Single-Family Residential (R-1-7000) zoning district. The building is considered legal noncomplying because it does not meet the current development standards. The residential portion of the building contains an existing single family residential unit.

Proposed Zoning
Staff has reviewed the petition and is recommending that the property be rezoned with the following designation:

SNB (Small Neighborhood Business) Zone
The purpose of the small neighborhood business zoning district is to provide areas for small commercial uses to be located adjacent to residential land uses, including midblock. This district will preserve and enhance older commercial structures and storefront character by allowing a variety of commercial uses and placing more strict regulations on new construction and major additions to existing buildings. The regulations are intended to restrict the size and scale of the commercial uses in order to mitigate negative impacts to adjacent residential development and encourage pedestrian oriented development. This zoning district is appropriate in places where it is supported by a community master plan, small area master plan or other adopted city policies.

Although the rezone would bring the use into compliance with the Zoning Ordinance, the building will still be a legal, noncomplying structure because the building does not meet the current development standards including minimum setbacks and lot coverage requirements, as described in more detail in Attachment E.

KEY ISSUES:
The key issues listed below have been identified through the analysis of the project, neighbor and community input and department review comments.

1. Nonconforming use – The Subject Property is a legal nonconforming use.
2. Noncomplying structure – The structure is noncomplying, regardless of whether the property is zoned R-1/7,000 or SNB.
3. North Temple Station Area Plans – The 800 West Station Area Plan identified the area as a stable area. The description of the stable area supports zoning changes that have similar characteristics in terms of bulk, mass and scale to what exists in the area.

DISCUSSION:
The Applicant has submitted a petition to rezone the Subject Property from Single-Family Residential (R-1-7000) to Small Neighborhood Business (SNB) or Neighborhood Commercial (CN) in order to bring the property more into compliance by making the existing use of a retail goods establishment a permitted, conforming use.

Based on the analysis of the project and department review, Staff recommends the property be rezoned from Single-Family Residential (R-1-7000) to Small Neighborhood Business (SNB) in order to bring the property more into compliance with the Zoning Ordinance and make it consistent with the City’s policies and master plan for that area as discussed in detail in the attached analysis (see Attachment D).
NEXT STEPS:
The Planning Commission can forward a positive recommendation for the proposed zoning map amendment to the City Council. If the petition is approved, the rezone would bring the Subject Property more into compliance than its current Single-Family Residential (R-1-7000) designation. The property would be allowed to operate as any of the uses allowed in the Small Neighborhood Business (SNB) zoning district (see Attachment E). If the Subject Property is rezoned Small Neighborhood Business (SNB), all future development would be required to comply with the Small Neighborhood Business (SNB) zone requirements (see Attachment E).

The Planning Commission can forward a negative recommendation for the proposed zoning map amendment to the City Council. If the petition is denied, the property will be allowed to continue to operate as a retail goods establishment or any less intensive use according to the nonconforming zoning regulations. If the existing building were to be demolished, any new development on the site would have to comply with Single-Family Residential (R-1-7000) zoning district regulations.
ATTACHMENT A: VICINITY MAP

The following map shows the concerned parcel and the current zoning for the parcel and surrounding area.

878-880 W 200 N

Subject Property
The 800 West Station Area

A station area is the space that surrounds a transit station. The station platform is the center of the area and the places that are generally within a 5 minute walk from the platform, approximately ¼ of a mile make up the remainder of the station. The 800 West Station is unique because it has a well established block and street pattern that promotes walking and bicycling. The existing uses, such as the locally owned restaurants, coffee shops and grocery store establish a solid foundation for creating a more diverse and intense mix of uses.

Station Area Typology

The 800 West Station Area displays characteristics most commonly found in an Urban Neighborhood Station. This type of station area is characterized by the presence of an established neighborhood within or adjacent to the station area, an existing mix of uses and building types with different densities and intensities, a mix of transit services, and an existing block and street network that is compatible with transit-oriented development.

Within this type of station area are three distinct areas: the Core, Transitional, and stable areas. The core area is comprised of those areas that are the closest to the station platform and likely to see the biggest change. The transitional area are those areas that could see some change, but the intensity and scale of new development is less than what could occur in the Core. The Stable area are those properties that have well established land uses that are an asset to the station area or are likely to see minor development pressures as a result of the transit station being relatively close by.

800 West Core Area

The Core Area is comprised of the land closest to the station and most likely to see significant changes over time. Based on feedback received throughout the planning process, appropriate zoning regulations might include:

- Multi story buildings up to 7 stories in height, potentially more through the use of zoning incentives;
- Building design based upon design guidelines;
- Increased pedestrian activity;
- Buildings with multiple uses, such as ground floor retail with residential above;
- Buildings pulled closer to the sidewalk with doors and windows adjacent to the sidewalk;
- Reduced parking requirements with parking located behind buildings or in structures; and
- More diverse activities on the sidewalk, such as outdoor dining.

A model of what 800 West might look like in terms of building form and size. Building heights are exaggerated to show the differences in intensities.
800 West Transitional Area

The Transitional Area is the area that will see some change over the next 20 years, but the change will generally be smaller scale and less intense than the Core Area. Future development within this area should be used as a transition between North Temple and the neighborhoods nearby. Zoning regulations that could accomplish this would include the following characteristics:

- A mix of housing types, ranging from 3-4 story multifamily developments to single-family homes;
- A buffer between the Core and Stable areas;
- A mix of uses including residential and commercial uses that are less intense than what is found in the Core area;
- Buildings that are located at or near the sidewalk, possibly with landscaped yards or outdoor dining; and
- Parking located to the side or behind buildings.

800 West Stable Area

Zoning regulations should be aimed at maintaining the existing development characteristics while allowing appropriately scaled residential infill development. Minor changes happen within the existing development pattern and are consistent with the overall scale of the surrounding structures. These areas may see smaller scale development, such as

- Infill development such as twin homes and attached single-family dwellings, primarily in mid-block areas that are currently underdeveloped or under-utilized; and
- New development that is compatible in terms of scale to existing development in other parts of the Stable Area.

There are opportunities for infill development in the interiors of the blocks in the Jackson neighborhood. The 800 West and 900 West blocks between 200 and 300 North are examples.
Parcels in red represent the Core Area, where an intense level of transit-oriented zoning is appropriate.

Parcels in yellow are part of the Transitional Area. These areas are appropriate for mixed use and less intensive transit-oriented zoning.

Parcels in blue are part of Stable Areas, areas where little change is expected or desired or where the current zoning allows for the desired future land uses and intensities.
The West and Northwest Salt Lake districts have one identified non-conforming small business parcel. This parcel is zoned very low density residential (R-7,000). The conforming parcels are all zoned neighborhood (CN) commercial or community business (CB) and include multiple businesses per parcel.

West Salt Lake Master Plan

The West Salt Lake Master Plan addresses commercial land use, and supports the use of small commercial uses of low-intensity. The Master Plan states that the “Community’s population of 17,000 people residing in low-to moderate-income households cannot presently support commercial activities more intense than a neighborhood level shopping center. Smaller neighborhood corner establishments are not flourishing. West Salt Lake residents have expressed the need for businesses that provide basic necessities to be located in the community as well as increased retail shopping opportunities. This demand is only partially being met by commercial strip development along major arterial streets in and around the community.”

Surrounding Land Use

The one nonconforming parcel in this area is surrounded by both commercial and single family homes. The remaining conforming businesses are surrounded by both commercial and single family homes or commercial and single/multifamily homes.

Current Land Uses

The one identified nonconforming business is a retail goods and services business. The majority of conforming businesses in this area fit in the land use category of retail goods and services. In addition, there are two auto repair shops and two restaurants in the area. The remainder of businesses includes a hotel, an office, and a vacant parcel.
Additional Statistics

As there is only one nonconforming parcel identified in this area, the statistics reflect only this one parcel. However, there is some variety in the conforming businesses. These businesses are mostly able to provide off street parking except for around ten percent of them. The majority of the conforming businesses are located on corner lots. With regard to scale, most of the businesses are on medium lots between 5,000 and 16,500 square feet. Only one parcel is located on a large lot. The remaining businesses are located on small lots less than 5,000 square feet.

Nonconforming

Parking

- On Street Only 100%

Location

- Corner 100%

Parcel Size

- Small 100%

Conforming

Parking

- Off Street 88%
- Street Only 12%

Location

- Corner 82%
- Mid-block 18%

Parcel Size

- Large 6%
- Medium 29%
- Small 65%

Nonconforming Properties Table

<table>
<thead>
<tr>
<th>Address</th>
<th>Zone</th>
<th>Business Name</th>
<th>Type of Business</th>
</tr>
</thead>
<tbody>
<tr>
<td>878 W 200 N</td>
<td>R-1-7000</td>
<td>Get Wired/ Cricket &amp; Boost</td>
<td>Retail Goods/Phones</td>
</tr>
</tbody>
</table>
Information on Nonconforming Parcels

Zoning

- R-1-7000
- 100%

Land Use

- Retail Goods
- 1

Parking

- On Street Only
- 100%

Location

- Corner
- 100%
## Existing and Proposed Zoning Requirements Summary

<table>
<thead>
<tr>
<th>Regulation</th>
<th>Existing Zone Regulation</th>
<th>Existing Condition</th>
<th>Proposal – SNB Zone Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use</td>
<td>R-1/7000, Single-Family Residential – allowed uses are predominantly low density residential uses.</td>
<td>Legal nonconforming retail and single family dwelling</td>
<td>Legalize existing retail use (as well as allow for other uses allowed in SNB Zone)</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>Maximum allowed is 40% of the lot (Lot size is approximately 5,663 square feet. Max lot coverage would be 2,265 square feet)</td>
<td>Approximately 54% (Existing building coverage is approximately 3,064 square feet)</td>
<td>Existing structure would be nonconforming. Future development would have a max. of 40% lot coverage.</td>
</tr>
<tr>
<td>Height</td>
<td>Pitched roof max. height = 28 feet Flat roof max. height = 20 feet</td>
<td>Approximately 14 feet to the top of the parapet</td>
<td>Existing structure is conforming. Future development would have a max. pitched roof height of 28 feet or flat roof height of 20 feet.</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>Average front yard setback of lots on the same block face. In this case the average is approximately 20 feet. (This is an approximation by staff using an aerial photo and GIS)</td>
<td>Approximately 0 feet, built to property line.</td>
<td>Existing structure would be nonconforming. Future development would be required to conform to existing regulation or R-1-5000, whichever is more restrictive.</td>
</tr>
<tr>
<td>Corner Yard Setback</td>
<td>Average corner yard setback of lots on the same block face. In this case the average is approximately 8 feet. (This is an approximation by staff using an aerial photo and GIS)</td>
<td>Approximately 0 feet, built to property line.</td>
<td>Existing structure would be nonconforming. Future development would require 10 feet.</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>25 feet from rear property line</td>
<td>Approximately 47 feet</td>
<td>Existing structure is conforming. Future development would require setback of 25% of the lot depth, or 20 feet, whichever is less.</td>
</tr>
<tr>
<td>Side Yard Setback</td>
<td>6 feet from side property line</td>
<td>Approximately 4.5 feet at the closest point</td>
<td>Existing structure is nonconforming. Future development would require 6 feet.</td>
</tr>
</tbody>
</table>
Single-Family Residential (R-1-7000) – Zoning Materials

21A.24.060: R-1-7000 SINGLE FAMILY RESIDENTIAL DISTRICT (click here for a link to the R-1-7000 Zoning Ordinance)

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

Small Neighborhood Business (SNB) – Zoning Materials

21A.26.025: SNB SMALL NEIGHBORHOOD BUSINESS DISTRICT (click here for a link to the SNB Zoning Ordinance)

Purpose Statement: The purpose of the small neighborhood business zoning district is to provide areas for small commercial uses to be located adjacent to residential land uses, including midblock. This district will preserve and enhance older commercial structures and storefront character by allowing a variety of commercial uses and placing more strict regulations on new construction and major additions to existing buildings. The regulations are intended to restrict the size and scale of the commercial uses in order to mitigate negative impacts to adjacent residential development and encourage pedestrian oriented development. This zoning district is appropriate in places where it is supported by a community master plan, small area master plan or other adopted city policies.
ATTACHMENT E: ANALYSIS OF STANDARDS

21A.50.050 Standards for General Amendments

Approval Standards: 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. However, in making its decision concerning a proposed amendment, the City Council should consider the following factors:

1. Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;

Analysis: Over the last decade, the City has analyzed various ways to allow and encourage commercial land uses which provide important community gathering spaces, necessary services, employment, and an enhanced tax base for the City. With the goal of sustainable neighborhoods and fostering the development of businesses to serve the City’s communities, Mayor Ralph Becker initiated a petition in April of 2009, requesting the Planning Division analyze the appropriateness of rezoning lower intensive commercial uses to appropriate zoning districts. Since that time, the Planning division took a comprehensive look at small businesses in all neighborhoods of the City. This review included preparing an inventory of all existing small businesses, developing the Small Neighborhood Business Report, conducting an extensive public process, and establishing a new zoning classification titled “Small Neighborhood Business” (adopted by City Council in 2012). It was anticipated that following the adoption of the new zoning district there would be a series of map amendments modifying the specific zoning designation of nonconforming businesses. The Small Neighborhood Business Report identified the Subject Property as the only nonconforming parcel in the West and Northwest communities (see Attachment C). The conforming parcels that were identified in the process are all zoned Neighborhood Commercial (CN) or Community Business (CB) and include multiple businesses per parcel.

The North Temple Boulevard Plan (2010) provides direction for land use and urban design decisions that will be necessary as North Temple changes from an automobile oriented street to a street that provides a wide range of transportation options. The plan amended the Northwest Master Plan and is used in the decision making process for future land use decisions, public investments, allocation of resources, and other important processes that may impact the North Temple Corridor. The Subject Property is located in the 800 West Transit Station Area (see Attachment C). The Plan’s goal for this area is to become a “transit-oriented neighborhood that is designed for the pedestrian, with safe, accessible streets, buildings with windows and doors next to the sidewalk, and public places where people can safely gather and interact with others.” Transit-oriented development includes a mix of uses including commercial, office, residential, and in some cases, light industrial, and provides people with a diverse mix of options on where to live, shop, and work. The Subject Property is located in a “Stable Area” as identified in the Future Land Use Map (Attachment C) indicating that little change is expected. The Stable Area supports minor changes within the existing development pattern that are compatible to the overall scale of the surrounding structures. The corner site is historically a commercial building. The commercial building contributes to the existing development pattern. The SNB zoning ordinance includes standards that require setbacks similar to the adjacent structures. The proposal for SNB meets the intent of the Stable Area.

Based on staff’s analysis and review of applicable City policies and master plans, it is Planning Staff’s opinion that the Small Neighborhood Business (SNB) zone is the most appropriate zoning designation because of its standards to minimize impact on the surrounding single-family
residential uses including setback, height, and lot coverage requirements similar to the adjacent structures, limitations on permitted and conditional uses, design standards, and limited hours of operation. The Small Neighborhood Business (SNB) designation is recommended over the Neighborhood Commercial (CN) zone because of these more restrictive standards and regulated compatible uses.

Finding: Staff finds the proposal consistent with the stated purposes, goals, objectives, and policies of the City as identified in the Small Neighborhood Business Report and North Temple Boulevard Plan.

2. **Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinances;**

Analysis: The purpose of the Small Neighborhood Business (SNB) zoning district is to provide areas for small commercial uses to be located adjacent to residential land uses, including midblock. The district was designed to preserve and enhance older commercial structures and storefront character by allowing a variety of commercial uses. The regulations are intended to restrict the size and scale of the commercial uses in order to mitigate negative impacts to adjacent residential development and encourage pedestrian-oriented development. The SNB district is appropriate in places where it is supported by a community master plan, small area master plan, or other adopted City policies.

One of the objectives of establishing the SNB district was to allow small nonconforming businesses, such as this one, to become conforming and operate without the issues and problems that come along with nonconformity. It may be difficult for nonconforming businesses to get loans, or expand, which may affect their ability to succeed. Furthermore, the SNB zone removed the uncertainty associated with a ‘nonconforming’ use status.

Finding: This application would modify the Northwest Community Zoning Map relating to the Subject Property from Single-Family Residential (R-1-7000) to Small Neighborhood Business (SNB). The SNB zoning district is recommended over the CN zone because it better fits the purposes of the district and adopted planning documents as discussed above under Standard 1 and reflects the development pattern on the ground. Staff finds the proposed change to the zoning map consistent with the purpose statement of the Small Neighborhood Business (SNB) zoning district.

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

Analysis: There is no evidence that the current commercial use of the property has had an adverse affect on the property in the neighborhood. In addition, any additions to the property would be regulated by the provisions of the Small Neighborhood Business (SNB) zoning district which are intended to restrict the size and scale of commercial uses and in order to mitigate the negative impact to adjacent residential development. The Small Neighborhood Business (SNB) designation is recommended over the Neighborhood Commercial (CN) zone because of the more restrictive requirements identified in Standard 1 that are specifically intended to minimize any adverse effect on surrounding residential uses.

Finding: The proposed rezone from R-1-7000 to SNB will not have any additional effects on adjacent properties.

4. **Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and**
Analysis: There are no overlay zones on the Subject Property.

Finding: This standard is not applicable.

5. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.

Analysis: City Divisions and Departments responded with comments as attached under Attachment G of this staff report. Staff has not received any comments identifying any deficiencies with adequate public facilities or services servicing the Subject Property.

Finding: The proposed amendment has all utility and public services necessary to serve the property and is consistent with this standard.

21A.50.050 Standards for General Amendments

<table>
<thead>
<tr>
<th>Factor</th>
<th>Finding</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Whether a proposed map amendment is consistent with the purposes,</td>
<td>Complies</td>
<td>The proposal is consistent with the stated purposes, goals, objectives, and policies of the City as identified in the Small Neighborhood Business Report and North Temple Boulevard Plan.</td>
</tr>
<tr>
<td>goals, objectives, and policies of the city as stated through its</td>
<td></td>
<td>[more text]</td>
</tr>
<tr>
<td>various adopted planning documents;</td>
<td></td>
<td>[more text]</td>
</tr>
<tr>
<td>2. Whether a proposed map amendment furthers the specific purpose</td>
<td>Complies</td>
<td>The proposed SNB zoning district is recommended because it best fits the purposes of the district and adopted planning documents as discussed above under Standard 1 and reflects the development pattern on the ground. The proposed map amendment is consistent with the purpose statement of the Small Neighborhood Business (SNB) zoning district.</td>
</tr>
<tr>
<td>statements of the zoning ordinance.</td>
<td></td>
<td>[more text]</td>
</tr>
<tr>
<td>3. The extent to which a proposed map amendment will affect adjacent</td>
<td>Complies</td>
<td>The proposed rezone will not have any additional effects on adjacent properties.</td>
</tr>
<tr>
<td>properties;</td>
<td></td>
<td>[more text]</td>
</tr>
<tr>
<td>4. Whether a proposed map amendment is consistent with the purposes</td>
<td>Complies</td>
<td>This standard is not applicable.</td>
</tr>
<tr>
<td>and provisions of any applicable overlay zoning districts which may</td>
<td></td>
<td>[more text]</td>
</tr>
<tr>
<td>impose additional standards</td>
<td></td>
<td>[more text]</td>
</tr>
<tr>
<td>5. The adequacy of public facilities and services intended to serve</td>
<td>Complies</td>
<td>The proposed amendment has all utility and public services necessary to serve the property and is consistent with this standard.</td>
</tr>
<tr>
<td>the subject property, including but not limited to, roadways,</td>
<td></td>
<td>[more text]</td>
</tr>
<tr>
<td>parks and recreational facilities, police and fire protection, schools,</td>
<td></td>
<td>[more text]</td>
</tr>
<tr>
<td>stormwater drainage systems, water supplies, and wastewater and</td>
<td></td>
<td>[more text]</td>
</tr>
<tr>
<td>refuse collection.</td>
<td></td>
<td>[more text]</td>
</tr>
</tbody>
</table>

NOTES:
ATTACHMENT F: PUBLIC PROCESS AND COMMENTS

Notice to Community Organization:
- Fairpark Community Council was notified of this request on December 13, 2014. No public comments were received regarding this request.

Notice of the public hearing for the proposal includes:
- Public hearing notice mailed on March 13.
- Public hearing notice posted on property on March 14.
- Public hearing notice posted on City and State websites on March 13.
- Public hearing notice emailed to the Planning Division listserv on March 20.
ZONING MAP AMENDMENT – CITY DEPARTMENT REVIEW

Project: PLNPCM2013-00942 Chen Rezone
Applicant: Li Chen

Department/Division: Zoning
Reviewer: Larry Butcher
Phone: 801-535-6181
Review Comments: The Zoning Division had no comments on this proposal.

Department/Division: Public Utilities
Reviewer: Justin Stoker
Phone: 801-483-6786
Review Comments: The proposal was reviewed and there were no impacts to the utility systems that were identified. Public Utilities has no objections to the proposed rezone.

Department/Division: Engineering
Reviewer: Scott Weiler
Phone: 801-535-6159
Review Comments: Engineering review comments are as follows:

No objection to the proposed zone change. Covering the park strip of 200 North is a man-made material, as if to protect the ground. It is recommended that this covering be removed so that grass or other vegetation, consistent with the park strip ordinance, can grow and beautify the park strip.

Planning Staff Note: The existing park strip condition does not conform with current City standards. The Engineering review comment stated above is recommended to bring the lot into compliance with current City standards but is not required as a condition of approval of the zoning map amendment. If the property is to redevelop in the future, the Applicant will be required to bring the park strip into compliance with City standards.

Department/Division: Transportation
Reviewer: Barry Walsh
Phone: 535-7102
Review Comments: Transportation review comments are as follows:

No objection to the proposed zone change. All parking requirements per proposed changes in use, other than preexisting status, need to comply with current zoning requirements for that new use.

Department/Division: Police
Reviewer: Cameron Platt
Phone: 801-799-3035
Review Comments: No comments were received.

Department/Division: Fire
Reviewer: Edward Itchon
Phone: 801-535-6636
Review Comments: No comments were received.
ATTACHMENT H: MOTIONS

**Recommended Motion:**
Based on the analysis and findings listed in the staff report, testimony, and plans presented, I move that the Planning Commission transmit a favorable recommendation to the City Council to rezone the Subject Property located at 878-880 West 200 North from Single-Family Residential (R-1-7000) to Small Neighborhood Business (SNB).

**Not Consistent with Staff Recommendation:**
Based on the analysis and findings listed in the staff report, testimony, and plans presented, I move that the Planning Commission forward the City Council a negative recommendation for the requested rezone of the Subject Property located at 878-880 West 200 North from Single-Family Residential (R-1-7000) to Small Neighborhood Business (SNB). The proposal does not meet the minimum standards necessary for a Zoning Map Amendment.
5.C PLANNING COMMISSION
AGENDA AND MINUTES
The field trip is scheduled to leave at 4:00 p.m.
Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m. in Room 126 of the City and County Building. During the dinner break, the Planning Commission may receive training on city planning related topics, including the role and function of the Planning Commission.

PLANNING COMMISSION MEETING WILL BEGIN AT 5:30 PM IN ROOM 326

APPROVAL OF MINUTES FOR MARCH 12, 2014

REPORT OF THE CHAIR AND VICE CHAIR

REPORT OF THE DIRECTOR

Work Session
1. Plan Salt Lake – Plan Salt Lake is a citywide vision document that will help guide the future growth of the City. As part of the planning process for Plan Salt Lake, planning staff will provide an update and brief the Planning Commission on the public engagement process and next steps, as well as solicit feedback on the draft Vision, Guiding Principles, and Performance Indicators. (Staff contact: BreAnne McConkie at (801) 535-7236 or breanne.mcconkie@slcgov.com.) Case number PLNPCM2011-00682.

PUBLIC HEARING(S)

Administrative Matters

1. The Road Home Conditional use at approximately 437 West 200 South - Matt Minkevitch is requesting approval from the City to continue an emergency winter homeless shelter, which operates under a previous conditional use approval that expires April 15, 2014. The emergency shelter is located in the St. Vincent de Paul’s community dining hall at the above listed address. Currently the land is used as a community dining hall and for the last five years an emergency winter homeless shelter. The property is zoned D-3(Downtown Warehouse/Residential District). This type of project must be reviewed as a conditional use. The subject property is within Council District 4, represented by Luke Garrott. (Staff contact: Everett Joyce at (801) 535-7930 or everett.joyce@slcgov.com.) Case number PLNPCM2013-00991.

2. Capitol Hills Plat B, Lot 216 Subdivision Plat Amendment at approximately 327 E. Dartmoor Place - Douglas Olson is requesting approval from the City to amend a subdivision plat to adjust the building area of his lot to accommodate an addition to the existing home located at the above listed address. Currently the land is used as residential and the property is zoned FR-3/12,000 (Foothills Residential District). The subject property is located within Council District 3, represented by Stan Penfold. (Staff contact: Casey Stewart at 801-535-6260 or casey.stewart@slcgov.com.) Case number PLNSUB2014-00028.
Legislative Matters

3. **Chen Rezone at approximately 878-880 West 200 North** - Li Chen is requesting approval from the City to amend the Salt Lake City Zoning Map for property located at the above listed address. Currently the land contains a retail and residential use. The purpose of this proposal is to bring the existing retail use into conformance with zoning regulations. The proposal would modify the zoning map for the property currently zoned SR-1/7,000 (Single Family Residential District) to SNB (Small Neighborhood Business). Although the applicant has requested that the property be rezoned to the SNB zone, consideration may be given to rezoning the property to another zoning district with similar characteristics. The subject property is located within Council District 2, represented by Kyle LaMalfa. (Staff contact: BreAnne McConkie at (801) 535-7236 or breanne.mcconkie@slcgov.com.) Case number PLNPCM2013-00942.

4. **Surplus Property Declaration at approximately 1226 S 1100 East** – Ryan McFarland, Salt Lake City Real Property Manager is requesting approval from the City to declare approximately 896 square feet of Public Utilities Department-owned property as surplus to allow the property to be conveyed to the abutting property owner at 1234 S 1100 East. The lot owned by the Public Utilities Department is vacant and will not impact the use or maintenance of the canal. The property is zoned R-1/5,000 (Single Family Residential). This type of project must be reviewed as a Surplus Property petition. The subject property is located within Council District 5, represented by Erin Mendenhall. (Staff contact: Joel Paterson at (801) 535-6141 or joel.paterson@slcgov.com.) Case number PLNPCM2014-00008.

Training Session

The Planning Commission may receive training on city planning related topics, including the role and function of the Planning Commission.

The files for the above items are available in the Planning Division offices, room 406 of the City and County Building. Please contact the staff planner for information. Visit the Planning Division’s website at www.slcgov.com/CED/planning for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission. Planning Commission Meetings may be watched live on SLCTV Channel 17; past meetings are recorded and archived, and may be viewed at www.slctv.com.

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance of the hearing in order to attend. Accommodations may include alternate formats, interpreters and other auxiliary aids. This is an accessible facility. For questions, requests or additional information, please contact the Salt Lake City Planning Office at: 801-535-7757/TDD 801-535-6220. Appeal of Planning Commission Decision- Any person adversely affected by a final decision of the planning commission may appeal the decision by filing a written appeal with the appeals hearing officer within ten (10) calendar days following the date on which a record of decision is issued.
A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at 5:33:53 PM. Audio recordings of the Planning Commission meetings are retained in the Planning Office for an indefinite period of time.

Present for the Planning Commission meeting were: Chairperson Emily Drown, Vice Chair Clark Ruttinger; Commissioners Michael Fife, Marie Taylor, Matthew Wirthlin and Mary Woodhead. Commissioner Angela Dean, Michael Gallegos and Carolynn Hoskins were excused.

Planning Staff members present at the meeting were: Wilford Sommerkorn, Planning Director; Michaela Oktay, Planning Manager; Everett Joyce, Senior Planner; Casey Stewart, Senior Planner; BreAnne McConkie, Principal Planner; Michelle Moeller, Senior Secretary and Paul Nielson, City Land Use Attorney.

FIELD TRIP NOTES:
A field trip was held prior to the work session. Planning Commissioners present were: Emily Drown, Michael Fife, Clark Ruttinger and Mary Woodhead. Staff members in attendance were Michaela Oktay, Casey Stewart, BreAnne McConkie and Everett Joyce.

The following locations were visited:
- 437 South 200 West, 878-880 West 200 North, and 27 East Dartmoor Place - Staff gave a summary of the project at each location.

APPROVAL OF THE MINUTES FROM THE MARCH 12, 2014, MEETING 5:34:43 PM

MOTION 5:34:49 PM
Commissioner Fife moved to approve the March 12, 2014, as amended. Commissioner Taylor seconded the motion. The motion passed unanimously.

REPORT OF THE CHAIR AND VICE CHAIR 5:35:20 PM
Chairperson Drown stated she had nothing to report.

Vice Chairperson Ruttinger stated he had nothing to report.

REPORT OF THE DIRECTOR 5:35:26 PM
Mr. Wilford Sommerkorn, Planning Director, reviewed the City Council briefings and the Sugar House Corridor Rezoning Proposal regarding the form based code and the tennis courts being reviewed by the City Council.
Plan Salt Lake – Plan Salt Lake is a citywide vision document that will help guide the future growth of the City. As part of the planning process for Plan Salt Lake, planning staff will provide an update and brief the Planning Commission on the public engagement process and next steps, as well as solicit feedback on the draft Vision, Guiding Principles, and Performance Indicators. (Staff contact: BreAnne McConkie at (801) 535-7236 or breanne.mcconkie@slcgov.com.) Case number PLNPCM2011-00682.

Ms. BreAnne McConkie, Principal Planner, reviewed the updates to the plan and the time line for the project. She stated future updates and reviews would be brought to the Commission.

The Commission and Staff discussed the following:

- Measuring the performance/success indicators and how the totals were calculated to correctly reflect what was happening in the city as a baseline.
- Performance indicators should not be the end result, but should lead into an explanation or direction on what the next steps should be.

PUBLIC HEARINGS 5:46:13 PM

The Road Home Conditional use at approximately 437 West 200 South - Matt Minkevitch is requesting approval from the City to continue an emergency winter homeless shelter, which operates under a previous conditional use approval that expires April 15, 2014. The emergency shelter is located in the St. Vincent de Paul's community dining hall at the above listed address. Currently the land is used as a community dining hall and for the last five years an emergency winter homeless shelter. The property is zoned D-3(Downtown Warehouse/Residential District). This type of project must be reviewed as a conditional use. The subject property is within Council District 4, represented by Luke Garrott. (Staff contact: Everett Joyce at (801) 535-7930 or everett.joyce@slcgov.com.) Case number PLNPCM2013-00991.

Mr. Everett Joyce, Senior Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending that the Planning Commission approve the petition as outlined in the Staff Report.

The Commission and Staff discussed the following:

- If a time limit would/should be set for the Conditional Use.
  - Typically a Conditional Use did not have a time limit and the City did not allow temporary Conditional Uses, the previous time limit was agreed upon by the applicant.
- The requirement to resubmit a security plan for the facility.
Staff stated it was to reevaluate the plan as the one on file was submitted five years ago.

- If the number of police visits could be taken into consideration for approval.
  - The Commission could review that as a condition but it was hard to determine if the emergency calls were for the shelter or other issues.
  - Compatibility with the neighborhood would also cover this concern.
- If the Commission could ask questions about the funding for the program.
  - No, program funding was not relevant to the Conditional Use.

Mr. Matt Minkevitch, Road Home Director, reviewed the benefit of the emergency shelter and the Road Home, the programs offered at the shelter and how the shelter worked with other programs to help reduce the number of people living in chronic homelessness. He discussed the importance of offering the services, helping these individuals with their needs and saving lives.

The Commission and Applicant discussed the following:

- If the Applicant felt the neighborhood was over saturated with homeless and how that could be addressed to benefit those working and living in the area.
  - The Road Home was trying to create ways to break up the loitering by offering greater opportunities for individuals to come in off the street and take part in the programs at the shelter.
  - The best tool was housing and helping individuals move into that housing.
  - The Road Home was working to help clean up the trash and power wash the area.
- The use of the overflow shelter in Midvale in relation to the subject shelter.
  - Currently, the increase in homeless families had taken the majority of the beds at the Midvale Center, leaving many homeless men without beds.
  - There were safety issues with housing single men in the same facility with families. This was not the best placement strategy.
- If the increase in beds increases the homeless population in the area.
  - No, the request for the shelter was in response to the needs of the existing homeless.

PUBLIC HEARING 6:10:07 PM
Chairperson Drown opened the Public Hearing.

Mr. Christian Harrison, Downtown Community Council, reviewed the original document brought to the Commission when the Conditional Use was first approved. He reviewed the issues with crime, waste/garbage and homeless in the area. Mr. Harrison reviewed how the Center had been working in the area to address the homeless issues. He asked the Commission to grant the request with the condition that a covenant/good neighbor agreement be required to regulate how the shelter interacted with the neighborhood.

The Commission asked Mr. Harrison if he knew of existing good neighborhood agreements. Mr. Harrison stated he knew of such agreements but did not have an example on hand to submit to the Commission.
Mr. Chris Burbank, Salt Lake City Police, stated the shelter helped reduce the crime in the area as it took people off the street who may be otherwise involved with crime. He stated violent crimes in the area had reduced in the past year and the shelter was an asset to the City. Mr. Burbank stated the more the homeless services were spread out the more crime occurred because the homeless individuals would not travel to the outlying shelters. He stated homelessness in itself is not criminal activity.

The Commission and Mr. Burbank discussed how the shelter had decreased the crime in the area and what numbers were being used to determine the statistics.

Mr. Clair Baldwin, Salt Lake City Fire Department, stated he had reviewed the impact of the shelter now and before it was in service, and the amount of calls for the area had decreased because the individuals were not on the street. He stated many of the individuals on the street were mentally ill and delivering services in a concentrated area was better than having them spread throughout the city. Mr. Baldwin stated the shelter saved lives and improved the homeless issues in Salt Lake City.

The following individual spoke to the petition: Mr. Dennis Kelsch, Mr. Palmer Depaulis, Ms. Pamela Atkinson, Ms. Kathy Bray, Ms. Kristy Chambers, Mr. Jason Mathis, Mr. John Peirpont and Mr. Michael Pope.

The following comments were made:
- The main issue with the homeless was mental illness.
- Just because they were homeless their lives should not be labeled as meaningless and they should be given a chance to survive.
- The shelter was put in place because of the issues in the area.
- The real issue up for consideration was the emergency shelter not the Road Home shelter.
- The City would not tolerate losing individuals on the streets due to the lack of services for the homeless.
- The shelter successfully moves individuals into permanent homes and into society.
- There was a large turnover in the homeless population because they were moved into permanent housing.
- It was more economical to house the homeless in the shelter than in hotels.
- Volunteer of America expressed their support of the Road Home and their programs.
- It was very difficult to house everyone and get people off the streets in the winter which is a must.
- New programs to improve the area were being put in place to address the homeless in Pioneer Park and the Rio Grande area.
- The Fourth Street Clinic expressed their support for the shelter and its programs.
- Businesses in the area would rather have these individuals have a place to sleep than having them freeze on the street in the winter.
- Challenges in the area had grown over the years and the proposed programs were trying to elevate those challenges.
• Work Force Services expressed their support for the shelter and their programs.
• The location of the shelter was more cost effective than shuttling the homeless to other areas of the city.

The Commission and Mr. Depaulis discussed if the neighborhood was built up around the homeless or if the homeless moved in after the neighborhood was established. Mr. Depaulis stated the issue with the homeless in the area existed prior to the growth of the neighborhood.

Chairperson Drown closed the Public Hearing.

6:50:09 PM
The Commission and Applicant discussed if there was space for the homeless to line up inside the building bring them in off the street. The Applicant stated they would look into reconfiguring the building to accommodate that request.

The Commission and Staff discussed the condition requiring visual monitoring and the details of that monitoring.

DISCUSSION 6:52:57 PM
The Commission discussed if a time limit for the Conditional Use could/should be put in place and if it was appropriate for the petition. They discussed why a time limit was originally placed on the property and concluded it was not appropriate for the Commission to put a time limit on the current proposal.

Commissioner Woodhead stated she was bothered by the notion that either a Commissioner voted for the proposal or they were voting for people to die. She stated that was not the case. Commissioner Woodhead stated the issue was if the zoning could support the Conditional Use and whether the detrimental effects could be mitigated.

The Commission and Staff discussed if a covenant could be placed on the property, if it was legal to require one and what the specifics of the covenant would be. They discussed other areas that have covenants in place and if conditions could be outlined for the petition instead of a covenant. Staff stated more research would need to be conducted to correctly issue a covenant associated with the petition.

The Commission and Applicant discussed the communication with the neighbors and how issues were currently addressed in the area.

Commissioner Fife stated the Commission was voting on the emergency shelter not the Road Home Shelter, it was not a discussion as to if the area was safe or if the concentration of the homeless in the area was too high for the neighborhood. He stated the decision was strictly to allow the Conditional Use for the emergency shelter in the St Vincent de Paul Center during the winter months as requested in the petition.
MOTION 6:59:33 PM
Commissioner Wirthlin stated regarding the Road Home/ St. Vincent de Paul Emergency Housing Conditional Use PLNPCM2013-00991, based on the findings listed in the Staff Report, testimony and evidence presented, he moved that the Planning Commission approve the proposed conditional use with the conditions listed in the Staff Report. Commissioner Ruttinger seconded the motion. Commissioner Fife, Ruttinger and Wirthlin voted “aye”. Commissioners Taylor and Woodhead voted “nay”. Chairperson Drown voted “aye”. The motion passed 4-2.

7:02:27 PM
The Commission took a short break.

7:11:35 PM
The Commission reconvened.

Capitol Hills Plat B, Lot 216 Subdivision Plat Amendment at approximately 37 E. Dartmoor Place - Douglas Olson is requesting approval from the City to amend a subdivision plat to adjust the building area of his lot to accommodate an addition to the existing home located at the above listed address. Currently the land is used as residential and the property is zoned FR-3/12,000 (Foothills Residential District). The subject property is located within Council District 3, represented by Stan Penfold. (Staff contact: Casey Stewart at 801-535-6260 or casey.stewart@slcgov.com.) Case number PLNSUB2014-00028.

Mr. Casey Stewart, Senior Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending that the Planning Commission deny the petition as presented.

The Commission and Staff discussed the following:

- How the setbacks differed from other properties in the subdivision.
- The public comments in support of the proposal.

Mr. James Watts, Attorney, reviewed the case and purpose for the proposal. He stated the Staff Report indicated other City Departments did not have any significant comments or concerns regarding the proposal. He stated the norm for setbacks in the area was ten feet not twenty feet as indicated on the subdivision plat. Mr. Watts stated the subdivisions ran into each other and there was no separation to differentiate them, the homogeneity did not exist. He stated that setback variances had been granted in the area and stated those setbacks had been adjusted but not documented on the subdivision plat therefore, that was proof that modifications to the subdivision had been made. Mr. Watts reviewed the height and building area explaining it would be within the allowable specifications.
outlined in the ordinance. He asked the Commission to approve the proposal and allow his client to move forward with the project.

The Commission and Applicant discussed if the proposal would cause the home to exceed the buildable lot coverage requirement for the area. Mr. Watts stated the addition would be within the allowed buildable area but that it extended ten feet into the required setbacks, leaving a ten foot setback on the property.

The Commission and Staff discussed the plats in the area. They discussed if the height was an issue for the project and why the entire subdivision was being reviewed not just the subject lot.

PUBLIC HEARING 7:32:40 PM
Chairperson Drown opened the Public Hearing.

The following individual spoke to the petition: Mr. Mark Jensen and Mr. Mark Jackson.

The following comments were made:
- A variance was given to the Jensen house in the subdivision because of the orientation of the house on the lot.
- The neighborhood agreed to and supported the proposal.
- Height was not an issue as the addition would be the same height as the existing home.

Chairperson Drown closed the Public Hearing.

7:36:17 PM
The Commission and Applicant discussed the meeting with the neighbors and if the physical plans had been shown to them.

MOTION 7:37:17 PM
Commissioner Woodhead stated regarding the Capitol Hills Plat B Amendment of Lot 216, PLNSUB2014-00028, based on the findings listed in the Staff Report, testimony, field trip and plans presented, she moved that the Planning Commission deny the petition, on the basis that the neighborhood was defined by the amount of space between the houses and the open space, extending a building into that space would change the relationship of all of the homes to each other and although home owners agree to it was not consistent with what the zoning and plans for the neighborhood are. Commissioner Wirthlin seconded the motion.

The Commission discussed the amendment to the neighbor’s home and the difference between a variance and a plat amendment. Staff stated possible variances granted in the area had not been researched, that variance requests had their own particular standards in the zoning ordinance.
Commissioner Woodhead and Wirthlin voted “aye”. Commissioners Ruttinger, Fife and Taylor voted “nay”. Chairperson Drown voted “aye”. The motion failed due to a tie vote.

The following comments were made to the motion:

- Commissioner Wirthlin stated he agreed with Commissioner Woodhead’s statements, that the proposal affected the integrity of the subdivision, the proposal would not be in the City's best interest and that there was no cause for the amendment.
- Commissioner Fife stated if the neighbors were in agreement to the proposal he did not see the issue of allowing the addition.
- Commissioner Taylor stated she supported the proposal as it did not impact the neighborhood in a negative manner.

The Commission and Staff discussed how to handle the tie vote and what the next step would be.

**MOTION 7:43:58 PM**
Commissioner Wirthlin motioned to table the petition to the April 9, 2014, Planning Commission Meeting in order for more Commissioners to be present and vote on the petition. Commissioner Ruttinger seconded the motion. The motion passed unanimously.

The Commission discussed if the Public Hearing should remain open. They discussed the materials the absent Commissioners would review for the case.

**MOTION 7:46:28 PM**
Commissioner Wirthlin moved to hear the petition on April 9, 2014. Commissioner Woodhead seconded the motion. The motion passed unanimously.

**7:47:34 PM**
Chen Rezone at approximately 878-880 West 200 North - Li Chen is requesting approval from the City to amend the Salt Lake City Zoning Map for property located at the above listed address. Currently the land contains a retail and residential use. The purpose of this proposal is to bring the existing retail use into conformance with zoning regulations. The proposal would modify the zoning map for the property currently zoned SR-1/7,000 (Single Family Residential District) to SNB (Small Neighborhood Business). Although the applicant has requested that the property be rezoned to the SNB zone, consideration may be given to rezoning the property to another zoning district with similar characteristics. The subject property is located within Council District 2, represented by Kyle LaMalfa. (Staff contact: BreAnne McConkie at (801) 535-7236 or breanne.mcconkie@slcgov.com.) Case number PLNPCM2013-00942.
Ms. BreAnne McConkie, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). She stated Staff was recommending the Planning Commission forward a favorable recommendation to the City Council regarding the petition as presented.

Ms. Li Chen, Applicant, reviewed the history of the property and the purpose for the proposal.

**PUBLIC HEARING 7:51:16 PM**
Chairperson Drown opened the Public Hearing; seeing no one in the audience wished to speak to the petition, Chairperson Drown closed the Public Hearing.

**MOTION 7:51:29 PM**
Commissioner Fife stated regarding the Chen Zoning Map Amendment PLNPCM2013-00942, based on the findings listed in the Staff Report, testimony received, and plans presented, he moved that the Planning Commission transmit a favorable recommendation to the City Council to rezone the subject property located at 878-880 West 200 North from Single Family Residential (R-1-7000) to Small Neighborhood Business (SNB), subject to the conditions listed in the Staff Report. Commissioner Ruttinger seconded the motion. The motion passed unanimously.

The meeting adjourned at **7:52:25 PM**
From: Li Chen
To: Salt Lake City Planning and Zoning
Date: 11/14/2013
Subject: Request for zoning change for 878-880 W 200 N, SLC, UT 84116

( Parcel #08-35-406-009-0000)

I am the owner of 878-880 W 200 N, SLC, UT 84116, the property is currently zone as non-conforming with variance. Since 1953 until now, there were difference businesses established here. I owned the property since 1996, I had run a few different businesses on the property and always has businesses License. I am currently running a wireless retail store (Business License attached) on the property and there is a residential unit attached to the property that I am currently occupying, there is a door in between, they accessible. Also, there is a detached garage in the back of property. I would like to see if the property can be rezoned as SNB zone or CN zone, because the current zone has the limitation, if I somehow I go more than one year with no business license or something happen to the property that means I will lose the ability to run the business again on the property. But, I would like to continue doing retail business on the property for a long time even after it can be rezoned. If the property is rezoned I will have the opportunity to accomplish with the new zoning requirement and make the property look better than ever. Please feel free to contact Li Chen at 801-403-1241 if you have any questions. Thank You!

sincerely

Li Chen