



# MOTION SHEET

CITY COUNCIL of SALT LAKE CITY

**TO:** City Council Members

**FROM:** Brian Fullmer  
Policy Analyst

**DATE:** August 18, 2020

**RE:** 700 North Rezone of Three Properties – 1616 W, 1632 W, and 1640 W 700 North  
PLNPCM2019-00923

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*This is the second scheduled public hearing for this petition. The Council may consider taking action tonight.*

**MOTION 1 (close and adopt)**

I move that the Council close the public hearing and adopt the ordinance.

**MOTION 2 (close and reject)**

I move that the Council close the public hearing and reject the ordinance.

**MOTION 3 (close and defer)**

I move that the Council close the public hearing and defer action to a future Council meeting.

**MOTION 4 (continue hearing)**

I move that the Council continue the public hearing to a future Council meeting.





# COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

**TO:** City Council Members

**FROM:** Brian Fullmer  
Policy Analyst

**DATE:** August 18, 2020

**RE:** 700 North Rezone of Three Properties – 1616 W, 1632 W, and 1640 W 700 North  
PLNPCM2019-00923

## Item Schedule:

Briefing: July 7, 2020

Set Date: July 7, 2020

Public Hearing #1: August 11, 2020

Public Hearing #2: August 18, 2020

Potential Action: August 18, 2020

## **PUBLIC HEARING #1 SUMMARY**

No one spoke at public hearing #1 for this item.

***The following information was provided for the August 11 public hearing. It is provided again for background purposes.***

## **WORK SESSION SUMMARY**

*Note: The Council was briefed on this item together with the nearby 1616, 1632 and 1640 West 700 North rezone application in one briefing.*

The Council did not raise any significant questions or concerns about the proposed rezone during the work session briefing. A Council Member asked about required buffers between CB zoned properties and adjacent residential parcels. The minimum requirement is a seven-foot landscape buffer with a ten-foot minimum rear yard. However, the Planning Commission may require larger setbacks, landscape buffers and/or fencing than required under City Code if impacts of building mass and location on the site create noise, light trespass or impacts from parking and service areas.

A question about housing mitigation was also raised. Staff provided information about housing mitigation to Council Members who asked. In summary, residential housing unit losses can be mitigated by one of the following methods:



- Construction of replacement dwelling units
- Paying a fee based on the difference between the value of housing units planned to be eliminated and replacement cost of new housing units
- Paying a flat fee
  - for housing units in a deteriorated state due to natural causes or non-deliberate aged obsolescence
  - if the other methods are unreasonably excessive in relationship to mitigation costs, the Administration can recommend to the City Council a flat rate be paid by the petitioner to the City's housing trust fund.

Detailed information on housing mitigation can be found in [Chapter 18.97 Salt Lake City Code](#).

Two public hearings have been scheduled for this item: August 11 and 18, 2020. The Council may consider taking action on the night of the second public hearing if it chooses.

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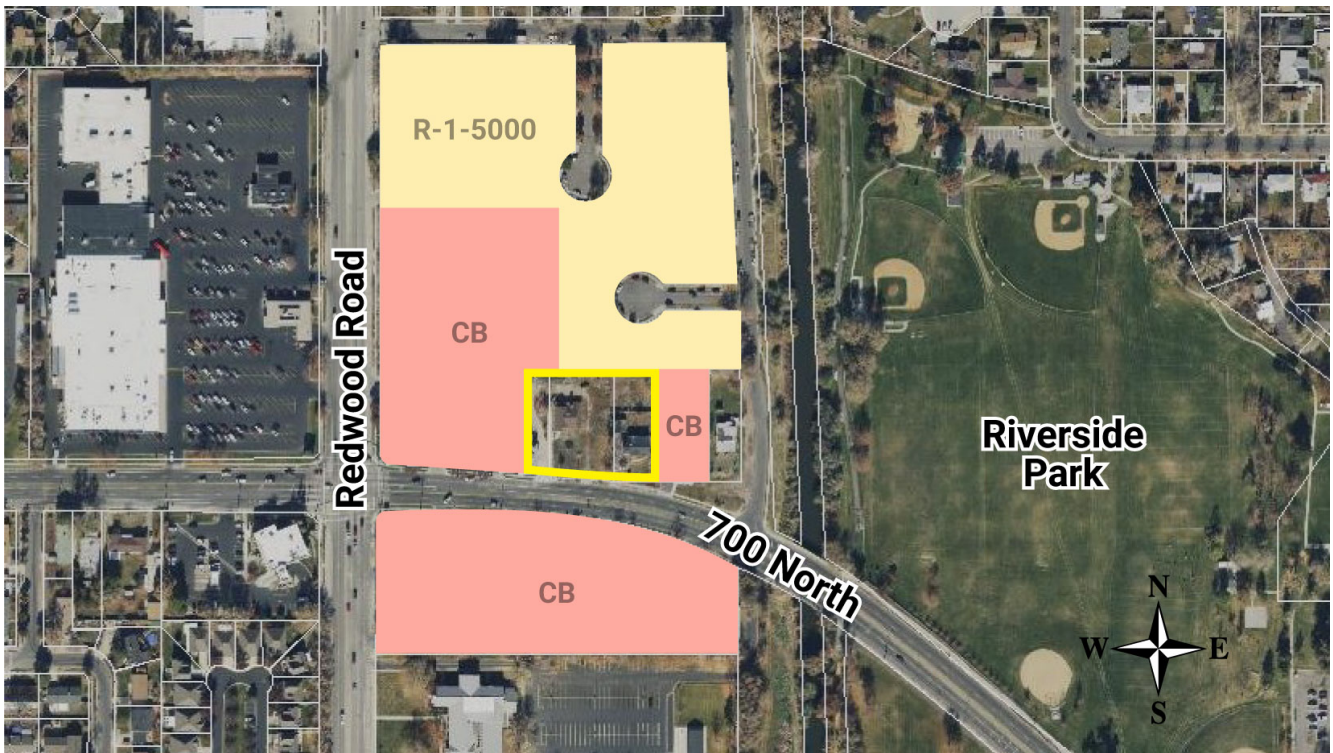
***The following information was provided for the July 7 work session. It is provided again for background purposes.***

The Council will be briefed about an ordinance to amend the zoning map for three properties located at 1616 West, 1632 West, and 1640 West 700 North from R-1/5000 (Single-Family Residential) to CB (Community Business) in order to consolidate the parcels and develop a commercial use on the combined site. The consolidated parcel would be approximately 50,000 square feet. No site development proposal has been submitted at this point and the applicant has not indicated what they plan to develop on the property.

The Northwest Master Plan amendments adopted in 2000 and updated in 2004 designate the north side of 700 North between Redwood Road and Riverside Drive as a commercial area. This request is consistent with and would not change the Plan. The requested change is also supported by the Future Land Use Map in the Master Plan. If approved by the Council, the proposed zoning would match the CB zoning on adjacent properties on the same block of 700 North as shown in the image below. The proposed development of these parcels would involve removing three single-family residences. If the homes on these parcels are removed and not replaced with multi-family housing the property owner will be required go through the mitigation of residential housing process.

It should be noted the Council will be briefed about a separate, but similar application to rezone the parcel located at 1612 West 700 North from R-1/5000 to CB during the same work session meeting.

Planning staff recommended and the Planning Commission forwarded a unanimous positive recommendation to the City Council for this proposed rezone.



*Aerial view with subject parcels outlined in yellow.*

*Note: the unshaded parcel to the east of the subject parcels is also requested to be rezoned CB.*

**Goal of the briefing:** *To review the proposed zoning map amendment, determine if the Council supports moving forward with the proposal.*

## **POLICY QUESTION**

1. Does the Council support the Planning Commission's recommendation to adopt the proposed changes?

## **ADDITIONAL INFORMATION**

The subject properties are located on a section of 700 North which consists primarily of small-scale commercial uses. Each of the three subject parcels includes a single-family home which would be removed to redevelop the properties. These parcels and the parcel at 1612 West 700 North mentioned above are the only remaining residential properties on the north side of 700 North between Redwood Road and Riverside Drive. All parcels on the south side of this section of 700 North are zoned CB.

This area was once residential; however, this use is now largely confined to neighborhoods away from main transportation corridors such as 700 North and Redwood Road. Businesses in these commercial areas are supported by residential areas away from the main corridors. The Northwest Master Plan identified this as an area that would transition from residential to commercial along the corridor.

## **Comparison of the Existing and Proposed Zoning**

The subject property is zoned R-1/5000- Residential. The purpose of the R-1/5000 zoning district follows:

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

*places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.*

The applicant requested the property be changed to the CB – Community Business zoning district. The purpose of the CB zoning district follows:

*The CB Community Business District is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines 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.*

Some highlights of the differences in allowed uses and building design between the existing R-1/5000 and proposed CB zoning districts are:

- The R-1/5000 zoning district prohibits all types of commercial and multi-family uses.
- The CB zone does not allow single-family uses but allows multi-family. It also allows a wide variety of business and retail uses.
- The height limit in the CB zone is 30 feet while it is 28-feet in the R-1/5000 district for a peak-roofed building.
- The CB zone imposes building size limits - 7,500 gross square feet of floor area for a first-floor footprint or in excess of 15,000 gross square feet floor area overall. Larger buildings are subject to the design review process.

## **KEY CONSIDERATIONS**

The Planning Commission staff report (pages 18-20 of the Administration's transmittal) identifies four key considerations for the proposed rezone. A short description of each is provided below for reference. Please see the Planning Commission staff report for full analysis.

### **1. Neighborhood and City-wide Master Plan Considerations**

The 1992 Northwest Master Plan (NWMP) identified revitalizing commercial areas around 700 North and Redwood Road to make it and other neighborhood commercial areas more attractive. The Plan also discusses neighborhood commercial expansion and what should be considered when allowing additional commercial development in residential areas. This includes "Business projects being of a density, design and scale, that would not negatively impact neighboring residential properties."

The NWMP Future Land Use Map was amended in 2004 to designate properties on 700 North as a future commercial area. The amendment discussed the north side of 700 North being rezoned as one commercial development. The five parcels in the subject area of 700 North are not under single ownership and the property at 1614 West 700 North was rezoned in 2013 from R-1/5000 to CB. It is now a dental office. As mentioned above, the other remaining parcel in the subject area (1612 West 700 North) is the subject of a separate petition the Council will be briefed about at this meeting. As the five parcels in this area are owned by three separate owners, it is not possible to include all within a single development.

The proposed change is in general compliance with the NWMP and changes to the Plan adopted in 2004.

### **Plan Salt Lake Elements and Considerations**

*Plan Salt Lake* adopted in 2015 outlines an overall vision of sustainable growth and development in the city. It includes developing a diverse mix of uses, essential to accommodate responsible growth.

Compatibility, or how new development fits into the scale and character of existing neighborhoods is an important consideration.

Planning staff identified the following guiding principles in *Plan Salt Lake* related to the proposed zoning change

- Neighborhoods that provide a safe environment, opportunity for social interaction, and services needed for the wellbeing of the community therein.
- Growing responsibly while providing people with choices about where they live, how they live, and how they get around.

In addition, Planning staff noted the following initiatives in *Plan Salt Lake* related to the proposed zoning change:

- *Neighborhoods – Encourage and support local businesses and neighborhood business districts.*
- *Economy – Support the growth of small businesses, entrepreneurship and neighborhood business nodes.*

It is Planning's opinion the proposed zoning map amendment and overall project is aligned with the vision and guiding principles contained in *Plan Salt Lake* and supported by the policies and strategies in the document as cited above.

## **2. Change in Zoning and Compatibility with Adjacent Properties**

Properties in the vicinity of the subject property are zoned CB – Community Business along the 700 North corridor. Moving away from 700 North and Redwood Road, zoning is primarily residential. The single-family homes on the subject parcels are an anomaly in the immediate area with most other parcels zoned CB. These commercial parcels include stand-alone retail and service uses and some strip mall development.

The requested CB zoning allows for commercial uses not available under the current zoning. Building sizes in this zoning district are limited. Those larger than 7,500 square feet of floor area on the first-floor footprint or 15,000 square feet of overall floor space are subject to the design review process which is intended to make larger new developments compatible with their surroundings.

It is Planning staff's opinion changing the zoning of the subject properties from R-1/5000 to CB is appropriate given the location and surrounding zoning. They feel this would not lead to out of character or incompatible changes with existing development in the area.

## **3. Housing Mitigation Loss**

If the properties are developed for commercial use, removal of the existing houses would be subject to Chapter 18.97 Salt Lake City Code – Mitigation of Residential Housing Loss. The applicant would be required to pay a mitigation fee for removing the three housing units. That process would be separate from the matter before the Council. The Housing Advisory and Appeals Board (HAAB) would review that application.

## **4. Consideration of Alternate Zoning Districts**

Planning staff reviewed different zoning districts for the subject property other than the requested CB zoning district and considered the following:

- The applicant's desire to develop a commercial use on the property. Current residential zoning does not allow commercial uses.
- Surrounding zoning is largely CB. Changing to CB would make zoning on the block uniform.
- The Master Plan calls for neighborhood scale commercial uses and future development in the area which is in line with the requested CB zoning amendment.
- The applicant requested CB zoning. Changing to a commercial zone other than CB would create an "island" between existing CB zoned parcels and not promote harmonious development.

For these reasons and the other key considerations along with the Analysis of Standards section on pages 26-27 of the Administration's transmittal (summarized below), Planning staff does not recommend rezoning to a commercial district other than CB.

## ANALYSIS OF STANDARDS

Attachment D of the Planning Commission staff report (pages 26-27 of the Administration's transmittal) outlines standards that should be considered as the Council reviews this proposal. Planning staff found this proposal complies with all applicable standards. An outline of the analysis is summarized below, please see the Planning Commission staff report for full details.

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.
  - *Planning staff believes based on the existing land uses, development patterns and the adopted master plan, rezoning the parcels to CB is appropriate.*
2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.
  - *Planning staff is of the opinion the proposed zone change from R-1/5000 to CB supports the purposes of the zoning ordinance. It would also help implement the applicable Master Plan for the area.*
3. The extent to which a proposed map amendment will affect adjacent properties.
  - *Planning staff stated the change in zoning from R-1/5000 to CB would not lead to changes that are out of character or incompatible with development in the area.*
4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards.
  - *The subject parcels are within the Airport Flight Path Protection Zone C. This overlay imposes additional conditions upon new residential uses. A commercial use would not require the additional conditions to be met.*
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, storm water drainage systems, water supplies, and wastewater and refuse collection.
  - *The City can provide services to the subject property. If the rezone is approved, any new use would need to comply with the applicable requirements for redevelopment of the site. City departments would be asked to review any specific development proposals submitted. Infrastructure may need to be upgraded at the owner's expense in order to meet specific requirements.*

## **PUBLIC PROCESS**

Information about the project was sent to Chairs of the Rose Park, Jordan Meadows, Fairpark and Westpointe Community Councils October 21, 2019.

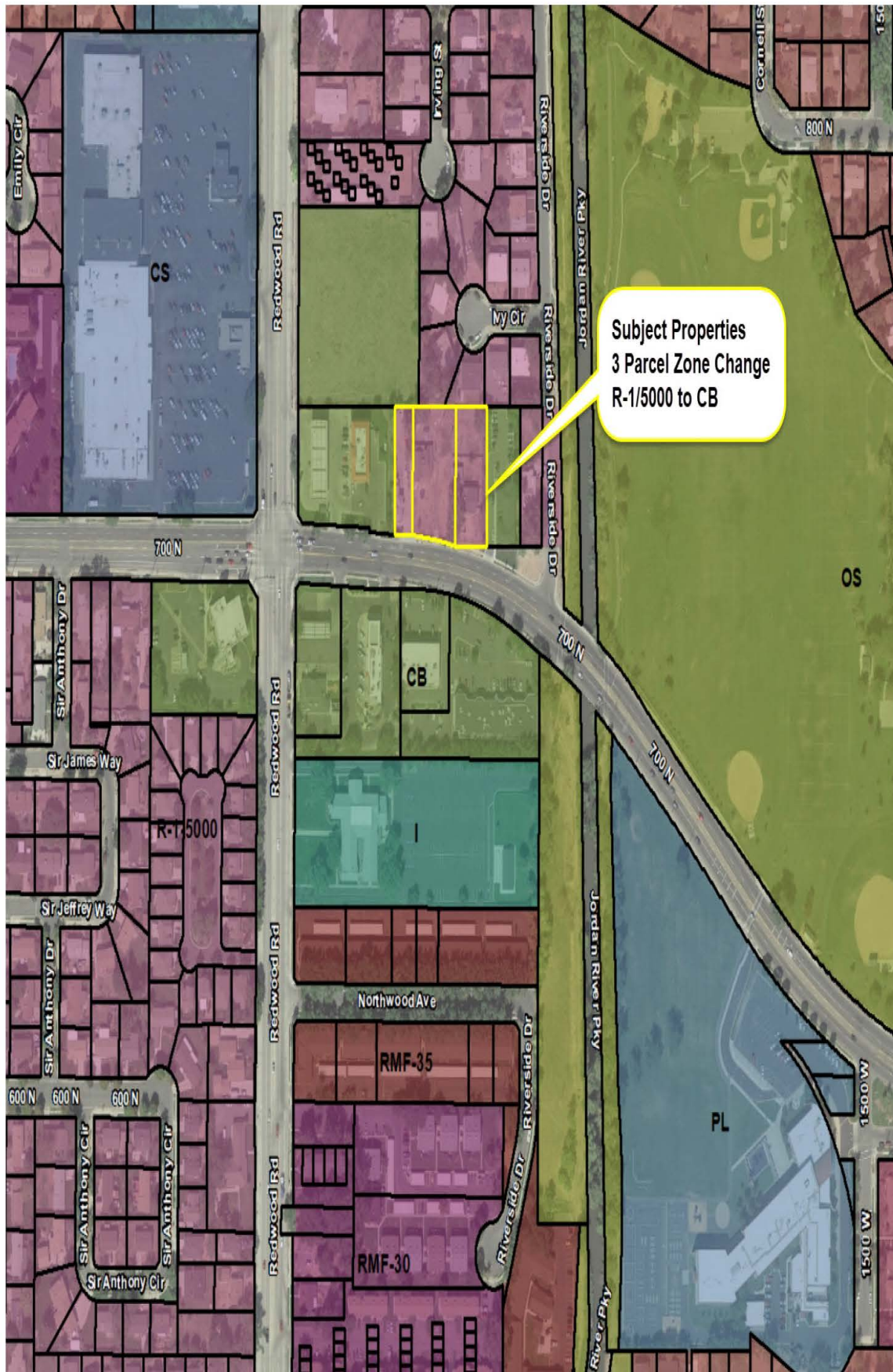
An announcement providing early notification of the project was mailed October 24, 2019 to residents and property owners within 300 feet of the subject parcels. The announcement provided information about the proposal and how to provide public input.

Planning staff held an open house at the Salt Lake City Downtown Public Library November 21, 2019 to solicit public comments. No comments were received.

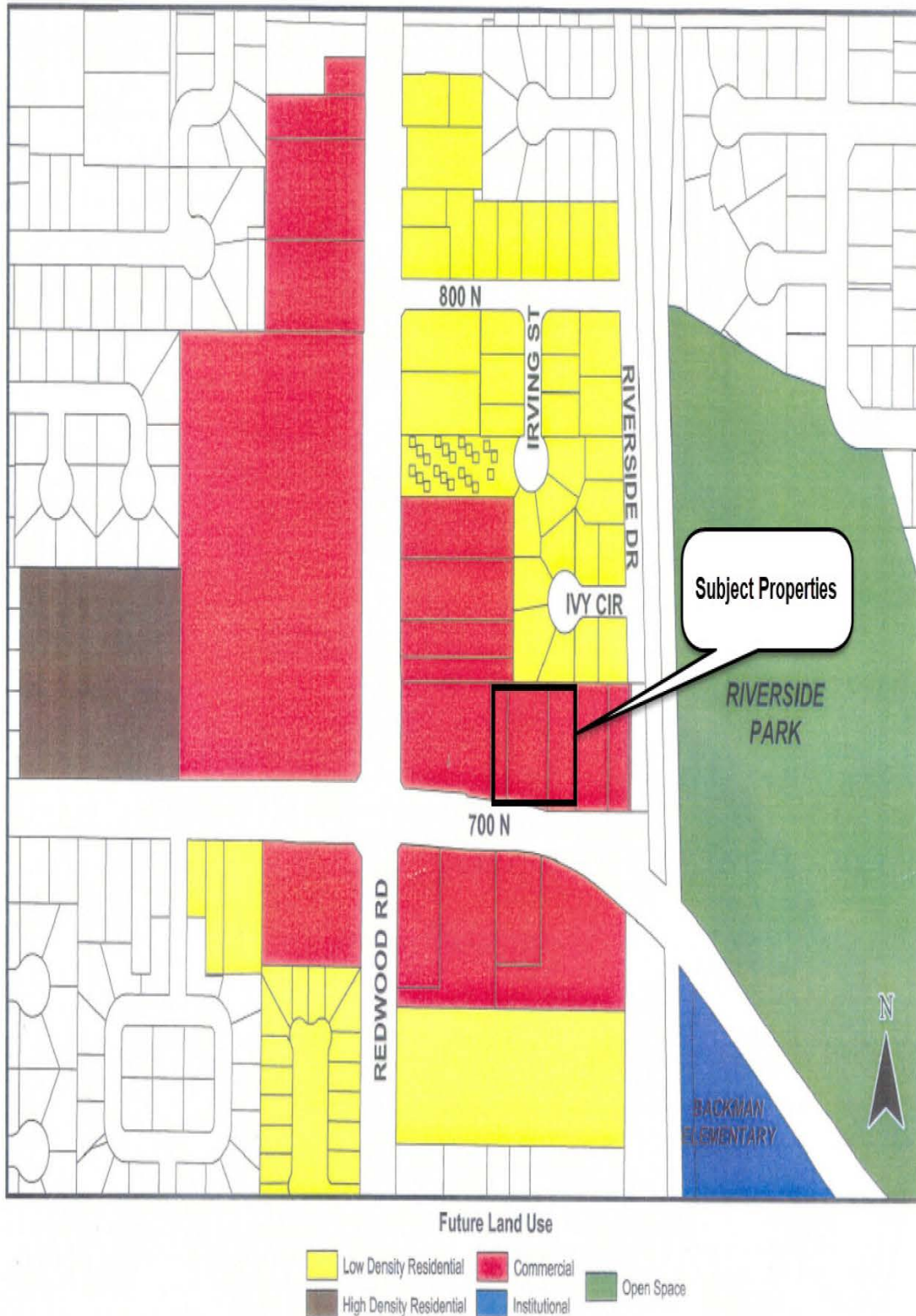
Public notice posted on City and State websites and sent via the Planning listserv January 31, 2020 for the February 12, 2020 Planning Commission meeting. A public notice was also mailed, and a sign posted on the property January 31, 2020 with project information and notice of the Planning Commission public hearing.

The Planning Commission reviewed the petition and conducted a public hearing February 12, 2020. It voted unanimously to forward a positive recommendation to the Council on the proposed rezone.






# Northwest Master Plan - 2004 Amendment to the Future Land Use Map







**CITY COUNCIL TRANSMITTAL**

  
\_\_\_\_\_  
Rachel Otto, Chief of Staff

**Date Received:** April 30, 2020  
**Date sent to Council:** 5/8/2020

**TO:** Salt Lake City Council  
Chris Wharton, Chair

**DATE:** 04/30/2020

**FROM:** Marcia L. White, Director Department of Community & Neighborhoods

  
\_\_\_\_\_

**SUBJECT:** PLNPCM2019-00923 – 700 N Rezone of Three Properties – 1616 W, 1632 W  
and 1640 W 700 N

**STAFF CONTACT:** David J. Gellner, AICP, Principal Planner, [david.gellner@slcgov.com](mailto:david.gellner@slcgov.com)  
(801) 535-6107

**DOCUMENT TYPE:** Ordinance

**RECOMMENDATION:** That the City Council follow the recommendation of the Planning Commission to change the zoning map to CB (Community Business) from the current designation of R-1/5000 (Single-Family Residential) for the three (3) contiguous parcels.

**BUDGET IMPACT:** None

**BACKGROUND/DISCUSSION:** Property owners Anna Tran and Hoc Van Do are requesting that the City amend the zoning map for three (3) properties located at 1616 W 700 N, 1632 W 700 N and 1640 W 700 N respectively. The properties currently contain individual single-family dwellings, one on each property. The applicants are requesting to change the zoning map designation of the properties from R-1/5000 (Single-Family Residential) to CB (Community Business) in order to consolidate the parcels and develop a commercial use on the combined site. The consolidated parcel would be approximately 50,000 square feet in size. No specific site development proposal was submitted with this request.

For specific information regarding the proposal, please refer to the Planning Commission Staff Report found in Exhibit 3.B.



- The Commission reviewed the petition during a public hearing and voted unanimously to forward a positive recommendation to City Council for the zone change from R-1/5000 to CB as requested by the applicant.

**EXHIBITS:**

1. Project Chronology
2. Notice of City Council Hearing
3. Planning Commission (PC) Record
  - a) Original Notice and Postmark
  - b) Planning Commission Staff Report of February 12, 2020
  - c) PC Agenda and Minutes of February 12, 2020
  - d) Written Comments Submitted to Planning Commission
4. Original Petition
5. Mailing List

SALT LAKE CITY ORDINANCE

No. \_\_\_\_\_ of 2020

(Amending the zoning map pertaining to three parcels of property located at 1616 W 700 N, 1632 W 700 N and 1640 W 700 N to rezone the parcel from R-1/5,000 Single-Family Residential to CB Community Business District)

An ordinance amending the zoning map pertaining to three parcels of property located at 1616 W 700 N , 1632 W 700 N and 1640 W 700 N to rezone the parcels from R-1/5,000 Single-Family Residential to CB Community Business District pursuant to petition number PLNPCM2019-00923.

WHEREAS, Anna Tran & Hoc Van Do submitted an application to rezone three parcels of property located at 1616 W 700 N , 1632 W 700 N and 1640 W 700 N from R-1/5,000 Single-Family Residential District to CB Community Business District pursuant to petition number PLNPCM2019-00923; and

WHEREAS, at its February 12, 2020 meeting, the Salt Lake City Planning Commission held a public hearing and voted in favor of forwarding a positive 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 parcels located at 1616 W 700 N (Tax ID No. 08-27-452-038-0000), 1632 W 700 N (Tax ID No. 08-27-252-046-0000) and, 1640 W 700 N (Tax ID No. 08-27-252-035-0000 more particularly described on Exhibit "A" attached hereto, is rezoned from R-1/5,000 Single-Family Residential District to CB Community Business District.

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 \_\_\_\_\_, 2020.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER

Transmitted to Mayor on\_\_\_\_\_.

Mayor's Action: \_\_\_\_\_Approved. \_\_\_\_\_Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER  
(SEAL)

Bill No. \_\_\_\_\_ of 2020  
Published:\_\_\_\_\_.

**APPROVED AS TO FORM**  
Salt Lake City Attorney's Office

Date: April 6, 2020

By:   
Paul Nielson, (Apr 6, 2020)  
**Paul Nielson, Senior City Attorney**

# Exhibit “A”

Legal descriptions of the three (3) property parcels:

Tax ID No. **08-27-452-038-0000**

0000 COM 23.5 RDS E & 18.5 RDS N FR SW COR LOT 7 SEC 27 T 1N R 1W SL MER E  
84.95 FT N 12.3 RDS W 84.95 FT S 12.3 RDS TO BEG 0.39 AC

Tax ID No. **08-27-452-046-0000**

0116 BEG N 287.63 FT & E 269.25 FT FR S 1/4 COR SEC 27, T 1N, R 1W, SLM; N 194.98  
FT; E 118.5 FT; S 202.95 FT; W'LY ALG 786.13 FT RADIUS CURVE TO L 102.29 FT; N  
85°29'12" W 16.31 FT TO \*

Tax ID No. **08-27-452-035-0000**

0510 BEG N 291.5 FT & E 221.75 FT FR S 1/4 COR SEC 27, T 1N, R 1W, SLM; N 191.11 FT;  
E 48.5 FT; S 194.98 FT; N 85°29' 12" W 48.5 FT M OR L TO BEG. 0.22 AC M OR L. 6419-  
0823



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- 3. Planning Commission (PC) Record**
  - a) Original Notice and Postmark**
  - b) Planning Commission Staff Report of February 12, 2020**
  - c) PC Agenda and Minutes of February 12, 2020**
  - d) Written Comments Submitted to Planning Commission**
- 4. Original Petition**
- 5. Mailing List**

## **1. Project Chronology**

## **PROJECT CHRONOLOGY**

<b>PETITION:</b>	<b>PLNPCM2019-00923 - Anna Tran/Hoc Van Do Zoning Map Amendment – 1616 W 700 N, 1632 W 700 N and 1640 W 700 N</b>
September 25, 2019	Petition for zoning map amendment received by the Salt Lake City Planning Division
October 10, 2019	Petition assigned to David Gellner, Principal Planner, for staff analysis and processing.
October 21, 2019	Information about the project was sent to the Chairs of the Rose Park, Jordan Meadows, Fairpark and Westpointe Community Councils in order to solicit public comments and start the 45-day Recognized Organization input and comment period.
October 24, 2019	Staff sent an early notification announcement of the project to all residents and property owners living within 300 feet of the project site providing information about the proposal and how to give public input on the project.
November 21, 2019	Staff held an Open House at the Salt Lake City Downtown Public Library to solicit public comments on the proposal. No comments were submitted to staff at the Open House.
December 6, 2019	The 45-day public comment period for Recognized Organizations ended. No formal comments were submitted to staff by the recognized organizations to date related to this proposal.
January 31, 2020	Public notice posted on City and State websites and sent via the Planning list serve for the Planning Commission meeting of February 12, 2020. Public hearing notice mailed.
January 31, 2020	Public hearing notice sign with project information and notice of the Planning Commission public hearing physically posted on the property.
February 12, 2020	The Planning Commission reviewed the petition, conducted a public hearing and voted to forward a positive recommendation to the City Council for the requested zoning map amendment.

**2. Notice of City Council Hearing**

## **NOTICE OF PUBLIC HEARING**

The Salt Lake City Council is considering Petition **PLNCPM2019-00923 – Anna Tran and Hoc Van Do Zoning Map Amendment** – The property owners are requesting to amend the existing zoning for three (3) parcels located at approximately 1616 W 700 N, 1632 W 700 N and 1640 W 700 N respectively. The proposed change is from the R-1/5000 (Single-Family Residential) to the CB (Community Business) zoning district. The amendment is to implement the master plan zoning and to consolidate the parcels in order to develop a commercial use on the site. No specific site development proposal has been submitted at this time. The property is located within Council District 1, represented by James Rogers. (Staff contact: David J. Gellner at (801-535-6107 or [david.gellner@slcgov.com](mailto:david.gellner@slcgov.com) )

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 electronically:

**DATE:**

**TIME:** 7:00 p.m.

**PLACE:** This will be an electronic meeting pursuant to Salt Lake City Emergency Proclamation No.2 of 2020(2)(b). Please visit <https://www.slc.gov/council/news/featured-news/virtually-attend-city-council-meetings/> to learn how you can share your comments live during electronic City Council meetings. If you would like to provide feedback or comment, via email or phone, please contact us at: 801-535-7654 (24-Hour comment line) or by email at: [council.comments@slcgov.com](mailto:council.comments@slcgov.com) .

If you have any questions relating to this proposal or would like to review the file, please call David Gellner at 801-535-6107 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at [david.gellner@slcgov.com](mailto:david.gellner@slcgov.com)

People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the City Council Office at [council.comments@slcgov.com](mailto:council.comments@slcgov.com), 801-535-7600, or relay service 711.(P 19-19)

**3a. Planning Commission - Original Notice and Postmark**



SALT LAKE CITY PLANNING DIVISION  
451 S STATE STREET ROOM 406  
PO BOX 145480  
SALT LAKE CITY UT 84114-5480

FIRST CLASS

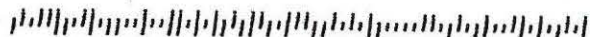


U.S. POSTAGE >> PITNEY BOWES  
ZIP 84116 \$ 000.50<sup>0</sup>  
02 1W  
0001403342 JAN 31 2020

STATE MAIL 02/04/2020

Salt Lake City Planning Division David Gellner  
PO BOX 145480  
Salt Lake City UT 84114

841145480 B500



Salt Lake City Planning Division  
451 S State Street, Room 406, PO Box 145480, Salt Lake City, Utah 84114-5480

**Salt Lake City Planning Commission Wednesday, February 12, 2020, 5:30 p.m.**  
**City and County Building 451 S State Street, Room 326**

**A public hearing will be held on the following matter. Comments from the Applicant, City Staff and the public will be taken.**

**700 North Zoning Map Amendment** - 3 Properties - R-1/5000 to CB - Property owners Anna Tran and Hoc Van Do are requesting that the City amend the zoning map for three (3) properties located at 1616 W 700 N, 1632 W 700 N and 1640 W 700 N respectively. The properties currently contain individual single-family dwellings, one on each property. The applicants are requesting to change the zoning map designation of the properties from R-1/5000 (Single-Family Residential) to CB (Community Business) in order to consolidate the parcels and develop a commercial use on the site. No specific site development proposal has been submitted at this time. The Master Plan is not being changed. The properties are located within Council District 1, represented by James Rogers. (Staff Contact: David J. Gellner at (801) 535-6107 or david.gellner@slcgov.com) **Case number PLNPCM2019-00923**







# Staff Report

PLANNING DIVISION  
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission  
From: David J. Gellner, AICP, Principal Planner; (801) 535-6107; [david.gellner@slcgov.com](mailto:david.gellner@slcgov.com)  
Date: February 12, 2020  
Re: Zoning Map Amendment (PLNPCM2019-00923)

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## Zoning Map Amendment

**PROPERTY ADDRESS:** 1616 W 700 N, 1632 W 700 N and 1640 W 700 N  
**PARCEL SIZE:** Total of 1.149 acres (Approx. 50,000 square feet)  
**PARCEL ID:** 08-27-452-038, 08-27-452-046 and 08-27-452-035-0000  
**MASTER PLAN:** Northwest Master Plan  
**ZONING DISTRICT:** R-1/5000 – Single-Family Residential

**REQUEST:** Property owners Anna Tran and Hoc Van Do are requesting that the City amend the zoning map for three (3) properties located at 1616 W 700 N, 1632 W 700 N and 1640 W 700 N respectively. The properties currently contain individual single-family dwellings, one on each property. The applicants are requesting to change the zoning map designation of the properties from R-1/5000 (Single-Family Residential) to CB (Community Business) in order to consolidate the parcels and develop a commercial use on the combined site. The consolidated parcel would be approximately 50,000 square feet in size. No specific site development proposal has been submitted at this time.

The Planning Commission's role in this application is to provide a recommendation to the City Council, who will make the final decision on the requested zoning map amendment.

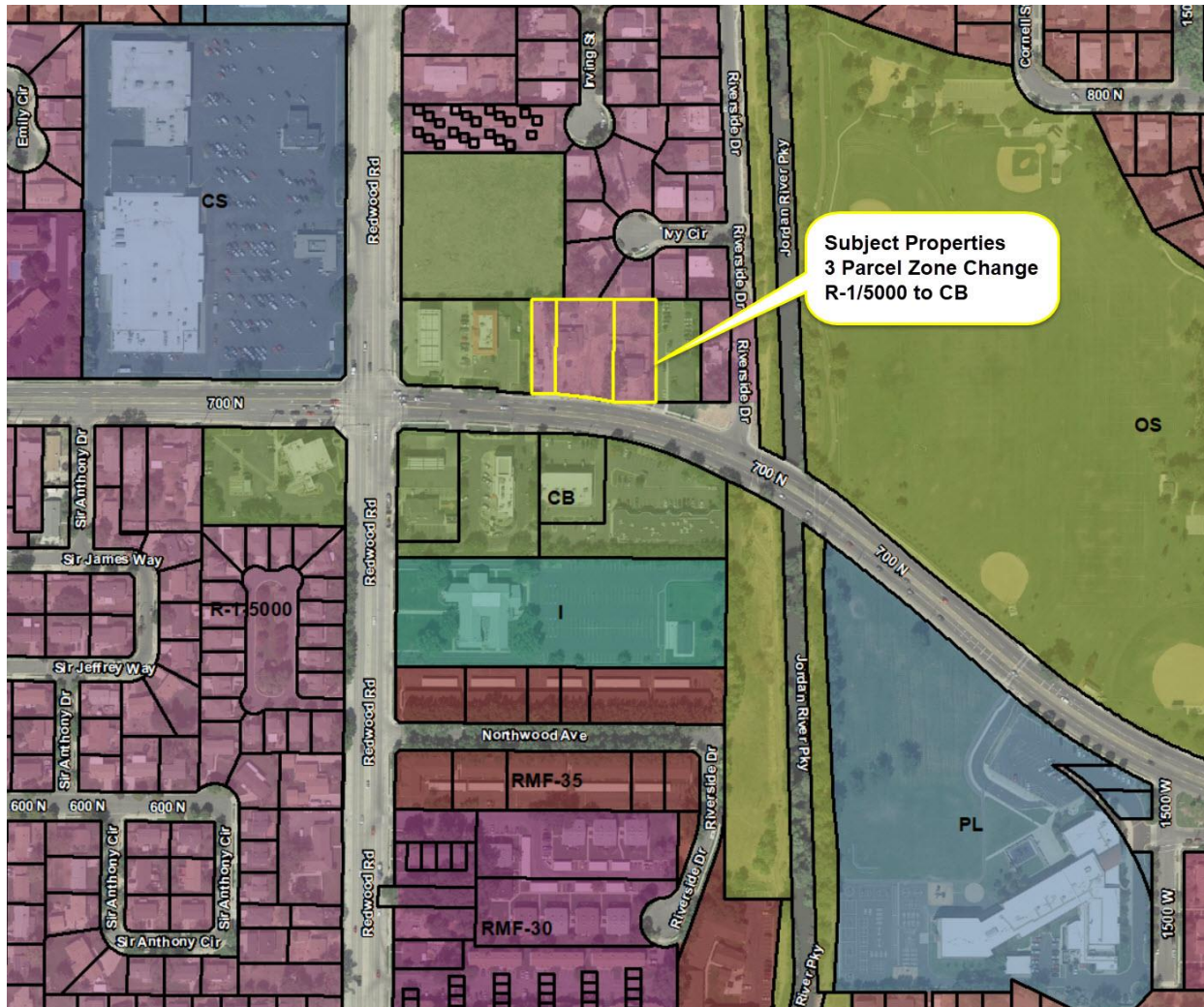
### RECOMMENDATIONS:

Based on the analysis and findings of fact in this staff report, planning staff finds that the zoning map amendment petition meets the standards, objectives and policy considerations of the city for a zoning map amendment and recommends that the Planning Commission forward a positive recommendation to the City Council for the requested change to the CB – Community Business zoning district.

### ATTACHMENTS:

- A. [Future Land Use Map](#)
- B. [Applicant Information](#)
- C. [Existing Conditions](#)
- D. [Analysis of Standards](#)
- E. [Public Process and Comments](#)
- F. [Department Comments](#)

## VICINITY MAP



## PROJECT DESCRIPTION:

### Reason for Request

The applicants are requesting to change the zoning map designation of the properties from R-1/5000 (Single-Family Residential) to CB (Community Business) in order to consolidate the parcels and develop a commercial use on the combined site. The subject properties contain three (3) individual single-family dwellings. The properties are currently zoned R-1/5000 – Single Family Residential which would prohibit the development of commercial uses on the site. The proposed CB – Community Business zone would allow commercial uses on the properties. While no specific site plan has been submitted, the applicant has indicated that if the zone change is approved, they intend to consolidate the parcels and develop a commercial use on the combined property parcels.

City Council approved a zoning change to several parcels along 700 N and on Redwood Road in this general area in 2000. The proposed change is consistent with amendments to the Northwest Master Plan approved in 2000 and 2004 which designated the area along the north side of 700 N from Redwood Road to Riverside drive as a commercial area. The Master Plan is not being changed and the proposed zoning would match the CB zoning of adjacent parcels in the same block of 700 North. The change is supported by the Future Land Use Map found in the Northwest Master Plan. The applicant's narrative explaining the rationale for the zoning map amendment request can be found in [Attachment B](#) of this report.

## Property Location Context and Existing Conditions

The subject properties are located along 700 North in an area consisting largely of small-scale commercial uses. The subject properties contain some of the few remaining residential uses on the north side of 700 N within the area. Each of the properties contains a single-family dwelling which would be removed to redevelop the properties. The combined parcels encompass an area approximately 50,000 square feet in size.

## Adjacent Land Uses and Zoning

North, West and East: Zoned R-1/5000 - Residential. Properties away from 700 N to the north are primarily single-family residential uses. To the north-west along Redwood Road and to the immediate east and west on 700 N the properties are zoned CB – Community Business and have been developed for commercial uses.

South: Zoned CB – Community Business. The properties on the south side of 700 N are all zoned CB and have been developed for a variety of commercial uses.

## Development Pattern

The overall development pattern of the area is dominated by commercial uses along 700 N and Redwood Road. The uses are smaller scale and include a variety of retail uses, strip mall development and stand-alone professional offices and banks. While the area was once residential, those residential uses are now largely confined to the neighborhoods away from the main transportation corridors such as 700 N and Redwood Road. The businesses in these commercial areas are supported by the residential uses away from the main corridors. The Northwest Master Plan identified this as an area that would transition from residential to commercial along this corridor.

## Comparison of the Existing and Proposed Zoning

The subject property is zoned R-1/5000- Residential. The purpose of the R-1/5000 zoning district follows:

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

The applicant has requested that the property be changed to the CB – Community Business zoning district. The purpose of the CB zoning district follows:

*The CB Community Business District is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines 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.*

Some highlights of the differences in allowed uses and building design between the existing R-1/5000 and proposed CB zoning districts are:

- The R-1/5000 zoning district prohibits all types of commercial and multi-family uses.
- The CB zone does not allow single-family uses but allows multi-family. It also allows a wide variety of business and retail uses.
- The height limit in the CB zone is 30 feet while it is 28-feet in the R-1/5000 district for a peak-roofed building.
- The CB zone imposes building size limits - 7,500 gross square feet of floor area for a first-floor footprint or in excess of 15,000 gross square feet floor area overall. Larger buildings are subject to the design review process.

## **KEY CONSIDERATIONS:**

The key considerations associated with this proposal are:

1. Neighborhood and City-Wide Master Plan Considerations
2. Change in Zoning and Compatibility with Adjacent Properties
3. Housing Mitigation Loss Requirements
4. Consideration of Alternate Zoning Districts

Key considerations are discussed further in the following paragraphs and were identified through the analysis of the project ([Attachment D](#)) and department review comments ([Attachment F](#)).

### **Consideration 1: Neighborhood and City-Wide Master Plan Considerations**

The subject area is discussed in the Northwest Master Plan (NWMP - 1992). The NWMP as originally conceived is general in terms of discussing the specific area of the zone change however, the Plan touches on these general themes that would relate to the proposed changes:

- Revitalization of the commercial area around 700 N and Redwood Road with an eye toward making this and other neighborhood commercial areas more attractive is discussed. The goal is to provide goods and services near the residential areas so that goods and services are available to community residents.
- The plan discusses neighborhood commercial expansion and considerations that should be taken into account when allowing additional commercial development in residential areas. This included “Business projects being of a density, design and scale, that would not negatively impact neighboring residential properties.”

The Future Land Use Map in the Northwest Master Plan was amended in 2004 to designate the properties along 700 N as a future commercial area. The amendments recognized that an expansion of the existing commercial area was desirable. The amendments did speak to the area on the north side of 700 N between 1612 W and 1640 W being only rezoned for a project that comprehensively addresses these projects as one commercial development. These properties (5 parcels total) are not under single ownership and the parcel at 1614 W 700 N was rezoned in 2013 from R-1/5000 to CB as a single parcel. It was subsequently developed for its current function as a dental office. The remaining parcel located at 1612 W 700 N is the subject of petition PLNPCM2019-00986 before the Planning Commission on this meeting agenda requesting a zone change from R-1/5000 to CB. Thus, it would not be possible to have all 5 parcels as part of a single development, but this proposal seeks to include three (3) of those originally identified properties in this manner.

The proposed change is generally in compliance with the Northwest Master Plan and future vision for the area. Moreover, the proposed change is to a zoning district that aligns with changes to the Master Plan that were adopted in 2004.

### **Plan Salt Lake Elements and Considerations**

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

Guiding Principles outlined in Plan Salt Lake that would relate to the proposed change include the following:

- *Neighborhoods that provide a safe environment, opportunity for social interaction, and services needed for the wellbeing of the community therein.*
- *Growing responsibly while providing people with choices about where they live, how they live, and how they get around.*

Plan Salt Lake also talks about the following initiatives that would relate to the proposed changes:

- *Neighborhoods - Encourage and support local businesses and neighborhood business districts.*
- *Economy - Support the growth of small businesses, entrepreneurship and neighborhood business nodes.*

The proposed zoning map amendment and overall project is aligned with the vision and guiding principles contained in Plan Salt Lake and are supported by the policies and strategies in that document as cited above.

### **Consideration 2: Change in Zoning and Compatibility with Adjacent Properties**

The subject properties front on 700 North, an east/west corridor that passes through the community. Properties in the vicinity of the subject parcels are zoned CB – Community Business along the corridor, giving way to R-1/5000 away from 700 N. The overall development pattern of the area includes a mix of small-scale commercial uses including a variety of stand-alone retail and service uses as well as some strip mall development. The existing single-family dwellings on the subject property are an anomaly in the area rather than the predominant development pattern as the area has transitioned to commercial uses.

The requested CB zoning allows for a variety of commercial uses that are not allowed under the current zoning. The CB zoning district includes building size limits - 7,500 gross square feet of floor area for a first-floor footprint or in excess of 15,000 gross square feet floor area overall. Buildings larger than that are subject to the design review process which is intended to make larger new developments compatible with their surroundings.

Given the location of the property and surrounding zoning, it is staff's opinion that the change in zoning from R-1/5000 to CBlong this corridor would be appropriate and desirable in the context of the area and would not lead to changes that are out of character or incompatible with the existing development in the area.

### **Consideration 3: Housing Mitigation Loss**

If the properties are developed for a commercial use, the removal of the existing dwellings would be subject to the provisions of Chapter 18.97 – Mitigation of Residential Housing Loss of City Code. The applicant would have to pay a mitigation fee for removing the three (3) housing units. The application and process would be a matter separate from the Planning Commission and will be reviewed by the Housing Advisory and Appeals Board (HAAB). While this is outside of the purview of the Planning Commission it is mentioned here for process clarification.

### **Consideration 4: Consideration of Alternate Zoning Districts**

Planning Staff considered and analyzed different zoning districts for the property in lieu of a change to the requested CB zoning district and considered the following:

- The main driver for this change is the applicant's desire to develop a commercial use on the property. Commercial uses are not allowed by the current single-family zoning.
- Surrounding zoning and the abutting zoning is largely CB. The CB zoning would make the block uniform.
- The Master Plan calls for neighborhood scale commercial uses and future development in this area which is in line with the requested CB zoning amendment.

The applicant specifically requested the CB zoning district. Changing to another commercial zone other than CB would create a "small island" between the existing CB zoned parcels which would not promote harmonious and compatible development.

For these reasons and the issues identified in the Key Considerations and Analysis of Standards sections of this report, a change to an alternate zoning district in lieu of the applicant's original request for the CB zoning district is not recommended by staff

**DISCUSSION:**

The applicant has proposed to rezone the properties from the existing R-1/5000 to CB zoning designation in order to develop a commercial use on the site. It is staff's opinion that the change in zoning for these properties would not substantially impact the character of the area. As such, staff finds that the requested zone change is appropriate when considered in the context of the area and is recommending that the Planning Commission forward a positive recommendation to the City Council in regard to the proposed amendments.

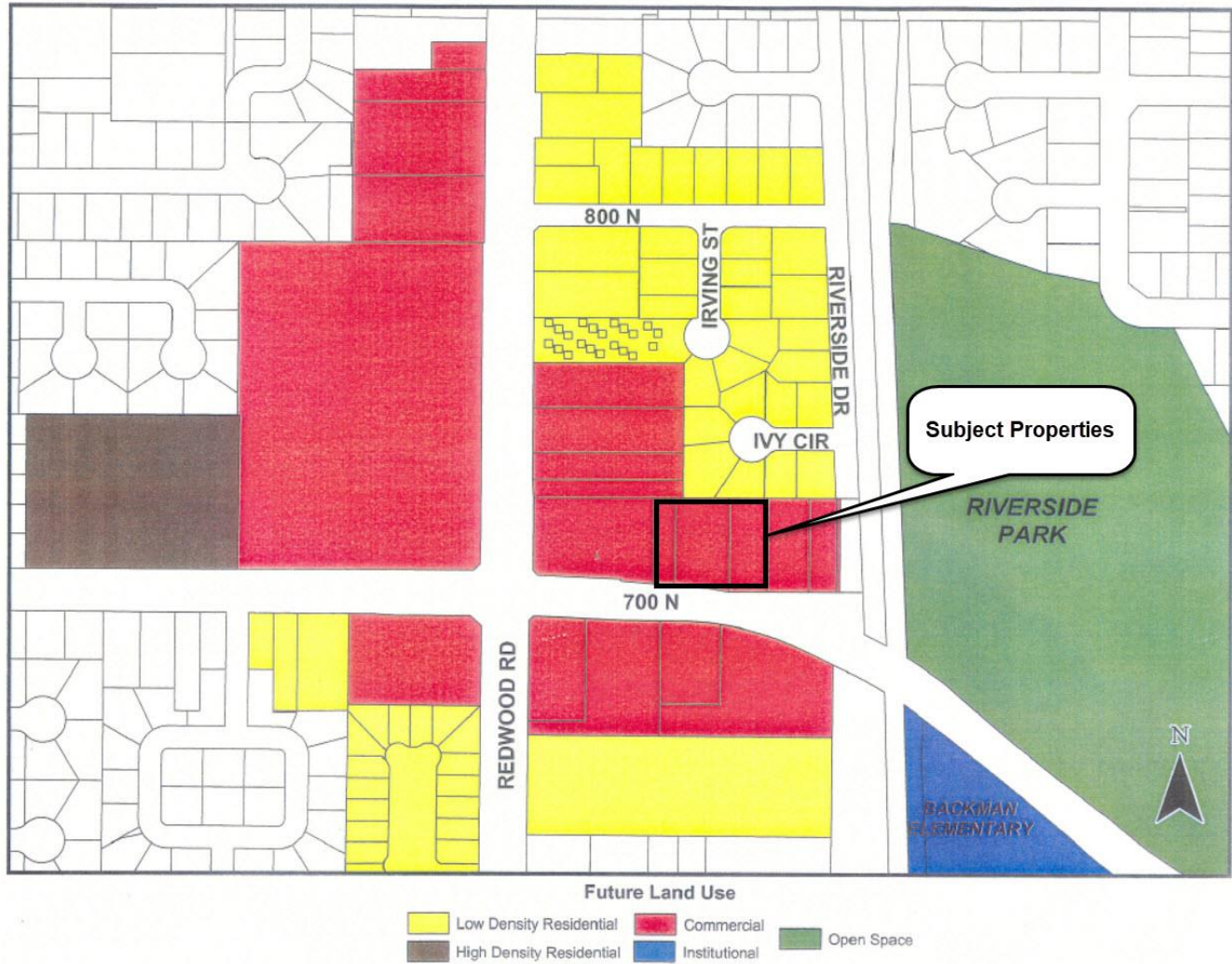
**NEXT STEPS:**

The Planning Commission's recommendation will be forwarded to the City Council for their consideration as part of the final decision on this petition. If ultimately approved, the applicant may proceed with the submission of plans for the commercial project under the parameters of the CB zoning.



## **ATTACHMENT A: Future Land Use Map in the Master Plan**

### **Northwest Master Plan - 2004 Amendment to the Future Land Use Map**



## **ATTACHMENT B: Applicant Information**

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The narrative and other exhibits found on the following pages were submitted by the applicant in relation to the requested zoning change.



## **PROPOSED AMENDMENT TO THE SALT LAKE CITY ORDINANCE**

(Rezoning 3 Properties Located at the Northeast Corner of  
700 North and between 1616 West and 1640 West)

There are three properties of interest that are located in Rose Park area of Salt Lake City, UT 84116. The three properties are located at:

Sidwell Number: **08-27-452-038**

**1616 West 700 North**

**Salt Lake City, UT 84116**

Sidwell Number: **08-27-452-046**

**1632 West 700 North**

**Salt Lake City, UT 84116**

Sidwell Number: **08-27-785-035**

**1640 West 700 North**

**Salt Lake City, UT 84116**

All three properties are located next to each other and are currently zoned low density residential. **There was a previous amendment to the Salt Lake City Ordinance which amended the Northwest Community Master Plan which was pursuant to petition no. 400-03-18 & petition no. 400-99-34.** Within this amendment it was stated and passed by the City Council of Salt Lake City to change the land designation of the foresaid properties listed above to be changed from existing land use of SF Residence to Commercial. *(CCB Commercial District)*

Currently the three parcels are owned by Anna Tran and Hoa Van Do. The owners have a plan on developing a commercial strip to the three properties, which at some point along the approval process with the city council; will need to be combined/consolidated into one parcel. The commercial property will replace 3 residential dwellings currently located on each parcel of land.

The proposed use of the property is to replace the residential properties to a commercial strip mall so that the residents around the area can have more retail shops and restaurants choices. It will also replace 3 homes that are older in age with a new structure that will revitalize the area and community, and also bring in more jobs to the community.

The present zoning of the property is currently residential and is sandwiched by two other piece of property directly west and east to all three properties, wherein those properties are already zoned as commercial. Therefore the owners would like to convert their three parcels into commercial zoning so that the project can begin on developing a commercial retail building which will match the current zoning of the two side properties next to them giving it a straight commercial zoned area for the area of 700 North and Redwood Rd.

## **ATTACHMENT C: Existing Conditions**

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**Single-family dwelling located at 1640 W 700 N – adjacent to a gas station in the CB zone**



**Single-family dwelling located at 1632 W 700 N – middle of 3 parcels**





**Single-family dwelling at 1616 W 700 N – abutting a dental office zoned CB**



**Small-scale commercial development across 700 N (south) of subject properties – zoned CB – developed with front yard parking that would not be allowed under current CB zoning regulations.**

## ATTACHMENT D: 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:

Factor	Finding	Rationale
<b>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;</b>	Complies with Master Plan policy statements and Future Land Use Map	<p>The Northwest Master Plan (NWMP) speaks to developing and expanding certain commercial areas to serve the community residents and expanding commercial uses in this area.</p> <p>Staff believes that based on the existing land uses, development pattern and the adopted master plan, that rezoning the parcel to CB is appropriate for the following reasons:</p> <ul style="list-style-type: none"> <li>• The proposed change in zoning is consistent with the future land use map in the Master Plan which was amended in 2004 to designate this area as commercial.</li> <li>• The proposed change is in compliance with the future vision for the area.</li> <li>• The proposed zoning map amendment is aligned with the vision and guiding principles contained in Plan Salt Lake.</li> <li>• The property is located along a major street and the CB zoning change will not be out of character with the area.</li> </ul>
<b>2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.</b>	Complies	<p>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:</p> <ul style="list-style-type: none"> <li>A. Lessen congestion in the streets or roads;</li> <li>B. Secure safety from fire and other dangers;</li> <li>C. Provide adequate light and air;</li> <li>D. Classify land uses and distribute land development and utilization;</li> <li>E. Protect the tax base;</li> <li>F. Secure economy in governmental expenditures;</li> <li>G. Foster the city's industrial, business and residential development; and</li> <li>H. Protect the environment. (Ord. 26-95 § 2(1-3), 1995)</li> </ul> <p>The proposed zone change from R-1/5000 to CB would support the purposes of the zoning ordinance found in Chapter 21A.02.0303: Purpose and Intent as outlined above. It would also help implement the applicable Master Plan for the area.</p>

<b>3. The extent to which a proposed map amendment will affect adjacent properties;</b>	Complies	The proposed CB zoning district would allow commercial uses which are not currently allowed by the R-1/5000 zoning. The overall scale and allowed uses in the proposed zone are intended to be compatible with existing residential uses. Given the location context of the property, the change in zoning from R-1/5000 to CB would not lead to changes that are out of character or incompatible with the development in the area.
<b>4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards</b>	Complies	The subject properties are within the Airport Flight Path Protection Zone C. The overlay imposes additional conditions upon new residential uses including air circulation and sound attenuation measures. A commercial use would not require these measures and is compatible with the overlay district.
<b>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.</b>	Complies	<p>The proposed development of the subject properties was reviewed by the various city departments tasked with administering public facilities and services. The city has the ability to provide services to the subject property. The infrastructure may need to be upgraded at the owner's expense in order to meet specific City requirements.</p> <p>If the rezone is approved, any new use will need to comply with the applicable requirements for redevelopment of the site. Public Utilities and other departments will also be asked to review any specific development proposals submitted at that time.</p>

## **ATTACHMENT E: Public Process and Comments**

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### **Public Notice, Meetings, Comments**

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

- Notice of the project and request for comments sent to the Chairs of the Rose Park, Jordan Meadows, Westpointe and Fairpark CC on October 21, 2019
- Staff sent an early notification announcement of the project to all residents and property owners located within 300 feet of the project site on October 24, 2019 providing notice about the project and information on how to give public input on the project.
- Staff held an Open House for the project at the Salt Lake City Downtown Public Library to solicit comments on November 21, 2019. No comments were submitted in relation to the proposal.
- The 45-day recognized organization comment period expired on December 6, 2019.
- To date, no comments were submitted by the Community Council (s) or public in relation to this proposal.

#### **Notice of the public hearing for the proposal included:**

- Public hearing notice mailed on: January 31, 2020
- Public hearing notice sign posted on property: January 31, 2020
- Public notice posted on City and State websites and Planning Division list serve: January 31, 2020

#### **Public Input:**

As of the date of this staff report, no formal comments were submitted, and no objections were raised in regard to the proposed changes.

## **ATTACHMENT F: Department Comments**

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### **CITY DEPARTMENT COMMENTS**

#### **Zoning Review**

Demolition permits will be required to remove the existing structures.

#### **Engineering:**

No objections.

#### **Sustainability**

No objections from Sustainability.

#### **Transportation**

No comments provided.

#### **Fire**

No comments provided.

#### **Public Utilities**

No comments provided.

**3c. Planning Commission Agenda and Minutes for February 12, 2020**



**SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA**  
**In Room 326 of the City & County Building**  
**February 12, 2020, at 5:30 p.m.**  
**(The order of the items may change at the Commission's discretion)**

**FIELD TRIP** - The field trip is scheduled to leave at 4:00 p.m.

**DINNER** - 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 JANUARY 22, 2020**

**REPORT OF THE CHAIR AND VICE CHAIR**

**REPORT OF THE DIRECTOR**

1. **Changes to Planning Commission Policies and Procedures** – The Planning Director is requesting the Planning Commission amend their rules of procedure to include Consent agenda matters. The Planning Commission may consider what types of petitions may be reviewed in a Consent agenda. This may include administrative petitions where the Planning Commission is the decision-making authority.
2. **Planned Development Extension Request at approximately 563 & 567 East 600 South** - Kristen Clifford, the consultant who represents the property owner, is requesting the Planning grant a one-year time extension on approval of a Planned Development at approximately 563 E. 600 S. The Commission originally granted approval for this project on March 28, 2018 and granted one extension of that approval that will expire March 28, 2020. (Staff Contact: Amy Thompson at (801) 535-7281 or amy.thompson@slcgov.com) **Case number PLNSUB2017-00297**

**PUBLIC HEARINGS**

3. **Zoning Map and Master Plan Amendment for 159 S. Lincoln, 949 E., 955 E., 959 E., 963 E. 200 S.** - Graham Gilbert, on behalf of the property owners, is requesting to amend the Central Community Future Land Use Map and the Zoning Map. The request includes an amendment to the Central Community Future Land Use Map from Low Density Residential (1-15 dwelling units per acre) to Medium Density Residential (15-30 dwelling units per acre). The applicant is requesting to amend the Zoning Map for these properties from R-2 (Single and Two-Family Residential) to RMF-35 (Moderate Density Multi-Family Residential). The master plan and zoning map amendments are requested to allow more residential housing units than what is currently allowed. The subject property is located within District 4, represented by Ana Valdemoros. (Staff Contact: Kelsey Lindquist at (801) 535-7930 or kelsey.lindquist@slcgov.com) **Case Numbers PLNPCM2019-00683 and PLNPCM2019-00684**
4. **The Revival Design Review at approximately 355 South 200 West** - A request by Matt Krambule of PEG Development, representing 4th South Associates LLC and SLHB B Investors, LLC for Design Review for additional height at approximately 355 South 200 West. The proposed residential mixed-use project, to be known as the Revival, consists of 5 stories of residential units above 2.5 stories of parking, with a retail component on the ground floor. A midblock walkway will run east-west along the north property line. The proposed height of the building is 89 feet and 10 inches. In the D-3 zone, buildings located between corner properties have a permitted height of 75 feet. Buildings taller than 75 feet but less than 90 feet in may be authorized through the Design Review process. The property is zoned D-3 (Warehouse/Residential District) and is located in Council District 4, represented by Ana Valdemoros. (Staff Contact: Laura Bandara at (801) 535-6188 or laura.bandara@slcgov.com) **Case number PLNPCM2019-00640**

5. **Street Vacation at approximately 800 N and Warm Springs Rd** - A request for street vacation by Mark Greenwood of Granite Construction for vacation of a section of the 800 North right-of-way that is adjacent to a former overpass from 800 West over I-15 to Warm Springs Road. The approximate area of the street vacation is 1.3 acres. The subject property is located in a M-1 (Light Manufacturing) zoning district and is located in Council District #3 represented by Chris Wharton. (Staff Contact: Sara Javoronok at (801) 535-7625 or sara.javoronok@slcgov.com) **Case number PLNPCM2019-00824**
6. **Conditional Use for an ADU at approximately 1083 S Blair** - A request by Tom Candee of Brach Design on behalf of the property owner, Heather Flanders, for a detached accessory dwelling unit located at approximately 1083 S Blair Street. The ADU would have an approximately 459 square foot footprint with a 186 square foot lofted area for a total of 645 square feet. The building height would not exceed 17 feet. The subject property is located in an R-1/5,000 single family residential zoning district and is located in Council District 5, represented by Darin Mano. (Staff Contact: Sara Javoronok at (801) 535-7625 or sara.javoronok@slcgov.com) **Case number PLNPCM2019-01051**
7. **Conditional Use Sacred Circle Group Recovery Home** - Sacred Circle Healthcare is requesting Conditional Use approval for a new medical detoxification/recovery facility to be located on the first floor in their existing building at 660 South 200 East in the D-2 – Downtown Support zoning district. The proposed use will consist of a 14-bed in-patient facility with 24-hour supervision and security and counseling and medical services provided by a multi-disciplinary team. The facility is classified as a Dwelling - Large Group Home and is allowed as a Conditional Use in the D-2 zoning district. The property is located within Council District 4, represented by Ana Valdemoros. (Staff Contact: David J. Gellner at (801) 535-6107 or david.gellner@slcgov.com) **Case number PLNPCM2019-01012**
8. **700 North Zoning Map Amendment** - 3 Properties - R-1/5000 to CB - Property owners Anna Tran and Hoc Van Do are requesting that the City amend the zoning map for three (3) properties located at 1616 W 700 N, 1632 W 700 N and 1640 W 700 N respectively. The properties currently contain individual single-family dwellings, one on each property. The applicants are requesting to change the zoning map designation of the properties from R-1/5000 (Single-Family Residential) to CB (Community Business) in order to consolidate the parcels and develop a commercial use on the site. No specific site development proposal has been submitted at this time. The Master Plan is not being changed. The properties are located within Council District 1, represented by James Rogers. (Staff Contact: David J. Gellner at (801) 535-6107 or david.gellner@slcgov.com) **Case number PLNPCM2019-00923**
9. **1612 West 700 North Zoning Map Amendment** - R-1/5000 to CB - Salt Lake City has received a request from property owner Bethany Christensen requesting that the City amend the zoning map for her property located at 1612 W 700 N. The property currently contains an individual single-family dwelling. The applicant is requesting to change the zoning map designation of the property from R-1/5000 (Single-Family Residential) to CB (Community Business). No specific site development proposal has been submitted at this time. The Master Plan is not being changed. The property is located within Council District 1, represented by James Rogers. (Staff Contact: David J. Gellner at (801) 535-6107 or david.gellner@slcgov.com) **Case number PLNPCM2019-00986**

*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/planning](http://www.slcgov.com/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](http://www.slctv.com). The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the Planning Office at 801-535-7757, or relay service 711.*

**SALT LAKE CITY PLANNING COMMISSION MEETING**  
**City & County Building**  
**451 South State Street, Room 326, Salt Lake City, Utah**  
**Wednesday, February 12, 2020**

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:33:15 PM](#). Audio recordings of the Planning Commission meetings are retained for a period of time.

Present for the Planning Commission meeting were: Chairperson Adrienne Bell; Vice Chairperson Brenda Scheer; Commissioners Maurine Bachman, Amy Barry,Carolynn Hoskins, Jon Lee, Matt Lyon, Andres Paredes, and Sara Urquhart.

Planning Staff members present at the meeting were Molly Robinson, Planning Manager; Paul Nielson, Attorney; Amy Thompson, Senior Planner; Kelsey Lindquist, Senior Planner; Sara Javoronok, Senior Planner; David Gellner, Principal Planner; and Marlene Rankins, Administrative Secretary.

**Field Trip**

A field trip was held prior to the work session. Planning Commissioners present were; Maurine Bachman, Brenda Scheer, and Sara Urquhart. Staff members in attendance were; Molly Robinson, Kelsey Lindquist, and David Gellner.

- **660 S 200 E:** Staff reviewed the request.  
**Q:** Change of use?  
**A:** Building code requirements for occupancy
- **900 E 200 S:** Staff reviewed the request.  
**Q:** Are seismic upgrades required for single family homes?  
**Q:** Why is this not a LHD?
- **355 S 200 W:** Staff reviewed the request.  
**Q:** Where's the mid-block walkway?  
**A:** North side of property along ramp to Broadway lofts parking.

**APPROVAL OF THE JANUARY 22, 2020, MEETING MINUTES. [5:34:30 PM](#)**

**MOTION [5:34:36 PM](#)**

Commissioner Bachman moved to approve the January 22, 2020, meeting minutes. Commissioner Scheer seconded the motion. Commissioners Paredes, Urquhart, Lyon, Barry, Scheer, Lee, and Bachman voted "Aye". Commissioner Hoskins abstained from voted as she was not present during the said meeting. The motion passed 6-1.

**REPORT OF THE CHAIR AND VICE CHAIR [5:35:12 PM](#)**

Chairperson Bell stated she had nothing to report.

Vice Chairperson Scheer stated she had nothing to report.

**REPORT OF THE DIRECTOR [5:35:20 PM](#)**

Molly Robinson, Planning Manager, suggested that the Commission move the changes to planning Commission Policies and Procedures to the end of the meeting.

The Commission, Staff and Applicant discussed the following:

- Clarification on overnight stay
- Clarification on how people get recruited to the facility
- Whether there is an emergency department in the facility
- Clarification on how the treatment plans work
- Length of the treatment program
- Whether there is follow up care after discharge
- Entrance to the facility
- Clarification on personnel working in the facility
- Clarification on whether the facility serves the community or anyone from the Salt Lake area

#### **PUBLIC HEARING [8:18:07 PM](#)**

Chairperson Bell opened the Public Hearing;

Seeing no one wished to speak; Chairperson Bell closed the Public Hearing.

#### **MOTION [8:18:56 PM](#)**

**Commissioner Lyon stated, based on the findings and information listed in the staff report and the testimony and plans presented, I move that the Planning Commission approve the requested Conditional Use application PLNPCM2019-01012 - Conditional Use for the Sacred Circle Medical Recovery Facility subject to the conditions listed in the staff report.**

**Commissioner Lee seconded the motion. Commissioners Bachman, Hoskins, Lee, Scheer, Barry, Lyon, Urquhart, and Paredes voted “Aye”. The motion passed unanimously.**

#### **[8:19:52 PM](#)**

**700 North Zoning Map Amendment** - 3 Properties - R-1/5000 to CB - Property owners Anna Tran and Hoc Van Do are requesting that the City amend the zoning map for three (3) properties located at 1616 W 700 N, 1632 W 700 N and 1640 W 700 N respectively. The properties currently contain individual single-family dwellings, one on each property. The applicants are requesting to change the zoning map designation of the properties from R-1/5000 (Single-Family Residential) to CB (Community Business) in order to consolidate the parcels and develop a commercial use on the site. No specific site development proposal has been submitted at this time. The Master Plan is not being changed. The properties are located within Council District 1, represented by James Rogers. (Staff Contact: David J. Gellner at (801) 535-6107 or david.gellner@slcgov.com) **Case number PLNPCM2019-00923**

#### **[8:20:03 PM](#)**

Vice Chairperson Brenda Scheer requested that case number PLNPCM2019-00923 & PLNPCM2019-00986 be combined in terms of staff presentation because they are so close to each other and are nearly the same.

**1612 West 700 North Zoning Map Amendment** - R-1/5000 to CB - Salt Lake City has received a request from property owner Bethany Christensen requesting that the City amend the zoning map for her property located at 1612 W 700 N. The property currently contains an individual single-family dwelling. The applicant is requesting to change the zoning map designation of the property from R-1/5000 (Single-Family Residential) to CB (Community Business). No specific site development proposal has been submitted at this time. The Master Plan is not being changed. The property is located within Council District 1, represented by James Rogers. (Staff Contact: David J. Gellner at (801) 535-6107 or david.gellner@slcgov.com) **Case number PLNPCM2019-00986**

David Gellner, Principal Planner, reviewed the petitions as outlined in the Staff Report (located in the case file). He stated Staff recommended that the Planning Commission forward a positive recommendation to the City Council for both PLNPCM2019-00923 & PLNPCM2019-00986.

The Commission and Staff discussed the following:

- Parking clarification
- Provisions in a CB zone for a rear yard buffer
- Whether there is a requirement for a primary street entrance

Hoc Van Do and Bethany Christensen, applicants, provided further details.

#### **PUBLIC HEARING [8:32:54 PM](#)**

Chairperson Bell opened the Public Hearing;

Cindy Cromer – Stated it makes no sense if the future land use is proposed for commercial to require property owners to pay into dysfunctional housing mitigation ordinance that generates sometimes negative numbers.

Zachary Dussault – Stated his support for the proposal.

Seeing no one else wished to speak; Chairperson Bell closed the Public Hearing.

The Commission, Staff and Applicant further discussed the following:

- Housing mitigation

#### **MOTION [8:36:58 PM](#)**

**Commissioner Barry stated, based on the findings and analysis in the staff report, testimony and discussion at the public hearing, I move that the Planning Commission recommend that the City Council approve the proposed zoning map amendment file PLNPCM2019-00923 & PLNPCM2019-00986 for the properties located at 1616 West 700 North, 1632 West 700 North, 1640 West 700 North, and 1612 West 700 North respectively. Proposed zone change from the R-1/5,000 Single family residential zoning district to the CB Community Business zoning district.**

**Commissioner Lee seconded the motion. Commissioner Paredes, Urquhart, Lyon, Barry, Scheer, Lee, Hoskins, and Bachman voted “Aye”. The motion passed unanimously.**

#### **[8:38:58 PM](#)**

**Changes to Planning Commission Policies and Procedures** – The Planning Director is requesting the Planning Commission amend their rules of procedure to include Consent agenda matters. The Planning Commission may consider what types of petitions may be reviewed in a Consent agenda. This may include administrative petitions where the Planning Commission is the decision-making authority.

Molly Robinson, Planning Manager, provided a brief overview with the purpose of discussing changes to the Planning Commission policies and procedures.

The Commission and Staff discussed examples of items that would be heard on a consent agenda. They concluded reviewing the possibility of a consent agenda at a later meeting.

**The meeting adjourned at [9:04:57 PM](#)**

#### **4. Original Petition**

## **PROPOSED AMENDMENT TO THE SALT LAKE CITY ORDINANCE**

(Rezoning 3 Properties Located at the Northeast Corner of  
700 North and between 1616 West and 1640 West)

There are three properties of interest that are located in Rose Park area of Salt Lake City, UT 84116. The three properties are located at:

Sidwell Number: **08-27-452-038**

**1616 West 700 North**

**Salt Lake City, UT 84116**

Sidwell Number: **08-27-452-046**

**1632 West 700 North**

**Salt Lake City, UT 84116**

Sidwell Number: **08-27-785-035**

**1640 West 700 North**

**Salt Lake City, UT 84116**

All three properties are located next to each other and are currently zoned low density residential. **There was a previous amendment to the Salt Lake City Ordinance which amended the Northwest Community Master Plan which was pursuant to petition no. 400-03-18 & petition no. 400-99-34.** Within this amendment it was stated and passed by the City Council of Salt Lake City to change the land designation of the foresaid properties listed above to be changed from existing land use of SF Residence to Commercial. *(CCB Commercial District)*

Currently the three parcels are owned by Anna Tran and Hoa Van Do. The owners have a plan on developing a commercial strip to the three properties, which at some point along the approval process with the city council; will need to be combined/consolidated into one parcel. The commercial property will replace 3 residential dwellings currently located on each parcel of land.

The proposed use of the property is to replace the residential properties to a commercial strip mall so that the residents around the area can have more retail shops and restaurants choices. It will also replace 3 homes that are older in age with a new structure that will revitalize the area and community, and also bring in more jobs to the community.

The present zoning of the property is currently residential and is sandwiched by two other piece of property directly west and east to all three properties, wherein those properties are already zoned as commercial. Therefore the owners would like to convert their three parcels into commercial zoning so that the project can begin on developing a commercial retail building which will match the current zoning of the two side properties next to them giving it a straight commercial zoned area for the area of 700 North and Redwood Rd.



## **5. Mailing List**

OWN_FULL_NAME	OWN_ADDR	OWN_CITY	OWN_STATE	OWN_ZIP
IRVING CIRCLE CONDM COMMON AREA MASTER CARD	PO BOX 581092	SALT LAKE CITY	UT	84158
CHARLES S DAHL	1114 S 1900 E	SALT LAKE CITY	UT	84108
PREF GROUP, LLC	4231 S HOLLADAY BLVD	HOLLADAY	UT	84124
IVY CIRCLE 4-PLEX LLC	PO BOX 159	SANDY	UT	84091
RUSS COTTAM	10707 S 1225 E	SANDY	UT	84094
MATHIAS INVESTMENTS, LLC	178 W 2700 S	SOUTH SALT LAKE	UT	84115
IVY CIRCLE PROPERTY TRUST 09/20/2018	7103 S REDWOOD RD	WEST JORDAN	UT	84084
KHOI NGOC VU; KIM HOANG VU (JT)	1802 W DOVE HOLLOW CIR	TAYLORSVILLE	UT	84129
TRAN DO TRUST 06/23/2014	1859 W SIR JAMES DR	SALT LAKE CITY	UT	84116
700 NORTH HOLDINGS LLC	1614 W 700 N	SALT LAKE CITY	UT	84116
BETHANY L CHRISTENSEN REVOCABLE TRUST 10/23/2017	2625 E GLENNA DR	HOLLADAY	UT	84124
MOYLE PETROLEUM COMPANY	2504 W MAIN	RAPID CITY	SD	57702
CARL CONNELLY	PO BOX 22705	SALT LAKE CITY	UT	84122
COMMUNITY PLAZA INC	2306 E ARBOR LN	HOLLADAY	UT	84117
MAVERIK, INC	185 S STATE ST # 800	SALT LAKE CITY	UT	84111
MCDONALDS CORPORATION	8289 S 4300 W	WEST JORDAN	UT	84088
LUCKY REAL ESTATE INVESTMENT LLC	2290 E HAMPTON VIEW CT	SALT LAKE CITY	UT	84109
TRUST NOT IDENTIFIED	817 E CANTERBURY LANE	ALPINE	UT	84004
Current Occupant	768 N REDWOOD RD	Salt Lake City	UT	84116
Current Occupant	740 N IRVING ST	Salt Lake City	UT	84116
Current Occupant	1610 W IVY CIR	Salt Lake City	UT	84116
Current Occupant	1630 W IVY CIR	Salt Lake City	UT	84116
Current Occupant	1631 W IVY CIR	Salt Lake City	UT	84116
Current Occupant	1619 W IVY CIR	Salt Lake City	UT	84116
Current Occupant	1609 W IVY CIR	Salt Lake City	UT	84116
Current Occupant	1601 W IVY CIR	Salt Lake City	UT	84116
Current Occupant	1640 W 700 N	Salt Lake City	UT	84116
Current Occupant	1616 W 700 N	Salt Lake City	UT	84116
Current Occupant	1614 W 700 N	Salt Lake City	UT	84116
Current Occupant	1612 W 700 N	Salt Lake City	UT	84116
Current Occupant	1632 W 700 N	Salt Lake City	UT	84116
Current Occupant	726 N REDWOOD RD	Salt Lake City	UT	84116
Current Occupant	744 N IRVING ST	Salt Lake City	UT	84116
Current Occupant	750 N REDWOOD RD	Salt Lake City	UT	84116
Current Occupant	676 N REDWOOD RD	Salt Lake City	UT	84116
Current Occupant	1665 W 700 N	Salt Lake City	UT	84116
Current Occupant	1645 W 700 N	Salt Lake City	UT	84116
Current Occupant	1625 W 700 N	Salt Lake City	UT	84116
Salt Lake City Planning Division David Gellner	PO BOX 145480	Salt Lake City	UT	84114