

SALT LAKE CITY COUNCIL STAFF REPORT

DATE: March 15, 2003

SUBJECT: Petition No. 400-02-29 – Request to rezone two lots located at 1135 East 1700 South from Institutional to Residential R-1-5000

AFFECTED COUNCIL DISTRICTS: If adopted, the ordinance will affect Council Districts 5 and 7

STAFF REPORT BY: Janice Jardine, Planning Policy Analyst

ADMINISTRATIVE DEPT. AND CONTACT PERSON: Community and Economic Development – Planning Division
Joel Paterson, Senior Planner

KEY ELEMENTS:

- A. This is a request to rezone two lots located at 1135 East 1700 South from Institutional to Residential R-1-5000. The Administration notes that this action would correct a zoning error made during the 1995 zoning rewrite project. The lots apparently were considered part of church-owned properties located immediately to the north and west. The subject properties are owned jointly by Mr. John Janson and Mr. John Koo. One lot contains a legal non-conforming duplex and the other lot is currently vacant. Prior to the 1995 zoning rewrite project, the two properties were zoned Residential R-2 that allowed low-density single-family and duplex residential uses.
- B. Properties to the east and south are zoned Residential R-1-5000 and contain a mix of low-density residential uses. The property directly north and west is zoned Institutional and is occupied by a church. The properties are also zoned with a Groundwater Source Protection Overlay classification. If the properties are rezoned the Overlay district zoning would remain the same.
- C. In a letter to Planning staff dated July 21, 2002 and at the Planning Commission hearing on November 21, 2002, Mr. Janson noted:
 1. He and his partner (Mr. Koo) have owned the lots for more than 20 years.
 2. He was aware that the property was proposed to be rezoned Institutional in 1995 but thought a single-family home would be permitted.
 3. In preparing to apply for a residential building permit, he became aware that residential uses are not permitted in the Institutional zoning classification.
 4. In reviewing the zoning map, he noted that it appears that a mistake was made because extending the east line of the Institutional zoning to 1700 South would result in a less confusing shape (boundary) for the zoning district.
- D. The Administration's transmittal and Planning staff report provide a detailed discussion of the proposed rezoning. The Planning staff report provides findings of fact that support the criteria established in the City's Zoning Ordinance, Sec. 21A.50.050 - Standards for General Zoning Amendments. Please refer to the

Planning staff report for specific findings of fact and discussion of compliance with individual standards. The Planning staff report notes that due to the length of time that has passed since the 1995 zoning was enacted, the City Attorney's office has determined that Administrative zoning map adjustments are no longer appropriate. (Please refer to the Administration's paperwork for additional details.)

- E. On November 21, 2002, the Planning Commission voted to forward a positive recommendation to the City Council to rezone the properties. No issues or concerns were expressed at the Planning Commission meeting.
- F. The public process included review by the Central City and Sugar House Community Councils and written notification of the Planning Commission hearing to property owners within a 300-foot radius of the proposed rezoning. Both Community Councils voted to support the rezoning requests. Discussion noted by the Sugar House Community Council related to notification of surrounding neighbors and the possibility that this property might be desirable for commercial use.

MASTER PLAN & POLICY CONSIDERATIONS:

- A. The 1974 Central Community Development Plan recommends low-density residential land uses for this area. The Master Plan notes the following principles:
 - 1. Revitalize and stabilize inner-city neighborhoods.
 - 2. Recognize mixed-use areas and their relative permanence.
 - 3. Establish neighborhood revitalization as a remedy for obsolescence and decline.
- B. The Council has adopted housing policy statements that support creating a wide variety of housing types citywide. The policy statements are included in the City's Community Housing Plan. The policy statements address a variety of issues including quality design, public and neighborhood participation and interaction, transit-oriented development, encouraging mixed-use developments, housing preservation, rehabilitation and replacement, zoning policies and programs that preserve housing opportunities as well as business opportunities.
- C. The Council's growth policy notes that growth in Salt Lake City will be deemed the most desirable if it meets the following criteria:
 - 1. Is aesthetically pleasing;
 - 2. Contributes to a livable community environment;
 - 3. Yields no negative net fiscal impact unless an overriding public purpose is served; and
 - 4. Forestalls negative impacts associated with inactivity.
- D. The City's Strategic Plan and the Futures Commission Report express concepts such as maintaining a prominent sustainable city, ensuring the City is designed to the highest aesthetic standards and is pedestrian friendly, convenient, and inviting, but not at the expense of minimizing environmental stewardship or neighborhood vitality. The Plans emphasize placing a high priority on maintaining and developing new affordable residential housing in attractive, friendly, safe environments and creating attractive conditions for business expansion including retention and attraction of large and small businesses.

CHRONOLOGY:

➤ BACKGROUND

The Administration's transmittal provides a chronology of events relating to the rezoning process. Please refer to the Administration's chronology for details. Key meeting dates are listed below.

➤ KEY DATES

- September 11, 2002 East Central Community Council meeting
- September 4, 2002 Sugar House Community Council meeting
- November 21, 2002 Planning Commission meeting

cc: Rocky Fluhart, Dave Nimkin, DJ Baxter, Ed Rutan, Lynn Pace, Alison Weyher, David Dobbins, Roger Evans, Louis Zunguze, Brent Wilde, Enzo Calfa, Cheri Coffey, Joel Paterson, Janne Neilson, Barry Esham

File Location: Community and Economic Development Department, Planning Division, Rezoning,
1135 East 1700 South