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## SALT LAKE CITY COUNCIL STAFF REPORT

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**DATE:** August 6, 2004

**SUBJECT:** Petition 400-03-29 – Ms. LaJuan C. Johnson request to rezone property at 163 West 1700 South from Community Business CB to General Commercial CG

**AFFECTED COUNCIL DISTRICTS:** If the ordinance is adopted the rezoning and master plan amendment will affect Council District 5

**STAFF REPORT BY:** Janice Jardine, Land Use Policy Analyst

**ADMINISTRATIVE DEPT. AND CONTACT PERSON:** Community Development Department, Planning Division  
Ray McCandless, Principal Planner

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### POTENTIAL MOTIONS:

1. **["I move that the Council"]** Adopt an ordinance rezoning property at 163 West 1700 South from Community Business CB to General Commercial CG subject to the conditions specified in the ordinance.
  2. **["I move that the Council"]** Not adopt an ordinance rezoning property at 163 West 1700 South from Community Business CB to General Commercial CG subject to the conditions specified in the ordinance.
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The following information was provided previously for the Council Work Session on July 8, 2004. It is provided again for your reference.

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### KEY ELEMENTS:

- A. An ordinance has been prepared for Council consideration to rezone property at 163 West 1700 South from Community Business CB to General Commercial CG subject to the following conditions. The City Recorder is instructed not to record the ordinance until the conditions have been met and certified by the Planning Director.
  1. The two parcels owned by the applicant (163 West 1700 South and the adjoining parcel at 1712 Jefferson Street) must be combined into a single lot.
  2. Off-street parking for the existing building must be provided.
  3. Curb gutter and sidewalk improvements along Jefferson Street must be installed or the property owner must execute a Special Improvement District Waiver Agreement with the City to ensure future installation of the improvements.

- B. The Administration's transmittal notes the petitioner intends to sell or lease the building but has had difficulty due to the limited uses allowed in the Community Business zoning classification. The petitioner indicates that the existing building on the property has been used for production and wholesale distribution of American Indian/southwest decorating items. Properties south of the petitioner's property, including a vacant parcel owned by the petitioner, are currently zoned General Commercial CG. Access to the property is provided from 1700 South through an alley, Jefferson Street and the vacant parcel owned by the petitioner. The vacant parcel also serves as parking for the existing building. (Please see attached map for reference.)
- C. Surrounding land uses include:
1. Commercial uses zoned General Commercial surrounding the property and west of Main Street along 1700 South.
  2. Low-density single-family and medium/high density residential development to the north and south abutting the commercial land uses.
- D. The Commercial Districts section of the Zoning Ordinance notes that commercial districts are intended to provide controlled and compatible settings for office and business/commerce developments, to enhance employment opportunities, to encourage the efficient use of land, to enhance property values and the tax base, to ensure high quality of design, and to help implement officially adopted master plans. (Sec.21A.26.010.A - Statement of Intent)
1. The purpose of the Community Business zoning district is to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods.
  2. The purpose of the General Commercial zoning district is to provide an environment for a variety of commercial uses, some of which involve the outdoor display/storage of merchandise or materials.
- E. Key points from the Administration's transmittal and the Planning staff report include the following:
1. Prior to the 1995 Zoning Rewrite project the property was zoned for light manufacturing uses.
  2. The property is surrounded by Community Business and General Commercial zoning.
  3. It appears that all four corner lots at the intersection of 1700 South and Jefferson Street were zoned in 1995 Community Business to maintain consistency in zoning classifications .
  4. The building has existed since the 1950's and has been used for a variety of commercial/manufacturing uses.
  5. The building has been used for a variety of manufacturing uses such as the production of insulators for utility lines, parts for sonar systems, clay pots and yard art and light assembly work.
  6. The adjoining properties to the south and west of the subject property area currently zoned General Commercial.
  7. The General Commercial zoning will be more consistent with the types of uses the building has been used for in the past.
  8. Rezoning this property to General Commercial will not adversely impact adjoining properties.
- F. The City's Fire Department, Police Department, Public Utilities Department, and Transportation Division have reviewed the request. Future development proposals will be required to comply with City standards and demonstrate that there are adequate services to meet the needs of the project. The Transportation Division noted the property has no on-site parking except for two spaces in front of the building behind the sidewalk and no public parking along 1700 South. The Transportation Division recommended:
1. Public way improvements, curb, gutter and sidewalk, along the Jefferson Street frontage to define access to the property.
  2. Combining the two parcels owned by the petitioner and providing parking to support the use of the property.

- G. The public process included a presentation to the Poplar Grove Community Council and written notification of the Planning Commission hearing to surrounding property owners. The Community Council expressed no concern with the rezoning requested by the petitioner.
- H. On March 24, 2004, the Planning Commission voted to recommend that the City Council rezone the property subject to the conditions previously noted.
1. Items discussed by the Planning Commission included:
    - o Setback and height requirements of the current Community Business and proposed General Commercial zoning classifications. (The building is non-complying with current setback requirements.)
    - o The definitions (purpose) of the Community Business and General Commercial zoning classifications and whether the other surrounding businesses are pedestrian friendly.
    - o The location of a TRAX light-rail station two blocks north of the area.
  2. Public comments included:
    - o The property has been marketed for over a year. Interest in the property has been due to the location and the large electric capability currently available in the building.
    - o The zoning change would be complimentary to the area and there would be basically no noticeable change in the property.

## **MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR THE ADMINISTRATION:**

- A. The Council may wish to discuss with Administration if this area should be reevaluated and the draft Central Community Master Plan adjusted accordingly given the intensity of the commercial uses currently existing in the area and allowed in the proposed General Commercial zoning classification. The Planning staff report notes:
1. The most recently adopted master plan for this area is the 1974 Central Community Development Plan.
  2. The 1974 Plan identified this area for low-medium density residential uses.
  3. The 1995 Zoning Rewrite project updated and amended the land use and zoning policies of all previously adopted master plans. (Ordinance No. 26 of 1995)
  4. This property and the properties along 1700 South were zoned Community Business as part of the 1995 Zoning Rewrite.
  5. The draft update of the Central Community Master Plan identifies this property for Medium Residential/Mixed Use (10-15 dwelling units per acre).
  6. Both the Community Business and General Commercial zoning classifications allow residential dwellings units, including multi-family dwellings, above or below first story office, retail and commercial uses.
- B. The Council may wish to discuss with the Administration how the proposed rezoning and potential future commercial use of this property fits within the Administration's overall economic development plan for the west side of the City.

## **MASTER PLAN AND POLICY CONSIDERATIONS:**

- A. The 1974 Central Community Development Plan Future Land Use Map identifies this area for low-medium density residential uses. The Master Plan includes the following statements:
1. Principles:
    - a. The need to revitalize and stabilize inner-city neighborhoods.
    - b. Greater recognition of mixed-use areas and their relative permanence.
    - c. Neighborhood revitalization as a remedy for obsolescence and decline.

2. Policies and Proposals:
    - a. Population: Central Community program to reverse trend of families leaving for suburbs.
    - b. Urban Design: ...Improve the architectural character of neighborhoods.
  3. Land Use: Designates the properties and surrounding areas as low-medium density (11.5 units per acre) and medium density (below 20 units per acre).
  4. Citizens' Policies and Recommendations:
    - a. Provide an effective means of notifying residents of proposed zoning changes and city activities within their community.
    - b. Organize the City into four block areas each with a citizen representative who will work with City staff in monitoring and reviewing new construction and changes in use of properties within their respective areas.
    - c. Give more consideration to those factors, including residential densities, which give the community a ghetto appearance.
    - d. Establish and enforce architectural controls to preserve the scale and mood of the neighborhoods.
- B. The Planning staff report notes that rezoning the property for general commercial use is:
1. Consistent with the master plan as updated by the 1995 Zoning Rewrite project.
  2. Not out of character with the existing zoning in the area.
  3. Would not adversely impact adjoining properties.
  4. Would be more consistent with what the building has been used for in the past.
- C. 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.
- D. 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.
- E. The City's 1990 Urban Design Element includes statements that emphasize preserving the City's image, neighborhood character and maintaining livability while being sensitive to social and economic realities. Applicable policy concepts include:
1. Allow individual districts to develop in response to their unique characteristics within the overall urban design scheme for the city.
  2. Ensure that land uses make a positive contribution to neighborhood improvement and stability.
  3. Ensure that building restoration and new construction enhance district character.
  4. Require private development efforts to be compatible with urban design policies of the city regardless of whether city financial assistance is provided.
  5. Treat building height, scale and character as significant features of a district's image.
  6. Ensure that features of building design such as color, detail, materials and scale are responsive to district character, neighboring buildings, and the pedestrian.

## **CHRONOLOGY:**

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

- January 7, 2004            Poplar Grove Community Council meeting
- March 24, 2004            Planning Commission hearing

cc:     Sam Guevara, Rocky Fluhart, DJ Baxter, Alison McFarlane, Edward Butterfield, Ed Rutan, Lynn Pace, Lee Martinez, David Dobbins, Louis Zunguze, Brent Wilde, Doug Wheelwright, Ray McCandless, Jan Aramaki, Marge Harvey, Sylvia Jones, Lehua Weaver, Barry Esham

File Location: Community Development Dept., Planning Division, Rezoning, Ms. LuJuan Johnson, 163 West 1700 South