
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: May 6, 2005

SUBJECT: Petition 400-02-42 – Planning Commission – request to rezone properties at 238 and 250 West 600 North from Residential Multi-Family RMF-35 to Special Development Pattern SR-1 and amend the Capitol Hill Community Master Plan

AFFECTED COUNCIL DISTRICTS: If the ordinance is adopted the rezoning and master plan amendment will affect Council District 3

STAFF REPORT BY: Janice Jardine, Land Use Policy Analyst

ADMINISTRATIVE DEPT. AND CONTACT PERSON: Community Development Department, Planning Division
Andrei Lubomudrov, Planning Intern
Cheri Coffey, Deputy Planning Director

NOTICE REQUIREMENTS: Newspaper advertisement and written notification to surrounding property owners 14 days prior to the Public Hearing

WORK SESSION SUMMARY AND NEW INFORMATION

On April 14, 2005, the Council received a briefing from the Administration regarding this rezoning petition. Council Members did not have any questions and approved moving this item forward to a public hearing.

POTENTIAL OPTIONS AND MOTIONS:

1. **["I move that the Council"]** Adopt an ordinance rezoning property located at 238 and 250 West 600 North Residential Multi-Family RMF-35 to Special Development Pattern SR-1 and amend the Capitol Hill Community Master Plan.
2. **["I move that the Council"]** Not adopt an ordinance rezoning property located at 238 and 250 West 600 North and amending the Capitol Hill Community Master Plan.

The following information was provided previously for the Council Work Session on April 14, 2005. It is provided again for your reference.

KEY ELEMENTS:

- A. An ordinance has been prepared for Council consideration to:
 1. Rezone property at 238 and 250 West 600 North from Residential Multi-Family RMF-35 to Special Development Pattern SR-1, and
 2. Amend the Capitol Hill Master Plan.

- B. This action was initiated by the Planning Commission to facilitate implementation of the 2001 Capitol Hill Master Plan. The Administration's transmittal notes:
 - 1. The Capitol Hill Master Plan specifically identifies an implementation strategy to reevaluate the zoning on the property located at 238 West 600 North.
 - 2. In the course of the zoning reevaluation, Planning staff discovered that the single-family dwelling at 250 West 600 North is also zoned for higher density development. A decision was made to include this property to comprehensively implement the Master Plan.
 - 3. Both property owners were contacted by Planning staff and have agreed to the proposed rezoning.
 - 4. Both properties have been used for single-family residences since the 1880's despite having been consistently zoned for multi-family, medium-density residential use since implementation of zoning classifications in 1927.
 - 5. Rezoning the properties to a lower-density residential zoning classification is consistent with the existing land uses in the area and the historical status of the structures.
 - 6. Surrounding land uses include a mix of single-family/multi-family residential and commercial.
- C. The purpose of the Special Development Pattern Residential district (SR-1) is to maintain the unique character of older predominantly low-density neighborhoods that display a variety of yards, lot size and bulk characteristics. Single-family detached dwelling units are permitted uses. Multi-family residential developments and commercial uses are not a permitted in this zoning classification. Maximum height in the zone is 30 feet.
- D. The purpose of the Residential Multi-Family RMF-35 district is to provide an environment suitable for a variety of moderate density housing types including multi-family dwellings. Commercial and office types of uses are not permitted in this zone. Maximum height in the zone is 35 feet. Maximum density in the RMF-35 zone is 14.5 units per acre for multi-family developments over 15 units above 1 acre.
- E. The public process included a presentation to the Capitol Hill Community Council and written notification of the Planning Commission hearing to surrounding property owners. The Administration's transmittal notes the Community Council was supportive of the petition.
- F. The City's Fire, Police, and Public Utilities Departments and Transportation and Engineering Divisions have reviewed the request. Any new development proposal will be required to comply with applicable overlay zoning classifications (Historic Preservation and Groundwater Source Protection), City standards and demonstrate that there are adequate services to meet the needs of the project. Public Utilities noted that the properties are located in an earthquake fault study zone and construction of basements would require a geotechnical engineering study identifying the highest expected groundwater and a possible under drain system.
- G. On January 12, 2005, the Planning Commission voted to forward a positive recommendation to the Council to rezone the properties and amend the Capitol Hill Master Plan Future Land Use Map. No public comment was received and no issues were discussed.

MASTER PLAN AND POLICY CONSIDERATIONS:

- A. The Administration's transmittal and Planning staff report note:
 - 1. The Capitol Hill Master Plan (2001) is the adopted land-use policy document that guides new development in the area of the proposed rezoning and master plan amendment.
 - 2. The Future Land Use Map identifies this area for medium-density, multi-family residential land use. (As previously noted, amending the Future Land Use Map in the Capitol Hill Master Plan is part of this action.)
 - 3. The Plan specifically recommends down-zoning the property at 238 West 600 North.

4. The Plan notes that preserving existing low-density residential development in the West Capitol Hill neighborhood and promoting rehabilitation of existing housing stock should be a high priority.
- B. The City's Comprehensive Housing Plan policy statements address a variety of housing issues including quality design, public and neighborhood participation and interaction, housing preservation, rehabilitation and replacement, zoning policies and programs that preserve housing opportunities as well as business opportunities.
 - 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.

CHRONOLOGY:

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

- November 21, 2002 Planning Commission initiated petition
- March 7, 2003 Letter sent to property owner at 238 West 600 North
- January 21, 2004 Capitol Hill Community Council meeting
- October 4, 2004 Letter sent to property owner at 250 West 600 North
- January 12, 2005 Planning Commission hearing
- February 4, 2005 Ordinance received from City Attorney

cc: Sam Guevara, Rocky Fluhart, DJ Baxter, Ed Rutan, Lynn Pace, Louis Zunguze, Brent Wilde, Doug Wheelwright, Cheri Coffey, Andrei Lubomudrov, Marge Harvey, Barry Esham, Jennifer Bruno

File Location: Community Development Dept., Planning Division, Rezoning and Master Plan Amendment, Planning Commission request, 238 and 250 West 600 North

A. LOUIS ZUNGUZE
PLANNING DIRECTOR

BRENT B. WILDE
DEPUTY PLANNING DIRECTOR

DOUGLAS L. WHEELWRIGHT, AICP
DEPUTY PLANNING DIRECTOR

SALT LAKE CITY CORPORATION
COMMUNITY DEVELOPMENT
PLANNING AND ZONING DIVISION

ROSS C. ANDERSON
MAYOR

COUNCIL TRANSMITTAL

TO: Rocky Fluhart, Management Services Director **DATE:** March 4, 2005

FROM: Louis Zunguze, Community Development Director

RE: **Petition 400-02-42:** Rezoning of 238 West 600 North and 250 West 600 North from "RMF-35", Residential Multi-Family, to "SR-1", Special Development Pattern Residential, and amendment of the Future Land Use Map of the Capitol Hill Master Plan to identify the subject properties as 'low-density residential'.

STAFF CONTACT: Cheri Coffey, 535-6188

RECOMMENDATION: That the City Council hold a briefing and schedule a Public Hearing regarding amendments to the Capitol Hill, Community Zoning Map and the Capitol Hill Master Plan

DOCUMENT TYPE: Ordinance

BUDGET IMPACT: None

DISCUSSION: Issue Origin: In 2002, the Salt Lake City Planning Commission petitioned to reevaluate the zoning of the property at 238 West 600 North as part of an effort to implement the goals of the 2001 Capitol Hill Master Plan. The Commission requested that Planning Staff study and consider rezoning the subject property (238 West 600 North) from the current "RMF-35", Moderate Density Multi-Family Residential District zoning to an "SR-1", Special Development Pattern Residential District classification. The request also requires an amendment to the Future Land Use Map of the Capitol Hill Master Plan.

In the course of the study Staff discovered that the single family dwelling at 250 West 600 North was also zoned for higher density development and a decision was made to include this property in the rezone study in order to more comprehensively implement the Master Plan objectives for the area.

Analysis: The 238 West 600 North and 250 West 600 North properties have been in continuous use as single family residences since the 1880's, despite their consistent medium-density multifamily zoning. Adjacent land uses include single-family residential, multifamily residential, and commercial. The proposed rezone will not alter the prevailing structural or use-based composition of the neighborhood, and therefore will not be detrimental to surrounding properties. Rezoning both properties to the lower-density "SR-1" zone is consistent with the existing land uses in the area and the special historical status of the structures on the properties.

City Council policy and Master Plan considerations

Applicable Master Plan: The Capitol Hill Master Plan notes that preserving the existing low-density residential development in the West Capitol Hill neighborhood and promoting the rehabilitation of the existing housing stock should be a high priority. As part of this, the Plan specifically calls for reevaluating the existing zoning of the property at 238 West 600 North. Therefore, amending the Capitol Hill Master Plan Future Land Use Map to low-density residential for both parcels is consistent with the current land uses, as well as the historic preservation policies of the adopted plan.

The request does require an amendment to the Future Land Use Map of the Capitol Hill Master Plan from “medium density residential” to “low-density residential” for both properties.

Public Process: Planning staff presented the rezone petition to the Capitol Hill Community Council in January, 2003. The Community Council voted to support the petition at that meeting without reservation.

Since notification published in a newspaper of general circulation is required by law for Master Plan Amendments, a notice was published on December 29, 2004 in the Salt Lake Tribune and Deseret News.

The Planning Commission reviewed the request on January 12, 2005. The Planning Commission passed a motion to transmit a favorable recommendation to the City Council to change the zoning of the noted properties to “SR-1”, and amend the Future Land Use Map of the Capitol Hill Master Plan, based on the findings of fact in the Staff Report.

Relevant Ordinances: Amendments to the Zoning Maps are authorized under Section 21A.50 of the Salt Lake City Zoning Ordinance, as detailed in Section 21A.50.050. **"A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard."** The section does, however, list five factors, which should be analyzed prior to rezoning property (Section 21A.50.050 A-E).

Based on these five factors, the Planning Commission analyzed master plan considerations, existing and potential future development in the immediate vicinity; impacts to adjacent properties; applicable overlay zones, and the adequacy of existing services and facilities. Based on this analysis, the Planning Commission voted to approve a recommendation to the City Council to change the zoning to “SR-1” (Special Development Pattern Residential), and recommended an amendment to the Capitol Hill Master Plan to change the Future Land Use Map from medium to low density residential uses.

Section 21A.02.040 of the Salt Lake City Zoning Ordinance states that amendments to the zoning map should be consistent with the purposes; goals, objectives and policies of the applicable adopted master plan of Salt Lake City. Therefore a master plan amendment is required via Utah State Code Annotated Section 10-9-304 (Amendment of plan). The notification as required by State Law was met for the Master Plan Amendment.

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Petition 400-02-42

1. CHRONOLOGY

PROJECT CHRONOLOGY

- November 21, 2002. Planning Commission initiated petition, assigned to Planner Nelson Knight.
- March 7, 2003. Sent letter to property owner at 238 West 600 North containing description of request and asking for comments. Owner responded in support of petition.
- January 21, 2004. Nelson Knight presented petition to Capitol Hill Community Council. Council voted to support petition.
- October 4, 2004. Sent letter to property owner at 250 West 600 North containing description of request and asking for comments. Owner responded in support of petition.
- November 1, 2004. Sent memo requesting department comments.
- December 28, 2004. Sent notice to property owners within 300 feet of properties.
- December 29, 2004. Notice of public hearing published in Salt Lake City Tribune and Deseret News advertising proposed Zoning Map amendment for January 12, 2005 Planning Commission meeting.
- December 30, 2004. Posted Properties with notice of public hearing.
- January 12, 2005. The Planning Commission held a public hearing and passed a favorable recommendation to support the rezoning of the properties.
- January 21, 2005. Send memo request for ordinance to Attorney's Office.
- February 4, 2005. Received ordinance from Attorney's Office.

2. ORDINANCE

SALT LAKE CITY ORDINANCE

No. _____ of 2005

(Rezoning properties generally located at 238 West and 250 West 600 North)

AN ORDINANCE REZONING THE PROPERTIES GENERALLY LOCATED AT 238 WEST AND 250 WEST 600 NORTH FROM RESIDENTIAL MULTI-FAMILY (RMF-35) TO SPECIAL DEVELOPMENT PATTERN RESIDENTIAL (SR-1), AND AMENDING THE FUTURE LAND USE MAP OF THE CAPITOL HILL MASTER PLAN, PURSUANT TO PETITION NO. 400-02-42.

WHEREAS, the Planning Commission and the City Council of Salt Lake City, Utah, have held public hearings and have taken into consideration citizen testimony, filing, and demographic details of the area, the long range general plans of the City, and any local master plan as part of their deliberations. Pursuant to these deliberations, the City Council has concluded that the proposed change of zoning for the properties generally located at 238 West and 250 West 600 North is appropriate for the development of the community in that area.

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

SECTION 1. REZONING OF PROPERTIES. The properties generally located 238 West and 250 West 600 North, which are more particularly described on Exhibit A attached hereto, shall be and hereby are rezoned from Residential Multi-Family (RMF-35) to Special Development Pattern Residential (SR-1).

SECTION 2. AMENDMENT TO ZONING MAP. The Salt Lake City Zoning Map, adopted by the Salt Lake City Code, relating to the fixing of boundaries and zoning districts, shall be, and hereby is amended consistent with the rezoning of properties identified above.

SECTION 3. AMENDMENT OF MASTER PLAN. The Future Land Use Map of the Capitol Hill Master Plan, as previously adopted by the Salt Lake City Council, shall be, and

hereby is amended to identify the properties located at 238 West and 250 West 600 North as low density residential.

SECTION 4. 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 _____, 2005.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2005.
Published: _____.

APPROVED AS TO FORM
Salt Lake City, Attorney's Office
Date July 7, 2005
By Melanie Reif

ATTACHMENT A: Parcel and Zoning Information for 238 West and 250 West 600 North

Address	Parcel #	Current Zoning	Proposed Zoning
238 W 600 N	08-36-202-028	RMF-35	SR-1
250 W 600 N	08-36-202-020	RMF-35	SR-1

3. CITY COUNCIL HEARING NOTICE

NOTICE OF PUBLIC HEARING

The Salt Lake City Council is considering Petition 400-02-42, a request by the Salt Lake City Planning Commission to rezone two properties at 238 West 600 North and 250 West 600 North from the current RMF-35, Moderate Density Multi-Family Residential District zoning to an SR-1, Special Development Pattern Residential District classification. The request also requires amending the Future Land Use Map of the Capitol Hill Master Plan to reflect the new, 'low-density residential' classification for the subject properties. There are no development proposals associated with this petition.

As part of their study, the City Council will hold an advertised public hearing to receive comments regarding the petition. During this hearing, the Planning staff may present information on the petition and anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The hearing will be held:

DATE:

TIME:

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

If you have any questions relating to this proposal, please attend the meeting or call Cheri Coffey at 535-6188 between the hours of 7:30 a.m. and 5:30 p.m., Monday through Friday. If you are the owner of rental property, please inform your tenants of the public hearing.

4. MAILING LABELS

CARMAN, RICHARD E &
Sidwell No. 0836201016
614 S EMERY ST
SALT LAKE CITY UT 84104

DAVIS, WILLIAM A; TR
Sidwell No. 0836204019
964 S PUEBLO ST
SALT LAKE CITY UT 84104

EVANS, PEARL H
Sidwell No. 0836202018
262 W 600 N
SALT LAKE CITY UT 84103

CARMAN, KATHERINE G; ET A
Sidwell No. 0836201025
637 N 300 W
SALT LAKE CITY UT 84103

DAMERY, WILLIAM E &
Sidwell No. 0836202007
679 N DESOTO ST
SALT LAKE CITY UT 84103

ERB, JEFFREY
Sidwell No. 0836201019
613 N 300 W
SALT LAKE CITY UT 84103

~~CALDER BROS. CO.
Sidwell No. 0836202015
PO BOX 1903
PROVO UT 84603~~

CONLAN, ALEXANDRA
Sidwell No. 0836201020
605 N 300 W
SALT LAKE CITY UT 84103

ENGEL, TIMOTHY L &
Sidwell No. 0836201017
631 N 300 W
SALT LAKE CITY UT 84103

~~CALDER BROS. CO.
Sidwell No. 0836202004
PO BOX 1903
PROVO UT 84603~~

COMOLLO, ADRIANO F &
Sidwell No. 0836207001
217 W 600 N
SALT LAKE CITY UT 84103

EGE, JUDITH G
Sidwell No. 0836202017
264 W 600 N
SALT LAKE CITY UT 84103

CALDER BROS CO
Sidwell No. 0836202016
P O BOX 1903
PROVO UT 84603

COMMUNITY HOUSING SERVICE
Sidwell No. 0836206018
1059 E 900 S # 100
SALT LAKE CITY UT 84105

~~E-TRAIN ENTERPRISES LLC
Sidwell No. 0836202001
1370 E BLAINE AVE
SALT LAKE CITY UT 84105~~

BROOKS, JASON L &
Sidwell No. 0836202024
214 W 600 N
SALT LAKE CITY UT 84103

CHUNG, BENJAMIN B &
Sidwell No. 0836207007
560 E SOUTHTEMPLE ST #401
SALT LAKE CITY UT 84102

~~E-TRAIN ENTERPRISES LLC
Sidwell No. 0825457004
1370 E BLAINE AVE
SALT LAKE CITY UT 84105~~

BLOOMQUIST, HARLEY W &
Sidwell No. 0836202028
238 W 600 N
SALT LAKE CITY UT 84103

CARTER, JOSEPH W & JANE A
Sidwell No. 0825457009
4466 S ABINADI RD
SALT LAKE CITY UT 84124

E-TRAIN ENTERPRISES LLC
Sidwell No. 0825457003
1370 E BLAINE AVE
SALT LAKE CITY UT 84105

BANK ONE NATIONAL ASSOCIA
Sidwell No. 0825457008
9350 WAXIE WY
SAN DIEGO CA 92123

CARRILLO, BEN & ANGIE;
Sidwell No. 0836205013
253 W 600 N
SALT LAKE CITY UT 84103

DHINDSA, HARINDAR K
Sidwell No. 0836207003
211 W 600 N
SALT LAKE CITY UT 84103

ASHDOWN, PETER L
Sidwell No. 0836202012
625 N 200 W
SALT LAKE CITY UT 84103

CARMAN, RICHARD E; ET AL
Sidwell No. 0836201013
637 N 300 W
SALT LAKE CITY UT 84103

~~DAVIS, WILLIAM A; TR
Sidwell No. 0836204022
964 S PUEBLO ST
SALT LAKE CITY UT 84104~~

ASHDOWN, PETER L
Sidwell No. 0836202010
633 N 200 W
SALT LAKE CITY UT 84103

~~CARMAN, RICHARD E &
Sidwell No. 0836201022
614 S EMERY ST
SALT LAKE CITY UT 84104~~

DAVIS, WILLIAM A; TR
Sidwell No. 0836204020
964 S PUEBLO ST
SALT LAKE CITY UT 84104

LATTER, JOHN R
Sidwell No. 0836207028
571 N 200 W
SALT LAKE CITY UT 84103

PETERSEN, MICHAEL P &
Sidwell No. 0836201018
629 N 300 W
SALT LAKE CITY UT 84103

~~REDEVELOPMENT AGENCY OF S
Sidwell No. 0836205028
451 S STATE ST # 418
SALT LAKE CITY UT 84111~~

KAYLA ENTERPRISES, LLC
Sidwell No. 0825457014
653-655 N 200 W
SALT LAKE CITY UT 84103

MICHELSEN, ALAN R
Sidwell No. 0836207031
565 N 200 W
SALT LAKE CITY UT 84103

~~REDEVELOPMENT AGENCY OF S
Sidwell No. 0836205007
451 S STATE ST # 418
SALT LAKE CITY UT 84111~~

JOHNSON, TREVOR
Sidwell No. 0836207002
213 W 600 N
SALT LAKE CITY UT 84103

MICHELSEN, ALAN R
Sidwell No. 0836207030
565 N 200 W
SALT LAKE CITY UT 84103

~~REDEVELOPMENT AGENCY OF S
Sidwell No. 0836205006
451 S STATE ST # 418
SALT LAKE CITY UT 84111~~

JENSEN, KRISTEN
Sidwell No. 0825457007
251 W 700 N
SALT LAKE CITY UT 84103

MARMALADE SQUARE CONDOMIN
Sidwell No. 0836209101
PO BOX 510006
SALT LAKE CITY UT 84151

~~REDEVELOPMENT AGENCY OF S
Sidwell No. 0836205005
451 S STATE ST # 418
SALT LAKE CITY UT 84111~~

HOMESTEAD DESIGN LLC &
Sidwell No. 0836202025
12358 S RELATION ST
DRAPER UT 84020

MACFARLANE, MATT; JT ET A
Sidwell No. 0825457012
676 N 300 W
SALT LAKE CITY UT 84103

~~REDEVELOPMENT AGENCY OF
Sidwell No. 0836205033
451 S STATE ST # 418
SALT LAKE CITY UT 84111~~

H BOYD AND ASSOCIATES, LL
Sidwell No. 0836202029
667 N CORTEZ ST
SALT LAKE CITY UT 84103

~~MACFARLANE, JUDY &
Sidwell No. 0825457002
676 N 300 W
SALT LAKE CITY UT 84103~~

~~REDEVELOPMENT AGENCY OF
Sidwell No. 0836205031
451 S STATE ST # 418
SALT LAKE CITY UT 84111~~

GRAY, ARIC S &
Sidwell No. 0836202013
617 N 200 W
SALT LAKE CITY UT 84103

MACFARLANE, JUDY &
Sidwell No. 0825457001
676 N 300 W
SALT LAKE CITY UT 84103

~~REDEVELOPMENT AGENCY OF
Sidwell No. 0836205010
451 S STATE ST # 418
SALT LAKE CITY UT 84111~~

GILES, RUSSELL S &
Sidwell No. 0836207012
918 E 100 S
SALT LAKE CITY UT 84102

M S C INC
Sidwell No. 0836202003
PO BOX 65644
SALT LAKE CITY UT 84165

REDEVELOPMENT AGENCY OF
Sidwell No. 0836205001
451 S STATE ST # 418
SALT LAKE CITY UT 84111

GILBERT, VICTORIA K
Sidwell No. 0825457013
669 N 200 W
SALT LAKE CITY UT 84103

M S C INC
Sidwell No. 0836202002
5675 S VALLEY VIEW
LAS VEGAS NV 89118

PICKETT, TIM
Sidwell No. 0825457015
225 W 700 N
SALT LAKE CITY UT 84103

FELSTED, RAYMOND K
Sidwell No. 0836201012
645 N 300 W
SALT LAKE CITY UT 84103

LINDSAY, RHONDA W
Sidwell No. 0836202026
204 W 600 N
SALT LAKE CITY UT 84103

PHIPPS, TANYA T
Sidwell No. 0825457011
219 W 700 N
SALT LAKE CITY UT 84103



Cheri Coffey
625 E Wilson Ave
SLC UT 84105

Peter Van Sivers
223 W 400 N
SLC UT 84103

WOOD, RORY D
Sidwell No. 0836205012
2315 ROSENDALE RD
NISKAYUNA NY 12309

WEBSTER, JOHN J L
Sidwell No. 0836202008
649 N 200 W
SALT LAKE CITY UT 84103

VAN VRANKEN, GARY
Sidwell No. 0836202009
1058 W RAMBLER DR
SALT LAKE CITY UT 84116

VAN TUSSENBROOK, KARA
Sidwell No. 0836207008
575 N 200 W
SALT LAKE CITY UT 84103

TINGEY, JAMES D
Sidwell No. 0836202014
2827 SOUTH 50 WEST
BOUNTIFUL UT 84010

SINANOVIC, IRFAN &
Sidwell No. 0836202019
262 W 600 N
SALT LAKE CITY UT 84103

~~SHAVER, MONSON W III
Sidwell No. 0825457006
257 W 700 N
SALT LAKE CITY UT 84103~~

SHAVER, MONSON W III
Sidwell No. 0825457005
257 W 700 N
SALT LAKE CITY UT 84103

RUESCH, BRENT W
Sidwell No. 0836202020
250 W 600 N
SALT LAKE CITY UT 84103



5. PLANNING COMMISSION

a. Original Notice and Postmark

December 29, 2004

**AGENDA FOR THE
SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building at 451 South State Street
Wednesday, January 12, 2005, at 5:45 p.m.**

The Planning Commission will be having dinner at 5:00 p.m., in Room 126. During the dinner, Staff may share general planning information with the Planning Commission. This portion of the meeting will be open to the public.

- 1. APPROVAL OF MINUTES** from Wednesday, December 21, 2004
- 2. REPORT OF THE CHAIR AND VICE CHAIR**
- 3. REPORT OF THE DIRECTOR**
- 4. PUBLIC NOTICE AGENDA – Salt Lake City Property Conveyance Matters:**
 - a. Salt Lake City Public Utilities and Holliday Water Company – Holliday Water Company is requesting five standard utility permits to allow new water lines to be installed at five different locations along the Jordan and Salt Lake Canal right-of-way. These locations are outside the Salt Lake City limits at:
 - 2175 East Arbor Lane (approx 4800 S.)
 - 1968 East Sycamore Lane (approx 4700 S.)
 - 1930 East 4675 South
 - 1876 East 4625 South
 - 1802 East Osage Orange Ave. (approx 4425 S.)
 - b. Salt Lake City Property Management Division and 9th East Investments, L.L.C. – 9th East Investments L.L.C. is requesting a lease to allow a continued overhead encroachment, in the form of an awning canopy structure, into the 700 South Street right-of-way, for the property located at 863 East 700 South, in a Neighborhood Commercial “CN” zoning district.
 - c. Salt Lake City Property Management Division and Howa Properties, Inc. – Howa Properties is requesting a lease to allow three proposed overhead encroachments in the form of three awning canopy structures, into the South Temple and 300 West Street right-of-ways, as a part of the new building proposed at 279 West South Temple, in the Central Business District “D-1” zoning district.
 - d. Salt Lake City Public Utilities and Double JAC Investments L.L.C. – Double JAC is requesting a storm water drainage easement to use a portion of the City owned Lee Drain property, a City storm water drainage canal, for private development generated storm water detention and drainage. The Lee Drain property is located at approximately 1580 South Pioneer Road in a Light Industrial “M-1” zoning district. (Staff – Doug Wheelwright at 535-6178)
- 5. PUBLIC HEARINGS**
 - a. **PUBLIC HEARING** – Petition No. 400-02-42, by the Salt Lake City Planning Commission requesting to rezone the properties at 238 West 600 North and 250 West 600 North from Moderate Density Multi-family “RMF-35”, to Special Development Pattern Residential, “SR-1”. The request also

Salt Lake City Corporation complies with all ADA guidelines. If you are planning to attend the public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City 48 hours in advance of the meeting and we will try to provide whatever assistance may be required. Please call 535-7757 for assistance.

PLEASE TURN OFF CELL PHONES AND PAGERS BEFORE THE MEETING BEGINS. AT YOUR REQUEST A SECURITY ESCORT WILL BE PROVIDED TO ACCOMPANY YOU TO YOUR CAR AFTER THE MEETING. THANK YOU.

includes amending the Future Land Use Map of the Capitol Hill Community Master Plan to identify the properties as low-density residential rather than medium density residential. The request is to implement policies of the Capitol Hill Community Master Plan relating to historic preservation and retention of existing housing units. There is no development project relating to this petition. (Staff – Cheri Coffey at 535-6188 & Andrei Lubomudrov at 535-7645).

- b. PUBLIC HEARING** – Petition No. 400-02-43, initiated by the Planning Commission in 2002, to correct zoning errors that occurred during the Zoning Re-write process. Several parcels were designated in the wrong land use zone, or not all of the parcels that belong to a use were zoned together, thereby creating split-zone properties.
1. **1640 S West Temple St. (split zoning)** – Proposed zoning change: RMF -35 to CB.
 2. **628 E. Milton Ave (incorrect zone)** – Proposed zoning change: PL to R-1-5000.
 3. **652 E. Milton Ave (incorrect zone)** – Proposed zoning change: PL to R-1-5000.
 4. **1266 W. 400 S. (split zoning)** – Proposed zoning change: CN to R-1-5000.
 5. **1214 W. 400 S. (split zoning)** – Proposed zoning change: CN to R-1-5000.
 6. **1179 S. Navajo St. (split zoning)** - Proposed zoning change: R-1-5000 to CB.
 7. **1254 W. 500 N. (split zoning)** – Proposed zoning change: R-1-7000 to CN.
 8. **551 E. 400 S. (split zoning)** – Proposed zoning change: RMF-35 to CC.
 9. **362 S. 600 East. (split zoning)** – Proposed zoning change: RMF-35 to CC.
 10. **780 S. 900 West. (split zoning)** – Proposed zoning change: R-1-5000 to CB.
 11. **762 S. 900 West. (incorrect zone)** – Proposed zoning change: CB to R-1-5000.
 12. **1399 S. – 1413 S. 700 East. (split zoning)** – Proposed zoning change: R-1-5000 to CN.
 13. **963 E. 500 South. (split zoning)** – Proposed zoning change: RMF-35 to CN.
 14. **448 S. 900 East. (split zoning)** – Proposed zoning change: RMF-35 to PL.
 15. **2738 S. 2000 East. (split zoning)** - Proposed zoning change: RMF-35 to CB.
 16. **427 E. Cottage Ave. (split zoning)** – Proposed zoning change: RMF-35 to OS.
 17. **655, 613 and 651N Columbus (incorrect zone)** – Proposed zoning change: OS to R-2.
 - 17a. **City property adjacent to 613 N Columbus (incorrect zone)** - Proposed zoning change: OS to R-2
 18. **15 S. 2400 West. (incorrect zone)** – Proposed zoning change: OS to CC.
 19. **1167 E. South Temple (incorrect zone)** – Proposed zoning change: PL to SR-1.
 20. **1530 S. Main Street (split zoning)** – Proposed zoning change: RMF-35 to CC.
 21. **2200 S. Texas (split zoning)** - Proposed zoning change: PL to R-1-7000.
 22. **1486 S. 1100 East. (split zoning)** – Proposed zoning change: R-1-5000 to RB.
 23. **1480 S. 1100 East. (split zoning)** – Proposed zoning change: R-1-5000 to RB.
- (Staff – Marilyn Lewis at 535-6409)
- c. PUBLIC HEARING** – Petition No. 400-04-43, by Menlo Associates, LLC, requesting that the City close and declare as surplus property a 66 foot by 627 foot section of unimproved public street right-of-way known as 300 South, between 5200 West Street and approximately 5100 West, and that the City sell that portion of 300 South Street to Menlo Associates as the abutting property owner. (Staff – Janice Panichello at 535-6260 or janice.panichello@slcgov.com)

Salt Lake City Corporation complies with all ADA guidelines. If you are planning to attend the public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City 48 hours in advance of the meeting and we will try to provide whatever assistance may be required. Please call 535-7757 for assistance.

PLEASE TURN OFF CELL PHONES AND PAGERS BEFORE THE MEETING BEGINS. AT YOUR REQUEST A SECURITY ESCORT WILL BE PROVIDED TO ACCOMPANY YOU TO YOUR CAR AFTER THE MEETING. THANK YOU.

- d. PUBLIC HEARING** – Petition No. 400-04-50, by the Salt Lake City Redevelopment Agency, requesting approval of the design of a TRAX light rail station on 200 West between 800 South and 900 South along the existing North/South light rail corridor. This site is located in the “D-2” Downtown Support District. (Joel Paterson 535-6141 or joel.paterson@slcgov.com)
- e. PUBLIC HEARING** – Continued Discussion of Petition 410-701, by the Salt Lake County Administration regarding the expansion of the Salt Palace on the block between South Temple and 100 South from 200 West to 300 West. The Planning Commission will consider granting final design approval for the loading docks on 100 South, parking structure entrance and exit locations on 100 South and 300 West and the design of the 300 West façade of the expanded Salt Palace exhibition hall. The property is located within the “D-4” Downtown Secondary Central Business District. (Staff – Joel Paterson at 535-6141 or joel.paterson@slcgov.com and Doug Dansie at 535-6182 or doug.dansie@slcgov.com)
- f. PUBLIC HEARING** – Intermodal Light Rail Extension. The project involves the construction of a light rail transit (LRT) alignment, connection the existing Utah Transit Authority light rail terminus at the Delta Center (325 West South Temple) to the Intermodal Hub located at approximately 300 South and 600 West (the Intermodal Hub LRT station will be located at approximately 325 South 600 West). The Planning Commission will be considering the technical issues regarding the final alignment, including station locations. (Staff – Joel Paterson at 535-6141 or joel.paterson@slcgov.com and Doug Dansie at 535-6182 or doug.dansie@slcgov.com)
- g. PUBLIC HEARING** – Petition No. 400-04-45, by Mayor Anderson, requesting to change the 500 North Street closure at 500 West from a partial closure to a full closure. 500 North Street has already been approved for partial closure, by both the Planning Commission and City Council, with the condition that crash gates for emergency vehicles be provided. This petition requests that the condition for crash gates be removed from the approval and the street be fully closed. The City will retain ownership of the street but close the street to vehicular and pedestrian traffic. This closure is necessary to implement a quiet zone, which allows trains to pass without blowing their whistles. (Staff –Doug Dansie at 535-6182 or doug.dansie@slcgov.com)
- h. PUBLIC HEARING** – Petition No. 410-712, by Victor Kimball, requesting conditional use approval to allow the construction of a car-rental agency at approximately 835-841 South State Street. The proposed use is within a “D-2” Downtown Support District, and would replace an existing used-car dealership. (Staff – Elizabeth Giraud at 535-7128)
- i. PUBLIC HEARING** – Review and discussion of the Planning Commission Policies and Procedures. (Staff – Brent Wilde at 535-6180)

6. UNFINISHED BUSINESS

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SLC Planning Division
451 South State, Rm 406
Salt Lake City, UT 84111

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SLC, UT, 12/28/04

Cheri Coffey
625 E Wilson Ave
SLC UT 84105

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SALT LAKE CITY, UTAH 84145

FED. TAX I.D.# 87-0217663

The Salt Lake Tribune

DESERET
Morning News

CUSTOMER'S
COPY

PROOF OF PUBLICATION

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
PLANNING DIVISION 451 SOUTH STATE STREET #406 SALT LAKE CITY UT 84111	P5356188L-07	01/01/05

ACCOUNT NAME	
PLANNING DIVISION	
TELEPHONE	INVOICE NUMBER
801-535-6188	TL82020AWK1
SCHEDULE	
START 01/01/05 END 01/01/05	
CUST. REF. NO.	
CAPTION	
SALT LAKE CITY PLANNING COMMIS	
SIZE	
49 LINES 1.00 COLUMN	
TIMES	RATE
1	1.68
MISC. CHARGES	AD CHARGES
.00	87.32
TOTAL COST	
87.32	

SALT LAKE CITY PLANNING COMMISSION PUBLIC HEARING

On Wednesday, January 12, 2005 at 5:45 P.M., the Salt Lake City Planning Commission will hold a public hearing to take public comment and consider recommending approval of an amendment to the Future Land Use Map of the 2001 Capitol Hill Community Master Plan. The proposed amendment includes identifying two properties of approximately 238 West and 250 West 600 North, as low-density residential rather than medium-density residential. The proposal also includes rezoning the properties from RMF-35, residential multifamily to SR-1, special development residential. All persons interested and present will be given an opportunity to be heard in this matter. The hearing will be held in Room 326 of the Salt Lake City and County Building, 451 South State Street. Accessible parking and entrance are located on the east side of the building. Hearing impaired individuals who wish to attend this meeting should contact our TDD service number, 535-6021, four days in advance so that an interpreter can be provided. For further information regarding this hearing, call Cheri Coffey at 535-6188. 82020AWK

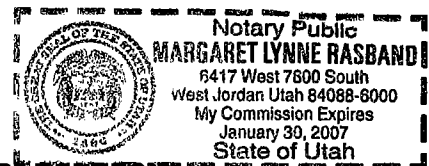
AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY CORPORATION LEGAL BOOKKEEPER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF SALT LAKE CITY PLANNING COMMIS FOR PLANNING DIVISION WAS PUBLISHED BY THE NEWSPAPER AGENCY CORPORATION, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH.

PUBLISHED ON START 01/01/05 END 01/01/05

SIGNATURE *Margaret Lynne Rasant*

DATE 01/01/05



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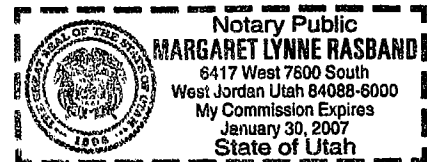
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PUBLISHED ON START 01/01/05 END 01/01/05

SIGNATURE Margaret Lynne Rasband

DATE 01/01/05



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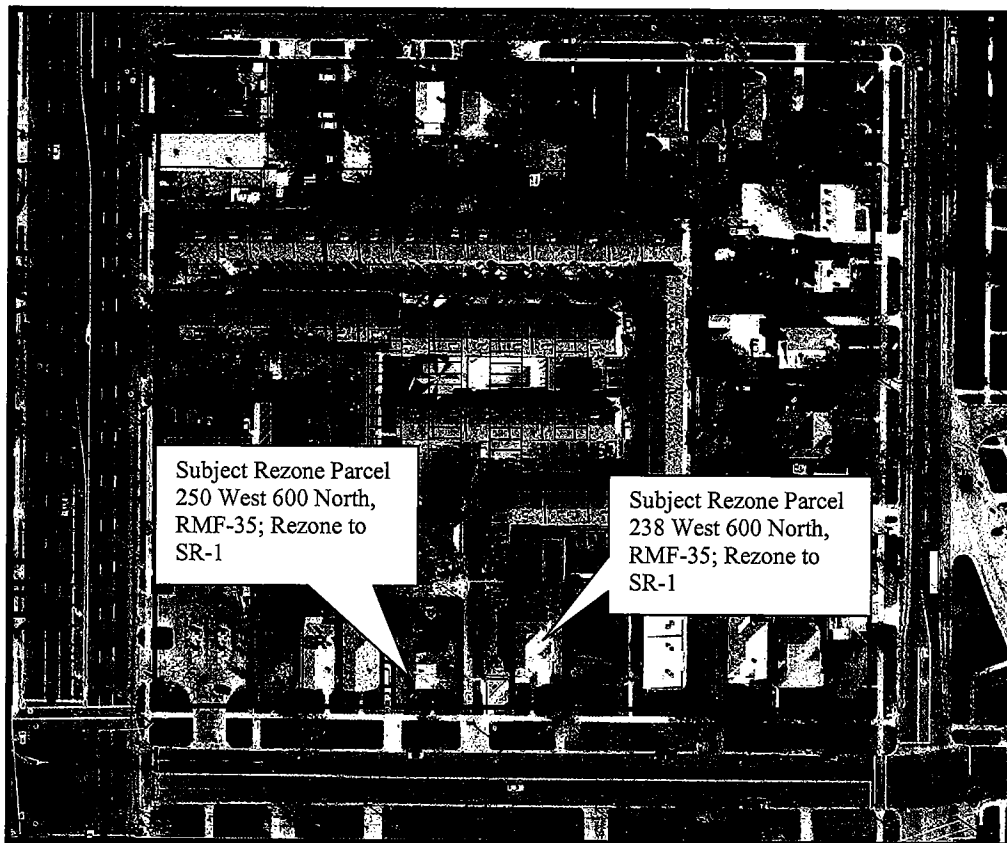
PLANNING COMMISSION

b. Staff Report

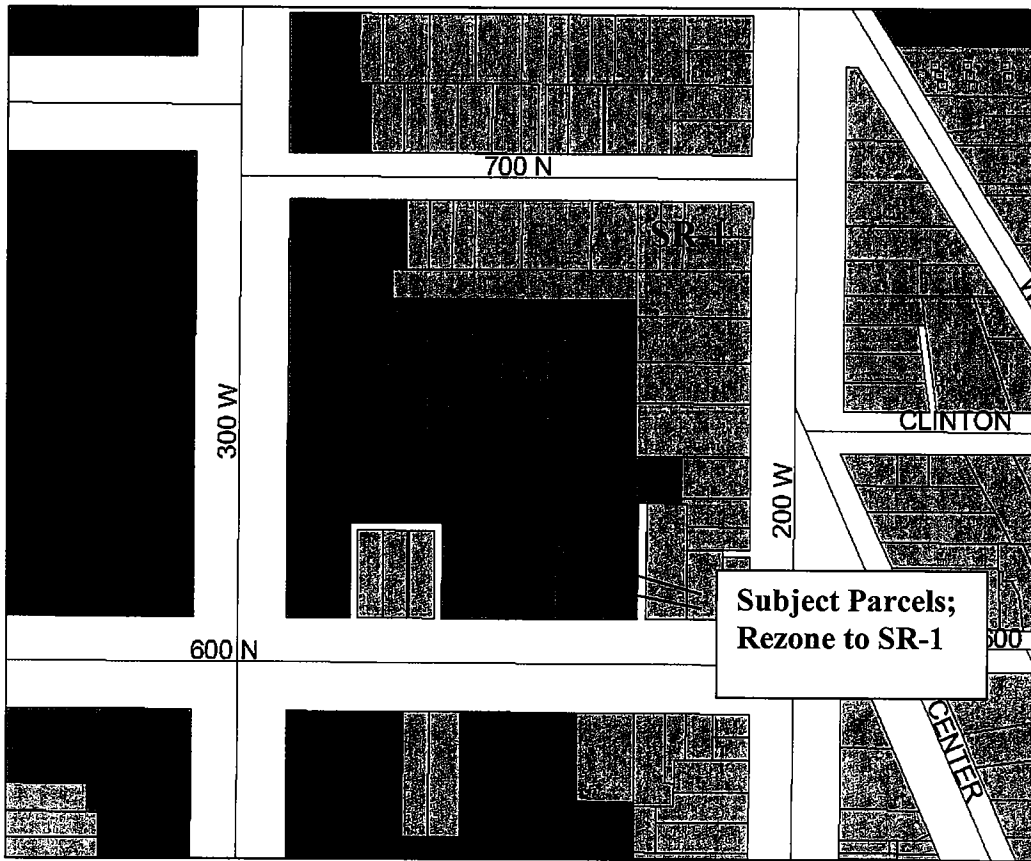
January 7, 2004

DATE: January 7, 2005
TO: Salt Lake City Planning Commission
FROM: Cheri Coffey, Planning Programs Supervisor
Andrei Lubomudrov, Planning Intern
RE: STAFF REPORT FOR THE JANUARY 12, 2005 MEETING

CASE#: Petition 400-02-42 Zoning Map Amendment
APPLICANT: Salt Lake City Planning Commission
STATUS OF APPLICANT: City Commission
PROJECT LOCATION: 238 West 600 North, and 250 West 600 North: these parcels are separated by a driveway that leads to surface parking for an adjacent condominium complex.



600 North Vicinity Zoning Map: 2004



PROJECT/PROPERTY SIZE: 0.14 and 0.19 acres for 238 West 600 North and 250 West 600 North, respectively

COUNCIL DISTRICT: District 3

REQUESTED ACTION: The applicant is requesting a rezone of the subject properties (238 West 600 North and 250 West 600 North) from the current RMF-35 Moderate Density Multi-Family Residential District zoning to an SR-1 Special Development Pattern Residential District classification. The request also requires an amendment to the Future Land Use Map of the Capitol Hill Master Plan

PROPOSED USE(S): Both the 238 West and the 250 West parcels support existing single family residences (see exhibit A: Photographs). There is no development proposal associated with this request.

**APPLICABLE LAND
USE REGULATIONS:**

Section 21A.24.080 Special Development Pattern
Residential District
Section 21A.34.020 Historic Preservation Overlay
District
Section 21A.34.060 Groundwater Source Protection
Overlay District

**SURROUNDING ZONING
DISTRICTS:**

North – RMF-35
South –RMF-45
East – SR-1
West – SR-1

**SURROUNDING LAND
USES:**

North – Multiple family residences
South – Multiple family residences
West – Single family residences
East – Single family residences

**MASTER PLAN
SPECIFICATIONS:**

2001 Capitol Hill Master Plan – The Future Land Use Map identifies the area in question for medium density residential land use for 15-30 dwelling units per acre. The Master Plan also makes historic preservation and maintenance of existing low-density residential land uses in the area a priority, and specifically calls for reevaluating the existing RMF-35 zoning at one of the subject properties, 238 West. The Plan suggests reclassifying the property to the SR-1 designation in order to better ensure preservation of the structure in place.

**SUBJECT PROPERTY
HISTORY:**

Both dwellings were constructed as single family residences in the late 1880's, prior to the adoption of Salt Lake City's Zoning Ordinance. The structure at 238 West was built in a Victorian eclectic style for Thomas Everill, and the structure at 250 West was built in a Vernacular Patternbook style for John Lowe. Both houses are still used as single family dwellings.

In 1927, the subject properties were zoned for medium-density residential development (Residential B-2). The

properties have retained this medium-density zoning classification through the latest, 1995 citywide zoning (RMF-35).

ACCESS: The subject properties are both accessible from 600 North.

PROJECT DISCRIPTION: The subject properties both developed as independent single family residences. The property at 250 West 600 North is presently for sale, and has been on the market for at least six months prior to this report. The petition request is to rezone both properties to SR-1.

Staff contacted both property owners regarding the proposed rezone, and both lent their support to the proposal.

COMENTS, ANALYSIS AND FINDINGS:

COMMENTS

City departments submitted the following comments:

Transportation - The Transportation Division commented that the proposed rezone should, if anything, reduce the potential traffic impacts in the area. The Division had no objection to the petition in question.

Public Utilities - Salt Lake Public Utilities did not object to the request. The department noted that any basement plans for the subject properties will require a geotechnical engineering study prior to approval. The department also noted that the parcels in question are located in an earthquake fault study zone.

Fire Department – The Fire Department had no comments regarding the petition request.

Public Services – The Public Services Department had no comments regarding the petition request.

Police – The Police Department did not object to the requested rezone.

Permits –The Permits Office had no objection to the proposed rezone.

Community Council(s) The Capitol Hill Community Council reviewed this request on January 21, 2004. The Community Council supported the requested rezoning of the properties. Exhibit B contains the Community Council minutes related to this petition.

ANALYSIS AND FINDINGS

In 2002, the Salt Lake City Planning Commission petitioned to reevaluate the zoning of the 238 West 600 North property as part of an effort to institute the goals of the 2001 Capitol Hill Master Plan. Staff discovered that the single family dwelling at 250 West 600 North was also zoned for higher density development and included this property in the rezone study in order to more comprehensively institute the goals of the Master Plan.

The table below summarizes the zoning history of the two parcels. The properties have been consistently zoned medium-density residential despite the existence of single-family structures in place since the 19th century. The 300 West frontage was zoned commercial for the majority of the period under consideration, while the street frontage along 600 North retained a medium to lower-density residential zoning status. The zoning history below illustrates that while the block surrounding the properties changed, the structures in question have remained intact, even though they have been consistently zoned for higher density development than the lot areas would support.

Zoning History: 238 West 600 North, 250 West 600 North			
<i>Year</i>	<i>Zoning</i>	<i>Use</i>	
1927-1963	B-2 (medium-density residential)	Single-Family Residence	The original 1927 zones designated the properties as medium density residential, flanked by a strip of commercial zoning on the Western frontage (300 W)
1963-1994	R-6 (medium density multi-family)	Single-Family Residence	In 1963 the center of the block was rezoned to B-3 (limited business). The commercial strip to the west remained unaltered, and the properties were zoned to R-6, a higher-density residential classification.
1995-Present	RMF-35 (moderate density multifamily)	Single-Family Residence	The center of the block was rezoned to RMF-35 medium density residential, which extended to the south to encompass the subject properties; the western block face was rezoned from commercial to mixed use, and the eastern block face was rezoned to the new SR-1 classification

**ZONING AMENDMENT
CODE CRITERIA / DISCUSSION / FINDING OF FACT**

In reviewing this application, the Planning Commission is required to use the following zoning amendment standards:

Section 21A.50.050 Standards for General Amendments.

- A. Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.**

Discussion: The Future Land Use Map of the 2001 Capitol Hill Master Plan designates both the 238 and 250 West parcels for medium density multifamily residential land use.

The Plan also states that preserving the existing low-density residential development in the West Capitol Hill neighborhood and promoting the rehabilitation of the existing housing stock there should be a high priority. As part of this, the Plan specifically calls for reevaluating the existing zoning of the property at 238 West 600 North.

While the Plan does not mention the property at 250 West, there are two strong reasons to believe it would encourage the change in zoning for that property as well. First, the property at 250 West resembles the 238 West property inasmuch as they were both erected in the late 1880's, they have both been used as single family residences since their establishment, and they have both been consistently zoned for higher-density uses. Second, both properties share the low-density residential and historic status that the Master Plan explicitly designates for preservation. Rezoning both properties to SR-1 will help preserve them as historically significant structures in the West Capitol Hill neighborhood and will discourage demolition in the future.

Findings: The 238 and 250 West properties have been in continuous use as single family residences since the 1880's despite their consistent medium-density multifamily zoning. The Capitol Hill Master Plan encourages the preservation of low-density residential uses and contributing historic structures, and specifically recommends downzoning the property at 238 West. The rezone at hand is consistent with the purposes and objectives of the Master Plan, since it derives from the priorities the Plan establishes and implements one of the action it contains.

B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property.

Discussion: The original single-family homes were constructed in the 1880's, and have been used as single-family residences continuously.

The uses in place in the vicinity have remained consistent since the construction of the apartment complex in the center of the block and the associated rezone. Neighboring uses are mixed, and include single-family residential, multi-family residential, and commercial.

Findings: The proposed rezone will not alter the existing uses and therefore will have a negligible impact on vicinity properties. The rezone will encourage the preservation of the structures in place and their current, low-density uses. To that end, the proposed amendment is harmonious with the overall character of existing development.

C. The extent to which the proposed amendment will adversely affect adjacent properties.

Discussion: Adjacent land uses include single family residential, multifamily residential, and commercial. The proposed rezone maintains the status quo: it promotes the continuation of the single-family structures in place, and it will not create any additional traffic or parking burdens on the neighborhood.

Findings: The proposed rezone will not alter the prevailing structural or use-based composition of the neighborhood, and therefore will not be detrimental to surrounding properties.

D. Whether the proposed amendment is consistent with the provisions of any applicable overlay zoning districts, which may impose additional standards.

Discussion: The properties in consideration are part of the Historic Preservation Overlay District and the Groundwater Source Protection Secondary Recharge Area. Any exterior remodeling, expansion or new construction on the property would be required to comply with relevant standards, enumerated in Section 21A.34.020. The Secondary Recharge Area regulations restrict many uses and prohibit others in order to prevent contamination of the public drinking water supply as a result of toxic substances entering the water table.

Findings: Any future development plans would be required to meet the standards and regulations of the historic and aquifer recharge overlay districts. The proposed zoning amendment would not create any inconsistencies with these overlays.

E. 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 waste water and refuse collection.

Discussion: Water and sewer services exist on the subject properties. No specific development project is proposed as part of this petition. Staff routed a description of the rezone request to various City Departments. The Permits, Transportation, Public Utilities and Police Departments expressed their approval through correspondence (see exhibit C). No department filed any objection to the proposed rezone.

Findings: The public services and utilities are adequate to serve the existing land uses on the properties.

MASTER PLAN AMENDMENT

Rationale: The subject parcels at 250 West 600 North and 238 West 600 North have functioned as single family residences since the late 19th century. Amending the Master Plan to encompass both parcels in the lower-density SR-1 zone is consistent with the existing land use and the special historical status of the structures on the properties. Amending the Capitol Hill

Master Plan Future Land Use Map to low-density residential for both parcels is consistent with the current land uses, as well as the historic preservation policies of the adopted plan.

A notice for the Master Plan amendment was published in the Salt Lake City Tribune and Deseret News on December 29, 2004, thereby meeting State Law requirements for Master Plan amendments.

RECOMMENDATION:

Based on the analysis and findings of fact, staff recommends that the Planning Commission forward a favorable recommendation to the City Council to change the zoning of the properties at 238 West 600 North and 250 West 600 North from RMF-35 to SR-1 and to amend the Future Land Use Map of the Capitol Hill Community Master Plan from “medium density residential” to “low-density residential.”

- Exhibits**
- Exhibit A: Photographs of Subject Properties;
 - Exhibit B: Departmental Comments;
 - Exhibit C: Capitol Hill Community Council Minutes;
 - Exhibit D: Letter to property owner at 238 West 600 North
 - Exhibit E: Letter to property owner at 250 West 600 North



238 West 600 North, view from South



Abuts medium-density apartments and access to surface parking for that development

250 West 600 North, view from South

Exhibit A
Site Photographs



238 West 600 North, view from South



Abuts medium-density apartments and access to surface parking for that development

250 West 600 North, view from South

Exhibit B
Department
Comments

November 4, 2004

Andrei

Re: Petition 400-02-42 Zoning Map Amendment for 238 W. and 250 West 600 North.

The proposed re- zoning from RMF-35 to SR-1 is a reduction in the plausible traffic generation of these lots and poses no additional impact to the transportation corridors in this area.

Sincerely,

Barry Walsh
SLC Transportation

.....
November 3, 2004

Andrei,

Thank you for the clarifications.

Public Utilities has no objections to the proposed zoning changes.

Basements will not be allowed with out a geotechnical engineering study identifying the highest expected groundwater and a possible under drain system. As plans are drawn please have a copy sent to Public Utilities for review and possible additional comments.

You may want to note that these properties are in an earthquake fault study zone.

Brad Stewart
Public Utilities

.....
November 3, 2004

I did send the mail. It must be lost in cyber space.

However, regarding the rezone request at 238 and 250 West 600 North:

"As both properties are being used as single family dwellings, I have no comments on the proposed zone change".

Larry Butcher

.....
November 8, 2004

I have read the information that you have provided on the zoning amendment. I don't have any problem with the zoning change, especially since it will help preserve the Capitol Hill Historic District. I can't see any reason why this would have an impact on police services at this time. I'm not sure whether I think this would be a positive step in ensuring adequate police services are provided at this time; I don't know that it would impact it either way.

Linda J.

Exhibit C
Community Council
Minutes

Capitol Hill Community Council
January 21, 2004
Washington Elementary School
[Abridged]

Present: A roll is being kept of all who attended the neighborhood council meeting. Mr. Von Sivers called the meeting to order at 6:35 P.M. Minutes are presented as cases were heard by the council, and not necessarily in agenda order. Tapes of the meeting will be retained at the secretary's home for a period of one year, after which, they will be erased.

Peter Von Sivers presided at and conducted the meeting.

Peter Von Sivers welcomed all in attendance.

Nelson Knight of the **Planning Commission** brought to the members a need for Amendments to our Master Plan.

- The first petition included a rezoning of the area near 238 W and 600 N. At present the area is RMG 35, which is a height restriction. Nelson would like to rezone this area to and SR1 which includes single family dwellings and duplex use. New zoning will make buildings more compatible with what is near, and reserve the continuity specified in the Master Plan.

Action: **Katherine Gardner** motioned to downsize the area to SR1 and **Shirley McLaughlin** seconded. The motion carried.

Action: Ms. Gardner moved and Dean Larsen seconded to close the meeting, which motion carried, all members present voted aye.

The meeting adjourned at 8:25 P.M.

Council Chair

Secretary, Christine Wade

Exhibit D
Letter to Property Owner
238 West 600 North

A. LOUIS ZUNGUZE
PLANNING DIRECTOR

BRENT B. WILDE
DEPUTY PLANNING DIRECTOR

DOUGLAS L. WHEELWRIGHT, AICP
DEPUTY PLANNING DIRECTOR

SALT LAKE CITY CORPORATION
COMMUNITY AND ECONOMIC DEVELOPMENT
PLANNING AND ZONING DIVISION

ROSS C. ANDERSON
MAYOR

March 7, 2003

Harley W. and Thelma M. Bloomquist
238 W. 600 North
Salt Lake City, UT 84103

Dear Mr. and Ms. Bloomquist,

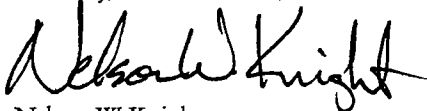
You are listed in Salt Lake County records as the owner of 238 West 600 North in Salt Lake City. The property is located in the City's Capitol Hill planning community. A new master plan for Capitol Hill was adopted by the City Council in 1999 after a lengthy public review process. The City Planning Division, along with other agencies, is currently working to implement the recommendations of the master plan. One of the recommended implementation items that the city is studying would directly affect your property. I am writing to you in order to make you aware of this matter and to solicit your input.

Your property is currently zoned RMF-35, "Moderate Density Multi-family Residential District," which allows single family homes, duplexes and apartment uses. Although your house is a single-family dwelling, your property was zoned RMF-35 because of location between two multi-family complexes, the Marmalade Hill condominiums and the apartments at 228 W. 600 North. The Master Plan calls for reevaluating the zoning of your property and to consider rezoning it to SR-1, "Special Pattern Residential District." SR-1 zoning would not allow multi-family residential uses on your property, as the existing zoning currently allows. The intent of this rezoning would be to discourage possible expansion of the surrounding multi-family uses and to encourage the preservation of your house as a single-family dwelling. Your property is also located within the City's Capitol Hill Historic District, which already places limits on demolition of buildings such as your house, but the proposed rezoning would further deter the possibility of your house being demolished for higher density development.

I wish to emphasize that the proposed rezoning of your property is only under study at this time. We request your input before the city proceeds any further with this matter. We would be pleased to meet with you at your convenience to discuss this proposal in detail and to answer any questions you may have. Please contact me by phone at 535-6260 or email at nelson.knight@slcgov.com to set up a meeting.

I have enclosed a copy of the master plan for your review, and I have marked the sections that pertain to your property. I look forward to discussing this issue with you further.

Sincerely,



Nelson W. Knight
Associate Planner

Exhibit E
Letter to Property Owner
250 West 600 North

A. LOUIS ZUNGUZE
PLANNING DIRECTOR

BRENT B. WILDE
DEPUTY PLANNING DIRECTOR

DOUGLAS L. WHEELWRIGHT, AICP
DEPUTY PLANNING DIRECTOR

SALT LAKE CITY CORPORATION
COMMUNITY AND ECONOMIC DEVELOPMENT
PLANNING AND ZONING DIVISION

ROSS C. ANDERSON
MAYOR

October 4, 2004

Brent W. Ruesch
250 W. 600 North
Salt Lake City, UT 84103

Dear Mr. Ruesch,

You are listed in Salt Lake County records as the owner of 250 West 600 North in Salt Lake City, located in the City's Capitol Hill planning community. A new master plan for Capitol Hill was adopted by the City Council in 1999 after a lengthy public review process. The City Planning Division, along with other agencies, is currently working to implement the recommendations of the master plan. One of the recommended implementation items that the city is studying would directly affect your property. I am writing you to bring this to your attention and to solicit your input.

Your property is currently zoned RMF-35, "Moderate Density Multi-family Residential District," which allows single family homes, duplexes and apartment uses. Although your house is a single-family dwelling, your property was zoned RMF-35 because of its location between two multi-family complexes, the Marmalade Hill condominiums and the apartments at 228 W. 600 North. The Master Plan calls for reevaluating the zoning of your property and rezoning it to SR-1, "Special Pattern Residential District."

SR-1 zoning would not allow multi-family residential uses on your property, as the existing zoning currently allows. The intent of this would be to discourage expansion of the surrounding multi-family uses and encouraging the preservation of your house as a single-family dwelling. Your property is also located within the City's Capitol Hill Historic District, which already places limits on demolition of buildings such as your house; the proposed rezoning would further limit the possibility of your house being demolished for higher density development.

We would like your input before proceeding any further with this matter, and we would be pleased to meet with you at your convenience to discuss this proposal in detail and to answer any questions you may have. Please contact me by phone at 801-535-6188 or email at cheri.coffey@slcgov.com, or my assistant, Andrei Yuri, at 801-535-7645 or andrei.yuri@slcgov.com.

Sincerely,


Cheri Coffey

PLANNING COMMISSION

c. Minutes

January 12, 2005

SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 325 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, January 12, 2005

Present from the Planning Commission were Chairperson Tim Chambless, Vice Chairperson Laurie Noda, Babs De Lay, Prescott Muir, Kathy Scott and Jennifer Seelig. John Diamond, Craig Galli and Peggy McDonough were unable to attend.

Present from the Planning Division Staff were Planning Director Louis Zunguze, Deputy Planning Director Brent Wilde, Deputy Planning Director Doug Wheelwright, Planning Programs Supervisor Cheri Coffey, Senior Planner Elizabeth Giraud, Intern Andrei Lubomudrov, Principal Planner Marilyn Lewis, Senior Planner Joel Paterson, Principal Planner Doug Dansie and Acting Planning Commission Secretary Deborah Martin. Deputy City Attorney Lynn Pace was also present.

A roll is being kept of all who attended the Planning Commission Meeting. Chairperson Chambless called the meeting to order at 5:48 p.m. Minutes are presented in agenda order and not necessarily as cases were heard by the Planning Commission. Tapes of the meeting will be retained in the Planning Office for a period of one year, after which they will be erased.

Planning Commission Members voting during the meeting of January 12, 2005 are as follows: Commissioner Noda, Commissioner De Lay, Commissioner Muir, Commissioner Scott and Commissioner Seelig. Commission Chambless, as Chairperson, did not vote.

5. PUBLIC HEARINGS

- a. **PUBLIC HEARING - Petition No. 400-02-42, by the Salt Lake City Planning Commission requesting to rezone the properties at 238 West 600 North and 250 West 600 North from Moderate Density Multi-family "RMF-35", to Special Development Pattern Residential, "SR-1". The request also includes amending the Future Land Use Map of the Capitol Hill Community Master Plan to identify the properties as low-density residential rather than medium density residential. The request is to implement policies of the Capitol Hill Community Master Plan relating to historic preservation and retention of existing housing units. There is no development project relating to this petition. (Staff – Cheri Coffey at 535-6188 & Andrei Lubomudrov at 535-7645).**

(This item was heard at 5:53 p.m.)

Mr. Lubomudrov explained that the Planning Commission initiated the subject petition in 2002 in an effort to implement the policy of the Capitol Hill Master Plan. Originally, the petition cited the property at 238 West 600 North, and Staff subsequently included the property at 250 West 600 North because it has physical and historic similarities to 238 West and it is currently used as

a low-density residential unit. Mr. Lubomudrov further explained that the property owners of the subject properties support the proposed rezoning, and the Capitol Hill Neighborhood Council gave formal support for the change in January 2004. City Staff reviewed the proposed rezone and determined that the text of the Master Plan supports the down zoning and City departments did not object to the proposal. Based on the analyses and the findings of fact, Planning Staff requests that the Planning Commission forward a favorable recommendation to the City Council to change the zone of the subject properties from RMF-35 to SR-1, and to amend the future land use map of the Capitol Hill Community Master Plan from medium-density residential to low-density residential.

There was no one from the Capitol Hill Neighborhood Council or public to speak on the matter.

The public hearing was closed to public comment and there was no further discussion.

Motion for Petition #400-02-42 Based on the analyses and findings of fact, Commissioner De Lay moved for the Planning Commission to forward a favorable recommendation to the Salt Lake City Council to change the zone on the properties located at 238 West 600 North and 250 West 600 North from RMF-35 to SR-1, and to amend the future land use map of the Capitol Hill Community Master Plan from medium-density residential to low-density residential. Commission Noda seconded the motion, all voted *aye*; the motion passed.

6. ORIGINAL PETITION

PETITION CHECKLIST

<u>Date</u>	<u>Initials</u>	<u>Action Required</u>
<u>11/26/02</u>	<u>LS</u>	Petition delivered to Planning
<u>12/18/02</u>	<u>LS</u>	Petition assigned to: <u>Nelson Knight</u>
<u>✓</u>	<u>CC</u>	Planning Staff or Planning Commission Action Date
<u>✓</u>	<u>CC</u>	Return Original Letter and Yellow Petition Cover
<u>✓</u>	<u>CC</u>	Chronology
<u>✓</u>	<u>_____</u>	Property Description (marked with a post it note)
<u>✓</u>	<u>_____</u>	Affected Sidwell Numbers Included
<u>✓</u>	<u>_____</u>	Mailing List for Petition, include appropriate Community Councils
<u>✓</u>	<u>_____</u>	Mailing Postmark Date Verification
<u>✓</u>	<u>_____</u>	Planning Commission Minutes
<u>✓</u>	<u>_____</u>	Planning Staff Report
<u>✓</u>	<u>_____</u>	Cover letter outlining what the request is and a brief description of what action the Planning Commission or Staff is recommending.
<u>✓</u>	<u>2-4-05</u>	Ordinance Prepared by the Attorney's Office
<u>✓</u>	<u>_____</u>	Ordinance property description is checked, dated and initialed by the Planner. Ordinance is stamped by Attorney.
<u>CHERI COFFEY</u>	<u>_____</u>	Planner responsible for taking calls on the Petition
<u>_____</u>	<u>_____</u>	Date Set for City Council Action _____
<u>_____</u>	<u>_____</u>	Petition filed with City Recorder's Office

Taylor, Lucille

From: Coffey, Cheri
Sent: Tuesday, November 26, 2002 11:56 AM
To: Taylor, Lucille
Subject: New Petitions
Categories: Program/Policy

Lucille,

On November 21, 2002 the Planning Commission initiated these new petitions. Would you please create the numbers and jackets for these petitions?

Thanks.

	Text Amendment. Amend the Urban Institutional zone to decrease the maximum height of new development to fifty feet where adjacent to residential properties.	Doug Dansie	11/21/02	
	Develop design guidelines to encourage design of building, landscape and parking facilities on the block bounded by North Temple, 200 North, Main and State Streets (Block 93) to ensure that any development will support and enhance the residential neighborhood to the north as well as maintain view corridors to the Capitol from the south.	Doug Dansie	11/21/02	
	Mapping Amendment. Analyze the feasibility of rezoning all structures in the Kimball Neighborhood originally built as single-family or duplex as R-2.	Nelson Knight	11/21/02	
	Text Amendment. Create a new zoning district that addresses the lower height and higher density of historic apartments to ensure they conform with regulations without encouraging their	Everett Joyce	11/21/02	

11/26/2002

	demolition.			
	Map and Text Amendment. Modify the existing Capitol Hill Protective Area Overlay Zone to establish a 35-foot maximum height limit for residentially zoned properties within the Overlay Zone (with a few exceptions.) and modify the Overlay Zoning Map to expand the boundaries of the Capitol Hill Protective Overlay Zone.	Everett Joyce	11/21/02	
	Map Amendment. Reevaluate the existing RMF-35 zoning at 238 West 600 North and consider rezoning the property to Special Residential SR-1 to encourage preservation of the structure.	Nelson Knight	11/21/02	

REMARKS

Petition No. 400-02-42

By Planning Commission

Map Amendment to reevaluate the existing RMF-35 zoning at 238 West 600 North and consider rezoning the property to Special Residential SR-1 to encourage preservation of the structure.

Date Filed _____

Address _____