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# SALT LAKE CITY COUNCIL STAFF REPORT

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**DATE:** September 2, 2005

**SUBJECT:** Petition 400-05-03 and 400-05-04 – Ms. Tanya Chatterton - request to rezone property at 1432 South 1100 East, amend the text of the Zoning Ordinance and amend the Central Community Master Plan

**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

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

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## POTENTIAL MOTIONS:

1. [“I move that the Council”] Adopt an ordinance to rezone property at 1432 South 1100 East, amend the text of the Zoning Ordinance and amend the Central Community Master Plan.
  2. [“I move that the Council”] Not adopt an ordinance to rezone property at 1432 South 1100 East, amend the text of the Zoning Ordinance and amend the Central Community Master Plan.
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The following information was provided previously. It is provided again for your reference.

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## KEY ELEMENTS:

- A. Two ordinances have been prepared for Council consideration to:
  1. Rezone property at 1432 South 1100 East from Single-family Residential R-1/5000, Moderate Density Multi-Family RMF-35 and Residential Business RB to Residential Business RB and Single-family Residential R-1/5000. (As part of the process, the property will be subdivided into two lots. Lot 1, the property on the corner of 1100 East and Roosevelt Ave. will be rezoned RB. Lot 2, with frontage on Roosevelt Ave. will be zoned R-1/5000. Please see the attached existing and proposed zoning and the minor subdivision maps for details.)
  2. Amend the text of the Zoning Ordinance to allow plant and garden shops with outdoor retail sales as a conditional use in the Residential Business RB zoning district.
  3. Amend the Central Community Master Plan.

- B. The actions would facilitate continued use of the property and existing structure for a garden store and garden area. The Administration's paperwork notes the following key points related to this request:
  - 1. The petitions were filed in response to a zoning complaint and enforcement action by the City. Enforcement action has been stayed pending final action on the petitions.
  - 2. The applicant started a business as a home occupation but over several years expanded the business to the point where several zoning actions are now required to allow continued use as a business.
  - 3. The impacts to adjacent properties (on Roosevelt Avenue) can be mitigated if a residential lot is created through the subdivision process to limit commercial encroachment into the adjoining neighborhood.
  - 4. The applicant does not want to subdivide the property and prefers to have the entire parcel zoned Residential Business RB.
  - 5. Surrounding land uses include multi-family residential to the north, commercial and single-family residential to the east and south and single-family residential to the west.
  - 6. Key points relating to rezoning and master plan amendment:
    - a. According to Salt lake County records the property was assembled from five separate properties and combined into a single lot on September 7, 1994.
    - b. The existing zoning district boundary lines follow the old lot lines as they existed before the lots were combined into one parcel.
    - c. The lot consolidation occurring at the same time as the 1995 Zoning Rewrite Project accounts for the three zoning districts that now exist on the property. (The Zoning Rewrite Project was adopted in April 1995.)
    - d. Zoning the property to Residential Business and Single-Family Residential as proposed is appropriate for this location to provide consistent zoning along 1100 East and limit commercial expansion into the single-family residential neighborhood on Roosevelt Avenue to the west.
  - 7. Key points relating to the zoning text amendment:
    - a. Allowing plant and garden shops with outdoor retail sales as a conditional use in the Residential Business zone will provide supportive commercial uses in or near residential neighborhoods while ensuring compatibility with dissimilar uses.
    - b. The conditional use process will ensure compatibility with adjoining land uses and allow mitigation of any potential negative impacts.
- C. The purpose of the Residential/Business RB zone is to provide for limited commercial use opportunities within existing residential areas located along higher volume streets while preserving the attractiveness of the area for single-family residential use. (Zoning Ordinance Sec. 21A.24.160A.)
- D. The purpose of the Single-Family Residential R-1/5000 district is to provide for conventional single-family residential neighborhoods with lots not less than five thousand (5,000) square feet in size. (Zoning Ordinance Sec. 21A.24.070A.)
- E. On May 11, 2005, the Planning Commission voted to forward a positive recommendation to the Council to rezone the property, amend the text of the Zoning Ordinance and amend the Central Community Master Plan. In addition, the Planning Commission granted conditional use and preliminary subdivision approval subject to specific conditions including approval by the City Council of the Zoning Ordinance text amendment, master plan amendment and rezoning requests. Issues discussed included alternative options for subdividing the property, conditions relating to the business use of the property and improvements and conditions specific to the site.
- F. The public process included an open house to gather public input and meet Community Council notification requirements for the Zoning Ordinance text amendment, a presentation of the proposal to the East Central Community Council and written notification of the Planning Commission hearing to surrounding property owners. The Planning staff report notes the following general comments from the Community Council meet and open house:

1. The RMF-35 zoning on the northern part of the property should be considered a mapping error made during the 1995 Zoning Rewrite project.
  2. Rezoning the north portion of the property to RB results in a net loss of residentially zoned property. Consider zoning the western portion of the property that abuts single-family dwelling to R-1/5000 sufficient to accommodate a flag lot.
  3. The Planning Commission should initiate a petition to address better defining what can be displayed in the public way.
  4. Creating a residential lot with frontage on Roosevelt Ave. will create an undue burden on the property owner. The owner believes the residential lot will be taxed at a higher rate.
- G. The City's Fire, Police, and Public Utilities Departments and Transportation and Engineering Divisions have reviewed the request. As part of the conditional use and subdivision approval, the applicant will be required to comply with specific items identified by City Departments/Divisions and applicable City standards and requirements.

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

- A. The Administration's transmittal and Planning staff report note:
1. The Central Community Development Plan (1974) 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 low density residential land use. (As previously noted, amending the Plan is part of this action.)
  3. The 1995 Zoning Rewrite project updated and amended the land use and zoning policies of all previously adopted master plans.
- B. 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.
- The Futures Commission Report recommends that "Entrepreneurship should be nurtured and encouraged. Small businesses (firms with 500 or fewer employees) comprise 30% of total nongovernmental employment in the City. Establishment of new small businesses and the expansion of existing ones should be facilitated by the City to maintain a healthy, vibrant economy."
- 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 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.
- E. 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.

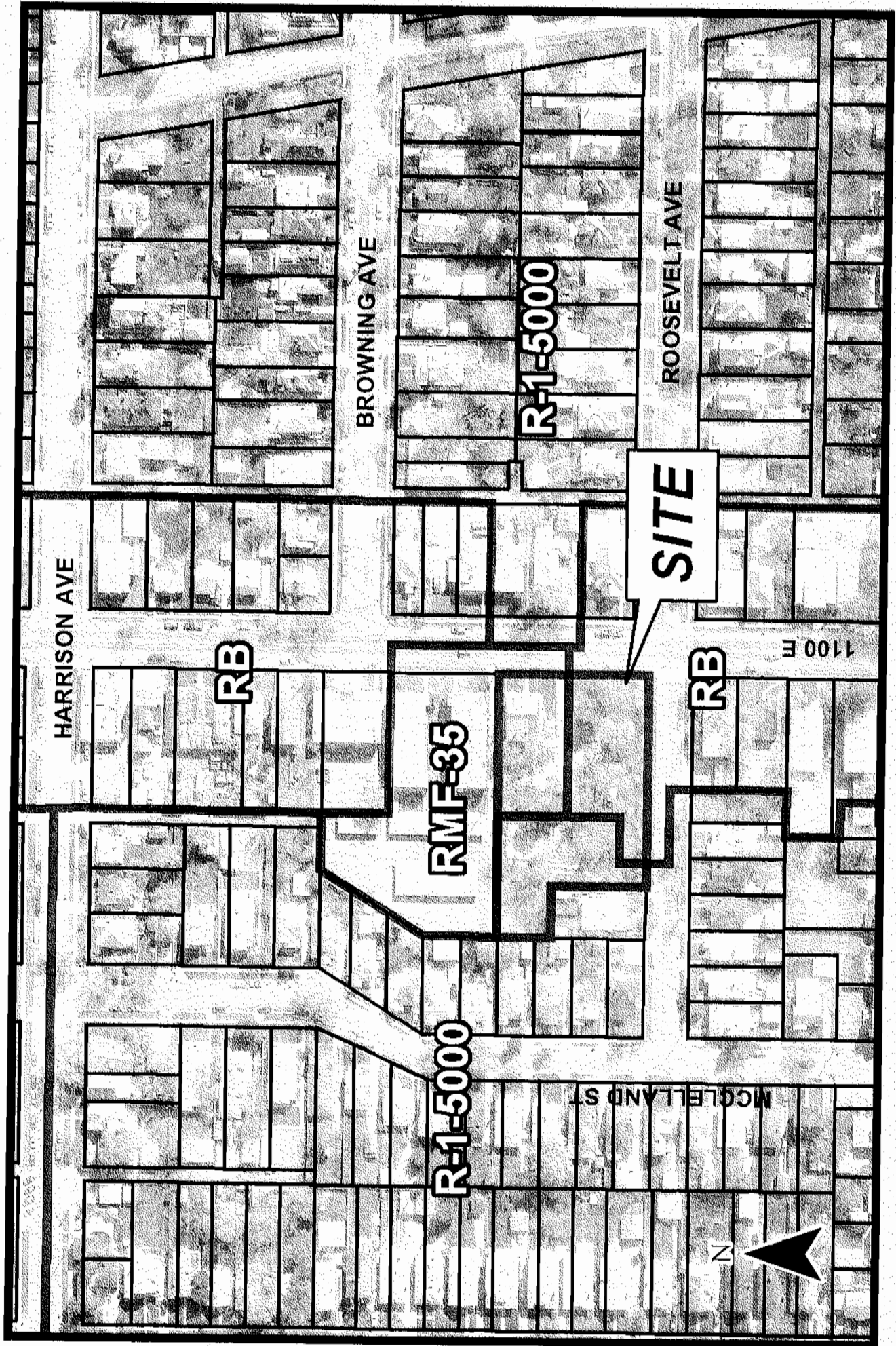
## **CHRONOLOGY:**

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.

- February 25, 2005      Petition received
- March 16, 2005      East Central Community Council meeting
- April 18, 2005      Planning open house
- May 11, 2005      Planning Commission hearing
- May 26, 2005      Ordinance requested from City Attorney
- June 7, 2005      Ordinance received from City Attorney

cc:      Sam Guevara, Rocky Fluhart, DJ Baxter, Ed Rutan, Lynn Pace, Melanie Reif, Louis Zunguze, Brent Wilde, Doug Wheelwright, Cheri Coffey, Ray McCandless, Lehua Weaver, Annette Daley, Jennifer Bruno

File Location: Community Development Dept., Planning Division, Rezoning, Zoning Ordinance text and Master Plan Amendment, Tanya Chatterton, 1432 South 1100 East



HARRISON AVE

RB

BROWNING AVE

RMF-35

R-1-5000

R-1-5000

SITE

RB

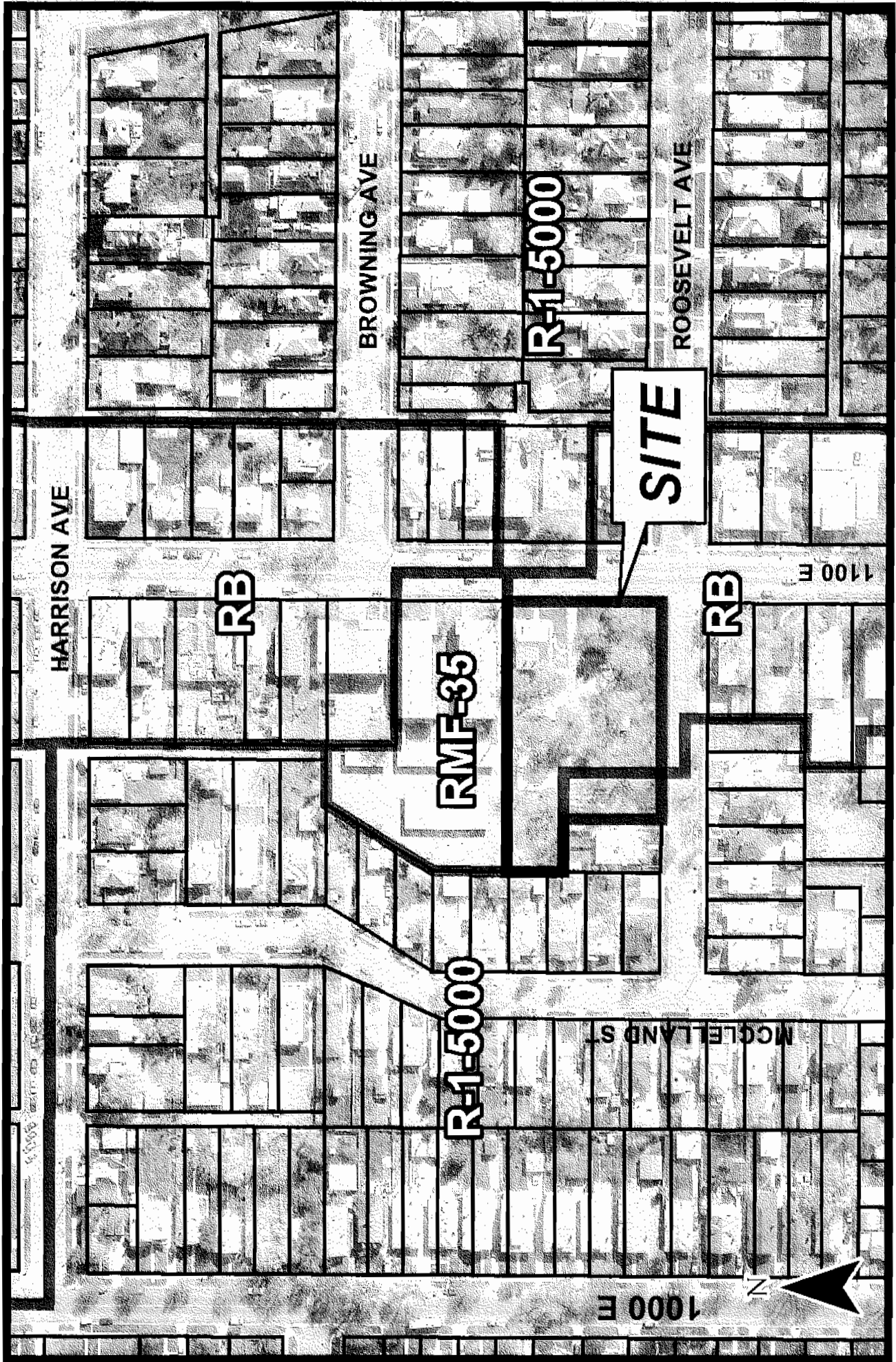
ROOSEVELT AVE

1100 E

MCGLELLAND ST

N

EXISTING ZONING



PROPOSED ZONING

LOT 15, BLOCK 16,  
FIVE ACRE PLAT "A", B.F.S.

PARRISH PROPERTIES I, LLC  
16-17-204-032

EAST 291.75'

POINT OF BEGINNING  
TOTAL TRACT & LOT 1

TRACES MINOR SUBDIVISION

PAUL T. LUBECK  
16-17-204-011

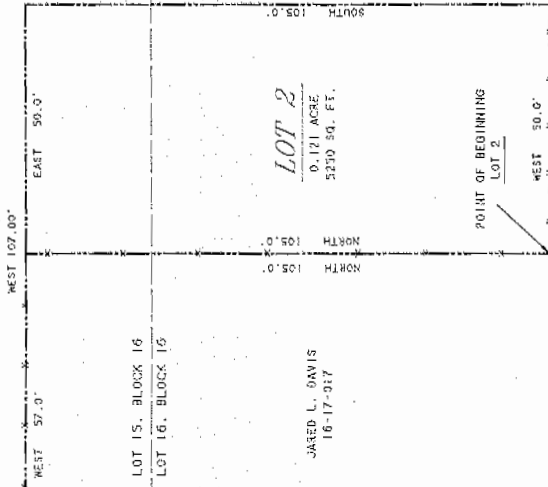
PATRICK W. LEARY  
16-17-204-012

ODONNA T.  
16-17-204-013

LOT 15, BLOCK 16  
LOT 16, BLOCK 16

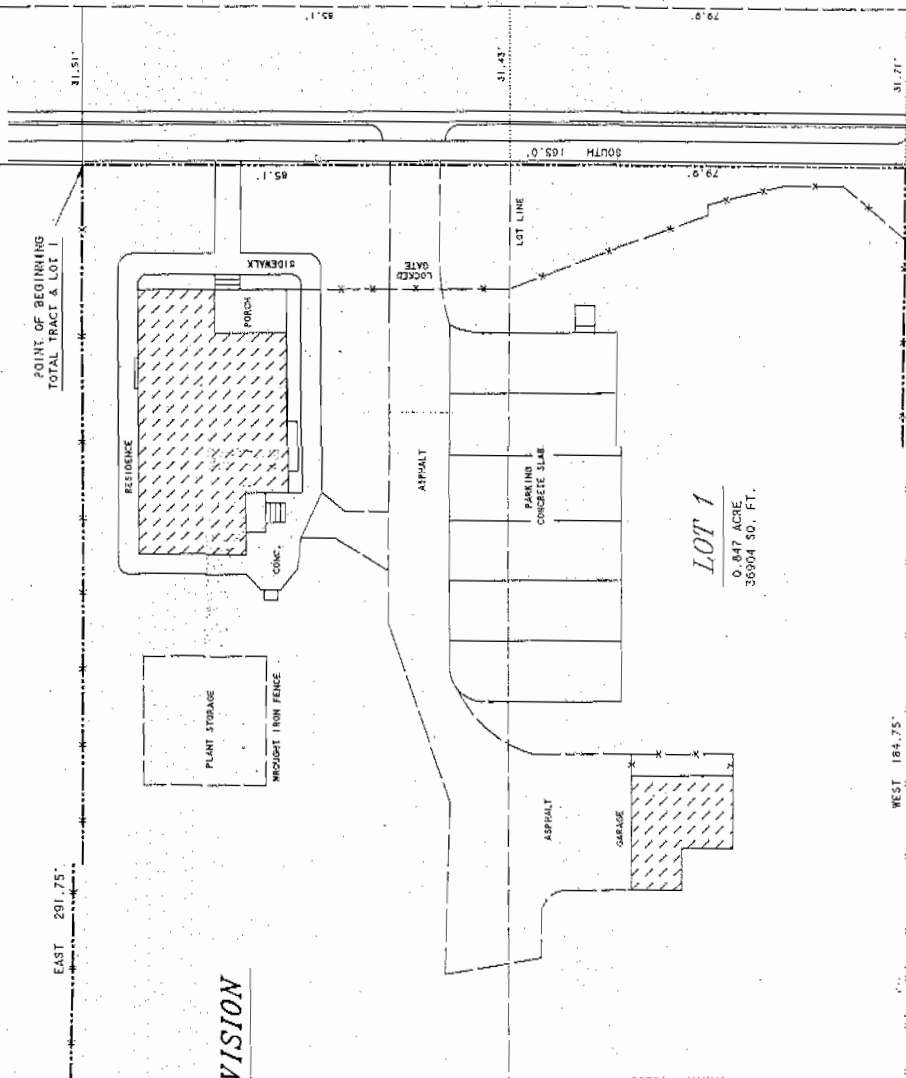
JERRY E. LISON  
16-17-204-014

RYAN  
015



LOT 2  
0.121 ACRE  
5270 SQ. FT.

JARED L. DAVIS  
16-17-017



LOT 1  
0.847 ACRE  
36904 SQ. FT.

100 EAST STREET

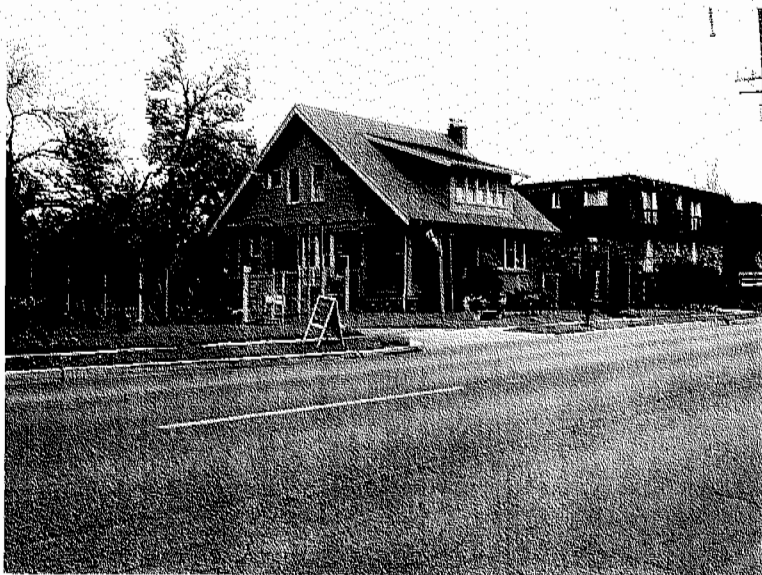
ROOSEVELT AVENUE - 1455 SOUTH

WEST 184.75'  
WEST 234.75'



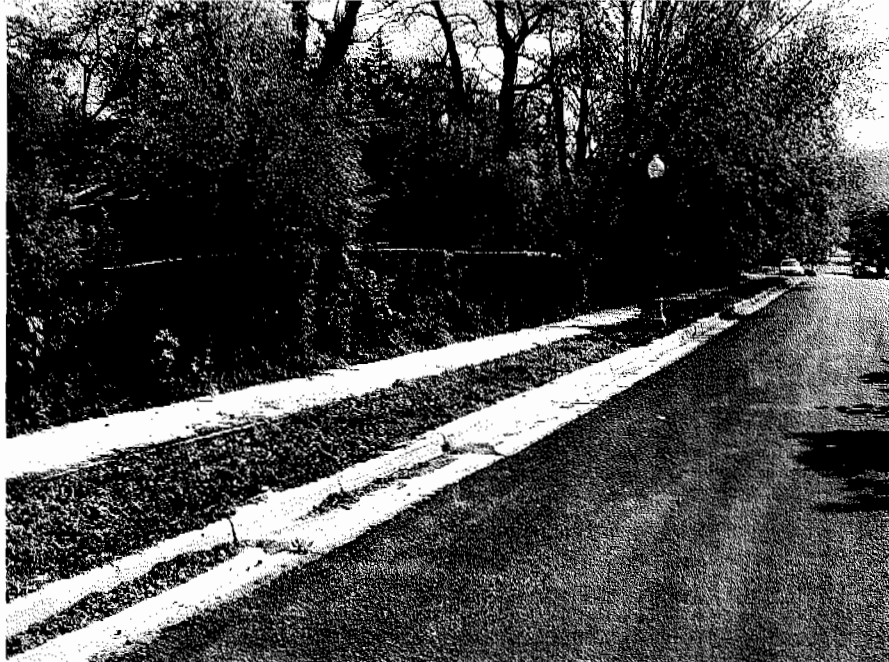


Front of Building on 1100 East

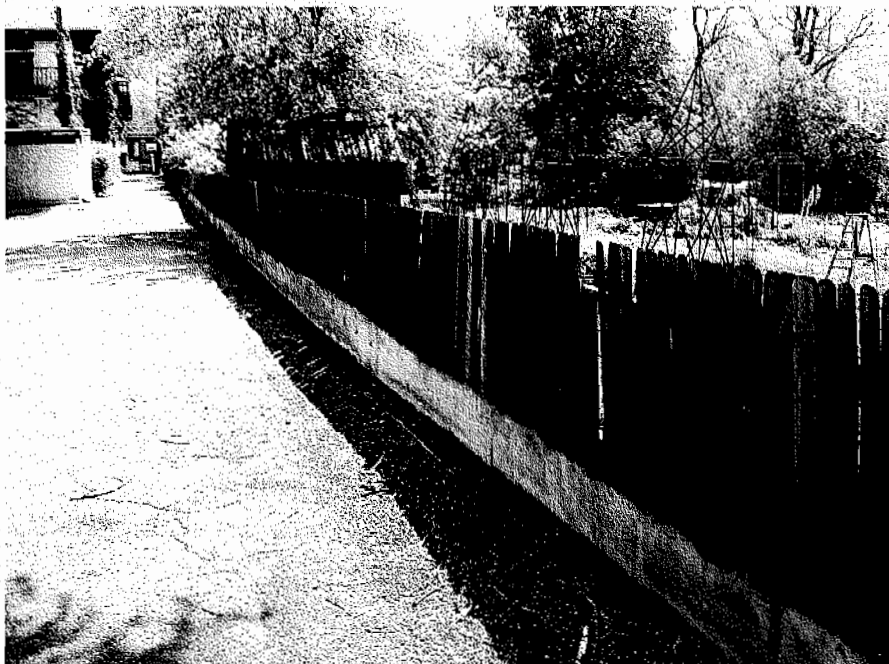


1100 East Looking Northwest





Roosevelt Ave. Looking East Toward 1100 East



North Property Line Screening Looking Southeast Towards  
1100 East

A. LOUIS ZUNGUZE  
DIRECTOR

BRENT B. WILDE  
DEPUTY DIRECTOR

# SALT LAKE CITY CORPORATION

DEPT. OF COMMUNITY DEVELOPMENT  
OFFICE OF THE DIRECTOR

ROSS C. "ROCKY" ANDERSON  
MAYOR

## COUNCIL TRANSMITTAL

**TO:** Rocky Fluhart, Chief Administrative Officer

**DATE:** June 13, 2005

**FROM:** Louis Zunguze, Community Development Director

**RE:** Petitions 400-05-03 and 400-05-04 by Ms. Tanya Chatterton, requesting approval to allow a garden store called Traces at 1432 South 1100 East. The petitions being considered are as follows:

**Petition Number 400-05-03** - Request for a zoning text amendment to allow a Garden Store as a conditional use in the Residential Business (RB) zoning district.

**Petition Number 400-05-04** - Request to rezone property from Moderate Density Multi-Family Residential (RMF-35), Single Family Residential (R-1-5,000) and Residential Business (RB) to Residential Business (RB) and Single Family Residential (R-1-5,000) (see attached maps). These rezoning actions require amending the 1974 Salt Lake City Central Community Development Plan (as updated by the Salt Lake City Zoning Rewrite Project of 1995) to reflect the proposed zoning. (Please see the attached zone maps showing the existing and proposed zoning boundaries).

**STAFF CONTACT:** Ray McCandless, Principal Planner 535-7282

**DOCUMENT TYPE:** Ordinance

**BUDGET IMPACT:** None

**DISCUSSION:** These petitions were submitted in response to a zoning enforcement issue where the applicant started a business as a home occupation but over several years, expanded the business to the point where several zoning actions are now required to allow the existing use to continue. The actions include a zoning text amendment, to allow a plant and garden shop as a conditional use in the Residential Business "RB" zoning district, a zoning map amendment to make the zoning consistent with the proposed use of the property and a master plan amendment to update the land use map to reflect the proposed zoning. The zoning text amendment, zoning map amendment and master plan amendment proposals require approval by the City Council.

The applicant has also requested conditional use approval of the garden store and preliminary subdivision approval of a 2-lot subdivision. The conditional use request and minor subdivision were approved by the Planning Commission on May 11, 2005 subject to City Council approval of the zoning text amendment, zoning map amendment and master plan amendment requests.

**Public Process:** Given the City-wide implications of the ordinance text amendment, an open house was held on Monday, April 18, 2005 to gather public input and meet Community Council notification requirements. The proposal, along with the master plan amendment, was also discussed by the East Central Community Council on March 16, 2005. Their comments are included with the accompanying Staff reports.

The Planning Commission reviewed the petitions on May 11, 2005 and favorably recommended that the zoning text amendment, zoning map amendment and Master Plan Amendment be forwarded to the City Council for consideration. A copy of the Planning Commission minutes stating the approval conditions of the conditional use and minor subdivision request is attached for your reference.

**Section 21A.10 - General Application and Public Hearing Procedures of the Salt Lake City Zoning Ordinance and Sections 10-9a-404, and 204 of the Utah State Code** requires that the legislative body hold advertised public hearings for zoning map amendments, zoning text amendments and master plan amendments. Newspaper advertised notice is required prior to consideration by the City Council. A draft notice has been provided in this transmittal packet.

**Relevant Ordinances:**

**Zoning Map, and Zoning Text Amendments:**

Section 21A.10 - General Application and Public Hearing Procedures

Section 21A.50.050 - Standards for General Amendments

Section 21A.24.190 - Table Of Permitted And Conditional Uses For Residential Districts

**Master Plan Amendment:**

Section 10-9-303 and 10-9-304, Utah State Code (Prior Code)

Section 10-9a-404, 204 and 103, Utah State Code (New Code)

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**Relevant Ordinances:**

**Zoning Map, and Zoning Text Amendments:**

Section 21A.10 - General Application and Public Hearing Procedures

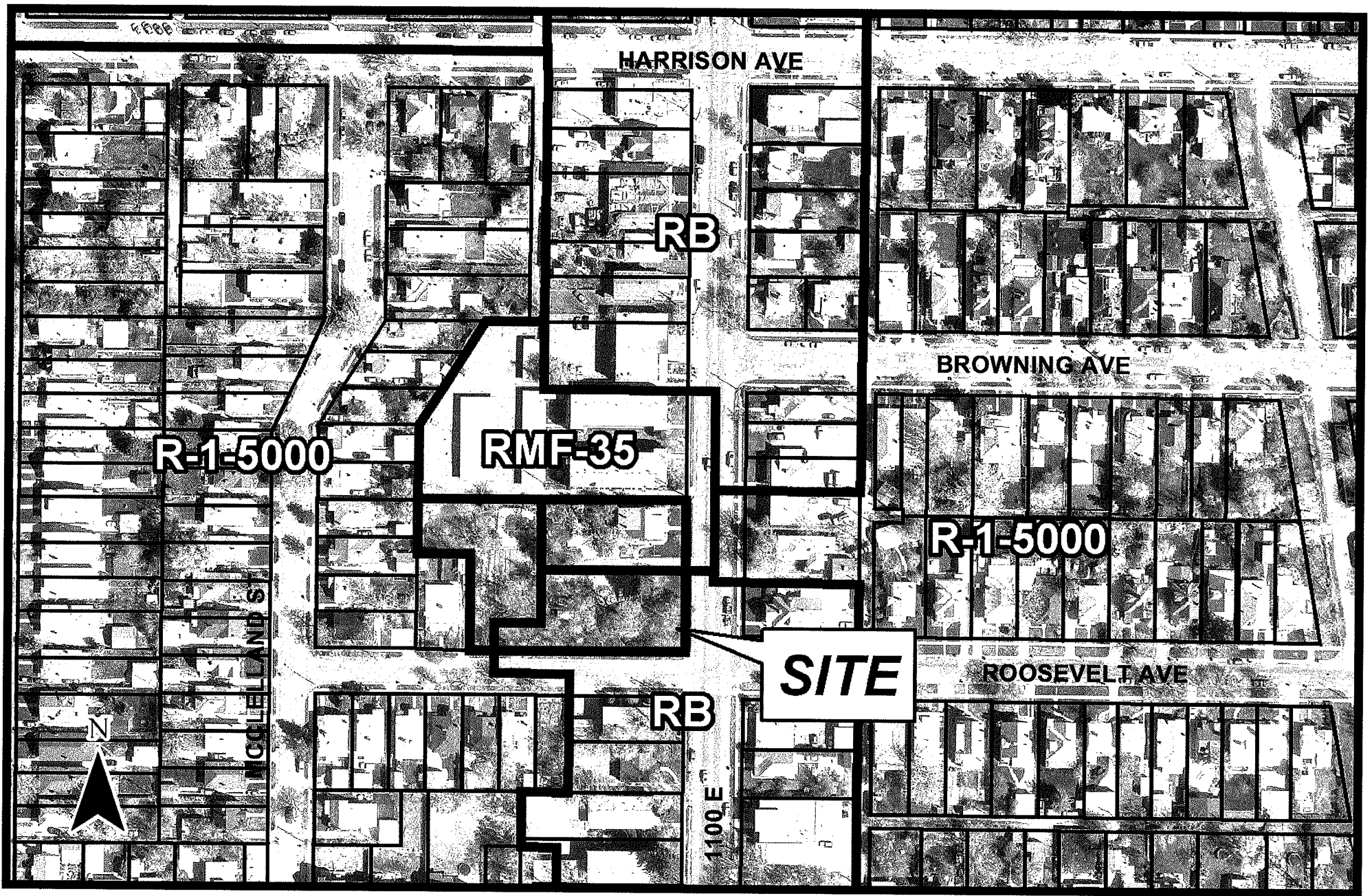
Section 21A.50.050 - Standards for General Amendments

Section 21A.24.190 - Table Of Permitted And Conditional Uses For Residential Districts

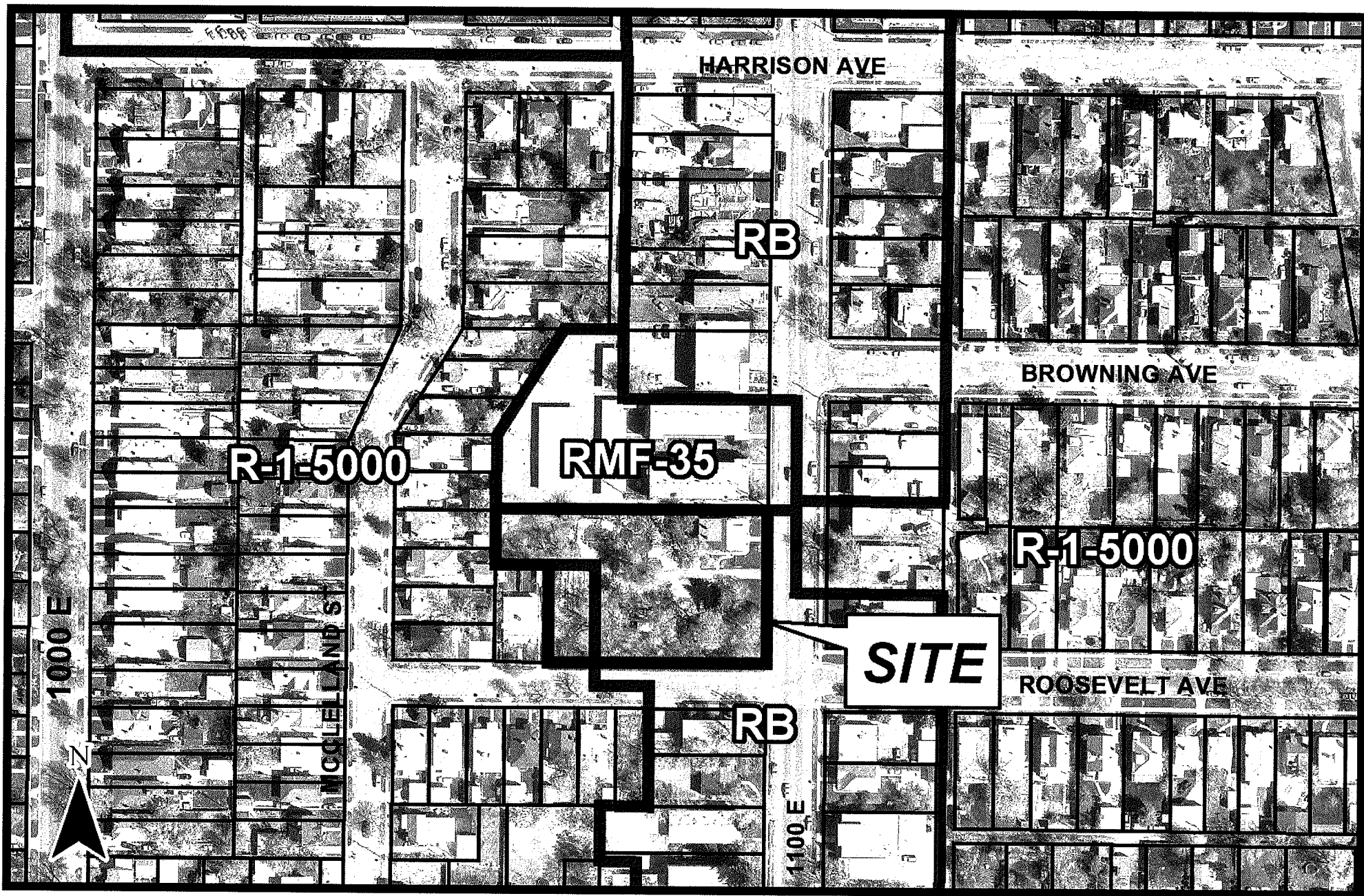
**Master Plan Amendment:**

Section 10-9-303 and 10-9-304, Utah State Code (Prior Code)

Section 10-9a-404, 204 and 103, Utah State Code (New Code)



EXISTING ZONING



PROPOSED ZONING

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5. Staff Reports for the May 11, 2005 Planning Commission Meeting.
6. Planning Commission Minutes for May 11, 2005.
7. Planning Commission Public Hearing Notice.

# 1. CHRONOLOGY

## **PROJECT CHRONOLOGY**

- February 25,2005 Petition Received.
- March 9, 2005 Petition assigned.
- March 21, 2005 Request for City Departmental comments mailed.
- April 26, 2005 Notices for the May 11, 2005 Planning Commission meeting mailed.
- May 11, 2005 Planning Commission Hearing.
- May 26, 2005 Ordinances requested from the City Attorney.
- May 26, 2005 City Council Transmittal Completed by the project Planner.
- June 7, 2005 Ordinances received from the City Attorney.

## **2. ORDINANCES**

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2005  
(Amending Table 21A.24.190)

AN ORDINANCE AMENDING TABLE 21A.24.190, *SALT LAKE CITY CODE*,  
PERTAINING TO PERMITTED AND CONDITIONAL USES FOR RESIDENTIAL  
DISTRICTS, PURSUANT TO PETITION NO. 400-05-03.

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 in Table 21A.24.190 to allow plant and garden shops with outdoor retail sales areas as conditional uses in the Residential Business District (RB) is appropriate for the development of the community in that district.

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

SECTION 1. That the table, entitled Table of Permitted and Conditional Uses for Residential Districts, which is located at Section 21A.24.190 of the *Salt Lake City Code*, shall be and hereby is, amended, in part, to allow plant and garden shops with outdoor retail sales area as conditional uses in the Residential Business District (RB) as set forth in the attached Exhibit "A."

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 \_\_\_\_\_,  
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 June 8, 2005  
By *Melanie Gray*

**EXHIBIT A**

**ZONING TEXT AMENDMENT**

**Section 21A.24.190 Table Of Permitted And Conditional Uses For Residential Districts**

**EXISTING TABLE (PARTIAL TABLE)**

Use	RB	R-MU-35	R-MU-45
Plant and garden shop, with outdoor retail sales area		C	C

**Qualifying Provisions:**

4. Construction for a nonresidential use shall be subject to all provisions of subsections 12A.24.160I and J of this chapter.

**AMENDED TABLE (PARTIAL TABLE)**

Use	RB	R-MU-35	R-MU-45
Plant and garden shop, with outdoor retail sales area	C <sup>4</sup>	C	C

**Qualifying Provisions:**

4. Construction for a nonresidential use shall be subject to all provisions of subsections 12A.24.160I and J of this chapter.

*Rev  
6/8/05*

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2005  
(Rezoning property generally located at 1432 South 1100 East)

AN ORDINANCE REZONING PROPERTY GENERALLY LOCATED AT 1432 SOUTH 1100 EAST FROM MODERATE DENSITY MULTI-FAMILY RESIDENTIAL (RMF-35), RESIDENTIAL BUSINESS (RB) AND SINGLE-FAMILY RESIDENTIAL (R-1/5000) TO RESIDENTIAL BUSINESS (RB) AND SINGLE-FAMILY RESIDENTIAL (R-1/5000), AND AMENDING THE CENTRAL COMMUNITY DEVELOPMENT PLAN, PURSUANT TO PETITION NO. 400-05-04.

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 property generally located at 1432 South 1100 East 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 property generally located at 1432 South 1100 East, which is more particularly described on Exhibit "A" attached hereto, shall be and hereby are rezoned from moderate density multi-family residential (RMF-35), residential business (RB) and single-family residential (R-1/5000) to residential business (RB) and single-family residential (R-1/5000).

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 Central Community Development Plan, as previously adopted by the Salt Lake City Council, shall be, and hereby is amended consistent with the rezoning set forth herein.

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.

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date June 8, 2005  
By [Signature]

Published: \_\_\_\_\_.

G:\Ordinance 05\Rezoning regarding Traces garden store at 1432 South 11 East - 06-06-05 draft.doc

**EXHIBIT A**

**Description of property to be zoned Residential Business "R-B"**

LOT 1

BEGINNING at a point 202.0 ft. south from the northeast corner of Lot 15, Block 16, Five Acre Plat "A", Big Field Survey: thence South 165.0 ft.: thence West 184.75 ft.: thence North 105.0 ft.: thence West 107.0 ft.: thence North 60.0 ft.: thence East 291.75 ft. to the point of BEGINNING.

Contains 0.847 acre of 36904 sq. ft.

**Description of property to be zoned Single Family Residential "R-1-5,000"**

*Rev  
6/2/85*

LOT 2

BEGINNING at a point 367.0 ft. south and 234.75 ft. from the northeast corner of Lot 15, Block 16, Five Acre Plat "A" Big Field Survey: thence North 105.0 ft.: thence East 50.0 ft.: thence South 105.0 ft.: thence West 50.0 ft. to the point of BEGINNING.

Contains 0.121 acre or 5250 sq. ft.

### **3. NOTICES OF CITY COUNCIL PUBLIC HEARING**

Posted \_\_\_\_\_  
By \_\_\_\_\_

**NOTICE OF PUBLIC HEARING**

On \_\_\_\_\_, the Salt Lake City Council will hold a public hearing to consider petition numbers 400-05-04, 400-05-03 by Tanya Chatterton, requesting the following zoning actions for property located at approximately 1432 South 1100 East: 1) Amend the Salt Lake City Zoning Ordinance to allow a plant and garden shop with outdoor display as a conditional use in the Residential Business (RB) zoning district 2) Amend the East Central Community Plan to identify the property as a Residential Business and Single-Family Residential land use and 3) Rezone the property to a Residential Business (RB) and a Single Family Residential (R-1-5,000).

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

**DATE:**  
**TIME:**  
**PLACE:** ROOM 315  
City and County Building  
451 South State Street  
Salt Lake City

If you have any questions relating to this proposal, please attend the meeting or call Mr. Ray McCandless at 535-7282, Monday through Friday.

**3. A. NOTICE OF CITY COUNCIL HEARING  
NEWSPAPER PUBLICATION DRAFT**

## MEMORANDUM

---

To: Lynn Valdez  
Newspaper Corporation  
From: Salt Lake City Council's Office  
Re: **SPECIAL NOTICES - 010 - CLASSIFIED ADS**  
Date:

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Please run the following ad, one time only, on \_\_\_\_\_, in both papers

### NOTICE OF PUBLIC HEARING

On \_\_\_\_\_, the Salt Lake City Council will hold a public hearing to consider petition numbers 400-05-04, 400-05-03 by Tanya Chatterton, requesting the following zoning actions for property located at approximately 1432 South 1100 East: 1) Amend the Salt Lake City Zoning Ordinance to allow a plant and garden shop with outdoor display as a conditional use in the Residential Business (RB) zoning district 2) Amend the East Central Community Plan to identify the property as a Residential Business and Single-Family Residential land use and 3) Rezone the property to a Residential Business (RB) and a Single Family Residential (R-1-5,000).

The public meeting of the City Council begins at \_\_\_\_\_ p.m. in Room \_\_\_\_\_, City and County Building, 451 South State Street, Salt Lake City, Utah. For more information or special arrangements, call Mr. Ray McCandless at 535-7282.

### **3. B. NEWSPAPER PUBLICATION TRANSMITTAL**



Legal Notice Salt Lake City Planning Commission Public Hearing

Run Ad on Tuesday, April 26, 2005 (one time only) in **Deseret News and Salt Lake Tribune**

**Billing Address:** Lucille Taylor  
Planning Division  
451 South State Street, Rm 406  
Salt Lake City, UT 84111

**Account Number:** S5356184L

**Contact:** Ray McCandless (535-7282) or Ray.McCandless@ci.sl.c.ut.us

[Ad copy as follows]

SALT LAKE CITY PLANNING COMMISSION  
MASTER PLAN AND ZONING ORDINANCE  
TEXT AMENDMENT  
PUBLIC HEARING

On Wednesday, May 11, 2005 at 5:45 P.M., the Salt Lake City Planning Commission will hold a hearing to take comment on Petitions 400-05-04, 400-05-03, 410-736 and 490-05-09 relating to the property at approximately 1432 South 1100 East, by Tanya Chatterton requesting to 1) Amend the Salt Lake City Zoning Ordinance to allow a plant and garden shop with outdoor display as a conditional use in the Residential Business (RB) zoning district 2) Amend the East Central Community Plan to identify the property as a Residential Business and Single-Family Residential land use 3) Rezone the property to a Residential Business (RB) and a Single Family Residential (R-1-5,000) zoning district and, 4) Approve a conditional use request to allow a plant and garden store at the address referenced above. All persons interested and present will be given an opportunity to be heard. The hearing will be held in Room 326 of the Salt Lake City and County Building, 451 South State Street. Accessible parking and entrance is located on the east side of the building. Hearing impaired individuals who wish to attend this meeting should contact our TOD service number, 535-6021, four days in advance. For further information regarding this hearing, call Ray McCandless at 535-7282.

# Newspaper Agency Corporation

143 SOUTH MAIN ST.

P.O. BOX 45838

SALT LAKE CITY, UTAH 84145

FED. TAX I.D.# 87-0217663

The Salt Lake Tribune

DESERET  
Morning News

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## PROOF OF PUBLICATION

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
PLANNING DIVISION 451 SOUTH STATE STREET, ROOM 4 SALT LAKE CITY UT 84111	P5356184L-07	04/26/05

ACCOUNT NAME	
PLANNING DIVISION	
TELEPHONE	INVOICE NUMBER
801-535-6184	TL8202RGET1
SCHEDULE	
START 04/26/05 END 04/26/05	
CUST. REF. NO.	
CAPTION	
SALT LAKE CITY PLANNING COMMIS	
SIZE	
58 LINES 1.00 COLUMN	
TIMES	RATE
1	1.68
MISC. CHARGES	AD CHARGES
.00	102.44
TOTAL COST	
102.44	

**SALT LAKE CITY  
PLANNING COMMISSION  
MASTER PLAN AND  
ZONING ORDINANCE  
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### AFFIDAVIT OF PUBLICATION

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

PUBLISHED ON START 04/26/05 END 04/26/05

SIGNATURE Janie Best

DATE 04/26/05

 Notary Public  
**SIJANIE BEST**  
824 West Big Mountain Drive  
Taylorsville, Utah 84123  
My Commission Expires  
November 19, 2006  
State of Utah

**THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"**  
**PLEASE PAY FROM BILLING STATEMENT.**

# Newspaper Agency Corporation

143 SOUTH MAIN ST.

P.O. BOX 45838

The Salt Lake Tribune

DESERET  
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CUSTOMER'S  
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SALT LAKE CITY, UTAH 84145

PROOF OF PUBLICATION

FED. TAX I.D.# 87-0217663

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**SALT LAKE CITY  
PLANNING COMMISSION  
MASTER PLAN AND  
ZONING ORDINANCE  
TEXT AMENDMENT  
PUBLIC HEARING**

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PUBLISHED ON START 04/26/05 END 04/26/05

SIGNATURE

*Janie Best*

DATE

04/26/05



Notary Public  
**SIJANIE BEST**  
824 West Big Mountain Drive  
Taylorsville, Utah 84123  
My Commission Expires  
November 19, 2006  
State of Utah

**THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"  
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### **3. C. MAILING LIST AND LABELS**

BLUE, HERBERT L &  
Sidwell No. 1617202009  
1423 S 1000 E  
SALT LAKE CITY UT 84105

CHURCH, ALOYSIUS S &  
Sidwell No. 1617202032  
1420 S MCCLELLAND ST  
SALT LAKE CITY UT 84105

ELLIS, CHARLES W &  
Sidwell No. 1617202005  
1401 S 1000 E  
SALT LAKE CITY UT 84105

BLAINE, STEPHEN M &  
Sidwell No. 1617206012  
4896 W BOULDERMEADOW DR  
HERRIMAN UT 84065

CHABAD LUBAVITCH OF UTAH  
Sidwell No. 1617208028  
1433 S 1100 E  
SALT LAKE CITY UT 84105

EERNISSE, PETER  
Sidwell No. 1617202019  
1469 S 1000 E  
SALT LAKE CITY UT 84105

BIGLER, LEO W & ELAINE A;  
Sidwell No. 1617210001  
5624 S HILLSIDE DR  
MURRAY UT 84107

CHABAD LUBAVITCH OF UTAH  
Sidwell No. 1617208003  
1433 S 1100 E  
SALT LAKE CITY UT 84105

DURRANT, SUE M  
Sidwell No. 1617202002  
420 SE DILKE  
PULLMAN WA 99163

BECKSTRAND, CYNTHIA  
Sidwell No. 1617202047  
1027 E EMERSON AVE  
SALT LAKE CITY UT 84105

CHABAD LUBAVITCH OF UTAH  
Sidwell No. 1617208002 / 1028  
1433 S 1100 E  
SALT LAKE CITY UT 84105

DIXON, P LYNN  
Sidwell No. 1617208006  
311 S STATE ST # 460  
SALT LAKE CITY UT 84111

BECKSTRAND, CYNTHIA  
Sidwell No. 1617202046  
1027 E EMERSON AVE #FRONT  
SALT LAKE CITY UT 84105

CAMPBELL, REESE J  
Sidwell No. 1617202029  
11 PARK PLACE PENTHOUSE  
NEW YORK NY 10007

DE VRIES, KENNETH  
Sidwell No. 1617202017  
1457 S 1000 E  
SALT LAKE CITY UT 84105

BEAN, JAMES S  
Sidwell No. 1617207004  
1397 S 1100 E  
SALT LAKE CITY UT 84105

BUSH, BEULAH J; ET AL  
Sidwell No. 1617209003  
183 S 200 E  
AMERICAN FORK UT 84003

CULLIS, GREGORY S & ANN M  
Sidwell No. 1617202016  
1453 S 1000 E  
SALT LAKE CITY UT 84105

BASTIANI, PATRICIA &  
Sidwell No. 1617208019  
1133 E ROOSEVELT AVE  
SALT LAKE CITY UT 84105

BROWNE, CHRIS L &  
Sidwell No. 1617208020  
1139 E ROOSEVELT AVE  
SALT LAKE CITY UT 84105

CROW, GARY &  
Sidwell No. 1617202015  
1447 S 1000 E  
SALT LAKE CITY UT 84105

BARLOW, ALLISON  
Sidwell No. 1617202042  
859 S 2300 E  
SALT LAKE CITY UT 84108

BRIGGS, KERRY M &  
Sidwell No. 1617207016  
1131 E BROWNING AVE  
SALT LAKE CITY UT 84105

CROSSMAN, RALPH B &  
Sidwell No. 1617202024  
1034 E HARRISON AVE  
SALT LAKE CITY UT 84105

ARNOLD, KAY C &  
Sidwell No. 1617202011  
1433 S 1000 E  
SALT LAKE CITY UT 84105

BOOTH, CURTIS G  
Sidwell No. 1617206011  
1062 E EMERSON AVE  
SALT LAKE CITY UT 84105

CORBETT, JACKIE L  
Sidwell No. 1617207007  
1126 E HARRISON AVE  
SALT LAKE CITY UT 84105

ANDERSON, GREGORY B  
Sidwell No. 1617208021  
1145 E ROOSEVELT AVE  
SALT LAKE CITY UT 84105

BOHMAN, WILDA H &  
Sidwell No. 1617207006  
1122 E HARRISON AVE  
SALT LAKE CITY UT 84105

COMBES, DAVID E &  
Sidwell No. 1617208007  
1122 E BROWNING AVE  
SALT LAKE CITY UT 84105



HANSEN, KATHLEEN M  
Sidwell No. 1617209004  
1487 S 1100 E  
SALT LAKE CITY UT 84105

MANWILL, JIM S &  
Sidwell No. 1617207017  
3160 S 1810 E  
SALT LAKE CITY UT 84106

NEWHOUSE, DINA A  
Sidwell No. 1617202018  
1463 S 1000 E  
SALT LAKE CITY UT 84105

GREENE, WILLIAM J IV &  
Sidwell No. 1617202006  
1405 S 1000 E  
SALT LAKE CITY UT 84105

LANGBORG, ANNABELLE B  
Sidwell No. 1617208017  
1123 E ROOSEVELT AVE  
SALT LAKE CITY UT 84105

NEILSON, LINDA  
Sidwell No. 1617207015  
1125 E BROWNING AVE  
SALT LAKE CITY UT 84105

GRAY, LAURA M; TR  
Sidwell No. 1617202003  
1387 S 1000 E  
SALT LAKE CITY UT 84105

KEENEY, MARK W &  
Sidwell No. 1617209008  
1136 E ROOSEVELT AVE  
SALT LAKE CITY UT 84105

MOYAR, ANNA G; TR  
Sidwell No. 1617208018  
1129 E ROOSEVELT AVE  
SALT LAKE CITY UT 84105

GRAVES, TIM &  
Sidwell No. 1617207014  
1119 E BROWNING AVE  
SALT LAKE CITY UT 84105

INTERNATIONAL DOWN AND FE  
Sidwell No. 1617209001  
1455 S 1100 E  
SALT LAKE CITY UT 84105

MOOSMAN, BRENT L  
Sidwell No. 1617202039  
1454 S MCCLELLAND ST  
SALT LAKE CITY UT 84105

GLASBY, AUDREY & STAN R;  
Sidwell No. 1617202030  
1410 S MCCLELLAND ST  
SALT LAKE CITY UT 84105

HYVONEN, KELLY &  
Sidwell No. 1617209007  
1130 E ROOSEVELT AVE  
SALT LAKE CITY UT 84105

MONFROOY, TOM F JR  
Sidwell No. 1617209002  
1738 S 1900 E  
SALT LAKE CITY UT 84108

GARRONE, EDWARD J &  
Sidwell No. 1617206008  
1042 E EMERSON AVE  
SALT LAKE CITY UT 84105

HUIISH, MARK W  
Sidwell No. 1617202004  
2337 N 1000 E  
LEHI UT 84043

MILLER, MARCIA KAE &  
Sidwell No. 1617202036  
1440 S MCCLELLAND ST  
SALT LAKE CITY UT 84105

GALLOW, SARAH &  
Sidwell No. 1617209019  
1125 E EMERSON AVE  
SALT LAKE CITY UT 84105

HOPE, STEVEN L &  
Sidwell No. 1617207003  
1393 S 1100 E  
SALT LAKE CITY UT 84105

MCKEE, SABRINA N  
Sidwell No. 1617208001  
1417 S 1100 E  
SALT LAKE CITY UT 84105

FULLER, THOMAS M &  
Sidwell No. 1617202043  
1474 S MCCLELLAND ST  
SALT LAKE CITY UT 84105

HOFMAN, GRACE  
Sidwell No. 1617207002  
1387 S 1100 E  
SALT LAKE CITY UT 84105

MCCLELLAND UTAH MANAGEMEN  
Sidwell No. 1617202040  
1460 S MCCLELLAND ST  
SALT LAKE CITY UT 84105

FRONK, SHERYL E  
Sidwell No. 1617202010  
1431 S 1000 E  
SALT LAKE CITY UT 84105

HOEHNE, BONITA L  
Sidwell No. 1617206013  
1068 E EMERSON AVE  
SALT LAKE CITY UT 84105

MATTFELDT, MICHAEL A  
Sidwell No. 1617206027  
1504 S 1100 E  
SALT LAKE CITY UT 84105

FISHER, ELLEN F  
Sidwell No. 1617202045  
975 S MCCLELLAND ST  
SALT LAKE CITY UT 84105

HEINRICH, URSULA &  
Sidwell No. 1617202012  
1435 S 1000 E  
SALT LAKE CITY UT 84105

MATHEWS, LAMAR C &  
Sidwell No. 1617210007  
1124 E EMERSON AVE  
SALT LAKE CITY UT 84105





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1126 E BROWNING AVE  
SALT LAKE CITY UT 84105

SCOTT, LAURA S  
Sidwell No. 1617206006  
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SALT LAKE CITY UT 84105

WARREN, GARY L & DENISE W  
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1409 S 1000 E  
SALT LAKE CITY UT 84105

REYNOLDS, ERIKA R &  
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CHARLOTTESVILLE VA 22901

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Sidwell No. 1617209006  
1126 E ROOSEVELT AVE  
SALT LAKE CITY UT 84105

TOWSON, CHRISTOPHER W &  
Sidwell No. 1617206010  
1052 E EMERSON AVE  
SALT LAKE CITY UT 84105

RENTERIA, JOHN; ET AL  
Sidwell No. 1617202025  
358 N 300 W  
SALT LAKE CITY UT 84103

SCHREINER, YASUE  
Sidwell No. 1617207005  
1407 S 1100 E  
SALT LAKE CITY UT 84105

THOMPSON, S KEITH; ET AL  
Sidwell No. 1617206026  
241 N VINE ST # 402-W  
SALT LAKE CITY UT 84103

REED, LAURIE M  
Sidwell No. 1617207008  
1134 E HARRISON AVE  
SALT LAKE CITY UT 84105

SALMON, SHERYL  
Sidwell No. 1617202031  
1414 S MCCLELLAND ST  
SALT LAKE CITY UT 84105

TEEL, RODNEY W &  
Sidwell No. 1617209017  
1111 E EMERSON AVE  
SALT LAKE CITY UT 84105

REDMAN, DAVID J & PAMELA  
Sidwell No. 1617202035  
1434 S MCCLELLAND ST  
SALT LAKE CITY UT 84105

SALAZAR, FRED J &  
Sidwell No. 1617202014  
562 E COMMONWEALTH AVE  
SALT LAKE CITY UT 84106

SONNTAG, CHRISTOPHER B &  
Sidwell No. 1617202027  
4245 S PANORAMA CIR  
HOLLADAY UT 84124

RAY, LORNA F &  
Sidwell No. 1617209020  
1129 E EMERSON AVE  
SALT LAKE CITY UT 84105

SAKAEDA, KARL K &  
Sidwell No. 1617208010  
1134 E BROWNING AVE  
SALT LAKE CITY UT 84105

SMELSER, RUTH E; TR  
Sidwell No. 1617209018  
1747 E BROWNING AVE  
SALT LAKE CITY UT 84108

PUGMIRE, NADINE L  
Sidwell No. 1617209005  
1118 E ROOSEVELT AVE  
SALT LAKE CITY UT 84105

RUNNING, GEORGE W &  
Sidwell No. 1617207018  
1143 E BROWNING AVE  
SALT LAKE CITY UT 84105

SHELLEY, BRIAN G &  
Sidwell No. 1617209010  
1148 E ROOSEVELT AVE  
SALT LAKE CITY UT 84105

PERRY, LESLIE I  
Sidwell No. 1617209021  
1131 E EMERSON AVE  
SALT LAKE CITY UT 84105

ROBINSON, CARMEN V  
Sidwell No. 1617202044  
1015 E EMERSON AVE  
SALT LAKE CITY UT 84105

SEGARS, REBECCA  
Sidwell No. 1617202026  
1040 E HARRISON AVE  
SALT LAKE CITY UT 84105

PARRISH APARTMENTS LLC, T  
Sidwell No. 1617207001  
PO BOX 1153  
BOUNTIFUL UT 84011

RIDER, ALBERTA  
Sidwell No. 1617202013  
13030 SW BULL MOUNTAIN RD  
TIGARD OR 97224

SEAMONS, CHAD J &  
Sidwell No. 1617202020  
1475 S 1000 E  
SALT LAKE CITY UT 84105

PACK, RICHARD L R & THURZ  
Sidwell No. 1617202028  
4721 S ICHABOD ST  
HOLLADAY UT 84117

RICHARDSON, GLADYS; TR  
Sidwell No. 1617208008  
111 CENTER ST #10-A  
CLEARFIELD UT 84015

SEAICH, EDNA; TR  
Sidwell No. 1617207013  
1109 E BROWNING AVE  
SALT LAKE CITY UT 84105



WRIGHT, SUSAN G  
Sidwell No. 1617202034  
1430 S MCCLELLAND ST  
SALT LAKE CITY UT 84105

WRIGHT, JAMES A &  
Sidwell No. 1617202041  
1464 S MCCLELLAND ST  
SALT LAKE CITY UT 84105

WRIGHT, HERBERT A; TR  
Sidwell No. 1617208011  
1140 E BROWNING AVE  
SALT LAKE CITY UT 84105

WITHERSPOON, DAVID &  
Sidwell No. 1617202033  
1422 S MCCLELLAND ST  
SALT LAKE CITY UT 84105

WINTERS, BRIAN K  
Sidwell No. 1617206014  
1076 E EMERSON AVE  
SALT LAKE CITY UT 84105

WINKLER, JERRY J &  
Sidwell No. 1617202038  
1145 E LAIRD AVE  
SALT LAKE CITY UT 84105

WILDE, NELDON & ROMA  
Sidwell No. 1617208012  
1146 E BROWNING AVE  
SALT LAKE CITY UT 84105

WILDE, CHRISTOPHER P &  
Sidwell No. 1617210002  
1810 HIGHPOINT DR  
BOUNTIFUL UT 84010

WELLS, SCOTT D &  
Sidwell No. 1617209009  
1142 E ROOSEVELT AVE  
SALT LAKE CITY UT 84105

WEBB, JEFF T &  
Sidwell No. 1617202008  
1415 S 1000 E  
SALT LAKE CITY UT 84105

SLC PLANNING  
ATTN. CHERI COFFEY  
451 S. STATE STREET Room 406  
SALT LAKE CITY, UTAH  
84111

SLC PLANNING - ATTN. RAY M'CANOLESS  
451 S. STATE STREET - ROOM 406  
SALT LAKE CITY, UTAH  
84111

PAULSON, DONNA  
4139 S. MCCLELLAND  
SALT LAKE CITY, UTAH 84105

GREENE, WILLIAM  
1405 S. 1000 E.  
SALT LAKE CITY, UTAH 84105

ZIMMERMAN, KARL G. &  
Sidwell No. 1617206009  
1046 E EMERSON AVE  
SALT LAKE CITY UT 84105

WROTNIAK, MARIA K  
Sidwell No. 1617202037  
1444 S MCCLELLAND ST  
SALT LAKE CITY UT 84105



DAVIS, JARED L  
Sidwell No. 1617204017  
1055 E ROOSEVELT AVE  
SALT LAKE CITY UT 84105

JOHNSON, KARL &  
Sidwell No. 1617205005  
1062 E ROOSEVELT AVE  
SALT LAKE CITY UT 84105

O'MARA, TIMOTHY  
Sidwell No. 1617204004  
1391 S MCCLELLAND ST  
SALT LAKE CITY UT 84105

CORDOVA, TOM &  
Sidwell No. 1617205017  
1055 E EMERSON AVE  
SALT LAKE CITY UT 84105

JEWKES, RICHARD L &  
Sidwell No. 1617205016  
1045 E EMERSON AVE  
SALT LAKE CITY UT 84105

NOEL, SCOTT J & EILEEN V;  
Sidwell No. 1617205007  
1068 E ROOSEVELT AVE  
SALT LAKE CITY UT 84105

CHI, KAY H  
Sidwell No. 1617204020  
1378 S 1100 E  
SALT LAKE CITY UT 84105

HEINEMAN, D SCOTT &  
Sidwell No. 1617204006  
1403 S MCCLELLAND ST  
SALT LAKE CITY UT 84105

NOEL, SCOTT J & EILEEN V;  
Sidwell No. 1617205006  
1068 E ROOSEVELT AVE  
SALT LAKE CITY UT 84105

BURGON INVESTMENT CO  
Sidwell No. 1617204026  
7445 S 700 E  
MIDVALE UT 84047

GEERTSEN, LEONARD R  
Sidwell No. 1617204021  
8007 S ERIQUE WY  
COTTONWOOD HTS UT 84093

NELSON, TANYA C  
Sidwell No. 1617204034  
1432 S 1100 E  
SALT LAKE CITY UT 84105

BRYANT, STEVE G  
Sidwell No. 1617204015  
1053 E ROOSEVELT AVE  
SALT LAKE CITY UT 84105

FJS DYNASTY LC  
Sidwell No. 1617205001  
1121 S DOUGLAS ST  
SALT LAKE CITY UT 84105

MCLENNAN, JOHN D  
Sidwell No. 1617204009  
1419 S MCCLELLAND ST  
SALT LAKE CITY UT 84105

BRUNSVIK, FRED M &  
Sidwell No. 1617205018  
1059 E EMERSON AVE  
SALT LAKE CITY UT 84105

ELLISON, JERRY &  
Sidwell No. 1617204014  
1445 S MCCLELLAND ST  
SALT LAKE CITY UT 84105

MCCAUGHEY, STEPHEN &  
Sidwell No. 1617205003  
1054 E ROOSEVELT AVE  
SALT LAKE CITY UT 84105

BROWN, KAREN  
Sidwell No. 1617205012  
1466 S 1100 E  
SALT LAKE CITY UT 84105

DYKE, NORMAN W. H. & BARB  
Sidwell No. 1617204002  
1056 E HARRISON AVE  
SALT LAKE CITY UT 84105

MARASCO, DAVID T &  
Sidwell No. 1617204007  
PO BOX 526146  
SALT LAKE CITY UT 84152

BERNSTEIN, DAVID M  
Sidwell No. 1617204001  
1050 E HARRISON AVE  
SALT LAKE CITY UT 84105

DOYLE, JASON  
Sidwell No. 1617204003  
1062 E HARRISON AVE  
SALT LAKE CITY UT 84105

LUBECK, PAUL T &  
Sidwell No. 1617204011  
2915 E BRIDGEWATER DR  
COTTONWOOD HTS UT 84121

1411, LLC  
Sidwell No. 1617204025  
1400 S 1100 E  
SALT LAKE CITY UT 84105

DERBY, RYAN E & STEPHEN L  
Sidwell No. 1617205004  
1058 E ROOSEVELT AVE  
SALT LAKE CITY UT 84105

LEARY, PATRICK W  
Sidwell No. 1617204012  
1433 S MCCLELLAND ST  
SALT LAKE CITY UT 84105

1390 SOUTH 1100 EAST  
Sidwell No. 1617204033  
2785 E RUSSELL RD #B  
LAS VEGAS NV 89120

DAVIS, LLOYD B & LURHEA W  
Sidwell No. 1617205008  
1471 S MCCLELLAND ST  
SALT LAKE CITY UT 84105

JOHNSTON, MAEVE  
Sidwell No. 1617205010  
1069 E EMERSON AVE  
SALT LAKE CITY UT 84105

TOMKAT ENTERPRISES, LTD  
Sidwell No. 1617205015  
2451 E MAYWOOD DR  
SALT LAKE CITY UT 84109

STICE, JAMES L; TR  
Sidwell No. 1617205011  
PO BOX 526432  
SALT LAKE CITY UT 84152

STAMP, MELISSA L  
Sidwell No. 1617205002  
1052 E ROOSEVELT AVE  
SALT LAKE CITY UT 84105

SALISBURY, ROBERT &  
Sidwell No. 1617204005  
1070 GREENLEY ST  
ROSEBURG OR 97470

ROGERS, ELIZABETH D &  
Sidwell No. 1617205014  
315 W HUENEME RD  
CAMARILLO CA 93012

ROGERS, ELIZABETH D &  
Sidwell No. 1617205013  
315 W HUENEME RD  
CAMARILLO CA 93012

RIKER, DELLA RAE  
Sidwell No. 1617204024  
1398 S 1100 E  
SALT LAKE CITY UT 84105

PAULSON, DONNA T  
Sidwell No. 1617204013  
1439 S MCCLELLAND ST  
SALT LAKE CITY UT 84105

PARRISH PROPERTIES I, LLC  
Sidwell No. 1617204032  
PO BOX 17760  
SALT LAKE CITY UT 84117

ORR ENTERPRISES, LLC; TR  
Sidwell No. 1617204008  
PO BOX 711228  
SALT LAKE CITY UT 84171

WRIGHT, CHRIS L & RACHEL  
Sidwell No. 1617204010  
1425 S MCCLELLAND ST  
SALT LAKE CITY UT 84105

**COMMUNITY COUNCIL CHAIRS:**

Updated: 4/20/2005 sj

**KEN FUTZ, CHAIR**  
WEST POINTE COMM. COUNCIL  
1217 NO. BRIGADIER CIRCLE  
SALT LAKE CITY, UT 84116

**KENNETH L. NEAL, CHAIR**  
ROSE PARK COMMUNITY COUNCIL  
1071 NO. TOPAZ DR.  
SALT LAKE CITY, UT 84116

**ANGIE VORHER, CHAIR**  
JORDAN MEADOWS COMM. COUNCIL  
1988 SIR JAMES DRIVE  
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FAIRPARK COMM. COUNCIL  
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**MIKE HARMON, CHAIR**  
POPLAR GROVE COMM. COUNCIL  
1044 WEST 300 SOUTH  
SALT LAKE CITY, UT 84104

**RANDY SORENSON, CHAIR**  
GLENDALE COMMUNITY COUNCIL  
1184 SO. REDWOOD DRIVE  
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**PETER VON SIVERS, CHAIR**  
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**DENNIS GUY-SELL, CHAIR**  
EAST CENTRAL COMMUNITY  
COUNCIL  
P.O. BOX 520473  
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SUNNYSIDE EAST ASSOCIATION  
2114 E. HUBBARD AVENUE  
SALT LAKE CITY, UT 84108

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COMMUNITY COUNCIL  
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SUGAR HOUSE COMM. COUNCIL  
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SALT LAKE CITY, UT 84105

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**SHAWN McMILLEN, CHAIR**  
H ROCK COMMUNITY COUNCIL  
1855 SOUTH 2600 EAST  
SALT LAKE CITY, UT 84108

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Updated: 4/1/2005 sj

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BOB FARRINGTON, DIRECTOR  
175 EAST 400 SOUTH, #100  
SALT LAKE CITY, UT 84111

S.L. CHAMBER OF COMMERCE  
175 EAST 400 SOUTH, SUITE #100  
SALT LAKE CITY, UT 84111

ATTN: CAROL DIBBLEE  
DOWNTOWN MERCHANTS ASSN.  
10 W. BROADWAY, SUITE #420  
P.O. BOX  
SALT LAKE CITY, UT 84101

HISPANIC CHAMBER OF  
COMMERCE  
P.O. BOX 1805  
SALT LAKE CITY, UT 84110

VEST POCKET BUSINESS  
COALITION  
P.O. BOX 521357  
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c/o BARBARA GREEN  
SMITH-CROWN  
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MARIA GARCIA  
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**4. PLANNING COMMISSION AGENDA FOR  
MAY 11, 2005**

**NOTE: The field trip is scheduled to leave at 4:00 p.m.**

**AGENDA FOR THE  
SALT LAKE CITY PLANNING COMMISSION MEETING  
In Room 326 of the City & County Building at 451 South State Street  
Wednesday, May 11, 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, April 27, 2005
2. **REPORT OF THE CHAIR AND VICE CHAIR**
3. **REPORT OF THE DIRECTOR**
4. **PUBLIC HEARINGS**

**Ms. Tanya Chatterton requesting the following zoning and subdivision actions for the "Traces" garden store located at approximately 1432 South 1100 East:**

- a. **Petition Number 400-05-03** - Zoning text amendment to allow a "Plant and Garden Shop With Outdoor Retail Sales Area" as a conditional use in the Residential Business (RB) zoning district and
- b. **Petition Number 400-05-04** - Rezone property located at approximately 1432 South 1100 East, currently zoned Moderate Density Multi-Family Residential (RMF-35), Single Family Residential (R-1-5,000) and Residential Business (RB) to a Residential Business (RB) and Single Family Residential (R-1-5,000) zoning district. The rezoning also requires amending the 1974 Salt Lake City Central Community Development Plan (as updated by the Salt Lake City Zoning Rewrite Project of 1995) to identify the property as low-density residential and residential business land use and
- c. **Petition Number 410-736** - Conditional Use approval of a "Plant and Garden Shop With Outdoor Retail Sales Area" located at approximately 1432 South 1100 East in a proposed Residential Business (RB) zoning district and
- d. **Petition Number 490-05-08** - Preliminary subdivision approval of a two lot minor subdivision for property located at approximately 1432 South 1100 East with access on Roosevelt Street. (Staff – Ray McCandless at 535-7282 or [ray.mccandless@slcgov.com](mailto:ray.mccandless@slcgov.com))
- e. **Petition No. 490-05-05** a request by **Mr. & Mrs. Dennis W. Gay** for a preliminary subdivision amendment of the Dorchester Pointe Subdivision Plat "A", P.U.D., to combine Lots 106 and 107 at approximately 22 & 36 East Knightsbridge Lane into one residential lot for future construction of a single-family home in an FR-3/12,000 Foothill Residential Zoning District. (Staff – Jackie Gasparik at 535-6354 or [jackie.gasparik@slcgov.com](mailto:jackie.gasparik@slcgov.com))
- f. **Petition No. 410-735 – T-Mobile**, represented by Jerome Gourley, requesting conditional use approval to install a 10 foot high wireless telecommunications antenna structure on the roof of the Indian Hills Elementary School located at 2496 St. Mary's Drive. The electrical equipment will be housed within the building. The project is located in a Public Lands (PL) zoning district. An administrative hearing officer elected to forward the request to the Planning Commission for consideration following a public hearing held on April 14, 2005. (Staff - Janice Lew at 535-7625)

5. **UNFINISHED BUSINESS**

For information on public or written comments and ADA accommodations, please see the reverse side of the agenda.

**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.**



**5. STAFF REPORTS FOR THE MAY 11, 2005 PLANNING  
COMMISSION MEETING**

**DATE:** May 5, 2005

**TO:** Salt Lake City Planning Commission

**FROM:** Ray McCandless, Principal Planner

**RE: STAFF REPORT FOR THE MAY 11, 2005 MEETING**

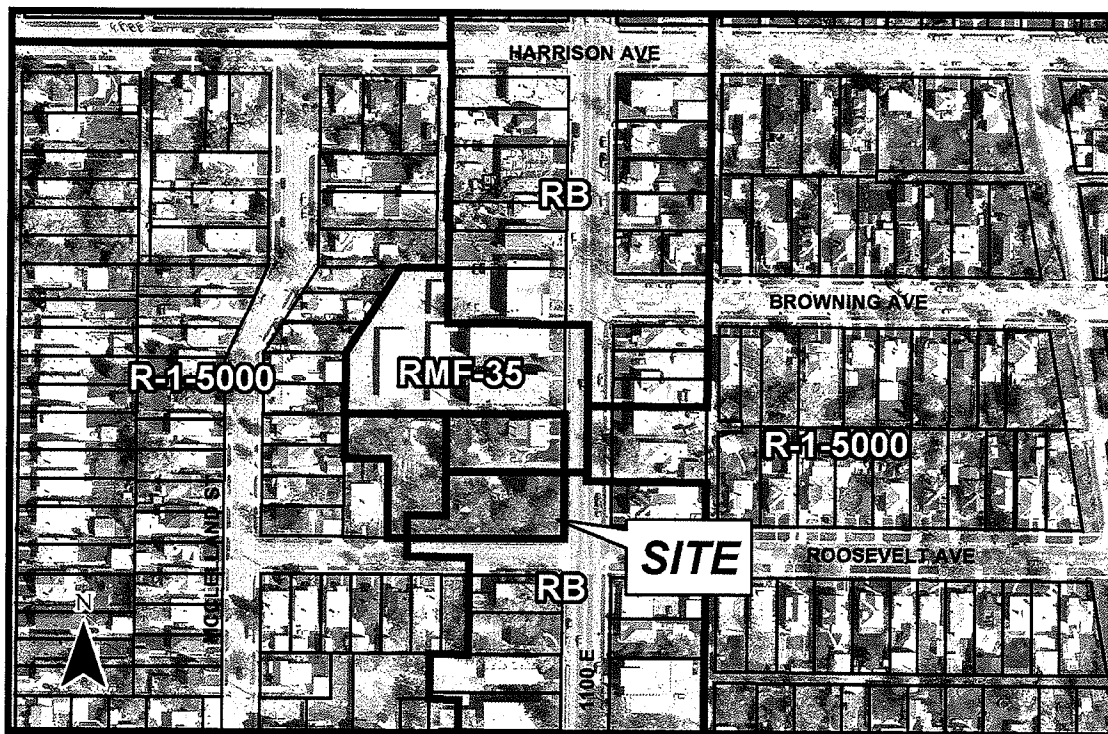
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**PETITION NUMBERS:** 400-05-03 and 400-05-04

**APPLICANT:** Tanya Chatterton

**STATUS OF APPLICANT:** Property Owner

**PROJECT LOCATION:** 1432 South 1100 East



**PROJECT/PROPERTY SIZE:** .97 ac

**COUNCIL DISTRICT:** Council District #5, Jill Remington Love

**REQUESTED ACTIONS:**

Ms. Tanya Chatterton is requesting approval to allow a garden store called Traces at 1432 South 1100 East. The request includes a zoning map amendment, Master Plan Amendment, zoning text amendment, conditional use and preliminary subdivision approval. Given the complexity of this request, Staff has opted to write two staff reports for better clarification of the issues at hand.

This Staff Report addresses the proposed Zoning Map Amendment, Master Plan amendment and zoning text amendment which will ultimately require City Council approval. The second staff report addresses the conditional use and preliminary subdivision petitions which require Planning Commission approval only. All of the requested actions will be reviewed simultaneously by the Planning Commission to expedite the review process for the applicant. The petitions addressed by this Report include the following:

**Petition Number 400-05-03** - Tanya Chatterton requesting a zoning text amendment to allow a Garden Store as a conditional use in the Residential Business (RB) zoning district.

**Petition Number 400-05-04** - Tanya Chatterton requesting to rezone property from Moderate Density Multi-Family Residential (RMF-35), Single Family Residential (R-1-5,000) and Residential Business (RB) to Residential Business (RB) and Single Family Residential (R-1-5,000). These rezoning actions require amending the 1974 Salt Lake City Central Community Development Plan (as updated by the Salt Lake City Zoning Rewrite Project of 1995) to reflect the proposed zoning.

**PROPOSED USE(S):** Plant and Garden Shop with Outdoor Retail Sales Area / Single Family Residential Lot

**APPLICABLE LAND USE REGULATIONS:**

**Zoning Map, and Zoning Text Amendments:**

Section 21A.10 - General Application and Public Hearing Procedures  
Section 21A.50.050 - Standards for General Amendments  
Section 21A.24.190 - Table Of Permitted And Conditional Uses For Residential Districts

**Master Plan Amendment:**

Section 10-9-303 and 10-9-304, Utah  
State Code (Prior Code)

Section 10-9a-404, 204 and 103, Utah  
State Code (New Code)

**SURROUNDING ZONING  
DISTRICTS:**

- North** Moderate Density Multi-Family  
(RMF-35)
- East** Residential Business (RB) and  
Single Family Residential (R-1-  
5,000)
- South** Residential Business (RB) and  
Single Family Residential (R-1-  
5,000)
- West** Single Family Residential  
(R-1-5,000)

**SURROUNDING LAND USES:**

- North** Multi-family residential
- East** Commercial and single-family  
residential
- South** Commercial and single-family  
residential
- West** Single Family Residential

**MASTER PLAN SPECIFICATIONS:**

The most recent master plan for this area is the Central Community Development Plan which was adopted in 1974. The 1974 Master Plan calls for low density residential on this property. The land use designation on this property was updated to single-family residential, multi-family residential and Residential Business as part of the Zoning Rewrite Project of 1995 (Ordinance No. 26 of 1995).

The City Council is currently reviewing the Central Community Master Plan which has not been adopted to date.

**SUBJECT PROPERTY HISTORY:**

This property is a corner parcel that fronts onto 1100 East Street and Roosevelt Avenue. According to Salt Lake County records, this .97 acre parcel of land was assembled from five separate pieces of property that were combined into a single lot on September 7, 1994. The parcels were combined at the same time the City's Zoning Rewrite Project was nearing completion. The Zoning Rewrite Project was adopted in April, 1995.

The zoning district boundary lines that were adopted in 1995 follow the old lot lines as they existed before the lots were combined into one parcel. The lot consolidation occurring at the same time as the Zoning Rewrite Project accounts for the three zoning districts that now exist on the property.

These petitions were filed in response to a zoning complaint and enforcement action by the City. The business started as a home occupation where the property owner lived in the home until recently, but the business has expanded to the point where the zoning issues must now be addressed to allow the expanded use to continue. The zoning enforcement action has been stayed, pending the outcome of these petitions.

**ACCESS:**

Access to the property is provided from 1100 East Street. There is no direct access from Roosevelt Avenue at this time.

**PROJECT DESCRIPTION:**

The main building, which was formerly a single-family dwelling, is currently being used as a garden store. The yard surrounding the building is used to display items for purchase and as a garden area. The applicant does not propose any changes to the property at this time, but would like to continue the existing use. Approximately 36,904 square feet (.847 acres) of the property is proposed to be zoned Residential Business (RB) and will have frontage and access from 1100 East for the business while 5,250 square feet (.121 acres) is proposed to be zoned Single Family Residential (R-1-5,000) to provide a residential lot to be sold and built on at a future date with frontage and access along Roosevelt Avenue. The applicant does not want to subdivide the property and prefers to have the entire parcel zoned Residential Business (RB).

**COMMENTS, ANALYSIS AND FINDINGS:**

**1. COMMENTS**

**Community Council:** – The applicant met with the East Central Community Council on March 16, 2005. Although the applicant has indicated that she has requested a comment letter from the Community Council several times, no response has been received to date.

An Open House to gather public comments on the proposal was held on April 18, 2005. The applicant and several members of the East Central Community Council attended the meeting. The concerns of the East Central Community Council were reiterated at the Open House.

The general comments from the Community Council Meeting and Open House are as follows:

1. The RMF-35 zoning on the northern part of the property should be considered a mapping error and should have been zoned Residential Business (RB) as part of the 1995 Zoning Rewrite Project.
2. Rezoning the north portion of the property to RB results in a net loss of residentially zoned property. Consider zoning the western portion of the property that abuts single family dwellings to R-1-5,000 sufficient to accommodate a flag lot.
3. The Planning Commission needs to initiate a petition that better defines what can be displayed in the public way.
4. Creating the residential lot to front onto Roosevelt Avenue will create an undue burden on the property owner because they believe it will be taxed at a higher rate than what now exists.

**City Departments** – Comments from applicable City Departments are summarized as follows. Please refer to the attached Departmental Comment Letters for details:

**Police:** The Police Department does not have any concerns with the requested changes.

**Public Utilities:** All future design and construction must conform to State, County, City and Public Utilities standards and ordinances. Design and construction must conform to Salt Lake City Public Utilities General Notes. New water and sanitary sewer services must be provided for any future construction on lot 2. All existing and new easements must be clearly shown and described on the plat prior to final plat recordation. If a sewer lateral or water service crosses through an adjacent property, an easement for that utility must be provided. If power lines, gas lines, communication conduits, etc. exist within this property, any relocation of these utilities and related easements must be approved by Public Utilities. No buildings, structures, trees, islands, etc. may be constructed within easements dedicated to the Salt Lake City Public Utilities Department.

**Transportation Division:** The Transportation Division review comments and recommendations are as follows:

Conditional use for the garden store will require all development functions to be provided on-site for required parking, service area, loading delivery areas, and pedestrian and ADA access and circulation. 1100 East is a collector class roadway and will support the proposed use. Improvements in the public way will need to be reviewed for any upgrades. A field review of the site indicates that there are no ADA ramps at the intersection of 1100 East and Roosevelt Avenue existing at this time. (The Engineering Division has indicated that the property owner is not responsible for installing the ADA ramp on the corner of 1100 East and Roosevelt Avenue). The new

residential lot has no access from the roadway and will need a new driveway approach installed when that lot is developed.

**Property Management Division:** The Property Management Division has no concerns with the proposed request.

**Fire Department:** No comments from the Fire Department have been received to date.

**Engineering Division:**

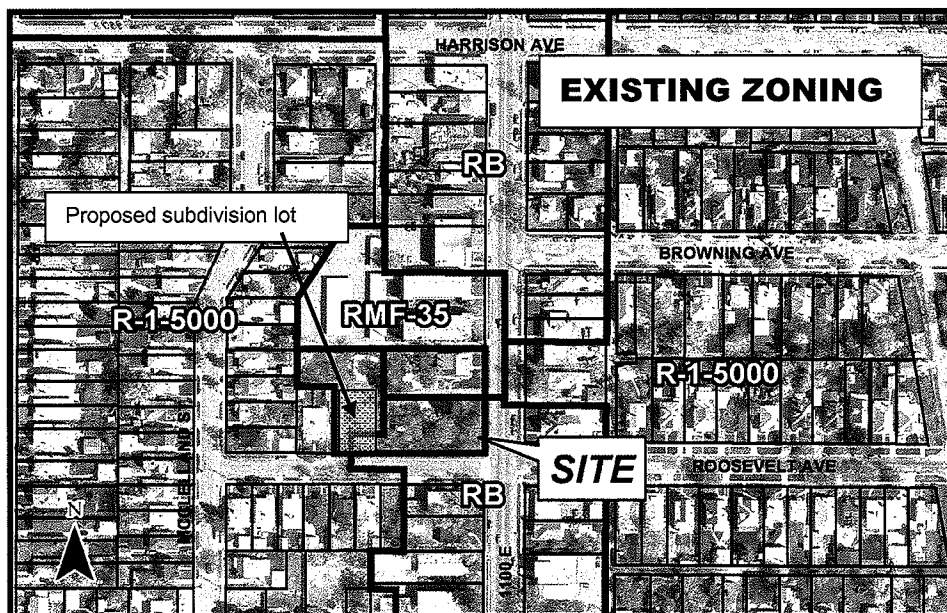
1. Curb, gutter and sidewalk exist along the frontage of the project.
2. Defective concrete that must be replaced as part of this approval includes:
  - At least thirteen cracked sidewalk panels in 1100 East.
  - Several uneven sidewalk panels on 1100 East and Roosevelt Avenue causing tripping hazards. Where feasible, the uneven sidewalk panels can be ground down rather than replaced.
3. Although no sidewalk ramp exists at the corner of 1100 East/Roosevelt Avenue, this property owner is not required to address this issue.
4. The property owner must trim tree limbs that overhang the sidewalk on Roosevelt Avenue.

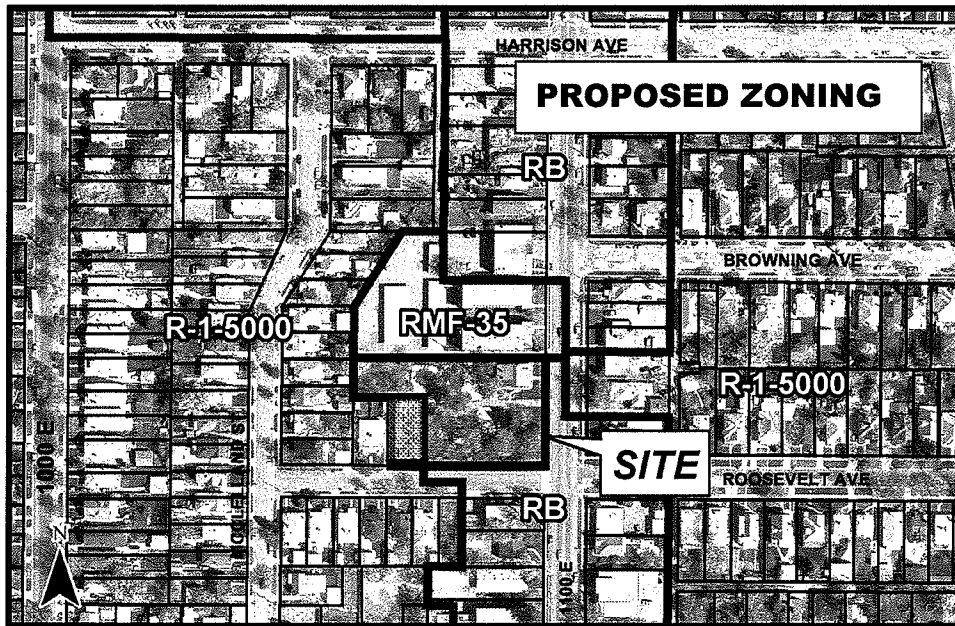
**Public Services Department:** The Public Services Department has no concerns with the proposed request.

## 2. ANALYSIS AND FINDINGS

### ZONING MAP AMENDMENT

The following maps show the existing and proposed zoning:





In initial discussions with the applicant and Planning Staff, the proposed residential lot on the southwest corner of the property was recommended by staff to limit potential commercial encroachment into the residential neighborhood to the west on Roosevelt Avenue. An application for subdivision approval has been submitted and is addressed in the Staff Report that deals with the subdivision and conditional use petitions.

Section 21A.24.190 Table Of Permitted And Conditional Uses For Residential Districts, should be amended as follows:

**ZONING TEXT AMENDMENT**

**Section 21A.24.190 Table Of Permitted And Conditional Uses For Residential Districts (PARTIAL TABLE)**

Use	RB	R-MU-35	R-MU-45
Plant and garden shop, with outdoor retail sales area	C <sup>4</sup>	C	C

Qualifying Provisions:

4. Construction for a nonresidential use shall be subject to all provisions of subsections 12A.24.160I and J of this chapter.

**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:**

Rezoning:

The most recently adopted master plan for this area is the Central Community Development Plan which was adopted in 1974. The 1974 Plan calls for low density residential on this property. The Zoning Rewrite Project of 1995 updated and amended the land use and zoning policies of all previously adopted master plans of the City, including the 1974 Central Community Development Plan (Ordinance No. 26 of 1995). As mentioned above, the City Council is currently reviewing the Central Community Master Plan which has not been adopted to date.

Prior to the 1995 Zoning Rewrite Project, both sides of 1100 East were strip zoned Business B-3 to a depth of 125 feet east and west of 1100 East Street. In 1995, a strip of Residential Business (RB) zoning was established along 1100 East Street with Single Family Residential (R-1-5,000) zoning on the east and west sides of the RB zoned property along 1100 East. Because the Zoning Rewrite Project used a property parcel based map, the strip of Residential Business (RB) zoning was adjusted in depth to follow existing property parcel boundaries in an attempt to limit split zoning of existing property parcels. The RB zoning strip along 1100 East is also intermittently disrupted by other zoning districts such as the Moderate Density Multi-Family Residential (RMF-35) zoning on this property and on the adjoining property to the north, reflecting the uses that were in existence at that time.

Zoning the property to Residential Business (RB) and Single Family Residential (R-1-5000), as proposed, will require amending the Central Community Master Plan (as updated by the 1995 Zoning Rewrite Project) to reflect the proposed retail and future residential land uses.

Given that the building on the property is no longer used as a residence, the property has been consolidated into a single parcel and that both sides of 1100 East are zoned Residential Business (RB), it is appropriate to rezone the building and property frontage along 1100 East, Residential Business (RB) as proposed. This would make the zoning on the site more consistent with the predominant Residential Business (RB) zoning along this segment of 1100 East and conform the existing business on the property.

It is also appropriate to limit the potential commercial encroachment into the residential neighborhood along Roosevelt Avenue and to the west by creating and then zoning the proposed residential lot to Single Family Residential (R-1-5,000).

In order to amend the City's Master Plan, Planning Commission review and approval by the Legislative Body (City Council) is required by Section 10-9a-404 of the Utah State Code.

Zoning Text Amendment:

The Salt Lake City Futures Commission report of 1998 recommends that "Entrepreneurship should be nurtured and encouraged. Small businesses (firms with 500 or fewer employees) comprise 30 percent of total nongovernmental employment in the city. Establishment of new small businesses and the expansion of existing ones should be facilitated by the city to maintain a healthy, vibrant economy." The proposed zoning text amendment supports this objective by broadening the number of uses allowed in the Residential Business zoning district. Allowing a "Plant and Garden Shop with outdoor display as a conditional use will ensure compatibility with adjoining land uses.

**Findings:**

Rezoning:

Zoning the property to Residential Business (RB) and Single Family Residential (R-1-5000) is appropriate for this location because it would make the zoning on the site more consistent with the predominant Residential Business (RB) zoning along 1100 East and conform the existing business on the property. The rezoning will require amending the Central Community Master Plan (as updated by the 1995 Zoning Rewrite Project) to reflect the proposed retail and future residential land uses for this property.

Zoning Text Amendment:

The proposed zoning text amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City because it will encourage economic development by allowing a wider variety of retail uses near residential neighborhoods. The conditional use requirements will ensure compatibility with adjoining land uses.

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

**Discussion:**

Rezoning:

A strip of Residential Business (RB) zoning extends along both sides of 1100 East between 1300 and 1700 South. The proposal is to zone the entire parcel RB with the exception of the proposed subdivision lot which would be zoned R-1-5,000.

Rezoning the frontage of the property to RB would be consistent with the existing zoning pattern along 1100 East where a number of dwellings have

been converted to businesses. The proposed R-1-5,000 zoning is consistent with the R-1-5,000 zoning west of this property.

Zoning Text Amendment:

The applicant is requesting that the City amend the Text of the Zoning Ordinance to allow "Plant and garden shops, with outdoor retail sales area" as a conditional use in the Residential Business (RB) zoning district. As this is a zoning text amendment, the Planning Commission must consider the citywide implications of such an amendment.

Areas zoned Residential Business are few in number and are found scattered throughout the Central City and Sugar House communities along arterial or collector streets. The Residential Business (RB) zoning districts are generally located next to residential neighborhoods along 1100 East and along 900 South.

According to Section 21A.24.190. Table Of Permitted And Conditional Uses For Residential Districts, a plant and garden shop with outdoor retail sales is currently allowed as a conditional use in the Residential - Mixed Use (R-MU, R-MU-35 and R-MU-45) zoning districts but is not allowed in the Residential Business district which is also a mixed use zone.

According to Section 21A.24.160, Residential/Business District of the Zoning Ordinance, "The purpose of the RB residential / business district is to provide for limited commercial use opportunities within existing residential areas located along higher volume streets while preserving the attractiveness of the area for single-family use." In Staff's view, a plant and garden store meets this definition.

Also, retail goods establishments are a permitted use in the Residential Business zoning district provided certain building design criteria are met (21A.24.160I and J) which lends support for the proposed text amendment.

Given that a plant and garden store is a conditional use in other mixed-use zoning districts, other retail uses are a permitted use in the Residential Business (RB) zone and that impacts to adjoining residents can be controlled and mitigated through the Conditional Use process, amending the text of the Zoning Ordinance, as proposed, is appropriate.

**Findings:**

Rezoning:

The proposed amendment is harmonious with the overall character of existing development in the area.

Zoning Text Amendment:

Allowing plant and garden shops with outdoor retail sales as a conditional use in the Residential Business (RB) zone will provide supportive commercial uses in or near residential neighborhoods while ensuring compatibility with dissimilar uses.

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

**Discussion:**

Rezoning:

The building on the property has existed since 1935. The owner is proposing no changes to the building or site at this time. However, if rezoned, the site could be converted in the future into any use allowed in the Residential Business (RB) zoning district. Given that both sides of 1100 East are primarily zoned Residential Business (RB), the overall development pattern of 1100 East will not be adversely impacted.

Although the proposed zoning will extend the Residential Business (RB) zone to the rear (west side) of the property into an area which is currently zoned R-1-5,000 (see zone map), the impacts of the garden store can be mitigated through the conditional use process.

In addition, the proposed residential lot on Roosevelt Avenue will help to buffer the adjoining residences and limit the potential commercial expansion into the neighborhood west of this property. The proposed residential lot would be zoned R-1-5,000 which is consistent with the zoning on the adjoining residential property to the west. If rezoned as proposed, the impacts of any future commercial development can be adequately mitigated.

Zoning Text Amendment:

The proposed text amendment will require conditional use approval for all new plant and garden stores in the Residential Business zoning district. The Conditional Use process will require an analysis of impacts to adjoining properties and specify conditions to mitigate those impacts.

**Findings:**

Rezoning:

The impacts to adjacent properties can be mitigated if a residential subdivision lot is created to limit commercial encroachment into the adjoining neighborhood.

Zoning Text Amendment:

The impacts to adjoining properties will be addressed through the Conditional Use process.

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

**Discussion:**

Rezoning:

The subject property is not within any existing overlay zone.

**Findings:**

Zoning Text Amendment:

This request has the potential to affect properties city wide. Any future request for a conditional use in the Residential Business (RB) zone for this use must also comply with any applicable overlay zone regulations.

- 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.**

Rezoning:

The City requirements are outlined on the attached departmental comment letters. No improvements or buildings are proposed to the site at this time. However, any future changes or modifications to the property will require City departmental review and compliance with City regulations.

Zoning Text Amendment:

This request is City-wide and not site-specific. If adopted, any future request for a conditional use in the Residential Business (RB) zoning district will have to comply with City regulations relating to adequacy of facilities and utilities.

**Findings:**

Rezoning:

Applicable City departments support this request. Any new development on the property must comply with City regulations.

Zoning Text Amendment:

Adequacy of existing public utilities and facilities will be reviewed and determined as applications for new development proposals are submitted.

## **MASTER PLAN AMENDMENT**

The Utah Code Annotated (10-9a-404) identifies the procedures for adopting and amending general plans. The Code identifies an adoption process that mandates a fourteen day notification requirement including a notice in a newspaper of general circulation. Property owners were notified and a notice in a newspaper of general circulation was published at least fourteen days in advance of the public hearing.

## **RECOMMENDATION**

In light of the comments, analysis and findings noted above, Staff recommends that the Planning Commission favorably recommends to the City Council to rezone the subject property from Moderate Density Multi-Family Residential (RMF-35), Residential Business (RB) and Single Family Residential (R-1-5,000) to Residential Business (RB) and Single Family Residential (R-1-5,000) zoning as proposed.

Staff further recommends that the Planning Commission favorably recommend to the City Council that the Future Land Use Map of the 1974 Central Community Development Plan be amended to reflect the property as low density residential and residential business. Staff also recommends that the Planning Commission recommend amending Section 21A.24.190 Table Of Permitted And Conditional Uses For Residential Districts, to allow plant and garden shops with outdoor retail sales areas as a conditional use in the Residential Business (RB) zoning district.

**DEPARTMENTAL COMMENTS:**

**McCandless, Ray**

POLICE

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**From:** Smith, JR  
**Sent:** Wednesday, March 30, 2005 10:04 AM  
**To:** McCandless, Ray  
**Subject:** Re: Traces - Garden Store 1432 S. 1100 E.

**Categories:** Program/Policy

Ray,

I do not see any CPTED concerns based upon the proposed changes.

Thanks,

J.R. Smith  
SLCPD  
C.A.T. Dist 6/7



**McCandless, Ray***Public Utilities*

**From:** Garcia, Peggy  
**Sent:** Thursday, March 24, 2005 2:38 PM  
**To:** McCandless, Ray  
**Cc:** Niermeyer, Jeff; Stewart, Brad; Snelling, Jeff; Greenleaf, Karryn  
**Subject:** Traces - Garden Store at 1432 South 1100 East  
**Categories:** Program/Policy

Ray,

All future design and construction must conform to State, County, City and Public Utilities standards and ordinances. Design and construction must conform to Salt Lake City Public Utilities General Notes. New water and sanitary sewer services must be provided for any future construction on lot 2. All existing and new easements must be clearly shown and described on the plat prior to final plat recordation. If a sewer lateral or water service crosses through an adjacent property, an easement for that utility must be provided. If power lines, gas lines, communication conduits, etc. exist within this the property, any relocation of these utilities and related easements must be approved by Public Utilities. No buildings, structures, trees, islands, etc. may be constructed within easements dedicated to Salt Lake City Public Utilities. Please call if you have any questions.

*Peggy Garcia  
Contracts Supervisor  
Salt Lake City Public Utilities  
(801) 483-6727*

4/27/2005

**McCandless, Ray**TRANSPORTATION

**From:** Walsh, Barry  
**Sent:** Wednesday, March 23, 2005 11:33 AM  
**To:** McCandless, Ray  
**Cc:** Young, Kevin; Weiler, Scott; Larson, Bradley; Stewart, Brad  
**Subject:** Traces - Garden Store  
**Categories:** Program/Policy

**March 23, 2005**

Ray McCandless, Planning

**Re: Traces - Garden Store at 1432 South 1100 East**

Ms. Tanya Chatterton, owner of the property located at 1432 South 1100 East, is requesting approval to continue operation of a garden store located at 1432 South 1100 East. The business has expanded to the point where several zoning modifications need to be made to allow the use to continue.

The proposed request will require the following actions:

1. Zoning text amendment to allow a garden store as a conditional use in the Residential / Business (RB) zoning district.
2. Zoning map amendment, rezoning the property from Moderate Density Multi-Family Residential (RMF-35), Single-Family Residential (R-1-5,000) and Residential Business (RB) to Residential / Business (RB) and R-1-5,000.
3. Subdivision approval to create a new residential lot on Roosevelt Avenue.
4. Conditional use approval for the garden store.

The Zoning text amendment and zoning map amendment requires approval by the City Council. The Planning Commission is the approval body for the subdivision and conditional use. The proposed new single-family residential subdivision lot fronts onto Roosevelt Avenue (1455 South) and is 5,220 square feet in area. The new lot is proposed to be zoned R-1-5,000. The rest of the property is proposed to be zoned RB. No new buildings are proposed at this time.

-----  
 The transportation division review comments and recommendations are as follows:

Item #1 & 4. Conditional use for the garden store would require all development functions to be provided on site for required parking, service area, loading delivery areas, and pedestrian and ADA access & circulation.

Item #2 Zoning change, 1100 East is a collector class roadway and should support the proposed use.

Item #3 As a subdivision process the existing public way needs to be reviewed for any upgrades as needed. Our field review indicates there are no ADA ramps at the intersection of 1100 East and Roosevelt Avenue existing at this time. The New residential lot has no access from the roadway and will need a new driveway approach installed when that lot is developed.

Sincerely,

Barry Walsh

4/27/2005

**INTEROFFICE MEMORANDUM**  
**Property Management**  
**Room 225**

25 March 2005

**TO:** Ray McCandless  
Planning

**FROM:** Linda Cordova  
Property Manager

**REF:** Traces – Garden Store at 1432 South 1100 East

Property Management has no objective to the above referenced petition.

Thank you.

**McCandless, Ray**

**FIRE DEPARTMENT**

**From:** Leydsman, Wayne  
**Sent:** Monday, March 21, 2005 3:59 PM  
**To:** McCandless, Ray  
**Subject:** Traces-Garden Store at 1432 South 100 East  
**Categories:** Confidential

The Salt Lake City Fire Department has no additional requirements on this conditional use request. If a home is to be built on Lot 2, then a review will be made by our department regarding fire hydrant locations and fire-flow requirements.

Sincerely,

Wayne Leydsman  
Assistant Plans Examiner

4/27/2005

TO: RAY McCANDLESS, PLANNING  
FROM: SCOTT WEILER, P.E., ENGINEERING  
DATE: MARCH 28, 2005  
SUBJECT: **Traces Garden Store Minor Subdivision  
1432 South 1100 East**

City Engineering review comments are as follows:

1. It is our understanding that the existing buildings will remain and no new buildings are proposed.
2. Curb, gutter and sidewalk exist along the frontage of the project. Defective concrete that must be replaced as part of this approval includes:
  - At least thirteen cracked sidewalk panels in 1100 East.
  - Several uneven sidewalk panels on 1100 East and Roosevelt Avenue causing tripping hazards. Where feasible, the uneven sidewalk panels can be ground down rather replaced.Although no sidewalk ramp exists at the corner of 1100 East/Roosevelt Avenue, this property owner is not required to address this issue.
3. The property owner must trim tree limbs that overhang the sidewalk on Roosevelt Avenue.

cc: Rick Johnston  
Brad Stewart  
Barry Walsh  
Vault

**McCandless, Ray**

*Public Services*

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**From:** Graham, Rick  
**Sent:** Monday, March 21, 2005 10:23 AM  
**To:** McCandless, Ray  
**Subject:** RE: Traces

No comments to add.

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**From:** McCandless, Ray  
**Sent:** Friday, March 18, 2005 12:32 PM  
**To:** Boskoff, Nancy; Campbell, Tim; Clark, Luann; Dinse, Rick; Fluhart, Rocky; Graham, Rick; Harpst, Tim; Hooton, Leroy; McFarlane, Alison; Oka, Dave; Querry, Chuck; Rutan, Ed; Zunguze, Louis  
**Cc:** Wheelwright, Doug; Coffey, Cheri  
**Subject:** Traces

All:

The attached memorandum outlines a request for several approvals and modifications to the zoning ordinance by the owner of the Traces garden store located at 1432 South 1100 East. Would you please review the memorandum and let me know if you have any departmental comments or need additional information.

Your comments by April 1, 2005 would be appreciated.

Thanks.

## **OTHER**

LOT 15, BLOCK 16,  
FIVE ACRE PLAT "A", B.F.S.

PARRISH PROPERTIES I, LLC  
16-17-204-032

LOT 15, BLOCK 16,  
5-ACRE, PLAT A

TRACES MINOR SUBDIVISION

POINT OF BEGINNING  
TOTAL TRACT & LOT 1

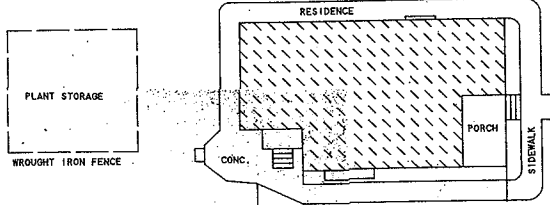
POINT OF BEGINNING  
LOT 2

LOT 2  
0.121 ACRE  
5250 SQ. FT.

LOT 1  
0.847 ACRE  
36904 SQ. FT.

JARED L. DAVIS  
16-17-017

LOT 15, BLOCK 16  
LOT 16, BLOCK 16



PAUL T. LUBECK  
16-17-204-011

PATRICK W. LEARY  
16-17-204-012

DONNA T.  
16-17-204-013

JERRY E.  
16-17-204-014

RYANT  
16-17-204-015

EAST 291.75'

NORTH 60.0' 0"

WEST 57.0'

WEST 107.00'

EAST 50.0'

NORTH 105.0'

NORTH 105.0'

SOUTH 105.0'

NORTH 105.0'

ASPHALT

GARAGE

ASPHALT

PARKING  
CONCRETE SLAB

LOCKED  
GATE

LOT LINE

SOUTH 165.0'

WEST 184.75'

WEST 234.75'

31.71'

25.15'

WEST 457.6' - ATLAS

ROOSEVELT AVENUE - 1455 SOUTH

1100 EAST STREET

85.1'

79.9'

31.43'

25.16'

31.51'

SOUTH 202.0' P.O.B. TIE

202.0'





Front of Building on 1100 East



1100 East Looking Northwest



Roosevelt Ave. Looking East Toward 1100 East



North Property Line Screening Looking Southeast Towards  
1100 East



Northwest corner of property

**DATE:** May 3, 2005

**TO:** Salt Lake City Planning Commission

**FROM:** Ray McCandless, Principal Planner

**RE: STAFF REPORT FOR THE MAY 11, 2005 MEETING**

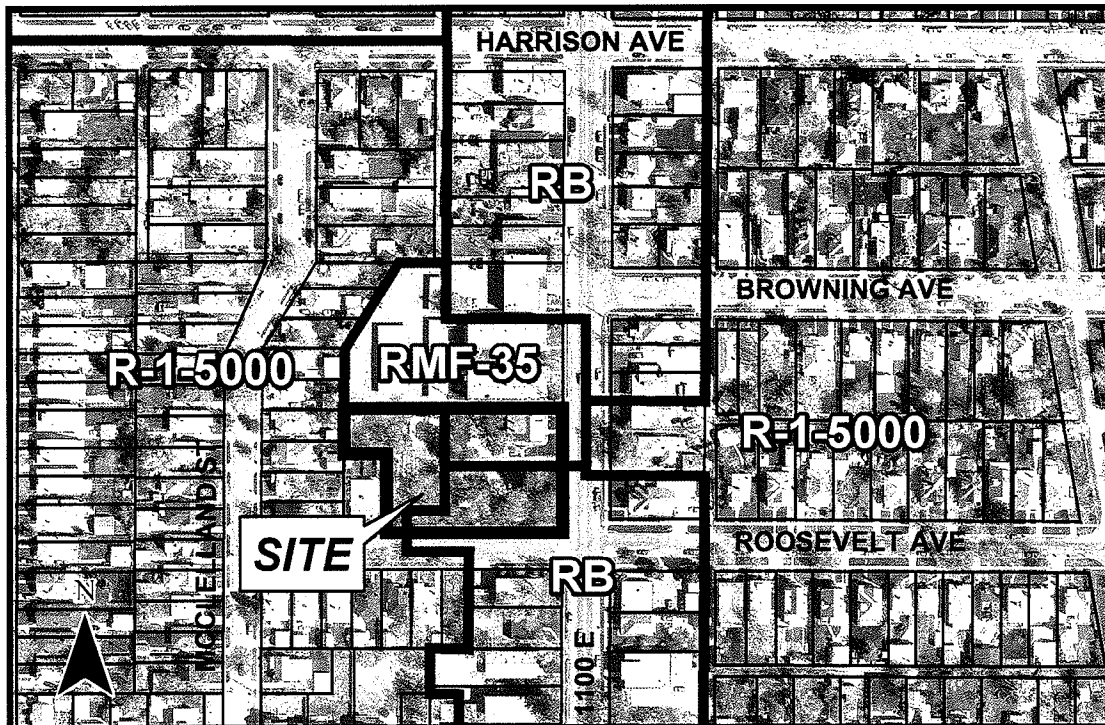
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**CASE NUMBERS:** Conditional Use: 410-736  
Subdivision: 490-05-09

**APPLICANT:** Tanya Chatterton

**STATUS OF APPLICANT:** Property Owner

**PROJECT LOCATION:** 1432 South 1100 East



**PROJECT/PROPERTY SIZE:** .97 ac

**COUNCIL DISTRICT:** Council District #5, Jill Remington Love

**REQUESTED ACTIONS:**

Ms. Tanya Chatterton is requesting approval to allow a garden store called Traces at 1432 South 1100 East. The request includes a zoning map amendment, Master Plan Amendment, zoning text amendment, conditional use and preliminary subdivision approval. Given the complexity of this request, Staff has opted to write two staff reports for better clarification of the issues at hand.

This Staff Report addresses the proposed preliminary subdivision and conditional use review which require Planning Commission approval only. The second staff report addresses the zoning text amendment, master plan amendment and zoning map amendment petitions which require City Council approval. All of the requested actions will be reviewed simultaneously by the Planning Commission to expedite the review process for the applicant. The petitions addressed by this Report include the following:

**Petition Number 410-736** - Tanya Chatterton - requesting Conditional Use approval of a "Plant and Garden Shop With Outdoor Retail Sales Area" located at 1432 South 1100 East in a proposed Residential Business (RB) zoning district.

**Petition Number 490-05-08** - Tanya Chatterton - Requesting preliminary subdivision approval of a 1-lot residential subdivision for property located at 1432 South 1100 East with access on Roosevelt Avenue at approximately 1061 East.

**PROPOSED USE(S):** Garden Store and Single Family Residential Parcel

**APPLICABLE LAND  
USE REGULATIONS:**

**Conditional Use:**  
Chapter 21A.54, Zoning Ordinance -  
Conditional Uses

**Subdivision:**

Chapter 21A.24.070 R-1-5,000 Single-Family Residential District  
Salt Lake City Code, Title 20 -  
Subdivision Ordinance

**SURROUNDING ZONING DISTRICTS:**

- North** Moderate Density Multi-Family (RMF-35)
- East** Residential Business (RB) and Single Family Residential (R-1-5,000)
- South** Residential Business (RB) and Single Family Residential (R-1-5,000)
- West** Single Family Residential (R-1-5,000)

**SURROUNDING LAND USES:**

- North** Multi-family residential
- East** Commercial and single-family residential
- South** Commercial and single-family residential
- West** Duplex

**MASTER PLAN SPECIFICATIONS:**

The most recently adopted master plan for this area is the Central Community Development Plan which was adopted in 1974. The 1974 Plan calls for low density residential on this property. The land use designation on this property was updated to single-family residential, multi-family residential and residential business as part of the Zoning Rewrite Project of 1995 (Ordinance No. 26 of 1995).

The City Council is currently reviewing the Central Community Master Plan which has not been adopted to date. If Petition 400-05-03 (the rezoning request) is adopted by the City Council, the Future Land Use Map will identify the property as low density residential and residential business.

**SUBJECT PROPERTY HISTORY:**

This property is a corner parcel that fronts onto 1100 East Street and Roosevelt Avenue. According to Salt Lake County records, this .97 acre parcel of land was assembled from five separate pieces of property that were combined into a single lot on September 7,

1994. The parcels were combined at the same time the City's Zoning Rewrite Project was nearing completion in 1995.

The zoning district boundary lines that were adopted in 1995, follow the old lot lines as they existed before the lots were combined into one parcel. The lot consolidation during the Zoning Rewrite Project accounts for the three zoning districts that now exist on the property.

These petitions were filed in response to a zoning enforcement issue. The business started as a home occupation where the property owner lived in the home until recently, but the business has expanded to the point where the zoning issues must now be addressed to allow the use to continue.

**ACCESS:**

Access to the property is provided from 1100 East Street. The proposed single-family residential lot will have access from Roosevelt Avenue.

**PROJECT DESCRIPTION:**

The main building, which was formerly a single-family dwelling is currently being used as a garden store. The yard surrounding the building is used to display items for purchase and as a garden area. The applicant does not propose any changes at this time, but would like to continue the existing use. Under a proposal suggested by the Planning Staff, approximately 36,904 square feet (.847 acres) of the property is proposed to be zoned Residential Business (RB) for the business while 5,250 square feet (.121 acres) is proposed to be zoned Single Family Residential (R-1-5,000) to provide a residential lot to be sold and built on at a future date.

**COMMENTS, ANALYSIS AND FINDINGS:**

**1. COMMENTS**

**Community Council:** – The applicant met with the East Central Community Council on March 16, 2005. Although the applicant has indicated that she has requested a comment letter from the Community Council several times, no response has been received to date.

An Open House to gather public comments on the proposal was held on April 18, 2005. The applicant and several members of the East Central Community Council attended the meeting. The members of the Community Council reiterated the concerns expressed at the Community Council meeting on March 16, 2005.

The general comments from the Open House and Community Council Meeting are as follows:

1. The RMF-35 zoning on the northern part of the property should be considered a mapping error and should have been zoned Residential Business (RB) as part of the 1995 Zoning Rewrite Project.
2. Rezoning the north portion of the property to RB results in a net loss of residentially zoned property. Consider zoning the western portion of the property that abuts single family dwellings to R-1-5,000 sufficient to accommodate a flag lot.
3. The Planning Commission needs to initiate a petition that better defines what can be displayed in the public way.
4. Creating the residential lot to front onto Roosevelt Avenue will create an undue burden on the property owner because they assume it will be taxed at a higher rate than what now exists.

**City Departments** – Comments from applicable City Departments are summarized as follows. Please refer to the attached Departmental Comment Letters for details:

**Police:** The Police Department does not have any concerns with the requested changes.

**Public Utilities:** All future design and construction must conform to State, County, City and Public Utilities' standards and ordinances. Design and construction must conform to Salt Lake City Public Utilities' General Notes. New water and sanitary sewer services must be provided for any future construction on lot 2. All existing and new easements must be clearly shown and described on the plat prior to final plat recordation. If a sewer lateral or water service crosses through an adjacent property, an easement for that utility must be provided. If power lines, gas lines, communication conduits exist within this property, any relocation of these utilities and related easements must be approved by Public Utilities. No buildings, structures, trees, islands, may be constructed within easements dedicated to the Salt Lake City Public Utilities Department.

**Transportation Division:** The Transportation Division review comments and recommendations are as follows:

Conditional use for the garden store will require all development functions to be provided on-site for required parking, service area, loading delivery areas, and pedestrian and ADA access and circulation. 1100 East is a collector class roadway and will support the proposed use. Improvements in the public way will need to be reviewed for any upgrades. A field review of the site indicates that there are no ADA ramps at the intersection of 1100 East and Roosevelt Avenue existing at this time. (The Engineering Division has indicated that the property owner is not responsible for installing the ADA ramp on the corner of 1100 East and Roosevelt Avenue). The new



residential lot has no access from the roadway and will need a new driveway approach installed when that lot is developed.

**Property Management Division:** The Property Management Division has no concerns with the proposed request.

**Fire Department:** No comments from the Fire Department have been received to date.

**Engineering Division:**

1. Curb, gutter and sidewalk exist along the frontage of the project.
2. Defective concrete that must be replaced as part of this approval includes:
  - At least thirteen cracked sidewalk panels in 1100 East.
  - Several uneven sidewalk panels on 1100 East and Roosevelt Avenue causing tripping hazards. Where feasible, the uneven sidewalk panels can be ground down rather replaced.
3. Although no sidewalk ramp exists at the corner of 1100 East/Roosevelt Avenue, this property owner is not required to address this issue.
4. The property owner must trim tree limbs that overhang the sidewalk on Roosevelt Avenue.

**Public Services Department:** The Public Services Department has no concerns with the proposed request.

## 2. ANALYSIS AND FINDINGS

### Conditional Use

In order to grant conditional use approval, the proposed zoning text amendment to allow a plant and garden shop, with outdoor retail sales area as a conditional use in the RB zoning district must be adopted by the City Council. As such, the conditional use approval should be contingent upon adoption of the ordinance to amend the zoning text and rezoning the property.

To assist the Planning Commission in its decision making process, Staff has analyzed and made findings with respect to the following pertinent conditional use and subdivision regulations.

## Conditional Use Review

### 21.54.080 Standards for Conditional Uses.

- A. **The proposed development is one of the conditional uses specifically listed in this Title.**

**Discussion:** The applicant is requesting a zoning text amendment to allow a plant and garden shop as a conditional use.

**Finding:** Conditional use approval is contingent upon the City Council adopting a zoning text amendment to allow a plant and garden shop with outdoor sales as a conditional use in the Residential Business (RB) zoning district.

**B. The proposed development is in harmony with the general purposes and intent of this Title and is compatible with and implements the planning goals and objectives of the City, including applicable City master plans.**

**Discussion:** The applicant is requesting that the City Council adopt an amendment to the Central Community Master Plan and Future Land Use Map to identify the property as single-family residential and residential business. If adopted, the proposed conditional use will be consistent with the master plan. The proposed conditional use, zoning map amendment and master plan amendment will bring the existing use in conformance with Master Plan and zoning regulations and will resolve the zoning enforcement issue.

**Finding:** The proposed conditional use, zoning map amendment and master plan amendment will be consistent with the adopted master plan and will implement the planning goals and objectives of the City.

**C. Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not materially degrade the service level on the adjacent streets.**

**Discussion:** The property is accessed from 1100 East which is a collector class roadway. The Transportation Division does not have any concerns with the traffic generated by the proposed use.

**Finding:** Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not materially degrade the services level on the adjacent streets.

**D. The internal circulation system of the proposed development is properly designed.**

**Discussion:** Although no changes are proposed to the site, the site will need to be improved to meet the Transportation Departmental requirements as noted in the comment section of the report.

**Finding:** The site must be upgraded to meet the Transportation Division's requirements.

- E. Existing or proposed utility services are adequate for the proposed development and are designed in a manner that will not have an adverse impact on adjacent land uses or resources.**

**Discussion:** Capacity in all utility systems is available. The Public Utilities Department does not have any concerns with the proposed request. Any future development will require approval by the Public Utilities Department to ensure adequacy of utilities.

**Finding:** Existing utility services are adequate for the site.

- F. Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts.**

**Discussion:** According to Section 21A.48.080C.2. RB District: of the Zoning Ordinance, "A landscape buffer is not required for lots in an RB district which abut a lot in a residential district". Therefore, no perimeter landscape buffer or screening fencing is required by the Zoning Ordinance.

However, in order to reduce impacts for the adjoining residences to the west, a screening fence or vegetative screening hedge should be required along the west property line of Lot 2. No screening is needed along the remaining west property line as adequate screening is provided by the existing vegetation and fencing. No buffering is recommended along the north property line as there is a retaining wall and fence between this use and the adjoining apartment building to the north.

No storage, display or sales areas should be allowed in the northwest corner of the property, north of proposed Lot 2, to mitigate visual and noise impacts for the adjoining residents.

**Finding:** Light, noise and visual impacts are mitigated, provided that a screening fence is installed along the west property line, west of proposed Lot 2, and prohibiting storage, display or sales areas north and west of proposed Lot 2.

- G. Architecture and building materials are consistent with the development and compatible with the adjacent neighborhood.**

**Discussion:** The existing building on the property is a single-family dwelling that was converted to a business. No changes are proposed to the building nor are there any new buildings proposed. Given that the building is existing, architecture and building materials are consistent with other buildings in the area.

**Finding:** Architecture and building materials are consistent with the development and compatible with the adjacent neighborhood.

**H. Landscaping is appropriate for the scale of the development.**

**Discussion:** The property is attractively landscaped. Much of the rear portion of the property is used as a garden area, the area in front of the house facing 1100 East is landscaped and the area on the southeast corner of the property is natural vegetation. No additional landscaping to mitigate impacts to adjoining property owners is recommended.

**Finding:** No additional landscaping is recommended to mitigate impacts to adjoining properties.

**I. The proposed development preserves historical architectural and environmental features of the property.**

**Discussion:** The site is not located in a historic district, and there are no unique environmental features on the property.

**Finding:** The property is not located in a historic district and there are no unique environmental features on the property.

**J. Operating and delivery hours are compatible with adjacent land uses.**

**Discussion:** The applicant has indicated that the regular business hours are from 10:30 A.M. to 6:00 P.M. which may be extended to 7:00 P.M. during the summer. All deliveries occur during business hours. The business and delivery hours are not incompatible with the adjoining residential land uses. Since the business adjoins residential uses, business and delivery hours should be limited from 8:00 A.M. to 8:00 P.M. as a condition of approval. The applicant does not have a concern with limiting the general hours of operation but mentioned that church groups occasionally come to the business during evening hours. Staff recommends that the evening hours should be limited to 8:00 p.m. to minimize impacts to adjoining residences.

**Finding:** The operating and delivery hours are compatible with adjacent land uses provided that the hours are limited from 8:00 A.M. to 8:00 P.M.

**K. The proposed conditional use or, in the case of a planned development, the permitted and conditional uses contained therein, are compatible with the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood or the City as a whole.**

**Discussion:** The proposed use will legitimize an existing use at this site. Conditions of approval will ensure impacts are mitigated while the approval will allow a use that provides goods and services to the neighborhood and the City.

**Finding:** The proposed conditional use is compatible with the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood or the City as a whole.

**L. The proposed development complies with all other applicable codes and ordinances.**

The applicant has indicated that the building on the property has not be remodeled since the 1960's. Should it be remodeled in the future, the design standards of the Residential Business (RB) zoning district (section 21A.24.160 I. Design Standards of the Zoning Ordinance) must be met.

Adequate parking is provided for the proposed use. Four spaces are required for the main building and two spaces are required for the outdoor sales area bringing the total required on-site parking to six spaces. Six parking spaces are provided.

Approval of the request should be subject to meeting all applicable City requirements.

**Finding:** The proposed development must meet all applicable City requirements prior to issuance of a building permit or business license.

**Preliminary Subdivision**

In the initial discussions with the applicant, Staff requested that the petitioner also submit a preliminary subdivision application for a residential lot on the southwest corner of the property. The purpose of the lot is to limit the impacts of potential commercial encroachment into the residential neighborhood to the west and provide an additional residential land use along Roosevelt Avenue, adding to the residential streetscape.

Although the applicant does not support subdividing the property, as requested by Staff, the applicant submitted an application for preliminary subdivision approval.

The proposed subdivision will include a single-family residential lot and a Residential Business commercial lot. The proposed residential lot measures 50' x 105' and contains 5,250 square feet which is in compliance with the R-1-5,000 zoning district lot area requirement. The proposed commercial lot contains 36,904 square feet. The applicant does not anticipate developing the residential lot in the near future. The proposed residential lot will front onto Roosevelt Avenue.

Although preliminary subdivision approval can be an administrative process, the Administrative Hearing Officer has opted to forward the preliminary subdivision to the Planning Commission for review.

**SUBDIVISION REVIEW (Salt Lake City Code, Title 20, Subdivision Ordinance)**

Section 20.20.020 **Required conditions and improvements.** of the Salt Lake City Subdivision Ordinance requires that findings be made to the following standards in approving a preliminary minor subdivision:

**A. The general character of the surrounding area shall be well-defined, and the minor subdivision shall conform to this general character:**

**Discussion:** The adjoining property to the west and property across Roosevelt Avenue to the south is zoned Single Family Residential (R-1-5,000). The proposed residential lot will further define the limits of potential commercial development into the established residential neighborhood to the west of this property. Likewise, the commercial Residential Business lot will be defined. The proposed subdivision is consistent with the development pattern in the area.

**Findings:** The proposed minor subdivision is in keeping with the general character of the surrounding area.

**B. Lots created shall conform to the applicable requirements of the zoning ordinances of the City:**

**Discussion:** Both proposed lots comply with the applicable zoning standards of the proposed Single Family Residential R-1-5,000 and Residential Business (RB) zoning.

Minimum Lot Area for the Single Family Residential R-1-5,000 and Residential Business zoning district are as follows:

	<u>Required</u>	<u>Provided</u>
Lot 1 (RB Lot)	5,000 Sq. Ft.	36,904 Sq. Ft.
Lot 2 (R-1-5,000 Lot)	5,000 Sq. Ft.	5,250 Sq. Ft.

Outdoor display or retail sales should be prohibited on the new residential lot.

**Findings:** The proposed lots comply with the applicable zoning standards.

**C. Utility easements shall be offered for dedication as necessary.**

**Discussion:** All requirements of the Public Utilities Department will need to be met including recordation of any required utility easements.

**Findings:** The applicant will need to meet all Public Utilities departmental requirements including dedication of utility easements if necessary.

**D. Water supply and sewage disposal shall be satisfactory to the City Engineer.**

**Findings:** The construction of any required public improvements are administered by the Salt Lake City Engineering Division and Public Utilities Department through the standard development review and subdivision approval processes.

**E. Public improvements shall be satisfactory to the Planning Director and City Engineer.**

**Findings:** The subdivision will be required to comply with all applicable laws and regulations relating to public improvements through the City's permitting and subdivision plat approval processes.

**RECOMMENDATION:**

Based on the comments, analysis and findings noted above, Staff recommends that the Planning Commission grant conditional use and preliminary subdivision approval subject to the following conditions:

1. Adoption of the zoning text amendment to allow a "Plant and Garden Shop With Outdoor Retail Sales Area" in the Residential Business (RB) zoning district; amending the land use map of the Central Community Development Plan as updated by the Zoning Rewrite Project to residential business and single-family residential; and rezoning the property to Single-family residential (R-1-5,000) and Residential Business (RB).
2. Compliance with all applicable City departmental requirements and revocation of the Business License if all City departmental requirements are not met within 1 year of the City Council approval of the proposed ordinance amendment, rezoning and master plan amendment.
3. Limit the hours of operation from 8:00 A.M. to 8:00 P.M.
4. Install a screening fence or vegetative screening hedge along the west property line of Lot 2.
5. Recordation of a final subdivision plat or notice with the Salt Lake County Recorder's Office.
6. Prohibit storage, outdoor display or sales area north of proposed Lot 2.
7. Prohibit outdoor display or retail sales on the residential lot.

**DEPARTMENTAL COMMENTS:**



McCandless, Ray

POLICE

**From:** Smith, JR  
**Sent:** Wednesday, March 30, 2005 10:04 AM  
**To:** McCandless, Ray  
**Subject:** Re: Traces - Garden Store 1432 S. 1100 E.

**Categories:** Program/Policy

Ray,

I do not see any CPTED concerns based upon the proposed changes.

Thanks,

J.R. Smith  
SLCPD  
C.A.T. Dist 6/7

**McCandless, Ray***Public Utilities*

**From:** Garcia, Peggy  
**Sent:** Thursday, March 24, 2005 2:38 PM  
**To:** McCandless, Ray  
**Cc:** Niermeyer, Jeff; Stewart, Brad; Snelling, Jeff; Greenleaf, Karryn  
**Subject:** Traces - Garden Store at 1432 South 1100 East  
**Categories:** Program/Policy

Ray,

All future design and construction must conform to State, County, City and Public Utilities standards and ordinances. Design and construction must conform to Salt Lake City Public Utilities General Notes. New water and sanitary sewer services must be provided for any future construction on lot 2. All existing and new easements must be clearly shown and described on the plat prior to final plat recordation. If a sewer lateral or water service crosses through an adjacent property, an easement for that utility must be provided. If power lines, gas lines, communication conduits, etc. exist within this the property, any relocation of these utilities and related easements must be approved by Public Utilities. No buildings, structures, trees, islands, etc. may be constructed within easements dedicated to Salt Lake City Public Utilities. Please call if you have any questions.

*Peggy Garcia  
Contracts Supervisor  
Salt Lake City Public Utilities  
(801) 483-6727*

4/27/2005

**McCandless, Ray**

TRANSPORTATION

**From:** Walsh, Barry  
**Sent:** Wednesday, March 23, 2005 11:33 AM  
**To:** McCandless, Ray  
**Cc:** Young, Kevin; Weiler, Scott; Larson, Bradley; Stewart, Brad  
**Subject:** Traces - Garden Store  
**Categories:** Program/Policy

**March 23, 2005**

Ray McCandless, Planning

**Re: Traces - Garden Store at 1432 South 1100 East**

Ms. Tanya Chatterton, owner of the property located at 1432 South 1100 East, is requesting approval to continue operation of a garden store located at 1432 South 1100 East. The business has expanded to the point where several zoning modifications need to be made to allow the use to continue.

The proposed request will require the following actions:

1. Zoning text amendment to allow a garden store as a conditional use in the Residential / Business (RB) zoning district.
2. Zoning map amendment, rezoning the property from Moderate Density Multi-Family Residential (RMF-35), Single-Family Residential (R-1-5,000) and Residential Business (RB) to Residential / Business (RB) and R-1-5,000.
3. Subdivision approval to create a new residential lot on Roosevelt Avenue.
4. Conditional use approval for the garden store.

The Zoning text amendment and zoning map amendment requires approval by the City Council. The Planning Commission is the approval body for the subdivision and conditional use. The proposed new single-family residential subdivision lot fronts onto Roosevelt Avenue (1455 South) and is 5,220 square feet in area. The new lot is proposed to be zoned R-1-5,000. The rest of the property is proposed to be zoned RB. No new buildings are proposed at this time.

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 The transportation division review comments and recommendations are as follows:

Item #1 & 4. Conditional use for the garden store would require all development functions to be provided on site for required parking, service area, loading delivery areas, and pedestrian and ADA access & circulation.

Item #2 Zoning change, 1100 East is a collector class roadway and should support the proposed use.

Item #3 As a subdivision process the existing public way needs to be reviewed for any upgrades as needed. Our field review indicates there are no ADA ramps at the intersection of 1100 East and Roosevelt Avenue existing at this time. The New residential lot has no access from the roadway and will need a new driveway approach installed when that lot is developed.

Sincerely,

Barry Walsh

4/27/2005

**INTEROFFICE MEMORANDUM**  
**Property Management**  
**Room 225**

25 March 2005

**TO:** Ray McCandless  
Planning

**FROM:** Linda Cordova  
Property Manager

**REF:** Traces – Garden Store at 1432 South 1100 East

Property Management has no objective to the above referenced petition.

Thank you.

**McCandless, Ray**

**FIRE DEPARTMENT**

**From:** Leydsman, Wayne  
**Sent:** Monday, March 21, 2005 3:59 PM  
**To:** McCandless, Ray  
**Subject:** Traces-Garden Store at 1432 South 100 East  
**Categories:** Confidential

The Salt Lake City Fire Department has no additional requirements on this conditional use request. If a home is to be built on Lot 2, then a review will be made by our department regarding fire hydrant locations and fire-flow requirements.

Sincerely,

Wayne Leydsman  
Assistant Plans Examiner

4/27/2005

TO: RAY McCANDLESS, PLANNING

FROM: SCOTT WEILER, P.E., ENGINEERING

DATE: MARCH 28, 2005

SUBJECT: **Traces Garden Store Minor Subdivision  
1432 South 1100 East**

City Engineering review comments are as follows:

1. It is our understanding that the existing buildings will remain and no new buildings are proposed.
2. Curb, gutter and sidewalk exist along the frontage of the project. Defective concrete that must be replaced as part of this approval includes:
  - At least thirteen cracked sidewalk panels in 1100 East.
  - Several uneven sidewalk panels on 1100 East and Roosevelt Avenue causing tripping hazards. Where feasible, the uneven sidewalk panels can be ground down rather replaced.Although no sidewalk ramp exists at the corner of 1100 East/Roosevelt Avenue, this property owner is not required to address this issue.
3. The property owner must trim tree limbs that overhang the sidewalk on Roosevelt Avenue.

cc: Rick Johnston  
Brad Stewart  
Barry Walsh  
Vault

**McCandless, Ray**

Public Services

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**From:** Graham, Rick  
**Sent:** Monday, March 21, 2005 10:23 AM  
**To:** McCandless, Ray  
**Subject:** RE: Traces

No comments to add.

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**From:** McCandless, Ray  
**Sent:** Friday, March 18, 2005 12:32 PM  
**To:** Boskoff, Nancy; Campbell, Tim; Clark, Luann; Dinse, Rick; Fluhart, Rocky; Graham, Rick; Harpst, Tim; Hooton, Leroy; McFarlane, Alison; Oka, Dave; Querry, Chuck; Rutan, Ed; Zunguze, Louis  
**Cc:** Wheelwright, Doug; Coffey, Cheri  
**Subject:** Traces

All:

The attached memorandum outlines a request for several approvals and modifications to the zoning ordinance by the owner of the Traces garden store located at 1432 South 1100 East. Would you please review the memorandum and let me know if you have any departmental comments or need additional information.

Your comments by April 1, 2005 would be appreciated.

Thanks.

4/27/2005

**OTHER**



LOT 15, BLOCK 16,  
FIVE ACRE PLAT "A", B.F.S.

PARRISH PROPERTIES I, LLC  
16-17-204-032

LOT 15, BLOCK 16,  
5-ACRE, PLAT A

PAUL T. LUBECK  
16-17-204-011

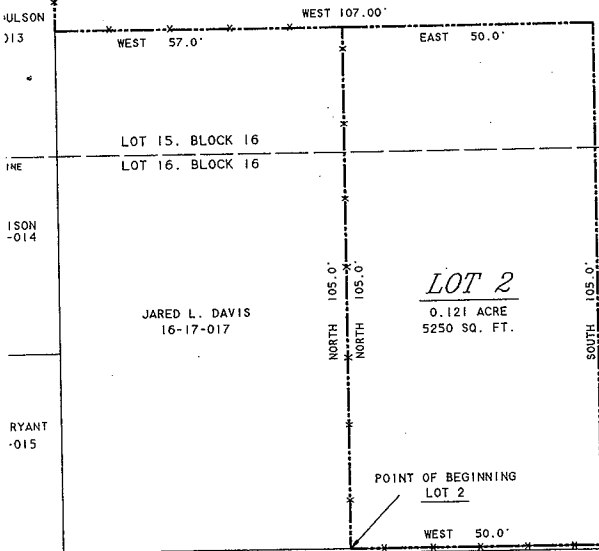
PATRICK W. LEARY  
16-17-204-012

DONNA T. WILSON  
16-17-204-013

JERRY E. WILSON  
16-17-204-014

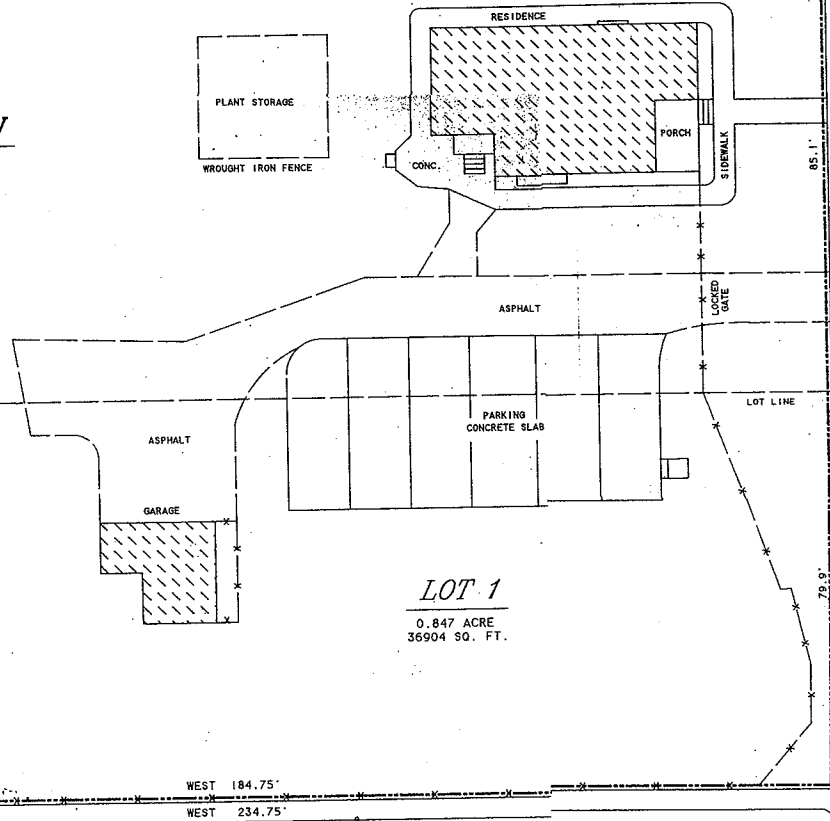
RYANT  
16-17-204-015

TRACES MINOR SUBDIVISION



LOT 2  
0.121 ACRE  
5250 SQ. FT.

JARED L. DAVIS  
16-17-017



LOT 1  
0.847 ACRE  
36904 SQ. FT.

WEST 457.6' - ATLAS

ROOSEVELT AVENUE - 1455 SOUTH

1100 EAST STREET

1  
N



Front of Building on 1100 East



1100 East Looking Northwest



Roosevelt Ave. Looking East Toward 1100 East



North Property Line Screening Looking Southeast Towards  
1100 East



Northwest corner of property

## **6. PLANNING COMMISSION MINUTES**

matter and the Planning Commission recommendation should be presented to them by then. Vice Chairperson Noda agreed to review and sign the letter.

**PUBLIC HEARINGS**

**Ms. Tanya Chatterton requesting the following zoning and subdivision actions for the "Traces" Garden Store located at approximately 1432 South 1100 East:**

**Petition Number 400-05-03 – Zoning text amendment to allow a "Plant and Garden Shop with Outdoor Retail Sales Area" as a conditional use in the Residential Business (RB) zoning district.**

**Petition Number 400-05-04 – Rezone property located at approximately 1432 South 1100 East, currently zoned Moderate Density Multi-Family Residential (RMF-35), Single Family Residential (R-1-5,000) and Residential Business (RB) to a Residential Business (RB) and Single Family Residential (R-1-5,000) zoning district. The rezoning also requires amending the 1974 Salt Lake City Central Community Development Plan (as updated by the Salt Lake City Zoning Rewrite Project of 1995) to identify the property as low-density residential and residential business land use.**

**Petition Number 410-736 – Conditional Use approval of a "Plant and Garden Shop With Outdoor Retail Sales Area" located at approximately 1432 South 1100 East in a proposed Residential Business (RB) zoning district.**

**Petition Number 490-05-08 – Preliminary subdivision approval of a two-lot minor subdivision for the property located at approximately 1432 South 1100 East with access on Roosevelt Street. (Staff – Ray McCandless at 535-7282 or ray.mccandless@slcgov.com)**

(This item was heard at 5:51 p.m.)

Tanya Chatterton was present.

Mr. McCandless explained that the "Traces Garden Shop" is located on the northwest corner of Roosevelt Avenue and 1100 East. The business began as a home occupation and has since expanded to the point where several zoning actions need to take place in order to allow the use to continue. The Applicant is requesting amendments to the zoning text, the zoning map and the master plan to reflect the proposed rezoning, and is requesting conditional use and preliminary subdivision approvals. Mr. McCandless noted that two Staff Reports were written to help clarify the issues. One Staff Report addresses the rezoning and master plan amendment, which will be a recommendation forwarded to the City Council. The second Staff Report addresses the conditional use and subdivision approvals.

Addressing the text amendment, Mr. McCandless explained that the properties between 1300 South and 1700 South on both sides of 1100 East are zoned RB. The RB Zone extends approximately 125 feet on each side of 1100 East. A large parcel with an apartment building directly to the north of the subject site is zoned RMF-35. To the west and east of the RB Zone and the property zoned RMF-35, are single-family residential subdivisions zoned R-1/5000. The Zoning Ordinance does not allow a plant and garden shop as a permitted or conditional use in the RB Zone. Staff is recommending that the zoning text be amended to allow plant and garden shops with outdoor displays as a conditional use in the RB Zone. The Zoning Ordinance allows

plant and garden shops in other mixed use zones as a conditional use, and Staff considers the RB a mixed use zone and finds that also allowing plant and garden shops in the RB zone as a conditional use would be compatible.

As for the zoning map amendment, Mr. McCandless explained that the subject site consists of approximately one acre and has three zoning classifications on it. The north portion of the parcel encompassing the dwelling is zoned RMF-35, the southeast corner is zoned RB and the west portion is zoned R-1/5000. In 1994, the subject property was created by consolidating five parcels, which may explain the multiple zoning classifications. Staff recommends subdividing a single-family lot in the southwest corner which would remain R-1/5000 and rezoning the rest of the parcel RB. Staff determined that creating the proposed single-family lot, Lot 2, would act as a buffer and limit potential encroachment of commercial activity into the residential area to the west. Mr. McCandless noted that the subdivision lot complies with area and lot width requirements of the R-1/5000 zoning district.

Mr. McCandless said that a conditional use would be required should the zoning text amendment be approved by the City Council. Staff review of the conditional use included determining impact on adjoining residential properties and recommended the following conditions of approval for the conditional use:

1. Adoption of the zoning text amendment to allow a plant and garden shop with outdoor retail sales area in the RB zoning district; amending the land use map of the Central Community Development Plan as updated by the Zoning Rewrite Project to residential business and single-family residential; and rezoning the property to single-family residential (R-1/5000) and Residential Business (RB).
2. Compliance with all applicable City departmental requirements and revocation of the business license if all City departmental requirements are not met within one year of the City Council approval.
3. Limit the hours of operation from 8:00 a.m. to 8:00 p.m.
4. Install a screening fence or vegetative screening hedge along the west property line of the proposed Lot 2.
5. Recordation of a final subdivision plat or notice with Salt Lake County Recorder's Office.
6. Prohibit storage, outdoor display or sales area north of proposed Lot 2.
7. Prohibit outdoor display or retail sales on the residential lot.

Responding to questions and concerns from Planning Commission Members, Mr. McCandless explained that the RB Zone to the north of the subject site consistently extends 125 feet and varies to the south of the site. The northern portion of the subject lot that is proposed to be zoned RB extends about 291 feet. Staff recommended prohibiting storage, displays and sales in the north portion to minimize the impact of business activity on the residential lots to the west and south.

Addressing Commissioner Diamond's concern about the size of the parcel proposed to be zoned RB, Mr. McCandless explained that the lot existed prior to the 1995 Zoning Rewrite and it is a non-complying lot in that the RB Zone limits parcels to 10,000 square feet. Staff recommended the subdivision lot to mitigate the size and to bring the RB Zone closer to 1100 East.

Ms. Chatterton explained that "Traces" offers a space with a history of wonderful gardens, art and artists; and it is a neighborhood destination where people can come and feel comfortable.

"Traces" also supports several community functions and it is Ms. Chatterton's objective to continue this neighborhood-friendly haven for years to come.

Dennis Guy-Sell, representing the East Central Community Council, explained that the Community Council considered the request in March 2005 and the Council noted that there were no problems identified by the neighbors and it appeared that the business is popular in the community. Mr. Guy-Sell noted the Staff Report (page 5) and further explained that it accurately reflects the Community Council's position. They are in favor of the zoning text amendment that will allow the business to operate finding that the business is a viable employment opportunity for people in the neighborhood. However, the Council is opposed to the overall rezoning in that they find it may cause an economical hardship on the property owner. The Community Council recommended that the zoning error be corrected, a conditional use be approved to protect the neighborhood and the text change to the Ordinance be put forth for approval; and at the same time, minimize Ms. Chatterton's cost if in fact the vacant residential lot will be taxed at a higher rate than it is currently taxed.

Cindy Cromer explained that she was involved in the 1995 Zoning Rewrite and finds that the northern portion of the property may have been incorrectly zoned RMF-35 and should have been zoned RB. The property is a corner lot along the 1100 East RB corridor, and the structure on the property has no history of multiple uses. Ms. Cromer also finds that the RB zoning classification is problematic. "Traces" and similar uses are very desirable for RB zones, but are not included as permitted uses. Ms. Cromer said that she believes the City is aggressively and inconsistently responding to zoning issues on the subject property. The zoning error could have been brought before the Planning Commission straightforwardly as other zoning errors have been previously brought to them. She finds it arbitrary to not allow outdoor displays or sales on the north portion of the proposed RB classification. Several businesses along the 1100 East RB corridor constantly display merchandise on public property and yet no timely enforcement action is taken on those businesses. Not allowing outdoor displays and sales to serve as buffering is also inconsistent as to what has been allowed for other businesses along the RB corridor. Ms. Cromer specifically takes issue with the rezoning to RB in that it results in a net loss of residentially zoned property. The neighborhood does not need more commercially zoned property, especially a problematic zone. She believes that keeping the R-1/5000 boundary as is provides a consistent depth of the existing RB Zone and an opportunity to provide two residential parcels, one of which could be a well-managed flag lot. As proposed, she believes that there would be tax consequences with a vacant subdivided lot, the RB zoning extends further west into the residential area than anywhere else along the 1100 East corridor, and the buffering is inconsistent as to what has been allowed for other businesses along the RB corridor.

Kay (Berger) Arnold, 1365 East 1300 South, explained that she attended the neighborhood council meeting and the neighbors, some also present at this meeting, supported the business. Ms. Arnold then spoke to the tax and flag lot issues. The subject property currently has one tax id number so it is one lot. The proposal corrects zoning issues and provides the neighborhood with one standard residential lot. Ms. Arnold said that she finds flag lots problematic and undesirable for abutting neighbors. Ms. Chatterton purchased an RB lot and although it will cost her a loss in RB zoning, Ms. Arnold finds that Staff did a good job addressing the zoning issues and she supports the proposal.

Ms. Chatterton asked the Planning Commission to reconsider Condition 3 in the Staff Report that limits hours of operation from 8:00 a.m. to 8:00 p.m. She would like to be allowed to operate until 9:00 p.m. Ms. Chatterton then responded to Commissioners McDonough and



De Lay regarding Condition 6 prohibiting storage, outdoor display and sales area north of the proposed residential lot. The north portion and the area proposed for the residential lot has been garden space for more than ten years and Ms. Chatterton plans on maintaining the garden excluding items that are not organic. Ms. Arnold presented pictures of the garden noting that it has about six substantial arbors supporting vegetation.

The meeting was closed to public comment and Planning Commission Members and Staff discussed the proposal. Acknowledging the intent to buffer the abutting residential area from commercial activity, Commission Members voiced concerns about Conditions 3, 6 and 7; specifically, Condition 6 prohibiting outdoor displays and sales on the RB portion in that it may be too restrictive and arbitrary. Commissioner Scott reasoned that buffering could better be addressed through the zoning text amendment of which she found troublesome as proposed. Commissioner Scott explained that the intent of the RB zoning was to provide limited commercial use and took on a strip configuration along 1100 East. She found the proposed rezoning inconsistent by allowing the RB portion of the subject lot to project 100 feet more into the residential area and surrounded by residential use on three sides. She suggested maintaining the R-1/5000 Zone as is and creating a flag lot on the west portion of the parcel.

It was noted during the discussion that Ms. Chatterton wanted the entire lot to be zoned RB and she agreed to subdividing one residential lot.

Responding to concerns regarding the conditions and future uses, Mr. Wilde explained that the conditions being imposed are specific to "Traces" and are not all encompassing to future conditional uses. Any permitted use would be able to take advantage of any allowance that the RB Zone offers, but the RB Zone allows only businesses that are conducive to low impact. Commission De Lay asked Staff why a plant and garden shop could not be a permitted use in the RB Zone. Mr. Zunguze answered that they would then be allowed in all RB zones.

Commissioner Scott asked Staff to clarify the enforcement issue. Mr. Wheelwright explained that the business was allowed as a home occupation and it has grown to the point where the Applicant no longer lives in the home. The house itself is in a residential zone and the business is allowed to be operated under a home occupation permit. Subsequently, a commercial business is actually being operated from the dwelling which results in a zoning violation. A second enforcement issue pertains to the concrete pad for a parking area that was installed without a building permit.

#### **Motion for Petition 400-05-03 and 400-05-04**

Pursuant to the comments, analysis and findings, Commissioner De Lay moved for the Planning Commission to recommend to the City Council to rezone the subject property from moderate density multi-family residential (RMF-35), residential business (RB) and single-family residential (R-1/5000) to RB and R-1/5000 zoning as proposed; to further recommend to the City Council that the Future Land Use Map of 1974 Central Community Development Plan be amended to reflect the property as low-density residential and residential business; and to also recommend to the City Council to amend Section 21A.24.190 Table of Permitted and Conditional Uses for Residential Districts to allow plant and garden shops with outdoor retail sales areas as a conditional use in the RB zoning district.

Commissioner Galli seconded the motion. Commissioners De Lay, Seelig, Galli and McDonough voted aye and Commissioners Diamond, Muir and Scott voted *no*; the motion passed with a four-three vote.

**Motion for Petition 410-736 and 490-05-09**

Pursuant to the comments, analysis and findings, Commissioner De Lay moved for the Planning Commission to grant conditional use and preliminary subdivision approval subject to the conditions outlined on Page 12 of the Staff Report as modified:

1. Adoption of the zoning text amendment to allow a "plant and garden shop with outdoor retail sales area" in the Residential Business (RB) zoning district; amending the land use map of the Central Community Development Plan as updated by the Zoning Rewrite Project to residential business and single-family residential; and rezoning the property to Single-Family Residential (R-1/5000) and Residential Business (RB).
2. Compliance with all applicable City departmental requirements and revocation of the Business License if all City departmental requirements are not met within one year of the City Council approval of the proposed ordinance amendment, rezoning and master plan amendment.
3. Limit the hours of operation from 8:00 a.m. to **9:00 p.m.**
4. Install a screening fence or vegetative screening hedge along the west property line of Lot 2.
5. Recordation of a final subdivision plat or notice with the Salt Lake County Recorder's Office.
6. **Prohibit retail sales on the residential lot.**

Commissioner Galli seconded the motion. Commissioners De Lay, Seelig, Diamond, Galli, McDonough and Muir voted *aye* and Commissioner Scott voted *no*; the motion passed with a six-one vote.

Commissioner Galli was excused for the remainder of the hearing.

The Planning Commission took a break at 6:59 p.m. and the hearing resumed at 7:08 p.m.

**Petition No. 490-05-05 – Mr. & Mrs. Dennis W. Gay request a preliminary subdivision amendment of the Dorchester Pointe Subdivision Plat "A", P.U.D., to combine Lots 106 and 107 at approximately 22 & 36 East Knightsbridge Lane into one residential lot for future construction of a single-family home in an (FR-2/21,780) Foothill Residential Zoning District. (Staff – Jackie Gasparik at 535-6354 or jackie.gasparik@slcgov.com)**

(This item was heard at 7:08 p.m.)

Brad H. Davis (Architect for Babcock Design Group) was present to represent Mr. and Mrs. Dennis Gay.

Ms. Gasparik explained that the Applicant is proposing to combine Lots 106 and 107 for the purpose of constructing a new single-family dwelling which requires an amendment to the Dorchester Pointe Subdivision Plat A, P.U.D. The Lots are located at approximately 22 and 36 East Knightsbridge Lane in the Foothill FR-2 zoning district. Ms. Gasparik further explained that the proposal meets all Salt Lake City Zoning Ordinance requirements in Section 21A.24.030 regarding the Foothill Residential District and also meets the requirements of Title 20 for Subdivisions. Staff is recommending approval subject to Conditions 1 through 5 as outlined in the Staff Report. Ms. Gasparik noted that the Planning Commission Members were presented

**7. PLANNING COMMISSION PUBLIC HEARING NOTICE**

**NOTE: The field trip is scheduled to leave at 4:00 p.m.**

**AGENDA FOR THE  
SALT LAKE CITY PLANNING COMMISSION MEETING  
In Room 326 of the City & County Building at 451 South State Street  
Wednesday, May 11, 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, April 27, 2005
2. **REPORT OF THE CHAIR AND VICE CHAIR**
3. **REPORT OF THE DIRECTOR**
4. **PUBLIC HEARINGS**

\* **Ms. Tanya Chatterton requesting the following zoning and subdivision actions for the "Traces" garden store located at approximately 1432 South 1100 East:**

- a. **Petition Number 400-05-03** - Zoning text amendment to allow a "Plant and Garden Shop With Outdoor Retail Sales Area" as a conditional use in the Residential Business (RB) zoning district and
- b. **Petition Number 400-05-04** - Rezone property located at approximately 1432 South 1100 East, currently zoned Moderate Density Multi-Family Residential (RMF-35), Single Family Residential (R-1-5,000) and Residential Business (RB) to a Residential Business (RB) and Single Family Residential (R-1-5,000) zoning district. The rezoning also requires amending the 1974 Salt Lake City Central Community Development Plan (as updated by the Salt Lake City Zoning Rewrite Project of 1995) to identify the property as low-density residential and residential business land use and
- c. **Petition Number 410-736** - Conditional Use approval of a "Plant and Garden Shop With Outdoor Retail Sales Area" located at approximately 1432 South 1100 East in a proposed Residential Business (RB) zoning district and
- d. **Petition Number 490-05-08** - Preliminary subdivision approval of a two lot minor subdivision for property located at approximately 1432 South 1100 East with access on Roosevelt Street. (Staff – Ray McCandless at 535-7282 or [ray.mccandless@slcgov.com](mailto:ray.mccandless@slcgov.com))
- e. **Petition No. 490-05-05** a request by Mr. & Mrs. Dennis W. Gay for a preliminary subdivision amendment of the Dorchester Pointe Subdivision Plat "A", P.U.D., to combine Lots 106 and 107 at approximately 22 & 36 East Knightsbridge Lane into one residential lot for future construction of a single-family home in an FR-3/12,000 Foothill Residential Zoning District. (Staff – Jackie Gasparik at 535-6354 or [jackie.gasparik@slcgov.com](mailto:jackie.gasparik@slcgov.com))
- f. **Petition No. 410-735 – T-Mobile**, represented by Jerome Gourley, requesting conditional use approval to install a 10 foot high wireless telecommunications antenna structure on the roof of the Indian Hills Elementary School located at 2496 St. Mary's Drive. The electrical equipment will be housed within the building. The project is located in a Public Lands (PL) zoning district. An administrative hearing officer elected to forward the request to the Planning Commission for consideration following a public hearing held on April 14, 2005. (Staff - Janice Lew at 535-7625)

5. **UNFINISHED BUSINESS**

For information on public or written comments and ADA accommodations, please see the reverse side of the agenda.

**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.**

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

April 1, 2005

## NOTICE OF OPEN HOUSE

Ms. Tanya Chatterton is requesting approval to 1) Rezone property currently zoned Moderate Density Multi-Family Residential (RMF-35), Single Family Residential (R-1-5,000) and Residential Business (RB) to a Residential Business (RB) and Single Family Residential (R-1-5,000) zone and amend the 1974 Salt Lake City Central Community Development Plan (as updated by the Salt Lake City Zoning Rewrite Project of 1995) to reflect the proposed zoning. 2) Amend the text of the Salt Lake City Zoning Ordinance to allow a Garden Store as a conditional use in the Residential Business (RB) zoning district. 3) Obtain Conditional Use approval of a Garden Store and, 4) Obtain preliminary subdivision approval of a 2-lot residential / commercial subdivision located at approximately 1432 South 1100 East.

The Planning Staff would like to receive your input regarding this proposal and invites you to a public open house regarding this issue:

**Monday, April 18, 2005**  
**Salt Lake City County Building**  
**451 South State Street**  
**Room 542 (Roger Cutler Conference Room)**  
**Between the hours of 4:30 and 6:00 P.M.**

Since it is very difficult for us to inform all interested parties about this request, we would appreciate you discussing this matter with your neighbors and informing them of the open house.

If you have any questions on this issue, please call Ray McCandless at 535-7282 or email [ray.mccandless@slcgov.com](mailto:ray.mccandless@slcgov.com)

Respectfully,

Ray McCandless  
Principal Planner

**We comply with all ADA guidelines.**  
**Assistive listening devices and interpreter services provided upon 24-hour advance request.**

451 SOUTH STATE STREET, ROOM 406, SALT LAKE CITY, UTAH 84111

TELEPHONE: 801-535-7757 FAX: 801-535-6174

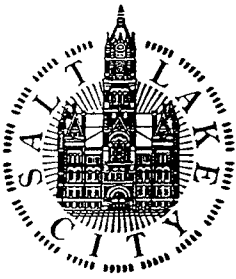
[WWW.SLCGOV.COM](http://WWW.SLCGOV.COM)



PETITION NO. 400-05-06  
04

**PETITION CHECKLIST**

<u>Date</u>	<u>Initials</u>	<u>Action Required</u>
<u>4/13/05</u>	<u>MTT.</u>	Petition delivered to Planning
<u>4/13/05</u>	<u>MTT.</u>	Petition assigned to: <u>Ray McCordless</u>
<u>5/11/05</u>	<u>Rm</u>	Planning Staff or Planning Commission Action Date
<u>5/26/05</u>	<u>Rm</u>	Return Original Letter and Yellow Petition Cover
<u>5/26/05</u>	<u>Rm</u>	Chronology
<u>5/26/05</u>	<u>Rm</u>	Property Description (marked with a post it note)
<u>5/26/05</u>	<u>Rm</u>	Affected Sidwell Numbers Included <u>16-17-204-034</u>
<u>5/26/05</u>	<u>Rm</u>	Mailing List for Petition, include appropriate Community Councils
<u>5/26/05</u>	<u>Rm</u>	Mailing Postmark Date Verification
<u>6/8/05</u>	<u>Rm</u>	Planning Commission Minutes
<u>5/26/05</u>	<u>Rm</u>	Planning Staff Report
<u>5/26/05</u>	<u>Rm</u>	Cover letter outlining what the request is and a brief description of what action the Planning Commission or Staff is recommending.
<u>6/8/05</u>	<u>Rm</u>	Ordinance Prepared by the Attorney's Office
<u>6/8/05</u>	<u>Rm</u>	Ordinance property description is checked, dated and initialed by the Planner. Ordinance is stamped by Attorney.
<u>Ray McCordless</u>		Planner responsible for taking calls on the Petition
_____	_____	Date Set for City Council Action _____
_____	_____	Petition filed with City Recorder's Office



# Zoning Amendment

FOR OFFICE USE ONLY

Petition No. 405-05-04  
 Receipt No. 202674 Amount \$ 500.00  
 Date Received 2-25-05  
 Reviewed by \_\_\_\_\_

SALT LAKE CITY PLANNING

Address of Subject Property 1432 S. 1100 E  
 Name of Applicant Tanya Chatterton Phone 801-467-9544  
 Address of Applicant 1432 S. 1100 E SALT LAKE CITY, UTAH 84115  
 E-mail address of Applicant \_\_\_\_\_ Cell / Fax 209-5607  
 Applicant's Interest in Subject Property \_\_\_\_\_  
 Name of Property Owner Tanya Chatterton Phone 467-9544  
 County Tax Parcel # (Sidwell #) 16-17-004-0321 Zoning of Property RME-35, RB (R-1-5000)  
 Existing Use of Property Garden Store

Amend the text of the Zoning Ordinance by amending Section: (attach map or legal description).

Amend the Zoning Map by reclassifying the following property: AT 1432 S. 1100 E

From a RME-35, R-1-5000 classification to a R-1-5,000 & RB classification.

**Please include with the application:**

1. A statement of the text amendment or map amendment describing the purpose for the amendment and the exact language, boundaries and zoning district.
  2. A complete description of the proposed use of the property where appropriate.
  3. Reasons why the present zoning may not be appropriate for the area.
  4. The names and addresses of all property owners within four-hundred fifty (450) feet of the subject parcel. The name, address and Sidwell number of each property owner must be typed or clearly printed on gummed mailing labels. Please include yourself and the appropriate Community Council Chair. **The cost of first class postage for each address is due at time of application. Please do not provide postage stamps.**
  5. Legal description of the property.
  6. Ten (10) copies of site plans drawn to scale.
  7. A signed statement that the petitioner has met with and explained the proposal to the appropriate Community Council.
  8. Related materials or data supporting the application as may be determined by the Zoning Administrator.
- Filing fee of \$500.00 plus \$100 for each acre over one acre is due at the time of application.**

**If you have any questions regarding the requirements of this petition, please contact a member of the Salt Lake City Planning staff (535-7757) prior to submitting the petition.**

**Sidwell maps and names of property owners are available at:**

Salt Lake County Recorder  
 2001 South State Street, Room N1600  
 Salt Lake City, UT 84190-1051  
 Telephone: (801) 468-3391

**File the complete application at:**

Salt Lake City Planning  
 451 South State Street, Room 406  
 Salt Lake City, UT 84111  
 Telephone: (801) 535-7757

Signature of Applicant \_\_\_\_\_  
 or authorized agent

Title of agent

**Hansen, Diana**

---

**From:** Taylor, Lucille  
**Sent:** Tuesday, April 12, 2005 4:47 PM  
**To:** Hansen, Diana  
**Subject:** FW: Petition Numbers for Traces  
**Importance:** High  
**Categories:** Program/Policy

Diana,

Will you please assign numbers to the two 400 numbers.

Thanks,

Lucille

---

**From:** McCandless, Ray  
**Sent:** Wednesday, April 06, 2005 10:44 AM  
**To:** Taylor, Lucille  
**Subject:** Petition Numbers for Traces

Lucille,

I need petition numbers for the following:

400-05-04  
**Petition Number 400\*\*\*\*\* - Tanya Chatterton** requesting to rezone property currently zoned Moderate Density Multi-Family Residential (RMF-35), Single Family Residential (R-1-5,000) and Residential Business (RB) zoning district to a Residential Business (RB) and Single Family Residential (R-1-5,000) zoning district and amending the 1974 Salt Lake City Central Community Development Plan (as updated by the Salt Lake City Zoning Rewrite Project of 1995) to reflect the proposed zoning for property located at 1432 South 1100 East.

400-05-03  
**Petition Number 400\*\*\*\*\* - Tanya Chatterton** requesting a zoning text amendment to allow a Garden Store as a conditional use in the Residential Business (RB) zoning district.

**Petition Number 410-\*\*\*\* - Tanya Chatterton** requesting Conditional Use approval of a Garden Store located at 1432 South 1100 East in a Moderate Density Multi-Family Residential (RMF-35), Single Family Residential (R-1-5,000) and a Residential Business (RB) zoning district.

Thanks.



LOT 1 - RB ZONED PARCEL

BEGINNING at a point 202.0 ft. south from the northeast corner of Lot 15, Block 16, Five Acre Plat "A", Big Field Survey; thence South 165.0 ft.; thence West 184.75 ft.; thence North 105.0 ft.; thence West 107.0 ft.; thence North 60.0 ft.; thence East 291.75 ft. to the point of BEGINNING.

Contains 0.847 acre of 36904 sq. ft.

LOT 2 - R-1-S,020 ZONED PARCEL

BEGINNING at a point 367.0 ft. south and 234.75 ft. from the northeast corner of Lot 15, Block 16, Five Acre Plat "A" Big Field Survey; thence North 105.0 ft.; thence East 50.0 ft.; thence South 105.0 ft.; thence West 50.0 ft. to the point of BEGINNING.

Contains 0.121 acre or 5250 sq. ft.

**TRACES**  
1432 South 1100 East  
Salt Lake City, Utah 84105  
467-9544

❖ **Concept**

To provide a business that feels more like a home. A space to revisit nature in a home/garden setting. A place to find gifts, flowers, herbs, art, heirloom and organic seeds and more. An opportunity to stroll, relax, enjoy and possibly sample fresh organic and heirloom items in their season or find new treasures for your own home and garden.

❖ **Pursuit**

To offer an oasis in the community. A unique space that is not defined by loud speakers and rows of shopping carts. A place that honors the seasons and natural processes of life. A neighborhood destination. A home and garden atmosphere, a green space in the city.  
A GARDEN STORE:

❖ **Community**

Summer months Traces donates organic and heirloom seeds and vegetables to various charities with their "Grow a Row" program.

Traces supports local artists throughout the year. Not only in the gift shop and garden but with the annual "Art in the Garden" party.

We support local growers through a working interactive garden space.

❖ **Objective**

To continue to provide a neighborhood friendly business that people can enjoy for years to come.







**Petition No.** 400-05-06-04

**By** Tanya Chatterton

Is requesting to rezone property currently zoned Moderate Density Multi-Family Residential (RMF-35), Single Family Residential (R-1-5,000) and Residential Business (RB) zoning district to a Residential Business (RB) and Single Family Residential (R-1-5,000) zoning district and amending the 1974 Salt Lake City Central Community Development Plan (as updated by the Salt Lake City Zoning Rewrite Project of 1995) to reflect the proposed zoning for property located at 1432 South 1100 East.

**Date Filed** \_\_\_\_\_

**Address** \_\_\_\_\_

**PETITION CHECKLIST**

<u>Date</u>	<u>Initials</u>	<u>Action Required</u>
<u>4/13/05</u>	<u>RLH</u>	Petition delivered to Planning
<u>4/13/05</u>	<u>RLH.</u>	Petition assigned to: <u>Ray McCandless</u>
<u>5/16/05</u>	<u>Rur</u>	Planning Staff or Planning Commission Action Date
<u>5/26/05</u>	<u>Rur</u>	Return Original Letter and Yellow Petition Cover
<u>5/26/05</u>	<u>Rur</u>	Chronology
<u>5/26/05</u>	<u>Rur</u>	Property Description (marked with a post it note) <i>See Petition 400-05-04</i>
<u>5/26/05</u>	<u>Rur</u>	Affected Sidwell Numbers Included <u>16-17-204-034</u>
<u>5/26/05</u>	<u>Rur</u>	Mailing List for Petition, include appropriate Community Councils
<u>5/26/05</u>	<u>Rur</u>	Mailing Postmark Date Verification
<u>6/2/05</u>	<u>Rur</u>	Planning Commission Minutes
<u>5/26/05</u>	<u>Rur</u>	Planning Staff Report
<u>5/26/05</u>	<u>Rur</u>	Cover letter outlining what the request is and a brief description of what action the Planning Commission or Staff is recommending.
<u>6/2/05</u>	<u>Rur</u>	Ordinance Prepared by the Attorney's Office
<u>6/2/05</u>	<u>Rur</u>	Ordinance property description is checked, dated and initialed by the Planner. Ordinance is stamped by Attorney.
<u>Ray McCandless</u>		Planner responsible for taking calls on the Petition
_____	_____	Date Set for City Council Action _____
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**TRACES**  
1432 South 1100 East  
Salt Lake City, Utah 84105  
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To continue to provide a neighborhood friendly business that people can enjoy for years to come.









21A.24.190 Table Of Permitted And Conditional Uses For Residential Districts:

LEGEND		PERMITTED AND CONDITIONAL USES, BY DISTRICT RESIDENTIAL DISTRICTS																	
C = Conditional Use P = Permitted Use		FR-1/ 43,560	FR-2/ 21,780	FR-3/ 12,000	R-1/ 12,000	R-1/ 7,000	R-1/ 5,000	SR-1	SR-2	SR-3	R-2	R-MF 30	R-MF 35	R-MF 45	R-MF 75	R-B	R-MU	R-O	
Residential																			
Accessory guest and servants quarters		C																	
Accessory uses on accessory lots		C	C	C	C	C	C	C		C	C	C	C	C	C	C	C	C	
Assisted living facility, large													C	P	P		P	P	
Assisted living facility, small					C	C	C	C			C	C	P	P	P	P	P	P	
Dormitories, fraternities, sororities (see Section 21A.36.150 of this Title)																			
Dwelling units, including multi-family dwellings above or below first story office, retail and commercial uses or on the first story, as defined in the Uniform Building Code, where the unit is not located adjacent to the street frontage																	P <sup>1</sup>	P	P
Group home, large (see Section 21A.36.070 of this Title)												C	C	C	C	C	C	C	

LEGEND	PERMITTED AND CONDITIONAL USES, BY DISTRICT RESIDENTIAL DISTRICTS																	
	Use	FR-1/ 43,560	FR-2/ 21,780	FR-3/ 12,000	R-1/ 12,000	R-1/ 7,000	R-1/ 5,000	SR-1	SR-2	SR-3	R-2	R-MF 30	R-MF 35	R-MF 45	R-MF 75	R-B	R-MU	R-O
C = Conditional Use P = Permitted Use																		
Transitional treatment home, large (see section 21A.36.090 of this title)														C	C		C	C
Transitional treatment home, small (see section 21A.36.090 of this title)													C	C	C		C	C
Transitional victim home, large (see section 21A.36.080 of this title)														C	C		C	C
Transitional victim home, small (see section 21A.36.080 of this title)													C	C	P		P	P
Twin home dwellings							P		P	P	P	P	P				P	P
Two-family dwellings							P		P	P <sup>2</sup>	P	P				P	P	P
<b>Office And Related Uses</b>																		
Financial institutions, with drive-through facilities																	C <sup>3</sup>	C <sup>9</sup>
Financial institutions, without drive-through facilities																	P <sup>3</sup>	P <sup>9</sup>
Medical and dental clinics and offices																C	P <sup>3</sup>	P <sup>9</sup>

LEGEND	PERMITTED AND CONDITIONAL USES, BY DISTRICT RESIDENTIAL DISTRICTS																
	C = Conditional Use P = Permitted Use																
Use	FR-1/ 43,560	FR-2/ 21,780	FR-3/ 12,000	R-1/ 12,000	R-1/ 7,000	R-1/ 5,000	SR-1	SR-2	SR-3	R-2	R-MF 30	R-MF 35	R-MF 45	R-MF 75	R-B	R-MU	R-O
Natural open space and conservation areas on lots less than 4 acres in size	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P
Parks and playgrounds, public and private, less than 4 acres in size	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P
Pedestrian pathways, trails and greenways	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P
Tavern/lounge/brew pub; 2,500 square feet or less in floor area																	C
Retail Sales And Service																	
Gas station—may include accessory convenience retail and/or "minor repairs" as defined in part VI, chapter 21A.62 of this title															P	P	
Health and fitness facility																	P
Liquor store																	C
Restaurants, without drive-through facilities															C	P <sup>1</sup>	
Retail goods establishments															P <sup>2</sup>	P <sup>1</sup>	

LEGEND		PERMITTED AND CONDITIONAL USES, BY DISTRICT RESIDENTIAL DISTRICTS																
C = Conditional Use P = Permitted Use		FR-1/ 43,560	FR-2/ 21,780	FR-3/ 12,000	R-1/ 12,000	R-1/ 7,000	R-1/ 5,000	SR-1	SR-2	SR-3	R-2	RMF 30	RMF 35	RMF 45	RMF 75	RB	R-MU	RO
★	Plant and garden shop, with outdoor retail sales area																C <sup>3</sup>	
	Miscellaneous																	
	Accessory uses, except those that are otherwise specifically regulated in this chapter, or elsewhere in this title	P	P	P	P	P	P			P	P	P	P	P	P	P	P	P
	Bed and breakfast	C <sup>7</sup>	C <sup>7</sup>	C <sup>7</sup>	C <sup>7</sup>	C <sup>7</sup>	C <sup>7</sup>			C <sup>7</sup>	C <sup>7</sup>	C <sup>7</sup>	C <sup>7</sup>	C <sup>7</sup>	C <sup>7</sup>	P	P	P
	Bed and breakfast inn						C <sup>8</sup>			C <sup>8</sup>	C <sup>7</sup>	C <sup>7</sup>	C <sup>7</sup>	C <sup>7</sup>	P	P	P	
	Bed and breakfast manor																P	
	House museum in land- mark sites (see subsec- tion 21A.24.010S of this chapter)	C	C	C	C	C	C			C	C	C	C	C	C			C
	Offices and reception centers in landmark sites (see subsection 21A.24.010S of this chapter)	C	C	C	C	C	C			C	C	C	C	C	C	P	P	P <sup>9</sup>
	Park and ride parking, shared with church park- ing lot on arterial street	C	C	C	C	C	C			C	C	C	C	C	C	C	C	C

9. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to the conditional use process.

(Ord. 13-04 § 5, 2004; Ord. 5-02 § 2, 2002; Ord. 19-01 § 6, 2001; Ord. 35-99 § 20, 1999; Ord. 30-98 § 2, 1998; Ord. 19-98 § 1, 1998; amended during 5/96 supplement; Ord. 88-95 § 1 (Exh. A), 1995; Ord. 84-95 § 1 (Exh. A), 1995; Ord. 26-95 § 2(12-18), 1995)



**Hansen, Diana**

---

**From:** Taylor, Lucille  
**Sent:** Tuesday, April 12, 2005 4:47 PM  
**To:** Hansen, Diana  
**Subject:** FW: Petition Numbers for Traces  
**Importance:** High  
**Categories:** Program/Policy

Diana,

Will you please assign numbers to the two 400 numbers.

Thanks,

Lucille

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**From:** McCandless, Ray  
**Sent:** Wednesday, April 06, 2005 10:44 AM  
**To:** Taylor, Lucille  
**Subject:** Petition Numbers for Traces

Lucille,

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**Petition Number** <sup>400-05-03</sup> ~~400\*\*\*\*\*~~ - **Tanya Chatterton** requesting a zoning text amendment to allow a Garden Store as a conditional use in the Residential Business (RB) zoning district.

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Thanks.

**Petition No.** 400-05-07 03

*By* Tanya Chatterton

Is requesting a zoning text amendment to allow a Garden Store as a conditional use in the Residential Business (RB) zoning district.

*Date Filed* \_\_\_\_\_

*Address* \_\_\_\_\_