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# SALT LAKE CITY COUNCIL STAFF REPORT

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**DATE:** December 29, 2006

**SUBJECT:** Petition 400-06-09 – Chris Robinson/Arimco Corp – request to rezone property at 99 East 700 North from Foothills Residential FR-2/21,780 to Single and Two-Family Residential R-2

**AFFECTED COUNCIL DISTRICTS:** If the ordinance is adopted the rezoning will affect Council District 3

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

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

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

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## WORK SESSION SUMMARY/NEW INFORMATION:

On December 12, 2006, the Council received a briefing on this item. No questions or concerns were expressed.

## POTENTIAL MOTIONS:

1. ["I move that the Council"] **Adopt an ordinance** rezoning property at 99 East 700 North from Foothills Residential FR-2 to Single and Two-Family Residential R-2
2. ["I move that the Council"] **Not adopt the proposed ordinance** rezoning property at 99 East 700 North from Foothills Residential FR-2 to Single and Two-Family Residential R-2

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The following information was provided previously for the Council Work Session on December 12, 2006. It is provided again for your reference.

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## KEY ELEMENTS:

- A. An ordinance has been prepared for Council consideration to rezone property at 99 East 700 North from Foothills Residential FR-2/21,780 to Single and Two-Family Residential R-2 zoning classification. The Administration notes this action would correct a mapping error that occurred during the 1995 Zoning Rewrite Project. (Please see the attached map for reference.)
- B. The Administration's transmittal notes:
  1. Prior to 1995, the property was zoned Residential R-2. *(Please note: A majority of the City's residential areas were zoned Residential R-2 prior to 1995. This zoning classification allowed single-family and two-family residential dwellings).*

2. This property is part of the Ensign Downs Plat "G" Subdivision, a 3-lot subdivision approved and recorded in May 1982.
  3. It appears that there was a mapping error that resulted in the 3 lots of the Ensign Downs Plat "G" Subdivision being zoned FR-2 instead of R-2 during the 1995 Zoning Rewrite Project.
  4. Lots 1 and 2 of this subdivision have been developed with two-family dwellings and are considered legal non-conforming uses. (Two-family dwellings are not a permitted use in the FR-2 zoning district.)
  5. Lot 3 (the subject property) is currently vacant and the requested rezoning would allow the applicant to construct a duplex on the property.
  6. The property is approximately 12,197 sq. ft. which is less than the minimum lot size of 21,780 sq. ft. specified in the Foothills Residential FR-2/21,780 zoning district. *(Please note: The property would be considered a legal non-complying lot in regard to lot size in the FR-2 zoning district.)*
  7. Surrounding land uses include a mix of single-family and two-family residential dwellings and vacant land.
- C. The purpose of the Foothills Residential FR-2/21,780 district is to promote environmentally sensitive and visually compatible development of lots not less than 21,780 sq. ft. in size, suitable for foothill locations. The District is intended to:
1. Minimize flooding, erosion and other environmental hazards;
  2. Protect the natural scenic character of foothill areas not suitable for development;
  3. Promote the safety and well-being of present and future residents of foothill areas; and
  4. Ensure the efficient expenditure of public funds.
- D. The purpose of the Single and Two-Family Residential R-2 district is to preserve and protect, for single-family dwellings, the character of existing neighborhoods which exhibit a mix of single- and two-family dwellings by controlling the concentration of two-family dwelling units.
- E. The R-2 zoning district requires a minimum lot width of 50 ft and a minimum lot size of 5,000 sq. ft. for single-family dwellings and 8,000 sq. ft. for two-family dwellings.
- F. The citywide Compatible Residential Infill zoning text changes adopted by the Council on December 13, 2005 are applicable in both the FR-2 and R-2 zoning districts. The standards address building and exterior wall height, front and side yard setback, location, size and height for accessory structures. The standards do not regulate demolition of homes. The standards apply to new construction and remodels. Exceptions to the standards are allowed through the Routine and Uncontested Special Exception, Administrative Hearing or Board of Adjustment tiered processes. The standards are intended to allow for flexibility of design while providing compatibility with existing development patterns.
- G. The public process included a presentation to the Capitol Hill Community Council and written notification of the Planning Commission hearing to surrounding property owners. The Administration's transmittal notes the Community Council was supportive of the petition.
- H. The City's Fire, Police, and Public Utilities Departments and Transportation and Engineering Divisions have reviewed the request. Any new development proposal will be required to comply with applicable overlay zoning classifications (Groundwater Source Protection), City standards and demonstrate that there are adequate services to meet the needs of the project.
- I. On June 14, 2006, the Planning Commission voted to forward a positive recommendation to the City Council to rezone the property as requested. Issues discussed at the Planning Commission hearing are summarized below:
1. That the current slope restriction regulations do not apply to this property due to the date the subdivision was approved and recorded.

2. A comparison of the required yard area and setback standards for both zoning districts.
3. Public comment related to potential impacts on surrounding properties in relation to compatibility with other developed properties, height, setbacks, view protection, and protection of environmentally sensitive property to the west.

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

The Administration's transmittal and Planning staff report note the following:

- A. Because the subdivision was established in 1982, the current zoning standard that prohibits development on lots that exceed 30% slope is not applicable. In addition, the current zoning standards in the R-2 zoning district restricting the number of two-family dwellings units that may be located adjacent to one another and on a block face are not applicable.
  1. Language in the Zoning Ordinance relating to slope restrictions in the FR-2 zoning district exempts properties subdivided prior to November 4, 1994. (Sec. 21A.24.030.G – Slope Restrictions)
  2. Language in the Zoning Ordinance restricting the number of two-family dwellings units that may be located adjacent to one another and on a block face exempts properties subdivided prior to April 12, 1995. (Sec. 21A.24.010. C – Minimum Lot Area and Lot Width - Qualifying Provisions)
  3. Should this rezone request be approved and a duplex constructed on the subject lot, there would be 2 two-family dwellings located on the 700 North block face, which would still be consistent with current Code requirements.
- B. Should this rezone request be approved, this property would have a different zoning designation than the other lots (adjacent to the property, east and northeast) in the Ensign Downs Plat "G" Subdivision. Because this petition was generated at the request of the property owner of Lot 3, Lots 1 and 2 are not being rezoned at this time. (*Please note: Lots 1 and 2 are currently developed with 1-two-family dwelling each and owned separately by other individuals*) Future rezoning of Lots 1 and 2 should be considered to correct the mapping error and render the zoning on the lots consistent with the adopted Capitol Hill Master Plan.
- C. On July 14, 2006, Arimco Corp. sold the property to Ms. Kathryn Wilson. On August 31, 2006, Ms. Wilson indicated to Planning staff that she wanted to pursue the rezoning request. The Administration notes that the change in ownership has no bearing of the rezoning request as proposed.

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

- A. The Capitol Hill Master Plan (2001) is the adopted land-use policy document that guides new development in the area of the proposed rezoning.
  1. The Future Land Use Map identifies this area for low density residential uses (5-15 dwelling units per acre).
    - a. The FR-2 zoning district allows only single-family dwelling at a density of 2 units per acre.
    - b. The R-2 zoning district allows single-family and two family dwellings at a density of 8.7 per acre for single-family and 10.9 per acre for 2-family dwelling.
  2. The property is located on the fringe of the Ensign Downs Neighborhood and adjacent to the DeSoto/Cortez Neighborhood. Relevant policies include:
    - a. Ensure the established very-low and low density residential character of the neighborhood is preserved.
    - b. Ensure infill development is compatible with the existing character of the immediate neighborhood by maintaining restrictive zoning.

- B. The City’s Comprehensive Housing Plan policy statements address a variety of housing issues including quality design, public and neighborhood participation and interaction, transit-oriented development, encouraging mixed-use developments, housing preservation, rehabilitation and replacement, zoning policies and programs that preserve housing opportunities as well as business opportunities.
- C. The 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.
- D. The Council’s growth policy notes that growth in Salt Lake City will be deemed the most desirable if it meets the following criteria:
  - 1. Is aesthetically pleasing;
  - 2. Contributes to a livable community environment;
  - 3. Yields no negative net fiscal impact unless an overriding public purpose is served; and
  - 4. Forestalls negative impacts associated with inactivity.
- E. The City’s 1990 Urban Design Element includes statements that emphasize preserving the City’s image, neighborhood character and maintaining livability while being sensitive to social and economic realities.

**CHRONOLOGY:**

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

- March 29, 2006                      Petition delivered to Planning Division
- April 6, 2006                        Petition assigned to planner
- May 17, 2006                        Capitol Hill Community Council meeting
- June 14, 2006                        Planning Commission hearing
- June 15, 2006                        Ordinance requested from City Attorney
- June 20, 2006                        Ordinance received from City Attorney

cc: Sam Guevara, DJ Baxter, Ed Rutan, Lynn Pace, Louis Zunguze, Chris Shoop, Doug Wheelwright, Cheri Coffey, Lex Traugher, Marge Harvey, Gwen Springmeyer

File Location: Community Development Dept., Planning Division, Rezoning, Chris Robinson/Arimco Corp./Kathryn Wilson, 99 East 700 North

FP

Subject  
Parcel

FR-2

EAST CAPITOL BLVD

R-1-7000

700 N

R-2

CORTEZ ST

EAST CAPITOL ST



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

TRANSMITTED

NOV 13 2006

TO CITY COUNCIL

**CITY COUNCIL TRANSMITTAL**

**TO:** Rocky Fluhart, Chief Administrative Officer <sup>ROA</sup> **DATE:** October 26, 2006  
**FROM:** Louis Zunguze, Community Development Director <sup>RZ</sup>  
**RE:** Petition 400-06-09 by Chris Robinson/Arimco Corporation to rezone the property located at 99 East 700 North from FR-2 (Foothills Residential District) to R-2 (Single and Two-Family Residential District)

**STAFF CONTACTS:** Lex Traughber, Principal Planner, at 535-6184 or lex.traughber@slcgov.com

**RECOMMENDATION:** That the City Council hold a briefing and schedule a Public Hearing

**DOCUMENT TYPE:** Ordinance

**BUDGET IMPACT:** None

**DISCUSSION:**

**Issue Origin:** Petition 400-06-09 is a request to rezone the property located at 99 East 700 North from FR-2 (Foothills Residential District) to R-2 (Single and Two-Family Residential District). The applicant's purpose in proposing to rezone the subject property is to correct a mapping error which occurred during the 1995 Zoning Rewrite Project. The correction would allow the applicant to construct a duplex on the subject property.

The property is currently zoned FR-2. As stated in Chapter 21A.24.030 of the Zoning Ordinance, the purpose of this zone is:

To promote environmentally sensitive and visually compatible development of lots not less than twenty one thousand seven hundred eighty (21,780) square feet in size suitable for foothills locations. The District is intended to minimize flooding, erosion, and other environmental hazards; to protect the natural scenic character of foothill areas not suitable for development; to promote the safety and well being of present and future residents of the foothill areas; and to ensure the efficient expenditure of public funds.

The FR-2 Zoning District does not allow two-family dwellings, and the subject parcel does not meet the minimum lot size requirement of the FR-2 District. The applicant proposes to rezone the subject property to R-2. As indicated in Chapter 21A.24.110, the purpose of the R-2 District is:

To preserve and protect for single-family dwellings the character of existing neighborhoods which exhibit a mix of single and two-family dwelling by controlling the concentration of two-family dwelling units.

**Analysis:** The subject parcel was created as Lot 3, one of three lots, of the Ensign Downs Plat "G" Subdivision recorded with Salt Lake County on May 24, 1982. Prior to 1995, these three lots were zoned R-2. A mapping error resulted in the three being zoned FR-2 instead of R-2 during the 1995 Zoning Rewrite Project. The zoning map prior to the Zoning Rewrite Project in 1995 indicated that the lots were zoned R-2. Lots 1 and 2 of this subdivision are each developed with a two-family dwelling. These duplexes are considered legal conforming uses as identified in Section 21A.38.120 of the Zoning Ordinance, which allows for alterations, additions, and replacement of the duplex units on the lots.

Should this rezone request be granted, Lot 3 would have a different zoning designation than Lots 1 and 2. Because this petition was generated at the request of the Lot 3 property owner, Lots 1 and 2 are not being rezoned at this time. Future rezoning of Lots 1 and 2 to R-2 should be considered to correct the mapping error and render the zoning on the lots consistent with the adopted Capitol Hill Master Plan.

Because Lot 3 was created prior to November 4, 1994, it is not subject to the slope restrictions imposed at that time. In addition, the current regulation in the R-2 District, which states that no more than two lots may be used for two-family dwellings located adjacent to one another and no more than three such dwellings may be located on the same block face, is also not applicable since the subdivision was approved prior to 1995. Should this rezone request be approved and a duplex constructed on the subject lot, there would be two two-family dwellings located on the 700 North block face, which would still be consistent with current Code requirements.

**Master Plan Considerations:** The Capitol Hill Community Future Land Use Map identifies the subject parcel as Low Density Residential (5-15 dwelling units per acre), which is the same designation as all of the DeSoto/Cortez neighborhood located directly to the south. Lots 1 and 2 of the Ensign Downs Plat "G" Subdivision are designated the same. Given this development density, residential lot sizes under this future land use designation range in size from 2,904 to 8,712 square feet. The subject parcel is approximately 12,197 square feet. Two dwelling units on the parcel would result in lot sizes of approximately 6,098 square feet per unit. In addition, the 12,197 square foot lot size is well below the required lot size of 21,780 square feet of the FR-2 District, as noted previously. This proposed lot size and associated density are consistent with the future land use designation and therefore do not constitute "spot zoning".

## **PUBLIC PROCESS:**

On May 17, 2006, the applicant presented the proposal to the Capitol Hill Community Council. There were no issues raised at this meeting. The Community Council was generally supportive of the proposed rezone.

On June 14, 2006, a Public Hearing was held by the Planning Commission and public comment solicited. The Planning Commission voted to forward a positive recommendation to the City Council to rezone the subject property as requested, noting that the request would rectify the mapping error that occurred during the 1995 Zoning Ordinance Rewrite Project.

Following the Planning Commission decision, Arimco Corporation sold the subject lot to Katherine Wilson (on July 14, 2006). Ms. Wilson indicated on August 31, 2006, that she wants to pursue the requested rezone. The change in ownership has no bearing on the rezone request as proposed.

## **RELEVANT ORDINANCES:**

Amendments to the Zoning Ordinance and Maps are authorized under Section 21A.50 of the Salt Lake City Zoning Ordinance, as detailed in Section 21A.50.050: "A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard." It does, however, list five standards, which should be analyzed prior to rezoning property (Section 21A.50.050 A-E). The five standards are discussed in detail starting on page five of the Planning Commission Staff Report dated June 14, 2006 (see Section 5B entitled "Planning Commission Staff Report").



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6. **ORIGINAL PETITION**

## **1. CHRONOLOGY**

## **PROJECT CHRONOLOGY**

- March 29, 2006                      Petition delivered to Planning Division.
- April 6, 2006                        Petition assigned to Lex Traughber.
- May 17, 2006                        Petition presented to Capitol Hill Community Council. No  
correspondence received from the Council regarding the  
proposal.
- May 30, 2006                        Planning Commission hearing notices sent via U.S. Mail  
and email.
- June 14, 2006                        Planning Commission held a public hearing and voted to  
forward a positive recommendation to the City Council  
regarding the rezone request.
- June 15, 2006                        Planning Staff requested ordinance from the City  
Attorney's Office.
- June 20, 2006                        Ordinance received from City Attorney's Office.

## **2. ORDINANCE**

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2006  
(Rezoning Property Generally Located at 99 East 700 North)

REZONING PROPERTY GENERALLY LOCATED AT 99 EAST 700 NORTH FROM  
FOOTHILLS RESIDENTIAL DISTRICT (FR-2) TO SINGLE- AND TWO-FAMILY  
RESIDENTIAL DISTRICT (R-2), PURSUANT TO PETITION NO. 400-06-09.

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 99 East 700 North is appropriate for the development of the community in that area and in the best interest of the city.

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

SECTION 1. REZONING OF PROPERTY. The property generally located at 99 East 700 North, which is more particularly described on Exhibit A attached hereto, shall be and hereby is rezoned from Foothills Residential District (FR-2) to Single- And Two-Family Residential (R-2).

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

2006.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

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

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2006.

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

F:\Ordinance 06\Rezoning 99 East 700 North - 06-19-06 draft

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date June 20, 2006  
By Melanie Heif

**Exhibit A**

*7/11/82*

Lot 3 of the Ensign Downs Plat "G" Subdivision (Sidwell number 09-30-351-021) as recorded with the Salt Lake County Clerk & Recorder's Office on May 24, 1982, reception number 3677890, Book 82-5, Page 43.

**3. NOTICE OF CITY  
COUNCIL HEARING**



## **NOTICE OF PUBLIC HEARING**

The Salt Lake City Council is considering Petition 400-06-09, a rezone request for the property located at approximately 99 East 700 North, from FR-2 (Foothills Residential District) to R-2 (Single and Two-Family Residential District).

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

**DATE:**

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

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

If you have any questions relating to this proposal or would like to review the file, please call Lex Traughber at 535-6184 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at [lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com)

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact the Planning Division at (801) 535-7757; TDD (801) 535-6021.

## **4. MAILING LABELS**

09303550040000  
REDMOOSE PROPERTIES LLC  
4118 MOOSE HOLLOW RD  
PARK CITY UT 84098

09303760070000  
BERTRAM, AARON J &  
762 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09303760210000  
ROBINSON, CHRISTOPHER F; ET AL  
PO BOX 540478  
NORTH SALT LAKE UT 84054

09303550050000  
ANDERSON, DENNIS; ET AL  
4001 S 6000 W  
WEST VALLEY UT 84128

09303760080000  
LLOYD, EARL A. & NEOMA D.  
748 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09303760220000  
SHEA, PATRICK A &  
736 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09303550060000  
IWASAKI, IWAO & HARUYE  
697 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09303760090000  
SHEA, PATRICK A & DEBBIE F  
736 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09311030010000  
ROBERTS, BRUCE J & JULIE H &  
676 N DESOTO ST  
SALT LAKE CITY UT 84103

09303550070000  
HUFFAKER, MARGARET M &  
693 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09303760100000  
DICKINSON, SANDRA G  
724 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09311030020000  
MCFARLAND, ANDY  
320 W 500 S # 16  
BOUNTIFUL UT 84010

PETER VON SIVERS  
223 W 400 N  
SVC, UT 84103

09303760110000  
IWASAKI, FUJIO & DORA T.  
710 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09311030170000  
OLSEN, PETER F  
681 N CORTEZ ST  
SALT LAKE CITY UT 84103

09303550110000  
ANDERSON, DENNIS; ET AL  
4001 S 6000 W  
WEST VALLEY UT 84128

09303760120000  
GLASS, DAVID & NATALIE; JT  
704 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09303550120000  
HUFFAKER, MARGARET M &  
693 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09303760130000  
GOLDING, STEPHEN L & REBECCA L  
698 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09311030190000  
BOYD, HARVEY F &  
667 N CORTEZ ST  
SALT LAKE CITY UT 84103

09303550130000  
SCHAEFFER, TODD A &  
697 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09303760190000  
GLASS, DAVID & NATALIE; JT  
140 HEPBURN RD # 18G  
CLIFTON NJ 07012

09311040010000  
PETAJA, DEAN C  
686 N CORTEZ ST  
SALT LAKE CITY UT 84103

09303550140000  
WESTENFELDER, CHRISTOF  
702 N CORTEZ ST  
SALT LAKE CITY UT 84103

09303760200000  
MANOR HOLDINGS LC  
PO BOX 755  
OREM UT 84059

LEX TRANKNER  
451 S. STATE ST, Rm 406  
SVC, UT ~~84103~~ 84111

09303510160000 WILKINS, BRUCE G 150 E EDGEcombe DR SALT LAKE CITY UT 84103	09311260020000 GEREK, GENE & 676 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	09303510280000 TRES HERMANOS LLC 2545 E PARLEYS WY # A SALT LAKE CITY UT 84109
09311040020000 BURNHAM, ANNA M. 678 N CORTEZ ST SALT LAKE CITY UT 84103	09311260030000 ROBINSON, JAMES W & 1955 E BRYAN AVE SALT LAKE CITY UT 84109	09303510340000 ROBINSON, CHRISTOPHER F; PO BOX 540478 NORTH SALT LAKE UT 84054
09311040030000 CARD INVESTMENTS LLC 960 W 2100 S WEST VALLEY UT 84119	09311260100000 SUCHAR, AUGUSTIN J & 684 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	09303540020000 FITTS, STANFORD P & 209 E ENSIGN VISTA DR SALT LAKE CITY UT 84103
09311040040000 BOLTAX, JONATHON P 662 N CORTEZ ST SALT LAKE CITY UT 84103	09311260110000 PLATTS, JAMES L & 680 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	<del>09303540030000</del> ROBINSON, CHRISTOPHER F; ET AL PO BOX 540478 NORTH SALT LAKE UT 84054
09311040150000 WIGGINS, BARBARA O; TR 687 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	09303510210000 ARIMO CORP PO BOX 540478 NORTH SALT LAKE UT 84054	09303540040000 PROTASEVICH, NATALIE & 689 N CORTEZ ST SALT LAKE CITY UT 84103
09311040170000 SHIBA, ALYCE W; TR 675 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	09303510220000 TRES HERMANOS LLC 2545 E PARLEYS WY # A SALT LAKE CITY UT 84109	09303540050000 HUFFAKER, ALTON W & 700 N DESOTO ST SALT LAKE CITY UT 84103
09311040430000 DAVIS, MARK K & 709 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	<del>09303510230000</del> TRES HERMANOS LLC 2545 E PARLEYS WY # A SALT LAKE CITY UT 84109	09303540060000 FITTS, STANFORD P & 209 E ENSIGN VISTA DR SALT LAKE CITY UT 84103
<del>09311040440000</del> FITTS, STANFORD P & 209 E ENSIGN VISTA DR SALT LAKE CITY UT 84103	09303510260000 ROBINSON, JEANE L; TR PO BOX 540478 NORTH SALT LAKE UT 84054	<del>09303540070000</del> FITTS, STANFORD P & 209 E ENSIGN VISTA DR SALT LAKE CITY UT 84103
09311040450000 SHIBA, ALYCE W; TR 675 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	09303510270000 KAGAN, WALT A & 170 HILLSIDE ST MILTON MA 02186	09303550030000 TURNER, JAMES C 692 N CORTEZ ST SALT LAKE CITY UT 84103

This list of ownership was compiled by the Salt Lake County Recorder's office, with a copy being sent to the city it pertains to. Any alteration or deletion will be tracked and appropriate action taken. Feb2006Page 1 of 2

09303550040000  
REDMOOSE PROPERTIES LLC  
4118 MOOSE HOLLOW RD  
PARK CITY UT 84098

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PO BOX 540478  
NORTH SALT LAKE UT 84054

09303550050000  
ANDERSON, DENNIS; ET AL  
4001 S 6000 W  
WEST VALLEY UT 84128

09303760080000  
LLOYD, EARL A. & NEOMA D.  
748 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09303760220000  
SHEA, PATRICK A &  
736 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09303550060000  
IWASAKI, IWAO & HARUYE  
697 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09303760090000  
SHEA, PATRICK A & DEBBIE F  
736 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09311030010000  
ROBERTS, BRUCE J & JULIE H &  
676 N DESOTO ST  
SALT LAKE CITY UT 84103

09303550070000  
HUFFAKER, MARGARET M &  
693 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09303760100000  
DICKINSON, SANDRA G  
724 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09311030020000  
MCFARLAND, ANDY  
320 W 500 S # 16  
BOUNTIFUL UT 84010

PETER VON SIVERS  
223 W 400 N  
SUC, UT 84103

09303760110000  
IWASAKI, FUJIO & DORA T.  
710 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09311030170000  
OLSEN, PETER F  
681 N CORTEZ ST  
SALT LAKE CITY UT 84103

09303550110000  
ANDERSON, DENNIS; ET AL  
4001 S 6000 W  
WEST VALLEY UT 84128

09303760120000  
GLASS, DAVID & NATALIE; JT  
704 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09303550120000  
HUFFAKER, MARGARET M &  
693 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09303760130000  
GOLDING, STEPHEN L & REBECCA L  
698 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09311030190000  
BOYD, HARVEY F &  
667 N CORTEZ ST  
SALT LAKE CITY UT 84103

09303550130000  
SCHAEFFER, TODD A &  
697 N EASTCAPITOL BLVD  
SALT LAKE CITY UT 84103

09303760190000  
GLASS, DAVID & NATALIE; JT  
140 HEPBURN RD # 18G  
CLIFTON NJ 07012

09311040010000  
PETAJA, DEAN C  
686 N CORTEZ ST  
SALT LAKE CITY UT 84103

09303550140000  
WESTENFELDER, CHRISTOF  
702 N CORTEZ ST  
SALT LAKE CITY UT 84103

09303760200000  
MANOR HOLDINGS LC  
PO BOX 755  
OREM UT 84059

LEX TRAUGHER  
451 S. STATE ST, Rm 406  
SUC, UT ~~84103~~ 84111

09303510160000 WILKINS, BRUCE G 150 E EDGEcombe DR SALT LAKE CITY UT 84103	09311260020000 GEREK, GENE & 676 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	09303510280000 TRES HERMANOS LLC 2545 E PARLEYS WY # A SALT LAKE CITY UT 84109
09311040020000 BURNHAM, ANNA M. 678 N CORTEZ ST SALT LAKE CITY UT 84103	09311260030000 ROBINSON, JAMES W & 1955 E BRYAN AVE SALT LAKE CITY UT 84108	09303510340000 ROBINSON, CHRISTOPHER F; PO BOX 540478 NORTH SALT LAKE UT 84054
09311040030000 CARD INVESTMENTS LLC 960 W 2100 S WEST VALLEY UT 84119	09311260100000 SUCHAR, AUGUSTIN J & 684 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	09303540020000 FITTS, STANFORD P & 209 E ENSIGN VISTA DR SALT LAKE CITY UT 84103
09311040040000 BOLTAX, JONATHON P 662 N CORTEZ ST SALT LAKE CITY UT 84103	09311260110000 PLATTS, JAMES L & 680 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	09303540030000 ROBINSON, CHRISTOPHER F; ET AL PO BOX 540478 NORTH SALT LAKE UT 84054
09311040150000 WIGGINS, BARBARA O; TR 687 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	09303510210000 ARIMO CORP PO BOX 540478 NORTH SALT LAKE UT 84054	09303540040000 PROTASEVICH, NATALIE & 689 N CORTEZ ST SALT LAKE CITY UT 84103
09311040170000 SHIBA, ALYCE W; TR 675 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	09303510220000 TRES HERMANOS LLC 2545 E PARLEYS WY # A SALT LAKE CITY UT 84109	09303540050000 HUFFAKER, ALTON W & 700 N DESOTO ST SALT LAKE CITY UT 84103
09311040430000 DAVIS, MARK K & 709 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	09303510230000 TRES HERMANOS LLC 2545 E PARLEYS WY # A SALT LAKE CITY UT 84109	09303540060000 FITTS, STANFORD P & 209 E ENSIGN VISTA DR SALT LAKE CITY UT 84103
09311040440000 FITTS, STANFORD P & 209 E ENSIGN VISTA DR SALT LAKE CITY UT 84103	09303510260000 ROBINSON, JEANE L; TR PO BOX 540478 NORTH SALT LAKE UT 84054	09303540070000 FITTS, STANFORD P & 209 E ENSIGN VISTA DR SALT LAKE CITY UT 84103
09311040450000 SHIBA, ALYCE W; TR 675 N EASTCAPITOL BLVD SALT LAKE CITY UT 84103	09303510270000 KAGAN, WALT A & 170 HILLSIDE ST MILTON MA 02186	09303550030000 TURNER, JAMES C 692 N CORTEZ ST SALT LAKE CITY UT 84103

This list of ownership was compiled by the Salt Lake County Recorder's office, with a copy being sent to the city it pertains to. Any iteration or deletion will be tracked and appropriate action taken. Feb2006Page 1 of 2

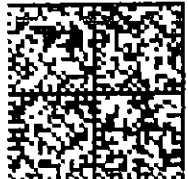
**5. PLANNING COMMISSION**  
**A. Original Notice Postmark**  
**May 30, 2006**

LEX TRANSLUCER  
451 S. STATE ST.  
SALT LAKE CITY UT 84111

# NOTICE OF HEARING

US POSTAGE  
Mailed From 84111  
05/30/2006  
\$00.390  
016H16501573

Hasler



Salt Lake City Planning Division  
451 South State Street, Room 406  
Salt Lake City UT 84111 UT

1. Fill out registration card and indicate if you wish to speak and which agenda item you will address.
2. After the staff and petitioner presentations, hearing will be opened for public comment. Community Councils will present their comments at the beginning of the hearing.
3. In order to be considerate of everyone attending the meeting, public comments are limited to three (3) minutes per person, per item. A spokesperson who has already been asked by a group to summarize their concerns will be allowed five (5) minutes to speak. Written comments are welcome and will be provided to the Planning Commission in advance of the meeting if they are submitted to the Planning Division prior to noon the day before the meeting. Written comments should be sent to:  
Salt Lake City Planning Commission  
451 South State Street, Room 406  
Salt Lake City UT 84111
4. Speakers will be called by the Chair.
5. Please state your name and your affiliation to the petition or whom you represent at the beginning of your comments.
6. Speakers should address their comments to the Chair. Planning Commission members may have questions for the speaker. Speakers may not debate with other meeting attendees.
7. Speakers should focus their comments on the agenda item. Extraneous and repetitive comments should be avoided.
8. After those registered have spoken, the Chair will invite other comments. Prior speakers may be allowed to supplement their previous comments at this time.
9. After the hearing is closed, the discussion will be limited among Planning Commissioners and Staff. Under unique circumstances, the Planning Commission may choose to reopen the hearing to obtain additional information.
10. Salt Lake City Corporation complies with all ADA guidelines. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this meeting. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact the Planning Office at 535-7757; TDD 535-6021.

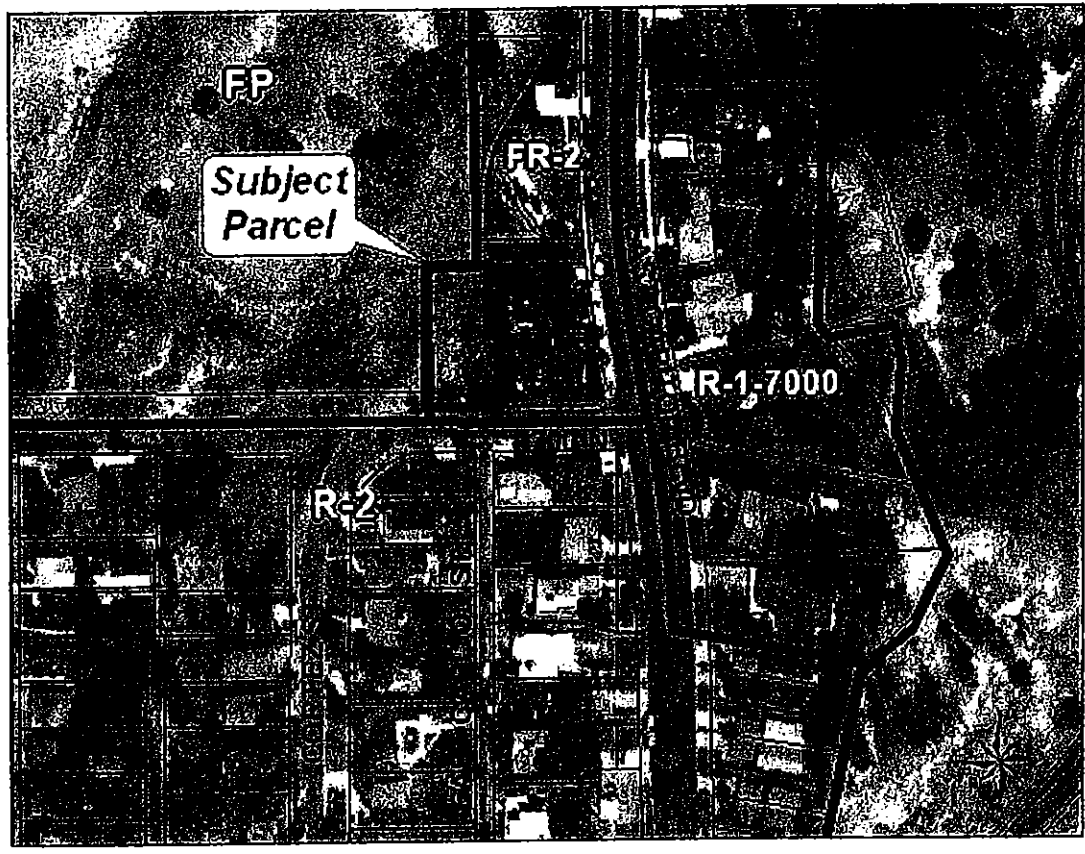


**5. PLANNING COMMISSION**  
**B. Staff Report**  
**June 14, 2006**

**DATE:** June 14, 2006  
**TO:** Salt Lake City Planning Commission  
**FROM:** Lex Traugher  
Principal Planner  
Telephone: (801) 535-6184  
Email: lex.traugher@slcgov.com  
**RE: STAFF REPORT FOR THE JUNE 14, 2006 MEETING**

---

**CASE NUMBER:** 400-06-09  
**APPLICANT:** Chris Robinson  
Arimco Corporation  
**STATUS OF APPLICANT:** Owner  
**PROJECT LOCATION:** 99 East 700 North



**PROJECT/PROPERTY SIZE:** 0.28 acres (12,197 square feet) according to County tax records.

**COUNCIL DISTRICT:** District 3, Councilmember Eric Jergensen

**REQUESTED ACTION:** The applicant is requesting a zoning change on the subject parcel from FR-2 (Foothills Residential District) to R-2 (Single and Two-Family Residential District).

**PROPOSED USE(S):** The applicant intends to build a two-family dwelling (duplex) on the site.

**SURROUNDING ZONING:**

North –	FR-2 (Foothills Residential District), FP (Foothills Protection District)
South –	R-2 (Single and Two-Family Residential District)
East –	R-1-7000 (Single-Family Residential District)
West –	FP (Foothills Protection District)

**SURROUNDING LAND USE:**

North –	Residential
South –	Residential
East –	Residential
West –	Vacant (Foothill Protection)

**FUTURE LAND USE:**

North –	Low Density Residential
South –	Low Density Residential
East –	Very Low Density Residential
West –	Foothill Preservation Residential

**APPLICABLE LAND USE REGULATIONS:** The proposed zone change is subject to the Salt Lake City Code, Chapter 21A.50 – Amendments and Special Approvals.

**MASTER PLAN SPECIFICATIONS:** The property is located in the area subject to the Capitol Hill Community Master Plan. In addition, the Salt Lake City Housing Plan has applicable planning policies.

**SUBJECT PROPERTY HISTORY:** The subject lot is currently vacant.

**ACCESS:**

The subject property has access from 700 North.

**PROJECT DESCRIPTION:**

The applicant is proposing to rezone the subject property to build a duplex. The property is currently zoned FR-2 (Foothills Residential District). The purpose of this zone is, *"to promote environmentally sensitive and visually compatible development of lots not less than twenty one thousand seven hundred eighty (21,780) square feet in size suitable for foothills locations. The District is intended to minimize flooding, erosion, and other environmental hazards; to protect the natural scenic character of foothill areas not suitable for development; to promote the safety and well being of present and future residents of foothill areas; and to ensure the efficient expenditure of public funds."* This zoning district does not allow two-family residential development (duplex), and the subject parcel does not meet the minimum lot size requirement of the FR-2 District. The applicant proposes to rezone the subject property to R-2 (Single and Two-Family Residential District). The purpose of the R-2 District is, *"to preserve and protect for single-family dwellings the character of existing neighborhoods which exhibit a mix of single and two-family dwelling by controlling the concentration of two-family dwelling units."*

Planning Staff notes that the subject parcel was created as Lot 3 of the Ensign Downs Plat "G" Subdivision recorded with the Salt Lake County Clerk and Recorder's Office on May 24, 1982. Prior to 1995, these lots were all zoned R-2, which at the time allowed for two-family residential development as it does currently. It appears that there was a mapping error that resulted in the three lots of the Ensign Downs Plat "G" Subdivision being zoned FR-2 instead of R-2 during the 1995 Zoning Rewrite Project. Lots 1 and 2 of this Subdivision are presently developed and are zoned FR-2; each Lot with one two-family dwelling unit (duplex). Presently, these duplexes would be considered legal conforming uses as identified in Section 21A.38.120 of the Zoning Ordinance which allows for alterations, additions, and replacement of the duplex units on the lots. Should this rezone request be granted, Lot 3 would have a different zoning than Lots 1 and 2, however the final land use (duplex) would be identical.

The FR-2 Zoning District currently has a provision to restrict development on lots that exceed thirty percent (30%) slopes. Section 21A.24.030G of the Code reads, *"For lots subdivided after November 4, 1994, no building shall be constructed on any portion of the site that exceeds a thirty percent (30%) slope. All faces of buildings and structure shall be set back from any non-buildable area line, as shown on the plat if any, a minimum of ten feet (10') and an average of twenty feet (20')."* Because the three Lots of the Ensign Downs Plat "G" Subdivision were created prior to November 4, 1994, the subject Lot 3 is not subject to this Section of the Code. In addition, the regulation in the R-2 District which states that no more than two lots may be used for two-family dwellings located adjacent to one another and no more than three such dwellings may be

located on the same block face, is also not applicable since the subdivision was approved prior to 1995.

The Capitol Hill Community Future Land Use Map identifies the subject parcel as “ Low Density Residential (5-15 dwelling units per acre), which is the same designation as all of the DeSoto/Cortez neighborhood located directly to the south. Lots 1 and 2 of the Ensign Downs Plat “G” Subdivision are designated the same. Given this development density, residential lot sizes under this particular future land use designation range in size from 2,904 to 8,712 square feet. The subject lot is approximately 12,197 square feet. Two dwelling units on the parcel would result in lot sizes of approximately 6,098 square feet per unit. In addition, the 12,197 square foot lot size is well below the required lot size of 21,780 square feet of the FR-2 District as noted previously. This proposed lot size and associated density are consistent with the future land use designation and would therefore not constitute “spot zoning”. Instead, Planning Staff is of the opinion that the current zoning on the subject property is a mapping error.

#### **DEPARTMENT/DIVISION COMMENTS:**

##### **Engineering**

Engineering does not have any comments or concerns with this rezone.

##### **Public Utilities**

Public Utilities has no objection to the proposed rezone of the property. There is a 12 inch water main and an 8 inch sanitary sewer main at the east edge of the property in 700 North that this property can connect to for services. A site utility plan is required for review before approval to check for compliance with appropriate codes and standards.

##### **Permits and Zoning**

No comments.

##### **Transportation**

The 700 North roadway is a residential local classification with curb and gutter and paved surface improvements. Future site development will require compliance with City standards for vehicular access with a new driveway approach and on-site parking.

##### **Property Management**

Did not respond.

##### **Fire**

The Fire Department has no objections overall to the request. Additional fire hydrants may be required prior to approval for future development.

##### **Police**

No significant impact on police services resulting from the requested rezone.

**Airport**

No observed impact to airport operations.

**PUBLIC COMMENTS:**

The applicant presented the proposal to the Capitol Hill Community Council on May 17, 2006. No significant comments or concerns were received at this meeting concerning the rezone request.

**ANALYSIS AND FINDINGS:**

**Chapter 21A.50 of the Salt Lake City Code**

Chapter 21A.50 of the Salt Lake City Code, entitled “Amendments and Special Approvals” addresses changes to the text of the zoning code and the associated maps. Section 21A.50.050 outlines standards for general amendments that the City Council should consider when making a decision regarding a rezone. There are 5 specific criteria to evaluate; they are as follows:

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

**Salt Lake City Community Housing Plan**

The following City Council policy regarding housing is outlined in this Plan and is relevant to the proposed rezone:

The City Council supports a citywide variety of residential housing units, including affordable housing and supports accommodating different types of developments and intensities of residential development.

**Capitol Hill Community Master Plan**

The Capitol Hill Community Master Plan addresses residential development in the various neighborhoods throughout the District. According to this Plan, the subject property is located on the fringe of the Ensign Downs Neighborhood, across 700 North from the DeSoto/Cortez Neighborhood. Both of these designated “Neighborhoods” list policies related to residential development. These policies are as follows:

1. Ensure the established very-low and low density residential character of the area is preserved.
2. Ensure that infill development is compatible with the existing character of the immediate neighborhood.

The Future Land Use Map of the Capitol Hill Community Master Plan identifies the subject property as “Low Density Residential”. The R-2 Zoning District is a low density residential zone.

**Discussion:** The proposed rezone is consistent with policy outlined in the Salt Lake City Housing Plan concerning the need for a variety of housing options. In addition, two policies outlined in the Capitol Hill Community Land Use Plan are relevant.

**Finding:** The proposed zoning map amendment is supported by policies found in both the Salt Lake City Community Housing Plan and the Capitol Hill Community Master Plan, and is consistent with the Future Land Use Map of the Capitol Hill Community Master Plan.

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

**Discussion:** As previously noted, Lots 1 and 2 of the Ensign Downs Plat "G" Subdivision are already developed with duplexes. These two Lots are adjacent and to the east of Lot 3. With the proposed rezone, Lot 3 could develop as a duplex as well. There are several properties located to the south of 700 North that are also developed as duplexes. All of the property in the neighborhood to the south is zoned R-2.

**Finding:** The proposed rezone would result in development that is harmonious with the existing development in the immediate vicinity.

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

**Discussion:** Should the proposed rezone be approved, a duplex could be built on the subject lot in conformance with the development standards of the R-2 Zoning District. This type of residential development would be consistent with the development of adjacent lots to the east and several of those to the south. Otherwise, if the rezone request fails, a single-family residence could be built on the subject lot. The net result of an approval of the rezone request would be one additional dwelling unit.

**Finding:** In general, the proposed rezone request will result in development that has little or no impact on adjacent properties.

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

**Finding:** The subject property is within the Primary Recharge Area of the Groundwater Source Protection Overlay Zone. Any future development must meet the standards of this overlay and will be addressed at the time of issuance of a building permit in conformance with Section 21A.34.060 of the Zoning Ordinance.

**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 wastewater and refuse collection.**

**Finding:** City Engineering, Public Utilities, Transportation, Fire and Police all responded with comments as noted above. No comments were received indicating that public facilities and services are inadequate to serve the subject property.

**RECOMMENDATION:**

Based on the comments, analysis, and findings of fact noted in this staff report, Planning Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to rezone the property located at 99 East 700 North from FR-2 (Foothills Residential District) to R-2 (Single and Two-Family Residential District).

**Attachments:**

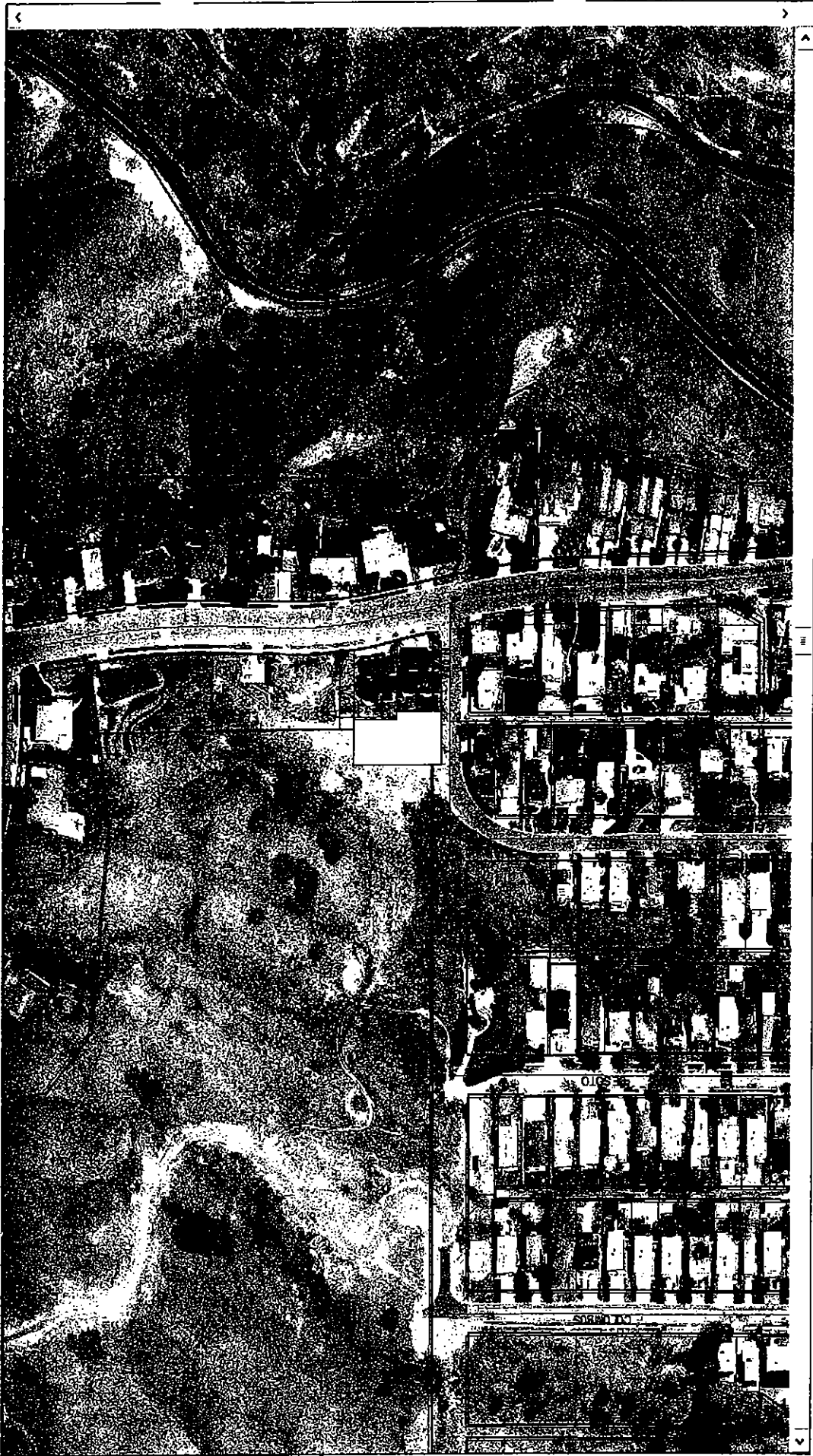
- Exhibit 1 – Aerial Photo of the Subject Property
- Exhibit 2 – Subdivision Plat Map
- Exhibit 3 - Department/Division Comments

1. CONDITION -



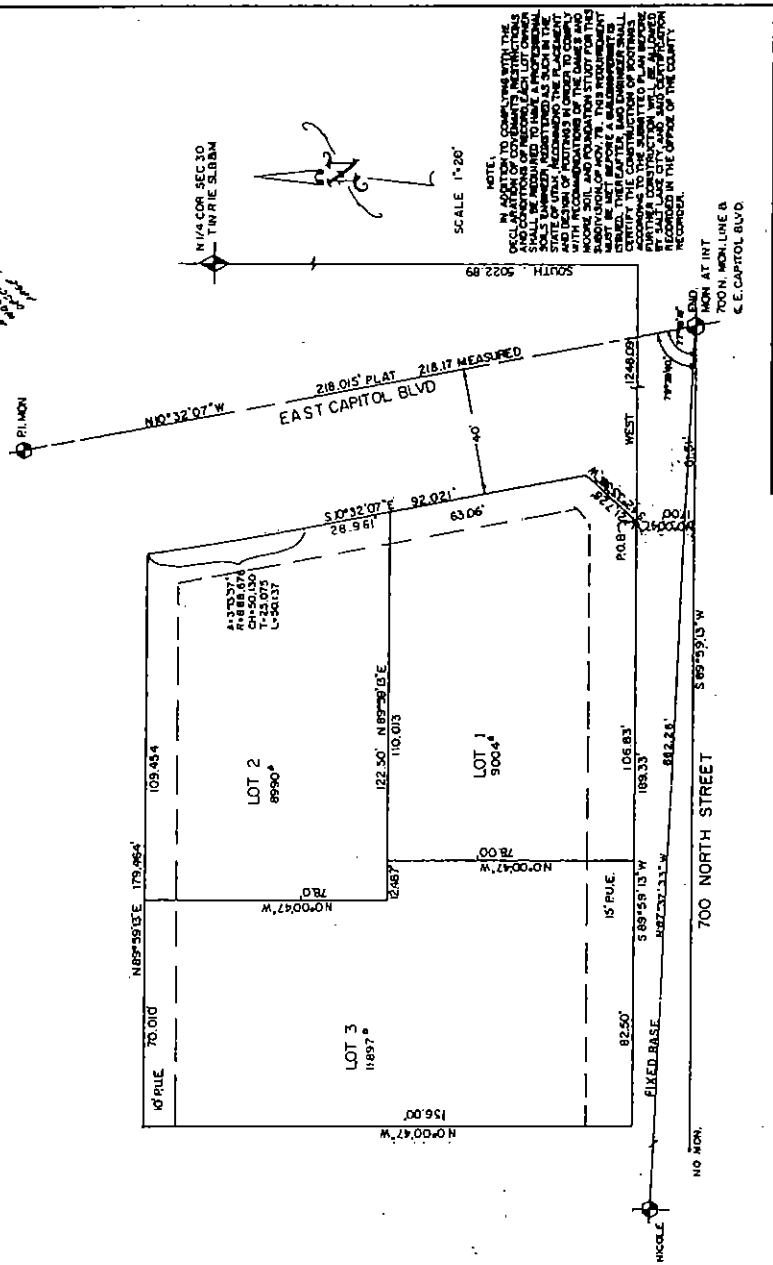
**Exhibit 1 –**  
Aerial Photo

GIS Map Application  
Printed on: 5/23/2006



**Exhibit 2 –**  
Subdivision Plat Map

ENSIGN DOWNS PLAT 'G'



**SURVEYOR'S CERTIFICATE**  
 I, DON STEPHEN MILLIGAN, do hereby certify that I have personally examined the land shown on this plat and that I have been duly licensed as a surveyor under the laws of the State of Utah. I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereinafter to be known as ENSIGN DOWNS PLAT 'G' and that the same has been correctly surveyed and staked on the ground as shown on this plat.

**OWNER'S DEDICATION**  
 Know all men by these presents that J. S. Robinson, the undersigned owner of the above described tract of land, having caused same to be subdivided into lots and streets to be hereinafter known as the ENSIGN DOWNS PLAT 'G' do hereby dedicate for perpetual use of the public all parcels of land shown on this plat intended for public use.

**ACKNOWLEDGMENT**  
 STATE OF UTAH  
 County of Juab  
 On the 22 day of December, A.D. 1928, personally appeared before me, the undersigned Notary Public, in and for said County of Juab, in said State of Utah, the signers ( ) of the above Owner's dedication, signed a freely and voluntarily and for the same end purposes the within instrument, to-wit: J. S. Robinson  
 by commission expires January 3, 1933  
 Notary Public in and for the County of Juab, State of Utah

**CORPORATE ACKNOWLEDGMENT**  
 STATE OF UTAH  
 COUNTY OF SALT LAKE SS.  
 ON THIS 22 DAY OF December, 1928, PERSONALLY APPEARED BEFORE ME DAVID A. ROBINSON WHO, BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE PRESIDENT OF ARMO CORP. AND CORPORATION AND THAT HE SIGNED THE OWNER'S DEDICATION IN BEHALF OF SAID CORPORATION BY AUTHORITY OF A RESOLUTION DATED JULY 10TH 1929 BY ITS DIRECTORS AND DAVID A. ROBINSON ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

APPROVED THIS <u>22</u> DAY OF <u>December</u> , A.D. 1928, by the City Planning Commission	RECORDED IN SALT LAKE COUNTY RECORDS AND INDEXES IN THE OFFICE OF THE CLERK OF SAID COUNTY, UTAH, ON THE <u>22</u> DAY OF <u>December</u> , A.D. 1928.
CITY ENGINEER'S PLAN AND DESIGN OF UTILITIES IN ORDER TO COMPLY WITH RECOMMENDATIONS OF THE DAME & SAUNDERS ENGINEERING COMPANY.	CITY ENGINEER'S PLAN AND DESIGN OF UTILITIES IN ORDER TO COMPLY WITH RECOMMENDATIONS OF THE DAME & SAUNDERS ENGINEERING COMPANY.

NOTE: IN ADDITION TO COMPLIANCE WITH THE DECLARATION OF CONVEYANCE, THE FOLLOWING SHALL BE REQUIRED TO MAKE A PROVISIONAL RECORDATION OF THIS INSTRUMENT: 1. A COPY OF THE CITY ENGINEER'S PLAN AND DESIGN OF UTILITIES IN ORDER TO COMPLY WITH RECOMMENDATIONS OF THE DAME & SAUNDERS ENGINEERING COMPANY. 2. A COPY OF THE CITY ENGINEER'S PLAN AND DESIGN OF UTILITIES IN ORDER TO COMPLY WITH RECOMMENDATIONS OF THE DAME & SAUNDERS ENGINEERING COMPANY. 3. A COPY OF THE CITY ENGINEER'S PLAN AND DESIGN OF UTILITIES IN ORDER TO COMPLY WITH RECOMMENDATIONS OF THE DAME & SAUNDERS ENGINEERING COMPANY.

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 County of Juab  
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 by commission expires January 3, 1933  
 Notary Public in and for the County of Juab, State of Utah

APPROVED THIS <u>22</u> DAY OF <u>December</u> , A.D. 1928, by the City Planning Commission	RECORDED IN SALT LAKE COUNTY RECORDS AND INDEXES IN THE OFFICE OF THE CLERK OF SAID COUNTY, UTAH, ON THE <u>22</u> DAY OF <u>December</u> , A.D. 1928.
CITY ENGINEER'S PLAN AND DESIGN OF UTILITIES IN ORDER TO COMPLY WITH RECOMMENDATIONS OF THE DAME & SAUNDERS ENGINEERING COMPANY.	CITY ENGINEER'S PLAN AND DESIGN OF UTILITIES IN ORDER TO COMPLY WITH RECOMMENDATIONS OF THE DAME & SAUNDERS ENGINEERING COMPANY.

82-5-43

**Exhibit 3 –**  
Dept/Division Comments

**Traughber, Lex**

---

**From:** McCandless, Allen  
**Sent:** Friday, May 05, 2006 2:13 PM  
**To:** Traughber, Lex  
**Cc:** Pack, Russ; Domino, Steve  
**Subject:** FW: Petition 400-06-09, Rezone of property located at 99 East 700 North  
**Attachments:** Referral Memo.doc

Lex,

Thank you for sending the review request for the rezoning petition at 99 East 700 North. This address is not in an established Salt Lake City airport influence zone. There are no observed impacts to airport operations. --Allen McCandless, Planning Manager

---

**From:** Pack, Russ  
**Sent:** Tuesday, April 11, 2006 3:39 PM  
**To:** McCandless, Allen  
**Subject:** FW: Petition 400-06-09, Rezone of property located at 99 East 700 North

---

**From:** Traughber, Lex  
**Sent:** Tuesday, April 11, 2006 3:35 PM  
**To:** Boskoff, Nancy; Clark, Luann; Fluhart, Rocky; Graham, Rick; Harpst, Tim; Hooton, Leroy; McFarlane, Alison; Oka, Dave; Querry, Chuck; Rutan, Ed; Goff, Orion; Zunguze, Louis; Pack, Russ; Burbank, Chris  
**Cc:** Ikefuna, Alexander; Wheelwright, Doug; Coffey, Cheri; Paterson, Joel  
**Subject:** Petition 400-06-09, Rezone of property located at 99 East 700 North

Directors:

The Planning Division is currently reviewing the above referenced rezone request. This request has been sent to appropriate City staff members who have been asked to review the technical details of the proposal and respond in writing with any pertinent comments. The following City staff members received the attached memorandum and other documentation via interoffice mail for review:

Peggy Garcia – Public Utilities  
 Craig Smith – Engineering  
 Barry Walsh – Transportation  
 Brad Larson – Fire  
 Larry Butcher – Permits  
 Linda Johnson – Police  
 Matt Williams – Property Management

If you would like more information regarding this proposal, please respond by **Tuesday, April 18, 2006**. If you have any questions, please do not hesitate to email or phone me at 535-6184.

5/10/2006

**Traughber, Lex**

---

**From:** Johnson, Linda  
**Sent:** Tuesday, May 02, 2006 10:07 AM  
**To:** Traughber, Lex  
**Subject:** RE: Petition 400-06-09, Rezone of 99 East 700 North  
**Categories:** Program/Policy

Hi Lex,

I apologize for not getting back to you before the April 25 deadline. After reviewing the plan that you sent for this rezone proposal, I can't see that there would be any kind of a significant impact on police services if this property becomes an R-2. If there are any other questions, please let me know.

Thanks,

Linda Johnson

---

**From:** Traughber, Lex  
**Sent:** Monday, May 01, 2006 10:05 AM  
**To:** Smith, Craig; Johnson, Linda; Williams, Matthew  
**Cc:** Paterson, Joel; Coffey, Cheri  
**Subject:** Petition 400-06-09, Rezone of 99 East 700 North

Hi,

On April 11, 2006, I sent information regarding the above referenced rezone request and asked for any comments that you may have had by April 25, 2006. If for some reason you did not receive this correspondence let's talk over the phone immediately (535-6184). I am in the process of preparing a staff report to move this request to public hearing. If you have comments I need them as soon as possible. If I do not hear from you by Wednesday, May 3, 2006, I will make the assumption that you have no concerns and will proceed to move forward.

Thank you for your attention to this important matter.

Sincerely,

Lex Traughber  
Principal Planner  
Salt Lake City Planning Division

**Traughber, Lex**

---

**From:** Smith, Craig  
**Sent:** Monday, May 01, 2006 11:21 AM  
**To:** Traughber, Lex  
**Subject:** RE: Petition 400-06-09, Rezone of property located at 99 East 700 North  
**Categories:** Program/Policy

Thanks Lex, Engineering does not have any comments or concerns with this rezone.  
Sincerely, Craig

---

**From:** Traughber, Lex  
**Sent:** Monday, May 01, 2006 11:13 AM  
**To:** Smith, Craig  
**Subject:** FW: Petition 400-06-09, Rezone of property located at 99 East 700 North

Craig,

I sent you hard copy through interoffice mail. Attached is the memo.

Thanks!

Lex

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**From:** Traughber, Lex  
**Sent:** Tuesday, April 11, 2006 3:35 PM  
**To:** Boskoff, Nancy; Clark, Luann; Fluhart, Rocky; Graham, Rick; Harpst, Tim; Hooton, Leroy; McFarlane, Alison; Oka, Dave; Querry, Chuck; Rutan, Ed; Goff, Orion; Zunguze, Louis; Pack, Russ; Burbank, Chris  
**Cc:** Ikefuna, Alexander; Wheelwright, Doug; Coffey, Cheri; Paterson, Joel  
**Subject:** Petition 400-06-09, Rezone of property located at 99 East 700 North

Directors:

The Planning Division is currently reviewing the above referenced rezone request. This request has been sent to appropriate City staff members who have been asked to review the technical details of the proposal and respond in writing with any pertinent comments. The following City staff members received the attached memorandum and other documentation via interoffice mail for review:

Peggy Garcia – Public Utilities  
Craig Smith – Engineering  
Barry Walsh – Transportation  
Brad Larson – Fire  
Larry Butcher – Permits  
Linda Johnson – Police  
Matt Williams – Property Management

If you would like more information regarding this proposal, please respond by **Tuesday, April 18, 2006**. If you have any questions, please do not hesitate to email or phone me at 535-6184.

5/1/2006



**Traughber, Lex**

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**From:** Paterson, Joel  
**Sent:** Monday, April 24, 2006 11:19 AM  
**To:** Traughber, Lex  
**Subject:** FW: Rezone of property located at 99 E 700 N / Petition #400-06-09  
**Categories:** Program/Policy

Lex,

Brad Larson sent this response to me.

Joel

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**From:** Larson, Bradley  
**Sent:** Friday, April 21, 2006 2:13 PM  
**To:** Paterson, Joel  
**Subject:** Rezone of property located at 99 E 700 N / Petition #400-06-09

Joel,

The Fire Department has no objections overall to the above named petition. If this property is not yet built upon, note to the applicant that additional fire hydrants may be required prior to approval for development.

Please feel free to contact me should you have any questions.

Thank you.

Brad Larson  
Deputy Fire Marshal  
Salt Lake City Fire Department  
801-799-4162 office  
801-550-0147  
bradley.larson@slcgov.com

**Traughber, Lex**

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**From:** Stewart, Brad  
**Sent:** Friday, April 14, 2006 10:12 AM  
**To:** Traughber, Lex  
**Cc:** Garcia, Peggy; Cowles, Vicki  
**Subject:** Rezone, 99 E 700 N, Petition 400-06-09  
**Categories:** Program/Policy

Lex,

Salt Lake City Public Utilities has no objection to the proposed re-zone of the property at the above-mentioned address. There is a 12 inch water main and an 8 inch sanitary sewer main at the east edge of the property in 700 North that this property can connect for services. A site utility plan is required for review before approval to check for compliance with appropriate codes and standards.

Brad

**Traughber, Lex**

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**From:** Butcher, Larry  
**Sent:** Monday, April 17, 2006 8:21 AM  
**To:** Traughber, Lex  
**Cc:** Goff, Orion  
**Subject:** Rezone 99 E. 700 N. / Pet. #400-06-09  
**Categories:** Program/Policy

Lex:

I have no comments.

Larry

**Traughber, Lex**

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**From:** Walsh, Barry  
**Sent:** Wednesday, April 12, 2006 8:28 AM  
**To:** Traughber, Lex  
**Cc:** Young, Kevin; Smith, Craig; Butcher, Larry  
**Subject:** Pet 400-06-09  
**Categories:** Program/Policy

April 12, 2006

Lex Traughber, Planning

Re: Rezone of property at 99 East 700 North, a single lot.

The division of transportation review comments and recommendations are for approval as follows:

The 700 North roadway is a residential local classification with curb & gutter and paved surface improvements. Future site development will require compliance to city standards for vehicular assess with new driveway approach and on site parking.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.  
Craig Smith, Engineering  
Larry Butcher, Permits  
File

**5. PLANNING COMMISSION**  
**C. Agenda & Minutes**  
**June 14, 2006**

**AGENDA FOR THE  
SALT LAKE CITY PLANNING COMMISSION MEETING**  
In Room 326 of the City & County Building at 451 South State Street  
Wednesday, June 14, 2006, at 5:45 p.m.

Dinner will be served to the Planning Commissioners and Staff 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 is open to the public for observation.

1. APPROVAL OF MINUTES from Wednesday, May 24, 2006.
2. REPORT OF THE CHAIR AND VICE CHAIR
3. PUBLIC NOTICE AGENDA Salt Lake City Property Conveyance Matters (Staff – Doug Wheelwright at 535-6178 or [doug.wheelwright@slcgov.com](mailto:doug.wheelwright@slcgov.com) or John Spencer at 535-6938 or [john.spencer@slcgov.com](mailto:john.spencer@slcgov.com))
  - a. Schoolhouse Downtown, LLC and Salt Lake City Property Management Division — Schoolhouse Downtown, LLC is requesting that Salt Lake City approve a lease agreement for continued under-sidewalk vault space and for surface encroachment into the sidewalk area of the street right-of-way on Pierpont Avenue, for outdoor dining purposes. The subject property adjacent to the encroachments is located at 122 West and 134 West Pierpont Avenue, and currently contains the Café Pierpont and the Bac'i's restaurants. It is zoned Central Business District (D-1). Property Management staff intends to approve the lease agreements as proposed.
  - b. Roman Catholic Bishop of Salt Lake City, Inc. and Salt Lake City Property Management Division — The Roman Catholic Bishop of Salt Lake City is requesting that Salt Lake City approve a lease agreement to allow the installation of two sports field lighting poles within the right-of-way for 1000 East Street at approximately 650 South, for athletic field illumination of the new Football Stadium at Judge Memorial Catholic High School. The adjacent property zoning is Institutional (I). Property Management staff intends to approve the lease agreement as proposed.
  - c. Emigration Market and Salt Lake City Property Management Division — Emigration Market is requesting that Salt Lake City approve a lease agreement to allow the installation of a planter box encroachment within the public way of 1700 East Street for fencing purposes to separate the outdoor dining area from the sidewalk. The adjacent property is located at 1706 South 1300 East in the Neighborhood Commercial (CN) Zoning District. Property Management staff intends to approve the lease agreement as requested.
4. UNFINISHED BUSINESS
  - a. Petition 410-06-08 — A request by Ken Menlove for a Planned Development for the construction of additional mini-warehouse space to an existing warehouse/storage building located at 510 West 100 South in the Gateway Mixed-Use (G-MU) Zoning District. All new construction is a Planned Development in the G-MU District. Also a Conditional Use approval to modify the exterior building materials and for mini-warehouse use. (Staff – Doug Dansie at 535-6182 or [doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com))
  - b. Petition 490-06-18 — A request by Ken Menlove for Preliminary Subdivision for a storage facility at 510 West 100 South. (Staff – Doug Dansie at 535-6182 or [doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com))
5. PUBLIC HEARINGS
  - a. Petition 400-06-06 — A request by 639 W North Temple, LLC to amend the Capitol Hill Community Master Plan Future Land Use Map from Low Density Residential and Commercial to Medium Density Residential Land Use and to rezone the property located at approximately 644 West North Temple Street from Commercial Corridor (CC) and Special Residential (SR-3) Zoning to Residential Multifamily (RMF-45). The rezone and plan amendment is to allow for the development of a 74-unit condominium project. (Staff – Everett Joyce 535-7930 or [everett.joyce@slcgov.com](mailto:everett.joyce@slcgov.com))
  - b. Petition 410-777 — A request by RTTA, LLC for planned development approval for new construction within the Community Shopping (CS) Zoning District at approximately 137 N Redwood Road. The applicant proposes to construct a retail service establishment / financial institution; a permitted use. (Staff – Everett Joyce 535-7930 or [everett.joyce@slcgov.com](mailto:everett.joyce@slcgov.com))
  - c. Petition Number 400-02-41 — A request by the Salt Lake City Planning Commission to modify the existing Capitol Hill Protective Area Overlay District text to restrict height limits and to amend the Capitol Hill Community Master Plan and Zoning Map to expand the western boundary of the Overlay Zone to approximately 200 West and the southeast boundary to "A" Street. The Capitol Hill Protective Area Overlay District lies within the Capitol Hill and Avenues Planning Communities. The general boundaries proposed are from Girard Avenue (550 North) to North Temple Street and from 200 West Street to "A" Street. The Capitol Hill Protective Area Overlay District restricts building heights and does not affect the types of land uses permitted within the base zoning districts. (Staff – Everett Joyce 535-7930 or [everett.joyce@slcgov.com](mailto:everett.joyce@slcgov.com))
  - \* d. Petition 400-06-09 — A rezone request located at approximately 99 East 700 North from FR-2 (Foothills Residential) to R-2 (Single and Two-Family Residential) Zoning District to build a two-family dwelling (duplex) on the site. (Staff – Lex Traughber at 535-6184 or [lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com))
  - e. Petition 410-06-05 — A planned development request by Bruce Manka to modify minimum yard requirements to allow encroachments for proposed second-story balcony structures and the roofs of lower-level patios at 650 North 300 West Street. The property is located in a RMF-35 (Residential Multi-Family) and a R-MU (Residential Mixed Use) Zoning District. (Staff – Janice Lew at 535-7625 or [janice.lew@slcgov.com](mailto:janice.lew@slcgov.com))
  - f. Petition 410-06-14 — A request by Wayne Belka of Prosperity Enterprises for planned development approval at 479 South 600 East for a retail bakery building in a Community Shopping (CS) Zoning District, in the Central City Historic District. Staff – Elizabeth Giraud at 535-7128 or [elizabeth.giraud@slcgov.com](mailto:elizabeth.giraud@slcgov.com))
  - g. Petition 410-768 — A request by Jerome Gourley of T-Mobile USA, Inc. for conditional use approval to replace a 33-foot high utility pole at the rear of the property located at approximately 1596 East Stratford Avenue with a 43-foot high pole for a wireless telecommunications antennae. (Staff – Elizabeth Giraud at 535-7128 or [elizabeth.giraud@slcgov.com](mailto:elizabeth.giraud@slcgov.com))
6. REPORT OF THE DIRECTOR

review determines where the higher density development should occur. In Capitol Hill, for example, higher density is identified on North Temple and 300 West. She noted that the goal of the Overlay Protective District is to protect the view corridor of the Capitol, not necessarily regulating the density of the area.

Commissioner De Lay, Commissioner Muir, and Chairperson Noda agreed that the view corridors are not clearly stated, nor physically determined.

Mr. Joyce confirmed that 35 feet is a policy decision made in the adoption of the master plan and was determined as an appropriate height for a view corridor.

Ms. Coffey included that when the Capitol Hill Master Plan was developed, the community was very specific about modification to the Capitol Hill Protective Overlay District; and the City Council adopted the plan. This petition implements the plan.

Chairperson Noda requested any comments from Community Council Chairs or public.

No comments were heard and Chairperson Noda closed the public hearing.

**Based on the finding of facts, staff recommendation, staff report, and discussion held at the public hearing, Commissioner McDonough made a motion that the Planning Commission forward a favorable recommendation to the City Council to take the following actions:**

1. **Amend the Capitol Hill Protective Area Overlay District text to:**
  - a. **restrict building height limits to 35 feet in residential zoning districts with exceptions for RMF-45 and RMF-75 properties with existing buildings that exceed 35 feet which may be rebuilt to 45 feet through the Conditional Building and Site Design Review process;**
  - b. **Allow special exceptions in the SR-1 and R-2 zoning districts to meet compatible residential infill and/or H Preservation Overlay standards up to the 35 feet;**
  - c. **Limit UI Zoning District building height to 75 feet unless adjacent to a residential zoning district, then the building height limit is 50 feet.**
2. **Modify the Zoning Map to expand the boundaries of the Capitol Hill Protective Area Overlay District west to 200 West Street and east to A Street; and**
3. **Amend the Capitol Hill Master Plan text to support building height exceptions when found consistent with the regulations of the residential compatible infill ordinance and or the H Historic Preservation regulations of the City.**

**Commissioner Scott seconded the motion. Commissioner Chambless, Commissioner Forbis, Commissioner McDonough, Commissioner Scott, and Commissioner Wirthlin voted "Aye". Commissioner De Lay and Commissioner Muir were opposed. The motion passed.**

**Petition 400-06-09 — A rezone request located at approximately 99 East 700 North from FR-2 (Foothills Residential) to R-2 (Single and Two-Family Residential) Zoning District to build a two-family dwelling (duplex) on the site.**

*(This item was heard at 8:04 p.m.)*

Chairperson Noda recognized Lex Traugher as staff representative. Mr. Traugher presented a brief background of the subject area and overview of the proposed project. He stated that prior to the 1995 zoning rewrite, the subject property was zoned R-2 with a low-density residential land use designation; however, a mapping error occurred causing the properties to be zoned FR-2. Mr. Traugher stated that the applicant is proposing the zoning be returned to R-2, which is consistent with the Master Plan and the neighborhood to the south. Staff recommends that the Planning Commission forward a favorable recommendation to the City Council to rezone the property from FR-2 to R-2 Zoning.

Commissioner McDonough requested if notable information regarding the grade of the property would be applicable, and what the existing slope is.

Mr. Traughber referenced the Zoning Ordinance and Staff Report, which states that development on lots subdivided before November 4, 1994, are not applicable to the current standard of development restriction on slopes greater than 30%. He stated that since the lot was subdivided in 1982, the slope requirements do not apply and that he had not verified any slope on the property.

Mr. Wheelwright stated that the slope on the subject property is extreme, but the slope requirements were not applied to the property due to the timing of the approval and the zoning. He noted that if slope restrictions were required, the lot would be un-buildable, as it is virtually over 30 – 40% slope grade.

Commissioner Scott requested more information regarding the difference between FR-2 zoning and R-2 zoning, requesting particularly the setbacks and the frontage of the lot.

Mr. Traughber provided the following information:

Minimum Yard Requirements	FR-2	R-2
Front Yard	20 feet	20% of the lot depth, but not to exceed 20 feet
Interior Side Yard	20 feet	Twin home dwelling requires no side yard along one side lot line, with a 10 foot side yard along the other
Rear Yard	40 feet	25% of the lot depth, but not less than 15 feet and need not exceed 25 feet

Mr. Traughber also included that the access on the subject property would be on 700 North, with the side yard abutting on the developed parcels.

Chairperson Noda recognized the applicant, Chris Robinson.

Mr. Robinson provided a brief background of the property, and included that the slope within the lot is not over 20 – 30% due to the filling activities that have occurred. He stated that he was unaware of the side yard requirements for the twin home dwelling being zero on one side and agreed that the zero lot line would not be the one abutting the existing developments. Mr. Robinson requested the rezone in order to provide flexibility for someone to build a single-family residence or duplex on the property.

Chairperson Noda requested comments from Community Council Chairs and the public.

Mr. Jeff Rosenbloom, 5689 Oakgrove, Oakland CA, stated that he is currently the owner of the property to the east, and is in the process of converting the properties into condominiums. He stated that the concern is the impact any future building would have on his property, and appreciates the comments regarding the zero lot line. Mr. Rosenbloom also expressed concern regarding the height of any structure on the property, as R-2 allows 30 feet or two-and-one-half stories and that it might be worked out between property owners.

Mr. Scott Dwire, 1920 East Laird Drive, is the contractor and co-owner on the condominium project. He stated that his concerns are not necessarily if the property is zoned for a single-family or duplex, rather that the property owner remains distant from the existing developments and to maintain existing view corridors. Mr. Dwire also noted that the existing developments will be reconstructed with "green" construction.

Mr. Steve Brush stated that the zoning of FR-2 is established because the area to the west of the subject property is a natural preserved property zoned FP. He stated that the purpose of the FR-2 Zoning District is to "promote environmental sensitivity and visually compatible development of lots...the district is intended to minimize flooding, erosion, and other environmental hazards." He noted that when the



property was "down zoned" it seemed to have been for good reason, as the applicable surrounding area is zoned FR-2 and FP.

Commissioner Wirthlin raised the attention of the public to the point that Mr. Robinson had included that he would be willing to move the zero lot line, and asked if that changed Mr. Brush's thoughts on the matter.

Mr. Brush stated appreciation for Mr. Robinson's comments, but included that the development to be placed on the property would need scrutiny from the Planning and Zoning Divisions.

Ms. Coffey stated that the compatible infill ordinance also governs the R-2 Zone, restricting the height to 28 feet for a pitched roof or 20 feet for a flat roof (unless special exception is granted). She continued that the front yard setback is required to be the average on the block face, which would include the duplex to the east. It was clarified by Ms. Coffey that the FR-2 and R-2 zoning districts are applicable to the Citywide Compatible Infill Ordinance.

Chairperson Noda closed the Public Hearing.

Commissioner McDonough noted that due to the location of the parcel, it would seem logical to be zoned FR-2, and due to the date of the subdivision the existing FR-2 minimum requirements are not required.

Mr. Traugher stated that it was because of the date of the subdivision, that the subject property was not required to meet the existing FR-2 requirements.

Mr. Traugher, in response to a question from Commissioner Scott, stated that the applicant had expressed interest in developing a duplex on the subject property; therefore, requesting a rezone.

**Based on the comments, analysis, and facts noted in the Staff Report, and public hearing, Commissioner De Lay made a motion that the Planning Commission forward a favorable recommendation to the City Council to rezone the property located at 99 East 700 North from FR-2 to R-2 regarding Petition 400-06-09. The motion was seconded by Commissioner Muir, Commissioner De Lay, Commissioner McDonough, Commissioner Muir, and Commissioner Wirthlin voted "Aye". Commissioner Chambless, Commissioner Scott, and Commissioner Forbis were opposed. The motion passed.**

Clarification was made by Ms. Coffey that the zero lot line is required for twin homes, to allow no space between the units; side yard setbacks are required to be ten feet on one side and four feet on the other for other uses.

There was some confusion regarding the vote, requiring a re-vote to be cast. The vote remained the same; four versus three, the motion passed.

~~**Petition 410-06-14**— A request by Wayne Belka of Prosperity Enterprises for planned development approval at 479 South 600 East for a retail bakery building in a Community Shopping (CS) Zoning District, in the Central City Historic District.~~

Chairperson Noda recognized Elizabeth Giraud as staff representative. Ms. Giraud provided a brief description of the request, including that the bakery is classified as a retail good establishment, thus differing the parking requirements. She stated that numerous modifications to the lot and bulk standards are being requested with the proposal. It was noted that the project had received approval from the Historic Landmark Commission, as the property is located in the Central City Historic District. Ms. Giraud stated that additional modifications being requested include:

1. Modification to the requirement that principal structures have a front, corner, and rear yard setback of thirty feet with an interior side yard of fifteen feet; however, the CS zone is intended for

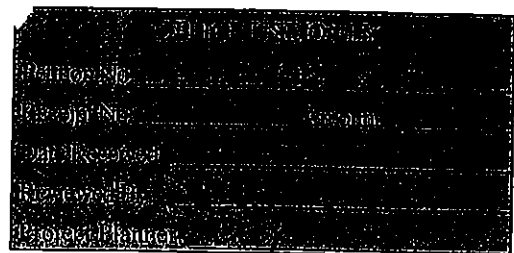
## **6. ORIGINAL PETITION**

**PETITION CHECKLIST**

<u>Date</u>	<u>Initials</u>	<u>Action Required</u>
<u>3/30/06</u>	<u>LLH</u>	Petition delivered to Planning
<u>4.5.06</u>	<u>PAT</u>	Petition assigned to: <u>Lex</u>
<u>6.14.06</u>	<u>PAT</u>	Planning Staff or Planning Commission Action Date
<u>6.19.06</u>	<u>PAT</u>	Return Original Letter and Yellow Petition Cover
<u>6.19.06</u>	<u>PAT</u>	Chronology
<u>6.15.06</u>	<u>PAT</u>	Property Description (marked with a post it note)
<u>6.15.06</u>	<u>PAT</u>	Affected Sidwell Numbers Included
<u>6.15.06</u>	<u>PAT</u>	Mailing List for Petition, include appropriate Community Councils
<u>6.15.06</u>	<u>th</u>	Mailing Postmark Date Verification
<u>✓</u>	<u>CC</u>	Planning Commission Minutes
<u>6.15.06</u>	<u>PAT</u>	Planning Staff Report
<u>6.15.06</u>	<u>PAT</u>	Cover letter outlining what the request is and a brief description of what action the Planning Commission or Staff is recommending.
<u>6.20.06</u>	<u>PAT</u>	Ordinance Prepared by the Attorney's Office
<u>6.20.06</u>	<u>th</u>	Ordinance property description is checked, dated and initialed by the Planner. Ordinance is stamped by Attorney.
<u>Lex TRANSMANER</u>		Planner responsible for taking calls on the Petition
<u>_____</u>	<u>_____</u>	Date Set for City Council Action <u>_____</u>
<u>_____</u>	<u>_____</u>	Petition filed with City Recorder's Office



# Zoning Amendment



PLANNING COMMISSION

Address of Subject Property: 99 E 700 N 800  
+ 21.45 postage

Name of Applicant: Arimo Corporation/Chris Robinson Phone: 801-599-4397

Address of Applicant: P.O. Box 540478, North Salt Lake, Utah, 84054

E-mail Address of Applicant: crobinson@theensigngroup.com Cell/Fax: 801-599-4397; 435-615-1117

Applicant's Interest in Subject Property: Owner

Name of Property Owner: Arimo Corporation Phone: 801-599-4397

Address of Property Owner: P.O. Box 540478, North Salt Lake, UT, 84054

Email Address of Property Owner: crobinson@theensigngroup.com Cell/Fax: 801-599-4397; 435-615-1117

Existing Use of Property: Vacant Land Zoning: FR-2

County Tax ("Sidwell #"): 09-30-351-021-0000

- Amend the text of the Zoning Ordinance by amending Section: (attach map or legal description).
- Amend the Zoning Map by reclassifying the above property from an { FR-2 } zone to a { R-2 } zone.

### 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. All of Lot 3, Ensign Downs Plat "G" according to the
6. Six (6) copies of site plans drawn to scale. official plat thereof on file with S.L. County
7. Related materials or data supporting the application as may be determined by the Zoning Administrator.
8. If applicable, a signed, notarized statement of consent from property owner authorizing applicant to act as an agent.
9. Filing fee of \$800.00 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 & names of property owners are available at:

File the complete application at:

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

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

Signature of Property Owner *By: Christopher F. Robinson* 3/24/06  
Or authorized agent Christopher F. Robinson, President

Please describe your project and explain why a zoning amendment is necessary:

Prior to 1995, this lot was zoned R-2 which accommodates duplexes. We also owned lots 1 and 2 of this same subdivision and built duplexes thereon. The subject property is also surrounded by some duplexes to the south. We believe that the subject property should be developable as a duplex as well, which is what this R-2 zone allows.

What are the land uses adjacent to the property (abutting and across the street)?

The abutting properties are duplexes and there are also some duplexes and single family residences across the street and/or in the immediately surrounding area.

Have you discussed the project with nearby property owners? If so, what responses have you received?

In 2005, we sold the duplexes abutting to the east of the subject property and at that time believed that the subject property was still zoned for duplexes and discussed that with the new owner. We have not discussed this rezone with anyone else in the neighborhood.



**Petition No.** 400-06-09

*By* Arimo Corporation/Chris Robinson

Is requesting a Zoning Amendment to reclassify the property located at 99 East 700 North from a FR-2 zone to a R-2 zone.

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

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