
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: April 24, 2009

SUBJECT: Petitions PLNPCM2008-00238 & PLNPCM2008-00239
Request from Ms. Lisa Sieg to amend:

- The East Bench Community Plan Future Land Use Map from low-density residential to neighborhood business, and
- Rezone property located at 2421 E. Parley's Way from Single-Family Residential R-1/5,000 to Community Business CB

AFFECTED COUNCIL DISTRICTS: If the ordinance is adopted the zoning map and master plan amendments would affect Council District 7

STAFF REPORT BY: Janice Jardine, Land Use Policy Analyst

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

NEW INFORMATION:

- A. On Thursday, April 23, 2009, Planning staff met with the applicant to review the site plan for the proposed expansion. Planning staff provided the following key points:
1. The proposed development definitely has development potential under the Neighborhood Commercial CN Zone.
 2. The site plan needs to be slightly revised in order to meet certain requirements under the CN zone, particularly the minimum 15' front/corner side yard setback.
 3. The applicant indicated that the suggested revisions would not be problematic and indicated that the proposed design could comply with the CN zoning standards and still satisfy the expansion goals.
 4. A revised site plan will be submitted as soon as possible.
- B. A new ordinance has been requested from the City Attorney's office that would rezone the property to Neighborhood Commercial CN. The ordinance will be available prior to the Council Meeting on Tuesday.

POTENTIAL MOTIONS:

1. ["I move that the Council"] Adopt an ordinance:
 - Amending The East Bench Community Plan Future Land Use Map from low-density residential to neighborhood business, and
 - Rezoning property located at 2421 E. Parley's Way from Single-Family Residential R-1/5,000 to Neighborhood Commercial CN.

This option would be consistent with the Council's discussion at the public hearing.
2. ["I move that the Council"] Adopt an ordinance:
 - Amending The East Bench Community Plan Future Land Use Map from low-density residential to neighborhood business, and

- Rezoning property located at 2421 E. Parley's Way from Single-Family Residential R-1/5,000 to Community Business CB.

This option would be consistent with the Planning Commission recommendation.

3. ["I move that the Council"] Not adopt the ordinance.

The following information was provided previously for the Council public hearing. It is provided again for background purposes.

WORK SESSION SUMMARY/NEW INFORMATION:

On March 18, 2009, Council Member Simonsen held a neighborhood discussion to review the proposal and receive community input.

On March 10, 2008, the Council received a short presentation from the applicant and a briefing from the Administration regarding the proposed rezoning and master plan amendment. Key issues discussed are summarized below.

A. Major points noted by the applicant included:

1. This is a small local business offering flowers, gifts, and coffee for sale.
2. Sales have doubled this year compared with sales in January and February of last year.
3. The intent is to remain a long-term member of the neighborhood.
4. The building has been used for commercial use for a number of years.
5. The existing building is small, approximately 850 sq. ft., and lacks space for storage and office use.
6. This creates a dilemma in operating a business with no space available for private meetings, adequate storage or seating area for customers.
 - a. The proposed expansion includes an addition of approximately 450 sq. ft. to provide space for storage, an office, a few tables for customers, enhanced landscaping and may include a patio.
 - b. Expansion to the east would not impact the existing parking. Additional parking would not be required.
 - c. Parley's Way can handle the traffic.
 - d. The residential neighborhood will not be impacted.
 - e. A bus stop is located on Parleys Way two blocks to the west from the business.
7. The Residential R-1/5,000 zoning designation creates substantial limits due to setback/yard area requirements. Expansion under the residential zoning regulations would be limited to a 7 foot addition along the length of the building. This results in the loss of valuable window space.
8. The Commercial Business CB zoning classification was suggested at the City's Development Review Team meeting.
9. The Neighborhood Commercial CN zoning district was not suggested and has not been explored.
10. Surrounding businesses in the area are currently zoned Commercial Business CB.
11. The applicant respects the issues raised by those opposed to the proposal but also has had support expressed for the business.
12. There are no plans for expansion into the residential neighborhood and demolition of surrounding homes.
13. In an effort to provide notice and receive feedback regarding the proposal, the applicant sent over 400 letters and held two open houses (2 people attended).

B. Other key issues discussed by the Council with the Administration included:

1. Options such as a development agreement or restrictive covenant that could be used to accommodate the applicant's proposed development and address the issues that have been raised relating to type of use, size, intensity, and potential negative impacts such as noise or increased parking and traffic.
2. Area requirements of the Neighborhood Commercial CN and Commercial Business CB zoning districts and regulations applicable to patio areas and outdoor dining.

ADDITIONAL BACKGROUND INFORMATION

A. For ease of reference the applicable zoning district area requirements are listed below. (A copy of the Commercial Zoning Districts Table of Permitted and Conditional Uses and Table of Yard and Bulk Requirements is provided at the end of this staff report.)

Area requirements	Neighborhood Commercial CN	Commercial Business CB	Residential R-1/5000
Maximum building size	None	1 st floor 15,000 gross sq. ft. or total floor area = 20,000 gross sq. ft.	n/a
Maximum building height	25 ft. or 2 ½ stories	30 ft. or 2 stories, whichever is less	<ul style="list-style-type: none"> • 28 ft. to the roof ridge • Average height of other principal buildings on the block face • 20 ft. flat roof
Maximum district size	90,000 sq. ft.	None	n/a
Lot area	No minimum, maximum lot area: 16,500 sq. ft.	No minimum, lots over 4 acres are conditional uses, no minimum lot width	5,000 sq. ft.
Minimum lot width	None	None	50 ft.
Maximum lot coverage	n/a	n/a	40%
Minimum front/corner side yard	15 ft.	No minimum – 15 ft. setback for parking	20 ft. front yard 10 ft. corner side yard
Interior side yard	No minimum	No minimum	<ul style="list-style-type: none"> • Interior lots: 4 ft. and 10 ft. • Corner lots: 4 ft.
Rear yard	10 ft.	10 ft.	25% of lot depth or 20 ft.
Required landscaped yard	Front and corner side yards	Front and corner side yards	Front and corner side yards

Required landscaped yard area (abutting residential zoning districts)	7 ft.	7 ft.	n/a
---	-------	-------	-----

B. Applicable sections of the Zoning Ordinance that relate to outdoor dining are summarized below. (Sec.21A.40.065 – Outdoor Dining)

1. Outdoor dining in conjunction with a licensed indoor restaurant, tavern, brewpub, microbrewery, private club, market, deli, and other retail sales establishments that sell food or drinks, is allowed within the buildable lot area in all zoning districts where such uses are allowed as either a permitted or conditional use.
2. Outdoor dining, in conjunction with a licensed indoor restaurant, tavern, brewpub, microbrewery, private club, market, deli, and other retail sales establishments that sell food or drinks, is allowed within the required landscaped yard or buffer area in all commercial and manufacturing zoning districts where such uses are allowed subject to certain conditions, except in the Residential Business RB, Neighborhood Commercial CN, Mixed Use MU, and Residential Mixed Use R-MU zones.

C. As previously noted by the applicant, expansion of the building to the east would not impact the existing parking. Additional parking would not be required. In addition, in July 2008, the Council adopted minimum off-street parking reductions for all uses, in exchange for pedestrian friendly development in “CN” Neighborhood Commercial and “CB” Community Business Zoning Districts. Applicable elements are provided below. (Sec. 21A.44.020.M - Parking Exemptions for Pedestrian Friendly Development)

1. For businesses located in neighborhood commercial zones that provide/install and maintain at least one pedestrian friendly amenity such as a bike rack, baby buggy parking area, bench, motorized scooter parking, etc. within 100 feet of the business, the first 2,500 sq. ft. of building area shall be exempt from parking calculations.
2. For businesses which meet the criteria of provision #1 and also limit time of on street parking to 3 hours or less within the commercially zoned area within 100 feet of their business, the first 3,500 sq. ft. of building area shall be exempt from parking calculations.
3. For businesses which meet criteria #1 and #2 and also provide angular time limited parking spaces within the commercially zoned area within 100 feet of their business and do so in such a manner as to provide traffic calming and shorter unprotected crossing distance by narrowing the roadway the first 5,000 sq. ft. of building area shall be exempt from parking calculations.

D. As previously noted, the current business and structure are considered a legal non-conforming use and non-complying structure due to the Residential R-1/5,000 zoning classification. Applicable sections of the Zoning Ordinance Chapter 21A.38 Non-conforming Uses and Non-complying Structures are summarized below. (The Council may wish to discuss with the Administration details relating to legal non-conforming uses and non-complying structures and lots including replacement and/or expansion of uses and structures. Recent changes to State Law and City zoning regulations now allow for expansion of non-conforming uses/ non-complying structures and replacement in the event the structure is destroyed by natural disaster.)

1. Sec. 21A.38.080.A.1 – expansion of a non-conforming use that exceeds 50% of the original use may be approved as a conditional use subject to specific conditional use standards and/or site and design review standards.
2. Sec. 21A.38.090.C – Damage or Partial Destruction of Non-complying Structure

- If a non-complying structure is damaged or destroyed by fire or natural calamity, the structure may be restored, or if a non-complying structure is voluntarily razed to the extent of 75%, the structure may be restored if restoration is started within one year and diligently pursued to completion.
- If a non-complying structure that contains a non-conforming use is destroyed to the extent of 50% by fire or natural calamity, or is voluntarily razed or destroyed by other means, the non-conforming use may be resumed and the structure restored.
- If a non-complying structure that contains a non-conforming use is destroyed greater than 50% by fire or natural calamity, the non-conforming use may be resumed and the structure restored subject to specific criteria. To resume a non-conforming non-residential use and replace a non-complying structure the Special Exception process through the Board of Adjustment is required.

The following information was provided previously for the March 10, 2009 Council Work Session. It is provided again for background purposes.

Should the Council choose to move this item forward at this time, Council staff has identified the following tentative dates:

- March 24 Set Public Hearing date
- April 7 Public Hearing

ATTACHMENTS

The following attachments are included for additional background purposes.

- A. Vicinity map
- B. A copy of the Commercial Zoning Districts Table of Permitted and Conditional Uses
- C. November 12, 2008 Planning Commission minutes

KEY ELEMENTS:

- A. An ordinance has been prepared for Council consideration to:
 - Amend the East Bench Community Plan Future Land Use Map designation for the property from low density residential to neighborhood business land uses.
 - Rezone property located at 2421 E. Parley's Way from Single-Family Residential R-1/5,000 zoning classification to Community Business CB zoning classification.
 - The ordinance will become effective on the date of its first publication.
- B. Key points from the Administration's transmittal and Planning staff report note:
 1. A commercial business, the Language of Flowers, is currently located on the subject property.
 2. This property was originally built for and has a history of commercial land use.
 3. The purpose of the rezone and corresponding master plan amendment is to make the current use of the property consistent with current land use maps.
 4. The business is located on a street that is designated as an 'arterial' and therefore able to accommodate any traffic generated by this small enterprise.
 5. The building itself is small in mass and compatible with surrounding commercial businesses and residential units in the immediate vicinity.
 6. The scale of this enterprise is similar to or less than other commercial ventures along this section of Parley's Way.

7. Given the lot size and configuration of the subject property, it is difficult to anticipate that substantial commercial redevelopment could take place in the future should the proposed rezone and master plan amendments receive approval that would impact the surrounding neighborhood.
 8. The property also currently has substantial mature vegetative buffering to mitigate impacts on adjacent residential properties to the north.
- C. Surrounding land uses include residential to the west and north, commercial to the east, commercial and residential to the south across Parley's Way. (Please see ATTACHMENT A – Vicinity Map, the Administration's transmittal and the Planning staff report for additional details.)
- D. The Commercial Districts section of the Zoning Ordinance notes that commercial districts are intended to provide controlled and compatible settings for office and business/commerce developments, to enhance employment opportunities, to encourage the efficient use of land, to enhance property values and the tax base, to ensure high quality of design, and the help implement officially adopted master plans. (Sec.21A.26.010.A - Statement of Intent.) Please see ATTACHMENT B – Table of Permitted and Conditional Uses for Commercial Districts for a comparison of the types of uses permitted in each zone.
- The purpose of the Community Business CB zoning district is to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site. The Commercial Business zoning district area requirements are listed below.

Maximum building size	1 st floor 15,000 gross sq. ft. or total floor area = 20,000 gross sq. ft.
Maximum building height	30 ft. or 2 stories, whichever is less
Lot area	no minimum, lots over 4 acres are conditional uses, no minimum lot width
Maximum district size	none
Minimum front/corner side yard	no minimum – 15 ft. setback for parking
Interior side yard	no minimum
Rear yard	10 ft.
Required landscaped yard area (abutting residential zoning districts)	7 ft.

- E. The Residential Districts section of the Zoning Ordinance notes that residential districts are intended to provide a range of housing choices to meet the needs of Salt Lake City's citizens, to offer a balance of housing types and densities, to preserve and maintain the city's neighborhoods as safe and convenient places to live, to promote the harmonious development of residential communities, to ensure compatible infill development, and to help implement adopted plans. (Sec. 21A.24.0010.A Statement of Intent)
- The purpose of the Single-Family Residential R-1/5,000 District is to provide for conventional single-family residential neighborhoods on lots not less than 5,000 sq. ft.
- F. The public process included written notification of the Planning Commission hearing to Community Council Chairs and the Planning Division electronic list serve. Notice was also posted on the City's website. The Planning staff report notes:
1. The Sugar House Community Council was sent information regarding these petitions on August 2, 2008, via email and the U.S. Mail. This correspondence outlined the proposed amendments and

requested comment from the Council. No comments were received from the Community Council regarding this matter.

2. A notice of public hearing was mailed to all property owners within 450 feet of the subject property and all those that requested to be placed on the mailing list on October 28, 2008, meeting the 14 day notification requirement.
 3. The site was also posted with "Notice of Public Hearing" signs on the same day, meeting the minimum ten day posting requirement.
 4. Community Council Chairs, Business Groups and other interested parties were also notified through the Planning Division's listserv and the agenda was posted on the State's and Planning Division's websites.
 5. A notice for the Master Plan amendment was published in the Deseret News on October 29, 2008.
- G. The Planning staff report provides the following findings for the requested zoning map and master plan amendments. Analysis and findings were evaluated in the Planning staff report and considered by the Planning Commission. The Planning staff recommended approval of the proposed zoning map and master plan amendments based on this analysis and findings. (Discussion, analysis and findings are found on pages 3-5 of the Planning staff report.)
1. The proposed zoning map and master plan amendments are supported by policies in the East Bench Community Master Plan (1987) and the Final Report of the Salt Lake City Futures Commission: Creating Tomorrow Together (1998), and therefore are consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.
 2. The proposed amendment is compatible with existing development in the immediate vicinity of the subject property.
 3. The subject property is currently used and has been used in the past commercially. It is unlikely that the proposed amendments will affect adjacent properties adversely.
 4. There are no applicable overlay zoning districts imposing additional standards at the subject location.
 5. The subject property is located within a built environment with existing public facilities and services. No comments were received indicating that public facilities and services are inadequate to serve the subject property.
- H. On November 12, 2008, the Planning Commission held a public hearing and voted to forward a positive recommendation to the City Council to adopt the proposed master plan amendments as requested.

MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR THE ADMINISTRATION:

- A. The Council may wish to consider and discuss in greater detail with the Administration major issues that have been identified throughout this process. Such as:
1. Zoning and land use history of the property. Planning staff provided the following information:
 - a. The City's Zoning Maps prior to 1995 were not parcel based, however this corner of Parley's and Wyoming Street was zoned Business "B-3" (Limited Business/Neighborhood Shopping) as far back as 1963 up to 1995 when the property was rezoned to Residential R1/5,000 (Single Family).
 - b. It appears that the only portion of the property as it exists today that was zoned for commercial use would have been the portion where the building is located.
 - c. It doesn't appear that the parking lot was zoned for commercial use.
 - d. The fact that the parking lot is technically a separate parcel, and was once part of the adjacent residential property, would lead one to believe that the parcel containing the parking lot was not zoned commercially in the past.
 - e. The argument that a portion of the property had at one time been zoned commercially is certainly valid, with the caveat that only a portion of the overall project site as it exists today was zoned commercially at one time.

- f. The evaluation of the rezone/master plan request that is in the staff report, is based on the merits of the amendments as the property is currently zoned, master planned, and used today. (This business currently has status as a non-conforming use/non-complying structure that would allow it to be re-built and used into the future as a commercial structure with or without the rezoning.)
 2. Zoning regulations relating to legal non-conforming uses and non-complying structures and lots including replacement and/or expansion of uses and structures. (Note, recent changes to State Law and City zoning regulations now allow for expansion of non-conforming uses/ non-complying structures and replacement in the event the structure is destroyed by natural disaster.)
 3. Expansion of commercial zoning (commercial creep) into established low-density residential neighborhoods.
 4. Neighborhood compatibility of the Commercial Business zoning classification as it relates to type of use, size, intensity, and potential negative impacts such as noise or increased parking and traffic.
 5. Whether the Neighborhood Commercial CN zoning district was considered rather than the Community Business CB zoning district.
- B. Given that the City has changed parking requirements for facilities under 5,000 square feet, the Council may wish to clarify whether an expansion could take place that would eliminate the existing parking for this business.
- C. The existing landscape buffer is noted as a protection for the neighborhood. The Council may wish to ask the Administration whether the City could require that the buffer be retained in the event of an expansion.
- D. The Council may wish to discuss in greater detail with the Administration the issues discussed by Planning Commission or raised at the Planning Commission hearing and the rationale for recommending approval of the proposed master plan amendments. Please refer to the Planning Commission minutes for details. (Please see ATTACHMENT C – Planning Commission minutes for details)
- E. The Council may wish to have a policy discussion in the future regarding whether the long-term land use goals and policies for the Parleys Way corridor remain to preserve the current mix of residential and commercial zoning. The designation of Parleys Way as an arterial has been used an argument for justifying commercial zoning along this corridor.

MASTER PLAN AND POLICY CONSIDERATIONS:

- A. The Planning staff report notes the proposed rezone and master plan amendments are supported by policies in the East Bench Community Master Plan (1987) and the Final Report of the Salt Lake City Futures Commission: Creating Tomorrow Together (1998), and are consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City. (Please see pgs. 3 & 4 or the Planning staff report for details.
1. East Bench Community Master Plan (April 1987)
 The East Bench Community Master Plan addresses “Business/Commercial Uses” in a limited manner. Essentially, the Plan notes that the East Bench area is “built out” and commercial development is limited to either redevelopment of existing sites or rezone considerations. The Plan states that additional services are desired by residents in the area; however the location of such services is geographically constrained. In terms of rezone requests, the Plan makes it clear that rezone proposals should have little to no impact on residential areas. This Plan also identifies zoning change compatibility considerations that are pertinent to the proposed rezone. The following are considerations specifically noted in this Plan:
 - a. Business projects must be of a density, scale, and design that will not negatively impact neighboring residential properties;

- b. Property must be on a street that can handle the additional traffic;
- c. The site must be large enough for adequate open space and parking without overcrowding the lot.

2. Final Report of the Salt Lake City Futures Commission: Creating Tomorrow Together (1998)

Several Summary Recommendations noted in this Report are especially pertinent to the proposed rezone and master plan amendments. The following are recommendations as they relate to Plan topics of Economics, Neighborhoods, and Urban Design:

- a. Nurture and encourage small businesses and entrepreneurship;
- b. Provide neighborhood services, including retail businesses that can be reached by walking, cycling, or public transportation;
- c. Create a balanced approach to business incentives and zoning ordinances that encourage small-scale commercial and business activities;
- d. Encourage building designs that are human scale, promote pedestrian traffic, and facilitate pleasant interaction on the street;
- e. Design and orient buildings to make neighborhoods pedestrian friendly.

3. Additional considerations noted in the East Bench Community Master Plan regarding proposals to rezone properties for new business uses include:

- a. Proponents must demonstrate that any zoning change is clearly justified by the substantive provision of this master plan.
- b. Changes involving expansion of existing business sites in response to documented needs should be reviewed cautiously and approved sparingly.
- c. Efforts to change residential zoning should be limited, and considerations should include impacts on the immediate neighborhood along with merits of the proposed change.
- d. More efficient use of existing business properties is the preferred approach to meet future business needs.
- e. "Spot or strip" zoning to accommodate new businesses is strongly discouraged.
- f. More efficient use of existing business properties is the preferred approach to meet future business needs.
- g. Expansion of non-conforming businesses is a related concern. The non-conforming use ordinance states that expansion of non-conforming use is not permitted. In most cases, such expansions would be undesirable to surrounding property owners. (Note, recent changes to State Law and City zoning regulations now allow for expansion of non-conforming uses/ non-complying structures and replacement in the event the structure is destroyed by natural disaster.)

- Additional citywide Master Plan and Policy considerations are provided below.

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.

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. Policy concepts include:
1. Allow individual districts to develop in response to their unique characteristics within the overall urban design scheme for the city.
 2. Ensure that land uses make a positive contribution to neighborhood improvement and stability.
 3. Ensure that building restoration and new construction enhance district character.
 4. Require private development efforts to be compatible with urban design policies of the city regardless of whether city financial assistance is provided.
 5. Treat building height, scale and character as significant features of a district's image.
 6. Ensure that features of building design such as color, detail, materials and scale are responsive to district character, neighboring buildings, and the pedestrian.
- E. The City's Comprehensive Housing Plan policy statements address a variety of housing issues including quality design, architectural designs compatible with neighborhoods, public and neighborhood participation and interaction, accommodating different types and intensities of residential developments, transit-oriented development, encouraging mixed-income and mixed-use developments, housing preservation, rehabilitation and replacement, zoning policies and programs that preserve housing opportunities as well as business opportunities.
- F. The Transportation Master Plan contains policy statements that include support of alternative forms of transportation, considering impacts on neighborhoods on at least an equal basis with impacts on transportation systems and giving all neighborhoods equal consideration in transportation decisions. The Plan recognizes the benefits of locating high density housing along major transit systems and reducing dependency on the automobile as a primary mode of transportation.

CHRONOLOGY:

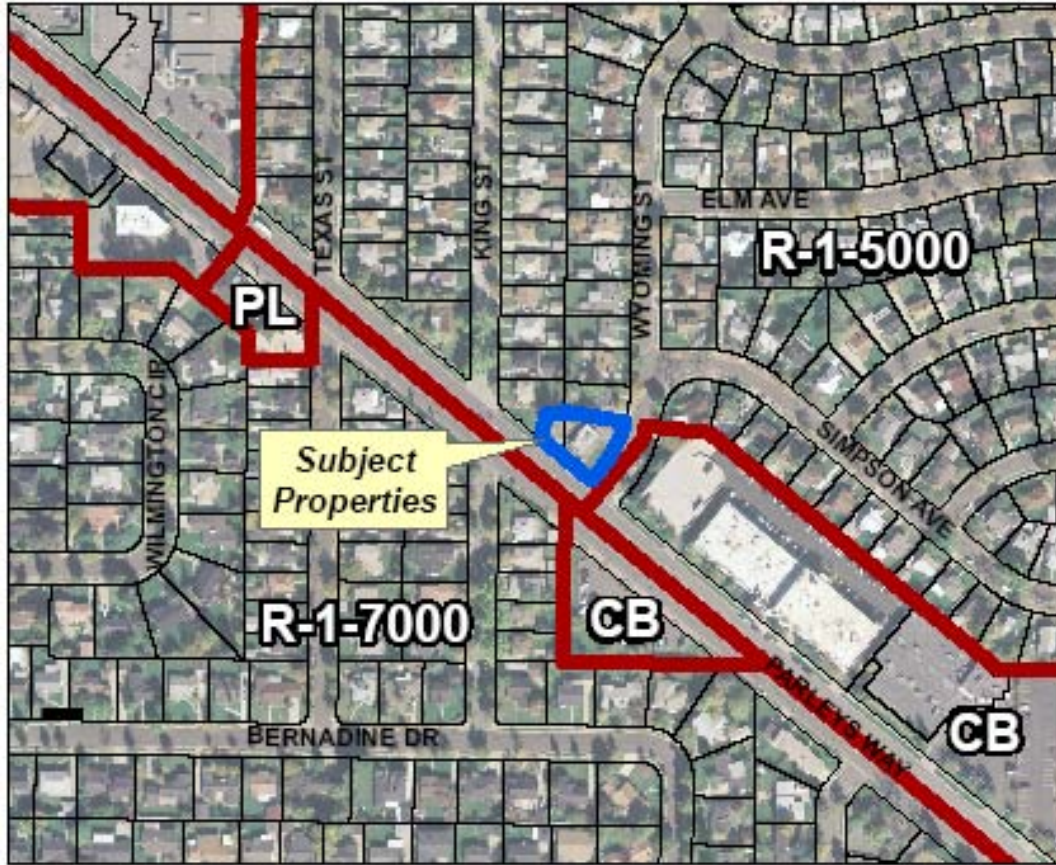
The Administration's transmittal provides a chronology of events relating to the proposed rezoning and master plan amendments. Key dates are listed below. Please refer to the Administration's chronology for details.

- | | |
|---------------------|--|
| • July 7, 2008 | Petition submitted to Planning Division |
| • August 20, 2008 | Request for review sent to Sugar House Community Council Chair |
| • November 12, 2008 | Planning Commission hearing |
| • November 13, 2008 | Ordinance requested from City Attorney's office |
| • January 29, 2009 | Transmittal paperwork received in Council office |

cc: David Everitt, Karen Hale, Lyn Creswell, Ed Rutan, Lynn Pace, Paul Nielson, Frank Gray, Mary De La Mare-Schafer, Wilf Sommerkorn, Pat Comarell, Cheri Coffey, Joel Paterson, Lex Traughber, City Council Liaisons, Mayors Liaisons

File Location: Community and Economic Development Dept., Planning Division, Master Plan Amendments and rezoning, Ms. Lisa Sieg, 2421 E. Parley's Way

VICINITY MAP



21A.26.090 Summary Table Of Yard And Bulk Requirements - Commercial Districts:

District Symbol	District Name	Yard And Bulk Regulations									
		Lot Area Regulation	Min. Lot Width	Max. Building Size	Max. District Size	Max. Building Height	Min. Front Or Corner Side Yard	Min. Interior Side Yard	Min. Rear Yard	Required Landscape Yard	Landscape Buffer Yards ¹
CB	Community business	No minimum; lots over 4 acres are conditional uses	None	Up to 15,000 sf first floor; or 20,000 sf total floor area permitted; > is a conditional use	None	30' or 2 stories	No minimum; otherwise 15' parking setback	No minimum	10'	Front and corner side yards, if provided	7'
CC	Corridor commercial	10,000 sf minimum	75'	None	None	30' or 2 stories; conditional use: maximum 45' or 3 stories	15'	No minimum	10'	Front and corner side yards: 15'	7'
CG	General commercial	10,000 sf minimum	60'	None	None	60' or 4 stories; conditional use: maximum 90' or 6 stories	10'	No minimum	10'	The first 10' of front or corner side yards	15'
CN	Neighborhood commercial	No minimum; maximum lot area: 16,500 sf	None	None	90,000 sf	25' or 21/2 stories	15'	No minimum	10'	Front and corner side yards	7'
CS	Community shopping	60,000 sf minimum excluding pad sites	150'	None	None	45' or 3 stories	30'	15'	30'	The first 15' of front and corner side yards	15'

CSHBD	Sugar House business	No minimum	None	Less than 20,000 sf is a permitted use; greater than 20,000 sf is subject to the conditional building and site design review process	None	30' to 105' or 30' to 60' depending on site location within the CSHBD zone	No minimum required ²	No minimum ³	None ³	None	7' See subsection 21A.26.060E 5 of this chapter
TC-75	Transit corridor - 75	10,000 sf minimum	50'	None	None	Non residential : 30'; residential : 75'; conditional: 125'	15'	None	None	Front and corner side yards: 15'	None except when adjacent to residential district

Additional Regulations:

General provisions for all commercial districts: Building height modification--building height may be modified up to 10 percent of maximum height, as a special exception. Modifications of more than 10 percent, but not more than 1 additional story may be approved on a sloping lot as a conditional use pursuant to subsection 21A.26.010J of this chapter.

CS district--access restrictions: Driveways onto public streets shall be limited to 1 per 150 feet of frontage on arterial and major collector streets.

Notes:

1. See chapter 21A.48 of this title.
2. There is not a minimum front or corner side yard in the CSHBD zone, however, there is a maximum building setback of 15 feet. Exceptions to the maximum building setback requirement may be approved through the conditional building and site design review process.
3. There are no minimum interior side and rear yard requirements in the CSHBD zone, with the exception of those properties in this zone that abut a low density, single-family residential zoned property.

(Ord. 89-05 7 (Exh. G), 2005: Ord. 76-05 9 (Exh. D), 2005: Ord. 3-01 3, 2001: Ord. 35-99 29, 1999: Ord. 88-95 1 (Exh. A), 1995: Ord. 26-95 2(13-8), 1995)

21A.26.080 Table Of Permitted And Conditional Uses For Commercial Districts:

Legend	Permitted And Conditional Uses, By District Commercial Districts						
C = Conditional use P = Permitted use							
Use	CN	CB	CC	CS1	CSHBD1	CG	TC-75
Residential :							
Assisted living center, large		P	P			P	P
Assisted living center, small		P	P			P	P
Dwelling, single room occupancy ⁶							P
Group home, large (see section 21A.36.070 of this title)			C			C	P
Group home, small (see section 21A.36.070 of this title) above or below first story office, retail and commercial uses or on the first story, as defined in the adopted building code where the unit is not located adjacent to the street frontage	P	P	P	P	P	P	P
Halfway homes (see section 21A.36.110 of this title)						C	
Living quarters for caretaker or security guard	P	P	P	P	P	P	P
Mixed use developments including residential and other uses allowed in the zoning district	P	P	P	P	P	P	P
Multiple-family dwellings	P	P	P	P	P	P	P
Nursing home		P	P			P	P
Residential substance abuse treatment home, large (see section 21A.36.100 of this title)			C			C	C
Residential substance abuse treatment home, small (see section 21A.36.100 of this title)			C			C	C
Rooming (boarding) house	C	C	C	C	C	C	C
Transitional treatment home, large (see section 21A.36.090 of this title)			C			C	C
Transitional treatment home, small (see section 21A.36.090 of this title)			C			C	C
Transitional victim home, large (see section 21A.36.080 of this title)			C			C	C

Transitional victim home, small (see section 21A.36.080 of this title)			C			C	C
Office and related uses:							
Financial institutions with drive-through facilities		P	P	P	P	P	C
Financial institutions without drive-through facilities	P	P	P	P	P	P	P
Medical and dental clinics and offices	P	P	P	P	P	P	P
Offices	P	P	P	P	P	P	P
Veterinary offices, operating entirely within an enclosed building and keeping animals overnight only for treatment purposes	C	P	P	P	P	P	C
Retail sales and services:							
Auction sales			P			P	
Automobile repair, major			P	C		P	C
Automobile repair, minor	C	P	P	P	P	P	P
Automobile sales/rental and service			P			P	
Boat/recreational vehicle sales and service			P			P	
Car wash as accessory use to gas station or convenience store that sells gas		P	P	P	P	P	C
Car wash, with or without gasoline sales			P	P		P	C
Conventional department store				P	P		
Equipment rental, indoor and outdoor			P			P	C
Furniture repair shop	C	P	P	P	P	P	P
"Gas station" (may include accessory convenience retail and/or minor repairs) as defined in chapter 21A.62 of this title	C	C	P	P	P	P	
Health and fitness facility		P	P	P	P	C	P
Liquor store		C	C	C	C	C	C
Manufactured/mobile home sales and service						P	
Mass merchandising store				P	P	P	
Pawnshop						P	

Restaurants with drive-through facilities	C	P	P	P	P	P	C
Restaurants without drive-through facilities	P	P	P	P	P	P	P
Retail goods establishments with drive-through facilities	C	P	P	P	P	P	C
Retail goods establishments without drive-through facilities	P	P	P	P	P	P	P
Retail services establishments with drive-through facilities	C	P	P	P	P	P	C
Retail services establishments without drive-through facilities	P	P	P	P	P	P	P
Specialty store			P	P	P	P	
Superstore and hypermarket store				P		P	
Truck repair, large						P	
Truck sales and rental, large			P			P	
Upholstery shop	C	P	P	P	P	P	P
Value retail/membership wholesale						P	
Warehouse club store						P	
Institutional (sites <<2 acres):							
Adult daycare center	P	P	P	P	P	P	P
Child daycare center	P	P	P	P	P	P	P
Colleges and universities with nonresidential campuses						P	P
Community recreation centers on lots less than 4 acres in size	P	P	P	P	P	P	P
Government facilities (excluding those of an industrial nature and prisons)	P	P	P	P	P	P	P
Libraries	C	C	C	C	C	C	C
Medical/dental research facilities							P
Museum		P	P	P	P	P	P
Music conservatory		P	P	P	P	P	P
Places of worship on lots less than 4 acres in size	C	P	P	P	P	P	P
Research, commercial, scientific, educational							P

Schools, professional and vocational		P	P	P	P	P	P
Seminaries and religious institutes	C	P	P	P	P	P	P
Commercial and manufacturing:							
Bakery, commercial						P	
Blacksmith shop						P	
Blood donation centers, commercial and not accessory to a hospital or medical clinic			C			P	
Cabinet and woodworking mills						P	
Commercial laundries, linen service and dry cleaning						P	
Industrial assembly						P	
Laboratory, medical, dental, optical	P	P	P	P	P	P	P
Laboratory, testing			C	C		P	C
Miniwarehouse			P			P	C
Motion picture studio				P	P	P	P
Photo finishing lab			P	P	P	P	P
Plant and garden shop, with outdoor retail sales area	C	C	C	C	C	P	P
Sign painting/fabrication						P	
Warehouse			P			P	
Welding shop						P	
Wholesale distributors			P			P	
Recreation, cultural and entertainment:							
Amusement park				P		P	
Art gallery	P	P	P	P	P	P	P
Art studio	P	P	P	P	P	P	P
Commercial indoor recreation			P	P	P	P	P
Commercial outdoor recreation				C		P	C

Commercial video arcade			P		P	P	P
Community gardens	P	P	P	P	P	P	P
Dance studio	P	P	P	P	P	P	P
Live performance theaters		C	P	P	P	P	P
Miniature golf			P	P		P	P
Movie theaters		C	P	P	P	P	P
Natural open space and conservation areas	C	C	C	C	C	C	C
Parks and playgrounds, public and private, on lots less than 4 acres in size	P	P	P	P	P	P	P
Pedestrian pathways, trails, and greenways	P	P	P	P	P	P	P
Private club		C	C	P	P	P	C
Sexually oriented businesses						P5	
Squares and plazas on lots less than 4 acres in size	P	P	P	P	P	P	C
Tavern/lounge/brewpub, 2,500 square feet or less in floor area			P	P	P	P	P
Tavern/lounge/brewpub, more than 2,500 square feet in floor area			C	C	P	P	C
Miscellaneous:							
Accessory uses, except those that are specifically regulated in this chapter, or elsewhere in this title	P	P	P	P	P	P	P
Ambulance services, dispatching, staging and maintenance conducted entirely within an enclosed building		P	P	P	P	P	P
Ambulance services, dispatching, staging and maintenance utilizing outdoor operations		P7	P7	P7	P7	P	
Auditorium			P	P	P	P	P
Auto salvage (indoor)						P	
Bed and breakfast	P	P	P	P	P	P	P
Bed and breakfast inn	P	P	P	P	P	P	P
Bed and breakfast manor	C3	C3	P		P	P	P
Bus line terminals			P			P	C

Bus line yards and repair facilities						P	
Commercial parking garage or lot			C		P	P	C
Communication towers		P	P	P	P	P	P
Communication towers, exceeding the maximum building height		C	C	C	C	C	C
Contractor's yard/office (including outdoor storage)			C			P	
Farmers' market			C	C		P	C
Flea market (indoor)			P	P	P	P	C
Flea market (outdoor)						P	
Funeral home			P	P	P	P	C
Homeless shelter						C	
Hotel or motel			P		P	P	C
House museum in landmark sites (see subsection 21A.24.010T of this title)	C	C	C	C	C	C	C8
Impound lot						C	
Intermodal transit passenger hub						C	
Kennels						P	
Limousine service utilizing 4 or more limousines						P	
Limousine service utilizing not more than 3 limousines		C	C			P	
Microbrewery						P	
Off site parking, as per chapter 21A.44 of this title	C	P	P	P	P	P	C
Offices and reception centers in landmark sites (see subsection 21A.24.010T of this title)	P	P	P	P	P	P	P
Outdoor sales and display		C	P	C	P	P	C
Outdoor storage			C			P	
Outdoor storage, public			C			P	
Park and ride lots		C	C	C	P	P	C
Park and ride, parking shared with existing use		P	P	P	P	P	P

Pet cemeteries ⁴						P	
Precision equipment repair shops			P			P	
Public/private utility buildings and structures ²	P2	P2	P2	P2	P2	P2	P2
Public/private utility transmission wires, lines, pipes and poles ²	P	P	P	P	P	P	P
Radio, television station				C	P	P	P
Recreational vehicle park (minimum 1 acre)			C				
Recycling collection station	P	P	P	P	P	P	
Reverse vending machines	P	P	P	P	P	P	P
Taxicab facilities, dispatching, staging and maintenance						P	
Temporary labor hiring office						P	
Vehicle auction use						P	
Vending carts on private property as per title 5, chapter 5.65 of this code					P		
Wireless telecommunications facility (see table 21A.40.090E of this title)							

Qualifying provisions:

1. Development in the CS district shall be subject to planned development approval pursuant to the provisions of section 21A.54.150 of this title. Certain developments in the CSHBD zone shall be subject to the conditional building and site design review process pursuant to the provisions of subsection 21A.26.060D of this chapter and chapter 21A.59 of this title.
2. Subject to conformance to the provisions in subsection 21A.02.050B of this title for utility regulations.
3. When located in a building listed on the Salt Lake City Register of Cultural Resources (see subsection 21A.24.010T of this title and subsection 21A.26.010K of this chapter).
4. Subject to Salt Lake Valley health department approval.
5. Pursuant to the requirements set forth in section 21A.36.140 of this title.
6. Subject to location restrictions as per section 21A.36.190 of this title.

7. Greater than 3 ambulances at location require a conditional use.

8. 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 uses process.

(Ord. 61-08 4 (Exh. C), 2008: Ord. 60-08 10 (Exh. D), 2008: Ord. 21-08 3 (Exh. B), 2008: Ord. 2-08 2, 2008: Ord. 61-06 3 (Exh. C), 2006: Ord. 13-06 2 (Exh. A), 2006: Ord. 1-06 30, 2005: Ord. 89-05 6 (Exh. F), 2005: Ord. 76-05 8 (Exh. C), 2005: Ord. 68-05 1 (Exh. A), 2005: Ord. 18-04 2, 2004: Ord. 17-04 6 (Exh. E), 2004: Ord. 13-04 7 (Exh. B), 2004: Ord. 6-03 1 (Exh. A), 2003: Ord. 23-02 3 (Exh. A), 2002: Ord. 2-02 1, 2002: Ord. 38-99 6, 1999: Ord. 35-99 29, 1999: Ord. 19-98 2, 1998: amended during 5/96 supplement: Ord. 88-95 1 (Exh. A), 1995: Ord. 84-95 1 (Exh. A), 1995: Ord. 26-95 2(13-7), 1995)

SALT LAKE CITY ORDINANCE

No. _____ of 2009

(Rezoning Property Located at 2421 East Parley's Way,
and Amending the East Bench Community Master Plan and Zoning Map)

An ordinance rezoning property located at 2421 East Parley's Way from R-1/5,000 (Single-Family Residential) to CN (Neighborhood Commercial), and amending the East Bench Community Master Plan and zoning map, pursuant to Petition Nos. PLNPCM2008-00238 and PLNPCM2008-00239.

WHEREAS, the Salt Lake City Planning Commission ("Planning Commission") held a public hearing on November 12, 2008 on applications made by Lisa Sieg ("Applicant") to amend the East Bench Community Master Plan (Petition No. PLNPCM2008-00239) and to amend the Salt Lake City zoning map (Petition No. PLNPCM2008-00238) pertaining to property located at 2421 East Parley's Way (Sidwell Tax ID Nos. 16-22-203-018 and 16-22-203-034) (the "Property"); and

WHEREAS, at its November 12, 2008 meeting, the Planning Commission voted in favor of forwarding a positive recommendation to the Salt Lake City Council ("City Council") on said applications; and

WHEREAS, after a hearing before the City Council, the City Council has determined that the following ordinance is in the best interest of the City.

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

SECTION 1. Amending master plan. The Future Land Use Map of the East Bench Community Master Plan shall be and hereby is amended to change the designated appropriate land use for the Property located at 2421 East Parley's Way, from Low Density Residential to Neighborhood Business.

SECTION 2. Rezoning of property. The Property located at 2421 East Parley's Way, shall be and hereby is rezoned from R-1/5,000 Single-Family Residential District to CN (Neighborhood Commercial) District.

SECTION 3. Amending zoning map. The Salt Lake City zoning map, as 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 identified above.

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 _____, 2009.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2009.
Published: _____.

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date: April 23, 2009
By: Paul C. Nelson, Sr. City Attorney

SALT LAKE CITY CORPORATION

FRANK B. GRAY
DIRECTOR

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
OFFICE OF THE DIRECTOR

RALPH BECKER
MAYOR

MARY DE LA MARE-SCHAEFER
DEPUTY DIRECTOR

ROBERT FARRINGTON, JR.
DEPUTY DIRECTOR

CITY COUNCIL TRANSMITTAL



David Everitt, Chief of Staff

Date Received: _____

Date Sent to City Council: 2/2/2009

TO: Salt Lake City Council
Carlton Christensen, Chair

DATE: January 29, 2009

FROM: Frank Gray, Community & Economic
Development Department Director

RE: Petitions PLNPCM2008-00238 & 00239, a request by Lisa Sieg, applicant, for a
Master Plan and Zoning Map Amendment for the property located at 2421 E. Parley's
Way

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: The applicant requests to change the Salt Lake City Zoning Map for the subject property from R-1/5,000 (Single-Family Residential District) to CB (Community Business District), which requires an amendment to the East Bench Community Future Land Use Map from Low-Density Residential to Neighborhood Business. A commercial business, the Language of Flowers, is currently located on the subject property. This property was originally built for and has a history of commercial land use. The purpose of the rezone, and the corresponding master plan amendment, is to make the current use of the property consistent with current land use maps.

Analysis: The property currently is home to an existing small business which serves the surrounding neighborhood. This is the type of business that could generate non-motorized transportation traffic, e.g. pedestrians and cyclists. The business is located on a street that is designated as an 'arterial' and therefore able to accommodate any traffic generated by this small enterprise. The building itself is small in mass and compatible with surrounding commercial businesses and residential units in the immediate vicinity.

The subject section of Parley's Way, on the north side of the street, from 2300 East to the entrance of the freeway to the southeast is a mix of commercial and residential land uses; however, the majority of this property is zoned for and used commercially. There are four residential properties that front Parley's Way between the Rite Aid/McDonalds development on 2300 East and the subject property. There are no residential parcels located between the subject property and the K-mart complex to the southeast with the exception of the Country Club Ridge Condominiums that were completed within the last two years. In short, this section of Parley's Way is dominated by commercial land uses that serve the surrounding area. The commercial enterprise on the subject parcel is currently a flower and gift shop/coffee house that is in keeping with and serves the surrounding area. The scale of this enterprise is similar to or less than other commercial ventures along this section of Parley's Way.

Master Plan Considerations: The East Bench Community Master Plan (1987) addresses "Business/Commercial Uses" in a limited manner. Essentially, the Plan notes that the East Bench area is "built out", and commercial development is limited to either redevelopment of existing sites or rezone considerations. The Plan states that additional services are desired by residents in the area; however, the location of such services is geographically constrained. In terms of rezone requests, the Plan makes it clear that rezone proposals should have little to no impact on residential areas. This Plan also identifies zoning change compatibility considerations that are pertinent to the proposed rezone. The following are considerations specifically noted in this plan:

- Business projects must be of a density, scale, and design that will not negatively impact neighboring residential properties;
- Property must be on a street that can handle the additional traffic; and
- The site must be large enough for adequate open space and parking without overcrowding the lot.

Several Summary Recommendations noted in the Final Report of the Salt Lake City Futures Commission: Creating Tomorrow Together (1998) are pertinent to the proposed rezone and master plan amendment. The following are recommendations as they relate to Plan topics of Economics, Neighborhoods, and Urban Design:

- Nurture and encourage small businesses and entrepreneurship;
- Provide neighborhood services, including retail businesses that can be reached by walking, cycling, or public transportation;
- Create a balanced approach to business incentives and zoning ordinances that encourage small-scale commercial and business activities;
- Encourage building designs that are human scale, promote pedestrian traffic, and facilitate pleasant interaction on the street; and

- Design and orient buildings to make neighborhoods pedestrian friendly.

PUBLIC PROCESS:

The Planning Commission held a Public Hearing on November 12, 2008. The Planning Commission passed a motion to recommend approval of the rezone and master plan amendment requests. The vote was four (4) in favor, three (3) opposed.

RELEVANT ORDINANCES:

- State Law, Section 10-9a-204, Notice of Public Hearings and Public Meetings to Consider General Plan or Modifications
- 21A.50 Amendments

TABLE OF CONTENTS

- 1. CHRONOLOGY**
- 2. ORDINANCE**
- 3. NOTICE OF CITY COUNCIL HEARING**
- 4. MAILING LABELS**
- 5. PLANNING COMMISSION**
 - A) ORIGINAL NOTICE POSTMARK
October 29, 2008**
 - B) STAFF REPORT
November 12, 2008**
 - C) AGENDA AND MINUTES
November 12, 2008**
- 6. ORIGINAL PETITION**
- 7. PUBLIC COMMENTS**

1. CHRONOLOGY

PROJECT CHRONOLOGY

- July 7, 2008 Petition delivered to Planning Division.
- July 25, 2008 Petition assigned to Lex Traughber.
- August 20, 2008 Sent correspondence to the Sugar House Community Council Chairperson via U.S. Post and email requesting that the master plan and zoning amendment be scheduled on a Community Council agenda for consideration.
- October 29, 2008 Planning Commission hearing notices sent via U.S. Mail and email. Posted property with “Notice of Public Hearing” signage.
- October 29, 2008 Newspaper notice published.
- November 12, 2006 Planning Commission held a public hearing and voted to forward a positive recommendation to the City Council regarding the master plan and zoning amendment requests.
- November 13, 2008 Planning Staff requested ordinance from the City Attorney’s Office.

2. ORDINANCE

SALT LAKE CITY ORDINANCE
No. _____ of 2008

(Rezoning Property Located at 2421 East Parley's Way,
and Amending the East Bench Community Master Plan and Zoning Map)

An ordinance rezoning property located at 2421 East Parley's Way from R-1/5,000 (Single-Family Residential) to CB (Community Business), and amending the East Bench Community Master Plan and zoning map, pursuant to Petition Nos. PLNPCM2008-00238 and PLNPCM2008-00239.

WHEREAS, the Salt Lake City Planning Commission ("Planning Commission") held a public hearing on November 12, 2008 on applications made by Lisa Sieg ("Applicant") to amend the East Bench Community Master Plan (Petition No. PLNPCM2008-00239) and to amend the Salt Lake City zoning map (Petition No. PLNPCM2008-00238) pertaining to property located at 2421 East Parley's Way (Sidwell Tax ID Nos. 16-22-203-018 and 16-22-203-034) (the "Property"); and

WHEREAS, at its November 12, 2008 meeting, the Planning Commission voted in favor of forwarding a positive recommendation to the Salt Lake City Council ("City Council") on said applications; and

WHEREAS, after a hearing before the City Council, the City Council has determined that the following ordinance is in the best interest of the City.

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

SECTION 1. Amending master plan. The Future Land Use Map of the East Bench Community Master Plan shall be and hereby is amended to change the designated appropriate land use for the Property located at 2421 East Parley's Way, from Low Density Residential to Neighborhood Business.

SECTION 2. Rezoning of property. The Property located at 2421 East Parley's Way, shall be and hereby is rezoned from R-1/5,000 Single-Family Residential District to CB (Community Business) District.

SECTION 3. Amending zoning map. The Salt Lake City zoning map, as 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 identified above.

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 _____, 2008.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER

(SEAL)

Bill No. _____ of 2008.
Published: _____.

APPROVED AS TO FORM
Salt Lake City Attorney's Office
DEC 3 2008
PAUL C. NELSON, SR. CITY ATTORNEY

**3. NOTICE OF CITY
COUNCIL HEARING**

NOTICE OF PUBLIC HEARING

The Salt Lake City Council is considering Petitions PLNPCM2008-00238 & 00239, a request by Lisa Sieg, applicant, for a master plan and zoning map amendment for the property located at 2421 E. Parley's Way. Specifically, the applicant requests to amend the Salt Lake City Zoning Map from R-1/5,000 (Single-Family Residential District) to CB (Community Business District), and to amend the East Bench Community Future Land Use Map from Low-Density Residential to Neighborhood Business for the subject property.

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

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

162228003 RESIDENT 2461 E SIMPSON AVE SALT LAKE CITY UT 84109	1622276004 RESIDENT 2496 E SIMPSON AVE SALT LAKE CITY UT 84109	1622203034 RESIDENT 239 N EASTCAPITOL ST SALT LAKE CITY UT 84103
1622202025 RESIDENT 2186 S KING ST SALT LAKE CITY UT 84109	1622203017 RESIDENT 2205 S KING ST SALT LAKE CITY UT 84109	1622276039 RESIDENT 6550 S MILLROCK DR # 200 HOLLADAY UT 84121
1622203031 RESIDENT 2190 S WYOMING ST SALT LAKE CITY UT 84109	1622276001 RESIDENT 2470 E SIMPSON AVE SALT LAKE CITY UT 84109	1622276005 RESIDENT 2500 E SIMPSON AVE SALT LAKE CITY UT 84109
1622203015 RESIDENT 4691 S DEERCREEK RD SALT LAKE CITY UT 84124	1622276002 RESIDENT 2480 E SIMPSON AVE SALT LAKE CITY UT 84109	1622206003 RESIDENT 2217 S TEXAS ST SALT LAKE CITY UT 84109
162228026 RESIDENT 2495 E WILMINGTON AVE SALT LAKE CITY UT 84109	1622203033 RESIDENT 2212 S WYOMING ST SALT LAKE CITY UT 84109	1622206017 RESIDENT 2395 E BERNADINE DR SALT LAKE CITY UT 84109
1622203016 RESIDENT 2197 S KING ST SALT LAKE CITY UT 84109	1622229001 RESIDENT 2496 E WILMINGTON AVE SALT LAKE CITY UT 84109	1622207010 RESIDENT PO BOX 17144 SALT LAKE CITY UT 84117
1622203032 RESIDENT 2204 S WYOMING ST SALT LAKE CITY UT 84109	1622276003 RESIDENT 2490 E SIMPSON AVE SALT LAKE CITY UT 84109	1622276006 RESIDENT 76 S 500 E # 226 SALT LAKE CITY UT 84102
1622206001 RESIDENT 1723 E HOLLYWOOD AVE SALT LAKE CITY UT 84108	1622206009 RESIDENT 2222 S KING ST SALT LAKE CITY UT 84109	1622206004 RESIDENT 2223 S TEXAS ST SALT LAKE CITY UT 84109
1622206002 RESIDENT 1657 13TH ST OGDEN UT 84404	1622203018 RESIDENT 239 N EASTCAPITOL ST SALT LAKE CITY UT 84103	1622207001 RESIDENT 3599 S 3610 E SALT LAKE CITY UT 84109

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 2 of 3



1622203027 RESIDENT 2162 S WYOMING ST SALT LAKE CITY UT	84109	1622203028 RESIDENT 2168 S WYOMING ST SALT LAKE CITY UT	84109	1622203013 RESIDENT 2175 S KING ST SALT LAKE CITY UT	84109
1622203026 RESIDENT 2154 S WYOMING ST SALT LAKE CITY UT	84109	1622228001 RESIDENT 2458 E ELM AVE SALT LAKE CITY UT	84109	1622228002 RESIDENT 2177 S WYOMING ST SALT LAKE CITY UT	84109
1622227004 RESIDENT 2457 E ELM AVE SALT LAKE CITY UT	84109	1622228004 RESIDENT 2468 E ELM AVE SALT LAKE CITY UT	84109	1622202024 RESIDENT 2176 S KING ST SALT LAKE CITY UT	84109
1622203010 RESIDENT 2155 S KING ST SALT LAKE CITY UT	84109	1622228005 RESIDENT 2478 E ELM AVE SALT LAKE CITY UT	84109	1622203030 RESIDENT 3751 N 1020 E PROVO UT	84604
1622202021 RESIDENT 1145 E STOTTLER DR GILBERT AZ	85296	1622228006 RESIDENT 603 E 900 S SALT LAKE CITY UT	84105	1622203014 RESIDENT 2185 S KING ST SALT LAKE CITY UT	84109
1622203011 RESIDENT 2165 S KING ST SALT LAKE CITY UT	84109	1622203012 RESIDENT 2171 S KING ST SALT LAKE CITY UT	84109	1622228023 RESIDENT 2467 E SIMPSON AVE SALT LAKE CITY UT	84109
1622202022 RESIDENT 2166 S KING ST SALT LAKE CITY UT	84109	1622202023 RESIDENT 118 LOWER EVERGREEN DR PARK CITY UT	84098	1622228024 RESIDENT 2479 E SIMPSON AVE SALT LAKE CITY UT	84109
1622202013 RESIDENT 2169 S TEXAS ST SALT LAKE CITY UT	84109	1622202014 RESIDENT 2175 S TEXAS ST SALT LAKE CITY UT	84109	1622228025 RESIDENT 2483 E SIMPSON AVE SALT LAKE CITY UT	84109
1622207009 RESIDENT 2433 E BERNADINE DR SALT LAKE CITY UT	84109	1622203029 RESIDENT 2176 S WYOMING ST SALT LAKE CITY UT	84109	1622228027 RESIDENT 2497 E WILMINGTON AVE SALT LAKE CITY UT	84109

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 3



1622206010
RESIDENT
2228 S KING ST
SALT LAKE CITY UT 84109

1622207002
RESIDENT
2235 S KING ST
SALT LAKE CITY UT 84109

LEX TRAUHBER
451 S. STATE, Rm 406
P.O. Box 145480
SLC, UT 84114-5480

1622276007
RESIDENT
2506 E SIMPSON AVE
SALT LAKE CITY UT 84109

1622207003
RESIDENT
2245 S KING ST
SALT LAKE CITY UT 84109

GRACE SPEERY
2660 HIGHLAND DR
SLC, UT 84106

1622206007
RESIDENT
2247 S TEXAS ST
SALT LAKE CITY UT 84109

1622207004
RESIDENT
2249 S KING ST
SALT LAKE CITY UT 84109

GIRARD
2561 E. ELM AVE
SLC, UT 84109

1622206013
RESIDENT
2751 E JUNIPER WY
HOLLADAY UT 84117

1622206008
RESIDENT
2257 S TEXAS ST
SALT LAKE CITY UT 84109

1622206005
RESIDENT
2229 S TEXAS ST
SALT LAKE CITY UT 84109

1622206014
RESIDENT
2256 S KING ST
SALT LAKE CITY UT 84109

1622206011
RESIDENT
275 S CHRISALTA WAY
ANAHEIM CA 92807

1622207005
RESIDENT
2255 S KING ST
SALT LAKE CITY UT 84109

1622207006
RESIDENT
1790 E NORTHWOODSIDE DR
HOLLADAY UT 84124

1622207007
RESIDENT
2405 E BERNADINE DR
SALT LAKE CITY UT 84109

1622206006
RESIDENT
2239 S TEXAS ST
SALT LAKE CITY UT 84109

1622207008
RESIDENT
PO BOX 45678
SALT LAKE CITY UT 84145

1622206012
RESIDENT
2240 S KING ST
SALT LAKE CITY UT 84109

1622280001
RESIDENT
2261 S WYOMING ST
SALT LAKE CITY UT 84109

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 3 of 3



1622228003 RESIDENT 2461 E SIMPSON AVE SALT LAKE CITY UT 84109	1622276004 RESIDENT 2496 E SIMPSON AVE SALT LAKE CITY UT 84109	1622203034 RESIDENT 239 N EASTCAPITOL ST SALT LAKE CITY UT 84103
1622202025 RESIDENT 2186 S KING ST SALT LAKE CITY UT 84109	1622203017 RESIDENT 2205 S KING ST SALT LAKE CITY UT 84109	1622276039 RESIDENT 6550 S MILLROCK DR # 200 HOLLADAY UT 84121
1622203031 RESIDENT 2190 S WYOMING ST SALT LAKE CITY UT 84109	1622276001 RESIDENT 2470 E SIMPSON AVE SALT LAKE CITY UT 84109	1622276005 RESIDENT 2500 E SIMPSON AVE SALT LAKE CITY UT 84109
1622203015 RESIDENT 4691 S DEERCREEK RD SALT LAKE CITY UT 84124	1622276002 RESIDENT 2480 E SIMPSON AVE SALT LAKE CITY UT 84109	1622206003 RESIDENT 2217 S TEXAS ST SALT LAKE CITY UT 84109
1622228026 RESIDENT 2495 E WILMINGTON AVE SALT LAKE CITY UT 84109	1622203033 RESIDENT 2212 S WYOMING ST SALT LAKE CITY UT 84109	1622206017 RESIDENT 2395 E BERNADINE DR SALT LAKE CITY UT 84109
1622203016 RESIDENT 2197 S KING ST SALT LAKE CITY UT 84109	1622229001 RESIDENT 2496 E WILMINGTON AVE SALT LAKE CITY UT 84109	1622207010 RESIDENT PO BOX 17144 SALT LAKE CITY UT 84117
1622203032 RESIDENT 2204 S WYOMING ST SALT LAKE CITY UT 84109	1622276003 RESIDENT 2490 E SIMPSON AVE SALT LAKE CITY UT 84109	1622276006 RESIDENT 76 S 500 E # 226 SALT LAKE CITY UT 84102
1622206001 RESIDENT 1723 E HOLLYWOOD AVE SALT LAKE CITY UT 84108	1622206009 RESIDENT 2222 S KING ST SALT LAKE CITY UT 84109	1622206004 RESIDENT 2223 S TEXAS ST SALT LAKE CITY UT 84109
1622206002 RESIDENT 1657 13TH ST OGDEN UT 84404	1622203018 RESIDENT 239 N EASTCAPITOL ST SALT LAKE CITY UT 84103	1622207001 RESIDENT 3599 S 3610 E SALT LAKE CITY UT 84109

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 2 of 3



1622203027 RESIDENT 2162 S WYOMING ST SALT LAKE CITY UT	84109	1622203028 RESIDENT 2168 S WYOMING ST SALT LAKE CITY UT	84109	1622203013 RESIDENT 2175 S KING ST SALT LAKE CITY UT	84109
--	-------	--	-------	---	-------

1622203026 RESIDENT 2154 S WYOMING ST SALT LAKE CITY UT	84109	1622228001 RESIDENT 2458 E ELM AVE SALT LAKE CITY UT	84109	1622228002 RESIDENT 2177 S WYOMING ST SALT LAKE CITY UT	84109
--	-------	---	-------	--	-------

1622227004 RESIDENT 2457 E ELM AVE SALT LAKE CITY UT	84109	1622228004 RESIDENT 2468 E ELM AVE SALT LAKE CITY UT	84109	1622202024 RESIDENT 2176 S KING ST SALT LAKE CITY UT	84109
---	-------	---	-------	---	-------

1622203010 RESIDENT 2155 S KING ST SALT LAKE CITY UT	84109	1622228005 RESIDENT 2478 E ELM AVE SALT LAKE CITY UT	84109	1622203030 RESIDENT 3751 N 1020 E PROVO UT	84604
---	-------	---	-------	---	-------

1622202021 RESIDENT 1145 E STOTTLER DR GILBERT AZ	85296	1622228006 RESIDENT 603 E 900 S SALT LAKE CITY UT	84105	1622203014 RESIDENT 2185 S KING ST SALT LAKE CITY UT	84109
--	-------	--	-------	---	-------

1622203011 RESIDENT 2165 S KING ST SALT LAKE CITY UT	84109	1622203012 RESIDENT 2171 S KING ST SALT LAKE CITY UT	84109	1622228023 RESIDENT 2467 E SIMPSON AVE SALT LAKE CITY UT	84109
---	-------	---	-------	---	-------

1622202022 RESIDENT 2166 S KING ST SALT LAKE CITY UT	84109	1622202023 RESIDENT 118 LOWER EVERGREEN DR PARK CITY UT	84098	1622228024 RESIDENT 2479 E SIMPSON AVE SALT LAKE CITY UT	84109
---	-------	--	-------	---	-------

1622202013 RESIDENT 2169 S TEXAS ST SALT LAKE CITY UT	84109	1622202014 RESIDENT 2175 S TEXAS ST SALT LAKE CITY UT	84109	1622228025 RESIDENT 2483 E SIMPSON AVE SALT LAKE CITY UT	84109
--	-------	--	-------	---	-------

1622207009 RESIDENT 2433 E BERNADINE DR SALT LAKE CITY UT	84109	1622203029 RESIDENT 2176 S WYOMING ST SALT LAKE CITY UT	84109	1622228027 RESIDENT 2497 E WILMINGTON AVE SALT LAKE CITY UT	84109
--	-------	--	-------	--	-------

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 3



1622206010
RESIDENT
2228 S KING ST
SALT LAKE CITY UT 84109

1622207002
RESIDENT
2235 S KING ST
SALT LAKE CITY UT 84109

LEX TRAUGHBER
451 S. STATE, Rm 406
P.O. Box 145480
SUC, UT 84114-5480

1622276007
RESIDENT
2506 E SIMPSON AVE
SALT LAKE CITY UT 84109

1622207003
RESIDENT
2245 S KING ST
SALT LAKE CITY UT 84109

GRACE SPEERY
2660 HIGHLAND DR
SUC, UT 84106

1622206007
RESIDENT
2247 S TEXAS ST
SALT LAKE CITY UT 84109

1622207004
RESIDENT
2249 S KING ST
SALT LAKE CITY UT 84109

GIRAUD
2561 E. EUM AVE
SUC, UT 84109

1622206013
RESIDENT
2751 E JUNIPER WY
HOLLADAY UT 84117

1622206008
RESIDENT
2257 S TEXAS ST
SALT LAKE CITY UT 84109

1622206005
RESIDENT
2229 S TEXAS ST
SALT LAKE CITY UT 84109

1622206014
RESIDENT
2256 S KING ST
SALT LAKE CITY UT 84109

1622206011
RESIDENT
275 S CHRISALTA WAY
ANAHEIM CA 92807

1622207005
RESIDENT
2255 S KING ST
SALT LAKE CITY UT 84109

1622207006
RESIDENT
1790 E NORTHWOODSIDE DR
HOLLADAY UT 84124

1622207007
RESIDENT
2405 E BERNADINE DR
SALT LAKE CITY UT 84109

1622206006
RESIDENT
2239 S TEXAS ST
SALT LAKE CITY UT 84109

1622207008
RESIDENT
PO BOX 45678
SALT LAKE CITY UT 84145

1622206012
RESIDENT
2240 S KING ST
SALT LAKE CITY UT 84109

1622280001
RESIDENT
2261 S WYOMING ST
SALT LAKE CITY UT 84109

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 3 of 3

5. PLANNING COMMISSION
A. Original Notice Postmark
October 29, 2008

PROOF OF PUBLICATION

CUSTOMER'S COPY

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
PLANNING DIVISION, 451 SOUTH STATE STREET, ROOM 406 SALT LAKE CITY UT 84111	9001394298	10/30/2008

ACCOUNT NAME	
PLANNING DIVISION,	
TELEPHONE	AD ORDER / INVOICE NUMBER
8015356184	0000379835 /
SCHEDULE	
Start 10/29/2008	End 10/29/2008
CUST REF NO	
CAPTION	
SALT LAKE CITY PLANNING COMMISSION MAST	
SIZE	
53 Lines	1.00 COLUMN
TIMES	RATE
2	
MISC CHARGES	AD CHARGES
TOTAL COST	
66.25	

SALT LAKE CITY PLANNING COMMISSION MASTER PLAN HEARING
On Wednesday, November 12, 2008, at 5:45 P.M., the Salt Lake City Planning Commission will hold a public hearing to take public comment and consider an amendment to the Future Land Use Map of the East Bench Community Master Plan. The proposed amendment involves changing the future land use designation of the property located at 2421 E. Parley's Way, better known as the location of the retail goods establishment by the name of the Language of Flowers. The applicant proposes to change the land use designation on this property from "Low-Density Residential" to "Neighborhood Business". All persons interested and present will be given an opportunity to be heard in this matter. The hearing will be held in Room 326 of the Salt Lake City and County Building, 451 South State Street. Accessible parking and entrance are located on the east side of the building. Hearing impaired individuals who wish to attend this meeting should contact our TDD service number, 535-6021, four days in advance so that an interpreter can be provided. For further information regarding this hearing, call Lex Traugbier at 801-535-6184.
379835 UPAJLP

AFFIDAVIT OF PUBLICATION

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

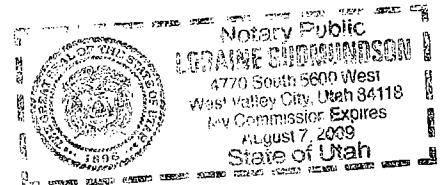
PUBLISHED ON Start 10/29/2008 End 10/29/2008

SIGNATURE

Aenny Craft *[Signature]*

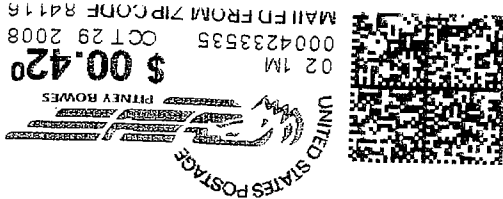
DATE 10/30/2008

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



LEX TRAUGBER
451 S. STATE ST. Rm 406
P.O. Box 145480
Salt Lake City UT 84111

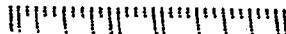
PUBLIC HEARING NOTICE



Salt Lake City Planning Division
451 South State Street, Room 406
PO Box 145480
Salt Lake City UT 84111

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, hearings 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 two (2) 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. The Salt Lake City Corporation complies will 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 535-6220.



**AGENDA FOR THE
SALT LAKE CITY PLANNING COMMISSION MEETING**
In Room 326 of the City & County Building at 451 South State Street
Wednesday, November 12, 2008 at 5:45 p.m.

The work session is scheduled to begin at 4:00 p.m. in Room 126. The Planning Commission may discuss project updates and other minor administrative matters, including Petition PLNPCM2008-0021—Red Mountain Retail Group/Granite Furniture Block Redesign Plans, and Petition PLNSUB2008-00464, proposed improvements to a Rocky Mountain Power substation located at approximately 136,144, and 148 South and 1100 East. This portion of the meeting is open to the public for observation. **The Planning Commission will break for dinner at 5:00 p.m.**

APPROVAL OF MINUTES FROM WEDNESDAY, October 22, 2008.

REPORT OF THE CHAIR AND VICE CHAIR

REPORT OF THE DIRECTOR

BRIEFING

1. **Conditional Use Project- Issues for Further Study, Part II**—The Planning Staff will review and discuss with the Planning Commission the proposed responses to issues that were raised during the City Council's recent review of conditional use regulations. The City Council requested further study of issues that were not addressed prior to the July 22, 2008 adoption of amendments to the Zoning Ordinance relating to conditional and permitted uses. The Planning Staff is requesting comment and direction from the Planning Commission prior to submitting the responses to the City Council for its review.

PUBLIC HEARING

2. **2421 E. Parley's Way Master Plan and Zoning Map Amendment**—a request by Lisa Sieg, applicant, for a master plan and zoning map amendment for the property located at approximately 2421 East Parley's Way. The subject property is the current location of the business known as "The Language of Flowers". The property is located in City Council District Seven, represented by Søren Simonsen (Staff contact: Lex Traughber at 535-6184 or lex.traughber@slcgov.com):
 - a. **Petition 400-08-22 or PLNPCM208-00238, 2421 East Parley's Way Zoning Map Amendment**—a request to amend the Salt Lake City Zoning Map for the subject property (parcels 16-22-203-018 & 034) from R-1-5,000 (Single Family Residential District) to CB (Community Business District).
 - b. **Petition 400-08-23 or PLNPCM2008-00239, 2421 East Parley's Way Master Plan Amendment**—a request to amend the East Bench Community Future Land Use Map for the subject property (parcels 16-22-203-018 & 034) from "Low Density Residential" to "Neighborhood Business".
3. **Petition 400-08-17, 1150 E. Downington Avenue Partial Street Closure**—a request by Jared and Louise Millington that a portion of Downington Avenue, located at approximately 1150 East Downington and adjacent to their residential property, be declared surplus by the City, closed, and sold. Downington Avenue at this location is a dead end street and unimproved. The purpose of the request is to incorporate a portion of this street into the Millington's residential parcel in order to improve the property. The property is located in City Council District Seven, represented by Søren Simonsen (Staff contact: Lex Traughber at 535-6184 or lex.traughber@slcgov.com).
4. **PLNPCM2008-00361 Linh Cao minor auto repair** — a request by Linh Cao for conditional use approval for an automobile repair (minor) business to operate on property located at 1255 West 400 South in a CN (Neighborhood Commercial) zoning district. The subject property and buildings have been used for automobile repair in the past. The property is located in City Council District Two, represented by Van Turner (Staff contact: Casey Stewart at 535-6260 or casey.stewart@slcgov.com).
5. **Amendment to Petition 410-329 pursuant to Petition 400-04-25**—a request by the Boyer Company to create a sign package for an open air mall (Gateway). The proposed action is an amendment to the planned development approval of the Gateway mixed-use complex to adopt a sign package for the open-air mall portion of the development. The Gateway is generally located at between 400 and 500 West from North Temple to 200 South. Petition 400-04-25, which was approved by the Planning Commission and City Council, allows open air malls to create their own internal signage package when included as part of a planned development. The Boyer Company is requesting an amendment to the original planned development approval (410-329) to include a signage package. The property is located in City Council District Four, represented by Luke Garrott (Staff contact: Doug Dansie at 535-6182 or doug.dansie@slcgov.com).
6. **Petition No. PLNPCM2008-00641, Zoning Text Amendment for Community Correction Facilities (Halfway Homes) in the General Commercial (CG) and Light Manufacturing (M-1) Zoning Districts**—a request by the Salt Lake City Council to analyze current regulations for Halfway Homes, which do not adequately address the size and concentration or the potential impacts of large halfway home facilities on adjacent properties. These text changes are Citywide (Staff contact: Everett Joyce at 535-7930 or everett.joyce@slcgov.com).
7. **Petition No. PLNPCM2008-00640, Salt Lake City Code Maintenance; Fine Tuning text amendments**—a request by Salt Lake City Mayor Becker to analyze the feasibility of amending the City Zoning Ordinance to provide for clarity and efficiency of use as part of an ongoing process of code maintenance. The following issues are being considered:
 - a. Chapter 21A.46.110 Signs. Clarify the extension limits for projecting signs within the Downtown D-1 and D-4 Zoning Districts.
 - b. 21A.46 Yard Sale Signs. Provide consistent display period requirements between sign and business license ordinance.
 - c. 21A.52.090A. Special Exceptions. Provide an extension of time requirement consistent with the General Applications and Procedures section of the Zoning Ordinance.
 - d. 21A.32 Special Purpose Districts. Clean up remnant floor area ratio text references for the RP, BP Institutional Districts text.
 - e. 21A.24 Interior Side Yard and Corner Yard setbacks. Provide setback requirements for nonresidential uses in multifamily zoning districts.
 - f. 21A.24 RMF-30 and RMF-35 Maximum building coverage. Define the building coverage area for nonresidential uses in multifamily zones.
 - g. 21A.08.030, Zoning Certificates. Clarify that zoning certificates are required for principal use and not accessory uses.
 - h. 21A.22 Zoning Districts, Map And Boundaries. Clarify how lots of record that are split by multiple zoning districts affect Zoning District boundaries
 - i. 21A.52.030G Special Exceptions. Circular driveways that meet the zoning standards should be allowed as a permitted use.These text changes are Citywide (Staff contact: Everett Joyce at 535-7930 or everett.joyce@slcgov.com).

Visit the Planning and Zoning Enforcement Division's website at www.slcgov.com/CED/planning for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission.


5. PLANNING COMMISSION

B. Staff Report

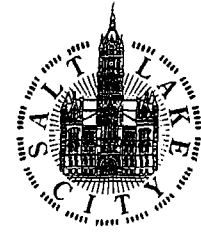
November 12, 2008

PLANNING COMMISSION STAFF REPORT

2421 E. Parley's Way Zoning Map and Master Plan Amendments

Petitions  PLNPCM2008-00238 & PLNPCM2008-00239

November 12, 2008



Planning & Zoning Division
Department of Community &
Economic Development

Applicant: Lisa Sieg

Staff: Lex Traugher at
(801) 535-6184 or email
lex.traugher@slcgov.com

Tax ID: 16-22-203-018 & 034

Current Zone: R-1/5,000 Single-Family Residential District

Master Plan Designation: Low-Density Residential

Council District: Council District 7, represented by Soren Simonsen

Acreeage: 0.28 ± of an acre

Current Use: Commercial - Language of Flowers

Applicable Land Use

Regulations:

- State Law, Section 10-9a-204, Notice of Public Hearings and Public Meetings to Consider General Plan or Modifications
- 21A.50 Amendments

Attachments:

- A. Department Comments
- B. Vicinity Zoning Map
- C. Photos

REQUEST

A request by Lisa Sieg, applicant, for a master plan and zoning map amendment for the property located at 2421 E. Parley's Way. The subject property is the current location of the business known as "The Language of Flowers".

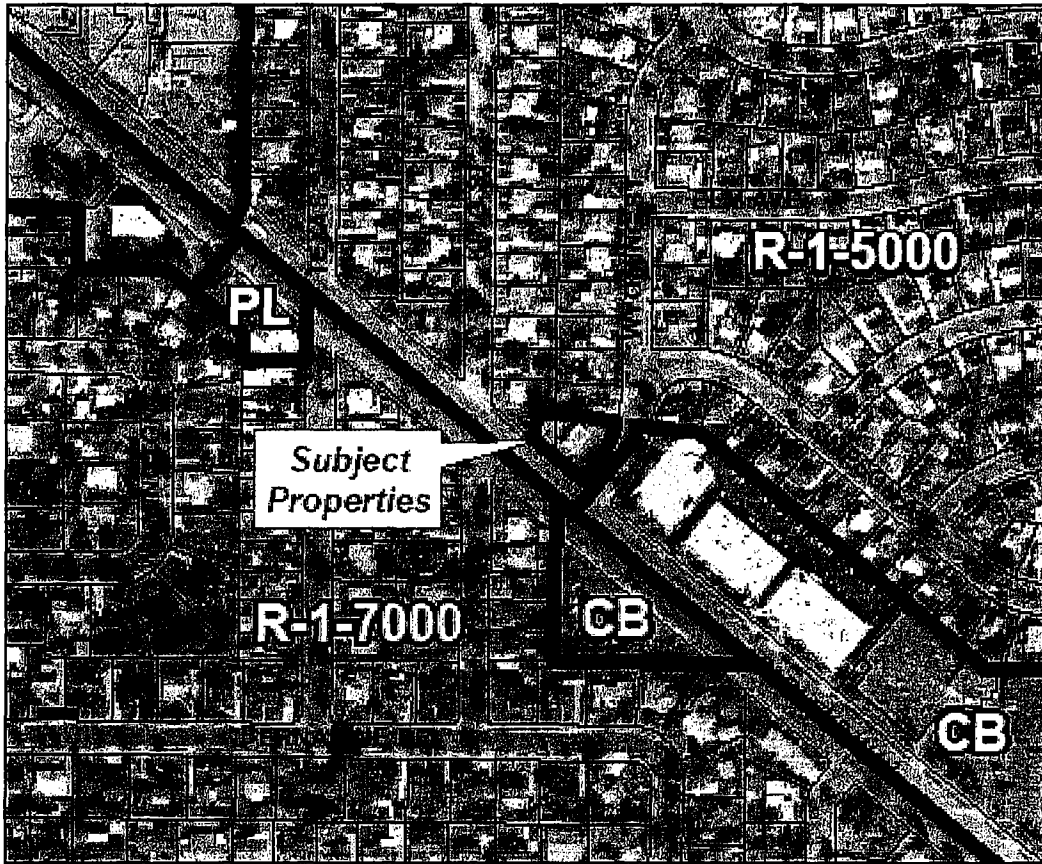
STAFF RECOMMENDATION

Based on the discussion, analysis, and findings in this staff report, Planning Staff recommends that the Planning Commission forward a positive recommendation to the City Council with respect to the proposed amendments to the Salt Lake City Zoning Map and the East Bench Community Master Plan as follows:

Petition PLNPCM2008-00238: to amend the Salt Lake City Zoning Map from R-1/5,000 (Single-Family Residential District) to CB (Community Business District) for property located at 2421 E. Parley's Way.

Petition PLNPCM2008-00239: to amend the East Bench Community Future Land Use Map from Low-Density Residential to Neighborhood Business for property located at 2421 E. Parley's Way.

VICINITY MAP



PROJECT DESCRIPTION

The applicant requests to change the Salt Lake City Zoning Map for the subject property from R-1/5,000 (Single-Family Residential District) to CB (Community Business District), which requires an amendment to the East Bench Community Future Land Use Map from Low-Density Residential to Neighborhood Business. A commercial business, the Language of Flowers, is currently located on the subject property. This property was originally built for and has a history of commercial land use. The purpose of the rezone, and the corresponding master plan amendment, is to make the current use of the property consistent with current land use maps.

DEPARTMENT/DIVISION COMMENTS

Of the Departments/Divisions contacted, Engineering, Public Utilities, Permits and Zoning, Transportation, Property Management, Fire, Business Licensing, and the Police, only three comments were received (Exhibit A). No significant comments or issues were raised by the Departments/Divisions that replied.

PUBLIC COMMENTS

The Sugar House Community Council was sent information regarding these petitions on August 2, 2008, via email and the U.S. Mail. This correspondence outlined the proposed amendments and requested comment from the Council. No comments were received from the Community Council regarding this matter. Likewise, no comments were received from the public regarding the amendments.

PUBLIC NOTICE

A notice of public hearing was mailed to all property owners within 450 feet of the subject property, and all those that requested to be placed on the mailing list on October 28, 2008, meeting the 14 day notification requirement. The site was also posted with "Notice of Public Hearing" signs on the same day, meeting the minimum ten day posting requirement. Community Council Chairs, Business Groups and other interested parties were also notified through the Planning Division's listserv, and the agenda was posted on the State's and Planning Division's websites.

State Law, Section 10-9a-204, Notice of Public Hearings and Public Meetings to Consider General Plan or Modifications, outlines the criteria for amending a master plan relating to the noticing requirements. A notice for the Master Plan amendment was published in the Deseret News on October 29, 2008.

STAFF ANALYSIS AND FINDINGS

Master Plan Amendment Analysis: State Law, Section 10-9a-204, Notice of Public Hearings and Public Meetings to Consider General Plan or Modifications, outlines the criteria for amending a master plan relating to noticing requirements. A notice for the Master Plan amendment was published in the Deseret News on October 29, 2008. The rationale for amending the East Bench Community Master Plan Future Land Use Map is discussed under item A below.

Zoning Map Amendment Analysis and Findings: A decision to amend the Salt Lake City Zoning Map by general amendment is a matter committed to the legislative discretion of the City Council. Although zoning amendments are not controlled by any one standard of review, the City should consider the following factors:

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

East Bench Community Master Plan (April 1987)

The East Bench Community Master Plan addresses "Business/Commercial Uses" in a limited manner. Essentially, the Plan notes that the East Bench area is "built out", and commercial development is limited to either redevelopment of existing sites or rezone considerations. The Plan states that additional services are desired by residents in the area, however the location of such services is geographically constrained. In terms of rezone requests, the Plan makes it clear that rezone proposals should have little to no impact on residential areas. This Plan also identifies zoning change compatibility considerations that are pertinent to the proposed rezone. The following are considerations specifically noted in this Plan:

- Business projects must be of a density, scale, and design that will not negatively impact neighboring residential properties;
- Property must be on a street that can handle the additional traffic;
- The site must be large enough for adequate open space and parking without overcrowding the lot.

Final Report of the Salt Lake City Futures Commission: Creating Tomorrow Together (1998)

Several Summary Recommendations noted in this Report are especially pertinent to the proposed rezone and master plan amendment. The following are recommendations as they relate to Plan topics of Economics, Neighborhoods, and Urban Design:

- Nurture and encourage small businesses and entrepreneurship;

- Provide neighborhood services, including retail businesses that can be reached by walking, cycling, or public transportation;
- Create a balanced approach to business incentives and zoning ordinances that encourage small-scale commercial and business activities;
- Encourage building designs that are human scale, promote pedestrian traffic, and facilitate pleasant interaction on the street;
- Design and orient buildings to make neighborhoods pedestrian friendly.

Analysis: The proposed amendment are consistent with adopted policies. The property currently is home to an existing small business which serves the surrounding neighborhood. This is the type of business that would generate non-motorized transportation traffic ie. pedestrians and cyclists. The business is located on a street that is designated as an ‘arterial’, and therefore able to accommodate any traffic generated by this small enterprise. The building itself is small in mass and compatible with surrounding commercial businesses and residential units in the immediate vicinity. Planning Staff asserts that this small business is a positive attribute in the area; contributing to the neighborhood fabric in a positive manner.

Finding: The proposed rezone and master plan amendment are supported by policies in the East Bench Community Master Plan (1987) and the Final Report of the Salt Lake City Futures Commission: Creating Tomorrow Together (1998), and therefore are consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.

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

Analysis: This section of Parley’s Way, on the north side of the street, from 2300 East to the entrance of the freeway to the southeast is a mix of commercial and residential land uses, however the majority of this property is zoned for and used commercially (Exhibit B). There are four residential properties that front Parley’s Way between the Rite Aid/McDonalds development on 2300 East and the subject property. There are no residential parcels located between the subject property and the K-mart complex to the southeast with the exception of the Country Club Ridge Condominiums that were recently completed within the last two years. In short, this section of Parley’s Way is dominated by commercial land uses that serve the surrounding area. The commercial enterprise on the subject parcel is currently a flower and gift shop/coffee house that is in keeping with and serves the surrounding area. The scale of this enterprise is similar to or less than other commercial ventures along this section of Parley’s Way.

Finding: The proposed amendment is compatible with existing development in the immediate vicinity of the subject property.

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

Analysis: Staff has not received any comments from adjacent property owners stating that the proposed amendments will adversely affect adjacent properties. Given the lot size and configuration of the subject property, it is difficult to anticipate that substantial commercial redevelopment could take place in the future, should the proposed rezone and master plan amendment receive approval, that would impact the surrounding neighborhood. The property also currently has substantial mature vegetative buffering to mitigate impacts on adjacent residential properties to the north.

Finding: The subject property is currently used and has been used in the past commercially. It is unlikely that the proposed amendments will affect adjacent properties adversely.

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

Finding: There are no applicable overlay zoning districts imposing additional standards at the subject location.

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: The subject property is located within a built environment where public facilities and services are existing. No comments were received indicating that public facilities and services are inadequate to serve the subject property.

Exhibit A –
Department/Division Comments

TRANSPORTATION

Traughber, Lex

From: Walsh, Barry
Sent: Tuesday, August 05, 2008 8:28 AM
To: Traughber, Lex
Cc: Young, Kevin; Smith, Craig; Garcia, Peggy; Itchon, Edward; Butcher, Larry
Subject: pet PLNPCM2008-00238 & 11239
Categories: Program/Policy

August 5, 2008

Lex Traughber, Planning

Re: Petitions PLNPCM2008-00238 & PLNPCM2008-00239
Rezone and Master Plan Amendment for 2421 E. Parley's Way
Parcel 16-22-203-018 & -034.

The division of transportation review comments and recommendations for conversion from a R-1/5000 to a CB zone is as follows:

Parley's Way is a major arterial class roadway in keeping with a commercial use and traffic generation as proposed per the current retail use of the property. Future expansion is to comply to city standards for parking, maneuvering, and circulation as required.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.
Craig Smith, Engineering
Peggy Garcia, Public utilities
Ted Itchon, Fire
Larry Butcher, Permits
file

8/12/2008

Traughber, Lex

FUBUC UTILITIES

From: Garcia, Peggy
Sent: Monday, August 11, 2008 1:16 PM
To: Traughber, Lex
Subject: PLNPCM2008 & PLNPCM2008-00239 Rezone and Master Plan Amendments for 2421 East Parley's Way
Categories: Program/Policy

Lex,

Salt Lake City Public Utilities has reviewed the above-mentioned master plan amendments and has no conflicts with the proposed rezone.

If you need any further assistance please contact me.

Thank you,

Peggy Garcia

8/12/2008

BLDG SVCS

MEMORANDUM



451 South State Street, Room 406
Salt Lake City, Utah 84111
(801) 535-7757

Planning and Zoning Division
Department of Community & Economic Development

TO: Peggy Garcia – Public Utilities
Ted Itchon – Fire
Craig Smith – Engineering
Barry Walsh – Transportation
Larry Butcher – Permits Counter Supervisor
Rich Brede – Police
John Spencer – Property Management
Robert Lucas – Business Licensing

FROM: Lex Traugher – Principal Planner
Phone 535-6184
Email: lex.traugher@slcgov.com

DATE: August 4, 2008

SUBJECT: Petitions PLNPCM2008-00238 & PLNPCM2008-00239
Rezone and Master Plan Amendments for 2421 E. Parley's Way
Parcels 16-22-203-018 & 034

The Salt Lake City Planning Division has received a request to amend the zoning map and the associated master plan future land use map for the above referenced property which is the current location of the business known as "The Language of Flowers".

The current zoning of the subject property is R-1/5,000 (Single Family Residential). The applicant proposes to change the zoning to CB (Commercial Business). Likewise, the future land use map in the East Bench Community Master Plan identifies the subject property for low density residential use. The applicant proposes commercial land use on the site.

The purpose of the amendments is to bring a current non-conforming land use (commercial use on residentially zoned property) into conformance, which may allow the owner/applicant the opportunity to expand the existing business in the future.

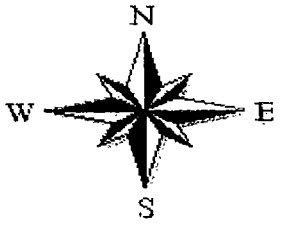
Please review this information and respond with any comments as soon as you are able, but no later than **Monday, August 18, 2008**. If you do not have any comments, please respond by email with "no comment" so that I can be sure that you have seen the request. If you have any questions, please do not hesitate to call or email.

Thank you.

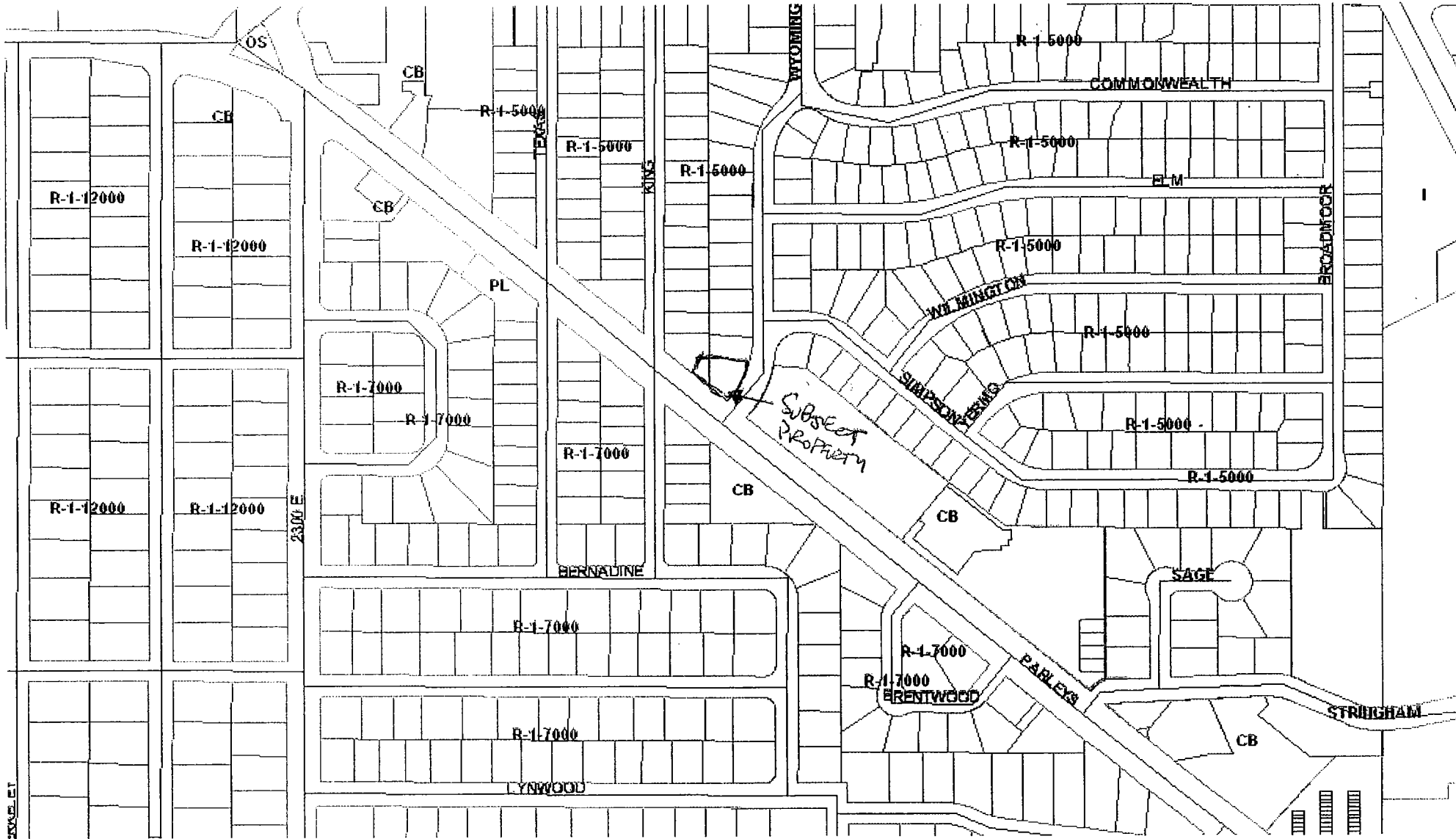
Any future expansion or use on the property would need to comply w/ applicable zoning and building codes.

Wynne

**Exhibit B –
Vicinity Zoning Map**



Salt Lake City IGIS Map
Print on: 7/10/2008



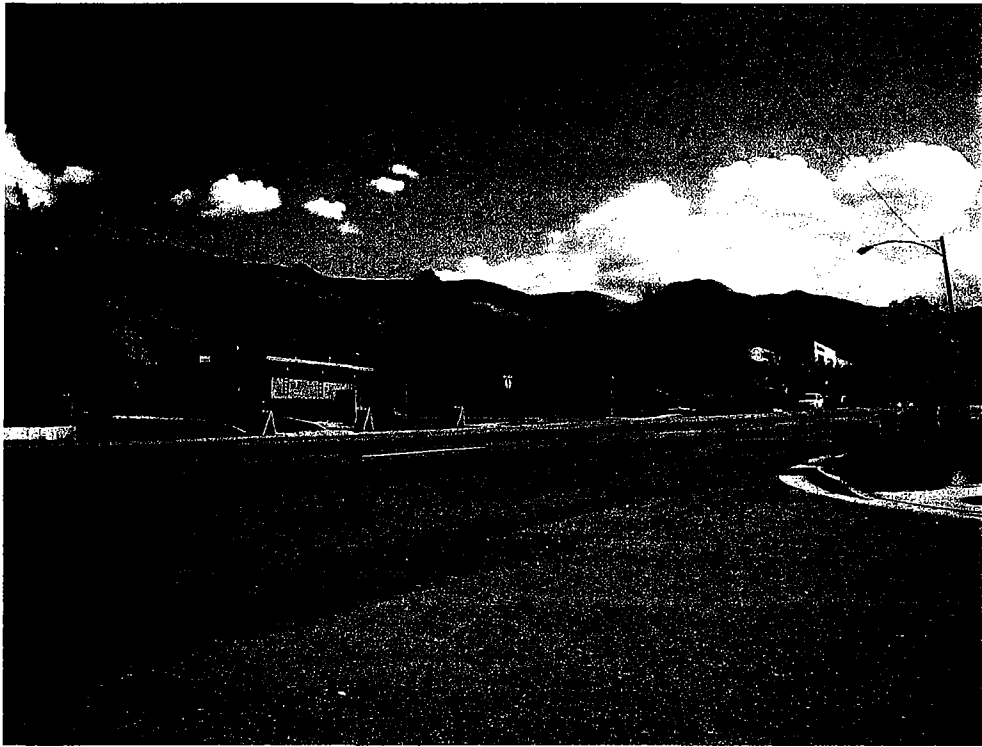
**Exhibit C –
Photos**



The Language of Flowers retail goods establishment located at 2421 E. Parley's Way



View of the Language of Flowers looking northwest along Parley's Way toward Albertson's (2300 East and 2100 South)



View of the Language of Flowers looking southeast on Parley's Way



View of the Language of Flowers and the residential property adjacent to the north

5. PLANNING COMMISSION
C. Agenda & Minutes
November 12, 2008

**AGENDA FOR THE
SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building at 451 South State Street
Wednesday, November 12, 2008 at 5:45 p.m.**

The work session is scheduled to begin at 4:00 p.m. in Room 126. The Planning Commission may discuss project updates and other minor administrative matters, including Petition PLNPCM2008-0021-Red Mountain Retail Group/Granite Furniture Block Redesign Plans, and Petition PLNSUB2008-00464, proposed improvements to a Rocky Mountain Power substation located at approximately 136,144, and 148 South and 1100 East. This portion of the meeting is open to the public for observation. **The Planning Commission will break for dinner at 5:00 p.m.**

APPROVAL OF MINUTES FROM WEDNESDAY, October 22, 2008.

REPORT OF THE CHAIR AND VICE CHAIR

REPORT OF THE DIRECTOR

BRIEFING

1. **Conditional Use Project- Issues for Further Study, Part II**—The Planning Staff will review and discuss with the Planning Commission the proposed responses to issues that were raised during the City Council's recent review of conditional use regulations. The City Council requested further study of issues that were not addressed prior to the July 22, 2008 adoption of amendments to the Zoning Ordinance relating to conditional and permitted uses. The Planning Staff is requesting comment and direction from the Planning Commission prior to submitting the responses to the City Council for its review.

PUBLIC HEARING

2. **2421 E. Parley's Way Master Plan and Zoning Map Amendment**—a request by Lisa Sieg, applicant, for a master plan and zoning map amendment for the property located at approximately 2421 East Parley's Way. The subject property is the current location of the business known as "The Language of Flowers". The property is located in City Council District Seven, represented by Søren Simonsen (Staff contact: Lex Traughber at 535-6184 or lex.traughber@slcgov.com):
 - a. **Petition 400-08-22 or PLNPCM208-00238, 2421 East Parley's Way Zoning Map Amendment**—a request to amend the Salt Lake City Zoning Map for the subject property (parcels 16-22-203-018 & 034) from R-1-5,000 (Single Family Residential District) to .CB (Community Business District).
 - b. **Petition 400-08-23 or PLNPCM2008-00239, 2421 East Parley's Way Master Plan Amendment**—a request to amend the East Bench Community Future Land Use Map for the subject property (parcels 16-22-203-018 & 034) from "Low Density Residential" to "Neighborhood Business".
3. **Petition 400-08-17, 1150 E. Downington Avenue Partial Street Closure**—a request by Jared and Louise Millington that a portion of Downington Avenue, located at approximately 1150 East Downington and adjacent to their residential property, be declared surplus by the City, closed, and sold. Downington Avenue at this location is a dead end street and unimproved. The purpose of the request is to incorporate a portion of this street into the Millington's residential parcel in order to improve the property. The property is located in City Council District Seven, represented by Søren Simonsen (Staff contact: Lex Traughber at 535-6184 or lex.traughber@slcgov.com).
4. **PLNPCM2008-00361 Linh Cao minor auto repair** — a request by Linh Cao for conditional use approval for an automobile repair (minor) business to operate on property located at 1255 West 400 South in a CN (Neighborhood Commercial) zoning district. The subject property and buildings have been used for automobile repair in the past. The property is located in City Council District Two, represented by Van Turner (Staff contact: Casey Stewart at 535-6260 or casey.stewart@slcgov.com).
5. **Amendment to Petition 410-329 pursuant to Petition 400-04-25**—a request by the Boyer Company to create a sign package for an open air mall (Gateway). The proposed action is an amendment to the planned development approval of the Gateway mixed-use complex to adopt a sign package for the open-air mall portion of the development. The Gateway is generally located at between 400 and 500 West from North Temple to 200 South. Petition 400-04-25, which was approved by the Planning Commission and City Council, allows open air malls to create their own internal signage package when included as part of a planned development. The Boyer Company is requesting an amendment to the original planned development approval (410-329) to include a signage package. The property is located in City Council District Four, represented by Luke Garrott (Staff contact: Doug Dansie at 535-6182 or doug.dansie@slcgov.com).
6. **Petition No. PLNPCM2008-00641, Zoning Text Amendment for Community Correction Facilities (Halfway Homes) in the General Commercial (CG) and Light Manufacturing (M-1) Zoning Districts**—a request by the Salt Lake City Council to analyze current regulations for Halfway Homes, which do not adequately address the size and concentration or the potential impacts of large halfway home facilities on adjacent properties. These text changes are Citywide (Staff contact: Everett Joyce at 535-7930 or everett.joyce@slcgov.com).
7. **Petition No. PLNPCM2008-00640, Salt Lake City Code Maintenance; Fine Tuning text amendments**—a request by Salt Lake City Mayor Becker to analyze the feasibility of amending the City Zoning Ordinance to provide for clarity and efficiency of use as part of an ongoing process of code maintenance. The following issues are being considered:
 - a. Chapter 21A.46.110 Signs. Clarify the extension limits for projecting signs within the Downtown D-1 and D-4 Zoning Districts.
 - b. 21A.46 Yard Sale Signs. Provide consistent display period requirements between sign and business license ordinance.
 - c. 21A.52.090A. Special Exceptions. Provide an extension of time requirement consistent with the General Applications and Procedures section of the Zoning Ordinance.
 - d. 21A.32 Special Purpose Districts. Clean up remnant floor area ratio text references for the RP, BP Institutional Districts text.
 - e. 21A.24 Interior Side Yard and Corner Yard setbacks. Provide setback requirements for nonresidential uses in multifamily zoning districts.
 - f. 21A.24 RMF-30 and RMF-35 Maximum building coverage. Define the building coverage area for nonresidential uses in multifamily zones.
 - g. 21A.08.030, Zoning Certificates. Clarify that zoning certificates are required for principal use and not accessory uses.
 - h. 21A.22 Zoning Districts, Map And Boundaries. Clarify how lots of record that are split by multiple zoning districts affect Zoning District boundaries
 - i. 21A.52.030G Special Exceptions. Circular driveways that meet the zoning standards should be allowed as a permitted use.These text changes are Citywide (Staff contact: Everett Joyce at 535-7930 or everett.joyce@slcgov.com).

Visit the Planning and Zoning Enforcement Division's website at www.slcgov.com/CED/planning for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission.

Commission wanted to do more than make informal comments, and suggested a possible meeting with the consultant. Commissioner De Lay suggested that the consultant be invited to a future Commission meeting to discuss this further.

5:48:17 PM **REPORT OF THE DIRECTOR**

Mr. Sommerkorn noted that he did not have any issues to report.

5:48:42 PM **BRIEFING**

Conditional Use Project—Issues for Further Study, Part II—The Planning Staff will review and discuss with the Planning Commission the proposed responses to issues that were raised during the City Council’s recent review of conditional use regulations. The City Council requested further study of issues that were not addressed prior to the July 22, 2008 adoption of amendments to the Zoning Ordinance relating to conditional and permitted uses. The Planning Staff is requesting comment and direction from the Planning Commission prior to submitting the responses to the City Council for its review. View: [Staff Communication](#), and [Study](#).

Chair Woodhead recognized Cheri Coffey as staff representative.

6:12:07 PM **MOTION:**

Commissioner Wirthlin made a motion that the Planning Commission directs staff to move forward to the City Council with these issues, and to further study and address the issues and comments discussed by the Planning Commissioners.

Vice Chair McHugh seconded the motion.

All in favor voted, “Aye,” the motion carried unanimously.

PUBLIC HEARING

6:13:04 PM **2421 E. Parley’s Way Master Plan and Zoning Map Amendment**—a request by Lisa Sieg, applicant, for a master plan and zoning map amendment for the property located at approximately 2421 East Parley’s Way. The subject property is the current location of the business known as “The Language of Flowers”.

View: [Staff Report](#)

- a. **Petition 400-08-22 or PLNPCM208-00238, 2421 East Parley’s Way Zoning Map Amendment**—a request to amend the Salt Lake City Zoning Map for the subject property (parcels 16-22-203-018 & 034) from R-1-5,000 (Single Family Residential District) to CB (Community Business District).
- b. **Petition 400-08-23 or PLNPCM2008-00239, 2421 East Parley’s Way Master Plan Amendment**—a request to amend the East Bench Community Future Land Use Map for the subject property (parcels 16-22-203-018 & 034) from “Low Density Residential” to “Neighborhood Business”.

Chair Woodhead recognized Lex Traugher as staff representative.

6:20:06 PM Public Hearing:

Chair Woodhead opened the public hearing portion of the petition.

The following people spoke or submitted a hearing card in *opposition* to the proposed petition: **Beth K. Thomas** (2228 King Street) stated there was no need for the rezone because there are a lot of pedestrians including children in the existing neighborhood and a rezone would bring additional traffic. **Bret Jordan** (2175 South Texas) stated that there does not need to be more commercial zoning in the area, it is a dense residential area, and he had spoken to 36 of the residences in the surrounding neighborhood and 35 out of 36 residences had sign a petition against this rezone. **Rob Wilhamson** (2197 South King Street) stated he was against the rezone because for the past thirty years the site had functioned as a business and had not needed to be rezoned. He noted that currently there were three parking stalls and if this site was rezoned to a commercial property, parking would become an issue because customers would have to park up and down the residential street. He noted that he also had a signed petition and he received over 120 signatures against this rezoning. **Amy Wilhamson** (2197 South King Street) noted that she did not want this property to be rezoned because it would allow the applicant the option to add onto the property and make it bigger. **Diana Hart** stated that traffic was already dangerous in the area for pedestrians and the site is not a big enough lot to develop into a commercial structure. View: [Additional public comment](#), and [Signed petition](#).

Chair Woodhead closed the public hearing.

6:43:51 PM Motion:

Commissioner Wirthlin made a motion based on comments from the public, citing concerns of commercial creep and not wanting future expansion of the site, and based on the Commissioners discussion, that a negative recommendation be forwarded to the City Council regarding Petition PLNPCM2008-00238 to amend the Salt Lake City Zoning Map, and Petition PLNPCM2008-00239 to amend the East Bench Community Future Land Use Map, located at 2421 East Parley's Way.

Commissioner Scott seconded the motion.

6:45:07 PM Discussion of the Motion:

Commissioner Muir stated that the Commissioner Wirthlin should use the rationale from the staff report to explain why he made the motion to deny amending the East Bench Community Master Plan Future Land Use Map and standards of review and rationale to amend the Zoning Map, A through E, and identify atleast one of these which he did not agree with.

Commissioner Wirthlin noted that factor B, *Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property* and the staff finding for this factor, *The proposed amendment is compatible with existing development in the immediate vicinity of the subject property*. He noted that this property was surrounded by residential zoned property on three sides and the extent of the proposed amendment would adversely effect adjacent properties, by expanding the current possible uses on the property with the new zone, rather than leaving it as a nonconforming use.

Commissioners De Lay, Scott, and Wirthlin voted, "Aye"; Commissioners Algarin, Muir, and McHugh voted, "No", the motion tied. Chair Woodhead voted, "No", the motion did not pass.

6:51:19 PM **Second Motion:**

Commissioner Algarin made a motion regarding Petition PLNPCM2008-00238 & PLNPCM2008-00239, the Planning Commission accepts staff recommendations A through E based on staff analysis and findings.

Vice Chair McHugh seconded the motion.

Commissioners Algarin, Muir, and McHugh voted, "Aye". Commissioners De Lay, Scott, and Wirthlin voted, "No". Chair Woodhead voted, "Aye". The motion passed.

6:52:19 PM **Petition 400-08-17, 1150 E. Downington Avenue Partial Street Closure**—a request by Jared and Louise Millington that a portion of Downington Avenue, located at approximately 1150 East Downington and adjacent to their residential property, be declared surplus by the City, closed, and sold. Downington Avenue at this location is a dead end street and unimproved. The purpose of the request is to incorporate a portion of this street into the Milligton's residential parcel in order to improve the property.

View Staff Report

Chair Woodhead recognized Lex Traugher as staff representative.

7:00:37 PM **Public Hearing:**

Chair Woodhead opened the public hearing portion of the petition.

The following people spoke or submitted a hearing card in *support* of the proposed petition: **Suzanne Dean** (1138 Wilson Avenue) stated that she generally supported this petition; her concerns were that the applicant's front yard was actually part of a City street and she was concerned that the additional seven (7) foot increase would make the existing street relatively narrow. She noted that the applicant's restore antique vehicles and typically have a lot of them on their property, and she was concerned that the space they acquired from the alley vacation would be used to park a lot of vehicles. She also noted that she would like to keep access to her existing shed and wanted to make sure that she would not be forced to tear it down. **Steve Summers** (1150 Wilson Avenue) stated he was in support of the petition, he wanted to make sure that there was enough access for public safety vehicles, and for other property owners to still be able to maintain their properties and gardens. Additional public comment

Chair Woodhead closed the public hearing.

7:12:39 PM **Motion:**

Commissioner Muir made a motion regarding Petition PLNPCM2008-00241, 1150 East Downington Avenue Street Closure, based upon findings of fact from the hearing and the staff report, the Planning Commission transmits a favorable recommendation to the City Council to close the subject street, subject to the following conditions:

- 1. All requirements and comments outlined in this staff report and attached as Exhibit A must be met.**

6. ORIGINAL PETITION

\$885.00

INPCM 2003-00238



~~Boa~~
Boa
Zoning Amendment

OFFICE USE ONLY	
Petition No.	400-08-22
Receipt No.	22803
Date Received	7/7/03
Reviewed By	PH
Project Planner	JTB

92
24
16

PLANNING COMMISSION

Address of Subject Property: 2421 E. Parkeys Way SLC, UT. 84109

Name of Applicant: Lisa Sieg Phone:

Address of Applicant: 1016 S. 1500 E. SLC, UT. 84105

E-mail Address of Applicant: languageofflowers@msn.com (801) 694-0238

Applicant's Interest in Subject Property:

Name of Property Owner: Erik + Lisa Sieg Phone: (801) 694-0695 / 694-0238

Address of Property Owner: 1016 S. 1500 E. SLC, UT. 84105

Email Address of Property Owner: languageofflowers@msn.com (801) 694-0238

Existing Use of Property: flowers, gifts + drive-thru Zoning: R7

County Tax ("Sidwell #"): coffee

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 {R-1/5000} zone to a {CB} zone.

Please include with the application:

PARKEYS
16.22.203.018 + 034

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. Six (6) copies of site plans drawn to scale.
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:

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

Jul 2005

Signature of Property Owner

Lisa Sieg



\$030.55
Sub
Master Plan
Amendment

T N Perm 2008-0239

OFFICE USE ONLY	
Petition No.	400-08-23
Receipt No.	228014 Amount: \$830.55
Date Received:	7/7/08
Reviewed By:	jab
Project Planner:	WET

SALT LAKE CITY PLANNING

Date: _____

Name of Applicant: Lisa Sieg Phone: (801) 583-8559

Address of Applicant: 1016 S. 1500 E. SLC, UT. 84105

E-mail Address of Applicant: languageofflowers@prism.com (801) 694-1238

Applicant's Interest in Subject Property: _____

Name of Property Owner: Erik + Lisa Sieg Phone: (801) 694-6695

Address of Subject Property: 2421 E. parley's way (801) 694-0238

General description of the proposed Master Plan Amendment:
Modification to future land use plan.

Please include with the application: Use back or additional sheets, if necessary

- 1. A statement declaring the purpose for the amendment and the exact language. Include proposed boundaries, master plan area, and /or zoning district changes.
- 2. Declare why the present Master Plan required amending.
- 3. A copy of the Sidwell Map or Maps.
- 4. Depending upon the request, the names and addresses of all property owners within four-hundred fifty (450) feet of the subject amendment area (exclusive of streets and alleys) may need to be provided. 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(s). The cost of first class postage for each address is due at time of application. Please do not provide postage stamps. 2100 S. STATE NORTH Bldg. recorders office
- 5. A signed statement that the petitioner has met with and explained the proposal to the appropriate Community Council(s).
- 6. Related materials or data supporting the application as may be determined by the Zoning Administrator.
- 7. Filing fee of 750.00 plus \$100.00 per acre in excess of one acre, 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

County tax parcel ("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:
Zoning Administrator
451 South State Street, Room 406
Salt Lake City, UT 84111
Telephone: (801) 535-7757

Signature of Property Owner Lisa Sieg
Or authorized agent Title of agent

7. PUBLIC COMMENTS

Liberty Wells Community Council

P.O. Box 522318 - Salt Lake City, UT 84152

Tel: 801-485-8780 Email: libertywells@msn.com

December 11, 2008

HAND DELIVERED

Salt Lake City Planning & Zoning Dept.
P.O. Box 145480
Salt Lake City, UT 84114

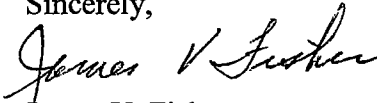
Dear Sirs,

This letter is to inform you that at the December 10, 2008 meeting, the Liberty Wells Community Council (LWCC) passed a motion reversing its earlier LWCC vote which supported St. Joseph Villa's proposed zoning change. The earlier vote was in support, recognizing that the St. Joseph Villa request is needed to meet increased demand for patient care.

Please note this change in your records concerning this matter.

If you have any questions, please call me at 485-8780 or email me at libertywells@msn.com.

Sincerely,



James V. Fisher

Chairman

Liberty Wells Community Council

Traughber, Lex

From: Mary Jo Broom [mjb.slc@comcast.net]
Sent: Tuesday, December 09, 2008 12:18 PM
To: Traughber, Lex
Subject: 2421 Parley's Way

I have lived at 2718 Parley's Way for almost 40 years. At first, the building at 2421 was a milk depot. After they went out of business, it was a pizza take-out place for a short time. For the following dozen years or so, it sat empty, subject to vandalism or neglect.

I support the zoning change to allow the current occupants to continue their operations there. Whether this business makes it or not, it's better to have the building occupied and cared for. The lot is too small for an apartment complex, and it's an unlikely spot for a house, so this seems to be the best solution.

Thank you for asking for comments!

Mary Jo Broom (801) 484-6452

Traugher, Lex

From: Amy Wilkinson [amymwilkinson@hotmail.com]
Sent: Friday, December 05, 2008 4:15 PM
To: Maggie Shaw; Dolores Donohoo
Cc: Simonsen, Soren; Harrison, Lisa; Traugher, Lex
Subject: FW: Zoning Update 2421 E. Parley's Way
Attachments: Zoning Petition.pdf; Planning Commission Staff Report.pdf; Public Notice.pdf

From: amymwilkinson@hotmail.com
To: laurie.nash@comcast.net
Subject: Zoning Update 2421 E. Parley's Way
Date: Fri, 14 Nov 2008 15:38:30 -0700

Dear Neighbor,

We know that your life is hectic, but as a neighborhood we need your support.

Last Wednesday night, the Planning Commission meeting addressed the rezoning of the two parcels on Parley's Way (2421 Parley's Way) from R-1-5000 Single Family Residential to Community Business District.

You can access the MINUTES from last night's meeting at <http://www.ci.slc.ut.us/boards/plancom/plancom.htm>

The Planning Commission voted to approve the proposed zoning changes. We are very disappointed with the Planning Commission's decision. The vote was very close and will help us to present our case to the Salt Lake City Council. But we need your help in order to prevent this zoning from passing. The City Council meeting will be where the final decision is made regarding rezoning these parcels.

We believe that rezoning this property to Community Business is not in the best interest of the surrounding neighborhood. Once it is changed, there is almost no limit to what the owners of the property can do. If we leave it as residential, they can still go on with business as usual. If they rezone to commercial and expand, as they talked about wanting to do eventually, where is everyone going to park? Also, where does this end? Once they are able to rezone these 2 parcels, what is going to stop them from purchasing the surrounding houses and increasing their lot size so they can build bigger?

We need your help more than ever to prevent this zoning change from being approved by the Salt Lake City Council and becoming a permanent change to our Neighborhood.

Contact your City Councilman and the Mayor along with your neighbors to support this effort to not let any properties in our neighborhoods change their zoning from Residential to Commercial.

CONTACTS:

As of today, we now are a Hot Issue Link on the District 7 webpage. You can go to this website to make a comment that will be shared with all the City Council Reps.
<http://apps.slcgov.com/general/absolute/fp/councilAll.htm>

District 7 City Council Rep: soren.simonsen@slcgov.com 535-7600, 24-hour comment line is 535-7654

12/5/2008

Mayor Becker: mayor@slcgov.com and general information number is 535-7704

**Lisa Harrison, Mayor's Office Community Liaison, Districts 5, 6 and 7
535-6338, lisa.harrison@slcgov.com**

I have attached a copy of the Public Hearing Notice that I received, a copy of the Planning Commission Staff Report, and a copy of the petition that we put together.

If you are not interested in being posted on further developments, please respond to this email and we will take you off our update list. If you would like your name added to this petition, please email us your request.

Thanks for your time and efforts!

If you have any questions regarding this email, feel free to contact us.

Rob & Amy Wilkinson, 2197 S. King Street
Rob Cell: 671-6773, Amy Cell: 671-6776, Home: 486-3090
Email: robwilkinson59@hotmail.com ; amymwilkinson@hotmail.com

Stay up to date on your PC, the Web, and your mobile phone with Windows Live [Click here](#)

Send e-mail faster without improving your typing skills. [Get your Hotmail® account.](#)

Traughber, Lex

From: Amy Wilkinson [amymwilkinson@hotmail.com]
Sent: Friday, December 05, 2008 12:22 PM
To: Traughber, Lex
Subject: RE: Petitions PLNPCM2008-00238 & PLNPCM2008-00239

Thank you!

Subject: RE: Petitions PLNPCM2008-00238 & PLNPCM2008-00239
Date: Fri, 5 Dec 2008 12:02:48 -0700
From: Lex.Traughber@slcgov.com
To: amymwilkinson@hotmail.com

Yes, she can rebuild.

Lex Traughber
Principal Planner
Salt Lake City Planning Division

lex.traughber@slcgov.com or (801) 535-6184

From: Amy Wilkinson [mailto:amymwilkinson@hotmail.com]
Sent: Friday, December 05, 2008 12:02 PM
To: Traughber, Lex
Cc: Council Comments; Harrison, Lisa
Subject: Petitions PLNPCM2008-00238 & PLNPCM2008-00239

Hi Lex,

I have a question for you regarding the above noted petitions related to the zoning at 2421 E. Parley's Way. At the Planning Commission Meeting on Nov. 12th, Lisa Sieg, applicant, brought up her concern that if her business were to burn down, she would not be able to rebuild. Can you give me the facts on this? If the building was to completely burn down, would she be able to rebuild under the current zoning? What if there was at least one wall still standing? Could she rebuild then? Although I believe the chances of this happening are extremely rare, because of the very close proximity the building is to the fire station across the street, this seems to be a question that my neighbors would like to know the answer to. Can you please clarify this for us?

Thank you,

Amy Wilkinson
2197 S. King Street (2400 E.)
801-486-3090

You live life online. So we put Windows on the web. [Learn more about Windows Live](#)

You live life online. So we put Windows on the web. [Learn more about Windows Live](#)

12/5/2008

Traughber, Lex

From: Amy Wilkinson [amymwilkinson@hotmail.com]
Sent: Friday, December 05, 2008 3:08 PM
To: maggie.shaw@hsc.utah.edu; davidod@comcast.net
Cc: Simonsen, Soren; Harrison, Lisa; Traughber, Lex
Subject: 2421 E. Parley's Way Rezone

Maggie Shaw & Dolores Donohoo,

My name is Amy Wilkinson. My husband Rob & I live at 2197 S. King Street (2400 E.) We were informed of a public hearing to be held Nov. 12, 2008 on Oct. 31st. In the limited amount of time we had available before the meeting, we and our neighbor, Bret Jordan, collected 177 signatures from surrounding neighbors in the form of a petition against this proposed rezoning of the property where the Language of Flowers business is located. We, along with some of our neighbors, attended the public hearing and voiced our opposition to this rezone from residential to commercial. We also gave a copy of our petition to the Planning Committee. There was no representation from the Sugarhouse Community Council or District 7. Although my husband & I both called Lex Traughber, the staff contact at the Planning Committee, before the meeting, he did not include our comments in his Staff Report which was distributed to the Planning Committee. The Planning Committee voted to recommend the approval of the rezone to the City Council. I have been in contact with Lisa Harrison at the Mayor's office & Soren Simonsen, our District 7 Representative, after the public hearing. Lisa Harrison recommended that I contact you and try to get on your agenda for an upcoming meeting. I will forward you some of the emails I have relating to this issue later tonight.

Please let me know what you can do to help us & our neighbors to fight this proposed rezone. We believe it is not in our best interest to approve a rezone to commercial at this location. You can reach me by email or phone 486-3090 home or 671-6776 cell.

Thanks,

Amy Wilkinson

You live life online. So we put Windows on the web. [Learn more about Windows Live](#)

12/5/2008

Traughber, Lex

From: Traughber, Lex
Sent: Friday, November 14, 2008 11:36 AM
To: 'rob wilkinson'
Cc: Coffey, Cheri; Comarell, Pat; Sommerkorn, Wilford
Subject: RE: PLNPCM208-00238 & PLNPCM2008-00239 2421 East Parley's Way Rezoning Request
Categories: Program/Policy

Mr. Wilkinson:

The Code requires that a sign be posted on the property 10 days prior to any given hearing. It does not read that the sign must remain posted on the property for 10 full days as you note in your email. In terms of posting, I've outlined the various means by which the City notifies citizens of public hearing; posting a sign on the property is only one of the methods utilized. As I've previously outlined in my email below, notification requirements were met per Code.

You are correct that I only mentioned your wife in the hearing and you and I indeed did speak by telephone. My failure to mention your name specifically during the hearing was unintentional and was not meant to slight you in any way. Perhaps it would have been more accurate if I had stated that I had spoken with members of your household; your household being the only contact from the public that I received prior to noon on the day of the hearing. If any offence was taken in this action, I apologize.

The staff report was completed and produced prior to any of our telephone discussions, so the statement in the report is accurate. In terms of filing any appeal, as I noted in my email below, a final decision regarding the matter has yet to be made, and therefore there is no decision at this time to appeal. The City Council has final decision making authority, not the Planning Commission. Rest assured that you, and anyone else who chooses to participate in this matter, have another opportunity to state concerns and issues at the time that this request is heard by the Council.

If the answers that I've provided to you and your wife in this course of emails remains unsatisfactory to you, I would ask that you contact, Wilf Sommerkorn, Salt Lake City Planning Director, for further clarification.

Sincerely,

Lex Traughber
Principal Planner
Salt Lake City Planning Division

lex.traughber@slcgov.com or (801) 535-6184

From: rob wilkinson [mailto:robwilkinson59@hotmail.com]
Sent: Thursday, November 13, 2008 3:34 PM
To: amymwilkinson; beth.thomas@comcast.net; janhaug@comcast.net; Simonsen, Soren; Traughber, Lex
Subject: RE: PLNPCM208-00238 & PLNPCM2008-00239 2421 East Parley's Way Rezoning Request

Lex,

It is my understanding that the signs must stay up on the property for 10 days prior to the meeting. These signs were up for only a few days. The storm that came in before the election day (11/4) ruined the paper signs which fell down. They were never replaced. I would think that this would violate the 10 days required notice. The property owner should have been responsible to take care of the signs and repost them. We have numerous witnesses to this and I have taken pictures showing the wooden posts that were holding the signs and they are bare, no signs are on them.

11/14/2008

Let me know if the property has to have the signs on it for 10 full days before the Planning Commission Meeting. If this is the case, you posting was not met. You may have posted the signs 10 days prior, but they weather removed them and the property owner made no effort to replace them. If they needed to be posted for the full 10 days, then I would like to file an appeal to make sure that there is adequate posting on the property.

I would like to also mention that when the planning commission was speaking to you, you mentioned that only one person had called you to voice their concerns, which you identified as my wife. I also called you and we spoke about the rezoning for a good 10 minutes or so. And your staff report is incorrect as you had at least two people who called to voice concerns, in your report you mention that no one contacted you with concerns.

Thank you for your time,

Rob Wilkinson

From: amymwilkinson@hotmail.com
To: beth.thomas@comcast.net; robwilkinson59@hotmail.com; janhaug@comcast.net
Subject: FW: PLNPCM208-00238 & PLNPCM2008-00239 2421 East Parley's Way Rezoning Request
Date: Thu, 13 Nov 2008 15:00:09 -0700

Subject: FW: PLNPCM208-00238 & PLNPCM2008-00239 2421 East Parley's Way Rezoning Request
Date: Thu, 13 Nov 2008 14:57:32 -0700
From: awilkinson@alderconstruction.com
To: amymwilkinson@hotmail.com

From: Traughber, Lex [mailto:Traughber@slcgov.com]
Sent: Thu 11/13/2008 1:20 PM
To: Amy Wilkinson
Cc: Coffey, Cheri; Sommerkorn, Wilford; Comarell, Pat
Subject: RE: PLNPCM208-00238 & PLNPCM2008-00239 2421 East Parley's Way Rezoning Request

Mrs. Wilkinson:

Notification for the hearing was mailed on October 29, 2008. As a matter of course, we also mail a notice to ourselves, as planning staff, so that we have a dated postmarked record of the mailing. The mailing for the project met the 14 day notification requirement per Salt Lake City Code. The 14 day noticing requirement is a deadline for the notice to be mailed; it is not a 14 day notice from the time that any given property owner receives the mailing. The property was also posted with signs on the same day (October 29, 2008) as required by Code, meeting and exceeding the 10 day property posting requirement. In addition, all community council chairs, business groups, and other interested parties (those that have requested that their name be included) were notified through the Planning Division's listserv, and the agenda was posted on the State's and Planning Division's websites. In summary, notification for this project, by the various means outlined above, occurred according to requirements in the Salt Lake City Code.

Further, one of the means by which we receive public input on projects of this nature is through the Community Council forum. On August 20, 2008, I sent information to the Sugar House Community Council to request that they agenda the proposal for discussion at their next available meeting. The Sugar House Community Council

11/14/2008

either chose not to or failed to agenda the item, and also did not respond with any comments concerning the request, having been notified by our office via U.S. Post and email. In addition, as you are aware, there was no Community Council representation at last night's hearing.

If you reread the staff report at the bottom of page two, it indicates that there were no comments received from the public regarding the amendments. The staff report did not say that there was no opposition from surrounding residents to the proposed rezoning. As of the time that the staff report was prepared and produced, I had no comments (either verbal or written) stating any opposition to the proposal. At last night's hearing all correspondence that I had received as of noon yesterday concerning the proposal was distributed to the Planning Commission. If you recall, I also stated in the hearing that the only members of the public with whom I had any conversation regarding this proposal was you (and your husband), and up until the last time that we spoke, the conversation consisted of information regarding the proposal and not any stated opposition. Consequently, your opposition was stated after the staff report had been written, photocopied, and mailed to the members of the Planning Commission. That is the reason that I noted during our last phone conversation that the purpose of the public hearing is an opportunity for the public to state any opposition, and encouraged you to attend the meeting to state your concerns.

While I understand your disappointment, the final decision making authority for master plan and rezone amendments rests with the City Council. The Planning Commission makes a recommendation to the City Council regarding rezone and master plan amendments, so technically a final decision has yet to be made regarding the matter. The reason that I mention this is because no final decision has been made (only a recommendation) and, therefore, there is no decision to contest at this time. Once the City Council makes a final decision, any dispute is made through the court system.

This proposal will be heard by the City Council in upcoming months, and the public will again have the opportunity to provide comment, concerns, input to the Council. All those that received mailed notification of the Planning Commission hearing will again receive notification of hearing by the City Council.

Sincerely,

Lex Traughber
Principal Planner
Salt Lake City Planning Division

lex.traughber@slcgov.com or (801) 535-6184

From: Amy Wilkinson [mailto:awilkinson@alderconstruction.com]
Sent: Thursday, November 13, 2008 9:04 AM
To: Traughber, Lex
Subject: Re: PLNPCM208-00238 & PLNPCM2008-00239 2421 East Parley's Way Rezoning Request

Re: PLNPCM208-00238 & PLNPCM2008-00239 2421 East Parley's Way Rezoning Request

Mr. Traughber,

As you can imagine, we were unhappy with the results of the meeting last night regarding the above mentioned petitions. I first received notice of this Public Hearing on 10/31/08. I opened the notice the day it came in the mail and called your office. In your staff report, it is noted that 14 days notice is required for the mailers to the surrounding properties. I was only given 12. Also, the signs posted at the property requesting the rezoning should have been posted for 10 days prior to the hearing. After the first day or two, the signs were ruined by the rain and thrown away. There was not adequate signage at the location for the 10 days prior. Of the 177 people we talked to, only a few had even heard of this proposed rezoning. My husband, Rob Wilkinson, spoke with Simon Sorensen this morning. He said he didn't even know about this proposed re-zoning. If he wasn't aware, being our District 7 representative, how could the general public be aware?

I was disappointed that in your Staff Report you noted that there was no opposition from surrounding residents to this proposed rezoning. How could you make such a statement, even before the Public Hearing. The petition we assembled and brought to the meeting clearly shows the opposition we have toward this proposed rezoning. I thought this Public Hearing was where we were to make our opinions known (not beforehand). As I am unfamiliar with the protocols of such proceedings, we were unprepared to fairly represent our neighborhood.

11/14/2008

I would like to start the process to appeal the vote taken last night at the public hearing and have more time to inform our neighbors of the issue and properly represent ourselves to the Planning Commission. I believe that the lack of public notice is grounds for such an appeal.

Please let me know what I need to do to start this process.

Thank you,

Amy Wilkinson

Color coding for safety: Windows Live Hotmail alerts you to suspicious email. [Sign up today.](#)

Windows Live Hotmail now works up to 70% faster. [Sign up today.](#)

Traughber, Lex

From: Traughber, Lex
Sent: Thursday, November 13, 2008 1:21 PM
To: 'Amy Wilkinson'
Cc: Coffey, Cheri; Sommerkorn, Wilford; Comarell, Pat
Subject: RE: PLNPCM208-00238 & PLNPCM2008-00239 2421 East Parley's Way Rezoning Request
Categories: Program/Policy

Mrs. Wilkinson:

Notification for the hearing was mailed on October 29, 2008. As a matter of course, we also mail a notice to ourselves, as planning staff, so that we have a dated postmarked record of the mailing. The mailing for the project met the 14 day notification requirement per Salt Lake City Code. The 14 day noticing requirement is a deadline for the notice to be mailed; it is not a 14 day notice from the time that any given property owner receives the mailing. The property was also posted with signs on the same day (October 29, 2008) as required by Code, meeting and exceeding the 10 day property posting requirement. In addition, all community council chairs, business groups, and other interested parties (those that have requested that their name be included) were notified through the Planning Division's listserv, and the agenda was posted on the State's and Planning Division's websites. In summary, notification for this project, by the various means outlined above, occurred according to requirements in the Salt Lake City Code.

Further, one of the means by which we receive public input on projects of this nature is through the Community Council forum. On August 20, 2008, I sent information to the Sugar House Community Council to request that they agenda the proposal for discussion at their next available meeting. The Sugar House Community Council either chose not to or failed to agenda the item, and also did not respond with any comments concerning the request, having been notified by our office via U.S. Post and email. In addition, as you are aware, there was no Community Council representation at last night's hearing.

If you reread the staff report at the bottom of page two, it indicates that there were no comments received from the public regarding the amendments. The staff report did not say that there was no opposition from surrounding residents to the proposed rezoning. As of the time that the staff report was prepared and produced, I had no comments (either verbal or written) stating any opposition to the proposal. At last night's hearing all correspondence that I had received as of noon yesterday concerning the proposal was distributed to the Planning Commission. If you recall, I also stated in the hearing that the only members of the public with whom I had any conversation regarding this proposal was you (and your husband), and up until the last time that we spoke, the conversation consisted of information regarding the proposal and not any stated opposition. Consequently, your opposition was stated after the staff report had been written, photocopied, and mailed to the members of the Planning Commission. That is the reason that I noted during our last phone conversation that the purpose of the public hearing is an opportunity for the public to state any opposition, and encouraged you to attend the meeting to state your concerns.

While I understand your disappointment, the final decision making authority for master plan and rezone amendments rests with the City Council. The Planning Commission makes a recommendation to the City Council regarding rezone and master plan amendments, so technically a final decision has yet to be made regarding the matter. The reason that I mention this is because no final decision has been made (only a recommendation) and, therefore, there is no decision to contest at this time. Once the City Council makes a final decision, any dispute is made through the court system.

This proposal will be heard by the City Council in upcoming months, and the public will again have the opportunity to provide comment, concerns, input to the Council. All those that received mailed notification of the Planning Commission hearing will again receive notification of hearing by the City Council.

Sincerely,

Lex Traughber
Principal Planner

11/14/2008

Salt Lake City Planning Division

lex.traughber@slcgov.com or (801) 535-6184

From: Amy Wilkinson [mailto:awilkinson@alderconstruction.com]

Sent: Thursday, November 13, 2008 9:04 AM

To: Traughber, Lex

Subject: Re: PLNPCM208-00238 & PLNPCM2008-00239 2421 East Parley's Way Rezoning Request

Re: PLNPCM208-00238 & PLNPCM2008-00239 2421 East Parley's Way Rezoning Request

Mr. Traughber,

As you can imagine, we were unhappy with the results of the meeting last night regarding the above mentioned petitions. I first received notice of this Public Hearing on 10/31/08. I opened the notice the day it came in the mail and called your office. In your staff report, it is noted that 14 days notice is required for the mailers to the surrounding properties. I was only given 12. Also, the signs posted at the property requesting the rezoning should have been posted for 10 days prior to the hearing. After the first day or two, the signs were ruined by the rain and thrown away. There was not adequate signage at the location for the 10 days prior. Of the 177 people we talked to, only a few had even heard of this proposed rezoning. My husband, Rob Wilkinson, spoke with Simon Sorensen this morning. He said he didn't even know about this proposed re-zoning. If he wasn't aware, being our District 7 representative, how could the general public be aware?

I was disappointed that in your Staff Report you noted that there was no opposition from surrounding residents to this proposed rezoning. How could you make such a statement, even before the Public Hearing. The petition we assembled and brought to the meeting clearly shows the opposition we have toward this proposed rezoning. I thought this Public Hearing was where we were to make our opinions known (not beforehand). As I am unfamiliar with the protocols of such proceedings, we were unprepared to fairly represent our neighborhood.

I would like to start the process to appeal the vote taken last night at the public hearing and have more time to inform our neighbors of the issue and properly represent ourselves to the Planning Commission. I believe that the lack of public notice is grounds for such an appeal.

Please let me know what I need to do to start this process.

Thank you,

Amy Wilkinson

11/14/2008

Traughber, Lex

From: Linsey Atwood [linseyatwood@hotmail.com]
Sent: Wednesday, November 12, 2008 4:07 PM
To: Traughber, Lex
Subject: Zoning changes 84109

Dear Lex,

I am unable to attend the meeting tonight regarding the rezoning of our neighbourhood and I would like to voice my opposition. I believe the property in question is where the business Language of Flowers is located on the corner of Wyoming street and Parley's Way 84109.

Kind regards,
Linsey Atwood
Sent via BlackBerry from T-Mobile

Traugher, Lex

From: bwthomas5@comcast.net
Sent: Wednesday, November 12, 2008 5:58 PM
To: Traugher, Lex
Cc: bwthomas5@comcast.net
Subject: Parley's Way Rezoning

Mr. Traugher,

I recently received notification of a hearing regarding the request for rezoning of the property at approximately 2435 East Parley's Way. While I am not able to attend the hearing, I would like to make my views on this matter clear.

My name is Brian Thomas. I live at 2228 South King Street (2400 East) Salt Lake City, Utah 84109. I have lived directly across the street from the properties in question for over 20 years and in the adjacent neighborhood for almost 45 years.

I oppose any consideration to change the current zoning status of the properties in question (flower shop, etc.). I oppose any further conversion of residential zoned property to commercial zoned status on Parley's Way. I see no reason or value for further degradation of an established residential neighborhood. I see no economic viability in such a move, as there is currently a vacant gas station a couple of hundred yards to the East and vacancies in the strip mall just East of the blighted gas station property. Until recently, the flower shop sat vacant for sometime...the target of vandals and late night partying.

If the properties in question are rezoned commercial, the potential for additional commercial business would bring increased traffic to an area that is already unsafe for children that have to cross Parley's Way to attend Hillside Jr. High and Beacon Heights Elementary School.

As a public servant, I urge you denying the application to change the zoning in the stated location(s) and protect this established residential neighborhood.

Thank you for your time,

Best regards,

Brian Thomas

Traughber, Lex

From: Christine B. Anderson [me@christinebanderson.com]
Sent: Wednesday, November 12, 2008 8:26 PM
To: Traughber, Lex
Subject: Rezoning in Sugarhouse

Dear Mr Traughber,

I wish to provide my concerned opinion regarding the rezoning issue on Wyoming St and Parleys Way. I believe that keeping residential zoning is in the best interest of my community.

Unfortunately I was unable to attend the meeting tonight due to family obligations. However, please do not misconstrue this as apathy on the part of my community. I am concerned that there are already several businesses on Parley's Way. I believe that rezoning will fundamentally change the traffic patterns and residential community on that street.

Providing more retail space will not enhance the community but make it more difficult for the families in the neighborhood.

It is NOT in the best interest of our community and I request that the rezoning be denied. Thank you for considering my opinion.

Sincerely,

Christine Anderson
2600 Commonwealth Ave

Traughber, Lex

From: Traughber, Lex
Sent: Wednesday, August 20, 2008 12:45 PM
To: 'Isellre111@aol.com'
Cc: 'dpayne@vcbo.com'; Paterson, Joel; Welch, Henry; 'languageofflowers@msn.com'
Subject: Rezone Request for Community Council Review
Categories: Program/Policy
Attachments: 2421 Parleys Way Rezone and MP Amendments - Letter to SHCC.pdf

Dear Ms. Sperry,

The Planning Division has received a rezone request for the property located at 2421 E. Parley's Way. Rezone requests require community council review by ordinance. Attached is the paperwork to initiate the request being placed on your next available Sugar House Community Council agenda. I've also sent this information to you via U.S. Post. Please let me know when this request will be placed on the agenda, so that I can in turn inform the applicant.

Sincerely,

Lex Traughber
Principal Planner
Salt Lake City Planning Division

lex.traughber@slcgov.com or (801) 535-6184

**Zoning Map Amendment
Community Council / Citizen Group Input**

TO: GRACE SPERRY, Chair SUGAR HOUSE Community Council

FROM: LEX TRAMBER, Planning Division Staff

DATE: AUG 20, 2008

RE: REZONE AND MASTER PLAN AMENDMENT REQUEST

Applicant LISA SIEG, represented by _____, is requesting the Salt Lake City Council approve a Zoning Map Amendment for the property at 2421 PARLEYS WAY. The request includes rezoning the property from R-1/5,000 to CB to allow the development of a EXISTING RETAIL GOODS ESTABLISHMENT. SINGLE FAMILY RESIDENTIAL ZONE

← COMMUNITY BUSINESS

As part of this process, the applicant is required to solicit comments from the SUGAR HOUSE Community Council(s). The purpose of the Community Council review is to inform the community of the project and solicit comments / concerns they have with the project. The Community Council may also take a vote to determine whether there is support for the project, but this is not required. (Please note that the vote in favor or against is not as important to the Planning Commission as relevant issues that are raised by the Community Council for their review.) I have enclosed information submitted by the applicant relating to the project to facilitate your review. The applicant will present information at the meeting. Planning Staff may attend to clarify regulations, policies, and processes.

If the Community Council chooses to have a project presented to them, the applicant will only be required to meet with the Community Council once before the Planning Staff will begin processing the application. Where a project is located within the boundaries of more than one Community Council or where the project is within six hundred feet of the boundaries of other Community Councils, the Planning Division will hold an Open House. Community Council Chairs will be notified of the meeting and asked to notify the members about the meeting. The Community Council should submit its comments to me, as soon as possible, after the Community Council meeting to ensure there is time to incorporate the comments into the staff report to the Planning Commission. Comments submitted too late to be incorporated into the staff report, can be submitted directly to the Planning Commission, via the Planning Division, for their review prior to the Planning Commission Public Hearing. I will also attend the meeting to answer any questions and listen to the comments made by the Community Council members.

Following are City adopted criteria that the Planning Commission will use to make their decision. The City's technical staff will review the project to ensure it complies with adopted policies and regulations. Input from the Community Council / citizen groups can be more general in nature and focus on issues of impacts to abutting properties and compatibility with the neighborhood. Staff is not looking for you to make comments on each of the below listed criteria, but general comments should pertain to the criteria listed below.

- A. Consistency with the master plan policies of the EAST BENCH Master Plan;
- B. Harmony with the overall character of existing development in the immediate vicinity of the subject property;
- C. Extent to which adjacent properties will be adversely affected;
- D. Consistency with applicable overlay zoning districts (such as Historic Preservation, Ground Water Protection and Stream / River Corridors. The Project Planner can inform you of whether the property is within an overlay zoning district.); and
- E. Adequacy of public facilities and services intended to serve the subject property (such as roads, parks, police and fire protection, schools etc.)

Other topic for comments may include;

1. Adequacy of circulation including access to property, traffic congestion, parking, circulation (both vehicular and non-vehicular including pedestrian) and design issues such as safe and accessible sidewalks, pedestrian friendly emphasis and enhancements that encourage walking, street design and interconnections for pedestrians and cyclists, crosswalks, park strip landscaping, and traffic calming solutions;
2. Appropriateness of design to prevent or minimize crime and/or undesirable activities and promote natural surveillance;
3. Recommend public way improvements adjacent to the subject property.

Please submit your written comments to the Planning Division by mail at Salt Lake City Planning Division, 451 South State Street, Room 406, SLC, UT 84111; by Fax at (801) 535-6174 or via e-mail to me at lex.traugber @slcgov.com.

If you have any questions, please call me at 535.6184 or via e-mail.

PETITION

November 2008

Page ____ of ____

To: Salt Lake City Council District 7 & Salt Lake City Planning Commission

Re: **Petition #400-08-22 or PLNPCM2008-00238, 2421 East Parley's Way Zoning Map Amendment** - a request to amend the Salt Lake City Zoning Map for the subject property (parcels 16-22-203-018 & 034) from R-1-5,000 (Single Family Residential District) to CB (Community Business District) and
Petition #400-08-23 or PLNPCM2008-00239, 2421 East Parley's Way Master Plan Amendment - a request to amend the East Bench Community Future Land Use Map for the subject property (parcels 16-22-203-018 & 034) from "Low Density Residential" to "Neighborhood Business".

We, the undersigned owners of property affected by the requested zoning change described in the referenced Petitions numbered 400-08-22 & 400-08-23, do hereby protest against any change of the code which would zone the property to any classification other than R-1-5000 (Single-Family Residential District) & Low Density Residential.

We believe that allowing the rezoning of residential property is not in the best interest of the surrounding neighborhood. We do not want to see any more of our residential areas turning into commercial zones. Please help us to protect our neighborhood from this type of development.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

	<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>	<u>Phone Number</u>
31	<i>Kenyon Kinikini</i>	Kenyon Kinikini	2752 E. Wilshire Dr.	(801) 467-0220
32	<i>Delora Hogan</i>	Delora Hogan	2210 Country Club Dr	467-9447
33	<i>Kohina Dasgupta</i>	Kohina Dasgupta	2160 King St	482-4908
34	<i>Amy Taylor</i>	Amy Taylor	2115 King St	805-5241
35	<i>Amy Wilkinson</i>	Amy Wilkinson	2197 S. King St	416-3090
36	<i>Barbara Hart</i>	Barbara Hart	2175 King St,	483-7667
37	<i>Cher Hart</i>	CHER HART	2175 So. King St.	483-1667
38	<i>Eda Ammons</i>	Eda Ammons	2155 King St.	486-4095
39	<i>Lucas Shelton</i>	Lucas Shelton	2143 King St	801-95-0346
40	<i>Tom Mucca</i>	TOM MUCCA	2137 King St	801-322-4025
41	<i>Lisa Shaw</i>	LISA SHAW	2131 King St	801 910-1514
42	<i>Carolyn Carr</i>	Carolyn Carr	2118 King St	486-9060
43	<i>Jocelyn Carr</i>	Jocelyn Carr	2124 King St	879-3225
44	<i>Heidi Grossman</i>	Heidi Grossman	2130 King St	487-7297
45	<i>Carmelle Mulla</i>	Carmelle Mulla	2150 King St	487-5076

Date: November 8, 2008

Contact Name: Amy Wilkinson

Phone: (801) 486-3090

PETITION

November 2008

Page ____ of ____

To: Salt Lake City Council District 7 & Salt Lake City Planning Commission

Re: Petition #400-08-22 or PLNPCM208-00238, 2421 East Parley's Way Zoning Map Amendment - a request to amend the Salt Lake City Zoning Map for the subject property (parcels 16-22-203-018 & 034) from R-1-5,000 (Single Family Residential District) to CB (Community Business District) and

Petition #400-08-23 or PLNPCM2008-00239, 2421 East Parley's Way Master Plan Amendment - a request to amend the East Bench Community Future Land Use Map for the subject property (parcels 16-22-203-018 & 034) from "Low Density Residential" to "Neighborhood Business".

We, the undersigned owners of property affected by the requested zoning change described in the referenced Petitions numbered 400-08-22 & 400-08-23, do hereby protest against any change of the code which would zone the property to any classification other than R-1-5000 (Single-Family Residential District) & Low Density Residential.

We believe that allowing the rezoning of residential property is not in the best interest of the surrounding neighborhood. We do not want to see any more of our residential areas turning into commercial zones. Please help us to protect our neighborhood from this type of development.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address	Phone Number
	James L. Perkovich	2350 So. 2000*	484-7776
	Justin Glantz	2290 S Berkeley St	207-0567
	Monica K. Atkin	2223 Texas St	404-0219
	Sally Klamm	2109 Dallin	661-8468
	Cathy Reichman	2141 Parley Jm	481-5914
	Madah Reichman	214 Parleys Terr.	486-5914
	Clay Jax	6901 Leonard Dr	485-2625
	Melissa Paikson	2332 Lynwood Dr	484-5678
	KYLE ENSLIN	2161 PARLEY TERRACE	487-4415
	Julie Eastin	2161 Parley Terr.	487-4415
	ROBERT SPRINGSMAN	2421 Leonard Dr.	468-8294
	Heather Keenan	2642 Blaine Ave	474-2679
	Robert E. Kelly	2262 So 2300 E	466-3590
	Melinda Enslin	2325 Woodward Dr	484-7673
	Tom Chell	2419 Maywood Dr	463-1648

Date: November 3, 2008

Contact Name: Amy Wilkinson

Phone: (801) 486-3090

PETITION

November 2008

Page ____ of ____

To: Salt Lake City Council District 7 & Salt Lake City Planning Commission

Re: Petition #400-08-22 or PLNPCM208-00238, 2421 East Parley's Way Zoning Map Amendment - a request to amend the Salt Lake City Zoning Map for the subject property (parcels 16-22-203-018 & 034) from R-1-5,000 (Single Family Residential District) to CB (Community Business District) and

Petition #400-08-23 or PLNPCM2008-00239, 2421 East Parley's Way Master Plan Amendment - a request to amend the East Bench Community Future Land Use Map for the subject property (parcels 16-22-203-018 & 034) from "Low Density Residential" to "Neighborhood Business".

We, the undersigned owners of property affected by the requested zoning change described in the referenced Petitions numbered 400-08-22 & 400-08-23, do hereby protest against any change of the code which would zone the property to any classification other than R-1-5000 (Single-Family Residential District) & Low Density Residential.

We believe that allowing the rezoning of residential property is not in the best interest of the surrounding neighborhood. We do not want to see any more of our residential areas turning into commercial zones. Please help us to protect our neighborhood from this type of development.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

	<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>	<u>Phone Number</u>
46	<i>[Handwritten Signature]</i>	WEANN JONES	2131 [Handwritten Address]	682-3229
47	<i>[Handwritten Signature]</i>	ROBERT [Handwritten Name]	2210 [Handwritten Address]	467-9447
48	<i>[Handwritten Signature]</i>	CHEERY RAGGS	2444 Wilkin Dr	582-2393
49	<i>[Handwritten Signature]</i>	Diana Hart	2932 LYNWOOD	486-0827
50	<i>[Handwritten Signature]</i>	JEFF [Handwritten Name]	2450 So 23rd St	485-2010
51	<i>[Handwritten Signature]</i>	John N. Rohlfing	2315 Wyoming St.	466-8179
52	<i>[Handwritten Signature]</i>	Tim CAZAJEJ	2156 King St.	485-1037
53	<i>[Handwritten Signature]</i>	Leanne Dyer	2176 King St	485-3217
54	<i>[Handwritten Signature]</i>	Rob Wilkerson	2917 S. King St.	671-6773
55	<i>[Handwritten Signature]</i>	Norma Southworth	2490 Simpson Ave	485-0745
56	<i>[Handwritten Signature]</i>	Patrick Carig	2516 Simpson Ave	486-7050
57	<i>[Handwritten Signature]</i>	Amy Webb	2519 Simpson Ave.	987-1441
58	<i>[Handwritten Signature]</i>	Holly Graham	2561 E Simpson Ave	
59	<i>[Handwritten Signature]</i>	GWEN MURRI	2566 Simpson	4847453
60	<i>[Handwritten Signature]</i>	Natalie Larsen	2570 Simpson Ave	485-7003

Date: November 3, 2008

Contact Name: Amy Wilkinson

Phone: (801) 486-3090

PETITION

November 2008

Page ____ of ____

To: Salt Lake City Council District 7 & Salt Lake City Planning Commission

Re: Petition #400-08-22 or PLNPCM208-00238, 2421 East Parley's Way Zoning Map Amendment - a request to amend the Salt Lake City Zoning Map for the subject property (parcels 16-22-203-018 & 034) from R-1-5,000 (Single Family Residential District) to CB (Community Business District) and

Petition #400-08-23 or PLNPCM2008-00239, 2421 East Parley's Way Master Plan Amendment - a request to amend the East Bench Community Future Land Use Map for the subject property (parcels 16-22-203-018 & 034) from "Low Density Residential" to "Neighborhood Business".

We, the undersigned owners of property affected by the requested zoning change described in the referenced Petitions numbered 400-08-22 & 400-08-23, do hereby protest against any change of the code which would zone the property to any classification other than R-1-5000 (Single-Family Residential District) & Low Density Residential.

We believe that allowing the rezoning of residential property is not in the best interest of the surrounding neighborhood. We do not want to see any more of our residential areas turning into commercial zones. Please help us to protect our neighborhood from this type of development.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature Printed Name Address Phone Number

91	<i>Sharon Swenson</i>	Sharon Swenson	2260 Country Club Dr	801-718-7285
92	<i>Jennifer Gillette</i>	Jennifer Gillette	2205 S Wilmington Cir	801-464-0004
93	<i>Geraldine A Kelly</i>	Geraldine Kelly	4262 So 23rd East	801-466-3590
94	<i>SOFE STANARS</i>	SOFE STANARS	2160 DALLAS	801-461-1003
95	<i>MARSHA ARGOD</i>	MARSHA ARGOD	2195 PARLEY'S TER	801-486-8950
96	<i>Heather S. Cook</i>	Heather S. Cook	2209 Wilmington Cir	801 467-2253
97	<i>Ellisabeth Nielson</i>	Ellisabeth Nielson	2353 E. Bernadine	801 668-8562
98	<i>Christian Stringham</i>	Christian Stringham	2370 E Lyndon Dr	801-628-2904
99	<i>Rakelle Spangberg</i>	Rakelle Spangberg	2421 Lyndon Dr.	801-468-8294
100	<i>JANIE THOMPSON</i>	JANIE THOMPSON	2254 Westminister	
101	<i>Ken Cook</i>	Ken Cook	2118 WYOMING ST	801 487-4561
102	<i>Parker Smith</i>	Parker Smith	2509 E. Mallard Dr	
103	<i>Marcy Barker</i>	Marcy Barker	2605 Mayfield Dr.	801 454-1866
104	<i>WE THOMAS</i>	WE THOMAS	2087 WILMINGTON CIR	801 466 9106
105	<i>Barbara Rasmussen</i>	Barbara Rasmussen	2149 So. 2200 E.	801-466-7222

Date: November 3, 2008

Contact Name: Amy Wilkinson

Phone: (801) 486-3090

PETITION

November 2008

Page ____ of ____

To: Salt Lake City Council District 7 & Salt Lake City Planning Commission

Re: **Petition #400-08-22 or PLNPCM208-00238, 2421 East Parley's Way Zoning Map Amendment** - a request to amend the Salt Lake City Zoning Map for the subject property (parcels 16-22-203-018 & 034) from R-1-5,000 (Single Family Residential District) to CB (Community Business District) and

Petition #400-08-23 or PLNPCM2008-00239, 2421 East Parley's Way Master Plan Amendment - a request to amend the East Bench Community Future Land Use Map for the subject property (parcels 16-22-203-018 & 034) from "Low Density Residential" to "Neighborhood Business".

We, the undersigned owners of property affected by the requested zoning change described in the referenced Petitions numbered 400-08-22 & 400-08-23, do hereby protest against any change of the code which would zone the property to any classification other than R-1-5000 (Single-Family Residential District) & Low Density Residential.

We believe that allowing the rezoning of residential property is not in the best interest of the surrounding neighborhood. We do not want to see any more of our residential areas turning into commercial zones. Please help us to protect our neighborhood from this type of development.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

	<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>	<u>Phone Number</u>
106		TOM CONNOR	2110 COUNTRY CLUB	487-5199
107		KELLY FRELAN	2255 S. 2200 E.	463-1242
108		SUZANNE HERMAN	2776 E. WILSHIRE DR.	657-3263
109		ALICIA RICHARDSON	2275 PARLEYS TERR.	483-9571
110		ANN BARDSELY	2193 WILMINGTON CIR.	466-1127
111		CAITLIN BARDSELY	2193 S. WILMINGTON CIR.	466-4166-1127
112		RICHARD NASH	2798 WILSHIRE DR	484-4759
113		JUDITH ADAMS	7154 WYOMING STREET	442-2831
114		SUZAN WILSON	2517 LAKWOOD DR.	755-6861
115		STEPHANIE O'HARRISON	2136 DALLIN ST	466-1932
116		DAVID G. HARRISON	2186 DALLIN ST	466-1932
117		BEN HASLAM	2265 WYOMING ST	481-5708
118		E. KLOSTAD	2276 BROOKWOOD CIR	468-1346
119		JULIE DAVIS	2790 PARLEYS WAY	481-6442
120		MIRO SMAY	2490 LAKWOOD DR.	790-9040

Date: November 3, 2008

Contact Name: Amy Wilkinson

Phone: (801) 486-3090

PETITION

November 2008

Page ____ of ____

To: Salt Lake City Council District 7 & Salt Lake City Planning Commission

Re: Petition #400-08-22 or PLNPCM2008-00238, 2421 East Parley's Way Zoning Map Amendment - a request to amend the Salt Lake City Zoning Map for the subject property (parcels 16-22-203-018 & 034) from R-1-5,000 (Single Family Residential District) to CB (Community Business District) and

Petition #400-08-23 or PLNPCM2008-00239, 2421 East Parley's Way Master Plan Amendment - a request to amend the East Bench Community Future Land Use Map for the subject property (parcels 16-22-203-018 & 034) from "Low Density Residential" to "Neighborhood Business".

We, the undersigned owners of property affected by the requested zoning change described in the referenced Petitions numbered 400-08-22 & 400-08-23, do hereby protest against any change of the code which would zone the property to any classification other than R-1-5000 (Single-Family Residential District) & Low Density Residential.

We believe that allowing the rezoning of residential property is not in the best interest of the surrounding neighborhood. We do not want to see any more of our residential areas turning into commercial zones. Please help us to protect our neighborhood from this type of development.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

	<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>	<u>Phone Number</u>
121	<i>Tracy Curtis</i>	Tracy Curtis	2149 King St.	487-1134
122	<i>Marianne Silver</i>	Marianne Silver	2316 Berkeley St	484-4232
123	<i>Ann PMS</i>	Ann PMS	2304 Berkeley St	467-7741
124	<i>Ashlie Bernhisel</i>	Ashlie Bernhisel	2740 Wilshire Dr.	557-7120
125	<i>Ann Marie Collins</i>	Ann Marie Collins	2316 G. Springhorn	465-3777
126	<i>Greg Hanker</i>	Greg Hanker	2266 Dallis	906-8500
127	<i>Don Lewor</i>	Don Lewor	2748 Wilshire Dr.	467-0334
128	<i>Ruth Todd</i>	RUTH TODD	2626 Maywood	466-3111
129	<i>Ruth Todd</i>	RUTH TODD	2626 Maywood	466-3111
130	<i>Nick Dallimore</i>	NICK DALLIMORE	2434 Maywood dr	484-3677
131	<i>Crea Whisman</i>	Crea Whisman	2409 Maywood	463-8448
132	<i>Danielle Stewart</i>	Danielle Stewart	2160 Dallis St.	793-4003
133	<i>Kathy Hale</i>	Kathy Hale	2210 S. Berkeley St.	484-2605
134	<i>Dave Rupp</i>	Dave Rupp	2202 S. 2300 E	487-6195
135	<i>Rale Livingston</i>	Rale Livingston	2553 Lynwood Av	487-1370

Date: November 3, 2008

Contact Name: Amy Wilkinson

Phone: (801) 486-3090

PETITION

November 2008

Page ____ of ____

To: Salt Lake City Council District 7 & Salt Lake City Planning Commission

Re: Petition #400-08-22 or PLNPCM208-00238, 2421 East Parley's Way Zoning Map Amendment - a request to amend the Salt Lake City Zoning Map for the subject property (parcels 16-22-203-018 & 034) from R-1-5,000 (Single Family Residential District) to CB (Community Business District) and

Petition #400-08-23 or PLNPCM2008-00239, 2421 East Parley's Way Master Plan Amendment - a request to amend the East Bench Community Future Land Use Map for the subject property (parcels 16-22-203-018 & 034) from "Low Density Residential" to "Neighborhood Business".

We, the undersigned owners of property affected by the requested zoning change described in the referenced Petitions numbered 400-08-22 & 400-08-23, do hereby protest against any change of the code which would zone the property to any classification other than R-1-5000 (Single-Family Residential District) & Low Density Residential.

We believe that allowing the rezoning of residential property is not in the best interest of the surrounding neighborhood. We do not want to see any more of our residential areas turning into commercial zones. Please help us to protect our neighborhood from this type of development.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address	Phone Number
136 <i>Kim Murrin</i>	Kim Murrin	2806 Wilshire	467-6163
137 <i>Deborah Cushing</i>	Deborah Cushing	2156 S. 2300 E.	484 8795
138 <i>Melissa Romney</i>	Melissa Romney	2349 Stridham Ln.	468-1103
139 <i>Bonnie Shepherd</i>	Bonnie Shepherd	2700 E. Parkway Dr.	731-3442
140 <i>Peter Cobake</i>	Peter Cobake	2292 S. 2300 E.	467-5980
141 <i>Suzi Olson</i>	Suzi Olson	2056 Parkview Blvd.	463-9520
142 <i>Katie Eccles</i>	KATIE ECCLES	2710 E. 2100th Ave.	484-8714
143 <i>Kathy Augustus</i>	(Kathy Augustus)	2268 Country Club Dr.	467-2667
144 <i>Suzanne Weaver</i>	SUZANNE WEAVER	2532 MAYWOOD DR.	467-8972
145 <i>Susan Frazer</i>	SUSAN FRAZER	2551 Maywood Dr.	466-5751
146 <i>Elizabeth J. Conde</i>	Elizabeth J. Conde	2377 Lynwood Dr.	466-4201
147 <i>Amy P. Smith</i>	Amy P. Smith	2328 E. Bernadine	466-6837
148 <i>Stacey Rich</i>	Stacey Rich	2207 Berkeley	484-3968
149 <i>Ronald Sorenson</i>	Ronald Sorenson	2245 COUNTRY CLUB DR.	485-2057

Date: November 3, 2008

Contact Name: Amy Wilkinson

Phone: (801) 486-3090

151. *Karen Sorenson* Karen Sorenson

PETITION

November 2008

Page ____ of ____

To: Salt Lake City Council District 7 & Salt Lake City Planning Commission

Re: Petition #400-08-22 or PLNPCM208-00238, 2421 East Parley's Way Zoning Map Amendment - a request to amend the Salt Lake City Zoning Map for the subject property (parcels 16-22-203-018 & 034) from R-1-5,000 (Single Family Residential District) to CB (Community Business District) and

Petition #400-08-23 or PLNPCM2008-00239, 2421 East Parley's Way Master Plan Amendment - a request to amend the East Bench Community Future Land Use Map for the subject property (parcels 16-22-203-018 & 034) from "Low Density Residential" to "Neighborhood Business".

We, the undersigned owners of property affected by the requested zoning change described in the referenced Petitions numbered 400-08-22 & 400-08-23, do hereby protest against any change of the code which would zone the property to any classification other than R-1-5000 (Single-Family Residential District) & Low Density Residential.

We believe that allowing the rezoning of residential property is not in the best interest of the surrounding neighborhood. We do not want to see any more of our residential areas turning into commercial zones. Please help us to protect our neighborhood from this type of development.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address	Phone Number
<i>Mar Jean Wilcox</i>	Mar Jean Wilcox	2486 Wilshire Cr	486-4244
<i>Mary Wirthlin</i>	Mary Wirthlin	2157 Wilshire Dr.	463-10087
<i>Debbie Selander</i>	Debbie Selander	3903 Evelyn Dr	274-3124
<i>Beth B. Burton</i>	Beth B. Burton	1040 Oak Hills Way	363-5140
<i>Becky B. Westberg</i>	Becky B. Westberg	2659 Wilmington Ave	770-1935
<i>Sheryl Carty</i>	Sheryl Carty	2548 Commonwealth Ave	486-1571
<i>Bret Jordan</i>	Bret Jordan	2175 S Texas	463-4672
<i>Bruce England</i>	Bruce England	2143 Texas	486-1668
<i>Don KADETH</i>	Don KADETH	2154 TEXAS	434-7326
<i>Wendy Grillo</i>	Wendy Grillo	2148 Texas	411-5431
<i>Brandon Aho</i>	Brandon Aho	2137 TEXAS	600-7051
<i>Matt Liberals</i>	Matt Liberals	2157 TEXAS	224-5958498
<i>Edward Glashien</i>	Edward Glashien	2136 S. TEXAS ST	(801) 466-1412
<i>Evelyn Foster</i>	Evelyn Foster	2130 Texas St	801-486-5020
<i>David Edwards</i>	David Edwards	2124 Texas St	938-5673

Date: November 3, 2008

Contact Name: ~~Ann Wilcox~~ **BRET JORDAN**

Phone: (801) 486-2050 **463-4672**

PETITION

November 2008

Page ____ of ____

To: Salt Lake City Council District 7 & Salt Lake City Planning Commission

Re: Petition #400-08-22 or PLNPCM208-00238, 2421 East Parley's Way Zoning Map Amendment - a request to amend the Salt Lake City Zoning Map for the subject property (parcels 16-22-203-018 & 034) from R-1-5,000 (Single Family Residential District) to CB (Community Business District) and

Petition #400-08-23 or PLNPCM2008-00239, 2421 East Parley's Way Master Plan Amendment - a request to amend the East Bench Community Future Land Use Map for the subject property (parcels 16-22-203-018 & 034) from "Low Density Residential" to "Neighborhood Business".

We, the undersigned owners of property affected by the requested zoning change described in the referenced Petitions numbered 400-08-22 & 400-08-23, do hereby protest against any change of the code which would zone the property to any classification other than R-1-5000 (Single-Family Residential District) & Low Density Residential.

We believe that allowing the rezoning of residential property is not in the best interest of the surrounding neighborhood. We do not want to see any more of our residential areas turning into commercial zones. Please help us to protect our neighborhood from this type of development.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature Printed Name Address Phone Number

106		Justin Stevenson	2182 Wyoming SLK 84108	801 598-6473
107		Jennifer Stevenson	2182 Wyoming SLK 84108	801 598-0807
108		Andy Robbins	2176 Wyoming SLK 84109	801-891-7600
109		Kathleen Jarman	2162 Wyoming St.	801-484-2149
110		Micah Goodman	2148 Wyoming St 84109	801-487-8930
111		Bob Palati	2178 Wyoming St 84108	801 487-8830
112		Lon Briggs	2118 Wyoming 84108	487-4561
113		Evan Watson	2460 Commonwealth Ave	801-592-9266
114				
115				
116				
117				
118				
119				
120				

Date: November 3, 2008

Contact Name: Amy Wilkinson

Phone: (801) 486-3090

PETITION

November 2008

Page ____ of ____

To: Salt Lake City Council District 7 & Salt Lake City Planning Commission

Re: **Petition #400-08-22 or PLNPCM208-00238, 2421 East Parley's Way Zoning Map Amendment** - a request to amend the Salt Lake City Zoning Map for the subject property (parcels 16-22-203-018 & 034) from R-1-5,000 (Single Family Residential District) to CB (Community Business District) and

Petition #400-08-23 or PLNPCM208-00239, 2421 East Parley's Way Master Plan Amendment - a request to amend the East Bench Community Future Land Use Map for the subject property (parcels 16-22-203-018 & 034) from "Low Density Residential" to "Neighborhood Business".

We, the undersigned owners of property affected by the requested zoning change described in the referenced Petitions numbered 400-08-22 & 400-08-23, do hereby protest against any change of the code which would zone the property to any classification other than R-1-5000 (Single-Family Residential District) & Low Density Residential.

We believe that allowing the rezoning of residential property is not in the best interest of the surrounding neighborhood. We do not want to see any more of our residential areas turning into commercial zones. Please help us to protect our neighborhood from this type of development.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

	<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>	<u>Phone Number</u>
91	<i>Teri Lynn Baugom</i>	TERI LYNN BAUGOM	2491 Wilshire Cr.	801-484-7470
92	<i>Arline Holbrook</i>	Arline Holbrook	2415 Lynwood Dr.	801-484-1733
93	<i>Teri Lynn Baugom</i>	Teri Lynn Baugom	2191 Wilshire Cir.	801-484-7470
94	<i>David Holbrook</i>	DAVID HOLBROOK	2415 Lynwood Dr.	801-484-1733
95	<i>Jon Hale</i>	JON HALE	2564 Maywood Dr.	801-485-6642
96	<i>Mary Mahan</i>	MARY MAHAN	2327 S. 2500 E.	801-486-1650
97	<i>William m Decker</i>	William m Decker	2512 E 2100 S. GUT	801-486-9612
98	<i>Cyzy Zwick</i>	Cyzy Zwick	2911 Cent. Club Dr	801-906-9919
99	<i>Beith Lords</i>	Beith LORDS	2690 E. Parley's Way	467-1312
100	<i>Alyson Orrin</i>	Alyson ORRIN	2161 Parley's Terr.	870-1986
101	<i>Kathryn Hayes</i>	KATHRYN HAYES	2349 Maywood	485-9851
102	<i>Michael Hayes</i>	Michael Hayes	2349 Maywood	485-9851
103	<i>Tim Skuster</i>	TIM SKUSTER	2226 Berkeley	463-4846
104	<i>Tim Condo</i>	Tim Condo	2572 Lynwood Dr.	466-4207
105	<i>Brittany Alsop</i>	Brittany ALSOP	2512 E 2100 S. GUT	801-5546

Date: November 3, 2008

Contact Name: Amy Wilkinson

Phone: (801) 486-3090

PETITION

November 2008

Page 1 of 3

To: Salt Lake City Council District 7 & Salt Lake City Planning Commission

Re: **Petition #400-08-22 or PLNPCM208-00238, 2421 East Parley's Way Zoning Map Amendment** - a request to amend the Salt Lake City Zoning Map for the subject property (parcels 16-22-203-018 & 034) from R-1-5,000 (Single Family Residential District) to CB (Community Business District) and

Petition #400-08-23 or PLNPCM2008-00239, 2421 East Parley's Way Master Plan Amendment - a request to amend the East Bench Community Future Land Use Map for the subject property (parcels 16-22-203-018 & 034) from "Low Density Residential" to "Neighborhood Business".

We, the undersigned owners of property affected by the requested zoning change described in the referenced Petitions numbered 400-08-22 & 400-08-23, do hereby protest against any change of the code which would zone the property to any classification other than R-1-5000 (Single-Family Residential District) & Low Density Residential.

We believe that allowing the rezoning of residential property is not in the best interest of the surrounding neighborhood. We do not want to see any more of our residential areas turning into commercial zones. Please help us to protect our neighborhood from this type of development.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>	<u>Phone Number</u>
1 <i>Mar Jean Wilcox</i>	Mar Jean Wilcox	2456 Wilshire Cr	486-4294
2 <i>Mary Wirthlin</i>	Mary Wirthlin	2157 Wilshire Dr.	463-6087
3 <i>Debbie Selander</i>	Debbie Selander	3983 Evelyn Dr	274-3124
4 <i>Beth B. Burton</i>	Beth B. Burton	1040 Oak Hills Way	363-5140
5 <i>Becky B. Westerberg</i>	Becky B. Westerberg	2558 Wilmington Ave	770-1985
6 <i>Sheryl Carty</i>	Sheryl Carty	2548 Commonwealth Ave	486-1571
7 <i>Bret Jordan</i>	BRET JORDAN	2175 S Texas	463-4672
8 <i>Bruce England</i>	Bruce England	2133 Texas	486-1658
9 <i>Red Katch</i>	Red Katch	2154 Texas	434-7326
10 <i>Walter Gault</i>	Walter Gault	2148 Texas	471-5434
11 <i>Brandon Aho</i>	Brandon Aho	2137 Texas	600-7051
12 <i>Matt Libracker</i>	Matt Libracker	2157 Texas	224-5352948
13 <i>Edward Glashien</i>	Edward Glashien	2136 S. TEXAS ST.	(801) 466-1412
14 <i>Evelyn Foster</i>	Evelyn Foster	2130 Texas St.	801-486-5020
15 <i>David Edwards</i>	David Edwards	2124 Texas St	938-5673

Date: November 3, 2008

Contact Name: ~~Andrew Johnson~~ BRET JORDAN

Phone: (801) ~~486-5050~~ 463-4672

PETITION

November 2008

Page 2 of 3

To: Salt Lake City Council District 7 & Salt Lake City Planning Commission

Re: Petition #400-08-22 or PLNPCM208-00238, 2421 East Parley's Way Zoning Map Amendment - a request to amend the Salt Lake City Zoning Map for the subject property (parcels 16-22-203-018 & 034) from R-1-5,000 (Single Family Residential District) to CB (Community Business District) and

Petition #400-08-23 or PLNPCM2008-00239, 2421 East Parley's Way Master Plan Amendment - a request to amend the East Bench Community Future Land Use Map for the subject property (parcels 16-22-203-018 & 034) from "Low Density Residential" to "Neighborhood Business".

We, the undersigned owners of property affected by the requested zoning change described in the referenced Petitions numbered 400-08-22 & 400-08-23, do hereby protest against any change of the code which would zone the property to any classification other than R-1-5000 (Single-Family Residential District) & Low Density Residential.

We believe that allowing the rezoning of residential property is not in the best interest of the surrounding neighborhood. We do not want to see any more of our residential areas turning into commercial zones. Please help us to protect our neighborhood from this type of development.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature Printed Name Address Phone Number

16		Karla Feindt	2125 Texas St	487-6799
17		Curtis Smith	2119 TEXAS ST	403-3287
18		Ashley Chadwick	2260 E 2100S	801-641-9032
19		Amelia Buiton	2380 E 2100S	801- 444 -580-4049
20		Kathleen C. Snow	2392 E 2100S	801-832-9049
21		R.K. OLSON	2426 E 2100S	801-597-4187
22		Tralina Decker	2412 E. 2100S.	801-486-9612
23		Julia Kolovrac	2448 E 2100 S	463-7655
24		Peter Sourall	2453 E. 2100S	466-2585
25		Lisa Sowall	" "	" "
26		Don Couie	2435 E 2100S.	487-9064
27		Nancy Jacobsen	2435 E 2100S	467-8575
28		David Adam	2204 Wyoming St	641-3656
29		Patrick Benson	2190 Wyoming St	949-0777
30		Brittnay Bergen	2190 Wyoming St.	649-3922

Date: November 3, 2008

Contact Name: ~~Amy Williamson~~ Bret Jordan

Phone: (801) 486-2090 463-4672

PETITION

November 2008

Page 3 of 3

To: Salt Lake City Council District 7 & Salt Lake City Planning Commission

Re: **Petition #400-08-22 or PLNPCM208-00238, 2421 East Parley's Way Zoning Map Amendment** - a request to amend the Salt Lake City Zoning Map for the subject property (parcels 16-22-203-018 & 034) from R-1-5,000 (Single Family Residential District) to CB (Community Business District) and

Petition #400-08-23 or PLNPCM2008-00239, 2421 East Parley's Way Master Plan Amendment - a request to amend the East Bench Community Future Land Use Map for the subject property (parcels 16-22-203-018 & 034) from "Low Density Residential" to "Neighborhood Business".

We, the undersigned owners of property affected by the requested zoning change described in the referenced Petitions numbered 400-08-22 & 400-08-23, do hereby protest against any change of the code which would zone the property to any classification other than R-1-5000 (Single-Family Residential District) & Low Density Residential.

We believe that allowing the rezoning of residential property is not in the best interest of the surrounding neighborhood. We do not want to see any more of our residential areas turning into commercial zones. Please help us to protect our neighborhood from this type of development.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

	<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>	<u>Phone Number</u>
106		Justin Stevenson	2182 Wyoming SLC 84108	801 598-6473
107		Jennifer Stevenson	2182 Wyoming SLC 84108	801 598-0807
108		Andy Robbins	2176 Wyoming SLC 84108	801-891-7600
109		Kathleen Jarman	2162 Wyoming St.	801-484-2149
110		Micah Goodman	2148 Wyoming St 84109	801-487-8930
111		BOB PALATIS	2148 Wyoming St 84108	801 487-8930
112		Lon Bridges	2118 Wyoming 84108	487-4561
113		Evan Wilson	2460 Commonwealth Ave	801-592-9266
114		BRETT CURTIS	2149 KING ST	801-487-1134
115				
116				
117				
118				
119				
120				

Date: November 3, 2008

Contact Name: ~~Justin Stevenson~~ **BRETT JORDAN**

Phone: (801) ~~486-3090~~ **463-4672**

Remarks:

Also see:

Master Plan Amendment 400-08-23

PLN PCN 2008-00238

Petition No: **400-08-22**

By: **Lisa Sieg**

Zoning Amendment

Date Filed: 07/07/2008

Address: **2421 E Parleys Way**

Remarks:

Also see:

Zoning Amendment - 400-08-22

PLNPCM2008-00239

Petition No: **400-08-23**

By: **Lisa Sieg**

Master Plan Amendment

Date Filed: 07/07/2008

Address: **2421 E Parleys Way**