SALT LAKE CITY COUNCIL STAFF REPORT

DATE:	September 17, 2009
SUBJECT:	Petition PLNPCM2008-00149 – Reece Enterprises request to amend the Central Community Master Plan Future Land Use Map for properties located at 248 and 254 South 800 East from Medium Density Residential to Medium/High Density Residential.
AFFECTED COUNCIL DISTRICTS:	If the ordinance is adopted the master plan amendment will affect Council District 4
STAFF REPORT BY:	Quin Card and Janice Jardine
ADMINISTRATIVE DEPT: AND CONTACT PERSON:	Community Development Department, Planning Division Nick Norris, Senior Planner
NOTICE REQUIREMENTS:	Newspaper advertisement and written notification to surrounding property owners 14 days prior to the Public Hearing

POTENTIAL MOTIONS:

1. ["I move that the Council"] Approve the request to amend the Central Community Master Plan Future Land Use Map for properties located at 248 and 254 South 800 East from Medium Density Residential to Medium/High Density Residential and request that the City Attorney's office prepare an ordinance.

2. ["I move that the Council"] Deny the request to amend the Central Community Master Plan Future Land Use Map for properties located at 248 and 254 South 800 East from Medium Density Residential to Medium/High Density Residential.

The following information was provided previously for the Council Public Hearing on September 22, 2009 and Work Session on September 8, 2009. It is provided again for background purposes.

KEY ELEMENTS:

A. Due to negative recommendation from the Planning Commission, an ordinance has not been prepared for Council consideration. If the Council chooses to move this item forward, an ordinance will be prepared by the City Attorney's office prior to the public hearing.

B. If the Master Plan amendment is approved, an application to rezone the eastern portion or 248 South 800 East and all of 254 South 800 East from Moderate Density Multi-Family Residential RMF-35 to Moderate/High Density Multi-Family Residential RMF-45 would be processed. (Please see the attached vicinity map for details.) Additional City processes would include subdivision amendment, planned development conditional use, special exception, compliance with all applicable City permit

requirements and any other requirement that may be discovered during the development and permit approval process.

C. Key points from the Administration's transmittal and Planning staff report include:
   1. Reece Enterprises owns a legal, non conforming apartment complex located at 248 South 800 East The apartment complex was constructed in 1960 with 22 dwelling units. The apartment complex complied with the zoning regulations that existed at the time of construction.
   2. In 1995, the zoning of the property was changed as part of the citywide Zoning Rewrite project. The eastern portion of the property was zoned Moderate Density Multi-Family Residential RMF-35 and the western portion was zoned Moderate/High Density Multi-Family Residential RMF-45. The property became legal noncomplying use at that time because it did not meet the minimum lot area for 22 dwelling units.
   3. In 2003, a former laundry facility in the complex was converted to a dwelling unit and in 2006 a second unit was added in the former laundry facility. The property owner failed to obtain the necessary building permits for the two units. In addition, the laundry facility was relocated into a new accessory structure without the proper permits.
   4. In 2007, the City began an enforcement action due to the addition of the illegal units and the relocation of a laundry facility into a new accessory structure.
   5. In response to the enforcement action, the property owner decided to submit a petition to rezone the property. The initial application submitted by the applicant requested amending the Central Community Master Plan Future Land Use Map for the property at 248 South 800 East that would support rezoning the property to the Residential Multi-Family RMF-75 zoning district.
   6. After meeting with Planning staff, the applicant decided to make an effort to purchase additional land in order to meet the minimum lot area for 24 units under the Residential Multi-Family RMF-45 zoning district regulations. In January 2009, the applicant submitted to the City proof that he had purchased the property located at 254 South 800 East.
   7. The land area of this property, if added to the property at 248 South 800 East, would provide enough land area under the RMF-45 zoning district for the 24 units on the property at 248 South 800 East and the two existing units located at 254 South 800 East.
   8. The RMF-45 zoning district allows a density that is more than what is recommended by the Central Community Master Plan. Therefore, a master plan amendment is required.
   9. The total lot area of the subject properties is approximately 30,603 square feet (.70 acres). Under the RMF-45 zoning designation, a maximum of 26 dwelling units would be allowed. The RMF-45 zoning district allows a maximum building height of 45 feet. Multi-family residential is a permitted use in the RMF-45 zoning district.

D. The appropriate City's Departments and Divisions have reviewed the request. The Planning staff report provides a complete summary of the comments. (Please refer to the Planning staff report for details. pgs. 3-4) Department/Division comments indicate that additional City requirements may not have been complied with during construction of the laundry facility and additional dwelling units. If the units are legalized through the required processes, then the property shall be subject to all applicable permit requirements identified by City Departments/Divisions and any other requirement that may be discovered during the permit process.

E. The Planning staff report provides the following findings for the requested master plan amendment. Analysis and findings were evaluated in the Planning staff report and considered by the Planning Commission. The Planning staff recommended denial of the proposed Master Plan amendment based on this analysis and findings. (Discussion, analysis and findings are found on pages 5-8 of the Planning staff report.)

Staff Recommendation (Pg. 1 of the Planning staff report)

1. The Central Community Master Plan establishes the City's vision for this area and specifically does not support increasing residential densities in the East Central Neighborhood Planning Area; and
2. Changing the designation of the subject properties on the Future Land Use Map may allow for a zoning map amendment that could support development that is not compatible with the surrounding area in terms of scale and character, which conflicts with one of the goals of the Central Community Master Plan.
3. The Salt Lake Futures Commission Report recommends making land use decisions that are consistent with the adopted vision of the City
4. The Salt Lake City Community Housing Plan supports adding housing in areas of the City where it is supported by the Community Master Plans. In this case, the Central Community Master Plan does not support increasing density in this area.

Findings: (Pg.8 of the Planning staff report)

1. The goals of the Central Community Master Plan are relevant to the current land use issues associated with the subject property and to the properties and land uses in the vicinity.
2. The goals of the Central Community Master Plan do not support increasing the residential density in the East Central North neighborhood, which includes the Bryant neighborhood.
3. The Central Community Master Plan establishes the City's vision for this neighborhood.
4. Amending the Future Land Use Map of the Central Community Master Plan to support an increase in density could allow for a zoning designation that would support additional mass and scale that may have an adverse impact on adjacent properties.
5. The Futures Vision Document establishes a policy of making land use decision consistent with the vision of the City.

F. The public process included a presentation to the East Central Community Council on March 12, 2009 and 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 Community Council listed the following concerns with the proposal:
   1. The proposal in inconsistent with the Central Community Master Plan.
   2. Pressure to develop or redevelop into higher densities has become one of the most significant issues confronting the area.
   3. The proposal is not harmonious with the overall character of the existing development on 800 East.
   4. The proposal will potentially adversely affect adjacent properties.

G. On April 22, 2009, the Planning Commission held a public hearing and voted unanimously to recommend that the City Council not approve the proposed master plan amendment. The Planning Commission stated that changing the master plan to accommodate a zoning change is too big of a change to the neighborhood and contrary to the master plan to fix a small problem.
   1. Issues raised at the public hearing included the proposal being inconsistent with the adopted master plans.
   2. The Planning Commission's recommendation is consistent with the Planning Staff's findings and recommendation.

MASTER PLAN AND POLICY CONSIDERATIONS:

A. The Administration's transmittal and the Planning staff report note the Central Community Master Plan (2005), Salt Lake City Futures Vision Report (1998) and the Salt Lake City Community Housing Plan (2000) are applicable to the proposed master plan amendment request.

1. Applicable goals, policies and related statements in the Central Community Master Plan identified by Planning staff are summarized below.
    a. The Future Land Use Map establishes the vision for appropriate growth within the Central Community.
        - The map designates the 800 East block face Medium Density Residential (15-30 dwelling units per acre). The remainder of the block is designated Medium/High Density Residential.
        - Currently, the Future Land Use Map supports a residential density of up to 30 dwellings per acre.
        - The proposed Medium/High Density land use designation would allow 30 to 50 dwelling units per acre.
    b. The Plan specifically does not support increasing the residential density in the Bryant Neighborhood, where the subject properties are located.
    c. Applicable goals include:
        - Goal 5 - prevent inappropriate growth in specific parts of the community.
        - Goal 6 - encourage specific types of growth in designated parts of the community.
    d. Bryant Neighborhood - East Central North Neighborhood:
        - Pressure to develop or redevelop into higher densities has become one of the most significant issues confronting this area.
        - Reduce excessive density potential, stabilize the neighborhood, and conserve the neighborhood's residential character.
        - Dwelling unit increases should only be permitted as long as the structure and property do not exceed zoning designations.
    e. Related Land Use Policies:
        - RLU-1.4 restricts high density residential growth to the Downtown, East Downtown Transit Oriented Districts and Gateway areas of the CCMP.
        - RLU-1.6 encourages coordination between the Future Land Use Map, zoning ordinances and the Salt Lake City Housing Plan.

2. The Salt Lake City Futures Vision Report does not specifically address residential density in this part of the City, but does establish the role of the master plans in Assertion N on page 13 of the document: City planners encourage private development but hold steadfast to an overall vision and reject proposals that may be economically attractive to the City but do not promote the City's vision. The Central Community Master Plan establishes the vision for the area around the subject property.

3. The Salt Lake Housing Plan encourages a mix of housing types, including high and low density and owner and renter occupied. The plan however, refers to the community master plans in addressing appropriate locations for different housing types (implementation strategy 2, page 32).

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

A. 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.

B. 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.

C. 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.

D. 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.

CHRONOLOGY:

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

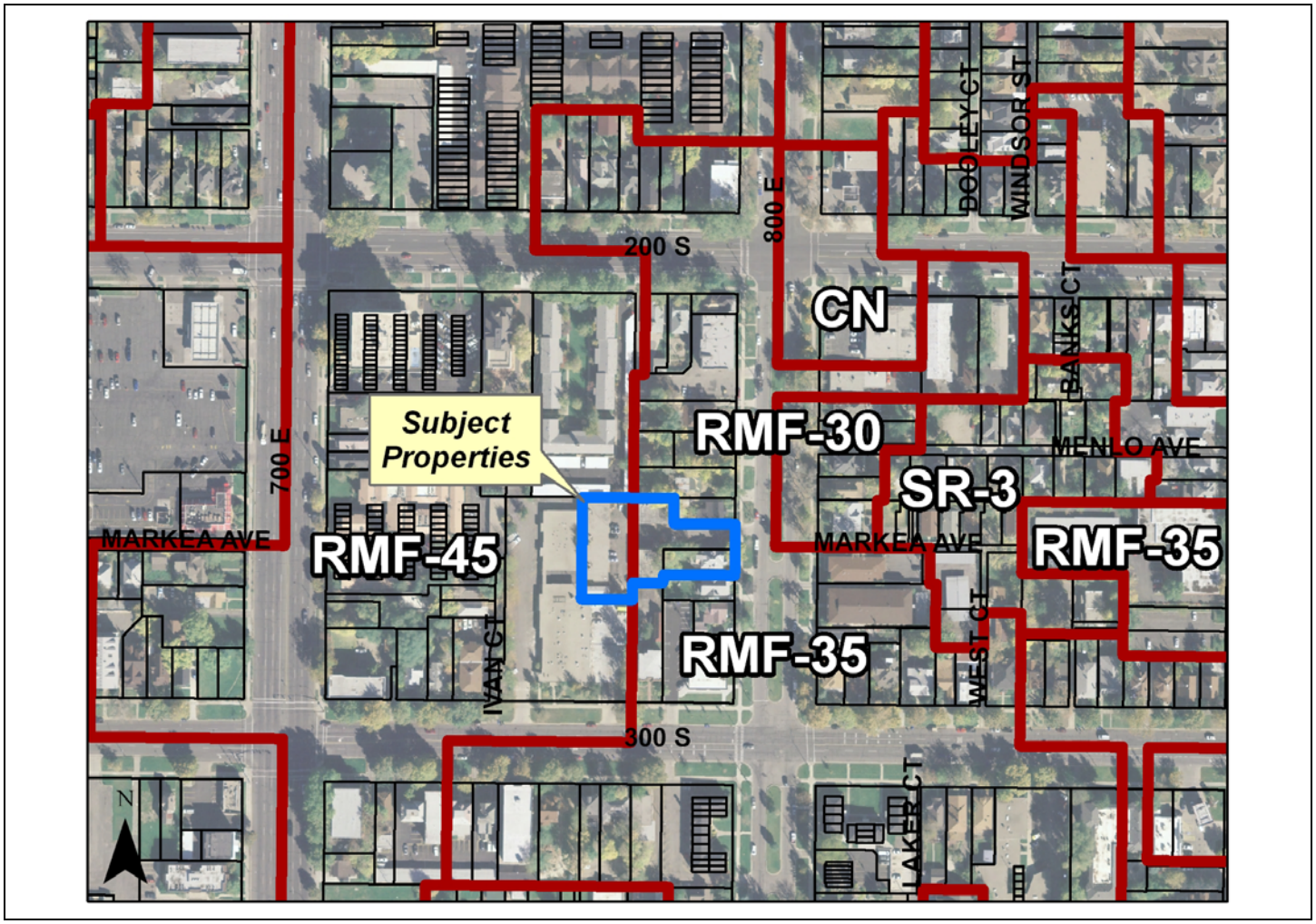
December 17, 2007	Petition submitted.
February 28, 2008	Petition assigned to Janice Lew. The Planning Division required the master plan amendment to include a zoning amendment.
June 19, 2008	Zoning Map Amendment petition submitted to the City.
June 24, 2008	Zoning Map Amendment petition assigned to Nick Norris and deemed incomplete.
July 1, 2008	Master Plan Amendment Petition reassigned to Nick Norris
August 1, 2008	Staff meets with applicant to inform him of the proposed Master Plan Amendment and Zoning Map Amendment process and option. The applicant indicates that they wish to modify their proposal and will submit additional information.
January 7, 2009	The Planning Division sends a notice to the applicant indicating that the Master Plan Petition will be closed and considered withdrawn due to a lack of additional information.
January 10, 2009	Applicant submits additional information and requests that his petition be reopened.
January 16, 2009	Planning Division reopens the petition for a master plan amendment.
March 12, 2009	East Central Community Council meeting
April 22, 2009	Planning Commission public hearing
May 13, 2009	Minutes from the April 22, 2009 Planning Commission meeting approved.
May 27, 2009	Transmittal submitted to Community and Economic Development.

cc: David Everitt, Karen Hale, Lyn Creswell, Ed Rutan, Lynn Pace, Paul Nielson, Jeff Niermeyer, Tom Ward, Frank Gray, Mary De Le Mare-Schaefer, Wilf Sommerkorn, Pat Comarell, Orion Goff, Larry

Butcher, Craig Spangenberg, Randy Isbell, Tim Harpst, Kevin Young, Nick Norris, Council Liaisons, Mayors Liaisons

File Location: Community Development Dept., Planning Division, Master Plan Amendment – Reece Enterprises, 248 South and 254 South 800 East.

VICINITY MAP



FRANK B. GRAY
DIRECTOR

MARY DE LA MARE-SCHAEFER
DEPUTY DIRECTOR

ROBERT FARRINGTON, JR.
DEPUTY DIRECTOR

SALT LAKE CITY CORPORATION

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
OFFICE OF THE DIRECTOR

RALPH BECKER
MAYOR

CITY COUNCIL TRANSMITTAL

RECEIVED
JUL - 9 2009
By SAB

David Everitt, Chief of Staff

Date Received:

Date Sent to City Council: 07/14/2009

TO: Salt Lake City Council
Carlton Christensen, Chair

DATE: July 9, 2009

FROM: Mary DeLaMare-Schaefer,
Community & Economic Development Deputy Director
on behalf of Frank Gray, Community & Economic Development Department Director

RE: Petition PLNPCM2008-00149: Master Plan Map Amendment by Reese Enterprises, represented by W. David Weston, located at 248 South and 254 South 800 East requesting an amendment to the Central Community Master Plan Future Land Use Map. The request would amend the map for a portion of the property located at 248 South 800 East and all of the property located at 254 South 800 East from Medium Density Residential (15-30 dwelling units per acre) to Medium/High Density Residential (30-50 dwelling units per acre).

STAFF CONTACTS: Nick Norris, Senior Planner, at 535-6173 or nick.norris@slcgov.com

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

DOCUMENT TYPE: Ordinance (not included due to negative recommendation from Planning Commission)

BUDGET IMPACT: None

DISCUSSION:

***Issue Origin*:** Reese Enterprises owns a legal, non conforming apartment complex located at 248 South 800 East. The apartment complex was constructed in 1960 with 22 dwelling units. At the time of construction, the apartment complex complied with the zoning regulations that existed at that time. In 1995, the zoning of the property was changed as part of a citywide zoning amendment. The eastern portion of the property was zoned RMF-35 and the western

portion zoned RMF-45. The property became legal, nonconforming at that time because it did not meet the minimum lot area for 22 dwelling units. In 2003 a former laundry facility in the complex was converted to a dwelling unit. The property owner failed to obtain the necessary building permits for the unit. In 2006, a second unit was added in the former laundry facility. No permits were issued for this unit. In 2007, the City began an enforcement action due to the illegal units.

In response to the enforcement action, the property owner decided to submit a petition to amend the zoning of the property. The Central Community Master Plan, which covers this area of the City, did not support amending the zoning map to allow an increase in density in this area of the City. The initial application submitted by the applicant requested amending the Future Land Use Map for the property at 248 South 800 East to a designation that would support the RMF-75 zoning district. After meeting with Planning staff, the applicant decided to make an effort to purchase additional land in order to meet the minimum lot area for 24 units under the RMF-45 zoning district regulations. In January 2009, the applicant submitted to the City proof that he had purchased the property located at 254 South 800 East. The land area of this property, if added to the property at 248 South 800 East, would provide enough land area under the RMF-45 zoning district for the 24 units on the property at 248 South 800 East and the two existing units located at 254 South 800 East. However, the RMF-45 zoning district allows a density that is more than what is recommended by the Central Community Master Plan. Therefore, a master plan amendment is still required.

***Analysis*:** The proposed master plan amendment would change the designation of the subject properties to Medium/High Residential (30-50 dwelling units per acre). Currently, the eastern portion of 248 South 800 East and all of 254 South 800 East have a master plan designation of Medium Density Residential (15-30 dwelling units per acre). The western portion of 248 South 800 East has a designation of Medium/High Residential (30-50 dwelling units per acre). If the amendment is approved, the Central Community Master Plan would support a zoning map amendment for the eastern portion of 248 South 800 East and all of 254 South 800 East from RMF-35 to RMF-45. In addition to the zoning map amendment, the applicant would also have to obtain subdivision approval to combine the lots and possibly Planned Development approval.

The total lot area of the subject properties is approximately 30,603 square feet (0.70 acres). Under the RMF-45 zoning designation, a maximum of 26 dwelling units would be allowed. The RMF-45 zoning district allows a maximum building height of 45 feet. Multi family residential is a permitted use in the RMF-45 zoning district.

The proposed Master Plan Amendment was routed to various City departments for comment. Those comments can be found in the Planning Commission staff report attached to this transmittal (attachment 4.B). The comments that were returned did not indicate that departments were opposed to the proposed amendment. However, several departments expressed concern, specifically about the manner in which the two units were constructed, whether the exsisting utility connections on the subject property were suitable for an increase in density, and the legality of relocating the laundry facility into a new accessory structure on the property.

Master Plan Considerations: The following Master Plans are applicable to this petition: Central Community Master Plan (2005), Salt Lake City Futures Vision Report (1998) and the Salt Lake City Community Housing Plan (2000).

The Future Land Use Map of the Central Community Master Plan (CCMP) designates the 800 East block face as Medium Density Residential (15-30 dwelling units per acre). The remainder of the block is designated as Medium/High Density Residential. Amending the Future Land Use Map would result in the master plan supporting an increase in residential density and building height along 800 East. As discussed under the Master Plan Considerations section, the Central Community Master Plan specifically does not support increasing the residential density in the Bryant neighborhood, where the subject properties are located.

The CCMP lists several goals that apply to this petition. Goal 5 states "prevent inappropriate growth in specific parts of the community. Goal 6 states "encourage specific types of growth in designated parts of the community". The Future Land Use Map establishes the vision for what is appropriate growth within the Central Community. The current land use designation on the Future Land Use Map supports a residential density of up to 30 dwelling units per acre. Changing the Future Land Use Map as proposed would allow up to 50 dwelling units per acre. Under the discussion of the Bryant neighborhood, of which the subject properties are a part of, the CCMP states "Pressure to develop or redevelop into higher densities has become one of the most significant issues confronting this area." This issue is consistent within the East Central North community (which contains the Bryant Neighborhood) and is again expressed on page 6 of the CCMP under the Issues within the East Central North Neighborhood heading, specific to residential land use: Reduce excessive density potential, stabilize the neighborhood, and conserve the neighborhood's residential character. On page 9 of the CCMP it states "Dwelling unit increases should not exceed existing zoning densities or master plan land use designation, and density increases should only be permitted as long as the structure and property do not exceed zoning designations." Several of the Land Use Policies are applicable to this proposal. RLU-1.4 restricts high density residential growth to the Downtown, East Downtown Transit Oriented Districts and Gateway areas of the CCMP. RLU-1.6 encourages coordination between the Future Land Use Map, zoning ordinances and the Salt Lake City Housing Plan.

The Salt Lake City Futures Vision Report does not specifically address residential density in this part of the City, but does establish the role of the master plans in Assertion N on page 13 of the document: City planners encourage private development but hold steadfast to an overall vision and reject proposals that may be economically attractive to the City but do not promote the City's vision. The Central Community Master Plan establishes the vision for the area around the subject property.

The Salt Lake Housing Plan encourages a mix of housing types, including high and low density and owner and renter occupied. The plan however, refers to the community master plans in addressing appropriate locations for different housing types (implementation strategy 2, page 32).

PUBLIC PROCESS:

The proposal was presented to the East Central Community Council (ECCC) on March 12, 2009. There were approximately 30 people in attendance. The ECCC listed the following concerns with the proposal:

- The proposal is inconsistent with the Central Community Master Plan
- Pressure to develop or redevelop into higher densities has become one of the most significant issues confronting the area.
- The proposal is not harmonious with the overall character of the existing development on 800 East.
- It will potentially adversely affect adjacent properties

The East Central Community Council submitted a letter to the Planning Division outlining these issues and had a representative at the Planning Commission meeting. The applicant's representative submitted a summary of his accounts of the East Central Community Council meeting which is attached to this transmittal within the Planning Commission staff report.

The Planning Commission held a Public Hearing on April 22, 2009. Issues raised at the Public Hearing included the proposal being inconsistent with the adopted master plans. The Planning Commission passed a motion to recommend that the City Council not approve the proposed master plan amendment. The vote was unanimous. The Planning Commission stated that changing the master plan to accommodate a zoning change is too big of a change to the neighborhood and contrary to the master plan to fix a small problem. The Planning Commission's recommendation is consistent with the Planning Staff's findings and recommendation.

RELEVANT ORDINANCES:

Salt Lake City does not have specific standards regarding Master Plan Amendments. Amendments to an adopted master plan of the City are a matter committed to the legislative discretion of the City Council and is not controlled by any one standard.

Sections 10-9a-204 and 205 of the Utah Code Title 10, Chapter 9a, Municipal Land Use, Development and Management Act regulate the requirements for noticing a general plan amendment and land use ordinance amendment. This petition for Master Plan amendment was published in the newspaper on April 12, 2009, meeting State Code noticing requirements.

CONTENTS

1. Chronology

CHRONOLOGY

Petition PLNPCM2008-00149 Reese Enterprises Master Plan Amendment located at 248 and 254 South 800 East

December 17, 2007	Petition submitted.
February 28, 2008	Petition assigned to Janice Lew. The Planning Division required the master plan amendment to include a zoning amendment.
June 19, 2008	Zoning Map Amendment petition submitted to the City
June 24, 2008	Zoning Map Amendment petition assigned to Nick Norris and deemed incomplete.
July 1, 2008	Master Plan Amendment Petition reassigned to Nick Norris
August 1, 2008	Staff meets with applicant to inform him of the proposed Master Plan Amendment and Zoning Map Amendment process and options. The applicant indicates that they wish to modify their proposal and will submit additional information.
January 7, 2009	The Planning Division sends a notice to the applicant indicating that the Master Plan Petition will be closed and considered withdrawn due to a lack of additional information.
January 10, 2009	Applicant submits additional information and requests that his petition be reopened.
January 16, 2009	Planning Division reopens the petition for a master plan amendment.
March 12, 2009	The proposal is presented to the East Central Community Council.
April 8, 2009	Public Notice is mailed to all property owners within 450 feet of the subject properties, the property is posted notifying neighbors of a pending land use application and notice is posted on the City's web site and State of Utah's public notice website.
April 12, 2009	Public Notice appears in the Salt Lake Tribune and Deseret News
April 22, 2009	Planning Commission public hearing is held. The Planning Commission adopts a motion to transmit an unfavorable recommendation to the City Council.
May 13, 2009	Minutes from the April 22, 2009 Planning Commission meeting approved.
May 27, 2009	Transmittal submitted to Community and Economic Development.

2. City Council Hearing Notice

NOTICE OF PUBLIC HEARING

The Salt Lake City Council is considering Petition PLNPCM2008-00149; a Master Plan Amendment for the property located at approximately 248 South and 254 South 800 East, submitted by Reese Enterprises. The requested master plan amendment would amend the Future Land Use Map of the Central Community Master Plan for portions of the property located at 248 South 800 East and all of the property located at 254 South 800 East from Medium Density Residential (15-30 units per acre) to Medium/High Density Residential (30-50 units per acre). The proposed Master Plan amendment was submitted by the applicant in order to accommodate a future zoning map amendment.

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

DATE:

TIME:

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

Salt Lake City complies with all ADA guidelines. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this 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 ADA Coordinator at 535-7971; TDD 535-6021.

If you have any questions relating to this proposal, please attend the meeting or contact Nick Norris at 535-6173 or via e-mail nick.norris@slcgov.com.

3. Mailing List

[16-05-158-021-0000]
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CURRUMBIN WATERS
QUEENSLAND, 4223

[16-05-164-009-0000]
WILLIAMS, MICHAEL J & TONI M; JT
604 OVERLOOK DR
DOTHAN, AL 36303-1337

[16-05-158-056-0000]
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MENJIVAR, SARA
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ALHAMBRA, CA 91801

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ROGERS, ELIZABETH D & RICHARD B; TRS
315 W HUENEME RD
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360 S THURSTON AVE
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[16-05-167-006-0000]
HOFFMAN, PAUL
3702 CHANNEL PLACE
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BEARDALL, JAMES M & MAROTTE, ROXANNE S; JT
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1000 LITTLE GEM DR #301
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CITY HAVEN CONDOMINIUMS OWNERS ASSOCIATION
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HENDERSON, NV 91203-

[16-05-167-017-0000]
CITY HAVEN CONDOMINIUMS OWNERS ASSOCIATION
2220 VILLAGE WALK DR
HENDERSON, NV 91203-

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HANSEN, FORREST B
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RENO, NV 89509-

[16-05-156-051-0000]
WETZEL, ROBERT R
393 W 49TH ST #2DD
NEW YORK, NY 10019

[16-05-163-001-0000]
CHEIRASCO PROPERTIES LLC
125 E MAIN ST #611
AMERICAN FORK, UT 84003

[16-05-162-009-0000]
RAAATS, LLC
801 N 500 W #200
BOUNTIFUL, UT 84010

[16-05-157-010-0000]
MEREDITH, DOUGLAS D & JULIA D; JT
547 S OAK VIEW LN
BOUNTIFUL, UT 84010

[16-05-158-019-0000]
ARRANT, JAMES
645 E 700 S
CLEARFIELD, UT 84015

[16-05-336-001-0000]
MEDICAL VENTURES CONDMN COMMON AREA MASTER CARD
6778 S 1300 E
COTTONWOOD HTS, UT 84121-2718

[16-05-158-008-0000]
BOWEN, BROOKE F & BRANDON C; JT
2729 E 7115 S
COTTONWOOD HTS, UT 84121-4134

[16-05-158-035-0000]
K-K LAND AND LIVESTOCK LLC
11614 S 165 W
DRAPER, UT 84020-9448

[16-05-158-048-0000]
K-K LAND AND LIVESTOCK LLC
11614 S 165 W
DRAPER, UT 84020-9448

[16-05-159-017-0000]
REECE ENTERPRISES LLC
1216 E HAWBERRY CIR
DRAPER, UT 84020

[16-05-159-027-0000]
REECE ENTERPRISES LLC
1216 E HAWBERRY CIR
DRAPER, UT 84020

[16-05-158-052-0000]
EDDY INVESTMENTS LLC
13861 S APRIL MOON CV
HERRIMAN, UT 84096

[16-05-156-034-0000]
LINGENFELTER, BETH & RIVERA, MARIO; JT
2960 E BRANCH DR
HOLLADAY, UT 84117-5503

[16-05-158-025-0000]
GREENHALGH, STEPHEN R
4788 S BRON BRECK ST
HOLLADAY, UT 84117

Nick Norris
1319 East Kensington Ave
Salt Lake City UT 84105

[16-05-158-011-0000]
KELLEHER, CHRISTINA R C
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HOLLADAY, UT 84124

[16-05-164-001-0000]
WIC INC
4640 S LOCUST LN
HOLLADAY, UT 84117-5215

Steven Erickson
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Draper UT 84020

[16-05-162-022-0000]
RICHARD B WIRTHLIN FAMILY LLC
2625 E OLD ORCHARD CIR
HOLLADAY, UT 84121

[16-05-158-046-0000]
KNIGHT, GARY & NYLA; TRS
665 E 4149 S
MURRAY, UT 84107-2934

Mr David Weston
Reese Enterprises
218 West Paxton Ave
Salt Lake City, UT 84101

[16-05-156-023-0000]
PETUKOVA, ZHANA
404 E 6240 S
MURRAY, UT 84107-7429

[16-05-163-004-0000]
ACKERSON, JANET I
5442 S 900 E
MURRAY, UT 84117-7204

Loggins Merrill
East Central Community Council
East Bryan Ave
City, UT 84105

1276
Salt Lake

[16-05-156-043-0000]
MEMBERS TRUST COMPANY; TR
4768 HARRISON BLVD
OGDEN, UT 84403

[16-05-158-024-0000]
BOWEN, STEPHEN & MARILOU A; JT
4 GALUVAN CT
PARK CITY, UT 84060

[16-05-163-027-0000]
NICHOL, KEVIN P & VIVIAN I; JT
6817 S LIME LN
WEST JORDAN, UT 84081-5378

[16-05-160-007-0000]
SEAVER, DEBORAH J
772 RIVER BIRCH
PARK CITY, UT 84060

[16-05-158-003-0000]
KRANWINKLE, LYMAN & VICKI; JT
11973 S 2740 W
RIVERTON, UT 84065-7617

[16-05-163-026-0000]
NICHOL, KEVIN P & VIVIAN I; JT
6817 S LIME LN
WEST JORDAN, UT 84081-5378

[16-05-159-023-0000]
CROMER, CYNTHIA C; TR
816 E 100 S
SALT LAKE CITY, UT 84102-4109

[16-05-165-006-0000]
STEVENS, LEIGH
1324 S 1900 E
SALT LAKE CITY, UT 84108-2220

[16-05-156-025-0000]
KNUDSEN, RALPH C; TR
5337 S FERNCREST CIR
TAYLORSVILLE, UT 84118-2226

[16-05-156-006-0000]
AKINMADE, IBIYINKA
710 E 200 S #2A
SALT LAKE CITY, UT 84102-2202

[16-05-156-046-0000]
BARNHILL, RICK
710 E 200 S #7A
SALT LAKE CITY, UT 84102-2202

[16-05-162-017-0000]
GUARDIAN & CONSERVATOR SERVICES LLC; TR (GC TR)
PO BOX 2102
SANDY, UT 84091-2102

[16-05-156-056-0000]
BRADFORD, DENNIS A
710 E 200 S #8C
SALT LAKE CITY, UT 84102-2202

[16-05-156-039-0000]
BROWN, CARLEEN H
710 E 200 S #6B
SALT LAKE CITY, UT 84102-2202

[16-05-167-002-0000]
REES, GORDON T & JUDY C; JT
9925 S REUNION GLEN WY
SOUTH JORDAN, UT 84095-4646

[16-05-156-019-0000]
CRIM, AARON M
710 E 200 S #3F
SALT LAKE CITY, UT 84102-2202

[16-05-156-008-0000]
ELMER, ELIZABETH
710 E 200 S #2C
SALT LAKE CITY, UT 84102-2202

[16-05-158-028-0000]
MARRON, MICHAEL P & KIMBERLY A; TRS (MJF TR)
2806 E WILSHIRE DR
SALT LAKE CITY, UT 84109-1635

[16-05-156-044-0000]
GREENWOOD, SALLY A
710 E 200 S #6G
SALT LAKE CITY, UT 84102-2202

[16-05-156-021-0000]
HANER, CHRIS & AIONO, MOANA; TC
710 E 200 S #3H
SALT LAKE CITY, UT 84102-2202

[16-05-156-016-0000]
MARRON, MICHAEL P & KIMBERLY A; TRS (MJF TR)
2806 E WILSHIRE DR
SALT LAKE CITY, UT 84109-1635

[16-05-164-005-0000]
SALT LAKE COUNTY
2001 S STATE ST #N4500
SALT LAKE CITY, UT 84115-2314

[16-05-156-062-0000]
SODERBORG, ANDREW B & ANN L; JT
56 W VAN BUREN AVE
SALT LAKE CITY, UT 84115-5321

[16-05-160-010-0000]
GARDNER, JAMES R & LYNN F; JT
626 E SIXTH AVE
SALT LAKE CITY, UT 84103-3044

[16-05-160-009-0000]
GARDNER, JAMES R & LYNN F; JT
626 E SIXTH AVE
SALT LAKE CITY, UT 84103-3044

[16-05-156-003-0000]
BROOKBURN INVESTMENTS LLC
PO BOX 9697
SALT LAKE CITY, UT 84109-9697

[16-05-159-009-0000]
PAPEZ, JAROSLAV
341 W REED AVE
SALT LAKE CITY, UT 84103-1433

[16-05-156-066-0000]
HENKEL, JULIA M S
PO BOX 510971
SALT LAKE CITY, UT 84151-0971

[16-05-156-068-0000]
SHEFF, KETTY C
PO BOX 2333
SALT LAKE CITY, UT 84110-2333

[16-05-156-059-0000]
ESSLEY, BRAD W
PO BOX 221052
SALT LAKE CITY, UT 84122-1052

[16-05-156-048-0000]
HUBYCH, JOHN W
710 E 200 S #7C
SALT LAKE CITY, UT 84102-2202

[16-05-156-050-0000]
LARSEN, CRAIG B
710 E 200 S #7E
SALT LAKE CITY, UT 84102-2202

[16-05-156-035-0000]
LUTTMER, CATHARIENA
710 E 200 S #5F
SALT LAKE CITY, UT 84102-2202

[16-05-156-011-0000]
MC DANIEL, AMY; ET AL
710 E 200 S #6E
SALT LAKE CITY, UT 84102-2202

[16-05-156-049-0000]
MOSS, STEPHEN R
710 E 200 S #7D
SALT LAKE CITY, UT 84102-2202

[16-05-156-032-0000]
OGDEN, STEWART
710 E 200 S #5C
SALT LAKE CITY, UT 84102-2202

[16-05-156-036-0000]
PENNINGTON, DAVID & ROBERT I; TC
710 E 200 S #5G
SALT LAKE CITY, UT 84102-2202

[16-05-156-072-0000]
PRIMEAU, CHRISTOPHER
710 E 200 S
SALT LAKE CITY, UT 84102-2202

[16-05-156-069-0000]
SEAMONDS, SEAN
710 E 200 S #9H
SALT LAKE CITY, UT 84102-2202

[16-05-156-073-0000]
STACK, WARREN R
710 E 200 S #10D
SALT LAKE CITY, UT 84102-2202

[16-05-156-070-0000]
HUSTON, IVANKA
710 E 200 S #10A
SALT LAKE CITY, UT 84102-2202

[16-05-156-012-0000]
LIEPERT, AMY E
710 E 200 S #2G
SALT LAKE CITY, UT 84102-2202

[16-05-156-040-0000]
MARSH, TY
710 E 200 S #6C
SALT LAKE CITY, UT 84102-2202

[16-05-156-042-0000]
MCDANIEL, AMY; ET AL
710 E 200 S #6E
SALT LAKE CITY, UT 84102-2202

[16-05-156-013-0000]
NELSON, DANIEL B & LIBKIND, EFRAT; JT
710 E 200 S #2H
SALT LAKE CITY, UT 84102-2202

[16-05-156-064-0000]
PARRA, ALEX M
710 E 200 S #9-C
SALT LAKE CITY, UT 84102-2202

[16-05-156-045-0000]
PETERSEN, BRUCE & CECILIA; JT
710 E 200 S #6H
SALT LAKE CITY, UT 84102-2202

[16-05-156-014-0000]
RASMUSSEN, JANE
710 E 200 S #3A
SALT LAKE CITY, UT 84102-2202

[16-05-156-007-0000]
SHELTON, CARMEN
710 E 200 S #2B
SALT LAKE CITY, UT 84102-2202

[16-05-156-067-0000]
TAYLOR, SUZANNE M
710 E 200 S #9F
SALT LAKE CITY, UT 84102-2202

[16-05-156-030-0000]
CASPER, KATHLEEN
PO BOX 2241
SALT LAKE CITY, UT 84110-2241

[16-05-156-027-0000]
TSALAKY, GEORGE
710 E 200 S #4F
SALT LAKE CITY, UT 84102-2202

[16-05-156-028-0000]
WASILEWSKA, EWA
710 E 200 S #4G
SALT LAKE CITY, UT 84102-2202

[16-05-160-001-0000]
CENTURY PROPERTIES, INC
3905 E PARKVIEW DR
SALT LAKE CITY, UT 84124-2324

[16-05-156-057-0000]
WHITE, KEN L; ET AL
710 E 200 S #8D
SALT LAKE CITY, UT 84102-2202

[16-05-156-065-0000]
WOLTERS, MERLYN R (TR)
710 E 200 S #9D
SALT LAKE CITY, UT 84102-2202

[16-05-160-006-0000]
CENTURY PROPERTIES INC
3905 E PARKVIEW DR
SALT LAKE CITY, UT 84124-2324

[16-05-156-063-0000]
YOUNG, ANDREW M
710 E 200 S #9B
SALT LAKE CITY, UT 84102-2202

[16-05-157-009-0000]
BARTLETT, JAN R & SAXTON, NANCY; JT
732 E 200 S
SALT LAKE CITY, UT 84102-2202

[16-05-156-015-0000]
ADAMS, LEO BL TR (LBAF TRUST)
3959 S OLYMPIC WY
SALT LAKE CITY, UT 84124-2127

[16-05-159-002-0000]
MORGAN V LLC H
750 E 200 S #17
SALT LAKE CITY, UT 84102-2202

[16-05-159-003-0000]
GRIFFIN, WANDA O; TR
764 E 200 S
SALT LAKE CITY, UT 84102-2202

[16-05-160-003-0000]
CENTURY PROPERTIES INC
3905 E PARKVIEW DR
SALT LAKE CITY, UT 84124-2324

[16-05-162-010-0000]
JMP HOLDINGS, LLC; ET AL
341 E 2100 S
SALT LAKE CITY, UT 84115-2236

[16-05-160-011-0000]
REHERMANN, ROBERT; ET AL
2081 E 2700 S
SALT LAKE CITY, UT 84109-1779

[16-05-162-005-0000]
LITTLE, BYRON J & APRIL M; JT
1823 E MICHIGAN AVE
SALT LAKE CITY, UT 84108-1322

[16-05-157-012-0000]
HEATH, MARGUERITE G, ET AL
715 E 300 S
SALT LAKE CITY, UT 84102-2204

[16-05-157-013-0000]
TOLMAN, CALVIN D
721 E 300 S
SALT LAKE CITY, UT 84102-2204

[16-05-163-005-0000]
WUNDER, MARK A
830 E MENLO AVE
SALT LAKE CITY, UT 84102-2314

[16-05-160-008-0000]
REX, MARK R & BARRANI, MAHA A; JT
744 E 300 S
SALT LAKE CITY, UT 84102-2204

[16-05-159-026-0000]
CATHOLIC COMMUNITY SERVICES OF UTAH
745 E 300 S
SALT LAKE CITY, UT 84102-2204

[16-05-163-024-0000]
HOWES, BRADLEY D & TERESA S; JT
825 E MARKEA AVE
SALT LAKE CITY, UT 84102-2302

[16-05-165-005-0000]
MILNE, ERIN
804 E 300 S #25
SALT LAKE CITY, UT 84102-2307

[16-05-165-003-0000]
SORENSEN, GREGORY R & ELIZABETH; JT
804 E 300 S #23
SALT LAKE CITY, UT 84102-2307

[16-05-163-019-0000]
POLI, MICHAEL; ET AL
633 S GRAND ST
SALT LAKE CITY, UT 84102-3911

[16-05-165-009-0000]
KOCH, ANNA K
808 E 300 S #29
SALT LAKE CITY, UT 84102-2307

[16-05-165-007-0000]
OLIVER, MARK
808 E 300 S #27
SALT LAKE CITY, UT 84102-2307

[16-05-163-018-0000]
POLI, MICHAEL
633 S GRAND ST
SALT LAKE CITY, UT 84102-3911

[16-05-165-012-0000]
HAYES, JAY P & KAREN; JT
818 E 300 S #32
SALT LAKE CITY, UT 84102-2307

[16-05-165-013-0000]
HOLLINGSHEAD, NATE
818 E 300 S #33
SALT LAKE CITY, UT 84102-2307

[16-05-159-018-0000]
MILLER, CRAIG R
773 E FIRST AVE
SALT LAKE CITY, UT 84103-3801

[16-05-157-003-0000]
COLBY, TYLER
412 N CHAZ CT
SALT LAKE CITY, UT 84116

[16-05-158-057-0000]
JEFFERS, CAROL A & GOLD, JOSHUA; JT
3683 S CAROLYN ST
SALT LAKE CITY, UT 84106-2074

[16-05-158-053-0000]
PALMER, KENT L
1116 S BONNEVILLE DR
SALT LAKE CITY, UT 84108-2052

[16-05-157-004-0000]
WRIGHT, ROBERT C
369 E 900 S
SALT LAKE CITY, UT 84111-4316

[16-05-167-008-0000]
QUILLEN, SCOTT
320 S 800 E #14
SALT LAKE CITY, UT 84102-2208

[16-05-167-007-0000]
PROVSTGAARD, ALISHA
310 S 800 E #13
SALT LAKE CITY, UT 84102-2208

[16-05-159-019-0000]
DOUTRE, MOE B
262 S 800 E
SALT LAKE CITY, UT 84102-2206

[16-05-159-012-0000]
COLMAN, WILLIAM
232 S 800 E
SALT LAKE CITY, UT 84102-2206

[16-05-162-006-0000]
NIGHSWONGER, WILLIAM D & WENDY L; JT
217 S 800 E
SALT LAKE CITY, UT 84102-2206

[16-05-165-015-0000]
RAWCLIFFE, GILLIAN
818 E 300 S #35
SALT LAKE CITY, UT 84102-2307

[16-05-164-012-0000]
SCAPICCHI, ADELLO
831 E 300 S
SALT LAKE CITY, UT 84102-2306

[16-05-164-006-0000]
LA PARISENNE APARTMENTS
2210 E 3300 S #25
SALT LAKE CITY, UT 84109-2635

[16-05-157-002-0000]
VAN SCHELT, PERRY & LISBETH L; JT
229 S 700 E
SALT LAKE CITY, UT 84102-2106

[16-05-158-039-0000]
COPINGA, JACOB H & REAGAN, FRANCES; JT
247 S 700 E #38
SALT LAKE CITY, UT 84102-2106

[16-05-158-055-0000]
OKUMURA, YUJI & KIYO
247 S 700 E #54
SALT LAKE CITY, UT 84102-2106

[16-05-158-042-0000]
ROWLAND, WILLIAM H
247 S 700 E #41
SALT LAKE CITY, UT 84102-2106

[16-05-158-033-0000]
MARCHANT, ANGIE
249 S 700 E #32
SALT LAKE CITY, UT 84102-2106

[16-05-158-059-0000]
PALMER, LUTHER S & SUZANNE C; JT
249 S 700 E #58
SALT LAKE CITY, UT 84102-2106

[16-05-158-058-0000]
SHAW, PIPER L
249 S 700 E #57
SALT LAKE CITY, UT 84102-2106

[16-05-164-011-0000]
MARTIN, SUSAN K
819 E 300 S
SALT LAKE CITY, UT 84102-2307

[16-05-164-013-0000]
SCAPICCHI, ADELLO
831 E 300 S
SALT LAKE CITY, UT 84102-2306

[16-05-164-004-0000]
LA PARISIENNE APARTMENTS BUSINESS TRUST
2210 E 3300 S #25
SALT LAKE CITY, UT 84109-2635

[16-05-158-032-0000]
BAKSHANDAHPOUR, BITA
247 S 700 E #31
SALT LAKE CITY, UT 84102-2106

[16-05-158-029-0000]
EDWARDS, RICHARD L
247 S 700 E #28
SALT LAKE CITY, UT 84102-2106

[16-05-158-038-0000]
PACE, RICHARD; JT ET AL
247 S 700 E #37
SALT LAKE CITY, UT 84102-2106

[16-05-158-036-0000]
KUHLMAN, LARRY
249 S 700 E #35
SALT LAKE CITY, UT 84102-2106

[16-05-158-037-0000]
MCKEAN, GREGORY M
249 S 700 E #36
SALT LAKE CITY, UT 84102-2106

[16-05-158-061-0000]
REIS, JOSEPH
249 S 700 E #60
SALT LAKE CITY, UT 84102-2106

[16-05-158-001-0000]
THE SHAUGHNESSY APARTMENTS COMMON AREA
MASTER CARD
249 S 700 E #46
SALT LAKE CITY, UT 84102-2106

[16-05-159-015-0000]
GREGG, AMBERLEY E & KERBEIN, SCOT; JT
242 S 800 E
SALT LAKE CITY, UT 84102-2206

[16-05-167-005-0000]
NUNEZ, MICHAEL
310 S 800 E #11
SALT LAKE CITY, UT 84102-2208

[16-05-167-004-0000]
FOREBACK, TERENCE; ET AL
320 S 800 E #10
SALT LAKE CITY, UT 84102-2208

[16-05-159-014-0000]
KLUKOSKE, RAYMOND J
2389 S 800 E
SALT LAKE CITY, UT 84106-1865

[16-05-156-001-0000]
THE STANSBURY, CONDOMINIUM MASTER CARD
925 E 900 S
SALT LAKE CITY, UT 84105-1402

[16-05-156-002-0000]
SMELSER, RUTH E; TR ET AL
1747 E BROWNING AVE
SALT LAKE CITY, UT 84108-2201

[16-05-158-043-0000]
RAHIMI, DANESH & TAGHIPOUR, NAMVAR; JT
1466 E CHANDLER DR
SALT LAKE CITY, UT 84103-4217

[16-05-163-020-0000]
POLI, MICHAEL
633 S GRAND ST
SALT LAKE CITY, UT 84102-3911

[16-05-158-006-0000]
CHRISTIANSEN, APRIL L & WESLEY; JT
251 S 700 E #5
SALT LAKE CITY, UT 84102-2106

[16-05-158-005-0000]
GASPARAC, LOUISE; TR (LG TRUST)
251 S 700 E #4
SALT LAKE CITY, UT 84102-2106

[16-05-158-014-0000]
SARTAIN, GENE F & WILLIAM N; JT
251 S 700 E #13
SALT LAKE CITY, UT 84102-2106

[16-05-158-018-0000]
WRIGHT, ROBERT C
251 S 700 E #17
SALT LAKE CITY, UT 84102-2106

[16-05-158-023-0000]
HOKOM, JAMES W
253 S 700 E #22
SALT LAKE CITY, UT 84102-2106

[16-05-158-016-0000]
WEBB, KATHRYN D
253 S 700 E #15
SALT LAKE CITY, UT 84102-2106

[16-05-157-001-0000]
JHS ENTERPRISES LLC
5194 EMIGRATION CANYON RD
SALT LAKE CITY, UT 84108-1717

[16-05-163-022-0000]
HOWES, BRAD D & TERESA S; JT
825 E MARKEA AVE
SALT LAKE CITY, UT 84102-2302

[16-05-158-020-0000]
CONNOLE, DAN M
251 S 700 E #19
SALT LAKE CITY, UT 84102-2106

[16-05-158-002-0000]
HERD, AARON W
251 S 700 E #1
SALT LAKE CITY, UT 84102-2106

[16-05-158-010-0000]
TEERLINK, JANET E
251 S 700 E #9
SALT LAKE CITY, UT 84102-2106

[16-05-158-009-0000]
CARVER, JONATHAN R & MISTY D; JT
253 S 700 E #8
SALT LAKE CITY, UT 84102-2106

[16-05-158-015-0000]
MIYA, BRUCE I
253 S 700 E #14
SALT LAKE CITY, UT 84102-2106

[16-05-179-009-0000]
THIRD SOUTH PROPERTIES, LLC
358 S 700 E #B-320
SALT LAKE CITY, UT 84102-2113

[16-05-163-017-0000]
POLI, MICHAEL
633 S GRAND ST
SALT LAKE CITY, UT 84102-3911

4. Planning Commission Hearing

A. Original Notice and Postmark

Salt Lake City Planning Division
451 South State Street , Room 406
PO Box 145480
Salt Lake City UT 84114

FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
$ 00.42⁰
02 1A
0004632097 APR 08 2009
MAILED FROM ZIP CODE 84116

PUBLIC HEARING NOTICE

Mark Norris
1219 Kensington Ave

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.

SLC PLN 2 09

AGENDA FOR THE SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building at 451 South State Street
Wednesday, April 22, 2009 at 5:45 p.m.

The field trip is scheduled to leave at 4:00 p.m. Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m., in Room 126. **Work Session**—the Planning Commission may discuss project updates and other minor administrative matters. This portion of the meeting is open to the public for observation.

Approval of Minutes from Wednesday, April 8, 2009

Report of the Chair and Vice Chair

Report of the Director

Public Hearings

1. **Rocky Mountain Power Northeast Substation at 144 South 1100 East**—a request by Rocky Mountain Power, for a conditional use planned development and preliminary subdivision approval to reconstruct and expand electric power capacity to the existing Northeast Substation. The project is located in an RMF-30 Low Density Multi-family Residential zoning district.

    a. **PLNSUB2008-00464 Conditional Use Planned Development**—a request by the applicant for modifications to the front yard, and rear yard setback and buffer requirements, grade changes and fence and wall height.

    b. **PLNSUB2008-00814 Preliminary Subdivision**—a request by the applicant for preliminary approval to combine three lots into one lot for the existing substation.

    The property is located in City Council District Four, represented by Luke Garrott (Staff contact: Everett Joyce at 801-535-7930 or everett.joyce@slcgov.com).

2. **PLNPCM2009-00398 Rescue Mission of Salt Lake Zoning Text Amendment**—a petition submitted by the Rescue Mission of Salt Lake, represented by Stephen Trost, to amend the definition of a "homeless shelter" as listed in Zoning Ordinance section 21A.62.040 Definitions and to amend Zoning Ordinance 21A.28.040 Table of Permitted and Conditional Uses for Manufacturing Districts by adding a homeless shelter to the table as a conditional use. The purpose of the zoning text amendment is to facilitate the relocation of the Rescue Mission of Salt Lake facility to property located at 2945 West 900 South. The property is zoned M-1 Light Manufacturing and is located in City Council District two represented by Van Turner (Staff contact: Nick Norris at 801-535-6173 or nick.norris@slcgov.com).

3. **PLNPCM2008-00149 Reese Enterprises Master Plan Amendment**—a petition submitted by Reese Enterprises, represented by David Weston, to amend the Future Land Use Map of the Central Community Master Plan. The Future Land Use Map currently designates a portion of the property located at 248 South 800 East and all of the property located at 254 South 800 East as Medium Density Residential (15-30 dwelling units per acre). The proposed amendment would change the designation to Medium/High Density Residential (30-50 dwelling units per acre). The purpose of the master plan amendment is to facilitate a future zoning map amendment that would legalize dwelling units on the subject property that were constructed without City approval. The property is located in City Council District 4 represented by Luke Garrott (Staff Contact: Nick Norris at 801-535-6173 or nick.norris@slcgov.com).

4. **PLNPCM2009-00042, Salt City Plaza, LLC**—a request for a Planned Development located at approximately 154 West 600 South and 179 West 500 South. The site is presently zoned D-1 Central Business District. The petitioner is proposing to construct multiple buildings on a single site with no street frontage for all buildings. The petitioner is also requesting a conditional use for some design related issues such as height and setback (Staff contact: Doug Dansie at 801-535-6182 or doug.dansie@slcgov.com).

5. **PLNPCM2008-00883, Howard Johnson Zoning Map Amendment**—a request by Northwestern Hospitality Corporation and Leonard KM Fong Trust to rezone three parcels located at 103 North 300 West; 121 North 300 West; and 320 West North Temple from CC (Corridor Commercial) to D4 (Downtown Secondary Central Business District). The property is located in City Council District Three, represented by Eric Jergensen (Staff contact: Casey Stewart at 801-535-6260 or casey.stewart@slcgov.com).

Visit the Planning 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.

4770 S. 5600 W.
P.O. POX 704005
WEST VALLEY CITY, UTAH 84170
FED.TAX I.D.# 87-0217663

The Salt Lake Tribune MEDIAONE Morning News

CUSTOMER'S COPY

PROOF OF PUBLICATION

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
PLANNING DIVISION, 451 SOUTH STATE STREET, ROOM 406 SALT LAKE CITY UT 84111	9001394298	4/13/2009

ACCOUNT NAME	
PLANNING DIVISION,	
TELEPHONE	ADORDER# / INVOICE NUMBER
8015356184	0000442418 /
SCHEDULE	
Start 04/12/2009	End 04/12/2009
CUST. REF. NO.	
CAPTION	
Salt Lake City Master Plan Amendments	
SIZE	
42 Lines	1.00 COLUMN
TIMES	RATE
4	
MISC. CHARGES	AD CHARGES
	TOTAL COST
	75.56

Salt Lake City Master Plan Amendments

On April 22, 2009, the Salt Lake City Planning Commission will hold a public hearing to consider making recommendations to the City Council regarding the following petition:

Petition PLNPCM2008-00149 filed by the Reese Enterprises to amend the Future Land Use Map in the Central Community Master Plan from Medium Density Residential to Medium High Density Residential for the properties located at approximately 248 South and 254 South 800 East in Salt Lake City.

The public hearing will begin at 5:45 p.m. in room 326 of the City County Building, 451 South State Street, Salt Lake City, UT. For more information or for special ADA accommodations, which may include alternate formats, interpreters, and other auxiliary aids or additional information, please contact Nick Norris at 535-6173 or call TDD 535-6220.
442418 UPAXLP

AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY CORPORATION LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF Salt Lake City Master Plan Amendments 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 04/12/2009 End 04/12/2009

SIGNATURE Jenny Rust

4/13/2009

Notary Public
ELIZABETH G. CORDOVA
8462 West 4200 South
West Valley City, Utah 84128
My Commission Expires
January 16, 2010
State of Utah

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

Elizabeth Cordova

4. Planning Commission Hearing

B. Staff Report

PLANNING COMMISSION STAFF REPORT

Reese Enterprises
Master Plan Amendment PLNPCM2008-00149
250 South 800 East
April 22, 2009

Planning and Zoning Division
Department of Community and Economic Development

Applicant: Reese Enterprises, represented by David Weston
Staff: Nick Norris, 535-6173 or nick.norris@slcgov.com
Tax ID: 16-05-159-027 and 16-05-159-017
Current Zone: RMF-35 Moderate Density Multi-family Residential and RMF-45 Moderate/High Density Multi-family Residential
Master Plan Designation: Central Community Master Plan: Medium Density Residential and Medium/High Density Residential.
Council District: District 4 represented by Luke Garrott
Lot Size: 30,603 square feet
Current Use: Multi-family residential
Applicable Land Use Regulations:
- 21A.24.130
- 21A.24.140

Notification
- Notice mailed on April 7, 2009
- Sign posted on April 10, 2009
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites and in the newspaper April 12, 2009

Attachments:
A. Applicant Information
B. Photographs
C. Citizen Input

Request

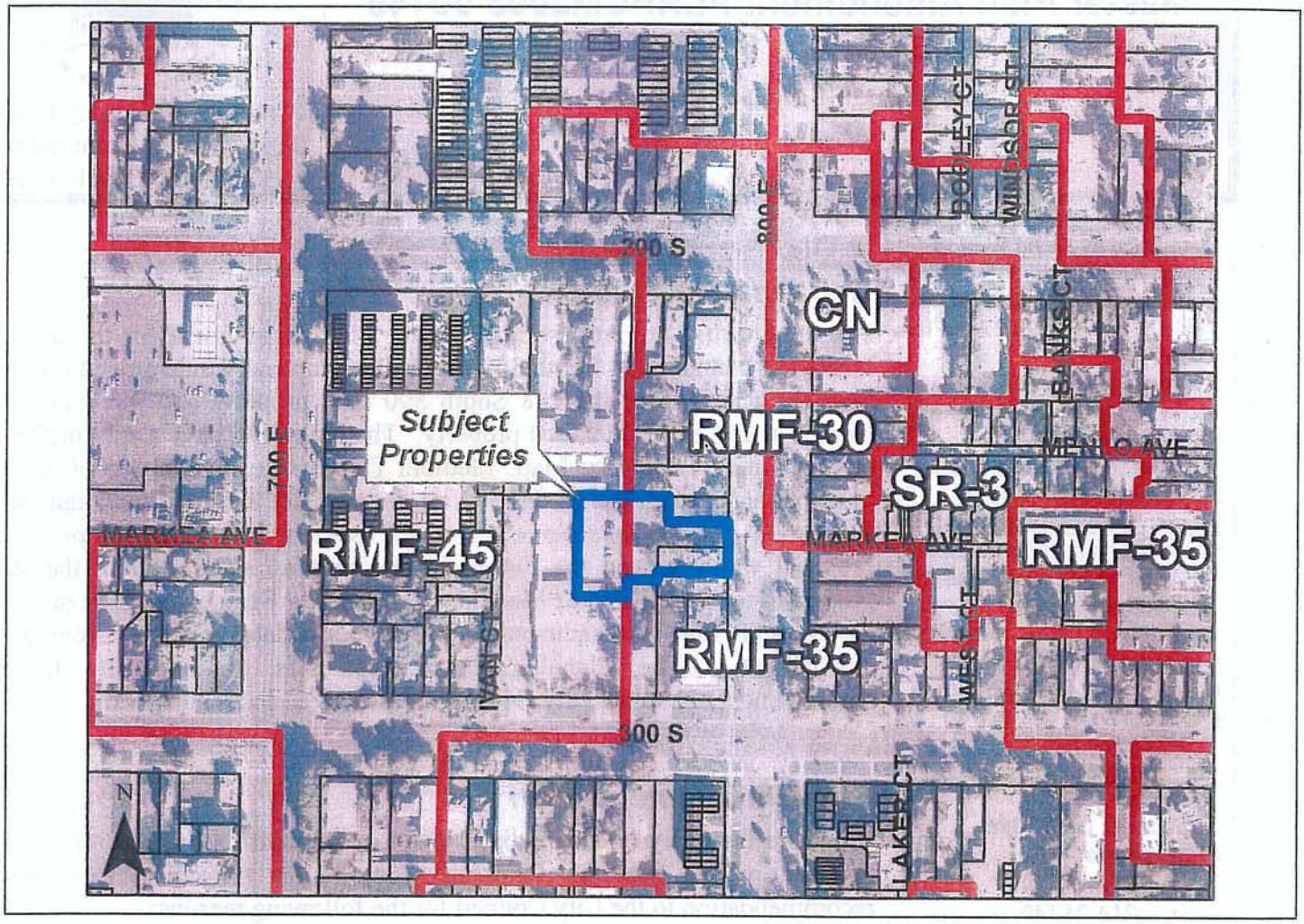
The applicant(s) are requesting a Master Plan Amendment for the properties located at 248 and 254 South 800 East. The proposal would amend the master plan for a portion of the 248 South 800 East property and the entire parcel located at 254 South 800 East property. The properties have a split designation on the Future Land Use Map: Medium Density Residential (15-30 dwelling units per acre) along the eastern half of the property and Medium/High Density Residential (30-50 units per acre) on the western half of the property. The proposal would amend the Future Land Use Map so that all of the subject properties are designated as Medium/High Density Residential. The purpose of the Master Plan Amendment is to accommodate a future zoning map amendment. The Planning Commission has the authority to make recommendations to the City Council on master plan amendments.

Staff Recommendation

Based on the analysis and findings listed in the staff report, it is the Planning Staff's opinion that the Planning Commission transmit an unfavorable recommendation to the City Council for the following reasons:

1. The Central Community Master Plan establishes the City's vision for this area and specifically does not support increasing residential densities in the East Central Neighborhood Planning Area; and
2. Changing the designation of the subject properties on the Future Land Use Map may allow for a zoning map amendment that could support development that is not compatible with the surrounding area in terms of scale and character, which conflicts with one of the goals of the Central Community Master Plan.
3. The Salt Lake Futures Commission Report recommends making land use decisions that are consistent with the adopted vision of the City
4. The Salt Lake City Community Housing Plan supports adding housing in areas of the City where it is supported by the Community Master Plans. In this case, the CCMP does not support increasing density in this area.

VICINITY MAP



Background

Project Description

The purpose of the proposed master plan amendment is to change the Future Land Use Map of the Central Community Master Plan so that it would support a zoning map amendment for the subject properties. The Future Land Use Map in the Central Community Master Plan places two separate designations on the subject property: Medium Density Residential (15-30 units per acre) on the eastern half of the property and Medium/High Density Residential (30-50 units per acre) on the western portion of the property. The proposed master plan amendment would change the designation so that all of the subject property is within the Medium/High Density Residential designation.

The Medium/High Density Residential would support a zoning map amendment up to RMF-45. The RMF-45 zoning district allows up to 43 dwelling units per acre. It also allows a maximum building height of 45 feet. If a zoning map amendment is approved in the future, the two parcels would be required to be joined together so that the parcel is one parcel and the applicant would be required to go through a conditional use process for a

planned development because there would be multiple buildings on a single lot that do not have the required frontage on a public street.

Comments

Public Comments

The proposal was presented to the East Central Community Council on March 12, 2009. There were approximately 30 people in attendance. The ECCC listed the following concerns with the proposal:

- The proposal is inconsistent with the Central Community Master Plan
- Pressure to develop or redevelop into higher densities has become one of the most significant issues confronting the area.
- The proposal is not harmonious with the overall character of the existing development on 800 East.
- It will potentially adversely affect adjacent properties

City Department Comments

The comments received from pertinent City Departments / Divisions are as follows:

Transportation (Barry Walsh): The Division of transportation review comments and recommendations are as follows:
The 800 East public transportation corridor is a special collector class roadway, conducive to the existing traffic generation needs per the current development shown.

There are no proposed changes indicated to the existing dwellings or the parking provisions per the proposed zoning amendment. There are two 6 plex buildings and one 12 plex for a total of 24 units with 27 parking stalls on the 248 South lot. The duplex at 254 South has two parking stalls.
Any future changes to the properties will require development compliance to current standards at that time.

Building Services (Alan Hardman): On March 30, 2009, the DRT reviewed the applications from Reese Enterprises for amendments to the master plan and zoning map for rezoning the front portion of the property located at 248-254 South 800 East from RMF-35 to RMF-45. The request for rezoning originates from an active zoning enforcement case whereby the owners have allegedly relocated a laundry facility from the basement of an existing 4-plex to a newly constructed storage shed without permits and then added two new dwelling units in the same basement of the existing 4-plex, thereby converting it to a six unit apartment building, also without permits. The current RMF-35 zoning and lot size prevent building permits from being issued for the two additional dwelling units. In total there 24 dwelling units on the property— 22 units are legal. It is our understanding that the applicant has acquired the additional land necessary to meet the density requirements provided the RMF-45 zoning is approved. The Building Services Division has the following issues.

1. The applicant will need to acquire building, permit conversion of the accessory building to a laundry facility.
2. The applicant will need to acquire building, plumbing, mechanical and electrical permits for the two additional dwelling units.
3. Planned development approval may be required before a building permit can be issued for the two additional dwelling units.

4. Parking calculations are required for the two additional dwelling units.
5. Additional parking shall be provided in the amount by which new amount of required parking exceeds the existing amount of required parking.

Police Department (Lt. Richard Brede): No Comments returned

Public Utilities (Brad Stewart): 2 units constructed without permit. Laundry put in "accessory" building without permit. Will likely require sand/oil separator. Fees owed to Public Utilities. Plumbing to "shed" not approved or inspected.

Additional Comments from Public Utilities: I have reviewed the proposed Master Plan Amendments and while Public Utilities has no objections at this time, the applicant must understand that actual changes in the density of the project will require a civil engineer review the site utilities and public mains (water and sewer) for capacity. Extensive utility upgrades may be required.

Fire Review (Ted Itchon): Fire hydrant within 400' of exterior walls. Fire access roads within 150' of the exterior walls.

The comments returned indicate that additional City requirements may not have been complied with during construction of the laundry facility and additional dwelling units. If the units end up being legalized through the required processes, then the property shall be subject to all applicable permit requirements listed in the above comments and any other requirement that may be discovered during the permit process.

Project Review

The subject property is located at 250 South 800 East. The property is located within the geographical boundaries of the Central Community Master Plan (CCMP). The CCMP has divided the Central Community into Neighborhoods. The subject property falls within the Bryant Neighborhood of the East Central North planning area. The site was developed in 1960. At that time, a Certificate of Occupancy was issued by the City for a 22 unit apartment house. A search of the Building Permit database indicates that the property has had numerous permits issued since it was constructed. According to the applicant, an additional single bedroom unit was added to the basement of building 252 in 2003. In 2006, a second unit was added to the basement of building 252 after a new laundry facility was constructed on the site. On October 29, 2007 the property was "flagged" by Building Services due to the addition of these two units that were added without approval or permits from the City. The original Certificate of Occupancy has not been amended since it was originally issued. A Zoning Certificate has not been issued for the property.

In January 2008, the applicants submitted a petition to amend the Central Community Master Plan. The purpose of the master plan amendment is to amend the master plan so that it would support a zoning map amendment. It does not appear as though the applicant met with the Planning Staff in a pre-submittal meeting prior to submitting this application. In February of 2007, the applicant was informed that the petition was incomplete because it did not include enough information regarding the master plan amendment. The Planning Division requested that the applicant submit to the City a zoning map amendment in order to provide the City with enough information to analyze the reason for the master plan amendment. At the time, the Planning Division policy was to process a master plan amendment and a zoning map amendment concurrently.

In June 2008, the applicant submitted a zoning map amendment petition to rezone the property located at 248 South 800 East from RMF-35 and RMF-45 to RMF-75. The planning staff began processing the petition and determined that the proposal could adversely impact the neighborhood due to the increase land use intensity.

When the Planning Division informed the applicant that the Division would not support the proposed master plan or zoning map amendment, the applicant indicated that they would make an effort to acquire additional land in order to fall under a less dense multi-family residential zoning district.

In February 2009 the applicant provided the City with evidence that they had purchased the property located at 254 South 800 East. An analysis performed by the applicant indicated that the additional land would provide enough of a lot area to accommodate all of the existing dwelling units on both properties if the entire project area was zoned RMF-45. The RMF-45 designation allows up to 43 units per acre, which is in excess of the 15-30 dwelling unite per acre density recommended in the Central Community Master Plan. Therefore, a master plan amendment was still required.

The Development Review Team reviewed the petition on March 30, 2009. In attendance at the meeting were representatives from the Building Services Division, Engineering Division, Transportation Division and Public Utilities. During the meeting, it was determined that the building permit for the laundry facility only indicated that a shed was being built, and there was no indication that the structure including plumbing. A separate plumbing permit is required. Public Utilities also commented that they likely did not install the plumbing in a manner that is consistent with existing code and indicated that a sand separator is required for this kind of facility. There was also no sewer impact fee.

Analysis and Findings

Options

With regard to master plan amendments, the Planning Commission makes a recommendation to the City Council and the City Council has the decision making authority. If the City Council denies the request, then the Central Community Master Plan would not be amended and the plan would continue to support the existing recommended density.

If the City Council approves the request, then a zoning amendment to rezone the entire subject properties to RMF-45 would be processed. In addition, the applicant would have to combine the lot area through a subdivision process. The subdivision process requires the subdivision to meet the minimum zoning standards, a conditional use planned development would be required. This is because the zoning ordinance requires all buildings on a common lot to have frontage on a public street unless the buildings are approved through the planned development process. In addition, the laundry facility would have to go through a special exception process in order to allow a laundry facility to be located within an accessory structure. The facility would also have to be inspected in order to demonstrate all applicable building, plumbing, electrical and mechanical codes have been complied with.

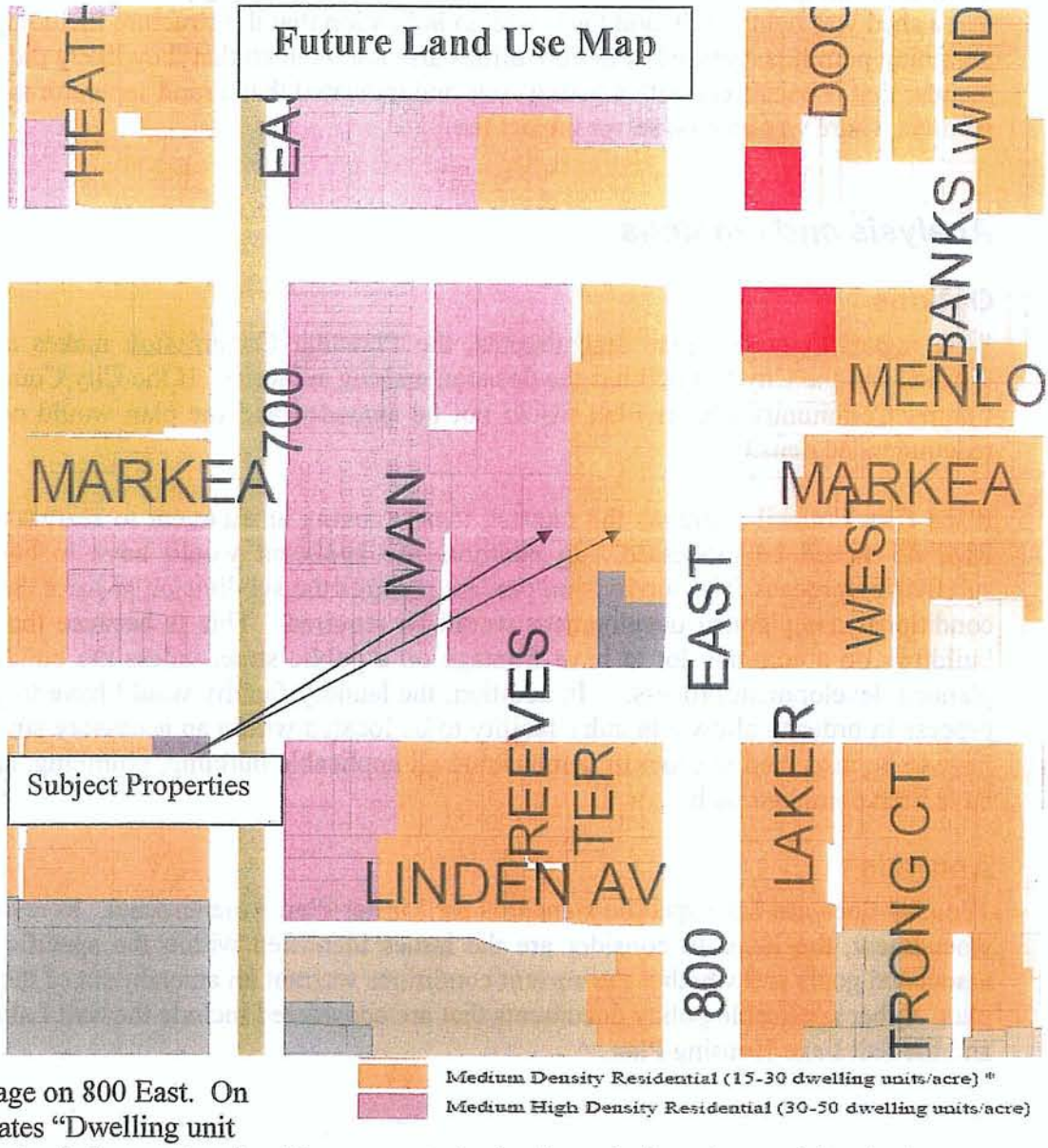
Analysis

The City does not have specific standards for Master Plan Amendments. In reviewing this type of master plan amendment, the items to consider are the issues identified within the specific Community Master Plan, the associated goals and whether the current conditions warrant an amendment of the goals of the applicable master plan. Other applicable policy documents that are considered include the Salt Lake Futures Commissions Report and the Salt Lake Housing Plan.

Central Community Master Plan

The subject property is located in an area that is covered by Central Community Master Plan (CCMP). The CCMP was updated and adopted in 2005. According to the future land use map in the CCMP, the property falls within two categories: Medium Density Residential and Medium/High Density Residential. The Medium Density Residential designation has a recommended density of 15-30 dwelling units per acre. All of the properties that have frontage along 800 East between 200 and 300 South have this designation. The Medium/High Density Residential designation has a recommended density of 30-50 dwelling units per acre. This designation is found on the western two thirds of the block. The proposed zoning designation would have a maximum density of 43 dwelling units per acre. This exceeds the recommended density of the Medium Density Residential designation but is within the recommended density of the Medium/High Density Residential designation. Residential Land Use

Policy RLU-1.6 encourages coordination between the Future Land Use Map, zoning ordinances, and the Salt Lake City Housing Plan. The proposed zoning designation is not consistent with the Future Land Use Map of the CCMP.



The CCMP includes multiple goals that are related to residential neighborhoods. On page 3 of the CCMP, goal 5 states "prevent inappropriate growth in specific parts of the community" and goal 6 states "encourage specific types of growth in designated parts of the community." The Future Land Use Map and the description of each designation found on the map indicate the appropriate type of growth for various areas. In this instance, the appropriate type of growth is Medium Density Residential on the portion of the properties that have frontage on 800 East. On page 9 of the CCMP, it states "Dwelling unit increases should not exceed existing zoning densities or mast plan land use designation, and density increases should only be permitted as long as the structure and property do not exceed zoning designations."

The proposed zoning designation allows for a greater density in the area than the CCMP recommends. Excessive density is one of the issues that the CCMP identifies on page 6 that is specific to the Bryant neighborhood of the East Central North neighborhood planning area, in which the subject property is located. The plan also encourages higher densities in other areas within the geographical boundaries of the CCMP to relieve the pressures on the East Central North Neighborhood. This is reflected in land use policy RLU-1.4 that restricts high density residential growth to the Downtown, East Downtown, Transit Oriented Districts and Gateway areas of the CCMP.

The proposed zoning designation could also allow greater building heights that are not characteristic of the adjacent properties. The adjacent structures are all 1-2 stories in height and are likely less than 30 feet tall. The RMF-45 zoning district would allow a structure up to 45 feet in height. Therefore, the proposed zoning designation would create the potential for inappropriate growth on the subject parcel.

According to the CCMP, the desirable type of growth on and around the subject parcel is medium to medium/high density multifamily residential land uses. The RMF-35 and RMF-45 set standards for the number of units based on lot size and building height. The RMF-35 zoning district is consistent in terms of with the Medium Density residential designation in terms of dwelling units per acre while the RMF-45 zoning district is consistent with the Medium High density designation. However, placing RMF-45 in the area designated for medium density residential is not consistent with the Central Community Master Plan.

Salt Lake City Futures Commission Report

The Salt Lake City Futures Commission report is a city wide document that is general in nature. The document itself does not specifically address increasing density. The report does say in Assertion N (page 13) that "City Planners encourage private development but hold steadfast to an overall vision and reject proposals that may be economically attractive to the City but do not promote the City's vision." The City's vision for this area is reflected in the Central Community Master Plan.

Salt Lake City Housing Plan

The purpose of the Salt Lake City Housing Plan is to provide a set of policies that guide housing development in the City. The plan encourages a mix of housing types, including high and low density and owner and renter occupied. The plan, however, does not list increasing densities above what is called for in Community Master Plans as a policy. In fact, the plan refers to the policies provided in adopted community master plans (Implementation Strategy 2, page 32).

Zoning

The zoning ordinance provides minimum development standards for each zoning district. These include building setbacks, building height, lot coverage, maximum density, etc. The current zoning designations and their mapped locations on the block are consistent with the Central Community Master Plan. There are a number of legal, nonconforming land uses and legal, non-complying buildings on the block. The existing uses and buildings are considered legal because they existed prior to the current zoning regulations. If the zoning of the subject property were to be changed to RMF-45, then the site could be redeveloped with buildings up to 45 feet tall. Due to the amount of land involved, no new dwelling units could be added. The remainder of the block face would be zoned RMF-35.

Findings

Based upon the above analysis, staff finds that the goals of the Central Community Master Plan are relevant to the current land use issues associated with the subject property and to the properties and land uses in the vicinity. The goals of the Central Community Master Plan do not support increasing the residential density in the East Central North neighborhood, which includes the Bryant neighborhood. The Futures Vision Document establishes a policy of making land use decision consistent with the vision of the City. The Central Community Master Plan establishes the City's vision for this neighborhood. Finally, amending the Future Land Use Map of the Central Community Master Plan to support an increase in density could allow for a zoning designation that would support additional mass and scale that may have an adverse impact on adjacent properties.

Attachment A
Applicant Information

W. David Weston
218 W. Paxton Ave.
Salt Lake City, Utah 84101
Phone: 801-706-3462
email: dweston63@gmail.com

January 29, 2008

Wilf Sommerkorn
Planning Director
Salt Lake City, Corp.
451 So. State Street, Rm 406
Salt Lake City, Utah 84111

Re: Amended Petition RM45 Designation 248 & 254 So. 800 East
Petition No. 400-08-19

Dear Mr. Sommerkorn,

At Mr. Erickson's request, I am responding to your letter of January 16, 2009 addressed to Mr. Erickson. Unfortunately, the January 5, 2009 deadline was missed, in part because it fell just after the Holidays, a birthday cruise in early December, created by my children, and the necessity of attending to other pressing matters including an involved nursing home real estate transaction I was supervising in Kansas. I regret losing track of the imposed deadline and apologize for any inconvenience this may have caused.

I am submitting herewith a zoning map amendment and amended zoning application for the property parcels No. 159027 and 159017 as illustrated on Exhibit "A" to the Statement attached to the amended application. Exhibit "B" to the Statement which attaches recorded deeds, identifies that Mr. Erickson is the owner of both properties.

There appears to be some confusion, where your letter of January 16, states in the last paragraph that "The City cannot continue to process a petition that relates to property that is not under your ownership or control. Apparently, based on the erroneous assumption that Mr. Erickson did not own the properties - your letter went on to state, "Therefore, the Planning Division stands by our decision to close your petition." I made clear to Mr. Norris, before the November 5, 2008 letter, that Mr. Erickson had closed on the 254 So. 800 East property (see attachment to Mr. Erickson's letter and exhibit "B" to Statement showing the deed recording date of November 3, 2008) - but needed more time to attempt to acquire the property at 238 So. 800 East owned by Mr. Klukoske, - that if acquired would eliminate the need for the zoning change. Unfortunately Mr. Klukoske decided not to sell his property and these negotiations just terminated.

Additionally, at the time of my last visit with Mr. Norris, I observed in the file a plot plan I had provided that illustrated the existing parking and the number of dwelling units. It was my understanding the 60 days additional time was provided to allow Mr. Erickson to continue with his land purchasing efforts to eliminate his need to seek to have the zoning map changed for his location.

I submit that everything required to be submitted by Mr. Norris's letter of November 5, 2008 has now been submitted. In consideration of your statement in the last paragraph of your letter i.e. "However, we would reconsider opening your petition once you are the owner of the property...", now that you are aware that Mr. Erickson is the owner of the property, I would respectfully request that you grant Mr. Erickson's request to "reopen the application and allow us an additional 30 days to bring all these matters to a conclusion." Thank you in advance for your consideration.

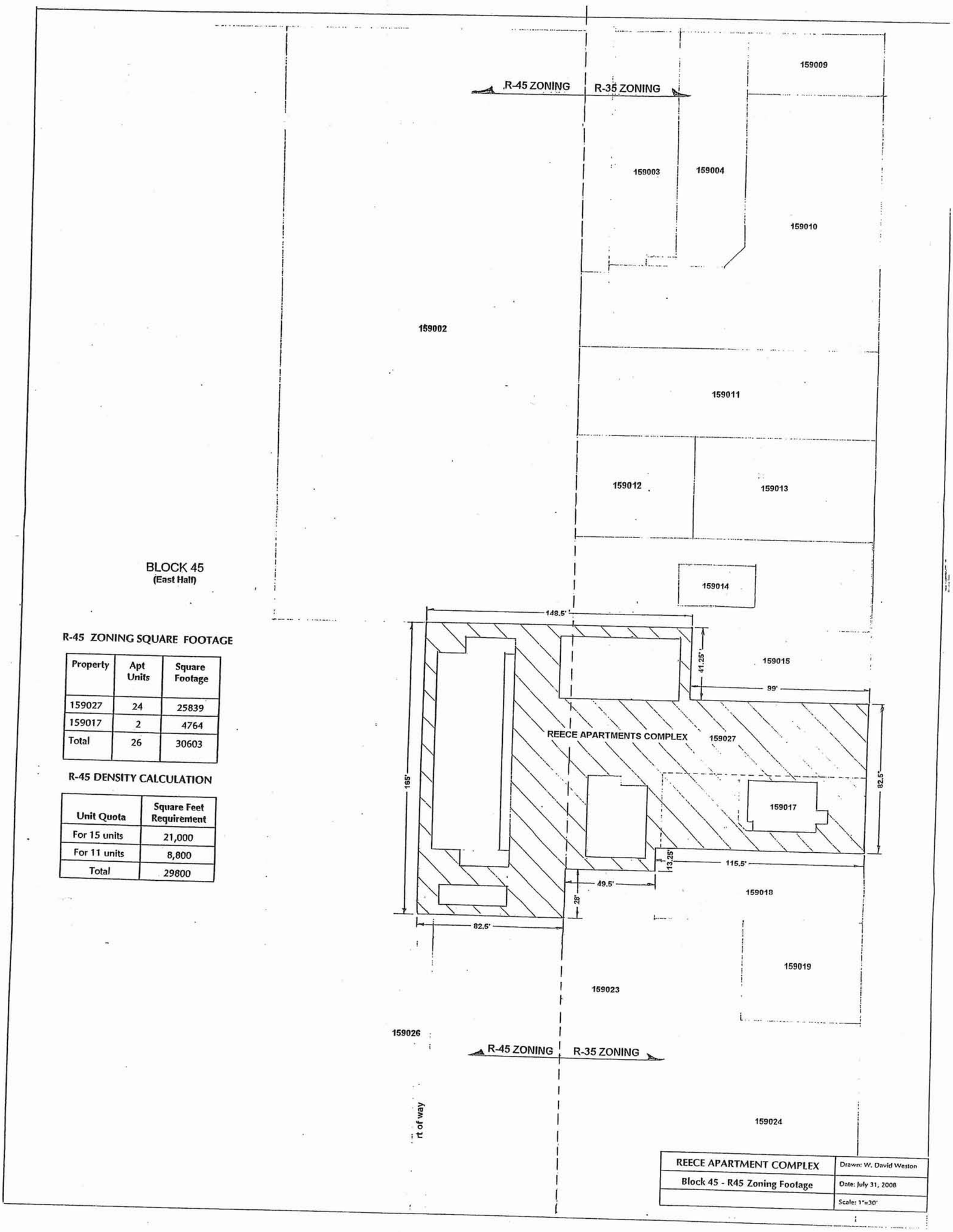
Kindest regards

W. David Weston

Attachment

cc: Steven Erickson
Nick Norris
Cheri Coffey
Scott Mikkelsen

EXHIBIT "A"



BLOCK 45
(East Half)

R-45 ZONING SQUARE FOOTAGE

Property	Apt Units	Square Footage
159027	24	25839
159017	2	4764
Total	26	30603

R-45 DENSITY CALCULATION

Unit Quota	Square Feet Requirement
For 15 units	21,000
For 11 units	8,800
Total	29800

REECE APARTMENT COMPLEX	Drawn: W. David Weston
Block 45 - R45 Zoning Footage	Date: July 31, 2008
	Scale: 1"=30'

EXHIBIT "B"

VTDI 16-05-159-027-0000 DIST 13 TOTAL ACRES 0.60
ERICKSON, STEVEN R & TAX CLASS UPDATE REAL ESTATE 262700
RENEE C; TR LEGAL BUILDINGS 783500
PRINT P TOTAL VALUE 1046200

1216 E HAWBERRY CIR
DRAPER UT 84020 EDIT 0 FACTOR BYPASS
LOC: 248 S 800 E EDIT 0 BOOK 8802 PAGE 9360 DATE 05/27/2003
SUB: UNKNOWN TYPE UNKN PLAT

01/22/2009 PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY
BEG AT NE COR LOT 2, BLK 45, PLAT B, SLC SUR; W 5 RDS; S 10 RDS; E 5 RDS; N 28 FT; E 3 RDS; N 54.5 FT; E 7 RDS; N 2.5 RDS; W 6 RDS; N 2.5 RDS; W 4 RDS TO BEG. 5544-0742 6117-2057 7671-0480,0485 7671-0488 7965-2377

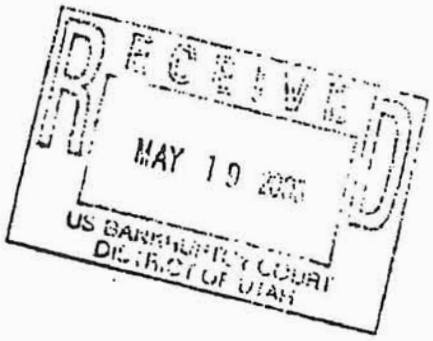
PFKEYS: 1=RXPH 2=VTOP 4=VTAU 6=NEXT 7=RTRN VTAS 8=RXMU 10=RXBK 11=RXPN 12=PREV

VTDI 16-05-159-017-0000 IST 13 TOTAL ACRES 0.11
ERICKSON, STEVEN TAX CLASS UPDATE REAL ESTATE 88200
LEGAL BUILDINGS 124400
PRINT P TOTAL VALUE 212600

254 S 800 E
SALT LAKE CITY UT 84102220654 EDIT 1 FACTOR BYPASS
LOC: 254 S 800 E EDIT 0 BOOK 9656 PAGE 0637 DATE 11/03/2008
SUB: BLK 045 PLAT B TYPE PLOT PLAT

01/22/2009 PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY
BEG 5 RDS S FR NE COR LOT 1, BLK 45, PLAT B, SLC SUR; S 2 1/2 RDS; W 7 RDS; N 2 1/2 RDS; E 7 RDS TO BEG. 4897-735 4900-0204 5413-0229 5597-2970 5644-2148 8236-2828,2829 9155-5263

PFKEYS: 1=RXPH 2=VTOP 4=VTAU 6=NEXT 7=RTRN VTAS 8=RXMU 10=RXBK 11=RXPN 12=PREV



Gary E. Jubber, (A1758)
David N. Kelley, (A9137)
Fabian & Clendenin
Twelfth Floor
215 South State Street
Salt Lake City, Utah 84111
Telephone: (801) 531-8900

Attorneys for Chapter 7 Trustee

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF UTAH

CENTRAL DIVISION

In re:	Bankruptcy No. 02-35352 WTT
	(Chapter 7)
GUY M. THOMPSON and JUDY P. THOMPSON,	**ORDER APPROVING STIPULATION FOR SETTLEMENT AND SALE OF PROPERTY**
Debtors.	Honorable William T. Thurman

Gary E. Jubber, the duly appointed Chapter 7 Trustee of the above-captioned bankruptcy estate, filed a Motion to Approve Stipulation for Settlement and Sale of Property ("Motion") on April 23, 2003. The Trustee served a copy of the Notice of Hearing, which included the material terms of the Motion and a notice of the requirement for a written response under Bankr. D. Ut. LBR 2002-1, upon the debtor, debtor's counsel, and all other parties in interest by mail on April 23, 2003. No responses or objections to the Trustee's motion were filed. The motion came for hearing before the court on May 19, 2003. The Trustee was represented by counsel. The Erickson Trust was represented by counsel. Pursuant to the Trustee's Motion, the representations of counsel at the hearing, and good cause appearing, it is hereby

ORDERED that the Stipulation for Settlement entered into by the Trustee and the Erickson Trust is hereby approved;

IT IS FURTHER ORDERED that the sale of the Trilogy Lane Apartments and the Residence located at 8909 North Saddleback Drive, Park City, Utah (the "Properties") to the Erickson Trust is hereby approved;

IT IS FURTHER ORDERED that the trustee may sell the Properties pursuant to the terms and conditions set forth in the trustee's Motion;

IT IS FURTHER ORDERED that such sale shall be subject to any and all existing liens, assessments, and other encumbrances; and

IT IS FURTHER ORDERED that the trustee may execute such documents as may be necessary and appropriate to effect, implement and consummate a sale of the Property;

IT IS FURTHER ORDERED that the sale as described herein shall not be stayed pursuant to Federal Rules of Bankruptcy Procedure 6004(g);

DATED this 19th day of May, 2003

BY THE COURT

William T. Thurman

WILLIAM T. THURMAN
BANKRUPTCY COURT JUDGE

Order Entered on 05/21/2003

10553976
11/3/2008 9:07:00 AM $10.00
Book - 9656 Pg - 637
Gary W. Ott
Recorder, Salt Lake County, UT
SPENCER BALL & ASSOCIATES
BY: eCASH, DEPUTY - EF 1 P.

File No. 8212
When recorded, mail to:
STEVEN ERICKSON
254 SOUTH 800 EAST
SALT LAKE CITY, UTAH 84102

WARRANTY DEED

GARTH JOHNSON, grantor(s), of Salt Lake County, State of Utah, hereby CONVEY(S) AND WARRANT(S) to STEVEN ERICKSON, grantee(s), for the sum of $10.00, TEN DOLLARS and other valuable consideration, the following described tract of land located in SALT LAKE County, State of Utah, and more particularly described as:

BEGINNING AT A POINT NORTH 12.5 RODS FROM THE SOUTHEAST CORNER OF LOT 1, BLOCK 45, PLAT "B", SALT LAKE CITY SURVEY, AND RUNNING THENCE NORTH 2.5 RODS, THENCE WEST 7.0 RODS; THENCE SOUTH 2.5 RODS; THENCE EAST 7.0 RODS TO THE POINT OF BEGINNING.

Tax Serial No. 16-05-159-017

Subject to easements, restrictions, and rights of way currently of record and the general property taxes and assessments for the current year and thereafter.

WITNESS the hand of said grantor(s), this 31 day of ~~September~~ October, 2008.

GARTH JOHNSON

STATE OF UTAH)
) ss.
County of Salt Lake)

On the 31st day of October, 2008, personally appeared before me GARTH JOHNSON, the signer(s) of the foregoing instrument, who duly acknowledged to me that (s)he executed the same.

KELLIE SORENSEN
NOTARY PUBLIC • STATE OF UTAH
5296 S. COMMERCE DR. #103
MURRAY, UTAH 84107
COMM. EXP. 07-23-2011

Notary Public
I reside in Salt Lake County

EXHIBIT "C"

Lot # 159014

148'-6"

9'-0"

6'-0"

6'-3"

BLDG 242
6 Units

35'-3"

41'-3"

Lot # 159015

99'

5'-6"

73'-8"

Lot # 159027

41'-3"

BLDG 250
12 Units

165'

8'-9"

115'-6"

Duplex 2 Units

Lot # 159017

41' 3"

46'-7"

BLDG 252
6 Units

42'

54'-6"

5'-9"

32'-5"

49'-6"

3'-11"

30'

7'

37'-5"

LAUNDRY FACILITY

PORCH

11'-6"

8'

4'-6"

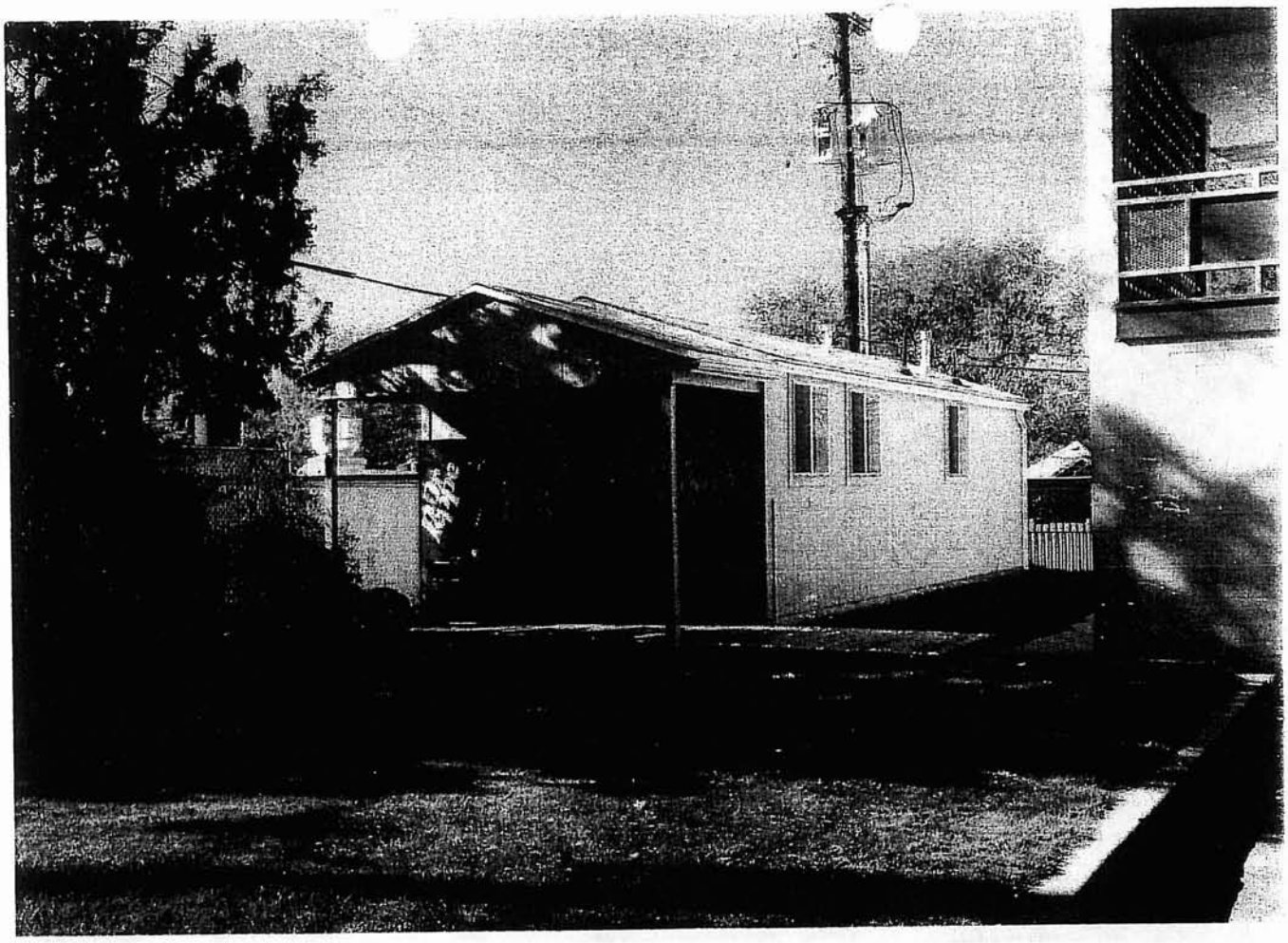
6'

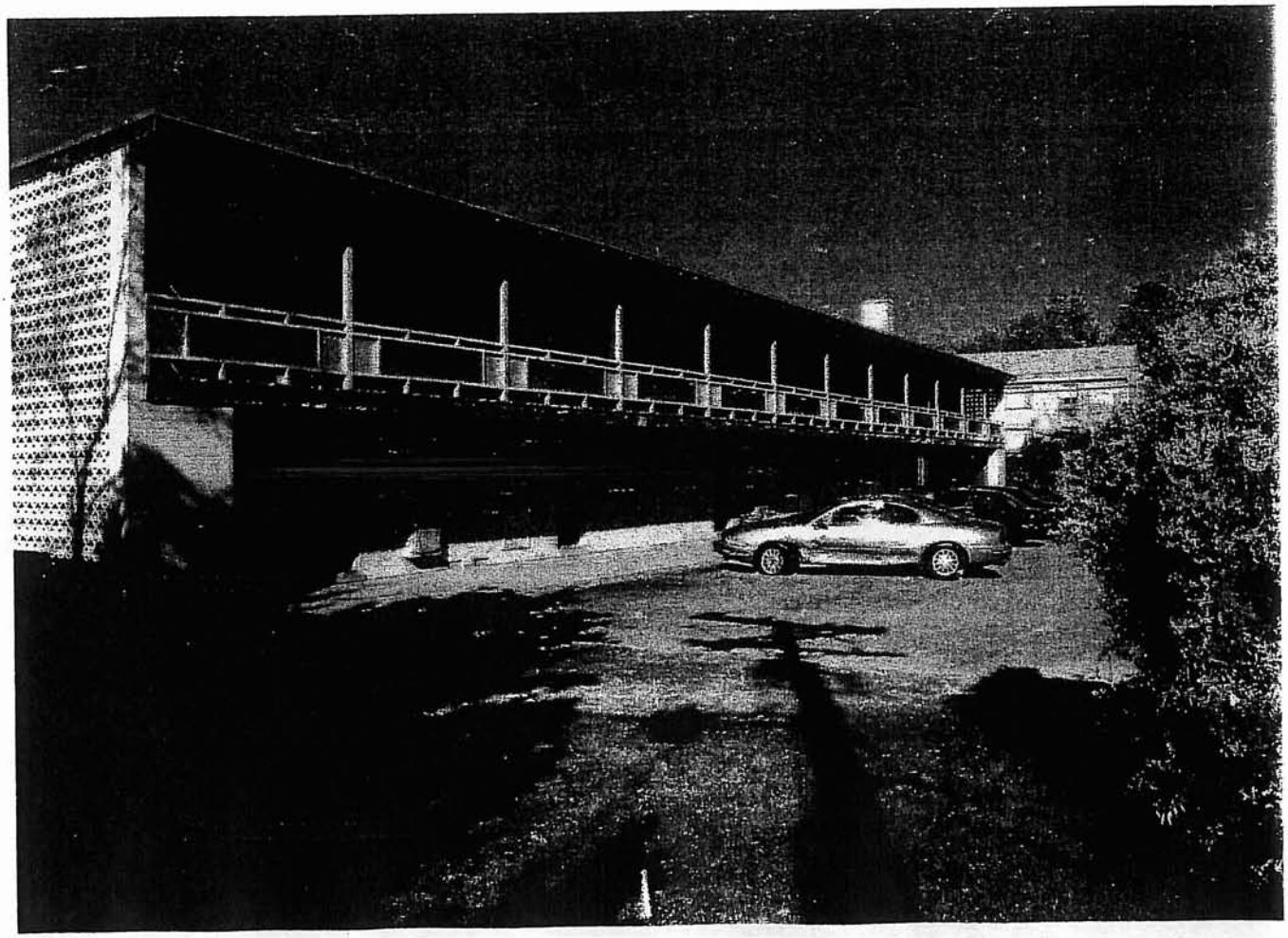
28'

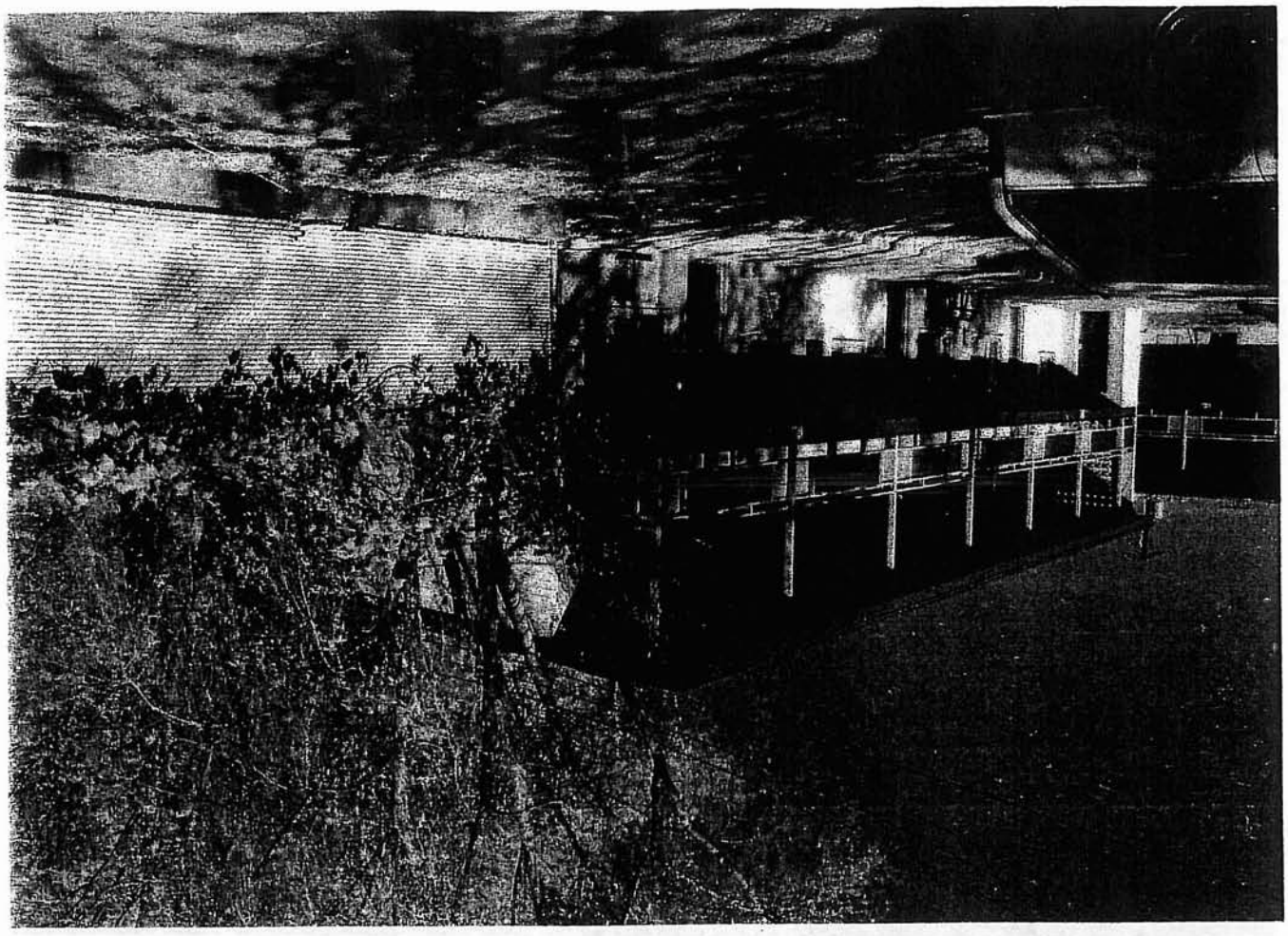
REECE APARTMENTS

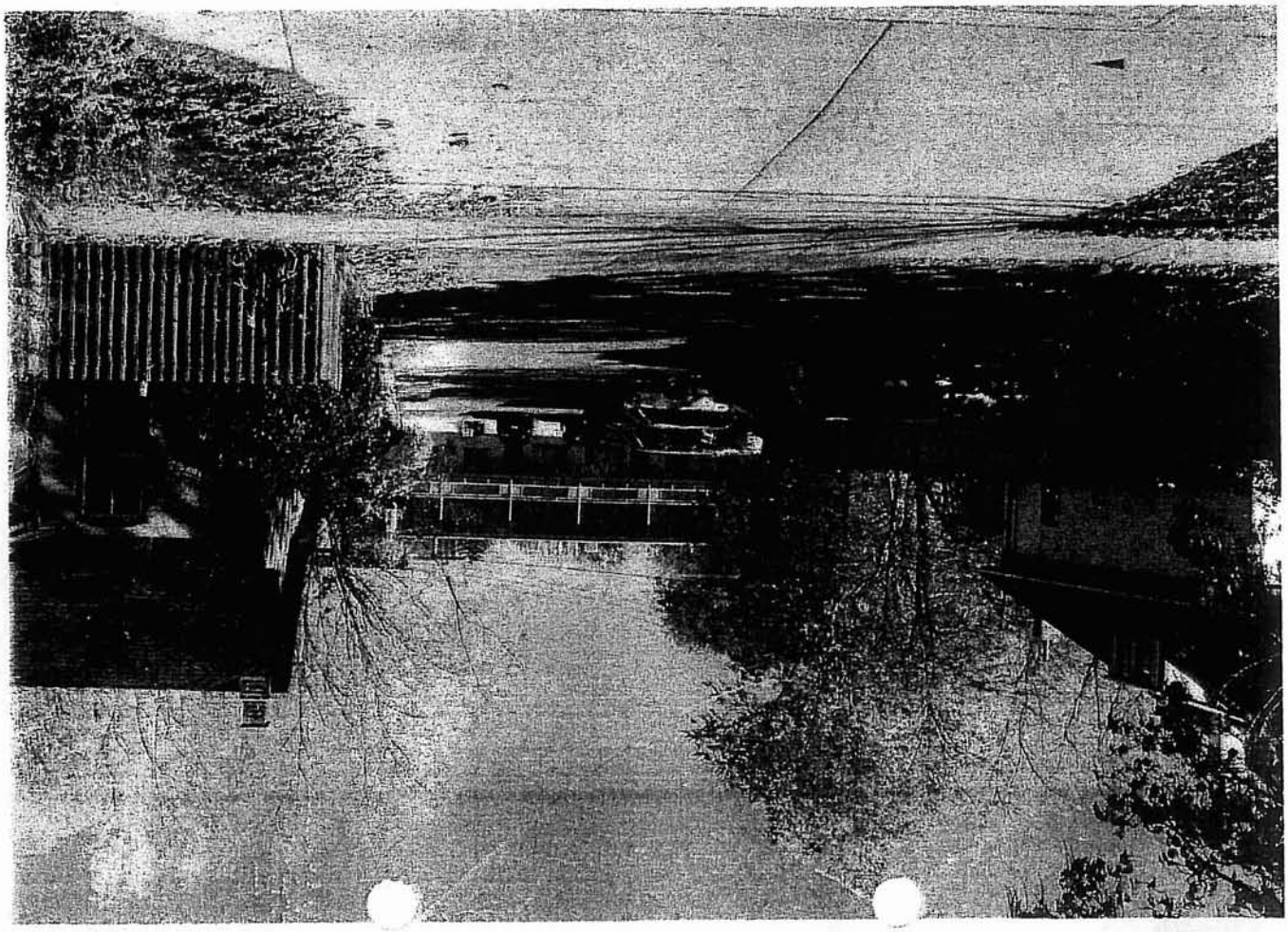
Drawn: W. David Weston

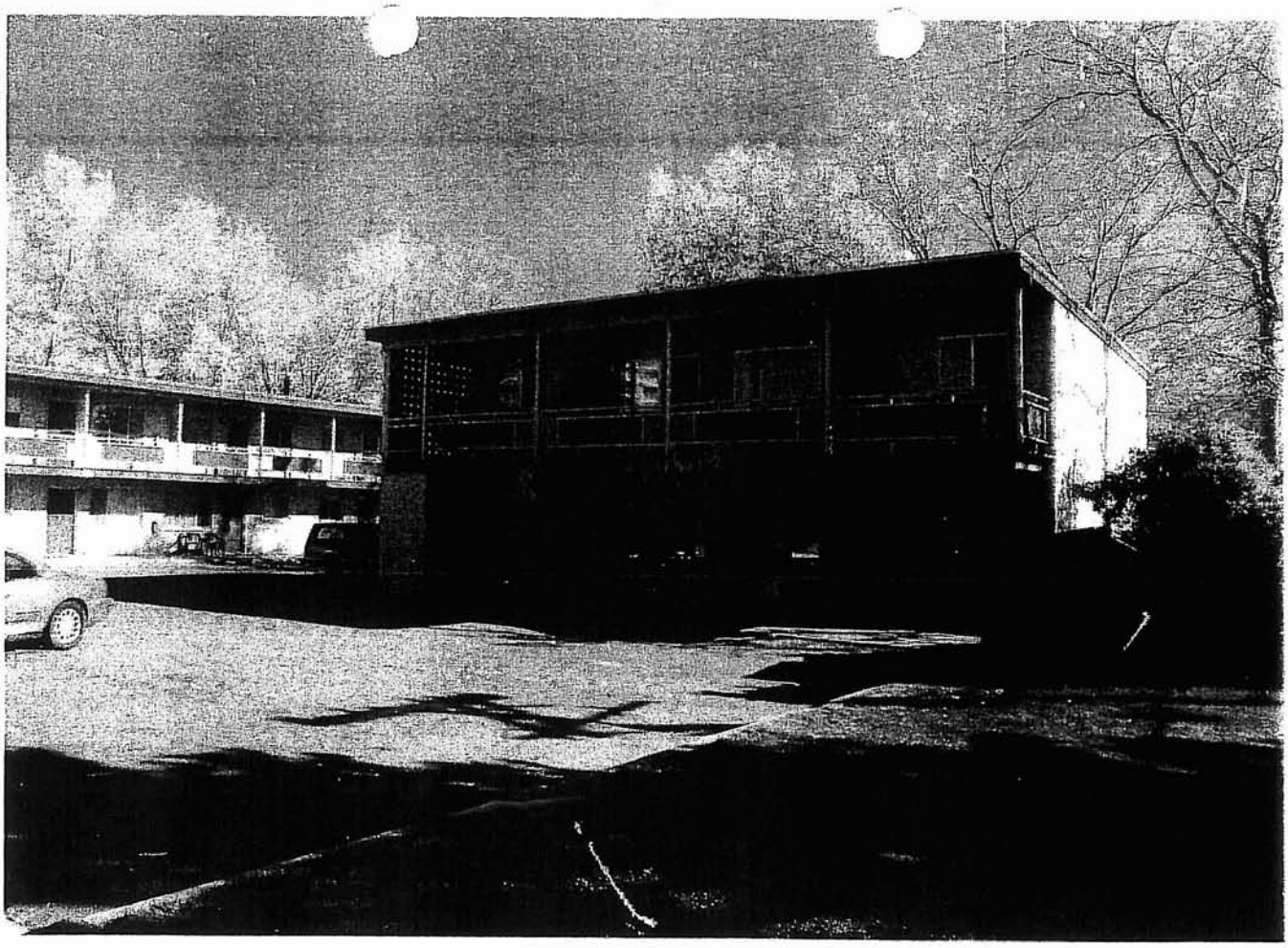
Attachment B
Photographs











Attachment C
Citizen Input

Norris, Nick

From: loggins merrill [loggins.merrill@gmail.com]
Sent: Friday, March 20, 2009 1:51 PM
To: Norris, Nick; Gray, Frank; Sommerkorn, Wilford; Council Comments
Subject: ECCC response to the Reese application
Attachments: ECCC response to Reese application.pdf

Nick,
We decided to do one letter to address both applications for the change to the masterplan and the request to up-zone the property from Reese Enterprises. I know that the top of the letter states only one of the issues but it was made and scanned in prior to us clearly understanding that we could combine both issues into one response. Please make sure this is clear for those who will be considering our comments. Thank you for coming to our meeting during the discussion and for all the help you have given during the process!

Loggins Merrill
Chair, East Central Community Council.

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The problems that exist in the world today cannot be solved by the level of thinking that created them. - Einstein

TO: Nick Norris, Planning Division Staff

FROM: Loggins Merrill, Chair East Central Community Council

DATE: March 18, 2009

RE: Petition PLNCPM2008-00141 Zoning Map Amendment for property located at 248 South and 254 South 800 East

Reese Enterprises, represented by Mr. David Weston, presented their proposal to the East Central Community general meeting on March 12, 2009. The concerned properties are located in the Bryant Neighborhood. The City should consider that this area is vulnerable to abuses of the zoning laws and ordinances, increased density pressures, and bad landlord practices. All residents within the boundaries of East Central Community Council (ECCC) have a vested interest in attempts to increase the housing density of properties within those boundaries.

It is the ECCC's position and recommendation that this application to up-zone to RMF-45 be denied. To address some of the criteria listed by the Planning Department in the request letter please see the following:

A. Whether the proposed amendment is consistent with the purposes and goals of the Central Community Master Plan.
The proposed amendment is inconsistent with the Central Community Master Plan.

The Central Community Master Plan adopted by the Salt Lake City Council on 11/1/05, regarding the Bryant Neighborhood, states:

> *Pressure to develop or redevelop into higher densities has become one of the most significant issues confronting the area.*

About the issues within East Central North Neighborhood, of which Bryant is a part, it lists:

> *Residential*
>
> - *Reduce excessive density potential, stabilize the neighborhood, and conserve the neighborhood's residential character.*
> - *Improve zoning enforcement, including illegal conversion to apartments, yard clean-up, "slum lords", etc.*

These statements are still true today. There is not sufficient argument in this proposal to start re-writing the document or the future land use map, which designates these properties as moderate-density.

B. Whether the proposed amendment is harmonious with the overall character of existing development.
It is not harmonious with the overall character of the existing development on 800 East.

RMF-35 is medium-density housing. RMF-45 is medium/high density housing. The entire west block face of 800 East between 200 and 300 South is currently zoned as RMF-35. The east block face is RMF-30 and RMF-35. Granting higher zoning in the middle creates an imbalance in rights compared to adjacent property owners. It sets a dangerous precedence towards increased density. It also avails these properties to many more potential conditional-uses, which the neighborhood is already over-burdened with.

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

We are primarily focusing on the potential development of the RMF-45 zoning designation, not on the merits or demerits of the 3 illegal units located on the properties, as that is our community's main concern with the proposal. If this amendment were to be approved, Reese enterprises would automatically have a financial advantage over adjacent landlords by having an RMF-45 zoned property instead of a split zone, and this would be done by a minor fee of up zoning. This could be looked at as an incentive to other landlords to consequently illegally convert apartments and then just request an up-zone. The biggest adverse affect is the fact that the property could then be developed and built up to 45 feet high. This will most definitely affect adjacent properties.

The legalization of excess apartment units that were built without proper permits from the city is an inappropriate use of zoning change. The landowner, by his representative's own statements, has been in the rental property business for decades. It is certain that he would know it is illegal to make extensive additions to his property without permits. It is unfortunate that he is now in a position where he may have to make people move. His own actions have brought him to this position. He has profited from his illegal units for many years. If the City had properly inspected his properties, he may have been stopped at the first illegal unit, instead of arriving at three. Higher zoning instantly makes his properties more valuable. To grant an up-zone would reward and encourage such behavior. There are many, many landlords in the Bryant Neighborhood that would surely follow suit if Reese Enterprises were successful with this zoning change.

We ask that you consider the development potential and the precedent that will be set by granting this up-zone. We ask that you not reward the making of illegal units. We ask that you deny this application.

Sincerely,

Loggins Merrill

MEMORANDUM

To: Loggins Merrill, Chair and Officers and Representatives
East Central Community Council

From: W. David Weston/Stephen Erickson

Date: March 13, 2009

The purpose of my correspondence is to record my observations of what occurred during the zoning map amendment presentation at the East Community Council meeting held March 12, 2009. I am requesting, in the interest of fairness, that further action be taken before the Community Council replies to the February 5, 2009 letter from Nick Norris, of the Salt Lake City Planning Division Staff.

At the commencement of the Zoning Map Amendment presentation segment Mr. Loggins Merrill, Chairman, read 5 specific items for which the Salt Lake City Planning Division Staff was asking for citizen input at the community council meeting as follows:

Standards for Review:

A. Whether the amendment was consistent with the purposes, goals, objectives and policies of the Central Community Master Plan and any other applicable small area plan or other policy document.

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

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

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

E. The adequacy of public facilities and services intended to serve the subject property, including roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and wastewater and refuse collection.

In its letter the Planning Division Staff also noted that input from the community group could be general in nature focusing on issues of "impact to abutting properties" and "compatibility with the neighborhood."

Following Mr. Merrill's reading of the above, a presentation was made on behalf of Mr. Erickson, the owner of the Reece apartments, seeking positive comments from the citizens present for the proposed amendment. The presentation addressed the Planning Divisions request for comments, set out the prior history of Mr. Erickson's ownership of the Reece apartments and Mr. Erickson's financial efforts to bring two previously constructed basement apartments into zoning compliance. A detailed explanation of the basis for the zoning map amendment was made. Also presented was Mr. Erickson's significant and worthwhile contributions to the community.

Approximately 28 people attended the meeting. Citizen comments to the zoning map amendment proposal were made by approximately 6 or 21% of the participants.

Summary of Citizen Comments:

1. Although the property is split RM45 and RM35, the change of the RM35 portion to RM45 would in the future allow for the construction of three story buildings on the prior RM35 portion and was therefor objectionable based on this possibility. She suggested that the council might give greater consideration if Mr. Erickson would sign a stipulation or covenant that ran with the title that no three story buildings would ever be constructed.

2. The present objectives of the Central Community was to promote residential homes for the area and to restrict apartment and commercial development to areas nearer the city center and this amendment might cause other property owners to seek similar amendments.

3. The zoning amendment would make Mr. Erickson's property more valuable and it was obvious that Mr. Erickson's intent was to make his property more valuable as well as to make more money from two additional apartments. Since Mr. Erickson's motive was greed the proposed zoning map amendment was unwarranted. This person stated that Mr. Erickson's amendment might be acceptable if after

recovery of his investment he would then donate the profit proceeds derived from the two basement apartments to charity. This person also said she owned apartments and would like to convert the basement areas in her apartments to more income, but, was prevented because of zoning restrictions and therefore unless he was willing to donate the proceeds to charity it was, as a matter of economics, basically unfair to other apartment property owners.

4. A resident, who identified himself as an architect working for the city, said the community council was being asked to sanction an illegal act, since Mr. Erickson had not sought a building permit prior to the construction of the two basement apartments and that fact had not been mentioned during the presentation (suggesting the presentation was therefore misleading).

5. Another citizen respondent asked if instead of a zoning map amendment the city could provide a waiver or variance. Nick Norris from the city planning commission responded that this was not a practical alternative based on certain restrictions.

6. Another attendee, who stated he was also an architect, suggested Mr. Erickson's zoning issue might be resolved by converting other of the apartments to larger units to accommodate families (and consequently more people involved than the three occupants of the basement apartments) to solve the unit zoning density problem created by the addition of the two basement apartments.

7. Another attendee stated that she did not see anyone present who was from the neighborhood affected by the zoning and that they should not make a decision absent input from the neighborhood residents. She asked if the subject properties neighbors could be solicited by mail for comment or notified and asked to attend another meeting.

Commentary

In light of the City Planning Division Staff requests for (A - E) the following is an analysis of the applicability of the citizens comments.

In response to the inquiry made by an attendee "that she did not see anyone present who was from the neighborhood affected by the zoning" no one either

identified themselves or was otherwise identified as attending from the neighborhood. Consequently there was no one present competent to either generally or specifically focus on whether the zoning map amendment had any "impact to abutting properties" and was either "compatible" or incompatible with the neighborhood. It is undisputed that the RM45 change is compatible with one-half of the existing Reece apartment property and two-thirds of block 45. A survey of the RM35 neighborhood on both the east and west side of 800 East between second and third south identifies the following neighborhood characteristics:

THE WEST SIDE OF 800 EAST		THE EAST SIDE OF 800 EAST	
204 NE Corner	Duplex Apartment Building	NW Corner 2nd East	Dollar Tree Store Commercial
208	4 Story High Mutiplex Apartment Building (+-20 Units)	215	8 Unit Apartment Complex 2 Story
230	Duplex Apartment Building	217	Single Family Dwelling
234	3 Story Single Family Home	223	Duplex Apartment Building
238	Student Apartments (6)	235	3 Story Duplex Apt Building
242	Single Family Home	231	Tri Plex Apartment Building
250	Reece Apartments (24)	243	6 Unit Apartment Building
254	Reece Apartments Duplex (2)	255	2 Story Apartment Complex (12)
256	Single Family Dwelling	259	Large 4 Story Apartment Complex (24)
262	Single Family Dwelling	265	Single Family Dwelling
SE Corner 3rd So.	Commercial Office and Restaurant	SW Corner 3rd So.	Three Story Single Family Dwelling

Citizen Response to Planning Division Inquiry (A) (See above)

One person cited language from the Master Plan. No person at the meeting commented on whether or not the amendment was consistent with the purposes, goals, objectives and policies of the Central Community Master Plan and no one identified any other applicable small area plan or other policy document. Citizen comment number (1) might be interpreted as an objection related to the Master Plan applicable to Inquiry (A). This comment objected to a RM45 classification on the possibility that a three story structure might be built on the RM35 portion of the property in the future. As noted above of the 20 building units on either side of 800 East 6 large buildings have heights equal to or exceeding a three story structure 2 of which are large 4 story multiple apartment complexes. Finally, the present subject property size can accommodate no more units than presently exist.

Citizen Response to Planning Division Inquiry (B) and (C).

As demonstrated above in the 800 East neighborhood property study, there is nothing in the Erickson zoning map amendment (which merely adds three residents) that adversely impacts any abutting property nor any evidence of adverse impact was presented. There was no evidence presented that the proposed zoning change allowing for two basement apartments is not compatible with the neighborhood. As the above 800 East study illustrates in response to Inquiries (B) and (C) of the Planning Division (see above) it should be concluded the proposed zoning map amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property. And the addition of two basement apartments could not adversely affect adjacent properties. No citizen at the meeting who commented presented any evidence that would not support this conclusion to Planning Division Inquiries (B) and (C).

Citizens Response to Planning Division Inquiry (D) and (E).

(D) No citizen attendee referenced or pointed to any applicable overlay zoning districts which may impose additional standards; or commented on any additional standards applicable to the proposed zoning map amendment. (E) With only the mere addition of three citizen residents to the existing property no logic or reason could surmise that the addition of these residents occupying the two basement apartments would or could reduce the adequacy of public facilities and services including roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and wastewater and refuse collection.

Conclusion

Based on the citizen comments set out above and their application to the Planning Division Inquiries A through E, the Community Council written comments in Reply to the Planning Division must be positive.

Additional Commentary on Other Citizen Comments:

Let me now address the citizen comments that were made which were not relevant to the questions A-E posed by the Planning Division.

Regarding Comment No. 1. This comment expressed concern that the change of the RM35 portion to RM45 would in the future allow for the construction of three story buildings. While this may be true, but highly unlikely, the character of the neighborhood is presently occupied by large 3 and 4 story buildings located along both sides of 800 East between second and third south. In response it was argued that the economics would generally not support bulldozing out the existing structures to construct new apartments and there was no more space to add additional structures. Mr. Erickson, has no intention and would so stipulate that he will not remove the existing structures and replace them with three story structures on the RM35 portion. The objective of the amendment is to allow for the two basement apartments as occupied by three residents to remain.

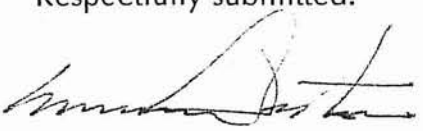
Regarding Comment No. 2. Any property owner is open to petitioning for an amendment to the zoning map at any time and each case, it is presumed, will be evaluated on a case by case basis. Mr. Erickson's application for a change to the zoning map cannot affect whether or not other property owners may successfully promote a zoning map change.

Regarding Comment No. 3. As to Mr. Erickson's possible greed for the zoning amendment it cannot be disputed that over time Mr. Erickson will recover his investment and will make a profit. Such is the nature of capitalism. But the question of a profit motive is not the basis for a response to the questions A - E propounded by the Planning Division Staff in their February 5, 2009 letter. For sake of argument, Mr. Erickson could possibly have pursued constructing an extra story and adding six additional apartments on his apartment building presently within RM45 zoning to increase his profits. His motive is to amend the zoning map as necessary to retain the two basement apartments and the 3 existing residents who call the basement apartments their home.

Regarding Comment No. 4. A citizen, who identified himself as an architect working for the city, said the community council was being asked to sanction an illegal act, since Mr. Erickson had not sought a building permit prior to the construction of the two basement apartments. The building permit matter is not the province of the community councils judgment or inquiry and therefore was not relevant to the proceedings. The penalty for not obtaining a building permit is self effectuating. The penalty is to deny occupancy until a building permit is obtained and a determination made that the building is in compliance with existing law.

Finally, Mr. Erickson agrees with the attendee who objected to the proceedings on the basis there was no one present from Mr. Erickson's neighborhood providing input. It is respectfully requested that should the community council intend to supply a negative response to the Planning Divisions inquiry that the meeting be continued until the next regularly scheduled Community Council meeting. This will grant either Mr. Erickson, or the neighborhood representative of the council, time to contact and invite citizens from the neighborhood to express their grievances, if any, before any action, adverse to the proposed amendment, is taken.

Respectfully submitted.



W. David Weston
Representing Mr. Steven Erickson

cc: Executive Board: Officers & Neighborhood Representatives.
Nick Norris, Planning Division Staff

Norris, Nick

From: cindy cromer [3cinslc@live.com]
Sent: Wednesday, April 22, 2009 2:37 PM
To: Norris, Nick
Subject: FW: The Reece

Nick-Too late to send to members of the PC electronically. I WILL BRING COPIES so that you don't need to bother with copying. I will also bring the application for business licenses which clearly indicates that the City is regulating the number of units. So, this message is just to let you know what my comments will be. cindy

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To Members of the Planning Commission
From Cindy Cromer, abutting property owner
The Reece, 250 S 800 E
4/22/09

I own the property at 763 East 300 South, immediately south of The Reece Apartments. All of my northern property boundary and a portion of my western boundary abut The Reece.

I support the analysis in the staff report regarding the amendment to the Central Community Master Plan. I did not write the analysis prepared by the East Central Community Council, but I agree with it.

My remarks focus on some additional issues.

1. I own 5 structures with flat roofs within a 2-block radius. All have clear access to the sun and my plan is to add solar collectors to all of them as the technology improves. The height allowed in a RMF-35 zone does not interfere with those plans. The height allowed in a RMF-45 does. So, the proposed amendment interferes with my plans to create more sustainable residences for my tenants. I will consistently oppose such amendments to the master plan whether I am an abutting property owner or not.

2. The modification of the master plan means that my property will have parcels with different land uses than allowed on mine on 3 sides. I would have a RMF-45 with an institutional use and group home to the west, a RMF-45 to the north, and a nonconforming business property to my east. My property is not entitled to uses which would be allowed on these properties.

3. Financial survival for a landlord is based on many factors, but a key one is density. If a landlord can gain units by simply constructing them and applying for a change to the master plan, then the City might as well retire from licensing apartments as businesses. It might as well throw in the towel on master planning for the Bryant neighborhood which is predominately rental properties.

4. The 800 East Streetscape is extraordinary. I drove it today from South Temple to 2100 South. All of it is designated National Register District or would be eligible.
Between South Temple and 400 South, there is 1 building with 4 stories, 110 S 800 E. South of 400 South, the structures over 45 feet are the steeple on the 10th Ward and probably the historic building with very high ceilings at 847 S 800 E owned by the LDS Church. The reason that the Master Plan calls for RMF-35 is that the existing development fits within the RMF-35 zone. In fact, I found only 5 buildings between South Temple and 900 South with 3 to 3 1/2 stories.

5. A landlord might not understand the relationship between allowed density and zoning. A landlord would have to understand, however, that the City regulates density through the business licensing process as well. It is very clear from the application. The fee is based on the number of units.

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4. Planning Commission Hearing

C. Minutes of April 22, 2009
Public Hearing

SALT LAKE CITY PLANNING COMMISSION MEETING

In Room 326 of the City & County Building

451 South State Street, Salt Lake City, Utah

Wednesday, April 22, 2009

Present for the Planning Commission meeting were Chair Mary Woodhead and Vice Chair Susie McHugh; Commissioners Babs De Lay, Tim Chambless, Frank Algarin, Matthew Wirthlin, Michael Gallegos, Angela Dean, Prescott Muir, and Michael Fife.

A field trip was held prior to the meeting. Planning Commissioners present were: Tim Chambless, Angela Dean, Michael Fife, Michael Gallegos, Susie McHugh, Prescott Muir, Matthew Wirthlin, and Mary Woodhead. Staff members present were: Joel Paterson, Everett Joyce, Nick Norris, and Doug Dansie.

A roll is being kept of all who attended the Planning Commission Meeting. Chair Woodhead called the meeting to order at 5:47 p.m. Audio recordings of the Planning Commission meetings are retained in the Planning Office for an indefinite period of time. Planning staff members present at the meeting were: Wilf Sommerkorn, Planning Director; Joel Paterson, Programs Manager; Paul Neilson, City Attorney Nick Norris, Senior Planner; Doug Dansie, Senior Planner; Everett Joyce, Senior Planner; and Tami Hansen, Planning Commission Secretary.

10:00:17 PM **PLNPCM2008-00149 Reese Enterprises Master Plan Amendment**—a petition submitted by Reese Enterprises, represented by David Weston, to amend the Future Land Use Map of the Central Community Master Plan. The Future Land Use Map currently designates a portion of the property located at 248 South 800 East and all of the property located at 254 South 800 East as Medium Density Residential (15-30 dwelling units per acre). The proposed amendment would change the designation to Medium/High Density Residential (30-50 dwelling units per acre). The purpose of the master plan amendment is to facilitate a future zoning map amendment that would legalize dwelling units on the subject property that were constructed without City approval. The property is located in City Council District 4 represented by Luke Garrott. View: Staff Report, Applicant Comments, Public Comment, Public Comment.

Chair Woodhead recognized Nick Norris as staff representative.

10:28:14 PM **Public Hearing**

Chair Woodhead opened the public hearing portion of the petition.

The following people spoke or submitted hearing cards in ***support*** of the proposed petition: **Laura Bangerter** (703 East Rocky Mouth Lane) stated that she was in support of the petition; she was a real estate agent and attested that Steve kept his properties in great condition. She stated there was a shortage of affordable housing in the city and Steve offered affordable and furnished homes, and the zoning should be changed. **Wi David Western** (218 West Paxton Avenue) stated he was in support of the petition. **Wayne Branham** (2500 South 800 East) stated he was a resident of the apartments and was in support of the petition. **Steven Erickson** (1216 Hawberry Circle) stated he was the owner of the Reese apartments and he was not a slumlord, he was given bad advice and was looking to be forgiven of the illegal construction and to move forward.

The following people spoke or submitted hearing cards in ***opposition*** to the proposed petition: **Lori Gutierrez** (143 South 900 East) stated she was the co-chair of the Bryant neighborhood, she stated that the master plan stated on page 6 that between 1990 and 2000 approximately 275 housing units were added to this area, but the owner occupancy rate was maintained at 23 percent. She stated that one out of every four homes was owned by the occupant, which was partly due to the density pressure in the area. She stated that the Salt Lake City zoning enforcement needed to be revamped to crack down on slumlords in the area and this zoning change could have a lot of big impacts so this was not the appropriate way to deal with illegal apartment legalization. **Jen Colby** (160 South Lincoln Street) stated that she requested that the Commission deny the petitioners request for the following reasons: it would reward illegal unit construction, and the profits gained from it, and legitimate the strategy of buying lower density zoned properties and then "averaging" through up-zoning. She stated this was a bad precedent in the neighborhood, which was already under constant development pressure. **Cindy Cromer** (816 East 100 South) stated she owned the property at 763 East 300 South, which was immediately south of the Reece apartments. She stated that the modification of the master plan would mean that her property would be abutted by conflicting land uses, meaning that property owners abutting her property could do things with their property that she could not do with hers.

Chair Woodhead closed the public hearing.

10:52:07 PM **Motion:**

Commissioner De Lay made a motion regarding Petition PLNPCM2008-00149, based on the analysis, findings, testimony, and the staff report, the Planning Commission transits an unfavorable recommendation to the City Council for the following reasons:

1. **The Central Community Master Plan establishes the City's vision for this area and specifically does not support increasing residential densities in the East central Neighborhood Planning Area; and**

2. **Changing the designation of the subject properties on the Future Land Use Map may allow for a zoning map amendment that could**

support development that is not compatible with the surrounding area in terms of scale and character, which conflicts with one of the goals of the Central Community Master Plan.

3. **The Salt Lake Futures Commission Report recommends making land use decisions that are consistent with the adopted vision of the City.**

4. **The Salt Lake City Community Housing Plan supports adding housing in areas of the City where it is supported by the Community Master Plans. In this case, the CCMP does not support increasing density in this area.**

Commissioner Algarin seconded the motion.

Commissioners De Lay, Dean, Fife, Algarin, McHugh, Muir, Wirthlin, Chambless, and Gallegos voted, "Aye". The motion passed unanimously.

Chair Woodhead stated that the Commission should put a reason for their decision into the record for the City Council to review.

Chair Woodhead stated that changing the zoning was too big of a change to the neighborhood, and contrary to the master plan to fix what is a small problem. She stated that she felt the Commission was not making this decision in any way to be punitive because this was done without building permits; it was that changing the zoning plan was a major step and to do so to fix this problem did not seem like a significant enough reason.

SALT LAKE CITY PLANNING COMMISSION MEETING

In Room 326 of the City & County Building

451 South State Street, Salt Lake City, Utah

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Chair Woodhead opened the public hearing portion of the petition.

The following people spoke or submitted hearing cards in ***support*** of the proposed petition: **Laura Bangerter** (703 East Rocky Mouth Lane) stated that she was in support of the petition; she was a real estate agent and attested that Steve kept his properties in great condition. She stated there was a shortage of affordable housing in the city and Steve offered affordable and furnished homes, and the zoning should be changed. **Wi David Western** (218 West Paxton Avenue) stated he was in support of the petition. **Wayne Branham** (2500 South 800 East) stated he was a resident of the apartments and was in support of the petition. **Steven Erickson** (1216 Hawberry Circle) stated he was the owner of the Reese apartments and he was not a slumlord, he was given bad advice and was looking to be forgiven of the illegal construction and to move forward.

The following people spoke or submitted hearing cards in ***opposition*** to the proposed petition: **Lori Gutierrez** (143 South 900 East) stated she was the co-chair of the Bryant neighborhood, she stated that the master plan stated on page 6 that between 1990 and 2000 approximately 275 housing units were added to this area, but the owner occupancy rate was maintained at 23 percent. She stated that one out of every four homes was owned by the occupant, which was partly due to the density pressure in the area. She stated that the Salt Lake City zoning enforcement needed to be revamped to crack down on slumlords in the area and this zoning change could have a lot of big impacts so this was not the appropriate way to deal with illegal apartment legalization. **Jen Colby** (160 South Lincoln Street) stated that she requested that the Commission deny the petitioners request for the following reasons: it would reward illegal unit construction, and the profits gained from it, and legitimate the strategy of buying lower density zoned properties and then "averaging" through up-zoning. She stated this was a bad precedent in the neighborhood, which was already under constant development pressure. **Cindy Cromer** (816 East 100 South) stated she owned the property at 763 East 300 South, which was immediately south of the Reece apartments. She stated that the modification of the master plan would mean that her property would be abutted by conflicting land uses, meaning that property owners abutting her property could do things with their property that she could not do with hers.

Chair Woodhead closed the public hearing.

10:52:07 PM **Motion:**

Commissioner De Lay made a motion regarding Petition PLNPCM2008-00149, based on the analysis, findings, testimony, and the staff report, the Planning Commission transits an unfavorable recommendation to the City Council for the following reasons:

1. **The Central Community Master Plan establishes the City's vision for this area and specifically does not support increasing residential densities in the East central Neighborhood Planning Area; and**

2. **Changing the designation of the subject properties on the Future Land Use Map may allow for a zoning map amendment that could**

support development that is not compatible with the surrounding area in terms of scale and character, which conflicts with one of the goals of the Central Community Master Plan.

3. **The Salt Lake Futures Commission Report recommends making land use decisions that are consistent with the adopted vision of the City.**

4. **The Salt Lake City Community Housing Plan supports adding housing in areas of the City where it is supported by the Community Master Plans. In this case, the CCMP does not support increasing density in this area.**

Commissioner Algarin seconded the motion.

Commissioners De Lay, Dean, Fife, Algarin, McHugh, Muir, Wirthlin, Chambless, and Gallegos voted, "Aye". The motion passed unanimously.

Chair Woodhead stated that the Commission should put a reason for their decision into the record for the City Council to review.

Chair Woodhead stated that changing the zoning was too big of a change to the neighborhood, and contrary to the master plan to fix what is a small problem. She stated that she felt the Commission was not making this decision in any way to be punitive because this was done without building permits; it was that changing the zoning plan was a major step and to do so to fix this problem did not seem like a significant enough reason.

5. Original Petition

AMENDED

Master Plan Amendment

PETITION NO. 400-08-19

OFFICE USE ONLY
Petition No: PLNPCM2008-00149
Date Received: 1-29-09
Reviewed By: A.N.

* Resubmittal of incomplete application *

SALT LAKE CITY PLANNING

Address of Subject Property: 248 and 254 South 800 East, SLC Ut (Parcels 159027 & 159017

Project Name: REESE APARTMENTS

Name of Applicant: Stephen Erickson (Reese Enterprises) Phone: 801-706-3462

Address of Applicant: 218 W. Paxton Ave. SLC, Ut 84101

E-mail Address of Applicant: dweston63@gmail.com Cell/Fax: Fax: 801-487-6673

Applicant's Interest in Subject Property: Owner

Name of Property Owner: Steven Erickson Phone: 801-706-3462

E-mail Address of Property Owner: Agent: W. David Weston dweston63@gmail.com Cell/Fax: 801-706-3462

Please include with the application:

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 requires amending.
3. A copy of the Sidwell Map(s) that cover for the subject area and list of affected properties Sidwell Numbers.
4. Depending on the request, the names and addresses of all property owners within 450 feet of the subject property. The address and Sidwell number of each property owner must be typed or clearly printed on gummed mailing label. Please include yourself and the appropriate Community Council Chair(s). Address labels are available at the address listed below. **The cost of first class postage for each address is due at time of application. Please do not provide postage stamps.**
5. If applicable, a signed , notarized statement of consent from property owner authorizing applicant to act as agent.
6. **Filing fee of $830.55, plus $110.74 for each acre over one acre and the cost of first class postage is due at time of application.**

Applications must be reviewed prior to submission. Please call 535-7700 for an appointment to review your application.

Notice: Additional information may be required by the project planner to ensure adequate information is provided for staff analysis.
All information submitted as part of the application may be copied and made public including professional architectural or engineering drawings which will be made available to decision makers, public and any interested party.

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:
Salt Lake City Buzz Center
451 South State Street, Room 215,
Salt Lake City, UT 84111

Signature of Property Owner
Or authorized agent

AGENT: STEVEN ERICKSON

Mar 2008

PLNPCM2008-00149

OFFICE USE ONLY
Petition No. 400-07-40
Receipt No. on line Amount: 885.28
Date Received: 12-13-07
Reviewed By: KP
Project Planner:

Master Plan Amendment

SALT LAKE CITY PLANNING

W.David Weston - Agent for Reese Enterprises, LLC Date: December 12,2007

Name of Applicant: Reese Enterprises, LLC | Phone: 801-706-3462

Address of Applicant: 218 W. Paxton Ave., Salt Lake City, Utah, 84101

E-mail Address of Applicant: dweston63@gmail.com | Cell/Fax: Cell 706-3462

Applicant's Interest in Subject Property: Owner

Name of Property Owner: Reese Enterprises, LLC | Phone: 706-3462

Address of Subject Property: 250 South 800 East, Salt Lake City, Utah

General description of the proposed Master Plan Amendment: To change existing RMF-45 designation for subject property to a new RMF-75 zoning to accomodate the addition of 2 single bedroom apartments located in basement of building No. 252 of Reese Apartments - See Exhibit "A'

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.**
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

Appended hereto is a statement declaring the purpose of the amendment. Attached as Exhibit "A" to the Statement is the Reese Apartment Plot Plan, illustrating the locatio of the two basement apartments in building No. 252, parking allocations and the square footage of the property. Also attached are photograhs illustrating the quality of the 24 low income units. Attached as Exhibit "B" is a portion of the Central Community Zoning Map, illustrating the locatiion of the Reese Apartment Complex and related zoning as well as other RMF-75 zoning designations nearby.

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

Rec'd 1/29/08

Signature of Property Owner *Or authorized agent* — ABSENT FOR REESE ENTERPRISES, L.C

Title of agent

REESE APARTMENT COMPLEX DESCRIPTION
AND CONDITIONS REQUIRING THE NEW ZONING REQUEST

The Reese Apartments are located at 250 South 800 East, in Salt Lake City on Lot No. 159027. The complex consists of three two story buildings with single bedroom apartments and a laundry facility identified on the Apartment Complex Plot Plan attached as Exhibit "A" and as follows:

Building Number	Apartments Main Floor	Apartments Second Floor	Apartments Basement	Total single bedroom Apartments
250	6	6	0	12
242	3	3	0	6
252	2	2	2	6
			Total	24

Exhibit "A" also illustrates the location of the two new basement apartments in building 252, the present parking allocations, as well as the square footage of the property. Also attached as part of Exhibit "A" are several photographs for comparison with the Plot Plan. These photographs also illustrate the quality of the environment and management for these 24 low income units. The Reese apartment buildings were originally constructed in 1960. Building No. 252 was the only building constructed with a basement that prior to 2006 was utilized, in part, for a community laundry facility serving all apartments. The basement of this building was also previously used for office space and storage. Part of the basement storage and office was converted to a single bedroom apartment in late 2003. In the spring of 2006 in deference to safety concerns for female apartment occupants utilizing the basement laundry facility, a new laundry facility was constructed on vacant land adjoining apartment building No. 250, to the south. At this time the vacated basement area was converted to an additional single bedroom apartment. The square footage of the property on which the 24 apartments units are located is 25,839 square feet.

PRESENT ZONING

The apartment building No. 250 on the west side of the complex and part of buildings No. 242 and 252 are in a RMF-45 zone and the east side of apartment buildings No. 242 and 252 are in an RMF-35 zoning designation. The Reese apartments are single bedroom residential apartments in an environment suitable for multi-family dwellings of a moderate/high density. Prior to the construction of the two basement apartments in building 252, the Reese apartment complex met the criteria for RMF-45 and given the age of the complex was otherwise grand fathered. The addition of the two single bedroom

basement apartments has increased the density by 2,361 square feet beyond the limits for RMF-45. The present density is computed as follows: 21,000 sq. ft for first 15 units and 800 sq ft. required for each of the additional 9 units or 7,200 additional square feet totaling 28,200 sq feet which is 2,361 square feet short (28,200 - 25,839 = 2,361 sq ft.) of the RMF-45 requirement.

NEW RMF-75 ZONING REQUEST

The purpose of this application is to change the current RMF-45 zoning for Lot No. 159027, (Exhibit "A") to RMF-75 zoning as necessary to accommodate the additional 2 basement apartments units in building No. 242. The apartment complex has adequate parking to accommodate the present 24 units. Attached hereto as Exhibit "B" is a portion of the Central Community Zoning Map as prepared by the Salt Lake City Planning Division as updated in November of 2006. Exhibit "B" identifies the location of the Reese Apartments and related zoning as well as all RMF-35 zoning designations in the immediate area. It is proposed that the new zoning proposed for the Reese Apartments is not out of character with the other RMF-75 zoning designations nearby. The new zoning would approve the two basement apartments in building No. 252 to continue the occupancy of these apartments. Those living there are being subsidized by the LDS Church and it would work a significant hardship were they forced to vacate and find other low income housing and the two units in building 252 thereafter left vacant.

POWER OF ATTORNEY
FOR PURPOSE OF OBTAINING ZONING CHANGE

KNOW ALL MEN BY THESE PRESENTS:

I, the undersigned Steven Erickson, the member Manager of Reece Enterprises LLC, owner and manager of the Reece Apartments, located at 250 So. 8th East, in Salt Lake City, Utah, have made, constituted and appointed, and by these presents do make, constitute, and appoint W. David Weston, having a Utah Drivers License No. 11891163, with my power of attorney for the sole purpose of representing me and the Reece Enterprises, IIC, for me/us and my/our name, place, and stead, to sign any and all legal documents for the purpose of obtaining a zoning change for the Reese Apartments. I hereby affirm that I am the person duly authorized on behalf of Reece Enterprises, LLC.

By so doing, as the manager of Reece Enterprises, LLC, and on behalf of myself, I give and grant unto the said W. David Weston, full power and authority to do and perform any and every required act whatsoever as fully to all intents and purposes as I might or could do myself with respect to obtaining the above requested Zoning change, with all power of substitution or revocation, hereby ratifying and confirming all that the said W. David Weston shall lawfully do or cause to be done to obtain the said zoning change on my behalf for the Reece Apartments, by virtue of these presents.

WITNESS MY HAND this 15th day of November, 2007.

Steven Erickson

STATE OF UTAH)
) ss.
County of Salt Lake)

On this 15th day of November, 2007, personally appeared, Steven Erickson, known to me to be the Manager of Reece Enterprises, LLC, who stated and affirmed that he being of sound mind, signed the foregoing Power of Attorney at that time on behalf of himself and Reece Enterprises, LLC.

NOTARY PUBLIC
Residing in Salt Lake County, Utah

My Commission Expires: 06.03.08

Remarks:

Petition No: **PLNPCM2008-00149**

By: **Reese Enterprises – Stephen Erickson**

Master Plan Amendment

Date Filed: 01/29/2009

Address: 248 & 254 South 800 East