A Council staff report was not prepared for this item.

A public hearing will be scheduled for Tuesday, May 4, 2010

SCANNED TO: Mayor
SCANNED BY: Kayla
DATE: 3/26/10 4pm

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

RECEIVED
MAR 26 2010
By Kayla

CITY COUNCIL TRANSMITTAL

David Everitt, Chief of Staff

Date Received: 03/26/10

Date Sent to City Council: 04/01/10

TO: Salt Lake City Council
JT Martin, Chair

DATE: March 17, 2010

FROM: Frank Gray, Community & Economic Development Department Director

RE: **Petition PLNPCM2009-01358; East Bench Community Master Plan Amendment-**A request by Paula and Joseph Sargetakis to amend the East Bench Community Master Plan Future Land Use Map. The amendment would change the future land use classification of the property located at approximately 1794 S. Texas Street from Institutional to Low-Density Residential.

Petition PLNPCM2009-01359; Zoning Map Amendment - A request by Paula and Joseph Sargetakis to re-zone the property located at approximately 1794 S. Texas Street from Institutional to Single-Family Residential in order to construct a single-family dwelling with a home occupation allowing for the distribution of homegrown produce for off-premise sales. The proposed zoning district is R-1/7000.

STAFF CONTACTS: Wayne Mills, Senior Planner, at 801-535-7282 or wayne.mills@slcgov.com

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

DOCUMENT TYPE: Ordinance

BUDGET IMPACT: None

DISCUSSION:

***Issue Origin*:** Paula and Joseph Sargetakis (applicants) are requesting a Zoning Map Amendment to rezone the property located at 1794 S. Texas Street from Institutional to Single-Family Residential. The purpose of the requested rezone is to allow the applicants to construct one single-family dwelling and an organic vegetable, herb, legumes, and fruit garden. The single-family dwelling would be the principal use on the site and the produce grown in the garden would be sold off-site. The commercial garden is allowed as a Permitted Home Occupation as long as the functions of the use comply with the Home Occupation regulations as stated in Section 21A.36.030 of the Zoning Ordinance.

The requested rezone also requires an amendment to the East Bench Community Master Plan. The property is currently classified as Institutional according to the Future Land Use Map. The petition to amend the Master Plan would change the classification to Low Density Single-Family Residential.

***Analysis*:** The subject property is located at 1794 S. Texas Street in the East Bench Community Master Plan Area. The property is approximately 1.8 acres (approx. 79,279 square feet) in size and is currently zoned I – Institutional. A church formerly occupied the site, but was demolished in 2008. The property is currently vacant.

Master Plan Amendment
In 1995, the City completed a zoning re-write project and re-zoned all of the properties in the City. As part of the City-wide rezoning process, the community master plan future land use maps were amended to reflect the new zoning classifications. Prior to 1995, the subject property was classified as Low-Density Residential on the East Bench Community Master Plan Future Land Use Map and was zoned Residential R-2 (the R-2 zoning permitted churches and schools). As part of the City-wide zoning re-write project, the subject property was re-zoned to Institutional according the existing land use (a church). This also amended the East Bench Community Master Plan Future Land Use Map to Institutional. The church has since been demolished and the property is currently vacant.

On February 10, 2010 the Planning Commission voted to transmit a favorable recommendation to amend the Future Land Use Map in the East Bench Community Master Plan and return the classification of the property to Low-Density Residential now that the historic institutional land use no longer exists on the property. This would allow for residential development that is compatible with the adjacent residential neighborhood.

Zoning Map Amendment
The applicants are requesting that the City rezone the subject property to single-family residential to allow for the construction of a new single-family dwelling and garden. The Planning Commission reviewed the proposal, as well as the development pattern of the surrounding neighborhood. One issue of concern was the size of the home that could be built on the property in relation to the single-family homes in the neighborhood. The Planning

Commission considered this issue and voted to transmit a favorable recommendation to rezone the property to R-1/7000 with the following conditions:

1. The total building coverage on the property is limited to 10,000 square feet. This condition applies only to the property in its current configuration. If the property is subdivided in the future, the lots created must meet applicable zoning regulations. If the City Council adopts any future amendment to the City Code that would allow for additional building square footage associated with urban agriculture uses, this condition shall no longer be in effect.

2. The applicant shall enter into a development agreement with the City limiting the total floor area of inhabitable residential space to 7,000 square feet. This excludes garage space.

The full analysis and options considered are addressed in the attached Planning Commission Staff Report (see Exhibit 5B) and minutes of the Planning Commission public hearing (see Exhibit 5C).

Master Plan Considerations: The subject property is located the East Bench Community Master Plan Area. The future land use designation of the property, as identified in the master plan, is Institutional. The Planning Commission has voted to transmit a favorable recommendation to change the future land use designation of the subject property to Low-Density Residential.

PUBLIC PROCESS:

The project was presented to the Sugar House Community Council Land Use and Zoning Committee on December 15, 2009. The committee referred the petition to the full Community Council for review. The Sugar House Community Council reviewed the petition on January 6, 2010 and provided a letter to Staff summarizing the questions and comments. The letter is included with the attached Planning Commission Staff Report (see Attachment E in Exhibit 5B).

The Planning Commission held a Public Hearing on February 10, 2010. A Sugar House Community Council Trustee and two neighbors of the subject property spoke in support of the project. In addition to the comments that were provided by those that attended the public hearing, written comments were delivered to Staff. The comments included one letter and two e-mails in opposition to the proposal and one e-mail in support. The minutes and written comments are attached as Exhibit 5C. The Planning Commission passed a motion to transmit a favorable recommendation of approval for both petitions. The vote was unanimous.

RELEVANT ORDINANCES:

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. The petitions for zoning and Master Plan amendment were published in the newspaper on January 27, 2010, meeting State Code noticing requirements.

Amendments to the Zoning Ordinance and Maps are authorized under Section 21A.50 of the Salt Lake City Zoning Ordinance, as detailed in Section 21A.50.050: "A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard." It does, however, list five standards, which should be analyzed prior to rezoning property (Section 21A.50.050 A-E). The five standards are discussed in detail starting on page 8 of the Planning Commission Staff Report (see Exhibit 5B).

TABLE OF CONTENTS

1. CHRONOLOGY

PROJECT CHRONOLOGY
Petition # PLNPCM2009-01358 and PLNPCM2009-01359

November 23, 2009	Application submitted
November 23, 2009	Application delivered to planning
December 1, 2009	Petition assigned to Wayne Mills, Senior Planner
December 2, 2009	Requested additional information from applicant
December 7, 2009	Sent notification to Chair of Sugar House Community Council
December 9, 2009	City Department/Division Review Memorandum prepared and routed
December 15, 2009	Presented petitions to Sugar House Community Council Land Use and Zoning Committee
January 7, 2010	Presented petition to Sugar House Community Council
January 27, 2010	Planning Commission Notice of Public Hearing in Salt Lake Tribune
January 28, 2010	Mailed Planning Commission Notice of Public Hearing
January 28, 2010	Planning Commission Notice of Public Hearing posted on property
January 28, 2010	Planning Commission Notice of Public Hearing posted on Utah Public Meeting Notice website
February 5, 2010	Staff report posted on Planning Division website
February 10, 2010	Planning Commission public hearing. Planning Commission voted unanimously to transmit a favorable recommendation of approval to the City Council
February 16, 2010	Staff requested draft ordinance from City Attorney
February 24, 2010	Planning Commission ratified minutes of February 10, 2010 meeting
March 17, 2010	Staff received draft ordinance from City Attorney

2. ORDINANCE

SALT LAKE CITY ORDINANCE
No. _____ of 2010

(Amending the East Bench Community Master Plan)

An ordinance amending the East Bench Community Master Plan future land use map pertaining to property located at 1794 S. Texas Street pursuant to Petition No. PLNPCM2009-01358.

WHEREAS, the Salt Lake City Planning Commission ("Planning Commission") held a public hearing on February 10, 2010 on an application submitted by Paula and Joseph Sargetakis ("Applicants") to amend the East Bench Community Master Plan future land use map (Petition No. PLNPCM2009-01358) to change the land use designation for property located at 1794 S. Texas Street (Tax ID No. 16-15-407-011) (the "Property") from Institutional to Low-Density Residential; and

WHEREAS, at its February 10, 2010 meeting, the Planning Commission voted in favor of forwarding a positive recommendation to the Salt Lake City Council ("City Council") on said application; and

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

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

SECTION 1. Amending the East Bench Community Master Plan. The Future Land Use Map of the East Bench Community Master Plan shall be and hereby is amended to change the designated appropriate land use for the Property located at 1794 S. Texas Street, and which is more particularly described on Exhibit "A" attached hereto, from Institutional to Low-Density Residential.

SECTION 2. Effective Date. This ordinance shall become effective on the date of its first publication.

Passed by the City Council of Salt Lake City, Utah, this _____ day of _____, 2010.

_____
CHAIRPERSON

ATTEST AND COUNTERSIGN:

_____
CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____Approved. _____Vetoed.

_____
MAYOR

_____
CITY RECORDER

(SEAL)

Bill No. _____ of 2010.
Published: _____.

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date: March 17, 2010
By: _____
Paul C. Nielson, *Senior City Attorney*

HB_ATTY-#12045-v1-Ordinance_amending_EBC_Master_Plan_Sargetakis.DOC

EXHIBIT A

Legal Description:

LOT 1 BELVIEW SLOPES PLAT C

SALT LAKE CITY ORDINANCE
No. _____ of 2010

(Amending the zoning map pertaining to property located at 1794 S. Texas Street)

An ordinance amending the zoning map to re-zone property located at 1794 S. Texas Street from I (Institutional) to R-1/7,000 (Single Family Residential) pursuant to Petition No. PLNPCM2009-01359.

WHEREAS, the Salt Lake City Planning Commission ("Planning Commission") held a public hearing on February 10, 2010 on an application submitted by Paula and Joseph Sargetakis ("Applicants") to amend the City's zoning map (Petition No. PLNPCM2009-01359) to re-zone property located at 1794 S. Texas Street (Tax ID No. 16-15-407-011) (the "Property") from I (Institutional) to R-1/7,000 (Single Family Residential); and

WHEREAS, at its February 10, 2010 meeting, the Planning Commission voted in favor of forwarding a positive recommendation to the Salt Lake City Council ("City Council") on said application; and

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

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

SECTION 1. Amending the Zoning Map. The Salt Lake City zoning map, as adopted by the Salt Lake City Code, relating to the fixing of boundaries and zoning districts, shall be and hereby is amended to reflect that the Property located at 1794 S. Texas Street, and which is more particularly described on Exhibit "A" attached hereto, shall be and hereby is re-zoned from I (Institutional) to R-1/7,000 (Single Family Residential).

SECTION 2. Conditions. This zoning map amendment is conditioned upon the Applicants satisfying the following conditions:

1. The total building coverage on the property is limited to 10,000 square feet. This condition applies only to the property in its current configuration. If the property is subdivided in the future, the lots created must meet applicable zoning regulations. If the City Council adopts any future amendment to the City Code that would allow for additional building square footage associated with urban agriculture uses, this condition shall no longer be in effect.
2. The applicant shall enter into a development agreement with the City limiting the total floor area of inhabitable residential space to 7,000 square feet. This excludes garage space.

SECTION 3. Effective Date. This ordinance shall become effective on the date of its first publication. The City Recorder is instructed not to publish or record this ordinance until the condition identified above has been met, as certified by the Planning Director.

SECTION 4. Time. If the condition set forth herein is not satisfied within one year from the adoption of this ordinance, it shall become null and void.

Passed by the City Council of Salt Lake City, Utah, this _____ day of _____, 2010.

_____
CHAIRPERSON

ATTEST AND COUNTERSIGN:

_____

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____Approved. _____Vetoed.

_____
MAYOR

_____
CITY RECORDER

(SEAL)

Bill No. _____ of 2010.
Published: _____.

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date: March 17, 2010
By: _____
Paul C. Nielson, *Senior City Attorney*

HB_ATTY-#12046-v1-Ordinance_amending_zoning_map_-_Sargetakis.DOC

EXHIBIT A

Legal Description:

LOT 1 BELVIEW SLOPES PLAT C

3. NOTICE OF CITY COUNCIL HEARING

NOTICE OF PUBLIC HEARING

The Salt Lake City Council will hold a public hearing regarding the following two petitions:

Petition PLNPCM2009-01358; East Bench Community Master Plan Amendment - A request by Paula and Joseph Sargetakis to amend the East Bench Community Master Plan Future Land Use Map. The amendment would change the future land use classification of the property located at approximately 1794 S. Texas Street from Institutional to Low-Density Residential.

Petition PLNPCM2009-01359; Zoning Map Amendment - A request by Paula and Joseph Sargetakis to re-zone the property located at approximately 1794 S. Texas Street from Institutional to Single-Family Residential in order to construct a single-family dwelling with a home occupation allowing for the distribution of homegrown produce for off-premise sales. The proposed zoning district is R-1/7000.

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

Date:
Time: 7:00 p.m.
Place: Room 315 (City Council Chambers)*
Salt Lake City and County Building
451 S. State Street
Salt Lake City, UT

*Please enter building from east side.

If you have any questions relating to this proposal or would like to review the petition on file, please call Wayne Mills, Senior Planner, at 535-7282 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at wayne.mills@slcgov.com.

People with disabilities may make requests for reasonable accommodations no later than 48 hours in advance in order to attend this public hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. The City & County Building is an accessible facility. For questions, requests, or additional information, please contact the ADA Coordinator at (801) 535-7971; TDD 535-6021.

4. MAILING LABELS

[16-15-407-014-0000]
CONNOLLY, NONA A & MICHAEL J; JT
121 POTTERS WHEEL
MADISON, AL 35758-8377

[16-15-407-016-0000]
BAUM, MARGERY K; TR
2363 E DAYSPRING LN
HOLLADAY, UT 84124-1887

[16-15-407-002-0000]
MEECHAM, CHRISTINE G & JOLEEN S; JT
201 E 4695 N
PROVO, UT 84604-5464

[16-15-407-019-0000]
BOARD OF EDUCATION OF SLC
1729 S 2300 E
SALT LAKE CITY, UT 84108-3030

[16-15-402-006-0000]
SAFRAN, HOWARD & CINDI D; JT
2349 E BLAINE AVE
SALT LAKE CITY, UT 84108-3034

[16-15-407-004-0000]
GWYNN, WOODRUFF C; ET AL
2362 E BLAINE AVE
SALT LAKE CITY, UT 84108-3035

[16-15-407-006-0000]
COMPTON, ELIZABETH C
2378 E BLAINE AVE
SALT LAKE CITY, UT 84108-3035

[16-15-407-008-0000]
HANSON, MARJI
2394 E BLAINE AVE
SALT LAKE CITY, UT 84108-3035

[16-15-407-010-0000]
PRICE, RONALD F & CAMILLE; JT
2418 E BLAINE AVE
SALT LAKE CITY, UT 84108-3037

[16-15-405-002-0000]
JONES, JOSEPH E & COLLEEN K; TRS
2442 E BLAINE AVE
SALT LAKE CITY, UT 84108-3076

[16-15-256-007-0000]
MOORE, CHERYL P & ANDRUS, DANIEL L; JT
3 FERNWOOD PL
BOW, NH 03304-4618

[16-15-405-007-0000]
BERRETT, TROY & MELANIE W; JT
1161 TURNBERRY WOODS DR
MIDWAY, UT 84049

[16-15-256-006-0000]
NEWBOLD, RUTH A; TR
2360 E 1700 S
SALT LAKE CITY, UT 84108-2721

[16-15-407-018-0000]
BERG, O KENT & MYRA H; TRS
1806 S 2500 E
SALT LAKE CITY, UT 84108-3242

[16-15-407-003-0000]
PERKINS, JEAN & DEFOND, LADENE; JT
2354 E BLAINE AVE
SALT LAKE CITY, UT 84108-3035

[16-15-407-005-0000]
NELSON, VERDA S; TR
2370 E BLAINE AVE
SALT LAKE CITY, UT 84108-3035

[16-15-407-007-0000]
EGAN, CINDY; TR
2386 E BLAINE AVE
SALT LAKE CITY, UT 84108-3035

[16-15-403-005-0000]
MATTHEWS, GEORGE & DONNA; JT
2395 E BLAINE AVE
SALT LAKE CITY, UT 84108-3069

[16-15-404-003-0000]
DOWDLE, ZOE J; TRS ET AL
2427 E BLAINE AVE
SALT LAKE CITY, UT 84108-3036

[16-15-404-005-0000]
BURT, LEZLI; ET AL
2443 E BLAINE AVE
SALT LAKE CITY, UT 84108-3036

[16-15-403-006-0000]
BD PROPERTIES 1740 LLC
3747 E PROSPECTOR CIR
COTTONWOOD HTS, UT 84121-5577

[16-15-402-002-0000]
BRICKEY, DAVID R & STACIE M; JT
1222 CUTTER LN
PARK CITY, UT 84098-7550

[16-15-256-008-0000]
SHOOL, JOSEPH J; TR
2388 E 1700 S
SALT LAKE CITY, UT 84108-2721

[16-15-402-005-0000]
SARGETAKIS, MIKE J
2339 E BLAINE AVE
SALT LAKE CITY, UT 84108-3034

[16-15-402-007-0000]
JARVIS, JOSEPH B. & PATRICIA A.
2357 E BLAINE AVE
SALT LAKE CITY, UT 84108-3034

[16-15-402-004-0000]
HARRIS, CARLYLE & MEGUMI; TC
2371 E BLAINE AVE
SALT LAKE CITY, UT 84108-3034

[16-15-403-004-0000]
YANDELL, MARK
2387 E BLAINE AVE
SALT LAKE CITY, UT 84108-3069

[16-15-407-009-0000]
HWANG, KUO YEN & NG, WAISEE WISE; JT
2410 E BLAINE AVE
SALT LAKE CITY, UT 84108-3037

[16-15-404-004-0000]
LUKE, DAVID E & CHERYL N; JT
2435 E BLAINE AVE
SALT LAKE CITY, UT 84108-3036

[16-15-405-003-0000]
PRICE, ROBERT S; TR ET AL
2452 E BLAINE AVE
SALT LAKE CITY, UT 84108-3076

[16-15-404-006-0000]
SMITH, FARAND L & DEBRA S; JT
2453 E BLAINE AVE
SALT LAKE CITY, UT 84108-3036

[16-15-405-004-0000]
PRICE, ROBERT S & JULIE J; TC
2462 E BLAINE AVE
SALT LAKE CITY, UT 84108-3076

[16-15-404-007-0000]
MCMULLIN, PHYLLIS B; TR (PSM TRUST)
2463 E BLAINE AVE
SALT LAKE CITY, UT 84108-3036

[16-15-404-008-0000]
STEVENSON, JEFFERY B & KRASNY, LORI E; JT
2473 E BLAINE AVE
SALT LAKE CITY, UT 84108-3036

[16-15-405-005-0000]
OLSEN, MARGARET J K; TR (MJKOL TRUST)
2474 E BLAINE AVE
SALT LAKE CITY, UT 84108-3076

[16-15-402-008-0000]
MAYER, JACK R & RAMONA A; TRS (J&RAM TRUS
2365 E BLAINE CIR
SALT LAKE CITY, UT 84108

[16-15-402-003-0000]
MURPHY, MICHAEL & ANITA; JT
2367 E BLAINE CIR
SALT LAKE CITY, UT 84108

[16-15-403-001-0000]
MUTSCHELLER, JAMES F & CORAL M; JT
2375 E BLAINE CIR
SALT LAKE CITY, UT 84108

[16-15-403-002-0000]
JORDAN, STEVEN G & CHRISTINE; TRS
2379 E BLAINE CIR
SALT LAKE CITY, UT 84108

[16-15-403-003-0000]
XING, WEI & KE, XINGRAO; JT
2381 E BLAINE CIR
SALT LAKE CITY, UT 84108

[16-15-404-001-0000]
CORP OF EPISCOPAL CHURCH
1710 S FOOTHILL DR
SALT LAKE CITY, UT 84108-3052

[16-15-407-001-0000]
SCHARF, LORI; TR (LS REV TR)
1767 S NEVADA ST
SALT LAKE CITY, UT 84108-3073

[16-15-407-011-0000]
CORP OF PRESIDING BISHOP OF CH OF JC OF LDS
50 E NORTHTEMPLE ST
SALT LAKE CITY, UT 84150-9001

[16-15-404-009-0000]
FRANKLIN, MICHAEL R & MARGARET J (JT)
4523 S PARKVIEW DR
SALT LAKE CITY, UT 84124

[16-15-405-006-0000]
1764 LLC
PO BOX 2308
SALT LAKE CITY, UT 84110-2308

[16-15-256-005-0000]
SPIRITUAL ASSEMBLY OF THE BAHAI'S OF SALT LAKE CITY
PO BOX 58305
SALT LAKE CITY, UT 84158-0305

[16-15-256-009-0000]
BUCHANAN, ROBERT M & ERIWATA-BUCHANAN, ROBYN; JT
3574 E SUNILAND CIR
SALT LAKE CITY, UT 84109-3233

[16-15-404-002-0000]
FRISBEY, DONNA W; TR (RGW&DWF REV TRUST,
1749 S TEXAS ST
SALT LAKE CITY, UT 84108

[16-15-405-001-0000]
HOOPIIAINA, CUMA S.
1767 S TEXAS ST
SALT LAKE CITY, UT 84108-3074

[16-15-407-012-0000]
JONES, VILATE E; TR
2432 E WILSON AVE
SALT LAKE CITY, UT 84108-3048

[16-15-407-013-0000]
SUMMERHAYS, L BARTON & DENISE K; JT
2440 E WILSON AVE
SALT LAKE CITY, UT 84108-3048

[16-15-405-008-0000]
HILL, GREG E & KARILYN; JT
2441 E WILSON AVE
SALT LAKE CITY, UT 84108-3047

[16-15-405-009-0000]
TU, HSIAO-KUN & CHIANG, CHIA-CHI; JT
2449 E WILSON AVE
SALT LAKE CITY, UT 84108-3047

[16-15-407-015-0000]
PARSONS, FLORENCE B; ET AL
2456 E WILSON AVE
SALT LAKE CITY, UT 84108-3048

[16-15-405-010-0000]
DUNHAM, ANNETTE J
2457 E WILSON AVE
SALT LAKE CITY, UT 84108-3047

[16-15-405-011-0000]
DISORBIO, ROBERT A
2465 E WILSON AVE
SALT LAKE CITY, UT 84108-3047

[16-15-407-017-0000]
SHEA, PHILIP D & BONITA M; JT
2474 E WILSON AVE
SALT LAKE CITY, UT 84108-3048

[16-15-405-012-0000]
CARTER, SUSAN M
2475 E WILSON AVE
SALT LAKE CITY, UT 84108-3047

[16-15-405-013-0000]
SPENCER, GLEN W
4804 S BROWN VILLA CV
TAYLORSVILLE, UT 84123-4437

WAYNE MILLS
1023 AUSTIN AVE
SALT LAKE CITY, UT 84106

Philip Carlson
Sugar House community council
1917 EAST 2700 South
SALT LAKE CITY, UT 84106

5. PLANNING COMMISION

5 A. PLANNING COMMISION

Original Agenda/Notice
Mailing
Newspaper Notice

From: ced@slcgov.com
Sent: Thursday, January 28, 2010 4:34 PM
Subject: Planning Commission Agenda: February 10, 2010

Categories: Other

This information was sent with automated software and is not monitored for replies. ced@slcgov.com is the group responsible for this information.

SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA
In Room 326 of the City & County Building at 451 South State Street
Wednesday, February 10, 2010 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 4:45 p.m., in Room 126. **Work Session** This portion of the meeting is open to the public for observation only. No public comment will be taken. The Planning Commission may discuss project updates and minor administrative matters. The Commission will also discuss

- **Planning Commission Expectations.** Review the expectations which were developed by the Commission in March 2009.
- **Review the Various Roles of Decision-Makers in the Planning Process.**
- **City Council Policy Regarding Master Plans.**

Approval of Minutes from Wednesday, January 27, 2010

Report of the Chair and Vice Chair

Report of the Director
Request for Planning Commissioners and Historic Landmark Commissioners to work together on a subcommittee to review the proposed Eastside Apartments, a request by PEG Development for New Construction located at approximately 556 East 300 South.

Follow-up Briefing

1. **Petition PLNPCM2009-00510 North Temple Boulevard Station Area Plans**an amendment to the West Salt Lake and Northwest Community Master Plans regarding station area plans along the Airport Light Rail Line. Planning Staff will hand out draft copies of the plan and review the major components of the Plan with the Planning Commission. A Public Hearing for the plans will occur at a later date (Staff: Nick Norris at 801.535.6173 or **nick.norris@slcgov.com**).

Public Hearings

2. **Petition PLNPCM2009-01358; East Bench Community Master Plan Amendment**a request by Paula and Joseph Sargetakis to amend the East Bench Community Master Plan Future Land Use Map. The amendment would change the future land use classification of the property located at approximately 1794 S. Texas Street from Institutional to Low-Density Residential. The property is located in City Council District six, represented by JT Martin (Staff contact: Wayne Mills at 801.535.7282 or **wayne.mills@slcgov.com**).

3. **Petition PLNPCM2009-01359; Zoning Map Amendment**a request by Paula and Joseph Sargetakis to re-zone the property located at approximately 1794 S. Texas Street from Institutional to Single-Family Residential in order to construct a single-family dwelling with a home occupation allowing for the distribution of homegrown produce for off-premise sales. The proposed zoning district is R-1/7000. The property is located in City Council District six, represented by JT Martin (Staff contact: Wayne Mills at 801.535.7282 or **wayne.mills@slcgov.com**).

4. **PLNPCM2009-00591 Edmonds Place** a request by Brian Park for partial street closure and sale of excess right-of way property located at approximately 346 North Edmonds Place. The subject property is located in an SR-3 (Special Residential) zoning district, in Council District 3, represented by Stan Penfold (Staff contact: Doug Dansie at 801.535.6182 or **doug.dansie@slcgov.com**).

5. **Work Session** (Continued from the dinner hour if needed)

Visit the Planning Divisions 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

MEETING GUIDELINES

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 84114
4. Speakers will be called by the Chair.
5. Please state your name and your affiliation to the petition or whom you represent at the beginning of your comments.
6. Speakers should address their comments to the Chair. Planning Commission members may have questions for the speaker. Speakers may not debate with other meeting attendees.
7. Speakers should focus their comments on the agenda item. Extraneous and repetitive comments should be avoided.
8. After those registered have spoken, the Chair will invite other comments. Prior speakers may be allowed to supplement their previous comments at this time.
9. After the hearing is closed, the discussion will be limited among Planning Commissioners and Staff. Under unique circumstances, the Planning Commission may choose to reopen the hearing to obtain additional information.
10. Salt Lake City Corporation complies 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.

On Thursday, January 28, 2010 I personally posted copies of the foregoing notice within the City and County Building at 451 South State Street at the following locations: Planning Division, Room 406; City Council Bulletin Board, Room 315; and Community Affairs, Room 345. A copy of the agenda has also been faxed/e-mailed to all Salt Lake City Public Libraries for posting and to the Salt Lake Tribune and Deseret News.

Signed: _____

SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA
In Room 326 of the City & County Building at 451 South State Street
Wednesday, February 10, 2010 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 4:45 p.m., in Room 126. **Work Session—** This portion of the meeting is open to the public for observation only. No public comment will be taken. The Planning Commission may discuss project updates and minor administrative matters. The Commission will also discuss

- **Planning Commission Expectations.** Review the expectations which were developed by the Commission in March 2009.
- **Review the Various Roles of Decision-Makers in the Planning Process.**
- **City Council Policy Regarding Master Plans.**

Approval of Minutes from Wednesday, January 27, 2010

Report of the Chair and Vice Chair

Report of the Director

Request for Planning Commissioners and Historic Landmark Commissioners to work together on a subcommittee to review the proposed Eastside Apartments, a request by PEG Development for New Construction located at approximately 556 East 300 South.

Follow-up Briefing

1. **Petition PLNPCM2009-00510 North Temple Boulevard Station Area Plans**—an amendment to the West Salt Lake and Northwest Community Master Plans regarding station area plans along the Airport Light Rail Line. Planning Staff will hand out draft copies of the plan and review the major components of the Plan with the Planning Commission. A Public Hearing for the plans will occur at a later date (Staff: Nick Norris at 801.535.6173 or **nick.norris@slcgov.com**).

Public Hearings

2. **Petition PLNPCM2009-01358; East Bench Community Master Plan Amendment**—a request by Paula and Joseph Sargetakis to amend the East Bench Community Master Plan Future Land Use Map. The amendment would change the future land use classification of the property located at approximately 1794 S. Texas Street from Institutional to Low-Density Residential. The property is located in City Council District six, represented by JT Martin (Staff contact: Wayne Mills at 801.535.7282 or **wayne.mills@slcgov.com**).

3. **Petition PLNPCM2009-01359; Zoning Map Amendment**—a request by Paula and Joseph Sargetakis to re-zone the property located at approximately 1794 S Texas Street from Institutional to Single-Family Residential in order to construct a single-family dwelling with occupation allowing for the distribution of homegrown produce for off-premise sales. The proposed z is R-1/7000. The property is located in City Council District six, represented by JT Mar contact: Wayne Mills at 801.535.7282 or **wayne.mills@slcgov.com**).

4. **PLNPCM2009-00591 Edmonds Place**— a re by Brian Park for partial street closure and sale of excess right-of way property located at approximately 346 North Edmonds Place. The subject property is located in an SR-3 (Special Residential) zoning district, in Council District 3, represented by Stan Penfold (Staff contact: Doug Dansie at 801.535.6182 or **doug.dansie@slcgov.com**).

5. **Work Session** (Continued from the dinner hour if needed)

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

TRIBUNE

PATENTS

Anti-pinch point devices for imaging platforms, patent No. 7,650,657, invented by Glenn N. Waterman, of Salt Lake City, assigned to Diacor Inc. of West Valley City.

Delay units and methods of making the same, patent No. 7,650,840, invented by John Childs, of Granby, Conn., and Lawrence J. Shank III, of Hartland, Conn., assigned to Dyno Nobel Inc. of Salt Lake City.

Method for restricting fluid flow in a passageway, patent No. 7,650,911, invented by Dan B. Follett, of Morgan, David T. Cumming, of Park City, and Emily B. Christopulos, of Salt Lake City, assigned to Gaphog International LLC of Salt Lake City.

Resettable actuator for downhole tool, patent No. 7,650,951, invented by David R. Hall, Scott Dahlgren, Nathan Nelson and David Lundgreen, all of Provo.

Combination waist pack that unfolds providing a garment and a protective accessory for comfort and protection to combined parts of a person for use in outdoor sports and recreation, patent No. 7,651,016, invented by Daniel Roy Stewart, of Salt Lake City.

Expandable mandrel for use in friction stir welding, patent No. 7,651,018, invented by Scott M. Packer, of Alpine, Jonathan A. Babb, of West Jordan, Russell J. Steel, of Salem, and Monte Russell, of Orem, assigned to SII MegaDiamond of Provo.

Cable storage device, patent No. 7,651,047, invented by Robin Peng, of South Jordan, and C. Cameron Bigler, of Orem, assigned to Jupiter IP LLC of Sandy.

Method and testing equipment for LEDs and laser diodes, patent No. 7,651,268, invented by Desen Cao, of Sandy, and Zhao-hui Lin, of Salt Lake City, assigned to CAO Group Inc. of West Jordan.

Arrow insert apparatus, patent No. 7,651,421, invented by Jacob C. Smith, of Salt Lake City, Kenny R. Giles, of West Valley City, and Teddy D. Palomaki, of Park City, assigned to Jas. D. Easton Inc. of Van Nuys, Calif.

System for generating hydrogen from a chemical hydride, patent No. 7,651,542, invented by Kevin Shurtleff, of Orem, Eric Ladd and John Patton, of West Jordan, Chris Brydon, of Salt Lake City, and Ken Pearson, of Shingle Springs, Calif., assigned to Thulite Inc of Houston.

Integrated circuit with delay selecting input selection circuitry, patent No. 7,652,498, invented by Brad Hutchings, of Provo, and Jason Redgrave, of Mountain View, Calif., assigned to Tabula Inc. of Santa Clara, Calif.

Apparatus, system and method for disposing of a call, patent No. 7,653,195, invented by Anirudha Shimpi, of South Jordan, John Sirstins, of Salt Lake City, Forest Baker III, of Salt Lake City, and Forest Baker IV, of Murray, assigned to Noguar LC of Murray.

Method for communicating and matching electronic files for financial transactions, patent No. 7,653,234, invented by Joel Edward Warren, of Brentwood, Tenn., Reed Avon Beatse, of Taylorsville, Jeremy Philip Becker and Hugh Fra Jr., of San Fra as Vincent Cos hampton, Pa., of Castro Vall in Jude McCab Mass., Bruce A son, of Sausal vid James Mo Calif., Marilee Oakland, Calif., Oursbourn, of and Cynthia I of Arlington H signed to Fed Bank of Atlant

Robustness system, patent invented by Ric of Hyde Park, a lwij, of Mission, to Utah State U

System an providing dyn language sup cation progra 7,653,529, inve Litster, of Mor Broadhead, of

'Avatar' passes 'Titanic'

Los Angeles » James Cameron is king of the world again.

20th Century Fox said Tuesday that the director's sci-fi spectacle, "Avatar," has passed his shipwreck saga "Titanic" to become the highest-grossing film worldwide.

As of Monday, "Avatar" had brought in $1.859 billion at the box office, passing the $1.843 billion worldwide record set by 1997's "Titanic."

"Titanic" remains the highest-grossing film domestically at $600.8 million.

"Avatar" has been No. 1 at the box office for six straight weeks with a domestic total of $554.9 million.

It shot down "The Dark Knight" on Saturday to become the second highest-grossing film domestically.

"Avatar" has also mined $1.3 billion in international ticket sales, smashing the $1.24 billion mark previously set by "Titanic."

– *The Associated Press*

Legal Notice

Salt Lake City Master Plan and Zoning Map Amendment

On February 10, 2010, the Salt Lake City Planning Commission will hold a public hearing to consider making recommendations to the City Council regarding the following petitions:

Petition PLNPCM2009-01358; East Bench Community Master Plan Amendment-a request by Paula and Joseph Sargetakis to amend the East Bench Community Master Plan Future Land Use Map. The amendment would change the future land use classification of the property located at 1794 S. Texas Street from Institutional to Low-Density Residential.

Petition PLNPCM2009-01359; Zoning Map Amendment-a request by Paula and Joseph Sargetakis to re-zone the property located at 1794 S. Texas Street from Institutional to Single-Family Residential in order to construct a single-family dwelling and an urban farm. The Planning Division is recommending that the property is re-zoned to R-1/7000.

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 Wayne Mills at 535-7282 or call TDD 535-6220.
541132 UPAXLP

MIDVALE CITY
NOTICE OF PUBLIC MEETING

The public is invited to attend a public hearing before the Midvale City Planning Commission on Wednesday, February 10th, 2010 at 7:00

IN THE THIRD JUDICIAL DISTRICT COURT
SALT LAKE COUNTY
STATE OF UTAH
ANNOUNCEMENT OF APPOINTMENT AND NOTICE TO CREDITORS
PETITON TO CLOSE ESTATE

IN THE MATTER OF THE ESTATES OF
NANCE VIRGINIA DUNTON
Deceased Probate No.
093900141

James P. Dunton, whose address is 2811 S. 2520 E. Salt Lake City, Utah 84109, has been appointed Personal Representative of the above entitled estate. Creditors of the estate are hereby notified to: 1) deliver or mail their written claims to the Personal Representative at the address above; 2) deliver or mail their written claims to the Personal Representative's attorney of record, Patrick D. Osmond, 14322 Pepper Grass Lane, Herriman, Utah 84096; or 3) file their written claims with the Clerk of the District Court in Salt Lake County, at 450 South State St, P.O. Box 1860, Salt Lake City, Utah 84114, or otherwise present their claims as required by Utah law within three months after the date of the first publication of this notice or be forever barred.
Date of first publication: January 20th, 2010

PATRICK D. OSMOND
14322 Pepper Grass Lane
Herriman, Utah 84096
538640 UPAXLP

Public Hearing

The OWHLF Board will hold a Quarterly Board Meeting on January 28, 2010, at 9:00 am, 324 South State Street, 5th floor, SLC, Room #501. The Board will make decisions on five project applications: Providence Place Apts., Daggett County Mfg. Home, RHDC Self-Help, UBAOG Duplexes, Parkhills MHE Loan

5 B. PLANNING COMMISION

Staff Report

PLANNING COMMISSION STAFF REPORT

1794 S. TEXAS STREET – MASTER PLAN AMENDMENT AND ZONING MAP AMENDMENT

PLNPCM2009-01358 – Master Plan Amendment
PLNPCM2009-01359 – Zoning Map Amendment

1794 S. Texas Street

February 10, 2010

Planning and Zoning Division
Department of Community and Economic Development

Applicant: Paula and Joseph Sargetakis

Staff: Wayne Mills
801-535-7282
wayne.mills@slcgov.com

Tax ID: 16-15-407-011

Current Zone: Institutional

Master Plan Designation:
East Bench Community Master Plan - Institutional

Council District: District 6 - JT Martin

Community Council: Sugar House – Philip Carlson, Chair

Lot Size:
1.82 acres (79,279 square feet)

Current Use: Vacant (church formerly occupied the site)

Applicable Land Use Regulations:
- 21A.50 – Amendments
- Section 10-9a-204 – Utah State Code – Plan Amendment Notification

Notification
- Notice mailed on 1/28/10
- Newspaper ad on 1/28/10
- Sign posted on 1/29/10
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites 1/28/10

Request

Paula and Joseph Sargetakis (applicants) are requesting a Zoning Map Amendment to rezone the property located at 1794 S. Texas Street from Institutional to Single-Family Residential. The applicants are proposing to rezone the property to residential to allow them to construct one single-family dwelling and an organic vegetable, herb, legumes, and fruit garden.

The requested rezone also requires an amendment to the East Bench Master Plan Future Land Use Map. The property is currently classified as Institutional according to the Future Land Use Map. The petition to amend the Master Plan would change the classification to Residential.

Staff Recommendation

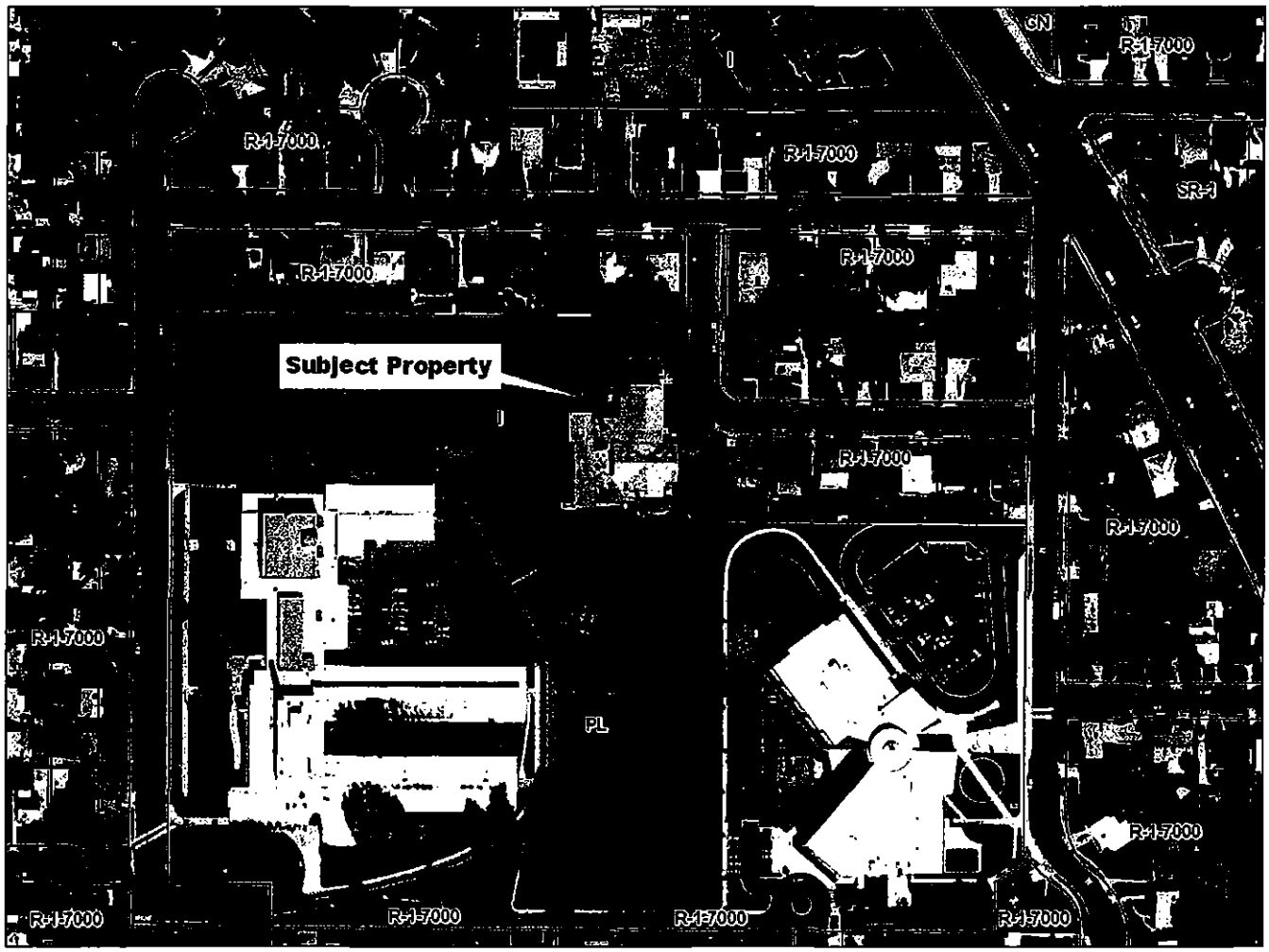
PLNPCM2009-01358 – Master plan Amendment
Based on the discussion and findings in the staff report, it is the Planning Staff's opinion that the Planning Commission transmits a favorable recommendation to the City Council to amend the East Bench Community Master Plan by designating the property located at 1794 S. Texas Street as Low Density Residential on the Future Land Use Map.

PLNPCM2009-01359 – Zoning Map Amendment
Based on the discussion and findings in the staff report, it is the Planning Staff's opinion that the Planning Commission transmits a favorable recommendation to the City Council to amend the Salt Lake City Zoning Map by rezoning the property located at 1794 S. Texas Street from Institutional to R-1/7000 Single-Family Residential with the following conditions:

1. The total building coverage on the property is limited to 10,000 square feet. This condition applies only to the property in its current configuration. If the property is subdivided in the future, the lots created must meet applicable zoning regulations. If the City Council adopts any future amendment to the City Code that would allow for additional

Attachments: A. Application Submittal B. Home Occupation Regulations C. East Bench Community Master Plan Future Land Use Map D. Public Comments E. Community Council Letter F. City Department/Division Comments G. Building Coverage Map and Spreadsheet H. Institutional District Regulations	building square footage associated with urban agriculture uses, this condition shall no longer be in effect.

VICINITY MAP



Background

Project Description

The subject property is located at 1794 S. Texas Street in the East Bench Community Master Plan Area. The property is approximately 1.8 acres (approx. 79,279 square feet) in size and is currently zoned I – Institutional. A church formerly occupied the property, but was demolished in 2008. The property is currently vacant.

The applicants are under contract to purchase the subject property and are proposing to construct a single-family dwelling and an organic urban farm/garden. The single-family dwelling would be the principal use on the site and the produce grown in the garden would be sold off-site. The commercial garden is allowed as a Permitted Home Occupation as long as the functions of the use comply with the Home Occupation zoning regulations. These regulations are included as Attachment B.

As stated above, the property is zoned Institutional. The Institutional zoning district does not permit single-family residential land uses; therefore, the applicants are requesting that the City rezone the property to single-family residential. This would allow the construction of a single-family dwelling and would permit the applicants to apply for a Home Occupation license for the commercial garden.

The property is located within the East Bench Community Master Plan area. The Future Land Use Map in the East Bench Master Plan shows the property as Low Density Residential (see Attachment C); however, in 1995 the City completed a zoning re-write project and re-zoned all of the properties in the City. As part of the City-wide rezoning process, all of the City-wide community master plan future land use maps were amended to reflect the new zoning classifications. In other words, the new zoning designations became the future land use classifications in all existing master plans in 1995. Therefore, the subject property is currently classified as Institutional according the East Bench Community Master Plan.

When the Planning Commission and City Council evaluates a proposed amendment to the Zoning Map, one standard for consideration is whether the proposal is consistent with the adopted City master plans. Therefore, the Planning Commission and City Council should consider if it is appropriate to amend the East Bench Community Master Plan to show the subject property as Residential on the Future Land Use Map prior to rezoning the property to residential.

Comments

Public Comments

Prior to any public hearing notification, the applicants mailed a letter to the property owners within 450 feet of the subject property explaining their proposal. The letter also provided Planning Staff contact information if there were questions regarding the decision making process. The comments that Staff received are included with the Staff Report as Attachment D.

The project was presented to the Sugar House Community Council Land Use and Zoning Committee on December 15, 2009. The committee referred the petition to the full Community Council for review. The Sugar House Community Council reviewed the petition on January 6, 2010 and provided a letter to Staff that is included as Attachment E. The following questions/comments were raised in the Community Council Meeting:

- What is the size of the house that will be constructed? – worried about blocking views

- *Applicant Response: It is our intent to keep the home mostly to a single story home with one area that would be the size of a living room on a second floor. This should maintain the majority of views for the neighbors as the lot sits lower than those around us. A general feel as to the square footage we may use is in a range of 5,000 to 7,000 square feet, I just caution this because we have not hired an architect yet and I am just making my best guess. This would include the green house as well which would be on a residential scale more than a commercial scale. We will be using the least amount of space appropriate for building and the most amount of space possible for planting. We want to be sustainable and green.*
- *Planning Staff Comment: It is important to note that the Institutional zoning district (current zone) allows a maximum building height of 35 feet (measured to the midpoint of a pitched roof) by right and 75 feet as a Conditional Use. The R-1/7000 zoning district limits the height of a single-family dwelling to 28 feet measured to the ridge of the roof or the average height of the homes on the block face.*

- How much water will be used?
  - *Applicant Response: We do not know at this point how much water will be used but we can say it will be much less than that used by 8 homes with Kentucky blue grass, bathrooms, etc. It is our plan to gather and use rain/snow in cisterns, as allowed by law, to mitigate our use of the public culinary water system. We will also use water delivery systems that will keep the evaporation to a minimum. We want to be sustainable as well as green.*

- Future subdivision of property - If proposal does not work, the property will be zoned to allow more homes in the neighborhood.
  - *Planning Staff Comment: It is true that if the property is rezoned to residential, it could be subdivided in the future according to the regulations of the zoning district. The R-1/7000 zoning district would allow lots ranging in size from 7,000 to 10,500 square feet.*

- Potential increase in traffic and noise from deliveries to and from the property.
  - *Applicant Response: We do not anticipate any earlier deliveries than anyone else in the neighborhood and certainly our impact would be less than the subdivision. All sales will be off site and our vehicle use would also be less than a subdivision. Our work is at our home so we will have less impact than the majority of neighbors that have to drive to work daily. We are not allowed to have employees and again we would not have as much impact as a subdivision.*

- Potential increase in traffic and other impacts from employees.
  - *Planning Staff Comment: The home occupation regulations prohibit employees on the property.*

- What are the types of equipment/vehicles that would be used?
  - *Applicant Response: This is a small scale farm so the equipment will also be on a smaller scale than a farm; smaller sized tractors and implements to fit the size and location of the property. We anticipate a pick-up truck, tractor (similar to a large lawn tractor size) and trailer. Again less motor vehicles than would be found in a subdivision.*

- People have historically used the property to access the school. Do people still have the right to do so?
  - *Planning Staff Comment: This is a private property issue and is not related to the amendment petition.*

- Neighborhood impacts due to composting
  - *Applicant Response: When a compost pile is done correctly it has no odor. When a compost pile is turned, scraps kept to 2" or less, no protein added and properly monitored, it is a healthy environment. We will most likely do hot compost which is easier to manage but at times we may do cold compost - what will meet the needs at the time the best. Hot compost is completed in a couple of weeks to months, whereas cold compost can take a long, long time.*

- Neighborhood impacts due to an increase in pests
  - *Applicant Response: I do not believe we will have an increase in pests because there will be more activity on the property and we will need to keep pests away from the crops.*
  - *Planning Staff Comment: The applicant also explained to Staff that they have researched, and plan to follow, best management practices on pest control.*

City Department Comments

The comments received from pertinent City Departments / Divisions are attached to this staff report in Attachment F. The Planning Division has not received comments from the applicable City Departments / Divisions that cannot reasonably be fulfilled or that warrant denial of the petition.

Project Review

Master Plan Amendment

As stated above, the subject property was classified as Low-Density Residential on the East Bench Community Master Plan Future Land Use Map prior to the City-wide rezone in 1995. In fact, the property is still shown as Low-Density Residential in the printed Master Plan (see Attachment C). Prior to 1995, the property was zoned R-2, which at the time permitted churches and schools. In 1995, the property was re-zoned to Institutional according the existing land use (a church). This also amended the East Bench Community Master Plan Future Land Use Map to Institutional.

Although it abuts other institutional uses (two schools), the subject property has no connection to those uses and no ownership relationship. It also fronts on a different street than either of those uses. The church that existed on the property was deemed no longer necessary at this location and has since been demolished. The question is whether it is still appropriate to classify the future land use of the property as Institutional now that the historic land use has ceased to exist. While the Institutional land use and zoning designations allow for land uses that provide services to the immediate neighborhood, such as schools and churches, these designations also allow a variety of land uses that may not be appropriate on a local street and within a single-family residential neighborhood. For example, the Institutional zoning district allows medical and dental clinics, which could create traffic impacts in the neighborhood.

Staff is of the opinion that it is appropriate to amend the Future Land Use Map in the East Bench Community Master Plan and return the classification on the property to Low-Density Residential now that the historic institutional land use no longer exists on the property. This would allow for residential development that is compatible with the adjacent residential development.

Zoning Map Amendment

The applicants are requesting that the City rezone the subject property to single-family residential, but have not proposed a particular zoning district designation. As shown on the vicinity map above, the residential properties surrounding the subject property are zoned R-1/7000. The lot sizes of the properties along Texas Street and Wilson Street range between approximately 6,700 square feet and 8,100 square feet.

Subdividing the property is not part of the applicant's proposal; however, the Planning Commission and City Council should consider that, if the subject property is rezoned, it could be subdivided in the future to accommodate additional single-family homes. If the subject property were to be subdivided under the R-1/7000 zoning district regulations, the new lots created would have to maintain a minimum size of 7,000 square feet but could not exceed 10,500 square feet. This range in lot size is compatible with the size of the lots in the neighborhood and would limit the footprints of the homes that could be built on the lots to sizes compatible with the homes in the neighborhood.

The Planning Commission and City Council could also consider rezoning the property to R-1/12000. This option is discussed in the "Options" section below.

Another issue to consider with a zoning amendment petition is the type of the development that could occur under the new zoning designation and if that development would be compatible with surrounding development. In this case, the development in the immediate vicinity consists of two schools and a single-family dwelling neighborhood. The existing development that would be most impacted by development on the subject property are the single-family homes along Texas Street, Wilson Street, and Blaine Avenue.

Rezoning the subject property from Institutional to R-1/7000 and keeping the property as one whole parcel would allow one single-family home to be built. The R-1/7000 zoning district allows up to a maximum of 40% total building coverage of the property. The relationship between this building coverage on the subject property and the coverage of the homes in the immediate neighborhood is shown on the map in Attachment G. The map shows that a 31,712 square foot (approximate) home could be built on the subject property under the 40% building coverage allowance in the R-1/7000 zoning district.

The applicants have stated to Staff that it is not their intention to construct a monster home on the property. Their intent is to construct a LEED certified structure that includes a greenhouse for the urban garden. The applicants do not have plans drawn at this time. One way to regulate the size of future development on the subject property would be to record a notice on the property that reduces the amount of buildable area. The applicants have stated to Staff that the approximate building coverage that they anticipate would be 5,000 to 7,000 square feet, but that is a very rough estimate at this time.

Staff is of the opinion that the building coverage should be reduced on the subject property to minimize the potential for a castle-like home to be built that is not compatible with the surrounding neighborhood. Staff also believes that the building coverage should not be limited too much so as to not allow the applicants enough space to operate the urban garden. Planning Staff recommends that the total building coverage is limited to 10,000 square feet, which is approximately 13% of the total lot area. This building coverage relationship is shown on the attached map (see Attachment G).

Analysis and Findings

Options

The following are options for the Planning Commission to consider when making a recommendation to the City Council:

- **Denial of the Petition**
  - If the petition is denied the zoning will remain Institutional and any use allowed in the Institutional zoning district can be located on the property. This includes uses, such as private schools and medical and dental clinics that could introduce additional traffic in the residential neighborhood. In addition, a building can be constructed on the property according to the Institutional zoning district standards. The Institutional zone allows buildings to be constructed to a height of 35 feet by right or up to 75 feet as a Conditional Use. There is no maximum building coverage regulation in the Institutional district, but 40% of the lot area must be maintained as open space. As a point of reference, the LDS church that previously existed on the property was approximately 27 feet in height and approximately 20,700 square feet in size (building footprint). A copy of the Institutional zoning district regulations is attached for reference (see Attachment H).

- **Rezone the Property to R-1/12000**
  - Some concern was expressed in the Sugar House Community Council meeting that rezoning the property to R-1/7000 will allow too many additional homes if the property is ever subdivided in the future. In fact, a proposal was reviewed by the City Development Review Team to subdivide the property into 8 lots; however, a formal subdivision proposal was never submitted to the City. Planning Staff recommends that the property is rezoned to R-1/7000 because this zoning designation is compatible with the zoning in the neighborhood.

  - The Planning Commission could recommend an R-1/12000 zoning designation to reduce the number of lots that could be created by subdividing the property (any new lot created would need to maintain a minimum lot size of 12,000 square feet and a maximum lot size of 18,000 square feet). If the property were to be rezoned to R-1/12000 and subdivided in the future, larger homes could be built on each lot than what could be built on parcels zoned R-1/7000. For example, the R-1/12000 zone allows a 35% maximum building coverage. On a 12,000 square foot lot, the allowable lot coverage would be 4,200 square feet. This lot coverage exceeds the lot coverage of the existing homes along Texas Street and Wilson Street (see spreadsheet of building coverage in Attachment G).

- **Condition the Zoning Amendment on the Applicants Purchase of the Property**
  - In order to have control over the future of the property, the Planning Commission could recommend that the change in zoning be conditioned upon the applicant's purchase of the property. That way, if the applicants do not purchase the property, the zoning would remain Institutional and any future proposal to rezone the property would have to go through the Zoning Amendment process.

Findings

Master Plan Amendment

There are no specific standards in the Salt Lake City Zoning Ordinance for Master Plan Amendments. State Law, Section 10-9a-204, Notice of Public Hearings and Public Meetings to Consider General Plan or Modifications, outlines the criteria for amending a master plan relating to noticing requirements. A notice for the Master Plan amendment was published in the Deseret News on January 28, 2010. The rationale for amending the East Bench Community Master Plan Future Land Use Map is discussed above.

Zoning Map Amendment

Section 21A.50.050 - A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard. However, in making its decision concerning a proposed amendment, the city council should consider the following factors:

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

Finding: The proposed Zoning Map Amendment is consistent with the printed Future Land Use Map in the East Bench Community Master Plan; however, the Master Plan Future Land Use classification was changed to Institutional when the property was rezoned to Institutional in 1995 (see Master Plan Amendment discussion above). The proposed Zoning Map Amendment would be consistent with the East Bench Community Master Plan if the proposed Master Plan amendment is approved.

It is important to note that the City is currently developing policies and changes to City Code to promote urban farms due to the increased awareness of the importance of locally grown food. The Director of the Division of Sustainability has reviewed the proposed rezoning to allow for the urban garden/farm and has stated that the Division supports projects such as this as it provides local, fresh food sources to our communities.

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

Finding: The applicant's proposal is to rezone the subject property from Institutional to Single-Family residential. Planning Staff recommends that the property is rezoned to R-1/7000 due to the adjacent R-1/7000 residential zoning. Re-zoning the subject property to R-1/7000 would require any future subdivision and development on the property to comply with the R-1/7000 zoning district regulations related to building height, lot size, setbacks and lot coverage. This would ensure that future development is harmonious with the overall character of existing development in the immediate vicinity of the subject property.

The applicant's proposal to construct one single-family dwelling and an urban garden on a 1.8 acre site is unique to this neighborhood. The urban garden operation will be regulated by the Home Occupation zoning standards to ensure that the operation is compatible with the neighboring single-family development.

Due to the size of the property and the R-1/7000 lot coverage allowance, a large structure could be built on the property that would not be compatible with existing development. Staff is of the opinion that this can be mitigated by limiting the building coverage on the property (see discussion above).

Staff finds that, based on the above discussion points, the proposal 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 will adversely affect adjacent properties;

Finding: The proposed amendment would allow the applicants to construct a single-family dwelling and urban garden. Staff is of the opinion that the single-family dwelling use would not adversely affect adjacent properties. The applicants would need to apply for a Home Occupation license for the urban garden use and would need to comply with the Home Occupation standards as specified in the Zoning Ordinance. The standards were developed to minimize impacts that the home occupation might have on adjacent properties. Staff finds that the proposal would not adversely affect adjacent properties as long as the applicants comply with the Home Occupation zoning standards, as well as all other applicable City, County, and State regulations.

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

Finding: The subject property is located in the Groundwater Source Protection Overlay District – Primary Recharge Area. The Salt Lake City Department of Public Utilities is the City Department responsible for development reviews and compliance with this overlay district. A representative from the Public Utilities Department has reviewed the proposal and stated that an organic garden on the site should not be an issue; however, industrial fertilizers and/or pesticides could impact groundwater sources. The applicants will be required to comply with the Groundwater Source Protection Overlay District standards as stated in Section 21A.34.060 of the Salt Lake City Zoning Ordinance.

e. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm

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

Attachment A

Application Submittal

Zoning Amendment

OFFICE USE ONLY
Petition No. PLNPCM2009-01359
Date Received: 23 NOV 2009
Reviewed By: TEB

☐ Amend the text of the Zoning Ordinance by amending Section:

☒ Amend the Zoning Map by reclassifying the above property from a zone to a zone. (attach map or legal description)

SALT LAKE CITY PLANNING

Address of Subject Property: 1794 Texas Street, Salt Lake City, UT 84108, Belview Plat C, (2400 East Blaine Ave.)

Name of Applicant: Paula and Joseph Sargetakis	**Phone:** 801-487-5044
Address of Applicant: 2254 Parleys Terrace, Salt Lake City, UT 84109	
E-mail Address of Applicant: paulasarge@comcast.net	**Cell/Fax:** C. 801-541-1201 F.801-746-0105
Applicant's Interest in Subject Property: Have under contract and hope to purchase for our home.	
Name of Property Owner: Corp of Presiding Bishop of Church of Jesus Christ of Latter Day Saints	**Phone:** RECEIVED
E-mail Address of Property Owner:	**Cell/Fax:** NOV 23 2009
County Tax ("Sidwell #"): VTDI 16-15-407-011-0000	**Zoning:** Institutional
Legal Description (if different than tax parcel number): See page 2	BY: TEB

		Existing Property Use	Proposed Property Use
		Vacant	Residential

Please include with the application:

1. A statement of the text amendment or map amendment describing the purpose for the amendment and the exact language, boundaries and zoning district. We want to change the zoning from Institutional to residential. The Property is in a residential area, Belview Slopes Plat C was previously zoned residential and Belview Slopes Plat B is still zoned
2. A complete description of the proposed use of the property where appropriate. Our home Residential.
3. Reasons why the present zoning may not be appropriate for the area. It does not allow for residential use but is surrounded by residential use.
4. Printed address labels for 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. Legal description of the property. See page 2
6. Six (6) copies of site plans drawn to scale and one (1) 11 x 17 inch reduced copy of each plan and elevation drawing.
7. .If applicable, a signed , notarized statement of consent from property owner authorizing applicant to act as agent
8. **Filing fee of $885.92, plus $110.74 for each acre over one acre and the cost of first class postage is due at time of application.**

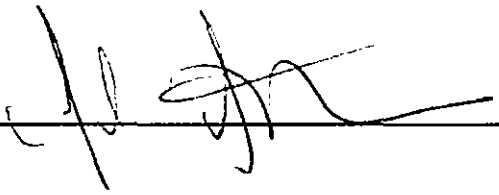
Applications must be reviewed prior to submission. Please call 535-7700 for an appointment to review your application.

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



Legal Description: Lot 1, BELVIEW SLOPES PLAT "C", according to the official plat thereof, filed in Book "D" of Plats, at Page 52, and Lot 35, BELVIEW SLOPES PLAT "A", according to the official plat thereof, filed in Book "M" of Plats, as Page 64 of the Official Records of the Salt Lake County Recorder.

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

PHYSICAL FACILITIES DEPARTMENT
50 E. North Temple St. Rm. 1205
Salt Lake City, Utah 84150-6320
Phone: 1-801-240-3840
Facsimile: 1-801-240-2913

November 23, 2009

City of Salt Lake
Planning and Zoning Board
451 South State Street, Room 215
Salt Lake City, UT 84111

Re: Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole ("CPB") and Paula and Joseph Sargetakis ("Applicant")

To Whom It May Concern:

On September 24, 2009, CPB as Seller and Applicant as Buyer entered into a Sale Contract concerning approximately 1.82 acres of property located at approximately 1794 Texas Street, Salt Lake City, UT 84108 (the "Property"). As the owner of the Property, CPB agrees and consents to Applicant (i) having access to records of the government pertaining to the Property, (ii) obtaining disclosure of information related to the Property, and (iii) filing of applications and other submittals by Applicant relating to rezoning, annexation, platting and other land use actions relative to the Property, provided that no such action shall be binding upon CPB nor shall any such action be finalized by Applicant until after title to the Property has been transferred to Applicant.

Please understand that this consent to filings does not constitute consent to any annexation, platting or rezoning or any similar action, which actions may not be finalized by Applicant while CPB owns the Property.

Sincerely,

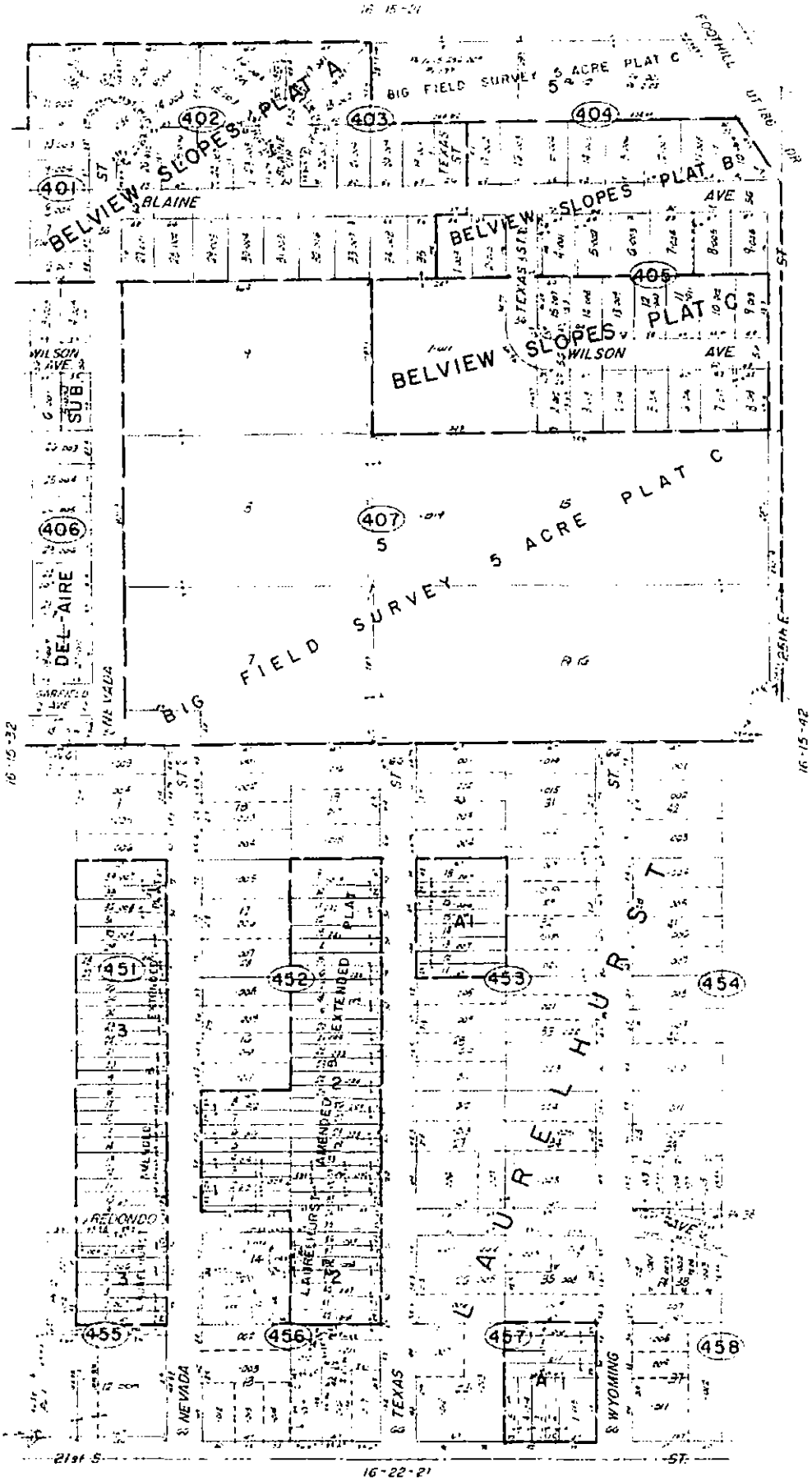
Corporation of The Presiding Bishop of The Church of Jesus Christ of Latter-Day Saints, a Utah corporation sole,

By: Matthew R. Cummings

Matthew R. Cummings
Real Estate Project Manager
(801) 240-2906
cummingsmr@ldschurch.org

VTDI 16-15-407-011-0000 DIST 13 TOTAL ACRES 1.82
CORP OF PRESIDING BISHOP OF TAX CLASS UPDATE REAL ESTATE 555800
CH OF JC OF LDS LEGAL BUILDINGS 0
PRINT U TOTAL VALUE 555800
50 E NORTHTEMPLE ST
SALT LAKE CITY UT 84150970450 EDIT 1 FACTOR BYPASS
LOC: 1794 S TEXAS ST EDIT 0 BOOK 0000 PAGE 0000 DATE 00/00/0000
SUB: BELVIEW SLOPES PLAT "C" TYPE UNKN PLAT
07/22/2009 PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY
LOT 1 BELVIEW SLOPES PLAT C & LOT 35 BELVIEW SLOPES PLAT A

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



SALT LAKE CO.

16-15-41

W.1/2 S.E.1/4 SEC. 15 T.1S. R.1E.

Texas Street Residential Land

1794 S Texas Street | Salt Lake City, UT | 84108

For Sale $1,350,000

LAND

Property Features

- 1.82 Acres
- Convenient Location
- Five minutes to the University of Utah
- Ten minutes to Downtown
- Easy Access to the I-215 and I-80
- Great East Side Neighborhood
- Salt Lake City School District
- Structure Previously On Site Has Been Demolished

Contact:

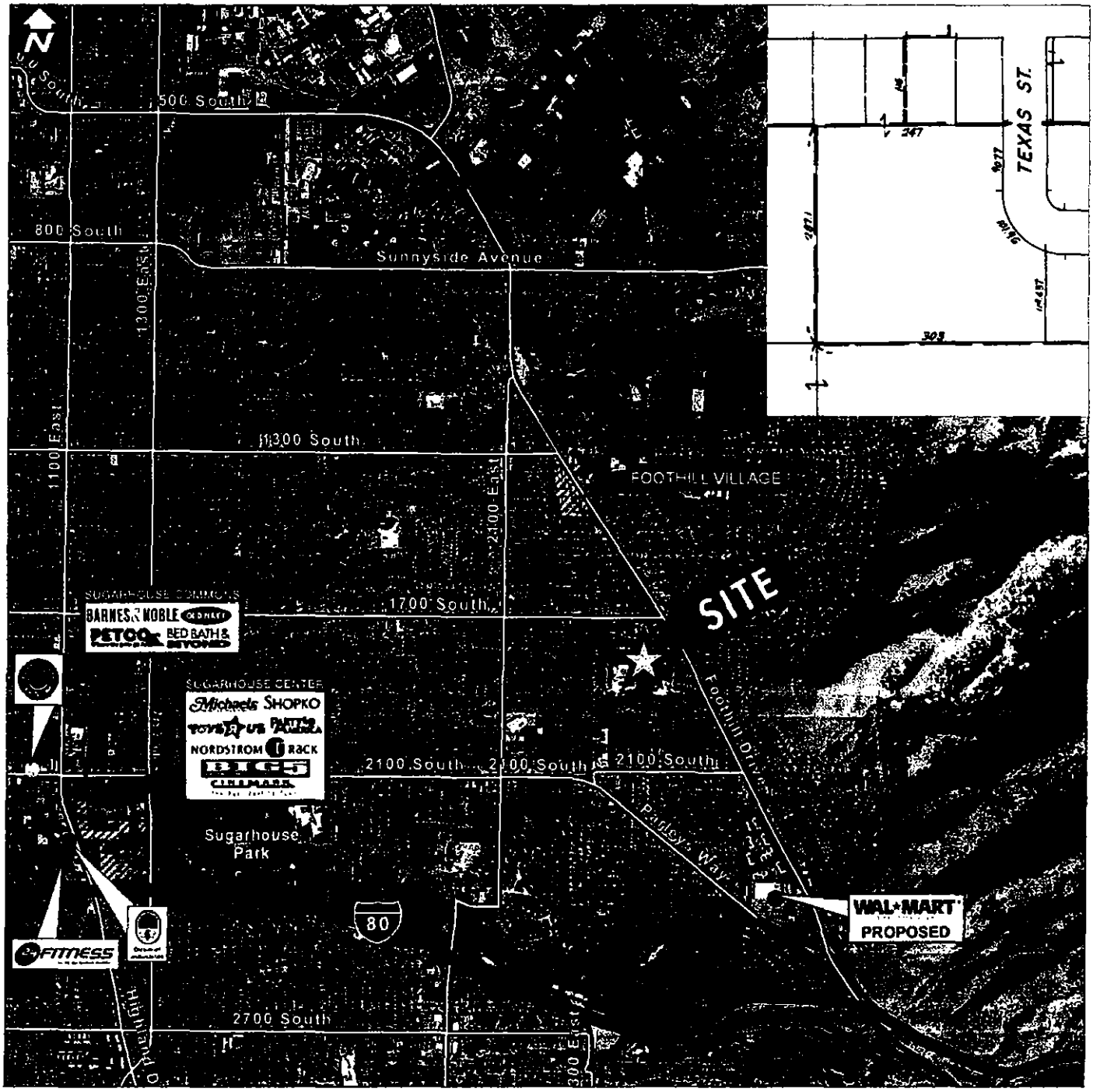
Robert Kingsford
direct 801.578.5589
rkingsford@naiutah.com

Wick Udy
direct 801.578.5592
wudy@naiutah.com

Dave Bauman
direct 801.578.5541
dbauman@naiutah.com

Texas Street Residential Land

1794 S Texas Street | Salt Lake City, UT | 84108



Contact:

Robert Kingsford
direct 801.578.5589
rkingsford@naiutah.com

Wick Udy
direct 801.578.5592
wudy@naiutah.com

Dave Bauman
direct 801.578.5541
dbauman@naiutah.com

Wayne Mills
Senior Planner
Salt Lake City Planning Division
451 S. State Street, Room 406
PO Box 145480
Salt Lake City, UT 84114-5480
Phone: 801-535-7282
Fax: 801-535-6174

Dear Wayne,

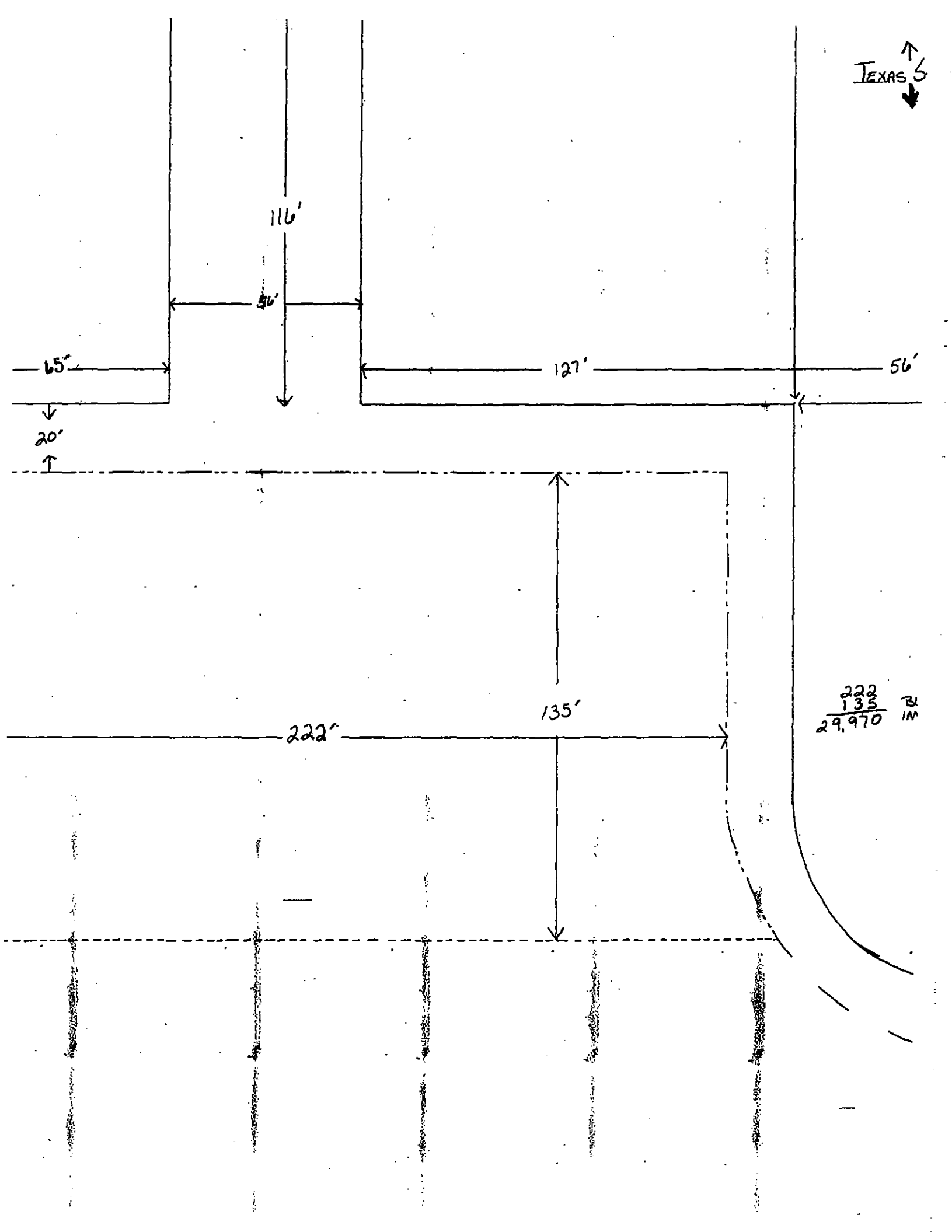
My husband and I are excited about the opportunity to finally have a site to develop/implement a dream we have had for about 10 years – our home with an organic urban vegetable, herb, legumes and fruit garden. Our project will be selling the produce off site.

At this point in the planning process it is difficult to say what the home/urban garden will look like as the home/urban garden will need to be designed to meet sun, wind, and site restrictions but we can say that we will be planning to have as much of the site as possible for the growing of plants.

The purpose of our urban garden is to provide our community with an option to purchase organic vegetables, herbs, legumes and fruits in a respected, consistent, educational and knowledgeable way in their own neighborhood and to supply local restaurateurs. Our goal is to have LEED level buildings and grounds and to have our home and urban garden blend into and become part of the existing neighborhood.

Best regards,

Paula Sargetakis Joe Sargetakis


TEXAS
116'
56'
65'
127'
56'
20'
135'
222'
222
135
29,970
BL
IM

Attachment B

Home Occupation Regulations

21A.36.030: HOME OCCUPATIONS:

A. Purpose: The purpose of this section is to permit the establishment of home occupations in all residential districts and ensure that the home occupations are compatible with the residential district in which they are located and have no negative impact upon the surrounding neighborhood.

B. Permitted Home Occupations: Subject to compliance with the standards specified in this section, the following occupations, that do not have the client come to the home, shall be permitted as home occupations subject only to approval by the zoning administrator pursuant to subsection H of this section:

1. Artists, illustrators, writers, photographers, editors, drafters, and publishers;

2. Consultants, private investigators, field representatives and other similar activities;

3. Bookkeeping and other similar computer activities;

4. Locksmith;

5. Distribution of products grown or assembled at home for off premises sales (such as garden produce, crafts, etc.);

6. Janitorial services; and

7. Mail order business or sales representative.

C. Home Occupations Prohibited: The following businesses, regardless of their conformance with the standards in subsection H of this section, are prohibited as home occupations:

1. Auto repairs;

2. Kennels;

3. Welding shops or machine shops;

4. Large appliance/electronics or equipment repair or service (washers, dryers, refrigerators and other appliances or equipment that are too large to be carried in 1 individual's arms);

5. Truck hauling;

6. Cabinetmaking;

7. Deliveries; and

8. Stables.

D. Conditional Home Occupations:

1. The following home occupations, which either require a client to come to the home or which may result in neighborhood impacts if not properly managed, may be authorized by the board of adjustment as an accessory use only by special exception pursuant to standards specified in this section as well as the provisions of chapter 21A.52 of this title:

a. Barbers, cosmetologists, manicurists;

b. Consultant services;

c. Physicians, therapists, massage therapists;

d. Home instruction of musical instruments, voice, dance, acting and educational subjects;

e. Small appliance/electronics/equipment repair or service (items which can be carried in 1 individual's arms);

f. Dressmaker/tailor where there is no cleaning, dyeing or pressing by mechanically operated equipment;

g. Contractor, "handyman", and landscape or yard maintenance contractor; subject to the special conditions that no construction materials or equipment will be stored on the premises;

h. Artists, photographers; and

i. Other similar personal or professional services where the client comes to the home.

2. The board of adjustment may delegate authority to the zoning administrator to handle special exceptions for conditional home occupations. The zoning administrator will review and approve applications in accordance with the provisions of chapter 21A.14 of this title.

E. Application: Applications for home occupations shall be filed with the zoning administrator. The applications shall include the following information:

1. A complete description of the type of business proposed including the location of the storage and operations area for the home occupation;

2. A listing of the individuals at the home who will be working on the business;

3. The expected hours of operation of the business;

4. The expected number of clients per hour and total expected number of clients visiting the home per day;

5. For conditional home occupations, names, signatures and addresses of all abutting property owners, including property owners across the street(s). Approval of the apartment management or property owner if the business is conducted on a leased property. Notice to

neighboring property owners is subject to the provisions of subsections 21A.14.060B1 and B2 of this title.

F. License Required: It is unlawful for any person, firm, corporation, or association to engage in a "home occupation" as defined in section 21A.62.040 of this title without first obtaining a license pursuant to the provisions of title 5, chapter 5.04 of this code. Prior to issuance of said license, the criteria set forth in this title must be satisfied and all applicable fees shall be paid. All home occupation permits shall be valid for one year, and may be renewed annually, provided there have been no reported violations, subject to subsection J of this section.

G. Determination Of Completeness: Upon receipt of an application for a home occupation, the zoning administrator shall make a determination of completeness pursuant to section 21A.10.010 of this title.

H. Standards: All home occupations shall comply with the following standards:

1. The home occupation must be clearly incidental and secondary to the primary use of the dwelling for residential purposes;

2. The area of the residence, used for home occupations shall remain in character with the rest of the home except for such minor alterations necessary to conduct an approved home occupation;

3. The home occupation shall not be conducted in, nor in any way use, the garage, carport, any accessory building or any portion of the yard. A home occupation license to distribute produce grown on the premises for off premises sales may be conducted in the rear yard and include the use of accessory buildings but may not occupy required parking areas;

4. The home occupation work conducted at the residence shall not involve any employees other than persons lawfully living in the residence;

5. The residence must be the principal residence of the applicant;

6. Other than the applicant's personal transportation there shall be no vehicles or equipment stored outdoors, or in a garage or accessory building on the property associated with the home occupation which would not normally be found at a residence;

7. Delivery of merchandise, goods, or equipment, to the site of the home occupation, shall be made by a vehicle typically employed in residential deliveries. No deliveries to the site of the home occupation by semitractor/trailer truck shall be permitted. Loading and deliveries to the site of the home occupation shall be limited to the hours of eight o'clock (8:00) A.M. and six o'clock (6:00) P.M.;

8. No mechanical or electrical apparatus, equipment or tools shall be permitted in the home occupation except those which are commonly associated with a residential use or as are customary to home crafts, and which do not exceed two hundred twenty (220) volts or which are customary to an approved conditional home occupation;

9. Tools, items, equipment or occupations which are offensive or noxious by reason of the emission of odor, smoke, gas, dust, vibration, magnetic or electrical interference, noise, or other similar impacts extending beyond the property line of the lot where the occupation is located, are prohibited;

10. Stock in trade, inventory or other merchandise shall be allowed to be kept only in the interior space of the dwelling;

11. No outdoor storage is permitted in conjunction with the occupation other than produce for off premises sales as outlined in subsection H3 of this section;

12. Other than allowed conditional home occupations, no clients or customers shall come to the home nor shall any additional vehicular traffic or parking needs be generated;

13. For conditional home occupations, no more than one client may be served at one time and no more than one place of vehicular parking shall be occupied by a client at any time;

14. The home occupation shall not require any internal alterations, other than those necessary for an approved home occupation, nor any external alterations to the residence, nor provide any visible evidence from the exterior that the building is being used for any other purpose than that of a residence;

15. Only one nonilluminated nameplate, with a maximum sign face as specified in chapter 21A.46 of this title, stating the name of the business or occupant and mounted flat against the building, shall be allowed;

16. The home occupation shall not cause a demand for municipal or utility services or community facilities in excess of those usually and customarily provided for residential uses; and

17. No direct sales of products are made from the home whether or not incidental to the home occupation.

I. Decision By Board Of Adjustment Or Zoning Administrator: The board of adjustment or zoning administrator shall issue a permit for the home occupation if the board of adjustment or zoning administrator finds that:

1. The provisions of this title are satisfied;

2. The home occupation will be in keeping with the character of the neighborhood and will not adversely affect the desirability or stability of the neighborhood;

3. The home occupation does not diminish the use and enjoyment of adjacent properties or create an adverse parking impact on adjacent streets or properties;

4. The home occupation will not negatively impact the future use of the property as a residence;

5. The home occupation will not adversely affect the public health, safety or welfare; and

6. The home occupation conforms with all fire, building, plumbing, electrical and health codes.

J. Loss Of Home Occupation Use: The zoning administrator may terminate any home occupation use upon making findings that support either or both of the following conclusions:

1. Any of the required licenses or permits necessary for the operation of the business have been revoked or suspended; or

2. Any of the provisions of this title have been violated.

K. Appeals:

1. Any termination of a home occupation may be appealed pursuant to the provisions of title 5, chapter 5.02 of this code as if the termination were a business license revocation.

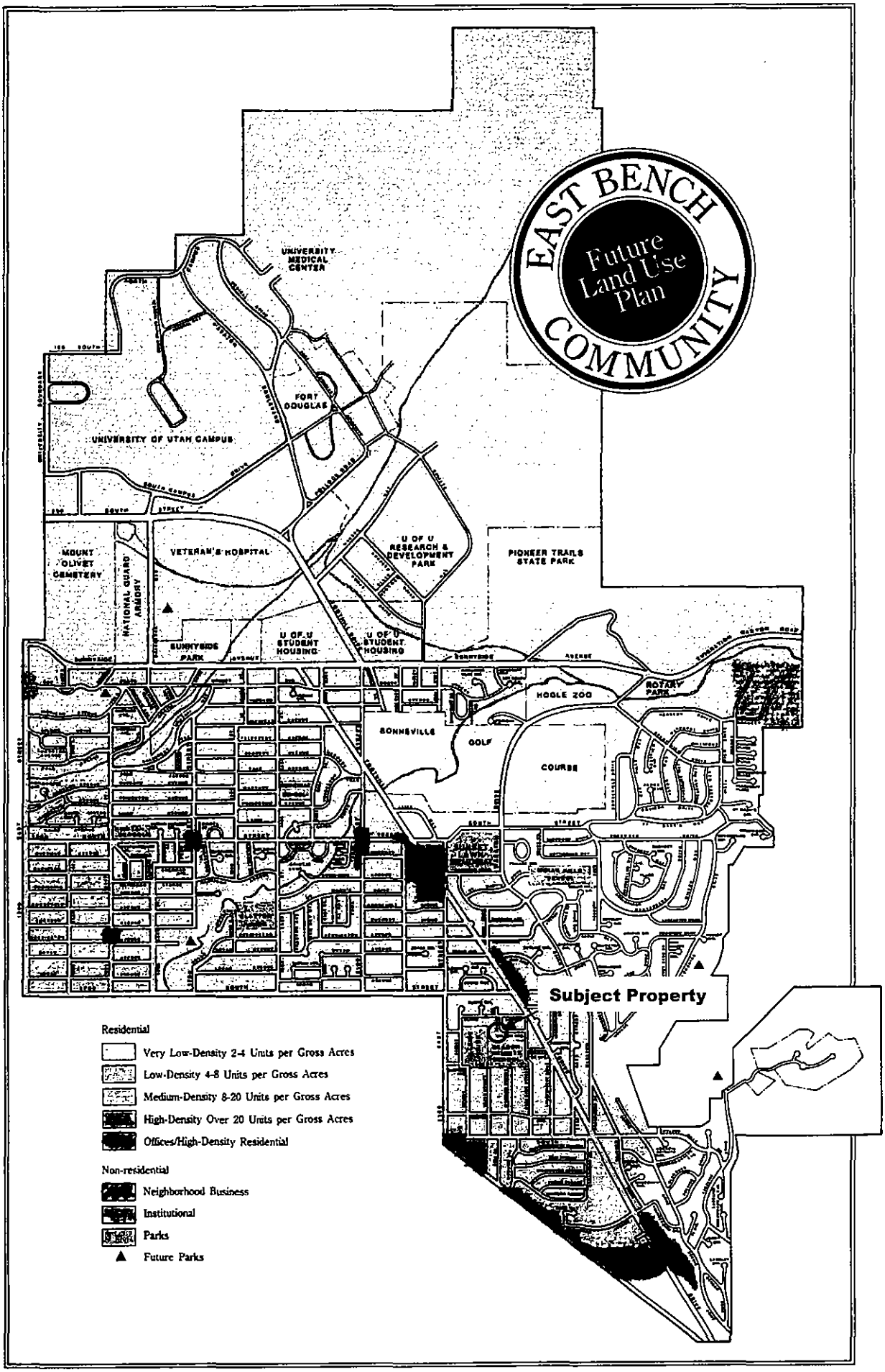
2. Any person adversely affected by the denial or issuance of a permit for a home occupation may appeal that decision to the board of adjustment pursuant to chapter 21A.16 of this title.

L. Existing Home Occupation Licenses: Existing licenses for home occupations which were legal under the prior zoning ordinance regulating home occupations but which are not permitted under this title may be kept and reissued for subsequent years.

M. Nontransferability: Permits for home occupations are personal to the applicant, nontransferable and do not run with the land. (Ord. 54-00 § 1, 2000: Ord. 35-99 §§ 49, 50, 1999: Ord. 26-95 § 2(18-3), 1995)

Attachment C

East Bench Community Master Plan Future Land Use Map


EAST BENCH COMMUNITY
Future Land Use Plan
UNIVERSITY MEDICAL CENTER
FORT DOUGLAS
UNIVERSITY OF UTAH CAMPUS
MOUNT OLIVET CEMETERY
VETERAN'S HOSPITAL
NATIONAL GUARD ARMORY
U OF U RESEARCH & DEVELOPMENT PARK
PIONEER TRAILS STATE PARK
SUNNYSIDE PARK
U OF U STUDENT HOUSING
U OF U STUDENT HOUSING
HOGLE ZOO
ROTARY PARK
BONNEVILLE GOLF COURSE
Subject Property
Residential
Very Low-Density 2-4 Units per Gross Acres
Low-Density 4-8 Units per Gross Acres
Medium-Density 8-20 Units per Gross Acres
High-Density Over 20 Units per Gross Acres
Offices/High-Density Residential
Non-residential
Neighborhood Business
Institutional
Parks
Future Parks

Attachment D

Public Comments

1794 Texas Street
Phone Log

Date	Name	Comments
12.28.09	Cuma Hooplianina	Concerned about anything happening on the property other than a church. Used to attend church there. Church should not have been demolished. Opposed to garden because it will create traffic impact from people buying produce. Explained that produce cannot be sold on-site. She stated that it doesn't matter because they will do it anyways. She would like to see the property turned into a park. She does not want to property subdivided to allow for more homes. She also had heard that an assisted living facility would be constructed on the property and is opposed to that. I encourage her to send me a letter explaining her concerns and I would foward it on to the Planning Commission and the City Council.
1.8.10	Jarlene Myrup	Concerned about: - pests (mice and rats) - drainage issues - property is not level - how will they grade it - Soil is not good for growing Suggested that the property should be kept institutional - there is a need in the area for a senior center, meeting rooms and other institutional services

From: Chriss Meecham [christine.meecham@comcast.net]
Sent: Sunday, January 03, 2010 10:31 AM
To: Mills, Wayne
Cc: judi.short@gmail.com
Subject: Rezoning for 1794 Texas Street, SLC

Categories: Other

Dear Mr Mills,

I am writing in support of the proposed zoning change from institutional to residential 1/7000, (one lot) for the property located at 1794 Texas Street, SLC, UT 84108. I am very much in support of an urban garden and residence at this location. However, I would not support a zoning change that would allow commerical use of this property, nor am I in favor of an eight lot subdivision on this site, primarily because of traffic and safety problems. This property is close to an elementary school and is on a winding street.

Sincerely,
Christine G Meecham
2346 Blaine Ave.
SLC, UT 84108
801-583-1699

Attachment E

Community Council Letter

Sugar House
Community Council

January 10, 2010

Salt Lake City Planning Commission
451 Washington Square
Salt Lake City, UT 84111

Dear Commissioners:

The Sugar House Land Use Committee met with Paula and Joe Sargetakis on December 15, 2009 to listen to their plan to rezone 1794 Texas Street from Institutional to Residential. The entire Sugar House Community Council heard a presentation by them on January 6, 2010. I have attached the comments that were made during the latter meeting.

The Land Use Committee in general was very favorable to this proposal. We have not seen a project like this before, and it is an exciting opportunity. There were a number of questions, similar to those asked by the Sugar House Community Council trustees on the attached pages, but no big objections raised by anyone.

The predominant residential use in the area surrounding this parcel is Low-Density Residential. Since the Institutional use that was on this parcel for many years is no longer needed, it is natural that this reverts to a Low-Density Residential zone. R 1/7000 is the zone of the surrounding neighborhood. As you read the comments of the trustees and neighbors on the attached pages, you will see that there is some concern as to whether R 1/7000 is the proper zone, or whether it should be something like R 1/12,000 since the parcel is 1.8 acres. However, when considering what would happen should the parcel be rezoned, and then the urban farm concept is abandoned, the parcel could then be broken up into approximately eight R 1/7000 parcels. This would lead to a housing development pattern similar to what is already in the surrounding area. A different designation would probably result in houses that are much larger than what is already there.

Salt Lake City's new Sustainability Community Development Code Revision Project clearly proposes that sustainable farming and food production contribute to the beauty of the landscape while playing a role in strengthening environmental management practices within cities. The idea that we produce food that doesn't have to come from long

distances is very appealing and efficient. The Sargetakis farm has as its purpose to be a home occupation, urban farm, that grows vegetables and fruit for sale to local restaurants and at fruit and vegetable stands in the city. No produce would be sold on site. The neighbors worry about traffic. We think this is a less intense use than eight houses with two cars each, in terms of trips per day through the neighborhood. There will be no employees, maybe a small tractor and a pickup truck, plus a trailer large enough to haul four snowmobiles to use to transport produce. This isn't any more than many houses have now.

The Urban Agriculture section of the new Sustainability Code seeks to provide opportunity for community education in gardening and food production and hands-on involvement for citizens. The petitioners plan to involve the children from the two adjacent elementary schools, along with interns from the University of Utah, and Red Butte Garden, which will contribute to this sustainability goal.

There are a lot of unknowns about this project, which won't be known until the property is purchased and the architect produces a design for the house and potential layout for the urban farm. That is not a reason to delay approval. The neighbors do have questions, but we haven't heard any real objection to this, mostly questions that need answers. I recommend that the petitioners stay in touch with the neighborhood as the project moves forward. It is a terrific opportunity to show how this sort of energy efficient, sustainable project can be built within the confines of our city, which is pretty much a built environment. It can be an example for those of us who attempt to buy local, and eat food that comes from near by, instead of across the world. It has the potential to convert others to that way of thinking as well.

Sincerely,

Judi Short, Chair
Sugar House Community Council Land Use Committee
First Vice Chair, Sugar House Community Council

Texas Street Rezone from Institutional to R1-7000
January 6, 2009 Sugar House Community Council Meeting

One lot, one home, and urban garden. Hoping home will be built in LEED, garden will be organic.

Trustee Questions

Michael G Kavanough - will there be a greenhouse and how big? Yes, but don't know how big, after we hire an architect

Cabot If lot is 1.8 acres, how much for the house. Wayne Mills once lot is zoned R1/7000 then it could be subdivided down the road. That is what was being proposed by people selling the property.

Rawlins - Is there another residential zone to consider for parcel that is more square footage. Not sure how many units could be put in because of the odd shaped lot. Paula, 1 home on the lot. Wayne - one single family lot. Rawlins if there a potential for it to be subdivided into 8 lots, we should look into this.

Ed - 1.8 acres is a pretty intensive urban farm, what about vehicles, labor, water, impact on neighborhood. Produce sold off site, no traffic coming on. No employees will be allowed by the city, will be working with Red Butte to have a summer intern. Will be looking at raised planters and fruit trees, not completely rowed planting. Can use the rainwater, the amount of water used will be less than 8 lots with bluegrass. If you collect water on site and put it where it would usually go, they let you do it.

Ruth - noise?? Paula - School coolers are noisier. What about Neighbors? We have had one meeting at the school, and the neighbors we have talked to seemed supportive. Explain row covers. (Paula did)

Wayne - the rezone is so they can have their dwelling on the site, then they have to apply for a home occupation. Permitted home occupation 1) allows people to come to the house (conditional) or 2) permitted Home Occupation, clients cannot come to home, cannot have employees. Growing produce on the site is a listed home occupation.

Audience questions? Ron Price, Blaine Avenue and Texas St. I didn't catch precise number of employees, or workers, what sort of vehicles. There have been settling problems up and down Blaine since the church tore down the church and leveled the land. Interns - 1 or 2 from Red Butte, or U of U. Pickup truck, trailer no larger than a 4x4 snow mobile trailer. Equipment - very sustainable project, green photovoltaic cells, low energy use, don't want to create a lot of noise, dust, smell, etc. We have found a small tractor that could be powered from photovoltaic cells. We plan to be here a long time. Paula, we have just heard a little bit about the settling problems, but have not seen anything on the parcel.

Julie Price - What about the easement? The kids for years have gone up Texas and cut through to go to Beacon Heights or Junior High. If you change your mind, can you just turn it into 8 parcels? Wayne - would have to go through public subdivision process, there would be another hearing. Joe, we are not going to build a monster home, or 7 lots. What we will build will not allow it to be 8 lots on the remainder of the property. Paula organic farm, our home and yard. If we allow people to walk through, it is a liability that we cannot take on. Access has been closed off for a year and a half. It would be like letting people walk through our back yard. To keep organic certification, you can't have children with seeds and things on their boots, lose certification for five years. The school has security for the kids on the playground. If my child was on that playground, I'd want to be sure the children use the one access point allowed by the school.

Another gentlemen- concerned about the change in zoning, how economically viable is it? Paula, this is not a monetary thing. Still concerned about the single family zoning R-1/7000. Wayne we could look at

maybe R 1-12000 but we need to look at neighborhood compatibility. Two acres is the minimum to make it agriculture. The issue is if your farm fails, what are we left with. Have you done this before? There are 12 similar farms in the valley. Every house on 7th east had a front yard house, small back yard and then a big garden. Paula we could probably sell twice what we can grow, easily. Investors will help take care of the cost; some of the restaurants will buy a subscription to the produce.
Ed people sell their farmland for residential. Paula raised Black Angus her whole life.
Comments?
Ruth - the third lot on Blaine, will that be the access point for home and farm? Yes.
Cece Compton – The last two years have been hard, with the school, and then tearing down the church, concerned this was commercial when this letter came through. I started doing some homework and I couldn't think of a better thing to happen to us. These individuals have a stellar reputation,
Margie Hansen - hope to be your neighbor! The thought of eight homes was cars and teenagers, two cars per lot. This is the best thing.
Lissa Lambert great thing as long as house is normal size, and we don't have the noise we have had
Troy Barrett - I don't want you to block my view, what about the number of interns since you cannot have employees, I own a delivery business and know how much traffic there can be, still have a lot of questions.

Paula can you talk about the education piece? Paula - our son lives in the neighborhood, very important to us that kids know where their food comes from, we want to give them a tactile experience. We are really excited about this. Want to involve the children in the schools in the process.

Ron Price - In general, I'm not opposed, this is the lesser of two evils in favor of educational activities for the kids. I have concerns about what was said about having the kids on the properties. Jury is still out, what about storm drain easement? Given my house is adjacent how close will your house be built.

Trustees comments
Ruth very familiar with this issue what I hear these people saying is this is their home, their property, haven't heard anything about chickens, but still a lot to be worked out. Positive residential zoning will change the easements and setback, it's a fascinating project! Water, storm drain are issues. Raised beds could be important because of runoff. Two most crucial things are people around them, water, and access.
Grace – In general in support, hope you make a lot of money, and are there a long time. The neighbors have some major points, in favor of their property rights. Settling and cracking can be a real problem. Fans in greenhouses can be as noisy as air conditioning units.
Ed – This is a great idea, exciting. Questions, if this is organic, what about compost? If it is not done properly, could be a real issue, rats, pests, traffic and noise.

Sarah – these are great plans, but comes back to issue of zone change, and part of the time things don't work out, is their financing in place, how are they going to support this.

.1794 Texas St Rezone - emails received from people in attendance at Sugar House Community Council Meeting January 7, 2010

Maggie - On the people who want to change the industrial zoning to residential.. I think their idea is great. I am not afraid of interns that will come from Red Butte causing mayhem in the neighborhood. That seemed silly as an objection. And, if the zoning is R7000, does that mean that the neighbors that fear the parcel being subdivided also are zoned R7000? If so, couldn't they do the same thing??? Or are their lots zoned differently? I think it is a unique use of the property without much impact to the surrounding neighbors. I favor the change for this use.

Larry Migliacio I just wanted to express my support for the project on Texas Street. I know there is concern about rezoning which would possibly lead to a subdivision project if the agricultural project doesn't work. Is there a possibility the applicant could receive a variance for a non-conforming use without a rezoning? That might be a compromise the neighbors could live with. I didn't get the feeling the majority was against the project.

Lynne Olsen I am always happy to see properties in residential areas returned to residential use. The use proposed for this site is wonderful, and I think it be a nice addition to the neighborhood. I understand that the surrounding parcels are zoned R 1-7000, so this change in zone will be compatible with the abutting parcels on the north and east.
If the zoning designation for the property were to remain Institutional, it could be sold for use as a Nursing care facility , Medical and dental offices, child and adult day care center, or even a fire station. I suspect the neighbors will be happier with one single family home there

Attachment F

City Department/Division Comments

CITY DEPARTMENT REVIEW
1794 Texas Street – Master Plan Amendment/Rezone

Project Address: 1794 Texas Street

Applicant: Paula and Joseph Sargetakis

Department/Division: Fire
Reviewer: Ed Itchon
Phone: 535-6636
Review Comments: No comments received

Department/Division: Public Utilities
Reviewer: Justin Stoker
Phone: 483-6786
Review Comments: PLNPCM2009-01358, a request to amend the East Bench Community Master Plan Future Land Use Map from Institutional to Residential. We have no objection to this proposal. It would appear that the entire parcel will remain as one piece and will continue to be served by the existing utility laterals. If a subdivision is intended, additional comments may be forthcoming.

PLNPCM2009-01359, a request to rezone the property located at 1794 S Texas Street from Institutional to R-1/7000 Single Family residential. While the utility services that serve the existing church are appropriately sized for an institutional building the services may be reused for the project site only if the license to sell the produce is finalized. Proof of the home occupation license will be required prior to permits being issued from Public Utilities. The city code only allows ¾" or 1" water meters for residential parcels, but a garden as an occupation will allow the existing 1.5" meter to remain. If the license doesn't happen, then the existing meter and lateral will need to be removed and an appropriate size lateral and meter replaced for the residence. Please note that there is a 10-ft public utility easement located on the parcel that allows access and maintenance for an 8-inch public sanitary sewer main and a 12-inch public storm drain main through the northern portion of the parcel. This area must be preserved and protected during any demolition or improvements on the site. No structures, trees, or permanent surface improvements are allowed in the easement and it is highly recommended that no structures be located within 10-ft to preserve the foundation or the structure should the area need to be excavated for public maintenance of the mains. 24-hr access must be allowed for city maintenance workers to be allowed along the easement to perform any actions necessary to maintain the mains in proper working order.

The project is located in a 15-Year Well Influence Zone. If the garden is indeed organic like the application says, then there should not be an issue. If industrial fertilizers or pesticides are used, then it could cause problems given their proximity to drinking water wells.

Any and all demolition or improvements on the parcel will require full civil engineering site grading, utility and demolition plans together with appropriate details for review and permitting prior to any disturbance.

Department/Division: Engineering
Reviewer: Randy Drummond, P.E.
Phone: 535-6204
Review Comments: We have no concerns regarding this proposal.

Department/Division: Transportation
Reviewer: Barry Walsh
Phone: 535-7102
Review Comments: The existing property is one lot containing 1.82 acres. We see no transportation traffic generator issue per the conversion from a Institutional Zone (past church use) to a residential zone with possibly 10 new lots, fronting residential local class, roadways.

Department/Division: Zoning
Reviewer: Alan R. Michelsen
Phone: 535-7142
Review Comments: The Building Services Division has reviewed this proposal to amend the East Bench Community Master Plan and rezone the property located at 1794 Texas Street from I-Institutional to R-1/7000 single-family residential. The proposed use of the property is for a single-family dwelling and organic garden. The applicant intends to apply for a home occupation license to sell produce off site. To ensure that the proposed home occupation will be compatible with the residential district in which it is located the zoning ordinance identifies a number of conditions for all home occupations. Prior to issuance of a building permit and a home occupation license the following issues need to be addressed.

1. Planning needs to address issues related to the current lot size which is approximately 79,279 square feet. As per 21A.24.060.G the maximum allowable lot size in the R-1/7000 zone is 10,500 square feet.

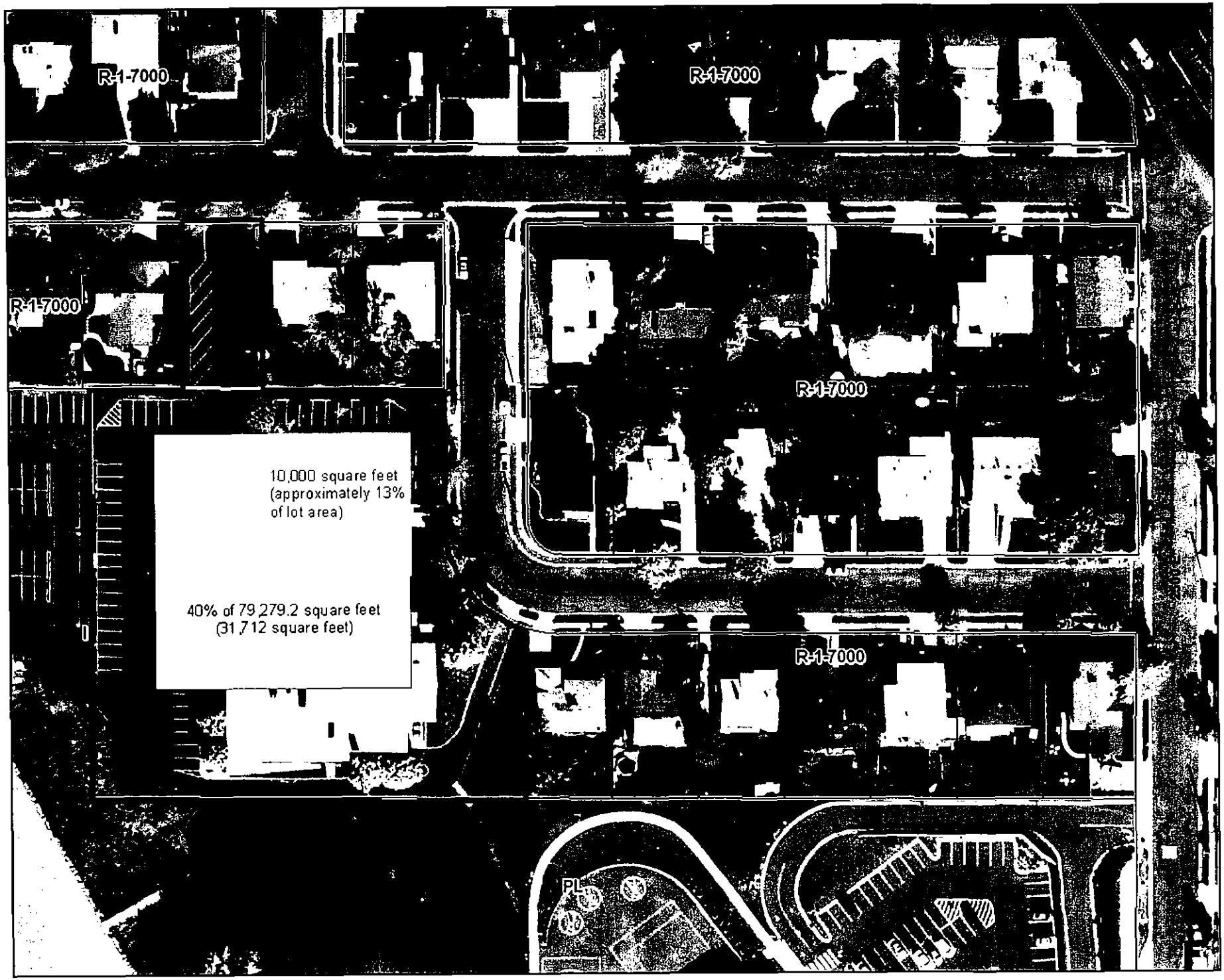
   Planning Staff Note: The maximum allowable lot size regulation applies to new lots. The subject property is an existing lot; therefore, the maximum lot size regulation does not apply. If the property is subdivided in the future, all new lots created will need to meet the lot dimension requirements.

2. The Building Services Division will require plans and documentation to demonstrate that the home occupation can function in accordance with the home occupation standards stated in Section 21A.36.030 of the Salt Lake City Zoning Ordinance.

Department/Division: Sustainability
Reviewer: Vicki Bennett
Phone: 535-6540
Review Comments: The Sustainability Division supports projects such as this as it provides local, fresh food sources to our communities.

Attachment G

Building Coverage Map and Spreadsheet


R-1-7000
R-1-7000
R-1-7000
R-1-7000
R-1-7000
10,000 square feet
(approximately 13%
of lot area)
40% of 79,279.2 square feet
(31,712 square feet)
PL

Neighborhood Building Coverages

Property Address	Lot Size (square feet)	Principal Structure Lot Coverage (square feet)	Accessory Structure Lot Coverage (square feet)	Total Building Lot Coverage (square feet)	Percent Building Coverage
1806 S. 2500 East	7,511	2000		2000	27%
2474 E. Wilson Ave.	6,933	1770	600	2370	34%
2464 E. Wilson Ave	6,933	2030		2030	29%
2456 E. Wilson Ave	6,933	2100		2100	30%
2448 E. Wilson Ave	6,934	1370	887	2257	33%
2440 E. Wilson Ave	6,934	1925		1925	28%
2432 E. Wilson Ave	6,975	2000		2000	29%
2418 E. Blaine Ave	7,424	2570		2570	35%
1767 S. Texas St	8,129	3030		3030	37%
1781 S. Texas St	6,807	2080		2080	31%
2441 E. Wilson Ave	6,933	1425	410	1835	26%
2449 E. Wilson Ave	6,702	2185		2185	33%
2457 E. Wilson Ave	6,702	1843		1843	27%
2465 E. Wilson Ave	7,511	2370		2370	32%
2475 E. Wilson Ave	7,164	2276		2276	32%
1782 S. 2500 E.	7,164	1970		1970	27%

*Building coverage calculations are approximate values based on measurements taken from aerial photos

Attachment H

Institutional District Regulations

21A.32.080: I INSTITUTIONAL DISTRICT:

A. Purpose Statement: The purpose of the I institutional district is to regulate the development of larger public and semipublic uses in a manner harmonious with surrounding uses. The uses regulated by this district are generally those having multiple buildings on a campus like site.

B. Uses: Uses in the I institutional district as specified in section 21A.32.140, "Table Of Permitted And Conditional Uses For Special Purpose Districts", of this chapter, are permitted subject to the general provisions set forth in section 21A.32.010 of this chapter and this section.

C. Minimum Lot Size: The following minimum lot size requirements shall apply to authorized permitted uses. Lot size requirements for conditional uses shall be determined for each conditional use.

Land Use	Minimum Lot Area	Minimum Lot Width
Places of worship	2 acres	100 feet
Other uses	20,000 square feet	100 feet

D. Maximum Building Height: Building height shall be limited to thirty five feet (35'). Building heights in excess of thirty five feet (35') but not more than seventy five feet (75') may be approved as a conditional use; provided, that for each foot of height over thirty five feet (35'), each required yard shall be increased one foot (1').

E. Minimum Open Space: The minimum open space for any use shall not be less than forty percent (40%) of the lot area.

F. Minimum Yard Requirements:

1. Front Yard: Twenty feet (20').

2. Corner Side Yard: Twenty feet (20').

3. Interior Side Yard: Twenty feet (20').

4. Rear Yard: Twenty five feet (25').

5. Accessory Buildings And Structures In Yards: Accessory buildings and structures may be located in required yard areas subject to table 21A.36.020B of this title.

G. Landscape Yard Requirements: Landscape yards, as specified below, shall be required for each use in the I institutional district and shall be improved in conformance with the requirements of chapter 21A.48 of this title.

1. Front Yard: Twenty feet (20').

2. Corner Side Yard: Twenty feet (20').

3. Interior Side Yard: Eight feet (8').

4. Rear Yard: Eight feet (8').

H. Landscape Buffers: Landscape buffers shall be provided where a use in the I institutional district abuts a lot in a residential district, as specified in chapter 21A.48 of this title.

I. Traffic And Parking Impact: The traffic and parking characteristics of institutional uses can have a significant impact on the nearby residential neighborhoods. To ensure that these characteristics do not impair the safety or enjoyment of property in nearby areas, a traffic and parking study shall be submitted to the city in conjunction with the site plan review provisions of this title whenever an expansion of an existing use or an expansion of the mapped district is proposed. New institutional uses or expansions/intensifications of existing institutional uses shall not be permitted unless the traffic and parking study provides clear and convincing evidence that no significant impacts will occur. The zoning administrator may, upon recommendation of the development review team waive the requirement for a traffic and parking study if site conditions clearly indicate that no impact would result from the proposed development.

J. Lighting: All uses and developments shall provide adequate lighting so as to assure safety and security. Lighting installations shall not have an adverse impact on traffic safety or on surrounding properties and uses. Light sources shall be shielded to minimize light spillover onto adjacent properties. (Ord. 88-95 § 1 (Exh. A), 1995: Ord. 26-95 § 2(16-7), 1995)

21A.32.140

21A.32.140: TABLE OF PERMITTED AND CONDITIONAL USES FOR SPECIAL PURPOSE DISTRICTS:

Legend: C = Conditional use P = Permitted use

Use	Permitted And Conditional Uses																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Residential:																	
Assisted living facility (see section 21A.36.050 of this title)																	P
Congregate care facility													P	P			P
Group home, large (see section 21A.36.070 of this title)																	C
Group home, small (see section 21A.36.070 of this title)				P	P	P											P
Living quarters for caretakers and security guards	P	P									P		P	P			P
Manufactured home				P	P	P											P
Mixed use developments, including residential and other uses allowed in the zoning district																	P
Mobile homes															P		
Multi-family (no maximum density limitation)														P			
Multiple-family dwellings																	P

21A.32.140

Use	Permitted And Conditional Uses																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Nursing care facility													P	P			P
Resident healthcare facility (see section 21A.36.040 of this title)																	P
Rooming (boarding) house																	C
Single-family attached dwellings																	P
Single-family detached dwellings			P	P	P	P											P
Twin home and two-family dwellings																	P
Office and related uses:																	
Accessory offices supporting an institutional use												P		P			
Financial institutions with drive-through facilities	P	P															P[3]
Financial institutions without drive-through facilities	P	P															P
Government offices	P	P								P	P	P	P	P			P
Medical and dental offices	P	P											P	P			P
Municipal service uses, including city utility uses and police and fire stations																	C
Offices		P								P		P					C

21A.32.140

Use	Permitted And Conditional Uses																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Offices, research related	P	P										P					P
Veterinary offices, operating entirely within an enclosed building and keeping animals overnight only for treatment purposes		P															P
Retail sales and services:																	
Accessory retail sales and services uses when located within a principal building												P					
Accessory retail sales and services uses, when located within the principal building and operated primarily for the convenience of employees	P	P								P	P	P	P	P			P
Commercial service establishments																	C
"Gas station" (may include accessory convenience retail and/or minor repairs) as defined in chapter 21A.62 of this title		C[7]															C[3]
Health and fitness centers																	C
Restaurants with drive-through facilities		C[7]															P[3]
Restaurants without drive-through facilities		C[7]															P

21A.32.140

Use	Permitted And Conditional Uses																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Retail goods establishments		C[7]															P
Retail service establishments																	P
Institutional:																	
Adult daycare centers												P	P	P			P
Cemeteries and accessory crematoriums								P									
Child daycare centers	P	P								P	P	P	P	P			P
Colleges and universities												P	P	P			
Community and recreation centers								P			P	P	P	P			P
Conference center	P									P		C	C	P			
Convention center, with or without hotels											C						
Convents and monasteries													P	P			
Dental laboratories/research facilities	P	P											C				P
Emergency response and medical service facilities including fire stations and living quarters	C									P			P				
Exhibition hall											C	P	C	P			

21A.32.140

Use	Permitted And Conditional Uses																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Government uses and facilities (excluding those of an industrial nature and prisons)																	C
Hospitals, including accessory lodging facilities	C												P	P			
Libraries											P	P	P	P			C
Medical and dental clinics	P	P											P	P			P
Medical/nursing schools													P				
Medical research facilities	P												P				P
Meeting halls of membership organizations		P											P	P			P
Nursing care facility; sanitariums													P	P			
Pet cemetery				P[4]	P[4]	P[4]	P[4]	P[4,5]									
Philanthropic uses												P	P	P			
Places of worship	P	P											P	P			P
Prison or jail											C						
Religious assembly with exhibit hall													C	P			
Research, commercial, scientific, educational	P	P									P	P					C
Reuse of schools and churches											C		C	C			P

21A.32.140

Use	Permitted And Conditional Uses																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Schools, K - 12 private													P	P			
Schools, K - 12 public											P	P					
Schools, professional and vocational	C	P								P			P	P			
Seminaries and religious institutes											P		P	P			C
Recreation, cultural and entertainment:																	
Amphitheaters												C					
Arenas, stadiums, fairgrounds											C		C	C			
Art galleries												P					P
Art studio																	P
Botanical gardens	C											C					
Commercial indoor recreation		C															
Community gardens as defined in chapter 21A.62 of this title																	P
Country clubs								P									
Dance studio																	P
Golf courses								P		P	P						
Movie theaters/live performance theaters												C					C

21A.32.140

Use	Permitted And Conditional Uses																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Museums	C										P	P	P	P			P
Music conservatory																	P
Natural open space and conservation areas				P	P	P	P	P	P[9]								P
Nature preserves/conservation areas, public and private			P	P	P	P	P	P	P[9]								P
Park (public)	C							P				P		P			P
Pedestrian pathways, trails and greenways														P			P
Performing arts production facility																	P
Private recreational facilities	P							P					P	P			P
Tavern/lounge/brewpub; 2,500 square feet or less in floor area																	C
Zoological park								P									
Airport and related uses:																	
Air cargo terminals and package delivery facilities		P								P							
Airline service and maintenance operations										P							
Airline ticketing and baggage processing										P							

21A.32.140

Use	Permitted And Conditional Uses																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Airport operations (including air traffic control, navigational aids, emergency and maintenance operations)										P							
Alcoholic beverage consumption establishments (on premises) (within terminal complex only)										P							
Ambulance services, dispatching, staging and maintenance conducted entirely within an enclosed building	P	P															
Ambulance services, dispatching, staging and maintenance utilizing outdoor operations	P[10]	P[10]															
Automobile rental agencies		P								P							
Commercial recreation center (within terminal complex only)										P							
Financial institutions (within terminal complex only)										P							
Fuel storage for on site distribution										P							
General aviation facilities										P							
Heliport	C	C								P			C	C			
Light manufacturing		C								P							

21A.32.140

Use	Permitted And Conditional Uses																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Meeting rooms (within terminal complex only)										P							
Offices										P							
Restaurants; other food services										P							
Retail goods establishments - specialty, primarily for airport customers (within terminal complex only)										P							
Retail services establishments - primarily for airport customers (within terminal complex only)										P							
Miscellaneous:																	
Accessory uses, except those that are otherwise specifically regulated in this chapter, or elsewhere in this title	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P
Agricultural uses		C		P	P	P	P			P							
Bed and breakfast													C[2]	P			P
Bed and breakfast inn													C[2]	P			P
Bed and breakfast manor														P			P
Commercial parking garage or lot		C															

21A.32.140

Use	Permitted And Conditional Uses																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Communication towers	P	P	C							P	P	C	P	P		P	
Communication towers, exceeding the maximum building height	C	C								P	C		C	C		C	
Concrete or asphalt manufacturing																P	
Farm stands, seasonal				P	P	P	P										
Hotels and motels	C	C								P							P
House museum in landmark sites (see subsection 21A.24.010T of this title)																	C
Industrial assembly		P								P							
Jewelry fabrication and associated processing		P															
Kennels, public or private, on lots of 5 acres or larger[6]		C		P[6]	P[6]	P[6]	P[6]										
Local government facilities	P	P	P							P	P	P	P	P		P	
Mining and extraction of minerals and materials, including ore, stone, sand, gravel, oil and oil shale																P	
Off site parking										P	C	C	C	C			C

21A.32.140

Use	Permitted And Conditional Uses																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Offices and reception centers in landmark sites (see subsection 21A.24.010T of this title)																	C[11]
Outdoor storage, accessory		P								P						P	
Park and ride lots										P	C						
Park and ride parking, shared with existing use	P	P								P	P		P	P		P	P
Parking structure	P	P	P							P	P	P	C	C		P	P
Production related to on site research	P																C
Public/private utility buildings and structures[1]	P[1]	P[1]	P[1]	P[1]	P[1]	P[1]	P[1]	P[1]		P[1]	P[1]	P[1]	P[1]	P[1]	P[1]	P[1]	P[1]
Public/private utility transmission wires, lines, pipes and poles[1]	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P
Radio station		P[6]										P					
Stable, private				P	P	P	P										
Stable, public						C	C										
Storage of extracted material																P	
Transportation terminals, including bus, rail and trucking										P			C				

21A.32.140

Use	Permitted And Conditional Uses																
	RP	BP	FP	AG	AG-2	AG-5	AG-20	OS	NOS	A	PL	PL-2	I	UI	MH	EI	MU
Trucking, repair, storage, etc., associated with extractive industries																P	
Vending carts on private property as per title 5, chapter 5.65 of this code	P	P															
Warehouse, accessory to retail and wholesale business (5,000 square foot or greater floor plate)																	C
Warehouse, accessory to retail and wholesale business (maximum 5,000 square foot floor plate)																	P
Warehouse, including ministorage warehouses		P								P							
Wholesale distribution		P								P							C

Qualifying Provisions:

1. Subject to conformance to the provisions in subsection 21A.02.050B of this title.
2. When located in a building listed on the Salt Lake City register of cultural resources.
3. When located on an arterial street.
4. Subject to Salt Lake Valley health department approval.
5. In conjunction with, and within the boundaries of, a cemetery for human remains.
6. Radio station equipment and antennas shall be required to go through the site plan review process to ensure that the color, design and location of all proposed equipment and antennas are screened or integrated into the architecture of the project and are compatible with surrounding uses.
7. When approved as part of a business park planned development pursuant to the provisions of section 21A.54.150 of this title.
8. Kennels, public or private, whether within penned enclosures or within enclosed buildings, shall not be permitted within 200 feet of an existing single-family dwelling on an adjacent lot.

21A.32.140

Qualifying Provisions (cont.)

9. Trails and trailheads without parking lots and directional and informational signage specific to trail usage shall be permitted.
10. Greater than 3 ambulances at location require a conditional use.
11. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to the conditional use process.

(Ord. 61-08 § 4 (Exh. C), 2008: Ord. 21-08 § 6 (Exh. E), 2008: Ord. 2-08 § 2, 2008: Ord. 61-06 § 2 (Exh. B), 2006: Ord. 13-06 § 5 (Exh. D), 2006: Ord. 10-06 § 1 (Exh. A), 2006: Ord. 1-06 § 30, 2005: Ord. 71-05 § 1 (Exh. A), 2005: Ord. 18-04 § 4, 2004: Ord. 13-04 § 12 (Exh. F), 2004: Ord. 73-02 § 4 (Exh. A), 2002: Ord. 23-02 § 7 (Exh. E), 2002: Ord. 64-01 § 2, 2001: Ord. 68-00 § 1, 2000: Ord. 14-00 § 4, 2000: Ord. 9-00 § 3, 2000: Ord. 35-99 § 41, 1999: Ord. 12-98 § 4, 1998: amended during 5/96 supplement: Ord. 85-95 § 1 (Exh. A), 1995: Ord. 84-95 § 1 (Exh. A), 1995: Ord. 26-95 § 2(16-12), 1995)

5 C. PLANNING COMMISION

Minutes

SALT LAKE CITY PLANNING COMMISSION MEETING
In Room 326 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, February 10, 2010

Present for the Planning Commission meeting were Commissioners Tim Chambless, Angela Dean, Michael Fife, Michael Gallegos, Kathleen Hill, Susie McHugh, and Mary Woodhead. Commissioners Frank Algarin, Babs De Lay, and Matthew Wirthlin were excused.

There was no field trip prior to the meeting. A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at 5:46 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: Wilford Sommerkorn, Planning Director, Cheri Coffey, Programs Manager; Wayne Mills, Senior Planner; Doug Dansie, Senior Planner; Nick Norris, Senior Planner; Nick Britton, Principal Planner; Ana Valdemoros, Associate Planner; Paul Nielson, City Attorney; and Tami Hansen, Senior Secretary.

Approval of Minutes from Wednesday, January 27, 2010

Commissioner Fife made a motion to approve the January 27, 2010 minutes as written. Commissioner Woodhead seconded the motion. Commissioners Hill, Dean, Fife, Gallegos, and Woodhead voted, "Aye". The motion passed. Commissioner McHugh abstained.

Report of the Chair and Vice Chair

There was no report from the Chair or Vice Chair.

Report of the Director

Mr. Sommerkorn stated the Gallivan Plaza was being renovated by the Redevelopment Agency (RDA). The master plan was approved by the Planning Commission and staff reviewed this and felt the renovations being made were in keeping with that plan, so there would be no need for them to come back before the Commission.

Mr. Sommerkorn noted there was a request for Planning Commissioners and Historic Landmark Commissioners to work together on subcommittee to review the proposed Eastside Apartments, a request by PEG Development for New Construction located at approximately 556 East 300 South.

Mr. Sommerkorn asked for volunteers to sit in on a subcommittee with members of the Historic Landmark Commission. Commissioners Gallegos, Fife, and Dean volunteered.

Ms. Coffey stated the APA was putting on a seminar on February 17, in the late afternoon, titled Planning Commissioners Phase II. She stated she would forward the information onto each Commissioner.

He stated a type of design menu would be ideal, where developers could pick and choose which elements to include. Each element would have a certain value, and each project would be required to hit the minimum value, which would also determine if the project needed to come before the Planning Commission, or if it could be reviewed administratively.

Commissioner Hill stated staff did a great job addressing the process part of this plan and it was a fabulous plan.

Commissioner Woodhead inquired when the current North Temple viaduct would be taken down, and if there was a sense of how traffic would be rerouted.

Mr. Norris stated it was scheduled for April 18, 2010. There were some issues UTA needed to work out with adjacent property owners in order for that to happen. He stated a traffic consultant was hired to come up with the best plan to direct traffic, and all of the community councils would get a chance to review that before demolition was started.

Commissioner Woodhead stated the element menu seemed like a really creative idea to help deal with those issues.

Mr. Norris stated the caveat was that was the way the City wanted to go, so some of it might change in the future, but the general concept of it should hold up. He stated the elements required to enliven a streetscape would be standard and would be required regardless of the use. He stated the guidelines would focus mainly on the actual design of the building, while the standards would focus on how the building addressed the public space in terms of function.

Commissioner Fife stated the public process of this project was tremendous, and it was a better project because of that.

Acting Chair Chambless inquired how long the area around the viaduct would be closed to traffic.

Mr. Norris stated construction would take approximately 18 months, which was a conservative estimation.

Acting Chair Chambless noted there were no more questions and thanked Mr. Norris.

Public Hearings

Petition PLNPCM2009-01358; East Bench Community Master Plan Amendment—a request by Paula and Joseph Sargetakis to amend the East Bench Community Master Plan Future Land Use Map. The amendment would change the future land use classification of the property located at approximately 1794 S. Texas Street from Institutional to Low-Density Residential. The property is located in City Council District six, represented by JT Martin. And **Petition PLNPCM2009-01359; Zoning Map Amendment**—a request by Paula and Joseph Sargetakis to re-zone the property located at approximately 1794 S. Texas Street from Institutional to Single-Family Residential in order to construct a single-family dwelling with a home occupation allowing for the distribution of homegrown produce for off-premise sales. The proposed zoning district is R-1/7000. The property is located in City Council District six, represented by JT Martin.

Acting Chair Chambless recognized Wayne Mills as staff representative.

Mr. Mills stated this particular property was the former site of an LDS church, demolished a few years ago. The applicant was proposing to build a single-family dwelling and a large garden on the site. They would then take the produce and sell it off-site.

Mr. Mills stated the Future Land Use map showed this property as low-density, single-family residential. He stated in 1995 there was a City-wide rezoning process and this property was zoned Institutional at that time. This proposal would take this property back to the single-family, low-density, residential status. He stated the applicants did not propose a zoning district, if this property was subdivided in the future that property would need to comply with the R-1/7,000 zoning standards and lots would need to be created that were compatible with the surrounding neighborhood. He stated one of the conditions staff recommended was related to the maximum building coverage on the property.

Commissioner Woodhead inquired if the Commission could require the applicant to come back with this project as a planned unit development, which would give them more flexibility to have a bigger structure for a greenhouse, or a storage building, so they would not have to build one building that included every possible use.

Mr. Mills stated there were different minimum areas required in order to ask for a planned development. He stated the applicant would have to show there were accessory structures the same size in the area so they could have them as well.

Ms. Coffey stated part of the sustainability regulations the city was looking at right now had to do with accessory structures like greenhouses, etc. She stated this meant in the future there might be some exceptions for those types of uses that were not counted as part of the normal accessory structures. She stated the idea was for the City to be more supportive of those types of things.

Acting Chair Chambless invited Paula and Joe Sargetakis, the applicants to the table.

Mrs. Sargetakis stated she was trying to get a sense of how people felt about this project, it was a huge expense to purchase the property and if there was a lot of negativity they would not go forward with the purchase. She stated it was their goal to keep the footprint of the building as small a scale as possible, so it would be one story. She stated there was the possibility of working with 10,000 square feet, but it would not be a huge rectangular building, the goal was to have as much of it planted as possible.

Acting Chair Chambless inquired if they currently lived in the neighborhood.

Mrs. Sargetakis replied yes.

Commissioner Woodhead inquired if they had the option of having a smaller home with accessory buildings, would they pursue that.

Mrs. Sargetakis stated they had not yet spoken with an architect, but they wanted this to be done in a "green" format.

Commissioner Hill stated she was excited about this project, but she would like some clarification regarding the square footage of the residence.

Mrs. Sargetakis stated the greenhouse building and the support buildings for that would between approximately 3,000 to 4,000 square feet, and the home would be the remainder at max 7,000 square feet. She stated these numbers were based on building this project according to a LEED related fashion.

Commissioner Dean stated the Sargetakis' had mentioned they would not have any employees, which seemed like a big endeavor as far as upkeep of the site and the structures; she inquired how they planned on managing this.

Mrs. Sargetakis stated it took a long time to create a garden of this type. She stated the hardest time would be for planting and harvesting, which was maybe two days where there was a big push and they would rely on friends and family to come help. She stated they would also like to utilize interns from the University of Utah and Westminster, but essentially what they planned on doing would be quite manageable for two people.

Mr. Sargetakis stated he could not imagine there would ever be more than six or eight people on the site at any given time.

Commissioner McHugh stated there could not be employees because that was part of the rules for a home occupation license, so there was that safeguard.

Commissioner Dean stated if the Sargetakis' should ever choose to sell or subdivide the remaining structure would have to also comply with the R-1/ 7,000 zone.

Acting Chair Chambless inquired if they had planned on making this a community garden.

Mrs. Sargetakis stated in the beginning they did, but when they found out they could not sell their product on site they took a different direction.

Mr. Sargetakis stated eventually they would like to add an educational component to this.

Commissioner Hill stated it was clear the Sargetakis' were passionate about food and entertaining, she inquired if the Commission were to say only a 7,000 square foot envelope was allowed, would they still want to move forward with this project.

Mrs. Sargetakis stated they would not because they would not be able to do the greenhouse the way they would like, or they would need to build up, which they did not want to do.

Acting Chair Chambless inquired about building down.

Mrs. Sargetakis stated it was an option; they had not done soil samples, water flows off the site, etc. So it might be a possibility, but there was not much that could go below with the gardens around the site without interfering with planting.

Public Hearing

Acting Chair Chambless opened the public hearing.

The following people spoke or submitted cards in ***support*** of the petition: **Judi Short** (862 Harrison) stated in December the Land Use Committee had the Sargetakis family come to discuss their project, after they left everyone felt this plan was magical because it was something nobody had ever proposed before. She stated this was a big undertaking and they wished them well. She stated they also came before the Sugar House Community Council, most of the concerns regarded traffic, the size of the house, and what happened if this failed. She stated Mr. Mill's staff report addressed all of these issues; he did a great job

with that. She stated she was not imagining the residence and the greenhouse would all be one huge building, but this could be a great example for this quadrant of the City.

Commissioner Woodhead inquired if Ms. Short was comfortable with the 10,000 square foot limitation for the residence.

Ms. Short stated it was large; she liked the idea of a planned unit development, but on the other hand if the LEED certification worked better if all the structures were attached than it seemed okay.

Commissioner McHugh stated a greenhouse attached to a residence would look different and not look like a big, solid building.

Carlyle Harris (2371 Blaine Circle) stated he hoped this petition was approved; the neighborhood was supportive of this type of development. He stated if this site was parceled the size of the homes that could be built there would change the character of the neighborhood. He stated traditionally there had been a walkway between the two neighboring properties into the back lot where there was a school. He stated the neighborhood children use that to go back and forth on that easement. He stated he would like that to be part of the proposal, to connect the neighborhoods because with the slope there it was inconvenient to take a different route. He stated there were existing barriers so bicycles could not get through, which made him think that was a pretty standardized pathway for the community to use.

Ron Price (2418 Blaine Avenue) stated his property was located to the northeast corner of this property. He stated there was a lot of support for this project, and he appreciated the openness of the applicants with the neighborhood. He stated he did not plan on pushing for access to the pathway which had existed there for the past 45 years. He stated he would rather see them there, rather than have that be an issue that would cause them to walk away from the project. He stated he had not realized the building might be 10,000 square feet, if there was a way it was not necessarily one building he would be more accepting of that, but he felt either way this would be a great project.

Acting Chair Chambless closed the public hearing.

Commissioner Fife stated the applicant seemed very sincere, but if this were anyone else this might be a clever way to build a 20,000 square foot house. He stated if the Commission approved the rezoning and the applicants ended up not buying this lot it was being opened up for someone else to build a monster home there.

Commissioner Woodhead stated she had that same concern, and inquired if the Commission could put some limitations on this. She inquired if the Commission could ask the residential part of the project not be greater than 7,000 square feet.

Mr. Nielson stated the Commission was making a recommendation to the City Council, and they could recommend a condition of approval of the rezone as far as size limitations, which was included in the staff report.

Commissioner Woodhead stated the staff report limited just the footprint, but could the Commission limit the residential part of the footprint.

Mr. Mills stated he wanted to clarify the 10,000 square feet was maximum building coverage including accessory buildings and the principal structure. He stated it would probably not look like a giant box.

Mr. Sommerkorn stated as far as putting a square footage limit on the size of the home, he would be really cautious about that because the City's zoning ordinance currently did not put limitations on residential square footage. He stated there were many ordinances around the State that did have that limitation, and they were very explicit, but that was not the case here.

Commissioner Woodhead inquired if they could suggest the City Council enter into a development agreement with the applicant, which would limit the size of the residence.

Mr. Nielson stated that was a possibility.

Commissioner Dean inquired if the primary structure could be limited to 4,000 square feet and then if the applicant needed additions to that, some sort of variance would be allowed for accessory structures up to a certain limit.

Mr. Mills stated the only way the property owners could get a variance to try to exceed the accessory structure size, would be through the Special Exception process. He stated through the rezoning process an applicant could not be allowed to build something bigger as far as an accessory building goes, that was not permitted by ordinance.

Mr. Sommerkorn agreed. He stated the same caution would apply to the limitation of the size of the square footage of the home.

Motion

Commissioner Hill made a motion regarding Petition PLNPCM2009-01358; Master Plan Amendment, based on the discussion and findings in the staff report, the Planning Commission transmits a favorable recommendation to the City Council to amend the East Bench Community Master Plan, by designating the property located at 1794 South Texas Street as Low-Density Residential on the Future Land Use Map.

Commissioner Woodhead seconded the motion.

Commissioners Hill, Dean, Fife, Gallegos, McHugh, and Woodhead voted, "Aye". The motion passed unanimously.

~~**Commissioner Hill make a motion regarding Petition PLNPCM2009-01359; Zoning Map Amendment, based on the discussion and the findings in the staff report, the Planning Commission transmits a favorable recommendation to the City Council to amend the Salt Lake City Zoning Map by rezoning the property located at 1794 South Texas Street from Institutional to R-1/7,000 Single-Family Residential with the following conditions:**~~

~~**1. The total building coverage on the property is limited to 8,500 square feet. This condition applies only to the property in its current configuration. If the property is subdivided in the future, the lots created must meet applicable zoning regulations. If the City Council adopts any future amendment to the City Code that would allow for additional building square footage associated with urban agriculture uses, this condition shall no longer be in effect.**~~

Discussion of the Motion

Commissioner Woodhead inquired why Commissioner Hill decided on 8,500 square feet instead of 10,000 square feet.

Commissioner Hill stated she had asked the applicant where they were at with the square footage and they had stated 10,000 to 12,000 square feet. She stated that was a lot of building footprint for that scale and for the density in that neighborhood. She stated that she and Commissioner Dean had discussed the numbers and what would work in that space and they had come to the conclusion that 8,500 square feet was a fair and cooperative number as far as this project.

Commissioner Woodhead stated she was conflicted because by making the footprint smaller it might encourage the applicant to build up, which would actually result in a bigger negative impact on the neighborhood.

Commissioner Dean stated it already had a height limit of 28 feet, so any portion of the building could be that high.

Commissioner McHugh stated, but the whole thing could be 28 feet, instead of the small portion the applicant proposed. She stated she was inclined to go with the staff recommendation because Mr. Mills spent a lot of time analyzing this.

Commissioner Woodhead inquired if the Commission went with the 8,500 square feet would the applicant be able, based on the Planned Unit Development process, build a couple of extra buildings, would this allow more than 8,500 square feet total.

Mr. Mills stated the recommendation was, the condition of approval for the rezoning was based on the 10,000 square feet. He stated if the applicant came back and requested some sort of special exception or a planned development they would still be bound by the 10,000 square feet because it was conditioned on the rezone.

Commissioner Woodhead inquired if that included all buildings on the property.

Mr. Mills stated yes, that would include total building footprint coverage.

Commissioner Hill stated conceivably the building could have three floors from the backside of the building if the Commission was binding this land to a particular configuration. This was an ideal situation for the community, but it seemed Pandora's Box was being opened as far as a future monster home.

Commissioner McHugh stated the full Commission agreed this was a wonderful project, so the applicant should be allowed to implement their dream, which included 10,000 square feet.

Commissioner Woodhead stated Commissioner Hill did not include anything about the mentioned pathway on the property. She stated the Commission could not include that in the motion because this was one piece of land and there was no legal evidence of a legal easement. She stated that was not in the scope of the Commission's authority to create that right.

Amended Motion

Commissioner Hill amended the motion regarding Petition PLNPCM2009-001359, based on the discussion an finding in the staff report the Planning Commission transmits a

favorable recommendation to the City Council to amend the Salt Lake City Zoning Map by rezoning the property located at 1794 South Texas Street from Institutional to R-1/7,000 Single-Family Residential, based on the following conditions:

1. **The total building coverage on the property is limited to 10,000 square feet. This condition applies only to the property in its current configuration. If the property is subdivided in the future, the lots created must meet applicable zoning regulations. If the City Council adopts any future amendment to the City Code that would allow for additional building square footage associated with urban agriculture uses, this condition shall no longer be in effect.**

2. **The applicant shall enter into a development agreement with Salt Lake City limiting the total floor area of inhabitable residential space to 7,000 square feet. This excludes garage space.**

Commissioner Woodhead seconded the motion.

Commissioners Hill, Dean, Fife, Gallegos, McHugh, and Woodhead voted, "Aye". The motion passed unanimously.

PLNPCM2009-00591 Edmonds Place a request by Brian Park for partial street closure and sale of excess right-of way property located at approximately 346 *and 362* North Edmonds Place. The subject property is located in an SR-3 (Special Residential) zoning district, in Council District 3, represented by Stan Penfold. *The Planning Commission is being asked to provide a recommendation to the Mayor regarding the declaration of this property as being declared surplus and sold.*

Acting Chair Chambless recognized Doug Dansie as staff representative.

Mr. Dansie stated in the 1980s there was an Argyle Court/Edmonds Place redevelopment plan that was done, connected and made into one. He stated formally Argyle court ended in a cult-de-sac; currently it is a through street.

Acting Chair Chambless invited Brian Park, the applicant to the table.

Mr. Park stated this was a new development area; he had been there for eight (8) years. He stated it is a dangerous neighborhood with drug dealers and homeless people in the area. He stated this house had been empty for 10 years before the resident now had bought it. He stated they call the police a lot, especially at night.

Acting Chair Chambless inquired about the street lighting in the area.

Mr. Park stated he had a sensor light on his own property, but there were no street lights.

Acting Chair Chambless inquired how long it took for the Police to respond to his call.

Mr. Park stated it was about 20-30 minutes later.

Commissioner McHugh stated the Commission was only recommending that this property become surplus, and not who buys it etc.

Mills, Wayne

From: lsellre111@aol.com
Sent: Wednesday, February 10, 2010 4:24 PM
To: Mills, Wayne; Sommerkorn, Wilford; Hansen, Tami
Subject: PLNPCM2009-01358 – Master Plan Amendment PLNPCM2009-01359 – Zoning Map Amendment

Categories: Other

February 10, 2010

Dear Wayne and the Planning Commission,

I am one of the Sugar House Community Council Trustees. I was present at the meeting where the Sargetakis's presented their petitions for their home occupation and their zoning change.

I heard the public comments by the surrounding neighbors and the various comments of the members of the SHCC.

The comments, by no means, were unanimously favorable. Of especial concern to the neighbors were the following issues:

1. The existing (over 50 years) right-of-way to and from the school along the edge of the property which the planner said was a private property issue and therefore not addressed. It is part and parcel of the issue and needs to be addressed.
2. The number of vehicles going to and from the "farm" called by the petitioners a "garden". They never specifically stated what would be the number. If they are successful in their endeavor, that could be a large number of vehicles and the requirements for applying for a home occupation (see below) require specifics. These vehicles, in order to get the produce to the markets in the cool of the morning will necessarily be driving to and from the farm at the same times that people in the neighborhood are rising, preparing for their days, sending their children off to school. They will add traffic and in the winter inversions, more pollution, not to mention danger to cats, dogs, and children or walkers or joggers or bicyclists.
3. The Petitioners were very vague as to the specifics of the other requirements of a home occupation as well.(see the requirements below)
4. The chance of toxic odors wafting through a quiet, clean, residential neighborhood on hot, still days or when the canyon breeze comes down Parley's or Emigration Canyons in the morning or evening. Contrary to what the Petitioners have said, if as they say, they will have an "organic" farm and as they said, will be using organic compost and manure, there cannot help but be an odor and accompanying large numbers of flies, mosquitos, knats, no-see-ums, wasps, hornets, etc.
5. Although the Petitioners claim that this will be an organic "garden?/farm", we do not know what methods may be used to rid the area of pests that might eat the crops. And, we know from the sad case of the two little children who died this week from vapors of a pesticide, how dangerous the methods could be.
6. This is a nice residential neighborhood. It is not the proper place for an "urban farm/ garden" , no matter how "in" and desireable to a small segment of Salt Lake's population such farms may be at this moment.
7. This is , however, a perfect spot for a much needed Open Space Area. Such space is sadly lacking in the city and much needed to follow the SLC Open Space Master Plan goals.
8. It is also a perfect spot for another new tax base much needed in Salt Lake-namely a small development such as the Cottages on 17th South between 17th East and 19th East. That (much maligned development at its' inception), is now well- liked, causing the neighborhood, by virtue of its' appraised values, to rise and thus bring more tax revenue into the city coffers.

Please do not approve this "urban garden/farm" in this location.

Sincerely,

Grace Sperry SHCC Trustee

(E. Application: Applications for home occupations shall be filed with the zoning administrator. The applications shall include the following information:
1. A complete description of the type of business proposed including the location of the storage and operations area for the home occupation;
2. A listing of the individuals at the home who will be working on the business;
3. The expected hours of operation of the business;
4. The expected number of clients per hour and total expected number of clients visiting the home per day;)

PUBLIC COMMENT RE: 1794 S. TEXAS ST.

From: elajobrown@msn.com
To: jt.martin@slcgov.com
CC: wayne.mills@slcgov.com
Subject:
Date: Fri, 29 Jan 2010 10:18:08 -0700

JT,

I don't know that we have ever met, but you are my District 6 representative and you have attended many Sugar House Community Council Meetings. I, in turn, have spoken at a couple of City Council Meetings. The last was regarding rezoning, demolition and new construction associated with the Foothill Stake Center property on 1900 South 2100 East--an ultimately successful venture, which is nearing completion in the very near future. I appreciated your support on that project, critical to the Dilworth Neighborhood I represent on the Sugar House Community Council.

Ironically, I am contacting you regarding the vacated church property on Texas Street behind Hillside Junior High School that ultimately enlarged the Foothill Stake Center membership and triggered the zoning and construction events outlined above. The Texas Street property is scheduled on the next Planning Commission Hearing on February 10:

2. **Petition PLNPCM2009-01358; East Bench Community Master Plan Amendmenta** request by Paula and Joseph Sargetakis to amend the East Bench Community Master Plan Future Land Use Map. The amendment would change the future land use classification of the property located at approximately 1794 S. Texas Street from Institutional to Low-Density Residential. The property is located in City Council District six, represented by JT Martin (Staff contact: Wayne Mills at 801.535.7282 or **wayne.mills@slcgov.com**).

As I am sure you are aware, the Texas Street property has been for sale for over a year now. Clearly this is a tough economy for real estate development; otherwise, I feel certain that this property would have sold some time ago. Personally, in a different economy, I see it as a great spot for a planned development community, similar to the Bungalows development on 1800 East 1700 South and the Bamberger Place development on about 2150 East 1700 South. Unfortunately, it seems that there is no developer stepping forward with such a project in mind.

Recently, however, potential buyers, the Sargetakis', have emerged who wish to purchase the property for the purpose of establishing an organic, urban farm. Ostensibly, they will not be selling produce on site, but otherwise, I see it as a commercial operation inconsistent with the surrounding upscale residential area. The Sargetakis' presented their plans at the most recent Sugar House Community Council Meeting on January 6. Many neighbors attended the meeting expressing support, others are not so sure, and personally I am concerned that the greater Beacon Heights Neighborhood may not be even be aware of the Sargetakis' plans.

Right now the Beacon Heights area is not well represented by the Sugar House Community Council. At present, there is only one trustee (with health problems impacting her mobility and whose spouse recently incurred a broken hip, further limiting that trustee's ability to communicate or visit with residents) for a large geographic area that could have up to four more trustees.

Although I do not represent the Beacon Heights Neighborhood, I have a vested interest beyond my role on the Sugar House Community Council. I grew up in a home approximately two blocks north of the Texas Street property and still own that house, where my adult sons currently reside. Additionally, my former in-laws and first husband, all deceased at this time, lived directly behind Hillside Intermediate School on Blaine Avenue. My first husband and I as well as my children all attended Hillside Intermediate; he and my children attended Beacon Heights Elementary School. For many years, my children and I belonged to the Jewish Community Center, previously housed in the building directly west of the All Saints Episcopal Church on 1700 South and Foothill Blvd.

Bottom line, I know the neighborhood well, and I feel that the impact of the Sargetakis' plans will be negative for the following reasons:

- Although they plan to build a house on the property, the remaining area (about seven ordinary residential lots) will be devoted to a farm consisting of both ground level and above-ground planter crops and fruit trees and any necessary outbuildings including storage sheds and greenhouses. It is inconsistent with the overall upscale, residential neighborhood.
- Increased pests including insects and rodents are a distinct possibility associated with a working farm.
- There will be increased traffic resulting from supply deliveries to and deliveries of produce from the farm to customers/buyers on a regular basis.
- There will be odors from the compost associated with organic farming.
- There may be a potential loss of the right of way that the LDS church allowed students to access the schools. (There is some question on the current status of this right of way based on a loss of continuity due to the demolition of the ward and construction at Hillside blocking the right of way). The Sargetakis' indicated they would not voluntarily allow access due to potential liability and contamination of the organic process.

I think that a great alternative for this property is a neighborhood park, especially since it is so close to the two schools. My understanding is that the cost of such a project is a 50/50 one - half of the expense to be incurred by the neighborhood and half by the City. A perfunctory assessment of the City's ability to provide matching funds at this time is not positive, i.e., available funds for such projects are limited. Clearly it is valuable property for which the owner is entitled to be compensated, so perhaps this is not a viable option.

However the Sargetakis' present this plan, they will be operating a *commercial business* regardless of whether or not they sell the produce on site, and such a business contradicts the residential zoning.

I strongly urge your opposition of this plan and the delay of any associated hearings so that a larger number of residents can be apprised of the plan for this property.

Sincerely,

Elaine

Elaine Brown, MPA
Trustee, Dilworth Neighborhood
Sugar House Community Council
1781 Blaine Avenue
801-599-7718

Philip D. Shea
2474 Wilson Avenue
Salt Lake City, UT 84108

2/5/10

MR WAYNE MILLS, SENIOR PLANNER
SALT LAKE CITY PLANNING DIVISION
P.O. BOX 145480
SALT LAKE CITY, UT 84114-5480

SUBJECT: PETITION PLNPCM 2009-01358
EAST BENCH COMMUNITY MASTER PLAN AMENDMENT
&
PETITION PLNPCM 2009-01359 ZONING MAP
AMENDMENT

DEAR SIR,
AS DULY NOTIFIED NEIGHBORHOOD RESIDENTS BY PAULA & JOE SARGETAKIS ON THESE AMENDMENTS PLEASE BE ADVISED THAT WE OPPOSE BOTH OF THESE AMENDMENTS & ARGE YOUR "NO" VOTE & THE COMMISSIONS REJECTION OF THEM.
THANK YOU.
VERY TRULY YOURS,
Philip D. & Bonita M. Shea

Philip D. Shea
2474 Wilson Avenue
Salt Lake City, UT 84108

Mills, Wayne

From: Lynne Olson [lynneolson@msn.com]
Sent: Wednesday, February 10, 2010 12:01 PM
To: Mills, Wayne
Subject: Petition PLNPCM2009-01358; East Bench Community Master Plan Amendment

Categories: Other

February 10, 2010

Wayne Mills, Senior Planner
Salt Lake City Planning Division
City & County Bldg.,
451 S. State St.- Room 406

Re: Petition PLNPCM2009-01358; East Bench Community Master Plan Amendment: A request by Paula and Joseph Sargetakis to amend the East Bench Community Master Plan Future Land Use Map. The amendment would change the future land use classification of the property located at approximately 1794 S. Texas Street from Institutional to Low-Density Residential. The property is located in City Council District six, represented by JT Martin (Staff contact: Wayne Mills at 801.535.7282 or wayne.mills@slcgov.com).

Dear Mr. Mills,

I had the opportunity to hear about the Sargetakis' plans for the property at 1794 Texas Street at the January meeting of the Sugar House Community Council. Along with other Trustees of the Council, I was extremely impressed with the proposed plan for building a home and an urban farm on the property. There were numerous comments from residents of the nearby neighborhood, and they seemed equally positive, with only a few reservations that I am sure will be addressed during the design phase of the project. I sincerely hope the Planning Commission will approve the Sargetakis' request to amend the East Bench Community Master Plan so the family can move ahead with their exciting plans.

For your information, the Sugar House community is hoping to host a summer-long Farmer's Market in the Business District this year. We are eagerly anticipating the day when we will have the Sargetakis family providing fresh, locally grown produce for the Market!

Sincerely,

Lynne Olson

6. ORIGINAL PETITION

Master Plan Amendment

OFFICE USE ONLY
Petition No. PLNPCM2009-00558
Date Received: 23 NOV 2009
Reviewed By: TEB

SALT LAKE CITY PLANNING

Address of Subject Property: 1794 Texas Street, Salt lake City, UT 84108, Belview Slopes Plat C (2400 East Blaine Ave.)

Project Name: Sargetakis Home

Name of Applicant: Paula and Joseph Sargetakis — Phone: 801-487-5044

Address of Applicant: 2254 Parleys Terrace, Salt Lake City, UT 84109

E-mail Address of Applicant: paulasarge@comcast.net — Cell/Fax: C.801-541-1201 F.801-746-0105

Applicant's Interest in Subject Property: Have under contract and hope to purchase for our home

Name of Property Owner: Corp of Presiding Bishop of Church of Jesus Christ of Latter Day Saints — Phone:

E-mail Address of Property Owner: — Cell/Fax:

RECEIVED
NOV 23 2009
BY: TEB

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

Mar 2006

Please Answer the Following Questions (Use an Additional Sheet if Necessary):

1. General Description of the proposed Master Plan Amendment: Change from Institutional to Residential

2. A statement declaring the purpose for the amendment and the exact language. Include proposed boundaries, master plan area, and / or zoning district changes. We want to change the zoning from Institutional to Residential. The property is located in a residential area, Belview Slopes plat C and was previously zoned residential and Belview Plat B is still zoned residential.

3. Declare why the present master plan requires amending.

   Because we cannot build a home in an institutional zone.

Zoning Amendment

OFFICE USE ONLY	
Petition No.	PLNPCM2009-01359
Date Received:	23 Nov 2009
Reviewed By:	TEB

☐ Amend the text of the Zoning Ordinance by amending Section:

☒ Amend the Zoning Map by reclassifying the above property from a zone to a zone. (attach map or legal description)

SALT LAKE CITY PLANNING

Address of Subject Property: 1794 Texas Street, Salt Lake City, UT 84108, Belview Plat C, (2400 East Blaine Ave.)

Name of Applicant: Paula and Joseph Sargetakis	**Phone:** 801-487-5044
Address of Applicant: 2254 Parleys Terrace, Salt Lake City, UT 84109	
E-mail Address of Applicant: paulasarge@comcast.net	**Cell/Fax:** C. 801-541-1201 F.801-746-0105
Applicant's Interest in Subject Property: Have under contract and hope to purchase for our home.	
Name of Property Owner: Corp of Presiding Bishop of Church of Jesus Christ of Latter Day Saints	**Phone:** RECEIVED
E-mail Address of Property Owner:	**Cell/Fax:**
County Tax ("Sidwell #"): VTDI 16-15-407-011-0000	**Zoning:** Institutional NOV 25 2009
Legal Description (if different than tax parcel number): See page 2	BY: TEB

		Existing Property Use	Proposed Property Use
		Vacant	Residential

Please include with the application:

1. A statement of the text amendment or map amendment describing the purpose for the amendment and the exact language, boundaries and zoning district. We want to change the zoning from Institutional to residential. The Property is in a residential area, Belview Slopes Plat C was previously zoned residential and Belview Slopes Plat B is still zoned
2. A complete description of the proposed use of the property where appropriate. Our home Residential.
3. Reasons why the present zoning may not be appropriate for the area. It does not allow for residential use but is surrounded by residential use.
4. Printed address labels for 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. Legal description of the property. See page 2
6. Six (6) copies of site plans drawn to scale and one (1) 11 x 17 inch reduced copy of each plan and elevation drawing.
7. .If applicable, a signed , notarized statement of consent from property owner authorizing applicant to act as agent
8. **Filing fee of $885.92, 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:
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File the complete application at:
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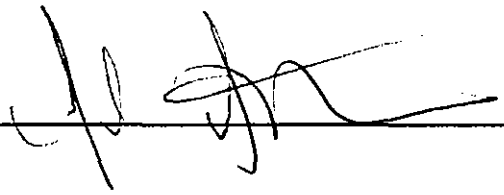
Signature of Property Owner _____
Or authorized agent



Legal Description: Lot 1, BELVIEW SLOPES PLAT "C", according to the official plat thereof, filed in Book "D" of Plats, at Page 52, and Lot 35, BELVIEW SLOPES PLAT "A", according to the official plat thereof, filed in Book "M" of Plats, as Page 64 of the Official Records of the Salt Lake County Recorder.

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

PHYSICAL FACILITIES DEPARTMENT
50 E. North Temple St. Rm. 1205
Salt Lake City, Utah 84150-6320
Phone: 1-801-240-3840
Facsimile: 1-801-240-2913

November 23, 2009

City of Salt Lake
Planning and Zoning Board
451 South State Street, Room 215
Salt Lake City, UT 84111

Re: Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole ("CPB") and Paula and Joseph Sargetakis ("Applicant")

To Whom It May Concern:

On September 24, 2009, CPB as Seller and Applicant as Buyer entered into a Sale Contract concerning approximately 1.82 acres of property located at approximately 1794 Texas Street, Salt Lake City, UT 84108 (the "Property"). As the owner of the Property, CPB agrees and consents to Applicant (i) having access to records of the government pertaining to the Property, (ii) obtaining disclosure of information related to the Property, and (iii) filing of applications and other submittals by Applicant relating to rezoning, annexation, platting and other land use actions relative to the Property, provided that no such action shall be binding upon CPB nor shall any such action be finalized by Applicant until after title to the Property has been transferred to Applicant.

Please understand that this consent to filings does not constitute consent to any annexation, platting or rezoning or any similar action, which actions may not be finalized by Applicant while CPB owns the Property.

Sincerely,

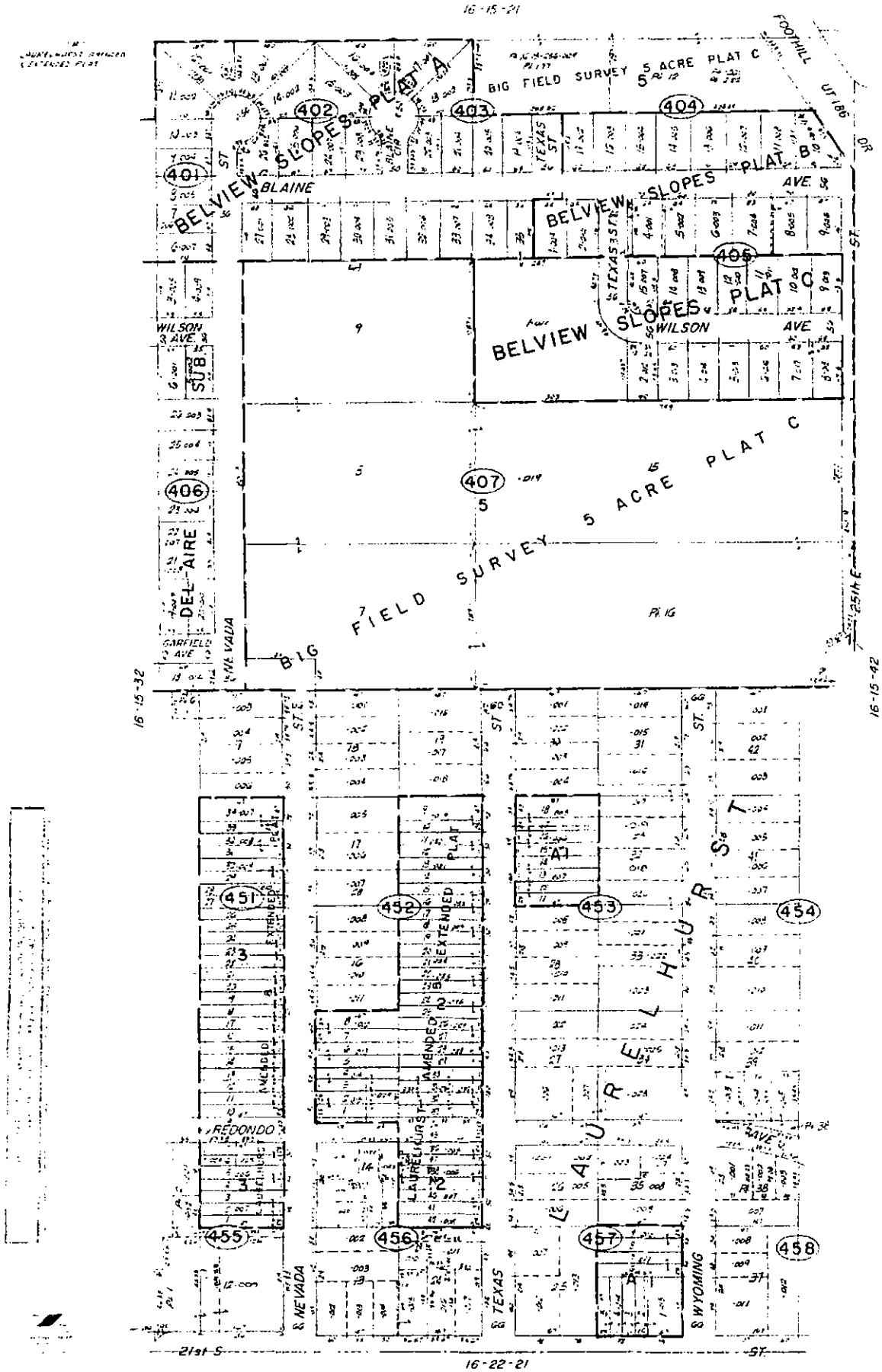
Corporation of The Presiding Bishop of The Church of Jesus Christ of Latter-Day Saints, a Utah corporation sole,

By: Matthew R. Cummings

Matthew R. Cummings
Real Estate Project Manager
(801) 240-2906
cummingsmr@ldschurch.org

VTDI 16-15-407-011-0000 DIST 13 TOTAL ACRES 1.82
CORP OF PRESIDING BISHOP OF TAX CLASS UPDATE REAL ESTATE 555800
CH OF JC OF LDS LEGAL BUILDINGS 0
PRINT U TOTAL VALUE 555800
50 E NORTHTEMPLE ST
SALT LAKE CITY UT 84150970450 EDIT 1 FACTOR BYPASS
LOC: 1794 S TEXAS ST EDIT 0 BOOK 0000 PAGE 0000 DATE 00/00/0000
SUB: BELVIEW SLOPES PLAT "C" TYPE UNKN PLAT
07/22/2009 PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY
LOT 1 BELVIEW SLOPES PLAT C & LOT 35 BELVIEW SLOPES PLAT A

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



SCALE 1" = 400'

16-15-41

SALT LAKE CO.

W. 1/2 S.E. 1/4 SEC. 15 T.1S. R.1E.

Texas Street Residential Land

1794 S Texas Street | Salt Lake City, UT | 84108

For Sale $1,350,000

INDUSTRIAL
OFFICE
RETAIL
INVESTMENT
LAND
PROPERTY
MANAGEMENT

Property Features

- 1.82 Acres
- Convenient Location
- Five minutes to the University of Utah
- Ten minutes to Downtown
- Easy Access to the I-215 and I-80
- Great East Side Neighborhood
- Salt Lake City School District
- Structure Previously On Site Has Been Demolished

Contact:

Robert Kingsford
direct 801.578.5589
rkingsford@naiutah.com

Wick Udy
direct 801.578.5592
wudy@naiutah.com

Dave Bauman
direct 801.578.5541
dbauman@naiutah.com

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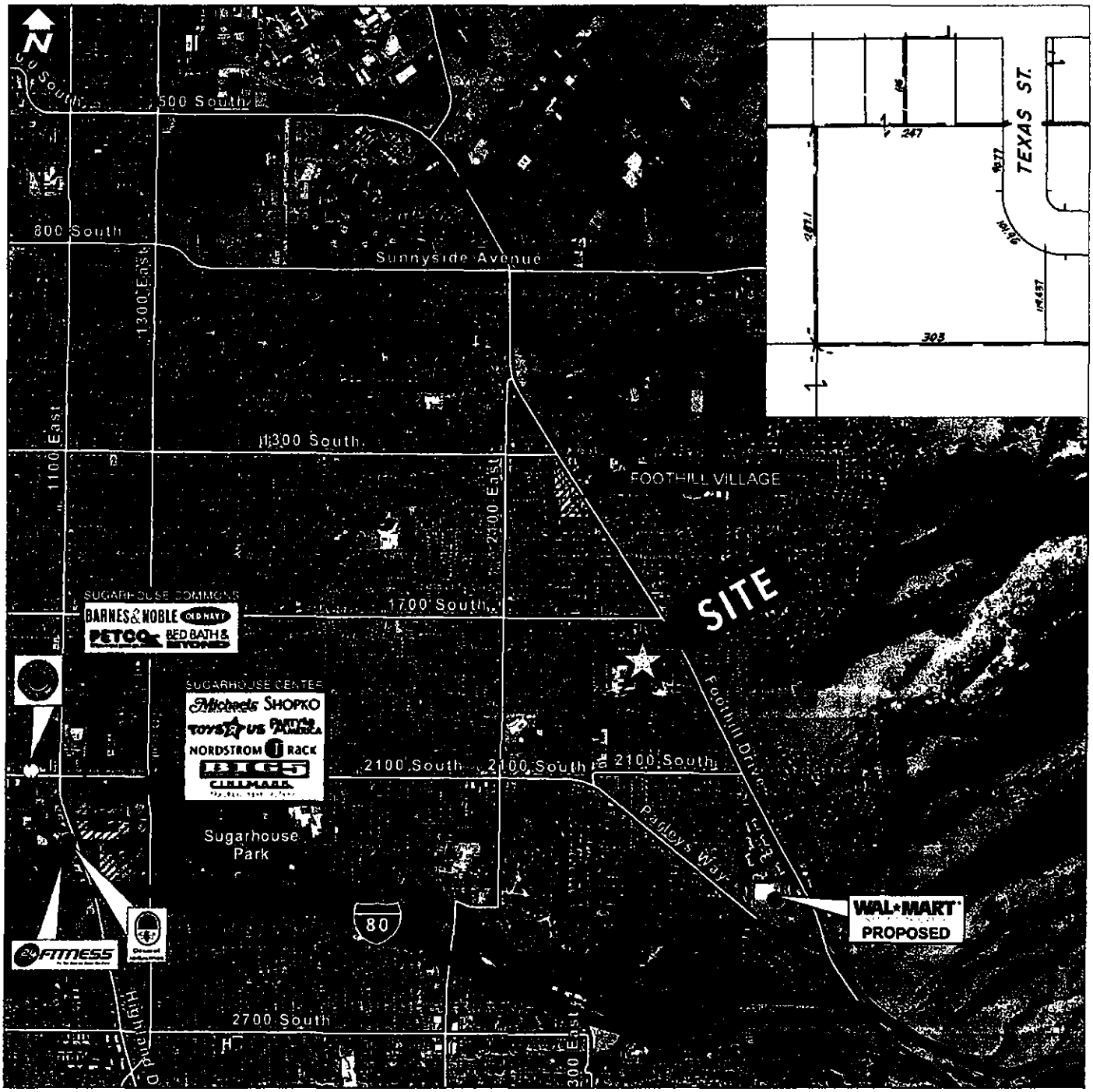
343 East 500 South | Salt Lake City, UT 84111
Office 801.578.5555 | Fax 801.578.5500
www.naiutah.com

Texas Street Residential Land

1794 S Texas Street | Salt Lake City, UT | 84108



Contact:

Robert Kingsford
direct 801.578.5589
rkingsford@naiutah.com

Wick Udy
direct 801.578.5592
wudy@naiutah.com

Dave Bauman
direct 801.578.5541
dbauman@naiutah.com

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Office 801.578.5555 | Fax 801.578.5500
www.naiutah.com

Wayne Mills
Senior Planner
Salt Lake City Planning Division
451 S. State Street, Room 406
PO Box 145480
Salt Lake City, UT 84114-5480
Phone: 801-535-7282
Fax: 801-535-6174

Dear Wayne,

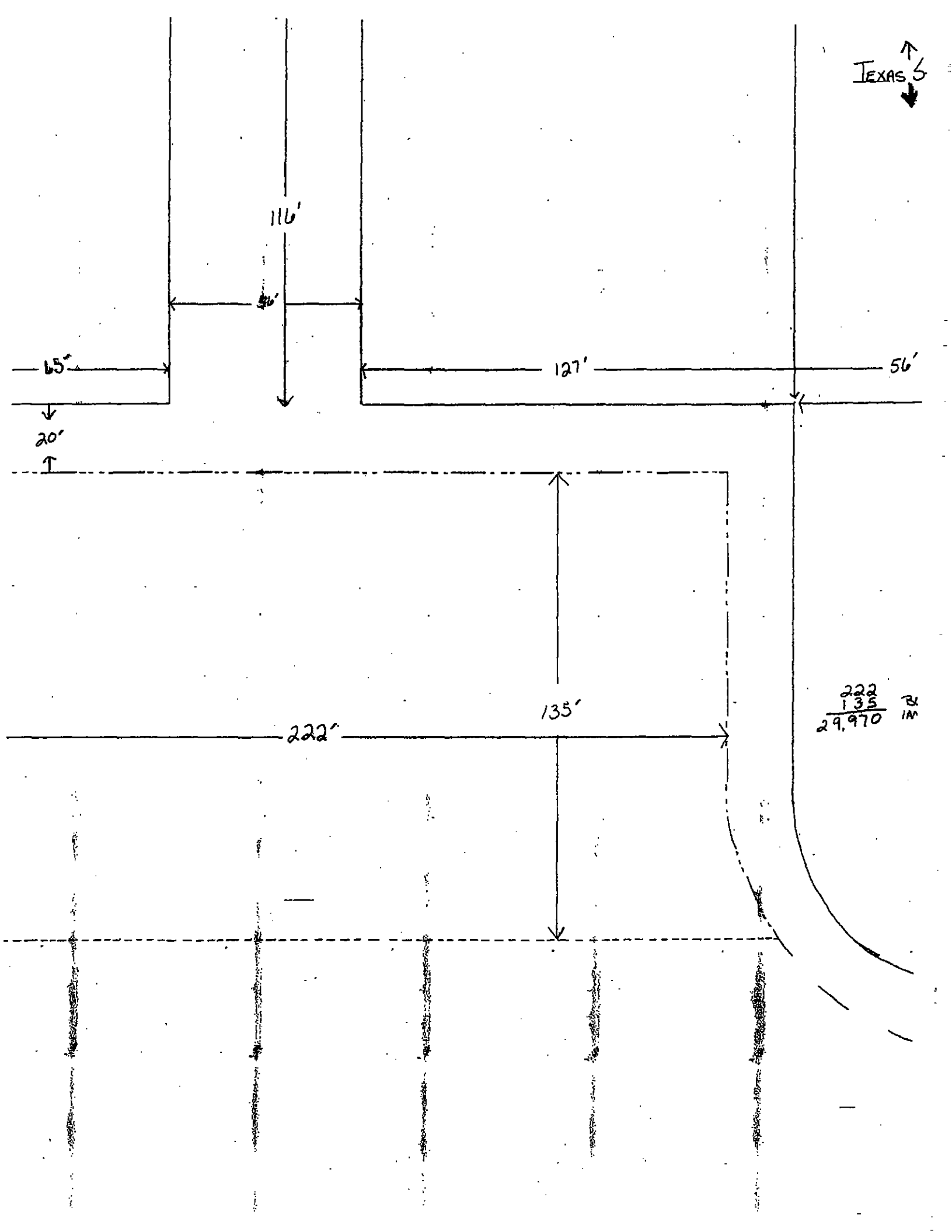
My husband and I are excited about the opportunity to finally have a site to develop/implement a dream we have had for about 10 years – our home with an organic urban vegetable, herb, legumes and fruit garden. Our project will be selling the produce off site.

At this point in the planning process it is difficult to say what the home/urban garden will look like as the home/urban garden will need to be designed to meet sun, wind, and site restrictions but we can say that we will be planning to have as much of the site as possible for the growing of plants.

The purpose of our urban garden is to provide our community with an option to purchase organic vegetables, herbs, legumes and fruits in a respected, consistent, educational and knowledgeable way in their own neighborhood and to supply local restaurateurs. Our goal is to have LEED level buildings and grounds and to have our home and urban garden blend into and become part of the existing neighborhood.

Best regards,

Paula Sargetakis Joe Sargetakis


TEXAS
116'
46'
65'
127'
56'
20'
135'
222'
222
135
29,970
BL
IM

Remarks:

Also see

PLNPCM2009-01359- zoning amendment

Petition No: **PLNPCM2009-01358**

By: **Paula and Joseph Sargetakis**

Master Plan Amendment

Date Filed: November 23, 2009

Address: **1794 S Texas Street**

Remarks:

Also see

PLNPCM2009-01358 – master plan amendment

Petition No: **PLNPCM2009-01359**

By: **Paula and Joseph Sargetakis**

Zoning Amendment

Date Filed: November 23, 2009

Address: **1794 S Texas Street**