



COUNCIL STAFF REPORT

CITY COUNCIL *of* SALT LAKE CITY

TO: City Council
FROM: Nick Tarbet, Public Policy Analyst
DATE: November 12, 2015 11:43 AM
RE: Ordinance – Rezone Indiana Avenue
 Neighborhood Node

PROJECT TIMELINE:
Briefing: 09/01/15;
11/17/2015
SetDate: 09/01/15
Public Hearing: 11/17/ 2015
Potential Action: 12/1/2015,
Clearline

Legislative Sponsor: **Council Member, District 2 - Kyle LaMalfa/Not Required - Petition from Applicant(s)**

NEW INFORMATION

Up to October 20, the Indiana Avenue Neighborhood Node rezone had been processed concurrent with three other rezone petitions within the Westside Master Plan. On October 20, the Council adopted the other rezone petitions, while the public hearing for Indiana Avenue was continued to a future Council meeting so that staff could work out the details of potential development agreements for the properties located at 1380 and 1410 West Indiana Avenue.

On Tuesday, November 17, the Council will hold a follow-up briefing and public hearing for the Indiana Avenue Neighborhood Node.

1. 1410 West Indiana - City Owned Property

Council staff worked with representatives from the Attorney's Office, Housing & Neighborhood Development and Planning on an agreement that would rezone the City-owned property at 1410 West Indiana to R-MU-35 (Residential Mixed Use) with a restriction that the ground floor must be used for commercial use.

The Attorney's Office recommended that the Council adopt a motion that would include a restrictive covenant being recorded against the property that requires:

- Any development and future use of the property shall include commercial uses for the ground floor.

CITY COUNCIL OF SALT LAKE CITY
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 Updated: 11/12/2015 11:43 AM

LUKE GARROTT | DISTRICT 4 | COUNCIL CHAIR || JAMES ROGERS | DISTRICT 1 | COUNCIL VICE CHAIR ||
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- The conditions of zoning may only be amended by legislative action.
- The conditions of zoning shall run with the land.

2. 1380 West Indiana - Privately Owned Property

Council Staff was asked to contact the property owner of 1380 West Indiana to discuss the possibility of including a development agreement with the rezoning of their property to R-MU-35 that would require the ground floor to be a commercial use. If a development agreement could not be agreed upon, the Council expressed support for keeping the zoning as CN (Neighborhood Commercial).

The property owner of 1380 West Indiana Avenue contacted Council staff to express her support for rezoning the property to R-MU-35, but she does not want to enter into a development agreement that would restrict the ground floor to a commercial use. The property owner thinks the R-MU-35 zoning will provide the best opportunity for the property to succeed as a mixed-use project.

Council Member LaMalfa is concerned that if this property is rezoned to R-MU-35 without a development agreement requiring commercial use on the ground floor, the rezone will result in a loss of valuable commercial properties needed for a viable commercial node.

Although the R-MU-35 zone permits mixed use development, it doesn't require commercial uses on the ground floor. Council Member LaMalfa is concerned that future development at this node would only be multi-family residential if these parcels are all rezoned to R-MU-35 without a development agreement requiring commercial use on the ground floor.

3. Motion for Final Adoption

In addition to the standard adopt or reject motions, staff has prepared a motion for the Council to consider that would:

1. Include a restrictive covenant on the City owned property at 1410 West Indian Ave
2. Keep the property at (1380 West Indiana Ave) zoned CN, instead of rezoning it to R-MU-35.
3. Rezone the remaining properties included in the petition from CN to R-MU-35. These properties include:
 - 1416 West Indiana Avenue
 - 1420 West Indiana Avenue
 - 1424 West Indiana Avenue
 - 1430 West Indiana Avenue

The following information was provided for the October 6, 2015 public hearing. It is provided again for background purposes.

During the September 1, 2015 work session briefing, the Council did not raise any signification issues or concerns. The Council expressed general support for the proposed rezones.

Council Member LaMalfa raised his request for the Council to consider keeping two parcels in the Indiana Avenue rezone as CN, instead of rezoning them to R-MU-35. These parcels are located at 1380 West and 1410 West Indiana Avenue. During the briefing, the Council supported this

suggestion. If the Council still supports this change, a motion will be prepared to facilitate that change.

Since the briefing, an idea was suggested to ask the property owners 1380 West and 1410 West, if they would be interested in entering into a development agreement with the City that would change the zoning to R-MU-35, but require commercial uses on the ground floor. The City currently owns the land at 1410 West. Representatives of Housing and Neighborhood Development have tentatively said they would be interested in exploring this option. The owner of 1380 West has not been contacted about a potential development agreement.

Council Member LaMalfa supports pursuing this option as long as it can be finalized by the November 10 Council meeting. If the Council is interested in exploring this option, Council Staff will work with the Administration to contact that property owner to find out if they would be interested in entering into a development agreement that would rezone the property to R-MU-35 and restrict the ground floor to commercial use only.

The Council will hold a separate public hearing for each of the four proposed rezones on October 6, 2015.

The following information was provided for the September 1, 2015 work session briefing. It is provided again for background purposes.

ISSUE AT-A-GLANCE

The Council will be briefed on four zoning petitions as part of the Westside Master Plan implementation process, a priority of the Council's this year. These amendments are designed help create neighborhood nodes on the westside, and are identified by the Westside Master Plan as places where the community can and should accommodate future growth and development. The following areas are proposed to be rezoned:

- **700 South 900 West** - rezone three properties at the northwest corner from RMF-35-Moderate Density Multi-family Residential to CN-Neighborhood Commercial.
- **400 South 900 West** - rezone 24 properties on or near the intersection from RMF-35-Moderate Density Multi-family Residential and CN-Neighborhood Commercial to R-MU-35-Residential/Mixed Use.
- **400 South Concord Street** - (1240 West) -rezone five properties from R-1/5000-Single Family Residential to CN-Neighborhood Commercial and R-MU-35-Residential/Mixed Use.
- **Indiana Avenue** - (850 South) between Navajo Street (1365 West) and Pueblo Street (1440 West) - rezone six properties on the north side of Indiana Avenue from CN-Neighborhood Commercial to R-MU-35-Residential/Mixed Use.

Each petition includes a fact sheet that outlines the development standards for the various zones being considered. The fact sheet includes information about the requirements for: height, setback, parking and lighting. Additionally, the design standards and the list of permitted and conditional uses for the zone are included in the fact sheets. Links have been provided to these pages with the Planning Commission staff report.

ADDITIONAL INFORMATION

Proposed Changes to the R-MU-35 Zoning District

The Council has been briefed on proposed amendments to the R-MU-35 and R-MU-45 zoning districts (PLNPCM2014-000127). Three of the four Westside Master Plan petitions propose to rezone properties to R-MU-35. The proposed changes to the R-MU-35 zone include:

- Elimination of density limits
- Additional design standards, such as architectural detailing and material restrictions
- Amending maximum height standards
- Stepping requirement for the sides of buildings next to single/two family zones
- Allowing projecting/blade signs

When reviewing the Westside Master Plan rezonings, the Council can consider whether or not the proposed changes to the R-MU-35 zone will help implement the goals outlined for neighborhood and community nodes in the West Side Master Plan. The Administration's transmittals note that the Westside Master Plan defines neighborhood and community nodes as follows:

Neighborhood Nodes

Neighborhood nodes are small-scale intersections that incorporate small commercial establishments and residential options. These nodes are easily accessible from the surrounding neighborhoods by foot or bicycle but provide very little parking, as they are not normally major attractions for residents outside of the neighborhood. They are also ideal locations for uses that cater to everyday needs and walking trips such as corner markets, cafes/restaurants, and salons or barbershops. In the Westside, these nodes are generally surrounded by single-family homes, so the new residential component must be compatible. Appropriate development would consist of one or two stories of apartments or condominiums above the ground-floor commercial use, accommodating densities between ten and 15 units per acre. Parking for new mixed use developments would be limited to the street or lots behind buildings. ([Westside Master Plan p.38](http://www.slcdocs.com/Planning/MasterPlansMaps/WSLMPA.pdf) <<http://www.slcdocs.com/Planning/MasterPlansMaps/WSLMPA.pdf>>)

Community Nodes

Community nodes are larger in scale than their neighborhood counterparts because they generally offer retail and services that attract people from a larger area. While some existing community nodes do not have residential components, new developments at these locations should incorporate housing. These nodes provide good opportunities to add density with multi-family residential units. Densities should be on the order of 20 to 30

dwelling units per acre with appropriate building forms to complement adjacent lower density uses if necessary. Accessory dwelling units (ADUs), which are fully separate dwelling units that are located on the same lot as the primary residence, may be appropriate at community nodes. ADUs are an effective way to increase density within the stable areas, especially with the community's deep single-family lots. Retailers such as grocery stores, clothing stores or small professional offices are appropriate anchors for community nodes. These nodes can also be anchored around or include institutional uses, such as churches, schools or daycares. Community nodes should be comfortable and safe for pedestrians and bicyclists while providing some off-site parking that is located behind or to the side of the buildings. Developments around these type of nodes should also be accessible to regular public transportation service. ([Westside Master Plan p.41](http://www.sldocs.com/Planning/MasterPlansMaps/WSLMPA.pdf) [<http://www.sldocs.com/Planning/MasterPlansMaps/WSLMPA.pdf>](http://www.sldocs.com/Planning/MasterPlansMaps/WSLMPA.pdf))

Key Issues Identified for Each Node

900 West 700 South Neighborhood Node (RMF-35 to CN)

- The Planning Commission unanimously forwarded a positive recommendation to rezone the parcels to Neighborhood Commercial (CN). (*Planning staff originally recommended it be rezoned Community Business (CB).*)
 - Planning staff recommended CB because they wanted to maintain consistency with the developed properties at the intersection which are zoned CB.
 - The Planning Commission felt that CN would be more appropriate because any housing in the CN zone would require a mixed use element.
- Key issues identified for this node (see pages 4-7 of the Planning Commission staff report) include:
 - Development continuity
 - Single-family home status in the RMF-35 zone
 - Zoning compatibility
- Link to Development Standards and Table of Permitted/Conditional Uses for:
 - Neighborhood Commercial (CN) - pp 9-11 of Planning Commission Staff Report

400 South 900 West Community Node (RMF-35 & CN to R-MU-35)

- The Planning commission unanimously forwarded a positive recommendation.
- Key issues identified for this node (see pp 4-10 of the Planning Commission staff report) include:
 - Development continuity
 - Single-family home status
 - Zone compatibility
 - Potential changes to R-MU-35 zone (noted above)
- Link to Development Standards and Table of Permitted/Conditional Uses for:
 - Residential Mixed Use (R-MU-35) - pp 16-19 of Planning Commission Staff Report

400 South Concord Street Neighborhood Node (R-1/5000 to CN & R-MU-35)

- The Planning commission voted 6-1 to forward a positive recommendation.

- Key issues identified for this node (see pages 2-7 of the Planning Commission staff report) include:
 - Importance of required commercial uses in the CN zone
 - Single-Family homes in the CN and R-MU-35 Zones
 - Zoning compatibility with adjacent residential properties
 - Potential changes to R-MU-35 zone (noted above)
- Link to Development Standards and Table of Permitted/Conditional Uses for:
 - Residential Mixed Use (R-MU-35) - *pp 14-17 of Planning Commission Staff Report*
 - Neighborhood Commercial (CN) - *pp 18-23 of Planning Commission Staff Report*
- **Indiana Avenue Neighborhood Node (CN to R-MU-35)**
 - The Planning commission unanimously forwarded a positive recommendation.
 - Key issues identified for this node (see pages 2-6 of the Planning Commission staff report) include:
 - Need for continued commercial uses at this node
 - Continuation of single-family detached homes
 - Zoning compatibility
 - Potential changes to R-MU-35 zone (noted above)
 - Link to Development Standards and Table of Permitted/Conditional Uses for:
 - Residential Mixed Use (R-MU-35) - *pp 12-15 of Planning Commission Staff Report*

Purpose Statements for Applicable Zoning Districts

R-MU-35 Purpose Statement

http://sterlingcodifiers.com/codebook/index.php?book_id=&chapter_id=49072:

The purpose of the RMF-35 moderate density multi-family residential district is to provide an environment suitable for a variety of moderate density housing types, including single-family, two-family, and multi-family dwellings with a maximum height of thirty five feet (35'). This district is appropriate in areas where the applicable master plan policies recommend a density of less than thirty (30) dwelling units per acre. This district includes other uses that are typically found in a multi-family residential neighborhood of this density for the purpose of serving the neighborhood. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood

CN Purpose Statement

http://sterlingcodifiers.com/codebook/index.php?book_id=&chapter_id=49073:

The CN neighborhood commercial district is intended to provide for small scale, low intensity commercial uses that can be located within and serve residential neighborhoods. This district is appropriate in areas where supported by applicable master plans and along local streets that are served by multiple transportation modes, such as pedestrian, bicycle, transit and automobiles. The standards for the district are intended to reinforce the historic scale and ambiance of traditional neighborhood retail that is oriented toward the pedestrian while ensuring adequate transit and automobile access. Uses are restricted in size to promote local orientation and to limit adverse impacts on nearby residential areas.

CB Purpose Statement

http://sterlingcodifiers.com/codebook/index.php?book_id=&chapter_id=49073:

The CB community business district is intended to provide for the close integration of moderately sized commercial areas with adjacent residential neighborhoods. The design guidelines are intended to facilitate retail that is pedestrian in its orientation and scale, while also acknowledging the importance of transit and automobile access to the site.

POLICY QUESTIONS

Indiana Ave Rezone

Council Member LaMalfa would like the Council to consider keeping two of the parcels proposed to be rezoned to R-MU-35 as CN (see numbers 3 and 4 in map below).

- The concern is that rezoning these parcels to R-MU-35 will result in a loss of valuable commercial properties needed for a viable commercial node.
- Although the R-MU-35 zone permits mixed use development, it doesn't require commercial uses on the ground floor.
- Council Member LaMalfa is concerned that future development at this node would only be multi-family residential, if these parcels are all rezoned to R-MU-35.



Subject Properties Proposed for Rezone to R-MU-35

- Mixed-use projects are permitted in the CN zone.
- Mixed-use is defined by the City's zoning ordinance as: "A development that includes residential and nonresidential uses allowed in the zoning district, on the same site."

Does the Council support Council Member LaMalfa's proposal?

- **Does the Council wish to further discuss the Planning Commission's decision to rezone the parcels of the 700 South 900 West node to CN instead of CB?**
 - Planning Staff proposed CB to provide consistency with the existing properties that are already zoned CB.
 - The Planning Commission felt that CN would be more appropriate because any housing in the CN zone would require a mixed use element (*CB allows residential **without** a commercial component*)

CC: David Everitt, Nichol Bourdeaux, Karen Hale, Art Raymond, Holly Hilton, Jill Love, Mary De La Mare-Schafer, Nora Shepard, Cheri Coffey, Nick Norris, Michaela Oktay, Daniel Echeverria, Christopher Lee, Orion Goff, Les Koch, Margaret Plane, Paul Nielson, City Council Liaisons, Mayors Liaisons

File Location: Community and Economic Development Dept., Planning Division, 700 South 900 West, 400 South 900 West Indiana Avenue and 400 South Concord Street neighborhood node rezones.

ATTACHMENTS:

- Motions: IndianaAve_PH_PA_followupbreifing_11.17.15 (DOCX)
- Administrative Transmittal: PLNPCM2014-00381 - Indiana Avenue Neighborhood Node Rezone(PDF)
- Admin Attachment_Project Chronology (PDF)
- Admin Attachment_Notice of Public Hearing (PDF)
- Admin Attachment_Mailing Labels(PDF)
- Admin Attachment_Planning Commission Report(PDF)
- Admin Attachment_Original Petition (PDF)

Ordinance No.

SALT LAKE CITY ORDINANCE

No. _____ of 2015

(Amending the zoning map pertaining to properties located at 1380 West Indiana Avenue, 1410 West Indiana Avenue, 1416 West Indiana Avenue, and 1420 West Indiana Avenue, 1424 West Indiana Avenue, and 1430 West Indiana Avenue to rezone said properties from CN (Neighborhood Commercial) to R-MU-35 (Residential/Mixed Use))

An ordinance amending the zoning map pertaining to properties located at 1380 West Indiana Avenue, 1410 West Indiana Avenue, 1416 West Indiana Avenue, and 1420 West Indiana Avenue, 1424 West Indiana Avenue, and 1430 West Indiana Avenue to rezone said properties from CN (Neighborhood Commercial) to R-MU-35 (Residential/Mixed Use) pursuant to Petition No. PLNPCM2014-00381.

WHEREAS, the Salt Lake City Planning Commission held a public hearing on March 11, 2015 on a petition initiated by the Salt Lake City Planning Commission ("Applicant") to amend the city's zoning map to re-zone properties located at 1380 West Indiana Avenue, 1410 West Indiana Avenue, 1416 West Indiana Avenue, and 1420 West Indiana Avenue, 1424 West Indiana Avenue and 1430 West Indiana Avenue to rezone said properties from CN (Neighborhood Commercial) to R-MU-35 (Residential/Mixed Use) pursuant to Petition No. PLNPCM2014-00381; and

WHEREAS, at its March 11, 2015 meeting, the planning commission voted in favor of forwarding a positive recommendation to the Salt Lake City Council on said applications; and

WHEREAS, after a public hearing on this matter the city council has determined that adopting this ordinance is in the city's best interests.

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 as follows:

a. That the property located at 1380 West Indiana Avenue (Tax ID No. 15-10-236-019), and more particularly described on Exhibit "A" attached hereto, shall be and hereby is re-zoned from CN (Neighborhood Commercial) to R-MU-35 (Residential/Mixed Use); and

b. That the property located at 1410 West Indiana Avenue (Tax ID No. 15-10-236-018), and more particularly described on Exhibit "B" attached hereto, shall be and hereby is re-zoned from CN (Neighborhood Commercial) to R-MU-35 (Residential/Mixed Use); and

c. That the property located at 1416 West Indiana Avenue (Tax ID No. 15-10-236-014), and more particularly described on Exhibit "C" attached hereto, shall be and hereby is re-zoned from CN (Neighborhood Commercial) to R-MU-35 (Residential/Mixed Use); and

d. That the property located at 1420 West Indiana Avenue (Tax ID No. 15-10-236-013), and more particularly described on Exhibit "D" attached hereto, shall be and hereby is re-zoned from CN (Neighborhood Commercial) to R-MU-35 (Residential/Mixed Use); and

e. That the property located at 1424 West Indiana Avenue (Tax ID No. 15-10-236-012), and more particularly described on Exhibit "E" attached hereto, shall be and hereby is re-zoned from CN (Neighborhood Commercial) to R-MU-35 (Residential/Mixed Use); and

f. That the property located at 1430 West Indiana Avenue (Tax ID No. 15-10-236-011), and more particularly described on Exhibit "F" attached hereto, shall be and hereby is re-zoned from CN (Neighborhood Commercial) to R-MU-35 (Residential/Mixed Use).

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 _____, 2015.

EXHIBIT "A"

Legal description of property
located at 1380 West Indiana Avenue
(Tax ID No. 15-10-236-019)

LOTS 1 THRU 4 INCL BLK 3, POPLAR GROVE ADD. 0.35 AC M OR L.

EXHIBIT "B"

Legal description of property
located at 1410 West Indiana Avenue (Tax
ID No. 15-10-236-018)

LOTS 5 THRU 11 INCL BLK 3, POPLAR GROVE ADD. 0.57 AC M OR L

EXHIBIT "C"

Legal description of property

located at 1416 West Indiana Avenue
(Tax ID No. 15-10-236-014)

LOTS 12 & 13, BLK 3, POPLAR GROVE ADD

EXHIBIT "D"

Legal description of property
located at 1420 West Indiana Avenue (Tax
ID No. 15-10-236-013)

LOTS 14 & 15 BLK 3 POPLAR GROVE ADD

EXHIBIT "E"

Legal description of property
located at 1424 West Indiana Avenue (Tax
ID No. 15-10-236-012)

LOTS 16 & 17 BLK 3 POPLAR GROVE ADD

EXHIBIT "F"

Legal description of property
located at 1430 West Indiana Avenue (Tax
ID No. 15-10-236-011)

LOTS 18 19 & 20 BLK 3 POPLAR GROVE ADD LESS R OF W

SALT LAKE CITY COUNCIL

ATTEST:

APPROVED AS TO FORM:



MOTION SHEET

CITY COUNCIL of SALT LAKE CITY

TO: City Council Members

FROM: Nick Tarbet, Analyst

DATE: November 17, 2015

RE: Indiana Avenue Neighborhood Node Rezone
PLNPCM2014-00381

Council Sponsor: Land Use Petition from the Planning Commission

MOTION 1

I move the Council close the public hearing and defer action to a future Council Meeting.

MOTION 2

I move the Council close the public hearing and adopt an ordinance amending the City's zoning map pursuant to Petition No. PLNPCM2014-00381

MOTION 3

I move the Council close the public hearing and reject an ordinance amending the City's zoning map pursuant to Petition No. PLNPCM2014-00381

MOTION 4 (with restrictions)

I move the Council close the public hearing and adopt an ordinance amending the City's zoning map for the properties located at 1416 West, 1420 West, 1424 West and 1430 West Indiana Avenue, pursuant to Petition No. PLNPCM2014-00381.

I further move the property at 1410 West Indiana Avenue be rezoned to R-MU-35, subject to a restrictive covenant being recorded against the property that requires:

- Any development and future use of the property shall include commercial uses for the ground floor; and,
- The conditions of zoning may only be amended by legislative action; and,
- The conditions of zoning shall run with the land.

I further move the property at 1380 West Indiana Avenue not be rezoned to RMU-35, but stays as CN.



SALT LAKE CITY CORPORATION
City Council Transmittal


David Everitt, Chief of Staff 8/27/2015

Date Received: 8/27/2015
Date Sent to Council: 8/27/2015

TO: City Council
Luke Garrott - Chair

FROM: Jill Love
Director

SUBJECT: Ordinance – Rezone Indiana Avenue Neighborhood Node

STAFF CONTACT: Daniel Echeverria,
Daniel.Echeverria@slcgov.com

COUNCIL SPONSOR: Council District 2 - Kyle LaMalfa/Not Required - Petition
from Applicant(s)

DOCUMENT TYPE: Ordinance

RECOMMENDATION: Adopt the Planning Commission's recommendation to approve the zoning amendments.

BUDGET IMPACT: None

BACKGROUND/DISCUSSION:

The City is proposing to amend the zoning map designation for properties located along the north side of Indiana Avenue (850 S) between Navajo Street (1365 W) and Pueblo Street (1440 W.) The intent of the proposal is to establish the zoning rules necessary to create a "neighborhood node" as described by the *Westside Master Plan*. To accomplish this, the proposal includes rezoning the subject properties from CN, Neighborhood Commercial, to R-MU-35, Residential/Mixed Use. The R-MU-35 designation will allow for a greater diversity of mixed uses and opportunities for additional housing at this node.

The subject properties are currently zoned CN, Neighborhood Commercial. Two of these properties are currently used for commercial uses, and three of these properties are used for single-family homes. An additional large property has been vacant for the past few years and is

currently owned by the Salt Lake City Housing and Neighborhood Development (HAND) Division.

The proposal is to rezone these properties on the north side of Indiana Avenue, between Navajo Street and Pueblo Street, to R-MU-35, Residential/Mixed Use. The intent of this rezone is to support the long-term development of these properties to support additional residential growth, while continuing to encourage a mix of uses at this node. The R-MU-35 zone allows for development up to 35' in height, while the existing CN zone allows for development to 25' in height. Although the CN zone currently allows for development of similar intensities and densities as the R-MU-35 zone, the additional height (10') allowed by the proposed zone may encourage additional residential development at this node because it allows for slightly larger structures and allows single-use residential development. Future redevelopment and reinvestment in these properties, in combination with City infrastructure improvements to the public realm, such as street treatments and pedestrian amenities, are intended to help achieve the vision for the Westside community.

The south side of Indiana, between Navajo Street and Pueblo Street, is proposed to remain zoned CN. Commercial uses are a key component of neighborhood nodes and applying the R-MU-35 zone across the entire node could result in all of the future development at this node being residential. Alternatively, the CN zone allows commercial uses, but only allows residential when it has a commercial component. Therefore, maintaining CN zoning on the south side of the street will ensure that commercial uses will continue to remain a part of this node.

Master Plan Considerations

The subject properties are located in the Westside Community. The *Westside Master Plan* recognizes a need to encourage growth, redevelopment, and reinvestment in the Westside in order to support the vision of the Westside Community as a “beautiful, safe, sustainable place for people to live, work, and have fun.” The Master Plan proposes a number of ways to accommodate this growth, and a key component of this includes the concept of “nodes.”

A node is defined as “an intersection consisting of at least one major road where there is potential for changes in land use and the development pattern.” Additionally, they are “integrated centers of activity” and critically, they are the “key types of locations for redevelopment” in the community. The Master Plan designates these nodes as places where the community can and should accommodate future growth and development.

There are several different levels of nodes. From lowest to highest intensity of development, these include “neighborhood,” “community,” and “regional” nodes. The Master Plan designates a number of intersections in the community as “nodes.” The subject properties are all located along Indiana Avenue, between Navajo Street and Pueblo Street, which was identified as a “neighborhood node.” The Master Plan describes this type of node as the following:

“Neighborhood nodes are small-scale intersections that incorporate small commercial establishments and residential options. These nodes are easily accessible from the surrounding neighborhoods by foot or bicycle but provide very little parking, as they are not normally major attractors for residents outside of the neighborhood. They are also ideal locations for uses that cater to everyday needs and walking trips such as corner markets, cafes/restaurants, and salons or barbershops. In the Westside, these nodes are generally surrounded by single-family homes, so the new residential component must be compatible. Appropriate development would consist of one or two stories of apartments or condominiums above the ground-floor commercial use, accommodating densities between ten

and 15 units per acre. Parking for new mixed use developments would be limited to the street or lots behind buildings.” (38)

The *Westside Master Plan* includes the following specific policy that is being implemented by this rezoning proposal:

C.1 Create a more conducive environment for redevelopment at neighborhood nodes.

C.1.a Low-Intensity Mixed Use Development.

The Salt Lake City Planning Division shall analyze its existing zoning districts to determine what zoning changes will provide the most flexibility for low-intensity mixed use development around identified neighborhood nodes. Building heights at residential nodes should be limited to 35 feet or three stories without density limitations provided the other development regulations are met. The goal should be between ten and 25 units per acre. Residential uses should not be required as part of the development but encouraged with other incentives. (87)

The Planning Division evaluated the existing zoning at this node and determined that the R-MU-35 (Residential/Mixed Use) zoning district, with some modifications, would be the best zone to implement this policy at this node. In accordance with the above policy, the R-MU-35 zone allows development up to 35', or about three stories, and allows mixed use development. The Planning Division has proposed a number of revisions to the R-MU-35 zone and the associated draft R-MU-35 changes have been transmitted to the Council office. A summary of the proposed R-MU-35 zone regulations is located in Attachment C on page 12 of the Planning Commission Staff Report (see Attachment 5A.) The proposed zoning map amendments are intended to be implemented with the revised regulations. Ideally the changes to the text of the R-MU-35 zone would be adopted prior to, or at the same time, as the proposed zoning map amendments contained in this transmittal.

PUBLIC PROCESS:

The following is a list of public meetings that have been held related to the proposed project:

- A stakeholder meeting for the property owners was held on August 5th, 2014.
- The proposed zoning amendment was presented at the Poplar Grove Community Council meeting on October 22nd, 2014.
 - At the end of the meeting, the Community Council held a vote on the proposal. Although the vote came out in favor, there were a number of abstentions.
- The Planning Commission public hearing was on March 11th, 2015.
 - One property owner included in the rezone was concerned about the potential for 35' tall development next to her home.
 - The Planning Commission passed a motion to transmit a positive recommendation for the rezone. The motion passed unanimously.

Comments received throughout the public process are summarized in Attachment E: Public Process and Comments on page 16 of the Planning Commission Staff Report (see Attachment 5A).

RELEVANT ORDINANCES:

Amendments to the Zoning Ordinance and Maps are authorized under Section 21A.50 of the Salt Lake City Zoning Ordinance, as detailed in Section 21A.50.050: "A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the

legislative discretion of the City Council and is not controlled by any one standard." It does, however, list five standards, which should be analyzed prior to rezoning property (Section 21A.50.050 A-E). The five standards are discussed in detail starting in the Planning Commission Staff Report (ATTACHMENT 5A).

ATTACHMENTS:

- MOTIONS: IndianaAve_PH_10.6.15 (DOCX)
- Administrative Transmittal: PLNPCM2014-00381 - Indiana Avenue Neighborhood Node Rezone(PDF)
- Admin Attachment_Project Chronology (PDF)
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No. _____ of 2015

(Amending the zoning map pertaining to properties located at 1380 West Indiana Avenue, 1410 West Indiana Avenue, 1416 West Indiana Avenue, and 1420 West Indiana Avenue, 1424 West Indiana Avenue, and 1430 West Indiana Avenue to rezone said properties from CN (Neighborhood Commercial) to R-MU-35 (Residential/Mixed Use))

An ordinance amending the zoning map pertaining to properties located at 1380 West Indiana Avenue, 1410 West Indiana Avenue, 1416 West Indiana Avenue, and 1420 West Indiana Avenue, 1424 West Indiana Avenue, and 1430 West Indiana Avenue to rezone said properties from CN (Neighborhood Commercial) to R-MU-35 (Residential/Mixed Use) pursuant to Petition No. PLNPCM2014-00381.

WHEREAS, the Salt Lake City Planning Commission held a public hearing on March 11, 2015 on a petition initiated by the Salt Lake City Planning Commission ("Applicant") to amend the city's zoning map to re-zone properties located at 1380 West Indiana Avenue, 1410 West Indiana Avenue, 1416 West Indiana Avenue, and 1420 West Indiana Avenue, 1424 West Indiana Avenue and 1430 West Indiana Avenue to rezone said properties from CN (Neighborhood Commercial) to R-MU-35 (Residential/Mixed Use) pursuant to Petition No. PLNPCM2014-00381; and

WHEREAS, at its March 11, 2015 meeting, the planning commission voted in favor of forwarding a positive recommendation to the Salt Lake City Council on said applications; and

WHEREAS, after a public hearing on this matter the city council has determined that adopting this ordinance is in the city's best interests.

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 as follows:

a. That the property located at 1380 West Indiana Avenue (Tax ID No. 15-10-236-019), and more particularly described on Exhibit "A" attached hereto, shall be and hereby is rezoned from CN (Neighborhood Commercial) to R-MU-35 (Residential/Mixed Use); and

b. That the property located at 1410 West Indiana Avenue (Tax ID No. 15-10-236-018), and more particularly described on Exhibit "B" attached hereto, shall be and hereby is rezoned from CN (Neighborhood Commercial) to R-MU-35 (Residential/Mixed Use); and

c. That the property located at 1416 West Indiana Avenue (Tax ID No. 15-10-236-014), and more particularly described on Exhibit "C" attached hereto, shall be and hereby is rezoned from CN (Neighborhood Commercial) to R-MU-35 (Residential/Mixed Use); and

d. That the property located at 1420 West Indiana Avenue (Tax ID No. 15-10-236-013), and more particularly described on Exhibit "D" attached hereto, shall be and hereby is rezoned from CN (Neighborhood Commercial) to R-MU-35 (Residential/Mixed Use); and

e. That the property located at 1424 West Indiana Avenue (Tax ID No. 15-10-236-012), and more particularly described on Exhibit "E" attached hereto, shall be and hereby is rezoned from CN (Neighborhood Commercial) to R-MU-35 (Residential/Mixed Use); and

f. That the property located at 1430 West Indiana Avenue (Tax ID No. 15-10-236-011), and more particularly described on Exhibit "F" attached hereto, shall be and hereby is rezoned from CN (Neighborhood Commercial) to R-MU-35 (Residential/Mixed Use).

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 _____,
2015.

EXHIBIT "A"

Legal description of property
located at 1380 West Indiana Avenue
(Tax ID No. 15-10-236-019)

LOTS 1 THRU 4 INCL BLK 3, POPLAR GROVE ADD. 0.35 AC M OR L.

EXHIBIT "B"

Legal description of property
located at 1410 West Indiana Avenue (Tax
ID No. 15-10-236-018)

LOTS 5 THRU 11 INCL BLK 3, POPLAR GROVE ADD. 0.57 AC M OR L

EXHIBIT "C"

Legal description of property
located at 1416 West Indiana Avenue
(Tax ID No. 15-10-236-014)

LOTS 12 & 13, BLK 3, POPLAR GROVE ADD

EXHIBIT "D"

Legal description of property
located at 1420 West Indiana Avenue (Tax
ID No. 15-10-236-013)

LOTS 14 & 15 BLK 3 POPLAR GROVE ADD

EXHIBIT "E"

Legal description of property
located at 1424 West Indiana Avenue (Tax
ID No. 15-10-236-012)

LOTS 16 & 17 BLK 3 POPLAR GROVE ADD

EXHIBIT "F"

Legal description of property
located at 1430 West Indiana Avenue (Tax
ID No. 15-10-236-011)

LOTS 18 19 & 20 BLK 3 POPLAR GROVE ADD LESS R OF W

SALT LAKE CITY COUNCIL

ATTEST:

APPROVED AS TO FORM:

PROJECT CHRONOLOGY

Petition: PLNPCM2014-00381

March 31, 2014	Petition PLNPCM2014-00381 assigned to BreAnne McConkie, Principal Planner, for staff analysis and processing.
July 16, 2014	Notices sent to property owners at neighborhood node regarding stakeholder meeting.
August 5, 2014	Property owner stakeholder meeting held at the City and County Building.
August 28, 2014	Petition reassigned to Daniel Echeverria, Principal Planner.
October 10, 2014	Notices regarding Poplar Grove Community Council presentation sent to property owners and residents within 450 feet of proposed rezoning area.
October 22, 2014	Proposal presented at the Poplar Grove Community Council general meeting.
February 26, 2015	Planning Commission hearing notice sent to property owners and residents within 450 feet of the proposed rezoning area.
March 11, 2015	Planning Commission reviewed the petition and conducted a public hearing. The commission voted to send a positive recommendation to the City Council.
March 16, 2015	Ordinance requested from City Attorney's office.
April 7, 2015	Ordinance received from City Attorney's office.
April 15, 2015	Transmittal was sent to the CED Director for review.

Attachment: Admin Attachment_Project Chronology (1298 : Ordinance ? Rezone Indiana Avenue Neighborhood Node)

NOTICE OF PUBLIC HEARING

The Salt Lake City Council is considering petition **PLNPCM2014-00381 - Indiana Avenue Neighborhood Node Rezone** - The City is proposing to amend the zoning map designation for properties located along the north side of Indiana Avenue between Navajo Street and Pueblo Street. The following properties are affected: 1380, 1410, 1416, 1420, 1424, & 1430 W Indiana Avenue. The properties are identified as part of a “neighborhood node” in the Westside Master Plan. In order to support the development of the properties as part of a “neighborhood node,” the City is proposing to rezone them from CN, Neighborhood Commercial, to R-MU-35, Residential/Mixed Use. The R-MU-35 designation will allow for a greater diversity of mixed uses and opportunities for additional housing. This type of project requires a Zoning Map Amendment. Although the properties are proposed to be rezoned to the R-MU-35 zone, consideration may be given to rezoning the properties to another zoning district with similar characteristics. The subject properties are within Council District 2, represented by Kyle LaMalfa.

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

DATE:

TIME: 7:00 p.m.

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

If you have any questions relating to this proposal or would like to review the file, please call Daniel Echeverria at (801) 535-7165 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at daniel.echeverria@slcgov.com.

The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the City Council Office at council.comments@slcgov.com, 801-535-7600, or relay service 711.

Name	MOSES, ZACHARY &	CARLSON, CINDY
Address1	148 GOLF CLUB DR	PO BOX 1613
Address2	KEY WEST, FL 33040-4381	KOLOA, HI 96756
KOZWADHAN 1353 INDIANA STREET, LLC PO BOX 711 DALLAS, TX 75221-0711	PRETTYMAN, TYLER 42 W LESTER AVE #F16 MURRAY, UT 84107	HANEY, TERRY 787 LACEY WAY NORTH SALT LAKE, UT 84054
RICHMOND, KATHY R 1056 MANCHESTER DR NORTH SALT LAKE, UT 84054-6011	WENTZ, THEODORE J 866 S 1400 W SALT LAKE CITY, UT 84104-2714	VALDIVIEZ, JAIME & AGUSTINA; JT 869 S 1400 W SALT LAKE CITY, UT 84104-2715
WILCOX, BLAIR A; ET AL 871 S 1400 W SALT LAKE CITY, UT 84104-2715	HILL, JAMES D 874 S 1400 W SALT LAKE CITY, UT 84104-2714	CHAIRES, VICENTE & ROSELIA; JT 878 S 1400 W SALT LAKE CITY, UT 84104-2714
CROSSROADS URBAN CENTER 347 S 400 E SALT LAKE CITY, UT 84111-2904	DEAN, MATTHEW A 1359 W 800 S SALT LAKE CITY, UT 84104-2702	LAPANG, AHNAN B & GLOBOKAR, ANDREA R; TC 1371 W 800 S SALT LAKE CITY, UT 84104-2703
HERRERA, DEANGELO V & VICKIE; JT 1377 W 800 S SALT LAKE CITY, UT 84104-2703	LEO, MOSESE LATU & DESERET; JT 1386 W 800 S SALT LAKE CITY, UT 84104-2704	ALLRED, THOMAS L & JUDY B 1387 W 800 S SALT LAKE CITY, UT 84104-2703
MABEY, TODD G & SHERRI L (JT) SHERRI L; JT 1388 W 800 S SALT LAKE CITY, UT 84104-2704	MORALES, FELIX; ET AL 1390 W 800 S SALT LAKE CITY, UT 84104-2704	HARDING, BEVERLY 1400 W 800 S SALT LAKE CITY, UT 84104-3101
STRATTON, KYLE R 1401 W 800 S SALT LAKE CITY, UT 84104-3102	STEWART, BLAINE & BETH S; JT 1405 W 800 S SALT LAKE CITY, UT 84104-3102	FLORES, LORENZO 1409 W 800 S SALT LAKE CITY, UT 84104-3102
GOODSELL, KAREN A & EARL E; JT 1413 W 800 S SALT LAKE CITY, UT 84104-3102	GOODSELL, RICHARD B 1419 W 800 S SALT LAKE CITY, UT 84104-3102	KAITU'U, JULIETTA 1420 W 800 S SALT LAKE CITY, UT 84104-3101
GAXIOLA, JAVIER A & LUIS F; JT 1425 W 800 S SALT LAKE CITY, UT 84104-3102	ORR, PATRICK S & JAYMIE L; JT 1436 W 800 S SALT LAKE CITY, UT 84104-3101	HOFFMAN, JON F 1448 W 800 S SALT LAKE CITY, UT 84104-3104

ANDREWS, LEONARD R
1449 W 800 S
SALT LAKE CITY, UT 84104-3103

PUTNAM, GAVIN M & AMANDA; JT
1455 W 800 S
SALT LAKE CITY, UT 84104-3103

BAGLEY, BRIGHAM D
1461 W 800 S
SALT LAKE CITY, UT 84104-3103

GALLEGOS, JUAN R & SUZANNE A; JT
1382 W 900 S
SALT LAKE CITY, UT 84104-2736

NIELSEN, RICK L & BRENDA G; JT
981 W FREMONT AVE
SALT LAKE CITY, UT 84104-2006

OSAKO III LAND LLC
1358 W INDIANA AVE
SALT LAKE CITY, UT 84104-2743

HOLDSWORTH, PEGGY
1367 W INDIANA AVE
SALT LAKE CITY, UT 84104-2754

TAPIA, MARIA R
1371 W INDIANA AVE
SALT LAKE CITY, UT 84104-2754

MONGE, JOSE C
1407 W INDIANA AVE
SALT LAKE CITY, UT 84104-3153

OAKS, ADAM L & DIANA J; JT
1416 W INDIANA AVE
SALT LAKE CITY, UT 84104-3152

LAM, NHI VAN & PHAM, LAN K; JT
1419 W INDIANA AVE
SALT LAKE CITY, UT 84104-3153

MAJOR, BERNARD D & EVA H; TRS
1420 W INDIANA AVE
SALT LAKE CITY, UT 84104-3152

1415 INDIANA AVENUE, LLC
1430 W INDIANA AVE
SALT LAKE CITY, UT 84104-3152

HIRSCHI, ROBERT
1449 W INDIANA AVE
SALT LAKE CITY, UT 84104-3163

CLARK, MATTHEW R
1452 W INDIANA AVE
SALT LAKE CITY, UT 84104-3164

MARTINEZ, JOSE L & SARA; JT
1455 W INDIANA AVE
SALT LAKE CITY, UT 84104-3163

DIXON REINVEST, LLC
1462 W INDIANA AVE
SALT LAKE CITY, UT 84104-3164

ABBOTT, STEPHEN C
766 S NAVAJO ST
SALT LAKE CITY, UT 84104-2611

SALT LAKE CITY CORPORATION
PO BOX 145460
SALT LAKE CITY, UT 84114-5451

VAINUKU, OFAHELOTU H & SIUPELI; JT
770 S PUEBLO ST
SALT LAKE CITY, UT 84104-2621

RODRIGUEZ, MARIA D R
806 S PUEBLO ST
SALT LAKE CITY, UT 84104-3144

RIGGS, PRESTON & GOODWIN,
JENNIFER J; JT
857 S PUEBLO ST
SALT LAKE CITY, UT 84104-3146

KENT, HOLLY
866 S PUEBLO ST
SALT LAKE CITY, UT 84104-3147

MATRISS, ANNA
867 S PUEBLO ST
SALT LAKE CITY, UT 84104-3146

VEGA, RAMON FIGUEROA
874 S PUEBLO ST
SALT LAKE CITY, UT 84104-3147

ROMERO, ELIZABETH H
1387 W WASATCH AVE
SALT LAKE CITY, UT 84104-2668

KARST, DAVID L; TR (DLK LV TRST)
1389 W WASATCH AVE
SALT LAKE CITY, UT 84104-2668

PUTUTAU, PUPUNGA M &
MOUNGA'ONE T; JT
1391 W WASATCH AVE
SALT LAKE CITY, UT 84104-2668

DOOLIN, EVA A
1401 W WASATCH AVE
SALT LAKE CITY, UT 84104-2626

HOANG, KHA & LONG; TC
1417 W WASATCH AVE
SALT LAKE CITY, UT 84104-2626

CARDENAS, SALVADOR & AGUILAR,
TERESA; JT
1421 W WASATCH AVE
SALT LAKE CITY, UT 84104-2626

DAMMANN, RALPH F & LOUETTA; JT
5101 S 1130 W
TAYLORSVILLE, UT 84123-4419

FORBES, DENZA C
5655 S EASTON ST
TAYLORSVILLE, UT 84129-1946

WESTSIDE PROPERTY MANAGEMENT
LLC
9356 S SCHMIDT CIR
WEST JORDAN, UT 84088-8778

ACM PROPERTIES INDIANA SERIES,
L.L.C.
1436 W 2550 S
WOODS CROSS, UT 84087

Resident
1447 W 800 S
Salt Lake City, UT 84104-3103

Resident
820 S PUEBLO ST
Salt Lake City, UT 84104-3144

Resident
1444 W INDIANA AVE
Salt Lake City, UT 84104-3164

Resident
1421 W 800 S
Salt Lake City, UT 84104-3102

Resident
1424 W INDIANA AVE
Salt Lake City, UT 84104-3152

Resident
1451 W INDIANA AVE
Salt Lake City, UT 84104-3163

Resident
876 S PUEBLO ST
Salt Lake City, UT 84104-3147

Resident
873 S PUEBLO ST
Salt Lake City, UT 84104-3146

Resident
879 S PUEBLO ST
Salt Lake City, UT 84104-3146

Resident
1415 W INDIANA AVE
Salt Lake City, UT 84104-3153

Resident
855 S PUEBLO ST
Salt Lake City, UT 84104-3146

Resident
1433 W INDIANA AVE
Salt Lake City, UT 84104-3153

Resident
1437 W INDIANA AVE
Salt Lake City, UT 84104-3153

Resident
1385 W INDIANA AVE
Salt Lake City, UT 84104-2754

Resident
1377 W INDIANA AVE
Salt Lake City, UT 84104-2754

Resident
1353 W INDIANA AVE
Salt Lake City, UT 84104-2754

Resident
868 S NAVAJO ST
Salt Lake City, UT 84104-2710

Resident
1380 W INDIANA AVE
Salt Lake City, UT 84104-2755



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission
 From: Daniel Echeverria, 801-535-7165, daniel.echeverria@slcgov.com
 Date: March 5, 2015
 Re: PLNPCM2014-00381 – Indiana Avenue Neighborhood Node Rezone

Zoning Amendment

PROPERTY ADDRESSES: 1380, 1410, 1416, 1420, 1424, & 1430 W Indiana Avenue

PARCEL ID: 15-10-236-019, -018, -014, -013, -012, & -011

MASTER PLAN: Westside

ZONING DISTRICT: CN, Neighborhood Commercial (Current);
 R-MU-35, Residential/Mixed Use (Proposed)

REQUEST: The City is proposing to amend the zoning map designation for properties located along the north side of Indiana Avenue between Navajo Street and Pueblo Street. The intent of the proposal is to establish the zoning rules necessary to create a “neighborhood node” in the Westside Master Plan. To accomplish this, the proposal includes rezoning the subject properties from CN, Neighborhood Commercial, to R-MU-35, Residential/Mixed Use. The R-MU-35 designation will allow for a greater diversity of mixed uses and opportunities for additional housing.

RECOMMENDATION: Based on the information in this staff report, Planning Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the proposed zoning amendment.

The following motion is provided in support of the recommendation:

Based on the findings and analysis in the staff report, testimony, and discussion at the public hearing, I move that the Planning Commission transmit a positive recommendation to the City Council for the proposed zoning amendment.

ATTACHMENTS:

- A. [Vicinity Maps](#)
- B. [Property Photographs](#)
- C. [Existing Conditions & Development Standards](#)
- D. [Analysis of Standards](#)
- E. [Public Process & Comments](#)
- F. [Department Review Comments](#)
- G. [Motions](#)

PROJECT DESCRIPTION:

The subject properties are located in the Westside Community. The associated Westside Master Plan recognizes a need to encourage growth, redevelopment, and reinvestment in the Westside in order to support the vision of the Westside Community as a “beautiful, safe, sustainable place for people to live, work, and have fun.” The Master Plan proposes a number of ways to accommodate this growth, and a key component of this includes the concept of “nodes.”

A node is defined as “an intersection consisting of at least one major road where there is potential for changes in land use and the development pattern.” Additionally, they are “integrated centers of activity” and critically, they are the “key types of locations for redevelopment” in the community. The Master Plan designates these nodes as places where the community can and should accommodate future growth and development.

There are several different levels of nodes. From lowest to highest intensity of development, these include “neighborhood,” “community,” and “regional” nodes. The Master Plan designates a number of intersections in the community as “nodes.”

The subject properties are all located on Indiana Avenue between Navajo Street and Pueblo Street and were identified as part of a “neighborhood node.” The Master Plan describes this type of node as the following:

“Neighborhood nodes are small-scale intersections that incorporate small commercial establishments and residential options. These nodes are easily accessible from the surrounding neighborhoods by foot or bicycle but provide very little parking, as they are not normally major attractors for residents outside of the neighborhood. They are also ideal locations for uses that cater to everyday needs and walking trips such as corner markets, cafes/restaurants, and salons or barbershops. In West Salt Lake, these nodes are generally surrounded by single-family homes, so the new residential component must be compatible. Appropriate development would consist of one or two stories of apartments or condominiums above the ground-floor commercial use, accommodating densities between ten and 15 units per acre. Parking for new mixed use developments would be limited to the street or lots behind buildings.” (38)

The purpose of the rezone is to support the development of this node into what is envisioned by the Master Plan. The subject properties are currently zoned CN, Neighborhood Commercial. Two of these properties are currently used for commercial uses, and three of these properties are used for single-family homes. An additional large property has been vacant for the past few years.

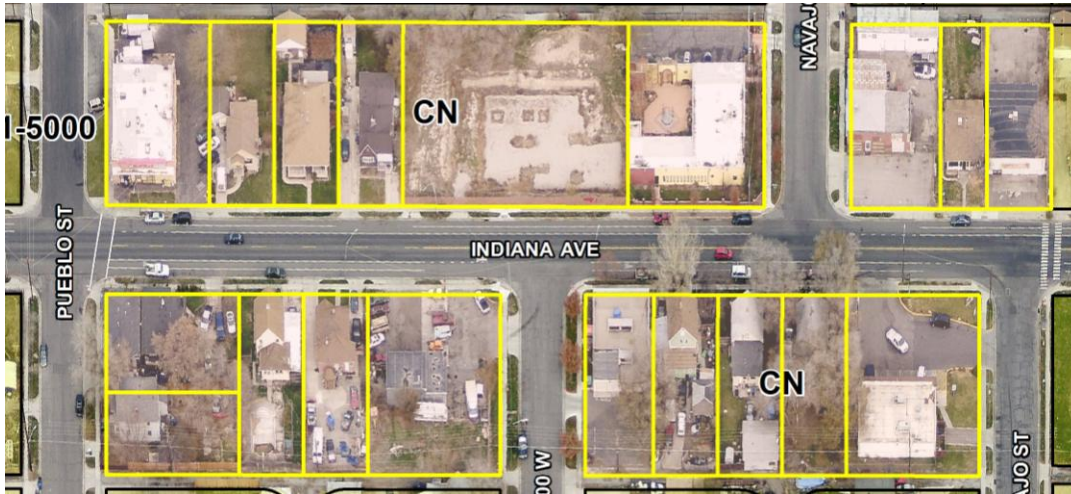
The proposal is to rezone these properties to R-MU-35, Residential Mixed Use. The intent of this rezone is to support the long-term development of these properties to support additional residential growth, while continuing to encourage a mix of uses at this node. Although the CN zone currently allows for development of similar intensities and densities as the R-MU-35 zone, the additional height allowed by the proposed zone may encourage additional residential development at this node because it allows for slightly larger structures and allows single-use residential development. The CN zone only allows residential if it is part of a mixed use building. Future redevelopment and reinvestment in these properties, in combination with City infrastructure improvements to the public realm, such as street treatments and pedestrian amenities, are intended to help achieve the vision for the Westside community.

KEY ISSUES:

The key issues listed below have been identified through the analysis of the project, neighbor and community input and department review comments.

1. Need for Continued Commercial Uses at this Node
2. Continuation of Single-Family Detached Homes
3. Zoning Compatibility
4. Possible R-MU-35 Changes

Issue 1 –Need for Continued Commercial Uses in the CN Zone



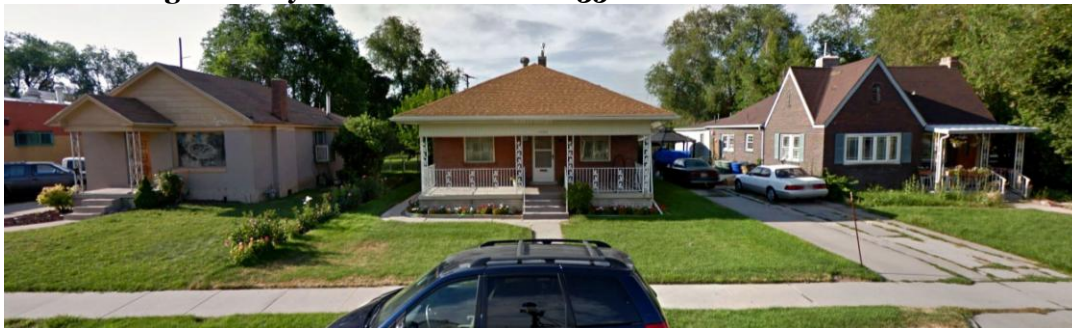
The current CN zoned area at this neighborhood node.

Not all of the properties in this neighborhood node are included in this proposal. The properties on the south side of the street, as well as some properties on the east side of the node, are proposed to remain zoned as CN. The reason for this is that the R-MU-35 zone allows for properties to be exclusively residential. If the entire node were to be rezoned to R-MU-35, this could result in the loss of all commercial uses in the node. The Master Plan identifies commercial uses at these neighborhood nodes as a critical component to their viability and vibrancy. Maintaining the CN zoning designation for some of the node will preserve these properties for commercial or mixed uses into the future.

All of the existing legal commercial uses on the involved properties would be able to continue to function as allowed uses under the R-MU-35 zone. The allowed uses in the CN and R-MU-35 zones are nearly identical and consist of low-intensity commercial uses only. No immediate changes would be required to these businesses with this rezone. If any of the existing businesses decided to redevelop their properties, including replacing or significantly expanding their buildings, they would be required to comply with the R-MU-35 zoning regulations. The existing businesses could remain if they are redeveloped so that they occupy the ground floor and residential uses occupy the above two floors.

This particular section of the node was chosen for rezoning to R-MU-35 in part due to the immediate potential for redevelopment given an existing large vacant parcel on the block, and the entire length of the block is included in order to provide a consistent zoning designation across the block face. As this node develops it may be appropriate to reevaluate the zoning for other properties at this node and determine if the zoning is still conducive to achieving the vision of the Westside Community.

Issue 2 – Single-Family Homes in the R-MU-35 Zone

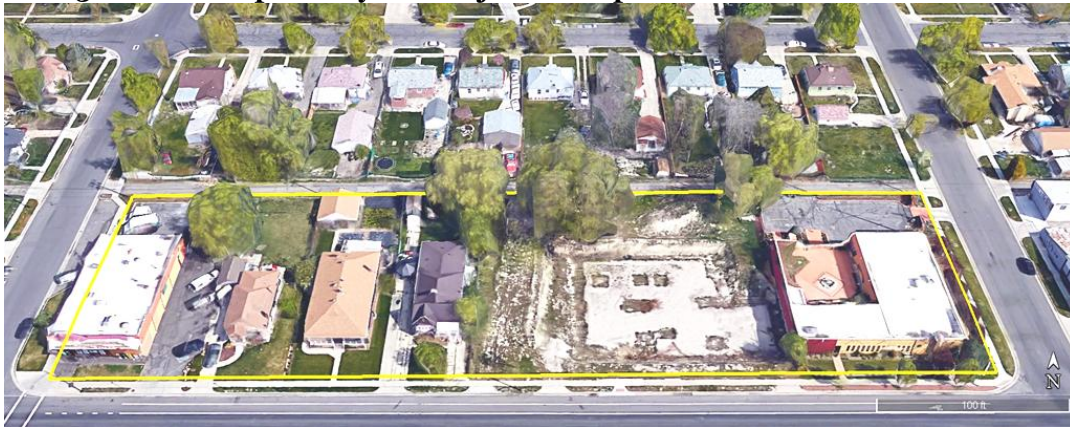


The three single-family homes shown above are proposed for rezone from CN to R-MU-35.

Three of the subject properties are detached single-family homes and are currently zoned CN. Although single-family homes are not an allowed use in the CN district, these properties are considered “legal complying” single-family homes. This legal complying status means that the homes are recognized by the city as legal residences and can be maintained like normal single-family homes located in residential zones. These homes can also be expanded and rebuilt, although there are special size restrictions due to their special status.

Unlike the CN zone, the R-MU-35 zone allows for detached single-family residential as a permitted use, so these homes would be able to continue to function and expand as allowed uses if they are rezoned. This would allow them to be expanded and rebuilt up to the full R-MU-35 zoning allowances. For example, the homes could be replaced with new, detached single-family homes with heights of up to 35 feet, as opposed to being limited to 25’ as they currently are under CN zoning.

Issue 3 – Zone Compatibility with Adjacent Properties



The above aerial image shows the properties (highlighted in yellow) proposed to be rezoned from CN to R-MU-35.

The purpose of the R-MU-35 zone, as stated in the current proposal before the City Council, is as follows:

The purpose of the R-MU-35 residential/mixed use district is to provide areas within the city for mixed use development that promote residential urban neighborhoods containing residential, retail, service commercial and small scale office uses. The standards for the district reinforce the mixed use character of the area and promote appropriately scaled development that is pedestrian oriented. This zone is intended to provide a buffer for lower density residential uses and nearby collector, arterial streets and higher intensity land uses.

As stated in the purpose statement, the zone is intended for neighborhood nodes such as this one. The zoning standards of the R-MU-35 are intended to support low intensity mixed-use development along arterials, such as Indiana Avenue, and to provide a transitional buffer between the arterial and adjacent single-family dwellings. Given the generally low intensity uses allowed by the zone and the associated development standards, the proposed zone change is not expected to have substantial negative impacts on adjacent residential properties.

The CN and R-MU-35 zones are both low-intensity zones and are nearly identical as far as what uses they allow. One small difference is that the R-MU-35 zone doesn't allow for auto repair uses, which results in the R-MU-35 zone having slightly lower potential use intensity. Lists of possible uses for each zone are located in Attachment C. Therefore, the proposed rezone will not introduce the potential for any new, higher intensity uses that are not already possible under the

current zone. This fact reduces the potential for any new compatibility issues for this node, such as negative noise or visual impacts to residential properties.

The most significant difference between the two zones as far as intensity of development is that the CN limits development to 25' and the R-MU-35 zone allows for up to 35' of height. This 35' of height is only allowed for residential or mixed-used development. For purely commercial development, only 20' of height is allowed, similar to the existing CN development limits. Due to being located along a City arterial and across the street from an existing commercially zoned area, staff does not foresee issues regarding height along the street facing portions of the properties. However, at least one property owner adjacent to these properties expressed concern that privacy would be lost in their rear yards due to the additional 10 feet of height allowed by the RMU-35 zone versus the current CN zone.



The above image shows the effective rear setback that would be required by the proposed R-MU-35 zone.

There are a few conditions that reduce the potential for this loss of privacy. This includes the requirement that any new development incorporate a minimum rear yard setback of 25% of the lot depth (but need not exceed 30') from the rear property line, providing some horizontal buffering. As these properties are approximately 140' deep, this would result in a minimum 30' rear setback for these properties. This 30' setback would be supplemented by the existing 16' wide alley between the subject properties and the single-family homes to the north, resulting in at least a 46' horizontal setback. This distance reduces the potential loss of privacy and also prevents the buildings from permanently shadowing the adjacent rear yards. Staff analyzed the potential shadow impact on the rear properties assuming the sites were developed to their full development potential. This analysis showed no shadow impacts to the adjacent northern properties between the months of April and September. Only between the months of October and February would there be shadows cast into these properties.

Additionally reducing privacy and visibility concerns from height is the requirement that any new developments install shade trees every 30' feet along rear or side property lines shared with single-family zoned properties. Though in the short term, there may be some visibility into the rear yard of the single-family homes, in the long term with mature trees such visibility would be significantly reduced, especially in the summer months.

On-street parking by future users of the rezoned properties and the additional vehicle activity that may result on these corners may be a concern for the surrounding neighborhood. The CN zone requires the provision of ½ a parking space per dwelling unit for mixed uses. Similarly, the R-MU-35 zone requires ½ a parking space per dwelling unit for any multi-family residential uses. These are both relatively low compared to the parking requirement of 1 or 2 spaces per dwelling unit for many other zones in the City. Further, these zones also allow parking exemptions for some commercial uses, including "recreational, cultural, or entertainment" and "retail goods and services" uses. To obtain an exemption, pedestrian amenities must be provided, such as bike racks or benches. The low number of parking stalls required by the zones is meant to encourage pedestrian friendly development.

Due to these standards, neighboring residents may be concerned that new residents or patrons of future businesses will have insufficient parking on site and park in front of nearby homes. However, unlike some other areas of the city, the majority of homes around this node have two or more parking spaces located on their own property and do not appear to use the street for their primary parking spaces. Therefore, any parking overflow into the neighborhood would not result in residents being unable to find a place to park near their homes. Additionally, most single family home properties around this node appear to also have sufficient space available on their driveways to accommodate guest parking. This node is also served by the 516 bus route. This route is essentially a neighborhood route that connects Poplar Grove and Glendale to Downtown and the Central Pointe Station at 2100 South. It runs on a 30 minute schedule. The node is approximately a 10 minute walk (1/2 mile) to Redwood Road and the 217 route, which has 15 minute service during peak hours and connects to the Airport Light Rail. The 9 Line trail is less than a 5 minute walk from the node and provides off street walking and cycling access as far east as I-15 as well as to the Jordan River Parkway. With the variety of transportation modes available in the area, staff does not anticipate any substantial negative impacts on the neighborhood from possible parking overflow from future development.

Issue 4– Future R-MU-35 Regulation Changes

A number of changes to the R-MU-35 regulations were recently heard by the Planning Commission and have been transmitted to the City Council for their consideration and possible adoption. Staff has evaluated the proposed rezone in the context of these changes. Significant changes to the R-MU-35 regulations include the following:

- Elimination of density limits
- Additional design standards, such as architectural detailing and material restrictions
- Stepping requirement for the sides of buildings next to single/two family zones

It is expected that the changes will allow for more flexibility for developers and will encourage new development, while also reducing the impact new development may have on single family areas. Additionally, the design standards are expected to help ensure higher quality development. A summary of the R-MU-35 zoning regulations as currently drafted are located in Attachment C. The Planning Commission reviewed these changes and forwarded a positive recommendation to the City Council in January, 2015. It is not known when the changes may be considered by the City Council. When this proposal is transmitted to the Council, it will be noted that the zoning map amendments associated with this petition should not be made unless the changes to the R-MU-35 zoning district have also been made or are made at the same time.

DISCUSSION:

Applicable Master Plan Policies and Goals

The Westside Master Plan discusses nodes within the context of how the community can accommodate future growth and development. In particular, the plan identifies nodes as “key types of locations for redevelopment” and “where there is potential for changes in land use and the development pattern.” The plan designates this specific intersection as a “neighborhood node.” The plan describes “neighborhood nodes” as the following:

“Neighborhood nodes are small-scale intersections that incorporate small commercial establishments and residential options. These nodes are easily accessible from the surrounding neighborhoods by foot or bicycle but provide very little parking, as they are not normally major attractors for residents outside of the neighborhood. They are also ideal locations for uses that cater to everyday needs and walking trips such as corner markets, cafes/restaurants, and salons or barbershops. In (the Westside community), these nodes are generally surrounded by single-family homes, so the new residential component must be compatible. Appropriate development would consist of one or two stories of apartments or condominiums above the ground-floor commercial use, accommodating densities between ten and 15 units per acre. Parking for new mixed use developments would be limited to the street or lots behind buildings.” (38)

Specifically, the plan says the following about this particular neighborhood node:

This node presents a unique opportunity because it is not just a single intersection, but a series (of) intersections along Indiana Avenue. Three of the intersections are “T” intersections, which can provide developers with flexibility when designing projects within the node and also gives the node a unique orientation. There are some current commercial uses along Indiana Avenue here, but the overall node is underdeveloped and past attempts to revitalize this node have been hampered by zoning or legal issues with certain properties. The current zoning at these nodes requires review and likely modification or change to spur this development. Business development programs through the Economic Development Division can help grow this node and turn it into a destination in a central location. This location was one of the sites where residents expressed interest in a node that celebrates the diversity of the community. Restaurants, public spaces for small neighborhood events and specialized commercial establishments can be the types of uses that highlight the community’s ethnic diversity. (40)

In accordance with the above Master Plan discussions, the rezone is intended to allow more flexibility for development in order to encourage the nodes’ redevelopment and revitalization. In particular, there is a large vacant lot that has an immediate potential for redevelopment near the center of this node. Although the current CN zone has some design standards and there have been some high quality developments under the CN zone, it is anticipated that the R-MU-35 zones’ additional height and density allowances, as well as more thorough design standards, will encourage high quality development on this site and the other rezoned parcels.

The plan includes the following specific policy related to neighborhood nodes:

C.1 Create a more conducive environment for redevelopment at neighborhood nodes.

C.1.a Low-Intensity Mixed Use Development.

The Salt Lake City Planning Division shall analyze its existing zoning districts to determine what zoning changes will provide the most flexibility for low-intensity mixed use development around identified neighborhood nodes. Building heights at residential nodes should be limited to 35 feet or three stories without density limitations provided the other development regulations are met. The goal should be between ten and 25 units per acre. Residential uses should not be required as part of the development but encouraged with other incentives. (87)

The proposed zoning amendment implements the policies of the Master Plan by better enabling the node to redevelop and support future growth in the community and generally meets the criteria established in the above policy. The R-MU-35 zone is intended to provide additional housing opportunities that would not be as easily achieved through the existing CN zone. In compliance with the above policy, the R-MU-35 zone will allow for development up to 35 feet or three stories and the draft R-MU-35 regulation changes that are currently awaiting review by the City Council will remove the density limitation for this zone. The additional housing is anticipated to add more activity to the node and reinforce the node’s status as a neighborhood activity center. Further, allowing growth at nodes also helps to reduce the development pressure on well established neighborhoods, as there is space for new development to occur outside or on the edges of the single family neighborhoods.

With regard to the policy concerning incentivizing residential development, 35’ of height is allowed only for residential or mixed-use buildings in this zone. Commercial development without a residential component is restricted to 20’ in height. The additional height allowance may encourage residential and mixed-use development, rather than exclusively commercial development. The zone standards, as well as examples of potential R-MU-35 development are located in Attachment C.

As discussed in Issue 1 above, Staff considered proposing to rezone all of the current CN properties at this node to R-MU-35; however, this could result in the long-term elimination of all of the commercial uses and replacement with exclusively residential uses. As commercial uses are identified by the Master Plan as a critical

component of these neighborhood nodes, these other CN properties were left out of this proposed rezone in order to encourage the retention of commercial uses at this node.

The rezone also supports a number of general Master Plan goals related to encouraging more growth and development in the community, including the following:

- **Promote reinvestment and redevelopment** in the Westside community through changes in land use, improved public infrastructure and community investment to spur development that meets the community's vision while maintaining the character of Westside's existing stable neighborhoods.
- Protect and encourage **ongoing investment in existing, low-density residential neighborhoods** while providing attractive, compatible and high density residential development where needed, appropriate or desired.
- Recognize, develop and foster opportunities for **unique, mixed use neighborhood and community nodes** in the Westside that reflect the diverse nature of the community and provide resources to allow for their growth. (4)

In compliance with these goals, the additional density and height allowed by the zone is intended to promote redevelopment and reinvestment at this node, which is one of the places deemed appropriate by the Master Plan to accommodate such growth. This proposal provides additional residential development opportunities along the City arterial 400 South, while not encroaching into low-density neighborhoods on adjacent local streets. The redevelopment and reinvestment in these properties, in combination with City investments in public amenities, is meant to foster the development of this node into an active neighborhood activity center that will be an asset to the surrounding neighborhood.

NEXT STEPS:

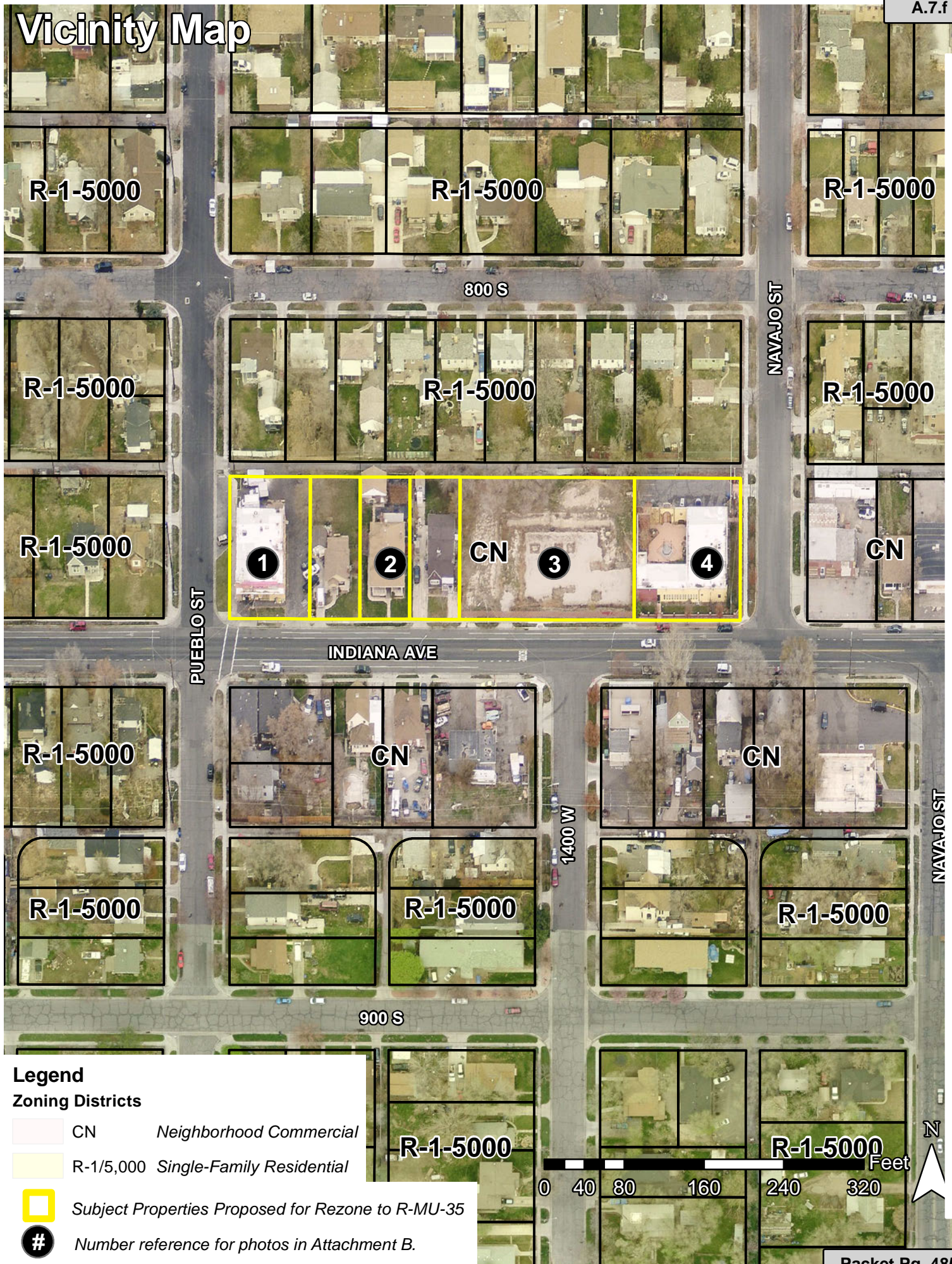
With a recommendation of approval or denial for the zoning amendment, the amendment proposal will be sent to the City Council for a final decision by that body.

If the zoning amendment is approved, the properties will be given the zoning designation R-MU-35, Residential/Mixed Use. No immediate changes would happen to these properties and they could continue to remain as they are. Any future development of these properties would need to comply with the R-MU-35 zoning regulations. The general R-MU-35 zoning district development standards, as well as examples of potential R-MU-35 development, are located in Attachment C.

If the zoning amendment is denied, the properties will remain zoned CN, Neighborhood Commercial. With this zoning, the properties will continue to be able to redevelop as commercial or mixed uses up to 25' in height. A complete list of uses allowed in this zone is located in Attachment C.

ATTACHMENT A: VICINITY MAPS

Vicinity Map



ATTACHMENT B: PROPERTY PHOTOGRAPHS



Business Proposed for Rezone to R-MU-35 (Left); Single-family Homes Proposed for Rezone (Right)



Three (3) Single Family Homes Proposed for Rezone to R-MU-35



Vacant Lot Proposed For Rezone to R-MU-35



Office Building Proposed for Rezone to R-MU-35

ATTACHMENT C: EXISTING CONDITIONS & DEVELOPMENT STANDARDS

Uses in the Immediate Vicinity of the Property

To the north of the land proposed for rezoning are ten single-family homes zoned R-1/5,000. The properties across the street to the south include five single-family homes, an auto repair shop building, and a retail thrift store. Across the street to the west of this area is another single-family home on a corner lot. Across the street to the east of this area is a commercial building on a corner lot.

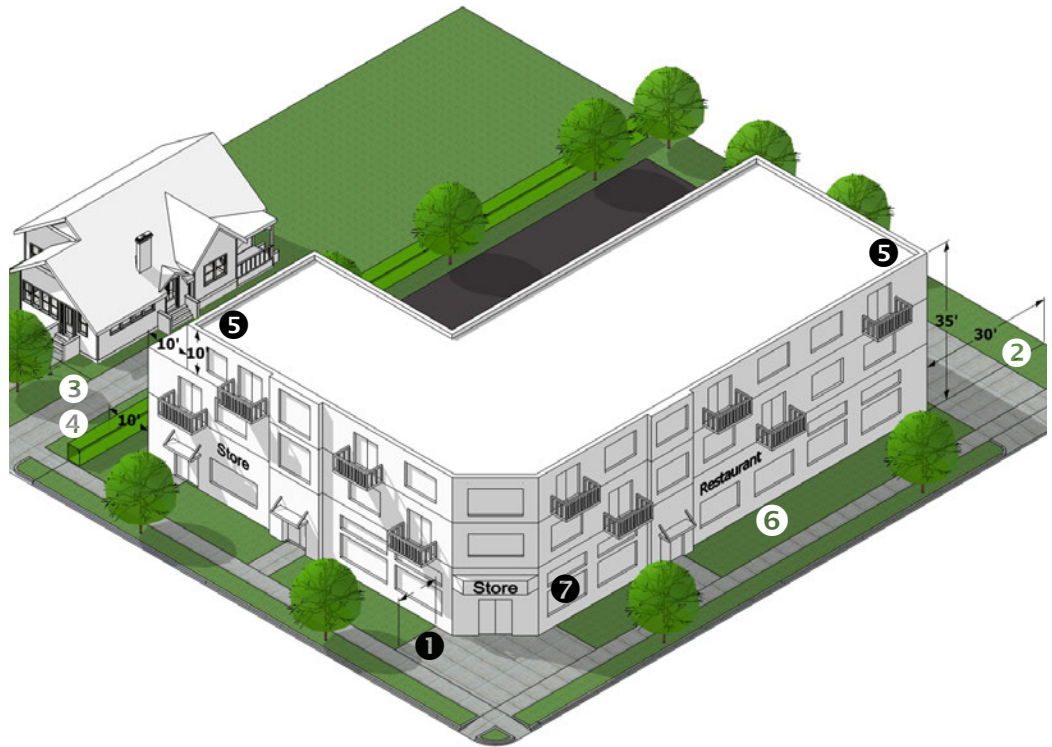
Please see the vicinity map in Attachment A for reference.

Current CN Zoning Standards

The properties are currently zoned CN, Neighborhood Commercial. The zoning standards for the CN zone are located on the following pages.

Proposed R-MU-35 Zoning Standards

The City is proposing to rezone the subject properties to R-MU-35, Residential Mixed Use. Significant changes have been proposed to the regulations for this zone and are waiting to be heard by the City Council. As such, staff has analyzed the proposed rezone in the context of the proposed regulation changes. The proposed and not yet adopted development standards for that zone, including yard and bulk requirements, as well as a list of permitted and conditional uses are located on the following pages.

R-MU-35**RESIDENTIAL/
MIXED USE****DRAFT REGULATIONS FOR
MULTI-FAMILY RESIDENTIAL AND
MIXED USE DEVELOPMENT***Development Examples**Diagram of Development Standards When Next to Single/Two-Family Zones***R-MU-35 Development Standards (21A.24.164) For Multi-family Residential & Mixed Uses**

LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	OPEN SPACE ⑥	MIXED USE LIMITATION ⑦
Min 50'	5,000 sq ft min	Min 5' Max 15'	25% of lot depth, need not exceed 30'	10' next to single/two-family residential zones	10' next to single/two-family residential zones	35' max; 25' max at 10' side yard setback next to single/two-family zones*	Min 20% of lot area, includes yards, plazas, and courtyards	Non-residential use limited to 1st floor

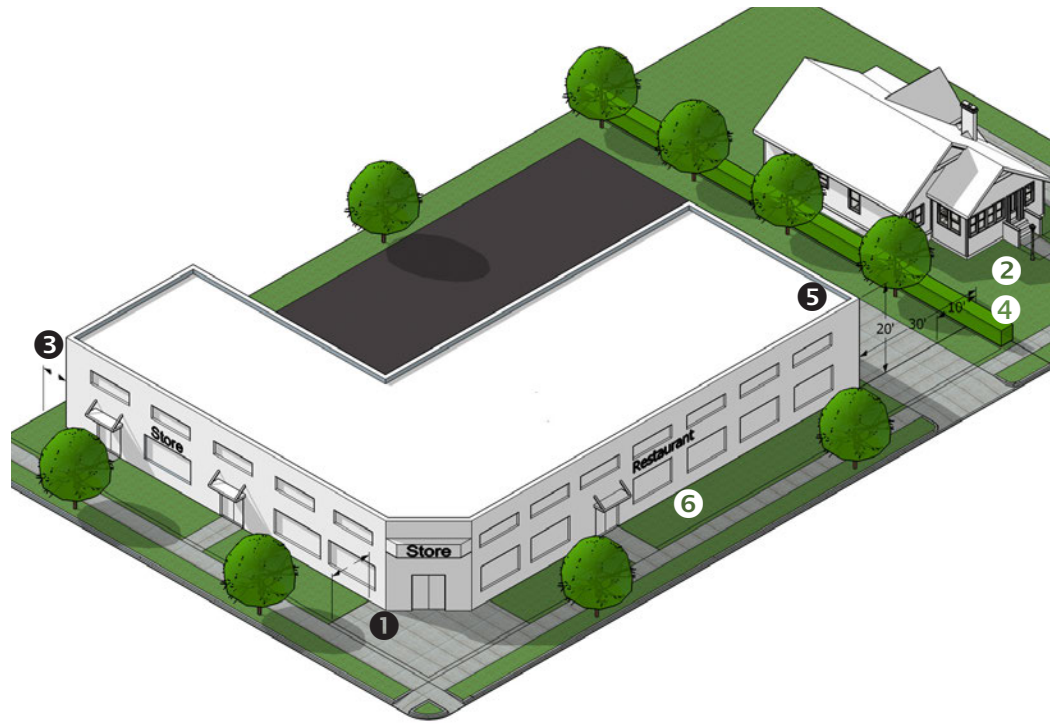
*Additional height beyond 25' (up to 35') must be setback or stepped 1' horizontally for every 1' of additional height.

R-MU-35 Building Design Standards*

GROUND FLOOR GLASS	GROUND FLOOR ACTIVE USES	GROUND FLOOR BUILDING MATERIALS	ENTRANCES	MAXIMUM LENGTH OF BLANK WALLS	BUILDING EQUIPMENT & SERVICE AREAS	PARKING STRUCTURES
60% glass (40% for residential uses) & non-reflective, allows 5' of visibility into building,	75% of ground floor facade must include uses other than parking; shall extend min 25' into building	80% of remaining wall area, besides windows and doors, shall be clad in durable materials, i.e. brick, masonry, textured/patterned concrete or cut stone	Min 1 entry for each street facing facade; additional entry required for each 75' of facade	No blank walls over 15' long; must be broken up by windows, doors, art, or architectural detailing.	On roof or in rear yard, sited to minimize visibility or integrated into design	Unattached parking structures shall be setback 45' from front property line or behind building

*These design standards apply for new construction, additions of 1,000 sq ft or more that extend a street facing building facade, or additions that increase the height of an existing building.

The above information is a summary of the draft regulations. Please see the draft text for the complete proposed regulations.

R-MU-35**RESIDENTIAL/
MIXED USE****DRAFT REGULATIONS FOR
COMMERCIAL DEVELOPMENT***Development Examples**Diagram of Development Standards When Next to Single/Two-Family Zones***R-MU-35 Development Standards (21A.24.164) For Commercial Uses (No Residential Component)**

LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	OPEN SPACE ⑥
No Min	No Min	Min 5' Max 15'	25% of lot depth, need not exceed 30'	10' next to single/two-family residential zones	10' next to single/two-family residential zones	20' max	Min 20% of lot area, includes yards, plazas, and courtyards

R-MU-35 Building Design Standards*

GROUND FLOOR GLASS	GROUND FLOOR ACTIVE USES	GROUND FLOOR BUILDING MATERIALS	ENTRANCES	MAXIMUM LENGTH OF BLANK WALLS	BUILDING EQUIPMENT & SERVICE AREAS	PARKING STRUCTURES
60% glass & non-reflective, allows 5' of visibility into building	75% of ground floor facade must include uses other than parking; shall extend min 25' into building	80% of remaining wall area, besides windows and doors, shall be clad in durable materials, i.e. brick, masonry, textured/patterned concrete or cut stone	Min 1 entry for each street facing facade; additional entry required for each 75' of facade	No blank walls over 15' long; must be broken up by windows, doors, art, or architectural detailing.	On roof or in rear yard, sited to minimize visibility or integrated into design	Unattached parking structures shall be setback 45' from front property line or behind building

*These design standards apply for new construction, additions of 1,000 sq ft or more that extend a street facing building facade, or additions that increase the height of an existing building.

The above information is a summary of the draft regulations. Please see the draft text for the complete proposed regulations.

PERMITTED AND CONDITIONAL USES - RESIDENTIAL MULTIFAMILY AND MIXED USE DISTRICTS

Use	RMF -30	RMF -35	RMF -45	RMF -75	RB	R-MU -35	R-MU -45	R-MU	RO
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P	P	P	P	P	P	P	P
Adaptive reuse of a landmark site	C ⁸	C ⁸	C ⁸	C ⁸	P	P	P	P	P ⁶
Alcohol, brewpub (2,500 square feet or less in floor area)						C ⁹	C ⁹	C ⁹	
Alcohol, dining club (2,500 square feet or less in floor area)					C ^{9, 10}	C ⁹	C ⁹	C ⁹	
Alcohol, social club (2,500 square feet or less in floor area)						C ⁹	C ⁹	C ⁹	
Alcohol, tavern (2,500 square feet or less in floor area)								C ⁹	
Animal, veterinary office					C	C	C	P	P ⁶
Art gallery					P	P	P	P	P
Bed and breakfast inn					P		P	P	P
Bed and breakfast manor								P	
Clinic (medical, dental)					P	P	P	P	P ⁶
Community garden	P	P	P	P	P	P	P	P	P
Crematorium						C	C	C	
Daycare center, adult				P	P	P	P	P	P
Daycare center, child				P	P	P	P	P	P
Dwelling, accessory guest and servant's quarter									
Dwelling, accessory unit	P	P	P	P					
Dwelling, assisted living facility (large)		C	P	P		C	P	P	P
Dwelling, assisted living facility (small)	C	P	P	P	P	P	P	P	P
Dwelling; dormitory, fraternity, sorority									
Dwelling, group home (large)	C	C	C	C	C	C	C	C	C
Dwelling, group home (small)	P	P	P	P	P	P	P	P	P
Dwelling, manufactured home	P	P	P	P	P	P	P	P	
Dwelling, multi-family	P	P	P	P	P	P	P	P	P
Dwelling, resident healthcare facility	P	P	P	P	P	P	P	P	P
Dwelling, residential substance abuse treatment home (small)				P		P	P	P	P
Dwelling, rooming (boarding) house			C	P	C	C	C	P	P
Dwelling, single-family (attached)	P	P	P	P	P	P	P	P	P
Dwelling, single-family (detached)	P	P	P	P	P	P	P	P	P
Dwelling, transitional victim home (large)			C	C			C	C	C
Dwelling, transitional victim home (small)		C	C	P		C	C	P	P
Dwelling, twin home and two-family	P	P			P	P	P	P	P
Eleemosynary facility	C	C	P	P		C	P	P	P
Financial institution						P	P	P	P ⁶
Funeral home						P	P	P	P
Governmental facility	C	C	C	C	C	C	C	C	C ⁶
Laboratory (medical, dental, optical)					P	P	P	P	P
Library					C	C	C	C	C
Mixed use development					P ¹	P	P	P	P
Mobile food business (operation on private property)						P	P	P	
Municipal service use, including city utility use and police and fire station	C	C	C	C	C	C	C	C	C
Museum					P	C	P	P	P

Attachment: Admin Attachment_Planning Commission Report (1298 : Ordinance ? Rezone Indiana Avenue Neighborhood Node)

Use	RMF -30	RMF -35	RMF -45	RMF -75	RB	R-MU -35	R-MU -45	R-MU	RO
Nursing care facility			P	P			P	P	
Office, excluding medical and dental clinic and office					P	P	P	P	P ⁶
Open space on lots less than 4 acres in size	P	P	P	P	P	P	P	P	P
Park	P	P	P	P	P	P	P	P	P
Parking, off site (to support nonconforming uses in a residential zone or uses in the CN or CB zones)					C	C	C	C	C
Parking, park and ride lot shared with existing use	P	P	P	P	P	P	P	P	P
Place of worship on lots less than ⁴ acres in size	C	C	C	C	C	C	C	C	C
Reception center						P	P	P	
Recreation (indoor)					P	P	P	P	P
Restaurant					P	P	P	P	P
Restaurant with drive-through facility									
Retail goods establishment					P	P	P	P	
Retail goods establishment, plant and garden shop with outdoor retail sales area					P	P	P	P	
Retail service establishment					P	P	P	P	
School, music conservatory					P	C	C	P	
School, professional and vocational					P	C	C	P	P ⁶
School, seminary and religious institute	C	C	C	C	C	C	C	C	C
Seasonal farm stand					P	P	P	P	P
Studio, art					P	P	P	P	P
Theater, live performance					C ¹³	C ¹³	C ¹³	C ¹³	C ¹³
Theater, movie					C	C	C	C	C
Urban farm	P	P	P	P	P	P	P	P	P
Utility, building or structure	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ^{5,7}
Utility, transmission wire, line, pipe or pole	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵
Wireless telecommunications facility (see section 21A.40.090, table 21A.40.090E of this title)									

QUALIFYING PROVISIONS

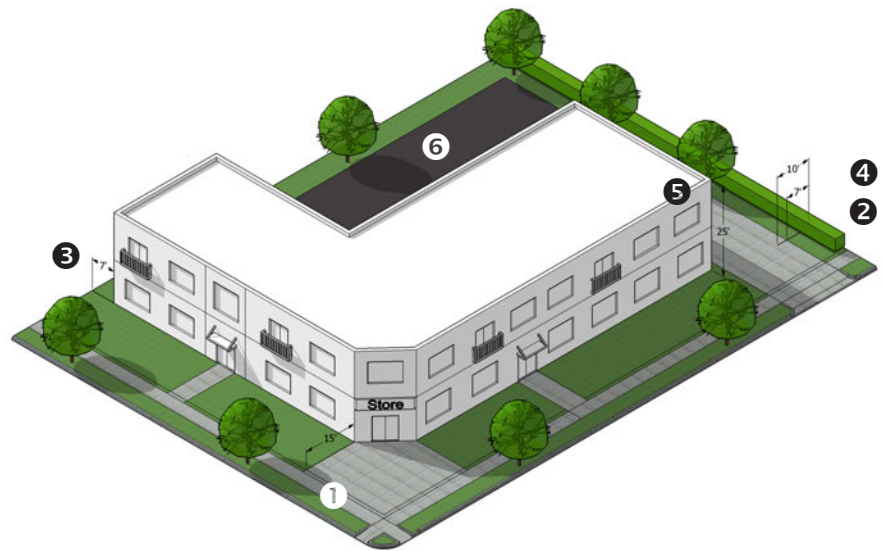
1. A single apartment unit may be located above first floor retail/office.
2. Provided that no more than 2 two-family buildings are located adjacent to one another and no more than 3 such dwellings are located along the same block face (within subdivisions approved after April 12, 1995).
3. Reserved.
4. Reserved.
5. See subsection 21A.02.050B of this title for utility regulations.
6. 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 a conditional building and site design review.
7. Subject to conformance to the provisions in section 21A.02.050 of this title.
8. Subject to conformance with the provisions of subsection 21A.24.010T of this title.
9. Subject to conformance with the provisions in section 21A.36.300, "Alcohol Related Establishments", of this title.
10. In the RB zoning district, the total square footage, including patio space, shall not exceed 2,200 square feet in total. Total square footage will include a maximum 1,750 square feet of floor space within a business and a maximum of 450 square feet in an outdoor patio area.
11. Accessory guest or servant's quarters must be located within the buildable area on the lot.
12. Subject to conformance with the provisions of subsection 21A.36.150 of this title.
13. Prohibited within 1,000 feet of a single- or two-family zoning district.

The CN, Neighborhood Commercial, district is intended to provide for small scale, low intensity commercial uses that can be located within and serve residential neighborhoods. This district is appropriate in areas where supported by applicable master plans and along local streets that are served by multiple transportation modes, such as pedestrian, bicycle, transit and automobiles. The standards for the district are intended to reinforce the historic scale and ambiance of traditional neighborhood retail that is oriented toward the pedestrian while ensuring adequate transit and automobile access. Uses are restricted in size to promote local orientation and to limit adverse impacts on nearby residential areas.

Residential development in the CN zone is only allowed only as part of a mixed-use development that includes a commercial use. Such uses include restaurants, retail, or office space and can be mixed vertically or horizontally with residential uses. Commercial uses are allowed without a residential component. The front building setback is intended to be in scale with adjacent residential front yards.



Development Examples



Zoning Diagram

CN Development Standards (21A.26.020)								
LOT WIDTH	LOT AREA	FRONT YARD ①	REAR YARD ②	SIDE YARDS ③	LANDSCAPE BUFFERS ④	HEIGHT ⑤	SURFACE PARKING ⑥	PARKING LIGHTING
No min or max	No min, Max 16,500 sq ft	Min. 15', max. 25'*	10'	0'	7' required next to residential zones	25' max	Located behind building or setback 30' from front property line	If next to residential, light poles limited to 16'; must be shielded

*The front yard standards can be modified through the Conditional Building and Site Design process, which requires the development meet a higher level of site and building standards. This can result in no (0') required front yard setback.

CN Building Design Standards			
1ST FLOOR FACADE	FRONT ENTRANCE	FIRST FLOOR DETAILING	MECHANICAL EQUIPMENT/SERVICE AREAS
40% glass & non-reflective	1 entry that faces street	No blank walls over 15' long	Screened or located out of public view

PERMITTED AND CONDITIONAL USES - COMMERCIAL DISTRICTS

USES	CN	CB	CS1	CC	CSHBD1	CG	SNB
Accessory use, except those that are specifically regulated elsewhere in this title	P	P	P	P	P	P	P
Adaptive reuse of a landmark site	P	P	P	P	P	P	
Alcohol:							
Brewpub (2,500 square feet or less in floor area)		C ^{12, 13}	p ¹²	p ¹²	p ¹²	p ¹²	
Brewpub (more than 2,500 square feet in floor area)			p ¹²	C ¹²	p ¹²	p ¹²	
Dining club (2,500 square feet or less in floor area)	C ^{12, 13}	C ^{12, 13}	p ¹²	p ¹²	p ¹²	p ¹²	
Dining club (more than 2,500 square feet in floor area)			p ¹²	C ¹²	p ¹²	p ¹²	
Distillery						p ¹⁹	
Microbrewery						P	
Social club (2,500 square feet or less in floor area)		C ^{12, 13}	p ¹²	p ¹²	p ¹²	p ¹²	
Social club (more than 2,500 square feet in floor area)			p ¹²	C ¹²	p ¹²	p ¹²	
Tavern (2,500 square feet or less in floor area)		C ^{12, 13}	p ¹²	p ¹²	p ¹²	p ¹²	
Tavern (more than 2,500 square feet in floor area)			p ¹²	C ¹²	p ¹²	p ¹²	
Ambulance service (indoor)			P	P	P	P	
Ambulance service (outdoor)			p ⁷	p ⁷	p ⁷	P	
Amusement park			P			P	
Animal:							
Cremation service				P		P	
Kennel						P	
Pet cemetery						p ⁴	
Veterinary office	C	P	P	P	P	P	
Antenna, communication tower		P	P	P	P	P	
Antenna, communication tower, exceeding the maximum building height in the zone		C	C	C	C	C	
Art gallery	P	P	P	P	P	P	P
Auction (outdoor)				P		P	
Auditorium			P	P	P	P	
Bakery, commercial						P	
Bed and breakfast	P	P	P	P	P	P	p ¹⁷
Bed and breakfast inn	P	P	P	P	P	P	
Bed and breakfast manor	C ³	C ³		P	P	P	
Blacksmith shop						P	
Blood donation center				C		P	
Bus line station/terminal				P		P	
Bus line yard and repair facility						P	
Car wash			P	P		P	
Car wash as accessory use to gas station or convenience store that sells gas			P	P	P	P	
Check cashing/payday loan business				p ¹⁰		p ¹⁰	
Clinic (medical, dental)	P	P	P	P	P	P	
Community correctional facility, large							
Community correctional facility, small						C ^{9, 14}	
Community garden	P	P	P	P	P	P	P
Contractor's yard/office				C		P	

Attachment: Admin Attachment_Planning Commission Report (1298 : Ordinance ? Rezone Indiana Avenue Neighborhood Node)

USES	CN	CB	CS1	CC	CSHBD1	CG	SNB
Crematorium			C	C	C	C	
Daycare center, adult	P	P	P	P	P	P	
Daycare center, child	P	P	P	P	P	P	
Daycare, registered home daycare or preschool							P
Dwelling:							
Assisted living facility (large)		P		P	P	P	
Assisted living facility (small)		P		P	P	P	P
Group home (large)		P		C		C	
Group home (small) when located above or below first story office, retail, or commercial use, or on the first story where the unit is not located adjacent to street frontage	P	P	P	P	P	P	P
Living quarter for caretaker or security guard	P	P	P	P	P	P	
Manufactured home							P
Multi-family		P	P	P	P	P	P
Residential substance abuse treatment home (large)				C		C	
Residential substance abuse treatment home (small)				C		C	
Rooming (boarding) house		P	P	P	P	P	
Single-family attached							P
Single-family detached							P
Single room occupancy							
Transitional victim home (large)				C		C	
Transitional victim home (small)				C		C	
Twin home							P
Two-family							P
Eleemosynary facility		P					
Equipment rental (indoor and/or outdoor)				P		P	
Farmers' market			C	C	P	P	
Financial institution	P	P	P	P	P	P	
Financial institution with drive-through facility		P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	
Flea market (indoor)			P	P	P	P	
Flea market (outdoor)						P	
Funeral home			P	P	P	P	
Gas station		C	P	P	P	P	
Government facility		C	C	C	C	C	C
Government facility requiring special design features for security purposes	P	P	P	P	P	P	
Homeless shelter						C	
Hotel/motel		C		P	P	P	
House museum in landmark sites (see subsection 21A.24.010T of this title)							C
Impound lot						C ¹⁴	
Industrial assembly						P	
Intermodal transit passenger hub						P	
Laboratory (medical, dental, optical)			P	P		P	
Laboratory, testing			P	P		P	

USES	CN	CB	CS1	CC	CSHBD1	CG	SNB
Large wind energy system		P		P		P	
Laundry, commercial						P	
Library	P	P	P	P	P	P	C
Limousine service (large)						P	
Limousine service (small)		C		C		P	
Manufactured/mobile home sales and service						P	
Mixed use development	P	P	P	P	P	P	P ¹⁵
Mobile food business (operation on private property)	P	P	P	P	P	P	
Municipal service uses, including city utility uses and police and fire stations		C	C	C	C	C	C
Museum	P	P	P	P	P	P	P
Nursing care facility		P		P		P	
Office	P	P	P	P	P	P	P ¹⁸
Offices and reception centers in landmark sites (see subsection 21A.24.010T of this title)							C
Open space	P	P	P	P	P	P	
Open space on lots less than 4 acres in size							P
Park	P	P	P	P	P	P	
Parking:							
Commercial				C	P	P	
Off site	C	P	P	P	P	P	
Park and ride lot		C	C	P		P	
Park and ride lot shared with existing use		P	P	P	P	P	
Place of worship on lot less than 4 acres in size	P	P	P	P	P	P	C
Radio, television station			P	P	P	P	
Reception center		P	P	P	P	P	
Recreation (indoor)	P	P	P	P	P	P	P
Recreation (outdoor)			C	C		P	
Recreational vehicle park (minimum 1 acre)				C			
Recycling collection station	P	P	P	P	P	P	
Research and development facility							
Restaurant	P	P	P	P	P	P	
Restaurant with drive-through facility		P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	
Retail goods establishment	P	P	P	P	P	P	P ¹⁶
Plant and garden shop with outdoor retail sales area	P	P	P	P	P	P	P
With drive-through facility		P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	
Retail service establishment	P	P	P	P	P	P	P ¹⁶
Furniture repair shop	C	P	P	P	P	P	
With drive-through facility		P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	
Reverse vending machine	P	P	P	P	P	P	
Sales and display (outdoor)	P	P	P	P	P	P	

USES	CN	CB	CS1	CC	CSHBD1	CG	SNB
School:							
College or university		P	P	P	P	P	
Music conservatory		P	P	P	P	P	
Professional and vocational		P	P	P	P	P	
Seminary and religious institute		P	P	P	P	P	C
Seasonal farm stand	P	P	P	P	P	P	
Sexually oriented business						p ⁵	
Sign painting/fabrication						P	
Solar array						P	
Storage (outdoor)				C		P	
Storage, public (outdoor)				C		P	
Storage, self				P		P	
Store:							
Department			P		P		
Mass merchandising			P		P	P	
Pawnshop						P	
Specialty			P	P	P	P	
Superstore and hypermarket			P			P	
Warehouse club						P	
Studio, art	P	P	P	P	P	P	P
Studio, motion picture						P	
Taxicab facility						P	
Theater, live performance		p ¹⁴	p ¹⁴	p ¹⁴	p ¹⁴	p ¹⁴	
Theater, movie		C	P	P	P	P	
Urban farm	P	P	P	P	P	P	
Utility, building or structure	p ²	p ²	p ²	p ²	p ²	p ²	p ²
Utility, transmission wire, line, pipe, or pole	p ²	p ²	p ²	p ²	p ²	p ²	p ²
Vehicle:							
Auction						P	
Automobile repair (major)				P		P	
Automobile repair (minor)	C	P	P	P	P	P	
Automobile sales/rental and service				P		P	
Automobile salvage and recycling (indoor)						P	
Boat/recreational vehicle sales and service				P		P	
Truck repair (large)						P	
Truck sales and rental (large)				P		P	
Vending cart, private property					P		
Warehouse				P		P	
Welding shop						P	
Wholesale distribution				P		P	
Wireless telecommunications facility (see section 21A.40.090, table 21A.40.090E of this title)							C
Woodworking mill						P	

PERMITTED AND CONDITIONAL USES - COMMERCIAL DISTRICTS

QUALIFYING PROVISIONS

1. Development in the CS district shall be subject to planned development approval pursuant to the provisions of chapter 21A.55 of this title. Certain developments in the CSHBD zone shall be subject to the conditional building and site design review process pursuant to the provisions of subsection 21A.26.060D and chapter 21A.59 of this title.
2. Subject to conformance to the provisions in subsection 21A.02.050B of this title for utility regulations.
3. When located in a building listed on the Salt Lake City register of cultural resources (see subsections 21A.24.010T and 21A.26.010K of this title).
4. Subject to Salt Lake Valley health department approval.
5. Pursuant to the requirements set forth in section 21A.36.140 of this title.
6. Subject to location restrictions as per section 21A.36.190 of this title.
7. Greater than 3 ambulances at location require a conditional use.
8. Building additions on lots less than 20,000 square feet for office uses may not exceed 50 percent of the building's footprint. Building additions greater than 50 percent of the building's footprint or new office building construction are subject to a conditional building and site design review.
9. A community correctional facility is considered an institutional use and any such facility located within an airport noise overlay zone is subject to the land use and sound attenuation standards for institutional uses of the applicable airport overlay zone within chapter 21A.34 of this title.
10. No check cashing/payday loan business shall be located closer than 1/2 mile of other check cashing/payday loan businesses.
11. Subject to conformance to the provisions in section 21A.40.060 of this title for drive-through use regulations.
12. Subject to conformance with the provisions in section 21A.36.300, "Alcohol Related Establishments", of this title.
13. In CN and CB zoning districts, the total square footage, including patio space, shall not exceed 2,200 square feet in total. Total square footage will include a maximum 1,750 square feet of floor space within a business and a maximum of 450 square feet in an outdoor patio area.
14. Prohibited within 1,000 feet of a single- or two-family zoning district.
15. Residential units may be located above or below first floor retail/office.
16. Construction for a nonresidential use shall be subject to all provisions of subsections 21A.24.160I and J of this title.
17. In the SNB zoning district, bed and breakfast use is only allowed in a landmark site.
18. Medical and dental offices are not allowed in the SNB zoning district.
19. Permitted in the CG zoning district only when associated with an on site food service establishment.

ATTACHMENT D: ANALYSIS OF STANDARDS

ZONING MAP AMENDMENTS

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. In making a decision to amend the zoning map, the City Council should consider the following:

Factor	Finding	Rationale
1. Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;	Complies	Please see the “Discussion” section on pages 3-4 regarding applicable master plan policies and goals. As discussed, staff finds that the proposed zoning amendment is consistent with the purposes, goals, objectives, and policies of the <i>Westside Master Plan</i> .
2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.	Complies	<p>The R-MU-35 purpose statement is as follows:</p> <p><i>The purpose of the R-MU-35 residential/mixed use district is to provide areas within the city for mixed use development that promote residential urban neighborhoods containing residential, retail, service commercial and small scale office uses The standards for the district reinforce the mixed use character of the area and promote appropriately scaled development that is pedestrian oriented. This zone is intended to provide a buffer for lower density residential uses and nearby collector, arterial streets and higher intensity land uses.</i></p> <p>In compliance with this purpose statement, the proposed location of the zoning district fits the location criteria of the zone. The zone would be located adjacent to a residential neighborhood and would serve the neighborhood. As discussed on pages 1-4, the master plan supports small scale, low intensity uses at the proposed location.</p>
3. The extent to which a proposed map amendment will affect adjacent properties;	Some new visual or privacy impacts may occur with the new development potential, but required additional buffering and the	As discussed in the issue section on page 3 of the staff report, the amendment could result in some potential impacts to adjacent properties from the additional development potential allowed by the R-MU-35 zone. However, the regulations of the district

	limited height of the zone are expected to minimize any negative impacts.	restrict the size and scale of development in order to mitigate the potential negative impacts to adjacent single-family residential development.
4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards	Complies	The property is not located within an overlay zoning district that imposes additional standards.
5. 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, stormwater drainage systems, water supplies, and wastewater and refuse collection.	Complies	<p>The subject property is located within a built environment where public facilities and services already exist. Future development on these properties, such as larger commercial or multifamily development may require upgrading utilities and drainage systems that serve the properties.</p> <p>No concerns were received from other City departments regarding the zoning amendment or the potential for additional development intensity/density on these properties.</p>
NOTES:		

ATTACHMENT E: PUBLIC PROCESS & COMMENTS

Public Notice, Meetings, Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project:

Property Owner Notice and Meeting

Staff notified owners of the subject properties about the proposed zoning changes to their properties in July 2014 and let them know that a stakeholder meeting would be held on August 5, 2014 at the City and County Building. None of the affected property owners attended the meeting.

Notice of Application:

A notice of application was sent to the Poplar Grove Community Council chairperson. The Community Council was given 45 days to respond with any concerns or request staff to meet with them and discuss the rezone.

The Community Council requested that staff attend their October 22nd, 2014 meeting. Staff sent a notice to property owners and residents within 300 feet of the proposal, notifying them that the proposal would be discussed at the October 22nd meeting.

At the meeting, staff presented the proposal and received a number of questions about the proposed rezone and what it would allow. Some attendees, including a resident who stated that he lived to the **north of the vacant lot proposed for rezone, expressed concerns about the 35' height allowance.** In particular there was concern about privacy in their backyards. That resident as well as others expressed dismay and concern with the unscrupulous activities that were happening on the lot due to its vacancy and lack of maintenance and stated a desire to see some kind of development. Some residents expressed that single-family development on the lot would be their preferred option.

At the end of the meeting, the Community Council held a vote on the proposal. Although those that voted were generally in favor, there were a significant number of abstentions.

Notice of the public hearing for the proposal included:

Public hearing notice mailed on February 26, 2015

Public notice posted on City and State websites and Planning Division list serve on February 26, 2015

Public Input:

Staff received three phone calls prior to publication of this staff report from nearby residents inquiring about the proposal.

One resident who lives in a single-family home proposed for rezoning was concerned with potential irresponsible apartment residents in any new development and was concerned that new apartment development would be similar to the existing apartments in the neighborhood. The resident did not think that commercial would do well on these properties, given how past businesses have done, and though single-family homes may be the best use for the properties.

The owner of the grocery store involved in the rezone called inquiring if the small grocery store (retail use) would continue to be allowed under the R-MU-35 zone. It is an allowed use in the zone and could continue.

Another resident called and wondered if the City was proposing to take these properties. Staff explained that the City is not taking away private property through this rezone.

ATTACHMENT F: DEPARTMENT REVIEW COMMENTS

Department Review Comments

Engineering

No objections.

Zoning

No comments.

Transportation

Indiana Avenue roadway is a Arterial Class roadway with multi model corridors for Autos, Bikes, and Pedestrians. The proposed change from CN Commercial to RMU-35 present a standard impact of traffic use classification for this roadway. The RMU-35 parking requirements are in balance with the natural growth and level of service available.

Public Utilities

No comment regarding the zone change. The reuse of the property will be handled through the permitting processes.

Fire

No comments.

ATTACHMENT G: MOTIONS

Potential Motions

Staff Recommendation:

Based on the findings and analysis in the staff report, testimony, and discussion at the public hearing, I move that the Planning Commission transmit a positive recommendation to the City Council for the proposed zoning amendment.

Not Consistent with Staff Recommendation:

Based on the findings and analysis in the staff report, testimony, and discussion at the public hearing, I move that the Planning Commission transmit a negative recommendation to the City Council for the proposed zoning amendment.

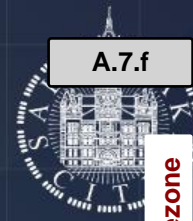
(The Planning Commission shall make findings on the Zoning Amendment standards and specifically state which standard or standards are not being complied with. Please see Attachment D for applicable standards.)

Salt Lake City Planning Commission

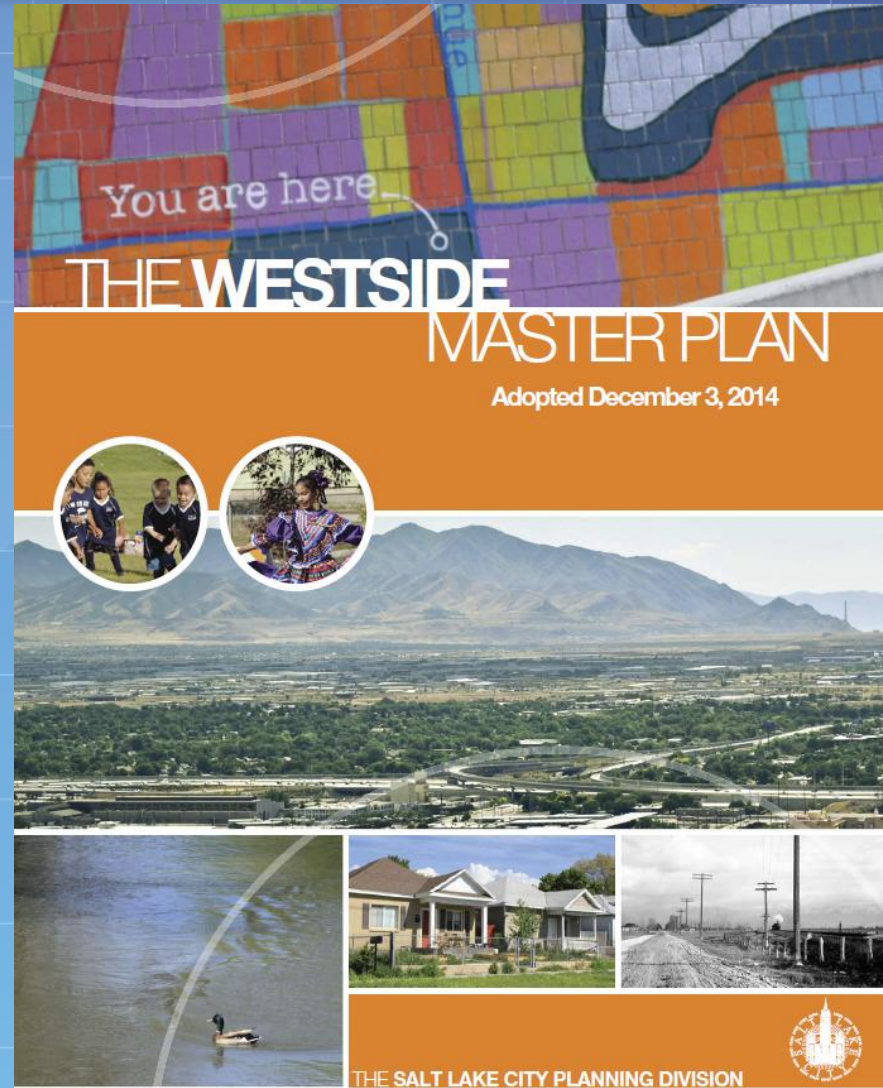


March 11, 2015

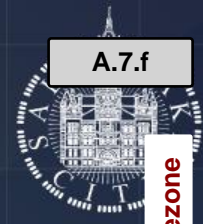
Recommended Node Rezoning Westside Master Plan



- ❑ The Westside Master Plan defines nodes as: “an intersection consisting of at least one major road where there is potential for changes in land use and the development pattern.”
- ❑ Recommendation that they be rezoned because they are “key types of locations for redevelopment” in the community.



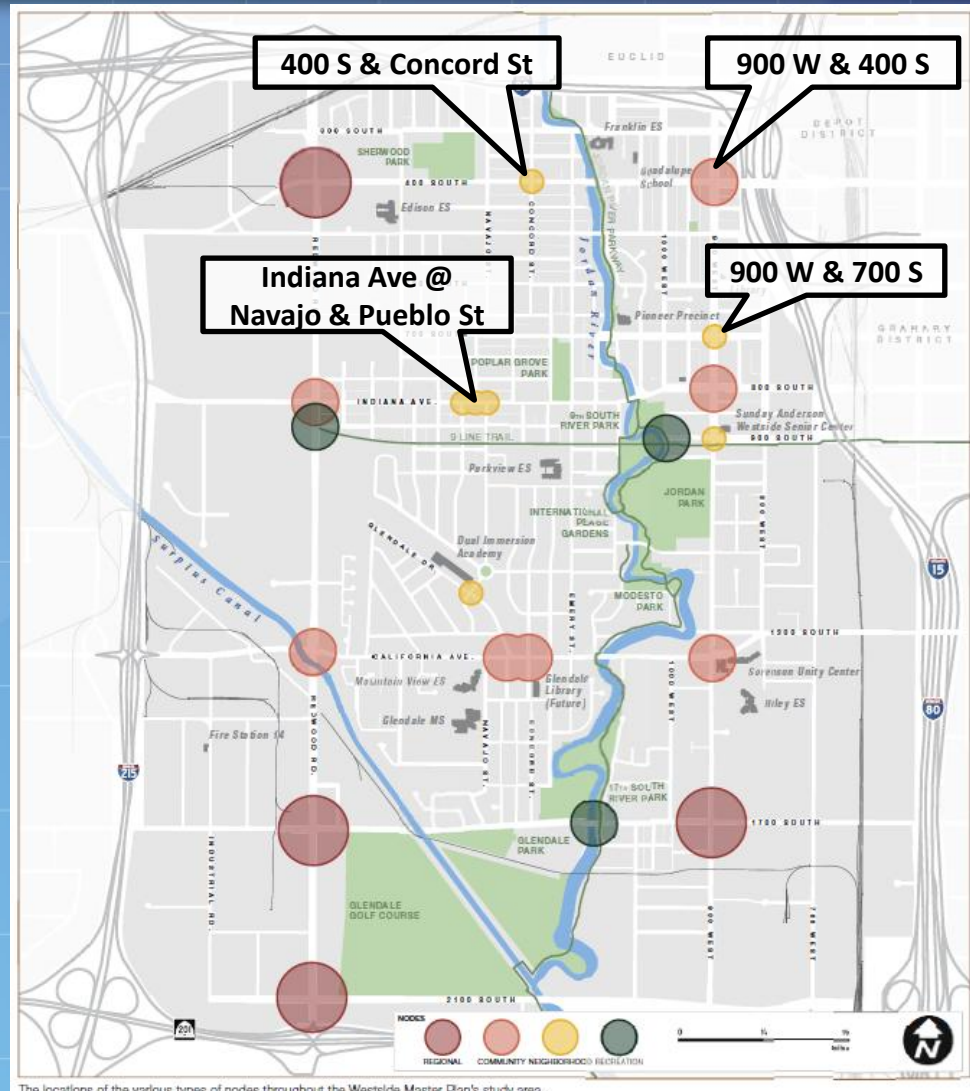
Recommended Node Rezoning Westside Master Plan



A.7.f

Nodes were designated and classified as one of four types:

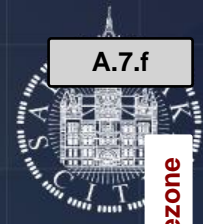
1. Regional
2. Community
3. Neighborhood
4. Recreation



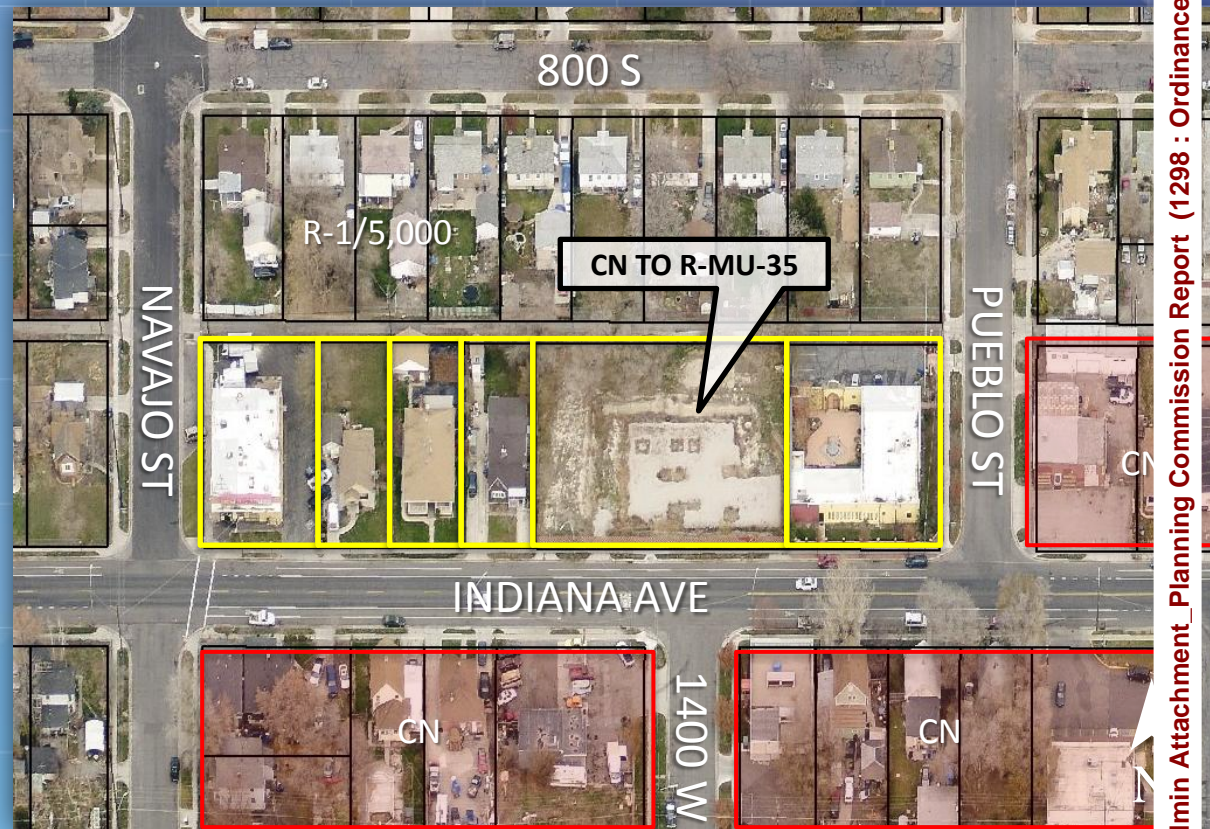
The locations of the various types of nodes throughout the Westside Master Plan's study area.

Attachment: Admin Attachment_Planning Commission Report (1298 : Ordinance ? Rezone

Indiana Ave, Navajo to Pueblo St Neighborhood Node Rezone

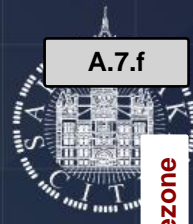


- ❑ Neighborhood Node identified in Westside Master Plan
- ❑ Lower intensity node
- ❑ Supports up to 35' tall mixed use development
- ❑ Supports more zoning flexibility & density for development at nodes
- ❑ Activate nodes



Indiana Ave, Navajo to Pueblo St

Neighborhood Node Rezone



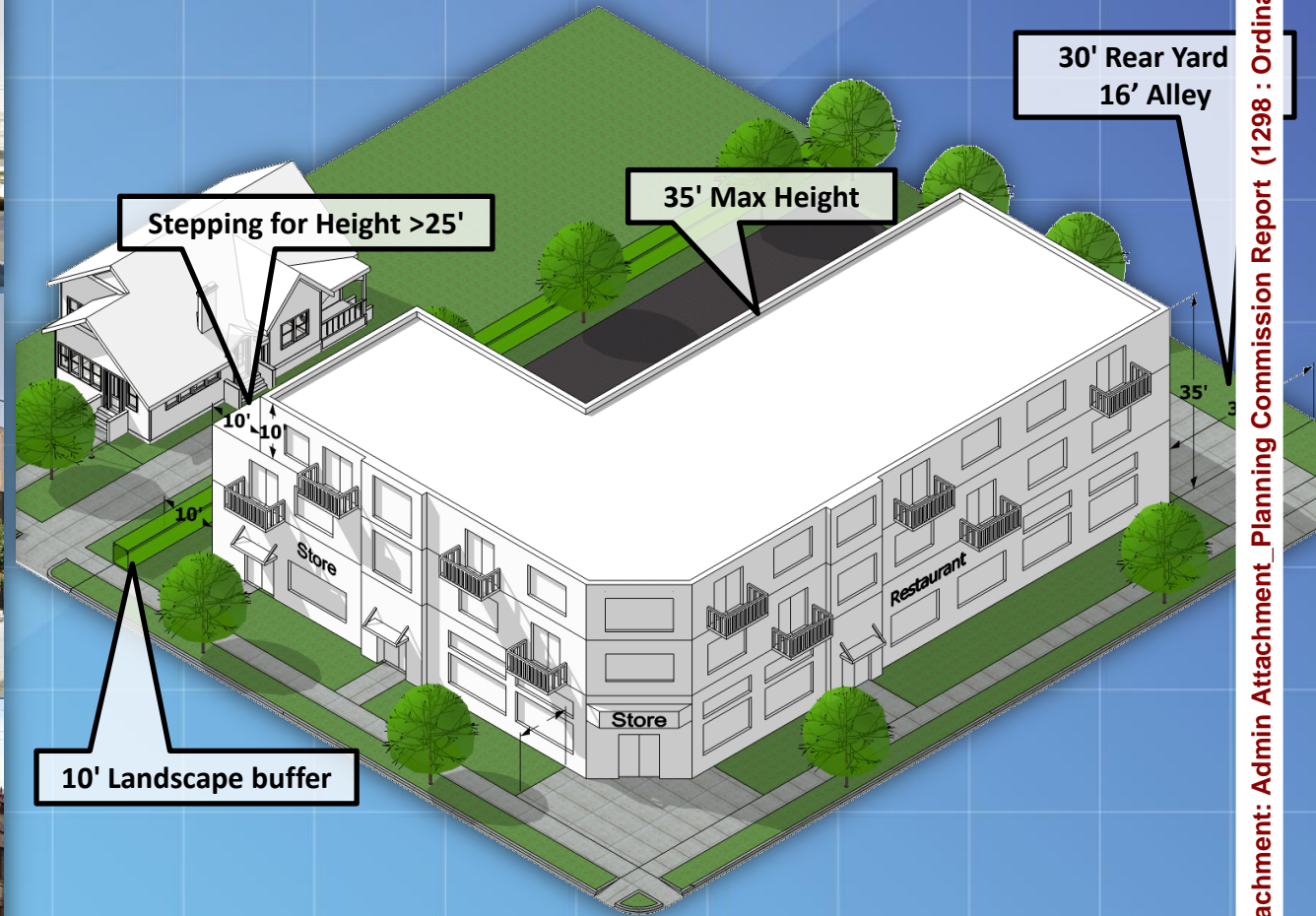
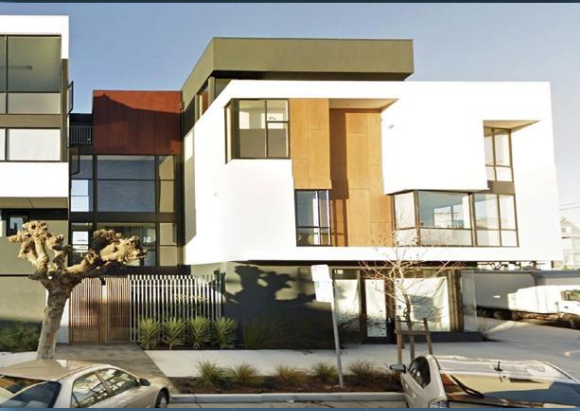
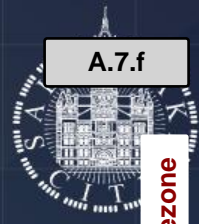
CN to R-MU-35

- ☐ Same allowed uses
- ☐ 35' Height Limit vs
- ☐ Supports new residential development
- ☐ Increases activity at node
- ☐ Allows mixed-use



Indiana Ave, Navajo to Pueblo St

Neighborhood Node Rezone



SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA
In Room 326 of the City & County Building
451 South State Street
Wednesday, March , 2015, at 5:30 p.m.
(The order of the items may change at the Commission's discretion.)

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

Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m. in Room 126 of the City and County Building. During the dinner break, the Planning Commission may receive training on city planning related topics, including the role and function of the Planning Commission.

PLANNING COMMISSION MEETING WILL BEGIN AT 5:30 PM IN ROOM 326

APPROVAL OF MINUTES FOR FEBRUARY 25, 2015

REPORT OF THE CHAIR AND VICE CHAIR

REPORT OF THE DIRECTOR

Legislative Matters

1. **900 W. 700 S. Node Rezone** - The City is proposing to amend the zoning map designation of four properties located on the northwest corner of the 700 S. and 900 W. intersection. The following properties are affected: 664, 668, and 680 S. 900 W. and 910 W. 700 S. The parcels are identified as part of a "neighborhood node" in the Westside Master Plan. In order to support the development of the properties as part of a "neighborhood node," the City is proposing to rezone them from RMF-35 (Moderate Multi-Family Residential) and CN (Neighborhood Commercial) zoning, to a CB (Community Business) zoning district. The CB designation will allow for a greater diversity of mixed uses and opportunities for additional housing. This type of project requires a Zoning Map Amendment. Although the properties are proposed to be rezoned to the CB zone, consideration may be given to rezoning the properties to another zoning district with similar characteristics. The subject properties are within Council District 2, represented by Kyle LaMalfa. (Staff contact: Chris Lee at (801)535-7706 or chris.lee@slcgov.com.) Case Number PLNPCM2014-00374
2. **900 W. 400 S. Node Rezone** - The City is proposing to amend the zoning map designation of twenty four properties located at, or near, the intersection of 400 S. and 900 W. The following properties are affected: 360, 362, 364, 366, 376, 412, 417, and 435 S. 900 W., 841, 843, 848, 852, 857, 858, 859, 864, 865, and 877 W. 400 S., 866 W. Pacific Avenue, 869 W. 300 S., 321, 331, 365, and 371 S. 870 W. The parcels are identified as part of a "community node" in the Westside Master Plan. In order to support the development of the properties as part of a "community node," the City is proposing to rezone them from RMF-35 (Moderate Multi-Family Residential) and CN (Neighborhood Commercial), to the R-MU-35 (Residential/Mixed Use) zoning district. The R-MU-35 designation will allow for a greater diversity of mixed uses and opportunities for additional housing. This type of project requires a Zoning Map Amendment. Although the properties are proposed to be rezoned to R-MU-35, consideration may be given to rezoning the properties to another zoning district with similar characteristics. The subject properties are within Council District 2, represented by Kyle LaMalfa. (Staff contact: Chris Lee at (801)535-7706 or chris.lee@slcgov.com.) Case Number PLNPCM2014-00375
3. **Indiana Avenue Neighborhood Node Rezone** - The City is proposing to amend the zoning map designation for properties located along the north side of Indiana Avenue between Navajo Street and Pueblo Street. The following properties are affected: 1380, 1410, 1416, 1420, 1424, & 1430 W Indiana Avenue. The properties are identified as part of a "neighborhood node" in the Westside Master Plan. In order to support the development of the properties as part of a "neighborhood node," the City is proposing to rezone them from CN, Neighborhood Commercial, to R-MU-35, Residential/Mixed Use. The R-MU-35 designation will allow for a greater diversity of mixed uses and opportunities for additional housing. This type of project requires a Zoning Map Amendment. Although the properties are proposed to be rezoned to the R-MU-35 zone, consideration may be given to rezoning the properties to another zoning district with similar characteristics. The subject properties are within Council District 2, represented by Kyle LaMalfa. (Staff contact: Daniel Echeverria at (801)535-7165 or daniel.echeverria@slcgov.com.) Case Number PLNPCM2014-00381

Attachment: Admin Attachment_Planning Commission Report (1298 : Ordinance ? Rezone Indiana Avenue Neighborhood Node)

4. **400 S & Concord Street Neighborhood Node Rezone** - The City is proposing to amend the zoning map designation for properties located near the intersection of 400 S and Concord Street. The following properties are affected: 1217, 1221, 1225, 1233, and 1266 W 400 South. The properties are identified as part of a “neighborhood node” in the Westside Master Plan. In order to support the development of the properties as part of the “neighborhood node” the City is proposing to rezone them from R-1/5,000, Single Family Residential, to CN, Neighborhood Commercial and R-MU-35, Residential/Mixed Use. The CN and R-MU-35 designations will allow for a greater diversity of mixed uses and opportunities to expand and reinforce the neighborhood business node. The properties are currently used for single-family homes. This type of project requires a Zoning Map Amendment. Although the properties are proposed to be rezoned to the CN and R-MU-35 zones, consideration may be given to rezoning the properties to other zoning districts with similar characteristics. The subject properties are within Council District 2, represented by Kyle LaMalfa. (Staff contact: Daniel Echeverria at (801)535-7165 or daniel.echeverria@slcgov.com.) Case Number PLNPCM2014-00380

Briefing

5. The Planning Commission will hold a discussion with staff regarding the parking requirements in the zoning ordinance.

The files for the above items are available in the Planning Division offices, room 406 of the City and County Building. Please contact the staff planner for information. 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. Planning Commission Meetings may be watched live on SLCTV Channel 17; past meetings are recorded and archived, and may be viewed at www.slctv.com.

The City & County Building is an accessible facility. People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the Planning Office at 801-535-7757, or relay service 711.

SALT LAKE CITY PLANNING COMMISSION MEETING MINUTES EXCERPT
Room 126 of the City & County Building
451 South State Street, Salt Lake City, Utah
Wednesday, March 11, 2015

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:34:01 PM](#). Audio recordings of the Planning Commission meetings are retained for an indefinite period of time.

Present for the Planning Commission meeting were: Chairperson Clark Ruttinger; Commissioners Angela Dean, Emily Drown, Michael Fife, Michael Gallegos, James Guilkey, Carolynn Hoskins and Marie Taylor. Vice Chair Matt Lyon was excused.

Planning Staff members present at the meeting were: Nora Shepard, Planning Director; Cheri Coffey, Assistant Planning Director; Nick Norris, Planning Manager; Daniel Echeverria, Principal Planner; Chris Lee, Principal Planner; Michelle Moeller, Administrative Secretary and Paul Nielson, Senior City Attorney.

Field Trip

A field trip was held prior to the work session. Planning Commissioners present were: Clark Ruttinger, Carolyn Hoskins, Marie Taylor and James Guilkey. Staff members in attendance were Nick Norris, Daniel Echeverria and Chris Lee.

The following site were visited

- **Indiana Ave** – Staff gave an overview of the proposal. The Commission asked the difference in the area between CN & RMU 35. Staff stated auto repair was not allowed and more residential uses were allowed.
- **400 S and Concord** – Staff gave an overview of the proposal. The Commission asked which properties were involved.
- **400 S and 900W** – Staff gave an overview of the proposal. The Commission asked which properties were involved.
- **700 S and 900 W** - Staff gave an overview of the proposal. The Commission asked if a strictly residential building would be allowed.

[6:24:45 PM](#)

[Indiana Avenue Neighborhood Node Rezone](#) - The City is proposing to amend the zoning map designation for properties located along the north side of Indiana Avenue between Navajo Street and Pueblo Street. The following properties are affected: 1380, 1410, 1416, 1420, 1424, & 1430 W Indiana Avenue. The properties are identified as part of a “neighborhood node” in the Westside Master Plan. In order to support the development of the properties as part of a “neighborhood node,” the City is proposing to rezone them from CN, Neighborhood Commercial, to R-MU-35, Residential/Mixed Use. The R-MU-35 designation will allow for a greater diversity of mixed uses and opportunities for additional housing. This type of

project requires a Zoning Map Amendment. Although the properties are proposed to be rezoned to the R-MU-35 zone, consideration may be given to rezoning the properties to another zoning district with similar characteristics. The subject properties are within Council District 2, represented by Kyle LaMalfa. (Staff contact: Daniel Echeverria at (801)535-7165 or daniel.echeverria@slcgov.com.) Case Number PLNPCM2014-00381

Mr. Daniel Echeverria, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending that the Planning Commission forward a favorable recommendation to the City Council for the petition.

The Commission and Staff discussed the following:

- The additional height that could be requested under a Conditional use
- The rear setbacks and if seasonal shadows were reviewed.
- Which zoning allowed drive-thrus.

PUBLIC HEARING [6:28:38 PM](#)

Chairperson Ruttinger opened the Public Hearing.

Ms. Diana Oaks, neighbor, stated the extra height was an issue as it would block the light to her property. She stated she supported the changes to bring growth back to the area, little neighborhood businesses would be preferred and there was not enough communication that was done prior to the proposal. She stated the proposed thirty five foot height would be a detriment to her property.

Chairperson Ruttinger closed the Public Hearing.

The Commission and Staff discussed the following:

- The notification process for the proposal.
- The impact of a thirty five foot building next to the residential property and the setbacks for a project of that height.
- If R-1/500 zoning could be put on the property to restrict a structure higher than twenty five feet from being built on that property.
- Why only the north side of the street was being rezoned to CN.
 - A mix of zoning would guarantee commercial use in the area.
- The height limit of the CN zoning.
- The reasoning for the zoning change and how it would affect housing for the area.
 - By doing this the city was concentrating low income housing in an area where it already existed. In the northern areas the housing was more at market level so the proposal would not help the affordable housing issue for the city.
- When the zoning was initially changed in the area.
- The programs to entice developers to construct affordable housing.

- If zoning density could be created between the zones and how density was addressed in the plan.

(Other agenda items discussed)

MOTION [7:08:29 PM](#)

Commissioner Fife stated regarding petition PLNPCM2014-00381, Indiana Avenue Neighborhood Node Rezone, based on the findings and analysis in the Staff Report, testimony, and discussion at the public hearing; he moved that the Planning Commission transmit a positive recommendation to the City Council for the proposed zoning amendment. Commissioner Hoskins seconded the motion. The motion passed unanimously.



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