

ERIN MENDENHALL
Mayor



DEPARTMENT of COMMUNITY
and NEIGHBORHOODS

Blake Thomas
Director

CITY COUNCIL TRANSMITTAL


rachel.otto (Nov 20, 2023 11:04 MST)
Rachel Otto, Chief of Staff

Date Received: 11/20/2023
Date sent to Council: 11/20/2023

TO: Salt Lake City Council
Darin Mano, Chair

DATE: November 8, 2023

FROM: Blake Thomas, Director, Department of Community & Neighborhoods



SUBJECT: 1300 South Commercial Rezone
Petition PLNPCM2023-00385

STAFF CONTACT: Eric Daems, Senior Planner
801-535-7236 or eric.daems@slcgov.com

DOCUMENT TYPE: Ordinance

RECOMMENDATION: The City Council amend the zoning map as recommended by the Planning Commission.

BUDGET IMPACT: None

BACKGROUND/DISCUSSION: Tyler Morris, the applicant representing the property owner, submitted a petition for a Zoning Map Amendment for the properties located at 2260, 2270, and 2290 E. 1300 South. The properties are currently zoned R-1-7000, which is a single-family residential zone. The petition is to rezone the properties to CB- Community Business. The CB zone allows for a wider range of land uses including multi-family, commercial, retail, and restaurants. The request did not require a master plan amendment.

At this point, the applicant has not provided a development plan for the properties. However, it is anticipated they would be developed in junction with adjoining properties to the south and would be used for multi-family housing or a mixed-use development.

The subject properties front along 1300 South, between Foothill Drive and 2300 East. 1300 South is a collector street where 2300 East is a local street and Foothill Drive is a State arterial street. The property currently contains three single-family homes. Each of the dwellings are currently used as housing rentals.

Within proximity of the subject property, there is a mix of single-family and commercial uses. The neighborhood to the north (across 1300 South) contains single-family homes and is zoned R-1-12,000. The properties to the south and west include a single-story gas station, 2-story restaurant/office, and 3-story hotel. The commercial properties are zoned CB. The property to the east (across 2300 East) is a cemetery and is zoned OS (Open Space).

The Planning Commission reviewed the request at a public hearing September 13, 2023. The Commission had some questions about final development of the property but voted (7-2) in favor of the City Council amending the zoning map as requested.

PUBLIC PROCESS:

- **Early Notification-** Notification of the proposal was sent to all property owners and tenants located within 300 feet of the subject parcels on July 3, 2023.
- **East Bench Community Council-** Notification to the East Bench Community Council was sent on July 3, 2023. The community council did not request the applicant attend a community open house but did present a letter of opposition which is in the Planning Commission Staff Report.
- **City Open House-** A virtual open house was hosted by the city from July 3, 2023 - August 17, 2023.



Bird's eye view of the subject properties- looking south

- **Planning Commission Public Hearing-** On September 13, 2023, the Planning Commission held a public hearing regarding the proposed zoning map amendment. The Planning Commission voted to recommend the City Council approve the rezone.

Planning Commission (PC) Records

- a) [PC Agenda of September 13, 2023](#)
- b) [PC Minutes of September 13, 2023](#)
- c) [Planning Commission Staff Report](#)

EXHIBITS:

- 1) Project Chronology
- 2) Notice of City Council Hearing
- 3) Original Petition
- 4) Mailing List

SALT LAKE CITY ORDINANCE
No. _____ of 202__

(An ordinance amending the zoning of properties located at 2260 East 1300 South, 2270 East 1300 South, and 2290 East 1300 South from R-1/7,000 Single-Family Residential District to CB Community Business District)

An ordinance amending the zoning map pertaining to property located at 2260 East 1300 South, 2270 East 1300 South, and 2290 East 1300 South from R-1/7,000 Single-Family Residential District to CB Community Business District pursuant to Petition No. PLNPCM2023-00385.

WHEREAS, Tyler Morris (“Petitioner”) submitted an application to rezone the parcels located at 2260 East 1300 South, 2270 East 1300 South, and 2290 East 1300 South (Tax ID. Nos. 16-10-379-004-0000, 16-10-379-005-0000, and 16-10-379-006-0000) (collectively, the “Property”) from R-1/7,000 Single-Family Residential District to CB Community Business District; and

WHEREAS, at its September 13, 2023 meeting, the Salt Lake City Planning Commission held a public hearing and voted in favor of forwarding a positive recommendation to the Salt Lake City Council on the application; 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 to reflect that the Property, as legally described on Exhibit A attached hereto, shall be and hereby is rezoned from R-1/7,000 Single-Family Residential District to CB Community Business District.

SECTION 2. Condition. The zoning map amendment set forth herein is conditioned upon the owner of the Property entering into a development agreement with Salt Lake City to retain three dwelling units on the Property.

SECTION 3. Effective Date. This ordinance shall become effective on the date of its first publication. The Salt Lake City Recorder is instructed to not publish this ordinance until the condition set forth in Section 2 is satisfied as certified by the Salt Lake City Planning Director or his designee.

SECTION 4. Time. If the condition set forth in Section 2 has not been met within one year after adoption of this ordinance, then this ordinance shall become null and void. The city council may, for good cause shown, extend the time period for satisfying the above condition by resolution.

Passed by the City Council of Salt Lake City, Utah, this ___ day of _____, 20__.

CHAIRPERSON

ATTEST AND COUNTERSIGN:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CITY RECORDER
(SEAL)

Bill No. _____ of 20__

Published: _____.

Ordinance rezoning 2260 E. 1300 S., 2270 E. 1300 S., and 2290 E. 1300 S. to CB

<p>APPROVED AS TO FORM Salt Lake City Attorney's Office Date: <u>November 16, 2023</u> By: <u><i>Katherine D. Pasker</i></u> Katherine D. Pasker, <i>Senior City Attorney</i></p>
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Exhibit "A"

Legal description of the Property

Tax ID No. 16-10-379-004-0000

326 COM N 89°53'42" W 156.5 FT FR NE COR LOT 12 BLK 15 5 AC PLAT C BIG FIELD SUR N 89°53'42" W 91.5 FT S 0°02'52" E 110 FT S 89°53'42" E 91.5 FT N 0°02'52" W 110 FT TO BEG 0.23 AC 5445-1625 5853-2576

Tax ID No. 16-10-379-005-0000

326 COM N 89°53'42" W 88 FT FR NE COR LOT 12 BLK 15 5 AC PLAT C BIG FIELD SUR N 89°53'42" W 68.5 FT S 0°02'52" E 110 FT S 89°53'42" E 68.5 FT N 0°02'52" W 110 FT TO BEG 0.17 AC 5595-1401 5681-1152 5686-282

Tax ID No. 16-10-379-006-0000

326 COM AT NE COR LOT 12 BLK 15 5 AC PLAT C BIG FIELD SUR N 89°53'42" W 88 FT S 0°02'52" E 114 FT S 89°53'42" E 96 FT N 0°02'52" W 114 FT W 8 FT TO BEG 938-41, 1197-97 6110-2590 6116-1628 6119-0622 6129-740

1. PROJECT CHRONOLOGY

Project Chronology
1300 South Commercial Zoning Map Amendment
Petition PLNPCM2023-00385

May 19, 2023	Petition received by the City
June 15, 2023	Petition assigned to Eric Daems.
July 3, 2023	Notice sent to East Bench Community Council.
July 3, 2023	Early notification sent to property owners and tenants within 300' of subject properties.
July 3 – August 17, 2023	Virtual open house hosted on the City's website.
September 4, 2023	Notice signs posted on properties indicating date of Public Hearing.
September 7, 2023	Notice of the Planning Commission Public Hearing posted and mailed to property owners and tenants within 300' of subject properties.
September 7, 2023	Notice of Public Hearing emailed to listserv accounts.
September 13, 2023	Planning Commission Public Hearing held. Planning Commission voted to recommend that the City Council approve the proposal.
November 8, 2023	Transmittal Submitted to CAN

2. NOTICE OF CITY COUNCIL HEARING

NOTICE OF PUBLIC HEARING

The Salt Lake City Council is considering Petition **PLNPCM2023-00385**— A request by Tyler Morris, representing the property owner, for a Zoning Map Amendment for the properties located at 2260, 2270, and 2290 E. 1300 South.

- 1. Zoning Map Amendment:** To rezone the subject properties from R-1-7,000 (Single-Family Residential) to CB (Community Business). The CB zone allows for a wider range of land uses including multi-family, commercial, retail, and restaurants. However, a specific development proposal has not been provided at this point.

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

DATE:

**PLACE: Electronic and in-person options.
 451 South State Street, Room 326, Salt Lake City, Utah**

**** This meeting will be held via electronic means, while also providing for an in-person opportunity to attend or participate in the hearing at the City and County Building, located at 451 South State Street, Room 326, Salt Lake City, Utah. For more information, including WebEx connection information, please visit www.sl.gov/council/virtual-meetings. Comments may also be provided by calling the 24-Hour comment line at (801) 535-7654 or sending an email to council.comments@sl.gov. All comments received through any source are shared with the Council and added to the public record.**

If you have any questions relating to this proposal or would like to review the file, please call Eric Daems at 801-535-7236 or via e-mail at eric.daems@sl.gov. The application details can be accessed at <https://citizenportal.sl.gov/>, by selecting the “Planning” tab and entering the petition number PLNPCM2023-00385.

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@sl.gov, (801)535-7600, or relay service 711.

3. ORIGINAL PETITION



Zoning Amendment

SALT LAKE CITY PLANNING

Amend the text of the Zoning Ordinance Amend the Zoning Map

OFFICE USE ONLY

Received By:	Date Received:	Project #:
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Name or Section/s of Zoning Amendment:

PLEASE PROVIDE THE FOLLOWING INFORMATION

Address of Subject Property (or Area):
(2260 E, 2270 E. & 2290 E.) 1300 S.

Name of Applicant: [REDACTED]

Address of Applicant: [REDACTED]
[REDACTED] Cell/Fax:

Applicant's Interest in Subject Property:

Owner Contractor Architect Other:

Name of Property Owner (if different from applicant):
TJDD Properties, LLC

[REDACTED] Phone:

Information may be required by the project planner to ensure adequate information is provided for staff analysis. All information required for staff analysis will be copied and made public, including professional architectural or engineering drawings, for the purposes of public review by any interested party.

AVAILABLE CONSULTATION

If you have any questions regarding the requirements of this application, please contact Salt Lake City Planning Counter at zoning@slcgov.com prior to submitting the application.

REQUIRED FEE

Map Amendment: **\$1,142** filing fee, plus **\$121** per acre (excess of one acre), plus additional public notice fee.
Text Amendment: **\$1,142** filing fee, plus additional public notice fee.
Public noticing fees will be assessed after the application is submitted.

SIGNATURE

➔ If applicable, a notarized statement of consent authorizing applicant to act as an agent will be required.

Signature of Owner or Agent: <i>Tyler Morris</i>	Date: 05/11/2023
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ACKNOWLEDGEMENT OF RESPONSIBILITY

This is to certify that I am making an application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application will be processed under the name provided below. By signing the application, I am acknowledging that I have read and understood the instructions provided by Salt Lake City for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that the documents provided are considered public records and may be made available to the public. I understand that my application will not be processed until the application is deemed complete by the assigned planner from the Planning Division. I acknowledge that a complete application includes all of the required submittal requirements and provided documents comply with all applicable requirements for the specific applications. I understand that the Planning Division will provide, in writing, a list of deficiencies that must be satisfied for this application to be complete and it is the responsibility of the applicant to provide the missing or corrected information. I will keep myself informed of the deadlines for submission of material and the progress of this application. I understand that a staff report will be made available for my review prior to any public hearings or public meetings. This report will be on file and available at the Planning Division and posted on the Division website when it has been finalized.

APPLICANT SIGNATURE

Name of Applicant: Tyler Morris | Application Type: Zoning Amendment

[Redacted]

[Redacted]

Signature: *Tyler Morris* | Date: 05/11/2023

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

FEE TITLE OWNER SIGNATURE

Legal Description of Subject Property: COM N 89^53'42" W 156.5 FT FR NE COR LOT 12 BLK 15 5 AC PLATC BIG FIELD SUR N 89^53'4:

Name of Owner: TJDD Properties, LLC

[Redacted]

Signature: *Tyler Morris* | Date: 05/11/2023

- The following shall be provided if the name of the applicant is different than the name of the property owner:
- 1. If you are not the fee owner attach a copy of your authorization to pursue this action provided by the fee owner.
 - 2. If a corporation is fee titleholder, attach copy of the resolution of the Board of Directors authorizing the action.
 - 3. If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership
 - 4. If a Home Owner’s Association is the applicant than the representative/president must attach a notarized letter stating they have notified the owners of the proposed application. A vote should be taken prior to the submittal and a statement of the outcome provided to the City along with the statement that the vote meets the requirements set forth in the CC&Rs.

Be advised that knowingly making a false, written statement to a government entity is a crime under Utah Code Chapter 76-8, Part 5. Salt Lake City will refer for prosecution any knowingly false representations made pertaining to the applicant’s interest in the property that is the subject of this application.

SUBMITTAL REQUIREMENTS

Staff Review

1. Project Description (please electronically attach additional sheets. See [Section 21A.50](#) for the Amendments ordinance.)



A statement declaring the purpose for the amendment.



A description of the proposed use of the property being rezoned.



List the reasons why the present zoning may not be appropriate for the area.



Is the request amending the Zoning Map?
If so, please list the parcel numbers to be changed.



Is the request amending the text of the Zoning Ordinance?
If so, please include language and the reference to the Zoning Ordinance to be changed.

WHERE TO FILE THE COMPLETE APPLICATION

Apply online through the [Citizen Access Portal](#). There is a [step-by-step guide](#) to learn how to submit online.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

T.F.M. acknowledge that Salt Lake City requires the items above to be submitted before my application can be processed. I understand that Planning will not accept my application unless all of the following items are included in the submittal package.

4. MAILING LIST

NAME	ADDRESS	CITY	STATE	ZIP
DEE'S FOOTHILL INVESTMENTS LLC	1136 E WILMINGTON AVE	SALT LAKE CITY	UT	84106
HUNSAKER, LILLIAN S; TR	1233 S FOOTHILL DR	SALT LAKE CITY	UT	84108
Current Occupant	1304 S FOOTHILL DR	Salt Lake City	UT	84108
Current Occupant	1309 S FOOTHILL DR	Salt Lake City	UT	84108
Current Occupant	1310 S 2300 E	Salt Lake City	UT	84108
Current Occupant	1313 S FOOTHILL DR	Salt Lake City	UT	84108
Current Occupant	1345 S FOOTHILL DR	Salt Lake City	UT	84108
Current Occupant	1400 S FOOTHILL DR	Salt Lake City	UT	84108
AP FOOTHILL VILLAGE, LLC	1616 CAMDEN RD #210	CHARLOTTE	NC	28203
JONES, DONALD J & KRISTY W(JT)	2223 E 1300 S	SALT LAKE CITY	UT	84108
LEISHMAN, MERLIN R & LARRY R; TRS	2235 E 1300 S	SALT LAKE CITY	UT	84108
Current Occupant	2236 E LAIRD WAY	Salt Lake City	UT	84108
Current Occupant	2241 E LAIRD WAY	Salt Lake City	UT	84108
Current Occupant	2244 E LAIRD WAY	Salt Lake City	UT	84108
Current Occupant	2249 E LAIRD WAY	Salt Lake City	UT	84108
Current Occupant	2252 E LAIRD WAY	Salt Lake City	UT	84108
Current Occupant	2253 E LAIRD WAY	Salt Lake City	UT	84108
Current Occupant	2259 E LAIRD WAY	Salt Lake City	UT	84108
Current Occupant	2260 E 1300 S	Salt Lake City	UT	84108
Current Occupant	2270 E 1300 S	Salt Lake City	UT	84108
GOCHNOUR, RALPH L. & ROSETTA S	2289 E 1300 S	SALT LAKE CITY	UT	84108
Current Occupant	2290 E 1300 S	Salt Lake City	UT	84108
LAMPROPOULOS, FRED	2315 E 1300 S	SALT LAKE CITY	UT	84108
LAURA G GAYLORD LIV TRGAYLORD, LAI	2321 E 1300 S	SALT LAKE CITY	UT	84108
Current Occupant	2350 E 1300 S	Salt Lake City	UT	84108
LARKIN MEMORIAL CORPORATION	260 E SOUTH TEMPLE ST	SALT LAKE CITY UT		84111
TJDD PROPERTIES, LLC	348 E 6400 S #200	MURRAY	UT	84107
RELIANCE BUILDING COMPANY	3591 E COVEPOINT DR	SALT LAKE CITY	UT	84109
TJDD PROPERTIES, LLC	4222 S WANDER LN	HOLLADAY	UT	84124
FOREST CORPORATION	5330 S 900 E	SALT LAKE CITY	UT	84117
GROW, JODY W; JT GROW, RICHARD F; J	623 N CAPITOL PARK AVE	SALT LAKE CITY	UT	84103
DOANE, KERRY S; TR(KSD TRUST)	PO BOX 581486	SALT LAKE CITY	UT	84158

Signature: 
Alejandro Sanchez (Nov 20, 2023 10:16 MST)

Email: alejandro.sanchez@slcgov.com