



## CITY COUNCIL TRANSMITTAL

  
Lisa Shaffer (Apr 7, 2021 15:23 MDT)

Lisa Shaffer, Chief Administrative Officer

Date Received: 04/07/2021

Date sent to Council: 04/07/2021

TO: Salt Lake City Council  
Amy Fowler, Chair

DATE: March 22, 2021

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



SUBJECT: PLNPCM2020-00703 – Zoning Map Amendment at approximately 860 & 868 E 3rd Avenue

STAFF CONTACT: John Anderson, Planning Manager, [john.anderson@slcgov.com](mailto:john.anderson@slcgov.com), (385) 226-6479

DOCUMENT TYPE: Ordinance

RECOMMENDATION: Follow the recommendation of the Planning Commission to approve the proposed zoning map amendment.

BUDGET IMPACT: None

BACKGROUND/DISCUSSION: Remarc Investments, representing the property owner, is requesting to rezone the properties at approximately 860 & 868 E 3<sup>rd</sup> from CN (Neighborhood Commercial) and SR-1A (Special Development Pattern Residential) to R-MU-35 (Residential/Mixed Use). The reason for the rezone is to allow a multi-family development to be developed on the lots. The applicant has submitted a conceptual redevelopment plan for the properties. However, it is only a conceptual design and the request is not associated with a specific project at this time.



The two properties are located within the Avenues Local Historic District. The gas station and auto repair on 860 E 3<sup>rd</sup> Avenue was built in 1962, but it is listed as a noncontributing structure. The single-family dwelling on 868 E 3<sup>rd</sup> Avenue was built in 1892, and it is listed as a contributing structure. Any future demolition, new construction or modifications to the exterior of the structures must be approved by the Historic Landmark Commission (HLC).

The proposed R-MU-35 zoning district could result in more density within the combined properties than it is currently attainable. However, when compared to the current zoning and the size of the combined properties, it is unlikely that the rezone would result in a significant increase in the number of units.

The rezone could result in the loss of a historically established commercial node. There is limited opportunity to add commercial zones in the neighborhood, and the loss of an already designated commercial property could reduce services at the community level and alter the character of the neighborhood node. Planning staff recommended to the Planning Commission that the rezone be conditioned on new development including a commercial component on the corner. However, Planning Commission found that the condition was not appropriate.

The rezone would also allow for the conversion of the existing single-family dwelling into a nonresidential use. However, staff found that the contributory status of the structure makes demolition very difficult to approve and limits the intensity of the house conversion.

The applicable master plans contain city goals and policies that support the proposed zoning map amendment. The Future Land Use Map of the Avenues Master Plan calls for Business/Commercial on the corner of the 3<sup>rd</sup> Avenue and N Street. The proposal is also in line with the policies related to the preservation of residential character and existing land use patterns found in the Avenues Master Plan and those related to smart growth and compatibility found in Plan Salt Lake.

More information can be found in the Planning Commission Staff Report (Attachment 3b).

**PUBLIC PROCESS:** Notice of the project and request for comments sent to the Chair of the Greater Avenues Community Council on October 16, 2020. Early engagement notices were also sent to owners and tenants within 300 feet of the property on October 30, 2020. A public hearing with the Planning Commission was held on December 2, 2020. No one from the public commented on the proposal. The Planning Commission discussed the request and voted to forward a positive recommendation to the City Council. A work session with the Historic Landmark Commission was held on January 7, 2021. The Commission was generally supportive of the proposal.

**EXHIBITS:**

- 1) Project Chronology
- 2) Notice of City Council Hearing
- 3) Planning Commission Record
  - a) Hearing Notice
  - b) Staff Report
  - c) Agenda and Minutes

- 4) Historic Landmark Commission Record
  - a) Memorandum
  - b) Agenda and Minutes
- 5) Public Comments
- 6) Original Petition
- 7) Mailing List

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2021

(Amending the zoning map pertaining to the parcels of property located at 860 and 868 East 3rd Avenue to rezone the parcels from CN Neighborhood Commercial District and SR-1A Special Development Pattern Residential District to R-MU-35 Residential/Mixed Use District)

An ordinance amending the zoning map pertaining to the parcels of property located at 860 and 868 E 3rd Avenue to rezone the parcels from CN Neighborhood Commercial District and SR-1A Special Development Pattern Residential District to R-MU-35 Residential/Mixed Use District pursuant to petition number PLNPCM2020-00703.

WHEREAS, Remarc Investments submitted an application to rezone the parcels of property located at 860 and 868 East 3rd Avenue from CN Neighborhood Commercial District and SR-1A Special Development Pattern Residential District to R-MU-35 Residential/Mixed Use District pursuant to petition number PLNPCM2020-00703; and

WHEREAS, at its December 2, 2020 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 parcels located at 860 and 868 East 3rd Avenue (Tax ID



Nos. 09-32-379-001 and 09-32-379-002, more particularly described on Exhibit "A" attached hereto, are rezoned from CN Neighborhood Commercial District and SR-1A Special Development Pattern Residential District to R-MU-35 Residential/Mixed Use District.

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 \_\_\_\_\_, 2021.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

\_\_\_\_\_  
CITY RECORDER

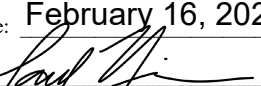
Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved. \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER  
(SEAL)

Bill No. \_\_\_\_\_ of 2021  
Published: \_\_\_\_\_.

<b>APPROVED AS TO FORM</b> Salt Lake City Attorney's Office Date: <b>February 16, 2021</b> By:  <i>Paul Nielson, Senior City Attorney</i>
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# Exhibit “A”

Legal description of the properties

**Tax ID No. 09-32-379-001-0000**

COM AT NW COR LOT 3 BLK 24 PLAT G SLC SUR S 82.5 FT E 99 FT N 82.5 FT W 99 FT  
TO BEG

**Tax ID No. 09-32-379-002-0000**

COM AT NE COR LOT 3 BLK 24 PLAT G SLC SUR W 4 RDS S 5 RDS E 4 RDS N 5 RDS  
TO BEG

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## **1. CHRONOLOGY**

## **PROJECT CHRONOLOGY**

**Petition:** PLNPCM2020-00703

August 7, 2020	Petition received by the Planning Division.
August 23, 2020	Petition assigned to Mayara Lima, Principal Planner, for staff analysis and processing.
October 15, 2020	Petition was determined to be complete.
October 16, 2020	Notice of the project and request for comments sent to the Chair of the Greater Avenues Community Council.
October 30, 2020	Early notification sent to property owners and tenants within 300 feet of the property.
November 20, 2020	Planning Commission hearing notice mailed to owners and tenants of property within 300 feet of the property.
December 2, 2020	Planning Commission reviewed the petition and conducted a public hearing. The commission then voted to send a positive recommendation to the City Council.
January 7, 2021	The project was presented to the Historic Landmark Commission for input. The Commission was generally in support of the proposal.

## **2. NOTICE OF CITY COUNCIL HEARING**

## **NOTICE OF PUBLIC HEARING**

The Salt Lake City Council is considering Petition **PLNPCM2020-00703 Rezone at approximately 860 & 868 East 3rd Avenue** - A request by Remarc Investments, representing the property owner, to approve a Zoning Map Amendment from CN (Neighborhood Commercial) and SR-1A (Special Development Pattern Residential) to R-MU-35 (Residential/Mixed Use) at the 860 and 868 E 3<sup>rd</sup> Avenue. The applicant would like to rezone the properties to allow a multi-family development on the lots, however the request is not tied to a development proposal. The properties are located within the Avenues Local Historic District and any future demolition or new construction must be approved by the Historic Landmark Commission. Although the applicant has requested that the property be rezoned to R-MU-35, consideration may be given to another zoning district with similar characteristics.

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

**DATE:**       **Date #1 and Date #2**

**TIME:**       **7:00 p.m.**

**PLACE:**       **\*\*This meeting will not have a physical location.**

**\*\*This will be an electronic meeting pursuant to the Salt Lake City Emergency Proclamation. If you are interested in participating in the Public Hearing, please visit our website at <https://www.slc.gov/council/> to learn how you can share your comments during the meeting. Comments may also be provided by calling the 24-Hour comment line at (801)535-7654 or sending an email to [council.comments@slcgov.com](mailto:council.comments@slcgov.com). 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 Mayara Lima at (385) 377-7570 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at [Mayara.lima@slcgov.com](mailto:Mayara.lima@slcgov.com)

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to participate in this hearing. 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](mailto:council.comments@slcgov.com) , 801-535-7600, or relay service 711.

### **3. PLANNING COMMISSION**

#### **A. Hearing Notice**





## PLANNING COMMISSION MEETING

December 2, 2020, at 5:30 p.m.

*This meeting will be an electronic meeting pursuant to the Salt Lake City Emergency Proclamation*

**A public hearing will be held on the following matter.**

**Rezone at approximately 860 & 868 East 3rd Avenue** - Remarc Investments, representing the property owner, is requesting a Zoning Map Amendment from CN (Neighborhood Commercial) and SR-1A (Special Development Pattern Residential) to R-MU-35 (Residential/Mixed Use) at the above-listed addresses. The applicant would like to rezone the properties to allow a multi-family development on the lots, however the request is not tied to a development proposal. The properties are located within the Avenues Local Historic District and any future demolition or new construction must be approved by the Historic Landmark Commission. Although the applicant has requested that the property be rezoned to R-MU-35, consideration may be given to another zoning district with similar characteristics. The property is located within Council District 3, represented by Chris Wharton. (Staff contact: Mayara Lima at (385) 377-7570 or [mayara.lima@slcgov.com](mailto:mayara.lima@slcgov.com))  
**Case number PLNPCM2020-00703**

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**This Meeting will not have an anchor location at the City and County Building.** Commission Members will connect remotely.

The Planning Commission meeting will be available on the following platforms:

- **YouTube:** [www.youtube.com/slclivemeetings](http://www.youtube.com/slclivemeetings)
- **SLCtv Channel 17 Live:** [www.slctv.com/livestream/SLCtv-Live/2](http://www.slctv.com/livestream/SLCtv-Live/2)

### **Providing Comments:**

If you are interested in participating during the Public Hearing portion of the meeting or provide general comments, email: [planning.comments@slcgov.com](mailto:planning.comments@slcgov.com) or connect with us on WebEx at:

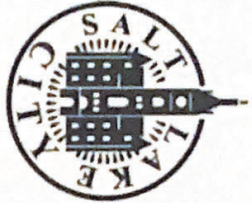
- <http://tiny.cc/slc-pc-12022020>

For instructions on how to use WebEx visit: [www.slc.gov/planning/public-meetings](http://www.slc.gov/planning/public-meetings)

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*For Planning Commission agendas, staff reports, and minutes, visit the Planning Division's website at [slc.gov/planning/public-meetings](http://slc.gov/planning/public-meetings). 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.*





**SALT LAKE CITY PLANNING DIVISION**  
451 S State Street - Room 406  
Salt Lake City, UT 84114 - 5480  
PO BOX 145480

FIRST CLASS



U.S. POSTAGE  PITNEY BOWES  
ZIP 84116 \$000.50<sup>0</sup>  
02 1W  
0001403442 NOV 20 2020

Current Occupant  
866 E 2ND AVE  
Salt Lake City UT 84103

841033821-0025

NSN

NTXTP 841 DE 1 0011/25/70  
RETURN TO SENDER  
NO SUCH NUMBER  
UNABLE TO FORWARD  
BC: 8411310251 \*0436-03433-20-44

### **3. PLANNING COMMISSION**

#### **B. Staff Report**



# Staff Report

PLANNING DIVISION  
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Mayara Lima, Principal Planner  
(801) 535-7118 or [mayara.lima@slcgov.com](mailto:mayara.lima@slcgov.com)

Date: December 2, 2020

Re: PLNPCM2020-00703 – 3<sup>rd</sup> Avenue Rezone

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## Zoning Map Amendment

**PROPERTY ADDRESS:** 860 and 868 E 3<sup>rd</sup> Avenue  
**PARCEL IDs:** 09-32-379-001 and 09-32-379-002  
**MASTER PLAN:** Avenues Master Plan  
**ZONING DISTRICT:** CN Neighborhood Commercial & SR-1A Special Development Pattern  
Residential  
**OVERLAY DISTRICT:** Avenues Local Historic Preservation District

**REQUEST:** Remarc Investments, representing the property owner, is requesting a Zoning Map Amendment from CN (Neighborhood Commercial) and SR-1A (Special Development Pattern Residential) to R-MU-35 (Residential/Mixed Use) at the above-listed addresses. The applicant would like to rezone the properties to allow a multi-family development on the lots. The properties are located within the Avenues Local Historic District and any future demolition or new construction must be approved by the Historic Landmark Commission.

**RECOMMENDATION:** Based on the information included in the staff report, Planning Staff recommends that the Planning Commission forward a positive recommendation to the City Council for the proposed zoning map amendment with the following condition:

- Any future development of the properties must include a commercial component at the intersection of 3<sup>rd</sup> Avenue and N Street.

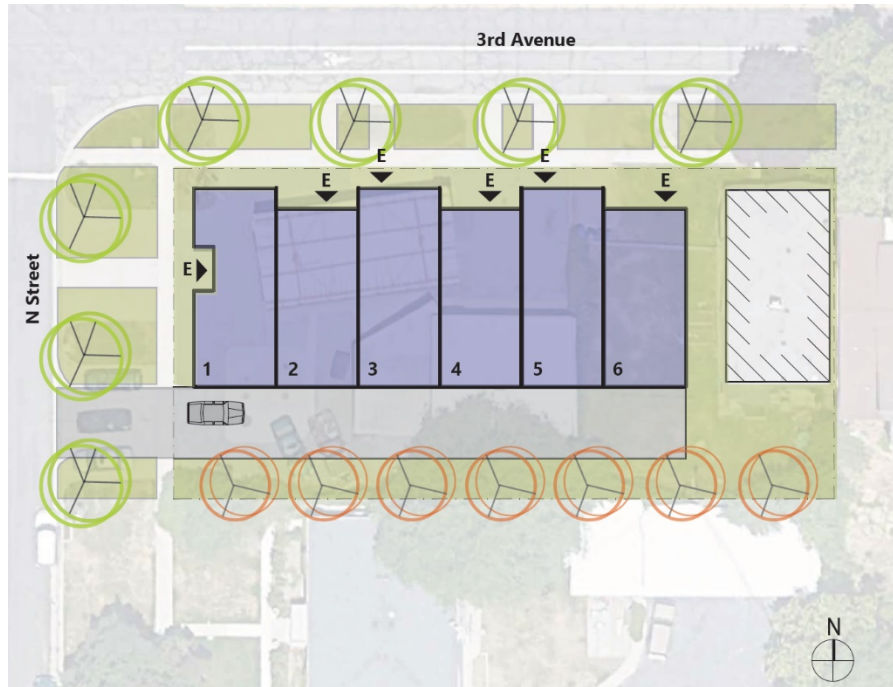
### ATTACHMENTS:

- A. [Vicinity Zoning Map](#)
- B. [Site Photographs](#)
- C. [Application Materials](#)
- D. [Master Plan Policies](#)
- E. [Existing Conditions & Development Standards](#)
- F. [Analysis of Standards](#)
- G. [Public Process and Comments](#)
- H. [Housing Loss Mitigation Report](#)

**BACKGROUND:** The proposal is to change the zoning designation of the properties at 860 and 868 E 3<sup>rd</sup> Avenue from CN (Neighborhood Commercial) and SR-1A (Special Development Pattern

Residential) to R-MU-35 (Residential/Mixed Use). The surrounding properties are predominantly residential, zoned SR-1A, and include single-family, two-family and some multi-family dwellings.

The applicant has submitted a conceptual redevelopment plan for the properties under the proposed zoning district. The anticipated development would include combining the two lots, preserving the existing single-family dwelling, demolishing the commercial structures and constructing six attached single-family dwellings on the properties. Because the two properties are within the Avenues Local Historic district, any future development would have to be approved by the Historic Landmark Commission.



*Figure 1 – Conceptual plan submitted by the applicant.*

The gas station and auto repair on 860 E 3<sup>rd</sup> Avenue date back to 1962 when the property was given a building permit to operate a service station. The canopy was constructed later, but the use of the property as commercial has been consistent for almost 60 years. Despite the age, the structures are not considered contributing to the historic district. In regard to the standards of the underlying zoning district, the land uses are nonconforming (not permitted but created prior to the zoning) and the structures noncomplying to the current CN zoning.



*Figure 2 – Photo of the gas station and auto repair at 860 E 3<sup>rd</sup> Avenue*



The house on 868 E 3<sup>rd</sup> Avenue was built in 1892 and has always been a single-family dwelling. The house is listed as contributing to the historic district. The use of the property is permitted in the current SR-1A zoning district, but the small east side setback renders the existing structure noncomplying. This property is included in the rezone request because of its lot size, which remains partially unobstructed by buildings on the west side.



*Figure 3 – Photo of the single-family dwelling at 868 E 3<sup>rd</sup> Avenue*

## **KEY CONSIDERATIONS:**

### **Consideration 1: Development plans and rezone request**

A rezone request need not be associated with a specific project and it is not typically conditioned on one. Even though the applicant has provided a conceptual redevelopment plan for the properties that help indicate their intentions to the community and review boards, the development could change as the design progresses or because of unforeseen circumstances. Hence, the rezone request should be considered on its own merits.

[Attachment E](#) shows that the existing structures on the properties would continue to be considered noncomplying to the proposed zoning district without necessarily increasing the degree of noncompliance. As far as future development goes, the proposed R-MU-35 zoning district could result in more density within the combined properties than it is currently attainable. This is because the lot consolidation and single zoning would allow for easier siting of a new building and provide an additional 10' in permitted building height. However, the increase in development potential resulting from the rezone should not increase potential negative impacts to adjacent properties and the neighborhood.

Currently, the existing SR-1A zoning of 868 E 3<sup>rd</sup> Avenue limits its development potential. The property contains approximately 5,449 square feet and therefore, can only accommodate a single-family dwelling. 8,000 square feet of lot area would be required for a duplex. The CN zoning of 860 E 3<sup>rd</sup> Avenue could create in a mixed-use development any density at a maximum 25' in height that complies with applicable codes and regulations. The subject properties combined would result in a 13,616 square-foot lot that is reasonably small but would accommodate a moderate increase in density.

An increase landscape buffer requirement would also reduce the impact of the proposed rezone. Under the R-MU-35 zoning, any future development would have to comply with a required 10'

landscape buffer along the south and east property lines. The buffer requirement in the CN zoning district is 7' and the existing structures are noncomplying to this standard. This increase in buffer requirement would help to protect the adjacent SR-1A zoned properties and preserve the residents' enjoyment of their properties.

As discussed in [Attachment D](#), the Avenues Master Plan discourages density increases in the neighborhood. However, the master plan was adopted in 1987 when there was not much discussion about building form. Recent planning best practices have shown that building form has more impact in neighborhood character than density itself, and that density can support community's livability, walkability and promote the efficient use of resources. Indeed, newer master plans such as Plan Salt Lake and the city's Housing Plan, Growing SLC, encourage density in areas that can accommodate it. The overall goal of the Avenues Master Plan is hence understood as being to promote and protect compatible development, rather than strictly limit housing units.

Furthermore, the rezone would not impact the authority of the Historic Landmark Commission as any future development of the properties would have to comply with the standards of the overlay district and receive the appropriate approvals. HLC review will address scale, size and form of new structures and proposed modifications to existing buildings and should be sufficient to ease density concerns.

It is worth noting that more density is often associated with more parking demand and traffic impacts. The proposed R-MU-35 zoning district requires 1 parking stall for every dwelling unit, which a new development would have to comply with. This neighborhood offers many transportation options, including public sidewalks, bike lanes and two bus lines with stops located adjacent to the property. The smaller blocks compared to other areas in the city also encourage walking. Thus, the proposed zoning parking requirement is appropriate for the area.

### **Consideration 2: Loss of a commercial use in a neighborhood node**

Historic research indicates that the property at 868 E 3<sup>rd</sup> Avenue has had commercial use for over a century. The Sanborn map shows a store siting on the corner of N street and 3<sup>rd</sup> Avenue in 1911. The store occupied the lot with another dwelling and both structures were also documented in the 1950 Sanborn map and in a 1958 aerial photograph. The permit history of the service station suggests that the store and the dwelling on the property were demolished prior to 1962, when the current use was established.

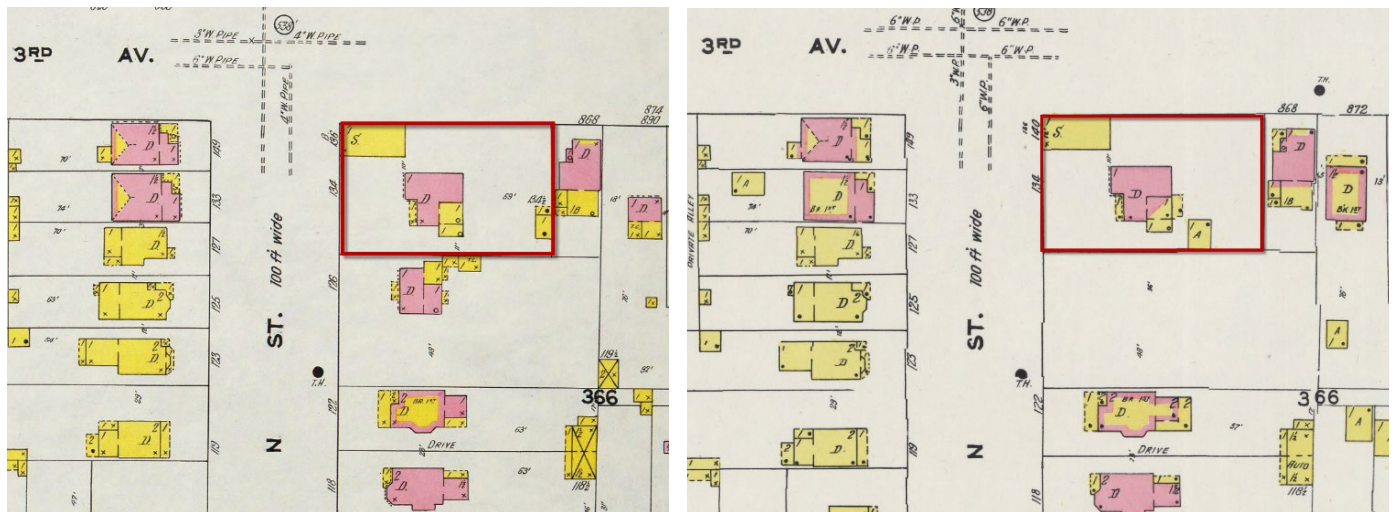


Figure 4 – 1911 and 1950 Sanborn maps show a corner store and a dwelling on the property.



*Figure 5 – Aerial photograph shows that the two structures existed at least until 1958.*

The Avenues Master plan is one of the main guiding documents for land use decisions in the neighborhood. However, the fact that it was adopted in 1987, earlier than most current master plan documents, should be taken into consideration when considering neighborhood and citywide goals. The plan does maintain some relevancy given that the area has not substantially changed. In this master plan, zoning for commercial uses is recommended in a few neighborhood nodes such as this one, where businesses had been long established. As discussed in [Attachment D](#), additional commercial zones are discouraged unless the need for retail services is clearly expressed by residents. This limitation on future commercial development raises the question of whether the loss of an already commercially zoned property would reduce services available at the community level and alter the character of this neighborhood node.

On one hand, large commercial uses may create negative impacts to adjacent residential uses. However, smaller commercial uses such as those permitted in the CN zone could be desirable, appropriate in scale with the neighborhood, and serve the community's future needs. A proposal to rezone another property in the Avenues to allow commercial land uses in the future could face multiple challenges given the neighborhood's established residential character, the policies currently in place, and the potential impacts to abutting properties. The existing commercial zone of this corner property offers the neighborhood an opportunity to provide for resident's daily needs, support walkability and promote a more livable community.

On the other hand, the applicant is proposing a mixed-use zone, where both residential and commercial uses are allowed. The property could still be developed as strictly commercial under the new zoning district, as well as it could be solely residential, or mixed-use. This is an important distinction between the proposed R-MU-35 zone and the existing CN zone: the latter would require a commercial component in order to construct a residential development. The applicant has expressed interest in developing single-family attached dwellings on the rezoned properties, with a possibility of creating live/work units.

Given these considerations, staff finds that it is important for a commercial land use to remain on the corner of 3<sup>rd</sup> Avenue and N Street. Live/work units may not activate this neighborhood node to its full potential, but it would help to increase activity on the corner. Retail shops and services would



certainly contribute more to the intended character of this node and attract more people to give life to the street. Another possibility is to construct convertible spaces, where residential units can easily be converted into commercial space. Understanding that zoning should not be prescriptive and that the current zoning allows for different nonresidential uses, staff is recommending that the rezone be conditioned on a future redevelopment containing a commercial component on the corner property.

### **Consideration 3: Expansion of nonresidential uses into residential area**

As mentioned above, the proposed R-MU-35 zoning district allows for both residential and commercial uses without requiring a mixed-use combination. This would allow not only for the property at 860 E 3<sup>rd</sup> Avenue to be developed as multi-family but would also allow a nonresidential use at 868 E 3<sup>rd</sup> Avenue. Hence, the rezone from SR-1A to R-MU-35 could mean an expansion of nonresidential uses into an area that has long been established as residential.

The Future Land Use Map in the Avenues Master Plan is not clear on boundaries of zoning designations because it is intended to serve as a guiding tool and not as a binding regulation. Even so, the Business/Commercial designation on the southeast corner of 3<sup>rd</sup> Avenue and N Street seems to be larger than the existing 860 E 3<sup>rd</sup> Avenue property, possibly encompassing 868 E 3<sup>rd</sup> Avenue. Independently of how one reads this future map, if the two lots were to be combined, the single zoning would simplify future redevelopment of the properties.

Any rezone that would permit nonresidential uses in a residential property containing housing units must include a Housing Loss Mitigation plan, as outlined in Chapter 18.97 of the City Code. Even though the chapter does not address situations where no residential building is targeted for demolition, the difference between housing value and replacement cost was assessed for the existing housing unit at 868 E 3<sup>rd</sup> Avenue. [Attachment H](#) includes the housing loss mitigation report approved by the Department of Community and Neighborhoods Director. The report determines that the applicant is not responsible for mitigating the housing loss resulting from this rezone.

Although the conversion of the single-family dwelling to nonresidential uses could create some impacts to the abutting properties, the historic status of the property provides some assurances. The existing structure is listed as contributing to the Avenues Local Historic district and therefore, it would be difficult to demolish it or accommodate any use that cannot preserve the integrity of the structure. A conversion to another use will likely trigger building improvements for compliance with building and fire codes. Any exterior modifications to the structure would require a Certificate of Appropriateness whether issued for minor modifications Administratively or major modifications by the Historic Landmark Commission. The review would focus on design elements, however, the limitations on reuse of the building could somewhat limit the intensity of the house conversion.

### **DISCUSSION:**

The proposed zoning map amendment from CN and SR-1A to R-MU-35 would allow for the redevelopment of the subject properties. The possible loss of commercial on the corner of 3<sup>rd</sup> Avenue and N Street is a concern because that street corner has had commercial land uses for over a century and could continue to serve the community's future needs. The commercial zone of this node is both an opportunity to provide services to immediate residents and an urban design strategy to promote a livelier neighborhood. In considering these factors, staff finds that the commercial aspect of the street corner should be maintained. The impacts of an expansion of commercial land uses further into the east of the block and the moderate increase in density are mitigated with the assurances given by the historic overlay district and required landscape buffers. Future development on the properties and even modifications to the existing structures are subject to HLC review, which would limit impacts to the adjacent properties and ensure design compatibility. Thus, staff is supportive of the proposed rezone.

**NEXT STEPS:**

The Planning Commission's recommendation will be forwarded to the City Council for their consideration as part of the final decision on this petition. If the request is approved, any future development of the property would need to comply with the R-MU-35 zoning regulations and would be subject to any conditions imposed. If denied, the subject property would maintain its current zoning designations and could potentially be redeveloped but utilizing the existing zoning standards.

**Legend**

- Subject Property
- Parcels

**Zoning Districts**

- CN Neighborhood Commercial
- SR-1A Special Development Pattern Residential
- RMF-35 Moderate Density Multi-Family Residential

**Map Labels:**

- Streets:** N St, 3rd Ave, 2nd Ave, S St, 1st Ave.
- Parcels:** 173, 167, 827, 829, 172, 166, 164, 851, 859, 867, 874, 876, 175, 167, 873, 879, 881, 887, 149, 133, 127, 123, 119, 109, 103, 827, 89, 90, 868, 870, 81, 79, 77, 75, 72, 904, 82, 78, 74.
- Zoning Districts:** SR-1A, CN.
- Subject Property:** 868.

**Scale:** 0 25 50 100 150 200 Feet

**North Arrow:** N

**Inset Map:** Salt Lake City Cemetery, 4th Ave, 3rd Ave, 2nd Ave, 1st Ave, M St, N St, O St, P St.



## **ATTACHMENT B: Site Photographs**



*Figure 6 – Properties located to the south of 860 E 3<sup>rd</sup> Avenue.*



*Figure 7 – Southwest view of 860 E 3<sup>rd</sup> Avenue.*



*Figure 8 – West view of 860 E 3<sup>rd</sup> Avenue.*



*Figure 9 – Properties located west of 860 E 3<sup>rd</sup> Avenue*



*Figure 10 – Gas station and auto repair at 860 E 3<sup>rd</sup> Avenue.*



*Figure 11 - Gas station and auto repair at 860 E 3<sup>rd</sup> Avenue.*





*Figure 12 – House on 868 E 3<sup>rd</sup> Avenue.*



*Figure 13 – Northwest view of 860 and 868 E 3<sup>rd</sup> Avenue.*



*Figure 14 – Properties located north of the 860 E 3<sup>rd</sup> Avenue.*



*Figure 15 – Properties located north of 868 E 3<sup>rd</sup> Avenue.*

## **ATTACHMENT C: Application Materials**

# THIRD AVENUE HOMES | SLC PLANNING APPLICATION SUBMISSION

03 SEPTEMBER 2020

the

REMARC INVESTMENTS |  
BLALOCK & PARTNERS  
ARCHITECTURAL DESIGN STUDIO

A V E N U E S

**Salt Lake City Planning Department:**

The following information is part of the “Project Description” associated with a request for rezone (Map Amendment) in consideration of the parcels at 860 and 868 E 3rd Avenue, in the Lower Avenues.

**PROJECT DESCRIPTION**

Located at the southeast corner of the intersection at 3rd Avenue and N Street, the two parcels include a Gas Station / Auto Repair Shop (CN Zone) and a single-family residence, with attached vacant lot (SR-1A Zone).

The applicant proposes combining the two parcels and rezoning the property to a Residential Mixed-Use zone (RMU-35). The historic single-family residence would be restored through renovation and maintained per its original use and intent. The remaining site area would be developed as six (6) single-family homes, with pedestrian access from the north and west (3rd Ave and N Street), and dedicated garages accessed from the rear of the property.

There are two goals with this project:

- 1. To create a for-sale housing solution addressing the City’s need for small- and mid-sized developments compatible with the surrounding neighborhood;
- 2. To create a sensitive design solution that strengthens the neighborhood fabric and restores the streetscape;

The first goal addresses a need for increased housing options in Salt Lake City. These proposed homes will offer three-bedroom options in an established neighborhood setting. The project seeks to help balance the low supply of for-sale residences within the city limits, particularly at the smaller development scale. This “missing-middle” housing dilemma is due, in part, from the rising land costs and the challenges limiting density.

A preliminary site plan has been developed to conceptually illustrate the project’s second goal: a sensitive design solution. A “traditional” front porch configuration and garage access from the rear of the site allow for completing the streetscape with planting and a more pedestrian-focused approach. This development would sensitively enhance this neighborhood

corner. The current conditions - asphalt parking lot, tired & outdated Repair Shop, extensive concrete drive lanes, multiple parked cars and traffic - would be replaced with fresh landscaping, a restored sidewalk and pedestrian-first activity, restoring the streetscape and revitalizing the neighborhood energy.

**REASONS FOR RE-ZONING**

The current CN and SR-1A zones are prevalent throughout the Avenues district. However, the Avenues Master Plan, and corresponding Zoning Ordinance, were implemented several decades ago and are substantially outdated. The City and District have changed considerably since the adoption of these two documents. The applicant’s proposed approach seeks to marry the original planning intent with today’s conditions in a manner that works as a long-term solution. As guiding resources, the applicant and design team referred to the *Plan Salt Lake* and *Growing SLC* documents for references supporting this proposed re-zone approach.

The CN zone promotes a neighborhood-scaled commercial use. Revising this property to a RMU-35 allows for both a residential and a commercial use, maintaining opportunities for the original planning intent while broadening it to meet today’s demand for additional housing opportunities.

Similarly, the intent of the SR-1A zone allows for single-family residences on 50’ wide / 5,000 square foot lots. However, the majority of the residential lots within this district are narrower and smaller. Again, by combining these parcels and rezoning to RMU-35, the approach permits the applicant to maintain a single-family development solution that is in keeping with the smaller, narrower lots that have long existed, while still respecting the scale and context of the neighborhood.

Further, within the immediate 2-block radius and within the SR-1A zone, there are currently a handful of dense, multi-family developments. It is understood that these structures are grandfathered into the zoning ordinance, but they do still speak to a greater density than, and a similar scale to, what this project proposes. In keeping with the *Plan Salt Lake* and *Growing SLC* observations and recommendations, this project substantially

restores the streetscape and promotes a safer, more walkable community. By virtue of its location, the project supports alternate methods of transportation with bus routes on 3rd Avenue, South Temple and Virginia Street. These aspects speak directly to addressing some of the primary goals outlined in *Plan Salt Lake* and *Growing SLC*: providing responsible density where transit is readily available; and, providing housing product to entice in-commuters to relocate to the city, or current residents to remain.

**APPROACH**

In order to develop the best possible project, the applicant proposes working closely with the SLC Planning Department, the Greater Avenues Community Council and the Historic Landmark Commission to develop a solution that maximizes the available opportunities.

The applicant has reached out to the GACC requesting an opportunity to share the proposed conceptual development approach with the residents and listen to their feedback. We are currently awaiting a response to our request.

In this regard, this application does not yet include any exterior development studies. Instead, we would prefer to troubleshoot the proposed site development with a dedicated Planner, understand any challenges, solicit feedback from the Avenues community and then develop informed site and architectural solutions. We understand the importance, and benefit to all, of following the necessary review steps and we are anxious to get the application process started. Thank you for your time and consideration in reviewing this Application.

Regards -

Oren Hillel  
Marcus Robinson  
Remarc Investments

Kevin Blalock, AIA  
Blalock & Partners

**Excerpt from Growing SLC**

***“However, in the context of Salt Lake City’s anticipated growth it is also clear that there are not enough housing types or housing affordability to sustain the demand from each of these populations. Our current neighborhoods are not equipped to serve the needs of our growing and evolving population. Therefore, it will be critical that there is a focus on land-use reform that can integrate the needs of each growing population into the now homogenous design of neighborhoods and there is demonstrable support for such a shift. According to an Envision Utah survey, 78 percent of Utahns want communities that include a full mix of housing types (including small lot detached homes, townhomes, condos, and apartments) that match the affordability profile of residents. Furthermore, Utah residents are willing to allow more housing types in more communities in order to achieve this goal.***

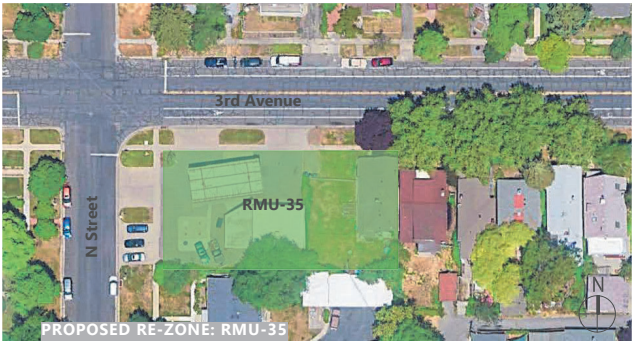
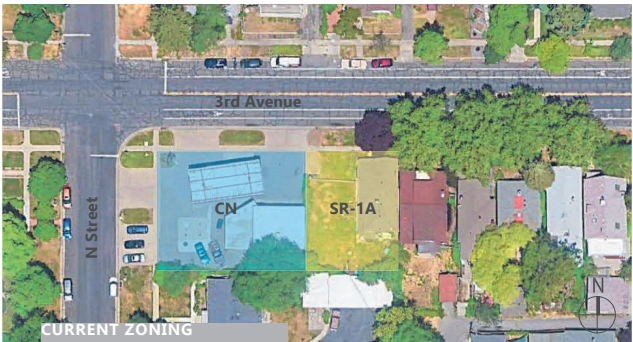
*These preferences are in line with national trends favoring the development of “Missing Middle” housing types, which bridge the product gap between large-lot single-family homes and large apartment or condo structures. An increase in diverse ownership products—in terms of structure, type, and price-point—could help the city attract and retain workers and residents in the city, as well as increase ownership rates for disadvantaged populations.”*



SITE OVERVIEW

860 + 868 E 3rd Ave

- Lower Avenues Neighborhood
- Predominant SR-1A zoning w/ occasional CN Neighborhood Commercial
- Avenues Historic District



EXISTING CONDITIONS:

- Gas / Service Station in CN Zone at corner
- Single-family residence on double-wide lot
- Vacant Land on other half of double-wide lot
- Creation of for-sale townhomes w/ opportunity for live/work

PROPOSED PROJECT:

- Combination of (2) parcels
- Rezone to RMU-35
- Maintain / renovate historic single-family home
- Create For-Sale townhomes at a sensitive scale

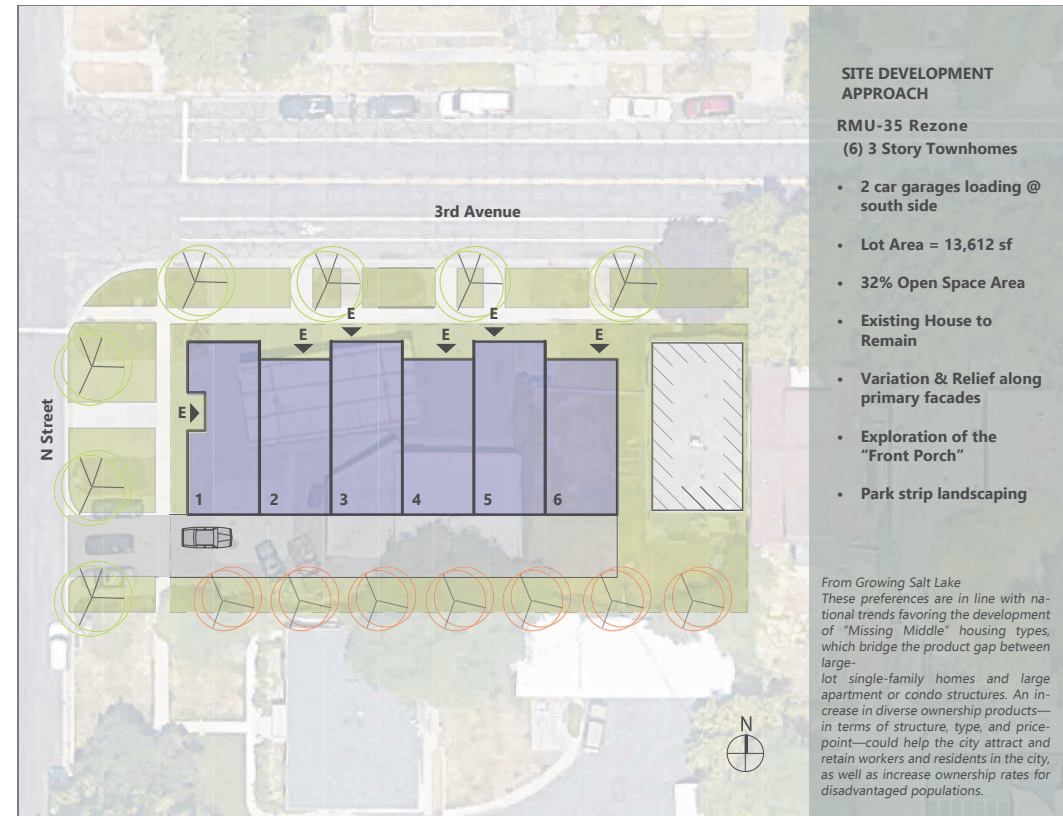
#### SITE DEVELOPMENT STUDY

The diagram at the adjacent page illustrates, at a conceptual level, our proposed development approach. Six, single-family homes would be developed on the site in a sophisticated, sensitive manner; paying particular attention to scale, materials and sidewalk activation.

Each unit is proposed as a three-story, for-sale home with dedicated 2-car garages located from the rear. A richly-planted, 10' wide landscape buffer would be located along the southern edge of the property. The conceptual approach for each unit is to acknowledge the traditional "front porch" typically found throughout the Lower Avenues area. The corner unit would offer opportunities to engage both 3rd Avenue and N Streets.

In addition to the rear planting scheme, the multiple, broad concrete drives from both 3rd Ave and N Street are replaced with a dense, but water-conscious, planted park strip and a continuation of the street tree rhythm. Sidewalks at the entire property are re-poured to address cracks and settlement issues that are currently a walking hazard. In the tradition of walk-up brownstones, inviting walks extend from the sidewalk to each unit's "front porch".

A summary of key aspects of our proposed site development approach are included to the right of the site diagram.





**RMU-35 UNDERSTANDING**

Maintains intent by allowing Commercial uses;

- Developer may consider Live/ Work unit anchoring corner

Allows for greatest flexibility:

- Provides for an ideal unit size and density in keeping with the neighborhood
- Site development setbacks consistent with current area
- Provides needed single-family residences at a scale that is highly sought after

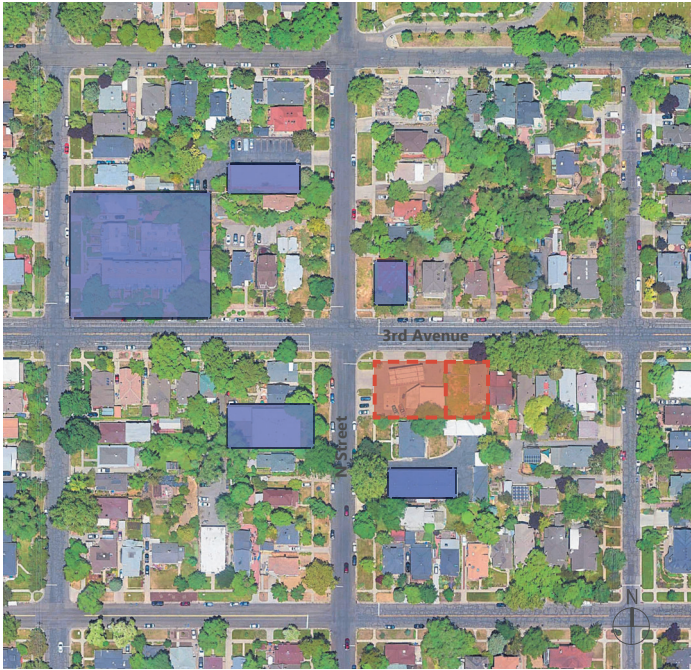
Matches existing District’s lot size as compared to current SR-1A zone



**SITE OVERVIEW**

Avenues Neighborhood

- Density & Scale Precedents in Immediate Neighborhood; multi-story, dense multi-family developments highlighted in relation to proposed site area



***THANK YOU***

*the*

**A V E N U E S**

THIRD AVENUE |  
SLC PLANNING APPLICATION SUBMISSION  
SUPPLEMENTAL INFORMATION

22 OCTOBER 2020

the

REMARC INVESTMENTS |  
BLALOCK & PARTNERS  
ARCHITECTURAL DESIGN STUDIO

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**Mayara Lima:**

Thank you for taking the time to review our project with us on Thursday, September 29 via virtual meeting. That conversation was very helpful to us in understanding the process, the timeline and in getting clarity on the additional information you've requested.

We are eager to continue the conversation with you and maintain some momentum with this project. And we are equally committed to fulfilling all of the necessary steps for project acceptance. To that point, we have prepared this brief summary addressing the five planning standards you outlined in your September 28 email:

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;*
2. *Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance;*
3. *The extent to which a proposed map amendment will affect adjacent properties;*
4. *Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose 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.*

The following pages address each of these planning standards with the information we have available to us. As always, please do not hesitate to contact us with any further questions or concerns. We look forward to furthering the conversation.

Regards -

Oren Hillel  
Marcus Robinson  
Remarc Investments

Kevin Blalock, AIA  
Blalock & Partners

**Project Overview**

RMU-35 Rezone to create  
six new 3 Story homes  
Rear-loaded 2-car garages  
Lot Area = 13,612 SF  
32% Open Space Area  
Existing residence to be  
renovated and restored  
Variation & relief along  
primary facades  
Exploration of the "Front  
Porch"  
Park strip landscaping

#### PLANNING STANDARD #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.*

#### PLANNING STANDARD #2

*Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.*

The project proposes combining two parcels, 860 E and 868 E 3rd Ave, into a single parcel and rezoning that to the Residential Mixed-Use RMU-35 zone. The corner lot, 860 E, currently contains a gas / automotive service station and is zoned CN, Neighborhood Commercial. The adjacent parcel, within the SR-1A zone, is a double-wide lot with an historic single-family residence. The existing home would be renovated and restored, while the remaining parcel would be developed with six new 3-story homes.

Our team has reviewed and consulted a number of city resources and we are confident that rezoning this property is not only consistent with city-wide objectives, but furthers the long-term vision for responsible growth. Specific to the first two Planning Standards, the issues of the project being consistent with the purposes, goals, objectives and policies of the City and furthering the purpose statements of the zoning ordinance, we offer the following insights, statements and observations:

**A. A map amendment to RMU-35 maintains the intent of the original CN zoning.** The CN zone is meant to provide small commercial uses within a predominantly single-family residential neighborhoods. The RMU-35 zone allows and encourages commercial uses while also acknowledging the benefit of maintaining a residential presence.

By allowing both residential and commercial occupancies, the proposed project provides opportunities addressing tomorrow's live/work modes: individual home-ownership with potential for operating a small business out of their own residence. As compared to a traditional commercial project, this idea of "live above your shop" affords a low-barrier of entry for a commercial or retail business and, therefore, a higher chance of long-term success.

- The type of housing proposed blends in with the size, scale and character of the single-family neighborhood while accommodating more housing units in order to create missing middle housing. From the [Growing SLC](#) document, the first objective is to review and modify land-use and zoning regulations in order to promote a diverse housing stock, increase housing options, create redevelopment opportunities, while minimizing neighborhood impacts.
- In the City's [Plan Salt Lake](#) from 2015, the document identifies an overarching goal of "sustainable growth and development" with several supporting areas of focus needed for successful implementation. One of those areas of focus is entitled "Diverse Mix of Uses" and states: *By creating places with a diverse mix of uses, building types, connections, and transportation options, people have the choice of where they live, how they live, and how they get around. As our City grows and evolves over time, having a diverse mix of uses in our neighborhoods citywide will become increasingly important to accommodate responsible growth and provide people with real choices.*

**B. A map amendment to RMU-35 maintains the intent of the original SR-1A zoning.** The SR-1A zone is designed to promote single- and two-family residences "that display a variety of yards, lot sizes and bulk characteristics". The RMU-35 zone, again, allows for single-family residences with lot sizes consistent with the SR-1A zoning.

The proposed project creates six new modestly-sized homes to directly address the city's current challenges with the "Missing Middle" housing, a lack of for-sale housing stock and a lack in the range of types of housing available.

This project seeks to offer home ownership in a beautiful, established, walkable neighborhood and intends to do so in a sensitive, respectful way.

This project is located directly on a transit route providing connections to downtown and the University district. The project creates needed density - but in a responsible way. It respects and reinforces the traditional Lower Avenues streetscape and is in concert with the lot sizes found on this block face and throughout the Avenues Historic District. It reduces large areas of concrete, asphalt and multiple curb-cuts, and relies on rear-loaded garages to reduce street congestion.

- The City's most recent Master Plan document, [Plan Salt Lake](#), clearly articulates in its vision statement: We expect to have true choices about how we live our lives, from what kind of home we live in to how we travel to work, shop, worship or recreate.
- Further to the point of realizing the City's vision statement, the "Guiding Principles" include: Growing responsibly while providing people with choices about where they live, how they live, and how they get around, and Access to a wide variety of housing types for all income levels throughout the City, providing the basic human need for safety and responding to changing demographics.
- In late 2015, the City invested in the [Sustainable Salt Lake - Plan 2015](#) document, which identified as a "Housing Goal": Promote a diverse and balanced community by ensuring a wide variety of housing types.
- Specific to the category of "Neighborhoods" in the [Creating Tomorrow Together](#) document, one of the recommendations: *Neighborhoods should offer a range of housing types, which in turn, offer residents of various income levels choices as to where they might live. The recommendations specific to housing design continues to state: Encourage "neighborhood-friendly housing design" where homes are oriented to the street, parking is placed in the rear, and front yards and porches encourage people to use the street side of their homes for activities.*
- Although the Avenues Master Plan document was adopted in 1987, there are still valuable principles identified which provide guidance on reinforcing the neighborhood character, even with new development. The proposed project intends to preserve the existing, historically significant single-family home through a comprehensive renovation effort. As noted elsewhere in this document, the project's approach removes concrete and asphalt paving, as well as several street curb cuts. The streetscape is then enhanced by continuing the rhythm of street trees and a planted park strip.

#### RESOURCES UTILIZED

*Avenues Master Plan*  
July 1987

*Creating Tomorrow Together*  
March 1998

*Salt Lake City Design Guidelines  
for New Construction in Historic  
Districts*  
December 2012

*Plan Salt Lake*  
December 2015

*Sustainable Salt Lake - Plan 2015*  
December 2015

*Growing SLC:*  
A Five Year Plan | 2018-2022  
January 2018

*Salt Lake City Zoning Ordinance*  
June 2020 update

### PLANNING STANDARD #3

The extent to which a proposed map amendment will affect adjacent properties.

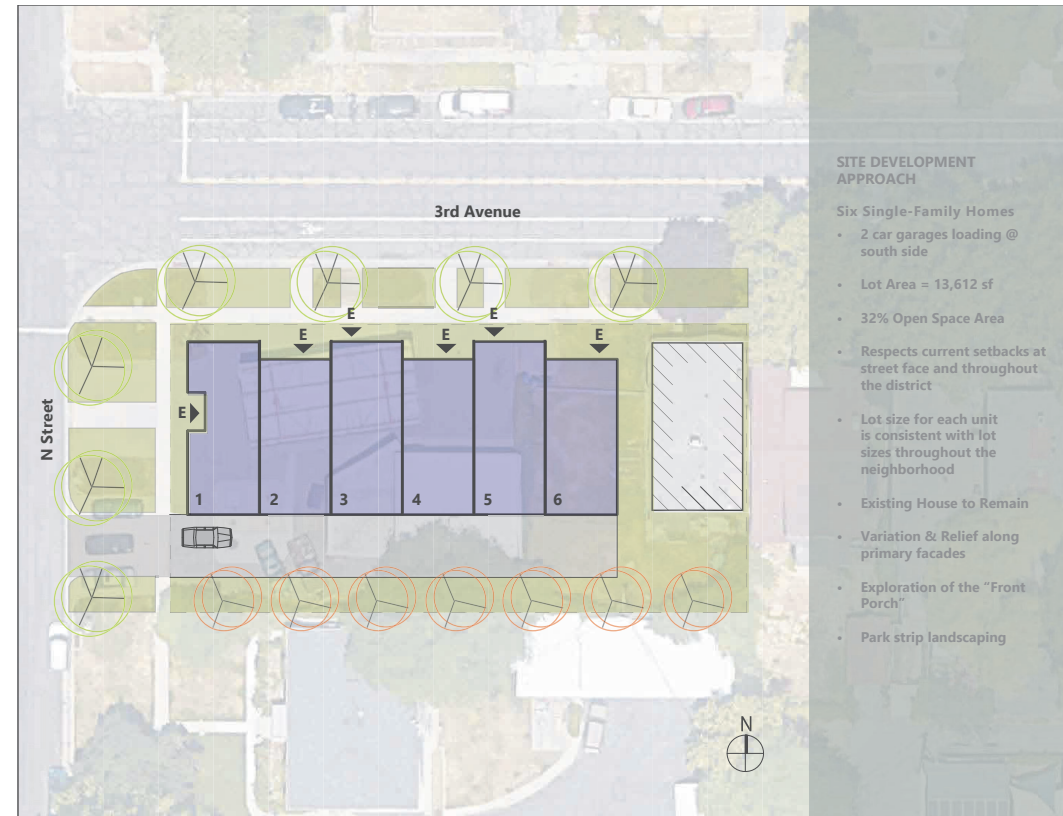
The proposed map amendment will have no negative effect on adjacent properties. While the RMU-35 zoning allows for a variety of uses and configurations, the proposed project associated with our re-zone request seeks to achieve six single-family attached homes. The development creates lot sizes consistent with the neighborhood scale, would add greenery and park strip planting to restore the streetscape. Similarly, the RMU-35 zone allows front, corner and rear yard setbacks that are consistent with the immediate block face, the surrounding blocks and the historic patterns found throughout the greater Lower Avenues district.

- Within the City's 2015 document, *Creating Tomorrow Together*, one of the City's recognized goals for creating stronger neighborhoods is identified as follows: *The ideal neighborhood will be well maintained. Landlords, tenants, and homeowners will share responsibility for keeping properties in good condition. Home ownership will be encouraged where possible. Neighborhoods should contain a variety of housing types, but more units should be owner occupied than renter occupied. This leads to longer term residents and stabilizes property values.*

The site diagram on the adjacent page illustrates, at a conceptual level, our proposed development approach. Six, single-family homes would be developed on the site in a sophisticated, sensitive manner, paying particular attention to scale, materials and sidewalk activation.

Each unit is proposed as a three-story, for-sale home with dedicated 2-car garages loaded from the rear. A richly-planted, 10' wide landscape buffer would be located along the southern edge of the property. The conceptual approach for each unit is to acknowledge the traditional "front porch" typically found throughout the Lower Avenues area. The corner unit would offer opportunities to engage both 3rd Avenue and N Street.

In addition to the rear planting scheme, the service station's multiple, broad concrete drives from both 3rd Ave and N Street are replaced with a dense, but water-conscious, planted park strip and a continuation of the street tree rhythm. Sidewalks at the entire property are re-poured to address cracks and settlement issues that are currently a walking hazard. In the tradition of walk-up brownstones, inviting walks extend from the sidewalk to each unit's "front porch".



### SITE DEVELOPMENT APPROACH

#### Six Single-Family Homes

- 2 car garages loading @ south side
- Lot Area = 13,612 sf
- 32% Open Space Area
- Respects current setbacks at street face and throughout the district
- Lot size for each unit is consistent with lot sizes throughout the neighborhood
- Existing House to Remain
- Variation & Relief along primary facades
- Exploration of the "Front Porch"
- Park strip landscaping



#### PLANNING STANDARD #4

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

#### PLANNING STANDARD #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.*

The parcels in question are within the Lower Avenues Historic District and, therefore, any new construction or renovation projects are subject to Historic Landmark Commission review and approval. The applicant understands and embraces a variety of input to achieve a Planning and neighborhood sensitive solution.

A zone amendment to RMU-35 is consistent with the Historic Overlay District in that any construction effort will also have to comply with any additional standards imposed by the historic district requirements. A zone amendment neither supersedes nor restricts any requirements of the historic district, but allows the project to be further defined by virtue of the HLC review process.

The Lower Avenues district is one of low-density development; historically single-family homes and low- to moderate-density apartments and condominiums. The zone amendment does not impose additional constraints on public facilities and services any more than the current SR-1A and CN zones. Specifically, the CN zone allows for a variety of commercial uses which could result in a greater density than allowed by the proposed zone amendment.

As with any new project, upon achieving a formal zone amendment, the applicant will address all of the mandated infrastructure concerns and continue to explore opportunities to support a vibrant, walkable community.

**THANK YOU**

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## ATTACHMENT D: Master Plan Policies

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### Avenues Master Plan

The subject property is located within the Avenues Master Plan (adopted July 1987) and is designated in the future land use map as “Business/Commercial”.

The land use goal of that master plan is to:

*Preserve the residential character and existing land use patterns in the Avenues Community. Special emphasis should be placed on regulating foothill development and preserving the historically significant sites and districts.*

Relevant land use recommendations to this proposal include a general policy that *additional zoning changes to accommodate higher density multiple-family dwellings in the Avenues are not desirable or needed, and that no immediate need exists for additional business property.* The plan indicates that *additional retail services may eventually be needed.* However, it recommends that *changing zoning to accommodate new retail service should not be made until Avenues residents express the need for additional retail shopping* and specific criteria should be considered in the decision.

The historic preservation goal is also relevant to this proposal:

*Encourage preservation of historically and architecturally significant sites and the established character of the Avenues and South Temple Historic Districts.*

**Staff Discussion:** The proposed rezone will continue to allow residential uses on the two properties but could alter the existing land use pattern of the neighborhood. The difference between the current zoning and the proposed is that for 860 E 3<sup>rd</sup> Avenue multifamily would be allowed without any commercial component, and for 868 E 3<sup>rd</sup> Avenue multifamily and commercial uses would be allowed. Because these properties are located in the Avenues Local Historic District and there are tools in place for historic preservation, new land uses and new development would not diminish the character of the area. The overlay district requires compatibility in the design of new buildings and modifications to existing, which ensures the appropriate scale, size and form of structures. Staff is recommending a condition to maintain a commercial component on the properties to help preserve the already established neighborhood node. The proposed rezone, if approved with this condition, is in line with the Avenues Master Plan, including its Future Land Use map designation.

### Plan Salt Lake

This citywide master plan adopted in 2015 provides a vision and policies for the future of Salt Lake City. The following principles and initiatives are relevant to this project:

*Guiding Principle:* *Neighborhoods that provide a safe environment, opportunity for social interaction, and services needed for the wellbeing of the community therein.*

*Initiative:*

- *Maintain neighborhood stability and character.*

*Guiding Principle:* *Growing responsibly, while providing people with choices about where they live, how they live, and how they get around.*

*Initiative:*

- *Locate new development in areas with existing infrastructure and amenities, such as transit and transportation corridors.*
- *Encourage a mix of land uses.*
- *Promote infill and redevelopment of underutilized land.*

*Guiding Principle:* Access to a wide variety of housing types for all income levels throughout the city, providing the basic human need for safety and responding to changing demographics.

*Initiative:*

- Increase the number of medium density housing types and options.
- Direct new growth toward areas with existing infrastructure and services that have the potential to be people-oriented.
- Enable moderate density increases within existing neighborhoods where appropriate.

*Guiding Principle:* Maintaining places that provide a foundation for the City to affirm our past.

*Initiative:*

- Preserve and enhance neighborhood and district character.
- Balance preservation with flexibility for change and growth.

*Guiding Principle:* A balanced economy that produces quality jobs and fosters an innovative environment for commerce, entrepreneurial local business, and industry to thrive.

*Initiative:*

- Support the growth of small businesses, entrepreneurship and neighborhood business nodes.

Additionally, the proposal relates to several sustainable growth & development concepts outlined in the master plan, including:

- **Diverse mix of uses:** By creating places with a diverse mix of uses, building types, connections, and transportation options, people have the choice of where they live, how they live, and how they get around. As our City grows and evolves overtime, having a diverse mix of uses in our neighborhoods citywide will become increasingly important to accommodate responsible growth and provide people with real choices.
- **Density:** Density and compact development are important principles of sustainable growth, allowing for more affordable transportation options and creating vibrant and diverse places. Density in the appropriate locations, including near existing infrastructure, compatible development, and major transportation corridors, can help to accommodate future growth more efficiently. This type of compact development allows people to live closer to where they work, recreate, shop, and carry out their daily lives, resulting in less automobile dependency and greater mobility.
- **Compatibility:** Compatibility of development generally refers to how a development integrates into the existing scale and character of a neighborhood. New development should be context sensitive to the surrounding development, taking into account the existing character of the neighborhood while providing opportunities for new growth and to enhance the sense of place.

**Staff Discussion:** As discussed above, the rezone would not negatively impact the character of the neighborhood. The proposal would however increase the development potential of the properties, which could result in a land use that is more compatible with adjacent uses, serviced by existing infrastructure, and with potential to be people-oriented. The allowance of multifamily uses would provide a moderate increase in density that is appropriate for the area, especially considering the

HLC authority over the historic district. The historic preservation review required for new construction and modifications of the properties would help to preserve the character of the area, ensuring compatibility while allowing flexibility for growth. The proposed zoning allows for a mix of land uses and a condition to maintain a commercial component on the intersection of 3<sup>rd</sup> Avenue and N street would help support this neighborhood node and the city's economy.

## ATTACHMENT E: Existing Conditions & Development Standards

860 E 3rd Avenue					
Development standard	Existing conditions	CN	Complies	R-MU-35	Complies
Land Use	Gas station/ Minor Auto repair	Prohibited/ Conditional	No	Prohibited	No
Lot Area	8,168 sq ft	16,500 sq ft max.	Yes	5,000 sq ft min. for conditional use	Yes
Height	~15'	25'	Yes	20' nonresidential	Yes
Yard setback:					
Front/ Corner	~ 10' and 8.5'	15' min., 25' max. for 65% of façade	No	5' min., 15' max.	Yes
Interior	~0.5'	None	Yes	None	Yes
Rear	~7.5'	10'	No	25% of lot depth, 30' max.	No
Landscape Buffer	None	7' if abutting residential district	No	10' if abutting single/two- family residential district	No
Parking setback	None	30' or behind structure	No	Not permitted in front/corner	No
Open Space	None	None	Yes	20%	No

868 E 3rd Avenue					
Development standard	Existing conditions	SR-1A	Complies	R-MU-35	Complies
Land Use	Single-family dwelling	Permitted	Yes	Permitted	Yes
Lot Area	5,449 sq ft	5,000 sq ft min.	Yes	2,500 sq ft min. for single- family detached	Yes
Lot Width	66'	50'	Yes	25' for single-family detached	Yes
Height	~23'	23'	Yes	35' residential	Yes
Yard setback:					
Front	~7'	Existing	Yes	5' min., 15' max.	Yes
Interior	~45' and 1.6'	4' and 10'	No	10' if abutting single/two- family residential district	No
Rear	~22'	25% of lot depth, 15' min., 30' max.	Yes	25% of lot depth, 30' max.	Yes
Lot Coverage	~25%	40%	Yes	None	Yes
Landscape Buffer	None	None	No	10' if abutting single/two- family residential district	No
Open Space	65%	None	Yes	20%	Yes

## Land use comparison:

Use	SR-1A	CN	R-MU-35
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P	P
Adaptive reuse of a landmark site	C <sup>8</sup>	P	P
Alcohol, bar establishment (2,500 square feet or less in floor area)		C <sup>10,11</sup>	C <sup>9</sup>
Alcohol, brewpub (2,500 square feet or less in floor area)			C <sup>9</sup>
Animal, veterinary office		C	C
Art gallery		P	P
Artisan food production (2,500 square feet or less in floor area)		P <sup>24</sup>	P <sup>3</sup>
Bed and breakfast		P	
Bed and breakfast inn		P	
Bed and breakfast manor		C <sup>3</sup>	
Clinic (medical, dental)		P	P
Commercial food preparation		P	P
Community garden	C	P	P
Crematorium			C
Daycare center, adult		P	P
Daycare center, child	C <sup>22</sup>	P	P
Daycare, nonregistered home daycare	P <sup>22</sup>	P <sup>22</sup>	P <sup>22</sup>
Daycare, registered home daycare or preschool	P <sup>22</sup>	P <sup>22</sup>	P <sup>22</sup>
Dwelling, accessory guest and servant's quarter		P	
Dwelling, accessory unit	P		P
Dwelling, assisted living facility (large)			C
Dwelling, assisted living facility (limited capacity)	C		P
Dwelling, assisted living facility (small)			P
Dwelling, group home (large) <sup>14</sup>			C
Dwelling, group home (small) <sup>15</sup>	P		P
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 <sup>18</sup>		P	
Dwelling, manufactured home	P		P
Dwelling, multi-family			P
Dwelling, residential support (small) <sup>17</sup>			C
Dwelling, rooming (boarding) house			C
Dwelling, single-family (attached)			P
Dwelling, single-family (detached)	P		P

Dwelling, twin home and two-family	P		P
Eleemosynary facility	C		C
Financial institution		P	P
Funeral home			P
Governmental facility	C		C
Government facility requiring special design features for security purposes		P	
Home occupation	P <sup>24</sup>	P <sup>23</sup>	P <sup>24</sup>
Laboratory (medical, dental, optical)			P
Library		P	C
Mixed use development		P	P
Mobile food business (operation on private property)		P	P
Municipal service use, including City utility use and police and fire station	C		C
Museum		P	C
Nursing care facility			P
Office			
Office, excluding medical and dental clinic and office			P
Open space		P	
Open space on lots less than 4 acres in size	P		P
Park	P	P	P
Parking, off site (to support nonconforming uses in a residential zone or uses in the CN or CB Zones)		C	C
Parking, park and ride lot shared with existing use	P		P
Place of worship on lots less than 4 acres in size	C	P	C
Reception center			P
Recreation (indoor)		P	P
Recycling collection station		P	
Restaurant		P	P
Retail goods establishment		P	P
Retail goods establishment, plant and garden shop with outdoor retail sales area		P	P
Retail service establishment		P	P
Furniture repair shop		C	
Reverse vending machine		P	
Sales and display (outdoor)		P	
School, music conservatory			C
School, professional and vocational			C
School, seminary and religious institute	C		C
Seasonal farm stand		P	P



Studio, art		P	P
Temporary use of closed schools and churches	C <sup>23</sup>		C <sup>23</sup>
Theater, live performance			C <sup>13</sup>
Theater, movie			C
Urban farm	P	P	P
Utility, building or structure	P <sup>5</sup>	P <sup>2</sup>	P <sup>5</sup>
Utility, transmission wire, line, pipe or pole	P <sup>5</sup>	P <sup>2</sup>	P <sup>5</sup>
Vehicle, Automobile repair (minor)		C	

*\* Uses marked with a footnote have qualifying provisions.*

# ATTACHMENT F: 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
<b>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;</b>	<b>Complies with condition</b>	As discussed in <a href="#">Attachment D</a> , the proposed rezone is consistent with the Avenues Master Plan and citywide master plan, Plan Salt Lake. The proposal would continue to support residential uses on the properties while allowing for a moderate increase in density. This supports goals for flexible growth and compatibility. The historic overlay district also ensures compatibility in the design of new construction and building modifications. Staff is recommending a condition that any redevelopment of the properties must have a commercial component at the intersection of 3 <sup>rd</sup> Avenue and N street to support the neighborhood node envisioned and encouraged in both master plans.
<b>2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.</b>	<b>Complies</b>	The proposed amendment helps to <i>foster the city's business and residential development</i> . It contributes to residential development because it allows for a moderate increase in density. It also fosters businesses by potentially supporting the redevelopment of the property with a more attractive and usable commercial space.
<b>3. The extent to which a proposed map amendment will affect adjacent properties;</b>	<b>Complies</b>	The subject properties are surrounded by residential, including single and two-family dwellings and some multi-family. The proposed zoning will allow residential and nonresidential uses on the properties. However, it should have similar impacts to adjacent properties as land uses allowed by the current zoning. Impacts created by potential nonresidential uses on the existing home at 868 E 3 <sup>rd</sup> Avenue will be limited given the contributory status of the structure and required HLC review of physical modifications of the building. Any new development will also have to comply with landscaped buffer requirements.
<b>4. Whether a proposed map amendment is consistent with the purposes and provisions of any</b>	<b>Complies</b>	The properties are located within the Historic Preservation overlay district. The proposed amendment is consistent with

<p><b>applicable overlay zoning districts which may impose additional standards;</b></p>		<p>the purpose of the overlay district in that it encourages redevelopment that is compatible with the character of existing development patterns, fosters economic development consistent with historic preservation, and encourages social, economic and environmental sustainability. The proposed zoning achieves these goals by providing a moderate increase in density and allowing for a mix of land uses on the properties.</p>
<p><b>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.</b></p>	<p><b>Complies</b></p>	<p>This zoning amendment is not tied to a specific development proposal. Nonetheless, no objections were received from other City departments regarding this amendment, but Public Utilities noted that development will likely require offsite improvements. Any redevelopment or modifications of the properties will be reviewed to ensure compliance with all applicable City codes and policies.</p>

## **ATTACHMENT G: Public Process and Comments**

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

### **Public Notices:**

- Notice of the project and request for comments sent to the Chair of the Greater Avenues Community Council on October 16, 2020 in order to solicit comments. The 45-day recognized organization comment period expires on November 30, 2020.
- Early engagement notice was mailed to owners and tenants of properties within 300 feet on October 30, 2020.

### **Public Hearing Notice:**

- Public hearing notice mailed on November 20, 2020.
- Public hearing notice posted on City and State websites on November 20, 2020.
- Sign posted on the property on November 19, 2020.

### **Public Comments:**

- The Community Council Chair did not ask staff to attend a meeting to present the project and did not provide any public comment.
- At the time of the publication of this staff report, two public comment was received. A neighboring property owner called on November 12, 2020 to state their opposition to the rezone because of the impact the new development would cause to the neighborhood given the allowed density and resulting traffic. Another comment was provided via email in support of the proposal. The email is attached. Any other comments received after the posting of this report will be forwarded to the Planning Commission.



**From:** [Vaafuti Tavana](#)  
**To:** [Lima, Mayara](#)  
**Subject:** (EXTERNAL) Resident Letter of Support for the 860 E 3rd project.  
**Date:** Wednesday, November 18, 2020 6:58:03 PM

---

Hi Mayara,

As a member of the Avenues community, I would like to fully support the zoning map amendment proposed at 860 E 3rd. The proposal brings to life an underutilized gas station corner with single family homes that align with the rest of the neighborhood. The proposal also includes restoring and keeping the historic home instead of demolishing it. A project of this nature will bring long-term residents that add value to the community. This development will better the walkability of 3rd avenue and add much needed greenery and landscaping.

Futi Tavana/ 123 E. 2nd Ave #P3, SLC. UT 840103

Futi Tavana



USA Men's National Volleyball Team Athlete  
Alumni BYU 2012

## **ATTACHMENT H: Housing Loss Mitigation Report**

**Mitigation of Residential Housing Loss Report**  
**Property Located at:**  
**868 E 3<sup>rd</sup> Avenue**

## **Background**

The applicant, Remarc Investments, has submitted a Mitigation of Residential Housing Loss application on behalf of the property owner, Rose Family Investments, for the property located at 868 E 3<sup>rd</sup> Avenue. The property is currently zoned SR-1A (Special Development Pattern Residential) and is the subject of a Zoning Map Amendment application to rezone it to R-MU-35 (Residential/Mixed Use).

The proposed zoning map amendment also involves the property at 860 E 3<sup>rd</sup> Avenue, which is zoned CN (Neighborhood Commercial), and the purpose of the rezone is to allow for the redevelopment of the two parcels with multi-family dwellings. While the applicant is anticipating that the existing dwelling on 868 E 3<sup>rd</sup> Avenue will be maintained, City Code section 18.97.020 requires that *any petition for a zoning change that would permit a nonresidential use of land, that includes within its boundaries residential dwelling units, may not be approved until a housing mitigation plan is approved by the city.*

## **Housing Mitigation Ordinance Requirements**

In accordance with the provisions of the Housing Loss Mitigation Ordinance, the Director of Community & Neighborhoods shall prepare a report justifying the recommended method of housing mitigation.

The Housing Mitigation Ordinance requires that a housing impact statement includes the following elements:

**1. Identify the essential adverse impacts on the residential character of the area of the subject petition.**

**Discussion:** Aside from 860 E 3<sup>rd</sup> Avenue, zoned CN, the surrounding properties are zoned and used as residential. The property is located within the Avenues Local Historic District and it is listed as contributing. Demolition of contributing structures must comply with strict historic preservation standards and receive approval from the Historic Landmark Commission. If the subject property at 868 E 3<sup>rd</sup> Avenue is maintained as a single-family dwelling as anticipated by the applicant, the rezone will not create any adverse impacts to the character of the area. If the use of the property changes with the rezone, there may be minor impacts to adjacent uses but should not create substantial adverse impacts to the character of the area.

**2. Identify by address any dwelling units targeted for demolition, following the granting of the petition.**

**Discussion:** No dwelling units are being targeted for demolition with the proposed rezone. A demolition of the existing single-family on the subject property would require compliance with strict historic preservation standards and receive approval from the Historic Landmark Commission.

**3. State the current fair market value, if that unit were in a reasonable state of repair and met all applicable building, fire and health codes.**

**Discussion:** The Salt Lake County Assessor's Office lists the market value of the single-family dwelling on site at \$111,200.

**4. State the square footage of land zoned for residential use that would be rezoned for purposes sought by the petition, other than residential housing and appurtenant uses.**

**Discussion:** The subject property is approximately 5,449 square feet in size.

**5. Specify a mitigation plan to address the loss of residential zoned land, residential units or residential character.** The Mitigation of Residential Housing Loss Ordinance outlines three options for mitigation housing loss:

- A. Construction of replacement housing,
- B. Payment of a fee based on difference between the existing housing market value and the cost of replacement, and
- C. Payment of a flat mitigation fee if demonstrated that the costs of calculating and analyzing the various methods of mitigation are unreasonably excessive in relationship to the rough estimated costs of constitutionally permitted mitigation)

**Discussion:** The options outlined do not address the specific situation with this zoning map amendment, where no residential building is targeted for demolition. However, the rezone itself would allow for the elimination of an existing housing unit.

**Option A** - Staff could recommend to City Council that the rezone be conditioned on prohibiting nonresidential uses on the property or that the applicant enters a development agreement with the city to replace the existing housing unit.

**Option B** - Under this option, the applicant would pay into the City's Housing Trust Fund an amount calculated as the difference between the market value of the homes, as determined by the Salt Lake County Assessor's Office, and the replacement cost of building a new dwelling unit of similar size and meeting all existing building, fire and other applicable law (excluding land value).

The Salt Lake County Assessor's Office shows the market value of the single-family dwelling as \$111,200, which does not include the market value of the land.

The replacement cost is calculated using the Building Valuation Data published by the International Code Council. The most recent data from the ICC was published in August 2020 and, indicates the construction cost per square foot for R-3 (One- and Two-family Dwellings) Type VB is \$123.68/SF of finished floor area and \$22.45/SF of unfinished floor area. This rate takes into account only the costs of construction and does not include the land costs. Type VB is the typical construction type for residential buildings due to the use of the building and the buildings occupant load.

Market value of the property (based on County assessment) = \$111,200.00  
Replacement cost = \$141,920.06  
Difference = -\$30,720.06

Because replacement costs exceed the market value of the existing single-family homes, the difference is a negative number and no mitigation fee is required.

### **Findings:**

1. The proposed rezone could result in a net loss of one dwelling unit.
2. The proposed housing mitigation option A for the construction of replacement housing if the existing dwelling unit is eliminated was considered. However, option B shows that the replacement cost of the existing housing unit is greater than the market value of the structure.
3. The applicant is not required to replace the housing unit nor make a contribution to the City's Housing Trust Fund.

### **Determination of Mitigation**

Based on the findings outlined in this report, the Director of Community and Neighborhood, has determined that the applicant would not be responsible for mitigating the loss of the single dwelling unit located at 868 E 3<sup>rd</sup> Avenue.

  
Jennifer McGrath (Nov 19, 2020 10:12 MST)

Jennifer McGrath, Deputy Director  
Department of Community and Neighborhoods

Dated: 11/19/2020

### **Attachments**

1. Vicinity Maps
2. Salt Lake County Assessor – Evaluation Summaries
3. International Code Council Building Valuation Data – August 2018
4. Mitigation of Residential Housing Loss Applications



# **ATTACHMENT 1**

## **VICINITY MAP**

**Legend**

- Subject Property
- Parcels

**Zoning Districts**

- CN *Neighborhood Commercial*
- SR-1A *Special Development Pattern Residential*
- RMF-35 *Moderate Density Multi-Family Residential*

The map shows a grid of streets including 1st Ave, 2nd Ave, 3rd Ave, 4th Ave, N 1st St, N 2nd St, N 3rd St, and N 4th St. The subject property is located at the intersection of 3rd Ave and N 2nd St. The map also shows the Salt Lake City Cemetery in the top right corner.

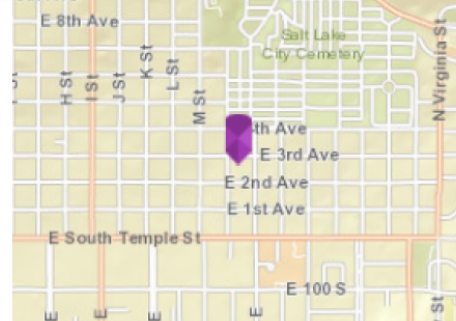
**ATTACHMENT 2**  
**SALT LAKE COUNTY ASSESSOR**  
**EVALUATION SUMMARIES**

SLCo ---&gt; Assessor ---&gt; Parcel Search ---&gt; Valuation Summary ---&gt; Printable Version

<b>Parcel</b>	<b>09-32-379-002-0000</b>
Owner	ROSE FAMILY INVESTMENTS
Address	868 E THIRD AVE
Total Acreage	0.12
Above Ground sqft.	1052
Property Type	111 - SNGL FAM RES
Tax District	13

**Value History**

	Record	Land Value	Building Value	Market Value	Tax Rate
	<b>2020</b>	<b>\$ 140,200</b>	<b>\$ 111,200</b>	<b>\$ 251,400</b>	
2019	1	\$ 134,000	\$ 78,600	\$ 212,600	.0129960
2018	1	\$ 134,000	\$ 66,000	\$ 200,000	.0133450
2017	1	\$ 134,000	\$ 57,000	\$ 191,000	.0142450
2016	1	\$ 124,100	\$ 54,400	\$ 178,500	.0150010
2015	1	\$ 114,400	\$ 50,400	\$ 164,800	.0158260

**Land Record**

09-32-379-002-0000

<b>Record ID 1</b>		<b>Influence Effect</b>		<b>Lot Shape</b>	<b>REGULAR</b>	<b>Traffic</b>	<b>MEDIUM</b>
Lot Use	RESIDENTIAL	Assmt. Class	RES-PRIMARY	Lot Location	INTERIOR	Traffic Influence	NEGATIVE
Lot Type	PRIMARY-LOT	Lot Depth		Neighborhood	63	Street type	TWO-WAY
Land Class		Acres	0.12	Nbhd Type	STATIC	Street Finish	PAVED
Income Flag		Zone	1205	Nbhd Effect	TYPICAL	Curb Gutter	Y
Seasonal use		Sewer	PUBLIC	Topography	LEVEL	Sidewalk	Y
Influence Type		Number Lots	1				

**Residence Record**

09-32-379-002-0000

Building Style	CB	Full Baths	1	Interior Condition	F	Main Floor Area	1052
Assessment Classification	P	3/4 Baths		Exterior Condition	A	Upper Floor Area	
Exterior Wall Type	BR	Half Baths		Overall Condition	F	Finished Attic Area	
Roofing	AS	Number of Kitchens	1	Visual Appeal	A	Above Ground Area	1052
Central AC	Y	Finished Fire places	1	Maintenance	A	Basement Area	526
Heating	C	Year Built	1904	Conformity	E	Finished Basement Area	
Owner Occupied	Y	Effective Year Built	1992	Livability	A	Finished Basement Grade	
Number of Stories	1.0	Interior Grade	F	Primary Kitchen Quality	O	Carport Surface Area	
Total Rooms	5	Exterior Grade	A	Primary Bath Quality	O	Attached Garage S. Area	
Bedrooms	2	Overall Grade	F	Percent Complete	100	Built-in Garage S. Area	
						Basement Garage S. Area	
						Above Grade Area + Basement Area: 1578	

**Legal Description**

09-32-379-002-0000

COM AT NE COR LOT 3 BLK 24 PLAT G SLC SUR W 4 RDS S 5 RDS E 4 RDS N 5 RDS TO BEG 7569-1280 7824-0165

Click here for [Classic Parcel Details Page](#) Search Again?

This page shows the assessor's CAMA data, as it was, on May 22, 2020.

**ATTACHMENT 3**  
**INTERNATIONAL CODE COUNCIL**  
**BUILDING VALUATION DATA –**  
**FEBRUARY 2020**



## Building Valuation Data – AUGUST 2020

The International Code Council is pleased to provide the following Building Valuation Data (BVD) for its members. The BVD will be updated at six-month intervals, with the next update in February 2021. ICC strongly recommends that all jurisdictions and other interested parties actively evaluate and assess the impact of this BVD table before utilizing it in their current code enforcement related activities.

The BVD table provides the “average” construction costs per square foot, which can be used in determining permit fees for a jurisdiction. Permit fee schedules are addressed in Section 109.2 of the 2018 *International Building Code* (IBC) whereas Section 109.3 addresses building permit valuations. The permit fees can be established by using the BVD table and a Permit Fee Multiplier, which is based on the total construction value within the jurisdiction for the past year. The Square Foot Construction Cost table presents factors that reflect relative value of one construction classification/occupancy group to another so that more expensive construction is assessed greater permit fees than less expensive construction.

ICC has developed this data to aid jurisdictions in determining permit fees. It is important to note that while this BVD table does determine an estimated value of a building (i.e., Gross Area x Square Foot Construction Cost), this data is only intended to assist jurisdictions in determining their permit fees. This data table is not intended to be used as an estimating guide because the data only reflects average costs and is not representative of specific construction.

This degree of precision is sufficient for the intended purpose, which is to help establish permit fees so as to fund code compliance activities. This BVD table provides jurisdictions with a simplified way to determine the estimated value of a building that does not rely on the permit applicant to determine the cost of construction. Therefore, the bidding process for a particular job and other associated factors do not affect the value of a building for determining the permit fee. Whether a specific project is bid at a cost above or below the computed value of construction does not affect the permit fee because the cost of related code enforcement activities is not directly affected by the bid process and results.

### Building Valuation

The following building valuation data represents average valuations for most buildings. In conjunction with IBC Section 109.3, this data is offered as an aid for the building official to determine if the permit valuation is underestimated. Again it should be noted that, when using this data, these are “average” costs based on typical construction methods for each occupancy group and type of construction. The average costs

include foundation work, structural and nonstructural building components, electrical, plumbing, mechanical and interior finish material. The data is a national average and does not take into account any regional cost differences. As such, the use of Regional Cost Modifiers is subject to the authority having jurisdiction.

### Permit Fee Multiplier

Determine the Permit Fee Multiplier:

1. Based on historical records, determine the total annual construction value which has occurred within the jurisdiction for the past year.
2. Determine the percentage (%) of the building department budget expected to be provided by building permit revenue.
- 3.

$$\text{Permit Fee Multiplier} = \frac{\text{Bldg. Dept. Budget} \times (\%)}{\text{Total Annual Construction Value}}$$

### Example

The building department operates on a \$300,000 budget, and it expects to cover 75 percent of that from building permit fees. The total annual construction value which occurred within the jurisdiction in the previous year is \$30,000,000.

$$\text{Permit Fee Multiplier} = \frac{\$300,000 \times 75\%}{\$30,000,000} = 0.0075$$

### Permit Fee

The permit fee is determined using the building gross area, the Square Foot Construction Cost and the Permit Fee Multiplier.

$$\text{Permit Fee} = \text{Gross Area} \times \text{Square Foot Construction Cost} \times \text{Permit Fee Multiplier}$$

### Example

Type of Construction: IIB

Area: 1st story = 8,000 sq. ft.

2nd story = 8,000 sq. ft.

Height: 2 stories

Permit Fee Multiplier = 0.0075

Use Group: B

1. Gross area:  
Business = 2 stories x 8,000 sq. ft. = 16,000 sq. ft.
2. Square Foot Construction Cost:  
B/IIB = \$179.18/sq. ft.
3. Permit Fee:  
Business = 16,000 sq. ft. x \$179.18/sq. ft x 0.0075  
= \$21,502

## Important Points

- The BVD is not intended to apply to alterations or repairs to existing buildings. Because the scope of alterations or repairs to an existing building varies so greatly, the Square Foot Construction Costs table does not reflect accurate values for that purpose. However, the Square Foot Construction Costs table can be used to determine the cost of an addition that is basically a stand-alone building which happens to be attached to an existing building. In the case of such additions, the only alterations to the existing building would involve the attachment of the addition to the existing building and the openings between the addition and the existing building.
- For purposes of establishing the Permit Fee Multiplier, the estimated total annual construction value for a given time period (1 year) is the sum of each building's value (Gross Area x Square Foot Construction Cost) for that time period (e.g., 1 year).
- The Square Foot Construction Cost does not include the price of the land on which the building is built. The Square Foot Construction Cost takes into account everything from foundation work to the roof structure and coverings but does not include the price of the land. The cost of the land does not affect the cost of related code enforcement activities and is not included in the Square Foot Construction Cost.

**Square Foot Construction Costs** <sup>a, b, c</sup>

Group (2018 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	250.39	241.91	235.63	226.10	212.32	206.18	218.83	197.45	190.33
A-1 Assembly, theaters, without stage	229.42	220.94	214.66	205.12	191.35	185.21	197.86	176.48	169.35
A-2 Assembly, nightclubs	196.13	190.29	185.62	178.02	167.82	163.20	171.70	151.89	146.71
A-2 Assembly, restaurants, bars, banquet halls	195.13	189.29	183.62	177.02	165.82	162.20	170.70	149.89	145.71
A-3 Assembly, churches	232.04	223.57	217.29	207.75	194.34	189.19	200.49	179.48	172.35
A-3 Assembly, general, community halls, libraries, museums	194.17	185.69	178.41	169.87	155.09	149.96	162.61	140.23	134.10
A-4 Assembly, arenas	228.42	219.94	212.66	204.12	189.35	184.21	196.86	174.48	168.35
B Business	202.30	194.92	188.44	179.18	163.55	157.42	172.13	143.89	137.46
E Educational	212.03	204.70	198.82	190.25	177.27	168.29	183.70	155.00	150.26
F-1 Factory and industrial, moderate hazard	119.53	113.92	107.38	103.45	92.64	88.38	99.02	76.33	71.73
F-2 Factory and industrial, low hazard	118.53	112.92	107.38	102.45	92.64	87.38	98.02	76.33	70.73
H-1 High Hazard, explosives	111.77	106.15	100.62	95.69	86.11	80.85	91.26	69.81	N.P.
H234 High Hazard	111.77	106.15	100.62	95.69	86.11	80.85	91.26	69.81	64.20
H-5 HPM	202.30	194.92	188.44	179.18	163.55	157.42	172.13	143.89	137.46
I-1 Institutional, supervised environment	199.81	192.96	186.97	179.69	164.91	160.39	179.84	148.44	143.75
I-2 Institutional, hospitals	338.94	331.56	325.08	315.82	299.46	N.P.	308.77	279.79	N.P.
I-2 Institutional, nursing homes	235.48	228.11	221.62	212.37	197.49	N.P.	205.32	177.82	N.P.
I-3 Institutional, restrained	230.03	222.65	216.17	206.91	192.77	185.64	199.86	173.11	164.69
I-4 Institutional, day care facilities	199.81	192.96	186.97	179.69	164.91	160.39	179.84	148.44	143.75
M Mercantile	146.21	140.37	134.70	128.11	117.54	113.93	121.78	101.61	97.44
R-1 Residential, hotels	201.71	194.86	188.87	181.59	166.56	162.04	181.74	150.09	145.40
R-2 Residential, multiple family	168.94	162.09	156.10	148.82	135.04	130.52	148.97	118.57	113.88
R-3 Residential, one- and two-family <sup>d</sup>	157.40	153.13	149.31	145.53	140.33	136.62	143.14	131.34	123.68
R-4 Residential, care/assisted living facilities	199.81	192.96	186.97	179.69	164.91	160.39	179.84	148.44	143.75
S-1 Storage, moderate hazard	110.77	105.15	98.62	94.69	84.11	79.85	90.26	67.81	63.20
S-2 Storage, low hazard	109.77	104.15	98.62	93.69	84.11	78.85	89.26	67.81	62.20
U Utility, miscellaneous	85.53	80.63	75.42	72.03	64.67	60.42	68.74	51.21	48.79

a. Private Garages use Utility, miscellaneous

b. For shell only buildings deduct 20 percent

c. N.P. = not permitted

d. Unfinished basements (Group R-3) = \$22.45 per sq. ft.

**ATTACHMENT 4**  
**MITIGATION OF RESIDENTIAL**  
**HOUSING LOSS APPLICATION**



SALT LAKE CITY PLANNING

# Mitigation of Residential Housing Loss

## OFFICE USE ONLY

Pre-demolition #:	Received By:	Date Received:	Zoning:
-------------------	--------------	----------------	---------

Project Name:

## PLEASE PROVIDE THE FOLLOWING INFORMATION

Address of Subject Property: 860 & 868 E 3rd Avenue

Name of Applicant: Remarc Investments Phone: 818-606-2410

Address of Applicant: 770 N 532 E., Orem, UT 84097

E-mail of Applicant: oren@remarcinvestments.com;  
marcus@remarcinvestments.com Cell/Fax:

Applicant's Interest in Subject Property:

☐ Owner ☐ Contractor ☐ Architect ☐ Other:

Name of Property Owner (if different from applicant):  
Rose Family Investments, LLC

E-mail of Property Owner: Phone:

Existing Property Use: Gas Station; Auto Body Repair Shop; Vacant Land; Single Family Home

Proposed Property Use: Restore and maintain existing single family home; RMU-35 for remaining property for potential to develop additional homes


→ Please note that additional 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.

## WHERE TO FILE THE COMPLETE APPLICATION

Mailing Address: Planning Counter PO Box 145471 Salt Lake City, UT 84114	In Person: Planning Counter 451 South State Street, Room 215 Telephone: (801) 535-7700
--	--

## SIGNATURE

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

Signature of Owner or Agent: 	Date: 11/7/20
---	------------------

## SUBMITTAL REQUIREMENTS

### **3. PLANNING COMMISSION**

#### **C. Agenda/Minutes**



## **SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA**

**This meeting will be an electronic meeting pursuant to the  
Salt Lake City Emergency Proclamation**

**December 2, 2020, at 5:30 p.m.**

**(The order of the items may change at the Commission's discretion)**

This Meeting will **not** have an anchor location at the City and County Building. Commission Members will connect remotely. We want to make sure everyone interested in the Planning Commission meetings can still access the meetings how they feel most comfortable. If you are interested in watching the Planning Commission meetings, they are available on the following platforms:

- YouTube: [www.youtube.com/slclivemeetings](http://www.youtube.com/slclivemeetings)
- SLCTV Channel 17 Live: [www.slctv.com/livestream/SLCTV-Live/2](http://www.slctv.com/livestream/SLCTV-Live/2)

If you are interested in participating during the Public Hearing portion of the meeting or provide general comments, email: [planning.comments@slcgov.com](mailto:planning.comments@slcgov.com) or connect with us on Webex at:

- <http://tiny.cc/slc-pc-12022020>

Instructions for using Webex will be provided on our website at [SLC.GOV/Planning](http://SLC.GOV/Planning)

### **PLANNING COMMISSION MEETING WILL BEGIN AT 5:30 PM**

#### **REPORT OF THE CHAIR AND VICE CHAIR**

#### **REPORT OF THE DIRECTOR**

### **PUBLIC HEARINGS**

1. **Izzy South Design Review/Special Exception at approximately 534 East 2100 South** - A request by Ryan McMullen for Design Review and Special Exception approval to develop a 71-unit mixed use building located at approximately 534 East 2100 South in the Community Business CB zoning district. The applicant is requesting Design Review approval because the project is over 15,000 square feet in size and Special Exception approval to allow 3' of additional building height. The project is located within Council District 7, represented by Amy Fowler (Staff contact: Caitlyn Miller at (385) 315- 8115 or [caitlyn.miller@slcgov.com](mailto:caitlyn.miller@slcgov.com)) **Case numbers PLNPCM2020-00222 & PLNPCM2020-00655** (Tabled from 9/23 Planning Commission meeting)
2. **Kozo House Design Review at approximately 157, 175 North 600 West, and 613, 621, 625, 633 West 200 North** - A request by David Clayton for Design Review approval to develop a 319-unit mixed use building on six parcels located at 157 North 600 West, 175 North 600 West, 613 West 200 North, 621 West 200 North, 625 West 200 North, and 633 West 200 North. These properties are located in the TSAUC-T Zoning District. The applicant is requesting Design Review approval to allow the proposed building to exceed the maximum street facing façade length and to modify the spacing of building entrances. The project is located within Council District 3, represented by Chris Wharton (Staff contact: Caitlyn Miller at (385) 315- 8115 or [caitlyn.miller@slcgov.com](mailto:caitlyn.miller@slcgov.com)) **Case number PLNPCM2020-00258** (Tabled from 10/14 Planning Commission meeting)

3. **Learned Ave Alley Vacation at approximately 1025 West North Temple** - A request from Jarod Hall of Di'velept Design, representing the owner of surrounding properties, Riley Rogers, to vacate the public alley adjacent to the rear property line of 1025 West North Temple that runs mid-block from east to west. The subject alley is surrounded by the TSA-SP-T (Special Purpose Transit Station, Transition Area) zoning district and is located within Council District #2, represented by Andrew Johnston (Staff contact: Aaron Barlow at (385) 386-2764 or aaron.barlow@slcgov.com) **Case number PLNPCM2020-00572**
4. **Greenprint Gateway Apartments Planned Development and Design Review at approximately 592 West 200 South** - Mark Eddy of OZ7 Opportunity Fund, has requested Planned Development and Design Review approval for the Greenprint Gateway Apartments to be located on three (3) contiguous parcels located at 592 W 200 S, 568 W 200 S and 161 S 600 W respectively. The proposal is for a 150-unit apartment building on a 0.59 acre (26,000 square feet) consolidated parcel. The proposed building will be six stories in height and will be approximately 70-feet tall to the top of the building's parapet. The apartments will be a mix of micro and studio apartments. The properties are located in the G-MU Gateway-Mixed Use zoning district. The G-MU zoning district requires Planned Development approval for all new principal buildings and uses. In addition, Design Review approval has been requested to address some design aspects of the building including material choices and maximum length of a section of blank wall space on the west façade of the building. The proposal is located within Council District 4, represented by Ana Valdemoros. (Staff contact: David J. Gellner at (801) 535-6107 or david.gellner@slcgov.com) **Case number PLNPCM2020-00493 & PLNPCM2020-00749**
5. **Rezone at approximately 860 & 868 East 3rd Avenue** - Remarc Investments, representing the property owner, is requesting a Zoning Map Amendment from CN (Neighborhood Commercial) and SR-1A (Special Development Pattern Residential) to R-MU-35 (Residential/Mixed Use) at the above-listed addresses. The applicant would like to rezone the properties to allow a multi-family development on the lots, however the request is not tied to a development proposal. The properties are located within the Avenues Local Historic District and any future demolition or new construction must be approved by the Historic Landmark Commission. Although the applicant has requested that the property be rezoned to R-MU-35, consideration may be given to another zoning district with similar characteristics. The property is located within Council District 3, represented by Chris Wharton. (Staff contact: Mayara Lima at (385) 377-7570 or mayara.lima@slcgov.com) **Case number PLNPCM2020-00703**

*For Planning Commission agendas, staff reports, and minutes, visit the Planning Division's website at [slc.gov/planning/public-meetings](http://slc.gov/planning/public-meetings). 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.*

**SALT LAKE CITY PLANNING COMMISSION MEETING**  
**This meeting was held electronically pursuant to the**  
**Salt Lake City Emergency Proclamation**  
**Wednesday, December 2, 2020**

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:30:15 PM](#). Audio recordings of the Planning Commission meetings are retained for a period of time.

Present for the Planning Commission meeting were: Chairperson, Brenda Scheer; Vice-Chairperson, Amy Barry; Commissioners Andres Paredes,Carolynn Hoskins, Maurine Bachman, Matt Lyon, Adrienne Bell, Jon Lee, and Sara Urquhart.

Planning Staff members present at the meeting were: Nick Norris, Planning Director; Wayne Mills, Planning Manager; Paul Nielson, Attorney; Caitlyn Miller, Principal Planner; Aaron Barlow, Principal Planner; David Gellner, Principal Planner; Mayara Lima, Principal Planner; and Marlene Rankins, Administrative Secretary.

Chairperson Brenda Scheer read the Salt Lake City Emergency declaration.

[8:33:56 PM](#)

**Rezone at approximately 860 & 868 East 3<sup>rd</sup> Avenue** – Remarc Investments, representing the property owner, is requesting a Zoning Map Amendment from CN (Neighborhood Commercial) and SR-1A (Special Development Pattern Residential) to R-MU-35 (Residential/Mixed Use) at the above-listed addresses. The applicant would like to rezone the properties to allow a multi-family development on the lots, however the request is not tied to a development proposal. The properties are located within the Avenues Local Historic District and any future demolition or new construction must be approved by the Historic Landmark Commission. Although the applicant has requested that the property be rezoned to R-MU-35, consideration may be given to another zoning district with similar characteristics. The property is located within Council District 3, represented by Chris Wharton. (Staff contact: Mayara Lima at (385) 377-7570 or [mayara.lima@slcgov.com](mailto:mayara.lima@slcgov.com)) **Case number PLNPCM2020-00703**

Mayara Lima, Principal Planner, reviewed the petition as outlined in the Staff Report (located in the case file). She stated Staff recommended that the Planning Commission forward a positive recommendation to the City Council with the conditions listed in the staff report.

The Commission and Staff discussed the following:

- Height differences
- Commercial component and whether it's practical in the long term
- Clarification on why the house is being included in the rezone if it's going to remain as a house

Marcus Robinson and Kevin Blalock, provided a presentation with further details.

The Commission, Staff and Applicant discussed the following:

- Whether the applicant has shared their plans with the community council or the surrounding neighborhood

**PUBLIC HEARING [9:02:03 PM](#)**

Chairperson Scheer opened the Public Hearing;

Beckie Bradshaw – Provided an email comment raising concerns with parking and traffic issues.

Brandy Dominguez – Provided an email comment stating her opposition of the request.

Jack Galian – Provided an email comment that he was interested in attending the meeting, but staff did not see him listed in the attendee list.

Nick Gurr – Provided an email comment stating his opposition of the request.

Zack S – Provided an email comment stating his opposition of the request.

Seeing no one else wished to speak; Chairperson Scheer closed the Public Hearing.

The Commission, Staff and Applicant further discussed the following:

- Clarification on what other zoning districts were considered and how it was settled on the current proposal

The Commission made the following comments:

- I'm in favor of recommending approval; I'm not in favor of the condition
- I agree, I don't think that a commercial requirement is appropriate

The Commission and Applicant further discussed the following:

- Whether there's any off-street parking for the existing home

**MOTION [9:17:28 PM](#)**

**Commissioner Bell stated, Based on the information listed in the staff report, the information presented, and the input received during the public hearing, I move that the Planning Commission recommend that the City Council approve the proposed zoning map amendment, as presented in petition PLNPCM2020-00703.**

**Commissioner Bachman seconded the motion. Commissioners Bachman, Barry, Bell, Hoskins, Lee, and Paredes voted "Aye". Commissioners Lyon, and Urquhart voted "Nay". The motion passed 6-2.**

**The meeting adjourned at [9:19:16 PM](#)**

## **4. HISTORIC LANDMARK COMMISSION**

### **A. Memorandum**





# MEMORANDUM

PLANNING DIVISION  
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Historic Landmark Commission

From: Mayara Lima, Principal Planner  
(801) 535-7118 or [mayara.lima@slcgov.com](mailto:mayara.lima@slcgov.com)

Date: January 7, 2021

Re: PLNPCM2020-00703 – 3<sup>rd</sup> Avenue Rezone

**PROPERTY ADDRESS:** 860 and 868 E 3<sup>rd</sup> Avenue

**PARCEL IDs:** 09-32-379-001 and 09-32-379-002

**MASTER PLAN:** Avenues Master Plan

**ZONING DISTRICT:** CN Neighborhood Commercial & SR-1A Special Development Pattern Residential

**OVERLAY DISTRICT:** Avenues Local Historic Preservation District

**REQUEST:** Remarc Investments, representing the property owner, is requesting a Zoning Map Amendment from CN (Neighborhood Commercial) and SR-1A (Special Development Pattern Residential) to R-MU-35 (Residential/Mixed Use) at 860 and 868 E 3<sup>rd</sup> Avenue. The applicant would like to rezone the properties to allow a multi-family development on the lots, however the request is not tied to a development proposal.



Figure 1 – Zoning and vicinity map of the subject properties

**ACTION REQUIRED:** Because the subject properties are located in the Avenues Local Historic District, Planning Staff is asking the Historic Landmark Commission to review the request and identify any potential concerns as they relate to the integrity of the local historic district. Any concerns identified by the HLC will be forwarded to the City Council for consideration. The Planning Commission voted to forward a positive recommendation to the City Council on December 2, 2020. The City Council has final decision-making authority on the matter.

**BACKGROUND/DISCUSSION:** The proposal is to change the zoning designation of the properties. 860 E 3<sup>rd</sup> Avenue is currently zoned CN and contain a gas station and auto repair. 868 E 3<sup>rd</sup> Avenue is currently zoned SR-1A and contains a single-family dwelling. The surrounding properties are predominantly residential, zoned SR-1A, and include single-family, two-family and some multi-family dwellings.



*Figure 2 – Photo of the gas station and auto repair at 860 E 3<sup>rd</sup> Avenue*

The gas station and auto repair on 860 E 3<sup>rd</sup> Avenue date back to 1962 when the property was given a building permit to operate a service station. The canopy was constructed later, but the use of the property as commercial has been consistent for almost 60 years. Despite the age, the structures are not considered contributing to the historic district. The land uses are nonconforming (not permitted but created prior to the zoning) and the structures noncomplying to the current CN zoning.



*Figure 3 – Photo of the single-family dwelling at 868 E 3<sup>rd</sup> Avenue*

The house on 868 E 3<sup>rd</sup> Avenue was built in 1892 and has always been a single-family dwelling. The house is listed as contributing to the historic district. The use of the property is permitted in the current SR-1A zoning district, but the small east side setback renders the existing structure noncomplying. This property is included in the rezone request because of its lot size, which remains partially unobstructed by buildings on the west side.

The applicant has submitted a conceptual redevelopment plan for the properties under the proposed zoning district. The anticipated development would include combining the two lots, preserving the existing single-family dwelling, demolishing the commercial structures and constructing six attached single-family dwellings on the properties. Because the two properties are within the Avenues Local Historic district, any future development would have to be approved by the Historic Landmark Commission.

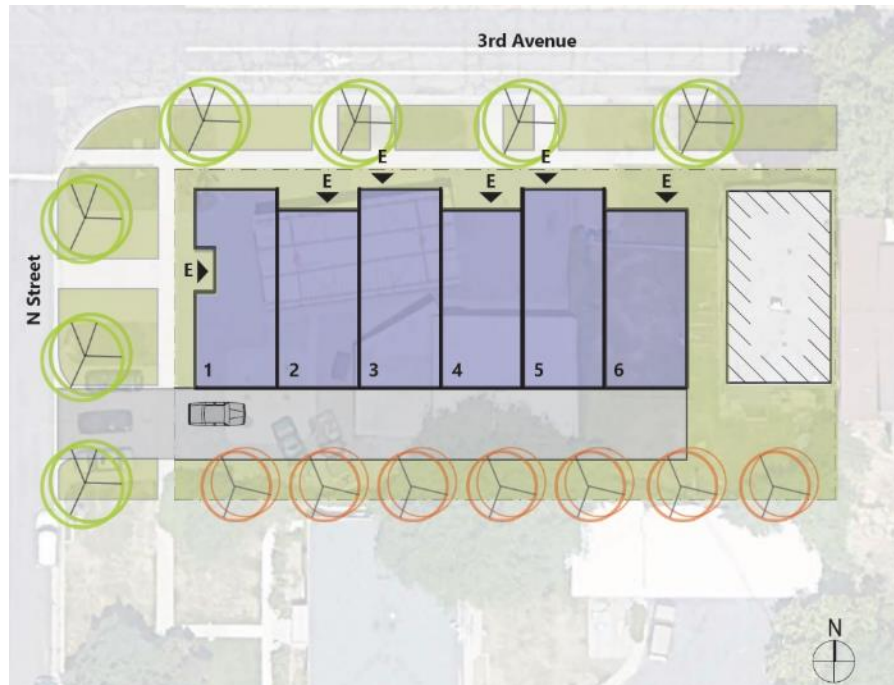


Figure 4 – Conceptual plan submitted by the applicant.

Three key considerations were discussed with the Planning Commission:

### 1. Development plans and rezone request

The existing structures on the properties are considered noncomplying to its current zoning standards. If the rezone is approved, they will continue to be considered noncomplying to the proposed zoning district without necessarily increasing the degree of noncompliance. New development would have to comply with the proposed zoning standards, including landscape buffers to adjacent parcels, or request modifications to the HLC.

The proposed R-MU-35 zoning district could result in more density within the combined properties than it is currently attainable because it allows an additional 10 feet in building height and due to easier siting of a new building. However, when compared to the CN zoning district, which has no density requirement for mixed-use developments, and the size of the combined properties, it is unlikely that the rezone would result in a significant increase in number of units.

The required landscape buffer in a new development would help reduce use impacts and HLC review could limit impacts related to massing, size and scale of future buildings. As far as parking goes, the proposed zoning requires one stall per residential unit. Parking for nonresidential uses vary depending on the intensity of the use. The requirement is considered adequate for the properties because they are served by sidewalks, bike lanes and two bus lines.



## 2. Loss of a commercial use in a neighborhood node

The rezone could potentially result in the loss of commercial use in this node. Historic research shows that the property at 860 E 3rd Avenue has had commercial uses for over a century. Sanborn maps show a store sitting on the corner of N street and 3rd Avenue between 1911 and 1950. A 1958 aerial photograph and permit records suggest that the store was maintained until 1962, when the current use was established.

The Avenues Master Plan offers limited opportunities to add commercial zones in the neighborhood, and the loss of an already designated commercial property could mean a reduction of services available at the community level and could alter the character of this neighborhood node. Planning staff recommended to the Planning Commission that the rezone be conditioned on any new development including a commercial component to maintain the neighborhood node and support activity on that corner. However, Planning Commission found that the condition was not appropriate.

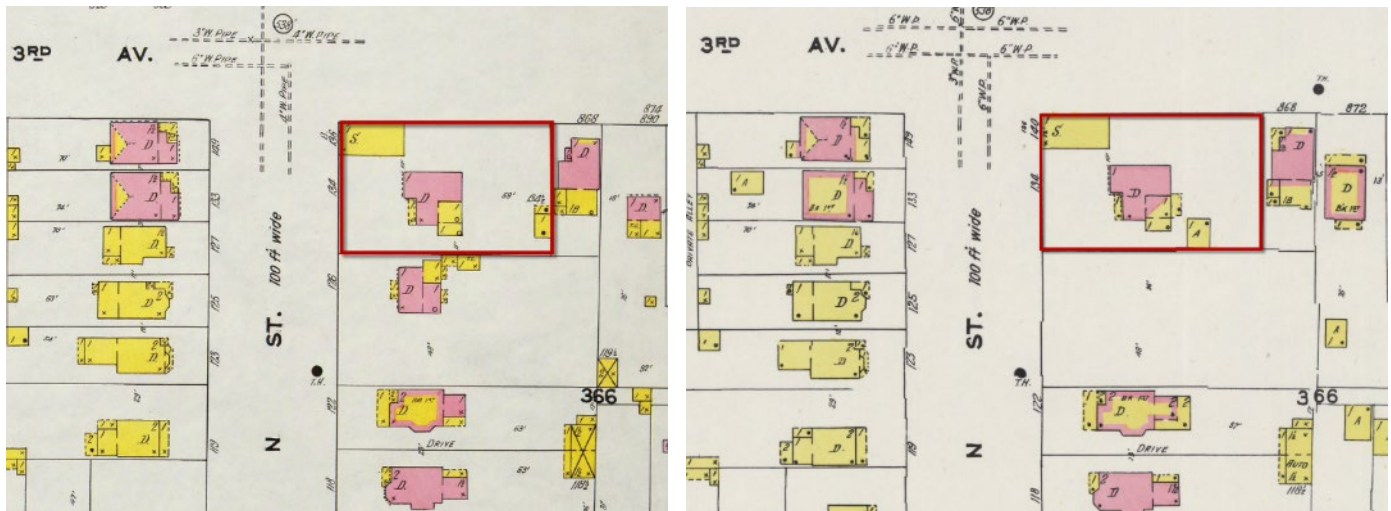


Figure 5 – 1911 and 1950 Sanborn maps show a corner store and a dwelling on the property.



Figure 6 – Aerial photograph shows that the two structures existed at least until 1958.

### **3. Expansion of nonresidential uses into residential area**

The rezone would also allow for the conversion of the existing single-family dwelling into a nonresidential use. The Future Land Use Map of the Avenues Master Plan is not clear on the vision for the specific property and could be interpreted to accommodate current and proposed zoning. Nonetheless, when considering the impact of a change of use, staff found that the contributory status of the structure on 868 E 3<sup>rd</sup> Avenue hinders demolition and limits the intensity of the house conversion.

A conversion to another use will likely trigger building improvements for compliance with building and fire codes. Any exterior modifications to the structure would require a Certificate of Appropriateness whether issued for minor modifications Administratively or major modifications by the Historic Landmark Commission. The review would focus on design elements, however, the limitations on reuse of the building could somewhat limit the intensity of the house conversion.

Overall, staff finds that the applicable master plans contain city goals and policies that support the proposed zoning map amendment. The Future Land Use Map of the Avenues Master Plan calls for Business/Commercial on the corner of the 3rd Avenue and N Street. The proposal is also in line with the policies related to the preservation of residential character and existing land use patterns found in the Avenues Master Plan and those related to smart growth and compatibility found in Plan Salt Lake.

#### **NEXT STEPS:**

Based on this information and the applicant's proposal, Planning Staff is asking the Historic Landmark Commission to identify any potential concerns with these zoning map and master plan amendment requests as they relate to the integrity of the Avenues Local Historic District and local preservation efforts. Discussion points may relate to:

- The compatibility of the proposed uses with the historic character of the area
- The R-MU-35 zoning standards as they relate to historic structures
- The potential new development that could occur as a result of this zoning change.

Any concerns identified by the HLC – if any – will be forwarded to the City Council for review. For reference, the City Council will look to the following standards to guide their decision (21A.50.050.B):

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;
2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance;
3. The extent to which a proposed map amendment will affect adjacent properties;
4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and
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.

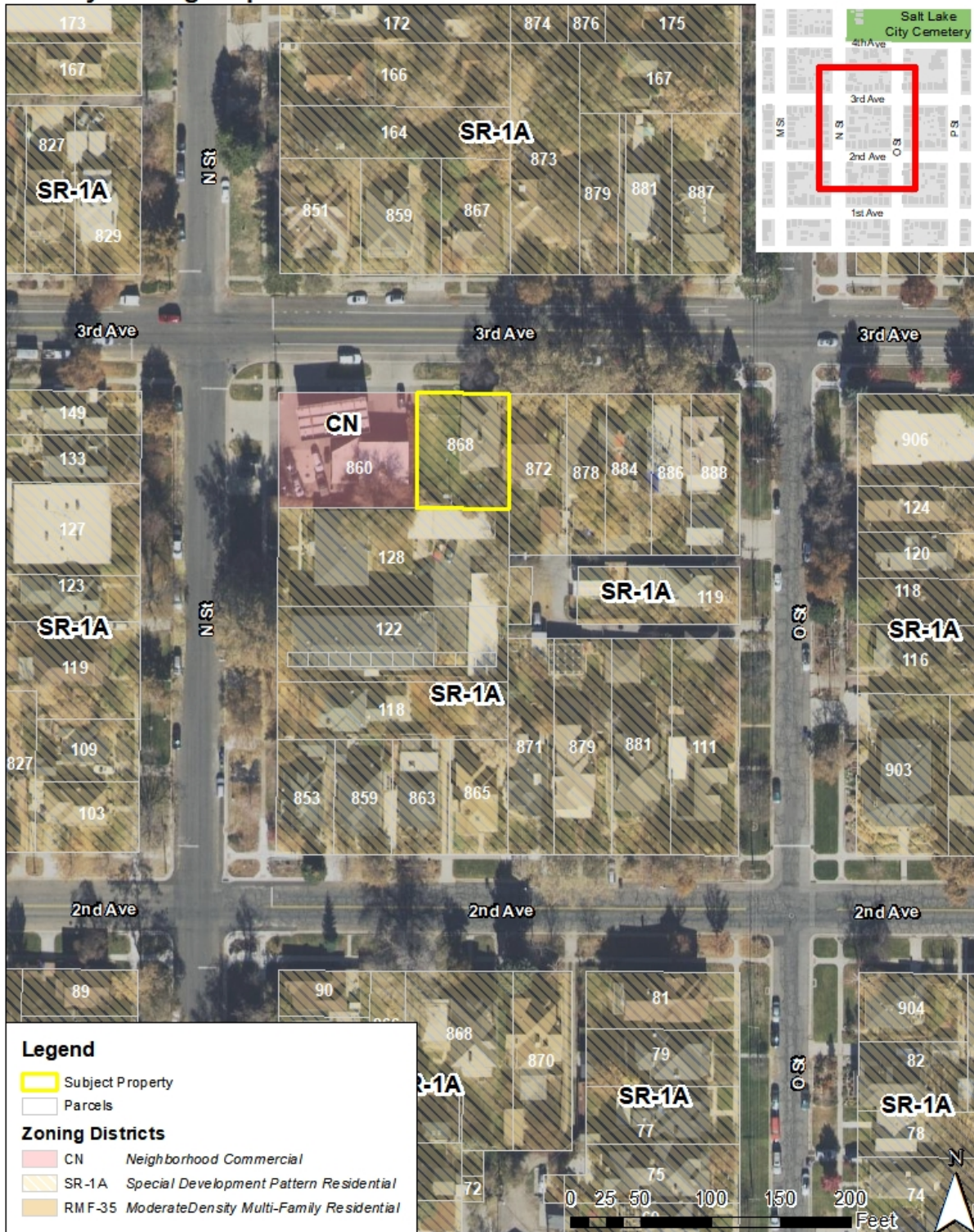
**ATTACHMENTS:**

- A. [Vicinity Zoning Map](#)
- B. [Site Photographs](#)
- C. [Application Materials](#)
- D. [Master Plan Policies](#)
- E. [Existing Conditions & Development Standards](#)



# ATTACHMENT A: Vicinity Zoning Map

Vicinity Zoning Map





## **ATTACHMENT B: Site Photographs**



*Figure 7 – Properties located to the south of 860 E 3<sup>rd</sup> Avenue.*



*Figure 8 – Southwest view of 860 E 3<sup>rd</sup> Avenue.*



*Figure 9 – West view of 860 E 3<sup>rd</sup> Avenue.*



*Figure 10 – Properties located west of 860 E 3<sup>rd</sup> Avenue*



*Figure 11 – Gas station and auto repair at 860 E 3<sup>rd</sup> Avenue.*



*Figure 12 - Gas station and auto repair at 860 E 3<sup>rd</sup> Avenue.*





Figure 13 – House on 868 E 3<sup>rd</sup> Avenue.



Figure 14 – Northwest view of 860 and 868 E 3<sup>rd</sup> Avenue.



Figure 15 – Properties located north of the 860 E 3<sup>rd</sup> Avenue.



Figure 16 – Properties located north of 868 E 3<sup>rd</sup> Avenue.

## **ATTACHMENT C: Application Materials**

# THIRD AVENUE HOMES | SLC PLANNING APPLICATION SUBMISSION

03 SEPTEMBER 2020

the

REMARC INVESTMENTS |  
BLALOCK & PARTNERS  
ARCHITECTURAL DESIGN STUDIO

A V E N U E S

**Salt Lake City Planning Department:**

The following information is part of the “Project Description” associated with a request for rezone (Map Amendment) in consideration of the parcels at 860 and 868 E 3rd Avenue, in the Lower Avenues.

**PROJECT DESCRIPTION**

Located at the southeast corner of the intersection at 3rd Avenue and N Street, the two parcels include a Gas Station / Auto Repair Shop (CN Zone) and a single-family residence, with attached vacant lot (SR-1A Zone).

The applicant proposes combining the two parcels and rezoning the property to a Residential Mixed-Use zone (RMU-35). The historic single-family residence would be restored through renovation and maintained per its original use and intent. The remaining site area would be developed as six (6) single-family homes, with pedestrian access from the north and west (3rd Ave and N Street), and dedicated garages accessed from the rear of the property.

There are two goals with this project:

- 1. To create a for-sale housing solution addressing the City’s need for small- and mid-sized developments compatible with the surrounding neighborhood;
- 2. To create a sensitive design solution that strengthens the neighborhood fabric and restores the streetscape;

The first goal addresses a need for increased housing options in Salt Lake City. These proposed homes will offer three-bedroom options in an established neighborhood setting. The project seeks to help balance the low supply of for-sale residences within the city limits, particularly at the smaller development scale. This “missing-middle” housing dilemma is due, in part, from the rising land costs and the challenges limiting density.

A preliminary site plan has been developed to conceptually illustrate the project’s second goal: a sensitive design solution. A “traditional” front porch configuration and garage access from the rear of the site allow for completing the streetscape with planting and a more pedestrian-focused approach. This development would sensitively enhance this neighborhood

corner. The current conditions - asphalt parking lot, tired & outdated Repair Shop, extensive concrete drive lanes, multiple parked cars and traffic - would be replaced with fresh landscaping, a restored sidewalk and pedestrian-first activity, restoring the streetscape and revitalizing the neighborhood energy.

**REASONS FOR RE-ZONING**

The current CN and SR-1A zones are prevalent throughout the Avenues district. However, the Avenues Master Plan, and corresponding Zoning Ordinance, were implemented several decades ago and are substantially outdated. The City and District have changed considerably since the adoption of these two documents. The applicant’s proposed approach seeks to marry the original planning intent with today’s conditions in a manner that works as a long-term solution. As guiding resources, the applicant and design team referred to the *Plan Salt Lake* and *Growing SLC* documents for references supporting this proposed re-zone approach.

The CN zone promotes a neighborhood-scaled commercial use. Revising this property to a RMU-35 allows for both a residential and a commercial use, maintaining opportunities for the original planning intent while broadening it to meet today’s demand for additional housing opportunities.

Similarly, the intent of the SR-1A zone allows for single-family residences on 50’ wide / 5,000 square foot lots. However, the majority of the residential lots within this district are narrower and smaller. Again, by combining these parcels and rezoning to RMU-35, the approach permits the applicant to maintain a single-family development solution that is in keeping with the smaller, narrower lots that have long existed, while still respecting the scale and context of the neighborhood.

Further, within the immediate 2-block radius and within the SR-1A zone, there are currently a handful of dense, multi-family developments. It is understood that these structures are grandfathered into the zoning ordinance, but they do still speak to a greater density than, and a similar scale to, what this project proposes. In keeping with the *Plan Salt Lake* and *Growing SLC* observations and recommendations, this project substantially

restores the streetscape and promotes a safer, more walkable community. By virtue of its location, the project supports alternate methods of transportation with bus routes on 3rd Avenue, South Temple and Virginia Street. These aspects speak directly to addressing some of the primary goals outlined in *Plan Salt Lake* and *Growing SLC*: providing responsible density where transit is readily available; and, providing housing product to entice in-commuters to relocate to the city, or current residents to remain.

**APPROACH**

In order to develop the best possible project, the applicant proposes working closely with the SLC Planning Department, the Greater Avenues Community Council and the Historic Landmark Commission to develop a solution that maximizes the available opportunities.

The applicant has reached out to the GACC requesting an opportunity to share the proposed conceptual development approach with the residents and listen to their feedback. We are currently awaiting a response to our request.

In this regard, this application does not yet include any exterior development studies. Instead, we would prefer to troubleshoot the proposed site development with a dedicated Planner, understand any challenges, solicit feedback from the Avenues community and then develop informed site and architectural solutions. We understand the importance, and benefit to all, of following the necessary review steps and we are anxious to get the application process started. Thank you for your time and consideration in reviewing this Application.

Regards -

Oren Hillel  
Marcus Robinson  
Remarc Investments

Kevin Blalock, AIA  
Blalock & Partners

**Excerpt from Growing SLC**

***“However, in the context of Salt Lake City’s anticipated growth it is also clear that there are not enough housing types or housing affordability to sustain the demand from each of these populations. Our current neighborhoods are not equipped to serve the needs of our growing and evolving population. Therefore, it will be critical that there is a focus on land-use reform that can integrate the needs of each growing population into the now homogenous design of neighborhoods and there is demonstrable support for such a shift. According to an Envision Utah survey, 78 percent of Utahns want communities that include a full mix of housing types (including small lot detached homes, townhomes, condos, and apartments) that match the affordability profile of residents. Furthermore, Utah residents are willing to allow more housing types in more communities in order to achieve this goal.***

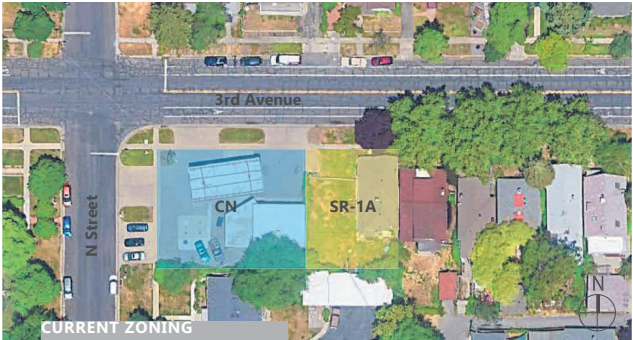
*These preferences are in line with national trends favoring the development of “Missing Middle” housing types, which bridge the product gap between large-lot single-family homes and large apartment or condo structures. An increase in diverse ownership products—in terms of structure, type, and price-point—could help the city attract and retain workers and residents in the city, as well as increase ownership rates for disadvantaged populations.”*



SITE OVERVIEW

860 + 868 E 3rd Ave

- Lower Avenues Neighborhood
- Predominant SR-1A zoning w/ occasional CN Neighborhood Commercial
- Avenues Historic District



EXISTING CONDITIONS:

- Gas / Service Station in CN Zone at corner
- Single-family residence on double-wide lot
- Vacant Land on other half of double-wide lot
- Creation of for-sale townhomes w/ opportunity for live/work

PROPOSED PROJECT:

- Combination of (2) parcels
- Rezone to RMU-35
- Maintain / renovate historic single-family home
- Create For-Sale townhomes at a sensitive scale

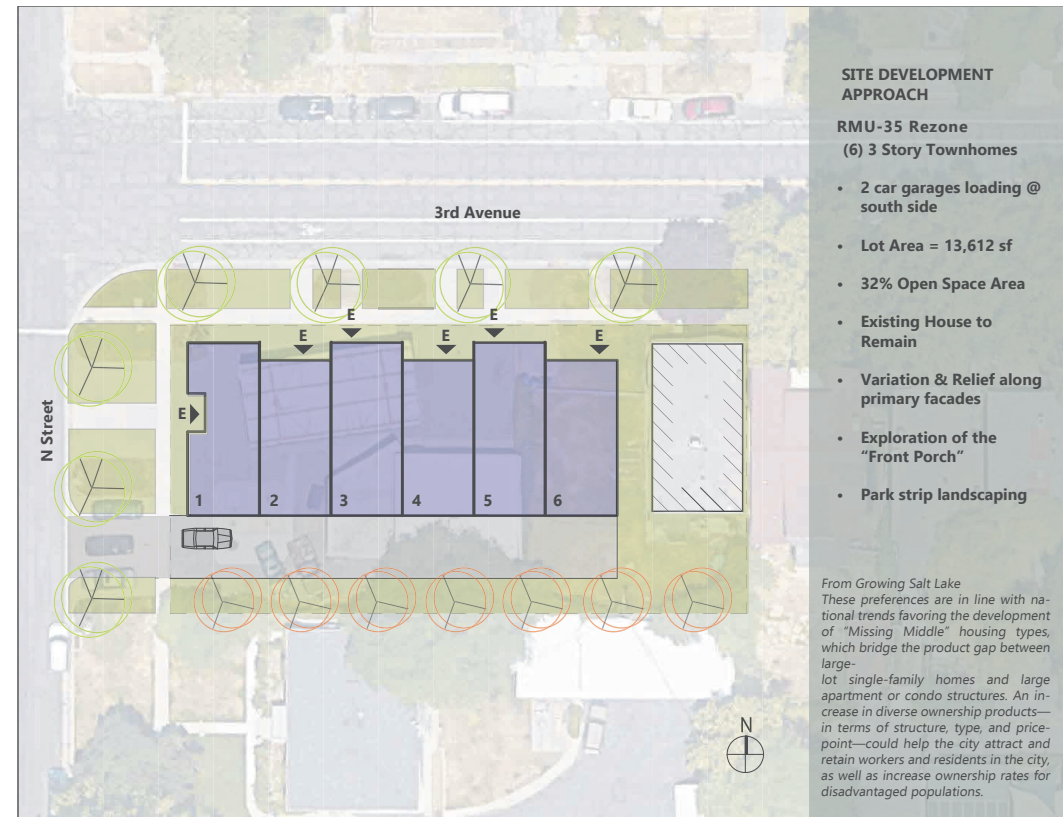
#### SITE DEVELOPMENT STUDY

The diagram at the adjacent page illustrates, at a conceptual level, our proposed development approach. Six, single-family homes would be developed on the site in a sophisticated, sensitive manner; paying particular attention to scale, materials and sidewalk activation.

Each unit is proposed as a three-story, for-sale home with dedicated 2-car garages loaded from the rear. A richly-planted, 10' wide landscape buffer would be located along the southern edge of the property. The conceptual approach for each unit is to acknowledge the traditional "front porch" typically found throughout the Lower Avenues area. The corner unit would offer opportunities to engage both 3rd Avenue and N Streets.

In addition to the rear planting scheme, the multiple, broad concrete drives from both 3rd Ave and N Street are replaced with a dense, but water-conscious, planted park strip and a continuation of the street tree rhythm. Sidewalks at the entire property are re-poured to address cracks and settlement issues that are currently a walking hazard. In the tradition of walk-up brownstones, inviting walks extend from the sidewalk to each unit's "front porch".

A summary of key aspects of our proposed site development approach are included to the right of the site diagram.





**RMU-35 UNDERSTANDING**

Maintains intent by allowing Commercial uses;

- Developer may consider Live/ Work unit anchoring corner

Allows for greatest flexibility:

- Provides for an ideal unit size and density in keeping with the neighborhood
- Site development setbacks consistent with current area
- Provides needed single-family residences at a scale that is highly sought after

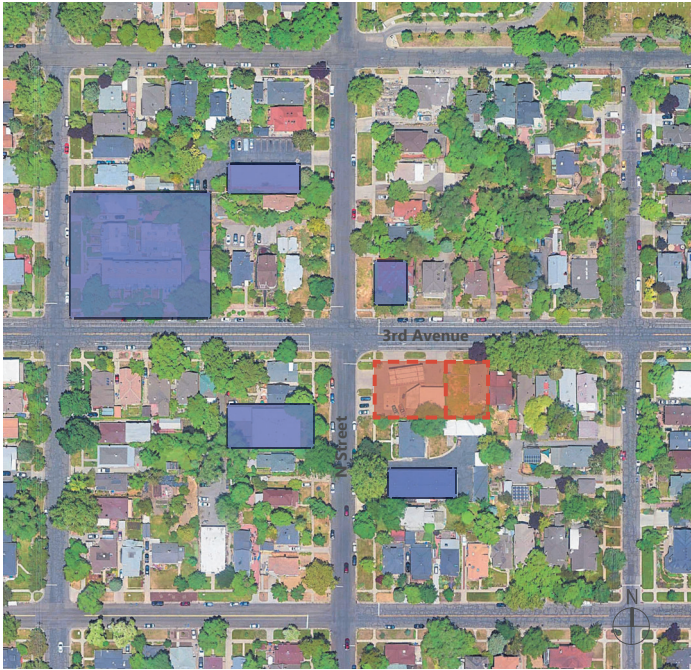
Matches existing District’s lot size as compared to current SR-1A zone



**SITE OVERVIEW**

Avenues Neighborhood

- Density & Scale Precedents in Immediate Neighborhood; multi-story, dense multi-family developments highlighted in relation to proposed site area



***THANK YOU***

*the*

**A V E N U E S**

THIRD AVENUE |  
SLC PLANNING APPLICATION SUBMISSION  
SUPPLEMENTAL INFORMATION

22 OCTOBER 2020

the

REMARC INVESTMENTS |  
BLALOCK & PARTNERS  
ARCHITECTURAL DESIGN STUDIO

A V E N U E S

**Mayara Lima:**

Thank you for taking the time to review our project with us on Thursday, September 29 via virtual meeting. That conversation was very helpful to us in understanding the process, the timeline and in getting clarity on the additional information you've requested.

We are eager to continue the conversation with you and maintain some momentum with this project. And we are equally committed to fulfilling all of the necessary steps for project acceptance. To that point, we have prepared this brief summary addressing the five planning standards you outlined in your September 28 email:

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;*
2. *Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance;*
3. *The extent to which a proposed map amendment will affect adjacent properties;*
4. *Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose 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.*

The following pages address each of these planning standards with the information we have available to us. As always, please do not hesitate to contact us with any further questions or concerns. We look forward to furthering the conversation.

Regards -

Oren Hillel  
Marcus Robinson  
Remarc Investments

Kevin Blalock, AIA  
Blalock & Partners

**Project Overview**

RMU-35 Rezone to create  
six new 3 Story homes  
Rear-loaded 2-car garages  
Lot Area = 13,612 SF  
32% Open Space Area  
Existing residence to be  
renovated and restored  
Variation & relief along  
primary facades  
Exploration of the "Front  
Porch"  
Park strip landscaping



#### PLANNING STANDARD #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.*

#### PLANNING STANDARD #2

*Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.*

The project proposes combining two parcels, 860 E and 868 E 3rd Ave, into a single parcel and rezoning that to the Residential Mixed-Use RMU-35 zone. The corner lot, 860 E, currently contains a gas / automotive service station and is zoned CN, Neighborhood Commercial. The adjacent parcel, within the SR-1A zone, is a double-wide lot with an historic single-family residence. The existing home would be renovated and restored, while the remaining parcel would be developed with six new 3-story homes.

Our team has reviewed and consulted a number of city resources and we are confident that rezoning this property is not only consistent with city-wide objectives, but furthers the long-term vision for responsible growth. Specific to the first two Planning Standards, the issues of the project being consistent with the purposes, goals, objectives and policies of the City and furthering the purpose statements of the zoning ordinance, we offer the following insights, statements and observations:

**A. A map amendment to RMU-35 maintains the intent of the original CN zoning.** The CN zone is meant to provide small commercial uses within a predominantly single-family residential neighborhoods. The RMU-35 zone allows and encourages commercial uses while also acknowledging the benefit of maintaining a residential presence.

By allowing both residential and commercial occupancies, the proposed project provides opportunities addressing tomorrow's live/work modes: individual home-ownership with potential for operating a small business out of their own residence. As compared to a traditional commercial project, this idea of "live above your shop" affords a low-barrier of entry for a commercial or retail business and, therefore, a higher chance of long-term success.

- The type of housing proposed blends in with the size, scale and character of the single-family neighborhood while accommodating more housing units in order to create missing middle housing. From the [Growing SLC](#) document, the first objective is to review and modify land-use and zoning regulations in order to promote a diverse housing stock, increase housing options, create redevelopment opportunities, while minimizing neighborhood impacts.
- In the City's [Plan Salt Lake](#) from 2015, the document identifies an overarching goal of "sustainable growth and development" with several supporting areas of focus needed for successful implementation. One of those areas of focus is entitled "Diverse Mix of Uses" and states: *By creating places with a diverse mix of uses, building types, connections, and transportation options, people have the choice of where they live, how they live, and how they get around. As our City grows and evolves over time, having a diverse mix of uses in our neighborhoods citywide will become increasingly important to accommodate responsible growth and provide people with real choices.*

**B. A map amendment to RMU-35 maintains the intent of the original SR-1A zoning.** The SR-1A zone is designed to promote single- and two-family residences "that display a variety of yards, lot sizes and bulk characteristics". The RMU-35 zone, again, allows for single-family residences with lot sizes consistent with the SR-1A zoning.

The proposed project creates six new modestly-sized homes to directly address the city's current challenges with the "Missing Middle" housing, a lack of for-sale housing stock and a lack in the range of types of housing available.

This project seeks to offer home ownership in a beautiful, established, walkable neighborhood and intends to do so in a sensitive, respectful way.

This project is located directly on a transit route providing connections to downtown and the University district. The project creates needed density - but in a responsible way. It respects and reinforces the traditional Lower Avenues streetscape and is in concert with the lot sizes found on this block face and throughout the Avenues Historic District. It reduces large areas of concrete, asphalt and multiple curb-cuts, and relies on rear-loaded garages to reduce street congestion.

- The City's most recent Master Plan document, [Plan Salt Lake](#), clearly articulates in its vision statement: We expect to have true choices about how we live our lives, from what kind of home we live in to how we travel to work, shop, worship or recreate.
- Further to the point of realizing the City's vision statement, the "Guiding Principles" include: Growing responsibly while providing people with choices about where they live, how they live, and how they get around, and Access to a wide variety of housing types for all income levels throughout the City, providing the basic human need for safety and responding to changing demographics.
- In late 2015, the City invested in the [Sustainable Salt Lake - Plan 2015](#) document, which identified as a "Housing Goal": Promote a diverse and balanced community by ensuring a wide variety of housing types.
- Specific to the category of "Neighborhoods" in the [Creating Tomorrow Together](#) document, one of the recommendations: *Neighborhoods should offer a range of housing types, which in turn, offer residents of various income levels choices as to where they might live. The recommendations specific to housing design continues to state: Encourage "neighborhood-friendly housing design" where homes are oriented to the street, parking is placed in the rear, and front yards and porches encourage people to use the street side of their homes for activities.*
- Although the Avenues Master Plan document was adopted in 1987, there are still valuable principles identified which provide guidance on reinforcing the neighborhood character, even with new development. The proposed project intends to preserve the existing, historically significant single-family home through a comprehensive renovation effort. As noted elsewhere in this document, the project's approach removes concrete and asphalt paving, as well as several street curb cuts. The streetscape is then enhanced by continuing the rhythm of street trees and a planted park strip.

#### RESOURCES UTILIZED

*Avenues Master Plan*  
July 1987

*Creating Tomorrow Together*  
March 1998

*Salt Lake City Design Guidelines  
for New Construction in Historic  
Districts*  
December 2012

*Plan Salt Lake*  
December 2015

*Sustainable Salt Lake - Plan 2015*  
December 2015

*Growing SLC:*  
January 2018

*A Five Year Plan | 2018-2022*

*Salt Lake City Zoning Ordinance*  
June 2020 update

### PLANNING STANDARD #3

The extent to which a proposed map amendment will affect adjacent properties.

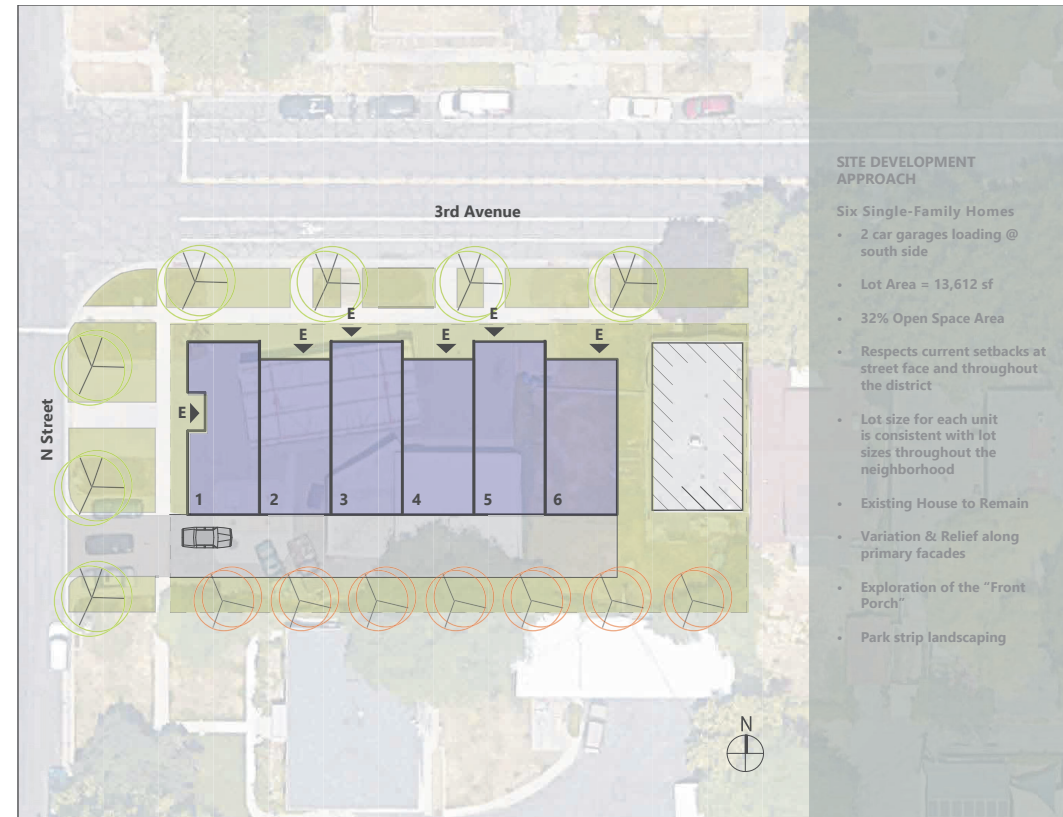
The proposed map amendment will have no negative effect on adjacent properties. While the RMU-35 zoning allows for a variety of uses and configurations, the proposed project associated with our re-zone request seeks to achieve six single-family attached homes. The development creates lot sizes consistent with the neighborhood scale, would add greenery and park strip planting to restore the streetscape. Similarly, the RMU-35 zone allows front, corner and rear yard setbacks that are consistent with the immediate block face, the surrounding blocks and the historic patterns found throughout the greater Lower Avenues district.

- Within the City's 2015 document, *Creating Tomorrow Together*, one of the City's recognized goals for creating stronger neighborhoods is identified as follows: *The ideal neighborhood will be well maintained. Landlords, tenants, and homeowners will share responsibility for keeping properties in good condition. Home ownership will be encouraged where possible. Neighborhoods should contain a variety of housing types, but more units should be owner occupied than renter occupied. This leads to longer term residents and stabilizes property values.*

The site diagram on the adjacent page illustrates, at a conceptual level, our proposed development approach. Six, single-family homes would be developed on the site in a sophisticated, sensitive manner; paying particular attention to scale, materials and sidewalk activation.

Each unit is proposed as a three-story, for-sale home with dedicated 2-car garages loaded from the rear. A richly-planted, 10' wide landscape buffer would be located along the southern edge of the property. The conceptual approach for each unit is to acknowledge the traditional "front porch" typically found throughout the Lower Avenues area. The corner unit would offer opportunities to engage both 3rd Avenue and N Street.

In addition to the rear planting scheme, the service station's multiple, broad concrete drives from both 3rd Ave and N Street are replaced with a dense, but water-conscious, planted park strip and a continuation of the street tree rhythm. Sidewalks at the entire property are re-poured to address cracks and settlement issues that are currently a walking hazard. In the tradition of walk-up brownstones, inviting walks extend from the sidewalk to each unit's "front porch".



### SITE DEVELOPMENT APPROACH

#### Six Single-Family Homes

- 2 car garages loading @ south side
- Lot Area = 13,612 sf
- 32% Open Space Area
- Respects current setbacks at street face and throughout the district
- Lot size for each unit is consistent with lot sizes throughout the neighborhood
- Existing House to Remain
- Variation & Relief along primary facades
- Exploration of the "Front Porch"
- Park strip landscaping

#### PLANNING STANDARD #4

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

#### PLANNING STANDARD #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.*

The parcels in question are within the Lower Avenues Historic District and, therefore, any new construction or renovation projects are subject to Historic Landmark Commission review and approval. The applicant understands and embraces a variety of input to achieve a Planning and neighborhood sensitive solution.

A zone amendment to RMU-35 is consistent with the Historic Overlay District in that any construction effort will also have to comply with any additional standards imposed by the historic district requirements. A zone amendment neither supersedes nor restricts any requirements of the historic district, but allows the project to be further defined by virtue of the HLC review process.

The Lower Avenues district is one of low-density development; historically single-family homes and low- to moderate-density apartments and condominiums. The zone amendment does not impose additional constraints on public facilities and services any more than the current SR-1A and CN zones. Specifically, the CN zone allows for a variety of commercial uses which could result in a greater density than allowed by the proposed zone amendment.

As with any new project, upon achieving a formal zone amendment, the applicant will address all of the mandated infrastructure concerns and continue to explore opportunities to support a vibrant, walkable community.

**THANK YOU**

the  
A V E N U E S

## DRAWING TITLE

RECORD OF SURVEY  
TOPOGRAPHIC

## CLIENT CONTACT

OREN HILLEL

860 E. 3RD AVE. & 868 E. 3RD AVE.  
LOCATED WITHIN, SALT LAKE  
COUNTY, UTAH. A PART OF THE  
S.W. 1/4 SEC. 32 T.1 N.; R.1 E.  
S.L.B.&M.

## PROPERTY DESCRIPTION

Parcel # 09-32-379-001  
Commencing at the Northeast corner of Lot 3 Block 24 Plat G Salt Lake City Survey;  
Running thence South 82.5 feet; Thence East 99 feet; Thence N 82.5 feet; Thence West 99 feet to  
the point of beginning.

Containing 4.1 Acres

Parcel # 09-32-379-002  
Commencing at the Northeast corner of Lot 3 Block 24 Plat G Salt Lake City Survey;  
Running thence West 4 Rods; Thence South 5 Rods; Thence East 4 Rods; Thence N 5 Rods to the  
point of beginning.

Containing 15.89 +/- Acres

## SURVEYOR'S NARRATIVE

This Survey was performed at the request of Oren Hillel for the purpose to locate contours and elevations of the ground in relationship to the intended positioning of this lot. Also for the possible purpose of lot sales, future building and landscaping. During the course of this survey there was an area of encroachment discovered along the East boundary line of parcel # 09-32-379-002 and encroachment is a wood fence that crosses the boundary line by approx. 1.4'. It is advised for the client to approach the land owner and resolve this encroachment before land sale or development.

The basis of bearing was derived from the found lead street monument and utilized on this survey as N 89°58'00" W as shown on Plat G Salt Lake City Survey. Survey also coincide with local property corners found as well as survey 2000.66/0507 on file with the official records of Salt Lake City by Michael King.

Shown are Two feet Contours Highlighted at Ten foot Intervals as labeled. Found rebar, platelines and street monuments have been used, utilized and shown on this survey. The elevation has been determined by the field G.P.S. Projection Based on Utah NAD 1983 Projection then rounded off to the nearest 10 foot mark for a more efficient bench mark base. The project bench mark is 4510.07 ± Found Sewer manhole at intersection of 3rd Ave. and N Street as shown.

## NOTE:

1. Surveyor has made no investigation or independent search for encumbrances of record encumbrances restrictive covenants ownership title evidence, or any other facts, conflicts, or discrepancies which may be disclosed by the details of a current title insurance policy.
2. See city and county planning, and zoning maps for information regarding setback, side yard, and rear yard instances as well as other building, use restrictions, and requirements.
3. Utility pipes, wires etc. may not be shown on this map. Utility locations shown herein are as per Bluestake at the time of this survey. Contractors builders and excavators shall verify the location of all existing utilities prior to construction, and/or excavation. Contact blue stakes and refer to utility maps for additional information.
4. It was relayed to this office that the existing structure's on Parcel # 09-32-379-001 were to be demolished, this survey has taken this into consideration and the accuracies of the improvements on said lot are not exact.

## SURVEYOR'S CERTIFICATE

I, R. Shane Johanson, Do hereby certify that I am a Professional Land Surveyor, holding certificate No. 7075114, as prescribed under the laws of the State of Utah, and that I have made a survey of the described tract of land as shown on this plat and that this survey retraces lot lines and may have adjusted said lot lines to coincide with found evidence and other interpretations based from ground measurements and found records. Furthermore I recognize that other unwritten rights of ownership or lines of possession may exist, I do not imply to certify any of these rights, unless agreed upon by the appropriate parties.

## REVISIONS:

REV#	DESCRIPTION	DATE



P.O. BOX 10541  
SALT LAKE CITY, UTAH 84110  
Utah Professional L.S. 001-853-2541

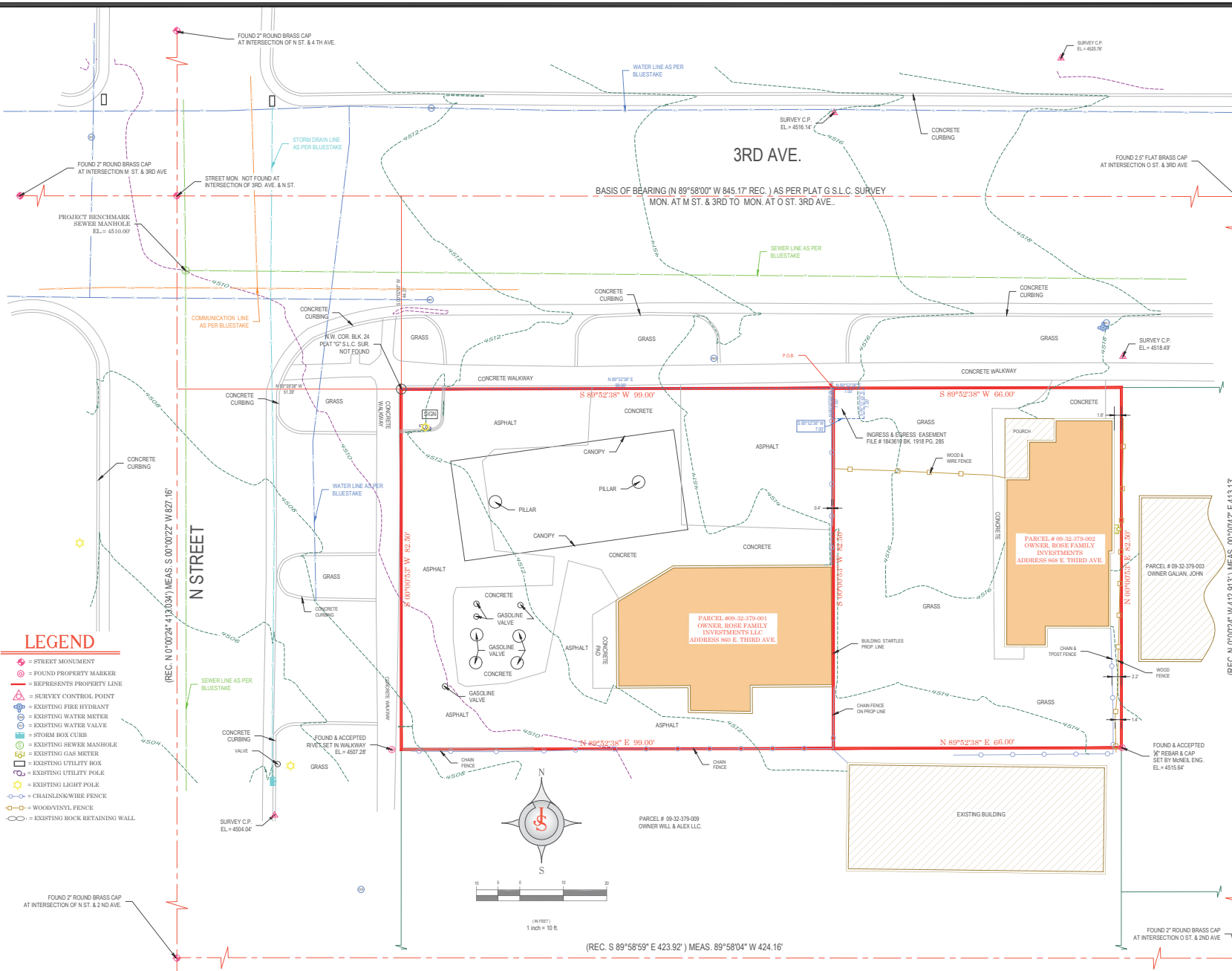
## COPYRIGHT

This drawing is and at all times remains the exclusive property of Johanson  
Surveying shall not be used with out complete authorization and written approval.



PROJECT NO.  
S-20-118  
DATE  
09-29-2020  
DRAWN BY  
BROCK T. CORNERS  
OVERSEEN BY  
SHANE R. JOHANSON P.L.S.  
SHEET NUMBER

SHEET-1



## ATTACHMENT D: Master Plan Policies

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### Avenues Master Plan

The subject property is located within the Avenues Master Plan (adopted July 1987) and is designated in the future land use map as “Business/Commercial”.

The land use goal of that master plan is to:

*Preserve the residential character and existing land use patterns in the Avenues Community. Special emphasis should be placed on regulating foothill development and preserving the historically significant sites and districts.*

Relevant land use recommendations to this proposal include a general policy that *additional zoning changes to accommodate higher density multiple-family dwellings in the Avenues are not desirable or needed, and that no immediate need exists for additional business property.* The plan indicates that *additional retail services may eventually be needed.* However, it recommends that *changing zoning to accommodate new retail service should not be made until Avenues residents express the need for additional retail shopping* and specific criteria should be considered in the decision.

The historic preservation goal is also relevant to this proposal:

*Encourage preservation of historically and architecturally significant sites and the established character of the Avenues and South Temple Historic Districts.*

**Staff Discussion:** The proposed rezone will continue to allow residential uses on the two properties but could alter the existing land use pattern of the neighborhood. The difference between the current zoning and the proposed is that for 860 E 3<sup>rd</sup> Avenue multifamily would be allowed without any commercial component, and for 868 E 3<sup>rd</sup> Avenue multifamily and commercial uses would be allowed. Because these properties are located in the Avenues Local Historic District and there are tools in place for historic preservation, new land uses and new development would not diminish the character of the area. The overlay district requires compatibility in the design of new buildings and modifications to existing, which ensures the appropriate scale, size and form of structures.

### Plan Salt Lake

This citywide master plan adopted in 2015 provides a vision and policies for the future of Salt Lake City. The following principles and initiatives are relevant to this project:

*Guiding Principle:* *Neighborhoods that provide a safe environment, opportunity for social interaction, and services needed for the wellbeing of the community therein.*

*Initiative:*

- *Maintain neighborhood stability and character.*

*Guiding Principle:* *Growing responsibly, while providing people with choices about where they live, how they live, and how they get around.*

*Initiative:*

- *Locate new development in areas with existing infrastructure and amenities, such as transit and transportation corridors.*
- *Encourage a mix of land uses.*
- *Promote infill and redevelopment of underutilized land.*

*Guiding Principle:* Access to a wide variety of housing types for all income levels throughout the city, providing the basic human need for safety and responding to changing demographics.

*Initiative:*

- Increase the number of medium density housing types and options.
- Direct new growth toward areas with existing infrastructure and services that have the potential to be people-oriented.
- Enable moderate density increases within existing neighborhoods where appropriate.

*Guiding Principle:* Maintaining places that provide a foundation for the City to affirm our past.

*Initiative:*

- Preserve and enhance neighborhood and district character.
- Balance preservation with flexibility for change and growth.

*Guiding Principle:* A balanced economy that produces quality jobs and fosters an innovative environment for commerce, entrepreneurial local business, and industry to thrive.

*Initiative:*

- Support the growth of small businesses, entrepreneurship and neighborhood business nodes.

Additionally, the proposal relates to several sustainable growth & development concepts outlined in the master plan, including:

- **Diverse mix of uses:** By creating places with a diverse mix of uses, building types, connections, and transportation options, people have the choice of where they live, how they live, and how they get around. As our City grows and evolves overtime, having a diverse mix of uses in our neighborhoods citywide will become increasingly important to accommodate responsible growth and provide people with real choices.
- **Density:** Density and compact development are important principles of sustainable growth, allowing for more affordable transportation options and creating vibrant and diverse places. Density in the appropriate locations, including near existing infrastructure, compatible development, and major transportation corridors, can help to accommodate future growth more efficiently. This type of compact development allows people to live closer to where they work, recreate, shop, and carry out their daily lives, resulting in less automobile dependency and greater mobility.
- **Compatibility:** Compatibility of development generally refers to how a development integrates into the existing scale and character of a neighborhood. New development should be context sensitive to the surrounding development, taking into account the existing character of the neighborhood while providing opportunities for new growth and to enhance the sense of place.

**Staff Discussion:** As discussed above, the rezone would not negatively impact the character of the neighborhood. The proposal would however increase the development potential of the properties, which could result in a land use that is more compatible with adjacent uses, serviced by existing infrastructure, and with potential to be people-oriented. The allowance of multifamily uses would provide a moderate increase in density that is appropriate for the area, especially considering the HLC authority over the historic district. The historic preservation review required for new



construction and modifications of the properties would help to preserve the character of the area, ensuring compatibility while allowing flexibility for growth. The proposed zoning allows for a mix of land uses and would help support this neighborhood node and the city's economy.

## ATTACHMENT E: Existing Conditions & Development Standards

860 E 3rd Avenue					
Development standard	Existing conditions	CN	Complies	R-MU-35	Complies
Land Use	Gas station/ Minor Auto repair	Prohibited/ Conditional	No	Prohibited	No
Lot Area	8,168 sq ft	16,500 sq ft max.	Yes	5,000 sq ft min. for conditional use	Yes
Height	~15'	25'	Yes	20' nonresidential	Yes
Yard setback:					
Front/ Corner	~ 10' and 8.5'	15' min., 25' max. for 65% of façade	No	5' min., 15' max.	Yes
Interior	~0.5'	None	Yes	None	Yes
Rear	~7.5'	10'	No	25% of lot depth, 30' max.	No
Landscape Buffer	None	7' if abutting residential district	No	10' if abutting single/two- family residential district	No
Parking setback	None	30' or behind structure	No	Not permitted in front/corner	No
Open Space	None	None	Yes	20%	No

868 E 3rd Avenue					
Development standard	Existing conditions	SR-1A	Complies	R-MU-35	Complies
Land Use	Single-family dwelling	Permitted	Yes	Permitted	Yes
Lot Area	5,449 sq ft	5,000 sq ft min.	Yes	2,500 sq ft min. for single- family detached	Yes
Lot Width	66'	50'	Yes	25' for single-family detached	Yes
Height	~23'	23'	Yes	35' residential	Yes
Yard setback:					
Front	~7'	Existing	Yes	5' min., 15' max.	Yes
Interior	~45' and 1.6'	4' and 10'	No	10' if abutting single/two- family residential district	No
Rear	~22'	25% of lot depth, 15' min., 30' max.	Yes	25% of lot depth, 30' max.	Yes
Lot Coverage	~25%	40%	Yes	None	Yes
Landscape Buffer	None	None	No	10' if abutting single/two- family residential district	No
Open Space	65%	None	Yes	20%	Yes

## Land use comparison:

Use	SR-1A	CN	R-MU-35
Accessory use, except those that are otherwise specifically regulated elsewhere in this title	P	P	P
Adaptive reuse of a landmark site	C <sup>8</sup>	P	P
Alcohol, bar establishment (2,500 square feet or less in floor area)		C <sup>10,11</sup>	C <sup>9</sup>
Alcohol, brewpub (2,500 square feet or less in floor area)			C <sup>9</sup>
Animal, veterinary office		C	C
Art gallery		P	P
Artisan food production (2,500 square feet or less in floor area)		P <sup>24</sup>	P <sup>3</sup>
Bed and breakfast		P	
Bed and breakfast inn		P	
Bed and breakfast manor		C <sup>3</sup>	
Clinic (medical, dental)		P	P
Commercial food preparation		P	P
Community garden	C	P	P
Crematorium			C
Daycare center, adult		P	P
Daycare center, child	C <sup>22</sup>	P	P
Daycare, nonregistered home daycare	P <sup>22</sup>	P <sup>22</sup>	P <sup>22</sup>
Daycare, registered home daycare or preschool	P <sup>22</sup>	P <sup>22</sup>	P <sup>22</sup>
Dwelling, accessory guest and servant's quarter		P	
Dwelling, accessory unit	P		P
Dwelling, assisted living facility (large)			C
Dwelling, assisted living facility (limited capacity)	C		P
Dwelling, assisted living facility (small)			P
Dwelling, group home (large) <sup>14</sup>			C
Dwelling, group home (small) <sup>15</sup>	P		P
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 <sup>18</sup>		P	
Dwelling, manufactured home	P		P
Dwelling, multi-family			P
Dwelling, residential support (small) <sup>17</sup>			C
Dwelling, rooming (boarding) house			C
Dwelling, single-family (attached)			P
Dwelling, single-family (detached)	P		P

Dwelling, twin home and two-family	P		P
Eleemosynary facility	C		C
Financial institution		P	P
Funeral home			P
Governmental facility	C		C
Government facility requiring special design features for security purposes		P	
Home occupation	P <sup>24</sup>	P <sup>23</sup>	P <sup>24</sup>
Laboratory (medical, dental, optical)			P
Library		P	C
Mixed use development		P	P
Mobile food business (operation on private property)		P	P
Municipal service use, including City utility use and police and fire station	C		C
Museum		P	C
Nursing care facility			P
Office			
Office, excluding medical and dental clinic and office			P
Open space		P	
Open space on lots less than 4 acres in size	P		P
Park	P	P	P
Parking, off site (to support nonconforming uses in a residential zone or uses in the CN or CB Zones)		C	C
Parking, park and ride lot shared with existing use	P		P
Place of worship on lots less than 4 acres in size	C	P	C
Reception center			P
Recreation (indoor)		P	P
Recycling collection station		P	
Restaurant		P	P
Retail goods establishment		P	P
Retail goods establishment, plant and garden shop with outdoor retail sales area		P	P
Retail service establishment		P	P
Furniture repair shop		C	
Reverse vending machine		P	
Sales and display (outdoor)		P	
School, music conservatory			C
School, professional and vocational			C
School, seminary and religious institute	C		C
Seasonal farm stand		P	P

Studio, art		P	P
Temporary use of closed schools and churches	C <sup>23</sup>		C <sup>23</sup>
Theater, live performance			C <sup>13</sup>
Theater, movie			C
Urban farm	P	P	P
Utility, building or structure	P <sup>5</sup>	P <sup>2</sup>	P <sup>5</sup>
Utility, transmission wire, line, pipe or pole	P <sup>5</sup>	P <sup>2</sup>	P <sup>5</sup>
Vehicle, Automobile repair (minor)		C	

*\* Uses marked with a footnote have qualifying provisions.*

**4. HISTORIC LANDMARK COMMISSION**  
**B. Agenda/Minutes**



**SALT LAKE CITY PLANNING DIVISION  
HISTORIC LANDMARK COMMISSION MEETING AGENDA**

**This meeting will be an electronic meeting pursuant to the**

**Salt Lake City Emergency Proclamation**

**January 7, 2021 at 5:30 p.m.**

**(The order of the items may change at the Commission's discretion)**

**This meeting will be an electronic meeting pursuant to the Chair's determination that conducting the Historic Landmark Commission Meeting at a physical location presents a substantial risk to the health and safety of those who may be present at the anchor location.**

We want to make sure everyone interested in the Historic Landmark Commission meetings can still access the meetings how they feel most comfortable. If you are interested in watching the Historic Landmark Commission meetings, they are available on the following platforms:

- YouTube: [www.youtube.com/slclivemeetings](http://www.youtube.com/slclivemeetings)
- SLCTv Channel 17 Live: [www.slctv.com/livestream/SLCtv-Live/2](http://www.slctv.com/livestream/SLCtv-Live/2)

If you are interested in participating during the Public Hearing portion of the meeting or provide general comments, email; [historiclandmarks.comments@slcgov.com](mailto:historiclandmarks.comments@slcgov.com) or connect with us on Webex at:

- <http://tiny.cc/slc-hlc-01072021>

Instructions for using Webex will be provided on our website at [SLC.GOV/Planning](http://SLC.GOV/Planning)

**HISTORIC LANDMARK COMMISSION MEETING WILL BEGIN AT 5:30 PM**

**Approval of Minutes for December 3, 2020**

**Report of the Chair and Vice Chair**

**Director's Report**

**Public Comments** - The Commission will hear public comments not pertaining to items listed on the agenda.

**Work Session**

1. **Rezone at approximately 860 and 868 East 3rd Avenue** - Remarc Investments, representing the property owner, is requesting a Zoning Map Amendment from CN (Neighborhood Commercial) and SR-1A (Special Development Pattern Residential) to R-MU-35 (Residential/Mixed Use) at the above-listed addresses. The applicant would like to rezone the properties to allow a multi-family development on the lots, however the request is not tied to a development proposal. The properties are located within the Avenues Local Historic District and any future demolition or new construction must be approved by the Historic Landmark Commission. This is a work session only to solicit Historic Landmark Commission input. The Planning Commission voted to forward a positive recommendation to the City Council on December 2, 2020 and the City Council will make the final decision at a later date. The property is located within Council District 3, represented by Chris Wharton (Staff contact: Mayara Lima at (385) 377-7570 or [mayara.lima@slcgov.com](mailto:mayara.lima@slcgov.com)) **Case number PLNPCM2020-00703**

2. **Saxton-Bartlett Addition at approximately 732 East 200 South** - The petitioners Nancy Saxton and Jan Bartlett are requesting a Major Alteration and Special Exception approval for the construction of a new rear addition to a contributing structure on the Freeze Mansion Landmark Site, located at 732 E. 200 S. The subject property is listed on the Salt Lake City Register of Cultural Resources as a Landmark site. The proposed addition is approximately 726 square feet in size and would result in an overall building height of 22'9" feet. The property is located within the RMF-45 (Moderate/High Density Multi-Family Residential) Council District 4, represented by Ana Valdemoros (Staff contact: Kelsey Lindquist (385) 226-7227 or kelsey.lindquist@slcgov.com) **Case numbers PLNHLC2019-01151 & PLNHLC2019-01088**

***The next regular meeting of the Commission is scheduled for Thursday, February 4, 2021, unless a special meeting is scheduled prior to that date.***

*For Historic Landmark Commission agendas, staff reports, and minutes, visit the Planning Division's website at [slc.gov/planning/public-meetings](http://slc.gov/planning/public-meetings). 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 Historic Landmark Commission.*

### **Appeal of Historic Landmark Commission Decision**

Anyone who is an "adversely affected party" as defined by Utah Code Section 10-9a-103, may appeal a decision of the Historic Landmark Commission by filing a written appeal with the appeals hearing officer within ten (10) calendar days following the date on which a record of decision is issued.

The applicant may object to the decision of the Historic Landmark Commission by filing a written appeal with the appeals hearing officer within thirty (30) calendar days following the date on which a record of decision is issued

## **SALT LAKE CITY HISTORIC LANDMARK COMMISSION MEETING**

**This meeting was held electronically pursuant to the  
Salt Lake City Emergency Proclamation  
Thursday, January 7, 2021**

A roll is being kept of all who attended the Historic Landmark Commission Meeting. The meeting was called to order at approximately 5:30 pm. Audio recordings of the Historic Landmark Commission meetings are retained for a period of time. These minutes are a summary of the meeting. For complete commentary and presentation of the meeting, please visit <https://www.youtube.com/c/SLCLiveMeetings>.

Present for the Historic Landmark Commission meeting were: Chairperson, Robert Hyde; Vice Chairperson, Michael Vela; Commissioners, Babs De Lay, Jessica Maw, Kenton Peters, Victoria Petro-Eschler, and David Richardson.

Planning Staff members present at the meeting were: Wayne Mills, Planning Manager; Molly Robinson, Planning Manager; Paul Nielson, Attorney; Mayara Lima, Principal Planner; and Kelsey Lindquist, Senior Planner.

Chairperson Robert Hyde read the emergency proclamation.

### **APPROVAL OF THE DECEMBER 3, 2020, MEETING MINUTES.**

#### **MOTION**

**Commissioner Richardson moved to approve the December 3, 2020 meeting minutes.**

**Commissioner De Lay seconded the motion. All were in favor, the motion passed unanimously.**

### **REPORT OF THE CHAIR AND VICE CHAIR**

Chairperson Hyde stated he had nothing to report.

Vice Chairperson Vela stated he had nothing to report.

### **REPORT OF THE DIRECTOR**

Michaela Oktay, Planning Deputy Director, stated Wasatch Community Gardens contacted Planning Staff stating they are excited about their property and extended an invitation to the Commission for a tour.

**Rezone at approximately 860 and 868 East 3rd Avenue** - Remarc Investments, representing the property owner, is requesting a Zoning Map Amendment from CN (Neighborhood Commercial) and SR-1A (Special Development Pattern Residential) to R-MU-35 (Residential/Mixed Use) at the above-listed addresses. The applicant would like to rezone the properties to allow a multi-family development on the lots, however the request is not tied to a development proposal. The properties are located within the Avenues Local Historic District and any future demolition or new construction must be approved by the Historic Landmark Commission. This is a work session only to solicit Historic Landmark Commission input. The Planning Commission voted to forward a positive recommendation to the City Council on December 2, 2020 and the City Council will make the final decision at a later date. The property is located within Council District 3, represented by Chris Wharton (Staff contact: Mayara Lima at (385) 377-7570 or [mayara.lima@slcgov.com](mailto:mayara.lima@slcgov.com)) **Case number PLNPCM2020-00703**

Mayara Lima, Principal Planner, reviewed the petition as outlined in the Staff Report (located in the case file).

The Commission and Staff discussed the following:

- Current use of the property East of the gas station
- Clarification on whether the existing property will be demolished
- Clarification on conceptual plan
- Whether there has been a study on how removing the gas station would affect the community

Marcus Robinson, Kevin Blalock and Ren Hillel, applicants, provided a presentation along with further information.

The Commission, Applicants and Staff discussed the following:

- Clarification on whether the property will be condo units or rentals
- Clarification on whether the property is a PUD
- Whether the buildings would be zero setback to lot lines
- Landscape area and whether there are any common areas
- Parking
- Distance between the proposed development and the existing contributing structure
- Clarification on the distance to nearest gas station
- Clarification on height of historic house that's part of the development
- Proposed footprint of the individual six units
- Whether a flat roof will be used

The Commission made the following comments:

- I believe that the proposal has been respectful in two directions to the existing property
- I don't see any issue with the compatibility with the surrounding neighborhood
- I don't think adding retail is necessary
- I think the commercial component is critical to the Avenues
- I think requiring the developer to put in mixed use with commercial residential is unrealistic

The commission were all in favor that they are not opposed to the rezone, but they do have concerns about height and mass. They intend to address them at their later approval process and hope the Council will take it into account when making their own decision.

**Saxton-Bartlett Addition at approximately 732 East 200 South** - The petitioners Nancy Saxton and Jan Bartlett are requesting a Major Alteration and Special Exception approval for the construction of a new rear addition to a contributing structure on the Freeze Mansion Landmark Site, located at 732 E. 200 S. The subject property is listed on the Salt Lake City Register of Cultural Resources as a Landmark site. The proposed addition is approximately 726 square feet in size and would result in an overall building height of 22'9" feet. The property is located within the RMF-45 (Moderate/High Density Multi-Family Residential) Council District 4, represented by Ana Valdemoros (Staff contact: Kelsey Lindquist (385) 226-7227 or [kelsey.lindquist@slcgov.com](mailto:kelsey.lindquist@slcgov.com)) **Case numbers PLNHLC2019-01151 & PLNHLC2019-01088**

Kelsey Lindquist, Senior Planner, reviewed the petition as outlined in the Staff Report (located in the case file).

The Commission and Staff discussed the following:

- Clarification on previous work session

Commissioner Maw recused herself due to possible conflict of interest.

Wayne Gordon, applicant, provided a presentation with further details.

Jan Barlett, Nancy Saxton and Angela Dean were also available or questions.

The Commission, Staff and Applicant discussed the following:

- Clarification on whether all structure on landmark sites are considered to be contributing
- Clarification on the rear addition to the structure and whether it has gained historic significance
- Clarification on attachment D

The Commission made the following comments:

- What is being shown now is a lot more respectful to the existing original front structure than what was proposed in March of 2020
- I'm wondering if it's not in the Commission's best interest to give the applicant a little more relief with setbacks

The Commission and Applicant further discussed the following:

- Height of fence separating the lot line from the condo

The Commission further made the following comments:

- I agree with previous comments; I don't have an issue with this proposal
- I just want to say thank you to the owners and architects for really taking to heart some hard things to hear from the previous work session

**The meeting adjourned.**



## **5. PUBLIC COMMENTS**

**From:** [Vaafuti Tavana](#)  
**To:** [Lima, Mayara](#)  
**Subject:** (EXTERNAL) Resident Letter of Support for the 860 E 3rd project.  
**Date:** Wednesday, November 18, 2020 6:58:03 PM

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Hi Mayara,

As a member of the Avenues community, I would like to fully support the zoning map amendment proposed at 860 E 3rd. The proposal brings to life an underutilized gas station corner with single family homes that align with the rest of the neighborhood. The proposal also includes restoring and keeping the historic home instead of demolishing it. A project of this nature will bring long-term residents that add value to the community. This development will better the walkability of 3rd avenue and add much needed greenery and landscaping.

Futi Tavana/ 123 E. 2nd Ave #P3, SLC. UT 840103

Futi Tavana



USA Men's National Volleyball Team Athlete  
Alumni BYU 2012

**From:** [Amy Davidson](#)  
**To:** [Lima, Mayara](#)  
**Subject:** (EXTERNAL) PLNPCM2020-00703 Letter of Support  
**Date:** Wednesday, November 25, 2020 9:14:33 AM

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As an Avenues resident, I would like to fully support the zoning map amendment proposed at 860 E 3<sup>rd</sup> Ave. I walk by this corner on a daily basis and I love the idea of bringing in some homes that fit in with the neighborhood but in a new and unique way. It would really help this neighborhood thrive. I am also interesting that there might be some mixed-use added in. Anything we can do to keep our neighborhoods walkable. I would love to have some new places I can shop and eat and meet with friends. This kind of friendly environment is an absolute necessity for our community.

Amy Davidson  
Avenues Resident since 2005

**From:** [Leo Masic](#)  
**To:** [Lima, Mayara](#)  
**Subject:** (EXTERNAL) 3rd Ave and N St  
**Date:** Sunday, November 29, 2020 12:54:56 PM

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Hi Mayara,

I'm an Avenues resident. I'd like to express my support for the proposed rezoning at 3rd Ave and N Street.

The Avenues has a wonderful location between downtown and the university. This makes it an appealing place for young professionals like myself who work downtown, and for students going to the U (which I'm also currently doing.) But the cost of housing up here is pretty high. Anything that can be done to ameliorate this situation is welcome, including the addition of housing in the lower Avenues. This proposal is located close to multiple bus lines, and UTA has plans to increase high-frequency bus routes in the Avenues in their recently adopted five-year plan (including on 3rd Ave, South Temple, and 6th Ave)—which makes multifamily even more viable.

Thanks,

Leo Masic  
89 C St

**From:** [Tamara Pitman](#)  
**To:** [Lima, Mayara](#)  
**Subject:** (EXTERNAL) case PLNPCM2020-00703  
**Date:** Friday, November 27, 2020 2:49:48 PM

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As the owner of a property at the corner of n st, and third ave, and another home only two blocks away on n st and first ave, I am deeply distressed at the idea of the loss of our gas station and repair shop which adds so much to the neighborhood.

the last thing we need is another apartment building.

pls note to Chris Warton that i am unable to attend the public hearing meeting but ask that my objections, as a direct neighbor, be noted.

**From:** [Norris, Nick](#)  
**To:** [Planning \(All\)](#)  
**Subject:** FW: (EXTERNAL) Dec 2nd Meeting  
**Date:** Tuesday, December 1, 2020 8:03:29 AM

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FYI, comments from the same person on each item on the PC agenda tomorrow. If you have one of these items, please add it to your record.

**NICK NORRIS**

Director  
Planning Division

**DEPARTMENT of COMMUNITY and NEIGHBORHOODS**  
SALT LAKE CITY CORPORATION

TEL 801-535-6173  
CELL 801-641-1728  
Email [nick.norris@slcgov.com](mailto:nick.norris@slcgov.com)

[WWW.SLC.GOV/PLANNING](http://WWW.SLC.GOV/PLANNING)  
[www.OurNeighborhoodsCAN.com](http://www.OurNeighborhoodsCAN.com)

**From:** Zachary Dussault [REDACTED]  
**Sent:** Tuesday, December 1, 2020 12:26 AM  
**To:** Planning Public Comments <[planning.comments@slcgov.com](mailto:planning.comments@slcgov.com)>  
**Subject:** (EXTERNAL) Dec 2nd Meeting

Hello,

I am unable to attend the meeting this Wednesday and I just wanted to provide a few comments to the commission regarding the agenda items. I know individual emails are usually attached to each proposal, but I just wanted to combine them all into one as I usually speak to all the items.

1. I am in favor of this project and hope it is approved. It is important to remember what is being requested as a variance to the code and what is allowed by right. The applicant is asking for 3' of height and a total building size of over 15,000sqft. I understand that parking is the main issue that neighbors have, and I just wanted to offer a counter to that in saying that I believe that this project has too much parking. We are building housing today that will hopefully be around 50-60 year from now at a minimum. If in 50-60 years we still live in a city where every family owns one or more cars, we have failed. If we care about the things we claim to care about as a community; climate change, housing affordability, improved public transit, more walkable and bikeable neighborhoods, racial equity, air quality, ect; We need to start taking radical action now. Car-orientated development is not sustainable. It has done immense damage to our city, our air, and our people. Salt Lake City used to have a world-class streetcar system, but we ripped up all the rails to make more room for cars. Dense, human-oriented development not only works, it improves lives by every metric imaginable.

I realize a lot of that last bit got a little manifesto-ish, but I think it's important to realize that city planning is a science, not a matter of opinion. When you go to your doctor, you don't say to him/her "I think I need a higher dose of that medication." I think it's time we start listening to the experts



who universally agree that American cities have way too much parking. The leading authority on parking in cities, Donald Shoup, argues that mandatory parking minimums not only encourage sprawl, but subsidize cars as a form of transportation by hiding the real costs of providing parking in the form of higher rents and retail prices. He has many published works on the subject of parking, and I encourage the commission and those in favor requiring developers to provide more parking to examine his work.

Sorry for the long winded response to this item, I'm sure I would have gone over my minute here, I'll try to keep the rest brief.

2. I am in favor of this project, again it appears parking is the main issue. I think I covered my stance on parking adequately in the previous response.

3. I am in support of this request. I think the planned development would be a welcome addition to the densifying N Temple Corridor. The current alley does not provide a mid-block walkway, thus I think the vacation would not negatively affect the public.

4. I love the low parking count. No reason to have excessive parking in this area of downtown with the proximity of TRAX, Frontrunner, and frequent bus service. However, I think the facade facing 600W is absolutely horrid. I would like to see the commercial space on the corner of 600W and 200S rotated so the entrance is facing 600W and some of the balconies facing that direction. In this current design 600W has ZERO street engagement besides the windows of the 1st floor commercial space facing west. It looks like those window slats facing west are at the end of internal corridors that no one will ever be looking out. I know the view in that direction is not very pleasant right now, but we must think long term here. I hate to be against this project because it has so many good things going for it, and I love nothing more than seeing surface parking lots go away. If these modifications made the project unviable I would prefer this version over nothing, but I hope these issues can be addressed easily, and at a minimum have the corner retail space rotated to face 600W.

5. I support this rezone. I also love the condition of requiring a retail space on the corner. I think this would facilitate great street interaction.

Well I think that's everything. Really bummed I can't make this meeting, looks like a lot of great projects. I'll see everyone on the next one!

Zachary Dussault

YIMBY

Salt Lake City Resident - District 4

**From:** [Merrilee Morgan](#)  
**To:** [Zoning](#)  
**Subject:** (EXTERNAL) Project on 3rd Avenue and N Street/ PLNPCM2020-00703  
**Date:** Wednesday, November 18, 2020 4:26:29 PM

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To Whom It May Concern,

I would like to weigh in on my opinion regarding the above named project. As a real estate professional, I see a need for this product. I worked to help sell the townhouses at 271 No. Vine Street for the last 90 days and it consistently surprised me how many potential clients came from the Avenues area, looking to downsize.

When the upper Avenues area was originally developed, the homes were typically larger than 3000 square feet. Now, those same homeowners, many of whom grew up in the Avenues, raised their families in the Avenues, are looking to downsize and stay in the Avenues. They are faced with very few options and often leave the area to accommodate their current lifestyle needs.

As a long time resident with a history in the Avenues, I'd like to see smaller developments approved like the one named in an effort to keep the area looking and feeling historic while providing area residents a smaller home choice. I think the plans presented to the Greater Avenues Community Council in November are in alignment with the area and are in keeping with the historic neighborhood.

As a resident of the Avenues, I am fully aware of the rage my neighbors felt when Ivory Homes presented their plan to develop F Street. I am sensitive to the residents wanting to preserve the integrity of our community. With that, I feel the proposed project serves the community well.

Please contact me if you want to know more about me or how I feel about the proposed development.

Warmest Regards,  
Merrilee Morgan



**From:** [mroot89y](#)  
**To:** [Lima, Mayara](#)  
**Subject:** (EXTERNAL) PLNPCM2020-00703 LETTER OF SUPPORT  
**Date:** Tuesday, December 1, 2020 3:24:16 PM

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Hi Mayara,

I am an Avenues resident and I wanted to take a moment to express my support in favor of the proposed zoning amendment for the properties at 860 and 868 E 3<sup>rd</sup> Avenue. The proposed change will bring vitality and energy to this corner location, and improve the overall walkability of the neighborhood. I am in favor of saving the existing historic home, as well, and welcome single-family home ownership instead of more for-rent apartments.

Matt Ripperton

**From:** [kathia dang](#)  
**To:** [Lima, Mayara](#)  
**Subject:** (EXTERNAL) PLNPCM2020-00703  
**Date:** Thursday, December 3, 2020 9:19:07 AM

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Dear Mayara,

It has been brought to my attention that a zoning map amendment has been proposed for the property located at 860 East 3rd Ave. My husband and I moved our family to the avenues in 2005. As an Avenues resident, I would like to fully support the zoning map amendment proposed at 860 E 3<sup>rd</sup> Ave.

This proposal brings to life an underutilized gas station corner with single family homes that are intended to align with the rest of the neighborhood. The proposal also includes keeping and renovating the adjacent historic home instead of demolishing it. A project of this nature will bring long-term residents that add value to the community. This development will better the walkability of 3rd Avenue and replace expanses of concrete with planting and greenery.

Thank you for your consideration.

Kathia Dang  
1405 East Penrose Drive  
SLC, Utah 84103

**From:** [Jared M](#)  
**To:** [Lima, Mayara](#)  
**Subject:** (EXTERNAL) case number PLNPCM2020-00703  
**Date:** Friday, December 4, 2020 8:59:40 AM

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Hello, Maya.

I just picked up my mail from my PO Box here in Houston yesterday and found a post card in it from the SLC Planning Commission regarding a proposed / requested change of zoning on a piece of property directly across the street from me.

Unfortunately the meeting was 2 days ago... and I'm in Houston right now anyway.

However, two things:

(1) It sure would be nice if these notices were sent out SOONER. My post card is post-marked Nov 20th... the meeting was Dec 2nd. Let's say it takes 4 of 5 days even to get into my mailbox--and I happen to check my mail that day--that's still only a week's notice.

So, unless the city really just doesn't WANT people to show up at these meetings... which I suspect is the case... then there should be a longer notice period required--and really, even multiple notices and / or multiple forms of notices. (This is 2020 for god's sake. Everyone has a cell phone / text... everyone has email... most people still have a mailing address... so it probably wouldn't be that difficult to start and maintain a database with multiple contact forms--particularly for people who opt in / WANT to stay more informed about what's going on around them.

I would think at least THIRTY days would be a normal, legal notification period. A week is simply not respectful or sufficient.

(2) I jumped online and can see that the "decision" of the planning commission on this particular matter was "a positive recommendation was forwarded to the City Council". But what I don't know--that I'd like to know--is what a change in zoning from the current "CN" and "SR-1A" would mean in terms of not just what COULD be built on those lots... but what WOULD be built on those lots.

In general, I'm not opposed to reasonable, smart, respectful re-development. I'm a builder. I've asked for--been granted--and been denied--variances and permits for various projects in the course of my own businesses. And sometimes I've been granted them... sometimes not. But where there is currently a corner gas station and a house--across the street from me--I certainly don't want a modern, multi-story apartment building.

This area is a historic district... so I'm sure there will be many more steps in the process before anything is approved. But I do think it's a little early in the game to be granting this applicant a blanket change in zoning--without any specific project or proposal attached. So, though I wouldn't be opposed to a change in zoning for the right

project... I would oppose granting them essentially a blank check. So, IF I am given ample notice and opportunity for the next meeting / hearing about this proposed re-zoning, I would likely appear and that would be my input: "First tell me what you want to build here--then we'll tell you if we'll let you build it--if it does not meet the current zoning guidelines for this parcel."

We have zoning for a reason. And though I don't always agree with all zoning classifications... I also don't agree with just granting most developers any changes to the zoning that they ask for. In this particular case, they aren't asking for a specific reason--the owner / seller is essentially asking for the change in zoning simply to make more money on the sale of their property... which shouldn't really be the concern of the city / planning / zoning commission. Right?

So, lastly, is there any way--now that there is a specific proposal / case number attached to this thing--to be automatically and digitally notified of any and all future hearings, filings, decisions, etc regarding this proposal? Aside from snail mail... which is not very reliable these days.

Thank you.

Jared Meadors

Owner, 851 / 855 E 3rd Ave, SLC 84103 (the property directly across the street from the subject property)





**6. ORIGINAL PETITION**  
Petition PLNPCM2020-00703



# 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 #:

Name or Section/s of Zoning Amendment:

## PLEASE PROVIDE THE FOLLOWING INFORMATION

Address of Subject Property (or Area):

860 & 868 E 3rd Ave

Name of Applicant:

Remarc Investments, B, Blak & Partners

Phone:

801-369-5662

Address of Applicant:

770 N 532 E Orem, UT 84097

E-mail of Applicant:

marcus@remarcinvestments.com, oren@remarcinvestments.com

Cell/Fax:

Applicant's Interest in Subject Property:

☒ Owner ☐ Contractor ☒ Architect ☐ Other:

Name of Property Owner (if different from applicant):

E-mail of Property Owner:

Phone:

**Please note** that additional 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 (801) 535-7700 prior to submitting the application.

## REQUIRED FEE

**Map Amendment:** filing fee of **\$1,058** plus **\$121** per acre in excess of one acre  
**Text Amendment:** filing fee of **\$1,058**, plus fees for newspaper notice.  
Plus additional fee for mailed public notices.

## SIGNATURE

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

Signature of Owner or Agent:

Marcus Robinson

Date:

9/1/20

## **7. MAILING LIST**

Name	Address	Unit	City	State	ZIP
175 O STREET LLC	PO BOX 268		ESCALANTE	UT	84726
3RD & M TOWNHOUSES CONDM C	154 N 'M' ST # 2		SALT LAKE CITY	UT	84103
ALE GICQUEAU	1930 VILLAGE CENTER CIR		LAS VEGAS	NV	89134
ALEXANDER M MCCOMBS	90 N N ST		SALT LAKE CITY	UT	84103
ANDREA GLOBOKAR	863 E SECOND AVE		SALT LAKE CITY	UT	84103
ANNE MARIE L ALFRED; CAROL	122 N N ST	#9	SALT LAKE CITY	UT	84103
BECKIE A BRADSHAW LIVING T	878 E THIRD AVE		SALT LAKE CITY	UT	84103
BUSHWEEK, LLC	PO BOX 2753		SALT LAKE CITY	UT	84110
COLOMBIA-WASATCH LLC	535 SW WINTER CIR		PULLMAN	WA	99163
DANIELLE A ANGLE	122 N N ST	#6	SALT LAKE CITY	UT	84103
DAVID & TAMARA PITMAN FAMI	860 E FIRST AVE		SALT LAKE CITY	UT	84103
DAVID E BONE; CAROLYN A BO	874 E FOURTH AVE		SALT LAKE CITY	UT	84103
DAVID R BEAUFORT; M LINDA	116 N O ST		SALT LAKE CITY	UT	84103
DOMINIC J SMITH; SHALENE A	1820 E SIGGARD DR		MILLCREEK	UT	84106
DP FAM TRUST	888 E THIRD AVE		SALT LAKE CITY	UT	84103
DREW SHARP; SARAH WILLS (J	821 E THIRD AVE		SALT LAKE CITY	UT	84103
DRW FAM TR	122 N N ST # 3		SALT LAKE CITY	UT	84103
EDUARDO A VALDEZ; MARTHA T	879 E THIRD AVE		SALT LAKE CITY	UT	84103
FRED J EVANS	133 N N ST		SALT LAKE CITY	UT	84103
G & A ENTERPRISES LC	PO BOX 58493		SALT LAKE CITY	UT	84158
GREATER AVENUES APARTMENTS	910 E KINGSMILL LN		SALT LAKE CITY	UT	84106
HAO NGOC EVANS TRUST 12/23	887 E THIRD AVE		SALT LAKE CITY	UT	84103
JALEENA A FISCHER-JESSOP;	859 E SECOND AVE		SALT LAKE CITY	UT	84103
JAMES CARRINGTON; PATRICK	933 S 270 E		SALEM	UT	84653
JAMES EDWARD HUGHES; HA NA	903 E THIRD AVE		SALT LAKE CITY	UT	84103
JARED MEADORS	PO BOX 541842		HOUSTON	TX	77254
JEAN-JACQUES D GROSSI; SON	124 N O ST		SALT LAKE CITY	UT	84103
JEFFREY A GOSZTYLA	876 E FOURTH AVE		SALT LAKE CITY	UT	84103
JERRY D GODWIN; LISA L GOD	122 N N ST	#7	SALT LAKE CITY	UT	84103
JO ANN WHIRLEDGE	103 N N ST		SALT LAKE CITY	UT	84103
JOHN C CANDELARIA	1564 W ALMOND LN		WEST JORDAN	UT	84088
JOHN GALIAN	872 E THIRD AVE		SALT LAKE CITY	UT	84103
JOHN SPEED & GINETTE IRENE	124 N M ST		SALT LAKE CITY	UT	84103
JONATHAN E HOLLOWAY	2671 W EDSBROOK PL		TUCSON	AZ	85741
JULIAN CHAN	4120 BONA VILLA DR		OGDEN	UT	84403
JUNE B HANSEN	119 N N ST		SALT LAKE CITY	UT	84103
JUSTIN B ROSENGREEN; ALICI	172 N N ST		SALT LAKE CITY	UT	84103
KATHERINE G HOLMSTROM; SCO	879 E SECOND AVE		SALT LAKE CITY	UT	84103
KIMBERLY FRAZER MCKINLEY	89 N N ST		SALT LAKE CITY	UT	84103
KIRSTEN E HEPBURN; KIRSTEN	870 E FOURTH AVE		SALT LAKE CITY	UT	84103
LANDWEST LLC; B A W LV TR	2074 E MARYLAND CIR		HOLLADAY	UT	84124
LESLIE G KELEN; JOYCE A KE	128 N M ST		SALT LAKE CITY	UT	84103
LINDA GAIL KUHN LERUTH; MI	122 N N ST	#1	SALT LAKE CITY	UT	84103
MARY A STONEMAN	865 E SECOND AVE		SALT LAKE CITY	UT	84103
MICHAEL G CRANDALL	118 N N ST		SALT LAKE CITY	UT	84103
NATHAN R DUNCAN; STACEY MC	1077 E SECOND AVE		SALT LAKE CITY	UT	84103

NOTTING COURT CONDOMINIUMS	1949 E MURRAY HOLLADAY RD	HOLLADAY	UT	84117
PAIGE M HEYN	122 N N ST #10	SALT LAKE CITY	UT	84103
PATRICIA OWEN	884 E THIRD AVE	SALT LAKE CITY	UT	84103
PAUL J SVENDSEN; MARY L PI	903 E SECOND AVE	SALT LAKE CITY	UT	84103
R&JKFT	827 E SECOND AVE	SALT LAKE CITY	UT	84103
RACHEL LEGREE	853 E SECOND AVE	SALT LAKE CITY	UT	84103
ROBERT B LEA; KIMBERLY M L	122 N N ST # 2	SALT LAKE CITY	UT	84103
ROBERT D HANSEN; MARYAN HA	659 N LOMA VISTA CIR	MESA	AZ	85213
ROGER BORGENICHT; KATHERIN	881 E SECOND AVE	SALT LAKE CITY	UT	84103
ROSE FAMILY INVESTMENTS LL	2082 E 9060 S	SANDY	UT	84093
SANDRA KOPANON	859 E THIRD AVE # 2	SALT LAKE CITY	UT	84103
SEBLASER, LLC	1768 S RIDGE POINT DR	BOUNTIFUL	UT	84010
SIERRA P HENDRIKSEN	122 N N ST # 5	SALT LAKE CITY	UT	84103
STEVEN E SWENSON	120 N O ST	SALT LAKE CITY	UT	84103
SUSAN L DICKINSON	818 E THIRD AVE	SALT LAKE CITY	UT	84103
TERESA WHARTON; KYLE WHART	PO BOX 263	MIDWAY	UT	84049
THE VICTORIAN APARTMENTS,	1582 E PARK PLACENORTH	HOLLADAY	UT	84121
THIRD AVENUE INVESTMENTS,	11113 S OLD ROSEBUD LN	SOUTH JORDAN	UT	84095
TOTH-STOESSER LLC	327 N I ST	SALT LAKE CITY	UT	84103
TRISTAN KM MOORE; KRISTY L	817 E SECOND AVE	SALT LAKE CITY	UT	84103
TRUST NOT IDENTIFIED	1791 E MICHIGAN AVE	SALT LAKE CITY	UT	84108
TRUST NOT IDENTIFIED	164 N N ST	SALT LAKE CITY	UT	84103
TRUST NOT IDENTIFIED	881 E THIRD AVE	SALT LAKE CITY	UT	84103
TRUST NOT IDENTIFIED	111 N O ST	SALT LAKE CITY	UT	84103
TRUST NOT IDENTIFIED	868 E SECOND AVE	SALT LAKE CITY	UT	84103
TRUST NOT IDENTIFIED	868 E SECOND AVE	SALT LAKE CITY	UT	84103
TRUST NOT IDENTIFIED; ROBE	PO BOX 11959	SALT LAKE CITY	UT	84147
VICTORIA ALMEIDA	86 N N ST	SALT LAKE CITY	UT	84103
WALTER M WILHELM; NATALIE	871 E SECOND AVE	SALT LAKE CITY	UT	84103
WALTER S PALMER; SANDRA K	81 N O ST	SALT LAKE CITY	UT	84103
WILL & ALEX LLC	10799 LAS POSAS RD	CAMORILLO	CA	93012
WILLIAM THOMAS XANDO NEVIN	118 N O ST	SALT LAKE CITY	UT	84103
ZACHARY E IMEL; KAREN W TA	870 E SECOND AVE	SALT LAKE CITY	UT	84103
Current Occupant	167 N N ST	Salt Lake City	UT	84103
Current Occupant	821 E 3RD AVE	Salt Lake City	UT	84103
Current Occupant	825 E 3RD AVE	Salt Lake City	UT	84103
Current Occupant	827 E 3RD AVE	Salt Lake City	UT	84103
Current Occupant	829 E 3RD AVE	Salt Lake City	UT	84103
Current Occupant	173 N N ST	Salt Lake City	UT	84103
Current Occupant	182 N N ST	Salt Lake City	UT	84103
Current Occupant	166 N N ST	Salt Lake City	UT	84103
Current Occupant	870 E 4TH AVE	Salt Lake City	UT	84103
Current Occupant	874 E 4TH AVE	Salt Lake City	UT	84103
Current Occupant	876 E 4TH AVE	Salt Lake City	UT	84103
Current Occupant	175 N O ST	Salt Lake City	UT	84103
Current Occupant	167 N O ST	Salt Lake City	UT	84103
Current Occupant	851 E 3RD AVE	Salt Lake City	UT	84103

Current Occupant	859 E 3RD AVE		Salt Lake City	UT	84103
Current Occupant	867 E 3RD AVE		Salt Lake City	UT	84103
Current Occupant	873 E 3RD AVE		Salt Lake City	UT	84103
Current Occupant	879 E 3RD AVE		Salt Lake City	UT	84103
Current Occupant	879 E 3RD AVE	#EAST	Salt Lake City	UT	84103
Current Occupant	881 E 3RD AVE		Salt Lake City	UT	84103
Current Occupant	887 E 3RD AVE		Salt Lake City	UT	84103
Current Occupant	801 E 3RD AVE		Salt Lake City	UT	84103
Current Occupant	818 E 3RD AVE		Salt Lake City	UT	84103
Current Occupant	820 E 3RD AVE		Salt Lake City	UT	84103
Current Occupant	817 E 2ND AVE		Salt Lake City	UT	84103
Current Occupant	823 E 2ND AVE		Salt Lake City	UT	84103
Current Occupant	827 E 2ND AVE		Salt Lake City	UT	84103
Current Occupant	149 N N ST		Salt Lake City	UT	84103
Current Occupant	127 N N ST		Salt Lake City	UT	84103
Current Occupant	123 N N ST		Salt Lake City	UT	84103
Current Occupant	823 E 2ND AVE	#NFF1	Salt Lake City	UT	84103
Current Occupant	109 N N ST		Salt Lake City	UT	84103
Current Occupant	860 E 3RD AVE		Salt Lake City	UT	84103
Current Occupant	868 E 3RD AVE		Salt Lake City	UT	84103
Current Occupant	872 E 3RD AVE		Salt Lake City	UT	84103
Current Occupant	878 E 3RD AVE		Salt Lake City	UT	84103
Current Occupant	884 E 3RD AVE		Salt Lake City	UT	84103
Current Occupant	886 E 3RD AVE		Salt Lake City	UT	84103
Current Occupant	888 E 3RD AVE		Salt Lake City	UT	84103
Current Occupant	119 N O ST		Salt Lake City	UT	84103
Current Occupant	128 N N ST		Salt Lake City	UT	84103
Current Occupant	117 N O ST	#NFF1	Salt Lake City	UT	84103
Current Occupant	853 E 2ND AVE		Salt Lake City	UT	84103
Current Occupant	859 E 2ND AVE		Salt Lake City	UT	84103
Current Occupant	863 E 2ND AVE		Salt Lake City	UT	84103
Current Occupant	865 E 2ND AVE		Salt Lake City	UT	84103
Current Occupant	871 E 2ND AVE		Salt Lake City	UT	84103
Current Occupant	879 E 2ND AVE		Salt Lake City	UT	84103
Current Occupant	881 E 2ND AVE		Salt Lake City	UT	84103
Current Occupant	866 E 2ND AVE		Salt Lake City	UT	84103
Current Occupant	870 E 2ND AVE		Salt Lake City	UT	84103
Current Occupant	868 E 2ND AVE		Salt Lake City	UT	84103
Current Occupant	122 N N ST	#2	Salt Lake City	UT	84103
Current Occupant	122 N N ST	#3	Salt Lake City	UT	84103
Current Occupant	122 N N ST	#4	Salt Lake City	UT	84103
Current Occupant	122 N N ST	#5	Salt Lake City	UT	84103
Current Occupant	122 N N ST	#8	Salt Lake City	UT	84103
Current Occupant	122 N N ST		Salt Lake City	UT	84103
Current Occupant	903 E 3RD AVE		Salt Lake City	UT	84103
Current Occupant	906 E 3RD AVE		Salt Lake City	UT	84103
Current Occupant	903 E 2ND AVE		Salt Lake City	UT	84103