

ERIN MENDENHALL  
Mayor



DEPARTMENT of COMMUNITY  
and NEIGHBORHOODS  
Blake Thomas  
Director

**CITY COUNCIL TRANSMITTAL**

  
Lisa Shaffer (Jul 8, 2021 15:03 MDT)

Lisa Shaffer, Chief Administrative Officer

**Date Received:** 07/08/2021

**Date sent to Council:** 07/08/2021

**TO:** Salt Lake City Council  
Amy Fowler, Chair

**DATE:** July 8, 2021

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



**SUBJECT:** Encircle Family and Youth Services Center Zoning Map Amendment

**STAFF CONTACT:** Caitlyn Tubbs, Principal Planner: (385)-315-811 Caitlyn.Tubbs@slcgov.com

**DOCUMENT TYPE:** Ordinance

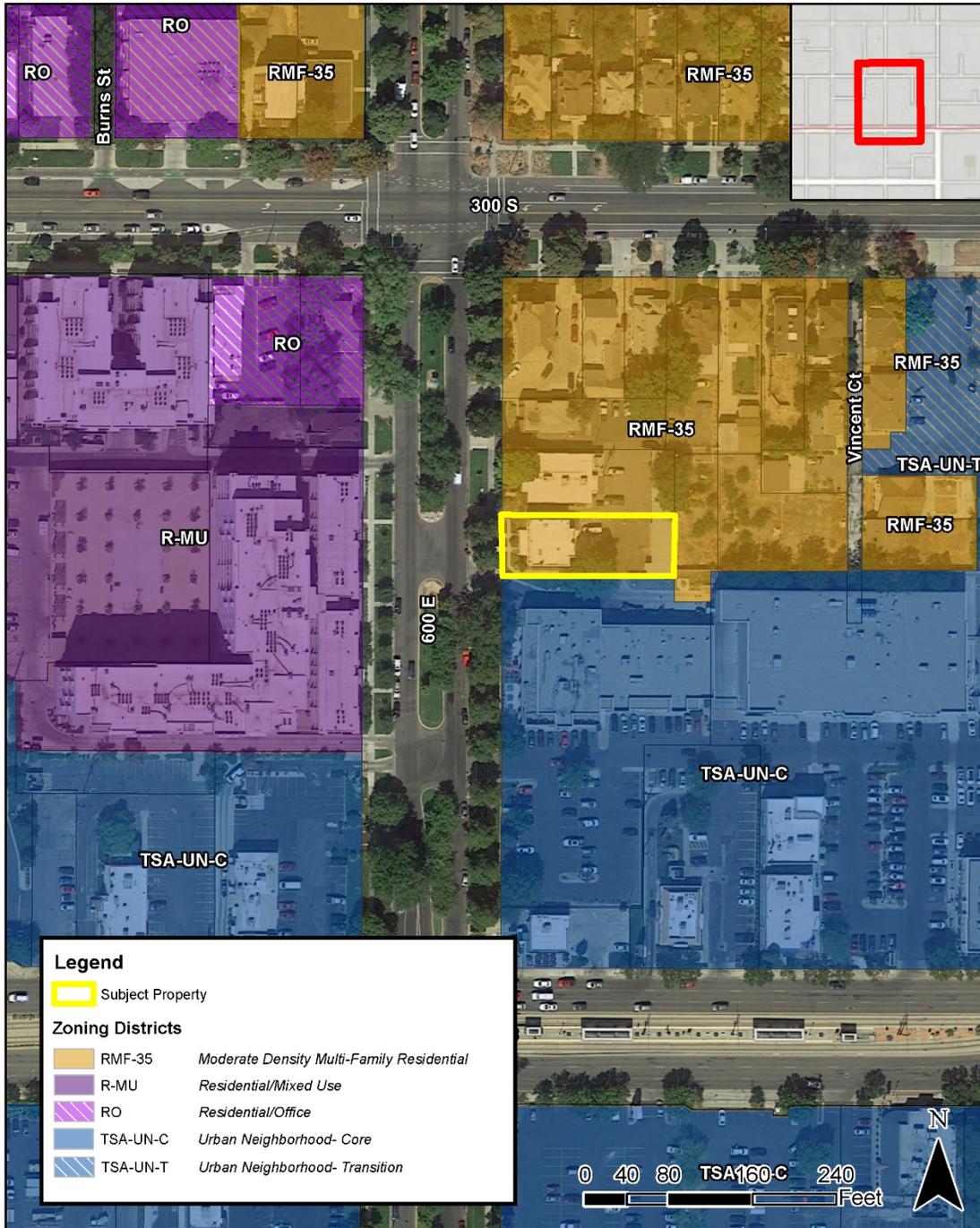
**RECOMMENDATION:** Approve an ordinance amending the Zoning Map of approximately 0.23 acres at 329-331 South 600 East from RMF-35 to R-MU-35 as recommended by the Planning Commission.

**BUDGET IMPACT:** None

**BACKGROUND/DISCUSSION:** McKay Ozuna and Wade Budge, representing the property owner, are requesting a Zoning Map Amendment for their client's property at 329-331 South 600 East. This property houses the offices of Encircle Family and Youth Services Center (the "Center") which is a nonprofit working with LGBTQ+ people and their friends and families. The Center offers services to the LGBTQ+ community and is looking to establish a small café within the existing envelope of the building to serve refreshments to its clients. Restaurant uses are not permitted in the RMF-35 Zoning District (existing) but are allowed in the R-MU-35 Zoning District (proposed).

The subject property is located within the Central City Master Plan area. The future land use map designates the subject property as a medium density residential/mixed use area which supports the proposed zoning designation of R-MU-35. A master plan amendment is not needed to facilitate this zoning change.

# Vicinity Zoning Map



## **PUBLIC PROCESS:**

### Community Councils and Early Public Notification:

A notice was sent to the Central City Community Council and the East Central Community Council on April 28, 2021 providing information about the Zoning Map Amendment request and where to obtain additional information. Since the subject property is within 600 feet of two Recognized Community Organizations an online Open House blogpost was also created. This blogpost can be accessed by clicking [here](#). Neither the Central City Community Council or the East Central Community Council requested this item to be heard at their meetings or reached out to Staff for additional information.

### Planning Commission:

The Planning Commission held a public hearing regarding this matter on Wednesday June 23, 2021. One citizen provided an email indicating their support of the request. No further public comments were received at the hearing. The Planning Commission found the request compliant with the goals of the Central City Master Plan and goals of Salt Lake City and unanimously forwarded a positive recommendation of the request to the City Council.

### **Planning Commission (PC) Records**

- a) [PC Agenda of June 23, 2021](#) (Click to Access)
- b) PC Minutes of June 23, 2021 (Attached following memo)
- c) [Planning Commission Staff Report of June 23, 2021](#) (Click to Access)

## **EXHIBITS:**

- i) Project Chronology
- ii) Notice of City Council Hearing
- iii) Notice Letter to Recognized Community Organizations
- iv) Notice Letter to Neighbors
- v) Public Comments
- vi) Original Petition
- vii) Mailing List

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

(Amending the zoning of property located at 329-331 South 600 East from RMF-35 Moderate Density Multi-Family Residential District to R-MU-35 Residential/Mixed Use District)

An ordinance amending the zoning map pertaining to property located at 329-331 South 600 East from RMF-35 Moderate Density Multi-Family Residential District to R-MU-35 Residential/Mixed Use District pursuant to Petition No. PLNPCM2021-00268.

WHEREAS, Wade Budge on behalf of the property owner, Encircle Family and Youth Resource Center, submitted an application to rezone the property located at 329-331 South 600 East (the “property”) from RMF-35 Moderate Density Multi-Family Residential District to R-MU-35 Residential/Mixed Use District pursuant to Petition No. PLNPCM2021-00268 (the “petition”); and

WHEREAS, in addition to the underlying RMF-35 Moderate Density Multi-Family Residential District zoning, the parcels are further zoned with overlay zoning designations of Groundwater Source Protection and Local Historic District Overlays ; and

WHEREAS, the Salt Lake City Planning Commission (the “Planning Commission”) held a public hearing on June 23, 2021 on the petition, had a discussion, and voted to forward a recommendation of approval to the Salt Lake City Council (the “City Council”) to rezone property located at 329-331 South 600 East (Tax ID No.16-06-428-003-0000) (the “Property”) from RMF-35 Moderate Density Multi-Family Residential District to R-MU-35 Residential/Mixed Use District pursuant to Petition No. PLNPCM2021-00268; and

WHEREAS, after a public hearing on this matter, the City Council has determined that adopting this ordinance to amend the Salt Lake City zoning map to change the underlying zoning as set forth herein is in the city's best interests; and

WHEREAS, the City Council desires to retain the overlay designations of the Groundwater Source Protection and Local Historic District Overlays, and, nothing contained herein should be construed to remove those existing designations.

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

SECTION 1. Amending the Zoning Map. The Salt Lake City zoning map, as adopted by the *Salt Lake City Code*, relating to the fixing of boundaries and zoning districts, shall be and hereby is amended to reflect that the property identified on Exhibit "A" attached hereto and incorporated by reference shall be and hereby are rezoned from RMF-35 Moderate Density Multi-Family Residential District to R-MU-35 Residential/Mixed Use District.

SECTION 4. Effective Date. This Ordinance take effect immediately after it has been published in accordance with Utah Code §10-3-711 and recorded in accordance with Utah Code §10-3-713.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
CHAIRPERSON

ATTEST AND COUNTERSIGN:

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

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

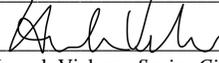
Mayor's Action: \_\_\_\_\_Approved. \_\_\_\_\_Vetoed.

\_\_\_\_\_

MAYOR

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

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

<p><b>APPROVED AS TO FORM</b> Salt Lake City Attorney's Office</p> <p>Date: <u>6/29/2021</u></p> <p>By: <u></u> Hannah Vickery, <i>Senior City Attorney</i></p>
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# EXHIBIT “A”

Legal Description of Property to be Rezoned

**329-331 South 600 East**

**Tax ID No. 16-06-428-003-0000**

BEGINNING 43.58 FEET NORTH OF THE SOUTHWEST CORNER OF LOT 5, BLOCK 39, PLAT “B”, SALT LAKE CITY SURVEY AND RUNNING THENCE NORTH 59.51 FEET EAST 10 RD S 59.51 FT W 10 RD TO BEGINNING. 5052-833,834,835,5052-0840 1979-622 7296-2893

CONTAINS 10,018.8 SQUARE FEET OR 0.23 ACRES, MORE OR LESS.

**SALT LAKE CITY PLANNING COMMISSION MEETING**  
**This meeting was held electronically**  
**Wednesday, June 23, 2021**

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at approximately 5:30 pm. Audio recordings of the Planning 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 Planning Commission meeting were: Chairperson, Brenda Scheer; Vice Chairperson, Amy Barry; Commissioners; Maurine Bachman, Adrienne Bell, Jon Lee, Matt Lyon, Andres Paredes, and Crystal Young-Otterstrom. CommissionersCarolynn Hoskins and Sara Urquhart were excused from the meeting.

Planning Staff members present at the meeting were: Nick Norris, Planning Director; John Anderson, Planning Manager; Hannah Vickery, Attorney; Katia Pace, Principal Planner; Caitlyn Tubbs, Principal Planner; Linda Mitchell, Principal Planner; Aubrey Clark, Administrative Secretary.

**APPROVAL OF THE June 9, 2021, MEETING MINUTES.**  
**MOTION**

**Commissioner Jon Lee moved to approve the June 9, 2021 meeting minutes. Commissioner Adrienne Bell seconded the motion. Commissioners Barry, Bell, Lee, Paredes voted “Aye”. Commissioner Bachman and Lyon abstained. Commissioner Young-Otterstrom had not yet joined the meeting. The motion passed with 4 “aye” and 2 abstaining.**

**REPORT OF THE CHAIR AND VICE CHAIR**

Chairperson Scheer reported that Planner Chris Earl had passed away.

Vice Chairperson Barry stated she had nothing to report.

**REPORT OF THE DIRECTOR**

Nick Norris, Planning Director, reported that Commissioner Matt Lyon is at the end of his two terms and this is his last meeting.

Matt Lyon spoke about his experience on the Planning Commission.

Nick Norris also reported that the Planning Commission meetings will be moving to a hybrid protocol starting in July. He also discussed the budget passed by City Council and plans for new staff.

**PUBLIC HEARINGS**

**Commissioner Adrienne Bell recused herself, due to a conflict of interest, from the Bueno Avenue Apartments project.**

**Bueno Avenue Apartments - Planned Development, Conditional Use, Zoning Map and Master Plan Amendment at approximately 129 S 700 East** - Kevin Perry, representing the property owner, is requesting approval for a new residential development, the Bueno Avenue Apartments, at the stated location. The project proposes to consolidate 10 parcels and replace the existing structures with two

buildings: a single-story amenity building fronting 700 East and a 4-story apartment building on the interior of the site. The apartment building would consist of a "Rooming House" with 65 units ranging from 1 bedroom to 4-bedroom units. The total site is approximately 1.55 acres. The proposed project is subject to the following applications:

- a. Planned Development - The Planned Development is needed to address modifications to the RMF-45 zoning requirements. Changes comprise of reducing the side (proposed 2.8', required 8') and rear yard (proposed 15.4', required 30') setbacks, additional 5' in height, reduction of lot width (66' proposed, 80' required) and allowing the accessory building in the front yard.
- b. Conditional Use - Requesting a "Rooming House" land use designation, which is allowed in the RMF-45 zoning district as a conditional use.
- c. Zoning Map Amendment – The current zoning of 7 of parcels on the site is SR-3, and zoning on 3 of the parcels is RMF-45. The applicant is requesting to amend the zoning map designation of the seven parcels zoned SR-3 to RMF-45.
- d. Master Plan Map Amendment - The associated future land use map in the Central Community Master Plan currently designates the property as "Medium Density Residential". The petitioner is requesting to amend the future land use map for the parcels to be "Medium High Density Residential".

The project is located within the RMF-45 (Moderate/High Density Multi-Family Residential District zoning district) within Council District 4, represented by Analia Valdemoros (Staff contact: Katia Pace at (385) 226-8499 or [katia.pace@slcgov.com](mailto:katia.pace@slcgov.com)). **Case numbers PLNPCM2021-00045, PLNPCM2021-00046, PLNPCM2021-00048 & PLNPCM2021-00047**

Katia Pace, Principal Planner, reviewed the request outlined in the staff report. She stated that Staff recommends the Planning Commission forward a favorable recommendation to city council for the Zoning and Master Plan amendments She also stated that Staff recommends the Commission approve the request for Planned Development and Conditional Use with conditions. She outlined the conditions:

1. That the Zoning and Master Plan amendments are approved by the City Council.
2. That the 10 parcels be consolidated into one parcel.
3. Provide an access easement for the property at 135 S 700 East.
4. That a housing mitigation plan be submitted to the City's Planning Director and the Director of Community and Neighborhoods and be accompanied by a housing impact statement.
5. That each bedroom on this project be limited to single occupancy and that parking is provided according to the Salt Lake City Parking Ordinance.

The Commission had no comments prior to the applicant's presentation.

Kevin Parry, the applicant, stated the Bueno Avenue project is a new style of project to Salt Lake City stating it is a co-living project. He mentioned that this type of housing is attainably priced. He stated the company is looking to implement social impact investing into their operations. He outlined why they are requesting the proposed changes, stating the site currently lacks utility infrastructure. The Master Plan allows for 40 units per acre and they are seeking 42 units per acre with the proposal. He remarked on

the standing structures on Bueno Avenue being in major disrepair. He stated that renovating the current homes is cost prohibitive and shared slides showing the disrepair of the homes.

Commissioner Scheer opened the meeting to the Commission for questions.

Commissioner Barry asked about management. Kevin Parry said there will be a manager on site. Commissioner Scheer asked about a price point. Kevin Parry stated that it will rent at market value at \$869 month for a single furnished bedroom. Commissioner Lyon asked why they were seeking the Planned Development. Kevin Parry discussed the fire turn around being the reason. Commissioner Scheer asked about a possible outlet on the east 600 side. Kevin Parry sighted then grading on the site not allowing for that option.

Commissioner Scheer opened the public hearing.

## **PUBLIC HEARING**

Cassy McDonough is in opposition to the project. He stated he feels it is the wrong location. Cindy Cromer is in opposition to the project. She remarked on the Fair Housing Act and asked whether limiting the occupancy to one person per room is legal. Jen Colby, East Central Community Council, does not support the project. She asked the Planning Commission to deny the applications. Monica Hilding is on opposition to the project. Rich Wilcox is in opposition to the project. Aaron Woodall in opposition to the project and stated that the rooms are not affordable. Jeff Taylor represents the current owners – said they cannot fix up the existing structures and maintain affordability. Nick Norris relayed an email sent on behalf of Dorian Owen and Jamie Skinner who were not able to join the meeting that are opposed to the project. John Anderson read into the record two emails that were sent prior to the meeting. The first one is from Glenna Wallis. She is opposed to the setback reduction. The second email read into the record was from Eran Rosines who is in favor of the rezone but in opposition to the height setback.

Commissioner Scheer, seeing that no one else wished to speak, closed the public hearing.

The Commission and the Applicant discussed:

- The Fair Housing Act
- The protection of interior blocks
- The setbacks and the fire lanes and how that ties in with attainably priced housing
- Whether a similar project has come before the Commission previously

## **MOTION**

**Commissioner Matt Lyon stated, I make a motion to table the Planned Development PLNPCM2021-00045 pending the City Council approval of the Master Plan zoning amendment and a motion to table Conditional Use PLNPCM2021-00046 until additional clarity on the fair housing act can be supplied.**

Commissioner Jon Lee seconded the motion. Commissioner Bachman, Lee, Lyon, Paredes, Young-Otterstrom voted “aye”. Commissioner Barry voted “no”. The motion to table passed 5 to 1.

Commissioner Matt Lyon stated, based on the initial staff report and the information presented and the input received in a public hearing with the Planning Commission forward a favorable recommendation to the City Council for the Master Plan Amendment PLNPCM2021-00047 and the Zoning Map Amendment PLNPCM2021-00048.

Commissioner Amy Barry seconded the motion. Commissioner Bachman, Barry, Lee, Lyon voted “aye”. Commissioners Paredes and Young-Otterstrom voted “no”. The motion passed 4 to 2.

Commissioner Adrienne Bell rejoined the meeting.

**Encircle Family Services Rezone at approximately 331 South 600 East** - Wade Budge and McKay Ozuna, representing the property owner, are requesting a zoning map amendment to allow for the establishment of a small café within the property owner’s building located at the address listed above. The current zoning is RMF-35 and the Applicants have requested the zoning designation of R-MU-35. The subject property is located in Council District 4 represented by Analia Valdemoros. (Staff contact is Caitlyn Tubbs at caitlyn.tubbs@slcgov.com or 385-315-8115). **Case number PLNPCM2021-00268.**

Caitlyn Tubbs, Principal Planner, reviewed the request outlined in the staff report. She stated that Staff recommends the Planning Commission forward a positive recommendation to City Council.

Adrienne Bell asked if height restrictions were looked at.

The Applicant, Wade Budge, spoke about the reason for requesting the rezone. Jacob Dunford spoke on the purpose of Encircle. Wade Budge shared concept drawings.

Commissioner Scheer opened the public hearing.

## **PUBLIC HEARING**

Seeing that no one wished to speak, Commissioner Scheer closed to the public hearing.

## **MOTION**

**Commissioner Amy Barry stated, Based on the information in the staff report, the information presented, and the input received during the public hearing, I move that the Planning Commission forward a Positive Recommendation to the City Council for the requested Zoning Map Amendment from RMF-35 to R-MU-35 for 0.22 acres at approximately 331 South 600 East for petition PLNPCM2021-00268.**

**Commissioner Maurine Bachman Seconded the motion. Commissioners Bachman, Barry. Bell, Lee, Lyon, Paredes, Young-Otterstrom all voted “aye”. The motion passed unanimously.**

**Cowley ADU at approximately 738 E 1700 S** - Cody Cowley, property owner, is requesting Conditional Use approval for a conversion of the existing loft space above the detached 2-car garage into an Accessory Dwelling Unit (ADU) at approximately 738 E 1700 S. No changes to the exterior are proposed. The subject property is located in the R-1/7000 (Single-Family Residential) zoning district and is located within Council District 7, represented by Amy Fowler. (Staff contact: Linda Mitchell at 385-386-2763 or linda.mitchell@slcgov.com). **Case number PLNPCM2021-00259**

Linda Mitchell, Principal Planner, reviewed the request outlined in the staff report. She stated that Planning Staff is recommending approval for this ADU as proposed.

Commissioner Scheer asked if the applicant wished to speak. The applicant did not wish to speak but said he was willing to answer any questions if there were any.

Commissioner Scheer opened the public hearing.

### **PUBLIC HEARING**

Judy Short, Sugar House Community Council member, is in favor of the application.

Commissioner Scheer closed the public hearing.

### **MOTION**

**Commissioner Adrienne Bell stated, Based on the findings listed in the staff report, the information presented, and input received during the public hearing, I move that the Planning Commission approve the Conditional Use request (PLNPCM2021-00259) as proposed.**

**Commissioner Matt Lyon seconded the motion. Commissioners Bachman, Barry, Bell, Lee, Lyon, Paredes, and Young-Otterstrom voted “aye”. The motion passed unanimously.**

### **OTHER BUSINESS**

**Legislative Update** - Staff from the Department of Community and Neighborhoods will provide an update from the 2021 Legislative session, including changes to state law that impact the function and duties of the Planning Commission

Angela Price gave a presentation providing the Commission with updates regarding the 2021 Legislative session. There were 17 bills reviewed.

**The meeting adjourned at approximately 8:29 pm.**

## 1. Project Chronology

# Project Chronology

Encircle Family and Youth Services Zoning Map Amendment – PLNPCM2021-00268

- March 23, 2021 Wade Budge and McKay Ozuna of Snell & Wilmer, L.L.P. filed the zoning map amendment application on behalf of the property owner, Encircle Family and Youth Services Center. The subject property is located at 329-331 South 600 East and encompasses approximately 0.23 acres (10,019 square feet).
- April 23, 2021 Application assigned to Caitlyn Tubbs, Principal Planner.
- April 28, 2021 Sent notifications to Central City Community Council and East Central Community Council and surrounding neighbors.
- May 3, 2021 Open House Blogpost published; public input period opens.
- June 9, 2021 Sign posted on subject property.
- June 10, 2021 Public hearing notice sent out and posted to city website.
- June 14, 2021 Public input period closed.
- June 23, 2021 Planning Commission held public hearing and forwarded a positive recommendation of the requested zoning map amendment to the City Council.
- June 24, 2021 Ordinance review requested from City Attorney's Office.

## 2. Notice of City Council Hearing

## NOTICE OF PUBLIC HEARING

The Salt Lake City Council is considering Petition **PLNPCM2021-00268 – Zoning Map Amendment at 329/331 South 600 East** – Wade Budge and McKay Ozuna, on behalf of the property owner, are requesting a zoning map amendment to allow for the establishment of a small café within the property owner’s building located at the address listed above. The current zoning is RMF-35 and the Applicants have requested the zoning designation of R-MU-35. The change is consistent with the Central City Master Plan. The Master Plan is not being changed. The property is located within Council District 4, represented by Analia Valdemoros. (Staff contact: Caitlyn Tubbs at (385) 315-8115 or [caitlyn.tubbs@slcgov.com](mailto:caitlyn.tubbs@slcgov.com) )

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

**DATE:**

**TIME:** 7:00 p.m.

**PLACE:** This will be an electronic meeting pursuant to Salt Lake City Emergency Proclamation No.2 of 2020(2)(b). Please visit <https://www.slc.gov/council/news/featured-news/virtually-attend-city-council-meetings/> to learn how you can share your comments live during electronic City Council meetings. If you would like to provide feedback or comment, via email or phone, please contact us at: 801-535-7654 (24-Hour comment line) or by email at: [council.comments@slcgov.com](mailto:council.comments@slcgov.com) .

If you have any questions relating to this proposal or would like to review the file, please call Caitlyn Tubbs at 385-315-8115 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at [caitlyn.tubbs@slcgov.com](mailto:caitlyn.tubbs@slcgov.com)

People with disabilities may make requests for reasonable accommodation, which may include alternate formats, interpreters, and other auxiliary aids and services. Please make requests at least two business days in advance. To make a request, please contact the City Council Office at [council.comments@slcgov.com](mailto:council.comments@slcgov.com), 801-535-7600, or relay service 711.(P 19-19)

### 3. Notice Letter to Recognized Community Organizations



# Recognized Organization Input Notification

331 South 600 East – Encircle Family and Youth Resource Services Rezone

**TO:** Bekka Carlson, Chair, Central City Community Council  
 Esther Hunter, Chair, East Central Community Council

**FROM:** Caitlyn Tubbs, Principal Planner, Salt Lake City Planning Division  
[caitlyn.tubbs@slcgov.com](mailto:caitlyn.tubbs@slcgov.com) or 385-315-8115)

**DATE:** April 28, 2021

**RE:** PLNPCM2021-00268 – Zoning Map Amendment (Rezone)

The Planning Division has received the below request and is notifying your organization to solicit comments on the proposal:

**Request Type:** Rezone

**Location:** Approximately 331 South 600 East

**Current Zone:** RMF-35 (Moderate Density Multi-Family Residential Zoning District)

### Request Description:

A request by McKay Ozuna, representing the owner of the property (Encircle Family and Youth Resource Services), to rezone a parcel from RMF-35 (Moderate Density Multi-Family Residential) to R-MU (Residential Mixed Use). There is an existing building on the property where the property owner provides their services. The property owner intends to establish a café eatery within the existing building that is not currently permitted under the existing RMF-35 zoning designation.

Rezone requests require a recommendation from the Planning Commission and final approval from the City Council. I have attached information submitted by the applicant relating to the project to facilitate your review.



### Request for Input from Your Recognized Organization

As part of this process, the applicant is required to solicit comments from Recognized Organizations. The project is within the boundaries of the Central City Community Council, and borders the East Central Community Council area. The purpose of the Recognized Organization review is to inform the community of the project and solicit comments/concerns they have with the project. The Recognized Organization may also take a vote to determine whether there is support for the project, but this is not required.

Per City Code 2.60.050 - The recognized community organization chair(s) have **forty five (45) days** to provide comments, from the date the notice was sent. A public hearing will not be held, nor will a final decision be made about the project within the forty five (45) day notice period. This notice period ends on the following day:

**June 14, 2021**

### **Comment Guidance**

Public comments will be received up to the date of the Planning Commission public hearing. However, you should submit your organization's comments within 45 days of receiving this notice in order for those comments to be included in the staff report.

As a Recognized Organization, we ask that you address the following questions in your comments:

- What issues were raised at the meeting and whether any suggestions were made to address the issues.
- The number of persons that attended the meeting (not including those with the applicant or City Staff).
- Whether a vote was taken on the matter and if so, what the vote tally was.

### **Comment Submission Address**

You may submit your written comments via e-mail to [caitlyn.tubbs@slcgov.com](mailto:caitlyn.tubbs@slcgov.com) or mail them to:

**ATTN Caitlyn Tubbs  
Salt Lake City Planning Division  
451 S State St Rm 406  
PO Box 145480  
Salt Lake City UT 84114-5480**

### **Open House**

**The Planning Division will also be holding an online Open House to solicit comments on this project** because the project is located within 600 FT of two community council districts.

If you have any questions, please call me at (385)-315-8115 or contact me via e-mail.

### **21A. 50.050: Standards for Zoning Map Amendments**

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:

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.

## 4. Notice Letter to Neighbors



# Notification of a Project in Your Neighborhood

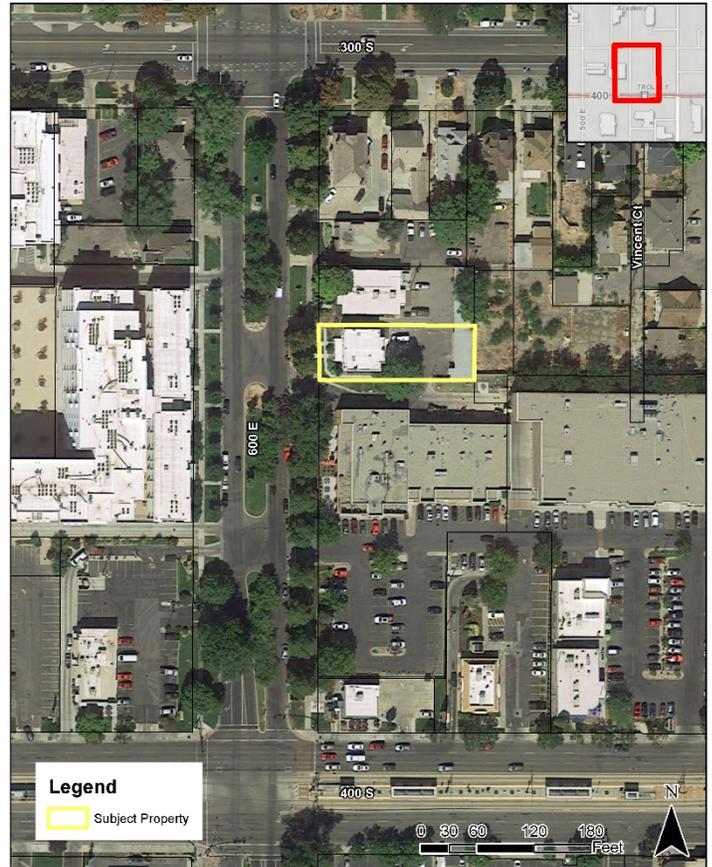
Salt Lake City has received a request for a **zoning map amendment** from McKay Ozuna, representing Encircle Family and Youth Resource Center (property owner), to **rezone one parcel from RMF-35 (Moderate Density Multi-family Residential District) to R-MU (Residential/Mixed Use District)**. There is an existing commercial building already on the property where the property owner provides their services. The proposed rezone to R-MU would allow for the establishment of a café eatery within the existing building which is not currently permitted under the existing RMF-35 zoning designation.

This type of request requires a recommendation from the Planning Commission and a final decision by the City Council. A public hearing with the Planning Commission has not been scheduled. You will be notified of the public hearing at a later date in advance of the meeting.

The purpose of this notice is to make you aware of the proposed change and let you know how you may obtain more information about and comment on the project early in the review process. If you would like additional information, please contact the project planner, Caitlyn Tubbs at (385)-315-8115 or [caitlyn.tubbs@slcgov.com](mailto:caitlyn.tubbs@slcgov.com). Please refer to petition number **PLNPCM2021-00268** or the “Encircle Rezone.” You may also find information that includes submitted plans online at <https://aca.slcgov.com/citizen/> by clicking under “Planning” and typing in the petition numbers referenced above.

The Planning Division will also be holding an online Open House to solicit comments on this project. Notice of this application has also been sent to the Central City and East Central Community Council Chairs. The Community Councils may choose to schedule the matter at an upcoming meeting. Please contact the Central City Community Council Chair Bekka Carlson at [bekkacarlson@gmail.com](mailto:bekkacarlson@gmail.com) or the chair of the East Central Community Council Esther Hunter at [eastcentralcommunity@gmail.com](mailto:eastcentralcommunity@gmail.com) for more information on whether the community councils will review the matter and details at their meeting.

Vicinity Map - 331 South 600 East



Salt Lake City Planning Division 4/28/2021

## 5. Public Comments

**From:** [Kyle Deans](#)  
**To:** [Tubbs, Caitlyn](#)  
**Subject:** (EXTERNAL) 331 S 600 E  
**Date:** Friday, June 11, 2021 2:10:12 PM

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Caitlyn,

I fully support the zone change to allow for a cafe within the property. Any addition to retail with the East Downtown Neighborhood is a positive addition to the city and it's overall walkability.

Kyle Deans  
SLC Resident

## 6. Original Petition



# Zoning Amendment

SALT LAKE CITY PLANNING

Amend the text of the Zoning Ordinance     Amend the Zoning Map

### OFFICE USE ONLY

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

### PLEASE PROVIDE THE FOLLOWING INFORMATION

Address of Subject Property (or Area):  
331 South 600 East, Salt Lake City, Utah 84102

Name of Applicant: Snell & Wilmer, L.L.P. (Wade Budge; McKay Ozuna)	Phone: 801-257-1906; 801-257-1807
Address of Applicant: 15 W. South Temple, Suite 1200, Salt Lake City, Utah 84101	
E-mail of Applicant: wbudge@swlaw.com; mozuna@swlaw.com	Cell/Fax:

Applicant's Interest in Subject Property:  
 Owner     Contractor     Architect     Other:

Name of Property Owner (if different from applicant):  
Encircle Family and Youth Resource Center (Attn: William Bates, Esq.)

E-mail of Property Owner: William@encircletogether.org	Phone: 801-513-8334
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**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 [zoning@slcgov.com](mailto:zoning@slcgov.com) 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. Noticing fees will be assessed after the application is submitted.

### SIGNATURE

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

Signature of Owner or Agent: 	Date: 03/23/2021
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## SUBMITTAL REQUIREMENTS

Staff Review

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



A statement declaring the purpose for the amendment.



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



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



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



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

## WHERE TO FILE THE COMPLETE APPLICATION

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

## INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

# ENCIRCLE FAMILY AND RESOURCE CENTER'S APPLICATION FOR A ZONING AMENDMENT

## Statement of Purpose and Description

This firm (the “**Applicant**”) represents Encircle Family and Resource Center (“**Encircle**”) in its interest to amend the zoning map for Encircle’s property located at 331 South 600 East, Salt Lake City (“**City**”), Utah 84102 (the “**Property**”). The Property is more particularly identified in Salt Lake County’s official records as Parcel ID No. 16-06-428-003. The Property is currently zoned as RMF-35, Moderate Density Multi-Family Residential District (“**RMF-35**”), and is also located, in pertinent part, in the Central City Local Historic and Central City National Historic overlay districts (collectively, the “**Historic Overlays**”).

Encircle is a non-profit organization whose mission is to bring family and community together to enable LGBTQ+ youth to thrive. It accomplishes this important mission by providing LGBTQ+ youth educational and social programs, a safe environment to socialize, and therapy. Originally founded in 2016, Encircle continues to expand its operations throughout Utah, including the Property, and plans to eventually expand into surrounding states for the betterment of the LGBTQ+ community. Similarly, the operations and services Encircle has to offer have likewise expanded. As part of this expansion effort, Encircle would now like to offer its patrons food and beverages from a small café on the Property. This additional use of the Property would ease socialization amongst those who use the Property and further Encircle’s mission. However, under the RMF-35 zoning district a restaurant or retail use is not a permitted or conditional use.

The Applicant, on behalf of Encircle, thereby submits this Application for a Zoning Amendment to amend the zoning map for the City from RMF-35 to R-MU-35, Residential/Mixed Use District (“**R-MU-35**”). The City’s development file shows that the Property has historically been used for office uses from at least the 1970s. Moreover, the Property is adjacent to the TSA-UN-C, Transit Station Area, Urban Neighborhood-Core (“**TSA-UN-C**”), which permits high-intensive uses such as a grocery chain, numerous restaurant chains, and other commercial and retail operations. A buffer between the high-intensive uses of the TSA-UN-C zoning district and RMF-35 is appropriate and this zoning map amendment will provide that transition and buffer area. Further, this rezone and map amendment will assist the City in accomplishing its stated goal of blending uses more harmoniously.<sup>1</sup>

The R-MU-35 is an appropriate zoning designation for the Property. As described above, the Property is surrounded by more intensive uses on neighboring properties and the R-MU-35 acts as a transition between potentially incompatible uses.<sup>2</sup> Again, this is likewise consistent with the present and historical use of the Property. Moreover, this zoning district change is explicitly supported by City’s master plans. Under the Central Community Master Plan, the Future Land Use Map provided therein designates the Property as either “Medium Residential/Mixed Use” or “High Density Transit Oriented Development”<sup>3</sup> – both of which are consistent with the R-MU-35 zoning

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<sup>1</sup> See Note 8 below.

<sup>2</sup> Aside from other neighboring properties zoned as RMF-35, other neighboring properties are zoned to include R-MU west of the Property and the TSA-UN-C is adjacent to the south of the Property.

<sup>3</sup> See Central Community Master Plan (adopted Nov. 1, 2005), at Page 2,

district. Moreover, the change to the R-MU-35 accomplishes the master plan's fundamental goals of creating (i) livable communities and neighborhoods; (ii) vital and sustainable commerce; (iii) unique and active places; and (iv) increased pedestrian mobility and accessibility.<sup>4</sup> Finally, the R-MU-35's permitted and conditional uses better encourage services for residents within walking distance of their homes, focuses commercial activity to such residents without competing with the Central Business District, and provides more diverse and pedestrian oriented activities with a mixture of retail, entertainment, and restaurants.<sup>5</sup>

Similarly, under the East Downtown Neighborhood Plan, the Property is designated as within the proposed "MU-RH, Mixed Use Residential Host" and "Sub Area 2: Brownstone-Apartment Mixed Use," which permits such uses as "General Commercial" and "Service Commercial."<sup>6</sup> A change to the R-MU-35 zoning district will help accomplish the City's vision of the East Downtown Neighborhood as "Utah's premier, vibrant, diverse, mixed use urban neighborhood."<sup>7</sup> Additionally, the change in zoning district blends with the existing character of the area.<sup>8</sup>

Finally, the proposed change of zoning district from RMF-35 to R-MU-35 does not disrupt the goals of either aforementioned master plan as to the Historic Overlays. Under both master plans, preservation of the historical nature of the existing buildings is an important consideration. Encircle is committed to such preservation efforts, as shown by its 2019 renovations to the historic structure on the Property, which maintained and revitalized the historic integrity of the structure. The proposed rezone to the R-MU-35 zoning district would not impair these historic values or diminish the historic nature of the structure.

In light of the foregoing, the Applicant respectfully requests that this Application for a change to the existing zoning map of the City be favorably recommended and approved by the City. The requested zoning change for the Property to the R-MU-35 is supported by the present and existing uses of the Property, the surrounding intensive uses in the area, and the guiding principles of the master plans. Moreover, a change to the R-MU-35 zoning district will help promote Encircle's mission and enable it to better serve the LGBTQ+ youth of the City and State of Utah.

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<http://www.slcdocs.com/Planning/MasterPlansMaps/cent.pdf>.

<sup>4</sup> See *id.* at Page 3.

<sup>5</sup> See *id.* at Page 5.

<sup>6</sup> See East Downtown Neighborhood Plan (adopted 1990), at Pages 8 and 11 (respectively),

<http://www.slcdocs.com/Planning/MasterPlansMaps/ED.pdf>.

<sup>7</sup> *Id.* at Page 1.

<sup>8</sup> See *id.* at Page 8.

## 7. Mailing List

<b>Name</b>	<b>Street</b>	<b>City State</b>	<b>ZIP</b>
VINCENT COURT LLC	154 E MYRTLE AVE # 303	MURRAY UT	84107
WILLIAMSEN SOUTH JORDAN INC	154 E MYRTLE AVE # 303	MURRAY UT	84107
MAKOA HOLDINGS, LLC	580 E 300 S	SALT LAKE CITY UT	84102
UTAH FEDERAL CREDIT UNION	564 E 300 S	SALT LAKE CITY UT	84102
MERCER SLC, LLC	333 WASHINGTON BLVD	MARINA DEL REY CA	90292
BAMBOO LLC	1008 S LINCOLN ST	SALT LAKE CITY UT	84105
BAMBOO LLC	1008 S LINCOLN ST	SALT LAKE CITY UT	84105
DAVID KIMBERLY; MEGAN KIMBERLY (JT)	618 E 300 S	SALT LAKE CITY UT	84102
MARY L PICIOCCHI; PAUL J SVENDSEN (JT)	908 E SECOND AVE	SALT LAKE CITY UT	84103
BASES LOADED INVESTING LLC	636 E 300 S	SALT LAKE CITY UT	84102
RAVINDER SINGH AHLUWALIA	640 E 300 S	SALT LAKE CITY UT	84102
BIRTOK LLC	561 KEYSTONE AVE	RENO NV	89503
SACHA S MASEK	644 E 300 S	SALT LAKE CITY UT	84102
VINCENT COURT LLC	154 E MYRTLE AVE # 3-303	MURRAY UT	84107
ELEVATE HIGHLAND LLC; ELEVATE BOULDER LLC	104 E MAIN ST	BOZEMAN MT	59715
EFFROSENE K SERGAKIS; GEORGE M SERGAKIS (JT)	9499 S CANDLE TREE LN	SANDY UT	84092
ESSEX TPV LLC	1816 11TH AVE	SEATTLE WA	98122
KINGSPORT, LLC	2280 S MAIN ST	SOUTH SALT LAKE UT	84115
SIXTH EAST, LLC	321 S 600 E	SALT LAKE CITY UT	84102
TRUST NOT IDENTIFIED	2840 E WILLOW HILLS DR	SANDY UT	84093
ENCIRCLE FAMILY AND YOUTH RESOURCE CENTER	893 S 1100 E	OREM UT	84097
VINCENT COURT LLC	154 E MYRTLE AVE # 303	MURRAY UT	84107
400 SOUTH ENTERTAINMENT PARTNERS LC	154 E MYRTLE AVE # 303	MURRAY UT	84107
400 SOUTH ENTERTAINMENT PARTNERS LC	154 E MYRTLE AVE # 303	MURRAY UT	84107
VINCENT COURT LLC	154 E MYRTLE AVE # 303	MURRAY UT	84107
VINCENT COURT LLC	154 E MYRTLE AVE # 303	MURRAY UT	84107
400 SOUTH FOOD CORP	154 E MYRTLE AVE # 303	MURRAY UT	84107
PAYSON PLACE LLC	154 E MYRTLE AVE # 303	MURRAY UT	84107
VINCENT COURT, LLC	154 E MYRTLE AVE # 303	MURRAY UT	84107
OCCUPANT	650 E 300 S	SALT LAKE CITY UT	84102
OCCUPANT	655 E 400 S	SALT LAKE CITY UT	84102
OCCUPANT	580 E 300 S	SALT LAKE CITY UT	84102
OCCUPANT	564 E 300 S	SALT LAKE CITY UT	84102
OCCUPANT	556 E 300 S	SALT LAKE CITY UT	84102
OCCUPANT	602 E 300 S	SALT LAKE CITY UT	84102
OCCUPANT	612 E 300 S	SALT LAKE CITY UT	84102
OCCUPANT	618 E 300 S	SALT LAKE CITY UT	84102
OCCUPANT	630 E 300 S	SALT LAKE CITY UT	84102
OCCUPANT	636 E 300 S	SALT LAKE CITY UT	84102
OCCUPANT	640 E 300 S	SALT LAKE CITY UT	84102
OCCUPANT	624 E 300 S	SALT LAKE CITY UT	84102
OCCUPANT	644 E 300 S	SALT LAKE CITY UT	84102
OCCUPANT	315 S VINCENT CT	SALT LAKE CITY UT	84102
OCCUPANT	343 S 500 E	SALT LAKE CITY UT	84102
OCCUPANT	318 S 600 E	SALT LAKE CITY UT	84102

OCCUPANT	350 S 600 E	SALT LAKE CITY UT	84102
OCCUPANT	575 E 400 S	SALT LAKE CITY UT	84102
OCCUPANT	321 S 600 E	SALT LAKE CITY UT	84102
OCCUPANT	323 S 600 E	SALT LAKE CITY UT	84102
OCCUPANT	329-331 S 600 E	SALT LAKE CITY UT	84102
OCCUPANT	316 S VINCENT CT	SALT LAKE CITY UT	84102
OCCUPANT	609 E 400 S	SALT LAKE CITY UT	84102
OCCUPANT	613 E 400 S	SALT LAKE CITY UT	84102
OCCUPANT	332 S VINCENT CT	SALT LAKE CITY UT	84102
OCCUPANT	332 S VINCENT CT	SALT LAKE CITY UT	84102
OCCUPANT	621 E 400 S	SALT LAKE CITY UT	84102
OCCUPANT	325-329 S VINCENT CT	SALT LAKE CITY UT	84102
OCCUPANT	331 S VINCENT CT	SALT LAKE CITY UT	84102
PLANNING DIVISION C/O CAITLYN TUBBS	PO BOX 145480	SALT LAKE CITY UT	84114