

HISTORIC LANDMARK COMMISSION STAFF REPORT



Planning and Zoning Division
Department of Community and
Economic Development

400 South Livable Communities Master Plan, Zoning Map and Text Amendments PLNPCM2010-00647 May 17, 2012

Applicant: Mayor Ralph
Becker

Staff: Maryann Pickering
801-535-7660 or
maryann.pickering@slcgov.com

Tax ID: N/A

Current Zone: Various – see
page 3 for current zoning map

Council District: District 4
represented by Luke Garrott

Community Council: Central
City and East Central

Lot Size: N/A

Current Use: N/A

Request

A request by Salt Lake City Mayor Ralph Becker for an amendment to the Central Community Master Plan, Salt Lake City Zoning Ordinance and Zoning Map regarding transit station area plans along the 400 South transit corridor. The intent of the project is to implement livability goals for the corridor including land use policies and zoning that support mixed use development and transportation choices for current and future residents and workers. The Planning Commission is required to transmit a recommendation to the City Council for Master Plan and Zoning Map Amendment Requests.

Recommendation

That the Historic Landmark Commission discusses the proposed changes as part of the 400 South Livable Communities project and provide comments and a recommendation to the Planning Commission.

Background

Starting in March of 2011, Planning Division staff began working on a master plan amendment and rezoning project for the University TRAX line. Three stations were identified to be included as part of the rezoning process. Those stations are: Library, Trolley and 900 East. The goal of the proposed project is to create station area plans and zoning regulations for the three stops that:

- a. Provide more transportation choices.
- b. Promote equitable, affordable housing.
- c. Enhance economic competitiveness.
- d. Support existing communities.
- e. Coordinate policies and leverage investments.
- f. Value communities and neighborhoods.

In addition to the above, this project assists in the implementation of the Wasatch Choices 2040 Plan, which is a regional plan created by residents, businesses, and other stakeholders to manage future growth in the region by focusing it on certain nodes, particularly those where transit facilities already are in place. Further, Planning Division staff felt that this area needed to be studied for a potential change at the current zoning because despite the current zoning of TC-75, very little private investment has been made in the area since the TC-75 zoning was created in 2005.

Responses to April 5 Historic Landmark Commission Briefing Central City Historic District Boundaries

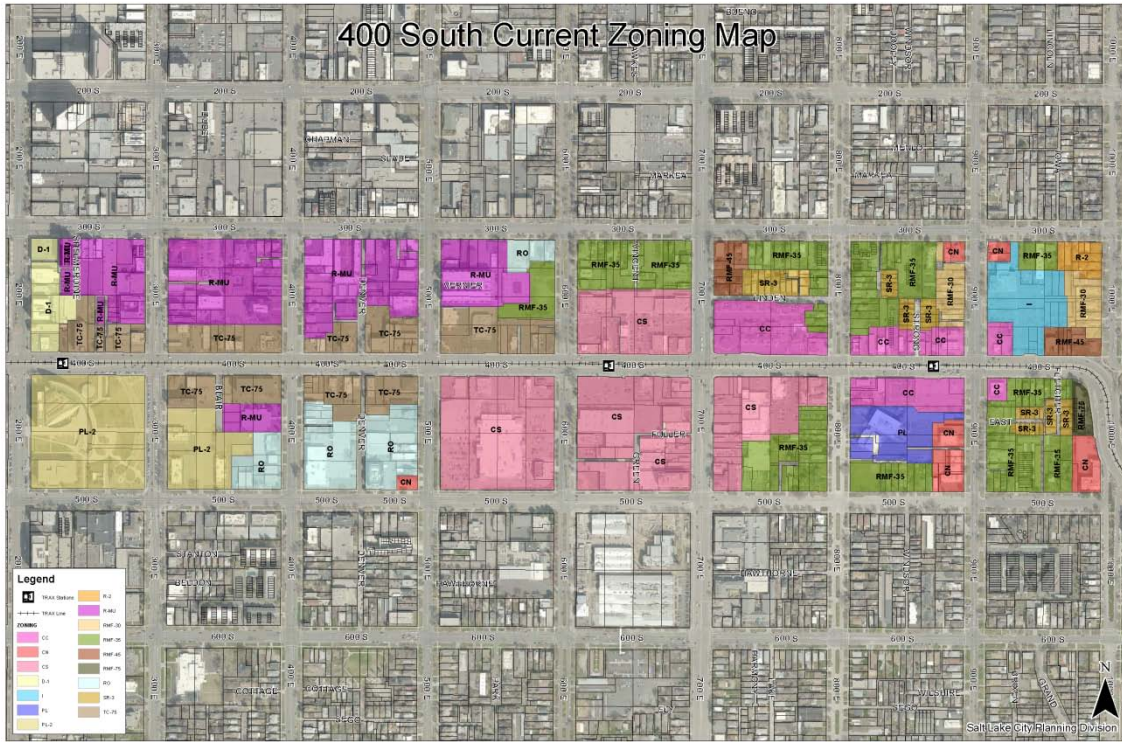
As part of this master plan amendment and rezoning process for the 400 South Livable Communities Project, staff was recommending that the boundaries of the Central City Historic District be modified. After the discussion with the Historic Landmark Commission last month, staff is no longer recommending that the boundaries of the Central City Historic District be modified at this time. Staff would suggest that in the future a proper survey of the existing Central City Historic District is conducted and that once that survey is complete, staff should evaluate modifying the boundaries of the Central City Historic District.

Proposed Zoning Changes

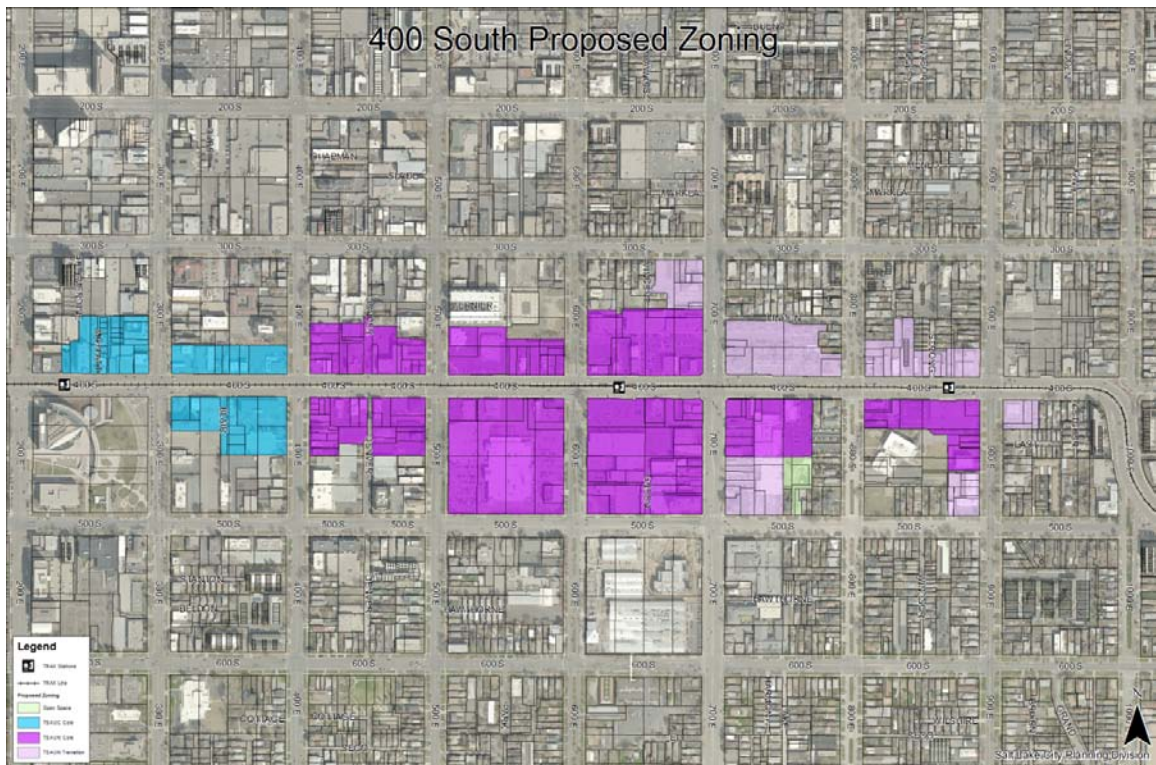
At the last meeting in April, there was discussion about the proposed zoning changes to the west and south of Trolley Square. The proposed zoning changes were within the boundaries of the Central City Historic District. These areas have now been removed and staff feels that similar to the boundaries of the historic district, rezoning of these parcels should be evaluated after a survey is completed.

Staff continues to recommend zoning changes directly along the 400 South corridor and for a portion of 700 East. We feel this is the best location for more intense development with the intensity lessening on the north and south sides of the corridor. The existing and proposed zoning is noted below.

EXISTING ZONING



PROPOSED ZONING

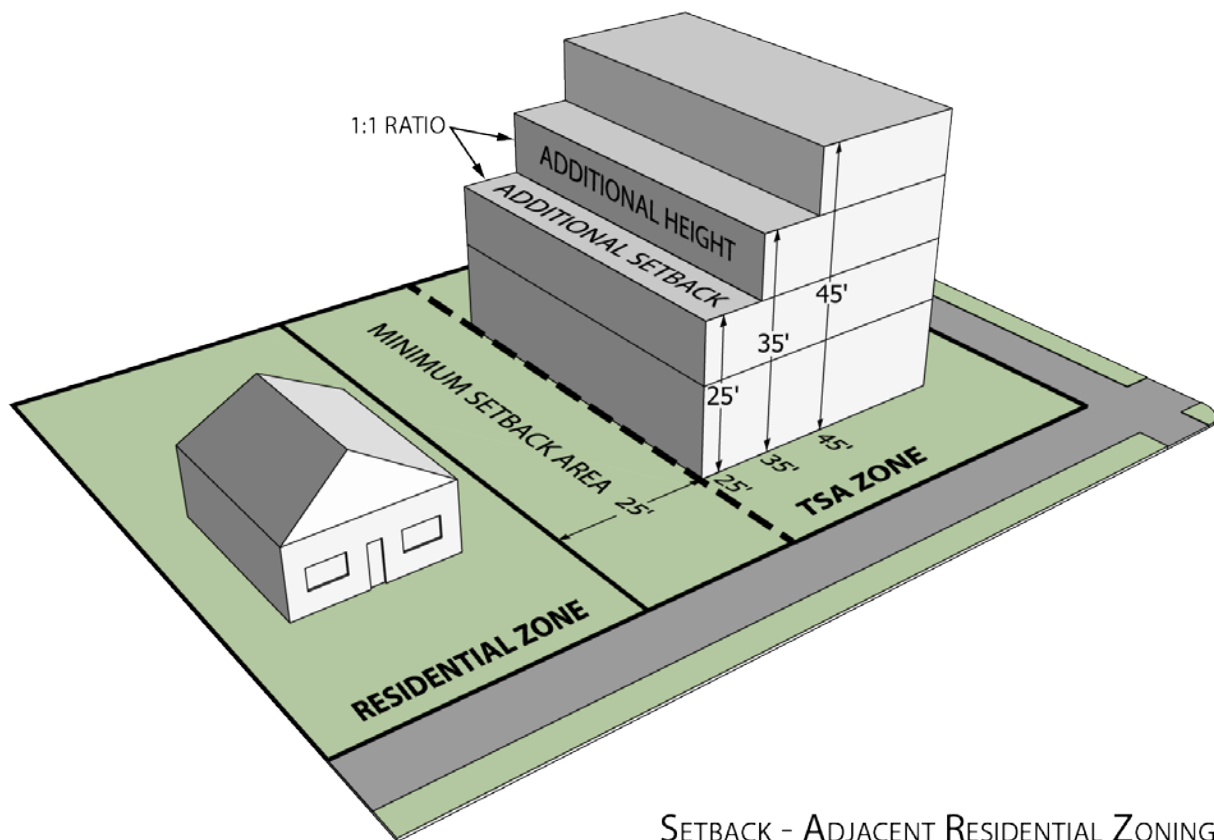


Analysis of Existing and Proposed Zoning Changes

The current zoning along 400 South between 200 and 600 East is primarily Transit Corridor District (TC-75). This zoning designation was put in place in 2005 and allowed a maximum building height of 75 feet, but up to 125 feet could be approved as part of the Conditional Building and Site Design review process. 400 South between 600 and 900 East is currently zoned either Community Shopping (CS) or Corridor Commercial (CC). These two zoning designations do have a lower maximum building height than what is currently being proposed but with the standards and development guidelines of the proposed TSA district, the adjoining neighborhoods will be buffered from the more intensive development.

The proposed zoning changes within the historic district will primarily be located along 400 South and there will be some changes along the west side of 700 East. The core area, with the taller building heights will be located directly on or fronting along 400 South and the two blocks south of 400 South between 500 and 700 East. The transition area with less building height will be located along 700 East between 300 and 400 South.

Any new development proposed within the TSA zoning designation would need to be setback at a 1:1 ratio when it is adjacent to certain residential zoning districts and when a street is less than 50 feet in width. The reasoning behind this additional setback is to provide a buffer to the existing residential areas. An example would be if a building was proposed to be 45 feet tall. The height of 45 feet would need to be at least 45 feet from the property line adjacent to the residential zoning or the narrow street.



SETBACK - ADJACENT RESIDENTIAL ZONING

Existing Building Heights

Within the boundaries of the Central City Historic District, there are currently some buildings that are similar in height to the proposed standards in the TSA zoning designation.



Xerox/IBM Building (northwest corner of 500 South 700 East) – approximately 70 feet tall



Emigration Court (east side of 500 East) – approximately 80 feet tall along 500 East



New housing on 300 South (between 500 and 600 East) – approximately 50 feet



Eastside Apartments (west side of 600 East) – range in height from approximately 35 feet tall to 75 feet tall.

Transit Station Area Development Guidelines

In addition to the additional setback requirement noted above for any new development, the TSA zoning district includes Development Guidelines. The intent of the Development Guidelines is to reward high quality, desired development through the use of incentives. The Development

Guidelines are extensive and a full copy can be found by clicking on this link: <http://www.slcclassic.com/CED/planning/400South/Docs/DDG.pdf>.

As stated, in addition to encouraging a high quality development, the Development Guidelines also contain point values for different components or amenities incorporated into projects. Although compliance with the guidelines is voluntary, compliance with them entitles applicants to a faster review and can guide new development and redevelopment in implementing the vision in the station area plans. Some examples of the Development Guidelines include:

Number 6 – Redevelopment of Surface Parking Lots

A project that includes the redevelopment of an existing surface parking lot to an active use or structured parking shall have the following number of points added to the development score:

1. 50% or more of the existing surface parking lot is covered by new buildings: 15 points.
2. 35% or more of the existing surface parking lot is covered by new buildings: 10 points.
3. 25% or more of the existing surface parking lot is covered by new buildings: 5 points.



The parking lot to the left was redeveloped into a mixed use building with residential on the upper floors and commercial space on the ground floor.

Number 12 – 360-Degree Architecture

A project that incorporates architecture features on a building façade that are not adjacent to the street shall have the following number of points added to the development score:

1. Architectural detailing is wrapped on all four sides: 20 points.
2. Architectural detailing is wrapped around both side façades, but not on the rear façade: 15 points.



Prominent cornices, belt courses, and a rhythm of voids (windows) to solids (walls) are included on the sides of these buildings that are not adjacent to a street but are still visible from public spaces.

Number 13 – Historic Preservation

Projects that preserve, rehabilitate, restore, reuse a historic property or new construction that contributes to the character of a historic property or district shall have the following points added to the development score:

1. Local Register: New construction, major alterations and additions that are approved by the Historic Landmark Commission that include reuse of the site: 40 points.
2. National Register: State Historic Preservation Office review and approval of projects with exterior alterations not locally designated and seeking federal tax credits: 20 points.
3. Local Register: Projects that receive administrative approval in accordance with Zoning Ordinance Section 21A.34.020: 5 points.
4. Projects that add historically significant sites to the Salt Lake City Register of Cultural Resources if they qualify as defined in Zoning Ordinance Section 21A.34. 5 points



Every effort should be made to preserve historic buildings. This picture shows the preservation of a historic structure where damaged or missing historic materials have been replaced with matching materials.

Number 23 – Connections and Walkways

Projects that include connections and walkways from buildings, parking lots and private open space to public spaces, shall have the following number of points added to their development score:

1. Projects that include a minimum six foot wide ADA accessible walkway through a parking lot that is separated from vehicle drive aisles: 4 points.
2. Projects that include a minimum six foot wide ADA accessible sidewalk from private property to public open spaces: 4 points.



Walkways can connect development to open spaces.

Walkways can connect development to open spaces.

Number 25 – Access to Transit

A project located within close proximity to a transit station shall have the following number of points added to the development score.

1. Within 750 feet, measured along the most direct, legal walking path: 8 points.
2. Within 1500 feet, measured along the most direct, legal walking path: 4 points.



Projects that are closer to a station platform are more likely to increase pedestrian, bicycle and transit use and are more desirable.

Again, the examples above represent only a few of the development guidelines. There are a total of 29 potential guidelines that an applicant can choose to integrate into a development. Staff

would encourage that you look at the complete development guidelines document online to gain an understanding of how the process works.

Existing Historic District Regulations

In addition to the TSA Development Guidelines, any project within the existing Central City Historic District would still need to comply with all the regulations of Chapter 21A.34 of the Zoning Ordinance and a Certificate of Appropriateness.

Existing Landmark Sites

Within the entire boundaries of the 400 South Livable Communities project, but outside of the Central City Historic District boundaries, there are two landmark buildings. One is the LDS Tenth Ward House at the southwest corner of 400 South and 800 East. The current zoning for this site is CS and the site has not been recommended to be rezoned to a TSA designation.

The other landmark site is the Peck House located near the northwest corner of 500 South and 500 East. This property is currently zoned Residential Office (RO) and is proposed to be rezoned to Moderate/High Density Multi-Family Residential (RMF-45).

It is not anticipated that any negative impact to these existing landmark sites will occur as a result of the proposed TSA zoning designations.

Findings

21A.50.050 Standards for general 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.

- A. In making its decision concerning a proposed text amendment, the city council should consider the following factors:**
- 1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;**

Analysis: In reviewing the station area plans, several adopted master plans were considered, including the Urban Design Element, the Salt Lake Futures Commission Report, the Central Community Master Plan, and the Wasatch Choices 2040 Plan. The City's adopted Housing Plan and Transportation Plan also call for the type of development supported in the station area plans. The analysis of the station area plans indicated that they were generally consistent with these plans or explained a change in policy to those plans.

Finding: The proposed zoning text changes are consistent with the goals and policies identified in the companion station area plans and several other adopted master plans.

2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;

Analysis: The proposed changes enhance an existing chapter of the zoning ordinance, with a specific purpose statement. The general purpose statement of the zoning ordinance is to promote the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of the City. In addition, the zoning ordinance is intended to lessen congestion in the streets, secure safety from fire and other dangers, provide adequate light and air, classify land uses and distribute land development and utilization, protect the tax base, secure economy in government expenditures, foster the City's industrial, business and residential development and protect the environment.

Finding: The proposed zoning ordinance furthers the specific purpose statements of the zoning ordinance.

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

Analysis: The existing zoning ordinance includes a statement that any applicable overlay zone supersedes the standards in the proposed ordinance. This section is not proposed to be modified as part of this petition. This is particularly relevant to the Central City Historic District, which includes 400 South between 500 and 700 East. Although the proposal includes changing the base zoning from TC-75 and CS in this area, the properties within the Historic District would still be subject to the H Historic Overlay regulations.

Finding: The existing zoning ordinance is consistent with the purposes of any applicable overlay zoning district.

4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.

Analysis: The proposed changes continue to represent a new approach to zoning for Salt Lake City. This approach recognizes the value and importance of community input, the needs of developers and establishes an opportunity for the City, through private investment and development, to promote sustainable development practices, increase the housing stock, promote the business community, increase the use of alternative forms of transportation and improve public spaces.

Finding: The proposed changes continue to show how Salt Lake City is one of the few cities in the nation to implement this type of zoning, rather than the traditional Euclidean zoning that is widely used.

B. In making a decision to amend the zoning map, the city council should consider the following factors

- 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;**

Analysis: In reviewing the proposed zoning map changes, several adopted master plans were considered, including the Urban Design Element, the Salt Lake Futures Commission Report, the Central Community Master Plan, and the Wasatch Choices 2040 Plan. The City's adopted Housing Plan and Transportation Plan also call for the type of development supported in the station area plans. The analysis of the station area plans indicated that they were generally consistent with these plans or explained a change in policy to those plans.

Finding: The proposed zoning map amendments are consistent with the goals and policies identified in the station area plans and several other adopted master plans.

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

Analysis: The proposed zoning map amendment includes provisions for reducing the impact new development may have on existing areas. The boundaries of the proposed zoning district correspond to the boundaries in the station area plans. The station area plans identify the vision for what the areas around the transit stations should look like, how they work, what types of uses there are, etc. The existing character of the subject areas differs from what is identified in the long term vision for the area. Therefore, the important aspect to consider is the impact on those areas that are adjacent to the proposed zoning district boundaries.

Finding: The proposed zoning map amendments further the specific purpose statements of the zoning ordinance.

- 3. The extent to which a proposed map amendment will affect adjacent properties;**

Analysis: The proposed amendment would affect those properties that are within the boundaries of the TC-75, CS, CC and RMF-35 zoning districts by rezoning some of these properties to TSA-UC and TSA-UN. The proposed zoning district would decrease some of the development potential of some properties and for others only increase it slightly. However, this should not be viewed as an adverse impact because the proposed regulations that allow similar or decreased scale development are consistent with what was identified through the public planning process as desirable development. As properties redevelop, there will be instances where a new project is considerable larger than what may be adjacent to

it. The adverse impacts are more relevant where the proposed zoning district is adjacent to an area that will not be rezoned and has smaller mass and scale regulations than the proposed ordinance. The proposed ordinance contains provisions to reduce the impacts in these situations, such as increased setbacks than what currently exists, stepping of certain setbacks as the building height increases and more design standards than the current zoning requires. The intent of the proposal is to allow more building density and intensity along 400 South and step that density and intensity down as one moves closer to lower density residentially zoned areas.

Finding: The proposed zoning map amendment will have a minimal affect on adjacent properties due to the proposed zoning district containing provisions to reduce to impacts of the scale and mass of potential adjacent development.

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

Analysis: The proposed zoning map amendment is consistent with the purposes of any applicable overlay zoning district. The proposed zoning ordinance includes a statement that any applicable overlay zone supersedes the standards in the proposed ordinance. The Historic Preservation Overlay District is the only district within the boundaries of the proposed map amendments. Because the H Historic Preservation Overlay District applies, the Historic Landmark Commission has the authority to approve the overall design of new construction and major additions when they occur between 500 East and 700 East and they have the authority to modify certain bulk and mass regulations to insure that the proposals do not negatively impact the historic character of the Historic District.

Finding: The proposed map amendments will be consistent with any existing or future overlay district within the boundaries of the changes.

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.

Analysis: The project area is located within areas that are already served by public facilities and services. However, the proposed ordinance does increase the development potential of the area in some instances and decreases it others. Population, employment and household projections for the corridor indicate an increase in all three categories. These projections were done under the current zoning regulations. The capacity of the road is not anticipated to be greatly impacted, at least initially, due to the change in zoning. The desired type of development and the development promoted by the proposed ordinance is considered transit oriented development, which can reduce the need to use private

automobiles. Other measures in the ordinance create incentives, primarily through a quicker review process, for other measures that reduce the energy use of new buildings, storm water runoff, and other sustainable measures. The proposed ordinance has been routed to other Departments and Divisions for comments. No comments were received that would indicate that the City would not be able to serve new development.

Finding: There appear to be adequate facilities in place to serve the boundaries of the proposed project.

Project Analysis

The proposed 400 South Livable Communities Station Area Plans project is a reflection of the community's vision for 400 South. The creation of the plan was done with the intent of incorporating major themes identified through the public process. Once these items were identified, a series of best practices that were applicable to the community's vision were incorporated into the plan to guide future development in a manner that can help turn the community vision into reality.

After analyzing the comments from the community, the desire for a different type of development along 400 South eliminated the option to make no changes. If the proposed station area plans are not adopted, the existing policies and regulations would remain in effect. Community input and existing conditions indicate that there are unique situation and characteristics area each station and that a one size fits all approach could not capitalize on the unique assets at each station. Making limited changes near the station areas would not provide enough land area to accommodate future projected growth.

Therefore, based on the information provided in this staff report, it is the Planning Staff's opinion that overall the project generally meets the applicable standards of the Zoning Ordinance and therefore, recommends the Historic Landmark Commission provide a favorable recommendation on this project.