



Memorandum

Planning Division
Community & Neighborhood Department

To: Historic Landmark Commission

From: Lex Traugher, Senior Planner

Date: January 6, 2022

Re: Work Session for Petition PLNPCM2021-00420
Western Gardens Zoning Map Amendment
550 S. 600 East

Action Requested

Planning Staff requests that the HLC hold a work session to discuss the proposed zoning map amendment and provide input and feedback to the applicant and the City Council who has final decision making authority in these matters.

The applicant has requested a work session and therefore the reason that the zoning map amendment is before the Historic Landmark Commission for consideration (see Attachment A). The applicant presented the proposal to the Planning Commission on December 8, 2021. The Planning Commission held a public hearing and voted to forward a positive recommendation on the the City Council for consideration. The Planning Commmission staff report can be found here:

<http://www.slcdocs.com/Planning/Planning%20Commission/2021/12.%20December/00420StaffReport.pdf>

Petition Request

Tyler Morris, Cottonwood Residential, proposes to amend the zoning map to change the zoning for the 2.3 acre parcel at the above referenced address from CN – Neighborhood Commercial to FB-UN2 – Form Based Urban Neighborhood District in its entirety. The parcel is currently occupied by the Western Gardens commercial center. This zoning map amendment change will facilitate the redevelopment of this parcel into a multifamily residential project. The map below indicates the approximate area of the Western Garden property to be potentially affected by the proposal.



The applicant has submitted a detailed narrative for the proposed amendment in their application which can be found in the Planning Commission staff report ([link above](#)). While no specific physical development is under consideration in association with this application, potential zoning amendment approvals would allow for multifamily residential type land use in the future.

General Discussion

This proposed amendment of the zoning map is to change the zoning for the subject parcel from its current CN – Neighborhood Commercial to FB-UN2 – Form Based Urban Neighborhood District. This zoning map amendment change will facilitate the potential sale and redevelopment of this parcel, as a partnership between the current owner and Cottonwood Residential, into a multifamily residential project.

This site currently houses the Western Garden Center which has been a part of the community for many years. The intent of this project with an appropriately scaled residential use that provides its own parking, doesn't compete with, but rather supports, the adjacent commercial uses in Trolley Square and supports a walkable, diverse neighborhood with access to grocery stores and established public transportation systems.

The zone change to FB-UN2 respects the Central Community Master Plan desire for a transitional zone from the high density RO zoning to the north to the low-density single-family neighborhood to the south while allowing for multi-family housing uses that meet the purpose statement for the zone. This location with the FB-UN2 rezone will create a people-oriented place with diverse housing opportunities, convenient shopping and mass transit opportunities. There are opportunities for employment within walking distance and the final building design will need to be an appropriately scaled building(s) that respects the existing character of the neighborhood while increasing interconnection, access, and safety. This zone addresses adjacency to commercial vs. residential zones with specific step backs, yards, and height requirements that will create a transition. Additionally, the focus of this zone on form and how

buildings are oriented to the public space means that concerns regarding massing will be directly addressed as part of the New Construction process with the Historic Landmark Commission.

Key Issues

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

Issue 1: The redevelopment of the subject property is a multi-step and complex project. The rezone of the property is only the first step in the overall redevelopment.

The rezone request is the first of a series of applications that would need to be filed for City consideration. The subject properties are located in the Central City Local Historic District and as such are subject to the standards of the H – Historic Preservation Overlay Zone. Any new construction on the subject property would require the approval of the Historic Landmark Commission. Planned Development approval is also certainly in the realm of possibilities depending on the design of new construction. At this juncture, it is not necessary to know of any future development plans that the property owner may have, the question to be addressed is simply whether or not the proposed amendment is appropriate.

Issue 2: Why the FB-UN2 Zone and why would it be appropriate?

The purpose of the FB-UN form based urban neighborhood district is to create an urban neighborhood that provides the following:

1. Options for housing types;
2. Options in terms of shopping, dining, and fulfilling daily needs within walking distance or conveniently located near mass transit;
3. Transportation options;
4. Access to employment opportunities within walking distance or close to mass transit;
5. Appropriately scaled buildings that respect the existing character of the neighborhood;
6. Safe, accessible, and interconnected networks for people to move around in; and
7. Increased desirability as a place to work, live, play, and invest through higher quality form and design.

Future development of the subject property has the potential to meet all of these criteria, and therefore could augment a desirable urban neighborhood and a positive amenity for the greater area. A thoughtfully designed mixed-use development of residential and commercial uses can provide options for housing types, options for shopping, dining, employment opportunities, and fulfilling daily needs within walking distance to mass transit. Future development will need to be appropriately scaled to respect the character of the existing neighborhood. This would be specifically addressed by the Historic Landmark Commission through approvals for new construction. Future development could also certainly contribute to the area by providing safe, accessible, and interconnected urban networks for people.

The FB-UN zones are located in areas of the City that are close to mass transit and more specifically to Trax stations. Planning Staff notes that the Trolley Square Trax Station is located within close proximity, 2 blocks to the north of the subject property on 400 South. The proximity of the Trax station is a primary reason that the FB-UN2 zone is appropriate as proposed.

To summarize, the FB-UN2 zone is appropriate at this location because there is the potential to realize all of the criteria specifically envisioned for creating an attractive urban neighborhood. It allows for the mix of uses if desired, it allows for future development flexibility, promotes create solutions in design, and most importantly is located within close proximity to mass transit. The request for a rezone to FB-UN2 is also consistent with Central Community Master Plan policy.

Issue 3: The property proposed for rezoning is subject to the standards of the H – Historic Preservation Overlay Zone.

It is essential to note that the property under discussion is located in the Central City Historic District and is therefore subject to the development standards of the H – Historic Preservation Overlay District. These standards are designed to realize future development that is compatible with the surrounding neighborhood and sensitive to the preservation of historic neighborhood resources. These standards take precedence over the base zone. This is important when considering future development because the H – Historic Preservation Overlay District outlines standards for new development that requires compatibility with surrounding structures and streetscapes. Of particular importance is building height. While the proposed FB-UN2 zone allows for structure up to 50 feet in height, the application of the H – Historic Preservation Overlay District may in fact limit building height in order to achieve compatibility with surrounding structure and streetscapes.

While the subject property fronts on 600 East and is adjacent to the Trolley Square shopping complex, it is also adjacent to less intense residential development existing on to the south and west. The mass and scale of surrounding development varies widely. Future development of the subject property will need to be sensitive to this surrounding mass and scale, and will need to be particularly sensitive in terms of building height and setbacks.

Future development on the subject site will fall under the purview of the Historic Landmark Commission. Development standards for new construction will certainly be applicable once the owner/applicant has specific development plans. Standards for the relocation of contributing structure and/or demolition of contributing structures may also come into play in future site development.

Zoning Discussion

Adjacent Land Uses and Zoning:

The adjacent land use and zones within this block include CN, RO, RFM-35, RMU-35 and SR-3 as the block transitions from higher density, commercial and mixed uses (CN and RO) to a more residential scale that continues further south (RFM-35 and SR-3).

The Salt Lake City Zoning Ordinance Standards and Purpose Statements include the following language that relates to this request:

21A.27.050: FB-UN1 AND FB-UN2 Form Based Urban Neighborhood District:

Purpose Statement: The purpose of the FB-UN form based urban neighborhood district is to create an urban neighborhood that provides the following:

1. Options for housing types;
2. Options in terms of shopping, dining, and fulfilling daily needs within walking distance or conveniently located near mass transit;
3. Transportation options;
4. Access to employment opportunities within walking distance or close to mass transit;
5. Appropriately scaled buildings that respect the existing character of the neighborhood;
6. Safe, accessible, and interconnected networks for people to move around in; and
7. Increased desirability as a place to work, live, play, and invest through higher quality form and design.

Staff Analysis: As previously discussed in “Key Issues” number 2 above, although there is no specific development proposed at this time, a multifamily residential development at the subject location could potentially fulfill all of the criteria noted in the purpose statement for the FB-UN2 zone. A request for a

rezone for the properties proposed is therefore appropriate as it meets the proposed zoning purpose statement.

21A.34.020 H- Historic Preservation Overlay District

Purpose Statement: In order to contribute to the welfare, prosperity and education of the people of Salt Lake City, the purpose of the H historic preservation overlay district is to:

1. Provide the means to protect and preserve areas of the city and individual structures and sites having historic, architectural or cultural significance;
2. Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks;
3. Abate the destruction and demolition of historic structures;
4. Implement adopted plans of the city related to historic preservation;
5. Foster civic pride in the history of Salt Lake City;
6. Protect and enhance the attraction of the city's historic landmarks and districts for tourists and visitors;
7. Foster economic development consistent with historic preservation; and
8. Encourage social, economic and environmental sustainability.

Staff Analysis:

The purpose of the Historic Preservation Overlay District (21A.34.020A.2.) is to allow the development and redevelopment of historic properties with the caveat that any new development would need to be compatible with the existing development. An underlying goal of these provisions is to allow property owners to derive positive economic benefit and enjoyment from their property while balancing these actions and desires with protecting structures and sites that contribute to the unique cultural and historic fabric of the City. This purpose statement was intended to provide a balance between protection and development. While the H-Historic Preservation Overlay District is not directly applicable to the proposed property rezone, it will be critical as any future development plans move forward. Planning Staff wanted to note the importance of the Overlay at this time to put all interested parties on notice that the standards associated with the Overlay will play a significant role in the future development of the subject property.

Master Plan Discussion

Salt Lake City Community Preservation Plan (2012)

The purpose of the Salt Lake City Community Preservation Plan (SLCCPP) is to address the important goals of historic preservation to ensure the continued preservation of the City's neighborhoods. The plan is an overarching and comprehensive policy document that addresses the role that historic preservation policies play throughout all of Salt Lake City. The plan is a key strategic document that guides preservation activity and determines the appropriate role for historic preservation in Salt Lake City. An important function of the plan is to illustrate the best means for city-wide coordination between the actions and planning activities of the City's various departments, agencies, and partners as they relate to historic preservation.

The objectives of the SLCCPP are three fold:

1. Planning and Outreach
 - Establish long term vision and strategy for preservation planning.
 - Coordination between preservation and other city plans, policies and regulations.
 - Expand education and outreach.
2. Regulations and Incentives
 - Adopt a wider range of preservation tools.

3. Historic Resource Inventories and Surveys

- Develop a strategy for future historic resource surveys.
- Improve the understand of Salt Lake City's historic context.
- Broadent the focus of preservation.

The SLCCPP specifically states that, "*Community Master Plans provide great opportunity to ensure that future Salt Lake planning addresses historic preservation-related issues on a consistent basis. Master planning in the City has been conducted in each of eight planning communities, rather than city-wide.*" To summarize, the SLCCPP does not specifically outline preservation policies in terms of historic preservation in the specific planning communities of the City, rather it is an overarching document that defers to preservation policies through the adopted City's neighborhood master plans, in this case the Central Community Master Plan.

The SLCCPP does include a specific policy regarding underlying zoning. Policy 3.3.g states that underlying zoning should be supportive of preservation policies for the areas in which preservation is proposed. While this property is in a local historic district, the site itself is considered noncontributory, which are the sites where changes such as redevelopment are appropriate. The adopted standards for new construction in 21A.34.020 are intended to ensure that new development respects the surrounding contributing structures and achieves the goals for the specific historic district. The FB-UN2 zoning district has been adopted to fit into areas that are experiencing redevelopment and includes standards to address impacts created by building scale on lower scale, adjacent zoning districts.

Central Community Master Plan

The Central Community Master Plan identifies the subject property as part of the Trolley Station Area for its proximity to TRAX.

The Trolley Station is defined as an Urban Neighborhood Station Area. Urban Neighborhoods are places that have an established development pattern that contain a mix of uses and can support an increase in residential density and supporting commercial activities. New development generally occurs as infill, occurring on undeveloped or underutilized properties. A compact development pattern is desired in order to focus new growth at the station and respect the existing scale and intensity of the surrounding neighborhood. The highest residential density and intensity of commercial land use occurs closest to the transit station and are scaled down the further one moves from the station.

The station area is comprised of core and transition areas. The purpose of creating the different areas is to recognize the scale and nature of existing development patterns and identify the appropriate locations for growth. The general concept is that bigger buildings with the most dwelling units and a higher intensity level of commercial space should be located closest to the station in the core. The transition area reduces the scale, mass and intensity of new development as it moves away from the core area.

Trolley Station is a unique Transit Station Area because it is located within the Central City Historic District. The Central City Historic District is centered on the 600 East landscaped medians, which are a character defining feature of the historic district. The policy of the Trolley Station Area is to prohibit further dissection of the 600 East medians for vehicular traffic and to maintain the historical 15 foot landscaped setback of building along 600 East.

Trolley Station Area Goals:

- The primary purpose of the Trolley Station Area is to provide housing and access to higher intensity employment, commercial centers, downtown, and to the University of Utah.
- Preserve the 600 East medians and prohibit further bisections of the medians for the purpose of allowing vehicular access and left turns to private property or streets.
- Identify zoning solutions for the block faces across from Trolley Square on 600 East and 600 South. The focus should be to encourage development on vacant parcels, increase residential density and promote the preservation and adaptive reuse of contributing structures.
- Encourage development that is compatible with the historic development pattern in the Central City Historic District where appropriate.

Staff Analysis: Because the Central Community Master Plan specifically outlines the above referenced goal for the subject property, Planning Staff supports the rezone of the applicant's property in order to realize future multifamily residential development. The zoning map amendment request is consistent with Trolley Station area goals as outlined in this plan.

Plan Salt Lake (2015)

Plan Salt Lake outlines an overall vision of sustainable growth and development in the city. This includes the development of a diverse mix of uses which is essential to accommodate responsible growth. At the same time, compatibility, how new development fits into the scale and character of existing neighborhoods is an important consideration. New development should be sensitive to the context of surrounding development while also providing opportunities for new growth.

Guiding Principles specifically outlined in Plan Salt Lake include the following:

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

A beautiful city that is people focused.

A balanced economy that produces quality jobs and foster an environment for commerce, local business, and industry to thrive.

The proposed zoning map amendment is aligned with the vision and guiding principles contained in Plan Salt Lake and are supported by the policies and strategies in the document.

Master Plan Amendment Question

There have been questions raised by the public during the review process regarding the necessity of an associated master plan amendment with the requested rezone. It is the opinion of Planning Staff that a master plan amendment is not necessary in this instance for the following reasons:

The SLC Zoning Code 21A.02.040 says "All master plans or general plans adopted by the Planning Commission and City Council for the City, or for an area of the City, shall serve as an advisory guide for land use decisions. Amendments to the text of this title or zoning map should be consistent with the purposes, goals, objectives and policies of the applicable adopted master plan or general plan of Salt Lake City." This section says that zoning amendments should be consistent. It does not require strict compliance with an adopted plan. This is consistent with what applicable state code says the role of plans are as well.

Further, a master plan amendment is never required with a zoning amendment as long as it is not related to public project. Section 21A.50.050 states:

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 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;

The use of the phrase “should consider” doesn’t require the City Council to make a positive finding on master plan compliance in order to approve a rezone. Of course, they’ll consider it, but it provides a lot of flexibility. In many cases, a zoning amendment may not be consistent with the future land use map, but it might be consistent with written policies in the plan or consistent with other plans.

Attachments:

A – Applicant Letter Requesting an HLC Work Session 12/9/2021

Attachment A
Applicant Request for HLC Work Session

12/09/2021

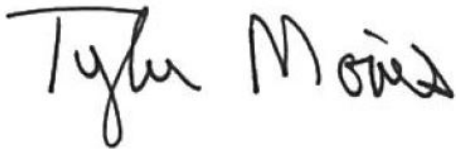
Request for a work session with the Salt Lake City Historic Landmark Commission related to the Western Gardens Zoning Map Amendment

Lex Traugher,

We would like to request a meeting with the Historic Landmark Commission to review the zoning map amendment request for the Western Gardens site prior to presenting the request to City Council for their consideration. We genuinely appreciate the positive recommendation from the Planning Commission during their 12/08/21 meeting, indicating that we can move to City Council without such a meeting, but we would like to be responsive to community feedback in support of meeting with HLC prior to moving forward with City Council. Our understanding of and expectation for the potential redevelopment process for this site has always included meaningful direct oversight from the Landmark Commission and we would value the opportunity to engage with them in the near term.

Please feel free to contact me at the phone number provided below if you have any questions.

Best,



Tyler Morris | Senior Vice President, Acquisitions



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