

DATE: April 5, 2006

TO: Salt Lake City Planning Commission

FROM: Sarah Carroll, Principal Planner

RE: Staff Report for the April 26, 2006 Planning Commission Meeting: Petition No. 400-05-40, by Howa Capital, a request to amend the Zoning Map and Master Plan for property located along both sides of 300 West between 500 North and 600 North (approximate).

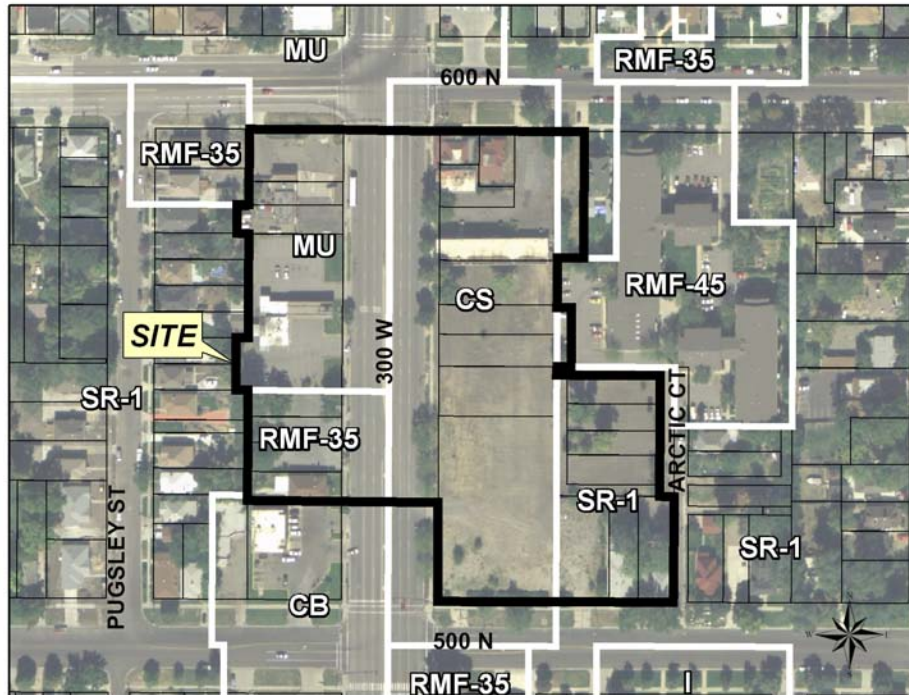
CASE NUMBER: 400-05-40: Request to amend the zoning map and master plan

APPLICANT: Property Owner: Salt Lake City
Redevelopment Agency

Applicant: Howa Capital

STATUS OF APPLICANT: Developer

PROJECT LOCATION: The East and West Sides of 300 West Street
Between 500 and 600 North (approximate)



PROJECT/PROPERTY SIZE: Approximately 5.98 acres

COUNCIL DISTRICT: District 3, Councilmember Eric Jergensen

REQUESTED ACTION:

Howa Capital is requesting to rezone the property located on the east and west side of 300 West, between 500 North and 600 North from a variety of zoning designations to Residential/Mixed Use (R-MU) zoning in order to facilitate the construction of a mixed use development that will include office, retail and residential uses. The current zoning on the subject property includes: Special Development Pattern Residential (SR-1), Community Shopping (CS), Moderate/High Density Multi-family Residential (RMF-45), Moderate Density Multi-Family (RMF-35) and Mixed Use (MU) zoning. The Capitol Hill Master Plan designates the West side of the project area for "High Density Mixed Use" and designates the East side of the project area for "General Commercial." The Master Plan will need to be amended to reflect "High Density Mixed Use" rather than "General Commercial" for the east side of the project area.

PROPOSED USE(S): Mixed Use - Retail / Office / Residential

APPLICABLE LAND USE REGULATIONS:

The proposed zone change is subject to the Salt Lake City Code, Chapter 21A.50, Amendments and Special Approvals. The proposed master plan amendment is subject to the Utah Code Annotated (10-9a-204) which identifies procedures for adopting and amending general plans. The following will also be considered in evaluating this request:

- The Capitol Hill Zoning Map (1995)
- The Capitol Hill Community Master Plan (1999)
- The Salt Lake City Community Housing Plan (2000)
- The Final Report of the Salt Lake City Futures Commission, Creating Tomorrow Together, (1998)
- The City Vision and Strategic Plan for Salt Lake City, (1993)

SURROUNDING ZONING

DISTRICTS:

North - Mixed Use "MU", Moderate Density Multi-Family "RMF-35", and Special Development Pattern Residential "SR-1"

South - Special Development Pattern Residential "SR-1", Moderate Density Multi-Family "RMF-35" and, Community Shopping "CS"

East - Special Development Pattern Residential "SR-1" and Moderate/High Density Multi-family Residential "RMF-45"

West - Special Development Pattern
Residential "SR-1" and Moderate
Density Multi-Family "RMF-35"

SURROUNDING LAND USES:

North – Service garage, convenience store,
single family homes

South – Convenience store, service garage,
single family homes, church

East – Apartment complex, single family
homes

West – Single family homes

MASTER PLAN SPECIFICATIONS:

The Capitol Hill Master Plan was adopted November 9, 1999. The Capitol Hill Community Future Land Use Map designates the west side of the subject property for “High Density Mixed Use” and designates the east side of the subject property for “General Commercial” use. The Master Plan will need to be amended so that both the east and west sides of the subject property reflect “High Density Mixed Use.”

HISTORY OF SUBJECT PROPERTY:

The Salt Lake City Redevelopment Agency designated the West Capitol Hill Neighborhood as a redevelopment target area in 1996. Since that time, the focus of the Redevelopment Agency has been to revitalize the area specifically located on the east side of 300 West Street between 500-600 North using urban design methods to create an attractive commercial node that would eliminate the 300 West Street barrier of residential and commercial land uses in a controlled approach. The Redevelopment Agency focused on this area with the intent of creating a mixed use, commercial/residential node that would revitalize and stabilize the area and allow for private reinvestment.

The development proposal is being evaluated through the Planned Development, Subdivision and Condominium processes and was reviewed at the Planning Commission Planned Development Subcommittee Meeting on December 16, 2005, January 18, 2006 and March 29, 2006. The meetings were attended by representatives of the Planning Commission, Historic Landmarks Commission, Redevelopment Agency Staff and Planning Division Staff.

ACCESS:

Access to the property is provided from 500 North Street, Arctic Court (Private Street) 600 North and 300 West Streets.

PROJECT DESCRIPTION:

The subject property consists of eight parcels on the west side of 300 West Street and 17 parcels on the east side of 300 West Street. (West side: 08-36-204-019, -020, -022, -027, -028, -029, -030, -032, East side: 08-36-205-001, -005, -006, -007, -008, -010, -012, -019, -020, -021, -022, -026, -027, -028, -031, -033, -035). The project area currently contains several different zoning designations, including SR-1, CS, RMF-45, RMF-35

and MU zoning. The applicant would like to unify the zoning and is requesting R-MU zoning to accommodate the proposed development which is a mixed use project that will incorporate office, retail and residential uses. For residential and mixed use developments the R-MU zone allows a maximum building height of 75 feet as a permitted use or up to 125 feet as a conditional use. For nonresidential uses, 45 feet or 3 stories (whichever is less) is a permitted use. The proposed buildings range in height from approximately 22 feet tall to approximately 57.5 feet tall.

COMMENTS, ANALYSIS AND FINDINGS

COMMENTS

Comments from pertinent City departments/divisions and the Community Council have been attached and are summarized below (Exhibits 2 and 3).

- **Public Utilities:** Public Utilities has no objections to the proposed rezoning.
- **Permits Office (Building Services and Licensing):** Building Services had no objections to the proposed rezoning. Landscape buffers will be required between the R-MU and single or two family residential districts. New office buildings are subject to the conditional use process, per 21A.24.190 footnote #9.
- **Transportation:** The Division of Transportation recommends approval of the rezone and notes the following: Any revisions to access circulation or road side elements on 300 West and 600 North (west of 300 West) will require UDOT approval and any revisions to 500 North and 600 North (east of 300 West) will require Salt Lake City Transportation Division approval.
- **Police Department:** The Police Department does not see any problems with the requested rezone and notes that the Capitol Hill community is anxious to have something in place on those vacant lots.
- **Engineering:** Salt Lake City Engineering has no objections to the proposed rezone.
- **Fire Department:** The Fire Department has no objections to the proposed rezone.
- **Community Council:** The request for rezone and the proposed development were presented at the Capitol Hill Community Council meeting on January 18, 2006. Those in attendance generally expressed acceptance of the proposal and excitement about the revitalization of this area (see exhibit 3). Those few who were opposed were concerned with the height of the proposed structures.

GENERAL ANALYSIS AND FINDINGS

The Planning Commission must make a determination on whether or not they will transmit a favorable recommendation to the City Council to rezone the subject property as requested (thereby creating zoning map and master plan amendments) based on the Analysis and Findings as related to the standards for general amendments. The Zoning Ordinance, Chapter 21A.50.050, Standards for general amendments, 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. However, in making its decision concerning a proposed amendment, the city council should consider the following factors:

A. Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.

Discussion: There are several sources to consider in reviewing the purposes, goals objectives, and policies for this area:

- The Capitol Hill Zoning Map (1995)
- The Capitol Hill Community Master Plan (1999)
- The Salt Lake City Community Housing Plan (2000)
- The Final Report of the Salt Lake City Futures Commission, Creating Tomorrow Together, (1998)
- The City Vision and Strategic Plan for Salt Lake City, (1993)

Capitol Hill Zoning Map: This request involves amending the zoning map to unify the zoning for the project area. The existing zoning consists of several different zones including: Special Development Pattern Residential (SR-1), Community Shopping (CS), Moderate/High Density Multi-family Residential (RMF-45), Moderate Density Multi-Family (RMF-35) and Mixed Use (MU) zoning. The requested Residential/Mixed Use (R-MU) zoning would allow the entire project to be developed under one zoning classification and will allow for a variety of uses including office, commercial and residential.

Capitol Hill Community Master Plan: A section of this Master Plan focuses specifically on commercial development and implementation of a neighborhood shopping node in the West Capitol Hill Neighborhood, on 300 West, and states the following:

Commercial:

The lack of neighborhood oriented retail services is a major concern voiced by citizens of the community during the public input process of the development of this master plan.

As identified in the West Capitol Hill Neighborhood Plan (1996), the best location for commercial retail venture to service the residents of the community is 300 West. With commercial and mixed use zoning districts in place, a neighborhood scale commercial nucleus should be developed along the 300 West corridor. Steps should be taken to entice new retail services to this area as well as providing incentives for existing businesses to upgrade their properties. In addition, the mixed use zoning districts will provide opportunities for additional commercial or commercial/residential land uses to develop. A primary goal is to encourage community oriented businesses that will provide a high level of visual quality and proper maintenance.

Neighborhood Shopping Node:

The West Capitol Hill Neighborhood Plan encourages neighborhood shops to locate on the east side of 300 West Street between 500-600 North Streets to provide a nucleus of neighborhood oriented commercial uses for the Capitol Hill Community. The neighborhood shopping node should be developed with sensitivity to the historic architecture of the neighborhood. Retail uses built to front the property line are typical. Height of one or two stories is compatible. Uses which are appropriate in the shopping node include a small grocery or drug store, neighborhood oriented retail, restaurants, and services and/or mixed use development with commercial uses on the ground floor and residential uses above or below the ground floor.

The shopping node should be designed in a way to minimize impacts to the existing historic neighborhood to the east including orienting the commercial development to 300 West, limiting delivery and principal accesses to 300 West, prohibiting access, for the commercial uses, from Arctic Court, strongly encouraging the reuse of existing historic structures, and providing adequate buffering between the commercial and residential land uses. The feasibility of creating a mixed use development with residential on the top floor should also be analyzed. The shopping center will hopefully become a catalyst for to encourage more neighborhood retail oriented commercial reinvestment.

Policies:

- If an appropriate commercial or mixed use development is proposed for the commercial node at 500 North and 1300 West, which requires additional property, the western properties along Arctic Court may be rezoned to commercial shopping.
- Development of the commercial node mixed use area should include the following design features to ensure compatibility with the residential development to the east:
 - Orientation of the commercial development to 300 West
 - Deliveries and principal access to the commercial development from 300 West
 - Prohibiting access for commercial uses from Arctic Court
 - Strongly encouraging the reuse of existing historic structures within the new commercial development
 - Providing adequate buffering of residential properties to the east
 - Prohibiting access to the commercial use within 150 feet of Arctic Court.
- Ensure new commercial development along 300 West is sensitive to pedestrian oriented access and is sensitive to the historic character of the neighborhood.
- Encourage community oriented businesses that will provide a high level of visual quality and property maintenance.

Action Items:

- Encourage nonconforming retail commercial uses to relocate to the neighborhood shopping node where appropriate.
- Provide a commercial retail nucleus and/or mixed use area for the Capitol Hill Community on the east side of 300 West between 500 and 600 North.
- Take proactive steps to entice new retail services into appropriate segments of this area.

Salt Lake City Community Housing Plan: The goal of this Plan is to enhance, maintain and sustain a livable community that includes a vibrant downtown integrated with surrounding neighborhoods that offer a wide range of housing choices, mixed uses, and transit oriented design. This Plan focuses on concepts for creating a wide variety of housing types across the City and encouraging mixed use and mixed income housing.

In regards to mixed use development this plan states that the City Council supports mixed use projects that achieve vibrant, safe, integrated, walkable neighborhoods through a diverse mix of uses.

Final Report of the Salt Lake City Futures Commission: In its Executive summary this report states that “Salt Lake City Neighborhoods are diverse, exciting, safe, well maintained, and supportive of families and young people. Vibrant neighborhoods are fundamental to the health and vitality of the city and citizens, business owners, and local government each have a role to play in creating and sustaining ideal neighborhoods.”

City Vision and Strategic Plan: Three objectives of this plan are outlined below:

- The City will include a wide variety of affordable housing opportunities in attractive, friendly neighborhoods that provide a safe environment for families.
- The City will sustain world class businesses that capitalize on its geographic and labor market competitive advantages and offer a wide variety of career path choices for its residents.
- The City will recognize and protect neighborhood identity through neighborhood involvement in plans and public and private investment.

Finding: The Capital Hill Master Plan specifically addresses the development of a neighborhood shopping node on 300 West, between 500 North and 600 North. In reviewing the goals of the Master Plan and the project that is being proposed for this location it is evident that the goals of the Master Plan are coming to fruition. Rezoning the project area will result in an encompassing recognition of the Master Plan goals. Staff finds that the requested rezone is appropriate for this location and would enhance the goals of the Plans and Reports discussed above.

B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property.

Discussion: The subject property is surrounded by a variety of uses such as service stations, convenience stores, and single family residences. The subject property was

identified by the Master Plan as an area that should be revitalized with community oriented businesses that will provide a high level of visual quality and proper maintenance. The proposed development is not yet typical of the surrounding area but will become the catalyst for development of similar projects along 300 West.

Finding: Staff finds that the Capitol Hill Master Plan identifies this area for a neighborhood commercial node that will provide retail services, as requested by the community, which have been lacking in this area. Community members have reviewed the proposed development and many have stated that the surrounding neighborhoods will greatly benefit from the proposed mixed use node.

C. The extent to which the proposed amendment will adversely affect adjacent properties.

Discussion: At the Community Council meeting there was overwhelming support for the project. However, those few who did not support the project were concerned about the height of the proposed structures. In order to address concerns about height, the project architect has provided building elevations along with elevations of existing surrounding buildings so that the proposed structures could be reviewed in context. The subcommittee members reviewed the proposed structures in relation to surrounding properties and the width of 300 West and discussed the effect of the proposed height on the surrounding properties. The majority of the subcommittee members agreed that the height was appropriate for the location.

Finding: Staff finds that the proposed amendment will positively affect adjacent properties as it will allow for a mixed use neighborhood shopping node, as outlined in the Master Plan.

D. Whether the proposed amendment is consistent with the provisions of any applicable overlay zoning districts, which may impose additional standards.

Discussion: The east side of the subject project area is located within the Capital Hill Historic District. All new construction in the Capital Hill Historic District is subject to design review by the Historic Landmark Commission.

Finding: Staff finds that all new construction in the Capital Hill Historic District is subject to design review by the Historic Landmark Commission.

E. 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, storm water drainage systems, water supplies, and waste water and refuse collection.

Discussion: Staff requested comments from City Departments/Divisions; including Transportation, Engineering, the Fire Department, Public Utilities, Police, and Building

Services. These departments/divisions did not have any objections to the proposed zoning amendment. The proposed development must comply with City regulations.

Findings: Staff finds that public facilities and services intended to serve the subject property must meet all City regulations upon further development.

MASTER PLAN AMENDMENT:

The Capitol Hill Community Future Land Use Map designates the west side of the subject property for “High Density Mixed Use” and designates the east side of the subject property for “General Commercial” use. The Master Plan specifically discusses a neighborhood shopping node on the east side of 300 West, between 500 North and 600 North and encourages a mixed use development with retail on the ground level and residential units above. The proposed development will comply with the goals outlined in the Master Plan. The Capitol Hill Community Future Land Use Map will need to be amended to reflect “High Density Mixed Use,” rather than “General Commercial,” for the east side of the project area.

State Law, Section 10-9a-204, Notice of Public Hearings and Public Meetings to Consider General Plan or Modifications, outlines the criteria for noticing an amendment. A notice for the Master Plan amendment was published in the Salt Lake Tribune and Deseret News on April 12, 2006 (Exhibit 4). A notice was also mailed to affected property owners and posted, meeting State Law requirements for Master Plan amendments.

RECOMMENDATION:

Based on the Findings of Fact identified in this report, staff recommends that the Planning Commission transmit a favorable recommendation to the City Council, to approve the proposed zoning map and master plan amendments, to identify the subject property as Residential/Mixed Use (R-MU) zoning.

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Exhibits:

1. Site Plan, Elevations and Floor Plans
2. Department/Division Comments
3. Community Council Comments
4. Newspaper Legal Notices, Published on April 12, 2006