

**DATE:** April 26, 2006

**TO:** Salt Lake City Planning Commission

**FROM:** Ray McCandless, Principal Planner at 535-7282 or ray.mccandless@slcgov.com, and Sarah Carroll, Principal Planner at 535-6260 or sarah.carroll@slcgov.com

**RE: STAFF REPORT FOR THE APRIL 26, 2006 PLANNING COMMISSION MEETING**

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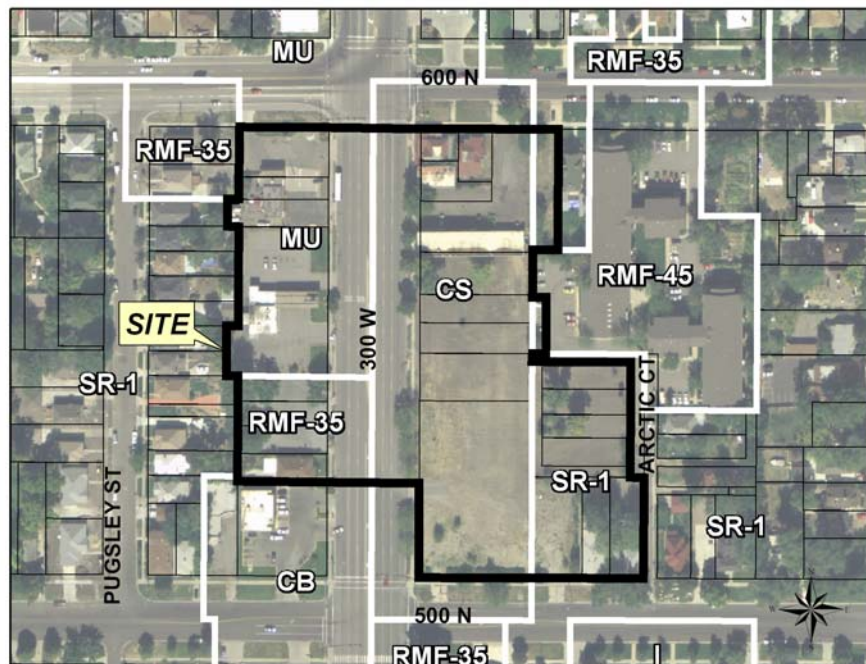
**CASE NUMBERS:** 410-06-09, 480-06-04 and 490-06-19

**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 ACTIONS:**

**410-06-09, 480-06-04 and 490-06-19** - The Salt Lake City Redevelopment Agency/Howa Capital is requesting conditional use/planned development approval (Petition No. 410-06-09), preliminary condominium approval (Petition No. 480-06-04) and preliminary subdivision approval (Petition No. 490-06-19) of a proposed mixed use planned development located approximately on the east and west sides of 300 West Street between 500 and 600 North Streets in a proposed Residential/Mixed Use "RMU" Zoning District (Petition No 400-05-40, a separate rezoning and Master Plan Amendment petition). The current zoning on the property is Community Shopping "CS", Mixed Use "MU", Special Development Pattern Residential "SR-1", Moderate/High Density Multi-Family Residential "RMF-45" and Moderate Density Multi-family Residential "RMF-35".

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

**APPLICABLE LAND USE REGULATIONS:**

**Planned Development:** Section 21A.54.150, Zoning Ordinance  
**Subdivision:** Title 20, Subdivision Ordinance  
**Condominium:** Title 57, Chapter 8, Utah Code  
**Land Use:** Capitol Hill Master Plan / Zoning Map  
**Zoning:** Chapter 21A.24.170, Zoning Ordinance

**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 on 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 will reflect “High Density Mixed Use.”

**HISTORY OF SUBJECT PROPERTY:**

The 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.

This development proposal was reviewed at the Planning Commission Planned Development Subcommittee Meeting on December 16, 2005, on January 18, 2006 and on March 29, 2006. The meetings were attended by representatives of the Planning Commission, Historic Landmarks Commission, Redevelopment Agency Staff and Planning Division Staff. The proposed plans were amended in response to issues raised at these meetings.

**ACCESS:**

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

**PROJECT DESCRIPTION:**

The applicant, the Salt Lake City Redevelopment Agency / Howa Capital is requesting a conditional use/planned development approval (Petition No. 410-06-09), preliminary condominium approval (Petition No. 480-06-04) and preliminary subdivision approval

(Petition No. 490-06-19) of a proposed mixed use planned development located approximately on the east and west sides of 300 West Street between 500 and 600 North Streets in a proposed Residential/Mixed Use "RMU" Zoning District.

The property is currently zoned Community Shopping "CS", Mixed Use "MU", Special Development Pattern Residential "SR-1", Moderate/High Density Multi-family Residential "RMF-45" and Moderate Density Multi-family Residential "RMF-35". A separate application, petition No 400-05-40, to rezone the property to a Residential Mixed Use "RMU" Zoning District and to amend the Capitol Hill Master Plan has been submitted and is being forwarded to the Planning Commission as a separate petition. The property on the east side of 300 West Street is also in the Capitol Hill Historic District. The proposed new buildings and demolition of the existing historic buildings on the property will be reviewed by the Historic Landmarks Commission. For purposes of this Report, the Residential Mixed Use "RMU" zoning standards will be used to analyze the proposed petitions. A description of the proposed development is as follows:

### **Proposed Lot 1**

Building H (Phase 3) - Building H is a single-story building and is located on the west side of 300 West Street and is the southernmost building on proposed Lot 1. It will contain 4,245 square feet of retail space. Phase 3 includes all three proposed buildings (buildings H, J and K) on proposed Lot 1.

Building J (Phase 3) - Building J, the center building on proposed Lot 1, is also a single-story retail building consisting of 3,360 feet of retail space.

Building K (Phase 3) - Building K, located on the southwest corner of 300 West and 600 North, will be a 2-story building with retail space on the ground level with office space above.

### **Proposed Lot 2**

Building A (Phase 2) - The proposed building A is located on the southeast corner of 600 North and 300 West Street. This is a mixed use building as the main floor will be retail space with residential condominium units above. The building is 5 stories high on the west side and 45.5 feet high at the east side of the property as the property slopes upward from 300 West Street. The building will have 36 dwelling units, 24 of which will be 1 bedroom units and 12 will be 2 bedroom units. An underground parking garage will be provided below the retail space which is 3,300 square feet in area. Underground parking will also be constructed below the parking lot south of the building.

### **Proposed Lot 3**

Grocery /Retail Building (Phase 2) - South of Building A is a proposed single-story grocery store with an attached retail space on the south side of the store. The grocery store measures 15,000 square feet. The retail space is 2,750 square feet with a combined total area of 17,750 square feet. Parking for the grocery store will be located on the north side of the building. The delivery dock for the building will be on the east

side of the building as shown on the proposed site plan. Building A and the Grocery / Retail Building is considered Phase 2.

#### **Proposed Lot 4**

Building D (Phase 1) - Building D is located on the northeast corner of 500 North and 300 West Streets. It is also a mixed use building with retail space occupying the first floor (8,000 square feet). The upper floors will be comprised of 41 dwelling units which will be condominiums. The building will be 5 stories in height (57'6") with underground parking provided. There will be 16 one bedroom units and 25 two bedroom units. An exercise facility will be located on the first floor level behind (east of) the retail space.

#### **Proposed Lots 5 and 6**

"Building F" - Townhouses (Phase 1) Eleven townhouse condominiums are proposed on the east side of the site, east of the grocery store and building D as shown on the site plan. These will be 2-story, 3 bedroom units with access provided from Arctic Court. Building D and the townhouses are considered Phase 1.

### **COMMENTS, ANALYSIS AND FINDINGS:**

#### **1. COMMENTS**

Comments from applicable City Departments are summarized as follows. Please refer to the attached Departmental Comment Letters in Attachment 4 for details.

**a) Transportation:** The Division of Transportation review comments and recommendations are as follows:

The Salt Lake City Transportation Division recommends approval of the proposed development subject to compliance to City standard design requirements. In reviewing the preliminary concept drawings submitted, some standard review items have been noted as follows:

A review of the required parking calculations is required per the Zoning Ordinance to include the 5% bike parking and the Americans with Disabilities Act (ADA) requirements. Some of the parking stalls shown are in question and are subject to further detailed review. The on-street parking needs to comply to setback and buffer standards from intersections, cross walks, fire hydrants, driveways, street lights and power poles etc. The credit or reduced credit for on street parking needs to be further reviewed by the Utah Department of Transportation (UDOT). Of the 67 to 75 stalls shown on-street, about 40 are on 300 West, a State road. UDOT may or may not approve parking credits for these spaces.

Any drive up windows proposed on the buildings west of 300 West Street will need to be approved by the Salt Lake City Engineering Division.

The east side proposal needs review submittals of parking structures for ramp grades and transitions, turning radii, clear sight zones, ADA heights, etc. The road profile for Arctic Court and the internal site circulation and grades will also be needed.

Further detailed submittals of the public way improvements for walkways, landscaping, street lighting, and ADA ramps, etc., will be required.

**b) Public Utilities:** The Salt Lake City Public Utilities Department is in the process of reviewing the proposed development plans and has the following comments:

A set of redline drawings has been given to the project Engineer, McNeil Engineering, along with copies of all the water and sewer laterals that will need to be terminated for this project. New plans will need to be submitted, reviewed and approved by the Public Utilities Department showing the above corrections. All fees and permits must be paid prior to any construction.

All design and construction must conform to State, County, City and Public Utilities standards and ordinances. Design and construction must conform to Salt Lake City Public Utilities Department General Notes.

Fire Department approval will be required prior to the Public Utilities Department approval. Fire flow requirements, hydrant spacing and access issues will need to be resolved with the Fire Department.

The developer should be aware that water mains will need to be upsized in order to accommodate new development. To determine sewer capacity, the developer will need to identify sewer demand. Water and sewer utility issues in Arctic Court will need to be resolved by the applicant.

Storm water detention will be required for the site, storm water plan and calculations must be submitted, including best management practices for storm water quality. A storm water prevention plan will need to be submitted. If ground water is to be pumped, the developer must demonstrate that there are no contaminants that would be discharged into the public storm drain system.

**c) Engineering Division:** The Salt Lake City Engineering Division review comments are as follows:

1. 300 West Street is a State Road. Any ingress or egress from the site from 300 West Street must be approved by the Utah Department of Transportation (UDOT). The plan also shows a landscaped median and appears to show brick paver cross walks across 300 West Street which also requires UDOT approval. Salt Lake City has not had good experience with brick paver crosswalks on heavy traffic arterials (South Temple, 400 South). The maintenance of the crosswalks and the landscaped median must be resolved.

2. It is the Engineering Division's understanding that Arctic Court (240 West), a private street, will be impacted by this development. The developer must enter into a subdivision improvement construction agreement. This agreement requires the payment of a stepped fee based on the estimated cost of constructing the roadway improvements. The developer should contact Joel Harrison (535-6234) to discuss insurance requirements for the project.
3. Design drawings for the proposed reconstruction of Arctic Court and the onsite driveways required for site circulation must comply with the following design standards. Some of the significant requirements are as follows:
  - a. The engineering drawings must show a profile view for the new roads.
  - b. Driveways may be designed on a grading plan or plan & profile sheet.
  - c. The horizontal scale for the drawings shall be 1" = 20', 1"=30' or 1"= 40'.
  - d. The vertical scale shall be one tenth of the horizontal scale.
  - e. The minimum size lettering shall be 1/10" and capital letters shall be used.
  - f. The text shall be readable from one of two directions on a given sheet.
  - g. The north arrow shall point toward the top or left of the sheet with stationing progressing from west to east or from north to south.
4. The Salt Lake City Transportation Division must review and approve street geometrics, sidewalk locations and street lighting.
5. The developer must enter into agreements required by the Salt Lake City Public Utilities Department and pay the required fees.
6. The subdivision plat must conform to the requirements on the subdivision plat checklist. A plat should be submitted as soon as possible to allow the Salt Lake City Surveyor to begin his review. Alice Montoya (535-7248) will assign addresses to the proposed lots when a plat is submitted. A certified address is required prior to obtaining a building permit.
7. At least one member of the concrete finishing crew must be ACI certified. The name of the ACI certified finisher must be provided at the pre-construction meeting for the subdivision.
8. The construction contractor must file a Notice of Intent with the State of Utah, Department of Environmental Quality, Division of Water Quality, to comply with the NPDES permitting process. A copy of the pollution prevention plan must also be submitted to Randy Peterson at Salt Lake City Public Utilities.

**d) Property Management:** Property Management has reviewed the plans and has no objection to the proposed development. Any encroachments (surface, aerial or subsurface) which may become evident as more detailed plans are provided should be allowed only under a lease agreement with the City.

- e) **Airport:** This location is not in an established Salt Lake City airport influence zone and does not present any known impacts on operations at the Salt Lake City International Airport.
- f) **Fire Department:** The Fire Department does not have any concerns with the proposed development.
- g) **Public Services:** Since the improvement calls for the placement of street trees along 300 West, the petitioner must be required to review tree selection and provide planting plans to the City Forester.
- h) **Police:** The Police Department has reviewed the drawings related to each respective petition regarding the Marmalade planned development. Overall, the development would be a good fit in this area. The concerns would mainly be that good crime prevention principles be followed very closely in the development of this project. There is a landscaping plan that allows for a great number of trees and shrubbery plants. It would be imperative to make sure that these are of the type that would allow good visibility throughout the project area. There is also a fountain planned in the Plaza. If this is not in a secured area, it might attract transients and juveniles who may engage in vandalism and other criminal mischief. It would also be helpful to have good lighting in this area to help prevent these types of things from occurring. Also, the lighting needs to be sufficient in the parking areas, especially the underground parking, which may also benefit from both natural and technical surveillance. Although retail shops are proposed, the large amount of “foot and bicycle traffic” in this area may not be the customer base that is sought, and could possibly be a contributing factor to criminal activity at this location. This is why the Police Department would recommend more than adequate crime prevention measures (lighting, signage, fencing, etc.) that would help to discourage itinerant users on the premises. By following guidelines for crime prevention from the design phase and construction through completion of the project, there would be less of an impact on police services required in this area. The project could certainly be an “anchor point” for this community and through its success attracts even more businesses that would be desirable to the area.
- i) **Building Services:** The SLC Building Services review comments for the proposed development are as follows for the property west of 300 West:
1. Separate demolition permits for each of the existing buildings will need to be obtained after the replacement use permit is issued.
  2. New certified addresses will need to be obtained for each structure from the Salt Lake City Engineering Division.
  3. The maximum building height for nonresidential structures shall not exceed 3 stories or 45’.
  4. Retail and residential uses are allowed in the R-MU zone, but office use may be a conditional use per 21A.24.190 footnote #9.



5. The proposal needs to meet setback requirements for parking lots (surface parking lots within an interior side yard shall maintain a 30' minimum landscaped setback from front and corner property lines).
6. The proposal should address park way strip landscaping, including trees and ground cover which is equal to at least 33% of the park way strip instead of 100% pavers.
7. The proposal should address interior and perimeter parking lot trees and shrubs.
8. A 10' landscape buffer, including trees shrubs and a fence, is required at the west side of the property where it abuts the SR-1 zone.
9. The 40% first floor glass and blank wall requirements will need to be met.
10. All building equipment and service areas that are visible from the public way shall be screened.
11. Any encroachments into the public way will need to be reviewed with the Salt Lake City Property Management Division.
12. Any off-site parking on this site is a conditional use.

The Salt Lake City Building Services review comments for the R-MU zoning classification are as follows for the property east of 300 West:

1. Historic Landmarks approval is required for all demolition and new construction.
2. Separate demolition permits for each of the existing buildings will need to be obtained after the replacement use permit is issued.
3. New certified addresses will need to be obtained for each structure from the Engineering Division.
4. The maximum floor area for nonresidential uses in the structures shall not exceed 3 stories.
5. Retail and residential uses are allowed in the R-MU zone but office use may be a conditional use per 21A.24.190 footnote #9.
6. The proposal needs to meet the maximum setback requirements.
7. The proposal needs to meet setback requirements for parking lots (surface parking lots within an interior side yard shall maintain a 30' minimum landscaped setback from front and corner property lines).
8. The proposal needs to meet setback requirements for parking structures.
9. The proposal should address park way strip landscaping, including trees and ground cover which is equal to at least 33% of the park way strip instead of 100% pavers.
10. The proposal should address interior and perimeter parking lot trees and shrubs.
11. A 10' landscape buffer, including trees shrubs and a fence, is required at the east side of the property where the property abuts the SR-1 zoning district. The definition of "abutting" means adjacent or contiguous including property separated by an alley, private right-of-way (Arctic Court) or a utility strip.
12. Documentation of 20% open space for each lot needs to be provided.
13. The 40% first floor glass and blank wall requirements will need to be met.
14. All building equipment and service areas that are visible from the public way shall be screened.

15. Any encroachments into the public way will need to be reviewed with Salt Lake City Property Management Division.
16. Any off-site parking on each property is a conditional use.
17. The applicant needs to address side entry issues, front façade controls, etc.

**Community Council Comments:**

The proposed development was reviewed by the Capitol Hill Community Council on March 16, 2006, where approximately 30 people attended the Community Council meeting. The comments were divided into positive and negative comments relating to the proposed development as indicated on the attached comment sheet:

Positive:

1. Infusion of a new urbanism into the surrounding neighborhood.
2. Revitalization of a neglected part of Salt Lake, close to downtown.
3. Addition of quality residences and commercial enterprises.

Negative:

1. A few people were concerned about the height of the buildings.
2. Concerns were expressed about ingress and egress.
3. Concerns were expressed about the view from back yards on Pugsley Street and from 200 West, about neighboring residences being dwarfed.

The Community Council's comments also state that in general, the group was "overwhelmingly positive" about the proposed request.

**2. ANALYSIS AND FINDINGS**

To assist the Planning Commission in its decision making process, Staff has analyzed and made findings with respect to the following pertinent master plans, ordinances and issues relating to the conditional use, planned development, condominium and subdivision processes.

**Conditional Use Review**

**21.54.080 Standards for Conditional Uses.**

- A. The proposed development is one of the conditional uses specifically listed in this Title.**

**Discussion:** According to Section 21A.54.150 of the Zoning Ordinance, a Planned Development requires Conditional Use approval by the Planning Commission.

**Finding:** The proposed development requires conditional use approval by the Planning Commission.

**B. The proposed development is in harmony with the general purposes and intent of this Title and is compatible with and implements the planning goals and objectives of the City, including applicable City master plans.**

**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: As noted above, the existing zoning consists of several different zones including: Community Shopping "CS", Mixed Use "MU", Special Development Pattern Residential "SR-1", Moderate/High Density Multi-Family Residential "RMF-45" and Moderate Density Multi-family Residential "RMF-35". The rezoning petition involves amending the zoning map to unify the zoning for the project area. The requested Residential/Mixed Use "R-MU" (separate petition) 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 exiting business 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 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 proposed project is consistent with the goals of the Master Plan. The proposed mixed use development will result in an encompassing recognition of the Master Plan goals. Staff finds that the requested conditional use/planned development, (and rezoning) is appropriate for this location and would enhance the goals of the Plans.

- C. Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not materially degrade the service level on the adjacent streets.**

**Discussion:** A Traffic Impact Study was prepared for the proposed development and was reviewed by the Salt Lake City Transportation Division. The Transportation Division recommends approval of the proposed development subject to the applicant providing additional information such as approval by the Utah Department of Transportation for proposed improvements on 300 West Street, parking calculations for bike and ADA parking, setbacks for on-street parking from cross-walks, street lights and power poles, etc., as detailed in the Transportation Division's departmental comment sheet. Additional plan submittals for public way improvements for walkways, landscaping, street lighting, etc., will also be required.

**Finding:** Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not materially degrade the services level on the adjacent streets. However, additional information must be provided to and approved by the Salt Lake City Transportation Division. Utah Department of Transportation approval will also be required.

- D. The internal circulation system of the proposed development is properly designed.**

**Discussion:** Access to the retail and mixed use space will be provided from 500 North 600 North and from 300 West Street. Access to the townhouses will be provided from Arctic Court, a private street which currently serves as access for two or three single family dwellings and the Capitol Villa Apartments. The parking lot configuration and detail will be reviewed by the Building Services and Licensing Division as part of the Building Permit process. However, it appears that the parking lots and driveways are a standard configuration with no unusual driveways or parking stalls. The Salt Lake City Transportation Division does not have any concerns with the proposed circulation system.

Fire access for the development to the east of 300 West Street will be provided from 300 West Street and via a driveway extending west from Arctic Court through the townhouses. Access to the buildings west of 300 West will be provided from 300 West and 600 North Streets. The Fire Department does not have any concerns with the proposed circulation system.

**Finding:** The internal circulation system of the proposed development is properly designed; the parking stall layout and driveways must be approved by the Salt Lake City Building Services and Licensing Division.

**E. Existing or proposed utility services are adequate for the proposed development and are designed in a manner that will not have an adverse impact on adjacent land uses or resources.**

**Discussion:** The Public Utilities Department is currently reviewing the proposed development and is working with the project Engineer to address their issues. Water mains will need to be upsized in order to accommodate the proposed development. To determine sewer capacity, the developer will need to identify sewer demand. Water and sewer utility issues in Arctic Court will need to be resolved.

Storm water detention will be required for the site, storm water plan and calculations must be submitted, including best management practices for storm water quality. A storm water prevention plan will also need to be submitted.

As there are issues that need to be worked through, any planned development approval should be contingent upon addressing the Public Utilities Department issues.

**Finding:** Public Utilities Department approval will be required as a condition of Planned Development approval.

**F. Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts.**

**Discussion:** One of the concerns raised by the Community Council is the height of the proposed buildings. The tallest building on the west side of 300 West Street is the 2-story office/retail building on the north side of the property. Although it will be visible from the homes on Pugsley Street, the building will be set back approximately 35 feet which will help reduce the visual impacts of the building. In addition, trees are proposed to be installed along the entire west property line of Lot 1 which will reduce the visual impacts of the building for these residents. A screening fence and landscaping will be required along the west side of proposed Lot 1.

The most visible buildings will be the proposed mixed use buildings on the east side of 300 West Street. Building A will vary from 45' 6" on the east end to 58' 6" on the west. Building A on the corner of 500 North Street and 300 West Street will be 57' 6" high and will be 5 stories tall (see Attachment 2).

If rezoned to R-MU, the maximum height allowed would be 75 feet as a permitted use or up to 125 feet as a conditional use. The proposed buildings are approximately 20 feet lower than what the zoning district would allow. The 300 West Street is an arterial street that has other tall buildings on it such as West High School which is oriented toward 300 West Street. It is appropriate to orient

the taller buildings close to this street and away from the lower density residential areas.

There are a variety of uses that surround this property. The largest adjacent buildings are the Capitol Villa Apartments to the east which are 3 stories high. There are single-story commercial businesses to the north and south and there are single-family dwellings west of the property and to the southeast of this site. There is also a church to the south of this site.

There is one single family dwelling on the adjacent lot to the north on 600 North Street (see street elevation drawings) that will be located between the 3-story Capitol Villa Apartments and the proposed 4-story portion of the proposed building A (see Attachment 2). Although the "R-MU" Zoning District does not require any side yard setbacks, a 15' side yard setback will be provided between proposed Building A and the residence. This area should be landscaped including planting trees to help soften the visual impacts of the proposed building for the adjoining residence. The submitted landscape plan does not show any landscaping in this area.

The proposed townhouses were originally proposed to be 3-story structures but have been reduced to 2-story buildings which will be more compatible with the other existing buildings to the east. The townhouses will provide a transition from the single-story structures to the east to the taller proposed buildings on 300 West Street. Neighborhood compatibility for all proposed structures on the east side of 300 West Street will also be addressed by the Historic Landmarks Commission.

The grocery store will be a 1-story structure which will help to add interest and variety to the streetscape along the 300 West Street corridor. Street trees will be installed along both sides of 300 West Street which will also help buffer the buildings.

As a condition of approval, all outdoor lighting should be directed down and away from adjoining properties.

**Finding:** The site layout and design are appropriate as the buildings are located close to 300 West Street and landscaping provided which will help to mitigate visual impacts of the proposed development. All outdoor lighting should be directed downward and designed to not adversely affect any adjoining property and additional landscaping should be installed in the 15' wide area abutting the "SR-1" zoning east of proposed Building A. A screening fence and landscaping will also be required along all property lines that abut SR-1 zoning.

**G. Architecture and building materials are consistent with the development and compatible with the adjacent neighborhood.**



**Discussion:** The property on the east side of 300 West Street is in the Capitol Hill Historic District meaning that new buildings must be reviewed and approved by the Salt Lake City Historic Landmarks Commission. Given this, approval of the architecture and building materials should be deferred to the Historic Landmarks Commission and conditional use approval conditioned upon approval by that body.

The proposed retail/office buildings west of 300 West Street will be constructed of similar materials and architectural style as proposed for the buildings on the east side of 300 West Street. The buildings will be a combination of brick, stucco and glass as shown on the elevation drawings. As these buildings will be constructed of similar materials to those proposed on the east side of 300 West Street, the proposed building materials and architecture are appropriate for this site.

**Finding:** Architectural and building material approval of the buildings on the east side of 300 West Street should be deferred to the Salt Lake City Historic Landmarks Commission. The architecture of the proposed buildings on Lot 1, on the west side of 300 West Street, are appropriate for the site.

**H. Landscaping is appropriate for the scale of the development.**

**Discussion:** All yard areas not covered by buildings, parking areas, driveways or plazas will be landscaped. Park strip landscaping should be installed instead of using 100% brick pavers. Park strip landscaping, including trees and ground cover which is equal to at least 33% of the park way should be installed. Since the improvement calls for the placement of street trees in the parkstrips, the petitioner must be required to review tree selection and planting plans with the City Forester.

**Finding:** The proposed landscaping is appropriate for the scale of development provided park strip landscaping be installed as required by the Zoning Ordinance.

**I. The proposed development preserves historical architectural and environmental features of the property.**

**Discussion:** The property on the east side of 300 West Street is in the Capitol Hill Historic District. There are also two buildings on the southeast corner of the lot that are proposed to be demolished. Approval to demolish these buildings will need to be approved by the Salt Lake City Historic Landmarks Commission.

**Finding:** Approval by the Historic Landmarks Commission is required for the demolition of the two existing buildings on the property and is also required for the new buildings on the west side of 300 West Street.

**J. Operating and delivery hours are compatible with adjacent land uses.**

**Discussion:** The applicant has indicated that delivery hours will be from 8:00 a.m. to 5:00 p.m., which is acceptable given that there are, and will be, adjoining residential uses which may be adversely affected by early morning, evening or late night deliveries. The grocery store will be open from 8:00 a.m. to 8:00 p.m., and the restaurants and coffee shop will be open until midnight. These are acceptable hours of operation. Approval is contingent upon keeping these proposed hours of operation and delivery hours.

**Finding:** Adverse impacts are mitigated provided that the hours of operation and delivery hours proposed by the applicant are made a condition of approval.

**K. The proposed conditional use or, in the case of a planned development, the permitted and conditional uses contained therein, are compatible with the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood or the City as a whole.**

**Discussion:** The impacts created by this development are mitigated through the site design, layout and building architecture. The Planning Staff does not foresee that the proposed development will have a material net cumulative adverse impact on the neighborhood or the City as a whole. The proposed development will have a positive impact on revitalizing the area along 300 West Street.

**Finding:** The proposed conditional use is compatible with the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood or the City as a whole.

**L. The proposed development complies with all other applicable codes and ordinances.**

**Discussion:** According to the Salt Lake City Surface-Fault Rupture And Liquefaction Potential Special Study Areas Map, the property is located in a surface fault rupture special study area. A Geotechnical Report has been provided addressing soils and geotechnical issues. The proposed development's compliance with all other applicable codes and ordinances is discussed in the Planned Development Section below. Approval of the request should be subject to meeting all applicable City requirements.

The parking for the grocery store (lot 3) will be located on the adjoining lot 2 which is considered off-site parking. According to Table 21A.24.190 Table Of Permitted And Conditional Uses For Residential Districts, off-site parking in the Residential Mixed Use "RM-U" Zoning District requires Conditional Use approval by the Planning Commission. Off-site parking standards, Section 21A.44.020L.1. Off-Site Parking Facilities of the Zoning Ordinance states that

the maximum distance between the proposed use and the closest point of the off-site parking facility shall not exceed 500'. The proposed off site parking meets this standard. The documentation required by Section 21A.44.020L.2. of the Zoning Ordinance concerning providing for the long term use of the off-site parking must be provided.

Conditional Use approval is also required for office use in the "RM-U" Zoning District (21A.24.190 footnote #9). Office space is proposed on the 2nd floor of the north building on Lot 1 of the proposed development. Staff does not foresee any concerns with allowing office space at this location.

**Finding:** The proposed development must meet all applicable City, County, State and Federal codes and ordinances prior to issuance of a building permit. The use approval and 2nd floor office space on lot 1 and off-site parking is appropriate.

## **Planned Development Review**

According to **Section 21A.54.150A Purpose Statement** of the Zoning Ordinance, a planned development is a distinct category of conditional use. As such, it is intended to encourage the efficient use of land and resources, promoting greater efficiency in public and utility services and encouraging innovation in the planning and building of all types of development.

Section **21A.54.150C Authority To Modify Regulations** of the Zoning Ordinance, states that no such change, alteration, modification or waiver of the standards shall be approved unless the proposed planned development will achieve the purposes for which a planned development may be approved.

In the Residential/Mixed Use "R-MU" zoning district, planned developments, which meet the intent of the ordinance, but not the specific design criteria outlined in the following subsections, may be approved by the Planning Commission (Section **21A.24.170C. Planned Development Review** of the Zoning Ordinance). The proposed development requires Planned Development approval by the Planning Commission as lot 5 will not have required frontage on a dedicated public street. In addition, the applicant is requesting that several zoning requirements be modified through the Planned Development process.

In order to approve the proposed planned development, some of the zoning requirements as contained in Section 21A.24.170 - **R-MU Residential/Mixed Use** of the Zoning Ordinance will need to be modified by the Planning Commission. The zoning standards requiring modification are reflected below: (As the measurements below are approximate, please refer to proposed site development plans for specific dimensions):

**Proposed Lot 1 - Buildings H, J and K**

Retail and Office Space (Non Residential Use)

	<u>Required</u>	<u>Provided</u>	<u>Requirement Met</u>
Lot Area	No minimum	1.62 acres	Yes
Lot Width	No minimum	521.82 / 131.68 ft.	Yes
Front Yard	None required	6' 4"	Yes
Corner Side Yard	None required	0'	Yes
Interior Side Yard	None required	34'	Yes
Rear Yard	30' or 25% of lot depth	26.43'	Yes
Landscape Setback for Interior SideYard Parking	30'	6'	No - Waiver Required
Building Height	3 Stories or 45'	1 and 2 Stories	Yes
20% Open Space	20%	22%	Yes
Landscape Buffer	10'	4'	No - Waiver Required
1st floor glass	40%	40% to 46%	
Perimeter Landscaping	7'	1'	No - Waiver Required

**Proposed Lot 2 - Building A and parking lot for the grocery store**

Apartments and Retail Space (Multi-family Dwellings and Nonresidential Use)

	<u>Required</u>	<u>Provided</u>	<u>Requirement Met</u>
Lot Area	No minimum	1.01 acres	Yes
Lot Width	50'	225.77 / 201.92 ft.	Yes
Front Yard	None required	0'	Yes
Corner Side Yard	None required	0'	Yes
Interior Side Yard	None required	0'	Yes
Rear Yard	30' or 25% of lot depth	105'	Yes
Landscape Setback for Interior SideYard Parking	NA	NA	NA
Building Height Residential	(4 Stories total) 75'	45.5'	Yes
Non Residential	3 Stories or 45'	1 - Story (first floor)	
20% Open Space	20%	11%	Yes
Yard Buffer	10'	0'-15'	No - Waiver Required
1st floor glass	40%	53% (300 West) 28% (600 North)	Yes No - Waiver Required
Perimeter Landscaping	7'	0'	No - Waiver Required

### Proposed Lot 3 - Grocery Store / Retail Space

Retail (Non Residential Use)

	<u>Required</u>	<u>Provided</u>	<u>Requirement Met</u>
Lot Area	No minimum	.92 acres	Yes
Lot Width	No minimum	229.40 ft.	Yes
Front Yard	None required	0'	Yes
Interior Side Yard	None required	4' / 35'	Yes
Corner Side Yard	NA	NA	NA
Rear Yard	30' or 25% of lot depth	39'	Yes
Landscape	NA	NA	NA
Setback for Interior SideYard Parking			
Building Height	3 Stories or 45'	1 - Story (15' approx.)	Yes
20% Open Space	20%	26%	Yes
Yard Buffer	NA	NA	NA
1st floor glass	40%	41%	Yes
Perimeter Landscaping	NA	NA	NA

### Proposed Lot 4 - Building D

Apartments and Retail Space (Multi-family Dwellings and Nonresidential Use)

	<u>Required</u>	<u>Provided</u>	<u>Requirement Met</u>
Lot Area	No minimum	.87 acres	Yes
Lot Width	50'	205.07 / 198.82 ft.	Yes
Front Yard	None required	0'	Yes
Interior Side Yard	None required	10'	Yes
Corner Side Yard	None required	0'	Yes
Rear Yard	30' or 25% of lot depth	60'	Yes
Landscape	NA	NA	NA
Setback for Interior SideYard Parking			
Building Height	(5 stories)	57' 6"	Yes
Residential	75'		
Non Residential	3 Stories or 45'	1 story (first floor)	
20% Open Space	20%	17%	No - Waiver Required
Yard Buffer	NA	NA	NA
1st floor glass	40%	62% (300 West) 69% (500 North)	Yes Yes
Perimeter Landscaping	NA	NA	NA

Other: A 45' Setback is required for parking structures in the corner side yard. The ramp to the underground parking area is 20 feet.

**Proposed Lot 5 - Townhouses (7 Units)**

## Townhouses (Multi-family Dwellings)

	<u>Required</u>	<u>Provided</u>	<u>Requirement Met</u>
Lot Area	No minimum	.69 acres	Yes
Lot Width	50'	131.10'	Yes
Front Yard	15' maximum	5'	Yes
Interior Side Yard	None required	0' / 19'	Yes
Corner Side Yard	NA	NA	NA
Rear Yard	30' or 25% of lot depth	22'	No - Waiver Required
Landscape	NA	NA	NA
Setback for Interior			
SideYard Parking			
Building Height			
Residential	75'	22'	Yes
20% Open Space	20%	28%	Yes
Yard Buffer	10'	0'	No - Waiver Required
1st floor glass	40%	23%	No - Waiver Required
Perimeter	NA	NA	NA
Landscaping			

**Proposed Lot 6 - Townhouses (4 Units)**

## Townhouses (Multi-family Dwellings)

	<u>Required</u>	<u>Provided</u>	<u>Requirement Met</u>
Lot Area	No minimum	.46 acres	Yes
Lot Width	50'	125.19'	Yes
Front Yard	15' maximum	19'	No - Waiver Required
Interior Side Yard	None required	22' / 26'	Yes
Corner Side Yard	NA	NA	NA
Rear Yard	30' or 25% of lot depth	12'	No - Waiver Required
Landscape	NA	NA	NA
Setback for Interior			
SideYard Parking			
Building Height			
Residential	75' maximum	22'	Yes
20% Open Space	20%	30%	Yes
Yard Buffer	10'	0'	No - Waiver Required
1st floor glass	40%	5%	No - Waiver Required
Perimeter	NA	NA	NA
Landscaping			

The applicants are proposing to use a combination of on-site and street parking to provide sufficient parking for the proposed development. In the R-MU Zoning District, on-street

parking can be counted toward meeting the required number of parking stalls, however, since 300 West Street is a State Road, the proposed parking on the street must be approved by U.D.O.T. which is a lengthy process and it is not known whether or how many on-site spaces will be allowed. The following parking calculations for the proposed development are as follows:

**Commercial Development:**

Total Required Parking Stalls - East Side of 300 West Street	= 88 Stalls
Actual Parking Stalls Provided	= 76 Stalls
<b>Deficit</b>	<b>12 Stalls</b>

Total Required Parking Stalls - West Side of 300 West Street	= 87 Stalls
Actual Parking Stalls Provided	= 75 Stalls
<b>Deficit</b>	<b>12 Stalls</b>

**Residential Development**

Building A

Total Required Parking Stalls	= 66 Stalls
Actual Parking Stalls Provided	= 59 Stalls
<b>Deficit</b>	<b>7 Stalls</b>

Building D

Total Required Parking Stalls	= 87 Stalls
Actual Parking Stalls Provided	= 72 Stalls
<b>Deficit</b>	<b>15 Stalls</b>

Town Home Dwellings

Total Required Parking Stalls	= 22 Stalls
Actual Parking Stalls Provided	= 28 Stalls
<b>Surplus</b>	<b>6 Stalls</b>

**Total On-Site Deficit Parking Spaces 40 Stalls**

Proposed On-Street Parking Spaces on 300 West	24 Spaces
Proposed On-Street Parking Spaces on 500 and 600 North Streets	31 Spaces
<b>Total On-Street Parking Spaces</b>	<b>55 Spaces</b>

**TOTAL PARKING REQUIRED 350 Spaces**  
**TOTAL PARKING PROVIDED (PENDING U.D.O.T. APPROVAL) 365 Spaces**

The applicant has indicated that the plans are preliminary and that additional off-street parking may be found as the plans are refined. It is unknown how many on-street parking spaces can be provided. Staff recommends that the Planning Director be given the approval authority for the final number of parking spaces required. The site plans show 24 spaces on the east side 300 West Street which is a State road.

Note: The total amount of open space on the entire development is 19.5%.

**Discussion:** The standards for a Planned Development are listed in Section. 21A.54.150A of the Zoning Ordinance and are listed below. **The bolded objectives apply to this proposal.**

1. **Creation of a more desirable environment than would be possible through strict application of other City land use regulations;**
2. **Promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities;**
3. **Combination and coordination of architectural styles, building forms and building relationships;**
4. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion;
5. Preservation of buildings which are architecturally or historically significant or contribute to the character of the City;
6. **Use of design, landscape or architectural features to create a pleasing environment;**
7. Inclusion of special development amenities; and
8. **Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.**

Items 1, 2, 3, 6, and 8 apply to the proposed planned development. A more desirable environment is achieved as the proposed buildings utilize space that would otherwise be vacant or not maintained. Better use of land is achieved because the new buildings will not require any additional publicly maintained streets or infrastructure. The proposed development makes efficient use of utility services and land resources. The request for Planned Development approval is supported by standards 1, 2, 3, 6, and 8 above.

**Finding:** The proposed facility will achieve the purposes for which a planned development may be approved.

Section **21A.54.150C Authority To Modify Regulations** of the Zoning Ordinance also states that the Planning Commission must find that the proposed development will not violate the general purposes, goals and objectives of this Title and of any plans adopted by the Planning Commission or the City Council.

**Discussion:** According to the submitted site plan, in order for the Planning Commission to approve this development, several waivers from the Salt Lake City Zoning Ordinance will be required as follows:



## **Waivers Requested Through Planned Development**

### **Proposed Lot 1 - Buildings H, J and K**

1. Reduction in the required landscaped setback for the interior side yard setback from 30 feet to approximately 6 feet on the east side of the lots between the buildings.
2. Reduction of the required 10' landscaped buffer from 10 feet to approximately 4 feet along the west property line.
3. Reduction of the required perimeter landscaping from 7 feet to approximately 1 foot along the south property line.

### **Proposed Lot 2 - Building A and parking lot for the grocery store**

1. Modifying the rear yard buffer from 10 feet to the varying dimensions as shown on the east property line.
2. Reducing the perimeter landscaping requirement around the parking lot to the varying dimensions shown on the proposed site plan
3. Reduction in the required 1st floor glass requirement from 40% to 28% on the 600 North building elevation.

### **Proposed Lot 3 - Grocery Store / Retail Space**

No modifications are required

### **Proposed Lot 4 - Building D**

1. Reducing the required setback for a parking structure in a corner side yard from 45 feet to approximately 20 feet.
2. Reducing the 20% open space requirement to 17%.

### **Proposed Lot 5 - Townhouses (7 Units)**

1. Reducing the required rear yard setback from 30 feet to approximately 22 feet.
2. Reducing the required 10' yard buffer on the east property line to 0'.
3. Reducing the required 40% 1st floor glass requirement to 23%.

### **Proposed Lot 6 - Townhouses (4 Units)**

1. Increasing the maximum front yard setback from 15 feet to approximately 19 feet.
2. Reducing the required rear yard setback from 30 feet to approximately 12 feet.
3. Reducing the required 10' yard buffer on the east property line to 0'.
4. Reducing the required 40% 1st floor glass requirement to 5%.
5. Waiver of the lot frontage on a public street requirement (Section 21A.36.010C. Frontage of Lot On Public Street).

**Finding:** Given that the proposed site plans are preliminary and because of the complexity of this request, the modifications listed above reflect the significant Zoning Ordinance modifications or waivers needed to approve this request. Through the final site review process, other modifications to the Zoning Ordinance may be needed. However, it is staff's recommendation that the proposed development be approved as reflected on the

submitted site plan drawings. As the Planning Commission has the authority to modify zoning standards through the Planned Development process, the proposed development will not violate the general purposes, goals and objectives of the Zoning Ordinance.

### **Preliminary Condominium Review (Salt Lake City Code, Title 21A.56 Condominium Approval Procedure)**

The applicant is requesting preliminary condominium approval of proposed Building D which has 41 units and the 11 townhouses which is considered Phase 1 of the proposed development. Condominiums can be approved administratively. However, these proposed condominiums are being forwarded to the Planning Commission simultaneously with the Conditional Use, Planned Development and Subdivision applications to expedite the review process.

Pursuant to Staff's review of the requested condominiums, Staff makes the following findings:

1. All applicable City Departments have consented to the proposed preliminary condominiums as long as final plans comply with applicable City codes.
2. The condominiums will be in the best interest of the City and will conform to the general character of the surrounding neighborhood.
3. All necessary provisions for the construction of any required public improvements and utility easements will be required pursuant to the building permit process and final plat approval.
4. The proposed condominium plat and declaration are substantially compliant with the Utah Condominium Act of 1975. Full compliance with the Act is required for approval of the final plat.

A final condominium plat will be required to be recorded for each condominium phase and approved by the applicable City departments.

### **Preliminary Subdivision Review (Salt Lake City Code, Title 20, Subdivision Ordinance)**

The property consists of 25 parcels of land that will be consolidated into six lots through the subdivision review process. One lot consisting of 1.62 acres will be created on the west side of 300 West Street. Five lots ranging in size from .46 acres to 1.01 acres will be created on the east side of 300 West Street as shown on the accompanying preliminary subdivision plat drawing.

As stated in this report, several zoning and lot frontage modifications are required through the Planned Development Process. Preliminary subdivision approval will also be required. Cross-access easements will need to be provided and a final subdivision plat will need to be recorded. These items can be reviewed and approved administratively.

Section **20.20.070 Administrative Approval** of the Salt Lake City Subdivision Ordinance requires that the Planning Commission make the following findings in approving a preliminary subdivision:

**A. The minor subdivision will be in the best interest of the City;**

**Findings:** This issue is addressed in the Conditional Use and Planned Development Sections above and was determined to be in the best interest of the City.

**B. All lots comply with all applicable zoning standards;**

**Discussion:** The Planning Commission can modify zoning standards through the Planned Development process.

**Findings:** All lots will comply with all applicable zoning standards as modified by the Planning Commission through the Planned Development process.

**C. All necessary and required dedications are made;**

**Findings:** No additional right-of-way dedications are necessary. Utility easements will be dedicated on the subdivision plat.

**D. Provisions for the construction of any required public improvements are included;**

**Findings:** The construction of any required public improvements are administered by the Salt Lake City Engineering Division and Public Utilities Department through the standard development review processes.

**E. The subdivision otherwise complies with all applicable laws and regulations.**

**Findings:** The subdivision will be required to comply with all applicable laws and regulations through the City's permitting and approval processes.

**RECOMMENDATION:**

Based on the above comments, analysis and findings, Staff recommends the following:

**A. Conditional Use/ Planned Development approval subject to:**

1. Granting the following waivers to the Zoning Ordinance with the direction to Staff to modify other provisions of the zoning ordinance if necessary to implement the development plans as approved by the Planning Commission:

**Proposed Lot 1 - Buildings H, J and K**

- a. Reduction in the required landscaped setback for the interior side yard setback from 30 feet to approximately 6 feet on the east side of the lots between the buildings .
- b. Reduction of the required 10' landscaped buffer from 10 feet to approximately 4 feet along the west property line.
- c. Reduction of the required perimeter landscaping from 7 feet to approximately 1 foot along the south property line.

**Proposed Lot 2 - Building A and parking lot for the grocery store**

- a. Modifying the rear yard buffer from 10 feet to the varying dimensions as shown on the east property line.
- b. Reducing the perimeter landscaping requirement around the parking lot to the varying dimensions shown on the proposed site plan.
- c. Reduction in the required 1st floor glass requirement from 40% to approximately 28% on the 600 North building elevation.

**Proposed Lot 3 - Grocery Store / Retail Space**

No modifications are required.

**Proposed Lot 4 - Building D**

- a. Reducing the required setback for a parking structure in a corner side yard from 45 feet to approximately 20 feet.
- b. Reducing the 20% open space requirement to approximately 17%.

**Proposed Lot 5 - Townhouses (7 Units)**

1. Reducing the required rear yard setback from 30 feet to approximately 22 feet.
2. Reducing the required 10' yard buffer on the east property line to 0'.
3. Reducing the required 40% 1st floor glass requirement to approximately 23%.

**Proposed Lot 6 - Townhouses (4 Units)**

1. Increasing the maximum front yard setback from 15 feet to approximately 19 feet.
2. Reducing the required rear yard setback from 30 feet to approximately 12 feet.
3. Reducing the required 10' yard buffer on the east property line to 0'.
4. Reducing the required 40% 1st floor glass requirement to approximately 5%.

5. Waiver of the lot frontage on a public street requirement (Section 21A.36.010C. Frontage of Lot On Public Street).
2. Conditional use approval of the proposed off-site parking and office space.
3. Deferral of the architectural review of buildings on the east side of 300 West Street to the Salt Lake City Historic Landmarks Commission.
4. All outdoor lighting should be directed downward and designed to not adversely affect any adjoining property.
5. Limiting the delivery hours of all commercial businesses from 8:00 a.m. to 5:00 p.m., limiting the grocery store hours from 8:00 a.m. to 8:00 p.m. and allowing the restaurants and coffee shop will be open until midnight or as approved by the Planning Director.
6. The proposed development must meet all applicable City, County, State and Federal requirements.
7. Providing significant landscaping including trees along in the 15' 0' wide area on east side of building A where it abuts the SR-1 zoned property as approved by the Planning Director.
8. Park strip landscaping as required by the Zoning Ordinance should be installed instead of 100% pavers as shown on the site plan.
9. Any encroachments into the public way will need to be approved by the Salt Lake City Property Management Division.
10. Conditional use approval of the 2nd floor office space on the north building on Lot 1.
11. Providing a screening fence along the property zoned SR-1 as approved by the Planning Director.
12. Approval of the tree selection and planting plans in the public way by the City Urban Forester.
13. Planning Director approval of the final landscaping plans and number of parking spaces.
14. Approval of the proposed rezoning and master plan amendment (Petition 400-05-40).

**B. Preliminary Condominium approval of Building D on lot 2 and the townhouses on lots 5 and 6 subject to:**

1. Recordation of the necessary condominium plats and supporting documentation.
2. Meeting all applicable City departmental and State Code requirements specific to condominium approval.

**C. Preliminary Subdivision approval of the proposed six-lot minor subdivision as modified by the Planning Commission subject to:**

1. Recordation of a final subdivision plat including necessary cross access easements and utility easement dedications.
2. Meeting all City departmental requirements including resolving any sewer, water and storm drainage issues with the Public Utilities Department.

3. Implementation of an Owners Association that addresses the maintenance of driveways, sidewalks, entry features, utilities etc.

Ray McCandless  
Principal Planner

Sarah Carroll  
Principal Planner

Attachments:

- Attachment 1: Application Forms
- Attachment 2: Site Plans
- Attachment 3: Community Council Letters
- Attachment 4: Comments Received From Departments / Divisions
- Attachment 5: Preliminary Condominium Plat Drawings
- Attachment 6: Preliminary Subdivision Plat Drawings

**ATTACHMENT 1  
APPLICATION FORMS**

ATTACHMENT 2  
SITE PLANS



ATTACHMENT 3  
COMMUNITY COUNCIL LETTERS

ATTACHMENT 4  
COMMENTS RECEIVED FROM CITY DEPARTMENTS/DIVISIONS

ATTACHMENT 5  
PRELIMINARY CONDOMINIUM PLAT DRAWINGS

ATTACHMENT 6  
PRELIMINARY SUBDIVISION PLAT DRAWINGS