

DATE: August 9, 2006
TO: Salt Lake City Planning Commission
FROM: Lex Traugher - Principal Planner
RE: **STAFF REPORT FOR THE AUGUST 9, 2006 MEETING**

CASE#: 410-06-17
APPLICANT: Catholic Community Services of Utah
STATUS OF APPLICANT: Property owner
PROJECT LOCATION: 745 East 300 South



PROJECT/PROPERTY SIZE: 1.28 acres

COUNCIL DISTRICT: District 4,
Councilmember Nancy Saxton

REQUESTED ACTION: Conditional Use for a large residential substance abuse treatment home in a RMF-45 (Moderate/High Density Multi-Family Residential) District.

PROPOSED USE(S): Large residential substance abuse treatment home

APPLICABLE LAND USE REGULATIONS:

- Conditional Use Section 21.54.080
- RMF-45 Zoning District
- Section 21A.36.100 – Residential Substance Abuse Treatment Homes

SURROUNDING ZONING DISTRICTS:

North – RMF- 45 (Moderate/High Density Multi-Family Residential District)
South – RMF-35 (Moderate Density Multi-Family Residential District)
East – RMF- 45 (Moderate/High Density Multi-Family Residential District) & RMF-35 (Moderate Density Multi-Family Residential District)
West – RMF- 45 (Moderate/High Density Multi-Family Residential District)

SURROUNDING LAND USES:

North – Multi-family Residential & Commercial (Reception Center)
South – Multi-family Residential
West – Multi-Family Residential
East – Multi & Single Family Residential

MASTER PLAN SPECIFICATIONS:
This proposal is subject to the Central Community Master Plan.

SUBJECT PROPERTY HISTORY:
According to the applicant, the existing building at the site has been used for medical offices.

ACCESS:

The subject property has direct access from 300 South.

PROJECT DESCRIPTION:

Catholic Community Services of Utah, represented by Maggie St. Claire, Executive Director, proposes to operate a large residential substance abuse treatment home on the subject property, along with offices for group and individual therapy, case management, and administrative functions. The existing building on the property will be renovated to accommodate thirty women/children treatment beds and forty men's treatment beds, along with the aforementioned office spaces.

The applicant indicates that there are no plans at this time to alter the masonry exterior of the building, however significant landscaping is proposed to create gardens and playground areas. There is currently a two level parking garage on the east side of the site containing fifty-four parking stalls and a surface parking lot on the west side that contains twelve stalls. Approximately thirty-five employees will be on-site during normal business hours, 8:30 a.m. to 5:00 p.m., Monday through Friday.

In addition, Catholic Community Services of Utah provides services for refugee resettlement and immigration. The applicant has indicated that most of the case management for refugee resettlement is done in the field; helping refugees adapt to their new environment. The number of people coming to Catholic Community Services of Utah's offices for refugee resettlement and immigration services is small—less than 20 a day. For the purposes of the analysis of this proposed Conditional Use, the Salt Lake City Zoning Administrator has made the interpretation that the refugee resettlement and immigration aspect of the proposal is an ancillary use to the residential substance abuse treatment home, and will be conducted in office space associated with the primary use. In short, the analysis in this staff report focuses on the large residential substance abuse treatment home which includes the refugee services proposed.

COMMENTS:

The comments received from pertinent City Departments/Divisions and the Community Council are attached to this staff report for review. The following is a summary of the comments/concerns received:

A. Public Utilities

Comments dated May 16, 2006:

Public Utilities has no objection to the proposed change of use.

However, there may need to be some additional site modifications not mentioned in proposal. Depending on the level of food service and laundry associated with the new use a grease interceptor may be required. There may need to be some drainage improvements as the parking areas are modified.

There may also be additional sewer connection fees if the interior plumbing is changed. Public Utilities will require plans for review as the project progresses and will work with the owner on these and other issues that may arise.

Comments dated May 25, 2006:

SLC Public Utilities has no objection to the proposed change of use, but offer the following comments to the developer / owner:

The Jordan Salt Lake Canal runs through this property. Only surface treatments such as landscaping and pavement are allowed in the easement or over the conduit. Structures will not be allowed. The existing conduit is constructed as a brick arch and is over 100 years old. It is generally in very good condition but is brittle. The contractor working near this conduit must protect the pipe and be aware of it's location. At a minimum, no vibratory equipment should be used near the conduit.

The fire department may require additional fire protection for this type of use. This property is near the top of a pressure zone, which means that the pressure is not as high as some areas, but it is still well within the acceptable range (approximately 70 psi). A fire flow test will need to be conducted to know what the fire flow in the area actually is.

If there is a commercial type kitchen or laundry in the facility a grease interceptor may be required.

B. Engineering

Catholic Services of Utah is requesting ADA access off the sidewalks within the public way, as well as additional parking totaling 12 new stalls. The ADA access will require a public way permit, and the permit will cost \$80.00. Although the ADA access on the east side ends on private property and therefore is not in Engineering's jurisdiction, this access should continue to an entry of the building and not into the parking lot as shown on the plan.

C. Building Services and Licensing

Did not provide specific comments other than a summary of comments noted from other Departments/Divisions as outlined in this section.

D. Transportation

The proposal was reviewed as a preliminary proposal at the April 20, 2006, DRT review meeting. No changes were presented to the public way transportation corridor, and the parking was to be reduced for a less intense use.

The Plan submitted is in keeping with the proposed concept. Final approval will be subject to full civil drawings meeting city standard for parking, delivery services, and pedestrian access in compliance to ADA regulation, etc.

E. Fire

The change of use from a Clinic (B occupancy group) to a residential and out-patient drug and alcohol treatment center (I-1 occupancy group) necessitates the installation of an automatic fire sprinkler and fire alarm system, if not already in existence. If an automatic fire sprinkler and fire alarm systems exist in the building, these systems will need to be evaluated for code compliance.

F. Police

Received no comments.

G. Business Licensing

Indicated that they had no record of another treatment facility of this nature within 800 feet of the subject property.

H. East Central Community Council

The applicant indicated that they had met with the East Central Community Council on at least two separate occasions. The applicant indicated that the East Central Community Council supports the proposal. Planning Staff received no written or verbal comments from the East Central Community Council other than those relayed by the applicant.

I. Central City Community Council

Planning Staff notified the Central City Community Council of the proposed development. The subject property is located within 600 feet of the boundaries of the Central City Community Council, however is technically located within the boundaries of the East Central Community Council . Planning Staff indicated that if the Central City Community Council wanted to meet with the applicant a meeting could be arranged. Planning Staff had no response from this Council concerning the proposal.

ANALYSIS AND FINDINGS:

In reviewing this proposed development, the Planning Commission must make findings with respect to conditional use standards.

21.54.080 Standards for Conditional Uses

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

Finding: Large residential substance abuse treatment homes are specifically listed in the Zoning Ordinance as requiring conditional use approval in the RMF-45 Zone. The Planning Commission has the decision making authority to approve a large residential substance abuse treatment home as a conditional use in the RMF-45 Zone.

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: The subject property and surrounding area is designated in the Central Community Master Plan as “Medium-High Density Residential.” The RMF-45 Zone is consistent with this Master Plan land use designation, and as noted, large residential substance abuse treatment homes can be allowed as a conditional use in this Zone.

While the Central Community Master Plan does not specifically address residential substance abuse treatment facilities, non-conforming medical clinics were specifically discussed in the plan under the section titled, Community Input on Residential Land Uses. Language in this Section provides support for the elimination of a non-conforming use (the medical offices). This Section reads, *“Non-conforming land use is any building or land legally occupied by a use prior to revision to the zoning ordinance that does not conform to the revised ordinance. For example, many small neighborhood businesses were made non-conforming when the zoning was established in 1927. More recently, several medical clinics became non-conforming as a result of zoning changes. The reduced opportunity for residential use, safety issues related to large continuous blocks of non-conforming uses, and the accompanying parking and traffic problems are concerns related to non-conforming land uses.”*

The now defunct medical clinic is being redeveloped into a type of residential use that is allowed in the RMF-45 Zone. According to the above referenced language in the Central Community Master Plan, it appears that the proposed residential use is preferable to the prior medical office use, and is considered to be a less intense use based on a decreased amount of required off-street parking.

Section 21A.36.100 of the Salt Lake City Code addresses Residential Substance Abuse Treatment Homes and states, *“The purpose of this Section is to permit the establishment of residential substance abuse treatment homes for the addicted subject to licensing procedures and, where appropriate, conditional use standards.”* Subsection 21A.36.100B addresses licensing and states, *“No transitional treatment home for the disabled shall be established, operated or maintained within the City without a valid license issued by the Utah State Division of Licensing, Department of Human Resources, and without a valid business license issued by the Salt Lake City Business Licensing Office.”*

Planning Staff contacted the Utah State Division of Licensing, Department of Human Resources, by telephone on July 28, 2006. Catholic Community Services of Utah holds licenses for their current operations located at 250 East 300 South. The Utah State Division of Licensing indicated that Catholic Community Services of Utah would need to obtain new licenses for the operation located at 745 East 300 South. They indicated that Catholic Community Services of Utah would

need to show that they have Salt Lake City approval for their operation at the subject address prior to obtaining new State licenses. In terms of a Salt Lake City Business License, 501c3 (non-profit) organizations, such as Catholic Community Services of Utah, are exempt from City licensing requirements.

Section 21A.36.100E1 addresses spacing requirements and reads, “*No large residential substance abuse treatment home shall be located within eight hundred feet (800’) of another residential substance abuse treatment home, transitional victim home, transitional treatment home or halfway home.*” According to the most accurate information that the Planning Division has available or has been able to obtain, the closest facility identified in this Code Section to the Catholic Community Services of Utah’s proposed location is Odyssey House located at 607 East 200 South. The Odyssey House parcel is in excess of 1,000 feet from the subject parcel (as the crow flies) and is in excess of 1,700 feet walking from one property to the other along the street. Catholic Community Services of Utah’s proposed location for the large substance abuse treatment home meets this section of Code.

Finding: The proposal is in harmony with the general purposes and intent of this title and is compatible with and implements community issues identified in the Central Community Master Plan.

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: Because the building on the subject property is existing and no new or expanded physical redevelopment is proposed at this time, it is unlikely that the proposed large residential substance abuse treatment home will result in significant levels of increased traffic. The Transportation Department noted that the proposed development would have less of an impact in terms of traffic than a medical office building, and therefore less of an impact on the existing street and access infrastructure. Further, the parking requirement for a residential treatment facility is less than that of a medical office building.

Planning Staff notes that the subject property is also located within close proximity to two Trax stations located on 400 South. Trolley Trax Station is located at 625 East 400 South and the 900 East Trax Station is located at 875 East 400 South.

Finding: The streets and other means of access, specifically Trax, are suitable and adequate to serve the proposed large residential substance abuse treatment home and will not materially degrade the service level on the adjacent streets.

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

Discussion: The applicant is not proposing any physical redevelopment of the structure on the property at this time. The Transportation Division did not have any concerns with the proposal or require any changes to the existing parking lot layout or access to 300 South.

Table 21A.44.060F – Schedule of Minimum Off-Street Parking Requirements, indicates the number of required parking spaces for a transitional treatment home/halfway house. One parking space for each four residents and one parking space for every 2 support staff present during the most busy shift is the criteria by which the parking requirement for the proposed use is evaluated.

The applicant has indicated that a maximum of seventy residents would occupy the facility at any given time, and has indicated that thirty-five support staff would be on site during the most busy shift. Therefore, the number of required parking stalls is illustrated in the following table:

Number of Residents or Staff	Required Parking Ratio	Parking Spaces Required
70 Residents	1 space per 4 residents	18
35 Staff	1 space per 2 staff	18
Total Spaces Required		36
Total Spaces Provided		66

The applicant proposes sixty-six parking stalls which exceeds the thirty-six required by Code.

Finding: The internal circulation system will not change at this time. The Transportation Division did not require any changes to the on-site circulation pattern or parking lot, therefore the design is satisfactory. The number of parking stalls provided for the use exceeds the number required per Code.

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: Salt Lake City Public Utilities had no issues with the change in use as noted in their comments above. They did note that there may need to be some additional site modifications depending on the level of food service and laundry associated with the new use. There may also need to be some drainage improvements as the parking areas are modified, and additional sewer connection

fees if the interior plumbing is changed. Public Utilities also noted that the Fire Department may require additional fire protection for this type of use, and that a fire flow test will need to be conducted.

Finding: The Salt Lake Public Utilities Department is supportive of the change in use subject to meeting any necessary site improvements as noted in their above referenced comments.

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

Discussion: The adjacent land uses are generally multi-family residential development. The subject site is already developed and has mature vegetation that acts as a buffer to surrounding land uses. In addition, the applicant is proposing addition landscaped areas, particularly to the northern boundary of the subject parcel.

Finding: The subject property is adequately landscaped, and the additional landscaping proposed will further serve to mitigate light, noise, and visual impacts

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

Discussion: No physical redevelopment of the existing building is proposed at this time.

Finding: Existing architecture and building materials are compatible with the adjacent neighborhood.

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

Discussion: Mature landscaping exists on the site and according to the site plan is to remain. As noted previously, the landscaping on site will be augmented to include garden and playground areas on the northern end of the subject property.

Finding: Landscaping is existing and appropriate for the scale of the development.

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

Finding: There are no architectural or environmental resources on the site. The site is not in a designated Salt Lake City Historic District and the building is not designated as an individually listed landmark site.

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

Discussion: The operating hours for the large residential substance abuse treatment home will be typical of a residential use, that is to say 24 hours a day, seven days a week. The office spaces will be in use during normal business hours, typically 8:30 a.m. to 5:00 p.m., Monday through Friday.

Finding: The operating hours of the primary residential use of the proposed project are compatible with the residential uses on adjacent properties.

K. 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.

Discussion: The large residential substance abuse treatment home is a conditional use in the RMF-45 zone. This proposed use would replace a now defunct medical office building that would not currently be allowed in this Zone. The operation of the medical office building in the RMF-45 zone was a non-conforming use. In general, the proposed large residential substance abuse treatment home will have less of an impact than the medical office building. This assumption is supported by the decreased parking requirement for the proposed use. The large residential substance abuse treatment home is in fact a “residential” use in a residentially zoned area that is predominantly residential by nature, and therefore is compatible with the surrounding land uses. The administrative offices and counseling offices that are proposed are an ancillary use.

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.

Finding: The proposed development must comply with all other applicable codes and ordinances prior to the issuance of any required City permits.

RECOMMENDATION:

Based on the comments, analysis, and findings of fact noted in this report, the Planning Staff recommends that the Planning Commission approve the requested conditional use subject to compliance with City Department/Division comments as noted in this report.

Attachments:

Exhibit 1 - Site plans