

**DATE:** June 8, 2006  
**TO:** Salt Lake City Planning Commission  
**FROM:** Everett L. Joyce, AICP  
**RE: STAFF REPORT FOR THE JUNE 14, 2006 PLANNING COMMISSION MEETING**

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**CASE #:** 400-06-06 Master Plan and Zoning Amendment  
**APPLICANT:** 639 W North Temple LLC  
**PROJECT LOCATION:** 644 W North Temple Street  
**PROJECT/PROPERTY SIZE:** acres  
**COUNCIL DISTRICT:** District 3, Councilmember Jergensen  
**REQUESTED ACTION:** Amend the Capitol Hill Community Master Plan Future Land Use Map from Low Density Residential and Commercial to Medium Density Residential land use and rezone the subject property RMF-45.



*Vicinity Map*

**PROPOSED USE(S):** Development of a 74 unit residential condominium project.

**SURROUNDING ZONING DISTRICTS:**

**North** SR-1 Single Family / Duplex  
**South** GMU Gateway Mixed Use  
**East** SR-1 Single Family / Duplex  
**West** SR-1 west of I-15

**SURROUNDING LAND USES:**

**North** Single family, duplex, 3-4 unit apartments  
**South** High density apartments  
**West** Interstate 15 and low density residential  
**East** Single family, duplex, apartment and commercial

**APPLICABLE LAND USE REGULATIONS:**

21A.50.050 Standards for general amendments.  
Utah Code 10-9a-404 General Plan amendment

**MASTER PLAN SPECIFICATIONS:**

The Capitol Hill Community Master Plan designates the subject property for low density residential and commercial land uses.

**ACCESS:**

The subject parcel fronts on North Temple Street.

**PROJECT DISCRPTION:**

Applicant is requesting master plan amendment and zoning classification amendment to accommodate the development of a condominium project with three stories of dwelling units on top of one level of parking on a vacant parcel.

**COMMENTS, ANALYSIS AND FINDINGS:**

**COMMENTS**

**City Department Comments.**

**Transportation** - The Transportation Division reviewed the petition proposal and recommended approval based on the following. North Temple is an arterial roadway and needs to be reviewed for access approvals by the Utah Department of Transportation.

We require that the existing public way be reviewed for improvements upgrades as required per engineering, along with street lighting upgrades per the City’s lighting master plan.

The site development requires standard plan review per city compliance. The plan submitted indicates 120 stalls required and notes 138 provided, but the parking layout only shows 136 stalls. One of the (5) ADA stalls needs to be revised for van accessible use which will reduce the number to 135 stalls. The gated entry needs to indicate a 17.5 foot setback from the back of walk for vehicle staging not to impact the pedestrian sidewalk. Final approvals are subject to full plan set reviews.

**Public Utilities** - The Public Utilities Department reviewed the proposed request for zoning and plan amendment and provided the following comments related to the construction of the proposed residential development. The Department’s detailed responses are located in Exhibit 3 Department Comments.

- All design and construction must conform to State, County, City and Public Utilities standards and ordinances.
- Use of the existing sewer laterals and water services are subject to the condition and capacity of each.
- A Master Grading and Drainage Plan must be submitted for this development. The development will be required to provide on-site detention of the storm water.
- High groundwater is typical in this area. If below grade buildings or structures are proposed, a stamped geotechnical report identifying the highest expected groundwater must be submitted to Public Utilities for review and approval.

**Fire Department** – The Fire Department has no objection to the zoning change request. Site plan approval for development (fire hydrant number and location, fire access roads) will require review and approval by the Fire Department prior to building permit issuance. The footprint of the building and access as shown on the preliminary drawing shows inadequate access for fire apparatus.

**Police Department** – The Police Department identified that this property has been an area of concern for residents for many years now. This project would be a positive addition to the neighborhood and a good use of that space. However, steps should be taken to implement as many “crime prevention” strategies as possible. Police services have already increased to that area due to another multi-unit project.

**Building and Permits Department** – The Permits Department had the following comments regarding the petition request. The RMF-45 zone requires 10 feet of landscaped buffer along single or two family districts that abut the property. This property abuts an SR-1 zone to the north and east, therefore the project will need to provide the landscape buffer. The submitted site plan shows a 10' setback and some trees but does not well define the buffer area or the plantings. Also, it appears that some playground equipment may encroach into the buffer area.

**Engineering Department** – The key Salt Lake City Engineering Department review comments are summarized below, the full detailed comments are shown in Exhibit 3 Department Comments.

- Salt Lake City Engineering has no objection to the proposed rezone.
- Curb, gutter and sidewalk exist in North Temple along the frontage of the proposed development. Since North Temple is a State road, UDOT controls the access onto it. The applicant must obtain approval from UDOT for the proposed drive approach.
- A certified address is required prior to applying for a building permit.

### **Community Council Comments**

The proposed development was presented to the Fairpark Community Council on March 23 and April 27 of 2006.

Issues raised related to the impact on traffic on North Temple Street and impacts on adjacent properties. The applicant addressed the traffic impact issues related to traffic being able to transition onto the property without creating conflicts with North Temple traffic movement. The applicant modified the site plan showing a visitor parking lot at the front portion of the parcel and has located the vehicle access gate to the remainder of the property well back from the North Temple Street front. Another concern was the impact on adjacent properties if the zoning is changed to allow 45 foot high buildings adjacent to single family residential uses.

After discussion of the issues, the Community Council voted not to support the requested zoning change 11-7 for the proposed condominium project. Those in favor of the plan saw an upscale economic boost to the area, while those opposed, felt it was too dense of a population for the lot size, did not like having such a tall building go in right next to them and worried about who it might bring into the neighborhood. It was recommended by adjacent residents that higher density should be placed on the commercial zoned portion of the property and lower density on the SR-3 back portion of the parcel.

**Other Public Comments** - The Planning Division received comments on the proposed rezoning amendment petition. These responses are in opposition to the proposal and are included in Exhibit 5 – Other Public Comments.

## ANALYSIS AND FINDINGS

### ZONING AMENDMENT

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#### Section 21A.50.050 Standards for General Amendments.

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

**Discussion:** The Capitol Hill Master Plan’s Future Land Use Map designates the subject property for commercial and low density residential land use. The site is located in the Guadalupe Neighborhood.

The Capitol Hill Community Master Plan states that over the past several decades, Guadalupe has become less desirable as a low density residential neighborhood due to a high concentration of rental units and neglected properties in combination with, and partially due to, the isolation and noise impacts associated with the transportation corridors which surround it.

Several adjacent policy plans and actions affect the surrounding neighborhood and have potential impact on the subject parcel. Particular policy issues related to North Temple Street and adjacent areas are identified below:

- The Salt Lake City Transportation Master Plan identifies North Temple Street as a major arterial (State roadway) and future transit corridor.
- The Gateway Mater Plan has identified commercial and residential land uses along the south side of North Temple Street between Interstate -15 and 300 West Street.
- The Northwest Community Master Plan identifies as an implementation strategy to develop a plan for the North Temple Street corridor.
- The Salt Lake City Community Housing Plan goal 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. The Salt Lake City Housing Plan further identifies City Council policy statements supporting transit oriented development and design through the provision of:
  - i. Housing densities and mixed uses that support the use of alternative and public transportation, depending on the characteristics of each area.
  - ii. Appropriate housing densities in areas where public transit and local services are conveniently available or can be provided and area accessible on foot.
  - iii. Reinvestment in existing urban and inner suburban areas.

During the development of the Capitol Hill Community Master Plan the property was used as a staging area for the reconstruction of Interstate 15. The Utah Department of Transportation acquired the property for interstate widening purposes. It was unknown at

that time how much of the property would be used for freeway purposes. The use of the property before it was acquired by UDOT was for commercial use, a motel. The Future Land Use Plan for the area depicted transportation land use, commercial land use along the North Temple Street frontage and interior block residential land use.

**Findings:** Although the proposed amendment is not consistent with the future land use map and amendment to the Capitol Hill Community Master Plan to a medium density land use designation would be required. The proposed amendment supports the provision of housing opportunity that is consistent with policies of the Salt Lake City Transportation Master Plan and the Salt Lake City Community Housing Plan with respect to the North Temple transit corridor.

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

**Discussion:** Previous use of the property was for commercial use. A motel occupied the site until the property was acquired for reconstruction of Interstate 15. The subject parcel is the remainder of the original parcel acquired by Utah Department of Transportation.

The overall character of the area contains a variety of land uses ranging from single family residential uses to commercial land uses. Immediately east of the subject parcel are commercial uses on the North Temple Street frontage and low density residential uses to the east. Single family and duplex residential uses are located to the north. The development character south of the subject property is high density residential and a mix of nonresidential uses. West of Interstate 15 the street front uses on North Temple are commercial uses.

A policy of the master plan for infill development within the Guadalupe Neighborhood is to require that new development be compatible in scale, design, site configuration and character within the historical development patterns present in Guadalupe, to strengthen the stability of the neighborhood.

**Findings:** With appropriate setbacks the proposed development will be compatible in scale and character of the neighborhood. The proposed development plan is harmonious with the overall character of existing development. The proposed amendment is harmonious with the land use character desired along a major arterial and transit corridor.

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

**Discussion:** Adjacent low density residential properties are impacted by structures with additional building height. The existing zoning has a 30 foot building height while the requested zoning allows a 45 foot building height. Impacts from additional building height can also be affected by setback standards. The SR-3 Zoning District allows a 4-foot interior side yard and the RMF-45 allows an 8-foot interior side yard. The rear yard

setback requirement is the same for both zoning district. The rear yard setback for the property would be 30 foot.

It is recommended by the staff, that the preliminary condominium approval of the proposed development be reviewed by the Planning Commission with specific consideration of adequate building setbacks from adjacent low density properties and development.

**Findings:** With appropriate design and site configuration of development on the subject property to meet RMF-45 landscape buffer requirements and setback standards, the proposed amendment will not adversely affect adjacent properties.

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

**Discussion:** The subject property is not within any overlay district boundaries.

**Findings:** This standard does not apply to the subject site.

**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:** Applicable City Departments were requested to review and comment on the proposed amendments and identify whether existing facilities and services are adequate to accommodate the development associated with the proposed amendments.

The Public Utilities Department stated that a high groundwater is typical in this area. If below grade buildings or structures are proposed, a stamped geotechnical report identifying the highest expected groundwater must be submitted to Public Utilities for review and approval.

The Police Department identified that this property has been an area of concern for residents for many years now. This project would be a positive addition to the neighborhood and a good use of that space. However, steps should be taken to implement as many “crime prevention” strategies in the design of the structure and site configuration as possible to minimize potential needs for increased Police Services.

The Transportation Division reviewed the traffic data identifying additional trips generated and that the property has direct access to an arterial street. The Division recommended approval.

**Findings:** The public facility services and utilities are in place to serve the subject parcel. If specific development demands exceed service capacity, then the developer would be

required to make system improvements as part of obtaining a building permit. The adjacent arterial streets can absorb the traffic generated by the proposed uses.

## **MASTER PLAN AMENDMENT**

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**Discussion:** The Capitol Hill Community Master Plan Future Land Use map designates the property for commercial and low density residential uses. Land use designations in master plans identify the City's policy for future land uses. To accommodate the proposed development requires amending the Capitol Hill Community Master Plan land use designation for the subject property for medium density residential land uses.

The Salt Lake City Transportation Master Plan identifies North Temple Street as a major arterial (State roadway) and future transit corridor. The Salt Lake City Community Housing Plan goal 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. The Salt Lake City Housing Plan further identifies City Council policy statements supporting transit oriented development and design through the provision of housing densities and mixed uses that support the use of alternative and public transportation, depending on the characteristics of each area.

In the mid 1990's a concerted effort was made by the City to ensure that new multifamily development be located on major arterials on the edges of neighborhoods rather than within low density neighborhoods. In addition, light rail is slated to be developed along North Temple Street. Therefore, development of this property, which was once commercial development as medium high density residential land use is appropriate.

**Findings:** Amendment of the Capitol Hill Master Plan Future Land Use map for the subject property supports the Salt Lake City Transportation Master Plan by providing for the accommodation of higher residential density along the North Temple transit corridor and supports the Salt Lake City Community Housing Plan policy regarding transit oriented development.

Amendment of the Capitol Hill Community Master Plan Future Land Use Map from commercial and low density residential to medium density residential does not detract from the desirability of maintaining the Guadalupe neighborhood as a low density residential community.

**Notice Requirement.** A notice for the Master Plan amendment was published in the Salt Lake City Tribune and Deseret News on May 31, 2006 meeting State Law requirements for Master Plan amendments.



**RECOMMENDATION:**

Based on the findings of fact, staff recommends that the Planning Commission forward a recommendation to the City Council to approve the request of Petition 400-06-06, to amend the Capitol Hill Community Master Plan Future Land Use Map for medium density residential land uses and rezone the property from CC and SR-3 to an RMF-45 zoning classification

- Exhibits**
- Exhibit 1: Site Plan
  - Exhibit 2: Elevations
  - Exhibit 3: Department Comments
  - Exhibit 4: Community Council Comments
  - Exhibit 5: Other Public Comments