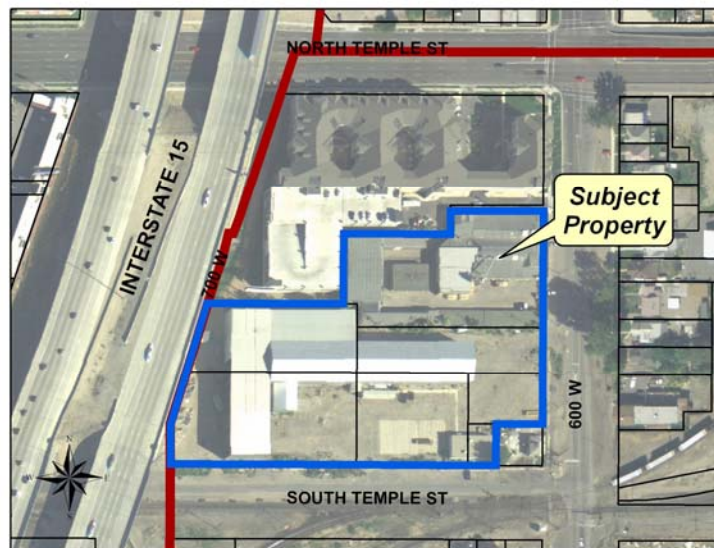


DATE: September 20, 2006
TO: Salt Lake City Planning Commission
FROM: Janice Lew, Principal Planner
RE: STAFF REPORT FOR THE SEPTEMBER 27, 2006 MEETING

CASE NUMBER: Petition 410-06-16
APPLICANT/STATUS: City Front Partners II LLC, Developer
REQUESTED ACTION: **The applicant is requesting planned development approval for a 295 unit residential project located at approximately 660 W. South Temple Street, in a G-MU, Gateway Mixed Use Zoning District. The Planning Commission has final decision authority with respect to Planned Development/Conditional Use requests.**
PROJECT LOCATION: 660 W. South Temple Street



PROJECT/PROPERTY SIZE: 5.23 Acres
COUNCIL DISTRICT: District 3, Council Member Eric Jergensen

SURROUNDING ZONING DISTRICTS:

North – Gateway Mixed Use (G-MU)
South – Gateway Mixed Use (G-MU)
East – Gateway Mixed Use (G-MU)
West – General Commercial (CG)

SURROUNDING LAND USES:

North – Mixed use
South – Mixed use
East – Residential and Commercial
West – Interstate 15

PROPOSED USE(S):

The applicant intends to build a multi-unit residential development (295 units) on the subject property.

APPLICABLE LAND USE REGULATIONS:

The proposed conditional use is subject to Utah Code Annotated (10-9a-507). The proposed planned development is subject to Salt Lake City Code, Section 21.54.080 – Conditional Use and Section 21.54.150 – Planned Development.

MASTER PLAN SPECIFICATIONS:

The adopted land use policy documents that guide new development in this area are the Salt Lake City Housing Plan (1999), Downtown Master Plan (1995), Gateway Master Plan (1998), Transportation Master Plan (1996). A description of the pertinent information in these documents is provided on page 6 under the **Analysis and Findings** section of this staff report.

ACCESS:

The proposed development fronts and is accessed from 600 West and South Temple Streets.

SUBJECT PROPERTY HISTORY:

The subject property is currently vacant. City Front I, a 155 unit residential/retail mixed-use project located north of the subject property at 641 West North Temple Street was reviewed and approved by the Planning Commission on December 14, 2000. The development was used for media housing during the Olympics. Following the Games, a portion of the units was rented as affordable housing. City Front I also includes 13,350 square feet of leasable retail space.

PROJECT DESCRIPTION:

The applicant intends to build a multi-unit residential development on the subject property. The proposed project will include a total of 295 dwelling units configured in one, two and three bedroom units. The number and type of unit and the range in size is shown below:

Number of Units	Number of Bedrooms	Size
128	1 bedroom	614 square feet
99	2 bedrooms	642 square feet
68	3 bedrooms	1,182 square feet

A total of 332 on-site parking stalls will be part of this project. Of these, 263 will be located behind the building in a connecting three-story above-ground parking structure that will function as part of the existing four-story parking structure circulation system. The remainder of the parking stalls will be located between two surface parking areas. Site amenities include a swimming pool and a “tot lot” playground, landscaping and fenced yard for ground floor units.

The City is working with UTA and Union Pacific to realign Grants Tower (Grants Tower was the name of a rail switching tower, but is now commonly used to describe the area of tracks near South Temple and 600 West Streets). As part of this process, the curves/turns in the rail lines will be “straightened” to allow additional train speed that would eliminate a bottleneck. This process will require a realignment of the intersection of South Temple and 600 West. The intersection will move slightly north.

The planned development application is the first step in the City’s review process. Should the applicants receive approval for this request, building permits would be required prior to construction. All lots comprising the development would then need to be consolidated into one lot before building permits could be issued. A future condominium plat is required to individually transfer ownership of the units and accommodate the shared circulation system.

COMMENTS, ANALYSIS AND FINDINGS:

1. COMMENTS

The comments received from pertinent City Departments/Divisions and the Community Council are attached to this staff report as Exhibit 1 and 2 respectively. DRT reviewed the application on February 9, 2006 and again on May 30, 2006. The following is a summary of the comments/recommendations received:

- a) **Division of Transportation:** The division of transportation review comments and recommendations are as follows:
 1. The proposed development fronts on 600 West a special local roadway and South Temple a local roadway classification combining with the Phase I development fronting on North Temple an arterial class roadway.
 2. Due to the proposed rail road track re-alignment the South Temple roadway and the 600 West intersection will need to be designed in coordination with that project. The 600 West frontage will be developed in alignment with the roadway to the north fronting Phase I. Coordinate public way design with Salt Lake City Engineering, John Naser and Street lighting design with Mike Barry.

3. Final design reviews will require full site plans to include parking calculations with ADA and Van stalls and 5% bike parking with details and locations. The parking structure will need to address height for ADA, 8'2" minimum, ramp slopes and parking grades. The fence & gate will require clear sight zones and setbacks (17.5'+) and fire review for circulation etc. and the pedestrian walk will need to be wide enough for vehicle over-hang impact (6'+) etc.
- b) Public Utilities Division:** Salt Lake City Public Utilities indicated that there are no public utility issues.
- c) City Engineering:** Engineering's review comments are as follows:
1. South Temple and 600 West are existing paved roads (no curb, gutter or sidewalk) along the frontage of the proposed project. The existing intersection of South Temple and 600 West will be relocated to the north of the existing intersection to accommodate the anticipated relocation of railroad tracks for UPRR and commuter rail in 2007. SLC Engineering has hired a consulting engineer to provide this design. A meeting was held May 30, 2006 with the developer in which this was discussed. Further coordination between the developer, his engineer and SLC Engineering is required in order to define the extent of the work required by this developer so that his engineer can complete the design of these streets.
 2. The developer must enter into a subdivision improvement construction agreement. This agreement requires the payment of a 5% stepped fee based on the estimated cost of constructing the street and common driveway improvements. A copy of the agreement is available in my office. The developer should contact Joel Harrison (535-6234) to discuss insurance requirements for the project.
 3. The developer will be responsible for providing plan and profile sheets of the improvements in South Temple and 600 West Streets along the project frontage. Improvement plans will be required for the common driveways within the project
 4. A pavement section design for the new streets must be submitted for approval. The minimum asphalt thickness is 5".
 5. The Division of Transportation must review and approve street geometrics, sidewalk locations and street lighting.
 6. The developer must enter into agreements required by the Public Utilities and pay the required fees.
- d) Fire Department:** The Department has no objections to the proposed construction of the above referenced petition. However, the proposed footprints of buildings A, B and C, shown on sheet PDP-001, does not meet the Code requirement for fire apparatus access as listed in Section 5 of the International Fire Code. Additional access roads and or fire protection features will be required. No parking will be allowed in any of the proposed internal access roads and "No Parking" signs shall be posted in accordance with IFC Appendix D.
- e) Building Services:** Building Services reviewed the proposed project as part of the Development Review Team (DRT) reviews. A list of their comments is attached to this staff report.

- f) **Planning Commission Subcommittee:** The Subcommittee met with the applicant on May 31, 2006 and August 2, 2006. Minutes of the meeting are attached to this staff report. The Subcommittee found that the applicant had addressed their concerns and recommended the project move forward to the full Commission at the last meeting.
- g) **Community Council:** The applicant presented the proposal to People's Freeway Community Council on May 24, 2006 and a letter dated August 25, 2006 indicates support for the request. The applicant presented the proposal to Fairpark Community Council on May 25, 2006. Minutes of the meeting are attached to this staff report. The Downtown Community Council Chair elected not to have the project presented to the group.

2. ANALYSIS AND FINDINGS

The Planning Commission must make a determination on whether or not the overall concept of the Planned Development project meets the criteria listed in the State Code as stated below.

Section 10-9a-507 of the Utah State Code relates to Conditional Uses and specifically states:

- (1) A land use ordinance may include conditional uses and provisions for conditional uses that require compliance with standards set forth in an applicable ordinance.
- (2) (a) A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.
- (b) If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

All new construction of principal buildings, uses, or additions that increase the floor area and/or parking requirements by twenty five percent (25%) in the G-MU District may be approved only as a planned development in conformance with the provisions of Section 21A.54.150 of the Salt Lake City Zoning Ordinance.

The planned development approval process of the Zoning Ordinance allows the Planning Commission to change, alter, modify or waive provisions of the Zoning Ordinance. The Zoning Ordinance lists several objectives that the City seeks to achieve through the flexibility of the planned development process. These objectives include:

- Creation of a more desirable environment than would be possible through strict application of other city land use regulations.
- Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.
- Inclusion of special development amenities.

The applicant is requesting that the Planning Commission modify several provisions of the Zoning Ordinance including:

1. Allowing multiple buildings with a shared common area on a single lot;
2. Allowing surface parking facilities within block corner areas;
3. Modifications to the exterior building material requirements;
4. Modifications to the landscape requirements.

The Planning Commission has final decision authority with respect to this request. In order to make its decision, the Commission must use the following standards.

21.54.080 Standards for Conditional Uses.

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

Discussion: All new development in the G-MU District is required to be reviewed through the planned development process identified in Section 21A.31.020C of the Zoning Ordinance.

Finding: The proposed development is one of the conditional uses specifically listed in the Zoning Ordinance.

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: Community master plans have been prepared to ensure compatible land uses and promote good development. A description of the pertinent policy documents is provided below.

Salt Lake City Housing Plan

The following City Council policies regarding housing are outlined in the plan and are relevant to the proposed development:

1. The City Council supports a citywide variety of residential housing units, including affordable housing and supports accommodating different types of developments and intensities of residential development.
2. The City Council encourages architectural designs compatible with neighborhoods that:
 - Make good use of and incorporate open space, even minimal amounts;
 - Interface well with public space;
 - Address parking needs in the least obtrusive manner possible; and
 - Are creative, aesthetically pleasing and provide attractive public spaces, such as designated common areas, community centers, childcare, resident gathering places, resident gardens, etc.

The request supports the *Salt Lake City Housing Plan* policies in that it provides a diverse housing stock, shared common area, and it addresses parking needs in a non-obtrusive manner by placing much of the required parking underground.

Salt Lake City Downtown Plan

The project supports the master plan objective to “establish Downtown as a well-developed, desirable and diverse activity center serving the needs of a sizable 24-hour population.”

Gateway Master Plan

The Downtown Plan generally defers to the Gateway Master Plan regarding land use in the area. The guiding principle presented by the Gateway Specific Plan (1998) is to “encourage a mix of uses with diversity in jobs, residents, and visitors that balances neighborhood needs, has a vital street life and character, and results in a thriving local economy.”

The Urban Design Element calls for the design of parking facilities, storage areas, and dumpsters that are located at the rear of the building, away from street frontage and pedestrian-oriented uses.

Transportation Master Plan

The Transportation Master Plan recognizes the benefits of locating high density housing along major transit systems. Higher density development accessible to transit stations provides greater opportunities for ridesharing which in turn implements one of the “Guiding Principles” of the plan to reduce dependency on the automobile as our primary mode of transportation.

Finding: The proposed development is compatible with and implements the planning goals and objectives of the City, including applicable City master plans. However, as a planned development, it seeks to modify certain provisions of the G-MU Zoning District.

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: The Division of Transportation did not identify any issues that the streets are not suitable or adequate to carry anticipated traffic as a result of the proposed development. The project has frontage on 600 West Street which is a special local roadway and South Temple Street has a local roadway classification. Due to the proposed railroad track realignment, the final site plan must reflect any property trades required to accommodate the project as approved by the Engineering Division.

Finding: Streets are adequate to carry the traffic demand created by the proposed expansion of the private club 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: A preliminary site plan has been reviewed by the Division of Transportation. The Division did not identify any issues that would jeopardize the development proposal in terms of design of the circulation system. The minimum off-street parking requirement for residential uses in G-MU Districts is not less than one space for each dwelling unit (Section 21A.44.040). There are a total of 332 on-site parking spaces which exceeds the required number of parking stalls (295) by 37 parking stalls.

As mentioned above, the proposed three-story above-ground parking structure will function as part of the existing four-story parking structure circulation system. Parking for City Front I residential users is located behind the building in a connecting four-story parking structure (211 stalls) that is accessed from 600 West Street. In the G-MU Zoning District, projects with ten or more residential units with a minimum of 20% affordable units are only required to provide 0.5 parking stalls per unit. There also are 20 parking stalls provided for the commercial space on the site. The number of parking spaces required for the project is 98 parking stalls. There are a total of 231 parking stalls, which exceeds the required number of parking stalls for this project by 133 stalls. In addition, the applicant anticipates losing a total of 6 stalls to the City Front II parking structure interface.

Finding: The proposed development shall be properly designed for internal circulation. Final plan approval should be delegated to the Planning Director after receiving input from the Division of Transportation.

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: Public Utilities reviewed the submitted preliminary site development drawings and met with the applicant on September 6, 2006 to review their comments. Notes from that meeting are attached to this staff report. Prior to building permit issuance, construction plans must be approved by Public Utilities and the construction plans must conform to the City's construction standards and policies.

Finding: The applicant must meet all Public Utility requirements prior to the issuance of a building permit. Existing and proposed utilities shall be adequate

for the proposed development and will not have an adverse impact on adjacent land uses or resources.

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

Discussion: There are no minimum yard requirements for buildings in the G-MU Zoning District. Surface parking should have a fifteen foot (15') landscape setback from the front property line. Interstate 15 is located immediately to the west and Union Pacific rail lines are located to the south of the site. Typical street lighting and public way landscaping will be installed along the South Temple and 600 West Streets. The preliminary site plans shows a landscaped buffer between the southeast off-street parking area which will provide a buffer between the parking area and the neighboring residential uses. All dumpsters and refuse collection are required to be appropriately located and screened.

The G-MU District has restrictions on parking lots and structures on a site. Section 21A.31.010H requires parking at block corners to be located behind principal buildings or to be set back at least seventy-five feet (75') from the front or corner side lot lines. The configuration of the lot and the re-alignment of Grants Tower make it difficult to accomplish this requirement. Thus, the applicant is requesting that the Planning Commission approve the location of the southeast parking area. Although the current configuration of the subject property does not include the corner parcel, future property trades may alter this situation. Because of the potential effects on the configuration of the property to accommodate the Grants Tower project, staff recommends that the Planning Commission approve this modification to the ordinance.

Finding: Appropriate measures have been taken to protect adjacent uses from light, noise and visual impact.

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

Discussion:

Architectural Character and Material – The Gateway District includes regulations addressing the architectural character and materials of buildings to help create a pedestrian-friendly atmosphere and to reflect the existing character of the district. South Temple and 600 West are at the northern edge of the district and much of the architectural character (older commercial buildings and warehouses) that this ordinance address does not exist in this area.

The elevations indicate that the primary facades will be faced in brick, ceramic tile and stucco. The base of the buildings is delineated by a special brick course. The upper portion of the buildings is distinguished by a change in materials. The roofs of these parts of the buildings will be pre-finished colored metal. Windows

in the brick parts of the wall will be recessed about three inches (3"). The portion of the buildings extending from the street into the interior of the property will be clad in stucco of three different colors that identify the base, middle and top of each building. The roofs of these portions of the buildings will be asphalt shingles. Window and door openings are trimmed with stucco "pop-outs".

Materials – The Gateway District requires that seventy percent of the exterior material of all new buildings be brick, masonry, textured or patterned concrete and/or cut stone unless through the conditional use process, the Planning Commission modifies this requirement. Additionally, all buildings over forty-five feet (45') in height shall be designed with a base that is different from the remainder of the building. The base shall be between one and three-stories in height, visible from the pedestrian way and appropriately scaled to the surrounding contiguous historic buildings. The applicant is requesting that the Planning Commission grant a modification to these requirements. Considering the location of this project at the northern edge of the Gateway District and that similar modification were approved for City Front I, Staff recommends that the modifications to the aforementioned materials requirements be approved.

Minimum First Floor Glass – The first floor elevation of all new buildings facing a street in the Gateway District are required to have a minimum of 40% glass surface on the front façade. This standard is very difficult to meet for buildings that accommodate purely residential uses and this project does not meet the standard.

Finding: The proposed modifications to the Zoning Ordinance are compatible with the general purposes, goal and objectives of the Zoning Ordinance and other adopted plans. The architecture and building materials of the proposal are consistent with the development and compatible with the adjacent neighborhood.

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

Discussion: The G-MU District has no minimum setback requirement, however, on front and corner side yards a minimum of twenty-five percent of the façade of a principal building is required to be setback no more than five feet from the property line. The southeast corner façade of the project is set back more than five feet from the existing property line. Based on the location of this site and the potential effects on the configuration of the property to accommodate the Grants Tower project, staff recommends that the Planning Commission approve this modification to the ordinance.

The Gateway Districts general provisions require that surface parking have a twenty foot (20') landscaped setback and meet interior parking lot landscaping requirements as outlined in Chapter 21A.48. However, no interior landscaping is shown on the preliminary drawings for the southwest parking area. Staff suggests

the applicant explore alternative designs that may reduce the number of parking stalls to increase the amount of landscaping since there is an excess of parking.

Additionally, freeway scenic landscape buffers are required along all federal interstate highways to enhance the visual appearance of Salt Lake City. Specific improvements are required to achieve a significant vegetative screen. Due to the drainage system in a detention area located to the west of the southwest parking area, the applicant has requested a relaxation of the specific planting requirements. The preliminary landscaped area was designed according to UDOT's request that no trees be planted in the area next to the freeway.

Finding: Landscaping is appropriate for the scale of this development and meets the intent of the requirements of the zoning district. Staff recommends final landscape plan approval be delegated to the Planning Director.

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

Discussion: The site is not located within a historic district and there are no significant architectural or environmental features on the property.

Finding: No unique historical, architectural or environmental features have been identified in association with this property.

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

Discussion: The proposed multi-family development is similar to neighboring land uses which are mostly residential.

Finding: Operating and delivery hours are compatible with adjacent land uses.

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: Abutting land uses include businesses and residential. The adjacent zoning is G-MU. The type of development proposed for the vacant parcel, multi-family residential, is comparable to the Zoning Ordinance designation and the proposed design of the project is compatible with other multi-family structures in the immediate vicinity.

Finding: The development will have a positive effect on the City by replacing existing vacant land with residential development. The proposed residential development is compatible with the surrounding neighborhood and will not have a material net cumulative adverse impact on the area or the City as a whole.

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

Discussion: Approval of the planned development request will be subject to meeting all applicable City departmental requirements. Except for the zoning ordinance modifications requested by the applicant, the proposed development will comply with all other applicable codes and ordinances.

Finding: The proposal will be required to meet all applicable City, County and State Codes and Ordinances that relate to the proposed use at the subject location.

21A.54.150 Purpose Statement for Planned Developments.

As stated in Section 21.54.150 of the Zoning Ordinance, a planned development is a distinct category of conditional use. Its intent is to encourage the efficient use of land and resources, while promoting greater efficiency in public and utility services and encouraging innovative planning and building of all types of development. The following purpose statements are listed in the ordinance for which the City seeks to achieve:

- 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.**
- 8. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.**

Discussion: Applying the planned development approach to the subject property will allow for a flexible site plan that encourages an integrated design concept. This project is being reviewed as a planned development because the applicant requested modifications as outlined on page 12 of this staff report and all new development requires planned development approval in the G-MU zoning districts.

Allowing the proposed modifications to the standards of the Zoning Ordinance will facilitate a more desirable site configuration. This design environment is conducive to an efficient use of the land with internal circulation connections, shared common area, and addresses parking needs in a non-obtrusive manner.

Finding: The proposed modifications to the standards of the Zoning Ordinance will provide for a more integrated residential project than generally possible through the strict application of the Zoning Ordinance. The proposed development will result in a better physical layout and consistent design concept within the proposed development. The proposed project complies with objectives 1, 2, 3, 6, 7 and 8 of Section 21A.54.150 noted above.

21A.54.150.E. Other Planned Development Standards.

- 1. Minimum Area. A planned development proposed for any parcel or tract of land under single ownership or control shall have a minimum net lot area for each zoning district.**

Finding: No minimum lot area is required for planned developments located in a G-MU District.

- 2. Density Limitations. Residential planned developments shall not exceed the density limitations of the zoning district where the planned development is proposed.**

Finding: This standard is not an issue for the proposed planned development as there are no density limitations for the G-MU District.

- 3. Consideration of Reduced Width Public Street Dedication. A residential planned development application may include a request to dedicate the street to Salt Lake City for perpetual use by the public.**

Finding: This standard is not an issue for the proposed planned development as the proposed residential planned development does not include a request to dedicate streets.

- 4. Perimeter Setback. The perimeter side yard and rear yard building setback shall be the greater of the required setbacks of the lot or adjoining lot unless modified by the planning commission.**

Finding: This standard is not an issue for the proposed planned development because there are no minimum setback requirements for the G-MU District.

- 5. Topographic Change. The planning commission may increase or decrease the side or rear yard setback where there is a topographic change between lots.**

Finding: This standard is not an issue for the proposed project as the submitted site plan shows no significant changes in topography between lots that would warrant an increase or decrease in a side or rear yard setback.

RECOMMENDATION:

Based upon the analysis and findings in this report, the Planning Staff recommends that the Planning Commission approve the proposed planned development, including the modifications of the zoning ordinance listed below:

1. Modifying the Gateway Districts restriction on parking lots located in block corner areas as proposed.
2. Modifying the Architectural Character and Materials standards as proposed.
3. Modifying the Minimum First Floor Glass requirements to allow the façade design as presented.
4. The Planning Commission allows multiple buildings with a shared common area on a single lot.
5. The Planning Commission allows modifications to the landscape requirements including:
 - Maximum Yard Requirements and
 - Freeway Scenic Landscape Buffers.

The planned development is subject to:

1. Compliance with departmental comments as outlined in this staff report.
2. Final site plan approval including parking calculations and dumpster locations by the Planning Director or designee.
3. Final landscape plan approval including interior parking lot landscaping by the Planning Director or designee.
4. Final architectural design approval by the Planning Director or designee.
5. Subdivision approval shall be obtained in conformance with Salt Lake City and State of Utah laws, ordinances, and policies.
6. Condominium approval must be obtained in conformance with Salt Lake City and State of Utah laws, ordinances, and policies.

Janice Lew
Principal Planner
September 20, 2006

Attachments:

- Exhibit 1 - Departmental Comments
- Exhibit 2 – Community Council Comments
- Exhibit 3 - Subcommittee Minutes
- Exhibit 4 - Elevations
- Exhibit 5 - Plans

Exhibit 1

Departmental Comments

Exhibit 2

Community Council Comments

Exhibit 3

Subcommittee Minutes

Exhibit 4

Elevations

Exhibit 5

Plans