

PLANNING COMMISSION STAFF REPORT

RADI8 Condominiums Conditional Use
410-07-15 requesting approval for additional
height and exterior building materials located at
approximately 567 South 200 East
August 8, 2007



Planning and Zoning
Division
Department of Community
Development

Applicant: Urban Renaissance
Group

Staff: Nick Norris 535-6173 or
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Tax ID: 16-06-377-008

Current Zone: D-3 Downtown
Warehouse/Residential District

Master Plan Designation:
Medium Density
Residential/Mixed Use (10-50
dwelling units per acre)

Council District: District 4,
Nancy Saxton

Acreage: 0.31

Current Use: Auto Repair

**Applicable Land Use
Regulations:**

- 21A.30.040 D-3
Downtown
Warehouse/Residential
District
- 21.54 Conditional Uses

Attachments:

- A. Application
- B. Department Comments
- C. View Corridor analysis
- D. East Downtown Master
Plan View Corridor
Map
- E. Site Plan and Building
Elevations

REQUEST

The applicants are requesting approval for excess height and exterior building materials for a proposed residential condominium building located at 567 South 200 East. The Zoning Ordinance allows structures in the D-3 Zoning District to exceed the seventy five foot height limit as a conditional use. The D-3 Zoning District also allows the use of certain exterior building materials as a conditional use.

The subject property is not subject to the conditional use moratorium because it is not located in a Residential Zoning District and the parcel is not adjacent to a property in a Residential Zoning District.

PUBLIC NOTICE

A public notice was mailed on July 23, 2007. The property was posted with a sign that indicated a land use application had been submitted to the city and informed the public of the date and time of the meeting.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve petition 410-07-15 for additional building height and exterior building materials based on the analysis in the staff report provided that all applicable codes and ordinances are met.

COMMENTS

Public Comments:

The project was initially scheduled to be reviewed by the Central City Community Council on July 11, 2007. The Central City Community Council informed staff on July 3, 2007 that the meeting had been cancelled. Therefore an open house was scheduled for July 19, 2007. Approximately seven people signed the role for the open house. No written comments were received, however several issues were raised. The lack of detail of the south elevation at the ground level was a concern for the adjacent property owner. The west elevation along 200 East was a concern due to the lack of detail on the second level. Parking was an issued raised by several of the adjacent property owners.

City Department Comments:

The proposal was routed to Building Services, Engineering, Transportation, Public Utilities, Fire and Police Departments. The Police Departments did not return any comments. The other departments returned comments and they have been attached as Attachment B. The Departments and Divisions that returned comments did not raise major issues that cannot be addressed. The comments generally discussed adopted standards, policies, regulations and applicable ordinances. The requirements listed by the City Departments and Divisions must be met prior to issuance of a building permit.

Staff Analysis and Findings

Project History: The subject property is currently used as an auto repair business. According to the records of the Salt Lake County Assessors Office, the structure was built in 1954. The City's building permit database does not show any prior land use applications associated with this property.

Master Plan Discussion

The subject property is located in the area covered by the East Downtown Master Plan (adopted 1990) and the Central Community Master Plan (Adopted 1995). The East Downtown Master Plan Land Use Map identifies the parcel as General Commercial. The Central Community Master Plan Future Land Use Map identifies the parcel as Residential/Office Mixed Use with a residential density of 10-50 units per acre.

The East Downtown Master Plan and Central Community Master Plan include a view corridor map that is intended to protect the views of the City and County Building, the Cathedral of the Madeline and the State Capitol. The subject property is in the view corridor for the City and County Building. The East Downtown Master Plan establishes a maximum height of seventy five (75) feet in the area where the subject property is located (see Attachment D). The Central Community Master Plan does not mention specific heights, but does list the preservation of view corridors as a goal in the Urban Design Chapter. The structure contains a top level that covers approximately fifteen hundred (1500) square feet that would extend to 90 feet in height. The rooftop is approximately thirteen thousand (13,000) square feet. The rooftop structure is positioned on the north half of the building. The rest of the structure is seventy-five feet in height (see Attachment E Site Plan and Building Elevations). The properties on the south side of 600 South are zoned D-3 as well, but are outside of the designated view corridor. It is possible that structures built on that block could be as tall as ninety feet with a conditional use.

The Central Community Master Plan and the East Downtown Master Plan both encourage a variety of housing types for higher density multi family housing in appropriate areas, including East Downtown. The East Downtown Plan lists the creation of new housing units as an implementation measure for the Housing Action Plan.

The Central Community Master Plan includes a chapter on the environment. The chapter discusses air quality, heat islands, future environmental changes, etc. The environmental goals include preserving and protecting the communities land, air and water resources and providing leadership in all environmental areas. The proposed project includes a rooftop green space that helps reduce the heat island generated by the structure and a rooftop solar array that will help to provide power for the buildings common areas.

Standards

Ordinance 21A.30.040 lists standards for additional height and special provisions that discuss building materials. The standards for conditional uses are outlined in ordinance 21A.54.080.

***21A.30.040 (E) Maximum Building Height** No building shall exceed seventy five feet (75'). Buildings taller than seventy five feet (75') but less than ninety feet (90') may be authorized as conditional uses, provided the additional height is supported by the applicable master plan, the overall square footage of the buildings is greater than fifty percent (50%) residential use, and subject to the requirements of part V, [chapter 21A.54](#) of this title.*

Analysis: The proposed structure requires a conditional use due to the increased building height. As discussed in the Master Plan section of this report, the East Downtown Master Plan has designated a view corridor for this area with a height limit of seventy-five feet. The purpose of the view corridor is to preserve the views of the City and County Building. Staff has done a study of the proposed structure that shows how the proposed building will impact the views of the City and County Building (see Attachment C View Corridor Analysis). The study included the building shadows of the existing buildings and the zoning of the immediate area. The Wasatch Manor located at approximately 535 South 200 East (to the north of the subject property) is approximately eleven stories in height. The existing structure would be taller than the proposed structure. The existing building blocks the views of the City and County Building from the southeast.

The proposed structure, with a narrow portion of the building exceeding the seventy five foot height limit, would block some views. However, the views that would be blocked by the proposed building are currently blocked by 7-9 story structures on 300 East between 600 South and 700 South. The 200 East block of 600 South includes D-3 Zoning on the south side of the street and there are buildings on the east side of the block that are visually similar in height (7-9 stories). This area is outside of the view corridor and the Master Plan is silent on height issues on this block. It is possible that additional structures, similar in height, could be constructed on this block.

The proposed project implements several other goals of the East Downtown Master Plan, including additional new housing, increased density in applicable areas, and environmental protection through the use of roof top green space and installing solar power panels on the roof. The applicants have indicated that they plan on obtaining a LEED (Leadership in Environmental and Energy Design) Silver rating from United States Green Building Council.

The building will include more than 50% residential uses. A ground floor commercial space is included. A review of Zoning Ordinance Section 21A.54 is found later in this report.

Finding: The request for additional height is consistent with the East Downtown Master Plan because the design of the proposed structure is such that the portion of the building higher than seventy-five feet would not impact the views of the City and County Building. The proposed building is also consistent with the Master Plan Policies promoting greater residential densities downtown and encouraging use of an energy efficient design. The proposed development is consistent with Zoning Ordinance Section 21A.30.040 (E) because more than 50% of the building will be for residential use.

Standards for Conditional Use

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

Analysis: Zoning Ordinance section 21A.30.040 (E) states that structures taller than seventy-five (75) feet but less than ninety (90) feet may be authorized as a conditional use. Zoning Ordinance Section 21A.30.040 (I) requires buildings that include EIFS (stucco), vinyl, tilt-up concrete panels, corrugated metal, aluminum siding and other similar materials be allowed only through the conditional use process.

Finding: Zoning Ordinance sections 21A.30.040 (E) and (I) require the proposed structure to be processed as a conditional use.

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;

Analysis: The purpose of Zoning Ordinance Section 21A.30.040 is to provide for the reuse of existing warehouse buildings for multi family residential use while also allowing for continued warehouse use within the district. In terms of new construction, the purpose statement says "... the construction of new buildings are to be done as mixed use developments containing retail uses on the lower floors and multifamily dwellings on the upper floors." The majority of the D-3 Zoned properties are located in the Gateway area. Some portions of East Downtown are also zoned D-3.

The purpose of regulating building materials is to insure that building materials are consistent with those found in the adjacent neighborhoods. The typical building materials found in the D-3 Zone are brick, masonry, textured or pattern concrete, and or cut stone. The ordinance requires 70% of the exterior of new buildings to be of these materials (including the 30% of area required to be windows) but allows for a reduction through the conditional use process.

Zoning Ordinance section 21A.30.040 (E) allows building heights to reach ninety feet provided the additional height is supported by the applicable master plan, the overall square footage of the building is greater than 50% residential, and subject to the requirements of 21A.54. The majority of the structure would be residential. The issue is whether or not the height is supported by the applicable master plan. The East Downtown Master Plan identifies a view corridor to the south and east of the City and County Building. The subject property falls within the view corridor area. In order for the increased height to be approved, the proposed structure must demonstrate that it meets the intent of the East Downtown Master Plan, particularly the purpose of preserving the views of the City and County Building. The discussion of the applicable master plans found on page 3 and 4 in this report indicates that the proposed development does fulfill the intent of the master plans in terms of increased housing and environmental protection. The proposed development does not further reduce the views of the City and County Building because of the

height of existing structures that are on the same block face, the buildings on the block to the south and the zoning of the block to the south.

Finding: Based on the view impact analysis and the design of the building, the proposed development is in harmony with the general purposes and intent of Zoning Ordinance Section 21A.30, the planning goals and objectives of the city and the applicable master 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;

Analysis: The Transportation Division has reviewed the proposed development and indicated that “there are no impacts presented to the public transportation corridor with the height exception proposed, 200 East roadway is a special collector roadway and services similar projects.”

Finding: The streets and 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.

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

Analysis: The proposal includes two levels of structured parking. The design and construction of the parking is subject to City approval. The Transportation Division has reviewed the proposed design and raised no issues regarding the design of the structure

Finding: The internal circulation system must be properly designed and must meet all applicable standards.

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;

Analysis: The Public Utilities Department provided a list of requirements for the proposed development and indicated that the project would be approved if the requirements are met. The proposed project would incorporate solar panels on the roof to supply some power to the project.

Finding: It appears that utility services are adequate to service the proposed project subject to approval from Salt Lake City Public Utilities.

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

Analysis: The proposed project would occupy virtually the entire parcel. In the D-3 Zoning District, no specific buffering is required. The proposal does not include surface parking, so no parking lot buffering is required. The adjacent properties and uses are similar in nature and compatible with the proposed use. All exterior lighting should be designed so that it does not produce glare into adjacent residential uses.

Finding: Appropriate buffering is provided to protect adjacent land use from light, noise and visual impacts provided all exterior lights are designed so that they do not produce glare into adjacent residential uses.

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

Analysis: The proposed project is located in a neighborhood that has a variety of building materials and architecture. The block includes a mix of old and new structures without a strong presence of either on the block face. The design of the building is a modern design that uses a mix of stucco, glass, metal and wood as the primary building materials. Similar materials are found in the neighborhood and on adjacent buildings. The proposed structure includes three-dimensional fenestration (recessed windows, balconies, cornices, etc.) on each side of the building. Two-dimensional curtain walls are avoided. The proposed structure is consistent in scale with adjacent building on the block face and in the neighborhood.

Finding: The architecture and building materials are consistent with the development and compatible with the adjacent neighborhood.

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

Analysis: The proposed project includes a rooftop green space. The rooftop garden serves as open space for the development and reduces the heat island generated by the building. The area in front of the building will be landscaped and is consistent with front yard landscaping requirements.

Finding: The landscaping for the proposed project is appropriate for the scale of the development considering the project location within the downtown area.

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

Analysis: The existing structure on the block face is not on the City's Register of Cultural Resources or on the National Register of Historic Places. The property is not located within a local historic district. The existing building will be demolished. The applicants intend on having the building certified by the US Green Building Council as a LEED Silver certified structure. It would include a rooftop garden and solar array to power the building common areas.

Finding: The proposed development does not diminish historical or architecturally significant structures. There are no known environmental features on the property that are required to be preserved.

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

Analysis: The proposed use for the structure is primarily residential. The small commercial area would not likely have operating or delivery hours that would conflict with the adjacent land uses. The existing, adjacent land uses consist of office, retail and residential. There is a full service auto sales lot directly to the west.

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

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;

Analysis: The block where the proposed development is located includes a mix of uses, including residential, office, commercial and institutional. The proposed development would include mostly residential uses and a small amount of commercial or office. The proposed conditional use (height and

exterior building materials) are compatible with the adjacent properties as indicated in other sections of this report.

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

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

Analysis: The proposed development will require a subdivision plat and must follow the City's procedure for condominiums. The proposed development complies with the applicable zoning ordinance provided the conditional use is approved by the Planning Commission. All requirements from applicable city departments and divisions must be adhered to.

Finding: The proposed development complies with all other applicable codes and ordinance provided that all city department and division comments are adhered to.

Exhibit A

Application

Exhibit B
Department Comments

Exhibit C
View Corridor Analysis

Exhibit D

East Downtown Master Plan

View Corridor Map

Exhibit E
Site Plan and Building Elevations