

DATE: March 8, 2007
TO: Salt Lake City Planning Commission
FROM: Nick Britton, Principal Planner
RE: Staff Report for the March 14, 2007 Planning Commission Meeting

CASE #: 400-06-49

APPLICANT: Redeemer Lutheran Church and School
1955 East Stratford Avenue

STATUS OF APPLICANT: The applicant is the owner the subject parcel

REQUESTED ACTION: The applicant is requesting that the subject parcel be rezoned from its current designation of Open Space (OS) to Institutional (I). The Planning Commission's role in this process is to forward a recommendation to the Salt Lake City Council.

PROJECT LOCATION: 2570 South 2000 East
Sidwell #16-21-430-002-0000



PROPERTY SIZE: 0.74 acres

COUNCIL DISTRICT: District 7, Councilmember Søren Simonsen

COMMUNITY COUNCIL: Sugar House Community Council

SURROUNDING ZONING DISTRICTS:

North	OS (Open Space)
South	I (Institutional)
East	R-1/7,000 (Single Family Residential)
West	R-1/7,000 (Single Family Residential)

SURROUNDING LAND USES AND OWNERS:

North	Hillcrest Park (Salt Lake City)
South	Church and school (Redeemer Lutheran Church and School)
East	Multi-family and single family residential (multiple owners)
West	Single family residences (multiple owners)

PROJECT DESCRIPTION:
 The Redeemer Lutheran Church and School is requesting that Salt Lake City rezone one of their parcels located generally at 1955 East Stratford Avenue (2580 South) from its current zoning of Open Space (OS) to Institutional (I). The parcel is an abandoned portion of Hillcrest Avenue which was closed by the Salt Lake City Council in 1987 (Petition #400-392-85) and sold to Redeemer Lutheran Church and School. In 1994, the City and Redeemer Lutheran Church worked out an agreement to allow the City to occupy and maintain approximately half of the subject property as part of the Hillcrest Park (see Exhibit C). In 1995, the property was zoned Open Space and has been used primarily by Salt Lake City as part of Hillcrest Park and by the Church for their activities.

Redeemer Lutheran Church and School has requested this rezone because they wish to expand their facilities, including the construction of a recreation facility, the expansion and remodeling of their existing facilities, and the creation of a new parking lot that would wrap around their site from Preston Street to Stratford Avenue. The expansion would require them to use the subject parcel for a larger portion of the parking lot (see Exhibit B). Because the Open Space District does not permit off-site parking, the subject parcel would have to be rezoned and the two parcels owned by Redeemer Lutheran Church and School would be combined into one parcel. Off-site parking is a conditional use in the Institutional District.

APPLICABLE LAND USE REGULATIONS:

The following sections of the Salt Lake City Zoning Ordinance are relevant to this petition:

21A.32.080: I – Institutional District

- A. *Purpose Statement: The purpose of the I (Institutional District) is to regulate the development of larger public and semipublic uses in a manner harmonious with surrounding uses. The uses regulated by the district are generally those having multiple buildings on a campus like site.*

21A.32.100: OS – Open Space District

- A. *Purpose Statement: The purpose of the OS (Open Space) District is to preserve and protect areas of public and private open space and exert a greater level of control over any potential redevelopment of existing open space areas.*

MASTER PLAN SPECIFICATIONS:

There are two applicable master plans to this area. The first is the Sugar House Master Plan adopted in 2001. The subject parcel does not appear as a parcel on the future land use map (it still appears as an open street). The parcel to the north (the city-owned Hillcrest Park) has a future land use of “Parks and Open Space” and the parcel to the south (the church and school) has a future land use of “Institutional and Public Lands”. The plan also refers to Hillcrest Park in the Mini Parks section and suggests improvements to the park, including additional benches, drainage improvements, landscaping, and concrete walkways. The other applicable master plan is the Salt Lake City Open Space Plan adopted in 1992. This open space area (including Hillcrest Park) is identified as a park site to be retained to provide access to the Parley’s Creek Corridor (see Exhibit G).

COMMENTS:

The comments received from pertinent City Departments/Divisions and the Community Council are attached as Exhibit D. The following is a summary of the comment and concerns received.

City Department/Division Comments

A. Airport (Allen McCandless)

Mr. McCandless noted that the subject parcel is not in an airport influence zone and does not create any observed impacts to airport operations.

B. Building Services Division (Larry Butcher)

Mr. Butcher noted that parking setbacks must be 20 feet from front or corner side yard property lines and that for the future development, the applicant must document that the 40 percent open space requirement will be met. Furthermore,

Mr. Butcher remarked that the proposed expansion may constitute a 50 percent square footage increase which would require landscaping upgrade as per Section 21A.48.170 of the Zoning Ordinance. Finally, parking calculations must be provided at the time of building permits application showing that the proposed parking meets the regulation of one stall per five seats in the main auditorium as per Table 21A.44.060F of the Zoning Ordinance).

C. Engineering

No comments were received from Engineering.

D. Fire Department (Wayne Leydsman)

The Fire Department had no objections to the proposed rezoning or addition. Mr. Leydsman requested updated site plans as the project progressed so that the Fire Department could review potential impacts to water mains and fire hydrants.

E. Police Department

No comments were received from the Police Department.

F. Property Management

No comments were received from Property Management.

G. Public Services (Rick Graham, Val Pope)

Planning Staff met with Rick Graham and Val Pope to discuss the potential impacts to the City-owned Hillcrest Park to the north of the subject parcel. Public Services did not have any objection to the rezoning of the subject parcel (the abandoned portion of Hillcrest Avenue) but requested certain conditions on the recommendation for approval. Those conditions included:

- The church will allow for pedestrian access to the park from both Stratford Avenue and Preston Street and an allowance for public parking in the new parking lot.
- A modification, at the expense of the applicant, to the current irrigation that irrigates both the park and the private property so that Hillcrest Park's irrigation remains intact and useable.
- A modification to the current agreement or a new agreement between Redeemer Lutheran Church and School and Salt Lake City regarding access to and use of portions of the subject parcel.
- The applicant and City discuss the potential for the church to sell a portion of its property along Stratford Avenue to the City so that the City could assure access to the park for the public and its maintenance equipment.

H. Public Utilities Department (Jason Brown)

Public Utilities had no issues with this request, but they will require the applicant to submit plans for the future expansion.

I. Transportation Division (Barry Walsh)

Mr. Walsh noted that the proposal would have no impact to the existing transportation corridors of Preston Street, Stratford Avenue, or 2000 East. The proposed expansion is subject to improvement requirements noted in the DRT review regarding public way improvements and upgrades.

Community Council Comments

A. Sugar House Community Council

Representatives for Redeemer Lutheran Church and School presented their proposal to the Sugar House Community Council on February 7, 2007. The community council did not vote to forward a recommendation to the Planning Commission. A number of people expressed a concern with traffic cutting through the proposed parking lot from Preston Street to Stratford Avenue. There was also a concern about the applicant placing a fence on their property between the church and the park. There was some confusion regarding who owned the parcel in question and the extent to the agreement between the church and the City and how it impacted the size and extent of Hillcrest Park. It was explained to the community council that Redeemer Lutheran Church and School owned the parcel and that the agreement specified that Salt Lake City could use and maintain the subject parcel but it did not transfer ownership. Based on the confusion, Sugar House Community Council voted to invite Redeemer Lutheran Church and School back to the March meeting and asked them to notify the neighbors of their proposal (see Exhibit E).

ANALYSIS AND FINDINGS:

The Planning Commission will need to review the request to rezone a parcel from Open Space to Institutional using the Standards for General Amendments found in Section 21A.50.050 of the Salt Lake City Zoning Ordinance.

21A.50.050: Standards For General Amendments

A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard. However, in making its decision concerning a proposed amendment, the city council should consider the following factors:

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

Discussion: One of the applicable master plans for the area is the Sugar House Master Plan adopted in 2001. The subject parcel is not identified on the future land use map, so the master plan does not provide direction in terms of the rezoning. However, the Sugar House Master Plan also identifies potential

improvements for Hillcrest Park. If the rezoning is approved and the City purchases part of the applicant's property near the eastern half of the park, access will be improved and there is potential for some of the suggested improvements to be realized.

The other master plan applicable to the subject property is the Open Space Plan adopted in 1992. The city-owned portion of Hillcrest Park will remain in City ownership and the user agreement between Redeemer Lutheran Church and School and Salt Lake City ensures public access to the park and the Parley's Creek Corridor. Staff does not find that approval of this petition will substantially affect the inclusion of Hillcrest Park in the Parley's Creek Corridor system.

Finding: The requested rezoning is consistent with the Sugar House Master Plan and the Salt Lake City Open Space Plan.

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

Discussion: Currently, the church occupies a large parcel at the northeastern corner of Stratford Avenue and Preston Street and is surrounded on the north and east sides by open space, which includes Hillcrest Park. There are four duplexes and a single family home to the west across Preston Street and an LDS Church across Stratford Avenue. To the east there are single family homes across 2000 East. The proposed rezoning and subsequent expansion would decrease the total amount of privately-owned open space. The proposed expansion may distribute church-related traffic differently between Preston Street and Stratford Avenue but neither the use nor the intensity of the use will change as a result of this rezoning. The size of the church's campus and orientation of its parking lot will change, however.

Finding: The proposed zoning map amendment is harmonious with the character of existing development in the immediate vicinity of the subject property.

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

Discussion: The use and the intensity of the site will not change as a result of this proposed rezone. Staff does not foresee any impacts, adverse or otherwise, on the surrounding residential properties or the LDS church across the street. This rezoning will have a perceived impact on the size of Hillcrest Park because the amount of landscaping adjacent to Hillcrest Park will be reduced. The amount of City-owned open space, however, will not decrease. The applicant has stated that they are willing to revise the previous agreement

with the City to allow pedestrian access to Hillcrest Park and to allow for public parking in their new parking lot. There is also the possibility that the City may gain some land from the church on the eastern end of the block to improve access to Hillcrest Park for the public and maintenance equipment.

Finding: The proposed rezoning will not have an adverse impact on any 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 in the Groundwater Source Protection Overlay District. There are no additional standards relevant to this rezoning request.

Finding: The proposal meets this standard.

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 and divisions were given the chance to review and comment on the proposed rezoning and preliminary site plans for the proposed expansion of church facilities. While various departments requested plans in the future when the expansion begins, no immediate deficiencies were noted as part of the review process. There is no evidence that the rezone and subsequent expansion will dramatically increase the amount of traffic in the neighborhood or require additional public facilities that are not already present at the site.

Finding: The current public facilities and services intended to serve the subject property are adequate and any necessary modifications and changes to facilities will be identified upon application for building permits. The applicant will also be required to submit their plans to the Public Utilities Department and the Fire Department for review at that time.

RECOMMENDATION:

Staff recommends that the Planning Commission forward a positive recommendation to the Salt Lake City Council regarding the requested rezoning of a parcel generally located 1955 East Stratford Avenue from Open Space (OS) to Institutional (I). Staff recommends the following conditions:

1. Any new development must meet all underlying zoning requirements of the Zoning Ordinance.
2. The applicant and the City will revise their current agreement to ensure that the City retains rights to a portion of the subject property for public use.
3. The applicant will allow pedestrian access to Hillcrest Park from Preston Street and Stratford Avenue and provide allowance for public parking for the park in the proposed parking lot.
4. The current irrigation system must be modified at the applicant's expense so that the irrigation system for Hillcrest Park will still remain intact and useable after the proposed expansion.

Attachments: Exhibit A – Letter from Applicant
 Exhibit B – Proposed Site Plan
 Exhibit C – Agreement for License in Real Property (September 26, 1994)
 Exhibit D – Department/Division Comments
 Exhibit E – Communication with Sugar House Community Council
 Exhibit F – Photographs
 Exhibit G – Map of Parley's Creek Corridor (from Open Space Master Plan)

Exhibit A
Letter from Applicant

Exhibit B
Proposed Site Plan

Exhibit C
Agreement for License in Real Property
(September 26, 1994)

Exhibit D
Department/Division Comments

Exhibit E
Communication with Sugar House
Community Council

Exhibit F
Photographs



Figure 1: The northwestern corner of the subject parcel, used as a portion of Hillcrest Park.



Figure 2: The southern edge of the subject parcel. Redeemer Lutheran Church and School can be seen to the far left.

Exhibit G
Map of Parley's Creek Corridor
(from Open Space Master Plan)