

PLANNING COMMISSION STAFF REPORT

Metro Park West: Case #410-07-18

Conditional use request for additional building height and for a waiver of the minimum first floor glass requirement at 341 South Rio Grande Street
September 12, 2007



Planning and Zoning Division
Department of Community
Development

Applicant:

Ken Millo

Staff:

Nick Britton, Principal Planner
535-7932
nick.britton@slcgov.com

Tax ID:

15-01-327-006

Current Zone:

D-3 (Downtown
Warehouse/Residential District)

Master Plan Designation:

Gateway Mixed Use

Council District:

Council District 4 – Nancy
Saxton

Acreage:

0.94 acres

Current Use:

Industrial/Manufacturing

Applicable Land Use

Regulations:

- 21A.30.040: D-3
Downtown Warehouse/
Residential District

Attachments:

- Proposed Site Plan
- Proposed Elevations
- Proposed Floor Plans
- Materials, Open Space,
Parking, and Use
Calculations
- Department/Division
Comments
- Community Council
Notice

REQUEST

Ken Millo is requesting conditional use approval for additional height for new construction in the D-3 Zoning District. The D-3 zone permits a height up to 75 feet and up to 90 feet through the conditional use process. The applicant is also requesting conditional use approval to waive the D-3 zoning requirement for a minimum of 40 percent glass on the first floor for elevations facing a street.

The project, called “Metro Park West”, is a mixed-use building located at 341 S. Rio Grande Street. The first floor will be retail space, the second through fourth floors will be office space, and the fifth through ninth floors will be residential.

PUBLIC NOTICE

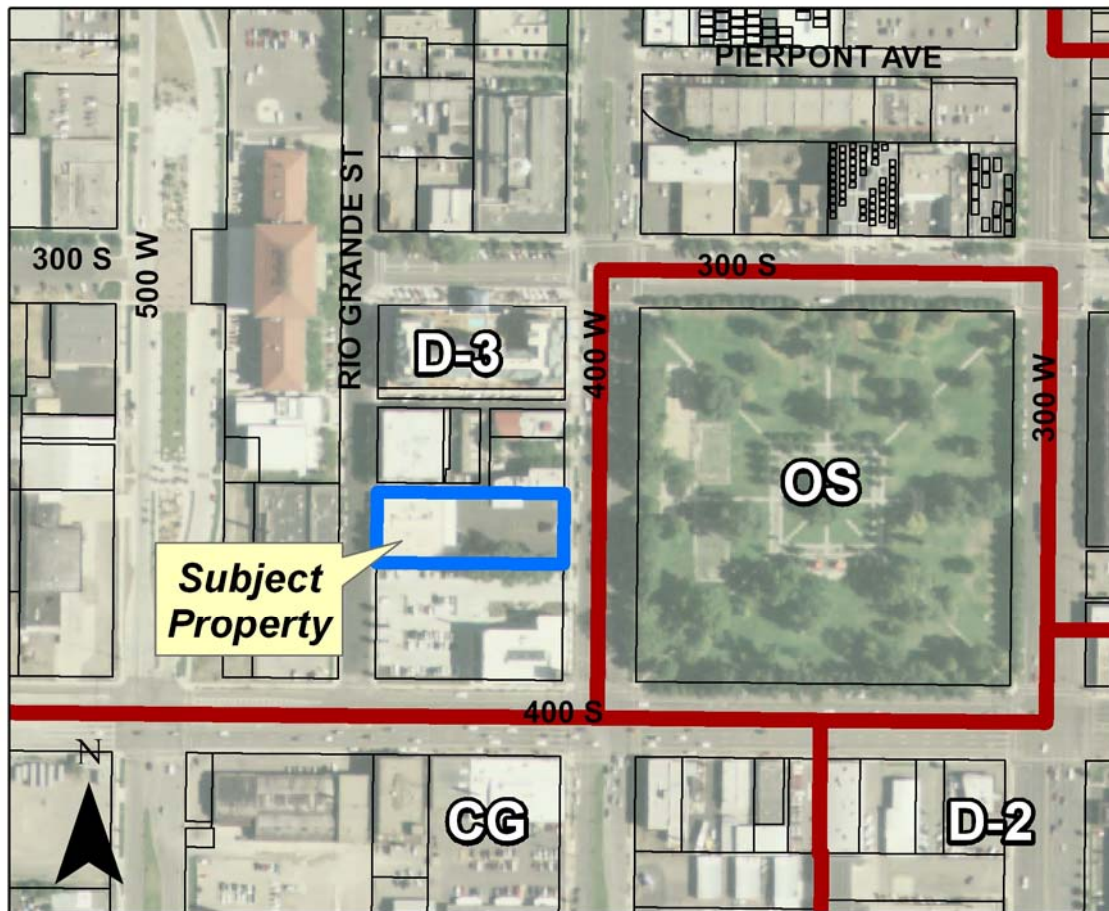
The property was posted on Rio Grande Street and 400 West on August 30, 2007 and public notice was mailed two weeks prior to the Planning Commission hearing date.

RECOMMENDATION

Based on the findings of fact outlined in this staff report, Staff recommends that the Planning Commission approve this Conditional Use request for the additional height for the Metro Park West project at 341 S. Rio Grande Street in the D-3 Zoning District with the following conditions:

1. Applicant must meet the requirements outlined in the attached Department and Division Comments.
2. Preliminary condominium plat approval will be required for the residential portion of the proposal.

Vicinity Map



Comments

Department/Division Comments

Application materials were routed to the following departments or divisions: Public Utilities, Fire, Engineering, Building Permits, and Transportation. Comments were received from Public Utilities, Fire, and Building Permits. Public Utilities had no comments. The Fire Department outlined the requirements for the development in terms of fire prevention, sprinklers, hydrants, et cetera. Building Permits requested additional information regarding heights and open space calculations, but had no issues with the parking calculations or the proposal itself. The full comments are available in Exhibit E.

Community Council Comments

The Downtown Community Council was notified of the applicant's request via e-mail on July 5, 2007. The item was tentatively placed on an agenda pending confirmation from the community council chair. No confirmation was received by Planning Staff. No comments were otherwise received from the Downtown Community Council.

Analysis

Background Information

The applicant is proposing a mixed use development at 341 South Rio Grande Street in the D-3 Zoning District. The proposal would require two conditional use approvals: approval for additional height and approval for a waiver of the 40 percent glass requirement for a first floor elevation facing a public street. The two requests are explained below.

Additional Height

The overall height of the building is 106 feet. The height to the roof deck is 90 feet. Elevator and stairway towers and bulkheads are permitted above the maximum to a height of 16 feet as outlined in Table 21A.36.020C of the Zoning Ordinance. The additional 16 feet for this proposal is for stairway towers (on both ends of the building and for each individual rooftop terrace). The height limit in the subject zone is 75 feet but building height up to 90 feet can be approved as a conditional use provided the applicant demonstrates the following:

1. The applicable master plan supports the additional height;
2. The overall square footage of the building is greater than 50 percent residential; and
3. The proposal meets the Conditional Use standards set forth in Chapter 21A.54 of the Zoning Ordinance.

The master plan for the area—the *Gateway Specific Plan*, adopted in 1998—has objectives that include the provision of a diverse mixture of uses that complement downtown, encouragement of a variety of housing opportunities, the maximization of housing opportunities for residents who desire an urban neighborhood, and the inclusion of public-oriented ground-level uses. Many of these objectives would be met with the proposed additional height.

The overall square footage of the building would be greater than 50 percent commercial as well. The building would consist of 20,000 square feet of retail uses, 66,000 square feet of office use, and 86,348 square feet of residential use. Residential uses would make up 50.1 percent of the total square footage and commercial uses would make up the remaining 49.9 percent.

The conditional use standards are reviewed below.

Waiver of 40 Percent Glass

The first floor of any elevation facing a street should be at least 40 percent glass in the D-3 Zoning District. The applicant's west elevation, along Rio Grande Street, does not meet this requirement. Exceptions may be authorized as conditional uses subject to the standards in Chapter 21A.54.

Standards of Review

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

Section 21A.54.080: Standards for Conditional Uses

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

Finding: Both requests are specifically listed as conditional uses in Section 21A.30.040. The proposal meets this standard.

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.

Finding: The proposed development, including the requested additional height and first-floor glass waiver, meets the special provisions for new development in the D-3 Zoning District except where, as outlined above, conditional use approvals are required. The waiver for the first-floor glass requirement is a result of the need for ingress and egress to the below-grade parking deck. The development is in harmony with the intent of the Zoning Ordinance and compatible with and implements the planning goals and objectives of the City, including 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.

Finding: The additional traffic associated with the additional building height is unlikely to impact the service level of adjacent streets. No concerns were raised by the Transportation Division review. The proposal meets this standard.

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

Finding: The requested conditional use approvals have no impact on the proposed internal circulation system. This standard does not apply.

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.

Finding: The applicant is working with Public Utilities to ensure that any issues with utility services are addressed.

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

Finding: The requested conditional use approvals do not require any additional buffering to protect adjacent land uses from light, noise or visual impacts. This standard does not apply.

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

Finding: The building materials are consistent with the existing development and meet the criteria outlined in Section 21A.30.040I(1) of the Zoning Ordinance. The proposal does not meet the 40 percent first-floor glass requirement for the D-3 Zone, however. The applicant has requested a waiver of this requirement because the need for an entrance and an exit for the parking garage limits the applicant from meeting this standard. Planning staff believes that the proposed architecture is consistent with the adjacent neighborhood.

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

Finding: The landscaping is not impacted by the two requested conditional use approvals.

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

Finding: There are no known historical, architectural, or environmental features on the subject property. This standard does not apply.

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

Finding: The requested conditional use approvals have no impact on the operating and delivery hours of the proposed project.

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.

Finding: The request conditional uses are compatible with the surrounding neighborhood and in keeping with the pattern of development found along both Rio Grande Street and 400 West. Planning staff finds that approval of the requested conditional uses 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 meets all other provisions for new development in the D-3 Zoning District, including open space requirements (see Exhibit D), mid-block walkway requirements (see Exhibit A), and land use requirements. The proposal meets the required parking by providing approximately 150 parking spaces (118 required). The proposal meets Standard "L."

Exhibit C: Proposed Floor Plans

Exhibit E: Department/Division Comments

