

# PLANNING COMMISSION STAFF REPORT



Planning & Zoning Division  
Department of Community &  
Economic Development

Redman Condominiums  
Planned Development Amendment Petition No. 410-08-49  
Located at 1240 East 2100 South.  
June 25, 2008

**Applicant:** Kevin Packer, Project Manager, Pacific Park Investments

**Staff:** Michael Maloy, 535-7118, michael.maloy@slc.gov.com

**Tax ID:** 16-20-229-003

**Current Zone:** CSHBD-1 Sugar House Business District

**Master Plan Designation:** Business District Mixed Use – Town Center Scale (Sugar House Community Master Plan, adopted December 13, 2005)

**Council District:** 7, Søren Simonson

**Acreage:** 0.37 of an acre

**Current Use:** Vacant commercial building (formerly occupied by *Redman Movies & Stories*)

## **Applicable Land Use**

### **Regulations:**

- 21A.54 Conditional Uses
- 21A.26.060 CSHBD Sugar House Business District

### **Attachments:**

- A. Proposed Site Plan
- B. Architectural Rendering
- C. Off-Site Parking Agreement and Site Plan
- D. Community Council Meeting Summary
- E. Citizen Comment
- F. Department Comments
- G. September 24, 2003 Planning Staff Report and Planning Commission Minutes

## **REQUEST**

Pacific Park Investment LC, represented by Kevin Packer, Project Manager is requesting approval of a planned development amendment to construct surface level and off site parking for a mixed use planned development project located at 1240 East 2100 South (see Attachment A – Proposed Site Plan). The subject property contains 0.45 ± of an acre and is zoned CSHBD-1 Sugar House Business District.

## **PUBLIC NOTICE**

Notice of the June 25, 2008 public hearing was mailed on June 10, 2008 satisfying the minimum fourteen day noticing requirement for planned development requests. The site was posted on June 11, 2008 satisfying the minimum 10 day posting requirement. In addition, the notice was sent to all listed on the Planning Division List Serve and posted on the Planning Division's webpage.

## **STAFF RECOMMENDATION**

Staff recommends the Planning Commission grant approval of the proposed planned development amendment based on the findings listed in the staff report and subject to the following recommended conditions of approval:

1. Approval is subject to compliance with all department comments (see Attachment F – Department Comments).
2. Condition number four from the Planning Commission approval dated December 12, 2007 for petition # 410-07-13 is rendered null and void.
3. On site surface parking shall be sufficiently illuminated to ensure public safety, however, lighting must be properly shielded to control light pollution.
4. Off site surface parking agreement, site plan and improvements shall comply with City Code 21A. 21A.44.030 Alternative Parking Requirements.

## VICINITY MAP



## COMMENTS

### **Public Comments:**

The Sugarhouse Community Council heard a presentation from the applicant regarding the proposed planned development amendment on June 4, 2008. Although one person spoke about wanting more efforts to ensure retail on the ground floor, the Community Council recommended approval (see Attachment D – Community Council Meeting Summary).

Prior to publication, staff had received one e-mail from the general public that was against the proposed planned development amendment primarily based on concerns of increased traffic, parking demand and ensuring that promises made in the past (pedestrian walkway from 2100 South to Hidden Hollow) are fulfilled. (see Attachment E – Citizen Comment).

**City Department Comments** On May 29, 2008 staff sent a request to all applicable City departments for comment on the attached planned development amendment. All departmental responses have been included within the report as Attachment E – Department Comments. All responding departments have recommended preliminary approval subject to compliance with attached comments.

## STAFF ANALYSIS AND FINDINGS

### **Project History**

Built in 1946, the structure historically, has been used as a commercial warehouse building, however on September 24, 2003 the Salt Lake City Planning Commission voted to approve a conditional use petition (# 410-643) for a mixed use planned development located at 1240 East 2100 South with the following conditions of approval:

1. *The Developer must enter into a long-term lease agreement for the use of the off-site parking area to meet required parking. The lease term shall be as long as the approved use exists, and there must be a stipulation that states that, if the lease is to be terminated for any reason, that the Redman property owners be allowed eighteen (18) months to two (2) years time for the construction or installation of an on-site parking area of their own, to eliminate any lapse in time of required parking.*
2. *That the Planning Commission allows the Petitioner to reinstall the replicated “REDMAN” signs as a rooftop fixture, currently not allowed in the C-SHBD zoning district.*
3. *That an attractive and appropriate trailhead access sign be installed on 2100 South Street near the public alley to demarcate pedestrian access to Hidden Hollow Park. Final sign designation shall be denoted on the final site drawings and sign approval shall be granted to the Planning Director.*
4. *Allowance for the Petitioner to proceed with future condominium approval through the Administrative Hearing process and final approval is delegated to the Planning Director or his/her designee.*
5. *The Applicant will assist the City in determining the existence of any easements conducive to extending the trailhead to Hidden Hollow Park, and will attempt to make improvements of this easement or assumed trail alignment area.*
6. *The Petitioner must make current, all past due payments to Salt Lake City, for the installation of special improvements along the frontage of the Redman property.*
7. *The Declaration of Covenants for the future Homeowners Association shall declare and accept perpetual maintenance of all pedestrian walkway paths leading from 2100 South to Hidden Hollow Park.*
8. *The Petitioner shall investigate the usage of low wattage bulbs for parking area lighting needs as indicated in the staff report.*
9. *The Petitioner shall address and adhere to all departmental comments and Salt Lake City Corporation Ordinance standards.*
10. *Final plat and landscape plan approval authority be granted to the Planning Director.*

The following year, on September 8, 2004, the Planning Commission voted to grant a “one year extension of time” for the planned development conditional use approval. On January 24, 2005, a building permit (# 199865) for construction of the planned development was issued by the Salt Lake City Building Services Division, which permit is currently recognized by the City as being “active” and under the control of the applicant, Pacific Park Investments.

During a regularly scheduled public meeting held on December 8, 2004, Doug Wheelwright, former Deputy Planning Director, requested direction from the Planning Commission regarding the processing of potential minor development amendments (i.e. number of dwelling units, minor site plan modifications, etc.) being considered by the former applicant, Mr. Vic Ayers, Redman Investment Partnership. The Planning Commission unanimously voted that the “Redman condominium project remain within the purview of the Planning Staff and Planning Director.”

On September 14, 2005 the Planning Commission reviewed a proposed development amendment to provide three double car garages located behind the existing structure. According to staff notes, the Planning Commission authorized staff to approve the proposed amendment, however the discussion apparently occurred during the agenda item “Unfinished Business” and unfortunately little record exists of the discussion or the decision.

Pacific Park Investments acquired the subject property and development entitlements on December 18, 2006. On May 10, 2007, the applicant submitted to the Planning Division a petition to amend the conditional use (# 410-643) to construct a two-level parking structure on the site. However, it was determined by staff that the proposed parking structure constituted a major amendment to the approved development plans that would need Planning Commission approval.

The proposed parking structure, proposed to be located behind the existing building, contained 40 parking stalls. Based on the previous development, the minimum number of parking stalls required by Chapter 21A.44 (entitled Off Street Parking and Loading) of the Salt Lake City Code for the mixed use condominium was 38. The height of the structure varied when measured against the property slope, but did not exceed fourteen feet and six inches (14'-6") at the highest point above grade (southwest corner of site). A vehicle ingress ramp for the upper parking structure was planned within an existing public alley that extends from 2100 South and adjacent to the east side of the building. Ingress and egress for the lower parking structure was from a ramp adjacent to the west property line. Egress from the upper parking structure to 2100 South was via a ramp adjacent to the west building façade.

On December 12, 2007 the Planning Commission passed a motion to approve petition 410-07-13 with the following conditions of approval listed within the staff report;

1. *Approval is subject to compliance with all department comments (see attachment E- Departmental Comments)*
2. *Condition number one from the original Planning Commission Findings and Order Letter dated October 20, 2003 for petition #410-643 is rendered null and void (see original conditions of approval listed on page 3 of this report).*
3. *Applicant shall reclaim displaced landscaping from previous development plan approval to the satisfaction of the Planning Division.*
4. *The Parking structure shall be sufficiently illuminated to ensure public safety, however, lighting must be properly shielded to control light pollution.*

**Project Proposal:** On May 20, 2008 the applicant met with staff to discuss the proposed planned development amendment. Due to significant changes in the current market for residential condominiums, the applicant has proposed the following:

- Relief from obligation to construct previously approved parking structure;
- Amend the number of commercial units to four (4) and decrease the number of residential dwelling units to twelve (12);
- Utilize existing on site surface level parking; and
- Approve as a Special Exception, off-site parking subject to compliance with 21A.44.030 Alternative Parking Requirements.

**Master Plan Discussion:** The Sugarhouse Community Future Land Use Map, which was adopted by the City Council on December 13, 2005, categorizes the subject property as Business District Mixed Use – Town Center Scale. The Sugarhouse Community Master Plan defines Business District Mixed Use – Town Center Scale as:

*The Town Center orients around the Sugar House Monument Plaza and creates a strong urban center to the district with businesses oriented directly to the street. Uses include retail, commercial, and office uses with a broad mix of small and large tenants. Office development offers a business-like atmosphere with a variety of office configurations, as well as convenient amenities and comfortable outdoor gathering spaces shaped by building placement. The Town Center scale focuses around a transit/pedestrian oriented commercial/retail with a strong street presence; wide sidewalks, street furnishings, lighting and landscaping or a delineated and developed open space system of the same character. The street level businesses are commercial and retail in nature, while the upper levels can be either residential or office depending on compatibility of the adjacent uses. Town Center Scale Mixed Use occurs primarily in the core area of the Business District surrounded by the Neighborhood Scale Mixed Use (Sugarhouse Community Master Plan, page 5).*

Whereas the proposed amendment is intended to facilitate occupancy of a mixed use planned development, staff finds the proposal is consistent with the Sugarhouse Community Master Plan.

**Standards:** As authorized by paragraph 21.54.150.S.3 (Major Modifications to Development Plan) the Planning Commission may approve a major amendment to the planned development based upon compliance with the following general conceptual guidelines; a positive finding for each is not required (21A.54.150.E.4.):

**A. The development shall be primarily oriented to the street, not an interior courtyard or parking lot,**

**Finding:** The planned development amendment does not change project orientation which is toward 2100 South.

**B. The primary access shall be oriented to the pedestrian and mass transit,**

**Finding:** The primary access for the planned development is from 2100 South, which does contain pedestrian and mass transit improvements.

**C. The facade shall maintain detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction,**

**Finding:** The proposed amendment does not impact any aspect of facade detailing, which has been previously found to be compliant with this standard.

**D. Architectural detailing shall emphasize the pedestrian level of the building,**

**Finding:** The proposed amendment does not impact the architectural detailing of the pedestrian level of the building.

**E. Parking lots shall be appropriately screened and landscaped to minimize their impact on the neighborhood,**

**Finding:** The proposed amendment does not include a landscape plan; however the proposed parking field is located behind the existing building. Staff recommends compliance with this standard as a condition of approval.

**F. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods,**

**Finding:** The proposed amendment shall include shielded parking lot lighting to eliminate excessive glare or light onto adjacent properties. Staff recommends compliance with this standard as a condition of approval.

**G. Dumpsters and loading docks shall be appropriately screened or located within the structure, and**

**Finding:** The proposed amendment shall provide sufficient screening for a dumpster.

**H. Signage shall emphasize the pedestrian/mass transit orientation.**

**Finding:** The proposed amendment does not include signage.

**Attachment A – Proposed Site Plan**



**Attachment C – Off-Site Parking Agreement and Site Plan**



## **Attachment D – Community Council Meeting Summary**





**Attachment G – September 23, 2004  
Staff Report and Planning Commission Minutes**