PLANNING COMMISSION STAFF REPORT

The Flats at Capitol Hill, Conditional Use Petition No. PLNSUB2008-0031 477 North 300 West October 8, 2008



Applicant: Metaview Development

<u>Staff:</u> Everett Joyce at 535-7930 or email at everett.joyce@slcgov.com

Tax ID: 08-36-251-007

<u>Current Zone</u>: Residential Mixed Use, RMU 45

Master Plan Designation:

The Capitol Hill Community Master Plan Future Land Use Map designates the subject property for medium density mixed use.

<u>Council District:</u> District 3 K. Eric Jergensen

<u>Lot Size:</u> 0.63 acre or 27,443 square feet

Current Use: Vacant service station

Applicable Land Use Regulations:

- 21A.54 Conditional Uses
- 21A.24.168C Qualifying Provisions

Notification

- Notice mailed on September 23, 2008
- Sign posted on September 26, 2008

Attachments:

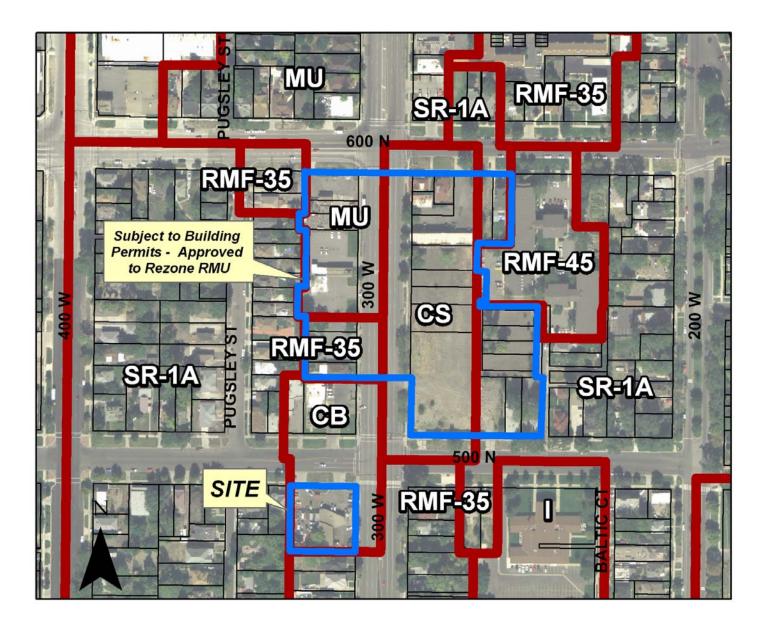
- A. Site Plan & Elevation Drawings.
- B. Photographs
- C. Department Comments
- D. Additional Applicant Information

Request

A request by Metaview Development for approval of a conditional use for a modification to the density regulations for a new 27-unit condominium project at 477 North 300 West. The applicant requests an increase in density allowance for five additional dwelling units, which is allowed through the conditional use process in the RMU-45 zoning classification. The density increase would be from 22 units to 27 units. The decision authority for conditional uses is the Planning Commission.

Staff Recommendation

Based on the findings listed in the staff report, it is the Planning Staff's opinion that overall the project generally meets the applicable standards and therefore, recommends the Planning Commission approve the conditional use request for increased density.



Vicinity Map

Background

The subject property was recently processed through a master plan and zoning map amendment. The Planning Commission forwarded a favorable recommendation to the City Council and the City Council approved the master plan amendment and rezoning subject to a development agreement establishing the following restrictions on the development of the property.

- 1. The height of the structures on the subject parcel will not exceed 35 feet, as measured in the Salt Lake City Zoning Ordinance; and
- 2. The required rear yard will be located along the west property line of the subject parcel.

Project Description

The proposed development is a two story residential condominium above a single level of underground parking. The 27 unit development consists of ten one-bedroom units and 17 two-bedroom units. The proposed development meets the zoning requirements of the RMU-45 zoning classification except for the density. The number of dwelling units proposed exceed the density limit by five dwelling units. However, the RMU-45 Zoning District allows an increase in density through the conditional use process. The petition request is to modify the density regulations for the subject development to allow the additional five units.

The proposed building on the subject site will be constructed of a combination of concrete, concrete fiber and glass as shown on the elevation drawings, which is similar to the materials and architectural style of the mixed use node buildings recently approved on the east side of 300 West Street between 500 and 600 North Streets.

Comments

Public Comments

The proposal was presented to the Capitol Hill Community Council on September 17, 2008. Comments raised at the meeting related to potential impacts on the limited availability of on-street parking for the neighborhood. Individuals stated that there is not adequate off street and on street parking within the neighborhood. Therefore, some residents utilize 500 North Street for parking. They were concerned that the new development will increase the on street parking demand on 500 North Street.

City Department Comments

There were no comments received from pertinent City Departments / Divisions for the conditional use application. However, Department comments were received through the previous rezoning application process. These comments have been included in Attachment D.

Project Review

Internal Project Review

The proposed development meets the development agreement conditions imposed as a condition of rezoning the property to RMU-45. The structure meets the 35 foot height limit and provides the 30 foot rear yard along the west property line. The proposed development provides the required off-street parking within the underground parking structure.

Revisions made by Applicant

As identified above, Department comments were received during the rezoning process. The proposed site plan submitted for the conditional use has been modified to address the previous Department concerns. The most significant site plan modification was the inclusion of a ten foot buffer between the west property line and the driveway. No additional revisions were required after internal project review.

Options

If the request for modification to the density regulations for the proposed condominium development were denied, the applicant would have to limit the development to 22-units. The development could retain the same building footprint and scale as proposed for the 27-unit development.

Analysis and Findings

21A.54.080. Standards for Conditional Uses: 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 set forth in this section. 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 shall be denied.

21A54.080.B. Specific Standards. A conditional use permit shall be approved unless the evidence presented shows that one (1) or more of the standards set forth in this subsection cannot be met. The Planning Commission, or, in the case of administrative conditional uses, the Planning Director or the Director's designee, may request additional information as may be reasonably needed to determine whether the standards of this subsection can be met.

- 1. **Master Plan and Zoning Ordinance Compliance:** The proposed conditional use shall be:
 - a. Consistent with any policy set forth in the City-Wide, Community, and Small Area Master plan and future land use map applicable to the site where the conditional use will be located, and
 - b. Allowed by the zone where the conditional use will be located or by another applicable provision of this title.

Analysis: The proposed development is within the Capitol Hill Community Master Plan area. Recent City Council action approved ordinances that amended the Capitol Hill Community Future Land Use Map designating the subject property Medium Density Mixed Use and rezoned the property RMU-45.

The purpose of the R-MU-45 residential/mixed use district is to implement the objectives of the applicable master plan through district regulations that reinforce the residential character of the area and encourage the development of areas as medium density residential urban neighborhoods containing supportive retail, service commercial, and small-scale office uses. The RMU-45 Zoning District text section 21A.24.168.C permits an increase in density as a conditional use. A modification to the density regulations may be granted as a conditional use, subject to conformance with the standards and procedures of chapter 21A.54 Conditional Uses" and supported by the applicable master plan. Such conditional uses shall also be subject to design review. The following policies for the West Capitol Hill Neighborhood within the Capitol Hill Community Master Plan (page 6) support the modification for density for the RMU-45 zoned property at 477 N 300 West.

- Allow moderate increases in multi-family uses in appropriate locations and within the mixed-use area.
- Encourage new medium/high density housing opportunities in certain appropriate locations within the West Capitol Hill Neighborhood.

Finding: The project satisfies this standard.

- 2. **Use Compatibility:** The proposed conditional use shall be compatible with the character of the site, adjacent properties, and existing development within the vicinity of the site where the use will be located. In determining compatibility, the Planning Commission shall consider:
 - a. Whether the street or other means of access to the site where the proposed conditional use will be located will provide access to the site without materially degrading the service level on such street or any adjacent street;
 - b. Whether the type of use and its location will create unusual pedestrian or vehicle traffic patterns

or volumes that would not be expected with the development of a permitted use, based on:

- i. Orientation of driveways and whether they direct traffic to major or local streets, and, if directed to local streets, the impact on the safety, purpose, and character of these streets;
- ii. Parking area locations and size, and whether parking plans are likely to encourage street side parking for the proposed use which will adversely impact the reasonable use of adjacent property;
- iii. Hours of peak traffic to the proposed use and whether such traffic will unreasonably impair the use and enjoyment of adjacent property; and
- iv. Hours of operation of the proposed use as compared with the hours of activity/operation of other nearby uses and whether the use, during hours of operation, will be likely to create noise, light, or other nuisances that unreasonably impair the use and enjoyment of adjacent property;
- c. Whether the internal circulation system of any development associated with the proposed use will be designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic;
- d. Whether existing or proposed utility and public services will be adequate to support the proposed use at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources;
- e. Whether appropriate buffering or other mitigation measures, such as, but not limited to, landscaping, setbacks, building location, sound attenuation, odor control, will be provided to protect adjacent land uses from excessive light, noise, odor and visual impacts and other unusual disturbances from trash collection, deliveries, and mechanical equipment resulting from the proposed use; and
- f. Whether detrimental concentration of existing non-conforming or conditional uses substantially similar to the use proposed is likely to occur based on an inventory of uses within one-quarter (1/4) mile of the exterior boundary of the subject property.

Analysis: Access to the site will be from 500 North Street, which is suitable and adequate to carry the anticipated traffic. No unusual traffic patterns or conflicts will be generated by this proposed use. Onsite parking is located under the proposed structure. Street side parking will be on 500 North Street. The elimination of the multiple existing driveways will provide for additional street side parking than exist now. The area where the proposed use is located consists of a mix of residential and commercial uses. Peak traffic and hours of operation will not impact the ability of surrounding properties to enjoy their property. The number of off-street parking stalls required is 44 and the proposal provides44 stalls within the parking structure. The proposed internal circulation system is designed for motorized traffic and pedestrian access via sidewalks. Existing and proposed utility services have been deemed adequate by the City's Public Utilities Department. The conditional use is for an increase of five additional dwelling units. The proposed use itself is a permitted use in the RMU-45 Zoning District. After review of the existing non-conforming or conditional uses that are substantially similar, Criteria f is not considered applicable in this case.

Finding: Mixed use residential development is appropriate along the 300 West corridor of the West Capitol Hill Neighborhood. The proposed development is similar to other types of architecture approved for this area and the proposed height of the structure, at thirty-five feet, will be similar in height to other existing structures in the area and consistent to what much of the properties surrounding it are zoned. In addition, the architecture of the proposed building and development pattern of the site are appropriate for the site and the 300 West streetscape for this portion of the West Capitol Hill neighborhood. The proposed development concept and zoning are harmonious with the immediate area. The project satisfies these standards.

- 3. **Design Compatibility:** The proposed conditional use shall be compatible with the character of the area where the use will be located with respect to:
 - a. Site design and location of parking lots, access ways, and delivery areas;
 - b. Whether the proposed use, or development associated with the use, will result in loss of privacy, objectionable views of large parking or storage areas; or views or sounds of loading and unloading areas; and
 - c. Intensity, size, and scale of development associated with the use as compared to development and uses in the surrounding area.
 - d. If a proposed conditional use will result in new construction or substantial remodeling of a commercial or mixed-used development, the design of the premises where the use will be located shall conform to the conditional building and site design review standards set forth in Chapter 21A.59 of this title.

Finding: The proposed density increase will allow for five additional one-bedroom units within a residential mixed use neighborhood and the development maintains appropriate setbacks and buffers and increases the availability of on-street parking opportunities over the existing site layout and design. The height of the building will not extend above the 35 foot height limit set by the City Council through the rezoning of the property. The proposed design has not significantly changed from the previous design concept that was processed through the rezoning petition.

- 4. **Detriment to Persons or Property:** The proposed conditional use shall not, under the circumstances of the particular case and any conditions imposed, be detrimental to the health, safety, and general welfare of persons, nor be injurious to property and improvements in the community, existing surrounding uses, buildings, and structures. The proposed use shall:
 - a. Not emit any known pollutant into the ground or air that will detrimentally affect the subject property or any adjacent property;
 - b. Not encroach on any river or stream, or direct runoff into a river or stream;
 - c. Not introduce any hazard or potential for damage to an adjacent property that cannot be mitigated;
 - d. Be consistent with the type of existing uses surrounding the subject property; and
 - e. Improve the character of the area by encouraging reinvestment and upgrading of surrounding properties.

Analysis: The proposed use has not been identified as a use that would emit any known pollutants, does not encroach upon any rivers or streams or directs runoff to those areas, does not introduce any hazard or potential damage to any adjacent properties. The proposed use is consistent with existing uses surrounding it and improves the character of the area by reinvestment and upgrade of the site.

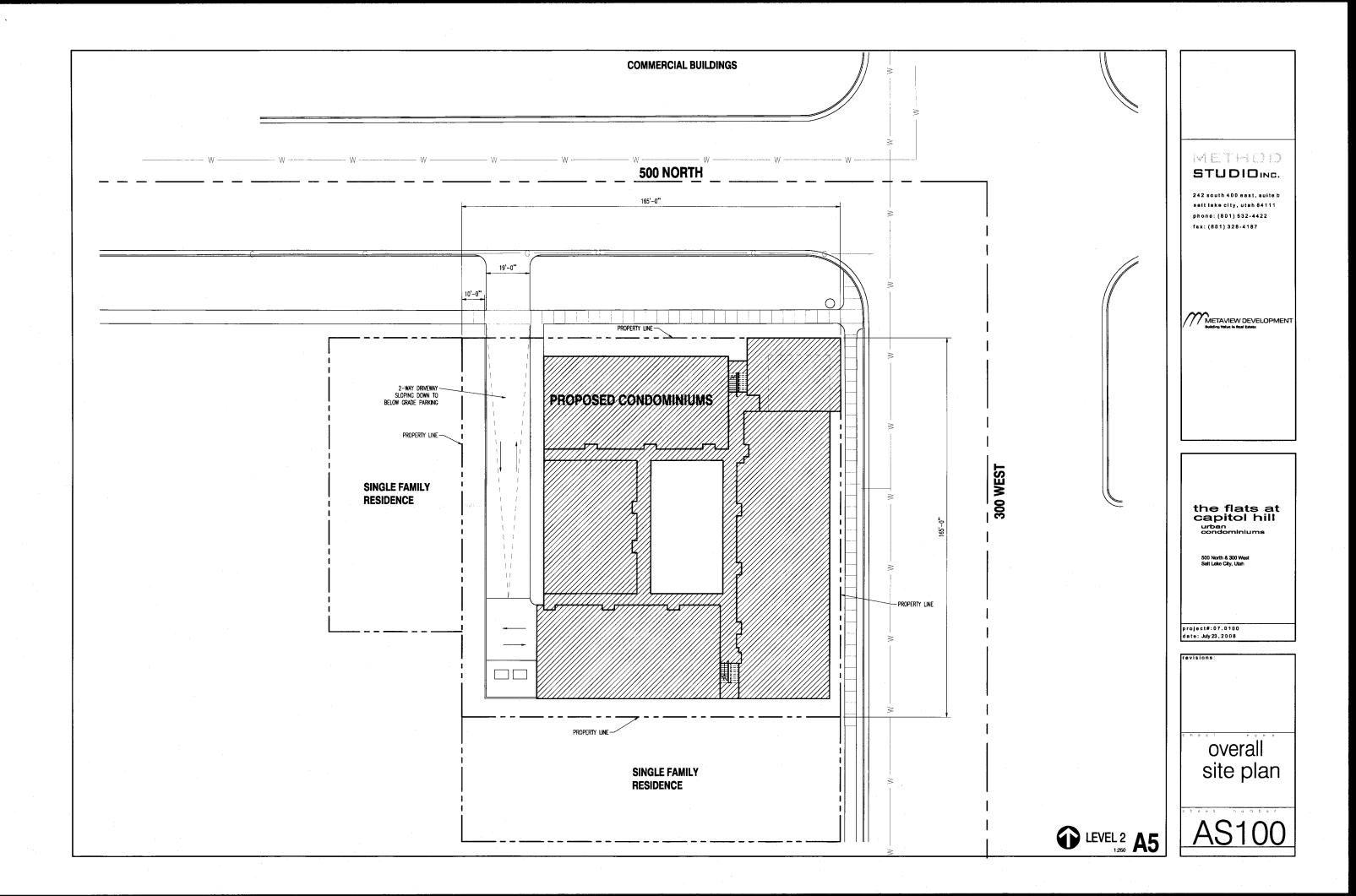
Finding: The proposed development project and related density increase meets the standard.

5. **Compliance with Other Applicable Regulations:** The proposed conditional use and any associated development shall comply with any other applicable code or ordinance requirement.

Analysis: The permitting Departments and Divisions may have additional requirements beyond those presented in this staff report.

Finding: The project must meet all other applicable codes and ordinances prior to the issuance of a permit.

Site Plan and Elevation Drawings







METHODSTUDIO INC.

Elevation A5



STUDIOING.

242 south 400 east, suite b salt lake city, utah 84111 phone: (801) 532-4422 fax: (801) 328-4187

METAVIEW DEVELOPMENT
Building Value in Real Estate

the flats at capitol hill urban condominiums 500 North & 300 West Salt Lake City, Utah

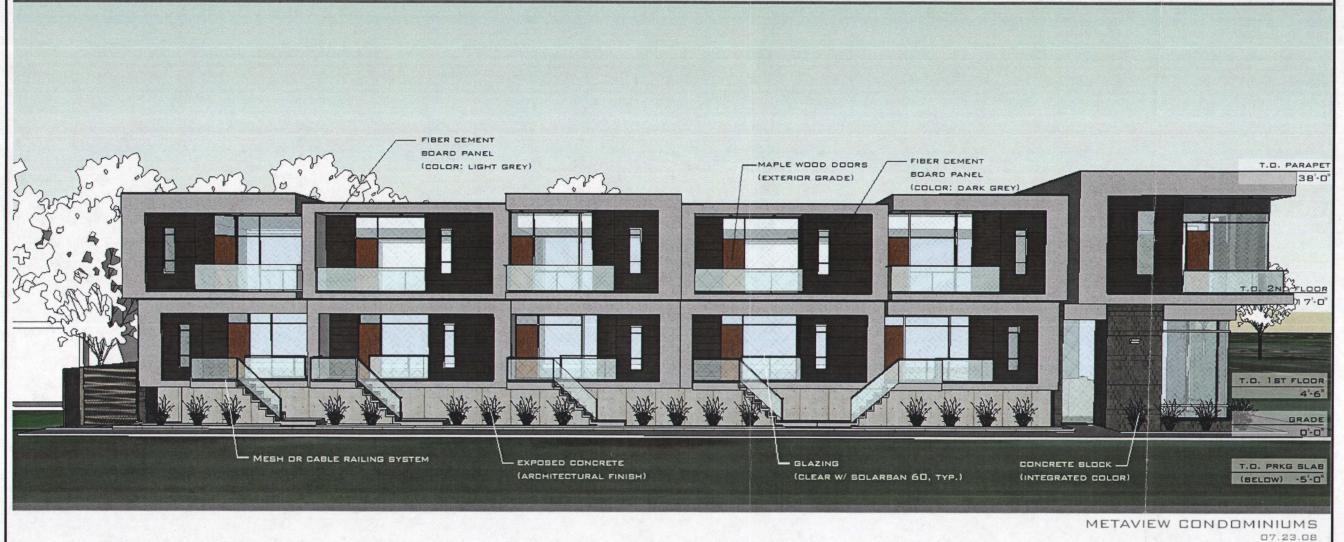
project#:07.0100 date:07.23.08

revision

eet nem

elevation & materials

A201



Existing Site Conditions





Joyce, Everett

From:

Walsh, Barry

Sent:

Thursday, September 04, 2008 9:56 AM

To:

Joyce, Everett

Cc:

Young, Kevin; Itchon, Edward; Garcia, Peggy; Smith, Craig; Butcher, Larry; Brown, Ken

Subject:

Pet PLNSUB2008-0031 cond use

Categories: Program/Policy

September 4, 2008

Everett Joyce, Planning

Re: Petition PLNSUB2008-0031 - Conditional Use request at 477 N. 300 West.

The division of transportation review comments and recommendations are as follows:

The 300 West roadway frontage is a (UDOT) arterial class roadway and the 500 North (SLC) frontage with vehicular access is a special local class roadway (due to width). The proposed residential development is in keeping with the traffic generations capacity of both roadways.

Per our DRT review 9/02/08, the proposal indicates 44 parking stalls for the 27 residential units as needed. We look forward to plan submittals for the technical permit review process.

Sincerely,

Barry Walsh

Cc

Kevin Young, P.E. Ted Itchon, Fire Peggy Garcia, Public Utilities Craig Smith, Engineering Larry Butcher, Permits File



Permits Office

Everett:

My preliminary comments which are based upon the RMU-45 district:

- It is difficult to tell from the submitted plans if the structures are attached or detached. If they are detached, a planned development review is required.
- A 10' landscape buffer is required along the west property line per Chapter 48.
- Based upon the submitted plans the project meets lot area and open space requirements.
- The site lies within the Secondary Recharge as shown on the Groundwater Source Protection Overlay Map. Uses will be restricted pursuant to Section 21A.34.060 Appendix B.

Larry

Airport

Everett,

Thank you for the notice regarding Capitol Hill Master Plan and rezone property at 477 N. 300 West. This address is not in an established Salt Lake City airport influence zone. The project does not create any observed impacts to airport operations.

David Miller
Airport Principal Planner
Salt Lake City Department of Airports
P.O. Box 14550
Salt Lake City, UT 84114-5550
801.575.2972
david.miller@slcgov.com

Transportation

January 7, 2008

Everett Joyce, Planning

Re:

Petition 400-07-37: A Master Plan Amendment request at 477 N. 300 W. Petition 400-07-38: A Zoning Map Amendment request at 477 N. 300 W.

The Division of Transportation review comments and recommendations are as follows:

The 300 West roadway fronting this parcel is a major arterial class roadway, 500 North roadway is a special local class roadway with the intersecting roads having a signalized intersection. The proposed change from a CB zone to the proposed RMF-45 zone will not appreciably impact the traffic generation for these existing roadways. All proposed site development is required to comply too city transportation design standards for access, maneuvering, staging, and parking.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.
Craig Smith, Engineering
Peggy Garcia, Public Utilities
Ted Itchon, Fire
Larry Butcher, Permits
File

JEFFRY T. NIERMEYER

SAVIT' LAKE: GHTY CORPORATION

ROSS C. "ROCKY" ANDERSON

DEPARTMENT OF PUBLIC UTILITIES
WATER SUPPLY AND WATERWORKS
WATER RECLAMATION AND STORMWATER

January 3, 2008

Salt Lake City Planning 451 South State Street Salt Lake City, Utah 84111

RE:

Preliminary Project Review

Petition #400-07-37 A Master Plan Amendment request at 477 N 300 W Petition #400-07-38 A Zoning Map Amendment request at 477 N 300 W

Dear Everett,

Salt Lake City Public Utilities has reviewed the preliminary plans and layout for these proposed requests near 477 North 300 West. The following outlines Public Utilities' requirements that must be met in order to receive approval for this project from our Department:

General Requirements:

All design and construction must conform to State, County, City and Public Utilities standards and ordinances. Design and construction must conform to Salt Lake City Public Utilities General Notes.

All environmental and wetland issues must be approved by the appropriate governing agency prior to Public Utilities approval. The developer must provide written documentation to Public Utilities showing these conditions have been met.

Fire Department approval will be required prior to Public Utilities approval. Fire flow requirements, hydrant spacing and access issues will need to be resolved with the fire department.

Sanitary Sewer and Water:

Utility plans showing all proposed water and sanitary sewer connections for the proposed subdivision must be submitted for review and approval. According to our records there are currently water and sanitary sewer connections to the property. If this project is approved as a planned development then Public Utilities will allow one master meter service to serve the property for culinary water. One additional metered service will be allowed for irrigation purposes. Fire connections must be separately connected at the main from the culinary and irrigation services. Calculations must be submitted showing anticipated sanitary sewer flows from this proposed subdivision and that the downstream system is adequate to support these additional flows adhering to City standards of the downstream pipes not exceeding 75% full.

Utility plans must show all proposed pipe routings, sizes, types, boxes, meters, detector checks, fire lines and hydrant locations. For all culinary water line services larger than 3-inches, the water meter size must be justified by submitting AWWA M-22 method calculations or by a Public Utilities' approved equivalent method. All gravity pipes must be designed and constructed to meet minimum allowable grades. Any potential conflicting private or public utility must be designed to meet minimum State and

City separation standards. A minimum 1.5-foot vertical separation must be provided for between water and sewer crossings. All other utilities should have a minimum 1.5-foot separation with a larger separation required between larger structures and pipes. A stamped geotechnical report must be provided to Public Utilities for review and approval addressing pipe zone and pipe stabilization design for all pipes 10-feet and deeper. Minimum Public Utilities' pipe zone standards must be met. The engineer or contractor must obtain approval from Public Utilities for dewatering activities required during construction.

Storm Water Design and Construction

Drainage and grading plans must be submitted for review and approval. This development will be restricted to a maximum storm water discharge rate of 0.2 cfs per acre. No retention facilities will be allowed. High groundwater is typical in this area and a stamped geotechnical report must be submitted to Public Utilities identifying the expected highest groundwater elevation for this area. All building pads, docks, paved areas, storm grates and on-site storm water detention must be above the 100-year event high water elevation as hydraulically connected to the ditches or the highest expected groundwater elevation, whichever is the worst condition. Building pads should be located several feet above this elevation. The engineer must show that enough hydraulic head is provided to drain storm water away from this subdivision. This high water condition and any related imported fill conditions as needed to properly drain this subdivision must be noted on the final plat and on the drainage and grading plan. An engineered stamped drainage report is required showing all the above-mentioned requirements have been met. Proposed ditch sections or detention facilities must have 3:1 or flatter side slopes with minimum two-foot bottom. Concrete roll gutters are recommended at the bottom of ditch facilities. Bubble-up inlets or sumps used as control structures in detention areas will be discouraged. Temporary and permanent erosion control within detention areas or ditches must be detailed. The developer must comply with UPDES Construction Storm Water Permits. At a minimum, silt fence must be provided along open drainage ways, hay bales must protect any existing grates or inlets and the City's clean-wheel ordinance must be followed. A copy the proposed Storm Water Pollution Prevention Plan required for the UPDES permit must be submitted to Public Utilities for review and approval.

Property Issues Agreements and Fees:

All existing and new easements must be clearly shown and described on the plat prior to final plat recordation. All public utility mains must be located within public road right-of-ways. If power lines, gas lines, communication conduits, etc. exist within this the property, any relocation of these utilities and related easements must be approved by Public Utilities. No buildings, structures, trees, fences, etc. may be constructed within easements dedicated to Salt Lake City Public Utilities.

Utility service connection agreements must be entered into between the developer and Public Utilities for all water, fire and sewer services. The agreement will outline developer and Public Utilities' responsibilities related to construction, maintenance and warranty of these services. Work for public utility system improvements must be bonded based upon an approved engineer's estimate. All agreements must be executed and bonds received by Public Utilities prior to full construction plan set approval and plat sign-off from our department. Prior to full plan set approval and plat recordation all water, fire, sewer, drainage and connection impact and inspection fees must be paid in full. A \$374 per quarter acre drainage impact fee will be assessed on the platted area for this development.

Public Utilities finds this project approvable if all the above-mentioned issues are addressed. If you should need further assistance with this matter, please contact Jason Brown at 483-6729.

Sincerely,

Jeffry T. Niermeyer

Director

cc:file

JN/pg

Table of Contents

GI100 - General Information

*** - Land Survey

AS100 - Site Plan & Site Improvements

A100 — Level O Parking Garage

A101 - Level 1 Dwelling Units A102 - Level 2 Dwelling Units

A201 - Elevations, Materials, & Perspectives

PROPOSED CONDOMINIUM BUILDING STATISTICS

Total Lot Size: 27,225 SQ. FT. (0.625 Acres) Total Building Footprint: 14,341 SQ. FT. Open Space Provided on main level: 52.6%* *private dwelling balconies NOT included*

Parking Level (below grade) – 17,324 SQ.FT. Required Parking:

1 Stall Per Bedroom = 44 Parking Stalls
Total Parking Provided:

44 Parking Stalls

ADA Stalls: 2 Required, 2 Provided

Main Level:

Total Dwelling Units (including balconies): 13,678 SQ. FT.

Total Balcony Area: 681 SQ. FT. Lobby: 663 SQ. FT.

TOTAL SQ. FT. = 14.341 SQ. FT.

Second Level:

Total Dwelling Units (including balconies):

15,206 SQ. FT.

Total Balcony Area: 752 SQ. FT.

Total Building Square Footage:

Dwelling Units (including balconies) + Lobby:

29,547 SQ. FT.

Balconies: 1,433 SQ. FT. Parking: 17,324 SQ. FT.

Courtyard: 1,856 SQ. FT.

Covered Walkways and Stairs: 4075 SQ. FT.

<u>Total Dwelling Units — 27</u>

1 Bedrooms - 10 (911-956 SQ. FT.)

2 Bedrooms - 17 (1175-1265 SQ. FT.)

Type of Construction

Level 0: (Below Grade Parking) - Type IB

Level 1: Lobby/Dwellings - IIB

Level 2: Dwellings - IIB

<u>Dwelling Unit Density</u>

Conditional Úse Approval Required

Building Height Per Zoning

45' Maximum Above Grade

Building Height Per Current Design

35' Above grade (T.O. Roof Deck)

40' Above grade (T.O. Parapet)

CONDITIONAL USE

Current Zone: RMU 45

21A.24.168 C "qualifying provisions" 1.

1. 21,000 square feet for 15 units, plus 800 square feet for each additional dwelling unit up to 1 acre.

Unit Count Calculation under this provision:

Lot size: 27,225 SF = 0.626 acre

21,000 SF for 15 units

27,225 SF - 21,000 SF = 6,225 SF

6,225 SF / 800 SF per Unit = 7 units

Total:

15 units + 7 units = 22 units

Proposed Unit Count for this conditional use:

27 Dwelling units.

Project Goals and Impact of Proposed Conditional Use:

*Architectural design intent to attract additional demographic diversity to the area.

*Plan layout to provide single bedroom units for more affordable housing and respond to market demand.

*Total number of bedrooms does not increase with 27 units.

*Total number of Parking stalls does not increase with 27 units.

*Percentage of open space remains well beyond minimum requirement.

*More units between 900 sf and 1175 sf without increased building scale

*More units and balcony exposure along 300 West to activate the streetscape environment.

*Increased facade articulation and glass exposure to the building facade along 300 West.

METHOD

STUDIO INC.

242 south 400 east, suite b self lake city, utah 84111 phone: (801) 532-4422 fax: (801) 328-4187

METAVIEW DEVELOPMENT

the flats at capitol hill

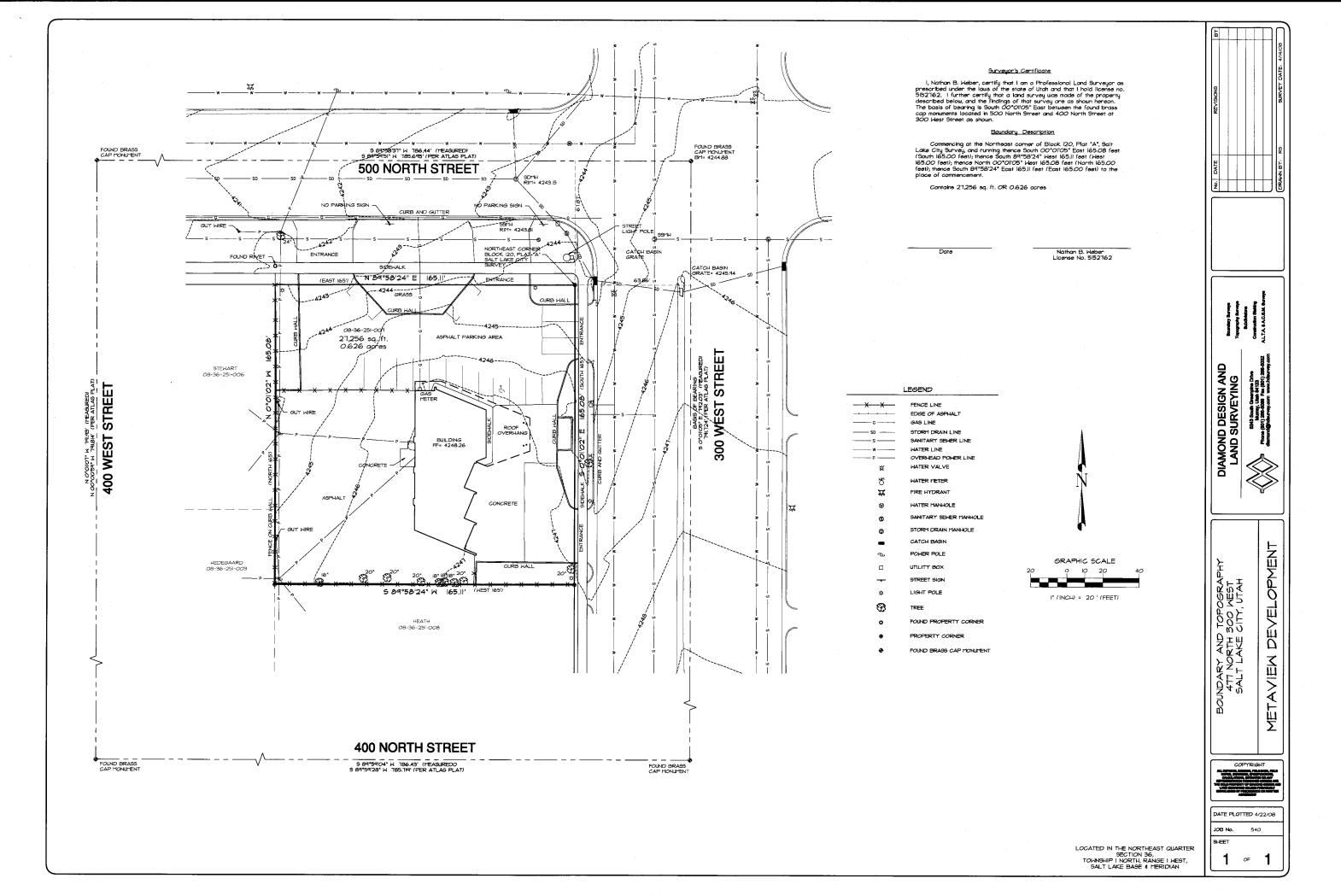
> 500 North & 300 West Salt Lake City, Utah

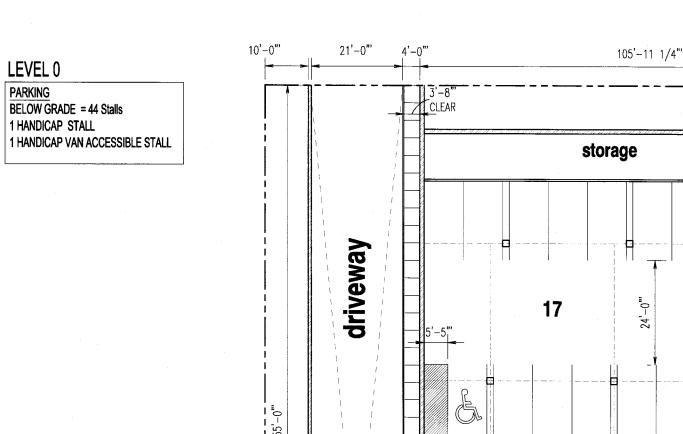
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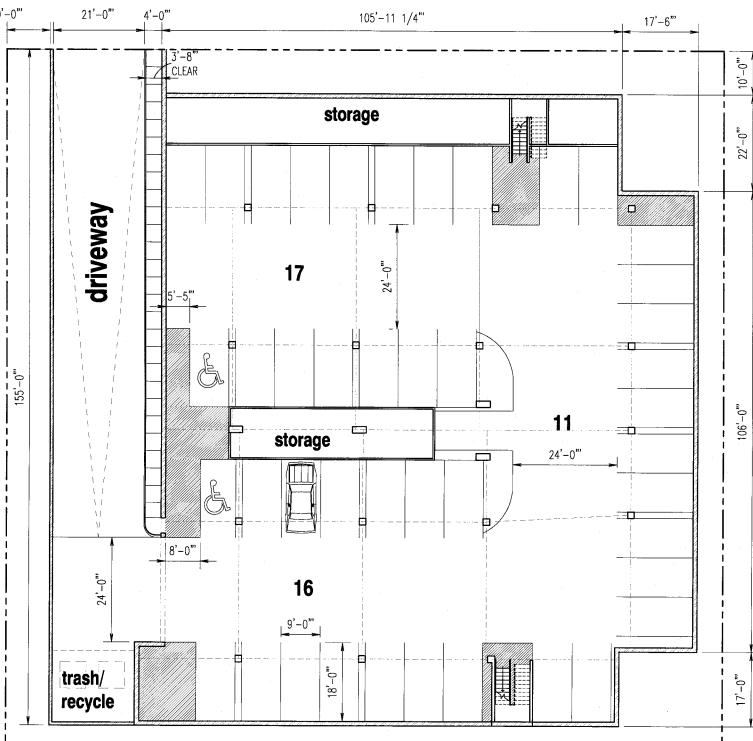
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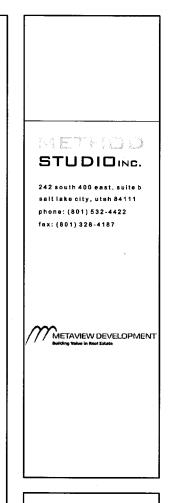
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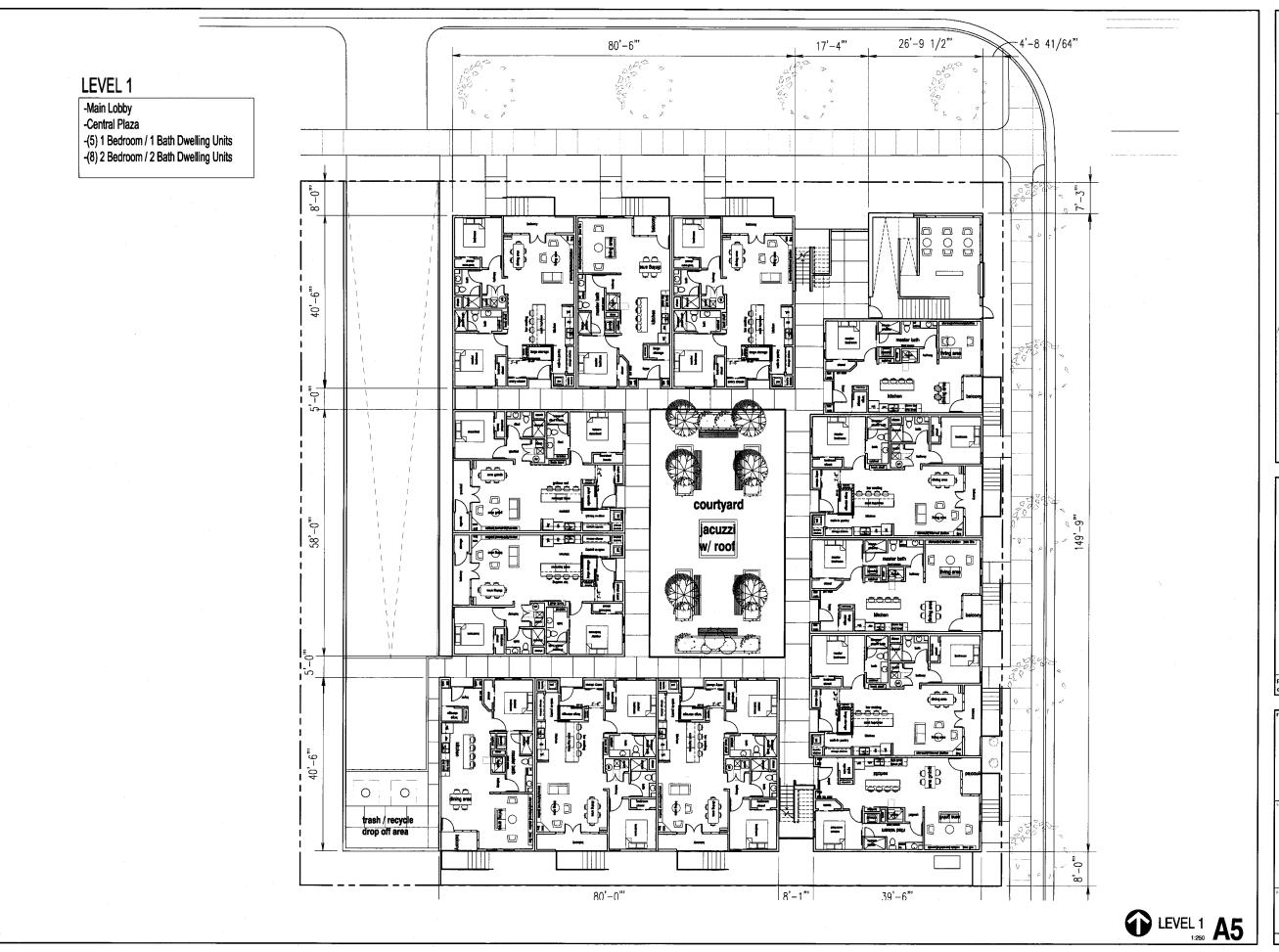




the flats at capitol hill urban condominiums 500 North & 300 West Selt Lake City, Uteh
project#:07.0100 date: July 23,2008

level 0 parking below Grade





STUDIDING.

242 south 400 east, suite b salt lake city, utah 84111 phone: (801) 532-4422 fax: (801) 328-4187

METAVIEW DEVELOPMENT suiting Value in Real Science

the flats at capitol hill urban condominiums

500 North & 300 West Selt Lake City, Utah

project#:07.0100 date: July 23,2008

revisions

level 1 main level units

A101

