

# PLANNING COMMISSION STAFF REPORT

## Eastside Apartments PLNPCM2009-01347 Zoning Map Amendment 556 East 300 South April 14, 2010



Planning and Zoning Division  
Department of Community and  
Economic Development

**Applicant:**

Matt Hansen of City and PEG  
Development

**Staff:**

Doug Dansie, 535-6182  
Doug.Dansie@slcgov.com

**Tax ID:**

16-06-283-009  
16-06-427-038

**Current Zone:**

RMF-35 and RO (RMU proposed as  
part of petition PLNPCM2009-  
01347)

**Master Plan Designation:**

Central Community Master Plan:  
medium density residential of 15-30  
per acre.

**Council District:**

District Four ~~Luke~~ Garrott

**Community Council:**

Central City

**Lot Size:**

2.10 acres this phase 4.59 total  
complex

**Current Use:**

Vacant

**Applicable Land Use Regulations:**

21A.50.050: Standards for general  
amendments

**Notification**

- Notice: April 1, 2010
- Sign: April 1, 2010
- Web: April 1, 2010

**Attachments:**

- A. Photographs
- B. Department Comments

### ***Request***

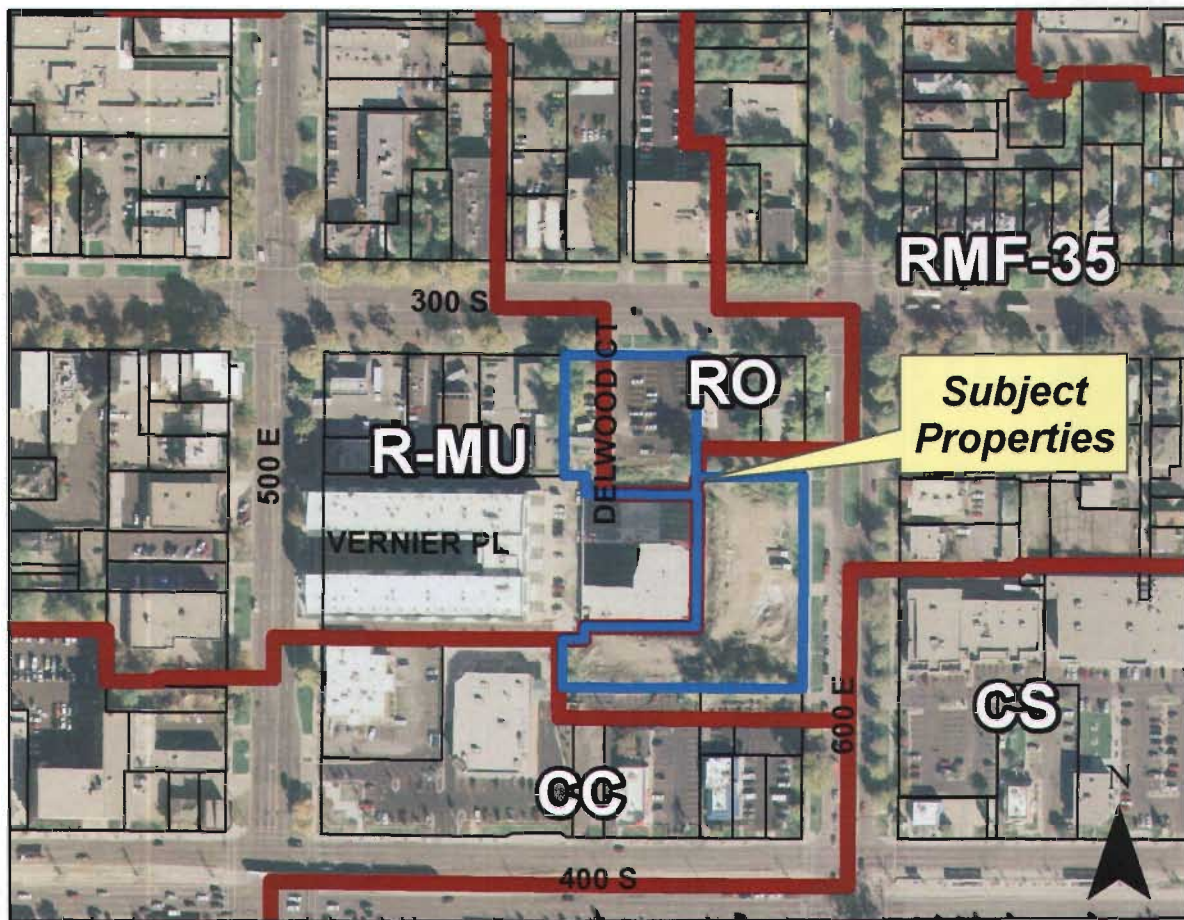
This is a request to rezone property located at approximately 556 East 300 South (including 350 S 600 East) from Residential Multi-Family RMF-35 and Residential Office RO to Residential Mixed- Use RMU. The applicant wishes to increase the potential density to accommodate two new apartment buildings and to maintain consistent zoning across the entire site. A rezone was previously approved on this site as part of Petition 400-01-37 but the approval expired due to the failure to obtain a building permit for the second and third phases of the development. The first phase is Emigration Court Apartments located on 500 East. The applicant for the current proposal is not the owner of Emigration Court Apartments.

There is a concurrent planned development proposal (PLNPCM2009-01348) delineating the specific details of the proposed project. The planned development is also being reviewed by the Historic Landmark Commission to insure Central City Historic District compatibility (Petition PLNHLC2009-01346).

### ***Staff Recommendation***

Based on the findings listed in the staff report, it is the Planning Staff's opinion that overall the proposal generally meets the applicable standards and therefore, recommends the Planning Commission forward a positive recommendation to the City Council to approve the requested zoning map amendment.

## VICINITY MAP



### Background

#### Project Description

The site is presently zoned RMF-35 and RO. The petitioner is proposing RMU. There was a previous conditional use and rezone proposed for this site consisting of a similar apartment proposal (Planned Development Petition 410-584 Rezone Petition 400-01-37). The applicant has submitted petition PLNPCM2009-01348 as a Conditional Use/Planned Development and PLNHLC2009-01346 as a Historic Landmark review concurrent with this rezone petition.

The site is currently vacant.

The applicant is proposing to build a three to six story apartment complex facing 600 East and a three to four story apartment complex (marketed to seniors) facing 300 South. The 600 East frontage will have three story buildings facing the street with the taller portions at the interior of the block. The shorter height on 600 East would be similar to the existing RMF-35 zoning requirements, but the densities are higher. The building on 300 South is proposed to be shorter than what would be allowed in the existing RO zone. There was a previously approved planned development of similar size and scale that was approved for this site, but only phase one (Emigration Court Apartments) was built. The new proposal would be similar to the original proposal in that it



has three apartment buildings centered on a central plaza in the rear, with each facing a different street in the front (500 East 600 East and 300 South). The proposal meets all parking and service requirements and has all parking located underground (except for a few loading stalls).

The City Council approved the rezoning to accommodate the previous project, timed with the phasing of the development and based upon receiving building permits for the specific project. The first phase was constructed but the second and third phases were not constructed during the allotted time and the approvals expired.

Under the current proposal, Emigration Court Apartments remains the first phase of this complex (the central open space was developed with Emigration Court) and the next two phases are proposed to be developed along the following timeline:

Eastside Apartments (600 East – the larger of the two buildings))

Construction start: August 2010

Construction completion: October 2011 (the front buildings could open around July 2011)

Senior Apartments (300 South – marketed to seniors)

Construction start: April 2011

Construction completion: March 2012

## **Comments**

### **Public Comments**

The project was presented to the Central City Community Council on January 6, 2010. The Community Council felt that the design was incompatible with the neighborhood because it was too suburban in its design. Concern was also expressed regarding the size and scale of the existing Emigration Court Apartments. The design has been significantly altered from what was originally presented to the Community Council, in response to community and Historic Landmark Commission feedback.

### **City Department Comments**

Department comments are attached. The comments were generally supportive, with some concern about the need to increase the size of some water lines for fire suppression. There are no issues that would prevent the rezone of the property or the construction of this project. (Comments pertaining to the specific development proposal, not merely the rezone request, are attached to Petition PLNPCM2009-01348)

## **Project Review**

The Planning Commission held a joint Planned Development subcommittee with the Historic Landmark subcommittee on meeting on February 25, 2010. The meeting focused on the design of the complex and assumed the increased densities allowed by the zone change.

## **Analysis and Findings**

### **Options**

There was a previous rezone petition approved on the site, which expired because a building permit was not obtained (Planned Development Petition 410-584, Rezone Petition 400-01-37). Failure to grant this zoning change would still allow for the construction of apartments, but not at proposed densities. Cross easements, shared open space and midblock pedestrian access have been developed as part of the planned development; they could still take place without a zone change, however, three different zoning districts on the same complex alter the economics of the development and potentially alter the terms of those agreements.

### **Findings**

A decision to amend the Salt Lake City 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 a decision concerning a proposed amendment, the City Council should consider the following factors:

**B. 1. Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents.**

**Analysis:** The Central Community Master Plan calls for the area to be a combination of housing density: Medium density transit (10-50 dwelling units per acre) along 600 East, residential office (10-50 units per acre) on the corner of 600 East and 300 South and high mixed-use (50 or more units per acre) on 300 South. This specific proposal is consistent with the master plan in that it presses the density towards the interior and western portions of the block and lowers the building along 600 East.

**Finding:** The proposed zoning map amendment is supported by general policy elements of the Central Community Master Plan as long as the resulting development is sensitive to specific design concerns. The final design of the buildings is being reviewed by both the Planning Commission and the Historic Landmark Commission to ensure compatibility.

**2. Whether a proposed map amendment furthers the specific purpose of the zoning ordinance.**

**Analysis:** The purpose of the R-MU residential/mixed use district is to reinforce the residential character of the area and encourage the development of areas as high density residential urban neighborhoods containing supportive retail, service commercial, and small scale office uses. The design guidelines are intended to facilitate the creation of a walkable urban neighborhood with an emphasis on pedestrian scale activity while acknowledging the need for transit and automobile access.

400 South is immediately adjacent to the site (to the south) and is major arterial for both autos and transit.

**Finding:** The proposed zoning accommodates increased housing and responds to transit opportunities. The design of the proposed apartments, as submitted and reviewed, meets the intent of the purpose statement.



### **3. The extent to which a proposed map amendment will affect adjacent properties.**

**Analysis:** The surrounding uses are mixed, including single and multi-family, office and retail. The development represents an overall increase in density from previous land uses (the site is now vacant), however efforts have been made to ensure the proposed buildings are in scale with surrounding development along street frontages. Due to the existence of light rail transit within walking distance of this site, increased densities are appropriate as long as they are designed sensitively.

The proposed apartments would need separate Planned Development approval; Petition PLNSUB2009-01348 and Historic Landmark review; Petition PLNHLC2009-01346. These review processes are in place to ensure that the increased densities are designed sensitively to the neighborhood and historic district.

**Finding:** The proposed zoning map amendment, combined with associated design review, will have a positive impact on surrounding properties.

### **4. Whether a proposed map amendment is consistent with the purposes provisions of any applicable overlay zoning district which may impose additional standards.**

**Analysis:** The proposed map amendment is within the Central City Historic District which is governed by section 21A.34.020 of city code: H HISTORIC PRESERVATION OVERLAY DISTRICT

In order to contribute to the welfare, prosperity and education of the people of Salt Lake City, the purpose of the H historic preservation overlay district is to:

1. Provide the means to protect and preserve areas of the city and individual structures and sites having historic, architectural or cultural significance;
2. Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks;
3. Abate the destruction and demolition of historic structures;
4. Implement adopted plans of the city related to historic preservation;
5. Foster civic pride in the history of Salt Lake City;
6. Protect and enhance the attraction of the city's historic landmarks and districts for tourists and visitors; and
7. Foster economic development consistent with historic preservation.

The site will be reviewed by the Historic Landmark Commission and requires approval prior to issuing building permits: Petition PLNHLC2009-01346. The Historic Landmark Commission has provided preliminary feedback to the developer, who has modified the proposal accordingly. Once the Planning Commission takes action on the planned development, the Historic Landmark Commission will review the project design details to ensure compliance with adopted preservation regulations and standards (pending City Council approval of the zone change).

**Finding:** The map amendment is consistent with the H Historic Preservation Overlay District and its associated standards.

**5. 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 wastewater and refuse collection.**

**Analysis:** Salt Lake City Public Utilities has indicated that utilities are adequate at this location; however some water lines may need to be upsized for fire suppression.

The light rail system runs in the center of 400 South Street, which provides major transit service to the area; including access to schools, recreation, parks and urban services.

**Finding:** Existing or proposed utility services will be adequate, or are capable of being made adequate, for the development and are designed in a manner that will not have an adverse impact on adjacent land uses or resources. The site is more than adequately served by auto and transit access.

**Attachment A**  
Photographs





300 South (looking west)



300 South (north side)





300 South (north side)



600 East (site)



600 East (looking north east)



600 East (site)





300 South (site)



300 South (site)





600 East (site)



600 East (site)



600 East (site looking north)



600 East (looking east)

**Attachment B**  
Department Comments



**Public Utilities Justin Stoker**

We have reviewed the proposed rezone for the Eastside Apartments located at approximately 556 E 300 S and 350 S 600 E. We have no objections to the proposed rezoning and look forward to a detailed review of the project when improvement plans have been submitted for review. Major issues that will need to be addressed during design include the capacity of the water and exist in 300 South and 600 East. The water mains in both of those streets are only 6-inches in size and are not adequate for buildings with a fire suppression system. It is highly likely that the water demand of this project will necessitate the upsizing of the water mains to provide for the project. Please work with us to ensure that adequate capacity exists in the sanitary sewer system and that an adequate solution is provided for the storm drain (no storm drain systems are currently located adjacent to the project).

**Building review Larry Butcher**

See Building comments 09-01348

**Engineering Randy Drummond**

We have no concerns regarding the rezone application.

**Transportation Barry Walsh**

Same as PLNPCM2009-01348