Planning Commission Staff Report Administrative Item

Eco Lofts Planned Development PLNSUB2013-00528 440 South 900 East Hearing date: December 11, 2013



Planning Division Department of Community & Economic Development

Applicant: Jeff Lonardo of Method-Studio Architect Firm

<u>Staff:</u> Casey Stewart 535-6260 casey.stewart@slcgov.com

<u>Tax ID:</u> 16-05-330-017

<u>Current Zone</u>: TSA-UN-C (Transit Station Area – Urban Neighborhood - Core)

<u>Master Plan Designation:</u> Central Community Master Plan: Medium Residential / Mixed Use

<u>Council District:</u> District 4 – Luke Garrott

Community Council:

East Central Community Council – Gary Felt \ Esther Hunter (Chairs)

Lot size: 0.57 acres

Current Use: None

Applicable Land Use Regulations:

- 21A.26.078 TSA District
- 21A.55 Planned Development

Attachments:

- A. Applicant's project description
- B. Site/Building drawings
- C. Photographs
- D. City Department Comments
- E. Written public comments

Request

This is a request for a six story, 74-unit apartment building with main floor retail and office space. The project is a city RDA development and requires review via the planned development process because of proposed noncomplying building setbacks.

Recommendation

Based on the findings listed in the staff report, it is the Planning Staff's opinion that the project adequately meets the applicable standards for a planned development and therefore recommends the Planning Commission approve the application as proposed and subject to the following:

- 1. Final planned development site plan approval is delegated to the Planning Director.
- 2. Compliance with all City department requirements outlined in the staff report for this project. See *Attachment D* of the staff report for department comments.

Recommended Motions

Based on the findings listed in the staff report and the testimony and plans presented, I move that the Planning Commission approve the requested Eco Lofts planned development PLNSUB2013-00528 as proposed and subject to all conditions of planning staff's recommendation.



Background

Project Description

The proposed project consists of a six story (80 feet) building with 74 residential apartments and ground level retail and office space on a half-acre parcel. Vehicle parking will be provided via a small surface lot (7 stalls) and underground parking (23 stalls). The applicant has submitted an application for <u>planned development</u> seeking to modify the building setback requirements of the TSA-UN-C zoning district. This aspect is discussed in more detail in the following pages.

The proposed building and site design have achieved a TSA development score of 191, where 100+ is desired by the City. That score makes the project eligible to begin development with merely a building permit – no additional review by planning staff or the planning commission is required. That is the incentive for designing a project that achieves a high design score. Although the project achieved such a high design score, the building setbacks are established by the base zoning requirements of the TSA zone and are not eligible to be modified via the TSA scoring process, but only through the planned development process.

The peculiar circumstance at the root of the setback modification is an underground pipe, and related easement, that carries the Jordan and Salt Lake Canal through this property. The easement precludes buildings within the easement area, which for this property is along the front 28 feet, across the entire front boundary.

Project Details

Regulation	Zone Regulation	Proposal	
Density/Lot Coverage	No limit	129 units per 1 acre	
Height	75 feet (may exceed with high TSA score)	75-80 feet (High TSA score allows for additional floor above 75 limit)	
Front / Corner Yard Setback	5 feet or less	<u>28</u> feet	
Rear Yard Setback	25 feet	<u>10</u> feet	
Side Yard Setback	none	25 and 4 feet	
Parking	None / no minimum	30	

Discussion

The TSA zoning district purpose is to "provide an environment for efficient and attractive transit and pedestrian oriented commercial, residential and mixed use development around transit stations. Redevelopment, infill development and increased development on underutilized parcels should include uses that allow them to function as part of a walkable, mixed use district."

As proposed, the project achieves a TSA development score of 191, significantly exceeding the minimum score of 100 needed to avoid review by the planning commission. The project is going through the planned development review not because of issues with the building design, but due to building setback conflicts that result from the basic requirements for front and rear yard setbacks – which can only be modified via this process. The proposal otherwise complies with the base zoning requirements. The planned development process is intended to provide flexibility in the application of site design in order to achieve a result more desirable than through strict application of City land use regulations. A discussion of the setback aspects of this planned development proposal is detailed as follows:

Setbacks:

Front yard - The TSA zone requires the building be close to the street, with at least 50% of the building within five feet (5') of the front property line. The required setback for the *rear* yard is 25 feet. The proposed building would have a front setback of 28 feet, and a rear setback of 10 feet. The key factor in these proposed setbacks is an easement for the Jordan & Salt Lake Canal that runs via an underground pipe through the property. The easement runs along the front (east) and side (north) of the property. The proposed building would be constructed right up to the easement line without encroaching into the easement. The front yard area is designed as an open, landscaped pedestrian plaza, which is a beneficial use of the extra setback. Based on the unusual circumstance stemming from the canal easement and the effective proposed pedestrian plaza, staff supports the setback modifications.

Rear yard - The required setback for the *rear* yard is 25 feet. The proposed building would have a rear setback of 10 feet. This setback is only partially related to the canal easement. The required 25-foot rear yard setback would significantly reduce the remaining buildable area, thereby reducing the feasibility of an otherwise high-scoring TSA development. In the TSA core areas, the rear yard setback is intended to "…*maintain light, air and potential privacy for adjacent residential uses.*" In this case, the adjacent use in the rear yard is not residential, but rather an existing school with grass playing fields and playgrounds between the school and the proposed new building. At the proposed rear yard setback, the proposed building would still be approximately 180 feet from the school building, maintaining more than enough separation for light, air and privacy. Given the existing adjacent school use and large property, essentially negating the need for a greater setback, staff supports the reduced rear yard setback in order to facilitate this TSA project.

Public Notice, Meetings, Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project:

Notice of the public hearing for the proposal included:

- Public hearing notice mailed on October 31, 2013
- Public hearing notice posted on property October 31, 2013
- Public notice posted on City and State websites and Planning Division list serve: October 31, 2013

Public Comments

The project materials were provided to the East Central Community Council in August 2013. The community council provided no comments prior to the publishing of this staff report.

City Department Comments

Project comments were received from pertinent city departments and are included as "<u>Attachment D</u>": The Planning Division has not received comments from the applicable city departments / divisions that cannot reasonably be fulfilled or that warrant denial of the petition.

Analysis and Findings

Findings

21A.55.050: STANDARDS FOR PLANNED DEVELOPMENTS:

The Planning Commission may approve, approve with conditions, or deny a planned development based upon written findings of fact according to each of the following standards. It is the responsibility of the applicant to provide written and graphic evidence demonstrating compliance with the following standards:

Through the flexibility of the planned development regulations, the city seeks to achieve *any* of the following specific objectives:

- A. Combination and coordination of architectural styles, building forms, building materials, and building relationships;
- B. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion;
- C. Preservation of buildings which are architecturally or historically significant or contribute to the character of the city;
- D. Use of design, landscape, or architectural features to create a pleasing environment;
- E. Inclusion of special development amenities that are in the interest of the general public;
- F. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation;
- G. Inclusion of affordable housing with market rate housing; or
- H. Utilization of "green" building techniques in development.
- **A.** Planned Development Objectives: The Planned Development shall meet the purpose statement for a planned development (Section 21A.55.010) and will achieve at least one of the objectives stated in said Section;

Analysis: The single reason the applicant is pursuing a planned development are the modification of building setbacks (yard area). The setback modifications are a result of extenuating circumstances associated with an easement for an underground canal pipe, and are otherwise in keeping with the overall intent of the TSA Core districts, and not considered a significant issue from staff's perspective, as discussed previously in this report.

The proposed site design, with the landscaped front yard patio area and public seating, is inviting and interacts easily with pedestrian traffic, creating a pleasing environment for the property, customers, and the public in general. This aspect achieves objective 'D' for planned developments.

The proposed project includes affordable housing (50% of the units), encouraging a range of residents and effectively using the easy access to mass transit on 400 South. This aspect achieves objective 'G' for planned developments.

The proposed building design, with the landscaped roofs, numerous shade trees, LEED design (silver level), and light permeable paving for the pedestrian areas, are examples of green building techniques desired by the City. This aspect achieves objective 'H' for planned developments.

Finding: The project achieves three of the objectives for planned development, thereby satisfying this standard.

- **B.** Master Plan And Zoning Ordinance Compliance: The proposed planned development shall be:
 - 1. Consistent with any adopted policy set forth in the citywide, community, and/or small area master plan and future land use map applicable to the site where the planned development will be located, and,
 - 2. Allowed by the zone where the planned development will be located or by another applicable provision of this title.

Analysis: Both the Central Community Master Plan and the TSA zoning district references this area for mixed-use / residential development, although the master plan calls for medium density and the TSA allows for high density; this project is considered high density at 129 units per acre. Given the proximity to a main transit corridor (400 South) and the likely use of the project by university students, use of this site for high density residential development was anticipated. When designed according to the standards for TSA projects, as this project is evidenced by its high TSA development score, is compatible with the area.

Finding: The project is consistent with the Central Community Master Plan and is permitted and encouraged in the TSA-UN-C zoning district as required by this standard.

- **C.** Compatibility: The proposed planned development 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:
 - 1. Whether the street or other means of access to the site provide the necessary ingress/egress without materially degrading the service level on such street/access or any adjacent street/access;
 - 2. Whether the planned development and its location will create unusual pedestrian or vehicle traffic patterns or volumes that would not be expected, based on:

- a. 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;
- b. Parking area locations and size, and whether parking plans are likely to encourage street side parking for the planned development which will adversely impact the reasonable use of adjacent property;
- c. Hours of peak traffic to the proposed planned development and whether such traffic will unreasonably impair the use and enjoyment of adjacent property.
- 3. Whether the internal circulation system of the proposed planned development will be designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic;
- 4. Whether existing or proposed utility and public services will be adequate to support the proposed planned development at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources;
- 5. 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 planned development, and;
- 6. Whether the intensity, size, and scale of the proposed planned development is compatible with adjacent properties.
- 7. 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.

Analysis: The proposed development is compatible with and complementary to adjacent properties and the surrounding area. The adjacent uses include a public school, office building, and retail use. The site is accessed from 900 East, which has the ability to handle the slight increase in vehicle traffic, and is within walking distance of a main transit corridor (400 South), which reduces the demand for off street vehicle parking. Visitor parking would be accommodated by a small surface parking lot in conjunction with an underground parking structure. No adverse impacts to surrounding streets or properties are anticipated as a result of this project.

The project's internal circulation limits the potential conflicts with pedestrians by creating one access point, and hides the bulk of the parking area underground. Being a predominantly residential project, there are no sound, odor, or other nuisance problems that would cause concern.

Finding: The project satisfies this standard; the proposed project is compatible with adjacent properties by the nature of the use and its method of operation. There are no anticipated adverse impacts.

D. Landscaping: Existing mature vegetation on a given parcel for development shall be maintained. Additional or new landscaping shall be appropriate for the scale of the development, and shall primarily consist of drought tolerant species; **Analysis:** There is no mature vegetation on the site; it is essentially a building with grass yard areas. The site will have all new landscaping on both the ground level and the roof tops, which as planned, is appropriate for the scale of the project. A good number of shade trees will be complimented with drought-tolerant plants and hardscape features such as planters, shade structures, benches, and pedestrian patio areas. No relief from landscaping standards are anticipated, or requested, with this project.

Finding: The project satisfies the landscaping standard.

E. Preservation: The proposed Planned Development shall preserve any historical, architectural, and environmental features of the property;

Analysis: The site is currently unused and will be completely redeveloped. The site has no features that would warrant preservation under this standard.

Finding: The project satisfies this standard.

F. Compliance with Other Applicable Regulations: The proposed planned development shall comply with any other applicable code or ordinance requirement.

Analysis: Other than the specific modifications requested by the applicant, the project complies with all other applicable codes. Further compliance will be ensured during review of construction permits.

Finding: The project satisfies this standard.

Commission Options

If the planned development is approved, the applicant could apply for a building permit and start construction when the permit is issued.

If the planned development is denied, the project would be subject to the basic zoning requirements of the TSA-UN-C district for setbacks. This would prevent the development, and effectively any development that includes a building, due to the easement required for the subject underground canal pipe.

If there are aspects or impacts of the project that can be adequately mitigated by conditions, the planning commission can place those conditions on any approvals granted.

Potential Motions

The motion recommended by the Planning Division is located on the cover page of this staff report. The recommendation is based on the prior analysis. Below is a potential motion that may be used in cases where the Planning Commission determines a planned development should be denied.

Not Consistent with Staff Recommendation: Based on the testimony, plans presented and the following findings, I move that the Planning Commission deny the Eco Lofts planned development PLNSUB2013-00528

The Planning Commission shall make findings on the planned development standards as listed below:

- A. Whether a proposed planned development meets the purpose statement for a planned development (section <u>21A.55.010</u> of this chapter) and will achieve at least one of the objectives stated in said section;
- B. Master Plan and Zoning Ordinance Compliance: Consistent with any adopted policy set forth in the citywide, community, and/or small area master plan and future land use map applicable to the site.

- C. The proposed planned development 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:
- D. Existing mature vegetation on a given parcel for development shall be maintained. Additional or new landscaping shall be appropriate for the scale of the development, and shall primarily consist of drought tolerant species;
- E. The proposed planned development shall preserve any historical, architectural, and environmental features of the property;
- F. The proposed planned development shall comply with any other applicable code or ordinance requirement.

Attachment A

Applicant's Project Description

9TH EAST ECO-LOFTS ARCHITECTURAL NARRATIVE

Located within one quarter of a mile of a university line Trax stop, this multifamily residential building has the possibility for development of a holistic sustainable urban lifestyle. The building will be complete with bike storage and bike share locations to encourage an environmental and urban friendly community. Garage parking will be available including vehicle charging stations for electric cars.

A lower terrace over the lobby area, main floor garden walk out units, and a generous rooftop garden provides opportunities for growing environments. Tall windows allow natural light to penetrate into living space with detail and articulation inspired by the architectural language of historic buildings nearby. A community space opens to the street doubling as a lobby and a gathering space that can connect to a courtyard to activate 9th East. The six story building is composed with five stories of brick with accent coursing and a metal panel clad top story. The base is scaled to fit within the neighborhood's historic character as well as create a pedestrian friendly scale. The light colored metal top floor lightens the visual massing. This building will serve as a modern example of dense urban living that echoes the surrounding existing city fabric.

CHANGE OF USE





The site is currently being occupied by an abandoned Kiwanis Gymnasium.

Our plan calls for demolition of the existing building, and replacing it with a mixed-use multi-family housing building.

Attachment B

Site / Building drawings











PERSPECTIVES

ECO LOFT APARTMENTS - SALT LAKE CITY, UT







ECO LOFT APARTMENTS - SALT LAKE CITY, UT







ELEVATIONS

ECO LOFT APARTMENTS - SALT LAKE CITY, UT

















PARKING LOT

ECO LOFTS

H GH R SE



ROOF DECK WALKING AREA SCREEN WALL AROUND MECH. ROOF TOP EQUIPMENT AREA

ROOF TOP STAIR ACCESS OVERHEAD STRUCTURE ATTACHED TO BLDG.

FIRE PLACE WITH PERGOLA SHADE STRUCTURE

SEAT WALL SEATING PARKING STRUCTURE ENTRANCE AREAS BBQ STATION (TYP. OF 2)

PLANT CONTAINERS FOR TREES AND SHADING OF ROOF DECK

UNIT PATIO (TYP. PER ARCHITECT)

CRUSHED GRANITE DOG AREA

AND PATH AROUND BLDG.

ROOF LEVEL



CRUSHED GRANITE PATH (TYP.)

PLANT CONTAINERS FOR TREES AND SHADING OF ROOF DECK

SEPARATE UNIT PATIO SPACE FROM PUBLIC ROOF PATIO SPACE WITH WALLS AND VEGETATION

2ND LEVEL

GROUND LEVEL

ECO LOFTS - GROUND LEVEL OPTION 1

URBAN SITE/LANDSCAPE DESIGN CONCEPTS







PLANTER AND SEAT WALLS AT GROUND LEVEL

CONCEPT IMAGES



9500 S. 500 W. SUITE 213 / 801-580-3325 / LOFTSIXFOUR.COM









METHOD STUDIO 925 SOUTH, WEST TEMPLE SALT LAKE CITY, UTAH 84101 PHONE 801-532-4422 LEVEL 2 FLOOR PLAN ECO LOFT APARTMENTS - SALT LAKE CITY, UT

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Beginning at a point which is East 148.5 feet and South 94.0 feet from the Northwest corner of Lot 7 in said Block 30; thence East 66.0 feet along a North Boundary line of said entire tract; thence South 13 feet along an East boundary line of said entire tract; thence East 115.5 feet along a North boundary line to the East lot line of said Lot 7; thence South 132.0 feet along said East lot line and East boundary line to the South boundary line of said entire tract; thence West 181.5 feet along said South boundary line to the West boundary line of said entire tract; thence North 145.0 feet along said

A right of way as disclosed by Warranty deed recorded March 30, 1990, as entry no. 4898794 in Book 6209 at Page 98 of Official records being more particularly described

Beginning at a point which is South 102.0 feet from the Northeast corner of said Lot 7; thence South 10 feet along the East lot line of said Lot 7; thence West 115.5 feet;

The purpose of this survey is to determine the boundary of the above described property according to the official records and the real property found in the course of this survey. The basis of bearing is between two section corners as shown on this plat.

Located in the East Half of the Southwest Quarter of Section 05, Township 1 South, Range 1 East, Salt Lake Base and Meridian, Salt Lake City, Salt Lake County, State

To Redevelopment Agency of Salt Lake City; Salt Lake City Corporation, a municipal corporation of the State of Utah. First American Title Insurance Company: This is to certify that this map or plat and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2005, and includes Items 1,2,4,6,7a,8,9,10,11a,11b,13 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Utah, the Relative Positional Accuracy of this

First American Title Insurance Company, PR no. NCS-449672-SLC1, dated 7/28/10

2. Setbacks - Rear Yard: (25') Currently 10' - Front: 50% front bldg. facade between



Russell D. Flint Date Signed: October 30, 2012 License Expires: March 31, 2013

VICINITY MAP



&	,			VEY 10 10 10 10 10 10 10 10 10	9409 1820	5
DRAWING BY	RDF	CHECKED BY	RDF	PROJECT NUMBER	100803	000001
8/16/2010				10/30/12 RDF	8/14/12 RDF	DATE BY
DATE OF ORIGINAL DRAWING:	5			updated drawing with final easment information	added new storm drain pipe location & easement	REVISION
		4	3	2	-	*
CLIENT	ov Salt Lake City	Pearce		Salt Lake City, Utah		PHONE: (801) 535-7250
PROJECT CULENT	Lake Citv	Pearce		Salt Lake City, Utah		PHONE: (801) 535-7250



Attachment C

Photographs

Attachment D

City Department comments

CITY DEPARTMENT COMMENTS

Ø Public Utilities (Jason Draper): No comments.

Engineering (Scott Weiler): For raised planters in the public way, a revocable permit is required from SLC Property Management. The existing curb & gutter on the project frontage is in bad condition. Some of the gutter holds water or is missing and some has been patched with asphalt. It is recommended that the worst sections, or all sections, be replaced with concrete as part of this project. Prior to performing any work in the public way, a Permit to Work in the Public Way must be obtained from SLC Engineering.

Ø Transportation (Barry Walsh): Review of parking shown on level one sheet shows 7 parking stalls with one being and ADA stall and the lower parking level shows 23 stalls with one being ADA for a total of 30 stalls. Comply with TAS zone parking provisions. Parking provided needs to comply with ADA standards for Van accessible stall with 8'-2" clearance in parking structure. Provide grid drawings to verify parking stall buffers etc per SLC standard F1.c2 along with ramp design sections change in grade of 6% in 10 foot runs. Curve to indicate minimum 28' outside radii and 18' inside radius. Parking provided needs to indicate the 5% bicycle stall provision with bike rack detail F1.f2.

Ø Fire: (Ted Itchon): No comments.

Ø Zoning: (Alan Michelsen):

Proposal has been submitted for TSA Review for a mixed use/multi-family development. PUD approval is required to reduce the rear yard setback and increase the front yard setback. Will need to comply with height requirements, open space, design standards, parking requirements, etc. of 21A.26.078 unless modified through an appropriate process. Landscaping will need to comply with 21A.26.078 and 21A.48. Parking calculations are needed to show that parking does not exceed the requirements in 21A.44.040C8. A separate demolition permit is required prior to removal of the existing building and a new Certified Address is required from the Engineering Dept. for use in the plan review and permit issuance process.

Ø Sustainability: (Vicki Bennett): No comments.