



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission
From: Casey Stewart; 801-535-6260
Date: April 6, 2016
Re: PLNSUB2016-00140 Townes at 7th Street Planned Development **(REVISED)**

PLANNED DEVELOPMENT

PROPERTY ADDRESS: 323 and 325 South 700 East
PARCEL ID: 16-05-302-001 and -002
MASTER PLAN: Central Community
ZONING DISTRICT: RMF-45 (Residential Multi-family)

REQUEST: The applicant seeks approval of a proposed seven unit residential condominium project with reduced front and rear yard building setbacks. This project is being reviewed as a planned development because of the reduced setbacks. The Planning Commission reviewed a similar project in February 2016 and denied the request. The applicant has revised the project to increase the rear yard setback distance. The Planning Commission has decision making authority for this petition.

RECOMMENDATION: Based on the information and analysis in this staff report, planning staff recommends that the Planning Commission approve the Townes at 7th Street planned development subject to the following conditions:

1. This approval is limited to the identified modifications and all other zoning regulations continue to apply.
2. Final planned development plan approval is delegated to the Planning Director and shall include retaining the existing street trees in the park strip if possible.
3. The applicant shall submit the necessary preliminary and final plat condominium applications.
4. The applicant shall revise the detached garage to comply with vehicle maneuvering standards of the city's transportation division as noted in the staff report.
5. The applicant shall comply with all other City department requirements outlined in the staff report for this project. See *Attachment D* of the staff report for department comments.

ATTACHMENTS:

- A. Vicinity Map
- B. Site Plan
- C. Building Elevations
- D. Additional applicant Information
- E. Existing Conditions
- F. Analysis of Standards
- G. Dept. Comments
- H. Public Process and Comments
- I. Alternate Motion

PROJECT DESCRIPTION:

1. Proposal Details

Per the revised plans (new application) the project involves two existing adjacent properties, one has an existing dilapidated single family residence (325 S 700 E) and the other property is vacant land. The applicant proposes to combine the properties into one, demolish the existing dwelling and replace it with a four-story residential condominium building with six units in a row and a seventh unit on the rooftop (penthouse).

The applicant submitted an application for planned development seeking a reduction in the front and rear yard building setbacks in order to achieve their desired seven units and site layout and make the project financially feasible for them. If approved as proposed, the front yard setback would be reduced from the required 25 feet to 12.5 feet and the rear yard setback from 30 feet to 26 feet.

The proposed landscaping on the plans consists of 4 trees, 2 benches and grass and shrubs in the front yard. Landscaping for the north side and rear yard is indicated as grass with 6 trees and a common area with patio and barbecue area. A detached 2-car garage is now proposed and would be for the roof-top unit. The roof-top unit would be accessed via a private elevator at the rear of the building. The other six units are proposed with a 2-car garage that is deep enough for two cars, meeting the city requirement of two stalls per unit. The project would provide one vehicle driveway for enter and exit purposes onto 700 East. The proposed building height is 44 feet. No perimeter fencing is proposed.

Project Details

Regulation	Zone Regulation	Proposal
Density/Lot Coverage	7 units / 60 % coverage	7 units / 43 % coverage (complies)
Height	45 feet	35 feet (complies)
Front	25 feet	12.5 feet
Rear Yard Setback	30 feet	26 feet
Side Yard Setback	8 feet	8 feet (complies)

KEY ISSUES:

The key issues associated with this proposal are the front and rear yard building setbacks and front façade of the building. These are explained further in the following paragraphs and were identified through the analysis of the project and public comments.

Issue 1: Setbacks – resolved

The RMF-45 zone requires a 25-foot front yard setback. The proposal seeks to reduce that requirement to roughly match the setback distances of the adjacent properties on either side.

The remainder of the block face along 700 East South is also zoned RMF-45 and the other buildings along this block face are setback less than 25 feet. The proposal continues this pattern and is considered compatible for this section of 700 East. The city has a policy, detailed in the *Urban Design Element* of the Salt Lake City Master Plan that encourages rhythm and continuity via similar setbacks, among a group of buildings.

The RMF-45 zone requires a 30-foot rear yard setback. The proposal seeks to reduce that requirement to 26 feet to allow for an elevator shaft extending into the rear yard that would service the roof-top unit. The elevator shaft would be approximately 6 feet by 6 feet in dimensions, extending into the rear yard setback by 3 feet. The encroachment is minimal in scale, for a small portion of the rear building facade and would not conflict with the intent of the rear yard area to allow open space for common accessory uses and structures while providing adequate building separation between adjacent properties and structures.

When considered together, the two setback reductions create a building and project that would uphold the intent of the RMF-45 zoning district design standards and Central City Master Plan and retain the anticipated density for a permitted multi-family project.

Issue 2: Front façade design – resolved

The original proposed front facade, which is the side of one of the units (all of the units face south toward the side yard), generally lacked architectural features and visual interest. This lack of engagement with the public way was raised by members of the public and by planning staff. The applicant submitted revised façade designs with this second petition that include more pedestrian engagement and visual interest by incorporating a balcony, different building materials, and larger windows.

Issue 3: Detached garage – unresolved

The transportation division raised an issue with the detached garage, specifically the turnaround area in front of it. The area in front of the garage is inadequate for maneuvering a vehicle 180 degrees, which is needed for the vehicles to exit the property onto 700 East facing forward. The applicant is working on modifications to meet this maneuvering requirement but has not presented updated plans for this. This issue should be resolved to the transportation division's satisfaction prior to approval of the planned development, or at minimum be listed as a condition of approval.

DISCUSSION:

Staff agrees that the revised setback proposals result in a project that is still compatible with surrounding properties and achieves the objectives of a planned development through a well-designed project.

Aside from the vehicle maneuvering issue for the detached garage, the remaining city departments had no items or objections that couldn't be addressed or resolved during a construction permit review.

NEXT STEPS:

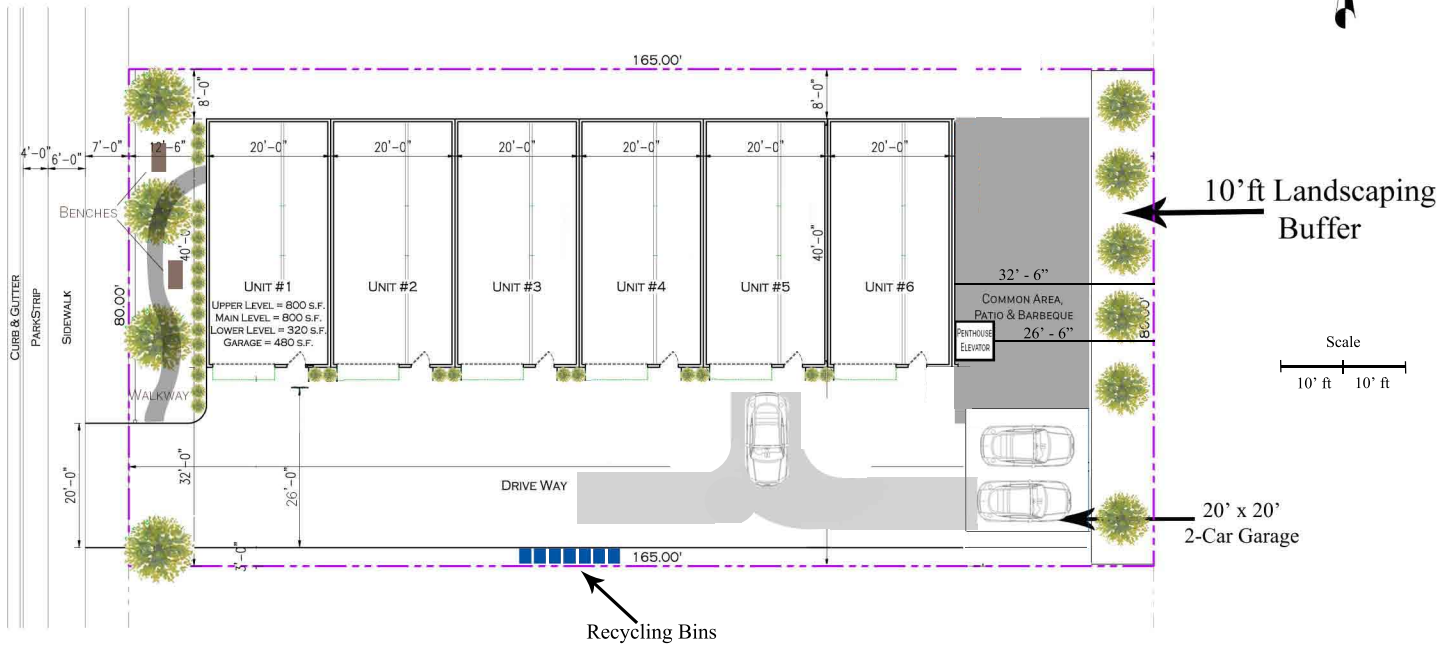
If approved or approved with conditions the applicant may proceed with the project, subject to any conditions, and will be required to obtain all necessary permits. If denied the applicant would still be able to construct a building but it would be subject to all of the RMF-45 design standards.

ATTACHMENT A: Vicinity Map



ATTACHMENT B: Site Plan

700 EAST



ATTACHMENT C: Building Elevations

TOWNES AT 7TH STREET



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Proposed 7 Plex

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ELEVATIONS



ATTACHMENT D: Additional Applicant Information

To: Salt Lake Planning Commission

From: Townes at 7th Street partners

Date: February 23rd, 2016

Subject: Request to Reconsider

Salt Lake Planning Commission,

On February 10th, the motion to deny the “Townes at 7th Street” project was voted upon. We understand that the motion and vote to deny the project was based on a few factors, including: the significant reduction of the back yard setback, the lack of evidence that this new project would eliminate a blighted structure/area, and the recommendation of Planning Staff. Based on our conversations with Planning Staff, we understand that they felt the proposed project did not justify such a large setback modification in the back yard.

We have since gone back to our proposed design to find a way to make this project on this property work for everyone. The RMF-45 zone calls out for a 30’ft back yard. Originally, to get the seven units we need to make this work, we proposed to minimize that 30’ft yard.

Now, we have created a design where we can meet that 30’ft back yard by taking out the end unit to the east and adding a penthouse condo unit on top of the now six units below. By redesigning the project in this manner, we now meet the back yard setback requirement. In fact, every detail in the RMF-45 zoning code is now met, except for the front yard setback.

We are proposing a modification to the front yard setback. We are requesting a 12.5’ front yard (12.5’ from property line; ~20’ from sidewalk). You may recall from the staff report that this same front yard modification issue was resolved as we still comply with the *Urban Design Element* policy by staying in rhythm with the neighboring structures. The staff report language can be found here:

*“The RMF-45 zone requires a 25-foot front yard setback. The proposal seeks to reduce that requirement to roughly match the setback distances of the adjacent properties on either side. The remainder of the block face along 700 East South is also zoned RMF-45 and the other buildings along this block face are setback less than 25 feet. The proposal continues this pattern and is **considered compatible for this section of 700 East**. The city has a policy, detailed in the Urban Design Element of the Salt Lake City Master Plan that encourages rhythm and continuity via similar setbacks, among a group of buildings.”*

We also feel strongly that with this redesign, we are complying with the Planned Development Objectives by creating a more pleasing environment through “use of design, landscape, or architectural features” as shown in objective “D.” We will be landscaping this front yard to encourage communal gathering for the homeowners by providing high-quality, decorative outdoor seating in this front yard. We will also include a decorative walking path to that west facing front door. Lastly, we have heard some community members mention that they would like to see this condo project have a small decorative fence and gate lining the property line in the front. We are very much willing to include this fence/gate and would like to further discuss this option.

Along with the landscaping features we will be using for this project, we will also be utilizing architectural features that will make this a more pleasing environment. With the redesign of the units, we will now have a detached garage near the back yard for the penthouse homeowner to use. This garage will be west facing. We plan on using the same high-end exterior finishes on this garage (including the brick and molding) that we will be using on the main structure. This garage will tie-in to the look of the main structure. By doing this, we will avoid clashing styles and building quality. The top unit will also now include a large balcony overlooking the Salt Lake City skyline. This balcony will include decorative fencing and materials to add to the quality look of that west facing façade. Decorative planters and trees will add to the beauty of this balcony as well as the entire front yard/façade area.

You will now find that this redesigned project meets nearly all of the RMF-45 zoning code. The project will also enhance the area and neighborhood by creating a very pleasing environment. As previously stated, although we are requesting a modification of the front yard setback, we are still complying with the *Urban Design Element* city policy and staying in conformity with the neighboring structures. We hope this request for reconsideration demonstrates our willingness to go the distance to create beautiful projects that work for all parties. We request your reconsideration in denying and closing this project altogether. We ask you to consider approval of this redesigned project based on the reasons provided. Thank you.

ATTACHMENT E: Existing Conditions

Existing Conditions:

The subject site consists of two lots, 13,500 square feet in total area (0.31 acres), containing one single family dwelling. The site is generally level with a few existing trees around the perimeter. The existing home, built in 1954, is in need of structural repairs.

The adjacent uses include:

- North: duplex
- East: single Family dwellings
- South: multi-family development
- West: commercial/office

21A.24.140: RMF-45 MODERATE/HIGH DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT:

A. Purpose Statement: The purpose of the RMF-45 moderate/high density multi-family residential district is to provide an environment suitable for multi-family dwellings of a moderate/high density with a maximum building height of forty five feet (45'). This district is appropriate in areas where the applicable master plan policies recommend a density of less than forty three (43) dwelling units per acre. This district includes other uses that are typically found in a multi-family residential neighborhood of this density for the purpose of serving the neighborhood. Such uses are designed to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

B. Uses: Uses in the RMF-45 moderate/high density multi-family residential district, as specified in section [21A.33.020](#), "Table Of Permitted And Conditional Uses For Residential Districts", of this title, are permitted subject to the general provisions set forth in section [21A.24.010](#) of this chapter and this section.

C. Minimum Lot Area And Lot Width: The minimum lot areas and lot widths required in this district are:

Land Use	Minimum Lot Area	Minimum Lot Width
Multi-family dwellings (3 to 14 units)	9,000 square feet ¹	80 feet
Single-family attached dwellings	3,000 square feet	Interior: 22 feet Corner: 32 feet

Qualifying provisions:

1. 9,000 square feet for 3 units, plus 1,000 square feet for each additional dwelling unit up to and including 14 units. 21,000 square feet for 15 units, plus 800 square feet for each additional dwelling unit up to 1 acre. For developments greater than 1 acre, 1,000 square feet for each dwelling unit is required.

D. Maximum Building Height: The maximum building height permitted in this district is forty five feet (45').

E. Minimum Yard Requirements:

1. Front Yard: Twenty percent (20%) of lot depth, but need not exceed twenty five feet (25'). For buildings legally existing on April 12, 1995, the required front yard shall be no greater than the existing yard.
2. Corner Side Yard:
 - a. Single-family attached dwellings: Ten feet (10').
 - b. Multi-family dwellings: Twenty feet (20').
 - c. All other permitted and conditional uses: Twenty feet (20').
3. Interior Side Yard:
 - a. Single-family attached dwelling: No yard is required, however if one is provided it shall not be less than four feet (4').

- b. Multi-family dwellings: The minimum yard shall be eight feet (8'); provided, that no principal building is erected within ten feet (10') of a building on an adjacent lot.
- c. All other permitted and conditional uses: Ten feet (10') on each side.
- 4. Rear Yard: The rear yard shall be twenty five percent (25%) of the lot depth, but need not exceed thirty feet (30').
- 5. Accessory Buildings And Structures In Yards: Accessory buildings and structures may be located in a required yard subject to section [21A.36.020](#), table [21A.36.020B](#), "Obstructions In Required Yards", of this title.

F. Required Landscape Yards: The front yard, corner side and, for interior lots, one of the interior side yards shall be maintained as a landscape yard except that single-family attached dwellings, no interior side yard shall be required.

G. Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed sixty percent (60%) of the lot area.

H. Landscape Buffers: Where a lot abuts a lot in a single-family or two-family residential district, a landscape buffer shall be provided in accordance with [chapter 21A.48](#), "Landscaping And Buffers", of this title. (Ord. 66-13, 2013; Ord. 12-11, 2011; Ord. 62-09 § 7, 2009; Ord. 26-95 § 2(12-13), 1995)

ATTACHMENT F: ANALYSIS OF STANDARDS

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:

Standard	Finding	Rationale
<p>A. Planned Development Objectives: The planned development shall meet the purpose statement for a planned development (section 21A.55.010 of this chapter) and will achieve at least one of the objectives stated in said section:</p> <p>A. Combination and coordination of architectural styles, building forms, building materials, and building relationships;</p> <p>B. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion;</p> <p>C. Preservation of buildings which are architecturally or historically significant or contribute to the character of the city;</p> <p>D. Use of design, landscape, or architectural features to create a pleasing environment;</p> <p>E. Inclusion of special development amenities that are in the interest of the general public;</p> <p>F. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation;</p> <p>G. Inclusion of affordable housing with market rate housing; or</p> <p>H. Utilization of "green" building techniques in development.</p>	Complies	<p>D: The revised proposal achieves a pleasing environment by incorporating landscaped roof top area, increased landscaping in the front yard area, large rear yard for utilization of unit residents, and additional architectural features related to the roof top unit and elevator shaft. The proposed detached garage will also coordinate in building materials and features, which will enhance the architecture of the project, creating more dimension than without it.</p> <p>The reduced front yard setback is similar to adjacent developments, contributing to character of the area. The rear yard setback is essentially maintained with this proposal other than the elevator shaft that encroaches by 3 feet – retaining the intent of a rear yard area.</p>
<p>B. Master Plan And Zoning Ordinance Compliance: The proposed planned development shall be:</p> <p>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</p> <p>2. Allowed by the zone where the planned development will be located or by another applicable provision of this title.</p>	Complies	<p>The proposed multi-family building, and related density, is a use that is allowed and anticipated in the RMF-45 zoning district, so this aspect of the project is consistent with both the master plan and zoning ordinance.</p>
<p>C. Compatibility: The proposed planned development shall be compatible with the character of the site, adjacent properties, and</p>	Complies	<p>The Central Community Master Plan states that compatible development is "...structures that are designed and located ...consistent with the development patterns, building</p>

<p>existing development within the vicinity of the site where the use will be located. In determining compatibility, the planning commission shall consider:</p> <ol style="list-style-type: none"> 1. Whether the street or other adjacent street/access; means of access to the site provide the necessary ingress/egress without materially degrading the service level on such street/access or any 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: <ol style="list-style-type: none"> 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. 		<p>masses, and character of the area...” The proposed front and rear yard setbacks and building height and mass are considered compatible with the area. The rear yard setback reduction is minimal based on the elevator shaft footprint and would not adversely impact the use or size of the rear yard for accessory structures, open space, and other features such as covered patios, sport courts, and pools commonly found in a residential rear yards for the enjoyment of the residents.</p> <p>The proposal is compatible:</p> <ul style="list-style-type: none"> -vehicle ingress/egress onto property - no unusual vehicle or pedestrian traffic patterns - parking areas (2-car garages for each unit) - vehicle and pedestrian circulation - access to adequate public facilities - buffering: the reduced rear yard setback is to accommodate a small elevator shaft, which minimal and yet complies with the intent to allow sufficient buffer between different properties and uses. <p>The proposed use, being solely residential, is not subject to the additional design criteria of the “conditional building and site design review”.</p>
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<p>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.</p>		
<p>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;</p>	<p>Complies</p>	<p>The site contains a few existing trees. There is one substantial (10" caliper), mature tree in rear yard along the rear property line that will be kept if possible. The remaining vegetation would conflict with the home locations and/or do not warrant keeping.</p> <p>The proposed front yard landscaping includes sitting benches, tree, shrubs and ground cover in appropriate amounts for the scale of the project. The rear yard landscaping would include trees, existing and proposed, with shrubs and ground cover in quantity and arrangement appropriate for the project's scale. The proposed vegetation primarily consists of drought tolerant species as indicated on the landscape plan.</p>
<p>E. Preservation: The proposed planned development shall preserve any historical, architectural, and environmental features of the property;</p>	<p>Complies</p>	<p>There are no historical, architectural, or environmental features on this site that warrant preservation.</p>
<p>F. Compliance With Other Applicable Regulations: The proposed planned development shall comply with any other applicable code or ordinance requirement.</p>	<p>Complies</p>	<p>The proposal complies with all other regulations.</p>

ATTACHMENT G: City Department Comments

Public Utilities (Jason Draper):

Salt Lake Public Utilities does not have any objections to the proposed Planned Development. There are a few items that will need to be addressed in the building permit and demolition process: the main in 400 East is only 4". Please provide fire flow requirements and sprinkler system demand. This system will need to be modeled to determine if the main is sufficient. If an additional hydrant is needed, the main must be upsized. Only one meter will be allowed for the combined property. The other meter will need to be killed at the main. The sewer laterals will need to be evaluated and determine if they can be reused. Any unused sewer lateral will need to be capped at the property line.

Engineering (Scott Weiler):

No objections to the proposed Planned Development - Conditional Use. 700 East is a SLC street at this location. Prior to removing or installing improvements in the public way of 700 East, a Permit to Work in the Public Way must be obtained from SLC Engineering by a licensed contractor who has a bond and insurance certificate on file with SLC Engineering. A tree protection plan is required for the existing tree in the park strip of 700 East.

Transportation (Mike Barry): The minimum parking requirements for multi-family residential (2 bedroom) or single family attached dwellings is two (2) passenger vehicle parking spaces per dwelling, which appears to be satisfied with two-car garages per dwelling. It also appears that the minimum parking requirement could be reduced by 50% if desired under 21A.44.040.B.7 (Parking Exemptions For Proximity To Mass Transit) due to proximity within one-fourth (1/4) mile of a fixed transit station (TRAX station on 400 S). The location of the driveway is shown within three feet (3') of a property line which is below the required minimum distance of 6 feet, however, Transportation will waive this requirement on the basis that there are no existing conflicts with driveways serving the adjacent properties; the driveway of the abutting property to the south is located around the corner on Linden Ave. The driveway shall also be at least five feet (5') from any public utility infrastructure such as power poles, hydrants and water meters; there is not enough information on the plans to verify this requirement.

The two parking spaces provided in the detached garage do not meet city standards for maneuvering: specifically, turning around (180 degrees) from garage parking space (facing east) in order to exit onto 700 East (facing west) in a forward manner. Additional maneuvering area, such as is provided with a hammerhead-style turnaround, would need to be provided in order to satisfy geometric parking requirements for the two parking spaces in the detached garage.

Zoning: (Greg Mikolash):

A separate demolition permit will need to be submitted for the 325 S. 700 E. building demolition. As part of the demolition application, the construction waste management provisions of 21A.36.250 apply. A new certified address will need to be obtained from the Engineering Dept. for use in the plan review and permit issuance process. (From DRT2015-00261)

The provisions of 21A.36 in regards to a permanent recycling collection station apply to all uses within any multi-family zoning districts. This issue should be addressed in the planned development/subdivision process.

Fire: (Ted Itchon):

Fire department access road width shall be a minimum 26 ft. clear and not closer than 15 ft. nor more than 30 ft. from the structure. This requirement is because the buildings are 30 ft. or taller.

ATTACHMENT H: Public Process and Comments

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:

Notice of a public open house that was held on March 17, 2016

Public hearing notice mailed on March 31, 2016

Public hearing notice posted on March 31, 2016

Public notice posted on City and State websites and Planning Division list serve: March 31, 2016

Public Comments

A public open house was held on March 17, 2016 to gather public comments. Two people attended and supported the revised proposal based on improved architectural features and landscaping. No written comments were provided by the attendees.

ATTACHMENT I: Alternate Motion

Potential Alternate Motion

Not Consistent with Staff Recommendation:

Based on the testimony, plans presented and the following findings, I move that the Planning Commission deny the requested Townes at 7th Street Planned Development PLNSUB2016-00140.

The Planning Commission shall make findings on the planned development review standards and specifically state which standard or standards are being complied with.