

Staff Report

PLANNING DIVISION COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission

From: Daniel Echeverria, 801-535-7165, daniel.echeverria@slcgov.com

Date: May 19, 2016

Re: PLNPCM2016-00194, Central 9 Lofts Planned Development

Planned Development

PROPERTY ADDRESS: 863 S, 865 S, 873 S, & 877 S 200 West

PARCEL ID: 15-12-254-014, 15-12-254-042, 15-12-254-016, & 15-12-254-017

MASTER PLAN: Central Community

ZONING DISTRICT: FB-UN2, Form Based Urban Neighborhood-2

REQUEST: Soren Simonsen, representing the development group Central 9 Lofts LLC, is requesting Planned Development approval from the City to modify zoning standards related to alley accessed garages as part of their mixed-use development. Other minor modifications are requested related to building materials and signage. The mixed-use development is comprised of 24 residences and eight ground floor commercial spaces and is approximately 3 stories in height. Currently the land is occupied by a community garden and an office/warehouse building.

RECOMMENDATION: Based on the information in this staff report, Planning Staff recommends that the Planning Commission approve the Planned Development request with conditions.

The following motion is provided in support of the recommendation:

Regarding **PLNPCM2016-00194**, based on the findings listed in the staff report and the testimony and plans presented, I move that the Planning Commission approve the Planned Development request with the following conditions:

- 1. Trash and recycling dumpsters shall be screened from view from the public sidewalk with a solid fence, wall, or equivalent opaque material with a height of at least 6 feet.
- 2. The involved lots shall be consolidated through the Lot Consolidation process as per Chapter 20.32 of the Subdivision and Condominium ordinance.
- 3. The developer will need to record against the property an estimate of the costs for maintenance and capital improvements of all infrastructure for the planned development for a period of 60 years in compliance with 21A.55.170 "Disclosure of Private Infrastructure Costs for Planned Developments."
- 4. Developer shall comply with all department comments and conditions.

ATTACHMENTS:

- A. Zoning Map
- B. Property & Vicinity Photographs
- C. Applicant's Narrative
- D. Development Renderings
- E. Site Plan & Elevations
- F. Existing Conditions
- G. FB-UN2 Zone Standards Summary
- H. Analysis of Standards
- I. Public Process & Comments
- J. Department Review Comments
- K. Motions

PROJECT DESCRIPTION:

The developer is requesting a Planned Development in order to modify specific zoning regulations related to vehicle use of alleys. The developer is also asking for minor modifications to the sign standards and material restrictions for a public art wall. The proposal is for a mixed use development that includes twenty-four residences and eight ground floor commercial spaces. Except for the requested modifications, the development would otherwise be a permitted development and would not require a Planned Development or other public process.

The developer is proposing to build residential units along the east side of the property, next to the alley. These units are proposed to have 2-car garages on the ground floor with garage doors that face the alley. With the proposed configuration, vehicles would normally back out of these garages into the alley. In a town-home (single-family attached) development, these garages would be allowed. However, in a multi-family development garages that take access from the alley are not allowed. As such, the developer is requesting to modify this restriction for this development.

The developer is also requesting relief related to the sign standards to allow for a vertical sign that identifies the building. Vertical signs are normally not allowed in this zone. In addition, the developer is requesting relief from the required materials for building facades. The zoning code requires a certain percentage of the building to be specific identified materials. However, the developer is proposing an art wall that will reduce the amount of wall area that will comply with this material restriction. These modifications are discussed in the "**Key Issues**" section that follows.

The proposed site is a Salt Lake City Redevelopment Agency (RDA) redevelopment site and is currently owned by the RDA. The current use of the warehouse building and community garden were intended to be temporary uses until redevelopment of the site. This Planned Development was selected from a number of proposals to redevelop this site. The RDA owns additional properties at or near this intersection that are proposed to be redeveloped over the next few years. Additionally, the RDA is developing a redesign of the right-of-way at this intersection that will involve upgraded landscaping, sidewalks, and other street improvements. Similar types of upgrades were made to the 900 E and 900 S (9th & 9th) intersection a number of years ago.



Vicinity map of the subject property.

KEY ISSUES:

The key issues listed below have been identified through the analysis of the project, neighbor and community input, and department review comments.

- 1. Use of the Alley for Garage Access
- 2. Planned Development Objectives
- 3. Signage and Public Art Modifications

Issue 1 – Use of the Alley for Garage Access

The Form Based Urban Neighborhood zone encourages developments to use the alleys through its zoning standards. These include requirements to use the alley for vehicle access rather than a front yard driveway when alley access is available. However, the general parking section of the overall zoning code includes a restriction on alley use for parking when a development is a multi-family use. The specific provision, found in 21A.44.020.E.2.c, states the following:

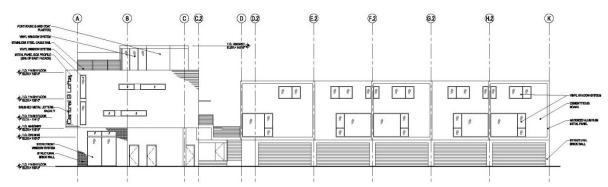
If a public alley is used as a parking aisle for single-family dwellings, two-family dwellings or twin homes, additional space shall be required on the lot to provide the full width of aisle as required on table 21A.44.020 of this section. **The parking design for all other uses shall not require backing into an alley or right of way**;

For multi-family uses, this provision prohibits a parking design that would require a vehicle to back into the alley to use a parking space. When the Form Based Urban Neighborhood code was written it didn't modify this restriction of the zoning code. Only after development started to occur in the Form

Based zone was this limitation noticed. As such, while the FB-UN zone encourages alley use, another section of the ordinance limits its use.

The intent of the parking code restriction is to reduce the number of vehicles using the alley for parking and thus reduce the potential for collisions in an alley. Multi-family uses generally have more parking than a single-family use and thus an increased potential for collisions. Additionally, when the restriction was written most alleys were unimproved and unpaved. Unpaved, dirt alleys would generally not hold up well with a high level of vehicle use.

However, in this case, the alley is paved and does not have the same potential for vehicle use issues. Further, the proposed parking configuration functions the same as if the residential units were townhomes (single-family attached), and vehicle access from the alley would in fact be required for townhome development in this zone. The Transportation division also has determined that this is an acceptable configuration and would not pose any safety issues.



This is the east elevation that faces the alley. The five garages shown here are not normally allowed by the zoning regulations for multi-family uses as they require backing into the alley to get out.

The developer originally proposed to get around this "backing into" the alley restriction by designing pull through garages under the residential units. Vehicles would be driven into the middle of the lot and then pull forward into a garage door that faces west. Vehicles would then be driven through the garage and drive onto the alley facing forward, rather than backing out. However, this work-around resulted in an unusual and inefficient parking configuration that reduced the overall amount of parking that could be provided for the development.

Alley use is an important aspect of the FB-UN zone. The use of the alley for garage access helps activate the alley and reduces its potential for crime or other issues associated with disused alleys. The proposal meets the intent of the FB-UN zone by activating the alley and modification of the zoning restriction results in a more enhanced development than would otherwise be possible.

Issue 2 – Planned Development Objectives

Planned Developments are requested in order to modify certain zoning standards that normally apply to developments. The purpose of the Planned Development process is to achieve a "more enhanced product than would be achievable through strict application of the land use regulations." In addition, through the Planned Development process the City seeks to achieve a number of other objectives, such as preservation of significant buildings, green development, and coordination of buildings in a development. The full list of objectives is located in Attachment H. A proposed Planned Development only needs to meet at least one of these objectives. As proposed, the development is generally meeting at least five of the applicable objectives. These include the following objectives:

- A. Combination and coordination of architectural styles, building forms, building materials, and building relationships;
- 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;
- H. Utilization of "green" building techniques in development.

The proposal is meeting objectives A and D through the use of a unique and interesting architectural style. The building utilizes high quality building materials on the street facing facades with varying forms and building articulation that provide a high level of visual interest. The proposed buildings create a pleasing environment by engaging the pedestrian at the ground floor level through the use of open front patios in the residential component and a high level of transparency and potential activity on the commercial component. The proposal also incorporates balconies on all levels of the building which put eyes on the street and helps create a safer, more pleasing environment for pedestrians in this area. The applicant addresses these two objectives further in their narrative in Attachment C. The development is also proposed to meet LEED Gold Certification and will incorporate green building techniques as noted in the developer's narrative in Attachment C, which meets objective H.

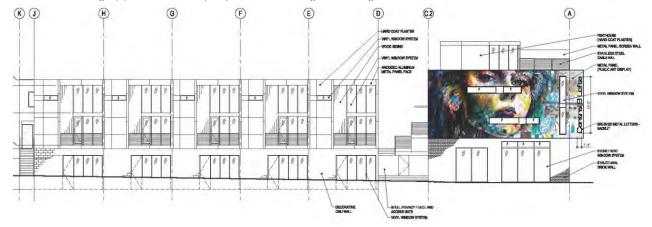


Rendering of the proposed development as viewed from the intersection of 900 South & 200 West. Some changes have been made since this rendering was produced, including the addition of an art wall and roof top patios. Please see the elevations and site plans for the final plans in <u>Attachment E</u>. A lower quality, but schematically accurate 3D view is also located in <u>Attachment D</u>.

Issue 3 – Signage and Material Modifications

The applicant is also requesting modifications to the sign regulations to incorporate a vertical building sign and the building material regulations for an art wall. The development is proposed to include two vertical flat signs that identify **the building as "Central 9 Lofts."** One sign is on the west elevation and the other is on the east elevation. The Form-based Urban Neighborhood District zoning allows for flat signs, but regulates them based on leasable "**store frontage**" width rather than building width. A strict reading this provision would essentially prohibit signs that identify a residential building or a commercial building as a whole. Further, the ordinance dimensional regulations are written with horizontal signs in mind, rather than vertical signs, and limit the height of a sign to 3 feet in height. The proposed sign lettering is 1'4" wide by 16'5" in height for a total square footage of approximately 21.5 sq ft per sign face. **The ordinance wasn't written anticipating this potential** scenario. A building name sign can serve a public purpose by giving a development a recognizable name that helps orient people to a location and find their way. Given the limited square footage of the

building name sign and the positive public benefit a building name sign can have, staff is recommending approval of the proposed building name signs.



The above image is the west elevation that faces 200 West and the TRAX station. The proposed art wall can be seen on the right, as well as one of the proposed vertical building name signs on the right edge of the building. The other building name sign is on the east elevation and is in the same position.

The development is also requesting relief from the material restrictions of the zone in order to incorporate a large art wall. The ordinance requires that "A minimum of 70% of any street facing building facade shall be clad in glass, brick, masonry, textured or patterned concrete, wood, or stone. Other materials may count up to 30% of the street facing building façade." On the west face of the building, approximately 15% of the façade will be covered by an art wall. This wall would otherwise be covered by one of the materials required by the zoning and reduces the amount of the façade covered by the required materials to 62%, which is 8% less than the 70% standard. However, public art generally benefits the community and could provide cultural character to this redeveloping intersection. The developer is proposing to commission a local artist to design the art piece and the proposed image shown on the elevations and renderings is a placeholder for the final art. Staff is recommending approval of the reduced required material minimum in order to incorporate the large public art wall.

DISCUSSION:

The proposed development generally meets a number of objectives for a Planned Development and the requested alley access modification furthers the purpose of the Form Based Urban Neighborhood district by using the alley for its intended purpose. The project is generally enhanced by the modification as it allows for a better parking configuration than would be possible with strict application of the land use regulations. The additional modifications to allow the art wall and signage also enhance the development. The development will also:

- Provide additional market rate modern housing within the Central 9th neighborhood;
- Increase "eyes on the street"—which improves public safety for residents, visitors, and users of the TRAX station; and
- Revitalize an important intersection in the Central 9th neighborhood.

As such, Planning staff is recommending approval of the Planned Development.

NEXT STEPS:

Planned Development Approval

If the Planned Development is approved, the applicant will need to need to comply with any conditions of approval, including any of the conditions required by City departments and the Planning Commission. The applicant will then be able to submit for building permits for the development. The applicant will need to consolidate the properties into one property. Final

certificates of occupancy for the buildings will not be issued until the conditions are met and the property is consolidated. To convert the proposed residential units and commercial spaces to condominium units, the developer will need to go through a condominium plat process.

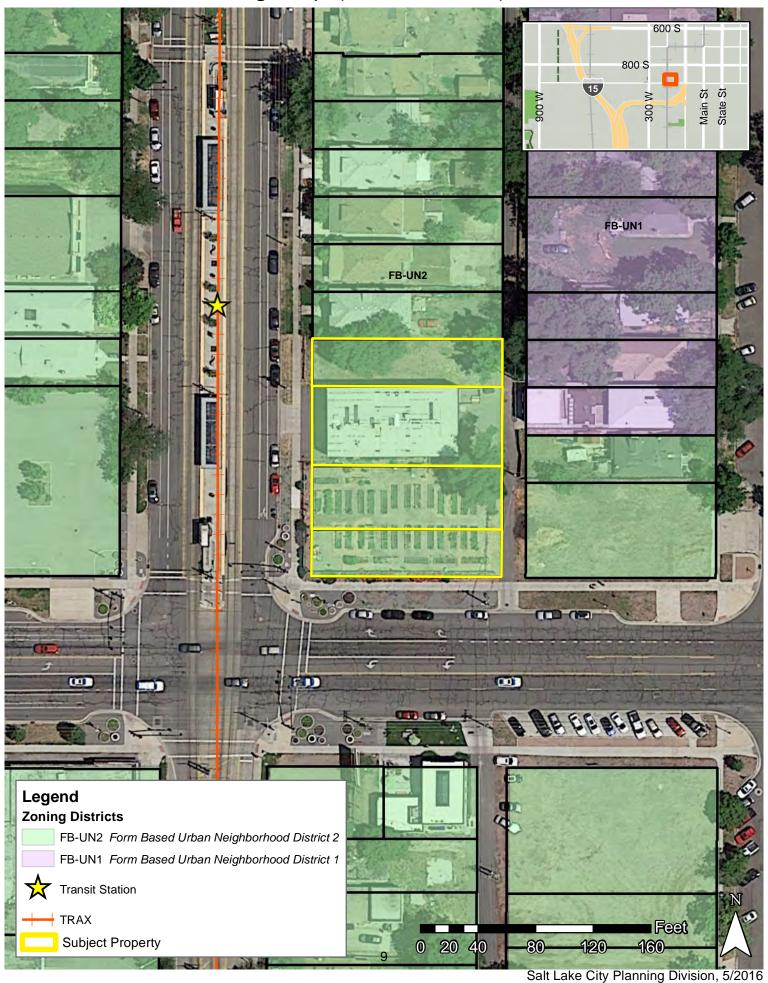
Planned Development and Preliminary Subdivision Denial

If the Planned Development is denied, the applicant could still develop the proposal; however, the individual garages would need to be designed so that vehicles would drive forward into the alley and would require a garage door that faces internally rather than to the alley. Vehicles would not be allowed to back into the alley. The alternative parking designs would result in fewer parking spaces being provided on the site. It would also likely include tandem parking spaces in the provided individual garages, rather than side by side parking.

Additionally, the art wall could still be installed, but the development would need to incorporate additional required materials (brick, masonry, etc) in the other areas of the façade, rather than their proposed materials. The development would also not be able to install their vertical building name signs as proposed.

ATTACHMENT A: ZONING MAP

Central 9 Lofts Zoning Map (877 S 900 W)



ATTACHMENT B: PROPERTY & VICINITY PHOTOGRAPHS



Panoramic view of the property from the south side on 900 South, looking north



View of the property from the corner, looking north-east



View of the property from the corner sidewalk, looking north-east



View of the east side of the property, looking north up the alley. The white building is an accessory dwelling or "mother-in-law apartment" behind a single-family home.



View of the northern end of the property, looking east from 200 West. The development will include the vacant land between the house and the warehouse building in the center of the photo and will be built up to the property line. (Image Credit: Google)



Bird's eye view of the intersection looking north-east. The subject property is highlighted in yellow in the center. The RDA also owns the vacant property to the east and the parking lot to the west across the street. (Image Credit: Google Earth)





View to the west of the TRAX station and parking lot across the street.

ATTACHMENT C: APPLICANT'S NARRATIVE

Planned Development Submission Supplement

May 11, 2016

Property Address: 863 - 877 South 200 West

Applicant: Central 9 Lofts, LLC

Prepared By: Soren Simonsen, FAIA, AICP, LEED AP, General Partner

Exceptions: We are requesting three exceptions through this Planned Development

proposal.

Exception 1: Public Artwork. The form based code standard for facade materials on street facing walls does not account for artwork. The Redevelopment Agency, as part of the Request for Proposals for this project, requested that a meaningful public art element be included in the project. We are proposing a "mural wall" on the west-facing facade, visible from the TRAX station and 200 West, as depicted in the elevation drawings and renderings. The image shown is representational only. The specific materials and artwork will be commissioned by a local artist at a later time.

Exception 2: Private Parking Garages for 5 units. The off-street parking requirements only allow alley-loaded parking garages for single- and two-family dwellings. The five units with parking garages will function more like attached single-family dwellings, with private garages accommodating a direct access to the unit. These are our largest units, and intended to be more family-oriented units. As such, the proposed private garages offer greater security and convenience for these units. The garages are designed to meet all other off-street parking requirements as we have reviewed these with the Transportation Division. They include a single designated parking stall, with additional flexible space for bicycle, scooter/motorcycle, small vehicle parking, workshop, or other private storage needs.

Exception 3: Building Project Sign. The proposed "Central 9 Lofts" building signage is designed to be integral with the building design and public art. The form based code requirements for signage do not contemplate a sign rotated vertically 90 degrees. While the signage otherwise meets the signage dimensional requirements, we are requesting an exception to accommodate the vertical orientation of the lettering. All other signage for individual tenants in the commercial space will be designed as per the form based zone sign regulations.

Project Description: This subject property includes four parcels, located at the corner of 900

South and 200 West, directly across from 900 South TRAX Station. The property is currently owned by the Redevelopment Agency of Salt Lake City

(RDA), and the developer (applicant) is currently operating under an

exclusive agreement to acquire and develop the property.

The existing properties include a single-story warehouse on the northern parcels, and a temporary community garden on the southern parcels.

The property is considered a key development in the RDA Central Ninth (West Temple Gateway) District. The proposed development has been reviewed and conditionally approved by the RDA Design Review Committee, subject to any provisions as part of this Planned Development application.

The project includes of 24 proposed for-sale residences, and eight ground floor commercial condominiums of approximately 4,000 combined square feet. The commercial spaces can be divided as individual spaces of 400 to 600 square feet, or combined to create larger spaces. Residences are two-and three-bedroom units. Five residences are located at grade, and accessed from individual patio entries on 200 West. The other 19 residences are accessed from a terrace courtyard above grade, with the primary terrace access from 200 West. Residential density is approximately 46 dwelling units per acre, as shown on the attached drawings.

The project consists of three primary structures. The largest mixed-use structure fronts primarily on 900 South and around the corner of 200 West. A second all residential structure fronts 200 West and the terrace courtyard. A third all residential structure fronts the terrace courtyard, with private garages accessed from the adjacent alley. A common parking structure for commercial and residential use is enclosed by the three primary structures, and is covered by the rooftop terrace courtyard. The common parking structure is also access from the alley. The layout of the project is dimensioned and noted on the attached drawings.

The proposed construction is Type V, with proposed materials of masonry, and cementitious panel siding, with stained wood, smooth plaster and metal siding as accent materials. Materials are illustrated and noted on the attached drawings.

The proposed development is generally in compliance with the form-based zoning with regard to use, height, and setbacks. With this Planned Development, we are requesting access to the individual garages similar to that permitted for single-family and two-family dwellings.

21A.44.020.E.2.c (Off-street Parking Regulations) permits an alley to be used as a parking aisle for single-family and two-family dwellings when certain conditions are met or as approved by Transportation Director. "The parking design for all other uses shall not require backing into an alley or right of way."

The project proposes five private garages accessed from the alley. These five garages will have direct interior access to a single respective residence above. These units will appear and function similar to attached single-family

residences (row houses), though they part of a larger mixed-use development. The parking ordinance states that "other uses shall not require backing into an alley or right of way." The ordinance does not appear to prohibit pulling forward into an alley when exiting a garage.

We are seeking approval through this Planned Development proposal to allow these five private garages to function similar to single-family or two-family residences, permitting unrestricted access from the alley as a drive aisle.

An alternate approach, though less desirable, would be to approve the incorporation of signage at each garage that states that a resident may not back into the alley, and record into the Codes, Covenants & Restrictions (CCR) of the Homeowners Association a specific prohibition against backing into the alley from garages. We interpret from this section of the ordinance that backing into an alley when exiting a garage is not permitted. However, backing into the garage from the alley when entering the garage, and pulling forward into an alley when exiting the garage are not explicitly prohibited.

Project Information:

The following list of responses corresponds to the items under section 2 - Planned Development Information on the application form.

- a. The building is a contemporary style consistent with many of the recent new residences and small commercial structures in the district. It incorporates distinct architectural expression of individual units, and differentiation of each of the three primary structures. This provides a human scale and sense of individuality that is consistent with the eclectic and individual nature of existing traditional and contemporary residences, and small commercial structures in the district.
- b. The site is small and previously developed, and has no readily apparent natural features. Existing artwork from the temporary community garden is proposed to be refurbished and re-installed in the public right-of-way as part of the proposed development. The proposed development is designed to be well-integrated into 900 South streetscape improvements currently being considered by the RDA. A stormwater pollution prevention plan will be incorporated as part of our construction staging, and is a component of our anticipated LEED Gold Certification.
- c. The existing warehouse building is not considered historic, nor an important element of the historic fabric. It has been identified for demolition by the RDA. The existing tenant, Local First Utah, is relocating to a new site across the street, and the existing business incubation space is proposed to be incorporated into this proposed development in the commercial condominium spaces. The scale and character of the building incorporates a human scale consistent with the neighborhood. The height and mass of the building is less than is permitted under the current zoning, as an attempt to make it more compatible with the existing commercial and residential structures.

- d. The proposed design provides for an iconic building on a prominent corner of the Central Ninth neighborhood commercial node. The use of materials and textures are used to both differentiate individual units, and provide variety in materials and massing as part of a cohesive whole. The commercial storefronts on 900 South are designed to create a visually interesting and interactive streetscape. The incorporation of individual patios and balconies helps provide a varied and active streetscape on upper levels as well. The terrace courtyard provides both an appealing private outdoor amenity space for residents, and the entry offers an additional element of variety and texture to the 200 West facade.
- e. The proposed development incorporates small commercial condominiums that are designed to foster local business development, both by providing affordable commercial space for small businesses, and furthering the goal of local commercial property ownership. Public art is incorporated into the proposed development. This includes relocating existing public art sculptures, as well as an "art wall." A large mural is shown on the east facade, which may also be appropriate on the west facade facing the TRAX station. This is an iconic element that can enhance the brand and identity of the Central Ninth neighborhood, and will be developed with broad community input. We propose to commission a local artist in the immediate area. We are also in discussions with SLC GreenBike and propose a bikeshare station as part of the development, subject to approval by GreenBike and Salt Lake City.
- f. Redevelopment of this property has been a long-standing goal of the RDA. The specific development proposal is supported by the goals of the Central City Master Plan, the proposed Downtown Master Plan recommended by the Planning Commission, and the purposes of the Urban Neighborhood Form Based Zones recently adopted for this district.
- g. The proposed development proposes for-sale residences, which is a goal of the RDA project area, and of the Central City Master Plan. The proposed residences are market rate (which is the case for all for-sale product), but the price per square foot will be considerably less than other available units in the Central Business District, making home ownership in the greater downtown area—only one TRAX station from the CBC considerably more affordable. We are also proposing several three-bedroom units, and a possible four-bedroom unit, to provide urban housing for families, and not generally available in the downtown marketplace. This "missing middle" housing market is a specific goal of the proposed development. Also, the direct access to all three current UTA light rail routes (red, blue and green lines) makes affordable transportation throughout the valley highly accessible. We expect that this development will prompt future development of for-sale product in an area largely characterized by for-rent product in recent years, and further the goals for home ownership and neighborhood stabilization.

h. The development proposal includes provisions to achieve a LEED Gold Certification (LEED – Homes). This proposal will incorporate water and energy efficient systems, active and passive solar devices, and additional solar-ready options for homeowners. More detailed information can be provided as the project and system design advances.

ATTACHMENT D: DEVELOPMENT RENDERINGS



CENTRAL 9 LOFTS | PLANNED DEVELOPMENT SUBMITTAL May 11, 2016



Axis Architects

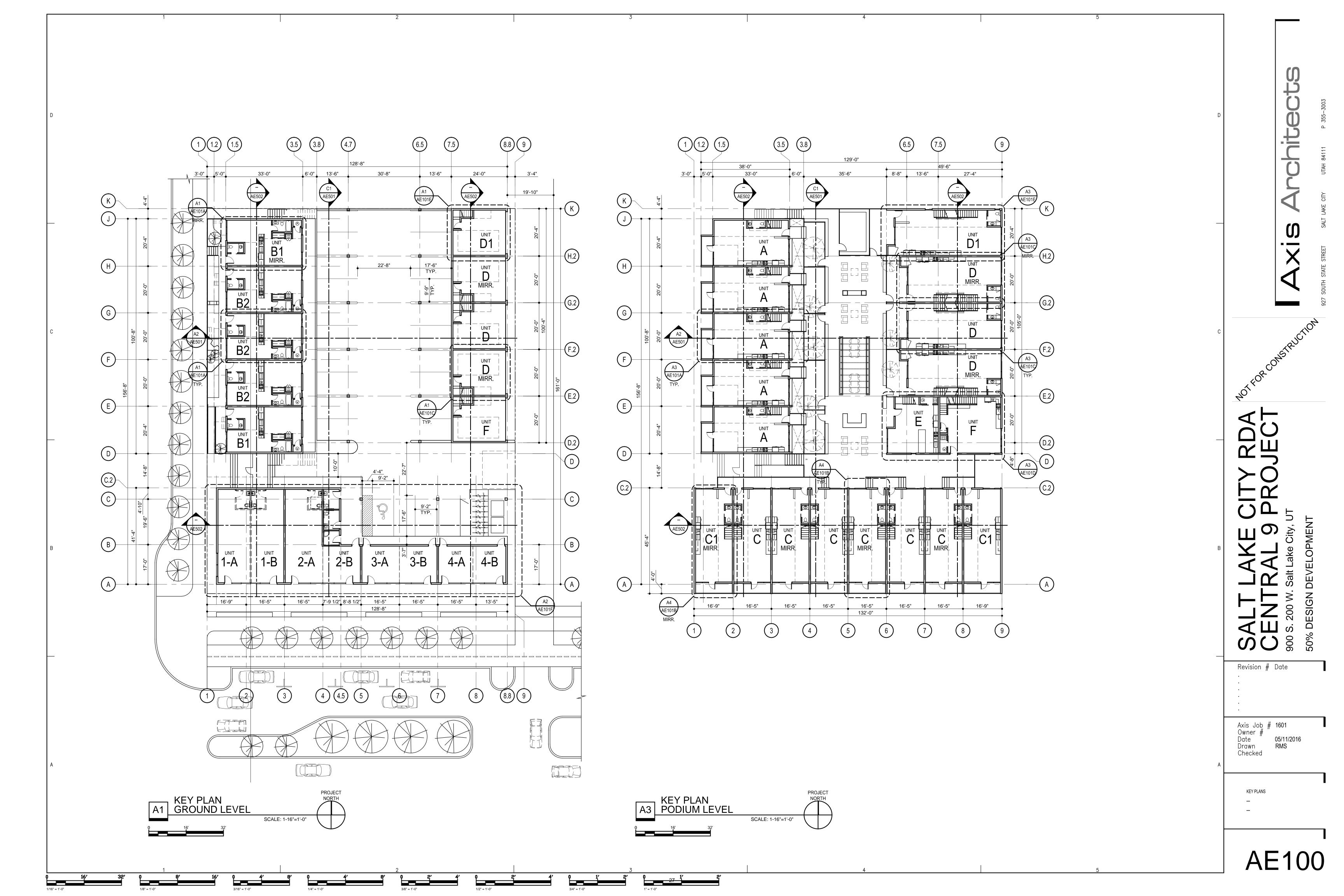


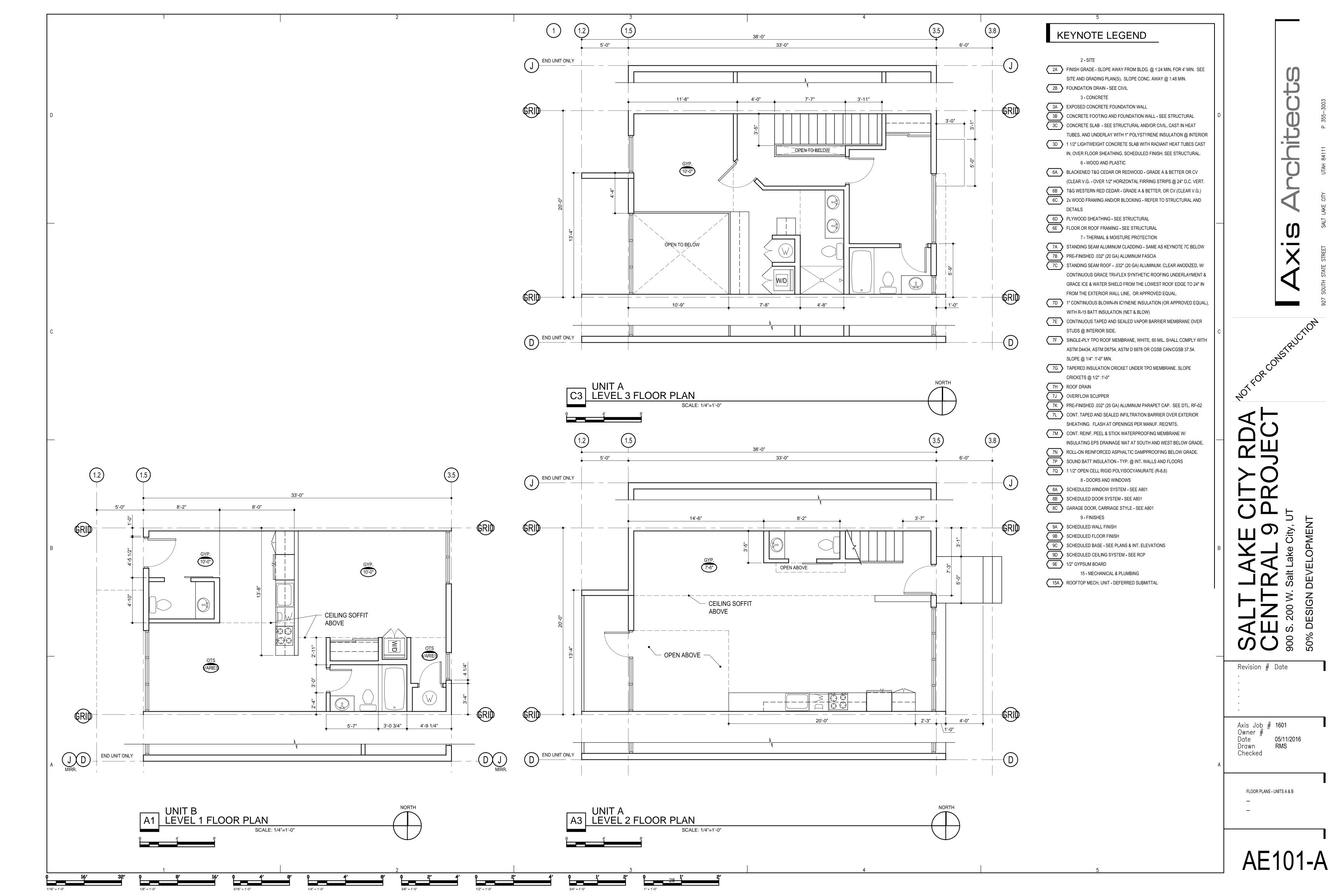


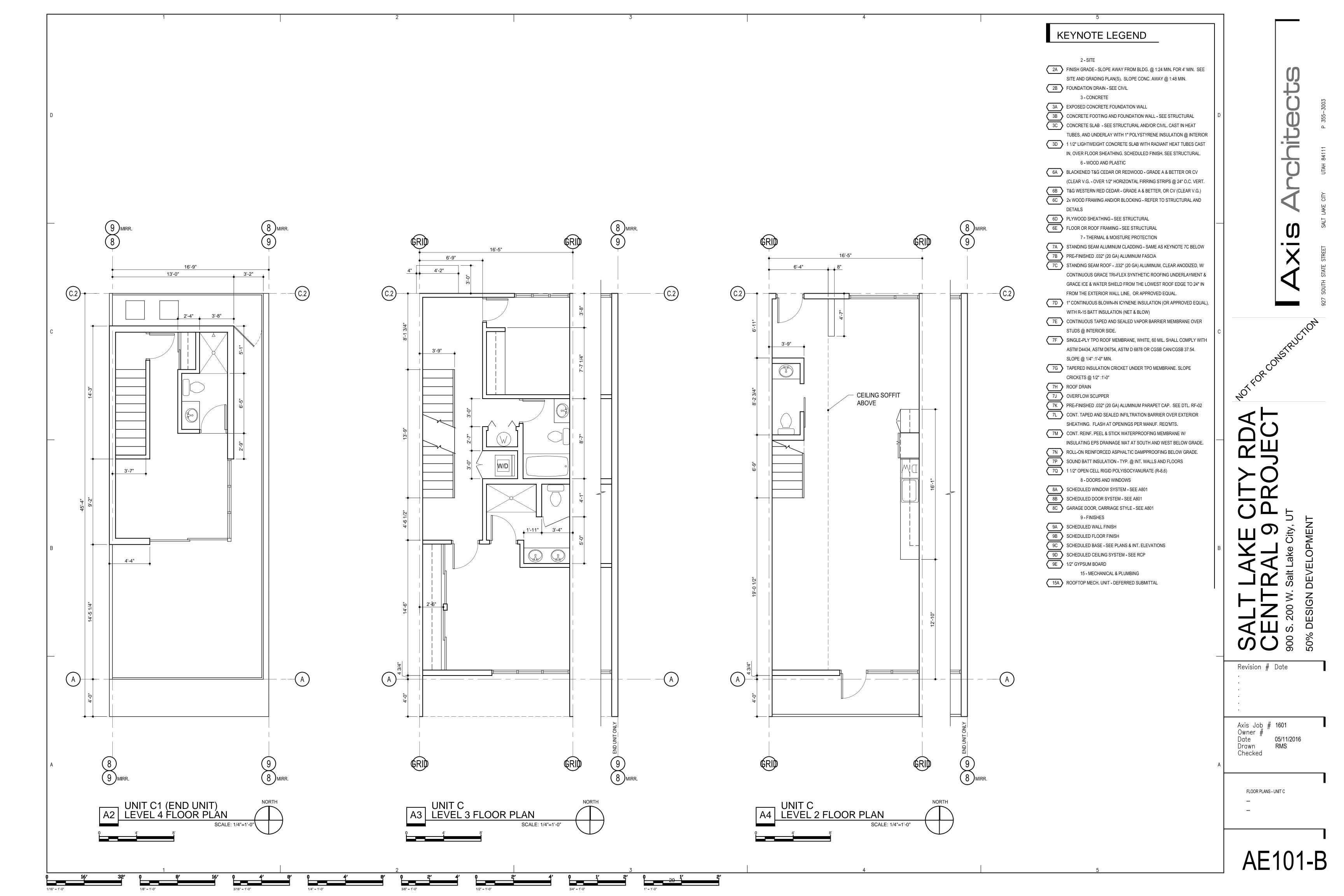


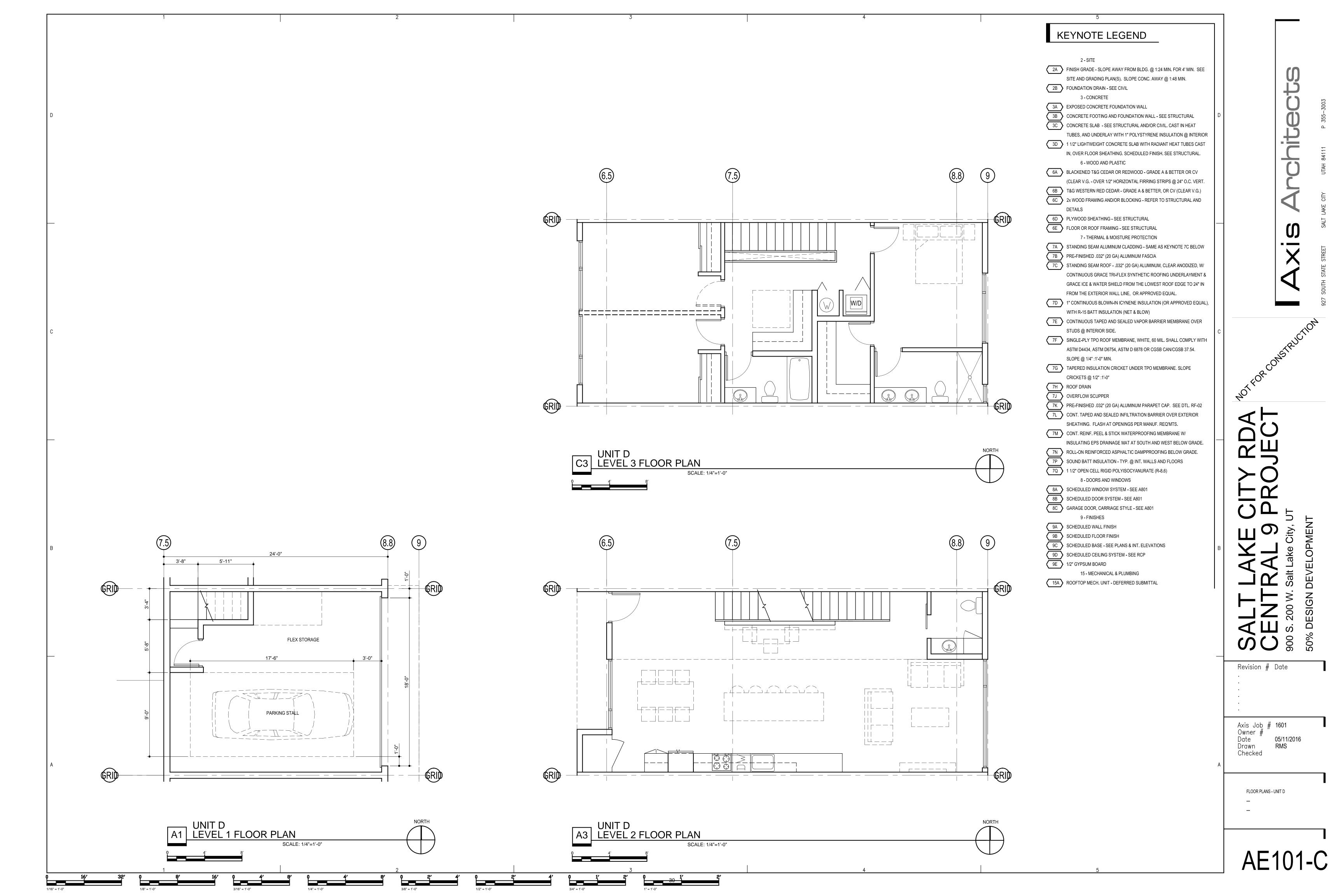


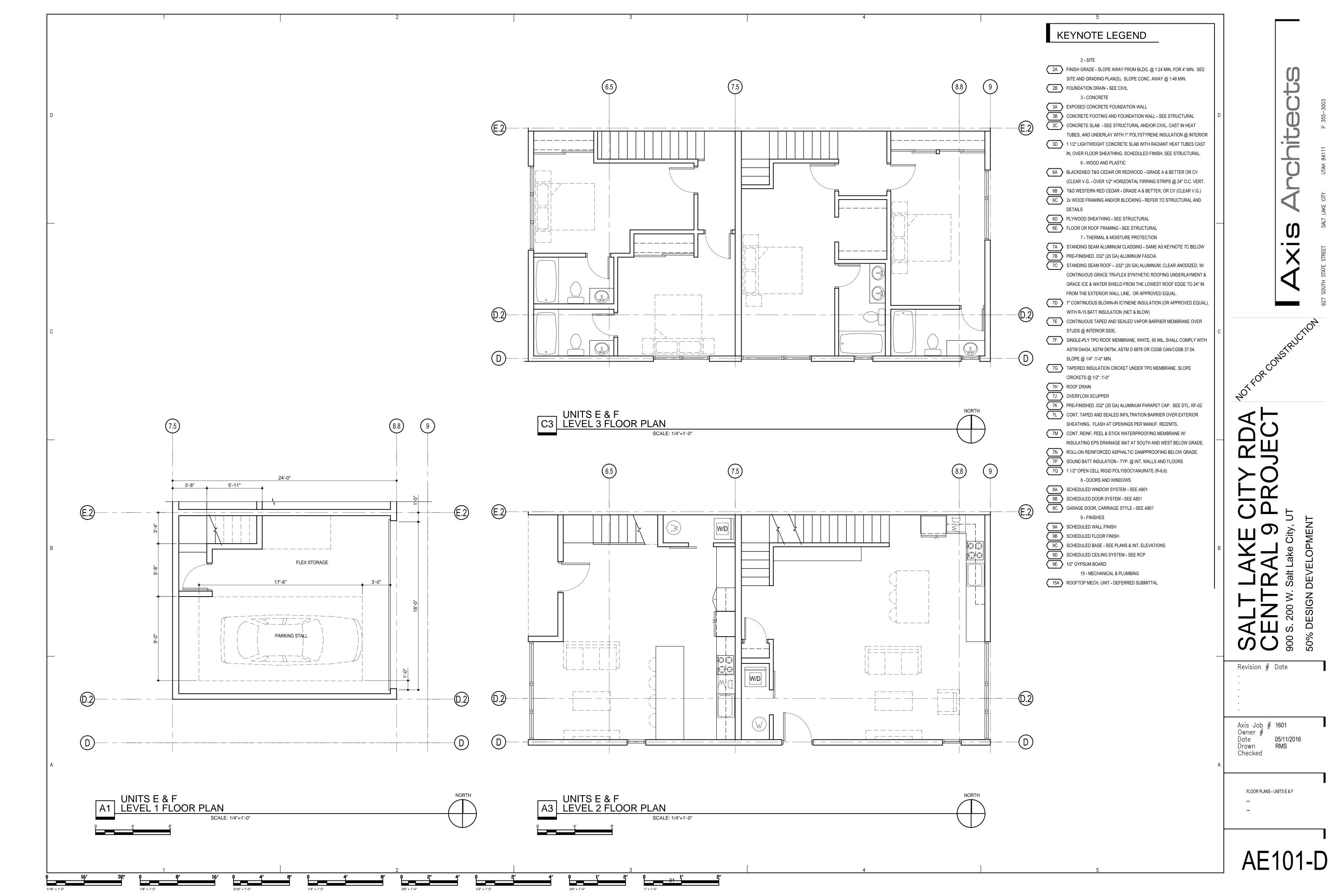
ATTACHMENT E: SITE PLAN & ELEVATIONS

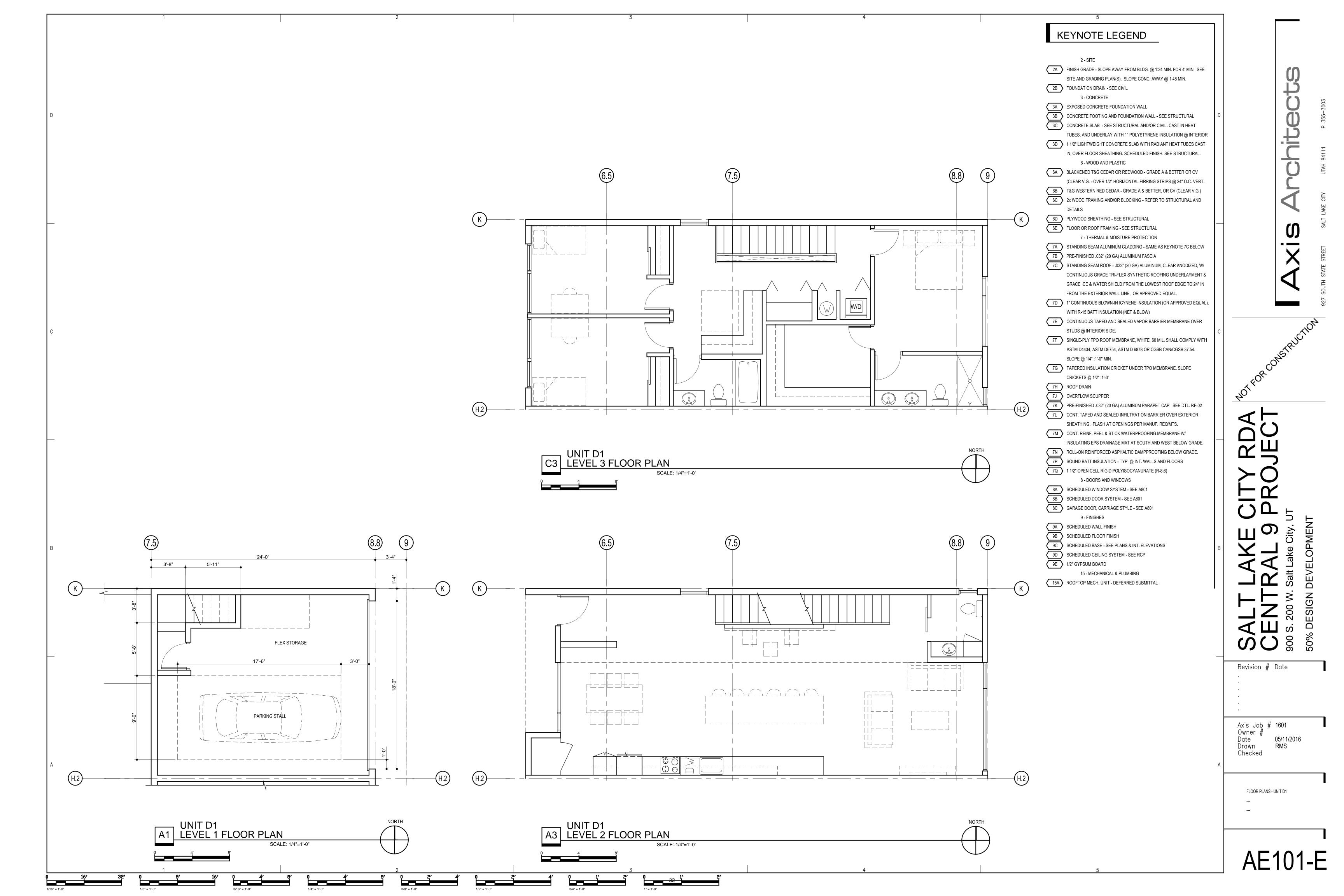


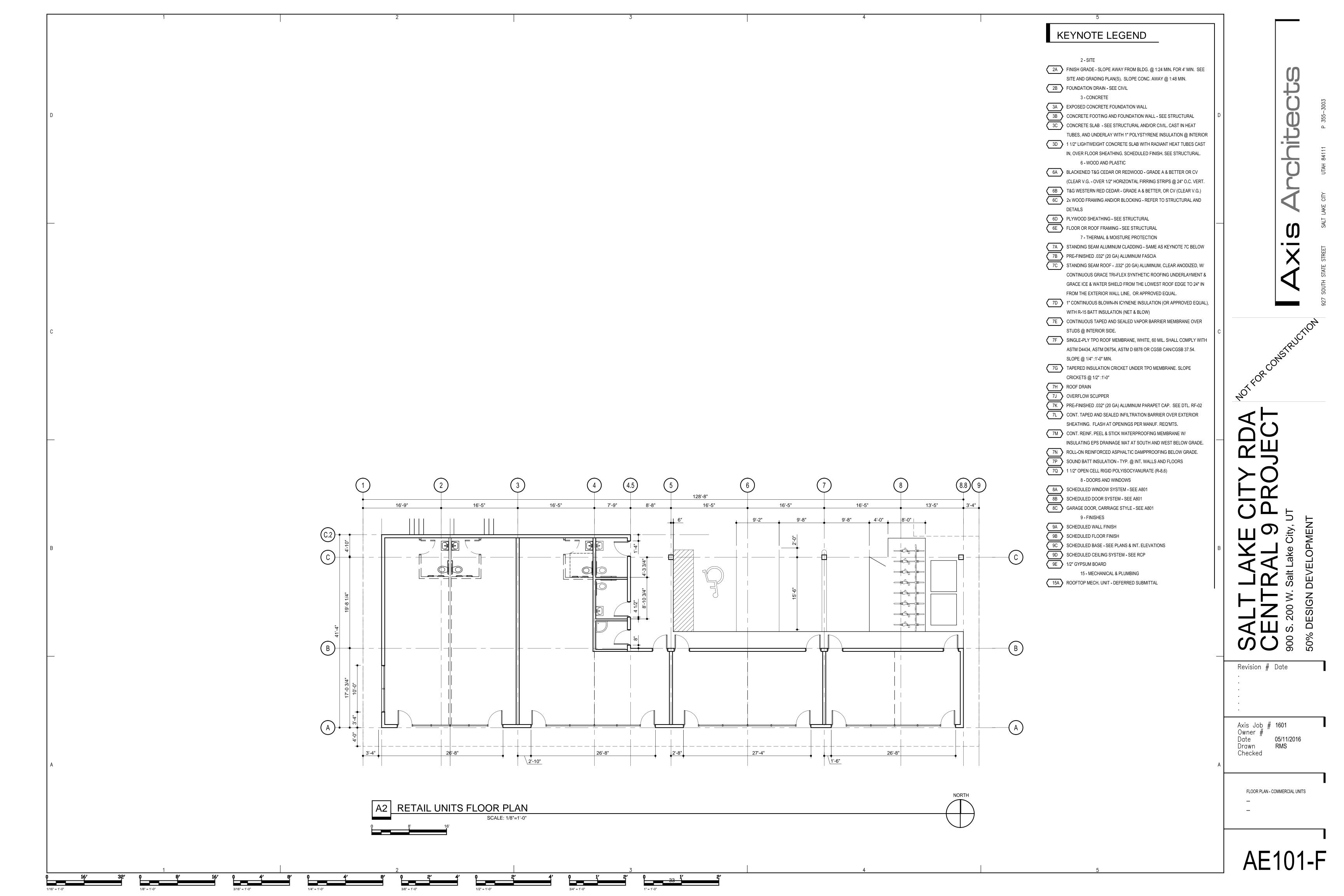


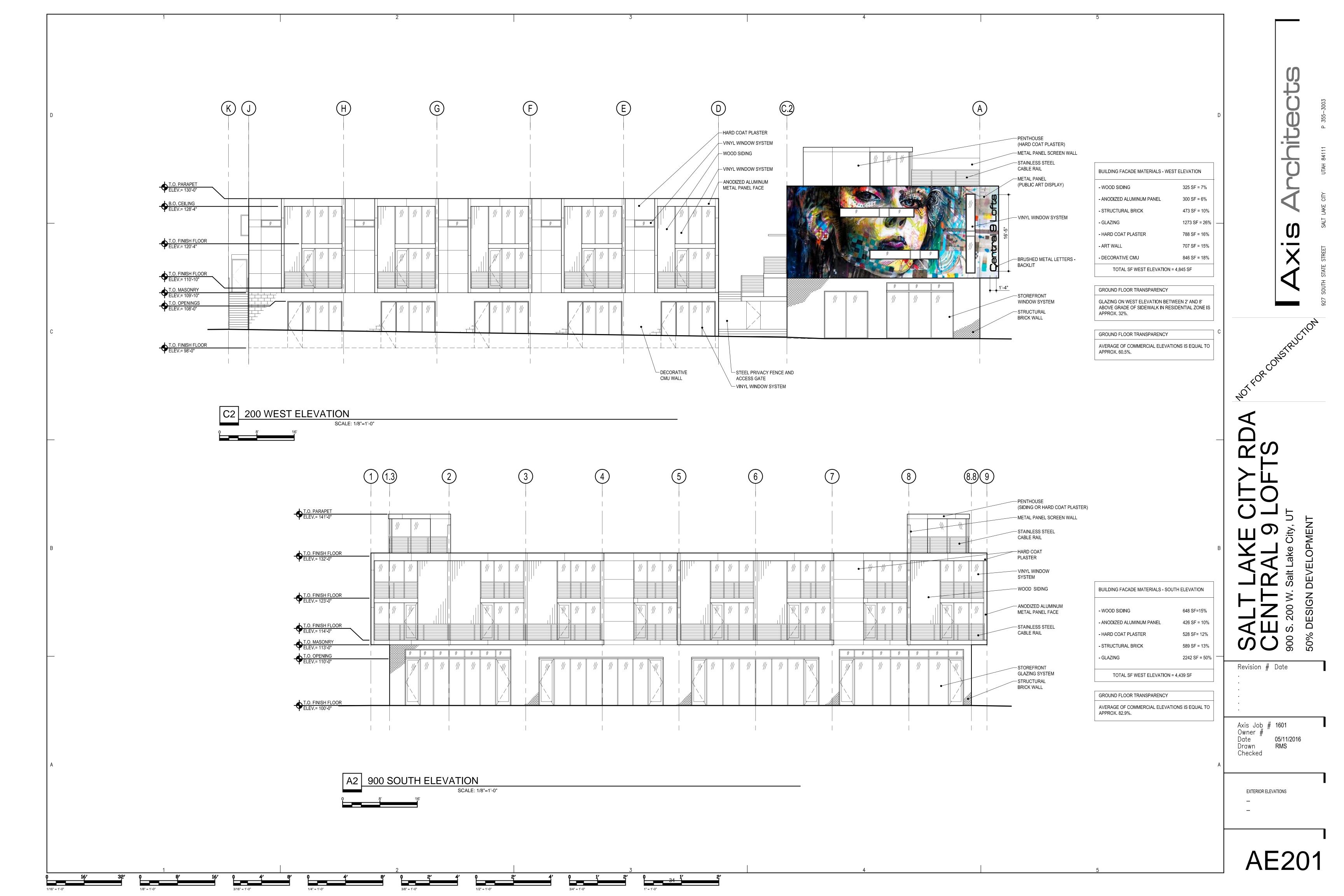


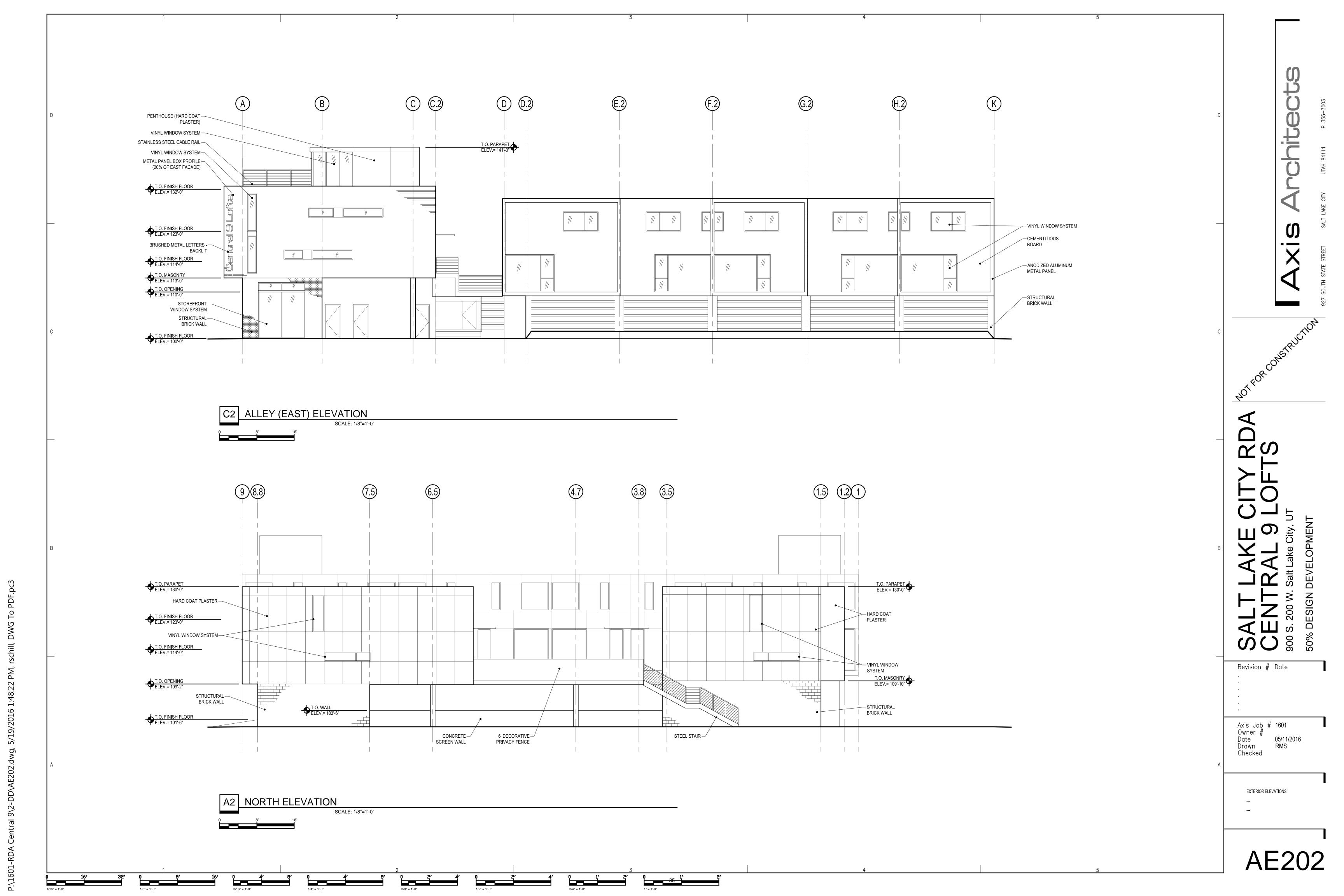


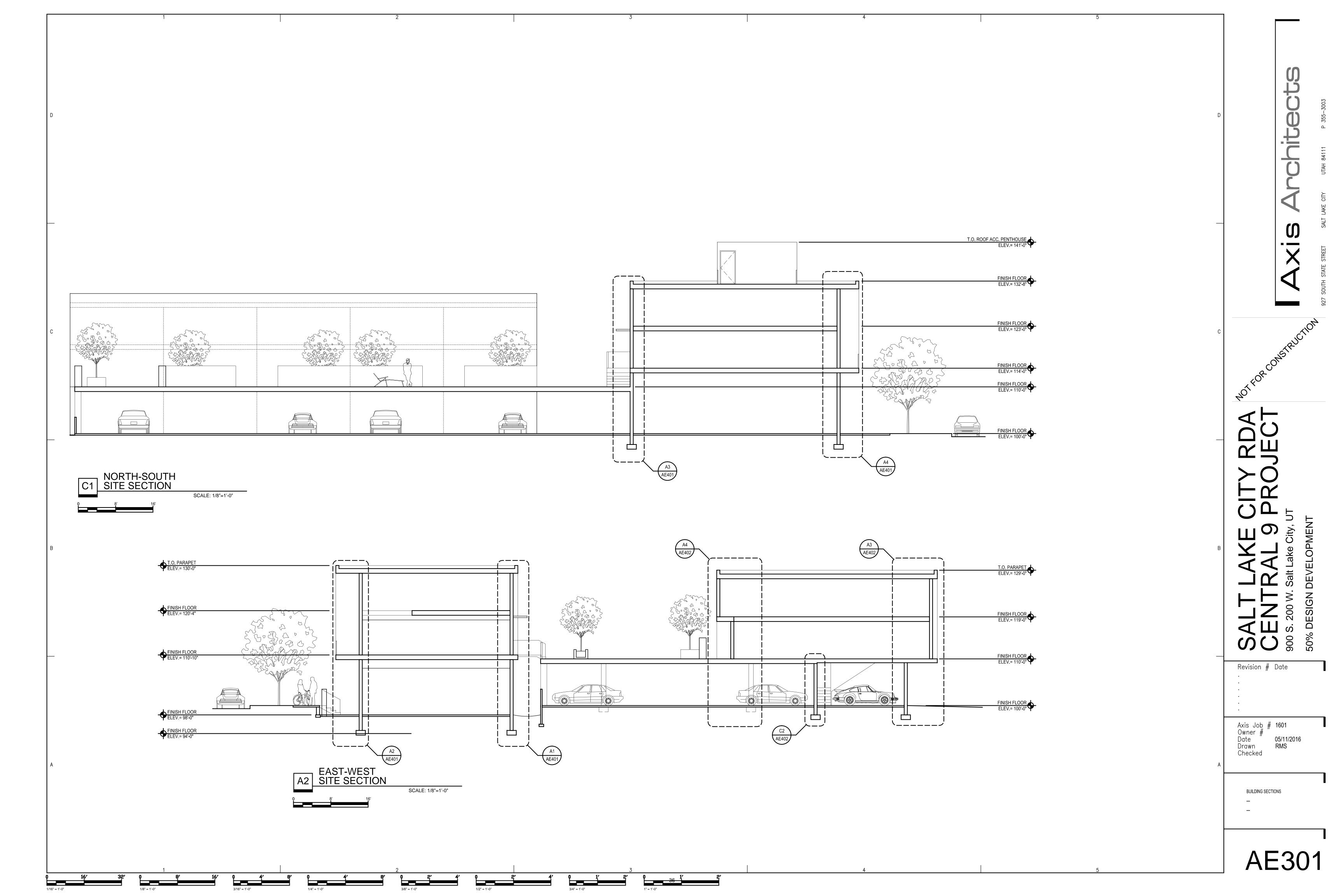












ATTACHMENT F: EXISTING CONDITIONS

Uses in the Immediate Vicinity of the Property

East: Three single-family homes and one vacant lot. The vacant lot is a redevelopment site for the RDA. One of the single-family homes has a two-story accessory dwelling unit

("mother in law apartment") built on the rear of the property.

West: Across the street is a vacant lot and is a redevelopment site for the RDA.

North: Single-family home.

South: Across the street is a vacant lot with a billboard on it and another lot with an

architecture office with a coffee shop.

Zoning in the Immediate Vicinity of the Property

East: FB-UN2 for approximately 3/4ths of the east property line. The north most 32 feet

(~1/4th) of the property is adjacent to property zoned FB-UN1.

West: FB-UN2. North: FB-UN2. South: FB-UN2.

ATTACHMENT G: FB-UN2 ZONE STANDARDS SUMMARY

Building		Building Form			
Regulation		Multi-Family Residential	Proposal	Complies?	
Building height and placement:					
Н	Height	4 stories with a maximum of 50'. 5 stories with a maximum of 65' on parcels located on the corners of West Temple at 800 or 900 South, 200 West at 700, 800 or 900 South, 200 West at Fayette Avenue, and 300 West at 800 or 900 South. All heights measured from established grade	41 feet total height on south portion of the building. Other portions are 30' in height.	Yes	
F	Front and corner side yard setback	No minimum Maximum 10'	0 to 5'.	Yes	
В	Required build-to	Minimum of 50% of street facing facade shall be built to the minimum setback line	100% of south façade built to 0'. 76% of west built to 0'.	Yes	
S	Interior side yard Minimum of 15' along a side property line adjacent to FB-UN1, otherwise no setback required. Parcels separated by an alley are not considered adjacent		Side yard (east) is separated by an alley from FB-UN1.	Yes	
R	Rear yard	Minimum of 20' when rear yard is adjacent to FB-UN1	Rear yard (north) is adjacent to FB-UN2. No setback included.	Yes	
U	Upper level step back	When adjacent to lot in the FB-UN1, buildings shall be stepped back 1 additional foot for every foot of building height above 35'. When a parcel in the FB-UN2 district is separated from a parcel in the FB-UN1 district by an alley, the width of the alley may be counted toward the upper level step back	Building is not above 35' next to the FB-UN1 zone.	Yes	
L	Minimum lot size	4,000 sq. ft.; not to be used to calculate density	Exceeds 4,000 sq ft.	Yes	
W	Minimum lot width	30'	Exceeds 30'.	Yes	
DU	Dwelling units per building form	No minimum or maximum	24 units	Yes	
BF	Number of building forms per lot	1 building form permitted for every 4,000 sq. ft. of lot area	1 building form	Yes	
Parking:					
	Surface parking in front and corner side yards	Not permitted	None proposed.	Yes.	
	Vehicle access	If property is less than 30' wide, vehicle access from an alley is required when property is served by	Vehicle access is provided from the alley.	Yes.	

	a public or private alley with access rights. If no alley access exists, only 1 vehicle access point from a street may be permitted If property is 30' wide or more, only 1 vehicle access point from a street may be permitted. If property is served by a public or private alley, ingress shall be from street and egress onto alley unless otherwise permitted by this section Corner lots with a minimum width of 120', may have 1 vehicle access point per street frontage. Vehicle		
	access may be one-way or multi- directional		
Vehicle access width at street	When a one-way vehicle drive is included in a development, no vehicle drive or curb cut may exceed 12' in width. When a multi-directional vehicle drive is included, a curb cut may not exceed 24' in width	No one-way drive proposed	Yes
Vehicle access from street design standards	If vehicle access is from a street, the following additional design standards shall apply: garage entry shall have a minimum 20' setback from property line; garage entry may not exceed 50% of first floor building width; one-way garage entry may not exceed 14' in width; multiway garage entry may not exceed 26' in width; garage door or gate shall be constructed of durable building materials and compatible with building design	Garages located in the back, accessed from alley, not a street.	Yes
Driveway location	The minimum distance between curb cuts shall be 12'. Driveways shall be at least 6' from abutting property lines for a depth of 10' unless shared. Driveways shall be at least 12' from property lines adjacent to a street corner or 5' from the point of tangency of the curb return, whichever is greater. Abandoned curb cuts shall be removed and replaced with city standard curb	No driveways proposed, property to be accessed from the alley.	Yes
Vehicle access and parking compliance	All new drive approaches, driveways, and parking lots shall comply with form based urban neighborhood regulations, and all other applicable sections of this code. Existing drive approaches, driveways, and parking lots shall be made compliant with form based urban neighborhood regulations upon change of use, increase in parking, or building additions greater than 25% of the footprint of the structure or 1,000 sq. ft., whichever is less	Existing approaches to be removed.	Yes

Parking on separate lot	Parking may be provided on an adjacent lot, or in a common area associated with the development, or within 500' of the property. If located on an adjacent parcel or on a parcel within 500', the proposed location of the parking shall contain a principal building and the parking shall be located behind a principal building	Parking on the same lot, not applicable.	Yes
Building configuration:			
Building entry	Minimum of 1 building entry per street frontage. An additional entry feature is required for every 75' of building wall adjacent to street. Side entries for multiple dwelling unit buildings are permitted provided there is at least 1 primary entrance facing a public street	8 entry doors on south façade. 5 entry doors on west façade.	Yes
Pedestrian connections		Pedestrian access from all units to internal walkway and sidewalk.	Yes
Ground floo transparence		West façade: 32% in residential area, 60.5% in commercial. South façade: 83%	Yes
Building fenestration	Required as per subsection F of this section	Required entry features provided for each residential unit and building form.	Yes
Open space	be provided for open space. Open space may include landscaped yards, patios, dining areas, balconies, rooftop gardens, and other similar outdoor living spaces. Required parking lot landscaping or perimeter parking lot landscaping shall not count toward the minimum open space requirement	At least approximately 25% of the site is open space.	Yes
Upper level outdoor space	All street facing residential units above the ground floor shall contain a usable balcony that is a minimum of 4' in depth. Balconies may overhang any required yard	All balconies are 4 to 5 feet in depth.	Yes
Building facade materials	A minimum of 70% of any street facing building facade shall be clad in glass, brick, masonry, textured or patterned concrete, wood, or stone. Other materials may count up to 30% of the street facing building facade	78% of south façade is required materials. 62% of west façade is required materials.	No, modification requested to minimum in order to incorporate art wall on west façade.
Attached garages and carports	Attached garages and carports are required to be in the rear yard where the rear yard is accessible by an	Located in the rear yard.	Yes

alley with access rights to the subject property. If there is no access to the rear yard, an attached garage may be accessed from the front or corner side yard provided that the garage door (or doors) is no wider than 50% of the front facade of the structure and the entry to the garage is set back at least 10' from the street facing building facade and at least 20' from a public sidewalk. Side loaded garages are permitted	
---	--

ATTACHMENT H: 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
A. Planned Development	Complies	The applicant is generally complying with
Objectives: The planned		objectives A, D, and H. These are
development shall meet the		discussed in detail on page 3 of the staff
purpose statement for a		report. The applicant also discusses how
planned development (section		they are meeting these objectives in their
21A.55.010 of this chapter) and		narrative in <u>Attachment C</u> .
will achieve at least one of the		
objectives stated in said section:		
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.		

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.

Complies

1. The site is located in the Central Community Master Plan area. The future land use map specifies that the area is intended for "Central Business District Support." The plan discusses the intent of the area, referring to it as the "transition" area, in the following paragraph:

The intent of the Central Business District designation (yellow on map) is to increase multiple land use activities within a dense following urban area the quidelines established in Downtown Master Plan. The area should become a 24-hour center of activity, with increased use of mass transit. This designation includes a CBD boundary and transition district. The CBD includes business and financial regional institutions. retail shopping and services. restaurants, high intensity employment uses, corporate headquarters, and high-density housing.

The proposed use of the land is for a mix of residential and commercial uses, which fit within the above intent for the CBD area. The proposed uses would also likely increase the use of the TRAX line located directly in front of the development, which is also in line with the intent.

2. Residential and commercial uses, such as retail, restaurant, or office uses, are allowed in the FB-UN2 zone. The Planned Development process allows for modifications to zoning standards. The requested modifications are discussed under Issue 1 on page 3 and Issue

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

Complies with condition that any dumpsters are screened from view from the sidewalk.

1. The property is provided access from 900 S and 200 West. The proposed development will utilize the existing alley for vehicle access to the site and will not incorporate any new curb cuts for ingress or egress. The additional vehicles that will visit the site are not expected to degrade the service level of the adjacent streets. Transportation did not express any

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, nonmotorized, and pedestrian traffic;
- 4. Whether existing or proposed utility and public

- concerns regarding potential traffic impacts from the development.
- 2.a. The ingress/egress of the development will be handled from one access point, the existing alley curb cut, which reduces any potential impact to traffic on the public street. The proposal would not create any unusual traffic patterns or volumes.
- 2b. The proposal will be providing 30 parking stalls on site in a one level parking structure. These will serve 24 residences and approximately 4,000 square feet of commercial space. This configuration of the parking results in some of the one bedroom units having no parking. As such, there is the potential for some residents to park their vehicles on the street in front of the building and adjacent single-family properties. However, all of the adjacent residential properties are served by an alley that provides vehicle access to their rear yards for parking purposes and so no properties on this street are forced to rely solely on on-street parking to park their vehicles. This significantly reduces the potential for parking impacts on adjacent properties.

Further, the FB-UN zones specifically do not require developments to provide a minimum amount of parking. It is possible for a development to provide no on-site parking in this zone. The intent of this is to encourage transit usage rather than private vehicle use. Although there may be some parking overflow from the proposed development to on-street parking spaces in front of neighboring single-family homes, these homes all have access to their rear yards and do not need to rely on on-street parking spaces for their vehicles. The TRAX station being directly in front of the building also increases the potential for transit use rather than private vehicle use, and it is possible that some residents will opt to not have a vehicle or have fewer vehicles due to their access to transit. As such, staff does not anticipate that the development will substantially adversely impact the use of the adjacent properties.

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.

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.

- 2c. The majority of the use is residential which creates traffic patterns similar to the single-family residential uses around it. Traffic would generally be at its peak during commute hours. There may be additional traffic generated from the commercial spaces. Traffic would vary depending on the specific types of commercial uses in the space, such as office, retail, or restaurants uses. However, the size of the commercial space is small enough that the peak traffic impact will be low and is not expected to impair the use or enjoyment of adjacent properties.
- 3. The internal circulation of vehicle and pedestrian traffic is generally contained within the property. Though there will be use of an alley that is shared with adjacent properties, the number of vehicles using the alley at any one time is not expected to cause any adverse impacts on adjacent properties.
- 4. The development will be required to upgrade utility infrastructure where determined to be necessary by the City Public Utilities Department and other responsible entities in order to adequately provide service. The Public Utilities department has identified some potential utilities that will need to be upgraded to serve the property at normal service levels. No adverse impacts are expected from increased utility or public service use from the property.
- 5. The development is located in an area zoned for high intensity residential uses and light commercial uses, such as retail or restaurants. The majority of the development is residential and such use would not have unusual noise impacts on adjacent residential properties. Existing residences on adjacent lots will only be adjacent to residences of the proposed building, rather than commercial areas. A privacy fence is being provided on the second level amenity deck in order to prevent noise or privacy issues to the residential property to the north. Additionally, the windows on that

side are clerestory windows to prevent any privacy issues with the adjacent north property. The trash/recycling collection area is located underneath the building within the 1st floor parking structure and is away adjacent low-scale residential from homes. If this trash area expands out from behind the building, it will need to be screened from view from the sidewalk. It is a condition of approval that any dumpsters are to be screened from view from the sidewalk if not otherwise screened by the building and that condition is located on the front page of the staff report. 6. The size, scale, and intensity of the proposal are allowed by the zoning. The development is not requesting any modifications to the base zoning standards that would result in increased size, scale, or intensity. All of the adjacent properties zoned for FB-UN2 permitted a height of up to four stories, or 50 feet by right. Although the adjacent developed properties are single-family homes, these properties have the potential to be redeveloped up to 4 stories tall, which exceeds the height of the proposed development. The proposal does not involve a conditional use and so does not require a Conditional Building and Site Design Review. **D. Landscaping: Existing** Does not There are a few existing mature trees at fully mature vegetation on a given the north and east sides of the property parcel for development shall be comply. within the buildable area of the lot. These will be removed as part of this maintained. Additional or new **Existing** landscaping shall be trees will development. However, the development appropriate for the scale of the be lost. will result in at least nine street trees development, and shall but overall being installed in the park strips. primarily consist of drought number of Although the existing trees will be lost, tolerant species; trees will the overall number of trees on the site will increase. be increased so staff finds this to be an improvement overall. The landscaping will need to comply with the "water wise or low water plants" required by 21A.48.055: "Water Efficient Landscaping" section of the zoning code and so will comply with the landscaping standard regarding drought tolerant

		species.
E. Preservation: The proposed planned development shall preserve any historical, architectural, and environmental features of the property;	Complies	The development site is currently occupied by a warehouse/office building and does not currently possess any significant historical, architectural, or environmental features.
F. Compliance With Other Applicable Regulations: The proposed planned development shall comply with any other applicable code or ordinance requirement.	Complies	Other than the specific modifications requested by the applicant, the project appears to comply with all other applicable codes. Further compliance will be ensured during review of construction permits.

ATTACHMENT I: PUBLIC PROCESS & 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 Application:

A notice of application was mailed to the Ball Park Community Council. The Community Council was given 45 days to respond with any concerns and to request that the applicant meet with them.

The applicant met with their Ball Park Community Council on April 7th. Staff attended the meeting to answer any planning or zoning related questions. A letter from the Ball Park Community Council chairperson is on the following page and includes notes and comments from the meeting, as well as a recommendation of approval for the development.

Notice of the public hearing for the proposal included:

Public hearing notice mailed on May 12, 2016 Public hearing notice posted on May 12, 2016

Public notice posted on City and State websites and Planning Division listsery on May 12, 2016

Public Input:

No public comments were received as of staff report publication, however, one nearby resident requested additional information about the development.

May 9, 2016

Mr. Daniel Echeverria, Principal Planner Salt Lake Planning Division 450 S State Street, Room 406 Salt Lake City, UT 84111

RE: Central 9 Lofts Project 900 South and 200 West

Dear Daniel:

The Ballpark Community Council has had the opportunity to review the proposed Central 9 Lofts project. Our Community Council is supportive, and many of our participants enthusiastically so. We ask that you forward our favorable recommendation for the project to the Planning Commission for their review as part of the Planned Development proceedings.

The first review of the development proposal occurred at our February 4 Community Council meeting. At that point in time, the developer reached out to us voluntarily to share their vision and conceptual plans for the Central Ninth neighborhood node. The developer was proactive in asking for community input on design considerations, desirable tenants, and public art elements. Although not a formal consideration at that time, we asked for community feedback and received unanimous support by those in attendance.

Later, we learned that the developer needed to visit us as part of the formal Planned Development process to address parking and possible signage exceptions. We invited them back to our April 7 meeting, where they shared specific aspects of the request for these exceptions. At this meeting, I asked for a formal vote by attendees and there were no objections to the project moving forward as proposed.

We believe the proposed private parking garages will enhance the larger, family-oriented units to provide a safe and convenient access from the alley. This approach to parking is consistent with existing single-family garages along the alley. These few units will function much like single-family attached townhomes, and we are supportive of what is proposed.

We are also interested in seeing how the public art and signage will work together to create an identifiable image for the district at this prominent TRAX station and city gateway. Although still very conceptual, we believe that the community-involvement in the public art and signage composition will meet our objectives for place-making in this district, and we are supportive of the general approach.

The Redevelopment Agency has been busy in our area, and we are pleased to see the work progressing on many fronts in the Central Ninth neighborhood. This project seems

to be another important addition. We are particularly excited about possible new homeowners and a business incubator in the area to add stability and strengthen this district.

Thank you to the Planning Division for involving us in the process, and keeping us apprised of this project as it moves forward.

Please let me know if you have any further questions or comments.

Sincerely, Bill Davis - Chairperson Ballpark Community Council

ATTACHMENT J: DEPARTMENT REVIEW COMMENTS

Department Review Comments

Engineering – Scott Weiler (scott.weiler@slcgov.com or 801-535-6159)

No objections to the proposed planned development. Proposed trees in the public way require approval from Urban Forestry. Public way improvements require approval from SLC Engineering and a Permit to Work in the Public Way.

Zoning – Greg Mikolash (greg.mikolash@slcgov.com or 801-535-6181) *FB-UN2 Zone* :

- 21A.44.020.E.2.c prohibits using the alley as a parking isle. Discussed during an IRT meeting that Planned Development application would be required.
- The lot combination process and application required.
- Any public way encroachment will need to be discussed with the Real Property Div. in Room #425.
- A Demolition permit will be required for the removal of the existing building to the north.
- As part of the demolition application, the construction waste management provisions of 21A.36.250 apply.
- Construction related issues/questions should be discussed with the building code personnel in Room #215.
- A separate Certified Address will need to be obtained from the Engineering Dept. for use in the plan review and permit issuance process.
- Proposal will need to comply with the provisions of 21A.27 Form-based district criteria.
- The general standards of 21A.36 will need to be met, including the construction waste management plan and recycling collection station requirements.
- Proposal will need to comply with any appropriate provisions of 21A.40 Accessory Buildings/Uses, such as outdoor dining, ground mounted utility boxes, etc.
- The provisions for off street loading as indicated in 21A.44 will need to be met.
- The provisions for landscaping as indicated in 21A.48 for will need to be met.

Planning Staff Note: The proposal appears to comply with all applicable zoning regulations. Compliance will be verified during the Building Permit process.

Transportation – Michael Barry (Michael.barry@slcgov.com or 801-535-7147)

Planning Staff Note: The parking design has been modified to satisfy the Transportation division's comments as noted in the second response below.

Second Response to Revised Plans: This is in the FB-UN zone and there is no minimum parking requirement. The vehicle maneuvering is acceptable. This looks good.

First Response: I met today with representatives of the project's development team to discuss parking issues. Two issues were identified and discussed.

First, the garages require that vehicles back into the alley while exiting which is prohibited by 21A.44.020.E.2.c for uses other than single-family dwellings, two-family dwellings, or twin homes.

Second, parking dimensions must meet standards per 21A.44.020.E.2.e.

The first issue, relating to backing into the alley, is not necessarily a safety issue and other users such as single family homeowners are allowed this use. Transportation does not have any other objections to this use except that it is prohibited per city ordinance.

The second issue, relating to parking dimensions, could be dealt with by providing additional space on the lot and a wider garage door. In discussions last week with Greg Mikolash and Darby Whipple, it was determined that providing additional garage door width and garage depth could, in some cases, allow the backout length (parking aisle width) to be measured from the back of the parking space instead of from the garage door if a 3 to 1 taper were provided from the back of the parking space to the edge of the garage door. It appears that the garage and alley dimensions may accommodate this design allowance if changes were made to the garage and door; Transportation would be agreeable to the parking layout as discussed in today's meeting. It should also be mentioned that there is no minimum parking requirement in the FB-UN zones, and the garages could be considered as one-car garages with storage.

Public Utilities - Jason Draper (jason.draper@slcgov.com or 801-483-6751)

Please provide fire flow fire hydrant requirements. The main in 200 west is a 6" main and will likely be insufficient for fire flows. Additionally it does not appear that a hydrant is within 100 feet of the proposed buildings. If additional hydrants of fire flow is needed the water supply system will need to be upgraded. Either increase the existing 6" or install a new main in 900 South.

Please verify if the property will be consolidated or if there will be three separate parcels. A single culinary meter is allowed for each property. For properties larger than $\frac{1}{2}$ acre an additional landscape meter is allowed. There are 3 existing meters on the properties. Unused meters to be killed at the main.

There are also 3 existing sewer laterals. These are all approximately 100 years old and must be capped at the property line.

If the combined property is larger than 1 acre a technical drainage study will be required and a complete SWPPP document will be required.

Planning Staff Note: Upgrades to associated utilities will be determined and required through the Building Permit process.

Fire - Ted Itchon (ted.itchon@slcgov.com or 801-535-6636)

Fire hydrants shall be within 400 feet of all exterior walls of the first floor and 100 feet of a fire department connection (FDC). FDC shall be installed on the address side of the building. Fire department access shall be within 150 feet of all exterior walls of the first floor. If the building is built on property line then an alternative means and methods may be applied for. Fire department access roads shall be a minimum of 26 ft. clear width and clear height of 13 ft. 6 inches. Fire department access roads shall be design HS20 with turning radius of 45 ft. outside and 20 ft. inside. The access road shall have no utility lines over the road or between the building and the access road. Two fire department access roads shall be provided when the number of living units exceed 200. When two access roads are provided then one of the roads shall not be closer than 15 ft. to the building and greater than 30 ft. from the building.

Note reduction of fire flow for automatic fire sprinkler system is not permitted

Planning Staff note: Proposal will need to meet all fire code requirements and compliance will be verified during the Building Permit process.

Planning – Daniel Echeverria (daniel.echeverria@slcqov.com or 801-535-7165)

1. Proposal involves consolidating lots. Applicant will need to submit a lot consolidation application, obtain City approval, and consolidate property before final permit approvals.

- 2. If proposal is to be condominium-ized it will require a preliminary condo application and a subsequent final plat application. This can be done after construction of the development.
- 3. Planned Developments require that the developer calculate an initial estimate of the costs for maintenance and capital improvements of all infrastructure for the planned development including roads, sidewalks, curbs, gutters, water and sewer pipes and related facilities, drainage systems, landscaped or paved common areas and other similar facilities ("infrastructure"), for a period of sixty (60) years. The document will need to be recorded against the property with the subdivision/condo plat or before the first unit occupancy of the Planned Development. This is a condition of approval for all Planned Developments. (21A.55.170) The document can either be provided now or after PC approval of the proposal. If not provided prior to the Planning Commission hearing, it will be a condition of approval.
- 4. Final landscaping and irrigation plans submitted during the building permit process will need to comply with the Water Efficient Landscaping provisions of 21A.48.055. See this document for the plant and hydrozone listings:

 http://www.slcdocs.com/utilities/PDF%20Files/2013_SLCPlantList_ver2-1.pdf. To comply, the planting schedule on the landscape plan will need to identify the hydrozones for all plants and the irrigation plans will need to indicate how similar hydrozones are grouped onto individual lines or accommodated by the number of emitters.

ATTACHMENT K: MOTIONS

Potential Motions

Staff Recommendation:

Regarding PLNSUB2016-00194, based on the findings listed in the staff report and the testimony and plans presented, I move that the Planning Commission approve the proposed Planned Development with the following conditions:

- 1. Trash and recycling dumpsters shall be screened from view from the public sidewalk with a solid fence, wall, or equivalent opaque material with a height of at least 6 feet.
- 2. The involved lots shall be consolidated through the Lot Consolidation process as per Chapter 20.32 of the Subdivision and Condominium ordinance.
- 3. The developer will need to record against the property an estimate of the costs for maintenance and capital improvements of all infrastructure for the planned development for a period of 60 years in compliance with 21A.55.170 "Disclosure of Private Infrastructure Costs for Planned Developments."
- 4. Developer shall comply with all department comments and conditions.

Not Consistent with Staff Recommendation:

Regarding PLNSUB2016-00194, based on the testimony, plans presented and the following findings, I move that the Planning Commission deny the proposed Planned Development.

(The Planning Commission shall make findings on the Planned Development criteria and specifically state which standard or standards are supported by the amendment. Please see <u>Attachment H</u> for applicable standards.)