



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission
From: Krissy Gilmore, Senior Planner, 385-214-9714 or kristina.gilmore@slcgov.com
Date: November 11, 2021
Re: PLNPCM2021-00545 – TAG 400 W Planned Development

TAG 400 W PLANNED DEVELOPMENT

Property Address: 765 North 400 West
Parcel IDs: 08-25-376-018-0000; 08-25-376-029-0000
Zoning District: MU (Mixed Use)
Master Plan: Capitol Hill

REQUEST: Jordan Atkin, representing TAG SLC, the property owner, is requesting Planned Development approval to build 28 new townhomes on the properties located at approximately 765 N 400 W. The proposed project will consist of 4 new buildings each with 7 townhome units. Through the Planned Development process, the applicant is requesting the following modifications:

1. Approval of new lots without street frontage.

RECOMMENDATION: It is Planning Staff's opinion that, overall, the project meets the intent of the zoning district and the Planned Development standards with the recommended conditions of approval listed in this report. Planning Staff recommends that the Planning Commission approve the Planned Development subject to the following conditions of approval:

1. Final Building Permit plans shall include 20% open space as required per 21A.32.130.
2. Applicant shall submit a cost estimate and associated documentation assuring shared infrastructure maintenance in compliance with 21A.55.110 with the final plat application.

ATTACHMENTS:

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- A. [Applicant Submittal and Information](#)
 - B. [Site Plan](#)
 - C. [Building Elevations](#)
 - D. [Site Photos](#)
 - E. [Planned Development Standards](#)
 - F. [Department Comments](#)
 - G. [Public Process and Comments](#)

PROJECT DESCRIPTION & CONTEXT:



Quick Facts

Height: 38 FT 8 IN (3 stories)

Use: Residential

Number of Residential Units: 28

Exterior Materials: Glass, wood, fiber cement lap siding, and stucco.

Parking: 56 parking spaces

Review Process & Standards:
Planned Development, MU zoning standards, and general zoning standards

Salt Lake City has received a request from Jordan Atkin representing TAG SLC for approval of lots without street frontage through a Planned Development. The request is to facilitate a redevelopment of the site to construct a new residential development that consists of 4 buildings each with 7 townhome units for a total of 28 units. Each unit has their own dedicated 2-space garage for parking located on the first level with living space on the two levels above. While the project could be built as currently designed by-right, the modification to allow for lots without street frontage allows the units to be sold as single-family townhomes rather than as condominium project.

Above is a rendering of the development and a list of quick facts about the proposal. The developer has also provided a narrative about their proposal and planned development considerations in [Attachment A](#).



Ariel view showing location of site



Landscape plan view, showing building locations, and paving and landscape areas. Please see the full site plans in Attachment B.

Background

The site constitutes approximately 36,447 sq. ft., which is vacant land with one building. The site is situated over two parcels which will need to be consolidated. The development is largely surrounded by warehouses and light industrial development to the west and residential to the east. There are also several vacant parcels to the south of the site.

Because this site is located with the MU (Mixed Use) zoning district there are fewer design standards and overall zoning standards than other districts in the City. This is because the MU district is a district that provides for an environment for a larger variety of uses, overall, its intent is to encourage and retain residential uses while also allowing commercial development. The only design standards required in the MU district are:

- Ground floor glass requirement shall be 15% between 3’ and 8’ in height.
- The maximum length of a street facing blank wall is 15’.
- At least one operable building entrance on the ground floor per street facing façade.
- If a parking lot/structure is adjacent to a residential zoning district or land use, any poles for the parking lot/structure security lighting are limited to 16’ in height.

- Mechanical and service areas must be screened.

The proposed project meets all of these standards.

The extent of the modifications the applicant is requesting necessitates review by the Planning Commission. In making a decision for the Planned Development the Planning Commission should consider whether the proposal meets the standards in Section 21A.55.050 of the zoning code; the standards of review may be found in this Staff Report as Attachment E.

KEY CONSIDERATIONS:

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

1. Lots Without Street Frontage
2. Design Consideration
3. Consistency with Applicable Master Plan Policies

Consideration 1 – Lots Without Street Frontage

The Planned Development is being sought to create individual townhome lots that do not have public street frontage. According to the Salt Lake City Zoning Ordinance Section 21A.36.010.C, all lots in any zoning district must have frontage on a public street. In this case, the primary access to the units will be the pedestrian sidewalks from 400 W leading to each units' front door and private drives leading to each individual garage proposed between the buildings. The development will be required to establish a homeowner's association to ensure long-term funding and upkeep of the shared walkways and other paved infrastructure and associated common landscaping.

The alternative to this request would be to create the development as a condominium or to retain the units as rental units. A condominium unit owner technically does not own the land the unit rests on, whereas with a traditional subdivided lot as proposed, the land the unit rests on is owned by the homeowner. It is generally harder to get mortgage financing for a condominium development. The Federal Housing Administration (FHA) has a variety of condominium financing requirements that make it difficult for new condominiums to qualify for FHA loans. FHA loans have lower down payment requirements than conventional loans, which makes it easier for first time home buyers or lower income buyers to purchase a home.

Various City housing policies (Growing SLC) encourage a variety of housing opportunities for people with a wide range of backgrounds and incomes. Since this Planned Development will broaden the housing choice range to potential homeowners, staff finds that this project will better meet City housing availability and affordability policy goals and recommends approval of the modifications.

All other zoning standards are being met and no further modification to the site plan is being proposed through a Planned Development review.

It is staff's opinion that the purpose of the Mixed Use (MU) zoning district is being maintained and that the standards for Planned Development are being met per further review in attachment of this report.

Consideration 2 – Design Consideration

As mentioned previously in this report, the Mixed Use (MU) zoning district contains fewer design standards and overall zoning standards than other zoning districts. As such, the original project

proposed a blank street facing wall for each building. Staff worked with the applicant to provide a more interactive and visually appealing street facing façade with additional landscaping to create front yard areas, material changes to provide contrast and scale, a reduction in stucco, and the addition of a new material around the doorway to highlight the entrance. While 400 West is a busy roadway and currently pedestrian activity in this area is limited, the addition of a more engaging street facing façade will assist in encouraging walkability as the area continues to redevelop.



Original Design Submitted



New Proposed Design

Because of these additional elements described above, it is Staff's opinion the Planned Development standards are being met. The purpose of a Planned Development is to ensure a project will result in a more enhanced product than would be achievable through strict application of the land use regulations. Staff is of the opinion that the modification of lots without street frontage through the Planned Development process results in a better designed street facing façade than could be built by-right under the MU zoning district.

Consideration 3 – Consistency with Applicable Master Plan Policies

The subject properties are located within the Capitol Hill Master Plan (2001). Within this plan the sites are designated as Light Industrial on the future land use map and the proposed zoning is Mixed Use. The plan encourages the phasing out of industrial uses in favor of residential and commercial, which is why the Mixed Use zone was proposed. The Master Plan is consistent with the current MU zoning designation.

The proposed TAG 400 W project meets the goals of the larger Capitol Hill Master Plan of, “Encourage appropriate housing opportunities in the community in appropriate locations through renovation or existing structures and compatible infill development and redevelopment”. The proposed project enhances the surrounding community’s livability by providing affordable, high density housing near

downtown, amongst the highly commercial land uses to the north, south, and west of the property. It also provides a transitional buffer between the lower density single family to the east and the light industrial to the west of the project site. The proposed design and architecture enhance the sense of place while interacting with pedestrians and bicyclists on the street.

Plan Salt Lake is a citywide plan that was adopted in 2015; it is a 25-year plan that establishes a citywide vision to guide future growth to meet the needs of its residents and businesses. Plan Salt Lake encourages redevelopment where public infrastructure is available and where it supports a mix of land uses. The TAG 400 W project meets this initiative as it is located in proximity to freeway access, transit lines, and infrastructure to meet the demands of a denser type of development. Plan Salt Lake also encourages the promotion of, “*infill and redevelopment of underutilized land*”. The TAG 400 W project is a redevelopment project in an area that is equipped for redevelopment and which has existing infrastructure to support the type and density of the proposed use.

The proposal also meets several objectives from Growing SLC, the City’s 5-year housing plan. Primarily objective 6: Increase Home Ownership Opportunities and Objective 1: Remove Zoning Barriers. The proposal directly requests relief from zoning barriers to allow for more for-sale product rather than rental units, which increases homeownership opportunities.

DISCUSSION:

The proposed TAG 400 W project will meet the intent of the MU (Mixed Use) zoning district and other applicable master plans by providing additional housing in the City and supporting the redevelopment of a neighborhood that is currently undergoing a significant redevelopment. The overall layout of the site and design of the building is responsive to the surrounding area and its potential redevelopment. The project meets and exceeds the design standards in the MU district. Overall, the proposed project is improved building design and site layout than if the Zoning Code were strictly enforced.

NEXT STEPS:

Planned Development Approval

If the Planned Development is approved, the applicant may proceed with the project after meeting all standards and conditions required by all City Departments and the Planning Commission to obtain all necessary building permits. A Preliminary Subdivision to consolidate the properties included in the project area is needed prior to the building permit being issued to begin construction on the site.

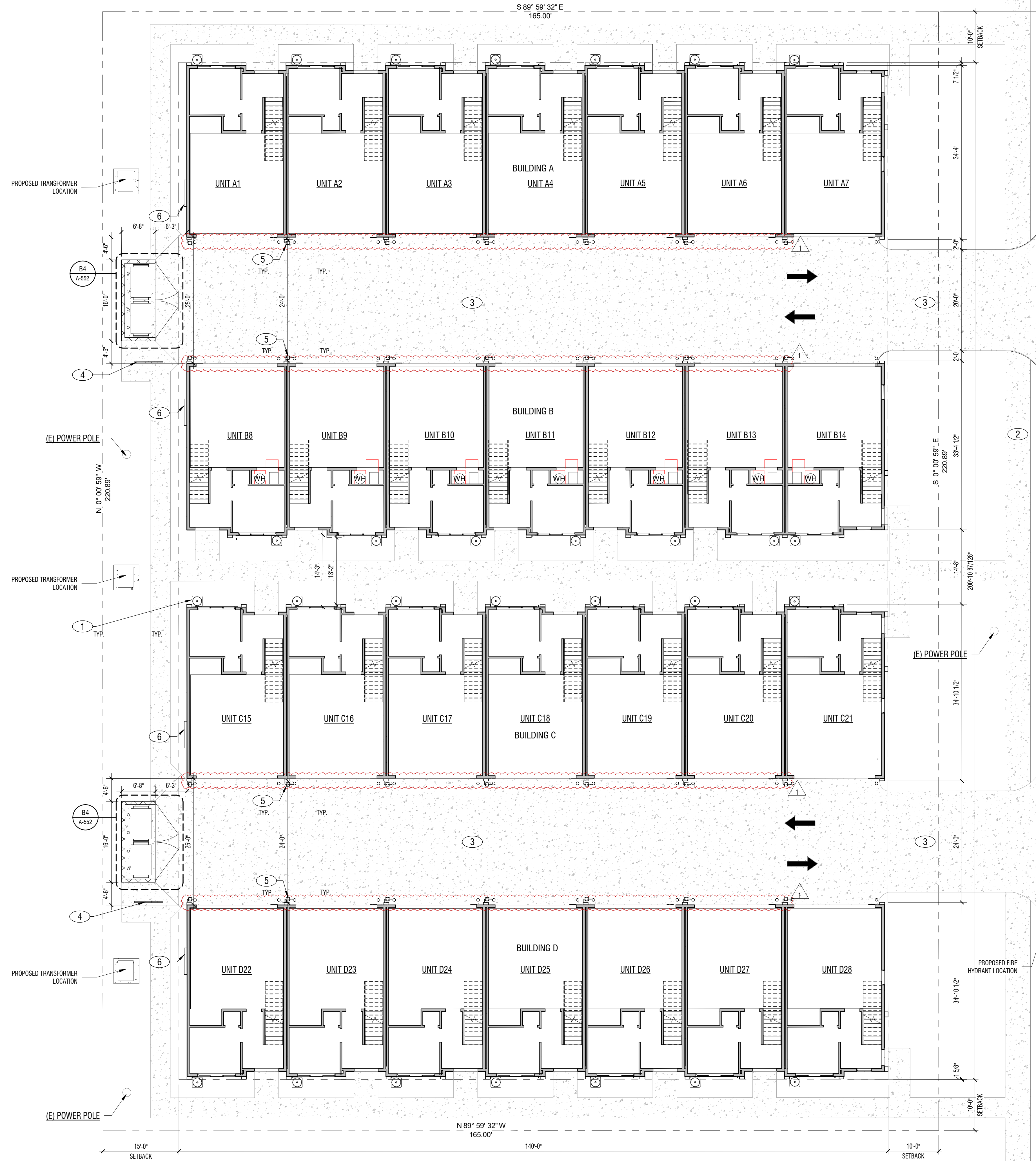
Planned Development Denial

If the Planned Development is denied, the applicant could proceed with the project as designed but would be required to develop the project as condominium or rental units rather than townhomes.

**ATTACHMENT A: APPLICANT SUBMITTAL AND
INFORMATION**

ATTACHMENT B: SITE PLAN

S 89° 59' 32" E
165.00'



- NOTES:
1. FINISH GRADE SHALL HAVE A SLOPE AWAY FROM THE BUILDING OF 1/8" MINIMUM FOR THE FIRST TEN FEET AND A 2% SLOPE THEREAFTER. ALL DRAINAGE FROM LOT SHALL DRAIN INTO AN APPROVED DRAINAGE SYSTEM. ALL EARTH FILL TO RECEIVE CONCRETE FLOORS, WALKS, DRIVES, ETC., SHALL BE SETTLED AND TAMPED TO 90% MINIMUM COMPACTION.
 2. CONTRACTOR SHALL CONSULT GEO-TECHNICAL REPORT AND IMPLEMENT ALL REQUIREMENTS.

SITE PLAN KEYED NOTES	
MARK	DESCRIPTION
1	AC CONDENSING UNIT - APPROXIMATE LOCATION SHOWN
2	CONC SIDEWALK - SEE CIVIL
3	CONC DRIVEWAY - SEE CIVIL
4	BIKE RACK - SEE CIVIL
5	GAS METER AND DISCONNECTS - APPROXIMATE LOCATION SHOWN
6	ELECTRICAL METER AND DISCONNECTS - APPROXIMATE LOCATION SHOWN

MARK	DATE	CITY COMMENTS	DESCRIPTION
1	05-26-2021		

PROJECT #: 519057
 DRAWN BY: HARMISON
 CHECKED BY: DC
 ISSUED: 04-23-2021

PERMIT SET

A1 ARCHITECTURAL SITE PLAN

3/32" = 1'-0"

TAG SLC - 765 NORTH APARTMENTS
LANDSCAPE SET

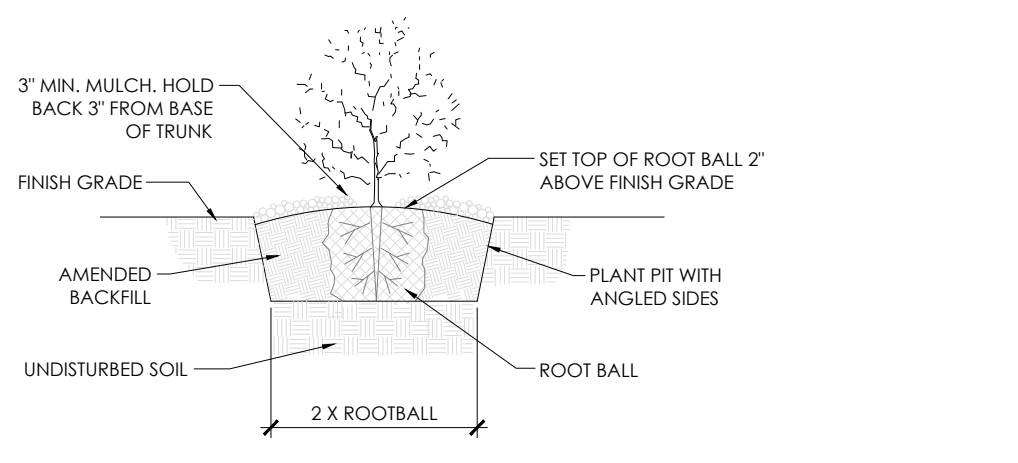
DRAWING LIST

- L-001 PLANTING PLAN AND DETAILS
- L-002 IRRIGATION PLAN
- L-003 IRRIGATION DETAILS

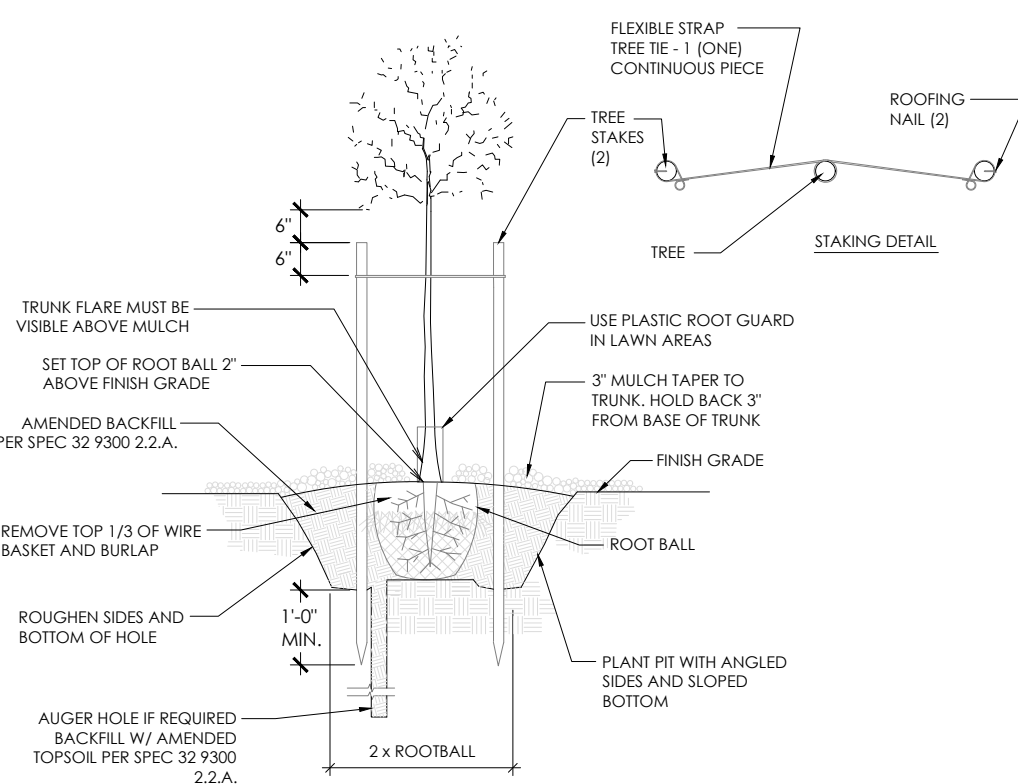
PLANT SCHEDULE

ABBR.	BOTANICAL NAME	COMMON NAME	SIZE	HYDROZONE	COUNT
CAKF	<i>Calamagrostis acutifolia</i> 'Karl Foerster'	Karl Foerster Feathergrass	1#	TW2	68
CCEA	<i>Cercis canadensis</i> 'Eastern'	Eastern Redbud	2" cal.	TD4	4
COAC	<i>Cotoneaster acutifolia</i>	Peking Cotoneaster	5#	SD1	44
GEVI	<i>Geranium viscosissimum</i>	Sticky Cranesbill	1#	P3	112
HEPP	<i>Heuchera 'Palace Purple'</i>	Palace Purple Coral Bells	1#	P3	114
MACO	<i>Mahonia aquifolium</i> 'Compacta'	Dwarf Oregon Grape	5#	SE3	35
MASS	<i>Malus 'Spring Snow'</i>	Spring Snow Flowering Crabapple	2" cal.	n.a.	4
MIMU	<i>Mirabilis multiflora</i>	Desert Four O'Clock	1#	PO	17
PAHA	<i>Pennisetum alopecuroides</i> 'Hamelii'	Hamelii Fountain Grass	1#	TW2	61
PLQL	<i>Prunus laurocerasus</i> 'Otto Luykens'	Otto Luykens Laurel	5#	n.a.	30
PMMP	<i>Pinus mugo mugo</i> 'Pumilio'	Mugo Pine	5#	SE2	20
RAGL	<i>Rhus aromatica</i> 'Gro-low'	Grow Low Sumac	5#	GV1	32
ROWO	<i>Rosa woodsi</i>	Woods' Rose	5#	SD2	42
SBSC	<i>Stachys byzantina</i> 'Silver Carpet'	Silver Carpet Lambs Ear	1#	GV1	79
ZSWI	<i>Zelkova serrata</i> 'Wireless'	Wireless Zelkova	2" cal.	TD4	7

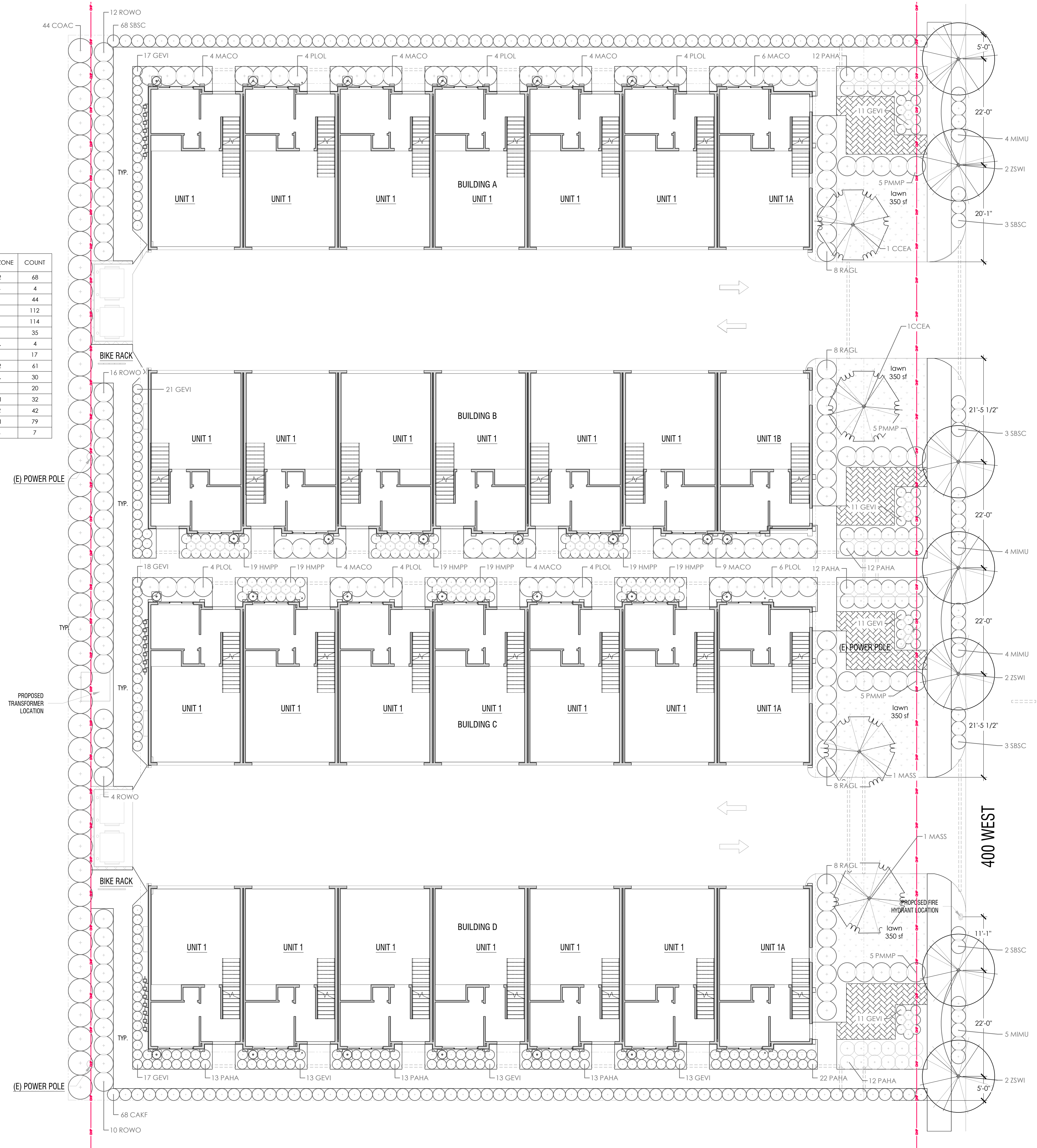
PLANTING DETAILS



A SHRUB PLANTING DETAIL
NOT TO SCALE



B TREE PLANTING AND STAKING
NOT TO SCALE



GENERAL NOTES

- LANDSCAPE CONTRACTOR TO EXAMINE SITE CONDITIONS UNDER WHICH WORK IS TO BE PERFORMED. IF CONDITIONS ARE UNSATISFACTORY CONTRACTOR TO CONTACT OWNER'S REPRESENTATIVE IN WRITING. DO NOT PROCEED UNTIL CONDITIONS ARE SATISFACTORY.
- BEFORE EXCAVATING, DIGGING, OR DISTURBING SITE FOR ANY REASON, LANDSCAPE CONTRACTOR TO HAVE AREA "BLUE STAKED" IN ORDER TO LOCATE UNDERGROUND UTILITIES. LANDSCAPE CONTRACTOR TO ALSO NOTE LOCATION OF NEW AND PROPOSED UTILITIES AND WORK IN SUCH A MANNER TO PROTECT EXISTING AND PROPOSED UTILITIES FROM DAMAGE.
- THE LANDSCAPE CONTRACTOR TO COORDINATE THE WORK WITH OTHER CONTRACTORS. LANDSCAPE CONTRACTOR TO BE FAMILIAR WITH ALL ASPECTS OF THE SITE AND WORK IN SUCH A MANNER AS TO AVOID DAMAGING ANY PORTION OF THE SITE OR STRUCTURE. LANDSCAPE CONTRACTOR TO REPAIR ANY DAMAGE, AT NO EXPENSE TO THE OWNER, THAT IS INCURRED BY THE LANDSCAPE CONTRACTOR.
- THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR FINISH GRADE ELEVATIONS IN ALL LANDSCAPED AREAS. ALLOW FOR 3" OF ROCK MULCH IN ALL PLANTING BEDS.
- LANDSCAPE CONTRACTOR TO LAYOUT PLANTS PRIOR TO PLANTING. ADJUSTMENT MAY BE REQUIRED. NOTIFY OWNER'S AUTHORIZED REPRESENTATIVE TO RECEIVE APPROVAL OF PLANT LAYOUT BEFORE PROCEEDING WITH PLANTING.
- ALL PLANT MATERIALS MUST MEET SIZES INDICATED IN SCHEDULES. SHALL MEET ANSI STANDARDS, AND SHALL MEET MINIMUM REQUIREMENTS OF LOCAL CODES. THE OWNER'S AUTHORIZED REPRESENTATIVE RESERVES THE RIGHT TO REFUSE PLANT MATERIALS WHICH DO NOT MEET SPECIFICATIONS OR DO NOT MEET THE QUALITY STANDARDS OF THE OWNER. ALL PLANT MATERIAL SHALL HAVE WELL DEVELOPED FIBROUS ROOT SYSTEM THAT ARE FREE OF PHYSICAL DAMAGE, DISEASE, AND INSECT INFESTATION.
- CONTRACTOR TO PROVIDE 3" OF ROCK MULCH IN ALL PLANTER AREAS.
- ANY PLANT DAMAGED DURING ANY STAGE OF THE INSTALLATION PROCESS SHALL BE REPLACED AT NO EXPENSE TO THE OWNER.
- ANY PLANT QUANTITIES SHOWN ARE FOR THE CONVENIENCE OF THE CONTRACTOR. CONTRACTOR SHALL VERIFY ALL QUANTITIES REQUIRED AND PROVIDE THE PLANTS NECESSARY TO COMPLETE THE PLANTINGS. PLANT MATERIAL QUANTITIES INDICATED FOR BEDS/PLANTERS ARE ESTIMATES. VERIFY QUANTITY TO MATCH DETAILED DESIGN INTENT. PLANT QUANTITIES ARE FOR INDIVIDUAL PLANTS ONLY.
- LANDSCAPE CONTRACTOR TO PROVIDE A ONE YEAR WARRANTY (MINIMUM) ON ALL PLANTING INSTALLATION. CONTRACTOR SHALL REPLACE, AT NO EXPENSE TO OWNER, ANY PLANT MATERIAL THAT DOES NOT SURVIVE.
- SEE SPECIFICATIONS FOR PLANTING PROCEDURES, SOIL COMPOSITION, AND INFORMATION PERTINENT TO LANDSCAPE INSTALLATION.

PLANTING NOTES

- THE INTENTION OF THE OWNER AND DESIGNER IS TO HAVE CONSTRUCTED UNDER THE CONSTRUCTION CONTRACT, A COMPLETE PROJECT READY FOR USE. THE GENERAL LANDSCAPE CONTRACTOR AND HIS SUB-CONTRACTORS SHOULD VIEW THESE DOCUMENTS ACCORDINGLY. ANY APPARENT QUESTION, INCOMPLETE AREA, AREAS OF DISCREPANCY OR CONTRADICTION IN THESE DOCUMENTS IS TO BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT AND OWNER PRIOR TO BIDDING. BY SUBMITTING A BID ON THIS PROJECT THE BIDDER CERTIFIES THAT HE HAS FULLY INFORMED HIMSELF OF THE REQUIREMENTS OF THE CONSTRUCTION DRAWINGS AS THEY RELATE TO HIS WORK AND HAS READ AND UNDERSTANDS THE NOTES AND SPECIFICATIONS. ALSO, THAT ANY QUESTIONS, INCOMPLETE AREAS, DISCREPANCIES OR CONTRADICTIONS HAVE BEEN BROUGHT TO THE ATTENTION OF THE LANDSCAPE DESIGNER AND THE OWNER AND THAT THEY ARE ALL RESOLVED.
- WILLFUL INSTALLATION OF THIS WORK WHEN IT IS OBVIOUS THERE EXISTS JOB/SITE CONDITIONS OR DISCREPANCIES ON PLANS THAT ARE DETRIMENTAL TO THE PROJECT AND THAT SHOULD BE BROUGHT TO THE ATTENTION OF THE OWNER OR THE LANDSCAPE DESIGNER WILL BE CHARGED TO THE INSTALLER. THE INSTALLER ASSUMES FULL RESPONSIBILITY TO CORRECT THE WORK AT HIS OWN EXPENSE IF HE FAILS TO GIVE THE REQUIRED NOTIFICATION FOR RESOLUTION.
- LANDSCAPE CONTRACTOR IS RESPONSIBLE TO COMPLETE ROUGH GRADING, FINE GRADING AND PLACING AND GRADING OF TOPSOIL.
- SEE PLANS, DETAILS AND SPECIFICATIONS FOR ADDITIONAL INFORMATION.
- EXISTING LANDSCAPE TO REMAIN SHALL BE PROTECTED AND MAINTAINED BY CONTRACTOR.
- COMPACTED LANDSCAPE AREAS SHALL BE REPAIRED BEFORE PLANTING OCCURS.
- PRE-EMERGENT HERBICIDE APPLICATIONS ARE REQUIRED DURING LANDSCAPE INSTALLATION. THE APPLICATION IS TO OCCUR AFTER THE LANDSCAPE AREA IS WEED FREE AND BEFORE THE WEED BARRIER OR WOOD MULCH IS INSTALLED.
- QUANTITIES ARE TO BE VERIFIED BY THE CONTRACTOR. IF DISCREPANCIES EXIST THE PLANT QUANTITIES SHALL DICTATE.
- DECORATIVE ROCK PLACED AROUND PAVERS AND IN GRAVEL AREAS IS TO BE PLACED AT 3" DEPTH OVER DEWIT PRO 5 WEED BARRIER OR APPROVED EQUAL. SPRAY PRE-EMERGENT HERBICIDE PRIOR TO PLACEMENT OF WEED BARRIER AND AFTER PLACEMENT OF ROCK.
- BETWEEN ALL PLANTING, LAWN, AND GRAVEL AREAS, INSTALL METAL EDGING. USE COL-MET 1/8" X 5" BLACK EDGING OR APPROVED EQUAL.
- SHREDDED DYED BROWN WOOD MULCH SHALL BE PLACED AT 3" DEPTH ON SOIL IN MULCHED AREAS. SPRAY PRE-EMERGENT HERBICIDE PRIOR TO AND AFTER PLACEMENT.
- SUBSTITUTIONS ARE NOT ALLOWED UNLESS APPROVED BY OWNER.

SALT LAKE BUILDING CODE NOTES

- Urban Forestry calculations:
 - Salt Lake City Urban Forestry Program requires one tree for every 30 feet of street front.
 - The lot is 165' x 221'. There is 221' of street frontage. 220'/30' = 7.37 trees per street front, which rounds down to 7 trees per street front. There are 7 trees shown per street front, thereby meeting the requirement.
 - The park strip tree reflects the following city requirements:
 - 400 W: 3'-5' park strip with overhead wires = small tree at maturity (less than 30 ft).
 - Zelkova serrata 'Wireless' is selected, with a mature height of 24 ft.
 - Zelkova serrata is listed in the "SLC Plant List and Hydrozone Schedule 2013" as Td4.
- Water conserving plant list calculations:
 - There are 203 shrubs indicated on the plan (COAC, MACO, PMMP, PLOL, RAGL, ROWO). 173 of these 203 shrubs are on the SLC plant list. Therefore, 85% of shrubs are selected from the water conserving plant list, which exceeds the 80% requirement.
- Park strip ground surface treatment - plant coverage calculations:
 - The plantings within the park strip are low growing perennials, so will not exceed 22" height. Coverage within 3 years should be 45%, which exceeds the 33% minimum. All plants in the park strip are water wise plants found in the SLC plant list.
- Open Space Calculations (min 10% of lot area required):
 - Lot area: 36447 s.f.
 - Ground floor lawn and walkways: 2943 + 3688 s.f. (=18% of lot area)

TAG SLC - 765 North Apartments
765 N. 400 W.
Salt Lake City, UT

No.	Revision/Issue	Date

VOGA Landscape + Planning
109 West Broadway #102
Salt Lake City, Utah 84102
801-532-0382
www.vogalandscape.com

Planting Plan
L-001

Project: P21-28
Date: 2021-03-09
Scale: 3/32" = 1'



ATTACHMENT C: BUILDING ELEVATIONS

ELEVATION KEYED NOTES:

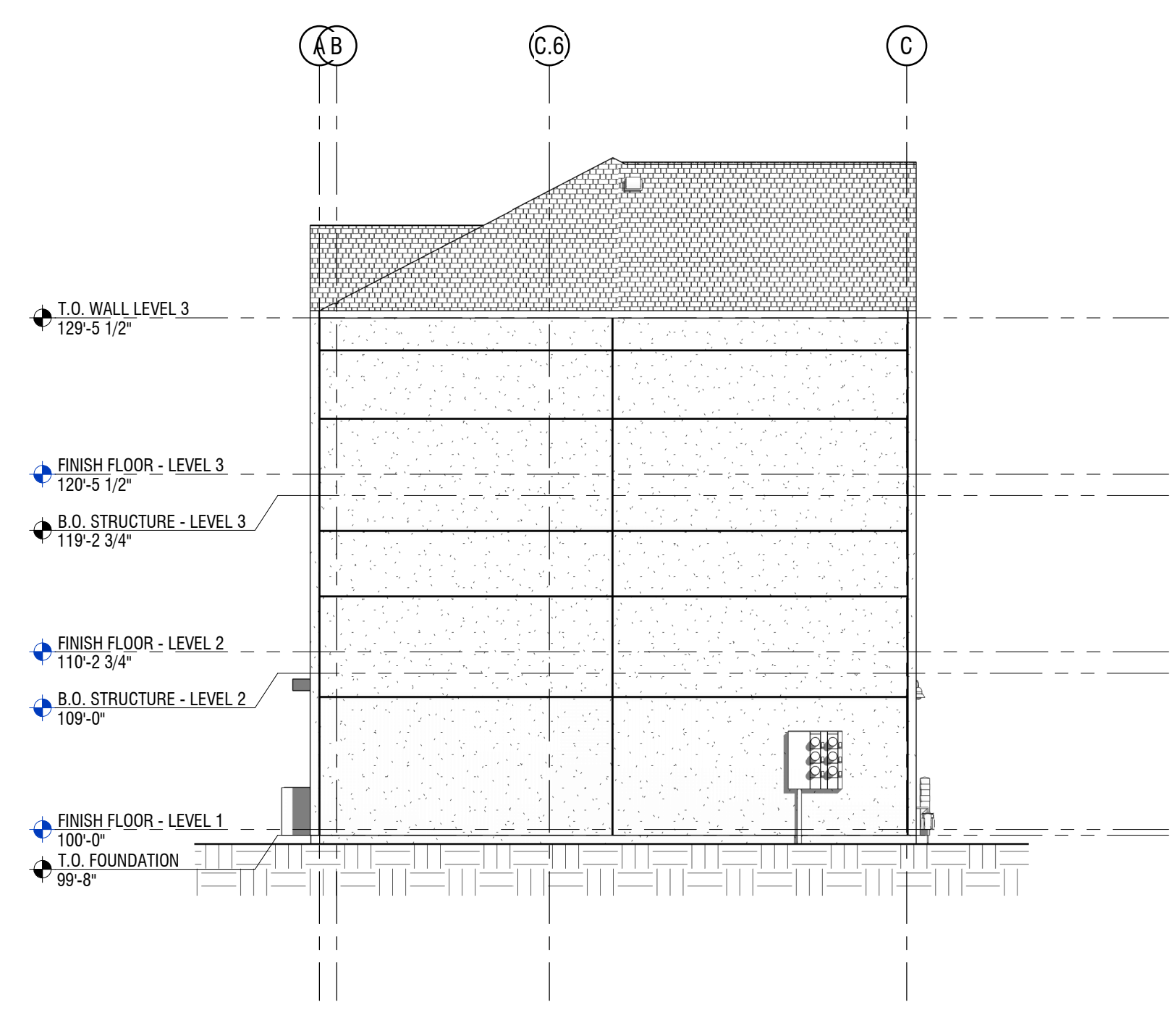
	ARCHITECTURAL ASPHALT SHINGLES
	STUCCO FINISH, COLOR PER OWNER. INSTALL PER MANUFACTURERS RECOMMENDATIONS
	FIBER CEMENT LAP SIDING

ELEVATION KEYED NOTES

MARK	DESCRIPTION
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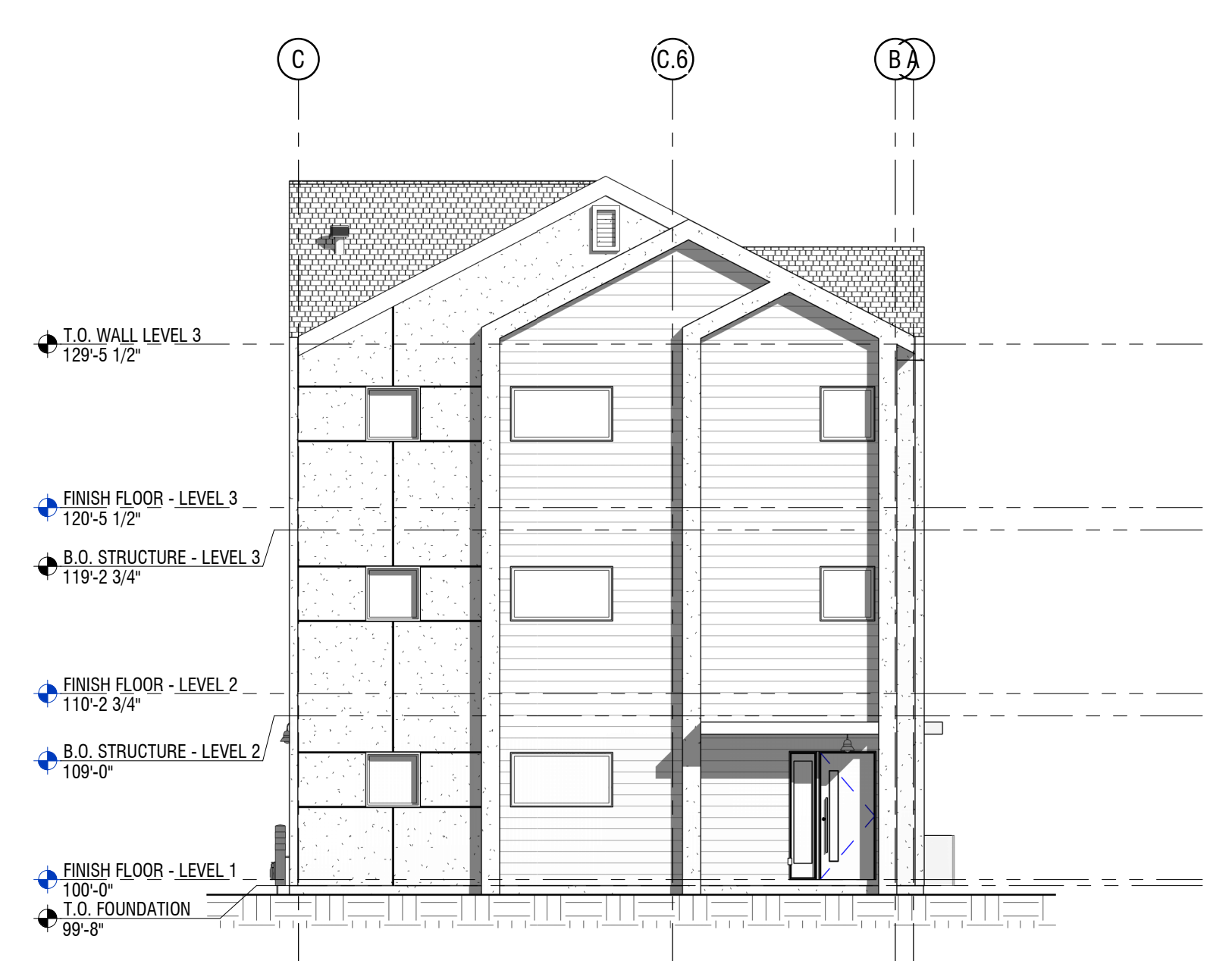
B1 BACK ELEVATION
 1/8" = 1'-0"



B4 SIDE ELEVATION
 1/8" = 1'-0"



A1 FRONT ELEVATION
 1/8" = 1'-0"



A4 SIDE ELEVATION
 1/8" = 1'-0"

DESCRIPTION:	
DATE:	
MARK:	

PROJECT #: 519057
 DRAWN BY: HARMISON
 CHECKED BY: DC
 ISSUED: XXXXXXXX

NOT FOR CONSTRUCTION

EXTERIOR ELEVATIONS

A-120

ATTACHMENT D: SITE PHOTOS



Project Site



Adjacent property to the south



Across the street looking east from the subject site



Adjacent property to the north

ATTACHMENT E: MU ZONING STANDARDS ANALYSIS

MU (Mixed Use)

Purpose Statement: The purpose of the MU Mixed Use District is to encourage the development of areas as a mix of compatible residential and commercial uses. The district is to provide for limited commercial use opportunities within existing mixed use areas while preserving the attractiveness of the area for residential use. The district is intended to provide a higher level of control over nonresidential uses to ensure that the use and enjoyment of residential properties is not substantially diminished by nonresidential redevelopment. The intent of this district shall be achieved by designating certain nonresidential uses as conditional uses within the Mixed Use District and requiring future development and redevelopment to comply with established standards for compatibility and buffering as set forth in this section. The design standards are intended to facilitate walkable communities that are pedestrian and mass transit oriented while still ensuring adequate automobile access to the site.

Zoning Ordinance Standards for CG zone (21A.32.130)			
Standard	Requirement	Proposed	Finding
Minimum Lot Size	No minimum	665.30 SF per townhome lot	Complies
Minimum Lot Width	No minimum	19'8" lot width per townhome lot	Complies
Front Yard Setback	10'	10'	Complies
Interior Side Yard Setback	None required, but if one is provided is should be no less than 4'	~10'	Complies
Rear Yard Setback	25% of lot depth but not more than 20'	~15'	Complies
Maximum Building Height	45'	38'-11"	Complies
Open Space Area	20% of lot area shall be maintained as open space	18%	Does not comply. Condition of approval is that final building plans comply.

ATTACHMENT F: PLANNED DEVELOPMENT 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	Rationale	Finding
<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. To determine if a planned development objective has been achieved, the applicant shall demonstrate that at least one of the strategies associated with the objective are included in the proposed planned development. The applicant shall also demonstrate why modifications to the zoning regulations are necessary to meet the purpose statement for a planned development. The planning commission should consider the relationship between the proposed modifications to the zoning regulations and the purpose of a planned development, and determine if the project will result in a more enhanced product than would be achievable through strict application of the land use regulations.</p>	<p>The TAG 400 W project meets the purpose statement of the Planned Development by complying with objective F in regard to Master Plan compatibility. Objective F of the Planned Development objectives states that the project is be complies with the master plan and assists in the master plan implementation.</p> <p>This objective is reviewed closely in the Key Consideration 1 of this report. The subject site is within the Capitol Hill Master Plan, within this plan are the goals of, “<i>Encourage appropriate housing opportunities in the community through renovation of existing structures and compatible infill development and redevelopment</i>”. The TAG 400 W townhome project meets the goals of the Capitol Hill master plan and furthers the intent of this master plan as it helps fulfil the goals of the Mixed Use zoning district, which was developed during the preparation of the West Capitol Hill Neighborhood Plan to address the complex development pattern found in the area. According to the Capitol Hill Master Plan, the Mixed Use land use provides an opportunity for stable growth and protection of property values, and an increase in housing “can strengthen and stabilize the existing residential character”.</p>	<p>Complies</p>
<p>B. The proposed planned development is generally consistent with adopted policies set forth in the citywide, community, and/or small area master plan that is applicable to the site where the planned development will be located.</p>	<p>As discussed in the Key Consideration 3 of this Staff Report it has been found that the proposed TAG 400 W development will meet the master plans which are applicable to the site, this includes the Capitol Hill Master Plan and the citywide Plan Salt Lake.</p>	<p>Complies</p>
<p>C. Design and Compatibility: The proposed planned development is compatible with the area the</p>	<p>The project could be built by-right with minimal required design or entry features on the street facing façade. Through the review process staff worked with</p>	<p>Complies</p>

<p>planned development will be located and is designed to achieve a more enhanced product than would be achievable through strict application of land use regulations. In determining design and compatibility, the planning commission should consider:</p>	<p>the applicant to incorporate additional design features on the street facing facades to enhance the visual appearance of the building and improve the building's interaction with the public street. If the base zoning was enforced the application would not need Planned Development review and the design of the building would be negatively impacted.</p>		
<p>C1</p>	<p>Whether the scale, mass, and intensity of the proposed planned development is compatible with the neighborhood where the planned development will be located and/or the policies stated in an applicable master plan related to building and site design;</p>	<p>The project is located within an area transitioning from light industrial and warehouse development. The proposed project will improve the built environment and will further the neighborhood's compliance with the adopted master plans related to building and site design.</p>	
<p>C2</p>	<p>Whether the building orientation and building materials in the proposed planned development are compatible with the neighborhood where the planned development will be located and/or the policies stated in an applicable master plan related to building and site design;</p>	<p>Because the subject site is currently light industrial and warehouse in nature, with residential to the west, the neighborhood is prime for redevelopment. The applicant has proposed the intention of designing the buildings to incorporate exterior materials similar to those used on surrounding buildings in the area. Differentiating materials are being used on the exterior façade of the building to create high contrast of foreground and background planes (light and dark grey Stucco, wood, and glazing throughout the building.).</p>	
<p>C3</p>	<p>Whether building setbacks along the perimeter of the development:</p> <ul style="list-style-type: none"> a. Maintain the visual character of the neighborhood or the character described in the applicable master plan. b. Provide sufficient space for private amenities. c. Provide sufficient open space buffering between the proposed development and neighboring properties to minimize impacts related to privacy and noise. 	<p>The building complies with all required setbacks in the MU zoning district. The project incorporates landscaped front yard areas, as well as sufficient open space and buffering between the neighboring properties. The side yard setbacks exceed the required minimum setback which minimizes impacts related to privacy and noise.</p>	

	<p>d. Provide adequate sight lines to streets, driveways and sidewalks.</p> <p>e. Provide sufficient space for maintenance.</p>		
C4	<p>Whether building facades offer ground floor transparency, access, and architectural detailing to facilitate pedestrian interest and interaction;</p>	<p>The project will have sufficient ground floor transparency to interact with pedestrians on the street. Additionally, the landscaped areas provide additional pedestrian interest and interaction.</p>	
C5	<p>Whether lighting is designed for safety and visual interest while minimizing impacts on surrounding property;</p>	<p>The lighting will be directed towards the interior of the development.</p>	
C6	<p>Whether dumpsters, loading docks and/or service areas are appropriately screened; and</p>	<p>Dumpsters will be fully screened with durable materials and will be located on the interior of the building.</p>	
C7	<p>Whether parking areas are appropriately buffered from adjacent uses.</p>	<p>Parking will be located within the buildings.</p>	
<p>D. Landscaping: The proposed planned development preserves, maintains or provides native landscaping where appropriate. In determining the landscaping for the proposed planned development, the planning commission should consider:</p>		<p>The existing site does not have any maintained landscaping.</p>	<p>Complies</p>
D1	<p>Whether mature native trees located along the periphery of the property and along the street are preserved and maintained;</p>	<p>There are no mature trees located on the site nor along the periphery of the property.</p>	
D2	<p>Whether existing landscaping that provides additional buffering to the abutting properties is maintained and preserved;</p>	<p>There is no existing landscaping on the site.</p>	
D3	<p>Whether proposed landscaping is designed to lessen potential impacts created by the proposed planned development; and</p>	<p>Yard areas will include pedestrian walkways and will be improved with landscaping design that meets the standards of the MU district.</p>	
D4	<p>Whether proposed landscaping is appropriate for the scale of the development.</p>	<p>New street trees will be planted along 400 West and certain species of landscaping and its placement will separate the ground floor from the pedestrians on the street.</p>	

	E. Mobility: The proposed planned development supports citywide transportation goals and promotes safe and efficient circulation within the site and surrounding neighborhood. In determining mobility, the planning commission should consider:	Staff is of the opinion the proposed project complies with all mobility considerations related to the Planned Development review. The existing infrastructure also supports an increase in density in this area as the surrounding arterial and collector street support an increase in population in this area.	Complies
E1	Whether drive access to local streets will negatively impact the safety, purpose and character of the street;	Vehicle access to the site has been reviewed by both the Transportation and Fire Departments and the proposed access to the local street meets their standards.	
E2	Whether the site design considers safe circulation for a range of transportation options including: a. Safe and accommodating pedestrian environment and pedestrian oriented design; b. bicycle facilities and connections where appropriate, and orientation to transit where available; and c. Minimizing conflicts between different transportation modes;	Pedestrian access and the site's interaction with pedestrian paths and the public sidewalk, and minimizing potential conflicts between different transportation modes has been priority. It appears that because this and surrounding sites have been used as industrial for some type there have been disconnected sidewalks or walkways in this neighborhood for some time. The proposed walkways are new to the area and improve the function of the street.	
E3	Whether the site design of the proposed development promotes or enables access to adjacent uses and amenities;	Access to adjacent uses and amenities is improved for pedestrians, cyclists, and transit riders.	
E4	Whether the proposed design provides adequate emergency vehicle access; and	There is sufficient access around the periphery of the building to facility emergency vehicle access.	
E5	Whether loading access and service areas are adequate for the site and minimize impacts to the surrounding area and public rights-of-way.	Loading and services areas are adequate for the site, it is not expected that the loading and service areas will impact the surrounding sites.	
	F. Existing Site Features: The proposed planned development preserves natural and built features that significantly	The current site does not contain any features that significantly contribute to the character of the neighborhood.	Complies

<p>contribute to the character of the neighborhood and/or environment.</p>		
<p>G. Utilities: Existing and/or planned utilities will adequately serve the development and not have a detrimental effect on the surrounding area.</p>	<p>The Public Utilities Department has reviewed the project and finds that they are able to provide all necessary services for this proposed project.</p>	<p>Complies</p>

ATTACHMENT G: DEPARTMENT COMMENTS

Fire (Douglas Bateman at douglas.bateman@slcgov.com or 801-535-6619)

Dimension for the measurement is critical if it measures in the field greater than 30' then it needs aerial access. as required in Appendix D105.3.

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

No comments.

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

No comments received.

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

I reviewed these plans and didn't have any major concerns. They will need to proper plans showing the parking facilities fully dimensioned and must comply with all safety rules.

Building Code (Todd Christopher at todd.christopher@slcgov.com)

Complete. However, note that, with gas meters and electrical meters and disconnects located at the end of each building you will need to provide the access/maintenance agreement or easement for the gas piping and electrical service lines that cross townhouse common walls. When an access/maintenance agreement or easement is in place, plumbing, mechanical ducting, schedule 40 steel gas pipe, and electric service conductors including feeders, are permitted to penetrate the common wall at grade, above grade, or below grade. (Utah Code 15A-3-202) However, gas piping shall not penetrate building foundation walls at any point below grade. (2015 IRC G2415.6)

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:

PUBLIC PROCESS AND INPUT

Timeline

- Notice of the proposal, and request for input, was provided to the Capitol Hill Community Council on July 2nd, 2021.
 - No comments were received from either Community Council and there were no requests by the notified Community Councils to meet with Planning Staff or the applicant to discuss the applications.
- Early Notification mailings were sent out on July 6th, 2021 to property owners and residents within 300' of all four corners of the project site.
 - Two comments were received by one person in response to the proposal expressing concerns with the development and the proximity to industrial uses.
- An online open house was held July 12th through July 30th.
- Public notice of the Planning Commission hearing was mailed October 29th, 2021 to property owners and residents within 300' of the subject site.
- A public notice sign was posted on October 29th, 2021. No further public comments were received before this report was finalized.

From: [Margaret Holloway](#)
To: [Gilmore, Kristina](#)
Subject: (EXTERNAL) 765 north 400 west
Date: Tuesday, July 20, 2021 3:09:40 PM

How can the planning committee even think about putting housing next to the industrial facilities? Stericycle poisoned their neighbors and said They should never built housing so close to the incinerator.

But they allowed the housing. Then the people found out what they were illegally building and did you see they are still there, but the city got sued. The people got sick.,

Why are you not looking at this safety and health but just what a builder wants to build. I work down the street at Bish's and have for 18 years. I can not for the life of me understand this.

Why can they not insist the businesses build there not bedrooms. To me it is insanity? The toxicity is already bad enough across the street. But they are already there not right smack next to it.

The people in the capital hill area won;t care they aren't living there . Is it really always about the money??

Margaret Holloway
Working at Bish's 367 west 900 north
Live in Rose Park



From: [Margaret Holloway](#)
To: [Zoning](#)
Subject: (EXTERNAL) 765 north 400 west
Date: Friday, August 6, 2021 6:14:01 PM

The proposed townhouses are a big mistake

. The industrial pollution is visible in the satellite image. I work at 367 west 900 north. I see the tanker trucker. The giant tire recycler. How can you put people living in a clearly industrial area? At BISH'S we are told by the fire department we were in the blast zone. So if that is the case. There is a reason why you don't put people so close to the industry. The pollution just created by the trucks sitting idling is enough to choke you. They park in front of our office..

A business needs to go there. NOT housing. The area around Stericycle in north salt lake was filled with houses. They they breached the EPA rules everyone was sued over it. The health of the families was at risk.

Do we not learn from others mistakes.

Margaret Holloway
Work at Bishs for 18 years
The refinery has had problems.

