
PLANNING RETREAT
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1. Authority Recap
2. Meeting Functions
3. Staff Reports
4. Decorum

WHO ARE WE?

You are the “land use authority” that acts on “land use applications”!

Zoning: Explains the rules, procedures for administration.

Those “applications” are required in our code.

Planners staff the commission; to help you make the best decisions.

MEETING FUNCTIONS

Provide fundamental fairness in decisions

Balance decisions with landowners property interests
Control over property is controversial and can seem intrusive

Follow proper procedure, not violate law! STICK TO STANDARDS

Use Plans, zoning code, & subdivisions as a basis for decisions.

FINDINGS

If sued, court will look at “findings”.

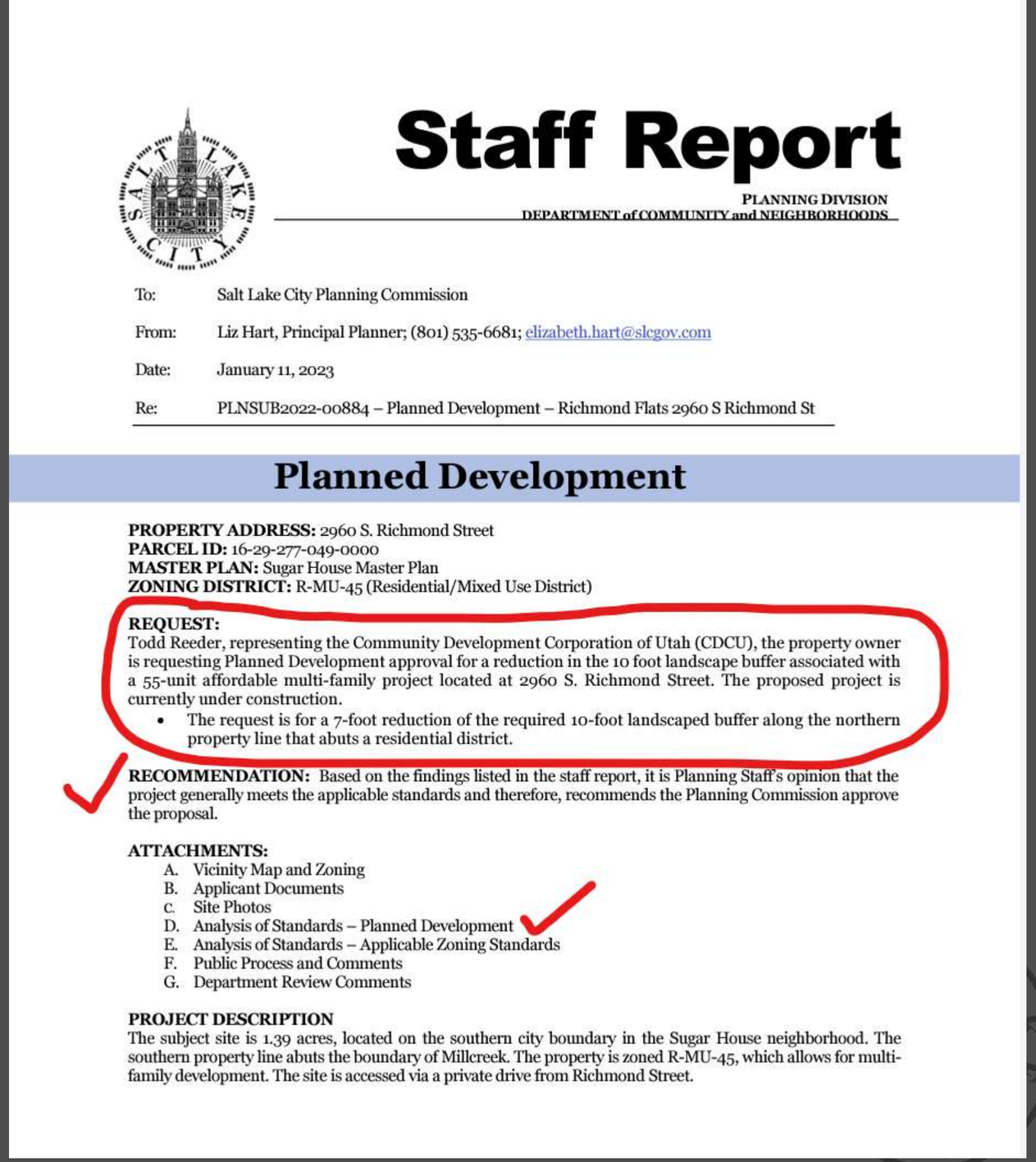
What reasons did you use to make a decision.

What is the process before you?
What is your authority?
Stick to the request and the standards?
If Staff recommends approval, do you agree with the review?

STAFF REPORTS

STAFF REPORT

1. In dropbox
2. Posted on planning website
3. Legal decision set up



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Liz Hart, Principal Planner; (801) 535-6681; elizabeth.hart@slcgov.com

Date: January 11, 2023

Re: PLNSUB2022-00884 – Planned Development – Richmond Flats 2960 S Richmond St

Planned Development

PROPERTY ADDRESS: 2960 S. Richmond Street
PARCEL ID: 16-29-277-049-0000
MASTER PLAN: Sugar House Master Plan
ZONING DISTRICT: R-MU-45 (Residential/Mixed Use District)

REQUEST:
Todd Reeder, representing the Community Development Corporation of Utah (CDCU), the property owner is requesting Planned Development approval for a reduction in the 10 foot landscape buffer associated with a 55-unit affordable multi-family project located at 2960 S. Richmond Street. The proposed project is currently under construction.

- The request is for a 7-foot reduction of the required 10-foot landscaped buffer along the northern property line that abuts a residential district.

RECOMMENDATION: Based on the findings listed in the staff report, it is Planning Staff's opinion that the project generally meets the applicable standards and therefore, recommends the Planning Commission approve the proposal.

ATTACHMENTS:

A. Vicinity Map and Zoning
B. Applicant Documents
C. Site Photos
D. Analysis of Standards – Planned Development
E. Analysis of Standards – Applicable Zoning Standards
F. Public Process and Comments
G. Department Review Comments

PROJECT DESCRIPTION
The subject site is 1.39 acres, located on the southern city boundary in the Sugar House neighborhood. The southern property line abuts the boundary of Millcreek. The property is zoned R-MU-45, which allows for multi-family development. The site is accessed via a private drive from Richmond Street.

The applicant is building a 55-unit affordable multi-family housing building. The development will include one-, two- and three-bedroom units that will be affordable to households earning at or below 50% of the area median income (AMI). The project provides much needed affordable housing in the Sugar House neighborhood.

Site Context

The subject property is located on the southern boundary of the city and is zoned R-MU-45. To the west and north of the subject property are single-family homes that are zoned R-1-7000. To the east, across Richmond Street, the properties contain a mix of single and multi-family housing, as well as some commercial businesses. The zoning to the east is primarily zoned RMF-30 and CB and is identified in the Sugar House Master Plan (SHMP) as a mixed-use area.

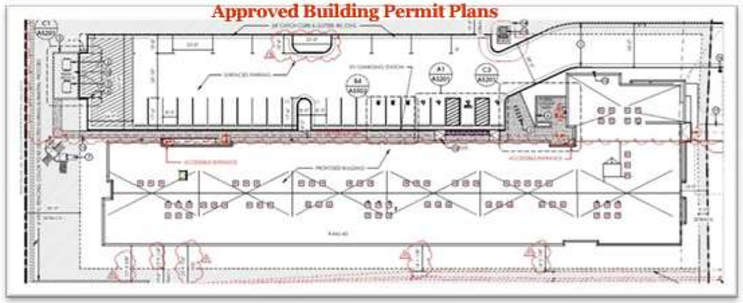
Properties to the south, which are located in the City of Millcreek, contain a mix of single and two-family homes. These properties are currently zoned R-2-6.5, which allows for single and two-family homes. Millcreek City has future plans to increase density in this area by changing the zoning to Neighborhood 2, which would allow for multi-family and mixed-use structures with a height up to three stories.

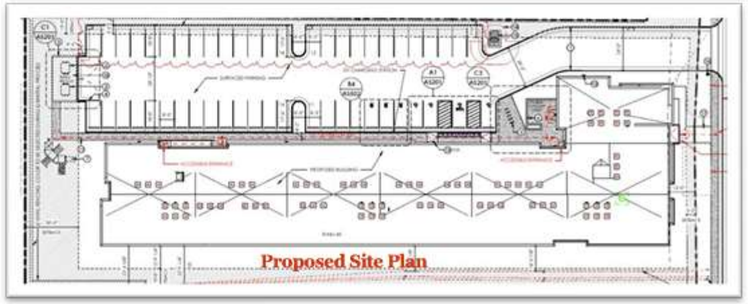
Project Background

In 2017, the RDA Board allocated $4.5 million for affordable housing developments located within high opportunity areas. In 2019, the RDA approved a land acquisition loan using $1.8 million of these funds to the CDCU to develop the Richmond Flats project.

The CDCU then submitted an application for the project site to be rezoned from R-1-7000 to R-MU-45 in September of 2020. The requested zoning amendment was in response to the proposed project, in order to increase the density on the property, thus providing more affordable housing.

Approved Building Permit Plans





Proposed Site Plan

The Richmond Flats project was issued a building permit in May of 2022. The initial submittal included a proposal with 51 parking stalls. During construction of the project, the setback requirements for construction along the overhead powerlines (south property line) conflicted with the approved project. The applicant resolved this conflict by shifting the building 7 feet from the southern boundary line. In order to maintain the 10-foot landscape buffer along the north property line, the parking lot had to be reconfigured. The parking count was reduced from 51 stalls to 30 stalls. As an affordable housing development with 100% of the units at or below 50% of the AMI, the zoning ordinance allows a reduction in parking requirements. The modified project was issued approval, through the building permit process, with 30 parking stalls on site. During construction, the applicant concluded that the reduced parking could be problematic due to the location, unit characteristics, and availability of adjacent on-street parking. To address this concern, the applicant is requesting a reduction in the landscape buffer along the north property line in order to increase the parking back to the 51 stalls.

Modification Request

The applicant is requesting to reduce the required 10-foot landscaped buffer to 3 feet. The zoning ordinance requires a 10-foot landscaped buffer between lots zoned R-MU-45 and single or two-family residential districts and when a parking lot abuts a single or two-family residential district. This buffer requirement is being reviewed as one requirement for the project site because the parking lot is proposed along the property line which abuts the R-1-7000 zoning district.

KEY CONSIDERATIONS

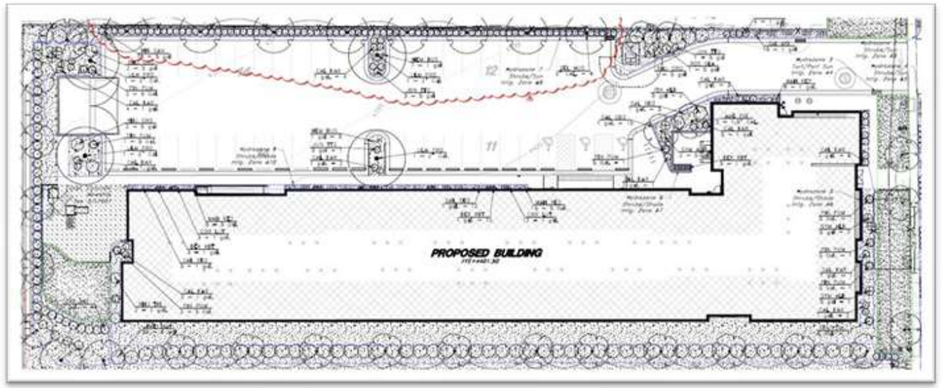
1) Reduction of landscaped buffer
2) Impacts to adjacent properties
3) Master Plan Compatibility

Reduction of Landscape Buffer

The zoning ordinance requires properties zoned R-MU-45 to provide a 10-foot landscaped buffer abutting a single- or two-family residential district. The buffer is required along the north property line and is approximately 350 feet in length. The applicant is proposing a new width of 3 feet, some portions of the buffer are larger but the majority of the buffer that abuts the residential lots is between 3 feet and 4 feet 10 inches.

The parking lot on the project site, as proposed, has two rows of 90-degree parking stalls that face either the north property line or the building. The parking stalls along the north property line face the rear yards of the residential properties to the north. With the proposed reduced buffer between the parking stalls and property line, this results in the parking stalls closer to the residential lots. The applicant has stated that the reduction in the buffer allows for more parking to be placed on-site which lessens the impact to the residential properties. This is due to the reduction of the likelihood of tenants parking on the street or spilling over into the lower scaled residential area.

In response to the proposed reduced buffer the applicant has proposed more landscaping within the buffer. The original approved landscape plans for the buffer included 11 trees and 48 shrubs that formed a continuous 5-foot hedge within the required landscaped buffer along the north property line.



Proposed Landscape Plan with Reduced Buffer

BASE ZONE STANDARDS

Any modifications requested?

ATTACHMETN E: ANALYSIS OF APPLICABLE ZONING STANDARDS

21A.24.140: R-MU-45 RESIDENTIAL/MIXED USE DISTRICT:

A. Purpose Statement: The purpose of the R-MU-45 Residential/Mixed Use District is to provide areas within the City for mixed use development that promotes residential urban neighborhoods containing residential, retail, service commercial and small scale office uses. The standards for the district reinforce the mixed use character of the area and promote appropriately scaled development that is pedestrian oriented.

Standard	Proposed	Finding
Minimum lot area: 5,000 for new lots, no minimum for existing lots.	Lot Area: 60,712 SF	Complies
Minimum lot width: Fifty feet (50')	~285 feet	Complies
Front And Corner Side Yards: Minimum five feet (5') and Maximum Fifteen feet (15').	5 feet from closest portion of building	Complies
Interior Side Yards: None required unless an interior side yard abuts a Single- or Two-Family Residential District. When a setback is required, a minimum ten foot (10') setback must be provided, and the minimum side yard setback shall be increased one foot (1') for every one foot (1') increase in height above thirty feet (30').	Height is ~37 feet. North side is abutting single-family residential district, building is setback 63 feet.	Complies
Rear Yard: 25% of lot depth but need not exceed 30 feet.	Proposed 30 feet	Complies
Maximum Building Height: 45 feet	Proposed ~37 feet	Complies
Minimum Open Space Area: 20% of the lot area, maybe take the form of landscape yards or plazas and courtyards.	Required: 12,142 SF Proposed: 23,431 SF	Complies
Landscape Buffer: 10 foot wide landscape buffer along single – family or two-family residential districts	Proposing a range of 3-4 feet buffer	Complies with Planned Development Approval

Process-Specific Standards
-all standards will be in report

Do they comply substantially?
If so, you will approve.

ATTACHMENT D: ANALYSIS OF 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.

The Finding for each standard is the recommendation of the Planning Division based on the facts associated with the proposal, the discussion that follows, and the input received during the engagement process. Input received after the staff report is published has not been considered in this report.

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.
Planned Development Purpose Statement: A planned development is intended to encourage the efficient use of land and resources, promoting greater efficiency in public and utility services and encouraging innovation in the planning and building of all types of development. Further, a planned development implements the purpose statement of the zoning district in which the project is located, utilizing an alternative approach to the design of the property and related physical facilities. A planned development incorporates special development characteristics that help to achieve City goals identified in adopted Master Plans and that provide an overall benefit to the community as determined by the planned development objectives. A planned development will result in a more enhanced product than would be achievable through strict application of land use regulations, while enabling the development to be compatible with adjacent and nearby land developments.
Discussion: The project is providing more affordable housing options within the city. The proposed modifications allow for parking to remain on-site, which provide an overall benefit to the residents and surrounding community. On-site parking makes access to the site safer for resident and it would reduce the potential spill-over parking to the surrounding residential neighborhoods.
Finding: ☒ Meets Purpose Statement ☐ Does Not Meet Purpose Statement

CONSISTENT WITH STAFF?

Motion Sheet for Richmond Flats Planned Development

Motion to approve: *Consistent with Staff's Recommendation*
Based on the information presented and discussion, I move that the Commission approve this application based on staff's recommendation.

Motion to approve with conditions implemented or modified by the Commission:
Based on the information presented and the discussion, I move that the Commission approve this application based on staff's recommendations with the following modifications:

1. The Commission should list the conditions that are to be modified, added, or removed.

Motion to deny:
I move that the Commission deny this application because evidence has not been presented that demonstrates the proposal complies with the following standards:

1. The commission should make findings related to which standards are not complied with.

CONTRARY TO STAFF?

Motion Sheet for Richmond Flats Planned Development

Motion to approve: *Consistent with Staff's Recommendation*
Based on the information presented and discussion, I move that the Commission approve this application based on staff's recommendation.

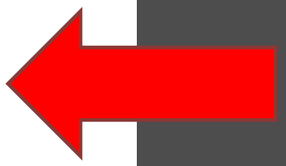
Motion to approve with conditions implemented or modified by the Commission:
Based on the information presented and the discussion, I move that the Commission approve this application based on staff's recommendations with the following modifications:

1. The Commission should list the conditions that are to be modified, added, or removed.

Motion to deny:
I move that the Commission deny this application because evidence has not been presented that demonstrates the proposal complies with the following standards:

1. The commission should make findings related to which standards are not complied with.

Add Conditions



Deny. Cite standards not complied with and findings.

USE OF CONSENT

MEETING NIGHT EXPECTATIONS

- Read the report
- Visited the site
- Efficient decision making

THINGS TO AVOID DOING

Coming unprepared
Asking questions outside of your purview
Making decisions that may be perceived as arbitrary
Structuring motions so they are clear
Not fully participating in meeting
Forgetting application under review, not applicant
Not handling conflicts of interest properly

ORDER OF OPERATIONS

Staff introduced by Chair
Staff/applicant presentation, questions???
Comments to staff/applicant need to be fact finding

Chair opens/closes public hearing

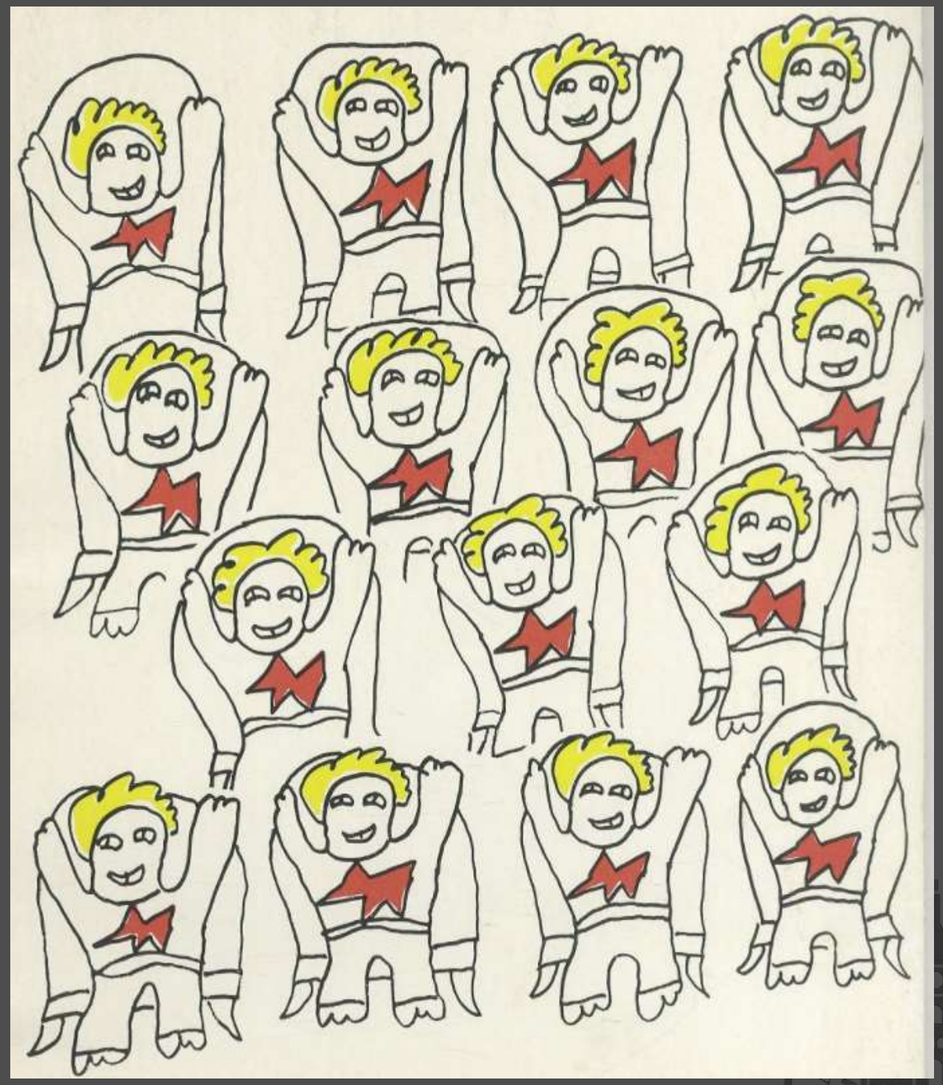
Executive Session-Discussion amongst PC, clarify Qs with applicant, staff, attorney

STAFF PRESENTATION

1. Staff will briefly describe the request & recommendation
2. Applicant will briefly present & answer questions

PUBLIC HEARING

1. OPEN
2. Public comments heard
3. State their name and address
4. CLOSE
5. Applicant rebuttal opportunity



EXECUTIVE SESSION

1. Any standards not in compliance?
2. Reiterate purview based on clamor?
3. Follow up questions?
4. Any conditions that would help?
   MOTION?

AFTER PUBLIC HEARING

DECORUM

PUBLIC EXPECTATIONS

Professional
Leadership
Do what is best for the City based on policy
Treat individuals with respect
Familiarity with adopted policies and regulations

CHAIR EXPECTATIONS

Firm. Fair. Friendly

Runs Meeting/ Maintains Decorum

- No debating the public
- Moves the agenda along, open and closes public hearing
- Ask clarifying questions but doesn’t debate opinions
- Chair should facilitate not lead the discussion

COMMISSIONER EXPECTATIONS

Respect staff and each other
Avoid conflicts of interest & ex-parte communication
Familiar with the *Policies and Procedures*
Read the staff reports, ask questions within Purview
Consider recommendations from City Staff
MAKE DECISIONS on STANDARDS

EXPECTATIONS OF APPLICANT

Friendly and responsive, professional and respectful
Burden to explain and advocate for project
Burden to prove they meet the standards
Burden to provide all the information necessary to PC

Respond to PC comments/requests if item tabled

PRIORITIES FOR 2023

1. Thriving in Place (TIP)-Displacement
2. Continuously improve Commission meetings
3. Ballpark Station area amendments
4. Fleet Block amendments
5. Code amendments
    - Conditional Use
    - Daycare code amendments
    - Drive-throughs Sugarhouse
    - Historic Preservation Overlay
    - Landscaping