



Staff Report

PLANNING DIVISION

DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission
From: Rylee Hall, Principal Planner
rylee.hall@slcgov.com or 801-535-6308
Date: May 10th, 2023, Published May 4th, 2023
Re: PLNPCM2023-00161 (Planned Development) for The Other Side Village at 1850 W Indiana Ave.

Planned Development

PROPERTY ADDRESS: [1850 W Indiana Ave.](#)

PARCEL ID: 15-10-101-001-0000

MASTER PLAN: [Westside Master Plan](#)

ZONING DISTRICT: [FB-UN2 Form Based Urban Neighborhood District](#)

REQUEST:

Tim Stay, representing The Other Side Village, LLC, is requesting Planned Development approval to develop property located at 1850 W Indiana Ave. The project site is located in the FB-UN2 Form Based Urban Neighborhood District. The proposal includes a walkable urban neighborhood of mixed uses to be known as “The Other Side Village” (TOSV). The proposed development is required to obtain Planned Development approval for several modifications to the FB-UN2 Zoning standards.

RECOMMENDATION:

Based on the information and findings listed in the staff report, it is the Planning Staff’s opinion that the request for modifications to the FB-UN2 Zoning standards generally meet the Planned Development standards of review, and therefore recommends the Planning Commission approve the request with the following condition:

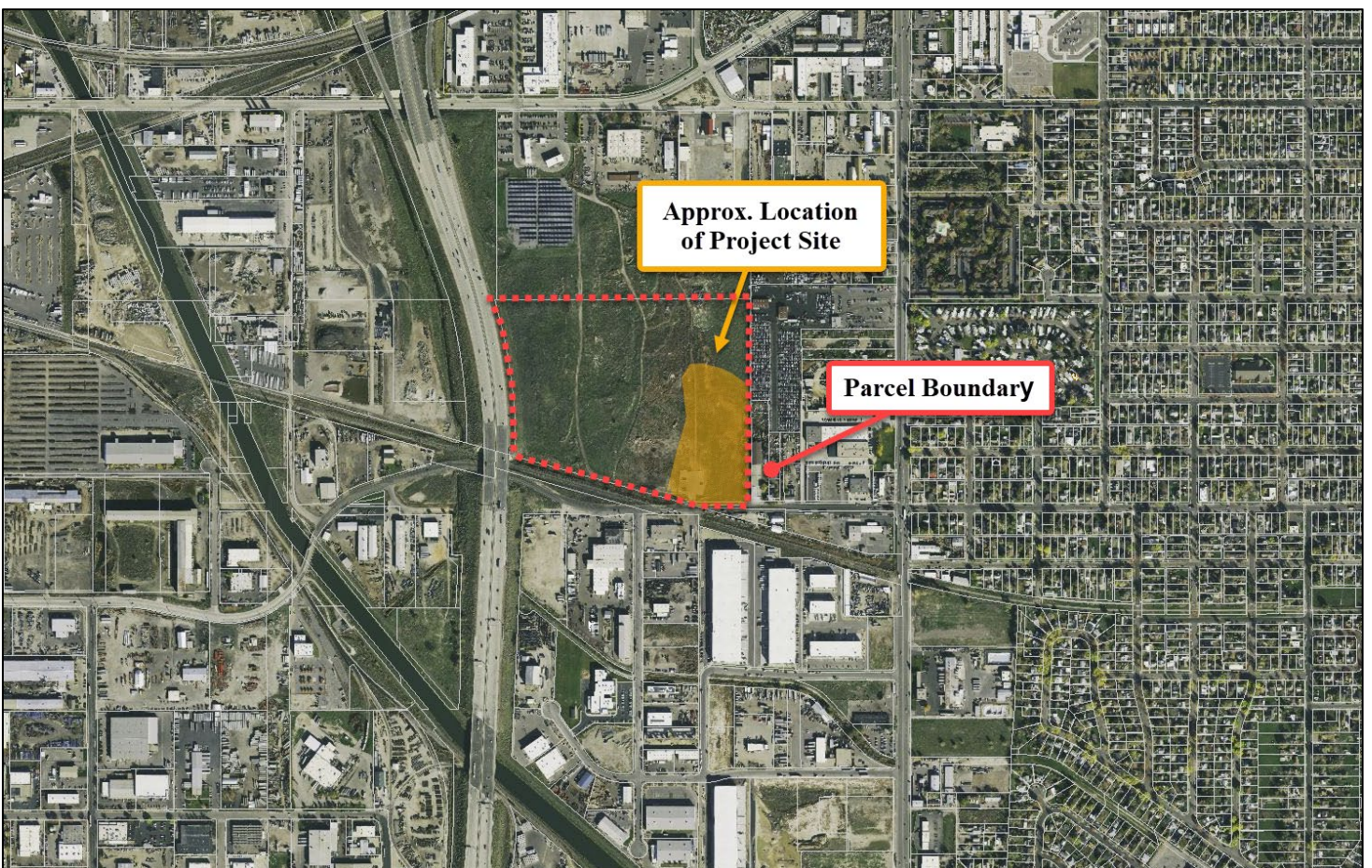
1. In accordance with ordinance 71 of 2022, trees shall be planted approximately every 30 FT along the eastern property line within the lease area.
2. Due to the unique use, development and location of the project, if modifications to zoning requirements are needed to address parking needs, building setbacks, spacing between buildings and fencing, such modifications are delegated to Planning Staff.
3. Final details regarding lighting, pedestrian circulation, and screening of service areas will be delegated to planning staff to ensure compliance with the planned development standards.

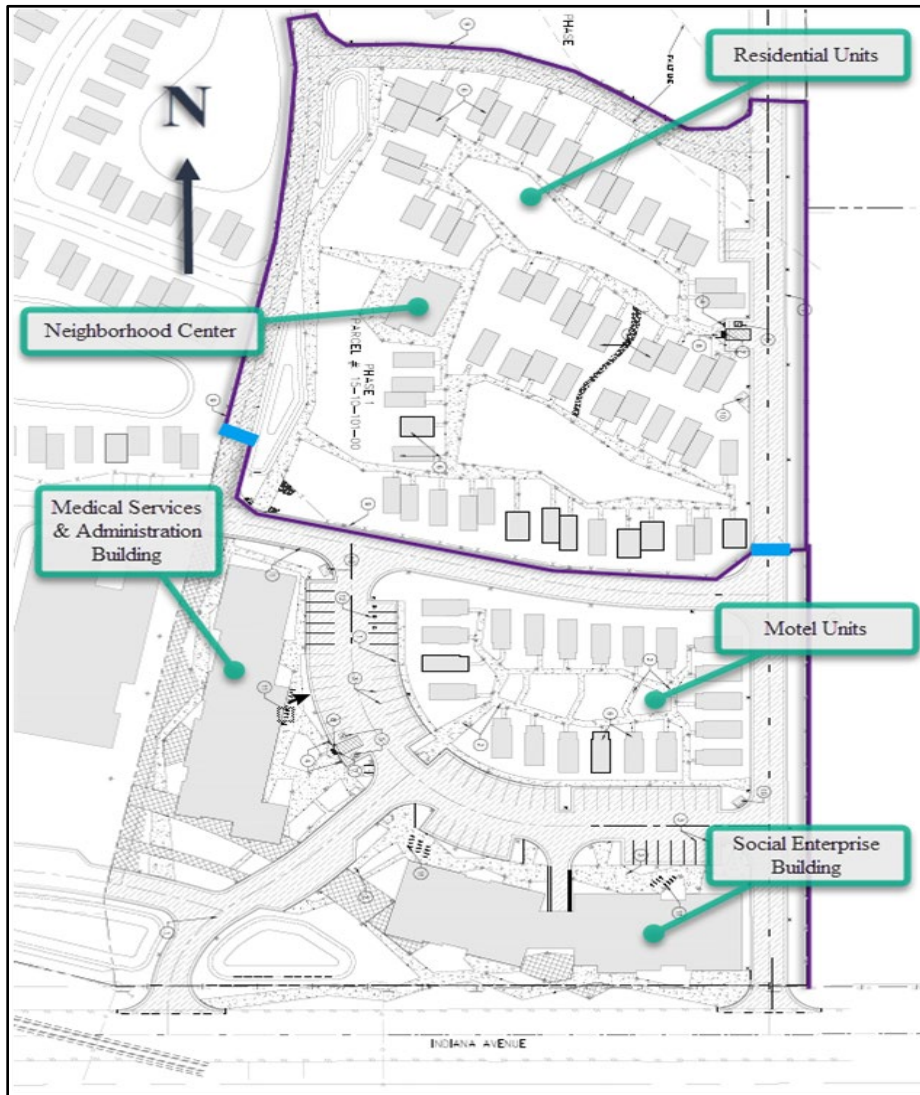
4. The planned development does not override any specific requirements of the lease agreement or Development Agreement between TOSV and Salt Lake City. All conditions of the lease agreement and development agreement must still be met. Any modifications to the site that may be required by modifications to the development agreement, ground lease, or environmental remediation plan are delegated to Planning Staff.

ATTACHMENTS:

- A. [Vicinity Plan](#)
- B. [Property and Vicinity Photos](#)
- C. [Narrative & Plans Submitted by Applicant](#)
- D. [FB-UN2 District Standards](#)
- E. [Planned Development Standards](#)
- F. [City Department Review Comments](#)
- G. [Public Process and Comments](#)
- H. [Ordinance 71 of 2022 Rezoning the property with conditions](#)
- I. [Resolution 32 of 2022 Outlining Development Terms](#)

PROJECT DESCRIPTION





Quick Facts

Proposed Uses:

- ▲ 60 total residential units for residents, at least 3 of these units will be wheelchair accessible and otherwise compliant with ADA standards. These units will be divided into groups and oriented around a common, green space. The area designated for residences will be surrounded by a fence.
- ▲ Up to 25 individual motel units – oriented around a common, open space. These units will be used for nightly rentals.
- ▲ Neighborhood Center – located near residences, this building will provide a gathering place with laundry and kitchen facilities.
- ▲ Social Enterprise building – located closest to Indiana Ave., this building will provide space for work opportunities for Village residents. Proposed uses include an onsite food production facility and retail space.
- ▲ Medical Services & Administration building – this building will house spaces for supportive services, such as medical, dental, and mental health offices. This building will also house space for administrative offices and multipurpose space for various community events within the Village.
- ▲ Grocery Store – will be located within the Medical & Administrative building. The store will provide fresh food and grocery staples for Village residents and the public.

Site Details & Amenities:

- ❖ Pedestrian pathways throughout the site
- ❖ Ample landscaping
- ❖ Nearly 60% of the site dedicated to landscaped, open space areas.
- ❖ Publicly accessible amenities along Indiana Avenue, including benches and trash receptacles.

Review Process & Standards: Planned Development, FB-UN-2 zoning standards, and general zoning standards.

Tim Stay, representing The Other Side Village, LLC, is seeking approval of a Planned Development to develop property located at 1850 W Indiana Ave. The Other Side Village (TOSV) pilot project is limited to approximately 8-acres in the southeastern corner of the parcel and is in the FB-UN2 (Form Based Urban Neighborhood District) zone. The site is currently vacant. The desired result of the proposal is to construct a walkable urban neighborhood of mixed uses to be known as “The Other Side Village” (TOSV). Stated in the narrative submitted by the applicant, the vision of TOSV is to provide a self-reliant, master-planned neighborhood that will provide affordable, permanent, and quality housing, access to social and medical services, and a robust and supportive community for men and women coming out of chronic homelessness.

The proposed on-site uses include the following:

- *Housing*: The Village will contain at least 60 tiny home units that will be available for permanent housing. These units will be configured in a variety of forms, including a stand-alone single unit, duplexes, and fourplexes. Each unit will house 1-2 individuals.
- *Motel*: Up to 25 units will be constructed and used as short-term rental units.
- *Services and Resources*: The Village will also have a variety of uses through the village to serve TOSV residents. The proposal includes a neighborhood center to be used as a clubhouse style gathering place with laundry and food preparation facilities. Along Indiana Avenue, a building containing retail space and on-site food production will provide employment opportunities for residents of the village. A medical, dental, and mental health clinic will also be on-site to provide supportive services to residents, as well as a bodega-style grocery store that sells grocery food and food ingredients (such as milk, eggs, bread, fruits, and vegetables) that will be open to residents as well as the public. Other supplementary uses will include administrative offices, classrooms, and multi-purpose areas to be used for meetings, exercise space, and other community events.

There are two primary access points to the site, provided by Indiana Ave., and additional circulation will be provided throughout the site for vehicles, cyclists, and pedestrians.

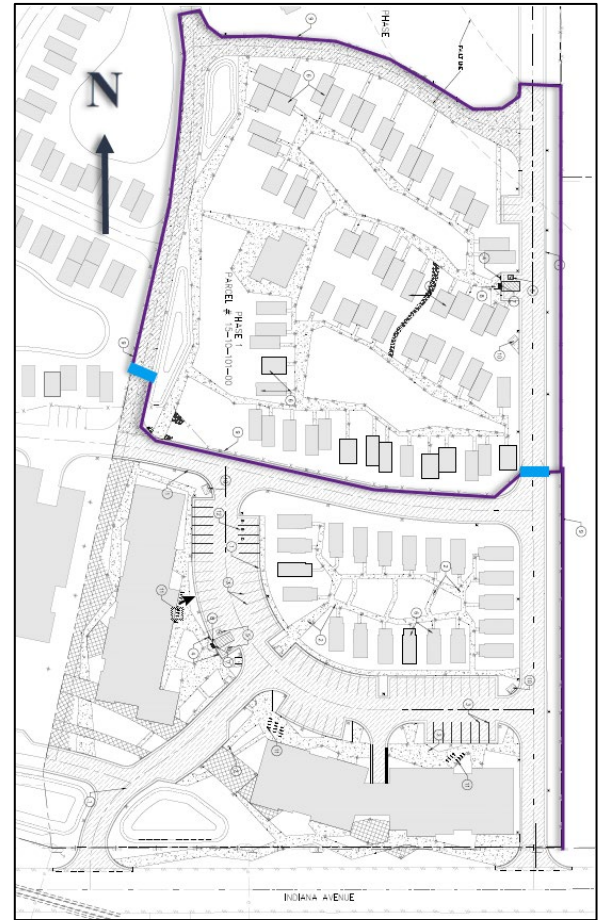
As stated in the submitted application materials, the applicant intends for the first phase of the development (the pilot project) to include programming that includes peer mentoring and life skill development. This will provide opportunities for residents to obtain employment experience by working on-site. Participation in these employment opportunities will be encouraged, but not a condition of living within the Village. Revenue generated through operation of the social enterprise building, where on-site food production and retail will be located, will be used to support the Village. Other on-site revenue-generating uses include the motel units available for nightly rentals to the general public, and other suggested businesses that may change over time, such as a thrift store and cookie or donut manufacturing.

The success of the pilot project will be determined by various factors, including financial self-sufficiency, social outcomes for Village residents, and impact on the surrounding community.

The overall intent of the project is to provide affordable, permanent, and quality housing, access to social and medical services, and a robust and supportive community for men and women coming out of chronic homelessness. Because the primary focus of the project is designed with this in mind, public access will be limited in certain areas of the site, and potential tenants must meet specific criteria to be eligible to reside at the village.

All uses intended to be accessed by the public and/or non-residents of the Village will be located near the front half of the site, closest to Indiana Avenue. These uses include any retail space (retail associated with on-site food production and bodega-style grocery store), the motel units located central to the site, and any other services (doctors, dentists, counselors, administrative staff, etc.) where non-residents would be employed. Off street parking for the project is also located in the front portion of the site behind the food production building and adjacent to the grocery store and other on-site services.

The rear half of the site will be devoted to resident housing and associated uses, including the neighborhood center and common, open space for gathering and recreation. To ensure the safety of Village residents and visitors, this area will be divided from the rest of the site by an access road and secured by fencing around the perimeter. This map (left) shows the proposed location of fencing around the Village residences and along the eastern boundary of the site. Vehicular access to this area will be gated (marked in blue on the map). Residents will access this area via key cards or other security devices to control the influx of outside visitors to this area.



Proposed Fencing

Background

The subject property is owned by Salt Lake City. On October 18, 2022, the City Council adopted a resolution to authorize a lease of the pilot project area to the applicant. Subsequently, the Council approved a request to rezone the land from Public Lands (PL) to a form-based zoning district (FB-UN2) to allow for the construction of The Other Side Village. The ordinance to rezone the land includes several requirements for development of the site that will be established through a development agreement between The Other Side Village and Salt Lake City.

These terms regulate the proposed uses and requirements for operation. For more information on the required terms, please refer to [Attachment I](#).

Requested Zoning Ordinance Modifications:

A Planned Development is required for projects requesting modifications to specified zoning regulations and is reviewed by the Planning Commission. The process is regulated by City Code section [21A.55 Planned Developments](#) and is intended to allow for flexible application of zoning standards provided certain objectives are met. A Planned Development is not intended to be a means of simply obtaining variances from zoning regulations and should result in a more enhanced product than would be achievable through the strict application of land use regulations.

The proposed development is required to obtain Planned Development approval for several modifications to the FB-UN2 Zoning standards, including but not limited to the following:

- Multiple buildings on a parcel that do not have street frontage
- Exceeding the maximum front yard setback of 10 FT

- Modified cottage style development (allow more than single family homes in this configuration)
- Exceeding the required build to – 50% of the building façade shall be built to the minimum setback (10 ft. from front property line).
- Exceeding the maximum length of 200 FT allowed for any building façade facing a street- this is needed for the “social enterprise” building along Indiana Ave
- Exceeding the maximum curb cut width area for vehicle access at Indiana Ave.
- Exceeding the maximum number of allowed vehicle accesses from a street

To qualify for the Planned Development process, an applicant must meet at least one of the objectives identified in 21A.55.010. Each objective includes strategies that are intended to be used to determine if an objective has been accomplished. The applicant’s narrative indicates they meet the following objectives:

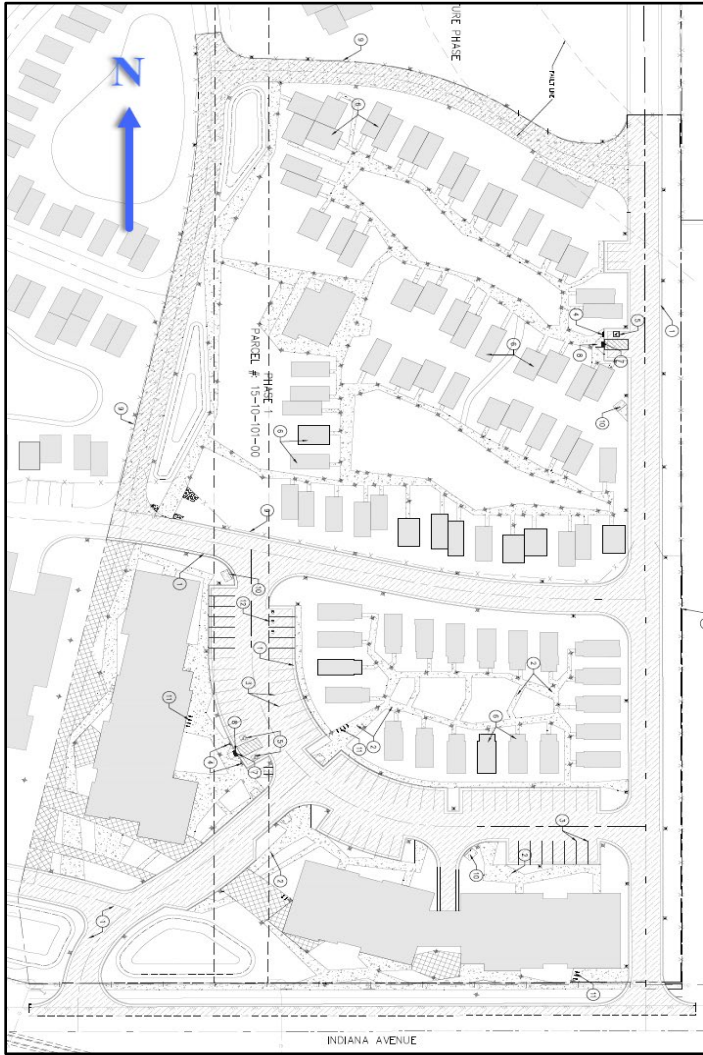
⌘ *Open Space & Natural Lands:* This objective aims to preserve, protect, and create open space and natural lands. The Village areas will have raised garden beds throughout the project area. The residential units will be divided into 2 groups, with each group oriented around a common, open landscaped area.

⌘ *Housing:* This objective aims to provide affordable housing or types of housing that helps achieve City’s housing goals and policies. The Village is designed to provide housing for chronically homeless individuals. 90% of the residences will be available only for those who meet the HUD definitions of chronic homelessness and have an annual income that is 30% or below the AMI (Average Medium Income) for Salt Lake City, Utah. The proposal will also provide residential units which are not commonly found in the existing neighborhood, but are of a scale that is typical to a neighborhood.

⌘ *Mobility:* This objective aims to enhance accessibility and mobility. The proposal will meet this objective by proving connections to the future 9-Line and West of Redwood Road public trails along Indiana Avenue and to the west of the project area. These paths will connect the Village to a proposed transit hub north of Village on 500 South. The project will also improve the street frontage along Indiana Avenue by constructing curb, gutter, and sidewalk facilities that don’t currently exist. Within the Village, roads will be constructed for vehicle access. Trails and sidewalks will intersect the neighborhood to encourage use by pedestrians and cyclists.

⌘ *Sustainability:* This objective aims to create a project that achieves exceptional performance with regards to resources consumption and impact on natural systems. The applicant states each residence will be extremely energy efficient and has a lower carbon footprint as compared to an average size house. Each residence will use approximately 7% of the amount of energy used to power an average sized house. As the site was previously used as a municipal landfill, before entering into the ground lease with the City, the applicant is required to complete a Voluntary Cleanup Program supervised by the State Department of Environmental Quality. This program will remediate soil contamination found on the site and verify the site is safe for habitation.

⌘ *Master Plan Implementation:* This objective is awarded to projects that help implement portion of the adopted Master Plan in instances where the Master Plan provides specific guidance on the character of the immediate vicinity of the proposal. The project area is subject to the Westside Master Plan. The proposal will implement the Master Plan by constructing a development that is consistent with the character, scale, and land use of the Glendale and Poplar Grove communities by providing a mix of small-scale housing types. Additionally, the proposal will provide employment



Site Plan Submitted by Applicant

opportunities for Village residents with a mix of on-site retail, commercial, and food manufacturing uses, which uses are highlighted for land west of Redwood Road. The Village aligns with the Neighborhood Node description within the Master Plan by creating a mixed-use development with businesses serving residents of the Village and the public.

Given the unique nature of the proposal and the scale of the project site, the applicant is requesting the following modifications through the Planned Development process:

- ❖ **Multiple buildings on a parcel that do not have street frontage:** Chapter [21A.36](#) General Provisions, prohibit more than one principal building unless all principal buildings have frontage along a public street. The proposed site includes many buildings that do not have frontage on a public street, nor is it feasible for all buildings to have frontage on Indiana Avenue given the scale and site configuration.

- ❖ **Exceeding the maximum front yard setback of 10 FT:** Chapter [21A.27](#), the City Code section regulation development standards in the FB-UN2 Zone, requires a maximum 10 ft. front yard setback for all building forms. Since the proposed site includes many buildings distributed throughout the site, it is not feasible for all proposed buildings to have a maximum front yard setback of 10 ft. along Indiana Avenue.

- ❖ **Exceeding the minimum build to:** Chapter [21A.27](#), the City Code section regulating development standards in the FB-UN2 Zone, requires a minimum of 50% of a street facing facade shall be built to the minimum setback line. The social enterprise and medical and administrative buildings both have street-facing facades where more than 50% of the facade area is setback more than 10 ft. from the front property line along Indiana Avenue. The applicant is proposing to increase the allowed setback area to provide room for the future 9-Line Trail, street trees, and amenities in this area.

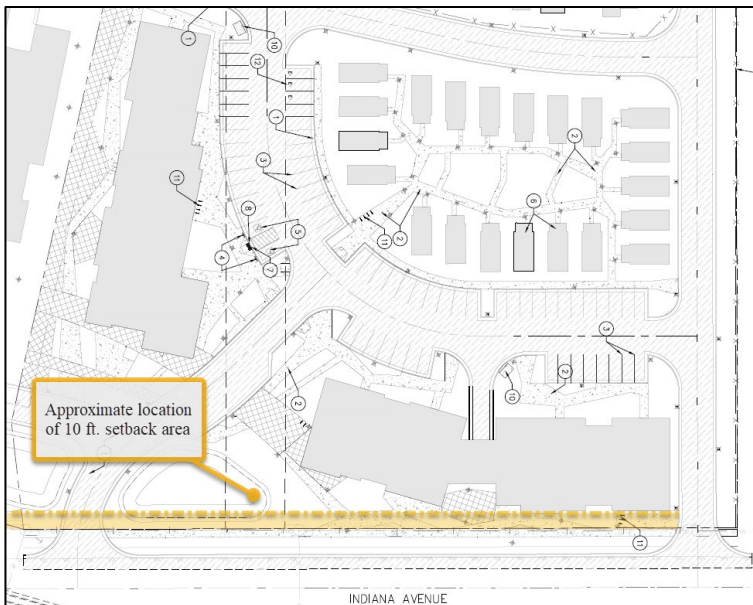
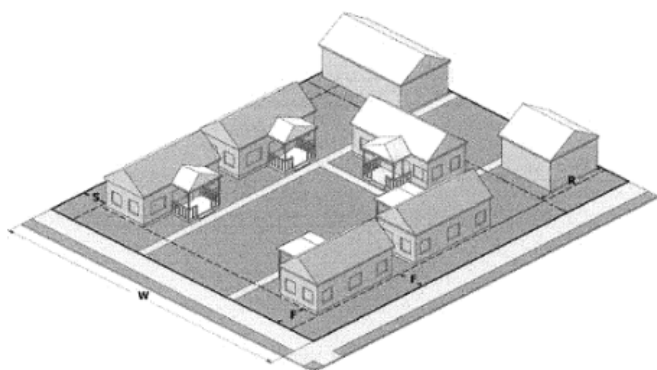


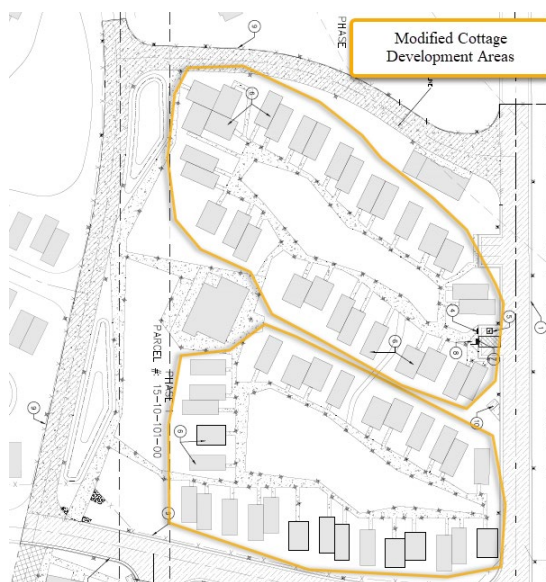
Image showing maximum front yard setback of 10 ft.

❖ **Modified “Cottage Development”**: Chapter [21A.27](#), the section of City Code regulating building forms and types in the FB-UN2 Zone, defines a Cottage Development as ‘a unified development that contains 2 or more detached dwelling units with each unit appearing to be a small single-family dwelling with a common or open space.’ The proposed development resembles a cottage development for the proposed residential uses; however, duplexes and a multi-family building are proposed in addition to single-family dwellings. The zoning ordinance limits building footprints within cottage developments to 850 SF or less. Where dwelling units are arranged in duplex or multi-family forms, the total footprint area of the building may exceed 850 SF. Because of this, the applicant is requesting Planned Development approval of a modified ‘Cottage Development’ to allow a development with more than single-family homes in this configuration, and modifications to the maximum building footprint requirements.

Image from Code section describing cottage developments in the FB-UN2 Zone



Cottage Development On Single Parcel



❖ **Exceeding the maximum 200 FT Façade Length Along a Public Street**: Chapter [21A.27](#), the City Code section regulation development standards in the FB-UN2 Zone, restricts the façade length of any building façade facing a street to 200 ft. or less. The social enterprise building, located closest to Indiana Avenue on the site, exceeds the maximum allowed façade length by about 60 ft.



Social Enterprise Buildings along Indiana Ave.

- ❖ **Exceeding the maximum curb cut width area for vehicle access at Indiana Ave.:** Chapter [21A.27](#), the City Code section regulating development standards in the FB-UN2 Zone, limits the width of curb cut areas to 24 ft. in width for multi-directional vehicle driveways that access a public street. The proposed development includes 2 access points from Indiana Ave – one on the eastern side and western side of the project area. Both of these accesses proposed a curb cut width of 27 ft., exceeding the maximum allowed width by about 3 ft.
- ❖ **Exceeding the maximum number of allowed vehicle accesses from a street:** Chapter [21A.27](#), the City Code section regulating development standards in the FB-UN2 Zone, limits the amount of vehicle access points from public street for properties that are 30 ft. or wider. For these properties, up to 1 vehicle access point from a street may be permitted. The development proposes 2 vehicle access points from Indiana Avenue.

The developer has also provided a detailed narrative about their proposal and planned development considerations in [Attachment C: Narrative & Plans Submitted by Applicant](#).

APPROVAL PROCESS AND COMMISSION AUTHORITY

The **Planned Development** processes require review and approval from the Planning Commission before the proposal can proceed with a building permit. Per section [21A.55.030](#) of the Zoning Ordinance, the Planning Commission may approve a Planned Development as proposed or may impose conditions necessary or appropriate for the Planned Development to comply with the standards. The Planning Commission may deny an application for a Planned Development if it finds that the proposal does not meet the intent of the base zoning district (FB-UN2 (Form Based Urban Neighborhood) Zoning District), does not meet the purpose of a Planned Development, or is not consistent with the standards and factors as set forth in section 21A.55.

KEY CONSIDERATIONS

The key considerations listed below were identified through the analysis of the project:

1. **Environmental Information**
2. **Modifications**
3. **Conditions of Approval**

Consideration 1: Environmental Information

The project site is a historical municipal landfill that accepted waste from 1923 to 1962 and was subsequently buried. In the late 1970s, the existing landfill was bisected by the construction of I-215, creating a West Pile and an East Pile. Since then, Salt Lake City has used portions of the East Pile and surrounding land for processing green waste.

To ensure that the area is safe for residents, the City entered the site into the Utah Department of Environmental Quality's (UDEQ) [Voluntary Cleanup Program](#) (VCP). Under the VCP, the City is working closely with regulators to investigate the pilot area and develop a remediation plan that will make the area safe for residential use. The City is also coordinating closely with The Other Side Academy (TOSA) to ensure that the sampling and remediation actions align with the TOSV development plans.

The City will only allow residents to occupy the site after the remediation is deemed complete by UDEQ. More detailed environmental information about the site including environmental conditions, remediation plan and next steps can be found here - <https://www.sl.c.gov/sustainability/tosv-environmental/>.

Consideration 2: Modifications

The proposed development is seeking Planned Development approval for several modifications to the FB-UN2 Zoning standards.

The design of the site is greatly influenced by the configuration of the site area. The designated 8-acre pilot area is rectangular in dimension, with a depth that is greater than its width. The site also has some existing physical limitations to development, including a utility easement approximately 42-ft. wide that travels north/south along the western portion of the site.

The site must also incorporate the uses and design elements required by the described terms in the adopted resolution (see [Attachment I](#)). These terms dictate the uses that must be provided on site and includes specifics on the minimum number of residential units and motel units that must be provided, and minimum square footage requirements for non-residential buildings (the neighborhood center, social enterprise and medical services and administration building).

The table below includes Staff's analysis of the requested modifications:



Modification:

Multiple buildings on a parcel that do not have street frontage:

Exceeding the maximum front yard setback of 10 FT:

Analysis: The dimensional nature of the site limits the number of buildings that can feasibly front on Indiana Avenue, a public street, and have a front yard setback within 10 ft. of the front property adjacent to this street. Due to this constraint, the applicant designed the site to have non-residential uses closer to the frontage of the property to facilitate public access to these uses.

The site includes many principal buildings distributed throughout the site and grouped by use. Each of these buildings will have a main entryway that faces a semi-public walkway, connected to a series of walkways that circulate throughout the site. These buildings will also face a common, semi-public open space. All uses will have adequate access via internal access roads and pedestrian pathways.

Given the limitations to development of the site, Staff has determined the requests to modify these requirements are appropriate for this development. Allowing these modifications will result in a more practical and efficient design of the site, than would otherwise be allowed with strict application of these development standards. The resulting product is consistent with the purpose of the zoning regulations of form-based districts to create people-oriented places, with options for housing types and employment within walking distance. The buildings that do face Indiana Avenue (the Social Enterprise building and the Medical Services and Administration building) meet the required architectural design standards for buildings that face a public street, as required by the FB-UN2 Code regulations, to facilitate pedestrian interaction. More discussion and analysis on exceeding the maximum 10 FT setback for the Social Enterprise and Medical Services and Administration building is discussed in the “minimum build to” modification below.

Exceeding the minimum build to:

Analysis: The applicant is requesting a modification to allow more than 50% of the facades of buildings that face Indiana Avenue to not be built to the minimum setback line. The social enterprise and medical and administrative buildings both have street-facing facades where more than 50% of the façade areas are setback more than 10 ft. from the front property line along Indiana Avenue.

In the FB-UN2 Zone, there is no minimum setback. However, the maximum allowed setback is 10 ft. from the front property line. The applicant is requesting to expand this area to allow for a larger buffer area from Indiana Avenue, a collector street and to improve the pedestrian experience for individuals traveling along the new sidewalk. They also intend for this extra area to accommodate the future construction of the 9-Line Trail and provide more room for public amenities in this area, like additional landscaping and benches for public use.

The extension of the 9 Line Trail will include a portion of the trail that runs east/west along Indiana Avenue, adjacent to the project site. The exact location and alignment of the 9 Line Trail is in the process of being determined. Public trails are typically designed to be constructed in already existing ROW, but because the property is city owned, there may be options to expand the right of way in this area which may extend into the development site.

The Medical Services & Administration building is setback approximately 120 ft. from the front property line adjacent to Indiana Avenue and separated from the street frontage by internal access roads and a detention pond due to the applicant’s design of the site. By locating this building more central to the site, it will be more accessible to Village residents as it will be located closer to the residential portion of the site. The southern, street facing façade of this building, which will house the grocery store that is also accessible to the public, is oriented towards the street with an entrance facing Indiana Ave.

Although these buildings have street-facing facades that are setback further than the maximum allowed amount, both facades meet the intent of the design standards found in the FB-UN2 zoning regulations by providing architectural features that are intended to promote pedestrian interest and interaction.

Modified “Cottage Development”:

Analysis:

The intent of form-based zones is described in the statement of intent for these zones: “Form based districts are intended to provide zoning regulations that focus on the form of development, the manner in which buildings are oriented toward public spaces, the scale of development, and the interaction of uses within the city. Form based districts provide places for people to live, work, and play within a close proximity. Regulations

within form-based districts place emphasis on the built environment over land use.” These regulations focus on form, scale, placement, and orientation of buildings, and include descriptions of permitted building forms and their development regulations.

The FB-UN2 zoning regulations include specific criteria for all buildings forms, including cottage developments. The residential portion of the proposed development meets the intent of the cottage development building form, as the units are oriented toward common open space and have porch elements to encourage interaction. Allowing two-family and multi-family buildings in a cottage configuration in addition to single-family dwelling units will result in a mix of residential unit options to better meet the needs of the community.

Other residential building forms permitted in this Zone include urban houses, two-family dwellings, row houses, multi-family, and mixed-use. The proposed building forms within the modified cottage development are already permitted within the FB-UN2 Zone. Therefore, the proposed development would not create a building form or neighborhood environment that is significantly different than the intent of the FB-UN2 Zone.

The applicant desires this building form to promote a neighborhood feel. All dwelling units will be connected by pathways that meander throughout the development, and each unit will face a common area designed to provide a place for social interaction and recreation. Staff is of the opinion that modifying the cottage development building form is consistent with the intent of the FB-UN-2 zone.

Exceeding the maximum 200 FT Façade Length Along a Public Street:

Analysis: The applicant is requesting to exceed the maximum 200 ft. façade length along a public street for the social enterprise building, located adjacent to Indiana Ave. The façade length will exceed the maximum allowed length of 200 ft. by about 60 ft. The developable area of the project site is somewhat limited by the utility easement that runs north/south through the site. Because of this, there is not adequate space to break up the building into two separate buildings that meet the 200 ft. length requirement. To decrease the visual impacts of the additional length of this façade, the applicant has a proposed an architectural design that includes different design elements to break up the apparent length of the building by including changes of materials and massing along the length of the façade.

The intent of the façade length limit is to encourage human-scaled buildings which focus on street-level pedestrian interaction, and promote pedestrian activity, safety, and community. By providing design elements to visually break up the building and reduce the apparent length of the façade and meeting all other design requirements to encourage pedestrian interest and activity, the intent of this design standard is met.

Exceeding the maximum curb cut width area for vehicle access at Indiana Ave.:

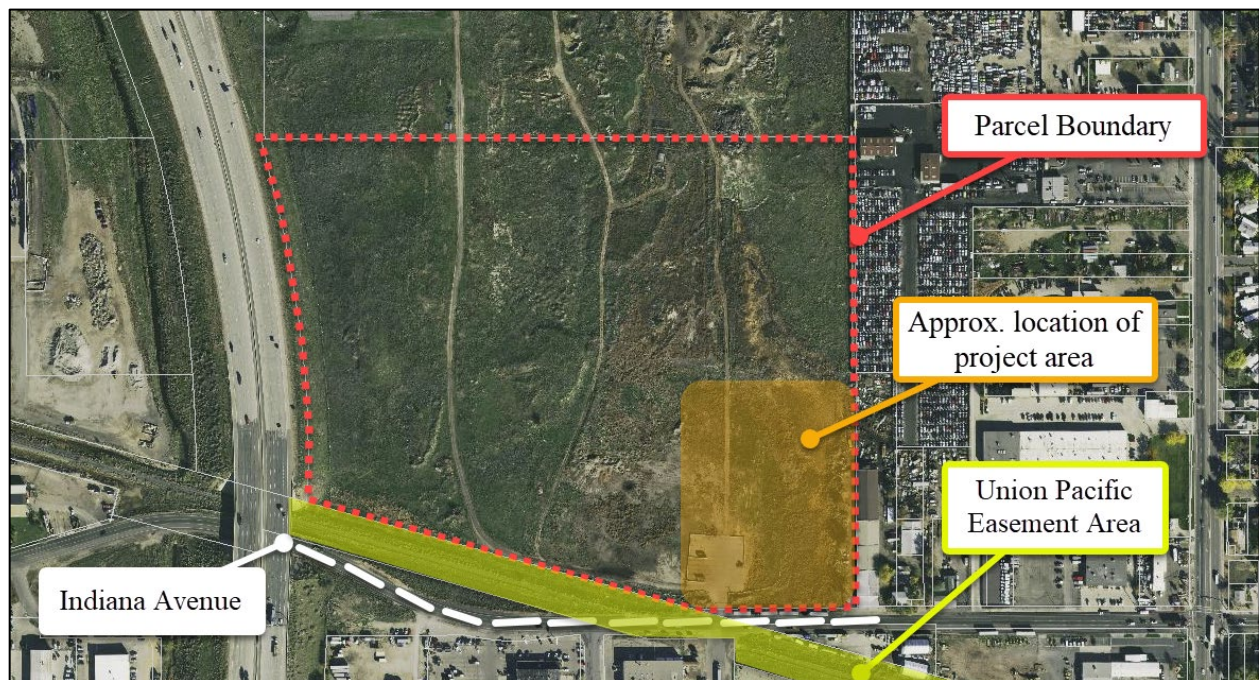
Exceeding the maximum number of allowed vehicle accesses from a street:

Analysis: The applicant is requesting to exceed the maximum width allowed for curb cuts for vehicle access to a public street. The FB-UN2 zoning regulations limit the curb cut area width to 24 ft. for multi-directional vehicle driveways. The curb cut area width for both accesses from Indiana Avenue is approximately 27 ft. and exceeds the maximum allowed width by about 3 ft.

For storefront uses (Social Enterprise and Medical Services & Administration Building), the FB-UN2 zoning regulations limit the number of vehicle access points for properties that are more than 30 ft. in width to only 1 vehicle access point. The project site is approximately 1,500 ft. in width and proposes 2 vehicle access

intersections from Indiana Avenue. Two accesses are required by the Fire Department in order to meet requirements for adequate access, safety, and circulation.

Along the southern (front) property line, there is an existing Union Pacific easement for an abandoned railroad and railroad crossing (see map below). The pilot project area is located in the southeastern corner of the site and has direct frontage onto Indiana Avenue, without crossing the Union Pacific easement. The applicant's long-term goal for the property is to expand the Village throughout the entire site. In order to do this, and to provide other points of access to the site from Indiana Avenue, they will need to negotiate an agreement with Union Pacific for permission to cross their easement and provide the required improvements within this area. These negotiations are ongoing, and these permissions are not yet confirmed. In the event the applicant does not receive permission from Union Pacific to cross and improve the easement area, all access to the potential future portions of the Village will be provided from the two access points proposed within the pilot project, near the southeastern corner of the site that fronts directly onto Indiana Avenue.



By proposing an additional vehicle access point and to exceed the maximum allowed width for curb cuts for vehicle access intersections along Indiana Avenue, the applicant is taking precautions that would allow them to further develop the site if agreements with Union Pacific are not successful.

Staff does not anticipate any negative effects that would result from allowing an additional vehicle access or by allowing the proposed accesses to exceed the maximum permitted width. Allowing these modifications will not cause detrimental impacts to the intent and purpose of the FB-UN2 zoning standards as applied to the site or diminish the objectives that are met as required by the Planned Development process.

Form-based zones focus on the form of development, emphasizing the character and qualities of a built environment, over land use. The FB-UN2 requires specific design elements for all buildings within this Zone. The goal of these design standards is to support the intent of form-based zones, by requiring architectural features that create people-oriented places and increased desirability of places to work, live, and play. Building forms are encouraged that are compatible with the neighborhood. All buildings

are regulated by type, with specific definitions and descriptions for the quality of the built form and its effect on the neighborhood as a whole.

These design standards include requirements and specifications for building entries for all buildings. For non-residential buildings that face a street, additional design standards are required for the ground floor, including requirements that limit façade length, regulate step back requirements for floors above 30 ft., require a minimum amount of glass on street-facing facades, encourage ground floor transparency, and guide architectural design for building materials and fenestration.

Based on the above analyses, Staff has determined that the proposed modifications are appropriate for the site, given its limitations for development and requirements for operation as described in the terms in the adopted resolution. The resulting development will support city objectives related to providing housing, environmental remediation of a contaminated site, and is consistent with the goals and intentions of the Code regulations found in Chapter [21A.27](#), the City Code section regulation development standards in the FB-UN2 Zone.

Consideration 3: Recommended Conditions of Approval

Due to the unique use, development, scale and location of this project, staff has proposed conditions of approval that relate to delegating review and approval of final details and some modifications that may be needed to the plans.

Parking

Information has not been provided by the applicant to determine compliance with off-street parking requirements. A contributing factor to this is that the proposed business uses located in the social enterprise building have not yet been confirmed. The applicant has also stated that on-site revenue-generating uses may change over time. Current suggestions include a thrift store, and cookie or donut manufacturing. Additionally, square footage details of the proposed uses have not been provided for Staff review, which would be used to determine parking requirements for the site. The FB-UN-2 zone does not have a minimum parking requirement for any use, but it does have limits on the amount of parking spaces that may be provided in excess of the maximum amount of allowed parking for any use. Additionally, bicycle parking is required and the required amount is determined by the number of residential units and floor areas of other uses. As a condition of approval, staff is asking that if any zoning modifications are needed to address parking needs, those modifications be delegated to planning staff.

Fencing

The applicant has provided a fencing plan, however – the environmental remediation plan for the site may yield additional fencing requirements for the site once the remediation plan is finalized to prevent access from the pilot area to other areas of the larger parcel. If fencing is required to extend the length of the western edge of the pilot area, it may need to exceed the maximum height allowed for fencing in the front yard area as it would be located forward of the front façade of the buildings. Fencing standards limit fencing in front yard areas to 4 ft. in height or less. Staff is recommending that if modifications to zoning standards related to fencing are needed to comply with Utah Department of Environmental Quality's (UDEQ) standards, those modifications be delegated to planning staff.

Setbacks and Spacing Between Buildings

Staff is recommending that if any additional zoning modifications are needed to setbacks or spacing in between buildings, those modifications be delegated to planning staff. The cottage development requires a minimum of 8 ft in between each cottage. It's unclear if the project meets this requirement or if modifications to the spacing may be needed. Additionally, it's possible that some setbacks may need to be modified from what is shown in the plans to comply with requirements from other city divisions.

STAFF RECOMMENDATION

Staff is of the opinion that the proposal meets the intent of the FB-UN2 Form Based Urban Neighborhood District, the objectives and standards of a Planned Development, and is compatible with the various master plans of the city. Staff recommends approval of the proposal, with conditions.

NEXT STEPS

Approval of the Request

If the requests are approved, the applicant will need to comply with any conditions of approval required by other City departments or added by the Planning Commission. The applicant will be able to submit plans for building permits, and certificates of occupancy for the buildings will only be issued once all conditions of approval are met.

Denial of the Request

If the request is denied, the applicant may not be able to design the site in a way that would meet all of the standards of the Zoning Ordinance and comply with the terms listed in the adopted resolution associated with the rezone of the property.

Attachment A: Vicinity Plan



Attachment B: Property and Vicinity Photos



Attachment C: Narrative & Plans Submitted by Applicant

Description of Property Use

Phase 1

The Other Side Village

Description of the Project. The Project shall consist of the following improvements to the Phase 1 Property:

Village Tiny Homes. The Project shall contain at least sixty (60) Tiny Homes available for permanent housing, and upon completion of all such Tiny Homes, at least three (3) of such Tiny Homes shall be designed to be able to be configured as wheelchair accessible and otherwise compliant with The American With Disabilities Act of 1990. Each Village Tiny Home shall be a single-family dwelling unit, either as a standalone unit, duplex, triplex, or fourplex. Each unit shall be made available for occupancy by one (1) or two (2) eligible persons.

Motel Units. The Project may contain up to twenty-five (25) Tiny Homes to be used as motel units (collectively, the “**Motel Homes**”). Each Motel Home shall be a single-family dwelling unit, may be made available for accommodations or lodging for up to six (6) persons on a short-term rental or other rental basis, including availability for overnight stays for persons occupying on such short-term rental basis.

A Neighborhood Center. A building to be used for as a neighborhood gathering place in a club house style with laundry facilities and outdoor BBQ grills and picnic tables, which shall be approximately 2,400 square feet in size;

A Social Enterprise Building. This building is to be used for social enterprise endeavors and shall each be approximately 8,400 square feet in size (for an aggregate of 16,800 square feet in size). This building will include a retail sales space as well as an onsite food production facility that will be manufacturing packaged food to be sold through wholesale channel and retail channels. The facility will need access for delivery trucks. This social enterprise will provide employment opportunities for the residents of the Village.

A Medical and Mental Health Clinic and Administration offices. This building will be an office building for multipurpose uses for Supportive Services, including medical and dental exam rooms and mental health therapy rooms. The building will also include classrooms and administrative offices as well as a common room for multipurpose uses, including meetings, exercise space, and other community events. The building shall be approximately 14,000 square feet in size.

A Bodega Style Grocery Store. This will be a small grocery store for the Villagers and guests selling foods such as milk, eggs, bread, fruit and vegetables.

21A.55.010 – Meeting the purpose of the Planned Development Ordinance

The Other Side Village

In this document, the text that appears in black text is part of the 21A.55.010 code requirements as part of Salt Lake City's Planned Development Ordinance.

The text in blue text are responses from The Other Side Village showing how The Other Side Village meets the specific requirements of each applicable section of the ordinance.

Demonstrate how your project meets the purpose and objectives of a planned development as stated in 21A.55.010 of the Planned Development ordinance;

21A.55.010: 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. The City seeks to achieve at least one or any combination of the following objectives through the planned development process. Each objective includes strategies that are intended to be used to determine if an objective has been accomplished through a specific proposal:

- A. Open Space And Natural Lands: Preserving, protecting or creating open space and natural lands:
 - 1. Inclusion of community gathering places or public recreational opportunities, such as new trails or trails that connect to existing or planned trail systems, playgrounds or other similar types of facilities.
 - 2. Preservation of critical lands, watershed areas, riparian corridors and/or the urban forest.
 - 3. Development of connected greenways and/or wildlife corridors.
 - 4. Daylighting of creeks/water bodies.
 - 5. Inclusion of local food production areas, such as community gardens.
 - 6. Clustering of development to preserve open spaces.

The Other Side Village (Village) is already in process of coordinating plans to provide a connection to the Nine-line trail west of Redwood Road and the Village and to points west. We are also exploring options to create a north/south path that will connect the Village to a proposed Transit Hub north of the Village on 500 South.

The Village will have raised garden beds throughout Phase 1. These were donated as part of the Giving Machines located at the City Creek Mall during the Christmas Season and were operated by The Church of Jesus Christ of Latter Day Saints.

The Village is organized so neighborhoods of up to 30 cottage homes are clustered around and facing inward toward an open space.

B. Historic Preservation:

1. Preservation, restoration, or adaptive reuse of buildings or structures that contribute to the character of the City either architecturally and/or historically, and that contribute to the general welfare of the residents of the City.
2. Preservation of, or enhancement to, historically significant landscapes that contribute to the character of the City and contribute to the general welfare of the City's residents.

There are no existing structures or buildings on the Village Phase 1 property.

C. Housing: Providing affordable housing or types of housing that helps achieve the City's housing goals and policies:

1. At least twenty percent (20%) of the housing must be for those with incomes that are at or below eighty percent (80%) of the area median income.
2. The proposal includes housing types that are not commonly found in the existing neighborhood but are of a scale that is typical to the neighborhood.

The Village is designed to house the chronically homeless and 54 of the 60 (90%) cottage homes will be available only for those who meet the HUD definition of being chronically homeless and have an annual income that is 30% or below the area medium income for Salt Lake City, Utah, HUD Metro FMR Area adjusted for household size.

The Village will include Cottage Homes, which are permitted in an FB-UN2 zone and will be of a scale appropriate to the surrounding neighborhoods.

D. Mobility: Enhances accessibility and mobility:

1. Creating new interior block walkway connections that connect through a block or improve connectivity to transit or the bicycle network.
2. Improvements that encourage transportation options other than just the automobile.

The Village will provide sidewalks along the length of the Phase 1 property. No sidewalks currently exist along the frontage along Indiana Avenue. The proposed Nine-Line Trail will connect up with the sidewalk and extend biking and hiking connections through the area. The proposed north-south trail will connect the Village with the proposed UTA transit hub planned for 500 North.

Within the Village, we will have outer roads to allow for vehicle traffic within the Village as well as for first responder / fire safety use. Within Phase 1, the Village will be primarily a pedestrian community with trails and sidewalks intersecting the neighborhood

E. Sustainability: Creation of a project that achieves exceptional performance with regards to resource consumption and impact on natural systems:

1. Energy Use And Generation: Design of the building, its systems, and/or site that allow for a significant reduction in energy usage as compared with other buildings of similar type and/or the generation of energy from an on-site renewable resource.
2. Reuse Of Priority Site: Locate on a brownfield where soil or groundwater contamination has been identified, and where the local, State, or national authority (whichever has jurisdiction) requires its remediation. Perform remediation to the satisfaction of that authority.

We are exploring the ability to bring solar power to the Village, but no plans are solidified as of now. Each Cottage Home will be extremely energy efficient and has a lower carbon footprint as compared to a

average size house. Cottage homes use less energy for heating and cooling, produce less waste, and

21A.55.050: STANDARDS FOR PLANNED DEVELOPMENTS:

The Other Side Village

In this document, the text that appears in black text is part of the 21A.55.010 code requirements as part of Salt Lake City's Planned Development Ordinance.

The text in blue text are responses from The Other Side Village showing how The Other Side Village meets the specific requirements of each applicable section of the ordinance.

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:

- 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.

The Other Side Village (Village) meets multiple objectives of the Purpose Statement for a planned development, including:

- Open Space and Natural Lands
- Housing
- Mobility
- Sustainability
- Master Plan Implementation

Details of how the Village meets these objectives are found within the document "[21A.55.010 – Meeting the purpose of the Planned Development Ordinance](#)" submitted with the Planned Development application.

In terms of meeting the objectives of the FB-UN2 zone, the Village is in a strong position.

The Village has walkable urban neighborhoods with people-oriented places, permitted Cottage Homes, proximity to amenities and public transportation, and access to on-site

recreational and employment opportunities, all which fit the purpose of the Form Based District. In addition, the Village fits the scale and form of development that allows us to create pedestrian oriented communities to live, work, and play within a close proximity.

The FB-UN2 subdistrict regulations provide the framework for a lower intensity urban neighborhood generally consisting of buildings up to four stories in height with taller buildings located on street corners, which may contain a single use, or mix of use. All of the housing within Phase 1 of the Village will be single story. The Medical and Mental Health Clinic will be a two story building.

- B. **Master Plan Compatibility:** 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.

The Village will help implement Salt Lake City's West Side Master Plan in the following ways:

- The Village is consistent with the character, scale, and land use of the Glendale and Poplar Grove community with a mixed use of single family dwellings, cottage homes (similar to accessory dwelling units), and urban agriculture.
- The Village will provide employment opportunities with a mix of commercial and light industrial uses as highlighted in the Master Plan for west of Redwood Road
- The Village fits the Master Plan Neighborhood Node description with it being surrounded by residential uses and with the businesses serving those within the Village and as a destination for people outside of the Village.

With the extension of the 9 Line trail, the Village will align with the 9 Line Master Plan in the following ways:

- Connecting stable residential neighborhoods, growing commercial and neighborhood centers, and promoting thriving recreation locations;
- Embracing a diverse assemblage of people and user groups, providing the opportunity for enhancing their connections to the surrounding businesses and neighborhoods that form a unique and attractive community;
- Improving physical and cultural connections between the east and west sides of the City that in turn offer regional connections;
- Featuring retail, service, recreational, and educational options at key nodes along the 9 Line, as well as encouraging and facilitating connections to neighborhood nodes in the surrounding community;
- Serving as a mechanism for the neighborhoods of West Salt Lake to celebrate their history and character by functioning as a community and cultural asset that connects people of all ages to services and educational opportunities; and
- Supporting connections to the West Salt Lake industrial business community, helping it continue to be a healthy and diverse growing employment and economic base for Salt Lake City.

The Village aligns with both the West Side Master Plan as well as the 9 Line Master vision and objectives.

C. Design And Compatibility: The proposed planned development is compatible with the area the 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:

1. 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;

2. 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;

3. Whether building setbacks along the perimeter of the development:

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.

d. Provide adequate sight lines to streets, driveways and sidewalks.

e. Provide sufficient space for maintenance.

4. Whether building facades offer ground floor transparency, access, and architectural detailing to facilitate pedestrian interest and interaction;

5. Whether lighting is designed for safety and visual interest while minimizing impacts on surrounding property;

6. Whether dumpsters, loading docks and/or service areas are appropriately screened; and

7. Whether parking areas are appropriately buffered from adjacent uses.

[Please see attached plans, which will meet these requirements.](#)

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:

1. Whether mature native trees located along the periphery of the property and along the street are preserved and maintained;

2. Whether existing landscaping that provides additional buffering to the abutting properties is maintained and preserved;

3. Whether proposed landscaping is designed to lessen potential impacts created by the proposed planned development; and

4. Whether proposed landscaping is appropriate for the scale of the development.

[Please see attached landscaping plans, which will meet these requirements.](#)

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:

1. Whether drive access to local streets will negatively impact the safety, purpose and character of the street;
2. 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;
3. Whether the site design of the proposed development promotes or enables access to adjacent uses and amenities;
4. Whether the proposed design provides adequate emergency vehicle access; and
5. Whether loading access and service areas are adequate for the site and minimize impacts to the surrounding area and public rights-of-way.

Please see attached plans, which will meet these requirements.

F. Existing Site Features: The proposed planned development preserves natural and built features that significantly contribute to the character of the neighborhood and/or environment.

Please see attached plans, which will meet these requirements.

G. Utilities: Existing and/or planned utilities will adequately serve the development and not have a detrimental effect on the surrounding area. (Ord. 8-18, 2018)

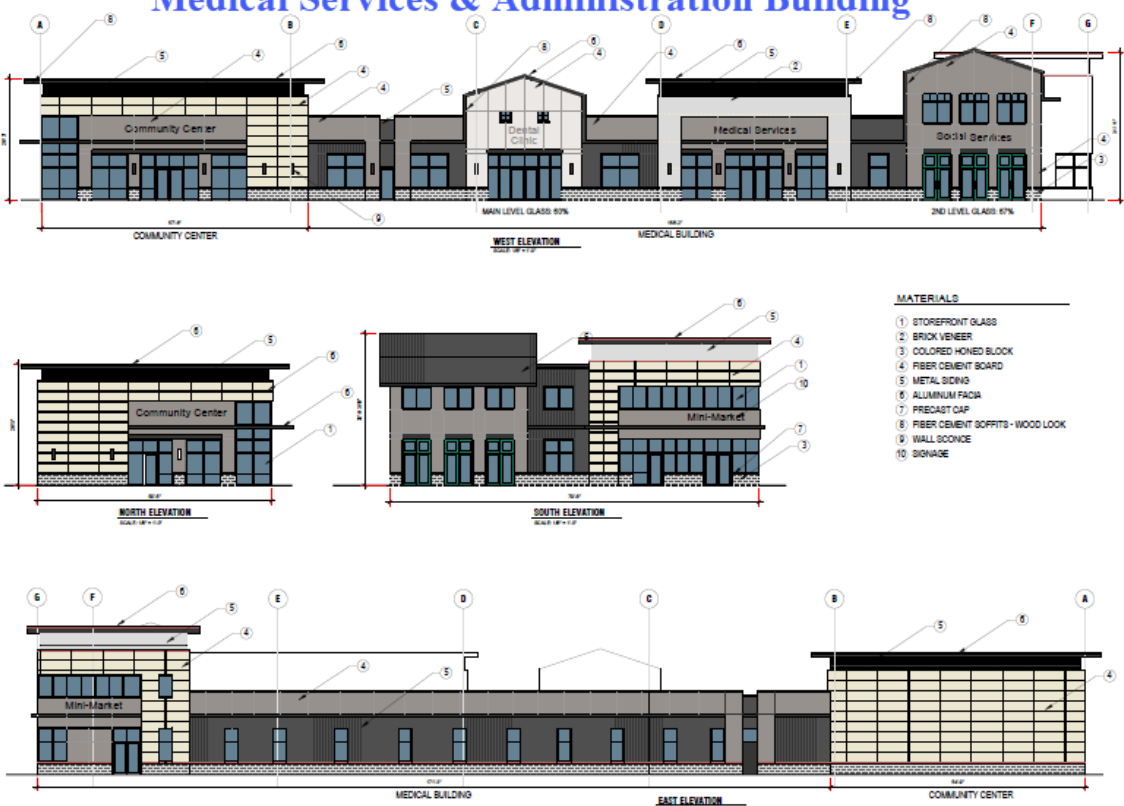
Please see attached plans, which will meet these requirements.

Elevations

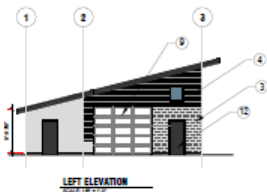
Social Enterprise Building



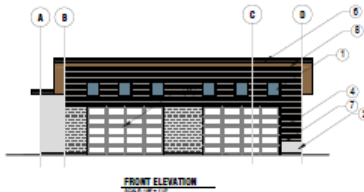
Medical Services & Administration Building



Neighborhood Center Building



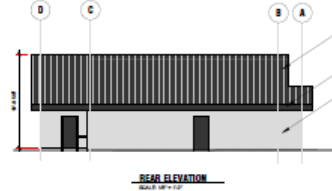
LEFT ELEVATION
SCALE: 1/4" = 1'-0"



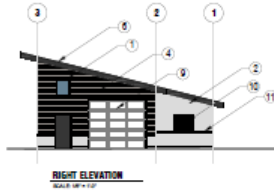
FRONT ELEVATION
SCALE: 1/4" = 1'-0"

MATERIALS

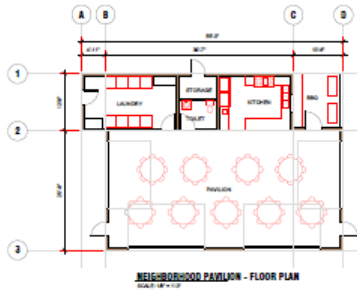
- 1) STOREFRONT GLASS
- 2) BRICK VENEER
- 3) COLORED HONED BLOCK
- 4) FIBER CEMENT BOARD
- 5) METAL ROOFING
- 6) ALUMINUM FASCIA
- 7) PRECAST CAP
- 8) FIBER CEMENT SOFFITS - WOOD LOOK
- 9) GLASS OVERHEAD DOOR
- 10) ROLL-UP WINDOW OPENING
- 11) STAINLESS STEEL COUNTER & FRAME
- 12) HOLLOW METAL DOOR & FRAME



REAR ELEVATION
SCALE: 1/4" = 1'-0"

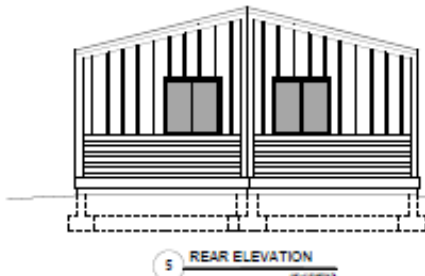


RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

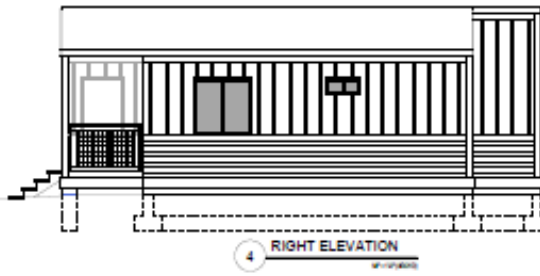


NEIGHBORHOOD PAVILION - FLOOR PLAN
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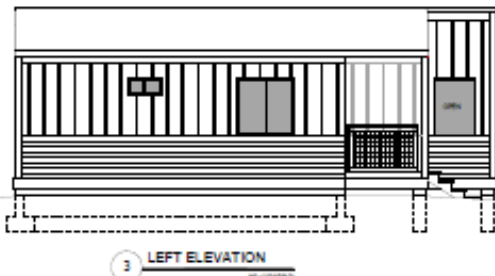
Residential:



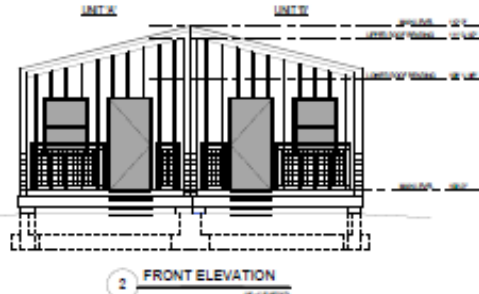
5 REAR ELEVATION
SCALE: 1/4" = 1'-0"



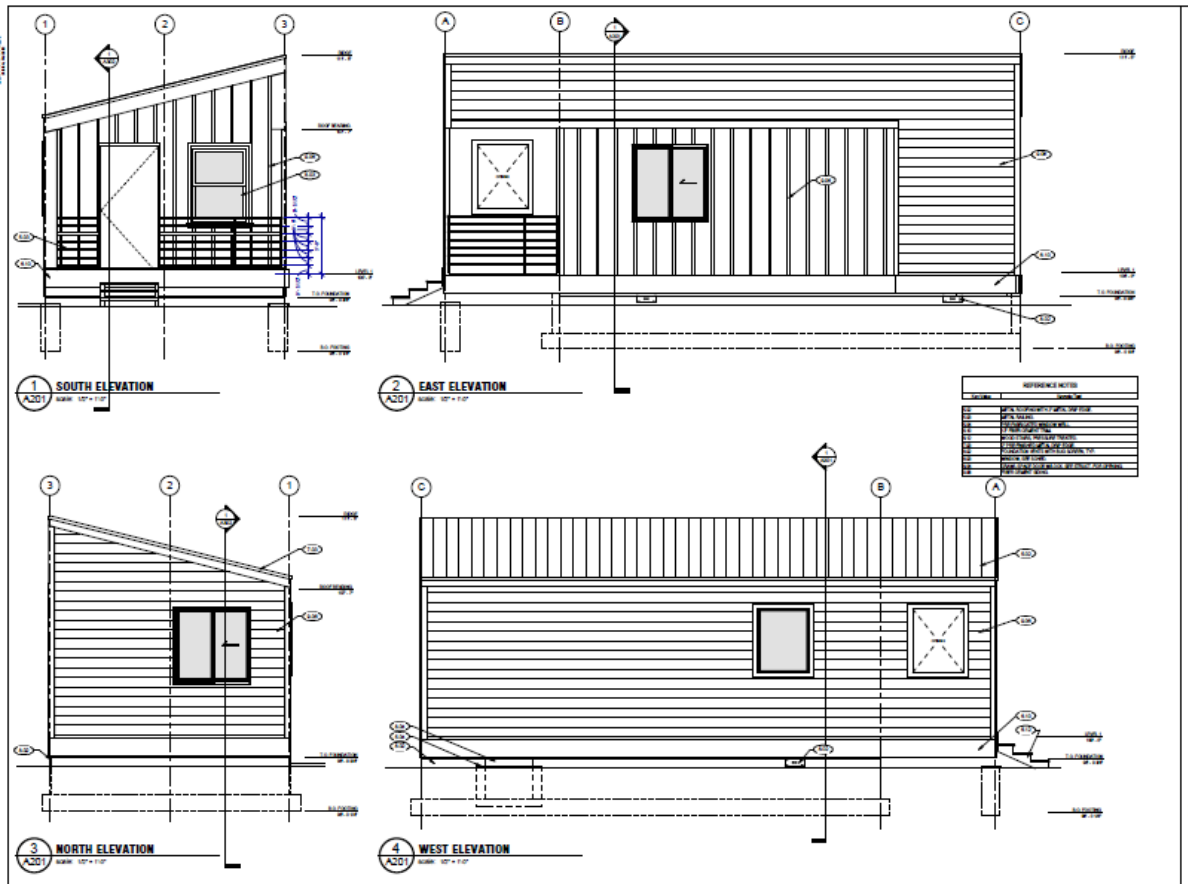
4 RIGHT ELEVATION
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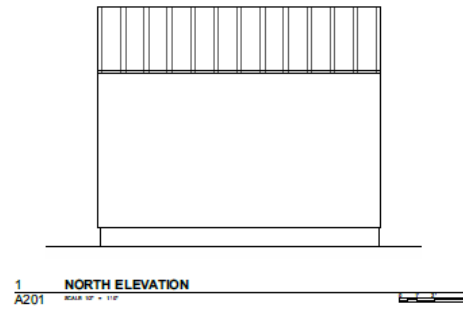
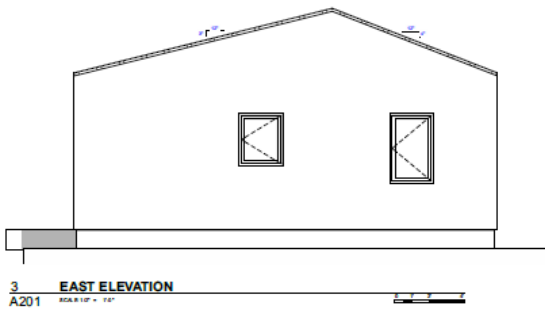
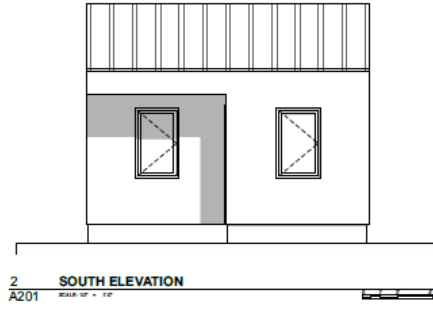
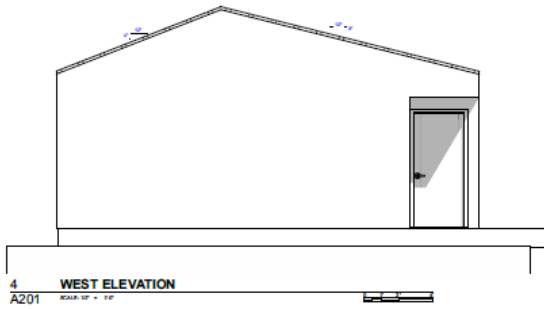


3 LEFT ELEVATION
SCALE: 1/4" = 1'-0"



2 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

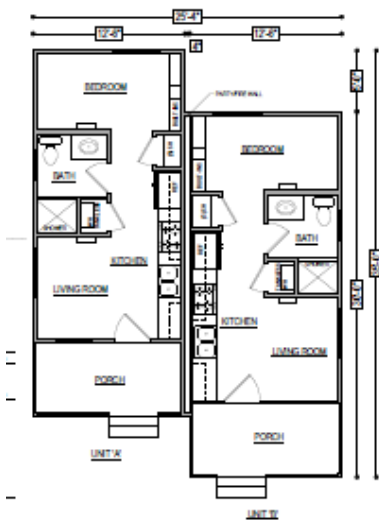




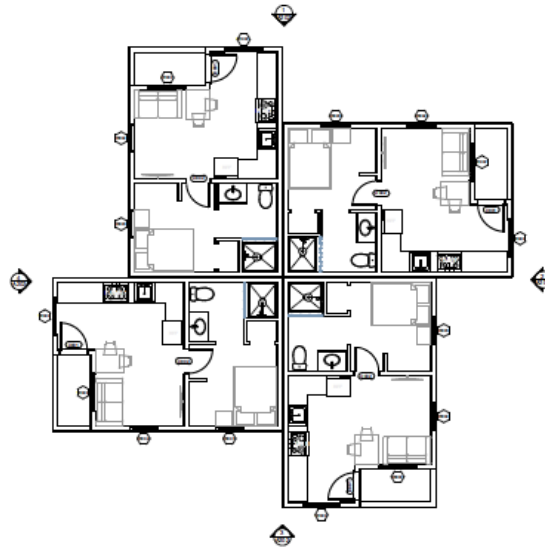
Location of Utility Easement



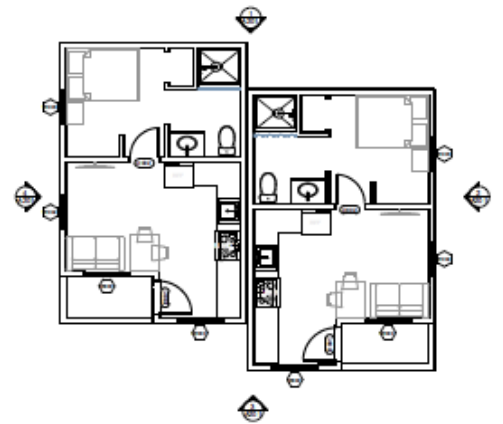
Floor Plans



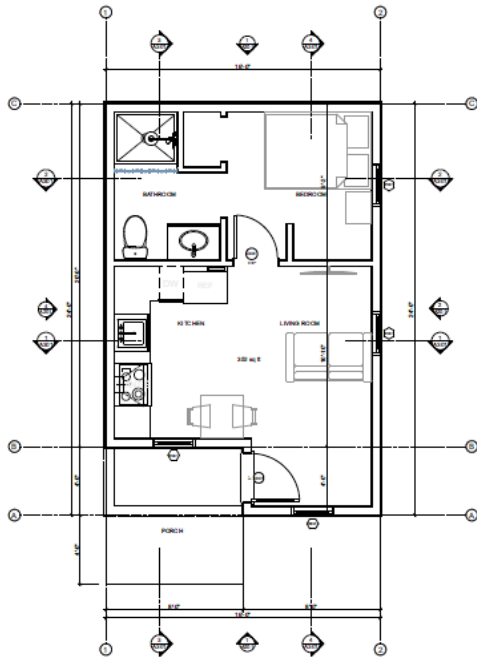
DUPLEX



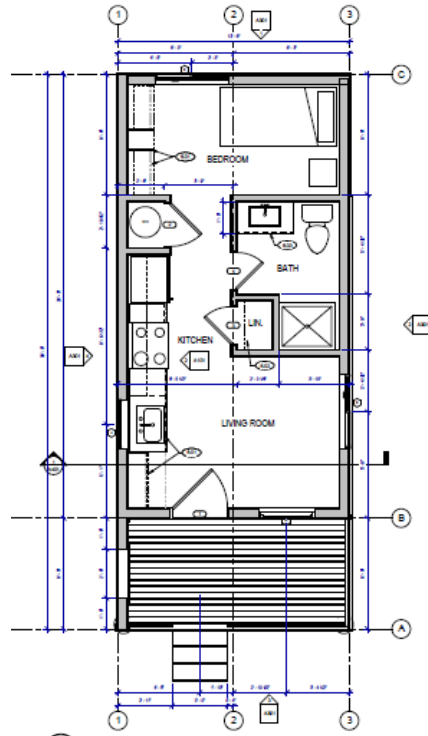
MULTI-FAMILY



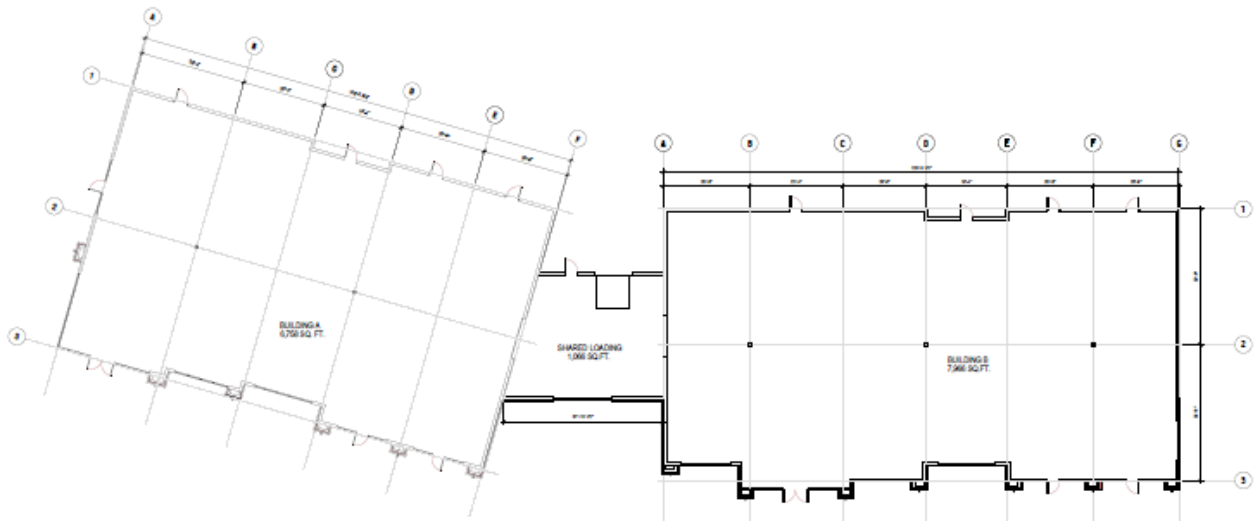
DUPLEX



SINGLE FAMILY



SINGLE FAMILY



SOCIAL ENTERPRISE BUILDING

Attachment D: FB-UN2 Form Based Urban Neighborhood District Standards

FB-UN2 Form Based Urban Neighborhood District Standards

A. Purpose Statement: The purpose of the form based districts is to create urban neighborhoods that provide the following:

1. People oriented places;
2. Options for housing types.
3. Options in terms of shopping, dining, and fulfilling daily needs within walking distance or conveniently located near mass transit;
4. Transportation options;
5. Access to employment opportunities within walking distance or close to mass transit;
6. Appropriately scaled buildings that respect the existing character of the neighborhood;
7. Safe, accessible, and interconnected networks for people to move around in; and
8. Increased desirability as a place to work, live, play, and invest through higher quality form and design.

Building Regulation		Building Form		
		Cottage Development - A unified development that contains two (2) or more detached single-dwelling with a common green or open space area. Dwellings may be located on separate lots or grouped on one lot.		
Building height and placement:		Cottage Development	Proposal	Complies?
H	Height	2.5 stories, maximum of 30', measured from established grade. All heights measured from established grade.	Each residential dwelling unit will be approximately 12 ft. in height.	Yes
F	Front and corner side yard setback	No minimum Maximum 10'	All residential units will be setback more than 10 ft. from the front property line along Indiana Ave. All residential units will be grouped central or towards the rear of the project site. See Key Consideration 2 for more discussion on this modification.	No – Modification Requested
B	Required build-to	Minimum of 50% of street facing facade shall be built to the minimum setback line.	All units will face a common, open space area. No units will face a street.	Yes
S	Interior side yard	4' setback required from side property line.	All residential units are setback more than 4 ft. from the side property lines.	Yes

	Setback required between cottages	All cottages shall have a minimum setback of eight feet (8') from another cottage.	Setbacks between cottage units vary and may be less than 8 ft. See Key Consideration 3 for more discussion. Staff is recommending that if a modification is needed to this standard, that it be delegated to planning staff.	No – Condition Proposed
R	Rear yard	Minimum of 20' along a rear property line adjacent to FB-UN1 or any residential zoning district that has a maximum building height of 35' or less, otherwise no setback required	The site is not adjacent to the FB-UN1 or any residential zoning district. No setback is required. All residential units will be setback at least 25 ft. from the lease area boundary, and at least 100 ft. from the parcel boundary.	Yes
U	Upper-level step back	Buildings shall be stepped back 1 additional foot for every foot of building height above 30' along a side or rear property line adjacent to FB-UN1 or any residential zoning district that has a maximum building height of 35' or less, unless the building is set back from the property line 45' or more. When a parcel in the FB-UN2 District is separated by an alley from a parcel in the FB-UN1 District, or any residential zoning district that has a maximum building height of 35' or less, the width of the alley may be counted toward the upper level step back	The site is not adjacent to the FB-UN1 or any residential zoning district. No upper-level step back is required. Additionally, no building in the cottage development configuration is above 30 ft. in height.	Yes
L	Minimum lot size	4,000 sq. ft.; not to be used to calculate density	Lot exceeds 4,000 sq. ft.	Yes
W	Minimum lot width	15' per unit facing a street	All units will face a common, open space area. No units will face a street.	Yes
DU	Dwelling units per building form	1 unit per cottage, multiple cottages per lot	Duplexes and a multi-family building are proposed in addition to single-family dwellings. See Key Consideration 2 for more discussion on this modification.	No – Modification Requested
BF	Number of building forms per lot	1 cottage for every 1,000 sq. ft. of lot area	60 residential dwelling units for Village residents and up to 25 motel units are proposed. With a total of 85 cottage units, approximately 2 acres would be required. The total area of the project site is approximately 8 acres, and the entire lot is approximately 43 acres.	Yes

Building Regulation		Building Form	Accessory Structure - subordinate building or structure, located on the same lot with the main building, occupied by or devoted to an accessory use.	
		Accessory Structure	Proposal	Complies?
Front Yard		Accessory buildings are prohibited in any required front yard and shall be set back at least as far as the principal building when the principal building exceeds the required front yard setback.	The proposed accessory structure, a neighborhood center located central to the residential portion of the site, will not be located within the front yard area and is setback further than some principal structures that exceed the maximum front yard setback limit.	Yes
Side Yard		Accessory buildings are prohibited in any required interior side yard (4 ft.)	The neighborhood center accessory structure is setback at least 90 ft. from the closet side property line to the west.	Yes
Rear Yard		In nonresidential districts, buildings may be built to side or rear lot lines in rear yards, provided the building complies with all applicable requirements of the adopted building code.	The building will be at least 180 ft. from the rear boundary of the project site.	Yes
Building Regulation		Building Form	Storefront: A commercial structure that may have multiple stories and contain a variety of commercial uses that are allowed in the district that permits this building type. All buildings, regardless of the specific use, have a ground floor that looks like a storefront.	
Building height and placement:		Storefront	Proposal	Complies?
H	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, 300 West at 800 or 900 South, the southeast corner of 1300 South and State Street, and in the area identified on Figure 21A.27.050C.1. All heights measured from established grade.	There are two proposed storefront buildings located close to Indiana Avenue – the Social Enterprise building and the Medical Services & Administration Building. The social enterprise building will not exceed 1 story. The Medical Services & Administration building will primarily be 1 story, with some areas of the building extending to 2 stories in height. No portion of this building will exceed 35 ft.	Yes
F	Front and corner side yard setback	No minimum Maximum 10'	The storefront buildings along Indiana Avenue will both be setback more than 10 ft. from the	No – Modification Requested

			front property line along Indiana Avenue. See Key Consideration 2 for more discussion on this modification.	
B	Required build-to	Minimum of 50% of street facing facade shall be built to the minimum setback line	The social enterprise and medical and administrative buildings both have street-facing facades where more than 50% of the façade area is setback more than 10 ft. from the front property line along Indiana Avenue. See Key Consideration 2 for more discussion on this modification.	No – Modification Requested
S	Interior side yard	Minimum of 15' along a side property line adjacent to FB-UN1 or any residential zoning district that has a maximum building height of 35' or less, otherwise no setback required	The site is not adjacent to the FB-UN1 or any residential zoning district. No interior side yard setback is required. *One of the conditions associated with the rezone of the property is that a minimum setback of 15 feet must be provided along the eastern property line. With trees planted approximately every 30 feet along this property line. The proposed landscape plan meets the requirements of this condition.	Yes
R	Rear yard	Minimum of 20' along a rear property line adjacent to FB-UN1 or any residential zoning district that has a maximum building height of 35' or less	The site is not adjacent to the FB-UN1 or any residential zoning district. No rear yard setback is required.	Yes
U	Upper-level step back	Buildings shall be stepped back 1 additional foot for every foot of building height above 30' along a side or rear property line adjacent to FB-UN1 or any residential zoning district that has a maximum building height of 35' or less, unless the building is set back from the property line 45' or more. When a parcel in the FB-UN2 District is separated by an alley from a parcel in the FB-UN1 District, or any residential zoning district that has a maximum building height of 35' or less, the width of the alley may be counted toward the upper level step back	The site is not adjacent to the FB-UN1 or any residential zoning district. No upper-level step back is required.	Yes
L	Minimum lot size	4,000 sq. ft.; not to be used to calculate density	Lot exceeds 4,000 sq. ft.	Yes

W	Minimum lot width	30'	Exceeds 30'.	Yes
DU	Dwelling units per building form	No minimum or maximum	No residential units will be located in the storefront buildings located closest to Indiana Avenue. All residential dwelling units will be clustered central or rear to the project site. See Key Consideration 2 for more discussion on this modification.	Yes
BF	Number of building forms per lot	1 building form permitted for every 4,000 sq. ft. of lot area	The project site is approximately 8 acres and could allow up to 87 storefront buildings. However, only 2 are proposed.	Yes

Parking Requirements

Surface parking in front and corner side yards	Not permitted	None proposed.	NA
Vehicle access	<p>Cottage Development:</p> <p>If off street parking is provided, vehicle access from an alley is required when property is served by a public or private alley with access rights. Vehicle access from street is only permitted when no alley access exists. If pull through parking is required by Fire or other Code, ingress shall be from street and egress onto alley.</p> <p>Storefront:</p> <p>If property is less than 30' wide, vehicle access from an alley is required when property is served by a public or private alley with access rights. If no alley access exists, only 1 vehicle access point from a street may be permitted</p> <p>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</p> <p>Corner lots with a minimum width of 120', may have 1 vehicle access point per street frontage. Vehicle access may be one-way or multidirectional</p>	<p>No public alley exists so vehicle access from the street is permitted for the cottage development use.</p> <p>The project site greatly exceeds 30 ft. in width. The site proposes 2 access points from Indiana Avenue. This is required in order to meet requirements from the Fire Department.</p> <p>See Key Consideration 2 for more discussion on this modification.</p>	No – Modification Requested

<p>Vehicle access width at street</p>	<p>When a one-way vehicle drive is included in a development, no vehicle drive or curb cut may exceed 12' in width. When a multidirectional vehicle drive is included, a curb cut may not exceed 24' in width</p>	<p>The curb cuts for both accesses from Indiana Avenue are approximately 27 ft. and exceed this requirement. See Key Consideration 2 for more discussion on this modification.</p>	<p>No – Modification Requested</p>
<p>Vehicle access from street design standards</p>	<p>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</p>	<p>No garages are included with this proposal.</p>	<p>N/A</p>
<p>Driveway location</p>	<p>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</p>	<p>No driveways are included as part of this proposal.</p>	<p>N/A</p>
<p>Vehicle access and parking compliance</p>	<p>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</p>	<p>All new drive approaches and parking lots will comply with the applicable design standards.</p>	<p>Yes</p>
<p>Parking on separate lots</p>	<p>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</p>	<p>Parking will be provided on the same lot, not applicable.</p>	<p>NA</p>

	the parking shall be located behind a principal building		
Additional Design Standards:			
Façade length	The maximum length of any building facade facing a street is two hundred feet (200')	The social enterprise building, located closest to Indiana Avenue on the site, exceeds the maximum allowed façade length by about 60 ft. See Key Consideration 2 for more discussion on this modification.	No – Modification Requested
Stepback Requirement	Floors rising above thirty feet (30') in height shall be stepped back fifteen (15) horizontal feet from the building foundation at grade for building elevations that are adjacent to a public street, public trail, or public open space. This stepback does not apply to buildings that have balconies on floors rising above thirty feet (30') in height.	There are no proposed buildings with floors above 30 ft in height. No stepbacks are required.	Yes
Glass	For all floors or levels above the ground floor, a minimum of fifteen percent (15%) of all street facing facades must be glass	The south, street-facing façade of the Medical Services & Administration building is the only building with a level above the ground floor that faces a street. At least 15% of this façade is glass.	Yes
Ground Floor Uses	On the ground floor, a permitted use other than parking shall occupy at least seventy five percent (75%) of the width of any street-facing building facade. All portions of such ground floor spaces shall extend a minimum of twenty-five feet (25') into the structure of all building forms with the exception of row houses, two-family dwellings, and cottage developments, which shall extend a minimum of ten feet (10'). Parking may be located behind these spaces.	There are no proposed structures where interior parking or an attached parking structure is proposed. The ground floor of all structures will be 100% comprised of a use other than parking that will extend the length and width of the building.	Yes
Pedestrian Connections	Pedestrian Connections: Where required, the following pedestrian connection standards apply: a. The connection shall provide direct access from any building entry to the public sidewalk or walkway.	Pedestrian walkways are provided throughout the site and connect all building entrances to common sidewalks and open spaces. All walkways will comply with ADA standards for accessibility and be a minimum of 4 feet wide.	No - Condition Proposed

	<p>b. The connection shall comply with the Americans With Disabilities Act (ADA) standards for accessibility.</p> <p>c. The connection shall be fully paved and have a minimum width of four feet (4').</p> <p>d. The connection shall be separated from vehicle drive approaches and drive lanes by a change in grade and a wheel stop if the walkway is less than eight feet (8') wide.</p> <p>e. Pedestrian connections that lead directly from the sidewalk to the primary building entrance may contain wing walls, no taller than two feet (2') in height for seating, landscaping, etc.</p>	<p>The applicant has not provided details on pedestrian circulation for pedestrian access through parking lots and pedestrian crosswalk location and details.</p> <p>See Key Consideration 3 for more discussion. Staff has recommended a condition of approval to delegate final details on pedestrian circulation to Staff to ensure compliance with these standards.</p>	
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Building Configuration

Building entries	A minimum of one main entry with an entry feature facing a public street or walkway, excluding alleys, is required. Minimum of 1 building entry per street frontage. An additional entry feature is required for every 75' of building wall adjacent to street.	All proposed buildings meet the minimum design requirements for building entries. The proposed dwelling units will each have a porch that meets the minimum dimensional standards of 6 ft. in depth. Non-residential buildings will include shopfront entrances with at least 1 entry feature for every 75 ft. of street-facing façade.	Yes
Ground floor transparency	A minimum of 60% of street facing facade, located between 2' and 8' above the grade of the sidewalk, shall be transparent glass. There must be visual clearance behind the glass for a minimum of six feet (6'). Ground floor windows of commercial uses shall be kept clear at night, free from any window covering, with internal illumination. When ground floor glass conflicts with the internal function of the building, other means shall be used to activate the sidewalk, such as display windows, public art, architectural ornamentation or detailing or other similar treatment.	The south, street-facing façade of the Medical Services and Administration Building, and the south, street-facing façade of the Social Enterprise Building, both incorporate glass for at least 60% of the total façade areas for each building. Visual clearance will be provided behind the glass for at least 6 ft., and these windows will be kept clear at night with internal illumination.	Yes
Building fenestration	No building wall that faces onto a street shall exceed more than thirty feet (30') in length without	These walls are frequently interrupted with windows, doors, and changes in material and	Yes

	being interrupted by windows, doors, or change of building wall plane that results in an offset of at least twelve inches (12")	massing. There are not any blank walls that exceed 30' in length.	
Open space	A minimum of 10% of lot area shall 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	The site allocates nearly 60% of its area to landscaped open space areas.	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	The south, street-facing façade of the Medical Services and Administration Building, and the south, street-facing façade of the Social Enterprise Building, both meet the minimum requirements for building façade materials.	Yes

Attachment E: 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 proposal is consistent with the Planned Development Purpose Statement. The project site is City-owned and currently vacant. Formerly a municipal landfill, the zoning modifications requested through the planned development process, result in a project that overall is a more efficient use of the property. Given the limitations to development of the site, Staff has determined the requests to modify these requirements are appropriate for this development. Allowing these modifications will result in a more practical and efficient design of the site, than would otherwise be allowed with strict application of these development standards.

The proposal meets several Planned Development Objectives, including Open Space and Natural Lands, Housing, Mobility, Sustainability, and Master Plan Implementation. As discussed in

[Attachment D](#), the proposal is also consistent with the purpose statement of the FB-UN2 Zone. The proposal will provide an overall benefit to the community by supporting several of the Planned Development objectives and providing housing to one of the city's most vulnerable populations. The resulting product will provide housing and supportive services for unsheltered people and individuals struggling with substance abuse, mental illness, and/or physical disability.

Finding: Meets Purpose Statement Does Not Meet Purpose Statement

- A. Open Space And Natural Lands: Preserving, protecting or creating open space and natural lands:
1. Inclusion of community gathering places or public recreational opportunities, such as new trails or trails that connect to existing or planned trail systems, playgrounds or other similar types of facilities.
 2. Preservation of critical lands, watershed areas, riparian corridors and/or the urban forest.
 3. Development of connected greenways and/or wildlife corridors.
 4. Daylighting of creeks/water bodies.
 5. Inclusion of local food production areas, such as community gardens.
 6. Clustering of development to preserve open spaces.

Discussion:

The proposed site design includes ample open space and landscaped areas. Additionally, a neighborhood clubhouse will be constructed to provide a gathering place for residents of the community. A new public trail is expected to be built, providing access from Indiana Avenue to 500 South, north of the project site. Proposed residential buildings will be located to the rear of the site and encircle open, landscaped areas, resembling a cottage development as described in the FB-UN2 Code standards. Proposed commercial buildings, or buildings with other supportive services uses, will be located near the front of the site, along Indiana Avenue, allowing preservation of open spaces near residential uses to allow for recreation and circulation.

Finding: Objective Satisfied Objective Not Satisfied

- B. Historic Preservation:
1. Preservation, restoration, or adaptive reuse of buildings or structures that contribute to the character of the City either architecturally and/or historically, and that contribute to the general welfare of the residents of the City.
 2. Preservation of, or enhancement to, historically significant landscapes that contribute to the character of the City and contribute to the general welfare of the City's residents.

Discussion:

The proposal will not have any effect on historic preservation efforts. The property is not located within a historic district overlay and there are no existing structures on site.

Finding: Objective Satisfied Objective Not Satisfied

- C. Housing: Providing affordable housing or types of housing that helps achieve the City's housing goals and policies:
1. At least twenty percent (20%) of the housing must be for those with incomes that are at or below eighty percent (80%) of the area median income.

2. The proposal includes housing types that are not commonly found in the existing neighborhood but are of a scale that is typical to the neighborhood.

Discussion:

The housing provided within The Other Side Village is unique as it aims to serve a specific demographic in need of housing. This will provide options for housing for this population that didn't previously exist. These units will be configured in a variety of forms, including a stand-alone single unit, duplexes, triplexes, and fourplexes. Each unit will house 1-2 individuals.

The Other Side Village will provide housing types that are not commonly found in the existing neighborhood but are of a scale that resembles a typical neighborhood. The Village will contain at least 60 tiny home units that will be available for permanent housing. Residential uses will be supplemented by a variety of on-site uses to serve village residents. These include employment opportunities, a medical, dental, and mental health clinic, a grocery store, and other supportive uses. The affordable housing that is provided focuses on housing an under-served population, thus furthering the City's housing goals and policies.

Finding: Objective Satisfied Objective Not Satisfied

D. Mobility: Enhances accessibility and mobility:

1. Creating new interior block walkway connections that connect through a block or improve connectivity to transit or the bicycle network.
2. Improvements that encourage transportation options other than just the automobile.

Discussion:

The proposed site design includes circulation throughout the site for both vehicles, cyclists, and pedestrians. Additional transportation options will be available to residents by nearby bus stops and public trails once constructed. Additional infrastructure improvements such as sidewalks and street improvements along Indiana Ave. will accommodate pedestrians and access to the site. The area lies to the west of a future node identified in the West Side Master Plan. The Plan envisions a Community Node centered at the intersection of Redwood and Indiana Avenue. While the subject property is located approximately one-quarter to one-half mile to the west of this node, future development of the proposed village could benefit from the proximity of development at this node and the services that may exist there.

Additionally, there are several transportation options that are slated to be constructed on or near the site. The review of these projects falls under the jurisdiction of the Transportation Department. These will include expansion of the 9 Line Trail and a new public trail through the site to connect Indiana Ave and 500 South. These transportation options are supported by existing bus networks in this area, which will be available to serve the residents of the village for any need not provided on site.

Finding: Objective Satisfied Objective Not Satisfied

E. Sustainability: Creation of a project that achieves exceptional performance with regards to resource consumption and impact on natural systems:

1. Energy Use And Generation: Design of the building, its systems, and/or site that allow for a significant reduction in energy usage as compared with other buildings of similar type and/or the generation of energy from an on-site renewable resource.
2. Reuse Of Priority Site: Locate on a brownfield where soil or groundwater contamination has been identified, and where the local, State, or national authority (whichever has jurisdiction) requires its remediation. Perform remediation to the satisfaction of that authority.

Discussion:

The project site was formerly a municipal landfill. Further discussion on this use and remediation efforts is discussed in [Key Consideration 1: Environmental Information](#). The reuse of this site aligns with the Sustainability objective of the Planned Development process by reusing and remediating a brownfield site where soil and groundwater contamination has been identified.

Finding: Objective Satisfied Objective Not Satisfied

F. Master Plan Implementation: A project that helps implement portions of an adopted Master Plan in instances where the Master Plan provides specific guidance on the character of the immediate vicinity of the proposal:

1. A project that is consistent with the guidance of the Master Plan related to building scale, building orientation, site layout, or other similar character-defining features. (Ord. 8-18, 2018)

Discussion:

The proposal is consistent with various Master Plans for the subject area.

Westside Master Plan

The subject area falls within area discussed in the Westside Master Plan (WSMP). The WSMP recognizes a need to encourage growth, redevelopment, and reinvestment in the Westside, in order to support the vision of the Westside Community as a “beautiful, safe, sustainable place for people to live, work, and have fun.”

The Westside Master Plan includes the following goal to guide growth within its community:

- *Recognize, develop and foster opportunities for unique, mixed use neighborhood and community nodes in the Westside that reflect the diverse nature of the community and provided resources to allow for their growth.*

The proposal will create a unique, mixed-use neighborhood that supports a future planned Community Note at the intersection of Redwood Road and Indiana Ave, and provides resources to a neighborhood that focuses on aiding those experiencing homelessness and struggling with substance abuse, mental illness, and/or physical disability.

Plan Salt Lake

Plan Salt Lake (December 2015) outlines an overall vision of sustainable growth and development in the city. This includes the development of a diverse mix of uses which is essential to accommodate responsible growth. At the same time, compatibility, which is how new development fits into the scale and character of existing neighborhoods is an important consideration. New development should be sensitive to the context of surrounding development while also providing opportunities for new growth.

Guiding Principles outlined in Plan Salt Lake that would relate to the proposed change include the following:

- 1) *Neighborhoods that provide a safe environment, opportunities for social interaction, and services needed for the wellbeing of the community therein.*
- 3) *Access to a wide variety of housing types for all income levels throughout the City, providing the basic human need for safety and responding to changing demographics.*
- 11) *Ensure access to all City amenities for all citizens while treating everyone equitably with fairness, justice and respect.*

The Housing chapter of Plan Salt Lake includes a number of initiatives intended to help implement the Plan. The initiative to “Support homeless services” is specifically identified. The Plan also references “*collaboration with community partners...*” in terms of access and equity to City services and amenities.

Redevelopment Agency (RDA) – 9 Line Community Reinvestment Area Plan

The 9-Line Community Reinvestment Area Plan is a document that was produced by the Redevelopment Agency of Salt Lake City (RDA). The purpose of the 9-Line Plan is to help create funding mechanisms and opportunities to help implement the community vision established through the development of the Westside Master Plan. This Plan is intended to “*...assist in closing the gap in identified disparities by providing housing stability, economic development and improved neighborhood conditions.*” (Introduction - pg. 4)

The subject properties are located within the study area of the Plan, but not within a specific Geographic Target Area (pg. 17) identified in the plan. The closest target area is at the intersection of Redwood Road and Indiana Avenue. While they are City-owned properties and would not be eligible for funding within the Community Reinvestment Area (CRA) established by the Plan, the goals and vision of the Plan are relevant to the general discussion of envisioned west side improvements within the study area.

Standards to Guide Project Area Development (pg. 15) – this section of the Plan references numerous goals from the Westside Master Plan to be used as standards in the project area including the three goals cited above in the section on the WSMP. The Objectives in the 9-Line plan including those of Neighborhood Revitalization – Object 1 (pg. 16) speak to the development of underutilized properties while Objective 4 (pg. 19) speaks to developing a variety of housing for all income levels.

Growing SLC: A Five Year Housing Plan – 2018-2022

Growing SLC: A Five Year Housing Plan – 2018-2022 (aka – the Salt Lake City Housing Plan) was adopted in late 2017 as the City’s first housing plan since 2000. The Housing Plan is intended to advance the vision that Salt Lake City is a place for a growing diverse population to find housing opportunities that are safe, secure, and enrich lives and communities. A big focus of the Plan is the protection and development of affordable housing opportunities throughout the City as identified in Goal 2: Affordable Housing. The plan describes the linkages and interaction between a lack of affordable housing and very low-income renters and the City’s most vulnerable citizens. This lack of affordable housing can push some citizens into homelessness as they are priced out of the market. The Housing Plan was developed using existing housing policy, primarily Plan Salt Lake and the Salt Lake City Comprehensive Housing Policy. The guiding principles of Plan Salt Lake are incorporated by reference including the initiative to “Support homeless services”.

Finding: Objective Satisfied Objective Not Satisfied

B. Master Plan Compatibility: 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.

Finding: Complies

Discussion:

As discussed above with Planned Development Objective F: Master Plan Implementation, the proposed Planned Development is generally consistent with and promotes the adopted policies and objectives included in the Westside Master Plan and Plan Salt Lake.

Condition(s): None

C. Design And Compatibility: The proposed planned development is compatible with the area the 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:

1. 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;

Finding: Complies

Discussion:

The project site has frontage on Indiana Avenue, which is identified as City Arterial in the SLC Transportation Master Plan. Abutting properties to all sides are zoned M-1 – Light Manufacturing. The overall development pattern of the area is dominated by commercial and light industrial uses along Redwood Road and Indiana Avenue. On the east side of Redwood, the development turns to residential uses. Much of the land bound roughly by Interstate 80, Indiana Avenue, I-215 on the west and Redwood Road on the east has not been intensely developed. Development typically consists of industrial buildings in one portion of the property with large areas devoted to surface storage or other industrial operations on the rest of the property. As such, from an aerial photograph perspective, much of the land appears to be under-utilized or largely vacant.

The Westside Master Plan speaks to creating opportunities through changes in land use and recognizes the need for well-designed higher density developments as well as unique neighborhoods. The overall scale and allowed uses in the proposed zone would not be out of scale with the surrounding industrial zoning.

Strict application of the FB-UN2 Zoning standards would limit the potential development of the property as all primary buildings would be required to have frontage along a public street. The resulting development would be primarily oriented along Indiana Avenue, limiting the number of structures and uses allowed on the property and under-utilized the northern portion of the project area. Allowing modification to this and related standards through the Planned Development

standard will grant greater efficiency and utilization of the site, and present further opportunities for circulation and mobility throughout the site.

The Village intends to have a variety of service and resource uses throughout the site to serve residents. These uses will include a grocery store, medical, dental, and mental health clinic and other health-related resources, a neighborhood clubhouse and meeting space, and a building containing retail and on-site food production to provide employment opportunities for residents of the village. Other supplementary uses will include administrative offices, classrooms, and multi-purpose areas to be used for meetings, exercise space, and other community events. Additionally, residential units will be connected to each other and oriented to face common, open space areas. These design elements are meant to facilitate a sense of community, while providing space for gathering and recreation. By designing a site to include these uses, village residents will be provided with access to employment opportunities, shopping, and other uses to fulfill their daily needs, which is also consistent with the purpose statement of the FB-UN2 Zone.

Condition(s): None

2. 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;

Finding: Complies

Discussion:

Nearby properties are primarily industrial oriented uses. The proposed building orientation, design, and materials are compatible with the policies stated in the Westside Master Plan as discussed above.

All uses intended to be accessed by the public and/or non-residents of the Village will be located near the front half of the site, closest to Indiana Avenue. The street-facing facades of these buildings will be oriented towards the street frontage. Design standards required by the FB-UN2 zoning standards are intended to facilitate pedestrian interaction and interest along the street. This will enhance the pedestrian experience for individuals traveling along Indiana Avenue or the future 9-Line trail. The south, street-facing façade of the Medical Services and Administration Building, and the south, street-facing façade of the Social Enterprise Building, both meet the minimum requirements for building façade materials. These street facing facades exceed the minimum required amount of glass (60% of the façade) and building materials (70% durable materials).

The rear half of the site will be devoted to resident housing and associated uses, including the neighborhood center and common, open space for gathering and recreation. All residential buildings will be connected by walkways and face a common, open area. The applicant intends for this building form to promote a neighborhood feel for the development.

Condition(s): None

3. Whether building setbacks along the perimeter of the development:
 - 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.
 - d. Provide adequate sight lines to streets, driveways and sidewalks.
 - e. Provide sufficient space for maintenance.

Finding: Complies

Discussion:

Adequate setbacks have been provided along the perimeter of the development to buffer the proposed neighborhood from nearby industrial uses. These setback areas also provide sufficient space for circulation, maintenance, and designation of areas for residential and recreational uses. Adjacent and nearby uses include car storage and salvage, trucking and transportation related uses to the east, City Fleet Operations, City Parks operation and open (vacant) land to the north and west. The property is bounded by Indiana Ave. along its southern property line. Additionally, a condition of the adopted ordinance requires a minimum 15 ft. setback from the eastern property line of the site, with trees planted (at minimum) in 30 ft. intervals. This landscaped setback area will further buffer the development from existing industrial uses to the east of the site.

Condition(s): In accordance with ordinance 71 of 2022, trees shall be planted approximately every 30 FT along the eastern property line within the lease area.

4. Whether building facades offer ground floor transparency, access, and architectural detailing to facilitate pedestrian interest and interaction;

Finding: Complies

Discussion:

Design standards within [21A.27.050](#) (the City Code section regulating development within the FB-UN2 Form Based Urban Neighborhood District) include regulations for ground floor transparency for storefront buildings, and access and architectural detailing requirements for residential and commercial buildings. The intent of these regulations is to encourage pedestrian interest, interaction, and circulation. All proposed structures will be required to meet these requirements. See [Attachment D](#) for further discussion on these requirements.

Condition(s): None

5. Whether lighting is designed for safety and visual interest while minimizing impacts on surrounding property;

Finding: Complies

Discussion:

City Code standards require all developments to provide adequate lighting to ensure safety and security. Any proposed light installation shall not have an adverse impact on traffic safety or on the surrounding area. Any lighting should be case downward to reduce spillage onto nearby properties. The proposed development will be required to meet all requirements for lighting.

Condition(s): Final design details regarding lighting are delegated to planning staff.

6. Whether dumpsters, loading docks and/or service areas are appropriately screened;

Finding: Complies

Discussion:

Some information was not provided by the applicant to determine compliance of zoning standards. However, all dumpsters, loading docks, services areas, and ground mounted utility boxes will be required to meet all requirements for location and screening.

Condition(s): Final design details regarding lighting are delegated to planning staff.

7. Whether parking areas are appropriately buffered from adjacent uses.

Finding: Complies

Discussion:

All parking will be provided interior to the site and will not be visible from Indiana Ave. No buffering or perimeter landscaping is required for the proposed parking areas.

Condition(s): None

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:

1. Whether mature native trees located along the periphery of the property and along the street are preserved and maintained;

Finding: Not Applicable

There are no mature native trees existing on the property.

Condition(s): None

2. Whether existing landscaping that provides additional buffering to the abutting properties is maintained and preserved;

Finding: Not Applicable

Discussion:

There is no existing landscaping on site.

Condition(s): None

3. Whether proposed landscaping is designed to lessen potential impacts created by the proposed planned development;

Finding: Complies

Discussion:

All areas not devoted to buildings or hardscaped areas will be landscaped. Proposed landscaping includes a variety of trees, shrubs, and ground cover throughout the site. Multiple trees are proposed to be planted along the street frontage of Indiana Ave., improving and softening the appearance of the site from the street. Parking lot landscaping is required for all parking areas with 15 or more parking spaces in the amount of 5% of the total interior parking lot area. A condition of the adopted ordinance requires a minimum 15 ft. setback from the eastern property line of the site, with trees planted (at minimum) in 30 ft. intervals. This landscaped setback area will further buffer the development from existing industrial uses to the east of the site and buffer the existing use from the proposed development.

Condition(s): In accordance with ordinance 71 of 2022, trees shall be planted approximately every 30 FT along the eastern property line within the lease area.

4. Whether proposed landscaping is appropriate for the scale of the development.

Finding: Complies

Discussion:

The proposed landscaping of the site is appropriate for the scale of the development. The site has been designed with a conscious effort to enhance the overall environment of the neighborhood by providing ample landscaping and open areas for recreation and general enjoyment of the village residents. The site allocates nearly 60% of its area to landscape and open space. The approximately 8- acre site will have nearly 250 trees, 2,000 shrubs, and 150,000 SF of plant ground cover.

Condition(s): None

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:

1. Whether drive access to local streets will negatively impact the safety, purpose and character of the street;

Finding: Complies

Discussion:

No impacts, negative or otherwise, are anticipated to Indiana Ave. traffic flow. by the development. Indiana Avenue is identified as City Arterial in the SLC Transportation Master Plan and is able to support additional travel that may be generated by the site. The proposal will be required to meet all requirements from other City departments, including the Transportation department.

The applicant is requesting to exceed the maximum width allowed for curb cuts for vehicle access to a public street. The FB-UN2 zoning regulations limit the curb cut area width to 24 ft. for multi-directional vehicle driveways. The curb cut area width for both accesses from Indiana Avenue is approximately 27 ft. and exceeds the maximum allowed width by about 3 ft. Staff does not anticipate any negative impacts to Indiana Avenue, that would result from allowing an additional vehicle access or by allowing the proposed accesses to exceed the maximum permitted width. See [Key Consideration 2](#) for more discussion on proposed modifications.

Condition(s): None

2. 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;

Finding: Complies

Discussion:

The site design promotes circulation for a range of transportation options by providing internal connecting walkways and roadways to serve pedestrians, cyclists, and vehicles. The development must meet minimum requirements for bicycle and electric vehicle parking spaces. Street improvements along Indiana Avenue will be constructed as part of the development to support pedestrian and bicycle access to the site. Direct hardscaped access will

be provided from sidewalks or pathways to building entrances. The proposal will be required to meet all requirements from other City departments, including the Transportation department.

The applicant has not provided details on pedestrian circulation for pedestrian access through parking lots and pedestrian crosswalk location and details. Staff has recommended a condition of approval to delegate final details on pedestrian circulation to Staff to ensure compliance with these standards.

Condition(s): Final design details regarding pedestrian circulation are delegated to planning staff.

3. Whether the site design of the proposed development promotes or enables access to adjacent uses and amenities;

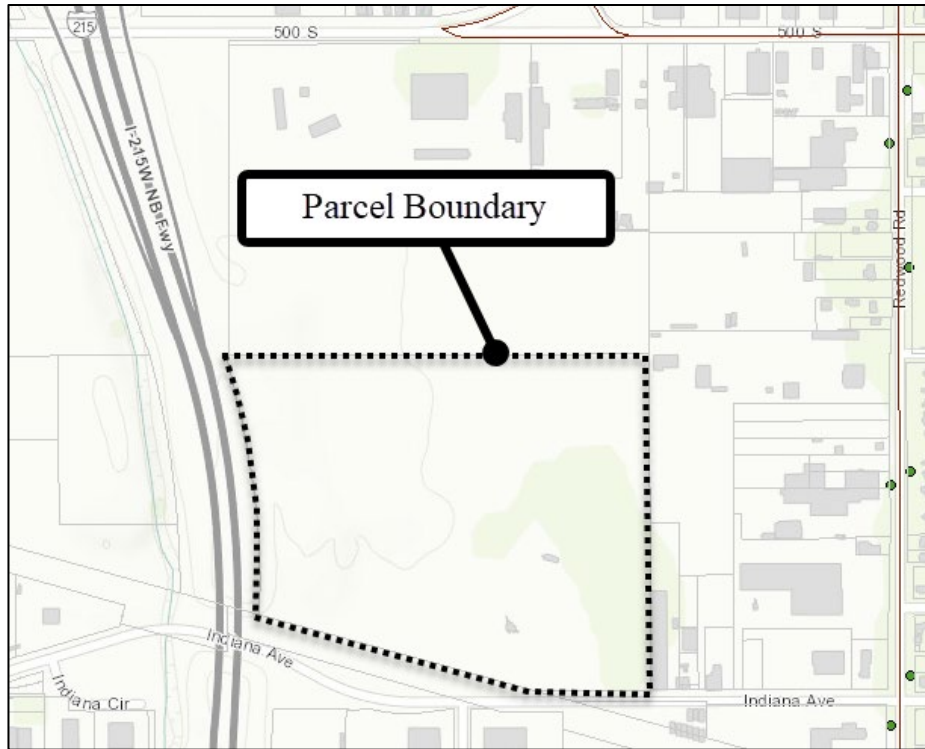
Finding: Not Applicable

Discussion:

Adjacent and nearby uses include car storage and salvage, trucking and transportation related uses to the east, City Fleet Operations, City Parks operation and open (vacant) land to the north and west. The property is bounded by Indiana Ave. along its southern property line. Access to adjacent or nearby uses is not considered as part of this development as these uses are either City-owned operations or industrial and Staff does not anticipate a need for village residents to access these uses.

The project site is intended to provide uses to meet the daily needs of Village residents. Additionally, community benefits were taken into consideration when developing the terms of the development agreement, which resulted in requirements for the on-site grocery store to be available to the public as well as Village residents. Non-Village residents may access the grocery store via drive access from Indiana Avenue or via pedestrian pathways connecting Indiana Avenue (and the future 9-Line trail) to the site.

Public transportation will also be available to Village residents if they need to access anything use not provided on-site. Several bus stops are available near the intersection of Indiana Avenue and Redwood Road, about a quarter of a mile from the project site. The map below shows the parcel boundary and the location of nearby bus stops indicated by the green dots near the right side of the map.



Condition(s): None

4. Whether the proposed design provides adequate emergency vehicle access;

Finding: Complies

Discussion:

The proposal is required to comply with all Fire Department requirements for access and site design. Adequate emergency vehicle access will be regulated through Fire Department review of the proposed development.

Condition(s): None

5. Whether loading access and service areas are adequate for the site and minimize impacts to the surrounding area and public rights-of-way.

Finding: Complies

Discussion:

The site is required to provide loading and services areas in compliance with City Code Chapter [21A.44](#) Off Street Parking, Mobility, and Loading. The required loading area for the proposed commercial use will be provided on the northern facade of the commercial building closest to Indiana Ave. This loading area will meet minimum size requirements and will not be visible from the street.

Condition(s): None

F. Existing Site Features: The proposed planned development preserves natural and built features that significantly contribute to the character of the neighborhood and/or environment.

Finding: Not Applicable

Discussion:

There are no existing site features, nature or built, that significantly contribute to the character of the neighborhood and/or environment.

Condition(s): None

G. Utilities: Existing and/or planned utilities will adequately serve the development and not have a detrimental effect on the surrounding area.

Finding: Complies

Discussion:

The infrastructure in this area is lacking and will require significant upgrades to accommodate the development of the village. The City has the ability to provide services to the subject property. Substantial infrastructure and utility improvements are planned to be constructed in conjunction with development of the site. Public Utilities and other pertinent City departments have reviewed the proposal and provided information and requirements to the applicant on the needed improvements.

Condition(s): None

Attachment F: Department Review Comments

This proposal was reviewed by the following departments. Any requirement identified by a City Department is required to be complied with.

Transportation Becca Roof (becka.roof@slcgov.com)

To coordinate with the 9-Line Trail and other West of Redwood Trails, these plans should show:

- Along Indiana Avenue: the location of the curb, gutter, and sidewalk, as well as the alignment and designated space for the sidewalk to be widened for a future trail. That is, the location of the curb, gutter, and sidewalk should anticipate the final trail.
- In the development: A proposed location for the trail running through the “public space” part of the development just north of the UP right of way, to provide connectivity to the trail to the Public Lands building and Orange Street Triangle Transit Hub. This need not be constructed by TOSA but an alignment should be agreed upon and the location designated in this drawing. Please see below two potential routes.
- Also, I believe bicycle parking will be required as part of this development, and ideally should be provided on each unit’s porch (enclosed bike locker?) or accommodated in the living room design. Part of the supportive services for this population could include the availability of a bicycle. Organizations such as the Bicycle Collective will give an individual a bicycle and a lock. However, the Bicycle Collective has a one bicycle per person policy. That is, each person receives one lifetime bicycle. This is to prevent the bicycle being sold and then the person coming back for a new bicycle. This is also to encourage people to lock and take care of their bicycle, as of course things that are free are often not valued.



Public Utilities Kristeen Beitel (kristeen.beitel@slcgov.com)

- Bioswale/detention requirements and location of ponds (see attached plans) **I don't see any issues with what is shown on the current plans; however, I cannot provide formal review or approval without the required Technical Drainage Study as a supplement to the plans. The study will detail sizing of the ponds that is essential for final review. This will need to be submitted for building permit.**
- Sewer easement – there was some discussion at their DRT meeting about a sewer easement approximately 350 ft. west of the eastern property line that was approximately 42. Ft wide. Do the attached plans meet PU requirements for this easement? **I would like to see the existing sewer main and easement more clearly shown and labelled on all site plans.**
- Any specific requirement from Public Utilities that would cause revision to the current plans **It looks like the plans have addressed any issues identified at this point. Building permit application will initiate our formal review.**
-

Project review in the DRT meeting is for information only and does not provide official project review or approval. Comments are provided to assist in design and development by providing guidance for project requirements.

- *All utilities must meet horizontal and vertical clearance requirements. Water and sewer lines require 10 ft minimum horizontal separation and 18" minimum vertical separation. Sewer must maintain 5 ft minimum horizontal separation and 12" vertical separation from any non-water utilities. Water must maintain 3 ft minimum horizontal separation and 12" vertical separation from any non-sewer utilities.*
- *There are two existing street lights along the Indiana frontage, which will be required to remain lit during construction. If damaged, the contractor will be required to fix the street light at developers' expense. Street lighting on public roadways will need to meet the current street light standards.*
- *Applicant must provide fire flow, culinary water, and sewer demand calculations to SLCDPU for review. The public sewer and water system will be modeled with these demands. If the demand is not adequately delivered or if one or more reaches of the sewer system reach capacity as a result of the development, a water/sewer main upsizing will be required at the property owner's expense.*
- *There is a 2" culinary meter to the property connected to the 8" cast iron water main in Indiana Avenue. This will need abandoned at the water main or converted to an irrigation meter.*
- *The proposed configuration of utilizing an FM meter for fire/culinary service will require a looped system. This would require two FM meters and two separate connections to the public water main in Indiana. Otherwise, three connections will be required – two detector check valves and one culinary meter. This would require a designated fire line running through the site and a designated culinary line.*
- *All water meters must be located a minimum of 3 feet outside of proposed drive approaches, sidewalks, or drivable surfaces. Meters must be located in the public right-of-way. If this clearance is not attainable for the entire vault, the lid must meet these requirements and vault location/orientation will be reviewed for acceptability.*
- *There is a 42" sewer trunk line that runs through this property from the south to north approximately 350 feet west of the east property line. A maintenance and access easement will be required to be retained for this sewer main. This will need to be 40 feet wide with no building within the easement and improved access along the pipe. Direct connections to this main will not be possible, however an 8" sewer could be connected to one of the manholes to provide service to this development.*

- *Any food and beverage processing, preparation, or service requires grease removal prior to discharge to the public sewer system. Treatment must be provided such that the discharge limit of 500 mg/L of FOG (fats, oils, and grease) is achieved.*
- *Site stormwater must be collected on site and routed to the public storm drain system. Stormwater cannot discharge across property lines or public sidewalks.*
- *As this project disturbance is over one acre, stormwater treatment is required prior to discharge to the public storm drain. Utilize stormwater BMP's to remove solids and oils. Green Infrastructure and LID treatment of stormwater is a design requirement and required by the Salt Lake City UPDES permit for the MS4. The applicant will need to provide options for stormwater treatment and retention for the 80th percentile storm.*
- *Stormwater detention is required for this project. The allowable release rate is 0.2 cfs per acre. Detention must be sized using the 100-year 3-hour design storm using the farmer Fletcher rainfall distribution. Provide a complete Technical Drainage Study.*
- *A SWPPP is required for this project.*

Engineering Scott Weiler (scott.weiler@slcgov.com)

Given the unknowns with the proposed 9-Line Trail, I don't want to make that design process more complicated. However, once the alignment of the trail/sidewalk is known, perhaps that will also answer whether the trail users will have priority over vehicles at the two proposed intersections of Indiana. In other words, the question is if the trail users will drop down approx. 6" to a gutter elevation when crossing the two private streets. If that is the case, then I typically require the designer to show spot elevations and dimensions on those pedestrian ramps to demonstrate compliance with ADA Guidelines for slope and detectable warning surfaces.

My other review comments are:

- I don't need to review the design of anything for TOSA other than the public improvements in Indiana Avenue.
- The proposed curb & gutter in Indiana Ave. should be designed to at least a 0.50% longitudinal slope along the project's frontage.
- The public way improvements in Indiana Ave. are to meet APWA Standards, with the possible exception of the material to build the 9-Line Trail/sidewalk.
- Prior to performing work in the public way, a Permit to Work in the Public Way must be obtained from SLC Engineering.

Police Andrew Cluff (andrew.cluff@slcgov.com)

I am a fan of the proposed fencing style and plan. It fits well within the current CPTED guidelines. Regarding the street lighting, I would recommend adding one additional street light closer to the Southwest Entrance. From the photometric plan it appears that the current lighting won't even reach the two gates on that side and would make residents easier targets as it will be mostly in the dark unless I am mistaken. I also didn't see a lighting layout for within the residentially fenced area. I would hope that all walkways are lit at night.

Very robust landscaping plan. I think this will be a great development. The only other thing I would add is to consider meeting with police community officers to further an ongoing relationship. We are encouraged by this project and hope to incorporate these individuals into the community. One way to do that is to get involved and we have a great community officer who can try to help facilitate this. Also it would be good to discuss a procedure or protocol for access to the site should police or medical be required for any issues that may arise.

Attachment G: 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 since the applications were submitted:

- March 2nd, 2023 – Notice was sent to the Glendale and Poplar Grove Community Council to commence the 45-day required early engagement period for recognized community organizations. Neither organization provided comment on the proposal.
- March 3rd, 2023 - Property owners and residents within 300 feet of the development were provided early notification of the proposal.
- March 6th, 2023 - The project was posted to the Online Open House webpage.
- March 15th, 2023 – The Glendale Community Council held a community meeting. The applicant and Staff attended, presented the proposal, and answered questions from members of the community.

Notice of the public hearing for the proposal included:

- April 28th, 2023
 - Public hearing notice sign posted on the property
 - Public hearing notice mailed
 - Public notice posted on City and State websites and Planning Division list serve

Public Input:

As of the publication of the Staff Report, Staff has received no public comment on the proposal. Any public comments received after publication of the staff report will be forwarded to the Planning Commission.

Attachment H: Ordinance 71 of 2022 Rezoning the property with conditions

SALT LAKE CITY ORDINANCE No. 71 of 2022

(Amending the zoning map pertaining to a portion of a City-owned parcel of property located at 1850 West Indiana Avenue and a portion of a City-owned parcel located at 1965 West 500 south to rezone the parcel from PL Public Lands to FB-UN2 Form Based Urban Neighborhood)

An ordinance amending the zoning map pertaining to a portion of a City-owned parcel located at 1850 West Indiana Avenue and a portion of a City-owned parcel located at 1965 West 500 South to rezone the property from PL Public Lands to FB-UN2 Form Based Urban Neighborhood pursuant to petition number PLNPCM2021-00787.

WHEREAS, Tim Stay, CEO of the Other Side Academy submitted an application to rezone a portion of a City-owned parcel located at 1850 West Indiana Avenue and a portion of a City-owned parcel located at 1965 West 500 South, as more particularly described in “Exhibit A” attached hereto and incorporated by reference (the “property”), to rezone the property from PL Public Lands to FB-UN2 Form Based Urban Neighborhood pursuant to petition number PLNPCM2021-00787 (the “petition”); and

WHEREAS, at its October 27, 2021 meeting, the Salt Lake City Planning Commission held a public hearing and voted in favor of forwarding a positive recommendation to the Salt Lake City Council on said petition; and

WHEREAS, after a public hearing on this matter, the city council has determined that adopting this ordinance is in the city’s best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending the Zoning Map. The Salt Lake City zoning map, as adopted by the *Salt Lake City Code*, relating to the fixing of boundaries and zoning districts, shall be and hereby is amended to reflect that a portion of the City-owned parcel located at 1850 W Indiana Avenue (Tax ID No. 15-10-101-001-0000) and a portion of the City-owned property located at

1965 West 500 South (Tax ID No. 15-03-351-003-0000), more particularly described on Exhibit "A" attached hereto and incorporated by reference, is rezoned from PL Public Lands to FB-UN2 Form Based Urban Neighborhood.

SECTION 2. Conditions. This proposed zoning map amendment requires any development on the property to include a minimum 15-foot setback along the eastern property line, with trees planted approximately every 30 feet along such property line.

SECTION 2. Effective Date. This Ordinance shall take effect immediately after it has been published in accordance with Utah Code §10-3-711 and recorded in accordance with Utah Code §10-3-713.

Passed by the City Council of Salt Lake City, Utah, this 18th day of October, 2022.

Dan Dugan
Dan Dugan (Nov 9, 2022 08:35 MST)

CHAIRPERSON

ATTEST AND COUNTERSIGN:

[Signature]

CITY RECORDER



Transmitted to Mayor on Nov 9, 2022.

Mayor's Action: Approved. Vetoed.

[Signature]
Erin Renkenhall (Nov 14, 2022 13:51 MST)

MAYOR

[Signature]

CITY RECORDER

(SEAL)

Bill No. 71 of 2022

Published: November 21, 2022.

APPROVED AS TO FORM

Salt Lake City Attorney's Office

Date: Nov 8, 2022

By: [Signature]
Kimberly Chytraus (Nov 8, 2022 22:45 MST)

Kimberly Chytraus, Senior City Attorney

Exhibit "A"

Legal description of the property parcels:

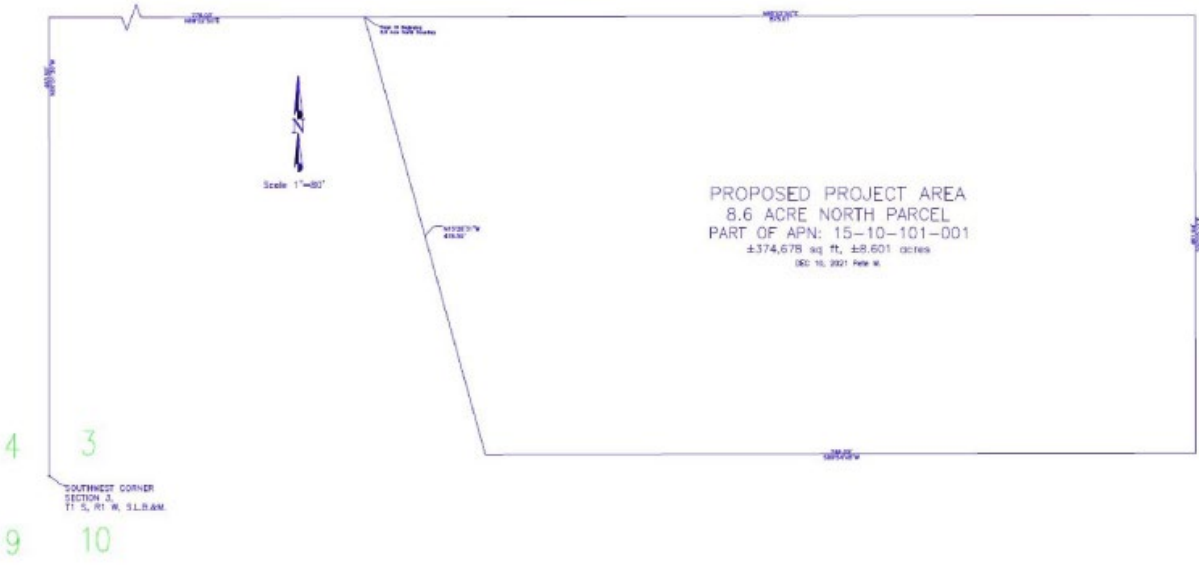
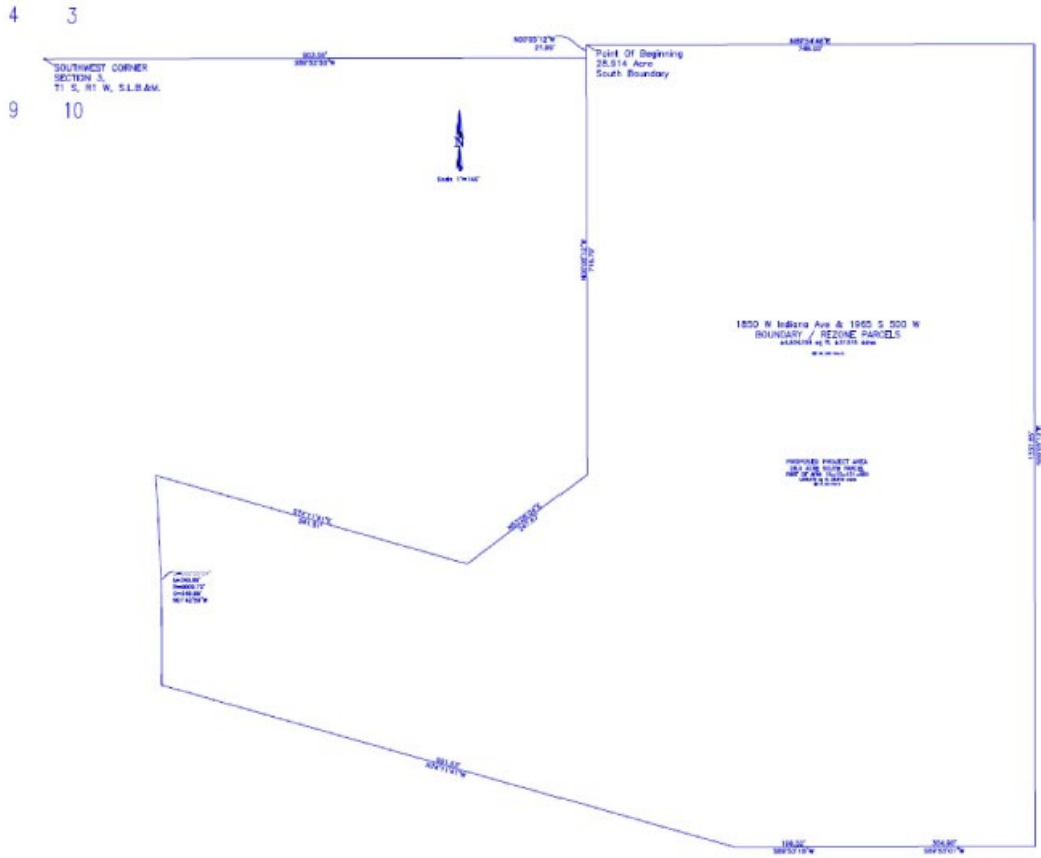
Tax ID No 15-10-101-001-0000 - Identified as 1850 West Indiana Avenue

A part or portion of that certain property as described in the Warranty Deed recorded September 2, 1944 as Entry No. 983619 in the Office of the Salt Lake County Recorder, located in the Southwest Quarter of Section 3 and the Northwest Quarter of Section 10, Township 1 South, Range 1 East, Salt Lake Base and Meridian, more particularly described as follows: BEGINNING at a point located 903.56 feet North 89°52'50" East and North 00°05'12" West 21.99 feet from the Salt Lake County Survey monument found marking the Southwest Corner of Section 3, Township 1 South, Range 1 East, Salt Lake Base and Meridian; thence North 89°54'48" East 748.00 feet; thence South 00°05'12" East 1337.85 feet to the Northerly right of way line of Indiana Avenue; thence South 89°53'01" West 304.90 feet along said line; thence South 89°53'18" West 198.52 feet along said line to the Northeasterly line of the Union Pacific Railroad right of way, thence North 74°11'41" West 991.63 feet along said line to the Easterly right of way of Interstate 215 and a point of non-tangency with a 4009.72 foot radius curve to the left (radius point bears North 89°12'57"W); thence northerly 350.00 feet along the arc of said curve through a central angle of 05°00'04" (chord bears North 01°42'59" West 349.89 feet); thence South 74°11'41" East 541.51 feet; thence North 53°06'04" East 247.67 feet; thence North 00°05'12" West 716.70 feet to the POINT OF BEGINNING.
Contains ± 28.914 acres, ± 1,259,476 sq. ft.

Tax ID No. 15-03-351-003-0000- A portion of 1965 West 500 South

A part or portion of that certain property as described in the Warranty Deed recorded September 2, 1944 as Entry No. 983619 in the Office of the Salt Lake County Recorder, located in the Southwest Quarter of Section 3 and the Northwest Quarter of Section 10, Township 1 South, Range 1 East, Salt Lake Base and Meridian, more particularly described as follows: BEGINNING at a point located 483.50 feet North 00°01'30" West along the West line of the said Section 3, and 776.03 feet North 89°52'50" East from the Salt Lake County Survey monument found marking the Southwest Corner of Section 3, Township 1 South, Range 1 East, Salt Lake Base and Meridian, running thence North 89°52'50" East 875.01 feet to and along the South line of that certain parcel described in Entry No. 13021960 in the Office of the Salt Lake County Recorder; thence South 00°05'12" East 461.94 feet; thence South 89°54'48" West 748.00 feet; thence North 15°28'31" West 478.59 feet to the POINT OF BEGINNING.
Contains: ± 8.601 Acres, ± 374,678 SQ. FT.

Both of these descriptions are graphically represented on the following pages.



Attachment I: Resolution 32 of 2022 Outlining Development Terms

RESOLUTION NO. 32 OF 2022

(Authorizing the Lease Rate and Term for The Other Side Village Pilot Project located at 1850 West Indiana Avenue, Salt Lake City)

WHEREAS, The Other Side Academy (“TOSA”), a Utah nonprofit corporation, desires to develop a community of small homes, community space, support services, and commercial uses to provide affordable housing and life skill development for the City’s unsheltered population, to be known as The Other Side Village (the “Project”); and

WHEREAS, the first phase of the Project (the “Pilot Project”) will include affordable housing, supportive services, community space, social enterprise buildings, and additional tiny homes to be offered as nightly rentals, as further described on the attached term sheet (the “Term Sheet”); and

WHEREAS, TOSA and the City desire to locate the Pilot Project on approximately 8 acres of the real property owned by the City and located at 1850 West Indiana Avenue, Salt Lake City (the “Pilot Site”);

WHEREAS, the primary beneficiaries of the construction of the Pilot Project will be individuals experiencing chronic homelessness who are transitioning into housing as part of the City, County, and State’s efforts to address the homelessness and housing crisis in Salt Lake City; and

WHEREAS, a below-market ground lease to TOSA will facilitate the development of the Pilot Project, which would otherwise be financially unfeasible; and

WHEREAS, the City is willing to provide assistance to TOSA in the form of a ground lease rate for the Pilot Site in the amount of \$1.00 per year for a term of 40 years, so long as the conditions of the ground lease between City and TOSA, or another nonprofit approved by City, are met (the “Lease Fee Waiver”); and

WHEREAS, Utah Code Section 10-8-2(1)(a)(i) allows public entities to provide nonmonetary assistance and waive fees to and for nonprofit entities after a public hearing; and

WHEREAS, though Utah Code Section 10-8-2 does not require a study for such waiver or assistance, in this case the Administration voluntarily performed an analysis of the nonmonetary assistance to the nonprofit corporation (the "Analysis"); and

WHEREAS, the City Council has conducted a public hearing relating to the foregoing, in satisfaction of the requirements of Utah Code Section 10-8-2; and

WHEREAS, the Council has reviewed the Analysis, and has fully considered the conclusions set forth therein, and all comments made during the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Salt Lake City, Utah, as follows:

1. The City Council hereby adopts the conclusions set forth in the Analysis, and hereby finds and determines that, for all the reasons set forth in the Analysis, the Lease Fee Waiver is appropriate under these circumstances.

2. The terms outlined on the Term Sheet represent the approved terms for the Pilot Project, and the City Council hereby authorizes the City administration to negotiate the final terms consistent with the Term Sheet or more beneficial to the City, and execute the ground lease and any other relevant documents consistent with this Resolution and incorporating such other terms and agreements as recommended by the City Attorney's office.

Passed by the City Council of Salt Lake City, Utah, on 18th of October , 2022.



SALT LAKE CITY COUNCIL

By: Daniel Dugan
Daniel Dugan (Nov 9, 2022 17:07 MST)
CHAIRPERSON

ATTEST:

CITY RECORDER

APPROVED AS TO FORM:
Salt Lake City Attorney's Office
Kimberly Chytraus
Kimberly Chytraus (Nov 9, 2022 17:07 MST)
Kimberly Chytraus, Senior City Attorney
Nov 9, 2022

TOSV Pilot Project – Development Agreement Term Sheet

A. DEVELOPMENT AGREEMENT CONDITIONS

1. Develop the following improvements:
 - a. At least 60 tiny home residential units for permanent housing, with at least 3 units to be wheelchair accessible. Units shall be studio or one-bedroom units with private baths and kitchens.
 - b. Up to 25 additional tiny homes to be used as a Community Inn.
 - c. A ~ 2,000 square foot Neighborhood Center to house clubhouse type uses (size may be revised as appropriate for use).
 - d. A ~10,000 square foot Social Enterprise Building to house social enterprise endeavors (size may be revised as appropriate for use).
 - e. A ~12,000 square foot Community Center building to house multi-purpose space (supportive services, clinics, offices) (size may be revised as appropriate for use).
 - f. A building to house a small grocery store.
2. Obtain all required permits and approvals from City following site plan and design review and approval by City pursuant to process determined by City.
3. Comply with all applicable laws and regulations.
4. Construct all improvements as required by City, including infrastructure (utility facilities and related infrastructure; roads and curb/gutter) in compliance with the agreed upon construction schedule.
5. The different uses within the Village (residential, supportive services, social enterprise, and commercial/community inn) should be constructed alongside each other so that there are services to support occupied residences and enterprise to support operation of TOSV.
 - a. For every 10 residential units constructed, at least 7 shall be affordable units, until maximum number of staff units have been constructed.
 - b. At any one time, there will be more residential units completed than Community Inn units.
6. Completion of environmental remediation of pilot phase acreage at TOSV's cost (full payment or reimbursement to City) and receipt of Certificate of Completion or equivalent prior to issuance of certificate of occupancy.
7. Executed guaranty of up to \$5 Million from Joseph and Celia Grenny in a form acceptable to City.

B. DEFAULTS AND REMEDIES

1. Events of default under the Development Agreement may include, but are not limited to:

a. TOSV not constructing the improvements within the time limit provided for in the schedule of development

b. TOSV fails to build the improvements as required

c. TOSV fails to provide regular development reports

2. Remedies if TOSV fails to cure an event of default:

a. Terminate the ground lease with TOSV, with our option (not obligation) to purchase the improvements

b. Terminate the ground lease with TOSV, take possession of the improvements, and relet the property

c. Enforce on the performance and payment guarantees to complete the construction of the improvements

d. File a breach of contract claim (which may result in damages or specific performance)

e. Injunctive relief

f. Any other remedies available at law or equity

TOSV Pilot Project – Affordable Housing, Supportive Services, and Programming Term Sheet
(to be attached to Resolution)

A. CONDITIONS TO ENTERING INTO GROUND LEASE

1. Enter into Development Agreement on the terms in the attached term sheet.
2. City to approve financial sources and uses.
3. Firm financial commitments for source of funding and donations consistent with the schedule of development.
4. Operating budget guaranty from TOSA in form acceptable to City.

B. GROUND LEASE CONDITIONS

1. Completion of development in compliance with the Development Agreement and continued operation of Village as described in this term sheet.
2. Completion of environmental remediation of pilot phase acreage at TOSV's cost (full payment or reimbursement to City) and receipt of Certificate of Completion or equivalent as a condition to receiving certificate of occupancy.
3. Continual operation of the residential units and supportive services during the lease term.
4. Inclusion of all standard City contracting terms, as well as other terms reasonably recommended by the City Attorney to meet Council intent.
5. Firm commitment letters or contracts from service providers (medical, dental, mental health/behavioral health, and case management) prior to occupancy by residents.
6. Within 12 months of entering into the ground lease, TOSV will begin landscaping the property and contribute to the beautification of the neighborhood.

C. BUILDING REQUIREMENTS

1. Residential Units. TOSV shall develop and maintain the Site to include a minimum of 60 tiny home units as permanent housing. Of the total units:
 - a. Up to 10% (not more than 6 units) may be unrestricted in rent and occupancy for utilization as staff living quarters.
 - b. A minimum of 90% (at least 54 units) shall be available and affordable to individuals or families meeting the occupancy requirements described in this term sheet (the "Affordable Units"). The Ground Lease will restrict the affordability of these units.
 - c. At least 3 affordable units shall be ADA compliant/wheelchair accessible, and more affordable units will be made ADA compliant to meet resident needs.
 - d. Units shall be studio or one-bedroom units with private baths and kitchens, fully furnished including housewares, maintained in good repair and compliant with applicable law.

2. Up to 25 additional tiny homes may be used as a Community Inn offered as nightly rentals to generate income for TOSV operations.
3. A ~ 2,000 square foot Neighborhood Center to house clubhouse type uses for TOSV residents (size may be revised as appropriate for use).
4. A ~10,000 square foot Social Enterprise Building to house social enterprise endeavors that generate income for the TOSV operations (size may be revised as appropriate for use).
5. A ~12,000 square foot Community Center building to house multi-purpose space, and supportive services for TOSV residents including a medical clinic, a mental health clinic, a social services clinic, administrative offices, and a security office (size may be revised as appropriate for use).
6. A small grocery store that sells grocery food and food ingredients (such as milk, eggs, bread, and fruits and vegetables), and not solely convenience, prepared, or “junk” foods.

D. OCCUPANCY REQUIREMENTS

1. Tenant Eligibility. The primary purpose of the Village is to provide housing for qualified residents. TOSV must place into the Affordable Units individuals and families that meet the HUD-adopted definition of chronically homeless and homeless, prioritized as follows:
 - a. TOSA shall first make the units available to persons or families that meet HUD’s definition of chronically homeless as defined in section 401(2)(A) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(9)). In general, to meet this definition, a chronically homeless person or family’s head of household must be sleeping in a place not meant for human habitation or living in a homeless emergency shelter or safe haven, have a disabling condition, as defined in section 401(9) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(9)), and
 - i. be continuously homeless for a year or more, OR
 - ii. have had at least four episodes of homelessness in the past three years as long as the combined occasions equal at least 12 months.
 - b. If there are units available and no applications from chronically homeless individuals, TOSV may lease units to vulnerable homeless individuals, as “homeless” is then-currently defined by HUD, provided that applicants who have been homeless for the longest periods of time immediately preceding their application or who demonstrate the highest vulnerability utilizing the VI-SPDAT (Vulnerability Index–Service Prioritization Decision Assistance Tool) or similar assessment are given priority over applicants who have been homeless for lesser periods of time.
 - c. A prospective tenant must have an annual income that is 30% or below of the area median income for Salt Lake City Utah, HUD Metro FMR Area as adjusted for household size.
 - d. For purposes of clarity, a resident must meet the eligibility requirements before acceptance into the Welcome Center. Residency/participation in the Welcome Center or in other TOSA programs will not satisfy the homeless definitions. TOSA intends to prioritize street outreach efforts to find resident applicants along the Jordan River and in westside neighborhoods, also with homeless resource centers, service providers, and through government agencies.

2. Tenant Selection.

a. The Affordable Units shall be made available pursuant to federal and state fair housing laws and HUD guidance, including the following:

i. TOSV may establish admission preferences, including a preference for individuals with a commitment to sobriety, but may not deny housing to protected classes pursuant to federal and state fair housing laws.

ii. TOSV may regulate the occupancy of units based on unit size but may not unreasonably limit the ability of families with children to obtain housing.

b. TOSV must develop and make public written tenant selection policies and procedures that include descriptions of the eligibility requirements. The Tenant Selection Plan must include evidence of a contractual partnership with service provider(s) and whether there is a restriction or preference in the admission of tenants. The restriction or preference must cite the supporting documentation to ensure inclusion and nondiscrimination in the selection of tenants.

c. TOSV will ensure that all applicants for housing in the Village will go through the coordinated entry process used by the Salt Lake Valley Coalition to End Homelessness to ensure coordination and efficiency with the current homelessness services system.

d. TOSA also will enter any new resident into the Homeless Management Information System ("HMIS") coordinated entry system.

e. Preference will be given to Salt Lake City residents for placement into the development.

3. Maximum Rents. The annualized rent (which includes all required housing costs such as utilities and other charges uniformly assessed to all Affordable Units, other than charges for optional services) per unit shall be set forth in a written lease and shall not exceed, for the term of the lease, 30% of the annual income limit for individuals and households with a maximum AMI of 25% AMI for the applicable Unit Type (i.e. studio or bedroom number).

4. Tenant Lease Requirements.

a. Leases shall be provided on a 12-month lease term, with the intent that tenants may live in their homes as long as they meet the basic obligations of tenancy without a time limitation.

b. TOSV shall comply with local, state, and federal laws, including the federal fair housing act, when approving applicants as tenants, evicting, terminating a lease, or providing a notice to quit.

c. TOSV must incorporate specific provisions into the lease agreement for each eligible tenant of the Affordable Units that establish the tenant's obligation to provide accurate information regarding household income and composition.

5. Occupancy by residents as soon as reasonably practicable following receipt of certificates of occupancy (or equivalent).

E. RECORD-KEEPING AND ANNUAL REPORTING REQUIREMENTS

1. Upon execution of a lease, TOSV must verify and document the tenant's annual (gross) income.
2. TOSV must re-examine the income and household composition of tenants on an annual basis.
3. TOSV must submit annual compliance reports to the City. These reports shall document the occupancy and show whether TOSA is in compliance with tenant eligibility requirements.
4. TOSV must provide the City a written certification of compliance when the pilot project reaches initial compliance and then with each annual report.
5. TOSV must provide the City with a report showing the number of total applications, number of applications who were approved for a lease, the number of residents who leave the Welcome Center and the number that move into the Village, the number of residents who leave the Village and the reason (obtained other permanent housing, lease nonrenewal by TOSV, eviction).
6. TOSV must provide other reports that may be reasonably requested by the City to confirm compliance with the requirements of the Ground Lease.

F. SUPPORTIVE SERVICES

1. The pilot project will include supportive services to assist homeless persons in transitioning from homelessness, and to promote the provision of supportive housing to enable homeless persons to live as independently as possible.
2. Supportive services will include on-site case coordination or management that ensures tenants' access to a wide variety of services and on-site location of services provided by professional service providers as evidenced through an agreement.
3. Services shall be made available on a flexible and voluntary basis and may address the following: mental health, substance and alcohol use, health, case management, independent living skills, employment, peer support, and community involvement and support. Physical and mental health providers shall have the appropriate licenses, which other services may be provided by those with appropriate training and following industry best practices.
4. Transportation to off-site supportive services must be provided when not available on-site.
5. Resident participation in the supportive services is on a voluntary basis.
6. Information will be made readily available to tenants regarding tenant rights and housing laws and will have the information displayed in a visible location.

G. PROGRAMMING

The pilot project will include programming that includes peer mentoring and the life skill development. This will include opportunities for residents to obtain employment experience by working in a social

enterprise to the best of their ability. While participation in these employment activities shall be encouraged, it is not a condition of living in the pilot project.

H. SOCIAL ENTERPRISES

1. TOSV intends to generate revenue to support the Village through operation of social enterprise businesses that will be located on-site. These businesses are anticipated to be a motel (Community Inn), thrift store, and a cookie manufacturing. The businesses may change over time.

2. In addition to generating revenue to cover operating costs, these businesses will provide critical job training opportunities for residents. The Community Inn will include 25 stand-alone tiny homes offered as nightly rentals for the general public, thereby providing lodging opportunities for Pilot Project visitors and volunteers.

3. Participation in employment opportunities and social enterprises by residents is strictly voluntary.

4. Employment of residents complies with all applicable laws, including all employment and non-discrimination laws.

I. OTHER LEASE TERMS

1. Term. The term of the lease will be forty (40) years with an option to renew the lease within the last year of the lease subject to approval by the Salt Lake City Council for the reduced lease rate.

2. Rate. The lease rate for the property will be \$1 per year for the term of the lease.

3. Right of First Offer. City will not allow a 3rd party to use or develop the remaining adjacent property during the construction of the pilot project and for 3 years of operation of the Village following completion of the pilot project. During that time, TOSA shall hold a right of first offer and may offer to lease the adjacent property on terms and conditions agreed to with the City.

4. Maintenance. TOSA shall maintain all improvements within the Village, including buildings, homes, street, gutter, storm drains, etc. in a good condition, consistent with applicable laws and regulations. Residential units shall be maintained in a manner that is decent, safe, and sanitary and meet at least the minimum Housing Standard Requirements. Maintenance shall include all necessary and desirable repairs, snow removal, trash removal, and landscaping maintenance.

6. City will not provide further financial contribution to operation of Village. Any future phases must be approved by City Council.

7. Adequate security measures for Village and surrounding community.

8. Ongoing operation of a small grocery store that sells grocery food and food ingredients (such as milk, eggs, bread, and fruits and vegetables), and not solely convenience, prepared, or “junk” foods. May be operated by a 3rd party operator.

J. DEFAULTS AND REMEDIES

1. Events of default under the Ground Lease may include, but are not limited to:

- a. TOSV fails to operate the Village as required
 - b. TOSV fails to comply with the terms of the Ground Lease
 - c. TOSV fails to provide regular operating reports
 - d. TOSV fails to report to City as required
2. Potential remedies if TOSV fails to cure an event of default:
- a. Charge TOSV fair market rent for the leased property
 - b. Terminate the ground lease with TOSV, with an option (not obligation) to purchase the improvements
 - c. Terminate the ground lease with TOSV, take possession of the improvements, and relet the property
 - d. File a breach of contract claim (which may result in damages or specific performance)
 - e. Injunctive relief
 - f. Any other remedies available at law or equity

K. REVIEW FOR PROJECT COMPLIANCE

Not more than annually and in connection with an annual report, City may request additional information from TOSV to evaluate if the Village is compliant with the Ground Lease and meeting the purposes of the approved public benefit analysis. The City will consider three primary topics in its review:

1. Financial feasibility, successfully generating sufficient positive cashflow to maintain and grow its operations. The City may consider relevant information, which may include, but is not limited to the following:

- a. Development viability – Funding and construction of the agreed-upon capital improvements.
- b. Operating viability – Development of revenue generating endeavors that provide for the financial self-sufficiency of TOSV, including adequate location space and funding to support on-site supportive services by 3rd party providers.

2. Social outcomes of the target populations, reducing the number of chronically homeless individuals and improving the well-being of residents. The City may consider relevant information, which may include, but is not limited to the following:

- a. Housing Accessibility – Number of chronically homeless and homeless individuals that successfully obtain housing within the Welcome Center and Village.
- b. Length of Stay – Average days that TOSV residents successfully maintain housing in the Welcome Center and/or Village.

- c. Returns to Homelessness – The extent to which TOSV residents return to homelessness from being housed within the Welcome Center and/or Village.
 - d. Employment – Percent of TOSV residents that successfully obtain and retain employment, recognizing that residents may not be able to participate in employment.
 - e. Income Growth – Percent of income growth for TOSV residents, if any.
 - f. Service Provider Partnerships – The extent to which TOSV establishes partnerships with services providers to provide on-site and offsite supportive services.
 - g. Housing Referral Partnerships – The extent to which TOSV establishes partnerships with service providers for housing referrals.
3. Community impact at the neighborhood level, the Village’s impact on the surrounding community. The City may consider relevant information, which may include, but is not limited to the following:
- a. Community Amenities – The successful development and operation of agreed-upon community amenities, including a small grocery store.
 - b. Public Safety – The number of Police calls and cases within the Village, and other metrics of public safety.
 - c. Code Enforcement – The number of enforcement cases.
 - d. Environmental – The extent to which TOSA completes the necessary environmental mitigation for the planned land uses.