

# Staff Report

PLANNING DIVISION

To: Salt Lake City Planning Commission

From: Trevor Ovenden, Principal Planner

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**Date:** October 25, 2023

**Re:** Woodland Commons Phase 2, Woodland Commons Phase 1 (Major Modification)

PLNPCM2023-00538, PLNPCM2023-00462, PLNPCM2023-00461

## General Plan Amendment, Zoning Map Amendment, Planned Development

**PROPERTY ADDRESS:** 2445 & 2435 S 500 E

PARCEL ID: 16-19-428-002-0000 MASTER PLAN: Sugar House

**ZONING DISTRICT:** R-1/7,000 Single-Family Residential &

RMF-35 Moderate Density Multi-Family Residential

### **REQUEST:**

Gray Willow LLC, property owner, is proposing to rezone the property at 2445 S 500 E and build eight new townhomes. The townhomes will be subdivided onto individual lots and sold separately. The house at this address will be demolished and replaced with the new development. The proposal is subject to the following Planning petitions:

- **General Plan Amendment (PLNPCM2023-00538)** The applicant is requesting to amend the future land use designation of this property from "Low Density Residential" (5-10 units/acre) to "Medium Density Residential" (8-20 dwelling units/acre) to facilitate the Zoning Map amendment request.
- **Zoning Map Amendment (PLNPCM2023-00462)** The applicant is requesting to rezone the property from R-1/7,000 Single-family residential to RMF-35, Moderate Density Multi-Family. Both zoning amendment requests require approval by the City Council before the townhomes can be built.
- **Planned Development (PLNPCM2023-00461)** Planned Development approval is required because the proposal would require modifications to multiple zoning and subdivision requirements.

This is the second phase of the Woodland Commons Planned Development. The first phase is located at 2435 S 500 E, immediately to the north of 2445 S. The Phase 1 approval is discussed in the Background section below.

#### **RECOMMENDATION:**

Based on the information and findings listed in the staff report, it is the Planning Staff's opinion that the request generally meets the applicable standards of approval and therefore recommends the Planning Commission approve the Planned Development request and forward a positive recommendation to the City Council for the proposed Zoning and Master Plan Map Amendment. Staff recommends the following conditions related to the Planned Development approval:

- 1. Approval of the zoning amendment request by the City Council.
- 2. A preliminary plat must be processed, and a final plat recorded. The plat must be consistent with the development plan approved by the Planning Commission.
- 3. The applicant shall submit a cost estimate and associated documentation assuring shared infrastructure maintenance in compliance with <a href="https://example.com/21A.55.110">21A.55.110</a> of the Zoning Ordinance with the final plat application.
- 4. Documentation that establishes an entity to manage the private infrastructure for the subdivision shall be recorded with the final plat.
- 5. Final approval of the details for lighting, landscaping, and street trees shall be delegated to staff for verification during the building permit review.

### **ATTACHMENTS:**

- A. ATTACHMENT A: Vicinity Map
- **B.** ATTACHMENT B: Submitted Materials
- C. ATTACHMENT C: Property and Vicinity Photos
- D. ATTACHMENT D: Zoning Amendment Standards
- E. ATTACHMENT E: Zoning District Comparison
- F. ATTACHMENT F: Development Standards
- **G.** ATTACHMENT G: Planned Development Objectives and Standards
- H. ATTACHMENT H: Public Process & Comments
- I. ATTACHMENT I: Department Review Comments

### **Quick Facts**

Height: 29' - 9" (3 stories)

Number of Residential Units: 28 units

Parking: 2 stalls per unit, 56 total

**Project Area:** 1.32 acres/57,315.4 sq ft

Phase 1: 0.98 acres/42,505 sq ft

Phase 2: 0.34 acres/14,810.4 sq ft

Proposed Building Materials: Masonry on the ground level, and a mix of metal paneling and composite wood siding on the upper levels.



Rendering provided by applicant

### PROJECT DESCRIPTION



### **Background**

The Woodland Commons project includes the construction of 28 townhomes split into two phases. The 28 townhomes will be built within 7 buildings. Two of the buildings will have frontage on 500 East and one will have frontage on Warnock Ave. Four of the seven buildings will not have frontage on a public street and will be accessed by a private drive which is proposed to run through the property, connecting 500 East on the west side of the site to Warnock Avenue on the east side. The individual townhome units will be subdivided onto their own lots which will not have frontage on a public street.

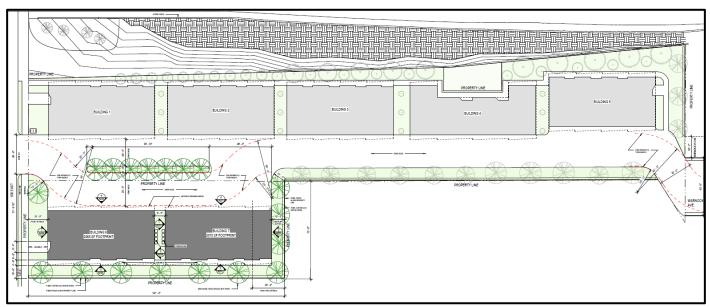
The first phase has already received planning approval which includes 20 townhomes at 2435 South. The Phase 1 property was rezoned from R-1-7,000 to RMF-35 in 2022 and received Planned Development approval for zoning modifications similar to those requested with this proposal. The Phase 1 modifications are primarily due to the unique shape of the site which is generally long and narrow. Of the six requested modifications, four are related to setback reductions. Information regarding the Phase 1 approvals can be found in the following staff reports:

- General Plan and Zoning Map Amendments: (PLNPCM2021-01041 & PLNPCM2021-01042)
- Planned Development: (PLNPCM2022-00864)

After these petitions were approved, the applicant purchased the Phase 2 property (2445 S 500 E) to facilitate an expansion of the original project. This required the applicant to submit new applications which have been processed with this staff report. The development plan from Phase 1 will be modified to include the Phase 2 property. This staff report has analyzed both phases together as a single project.

The current proposal is for Phase 2 of the development. This phase requires a zoning amendment and a modification to the original Planned Development in order to incorporate Phase 1 and Phase 2 into one single development.

### **Phase 2 Project Description**



Phase 2 Site Plan

As stated above, the petitions currently presented to the Planning Commission are for Phase 2 of the Woodland Commons development. This phase will include 8 townhomes built within 2 buildings at 2445 S 500 E. The buildings will appear nearly identical and have similar setbacks to those proposed with Phase 1. This Planned Development application is also required for a "Major Modification" to Phase 1. The following is required in order to accommodate this phase of the project:

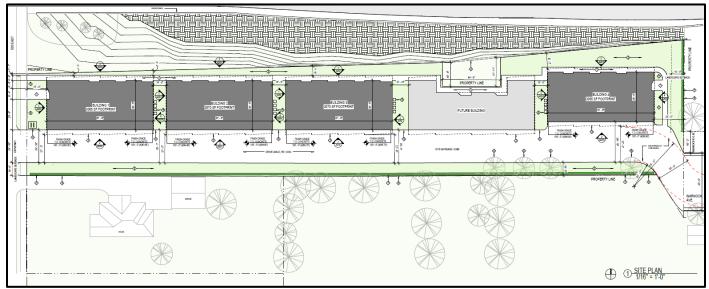
### General Plan Amendment and Zoning Map Amendment

Similar to the Phase 1 approval, the applicant has requested to amend the Zoning Map and General Plan applicable to this site to allow for the construction of townhomes. The General Plan applicable to this site is the <u>Sugar House Master Plan</u>. The Future Land Use map on page 12 of the plan designates this the Phase 2 property (2445 S) as "Low Density Residential" (5-10 units/acre), which does not support the applicant's request to rezone this property to RMF-35. So, the applicant is petitioning to amend the future land use designation of this property to "Medium Density Residential" (8-20 dwelling units/acre), which would support the Zoning Map amendment request. While the zoning amendment requests are related only to the Phase 2 property, the Planned Development request considers both phases of the project together as a single site.

The Phase 2 property is currently zoned R-1/7,000 which does not allow for single-family attached dwellings (townhomes) per table <u>21A.33.020</u> of the City's zoning ordinance, so the property will need to be rezoned before the townhomes can be built. Both zoning amendment requests require approval by the City Council.

### Major Modification to Phase 1 Planned Development Approval

As mentioned above, the development plan from Phase 1 will be modified to include the Phase 2 property. This is considered a "Major Modification" to the Phase 1 Planned Development approval per provision 21A.55.100.C of the City's zoning ordinance and requires approval by the Planning Commission. The Phase 1 site plan (below) included a 10' wide landscape buffer along the south side of 2435 S. The applicant is now proposing to replace a portion of the landscape buffer that abuts 2445 S with a smaller landscaped island to allow both phases of the project to be accessed by a single curb cut. The applicant is also requesting an additional reduction of the freeway scenic landscape setback of approximately one foot, and proposing buildings that are slightly larger than what was approved with the Phase 1 Planned Development. Additionally, the applicant is requesting modifications to several dimensional zoning requirements that are necessary to subdivide the townhome units onto individual lots.



Phase 1 Site Plan

### **Zoning Modifications**

The applicant is also requesting several zoning modifications for the Phase 2 property similar to those approved for Phase 1. Requested zoning modifications are discussed in <u>Key Consideration</u> 1.

### **Existing Conditions**

This area is comprised mostly of single-family homes and few low-density, multi-unit buildings. The subject site fronts on 500 East, directly adjacent to the I-80 freeway to the north. A vacant house at 2435 S has recently been demolished. There is also a vacant house at 2445 S that will be demolished to allow for development at this site. To the east is large field behind an LDS church that fronts on 600 East. There is a detached single-family home to the south, and a fourplex across the street to the West. Vicinity photos can be found in <u>Attachment C</u>.

### **Transportation**

500 East is served by UTA bus route 205, which is slated for Frequent Transit Network (FTN) service upgrades. The 500 East S-Line station is about .3 miles away to the north. A State-owned arterial road, 700 East, is approximately one block from the site. The 700 East I-80 freeway onramp is approximately .25 miles away but requires driving at least .5 miles because of the 700 East median.

### **Services**

There are two grocery stores within approximately one mile of the site. Nibley Park is .3 miles away, and Fairmont Park is .9 miles away. Although not within City boundaries, South Salt Lake Lions park and Bickley park are within .3 miles of the site. Whittier Elementary School is 1.8 miles away, and Highland High School is 2.5 miles away and is accessible by the nearby 21 bus.

### **General Plan Amendment**

While there are no specific criteria for general plan amendments in City ordinance, page 2 of the <u>Sugar House Master Plan</u> includes the following location criteria for Medium-Density Residential land uses. Staff finds that that the applicant's proposal to amend the future land use designation of this property from "Low Density Residential" to "Medium Density Residential is consistent with this criteria.

Location criteria for Medium-Density Residential land uses include:

- The Plan indicates location criteria for medium density land uses which includes the following:
  - o Proximity to arterial or collector streets,
  - Proximity to higher density residential areas, mixed-use areas, neighborhood commercial nodes, or the urban town center of the Business District,
  - o Proximity to existing and proposed parks and open space, and
  - Prohibit the expansion of non-residential land uses into areas of medium density residential.

The subject site is located on 500 East which is a minor collector road and directly abuts the I-80 freeway. The site is also near several parks. The proposed RMF-35 zoning district serves to prevent the expansion of non-residential uses into the area because this zoning district allows for very few commercial uses, listed in Attachment E.

### **Zoning Map Amendment**

### **Existing Zoning Summary**

The following provides a brief overview of the current zoning designations. A comparison of zoning standards can be found in <u>Attachment C</u>.

### RMF-35 Moderate Density Multi-Family Residential

The Phase 1 Property (2435 S) is currently zoned RMF-35. This zone allows for variety of moderate density housing types up to 35' in height with front and rear yard setback requirements similar to what is required in R-1/7,000. No side yard setback is required for single-family attached uses, but if a setback is provided it must be at least 4'. A 10' wide landscape buffer is required in this zone when abutting single family zones.

### R-1/7,000 Single-Family Residential

The Phase 2 property (2445 S) is zoned R-1/7,000. Development in this zone is limited to detached single family homes, building height up to 28 ft and setbacks that are consistent with the existing development pattern.

The applicant is proposing to rezone the Phase 2 property from R-1/7,000 to RMF-35 to be consistent with the Phase 1 property. The development allowed by the proposed zoning designation is not expected to negatively impact abutting properties as the site abuts the freeway to the north, a church to the east, and a house to the south that will be buffered by a continuous shrub hedge and at least one shade tree every 30'.

The zoning ordinance requires at least two off-street parking spaces for each single-family dwelling unit. The site is adequately served by public facilities, although the developer may be required to upgrade nearby City utilities. This will be determined by the City's Department of Public Utilities during building permit review.

Considering these factors, Staff finds that the proposed zoning amendment to allow for an increase in density is warranted, as the proposed zoning change would allow for additional housing while still generally being compatible with the surrounding properties by including appropriate setbacks and landscape buffering. The zoning amendment requests will need to be approved by the City council before building permits can be issued for this project. An analysis of Zoning Amendment Standards can be found in <a href="https://example.com/Attachment D">Attachment D</a>.

### APPROVAL PROCESS AND COMMISSION AUTHORITY

This project is subject to Planned Development approval per Salt Lake City Code Chapter <u>21A.55</u>, and standards for zoning amendments, Chapter <u>21A.50</u>. The Planning Commission has the authority to approve or deny the Planned Development request. This Planned Development request requires two approvals from the Planning Commission:

- 1. A "Major Modification" to the Phase 1 approval
- 2. Approval of the proposed development plan and requested zoning modifications

The Planning Commission does not have the authority to approve or deny the zoning amendment requests, only to provide a recommendation for the City Council who will hold a briefing and an additional public hearing on the proposed amendments. The City Council may approve, deny, or make modifications to the proposed zoning amendment requests as they see fit and are not limited by any one standard.

Final approval of the Planned Development is conditioned upon approval of the zoning amendment requests. If the Planning Commission approves the Planned Development request, the approval will not be finalized until and unless the zoning amendment requests are approved by the City Council.

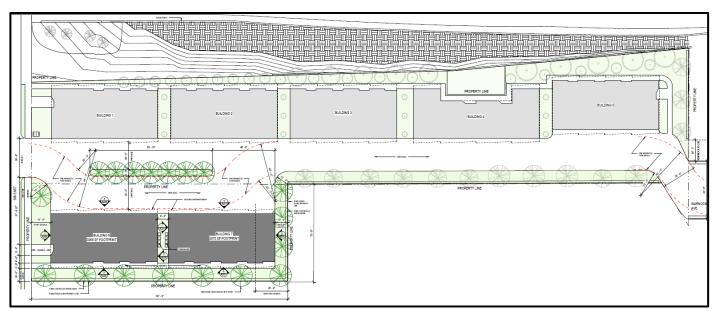
### **KEY CONSIDERATIONS**

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

- 1. Requested Zoning Modifications
- 2. Achievable Density
- 3. Compliance with Adopted Plans

### **Consideration 1: Requested Zoning Modifications**

Phase 2 of the project would require zoning modifications similar to those requested for the Phase 1 approval. While the Phase 2 property is currently zoned R-1/7,000, staff has reviewed the proposal as if it were zoned RMF-35. The applicant is proposing to subdivide the new townhome units onto individual lots which requires additional modifications to dimensional zoning regulations. The individual lots will not comply with multiple zoning standards; however, the proposal complies with many zoning standards when reviewing the entire project as a single site. The requested modifications are discussed on the following page. An analysis of applicable development standards can be found in Attachment D.



Phase 2 Site Plan

### **Requested Zoning Modifications:**

- 1. Creation of new lots that would not meet dimensional zoning regulations (21A.24.130)
- 2. Lots without frontage on a public street. (21A.36.010.C)
- 3. A reduction in the required front yard setback. (21A.24.130.E.1)
  - o A reduction from 20' to 15'.
- 4. A reduction in the required rear yard setback. (21A.24.130.E.4)
  - o A reduction from 25' to 10'

The requested modifications are individually discussed below:

### 1. Creation of new lots that would not meet dimensional zoning regulations (21A.24.130.G)

The applicant originally intended to subdivide the townhomes as condominiums, which would have limited ownership to the interior space of the townhome units. Alternatively, the applicant is now proposing to subdivide the townhome units onto individual lots, which allows future owners to own the land beneath the townhome and the townhome itself. Lot lines will be drawn around exterior building walls which will result in lots that do not meet frontage, lot width, setback, building coverage, and other dimensional regulations required for individual lots. Rather than listing every zoning and subdivision standard that would need to be modified for each individual lot, staff has analyzed zoning conformance for the project as a single site. Staff finds that the that requested modifications align with the RMF-35 purpose statement, which is to provide an environment suitable for a variety of moderate density housing types, including single-family, two-family, and multi-family dwellings with a maximum height of thirty-five feet.

### 2. Lots without frontage on a public street. (21A.36.010.C)

New lots are required to have access to public streets unless approved as a Planned Development. The new townhome lots created by the proposed subdivision would not have frontage on a public street. Access will be provided by a private street that runs through the middle of the development. Private sidewalks are proposed to provide pedestrian access to the public right of way. A homeowner's association or similar entity will need to be established to ensure maintenance of the private street and sidewalks. The applicant will need to provide documentation with their final subdivision plat submission that confirms that this entity will be created.

### 3. A reduction in the required front yard setback. (21A.24.130.E.1)

A 20-foot front yard setback is required in this zoning district. The front yard setback is proposed to be 15 feet, which would require zoning relief of 5 feet. The applicant is providing a spacing of at least 8 feet between each of the buildings, which provides additional green space that is spread out through the property. The reduction in front yard setback allows increased separation and additional green space.

### 4. A reduction in the required rear yard setback. (21A.24.130.E.4)

This zoning district requires a rear yard setback that is equal to 25% of the lot depth, but not less than 20 feet or greater than 25 feet. The applicant is requesting to reduce the rear yard setback of the Phase 2 property to 10'.

### **Consideration 2: Achievable Density**

Table <u>21A.24.130</u>.C of the RMF-35 zoning regulations states that 3,000 square feet of lot area is required for single-family attached dwellings (townhomes) and 1,500 square feet of lot area is required for multi-family dwellings for developments greater than 1 acre (this site is 1.29 acres).

Without Planned Development approval, new townhome lots in this zone would need to have at least 3,000 square feet of lot area. The new townhome lots proposed by the applicant would have an average lot area of 770 square feet. The Planned Development process allows for modifications to lot area requirements but does not allow projects to exceed the density limitation of the underlying zoning district.

The Phase 1 and Phase 2 properties have a combined lot area of 56,192.4 square feet of which could allow for up to 37 multi-family units under RMF-35 regulations when considering the overall project area. Because up to 37 multifamily units could be built at this site, the proposed 28 single-family attached units do not exceed the density limitation of the RMF-35 zone. The modifications requested by the applicant would modify several zoning regulations, including a reduction in minimum lot area for the new townhome lots.

### **Consideration 3: Compliance With Adopted Plans**

For Zoning Amendments and Planned Developments, Planning Staff is directed by ordinance to consider the associated City general plans and adopted policies that apply to a proposal. Staff reviews general City policies, including adopted policies in Citywide general plans such as Plan Salt Lake, and considers plans that are specific to an area. The plan specific to this area is the <u>Sugar House Master Plan</u>. Policy statements and goals from various city plans that staff considered as part of the review of this request can be found below. Generally, staff finds that the proposed map amendments meet the considerations outlined in section <u>21A.50.050</u> of the City's zoning ordinance. Analysis of these standards can be found in <u>Attachment D</u>.

### Sugar House Master Plan (Current Community Plan)

 As discussed above, staff finds that that this site meets the Location criteria for Medium-Density Residential land uses listed on page 2 of the plan.

### **Housing SLC**

Strategy F of this plan encourages increasing density limits near major transit investment corridors. The subject site fronts on 500 East, which is served by UTA bus route 205 and slated for <u>Frequent Transit Network</u> (FTN) service upgrades. The 500 East S-Line station is about .3 miles away to the north. These routes could be considered transit investment corridors.

### **Plan Salt Lake**

o Growth initiative 3 encourages the City to "promote infill and redevelopment of underutilized land." There is currently one single family home on the parcel to be rezoned which has approximately 14,810.4 of lot area. The R-1/7,000 zoning regulations allows for land to be subdivided if the new lots have at least 7,000 square feet of lot area. So, the Phase 2 property is currently underutilized based on its current zoning designation. There are currently no buildings on the Phase 1 property. The project's location in an established neighborhood and the size of the site makes these parcels good candidates for infill redevelopment.

- O Housing Initiative 2 promotes the increase of medium density housing types and options. The Plan also encourages moderate density increases within existing neighborhoods where appropriate. As seen in the Sugar House Master Plan, the subject property is appropriate for a moderate density increase because it is in close proximity to multiple collector streets and local amenities.
- The project is consistent with Guiding Principle #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." The proposed project's residential units provide additional housing units in the neighborhood to accommodate more residents. All of the units are proposed to be sold at market rate.

### **NEXT STEPS**

### **Zoning Map and Master Plan Amendment Approval**

If the requests are ultimately approved by the City Council, the changes would be incorporated into the official City Zoning map and the future land use map within the Sugar House Master Plan and the subject property could be developed under the RMF-35 zoning regulations.

### **Zoning Map and Master Plan Amendment Denial**

If the proposed amendments are denied by the City Council, the Phase 2 property could be developed under the current R-1-7,000 zoning designation. Townhomes could not be built at this property as they are not permitted in this zoning district.

### **Planned Development Approval**

If the Planned Development is approved by the Planning Commission, the applicant will need to comply with the conditions of approval, including any of the conditions required by City departments and the Planning Commission. Building permits may not be issued for Phase 2 until the proposed zoning amendments are approved by the City Council.

### **Planned Development Denial**

If the Planned Development is denied by the Planning Commission, the applicant can submit a new proposal that meets all of the standards required by the Zoning Ordinance. Phase 1 of the project has already received planning approval and could be built as currently proposed.

None of the townhome units could be subdivided onto individual lots; however, the interior space of the townhomes could be subdivided as condominium units. Buildings would need to have frontage on a public street, which would only allow for a single building at 2445 S. The proposal will be subject to any relevant zoning standard or planning processes.

### **ATTACHMENT A: Vicinity Map**



### **ATTACHMENT B: Submitted Materials**

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2 500 EAST - NORTHWEST CORNER



1 500 EAST - SOUTHWEST CORNER

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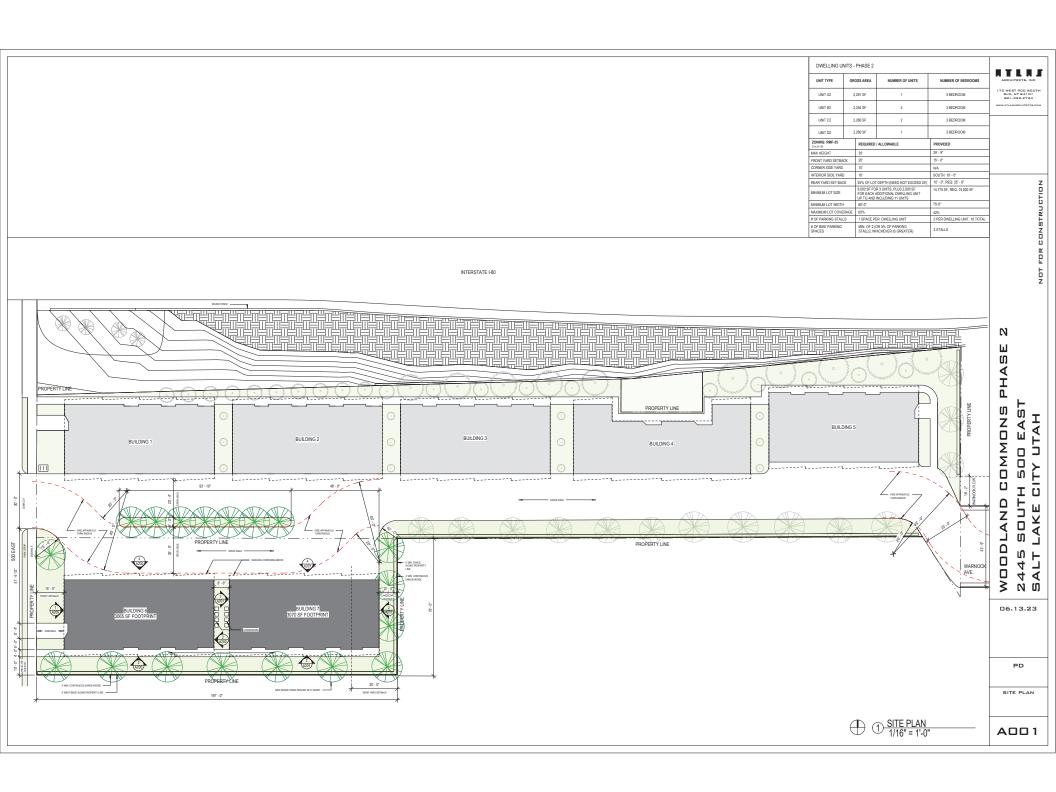
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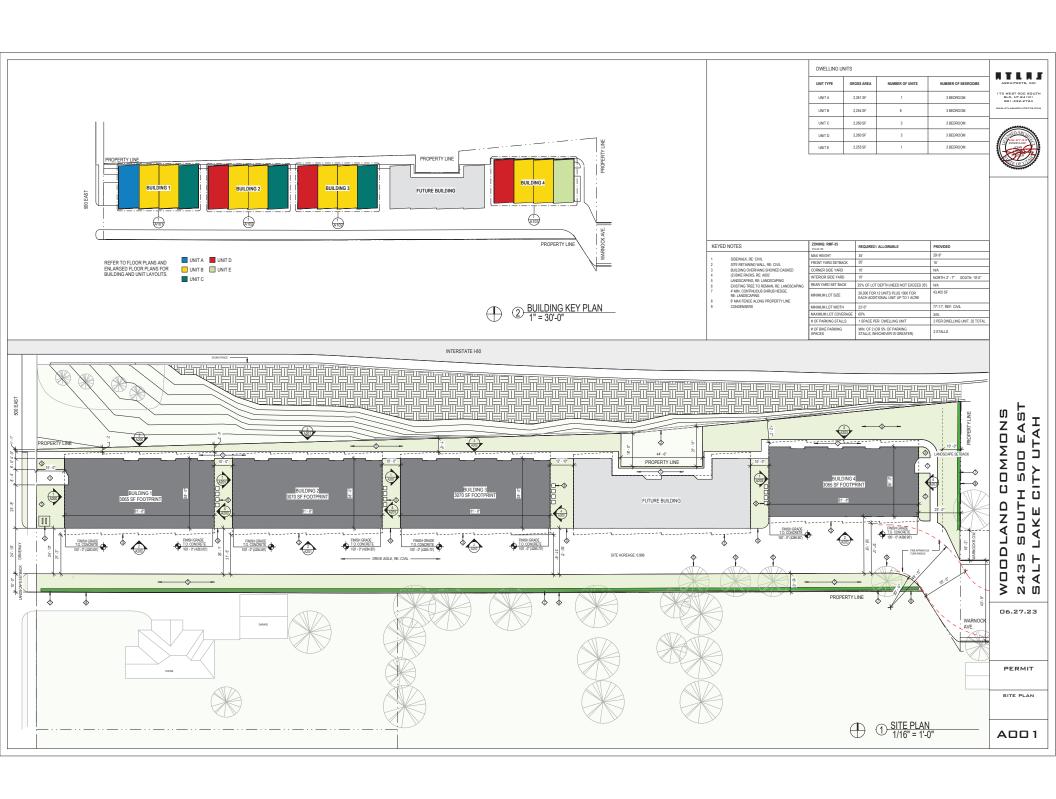
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WOODLAND COMMONS PHASE 2445 SOUTH 500 EAST SALT LAKE CITY UTAH 06.13.23

3D VIEWS

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### WOODLAND COMMONS P.U.D. INTERSTATE I-80 TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND BLOCK 43, 10 ACRE PLAT A, BIG FIELD SURVEY SITE 2435 SOUTH 500 EAST, SALT LAKE CITY, SALT LAKE COUNTY, UTAH SEPTEMBER, 2023 VICINITY MAP SURVEYOR'S CERTIFICATE WOODLAND COMMONS P.U.D. BOUNDARY DESCRIPTION INTERSTATE I-80 5TH EAST STREET LOT 124 N 88°26'43" E 318.90' LOT 123 CONTAINS 58.210 SQUARE FEET OR 1.336 ACRES (28 LOTS) LOT 122 -13.33" -S 0°14'05" W 136.34 Δ=63\*36′04\* R=3.00′ WARNOCK AVENUE OIL DAGE 17 WARNOCK AVENUE COMMON PHASE 1 DAVID B. DRAPER LICENSE NO. 6861599 OWNER'S DEDICATION NTS THAT THE UNDERSIGNED ARE THE OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, AND H PARCELS AND STREETS, TOGETHER WITH EASEMENTS AS SET FORTH TO BE HEREAFTER KNOWN A -N 89°52'03" W 45 60' N 32°08'21" W 38.60'-WOODLAND COMMONS P.U.D. LOT 121 N 89°52'03" W 197.40' I DIVISION LANE NOTARY ACKNOWLEDGEMENT LEGEND NOTES ADJOINING SUBDIVISION LOT LINE DEVELOPER ♠ EXISTING FIRE HYDRAN CITY ENGINEERING DIVISION SALT LAKE COUNTY HEALTH DEPARTMENT CITY PLANNING DIRECTOR WOODLAND COMMONS P.U.D. McNEIL ENGINEERING LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDAN, AND BLOCK 43, 10 AGRE PLATA, BIG FIELD SURVEY 2435 SOUTH 500 EAST, SALT LAKE CITY, SALT LAKE COUNTY, UTAH JULY, 2023

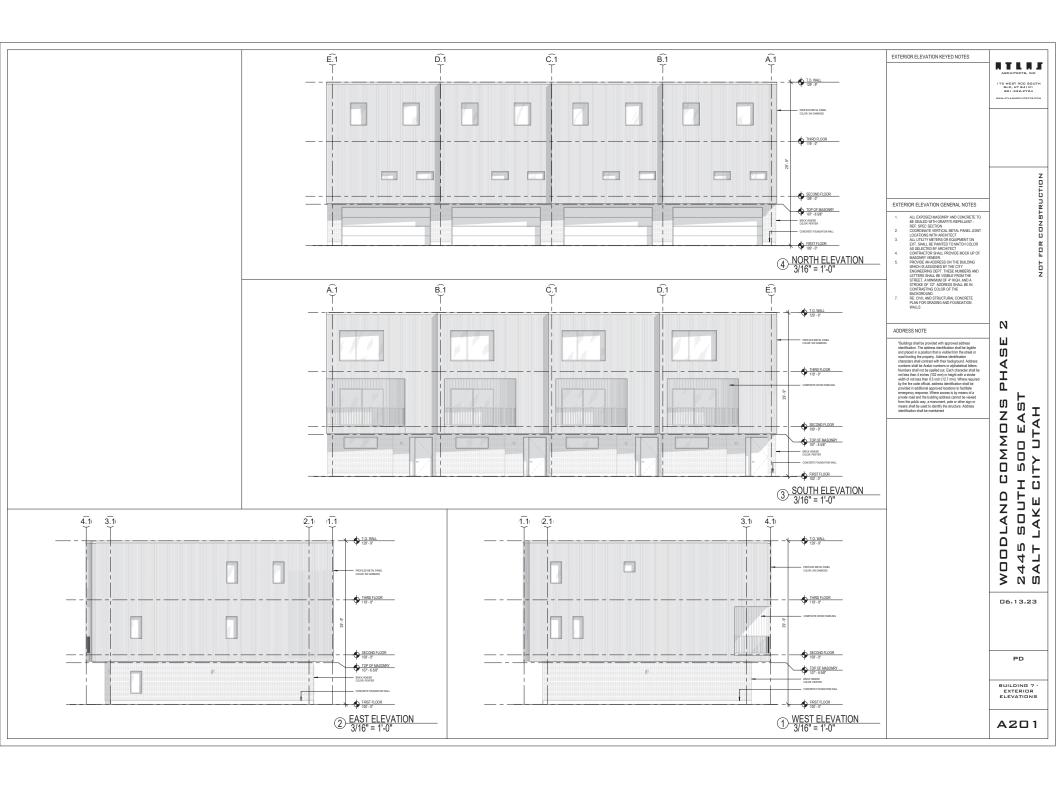
### CITY APPROVAL

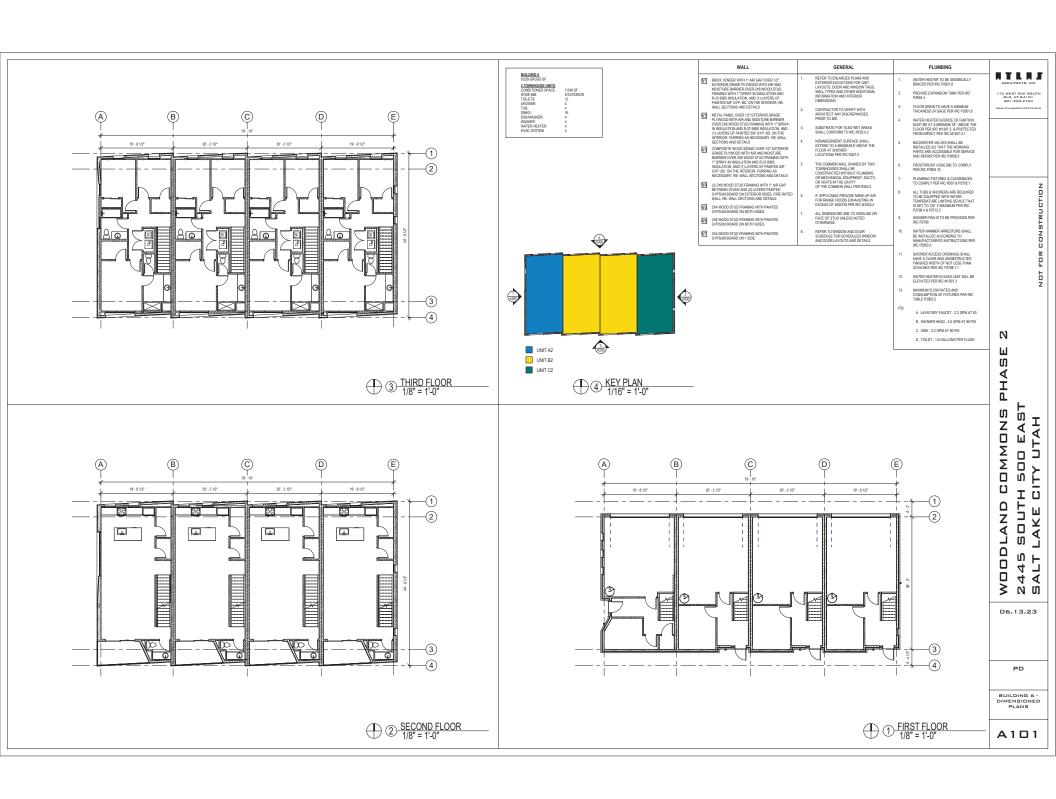
SLC BUILDING DEPARTMENT DEPARTMENT SALT LAKE COUNTY RECORDER CITY ATTORNEY

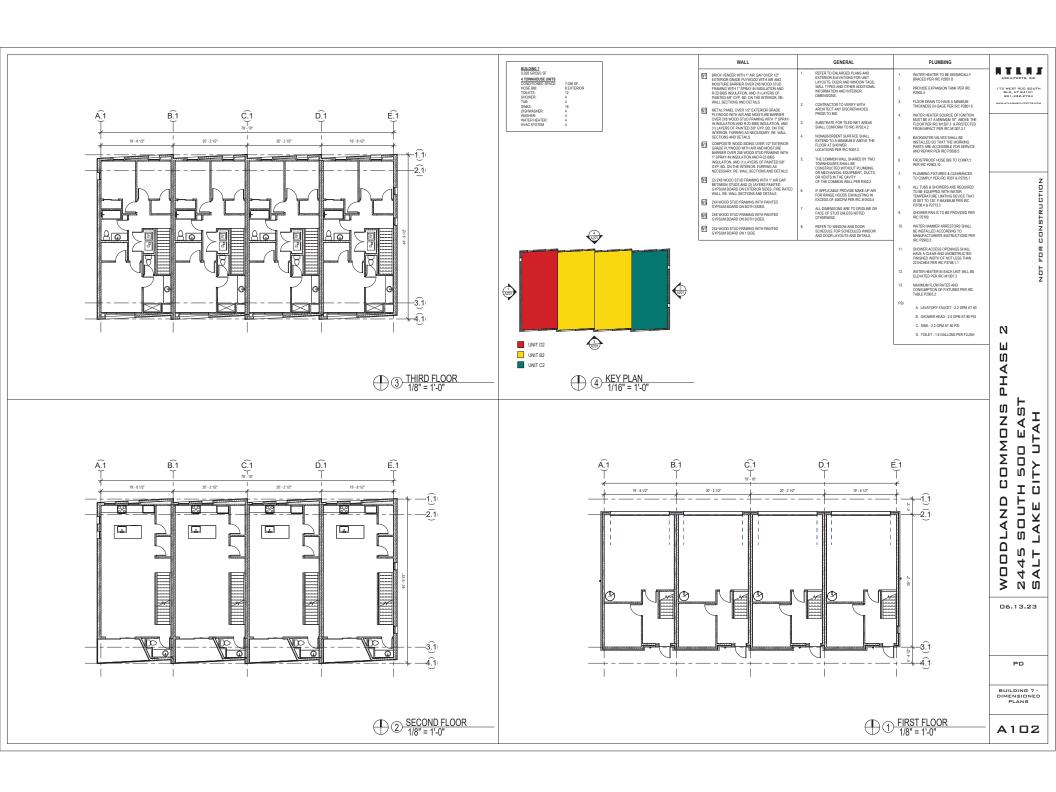
CITY PUBLIC UTILITIES DEPARTMENT

SALT LAKE COUNTY RECORDER SHEETS









### 1. Project Description

### A. Description of your proposed use;

Woodland Commons Phase 2 is a new Planned Development of 8 row-houses split between 2 buildings. These row-houses are about 2,250 sf each, placed on a 0.34 acre site. The overall density of this site will be 24 dwelling units per acre. The current use is one single family house and it is zoned R-1-7000. In addition to this planned development, the site will be undergoing the zoning amendment process to revise the zoning designation from R-1-7000 to RMF-35.

### B. A complete description of the proposed planned development including the zoning regulations being modified.

This planned development is a continuation of an approved planned development on the northern adjacent site. This phase of the development will add 2 buildings to the already approved 5 buildings (PLNPCM2022-00864). The lots will be consolidated and share a common through street connecting 500 East to Warnock Avenue.

Zoning regulations being modified (based on RMF-35):

- 1. Front yard setback to 15' from required 20'.
- 2. Rear yard setback to 10' from required 25'.
- 3. Minimum lot size: 14,775 square feet from required 19,000 square feet.
- 4. Minimum lot width to 75' from required 80'.

### C. Describe the plan for long term maintenance of all private infrastructure as stated in 21A.55.110 of the Planned Development ordinance.

Response - An HOA will be funded with \$1,000 per unit at closing and will be set up to follow the following provisions from the City Zoning Code:

### 21A.55.110: DISCLOSURE OF PRIVATE INFRASTRUCTURE COSTS FOR PLANNED DEVELOPMENTS:

Planned developments, approved under this title after January 1, 1997, shall include provisions for disclosure of future private infrastructure maintenance and placement costs to unit owners.

A. Infrastructure Maintenance Estimates: Using generally accepted accounting principles, the developer of any planned development shall calculate an initial estimate of the costs for maintenance and capital improvements of all infrastructure for the planned development including roads, sidewalks, curbs, gutters, water and sewer pipes and related facilities, drainage systems, landscaped or paved common areas and other similar facilities ("infrastructure"), for a period of sixty (60) years following the recording of the



subdivision plat or the estimated date of first unit occupancy of the planned development, whichever is later.

- B. Initial Estimate Disclosure: The following measures shall be incorporated in planned developments to assure that owners and future owners have received adequate disclosure of potential infrastructure maintenance and replacement costs:
- 1. The cost estimate shall be recorded with and referenced on the recorded plat for any planned development. The initial disclosure estimate shall cover all private infrastructure items and shall be prepared for six (6) increments of ten (10) years each.
- 2. The recorded plat shall also contain a statement entitled "notice to purchasers" disclosing that the infrastructure is privately owned and that the maintenance, repair, replacement and operation of the infrastructure is the responsibility of the property owners and will not be assumed by the City.
- 3. The cost estimate shall be specifically and separately disclosed to the purchaser of any property in the planned development, upon initial purchase and also upon all future purchases for the duration of the sixty (60) year period.
- C. Yearly Maintenance Statements: The entity responsible for the operation and maintenance of the infrastructure shall, at least once each calendar year, notify all property owners in the planned development of the estimated yearly expenditures for maintenance, repair, operation or replacement of infrastructure, and at least once each calendar year shall notify all property owners of the actual expenditures incurred, and shall specify the reason(s) for any variance between the estimated expenditures and the actual expenditures.
- D. Maintenance Responsibilities: The property owners in a planned development shall be collectively and individually responsible, on a pro rata basis, for operating, maintaining, repairing and replacing infrastructure to the extent necessary to ensure that access to the planned development is available to the City for emergency and other services and to ensure that the condition of the private infrastructure allows for the City's continued and uninterrupted operation of public facilities to which the private infrastructure may be connected or to which it may be adjacent. (Ord. 8-18, 2018)

### 2. Planned Development Information.

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

A. Open Space and Natural Lands: Preserving, protecting or creating open space and natural lands

2. Preservation of critical lands, watershed areas, riparian corridors and/or the urban forest.

Response - All healthy trees will be preserved where possible, and a dense screen of shade trees will be planted along the South and East edge of the property to mitigate tree loss and shield the project from the adjacent properties.



6. Clustering of development to preserve open spaces.

Response - The row-houses are clustered along the center of the property to allow for a screen of trees between the first phase of the project and along the South and East property lines.

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

Response - Row-houses are a sought after housing type that is in much demand but lacking in the neighborhood. The Sugar House Community Master Plan, Growing SLC: A 5 Year Housing Plan and Plan Salt Lake all call for more housing options and specifically call for medium density housing. Physically, these row-houses will be a good fit for the neighborhood. From the perspective of a pedestrian on the public way to the West of the project, the narrow width of the townhomes will not be imposing and will be in scale with the height of other homes in the neighborhood. The row-houses are limited in height to 30' and set back far enough that they will not appear overly tall in context to their surroundings.

- 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.

Response - The row-houses are planned to exceed code requirements in both thermal efficiency and HVAC efficiency. Passive solar and daylighting strategies are employed in the orientation and design of glazing



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

Response - The Sugar House Community Master Plan, Growing SLC: A 5 Year Housing Plan and Plan Salt Lake all call for more housing options and specifically call for medium density housing like row-houses.

### B. Demonstrate how your project meets the Standards for Planned Developments as stated in 21A.55.050 of the Planned Development ordinance;

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.

Response - The shape and orientation of the lot require that all but one of the units face the South property line rather than facing the public street so a Planned Development is necessary to create a medium density development.

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.

Response - The Sugar House Community Master Plan, Growing SLC: A 5 Year Housing Plan and Plan Salt Lake all call for more housing options and specifically call for medium density housing like row-houses.



- 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;

Response - Current zoning in the neighborhood includes a mix of densities near our site, including RMF-35 of the first phase of the project. Moreover, several properties near Woodland Commons share non-conforming uses with greater density. This includes the property adjacent to the south with a density of 8.3 du/acre as well as the property directly across 500 E which features density of 13.3 du/acre. Additionally, while most zoning on Warnock abutting the highway is R-1-7000, this area which has very similar characteristics to the site of Woodland Commons, is shown as medium-density on the Future Land Uses Map.

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;

Response - These row-houses will be a good fit for the neighborhood. From the perspective of a pedestrian on the public way to the West of the project, the narrow width of the townhomes will not be imposing and will be in scale with the height of other homes in the neighborhood. The row-houses are limited in height to 30' and set back far enough that they will not appear overly tall in context to their surroundings. The color palette and materiality of the project is traditional and neutral with masonry and metal panel being the principal materials. They will fit in with what is already an eclectic mix of building styles, forms, and materials in the neighborhood.

- 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.

Response - The project is bound by the first phase of the project to the North, a street to the West, a private park to the East, and a four-plex to the South. So setbacks should not be an issue.



b. Provide sufficient space for private amenities.

Response - Each unit has a private balcony and there is usable space between the buildings and on the South and East edge of the property.

c. Provide sufficient open space buffering between the proposed development and neighboring properties to minimize impacts related to privacy and noise.

Response - The project is bound by the first phase of the project to the North, a street to the West, a private park to the East, and a four-plex to the South. So noise buffering should not be an issue.

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

Response - Transportation was present for the DRT meeting on phase 1 and no issues were discovered. Site clearances for safely entering and exiting the site have been taken into account.

e. Provide sufficient space for maintenance.

Response - The wide driveway to the North, the 8' - 6" buffer between buildings, and the walkway to the South provide ample space for maintenance

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

Response - The project has been designed to interact with the street with a front porch, large glazing areas, and interesting architectural detail.

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

Response - Exterior building and site lighting will be designed with cutoffs to light the ground but not contribute to light pollution or intrusion to surrounding property

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

Response - Wheeled garbage bins will be stored in resident's enclosed individual garages



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

### Response - Parking will be in resident's enclosed individual garages

- 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;

Response - Native trees will be preserved if at all possible and a dense screen of shade trees will be planted along the South and East edge of the property to mitigate tree loss.

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

Response - Aside from existing trees there is no other existing landscaping aside from a grass yard and some smaller shrubs. New landscaping will be added to buffer and beautify the site.

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

Response - New landscaping is proposed to buffer adjacent properties.

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

Response - Landscaping will be in scale with new buildings and existing trees

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;

Response - The project is accessed from streets on both ends, which will limit the impact by spreading entry and access in two directions. Warnock, the adjacent street to the East is a dead end street which sees little use so no conflict is anticipated. 500 East on the West end of the site is an arterial which will not be taxed by the entry and exit of the residents.

- 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;

Response - the project includes a full length landscaped walkway on the south side of the project for access to the row-houses front doors.

b. Bicycle facilities and connections where appropriate, and orientation to transit where available; and

Response - Bike racks are included on site adjacent to 500 east which includes protected bike lanes.

c. Minimizing conflicts between different transportation modes;

Not applicable

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

Response - Egress from the site is easily accessed by residents

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

Response - The site plan has taken fire apparatus clearances into account. A common through street also increases access without requiring a turn-around.

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

Response - The common driveway will make moving in and out easy and will allow other residents to use the driveway without interruption



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.

Response - Native trees are the only feature that fits this description and will be preserved when possible

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)

Response - The first phase of the project has been through a DRT meeting to discuss utilities and may require the developer to install a new water main which will benefit the City as well as future development. No other issues with utilities were discovered.



### 1. Project Description

### A. A statement declaring the purpose for the amendment;

The purpose of the zoning amendment is to change the property's current zoning from R-1-7000 to RMF-35. This will allow for a medium density residential typology that fits in with the Sugar House Community Master Plan, Growing SLC: A 5 Year Housing Plan, and Plan Salt Lake. All of which call for more housing options, specifically for medium density housing like row-houses.

### B. A description of the proposed use of the property being rezoned.

The use of the property being rezoned will be the second phase of the Woodland Commons development on the northern adjacent site. It will include 8 row-houses split between 2 buildings for a total of 7 buildings across both sites. The lots will be consolidated and share a common through street connecting 500 East to Warnock Avenue.

### C. List the reasons why the present zoning may not be appropriate for the area.

Current zoning in the neighborhood includes a mix of densities near our site, including RMF-35 of the first phase of the project and other nearby sites. Moreover, several properties nearby share non-conforming uses with greater density. This includes the property adjacent to the south with a density of 8.3 dwelling units per acre, as well as the property directly across 500 East which features density of 13.3 dwelling units per acre. Additionally, while most zoning on Warnock cutting the highway is R-1-7000, this area which has very similar characteristics to the site of Woodland Commons, is shown as medium-density on the Future Land Uses Map.

### D. Is the request amending the Zoning Map? If so, please list the parcel numbers to be changed.

Street Address: 2445 S 500 E, Salt Lake City, UT 84106

Legal Description:

COM 507.62 FT S OF NW COR LOT 5 BLK 43 10 AC PLAT A BF SUR E197.4 FT S 75 FT W 197.4 FT N 75 FT TO BEG 0.34 AC 6040-18216797-1263,1264

Parcel Number: 16-19-428-002-0000



### 2445 S 500 E Master Plan Zoning Map Amendment

### A. Describe the proposed general plan amendment;

- 1 Amend the Salt Lake City Zoning Map from R-1-7000 (Single Family Residential) to RMF-35 (Moderate Density Multi-Family Residential) for this property.
- 2 Amend the Sugar House Master Plan's land use map from Low Density Residential to Medium Density Residential for this property.

### B. A statement declaring the purpose for the amendment;

We are requesting an amendment to the Future Land Uses Map of the Sugar House Community Master Plan. Our parcel, located at 2445 S 500 E, is designated as low-density housing in the Master Plan's map. We would like to rezone the property to RMF-35 to allow for the development of townhome style condos. To allow for the rezone, the map would need to be amended to allow for this type of development. This development would be a continuation of proposed townhomes on the northern adjacent site, which have undergone the master plan amendment process and been approved (PLNCPM2021-01041 and PLNPCM2021-01042). Together with that project, 28 condos would be added to the neighborhood; bringing good neighbors to the neighborhood.

### C. Declare why the present general plat requires amending;

The Sugar House Community Master Plan lists criteria and policies that call for Medium Density Residential development. This includes locations close to arterials, proximity to higher density residential, proximity to parks, and prohibiting the expansion of non-residential uses into residential areas. Our proposed site fits these criteria well, as it is located on an arterial, is located near higher density districts and commercial areas, is located near parks in Salt Lake and South Salt Lake, and solidifies residential use. Current zoning in the neighborhood includes a mix of densities near our site, including RMF-35 of the first phase of the project and other nearby sites along Warnock Avenue. Moreover, several properties nearby share non-conforming uses with greater density. This includes the property adjacent to the south with a density of 8.3 dwelling units per acre, as well as the property directly across 500 East which features density of 13.3 dwelling units per acre. These townhomes will be a product of the master plan's policies allowing new Medium-Density housing, adding variety to the neighborhood, increasing housing stock, and being minimally disruptive to neighboring properties.

### D. Is the request amending the Land Use Map? If so, please list the parcel numbers to be changed.

Parcel Number: 16-19-428-002-0000







# PLANNING PROCESS // ZONING AMENDMENT

### ABOUT THE APPLICATION

Thank you for your interest in submitting a Zoning Amendment application. The following packet will provide general information to get started on your project and guide you through the application process from start to finish. The package is broken down into three sections: Information about the application, a visual diagram of the application process, and the application form.

We highly encourage you to work with our Planning staff prior to submitting an application. For questions regarding any of the information listed in this packet or to set up a pre-submittal meeting please contact us at <a href="mailto:zoning@slcgov.com">zoning@slcgov.com</a> or give us a call at 801.535.7757.



1

PLANNING DIVISION 451 SOUTH STATE STREET ROOM 406 PO BOX 145480 SALT LAKE CITY, UT 84114-5480

SLC.GOV/PLANNING
ZONING@SLCGOV.COM

TEL 801-535-7757

21A.50





An amendment may be initiated to modify the text of the Zoning Ordinance or to change the designations or boundaries in the Zoning Map. The amendment process is not intended to relieve particular hardships nor to confer special privileges or rights upon any person, but only to make adjustments necessary in light of changed conditions or changes in public policy.

### WHO CAN INITIATE AN AMENDMENT?

Applications for amendments may be initiated by the mayor, the city council, the planning commission, or the owner of the property included in the application, or the property owner's authorized agent.

### STANDARDS FOR AMENDMENTS 21A.50.050

A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard.

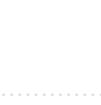
- **A.** In making its decision concerning a proposed text amendment, the City Council should consider the following factors:
  - **1.** Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;
  - **2.** Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;
  - **3.** Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and
  - **4.** The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.
- **B.** In making a decision to amend the zoning map, the City Council should consider the following:
  - **1.** Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;
  - **2.** Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance;
  - 3. The extent to which a proposed map amendment will affect adjacent properties;
  - **4.** Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and
  - **5.** The adequacy of public facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.



### CONSULTATION

If you have questions regarding the Zoning Amendment regulations or process, please contact the Salt Lake City Planning Counter staff at <a href="mailto:zoning@slcgov.com">zoning@slcgov.com</a> or give us a call at 801-535-7757. If you would like to discuss your development plan in more detail, you can request a pre-submittal meeting with Planning staff by contacting the Planning Counter.

Pre-submittal meetings are held on Thursdays in 30 minute slots between 1:30 and 3:30 pm.



### PROCESS TIMELINE

### TIME FRAME

6 - 12 MONTHS



### APPLICATION RECEIVED

Application submitted and pre-screened to ensure submittal requirements are met and fees are paid.

### **PLANNER ASSIGNED**

Application reviewed by Planner to ensure complete documentation (if incomplete, the applicant will be provided a list of missing info to submit).



### APPLICATION MODIFICATIONS

Modifications based on public input & City Department review comments (if needed, applicant must submit updates). Minor issues will be conditions of approval.

### **PUBLIC NOTICE**

Public notices sent to nearby neighbors, property owners and Community Councils (when required by ordinance). Application routed to City Departments for review.



### PLANNING COMMISSION

Public hearing scheduled, notices sent, staff report produced, and commission recommendation made.

### TRANSMITTAL OF COMMUNITY AND NEIGHBORHOODS (CAN)

Commission minute approval and public record are assembled by staff. After review, the package is transmitted to City Council.



### CITY COUNCIL PROCESS

City Council holds a briefing with staff during work session. Public hearing and action follows.

Timeline determined by City Council office.

www.slc.gov/council

### ZONING AMENDMENT

### IMPORTANT INFORMATION



#### CONSULTATION

Available prior to submitting an application. For questions regarding the requirements, email us at <a href="mailto:zoning@slcgov.com">zoning@slcgov.com</a>.

CASE NUMBER



#### **SUBMISSION**

Submit your application online through the <u>Citizen Access Portal</u>. Learn how to submit online by following the <u>step-by-step guide</u>.



### **REQUIRED FEES**

- Map Amd: \$1,142 filing fee, plus
   \$121 per acre (in excess of 1 ac).
- Text Amd: \$1,142 filing fee.

DATE RECEIVED

 Additional required notice fees assessed after submission.

### **APPLICANT INFORMATION** PROJECT NAME (OPTIONAL) Woodland Commons Phase 2 ADDRESS OF SUBJECT PROPERTY 2445 S 500 E, Salt Lake City, UT 84106 REQUEST **Zoning Amendment** NAME OF APPLICANT **PHONE** Jason Foster 801-322-2724 MAILING ADDRESS **EMAIL** 175 W 900 S, Salt Lake City, UT, 84101 jason@atlasarchitects.com APPLICANT'S INTEREST IN PROPERTY (\*owner's consent required) IF OTHER, PLEASE LIST Owner Architect\* Contractor\* Other\* NAME OF PROPERTY OWNER (if different from applicant) PHONE Gray Willow, LLC 801-573-9491 MAILING ADDRESS **EMAIL** 1586 E Stratford Avenue #4 SLC UT 84106 phil@altusdg.com; jessica@altusdg.com; jill@altusdg.com OFFICE USE

**DISCLAIMER:** PLEASE NOTE THAT ADDITIONAL INFORMATION MAY BE REQUIRED BY THE PROJECT PLANNER TO ENSURE ADEQUATE INFORMATION IS PROVIDED FOR STAFF ANALYSIS. ALL INFORMATION REQUIRED FOR STAFF ANALYSIS WILL BE COPIED AND MADE PUBLIC, INCLUDING PROFESSIONAL ARCHITECTURAL OR ENGINEERING DRAWINGS, FOR THE PURPOSES OF PUBLIC REVIEW BY ANY INTERESTED PARTY.

RECEIVED BY

### **ACKNOWLEDGMENT OF RESPONSIBILITY**

- 1. This is to certify that I am making an application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application will be processed under the name provided below.
- 2. By signing the application, I am acknowledging that I have read and understood the instructions provided for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that the documents provided are considered public records and may be made available to the public.
- 3. I understand that my application will not be processed until the application is deemed complete by the assigned planner from the Planning Division. I acknowledge that a complete application includes all of the required submittal requirements and provided documents comply with all applicable requirements for the specific applications. I understand that the Planning Division will provide, in writing, a list of deficiencies that must be satisfied for this application to be complete and it is the responsibility of the applicant to provide the missing or corrected information. I will keep myself informed of the deadlines for submission of material and the progress of this application.
- 4. I understand that a staff report will be made available for my review prior to any public hearings or public meetings. This report will be on file and available at the Planning Division and posted on the Division website when it has been finalized.

NAME OF APPLICANT	EMAIL		
Jason Foster	jason@atlasarchitects.com	jason@atlasarchitects.com	
MAILING ADDRESS	PHONE		
175 W 900 S, Salt Lake City, UT, 84101	801-322-2724	801-322-2724	
APPLICATION TYPE	SIGNATURE	DATE	
Zoning Amendment		6/13/23	

### LEGAL PROPERTY OWNER CONSENT

If the applicant is not the legal owner of the property, a consent from property owner must be provided. Properties with a single fee title owner may show consent by filling out the information below or by providing an affidavit.

**Affirmation of sufficient interest:** I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

#### LEGAL DESCRIPTION OF SUBJECT PROPERTY

COM 507.62 FT S OF NW COR LOT 5 BLK 43 10 AC PLAT A BF SUR E197.4 FT S 75 FT W 197.4 FT N 75 FT TO BEG 0.34 AC 60

NAME OF OWNER

Gray Willow, LLC

phil@altusdg.com; jessica@altusdg.com; jill@altusdg.com

MAILING ADDRESS

1586 E Stratford Avenue #4 SLC UT 84106

6/12/23

- 1. If a corporation is fee titleholder, attach copy of the resolution of the Board of Directors authorizing the action.
- 2. If a joint venture or partnership is the fee owner, attach copy of agreement authorizing action on behalf of the joint venture or partnership.
- 3. If a Home Owner's Association is the applicant then the representative/president must attach a notarized letter stating they have notified the owners of the proposed application. A vote should be taken prior to the submittal and a statement of the outcome provided to the City along with the statement that the vote meets the requirements set forth in the CC&Rs.

**DISCLAIMER:** BE ADVISED THAT KNOWINGLY MAKING A FALSE, WRITTEN STATEMENT TO A GOVERNMENT ENTITY IS A CRIME UNDER UTAH CODE CHAPTER 76-8, PART 5. SALT LAKE CITY WILL REFER FOR PROSECUTION ANY KNOWINGLY FALSE REPRESENTATIONS MADE PERTAINING TO THE APPLICANT'S INTEREST IN THE PROPERTY THAT IS THE SUBJECT OF THIS APPLICATION.

# SUBMITTAL REQUIREMENTS

Please provide the following information with your application. Confirm that you have included each of the requirements listed below by adding a check mark for each item.

CHECK STAFF REQUIREMENTS (21A.50.040.A)

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- A statement declaring the purpose for the amendment.
- A description of the proposed use of the property being rezoned.
- List the reasons why the present zoning may not be appropriate for the area.
- Is the request amending the Zoning Map? If so, please list the parcel numbers to be changed.
- Is the request amending the text of the Zoning Ordinance? If so, please include language and the reference to the Zoning Ordinance to be changed.

# INCOMPLETE INFORMATION WILL NOT BE ACCEPTED

INITIALS

JF

**DISCLAIMER:** I ACKNOWLEDGE THAT SALT LAKE CITY REQUIRES THE ITEMS ABOVE TO BE SUBMITTED BEFORE MY APPLICATION CAN BE PROCESSED. I UNDERSTAND THAT PLANNING WILL NOT ACCEPT MY APPLICATION UNLESS ALL OF THE FOLLOWING ITEMS ARE INCLUDED IN THE SUBMITTAL PACKAGE.



# PLANNING PROCESS //

# GENERAL PLAN AMENDMENT

# ABOUT THE APPLICATION

Thank you for your interest in submitting a General Plan Amendment application. The following packet will provide general information to get started on your project and guide you through the application process from start to finish. The package is broken down into three sections: Information about the application, a visual diagram of the application process, and the application form.

We highly encourage you to work with our Planning staff prior to submitting an application. For questions regarding any of the information listed in this packet or to set up a pre-submittal meeting please contact us at <a href="mailto:zoning@slcgov.com">zoning@slcgov.com</a> or give us a call at 801.535.7757.



PLANNING DIVISION 451 SOUTH STATE STREET ROOM 406 PO BOX 145480 SALT LAKE CITY, UT 84114-5480

SLC.GOV/PLANNING ZONING@SLCGOV.COM TEL 801-535-7757

# IMPORTANT PROCESS INFORMATION

ORDINANCE

Utah Code 10-9a-4



# PURPOSE & INTENT OF THE PROCESS

The general plan of the city includes any citywide plan, community plan, small area plan, corridor plan, or other plan that fits the requirements and definitions of a general plan under Utah Code 10-9a.

Utah State Law requires every municipality to prepare and adopt a comprehensive, long-range general plan for:

- a. present and future needs of the municipality; and
- b. growth and development of all or any part of the land within the municipality.



# EFFECT OF ADOPTED MASTER PLANS OR GENERAL PLANS (21A.02.040)

All master plans or general plans adopted by the Planning Commission and City Council for the City, or for an area of the City, shall serve as an advisory guide for land use decisions. Amendments to the zoning text or zoning map should be consistent with the purposes, goals, objectives and policies of the applicable adopted master plan or general plan of Salt Lake City.



# CONSULTATION

If you have questions regarding the General Plan Amendment regulations or process, please contact the Salt Lake City Planning Counter staff at <a href="mailto:zoning@slcgov.com">zoning@slcgov.com</a> or give us a call at 801-535-7757. If you would like to discuss your development plan in more detail, you can request a pre-submittal meeting with Planning staff by contacting the Planning Counter.

Pre-submittal meetings are held on Thursdays in 30 minute slots between 1:30 and 3:30 pm.

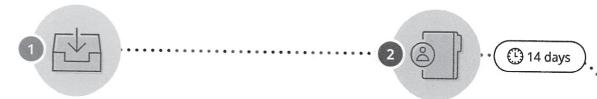
# **PROCESS TIMELINE**

#### TIME FRAME

6 - 12 MONTHS



STAFF



#### APPLICATION RECEIVED

Application submitted and pre-screened to ensure submittal requirements are met and fees are paid.

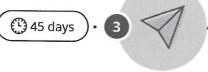
#### PLANNER ASSIGNED

Application reviewed by Planner to ensure complete documentation (if incomplete, the applicant will be provided a list of missing info to submit).



# APPLICATION MODIFICATIONS

Modifications based on public input & City Department review comments (if needed, applicant must submit updates). Minor issues will be conditions of approval.



# PUBLIC NOTICE

Public notices sent to nearby neighbors, property owners and Community Councils (when required by ordinance). Application routed to City Departments for review.



#### PLANNING COMMISSION

Public hearing scheduled, notices sent, staff report produced, and commission recommendation made.



# TRANSMITTAL TO COMMUNITY AND NEIGHBORHOODS (CAN)

(1) 21 days

Commission minutes approval and public record are assembled by staff. After review, the package is transmitted to City Council.



# CITY COUNCIL PROCESS

City Council holds a briefing with staff during work session. Public hearing and action follows. Timeline determined by City Council office.

www.slc.gov/council

# **GENERAL PLAN AMENDMENT**

# IMPORTANT INFORMATION



#### CONSULTATION

Available prior to submitting an application. For questions regarding the requirements, email us at zoning@slcgov.com.



#### SUBMISSION

Submit your application online through the Citizen Access Portal. Learn how to submit online by following the step-by-step guide.



# REQUIRED FEES

- \$1,138 filing fee, plus \$121 per acre (in excess of 1 acre).
- Additional required notice fees will be assessed after submission.

APPLICAN	TINFORMATION	
PROJECT NAME (OPTIONAL)		
Woodland Commons Phase 2		
ADDRESS OF SUBJECT PROPERTY		
2445 S 500 E Salt Lake City, UT 84106		
REQUEST		
Amend the SLC Zoning map from R-1-7000 to RMF-35 and the	Sugar House Master Plan's land use map to med-density residentia	
NAME OF APPLICANT	PHONE	
Jason Foster	8013222724	
MAILING ADDRESS	EMAIL	
175 W 900 S Salt Lake City, UT 84101	jason@atlasarchitects.com; trayce@atlasarchitects.com	
APPLICANT'S INTEREST IN PROPERTY (*owner's consent require  Owner Architect* Contractor* Other*  NAME OF PROPERTY OWNER (if different from applicant)	ed) IF OTHER, PLEASE LIST PHONE	
Gray Willow, LLC	8015739491	
MAILING ADDRESS	EMAIL	
1586 E. Stratford Avenue #4 SLC, UT 84106	phil@altusdg.com; jessica@altusdg.com; jill@altusdg.com	
OFF	ICE USE	
CASE NUMBER RECEIVED BY	DATE RECEIVED	
TYPE OF AMENDMENT General Plan Text Land Us	se Map	
DISCLAIMER: PLEASE NOTE THAT ADDITIONAL INFORMATION MAY BE REQ PROVIDED FOR STAFF ANALYSIS. ALL INFORMATION REQUIRED FOR STAFF	UIRED BY THE PROJECT PLANNER TO ENSURE ADEQUATE INFORMATION IS ANALYSIS WILL BE COPIED AND MADE PUBLIC, INCLUDING PROFESSIONAL	

ARCHITECTURAL OR ENGINEERING DRAWINGS, FOR THE PURPOSES OF PUBLIC REVIEW BY ANY INTERESTED PARTY.

# ACKNOWLEDGMENT OF RESPONSIBILITY

- 1. This is to certify that I am making an application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application will be processed under the name provided below.
- 2. By signing the application, I am acknowledging that I have read and understood the instructions provided for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that the documents provided are considered public records and may be made available to the public.
- 3. I understand that my application will not be processed until the application is deemed complete by the assigned planner from the Planning Division. I acknowledge that a complete application includes all of the required submittal requirements and provided documents comply with all applicable requirements for the specific applications. I understand that the Planning Division will provide, in writing, a list of deficiencies that must be satisfied for this application to be complete and it is the responsibility of the applicant to provide the missing or corrected information. I will keep myself informed of the deadlines for submission of material and the progress of this application.
- 4. I understand that a staff report will be made available for my review prior to any public hearings or public meetings. This report will be on file and available at the Planning Division and posted on the Division website when it has been finalized.

EMAIL	
jason@atlasarchitects.com; trayce@atlasarchitects.com	
PHONE	
8013222724	
SIGNAT DATE	
July 7, 2023	

# LEGAL PROPERTY OWNER CONSENT

If the applicant is not the legal owner of the property, a consent from property owner must be provided. Properties with a single fee title owner may show consent by filling out the information below or by providing an affidavit.

**Affirmation of sufficient interest:** I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

LEGAL DESCRIPTION OF SUBJECT PROPERTY

NAME OF OWNER	EMAIL	
Gray Willow, LLC	phil@altusdg.com; jessica@altusdg.com; jill@altusdg.com	
MAILING ADDRESS	SIGNATURE	DATE
1586 E. Stratford Avenue #4 SLC, UT 84106	lu	7/10/23

- 1. If a corporation is fee titleholder, attach copy of the resolution of the Board of Directors authorizing the action.
- 2. If a joint venture or partnership is the fee owner, attach copy of agreement authorizing action on behalf of the joint venture or partnership.
- 3. If a Home Owner's Association is the applicant then the representative/president must attach a notarized letter stating they have notified the owners of the proposed application. A vote should be taken prior to the submittal and a statement of the outcome provided to the City along with the statement that the vote meets the requirements set forth in the CC&Rs.

DISCLAIMER: BE ADVISED THAT KNOWINGLY MAKING A FALSE, WRITTEN STATEMENT TO A GOVERNMENT ENTITY IS A CRIME UNDER UTAH CODE CHAPTER 76-8, PART 5. SALT LAKE CITY WILL REFER FOR PROSECUTION ANY KNOWINGLY FALSE REPRESENTATIONS MADE PERTAINING TO THE APPLICANT'S INTEREST IN THE PROPERTY THAT IS THE SUBJECT OF THIS APPLICATION.

# SUBMITTAL REQUIREMENTS

Please provide the following information with your application. Confirm that you have included each of the requirements listed below by adding a check mark for each item.

CHECK

STAFF

REQUIREMENTS (DISCRETIONARY PROCESS DETERMINED BY CITY COUNCIL)



 $\bigcirc$ 

# **Project Description:**

- Describe the proposed general plan amendment.
- · A statement declaring the purpose for the amendment.
- Declare why the present general plan requires amending.
- Is the request amending the Land Use Map? If so, please list the parcel numbers to be changed.
- Is the request amending the text of the general plan? If so, please include the exact language to be changed.

# INCOMPLETE INFORMATION WILL NOT BE ACCEPTED

INITIALS

**DISCLAIMER:** I ACKNOWLEDGE THAT SALT LAKE CITY REQUIRES THE ITEMS ABOVE TO BE SUBMITTED BEFORE MY APPLICATION CAN BE PROCESSED. I UNDERSTAND THAT PLANNING WILL NOT ACCEPT MY APPLICATION UNLESS ALL OF THE FOLLOWING ITEMS ARE INCLUDED IN THE SUBMITTAL PACKAGE.



# PLANNING PROCESS // PLANNED DEVELOPMENT

#### ABOUT THE APPLICATION

Thank you for your interest in submitting a Planned Development application. The following packet will provide general information to get started on your project and guide you through the application process from start to finish. The package is broken down into three sections: Information about the application, a visual diagram of the application process, and the application form.

We highly encourage you to work with our Planning staff prior to submitting an application. For questions regarding any of the information listed in this packet or to set up a pre-submittal meeting please contact us at <u>zoning@slcgov.com</u> or give us a call at 801.535.7757.



1

PLANNING DIVISION 451 SOUTH STATE STREET ROOM 406 PO BOX 145480 SALT LAKE CITY, UT 84114-5480

**SLC.GOV/PLANNING** ZONING@SLCGOV.COM

21A.55



#### WHAT IS A PLANNED DEVELOPMENT?

A planned development (PD) is a development approved by the Planning Commission through a special review process. The process is regulated by section <u>21A.55</u> of the zoning ordinance and is intended to allow for the flexible application of zoning standards provided certain objectives are met.

### **PURPOSE AND OBJECTIVES**

The PD process is not intended to be a means to simply obtain variances from zoning regulations. A PD should result in a more enhanced product than would be achievable through the strict application of land use regulations by:



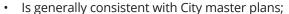
- · Implement the City's vision for future growth;
- Encouraging efficient use of land and resources;
- · Promoting greater efficiency in public utility services;
- · Encouraging innovative planning and development; and
- Reinforcing the character of the surrounding neighborhood.

There are a number of objectives that the City seeks to achieve through PD process. These objectives are listed in <u>Section 21A.55.010</u> of the PD zoning regulations. **Your application submittal must include evidence showing that your project meets at least one of these objectives.** 

#### **REVIEW STANDARDS**

The Planned Development ordinance states specific standards that the Planning Commission must use when approving a PD. In summary, the Planning Commission must find that the PD:





- Is compatible with the surrounding neighborhood;
- · Preserves and provides appropriate landscaping;
- Promotes City mobility goals;
- Preserves natural & built features that significantly contribute to the surrounding character; and
- Does not have a detrimental effect on utilities.

<u>Section 21A.55.050</u> of the PD regulations list the specific standards of review. Your application submittal must include evidence (written and graphical) showing that your project meets the Planned Development standards of review.



#### CONSULTATION

If you have questions regarding the Planned Development regulations or process, please contact the Salt Lake City Planning Counter staff at <a href="mailto:zoning@slcgov.com">zoning@slcgov.com</a> or give us a call at 801-535-7757. If you would like to discuss your development plan in more detail, you can request a presubmittal meeting with Planning staff by contacting the Planning Counter.

Pre-submittal meetings are held on Thursdays in 30 minute slots between 1:30 and 3:30 pm.

# PROCESS TIMELINE

### TIME FRAME

2 - 3 MONTHS



# APPLICATION RECEIVED

Application submitted and pre-screened to ensure submittal requirements are met and fees are paid.

#### **PLANNER ASSIGNED**

Application reviewed by Planner to ensure complete documentation (if incomplete, the applicant will be provided a list of missing info to submit).



#### APPLICATION MODIFICATIONS

Modifications based on public input & City Department review comments (if needed, applicant must submit updates). Minor issues will be conditions of approval.

#### **PUBLIC NOTICE**

Public notices sent to nearby neighbors, property owners and Community Councils (when required by ordinance). Application routed to City Departments for review.



### **PUBLIC HEARING**

Public hearing scheduled, notices sent and staff report produced.

#### **DECISION & APPEAL PERIOD**

Public hearing held and decision made. 10 day appeal period starts after decision.



## **BUILDING PERMIT PROCESS**

Start of building permit process.

Time frames determined by Building Services.

www.slc.gov/buildingservices

# PLANNED DEVELOPMENT

# IMPORTANT INFORMATION



#### CONSULTATION

Available prior to submitting an application. For questions regarding the requirements, email us at <a href="mailto:zoning@slcgov.com">zoning@slcgov.com</a>.

CASE NUMBER



#### **SUBMISSION**

Submit your application online through the <u>Citizen Access Portal</u>. Learn how to submit online by following the <u>step-by-step guide</u>.



# **REQUIRED FEES**

• **\$856** filing fee, plus **\$121** per acre (in excess of 1 acre).

DATE RECEIVED

 Additional required notice fees will be assessed after submission.

APPLICANT I	NFORMATION
PROJECT NAME (OPTIONAL)	
Woodland Commons Phase 2	
ADDRESS OF SUBJECT PROPERTY	
2445 S 500 E, Salt Lake City, UT 84106	
REQUEST	
Zoning Amendment	
NAME OF APPLICANT	PHONE
Jason Foster	801-322-2724
MAILING ADDRESS	EMAIL
175 W 900 S, Salt Lake City, UT, 84101	jason@atlasarchitects.com
APPLICANT'S INTEREST IN PROPERTY (*owner's consent required)	IF OTHER, PLEASE LIST
Owner Architect* Contractor* Other*	
NAME OF PROPERTY OWNER (if different from applicant)	PHONE
Gray Willow, LLC	801-573-9491
MAILING ADDRESS	EMAIL
1586 E Stratford Avenue #4 SLC UT 84106	phil@altusdg.com; jessica@altusdg.com; jill@altusdg.com
OFFIC	EUSE

**DISCLAIMER:** PLEASE NOTE THAT ADDITIONAL INFORMATION MAY BE REQUIRED BY THE PROJECT PLANNER TO ENSURE ADEQUATE INFORMATION IS PROVIDED FOR STAFF ANALYSIS. ALL INFORMATION REQUIRED FOR STAFF ANALYSIS WILL BE COPIED AND MADE PUBLIC, INCLUDING PROFESSIONAL ARCHITECTURAL OR ENGINEERING DRAWINGS, FOR THE PURPOSES OF PUBLIC REVIEW BY ANY INTERESTED PARTY.

RECEIVED BY

### **ACKNOWLEDGMENT OF RESPONSIBILITY**

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NAME OF APPLICANT	EMAIL	
Jason Foster	jason@atlasarchitects.com	
MAILING ADDRESS	PHONE	
175 W 900 S, Salt Lake City, UT, 84101	801-322-2724	
APPLICATION TYPE	SIGNA	DATE
Zoning Amendment	> 2 m 2.	6/13/23

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#### LEGAL DESCRIPTION OF SUBJECT PROPERTY

COM 507.62 FT S OF NW COR LOT 5 BLK 43 10 AC PLAT A BF SUR E197.4 FT S 75 FT W 197.4 FT N 75 FT TO BEG 0.34 AC 60

NAME OF OWNER

EMAIL

Gray Willow, LLC

phil@altusdg.com; jessica@altusdg.com; jill@altusdg.com

MAILING ADDRESS

SIGNATURE

DATE

1586 E Stratford Avenue #4 SLC UT 84106

- 1. If a corporation is fee titleholder, attach copy of the resolution of the Board of Directors authorizing the action.
- 2. If a joint venture or partnership is the fee owner, attach copy of agreement authorizing action on behalf of the joint venture or partnership.
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# **SUBMITTAL REQUIREMENTS**

Please provide the following information with your application. Confirm that you have included each of the requirements listed below by adding a check mark for each item.

CHECK	STAFF	REQUIREMENTS (21A.55.040.A)
$\bigcirc$		Project Description:
		<ul> <li>Description of your proposed use. If involving a residential development Include number, size, and type of dwelling units in each building, and the overall dwelling unit density.</li> <li>A complete description of the proposed planned development including the zoning regulations being modified.</li> <li>When the proposed planned development includes provisions for common open space or recreational facilities, a statement describing the provision to be made for the care and maintenance of such open space or recreational facilities.</li> <li>Describe the plan for long term maintenance of all private infrastructure as stated in 21A.55.110 of the planned development ordinance.</li> </ul>
$\bigcirc$		Planned Development (Written and Graphic) Information:
		<ul> <li>Demonstrate how your project meets the purpose and at least one objective of a planned development as stated in <u>21A.55.010</u> of the planned development ordinance;</li> <li>Demonstrate how your project meets the standards for planned developments as stated in <u>21A.55.050</u> of the planned development ordinance; and</li> <li>Demonstrate how the proposed planned development is compatible with other property in the neighborhood.</li> </ul>
$\bigcirc$		Site Plan.
		• Site plan (see the <u>Site Plan Requirements flyer</u> for further details).
$\bigcirc$		Detailed elevation drawings, identifying building materials:
		<ul> <li>Detailed elevation, sections and profile drawings with dimensions drawn to scale.</li> <li>Type of construction and list the primary exterior construction materials.</li> </ul>
Ø		Other Drawings:
		<ul><li>Floor plans drawn to scale.</li><li>Sections and details drawn to scale, if applicable.</li></ul>
		When Applicable:
		<ul><li>A preliminary subdivision plat, if required.</li><li>Traffic impact analysis, where required by the City Transportation Division</li></ul>

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INITIALS

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# ATTACHMENT C: Property and Vicinity Photos



**Subject Property – Facing east from 500 East** 



Existing single-family home at the site to be demolished



500 East from subject site, facing northwest



Facing west from subject site

# ATTACHMENT D: Zoning Amendment Standards

#### **ZONING MAP AMENDMENT**

**21A.50.050**: A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. In making a decision to amend the zoning map, the City Council should consider the following:

1. Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents;

Finding: The proposal is generally consistent with purposes, goals, objectives, and policies of the city.

#### Discussion:

While the proposed RMF-35 zoning designation is not consistent with the future land use designation from the <u>Sugar House Master Plan</u>, it is consistent with initiatives from citywide plans. The location of the project is consistent with the Location criteria for Medium-Density Residential land uses from the Sugar House Master Plan.

2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.

#### Finding:

The proposal generally furthers the purpose statements of the zoning ordinance.

#### Discussion:

21A.02.030 General Purpose and Intent of the Zoning Ordinance

The purpose of the zoning ordinance is to promote the health, safety, morals, convenience, order, prosperity, and welfare of the present and future inhabitants of Salt Lake City, to implement the adopted plans of the city, and, in addition:

- *A.* Lessen congestion in the streets or roads;
- **B**. Secure safety from fire and other dangers;
- C. Provide adequate light and air;
- **D**. Classify land uses and distribute land development and utilization;
- **E**. Protect the tax base:
- **F.** Secure economy in governmental expenditures;
- G. Foster the city's industrial, business and residential development; and
- **H**. Protect the environment.

The proposal generally supports and should not significantly impact the purposes listed in this provision. The additional density that would be allowed by the new zoning designation fosters the City's residential development and broadens the tax base by creating new housing opportunities for current and future residents. The area is well served by public transportation which can serve as an alternative to personal vehicle use and help to *lessen congestion in the streets or roads*.

# **Zoning District Purpose**

# 21A.24.130 RMF-35 Moderate Density Multi-Family Residential District Purpose Statement:

The purpose of the RMF-35 Moderate Density Multi-Family Residential District is to provide an environment suitable for a variety of moderate density housing types, including single-family, two-family, and multi-family dwellings with a maximum height of thirty five feet (35'). This district is appropriate in areas where the applicable Master Plan policies recommend a density of less than thirty (30) dwelling units per acre. This district includes other uses that are typically found in a multi-family residential neighborhood of this density for the purpose of serving the neighborhood. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

The proposed zoning amendment will facilitate the development of a moderate density, single-family attached development as described in the provision.

# **21A.50.010** Purpose Statement of zoning amendments:

The purpose of this chapter is to provide standards and procedures for making amendments to the text of this title and to the zoning map. This amendment process is not intended to relieve particular hardships nor to confer special privileges or rights upon any person, but only to make adjustments necessary in light of changed conditions or changes in public policy.

The applicant is requesting additional development rights with this zoning amendment; however, staff finds that the adjustments are warranted considering current housing market conditions and changes in public policy. Current citywide plans call for and support changes to the zoning ordinance to allow for additional density.

# 3. The extent to which a proposed map amendment will affect adjacent properties;

#### **Finding:**

While the proposed map amendment will allow for buildings slightly taller than what is commonly found in the area, it is not expected to create impacts on adjacent properties.

#### Discussion:

The map amendment will allow for medium-density development limited to 35' high. At least two off-street parking spaces per dwelling unit will be required. The site abuts the freeway on north, and a 10' wide landscape buffer will be required along the south side of the property where it abuts the R-1/7,000 zoning district, which should help to minimize potential impacts.

4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards;

**Finding:** The subject property is not within any zoning overlays.

### **Discussion:**

Not applicable.

5. The adequacy of public facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.

### Finding:

The City's public facilities and services have adequate capacity to serve the additional density that would be allowed with this rezone.

#### **Discussion:**

#### **Roadways**

The City's Transportation division reviewed the applicant's zoning amendment proposal and did not note any issues or concerns.

### **Parks and Recreation Facilities**

There are several nearby parks and recreation facilities.

#### **Police and Fire Protection**

The Police Department did not note any issues or concerns directly related to this proposal. Fire code reviewers indicated that additional review would be required when a development design has been submitted

#### **Schools**

Hawthorne Elementary School is approximately 1.3 miles from the subject site. Highland High School is approximately 2.3 miles away and is accessible by the nearby 21 bus.

# Stormwater, Water Supply, Wastewater & other public facilities and services

The City's Department of Public Utilities did not note any issues or concerns with the proposed zoning map and master plan amendment. System upgrades may be required to support the development and will be determined during building permit review.

### **Refuse Collection**

The applicant will need to provide adequate waste-removal facilities with any development application.

### **General Plan Amendment**

State Law, Utah Code Annotated, <u>Title 10 Chapter 9a</u>, requires that all municipalities have a general plan. However, there is no specific criteria relating to general plan amendments. The City also does not have specific criteria relating to general plan amendments. However, City Code Section <u>21A.02.040</u> – Effect of Adopted Master Plans or General Plans addresses this issue in the following way:

All master plans or general plans adopted by the planning commission and city council for the city, or for an area of the city, shall serve as an advisory guide for land use decisions. Amendments to the text of this title or zoning map should be consistent with the purposes, goals, objectives and policies of the applicable adopted master plan or general plan of Salt Lake City. (Ord. 26-95 § 2(1-4), 1995)

While a General Plan Amendment petition is not required as part of a Zoning Amendment Application. This petition has been submitted to maintain consistency "with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents."

While there are no specific criteria for general plan amendments in City ordinance, page 2 of the <u>Sugar House Master Plan</u> includes the following location criteria for Medium-Density Residential land uses, discussed in the <u>Project Description</u> section of this report. Staff finds that the applicant's proposal to amend the future land use designation of this property from Low Density Residential" to "Medium Density Residential is consistent with this criteria.

# ATTACHMENT E: Zoning District Comparison

A comparison of R-1-7,000 and RMF-35 zoning regulations can be found in the table below:

	<u>R-1-7,000</u>	<u>RMF-35</u>
<b>Building Height</b>	28 feet for pitched roofs or	35 feet
	20 feet for flat roofs	
Front Setback	Equal to the average	20 feet
	setback on block face or 20	
	feet	
Corner Side Yard	Equal to the average	10 feet
Setback	setback on block face or 20	
	feet	
Interior Side Yard	6 feet	4 feet
Setback, corner lot		
Interior Side Yard	6 feet on one side and 10	None required for single family
Setback, interior lot	feet on the other side	attached uses, but if a setback is
		provided it must be at least 4'. A 10'
		wide landscape buffer is required
		when abutting single family zones.
Rear Setback	25 feet	25% of lot depth, not less than 20 feet
		but not more than 25 feet
<b>Maximum Building</b>	40%	60%
Coverage		
<b>Maximum Lot Size</b>	10,500	None listed
Parking	2 spaces/dwelling unit	2 spaces/dwelling unit for single
		family attached.
		1 space/dwelling unit for multifamily.

The <u>following uses</u> are not permitted in the R-1-7,000 zoning district but are permitted or conditionally permitted in the RMF-35 zoning district:

New Permitted	New Conditional	
Dwelling, assisted living facility (small)	Community recreation center	
Dwelling, multi-family	Dwelling, assisted living facility (large)	
Dwelling, single-family (attached)	Dwelling, congregate care facility (large)	
Dwelling, twin home and two-family	Dwelling, group home (large)	
	Dwelling, residential support (small)	

Changing from Permitted to Conditional	Changing from Conditional to Permitted	
-none-	Community garden	
	Dwelling, assisted living facility (limited capacity)	
	Dwelling, congregate care facility (small)	

# **Density**

Density in R-1/7,000 is limited to one principal dwelling unit and one accessory dwelling unit per parcel.

In the RMF-35 zoning district, density is dependent upon lot area. The minimum lot area required for residential uses can be found in the table below:

Land Use	Minimum Lot Area
Single-family detached dwellings	5,000 square feet
Twin home dwellings	4,000 square feet per unit
Two-family dwellings	8,000 square feet
Multi-family dwellings (3 through 11 units)	9,000 square feet*
Multi-family dwellings (12 or more units)	26,000 square feet*

<sup>\*</sup>For multifamily uses, 9,000 square feet for 3 units, plus 2,000 square feet for each additional dwelling unit up to and including 11 units. 26,000 square feet for 12 units, plus 1,000 square feet for each additional dwelling unit up to 1 acre. For developments greater than 1 acre, 1,500 square feet for each dwelling unit is required.

# **Parking**

R-1/7,000 and RMF-35 are both within the "General" parking context area as defined in section <u>21A.44.040</u> of the City's zoning ordinance. Parking requirements in this context area are as follows:

Land Use	Off-street parking spaces required
Single-family dwellings (attached and detached)	2 spaces per DU
Twin home & Two-family dwellings	2 spaces per DU
Multi-family dwellings	Studio and 1 bedrooms: 1 space per DU, 2+ bedrooms 1.25 space per DU

# **ATTACHMENT F: Development Standards**

The tables below illustrate how the proposed lots will comply with relevant zoning and subdivision standards. Because the development plan submitted with this request is missing some details, some standards will not be reviewed until the Building Permit review stage of the development process.

# **Zoning Standards**

#### RMF-35 Moderate Density Multi-Family Residential District

Purpose Statement: The purpose of the RMF-35 Moderate Density Multi-Family Residential District is to provide an environment suitable for a variety of moderate density housing types, including single-family, two-family, and multi-family dwellings with a maximum height of thirty five feet (35'). This district is appropriate in areas where the applicable Master Plan policies recommend a density of less than thirty (30) dwelling units per acre. This district includes other uses that are typically found in a multi-family residential neighborhood of this density for the purpose of serving the neighborhood. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

As new property boundaries will be drawn around the individual townhome units, the new lots will not meet zoning requirements such as setbacks and building coverage. The table below shows that while each of the individual lots do not meet the zoning and subdivision standards, many zoning standards comply when viewing the project as a whole. Approval of this request by the Planning Commission would be for the submitted project configuration.

Standard	Requirement	Proposed	Finding
Maximum Building Height	35'	29'9"'	Complies
Front Setback	20'	15'	PD approval required
Side Yard Setback	None required, however, if one is provided it must be at least 4'.	2'7" on north side, 14' on the south side.	The new townhome lots will be built to property lines and
Rear Yard Setbacks	25 percent of the lot depth, or 25 feet (25'), whichever is less.	23' on the Phase 1 property, 10' on the Phase 2 property.	will have no setbacks.
Buffer Yard	10' when abutting a single-family zoning district.	The site abuts the R-1/7000 zoning district along the southern boundary of the site. A 10' landscape buffer is proposed.	Complies
Lot Area	<b>1,500</b> square feet of lot area per unit for multifamily developments over one acre, <b>3,000</b> square feet of lot area for singlefamily attached.	37 single-family attached units are proposed. While this does exceed the lot area requirement for this use, it does not exceed the	PD approval required

Minimum Lot Width	22 feet for single family attached dwellings.	overall density limitation for the site.  The townhome lots will have an average lot area of 770 square feet  The new townhome lots will be approximately 20' wide. The site will have approximately 153' of frontage on 500 East.	PD approval required
Maximum Building Coverage	60% of the lot area.	Buildings will cover approximately 38% of the site. The individual lots will be 100% covered by buildings.	PD approval required
Refuse Control	Recycling collection station may be required. Construction waste management plan will be required.	To be verified at building permits.	Complies
Lighting	All developments shall provide adequate lighting so as to assure safety and security. Lighting installations shall not have an adverse impact on traffic safety or on the surrounding area. Light sources shall be shielded, and shall not shine onto adjacent properties.	Lighting plan will be evaluated when project is reviewed for permits. The small scale of the project reduces likelihood of creating light pollution.	To be verified with building permit review
Off-Street Parking	2 parking spaces for each dwelling unit.	2 parking spaces for each dwelling unit, 56 spaces total	Complies
Landscaping & Buffering	Landscaping must comply with park strip and landscape yard requirements.	Freeway landscape scenic buffer of 10' in depth required on the north side of the phase 1 property. The provided buffer is 2'7" at its narrowest point.	Complies
Street Frontage	All new lots must have frontage on a public street unless approved as a Planned Development.	The new townhome lots will not have frontage on a public street.	PD approval required

# ATTACHMENT G: Planned Development Objectives and 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.

# **Planned Development Objectives**

A. 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:**

Staff finds that the project meets two of the Planned Development objectives: Housing and Master Plan Implementation. Staff is of the opinion that the planned development generally creates a better product than what would be possible if the City enforced a literal interpretation of the zoning ordinance. The requested relief allows the applicant to build townhomes at this site that can be subdivided and sold separately, providing a type of housing that is uncommon in the neighborhood and helping to implement the *Sugar House Master Plan*.

Finding: $\boxtimes$ Meets Purpose Statement $\square$ Does Not Meet Purpose Statement			
<b>A.</b>	<b>Open Space And Natural Lands:</b> Preserving, protecting or creating open space and natural lands:		

- 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 project does not specifically propose to preserve, protect, or create open space or natural lands.

**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 project does not include affordable housing units, but would provide a type of housing that is not typically found in the neighborhood. The neighborhood immediately surrounding this site consists primarily of single-family detached dwellings. While some single-family attached and multi-family developments also exist in the neighborhood, they are not commonly found in the area. Providing single-family attached townhome units increases the variety of housing types for this neighborhood, while still building at a scale that is typical to the neighborhood.

**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 design of the building, its systems, or site have not been specifically identified as allowing for a significant reduction in energy usage as compared with other buildings of a similar type.

There is no proposed on-site generation of renewable energy. The project has not been identified as being located on a brownfield site.
<b>Finding:</b> □ Objective Satisfied
<ul> <li>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:</li> <li>1. A project that is consistent with the guidance of the Master Plan related to building scale,</li> </ul>
building orientation, site layout, or other similar character defining features.
Page 2 of the <u>Sugar House Master Plan</u> contains residential land use policies that are applicable to this project.
The future land use map in the <u>Sugar House Master Plan</u> designates the Phase 2 property (2445 S 500 E) as "Low Density Residential", however, the applicant has petitioned to amend the designation to "Medium Density Residential" to match the future land use designation of the phase 1 property, which was redesignated in 2022. The plan includes design policies for medium density residential projects, including: usable landscaped open space, screened off-street parking areas, and units oriented in a way to be compatible to existing surrounding residential structures. The proposal includes a landscaped area on the eastern end of the property that will be useable for residents. Parking will be screened in individual garages, and the buildings are oriented in a way that is compatible with the surrounding development, by providing a setback of 14' on the side of the property that abuts a single-family home. Additional discussion regarding master plan compatibility can be found in Key Consideration 3.

# **Planned Development Standards**

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.

☐ Objective Not Satisfied

**Finding: Complies** 

**Finding:** ☑ Objective Satisfied

#### **Discussion:**

The <u>Sugar House Master Plan</u> was amended in August 2022 the change the future land use designation of the Phase 1 property to *Medium Density Residential* (Ordinance No. 48 of 2022), and the applicant is currently petitioning to amend the future land use designation of the Phase 2 property to match this designation. Medium Density Residential areas are "designed to accommodate a mix of low-rise housing types" including single-family through four-plex units, garden apartments, townhouses, and mixed use or live/work units. (Page 2) Density should be between 10-20 units per acre. A variety of densities is also encouraged. The proposed development aligns with the Medium Density Residential designation, providing townhome units at a density of approximately 20 units per acre, and contributing to a greater

variety of residential densities in the immediate neighborhood, which has a mix of single-family and small multi-family properties.

The project is consistent with Guiding Principle #3 in Plan Salt Lake, "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." The proposed project's residential units provide additional housing units in the neighborhood to accommodate more residents. All of the units are proposed to be sold at market rate.

Initiatives from the Growth chapter are also applicable. The following Growth initiatives apply:

- Promote infill and redevelopment of underutilized land.
- Accommodate and promote an increase in the City's population.

The proposal would redevelop land that is currently underutilized based on RMF-35 zoning regulations. Redevelopment of the property would make greater use of the land, and would provide infill housing in an established neighborhood, helping to accommodate and promote an increase in the City's population.

**Condition(s):** None related to this standard.

- 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:**

Bulk and height of the proposed development are slightly greater than surrounding development. While most neighboring structures are one or two stories tall, and used as single-family homes or small multi-family dwellings, these buildings will be approximately 30' tall and larger in size than most of the surrounding development. The <u>Sugar House Master Plan</u> Medium Density Residential future land use location criteria which supports the proposed additional density at this site. The proposed density is consistent with what is identified as appropriate for this land use designation. The proposed site plan provides a setback of at least 14' from the neighboring residential property, providing a buffer between this development and less intense development abutting this property.

**Condition(s):** None related to this standard.

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:**

Building orientation and materials are generally compatible with the surrounding neighborhood. On the 500 East side, the proposed front yard setback of 15 feet is closer than the average setback along the block face, which is likely closer to 40 feet. The development is buffered from the surrounding development by providing a 14' setback on the south side of the buildings which includes a 10' landscape buffer and will include new shade trees, a continuous shrub hedge, and a 6' tall fence. Masonry construction is common in the area, and the proposal will include a brick façade on the ground level.

# **Condition(s):** None related to this standard.

- 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:**

- a. While the applicant is seeking relief from several setback requirements, the proposed setbacks should not impact the visual character of the neighborhood.
- b. Adequate space is maintained for private amenities.
- c. The underlying RMF-35 zoning requires a landscape buffer of 10 feet on south and east sides of the property. The applicant is providing a 10' landscape buffer, along with a total setback of at 14' along the south side of the property which abuts a single-family residential use. On the east side, the setback is ranges between 10' and 25', is smaller than the required 25 feet. However, the property directly to the east of the Phase 1 is owned by the Utah Department of Transportation, and the property to the east of the Phase 2 property is a field owned by the LDS Church.
- d. Sight lines to streets, driveways, and sidewalks must be maintained per applicable City code requirements. Requested setback modifications should not impact sight lines.
- e. Sufficient space will be provided for maintenance.

### **Condition(s):** None related to this standard.

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

# **Finding: Complies**

#### **Discussion:**

Building façades will include ground floor glass, as well as glass on each of the upper two levels. On the second level, balconies are included on the street-facing sides of the buildings. Durable materials are proposed for the ground level.

**Condition(s):** None related to this standard.

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

# **Finding: Complies**

#### **Discussion:**

Lighting is not expected to impact surrounding property. A lighting plan may be required for building permit review.

**Condition(s):** Defer review of this standard to Planning staff during Building Permit review.

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

# **Finding: Complies**

#### **Discussion:**

Wheeled garbage cans will be stored in resident's enclosed individual garages. No dumpsters, loading docks, or service areas are proposed.

**Condition(s):** None related to this standard.

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

# **Finding: Complies**

**Discussion:** Parking will be inside enclosed within garages and will be appropriately buffered.

**Condition(s):** None related to this standard.

- 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: Complies**

#### **Discussion:**

Native trees will be preserved where possible and new shade trees will be planted along the South and East edge of the property to mitigate tree loss. The Private Lands Tree Preservation standards in <u>21A.48.135</u> are required to be complied with.

**Condition(s):** None related to this standard.

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

# **Finding: Complies**

#### **Discussion:**

There is one mature coniferous tree near the southern edge of the site that is slated to be removed. Seven new shade trees will be planted along the southern boundary, along with a 4' continuous shrub hedge and a 6' tall fence.

**Condition(s):** None related to this standard.

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

# **Finding: Complies**

## **Discussion:**

A 10' wide landscape buffer will be provided between this site and the abutting properties zoned R-1/7,000. The provided trees are proposed to be evergreens, which should absorb some pollution from the freeway and lessen pollution impact from the freeway on residents of the development.

**Condition(s):** None related to this standard.

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

# **Finding: Complies**

#### **Discussion:**

The applicant is proposing trees, shrubs, and foliage that are appropriate for the scale of the development. The applicant is seeking to reduce several yard requirements, which will reduce the amount of open space and vegetated area. In order to address this shortage, the applicant is preserving several existing trees, and including a landscaped setback area between buildings.

**Condition(s):** None related to this standard.

- 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:**

The proposed development would include a new private street, which would connect to 500 East on the west end and Warnock Avenue on the east end. There is currently a curb cut and

ramp on the 500 East frontage of the property, so the number of drive entrances on 500 E will remain the same. On the Warnock Avenue end, the drive will connect to the dead end of Warnock and will not impact any public sidewalks.

**Condition(s):** None related to this standard.

- 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:**

- a. The proposed drive access will not have a negative impact on the pedestrian way. 500 East already has a curb ramp, and the private drive will connect to the dead end of Warnock and not impact any public sidewalks. The design includes a pedestrian path that connects the 500 East to Warnock Avenue.
- b. No specific area for bicycle parking is proposed. There are bike lanes along 500 East, which connect to the Parleys Trail to the north. The subject site fronts on 500 East, which is served by the UTA bus route 205, which is slated for <u>frequent transit network</u> (FTN) service upgrades. East/west bus service is also available on 1700 South and 2100 South. The 500 East S-Line station is about one-third of a mile away, also to the north, which can be accessed by sidewalk along 500 East.
- c. The proposed design should not create conflicts between transportation modes. The number of drive access points will be increased by one, but it will not cross a public sidewalk. Residents of the development will be able to access 500 East through a pedestrian path through the property. Warnock Avenue will be accessible by walking to the end of the path and then using the private drive aisle for a short distance to access the public right of way.

**Condition(s):** None related to this standard.

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

# **Finding: Complies**

The layout of the proposal includes direct access to the public sidewalk, which would permit residents to access nearby adjacent uses and amenities. The surrounding neighborhood is primarily residential in character. Access to the S-Line street car system is available within .3 miles on 500 East.

**Condition(s):** None related to this standard.

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

# **Finding: Complies**

#### **Discussion:**

Emergency vehicles will use 500 East and Warnock Avenue for access. The private street will need to meet fire access requirements.

**Condition(s):** None related to this standard.

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:**

Loading access to the site is adequate, as most units will be accessed from a private street and not the public right of way.

**Condition(s):** None related to this standard.

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: Complies**

#### **Discussion:**

There are no natural or built site features that significantly contribute to the character of the neighborhood.

**Condition(s):** None related to this standard.

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:**

Public utility requirements will be reviewed during the building permit review process. Utility upgrades may be required by to serve the property.

**Condition(s):** None related to this standard.

# ATTACHMENT H: 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:

- August 3, 2023 The Sugar House Community Council was sent the 45-day required notice for recognized community organizations. The applicant attended their meeting on August 22, 2023.
- <u>August 3, 2023</u> Property owners and residents within 300 feet of the development were provided early notification of the proposal.
- August 21, 2023 Applicant presented project to Sugar House Community Council

Notice of the public hearing for the proposal included:

- October 16, 2023 Public hearing notice sign posted on the property.
- October 12, 2023 Public hearing notice mailed, posted on City and State websites, and posted on Planning Division list serve.

# **Public Input:**

Two emailed comments were received and can be found below.

# Ovenden, Trevor

From: kylie wack

Sent: Wednesday, September 6, 2023 1:47 PM

To: Sugar House Community Council & Salt Lake Community Network; Ovenden, Trevor

**Subject:** (EXTERNAL) Concern About Townhome Project

Follow Up Flag: Follow up Flag Status: Flagged

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

I hope this message finds you well. I am writing to share my concerns regarding the townhome project currently underway in Sugarhouse. While I understand the need for development and progress, I genuinely worry about the potential consequences it may have on the neighborhood's unique charm and natural beauty.

First and foremost, I am troubled by the height of the townhomes planned for the area. Sugarhouse has always been known for its picturesque landscapes and quaint architectural appeal. It is saddening to envision these idyllic views being obscured by towering buildings. As a resident, the beauty and tranquility that the neighborhood presently offers are important to me, as well as to other community members who share the same sentiment. Another significant concern I have is the potential impact on the view from my property.

Currently, I am fortunate to overlook a lovely field of trees, which serves as a refreshing sight for both myself and many of my neighbors. However, with the proposed townhomes, the view that brings me solace will be replaced by an imposing structure, effectively blocking any direct line of sight to nature. This loss would be deeply disappointing, as it contributes to the sense of harmony and connection with the environment that many of us value within the Sugarhouse community.

I strongly believe that it is crucial to find a balance between progress and preserving the unique characteristics that define Sugarhouse. I urge you to take into consideration the concerns raised by community members regarding the height of the townhomes and the potential loss of natural views.

Exploring alternative designs that are more sympathetic to the existing landscape could foster a win-win situation for all stakeholders involved.

Thank you for taking the time to listen to my concerns. I hope that, as the project planner, you can offer reassurances and consider alternative approaches that would retain the essence of Sugarhouse while accommodating essential development.

I look forward to hearing your thoughts and potentially engaging in further dialogue about this matter. Together, we can work towards a solution that balances progress and preservation.

Warm regards, Kylie Wack

# Ovenden, Trevor

From: Thea Brannon <

Sent: Tuesday, September 12, 2023 6:27 PM

To: Ovenden, Trevor

**Subject:** (EXTERNAL) Preservation of trees at development site 2435 and 2445 S 500 E

**Follow Up Flag:** Follow up Flag Status: Flagged

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

#### Dear Sir:

I am extremely concerned that the developer, despite his verbiage, will destroy all the large, old cottonwood and other trees on these sites. 2435 is a very deep lot with a central glade shaded by overarching magnificent old trees, a real city oasis. I have visited the site numerous times over several years just to experience its quiet beauty. I have in the past few months personally made a chart of all the large trees on both sites. Many healthy-appearing trees in full leaf (which need pruning) have been marked with a big red X, and two near the south front of the site have already been removed, apparently to be replaced (per the drawing for 2445) by a driveway.

Per the section on Tree Preservation Information of the *Urban Forestry Plan Review Checklist for all Site, Demolition, and Landscape* plans submitted, all existing trees on and within 15 feet of site are to be identified on drawings and on an inventory spreadsheet, with information on their size, condition, and their proposed fate. Was this requirement followed?

Per city ordinance 21A48.135, Private Lands Tree Preservation, the forester is supposed to maintain a list of specimen trees, "which shall be preserved to the maximum extent practicable as determined by the city forester." Tree removal per specific exemptions is subject to approval by the forester. Is this requirement being followed, with documentation?

The standards for preservation allow for mitigation with wimpy-sized trees, which the developer had planned to place on the north side of 2435 next to the freeway in a much larger setback than now appears on the revised plan including 2445. Is there enough room now for adequate mitigation?

I see that the zoning administrator "may modify any dimensional standard, such as setbacks and height limits, by up to twenty percent (20%) if such modification will result in preservation of a specimen tree." In addition, replacement trees "shall be planted where the specimen tree was removed except where the city forester, in consultation with the zoning administrator, finds".. that "the site does not provide for adequate landscape surface to accommodate the total number of replacement trees." Mitigation apparently can be done monetarily in that case, but at this site, the result may be inadequate screening and pollution protection from the freeway.

I understand that "development of the property will provide significant community benefits (housing) that outweigh tree preservation," but I ask that every effort be made to preserve at least some of the wonderful trees on both of these sites, especially if a healthy tree is to be replaced at its exact site with a small tree. I fear that, out of convenience, the developer will push to remove rather than prune and nurture those which can be saved.

Thank you for considering my comments and questions. I really love this property.

Thea Brannon

# ATTACHMENT I: Department Review Comments

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

# Engineering (Scott Weiler/scott.weiler@slcgov.com>

No comment.

# Building (Jason Rogers/Jason.Rogers@slcgov.com):

No comments at this time

# Fire (Douglas Bateman/douglas.bateman@slcgov.com)

\*Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into; and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Approved access is height of building X .3 + 4 feet. This is the distance needed from lot lines, buildings, or permanent obstructions. If it is not provide Alternate Means and methods may be proposed.

\*Fire apparatus access roads shall have an unobstructed width of not less than 20 feet for buildings 30-feet and less, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches. Buildings greater than 30 feet shall have a road width of not less than 26 feet. Fire apparatus access roads with fire hydrants on them shall be 26-feet in width; at a minimum of 20-feet to each side of the hydrant in the direction or road travel.

\*Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide (See Figure D103.6 for example).

\*Fire lane signs as specified in Section D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide and less than 32 feet wide (See Figure D103.6 for example).

\*Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (80,000 pounds) and shall be surfaced to provide all-weather driving capabilities.

\*The required turning radius of a fire apparatus access road shall be the following: Inside radius is 20 feet, outside is 45-feet

\*Buildings or portions of buildings constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official. Additional fire hydrants may be necessary dependent on total square footage and required fire flows in accordance with IFC appendix B and C

\*Fire department connections shall be located on the street address side of buildings, fully visible and recognizable from the street, and have a fire hydrant within 100-feet on the same side of the street. \*Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.

# Urban Forestry (Rick Nelson/Rick.Nelson@slcgov.com):

If the requirement for there to be one street tree planted for every 30' of public street frontage is maintained, then Urban Forestry has no concern with this proposal.

# Transportation (Jena Carver/Jena.Carver@slcgov.com)

I have no issues with the general plan or zoning map amendments. I have one comment for the planned development. If gates are planned they must meet all zoning and fire department requirements including width and distance from the sidewalk/property line. Details on the gate design will be required with the building permit and are subject to approval.

If you know they aren't planning on putting in gates or if they aren't allowed you can just disregard that comment.

# Public Utilities (Andrea Osojnak/Andrea.Osojnak@slcgov.com)

With increased densification, the applicant must consider the potential increase in construction costs resulting from required offsite utility improvements, potentially downstream of the subject property. Densification may place greater demands on water, sewer, and storm drain systems, which could exceed the capacity of the existing infrastructure. Property owners and developers will be required to upgrade the offsite public utilities to ensure sufficient capacity for the new development.

Additional comments have been provided to assist in the future development of the property. The following comments are provided for information only and do not provide official project review or approval. Comments are provided to assist in design and development by providing guidance for project requirements.

Phase 1 is in preliminary review with BLD2023-05218.

- Public Utility permit, connection, survey, and inspection fees will apply.
- All utility design and construction must comply with APWA Standards and SLCPU Standard Practices.
- 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.
- Public street light requirements are determined during building permit review.
- There is an existing 18" RCP public storm drain and public owned drainage ditches that run along the north side of the property. These facilities will either need protected in place with an easement in place for Public Utilities access, relocated, or abandoned, if possible. Design engineer should present a drainage solution in the required Technical Drainage Study to address the public infrastructure.
- CC&R's must address utility service ownership and maintenance responsibility from the public main to each individual unit.
- Utilities cannot cross property lines without appropriate easements and agreements between property owners.
- Parcels must be consolidated prior to permitting.
- Site utility and grading plans will be required for building permit review. Site utility plans should include all existing and proposed utilities, including water, irrigation, fire, sewer, stormwater, street lighting, power, gas, and communications. Please refer to APWA, SLCDPU Standard Practices, and the SLC Design Process Guide for utility design requirements.
- 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. Required improvements on the public water and sewer system will be determined by the Development Review Engineer and may be downstream of the project.

- One culinary water meter is permitted per parcel and fire services, as required, will be
  permitted for this property. If the parcel is larger than 0.5 acres, a separate irrigation
  meter is also permitted. Each service must have a separate tap to the main. There are
  multiple existing water meters to the site. These will need consolidated to a single culinary
  water meter and service.
- A minimum of one sewer lateral is required per building. Shared laterals require a request for variance. Laterals must be 4" or 6".
- (NOTE CONTINUED)...
- Site stormwater must be collected on site and routed to the public storm drain system. Stormwater cannot discharge across property lines or public sidewalks.
- Because this project is part of a common plan development (CGP UPDES Permit No. UTRCooooo section 1.1.2.a.) this project will disturbance over one acre, stormwater treatment is required prior to discharge to the public storm drain. Utilize stormwater Best Management Practices (BMP's) to remove solids and oils. Green Infrastructure should be used whenever possible. Green Infrastructure and LID treatment of stormwater is a design requirement and required by the Salt Lake City UPDES permit for Municipal Separate Storm Sewer System (MS4). This permit was updated with this requirement in June 2021. The applicant will need to provide options for stormwater treatment and retention for the 80th percentile storm. If additional property is not available, there are other options such as green roof or other BMP's. Lack of room or cost is generally not an exception for this requirement. If green infrastructure is not used, then applicant must provide documentation of what green infrastructure measures were considered and why these were not deemed feasible. Please verify that plans include appropriate treatment measures. Please visit the following websites for guidance with Low Impact Development: <a href="https://deq.utah.gov/water-quality/low-impact-">https://deq.utah.gov/water-quality/low-impact-</a>

development?form=MY01SV&OCID=MY01SV

and

https://documents.deq.utah.gov/water-quality/stormwater/updes/DWQ-2019-000161.pdf?form=MY01SV&OCID=MY01SV.

- 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 including all calculations, figures, model output, certification, summary, and discussion.
- Projects larger than one acre require that a Stormwater Pollution Prevention Plan (SWPPP) and Technical Drainage Study are submitted for review.

# Housing Stability (Tony Milner/Tony.Milner@slcgov.com):

The Housing Stability Division's comments on the rezone and map modifications requests for the proposed Woodland Commons Phase 2 project located at 2445 South 500 East, in relation to the City's five-year housing plan, *Housing SLC: 2023-2027*, <a href="https://www.slc.gov/can/housing-SLC/">https://www.slc.gov/can/housing-SLC/</a>, are as follows.

### Concerns:

No concerns.

#### **Recommendations:**

- Salt Lake City is committed to increasing opportunities for homeownership and other wealth and equity building opportunities, including affordable homeownership.
- We encourage the developer to review the City's available fee waivers and low-interest loan
  products that support the development and operations of income-restricted affordable units.
  <a href="https://slcrda.com/wp-content/uploads/2021/03/SLC-Affordable-Residential-Developers-Guide-2019-v1.pdf">https://slcrda.com/wp-content/uploads/2021/03/SLC-Affordable-Residential-Developers-Guide-2019-v1.pdf</a>
  - o For example: Code 18.98.060: EXEMPTIONS, E:
    - The following housing may be exempt from the payment of impact fees, to the following extent:
      - 4. A fifty percent (50%) exemption shall be granted for nonrental housing for which the annualized mortgage payment does not exceed thirty percent (30%) of the annual income of a family whose annual income equals one hundred percent (100%) of the median income for Salt Lake City, as determined by HUD.
- We encourage the developer to include units with accommodations and amenities in alignment with the Americans with Disabilities Act, such as ramps, wider door frames, grab bars, and roll-in showers to benefit residents with temporary or long-term mobility difficulties.

# Police (Andrew Cluff/Andrew.Cluff@slcgov.com)

No public safety concerns with the rezone. We will want to be looped in on the development phase just so we make sure there is a good safety plan in place for the management/HOA to get in contact and work with police if needed.