



COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

TO: City Council Members

FROM: Brian Fullmer
Policy Analyst

DATE: May 21, 2024

RE: 1791 South, 1815 South State Street, and 118 East, 120 East Coatsville Avenue
Zoning Map and Master Plan Amendments (Maven State)
PLNPCM2022-00998/01203 & PLNPCM2022-00999

Item Schedule:

Briefing: March 19, 2024
Set Date: March 26, 2024
Public Hearing: April 16, 2024
Potential Action: May 21, 2024

PUBLIC HEARING UPDATE

Nine people spoke at the April 16, 2024 public hearing for this proposed zoning map and master plan amendments. Eight were opposed, and one was supportive. Concerns expressed include increased parking and traffic issues on the narrow adjacent Coatsville and Downington Avenues, a loss of privacy for nearby residents, decreased property values, the developer can't commit to affordable housing units, and the proposed building is out of scale with the neighborhood. The person who spoke in support of the proposals cited potential increased property values and the need for additional housing.

The Council closed the public hearing and deferred action to a future meeting.

Following the public hearing, the petitioner proposed entering into a development agreement with the City that includes the following requirements:

- A minimum of 5% of dwelling units, proportional to the overall ratio of unit sizes, be offered at 80% of area median income, for at least 15 years.
- Provide a minimum of 1/2 parking space per dwelling unit within the development.
- Provide a minimum of one parking space per 1,000 square feet of commercial space within the development.

The following information was provided for previous meetings. It is included again for background purposes.



BRIEFING UPDATE

During the March 19, 2024 briefing Council Members asked about potential affordable housing units in future development on the site. The petitioner said they would like to include some affordable units but are not able to commit to them given the current financial landscape. They are reviewing the recently adopted affordable housing incentives to determine if those will make it more feasible to include affordable units.

The petitioner said they received concerns about potential building heights and impacts to the neighborhood. Shadow and solar studies have been conducted to help guide building design to mitigate impacts. In addition, the petitioner clarified that the proposal includes commercial uses on the ground floor of the existing building, and on the State Street façade of the new building.

The Council will be briefed about a proposal to amend the zoning map for properties at 1791 South and 1815 South State Street, and 118 East and 120 East Coatsville Avenue in City Council District Five from their current CC (Corridor Commercial) and R-1/5,000 (Single Family Residential) zoning designations to R-MU (Residential Mixed Use). In addition, the proposal calls for amending the *Central Community Master Plan* future land use map from the current “Community Commercial” and “Low-Density Residential” designations to “High Mixed Use.”

Current R-1/5,000 and CC zoning allow buildings up to 28 feet and 30 feet respectively. (CC zoning allows an additional 15 feet of height through the design review process.) The proposed R-MU zoning allows residential buildings up to 75 feet high, and nonresidential buildings up to 45 feet.

Vacant single-family homes located at 118 East and 120 East Coatsville Avenue, and a vacant restaurant at 1791 South State Street would be demolished as part of the proposal. Because the proposed zoning map amendment would permit nonresidential use of the land, a housing loss mitigation plan is required. The plan was submitted to the City and calls for providing replacement housing to mitigate the loss of two housing units.

The petitioner’s stated objective is to consolidate the properties and redevelop the site into a mixed-use project. Under the current proposal there would be two primary structures; adaptive reuse of a vacant former furniture store at 1815 South State Street into mixed use commercial and office space; and an apartment building with approximately 150 units and ground-floor commercial space that wraps the building. The apartments would be a mix of affordable and market rate units, and three levels of parking with approximately 190 spaces.

The proposed apartment building is anticipated to have the following mix of apartments:

- 65 Studio
- 55 one bedroom
- 25 two bedroom
- 5 three bedroom

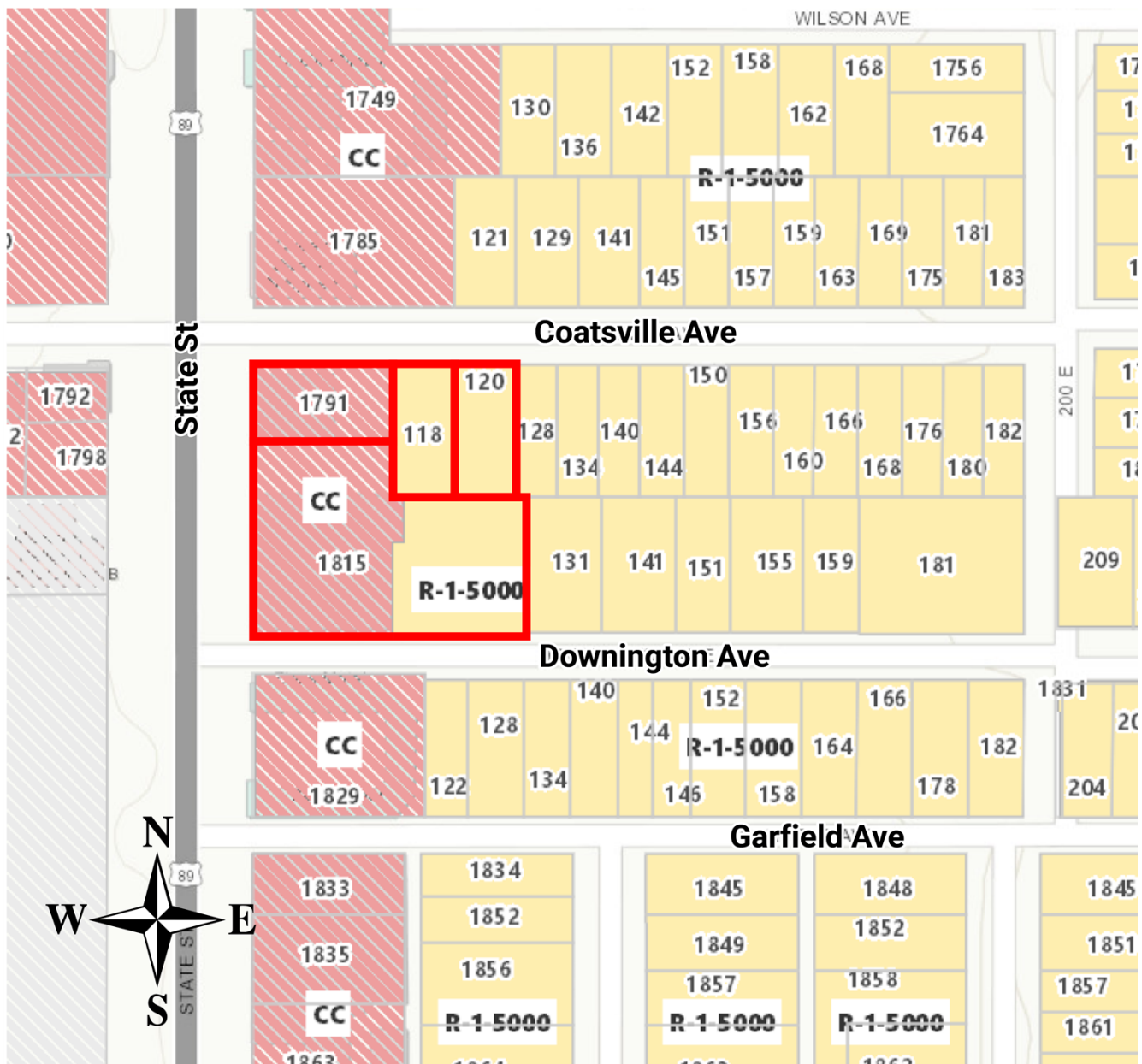
The Planning Commission reviewed the proposals during its May 10, 2023 meeting and held a public hearing at which three people spoke in opposition. Concerns expressed include neighborhood impacts due to building height, light pollution, loss of privacy for adjacent properties, traffic accessing the site on residential streets, and parking.

When asked why the proposal includes vehicle access off Coatsville and Downingtown Avenues, the petitioner stated their intent to activate the State Street frontage and not make it a parking lot. In addition,

a bus stop is in front of the property on State Street making vehicle access to the site from the same location problematic.

The Planning Commission voted unanimously to forward positive recommendations on both the zoning map and future land use amendments with the following recommended conditions:

1. A minimum 30-foot building setback required on the eastern boundary of the site that abuts single-family residential zoning regardless of the building orientation of future development.
2. At the 30-foot setback line buildings are limited to 60 feet in height. Each added foot of building height must be stepped back an additional one foot from the 30-foot setback line. (This does not apply where the building is set back 45 feet or more.)
3. A 10-foot landscape buffer as defined in the Salt Lake City Zoning Ordinance is required along the eastern boundary of the subject site that abuts the single-family residential zoning district. The landscape buffer may be located within the 30-foot building setback area and must include the following:
 - a. A solid fence six feet in height;
 - b. A four-foot-tall shrub hedge along the entire length of the landscape buffer; and
 - c. Shade trees planted at the rate of one tree for every 30 linear feet.
4. The existing building at 1815 South State Street shall be repurposed with the redevelopment of the site.
5. These conditions apply only when the abutting properties to the east are zoned single-family residential. If the zoning changes on the properties to the east to a zoning district that allows building heights greater than 35 feet, these conditions no longer apply.



Area map with subject parcels outlined in red.

Goal of the briefing: Review the proposed zoning and future land use map amendments, determine if the Council supports moving forward with the proposal.

POLICY QUESTIONS

1. In keeping with the Council's interest in housing affordability, the Council may wish to ask for more information about the number of each size dwelling unit that are anticipated to be affordable and for how many years, and at what percentage of AMI the developer / petitioner plans to list the properties for rent.
2. Is the Council supportive of the Planning Commission's recommended conditions?

ADDITIONAL INFORMATION

Planning staff provided the following table summarizing the proposed amendments for each of the subject parcels.

	<i>Site Conditions</i>	<i>Lot Area</i>	<i>Current Zoning</i>	<i>Proposed Zoning</i>	<i>Current Master Plan Designation</i>	<i>Proposed Master Plan Designation</i>	<i>Demo House?</i>
1815 S State St	A large, vacant commercial building with parking in the rear	0.87 Acres	Split-zoned CC and R-1/5000	RMU	Community Commercial & Low Density Residential	High Mixed Use	No
1791 S State St	A vacant restaurant	0.2 Acres	CC	RMU	Community Commercial	High Mixed Use	No
118 E Coatsville Ave	A single-family house	0.15 Acres	R-1-5000	RMU	Low Density Residential	High Mixed Use	Yes
120 E Coatsville Ave	A single-family house	0.15 Acres	R-1-5000	RMU	Low Density Residential	High Mixed Use	Yes
Total	-	1.37 Acres	-	-	-	-	-

Table courtesy of Salt Lake City Planning Division

The Council is only being asked to consider rezoning the property and amending the future land use map. Although a concept plan was included in the application materials, no formal site plan has been submitted to the City, nor is it within the scope of the Council's role to review the plans. Because zoning of a property can outlast the life of a building, any rezoning application should be considered on the merits of changing the zoning of that property, not simply based on a potential project.

KEY CONSIDERATIONS

Planning staff identified three key considerations related to the proposal which are found on pages 6-7 of the Planning Commission staff report and summarized below. For the complete analysis, please see the staff report.

Consideration 1-Impact on Adjacent Residential District

As noted above, the maximum residential building height in the R-MU zoning district is 75 feet. A 30-foot buffer is required along the rear property line. Preliminary plans submitted by the petitioner show the proposed building 30 feet from the eastern property line that abuts single-family residential properties. However, if the plans are reconfigured to make the eastern property line a side property line, only a 10-foot landscape buffer would be required adjacent to single-family residential properties to the east. Planning staff recommended the 30-foot setback on the eastern boundary which abuts R-1/5,000 zoning regardless of building orientation. They felt this condition is necessary to ensure the setback is maintained if development plans change or the property is sold.

Planning staff also recommended the step back requirement in addition to the 30-foot setback. Buildings would be limited to 60 feet at the setback line without a step back. Each additional foot of building height would require a one-foot step back to help reduce the building's scale, minimize shadows, and increase privacy for neighbors. (Note-the step back would not apply for buildings 45 feet or more from the property line.)

Planning staff recognizes impacts to neighbors of a large building on the site will not be completely mitigated by the recommended conditions, but believes it is a reasonable compromise that will push the bulk of the building toward State Street and allow the site to be redeveloped.

Consideration 2-Housing Mitigation Plan

As discussed above, because the proposed zoning map amendment would permit nonresidential use of the land, a housing loss mitigation plan is required. Options for mitigating the loss of residential housing include providing replacement housing, paying a fee to the City's housing trust fund based on the difference between the housing value and replacement costs of building new units, and if deteriorated housing exists that is not caused by deliberate indifference of the landowner, the petitioner may pay a flat fee to the City's housing trust fund. The petitioner submitted a plan to the City and elected to provide replacement housing to mitigate the loss of two housing units. The plan was reviewed and approved by the Community and Neighborhoods Director.

Consideration 3-Compliance with Master Plan Policies

The subject parcels are within the 2005 *Central Community Master Plan* area and the proposal does not align with the plan's future land use map or some policies within the plan. However, Planning staff believes goals and objectives from more recent plans support additional density and mixed use near major transportation corridors such as State Street.

ZONING COMPARISON

Planning staff provided the following table in Attachment C (page 32) of the Planning Commission staff report. It is replicated here for convenience.

	<i>CC (current)</i>	<i>R-1/5,000 (current)</i>	<i>R-MU (proposed)</i>
<i>Maximum Building Height</i>	30 feet (An additional 15 feet of building height can be approved through the design review process.)	28 feet to the ridge of the roof or the average height of other principal buildings on the block face. 20 feet to the top of a flat roof	75 feet for residential buildings, 45 feet for nonresidential buildings
<i>Front Setback</i>	15 feet	Average of block face or 20 feet.	No setback is required for multi-family buildings or nonresidential uses.
<i>Side Setback</i>	Corner side yard: 15 feet Interior: None required	Corner side yard: 10 feet Interior: 4 feet on one side, 10 feet on the other	No setback is required for multi-family buildings or nonresidential uses.
<i>Rear Setback</i>	10 feet	25% of lot depth or 20 feet, whichever is less.	25% of lot depth or 30 feet, whichever is less.
<i>Permitted Uses</i>	Commercial uses including retail sales and services, entertainment, office and residential.	Single-family detached dwellings, parks, home occupations, dormitories.	Commercial and residential uses including high-density residential, retail, service commercial, and small-scale office uses.
<i>Minimum Lot Width</i>	75 feet	Single-family detached: 50 feet	Single-family attached: 3,000 square feet/unit Single-family detached: 5,000 square feet/unit Two-family dwellings: 8,000 square feet Multifamily and non-residential: No minimum
<i>Open Space</i>	None other than required yard areas.	60% (40% maximum building coverage).	20%. Landscape yards, plazas and courtyards may

			count toward this requirement.
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Analysis of Factors

Attachment E (pages 41-44) of the Planning Commission staff report outlines master plan and zoning map amendment standards that should be considered as the Council reviews this proposal. It is Planning staff's opinion that the proposed master plan amendment changing the future land use map to medium-density residential fulfills the intended outcomes of policies within *Plan Salt Lake* and *Growing SLC*. Please see the Planning Commission staff report for additional information.

Factor	Finding
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.	<i>Does not comply with current Central City Master Plan future land use map or several policies within the plan. Many purposes, goals, objectives, and policies in Plan Salt Lake, and other more recent plans support the proposed amendments.</i>
Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.	<i>Complies</i>
The extent to which a proposed map amendment will affect adjacent properties	<i>Proposal has potential to create impacts to adjacent properties. Recommended conditions will help mitigate impacts.</i>
Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards.	<i>Complies</i>
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.	<i>Complies</i>

City Department Review

During City review of the petitions, no responding departments or divisions expressed objections to the proposal, but stated additional comments would be provided if the property is developed.

PROJECT CHRONOLOGY

- October 31, 2022 – Applications submitted.
- November 17, 2022 – Petition assigned to staff.
- November 28, 2022 – Petition routed for department review comments.
- November 29, 2022 – 45-day required notice for recognized community organizations sent to Community Councils.

- November 30, 2022 – Early notification of the proposal sent to neighbors within 300 feet of the development. Project posted to the online open house webpage.
- January 16, 2023 - The 45-day public comment period for recognized organizations ended. The online open house period ended. Planning staff worked with the applicant to mitigate potential impacts related to building height. Staff finalized the recommended conditions, and the applicant modified their original proposal to comply with the conditions. The applicant chose to delay their hearing with the Planning Commission because of scheduling conflicts.
- April 25, 2023 – Public hearing notice posted on property.
- April 26, 2023 - Planning Commission public hearing notice mailed to neighbors within 300 feet of the subject site. Notice posted on City and State websites and sent via the Planning listserv.
- May 10, 2023 - Planning Commission public hearing and recommendation.
- June 1, 2023-Draft ordinance requested from Attorney's Office.
- June 14, 2023-Planning received draft ordinance from the Attorney's Office.
- June 21, 2023-Transmittal received in City Council Office.