



COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

TO: City Council Members

FROM: Nick Tarbet

DATE: August 15, 2023

RE: North Rose Park Lane Annexation and
Zoning Map Amendments
Petitions PLNPCM2021-01124/01134

PROJECT TIMELINE:

Briefing 1: August 15, 2023

Set Date: August 15, 2023

Public Hearing: September 5, 2023

Potential Action: TBD

ISSUE AT-A-GLANCE

The Council will receive a briefing about annexation and zoning changes for properties located at approximately 2350 North Rose Park Lane (*see map page 2*). The changes include:

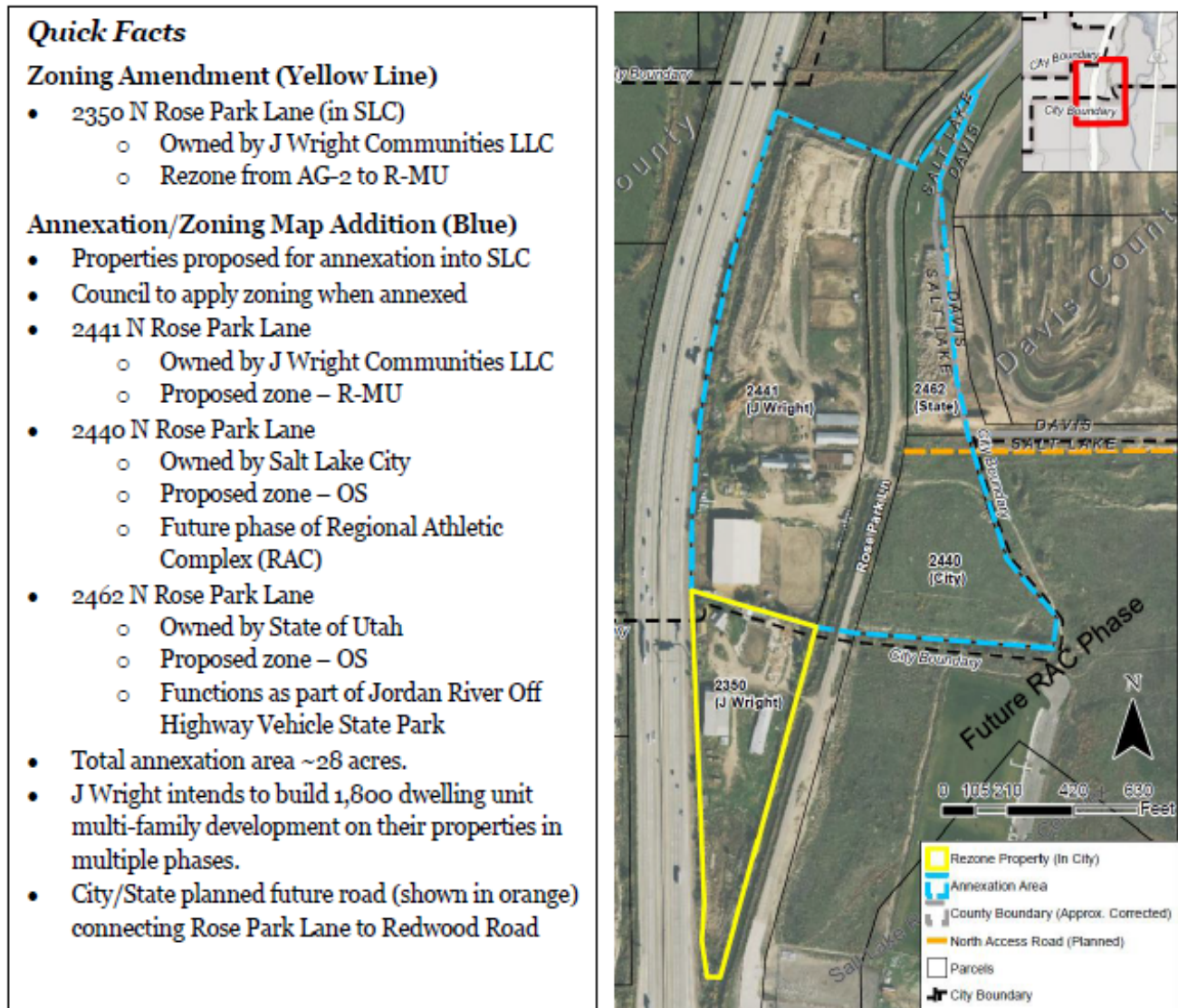
1. Annexation into Salt Lake City about 28 acres of property generally located at approximately 2441 North Rose Park Lane. The annexation requires designating a zone for each property within the annexation area. The properties are proposed to be zoned as follows:
 - 2440 N Rose Park Lane (City-owned) – OS, Open Space
 - 2441 N Rose Park Lane (Hunter Stables) – R-MU, Residential/Mixed-Use
 - 2462 N Rose Park Lane (State-owned) – OS, Open Space
2. Zoning Map Amendment at approximately 2350 North Rose Park Lane from AG-2 – Agricultural to R-MU, Residential/Mixed Use. The property is currently within Salt Lake City boundaries. Although the petitions propose specific zones for the properties, the Council may consider other zones with similar characteristics. The properties at 2350 and 2441 North are currently used for horse boarding and outdoor equipment storage.

The changes would facilitate the future development of a mixed-use, multi-family residential development with potentially 1800 dwelling units. Additional properties at 2440 North (City-owned) and 2462 North Rose Park Lane (State-owned) would be annexed into the City as part of the petition. The zoning of properties annexed into the city receive their zoning designation during that process. They do not go through the traditional rezone process. However, the annexation process includes substantial public outreach all along the way.



This annexation and zoning amendments are not related to the [Northpoint Small Area plan](#), a separate petition that the Council is also considering at this time. That petition is for an area north/west of I-215.

Vicinity Map
Page 4 Planning Commission Staff Report



Proposed Project Description

The applicant's project overview is found in Attachment C of the Planning Commission staff report. (*It is also pulled out in this memo as Attachment A*) It includes drawings of the draft site plan. They state the proposed plan would include the following:

- 11 buildings (5 stories – less than 75' in height);
- 164 units per building (500 sq. ft. minimum);
- Total density of 1,804 units;
- Building coverage of 29%;
- Parking Provided: Podium (2 levels each building) (1,760 parking spaces), and Surface (775 parking spaces) (total of 2,535 parking spaces);

Policy Questions

- If the Council chooses to move forward with the annexation and zoning amendments, does the Council support including the eleven conditions outlined in the staff report in the final ordinance?
- The Council may wish to ask the applicant if any of the housing units will be designated affordable or if they would be willing to consider including deed restricted affordable units in the development.
- The Council may wish to ask if this project would be eligible for funds from the Westside Community Initiative. If yes, has the applicant talked with the Administration to see if that funding could help include public benefits into this development.
- The Council may wish to ask the Administration how the City could more consistently inform developers of opportunity to participate in the Westside Community Initiative affordable housing program
- The Planning Transmittal notes the North Access Road, which would provide circulation to Redwood Road, is planned by the City/State.
 - The Council may wish to ask the Administration about the status of the planning and funding for that proposed road.

Planning Commission Recommendation

The Planning Commission forwarded a negative recommendation by a vote of 6 to 4. The Commission's motion to recommend denial was based on the following: (*Pages 2-3, Transmittal Letter*)

1. The zoning map amendment, for the reason that it does not comply with the stated zoning goals of the small area master plan (*Rose Park Small Area Plan*).
 - the Commission's motion refers to the Rose Park Small Area Plan (2001) which has policies that call for the Open Space or Agricultural zoning in the future for the rezone and associated annexation property. The requested R-MU zone does not align with those specific zones.
2. The annexation, based on *Plan Salt Lake* and the access to open space are not met. And the 2016 Salt Lake Housing Policy points of emphasizing the value of transit-oriented developments and the livability of neighborhoods.
 - A Plan Salt Lake policy encourages access to parks and recreational spaces within a half mile of all residents. In its discussion, the Commission noted that despite the property being adjacent to the Regional Athletic Complex (RAC), use of the RAC is generally restricted to organized groups, such as leagues, and future residents of the conceptual 1,800 dwelling unit development wouldn't be able to freely use the facility.
 - Council "Housing Policy Statements" from 2016 that emphasize transit-oriented development and livability of neighborhoods, emphasize the value of transit-oriented development, transit accessibility, and proximity to services and address the livability of neighborhoods and concentrations of aging adults, and plan and implement strategies that will allow residents to Age in Place.

The Planning commission did not offer any concerns about the proposed zoning designation for the state and City owned properties involved in the annexation.

Planning Staff Recommendation

Planning staff's analysis found the application generally met applicable standards and recommended the Planning Commission forward a favorable recommendation with eleven conditions. Those conditions are outlined below. *See pages 2-3 of the Planning Commission for the detailed list.*

1. **Traffic Impact Study Improvements** – improvements noted in the traffic impact study are completed prior to any certificate of occupancy being issued
2. **Rose Park Lane Improvement** - The developer shall make all public right of way improvements for Rose Park Lane adjacent to the development, including but not limited to road widening, paving, curb, gutter, sidewalk, utilities, and park strip landscaping.
3. **Sidewalk Improvements** – sidewalk shall be installed adjacent to the site and offsite to provide a complete pedestrian connection from each phase of the development to the Regional Athletic Complex
4. **Public Utility Improvements** – comply with all public utility requirements
5. **City Drain Usage** – if development plans require discharge to city drains an offsite lift station may be required as determined by the Public Utilities Director
6. **City Drain (canal) Setback** – a 50' setback from the city drain and no buildings or parking allowed within the setback
7. **R-MU setback conflicts** – Maximum front setback provisions of the R-MU do not apply where a greater setback is required along the city drain, or the freeway scenic landscape setback
8. **Parking Requirement** – must comply with the General Context minimum parking requirements in Table 21A.44.040-A of the Salt Lake City Zoning Ordinance
9. **Sound Attenuation** – residential uses be built with at least 30 dBs of sound attenuation in sleeping areas and 25 dBs in other areas due to proximity to the freeway
10. **State Park Adjacent Landscaping** - The landscaped setback requirements of the “Freeway Scenic Landscape Setback” applied along the east property line where it is directly across the street from the Jordan River OHV State Recreation Area (2462 N Rose Park Lane). The requirement shall apply where new development occurs within 100' of that portion of the east property line.
11. **State Park Noise Disclosure** – provide a disclosure to future residents, tenants and owners regarding the potential for high levels of noise from the Jordan River OHS recreation area
12. **HVAC Filters:** That air filters with a minimum rating of MERV 13, or equivalent, shall be used in all HVAC equipment. This applies to any replacement filters. (This is intended to reduce freeway pollution in resident's homes)
13. **Construction Impacts:** City Staff develop a condition to mitigate impacts on adjacent properties from construction activity on the 2350 and 2441 properties. (This was to help address a concern that construction activity would negatively impact a few residents toward the north end of Rose Park Lane and other users of the road - fugitive dust was one impact that we heard a lot about from residents with recent construction on 2200 West.)

The zoning of a property can outlast the life of a building(s); therefore, any rezoning application should be considered on the merits of changing the zoning of that property, not simply based on a potential project.

Even though there are draft plans pertaining to this project, it is not within the scope of the Council's responsibility to review the plans. However, the plans for a proposed project can help the Council weigh options as they consider the annexation and zoning amendments.

The Planning Commission staff report includes summaries for each of the zoning districts being considered: OS, AG and R-MU. They are included in this memo as **Attachment B**.

Pages 7-13 of the Planning Commission staff report outline five key considerations that were evaluated by Planning staff. A short summary of each is provided below. Please see the Planning Commission staff report for full analysis.

1. Plan Considerations for Zoning Designation/Zoning Amendment
 - a. Planning staff found the proposed rezones to OS and AG are consistent with the *Rose Park Small Area Plan*. They also found the proposed rezone to R-MU Residential and low-intensity commercial uses are compatible with recreational uses like the Regional Athletic Complex. They also found other City plans support the proposed zoning amendments. See **Attachment C** for full analysis of compatibility with City plans.
2. Traffic Impact Study and Recommended Improvements
 - a. The petitioner provided a traffic study that propose the following mitigation and improvements be made:
 - i. Installation of I-215 interchange traffic lights and striping modifications (needed to support existing traffic prior to development coming in 2025)
 1. This would support 200 units on the site.
 - ii. Southbound left turn lane addition to the Rose Park Lane/I-215 access road intersection
 1. This would support up to 500 units.
 - iii. Installation of the North Access Road (provides circulation to Redwood Road and is planned by the City/State)
 1. This would support the remainder of the units.
 - b. Planning staff also recommends the following improvements be built to ensure the roadway can support the proposed development
 - i. Widening of and improvements to Rose Park Lane that would be required for a subdivision, including curb, gutter, paving, striping, and utilities. The current roadway next to the property is roughly paved with asphalt and has no curb, gutter, or striping.
 - ii. A pedestrian connection from the site to the existing sidewalk network at the RAC across the street. This will require a crosswalk across Rose Park Lane and sidewalk paving on the east side of Rose Park Lane and some along the development site.
3. R-MU Zone and Proposed Modification Conditions
 - a. Planning Staff recommends the following be included as a conditions of approval:
 - i. R-MU has no parking requirement. Staff proposes a parking requirement as a condition due to the current lack of transit accessibility.
 1. "General Context" requirements would apply, same as most RMF zones
 - ii. R-MU has a maximum front setback, conflicting with a proposed canal setback
 1. Public Utilities is recommending a setback from the canal (City Drain)

2. Staff proposes waiving the maximum front setback where it conflicts with canal
4. Freeway Proximity, Noise, and Pollution
 - a. Planning Staff recommends the following be included as a condition of approval:
 - i. A condition requiring noise attenuation improvements for any new buildings is being recommended due to the proximity to the freeway.
 - ii. Special freeway landscaping will be required which can help mitigate pollution impacts of the freeway.
 - iii. A requirement for a notice to residents/tenants/owners about potential noise from the OHV State Park is also recommended.
 - iv. The freeway landscaping requirement is also proposed adjacent to the OHV State Park to reduce the potential for fugitive dust impacts to residents.
5. Alternative Zones and Uses for the Site
 - a. The applicant originally proposed RMF-75. Planning staff was concerned about the lack of walkable services with a single use zone, R-MU requires commercial/retail on the first floor. Staff also considered the impacts of commercial or light industrial zones and found they would have a negative impact on the Regional Athletic Complex.

Public Process

Attachment H of the Planning Commission staff report outlines the public process and public comments received during the process. *(It is included as **Attachment D** of this memo.)*

- May 16, 2022: The Westpointe Community Council was sent the required 45-day notice for recognized community organizations. The notice asked for input from the organization and whether the organization would like the applicant to present at one of their meetings.
- May 16, 2022: An online open house webpage was posted to provide additional information on the requests. A link as provided to the Westpointe Community Council and included in mailed notifications to nearby property owners.
- May 17, 2022: Mailed early notifications were sent out to nearby property owners within 300 feet of the properties.
- Notice of the Planning Commission public hearing for the proposal included:
 - February 8, 2023
 - Public hearing notice signs posted on the properties.
 - February 8, 2023
 - Public hearing notice mailed.
 - Public notice posted on City and State websites and Planning Division listserv.