



COUNCIL STAFF REPORT

CITY COUNCIL *of* SALT LAKE CITY

TO: City Council Members

FROM: Nick Tarbet, Policy Analyst

DATE: October 18, 2022

RE: Master Plan and Text Amendment:
Capitol Park Cottages - 675 North F Street
PLNPC2020-00335/00334

PROJECT TIMELINE:

Briefing: Oct 18, 2022

Set Date: Oct 18, 2022

Public Hearing: Nov 10, 2022

Potential Action: Nov 22, 2022

ISSUE AT-A-GLANCE

The Council will be briefed on a proposal to amend the Avenues Community Master Plan and rezone the property located at approximately 675 North F Street. The request includes the following applications:

1. **Master Plan Amendment:** The applicant is requesting to amend the master plan designation for the property in the Avenues Community Master Plan from "Very Low Density" to "Low Density."
2. **Zoning Map Amendment:** Rezone the property from the FR-3/12,000 "Foothills Residential District" to the SR-1 "Special Development Pattern" zoning district.

If the rezone request is approved, the property owner indicated their plans are to construct 19 single-family homes. At least 14 of the homes would include an Accessory Dwelling Unit (ADU). To complete this plan, the applicant will also seek approval from the Planning Commission for a planned Development and preliminary subdivision plat. According to the transmittal letter, these plans are still pending consideration by the Planning Commission and require some revisions before they can be considered.

Planning staff recommended and the Planning Commission forwarded a favorable recommendation.

Planning Commission Recommended Conditions

As stated in the transmittal letter, Planning staff and the Planning Commission both recommended two conditions of approval intended to ensure compatibility of any development on the subject property with the 35' rear yards of the adjacent west properties.

These conditions are:

1. Accessory buildings shall not be allowed in rear yards located along the west-most property line of the subject property.
2. Where the west-most property line is a rear or side property line, the second levels of any homes located along that rear or side property line shall be setback at least 30' from the corresponding rear or side property line.

For context, the FR-3 has a 35' rear yard requirement and does not allow buildings in the rear yard, whereas the SR-1 zone has a percentage rear yard requirement, which can go as low as 15', and allows accessory buildings in rear yards.

Policy Questions

- The Council may wish to ask if the applicant is supportive of the conditions recommended by the Planning Commission and Planning Staff.
- Affordability of units/ADUs
 - ***The Council may wish to ask the applicant if there are plans to require any of the ADU units be rented at a more affordable rate and at what percentage of AMI.***
- Concerns about the proposed development have been raised about fire code compliance, access for fire apparatuses, etc. Additionally, concerns have been raised about the potential impact wildfires in the foothills may have on this development and whether those are factored into the permit process. Typically, any development will be required to abide by fire codes which includes minimum requirements for fire vehicle access.
 - ***The Council may wish to ask the Administration to provide an overview of the permitting process and how it may address these concerns.***
- Concerns have been raised about the steepness of lot and the proposed retaining walls and, how will the city ensure they will be built so they will not fail.
 - ***The Council may wish to ask the administration to provide an overview of the permitting process and how it may address these concerns.***
- The draft plans identify some open space will be included on the south side of the property
 - ***The Council may wish to ask what the plans are for that open space. Is it meant to be public or private?***
- The application has been in process for about two years and has some changes from the original proposal.
 - ***The Council may wish to ask the applicant how the current proposal has changed from the start and how they have responded to issues raised by the community and City staff.***

Vicinity Map

Attachment A, Planning Commission Staff Report



Public Process

A narrative of the public process is outlined on pages 2-3 of the Transmittal Letter. The table below provides the key dates of the petition's process.

PROJECT CHRONOLOGY

(Page 11 transmittal letter)

May 1, 2020	Petition submitted by applicant requesting to rezone the property to FB-UN1 and amend the future land use map of the Avenues master plan to a corresponding designation.
May 11, 2020	Application assigned to City Staff.
May 27, 2020	Proposal posted to City Open House webpage. Minimum 45-day notice period starts. Public notices were sent to recognized community organizations, listserv, and nearby property owners/residents.
July 1, 2020	Applicant attended Greater Avenues Community Council meeting and presented their proposal. Staff also attended meeting and presented on the process and standards.
August 5, 2020	Applicant attended the GACC for a second time to present their proposal. GACC holds vote on the proposal with 688 opposed and 4 in favor.
February 1, 2021	Applicant submitted revised concept plan. City Staff sent an e-mail update to all persons who had contacted City Staff, providing 45 days for additional public comments.
March 3, 2021	Applicant attends GACC meeting and presented revised proposal. Staff attended to answer any questions.
March 22, 2021	Applicant revised requested zone to SR-1, Special Development Pattern Residential. Staff sent an e-mail update to all persons who had contacted City staff, providing additional time for public input.
April 7, 2021	GACC held a vote on the proposal at their meeting, with 1244 opposed and 25 in favor.
November 29, 2021	Applicant submitted associated Planned Development and Subdivision applications to the City. Minimum 45-day notice period starts. Public notices were sent to recognized community organizations, listserv, and nearby property owners/residents. E-mail notice also sent to all persons who had contacted City Staff regarding the rezone/master plan amendment proposal.
January 5, 2022	Applicant attended GACC meeting to discuss Planned Development/Subdivision applications. Staff also presented on the process and standards and answered questions.
June 9, 2022	Public notices provided for Zoning Map and Master Plan Amendments. Public notices sent to property owners/residents within 300 feet, posted on City webpage, sent to City listserv, and posted on State public notice website. E-mailed notice also sent to all persons who had contacted staff regarding the proposal for the property.
June 17, 2022	Staff report published recommending a positive recommendation for the zoning map and master plan amendment with conditions.
June 22, 2022	Planning Commission holds a hybrid in-person and virtual public hearing on the zoning map/master plan amendments and passes a motion to send a positive recommendation to the City Council with conditions. Motion passed with 8 Commissioners in favor and 2 opposed.

Council Public Engagement

A [project website](#) for the public to follow this issue has been posted on the Council website. It will be updated as new information becomes available.

Key Considerations

The planning commission staff report noted six key considerations outlined on pages 9-23. Below is a short summary of those considerations. Please see the [Planning staff report](#) for full analysis.

1. Consideration 1: Proposed Zone Potential Effects on Adjacent Properties

- Zoning amendment considerations include how an amendment will affect adjacent properties
- FR-3/SR-1 zones primarily differ in density (min. lot area), lot width, and rear setbacks
- Rear setbacks and rear accessory structure allowances differ
- SR-1 zone may allow development closer to the FR-3 property, staff recommends condition imposing 30' rear upper-level setback and rear accessory building prohibition
- Density brings additional traffic, traffic study shows limited impact

2. Consideration 2: Zoning and Density Context

- SR-1A zone (sister to SR-1) mapped over most of the “lower” Avenues (below 13th Ave), with identical regulations, excepting height (25' v 28') and accessory structure size
- Nearby SR-1A properties are generally not developed to their maximum allowed density
- Property is proposed for development (in concept) and would likely develop with the rezone at a higher density than existing surrounding properties
- The proposed density is found in the Avenues and in many places compatibly co-exists with lower density properties

3. Consideration 3: Avenues Master Plan and Citywide Housing Policies

- Avenues Master Plan (1987) calls for “very low density” on the Future Land Use map and supports larger lot sizes in “foothill” areas
- Avenues Master Plan text calls for “low density” development on the property
- Growing SLC (2018), the City’s current housing plan, includes citywide policies to increase housing options and types of housing throughout the City
- Support in-fill development and modifying zoning regulations when appropriate and where it can be compatible in scale
- Citywide policies support amendment to Avenues Master Plan and zoning given broader City goals, changed conditions, the low level of density proposed, and its compatibility potential

4. Consideration 4: Gentrification and Displacement

- The City is working on plans and policies to address gentrification and displacement concerns
- Rezones are often requested for properties that consist of existing lower-income affordable housing and so the zoning change is associated with the potential to displace people with lower incomes
- This property is unique in being a sizeable vacant property that can accommodate infill development without displacing any existing residents

5. Consideration 5: Proposed Development Plans

- 19 total single-family home lots
- 14 homes on the proposed private street will include ADUs
- Homes will include 3 covered parking stalls. 1 for ADU, 2 for single family dwelling
- Min. 20' depth driveways
- Avg. lot size 6,800 sq ft
- 5 homes on F Street will be “custom homes” – no specific plans. May include ADUs.
- private park lot (17,432 sq ft/0.4 acre)
- Average Lot Size (Overall): 7,355 sq ft
- Density: 5.9 units per acre (Single-family units only)/10.3 units per acre (single-family + ADUs)

6. Consideration 6: Public Comments and Concerns

- This section focused on the concerns raised by the community, including; ADUs and Short Term Rentals, traffic impacts and accidents, affordable housing, air pollution, adequacy of public utilities, Fire codes pertaining to access and street width, property values, nesting bird habitat, tree protection and school enrollment/Family supportive housing.
- Planning staff provides a response to each of these concerns in the staff memo, Pages 19-24.