



COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

TO: City Council Members

FROM: Brian Fullmer
Policy Analyst

DATE: June 7, 2022

RE: Western Gardens Zoning Map Amendment
PLNPCM2021-00420

Item Schedule:

Briefing: March 22, 2022

Set Date: March 22, 2022

Public Hearing: April 5, 2022

Potential Action: June 7, 2022

JUNE 7, 2022 UPDATE

The Council was contacted by constituents who expressed concern about proximity to single-family residential homes, and potential parking issues associated with a multi-family development. After considering options with several Council Members, the developer agreed to set a minimum 25-foot setback where the subject property abuts single-family residential properties. Minimum on-premise parking requirements of 1/2 space per one bedroom unit, and one parking space per two bedroom or larger unit are required for multi-family developments on the property. The ordinance has been updated to reflect these changes and a simple motion sheet is attached for the Council's vote.

PUBLIC HEARING UPDATE

Two people spoke at the April 5, 2022 public hearing, both opposed to the zoning map amendment. Reasons cited for their opposition are the proposed zone is inappropriate for the area, and new development could potentially be too close to homes on Hawthorne Avenue.

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

The following information was provided for the April 5, 2022 public hearing. It is provided again for background purposes.

BRIEFING UPDATE



At the March 22 briefing a Council Member asked why the Historic Landmark Commission didn't provide a recommendation. Planning staff stated the Planning Commission did not include the request and the Landmark Commission is not required to make a recommendation.

A Council Member asked about potential RDA funding availability for affordable housing units if the developer is inclined to include them. Council staff contacted RDA staff who indicated they will look into this option and then reach out to the developer to discuss.

Other questions were focused on height, density, and parking requirements. Planning staff stated height limits depend on the type of development. This proposal is for multifamily residential which has a four story, 50-foot height limit, with no density maximum. There is not a minimum parking requirement. Planning further stated the current CN zoning designation has a 35-foot height maximum and there are parking minimums. CN zoning does not permit multifamily residential, but mixed-use developments with residential are allowed.

A Council Member expressed general support for additional density but reiterated a desire for better zoning options to get correctly scaled zoning for projects that may not be an ideal fit within the FB-UN2 designation. According to Planning staff, the FB-UN2 zone is intended for locations with good transit access, which is located close to this project.

Planning staff noted if the Council adopts the zoning map amendment, because this location is within a local historic district, the Historic Landmark Commission has discretion to include additional requirements on building scale, setbacks, and potentially others to help ensure a development fits within the area's historic context.

A Council Member discussed neighbor concerns about the requested zoning designation. It was stated the need for additional housing, with associated changes to the neighborhood is a difficult balance to reach.

The applicant addressed the Council and stated he is partnering with the property owner who is retiring and desires to close the garden center. He said there is general community support for multifamily housing at this location. The most frequent concern he heard was about scale of the development and how it would fit the neighborhood character. He discussed required step-backs when FB-UN2 projects abut residential zoning districts. He believes FB-UN2 is an appropriate transition between single family residential, as is the case to the south and west of the subject property, and the apartments and commercial uses to the north and east. The developer stated no housing or historic buildings will be removed as part of the proposed development.

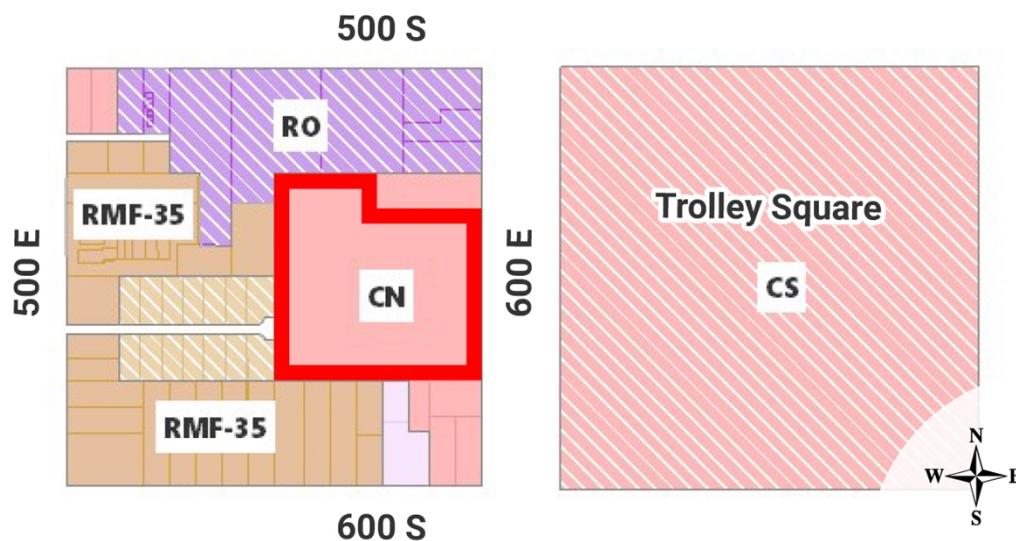
The following information was provided for the March 22, briefing. It is provided again for background purposes.

The Council will be briefed about a proposal to amend the zoning map for property located at 550 South 600 East from its current Neighborhood Commercial (CN) to Form Based Urban Neighborhood District (FB-UN2). This request would facilitate the redevelopment of the parcel into a multifamily project consistent with the goals of the urban neighborhood development zones and proximity to transit. Western Garden Center has been located on this property for many years. The property owner and developer are working together on the proposed redevelopment project, though no specific development plans have been submitted.

Multifamily developments are not permitted under the existing CN zoning designation but are a permitted use in the FB-UN2 zoning district. The applicant originally proposed changing the zoning designation to Residential Office (RO) at a presentation to the Central City Neighborhood Council but modified the proposal to FB-UN2 following community and Planning staff comments at the meeting.

The Planning Commission held a public hearing at its December 8, 2021 meeting. Planning staff recommended and the Planning Commission forwarded a positive recommendation to the City Council.

The applicant requested Historic Landmark Commission review of the proposal because this property is within the Central City Local Historic District. The Commission reviewed the proposal at its January 6, 2022 meeting. At that meeting the developer stated they would not remove any historic structures or housing on the property. The Commission provided little direction to the applicant other than an expectation they would be respectful of surrounding neighbors. No recommendation was provided to the City Council.



Area zoning map with subject property outlined in red.

Goal of the briefing: Review the proposed zoning map amendment, determine if the Council supports moving forward with the proposal.

POLICY QUESTIONS

1. The applicant stated they would not remove any historic structures on the property. Would the Council like to ask the applicant if they would consider including that condition in a development agreement?
2. Based on the feedback provided by the Historic Landmark Commission, the Council may wish to ask what neighborhood impacts may be expected by the future development.
3. Is the Council supportive of the proposed zoning map amendment?

ADDITIONAL INFORMATION

The Council is only being asked to consider the rezoning of the property. No plans have been submitted to the City nor is it within the scope of the Council's authority to review the plans. Because the 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.

Planning staff identified three key issues related to the proposal which are found on pages 7-8 of the Planning Commission staff report. They are summarized below. For the complete analysis, please see the staff report.

Issue 1-The redevelopment of the subject property is a multi-step and complex project. The rezone of the property is only the first step in the overall redevelopment.

A series of applications associated with the proposed redevelopment would need to be filed for City consideration. The property is in the Central City Local Historic District and would be required to meet standards of the Historic Preservation Overlay Zone. New construction on the property would require Historic Landmark Commission approval. Planned development approval is a possibility depending on design of new construction.

Issue 2-Why the FB-UN2 Zone and why would it be appropriate?

The FB-UN2 district aims to create an urban neighborhood providing the following:

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

In the Planning Commission staff report staff stated “To summarize, the FB-UN2 zone is appropriate at this location because there is the potential to realize all of the criteria specifically envisioned for creating an attractive urban neighborhood. It allows for the mix of uses if desired, it allows for future development flexibility, promotes creative solutions in design, and most importantly is located within close proximity to mass transit. The request for a rezone to FB-UN2 is also consistent with Central Community Master Plan policy.” They also found the property’s proximity to the Trolley Square Trax station is a primary reason FB-UN2 zoning is appropriate.

Issue 3-The property proposed for rezoning is subject to the standards of the H – Historic Preservation Overlay Zone.

As noted above, the subject property is in the Central City Historic District and subject to the H – Historic Preservation Overlay District development standards. These standards are intended to ensure development is compatible with the surrounding neighborhood and preserve historic neighborhood resources. The Historic Preservation Overlay District standards for new development require compatibility with surrounding structures and streetscapes. This may limit new structure height to less than the FB-UN2 zoning designation would typically allow. Planning staff noted development will need to be sensitive to the variety of mass and scale on surrounding properties, including less dense residential development to the south and west. Future development plans will be reviewed by the Historic Landmark Commission for applicable development standards within the Historic Preservation Overlay District.

Planning staff concluded the zoning map amendment meets or can meet standards summarized in the analysis of standards below.

MASTER PLAN CONSIDERATIONS

Attachment C (pages 15-17 of the Planning Commission staff report) includes master plan considerations which are summarized below. Please see Planning’s staff report for the full analysis.

Central Community Master Plan

The Central Community Master Plan identifies the subject property as part of the Trolley Station Area due to its proximity to Trax. The Trolley Station is part of an Urban Neighborhood Station Area which has established development with a mixture of uses and can support increased residential density and supporting commercial uses. New development typically occurs on underdeveloped or underutilized properties. Compact developments are desired to focus new growth at the station while respecting existing neighborhood scale and intensity.

Planning staff is supportive of the rezone and found it is consistent with the Trolley Station area goals in the Master Plan.

H-Historic Preservation Overlay District

Planning staff included the Historic Preservation Overlay District purpose statement, which says:

In order to contribute to the welfare, prosperity and education of the people of Salt Lake City, the purpose of the H- historic preservation overlay district is to:

- 1. Provide the means to protect and preserve areas of the city and individual structures and sites having historic, architectural or cultural significance;
- 2. Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks;
- 3. Abate the destruction and demolition of historic structures;
- 4. Implement adopted plans of the city related to historic preservation;
- 5. Foster civic pride in the history of Salt Lake City;
- 6. Protect and enhance the attraction of the city's historic landmarks and districts for tourists and visitors;
- 7. Foster economic development consistent with historic preservation; and
- 8. Encourage social, economic and environmental sustainability.

Planning wanted to “put all interested parties on notice that the standards associated with the Overlay will play a significant role in the future development of the subject property.”

Plan Salt Lake

Planning staff noted the following guiding principles outlined in Plan Salt Lake and found the proposed rezone aligns with these along with policies and strategies in the Plan.

Growing responsibly while providing people with choices about where they live, how they live, and how they get around.

A beautiful city that is people focused.

A balanced economy that produces quality jobs and foster an environment for commerce, local business, and industry to thrive.

ANALYSIS OF STANDARDS

Attachment D (pages 18-19) of the Planning Commission staff report outlines zoning map amendment standards that should be considered as the Council reviews this proposal. The standards and findings are summarized below. Please see the Planning Commission staff report for additional information.

Factor	Finding
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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>Complies</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>Complies</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>Future development will need to meet standards of Historic Preservation Overlay</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 (Infrastructure may need to be upgraded at owner's expense to meet City requirements.)</i>

PROJECT CHRONOLOGY

- April 26, 2021-Application submitted.
- May 17, 2021-Petition assigned to Lex Traughber, Senior Planner.
- May 19, 2021-Notification sent to the Central Community Neighborhood Council (CCNC).
- Mat 28, 2021-Early notification sent to property owners and residents within 300' of the subject parcel.
- June 24, 2021-Application presentation at CCNC monthly meeting on rezone from CN to RO. Following the meeting, in response to community and Planning staff feedback the applicant decided to consider modifying their proposal.
- September 1, 2021-Application submitted to Planning to rezone property from CN to FB-UN2.
- November 23, 2021-applicant presentation to CCNC to change zoning from CN to FB-UN2.
- November 24, 2021-Property posted with signs for the December 8, 2021 Planning Commission hearing. Listserv notification of Planning Commission agenda emailed. Agenda posted on the Planning Division and State websites.
- December 8, 2021-Planning Commission public hearing. Six people spoke or had their comments read at the hearing. All were opposed to the FB-UN2 zoning designation. The Commission voted 4-2 in favor of forwarding a positive recommendation to the City Council.
- December 9, 2021-Sent to Attorney's Office.

- January 6, 2022-Applicant met with Historic Landmark Commission to review the proposal in a work session. The Commission provided little feedback to the applicant.
- January 10, 2022-Planning Division received ordinance from Attorney's Office.
- February 18, 2022-Transmittal received by City Council Office.