



COUNCIL STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

TO: City Council Members

FROM: Brian Fullmer
Policy Analyst

DATE: October 6, 2020

**RE: 833 South 800 East Rezone and Master Plan Amendment
PLNPCM2019-01111**

Item Schedule:

Briefing: September 15, 2020

Set Date: September 15, 2020

Public Hearing #1: October 6, 2020

Public Hearing #2: October 20, 2020

Potential Action: October 20, 2020

WORK SESSION SUMMARY

Council Member questions were focused on the number of units in the project, the price point for units, and parking. The applicant noted there are 23 market rate rental units in the proposed development. Plans call for 47 total parking places on the property. Each townhome is designed with a two-car garage that is accessed from alleys within the project. The garages will not be visible from 800 East. Vehicle access to the property will be from driveways on 800 East and on Chase Avenue. Since Chase Avenue is a private street, the applicant stated he obtained consent from all property owners on the street to provide access to the project.

A question about trees in the landscape buffer was raised and if they are too large for the space. The applicant stated his intent is to provide a robust buffer at installation and the landscape architect recommended the proposed trees.

The applicant provided his presentation to Council staff and it was emailed to Council Members for reference.

The following information was provided for the September 15 work session. It is provided again for background purposes.

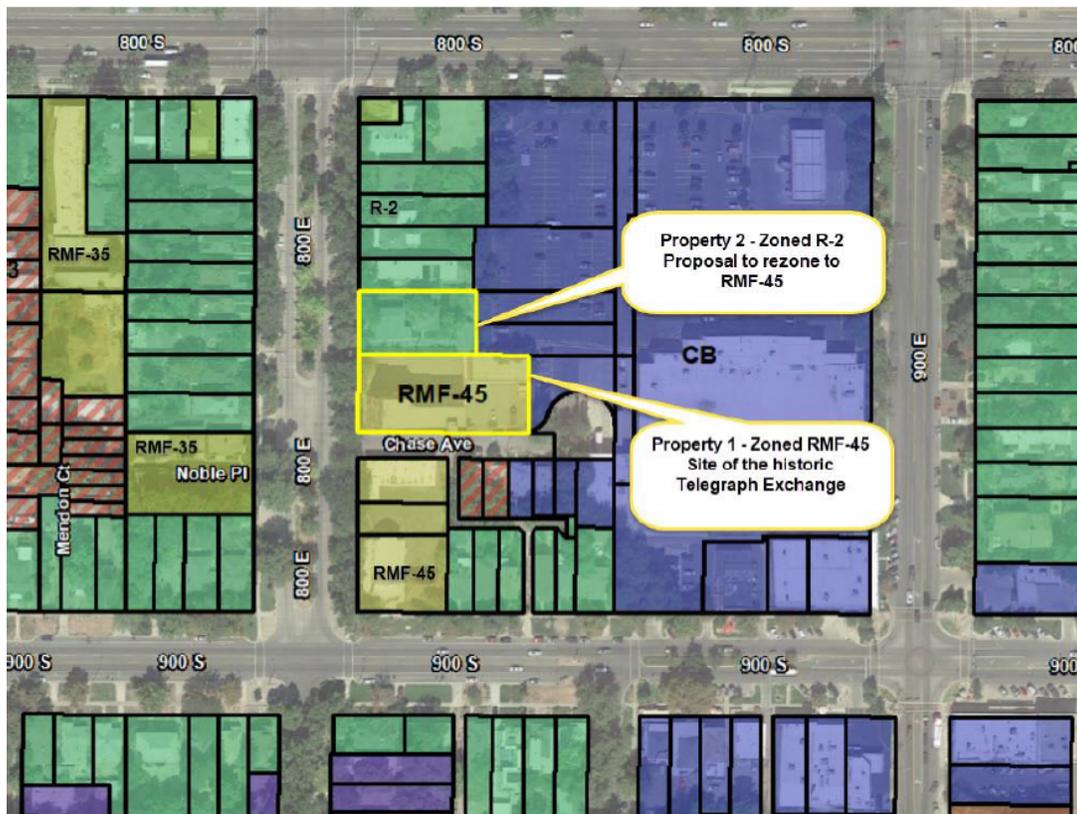


The Council will be briefed about an ordinance to amend the zoning map and future land use map for the property located at 833 South 800 East from its current R-2 (Single & Two-Family Residential) zoning designation to RMF-45 (Moderate/High-Density Multi-family Residential). Currently the future land use map designates this property as “Low-Density Residential.” The applicant, Micah Peters of Clearwater Homes, would like to develop the site for multi-family housing.

The applicant also owns the adjacent property at 847 East 800 South where the Telegraph Exchange Building is located. Under the proposal, the two properties would be consolidated into one parcel for the development. A total of 23 residential units are planned, six in the Telegraph Exchange Building which would be renovated, and 17 on the subject property. Two existing homes on the subject property, built in 1891 and 1896 would be demolished under the proposal. Neither dwelling is designated as historic or protected so the property could be redeveloped by right for a duplex or twin-home under the current zoning designation. A detailed description of the project including revisions to the original proposal following the Planning Commission’s May 27, 2020 meeting are included on pages 19-24 of the Administration’s transmittal.

Nearby properties are a mixture of zoning designations including R-2 (Single & Two-Family Residential), RMF-45 (Moderate/High-Density Multi-family Residential), CB (Community Business), and SR-3 (Special Development Pattern Residential District) as shown on the zoning map below.

Planning staff recommended and the Planning Commission voted to forward a positive recommendation to the City Council for the proposed zoning map and future land use map amendments for the subject property. It should be noted the Planning Commission approved a planned development for the property conditioned upon City Council approval of the zoning map and future land use map amendments. If the Council does not approve the proposed amendments, the planned development will be null and void.



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

POLICY QUESTIONS

1. The Council may wish to ask what changes, if any, were made as a result of the public process since the May 27, 2020 Planning Commission meeting.
2. Does the Council support the Planning Commission's recommendation to adopt the proposed changes?

ADDITIONAL INFORMATION

From 2012-2014 the City worked on a general rezoning of the 9th and 9th area aimed at preserving the single-family homes and character of the area. There was concern from residents the existing nature of the area was threatened by commercial growth, particularly on properties near existing commercial areas. Many area parcels were zoned RMF-30, RMF-35 or RMF-45, but included single-family or duplex dwellings. These were rezoned R-2 to match zoning with then-current area development. The subject property at 833 South 800 East is one of the parcels rezoned from RMF-30 to R-2 in this process.

KEY CONSIDERATIONS

Six key considerations were identified through Planning's analysis of the proposed project and during the Planning Commission public hearing held May 27, 2020. A summary of each is below. See pages 25-34 of the Administration's transmittal for the complete analysis.

Consideration 1: City goals and policies

As noted in the summary of relevant City master plans below, policies and statements can be found that support and conflict with proposed changes to the subject property. Planning staff noted these changes should be weighed against existing policies in terms of what is in the City's best interest and priorities.

Central Community Master Plan (2005)

The *Central Community Master Plan* notes the neighborhood where the subject property is located includes a mixture of architectural styles and building types, but the majority are single-family detached residential structures. The future land use map identifies the subject properties as Low Density Residential (1-15 dwelling units/acre). Total acreage of the two parcels is 0.79 acres which equals 29 units/acre with the proposed 23 units.

The *Central Community Master Plan* includes policies and statements both in support of and in conflict with the proposal. These are identified on pages 25-26 of the Administration's transmittal.

East Central Community Small Area Master Plan (1993)

The *East Central Community Small Area Master Plan* includes several scenarios on land use and policy options. The Telegraph Building was discussed as "warehouse space" which was its function at the time as it was used as storage space for The Church of Jesus Christ of Latter-day Saints. Another scenario included the building being used for residential space with up to 10 dwelling units and a different scenario was to convert the building to office space. Among the several options for the warehouse, preferred uses included multi-family residential.

Plan Salt Lake (2015)

Plan Salt Lake, the citywide master plan, emphasizes the need for a variety of housing options. Nearly half of housing units in Salt Lake City are single-family detached dwellings. While preserving existing housing stock will continue to be a priority for the City, over the next 25 years a variety of new housing options and types will be needed to accommodate the City's growing population and changing housing needs.

Planning staff noted the proposed development is supported by the general principles and initiatives found in *Plan Salt Lake*. They stated it would preserve an architecturally distinct and historically significant building while providing additional housing options within a walkable neighborhood that includes commercial services served by convenient transit opportunities.

Growing SLC: A Five-Year Housing Plan – 2018-2022 (2017)

Growing SLC cites density limitations as a local barrier exacerbating the city's housing crisis. The plan encourages enhanced flexibility of the land-use code to increase a diversity of housing types. This plan also references guiding policies and housing initiatives included in *Plan Salt Lake* as noted above. By reference, these policies are incorporated into the housing plan.

It is Planning staff's opinion the proposed development is in line with these strategies because it provides flexibility in existing code requirements while providing more housing units and housing variety in the neighborhood.

Consideration 2: Rezoning of the Property from R-2 to RMF-45

Through Planning's outreach process, some objections were raised about the requested zoning change of 833 South 800 East from R-2 to multi-family. Reference was made to the 2012-2014 downzoning of the area which included the subject property. Planning staff stated consideration must be given to the proposed change in terms of how the proposal meets the City's master plans and policies and whether the City's needs and proprieties have changed since the previous action took place.

Consideration 3: Central Community Master Plan Future Land Use Map Amendments

The applicant is requesting a change to the future land use map in the Central Community Master Plan from low-density residential to medium/high density residential. Planning staff noted the future land use map applies the low-density residential designation to both the property zoned R-2 and the adjacent property, also owned by the applicant, zoned RMF-45. The applicant included the following statement in his narrative:

The need for this application stems from a conflict in the Masterplan adopted in 2005. The conflict in the master plan is due to the master plan land use language to be low density throughout the neighborhood (10 - 20 units per acre), even on parcels zoned RMF-45 which is a moderate to high density multi-family residential zoning. Our application seeks simply to correct the noted Master plan conflict and utilize the density's associated with our current zoning.

Consideration 4: Preservation of the Structure vs. Allowed Development on the Subject Properties

As stated above, the Telegraph Exchange Building is located on a property currently zoned RMF-45. Although the building is iconic and distinctive in the 9th and 9th neighborhood, it is not located within a local historic district nor is it designated as a City Landmark site. Because of this it does not have protection from demolition and redevelopment of the property. A developer could demolish the building and redevelop the property with the current RMF-45 zoning.

Under current zoning for both parcels a total of 18 units could be built if all setbacks were met. The applicant stated the cost of renovating the Telegraph Exchange Building with seismic upgrades, fire access

and safety considerations, and bringing it up to current building code standards would be prohibitively expensive. It is often more cost effective to demolish and old building and build a new one than to restore and reuse the old one.

To offset the cost of renovating the existing building, the applicant would like to add additional density with a total of 5 residential units more than would be permitted “by right” under the current zoning designation.

Consideration 5: Zoning Modifications Requested through the Planned Development

The Planning Commission approved a Planned Development with reduced setbacks and landscape buffers than typically required under the zoning. As noted above, the Planned Development is conditioned on the City Council approval of the zoning map and future land use map amendments.

Consideration 6: Impacts to Neighboring Properties and Compatibility

The proposed development includes both historic and modern architecture with the Telegraph Exchange Building representing historic aspects and the new townhome units more modern design. Renderings of the development can be seen in Attachment C (pages 46-84) of the Administration’s transmittal.

A total of 46 parking spaces are proposed for the 23 units. Two spaces for each townhome provided in individual garages, and 12 covered parking spaces for the six loft units within the Telegraph Exchange Building. An additional four on-street parking stalls are located along the 800 East frontage. Providing two parking stalls for each dwelling unit meets the requirement for this type of development.

Planning staff received a comment from the adjacent property owner to the north objecting to a driveway next to his property. That concern along with a proposed elimination of a landscape buffer extending to an area where a trash and recycling enclosure were proposed were addressed in changes to the design. These changes include a 4-foot buffer heavily landscaped with trees and elimination of the trash and recycling enclosure. Each housing unit will be served by individual cans.

Several other public comments were submitted to Planning and are included in Attachment F (pages 97-134 of the Administration’s transmittal). Comments included concerns about “spot zoning” of the subject parcel, nullification of the relatively recent zoning changes in the area that downzoned the parcel to R-2, preservation of neighborhood character, out of scale multi-family development, and the precedence a zoning change would set. Other concerns were focused on increased neighborhood traffic and parking impacts due to insufficient on-site parking and guests parking on the street.

Planning staff also received comments supportive of the development citing preservation of the historic building and providing additional housing options in the area.

It is Planning staff’s opinion a 4-foot landscape buffer combined with placing the driveway and townhomes approximately 24.5 feet from the property line would adequately mitigate potential impacts to the property owner to the north. In addition, Planning staff believes placing the 30-foot tall townhomes between the 58-foot tall Telegraph Exchange Building and lower scale residential property to the north helps create a logical transition and step-down in scale to the surrounding neighborhood.

Based on the above six key considerations, Planning staff recommended, and the Planning Commission forwarded a positive recommendation for the rezone to the City Council.

ANALYSIS OF STANDARDS

Attachment E of the Planning Commission staff report (pages 88-96 of the Administration's transmittal) outlines Master Plan Amendment and Planned Development standards that should be considered as the Council reviews this proposal. Planning staff found this proposal generally complies with applicable standards. Please see the Planning Commission staff report for full details.

PUBLIC PROCESS

- Notice of the project and a formal letter requesting comments was sent to the Chairs of the East Liberty Park Community Organization and East Central Community Council on December 12, 2019.
 - Planning Staff sent an early notification announcement of the project to all residents and property owners located within 300 feet of the project site on December 20, 2019 providing notice about the project and information on how to give public input on the project.
 - Planning Staff hosted an Open House at the Tenth East Senior Center on January 9, 2020 to provide an opportunity for public comment and to have the applicant present to answer questions.
 - Planning Staff attended the East Liberty Park Community Organization meeting held on January 23, 2020 to answer questions about the project.
 - The East Central Community Council (ECCC) provided a formal letter dated January 20, 2020 expressing opposition to the project. The letter is included on 99-100 of the Administration's transmittal.
 - The 45-day recognized organization comment period expired January 30, 2020.
 - The Planning Commission held a Public Hearing on May 27, 2020. By unanimous vote, the Planning Commission voted to table all applications for the applicant and staff to address some unresolved issues. Minutes from the Planning Commission meeting of May 27, 2020 are included on pages 136-140 of the Administration's transmittal.
 - A Planning Commission Public Hearing was scheduled for July 8, 2020.

 - Public hearing notice mailed: June 25, 2020
 - Public hearing notice sign posted on property: June 25, 2020
 - Public notice posted on City and State websites & Planning Division list serve June 25, 2020
- The Planning Commission reviewed the petition again at its July 8, 2020 meeting. The Commission voted 8-1 to forward a positive recommendation to the City Council. Minutes of that meeting are found on pages 147-149 of the Administration's transmittal.