
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: January 31, 2003

SUBJECT: Ordinance pertaining to Petition No. 400-01-32 and 400-02-08

- Amending zoning regulations relating to the Sugar House Business District
- Rezoning properties in the Sugar House Business District area
- Amending the Sugar House Master Plan

AFFECTED COUNCIL DISTRICTS: District 7

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ADMINISTRATIVE DEPT. AND CONTACT PERSON: Community and Economic Development – Planning Division
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(Matters at Issue section begins on page 3)

KEY ELEMENTS:

The Administration's transmittal provides a detailed background relating to the proposed Zoning Ordinance text amendments, the master plan amendments and the rezoning in the Sugar House Business District. The findings of fact that support the criteria established in the City's Zoning Ordinance, Sec. 21A.50.050 - Standards for General Zoning Amendments are also included. Please refer to the Administration's transmittal, Planning staff reports and Planning Commission minutes for details. Key points are summarized below.

- A. Petitions 400-04-32 and 400-04-08 address implementation strategies in the Sugar House Master Plan relating to the Sugar House Business District. An ordinance has been prepared that would:
1. Amend the Sugar House Master Plan including the Future Land Use Map. (The Administration notes that the master plan changes are necessary to maintain consistency between the Plan and proposed zoning classifications.)
 2. Amend the text of the Zoning Ordinance to create 5 new sub-districts for the Commercial Sugar House Business District C-SHBD zoning classification and a Sugar House Towne Center Overlay. (The Administration notes that the text changes relate to permitted height and land uses.)
 3. Rezone properties within the boundaries of 1300 East west to 900 East and Ramona Avenue (1927 South) south to Interstate-80. (Please see Attachment A for details.)
 - a. Current zoning classifications in the area include Commercial Sugar House Business District C-SHBD, Commercial Shopping Center CS, Commercial Business CB, Commercial Neighborhood CN, Institutional, Residential Multi-Family RMF-35 and 45.
 - b. Proposed zoning classifications include Commercial Sugar House Business Sub-Districts 1 through 5, Commercial Neighborhood CN, Residential Business RB, Residential Multi-Family RMF-35 and 45, and Residential R-1/5000.
 - c. The proposed Town Center Scale Mixed-Use Overlay will be applied to an area along both sides of 1100 East and Highland Drive from approximately 2000 South south to Interstate-80.

B. Key Zoning Ordinance text changes are summarized below. Please refer to the proposed ordinance for additional details.

1. Commercial Sugar House Business District:

- a. Purpose Statement: *The purpose of the CSHBD Sugar House Business District is to promote a walkable community with a transit oriented, mixed-use town center that can support a 24-hour population. The CSHBD provides for commercial, and office use opportunities, with incentives for high density residential land use in a manner compatible with the existing form and function of the Sugar House Master Plan and the Sugar House Business District.*
- b. Building size:
 - Non-residential buildings that have a first floor area of 20,000 sq. ft. or more will be subject to the conditional use process.
 - Residential or residential mixed-use buildings that have a first floor area of 10,000 sq. ft. or more will be subject to the conditional use process.
 - (Please note that in the current Sugar House Business District zoning all new construction of principal buildings or additions that increase the floor area and/or parking requirement by 25% are subject to the conditional use process and review for compatibility and compliance with the Sugar House Business District Design Guidelines. This requirement will remain the same.)
- c. CSHBD-1 – maximum building height
 - 50 ft. for non-residential uses
 - 75 ft. for mixed-use developments with a minimum floor area of 30% devoted to residential uses
- d. CSHBD-2 – maximum building height
 - 30 ft. for non-residential uses
 - 50 ft. for mixed-use developments with a minimum floor area of 50% devoted to residential uses
- e. CSHBD-3 – maximum building height
 - 30 ft.
- f. CSHBD-4 – maximum building height
 - 50 ft. for non-residential uses
 - 75 ft. for mixed-use developments. Non-residential uses are limited to the first 2 stories.
- g. CSHBD-5 – maximum building height
 - 30 ft. for residential or residential mixed-use
 - Non-residential use is limited to the first floor and a maximum of 50% of the total floor area for any unit. Residential use exception may be authorized through the conditional use process.

2. Town Center Overlay:

- a. Purpose Statement: *The purpose of the Sugar House Town Center Overlay is to support the pedestrian orientation and historic scale of development along the streetscape within the town center of the Sugar House Business District.*
- b. Yard area requirements – 20 ft. front and corner side yard for portions of a building higher than 30 feet above grade.
- c. First floor glass - 60% non-reflective glass required for first floor street facades and front elevations on all new commercial or office buildings or buildings in which windows are being modified.

C. Issues discussed at the Planning Commission hearings included:

1. Providing equitable options to implement the goals of the master plan such as preserving the character of the area and adjacent residential neighborhoods while at the same time providing

opportunities for additional new commercial/residential development, increased density and transit-related growth. Proposed changes and options include:

- a. A broader application of the Sugar House Business District Design Guidelines.
 - b. Providing additional opportunities for mixed-use developments and a wide array of housing types such as townhouses, live-work units and multi-family residential.
 - c. Providing an increase in density to support transit alternatives including light rail.
 - d. The need for a balanced approach to provide expanded opportunities for new residential and business development. Support for retention of existing businesses and existing stable residential neighborhoods.
 - e. Maintaining the historic character of the area and improving the transition between the business district and surrounding residential neighborhoods.
2. Details and specific requirements to be included in the new zoning classifications.
 3. Proposed downzoning of specific areas.
 4. Neighborhood impacts and compatibility relating to density, pedestrian and traffic safety, building scale, design and height, and maintaining the character of the area.
 5. Formatting options to provide a clear and efficient method of locating references to the proposed new sub-districts, requirements, standards and design guidelines in the Zoning Ordinance.

D. The Administration notes the public process included:

1. Presentations to the Sugar House Community Council and Sugar House Merchants Association.
2. Written notification and request for comments sent to property owners in the area.
3. A neighborhood meeting with residents and property owners in the area east of 900 East to McClelland Street (1045 East) and north of Sugarmont Drive (2225 South). Written notification and review was requested from other governmental agencies, the State Historic Preservation Office, Heritage Foundation and Utah Transit Authority.
4. Written notification and review by City Departments. Department representatives noted support for the proposed changes.
 - a. Public Utilities noted that water and sewer systems in the Sugar House area are at or near capacity. Future development projects may be required to include utility systems and facilities upgrades to ensure adequate service levels are provided.
 - b. Transportation, parking and other site-specific issues are generally addressed on a project-by-project basis through the conditional use or building permit review process.

MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR ADMINISTRATION:

Council Members may wish to consider or discuss with the Administration in further detail the following issues and concerns. (Please see Attachments B, C and D for details.)

A. The Sugar House Community Council identified the following issues. The Community Council has identified the issues since the Planning Commission's final hearing. Please refer to the attached letter for details.

1. Height in the Irving School area
 - a. The Community Council expressed concern relating to the proposed CSHBD-4 zoning that permits a maximum building height of 50 ft. for non-residential uses and 75 ft. for mixed-use developments. The Community Council would prefer that building height be limited to 50 ft. in this area noting that because this area is on the crest of a hill, there is concern that a building height of 75 ft. would be out of scale for the surrounding neighborhood.
 - b. Planning staff provided the following information in response to a request from Council Member Lambert.
 - The proposed zoning amendment for the Irving School Apartment property would zone all of the property CSHBD-4 that allows a maximum of 50 ft. for residential structures and 75 ft. for mixed use developments. Non-residential uses in a mixed-use building are limited to

the first two stories. Because this complex was recently built, it is not anticipated that redevelopment of this site will occur in the foreseeable future. The existing apartment complex structures are at a minimum 50 feet high.

- Currently, the Irving School House Apartments are located on two parcels of property. In addition, the Sugar House Business District CSHBD zoning district encompasses the southern $\frac{3}{4}$ of the property, whereas the northern $\frac{1}{4}$ is zoned RMF-45.

2. Elm Street zoning

- a. The Community Council and property owners along Elm Street expressed concern relating to the amount of mixed-use zoning recommended by the Planning Commission for this area. They would prefer that the area be zoned a mix of Residential Business, Mixed-Use and Residential R-1/5000 as recommended by the Planning staff. Those who are concerned note the potential for speculation and destabilizing the area that could result from the higher density zoning.
- b. Planning staff provided the following information in response to a request from Council Member Lambert.
 - Although the staff recommended the residential properties at the northeast corner of Elm and 1000 East be rezoned from Residential RMF-35 to R-1/5000, the Planning Commission discussion focused on the need to provide a transition between the lower density residential developments south of Elm Street and the Sugar Business District CSHBD zoning along 2100 South. The four residential structures on the northeast corner of Elm and 1000 East are the only residential structures on the block and are surrounded by parking areas for Granite Furniture. The Planning Commission believed it was important to preserve the structure at the northeast corner of Elm and Lincoln and therefore recommended rezoning it to Residential Business RB.
 - There was much discussion about “leap frogging” from the low-density residential area south of Elm, and the proposed Sugar Business District CSHBD zoning of the Smiths Grocery Store property at 900 East and 2100 South. The Planning Commission believed staff’s recommended zoning for the area north of Elm Street would create a peninsula and would not provide an adequate transition area between the main business district zoning and the lower-density residential neighborhood south of Elm. They also stated that the zoning for the area north of Elm should be consistent and not divided into three different zoning and land use patterns (businesses in residential structures, low-density residential and mixed-use).

B. The Administration’s paperwork notes that letters expressing concern regarding the proposed zoning were received from representatives of Smith’s Food and Drug Centers and the Sugar House Center (Shopko and surrounding property). The Planning staff report (January 17, 2002) discussed each area separately. Key points included:

1. Smith’s Food and Drug Center at 2135 South 900 East.

- a. Comments from Mr. David Nielson representative for Smith’s Food and Drug Center:
 - The 40% non-reflective glass required for first floor street facades and front elevations on all new commercial buildings will limit Smith’s ability to construct a functional replacement store on the property.
 - The 30-foot height limit may be too restrictive because there are currently decorative elements on the store’s structure that are higher than 30 feet.
 - The requirement to “build to the street” will not allow Smith’s to construct landscaping and buffers between adjacent properties.
- b. Planning staff has indicated that the Planning Commission is currently reviewing a conditional use application from Smith’s. This request will be reviewed in accordance with the requirements in place at the time of application. (The property is currently zoned Commercial Business and would be rezoned to CSHBD-3.) The Administration is working with a Planning Commission subcommittee including representatives from Smith’s and the community to

identify potential design solutions for redevelopment of the property. The Planning Commission is scheduled to review the information at their meeting on February 26, 2003.

- c. Planning staff response from the January 17, 2002 staff report:
 - The glass requirement is a basic component of creating a pedestrian oriented environment.
 - The Sugar House Commons development was constructed with a glass requirement and has proven to be functional for tenants.
 - Display windows may be substituted for functional windows.
 - The current CB zone limits building height to 30 feet. The proposed CSHBD-3 zone limits building height to 30 feet.
 - The Zoning Ordinance currently allows a height exception for mechanical equipment parapet walls.
 - The conditional use process provides the Planning Commission the authority to modify site design standards.
2. Sugar House Center at 2290 South 1300 East (Shopko and surrounding property)
 - a. Comments from Mr. Kraig Erickson representative for Westfield Properties:
 - The proposed rezoning will prohibit the economics of being able to move forward with redevelopment projects.
 - The proposed rezoning will require Westfield Properties to tear down existing structures and rebuild along streets.
 - b. Planning staff response:
 - The Sugar House Commons (retail development project located north of this area) was developed under the current Sugar House Business District zoning standards and the project has been successful.
 - The requirement to build along street-fronts only applies to significant new development projects. There is no requirement to tear down the existing buildings.
- C. Council Members may wish to discuss with the Administration if consideration has been given to additional incentives, concepts or other planning tools that would stimulate new residential development such as density bonuses or transfer of development rights. The proposed Sugar House Business District purpose statement notes that the district zoning provides incentives for high-density residential land use that would be compatible with the existing form and function of the Sugar House Master Plan and the Sugar House Business District.
- D. The January 17, 2002 Planning staff reports notes that the Master Plan states, “...*Regional scale commercial land use will be phased out and replaced with a mixed land use pattern that encourages residential use through an increased height limit.*” Council Members may wish to discuss with the Administration potential unintended impacts that phasing out regional land uses may have on the business district.

MASTER PLAN AND POLICY CONSIDERATIONS:

- A. Policies in the Sugar House Master Plan support the expansion of the business district zoning and subsequent amendments of the Zoning Ordinance in order to create a more transit/pedestrian friendly development pattern, increase residential densities and implant design review.
 1. The Plan’s Business District Goals emphasize major design themes and development concepts that have historically been promoted in the area including:
 - a. Honoring the historic scale and mass of buildings along 2100 South and 1100 East.
 - b. Providing space for small tenants in retail and office buildings that are developed.
 - c. Increasing a residential presence through a mixed land use pattern.
 - d. Directing development to be transit and pedestrian oriented.

- B. The Council has adopted housing and transportation policy statements that support creating a wide variety of housing types citywide and changing the focus of transportation decisions from moving cars to moving people. The Council's policy statements have been included in the City's Community Housing Plan and Transportation Master Plan.
1. Housing policy statements address a variety of issues including quality design, public and neighborhood participation and interaction, transit-oriented development, encouraging mixed-use developments, housing preservation, rehabilitation and replacement, zoning policies and programs that preserve housing opportunities as well as business opportunities.
 2. Transportation policy statements include support of alternative forms of transportation, considering impacts on neighborhoods on at least an equal basis with impacts on transportation systems and giving all neighborhoods equal consideration in transportation decisions.
- C. During the Council's recent discussions relating to growth, annexations and housing policy, Council Members have expressed support for developments that promote livable community concepts such as:
1. Pedestrian and bicycle friendly environments
 2. Compact, transit and pedestrian oriented developments
 3. Neighborhood anchor areas or commercial and/or business uses that are necessary to the function of residential neighborhoods or are compatible with residential activity
 4. Local services that are conveniently available or can be provided and are accessible on foot
- D. The Council's adopted growth policy states: It is the policy of the Salt Lake City Council that growth in Salt Lake City will be deemed the most desirable if it meets the following criteria:
1. Is aesthetically pleasing;
 2. Contributes to a livable community environment;
 3. Yields no negative net fiscal impact unless an overriding public purpose is served; and
 4. Forestalls negative impacts associated with inactivity.
- E. The City's Strategic Plan and the Futures Commission Report express concepts such as maintaining a prominent sustainable city, ensuring the City is designed to the highest aesthetic standards and is pedestrian friendly, convenient, and inviting, but not at the expense of minimizing environmental stewardship or neighborhood vitality. The Plans emphasize placing a high priority on maintaining and developing new affordable residential housing in attractive, friendly, safe environments and creating attractive conditions for business expansion including retention and attraction of large and small businesses. The Plans also support street designs that are pedestrian friendly and developing a multi-modal citywide transportation system.
- F. The City's 1990 Urban Design Element includes statements that emphasize preserving the City's image, neighborhood character and maintaining livability while being sensitive to social and economic realities. Applicable policy concepts include:
1. Allow individual districts to develop in response to their unique characteristics within the overall urban design scheme for the city.
 2. Ensure that land uses make a positive contribution to neighborhood improvement and stability.
 3. Ensure that building restoration and new construction enhance district character.
 4. Require private development efforts to be compatible with urban design policies of the city regardless of whether city financial assistance is provided.
 5. Treat building height, scale and character as significant features of a district's image.
 6. Ensure that features of building design such as color, detail, materials and scale are responsive to district character, neighboring buildings, and the pedestrian.

