
SALT LAKE CITY COUNCIL STAFF REPORT

DATE: December 30, 2004

SUBJECT: Petition 400-04-04 – Salt Lake City Housing Authority request to rezone property at 63 West Fayette Avenue from Commercial Corridor to Residential Mixed Use and amend the Central Community Master Plan

AFFECTED COUNCIL DISTRICTS: If the ordinance is adopted the rezoning and master plan amendment will affect Council District 5

STAFF REPORT BY: Janice Jardine, Land Use Policy Analyst

ADMINISTRATIVE DEPT. AND CONTACT PERSON: Community Development Department, Planning Division
Doug Dansie, Principal Planner

NOTICE REQUIREMENTS: Newspaper advertisement and written notification to surrounding property owners 14 days prior to the Public Hearing.

On December 14, 2004, the Council held a public hearing, approved an ordinance to rezone property located at 1029 and 1031 South West Temple and amend the Central Community Master Plan. In addition, the Council deferred action to rezone property located at 63 West Fayette Avenue to a public hearing on January 4, 2005. There was a notice problem on this petition, part of it was properly advertised and part of it was not. The Council scheduled an additional hearing date to complete consideration of the request and allow an opportunity to correct the noticing requirements for Planning Commission and Council action.

On December 21, 2004, the Planning Commission held an additional hearing regarding the petition. The Planning Commission approved a motion to forward a favorable recommendation to the Council to rezone the property and amend the Central Community Master Plan.

An ordinance has been prepared for Council consideration that would rezone property located at 63 West Fayette Avenue from Commercial Corridor CC to Residential Mixed Use RMU and amend the Central Community Master Plan.

OPTIONS AND MOTIONS:

1. **["I move that the Council"] Adopt an ordinance rezoning property located at 63 West Fayette Avenue from Commercial Corridor CC to Residential Mixed Use RMU and amending the Central Community Master Plan.**
2. **["I move that the Council"] Not adopt an ordinance rezoning property located at 63 West Fayette Avenue from Commercial Corridor CC to Residential Mixed Use RMU and amending the Central Community Master Plan.**

The following information was provided previously for the Council's public hearing on December 14, 2004. It is provided again for your reference.

OPTIONS AND MOTIONS:

1. **["I move that the Council"] Adopt an ordinance rezoning property located at 1029 and 1031 South West Temple from Commercial Corridor CC to Residential Mixed Use RMU and amending the Central Community Master Plan, and**

Defer action to rezone property located at 63 West Fayette Avenue to a public hearing on January 4, 2005.

2. **["I move that the Council"] Not adopt an ordinance rezoning property located at 1029 and 1031 South West Temple from Commercial Corridor CC to Residential Mixed Use RMU and amending the Central Community Master Plan.**
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The following information was provided previously for the Work Session on December 7, 2004. It is provided again for your reference.

BUDGET RELATED FACTS:

The Administration notes there will be a budget impact (\$42,720) created by the project's impact fee exemptions.

KEY ELEMENTS:

- A. An ordinance has been prepared for Council consideration to:
 1. Rezone property at approximately 1029/1031 S. West Temple from Commercial Corridor to Residential Mixed Use, and
 2. Amend the Central Community Master Plan.
- B. This action would facilitate development of Phase II of the existing Jefferson School Apartments. (Rezoning for Phase I was approved by the Council in June/July of 1999.) The Administration's transmittal and Planning staff report provide a description of the residential development. Key elements of the proposed multi-family residential development provided to Council staff by Housing Authority staff include:
 1. Total units: 84
 - a. 42, 2 bedroom 2 bath, 42, 1 bedroom 1 bath.
 - b. Apartment size; 700 to 1069 sq. ft.
 - c. Mixed income 60 % tax credit affordable, 40 % market
 2. Approximately 2,000 sq. ft. clubhouse with fitness room and hot tub.
 3. Parking: 106 parking stalls.
 4. Close to light rail at 1300 south and new station at 900 South.
 5. Total acreage: 2.58 acres
 6. Density: 32.5 units per acre
 7. Project is named after and is near the location of the old Jefferson Elementary School built in 1909.
 8. The development will be owned, managed and maintained by HAME a non-profit subsidiary of the Housing Authority of Salt Lake City and provides:

- a. On-site staff for leasing, tenant screening and general supervision.
 - b. Permanent maintenance staff for facility care and repairs.
 - c. 24 hour on-call emergency dispatch.
 - d. Off duty police officers hired for security of property after normal business hours and weekends.
 - e. Reduced rents offered to police officers living on-site.
- C. On August 11 and October 13, 2004, the Planning Commission held public hearings and reviewed the proposed rezoning and planned development project. Shortly after the Planning Commission's hearing on August 11th, the Housing Authority obtained additional property adjoining the project. This necessitated an additional review and hearing by the Planning Commission on October 13th. The Commission voted to forward a positive recommendation to the City Council to rezone the property and amend the Central Community Master Plan Future Land Use Map. In addition, the Planning Commission approved a planned development conditional use for the project subject to the following conditions:
 - 1. City Council approval of the proposed rezoning and master plan amendment.
 - 2. Completion of the subdivision process to combine the three properties and eliminate unnecessary lot lines.
 - 3. Authority delegated to the Planning Director for approval of the final landscape plan.
- D. Discussion at the Planning Commission hearings focused on design elements such as lighting, location of buildings, proposed building materials, interior vehicle circulation, income mix, etc.
- E. The purpose of the Residential Mixed Use RMU district is to implement the objectives of the adopted East Downtown Master Plan through district regulations that reinforce the residential character of the area and encourage the development of areas as high density residential urban neighborhoods containing supportive retail, service commercial and small scale office uses. (Sec. 21A.24.170.A.) Commercial and office types of uses are not permitted in this zone. Maximum building height in the zone is 75 feet or up to 125 feet through the conditional use process. The Residential Mixed-Use zone was developed to reinforce the residential character of an area and encourage higher density residential neighborhoods containing supportive retail, service commercial and small-scale office uses. The zone permits higher residential densities that could support transit-oriented development concepts.
- F. The purpose of the Commercial Corridor CC zone is to provide an environment for efficient and attractive automobile-oriented commercial development along arterial and major collector streets. (Sec. 21A.26.050.A) Dwelling units, including multi-family dwellings, above or below first story office, retail and commercial uses or on the street level not located adjacent to the street frontage are permitted uses. Strictly multi-family residential developments are not permitted in this zoning classification. Maximum building height in the zone is 30 feet or up to 45 feet through a conditional use process.
- G. The public process included a presentation to the Peoples Freeway Community Council and written notification of the Planning Commission hearing to surrounding property owners. The Administration's transmittal notes the Community Council was supportive of the petition.
- H. The City's Fire, Police, and Public Utilities Departments and Transportation and Engineering Divisions have reviewed the request. The development proposal will be required to comply with City standards and demonstrate that there are adequate services to meet the needs of the project.

MATTERS AT ISSUE /POTENTIAL QUESTIONS FOR THE ADMINISTRATION:

The Planning staff's analysis includes findings of fact that support the proposed rezoning based, in part, on policy statements contained in the draft update of the Central Community Master Plan. The Council has previously expressed concern when draft master plans (not adopted by the Council) are cited as policy in analysis. A mitigating factor is that the proposal also includes amending the future land use map of the adopted Central Community Master Plan for high-density, mixed-use land uses. This would update the Plan to be consistent with the proposed rezoning.

MASTER PLAN AND POLICY CONSIDERATIONS:

- A. The Administration's transmittal and Planning staff report note:
 - 1. The adopted 1974 Central Community Master Plan identified this property and existing residential property to the west for commercial land uses.
 - 2. The 1995 Zoning Rewrite process rezoned this property to Commercial Corridor CC and the properties to the west to medium density Multi-family Residential RMF-35.
 - 3. The draft update of the Central Community Master Plan policies note the need to create a mixed-use area, stabilize the existing residential neighborhood and encourage new transit oriented development.
 - 4. Multi-family development is not consistent with the 1974 Central Community Master Plan but is consistent with the proposed recommendations in the draft update.
 - 5. Multi-family development provides a buffer between existing commercial and single-family areas.
 - 6. Additional dwelling units are beneficial in stabilizing the population and creating sense of neighborhood.
- B. The 1974 Central Community Master Plan notes the following principles:
 - a. Revitalize and stabilize inner-city neighborhoods.
 - b. Recognize mixed-use areas and their relative permanence.
 - c. Establish neighborhood revitalization as a remedy for obsolescence and decline.
- C. The City's Comprehensive Housing Plan policy statements address a variety of housing 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.
- D. 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.
- 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.
- F. The Council's growth policy notes 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.

CHRONOLOGY:

The Administration's transmittal provides a chronology of events relating to the proposed rezoning and master plan amendment. Key dates are listed below. Please refer to the Administration's chronology for details.

- Jan. 26, 2004 Petition delivered to Planning Division
- March - May 2004 Additional information requested by Planning staff and provided by the applicant
- Aug. & Sept. 2004 Planning Commission Planned Development Subcommittee meetings
- Aug. 11 & Oct. 13, 2004 Planning Commission hearings
- Oct. 6, 2004 Peoples Freeway Community Council meeting
- Dec. 21, 2004 Planning Commission hearing (*for property located at 63 West Fayette Avenue.*)

cc: Sam Guevara, Rocky Fluhart, DJ Baxter, Ed Rutan, Lynn Pace, David Dobbins, Louis Zunguze, Brent Wilde, Doug Wheelwright, Cheri Coffey, Doug Dansie, Jan Aramaki, Marge Harvey, Sylvia Jones, Lehua Weaver, Annette Daley

File Location: Community Development Dept., Planning Division, Rezoning and Master Plan Amendment, Housing Authority, Jefferson School Apartments, 1029/1031 S. West Temple and 63 West Fayette Avenue