

DATE: August 3, 2006

TO: Salt Lake City Planning Commission

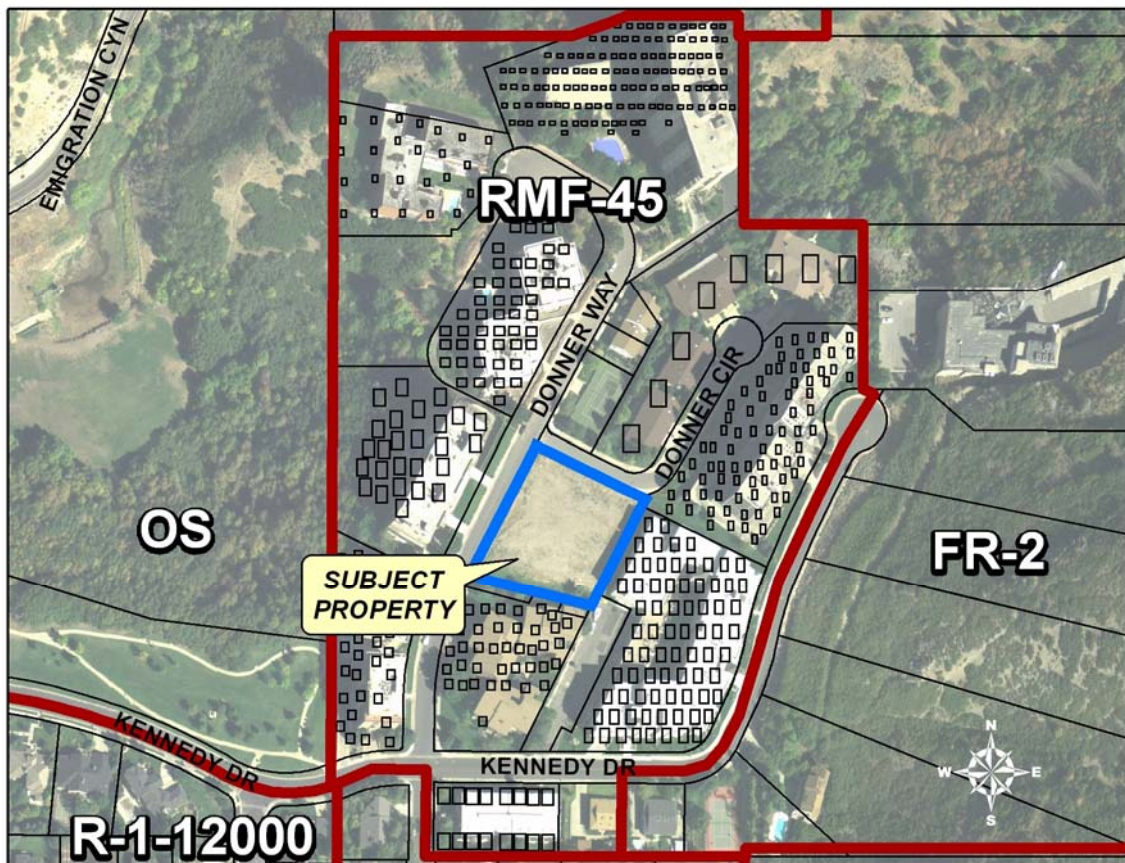
FROM: Janice Lew, Principal Planner
Telephone: 801.535.7625
Email: janice.lew@slcgov.com

RE: STAFF REPORT FOR THE AUGUST 9, 2006 MEETING

CASE NUMBER: Preliminary Condominium Plat – 480-06-16

APPLICANT/STATUS: R. Preston Miller, Property Owner

PROJECT LOCATION: 925 South Donner Way – 16-11-259-021



PROJECT/PROPERTY SIZE: .997 Acres

COUNCIL DISTRICT: District 6, Council Member Dave Buhler

SURROUNDING ZONING DISTRICTS:

North – Moderate/High Density Multifamily Residential (RMF-45)
South – Moderate/High Density Multifamily Residential (RMF-45)
East – Moderate/High Density Multifamily Residential (RMF-45)
West – Moderate/High Density Multifamily Residential (RMF-45)

SURROUNDING LAND USES:

North – Residential
South – Residential
East – Residential
West – Residential

REQUESTED ACTION:

The property owner is requesting preliminary condominium plat approval for a twenty-four (24) unit residential condominium project located at 925 South Donner Way. The property is located in a RMF-45, Moderate/High Density Multifamily Residential Zoning District on .997 acres of land.

PROPOSED USE(S):

The developer intends to build a multi-unit residential development on the subject property.

APPLICABLE LAND USE REGULATIONS:

The proposed subdivision approval is subject to Title 20 Subdivisions of the Salt Lake City Code, the Site Development Ordinance, Chapter 18.28 and Chapter 21A.56 of the Zoning Ordinance.

MASTER PLAN SPECIFICATIONS:

The adopted land use policy documents that guide new development in this area are the Salt Lake City Housing Plan(1999) and East Bench Community Master Plan(1987).

SUBJECT PROPERTY HISTORY:

The subject property is currently vacant of development.

ACCESS:

The proposed multi-unit project is accessible from Donner Way, a local public street on the west side and Donner Circle a private street right-of-way on the north side.

PROJECT DESCRIPTION:

The petitioner is proposing a condominium subdivision to allow individual transfer of ownership of residential units. The subject property is zoned “RMF-45” (Moderate/High Density Multifamily Residential) which is intended to provide an environment suitable for multi-family dwellings of a moderate/high density. The Zoning District establishes a residential density of forty-three (43) dwelling units per acre. The subject property is located in a neighborhood designated as “High Density Residential” on the Future Land Use map for the East Bench Community. This land use designation allows a density range of over 20 dwelling units per acre. The applicant proposes twenty-four dwelling units for this site (24 units per acre) which is supported by the existing zoning and the *East Bench Community Master Plan*.

The subject property lot area (43,421 sf) and width (230 ft) exceeds the minimum standards as specified in Section 21A.24.140(C) of the Zoning Ordinance. The submitted building elevations show that the proposed height of the building is consistent with the forty-five feet (45') allowed. All minimum yard and maximum building coverage requirements have also been met per Ordinance. The proposed project meets the general standards set forth in Section 21A.24.140 of the Zoning Ordinance.

The minimum off-street parking requirement for multi-family dwellings (Table 21A.44.060F) is two spaces for each dwelling unit containing two or more bedrooms and one space for one bedroom and efficiency dwellings. Forty-eight (48) parking spaces are required for this development and the drawings show fifty-five (55) parking spaces.

In terms of condominium approval procedures, Planning Staff has reviewed the “Declaration of Covenants, Conditions and Restrictions” as submitted by the applicant and finds them consistent with Section 21A.56.040(A)(2)(a-e). The final condominium plat submittal shall conform to the requirements of Chapter 21A.56 of the Zoning Ordinance – Condominium Approval Procedure.

The following City Council policies regarding housing are outlined in the *Salt Lake City Housing Plan*:

1. The City Council supports a citywide variety of residential housing units, including affordable housing and supports accommodating different types of developments and intensities of residential development.
2. The City Council encourages architectural designs compatible with neighborhoods that:
 - Make good use of and incorporate open space, even minimal amounts;
 - Interface well with public space;
 - Address parking needs in the least obtrusive manner possible; and
 - Are creative, aesthetically pleasing and provide attractive public spaces, such as designated common areas, community centers, childcare, resident gathering places, resident gardens, etc.

The request supports the *Salt Lake City Housing Plan* policies in that it provides a diverse housing stock and it addresses parking needs in a non-obtrusive manner by placing much of the required parking underground.

On June 29, 2006, Council Member Dave Buhler hosted a meeting to discuss neighborhood issues. Potential impacts of the proposed project were talked about during this meeting. To address neighborhood concerns for safety and at the request of Planning Staff, the petitioner has agreed to provide secondary emergency vehicle access with a crash gate connection at the south-east corner of the property (Exhibit 3). A right-of-way and easement will then be provided between Donner Circle and Kennedy Drive for emergency use only.

COMMENTS, ANALYSIS AND FINDINGS:

1. COMMENTS

The comments received from pertinent City Departments/Divisions are attached to this staff report. Many of the comments will be addressed at the time of application for building permit issuance. The following is a summary of the comments and concerns received:

- a) **Public Utilities Division:** Public Utilities found the proposed project approvable if the existing easement is abandoned for the existing public storm drainage pipe that will be relocated to accommodate the footprint of the proposed structure.
- b) **Division of Transportation:** The division review comments are attached to this staff report.
- c) **Salt Lake City Engineering:** City Engineering review comments are as follows:
 1. Curb, gutter and sidewalk exist in Donner Way and Donner Circle along the frontage of the proposed plat in poor condition. At least one section of the curb & gutter has settled and must be replaced. Approximately forty sidewalk panels are cracked or spalled and must be replaced. The proposed drive approaches must be installed in conformance with APWA Std. Plan 215.
 2. Prior to performing the work described above, a "Permit to Work in the Public Way" must be obtained from SLC Engineering.
 3. The plat must conform to the requirements on the attached redlined review print. Please forward the redlined review print to the developer or his engineer.
- d) **Fire:** The Fire Department had no objections to the proposed project if the following issues are addressed prior to finalization of the plans:
 1. Due to the lack of full FD vehicle access on all sides, the Salt Lake City Fire Department will require that the project include total fire sprinkler protection and a building standpipe system, as required by the code for this occupancy type. In addition, a fire flow (water supply) analysis conducted by the Salt Lake City Public Utilities Department is required to ensure an adequate water supply, and fire hydrant(s) are provided for the proposed project

2. Additional building code issues may need to be addressed, as full plans, drawings and specifications are presented for review.
- e) **Police:** The department did not identify any CPTED concerns with the proposed project.
- f) **Building Services:** Building Services reviewed the proposed project as part of the Development Review Team (DRT) review held on July 31, 2006. A list of their comments is attached to this staff report.
- g) **Public Input:** Planning Staff has received public input opposed to this request and included in Exhibit 2 of this staff report. Neighborhood response to notification of the proposal indicates property owners are concerned about potential negative impacts of the proposed development including:
 - a. loss of views, (*Neither the area master plan nor the Zoning Ordinance currently address the preservation of view corridors in this area.*)
 - b. density, (*The proposed density for the site is supported by the existing zoning and the East Bench Community Master Plan.*)
 - c. past problems with nearby development,
 - d. safety issues, (*The petitioner has agreed to provide secondary emergency access as part of the proposed new development.*)
 - e. dumpster location and (*An appropriate location will be determined prior to building permit issuance.*)
 - f. potential ventilation noise. (*The Salt Lake City Valley Health Department regulates noise control.*)
- h) **Planning Division Comments:** As mentioned above under the **Public Input** section, adjacent property owners have expressed concern regarding the proposed location of the dumpster near the southeast corner of the property. The Planning Commission may wish to consider alternative locations for the dumpster.

2. ANALYSIS AND FINDINGS:

OVERVIEW:

Section 21A.08.210 of the Salt Lake City Code defines condominiums as minor subdivisions. A minor subdivision shall conform to the standards specified in Section 21.28.010, or its successor, of this Title. The Planning Director, or designee, may at an administrative hearing, approve a preliminary condominium plat if it meets the requirements specified in Section 20.20.070 of the Salt Lake City Code. Planning Staff elected to refer this condominium plat request to the Planning Commission because of public concern.

STANDARDS FOR APPROVAL:

A minor subdivision petition may be approved only if it meets the requirements specified in Section 20.20.020 of the Salt Lake City Code. The requirements are as follows:

- A. **The general character of the surrounding area shall be well defined, and the minor subdivision shall conform to this general character;**

Analysis: Staff finds that the request complies with this standard because:

- It supports residential base in an undeveloped portion of the community;
- A multi-family residential development is compatible with the general character of the surrounding neighborhood; and
- It promotes a building design and orientation that enhances the neighborhood.

B. Lots created shall conform to the applicable requirements of the zoning ordinances of the city;

Analysis: No new lots will be created.

C. Utility easements shall be offered for dedication as necessary;

Analysis: This is a condition of final plat approval.

D. Water supply and sewage disposal shall be satisfactory to the city engineer.

Analysis: The proposed preliminary plat has been reviewed by the pertinent City Departments as to applicable laws and regulations. All design and construction must conform to State, County, City and Public Utilities standards and ordinances.

E. Public improvements shall be satisfactory to the planning director and city engineer.

Analysis: All plans for required public improvements must be submitted and approved prior to approval of the final plat.

RECOMMENDATION:

Planning Staff recommends that the Planning Commission grant preliminary approval for the requested condominium plat based upon the following findings:

1. Approval of the condominium plat will be in the best interest of the City.
2. All lots comply with all applicable zoning standards
3. All necessary and required dedications will be made.
4. Provisions for the construction of any required public improvements are included.
5. The subdivision otherwise complies with all applicable laws and regulations.
6. All applicable City Departments have consented to the proposed condominium plat as long as final plans comply with applicable City codes and policies.

7. The proposed condominium project will be compatible with surrounding development.
8. The request complies with the general standards of review for a minor subdivision.

CONDITIONS OF APPROVAL

1. Approval is conditioned upon compliance with all departmental comments as outlined in this staff report.
2. The final condominium plat submittal shall conform to the requirements of Chapter 21A.56 of the Zoning Ordinance – Condominium Approval Procedure.
3. Any future development activity associated with the properties will require that all substandard or absent public improvements be installed in accordance with the departmental comments noted in this staff report. Additionally, any future redevelopment will be subject to the requirements of the zoning ordinance.
4. Utility easements shall be offered for dedication as necessary.
5. A secondary emergency access right-of-way and easement shall be offered for dedication.
6. The final dumpster location shall be approved by the Planning Director or designated representative.
7. Upon preliminary approval, the Petitioner shall submit for Final Plat approval with the Salt Lake City Planning Division, which is necessary to prepare a recordable final plat with the Salt Lake County Recorder's Office.
8. No condominium shall have final approval, or shall said units be sold, until the final plat mylar has been recorded with the Salt Lake County Recorder.

Janice Lew
Principal Planner
August 3, 2006

Attachments:

Exhibit 1 - Departmental Comments
Exhibit 2 – Public Comment
Exhibit 3 – Proposed Agreement
Exhibit 4 - Photographs
Exhibit 5 - Site Plan and Elevations

Exhibit 6 - Condominium Plat

Exhibit 1

Departmental Comments

Exhibit 2

Public Comment

Exhibit 3

Proposed Agreement

Exhibit 4

Photographs

Exhibit 5

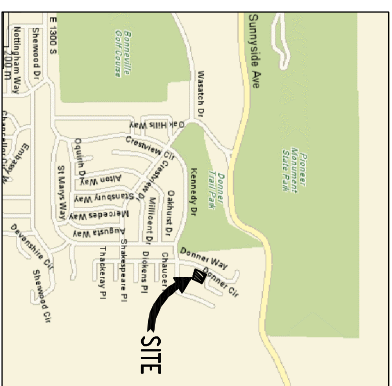
Site Plan and Elevations

Exhibit 6

Condominium Plat

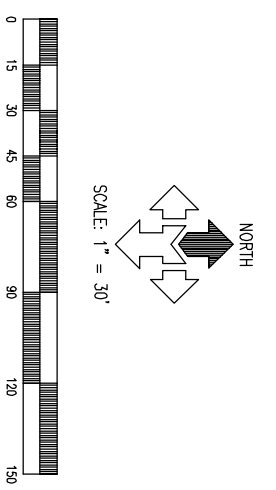
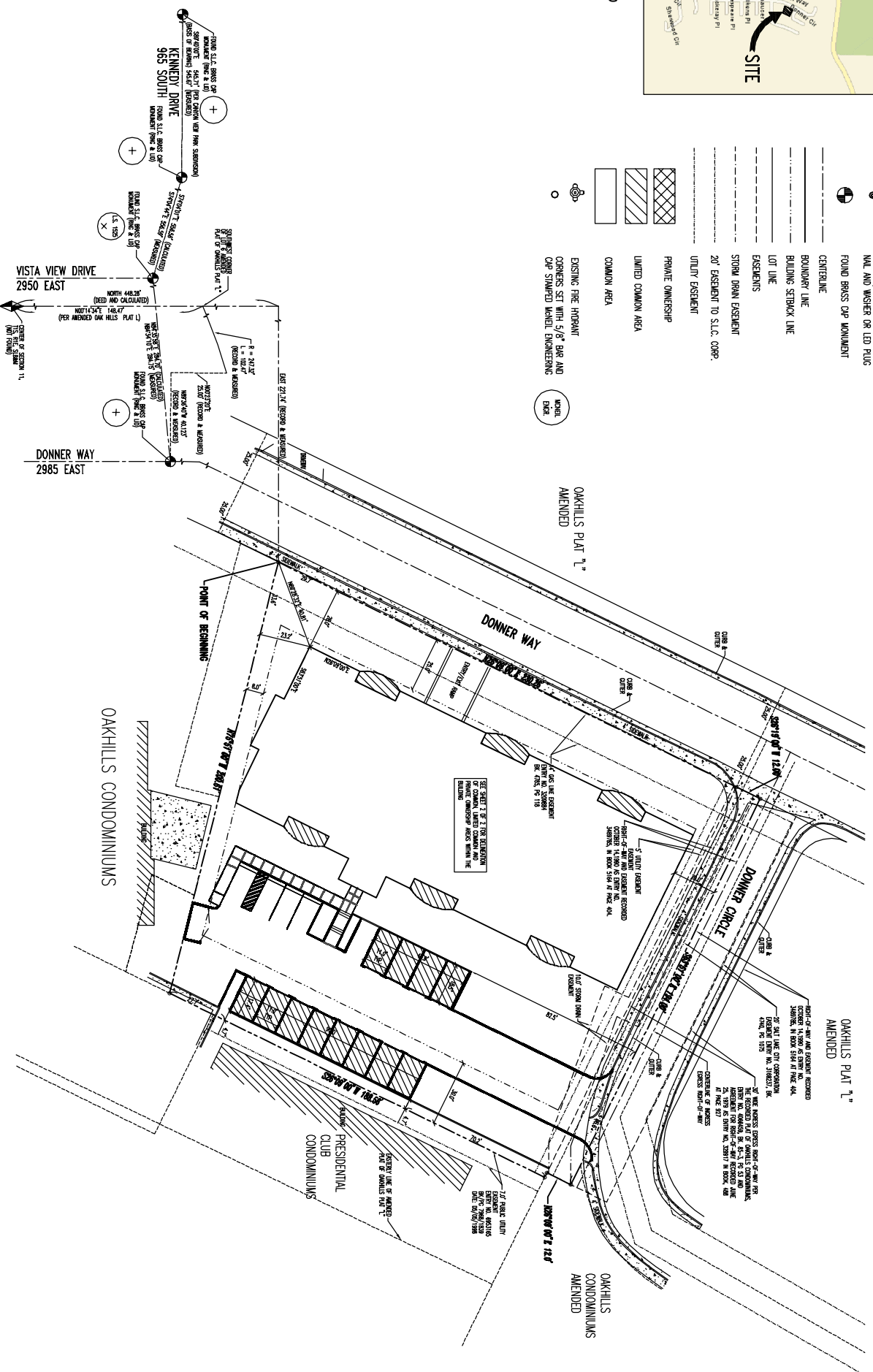
PRESIDENTIAL VILLAS

LOCATED IN THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASIN & MERRIDIAN



VICINITY MAP

- LEGEND**
- FOUND 5/8" REBAR AND CP OR NAL AND WESPER OR LED PLUG
 - FOUND BRASS OP MONUMENT
 - CENTERLINE
 - BOUNDARY LINE
 - BUILDING SETBACK LINE
 - LOT LINE
 - EASEMENTS
 - STORM DRAIN EASEMENT
 - 20' EASEMENT TO S.L.C. CORP.
 - UTILITY EASEMENT
 - PRIVATE OWNERSHIP
 - LIMITED COMMON AREA
 - COMMON AREA
 - EXISTING FIRE HYDRANT
 - CORNERS SET WITH 5/8" BRG AND CP STAMPED WHEEL ENGINEERING
 - MONUMENT
 - EJECT



MEMBER:

McNEIL ENGINEERING & LAND SURVEYING, L.C.
 PROFESSIONAL CIVIL ENGINEERING & LAND SURVEYING SERVICES
 6885 SOUTH 900 EAST, MIDVALE, UTAH 84047
 (801) 255-7700

APPROVED THIS _____ DAY OF _____ A.D. 20____
 BY THE SALT LAKE CITY PLANNING COMMISSION

CITY BUILDING OFFICIAL _____

APPROVED THIS _____ DAY OF _____ A.D. 20____
 BY THE SALT LAKE CITY PLANNING COMMISSION

CITY PLANNING DIRECTOR _____

APPROVED THIS _____ DAY OF _____ A.D. 20____
 BY THE SALT LAKE CITY PLANNING COMMISSION

CITY ENGINEERING DIVISION _____

APPROVED THIS _____ DAY OF _____ A.D. 20____

CITY DEPT. OF PUBLIC UTILITIES _____

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20____

CITY ATTORNEY _____

PRESENTED TO SALT LAKE CITY THIS _____ DAY OF _____ A.D. 20____

CITY MAYOR _____

RECORDED # _____
 STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF _____
 DATE _____ TIME _____ BOOK _____ PAGE _____

FEE \$ _____ SALT LAKE COUNTY RECORDER

BOARD OF HEALTH

APPROVED THIS _____ DAY OF _____ A.D. 20____
 BY THE SALT LAKE CITY PLANNING COMMISSION

CITY BUILDING OFFICIAL _____

CITY PLANNING DIRECTOR _____

CITY ENGINEERING DIVISION _____

CITY DEPT. OF PUBLIC UTILITIES _____

CITY ATTORNEY _____

CITY MAYOR _____

RECORDED # _____

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF _____

DATE _____ **TIME** _____ **BOOK** _____ **PAGE** _____

FEE \$ _____ **SALT LAKE COUNTY RECORDER**

BOUNDARY DESCRIPTION

CONTAINS: 43,421 SF OR 0.997 ACRES

BEGINNING AT A POINT WHICH LIES NORTH 448.28 FEET AND EAST 221.74 FEET FROM THE CENTER OF SAID SECTION 11, SAID POINT LIES ON THE EASTERLY LINE OF DONNER WAY AND RUNS THENCE NORTH 26°09'00" EAST 230.26 FEET ALONG SAID EASTERLY LINE; THENCE NORTH 26°19'00" WEST 12.00 FEET; THENCE SOUTH 63°51'00" EAST 194.00 FEET; THENCE SOUTH 26°09'00" WEST 12.00 FEET; THENCE SOUTH 63°51'00" EAST 2.23 FEET; THENCE SOUTH 26°09'00" WEST 188.56 FEET; THENCE NORTH 73°51'00" WEST 200.61 FEET TO THE POINT OF BEGINNING.

OWNER'S DEDICATION

Know all men by these presents that _____ the undersigned owner () of the above described tract of land, having caused same to be subdivided into lots and streets to be hereafter known as the **PRESIDENTIAL VILLAS**

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use, in witness whereof _____ have hereunto set _____ this _____ day of _____ A.D. 20____

ACKNOWLEDGMENT

STATE OF UTAH
 COUNTY OF _____ } S.S.
 On the _____ day of _____ A.D. 20____, personally appeared before me, the undersigned Notary Public, in and for said County of _____ in said State of Utah, _____ who after being duly sworn, acknowledged to me that signed the owners dedication freely and voluntarily for and in behalf of said corporation for the purposes therein mentioned.

MY COMMISSION EXPIRES _____ DATE _____ NOTARY PUBLIC RESIDING IN _____

STATE OF UTAH
 COUNTY OF _____ } S.S.
 On the _____ day of _____ A.D. 20____, personally appeared before me, the undersigned Notary Public, in and for said County of _____ in said State of Utah, _____ who after being duly sworn, acknowledged to me that signed the owners dedication freely and voluntarily for and in behalf of said corporation for the purposes therein mentioned.

MY COMMISSION EXPIRES _____ DATE _____ NOTARY PUBLIC RESIDING IN _____

PRESIDENTIAL VILLAS

LOCATED IN THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASIN & MERRIDIAN

SALT LAKE COUNTY RECORDER

RECORDED # _____
 STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF _____
 DATE _____ TIME _____ BOOK _____ PAGE _____

FEE \$ _____ SALT LAKE COUNTY RECORDER

SHEET 1 OF 2

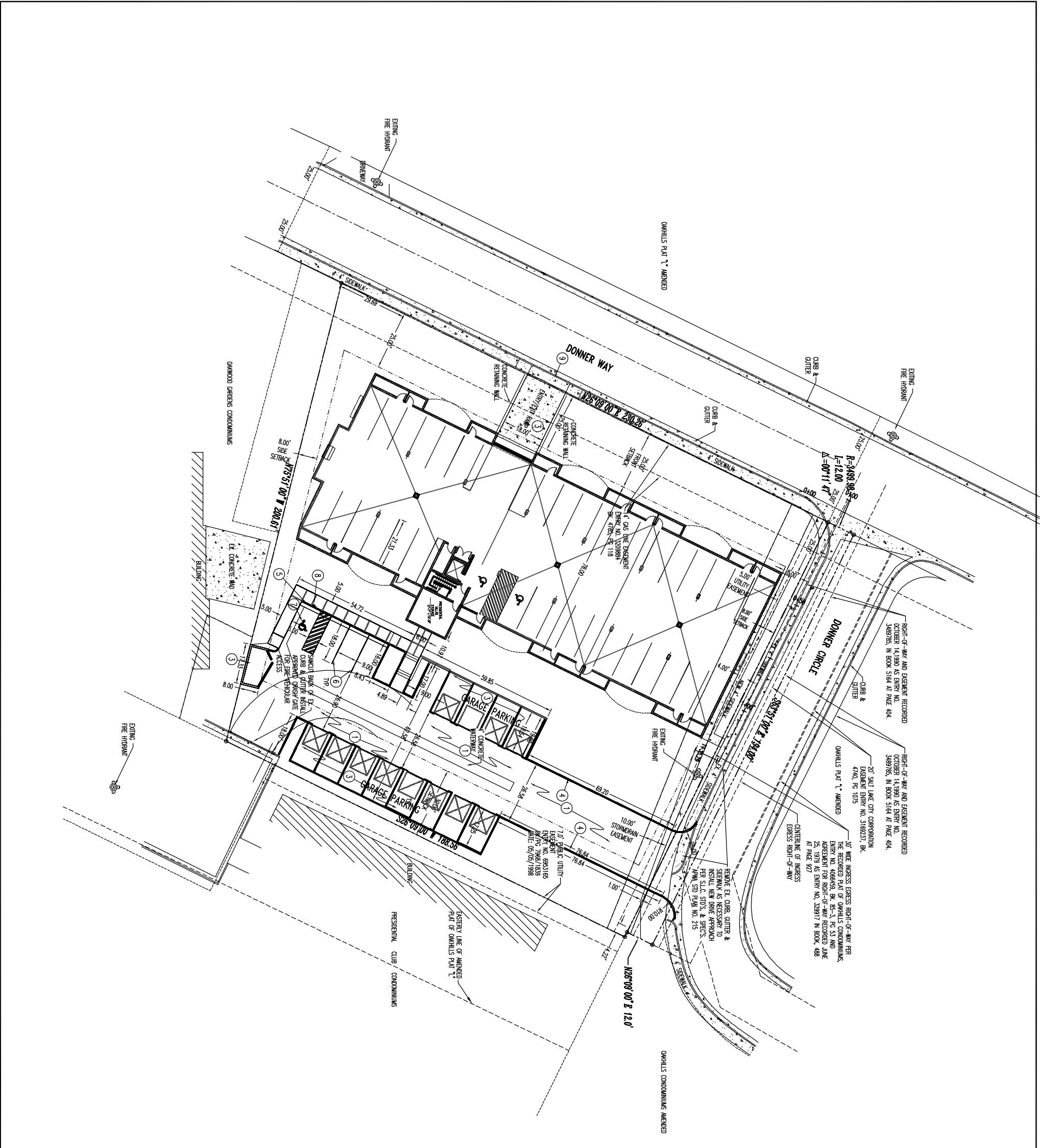
SURVEYOR'S CERTIFICATE

I, Michael D. Hoffman do hereby certify that I am a Licensed Professional Land Surveyor, and that I hold Certificate No. 318831 as prescribed under the laws of the State of Utah. I further certify that by authority of the laws of the State of Utah, I further certify that by authority of the laws of the State of Utah, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets hereafter to be known as:

PRESIDENTIAL VILLAS

and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all this meet minimum area, width and frontage requirements of the applicable zoning ordinance.





RIGHT-OF-WAY AND EASEMENT RECORDED
 COBURN 14, 1990 AS ENTRY NO. 349978, IN BOOK 5194 AT PAGE 404.

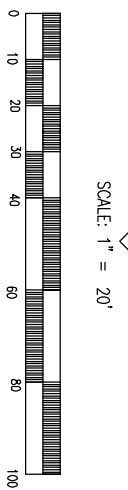
RIGHT-OF-WAY AND EASEMENT RECORDED
 COBURN 14, 1990 AS ENTRY NO. 349978, IN BOOK 5194 AT PAGE 404.

30' SALT LAKE CITY CORPORATION
 EASEMENT ENTRY NO. 3198237, BK. 4740, PG. 1075

30' WIDE INTERESS EGRESS RIGHT-OF-WAY PER THE RECORDED PLAT OF OAKHILLS CONDOMINIUMS, ENTRY NO. 4086459, BK. 85-3, PG. 53 AND AGREEMENT FOR RIGHT-OF-WAY RECORDED JUNE 25, 1979 AS ENTRY NO. 328917 IN BOOK 498 AT PAGE 927

30' WIDE INTERESS EGRESS RIGHT-OF-WAY PER THE RECORDED PLAT OF OAKHILLS CONDOMINIUMS, ENTRY NO. 4086459, BK. 85-3, PG. 53 AND AGREEMENT FOR RIGHT-OF-WAY RECORDED JUNE 25, 1979 AS ENTRY NO. 328917 IN BOOK 498 AT PAGE 927

EXISTING EX. CURB, GUTTER & SIDEWALK AS NECESSARY TO INSTALL NEW DRIVE APPROACH PER S.L.C. SITS & SPECS. APWA STD PLAN NO. 215



- GENERAL NOTES:**
 ALL DIMENSIONS ARE TO THE FACE OF CURB, UNLESS OTHERWISE NOTED
 SEE ARCHITECT'S SITE PLAN FOR ADDITIONAL INFORMATION
 SEE LANDSCAPE PLANS FOR IRRIGATION AND PLANTING
 ALL WORK TO COMPLY WITH GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS
 ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
- KEYED NOTES:**
 PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED AND THE DETAILS NOTED AND AS SHOWN ON THE CONSTRUCTION DRAWINGS:
- 1 HEAVY DUTY ASPHALT PAVEMENT WITH GRANULAR BASE PER DETAIL '01', SHEET C5.01.
 - 2 STANDARD DUTY ASPHALT PAVEMENT WITH GRANULAR BASE PER DETAIL '01', SHEET C5.01.
 - 3 CONCRETE PAVEMENT WITH GRANULAR BASE PER DETAIL '02', SHEET C5.01.
 - 4 CONCRETE CURB WALL. SEE DETAIL '03', SHEET C5.01.
 - 5 24" CONCRETE CURB AND GUTTER. SEE DETAIL '04', SHEET C5.01.
 - 6 4" WIDE SOLID YELLOW PARKING STALL STRIP LINES.
 - 7 PAINTED ADA SYMBOL AND STRIPING. FOR LAYOUT SEE DETAIL '01', SHEET C5.01.
 - 8 ADA PARKING SIGN. SEE DETAIL 'A1', SHEET C5.01.
 - 9 ADA APPROVED DRIVE APPROACH AND SIDEWALK RAMP

ARCHITECTURE BELGIQUE, INC.
 925 SOUTH DONNER WAY
 SALT LAKE CITY, UT 84143
 PHONE: (801) 487-1111
 FAX: (801) 487-1111
 WWW.AB-UT.COM

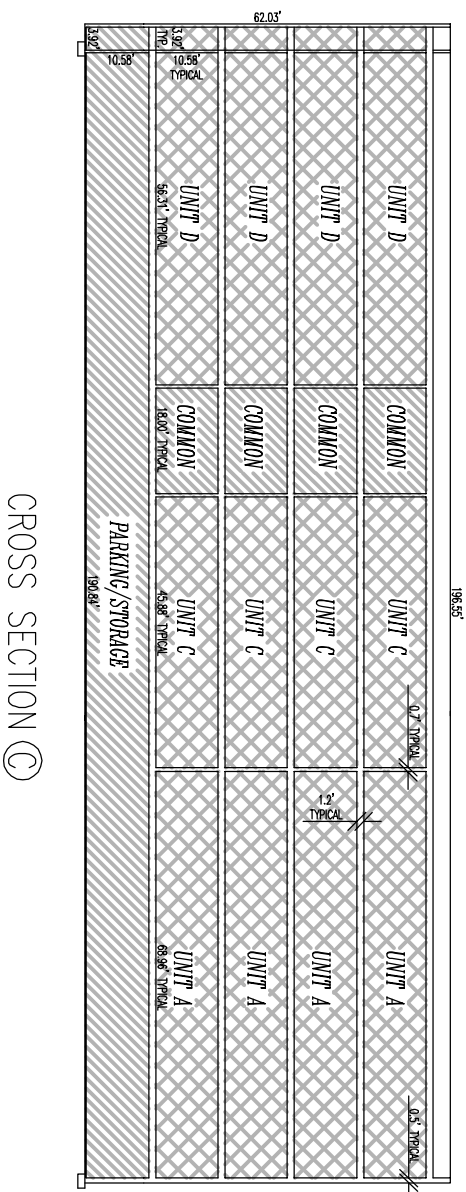
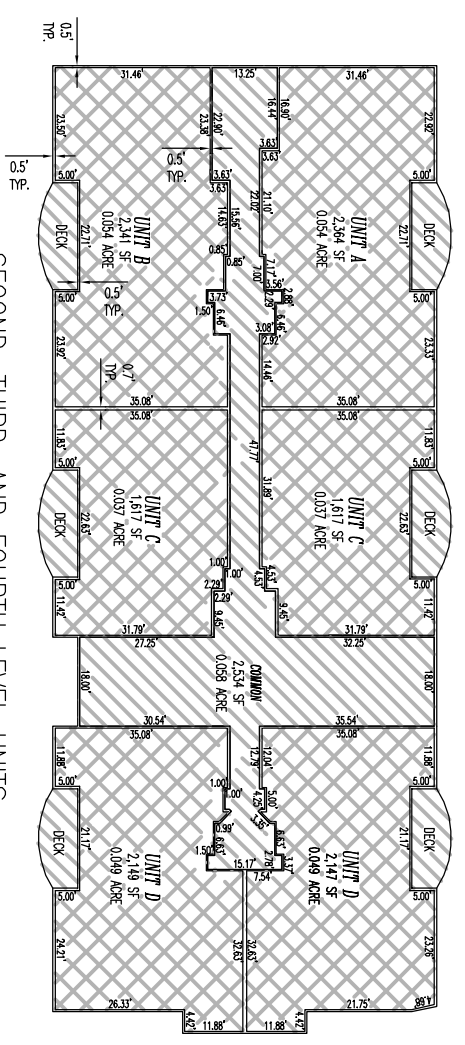
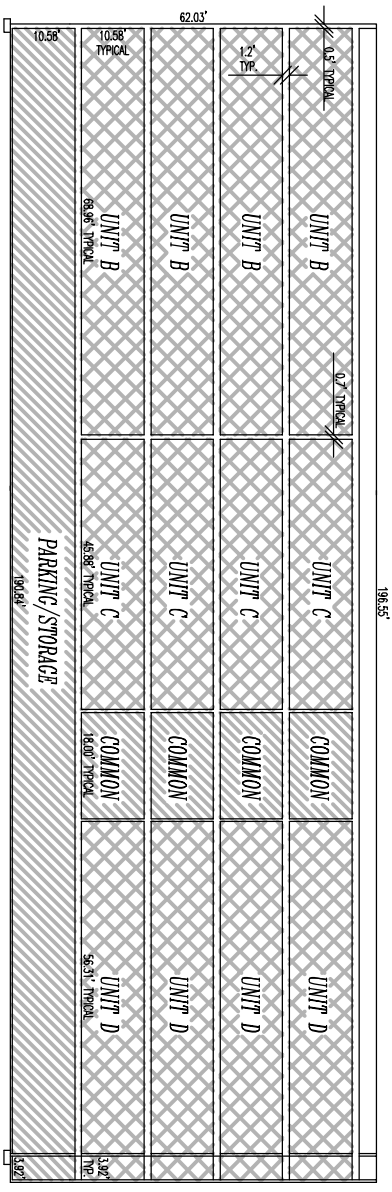
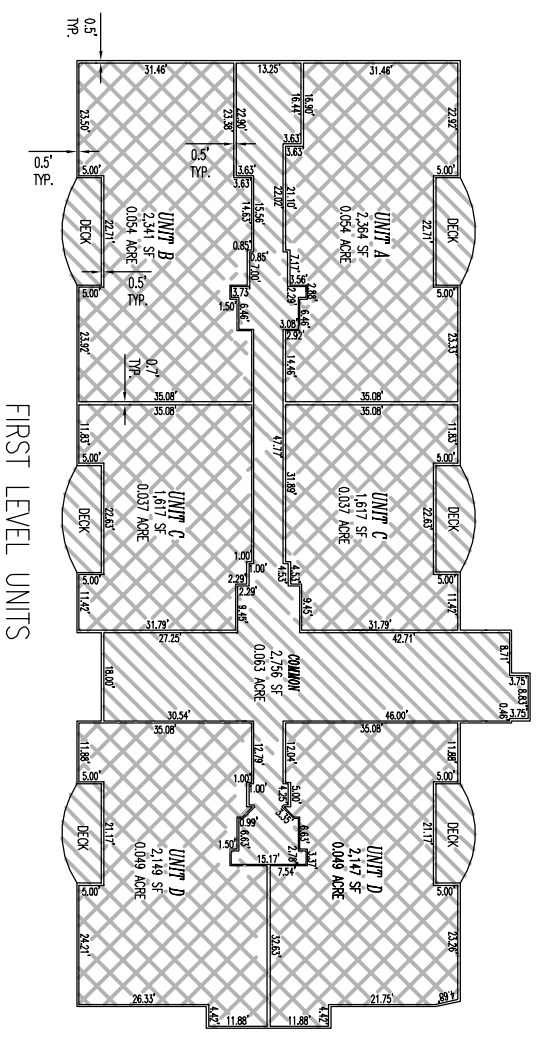
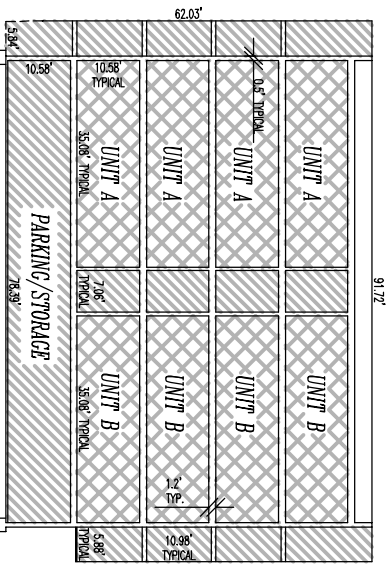
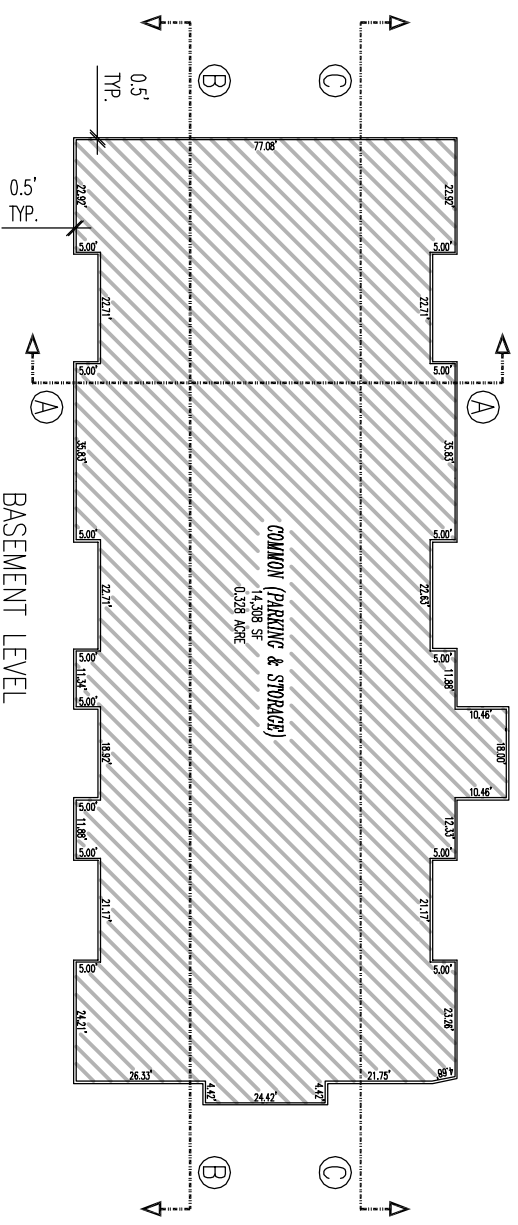
Call
 1-800-662-4111

INDEX

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, PROTECTION AND RESTORATION OF ALL UTILITIES SHOWN OR NOT SHOWN ON THE PLANS.

PRESIDENTIAL VILLAS

RECORD OF SURVEY MAP



MEMBER:
MCNEIL ENGINEERING & LAND SURVEYING, L.C.
 PROFESSIONAL CIVIL ENGINEERING & LAND SURVEYING SERVICES
 6885 SOUTH 89th EAST, MERIDIAN, UTAH 84447
 (801) 255-7700

S:\2005Files\250179\dwg\250179sp.dwg Aug 03, 2006 - 5:31pm

LEGEND

- UNITED COMMON AREA
- PRIVATE OWNERSHIP AREA
- CROSS SECTION LINE

RECORD OF SURVEY MAP OF
PRESIDENTIAL VILLAS
 A UTAH CONDOMINIUM PROJECT LOCATED IN THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN

SALT LAKE COUNTY RECORDER
 RECORDED # _____
 STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF _____
 DATE _____ TIME _____ BOOK _____ PAGE _____
 FEE \$ _____ SALT LAKE COUNTY RECORDER