

DATE: September 13, 2006

TO: Salt Lake City Planning Commission

FROM: Lex Traughber
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RE: STAFF REPORT FOR THE SEPTEMBER 13, 2006 MEETING
(This item was appealed from the Administrative approval decision of the Planning Division Administrative Officer)

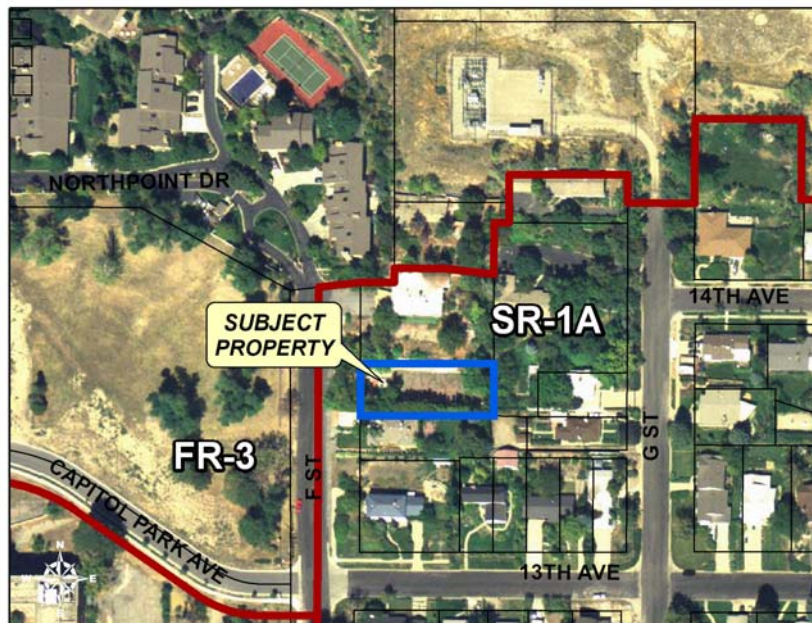
CASE NUMBER: 480-06-17

REQUESTED ACTION: To convert the newly constructed duplex located at the above referenced address into two (2) condominium units. The Planning Commission has decision making authority for subdivision requests.

APPLICANT: Ken Millo

STATUS OF APPLICANT: Owner

PROJECT LOCATION: 678 N. "F" Street



PROJECT/PROPERTY SIZE:	0.25 acres (10,890 square feet) according to County tax records
COUNCIL DISTRICT:	District 3, Councilmember Eric Jergensen
PROPOSED USE(S):	Two condominium units
SURROUNDING ZONING:	North – SR-1A (Special Development Pattern Residential) South – SR-1A (Special Development Pattern Residential) East – SR-1A (Special Development Pattern Residential) West – FR-3 (Foothills Residential District)
SURROUNDING LAND USE:	North – Residential South – Residential East – Residential West – Residential
FUTURE LAND USE:	North – Very Low Density Residential (1-4 Units Per Gross Acre) South – Very Low Density Residential (1-4 Units Per Gross Acre) East – Very Low Density Residential (1-4 Units Per Gross Acre) West – Very Low Density Residential (1-4 Units Per Gross Acre)
APPLICABLE LAND USE REGULATIONS:	The proposed condominium project is subject to the Salt Lake City Code, Title 20 – Subdivisions.
MASTER PLAN SPECIFICATIONS:	The property is located in the area subject to the Avenues Master Plan
SUBJECT PROPERTY HISTORY:	The duplex structure proposed to be converted to condominiums is currently under construction and nearing completion

ACCESS: The subject property has access from “F” Street

PROJECT DESCRIPTION:

The applicant requests preliminary approval to convert the new duplex structure located at the above referenced address into two (2) condominium units (Exhibit 1).

DEPARTMENT/DIVISION COMMENTS:

City Engineering:

Provided a redline review of the proposed plat to the applicant’s surveyor.

Transportation:

A Permit to Work in the Public Way has been issued for the installation of curb, gutter and drive approach for this site.

Fire Department:

Did not provide comments.

Public Utilities:

Has no objections to the proposed condominium plat.

Building Permits:

The property recently received a permit to construct a two family dwelling. No additional building requirements will be necessary for the condos. The completion of the building permits will serve as Building Services condo approval.

Planning Division:

A building permit for the duplex on the subject lot was issued on May 23, 2005. The building plans were therefore reviewed in accordance with the development standards for the SR-1 Zone at that time; prior to the adoption of the Compatible Residential Infill Ordinance. In effect, the applicant’s right to build a duplex was vested at the time that the building permit was issued under the previous development standards of the SR-1 Zone. Even though the structure is not fully complete at this time, it is not subject to the development standards of the SR-1A Zone. The building permit was issued prior to the adoption of the new standards (SR-1A Zone) and therefore the development is vested under the old standards (SR-1 Zone).

A final condominium plat will be required to complete this condominium project.

PUBLIC COMMENTS:

Community Council review is not required for condominium requests under the subdivision ordinance. This request was not presented to any Community Council.

On August 15, 2006, this condominium request was considered at an Administrative Hearing and subsequently approved. The minutes from this Hearing are attached for reference (Exhibit 2). An “Appeal of an Administrative Decision” application was filed within the 10 day protest period, hence the Planning Commission’s consideration of this matter. Attached to this staff report is the “Appeal” application received by the Planning Division outlining the reasons for the appeal (Exhibit 3).

ANALYSIS AND FINDINGS:

Section 20.08.210 of the Salt Lake City Code defines condominiums as minor subdivisions. Section 20.20.020 of the Salt Lake City Code addresses “Required Conditions and Improvements” and indicates that a minor subdivision shall conform to the standards specified in Section 20.28.010, or its successor, of this Title, and shall meet all of the following standards:

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

Finding: Two-family homes are allowed in the SR-1A (Special Development Pattern Residential) District subject to minimum lot size of 8,000 square feet. Two-family homes were also allowed under the SR-1 Zone. Further, the structure was permitted by the City in May 2005 using the development standards of the SR-1 Zone and is now under construction.

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

Finding: The Zoning Ordinance, specifically the requirements of the SR-1A Zone, has no bearing on the proposed condominium request.

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

Finding: No utility easements are required for dedication.

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

Finding: Water supply and sewage disposal were addressed at the time the applicant obtained building permits.

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

Finding: Public improvements have been addressed through the Building Permit process. This condominium conversion request has no additional bearing on public improvements.

RECOMMENDATION:

Planning Staff recommends that the Planning Commission grant approval for the 678 F Street Preliminary Condominium Subdivision request based on the analysis and findings as noted in this staff report, and the following conditions:

1. Approval is conditioned upon compliance with departmental comments as outlined in this staff report. If during the building permit review process, additional requirements are stipulated by the Building Department, the applicant shall satisfy said requirements prior to the recording of any approved final condominium plat.
2. The submittal of a final condominium plat shall conform to the requirements of Chapter 21A.56 – Condominium Approval Procedure. A Final Plat Application is required.
3. Any future redevelopment activity associated with the properties will require that all inadequate 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.

Exhibits:

Exhibit 1 – Plat

Exhibit 2 – Administrative Hearing Minutes of August 15, 2006

Exhibit 3 – Appeal Application