

PLANNING COMMISSION STAFF REPORT

Forest Dale Planned Development / Subdivision

Cases #410-07-21 and #490-09-37

Conditional use planned development and subdivision request for three single family attached dwellings at 2444 South 900 East

September 12, 2007



Planning and Zoning Division
Department of Community
Development

Applicant:

Ty McCartney

Staff:

Nick Britton, Principal Planner
535-7932
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Tax ID:

16-20-326-025

Current Zone:

RMF-30 (Low Density Multi-Family Residential)

Master Plan Designation:

Medium Density Residential

Council District:

Council District 7 – Soren Simonsen

Acreage:

0.25 acres (11,094 square feet)

Current Use:

Vacant

Applicable Land Use

Regulations:

- Chapter 20.31: Subdivision Amendments
- Chapter 21A.54.150: Conditional Use Planned Development
- Section 21A.24.120: RMF-30

Attachments:

- A. Proposed Site Plan
- B. Proposed Elevations
- C. Preliminary Plat
- D. Department Comments
- E. Community Council Comments

REQUEST

Ty McCartney, the applicant, is requesting planned development approval of a project called Forest Dale. The proposal consists of three single-family attached dwellings in the RMF-30 Zoning District. The proposal requires conditional use planned development approval because the proposal does not meet the minimum lot width for interior lot single-family attached dwellings.

This proposal also includes a subdivision amendment request.

CONDITIONAL USES

On July 17, 2007, the Salt Lake City Council passed an ordinance that enacted a moratorium regarding conditional uses in or abutting residential zoning districts. The conditional use requested as part of this application is not subject to the moratorium because planned developments are exempt from the moratorium.

PUBLIC NOTICE

The property was posted on 900 East on August 30, 2007 and public notice was mailed two weeks prior to the Planning Commission hearing date.

RECOMMENDATION

Based on the findings of fact outlined in this staff report, Staff recommends that the Planning Commission approve the conditional use planned development request and the subdivision amendment request at 2444 South 900 East with the following conditions:

1. Applicant must meet the requirements outlined in the attached Department and Division Comments.
2. A final plat is required for the subdivision amendment.

Vicinity Map



Comments

Planning Commission Planned Development Subcommittee

The Planning Commission Planned Development Subcommittee met on August 15, 2007 with the applicant and the applicants' architect. The subcommittee had questions concerning the amount of lighting along the side of the building and in the front of the structure. They also had concerns with the southernmost garage and the multi-turn maneuver that would be required to enter and exit the garage. The subcommittee wanted the applicant to ensure that the front yard and streetscape of the building was pedestrian friendly.

Department/Division Comments

Application materials were routed to the following departments or divisions: Public Utilities, Fire, Engineering, Building Permits, and Transportation. Comments were received from Public Utilities, Fire, Engineering, Building Permits, and Transportation. Public Utilities had no comments on the planned development request but required some improvements for the water meters and laterals on the lot for subdivision approval. Engineering will require some improvements to the existing sidewalks and existing driveway. Building Permits will require approvals from the other departments and noted that new certified addresses will be required for the three

properties. Finally, Transportation noted that entry to the southernmost garage will require multiple turns and that the existing driveway must be removed. The full comments are available in Exhibit D.

Community Council Comments

The applicant attended the Sugar House Community Council on June 6, 2007. Comments from the trustees touched on the design on the structure, the green space, and the improvement of the existing lot. The chairperson notes that the council was supportive and they voted, with 10 in favor and one opposed. Full comments are found in Exhibit E.

Analysis

Background Information

The applicant is proposing three single-family attached dwellings on a vacant parcel in the RMF-30 Zoning District. The proposal requires conditional use planned development approval from the Planning Commission because it does not meet all of the required regulations under the zoning ordinance. The below table summarizes the requirements and how the proposal meets those requirements.

Regulation	Requirement	Proposal	Compliant?
Lot Width (Single Family Detached Interior Lots)	25'	20'	No
Building Height	30' or 2 ½ stories	29'	Yes
Front Yard Setback	20'	29.93'	Yes
Interior Side Yard	None required (4' if one is provided)	4' (north side yard)	Yes
Rear Yard	25% (20' to 25')	25'	Yes
Building Coverage	Less than 50%	39%	Yes

The lot area (approximately 11,094 square feet) would typically allow three dwelling units. However, due to design considerations, the applicant is requesting a reduction of lot width to allow for more green space. The applicant, therefore, needs conditional use planned development approval for the noncompliant lot widths. Furthermore, the applicant is seeking approval for a minor residential subdivision request that will subdivide the current lot into three parcels. The standards of review for both the planned development and the subdivision requests are found below.

Standards of Review

Conditional Use Planned Development Standards of Review

In reviewing this proposed development, the Planning Commission must make findings with respect to conditional use standards and the planned development standards.

Section 21A.54.080: Standards for Conditional Uses

A. The proposed development is one of the conditional uses specifically listed in this Title.

Finding: The proposed use is allowed in the RMF-30 Zoning District. However, because the proposal does not meet all zoning requirements and because the subject property has the required square footage for a planned development (9,000 square feet), the applicant may request conditional use approval subject to the purpose statement in Section 21A.54.150.

B. The proposed development is in harmony with the general purposes and intent of this Title and is compatible with and implements the planning goals and objectives of the City, including applicable City master plans.

Finding: The Sugar House Master Plan Future Land Use Map calls out “Medium Density Residential (8-20 dwelling units per acre)” for this parcel. The development is in harmony with the Master Plan and the general purposes and intent of the Zoning Ordinance and implements the planning goals and objectives of the City.

C. Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not materially degrade the service level on the adjacent streets.

Finding: Transportation review of the project did not identify any issues with 900 East’s ability to carry the anticipated traffic or the potential for that traffic to materially degrade their service level. The proposal meets this standard.

D. The internal circulation system of the proposed development is properly designed.

Finding: Transportation review identified issues with vehicle access to the first garage. It would require a multi-turn maneuver to enter and exit. The applicant could fix this issue if he wishes by reducing the landscaping but Transportation did not require it. There are other no other apparent issues with internal circulation.

E. Existing or proposed utility services are adequate for the proposed development and are designed in a manner that will not have an adverse impact on adjacent land uses or resources.

Finding: Public Utilities review identified issues with the existing water meters and laterals that serve the property. The existing meter would require relocation if it is within three feet of the proposed driveway and two new meters will be necessary to service the two new lots. Existing laterals can remain but new laterals will be required for the additional two lots. These upgrades would be required before final approval from Public Utilities for the subdivision.

F. Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts.

Finding: The proposal meets all landscaping requirements and provides additional landscaping in the rear yard not required by the code. The proposed use and density are both allowed in the zoning district and therefore would not require additional buffering. The proposal meets this ordinance.

G. Architecture and building materials are consistent with the development and compatible with the adjacent neighborhood.

Finding: The proposed architecture and building materials are consistent with development in multi-family residential districts and consistent with the surrounding neighborhood which is a mix of single family and multi-family residential uses.

H. Landscaping is appropriate for the scale of the development.

Finding: The applicant is proposing five feet of landscaping along the rear property line and approximately 29 feet of landscaping in the front yard. The landscaping is appropriate for the scale of this development.

I. The proposed development preserves historical, architectural, and environmental features of the property.

Finding: There are no known historical, architectural, or environmental features on the subject property. This standard does not apply.

J. Operating and delivery hours are compatible with adjacent land uses.

Finding: The proposed use is multi-family residential and the adjacent land uses are a mix of single family and multi-family residential. This proposal meets this standard.

K. The proposed conditional use is compatible with the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood or the City as a whole.

Finding: The proposed use is allowed in the applicable zoning district. The development only requires conditional use approval because the applicant seeks relief for minimum lot width requirements. The requested conditional use is compatible with the surrounding neighborhood and will not have a material net cumulative adverse impact on the neighborhood or the City as a whole.

L. The proposed development complies with all other applicable codes and ordinances.

Finding: The development is noncompliant in terms of lot width for single family attached dwellings in the RMF-30 Zoning District. It complies with all other applicable codes and ordinances.

Section 21A.54.150A: Planned Development Purpose Statement

A planned development is a distinct category of conditional use. As such, it is intended to encourage the efficient use of land and resources, promoting greater efficiency in public and utility services and encouraging innovation in the planning and building of all types of development. Through the flexibility of the planned development technique, the city seeks to achieve the following specific objectives:

1. Creation of a more desirable environment than would be possible through strict application of other city land use regulations;
2. Promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities;
3. Combination and coordination of architectural styles, building forms and building relationships;
4. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion;
5. Preservation of buildings which are architecturally or historically significant or contribute to the character of the city;
6. Use of design, landscape or architectural features to create a pleasing environment;
7. Inclusion of special development amenities; and
8. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.

Finding: The proposed planned development creates a more desirable environment than would be possible through strict application of the RMF-30 regulations because it allows parking to be located in the rear of the property. The required lot width for single family attached dwellings in the zone is 25 feet. The subject property is 75 feet wide but in order to accommodate a shared private drive to the rear of the property that meets the required width, the lot widths would need to be narrowed to 20 feet. The lot is currently vacant and Planning staff finds that this is a creative approach to meeting the allowable density without requiring three front yard driveways and three garage doors on the building's front façade. Staff finds that the proposal meets the purpose for planned developments.

Section 21A.54.150E: Other Standards for Planned Developments

1. **Minimum area: A planned development proposed for any parcel or tract of land under single ownership or control shall have a minimum net lot area for each zoning district.**

Finding: Table 21A.54.160E(2) sets forth the minimum lot size requirements for planned developments for each zone. In the RMF-30 Zoning District, the minimum lot size is 9,000 square feet. The subject property is approximately 11,094 square feet. The proposal meets this standard.

2. **Density Limitations: Residential planned developments shall not exceed the density limitation of the zoning district where the planned development is proposed.**

Finding: The RMF-30 Zoning District requires 3,000 square feet per unit for three or more single family attached dwelling units. The proposal consist of three single family attached dwelling units on a lot measuring approximately 11,094 square feet. The proposal does not exceed the density limitation of the district.

3. **Consideration of a Reduced Width Public Street Dedication: A residential planned development application may include a request to dedicate the street to Salt Lake City for perpetual use by the public.**

Finding: Access to the subject property is from 900 East. There are no public street dedications in this proposal. The standard does not apply.

4. Perimeter Setback: The perimeter side and rear yard building setback shall be the greater of the required setbacks of the lot or adjoining lot unless modified by the Planning Commission.

Finding: There are no required side yard setbacks in the RMF-30 Zoning District but if one is provided, it should be four feet. The north side yard consists of a four foot setback and no setback is provided on the south side yard. The required rear yard setback is 25 percent of the lot depth, no less than 20 feet but no greater than 25 feet. The proposed rear yard setback is 25 feet. The proposal meets this standard.

5. Topographic Change: The Planning Commission may increase or decrease the side or rear yard setback where there is a topographic change between lots.

Finding: There is no significant topographic change between lots. This standard does not apply.

Subdivision Amendment Standards of Approval

An amendment petition shall be approved only if it meets all of the following requirements:

A. The amendment will be in the best interests of the City;

Finding: The proposed subdivision amendment will create three new lots in the RMF-30 Zoning District and the proposal meets all zoning ordinance regulations aside from lot width, which is part of the conditional use planned development request. Planning staff finds this amendment is in the best interests of the City.

B. All lots comply with all applicable zoning standards;

Finding: The lots do not meet the minimum lot width requirement for single family attached dwelling units in the RMF-30 Zoning District. This noncompliance is being handled in the planned development request. The new lots meet all other applicable zoning standards.

C. All necessary and required dedications are made;

Finding: No dedications are part of this amendment.

D. Provisions for the construction of any required public improvements are included;

Finding: Transportation and Engineering are requiring public way improvements. An existing drive approach will need to be removed and improvements to the sidewalks will be required before final plat approval.

E. The amendment complies with all applicable laws and regulations; and

Finding: The proposed subdivision amendment has been reviewed by pertinent City departments and divisions as to its compliance with applicable laws and regulations. Preliminary approval has been given to this proposal by these departments and divisions.

F. The amendment does not materially injure the public or any person and there is good cause for the amendment.

Finding: The subdivision is contingent upon Planning Commission approval of the development. There is no evidence that this amendment will materially injure the public or any person and there is good cause for the amendment.

