# Planning Commission Hearing Staff Report

# Urbana on 11<sup>th</sup>

Preliminary Condominium Plat Review (Petition 480-08-01) Located at approximately 1988 South 1100 East Rehearing date: March 12, 2008

(Originally heard February 13, 2008)



Planning and Zoning Division Department of Community Development

#### Applicant:

Gardiner Properties, LLC John Gardiner

#### Staff:

Casey Stewart 535-6260 casey.stewart@slcgov.com

#### Tax ID:

16-17-456-030

#### **Current Zone:**

CSHBD-2 (Sugar House Business District - 2)

#### Master Plan Designation:

Sugar House:

Business District Mixed Use – Neighborhood Scale

#### **Council District:**

District 7 - Soren Simonsen

Lot size: 0.28 acres

#### Current Use:

Conditional use parking lot

# Applicable Land Use Regulations:

- Chapter 21A.26.060 CSHBD-2 Zoning District
- Chapter 21A.56 Condominium Approval Procedure

## **Attachments:**

- A. Preliminary Plat drawing
- B. City Department comments

#### REQUEST

Preliminary plat review for condominium plat. The proposal involves construction of a new building for 31 residential condominium units and a detached accessory garage. The original hearing for this petition was held on February 13, 2008 but it was discovered after the hearing that proper mailed public notice was not given for this type of application. It has now been properly noticed and will be reheard. The related project for Conditional Building and Site Design Review (430-05-07) was properly noticed to the public and will not be reheard. The property is located in the Sugar House Business District (CSHBD-2).

#### **PUBLIC NOTICE**

A notice of public hearing was mailed to all property owners within 450 feet of the subject property on February 26, 2008, which meets the 14 day notification requirement. The site was posted with a notice of public hearing sign. Community Council Chairs, Business Groups and others interested parties were also notified through the Planning Division's listsery.

#### **COMMUNITY COUNCIL COMMENTS**

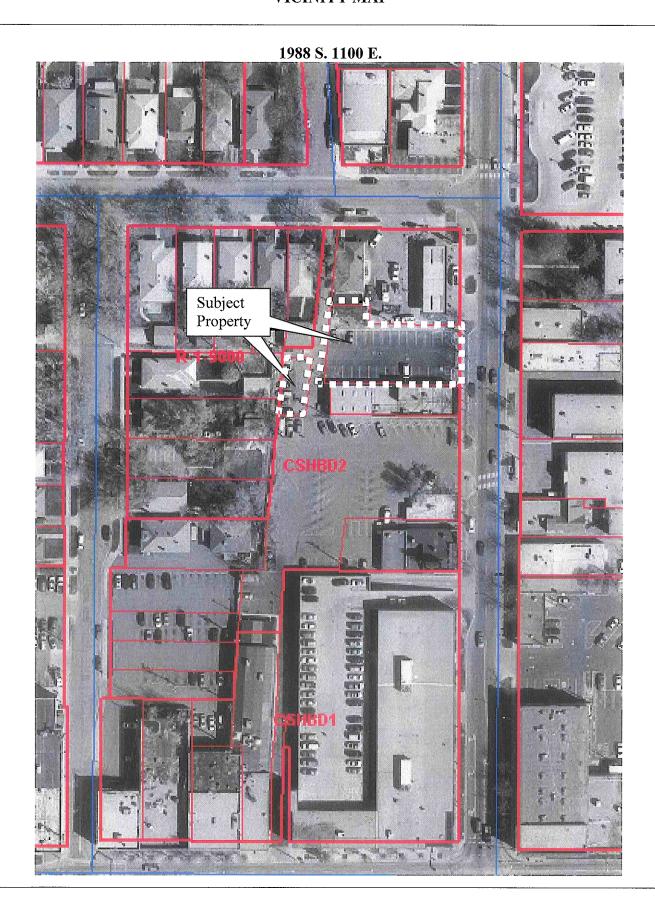
Preliminary condominium plats do not require review by the community councils.

#### STAFF RECOMMENDATION:

Staff recommends preliminary approval of the proposed Urbana on 11<sup>th</sup> residential condominium plat (480-08-01) subject to the following conditions:

- 1. The final plat shall be consistent with the modifications to the building and site design (Petition 430-07-05) made by the Planning Commission on February 13, 2008.
- 2. The final condominium plat, which creates the lot containing the condominium project, shall be recorded with the Salt Lake County Recorder.
- 3. Compliance with the departmental comments as outlined in this staff report.
- 4. Full compliance with the Utah Condominium Act of 1975 and the Condominium Approval Procedure regulations in the Salt Lake City Zoning Ordinance (Section 21A.56).
- 5. No condominium shall have final approval, or shall said units be sold, until the plat has been recorded with the Salt Lake County Recorder.

# VICINITY MAP



## **Overview**

The subject property is located at approximately 1988 South 1100 East on the west side of 1100 East, in the Sugar House Business District (CSHBD-2). The applicant proposes to construct a new residential condominium building for approximately 31 residential units, including one unit to be used as a live/work space, and a detached 6-car garage. Parking for the project will be located at ground level and will be enclosed. The four levels above the parking garage will all contain residential units, primarily one bedroom.

The proposed condominium building will have a height of 60 feet, a building footprint of approximately 8800 square feet, and a total floor area of approximately 44,000 square feet. The residential units will range in size from 590 square feet up to 1082 square feet and will consist of 29 one-bedroom units and one two-bedroom unit. One unit will be used for both residential and work purposes and utilizes two levels with a residential component on the second floor directly above and accessible from the first floor where the work component is located.

Parking for the project will be located in three areas, in an enclosed ground level area as the first level of the principal building; in a detached garage located on the smaller, separated piece of land located west of the old canal parcel; and on 1100 East directly in front of the building. The enclosed parking structure will have enough parking for 25 vehicles, the detached garage will have space for 6 vehicles, and the on-street parking is available for three vehicles for a total parking capacity of 34 vehicles. The required number of parking stalls for this project is 32.

The building and site designs were reviewed and approved with some modifications by the Planning Commission on February 13, 2008. See Petition No. 430-05-07 for the approved designs.

## **Existing Conditions**

The project site is considered one legal parcel that is bisected by a portion of another parcel not owned by the applicant. The image on the previous page shows the current parcel configuration. The existing site is level and consists of an asphalt parking lot on both pieces of land. The parking lot has 35 stalls and has served as additional parking for occupants of the Wells Fargo Bank building on the corner since it was approved as a conditional use in 1998 for off-site parking. The additional parking was not required by the city, it was merely offered by Wells Fargo as additional parking for occupants and employees of the Wells Fargo Bank building. The lease that Wells Fargo obtained to use the site as parking expires in 2008. Vehicle access is currently provided by a right-of-way agreement across a deeded and privately owned canal parcel that ties into Hollywood Avenue. The applicant proposes to utilize this same access scenario.

A Surface Fault Rupture Hazard Study was performed by Applied Geotechnical Engineering Consultants, Inc. on each portion of the property. The study concluded that the East Bench fault zone, which is near this property, appears to be west of this site. Based on this conclusion, the location of the buildings do not appear to conflict with the fault zone.

# Comments

#### **Public Comments**

Public comments were provided at the Planning Commission hearing on February 13, 2008. Those comments were primarily related to the building height and vehicle access. The Planning Commission, after some modifications, approved the building and site designs. I have not received any comments related to the preliminary condominium plat while it has been processing as a separate application.

## **Community Council comments**

Community Council review is not required for a condominium plat.

## **City Department Comments**

## Fire Department:

A list of standard fire department comments were provided that includes 5 items related to fire protection of the structure that the applicant will need to comply with as part of the construction of the proposed development. No objections were posed by the department.

#### Public Utilities:

Culinary, irrigation and sanitary sewer service can be provided from the existing mains in 1100 East. The Jordan and Salt Lake Canal is located between the two parcels as shown on the submitted plans. Public Utilities is researching the ownership but at this time the information available indicates that the City does not have any fee simple interest in the canal parcel and merely holds an easement over the canal location for maintenance access. The department is working with the applicant to formalize this easement and in the mean time is willing to allow the construction of the garage as shown on the project site plan with the requirement that along the length of the parking structure a retaining wall must extend to the same depth of the existing canal. This wall will allow maintenance crews access to the canal while minimizing the impact to the structures. All design and construction must conform to State, County, City and Public Utilities standards and ordinances. Utility service connection agreements must be entered into between the developer and Public Utilities for all water, fire and sewer services. A \$374 per quarter acre drainage impact fee will be assessed on the platted area for this development.

## **Building Services and Licensing:**

The division offered comments related to parking, the requirement of a 15-foot step back in the building beginning at the 30-foot height mark, a 7-foot landscape buffer along the back side of the detached garage, and the proximity of the windows to the north and south property lines.

Based on revisions the applicant made to the design prior to the building and site design approval on February 13, 2008; and relief from the 7-foot landscape buffer that was granted by the Planning Commission, all of the Building Services' comments have been addressed.

## City Engineering:

1100 East is fully improved, and has all the required right-of-way. There are 2 sections of curb and gutter along 1100 East that have been elevated by tree roots. The applicant will need to work with the City's Urban Forester on a method of lowering the curb and gutter while maintaining the health of the trees. The paved canal parcel that provides vehicular access needs some minor work to repair an existing hole in the asphalt. The applicant shall submit a detailed drawing to the Engineering Division for all the required work to be accomplished. Any work within the public way will also require a Public Way Permit from the Engineering Division Office.

#### Transportation:

The conversion from a commercial parking lot for 35 stalls to a residential use for 31 stalls, continuing the access per the canal parcel presents no undue change to traffic fronting this lot. The proposed parking is within code for one stall per residential unit and on street parking will sufficiently serve the proposed commercial unit. The bicycle parking should be located in the front of the building to be visible from the street for visitor parking and promote walk-able communities. Final plan approval is subject to compliance with all parking geometrics and current city design standards.

## **Staff Analysis** (Preliminary Condominium Plat)

**A.** Zoning Administrator Duties and Responsibility. The zoning administrator shall perform a zoning compliance review and report the findings to the building official and the planning official. The review shall document the site plan compliance under the zoning ordinance.

**Analysis:** The building and site plan as proposed are in compliance with the requirements and allowances of the CSHBD-2 zoning district in accordance with the Planning Commission's approval of the building and site design on February 13, 2008. All requirements of the Zoning Ordinance must be complied with in the issuance of a building permit.

**Finding:** The project complies with the zoning ordinance.

**B.** Building Official Duties and Responsibility. The building official shall obtain the zoning compliance review from the zoning administrator. The building official shall review plans for new construction to determine if such plans conform to applicable building codes.

**Analysis:** The Building Services Department has reviewed the preliminary condominium application and determined that the project can conform to applicable building codes. All requirements stated in the Building Officials review must be complied with prior to the issuance of a building permit.

**Finding:** The project has demonstrated that it can comply with applicable building codes and must comply prior to issuance of a building permit.

C. <u>Planning Official Duties And Responsibility</u>: The planning official shall review the application, the zoning compliance review and related documents to determine compliance with requirements of Utah Condominium Ownership Act of 1975 and applicable provisions of this part.

**Analysis:** Planning Staff has reviewed the proposed preliminary condominium plat, the preliminary declaration of covenants and the zoning compliance review and finds that the preliminary plat and declaration of covenants are substantially compliant with the Utah Condominium Ownership Act of 1975. The final plat and declaration of covenants must comply with all of the requirements of the Utah Condominium Ownership Act of 1975 as well as all City Department requirements stated in this Staff Report.

**Finding:** The preliminary plat and declaration of covenants are substantially compliant with the Utah Condominium Ownership Act of 1975. The final plat and declaration of covenants must comply with all of the requirements of the Utah Condominium Ownership Act of 1975 as well as all City Department requirements stated in this Staff Report.

### A condominium project shall also meet the following standards for minor subdivision:

A. The minor subdivision will be in the best interests of the city.

Analysis: This area is located in the Sugar House Master Plan area. The area is developing as a mixed use area with a number of large projects being planned. The proposed mixed use condominium is consistent with the development pattern, District design guidelines, and master plan policies of the Sugar House Business District that encourage high density residential and mixed uses. The proposed use of the lot for residential and commercial use will be in the best interest of the city.

**Finding**: Staff finds that the proposed condominium will be in the best interest of the city.

B. All lots comply with all applicable zoning standards.

**Analysis:** The existing lot and individual residential and/or commercial units comply with zoning regulations for the CSHBD-2 zoning district, as the building and site design were approved by the Planning Commission on February 13, 2008..

Finding: Staff finds that all lots and residential units comply with all applicable zoning standards.

C. All necessary and required dedications are made.

**Analysis:** The existing dedications were determined sufficient and no new dedications will be required. **Finding:** Staff finds that all existing dedications are sufficient.

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

**Analysis:** There are 2 sections of curb and gutter along 1100 East that have been elevated by tree roots. The applicant will need to work with the City's Urban Forester on a method of lowering the curb and gutter while maintaining the health of the trees.

**Finding**: All required upgrades to existing improvements shall be completed prior to final plat recording.

E. The subdivision otherwise complies with all applicable laws and regulations.

**Analysis:** The preliminary condominium plat has been forwarded to the pertinent City Departments for comment. All public improvements must comply with all applicable City Departmental standards. **Finding:** Staff finds that the condominium complies with all applicable laws and regulations.

# **Summary**

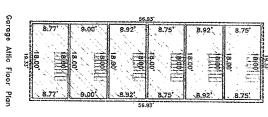
The proposed preliminary condominium plat has demonstrated compliance with, or the ability to comply with, all of the standards required of it. These findings are discussed in the preceding report. Planning Staff supports approval of the preliminary condominium plat subject to the recommended conditions of approval shown on the first page of this report.

**ATTACHMENT 'A'** 

**Preliminary Plat Drawings** 

Garage Floor Plan

18:00 8.00 



URBANA on 11th CONDOMINIUMS Condominium Project, Being a Part of Lot 20, Block 1, Five Arro Plat 'A'', Big Field Survey located in the Southeast Quarter of Sergion 17, Township, South, Range 1 East, Saft Lake Base and Meridian, Salt Lake County, Utah

407 915 sq. fl.

Unit Boundary
Exterior Wall Private Area Structural Common Area Limited Common Areo Common Area

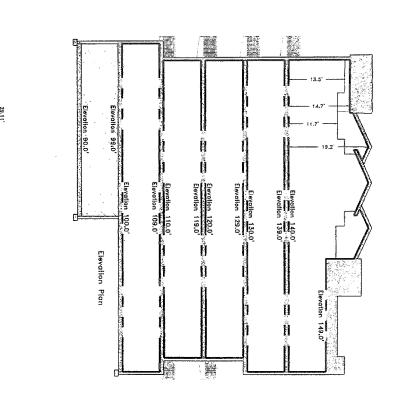
LEGEND

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Recorded and Filed at the request of: Fee \$ Salt Lake County Recorder Book: Page; ACCOUNT NUMBER

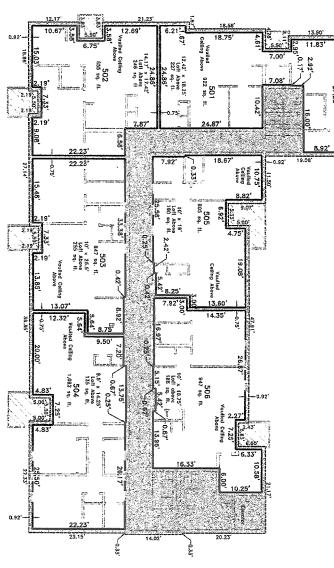
SHEET 3

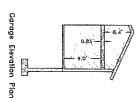
Fifth Level Floor Plan





URBANA on 11th CONDOMINIUMS
A Condominium Project, Baing a Part of Lot 20, Block 1, Five Acre Plut "A", Big Field Survey located in the Southeast Quarier of Section 17, Township : South, Range 1 East, Sait Lake Base and Meridian, Sait Lake County, Utah





	Fee \$ Sall Lake County Recorder	Time: Special Street	RECORDED No.  State of Utah, County of Salt Loke Recorded and Filed of the secures of	Scale in Feet	Common Area  Limited Common Area  Structural Common Only  Unil Boundary
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0.155	HEFTS	4			

ATTACHMENT 'B'
DEPARTMENT COMMENTS

Fire Dept.

# **MEMORANDUM**

**DATE:** 13 NOVEMBER 2007 **TO:** CASEY STEWART, PLANNER

FROM: TED ITCHON

**RE:** 430-07-05 URBANA ON 11<sup>TH</sup> CONDITIONAL BUILDING & DESIGN SITE

#### SYNOPSIS:

1. Structure require four fire hydrants.

- 2. Provide Fire Hydrants at the street a minimum 350 feet on centers.
- 3. No part of the building maybe further than 400 feet from a fire hydrant.
- 4. The primary fire hydrant shall be within 400 feet of a fire hydrant.
- 5. A control valve shall be placed immediately in front of the fire hydrant between the hydrant and the water main. This valve shall independently control the fire hydrant.
- 6. Fire hydrants shall be equipped with one 4 ½ inch, and two 2 ½ inch outlets, which has national standard threads (NST).
- 7. Fire hydrants shall be installed so that the center line of the lowest cap, nut shall not be closer than 18 inches from the finished grade.
- 8. Fire hydrants shall not be installed closer than 30' to a building.
- 9. Fire hydrants installed along fire department access roads shall not be further than 15' from the road.
- 10. Fire hydrants shall have the  $4\frac{1}{2}$ " butt facing the fire access roadway.
- 11. Fire Hydrants shall be obstruction free within 3' around the hydrant.
- Dead end water mains 8 inches in diameter shall not be longer than 250 feet in length, and serve no more than two appliances. If the water main is a minimum 12 inches in diameter it is permitted to be a dead end greater than 250 feet.
- 13. Underground piping shall be tested at 200 psia for two hours. This office shall receive a copy of the test certificate.
- 14. Fire Department Connection (FDC) shall be placed at the front of the structure and be no further than 100 feet from a fire hydrant.
- 15. The structure requires the following fire detection and suppression systems.
  - a. Local smoke detection in the dwelling units.
  - b. General smoke detection in the corridors and hall ways in the dwelling and work place and any exit ways from the structure.
  - c. Automatic fire sprinkler system in the parking, work areas and dwelling areas.
  - d. Standpipes in the stairs.
  - e. Additional fire suppression systems for cooking or clean gas systems.
- 16. Fire Department access roadway both temporary and permanent shall be installed and maintained to meet the requirements of Public Works Department.

- Fire hydrants installed in a parking lot shall have a minimum 3 foot unobstructed clearance around the fire hydrant and be provided with vehicle impact protection as required in section 312 of the International Fire Code.
- 18. Fire hydrants shall be operational and a fire department access roadway installed prior to the construction of the structure.
- 19. Fire Department access roadway and fire hydrants shall be in place prior to construction. If the Fire Department access road is not installed before the commencements of construction then a temporary fire department access road maybe install.
- 20. Fire Department access roads shall be a minimum of 26 foot clear width. This access road turning radius shall be a minimum of 20 foot inside and 45 foot outside. The minimum clear height is 13 feet 6 inches.
- The Civil Engineer shall design the temporary fire department access road and provide to the City Engineer for his approval the geotechnical report with a design of the proposed access road to support the imposed HS20 loads.
- 22. On street parking is permitted on one side of the street. No parking signs and red curb shall be installed on the same side as the fire hydrants.
- On streets 30 foot in width parking is prohibited on one side. No parking fire lane signs and red curbs are required on the same side as the fire hydrants.
- 24. Temporary fuel tank storage will require a permit if used during construction. Gravity flow is not permitted.
- Burning of trash, scrap wood of other materials in a violation of City Ordnance.

Re: Fire Dept

## Stewart, Casey

From: JOHN A GARDINER [johngardiner1234@msn.com]

Sent: Monday, November 26, 2007 12:03 PM

To: allen@crsa-us.com

Subject: False Alarm from the Fire Department

The issue of the 24 foot wide fire access road requirement for SLC Fire Dept. has been resolved. It is no longer a requirement. After meeting with SLC officials this morning, 11 of the 26 items on their required list have been removed. The 24 foot access road requirement was a Mistake and SLC has apologized for the mistake. The whole thing was a 'False Alarm'.

John A. Gardiner President Gardiner Properties, LLC 1073 East 2100 South Salt Lake City, Utah 84106

(801) 487-2012 (Office) (801) 487-2093 (Fax) (801) 971-6151 (Mobile)



## Stewart, Casey

From:

Garcia, Peggy

Sent:

Friday, January 04, 2008 4:31 PM

To:

Stewart, Casey

Subject:

Petition #480-08-01 Urbana at 11th Condominiums(new residential)

Categories: Program/Policy

## Casey,

Salt Lake City Public Utilities has reviewed the above-mentioned petition and offers the following comments:

Culinary, irrigation and sanitary sewer service can be provided from the existing mains in 1100 East. According to our records there is an existing ¾-inch water meter and four-inch sanitary sewer lateral servicing this property. The existing meter can remain to provide culinary and irrigation services. The existing sewer lateral can also remain provided it is in satisfactory condition. All exiting utilities must be used or be killed per SLC Public Utilities standards. If required a automatic fire sprinkler lateral can be connected to the main in 1100 East.

The Jordan and Salt Lake Canal is located adjacent to the parcel. All design and construction must conform to State, County, City and Public Utilities standards and ordinances. Design and construction must conform to Salt Lake City Public Utilities General Notes. Fire Department approval will be required prior to Public Utilities approval. Fire flow requirements, hydrant spacing and access issues will need to be resolved with the fire department.

Utility service connection agreements must be entered into between the developer and Public Utilities for all water, fire and sewer services. The agreement will outline developer and Public Utilities' responsibilities related to construction, maintenance and warranty of these services. Work for public utility system improvements must be bonded based upon an approved engineer's estimate. All agreements must be executed and bonds received by Public Utilities prior to full construction plan set approval and plat sign-off from our department. Prior to full plan set approval and plat recordation all water, fire, sewer, drainage and connection impact and inspection fees must be paid in full. A \$374 per quarter acre drainage impact fee will be assessed on the platted area for this development.

If you need any further information please contact Jason Brown at 483-6727.

Thank you,

Peggy Garcia



# Stewart, Casey

From:

Butcher, Larry

Sent:

Saturday, January 26, 2008 8:49 AM

To:

Stewart, Casey

Cc:

Goff, Orion

Subject:

Urbana at 11th Condos / 1988 S. 1100 E. / 480-08-01

Categories: Program/Policy

### Casey:

Construction permits will be required for this new project. Pursuant to the Site Design Review approval, the issuance of construction permits will serve as Building Services approval.

Larry

Engineering Dept

TO:

CASEY STEWART, PRINCIPAL PLANNER, PLANNING

DIVISION

FROM:

RANDY DRUMMOND, P.E., ENGINEERING

DATE:

JAN, 10, 2008

SUBJECT:

Urbana at 11th Condominiums -

Petition 480-08-01 1988 S 1100 E

SLC Engineering's review comments are as follows:

- 1. This is a condominium project to provide 31 residential units on 0.224 acres at 1988 S 1100 E. The frontage on 1100 East has curb, gutter and sidewalk in satisfactory condition with the exception of two sections of curb & gutter that park strip trees have raised. These sections must be replaced per APWA Std. Dwg. 205A and APWA Std. Dwg. 251 or 252. The developer will need to contact the Urban Forester, Bill Rutherford, at 972-7849 and receive instruction so that the curb and gutter can be lowered while preserving the health of the trees. Along the west boundary of the parcel, an off-site paved easement, which will provide the sole access to the proposed condos, requires some minor work to repair a hole in the asphalt that must be done as part of this project. Any required utility trenches in 1100 East will need to be installed per APWA Std. Dwg. # 255. The developer's consultant will need to submit a drawing of the required work to be accomplished, and the work within the right of way will require a Public Way Permit that the developer's contractor will obtain from our office.
- The plat is being reviewed and any changes will be made known to the developer's consultant via redlines.

ce: Scott Weiler
Craig Smith
George Ott
Brad Stewart
Barry Walsh
Bill Rutherford
Vault

## Stewart, Casey

From:

Walsh, Barry

Sent:

Tuesday, January 15, 2008 12:38 PM

To:

Stewart, Casey

Cc:

Young, Kevin; Drummond, Randy; Garcia, Peggy; Itchon, Edward; Butcher, Larry

Subject:

Pet 480-08-01 Urbana Condo

Categories: Program/Policy

January 15, 2008

Casey Stewart, Planning

Re: Petition 480-08-01 Preliminary approval of proposed Urbana at 11<sup>th</sup> Condominiums at 1988 South 1100 East.

The division of transportation review comments and recommendations are as follows:

The conversion from a commercial parking lot for 35 stalls to a residential use for 31 stalls, continuing the access per the common alleyway presents no undue change to traffic fronting this lot. Per our past review comments the impact is the displaced commercial parking demand in the immediate area. The proposed change on the arterial classification of 2100 South and the collector classification of 1100 East roadway should present a minimal impact to the existing traffic system.

Final plan approval is subject to all parking geometrics complying to current city design standards.

Sincerely,

Barry Walsh

Cc.

Kevin Young, P.E. Randy Drummond. P.E. Peggy Garcia, Public Utilities Ted Itchon, Fire Larry Butcher, permits File

. . .