

## PLANNING COMMISSION STAFF REPORT

Merrimac  
**PLNSUB2009-00417**  
Planned Development  
38 West Merrimac  
June 10, 2009



Planning and Zoning Division  
Department of Community and  
Economic Development

**Applicant:**

Nathan Anderson of City and Resort Properties

**Staff:**

Doug Dansie, 535-6182  
Doug.Dansie@slcgov.com

**Tax ID:**

15-13-231-015-0000  
15-13-231-014-0000

**Current Zone:**

RMF-35 (RMF-75 proposed as part of petition PLNPCM2008-00679)

**Master Plan Designation:**

Central City Master Plan: medium density residential of 15-30 per acre.

**Council District:**

District Five Jill Remington Love

**Lot Size:**

0.343 acres

**Current Use:**

Vacant

**Applicable Land Use Regulations:**

- 21A.24.150 RMF-75 High Density Multi-Family Residential District
- 21A.54 Conditional Uses

**Notification**

- Notice: May 26, 2009
- Sign: May 28, 2009
- Web: June 5, 2009

**Attachments:**

- A. Site Plan & Elevation Drawings.
- B. Conditional use map
- C. PC Subcommittee notes
- D. Transportation redlines
- E. Photo of similar project

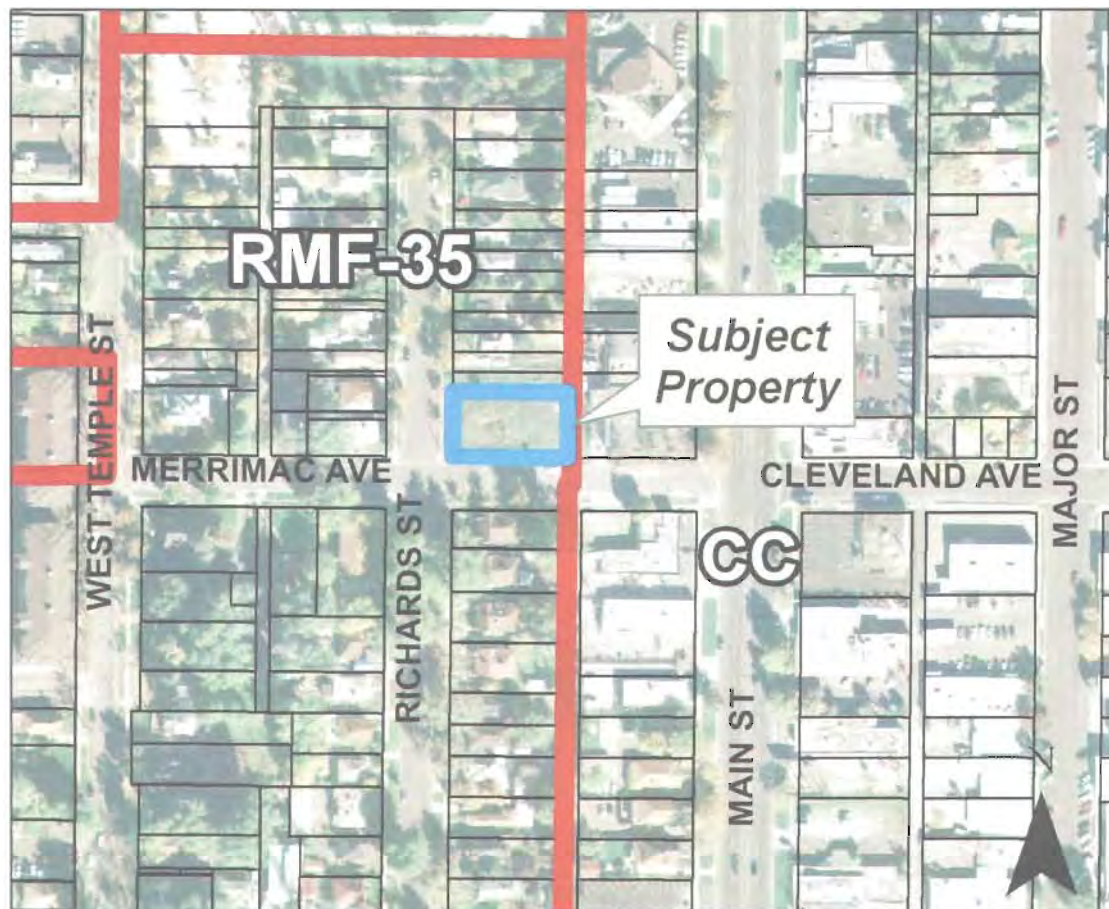
### ***Request***

This is a request from City and Resort Properties, LLC for a Planned Development located at approximately 38 West Merrimac (including 1419 S Richards Street). The site is presently zoned RMF-35 Residential Multi-Family medium density. The petitioner has an associated rezone petition to change the zoning to RMF-75 Residential Multi-Family high-density; PLNPCM2008-00679. The petitioner is proposing to construct seven single family attached housing units on the site. The layout of the building requires some modification of lot size and street frontage requirement to make the project consistent with neighborhood.

### ***Staff Recommendation***

Based on the findings listed in the staff report, it is the Planning Staff's opinion that overall the proposal generally meets the applicable standards and therefore, recommends the Planning Commission approve the request pending adoption of the RMF-75 zoning by the City Council as requested by petition PLNPCM2008-00679. Staff also recommends that the Planning Commission delegates final authority for the site plan, and landscaping to the Planning Director and specifically direct the petitioner to work with the Transportation Department to resolve any curb cut issues.

A subdivision will be required to finalize the project.



VICINITY MAP

## Background

### Project Description

The petitioner is proposing to build seven single family attached housing units, similar to units constructed at 300 West and 700 North. The site is presently zoned RMF-35. The petitioner is proposing RMF-75. There was a previous conditional use proposed for this site consisting of five townhomes (Planned Development Petition 410-07-45 Subdivision Petition 490-08-07). The developer wishes to increase the density to seven units. The new proposal would be in a townhome format. The townhomes are proposed to be three stories tall and will be in two clusters of three units and four units. The previous proposal had garages located off of a common drive in the rear of the property. The new proposal would have direct access to the garages from the front with tandem parking in the garages. The petitioner feels this would be a safer alternative because the garage is attached to the home and visible from the street, with no rear drive to function as an alley that is not visible from the street (as was approved in the original proposal).

The petitioner is asking for a 20 foot front yard setback, which is further back than other buildings on the street, in order to accommodate the front stairs. The lot sizes also vary from zoning requirements in order to accommodate setbacks along Richards Street that are compatible with other buildings on the street. This results in varied lot with, with some lot widths and sizes being less than code requirements (overall square footage and frontage is being met). The petitioner is also requesting the approval of tandem parking.

## **Comments**

### **Public Comments**

The project was presented to the Peoples Freeway Community Council on February 5, 2009. The Community Council was amenable to the change but wanted any new development limited to three stories. Eric Uquillas, a neighbor, expressed concern that 7 units was too much for the site.

### **City Department Comments**

#### **Fire**

No comment

#### **Building Services (Alan Hardman)**

This preliminary zoning review is based on a DRT meeting held on December 17, 2007, and a review previously done by Alan Michelsen.

1. Obtain Address Certificates from the city's Engineering Division for each new dwelling unit.
2. The Subdivision or Condominium Plat, combining two lots, must be approved.
3. The rezone petition PLNPCM2008-00679 must be approved.
4. The five interior lots do not meet the minimum 2,000 square foot lot area. This must comply or be waived and/or approved by a Planned Development process.
5. The minimum rear yard setback is 25% of the lot depth. The setback shows 25 feet and it should show 26 feet.
6. Public Utilities approval required.
7. Fire Department approval required.
8. Engineering Division approval required for all street and public way improvements.
9. Transportation Division approval required for all parking and traffic-related issues, including tandem parking in the garages and the new curb cuts for the driveways.
10. Obtain separate demolition permit for the existing building.

#### **Transportation (Barry Walsh)**

Per our past review dated, November 18, 2008 the same issues are presented in this submittal. (November 18, 2008 Re: PLNPCM2008-00679 Rezone: 38 West Merrimac.)

The site proposal has been changed from the January 31, 2008 transportation concept approval for five units with parking in the rear and access from Richards Street with only one driveway thru the lot to the Alleyway.

The new proposal indicates five driveways off Merrimac Avenue that:

- do not maintain the required 12 foot pedestrian refuge separation between drive approaches.



- do not maintain the minimum 12 foot wide driveway approaches.  
The driveway spacing shown does not allow for a five foot minimum buffer from the driveways for separate water meter service, fire hydrants, power poles, or street lighting. The multi drives also restrict any on street parking along the Merrimac Avenue frontage.

The site plan also proposes tandem parking for each unit, that has not been accepted to our knowledge. (Petition 400-06-01 - Planning Commission request to amend the Zoning Ordinance adding regulations to permit tandem parking in residential zones, Draft December 8, 2006.)

Our recent search of the City Ordnnances, fines no reference to approved tandem parking. In reviewing our files, I found eight cases of tandem parking applications and all were denied except the 314 West 700 North Site, approved by the Planning Commission in coordination with the proposed ordinance revision petition 400-06-01.

## **Engineering (Randy Drummond, P.E)**

Engineering review comments are as follows:

1. This is a project to construct 7 townhomes at 38 West Merrimac Avenue. This project has frontage on both Merrimac Avenue and Richards Street. The lot is vacant and all street right-of-way exists to meet City requirements and both frontages are improved. However, both frontages also need some re-construction to meet present development standards.

### Merrimac Avenue:

There are 8 panels of existing sidewalk that have a raised joint creating a trip hazard, and the joint must be ground down to remove the hazard. There are two panels of existing sidewalk with excessive cracking that meets the criteria of defective concrete per APWA Std. Plan #291. The existing drive approach to the alley along the east boundary also has excessive cracking that meets the same criteria and must be replaced as per APWA Std. Plan 225 and 251 or 252. The carriage walk will no longer be needed and must be removed. The 5 new drive approaches shall be constructed as per APWA Std. Plan 225. Any curb, gutter and sidewalk removed to facilitate the installation of the water and sewer service lines must be replaced as per APWA Std. Plan 205A and either 251 or 252 (for curb and gutter) and 231 (for sidewalk). In addition, the alley to the east of these lots is in disrepair and must be either reconstructed or over-laid with a minimum of 2" of asphalt.

### Richards Street:

There is one panel of sidewalk with a raised edge that must be ground.

2. An improvement drawing must be provided showing the extent of the improvements to be installed. After the drawing has been approved, all necessary improvements will be completed by a licensed, bonded and insured contractor via a Public Way Permit that the contractor will obtain from the Engineering Division Office.
3. A plat must be submitted for review. I have included a copy of the plat checklist for use by the applicant's surveyor in preparing the plat.

## **Public Utilities (Justin Stoker)**

Public Utilities has reviewed the above mentioned request and offers the following comments that will need to be addressed to gain approval from our Department:

All design and construction must conform to State, County, City, and Public Utilities standards and ordinances. Water, sewer, and storm drain design and construction must conform to the Salt Lake City Public Utilities General Notes.

This project will be required to install a master meter to serve the condominiums with culinary water service. If required by the Fire Department, a new public fire hydrant can be connected to the existing public water main. If the location desired by the Fire Department for a new hydrant is on private property then the new hydrant must be routed through a detector check valve. Any other water services discovered during construction must be killed at the main per Salt Lake City Public Utilities standards. Plans must be submitted showing the routing of the culinary and fire services. The plan must also show all proposed pipe sizes, types, boxes, meters, detector checks, fire lines, and hydrant locations. All meters and hydrants must be located a minimum five-feet outside of any drive approaches.

A new four-inch minimum PVC SDR-35 sewer lateral must be connected to the sewer main. Any existing sewer lateral connection must be capped per Public Utilities standards.

A grading and drainage plan must be submitted for review and approval for this development. 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.

## ***Project Review***

### **Planning Commission Subcommittee**

The Planning Commission held a Planned Development subcommittee meeting on February 26, 2009. Concern was expressed regarding the amount of the façade that was occupied by garage doors, but the subcommittee felt the project was ready to go to the full Commission.

## ***Analysis and Findings***

### **Options**

Failure to grant the planned development would require that the petitioner combine the buildings into one structure, which would make the project appear to be more like an apartment building than a collection of single family homes.

## Findings

**21A.54.080 B. Specific Standards:** A conditional use permit shall be approved unless the evidence presented shows that one (1) or more of the standards set forth in this subsection cannot be met. The Planning Commission, or, in the case of administrative conditional uses, the Planning Director or the Director's designee, may request additional information as may be reasonably needed to determine whether the standards of this subsection can be met.

1. **Master Plan and Zoning Ordinance Compliance:** The proposed conditional use shall be:
  - a. Consistent with any policy set forth in the City-Wide, Community, and Small Area Master Plan and future land use map applicable to the site where the conditional use will be located, and
  - b. Allowed by the zone where the conditional use will be located or by another applicable provision of this title.

**Finding:** The Central City Master Plan calls for the area to be medium density housing. This proposal is consistent with the master plan. The future land use map recommends 15-30 units per acre and generally supports the residential stabilization of the neighborhood. Seven units on this site is equivalent to 21 units per acre.

2. **Use Compatibility:** The proposed conditional use shall be compatible with the character of the site, adjacent properties, and existing development within the vicinity of the site where the use will be located. In determining compatibility, the Planning Commission shall consider:
  - a. Whether the street or other means of access to the site where the proposed conditional use will be located will provide access to the site without materially degrading the service level on such street or any adjacent street;
  - b. Whether the type of use and its location will create unusual pedestrian or vehicle traffic patterns or volumes that would not be expected with the development of a permitted use, based on:
    - i. Orientation of driveways and whether they direct traffic to major or local streets, and, if directed to local streets, the impact on the safety, purpose, and character of these streets;
    - ii. Parking area locations and size, and whether parking plans are likely to encourage street side parking for the proposed use which will adversely impact the reasonable use of adjacent property;
    - iii. Hours of peak traffic to the proposed use and whether such traffic will unreasonably impair the use and enjoyment of adjacent property; and
    - iv. Hours of operation of the proposed use as compared with the hours of activity/operation of other nearby uses and whether the use, during hours of operation, will be likely to create noise, light, or other nuisances that unreasonably impair the use and enjoyment of adjacent property;
  - c. Whether the internal circulation system of any development associated with the proposed use will be designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic;
  - d. Whether existing or proposed utility and public services will be adequate to support the proposed use at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources;
  - e. Whether appropriate buffering or other mitigation measures, such as, but not limited to, landscaping, setbacks, building location, sound attenuation, odor control, will be provided to



protect adjacent land uses from excessive light, noise, odor and visual impacts and other unusual disturbances from trash collection, deliveries, and mechanical equipment resulting from the proposed use; and

- f. Whether detrimental concentration of existing non-conforming or conditional uses substantially similar to the use proposed is likely to occur, based on an inventory of uses within one-quarter (1/4) mile of the exterior boundary of the subject property.

**Finding:** Access to the site is available from both Main and West Temple streets. The Salt Lake City Transportation Division indicates that access is adequate; however they have concerns regarding the location of drive approaches which need to be finalized.

The buildings have been setback to meet or exceed other landscaped setbacks in the neighborhood. This is due to the stairways to access the main entry.

Public utilities are adequate, however space in the park strip needs to be identified for fire hydrants and water meters.

There is no detrimental concentration of Conditional Uses in the vicinity (Attachment C).

**3. Design Compatibility:** The proposed conditional use shall be compatible with the character of the area where the use will be located with respect to:

- a. Site design and location of parking lots, access ways, and delivery areas;
- b. Whether the proposed use, or development associated with the use, will result in loss of privacy, objectionable views of large parking or storage areas; or views or sounds of loading and unloading areas; and
- c. Intensity, size, and scale of development associated with the use as compared to development and uses in the surrounding area.
- d. If a proposed conditional use will result in new construction or substantial remodeling of a commercial or mixed-used development, the design of the premises where the use will be located shall conform to the conditional building and site design review standards set forth in Chapter 21A.59 of this title. *(Separate analysis later in this report)*

**Finding:** The planned development allows for more efficient use of the site while still maintaining the medium density residential character of the neighborhood. The surrounding uses are single and multi family units. The development is in scale with surrounding development and the proposed conditional use is compatible. The specific units have tandem garages which are not usual for most developments in Salt Lake City but have been approved on a similar project at 700 North and 300 West. The number of driveways makes on-street parking difficult, however, the increased setback allows for adequate space for a car parked in the driveway. Final detail of the width of curb cuts and the closeness of drive approaches needs to be resolved to Transportation's satisfaction.

**4. Detriment to Persons or Property:** The proposed conditional use shall not, under the circumstances of the particular case and any conditions imposed, be detrimental to the health, safety, and general welfare of persons, nor be injurious to property and improvements in the community, existing surrounding uses, buildings, and structures. The proposed use shall:

- a. Not emit any known pollutant into the ground or air that will detrimentally affect the subject property or any adjacent property;
- b. Not encroach on any river or stream, or direct runoff into a river or stream;

- c. Not introduce any hazard or potential for damage to an adjacent property that cannot be mitigated;
- d. Be consistent with the type of existing uses surrounding the subject property; and
- e. Improve the character of the area by encouraging reinvestment and upgrading of surrounding properties.

**Finding:** The Conditional Use does not emit any pollutants or impact any environmentally fragile sites, nor is it adjacent to any rivers or streams. The neighborhood has a mix of single family homes and multi family apartments. The project represents new investment into the neighborhood which has been subject to commercial encroachment and will tend to stabilize its residential character.

5. **Compliance with Other Applicable Regulations:** The proposed conditional use and any associated development shall comply with any other applicable code or ordinance requirement.

**Finding:** With the exception of modifications to the Zoning Ordinance standards approved by the Planning Commission, all applicable city Code requirements must be met. Exceptions include modification of building lot width and size, increased setback and tandem parking.

#### **21A.54.150 E Additional 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 as set forth in table [21A.54.150E2](#) of this section.

**Finding:** The minimum lot size is 9,000 square feet. This lot is over 15,810 (including portions of the alley) square feet and 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. The calculation of planned development density may include open space that is provided as an amenity to the planned development. Public or private roadways located within or adjacent to a planned development shall not be included in the planned development area for the purpose of calculating density.

**Finding:** The City is concurrently processing petition PLNPCM2008-00179, which requests the rezoning of the property to RMF-75. The RMF-75 zoning district requires 2,000 square feet per unit. There is enough square footage for seven units if the City Council approves the zone change.

3. **Consideration Of 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. The request will be reviewed and evaluated individually by appropriate departments, including transportation, engineering, public utilities, public services and fire. Each department reviewer will consider the adequacy of the design and physical improvements proposed by the developer and will make recommendation for approval or describe required changes. A synopsis will be incorporated into the staff report for review and decision by the Planning Commission. Notwithstanding the foregoing, no such street will be accepted as a



publicly owned street unless there is a minimum width of twenty feet (20') of pavement with an additional right-of-way as determined by the Planning Commission.

**Finding:** This project does not include dedication of a new public street. This standard does not apply.

**4. Planned Developments:** Planned developments within the TC-75, RB, R-MU, MU, CN, CB, and CSHBD zoning districts and the South State Street Overlay. Also planned developments within the CS zoning district, when the district is adjacent to more than sixty percent (60%) residential zoning (within 300 feet, either on the same block or across the street).

Planned developments within these zoning districts may be approved subject to consideration of the following general conceptual guidelines (a positive finding for each is not required):

- a. The development shall be primarily oriented to the street, not an interior courtyard or parking lot,
- b. The primary access shall be oriented to the pedestrian and mass transit,
- c. The facade shall maintain detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction,
- d. Architectural detailing shall emphasize the pedestrian level of the building,
- e. Parking lots shall be appropriately screened and landscaped to minimize their impact on the neighborhood,
- f. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods,
- g. Dumpsters and loading docks shall be appropriately screened or located within the structure, and
- h. Signage shall emphasize the pedestrian/mass transit orientation.

**Finding:** This project is not located in any of the aforementioned zoning districts. This standard does not apply.

**5. 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:** The adjacent zoning districts are RMF-35 to the north and west and C-C Corridor Commercial to the east. The setbacks provided are consistent or greater than others in the neighborhood.

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

**Finding:** This project does not have a significant topographic change. This standard does not apply.

## Additional analysis

### **21A.59.060 Standards For Design Review:**

In addition to standards provided in other sections of this title for specific types of approval, the following standards shall be applied to all applications for design review:

- A. Development shall be primarily oriented to the street, not an interior courtyard or parking lot.
1. Primary building orientation shall be toward the street rather than the parking area. The principal entrance shall be designed to be readily apparent.
  2. At least sixty percent (60%) of the street frontage of a lot shall have any new building located within ten feet (10') of the front setback. Parking is permitted in this area.
  3. Any buildings open to the public and located within thirty feet (30') of a public street shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be a distinctive and prominent element of the building's architectural design, and shall be open to the public during all business hours.
  4. Each building shall incorporate lighting and changes in mass, surface, or finish to give emphasis to its entrances.

**Finding:** The buildings will face directly onto Merrimac Street. All units have doorways facing the street and driveways accessing the street.

- B. Primary access shall be oriented to the pedestrian and mass transit.
1. Each building shall include an arcade, roof, alcove, portico, awnings, or similar architectural features that protect pedestrians from the rain and sun.

**Finding:** Architectural fenestration is proposed as part of the development though the use of stairs and materials. The size of the garage doors along the front façade has been expressed as a concern in need of mitigation.

C. Building facades shall include detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction.

1. At least forty percent (40%) of any first floor wall area that faces and is within thirty feet (30') of a primary street, plaza, or other public open space shall contain display areas, windows, or doorways. Windows shall allow views into a working area or lobby, a pedestrian entrance, or display area. First floor walls facing a side street shall contain at least twenty five percent (25%) of the wall space in window, display area, or doors. Monolithic walls located within thirty feet (30') of a public street are prohibited.
2. Recessed or projecting balconies, verandas, or other usable space above the ground level on existing and new buildings is encouraged on a street facing elevation. Balconies may project over a public right of way, subject to an encroachment agreement issued by the city.

**Finding:** This is a residential project; therefore the 40 % glass requirement does not apply. The Planning Commission may wish to discuss the option of larger front porches or balconies to help mask the size of the garage doors.

D. Architectural detailing shall emphasize the pedestrian level of the building.

**Finding:** The ground level is primarily occupied by garage entries. The main entry to each unit is above the garage, requiring a long staircase. Larger porches or balconies may serve to distract pedestrians from the size of the garage entries.

E. Parking lots shall be appropriately screened and landscaped to minimize their impact on adjacent neighborhoods.

1. Parking areas shall be located behind or at one side of a building. Parking may not be located between a building and a public street.
2. Parking areas shall be shaded by large broadleaf canopied trees placed at a rate of one tree for each six (6) parking spaces. Parking shall be adequately screened and buffered from adjacent uses.
3. Parking lots with fifteen (15) spaces or more shall be divided by landscaped areas including a walkway at least ten feet (10') in width or by buildings.

**Finding:** The proposed development is within the scale of the neighborhood. The final landscape plan should be developed to insure compliance with the details of this standard; including landscaping in the public right-of-way. The width of drive approaches must still be addressed with City Transportation and Public Utilities to not only allow proper access, but to allow space for fire hydrants, water meters and street trees.

F. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods.

**Finding:** Parking is within the structures.

G. Parking and on site circulation shall be provided.

1. Connections shall be made when feasible to any streets adjacent to the subject property and to any pedestrian facilities that connect with the property.
2. A pedestrian access diagram that shows pedestrian paths on the site that connect with a public sidewalk shall be submitted.

**Finding:** Parking access for each unit is from the street. Each unit has pedestrian access from the street. Additional resolution is required to refine the drive widths and park strip space.

H. Dumpsters and loading docks shall be appropriately screened or located within the structure.

1. Trash storage areas, mechanical equipment, and similar areas are not permitted to be visible from the street nor permitted between the building and the street.
2. Appropriate sound attenuation shall occur on mechanical units at the exterior of buildings to mitigate noise that may adversely impact adjacent residential uses.

**Finding:** All major loading and access is from the front of the building consistent with adjacent residential building and uses.

I. Signage shall emphasize the pedestrian/mass transit orientation.

**Finding:** This is a residential project with no signage.

J. Lighting shall meet the lighting levels and design requirements set forth in chapter 4 of the Salt Lake City lighting master plan dated May 2006.

**Finding:** Lighting levels will be reviewed prior to the issuance of a building permit

K. Streetscape improvements shall be provided as follows:

1. One street tree chosen from the street tree list shall be placed for each thirty feet (30') of property frontage on a street.



2. Landscaping material shall be selected that will assure eighty percent (80%) ground coverage occurs within three (3) years.
3. Hardscape (paving material) shall be utilized to designate public spaces. Permitted materials include unit masonry, scored and colored concrete, grasscrete, or combinations of the above.
4. Outdoor storage areas shall be screened from view from adjacent public rights of way. Loading facilities shall be screened and buffered when adjacent to residentially zoned land and any public street.
5. Landscaping design shall include a variety of deciduous and/or evergreen trees, and shrubs and flowering plant species well adapted to the local climate.

**Finding:** Compliance will be determined prior to the issuance of a building permit.

L. Street trees shall be provided as follows:

1. Any development fronting on a public or private street shall include street trees planted consistent with the city's urban forestry guidelines and with the approval of the city's urban forester.
2. Existing street trees removed as the result of a development project shall be replaced by the developer with trees approved by the city's urban forester.

**Finding:** Compliance will be determined prior to the issuance of a building permit.

M. The following additional standards shall apply to any large scale developments with a gross floor area exceeding sixty thousand (60,000) square feet:

1. The orientation and scale of the development shall conform to the following requirements:
  - a. Large building masses shall be divided into heights and sizes that relate to human scale by incorporating changes in building mass or direction, sheltering roofs, a distinct pattern of divisions on surfaces, windows, trees, and small scale lighting.
  - b. No new buildings or contiguous groups of buildings shall exceed a combined contiguous building length of three hundred feet (300').
2. Public spaces shall be provided as follows:
  - a. One square foot of plaza, park, or public space shall be required for every ten (10) square feet of gross building floor area.
  - b. Plazas or public spaces shall incorporate at least three (3) of the five (5) following elements:
    - i. Sitting space of at least one sitting space for each two hundred fifty (250) square feet shall be included in the plaza. Seating shall be a minimum of sixteen inches (16") in height and thirty inches (30") in width. Ledge benches shall have a minimum depth of thirty inches (30");
    - ii. A mixture of areas that provide shade;
    - iii. Trees in proportion to the space at a minimum of one tree per eight hundred (800) square feet, at least two inch (2") caliper when planted;
    - iv. Water features or public art; and/or
    - v. Outdoor eating areas or food vendors.

**Finding:** This standard does not apply.

N. Any new development shall comply with the intent of the purpose statement of the zoning district and specific design regulations found within the zoning district in which the project is located as well as adopted master plan policies, the city's adopted "Urban Design Element" and design guidelines governing the specific area of the proposed development. Where there is a conflict between the standards found in this section and other adopted plans and regulations, the more restrictive regulations shall control.

**Finding:** The proposed buildings generally meets the Central City Master Plan by providing a variety of housing consistent with neighborhood densities. The reduced lot widths and frontages allow varied facades; however the overall frontage still meets the proposed zoning requirements. The density is consistent with the Central City Master Plan.

**21A.59.020 Authority:**

Design review shall be required pursuant to the provisions of this chapter for uses as specified within individual zoning districts before zoning certificates, building permits or certificates of occupancy may be issued.

A. The planning commission shall approve design criteria upon consideration of comments received from city departments and determining whether modification of specific design regulations meets the intent of the individual zoning district.

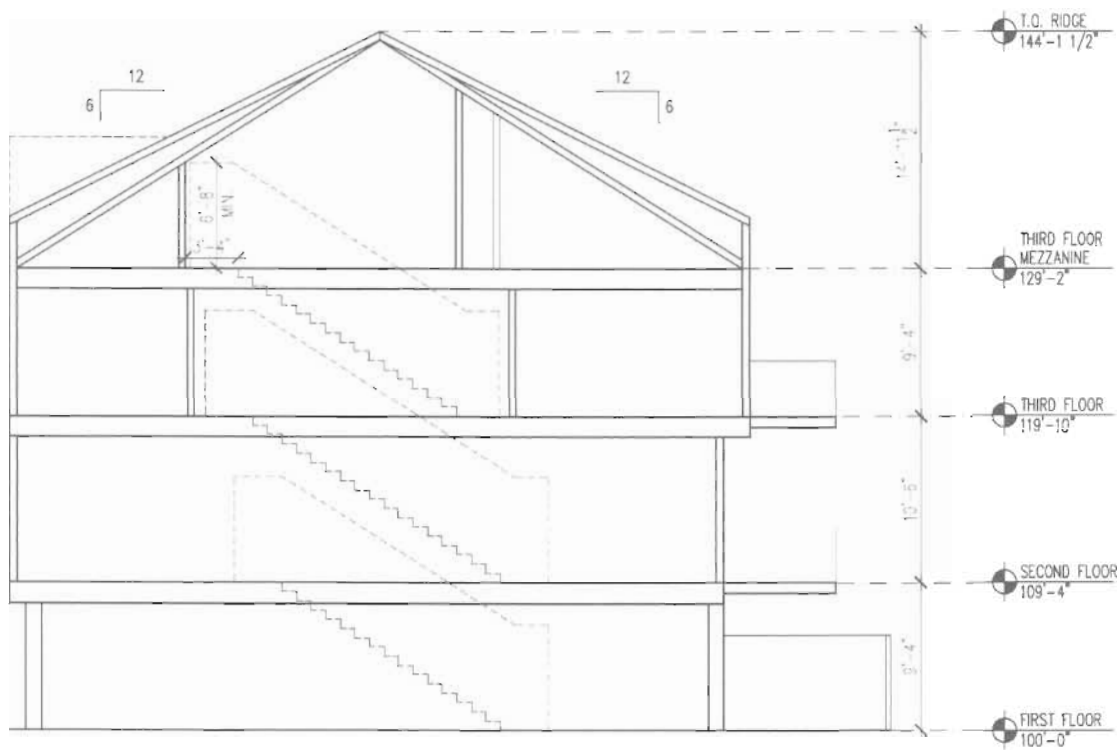
B. The planning commission may modify individual design requirements for specific projects if they find that the intent of the basic design criteria of the zoning district has been met. (Ord. 3-05 □ 11, 2005)

**Finding:** The project generally meets the intent of the design standards.

The petitioner is specifically wishing to modify the lot widths, square footage, setbacks and tandem parking to accommodate the project. The overall project meets the larger frontage and square footage requirements and meets the parking number requirements.

**Attachment A**  
Site Plan and Elevation Drawings



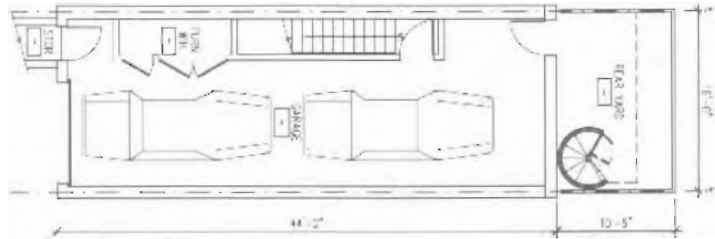


DATE: 05.29.09	MERRIMAC TOWNHOUSES	PRELIMINARY BUILDING SECTION	P.M.A. 171 WEST PIERPONT AVE. SALT LAKE CITY UTAH 84101 PH: 521-9111 FX: 521-9158	A3.1A
1/8" = 1'-0"	38 WEST MERRIMAC SALT LAKE CITY, UTAH 84115	A3.1A		PRESCOTT MUIR ARCHITECT

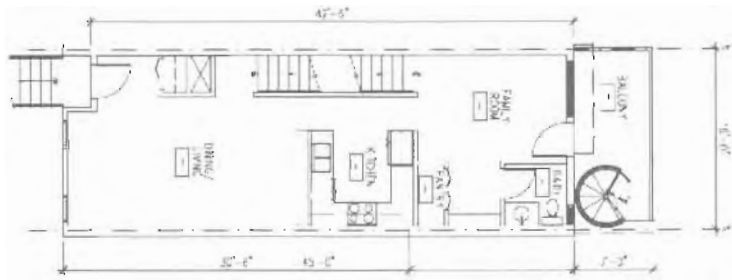


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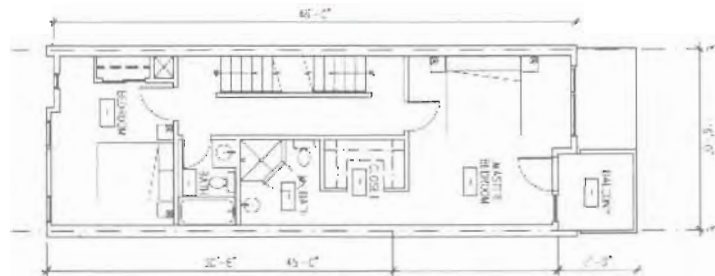
FIRST FLOOR PLAN  
1/8" = 1'-0"



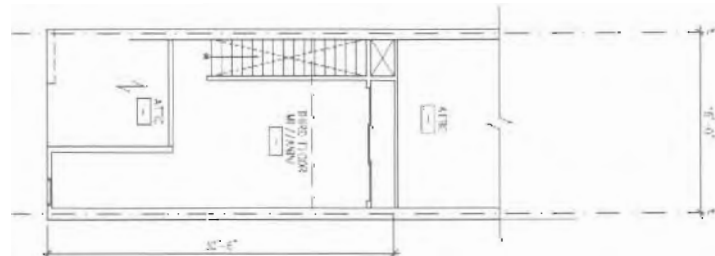
SECOND FLOOR PLAN  
1/8" = 1'-0"



THIRD FLOOR PLAN  
1/8" = 1'-0"



THIRD FLOOR MEZZANINE  
1/8" = 1'-0"

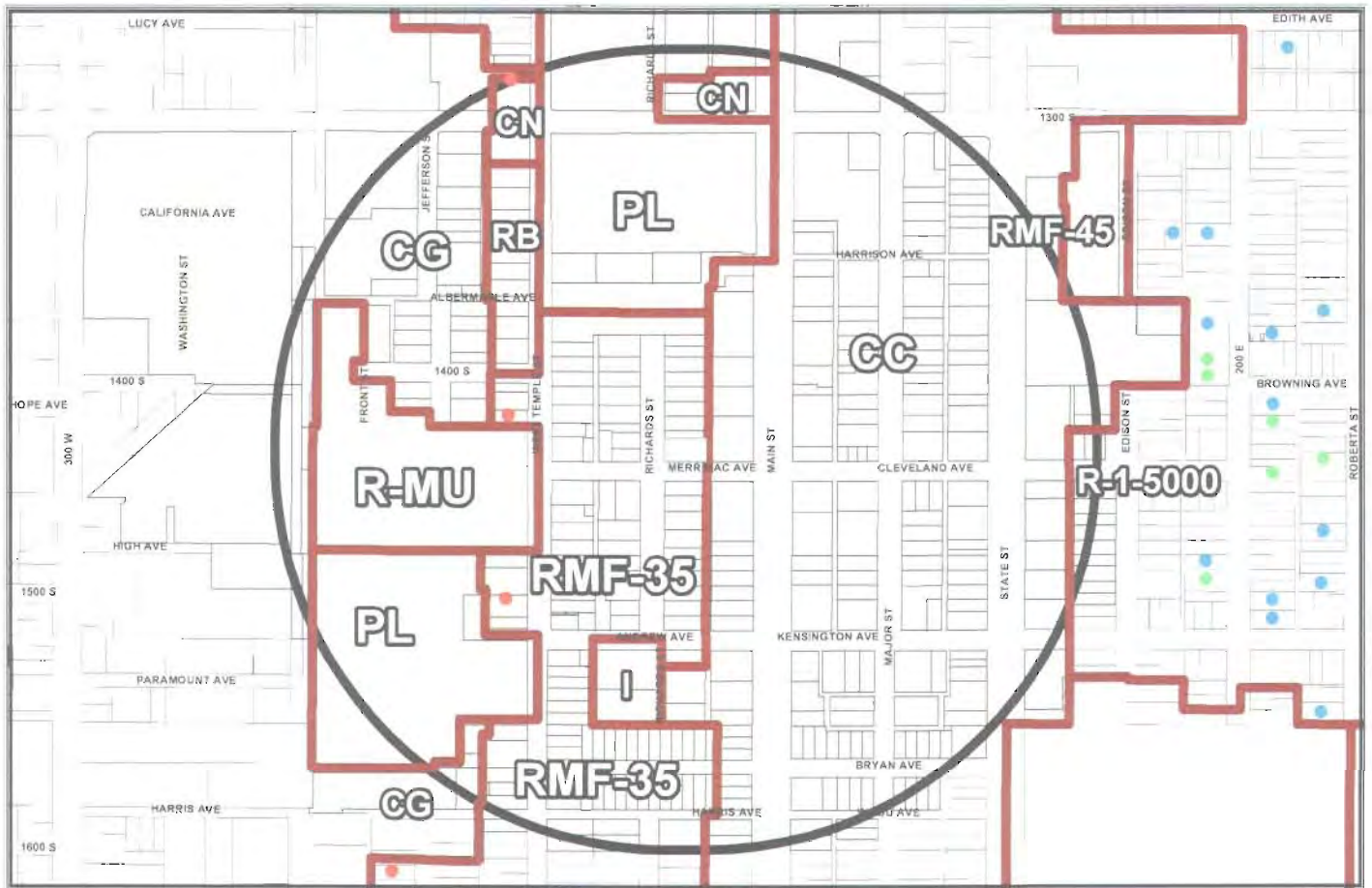


PRESCOTT MUIR ARCHITECT		171 WEST PERROWE AVE.		SALT LAKE CITY, UTAH 84121		TEL: 801.527.9111 FAX: 801.527.9150	
DATE: 10/1/01	BY: JMM	MERRIMAC TOWNHOUSES.		18 WEST MERRIMAC		FLOOR PLANS.	
A1.1		18 WEST MERRIMAC		SALT LAKE CITY, UTAH 84119			

NOT FOR CONSTRUCTION



**Attachment B**  
Conditional Use Map



- Conditional Uses in Residential Districts
- 3-4 Dwelling Units NonConforming Uses
- Multi-Family NonConforming Uses
- Commercial/Office NonConforming Uses

- Subject Property
- 1320 Foot Buffer around the Subject Property
- Parcels that Intersect the 1320 Foot Buffer around the Subject Property



## **Attachment C**

Planning Commission Subcommittee notes



## **Planning Commission Subcommittee**

**February 26, 2009**

### **Attendees:**

**Planning Commission:** Mary Woodhead, Mathew Wirthlin, and Susie McHugh

**Planning Division Staff:** Doug Dansie and Joel Paterson

**Applicant:** Merrimac Flats

**Background and Project Location:** 1440 South Richards Street (1770 South 38 West Merrimac) The applicant is Nathan Anderson, the Planning Commission approved the original project in March 2008.

### **Presentation in summary including changes to the project:**

A seven (7) unit townhome development with two car tandem garages. The applicant would like to rezone this property to be able to eliminate the unsafe alley way.

### **Staff/Subcommittee recommendation(s), comments and concerns:**

Commissioner Woodhead stated that the garages seemed like they would be an issue because they took up 50 percent of the front façade.

Mr. Anderson noted that this garage design had worked out at another project, off of 700 East.

Commissioner Wirthlin inquired about how the neighborhood had responded to the first part of this project that was approved last March.

Mr. Anderson noted that the project has helped cleaned up the area, and the neighbors liked the project.

Commissioner McHugh inquired if the project included fenced off backyards.

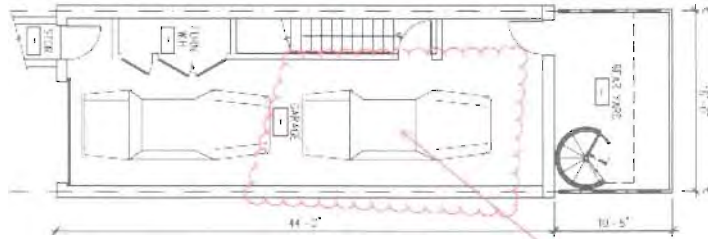
Mr. Anderson stated yes, private backyards were popular.

### **Conclusion:**

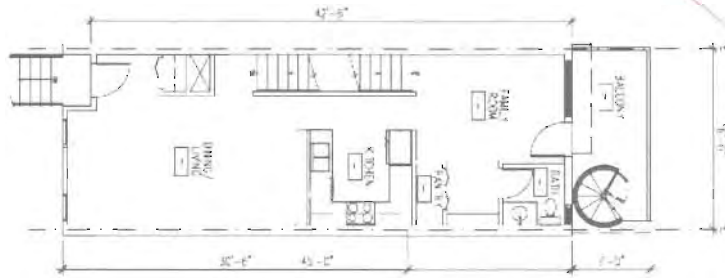
- **Commissioners agreed that this project was ready for a public hearing.**

**Attachment D**  
Transportation Division redlines

FIRST FLOOR PLAN

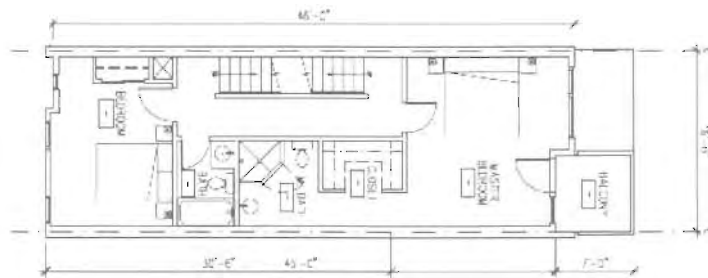


SECOND FLOOR PLAN

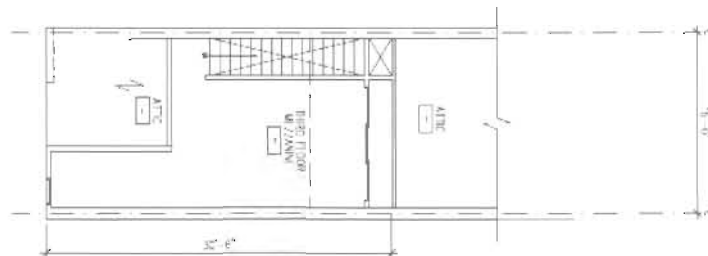


Existing vehicle  
parking space  
is not to be  
used for  
storage.

THIRD FLOOR PLAN



THIRD FLOOR MEZZANINE



PRESCOTT MUJR ARCHITECT

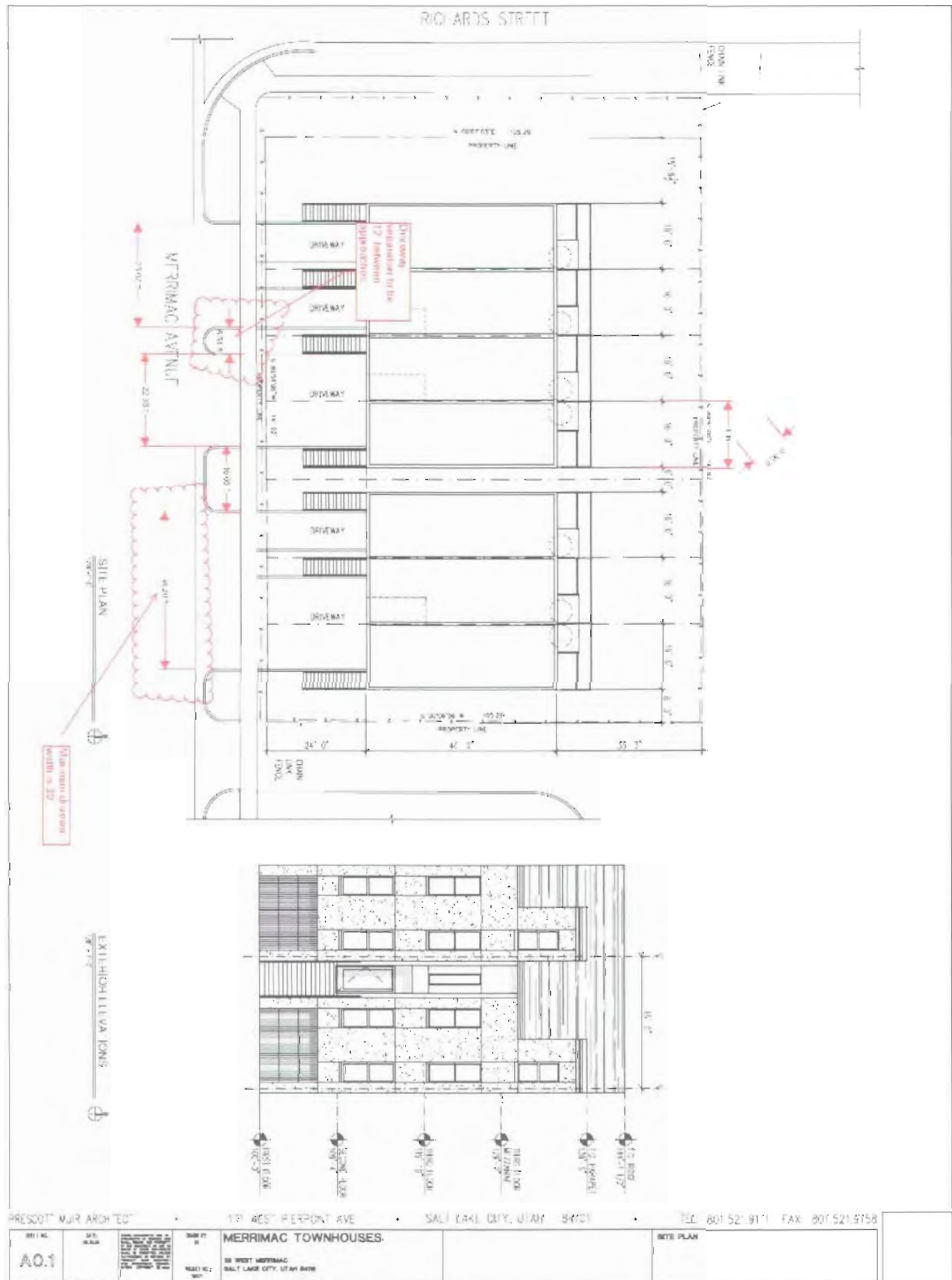
171 WEST PIERPONT AVE

SALT LAKE CITY, UTAH 84101

TEL: 801.521.9111 FAX: 801.521.9158

PROJECT NO. A1.1	DATE 10/10/10	PROJECT NAME MERRIMAC TOWNHOUSES	PROJECT LOCATION 30 WEST MERRIMAC SALT LAKE CITY, UTAH 84101	FLOOR PLANS
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NOT FOR CONSTRUCTION





## **Attachment E**

Photo of similar project at 700 North and 300 West

