

PLANNING COMMISSION STAFF REPORT

Alder-Robinson Subdivision – Amending the Amended Plat of the Arcadia Heights Plat A Subdivision

Case #PLNSUB2010-00044

2857 East 2100 South

June 23, 2010



Planning and Zoning
Division
Department of Community
Development

Applicant:

Greg Robinson

Staff:

Wayne Mills (801)535-7282
wayne.mills@slcgov.com

Tax ID:

16-14-376-011, 16-14-376-005
16-14-376-012, 16-23-127-007

Zone:

FR-3/12000 Foothills
Residential District and OS
Open Space District

Master Plan Designation:

Very Low-Density Residential

Council District:

7, Council Member Søren
Simonsen

Acresage:

1.64 acres

Use:

Residential

Applicable Land Use

Regulations:

- 20.31, Article II (Subdivision Ordinance)
- 21A.24 (Zoning Ordinance)

Attachments:

- A. Proposed Plat
- B. Block Face Lot Size and Buildable Area Comparison
- C. Photos
- D. Department/Division Comments

Request

Greg Robinson is requesting an amendment to the Amended Plat of the Arcadia Heights Plat A Subdivision. The subdivision area consists of one existing buildable lot containing a single-family home and three non-buildable parcels. The purpose of the subdivision is to combine and reconfigure the existing parcels to create two buildable lots. The proposed subdivision is located in the FR-3 Foothills Residential and OS Open Space zoning district.

Staff Recommendation

Staff recommends that the Planning Commission approve the Alder-Robinson Subdivision, an amendment to the Amended Plat of the Arcadia Heights Plat A subdivision, according to the findings and analysis in this staff report, and the following conditions of approval:

1. A final subdivision plat application is filed with the Planning Division and the final plat is recorded with the Salt Lake County Recorder;
2. Applicant must comply with all division requirements prior to recording the final plat;
3. The buildable area on Lot 1 is limited to 6,400 square feet; and
4. The buildable area on Lot 2 is limited to 5,356 square feet.

Vicinity Map



Background

The proposed subdivision is located at 2857 East 2100 South in the East Bench community planning area. The subdivision area consists of one existing buildable lot containing a single-family home (Lot B shown above), one triangular shaped lot that serves as driveway access to the single-family home (Lot D shown above), and two existing non-buildable parcels (Lots A and C shown above). These parcels are considered non-buildable because they do not have street frontage. The parcel containing the single-family dwelling (Lot B) and the triangular shaped lot (Lot D) are located in the Arcadia Heights Plat A Amended Subdivision. The two remaining parcels are not located in a platted subdivision.

The applicant is requesting the proposed subdivision in order to add additional rear yard area to the lot containing the single-family dwelling. This would allow the applicants to add onto the home and meet rear yard setback requirements. The proposal would also create an additional buildable lot for a future single-family dwelling.

Property History

Staff is unable to find a detailed history of why the parcels in the proposed subdivision are configured the way they are. Records have been found showing that the northern most rectangular lot (Lot A) was the continuation of a private right-of-way located to the west. Right-of-way access was closed off in 1992 with the annexation of the Scenic Circle subdivision located to the west of Lot A. Lot A was annexed into the City in 2002 as part of the Turville Annexation. Staff can find no records showing how the eastern most landlocked parcel (Lot C) was created. Both of these lots are considered non-buildable because they do not have frontage on a public street.

The parcel containing the single-family dwelling was created as part of the Arcadia Heights Plat A Subdivision in 1956. In 1963, the property owner at the time was granted a variance to construct the single-family dwelling without the required rear yard setback.

Subdivision Proposal

The applicant is requesting subdivision approval to reconfigure the existing lots and create an additional buildable parcel (see proposed preliminary plat, Attachment A). The two proposed lots have the following dimensions:

	Lot Width	Lot Size
Lot 1	116.43 feet	36,725 square feet (0.84 acres)
Lot 2	92 feet	34,593 square feet (0.79 acres)

The lots in the proposed subdivision would utilize the existing driveway access (located on proposed Lot 2) for both parcels. A cross access easement would need to be recorded on Lot 2 providing permanent driveway access to Lot 1.

Zoning Review

The proposed subdivision is located in the FR-3 Foothills Residential zoning district. The FR-3 minimum lot area standard is 12,000 square feet and the minimum lot width is 80 feet. The proposed subdivision meets the minimum lot area and lot width zoning regulations.

In all Foothill Residential zoning districts there are slope restrictions on lots created after 1994 that prohibit building on significant steep slopes. A significant steep slope is defined as a slope that exceeds a 30% grade. The proposed preliminary plat identifies slopes over 30%. If the preliminary plat is approved, the final plat will need to identify these areas as non-buildable.

In addition to minimum lot size standards, there are maximum lot size restrictions in all single-family zoning districts. In the FR-3 district, the maximum lot size is 18,000 square feet. The purpose of the regulation is to prohibit large lots with large buildable areas that would allow homes that are out of scale with the surrounding neighborhood. The code allows lots in excess of the maximum lot size limitation through the subdivision process if:

1. The size of the new lot is compatible with other lots on the same block face;
2. The configuration of the lot is compatible with other lots on the same block face; and
3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

In this case, the block face is defined as the lots on the same side of the street as the proposed subdivision, between Scenic Circle and Lakeline Drive (see Vicinity Map for reference). Staff prepared a spreadsheet (see Attachment B) showing the sizes of the parcels along the block face and their potential building pads based on the 35% maximum lot coverage as allowed in the FR-3 zoning district. The block face lot sizes range from approximately 8,000 square feet to 18,500 square feet with an average of 11,471 square feet. The potential building footprints range in size from approximately 2,800 square feet to 6,500 square feet, with an average of 4,015 square feet.

At 36,725 square feet and 34,593 square feet, both of the lots in the proposed subdivision exceed the 18,000 square foot maximum lot size limitation of the FR-3 district and exceed the sizes of all of the lots on the block face. However, the applicants have proposed a limit on the buildable areas of the two lots to meet the compatibility standards required to approve oversize lots. The proposed buildable areas are:

- **Lot 1 = 6,400 square feet**
 - The buildable area is not shown on the plat because the property owners would like design flexibility on an addition to the existing home. The buildable area limitation would need to be documented on the final plat.
- **Lot 2 = 5,356 square feet**
 - The buildable area is shown on the proposed preliminary plat. Any future structure built on the parcel would need to be contained within the buildable area.

The proposed buildable areas do not exceed the largest potential building footprint on the block face; however, they do exceed the block face average (see Attachment B). There are mitigating factors that can be considered that would justify allowing larger buildable areas on the two proposed parcels. The mitigating factors are as follows:

- The orientation of the buildable areas is different than the other lots on the block face. The existing lots on the block face have a typical street frontage orientation in that the homes have a visible street presence. The average front yard setback of the existing homes along the block face is approximately 20 feet. The existing home in the proposed subdivision is oriented more to the side yard with little street presence and the buildable area on proposed Lot 2 is setback approximately 115 feet from the front property line.
- The topography of the two proposed lots and mature front yard landscaping prevents the majority of the buildable areas from being seen at the street level (see photos, Attachment C).

It is important to note from a compatibility standpoint that the existing parcel containing the single-family dwelling (Lot B on the Vicinity Map) is approximately 36,155 square feet in size. Other than standard setback, building coverage, and height regulations, there are no other limitations on the size of the home that can be built on this parcel. At the allowable 35% building coverage, a home could be built with a building footprint of approximately 12,650 square feet, which is considerably larger than the potential block face building coverage average.

Comments

Public Comments

No public comments were received at the time this staff report was written.

City Department Comments

The proposed subdivision was reviewed by the applicable City departments and divisions. The review comments have been attached to this report as Exhibit D.

Issues Only Public Hearing

On May 26, 2010 the Planning Commission reviewed the proposed subdivision in an Issues Only Public Hearing. One individual spoke at the public hearing and asked if Scenic Circle would be used for access to any of the proposed lots. Staff responded stating that Scenic Circle would not be used for access. The lots would be accessed from an existing driveway located on 2100 South. The Planning Commission did not request additional information from Staff but asked the following questions:

- Can the Planning Commission consider an option to approve a combination of all of the lots into one parcel and then limit the buildable area? The result would be one lot, not two.
 - *Staff Response: The Planning Commission could consider this option; however, the applicant is requesting two lots. The applicant would have to decide if he would like to carry through with a one lot subdivision with a limit on the buildable area or withdraw the subdivision request and build a larger home on his existing lot.*
- Can the applicant request a variance from the rear yard setback to add on to the existing home without having to go through the subdivision process?
 - *Staff Response: It is Staff's opinion that a variance could not be obtained because the addition would not meet the standards of approval for a variance.*

Analysis

Master Plan Compliance

The proposed subdivision is located within the East Bench Master Plan area. The Future Land Use Map in the Master Plan identifies the properties within the subdivision area as "Very Low-Density Residential". The residential density of the proposed subdivision is consistent with the "Very Low-Density Residential" future land use classification.

Subdivision Amendment Standards for Approval

The proposed subdivision requires an amendment to the Amended Plat of the Arcadia Heights Plat A subdivision. A subdivision amendment petition may be approved only if it meets the requirements specified in Section 20.31.090 of the Salt Lake City Code. The standards for approval are as follows:

A. The amendment will be in the best interests of the city.

Analysis: The proposed subdivision would add an additional building lot in a developed area of the City. When the lot is developed, it will increase the City's housing stock. Staff is of the opinion that this is in the best interest of the City. Furthermore, the subdivision would consolidate parcels that are privately owned, zoned for residential development, and are currently landlocked and unusable. Staff is of the opinion that cleaning up the current lot configuration is in the best interest of the City.

Finding: Staff finds that the proposed subdivision is in the best interests of the City.

B. All lots comply with all applicable zoning standards.

Analysis: The proposed lots meet the minimum dimensional zoning standards; however, they exceed the maximum lot size regulation. Lots that exceed the maximum lot size can be approved through the subdivision process. The maximum lot size issue is addressed in the Background section of this Staff Report.

Finding: Staff finds that the proposed lots comply with applicable zoning standards only if the buildable areas of the proposed lots are limited to the sizes proposed by the applicant.

C. All necessary and required dedications are made.

Analysis: The preliminary plat shows a five foot public utility easement running through the building pad on Lot 2. According to a title report submitted by the applicant, there are no utilities currently located within this easement. The applicant will need to work with the City Department of Public Utilities and other local utility companies to either relocate or abandon the easement. This would be a condition of final plat approval.

Finding: This is a condition of final plat approval.

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

Analysis: Comments from the Engineering Division indicate that the existing sidewalk, curb and gutter need repair. These issues will need to be resolved prior to the approval of the final plat.

Finding: This is a condition of final plat approval.

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

Analysis: The Transportation Division has expressed concern with the driveway access to Lot 2. The concern relates to the steepness of the driveway grade (see Department/Division Comments, Attachment D). The applicant will need to provide documentation to the City that the building pad for Lot 2 can be accessed according to the City's driveway standards as a condition of final plat approval.

Finding: The applicant will be required to comply with Transportation Division requirements as a condition of final plat approval.

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

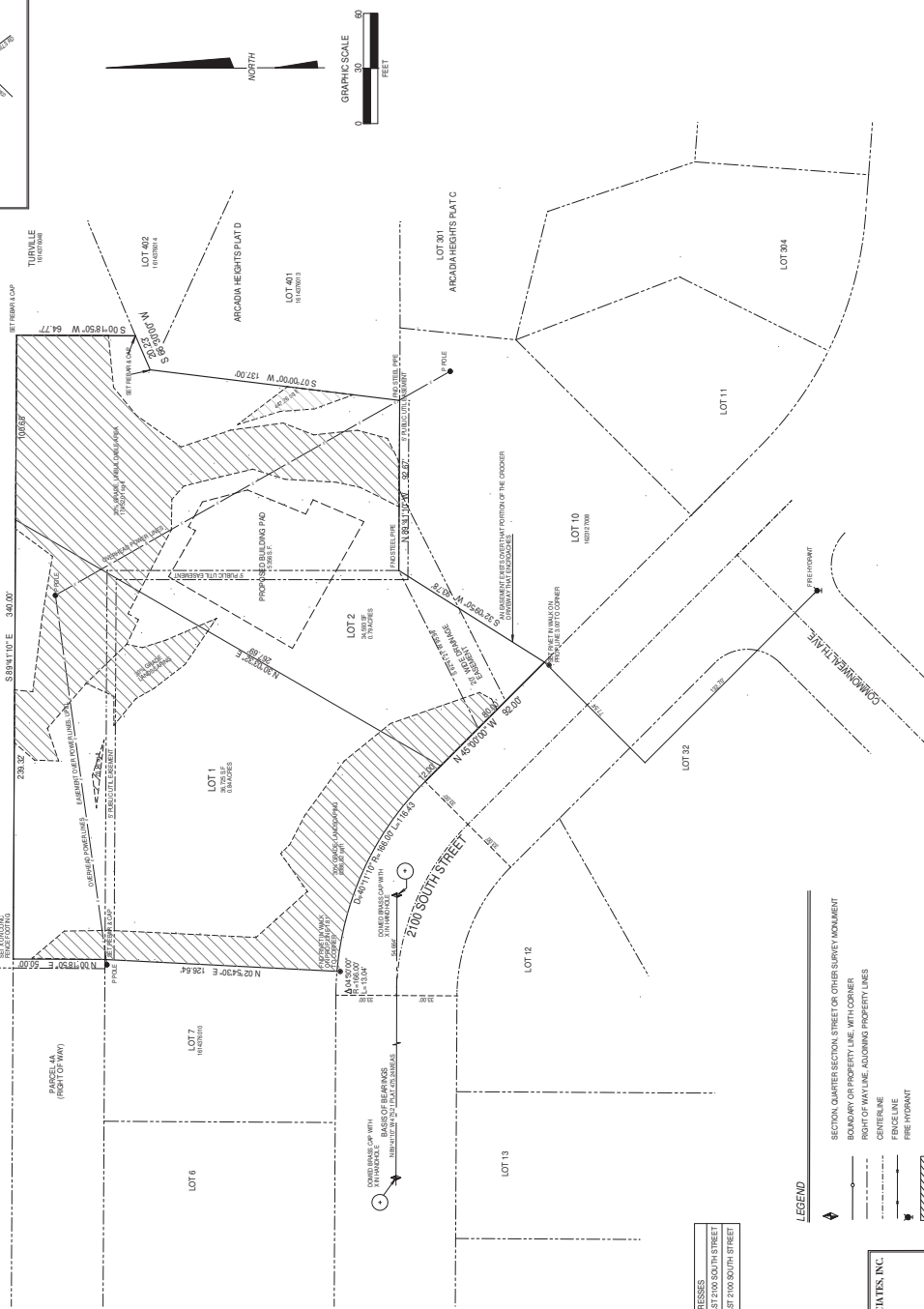
Analysis: Staff can find no evidence that the proposed subdivision would materially injure the public or any person. Furthermore, there is good cause for the amendment in that it would consolidate noncomplying landlocked parcels








Finding: Staff finds that the amendment would not materially injure the public or any person and there is good cause for the amendment.

EXHIBIT A

Preliminary Plat

AMENDING LOTS 8,9 AND 10 OF THE
AMENDED PLAT OF ARCADIA HEIGHTS PLAT A SUBDIVISION
LOCATED IN THE SW 1/4 OF SECTION 14, AND THE NW 1/4 OF SECTION 23,
TOWNSHIP 1 SO., RANGE 1 EAST, SLB&M



	SECTION, QUARTER SECTION, STREET OR OTHER SURVEY MONUMENT
	BOUNDARY OR PROPERTY LINE WITH CORNER
	RIGHT-OF-WAY LINE, ADJOINING PROPERTY LINES
	CENTERLINE
	FENCE LINE
	FIRE HYDRANT
	AREA OF 30% GRADE

NUMBER _____
 ACCOUNT _____
 SHEET _____
 OF _____ SHEETS

HEALTH DEPARTMENT

APPROVED THIS _____ DAY OF _____ A.D. 2010.

DIRECTOR, SALT LAKE VALLEY HEALTH DEPARTMENT

CITY PLANNING DIRECTOR

APPROVED THIS _____ DAY OF _____, A.D. _____
 2010, BY THE SALT LAKE CITY PLANNING COMMISSION.

 PLANNING DIRECTOR DATE _____

CITY ENGINEERING DIVISION

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THE
 CORRECT IN ACCORDANCE WITH INFORMATION ON FILE

DATE _____ CITY ENGINEER _____

CITY ATTORNEY

APPROVED AS TO FORM THIS
DAY OF _____, A.D. 2010.

SALT LAKE CITY ATTORNEY

CITY APPROVAL

PRESENTED TO SALT LAKE CITY THIS _____ DAY
OF _____ A.D. 2016
AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

SALT LAKE CITY MAYOR

NUMBER _____
ACCOUNT _____
SHEET _____
OF _____ SHEETS

I, LYRON T. CURTIS, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND, THAT I HOLD CERTIFICATE NO. 160486 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREAPTO BE KNOWN AS

ALICE BOBINSON EDITION

ALDER-ROBINSON SUBDIVISION
AMENDING LOTS 8, 9 AND 10 OF THE
AMENDED PLAT OF ARCADIA HEIGHTS PLAT A SUBDIVISION

AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT. I
FURTHER CERTIFY THAT ALL LOTS MEET FRONTAGE WIDTH AND AREA REQUIREMENTS OF THE APPLICABLE
ZONING ORDINANCES AND THAT A RECORD OF SURVEY NO. _____ HAS BEEN FILED IN THE OFFICE OF



DATE _____

BOUNDARY DESCRIPTION

BEGINNING at the Southwest corner of Lot 8, Amended Plat of Acadia Heights Plar "A," thence North 02°30'30" East, 126.64 feet; thence South 01°18'50" West, 20.23 feet; thence South 89°41'10" East, 347.00 feet; thence South 08°18'51" West, 64.77 feet; thence South 65°30'00" East, 50.25 feet; thence South 07°00'00" East, 130.00 feet; thence South 01°18'50" West, 64.77 feet; thence South 65°30'00" East, 50.25 feet; thence South 07°00'00" East, 130.00 feet along a line of way; thence North 45°00'00" East, said right of way, 92.00 feet to a point on a 166.00 foot radius curve to the left, thence northwesterly along the arc of said curve, through a central angle of 40°11'30", a distance of 116.43 feet, to the point of beginning, said described tract containing 71,318 square feet, or 1.64 Acres, more or less.

OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER

AMENDED PLAT OF ARCADIA HEIGHTS PLAT A SUBDIVISION
AMENDING LOTS 8, 9 AND 10 OF THE
ALDER+ROBINSON SUBDIVISION

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

IN WITNESS WHERE OF WE HAVE HEREUNTO SET OUR HANDS THIS ____ DAY
 OF A.D. 2010.

ACKNOWLEDGEMENT

STATE OF UTAH

ON THE DAY OF A.D. 2010, PERSONALLY APPEARED BEFORE ME, THE UNDER SIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY OF SALT LAKE IN SAID STATE OF UTAH, THE SIGNER OF THE ABOVE OWNERS DEDICATION, NUMBER, WHO FULLY ACKNOWLEDGED TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES

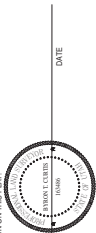
NOTARY PUBLIC IN

PARCELS: NQ S 1614375011 600560126007

ALDER-ROBINSON SUBDIVISION
 AMENDING LOTS 8.9 AND 10 OF THE
 AMENDED PLAT OF ARCADIA HEIGHTS PLAT A SUBDIVISION
 2857 EAST 2100 SOUTH STREET
 SALT LAKE CITY, UTAH

LOCATED IN THE SW 1/4 OF SECTION 14, AND THEN NW 1/4 OF SECTION 23,
TOWNSHIP 1 SO., RANGE 1 EAST, SLB& M

BYRON T. CURTIS, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 103488, AS PRESCRIBED BY UTAH STATE LAW. I FURTHER CERTIFY, THAT BY AUTHORITY OF THE OWNER, OR HIS REPRESENTATIVE, THAT I HAVE MADE A SURVEY ON THE GROUND OF THE PROPERTY DESCRIBED, AND SHOWN ON THIS PLAT.



DESCRIPTIONS FROM TITLE REPORT ISSUED BY METRO NATIONAL TITLE ORDER NO. 16142

PARCEL 2

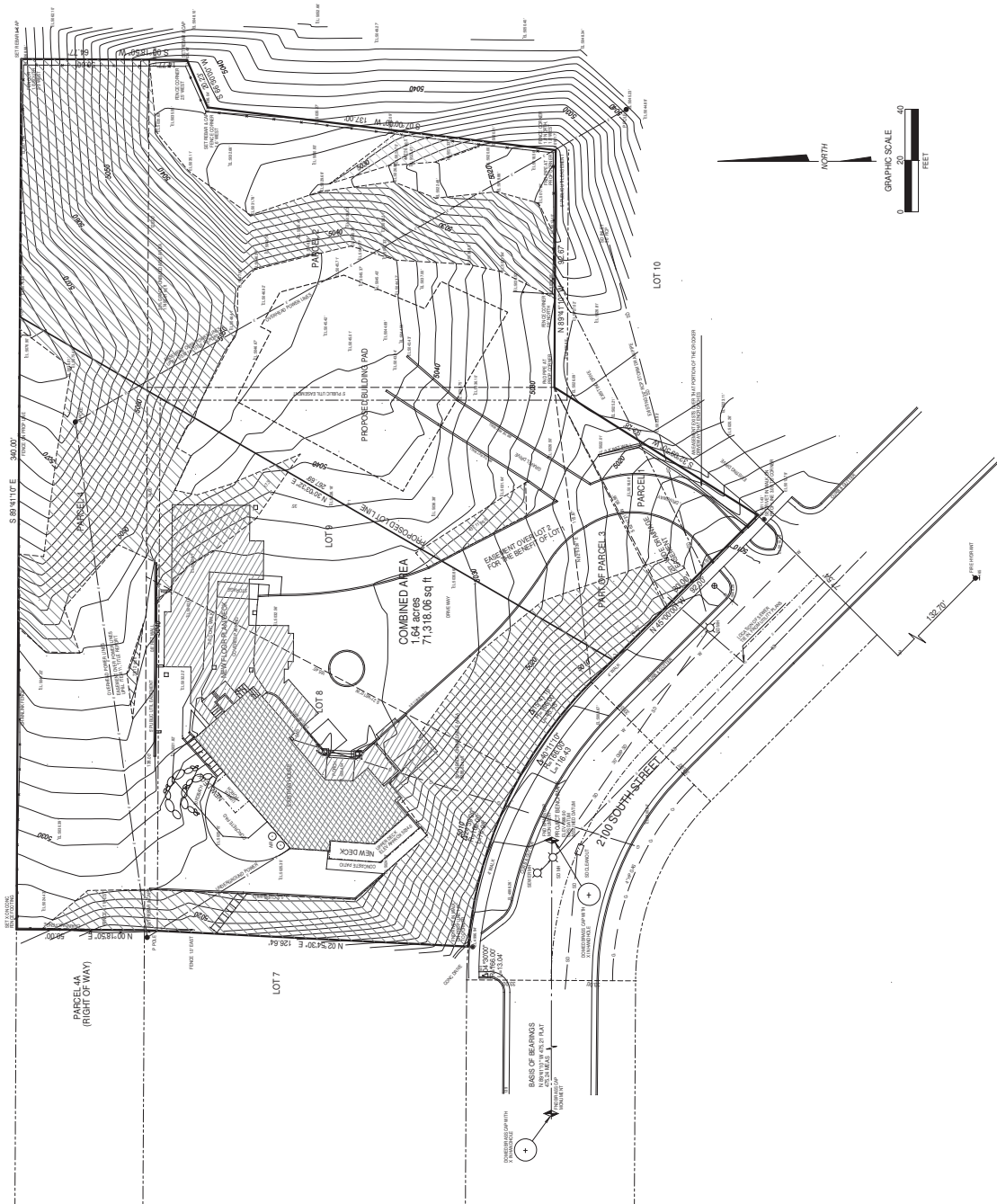
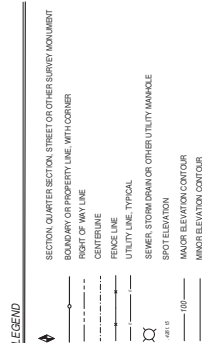
TABLE 2

Comments:

ENTIRE TRA

NARRATIVE

PROPERTY SURVEYED AT THE REQUEST OF THE CLIENT FOR THE PURPOSE OF IMPROVING THE PROPERTY AND ADJUSTING THE PROPERTY LINES. BASIS OF BEARINGS AS SHOWN. CORNERS SET WITH BEAR AND CAP STAMPED 163496. UNLESS NOTED OTHERWISE.



<p>PRELIMINARY PLAT AND EXISTING CONDITIONS</p> <p>SUSAN ALDER AND GREG ROBINSON</p> <p>PREPARED BY: JPM</p>	<p>TITLE</p>
<p>THE SOUTHWEST 1/4 SECTION 34, TOWNSHIP 34 NORTH, RANGE 12 EAST, AND THE NORTHWEST 1/4 SECTION 28, TOWNSHIP 34 NORTH, RANGE 12 EAST, LAKE AND VERNIER</p>	
<p>DATE: JANUARY 1, 2010</p> <p>SCALE: 1" = 20'</p> <p>FLAME: REVISION_0.aprx PCS</p>	<p>400 S. UNION SQUARE, SUITE 304 DALLAS, TEXAS 75244-0001 FAX: (817) 523-2741</p>
<p>CURTIS & ASSOCIATES, INC.</p> <p>LAND SURVEYORS LAND PLANNING</p>	

EXHIBIT B

Block Face Lot Size and Buildable Area Comparison

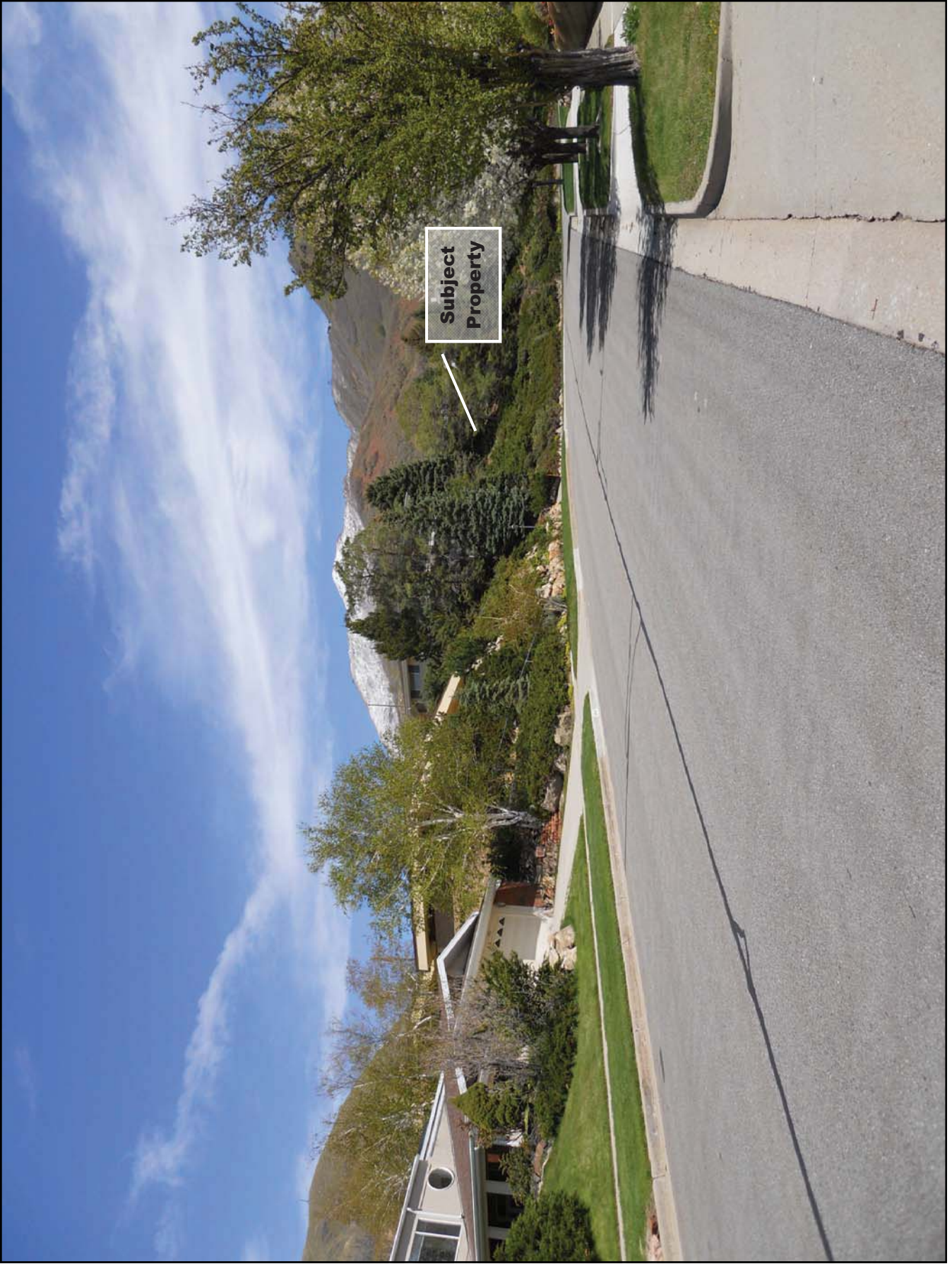
Block Face Lot Size and Buildable Area Comparison

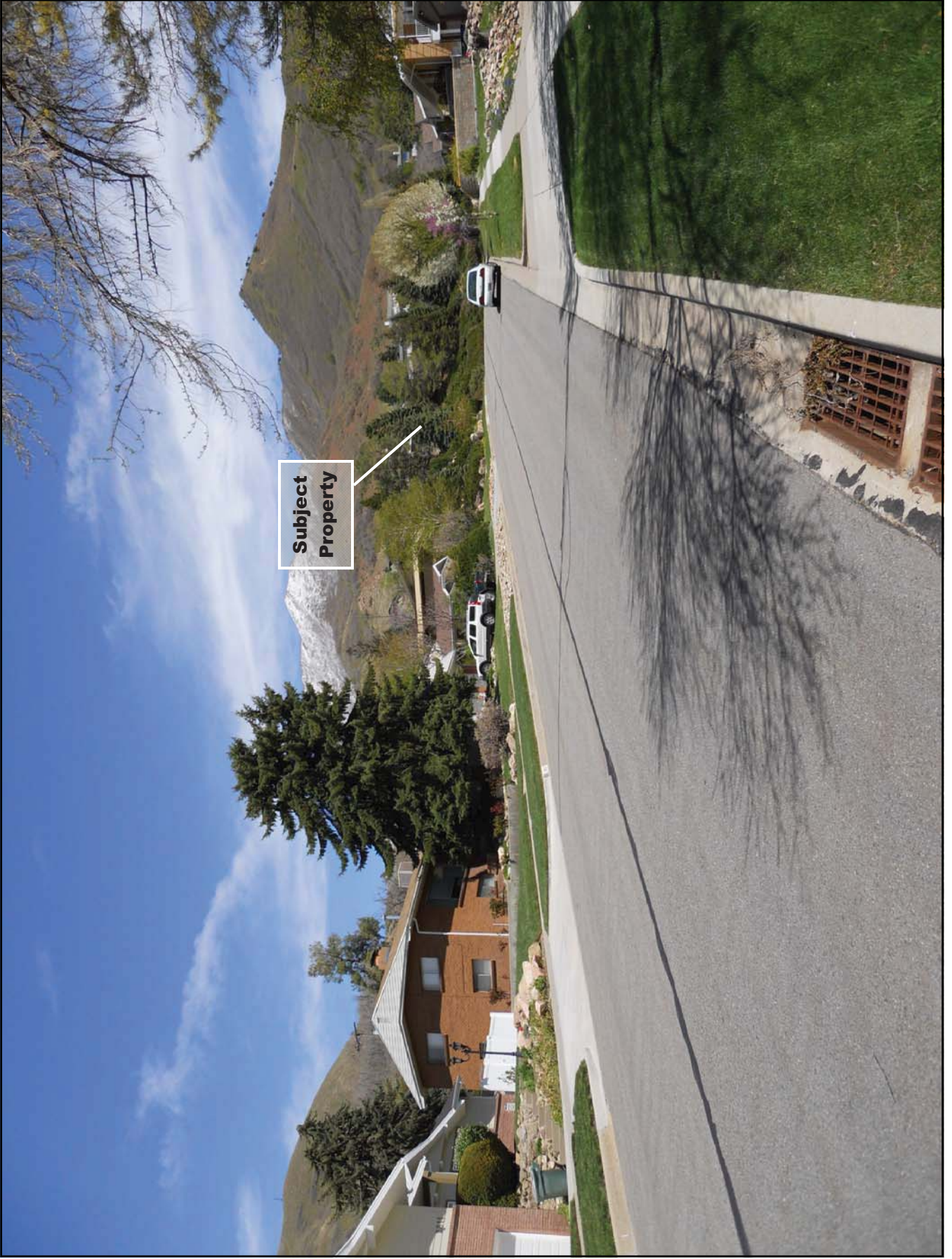
ADDRESS	LOT SIZE (square feet)	35% LOT COVERAGE
2799 E. 2100 South	8,025	2,809
2811 E. 2100 South	10,615	3,715
2821 E. 2100 South	10,123	3,543
2831 E. 2100 South	11,257	3,940
2841 e. 2100 South	10,922	3,823
2863 E. 2100 South	18,586	6,505
2885 E. Hyland Hills Rd	11,435	4,002
2895 E. Hyland Hills Rd	12,913	4,520
2126 S. Bel Aire Dr	9,366	3,278
<i>Average</i>	<i>11,471</i>	<i>4,015</i>
PROPOSED LOTS		PROPOSED BUILDING PAD
Lot 1	36,725	6,400
Lot 2	34,593	5,356



EXHIBIT C

Photos

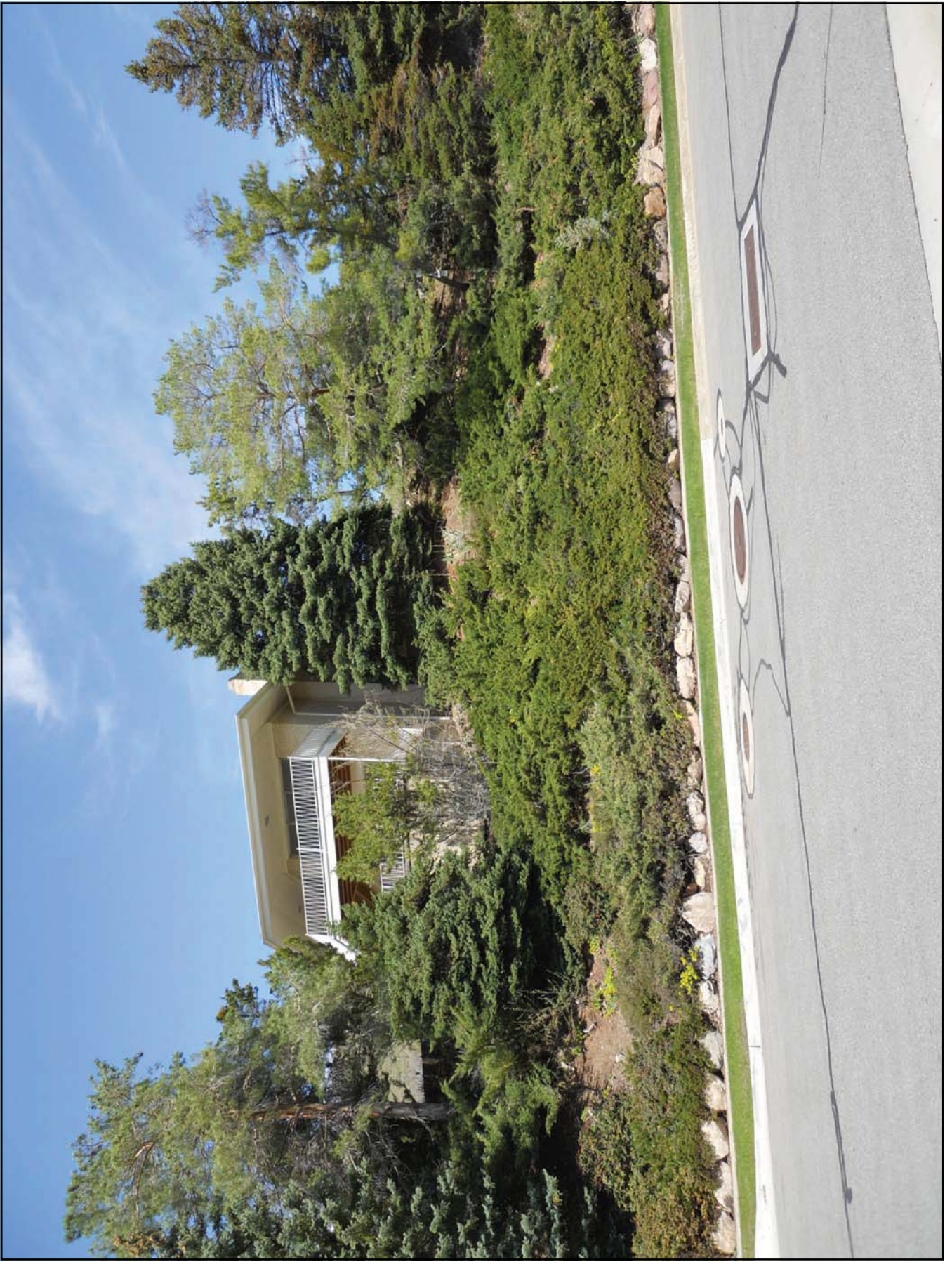




**Subject
Property**

**Existing Home
on Subject
Property**





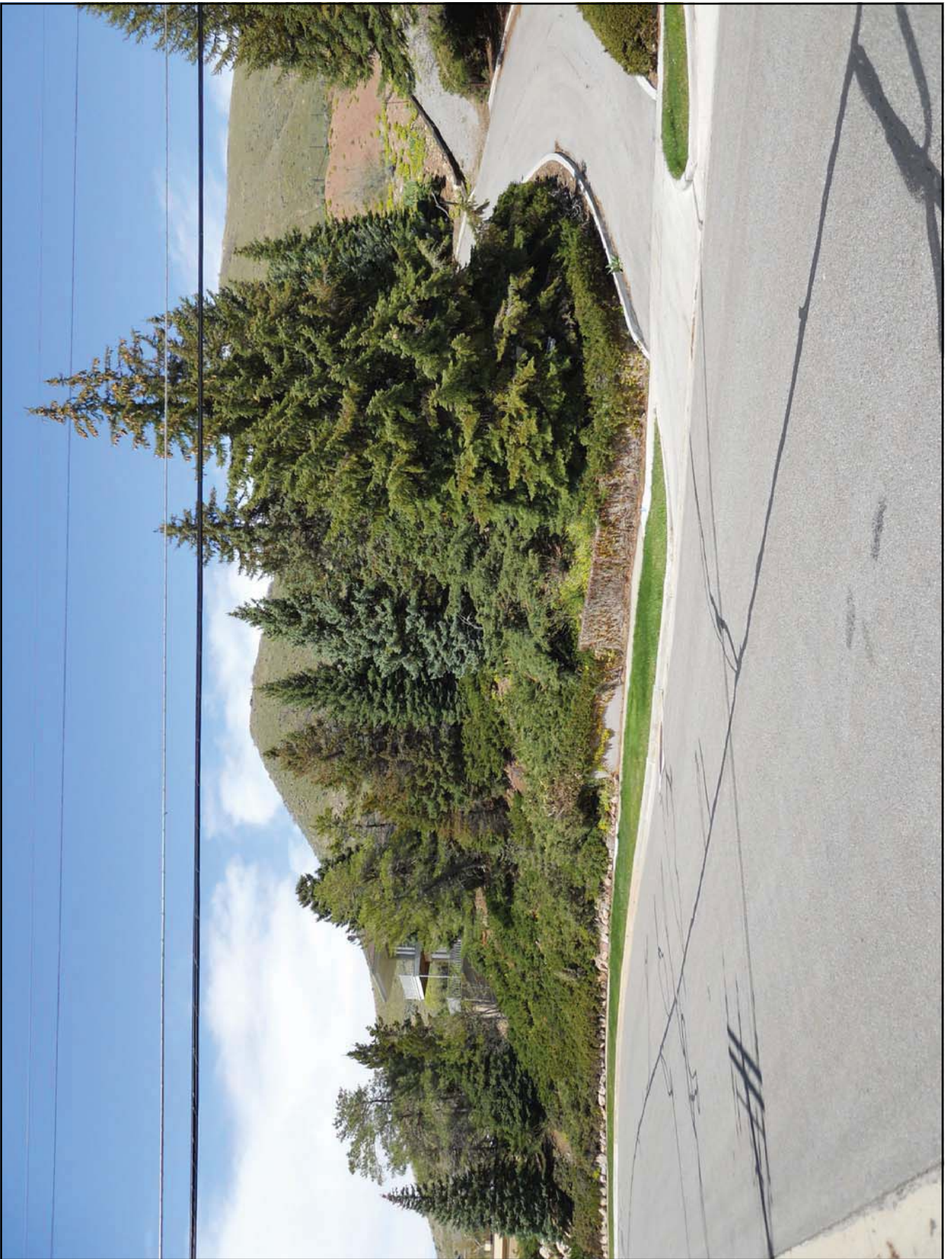






EXHIBIT D

Department/Division Comments

PRELIMINARY SUBDIVISION PLAT – CITY DEPARTMENT REVIEW

Project: Alder-Robinson Subdivision

Applicant: Greg Robinson

Department/Division: Fire
Reviewer: Ed Itchon
Phone: 535-6636
Review Comments: No comments received.

Department/Division: Public Utilities
Reviewer: Jason Brown
Phone: 483-6729
Review Comments: The existing meter for Lot 1 is located along the frontage of the proposed lot 2. Lot 2 must provide an easement for the water service lateral and meter for Lot 1 or the meter must be relocated along the frontage of Lot 1.

Department/Division: Engineering
Reviewer: Randy Drummond, P.E.
Phone: 535-6204
Review Comments: This is a project to reconfigure one lot and create another lot in an existing FR-3 Foothills Residential District. All of the required right-of-way exists, and the street is fully improved. Access to both lots is available via the existing driveway that will be shared by both lots, so it is assumed that no new driveway will be required.

There is one panel of sidewalk with a trip hazard that must be ground down, and one section of settled curb and gutter that meets the criteria of APWA Std. Plan #291A requiring replacement. The curb and gutter must be replaced as per APWA Std. Plan 205A, and constructed by a licensed, bonded and insured contractor via a Permit to Work in the Public Way.

The plat is being reviewed, and any required changes will be made known to the applicant's consultant.

Department/Division: Transportation
Reviewer: Barry Walsh
Phone: 535-7102
Review Comments: There are no changes indicated to the existing public transportation right of way corridor of 2100 South roadway fronting this proposal. The proposal is to reconfigure the existing (3) parcels into two lots with a shared easement over lot 2 to access lot 1.

In reviewing the existing conditions, there are some concerns for the driveway development to comply to current design standards. Per the submitted grading plan the existing drive is at 18 – 22% slope from back of city sidewalk, with no transitions or staging area. The existing gravel drive, presumed access to the new building pad for lot 2 is at 25%+ slope. We recommend that

an access grading study be presented showing driveway access compliance to current city design standards in order to establish a building pad elevation and show the grading impact required to develop this proposed site. Driveway grades are to be an average of 16% with 6% transitions over an eleven foot run. The drive approach can be at 8% maximum grade from the flow line to the property line.

Department/Division: Planning/Zoning

Reviewer: Wayne Mills

Phone: 535-7282

Review Comments: Lot #1 and Lot #2 both exceed the maximum 18,000 square feet allowed in the zone. Larger lots may be approved per 21A.24.040.J of the Zoning Ordinance.

Portions of the proposed additions to the house on Lot #1 encroach into the undevelopable or nonbuildable areas, which are not allowed per 21A.24.040.G of the Zoning Ordinance. Also, all buildings must be set back a minimum of ten feet from these areas.

The plat shows a 5 foot public utilities easement bisecting the building pad on Lot #2. This will present a problem to develop the lot and it should be relocated.

The note on the driveway, "Easement over Lot 2 for the benefit of Lot 1", may need to be described more fully for recordation purposes.