

## PLANNING COMMISSION STAFF REPORT

### Utah Crew Rowing Dock Conditional Use

830 S. Delong Street

September 8, 2010

Petition #PLNPCM2010-00449



Planning Division  
Department of Community and  
Economic Development

**Applicant:** Sonia Witte

**Staff:** Nick Britton, 535-6107  
nick.britton@slcgov.com

**Tax ID:** 15-09-205-005

**Current Zone:** M-1 (Light  
Manufacturing)

**Master Plan Designation**  
*West Salt Lake Community*  
*Master Plan:* Industrial

**Council District**  
Council District 2, Van Turner

**Lot Size**  
~ 41,818 square feet

**Land Use Regulations**  
Salt Lake City Code –  
Section 21A.28.020  
Section 21A.34.050  
Section 21A.54

#### Notice

- Mailing notice: August 25, 2010
- Property posted: August 26, 2010
- Agenda published: August 25, 2010

#### Attachments

- A. Proposed Site Plan
- B. Additional Information from Applicant
- C. City Department and Division Comments
- D. Photographs

### ***Request***

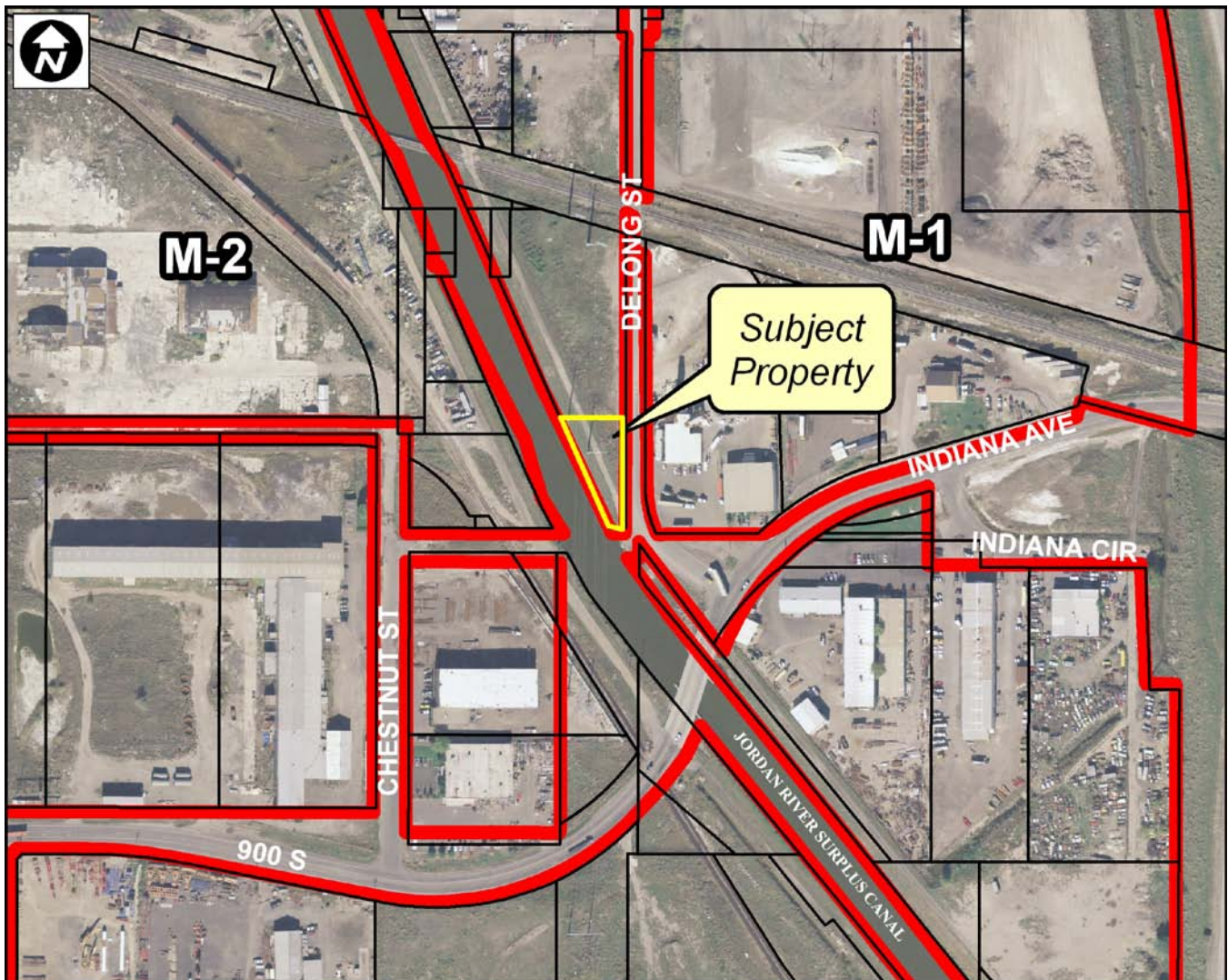
Sonia Witte, on behalf of Utah Crew is requesting conditional use approval for a rowing dock on the Jordan River Surplus Canal at approximately 830 South Delong Street. The property is owned by Salt Lake County and in the M-1 Light Manufacturing zoning district. Because the property and the proposed development would be on the surplus canal, it is within the LC (Lowland Conservancy) overlay district, which requires conditional use approval for boat docks, piers and launching ramps.

### ***Recommendation***

Based on the findings of this staff report, staff recommends that the Planning Commission approve the conditional use request for a rowing dock at 830 S. Delong Street in the M-1 Light Manufacturing zoning district and the LC Lowland Conservancy overlay district subject to the following conditions:

1. Applicant must comply with all departmental and division comments found in this staff report and its exhibits;
2. Applicant must work with Public Utilities to satisfy their request for permits and additional information; and
3. Applicant must comply with the standards found in Section 21A.34.050 of the Zoning Ordinance, including obtaining any required permits from Army Corps of Engineers and the Utah State Department of Natural Resources.
4. Applicant must formalize and provide a copy of the parking agreement with the property owners at 2301 W. Indiana Avenue.

## Vicinity Map



## Analysis

### Background Information

The applicant is proposing a launching and landing facility that would serve local youth rowing programs. The proposed location is 830 South Delong Street on the Jordan River Surplus Canal, which is in the M-1 zoning district. The site is also in the LC overlay district because the LC overlay specifically includes the Surplus Canal. Section 21A.34.050 outlines certain permitted and conditional uses in the overlay. Boat docks and piers and boat launching ramps are both listed as conditional uses. The property is owned by Salt Lake County.

The facility would consist of a floating boat dock that is anchored into the bottom of the surplus canal, accessed via a ramp that allows rowers to carry the boats to the water. The proposed dock is shaped like an “L” and would measure a total of approximately 41 feet in length and 5 feet in width. The dock itself would be removed sometime in November and re-installed in April.

The site would be accessed via Delong Street and the applicant has formalized an agreement with Nico Investments, LC, located across Indiana Avenue (2301 W. Indiana Avenue, specifically) for parking spaces. The applicant has indicated that the typical hours would be from 6:00 AM to 8:00 AM, for college rowers, and 3:30 PM to 8:00 PM, for high school rowers. At the highest “shift,” the applicant predicts 4 to 6 coaches and 30 rowers at the site. The boat is carried by the rowers from the storage facility to the dock in a coordinated fashion, so no motor vehicles are used in the launching of a boat. The site plan does indicate a “proposed boat storage facility” north of the proposed dock, but the applicant has indicated that this has been scrapped from the final plans and that boats and other materials will be stored at the Nico Pumps building across Indiana Avenue. There are no plans for fencing of the area.

## **Master Plan Discussion**

The subject property is found in the *West Salt Lake Community Master Plan*, adopted in March of 2005. The parcel has a future land use of “industrial.” One of the master plan’s goals is the provision of additional recreational facilities. This proposal would meet that goal.

## **Public Comments**

The applicant presented the proposal to the Poplar Grove Community Council on August 25. The applicant discussed the request, the overall vision of Utah Crew and the reasons the surplus canal would serve the program’s needs. Neighbors had questions about the surplus canal in general and the nature of the rowing program. They also remarked that this request coincided with the Poplar Grove’s desire to have more athletic facilities and events along 900 South and in the community in general. The Poplar Grove Community Council made a motion to support the conditional use request and that motion passed.

No other public comments were received by staff at the time this report was published.

## **Department & Division Comments**

A summary of comments received from the department and division reviews is listed below. Full comments are found in Exhibit B.

- A. Public Utilities:** Public Utilities listed four conditions that would be met for their approval of the request, including detailed engineering drawings and calculations for the dock anchors and permitting with Salt Lake County Flood Control and the Army Corps of Engineers.
- B. Transportation:** Transportation noted that hard surfacing would be necessary for any vehicular access, staging and parking.
- C. Engineering:** Engineering noted that any public way improvements shall be included on the final site plan and conducted with a public way permit.
- D. Fire:** The Fire Department indicated that any buildings more than 150 feet from a public road require a fire access road.

## **Analysis and Findings**

### **Conditional Use Standards**

Conditional uses are subject to the standards found in Section 21A.54.080(B) of the Zoning Ordinance, which states that 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.

**Analysis:** The West Salt Lake Community Master Plan indicates a future land use of “industrial” for this parcel. The master plan, however, indicates that new recreation opportunities are desired in the area. The proposed use is not specifically called out in the Zoning Ordinance’s use tables, but it is most similar to either “commercial outdoor recreation” or “pedestrian pathways, trails and greenways,” both of which are permitted in the M-1 zoning district.

**Finding:** The use is consistent with the *Central Community Master Plan* and the use is similar to permitted uses in the M-1 zoning district. The proposal meets this standard.

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.

**Analysis:** The subject property is in the M-1 zoning district. It is vacant but surrounded by industrial uses on Delong Street and Indiana Avenue. The use in question will not be a full-time use and no permanent structures will be erected, nor will there be any on-site parking. The only changes to the site will be regarding of an existing dirt ramp to the bank of the surplus canal and a floating dock anchored into the bank and bed of the canal. The dock can be removed if needed. Primary access to the parking site, which is across Indiana Avenue, will be via Indiana Avenue and there is no indication that the proposed use will cause any noticeable change to the volume of traffic on the road or any unusual circulation patterns in the immediate area. Additionally, there is no internal circulation associated with this site. Finally, staff could not find any evidence that there is a “detrimental concentration” of conditional uses within a quarter-mile of the subject property. The proximity to the surplus canal and the regulations associated with the LC overlay district substantially limits the amount of additional development that could occur in the area.

**Finding:** Staff finds that the proposed use will not substantially impact the surrounding area. While the use is not traditionally compatible with industrial uses, its location-specific needs and the low intensity of the land use make the proposed site a sensible choice. The applicant has discussed the proposal with surrounding property owners—Nico Pumps, Utah Power and Light and BHS Marketing—and they have indicated that they are favorable to the proposed use of the property. Staff finds that the proposal meets the spirit of this regulation.

- 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.

**Analysis:** Very little material change will occur on the subject property. A non-permanent boat dock will be installed on the surplus canal and it will be reached via an existing ramp. Parking and boat storage will be located across Indiana Avenue at Nico Pumps and boats will be carried by hand across Indiana Avenue to the launch location. The intensity of the proposed use is negligible compared to the surrounding uses and there is no indication that the proposal will result in any change to the views of the canal or the surrounding environment.

**Finding:** The proposed use, in terms of its development, intensity, size and scale is minor and will have a negligible impact on the existing character of the vicinity.

- 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.

**Analysis:** There is no evidence that the requested conditional use would emit any pollution into the air or introduce any hazards or damage to adjacent properties. Public Utilities requests that the applicant get permits from Salt Lake County Flood Control and the Army Corps of Engineers and submit detailed engineering calculations and drawings for the dock and the anchors to determine the exact impacts on the canal. Staff finds that if Public Utilities is satisfied with the information submitted to them as required as a condition of the approval, then the impact from a planning and land use standpoint will be minimal. Because the proposed use is of such low intensity on the land itself, Planning sees no issue in regard to this standard.

**Finding:** Pending the approval of Public Utilities, based on their required documentation and permitting, the proposal meets this standard. Meeting the requirements of Public Utilities, as well as the other departments, is a condition of approval.

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

**Analysis:** The property and the proposed use fall under the LC overlay district and thus are required to adhere to the standards listed in Section 21A.34.050 of the zoning ordinance. A landscape plan is required for any development in the LC overlay, but the applicants are not erecting any permanent structures on the property and modifying an existing ramp to the canal bank, so no landscaping should be impacted by this use. Additionally, state and federal permits are required per regulations of this overlay and as a condition of approval.

The proposed use is specifically listed as a conditional use. The LC overlay district has additional standards for conditional uses that are addressed below.

**Finding:** See next section for analysis of LC conditional use regulations.

## LC Lowland Conservancy Conditional Use Standards

In addition to demonstrating conformance with the conditional use standards contained in Chapter 21A.54 of this title, each applicant for a conditional use within the LC lowland conservancy overlay district must demonstrate conformance with the following standards:

1. The development will not detrimentally affect or destroy natural features such as ponds, streams, wetlands, and forested areas, nor impair their natural functions, but will preserve and incorporate such features into the development's site;

**Analysis:** There is no evidence that the floating dock installation will destroy any natural features. There is an existing ramp at the site that will be utilized as part of the proposal. The dock is anchored

into the bed of the canal, the details of which will be reviewed by the County and by this city's Public Utilities department prior to any final permitting.

**Finding:** The proposal meets this standard, pending review from Public Utilities and final permitting as required.

2. The location of natural features and the site's topography have been considered in the designing and siting of all physical improvements;

**Analysis:** The only physical "improvement" to the subject property is the floating dock and the anchors installed into the bed of the canal. There will be no changes to the topography. The proposed use of the property utilized existing elements, however.

**Finding:** Planning staff finds that the proposal meets this standard.

3. Adequate assurances have been received that the clearing of the site topsoil, trees, and other natural features will not occur before the commencement of building operations; only those areas approved for the placement of physical improvements may be cleared;

**Analysis:** No clearing or grading will take place on the property and there will be no permanent structures built at the site.

**Finding:** The proposal meets this standard.

4. The development will not reduce the natural retention storage capacity of any watercourse, nor increase the magnitude and volume of flooding at other locations; and that in addition, the development will not increase stream velocities;

**Analysis:** Public Utilities will review engineering drawings as a condition of approval to determine the overall impact of the dock on the surplus canal and its depth and flow velocities.

**Finding:** Public Utilities will review their plans to determine the proposal's adherence with this standard.

5. The soil and subsoil conditions are suitable for excavation and site preparation, and the drainage is designed to prevent erosion and environmentally deleterious surface runoff;

**Analysis:** The proposed use requires no excavation or site preparation other than the installation of anchors on the bottom of the canal bed. The applicant has indicated that Utah Crew wishes to leave the site's drainage as is. There will be no permanent installation along with this use, as required by Salt Lake County.

**Finding:** Planning staff finds that the proposal meets this standard.

6. The proposed development activity will not endanger health and safety, including danger from the obstruction or diversion of flood flow;

**Analysis:** There is no evidence that the temporary dock would endanger health and safety. As mentioned in Standard #4, Public Utilities will be reviewing this proposal to determine the impact on the



surplus canal's flow, but Planning does not anticipate any danger arising from the dock's placement at this location.

**Finding:** Planning staff finds that the proposal meets this standard but defers to Public Utilities' analysis for final permitting.

7. The proposed development activity will not destroy valuable habitat for aquatic or other flora and fauna, adversely affect water quality or groundwater resources, increase stormwater runoff velocity so that water levels from flooding increased, or adversely impact any other natural stream, floodplain, or wetland functions, and is otherwise consistent with the intent of this title;

**Analysis:** There is no evidence that the dock would destroy valuable habitat for aquatic or other flora or fauna. It will be placed at the bottom of an existing ramp where there is no existing vegetation. There is no permanent development, alterations to the existing drainage, or excavation of any kind associated with this development. Thus, it is not expected that any proposed activity associated with this use would increase stormwater runoff velocity or adversely impact any natural stream, floodplain, or wetland functions. The applicant is required to obtain permits from Salt Lake County Flood Control for the dock and has been working with the county on this project already.

**Finding:** Staff finds that the request meets this standard, but notes that appropriate permitting and review as outlined by Section 21A.34.050 and the Public Utilities comments are required as a condition of approval.

8. The proposed water supply and sanitation systems are adequate to prevent disease, contamination and unsanitary conditions; and

**Analysis:** There is no proposed water supply or sanitation system associated with this development and no disease, contamination or unsanitary condition are expected from the installation and use of the dock.

**Finding:** The request meets this proposal.

9. The availability of alternative locations not subject to flooding for the proposed use.

**Analysis:** No alternative locations have been indicated as part of the conditional use request. The dock floats by design and is anchored to the bottom of the canal, so flooding would not substantially impact the proposal. In flooding events that may be dangerous or if the dock needs to be taken off the surplus canal for any reason, it is anticipated that it will be removed at the direction of Salt Lake County or Salt Lake City. The applicant has indicated it would be removed between mid-November and mid-April at the request of the County.

**Finding:** Staff finds that the proposed conditional use meets this standard.



***Exhibit A***  
Proposed Site Plan

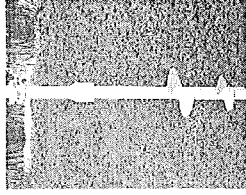
**GENERAL NOTES:**

1. DIMENSIONS AND LOCATIONS OF EXISTING STRUCTURES TO BE PRESERVED ARE SHOWN FOR INFORMATION ONLY.
2. ALL NEW CONSTRUCTION TO COMPLY WITH LOCAL BUILDING CODES.
3. PROPOSED MATERIALS AND TYPES OF EXISTING CANALS, DRAINAGE SYSTEMS, AND UTILITIES ARE SHOWN FOR INFORMATION ONLY.

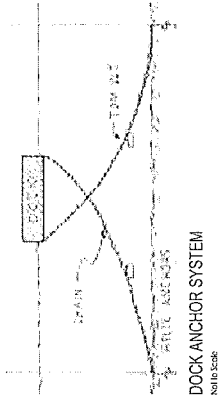
**SYMBOLS**

**Architect**  
**Jeremy King AIA LEED-AP**  
 Salt Lake City, Utah 84104  
 801 973-2306 (h)  
 801 364-9239 (c)  
**Engineer**

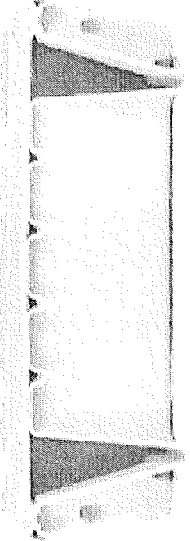
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**Checked by**  
**Approved by**



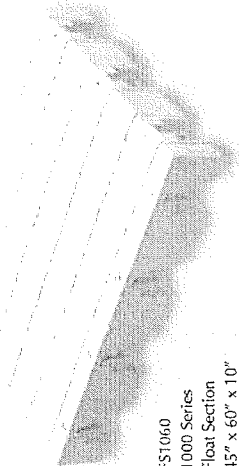
**HELIX ANCHOR SYSTEM**  
 Not to Scale



**DOCK ANCHOR SYSTEM**  
 Not to Scale

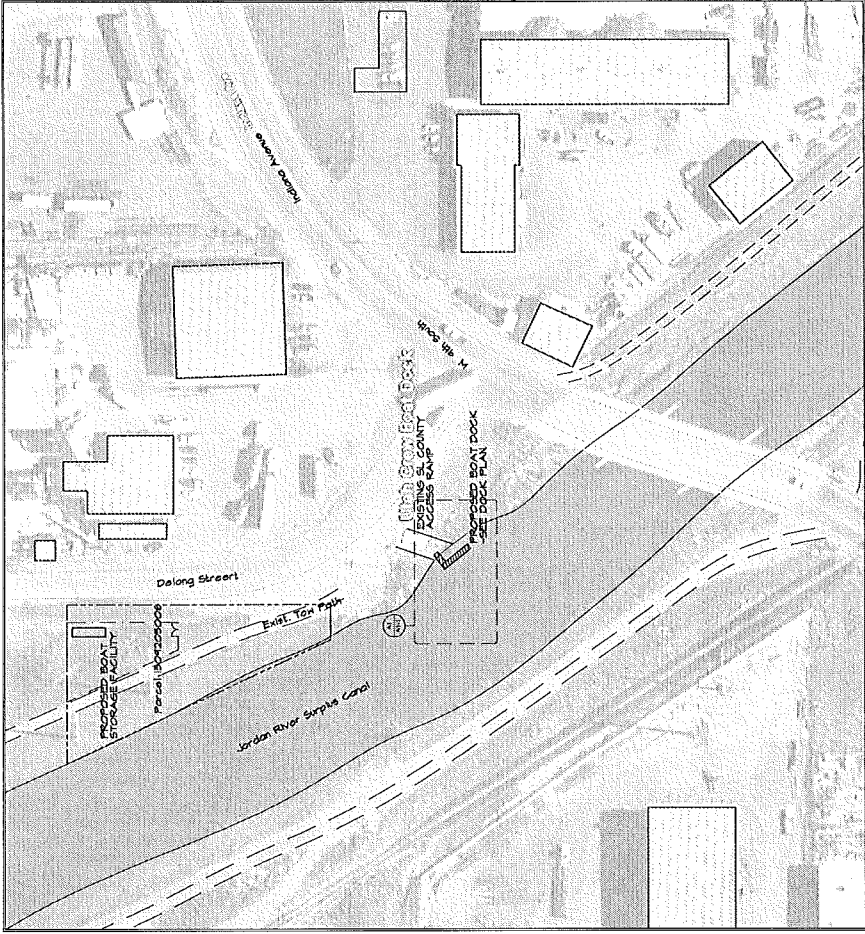


**FLOAT PANEL SECTION**  
 Not to Scale

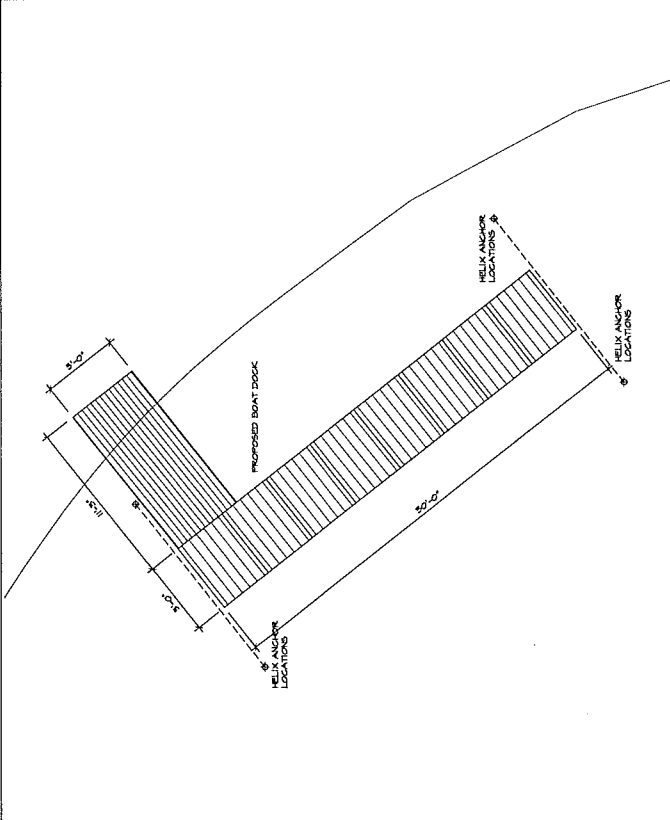


**TYPICAL FLOAT PANEL**  
 Not to Scale

FST060  
 1000 Series  
 Float Section  
 45" x 60" x 10"  
 (114.3 cm x 152.4 cm x 25.4 cm)  
 85 lbs (38.56 kg)



**SITE LOCATION PLAN**  
 Not to Scale



**A1 DOCK PLAN**  
 Scale: 1/4" = 1'-0"

**PROPOSED BOAT DOCK ON JORDAN RIVER SURPLUS CANAL, SALT LAKE CITY**  
**FOR UTAH CREW ROWING CLUB**

**Conditional Use Application**

**A1-1**

***Exhibit B***

Additional Information from Applicant

## **UTAH CREW ROWING FACILITY**

### **PROJECT DESCRIPTION**

We propose to create a launching/landing facility for local youth rowing programs. We have enclosed a brochure that describes our programs. Rowing shells are long and narrow, and are carried by hand by young rowers to the docks to launch. Ideally a rowing launching and landing facility has a slope or ramp toward the water that allows students to carry boats forty feet in length without risk.

### **PRIMARY STREET ACCESS**

Primary street access is from 830 DeLong Street, just off Indiana Avenue.

### **ANTICIPATED OPERATING HOURS**

3:30 pm till 8:00 pm, and 6:00 am till 8:00 am. High School rowers generally practice in the afternoon. Future plans may call for participation by college rowers, who generally practice from 6:00 am till 8:00 am.

### **LAND USES ADJACENT TO THE PROPERTY**

Adjacent property is used for Industrial purposes, or is empty.

### **DISCUSSIONS WITH NEARBY PROPERTY OWNERS**

Nico Pumps (across Indiana Avenue street) is favorable. Utah Power and Light to the North is favorable. BHS Marketing across DeLong Street is favorable.

### **PRIMARY EXTERIOR CONSTRUCTION MATERIALS**

The dock material is Connect-A-Dock, molded of maintenance-free polyethylene with connector sockets for simple and extendable slip-fit connectors.

### **PARKING SLOTS**

Utah Crew has an agreement with Nico Pumps (across Indiana Avenue) for the provision of ten parking spaces during Utah Crew practice hours.

### **NUMBER OF EMPLOYEES EXPECTED DURING HIGHEST SHIFT**

Our employees (and volunteers) are rowing coaches. We expect 4-6 coaches to be present during the highest shift. We may have up to thirty rowers present at the practice sessions.

### **NUMBER OF SEATS PROVIDED AS PART OF THE CONDITIONAL USE**

Thirty rowing "seats".

### **GROSS FLOOR AREA OF THE PROPOSED BUILDING**

No building is proposed at this time. Boats and auxiliary equipment are stored at Nico Pumps.

### **PRELIMINARY DEVELOPMENT PLAN**

The dock is 4 feet by 33 feet in length, Connect-a-Dock sections.

#### PARKING SPACES/LOADING DOCKS

No loading docks are needed. Rowing shells may be carried by hand to their storage location. We plan to store the shells at Nico Pumps across Indiana Avenue. Ten parking spaces will be leased from Nico Pumps, and we will have no parking at 830 DeLong Street.

#### TRAFFIC ANALYSIS

Our rowers car pool, and so we expect approximately ten cars per practice for thirty rowers.

#### DEDICATION

The service road along the top of the levee is to remain accessible. Hydro lines above the lot do not have an easement that prevents storage, though the area to service the lines must remain accessible. Utah Crew will remove the dock each year for maintenance of the Surplus Canal, and the selected dock material, Connect-a-Dock makes this an easy task. We are also required by Salt Lake County to ensure that our installations are temporary.

#### DRAINAGE PLAN

We do not wish to excavate, and will leave the current site drainage as is unless assisted by the city or county in altering the site drainage.

#### TOPOGRAPHICAL FEATURES

The site has no trees, and there is no sidewalk or parking strip.

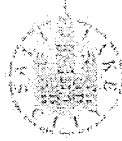
#### SOIL AND SUBSTRATE

The lot is mainly gravel, with unmaintained vegetation.

#### HISTORIC STRUCTURES

None on the site.

RALPH BECKER  
MAYOR



# SALT LAKE CITY CORPORATION

OFFICE OF THE MAYOR

April 5, 2010

Sonia Witte  
510 14<sup>th</sup> Avenue  
Salt Lake City, UT 84103

Dear Sonia,

I would like to thank you and Debbie for meeting with me on April 3<sup>rd</sup> for the monthly One-on-One's. Although our time was short I hope you felt the meeting was beneficial and productive.

I appreciate you sharing your proposal and ideas for a rowing facility on the surplus canal with me. As we discussed in the meeting, the conservation overlay requires that all structures be at least 50 feet from the bank. Also, if you plan to build a dock, this would fall under conditional use and would need to go through the normal conditional use process.

You also requested contact information for a professional who is familiar with your request. Ken Brown, Senior Development Review Planner, can be contacted by phone at (801) 535-6179 or by email at [Ken.Brown@slcgov.com](mailto:Ken.Brown@slcgov.com)

Again, thank you for meeting with me and best of luck to you in your endeavors.

Warm Regards,

Ralph Becker  
Mayor

cc: Karen Hale, Communications Director  
David Everitt, Chief of Staff  
Ken Brown, Senior Development Review Planner

***Exhibit C***

City Department and Division Comments



**Public Utilities (Justin Stoker)**

*After further internal discussion, the proposal to allow a floating boat dock on the surplus canal may be allowed if the following conditions are met:*

- *Detailed engineering is performed and plans are submitted to this office and permitted with regards to the anchors.*
- *Detailed engineering calculations with regards to how the dock will perform under the season rise and fall of the water surface elevation and how the dock will perform during the 100-year storm flow with regards to depth and velocity of flow.*
- *All necessary permits are obtained from Salt Lake County Flood Control.*
- *All necessary permits are obtained from the Army Corps of Engineers.*

**Engineering (Randy Drummond)**

*All paving in the public way requirements of SLC Transportation to be included on the final site plan, and constructed by licensed, bonded and insured contractor via a Public Way Permit.*

**Fire (Ted Itchon)**

*Provide fire department access roads within 150 feet of the structures. Fire department access roads shall be designed to HS20 standards.*

**Transportation (Barry Walsh)**

*The division of transportation review comments are as follows:*

- *We require hard surfacing for all vehicular access, staging, and parking.*

***Exhibit D***  
Site Photographs



View of existing ramp to canal.



From existing ramp, looking north along Surplus Canal.



From existing ramp, looking south along Surplus Canal.