

**PLANNING COMMISSION STAFF REPORT
ADMINISTRATIVE ITEM**



Planning Division
Department of Community and
Economic Development

**RONALD McDonald HOUSE
PLNPCM2012-00751
Conditional Use PLNPCM2012-00751
935 East South Temple
November 14, 2012**

Applicant

Ronald McDonald House

Staff

Ray Milliner

ray.milliner@slcgov.com

(801)535-7645

Zone

RMF-35 (Residential Multi-Family)

Master Plan Designation

Avenues, Medium Density
8-28 units per acre

Council District

District 3 – Stan Penfold

Lot Size

Approximately .19 Acres

Current Use

vacant

Applicable Land Use

Regulations

- List all applicable regulation citations

Attachments

- A. Site Plan and Elevation Drawings.
- B. Photographs
- C. Department Comments

Request

The Ronald McDonald House, represented by CRSA Architects, is requesting approval of a Conditional Use for an eleemosynary facility (a facility that provides temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease and/or their family members) at 935 East South Temple. The Planning Commission has final decision making authority for Conditional Uses.

Recommendation

Based on the findings listed in the staff report, it is the Planning Staff's finding that the project meets the applicable standards and therefore, recommends the Planning Commission approve, the request with specific conditions of approval

Recommended Motion

Based on the findings listed in the staff report and the testimony heard, I move that the Planning Commission approve the proposed conditional use with the following conditions:

1. All conditions of approval from the February 2, 2012 Historic Landmark Commission approval shall apply to this conditional use.
2. All pertinent building permits and approvals shall be received prior to beginning work on the building.
3. Any modifications to approved plans after the issuance of a building permit must be specifically requested and approved by the Planning Division in writing prior to execution.
4. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Zoning Ordinance, or upon termination of the permit.

VICINITY MAP



Background

On October 25, 2012, the Ronald McDonald House petitioned the Planning Commission for conditional use approval of an eleemosynary facility (a facility that provides temporary housing and assistance to individuals who suffer from and are being treated for trauma, injury or disease and/or their family members). The property is located at 935 East South Temple at the corner of M Street and South Temple and is zoned RMF-35.

On February 2, 2012, the applicant received approval from the Historic Landmark Commission for the following:

1. A certificate of appropriateness involving the alteration of a noncontributing structure to remodel the existing Ronald McDonald house.
2. A certificate of appropriateness involving new construction for a new building located on the adjacent property to the west.
3. A 15 foot height exception for the new building increasing the allowed maximum height from 35 feet above established grade to 50 feet above established grade.

Project Description

The applicant is proposing to build a 4 story building on the corner of M street and South Temple. The new building would be attached to the existing Ronald McDonald House by a two story bridge. The south west corner of the building would have a chapel / meditation component on the 4th floor with an exterior deck area. Vehicular access to the property would be from M Street. Parking would be on a surface lot located behind the both buildings. The building is designed to accommodate a future addition on the rear if necessary. The principal use will be small residential units, with a theater, meeting room, and various activity rooms located on the main floor. The new building would have 24 guest rooms and the existing building would be remodeled to have 28 rooms for a total of 52 rooms. The new building would also have 15 unfinished guest rooms on the fourth floor that would bring the total number of rooms up to 67.

Project Details

Regulation	Zone Regulation	Proposal
Eleemosynary Facility	Conditional Use	Conditional Use
Height	35 feet above established grade	50 feet above established grade (received height exception from Historic Landmark Commission).
Front/Corner Yard Setback	20 feet front 10 feet corner side	20 feet front, 10 feet corner side
Rear Yard Setback	Twenty five percent (25%) of the lot depth, but not less than twenty feet (20') and need not exceed twenty five feet (25').	65 feet
Lot Coverage	The surface coverage of all principal and accessory buildings shall not exceed sixty percent (60%) of the lot area.	Approximately 40%

Public Notice, Meetings and Comments

The following is a list of public meetings that have been held related to the proposed project:

- This project was reviewed by the Greater Avenues Community Council on August 12, 2011. No written comments were provided, though the project was generally viewed as positive.

Notice of the public hearing for the proposal includes:

- Public hearing notice mailed on November 1, 2012
- Public hearing notice posted on property on November 1, 2012.
- Public hearing notice posted on City and State websites on November 1, 2012.
- Public hearing notice emailed to the Planning Division list serve on November 1, 2012.

City Department Comments

The comments received from pertinent City Departments / Divisions are attached to this staff report in Attachment D. The Planning Division has not received comments from the applicable City Departments / Divisions that cannot reasonably be fulfilled or that warrant denial of the petition.

Analysis and Findings

Findings

21A.54.080 A. 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. The use complies with applicable provisions of this title:

Analysis: The proposed eleemosynary facility is a conditional use in the RMF-35 zone. The applicant has petitioned the Planning Commission for approval of the conditional use. The site is located in the South Temple Historic Preservation Overlay, which requires design approval from the Historic Landmark Commission. On February 2, 2012 the Historic Landmark Commission approval approved the design. Included in that approval was a height exception granting the applicant an additional 15 feet of building height bringing the maximum height allowed from 35 feet above established grade to 50 feet above established grade. Staff has reviewed the petition for all Zoning Ordinance requirements, including height, setbacks, lot coverage and parking, and found that the petition meets the minimum standards for approval.

Finding: Staff finds that the proposed conditional use meets all applicable provisions of the Zoning Ordinance.

2. The use is compatible, or with conditions of approval can be made compatible, with surrounding uses:

Analysis: Although the eleemosynary use is associated with medical and hospital uses, the primary function of the facility is residential. It is designed to give families a place to stay while a loved one is receiving treatment at a local hospital (generally Primary Children's or Shriners' Hospitals). Families generally stay for 7 to 10 days, and no patient treatment occurs on site.

The proposed building would be located on the corner of M Street and South Temple. When reviewing the structure for compliance, the HLC stressed the importance of creating a significant presence along South Temple. This requirement made the building architecturally compatible with other large buildings along South Temple, as well as moving the mass of the structure farther away from the adjacent residential buildings to the north. There is an existing office building that is approximately 35 feet above grade immediately behind the property, followed by

single family homes along 1st Avenue, ranging from 25 to 30 feet above grade. None of the homes on 1st Avenue share a property line with the Ronald McDonald House. The office building and home behind it are on M Street, while 2 homes on N Street are between the site and the home on 1st Avenue. This spacing between structures creates a logical transition from the higher impact eleemosynary and office uses along South Temple toward the residential use in the Avenues.

In addition to the new building, the applicant is proposing to renovate the existing Ronald McDonald House, which would be attached to the new via a covered walkway. No exterior changes are proposed to the existing building. The walkway, at ground level, would have a pitched roof, and mostly glazing along the facades. It would be subordinate to both buildings, setback from both the front and rear facades, and be much lower in height than either building.

Finding: Staff finds that the proposed use of the building is residential in nature, and therefore compatible with the surrounding uses, streetscape and architecture. On February 2, 2012, the Historic Landmark Commission made a finding that the proposed architectural design of the building is compatible with the surrounding buildings and architecture. Staff further finds that the use will not have a negative impact on neighboring properties due to the location of the structure close to South Temple, and away from the residential uses to the north.

3. The use is consistent with applicable adopted city planning policies, documents, and master plans; and

Analysis: The Ronald McDonald House is located within the Avenues Master Plan area and is located along South Temple. City Master Plans and planning documents repeatedly stress the importance of maintaining the historic, architectural and cultural significance of South Temple. Although there is a range of setbacks along the street (residential buildings are setback farther from the street than office buildings or institutional buildings), very few have parking, staging or other activities that occur in front, rather these things occur in the rear. This has the effect of accentuating the architecture, and thereby enhancing the pedestrian experience. By placing the parking in the rear, and keeping the building oriented toward South Temple, the applicant has made the building compatible with the historic character of the historic development pattern along South Temple, maintaining the pedestrian feel of the street.

When reviewing the design for approval, the Historic Landmark Commission found that the building complied with

Finding: Staff finds that the proposed use and design of the building is compatible with the various Master Plan and other Planning documents that relate to South Temple and the Greater Avenues area. Staff finds that the placement of the building toward South Temple, with the parking in the rear enhances the transition from the eleemosynary use to the residential homes along M Street.

4. The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions.

Zoning ordinance section 21A.54.080 B identifies specific items that may determine what constitutes a detrimental effect. In determining a detrimental effect, the following items shall be complied with:

1. This title specifically authorizes the use where it is located;
2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps;
3. The use is well suited to the character of the site, and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area;
4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered;
5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows;
6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;
7. The site is designed to enable access and circulation for pedestrian and bicycles;
8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street;
9. The location and design of off street parking complies with applicable standards of this code;
10. Utility capacity is sufficient to support the use at normal service levels;
11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts;
12. The use meets city sustainability plans, does not significantly impact the quality of surrounding air and water, encroach into a river or stream, or introduce any hazard or environmental damage to any adjacent property, including cigarette smoke;
13. The hours of operation and delivery of the use are compatible with surrounding uses;
14. Signs and lighting are compatible with, and do not negatively impact surrounding uses; and
15. The proposed use does not undermine preservation of historic resources and structures.

Analysis: Staff has reviewed this project as it relates to each standard listed above, and found that the project will not present any detrimental effects on the surrounding area that will not be mitigated by the proposed conditions of approval.

The utilities, parking, access, circulation, and intensity of the use were reviewed for compliance with applicable City Ordinances and Codes by the Planning, Traffic, Building, Zoning, and Engineering Divisions. The design, mass, scale and architectural components of the building were reviewed and approved by the Historic Landmark Commission and their approval should be carried forward as part of this approval.

Finding: Staff finds that the proposed conditional use does not present any detrimental effects to the surrounding area that have not been mitigated by the imposition of conditions of approval.

Conditions Imposed

The Planning Commission may impose any condition upon a proposed conditional use in order to address any of the factors listed in section 21A.54.080 of the zoning ordinance. The conditions may include:

1. Conditions on the scope of the use; its character, location, hours and methods of operation, architecture, signage, construction, landscaping, access, loading and parking, sanitation, drainage and utilities, fencing and screening, and setbacks; and
2. Conditions needed to mitigate any natural hazards; assure public safety; address environmental impacts; and mitigate dust, fumes, smoke, odor, noise, vibrations; chemicals, toxins, pathogens, gases, heat, light, and radiation.

Analysis: Staff reviewed this proposal for compliance with the factors listed in Section 21A.54.080 of the zoning ordinance, and found that it meets the minimum requirements for approval. Staff has included conditions of approval for the Commission's consideration.

Finding: Staff finds all detrimental effects of the proposed conditional use are mitigated by the proposed conditions of approval.

Commission Options

Option 1, Approval: If the Commission chooses to approve the conditional use, then the applicant may submit plans for a building permit and commence construction of the building. All construction and use of the building would be subject to any conditions of approval the Commission placed on the approval.

Option 2, Denial: A proposed conditional use shall be denied if:

1. The proposed use is unlawful; or
2. The reasonably anticipated detrimental effects of the proposed conditional use cannot be substantially mitigated as proposed in the conditional use application or by the imposition of reasonable conditions to achieve compliance with applicable standards set forth in this section.

Potential Motions

The motion recommended by the Planning Division is located on the cover page of this staff report. The recommendation is based on the above analysis. Conditional uses are administrative items that are regulated by State Law as well as City Ordinance. State law *10-9a-507 Conditional Uses* states that "a conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards." If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied. If the Planning Commission determines that this is the case, then the Planning Commission must make findings related to specific standards, identify the

reasonably anticipated detrimental effects, and find that the detrimental effects cannot be reasonably mitigated. Below is a potential motion that may be used in cases where the Planning Commission determines a conditional use should be denied.

Not Consistent with Staff Recommendation: Based on the testimony, plans presented and the following findings, I move that the Planning Commission deny the conditional use to allow an eleemosynary facility, located at approximately 935 East South Temple. The proposed conditional use will create (list the detrimental effects) which cannot be reasonably mitigated. Therefore, the proposed conditional use is not compliant with the following standards:

1. Compliant with Master Plan and Zoning Ordinance.
2. Compatible with the character of the site, adjacent properties, and existing development within the vicinity of the site where the use will be located.
3. Compatible with the character of the area where the use will be located
4. Will 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.
5. The proposed conditional use and any associated development shall comply with any other applicable code or ordinance requirement.

Attachment A
Site Plan and Elevations

GENERAL SITE PLAN NOTES

- A. ALL UTILITIES SHOWN ARE APPROXIMATELY LOCATED, THE CONTRACTOR WILL BE RESPONSIBLE FOR ALL UTILITY LOCATIONS.
- B. SEE CIVIL DRAWINGS FOR 100'-0" ELEVATION.
- C. SEE CIVIL DRAWINGS FOR CURB & GUTTER DETAILS.
- D. SEE CIVIL DRAWINGS FOR SITE DEMOLITION.

SITE PLAN KEYED NOTES

1. NEW CONCRETE CURB AND GUTTER SECTION
2. SHADEDE AREA DENOTES NEW CONCRETE CURB AND GUTTER SECTION AND RE-PAVEMENT OF ROAD
3. NEW CONCRETE DRIVE AND CURB-CUT
4. NEW CURB AND GUTTER AT PARKING LOT
5. NEW SITE PERIMETER 6' HIGH MESH FENCING
6. NEW CONCRETE RETAINING WALL



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**RONALD McDONALD HOUSE
PHASE I
NEW BUILDING**
935 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84102

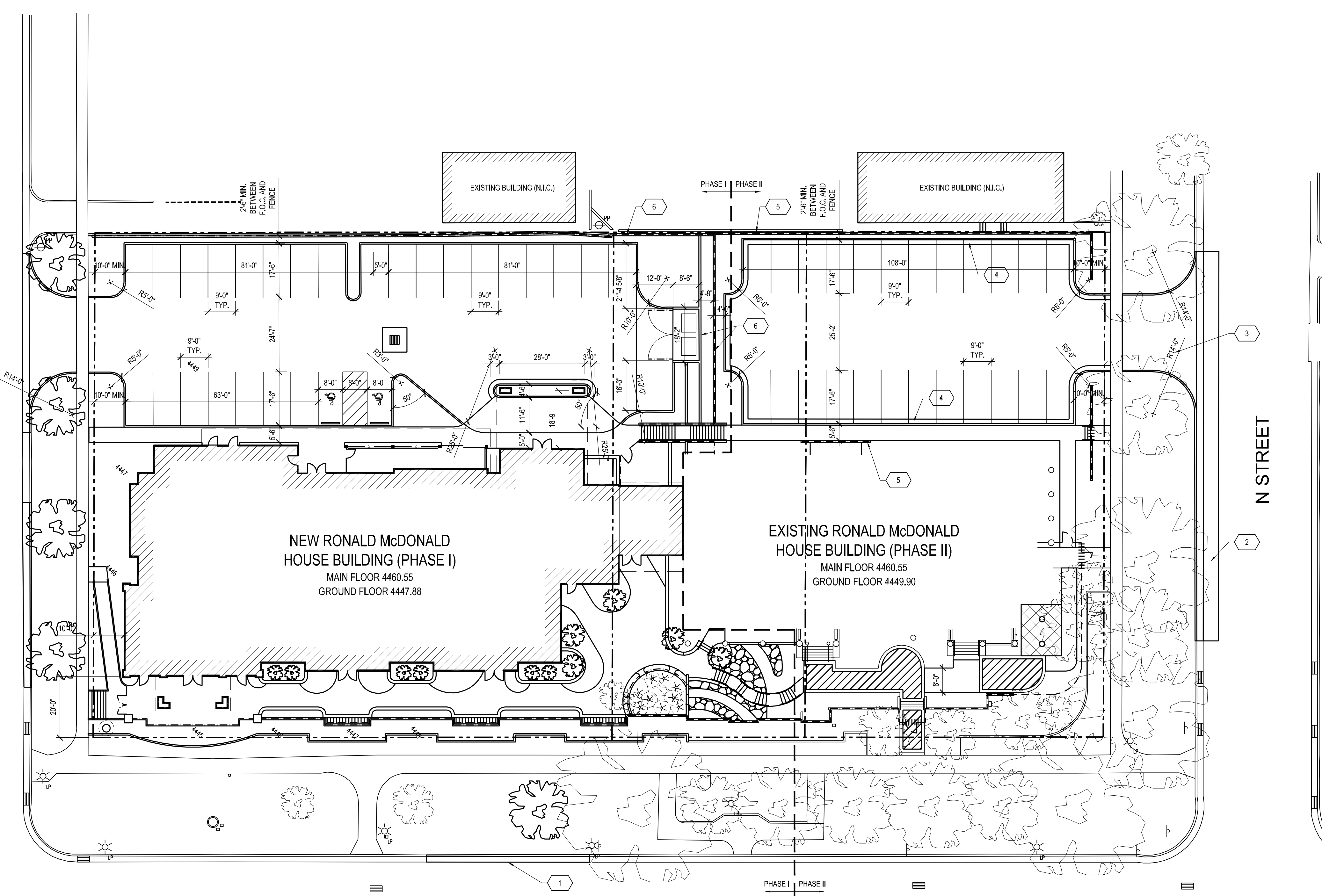
**RONALD McDONALD HOUSE
CHARITIES OF THE
INTERMOUNTAIN AREA, INC.**
935 EAST SOUTH TEMPLE
SALT LAKE CITY, UTAH 84102

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AF	-	-
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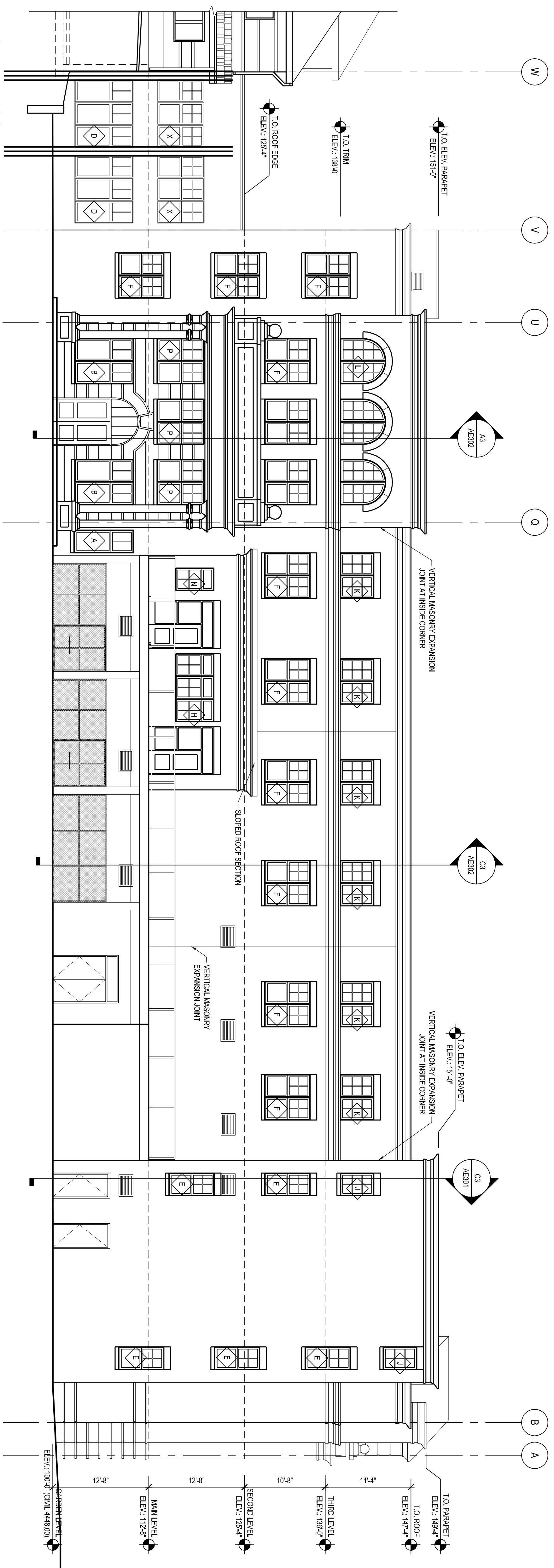
PROJECT NO: B11-008
DRAWN BY: -
CHECKED BY: -

**PROPOSED
ARCHITECTURAL
SITE PLAN**

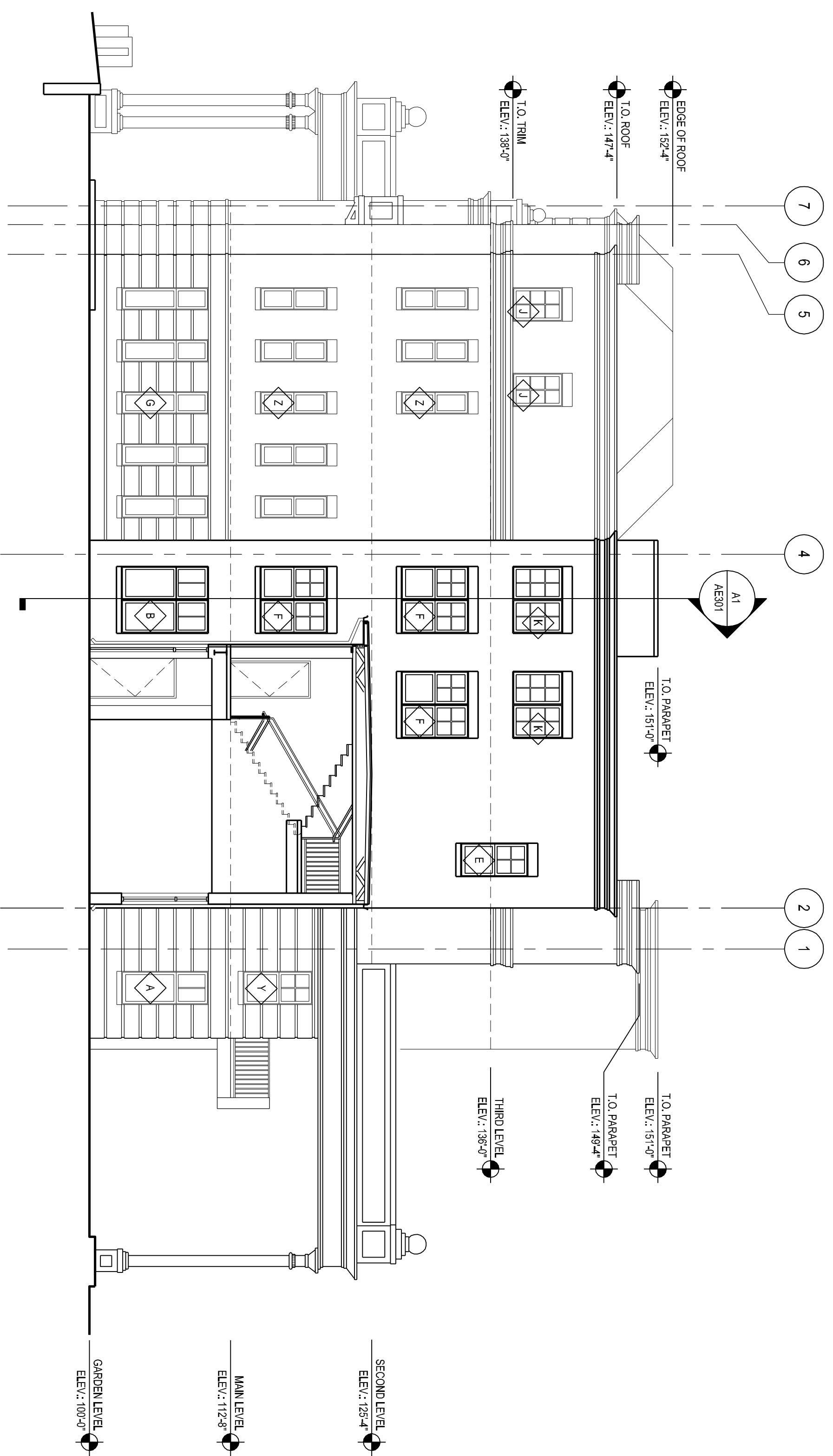
AS102



A1 PROPOSED ARCHITECTURAL SITE PLAN
SCALE: 1/3256" = 1'-0"



C1 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



A3 EAST ELEVATION
SCALE: 1/8" = 1'-0"

CRSA
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RONALD McDONALD HOUSE

PHASE I

NEW BUILDING

935 EAST SOUTH TEMPLE

SALT LAKE CITY, UTAH 84102

RONALD McDONALD HOUSE

CHARITIES OF THE

INTERMOUNTAIN AREA, INC.

935 EAST SOUTH TEMPLE

SALT LAKE CITY, UTAH 84102

PROJECT NO: B11-008
DRAWN BY: -
CHECKED BY: -

**EXTERIOR
ELEVATIONS**

AE202

Attachment B
Photos



Attachment C
Department Comments



Work Flow History Report

935 E SOUTH TEMPLE St

BLD2012-04963

Project: Ronald McDonald House Phase I New Building

Project Description: Phase I New Building built on now vacant gas station lot. Slab on grade with 4-stories of steel and wood construction. With approximately 10,000 square feet per floor, the new building will have around 40,000 total square feet. The new building is mostly masonry clad and has a flat membrane roof. The new building will also have a connection to the existing building to its east which will be remodeled under a separate permit as Phase II Existing Building Remodel.

Date		Task/Inspection	Status/Result	Action By	Comments
7/10/2012	0	Application Submittal	Applicant Info Required	Gilcrease, Heather	
7/30/2012	20	Application Submittal	Accepted - Login Review	Gilcrease, Heather	
7/30/2012	20	Application Submittal	Applicant Info Required	Gilcrease, Heather	
8/7/2012	28	Application Submittal	Accepted - Login Review	Gilcrease, Heather	
8/15/2012	36	Structure	Corrections Required	Davies, Don	The initial structural review comments by Eric have been saved in accelca and sent to Casey McDonough.
8/17/2012	38	Engineering	Corrections Required	Weiler, Scott	Prior to performing any work in the public way, the comments from this review must be satisfactorily addressed and a Permit to Work in the Public Way must be obtained from SLC Engineering.
8/21/2012	42	Fire	Corrections Required	Itchon, Edward	undefined
8/21/2012	42	Transportation	Corrections Required	Walsh, Barry	Sheet 003 AE001 parking calculations do not match the site plans Sheet 008 AS102 needs to show the turning radii for the drop off circulation. 28 foot Radii SLC Std, Sheet 106 C400 grading Note the maximum side slope for parking stall to be 4%.
8/27/2012	48	Building Codes	In Progress	Davies, Don	
8/28/2012	49	Structure	Pass	GovXML, GovXML	Review of Deferred submittal for Soil Improvement is required before construction may start.
8/28/2012	49	Zoning	In Progress	Brown, Ken	Initial zoning review in progress.
8/29/2012	50	Structure	Corrections Required	Shaffer, Lisa	Eric K entered comments in error. Corrections are required and correction list uploaded to comments folder in PDox.
8/29/2012	50	Zoning	Corrections Required	Brown, Ken	Emailed initial zoning review comments and uploaded a copy into the City Review Comments folder within ProjectDox.
9/15/2012	67	Building Codes	Corrections Required	Davies, Don	The initial code review is completed and uploaded and Casey has been notified.
10/23/2012	105	Structure	Corrections Required	Davies, Don	Eric sent this notice at 10/23/2012 10:24 A.M. Structural engineer has uploaded responses to the structural review. However, the revised architectural plans and city forms have not been uploaded. Please notify me when they have been uploaded. Also I have no "Task" at this time.