



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission

From: Katia Pace, (801) 535-6354

Date: September 17, 2015

Re: PLNPCM2015-00580 & PLNSUB2015-00646 Strasser Flag Lot at 3101 South 900 East

CONDITIONAL USE & PRELIMINARY SUBDIVISION

PROPERTY ADDRESS: 3101 South 900 East

PARCEL ID: 16-29-329-002

MASTER PLAN: Sugar House Master Plan

ZONING DISTRICT: R-1/7,000 (Single Family Residential)

REQUEST: Adam Nash, authorized agent, is requesting a Conditional Use and Preliminary Subdivision approval for a proposed flag lot at approximately 3101 South 900 East in order to build a new residence on the newly created lot. The existing residence on the front of the lot will remain. The Planning Commission has final decision making authority for Conditional Uses.

RECOMMENDATION: Based on the testimony, plans presented and the following findings, I move that the Planning Commission approve the conditional use and subdivision to allow for the creation of a flag lot, located at approximately 3101 South 900 East with the following conditions:

1. A landscaping plan must be approved prior to a building permit being issued.
2. House numbers must be clearly visible at the front of the access strip.
3. An easement for the shared driveway must be recorded with the deeds of the properties.
4. The subdivision must be recorded either by deed or by a final plat.

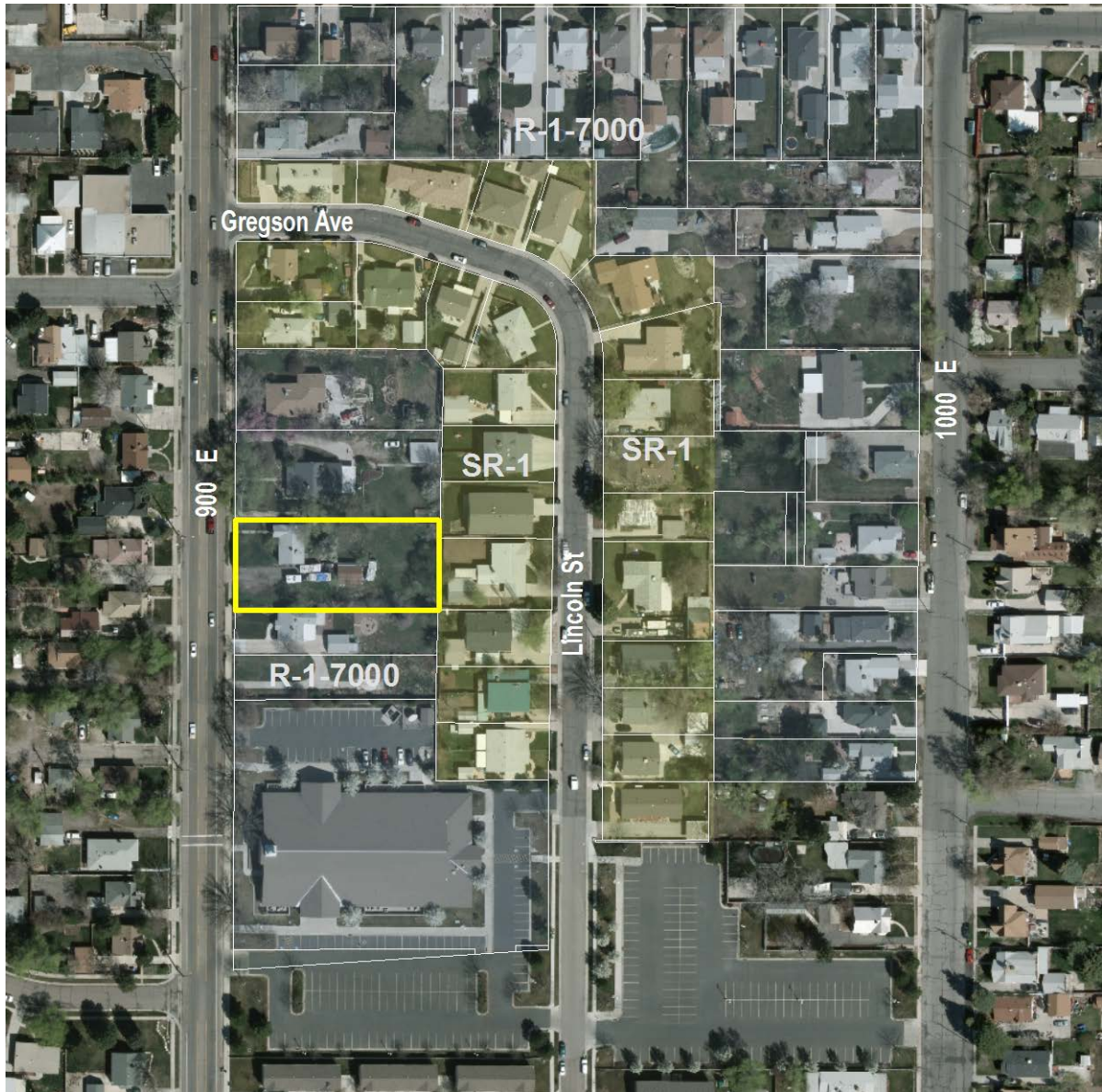
ATTACHMENTS:

- A. Vicinity Map
- B. Photos
- C. Site Plan & Elevations
- D. Development Pattern
- E. Existing Conditions & Zoning Requirements
- F. Analysis of Standards
- G. Public Process and Comments
- H. Department Review Comments
- I. Potential Motions

PROJECT DESCRIPTION:

The applicant is requesting approval of a conditional use and preliminary subdivision in order to create a flag lot in a residential zoning district. The applicant intends to keep and remodel the existing residence that will be located on the lot facing the street, to replace the existing garage and build a new residence on the newly created flag lot.

ATTACHMENT A: VICINITY MAP

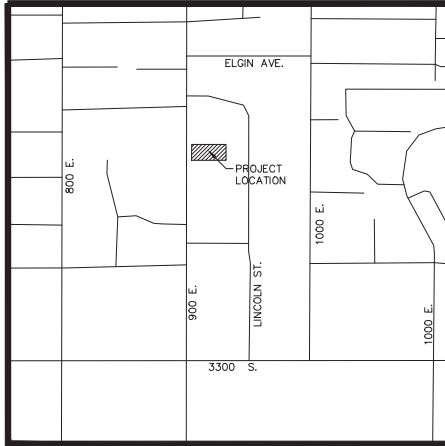


ATTACHMENT B: PHOTOS





ATTACHMENT C: SITE PLAN & ELEVATIONS



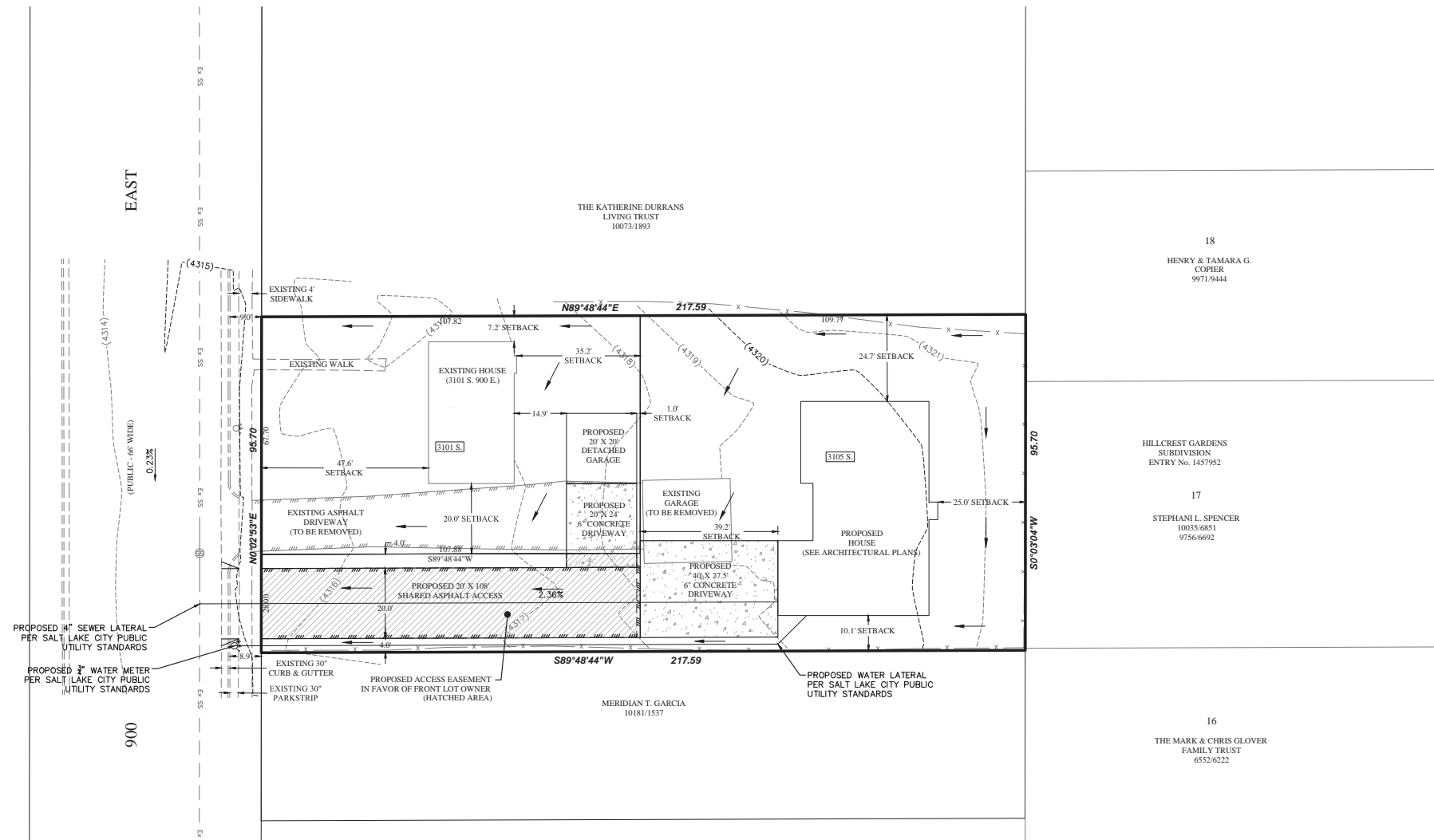
VICINITY MAP
N.T.S.



GRAPHIC SCALE
(IN FEET)
1 inch = 20 ft.

LEGEND

---(XXX)---	EXIST. CONTOUR MAJOR
---(XXX)---	EXIST. CONTOUR MINOR
---(XXX)---	EXIST. SANITARY SEWER
---	EXIST. FENCE
---	EDGE OF ASPHALT PAVEMENT
⊕	SECTION MONUMENT
⊕	EXIST. SEWER MANHOLE



3101 SOUTH 900 EAST
MILLCREEK, UTAH
SITE PLAN

REVISION BLOCK

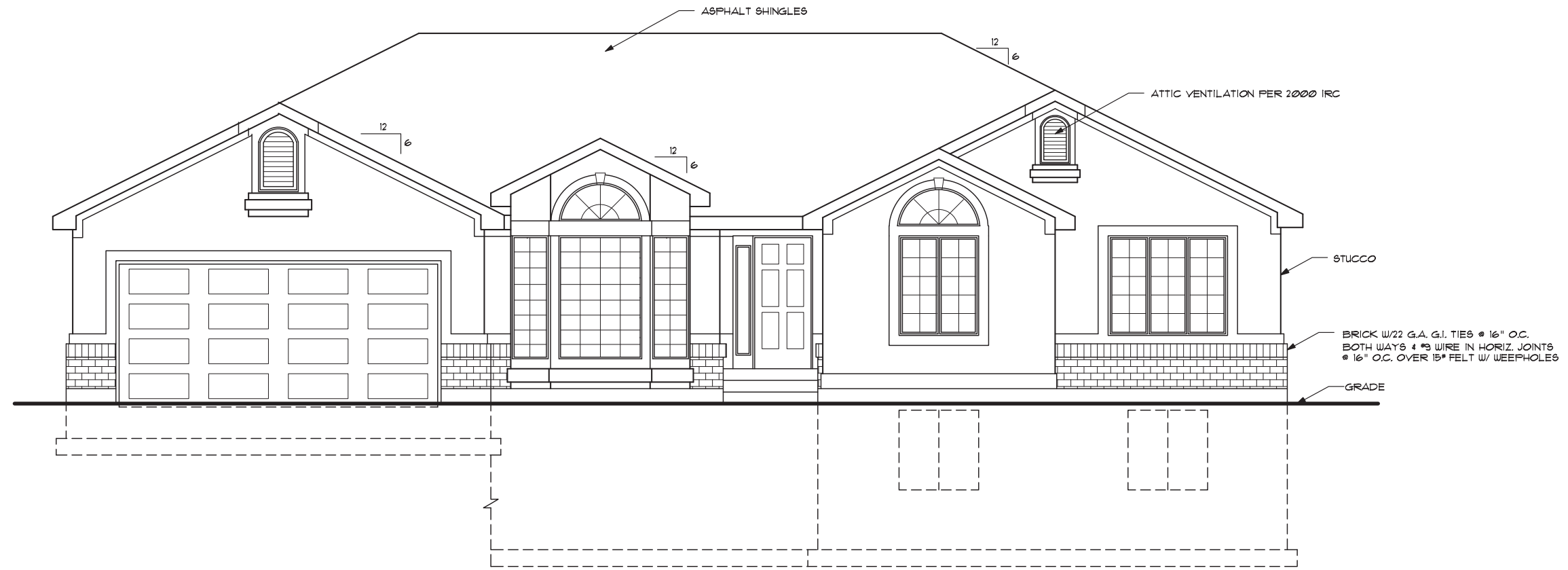
#	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		

SITE PLAN

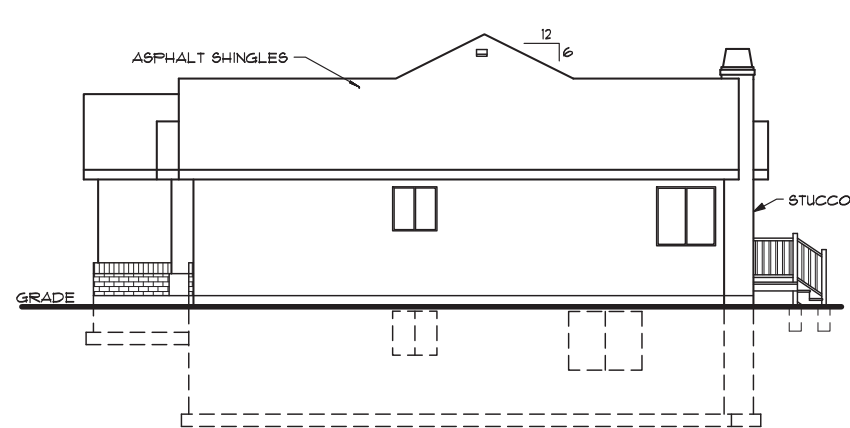
Scale: 1"=20'	Drawn: BP
Date: 8/28/2015	Job #: 15-168
Sheet: C1	

FOCUS
ENGINEERING AND SURVEYING, LLC
502 WEST 8360 SOUTH
SANDY, UTAH 84070 PH: (801) 352-0075
www.focusutah.com

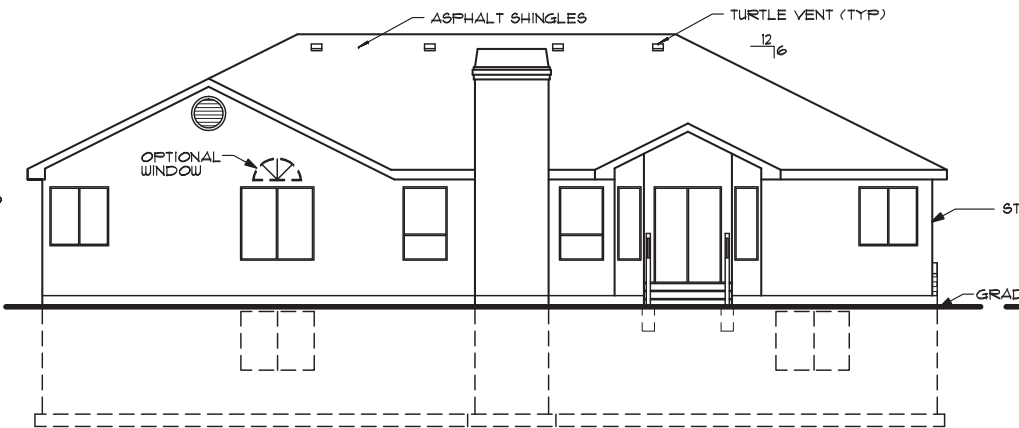
Z:\2015\15-168_Adam_Nash-3101_South_900_East\Design_15-168.dwg Sheets\15-168_Site_Plan.dwg



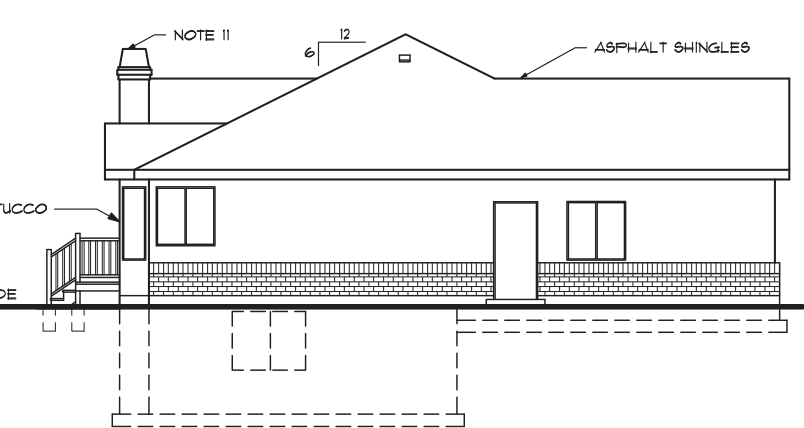
FRONT ELEVATION SCALE: 1/4" = 1'-0"



RIGHT ELEVATION SCALE: 1/8" = 1'-0"



REAR ELEVATION SCALE: 1/8" = 1'-0"



LEFT ELEVATION SCALE: 1/8" = 1'-0"

NOTE:

CONTRACTOR AND ALL SUBCONTRACTORS WORKING ON THIS PROJECT SHALL THOROUGHLY REVIEW AND VERIFY ALL DIMENSIONS, LOCATIONS, NOTES, ETC. AND ADDRESS ANY DISCREPANCIES OR CONCERNS WITH TECHNI-GRAPHIC SERVICES, INC. BEFORE CONSTRUCTION COMMENCES. DIMENSIONS ON PLAN TAKE PRECEDENCE OVER SCALE.

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SCALE: 1/4" = 1'-0"	DRAWN BY: WJL
DATE: 09/1991	REVISION: 07/2002
SHEET NO.: 3	DRAWING NO.: 1885-006

ANTI-SCALD FAUCETS REQ. ON ALL SHOWER & SHOWER/TUB COMBINATIONS (MAX. 120°)

LOW FLUSH TOILETS REQUIRED
MAXIMUM 1.6 GALLONS/FLUSH

FREEZELESS, ANTI-SIPHON & BACKFLOW PREVENTION HOSE BIBS REQUIRED

BRANCH CIRCUITS SUPPLYING 125-VOLT, SINGLE PHASE, 15- & 20- AMPERE RECEPTACLE OUTLETS INSTALLED IN BEDROOMS SHALL BE PROTECTED BY ARC-FAULT CIRCUIT INTERRUPTERS-AFI

FIREPLACE FLUES EXTENDING THROUGH ATTIC SPACE MUST BE SEPARATED FROM ATTIC SPACE BY 5/8" TYPE "X" SHEETROCK, CDX PANEL, OR O.S.B. PANEL

NOTE:

ALL EXTERIOR WALLS TO BE SW6 UNLESS OTHERWISE NOTED.

SW1 -PROVIDE 5/8" GYPSUM WALLBOARD W/ 6d COOLER NAILS @ 4" EDGE/FIELD O.C. NAILING. PROVIDE BLOCKING @ PANEL EDGES.

SW2 -PROVIDE 1/16" APA RATED O.S.B. PANEL W/ 8d COMMON NAILING @ 2" O.C. EDGE & 12" O.C. FIELD. BLOCK ALL EDGES. PROVIDE 3" NOMINAL MEMBER @ SILL @ & ALL ATTRIBUTING PANEL EDGES. SPACE ANCHOR BOLTS @ 24" O.C. USE 5/8"x12" A.B.

SW4 -PROVIDE 1/16" APA RATED O.S.B. PANEL W/ 8d COMMON NAILING @ 4" O.C. EDGE & 12" O.C. FIELD. BLOCK ALL EDGES. SPACE ANCHOR BOLTS @ 32" O.C.

SW6 -PROVIDE 1/16" APA RATED O.S.B. PANEL W/ 8d COMMON NAILING @ 6" O.C. EDGE & 12" O.C. FIELD. BLOCK ALL EDGES. SPACE ANCHOR BOLTS @ 32" O.C.

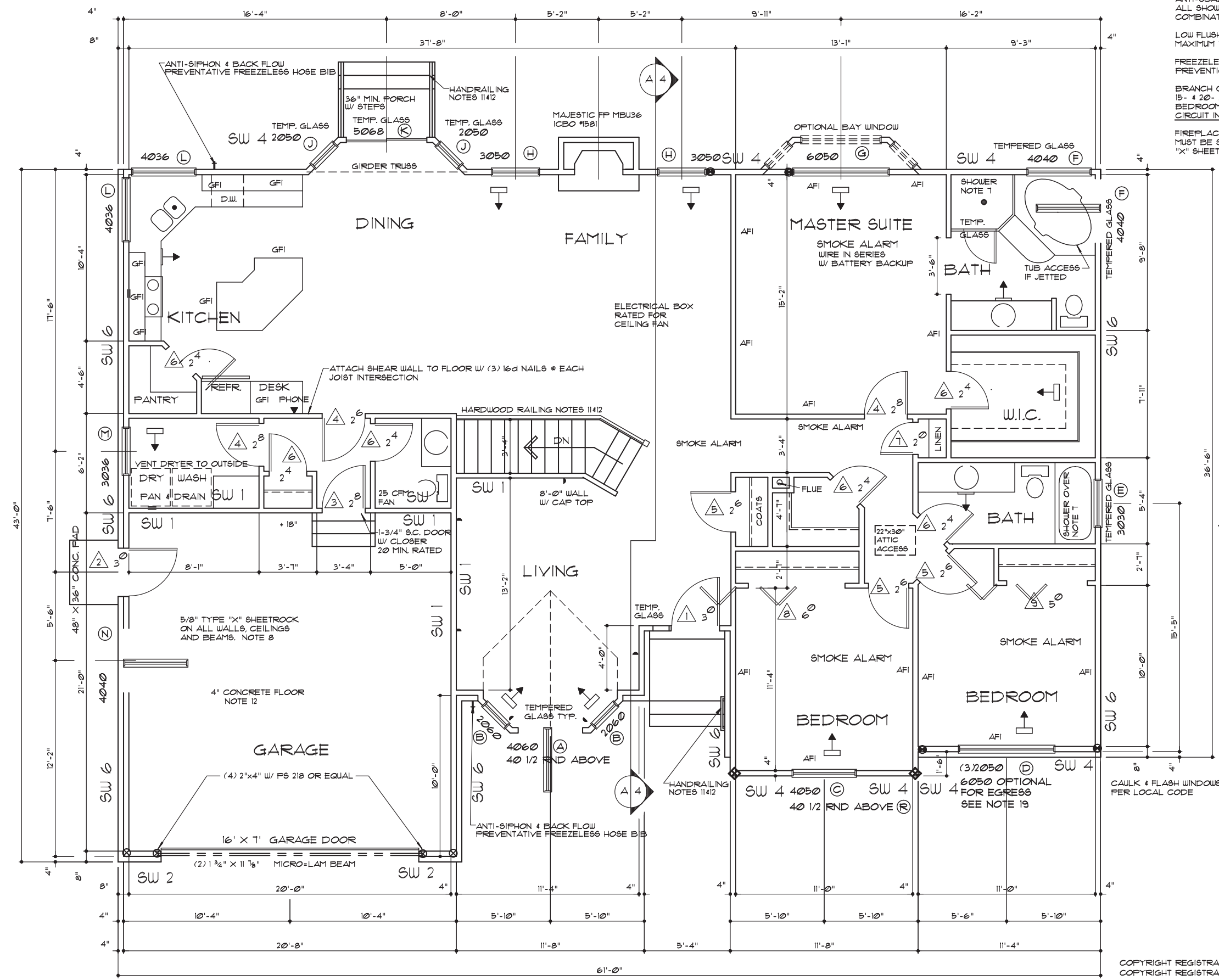
PROVIDE 5/8" @ ANCHOR BOLTS W/ 2"x2"x3/16" WASHER @ 32" O.C. W/ 1" MIN. EMBED.(TYPICAL)

STRAPS & HOLDOWNS

⊗ -PROVIDE SIMPSON STHD14/STHD14 RJ HOLDOWNS OR APPROVED EQUAL

⊙ -PROVIDE SIMPSON STHD10/STHD10 RJ HOLDOWNS OR APPROVED EQUAL

⊠ -PROVIDE SIMPSON MST48 STRAPS OR APPROVED EQUAL (SEE STRAP DETAIL-SHEET#)



NOTE:

CONTRACTOR AND ALL SUBCONTRACTORS WORKING ON THIS PROJECT SHALL THOROUGHLY REVIEW AND VERIFY ALL DIMENSIONS, LOCATIONS, NOTES, ETC. AND ADDRESS ANY DISCREPANCIES OR CONCERNS WITH TECHNI-GRAPHIC SERVICES, INC. BEFORE CONSTRUCTION COMMENCES. DIMENSIONS ON PLAN TAKE PRECEDENCE OVER SCALE.

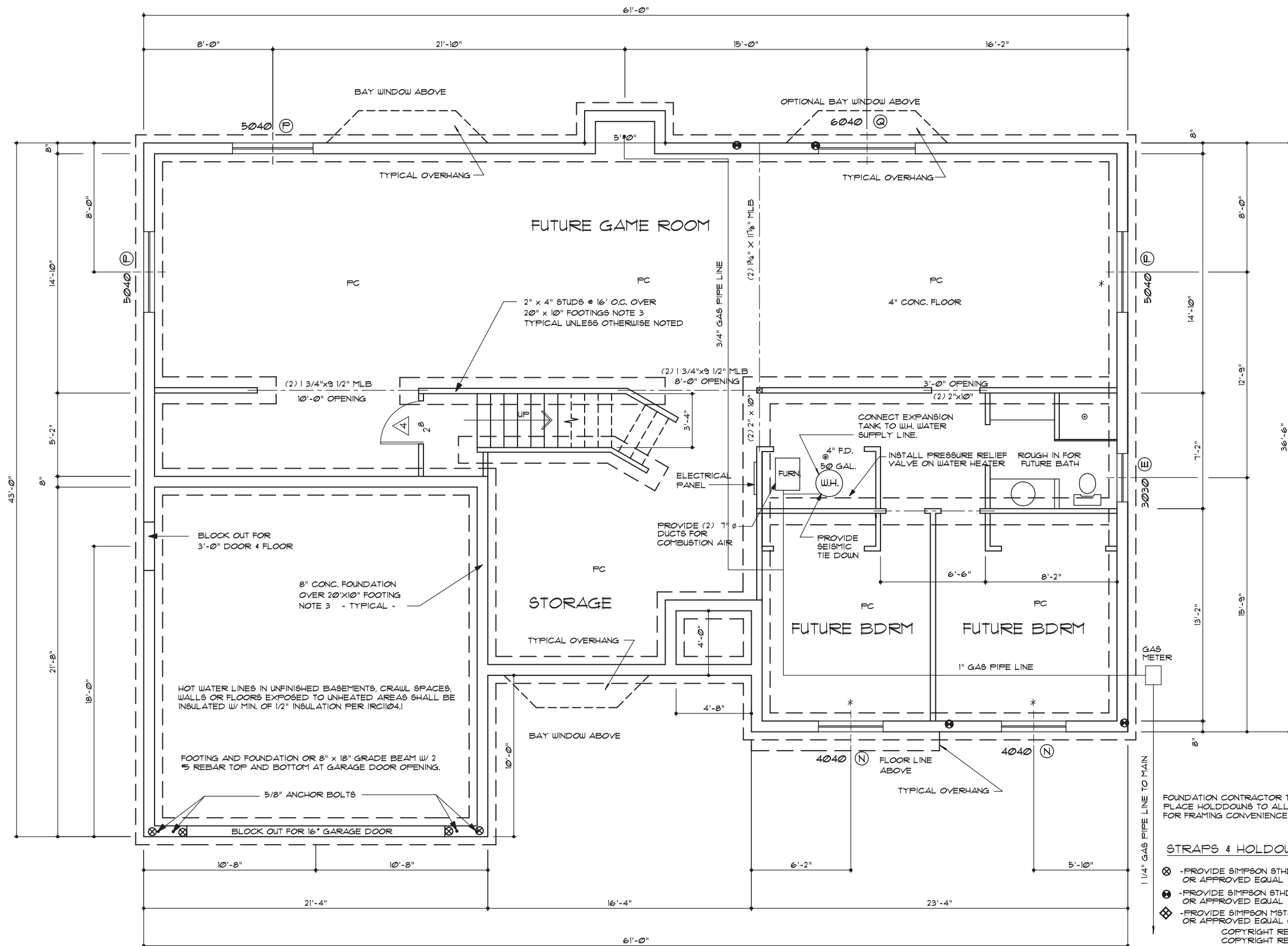
FLOOR PLAN 1885 SQ. FT.
SEE GENERAL NOTES SHEET 1

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SCALE: 1/4" = 1'-0"	DRAWN BY: WJL
DATE: 09/1991	REVISION: 07/2002
SHEET NO.: 1	DRAWING NO.: 1885-006



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FOUNDATION PLAN SCALE: 1/4" = 1'-0"

* = EGRESS/ ESCAPE WINDOWS
 (SEE WINDOW WELL REQUIREMENTS)

FOUNDATION CONTRACTOR TO PLACE HOLDDOWNS TO ALLOW FOR FRAMING CONVENIENCE.

STRAPS & HOLDDOWNS

- ⊗ - PROVIDE SIMPSON 5THD14/5THD14 RJ HOLDDOWNS OR APPROVED EQUAL
- ⊙ - PROVIDE SIMPSON 5THD10/5THD10 RJ HOLDDOWNS OR APPROVED EQUAL
- ⊠ - PROVIDE SIMPSON M5T48 STRAPS OR APPROVED EQUAL (SEE STRAP DETAIL-SHEET#)

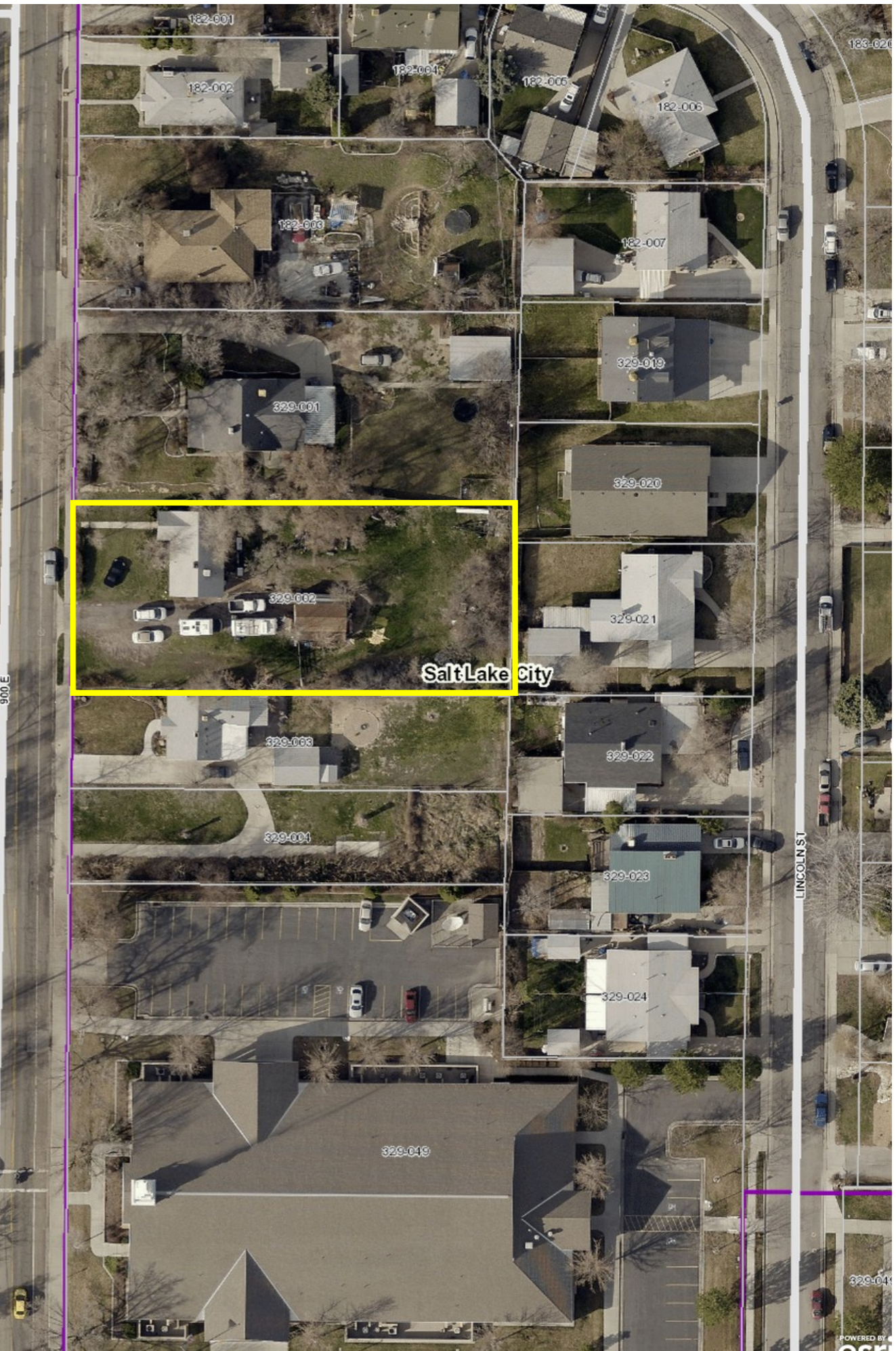
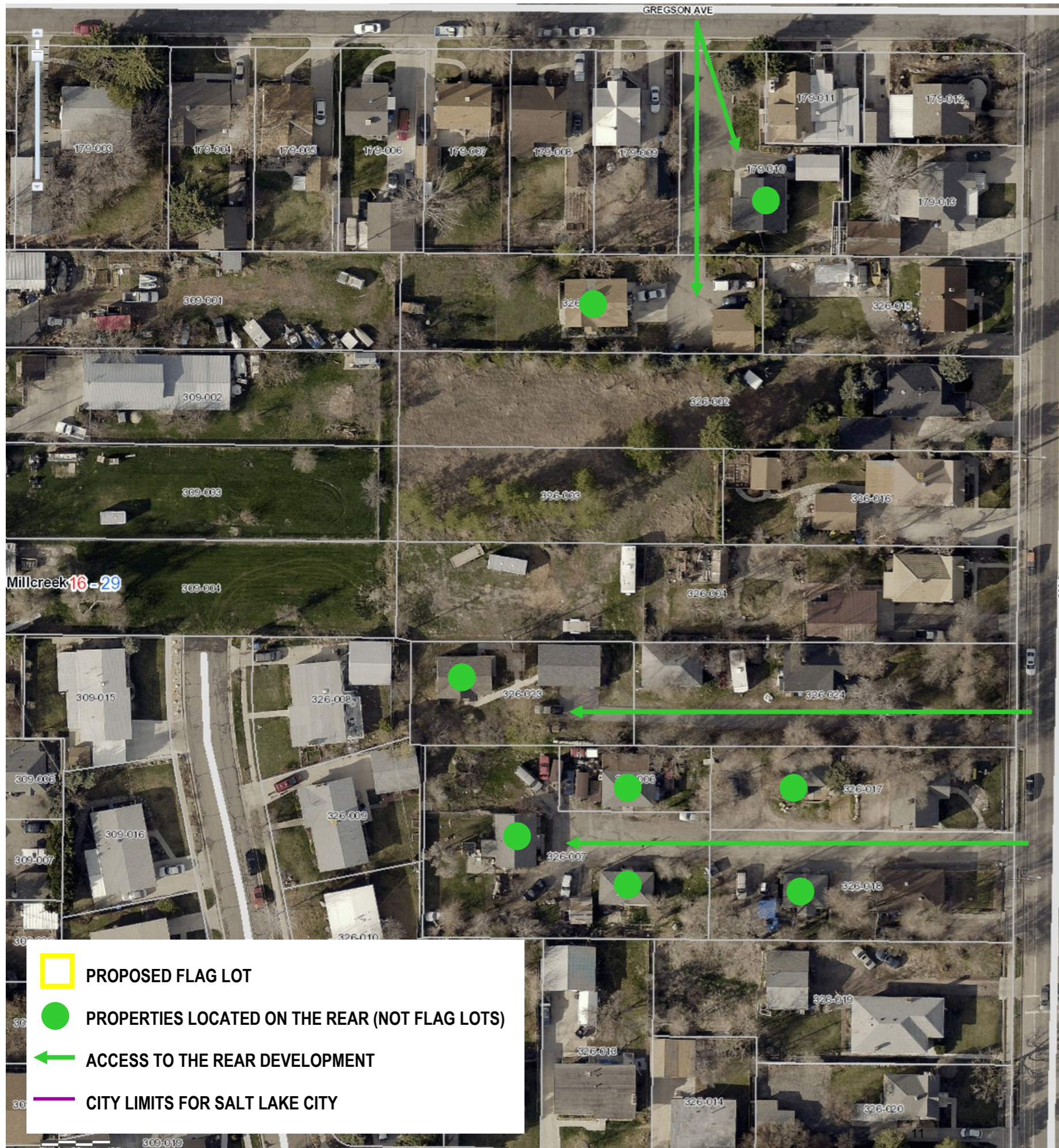
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	SHEET NO.: 2	DRAWING NO.: 1885-006

ATTACHMENT D: DEVELOPMENT PATTERN



-  PROPOSED FLAG LOT
-  PROPERTIES LOCATED ON THE REAR (NOT FLAG LOTS)
-  ACCESS TO THE REAR DEVELOPMENT
-  CITY LIMITS FOR SALT LAKE CITY

ATTACHMENT E: EXISTING CONDITIONS & ZONING REQUIREMENTS

CURRENT ZONING REQUIREMENTS

Regulation	Zone Regulation	Proposal
Use	One single-family residence per lot.	One single-family residence per lot.
Density/Lot Coverage	* Lots 1 & 2: Maximum lot coverage is 40%.	Lot 1: will be less than 40% Lot 2: will have to meet this requirement when building plans are submitted
Height	Lots 1 & 2: Maximum height for a pitched roof structure is 23 feet	Lot 1: Existing height is less than 23 feet Lot 2: The proposed new building is being reviewed as a one story high and will have to meet this requirement when building plans are submitted
Front/Corner Yard Setback	Lots 1 & 2: Average of other front yard setbacks on the block face (The average on the block face is 33 feet)	Lot1: existing front yard setback is 40 feet Lot 2: 33 feet
Rear Yard Setback	Lots 1 & 2: 25 feet	Lot 1: 35.2 feet Lot 2: 25 feet
Side Yard Setback	Lot 1: 6 and 10 feet Lot 2: 10 feet	Lot 1: 7.2 feet and 20 feet Lot 2: 24.7 feet and 10.1 feet
Minimum Lot Size	Lot 1: 7,000 square feet Lot 2: 10,500 square feet (not including the driveway approach)	Lot 1: 7,300 square feet Lot 2: 10,505 square feet (not including the driveway approach)
Minimum Lot Width	50 feet	Lot 1: 67.7 feet Lot 2: 95.7 feet
Minimum Lot Length	Lot 1: no requirement Lot 2: 100 feet	Lot 2: 109.77 feet
Minimum Driveway for Flag Lot	24 feet (with 4 feet of landscape on each side)	Lot 2: 28 feet (it also complies with a 20 feet drivable path requirement for Fire)

* **Lot 1** refers to the proposed lot that will be in front of the flag lot; this lot will keep the existing house that will be remodeled.

Lot 2 refers to the proposed flag lot and new proposed single family home.

ADJACENT LAND USE

The land use and zoning surrounding the site is:

- **North and South:** large low density residential lots and a church in the R-1/7,000 zoning district.
- **West:** low density residences in the SR-1 zoning district with smaller lots along Lincoln Street.
- **East:** outside of Salt Lake City and within Salt Lake County boundary with large residential lots.

ATTACHMENT F: ANALYSIS OF STANDARDS

21A.54.080 Standards for Conditional Use

Approval Standards: A conditional use shall be approved unless the planning commission, or in the case of administrative conditional uses, the planning director or designee, concludes that the following standards cannot be met:

1. The use complies with applicable provisions of this title;

Analysis: The site is currently developed with one residence that was constructed in the 1920's. This site has been used for residential purposes for many years. The applicant is requesting a conditional use to allow a subdivision to create two lots, one being a flag lot. If the Planning Commission approves this conditional use, the use will comply with all applicable provisions of the Zoning Ordinance.

Finding: Staff finds that the use will meet all applicable provisions of this title upon approval of this conditional use.

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

Analysis: The proposed conditional use is located within an established residential neighborhood. Many of the lots located on the block face are similar in size. The development pattern of the area west of this block has many examples of houses built behind frontage lots (See Attachment D.) It is unlikely that this proposed use will have a negative impact on the surrounding residential area.

Finding: Staff finds that the proposed lot configuration will be compatible with the nearby area and will have little to no negative impact on the surrounding uses.

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

Analysis: The proposed use is consistent with the City planning policies, documents and plans. Flag lots can be approved as a conditional use on properties that are determined that there will be no adverse affect.

Finding: Staff finds that because the zoning of the property allows for residential uses and flag lots can be approved as a conditional use, the proposed conditional use is consistent with City policies.

4. The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions (refer to Detrimental Impacts Chart below for details).

21a.54.080B Detrimental Effects Determination

In analyzing the anticipated detrimental effects of a proposed use, the planning commission shall determine compliance with each of the following:

Criteria	Finding	Rationale
1. This title specifically authorizes the use where it is located	Complies	The property is zoned R-1/7,000 and flag lots can be approved as a conditional use in this zoning district.
2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps	Complies	The proposed use of a residential property is consistent with the policies set forth in various plans and maps of the City. The site will be developed with residential uses in a residential zoning district.
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	Complies	The development pattern of the area west of this block has many examples of houses built behind frontage lots. The residential nature of the area will not be changed by the approval of this conditional use.
4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered	Complies	The proposed new home will comply with zoning requirements for the R-1/7,000 zoning district.
5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows	Complies	The proposed use is residential and the proposed driveway will not impede traffic flows. The lots will share a driveway that will be located on the flag lot.
6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic	Complies	The proposed use of a residential property is not expected to generate adverse impacts to other properties.
7. The site is designed to enable access and circulation for pedestrian and bicycles	Complies	Pedestrians and bicycles accessing the property will use the driveway for access and circulation.
8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street	Complies	The proposed use is residential and will have minimal impact on abutting and adjacent streets.
9. The location and design of off-street parking complies with applicable standards of this code	Complies	The proposed parking meets the requirements of the code.
10. Utility capacity is sufficient to support the use at normal service levels	Complies	Use will have access to all necessary utilities.
11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts	Complies	The area is an existing residential neighborhood. The proposed use is not dissimilar to the area.
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	Complies	Use does not significantly impact sustainability plans nor does it encroach onto a stream or water way.
13. The hours of operation and delivery of the use are compatible with surrounding uses	Complies	The proposed use is residential. There are no proposed hours of operation or delivery times.
14. Signs and lighting are compatible with, and do not negatively impact surrounding uses	Complies	The proposed use is residential. No signs are proposed.
15. The proposed use does not undermine preservation of historic resources and structures	Complies	The only change to an existing structure will be the demolition of a garage that has no historic significance.

Finding: In analyzing the anticipated detrimental effects of the proposed use, staff finds that the request complies with the criteria listed above.

Section 20.16.100 Standards of Approval for Preliminary Plats

- A. The subdivision complies with the general design standards and requirements for subdivisions as established in chapter 20.12 of this title.

Analysis: The subdivision request is to split an existing lot that is located on an established neighborhood where the infrastructure already exists for many years. Furthermore, this lot split meets the standards for size, lot lines, width, and developable area according to the Section 20.12 of the Salt Lake City Subdivisions and Condominiums Ordinance.

Finding: Staff finds that the subdivision meets the design standards of Section 20.12 of the Salt Lake City Subdivisions and Condominiums Ordinance.

- B. All buildable lots comply with all applicable zoning standards.

Analysis: Staff has reviewed the property for compliance with all applicable Zoning Ordinance standards and found that it meets the minimum standards. A detail analysis of zoning compliance can be found on Attachment E of this staff report.

Finding: Staff finds that the proposed lots comply with the applicable zoning standards.

- C. All necessary and required dedications are made.

Analysis: This proposal was reviewed by applicable city departments who responded that no additional dedications are necessary for approval of the subdivision amendment.

Finding: There are no additional dedications required pursuant to the subdivision review.

- D. Water supply and sewage disposal shall be satisfactory to the public utilities department director.

Analysis: According to the Public Utilities Department, each lot needs to have its own water and sewer service and meter. Also, the water meter cannot be in the concrete apron or asphalt.

Finding: The locations of the proposed water and sewer service are satisfactory.

- E. Provisions for the construction of any required public improvements, per section [20.40.010](#) of this title, are included.

Analysis: A new curb cut for the driveway access will be required. The driveway approach will be replaced with a shared driveway approach.

Finding: The proposed new shared driveway approach meets the required public improvements.

- F. The subdivision otherwise complies with all applicable laws and regulations.

Analysis: The proposed subdivision has been reviewed by pertinent city departments and divisions as to its adherence to applicable laws and regulations. No departments or divisions had objections to the request.

Finding: Staff finds that the amendment meets all applicable laws and regulations.

- G. If the proposal is an amendment to an existing subdivision and involves vacating a street, right of way, or easement, the amendment does not materially injure the public or any person who owns land within the subdivision or immediately adjacent to it and there is good cause for the amendment.

Finding: The proposed lot split is not part of an existing subdivision and does not involve vacating a street, right of way or easement. This standard does not apply.

21A.24.010.G. Flag Lots in Residential Districts: Flag lots are a permitted use only as part of a new subdivision in the FP, FR-1, FR-2 and FR-3 districts. Flag lots in all other residential districts, unless being approved through the planned development process, may be allowed as a conditional use pursuant

to [chapter 21A.55](#) of this title, provided that the planning commission finds the flag lot proposal to be compatible with the existing pattern of property development of the surrounding area. The planning commission shall also make findings on the standards listed in subsections G1 through G14 of this section:

1. In residential districts other than new subdivisions in the FP, FR-1, FR-2, FR-3 districts, flag lots shall be approved only when one flag lot is proposed at the rear of an existing lot, unless being approved through the planned development process.

Finding: Complies. The proposed flag lot will be located at the rear of the subject property.

2. Flag lots shall be used exclusively to provide lots for single-family residential dwellings

Finding: Complies. The flag lot will be used exclusively to provide a single-family residential dwelling.

3. All lot and yard requirements applicable to flag lots shall apply to the main body of the flag lot. For flag lots, the front yard shall begin at the point where the access strip joins the main body of the lot

Finding: Complies. Both lots will meet all applicable lot and yard requirements. The lots will share a driveway that will be located on the flag lot. An easement will be recorded to give both properties access to the driveway.

4. Except for the special provisions contained in this subsection G, the creation of a flag lot shall not result in a violation of required lot area, lot width, yards or other applicable provisions of this title.

Finding: Complies. The creation of the flag lot will not violate any applicable provisions of the zoning ordinance.

5. Flag lots shall have a minimum lot depth of one hundred feet (100') measured from the point where the access strip joins the main body of the lot.

Finding: Complies. The depth of the flag lot will be a minimum of 100 feet.

6. The flag lot access strip shall have minimum of twenty four feet (24') of frontage on a public street. No portion of the flag lot access strip shall measure less than twenty four feet (24') in width between the street right of way line and main body of the lot. A minimum sixteen foot (16') wide hard surfaced driveway shall be provided along the entire length of the access strip. A four foot (4') minimum landscape yard shall be provided on each side of the driveway. (See illustration in [chapter 21A.62](#) of this title.)

Finding: Complies. The proposed access strip meets the minimum requirements in terms of width. The access strip will include a 4 foot landscaping strip on each side and include a 20 foot hard surfaced driveway that will comply with Fire requirement also.

7. Flag lots, including the access strip, shall be held in fee simple ownership.

Finding: Complies. New deeds for the two separate lots will be recorded as part of the subdivision process.

8. The minimum lot area of a flag lot shall not be less than 1.5 times the minimum lot area of the applicable district. The lot area calculation excludes the lot access strip.

Finding: Complies. The proposed flag lot is a minimum of 1½ times the minimum lot size in the R-1/7,000 zoning district. The total size of the flag lot, not including the access strip, is 10,505 square feet.

9. The minimum required side yard for a single-story building on a flag lot is ten feet (10'). If any portion of the structure exceeds one story in height, all side yard setbacks shall meet the required

rear yard setback of the underlying zoning district. The planning commission may increase the side or rear yard setback where there is a topographic change between lots.

Finding: Complies. The proposed new building is being reviewed as a one story building. The proposed setbacks are approximately 24.7 feet on the north and 10.1 feet on the south. The proposed side yard setbacks meet this requirement.

10. Both the flag lot and any remnant property resulting from the creation of a flag lot (including existing buildings and structures) shall meet the minimum lot area, width, frontage, setback, parking and all other applicable zoning requirements of the underlying zoning district.

Finding: Complies. The flag lot and the remaining lot will meet the minimum lot area, width, frontage, setback, parking and all other zoning requirements in the R-1/7,000 zoning district.

11. Any garage, whether attached to or detached from the main building, shall be located in the buildable area of the lot.

Finding: Complies. The proposed garage will be attached.

12. Accessory buildings other than garages may be located in the rear yard area, however, planning commission approval is required for any accessory building that requires a building permit.

Finding: Complies. No accessory structures are proposed at this time. Any future accessory structure must meet the requirements of this standard.

13. A four foot (4') wide landscaped strip is required along both side property lines from the front to rear lot lines.

Finding: This standard must be indicated on a landscaping plan that must be approved prior to a building permit being issued.

14. Reflective house numbers shall be posted at the front of the access strip.

Finding: House numbers must be clearly visible at the front of the access strip.

15. In addition to any other provisions that may apply, the creation of a flag lot is considered a subdivision and shall be subject to applicable subdivision regulations and processes.

Finding: Complies. The subdivision review is included on this staff report.

ATTACHMENT G: PUBLIC PROCESS AND COMMENTS

PUBLIC PROCESS AND INPUT

The Sugar House Community Council discussed this project at their Land Use Committee meeting held on August 17, 2015. No written comments were received from the community council by the date of publication of this staff report. At the meeting, comments about the project were very positive. Applicant and staff were told that meeting with the whole Sugar House Community Council would not be necessary.

Timeline

- The application for PLNPCM2015-00580 was submitted on July 17, and application for PLNSUB2015-00647 was received on August 11, 2014
- Applicant met with Sugar House Community Council Land Use Committee on August 17, 2015
- Mailings were sent out on September 10, 2015 for the planning commission meeting
- Sign was posted on September 14, 2015 for the planning commission meeting
- Public hearing notice emailed to the Planning Division list serve on September 10, 2015

No comments were received by the date of publication of this staff report.

ATTACHMENT H: DEPARTMENT REVIEW COMMENTS

The proposed conditional use was sent to the departments listed below for review and comment. The applicant has made changes to the project based on the comments received.

SUSTAINABILITY REVIEW – No comments received.

PUBLIC UTILITIES –

- Plans will need to be submitted to public utilities for review.
- The water meter cannot be in the concrete apron or asphalt.
- Maintain 10' of separation between the water and sewer lines.
- A licensed contractor will need to pull the permits for the water and sewer service connections
- All connection, impact, permit, survey and inspection fees will apply.

ZONING REVIEW – Zoning Review Comments re PLNPCM2015-00580 and PLNSUB2015-00646 for property currently addressed 3103 South 900 East Street; within R-1/7000 Single-Family Residential District. Per both 21A.24.010.G.3 and 21A.62.050.C Illustration the front yard of this lot would be the western yard (where the flag “pole” meets the main body of the lot), however, the façade of the structure providing the front door and front façade controls is oriented to the side yard on the south, the same proposed orientation does not provide the minimum 25 foot rear yard (to the east) required in the R-1/7000 zoning district. Recommendation- to orient house sitting it so that front façade is facing flag lot definition described front yard (toward western property boundary) and to provide minimum 10 foot interior side yards at the north and south (the minimum side yard requirement for a one story structure). Plan shows just 3 foot wide landscape strips on each side of proposed 18 foot wide asphalt access, where minimum 4 foot wide strips are required. Recommendation- to provide the minimum required 4 foot wide landscape strips on either side of access drive (see 21A.24.010.G.6) and provide the 16 foot minimum width access strip there as well. A similar requirement for 4 foot wide landscape strips is per 21A.24.010.G.13 and has not been shown on any plans. Recommendation- to provide minimum 4 foot landscape strips alongside interior yards (northern and southern yards).

ENGINEERING REVIEW - No objection to the proposed conditional use.

TRANSPORTATION REVIEW - The flag lot requires a minimum of 4 feet of landscaping on either side of the 24 foot wide access; drawings show only 3 feet of landscaping on each side. The driveway approaches shall maintain a twelve foot (12') separation from another drive approach; the new driveway approach appears to be within 12 feet of existing approach. Driveways shall be at least five feet (5') from any public utility infrastructure such as power poles, fire hydrants and water meters; new driveway appears to be within 5 feet of water meter.

FIRE CODE REVIEW - Reviewing the drawing we noticed that the required driving surface does not meet the basic code requirement of 20 ft. clear width. I reprinted the section below of the International Fire Code which has that requirement.

503.2.1 Dimensions.

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

POLICE REVIEW – Police has no concerns or comments.

ATTACHMENT I: POTENTIAL MOTIONS

Staff Recommendation:

Based on the testimony, plans presented and the following findings, I move that the Planning Commission approve the conditional use and subdivision to allow for the creation of a flag lot, located at approximately 3101 South 900 East with the following condition:

1. A landscaping plan must be approved prior to a building permit being issued.
2. House numbers must be clearly visible at the front of the access strip.
3. An easement for the shared driveway must be recorded with the deeds of the properties.
4. The subdivision must be recorded either by deed or by a final plat.

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 and subdivision to allow for the creation of a flag lot, located at approximately 3101 South 900 East. The proposed conditional use will create (list the detrimental effects) which cannot be reasonably mitigated. Therefore, the proposed conditional use is not compliant with one or more of the following standards:

1. The use complies with applicable provisions of this title;
2. The use is compatible, or with conditions of approval can be made compatible, with surrounding uses;
3. The use is consistent with applicable adopted city planning policies, documents, and master plans; and
4. The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions (refer to Detrimental Impacts Chart for details).