



# Staff Report

PLANNING DIVISION  
DEPARTMENT *of* COMMUNITY *and* NEIGHBORHOODS

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To: Salt Lake City Planning Commission

From: Amanda Roman, Principal Planner, [Amanda.Roman@slcgov.com](mailto:Amanda.Roman@slcgov.com) or 801-535-7660

Date: August 26, 2020

Re: PLNPCM2020-00358 - Detached Accessory Dwelling Unit  
PLNPCM2020- 00454 - Special Exception for Grading and Retaining Walls

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## Conditional Use and Special Exception

**PROPERTY ADDRESS:** 1362 S 1300E  
**PARCEL ID:** 16-17-226-029-0000  
**MASTER PLAN:** Central Community – Low Density Residential  
**ZONING DISTRICT:** R-1/5,000 Single Family Residential

**REQUEST:** Dwight Yee, Process Studio PLLC and property owner representative, is requesting Conditional Use approval for a 640 square foot accessory dwelling unit (ADU) to be located in the rear yard of the property at 1362 S 1300 E. The property is zoned R-1/5,000 (Single Family Residential), which requires Conditional Use approval for the construction of an ADU. Due to the slope of the lot, which ranges from approximately 26-46 percent (26% - 46%), the applicant is also requesting Special Exception approval for grade changes and retaining walls greater than 4 feet (4') in the rear and side yards. While Special Exception approval may be granted administratively, staff is referring the petition to the Planning Commission because the construction of the ADU, as proposed, is dependent on the grading and retaining walls, which will exceed four feet (4') in height. Staff is also referring the Special Exception approval or denial to the Planning Commission based on the complexity of the project and to allow residents to address their concerns at the public hearing.

**RECOMMENDATION:** Based on the information provided by the applicant, Planning Staff finds the project generally meets the applicable standards of approval and therefore recommends the Planning Commission approve the Conditional Use for the ADU with the conditions of approval below. In addition, Planning Staff finds that the requested grade changes and retaining walls, which would facilitate the construction of the ADU, comply with the Special Exception standards of approval and recommends the Planning Commission approve the petition. Final approval of the details noted in the following conditions shall be delegated to Planning Staff:

1. Compliance with all Department/Division comments and conditions as noted in [Attachment I](#).
2. The property owner shall comply with the ADU registration process as outlined in section 21A.40.200F of the Salt Lake City Zoning Ordinance.
3. No responsible party shall operate or allow the operation of a short-term rental (i.e., less than 30

days) in the single-family dwelling or the accessory dwelling unit as defined in the Salt Lake City Zoning Ordinance.

#### **ATTACHMENTS:**

- A. [Vicinity Map](#)
- B. [Accessory Dwelling Unit Plan Set](#)
- C. [Special Exception Plan Set](#)
- D. [Property and Vicinity Photos](#)
- E. [Analysis of Standards – Accessory Dwelling Units](#)
- F. [Analysis of Standards – Conditional Use](#)
- G. [Analysis of Standards – Special Exceptions](#)
- H. [Public Process & Comments](#)
- I. [Department Review Comments](#)

#### **PROJECT DESCRIPTION:**

##### ***Accessory Dwelling Unit***

This Conditional Use petition is for a detached ADU to be placed in the rear yard of an existing single-family dwelling located at 1362 S 1300 E. The subject parcel is approximately 9,313 square feet, which is nearly double the square footage requirement for the R-1/5,000 zone. The principal structure will be undergoing a renovation at the same time as the construction of the ADU.

The proposed detached ADU will be located in the middle of the rear yard. The building footprint is approximately 640 square feet. It is a one-story structure containing one (1) bedroom and one (1) bathroom with a pitched roof measuring approximately 16 feet 4 inches (16'4") in height. There are 2-foot (2') eaves on the rear and side elevations and a 3-foot 6-inch (3'6") eave along the front elevation.



The primary exterior is clad with cement board and cedar lap siding. The entrance to the proposed detached ADU faces Harrison

Avenue and is set back approximately 32 feet 7 inches (32' 7") from the side property line. The applicant is proposing a 5 foot (5') tall entrance gate, which will be in-line with the lowest retaining wall and 12 feet (12') from the side property line. The ADU will be architecturally compatible with the renovated single-family home, including the roofline and windows that are similar in size and profile.

Because of the proposed grading that will accommodate the terraced retaining walls, the applicant is planning to have the required parking space along Harrison Avenue. The applicant originally proposed one on-site parking space, but has stated to staff that the turning radius and site distance triangle required is not feasible due to the placement of the proposed retaining walls, thus they have proposed to use the legal parking space on Harrison Avenue. The Transportation Division stated that while parking on-site is preferred, "Based on the radius dimension shown, a vehicle could not turn into [the proposed] space. However, based on the dimensions shown, there is more than the required 20' of

depth needed for a vehicle to pull straight in (perpendicular to the street) ... Even though the adjacent street has a slope to it, parking on the street would not be an issue. If parking is done on-site, the site distance issues at the driveway would need to be addressed.” There is a bus stop on the southeast corner of 1300 E and Sherman Avenue, which is less than 1/4 of a mile from the subject property.

**Grade Change Special Exception**

The applicant is also applying for a Special Exception to allow grade changes and retaining walls exceeding 4 feet (4’) outside of the buildable area. Due to the approximate 26-46 percent (26% - 46%) slope of the property, the construction of the proposed ADU will require grading within the rear and side yards that exceeds the 4-foot (4’) limitations. The slope of the property increases from south to north. The applicant provided a written statement on their grading plans stating that the retaining walls are required in the locations indicated to create a large enough building pad for the ADU. The grading and retaining walls on the north end of the property are being proposed to create a useable outdoor area for the occupants. Currently, the rear yard is at such a slope that it cannot be used by property owners. Retaining wall RW10 is integrated into the ADU and acts as its eastern wall, allowing the structure to be set into the slope of the lot. The detailed grading site plan and elevations are located in [Attachment C](#). Figure 1 highlights the retaining walls requiring special exception approval in red. The buildable area is outlined in orange.

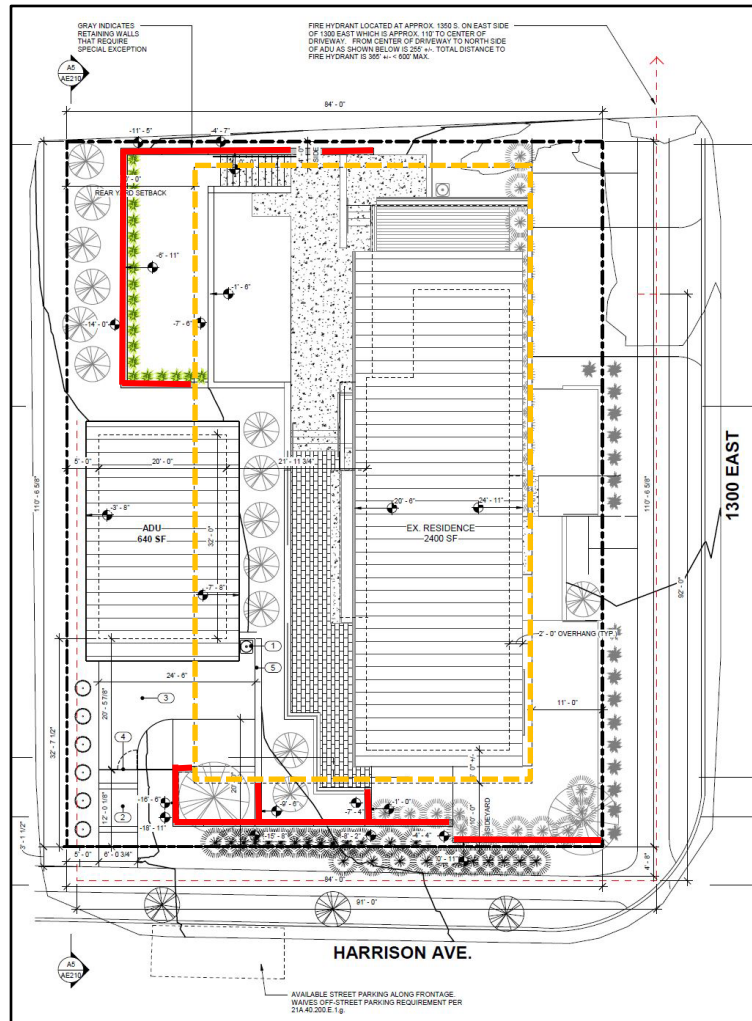


Figure 1: Site plan – Retaining walls requiring a special exception are outlined in red and the buildable area is outlined in orange.

Staff recognizes that this site is unique and will require exceptions if the rear yard area is to be leveled out to create livable space. Under the current code, lots with over 30 percent (30%) slope are considered unbuildable, which emphasizes the uniqueness of this piece of property. Staff has worked extensively with the applicant to reduce the visual impact of the proposed retaining walls. Since the first proposal, the retaining walls along the street front have been reduced in height and additional terraces have been added. The applicant has also proposed landscaping between the sidewalk and the retaining walls along Harrison Avenue, and between the rear property line and the retaining wall within the rear yard setback. The landscaping will help hold the grading in place, mask the overall height of the walls, and create a barrier between the subject property and the adjacent property to the west. The details of each retaining wall section are described in the following subheadings.

### 1. Harrison Avenue Proposal

The southern (side yard) property line running east-west along Harrison Avenue has an existing slope of approximately 26 percent (26%). The applicant is proposing six (6) terraced retaining walls within the side yard setback. Four (4) of the six (6) walls require special exception approval because they exceed four feet (4') in height. The heights range from approximately 4 feet 8 inches (4'8") to just above 7 feet (7'). The original plans proposed two retaining walls that were nearly 8 and 9 feet tall. Staff was concerned that this would be imposing along the street front and asked the applicant to create more terraces and reduce the exposed height of each individual wall to under 6 feet (6'). The applicant was able to add more terraces, but the 7-foot (7') wall (#5) could not be reduced any further because the top of the wall reaches the existing grade of the upper area of the property. Figure 2 shows the existing slope of the property and the proposed retaining walls along Harrison Avenue. The specific height of each wall from west to east are as follows:

- Wall #1 – 1' 6 1/2"
- Wall #2 – 2' 1 1/2"
- Wall #3 – 5' 5 1/4"
- Wall #4 – 4' 8 1/2"
- Wall #5 – 7' 1 1/8"
- Wall #6 – 5' 3 5/8"

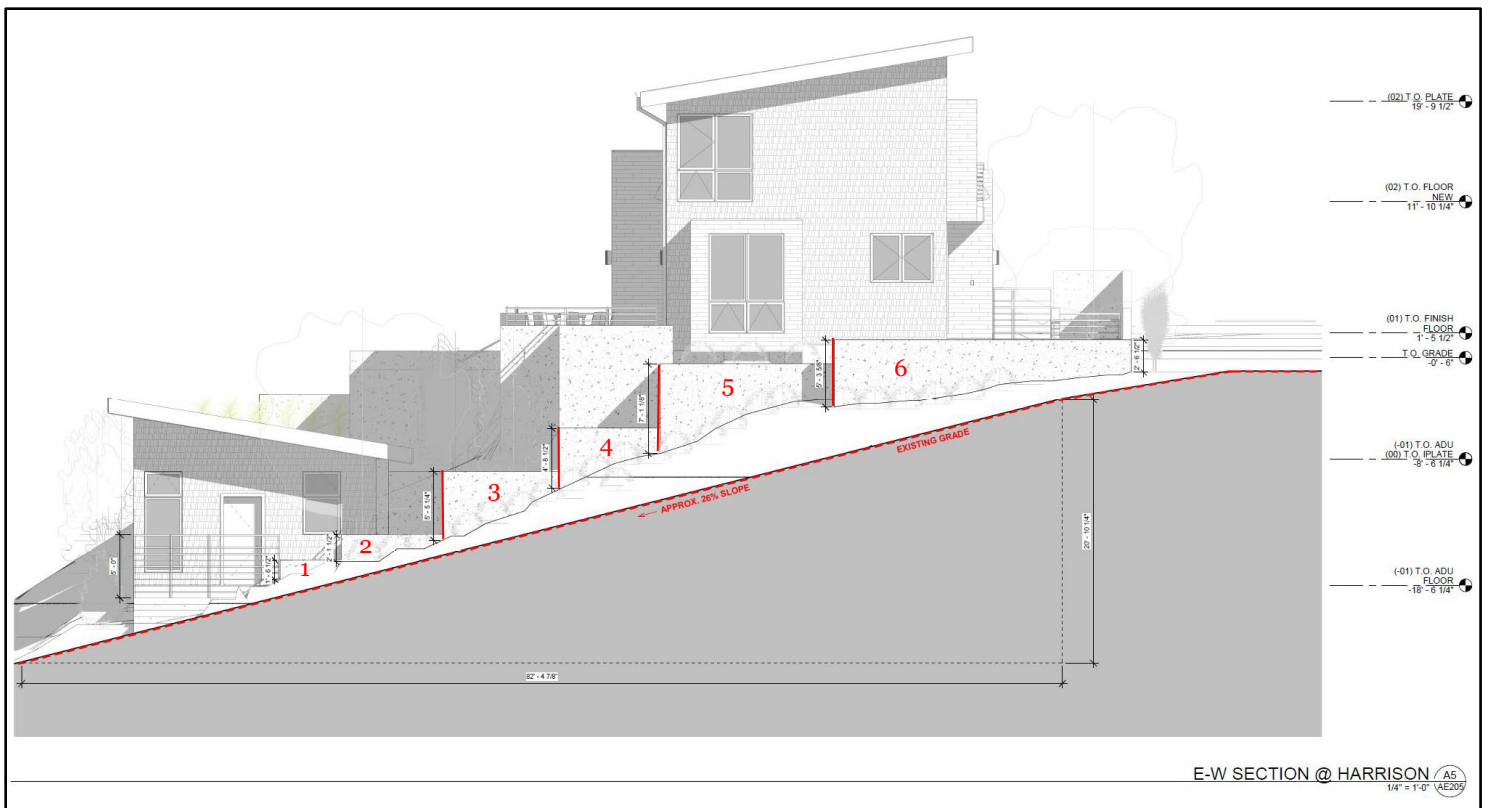


Figure 2: Site elevation – Retaining walls (#3-6) along Harrison Avenue exceed 4 feet and require special exception approval.

## 2. Rear and Side Yard (South) Proposal

The existing slope where the ADU entrance is proposed to be located is 38 percent (38%). To create a buildable area for the ADU, the existing grade will be cut 15' 3 1/4" and then retained by three walls running north-south. The 9' 11 1/2" exposed retaining wall perpendicular to Harrison Avenue is taller than the walls along the street because the property will slope downward (to the north) approximately two feet. The east side of the ADU will be built into the 9' 11 1/2" retaining wall. The majority of the retaining wall falls within the buildable area, but the southern portion (closest to Harrison Avenue) is within the side yard setback and will require special exception approval. The 9 1/2' retaining wall falls within the buildable area and does not require special exception approval. Figures 3 and 4 shows the proposed changes and where the special exceptions have been requested in red.

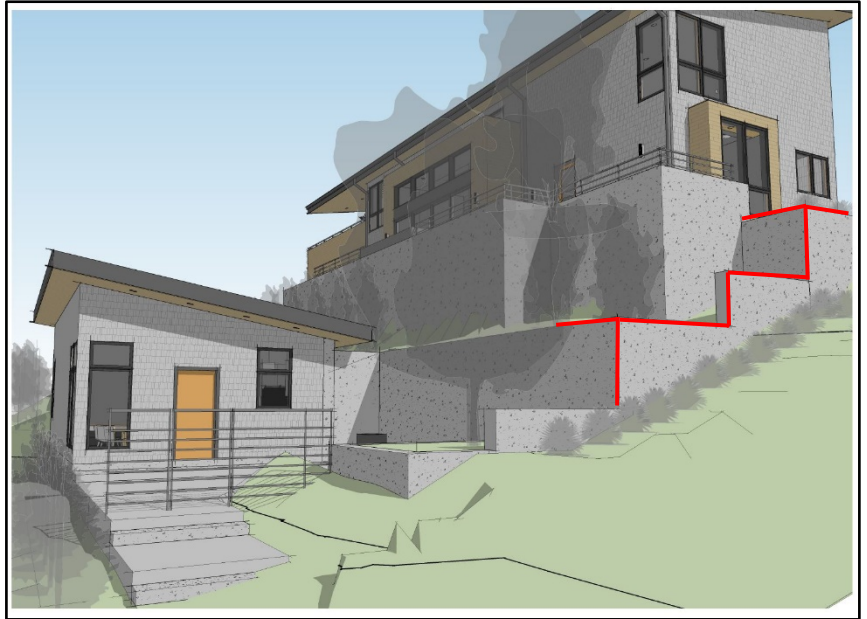


Figure 3: Rendering with the retaining walls requiring special exception approval in red. The overall grade change of 15' 3 1/4" also requires approval.

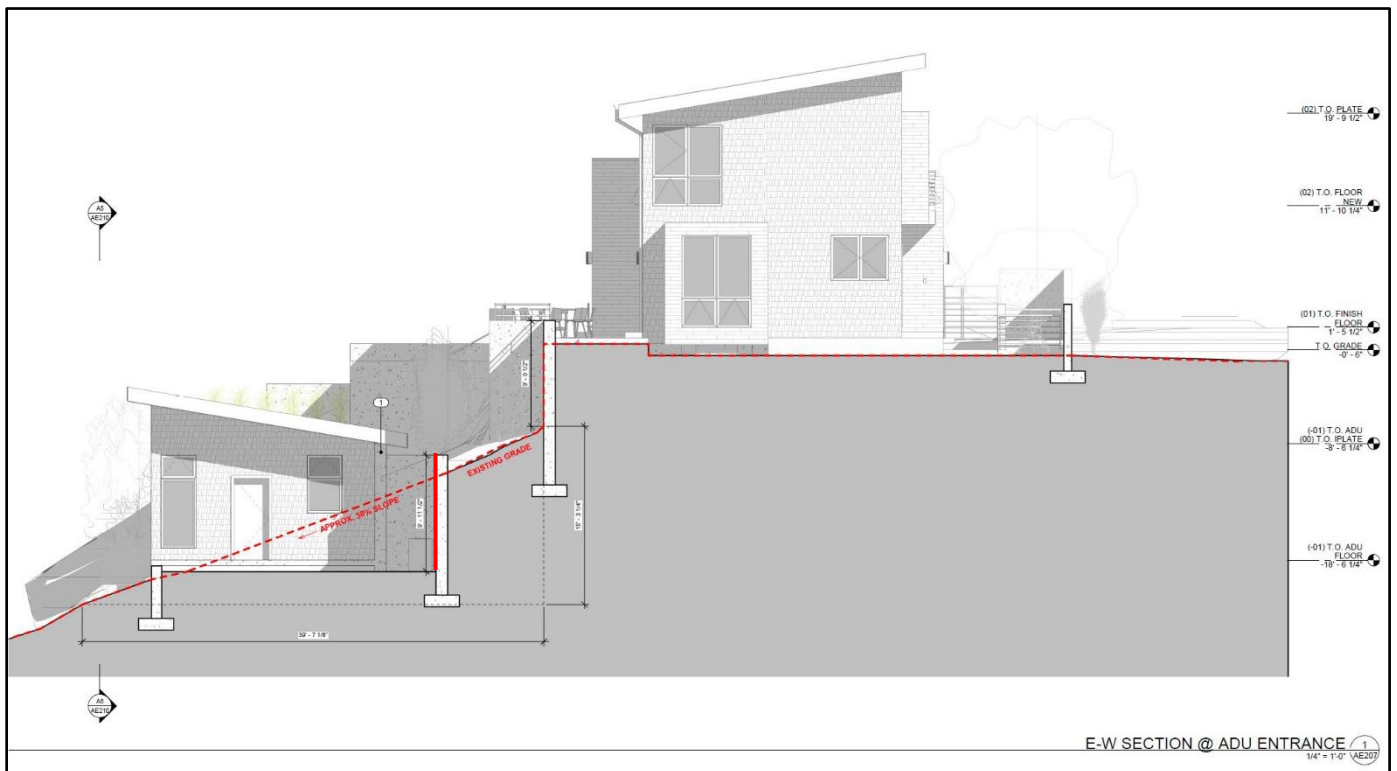


Figure 4: Site elevation drawing showing the proposed grade cut of 15' 3 1/4" and the 9' 11 1/2" retaining wall that requires special exception approval for the southern most section of the wall.

### 3. Rear Yard (West) Proposal

The existing grade along the rear property line (west) will not be altered. The retaining wall running perpendicular (north-south) from the north side property line requires special exception approval because it exceeds 4 feet (4') in height and is within the rear yard setback. The exposed wall will be 5' 2 3/4" at the northern most section and will gradually increase in height to 8' 8 1/2" along the southern most portion of the wall where the existing grade is approximately 46 percent (46%). The north side of the ADU will be into the 8' 8 1/2" retaining wall. Figures 5 and 6 are renderings of the proposal with the retaining walls requiring special exception approval in red. The site section drawing as noted in Figure 7, shows a north to south property section of the existing grade from the rear property line and the proposed retaining wall. Figure 8 is an east-west site section showing the same section of wall. The 5' 4 3/4" and 8' 6" retaining walls are within the buildable area and do not require special exception approval. The applicant is planning to add trees along the retaining wall to help secure the grading and to provide a buffer between the rear yard and the adjacent property to the west. Figure 6 shows the same retaining wall with the proposed landscaping from the middle of the property.

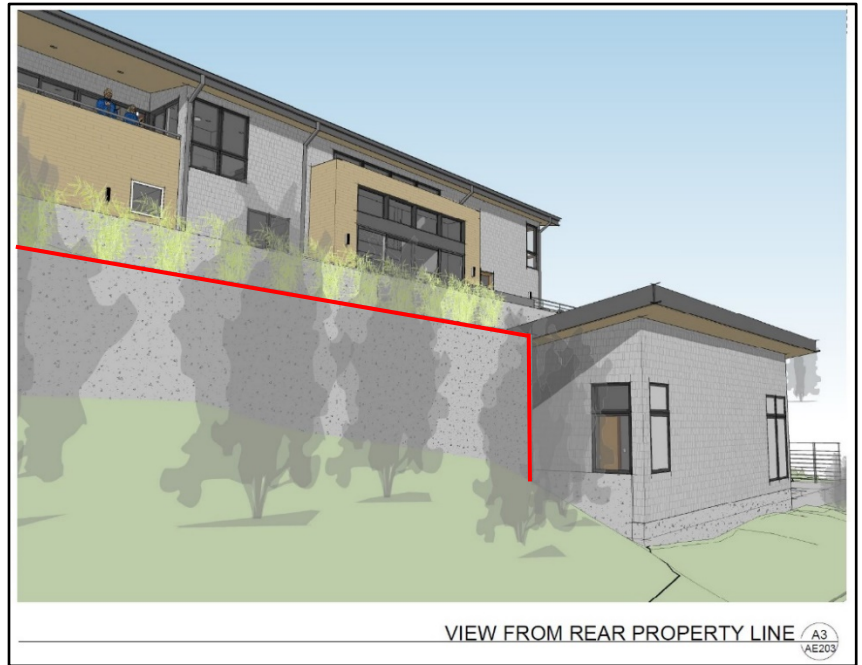


Figure 5: Rendering with the retaining walls requiring special exception approval in red. The rear of the ADU will be built into the southern 8' 8 1/2" side of the wall.

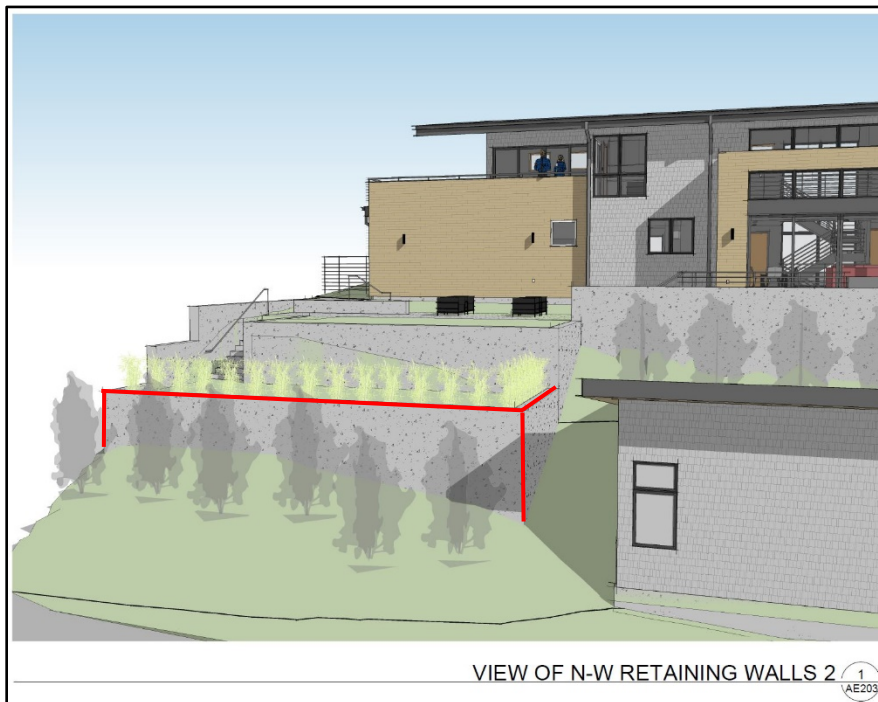


Figure 6: Rendering of the rear yard retaining wall requiring special exception approval in red and the proposed landscaping in front of the wall.

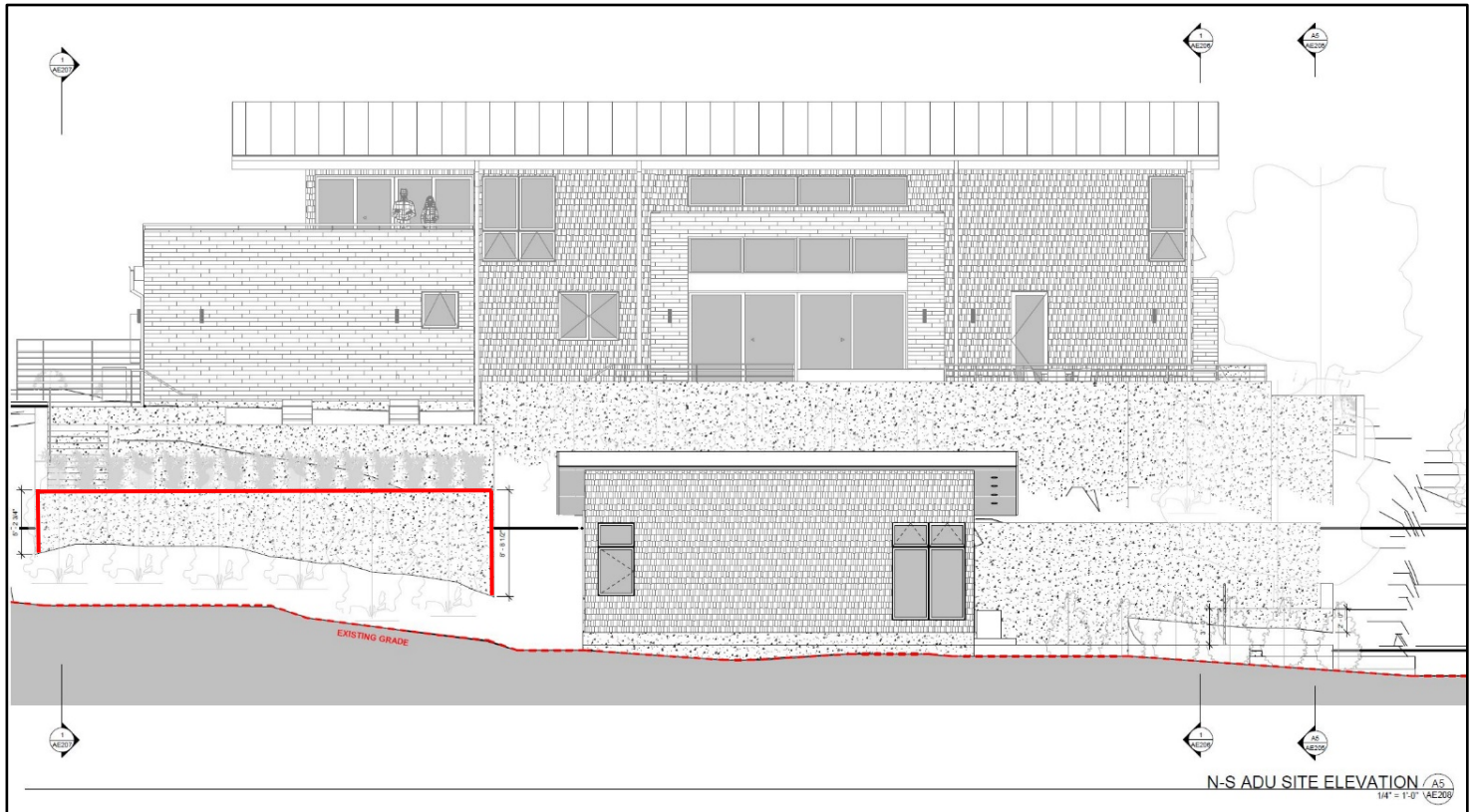


Figure 7: Site elevation drawing from the rear property line (looking east) showing the exposed terraced retaining wall requiring special exception approval. The highest point is 8' 8 1/2" tall.

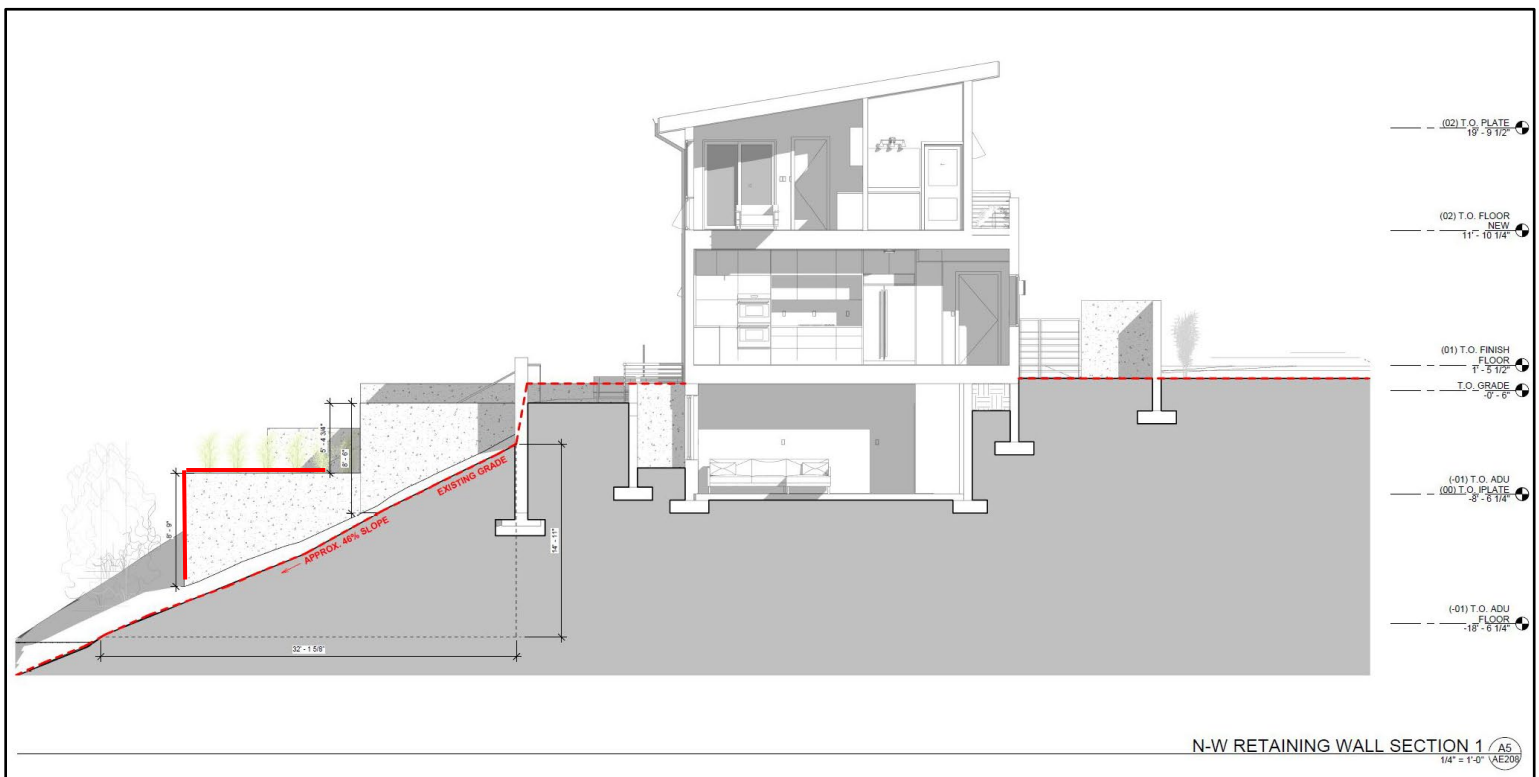


Figure 8: Site elevation drawing from middle of the property (looking north) showing the exposed 8'9" terraced retaining wall requiring special exception approval in red. The rear of the ADU will be built into this portion of the wall.

#### 4. North Side Yard Proposal

The terraced retaining walls running along the northern property line is within the required side yard setback area. The applicant is proposing this section of terraces walls to create a useable backyard area for the property owners. The three proposed walls fall within the 5-foot (5') range and connect to the retaining wall within the rear yard setback that was described above. The existing grade along the property line will not be altered.

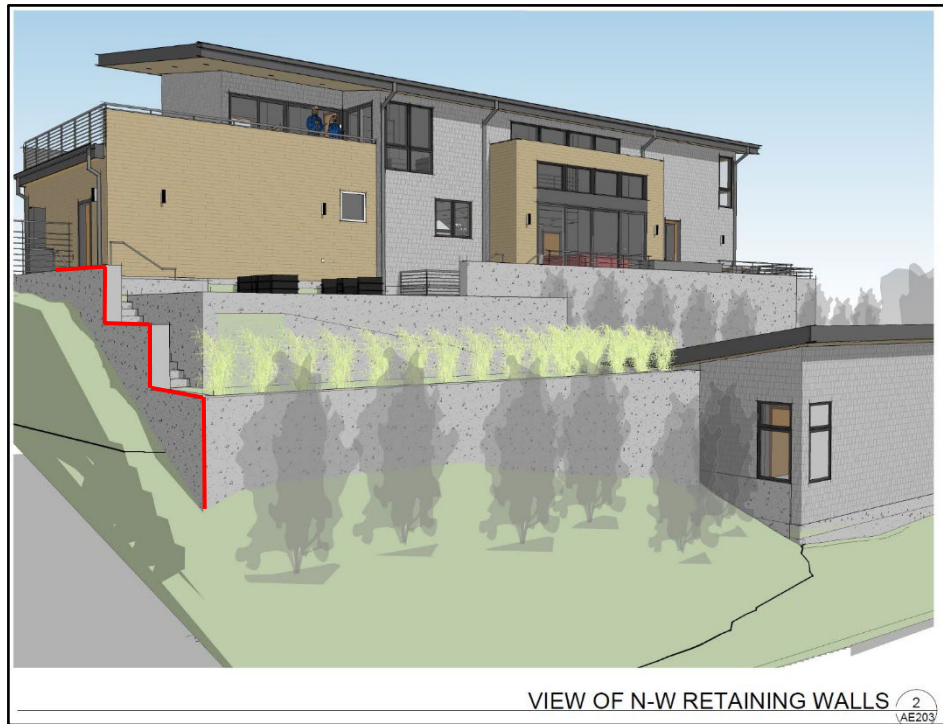


Figure 9: Rendering with the northern side yard retaining walls requiring special exception approval in red.

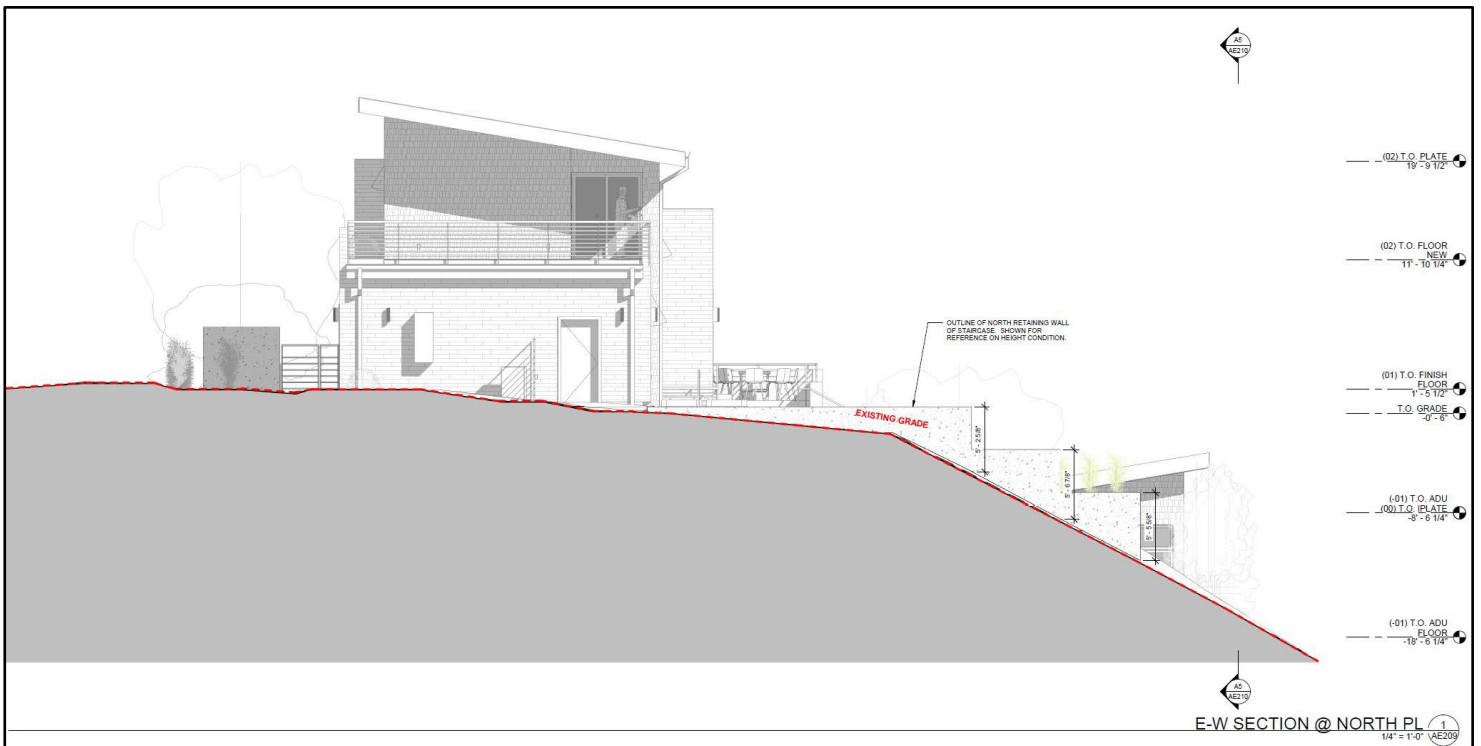


Figure 10: Site elevation of the north property line showing the exposed terraced retaining walls. The existing grade will not be altered.



## **PLANNING COMMISSION REVIEW:**

The property is located in the R-1/5,000 zoning district, which is a single-family zoning district. A Conditional Use process is required for any ADU's located in a single-family zone. For complete analysis and findings in relation to the Conditional Use standards please refer to [Attachment E](#).

## **NEXT STEPS:**

### **Approval of Conditional Use**

If the Conditional Use request is approved, the applicant will need to need to comply with the conditions of approval, including any of the conditions required by other City departments and any added by the Planning Commission. The applicant will be able to submit plans for building permits, but certificates of occupancy for the buildings will only be issued once all the conditions of approval are met, including the registration process requirements outlined in 21A.40.200.F of the zoning ordinance.

### **Denial of Conditional Use**

State and City code requires that a Conditional Use be approved if reasonable conditions can be imposed on the use to mitigate any reasonably anticipated detrimental effects of the use. A conditional use can only be denied if the Planning Commission finds that reasonably anticipated detrimental effects cannot be mitigated with the imposition of reasonable conditions.

If the Planning requests are denied, the applicant would not be able to construct an ADU. An accessory structure could still be constructed on the property subject to meeting zoning requirements; however, it could not be used as an accessory dwelling. Accessory structures in the R-1/5,000 zoning district must be located a minimum of 1 foot from the side and rear property lines, meet the lot coverage requirements, and the permitted maximum height for a pitched roof accessory building is 17 feet to the midpoint or 12 feet for a flat roof.

### **Approval of the Special Exception**

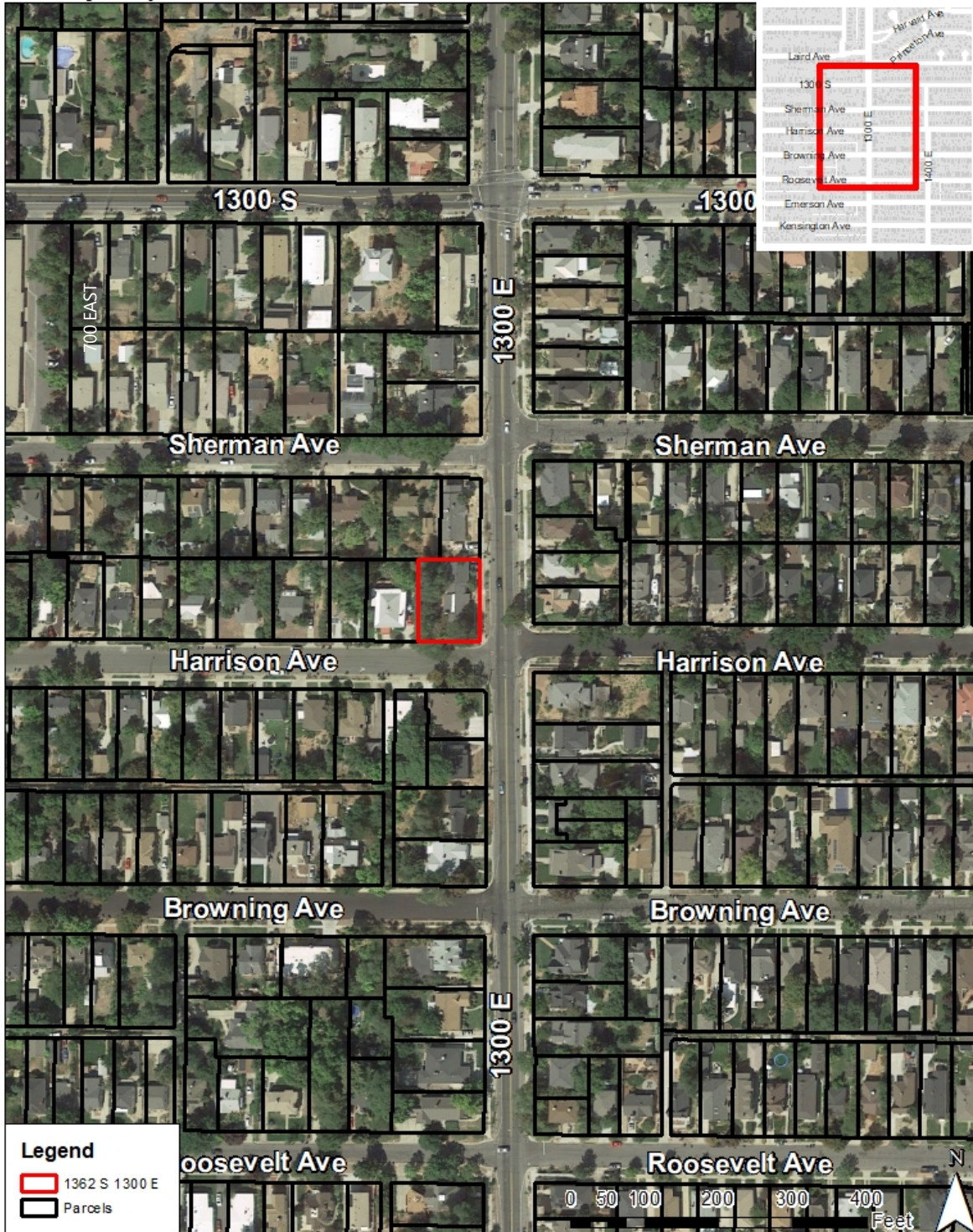
If the special exception is approved, the applicant will need to apply for a building permit to construct the Accessory Dwelling Unit. The retaining walls will require a building permit before construction.

### **Denial of the Special Exception**

If denied, the applicant will need to redesign the site to accommodate the proposed Accessory Dwelling Unit without grading or retaining walls exceeding the allowable 4 feet (4') in the rear and side yard setbacks, which would be difficult to accomplish due to the existing slope.

# ATTACHMENT A: VICINITY MAP

Vicinity Map



Salt Lake City Planning Division, 6/12/2020

# ATTACHMENT B: ADU PLAN SET

## 1300 EAST RESIDENCE

1362 S 1300 E, SALT LAKE CITY, UT 84105

OWNERS: BRANDON HSIEH

PERMIT/CONST. DOCUMENTS | 08.10.2020

### PROJECT RENDERING:



### VICINITY MAP:



### PROJECT INFORMATION:

PROJECT ADDRESS: 1362 S 1300 E, SALT LAKE CITY, UT 84105

PROJECT OWNER: BRANDON HSIEH

GENERAL CONTRACTOR: TIMBERLINE CONSTRUCTION, LLC

ARCHITECT: PROCESS STUDIO PLLC

STRUCTURAL ENGINEER: MJ STRUCTURAL ENGINEERS

CIVIL ENGINEER: REDBRICK SOLUTIONS

PROJECT DESCRIPTION: DETACHED ACCESSORY DWELLING UNIT ON PROPERTY OF EXISTING RESIDENCE

### DRAWING LIST:

DRAWING LIST WORKING ADU	
Sheet Number	Sheet Name
GI002	ADU COVERSHEET ARCHITECTURAL
AE003	ADU CODE & ZONING ANALYSIS
AS102	ADU SITE PLAN
AE140	ADU FLOOR PLANS
AE203	ADU VIEWS
AE204	ADU ELEVATIONS/ SECTIONS
AE205	ADU SITE SECTION
AE206	ADU SITE SECTION
AE207	ADU SITE SECTION
AE208	ADU SITE SECTION
AE209	ADU SITE SECTION
AE210	ADU SITE SECTION
AE407	ADU EN PLANS & INT. ELEVATIONS
AE504	ADU DETAILS
AE602	ADU SCHEDULES & ASSEMBLY TYPES
<b>STRUCTURAL</b>	
S101-ADU	ADU GENERAL STRUCTURAL NOTES
S201-ADU	ADU FOOTING AND FOUNDATION PLAN
S302-ADU	ADU ROOF FRAMING PLAN
S301-ADU	ADU SCHEDULES
S302-ADU	ADU SCHEDULES
S501-ADU	ADU FOOTING AND FNDN DETAILS
S601-ADU	ADU FRAMING DETAILS
S701-ADU	ADU ROOF FRAMING DETAILS
<b>CIVIL</b>	
G1-ADU	ADU GRADING PLAN
G2-ADU	ADU GRADING PLAN
G3-ADU	ADU GRADING PLAN
G4-ADU	ADU GRADING PLAN
EC1-ADU	ADU EROSION CONTROL
EC2-ADU	ADU EROSION CONTROL

### GENERAL CONTRACTOR NOTES:

- THESE PERMIT DOCUMENTS DATED HEREIN SHALL BE SUBMITTED BY THE GENERAL CONTRACTOR TO SALT LAKE CITY DEPARTMENT FOR REVIEW AND ISSUANCE OF BUILDING PERMIT. THIS DRAWING SET SUPERSEDES ALL PREVIOUS DRAWING SETS ISSUED FOR THIS PROJECT. CONSTRUCTION SHALL BE BASED ON THIS DRAWING SET ALONE.
- THE GENERAL CONTRACTOR SHALL REVIEW THE ENTIRE DRAWING SET AND PARTICIPATE IN A PRE-CONSTRUCTION CONFERENCE INCLUDING THE ARCHITECT AND ALL SUBCONTRACTORS PRIOR TO START OF CONSTRUCTION ACTIVITIES. THE GENERAL CONTRACTOR SHALL PERFORM IN ACCORDANCE WITH ALL GENERAL NOTES ON SHEET AE601.
- THE GENERAL CONTRACTOR SHALL ABIDE BY THE UTAH DIVISION OF AIR QUALITY REQUIREMENTS AND CONTACT THE UTAH DIVISION OF AIR QUALITY AT (801) 264-4000.
- PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE GENERAL CONTRACTOR WILL CONTACT UTILITY COMPANIES AT (800) 682-4111 TO LOCATE EXISTING IN-GROUND UTILITY LINE LOCATIONS.
- THE GENERAL CONTRACTOR SHALL NOT MAKE FIELD CHANGES TO THE PROJECT DESIGN WITHOUT CONSULTATION AND APPROVAL BY BOTH THE OWNER AND ARCHITECT. WHEN REQUIRED, THE STRUCTURAL ENGINEER, FAILURE TO DO SO MAY COMPROMISE THE PROJECT'S DESIGN CONFORMANCE WITH BUILDING CODES, ENERGY CODES, OR STRUCTURAL INTEGRITY. THE GENERAL CONTRACTOR WILL BEAR THE COST OF ANY CORRECTIONS TO UNAUTHORIZED FIELD CHANGES.
- THE GENERAL CONTRACTOR SHALL CONTACT THE ARCHITECT IMMEDIATELY WITH ANY QUESTIONS OR REQUESTS FOR INFORMATION AS THEY ARISE. DO TIMELY RESPONSES CAN BE PROVIDED AND CONSTRUCTION DELAYS AVOIDED. CONTACT DWSH@PRC2STUDIO.COM; DO NOT CONTACT THE STRUCTURAL ENGINEER DIRECTLY.
- THE GENERAL CONTRACTOR SHALL GUARANTEE A MINIMUM OF 1 YEAR FROM THE DATE OF SUBSTANTIAL COMPLETION. THE GENERAL CONTRACTOR WILL PROVIDE WRITTEN WARRANTIES FROM ALL PRODUCT MANUFACTURERS AND SYSTEM MANUFACTURERS FOR ITEMS INSTALLED ON THE PROJECT TO THE OWNERS.
- THE GENERAL CONTRACTOR WILL PROVIDE THE FOLLOWING SUBMITTALS FOR OWNER AND ARCHITECT REVIEW AND APPROVAL PRIOR TO ORDERING OR INSTALLATION:
  - WINDOW SHOP DRAWINGS & PRODUCT DATA (SEE WINDOW SCHEDULE & NOTES ON SHEET AE601)
  - EXTERIOR DOOR SHOP DRAWINGS & PRODUCT DATA (SEE DOOR SCHEDULE & NOTES ON SHEET AE601)
  - BUILT-IN CABINETS SHOP DRAWINGS
  - FRAMING SHOP DRAWINGS
- SEPARATE PERMITS WILL BE REQUIRED FOR MECHANICAL, ELECTRICAL, AND PLUMBING WORK. THE GENERAL CONTRACTOR WILL DIRECT SUBCONTRACTORS TO APPLY FOR PERMITS UNDER THE BUILDING PERMIT HAS BEEN ISSUED.

### PLUMBING NOTES:

- ALL WORK PERFORMED SHALL COMPLY WITH ALL CURRENT NATIONAL AND LOCAL BUILDING CODES.
- PLUMBING CONTRACTOR TO OBTAIN CITY/STATE BUSINESS LICENSE BEFORE STARTING WORK.
- OUTSIDE COMBUSTION AIR EXPANSION TANK AND SEISMIC STRAPS ARE REQUIRED FOR ALL EXHAUST FANS.
- LOW FLOOR TOLERANCE REQUIRED. MAX 1/4 IN. GALLONS PER FLUSH.
- MAX FLOOR RATE OF 2 GALLONS PER MINUTE.
- PLUMBING VENTS SHALL BE AT LEAST 3' ABOVE OR 10' AWAY FROM ALL OUTSIDE AIR INTAKE OPENINGS.
- FLANG PLOWS OF PLUMBING VENTS IS PROHIBITED.
- PLUMBING CONTRACTOR SHALL VERIFY SIZE & LOCATION OF UNDERGROUND UTILITIES. COORDINATE WITH ALL OTHER TRADES PRIOR TO MAKING FINAL CONNECTIONS.
- REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATION OF ALL FIXTURES.
- INTERIOR BATHS AND WENT LINES TO BE AS FOLLOWS:
- INTERIOR COPPER TO BE 1/2" INCH INSTALLED WITH PLASTIC COULATORS.
- PROVIDE 1/2" CPVC MECHANICAL AT THE CREEPER FOR SPOUSED BATH PER POSSIBLE.
- ALL VENT STACKS IN ATTIC SPACE TO BEAR OF ROOF WHERE POSSIBLE.
- INDIVIDUALLY INSULATE ALL PLUMBING, SUPPLY AND DRAIN LINES IN AREAS SUBJECT TO FREEZING. (EXTERIOR WALLS, ATTICS, CRAWLSPACES)
- PROVIDE A PRESSURE REGULATOR AND SHUT-OFF VALVE.
- ALL PLUMBING VENTS THROUGH ROOF TO BE 3" PIPE MINIMUM.
- EXHAUST FANS TO BE INSTALLED ON SUPPLY LINE TO WATER HEATER.
- WATER HEATER TO BE ANCHORED OR STRAPPED TO RESIST MOVEMENT DUE TO EARTHQUAKE MOTION. LOCATE ANCHOR OR STRAP WITHIN THE UPPER OR LOWER ONE-THIRD OF THE APPLIANCE.
- BACKFLOW PREVENTION FOR HOSE BIBBS/LAWN SPRINKLERS REQUIRED.
- ANTI-SCALD DEVICES REQUIRED.
- A SHOWER RECEPTOR SHALL COMPLY WITH P2709. THE LINGS OF A SITE-BUILT SHOWER RECEPTOR MUST BE INSPECTED.
- PROVIDE WATER HAMMER ARRESTORS WHERE QUICK-CLOSING VALVES ARE UTILIZED, PER P2603.

### MECHANICAL NOTES:

- ALL WORK PERFORMED SHALL COMPLY WITH ALL CURRENT NATIONAL AND LOCAL BUILDING CODES.
- MECHANICAL CONTRACTOR TO OBTAIN CITY/STATE BUSINESS LICENSE BEFORE STARTING WORK.
- COMBUSTION AIR MUST BE TAKEN FROM OUTSIDE.
- ALL MECHANICAL SYSTEMS SHALL BE SIZED LARGE ENOUGH TO SERVICE 100% OF DESIGN AND PEAK PRIOR TO FABRICATION.
- VENTS FOR ALL DUCTS AND PIPES PRIOR TO FABRICATION.
- CLOTHES DRYER MUST VENT TO OUTSIDE. DUCTS TO BE METAL WITH SMOOTH INTERIOR SURFACE. TERMINATE WITH BACK-DRAFT DOORS. TERMINATE AT THE EXTERIOR OF THE BUILDING AND NOT BE INSTALLED WITH SHEET METAL SCREENS. MAY EXTEND TO BE 14 IN WITH 20 DISBURSE ELBOWS. MIN. DUCT DIAMETER TO BE 3".
- FURNACES SHALL HAVE A MINIMUM 2" CLEARANCE FROM WALLS ON EACH SIDE AND TOP OR AS REQUIRED BY MFG.
- FLUE AND EXHAUST FANS VENTS SHALL BE AT LEAST 3' ABOVE OR 10' AWAY FROM ALL OUTSIDE AIR INTAKE OPENINGS. ALSO, THEY MUST BE AT LEAST FROM PROPERTY LINE.
- COMBUSTION AIR DUCTS TO BE LOCATED WITHIN THE UPPER 12" OF THE CEILING AND WITHIN 12" OF THE FLOOR.
- DUCTS USED FOR COMBUSTION TO REMAIN SEPARATE FROM THE ENCLOSURE TO THE OUTSIDE AIR SOURCE.
- SEISMIC STRAPS AND EXPANSION TANK ARE ARE REQUIRED ON THE WATER HEATER.
- VENTS SHALL TERMINATE 6" BELOW OR 4" HORIZONTALLY, AND AT LEAST 1' ABOVE AN EXISTING WINDOW OR GRAVITY AIR INLET INTO THE SPACE.
- MINIMUM 10" CLEARANCE ABOVE RANGE TOP TO COMBUSTIBLES.
- BATHROOMS AND LAUNDRY ROOMS WITHOUT AN OPERABLE WINDOW ARE REQUIRED TO HAVE EXHAUST FANS PROVIDING 3 AIR CHANGES PER HOUR.
- HOLE'S FOR 6" DIAMETER DUCT ARE TO BE LOCATED A MINIMUM OF 6" 2" FROM BEARING AND CENTERED TO WEB.
- MECHANICAL CONTRACTOR TO LOCATE ALL DUCTS AND RETURNS MINIMISE.
- FUR-DOWNS IN BASEMENT TO GREATEST EXTENT.
- OFFSET FLEX STACKS IN ATTIC SPACE TO BEAR OF ROOF WHERE POSSIBLE.
- CONTRACTOR TO EVALUATE EXISTING HVAC EQUIPMENT REGARDING ADEQUACY TO HEAT /COOL ADDITION AND UPGRADE AS NECESSARY.
- ALL GA AND SHD TO BE TAMPER RESISTANT.

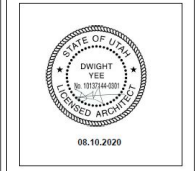
### P R O C E E D S

2020 S. GRACE STREET  
160 S.W. 34th, SUITE 3100  
# 301 954 2666  
www.gtmengr.com

**STRUCTURAL ENGINEER**  
MJ STRUCTURAL ENGINEERS  
5973 S. REDWOOD ROAD  
TAYLORVILLE, UT 84403  
PHONE: 801-925-1007  
EMAIL: mjakson@mjstructuralengineers.com

**CIVIL ENGINEER**  
REDBRICK SOLUTIONS  
331 SOUTH RIO GRANDE STREET  
SALT LAKE CITY, UT 84101  
PHONE: 801-224-3138  
CONTACT: DAVID LARSON  
EMAIL: david@redbricksolution.com

**GENERAL CONTRACTOR**  
TIMBERLINE CONSTRUCTION, LLC  
832 E. SUPERIOR WAY  
SALT LAKE CITY, UT 84121  
PHONE: 801-592-2668  
CONTACT ANDREW MENLOVE  
EMAIL: andrewmenlove@hotmail.com



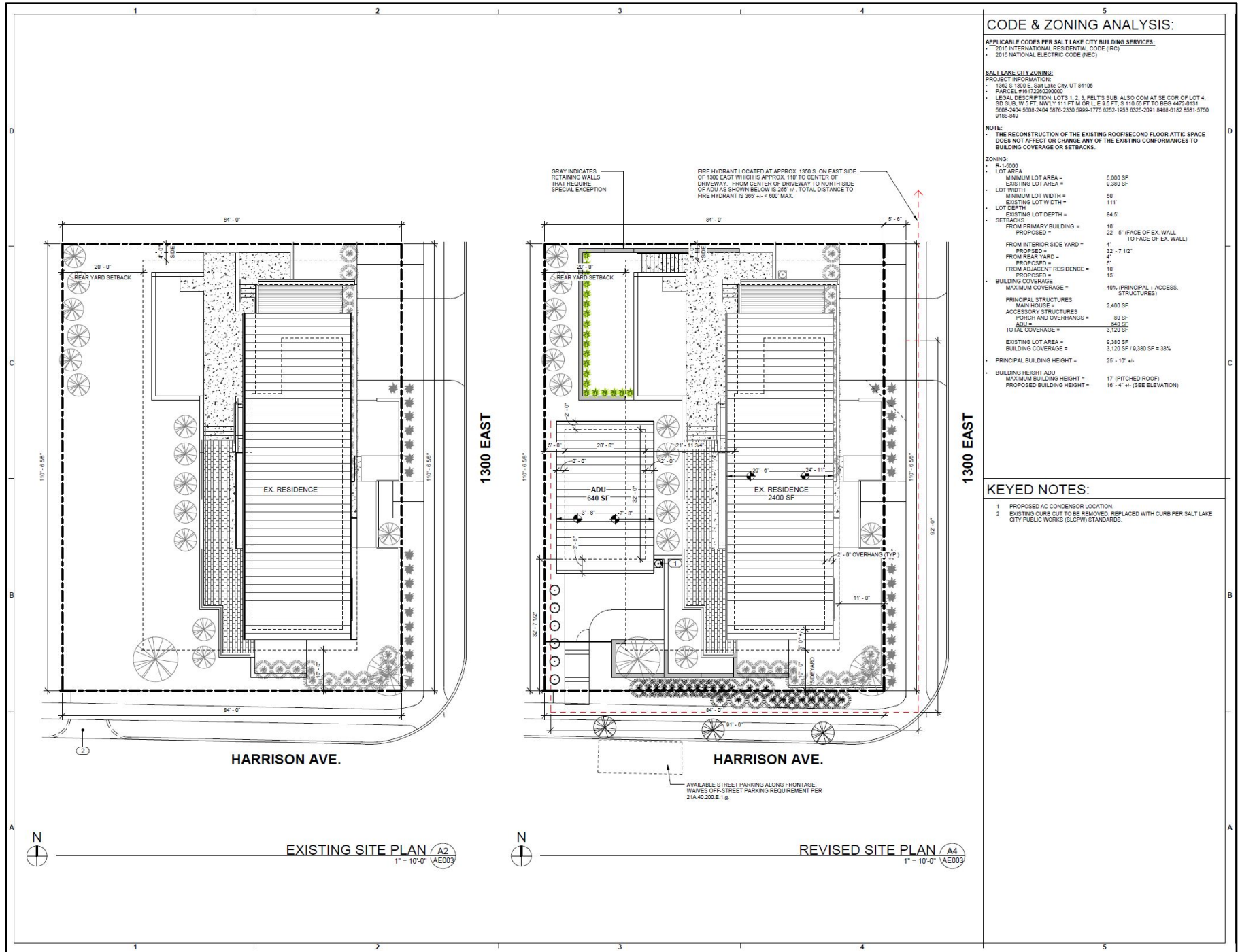
No.	Description	Date

1300 EAST RESIDENCE  
ADU COVERSHEET

Project Status: PERMIT/CONST. DOCUMENTS  
Project Number: 19\_0049  
Date: 08.10.2020  
Drawn by: DJY  
Checked by: EGE

**GI002**

Scale: \_\_\_\_\_



**CODE & ZONING ANALYSIS:**

APPLICABLE CODES PER SALT LAKE CITY BUILDING SERVICES:  
 - 2015 INTERNATIONAL RESIDENTIAL CODE (IRC)  
 - 2015 NATIONAL ELECTRIC CODE (NEC)

**SALT LAKE CITY ZONING:**

PROJECT INFORMATION:  
 - 1302 S 1300 E, Salt Lake City, UT 84105  
 - PARCEL #1617226200000  
 - LEGAL DESCRIPTION: LOTS 1, 2, & FELT'S SUB; ALSO COM AT SE COR OF LOT 4, 30 SUB, W 5 FT, NWLY 1111 FT M OR L E 9.5 FT, S 110.55 FT TO BEG 4472.0131 5608-2404 5608-2404 5676-2330 5999-1775 6252-1953 6325-2091 6468-6182 6581-6750 9188-989

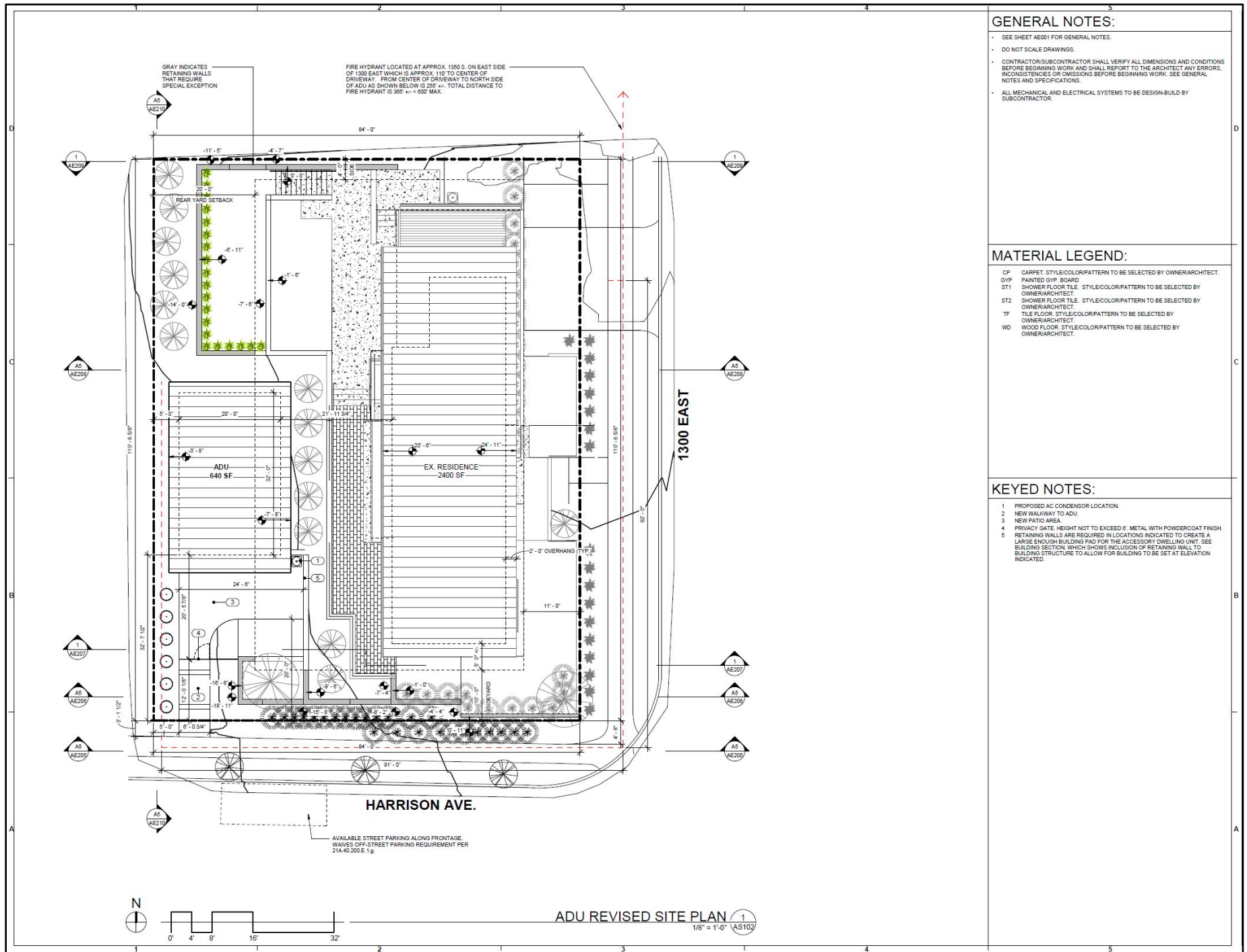
NOTE:  
 - THE RECONSTRUCTION OF THE EXISTING ROOF/SECOND FLOOR ATTIC SPACE DOES NOT AFFECT OR CHANGE ANY OF THE EXISTING CONFORMANCES TO BUILDING COVERAGE OR SETBACKS.

**ZONING:**

• R-1-5000	
• LOT AREA	5,000 SF
• MINIMUM LOT AREA =	9,380 SF
• LOT WIDTH	82'
• MINIMUM LOT WIDTH =	111'
• EXISTING LOT WIDTH =	82'
• LOT DEPTH	84.5'
• EXISTING LOT DEPTH =	84.5'
• SETBACKS	
• FROM PRIMARY BUILDING =	10'
• PROPOSED =	22'-5" (FACE OF EX. WALL TO FACE OF EX. WALL)
• FROM INTERIOR SIDE YARD =	4'
• PROPOSED =	32'-7 1/2"
• FROM REAR YARD =	4'
• PROPOSED =	5'
• FROM ADJACENT RESIDENCE =	10'
• PROPOSED =	10'
• BUILDING COVERAGE	
• MAXIMUM COVERAGE =	40% (PRINCIPAL + ACCESS. STRUCTURES)
• PRINCIPAL STRUCTURES	
• MAIN HOUSE =	2,400 SF
• ACCESSORY STRUCTURES	
• PORCH AND OVERHANGS =	80 SF
• ADU =	640 SF
• TOTAL COVERAGE =	3,120 SF
• EXISTING LOT AREA =	9,380 SF
• BUILDING COVERAGE =	3,120 SF / 9,380 SF = 33%
• PRINCIPAL BUILDING HEIGHT =	25'-10" +/-
• BUILDING HEIGHT ADU	
• MAXIMUM BUILDING HEIGHT =	17' (PITCHED ROOF)
• PROPOSED BUILDING HEIGHT =	16'-4" +/- (SEE ELEVATION)

**KEYED NOTES:**

1. PROPOSED AC CONDENSOR LOCATION.
2. EXISTING CURB CUT TO BE REMOVED, REPLACED WITH CURB PER SALT LAKE CITY PUBLIC WORKS (SLOPW) STANDARDS.



**GENERAL NOTES:**

- SEE SHEET AE01 FOR GENERAL NOTES.
- DO NOT SCALE DRAWINGS.
- CONTRACTOR/SUBCONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE BEGINNING WORK AND SHALL REPORT TO THE ARCHITECT ANY ERRORS, INCONSISTENCIES OR OMISSIONS BEFORE BEGINNING WORK. SEE GENERAL NOTES AND SPECIFICATIONS.
- ALL MECHANICAL AND ELECTRICAL SYSTEMS TO BE DESIGN-BUILD BY SUBCONTRACTOR.

**MATERIAL LEGEND:**

- CP CARPET, STYLE/COLOR/PATTERN TO BE SELECTED BY OWNER/ARCHITECT.
- GYP PAINTED GYP. BOARD
- ST1 SHOWER FLOOR TILE, STYLE/COLOR/PATTERN TO BE SELECTED BY OWNER/ARCHITECT.
- ST2 SHOWER FLOOR TILE, STYLE/COLOR/PATTERN TO BE SELECTED BY OWNER/ARCHITECT
- TF TILE FLOOR, STYLE/COLOR/PATTERN TO BE SELECTED BY OWNER/ARCHITECT
- WD WOOD FLOOR, STYLE/COLOR/PATTERN TO BE SELECTED BY OWNER/ARCHITECT.

**KEYED NOTES:**

- PROPOSED AC CONDENSOR LOCATION.
- NEW WALKWAY TO ADU.
- NEW PATIO AREA.
- PRIVACY GATE, HEIGHT NOT TO EXCEED 6', METAL WITH POWDERCOAT FINISH.
- RETAINING WALLS ARE REQUIRED IN LOCATIONS INDICATED TO CREATE A LARGE ENVOIR BUILDING PAD FOR THE ACCESSORY DWELLING UNIT. SEE BUILDING SECTION WHICH SHOWS INCLUSION OF RETAINING WALL TO BUILDING STRUCTURE TO ALLOW FOR BUILDING TO BE SET AT ELEVATION INDICATED.



VIEW OF N-W RETAINING WALLS 2 1  
AE203



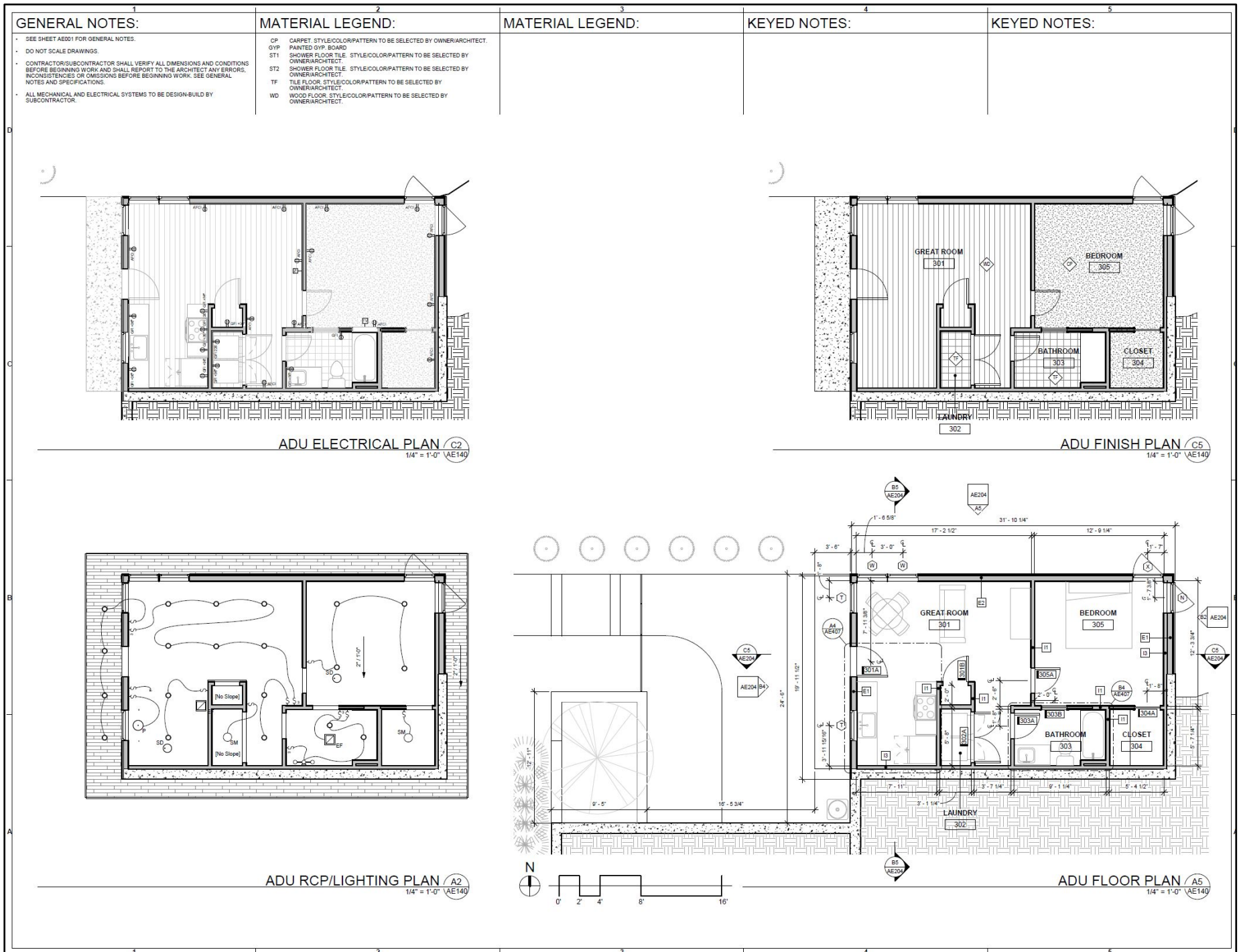
VIEW OF N-W RETAINING WALLS 2  
AE203

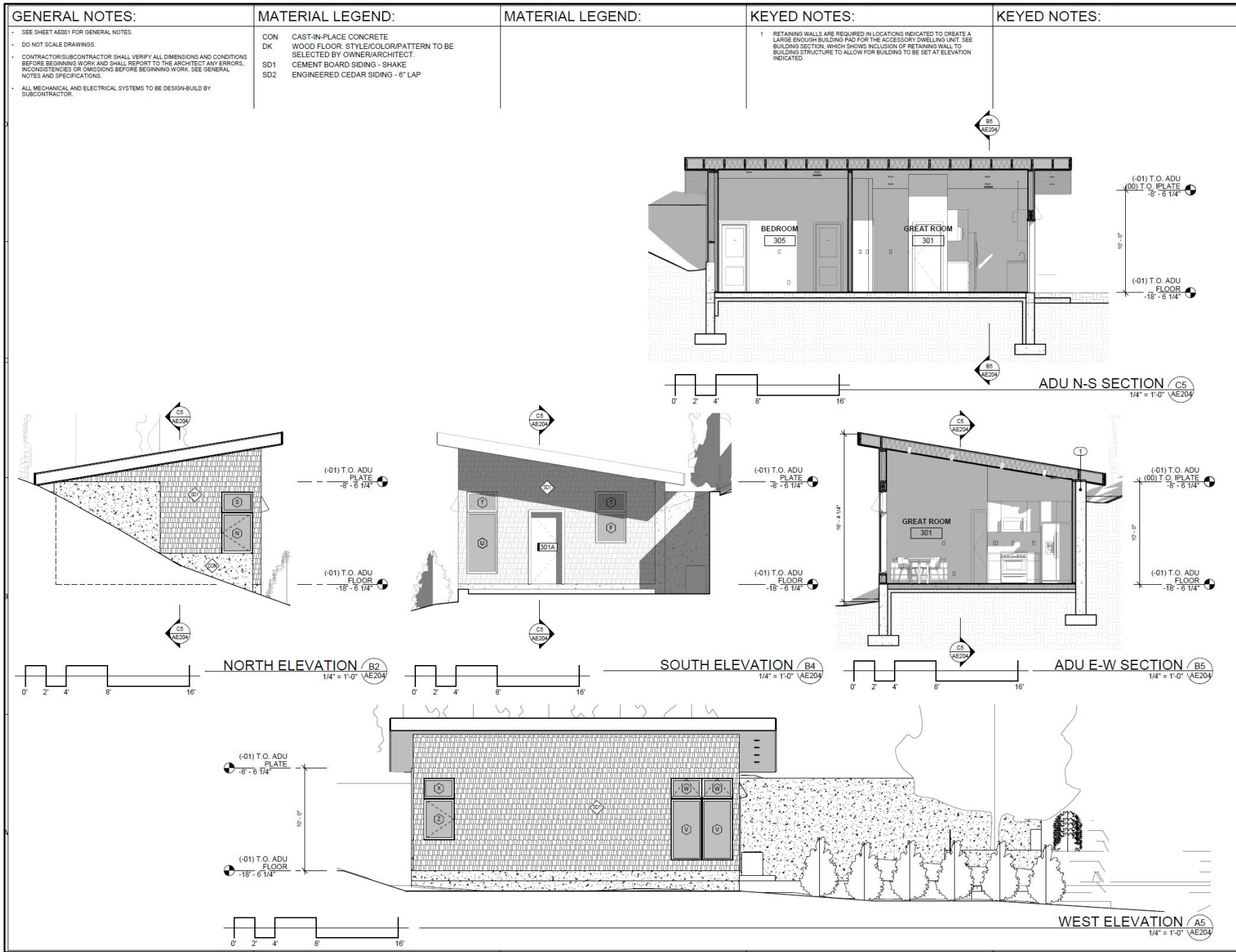


VIEW FROM REAR PROPERTY LINE A3  
AE203



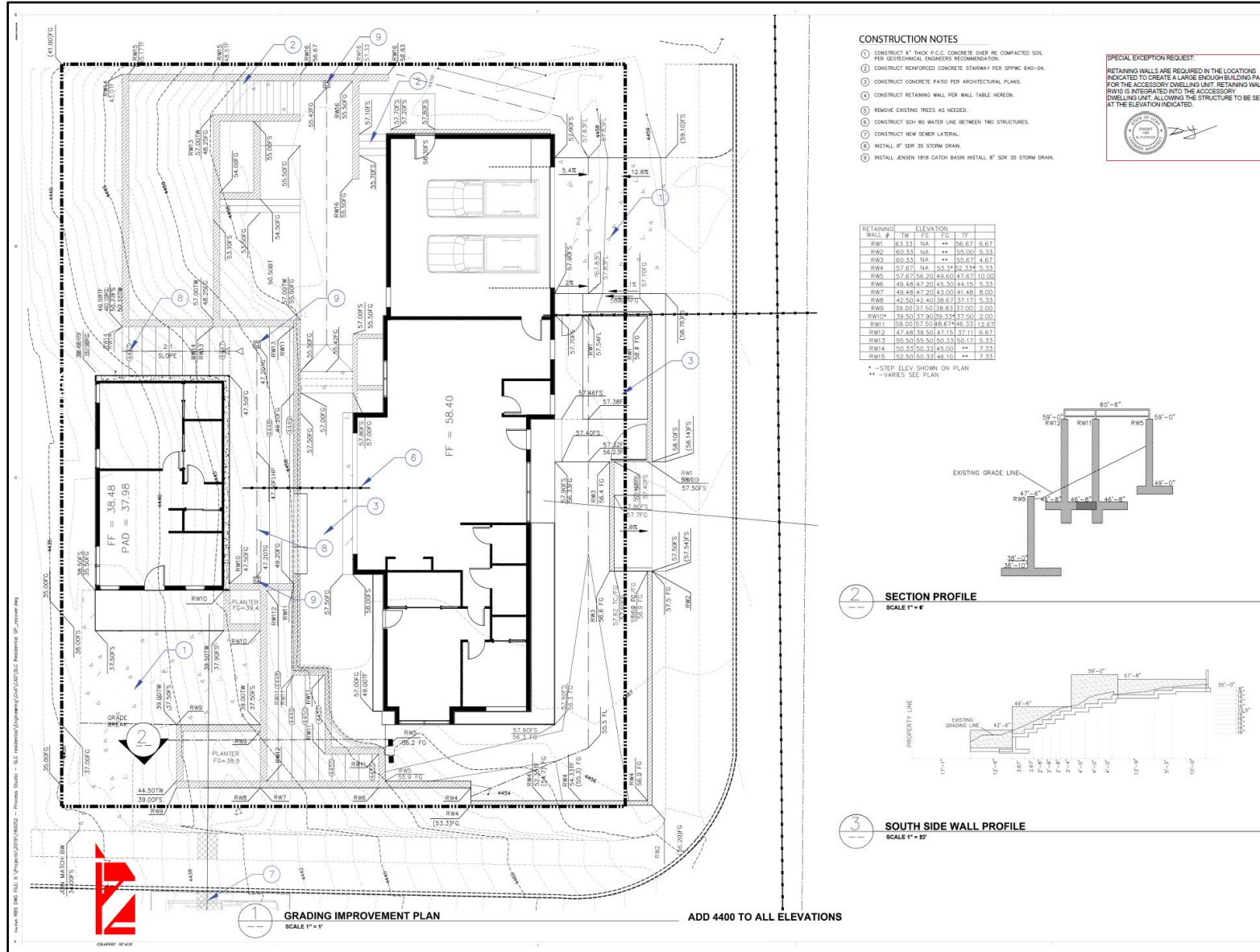
HARRISON AVE. VIEW A5  
AE203

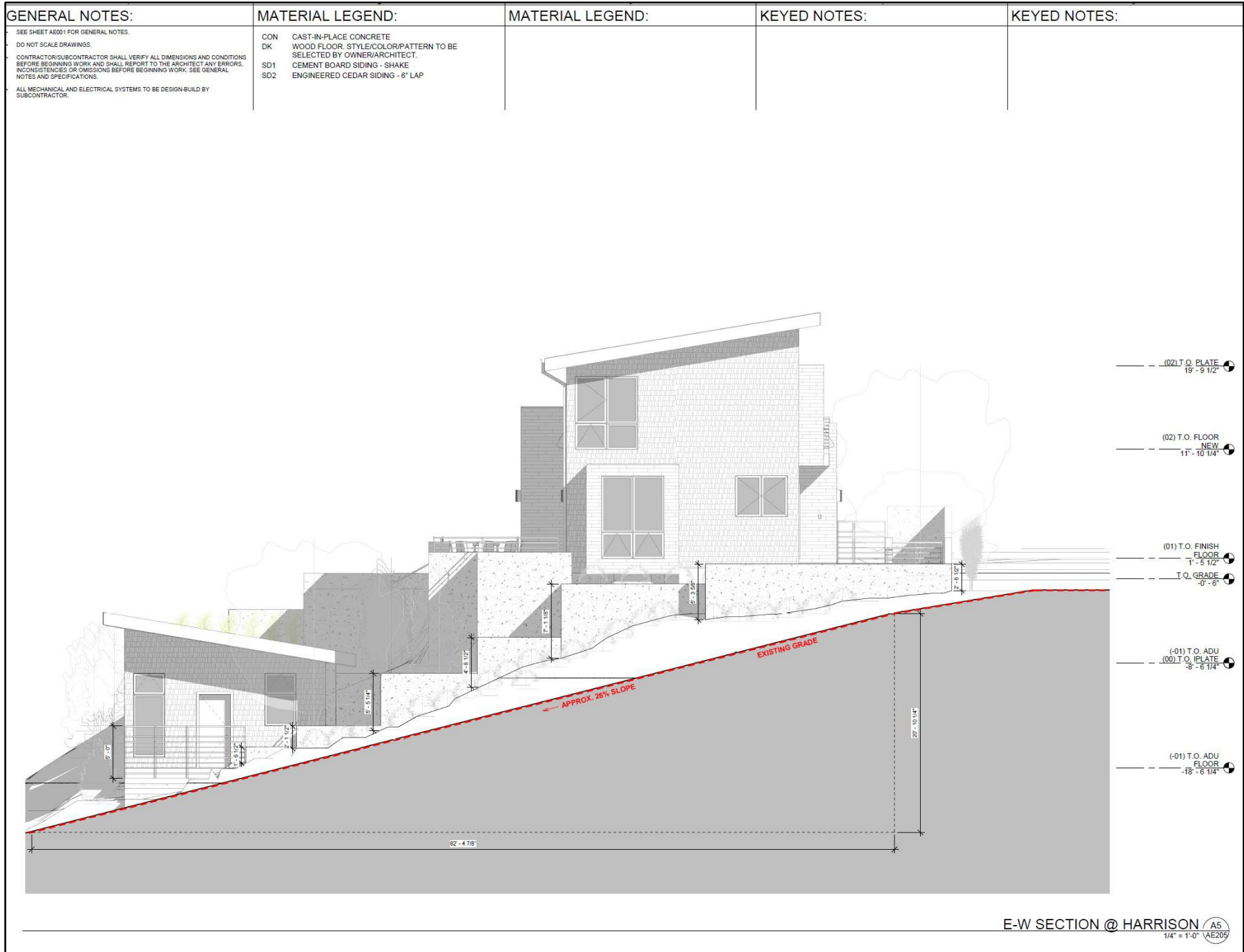






# ATTACHMENT C: SPECIAL EXCEPTION PLAN SET





**GENERAL NOTES:**

- SEE SHEET AE001 FOR GENERAL NOTES.
- DO NOT SCALE DRAWINGS.
- CONTRACTOR/SUBCONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE BEGINNING WORK AND SHALL REPORT TO THE ARCHITECT ANY ERRORS, INCONSISTENCIES OR OMISSIONS BEFORE BEGINNING WORK. SEE GENERAL NOTES AND SPECIFICATIONS.
- ALL MECHANICAL AND ELECTRICAL SYSTEMS TO BE DESIGN-BUILD BY SUBCONTRACTOR.

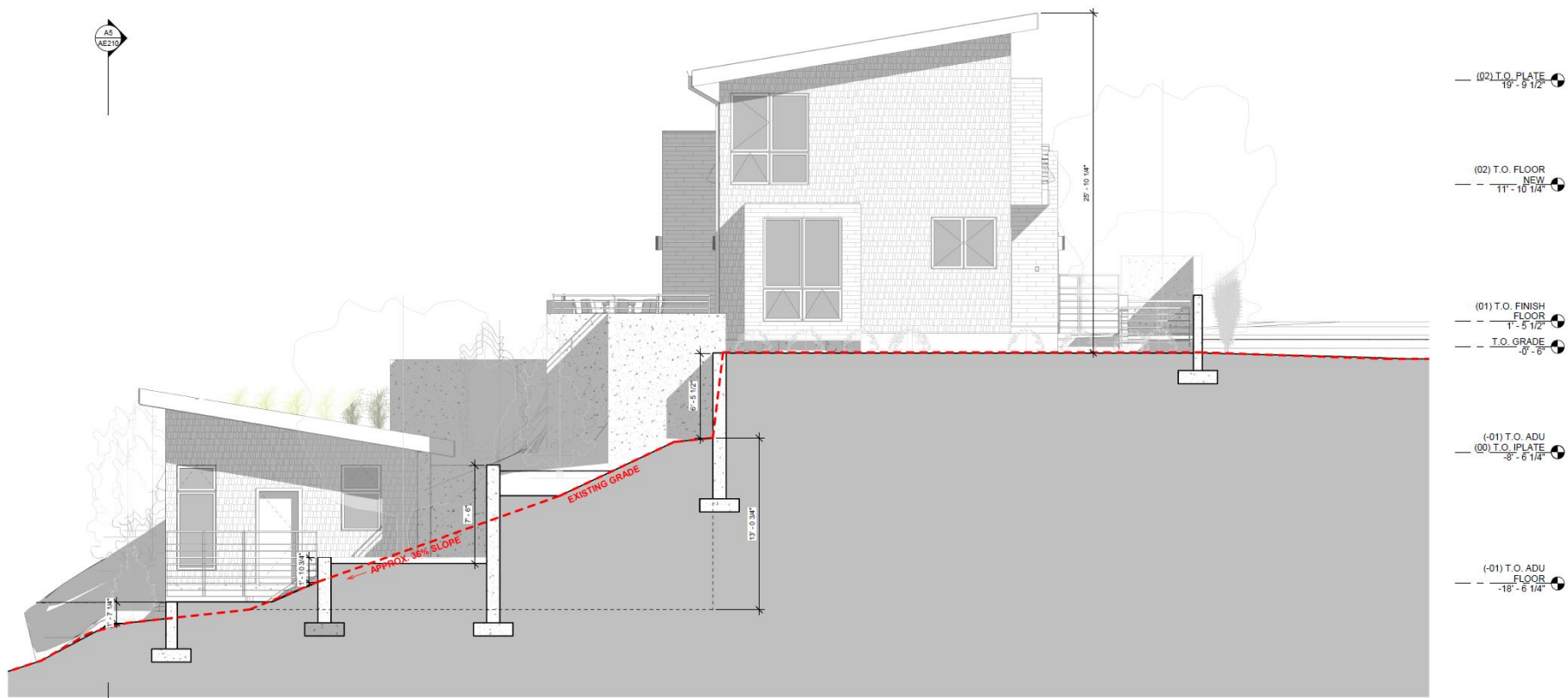
**MATERIAL LEGEND:**

- CON CAST-IN-PLACE CONCRETE
- DK WOOD FLOOR - STYLE/COLOR/PATTERN TO BE SELECTED BY OWNER/ARCHITECT.
- SD1 CEMENT BOARD SIDING - SHAKE
- SD2 ENGINEERED CEDAR SIDING - 6" LAP

**MATERIAL LEGEND:**

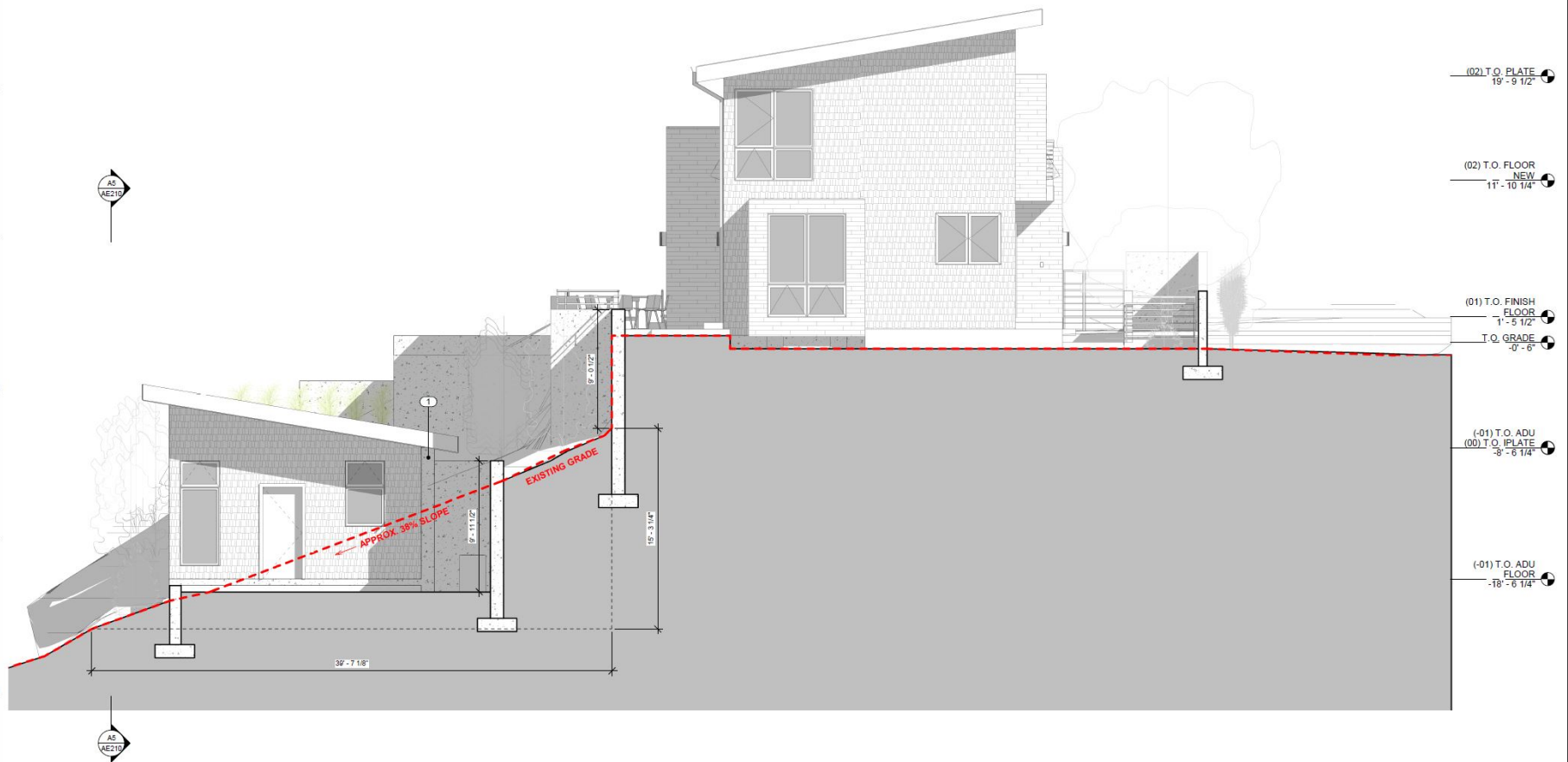
**KEYED NOTES:**

**KEYED NOTES:**

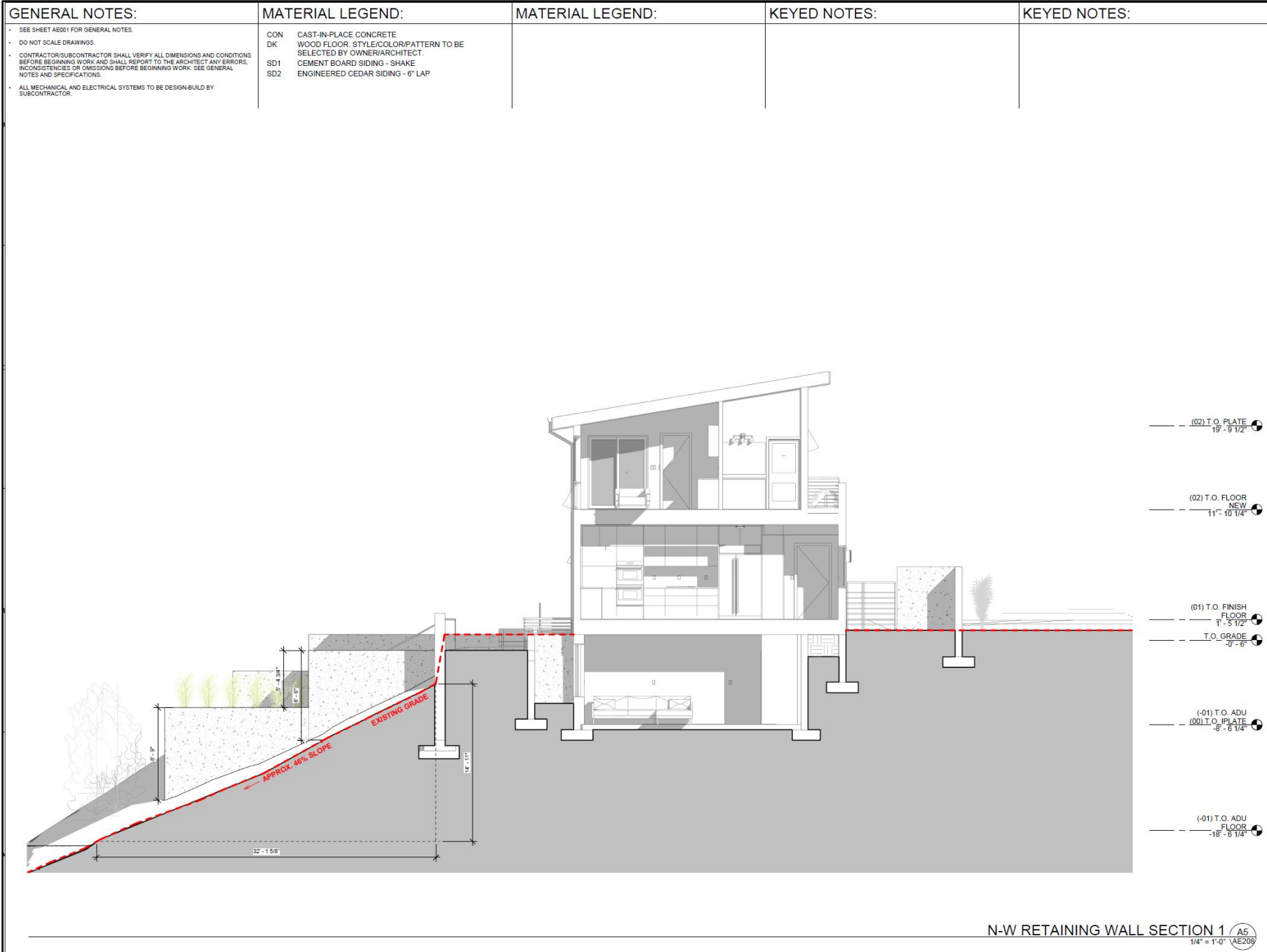


E-W SECTION @ HARRISON A5  
1/4" = 1'-0" AE206

GENERAL NOTES:	MATERIAL LEGEND:	MATERIAL LEGEND:	KEYED NOTES:	KEYED NOTES:
<ul style="list-style-type: none"> <li>SEE SHEET AE001 FOR GENERAL NOTES.</li> <li>DO NOT SCALE DRAWINGS.</li> <li>CONTRACTOR/SUBCONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE BEGINNING WORK AND SHALL REPORT TO THE ARCHITECT ANY ERRORS, INCONSISTENCIES OR OMISSIONS BEFORE BEGINNING WORK. SEE GENERAL NOTES AND SPECIFICATIONS.</li> <li>ALL MECHANICAL AND ELECTRICAL SYSTEMS TO BE DESIGN-BUILD BY SUBCONTRACTOR.</li> </ul>	<ul style="list-style-type: none"> <li>CON CAST-IN-PLACE CONCRETE</li> <li>DK WOOD FLOOR, STYLE/COLOR/PATTERN TO BE SELECTED BY OWNER/ARCHITECT.</li> <li>SD1 CEMENT BOARD SIDING - SHAKE</li> <li>SD2 ENGINEERED CEDAR SIDING - 6" LAP</li> </ul>		<ol style="list-style-type: none"> <li>RETAINING WALLS ARE REQUIRED IN LOCATIONS INDICATED TO CREATE A LARGE ENOUGH BUILDING PAD FOR THE ACCESSORY DWELLING UNIT. SEE BUILDING SECTION WHICH SHOWS INCLUSION OF RETAINING WALL TO BUILDING STRUCTURE TO ALLOW FOR BUILDING TO BE SET AT ELEVATION INDICATED.</li> </ol>	



E-W SECTION @ ADU ENTRANCE 1  
1/4" = 1'-0" AE207



**GENERAL NOTES:**

- SEE SHEET AE001 FOR GENERAL NOTES.
- DO NOT SCALE DRAWINGS.
- CONTRACTOR/SUBCONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE BEGINNING WORK AND SHALL REPORT TO THE ARCHITECT ANY ERRORS, INCONSISTENCIES OR OMISSIONS BEFORE BEGINNING WORK. SEE GENERAL NOTES AND SPECIFICATIONS.
- ALL MECHANICAL AND ELECTRICAL SYSTEMS TO BE DESIGN-BUILD BY SUBCONTRACTOR.

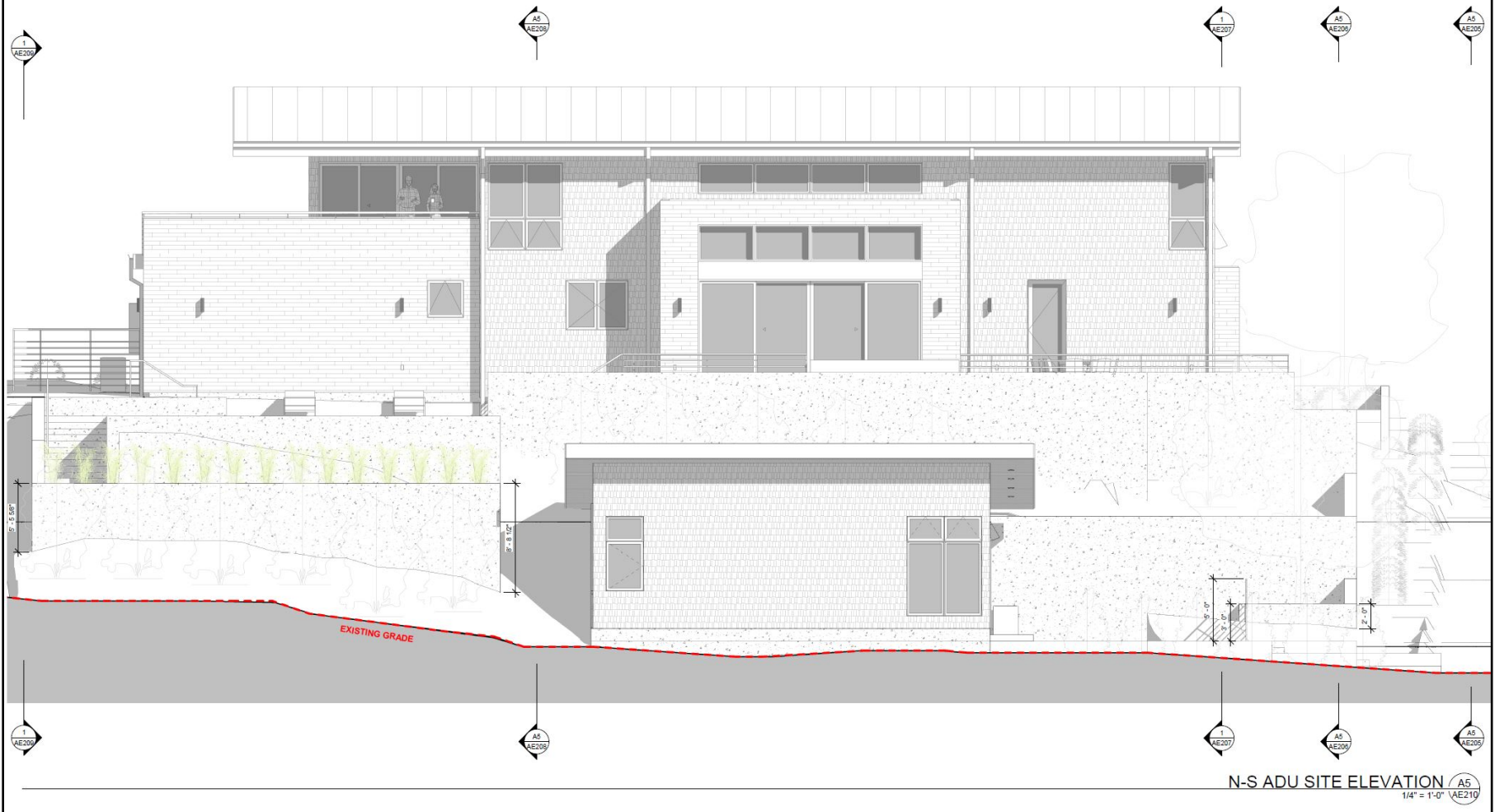
**MATERIAL LEGEND:**

- CON CAST-IN-PLACE CONCRETE
- DK WOOD FLOOR, STYLE/COLOR/PATTERN TO BE SELECTED BY OWNER/ARCHITECT.
- SD1 CEMENT BOARD SIDING - SHAKE
- SD2 ENGINEERED CEDAR SIDING - 6" LAP

**MATERIAL LEGEND:**

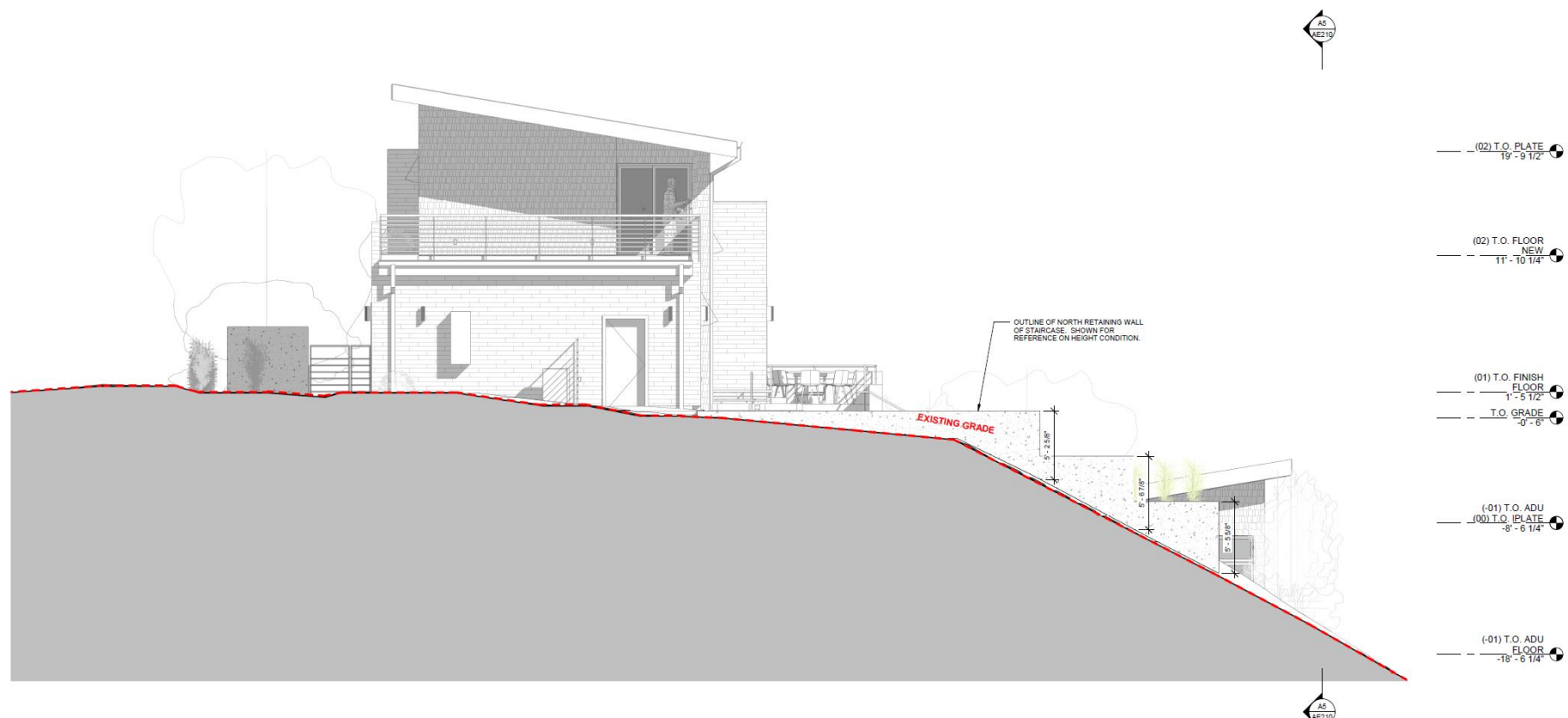
**KEYED NOTES:**

**KEYED NOTES:**



N-S ADU SITE ELEVATION (A5)  
1/4" = 1'-0" (AE210)

GENERAL NOTES:	MATERIAL LEGEND:	MATERIAL LEGEND:	KEYED NOTES:	KEYED NOTES:
<ul style="list-style-type: none"> <li>SEE SHEET AE001 FOR GENERAL NOTES.</li> <li>DO NOT SCALE DRAWINGS.</li> <li>CONTRACTOR/SUBCONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE BEGINNING WORK AND SHALL REPORT TO THE ARCHITECT ANY ERRORS, INCONSISTENCIES OR OMISSIONS BEFORE BEGINNING WORK. SEE GENERAL NOTES AND SPECIFICATIONS.</li> <li>ALL MECHANICAL AND ELECTRICAL SYSTEMS TO BE DESIGN-BUILD BY SUBCONTRACTOR.</li> </ul>	<p>CON CAST-IN-PLACE CONCRETE  DK WOOD FLOOR, STYLE/COLOR/PATTERN TO BE SELECTED BY OWNER/ARCHITECT.  SD1 CEMENT BOARD SIDING - SHAKE  SD2 ENGINEERED CEDAR SIDING - 6" LAP</p>			



E-W SECTION @ NORTH PL. 1/4" = 1'-0" (1/4" = 1'-0" AE209)

## **ATTACHMENT D: PROPERTY AND VICINITY PHOTOS**



*Existing Dwelling Unit – 1362 S 1300 E*



*Harrison Avenue – Looking west*





*Southern property line along Harrison Avenue – Looking north*



*Existing retaining wall*



*Proposed parking space*



*Southern property line facing Harrison Avenue – Looking south*



*Adjacent property and existing entrance gate to the subject property*



*Proposed ADU entrance*



*Southern (side) property line facing towards the entrance of the proposed ADU*



*Northern (side) property line facing towards the rear of the proposed ADU*



*View of the western (rear) property line from the existing deck*



*Western (rear) property line facing east towards the primary dwelling*

## ATTACHMENT E: ZONING STANDARDS FOR ADU'S

### 21A.40.200 – Accessory Dwelling Units

Standard	Proposed	Findings
<p><b>Size</b>  <i>An ADU shall not have a footprint that is greater than fifty percent (50%) of the footprint of the principal dwelling and shall not exceed six hundred fifty (650) square feet (SF).</i></p>	<p>Principal dwelling is approximately 2,400 SF.</p> <p>Fifty percent (50%) of principal dwelling equals approximately 1,200 SF.</p> <p>Proposed ADU is approximately <b>640 SF</b>.</p>	<p>Complies</p>
<p><b>Maximum Coverage</b>  <i>The surface coverage of all principal and accessory buildings shall not exceed forty percent (40%) of the lot.</i></p> <p><i>[Rear] Yard Coverage: In residential districts, any portion of an accessory building, excluding hoop houses, greenhouses, and cold frames associated solely with growing food and/or plants, shall occupy not more than fifty percent (50%) of the total area located between the rear façade of the principal building and the rear lot line.</i></p>	<p>Lot size is approximately 9,380 SF.</p> <p>Forty percent (40%) of the lot is approximately 3,752 SF.</p> <p>Primary Dwelling: 2,400 SF  Proposed ADU: 640 SF  Porch and Overhangs: 80 SF  Total Coverage: 3,120 SF</p> <p>The surface coverage of all principal and accessory buildings (including the proposed ADU) is approximately <b>33%</b> of the lot.</p> <p>Rear yard area: 5,200 SF  Proposed ADU: 640 SF  Yard Coverage: <b>12%</b></p>	<p>Complies</p>
<p><b>Building Height</b>  <i>Exception: If the single family dwelling on the property is over seventeen feet (17') in height, an accessory building containing an accessory dwelling unit may be equal to the height of the single family dwelling up to a maximum building height of twenty four feet (24') for an accessory building with a pitched roof or twenty feet (20') for an accessory building with a flat roof provided the accessory building is set back a minimum of ten feet (10') from a side or rear property line. The setback for additional height may be reduced to four feet (4') if the side or rear lot line is adjacent to an alley.</i></p>	<p>Height of proposed ADU is approximately <b>16' 4 1/4"</b>.</p> <p>The primary dwelling is approximately 26'.</p>	<p>Complies</p>
<p><b>Side or Rear Yard Setbacks</b>  <i>New Accessory Buildings [ADU] shall be located a minimum of four feet (4') from any side or rear lot line.</i></p>	<p>Side [south] Lot Line: <b>32' 7"</b>  Rear [west] Lot Line: <b>5'</b></p>	<p>Complies</p>

<p><b>Separation</b>  <i>All ADUs [located in an accessory building] shall be located a minimum of ten feet (10') from the single family dwelling located on the same parcel and any single family dwelling on an adjacent property.</i></p>	<p>The proposed ADU is approximately <b>22' 6"</b> from the principal dwelling on the same parcel.</p> <p>The nearest single-family dwelling on an adjacent property [west] is approximately <b>15'</b>.</p>	<p>Complies</p>
<p><b>Entrance Locations</b>  <i>The entrance to an ADU in an accessory building shall be located:</i></p> <p>(1) <i>Facing a side or rear property line provided the entrance is located a minimum of ten feet (10') from the side or rear property line.</i></p>	<p>The entrance for the proposed ADU is oriented towards the side [south] property line along Harrison Avenue. The entrance is approximately <b>32' 7"</b> from the side property line.</p>	<p>Complies</p>
<p><b>Requirement for Windows</b>  <i>Windows on an accessory building containing an ADU shall comply with the following standards:</i></p> <p>(1) <i>Windows shall be no larger than necessary to comply with the minimum Building Code requirements for egress where required.</i></p> <p>(2) <i>Skylights, clerestory windows, or obscured glazing shall be used when facing a side or rear property line to comply with minimum Building Code requirements for air and light on building elevations that are within ten feet (10') of a side or rear property line unless the side or rear property line is adjacent to an alley.</i></p> <p>(3) <i>Except as required in subsection E3g(1) of this section, windows shall maintain a similar dimension and design as the windows found on the principal structure.</i></p>	<p>There are windows located on the north, south and west elevations. The west side of the ADU is less than 10' from the rear yard property line. This façade has obscured glazing.</p> <p>Windows are similar in dimension and design as the windows on the principal structure.</p>	<p>Complies</p>
<p><b>Parking</b>  <i>An ADU shall require a minimum of one on-site parking space.</i></p> <p><i>*This requirement may be waived if there is legal on street parking along the street frontage of the property OR if it's within 1/4 mile of a transit stop.</i></p>	<p>The proposal provides one (1) on street parking space along Harrison Avenue. There is also a bus stop on the southeast corner of 1300 E and Sherman Avenue, which is less than 1/4 of a mile away from the subject property.</p>	<p>Complies</p>

# ATTACHMENT F: CONDITIONAL USE STANDARDS

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## 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 proposed ADU use is located in the R-1/5000 zoning district which allows for an ADU to be approved through the conditional use process subject to meeting the specific regulations for an ADU in section 21A.40.200 of the zoning ordinance. As analyzed in [Attachment E](#), the ADU complies with the requirements of 21A.40.200.

**Finding:** The proposed use will comply with the applicable provisions of the Salt Lake City Zoning Ordinance.

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

**Analysis:** The proposed ADU is anticipated in the R-1/5,000 zoning district and is considered a use that is potentially compatible with adjacent and surrounding residential uses by being listed as a conditional use in the land use table. The ADU meets all the requirements in terms of setbacks and separation requirements between adjacent houses and the primary house on the property.

**Finding:** The proposed development and use is generally compatible with the surrounding uses and effects that could result in incompatibility have been mitigated with existing privacy fencing along interior side and rear yards between adjacent properties.

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

**Analysis:** The proposal is located within the Central Community Master Planning Area. The master plan designates the future land use of this area as low density residential and the existing zoning on the property is R-1/5000, single family residential.

*The purpose of the R-1/5,000 Single-Family Residential District is to provide for conventional single-family residential neighborhoods. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.*

The purpose of accessory dwelling units is to:

- 1) Create new housing units while respecting the appearance and scale of single-family residential development;
- 2) Provide more housing choices in residential districts;
- 3) Allow more efficient use of existing housing stock, public infrastructure, and the embodied energy contained within existing structures;
- 4) Provide housing options for family caregivers, adult children, aging parents, and families seeking smaller households;



- 5) Offer a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and services;
- 6) Broaden the range of affordable housing throughout the City;
- 7) Support sustainability objectives by increasing housing close to jobs, schools, and services, thereby reducing greenhouse gas emissions and fossil fuel consumption;
- 8) Support transit oriented development and reduce auto usage by increasing density near transit; and
- 9) Support the economic viability of historic properties and the City's historic preservation goals by allowing accessory dwellings in historic structures.

The proposed ADU is consistent with the following Residential Land Use Goals included in the Central Community Master Plan:

- Encourage the creation and maintenance of a variety of housing opportunities that meet social needs and income levels of a diverse population.
- Ensure preservation of low-density residential neighborhoods.
- Encourage a mix of rental properties for those who cannot afford or do not choose home ownership.
- Support the efforts of the Housing Division and the Redevelopment Agency to provide residential construction in all qualifying neighborhoods within the Central Community.

The proposal is also consistent with the goals and policies outlined in *Growing SLC: A Five Year Housing Plan* which aims to increase housing options, promote diverse housing stock, and allow for additional units while minimizing neighborhood impacts.

**Finding:** The uses are consistent with applicable adopted city planning policies, documents, and master plans.

**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
<b>1. This title specifically authorizes the use where it is located</b>	<b>Complies</b>	The proposed ADU is an accessory residential use and is allowed as a conditional use within the R-1/5,000 zoning district. The proposed ADU complies with all specific regulations for an ADU including size, height, setbacks, distance to other houses, etc. as outlined in <a href="#">Attachment E</a> .
<b>2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps</b>	<b>Complies</b>	The uses are located in an area zoned and designated by the associated master plan for low-density residential.  This land use designation allows moderate-sized lots (i.e., 3,000-10,000 square feet) where single-family detached homes are the dominant land use. Low-density includes

		<p>single-family attached and detached dwellings as permissible on a single residential lot subject to zoning.</p> <p>As discussed under Conditional Use standard 3 above, the proposed ADU is consistent with the purpose of the ADU ordinance, several residential land use policies in the Central Community Master Plan and supports goals outlined in Growing SLC: a Five Year Housing Plan by providing more housing options, and creating a new housing unit that respects the scale of the neighborhood.</p>
<p><b>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</b></p>	<p><b>Complies</b></p>	<p>Uses surrounding the property are generally single-family residential. The ADU is not anticipated to create impacts beyond those of a new single-family home.</p> <p>The proposal complies with the size requirements for an ADU which can be up to 50% of the footprint of the primary house up to 650 SF and is compatible with the scale of surrounding accessory buildings and adjacent uses.</p>
<p><b>4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered</b></p>	<p><b>Complies</b></p>	<p>As discussed above, the scale of the proposal is compatible with the main house on the property as well as surrounding structures and meets the footprint and height requirements for an ADU. The ADU is proposed in a location on the site that minimizes impacts to adjacent properties.</p> <p>The property has an approximate east-west slope of 26-48%. The proposed retaining walls are terraced and will allow the ADU to be placed into the hillside. All the properties along the eastern portion of Harrison Avenue required substantial grading in order to be built. The grade changes are compatible with the surrounding development pattern.</p>
<p><b>5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows</b></p>	<p><b>Complies</b></p>	<p>The ADU will be accessed from Harrison Avenue. The existing drive approach will be removed if the off-site parking is approved.</p>
<p><b>6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic</b></p>	<p><b>Complies</b></p>	<p>The proposed ADU will be accessed from Harrison Avenue. It's not anticipated that the addition of the accessory unit will create any adverse impacts in terms of motorized, non-motorized and pedestrian traffic.</p>
<p><b>7. The site is designed to enable access and circulation for pedestrian and bicycles</b></p>	<p><b>Complies</b></p>	<p>There is a pedestrian walkway access from Harrison Avenue. The applicant originally proposed one on-site parking space, but the turning radius required is not feasible due to the placement of the proposed retaining</p>

		<p>walls. The Transportation Division stated, “Based on the radius dimension shown, a vehicle could not turn into [the proposed] space. However, based on the dimensions shown, there is more than the required 20’ of depth needed for a vehicle to pull straight in (perpendicular to the street) ... Even though the adjacent street has a slope to it, parking on the street would not be an issue. If parking is done on-site, the site distance issues at the driveway would need to be addressed.”</p> <p>The applicant stated to staff that they cannot accommodate the site distance triangle to back up because of the placement of the required retaining walls, thus has proposed to use the legal parking space on Harrison Avenue.</p>
<b>8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street</b>	<b>Complies</b>	No unreasonable impacts to the service level of abutting or adjacent streets is anticipated.
<b>9. The location and design of off-street parking complies with applicable standards of this code</b>	<b>Complies</b>	As discussed in other areas of this analysis, one parking space is provided on Harrison Avenue and there is a nearby bus stop. The applicant has stated that due to the existing 26-46% slope, the proposed placement of the retaining walls will not accommodate an on-site space.
<b>10. Utility capacity is sufficient to support the use at normal service levels</b>	<b>Complies</b>	The Public Utilities department provided comments on the project. The utility plan will be reviewed, and compliance will be ensured during the building permitting process.
<b>11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts</b>	<b>Complies</b>	The surrounding properties are all residential uses and the proposed use is also residential. There is an existing wood fence which runs approximately halfway along the southern section of the rear property line, creating a buffer between the subject property and the side yard of the residential property to the west. The northern half of the fence is chain link and abuts the rear yard of the same property.
<b>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</b>	<b>Complies</b>	<p>The Sustainability Division has reviewed the project and has no concerns. The use does not significantly impact sustainability plans. The project supports sustainability objectives by increasing housing close to jobs, schools, and services, thereby reducing greenhouse gas emissions and fossil fuel consumption.</p> <p>There are no waterways on or adjacent to the property.</p>

<b>13. The hours of operation and delivery of the use are compatible with surrounding uses</b>	<b>Complies</b>	The proposed use is an accessory residential structure, which is compatible with the surrounding residential uses.
<b>14. Signs and lighting are compatible with, and do not negatively impact surrounding uses</b>	<b>Complies</b>	Signs are not associated with this proposal. Any lighting on the accessory structure is not expected to have a negative impact on the surrounding uses or otherwise cause a nuisance.
<b>15. The proposed use does not undermine preservation of historic resources and structures</b>	<b>Complies</b>	The property is not located in a Local or National Historic District.

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

## **ATTACHMENT G: SPECIAL EXCEPTION STANDARDS**

**21A.52.060: General Standards and Considerations for Special Exceptions:**

No application for a special exception shall be approved unless the Planning Commission or the planning director determines that the proposed special exception is appropriate in the location proposed based upon its consideration of the general standards set forth below and, where applicable, the specific conditions for certain special exceptions.

Standard	Finding	Rationale
<p><b>A. Compliance with Zoning Ordinance and District Purposes:</b>                      The proposed use and development will be in harmony with the general and specific purposes for which this title was enacted and for which the regulations of the district were established.</p>	<p>Special Exception for Grading:  <b>Complies</b></p>	<p>The proposed Special Exception is generally in harmony with, and does not hinder, the overall intent of the zoning ordinance found in 21A.24.070.</p> <p><i>“The purpose of the R-1/5,000 Single-Family Residential District is to provide for conventional single-family residential neighborhoods on lots not less than five thousand (5,000) square feet in size. This district is appropriate in areas of the City as identified in the applicable community Master Plan. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.”</i></p> <p>Staff finds that the proposed Special Exception for grading in excess of 4 FT generally complies with the purpose statement of the R-1/5,000 zoning district.</p> <p>The proposed grading will allow the ADU to be placed into the hillside and will not substantially impact the views of the property owner to the west. The proposal will also allow the property owners to use their rear yard, which is common for most properties in the area.</p> <p>Overall, the design, placement, and orientation of the ADU attempts to preserve the existing slope, while creating a buildable area for the proposal.</p>

<p><b>B. No Substantial Impairment of Property Value:</b> The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located.</p>	<p>Special Exception for Grading: <b>Complies</b></p>	<p>The project maintains the single-family use of the property and the surrounding neighborhood. Staff does not believe that the proposal would diminish or impair any property values within the neighborhood.</p>
<p><b>C. No Undue Adverse Impact:</b> The proposed use and development will not have a material adverse effect upon the character of the area or the public health, safety and general welfare.</p>	<p>Special Exception for Grading: <b>Complies</b></p>	<p>The Special Exception request is compatible with the developmental pattern of the existing neighborhood and would not have a material effect upon the character of the area or the public health, safety and general welfare.</p>
<p><b>D. Compatible with Surrounding Development:</b> The proposed special exception will be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accordance with the applicable district regulations.</p>	<p>Special Exception for Grading: <b>Complies</b></p>	<p>The applicant has stated that the Special Exception is necessary to facilitate the construction of the ADU. While surrounding properties are on a slope, this lot is unique in that the rear and side yards are unusable and because the lot would not be considered buildable under current code. Staff believes the proposal is compatible with the surrounding development.</p>
<p><b>E. No Destruction Of Significant Features:</b> The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance.</p>	<p>Special Exception for Grading: <b>Complies</b></p>	<p>Staff finds that the property does not contain any natural, scenic, or historic features of significant importance.</p>
<p><b>F. No Material Pollution of Environment:</b> The proposed use and development will not cause material air, water, soil or noise pollution or other types of pollution.</p>	<p>Special Exception for Grading: <b>Complies</b></p>	<p>There is no foreseen material pollution of the environment.</p>
<p><b>G. Compliance with Standards:</b> The proposed use and development complies with all additional standards imposed on it pursuant to this chapter.</p>	<p>Special Exception for Grading: <b>Complies</b></p>	<p>Staff finds that the project is in compliance with all applicable standards.</p>

## **ATTACHMENT H: PUBLIC PROCESS & COMMENTS**

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### **Meetings:**

- May 26, 2020 – Notice of the project was provided to the East Liberty Park Community Council as well as property owners and residents within 300 FT of the subject property. The Community Council did not ask the applicant or staff to present or provide formal input on the proposal.
- June 10, 2020 – Notice of the project was provided to the Wasatch Hollow and Yalecrest Community Councils because the subject property is less than 600 feet from their community council boundaries. The Community Councils did not ask the applicant or staff to present the proposal. No formal input was provided.
- July 11, 2020 – Information and a request for comments regarding the proposal was posted to the City's [Online Open House](#) page. No public comments were submitted.

### **Public Notice**

- May 21, 2020 – Early notice of application regarding the ADU was mailed
- July 14, 2020 – Notice of application regarding the Special Exception was mailed to property owners and residents
- August 13, 2020 – Agenda posted on the Planning Division and Utah Public Meeting Notice websites
- August 14, 2020 - Public hearing notice was mailed
- August 17, 2020 – Public hearing signage posted on the property

### **Comments**

As of the publication of this Staff Report, Staff has received comments from four residents regarding the proposal. The emails are attached for reference.

One resident supported the ADU use but is concerned about the slope of the property and the impact of additional cars being parked on Harrison Avenue. The second resident included multiple questions and concerns regarding the slope of the property, landscaping, parking, privacy, and overall property rights of abutting neighbors. The third and fourth residents opposed the application and cited overparking of the street.

If any comments are received after the publication of the Staff Report, they will be forwarded to the Commission and included in the public record.

From: Cindy S  
Sent: Tuesday, June 2, 2020 1:49 PM  
To: Roman, Amanda <Amanda.Roman@slcgov.com>  
Cc: East Liberty Park 2 CC Chair <jason@jasonstevenson.net>; East Liberty Park 1 CC Chair <darryl.high@comcast.net>; Cindy S ; Ben S  
Subject: (EXTERNAL) 1362 S 1300 E ADU Conditional Use request

Dear Ms. Roman,

I was informed by a neighbor yesterday that there has been a request submitted to the city to build an ADU on the 1362 S 1300 E property. Record Number PLNPCM2020-00358.

I have many questions, concerns, and desire for input on this project. My husband and I are the owners (for 36 years) of 1265 E Harrison, the immediately abutting property down the fault line to the West. I am concerned also and would like to find out why we did not receive notification about this project as at least one neighbor did. Since the property changed hands last year, I will be frank in saying that the new owners have not created confidence in us with their lowered standards for maintenance and aesthetics (ie not doing basic tasks like picking up branches, watering or cutting down tinder dry grasses on the property. I personally planted and maintain the landscaped area between our driveway and the wooden fence, and have done this for quite a while now.

Our end of this block of Harrison Avenue is already heavily used by parked cars overflowing from the 3 rental properties on the South side of the street. As you are probably aware, the extreme incline of the street and driveway entry is quite hazardous in winter especially, and at all times due to traffic turning at high speed onto Harrison from the heavily trafficked 1300 East. Backing out of our driveway is already challenging without the added congestion of another home competing for parking. You may be aware that our street is one of several going down from 1300 East that is in the design/input phase of traffic mitigation changes with Salt Lake City. It has been a serious problem in our neighborhood.

I look forward to engaging with you and any other parties you recommend to gain a better understanding of this project, and what the mechanisms are for getting information, making requests for mitigation, and submitting formal feedback.

Thank you in advance for your help,

Cynthia and Robert Spigle

1265 E Harrison Ave



**From:** [Cindy S](#)  
**To:** [Roman, Amanda](#)  
**Cc:** [East Liberty Park 2 CC Chair](#); [East Liberty Park 1 CC Chair](#); [Ben S](#); [Cindy S](#)  
**Subject:** Re: (EXTERNAL) 1362 S 1300 E ADU Conditional Use request  
**Date:** Wednesday, June 3, 2020 6:54:49 PM

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Dear Ms Roman,

Thank you so much for your prompt response to my inquiry regarding project PLNPCM2020-00358. We have reviewed the materials you sent as well as taken a look at the other filing documents on the city's website.

It sounds like you are the right place for questions, so I'm going to list the ones I have to start with here in this email. It is a long list, and I'm sure much of it reflects our lack of experience with this kind of project. But in any event, here goes. We thank you in advance for responding to our questions and concerns.

Best,  
Cynthia and Robert Spigle

- **Street/Parking:**
  - Hazardous entry/exit from Harrison – We are concerned about the steep slope coupled with the close proximity to 1300 E with fast traffic coming down our hill. It appears that the one parking spot is not large enough to allow the vehicle to turn around, so they would have to back out onto Harrison in a very vulnerable location. We are keenly aware of this from our own driveway, which is thankfully just a bit farther down and a little less steep.
  - A closely related concern is regarding the winter difficulty and hazard getting in and out of the driveway. Even though there is an existing driveway, it has never seen more than occasional use. There is no separation between the ADU driveway entry and our driveway entrance. Cars attempting to enter and exit the ADU driveway during winter conditions will create a hazard of collision in our driveway entrance. If this project is approved, would it be possible to at least require a small curb divider (running north-south) in the drive entry (of course not impeding the sidewalk)?
  - Inadequate parking – one spot may be all the city requires, but in our long experience with rentals on our street, more than one car per dwelling is usual. It should be noted they would be competing for spots on Harrison that are already used frequently for overflow from existing rentals.
  
- **Site Requirements:**
  - Are there any special considerations, requirements or oversight required for new buildings on our earthquake fault? This is extremely steep, not sure the % grade, and of course we all got the big reminder memo from Mother Earth on March 18<sup>th</sup> about what could happen in our future with earth movement.
    - We would like to review the city engineer's assessment and comments on this part of the plan, regarding the slope and retaining wall. Is this possible to get, whenever it becomes available? If so, how

- would this be done?
  - In general, if and when the plans are modified, is there a way to be notified of changes? Or would we have to just logon to the city's web site weekly and look for it?
  - Where is the electric line being run from? If an addition needs to be made to the power pole near the North-West corner of our property, we were informed by city crews in the past that the entire pole would need to be replaced with an upgraded pole and lines buried (at our expense). We considered making a change in the past at our house and decided against it when we found out about the high expense. Is this part of and paid for by the project?
    - If there are any impacts expected to our property at 1265 E Harrison, how do we make sure we are well informed in advance?
      - What would be the remedy if damage was done to our property, landscaping, etc?
  - What is being proposed for our property line between 1362 S 1300 E and our 1265 E Harrison property? It is not shown in the proposal. The proposal is in fact misleading in that it just shows a little green belt and that's it. In reality the property continues to slope down to our driveway. There is currently a small concrete retaining wall and a combination of chain link and wood fencing on what we presume is the property line.
    - Is there a step in the process for an engineering assessment on the adequacy of the existing retaining wall? We wonder if the new profile/grade of the developed property changes the retaining wall requirement?
    - Does the application have to specify what goes on the property line?
    - Why is the supporting structure(s) at the property line not discussed in the application?
    - Has there been a survey and marker to verify the property line?
    - Would we be required to initiate and pay for our own companion project to rebuild the property line retaining wall and fence? Expense we may incur as a side effect of this development is an extreme concern of ours.
- ADU Requirements:
  - We have privacy concerns with the closeness of this ADU to our house, master bedroom, and our back yard. This is an intangible thing, and maybe not something the city would get involved in. However, imagine 36 years of privacy followed by a new house with windows in our direction just 10 feet away.
    - We read a bit about window size (big enough for egress but not too large) and obscured glass as a possible requirement for the side facing another property. Can this sort of requirement be part of the CU approval?
    - Is there a possibility of a smaller unit being approved, and/or having the ADU moved further from the West and North property lines? This could help with the privacy issues and also allow more space for the parking space for the car.
    - Are there requirements regarding exterior lighting, security lights, etc? Is it possible for the project to have a requirement to commit to not causing bright lights to shine into our windows?

- We see the city's ADU requirement that the owner of the property must live in either the main house or ADU. This is a great idea to ensure proper oversight and owner participation. Are we reading this correctly that is in fact required?
      - What is the process and remedy if this proves not to be the case at a later date?
  - Landscaping:
    - The current property where the ADU would go consists of a natural tree/grass landscape, which provides good protection and absorption from run-off water flowing downhill. The new construction will involve a lot of hard surfaces and concrete. What type of drainage and run off protection will the project have to protect our property? We do not have the expertise to evaluate this in their proposal.
      - We would like to review the city engineering sign-off and comments on this. Is that possible? If so, how and when?
    - We know there are regulations for landscaping in car parks about percent of green space required. What are the requirements for green space on the developed property, or can it be as high a percentage of concrete as they want?
  - Project timeline:
    - If this project receives the CU approval, how soon can the project start?
      - How long can the start of the project be delayed?
      - How long can the project extend in duration under this application?
    - Does this application allow the ADU to be built first and the rest of the project (main house rebuild) to be done later or never at all?
    - Is it true that at least the retaining wall between the existing house and the ADU must be part of the ADU project?
-

**From:** [Cindy S](#)  
**To:** [Roman, Amanda](#)  
**Cc:** [Cindy S](#); [Ben S](#); [East Liberty Park 2](#); [East Liberty Park 1](#)  
**Subject:** (EXTERNAL) Petition PLNPCM2020-0454 1362 S 1300 E comments  
**Date:** Tuesday, August 18, 2020 2:53:46 PM

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PLNPCM2020-0454 ADU CU/Grade Change Special Exception comments

Cynthia and Robert Spigle

1265 E Harrison Ave

Dear Ms. Roman,

In my previous email feedback for Conditional Use on project PLNPCM2020-00358, sent on 06/03/2020, we asked a number of questions and highlighted some concerns. Thank you for your responses in the past, and your attention to this new feedback.

When I (Cynthia) was happily able to speak with you in person on August 3<sup>rd</sup>, you let me know that:

1. New plans had been received by the city which removed the driveway from the project, due to inadequate radius for an onsite parking space. We have not seen the new plans posted yet on the citizen review portal. When are these new final plans expected to be available for review?
2. The City Planning Meeting targeted was 8/26/2020. Is this still the plan or has it been moved out to September 9<sup>th</sup>? Given the lateness of the plan changes, it seems prudent to move it out and allow sufficient time for citizen review.

Regarding the upcoming proposed/pending plan changes to move parking from onsite to on street, it is our belief that the neighbors on the notification list should be re-notified of this major change, and have time to respond prior to the City Planning Meeting. As it stands now, several neighbors spoken to are either unaware of the project at all (such as the owner at 1264 E Harrison, and resident of 1380 S 1300 E), or understood that parking was to be provided on site. Parking is overutilized currently by multi-family dwellings especially at 1380 S. 1300 E, 1272 E Harrison, and 1264 E Harrison). Even now, on August 18<sup>th</sup>, the posted plans still show on-site parking. It is late in the game to accept changes to this plan and provide adequate time to inform neighbors and provide review. We continue to have concern about the possibility that some mailings did not go out completely. We did not receive the first mailing (at 1265 E Harrison), and two of the three neighbors referenced above stated that they had received no mailings regarding the project and were only learning about it through word of mouth.

Based on the notice for the Grade Special Exemption (PLNPCM2020-0454), we have the following additional comments and questions, shown below. Given the technical difficulty of assessing risks in relation to the property's overall soil stability and water drainage, we were able to seek some assistance in review from a friend of ours who is a Civil Engineer familiar with similar projects and plans.

1. This project will disturb native soils. This is clear from the plans. However, the permit request document (1300 EAST ADU\_PERMIT\_4\_29\_2020.pdf) states that there is 'no soils report' included. Why is there no soils report provided, required, or at least requested by the city? Given the steep hillside and the grade exception needed for the project, it seems like a soils report would be a mandatory step to ensure safety of the resulting construction.
2. The lateral earth load on the East wall is resisted by the ADU Roof Diaphragm. In order to better evaluate the structural soundness of this plan, we would like to see the engineering calculations for the East wall. Could you please point us to the document containing these calculations? We could not locate them. There is a document enticingly titled 'Retaining Wall Report.pdf' that we expected to have the engineering calculations for the main East retaining wall, but it does not have them, and in fact is out of date with the various walls surrounding the old design involving the driveway. The 'Retaining Wall Report.pdf' does have the correct sort of calculations we would like to see, but just not for the all important main East wall.
3. In the 'Retaining Wall Report.pdf' it refers to 'Pool Wall' and 'West Wall of Pool Wall'. There is no pool that we are aware of in the plans. Is this pool as in 'swimming pool'? If so, what document can we reference to see this depicted?
4. Site runoff drainage plan is not indicated on the plans that we could see. If a site runoff drainage plan has been provided, can you point us to that specific document? If there is no site runoff drainage plan, why doesn't it exist? Site drainage is of critical concern and importance as the downhill neighbor to the project.
5. The proposal for the ADU building shows that the roof drains (or slopes) to the East behind the main East building/retaining wall. We have a concern with this due to increased stresses to the East retaining wall from saturating those uphill soils with runoff water. Is this a mistake in the plans, or is there something going on here that makes this drainage direction desirable? Please explain.
6. No foundation drainage is shown behind the East and North walls. The concern here is what happens to the water flowing down to the wall and the impact of saturating those soils?
7. When looking at the plans depicting the slope and elevation gradient lines, it leaves us wondering if the hill's steep grade is correctly drawn. Has this been verified by engineering? Note: when Tom Millar (in Salt Lake City Transportation) spoke to Harrison residents about traffic calming plans in July 2020, he indicated that the steepest section at the top of the hill is a whopping 22% grade.

Thank you in advance for addressing and responding to these concerns listed above.

For our mutual record, and to keep it in one place, I will recap the major items from my 06/03/2020 communication:

1. Parking remains an issue regarding the steep 22% slope coupled with the close proximity to 1300 E with fast traffic coming down the Harrison hill.
2. Parking remains an issue with the already heavily and overutilized on street parking at the top of the Harrison hill.
3. Winter remains a huge issue with cars attempting to park and exit in hazardous icy conditions, with the closeness to neighboring driveways and accompanying risks for collision. We have witnessed many collisions, car, and property damage over our 36 years of residence here.
4. Concerns raised regarding property privacy (obscured glass on North and West walls of the ADU) and property lighting have been addressed by Amanda and should not be a further issue (although the plans do not reflect this change so far). Thank you.
5. Property line plans (fencing or walls) remain an issue as they are not documented anywhere and are therefore unclear. Thanks, Amanda, for passing on our concerns to the owner/builder and requesting an update to show details of the property line treatment. As understood from our in-person meeting on August 3<sup>rd</sup>, the owner/builder declined to make these requested updates since they are not strictly required by code. This remains a large concern for us, and it seems like a reasonable request from the City to the Builder that could have and should have been accommodated. We remain extremely concerned that we could end up bearing considerable expense in needing to react to the unknown and unspecified actions of the builder at our shared property line.
6. We would be interested to know how liability for any adverse effects to our downhill property during construction are handled. Is the owner/builder required to insure against any damage caused by earth movement, water flow, damage to our driveway, vehicles, adjacent landscaping, our house roof, and any other etc? If this insurance is required, is there a document I can refer to regarding the requirements you can point me to? Or is it our responsibility to provide such protection and coverage via our own homeowner's policies?

Thanks once again for responding to our concerns and questions.

Best,

Cynthia and Robert Spigle

**From:** [Bill Lockhart](#)  
**To:** [Roman, Amanda](#)  
**Subject:** (EXTERNAL) Conditional Use Permit, pet. no. PLNPCM2020-00358  
**Date:** Monday, June 8, 2020 11:47:58 AM

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Amanda:

I am writing to provide comment on a conditional use application on our block, petition no. PLNPCM2020-00358. I do not expect that you or other city personnel will give a substantive reply to these comments; however, I do ask that you please give me a quick reply to let me know whether, by sending them to you, these comments will become part of the record for consideration of the application, or whether I should direct them elsewhere.

Since all of my comments are related to the gradients of the subject property and adjacent streets, I will begin by describing the physical context relevant to the application.

The subject property is on the northwest corner of 1300 East and Harrison Avenue (1380 South). While 1300 East is quite flat at this point, Harrison Ave makes an extremely steep descent from this corner down the face of the Wasatch Faultline (in fact, I learned that the snowplow drivers refer to Harrison and a few adjacent streets as the “ski jumps”). The proposed ADU would be on the west/downslope side of the main dwelling, and the driveway for the ADU would access Harrison at the steepest part of the street. Because of the extreme gradient, a tall retaining wall is proposed, and the ground floor of the ADU will be, by my eye, approximately 18 feet lower than that of the primary residence.

Before I set forth my concerns, I also want to establish something about my motivations for doing so. I strongly support the objective behind the ADU ordinance, of increasing density within already urbanized areas to help reduce sprawl. I therefore do not write as a NIMBY-er. In fact, ultimately I am not necessarily urging the Planning Commission to reject the application; however I do hope to shed light on some factors that I expect the Commission would agree raise legitimate concerns.

My concerns are enumerated below. They are based on the terrain, plus my 25 years of experiences living at 1261 Harrison (about 100 feet downslope of the proposed ADU site). They also reflect the factors the city must consider, set forth in Salt Lake City Ordinance 19.84.060, particularly those related to traffic hazards, geologic hazards, soil or slope conditions, and site grading/topography.

1. Collision hazard due to low sight distance. The steepness of the relevant part of Harrison Avenue creates a sight-distance hazard that is particularly relevant to the proposed driveway. First, when making the transition from the flat surface of 1300 East to the steep descent of Harrison, there is a short but significant distance/period of time when drivers of most vehicles cannot see well over the fronts of their vehicles down the street. This sight distance limitation would be especially significant for the proposed driveway, given that it merges onto the downhill traffic lane very near the corner at the top of the hill. A driver pulling out of the proposed driveway onto Harrison Avenue would also have a sight-distance problem. Because of the steepness of the street, it is impossible to see vehicles turning down Harrison from the northbound lane of 1300 East until they have crested the hill and begun their acceleration downward. And of course there’s only a very brief opportunity to see them turning down from the southbound lane, and, in the short distance they’re visible before completing the turn down the hill, it’s often not possible to see their turn signals. These sight-distance hazards are greatly enhanced by the fact that the hill allows quick acceleration, very often to excessive speeds, as the City has already documented on this section of Harrison Avenue. Even though we are more than twice as far down the hill than the proposed driveway, we have learned that we have to be quick but still very careful as we enter the street, and we still occasionally experience some tense moments.

2. Collision hazard in snow-covered conditions. Living on the steep part of Harrison presents considerable challenges and hazards in the winter. The least controllable of these is the hazard posed by the many careless drivers who insist on attempting to drive up and down the street when it is snow covered, typically those who apparently overestimate the ability of all- or four-wheel-drive systems to maintain control when Harrison is sufficiently covered in ice/snow that there is little or no purchase on asphalt. Routinely, we see cars that begin heading down from 1300 East and are immediately out of control, with a portion of those drivers choosing to let off the brakes to maintain steering, resulting in a very dangerous, high-and-increasing speed descent to the flatter part of the street, and other drivers braking heavily and thereby losing steering control, typically resulting in them slipping off the crown of the road toward the curb on one side of the street or the other—and toward whatever vehicles may be parked there. Drivers who attempt and fail to ascend the street frequently also find themselves in a very similar position, when they're forced near the top of the hill to attempt to turn around. We have had one car totaled and two other cars damaged while parked on the street when snow covered. Having experienced these losses, we have taken to moving our street-parked car to safer areas during storms and, for many years, I have warned new residents of the hazard of street parking.

Another source of collision hazard is from residents on the steeper part of Harrison simply pulling their vehicles out of their driveways. Unless a resident makes a very substantial extra effort to shovel, scrape, and salt well into the street before departing, a car leaving a driveway will slide sideways immediately upon reaching the steep street. Since this typically involves the rear of the car slipping downhill first and farther, the car can easily end up against the curb pointed uphill. With the car's rear downhill and with the rearward part of the front wheels turning against the curb, it's usually impossible, without lots of shoveling, to steer the car out of the parking area against the curb into the traffic lane of the street. Typically, this means that efforts to move the car away from the curb only cause it to move backward down the street against the curb, toward any parked vehicle that may be below. It would be unfortunate if the city allowed one more driveway subject to this problem near the top of the street, where the gradient is steepest and it's a long distance down to flatter terrain. It is also worth noting that the proposed driveway is on the steepest part of the street, and it would be at most several feet from the driveway of the downhill neighbor.

3. Potential subsidence hazard. Because of the extreme gradient of the subject property, the creation of a flat area needed for the proposed ADU and required sideyard setback from the downhill property line would require the construction of a very high retaining wall. Failure of this wall in some kind of subsidence event, seismically-caused or otherwise, would of course be disastrous for anyone in the ADU. For the downhill neighbor, failure of such a tall wall may well be more disastrous than a subsidence occurring as the property is currently graded. Importantly, adding to the engineering challenges, there is evidence that the subsurface is periodically saturated. It is common for water to emerge in cutbanks, such as the steep fault line slope, and I have routinely seen evidence of this, taking the form of water weeping through cracks in the street near the top of the hill. Of course, protection against these hazards may be just a matter of engineering, but this engineering must carefully consider the seismic context; it should also include on-site geotechnical analyses to determine the composition and moisture content of the retained earth. Additionally, the consideration of moisture content in such geotechnical work, if performed this summer, should take into account the very dry spring we experienced this year. In sum, the engineering of such a critical retaining wall should reflect more than just boilerplate assumptions about loads.

While the subsidence hazard may be mitigated with robust engineering, I cannot offer any way to diminish the collision hazard concerns I raise in nos. 1 and 2, as the project is currently proposed. I hope the Planning Commission is aware of ways to respond to these concerns that I am not. I reiterate that its extreme gradient makes this a very challenging lot to develop. If the applicant were to propose an ADU a few doors east or west, I would not have chosen to convey any concerns.

I appreciate your consideration of these comments, and invite you to contact me if you think it might be helpful to the Commission's decision on the conditional use application.

Bill Lockhart



**From:** [Wayne O. Cook](#)  
**To:** [Roman, Amanda](#)  
**Cc:** [REDACTED]  
**Subject:** Re: (EXTERNAL) conditional use permit concerns  
**Date:** Sunday, August 9, 2020 9:55:55 PM

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Dear Amanda,

Thank you for reading my email and responding within such a timely manner. Greatly appreciated. Over the weekend, I had the opportunity to speak with one of my neighbors regarding the property on the corner requesting the permit change.

There is an additional concern I would like to bring to the council's attention in regards to parking on Harrison Ave. I have been a resident of Harrison Ave for seven years. During my time living on this street, the winter conditions pose dangerous driving and parking conditions. Every winter, I see multiple vehicles losing control going down our street. Several of my neighbors including one of my roommates have had one if not two or more of their vehicles totaled due to the winter conditions. Adding additional cars to the street parking increases the likelihood of more accidents to happen.

If you could please include this information with your staff report, that would be greatly appreciated.

Sincerely,

Wayne O Cook

> On Aug 5, 2020, at 9:16 AM, Roman, Amanda <Amanda.Roman@slcgov.com> wrote:

>

> Good morning,

>

> Thank you for submitting comments regarding the ADU proposal across the street. I understand that parking is a concern, especially on such a steep hill. The Planning Commission has the authority to waive the on-site parking requirement if there is a legal parking space in front of the home or if the property is located within 1/4 of a mile from public transit. Both of those stipulations have been met, but the final decision is up to the Commission to make. I will include your email in my staff report, which is public record. You'll also receive a third and final notice of the public hearing date. My goal is to have them on the August 26th agenda. You'll receive the notice about 12 days in advance. Please let me know if you have any questions.

>

> Thanks,

>

> Amanda Roman

> Principal Planner

>

> PLANNING DIVISION

> COMMUNITY and NEIGHBORHOODS

> SALT LAKE CITY CORPORATION

>

> TEL 801-535-7660

> [www.slc.gov/planning](http://www.slc.gov/planning)

>

>

> -----Original Message-----

> From: Wayne O. Cook <[REDACTED]>

> Sent: Tuesday, August 4, 2020 8:59 PM

> To: Roman, Amanda <Amanda.Roman@slcgov.com>

> Subject: (EXTERNAL) conditional use permit concerns

>

> Dear Amanda

> My name is Wayne O Cook. I live at 1272 east Harrison Ave, Salt Lake City, Utah. My neighbors across the street, located on the corner of 1300 east and Harrison Ave have put in for a permit to change the layout of their property and put in an accessory dwelling unit (conditional use permit PLNPCM2020-00358 and grade special

exception permit PLNPCM2020-0454).

> My concern that I am bringing to your attention on this matter is the limited street parking on Harrison Ave. As you should be aware, 1300 east is currently under construction. When the project is completed, there will be no parking available on 1300 east. The corner house directly south of said property proposing the change is a duplex, along with my home and the home to the west of me. The street is already crowded with vehicles as it is. Once the road is completed, more cars will be added to the already congested street parking. In fact I am already seeing neighbors that live on 1300 east park on my street already because they can no longer park in front of their homes. With the Spigle Family proposing this changed to their property, they are now adding to the added congestion.

> As a concerned resident, I do not agree with the proposed changes the Spigle Family is requesting permits for. Please reconsider the proposal to the property and decline the changes they want to make.

> Thank you for your time. I sincerely hope, you will reevaluate the proposal on the table and consider all the negative impacts that will be created from this said project.

> Sincerely,

> Wayne O Cook

>

**From:** [Karen Steele](#)  
**To:** [Roman, Amanda](#)  
**Cc:**  
**Subject:** (EXTERNAL) Comments on ADU Harrison Ave. and 13th east.  
**Date:** Monday, August 10, 2020 9:12:11 PM

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To Whom it May Concern,

I am writing to submit a comment on the proposed ADU being built on Harrison Ave. and 1300 East. I did not originally have an issues with the proposal. I think ADUs are a great idea to help with the lack of affordable housing in SLC. However, from what I understand now, it has been changed to not have an on-site parking space. I live at 1258 Harrison Ave. which is 3 houses down from 13<sup>th</sup> east on the opposite side of the street. Of the 10 residences that are closest to 13<sup>th</sup> east on both sides of Harrison, 4 of them are multiple unit dwellings. The 3 immediately to the east of me are multiple unit dwellings. None of these units have enough parking on site for the residents who live there currently. Consequently, they have to park curbside. Parking on the Harrison hill has been problematic for the 25 years we have lived here. The number of cars parking on the steepest part of the hill can cause safety issues, especially in the winter. Numerous cars have slid down the hill and have caused accidents such as hitting other cars parked (we've had a car totaled parked in front of our house) and ending up on our front lawn. Adding more cars needing to park on this part of the street will just add to the problems. The problem will also be amplified by the new parking regulations on 13<sup>th</sup> east after the construction is finished that will force people to park on the arterial roads such as Harrison. I realize this is a 1 bedroom ADU but it could theoretically add at least 2 cars to the mix and maybe more if the residents have guests. I understand that we live in a city and city living can also bring parking issues. But it only makes sense that if more dwellings are being added to the street there should be at least 1 parking space available.

Thank you for your time and consideration,

Karen Steele

1258 Harrison Ave. 84105



# **ATTACHMENT I: DEPARTMENT REVIEW COMMENTS**

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## **Public Utilities** (Jason Draper at [jason.draper@slcgov.com](mailto:jason.draper@slcgov.com) or 801-483-6751)

No objections to the Conditional Use for public utilities. Conditional Use does not provide building or utility development permits. Plans need to be submitted to Building Services for review and approval. Please provide a site utility plan showing all existing and proposed utility connections to the ADU. The existing sewer lateral will need to have a video inspection prior to building permit to evaluate the condition.

## **Engineering** (Scott Weiler at [scott.weiler@slcgov.com](mailto:scott.weiler@slcgov.com) or 801-535-6159)

There doesn't appear to be any impact to the public way. Consequently, Engineering doesn't need to review this or issue a Permit to Work in the Public Way. SLC Engineering opposes construction of private retaining walls in the public way.

## **Transportation** (Kevin Young at [kevin.young@slcgov.com](mailto:kevin.young@slcgov.com))

“From reviewing the drawings, it appears that parking for the ADU can be accommodated (and preferred) on site. They initially showed a vehicle pulling straight in from the street and then turning into a parking area. Based on the radius dimension shown, a vehicle could not turn into this space. However, based on the dimensions shown, there is more than the required 20’ of depth needed for a vehicle to pull straight in (perpendicular to the street), so I’m not sure why they the numbers work to park on-site. Even though the adjacent street has a slope to it, parking on the street would not be an issue. If parking is done on-site, the site distance issues at the driveway would need to be addressed.”

- Sight distance requirements – 10-foot sight distance for backing out

*Planning Response: The applicant addressed the Transportation review comments by removing the designated on-site parking space and using the on-street parking to meet the requirement. The 10-foot site distance requirement cannot be met due to the placement of the retaining walls.*

## **Fire**

Fire hydrant shall be located within 600-feet of all first story exterior portions of the ADU following an approved route. Approved route is measured in straight lines and right angles down the road and around the structure using the path the hose would be deployed.

*Planning Response: The approximate distance from the fire hydrant to the ADU is 365 feet.*

## **Zoning**

R-1/5,000 zone. Proposal is to build an ADU in the rear yard with a separate drive approach and driveway. The approach must maintain 5 feet of clearance from all public way improvements in the park strip. See 21A.40.200 for the general and specific requirements for an ADU.

- Property line dimensions do not match County plat.
- Shoe size and height of main dwelling/size and height of ADU needs shown on-site plan (21A.40.200.E.3.a)
- Show any grade change. Greater than 4’ requires Special Exception.
- Wall heights around/by parking area. 4’ or less does not require Special Exception. Provide a site plan showing the existing grading and the proposed.

- What is the size of parking stall? It needs to be at least 8' by 20' (21A.40.200.E.1.g)
- Backup area should be 21' 7" (It will need Transportation approval)
- Show distance of parking stall from corner side yard property line – 10' required (21A.24.070.E.2)
- Street tree missing. 1 per 30 feet (21A.48.060.D.1)
- Show location of AC unit. May not be closer than 4' to the property line or Special Exception will be required.

*Planning Response: The applicant addressed the Zoning review comments.*

### **Building**

- The rear wall of the proposed ADU, with 5ft. separation to the property line (a north arrow is missing on the Site Plan), as well as its roof projection, needs to comply with the Fire-Resistance Separation requirements of IRC Section R302.1.
- The Site Plan also needs to include all utilities, above and below ground.
- The mechanical (HVAC) design is not shown. The Mechanical notes on G1002 imply that someone else is to design a system at a later time. Neither of these parameters is acceptable.
- The complete project must be logged in for formal review.

*Planning Response: The applicant addressed the Building review comments, but a formal review will be conducted if the ADU use is approved.*