



Staff Report

PLANNING DIVISION
COMMUNITY & NEIGHBORHOODS DEPARTMENT

To: Salt Lake City Planning Commission
From: Casey Stewart; 801-535-6260
Date: July 5, 2017 (For July 12 hearing date)
Re: PLNSUB2017-00346 and -00347 Cottam Acre Planned Development / Preliminary Subdivision Plat

PLANNED DEVELOPMENT

PROPERTY ADDRESS: 1463 W. Van Buren Avenue
PARCEL ID: 15-15-277-007
MASTER PLAN: Westside Master Plan
ZONING DISTRICT: R-1/7,000 (Single Family Residential)

REQUEST: Applicant requests approval of a proposed planned development and related preliminary subdivision plat creating three residential lots from one existing lot. The planned development review pertains to the creation of a “flag lot” and building setback reductions for the flag lot. Another modification sought is to increase the flag lot size to exceed the allowed maximum size of the zoning district; this is done through the subdivision review process. The Planning Commission has final decision making authority for planned development applications and preliminary plat applications.

RECOMMENDATION: Based on the information in this staff report, planning staff recommends that the Planning Commission approve the requested planned development and preliminary subdivision plat subject to all applicable regulations and the following conditions:

1. The zoning and subdivision requirements approved for modification are: creation of the flag lot as proposed and front yard location for the existing accessory building on flag lot.
2. Revise the east lot line of the subdivision to resolve the encroachment of the neighboring accessory building.
3. Provide a copy of the final Passive House Institute certification for the dwelling proposed on the flag lot.

ATTACHMENTS:

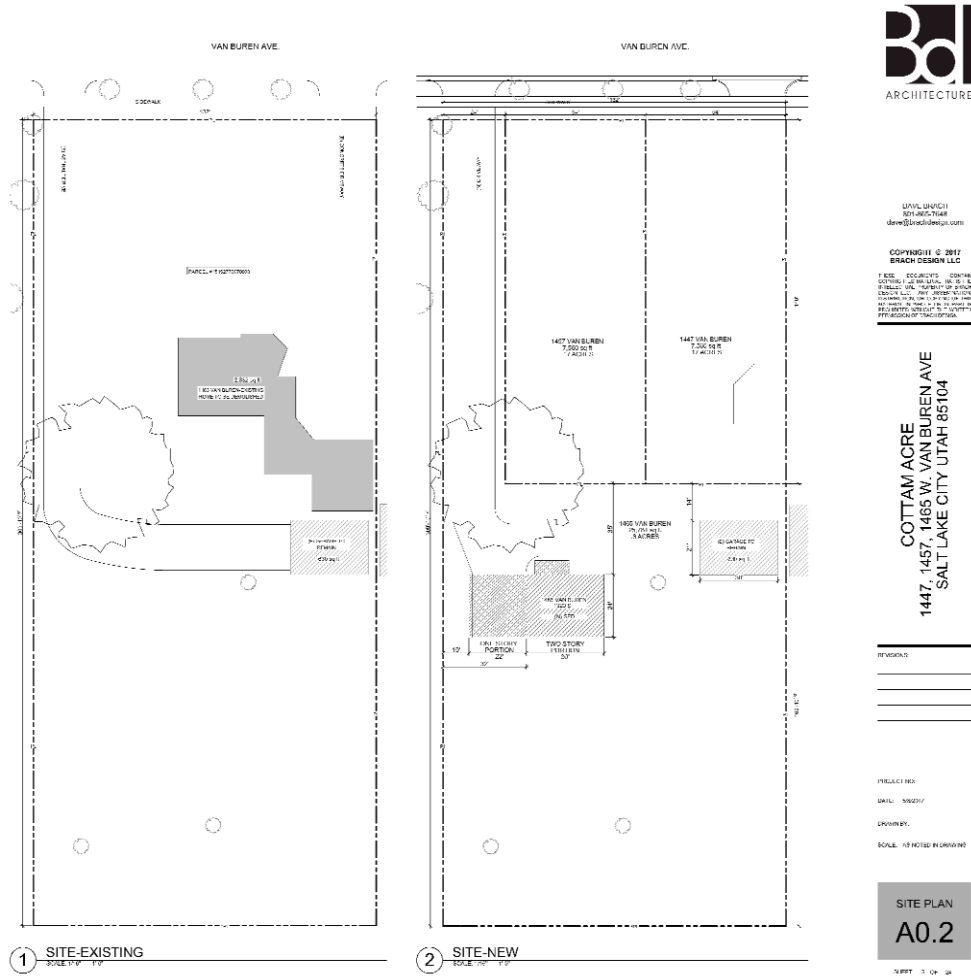
- A. [Vicinity Map](#)
- B. [Site Plan & Preliminary Plat](#)
- C. [Building Elevations](#)
- D. [Additional applicant Information](#)
- E. [Existing Conditions](#)
- F. [Analysis of Standards](#)
- G. [Public Process and Comments](#)
- H. [Department Comments](#)

PROJECT DESCRIPTION:

1. Proposal Details

The proposal is to subdivide one existing residential lot into three lots for three single family dwellings. One of the new lots would be a “flag lot”, which creates a few zoning related issues that are the subject of this planned development request. Those issues are detailed in the “Key Issues” section that follows and include building setbacks on the flag lot and the size of the flag lot.

The existing lot is located in the Glendale neighborhood on the west side of Salt Lake City. The existing single family dwelling was constructed in approximately 1953, per the county assessor’s record. The home would be demolished to make room for this proposal of three new lots. The applicant would then build a new single family home on the flag lot with an existing detached accessory building. The accessory building, in its current location, would now be in the front yard area and forward of the building line of the new home on the flag lot, with a front yard setback of approximately 14 feet. The applicant proposes to construct the two-story new dwelling with a side yard setback of 10 feet rather than the required 25 feet. The other two subdivision lots would be sold vacant of buildings.



Project Details for Flag Lot

Item	Zone Regulation	Proposal
Height	28 feet	28 feet or less (complies)
Front Setback (front line of flag lot)	~35 feet (existing buildings on block establish setback)	14 feet for accessory building; 35 feet for new dwelling (complies)
Side Setback	~25 feet for two story buildings (per flag lot regulations; otherwise 10 feet)	10 feet
Rear Yard Setback	25 feet	25+ feet (complies)
Parking (residential)	2 stalls min; 3 indoor stalls max	3 stalls and one stall used for personal storage (complies)
Maximum building coverage	40 percent of lot area	Less than 40 percent (complies)
Maximum lot size	10,500 sq ft	25,700 sq ft

KEY ISSUES:

The key issues listed below are discussed further in the following paragraphs and were identified through the analysis of the project ([Attachment "F"](#)) and department review comments:

- (1) Primary and accessory building location on the flag lot
- (2) Lot size of the flag lot

Issue 1: Building Setbacks on the flag lot

Accessory Building:

The current lot has an existing detached accessory building that was constructed in the past few years. The proposal involves keeping that building and demolishing all other buildings on the current lot. With the configuration of the flag lot, the accessory building would now be within the front yard area and have a setback of 14 feet rather than the established average front setback of approximately 35 feet for the block face.

Given the unique characteristic of flag lots where the main body/building area is located behind other lots and buildings, the accessory building setback will essentially be indistinguishable. Furthermore, moving the accessory building is impractical and provides little to no public or private benefit. Planning staff has no concern with the accessory building location in the front yard of the proposed flag lot.

Primary Building:

The applicant proposes to building a new single family dwelling that be two-stories in height. A specific regulation for flag lots (21A.24.010.G.9) stipulates that the side yard setback be equal to the rear yard setback, 25 feet in this case, for two story buildings. The applicant requests approval for a 10-foot side yard setback instead. The applicant's reasoning is to maintain similar side yard setbacks of neighboring properties and to allow the distinct grouping of accessory buildings to the east without the dwelling diluting that grouping.

Staff deems the proposed flag lot of sufficient size, more than double the allowed maximum, to allow the new dwelling to easily comply with the 25-foot side yard setback. Staff finds no reason to support the reduced side yard setback and staff's recommendation on page one of this report reflects that, specifically [condition #1](#).

Issue 2: Size of Flag Lot

The lot size minimum and maximum for new lots are established by the R-1/7,000 zoning district. The maximum lot size is 10,500 square feet for single family residential lots. The R-1/7,000 allows for lots larger than 10,500 square feet if they are part of a subdivision and meet three criteria, essentially demonstrating compatibility with lots on the same block face. Of the three lots proposed the flag lot is the only one to exceed the lot size maximum; however, it is still considered compatible with other lots on the block face as there other existing lots that exceed 10,500 square feet.

The specific requirements for flag lots in 21A.24.010.G.8 however, have a **minimum** lot size requirement that equals the zoning district's **maximum** lot size, which sets up a conflict of lot size requirements. The proposed flag lot is 27,500 square feet, which clearly complies with the minimum requirement. The specific flag lot requirements do not include a specified maximum size limit. Therefore, the proposed flag lot complies both with the zoning district criteria of compatibility in order to exceed the maximum lot size (10,500 square feet) and with the specific criteria for minimum size of flag lots (10,500 square feet for the R-1/7,000 zoning district).

DISCUSSION:

The proposal for three lots would result in lots that are more compatible in size with the majority of the lots in the area and do so with little disruption to the neighborhood. A project with four lots would create even more opportunity for infill residential development but that would most likely require installation of a cul-de-sac street to access two lots farthest from the existing street.

Allowing the subject existing accessory structure to remain in its current location would create less disruption to the lot versus forcing it to be moved or demolished. The two new lots closer to the street would ultimately have dwellings and accessory buildings constructed on it that will block the view of the flag lot accessory structure, thus it will have little impact if left in place.

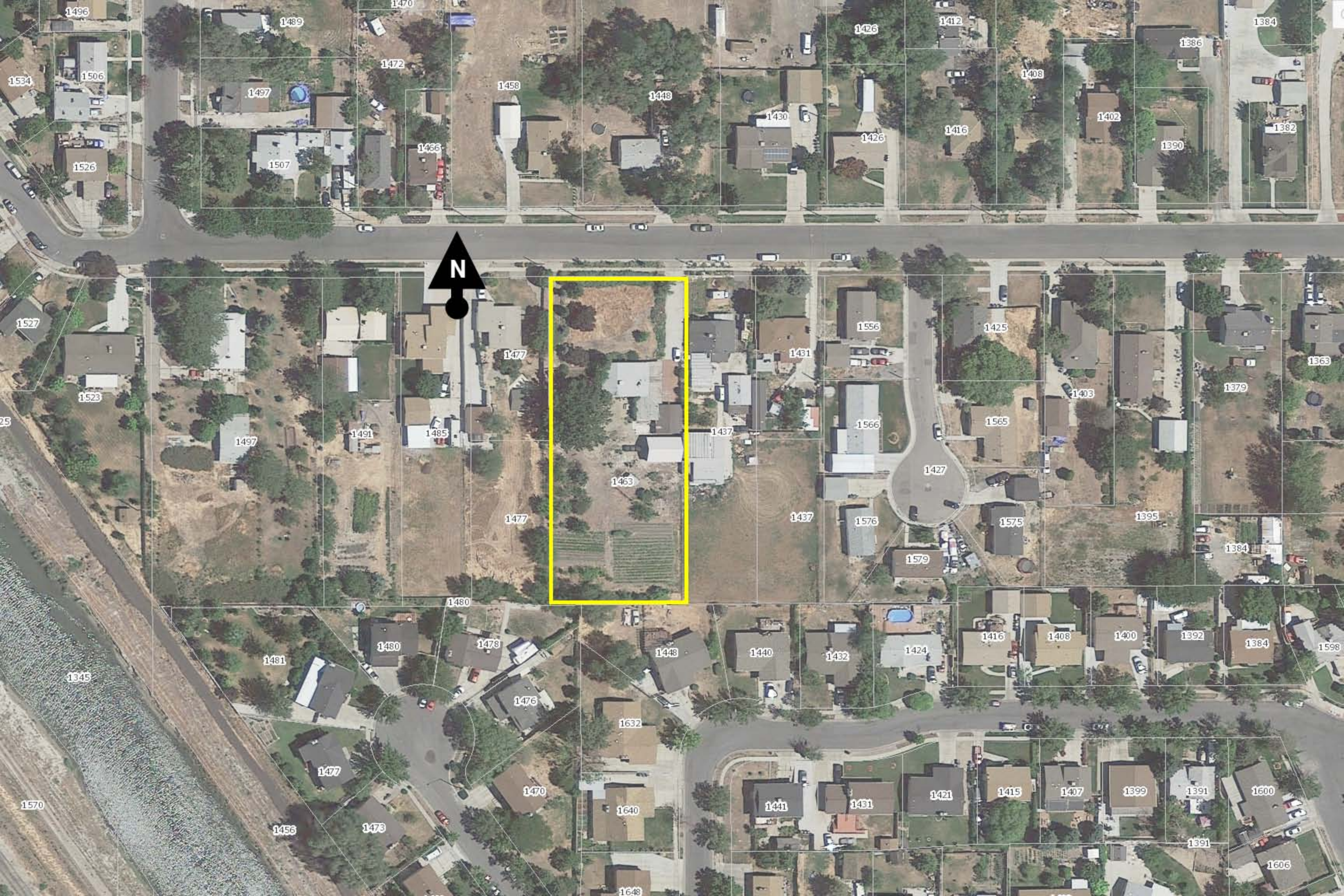
The existing east lot line conflicts with an accessory building on the adjacent lot to the east. The applicant plans to resolve the neighbor's building encroachment by jogging the line around the building (trading portions of property) to locate the building clearly on the neighbor's property. This item is included as a recommended condition if the project is approved.

In regards to a new dwelling on the flag lot, since it has yet to be constructed and there is ample room on the proposed flag lot, there is no reason it couldn't comply with the required 25-foot side yard setback. On the flip-side, a side yard setback of 10-feet is the standard for this zoning district and allowing for this setback would still be considered compatible with the neighborhood.

NEXT STEPS:

If approved as recommended by staff, the applicant could proceed with the project, subject to any conditions, and would be required to obtain all necessary city permits and make all required improvements. If denied, the applicant would still be eligible to divide the property through the subdivision process and build a new dwelling, but not create a flag lot.

ATTACHMENT A: Vicinity Map



ATTACHMENT B: Site Plan & Preliminary Plat

COTTAM ACRE
1447, 1457, 1465 W. VAN BUREN AVE
SALT LAKE CITY UTAH 85104

REVISIONS:

PROJECT NO:

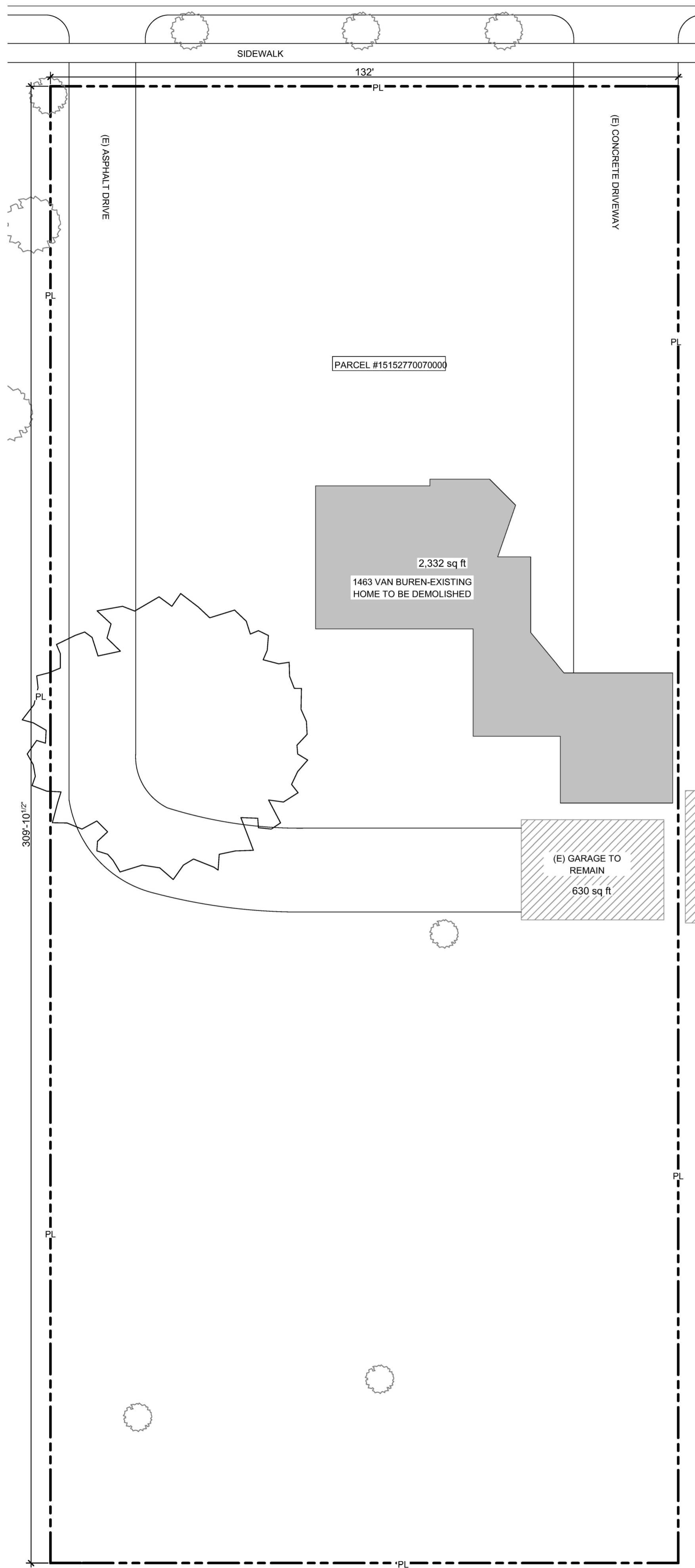
DATE: 5/8/2017

DRAWN BY:

SCALE: AS NOTED IN DRAWING

SITE PLAN
A0.2

VAN BUREN AVE.

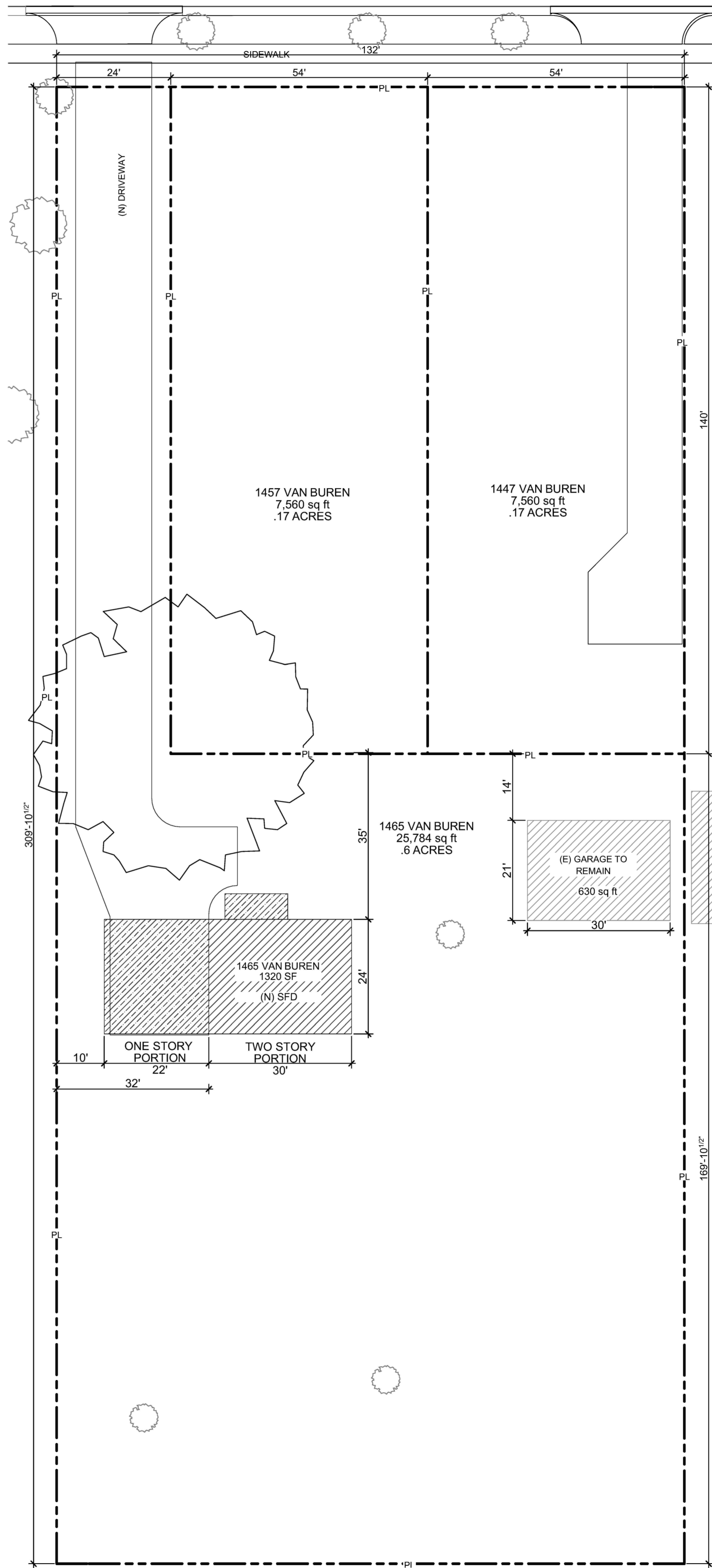


1

SITE-EXISTING

SCALE: 1/16" = 1'-0"

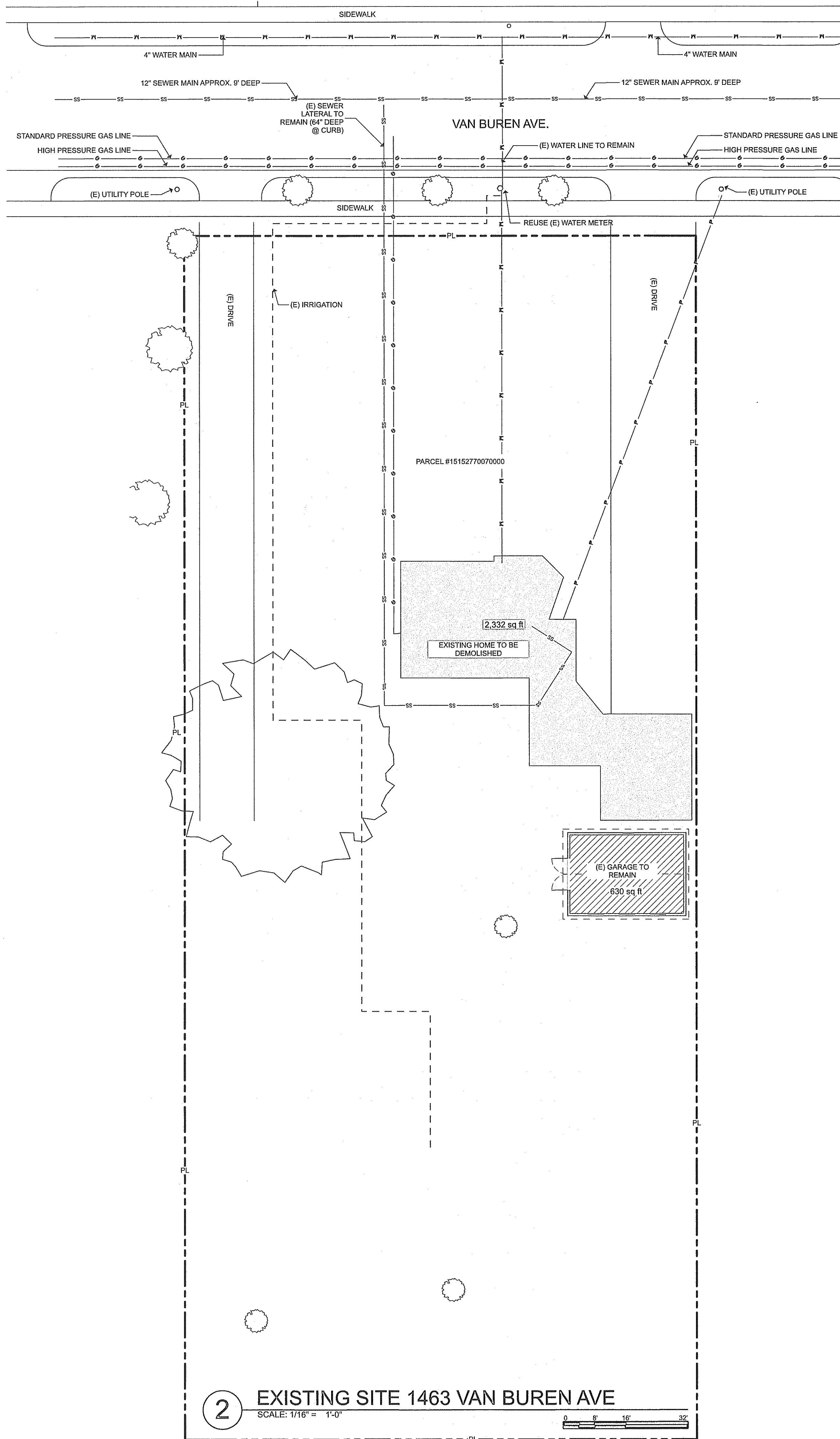
VAN BUREN AVE.



2

SITE-NEW

SCALE: 1/16" = 1'-0"

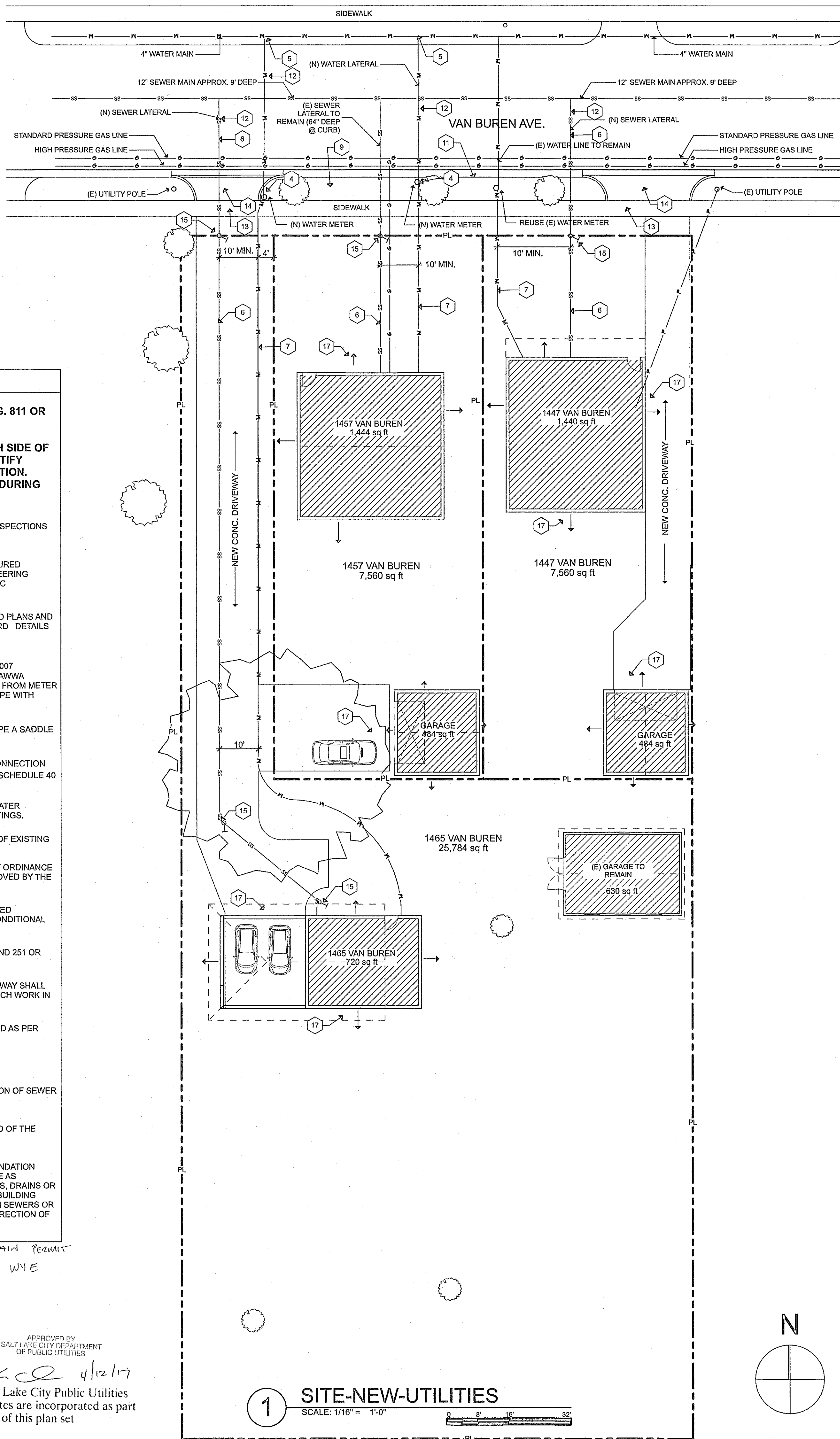


LINETYPE LEGEND	
---	PROPERTY LINE
---	BUILDING SETBACK LINE
---	CONTOUR EXISTING
---	CONTOUR NEW
---	GAS
---	WATER
---	SEWER
---	POWER
---	ROOF LINE
---	JOIST CENTERLINE
---	BEAM/HEADER CENTERLINE
---	HIDDEN LINE
---	4" PERF PIPE IN GRAVEL BED
---	STRAW WATTLE
---	TREE PROTECTION FENCE

- PUBLIC UTILITY PLAN KEY NOTES**
- CALL BLUE STAKES BEFORE ANY DIGGING OR EXCAVATING. 811 OR 1-800-662-4111.**
- QUESTAR GAS HAS A 20' RIGHT-OF-WAY ALONG THE SOUTH SIDE OF VAN BUREN AVE FOR A HIGH PRESSURE GAS PIPELINE. NOTIFY QUESTAR GAS A MINIMUM 24 HOURS BEFORE ANY EXCAVATION. QUESTAR HIGH PRESSURE PERSONNEL MUST BE ON SITE DURING ANY DIGGING.**
- CONTRACTOR TO CONTACT PUBLIC UTILITIES FOR UTILITY PERMIT AND INSPECTIONS 1530 S WEST TEMPLE 801-483-6727.
 - PRIOR TO ANY WORK IN THE PUBLIC WAY, A LICENSED, BONDED, AND INSURED CONTRACTOR MUST FIRST OBTAIN A PUBLIC WAY PERMIT FROM SLC ENGINEERING PERMITS OFFICE. A TRAFFIC CONTROL PERMIT MAY BE REQUIRED FROM SLC TRANSPORTATION.
 - ALL WORK IN THE PUBLIC WAY SHALL CONFORM TO APWA 2012 STANDARD PLANS AND SPECIFICATIONS. ALL WATER SERVICE STANDARDS ARE PER APWA STANDARD DETAILS AND SPECIFICATIONS.
 - NEW 3/4" WATER METER, YOKE AND BOX. FOR WATER LINE USE APWA 2007 STANDARD PLAN 551 TYPE A SADDLE CLAMP TAP WITH 3/4" TYPE K COPPER AWWA DRINKING WATER APPROVED TO 3' PAST METER BOX. WATER SERVICE PIPE FROM METER TO HOUSE TO BE AWWA DRINKING WATER APPROVED 1" HDPE 160 LB. MIN. PIPE WITH BRASS OR STAINLESS STEEL FITTINGS OR 3/4" TYPE K SOFT COPPER.
 - NEW TAP AT WATER MAIN PER APWA STANDARDS. USE APWA 2012 TYPE A SADDLE CLAMP TAP PER APWA STANDARDS.
 - ALL NEW SEWER LINES TO BE 4" PVC SDR-35 @ MIN. 1% SLOPE. FOR CONNECTION AT SEWER LATERALS INSTALL PER APWA STANDARD PLAN #431. USE 4" SCHEDULE 40 PVC FROM HOUSE TO SEWER LATERAL.
 - WATER SERVICE PIPE FROM METER TO HOUSE TO BE AWWA DRINKING WATER APPROVED 1" HDPE 160 LB. MIN. PIPE WITH BRASS OR STAINLESS STEEL FITTINGS.
 - CONTACT ROCKY MOUNTAIN POWER TO COORDINATE THE RELOCATION OF EXISTING ELECTRICAL SERVICE DROPS AND TO ESTABLISH TEMPORARY SERVICE.
 - THE FRONT YARD AND THE PARK STRIP SHALL BE LANDSCAPED PER CITY ORDINANCE 21A.46.060 AND 21A.46.080. THE PARK STRIP LANDSCAPING SHALL BE APPROVED BY THE SALT LAKE CITY DEPARTMENT OF URBAN FORESTRY.
 - ALL UTILITIES ONTO SITE WILL BE PLACED WITHIN EASEMENTS OR PLACED UNDERGROUND. UTILITY BOX LOCATIONS MUST MEET 21A.40.160.D OR A CONDITIONAL USE APPLICATION IS NEEDED.
 - THE CURB AND GUTTER SHALL BE CONSTRUCTED AS PER APWA 205A, AND 251 OR 252. (WHERE NEW CURB AND GUTTER ARE NEEDED/REQUIRED)
 - ALL UTILITY TRENCH WORK AND TRENCH RESTORATION IN THE PUBLIC WAY SHALL BE CONSTRUCTED AS PER APWA STANDARD PLAN 255. (FOR ANY NEW TRENCH WORK IN STREET)
 - ALL SIDEWALK WORK DONE IN THE PUBLIC WAY SHALL BE CONSTRUCTED AS PER APWA 231.
 - THE DRIVE APPROACH SHALL BE CONSTRUCTED AS PER APWA 225.
 - INSTALL CLEAN-OUTS AT PROPERTY LINES, AT ALL CHANGES IN DIRECTION OF SEWER PIPES, AND EVERY 50' OF PIPE.
 - MUD TRACKED ONTO THE STREET MUST BE CLEANED PRIOR TO THE END OF THE WORKDAY.
 - DIRECT ROOF WATER RUNOFF AND SURFACE RUNOFF AWAY FROM FOUNDATION WALLS. THE GRADE SHALL FALL MIN. 6" IN THE FIRST 10 FEET (5% DRAINAGE AS REQUIRED BY IRC R401.3). WHERE PROXIMITY TO LOT LINES PROHIBITS THIS, DRAINS OR SWALES SHALL BE USED. IMPERVIOUS SURFACES WITHIN 10 FEET OF THE BUILDING SHALL SLOPE 2% MIN. SURFACE DRAINAGE SHALL BE DIVERTED TO STORM SEWERS OR DRYWELLS, NOT ONTO NEIGHBORING PROPERTIES. ARROWS INDICATES DIRECTION OF SURFACE DRAINAGE

CONTRACTOR TO CONTACT PUBLIC UTILITIES TO OBTAIN PERMIT AND TO SCHEDULE SURVEY, INSPECTION, AND WYE CONNECTION 801-483-6727

APPROVED BY
SALT LAKE CITY DEPARTMENT
OF PUBLIC UTILITIES
4/12/17
Note: Salt Lake City Public Utilities
General Notes are incorporated as part
of this plan set



Brach design
ARCHITECT & ENGINEER
DAVE BRACH AIA 801-865-7648 dave@brachdesign.com

STATE OF UTAH
DAVE BRACH
No. 6714252-0301
LICENSED ARCHITECT

VAN BUREN HOMES
1447, 1457, 1465 W. VAN BUREN AVE
SALT LAKE CITY, UTAH 85104

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REVISIONS:

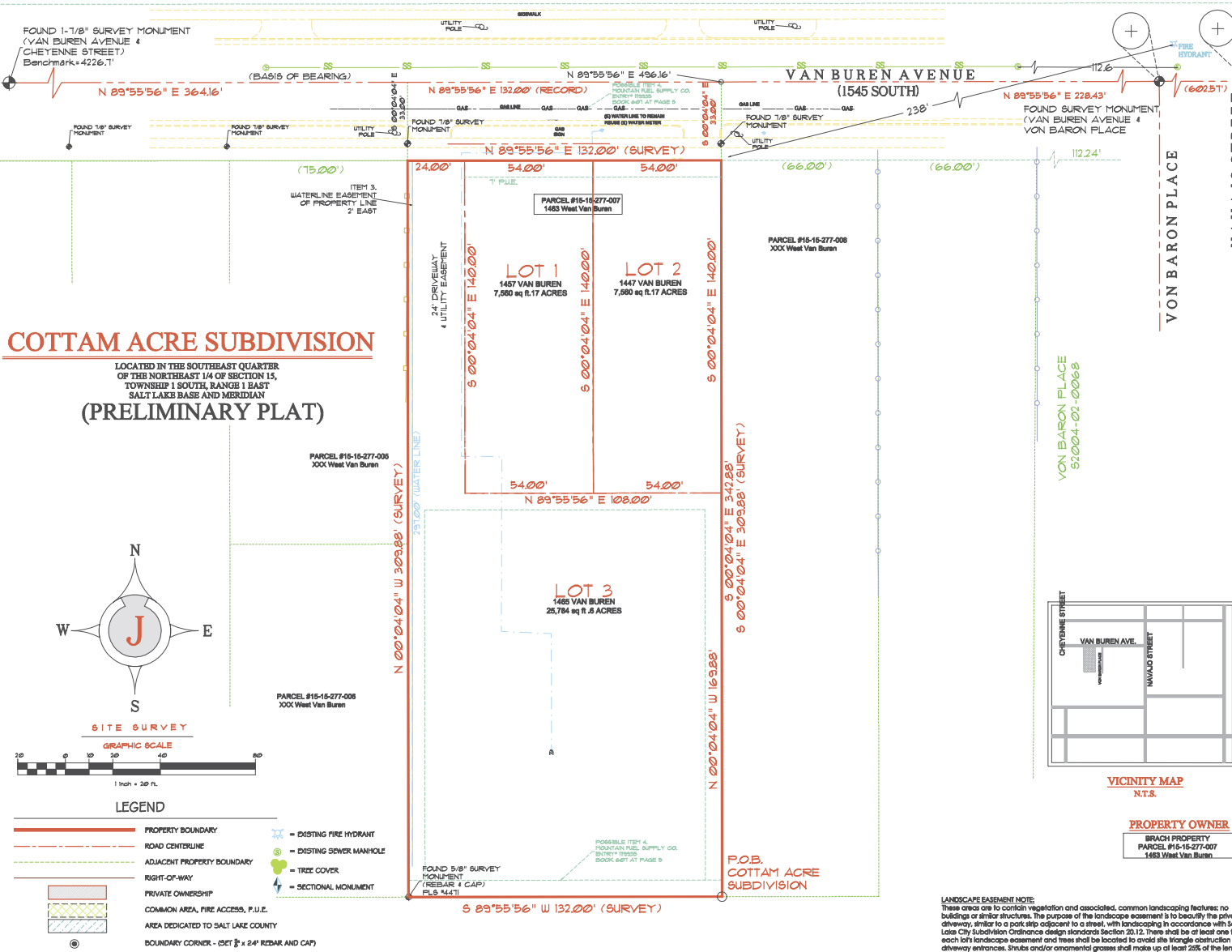
PROJECT NO:

DATE
3/29/17
DRAWN BY

SCALE
AS NOTED
SHEET

UTILITY SITE PLAN

A0.3
SHEET 4 OF 24



COTTAM ACRE SUBDIVISION
LOCATED IN THE SOUTHEAST QUARTER
OF THE NORTHEAST 1/4 OF SECTION 15,
TOWNSHIP 1 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN
(PRELIMINARY PLAT)

NUMBER _____ ACCOUNT _____ SHEET 1 OF 1 SHEETS	CITY PUBLIC UTILITIES DEPT. APPROVED AS TO SANITARY SEWER AND WATER DETAILS THIS _____ DAY OF _____, 20____ SALT LAKE CITY PUBLIC UTILITIES DIRECTOR	SALT LAKE VALLEY HEALTH DEPARTMENT APPROVED THIS _____ DAY OF _____, 20____ S. L. VALLEY HEALTH DEPARTMENT	CITY ENGINEERING DIVISION I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE. CITY ENGINEER _____ DATE _____ CITY SURVEYOR _____ DATE _____	CITY PLANNING DIRECTOR APPROVED THIS _____ DAY OF _____, 20____ BY THE SALT LAKE CITY PLANNING COMMISSION. PLANNING DIRECTOR _____ DATE _____	CITY ATTORNEY APPROVED AS TO FORM THIS _____ DAY OF _____, 20____ SALT LAKE CITY ATTORNEY	CITY APPROVAL PRESENTED TO SALT LAKE CITY THIS _____ DAY OF _____, 20____ AND IT IS HEREBY APPROVED SALT LAKE CITY MAYOR _____ SALT LAKE CITY RECORDER _____
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SURVEYORS CERTIFICATE
I, Timothy R. Johanson, do hereby certify that I am a Land Surveyor, and that I hold certificate No. 5132850, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owner, I have made a survey of the tract of land shown on this plat and described below, hereafter to be known as COTTAM ACRE SUBDIVISION and that same has been surveyed and shown on this plat. This survey was performed within the accordance of the minimum accuracy of an urban survey, Class "A", or a finer closure of 1:15,000.
The purpose of this survey is to locate the boundaries of the described parcel and create a plat for a subdivision as shown herein.

Prepared this 6th day of May 2017
(PRELIMINARY PLAT)
BOUNDARY DESCRIPTION
TITLE REPORT
Policy No.: 43471298 File No.: 119104
Meridian Title Company
An entire tract conveyed to _____ per that Warranty Deed recorded _____ as Entry No. in the Office of the Salt Lake County Recorder and located in the Southeast Quarter of the Northeast 1/4 of Section 15, Township 1 South, Range 1 West, Salt Lake Base and Meridian; the boundary of said entire tract is described as follows:
Commencing 40 Rods North and 50 Rods West from the Southeast corner of the Northeast Quarter of Section 15, Township 1 South, Range 1 West, Salt Lake Base and Meridian, said point of Beginning, also being North 89°55'56" East 496.16 feet & South 0°04'04" East 342.88 feet from the Intersection Street Survey monument at VAN BUREN AVENUE & CHEYENNE STREET; thence running South 89°55'56" West 132.00 feet (West 8 rods); thence North 0°04'04" West 309.88 feet (North 297 feet); thence North 89°55'56" East 132.00 feet (East 8 rods); thence South 0°04'04" East 342.88 feet (South 297 feet) to the point of Beginning.

The above described parcel of land contains 40,904 Sq. ft. in area or 0.939 acres more or less. (Containing 3 lots) (Basis of Bearing is N 89°55'56" E, between the Street Monument located at the Intersection of Cheyenne Street and Van Buren Ave. and the Street Monument located at the Intersection of Navajo Street and Van Buren Ave.)

SCHEDULE B
3. An Easement including its terms, covenants and provisions as disclosed by instrument:
Purpose: A perpetual easement for the purpose of constructing and perpetually operating and maintaining a water pipeline in and through the center line of which is described as follows, to-wit: Recorded: February 19, 1948 as Entry No. 874811 in Book 213 of Page 558 of Official Records.; Beginning at a point in the South line of Van Buren Avenue, 2 feet East from the West line of the Walchlagner property, said point being 343 feet South and 345 feet East from the Northwest Corner of the Southeast Quarter of the Northeast Quarter of Section 15, Township 1 South, Range 1 West, Salt Lake Base and Meridian, running thence South 297 feet.

4. An Easement including its terms, covenants and provisions as disclosed by instrument:
To: MOUNTAIN FUEL SUPPLY COMPANY, a corporation of the State of Utah Purpose: A right of way and easement to lay, maintain, operate, repair, remove and replace pipe lines, gates and gate boxes for transportation of gas through and across Recorded: May 4, 1948 as Entry No. 1119938 in Book 407 of Page 5 of Official Records. Affects: Part of the South East Quarter of the Northeast Quarter of Section 15, Township 1 South, Range 1 West, Salt Lake Base and Meridian, the center line of which said gas pipe line shall extend through and across the above described land and premises on a line described as follows, to-wit: Center line of gas line; to be located 7.0 feet North of the south property line of above described tract of land.

OWNER'S DEDICATION
Know all men by these presents that _____ LLC (the undersigned owner(s) of the above described tract of land having caused same to be subdivided into lots and streets to be hereafter known as

COTTAM ACRE SUBDIVISION
do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use.
In witness whereof we have hereunto set our hands this _____ day of _____, 20____.

XXXX, LC _____

NOTARY ACKNOWLEDGMENT

State of Utah }
County of Salt Lake } ss.

The foregoing Owner's Dedication of the _____ Subdivision was signed before me this _____ day of _____, 20____, by _____ as Manager of _____ LLC, a Utah limited liability company, and by _____ as Manager of _____ LLC, a Utah limited liability company, each of whom personally appeared before me and duly acknowledged that the foregoing was Owner's Dedication was executed by authority.

Commission Number _____
My Commission Expires _____

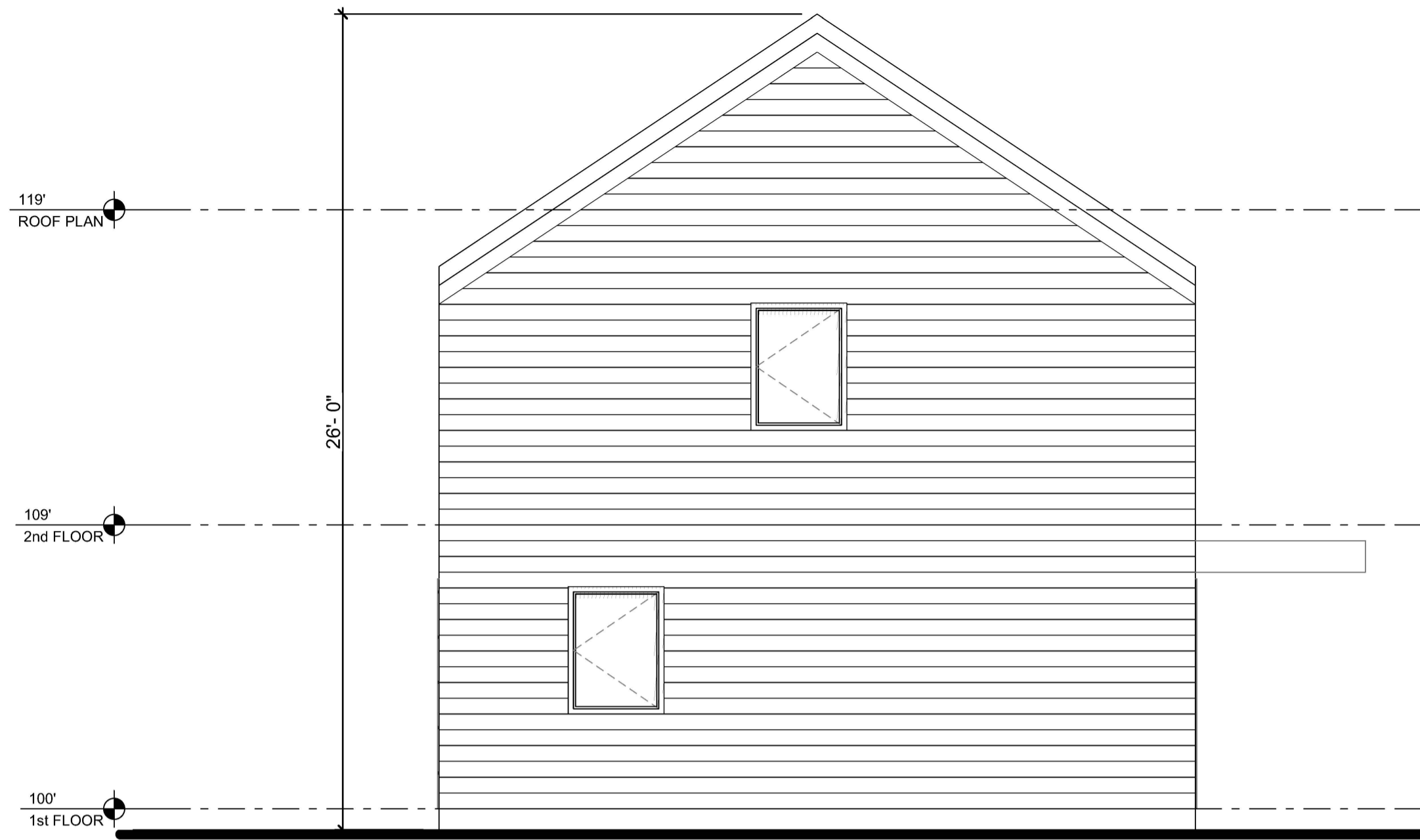
Printed name _____ A Notary Public Commissioned in Utah

COTTAM ACRE SUBDIVISION
LOCATED IN THE SOUTHEAST QUARTER
OF THE NORTHEAST 1/4 OF SECTION 15,
TOWNSHIP 1 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN

PREPARED BY
JOHANSON
LAND CONSULTANTS
• SURVEYING • PLANNING • LAND DEVELOPMENT
770 EAST MAIN STREET, SUITE 131
LEHI CITY, UTAH 84043
PHONE (801) 761-1445
johansonland.com
johansonland@gmail.com

SALT LAKE COUNTY RECORDER STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE _____ SALT LAKE COUNTY RECORDER	NUMBER _____ ACCOUNT _____ SHEET 1 OF 1 SHEETS
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ATTACHMENT C: Building Elevations



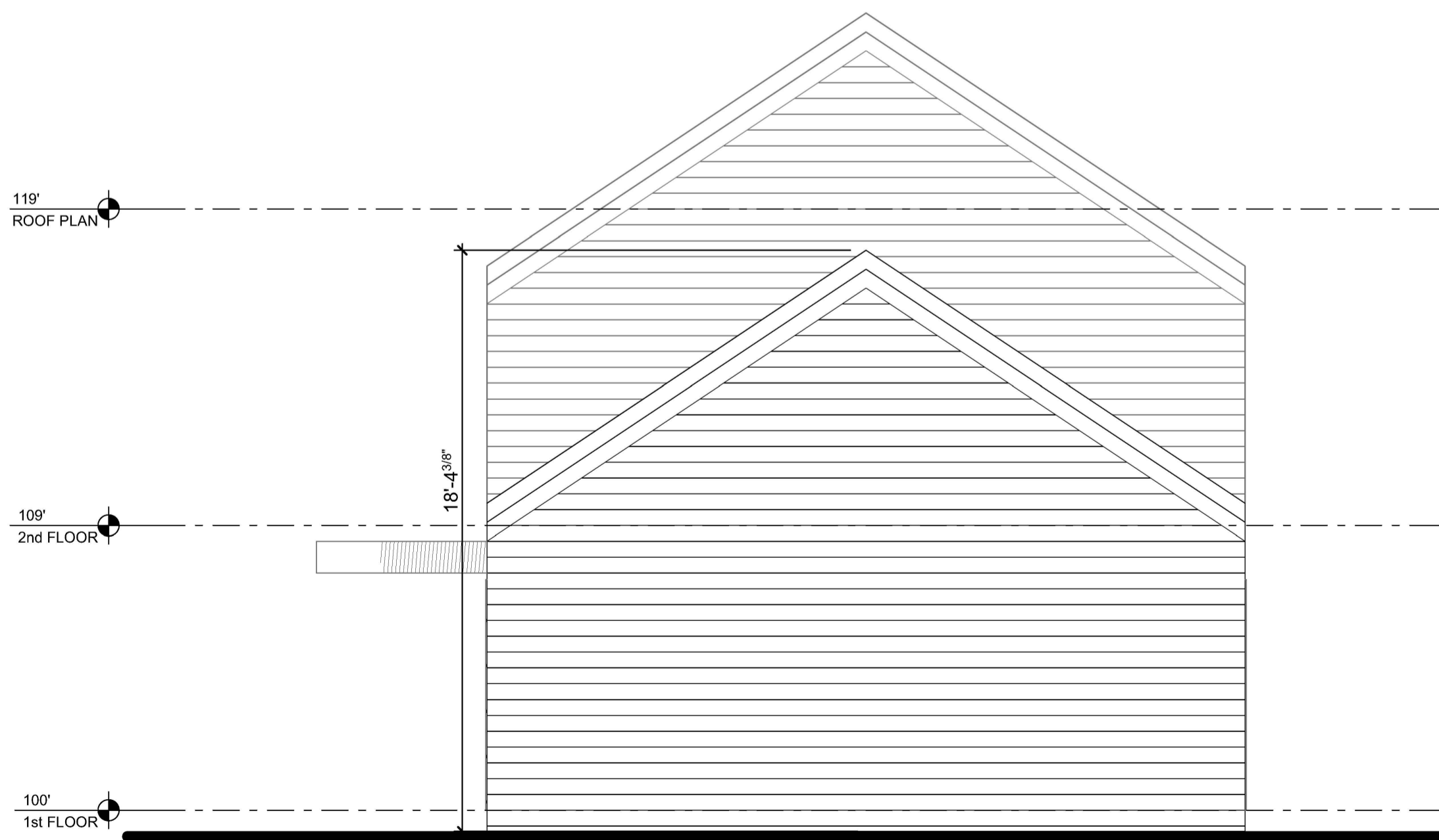
2 EAST ELEVATION- FLAG LOT HOME

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



1 NORTH ELEVATION- FLAG LOT HOME

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



5 WEST ELEVATION- FLAG LOT HOME

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



4 SOUTH ELEVATION- FLAG LOT HOME

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

ATTACHMENT D: Additional Applicant Information

1463 Van Buren Planned Development Project Description:

This is an existing .94 acre lot with a blighted single family home and relatively new (2016) detached garage behind the home. We are proposing to demolish the single family home, subdivide the lot into 3 new lots: two with street frontage and one flag lot. The existing detached garage would remain and be located on the flag lot. This detached accessory building would be located in the front yard of the flag lot so we would need an exception for this. We believe that it's location and relationships to other buildings is ample, and would still be in keeping with the overall configuration of buildings in the neighborhood. For the new home on the flag lot we are asking for an exception to the side yard setback. Because the building is two stories it is required to have a 25' side yard setback—we propose that the building step up away from the side property line from one story to two, and that the one story portion have a 10' setback and the two story portion have a 30' setback.

Planned Development Information:

- a. We have tried to keep the size of the new home very modest, and it's location gives it a very wide berth in relationship to all the neighboring homes and the existing accessory building
- b. All desirable trees on site will be preserved. The site is literally flat and there is very little chance of erosion.
- c. There are no significant buildings on the site
- d. We believe the scale and shape of the new driveway, the flag lot, and the new frontage lots will create opportunities for very pleasing landscape elements and new homes.
- e. The front plant strip one of the nicest on the street and will remain as such. It is very nicely xeriscaped and has three trees planted about 4 years ago that will remain untouched.
- f. The existing home is the falling apart and is the ugliest on the street, and is set back much too far from the street. Also the giant ugly hedge will be removed.
- g. The new housing will need to be affordable to sell. Sales prices will probably be in the \$150k range.
- h. The new home on the flag lot will be the most energy efficient in the state of Utah, if not the whole of north america. It will be designed to produce ~140% of the energy it consumes—enough surplus to charge an electric vehicle or two.

ATTACHMENT E: Existing Conditions

Existing Conditions:

The subject site consists of one lot, 41,000 square feet in total area (0.94 acres), containing one single family dwelling and an accessory building. The site is generally level with one large existing tree near the center of the lot and a fruit orchard at the rear of the lot.

The adjacent uses include single family dwellings and related accessory buildings on all sides.

21A.24.060: R-1/7,000 SINGLE-FAMILY RESIDENTIAL DISTRICT:

- A. Purpose Statement: The purpose of the R-1/7,000 single-family residential district is to provide for conventional single-family residential neighborhoods with lots not less than seven thousand (7,000) 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.
- B. Uses: Uses in the R-1/7,000 single-family residential district, as specified in section [21A.33.020](#), "Table Of Permitted And Conditional Uses For Residential Districts", of this title, are permitted subject to the general provisions set forth in section [21A.24.010](#) of this chapter and this section.
- D. Maximum Building Height:
 - 1. The maximum height of buildings with pitched roofs shall be:
 - a. Twenty eight feet (28') measured to the ridge of the roof; or
 - b. The average height of other principal buildings on the block face.
 - 2. The maximum height of a flat roof building shall be twenty feet (20').
 - 3. Maximum exterior wall height adjacent to interior side yards shall be twenty feet (20') for exterior walls placed at the building setback established by the minimum required yard. Exterior wall height may increase one foot (1') (or fraction thereof) in height for each foot (or fraction thereof) of increased setback beyond the minimum required interior side yard. If an exterior wall is approved with a reduced setback through a special exception, variance or other process, the maximum allowable exterior wall height decreases by one foot (1') (or fraction thereof) for each foot (or fraction thereof) that the wall is located closer to the property line than the required side yard setback.
 - a. Lots with cross slopes where the topography slopes, the downhill exterior wall height may be increased by one-half foot (0.5') for each one foot (1') difference between the elevation of the average grades on the uphill and downhill faces of the building.
 - b. Exceptions:
 - (1) Gable Walls: Walls at the end of a pitched roof may extend to a height necessary to support the roof structure except that the height of the top of the widest portion of the gable wall must conform to the maximum wall height limitation described in this section.
 - (2) Dormer Walls: Dormer walls are exempt from the maximum exterior wall height if:
 - (A) The width of a dormer is ten feet (10') or less; and
 - (B) The total combined width of dormers is less than or equal to fifty percent (50%) of the length of the building facade facing the interior side yard; and
 - (C) Dormers are spaced at least eighteen inches (18") apart.
 - 4. Building height for initial construction of a building shall be measured as the vertical distance between the top of the roof and the established grade at any given point of building coverage. Building height for any subsequent structural modification or addition to a building shall be measured from finished grade existing at the time a building permit is requested. Building height for the R-1 districts, R-2 district and SR districts is defined and illustrated in chapter 21A.62 of this title.
 - 5. Where buildings are stepped to accommodate the slope of terrain, each step shall have a horizontal dimension of at least twelve feet (12').
 - 6. a. For properties outside of the H historic preservation overlay district, additional building height may be granted as a special exception by the planning commission subject to the special exception standards in chapter 21A.52 of this title and if the proposed building height is in keeping with the development pattern on the block face. The planning commission will approve, approve with conditions, or deny the request pursuant to chapter 21A.52 of this title.

- b. Requests for additional building height for properties located in an H historic preservation overlay district shall be reviewed by the historic landmarks commission which may grant such requests subject to the provisions of section [21A.34.020](#) of this title.

E. Minimum Yard Requirements:

1. Front Yard: The minimum depth of the front yard for all principal buildings shall be equal to the average of the front yards of existing buildings within the block face. Where there are no existing buildings within the block face, the minimum depth shall be twenty feet (20'). Where the minimum front yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.
2. Corner Side Yard: The minimum depth of the corner side yard for all principal buildings shall be equal to the average of the existing buildings on the block face. Where there are no other existing buildings on the block face, the minimum depth shall be twenty feet (20'). Where the minimum corner side yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail.
3. Interior Side Yard:
 - a. Corner lots: Six feet (6').
 - b. Interior lots: Six feet (6') on one side and ten feet (10') on the other.
4. Rear Yard: Twenty five feet (25').
5. Accessory Buildings And Structures In Yards: Accessory buildings and structures may be located in a required yard subject to section [21A.36.020](#), table [21A.36.020B](#) of this title.

- F. Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed forty percent (40%) of the lot area.

- G. Maximum Lot Size: With the exception of lots created by a subdivision or subdivision amendment recorded in the office of the Salt Lake County recorder, the maximum size of a new lot shall not exceed ten thousand five hundred (10,500) square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:

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

H. Standards For Attached Garages:

1. Width Of An Attached Garage: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the front facade of the house. The width of the garage is equal to the width of the garage door, or in the case of multiple garage doors, the sum of the widths of each garage door plus the width of any intervening wall elements between garage doors.
2. Located Behind Or In Line With The Front Line Of The Building: No attached garage shall be constructed forward of the "front line of the building" (as defined in section [21A.62.040](#) of this title), unless:
 - a. A new garage is constructed to replace an existing garage that is forward of the "front line of the building". In this case, the new garage shall be constructed in the same location with the same dimensions as the garage being replaced;
 - b. At least sixty percent (60%) of the existing garages on the block face are located forward of the "front line of the building"; or
 - c. The garage doors will face a corner side lot line. (Ord. 59-16, 2016: Ord. 7-14, 2014: Ord. 66-13, 2013: Ord. 73-11, 2011: Ord. 12-11, 2011: Ord. 90-05 § 2 (Exh. B), 2005: Ord. 26-95 § 2(12-5), 1995)

ATTACHMENT F: ANALYSIS OF STANDARDS

21a.55.050: Standards for Planned Developments: The planning commission may approve, approve with conditions, or deny a planned development based upon written findings of fact according to each of the following standards. It is the responsibility of the applicant to provide written and graphic evidence demonstrating compliance with the following standards:

Standard	Finding	Rationale
<p>A. Planned Development Objectives: The planned development shall meet the purpose statement for a planned development (section 21A.55.010 of this chapter) and will achieve at least one of the objectives stated in said section:</p> <p>A. Combination and coordination of architectural styles, building forms, building materials, and building relationships;</p> <p>B. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion;</p> <p>C. Preservation of buildings which are architecturally or historically significant or contribute to the character of the city;</p> <p>D. Use of design, landscape, or architectural features to create a pleasing environment;</p> <p>E. Inclusion of special development amenities that are in the interest of the general public;</p> <p>F. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation;</p> <p>G. Inclusion of affordable housing with market rate housing; or</p> <p>H. Utilization of "green" building techniques in development.</p>	Complies	<p>Objective "A": Approving the planned development as proposed would create lots that are nearer the desired lot size of the R-1/7,000 zoning district and could be considered as achieving the objective for "combination and coordination of ... building forms and building relationships" by promoting smaller dwellings and lots commonly found in the R-1/7,000 district.</p> <p>Objective "F": The existing dwelling is in a neglected state, but is not considered blighted or incompatible with existing uses (other adjacent dwellings). It could be repaired as well as demolished. This is not of sufficient weight to approve the proposal under stated objective "F".</p> <p>Objective "H": The applicant claims the home will be certified by a third party in accordance with Passive House Institute of the U.S. standards, and will be only the 5th building in Utah certified.</p>
<p>B. Master Plan And Zoning Ordinance Compliance: The proposed planned development shall be:</p> <p>1. Consistent with any adopted policy set forth in the citywide, community, and/or small area master plan and future land use map applicable to the site where the planned development will be located, and</p> <p>2. Allowed by the zone where the planned development will be located or by another applicable provision of this title.</p>	Complies	<p>The proposed residential use is a use that is allowed and anticipated in the R-1/7,000 zoning district, so this aspect of the project is consistent with both the master plan and zoning ordinance.</p> <p>The Westside Master Plan recognizes that the Glendale area, which includes this lot, is stable in its development as a residential community. This proposed flag lot development matches the development pattern of single family uses and is anticipated as an in-fill project.</p>
<p>C. Compatibility: The proposed planned development shall be compatible with the character of the site, adjacent properties, and</p>	Complies	<p>1- The proposed street access is adequate for all three lots and does not degrade service of the street (Van Buren Avenue).</p>

<p>existing development within the vicinity of the site where the use will be located. In determining compatibility, the planning commission shall consider:</p> <ol style="list-style-type: none"> 1. Whether the street or other adjacent street/access; means of access to the site provide the necessary ingress/egress without materially degrading the service level on such street/access or any 2. Whether the planned development and its location will create unusual pedestrian or vehicle traffic patterns or volumes that would not be expected, based on: <ol style="list-style-type: none"> a. Orientation of driveways and whether they direct traffic to major or local streets, and, if directed to local streets, the impact on the safety, purpose, and character of these streets; b. Parking area locations and size, and whether parking plans are likely to encourage street side parking for the planned development which will adversely impact the reasonable use of adjacent property; c. Hours of peak traffic to the proposed planned development and whether such traffic will unreasonably impair the use and enjoyment of adjacent property. 3. Whether the internal circulation system of the proposed planned development will be designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic; 4. Whether existing or proposed utility and public services will be adequate to support the proposed planned development at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources; 5. Whether appropriate buffering or other mitigation measures, such as, but not limited to, landscaping, setbacks, building location, sound attenuation, odor control, will be provided to protect adjacent land uses from excessive light, noise, odor and visual impacts and other unusual disturbances from trash collection, deliveries, and mechanical equipment resulting from the proposed planned development; and 6. Whether the intensity, size, and scale of the proposed planned development is compatible with adjacent properties. <p>If a proposed conditional use will result in new construction or substantial remodeling of a commercial or mixed used development,</p>		<p>2- The proposal would not create unexpected vehicle or pedestrian traffic patterns. All three lots would have driveways exiting onto Van Buren Avenue in typical fashion.</p> <p>3- There is no “internal” circulation system with this proposal, only the typical residential driveways that access the required vehicle parking for each lot</p> <p>4- The provision of water and sewer service can be handled adequately as evidenced by comments from the public utilities department. The flag lot does create some difficulty in providing sewer service given the significant distance from the dwelling site to the sewer line in the street, but the applicant has been able to resolve any sewer issues. Each of the three proposed lots would have its own sewer and water connection.</p> <p>The applicant would have to work with the city’s public utilities division to ensure storm drainage is handled properly. There is no indication that storm drainage will be a problem.</p> <p>5- With the low intensity residential uses proposed, there are no impacts anticipated with this project that would require buffering or other mitigation measures. The adjacent uses are the same types of residential uses.</p> <p>6- Intensity: the proposal amounts to an increase of 2 dwelling units along the block face. This increased intensity will have a small but insignificant impact on the street and adjacent properties. The sizes of the surrounding lots are similar in size to the proposal. The buildings would comply with height and lot coverage limits and are considered compatible with adjacent properties.</p> <p>The proposed use, being solely residential, is not subject to the additional design criteria of the “conditional building and site design review”.</p>
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the design of the premises where the use will be located shall conform to the conditional building and site design review standards set forth in chapter 21A.59 of this title.		
D. Landscaping: Existing mature vegetation on a given parcel for development shall be maintained. Additional or new landscaping shall be appropriate for the scale of the development, and shall primarily consist of drought tolerant species;	Complies	The site contains a large existing, mature tree and a few smaller trees. The applicant's plans indicate the existing trees will remain. The required front and side yard areas would be required to be kept as landscaped yards per the zoning ordinance.
E. Preservation: The proposed planned development shall preserve any historical, architectural, and environmental features of the property;	Complies	There are no historical, architectural, or environmental features on this site that require preservation.
F. Compliance With Other Applicable Regulations: The proposed planned development shall comply with any other applicable code or ordinance requirement.	Complies	The proposal has adequately shown the ability to comply with all other applicable code or ordinance requirements at this time.

STANDARDS FOR FLAG LOTS IN RESIDENTIAL DISTRICTS

21A.24.010.G: Flag Lots In Residential Districts: Flag lots are a permitted use only as part of a new subdivision in the FP, FR-1, FR-2 and FR-3 districts. Flag lots in all other residential districts, unless being approved through the planned development process, may be allowed as a conditional use pursuant to chapter 21A.55 of this title, provided that the planning commission finds the flag lot proposal to be compatible with the existing pattern of property development of the surrounding area. The planning commission shall also make findings on the standards listed in subsections G1 through G14 of this section:

Standard	Finding	Rationale
1. In residential districts other than new subdivisions in the FP, FR-1, FR-2, FR-3 districts, flag lots shall be approved only when one flag lot is proposed at the rear of an existing lot, unless being approved through the planned development process;	Complies	The flag lot is proposed at the rear of the lot.
2. Flag lots shall be used exclusively to provide lots for single-family residential dwellings;	Complies	The flag lot is proposed exclusively for single family dwelling use.
3. All lot and yard requirements applicable to flag lots shall apply to the main body of the flag lot. For flag lots, the front yard shall begin at the point where the access strip joins the main body of the lot;	Complies	The flag lot main body is subject to the applicable R-1/7,000 yard requirements. The proposal seeks to modify the front and side yard setback requirements via this planned development petition.
4. Except for the special provisions contained in this subsection G, the creation of a flag lot shall not result in a violation of required lot area, lot width, yards or other applicable provisions of this title;	Partially Complies	The proposed flag lot would result in a violation of the front yard setback requirements because of the existing detached accessory building and this is a reason for this planned development petition. If the planning commission grants any yard setback modifications, the flag lot would not violate approved yard setbacks. The proposed flag lot otherwise complies with lot area and width requirements.
5. Flag lots shall have a minimum lot depth of one hundred feet (100') measured from the point where the access strip joins the main body of the lot;	Complies	Proposed depth is 169 feet.
6. The flag lot access strip shall have minimum of twenty four feet (24') of frontage on a public street.	Complies	The proposed flag lot access strip is 24 feet wide with the necessary hard surfaced areas and landscaped areas.

No portion of the flag lot access strip shall measure less than twenty four feet (24') in width between the street right of way line and main body of the lot. A minimum sixteen foot (16') wide hard surfaced driveway shall be provided along the entire length of the access strip. A four foot (4') minimum landscape yard shall be provided on each side of the driveway. (See illustration in chapter 21A.62 of this title.);		
7. Flag lots, including the access strip, shall be held in fee simple ownership;	Complies	The flag lot will be held in fee simple ownership
8. The minimum lot area of a flag lot shall not be less than 1.5 times the minimum lot area of the applicable district. The lot area calculation excludes the lot access strip;	Complies	The minimum area required for the flag lot would be 10,500 square feet, the proposed area is 25,700 square feet.
9. The minimum required side yard for a single-story building on a flag lot is ten feet (10'). If any portion of the structure exceeds one story in height, all side yard setbacks shall meet the required rear yard setback of the underlying zoning district. The planning commission may increase the side or rear yard setback where there is a topographic change between lots;	Does Not Comply	The applicant proposes a two story home with a side yard setback of 10 feet. This is one of the modifications sought as part of the planned development petition. The required setback for the two story dwelling is 25 feet.
10. Both the flag lot and any remnant property resulting from the creation of a flag lot (including existing buildings and structures) shall meet the minimum lot area, width, frontage, setback, parking and all other applicable zoning requirements of the underlying zoning district	Partially Complies	The flag lot and two other lots proposed with this project meet all of these items, except the flag lot would result in a front yard setback conflict with the existing accessory structure as previously discussed in this report. Staff supports the modified front yard setback.
11. Any garage, whether attached to or detached from the main building, shall be located in the buildable area of the lot;	Partially Complies	As discussed, the existing accessory building would be located in the front yard area of the flag lot, outside the buildable area. The other two lots would be developed in the future under applicable regulations at the time.
12. Accessory buildings other than garages may be located in the rear yard area, however, planning commission approval is required for any accessory building that requires a building permit;	Complies	The one accessory building to remain is a garage and was built under proper permits.
13. A four foot (4') wide landscaped strip is required along both side property lines from the front to rear lot lines;	Complies	This requirement is not being modified and is required by the zoning ordinance.
14. Reflective house numbers shall be posted at the front of the access strip;	Complies	This requirement is not being modified and is required by the zoning ordinance.
15. In addition to any other provisions that may apply, the creation of a flag lot is considered a subdivision and shall be subject to applicable subdivision regulations and processes.	Complies	The applicant has submitted an application for preliminary subdivision.

STANDARDS OF APPROVAL FOR PRELIMINARY SUBDIVISION PLATS

20.16.100: All preliminary plats for subdivisions and subdivision amendments shall meet the following standards:

Criteria	Finding	Rationale
A. The subdivision complies with the general design standards and requirements for subdivisions as established in Section 20.12	Complies	The proposed subdivision complies with the design standards and requirements for subdivisions.

B. All buildable lots comply with all applicable zoning standards;	Complies	With the noted modifications for setbacks and the explanation on flag lot size, the lots comply with zoning standards. The standard for side yard setbacks should not be modified, per the discussion in “Key Issues” and is reflected for such decision in staff’s recommendation.
C. All necessary and required dedications are made;	Complies	No dedications are necessary for this subdivision.
D. Water supply and sewage disposal shall be satisfactory to the Public Utilities Department director;	Complies	The Public Utilities department has provided options and direction to the applicant on how to address water and sewer disposal.
E. Provisions for the construction of any required public improvements, per section 20.40.010, are included;	Complies	Public improvements are already in place for this subdivision, no additional public improvements are required.
F. The subdivision otherwise complies with all applicable laws and regulations.	Complies	The subdivision otherwise complies with all applicable laws and regulations.
G. If the proposal is an amendment to an existing subdivision and involves vacating a street, right-of-way, or easement, the amendment does not materially injure the public or any person who owns land within the subdivision or immediately adjacent to it and there is good cause for the amendment.	Complies	The proposed subdivision is not an amendment to an existing subdivision no does it involve vacating a street, right-of-way way, or easement.
<p>NOTES:</p> <p>In regard to the proposed lot sizes, the R-1/7,000 zoning district has a provision for lots larger than the allowed maximum (10,500 sq ft). Lots larger than 10,500 sq ft are allowed , via a subdivision process, if they meet the following standards:</p> <ul style="list-style-type: none"> ○ The size of the new lot is compatible with other lots on the same block face; ○ The configuration of the lot is compatible with other lots on the same block face; and ○ The relationship of the lot width to the lot depth is compatible with other lots on the same block face. 	Complies	<p>Of the three lots proposed the flag lot is the only one to exceed the lot size maximum; however, it is still considered compatible with other lots on the block face as there other existing lots that exceed 10,500 square feet.</p> <p>The specific requirements for flag lots in 21A.24.010.G.8 however, have a <u>minimum</u> lot size requirement that equals the zoning district’s <u>maximum</u> lot size, which sets up a conflict of lot size requirements. The proposed flag lot is 27,500 square feet, which clearly complies with the minimum requirement. The specific flag lot requirements do not include a specified maximum size limit. Therefore, the proposed flag lot complies both with the zoning district criteria of compatibility in order to exceed the maximum lot size (10,500 square feet) and with the specific criteria for minimum size of flag lots (10,500 square feet for the R-1/7,000 zoning district)..</p>

ATTACHMENT G: Public Process and Comments

Public Notice, Meetings, Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project:

Open House

June 15, 2017 at the City/County building.

Community Council meeting

June 21, 2017 at the Glendale Library.

Notice of the public hearing for the proposal included:

Public hearing notice mailed on June 29, 2017

Public hearing notice posted on June 23, 2017

Public notice posted on City and State websites and Planning Division list serve: June 29, 2017

Public Comments

The proposal was forwarded to the Glendale Community Council for comments. The community council discussed the proposal at their general meeting on June 21, 2017. In general the attendees were in favor of the project but some had concerns about losing land to development that could be used for urban agriculture. No written comments were received from the community council.

ATTACHMENT H: City Department Comments

Zoning: (Ken Brown): Building Services zoning comments for this planned development preliminary subdivision application in an R-1-7000 Zoning District are as follows:

- This proposed three lot subdivision satisfies the minimum Lot Area and Lot Width as required by 21A.24.010 G. Flag Lots In Residential Districts and 21A.24.060 C Minimum Lot Area And Lot Width.
- The minimum depth of the front yard for all principal buildings shall be equal to the average of the front yards of existing buildings within the block face, however; where the minimum front yard is specified in the recorded subdivision plat, the requirement specified on the plat shall prevail. It would be my suggestion that the average of the front yards of existing buildings within the block face be determined and the buildable area be identified for the planned development/subdivision and future development of each lot; keeping in mind that for flag lots, the front yard shall begin at the point where the access strip joins the main body of the lot
- 21A.24.010 G.9 for flag lots states that “If any portion of the structure exceeds one story in height, **all** side yard setbacks shall meet the required **rear yard setback** of the underlying zoning district” (25’ in this case). Because this proposal is suggesting a modification of this requirement, it would be my suggestion that the buildable area be identified for the planned development/subdivision and future development of the flag lot. Note: 21A.55.040: LIMITATION states: No change, alteration, modification or waiver authorized by section [21A.55.030](#) of this chapter shall authorize a change in the uses permitted in any district or a modification with respect to any standard established by this chapter, or a modification with respect to any standard in a zoning district made specifically applicable to planned developments, unless such regulations expressly authorize such a change, alteration, modification or waiver.
- 21A.24.010 G.11 states that on a flag lot “Any garage, whether attached to or detached from the main building, shall be located in the buildable area of the lot.” Because this proposal is suggesting a modification of this requirement, it would be my suggestion that any modified buildable area be identified for the planned development/subdivision and future development of the flag lot. Note: No change, alteration, modification or waiver authorized by section [21A.55.030](#) of this chapter shall authorize a change in the uses permitted in any district or a modification with respect to any standard established by this chapter, or a modification with respect to any standard in a zoning district made specifically applicable to planned developments, unless such regulations expressly authorize such a change, alteration, modification or waiver.
- 21A.24.010 G13 states that on a flag lot “A four foot (4’) wide landscaped strip is required along both side property lines from the front to rear lot lines.” A landscape plan and irrigation plan for the planned development should be provided for review of this required landscaping, the required park strip landscaping, the required front yard landscaping of each lot, and showing compliance with 21A.48.
- 21A.24.010 G.14 states that on a flag lot “Reflective house numbers shall be posted at the front of the access strip.” It would be my suggestion that this note be included in the Notice To Purchasers on the subdivision plat.
- Any park strip tree removal/protection/planting will need to be evaluated by the city forester.
- Private property specimen trees shall be preserved to the maximum extent practicable as determined by the city forester, in consultation with the zoning administrator.

Engineering (Scott Weiler): No objections.

Fire (Ted Itchon): If the flag lot has more than two structures and the any of the structures are greater than 30 ft. tall then the access road shall be 26 ft. clear width. If the there are more than two structures and under 30 ft. tall then the access road shall be 20 ft. clear width. the other items in the International Fire Code shall be applied to the structures such as turn around, turning radius of 20 ft. inside and 45 ft. outside.

Public Utilities: [No comments]

Transportation: [No comments]