



Staff Report

PLANNING DIVISION
COMMUNITY & NEIGHBORHOOD

To: Salt Lake City Planning Commission
From: Doug Dansie, AICP, 801-535-6182, doug.dansie@slcgov.com
Date: March 22, 2017
Re: PLNSUB2017-00047 "The Ruby" Planned Development
PLNSUB2017-00129 Preliminary Subdivision

Planned Development & Preliminary Subdivision Amendment

PROPERTY ADDRESS: 824, 826, 830 South West Temple
PARCEL ID: 15-12-276-024, 15-12-276-025 and 15-12-276-026
MASTER PLAN: Central Community Master Plan (2005), and Downtown Plan (2016)
ZONING DISTRICT: FB-UN2 Form Based Urban Neighborhood District

REQUEST: A request by CW The Ruby LLC to construct The Ruby: A proposed twelve unit townhome style multifamily development to be located at approximately 824, 826, 830 South West Temple, Salt Lake City, UT:

- a. PLNSUB2017-00047 Planned Development - A residential planned development to construct 4 buildings of three attached units. This is a planned development because the petitioner is asking for 1) a reduction in some side yard requirements, 2) some of the proposed lots are substandard size, 3) six of the lots do not have frontage on a deeded street.
- b. PLNSUB2017-00129 Preliminary Subdivision - A request to create twelve parcels, with associated cross access agreements.

RECOMMENDATION: Based on the findings listed in the staff report, it is the opinion of Planning Division Staff that the project generally meets the applicable standards and therefore, recommends the Planning Commission approve the planned development and preliminary subdivision requests with conditions.

Petition PLNSUB2016-00047 for "the Ruby" Planned Development conditions:

1. Except as specifically modified by the Planning Commission through the planned development process [1) a reduction in some side yard requirements, 2) some of the proposed lots are substandard size, 3) six of the lots do not have frontage on a deeded street], applicant shall comply with all applicable Department or Division comments attached to the staff report.
2. Under the authority of the Planning Director, final approval of the planned development shall be delegated to Planning Division staff. Approval shall ensure compliance with standards and conditions noted within the staff report.

Petition PLNSUB2016-00047 for Preliminary Subdivision with the following conditions:

1. The applicant shall comply with the Planned Development approval and all applicable Department or Division comments attached to the staff report.

2. Consistent with the proposed preliminary subdivision plat, which includes reduced lot sizes and lots accessible from private common space, applicant shall submit a final plat to the Planning Division within 18 months from the date of preliminary subdivision amendment approval.
3. Applicant shall remove any drive approaches on West Temple and replace with sidewalk, planted park strip, curb, and gutter.

ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Preliminary Plat](#)
- C. [Building, Elevation & Site Plans](#)
- D. [Applicant Narrative](#)
- E. [Property & Vicinity Photographs](#)
- F. [Existing Conditions](#)
- G. [Analysis of Standards – Planned Development](#)
- H. [Analysis of Standards – Preliminary Subdivision](#)
- I. [Public Process & Comments](#)
- J. [Department Comments](#)

PROJECT DESCRIPTION:

The subject property is comprised of 3 parcels that encompass approximately 17,424 square feet, or 0.4 acres (see [Attachment A – Vicinity Map](#)).

The Ruby is a proposed community of 12 single family Row Houses. Each row home contains 3 bedrooms, 3.5 bathrooms and are approximately 2000+ square feet.

The units are a “for sale” project and not a rental apartment building. The row homes are on individually owned lots (not “air-space” condominium ownership).

The intent of the project is to provide a product between the density of a downtown multi-family building and the small lot single family homes found to the west and south of the site.

The subject property is zoned FB-UN2 Form Based Urban Neighborhood District, which permits single-family attached dwellings such as “row houses.” Salt Lake City Code 21A.27.020.B.1.e defines a row house as:

Row House: A series of attached single-family dwellings that share at least one common wall with an adjacent dwelling unit. A row house contains a minimum of three (3) residential dwelling units. Each unit may be on its own lot. If possible, off street parking is accessed from an alley.

The proposed development requires approval of a planned development and subdivision amendment. The planned development petition requests the following modifications:

- Reduction in side yard setback from 4’ to 0’ in portions of the project.
- Reduction in lot size from 1500 sq. ft. to an average of 1442.5.
- Permit buildable parcels to front on common accessible space, instead of a public street.
- Modification of specific design standards required within the FB-UN2 District.

KEY ISSUES:

Staff has identified the following key issues through analysis of the project:

Issue 1 – Lot Frontage.

The Salt Lake City Subdivision Title requires the following development standard:

20.12.010E.1 All lots or parcels created by the subdivision of land shall have access to a public street improved to standards required by this title, unless a private street or *modified standards are approved by the planning commission as part of a planned development*. Private streets shall not be permitted unless the planning commission finds that the most logical development of land requires that lots be created which are served by a private street or other means of access (italics added).

Furthermore, the Salt Lake City Zoning Title states:

21A.36.010C. Frontage of Lot on Public Street: All lots shall front on a public street unless specifically exempted from this requirement by other provisions of this title.

However, as previously implied, the Salt Lake City Zoning Title does empower the Planning Commission with authority to modify both the Subdivision and Zoning regulations as follows:

21A.55.030 Authority to Modify Regulations: In approving any planned development, the planning commission may change, alter, modify or waive any provisions of this title or of the city's subdivision regulations as they apply to the proposed planned development. . .

Summary: Six units occupy the street frontage providing a presence on West Temple, however the dimensions of the lot would make it inefficient to have all 12 units face West Temple. A second row of townhomes, behind the street facing row, allows for desired urban densities and individual lot ownership. Additionally: (1) The proposed buildable parcels have sufficient vehicular access from the abutting public alley, (2) The subject property has pedestrian access from a private walkway from West Temple, and (3) The subdivision will have cross easements to insure access to each unit therefore, staff notes that the proposed modifications associated with the planned development have a rational basis for approval.

Issue 2 – Substandard Lots.

[Section 21A.27.050.C](#) of the City zoning code describes minimum lot size for differing development patterns (Cottage, Row House, Multi-family, Mixed Use, Storefront) in the FB-UN2 zoning district. Although the preliminary subdivision plat does include 10 (of 12) parcels or lots that do not comply with the Zoning Title for row homes, which requires 1,500 square foot lots the following City Code does authorize the Planning Commission to approve sub-standard lots when the purpose of the lot is specified:

20.12.010D. Buildable Lots: All subdivisions shall result in the creation of lots which are developable and capable of being built upon, *unless a different purpose for the lot is clearly intended and approved by the planning commission or its designee*. No subdivision shall create lots, and no building permit shall be issued for any lots which would make improvements and services impractical due to size, shape, steepness of terrain, location of watercourses, problems of sewerage or driveway grades, or other physical conditions (italics added).

Traditionally, Salt Lake City has included one half of the square footage of an adjacent alley to be counted towards the square footage of a project. While ten of the lots in this project are less than the 1,500 square foot threshold, when the alley is included with the overall square footage, it would create a cumulative average larger than 1,500 square feet.

Summary: In order to facilitate the proposed development, which does achieve several stated objectives and policies of the City Planning Division, the approval of some sub-standard lots as proposed, while meeting overall square footage requirements offers an efficient use of the site.

Issue 3 – Property Maintenance.

To ensure future home owners understand the financial necessities of private infrastructure maintenance, City Code requires the applicant comply with the following:

21A.55.170 Disclosure of Private Infrastructure Costs for Planned Developments: Planned developments, approved under this title after January 1, 1997, shall include provisions for disclosure of future private infrastructure maintenance and placement costs to unit owners.

- A. Infrastructure Maintenance Estimates: Using generally accepted accounting principles, the developer of any planned development shall calculate an initial estimate of the costs for maintenance and capital improvements of all infrastructure for the planned development including roads, sidewalks, curbs, gutters, water and sewer pipes and related facilities, drainage systems, landscaped or paved common areas and other similar facilities ("infrastructure"), for a period of sixty (60) years following the recording of the subdivision plat or the estimated date of first unit occupancy of the planned development, whichever is later.
- B. Initial Estimate Disclosure: The following measures shall be incorporated in planned developments to assure that owners and future owners have received adequate disclosure of potential infrastructure maintenance and replacement costs:
 - 1. The cost estimate shall be recorded with and referenced on the recorded plat for any planned development. The initial disclosure estimate shall cover all private infrastructure items and shall be prepared for six (6) increments of ten (10) years each.
 - 2. The recorded plat shall also contain a statement entitled "notice to purchasers" disclosing that the infrastructure is privately owned and that the maintenance, repair, replacement and operation of the infrastructure is the responsibility of the property owners and will not be assumed by the city.
 - 3. The cost estimate shall be specifically and separately disclosed to the purchaser of any property in the planned development, upon initial purchase and also upon all future purchases for the duration of the sixty (60) year period.
- C. Yearly Maintenance Statements: The entity responsible for the operation and maintenance of the infrastructure shall, at least once each calendar year, notify all property owners in the planned development of the estimated yearly expenditures for maintenance, repair, operation or replacement of infrastructure, and at least once each calendar year shall notify all property owners of the actual expenditures incurred, and shall specify the reason(s) for any variance between the estimated expenditures and the actual expenditures.
- D. Maintenance Responsibilities: The property owners in a planned development shall be collectively and individually responsible, on a pro rata basis, for operating, maintaining, repairing and replacing infrastructure to the extent necessary to ensure that access to the planned development is available to the city for emergency and other services and to ensure that the condition of the private infrastructure allows for the city's continued and uninterrupted operation of public facilities to which the private infrastructure may be connected or to which it may be adjacent.

Summary: It is the applicant's legal requirement to satisfy City Code 21A.55.170 by specifying compliance prior to receiving a building permit.

Issue 4 – Landscaping.

Landscaping is an important element of the planned development. Although the applicant has prepared a preliminary landscape plan, it does not include sufficient details such as quantities and sizes

of landscape materials. The proposed landscape materials and irrigation plan must comply with provisions of [City Code 21A.48.055 Water Efficient Landscaping](#). Final landscape plan, including materials and composition, should complement building architecture and site plan.

Summary: Staff recommends the final landscape plan be reviewed and approved by staff as a condition of approval.

Issue 5 - Historic Structures

Two thirds of the site is vacant, however, one home of interesting character is being demolished. This was raised as an issue by the Community Council. The structure is not within a historic district and is not a landmark site.

Summary: Although the home being demolished has interesting character, the City has not identified it as a structure to be preserved.

DISCUSSION:

As discussed above, and in [Attachment G – Analysis of Standards for Planned Development](#) and [Attachment H – Analysis of Standards for Preliminary Subdivision Amendment](#), the proposal generally meets the standards for both a planned development and preliminary subdivision amendment. Generally, the planned development will result in a more enhanced product than would be achievable through strict application of land use regulations, while enabling the development to be compatible with the neighborhood (see [Attachment I – Public Process & Comments](#)). The development will:

- Provide additional market rate modern housing within the Central 9th neighborhood;
- Remove unnecessary drive approaches, which will improve pedestrian safety on West Temple; and
- Increase the sense of community and “eyes on the street,” or natural surveillance, which also improves public safety.

The preliminary subdivision plat meets all the applicable normal subdivision standards without modifications, except for the requirement for public street frontage and minimum lot size, which the applicant requests modification through the planned development.

NEXT STEPS:

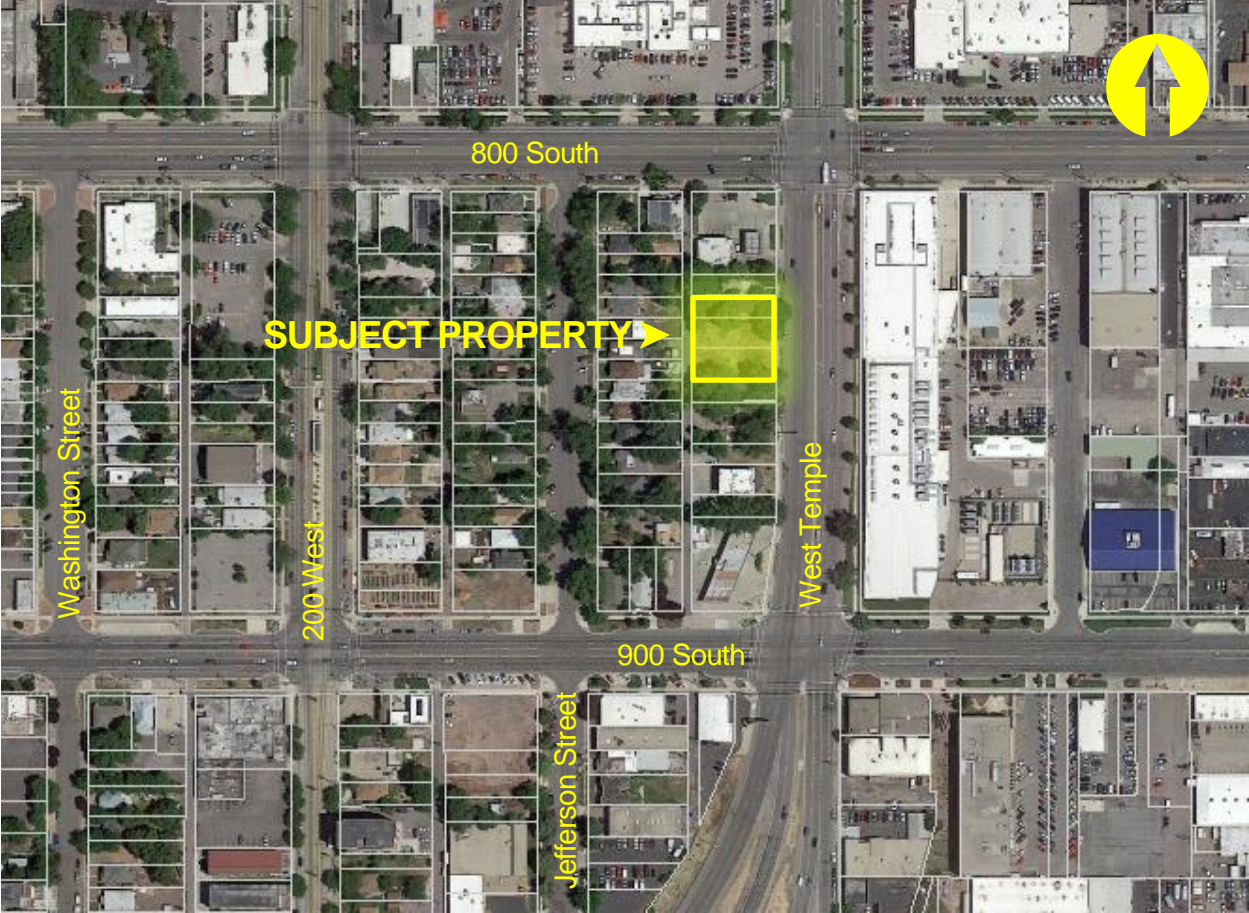
Planned Development and Preliminary Subdivision Approval

If the planned development and associated preliminary subdivision amendment are approved, the applicant will need to comply with the conditions of approval, including any of the conditions required by city departments or divisions and the Planning Commission. The applicant will then be able to submit for building permits for the development. The applicant will also need to submit a final subdivision plat to finalize the proposed subdivision amendment. Final certificates of occupancy for the buildings will not be issued until the conditions are met and the final subdivision plat is recorded to establish new property lines.

Planned Development and Preliminary Subdivision Denial

If the proposed planned development and preliminary subdivision petitions are denied, the applicant will likely seek to modify the development proposal to satisfy the requirements of the Planning Commission. However, the property owner may consider other options including solicitation of a new development proposal for the site.

ATTACHMENT A: VICINITY MAP



800 South

SUBJECT PROPERTY

Washington Street

200 West

West Temple

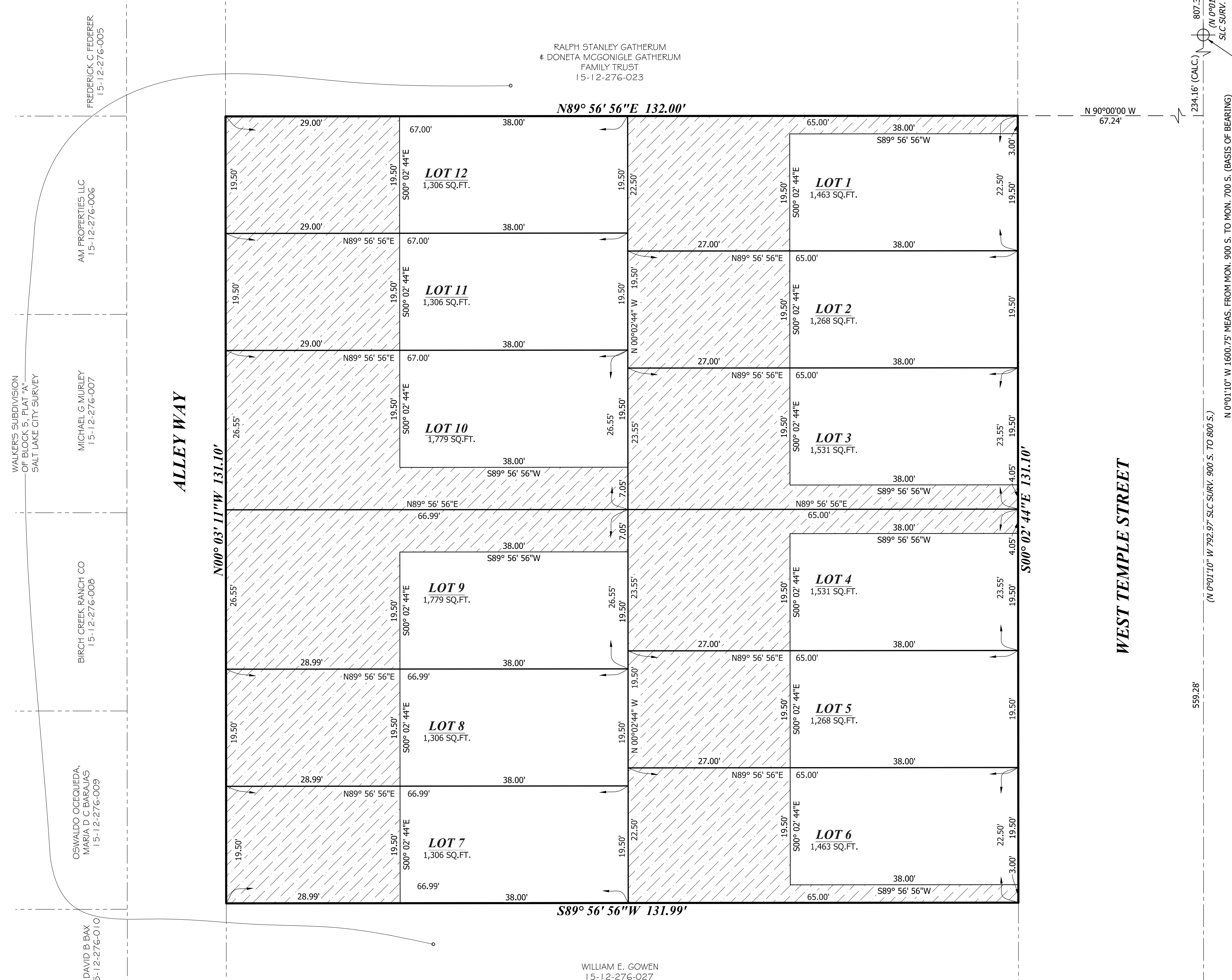
900 South

Jefferson Street

ATTACHMENT B: PRELIMINARY PLAT

THE RUBY PLANNED DEVELOPMENT

PART OF LOT 2, WALKER'S SUBDIVISION OF BLOCK 5, PLAT "A", SALT LAKE CITY SURVEY
 ALSO LOCATED IN THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SLB&M
 SALT LAKE CITY, SALT LAKE COUNTY, UTAH

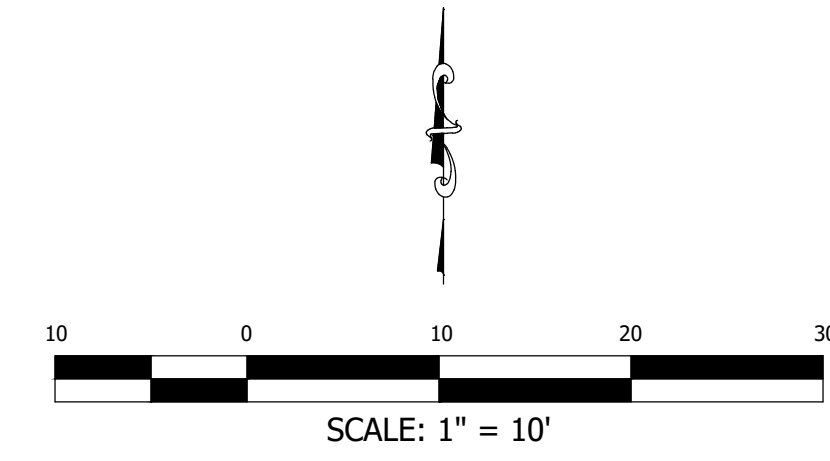


STREET MONUMENT AT INTERSECTION OF
 700 SOUTH STREET AND WEST TEMPLE STREET
 (FOUND BRASS CAP MON.)

807.31 (CALC.)
 (N 0°01'10\"/>

STREET MONUMENT AT INTERSECTION OF
 800 SOUTH STREET AND WEST TEMPLE STREET
 (NOT FOUND)

234.16' (CALC.)



SURVEYOR'S CERTIFICATE

I, VON R. HILL, A PROFESSIONAL LAND SURVEYOR HOLDING CERTIFICATE NO. 166385 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE OWNERS I HAVE MADE AN ACCURATE SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HERewith AND PURSUANT TO SAID TRACT OF LAND HEREAFTER TO BE KNOWN AS THE RUBY PLANNED DEVELOPMENT AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AS SHOWN ON THIS PLAT.

VON R. HILL _____ DATE _____

BOUNDARY DESCRIPTION

ALL OF LOT 27, 28, 29 AND THE NORTH 32 FEET OF LOT 30, BLOCK 1, WALKER'S SUBDIVISION OF BLOCK 5, PLAT "A", SALT LAKE CITY SURVEY, MORE PARTICULARLY DESCRIBED BY SURVEY AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 27, BLOCK 1, WALKER'S SUBDIVISION OF BLOCK 5, PLAT "A", SALT LAKE CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER, LOCATED NORTH 0°01'10" WEST ALONG THE MONUMENT LINE 559.28 FEET AND WEST 67.24 FEET FROM A STREET MONUMENT LOCATED AT THE INTERSECTION OF WEST TEMPLE STREET AND 900 SOUTH STREET; THENCE SOUTH 0°02'44" EAST 131.10 FEET ALONG THE EAST LINE OF SAID BLOCK 1; THENCE SOUTH 89°56'56" WEST 131.99 FEET PARALLEL WITH AND 1.00 FOOT NORTHERLY OF THE SOUTH LINE OF SAID LOT 30; THENCE NORTH 0°03'11" WEST 131.10 FEET ALONG THE WESTERLY LINE OF LOTS 27-30 TO THE NORTHWEST CORNER OF SAID LOT 27; THENCE NORTH 89°56'56" EAST ALONG THE LOT LINE 132.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 17,304 SQ.FT.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT CW LAND CO., LLC, THE UNDERSIGNED OWNER OF THE HEREON DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS TO BE HEREAFTER KNOWN AS THE RUBY PLANNED DEVELOPMENT, DO HEREBY DEDICATE FOR SHARED ACCESS ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR SHARED ACCESS, AND DO HEREBY DEDICATE THE SAME AS A PUBLIC UTILITY EASEMENT SOLELY FOR THE INSTALLATION AND MAINTENANCE OF UTILITY SERVICES TO THE LOTS SUBDIVIDED HEREON.

IN WITNESS WHEREBY _____ HAVE HEREUNTO SET _____ HAND,
 THIS _____ DAY OF _____, AD 20____.

COLIN WRIGHT, MEMBER, CW LAND CO., LLC

L.L.C. ACKNOWLEDGMENT

ON THIS _____ DAY OF _____, 20____ THERE PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, _____, WHO BEING BY ME DULY SWORN DID SAY THAT HE IS A MEMBER OF CW LAND CO., LLC, AND THAT SAID INSTRUMENT WAS SIGNED IN BEHALF OF SAID LLC BY A RESOLUTION OF ITS MEMBERS.

NOTARY PUBLIC: _____, A NOTARY PUBLIC COMMISSIONED IN UTAH.

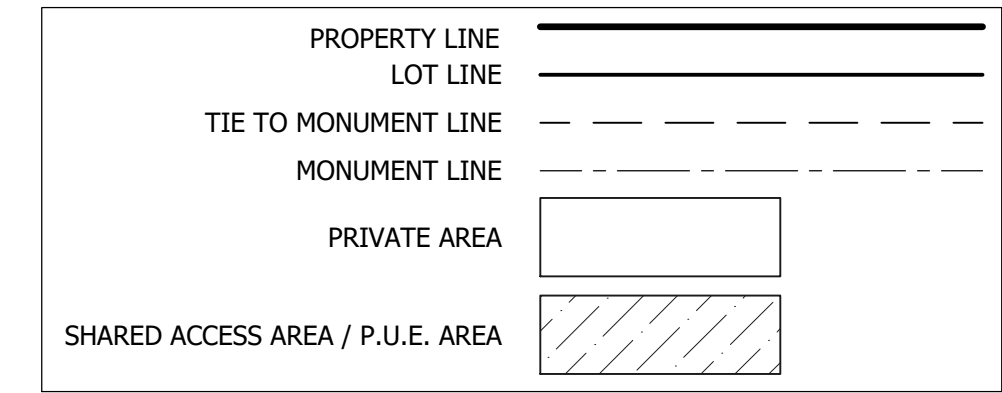
COMMISSION NUMBER: _____

MY COMMISSION EXPIRES: _____

ADDRESS TABLE

LOT #	ADDRESS
LOT 1	
LOT 2	
LOT 3	
LOT 4	
LOT 5	
LOT 6	
LOT 7	
LOT 8	
LOT 9	
LOT 10	
LOT 11	
LOT 12	

LEGEND



STREET MONUMENT AT INTERSECTION OF
 900 SOUTH STREET AND WEST TEMPLE STREET
 (FOUND BRASS CAP MON.)

181 North 200 West, Suite #4
 Bountiful, Utah 84010
 Phone 801-298-2236

1416001 2 MAR 2017

ACCURACY STATEMENT

SURVEY ACCURACY IS 2CENTIMETERS PLUS 50 PARTS PER MILLION

NUMBER _____	SALT LAKE VALLEY HEALTH DEPT. APPROVED AS TO FORM THIS _____ DAY OF _____ AD, 20____.	CITY PLANNING DIRECTOR APPROVED AS TO FORM THIS _____ DAY OF _____ AD, 20____, BY THE SALT LAKE CITY PLANNING COMMISSION.	CITY PUBLIC UTILITIES DEPT. APPROVED AS TO SANITARY SEWER AND WATER UTILITY DETAILS THIS _____ DAY OF _____ AD, 20____.	CITY ENGINEERING DIVISION I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE.	CITY ATTORNEY APPROVED AS TO FORM THIS _____ DAY OF _____ AD, 20____.	SALT LAKE CITY APPROVAL PRESENTED TO SALT LAKE CITY THIS _____ DAY OF _____ AD, 20____, AND IS HEREBY APPROVED.	SALT LAKE COUNTY RECORDER STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF _____ Date _____ Time _____ Book _____ Page _____ Fee \$ _____	NUMBER _____

ATTACHMENT C: BUILDING, ELEVATION & SITE PLANS



C.W.
URBAN

CLIENT
CW The Ruby LLC

PROJECT
the RUBY

PROJECT NO.
001

DRAWN BY
Jake Williams

ISSUE
12.19.16

the**RUBY**



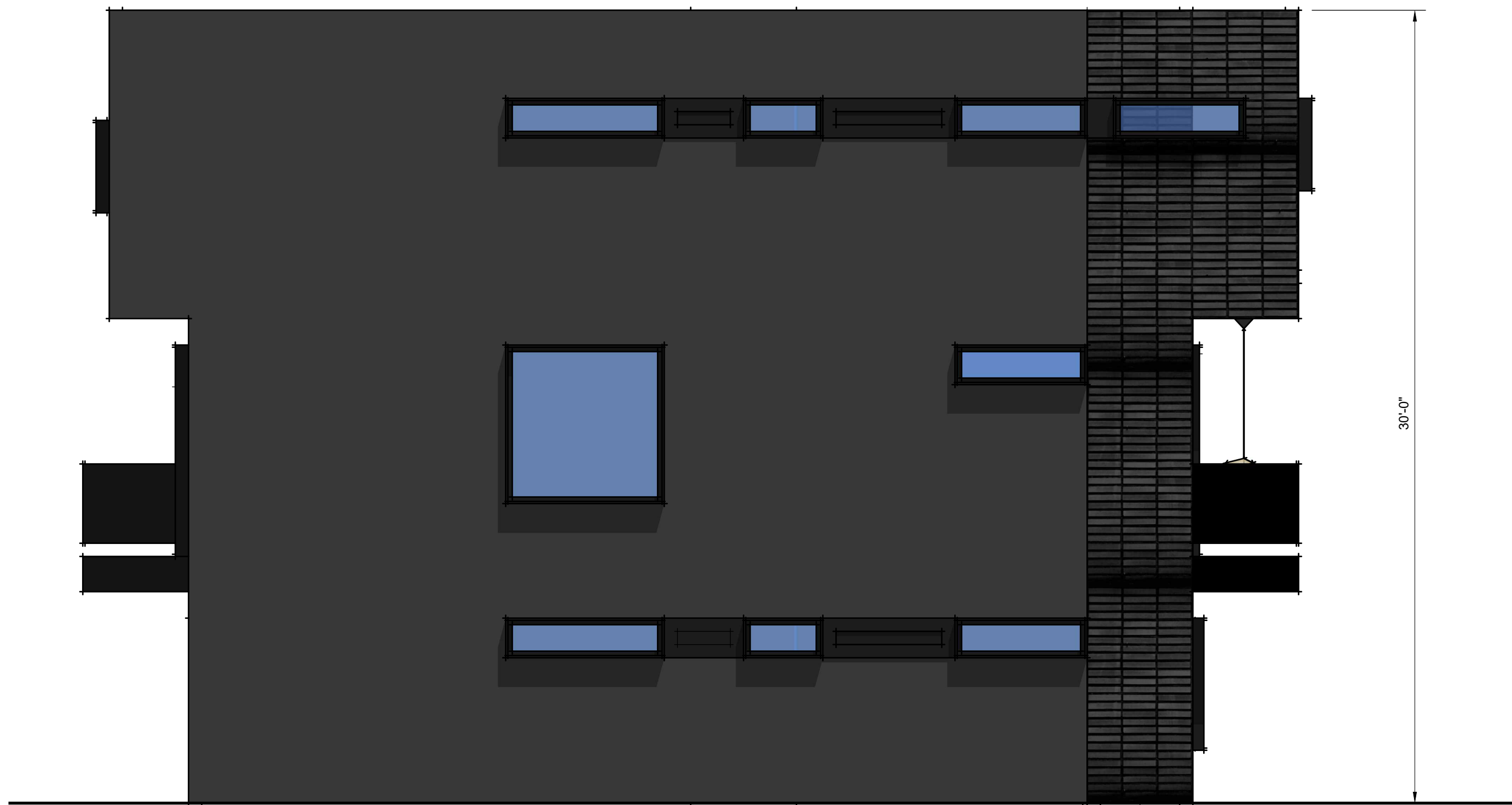
Google

Imagery ©2016, State of Utah Terms of Use Report a problem

Notes

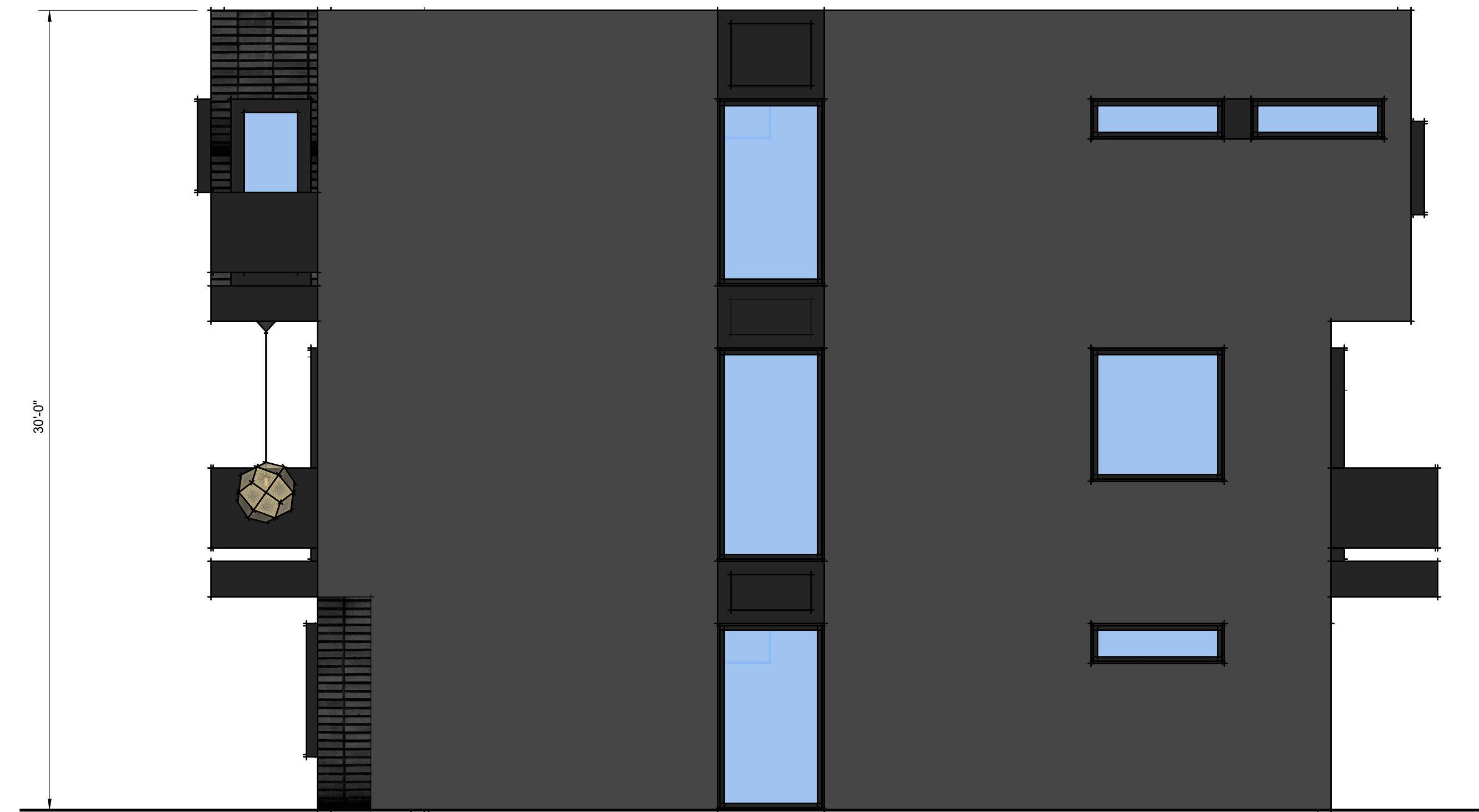
1. Type III-B Construction.
2. Buildings 1 & 2 to include Residential Fire Suppression Systems





Left Elevation

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



Right Elevation

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



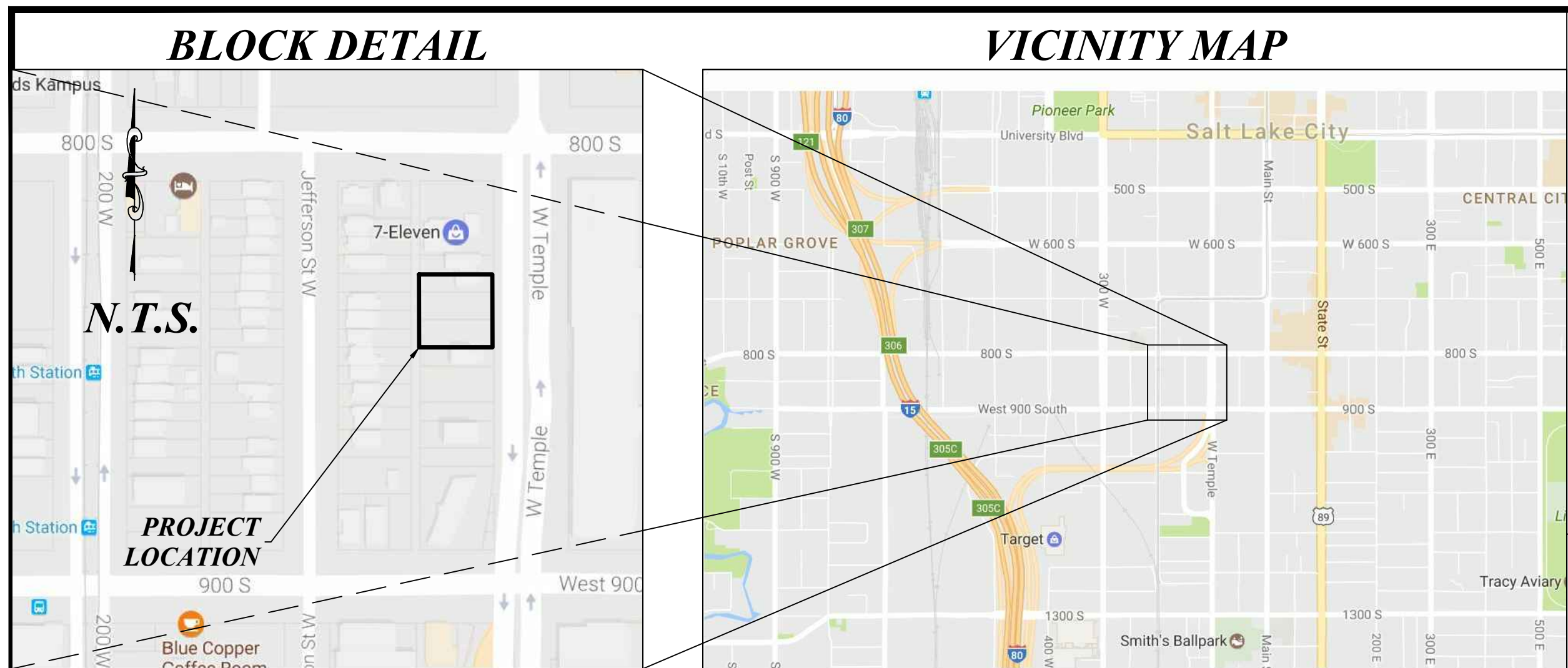
Front Elevation

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



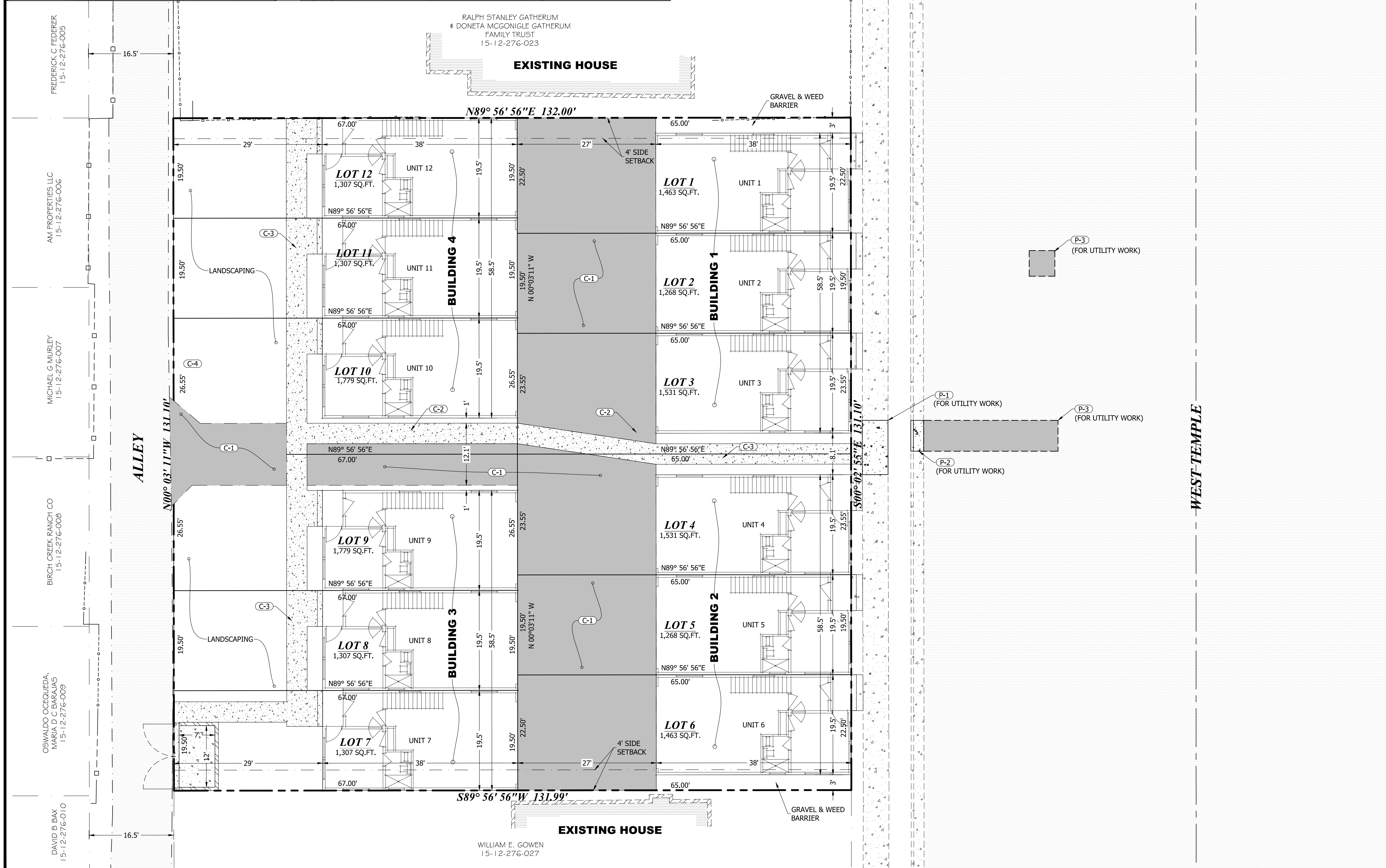
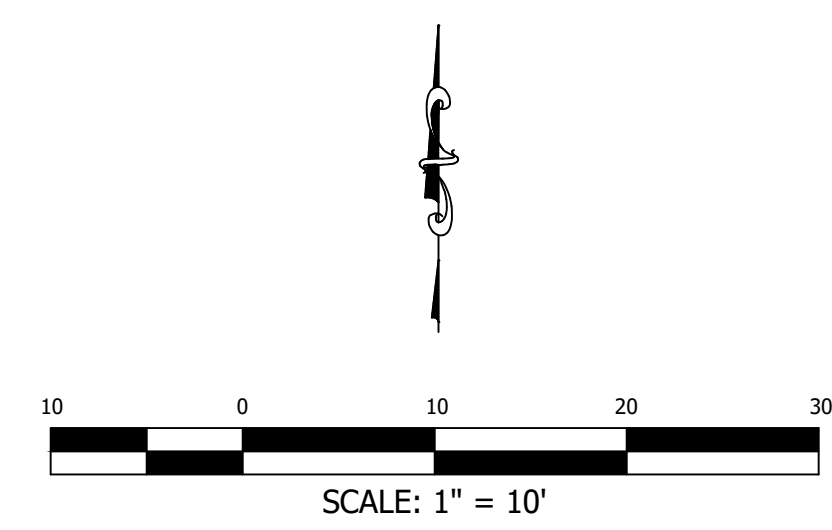
Rear Elevation

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



THE RUBY

824-830 S WEST TEMPLE
 BLOCK 1, WALKERS SUBDIVISION OF BLOCK 5,
 PLAT "A" SALT LAKE CITY SURVEY
 LOCATED IN THE NE 1/4 OF SECTION 12, T.1S., R.1W., S.L.B.&M.
 SALT LAKE CITY, SALT LAKE COUNTY, UTAH



SYMBOL LEGEND

- (C-1) ASPHALT & BASE PER DETAIL C-1, SHEET C900
- (C-2) CONCRETE PAVING SLAB PER DETAIL C-2, SHEET C900
- (C-3) CONCRETE SIDEWALK PER DETAIL C-3, SHEET C900
- (C-4) DUMPSTER PAD AND APRON PER DETAIL C-4, SHEET C900
- (P-1) CONCRETE SIDEWALK REPLACEMENT PER SALT LAKE CITY STANDARDS
- (P-2) CONCRETE CURB & GUTTER REPLACEMENT PER SALT LAKE CITY STANDARDS
- (P-3) ASPHALT REPLACEMENT PER SALT LAKE CITY STANDARDS

ALL ITEMS WITHIN THE PUBLIC RIGHT-OF-WAY TO CONFORM TO THE RIGHT-OF-WAY OWNER'S STANDARDS & SPECIFICATIONS.

SITE PLAN NOTES

ALL WORK IN THE PUBLIC WAY SHALL CONFORM TO APWA 2012 STANDARD PLANS & SPECIFICATIONS

THE CURB AND GUTTER SHALL BE CONSTRUCTED PER APWA 205A AND 251 OR 252.

ALL UTILITY TRENCH WORK IN THE PUBLIC WAYS SHALL BE CONSTRUCTED PER APWA 255.

ALL SIDEWALK WORK DONE IN THE PUBLIC WAY SHALL BE CONSTRUCTED PER APWA 231.

ALL SIDEWALK AND CURB REPAIRS ARE TO BE REPAIRED TO THE NEXT JOINT.

ALL SIDEWALK TRIP HAZARDS ARE TO BE REMOVED PRIOR TO OCCUPANCY

A LICENSED, BONDED AND INSURED CONTRACTOR IS TO OBTAIN A PUBLIC WAY PERMIT FROM S.L.C. ENGINEERING PERMITS OFFICE PRIOR TO BEGINNING ANY WORK IN THE PUBLIC WAY. A TRAFFIC CONTROL PLAN WILL BE REQUIRED FOR ANY WORK THAT WILL OCCUPY THE STREET.

CONTACT URBAN FORESTER TONY GLIOT (OR HIS REPRESENTATIVES) AT 801-972-7818 REGARDING THE INSTALLATION OR REMOVAL OF ANY STREET TREES.

PROPERTY NOTES

ALL AREA OF THE LOT ENCUMBERED BY THE BUILDING IS TO BE PRIVATE OWNERSHIP.

ALL AREA OF THE LOT NOT ENCUMBERED BY THE BUILDING IS TO BE A COMBINED MUTUAL ACCESS EASEMENT / PUBLIC UTILITY EASEMENT / SNOWPUSH EASEMENT.

UTILITIES WITHIN THE PUBLIC UTILITY EASEMENT ARE TO BE RESTRICTED TO UTILITY SERVICES EXCLUSIVELY FOR THIS DEVELOPMENT AND EXPRESSLY EXCLUDES UTILITY MAINS AND/OR SERVICES TO OTHER PROPERTIES.

PUBLIC WAY IMPROVEMENTS

ASPHALT ROADWAY	185 SF
CONCRETE SIDEWALK	10 SF
CONCRETE DRIVE APPROACH	0 SF
CURB AND GUTTER	10 LF

AREA TABULATION

	sq.ft.	Acres	%
BUILDING	8,892	0.20	51.38%
IMPROVEMENTS	5,790	0.13	33.46%
LANDSCAPE	2,623	0.06	15.16%
TOTAL	17,305	0.40	100.00%

181 North 200 West, Suite #4
 Bountiful, Utah 84010
 Phone 801-298-2236



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 LOCATED IN THE NE 1/4 OF SECTION 12, T.1S., R.1W., S.L.B.&M.
 SALT LAKE CITY, SALT LAKE COUNTY, UTAH

DRAWN: LKM 16 JAN 2017
 APPROVED: STA 16 JAN 2017
 PROJECT: 1416001
 1416001 site.dwg
C400
 SITE PLAN

ATTACHMENT D: APPLICANT NARRATIVE

the R U B Y

The Ruby is a micro-community of 12 single family Row Houses each containing 3 bedrooms, 3.5 bathrooms and over approximately 2000 square feet. One of the three bedrooms is on the ground floor and will be considered a live work space with storefront windows facing directly on West Temple. This space will have its own bathroom and a separate entry allowing it to be used for nightly rentals, a storefront, an office, or just simply a 3rd bedroom for larger families.

Our goal with the Ruby was to create a development that bridged the gap between the density of a downtown multi-family building and the small lot single family homes found to the west of our property in the FB UN II zone. Our current focus as a firm is to create missing middle housing projects. With so many new units being built as multi-family rentals we believe that we are offering a great benefit to the community by providing new homeownership opportunities and expanding the diversity of housing options in Salt Lake City.

Our biggest design challenge on this project was creating a site plan that allowed us to efficiently park each unit while at the same time maintaining an inviting connection with west temple for both the east and west units. The only way we could accomplish this goal without going to a condo multi-family building was to reduce the side yard setbacks. By reducing those setbacks, we created a semi-private mid-block walk way which connected the rear units directly with West Temple and connected the east units to the shared open space in the rear.

The other element of our community that requires a Planned Development is a reduction of the 1500 square foot lot size. Our proposed average lot size is 1442.5 square feet. Because there is no density maximum in this zone, we felt strongly that this layout achieved the objectives of the planned development as well as the FB UN II zone as further demonstrated below.

Planned Development Requests

- 1) Reduction in side yard setback from 4' to 0'
- 2) Reduction in lot size from 1500 sq. ft. to an average of 1442.5

Note: We are compliant with all other requirements of the zone and meet multiple Planned Development Objectives.

Planned Development Compliance Summary

Applicable sections of the municipal code have been copied and pasted below and applicant responses showing how the objectives were achieved are in blue text:

21A.55.010: PURPOSE STATEMENT:

A planned development is intended to encourage the efficient use of land and resources, promoting greater efficiency in public and utility services and encouraging innovation in the planning and building of all types of development. Further, a planned development implements the purpose statement of the zoning district in which the project is located, utilizing an alternative approach to the design of the property and related physical facilities. A planned development will result in a more enhanced product than would be achievable through strict application of land use regulations, while enabling the development to be compatible and congruous with adjacent and nearby land developments.

Through the flexibility of the planned development regulations, the city seeks to achieve any of the following specific objectives:

- A. Combination and coordination of architectural styles, building forms, building materials, and building relationships;

This objective has been fulfilled by gaining inspiration from the existing neighborhood which is reflected in our design. We chose traditional materials of brick and flat (plaster) finished stucco and mixed that with an industrial metal balcony and railing and a few painted hardie board details. Brick and plaster are materials found on the majority of the residential homes in the area. We chose the metal balcony to reflect the industrial history of the central 9th neighborhood. Though the shapes and finishes of our buildings are modern we used very symmetric fenestration patterns to help the modern shapes feel right at home with the Victorian neighbors.

- D. Use of design, landscape, or architectural features to create a pleasing environment;

This objective has been fulfilled through a thoughtful design that engages the street while at the same time creating layers of privacy for our home owners. After considering many different floor and site plan options, we came up with the semi-private mid-block walkway which fulfills this objective by creating and inviting connection between all units and the shared open space in the rear yard. This programmed space will offer a park like setting and a place to gather and create the lasting relationships we envision for our micro-community.

- E. Inclusion of special development amenities that are in the interest of the general public;

Our balconies along the front façade of our buildings project into the public right of way creating a covered walkway and contributing to a better environment for pedestrians. In addition, pushing the buildings to the front lot line creates a much more pleasing street atmosphere.

- F. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation;

We will be redeveloping two long vacant lots as well as a structure that has fallen into disrepair and is no longer compliant with health and safety requirements.

- G. Inclusion of affordable housing with market rate housing; or

Our homes provide a creative affordability solution by offering a potential income generator through the live work space designed on the street level thus creating an opportunity for a range of incomes that could potentially afford these units. Furthermore, our units will be priced consistent with adjacent homes in the neighborhood.

21A.55.040: LIMITATION:  

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. (Ord. 23-10 § 21, 2010)

We are not requiring any change in use as further covered in our [Zoning Compliance Summary](#).

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:

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;

[We comply as previously explained.](#)

B. Master Plan And Zoning Ordinance Compliance: The proposed planned development shall be:

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

[We comply with the intent of the Form Based UN II zone as covered in our Zoning Compliance Summary.](#)

2. Allowed by the zone where the planned development will be located or by another applicable provision of this title.

C. Compatibility: The proposed planned development shall be compatible with the character of the site, adjacent properties, and existing development within the vicinity of the site where the use will be located. In determining compatibility, the planning commission shall consider:

1. Whether the street or other means of access to the site provide the necessary ingress/egress without materially degrading the service level on such street/access or any adjacent street/access;

[We comply.](#)

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:

[All parking is accessed from an alley and self-contained thus complying with this requirement.](#)

- 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;
[The project's one driveway will exit onto an alley.](#)

- 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;

There are no parking requirements for the FB UN II zone, but because each unit has a 2-car attached garage, the project is self-contained and will not adversely impact any adjacent properties.

- c. Hours of peak traffic to the proposed planned development and whether such traffic will unreasonably impair the use and enjoyment of adjacent property;

Our intensity of use is less than what is allowed in the zone and will not unreasonably impair adjacent uses.

3. Whether the internal circulation system of the proposed planned development will be designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;

This is one of the requirements that is improved through our planned development proposal. By having zero lot lines on the back two buildings we are proposing a central driveway/walkway accessed from the alley as opposed to pushing that drive way to one side of the property against a neighboring property line. This reduction allows us to create a more inviting and open walk way for our residents.

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;

We have met with the city's design review team and they confirmed that sufficient sewer, water, and storm drain capacities existed. For garbage services, we are providing a central dumpster and the HOA will be managing removal. Power, telecom/internet, and gas services exist with more than sufficient capacities to serve the project.

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

We comply with this requirement.

6. Whether the intensity, size, and scale of the proposed planned development is compatible with adjacent properties.

The zoning allows for a greater intensity than we are proposing. The intensity, size and scale of the proposed plan is compatible with adjacent properties.

- 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;

This will all be applied to our landscape plan.

E. Preservation: The proposed planned development shall preserve any historical, architectural, and environmental features of the property;

There is nothing on the existing site that falls into this category.

F. Compliance With Other Applicable Regulations: The proposed planned development shall comply with any other applicable code or ordinance requirement. (Ord. 23-10 § 21, 2010)

This is all covered in the Zoning Compliance Summary.

21A.55.060: MINIMUM AREA:

A planned development proposed for any parcel or tract of land under single ownership or control in certain zoning districts shall have a minimum net lot area as set forth in table 21A.55.060 of this section.

Met through the FB-UN II requirements.

21A.55.070: DENSITY LIMITATIONS:

Residential planned developments shall not exceed the density limitation of the zoning district where the planned development is proposed. The calculation of planned development density may include open space that is provided as an amenity to the planned development. Public or private roadways located within or adjacent to a planned development shall not be included in the planned development area for the purpose of calculating density. (Ord. 23-10 § 21, 2010)

There are no density maximums for the FB UN II zone and we meet the open space requirement.

21A.55.100: PERIMETER SETBACK:

If the planned development abuts a residential lot or a lot in a residential zoning district whose side and rear yard setback requirements are greater than the planned development lot's requirements, then the side and rear yard setback requirements of the subject planned development parcel shall be equal to the side and rear yard setback requirements of the abutting residentially used property or residentially zoned parcel. (Ord. 23-10 § 21, 2010)

The abutting properties fall in the same FB UN II zone and if they chose to do a mixed-use, commercial, or multi-family building they would also be allowed to build to a zero lot line.

Zoning Compliance Summary

C. Intent Of Form Based Districts:

1. Statement Of Intent: Form based districts are intended to provide zoning regulations that focus on the form of development, the manner in which buildings are oriented toward public spaces, the scale of development, and the interaction of uses within the city. Form based districts provide places for people to live, work, and play within a close proximity. Regulations within form based districts place emphasis on the built environment over land use.

We believe that we fulfill the intent of the form based II zone and we thoughtfully considered how our buildings would interact with the public realm on West Temple. We believe the addition of a live work space facing directly onto West Temple and a balcony off the 2nd story living space meet the intent of this zone. The transparency of our first floor and entry also adds to the engagement with a neglected portion of West Temple. One of our primary goals was to get more eyes on the street.

2. How To Use This Chapter: Form based districts emphasize the form, scale, placement, and orientation of buildings. Each sub district includes a table of permitted building forms and specific development regulations for each building form. The first step is to identify which sub district the property is located in, and then identify what building forms are permitted, and finally what standards apply to the specific building form. All new developments and additions to existing buildings shall comply with the specific requirements of this chapter. (Ord. 23-16, 2016)

We chose Row-Houses (covered more in depth later in this summary).

21A.27.020: BUILDING TYPES AND FORMS ESTABLISHED

A. Building Types and Form Standards:

1. Encourage building forms that are compatible with the neighborhood and the future vision for the neighborhood by acknowledging there will be different scaled buildings in the area;

We recognized that our design esthetic and layout were both new for the central 9th neighborhood so we sought inspiration from the history of the neighborhood and reflected that in our design. We chose traditional materials of brick and flat (plaster) finished stucco and mixed that with an industrial metal balcony and railing. The brick and plaster were both predominant materials found on the residential homes in the area. We chose the metal balcony to reflect the industrial history of the Central 9th and Granary Districts. Though the shapes and finishes of our buildings are modern, we used very symmetric fenestration patterns to help the modern shapes to feel right at home with the Victorian neighbors. We also drew inspiration from some of our Victorian neighbors in the way that we created two distinct vertical elements one defining and highlighting the entry and one defining the living space inside



2. Arrange building heights and scale to provide appropriate transitions between buildings of different scales and adjacent areas, especially between different sub districts;

The scale of our buildings and how they interacted with West Temple was the reason we used balconies and cantilevers to help bring that interaction back down to a more human scale as it would be experienced from the street.

3. Guide building orientation through setbacks and other requirements to create a consistent street edge, enhance walkability by addressing the relationship between public and private spaces, and ensure architectural design will contribute to the character of the neighborhood;

We believe the explanations from section 1 and 2 demonstrate our fulfillment of this standard.

4. Use building form, placement, and orientation to identify the private, semiprivate, and public spaces;

As we are built right to the front property boundary line we used elevation changes to create the opportunity for our owners to experience all three levels of privacy. The main floor live work space and transparent entry way create a semi-public space that engages directly with the street. We used stairs to elevate residents to their semi-private space that opens onto the public realm through the balcony but also offers privacy because it is set above the public realm. The private bedrooms are then found on the third story.

We also created a semi-public space in the rear yard by creating a landscaped rear courtyard to be shared by our clients. The hope with this space is to create some public programming for recreation that would encourage the creation of relationships amongst the future homeowners. Supporting our vision of a micro-community that contributing to the greater fabric of the Central 9th Neighborhood.

5. Minimize the visual impact of parking areas; and

All parking is to the interior of our lot and accessed through the alley.

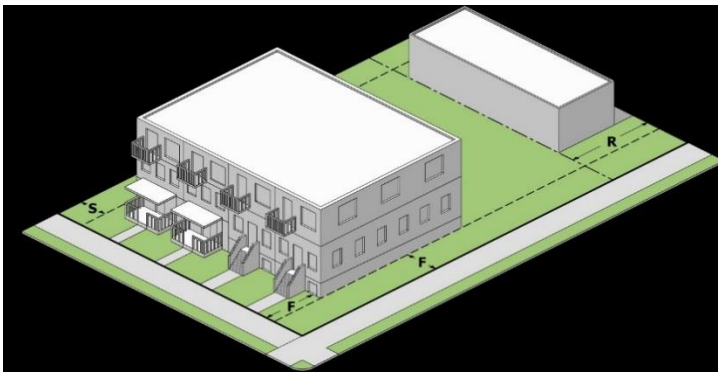
6. Minimize conflicts between pedestrians, bicyclists, and vehicles.

Conflicts are resolved by our parking all being accessed from the rear alley. We do have a walkway that will cross the rear driveways but we will use material change and landscaping to help this walkway to stand out as a pedestrian space.

B. Building Types And Forms:

e. Row House: A series of attached single-family dwellings that share at least one common wall with an adjacent dwelling unit. A row house contains a minimum of three (3) residential dwelling units. Each unit may be on its own lot. If possible, off street parking is accessed from an alley.

We chose to do 4 row house buildings each on its own lot with shared use agreements for driveways and the rear courtyard.



Row House On Single Parcel



Modern Row House Form

21A.27.030: BUILDING CONFIGURATION AND DESIGN STANDARDS: 🌐 📄

B. Building Configuration Standards Defined: The building configuration standards are defined in this section. The defined standards in this section are intended to identify how to comply with the building configuration standards tables located in this chapter.

C. Application Of Building Configuration Standards: Building configuration standards apply to all new buildings and additions when the new construction related to the addition is

greater than twenty five percent (25%) of the footprint of the structure or one thousand (1,000) square feet, whichever is less. The graphics included provide a visual representation of the standards as a guide and are not meant to supersede the standards in the tables. This standard applies to all form based zoning districts unless otherwise indicated.

1. Building Entry: A minimum of one main entry with an entry feature facing a public street or walkway, excluding alleys, is required. The main entry is the primary pedestrian entrance into a building. Two-family dwelling buildings shall have a minimum of one main entry with porch or stoop for at least one of the dwelling units facing a street. The main entry for the second dwelling unit may face the street or side yard, but must also have a porch or stoop entrance. Where required, the building entry must be one of the following:

We comply with this standard.

- b. Recessed entrance: Inset behind the plane of the building no more than ten feet (10'). If inset, then the side walls of the inset must be lined with clear glass. Opaque, smoked, or darkened glass is not permitted; or

We are using a recessed entry of 5 feet by 7 feet with one side wall being clear in class and concealing a separate entry to our live/work space. The other side wall is a separate unit and we wanted to continue the separation of the units.

3. Entry Feature: The following building entries are permitted as indicated:

TABLE [21A.27.030B](#)
ENTRY FEATURE STANDARDS

Terrace or lightwell: An entry feature where the street facing facade is set back from the front property line by an elevated terrace or sunken lightwell. May include a canopy or roof

Reference Illustration - Terrace or Lightwell



Our entry feature is a recessed terrace or light well that is covered by second story living space and a third story balcony but highlighted through the creative use of lighting including recessed lighting directly above the door and an attention grabbing pendant light hanging from the third story and drawing your attention to the entry way of each home.

4. Additional Design Standards Required For The Form Based Special Purpose Corridor Districts:

a. Facade Length: The maximum length of any building facade facing a street is two hundred feet (200').

Our maximum façade length facing the street is 58.5'

b. Step Back Requirement: Floors rising above thirty feet (30') in height shall be stepped back fifteen (15) horizontal feet from the building foundation at grade for building elevations that are adjacent to a public street, public trail, or public open space. This step back does not apply to buildings that have balconies on floors rising above thirty feet (30') in height.

We are under 30'.

c. Glass: For all floors or levels above the ground floor, a minimum of fifteen percent (15%) of all street facing facades must be glass.

We meet this standard and are at 21%.

d. Second Floor Balconies And Patios: Commercial uses or businesses that face a greenway corridor may have a second floor balcony or patio. Rooftops can be used as patios and shall comply with all applicable zoning standards.

We have a 2nd story balcony though we are not a commercial building.

e. Ground Floor Uses: On the ground floor, a permitted use other than parking shall occupy at least seventy five percent (75%) of the width of any street facing building facade. All portions of such ground floor spaces shall extend a minimum of twenty five feet (25') into the building. Parking may be located behind these spaces.

We meet this standard.

f. Design Standards For Parking Structures: The following standards shall apply to parking structures whether stand alone or incorporated into a building:

We do not have parking structures as all parking is attached garages.

5. Pedestrian Connections: Where required, the following pedestrian connection standards apply:

We comply with these standards.

a. The connection shall provide direct access from any building entry to the public sidewalk or walkway.

b. The connection shall comply with the Americans with disabilities act (ADA) standards for accessibility.

c. The connection shall be fully paved and have a minimum width of four feet (4').

d. The connection shall be separated from vehicle drive approaches and drive lanes by a change in grade and a wheel stop if the walkway is less than eight feet (8') wide.

- e. Pedestrian connections that lead directly from the sidewalk to the primary building entrance may contain wing walls, no taller than two feet (2') in height for seating, landscaping, etc.
6. Ground Floor Transparency: Where required, the ground floor transparency standards apply:

We comply with the transparency requirements.

- a. Minimum of sixty percent (60%) of street facing facade, located between two (2) and eight feet (8') above the grade of the sidewalk, shall be transparent glass. This may be reduced to twenty percent (20%) if the ground floor is within one of the following building types: urban house, two-family, cottage, and row house.

We comply and are at 55%.

- b. There must be visual clearance behind the glass for a minimum of six feet (6'). Three-dimensional display windows at least six feet (6') deep are permitted and may be counted toward the sixty percent (60%) glass requirement.

NA.

- c. Ground floor windows of commercial uses shall be kept clear at night, free from any window covering, with internal illumination. When ground floor glass conflicts with the internal function of the building, other means shall be used to activate the sidewalk, such as display windows, public art, architectural ornamentation or detailing or other similar treatment.

NA.

- d. The first floor elevation facing a street of all new buildings, or buildings in which the property owner is modifying the size of windows on the front facade, shall comply with these standards.

NA.

7. Building Materials: A minimum of seventy percent (70%) of any street facing building facade shall be clad in high quality, durable, natural materials, such as stone, brick, wood lap siding, fiber cement board siding, shingled or panel sided, and glass. Other materials may count up to thirty percent (30%) of the street facing building facade. Exterior insulation and finishing systems (EIFS) is permitted for trim only.

We comply and are at 74%.

8. Open Space: A minimum of ten percent (10%) of the lot area shall be provided for open space. Open space may include landscaped yards, patio, dining areas, common balconies, rooftop gardens, and other similar outdoor living spaces. Private balconies shall not be counted toward the minimum open space requirement. Required parking lot landscaping or perimeter parking lot landscaping shall also not count toward the minimum open space requirement.

We comply at 25% open space.

9. Building Fenestration: No building wall that faces onto a street shall exceed more than thirty feet (30') in length without being interrupted by windows, doors, or change of building wall plane that results in an offset of at least twelve inches (12").

We comply.

10. Residential Balconies: All street facing residential units above the ground floor or level shall contain a usable balcony that is a minimum of four feet (4') in depth. Balconies may overhang any required yard.

We comply.

11. Design Standards Alternatives:

a. Alternatives to Required Build-To Line: Where a "required build-to" standard applies, the following alternatives may count toward the minimum build-to requirement as indicated:

We met the build-to Line requirement.

(4) Plazas And Outdoor Dining: Plazas and outdoor dining areas may count up to fifty percent (50%) toward the minimum requirement, and have a maximum front setback of up to fifteen feet (15') provided the following:

NA

b. Alternatives To Ground Floor Transparency Requirement: The planning director may modify the ground floor transparency requirement in the following instances:

NA

D. Other Applicable Development Standards:

1. Landscaping: Any applicable standard listed in chapter 21A.48, "Landscaping ~~And~~ Buffers", of this title shall be complied with.

We comply.

2. Signs: All signs shall comply with the standards found in section [21A.46.096](#) of this title.

NA

3. Accessory Uses, Buildings and Structures: All accessory uses, buildings and structures shall comply with the applicable standards in chapter 21A.40 of this title, except as noted below:
NA

4. Parking Regulations: All parking regulations shall comply with the requirements of chapter 21A.44 of this title.

We comply.

5. Permitted Land Use: All uses allowed in the form based districts can be found in chapter 21A.33 of this title. (Ord. 23-16, 2016)

We comply.

21A.27.050: FB-UN1 AND FB-UN2 FORM BASED URBAN NEIGHBORHOOD DISTRICT:

C. FB-UN2 Building Form Standards: Building form standards are listed in table 21A.27.050.C of this section.

Requirements for Row Houses as found in table 21A.27.050.C

FB-UN2 BUILDING FORM STANDARDS:

- Height: 4 stories maximum of 50' – Our height complies at 30'.
- Front and Corner Side Yard – No Minimum, Maximum of 10' – We comply with 100% of our street facing building facades being at the minimum.
- Required Build-To – Minimum of 50% of street facing façade shall be built to the minimum setback line. We comply with 100% of our street facing building facades being at the minimum.
- Interior Side Yard – 4' setback – We do not comply with this setback and have built to 3' on two buildings and to the lot line on two of the buildings. Further explained in our *Planned Development Request*.
- Rear Yard – No setback because separated by an alley – We comply.
- Upper Level Setback – NA
- Minimum Lot Size – 1500 sq ft not to be used to calculate density. This is one area where we are out of compliance with our lot sizes averaging 1442.5 sq. ft. Further explained in our *Planned Development Request*.
- Minimum Lot Width 15' per unit facing the street – We comply with our minimum lot width of 19.5'
- Dwelling Units per Building Form – 3 minimum maximum of 5 – We comply with 4 three plexes.
- Building forms – 1 per 1000 square feet – We comply all of our lots are over 1000 sq ft.
- Vehicle Access – Access required to be from the alley – We comply.
- Vehicle Access Width – Not to exceed 24' – We comply.
- Vehicle access from street design – NA
- Driveway Location – NA
- Vehicle access and parking compliance – We comply.
- Parking on Separate Lots – NA
- Attached Garages and Carports - Attached garages and carports are required to be accessed from the rear yard where the rear yard is accessible by an alley with access rights to the subject property. We Comply

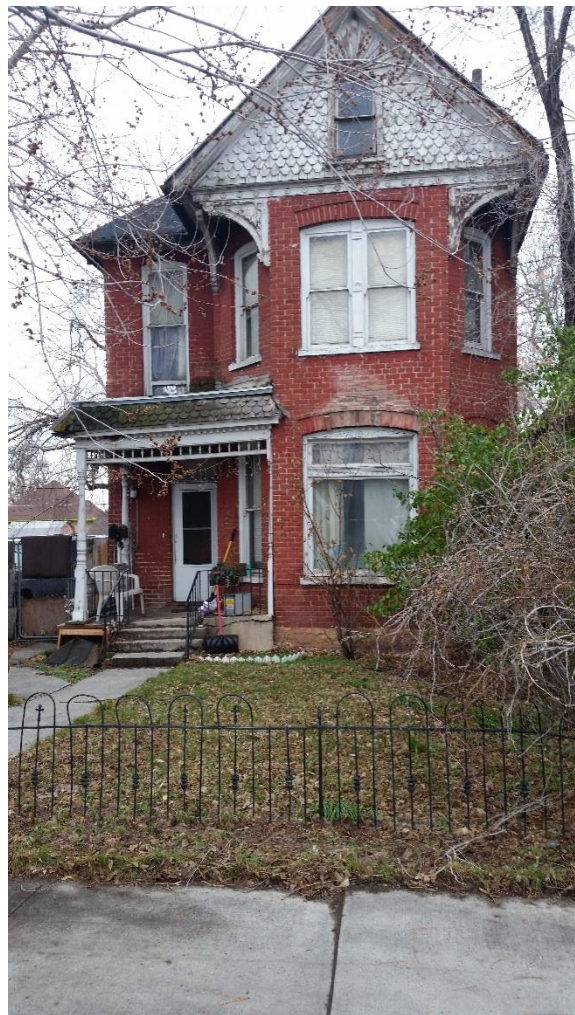
Conclusion

We firmly believe that our thoughtful design respects the intent of the Planned Development Ordinance, the FB UN II Zone, and most importantly the diverse history and future of the Central 9th Neighborhood by engaging with the street, creating layers of privacy for our future homeowners, and encouraging the creation of a sustainable micro-community. We thank you for your consideration.

ATTACHMENT E: PROPERTY & VICINITY PHOTOGRAPHS



Vacant portion of the site



Home on the northern portion of the site (to be demolished)



Homes to the south of the site (to remain)



Home and business to the north of the site (to remain)



West Temple and data center (former soft drink manufacturing site) across the street



Alley, looking north (with new recently constructed ADU), providing access to the project



Alley looking south

ATTACHMENT F: EXISTING CONDITIONS & ZONING

Salt Lake City Master Plans

The subject properties are within the “Downtown Neighborhood Planning Area” of the *Central Community Master Plan* (adopted 2005) as well as *The Downtown Plan* (adopted 2016). The subject properties are also subject to citywide plans, such as the *Urban Design Element of the Salt Lake City Master Plan* (adopted 1992), the *Salt Lake City Community Housing Plan* (adopted 2000), and *Plan Salt Lake* (adopted 2015).

Upon reviewing the applicable plans, staff determined that there are numerous goals and policies that support the proposal, some of which are listed below:

- **Goal** – Provide opportunities for smarter and more creative development practices to better serve the community (page 3, *Central Community Master Plan*).
- **Urban Design Policy** – Ensure that the design of infill development is compatible with the aesthetic appearance of neighborhoods (page 19, *Central Community Master Plan*).
- **Central 9th District Initiative** – Encourage the development of or create incentives for housing for families with children, as part of identifiable neighborhood areas, in ground-oriented or low-rise dense developments and close to open space, schools, childcare centers, community facilities and other amenities designed for children (page 125, *The Downtown Plan*).
- **Central 9th District Initiative** – Support transit oriented development (page 125, *The Downtown Plan*).
- **Central 9th District Initiative**. Encourage the development of owner occupied housing units for all income levels (page 125, *The Downtown Plan*).
- **Streets as Element of Open Space | Policy Concept** – Continue to use landscaped parking strips and front yards as the major landscaped, open space element of the street in residential and Commercial Fringe areas (page 81, *Urban Design Element of the Salt Lake City Master Plan*).
- **Streets as Element of Open Space | Policy Concept** – Stress the importance of street tree conservation and replanting in street right-of-way construction. It should have the same level of importance as curb, gutter and sidewalk reconstruction (page 81, *Urban Design Element of the Salt Lake City Master Plan*).
- **Housing Design | City Council Policy Statement** – The City Council encourages architectural designs compatible with neighborhoods that: (1) Make good use of and incorporate open space, even minimal amounts; (2) Interface well with public spaces; (3) Address parking needs in the least obtrusive manner possible; and (4) Are creative, aesthetically pleasing and provide attractive public spaces, such as designated common areas, community centers, childcare, resident gathering places, resident gardens, etc. (page 16, *Housing Plan*).
- **Guiding Principle 3** – Access to a wide variety of housing types for all income levels throughout the City, providing the basic human need for safety and responding to changing demographics (page 14, *Plan Salt Lake*).

Salt Lake City Zoning Title

The subject properties are subject to the following purpose statement and adopted regulations:

21A.27.010 FB-UN1 & FB-UN2 Form Based Urban Neighborhood District Purpose Statement

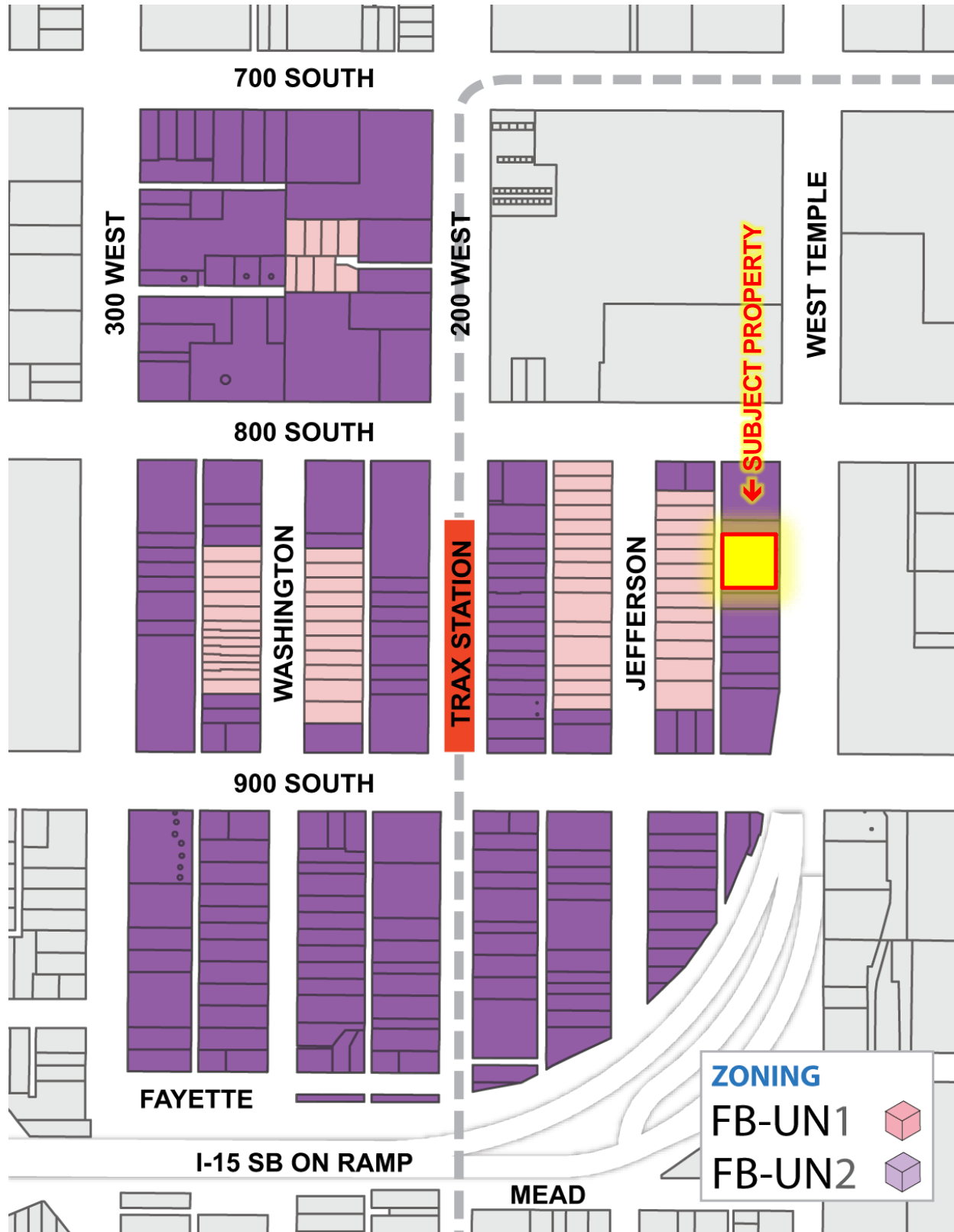
The purpose of the FB-UN form based urban neighborhood district is to create an urban neighborhood that provides the following:

1. People oriented places
2. Options for housing types;
3. Options in terms of shopping, dining, and fulfilling daily needs within walking distance or conveniently located near mass transit;
4. Transportation options;
5. Access to employment opportunities within walking distance or close to mass transit;
6. Appropriately scaled buildings that respect the existing character of the neighborhood;
7. Safe, accessible, and interconnected networks for people to move around in; and
8. Increased desirability as a place to work, live, play, and invest through higher quality form and design.

21A.27.020.B.1.e Building Forms

Row House: A series of attached single-family dwellings that share at least one common wall with an adjacent dwelling unit. A row house contains a minimum of three (3) residential dwelling units. Each unit may be on its own lot. If possible, off street parking is accessed from an alley.

21A.27.050.A Regulating Plan Map for Form Based Urban Neighborhood Districts



Adjacent Land Uses:

- East Commercial (former bottling company, now telecommunications)
- West Residential (occupied)
- North Commercial (single family home and 7-11)

- South Residential dwelling (occupied)

FB-UN 2 Form Based Urban Neighborhood District Regulations for Row Houses

Type	Regulation	Proposal	Compliant
Height	4 stories with a maximum of 50'. 5 stories with a maximum of 65' on parcels located on the corners of West Temple at 800 or 900 South, 200 West at 700, 800 or 900 South, 200 West at Fayette Avenue, and 300 West at 800 or 900 South. All heights measured from established grade	3 stories, or 30'	Yes
Front and Corner Side Yard Setbacks	No minimum. Maximum 10'	Indentations at doorways only	Yes
Required Build To	Minimum of 50% of street facing façade shall be built to the minimum setback line	Indentations at doorways only	Yes
Interior Side Yard	Minimum of 15' along a side property line adjacent to FB-UN1, otherwise 4' setback required. Parcels separated by an alley are not considered adjacent	Subject property is not adjacent to FB-UN1 District along the side yard. Overall, planned development has interior side yard setbacks of 0'-0" for the front buildings and 3'-0" for the rear buildings	No , petitioner is requesting a waiver of this requirement
Rear Yard	Minimum of 25' when rear yard is adjacent to FB-UN1, otherwise no setback required. Parcels separated by an alley are not considered adjacent	Subject property is adjacent to FB-UN1 District. Rear yard setback of 25'-0" is being provided	Yes
Upper Level Step Back	When adjacent to lot in the FB-UN1, buildings shall be stepped back 1 additional foot for every foot of building height above 35'. When a parcel in the FB-UN2 District is separated from a parcel in the FB-UN1 district by an alley, the width of the alley may be counted towards the upper level step back	Proposed development is less than 30'-0" tall	Yes
Minimum Lot Size	1,500 square feet; not to be used to calculate density	Two lots = 1,286 Two lot = 1,463 Two lots = 1,531 Four lots = 1,307 Two lots = 1,779 Additional 1,049 square feet of alley applied toward average lot size = Average lot size of 1,533	No , however when including the alley for area calculations, the lot average is greater than 1,500 square feet
Minimum Lot Width	15' per unit facing a street. Side orientation allowed provided building configuration standards are complied with	The lots facing West Temple are 19'-5" wide plus a common area walkway 8'-1" wide	Yes
Dwelling Units per Building Form	Minimum of 3; maximum of 5	3 dwelling units per row house form	Yes
Number of Building Forms per Lot	1 building form permitted for every 1,000 square feet of lot area	1 row house for every ≈ 1,452 square feet of lot area, excluding alley	Yes
Surface Parking in Front and	Not permitted	None	Yes

Corner Side Yards			
Vehicle Access	If off street parking is provided, vehicle access from an alley is required when property is served by a public or private alley with access rights. Vehicle access from street is only permitted when no alley access exists. If pull through parking is required by fire or other code, ingress shall be from street and egress onto alley	Vehicle access is from public alley	Yes
Vehicle Access Width at Street	When a one-way vehicle drive is included in a development, no vehicle drive or curb cut may exceed 12' in width. When a multi-directional vehicle drive is included, a curb cut may not exceed 24' in width	No driveways are proposed	Yes
Vehicle access from street design standards	If vehicle access is from a street, the following additional design standards shall apply: garage entry shall have a minimum 20' setback from property line; garage entry may not exceed 50% of first floor building width; one-way garage entry may not exceed 14' in width; multiway garage entry may not exceed 26' in width; garage door or gate shall be constructed of durable building materials and compatible with building design		
Driveway Location	The minimum distance between curb cuts shall be 12'. Driveways shall be at least 6' from abutting property lines for a depth of 10' unless shared. Driveways shall be at least 12' from property lines adjacent to a street corner or 5' from the point of tangency of the curb return, whichever is greater. Abandoned curb cuts shall be removed and replaced with city standard curb	Applicant will remove all existing driveways, and no new driveways on West Temple will be constructed	Yes
Vehicle access and parking compliance	All new drive approaches, driveways, and parking lots shall comply with form based urban neighborhood regulations, and all other applicable sections of this code. Existing drive approaches, driveways, and parking lots shall be made compliant with form based urban neighborhood regulations upon change of use, increase in parking, or building additions greater than 25% of the footprint of the structure or 1,000 sq. ft., whichever is less	Applicant will remove all exiting driveways, and no new driveways will be constructed. Proposed parking will comply with applicable sections of city code	Yes
Parking on Separate Lots	Parking may be provided on an adjacent lot, or in a common area associated with the development, or within 500' of the property. If located on an adjacent parcel or on a parcel within 500', the proposed location of the parking shall contain a principal building and the parking shall be located behind a principal building	All off-street parking stalls will be provided on the subject property	Yes
Attached garages and carports	Attached garages and carports are required to be accessed from the rear yard where the rear yard is accessible by an alley with access rights to the subject property. If there is no access to the rear yard, an attached garage may be accessed from the front or corner side yard provided that the garage door (or doors) is no wider than 50% of the front facade of the structure and the entry to the garage is set back at least 10' from the street facing building facade and at least 20' from a public sidewalk. Side loaded garages are permitted	All off-street parking is accessed form the adjacent alley	Yes
Building Entry	A minimum of one main entry with an entry feature facing a public street or walkway, excluding alleys, is required. The main entry is the primary pedestrian entrance into a building. Two-family dwelling buildings shall have a minimum of one main entry with porch or stoop for at least one of the dwelling units facing a street. The main entry for the second dwelling unit may face the street or side yard, but must also have a porch or stoop entrance. Where required, the building entry must be one of the following:	The proposed row house development has a front entrance on the same plane as the street facing façade.	Yes

	<ul style="list-style-type: none"> a. Front entrance: Door on the same plane as street facing facade; b. Recessed entrance: Inset behind the plane of the building no more than ten feet (10'). If inset, then the side walls of the inset must be lined with clear glass. Opaque, smoked, or darkened glass is not permitted; or c. Corner entrance: Entry that is angled or an inside corner located at the corner of two (2) intersecting streets. d. Number: Every building shall have at least one entry for every seventy five feet (75') of building facade along a public or private street, alley or greenway. 		
Encroachments	A permitted entry feature may encroach into a required yard provided no portion of the porch is closer than five feet (5') to the front property line.	There is no required front yard area	Yes
Entry Feature	The following building entries are permitted: Porch and fence, Terrace or lightwell, Forecourt, Stoop.	The doorways are indented into the facade of the building, creating a small forecourt to each street facing unit.	Yes
Pedestrian Connections	The following pedestrian connection standards apply: <ul style="list-style-type: none"> a. The connection shall provide direct access from any building entry to the public sidewalk or walkway. b. The connection shall comply with the Americans with disabilities act (ADA) standards for accessibility. c. The connection shall be fully paved and have a minimum width of four feet (4'). d. The connection shall be separated from vehicle drive approaches and drive lanes by a change in grade and a wheel stop if the walkway is less than eight feet (8') wide. e. Pedestrian connections that lead directly from the sidewalk to the primary building entrance may contain wing walls, no taller than two feet (2') in height for seating, landscaping, etc. 	Proposal includes "pedestrian access to public walkways" on West Temple	Yes
Ground floor transparency	Minimum of sixty percent (60%) of street facing facade, located between two (2) and eight feet (8') above the grade of the sidewalk, shall be transparent glass. This may be reduced to twenty percent (20%) if the ground floor is within one of the following building types: urban house, two-family, cottage, and row house	All ground floor units will be occupied by residential uses. The applicant estimates ground floor transparency is 55%, which complies	Yes
Building materials	A minimum of seventy percent (70%) of any street facing building facade shall be clad in high quality, durable, natural materials, such as stone, brick, wood lap siding, fiber cement board siding, shingled or panel sided, and glass. Other materials may count up to thirty percent (30%) of the street facing building facade. Exterior insulation and finishing systems (EIFS) is permitted for trim only	Applicant estimates area of street façade to be clad in these materials is 74%	Yes
Open Space	A minimum of ten percent (10%) of the lot area shall be provided for open space. Open space may include landscaped yards, patio, dining areas, common balconies, rooftop gardens, and other similar outdoor living spaces. Private balconies shall not be counted toward the minimum open space requirement. Required parking lot landscaping or perimeter parking lot landscaping shall also not count toward the minimum open space requirement	According to the petitioner, 25% of the total lot area is landscaping,	Yes

Building Fenestration	No building wall that faces onto a street shall exceed more than thirty feet (30') in length without being interrupted by windows, doors, or change of building wall plane that results in an offset of at least twelve inches (12").	Each unit is approximately 19-23 feet wide and each unit contains its own doors and windows, which break up the massing of the project	Yes
Residential Balconies	All street facing residential units above the ground floor or level shall contain a usable balcony that is a minimum of four feet (4') in depth. Balconies may overhang any required yard	The street facing units have second floor balconies	Yes
Attached Garages and Carports	Attached garages and carports are required to be in the rear yard where the rear yard is accessible by an alley with access rights to the subject property. If there is no access to the rear yard, an attached garage may be accessed from the front or corner side yard provided the garage door (or doors) is no wider than 50% of the front facade of the structure and set back at least 5' from the street facing building facade and at least 20' from the property line. Side loaded garages are permitted	Garages are located between the two sets of (2) buildings. Access is from the adjacent public alley	Yes

**ATTACHMENT G: ANALYSIS OF STANDARDS–
PLANNED DEVELOPMENT**

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>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	Applicant claims to comply with objectives A, D, E, F and G (see Attachment D – Applicant Narrative).
<p>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>As demonstrated within Attachment F – Existing Conditions & Zoning, Staff finds the proposal is consistent with adopted policies.</p> <p>The proposed row houses are a permitted use in the FB-UN2 Urban Neighborhood District.</p> <p>The planned development process allows for modification of zoning standards, which are discussed elsewhere within this staff report.</p>
<p>Compatibility: The proposed planned development shall be compatible with the character of the site, adjacent properties, and existing development within the vicinity of the site where the use will be located. In determining compatibility, the planning commission shall consider:</p> <p>1. Whether the street or other means of access to the site provide the necessary ingress/egress without materially degrading the service level on such street/access or any adjacent street/access;</p> <p>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:</p> <p>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;</p>	Complies	<p>1. The subject property is accessible from adjacent public streets and alleys. Transportation Division expressed no concerns regarding any potential traffic impacts from the development (see Attachment J – Department Comments).</p> <p>2a. Pedestrian activity will be adequately addressed through development of a pedestrian walkway through the site. Regarding orientation of driveways, the existing drive approach on West Temple will be removed.</p>

<p>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;</p> <p>c. Hours of peak traffic to the proposed planned development and whether such traffic will unreasonably impair the use and enjoyment of adjacent property.</p> <p>3. Whether the internal circulation system of the proposed planned development will be designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;</p> <p>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;</p> <p>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</p> <p>6. Whether the intensity, size, and scale of the proposed planned development is compatible with adjacent properties.</p> <p>If a proposed conditional use will result in new construction or substantial remodeling of a commercial or mixed used development, the design of the premises where the use will be located shall conform to the conditional building and site design review standards set forth in chapter 21A.59 of this title.</p>		<p>2b. The development will provide 24 off-street parking stalls, 2 per row house, which complies with applicable parking regulations.</p> <p>2c. Hours of peak traffic to the proposed planned development will be compatible with adjacent commercial and residential uses.</p> <p>3. As stated previously, the proposal was reviewed by the Transportation Division and no significant issues were identified (see Attachment J – Department Comments).</p> <p>4. The development will be required to upgrade utility infrastructure where determined to be necessary by the City Utilities Department and other responsible entities in order to adequately provide service. No adverse impacts are expected from increased utility or public service use from the property (see Attachment J – Department Comments).</p> <p>5. The development is located in an area zoned for both residential and commercial uses. Lots both to the north and the south also have the potential to redevelop into higher densities. A choice was made to reduce side yards, in anticipation of more urban development, and to not encourage a small dead space adjacent tot adjacent lots.</p> <p>6. The proposed planned development generally increases residential density in the area, consistent with master plan polices.</p> <p>The proposal does not involve a conditional use.</p>
<p>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;</p>	<p>May comply</p>	<p>Landscaping is an important design element of the planned development. Final landscape materials and composition should complement building architecture and site plan. Proposed landscape materials and irrigation plans must comply with water efficient provisions of 21A.48.055. Prior to final approval, staff will ensure the landscape plan complies with all applicable regulations.</p>
<p>Preservation: The proposed planned development shall preserve any historical, architectural, and environmental features of the property;</p>	<p>Complies</p>	<p>There is one architecturally interesting home on the site, however it is not located within a national or local historic district, nor is it individually listed on a historic register.</p>
<p>Compliance With Other Applicable Regulations: The proposed planned development shall comply with any other applicable code or ordinance requirement.</p>	<p>Complies</p>	<p>The planned development has also been reviewed against the subdivision standards in Attachment H – Analysis of Standards for Preliminary Subdivision Amendment. Other than the specific modifications described within this report, the project appears to comply with all other applicable codes. Further compliance will be ensured through final review.</p>

**ATTACHMENT H: ANALYSIS OF STANDARDS—
PRELIMINARY SUBDIVISION**

20.16.100: STANDARDS OF APPROVAL FOR PRELIMINARY PLATS: All preliminary plats for subdivisions and subdivision amendments shall meet the following standards:

Standard	Finding	Rationale
A. The subdivision complies with the general design standards and requirements for subdivisions as established in Chapter 20.12 of the Subdivision Title	Complies— pending approval of planned development	The applicant is requesting modification of subdivision and zoning standards through the planned development process. The following subdivision modification is proposed for this development: <ul style="list-style-type: none"> Section 20.12.E. Access to Public Streets. Although six lots has frontage on West Temple, the other six will not have direct access to a public street. All lots will rely on vehicular access from the abutting alley, and pedestrian access will be from the existing public sidewalk and a proposed private walkway.
B. All buildable lots comply with all applicable zoning standards	Complies— pending approval of planned development	The overall proposal complies with lot area standards (when the alley is included in calculations), however the proposal includes individual lots that do not meet the zoning standard of 1,500 Square feet. The applicant is seeking modification of these standards through the planned development process.
C. All necessary and required dedications are made;	Complies— pending compliance with Department Comments	The proposed subdivision amendment does not require any additional right of way dedications. Utility and drainage easements will need to comply with the requirements from Public Utilities and the final locations of these easements will be determined prior to the final subdivision process. Compliance with Public Utilities' requirements is a condition of approval.
D. Water supply and sewage disposal shall be satisfactory to the public utilities department director;	Complies— pending compliance with Department Comments	Water supply and sewage disposal will be evaluated and any upgrades or changes needed to serve the development will be required by Public Utilities prior to building permit or final subdivision approval.
E. Provisions for the construction of any required public improvements, per Section 20.40.010, are included.	Complies— pending compliance with Department Comments	This is a subdivision amendment that does not involve the construction of any additional public right-of-way, however any existing drive approach on West Temple will be removed and replaced with sidewalk, park strip, curb, and gutter.
F. The subdivision otherwise complies with all applicable laws and regulations.	Complies	Prior to final approval, staff will ensure subdivision complies with all other applicable laws and regulations. The project will need to apply for Final Subdivision Approval.
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	This proposed amendment does not alter any street or right-of-way. All of the proposed amendments to existing easements on the site involve moving them within the property boundaries and are not expected to have any negative material impact on adjacent property owners or the public.

ATTACHMENT I: PUBLIC PROCESS & COMMENTS

Public Meetings, Notice, and Comments

The following information is a list of public meetings, notices, and comments on the proposed project:

Community Council Meeting:

The Ballpark Community Council was notified of the proposal on January 23, 2017. The Board discussed the project on March 2, 2017 and affirmed their general support.

Open House Meeting:

Planning Division staff advertised and conducted an Open House meeting at the 10th East Senior Center on February 15, 2017. Approximately 7 people discussed this specific project (one follow up comment attached).

Notice of Public Hearing for the Proposal:

- Public hearing notice mailed on March 9, 2017
- Public notice posted on City and State websites and Planning Division list serve on March 9, 2017
- Public hearing notice posted on March 9, 2017

Public Comment:

Prior to publication of this report, the following public comments had been received.

Hi Doug,

I live at 817 Jefferson Street and have a brand new DDU at 819 Jefferson Street which will be one lot kitty corner across the alley from the northwest corner of the proposed Ruby townhomes. After having looked over the proposal I support ~~it's~~its construction. I am happy with the look of the drawings and excited to have something built on what has been a vacant lot and run down house for the 12 years I have owned my house on Jefferson. I also like the potential addition of 12 more market rate houses to the neighborhood.

Thanks,
Frederick Federer

Doug

The Board of the Ballpark Community Council discussed this project and there were no objections to it. There was a regret that some older and fairly interesting houses were going to be demolished but also the realization that there is nothing to prevent the demolition either. One of the objectives of the BCC is to encourage a significant residential population increase in the district. We realize that it will happen thru the construction of higher density development so from this standpoint, this project does meet with one of our major objectives.

Best regards
Bill Davis - Chairperson
Ballpark Community Council

ATTACHMENT J: DEPARTMENT REVIEW COMMENTS

Public Utilities - Blayde McIntire

One common sewer lateral and one master water meter will be allowed. Responsibilities for common utilities must be outlined in the CC&Rs and would be paid by the HOA.

There is an existing 6" water main in West Temple St with no existing water service to the property. The water main is potentially undersized. If a new fire hydrant is needed for this project or if fire flow requirements cannot be delivered by the existing water main, the applicant will be required to upsize the main from 800 South to the southern property line.

There is an 8" sewer main in the alley to the west of the proposed development with two sewer services stubbed to the property. Due to the age of the existing service stubs, they should be killed at the property line. One common sewer lateral should be used for the development. Water and sewer lines must be separated by 10ft horizontally.

Storm water should be routed to landscaped areas to allow for infiltration. Storm water cannot be discharged across property lines

Zoning - Patricia Anika Stonick

Zoning Review Comments re PLNSUB2017-00047, at lots currently addressed 824, 826 and 830 South West Temple Street, zoned FB-UN2, requested Planned Development review and approval for development on to-be-combined-lots featuring two buildings without street frontage, all buildings at reduced side yards, and, of lot sizes for each ownership unit within rowhouse type building form structures only four of 12 meet minimum lot size of 1,500 square feet—these proposed conditions may be approved through P.D./C.U. process; maximum parking proposed (24 stalls, 2 stalls within attached garage of each dwelling unit) which may not be exceeded, unless Transportation Demand Strategies are proposed and accepted; a minimum of two bicycle parking stalls are required for development involving more than 5,000 new square feet, to be provided in compliance with 21A.44.050; a permanent recycling collection is required for development per 21A.36.250; minimum park strip landscaping and trees to be provided per 21A.48.060; site landscaping to be proposed in compliance with 21A.48; to propose ground mounted utility boxes and other site features as may be regulated by 21A.40 Accessory Uses, Buildings and Structures; to propose features of site in accordance with 21A.36 as applicable; to demolish existing buildings with building permit, all clearances of that application process; for future building permit request the following will be needed: to obtain certified addresses for buildings/units of development prior to applying for building permit; to provide an Impact Fee Worksheet; height of 30 feet to be shown from existing (established) grade; dumpster enclosure to comply with 21A.48.120; to propose management of construction waste in compliance with 21A.36.250.

Engineering - Scott Weiler

No objections to the proposed conditional use.

Prior to performing any work in West Temple or the alley, a Permit to Work in the Public Way must be obtained from SLC Engineering by a licensed contractor who has a bond and insurance on file with SLC Engineering.