



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission
From: Doug Dansie, 801-535-6182, doug.dansie@slcgov.com
Date: January 12, 2017
Re: PLNSUB2016-00865 Roof Garden Planned Development

Planned Development

PROPERTY ADDRESS: 2594 S. 800 East

PARCEL ID: 16-20-353-028

MASTER PLAN: Sugar House

ZONING DISTRICT: RMF-30 Low Density Residential Multi-Family

REQUEST: Wayne Corbridge, Sego Homes, is requesting a planned development to construct the "Roof Garden". The development is proposed to be 5 townhome units, located at approximately 2594 South 800 East, Salt Lake City, UT. The subject property is located in the RMF-30 (Residential Multi-Family) zoning district and is within Council District 7 represented by Lisa Adams.

RECOMMENDATION): Based on the findings listed in the staff report, it is the Planning Staff's opinion that overall the project generally meets the applicable standards and therefore, recommends the Planning Commission approve the Planned Development request with conditions.

Staff recommends the following motion:

Based on the information in the staff report, public testimony, and discussion by the Planning Commission, I move that the Planning Commission approve the Planned Development and Conditional and Building Site Design Review request. In order to comply with the applicable standards, the following conditions of approval apply:

1. The applicant shall comply with all other Department/Division conditions attached to the staff report.
2. Final approval of the landscaping plan to be delegated to Planning staff.
3. Sidewalks and other public way improvements must be constructed to city standards.
4. All other zoning regulations, not specifically altered by this planned development, shall apply.

ATTACHMENTS:

- A. Vicinity Map
- B. Site Plans
- C. Building Elevations and Renderings
- D. Additional Applicant Information
- E. Property & Vicinity Photographs
- F. Existing Conditions
- G. Analysis of Standards – Planned Development
- H. Public Process and Comments
- I. Department Review Comments
- J. Motions

PROJECT DESCRIPTION:

The developer, Sego Homes, is proposing to build a 5 unit townhome multi-family residential development at approximately 2594 S. 800 East. The project will consist of one unit with frontage on 800 East and four units without street frontage. The project layout consists of two buildings, one with three units and one with two units. The project is being reviewed as a Planned Development as it does not meet the requirement in the Zoning Ordinance that all lots have frontage on a deeded street and is being proposed as two buildings of attached units rather than one building of attached units.

The project covers an area of approximately 0.41 acres.

KEY ISSUES:

The key issues listed below have been identified through the analysis of the project, neighbor and community input and department review comments.

1. Units without required street frontage
2. Request to exceed the 30 feet in height up to 35 feet
3. Grading in relationship to other properties
4. Infrastructure Improvements
5. Incongruity with the neighborhood

Issue 1 – Units without required street frontage

The proposed development has enough lot square footage to construct a 5 unit apartment or condominium development however, the developer is requesting two buildings instead of one with individual lots under each townhome and a commonly owned area on the rest of the site. The argument for this proposal is that it better allows home ownership and also breaks up the massing that would be caused by a single or connected structure(s).

Five single family attached units facing 800 East would require 25 feet of frontage each (a total of 125 feet frontage). Since the lot is deeper than it is wide and only has 90 feet frontage, the developer is asking that the units be allowed in a front/rear building layout without the required street frontage required for a row of five attached dwellings (a single building apartment/condominium building would be allowed with a 90 foot frontage without planned development approval).

By arranging the units in this manner, (two units in the front building with the first unit facing 800 east, and three units in the rear building) the complex provides the appearance of a single family home when viewed from 800 East. This arrangement is actually more conducive to the historical neighborhood than many of the numerous 4-plexes along the street, some of which have their entry to the side, not the front.

Issue 2- Request to Exceed the Maximum height by an additional 5 feet

The original request included a conditional use request for an additional 5 feet in height. The petitioner has withdrawn that request, however, since many of the comments address the idea; it is being noted as an issue.

Issue 3- Grading in relationship to other properties

The neighbor to the south has expressed concern regarding drainage onto her property, which originates on the subject property. The drainage swale is not an acknowledged creek or drainage ditch, but a geographic indentation that collects water at certain times of the year. City departments note, that through the normal building process items such as drainage are reviewed and there is a prohibition of constructing anything that will increase drainage onto an adjacent property. If the planned development is conceptually approved, the developer will be required to provide more evidence to the city regarding how they plan to address drainage issues, prior to receiving a building permit

The petitioner has responded to the specific concerns regarding drainage as follows:

“Regarding the grade to the south, we will need to place a foot or two of fill in some areas along the southern border. We propose placing a retaining wall of large boulders on our property next to the property line to retain any fill. We will avoid disturbing the neighbor’s property and will preserve their portion of the stream bed. We will address this in detail on the civil engineering construction and grading plans. As you might recall, I have tried several times to contact the property owner to the south (Jana Ward). I have sent 2 or 3 emails and I have copied you and Judi Short on 2 of them. I have personally phoned Ms Ward and she has never accepted my calls. I have left messages and she has never returned any of my messages. We desire to be a good neighbor and we welcome her input but she does not seem interested enough to talk with us or discuss her concerns. Nonetheless we are committed to be highly respectful of her property rights and concerns. We will be careful to not disturb her property. We will do our best to make our rock retaining wall look natural and to fit in with the natural native feel of her private back yard.”

Issue 4 – Infrastructure improvements

The property has been noted for having sinking curb, gutter and sidewalk along the southern portion of 800 East. A work order has been set up with SLC Engineering to fund and address the problem in the future however, the petitioner will be replacing the existing drive approach and will be required to address these issues when replacing curb, gutter and sidewalk.

The petitioner has responded to the specific concerns regarding the sinking of curb and gutter as follows:

“Regarding the sinking of the curb and sidewalk, please see the attached photo. The part that has settled is near the south property line on street next to the big tree and the existing driveway. There is a garbage dumpster that has tipped over and shows up in the photo where the settlement occurred. This is not recent settlement but appears to have occurred a long time ago. We will need to remove the driveway anyway so will agree to remove and replace the portion of the curb and gutter that has settled. Our new driveway into our project will be on the north side of the property. Regarding the house, the south part of the house, I am told, was not part of the original structure and was added later to the home. I am told they did not properly prepare the foundation for the home and consequently some settlement has occurred over the years. I don’t think it is related to the curb that settled. In any event, consistent with my standard operational procedures, I will contract with a soils engineer (Geotechnical Firm) to do a complete soils or geotechnical investigation of the site to document the subsurface soil conditions and to make recommendations about how the new construction will need to be handled to avoid any settlement anywhere on the site”



Issue 5 - Incongruity with the neighborhood

The neighbor to the north notes that this is a neighborhood of older single family homes and not new upscale townhomes. While this may be generally true to the north and east, the zoning on this block face allows for townhomes/moderate density and there is a considerable number of multi-family developments in immediate adjacency to the south (primarily four-plexes). The building to the north of this site is a four-plex whose entryways face the side (not the street). (See photos Attachment E and letter Attachment H).

The developer has the legal right, as an over-the-counter permit, to build a five unit apartment structure on the site, therefore the primary issue becomes whether the neighborhood wants to accommodate growth through apartment rentals, condominium ownership or through townhome ownership.

The front/first unit in the proposed development is designed to face 800 East giving the complex a similar appearance as other single family homes on the street, which is actually more historically congruent with the neighborhood than the more recent four-plexes (including the property to the north).

The original plan had five townhome arranged perpendicular to the street frontage (although the front unit has always been proposed to face 800 East). In response to neighborhood and Community Council concerns, the developer rearranged the rear building to also face the street, which insures more privacy than the original layout (some of the comments in Attachment H pre-date the alterations to the site plan)

DISCUSSION:

As discussed above and in attachment G, the proposal generally meets the standards for a Planned Development.

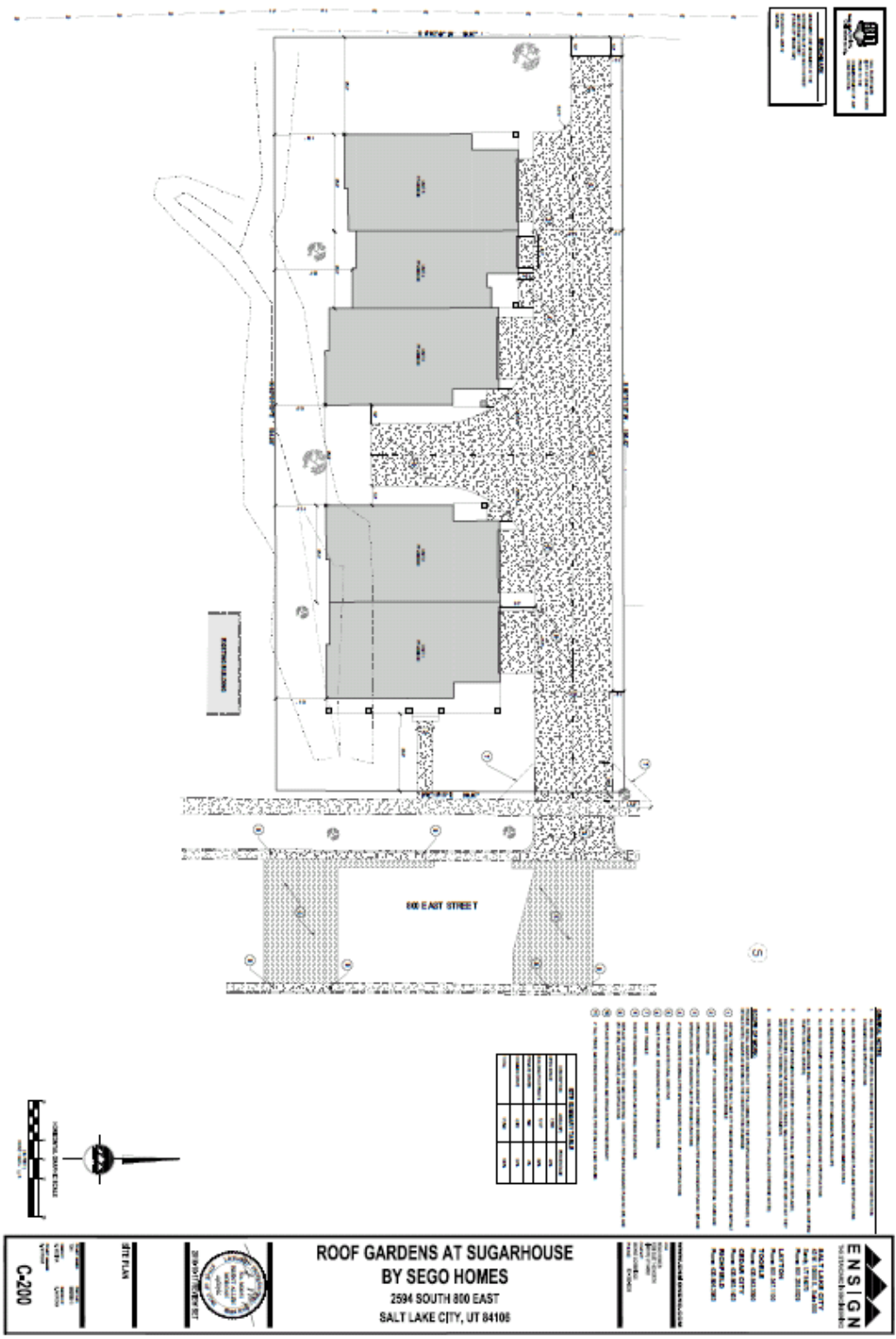
NEXT STEPS:

Planned Development Approval

If the Planned Development is approved, the applicant will need to comply with the conditions of approval, including any of the conditions required by City departments and the Planning Commission. The applicant will be able to apply for building permits for the development and the plans will need to meet any conditions of approval. Final certificates of occupancy for the buildings will only be issued once all conditions of approval are met.

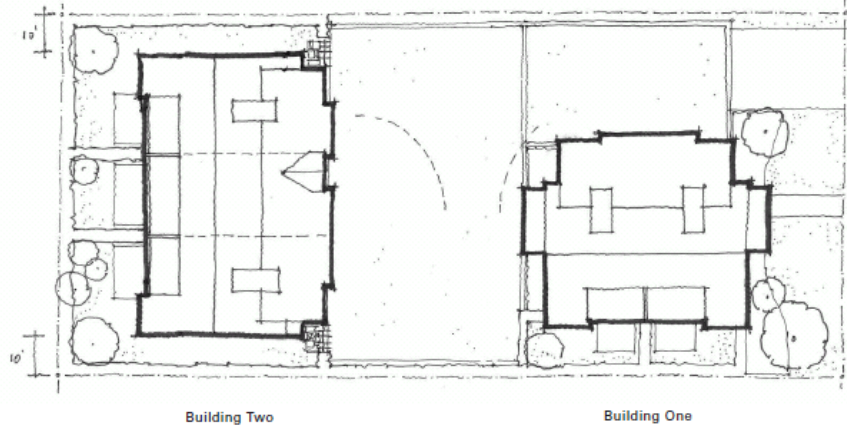
ATTACHMENT A: VICINITY MAP





This was the original site plan. It is being provided to illustrate how the project was changed to meet community concerns

ATTACHMENT C: BUILDING ELEVATIONS & RENDERINGS



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SITE PLAN (ALTERNATE)

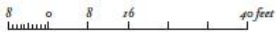
SEGO HOMES | SALT LAKE CITY, UTAH

ROOF GARDENS AT SUGARHOUSE
5 DECEMBER 2016

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Street-Facing Elevation



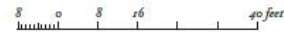
BUILDING ONE: ELEVATIONS
SEGO HOMES | SALT LAKE CITY, UTAH



Motor Court Elevation



Side Elevation



ROOF GARDENS AT SUGARHOUSE
5 DECEMBER 2016

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BUILDING ONE: SIDE ELEVATION
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BUILDING ONE: SIDE ELEVATION
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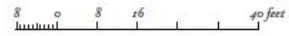
ROOF GARDENS AT SUGARHOUSE
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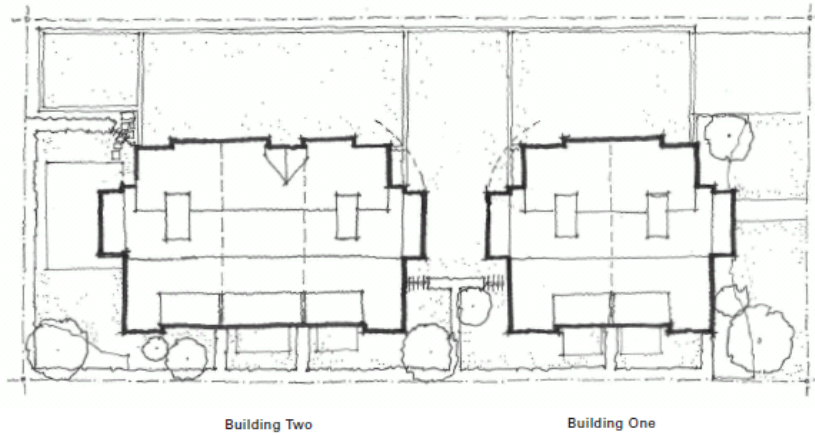


BUILDING TWO: MOTOR COURT ELEVATION
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The following are the original proposed site plan and drawings, which have been modified to meet community concerns.



800 East Street

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SITE PLAN
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TOP SIDE ELEVATION



FRONT ELEVATION



The Roof Gardens at Sugar House
 by Seggo Homes
 Building #1, 2524 South 800 East
 Salt Lake City, Utah

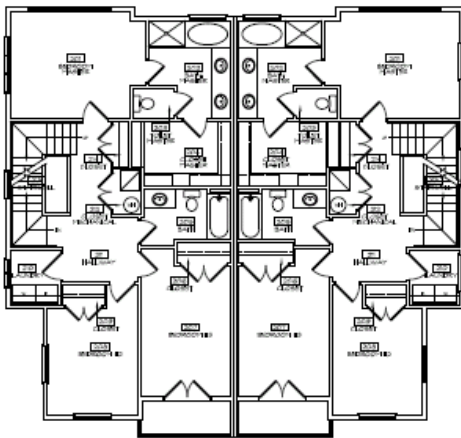
Sheet Title
 Elevations

Date
 Oct 2, 2016

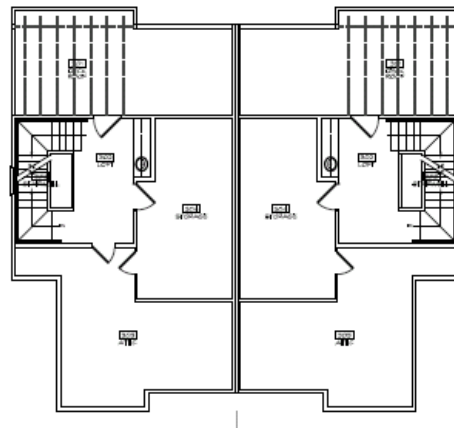
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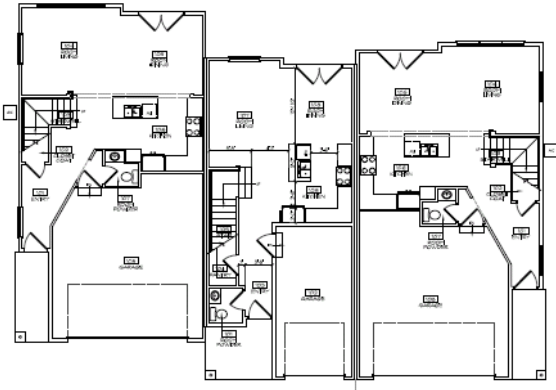
LEVEL 1 FLOOR PLAN
SCALE: 1/8" = 1'-0"



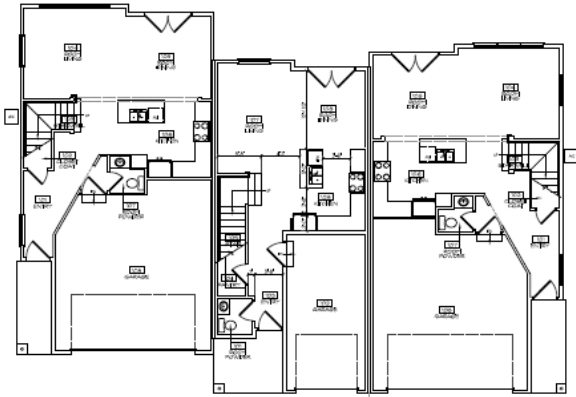
LEVEL 2 FLOOR PLAN
SCALE: 1/8" = 1'-0"



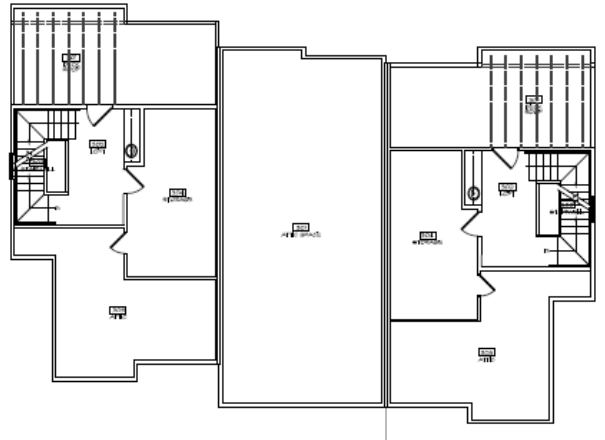
LEVEL 3 FLOOR PLAN
SCALE: 1/8" = 1'-0"



LEVEL 1 FLOOR PLAN
1000-1000



LEVEL 2 FLOOR PLAN
1000-1000



LEVEL 3 FLOOR PLAN
1000-1000

ATTACHMENT D: ADDITIONAL APPLICANT INFORMATION

“THE ROOF GARDENS BY SEGO HOMES” A PLANNED DEVELOPMENT SALT LAKE CITY

PROJECT DESCRIPTION

The proposed “Roof Gardens by Sego Homes” will consist of 5 single-family attached luxury town homes. The anticipated sales prices for each home will start at \$450,000. Each home will have three bedrooms and 2 ½ baths. Four of the homes have two-car garages and access to a private outdoor roof garden on the roof. Each home will have two stories of habitable space. The fifth home has a one-car garage with an additional surface parking space provided but no roof garden.

The community will have a homeowner’s association that will take care of the landscape maintenance, snow removal and all exterior maintenance of the buildings. The HOA will be managed by a professional property management company.

The proposed project will be a Planned Development consisting of two structures – the first structure will contain two homes and the second structure will contain 3 homes. The first home in the first structure will be designed with a porch and front door facing onto 800 East and will give the project the appearance of one single family home when viewed from 800 East. The homes will all have fire sprinkler systems providing fire suppression.

Currently the property contains one old home that has fallen into a state of disrepair and needs to be demolished. It is not of historical significance or architectural significance and it is not feasible to restore the home.

The neighborhood consists of a variety of uses and a variety of architectural styles. Of the 4 properties immediately north of this property, 3 are multi-family apartment buildings including the apartment building immediately adjacent to the north. Of the 5 properties immediately south of this property, 3 are multi-family apartment buildings. So, our proposed use of owner-occupied for-sale town homes should be a welcomed upgrade to the neighborhood.

PLANNED DEVELOPMENT INFORMATION

The following is a description of how our project meets one or more of the ***Planned Development Objectives***:

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

Our homes will be designed using materials and architectural styles typical of the surrounding Sugar House area. The homes will have pitched roofs with asphalt shingles. Porch roofs will have standing seam metal roofs. The buildings will be clad with high quality brick and with siding typical of the historical architecture. The siding will be fiber-cement Hardi board for longevity and low maintenance. The overall design and construction will be high quality and detailed. Four of the five homes will also have roof decks on the back half of the homes. These decks will have walk able waterproof membranes from DuraDek and will include a shade trellis over part of the roof deck.

B. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features:

We paid our surveyor to do a tree survey to locate and identify all the trees on the site. We modified our site plan and redesigned one of the buildings to preserve the most significant trees and vegetation.

C. Preservation of buildings, which are architecturally or historically significant.

There is only one building on the site and it is not historically or architecturally significant in any way. It is in a state of disrepair and needs to be demolished.

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

We will orient the architecture of the first home to face onto 800 East. The design includes a large porch across the front of the home giving the appearance from 800 East that the project consists of one single-family home. We will install landscape to create a lush, beautiful landscape. We will also preserve several of the largest trees on site and incorporate them into the new landscape design.

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

The size and scale of the project does not allow for the inclusion of public amenities aside from preserving some of the largest trees and improving the streetscape in front of this project.

F. Elimination of blighted structures:

The existing home is dilapidated and looks blighted. Also there is a large dead pine tree in the front yard that has been dead for years. We will remove the blighted structure as well as the dead tree.

G. Inclusion of affordable housing with market rate housing.

Our homes will be sold at market rate pricing.

H. Utilization of "green" building techniques in development.

I am a Certified Green Builder registered with the National Home Builders Association. All of our homes will exceed Energy Star standards and will be designed to be energy efficient. We use green building techniques and strive to be environmentally friendly by recycling construction waste and using recycled building materials where feasible.

Thank you for your consideration.

ATTACHMENT E: PROPERTY & VICINITY PHOTOGRAPHS



Existing home on the site

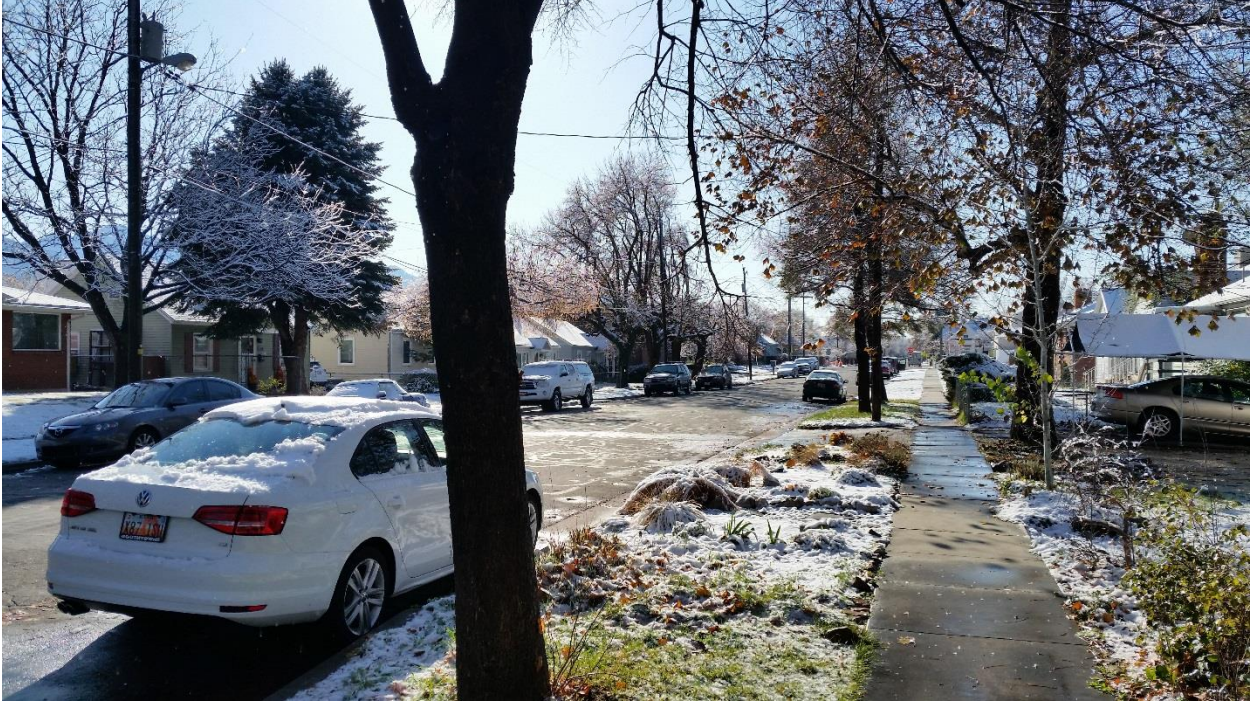




Drainage on south side of lot



Context to the north



Context to the south



Home directly south



Multi-family directly to the north



Multi-family development to the south of the site

ATTACHMENT F: EXISTING CONDITIONS

Sugar House Master Plan Discussion

The proposal is located within the Sugar House Master Plan area. The Future Land Use map in the master plan designates the property as “medium density residential (8-12 du/acre. The RMF-30 zoning is actually entitled “Low Density Multi-Family Residential” but the purpose statement indicates it is appropriate for areas where densities are proposed to be less than 15 units per acre, which is consistent with the masterplan designation. Other lots along this block face are similarly designated, although many remain single family homes. The proposed multi-family residential project is a permitted use in the zone.

The plan includes the following policies related to the request:

- Allow medium density housing at this location, but discourage “box car” type development.
- Insure any planned development is compatible with the surrounding development and discourage gated communities.
- Incorporate pedestrian orientation and pedestrian amenities into development alternatives.

These Master Plan policies are discussed in [Attachment G](#).

Applicable General Zoning Standards:

RMF-30 Standards

Requirement	Standard	Proposed Development Status
Front/Corner Side Yard	20' Setback	Building setback is 20 feet to the front porch. Complies
Side Yard	4 feet on one side 10 feet on the other	10 feet on each side at closet point. Complies
Rear Yard	25% of lot depth or 25 Feet	25.2 feet. Complies
Minimum Lot Area	9,000 Square feet	The lot is approximately 17,860. Complies
Density	9,000 for three units plus 3000 for each additional unit	Allows five units (140 Square feet less than allowing six units). Complies.
Lot Width	80 Feet	90.06 feet. Complies
Maximum Height	30 feet	Building is proposed to meet height limit. Complies.
Maximum building Coverage	40%	Building coverage approximately 29%. Complies

Increasing Housing Opportunities

Infill Development

The Future Land Use Plan designates areas of the community that are appropriate for residential land use. New single-family housing opportunities in Sugar House are limited to scattered vacant infill sites. There are areas appropriate for Medium-Density and Medium-High Density housing opportunities especially near the Sugar House Business District.

The sites identified for new housing opportunities through Mixed-Use development are located in the Business District as well as the island between Richmond Street and Highland Drive. Figure 4 illustrates these locations. A small area plan is proposed for the Sugar House Business District to guide new development and provide a housing component through the use of density bonuses. Additionally, to support transit stations within the Town Center of the Business District, a residential density averaging at least 18 dwelling units per acre within a quarter mile radius of the proposed transit stop is recommended.

Policies

- Focus new residential development toward the Sugar House Business District through a mixed land use pattern.
- Strive to achieve a residential density that averages at least 18 units per acre within a quarter mile radius of a future light rail station within the town center of the business district.

Planned Developments

Another common approach to infill housing is the use of Planned Developments. If the applicant desires some flexibility on zoning code standards in exchange for a higher level of design, the Planned Development/ Conditional Use process is a useful alternative.

However, the community has expressed concern over the site plan and building design of many of these residential projects. Planned Developments have typically been oriented toward the interior of the development with only one access point so that the homes are isolated from the surrounding neighborhood. Planned Developments have also limited access to nearby schools and churches. Additionally, features such as sidewalks, street trees, and park strips that are standard for a subdivision development oftentimes are not required. Consideration should be given to compatible building materials and design, which are integral aspects of maintaining the community character.

Policies

- Ensure the site and building design of residential Planned Developments are compatible and integrated with the surrounding neighborhood.
- Discourage the development of "gated communities".
- Review all proposed residential planned developments using the following guidelines:
 - Support new projects of a similar scale that incorporate the desirable architectural design features common throughout the neighborhood;
 - Maintain an appropriate setback around the perimeter of the development;
 - Position houses so that front doors and front yards face the street;
 - Require front yards to be left open wherever possible. When front yard fences are provided, they should be low and open;
 - Design houses so that the garage doors do not predominate the front façade. Detached garages are preferred with access from an alley wherever possible;
 - Design streets to be multi-purpose public spaces — comfortable for the pedestrian and bicyclist, not just as roads for cars;
 - Provide at least two access points wherever possible in order to connect the street system to the larger street network to maintain an integrated network of streets; and
 - Incorporate a pedestrian orientation into the site design of each project with sidewalks, park-strips and street trees as well as trail ways wherever possible.

Medium-Density Residential

Medium-Density Residential areas are designed to accommodate a mix of low-rise housing types. These include single-family through four-plex units, garden apartments, townhouses and mixed use or live/work units. This land use classification allows net densities between ten and twenty (10-20) dwelling units per acre. Examples of zoning districts consistent with these recommended densities are the R-1-5,000, R-2, SR-1, and RMP-30.

Variations in densities and housing types are encouraged. Design features should include : usable landscaped open space, screened off-street parking areas, and units oriented in a way to be compatible to existing surrounding residential structures. New medium-density housing opportunities are encouraged in certain locations in Sugar House, including some areas presently used for commercial, warehouse, and industrial uses.

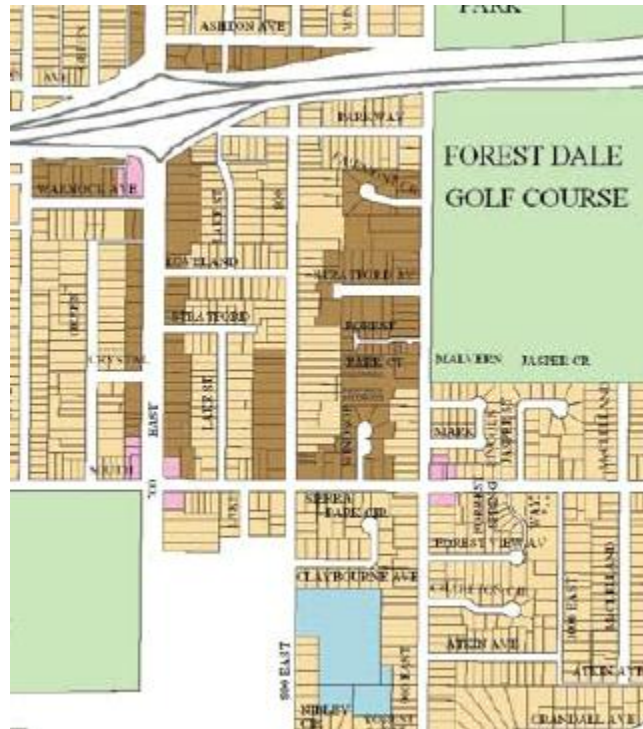
Location criteria for Medium-Density Residential land uses include:

- Proximity to arterial or collector streets;
- Proximity to higher density residential areas, mixed-use areas, neighborhood commercial nodes or the urban town center of the Business District;
- Proximity to existing and proposed parks and open space;
- Prohibit the expansion of non-residential land uses into areas of medium-density residential.

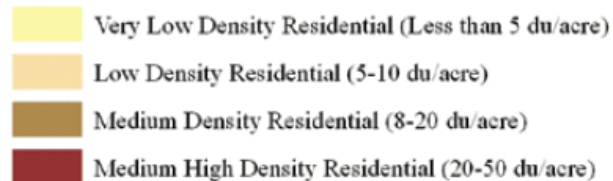
Many of the original subdivision layouts consisting of narrow, deep lots combined with inadequate development guidelines have resulted in typical "box car" four-plex and apartment development. Typical characteristics of these "box car" four-plexes and apartments include side-yard entry, large ratio of pavement to landscaped areas on the side-yard, a front building elevation devoid of windows, doors and architectural fenestration, flat roofs, concrete block construction and bulky size and mass. "Box car" four-plexes and apartments are not allowed under current zoning regulations.

Policies

- Encourage new Medium-Density housing opportunities in appropriate locations in Sugar House.
- Encourage a variety of densities in the Medium-Density range while ensuring the design of these projects is compatible with surrounding residential structures.
- Continue to prohibit the development of the "box car" design of multi-family dwellings.
- Encourage street patterns that connect with other streets.
- Discourage gated developments.



Future Land Use



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>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> <ul style="list-style-type: none"> A. Combination and coordination of architectural styles, building forms, building materials, and building relationships; B. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion; C. Preservation of buildings which are architecturally or historically significant or contribute to the character of the city; D. Use of design, landscape, or architectural features to create a pleasing environment; E. Inclusion of special development amenities that are in the interest of the general public; F. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation; G. Inclusion of affordable housing with market rate housing; or H. Utilization of "green" building techniques in development. 	<p>Complies</p>	<p>The applicant intends to achieve objectives A, and D.</p> <p>The applicant has stated this project meets objective A because of the architectural design of the structure. The project insure that the street facing portion of the Planned Development has a front door, windows and porch that face 800 East. Most building along the 800 East frontage are single level homes, whereas this building is two stories, however the zoning is such that any of the property owners on the street could add a second story. This developer is not asking for any additional height that other property owners are not allowed.</p> <p>In order to achieve objective D, the developer is proposing to have the front unit face the street and appear as if it were another single family home facing 800 East, consistent with other homes along the street. The additional units are behind the front unit and are not as obvious when viewed form the street</p> <p>Staff believe that this project meets the objectives as stated by the applicant.</p>
<p>B. Master Plan And Zoning Ordinance Compliance: The proposed planned development shall be:</p> <ul style="list-style-type: none"> 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 2. Allowed by the zone where the planned development will be located or by another applicable provision of this title. 	<p>Complies</p>	<ul style="list-style-type: none"> 1. The proposal is located within the Sugar House Community Master Plan. The future land use map in the plan designates this property as “Medium Density Residential”. This development is consistent in density with both the master plan and the zoning. 2. The planned development meets the basic criteria allowing the Planning Commission to consider it. Multi-family developments are permitted in the RMF-30 zoning district.

<p>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:</p> <ol style="list-style-type: none"> 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; 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, nonmotorized, 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; 	<p>Complies</p>	<ol style="list-style-type: none"> 1. The property is located on 800 East, which is not a major thoroughfare, but it also has underutilized capacity and SLC Transportation did not flag traffic as a limiting factor. 2.a. From 800 East, the development will read as a single family home with a driveway on the north side. 2b. This project accommodates parking with in an attached garage for each unit.. 2c. The development will have hours of use similar to other residential uses on the street. 3. The drive approach is in the same location as it would be for a single family home. 4. Utility service is adequate. Public way improvements such as curb, gutter and sidewalk will be upgraded and/or replaced to meet current City standards
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<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>5. The development was redesigned to address privacy issues or the adjacent property owners. Concerns remain, however, the site is zoned for 5 units and more traditional apartment building, allowed over-the-counter, would arguably have equal or greater impact.</p> <p>6. Concerns have been expressed regarding 5 units at this location, however it is allowed as a permitted use by the base zoning. The planned development is merely to accommodate a better layout and home ownership.</p>
<p>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;</p>	<p>Complies</p>	<p>There vegetation on the site includes larger Siberian Elm trees (which are not considered a specimen tree and have a short life span). The large spruce tree in the front yard appears to be dead.. A new landscape plan meeting code requirements will be submitted as part of the building permit process.</p>
<p>E. Preservation: The proposed planned development shall preserve any historical, architectural, and environmental features of the property;</p>	<p>Complies</p>	<p>There are no historical features on the property. The one environmental feature is a drainage swale, which is not a noted creek or ditch, The developer will be filling in portions of the swale, but are required to take care of drainage on site and not increase it onto adjacent properties..</p>
<p>F. Compliance With Other Applicable Regulations: The proposed planned development shall comply with any other applicable code or ordinance requirement.</p>	<p>Complies</p>	<p>Other than the specific modifications requested by the applicant, the project appears to comply with all other applicable codes. Further compliance will be ensured during review of construction permits.</p>

ATTACHMENT H: 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:

- Sugar House Community Council Land Use Committee November 21, 2016
- Sugar House Community Council December 7, 2016

Notice of the public hearing for the proposal included:

Public hearing notice mailed on January 12 , 2017

Public hearing notice posted on January 12 , 2017

Site posted January 12, 2017

Public notice posted on City and State websites and Planning Division list serve on January 12 , 2017

Public Input:

The original design of this project was presented to the Sugar House Community Council in late 2016. The meetings were well attended. Some of the stated issues were:

- Concerns regarding privacy.
- The structure is too tall.
- Drainage on the site – intermittent stream bed.

The applicants redesigned their project to address Council concerns. Although there were some lingering concerns regarding drainage and privacy, the Community Council supported the project. Letter and comments attached.

December 29, 2016

TO: Salt Lake City Planning Commission

FROM: Judi Short, First Vice Chair and Land Use
Chair
Sugar House Community Council



RE: Segó Homes Planned Development PLNSUB2016-00865

We have received a planned development and conditional use application for 5 single-family luxury town homes on a lot that is approximately 90' wide by 195' deep. One single-family unit with a porch and front door faces 800 East, and a second unit will be attached behind it, facing south. A second building will face west at the rear of the parcel, and will have 3 units. Four units will have a two-car garage, the middle unit of the rear building will have a single car garage, plus a second parking space in the driveway.

We put the plans for this project on our website, with a link to the plans and link to provide comments regarding the proposal. We put flyers on porches of nearby homes, announcing both our November 21 meeting of the Land Use and Zoning Committee (LUZ) and the December 7 meeting of the Sugar House Community Council (SHCC). In addition Salt Lake City had this item on its Open House agenda in November. We did get several emails and had three neighbors at the LUZ meeting and several at the SHCC meeting.

The original proposal had four units in a row and the fifth one one facing the street. All have a roof deck on the rear. Some neighbors objected to the loss of privacy in their yards, because of the smaller setbacks. The current proposal has the 3 rear units turned 90 degrees, which allows a 25' rear yard and 10' side yards. We feel this is a much better solution. The petitioner added the roof decks so that the occupants would have more outdoor space, because the yards are small. The request for a height exception is now moot. The petitioner was measuring to the peak instead of the midpoint. The Planned Development request is because there is more than one building on the lot and the second one is not on a deeded street. We have no problem with that, this arrangement allows 5 units of a good size to be built on this parcel.

One neighbor at 2590 S 800 East felt the building was too close to the lot line, and objected to the long driveway serving all five units, and felt the homes did not fit in the character of the neighborhood. Several people spoke about the road and how it had been sinking in front of this parcel. Another had concerns with the existing stream bed on the southern border, and spoke about major grade changes. We have referred her comment to the Public Utilities Department to check out and make sure that any construction can be done properly. She also requested a retaining wall. We do not know what they found. I did give

the petitioner the email and phone number of that neighbor, and to my knowledge, he has not been able to reach her. She has been working with the city.

We feel this development would be an addition to the neighborhood. We need some new single family housing, in addition to all the apartments that are being built. The style of the homes and the materials are reminiscent of many homes in the Sugar House area. They will be removing one blighted home, and preserving some of the very old trees that are salvageable. The size of these units, which will be separately owned, will be large enough to accommodate families, without being too large for the scale of the neighborhood.

The SHCC does not want this project to go forward until the issue of the stream bed and sinking street is resolved, and we know that will happen. We approve this project.

Sugar House Community Council Sign-In Sheet

Sign me up for monthly agenda and Newsletter

Date 11-21-2016

Sugar House 2594 S 800 E

Name	Address and Zip Code	Phone	Email (please print)	YES
BRAD HARGREAVES	2582 So. 800 E SLC 84106	801-859 2522	BLH84106@GMAIL.COM	X
MIKE SHELTON	2609 So. 800 E, SLC 84106	801 484-1724	doubt5rpm@hotmail.com	X
JANA WARD	2606 S. 800E. SLC, 84106.	801 678-1996	anahata@hotmail.com	X
Milton Braselton	2298 S. Green St. 84106	801-712- 8035	rackrailway73@gmail.com	

The emails will consist of our monthly Newsletter and meeting Agenda.

Macintosh HD:Users:judishort 1:Documents:SUGAR HOUSE:Attendance Rosters:shcc_sign-in_sheet.xls

Doug,

I will be in attendance at the meeting discussing the proposed development at 2594 S 800 E. My concern with the development is the existing stream bed on the southern border of the property. I am reaching out for resources on understanding city codes concerning this feature. I am very opposed to grading over the creek bed, and am also concerned how that grading will affect my property. The creek bed begins on the stated property, but turns onto mine. There are major grade changes along the creek bed. If it were to be graded I would want to have a retaining wall built by the developer to preserve my portion of the stream bed. If you have suggestions and were to direct these concerns please let me know.

Jana Ward

Public Utilities response:

Doug,

It looks like there is a drainage that goes between these properties but it is not a named creek or even city maintained ditch. It may pick up some spring water between forest dale and Nibley golf courses. The property owner cannot fill in drainage channels without providing for the drainage. Additionally a property cannot add or increase drainage onto neighboring property without the approval to do so. They also would not be allowed to grade or place fill on a neighboring property. The site and building plans should be reviewed by engineering and public utilities.

Let me know if you have any other questions.

Thanks

Jason

SEGO HOMES 2594 S 800 EAST COMMENTS FROM COMMUNITY

The Sego homes - since he lowered the height, and changed the placement of the houses, I have no objection.

Brad Olsen

9:55 AM (8 hours ago)

to me

Judi,

Here is a statement from my client. Hopefully it is in time to add to your letter.

The LCA Trust owns the property located adjacent (2590 S. 800 E) to the proposed development on the North side.

After review of the proposed development the Trust strongly objects to issuing approval for this project on the following grounds.

The proposed project is higher than is allowed in this zone and due to the close proximity of our building to the lot line, this would dramatically affect our view and the sunlight reaching the front porches of the 4 plex units. The driveway immediately adjacent to our lot line with FIVE residences using it would add to the noise as well, with the driveway servicing all the residents, their visitors and garbage/delivery/service trucks. The proposed units DO NOT fit with the character of the neighborhood.

Brad Olsen, Broker
Dimension Realty Services
Salt Lake City, Utah 84121
(801) 617-2236

From: Jana Ward <anahata_@hotmail.com>
Date: November 20, 2016 at 8:30:23 AM MST
To: "minnesotaute@yahoo.com" <minnesotaute@yahoo.com>
Subject: 2594 S 800 E

Landon,

I am writing to you to get a date for the Sugarhouse Community Council on discussing the proposed development at 2594 S 800 E. My concern with the development is the existing stream bed on the southern border of the property. I am reaching out for resources on understanding city codes concerning this feature. I am very opposed to grading over the creek bed, and am also concerned how that grading will affect my property. The creek bed

begins on the stated property, but turns onto mine. There are major grade changes along the creek bed. If it were to be graded I would want to have a retaining wall built by the developer to preserve my portion of the stream bed. If you have suggestions and were to direct these concerns please let me know.

Jana Ward

Mike Kener <donotreply@wordpress.com>

11/30/16

to me

Name: Mike Kener

Email: mike@kener.co

Comment: Will these be rentals or owner occupied town homes?

Time: November 30, 2016 at 3:03 pm

IP Address: 67.2.0.4

Contact Form URL: <https://sugarhousecouncil.org/2016/11/08/roof-gardens-of-sugar-house-2594-s-800-e/>

Sent by an unverified visitor to your site.

Wayne Gordon <donotreply@wordpress.com>

11/30/16

to me

Name: Wayne Gordon

Email: wgordon3@live.com

Comment: The drawing set lacks a site plan. This is necessary to show how the projects relates to adjacent housing with setbacks, etc.

Though materials are being used to match the neighborhood, the exterior elevations lack detailing, proportions, etc. to match. Also, the double width garage doors do not fit in at all.

Though this is by definition a planned development, the height exemption is most likely intended for larger projects. In this case, it is not necessary and may be detrimental, as the new structure may be out of scale with its neighbors.

This project needs refinement to fit into the neighborhood, and I would not support it as-is.

Thank you,
Wayne Gordon

Time: November 30, 2016 at 3:53 pm

Email comments Rooftop Garden 2594 S 800 East

Email: Cheryl.Hoagland@yahoo.com

Comment: I was just alerted of the meeting this evening and due to previous engagement cannot attend. As a long-time resident, I do have strong objection to the building of the proposed housing along 800 East. I did receive a letter from the State and plan to respond.

Can I get a copy of any minutes from tonight's meeting? I would very much like to know what the consensus of the neighbors is.

Thank you for any information you can provide me.

Name: Michael Shelton 801 484-1724

Email: doug45rpm@hotmail.com

Comment: I live on 8th East, just accross from this property. I attended the SHCC meeting on Nov 21st when this proposal was discussed.

1. ! wonder if the City or the developer is going to fix the sinking street and concrete gutter at the front of this property. A stream formerly ran underneath the street, which was rerouted when work was done at Fairmont Golf Course approximately 7 years ago. It seems like the City should be responsible to fill in the opening under the street and fix the gutter.

2. If this variance in height if approved for this project, does it open the door for other similar projects in the future?

3. While this is a better use of the property than the continuing deteriorating condition of the present run-down home there, it will drastically affect the privacy of the home owners just south of it at 2606 South 800 East (currently Michael & Jana Kahm). With the project's residents being able to overlook the Kahm's front and back yards, it will greatly affect them and decrease the value of their property. What will the developer do to minimize this?

Time: December 1, 2016 at 7:35 pm

Contact Form URL: <https://sugarhousecouncil.org/2016/11/08/roof-gardens-of-sugar-house-2594-s-800-e/>

Sent by an unverified visitor to your site.

12/21/2016

Salt Lake City Planning Commission

RE: Roof Gardens, 2594 S. 800 E.

To Whom it May Concern,

The LCA Trust owns the property located adjacent (2590 S. 800 E) to the proposed development on the North side.

After review of the proposed development the Trust strongly objects to issuing approval for this project on the following grounds.

1. The RMF-30 Low Density Multi-Family Residential District Zoning has a MAXIMUM height limitation of 30 feet. Approving a height of 35 feet would adversely impact our tenants and our property. It would block some of the sunlight coming from the South that we cherish as well as obstructing the view further than necessary. Based on this alone, the application should be denied Section 21A.24.120 allows a Height Special Exception for the following reasons. Our commentary follows each requirement for Height Special Exceptions in the statute. (bold and in italics)

21A.24.010: GENERAL PROVISIONS:

2. Height Special Exception: The planning commission, as a special exception to the height regulations of the applicable district, may approve a permit to exceed the maximum building height but shall not have the authority to grant additional stories. To grant a height special exception the planning commission ***MUST*** find the proposed plan:

b. Satisfies the following criteria:

(1) The topography of the lot presents difficulties for construction when the foothill height limitations are applied, ***(no topographical issues are present)***

(2) The structure has been designed for the topographic conditions existing on the particular lot, and ***(the lot is flat so there has been no exceptional design modifications made)***

(3) The impact of additional height on neighboring properties has been identified and reasonably mitigated. ***(no mitigation has been attempted)***

c. In making these considerations the planning commission can consider the size of the lot upon which the structure is proposed. ***(the size of the lot is typical for the area)***

d. The burden of proof is upon the applicant to submit sufficient data to persuade the planning commission that the criteria have been satisfied. ***(has anything been submitted regarding this?)***

e. The planning commission may deny an application for a height special exception if:

- (1) The architectural plans submitted are designed for structures on level, or nearly level, ground, and the design is transposed to hillside lots requiring support foundations such that the structure exceeds the height limits of these regulations; ***(the lots are level, not hillside)***
- (2) The additional height can be reduced by modifying the design of the structure through the use of stepping or terracing or by altering the placement of the structure on the lot; ***(the builder could choose to excavate more, moving the desired 5 feet below ground level)***
- (3) The additional height will substantially impair the views from adjacent lots, and the impairment can be avoided by modification; or ***(The development will block substantial view and sunlight on the adjacent property which is located relatively close to the joint lot line)***
- (4) The proposal is not in keeping with the character of the neighborhood. ***(the neighborhood is not made up of "Luxury Townhomes that will start at \$475,000 each", rather is a mix of older residential homes, duplexes and four plexes).***

2. While no side yards are required in this zone for Single Family Attached, a front yard of 20 feet is required. Since the units are facing north, the front yard should be in front of the unit and not adjacent the road. The driveway shouldn't be counted as front yard.

The front building is more accurately described as twin homes and should have 10 foot side yards as required in the statute.

3. The code appears to require a 10 foot landscaping buffer next to the LCA property. No buffer is apparent.

4. The turnaround on the drawing doesn't appear to be large enough to accommodate garbage and delivery trucks. Since recycling and refuse bins are required for all properties in Salt Lake City, the design of this driveway seems to be inadequate and should be redesigned.

5. The driveway is located a scant 9 feet from the front of the building. If there were a fire in one of the units, a fire truck couldn't enter the driveway, let alone turn around. Larger front yards should be required.

With this in mind, please deny the application or send it back for significant modification.

Thank you,



LCA Trust

ATTACHMENT I: DEPARTMENT REVIEW COMMENTS

Greg Mikolash, Building services

- Suggestion that the site plan show dimensions of each building footprint, and that each floor plan be dimensioned to match the site plan.
 - Will the proposed driveway be wide enough to accommodate trash/recycling pick-ups? It appears that many large delivery, fire, and waste removal trucks will need to back-out onto 800 E. because a large enough turn-around is not being proposed. On trash pick-up days, will the proposed driveway be wide enough to accommodate all bins and provide for proper maneuverability for the trucks. Note that most waste management vehicles have the bin pick-up on the passenger side, meaning that a truck would first need to back into the proposed driveway for bin pick-up on the north side.
 - A demolition permit will be required for the removal of the existing buildings (see 18.64 for demolition provisions). As part of the demolition application, the construction waste management provisions of 21A.36.250 apply.
 - A Certified Address is to be obtained from the Engineering Dept. for use in the plan review and permit issuance process for each lot.
 - This proposal will need to comply with the provisions of 21A.24.010, .060 or .070 as appropriate - Residential height, area and bulk criteria. It appears that a special exception will be required for height.
 - The proposal will need to comply with Section 21A.24.010 with respect to side entry doors and front façade control.
 - This proposal will need to comply with the provisions of 21A.44 for parking and maneuvering.
 - This proposal will need to comply with the provisions of 21A.48 for landscaping (questions regarding park strip tree protection/removal/planting, as well as removal/protection of private property trees may be directed to the General Forestry line: 801-972-7818).
- Waste management plan is required

Scott Weiler, Engineering

No objections to the proposed height limit exception.

The Civil plans will need to be reviewed and approved by SLC Engineering and prior to performing work in the public way, 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

ATTACHMENT J: MOTIONS

Potential Motions

Staff Recommendation: Based on the information in the staff report, public testimony, and discussion by the Planning Commission, I move that the Planning Commission approve the Planned Development and Conditional and Building Site Design Review request. In order to comply with the applicable standards, the following conditions of approval apply:

1. The applicant shall comply with all other Department/Division conditions attached to this staff report.
2. Final approval of the landscaping plan to be delegated to Planning staff.
3. Sidewalks and other public way improvements must be constructed to city standards.
4. All other zoning regulation, not specifically altered by this planned development, shall apply.

Not Consistent with Staff Recommendation:

(Planned Development and Conditional Building and Site Design Review)

Based on the testimony, plans presented and the following findings, I move that the Planning Commission deny the Planned Development request due to the following standard(s) that are not being complied with:

(The Planning Commission shall make findings on the Planned Development and Conditional Building and Site Design Review and specifically state which standard or standards are not being complied with. Please see attachments G for applicable standards.)