



# Staff Report

PLANNING DIVISION  
DEPARTMENT *of* COMMUNITY *and* NEIGHBORHOODS

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To: Salt Lake City Planning Commission

From: Eric Daems AICP, Principal Planner, 801-535-7236, [eric.daems@slcgov.com](mailto:eric.daems@slcgov.com)

Date: June 12, 2019

Re: PLNSUB2019-00133 Preliminary Subdivision Plat and modifications to PLNSUB2018-00057 Planned Development for Moda on Main

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## PLANNED DEVELOPMENT MODIFICATION & PRELIMINARY PLAT

**PROPERTY ADDRESS: 1570 S. Main**  
**PARCEL ID'S: 15-13-279-016, 15-13-279-017, and 15-13-279-018**  
**MASTER PLAN: Central Community**  
**ZONING DISTRICT: Corridor Commercial (CC)**

### REQUEST:

Brock Loomis of JF Capital is requesting an amendment to the Moda on Main multi-family residential development, which previously received Planned Development approval from the Planning Commission on September 26, 2018. The applicant has requested that each of the 11 units be platted on their own lot. This change requires both amended Planned Development and preliminary Subdivision approval by the Planning Commission. No other changes to the site or building forms are proposed.

### RECOMMENDATION:

Planning Staff recommends that the Planning Commission approve the requested Planned Development amendment and preliminary subdivision plat subject to all applicable regulations (see separate motion sheet for motion language and options).

### ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Site Plan & Proposed Subdivision Plat](#)
- C. [Approved Elevations/Renderings](#)
- D. [Existing Conditions](#)
- E. [Analysis of Standards](#)
- F. [Public Process & Comments](#)
- G. [City Department Comments](#)

### PROJECT DESCRIPTION:

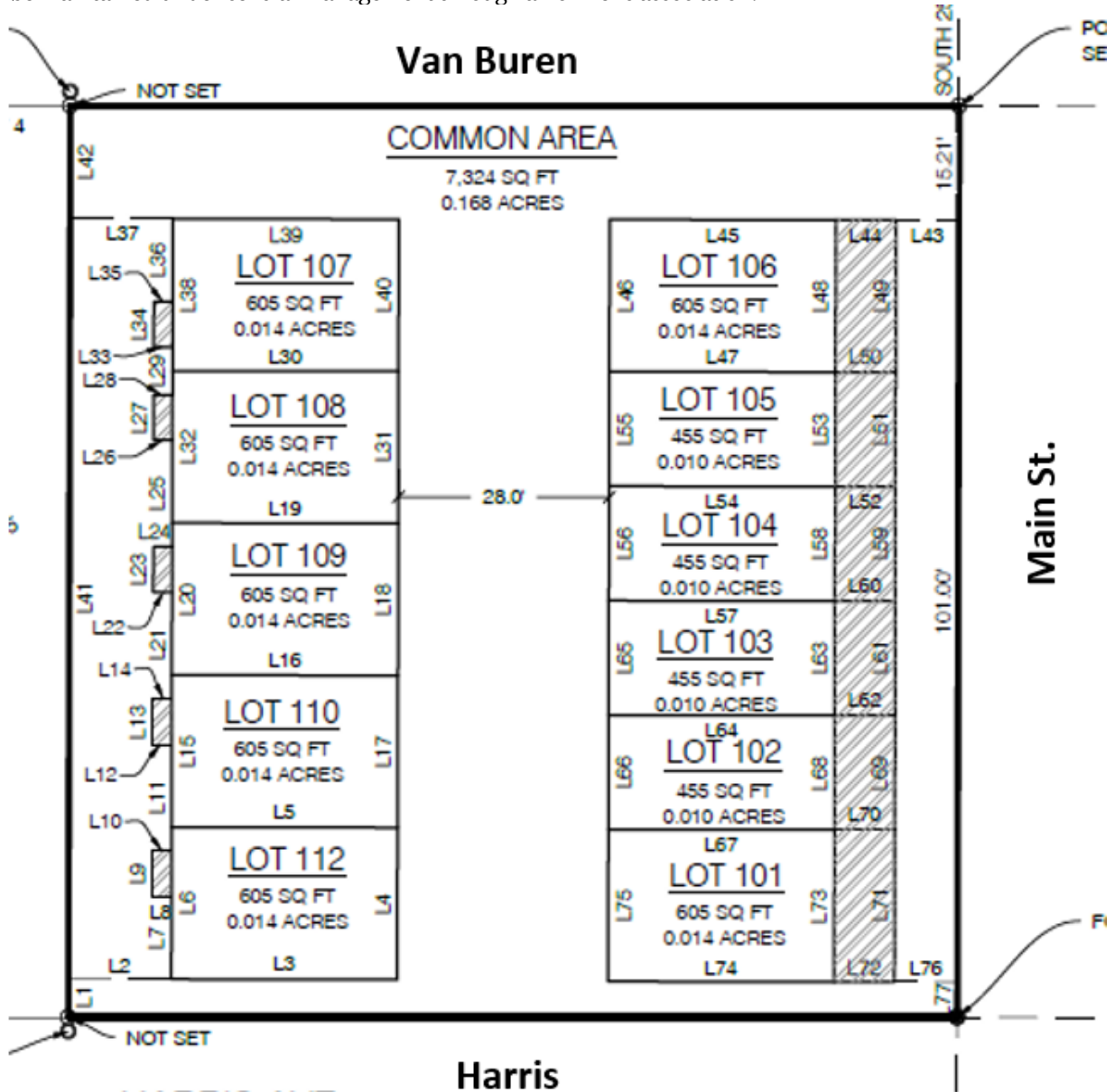
#### Background

The Moda on Main project was approved by the Planning Commission as a Planned Development for two multi-family buildings with a total of 11 units, on one lot. The previously approved site plans and elevations/renderings can be found in [Attachment B](#) and [Attachment C](#) of this report. The project is intended to bring new investment and housing options to an underutilized property and to remove a blighted structure from the neighborhood.

At the time of initial application, the property included three parcels that existed from the original residential plat for the area. As part of the approval for the project, it was required that the three parcels be combined into one. This was in part because it was believed that each of the units would be under common ownership and only available for rent. The applicant would now like to make the same units available for individual ownership by having each one shown as its own lot on the subdivision plat.

**Proposal Details**

The development will consist of two multi-family buildings with five and six units respectively. The proposal is to have each one of the units considered its own lot. As such, the lot could be owned individually, rather than just rented as part of a larger building. Seven of the lots are proposed as 605 square feet and four of the lots will be 455 square feet. Although each dwelling unit is now proposed on its own lot, the two buildings will be situated on one large common lot. The larger common lot will be 120' wide and include 14,262 square feet (combined area) or 7,324 square feet (subtracting 11 inner lots). It will include common area devoted to parking and green space that will be maintained under central management through an owner's association.



**KEY ISSUES:**

**Minimum Lot Size and Yard Requirements**

Each of the 11 new lots will accommodate only the footprint of the individual unit and will not include any yard setbacks. Each unit will be 15-20 feet wide and either 455 or 605 square feet. As such, they will not individually meet the requirements for yard setbacks or minimum lot size. However, when viewed as a unified multi-family development, the lot exceeds the minimum requirements for size (14,262 where 10,000 required) and width (120' where 75' required). As a Planned Development, the project has been authorized to provide corner yard setbacks of 13' along Van Buren and 4' along Harris. Both buildings will continue to adhere to those yard setbacks with this proposal.

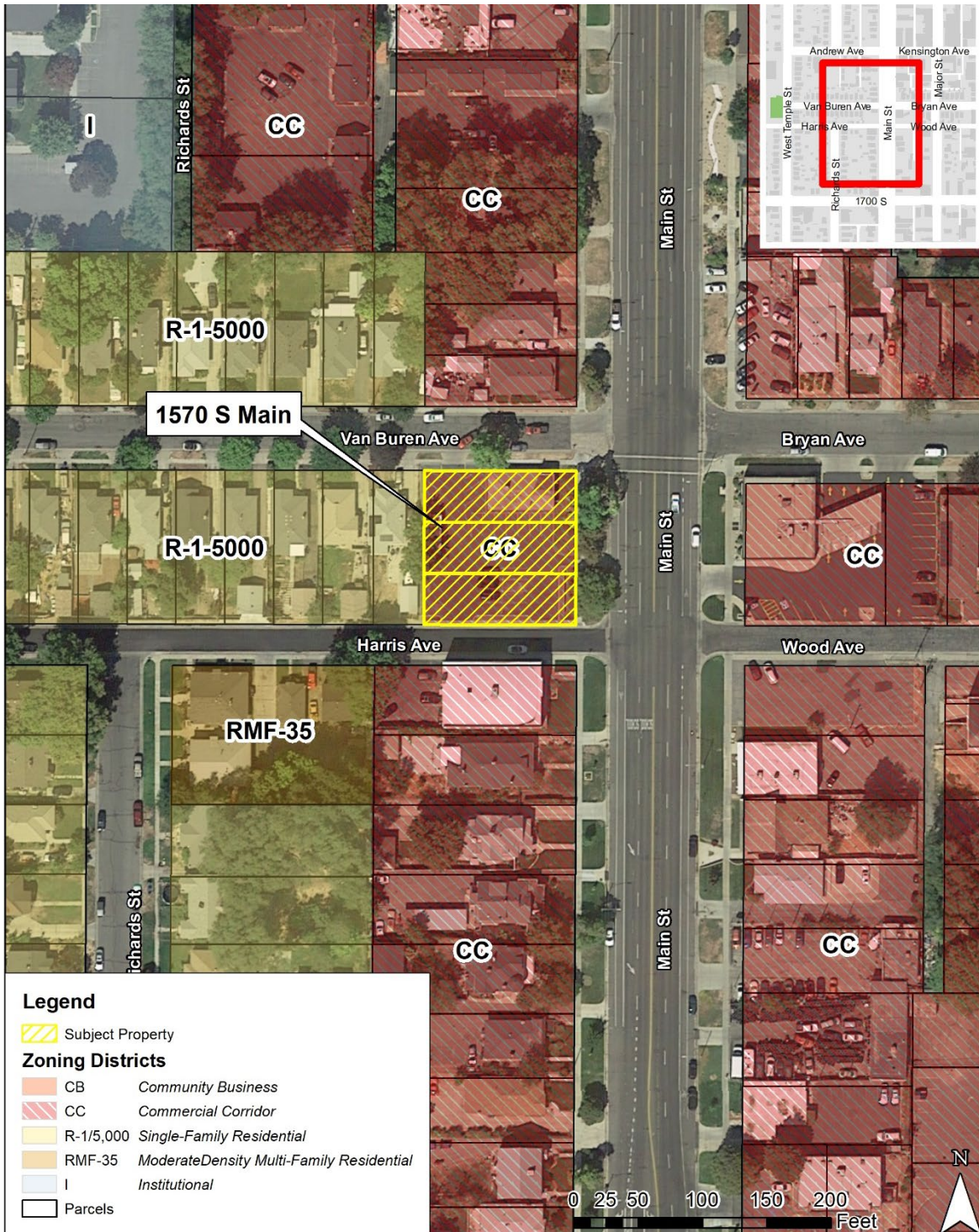
**DISCUSSION:**

The proposed changes do not affect the original site plan or building design of the project. This modification will provide a means by which each unit may be held under individual ownership, rather than rented only. Staff feels this change will enhance the goals and objectives of the Planned Development, as well as those found in Plan Salt Lake and the neighborhood plan. Staff supports the applicants request to both amend the Planned Development and for the preliminary subdivision plat.

**NEXT STEPS:**

If approved as recommended by staff, the applicant could proceed with the project as proposed, subject to any conditions, and would be required to obtain all necessary city permits and make all required improvements. If denied, the applicant would still be eligible to divide the property as individual condominium units, or as single-owner multi-family dwellings.

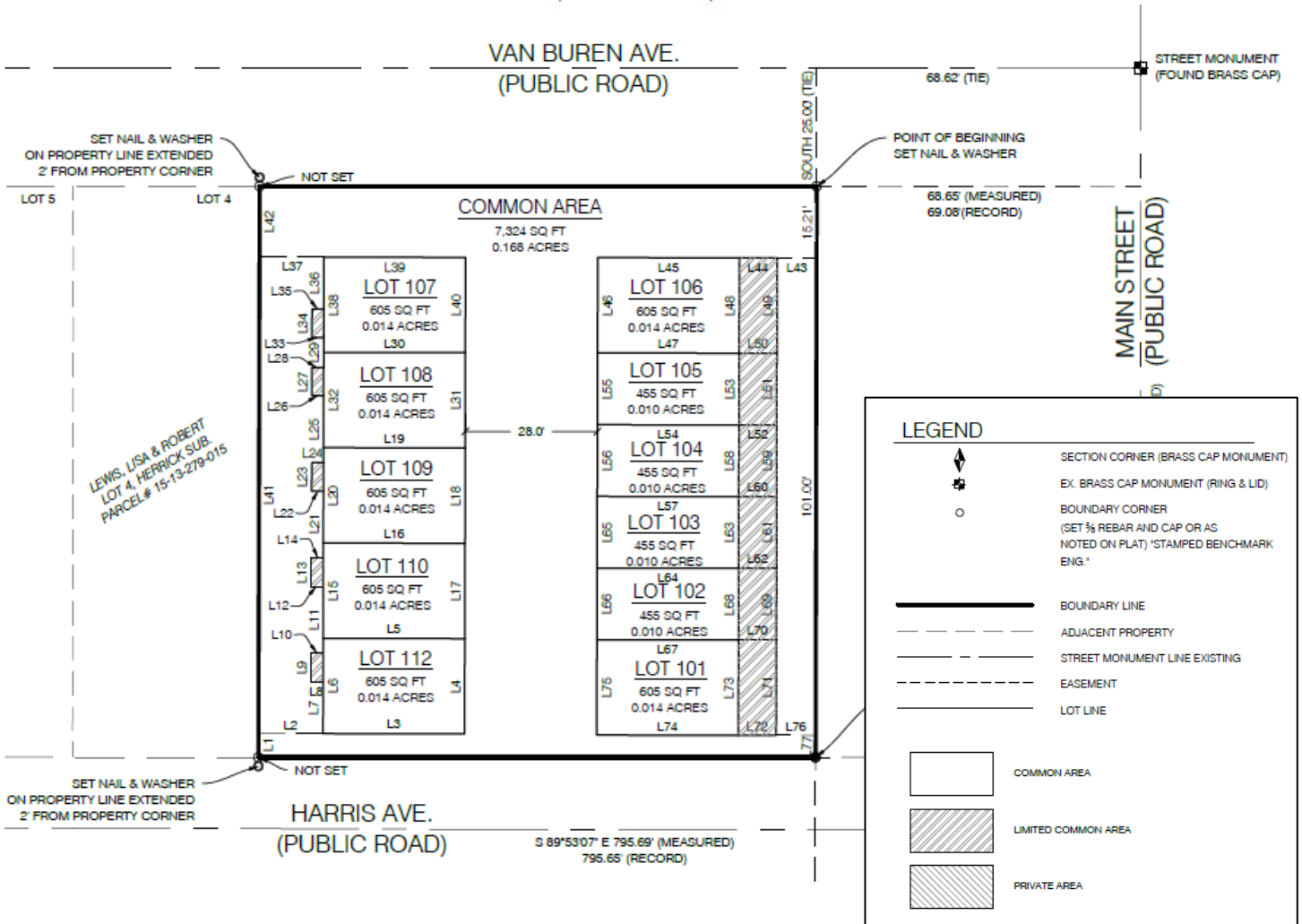
# Attachment A: Vicinity Map



# Attachment B: Site Plan and Proposed Subdivision Plat

## MODA ON MAIN SUBDIVISION

LOCATED IN THE NORTHEAST QUARTER OF SECTION 13,  
TOWNSHIP 1 SOUTH, RANGE 1 WEST,  
SALT LAKE BASE AND MERIDIAN  
SALT LAKE CITY, SALT LAKE COUNTY, UTAH

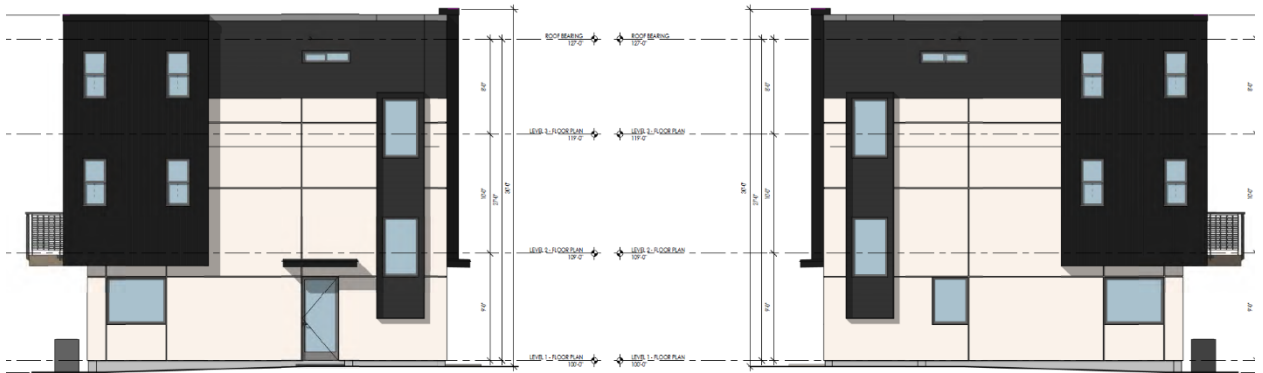




# Attachment C: Approved Elevations/Renderings



FRONT ELEVATION SD  
1/4" = 1'-0" 1







## **Attachment D: Existing Conditions**

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

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

### **21A.26.050: CC CORRIDOR COMMERCIAL DISTRICT:**

- A. Purpose Statement: The purpose of the CC corridor commercial district is to provide an environment for efficient and attractive commercial development with a local and regional market area along arterial and major collector streets while promoting compatibility with adjacent neighborhoods through design standards. This district provides economic development opportunities through a mix of land uses, including retail sales and services, entertainment, office and residential. Safe, convenient and inviting connections that provide access to businesses from public sidewalks, bike paths and streets are necessary. Access should follow a hierarchy that places the pedestrian first, bicycle second and automobile third. This district is appropriate in areas where supported by applicable master plans. The standards are intended to promote a safe and aesthetically pleasing environment to all users.
- B. Uses: Uses in the CC corridor commercial district as specified in section [21A.33.030](#), "Table Of Permitted And Conditional Uses For Commercial Districts", of this title, are permitted subject to the general provisions set forth in section [21A.26.010](#) of this chapter and this section.
- C. Minimum Lot Size:
1. Minimum lot area: Ten thousand (10,000) square feet.
  2. Minimum lot width: Seventy five feet (75').
- D. Minimum Yard Requirements:
1. Front And Corner Side Yards: Fifteen feet (15').
  2. Interior Side Yards: None required.
  3. Rear Yards: Ten feet (10').
  4. Buffer Yards: All lots abutting property in a residential district shall conform to the buffer yard requirement of chapter 21A.48 of this title.
  5. Accessory Buildings And Structures In Yards: Accessory buildings and structures may be located in a required yard subject to section [21A.36.020](#), table [21A.36.020B](#) of this title.
- E. Landscape Yard Requirements: A landscape yard of fifteen feet (15') shall be required on all front and corner side yards, conforming to the requirements of section [21A.48.090](#) and subsection [21A.48.100C](#) of this title.
- F. Maximum Height: No building shall exceed thirty feet (30'). Buildings higher than thirty feet (30') may be allowed in accordance with the provisions of subsections F1 and F2 of this section.
1. Procedure For Modification: A modification to the height regulations in this subsection F may be granted through the conditional building and site design review process in conformance with the provisions of chapter 21A.59 of this title. In evaluating an application submitted pursuant to this section, the planning commission shall find that the increased height will result in improved site layout and amenities.
  2. Landscaping: If an additional floor is approved, increased landscaping shall be provided over and above that which is normally required for landscape yards, landscape buffer yards, and parking lot perimeter and interior landscaping. The amount of increased landscaping shall be equal to ten percent (10%) of the area of the additional floor.

3. Maximum Additional Height: Additional height shall be limited to fifteen feet (15'). (Ord. 66-13, 2013; Ord. 15-13, 2013; Ord. 12-11, 2011; Ord. 61-09 § 17, 2009; Ord. 3-01 § 1, 2001; Ord. 88-95 § 1 (Exh. A), 1995; Ord. 26-95 § 2(13-4), 1995)

## Attachment E: Analysis of Standards

### STANDARDS OF APPROVAL FOR PLANNED DEVELOPMENTS

**21a.55.100: Modifications to Development Plan:** Modifications to the development plan may be allowed according to the following:

Standard	Finding	Rationale
<p><b>C. Major Modifications:</b> Any modifications to the approved development plan not authorized by subsection B of this section shall be considered to be a major modification. The Planning Commission shall give notice to all property owners consistent with notification requirements located in chapter 21A.10 of this title. The Planning Commission may approve an application for a major modification to the approved development plan, not requiring a modification of written conditions of approval or recorded easements, upon finding that any changes in the plan as approved will be in substantial conformity with the approved development plan. If the commission determines that a major modification is not in substantial conformity with the approved development plan, then the commission shall review the request in accordance with the procedures set forth in this section.</p>	<p><b>Complies</b></p>	<p>Noticing requirements have been met as explained in Attachment F of this report. The development is not changing in layout or intensity, rather it proposes new lot lines which would allow for individual units to be sold, rather than rented only. The development will be in substantial conformity to the approved development plan.</p>

### STANDARDS OF APPROVAL FOR PRELIMINARY SUBDIVISION PLATS

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

Criteria	Finding	Rationale
<p><b>A. The subdivision complies with the general design standards and requirements for subdivisions as established in Section 20.12</b></p>	<p><b>Complies</b></p>	<p>The proposed subdivision complies with the design standards and requirements for subdivisions.</p>
<p><b>B. All buildable lots comply with all applicable zoning standards;</b></p> <ul style="list-style-type: none"> <li>• 10,000 sq. ft. min. lot area</li> <li>• 75' min. lot width</li> <li>• 15' front and corner yard</li> <li>• 0' interior side yard</li> <li>• 10' rear yard</li> </ul>	<p><b>Complies with Planned Development approval</b></p>	<p>The Planning Commission may waive the zoning standards for lot area, size, and yard setbacks through the Planned Development approval process. The proposed 11 smaller lots will not meet these requirements individually, but would be part of the larger development lot, which does. The development lot for this project is 14,262 square feet and is 120' wide. The project received Planned Development approval to reduce the corner yard facing Van Buren to 13' and facing Harris to 4'. The larger lot would include shared parking and open space as common area for the development.</p>
<p><b>C. All necessary and required dedications are made;</b></p>	<p><b>Complies</b></p>	<p>No dedications are necessary for this subdivision.</p>
<p><b>D. Water supply and sewage disposal shall be satisfactory to the Public Utilities Department director;</b></p>	<p><b>Complies</b></p>	<p>The Public Utilities department has provided options and direction to the applicant on how to address water and sewer disposal.</p>

<b>E. Provisions for the construction of any required public improvements, per section 20.40.010, are included;</b>	<b>Complies</b>	Public improvements are already in place for this subdivision, no additional public improvements are required.
<b>F. The subdivision otherwise complies with all applicable laws and regulations.</b>	<b>Complies</b>	The subdivision otherwise complies with all applicable laws and regulations.
<b>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.</b>	<b>Complies</b>	The proposed subdivision is not an amendment to an existing subdivision no does it involve vacating a street, right-of-way way, or easement.

## **Attachment F: Public Process & Comments**

### **Public Notice, Meetings, Comments**

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

#### **Open House (original Approval):**

- Ballpark Community Council meeting on September 6, 2018

Notice of the Planning Commission public hearing for the proposal included:

#### **Current Application**

- Notices mailed on June 6, 2019
- Information sign posted on property on May 29, 2019
- Agenda posted on the Planning Division and Utah Public Meeting Notice website on June 6, 2019

#### **Original Approval**

- Notices mailed on September 14, 2018
- Information sign posted on property on September 14, 2018
- Agenda posted on the Planning Division and Utah Public Meeting Notice website on September 14, 2018

# Attachment G: Department Comments

Salt Lake City Planning 451 S State Street, Rm 406 Salt Lake City, UT 84114  
801-535-7700 www.sl.gov/planning



PLNSUB2019-00133
Moda on Main- Preliminary Subdivision
745 N 6600 W
JANUARY 2019

## PRELIMINARY PLAT REVIEW COMMENTS

### PLANNING DIVISION COMMENTS

Comments by: Eric Daems

Email: eric.daems@slgov.com

Phone: 801-535-7236

Status: **Make Corrections**

1. Planned Development amended approval will be required for proposed lot configuration whereas lots do not meet minimum lot size and width for CC zone, street frontage requirements. Planning will notify you when this can be presented to the Planning Commission.
2. Existing mature trees along Main to remain- work with City Urban Forester for recommendations on trimming or for protection during construction. 801-972-7818 or email urban.forestry@slgov.com

### PUBLIC UTILITY COMMENTS

Comments by: Jason Draper

Email: jason.draper@slgov.com

Phone: 801-483-6751

Status: **Comments not yet received**

### BUILDING REVIEW COMMENTS

Comments by: Kelly Janis

Email: kelly.janis@slgov.com

Phone: 801-535-6605

Status: **Complete**

No corrections

### ZONING REVIEW COMMENTS

**Comments by: Alan Michelsen**

**Email: alan.michelsen@slcgov.com**

**Phone: 801-535-7142**

**Status: Make Corrections**

- 1) An address certificate shall be obtained from SLC Engineering, 349 South 200 East, Suite 100 (801-535-7248). When applying for the building permit the address(es) on all plan sheets and submittal documents shall match the certified address(es).
- 2) Plans submitted for the building permit shall show compliance with the new subdivision legal description and any special conditions stipulated by the planned development.
- 3) The planned development will need to address the reduction of the required 15 feet setback to 3.25 feet along Harris Avenue, and how the required CC landscaping will be addressed in the reduced setback area.
- 4) Plans will need to show compliance with chapter 37 for 'Building Entrances' unless specifically addressed by the planned development: At least one operable building entrance on the ground floor is required for every street facing facade.
- 5) Bay windows, balconies and awnings that encroach into required setbacks will need to be addressed by the planned development, or they shall comply with table 21A.36.020.B, for Obstruction in Required Yards.
- 6) Fences exceeding 4 feet in height in a required front yard setback will need to be addressed by the planned development or special exception approval.
- 7) If approved as condominiums, or apartments, bicycle parking will need to be addressed. If approved as single-family attached dwellings no bicycle parking is required but cross-easement issues will need to be addressed.
- 8) Recycling and construction/demolition waste shall comply with 21A.36.250.
- 9) A separate demolition permit is required for the existing structure.
- 10) A landscape plan will be required that indicates the following:
  - The location, quantity, size, and name (both botanical and common) of all proposed trees and plants.
  - Landscape buffer (7 feet wide) along the property line abutting the R-1.5000 zone as per 21A.48.080.
  - Special front yard and corner-side yard landscaping is required as per 21A.48.100.C for properties located in the C-C district. The planned development will also need to address how the CC landscaping will be addressed in the reduced setback along Harris Avenue.
  - Parking strip shade trees (1 per 30 feet of street frontage) and landscaping as per 21A.48.060.
  - Elevations of all fences and retaining walls proposed for location on the site.
  - A water efficient irrigation plan with plants grouped by hydro-zones as outlined in 21A.48.055.D and using *Salt Lake City Landscape BMP's for Water Resource Efficiency*

and Protection.

<http://www.slcdocs.com/utilities/PDF%20Files/Conservation/SLC%20Landscape%20BMPs-4.pdf>

- A tree protection and removal plan as determined by the Urban Forester shall be submitted and approved by the Urban Forestry Division pursuant to the provisions of section 21A.48.135 and 2.26.300. Contact *SLC Urban Forestry* at 972-7818.
- Landscape summary data indicating the following:
  - a) Total number of landscape buffer shade trees (required and provided) based on 1 shade tree per 30 linear feet of buffer.
  - b) Total number of landscape buffer shrubs (required and provided) to form a continuous shrub hedge along the entire yard length of the buffer and having a mature height of not less than 4 feet. A fence not exceeding 6 feet may be combined with the shrub hedge, subject to zoning administrator approval.
  - c) Total number of front yard trees (required/provided) in the first 15-feet of lot depth based on 1 tree per 25-feet of lot width in this CC Zone.
  - d) Total number of front yard shrubs limited to a height of not more than 3-feet (required/provided) in the first 15-feet of lot depth based on one shrub for every 2 feet of lot width in this CC Zone.
  - e) Total dimension of parking strip street frontage and total number of parking strip shade trees required/provided based on one tree per 30 ft. of lot width.
  - f) Total square footage of parking strip area and calculations showing compliance required amount of living ground cover as per 21A.48.060.

#### **ENGINEERING REVIEW COMMENTS**

**Comments by: Scott Weiler**

**Email: [scott.weiler@slcgov.com](mailto:scott.weiler@slcgov.com)**

**Phone: 801-535-6159**

**Status: Make Corrections**

See attachments

#### **TRANSPORTATION REVIEW COMMENTS**

**Comments by: Michael Barry**

**Email: [michael.barry@slcgov.com](mailto:michael.barry@slcgov.com)**

**Phone: 801-535-7147**

**Status: Complete**

No corrections from transportation.

#### **FIRE REVIEW COMMENTS**

**Comments by: Edward Itchon**



**Email: [edward.itchon@slcgov.com](mailto:edward.itchon@slcgov.com)**

**Phone: 801-535-6636**

**Status: Comments not yet received**

Paste comments here

**POLICE REVIEW COMMENTS**

**Comments by: Scott Teerlink**

**Email: [scott.teerlink@slcgov.com](mailto:scott.teerlink@slcgov.com)**

**Phone: 801-799-3631**

**Status: Complete**

No Comments