



Staff Report

PLANNING DIVISION
DEPARTMENT *of* COMMUNITY *and* NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Chris Earl, Associate Planner, christopher.earl@slcgov.com, 801-535-7932

Date: Published October 15, 2019

Re: Replacement of a single-family detached dwelling in an M-2 zone – Conditional Use (PLNPCM2019-00552)

Conditional Use

PROPERTY ADDRESS: Approximately 828 W Duluth Avenue
PARCEL ID: 08-23-476-006-0000
MASTER PLAN: Capitol Hill (Swedetown)
ZONING DISTRICT: M-2 (Heavy Manufacturing District)

REQUEST: Bill Whitaker, the owner of the property at approximately 828 W Duluth Avenue, is requesting Conditional Use approval to demolish an existing single-family residential structure and replace it with a new single-family residential structure on the same site. The property is located in the M-2 Heavy Manufacturing zoning district which requires a Conditional Use process for rebuilding a single-family residential structure as single-family residential uses are not generally permitted in the zoning district.

RECOMMENDATION: Planning Staff finds the project generally meets the applicable standards of approval and therefore recommends the Planning Commission approve the Conditional Use for the replacement of a single-family residential structure within a manufacturing zone with the conditions of approval below. Final approval of the details noted in the following conditions shall be delegated to Planning Staff:

1. Site plan will be revised to meet requirements from other divisions as outlined in [Attachment H Department Comments](#).
2. The applicant must secure a building permit from Salt Lake City Building Services.

Approval is for the specific items discussed and identified in the staff report. All other applicable zoning regulations and requirements from other city departments still apply

ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Plan Set](#)
- C. [Additional Information Provided by Applicant](#)
- D. [Property and Vicinity Photos](#)
- E. [ADU Zoning Standards](#)
- F. [Conditional Use Standards](#)
- G. [Public Process & Comments](#)
- H. [Department Review Comments](#)

PROJECT DESCRIPTION:

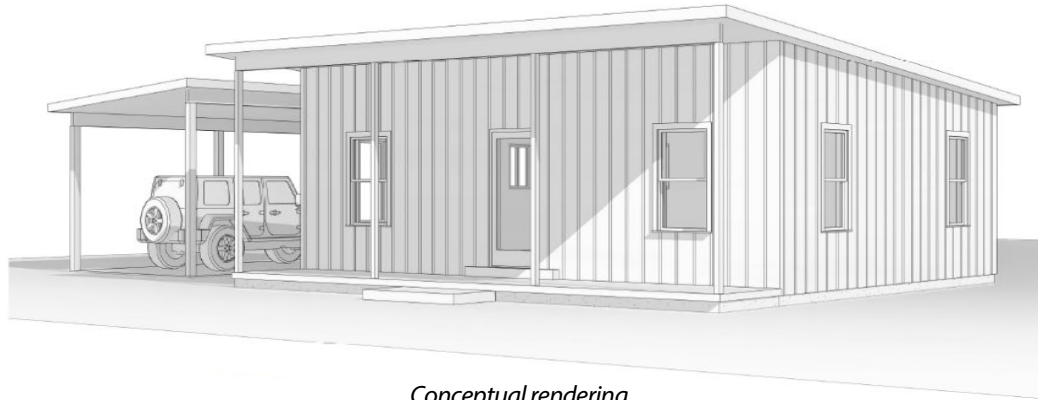
The subject single-family residence is located in the Swedetown Capitol Hill area of the northwest part of Salt Lake City. In the early 1900s, the Swedetown area had several hundred residences which housed a large population of Swedish immigrants. Industrial land uses have been allowed in the Swedetown area since 1927. Due to unrestricted development between 1927 and 1955, the number of residences has diminished to less than 50. Over the years, industrial zoning has been refined and new residential uses are no longer permitted; however, existing residential uses are allowed to continue as a nonconforming use. Due to the large scale nature of an industrial use and the smaller lot sizes of the remaining residences, industrial use of these lots is unlikely and residential use is more likely to remain.

The proposed project is to demolish the existing single-family residential structure and construct a new single-family residential structure on the property located at approximately 828 W Duluth Avenue. The existing home is in a state of disrepair and replacement will be a more reasonable means to provide improved living conditions. The property will be used for residential purpose only. There will be no industrial or mixed use of the property.

The proposed single-family residential structure will be approximately 32 ft wide by 24 ft deep by 13 ft 4 in high and will measure approximately 720 sq ft. In addition, a carport measuring 12 ft wide by 24 ft deep by 10 ft tall as well as a concrete parking pad will be constructed to accommodate off-street parking.



The proposed single-family residence will have a shed style roof. The primary exterior building material is cementitious vertical siding to be painted. A covered front porch will be provided at the front entrance. Front yard landscaping will be provided. The proposed carport will match the design style of the principle structure.



Conceptual rendering

PLANNING COMMISSION REVIEW:

The property is located in the M-2 zoning district, which is a heavy manufacturing zoning district. A Conditional Use process is required for replacement of a single-family detached dwelling in a manufacturing zone. For complete analysis and findings in relation to the Conditional Use standards please refer to [Attachment F](#).

NEXT STEPS:

Approval of Conditional Use

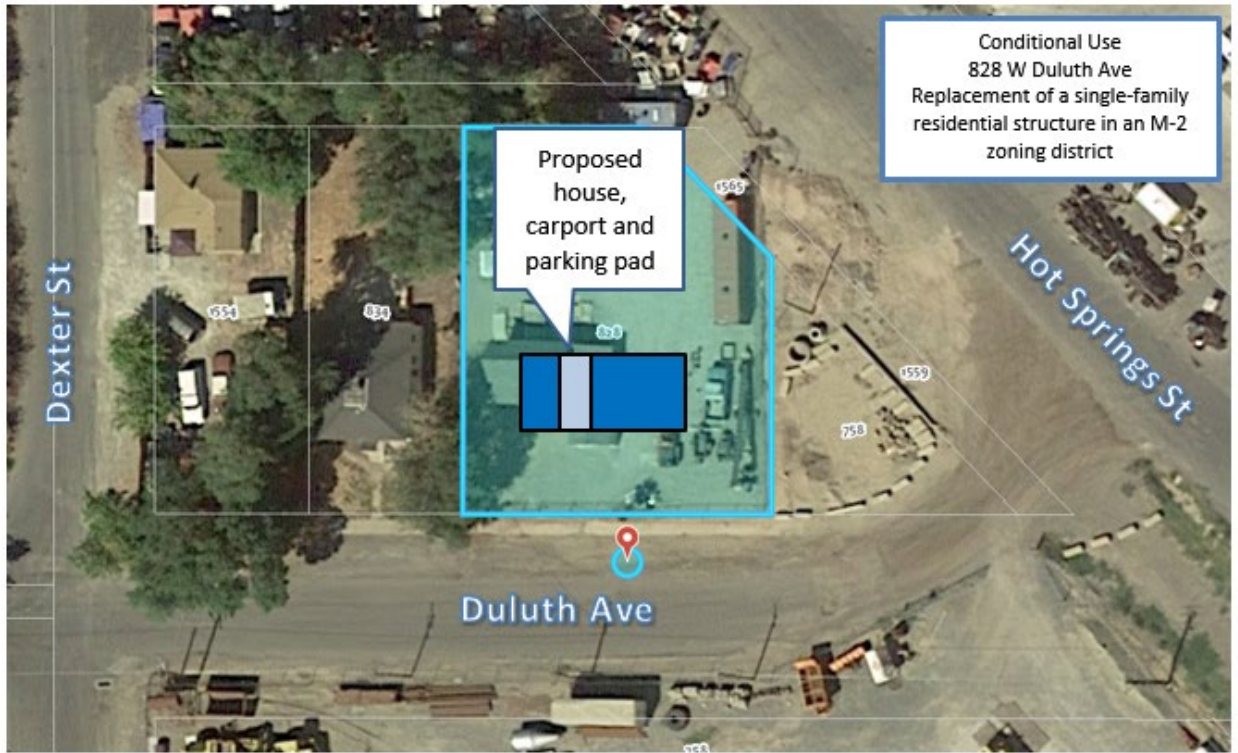
If the request is approved, the applicant will need to comply with the conditions of approval, including any of the conditions required by other City departments and any added by the Planning Commission. The applicant will be able to submit plans for building permits and a certificate of occupancy for the building will only be issued once all the conditions of approval are met.

Denial of Conditional Use

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

If the Planning requests are denied, the applicant would not be able to construct a single-family residential dwelling.

ATTACHMENT A – VICINITY MAPS



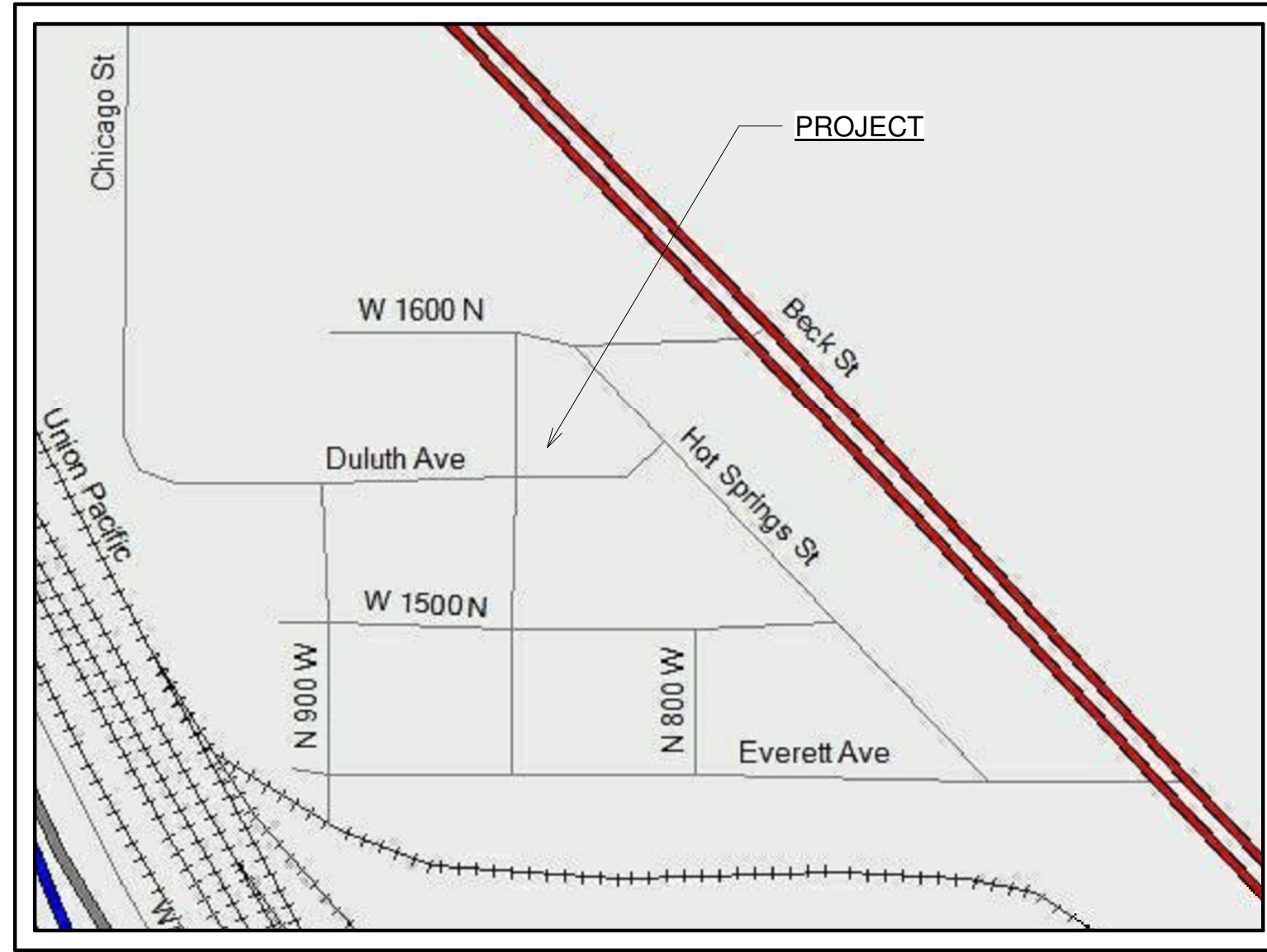
ATTACHMENT B – PLAN SET

A REMODELED RESIDENCE PROJECT FOR:

BILL WHITAKER

828 WEST DULUTH AVE, SALT LAKE CITY, UT 84116

PARCEL #476006, LOT 6, BLOCK 7, EMPIRE



VICINITY MAP

LEVEL	SQUARE FEET
MAIN LEVEL	720 SQ. FT.
BASEMENT	N/A
TOTALS	720 SQ. FT.
LOT COVERAGE	SQUARE FEET
TOTAL LOT	12,155 SQ. FT. (0.3 ACRE)
EXISTING HOUSE	-1,021 (TO BE REMOVED COMPLETELY)
EXISTING SHOP	720 (NO CHANGE)
SUBTOTAL	720 SQ. FT. 6%
NEW CARPORT	+288 SQ. FT.
NEW HOUSE FOOTPRINT	+720 SQ. FT.
TOTAL	1,728 SQ. FT. 14%

NOTE:
ALL AREAS INDIVIDUALLY ROUNDED TO NEAREST SQUARE FOOT. TOTALS MAY NOT SUM EXACTLY.

BUILDING CODE

2015 IRC FOR SINGLE FAMILY DWELLINGS

NOTE:
GRAPHICAL REPRESENTATION OF EXISTING CITY UTILITY LINES ARE APPROXIMATE. CONTRACTOR SHALL CONTACT BLUE-STAKES (OR A SIMILAR UTILITY IDENTIFICATION SERVICE) PRIOR TO ANY EXCAVATION WORK.

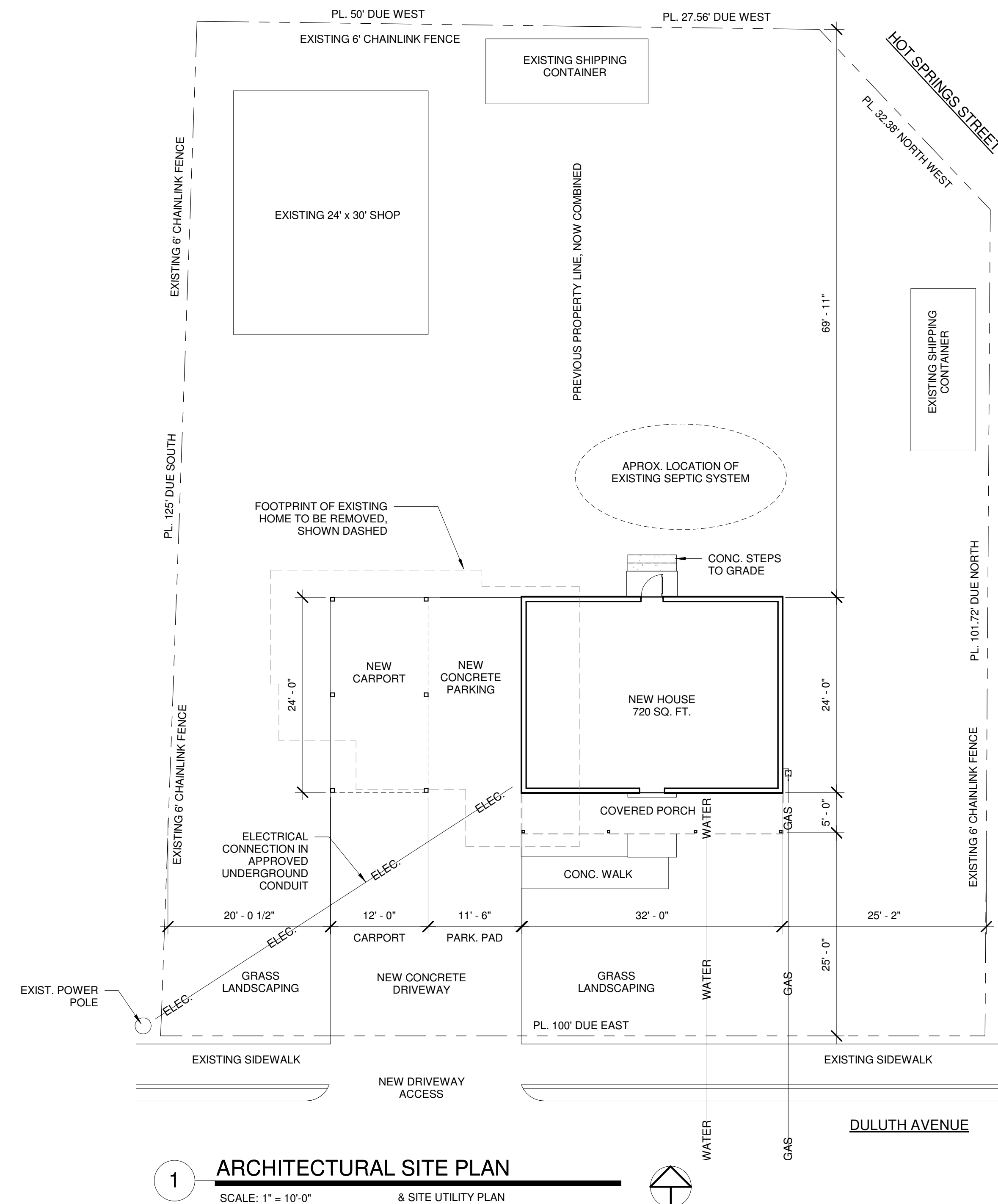


2 3D VIEW

SCALE:

GENERAL NOTES

- VISITS TO THE JOB SITE BY REPRESENTATIVES OF THE ARCHITECT OR ENGINEER DO NOT CONSTITUTE APPROVAL OF THE WORK PERFORMED BY THE CONTRACTOR OR HIS SUBCONTRACTORS AND ARE MERELY FOR THE PURPOSE OF OBSERVING THE WORK PERFORMED.
- CONTRACTOR AND/OR SUBCONTRACTORS SHALL NOT SCALE THE DRAWINGS OR DETAILS! CONTRACTOR SHALL VERIFY ALL CONDITIONS AT THE JOB SITE AND SHALL BE RESPONSIBLE FOR CHECKING AND COORDINATING ALL DIMENSIONS, ELEVATIONS, ETC., PRIOR TO COMMENCING THE WORK.
- ALL DIMENSIONS TO EXTERIOR WALLS ARE TO OUTSIDE FACES OF CONCRETE FOUNDATION WALLS AND EXTERIOR STUD WALLS, AND INTERIOR DIMENSIONS ARE TO FACE OF STUDS UNLESS NOTED OR SHOWN OTHERWISE.
- CONTRACTOR SHALL NOTIFY DESIGNER OF ANY DISCREPANCIES, OMISSIONS OR CONFLICTS BETWEEN THE VARIOUS ELEMENTS OF THE CONSTRUCTION DRAWINGS AND/OR SPECIFICATIONS BEFORE PROCEEDING WITH ANY WORK INVOLVED. IN ALL CASES, UNLESS OTHERWISE DIRECTED, THE MOST STRINGENT REQUIREMENTS SHALL GOVERN AND BE PERFORMED.
- ALL CONSTRUCTION SHALL CONFORM TO THE INTERNATIONAL RESIDENTIAL CODE (IRC) FOR ONE AND TWO-FAMILY DWELLINGS, 2015 EDITION.
- MECHANICAL AND ELECTRICAL INSTALLATIONS SHALL CONFORM TO THE INTERNATIONAL MECHANICAL AND NATIONAL ELECTRICAL CODES, LATEST EDITIONS.
- CONTRACTOR AND ALL SUBCONTRACTORS SHALL PERFORM THEIR TRADES AND DUTIES IN A MANNER CONFORMING TO THE PROCEDURES AND REQUIREMENTS AS STATED IN THE 2015 INTERNATIONAL RESIDENTIAL CODE (OR LATEST ACCEPTED CODE ADOPTED BY THE LOCAL BUILDING OFFICIALS).
- CONTRACTOR SHALL BE RESPONSIBLE FOR SAFETY AND PROTECTION WITHIN AND ADJACENT TO THE JOB SITE.
- ANY SPECIAL INSPECTION REQUIRED BY THE BUILDING OFFICIAL OR THE INTERNATIONAL RESIDENTIAL CODE (IRC) ARE THE RESPONSIBILITY OF THE OWNER OR CONTRACTOR.
- TEMPORARY BRACING SHALL BE PROVIDED WHEREVER NECESSARY TO TAKE CARE OF ALL LOADS TO WHICH THE STRUCTURE MAY BE SUBJECTED, INCLUDING WIND. SUCH BRACING SHALL BE LEFT IN PLACE AS LONG AS NEEDED.
- SLOPE ALL GRADE SO THAT SURFACE WATER SHALL DRAIN AWAY FROM THE HOUSE AT ALL POINTS. DIRECT DRAINAGE WATER TO THE STREET OR TO AN APPROVED DRAINAGE COURSE, BUT NOT ONTO NEIGHBORING PROPERTIES. THE GRADE SHALL FALL A MINIMUM OF 6-INCHES WITHIN THE FIRST 10-FEET, PER IRC R401.3
- ALL EARTH FILL TO RECEIVE CONCRETE FLOORS, WALKS, DRIVES, ETC., SHALL BE FULLY COMPACTED TO 95% MAXIMUM DENSITY.
- PROVIDE FIRE BLOCKING AT ALL PARTITIONS OVER 10'-0" IN HEIGHT AND AT SOFFITS, BEARING WALLS, FLOOR AND CEILING JOIST LINES, AND OTHER LOCATIONS THAT COULD ALLOW PASSAGE OF FLAMES.
- WINDOW SIZES MAY VARY WITH TYPE AND MANUFACTURER. CONTRACTOR SHALL VERIFY THAT WINDOWS USED COMPLY WITH EXIT, LIGHT AND VENTILATION REQUIREMENTS OF IRC SECTIONS 303 AND 310.
- ALL WINDOWS SHALL BE DOUBLE-GLAZED WITH A MINIMUM 1/4" AIR SPACE AND SHALL CONFORM TO THE IRC SECTION R308. FRAMELESS GLASS DOORS, GLASS IN DOORS, AND ALL GLASS WITHIN 24" OF ANY DOOR AND SIMILAR GLAZED OPENINGS SUBJECT TO HUMAN IMPACT SHALL COMPLY WITH THE IRC SECTION R308.
- ALL WINDOWS AND EXTERIOR DOORS SHALL BE FULLY FLASHED & CAULKED WATERTIGHT.
- PROVIDE FREEZEPROOF BACK-FLOW PREVENTION HOSE BIBS, PER LATEST EDITION OF IPC.
- PLUMBING VENTS SHALL BE AT LEAST 3' ABOVE OR 10' AWAY FROM ALL OUTSIDE AIR-INTAKE OPENINGS, PER LATEST EDITION OF IPC.
- PROVIDE EXPANSION TANK ON HOT WATER HEATER, PER LATEST EDITION OF IPC.
- FLUE AND EXHAUST VENTS SHALL BE AT LEAST 3' ABOVE AN OUTSIDE AIR INLET LOCATED WITHIN 10' AND AT LEAST 4' FROM A PROPERTY LINE, PER LATEST EDITION OF IMC.
- CONSTRUCTION SHALL NOT COMMENCE UNTIL FIRE DEPARTMENT ACCESS ROADS ARE INSTALLED WITHIN 100-FEET OF ALL EXTERIOR WALLS OF THE FIRST FLOOR AND FIRE HYDRANTS ARE INSTALLED, AND REQUIRED FLOW IS PROVIDED. AS REQUIRED IN INTERNATIONAL FIRE CODE (IFC) SECTION 3312.1
- THERMAL AND SOUND INSULATION AND COVERING WHICH ARE INSTALLED IN CONCEALED AND EXPOSED SPACES AND AS COVERINGS OVER PIPE AND TUBING SHALL BE TESTED IN ACCORDANCE WITH AMERICAN SOCIETY OF TESTING MATERIALS (ASTM) E 84 AND HAVE A FLAME SPREAD OF 0-25 AND A SMOKE INDEX OF 0-450
- WALL COVERING AND ANY FILLERS' SHALL BE TESTED IN ACCORDANCE WITH ASTM E 84 AND HAVE A FLAME SPREAD OF 0-25 AND SMOKE INDEX OF 0-450
- ALL DIMENSIONS TO EXISTING FEATURES ARE ROUNDED TO WITHIN 1". RUNNING TOTALS MAY NOT SUM TO THE OVERALL DIMENSION. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO CORRECTLY IDENTIFY ALL EXISTING CONDITIONS. IF A DISCREPANCY IS DISCOVERED, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE ARCHITECT OR ENGINEER IMMEDIATELY TO RESOLVE THE ISSUE



1 ARCHITECTURAL SITE PLAN

SCALE: 1" = 10'-0"

& SITE UTILITY PLAN

REVISION SCHEDULE		
NUMBER	DESCRIPTION	DATE

DRAW: COPYRIGHT 2019, ALL RIGHTS RESERVED. NO PORTION OF THIS PROJECT MAY BE COPIED, OR DISTRIBUTED, EITHER ELECTRONICALLY, OR HARD-COPY WITHOUT EXPRESS WRITTEN CONSENT OF DRAW: OR AN AUTHORIZED AGENT. VIOLATORS WILL BE PROSECUTED TO THE FULLEST EXTENT OF THE LAW.

Draw!
Designs for the world we live in

PROJECT #
WHITAKER-2
PRINT DATE:
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SUBMITTAL:
SITE PLAN

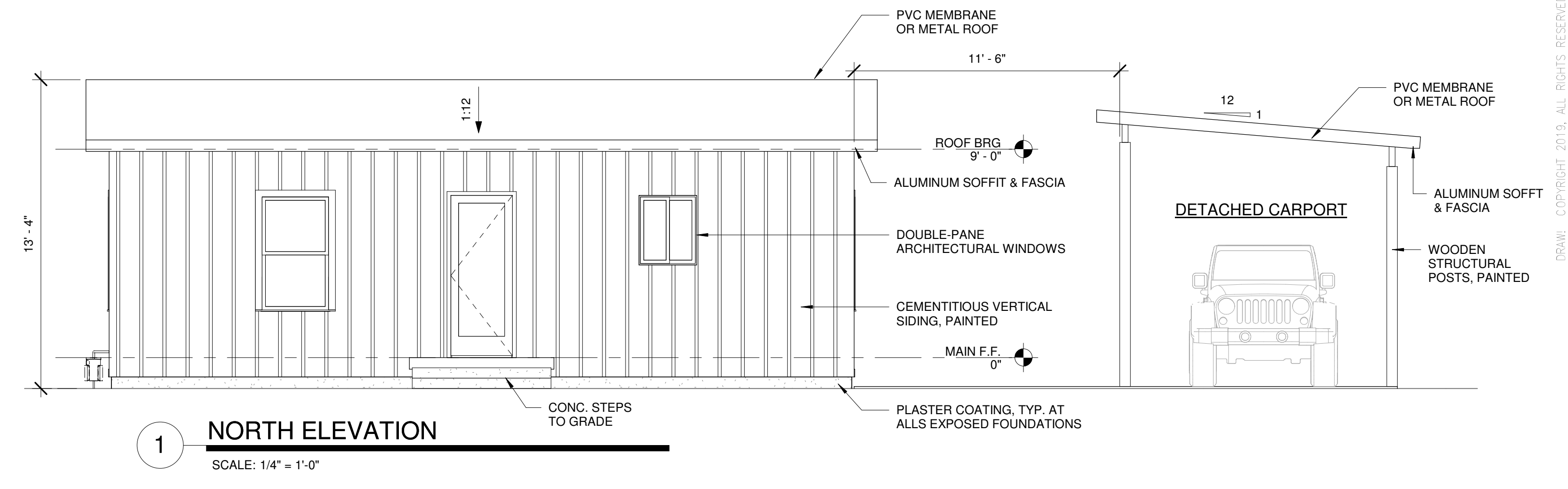
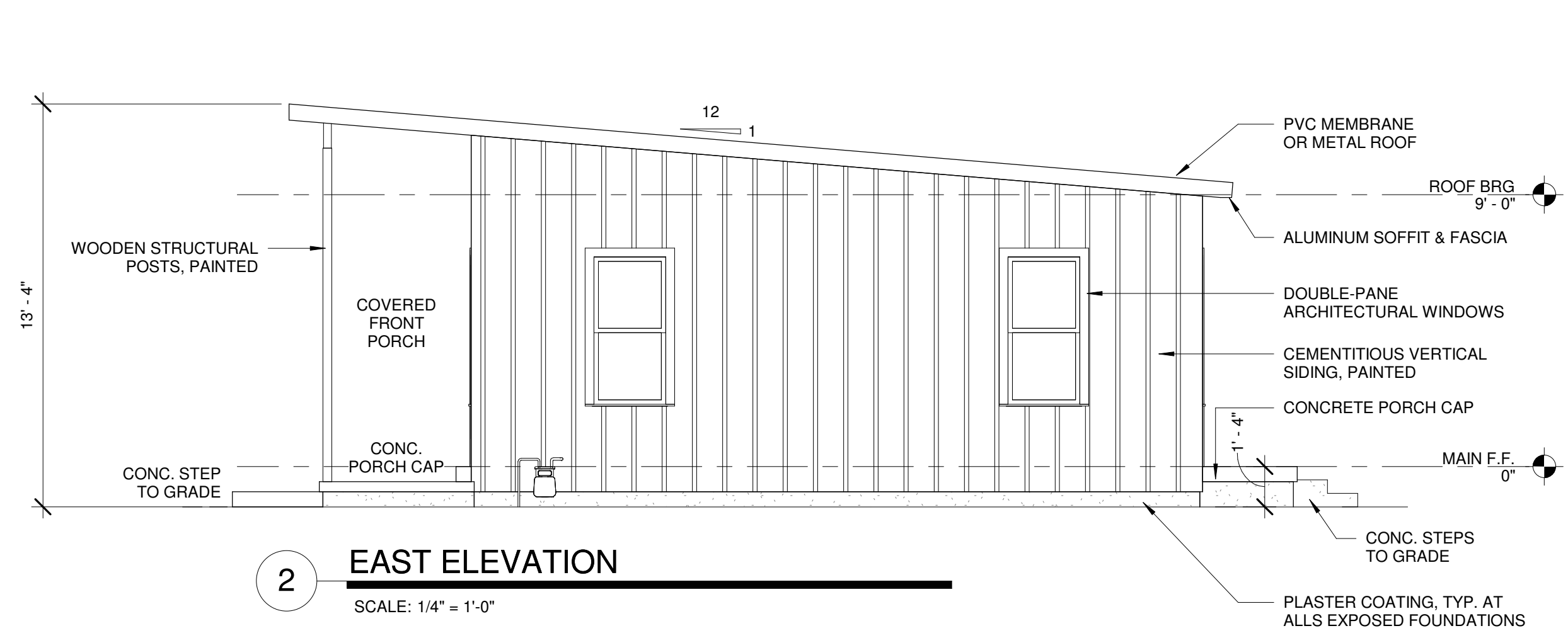
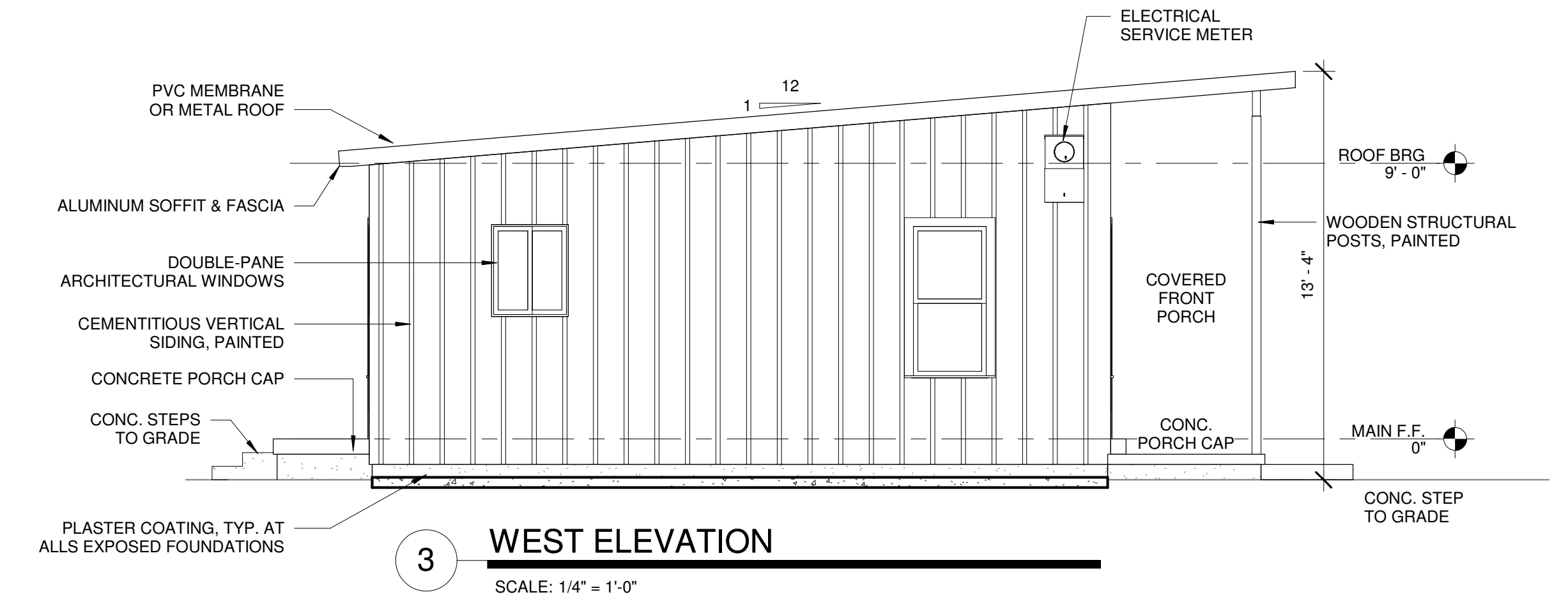
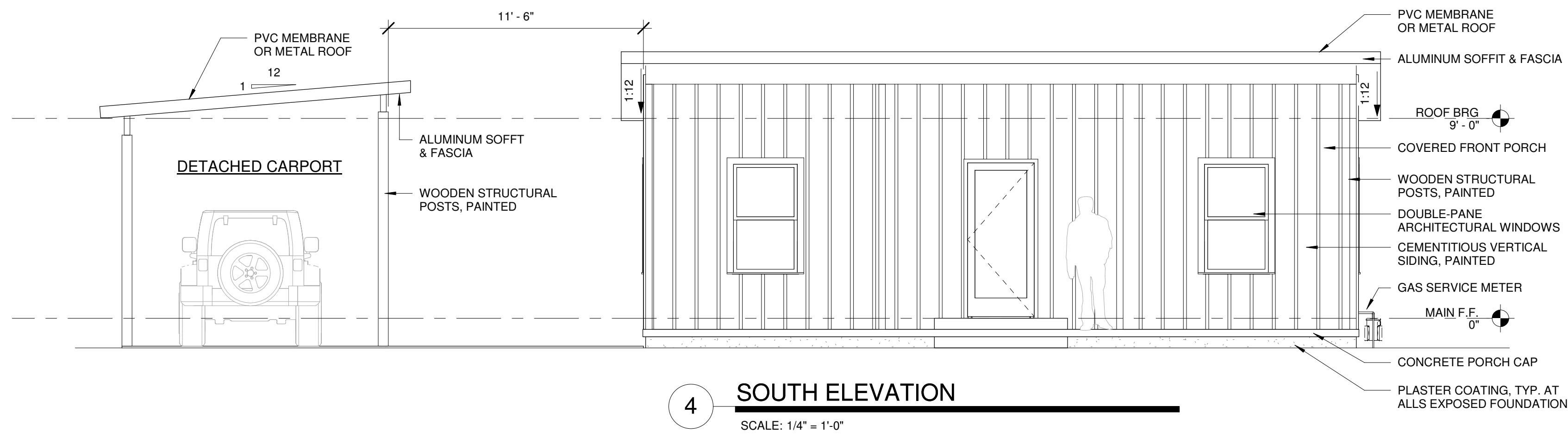
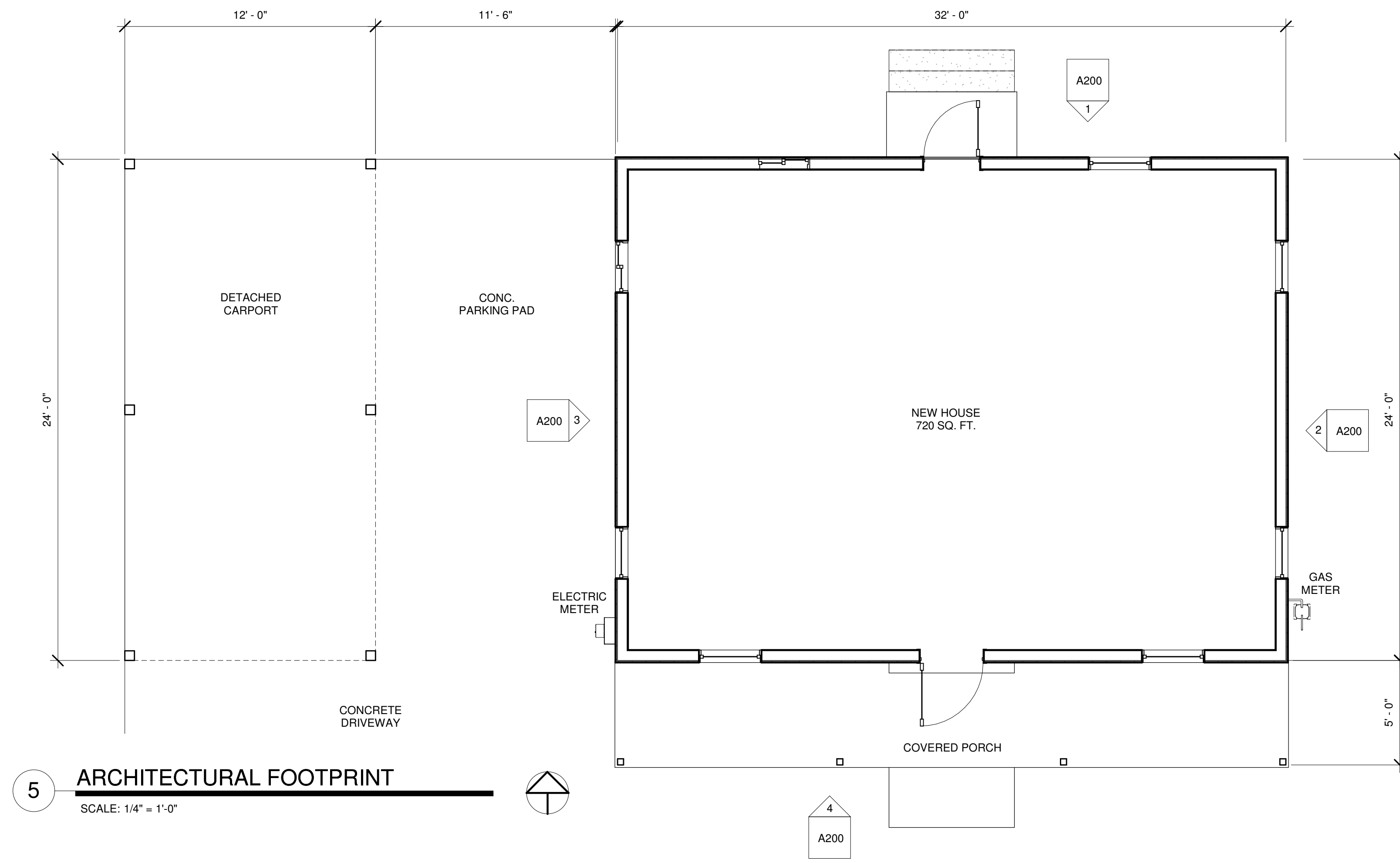
Designer
Draw Studio
2532 East Dolce Vita Court
Cottonwood Heights, Utah 84121
801-950-5576
801.666.1865

A NEW RESIDENCE
BILL WHITAKER
828 DULUTH AVENUE
SALT LAKE CITY, UT
84116

SITE PLAN &
COVER
SHEET

A100

REVISION SCHEDULE		
NUMBER	DESCRIPTION	DATE



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PROJECT #
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PRINT DATE:
9/8/2019 12:32:17 PM
SUBMITTAL:
SITE PLAN

Designer
Draw Studio
2532 East Dolce Vita Court
Cottonwood Heights, Utah 84121
801.930.5576
801.666.1865

A NEW RESIDENCE
BILL WHITAKER
828 DULUTH AVENUE
SALT LAKE CITY, UT
84116

EXTERIOR
ELEVATIONS

A200

**ATTACHMENT C – ADDITIONAL INFORMATION PROVIDED BY
APPLICANT**

April 15, 2019

Attn: Anna Anglin
Principal Planner
Salt Lake City Planning Division

Regarding the property I own, located at 828 W Duluth Ave, in SLC. I have started the pre demo application and have the BLD # of 20`19-02322.

There is an existing home on the property that was built in 1903 according to my research. The neighborhood is locally known as "Swedetown" and has a number of occupied homes over several blocks. Because of industrial developments in the surrounding areas, the zoning at some time was changed to M-2 encompassing this neighborhood.

I have owned the property since 1986 and used it to store personal property and vehicles. The old home on the property is in very poor condition, with a foundation that is crumbling and rotting away. I would like to demolish the home on my property and build a similar sized residence and carport in approximately the same location. This would be used as a rental home, preferably low income or veteran occupied. I would like to continue to use the North half of the property for personal storage, and separate from the home with fencing.

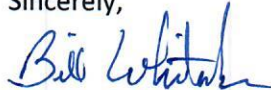
The adjoining property to the West is an occupied home that was recently purchased by a young couple. Next to them is another home that has been occupied by the same older couple, that were there long before I moved in.

The property across Duluth Ave. to the South is owned by an excavation company and formerly a Trucking Company.

The property across Hot Springs St. to the East and adjoining my North property line are owned by a Truck parts Company.

I am interested in obtaining the proper permits to continue to clean up the property and provide a home for a single person.

Sincerely,

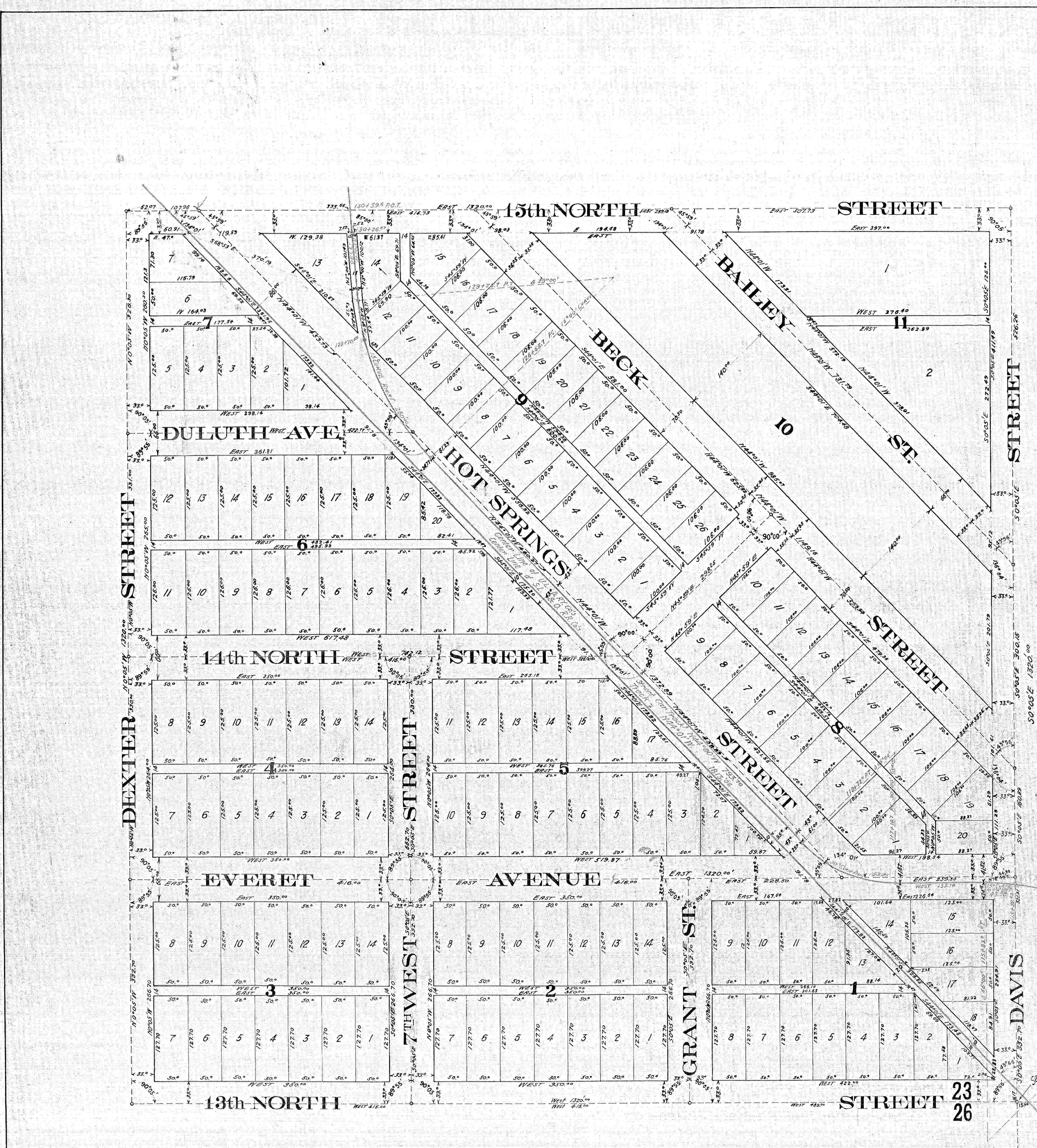


Bill Whitaker

E 57

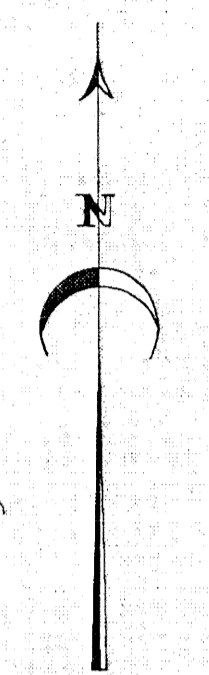
E 57

E 21



Presented to the City Council and the City Engineer
authorized to approve August 10th, 1908.

J. B. Morton
City Recorder



Approved Sept 4th, 1908.

L. C. Keay
City Engineer

PLAT
of
EMPIRE ADDITION
to
Salt Lake City, Utah.

a Subdivision of the S.E. of the S.E. of Sec 23 T.1N. R.1W.S.1M.
Surveyed by F. Scamron & H. E. Moore
SCALE 80'-1 inch

SURVEYOR'S CERTIFICATE

I hereby certify that the tract of land shown on this map and owned by G. R. Jones and Lucy Jones his wife, beginning at the South East Corner of Section 23, Township 1 North, Range 1 West of the Salt Lake Meridian and Base Line, thence running West thirteen hundred twenty (1320') feet, thence North five hundred twenty (520') feet, thence East thirteen hundred twenty (1320') feet, thence South five hundred twenty (520') feet to the place of beginning, containing forty (40) acres, and known as the South East Quarter of Section 23, Township 1 North, Range 1 West of the Salt Lake Meridian and Base Line, that I have by authority of the said owner thereof subdivided the same into lots, streets, avenues and alleys to be known as the **EMPIRE ADDITION**, that the same has been correctly plotted out on the ground as represented herein, and that the steps taken used in making the survey thereof were those required by law in accordance with the provisions of an ordinance passed May 13th 1892 and at the time was in adjustment with the official standard presented in said ordinance.

NAMES AND DIMENSIONS OF PARCELS OF LAND DESIGNATED FOR PUBLIC USE

STREETS			
13th NORTH STREET	33 feet wide and 1320 feet long running East and West	DAVIS STREET	35 ft wide and 1320 ft long running NORTH-SOUTH
EVERETT AVENUE	66 "	BECK "	72 "
14th NORTH STREET	66 "	BECK "	72 "
DULUTH AVENUE	66 "	BECK "	72 "
15th NORTH STREET	33 "	BECK "	72 "
DEXTER STREET	33 "	BECK "	72 "

One ALLEY 14 feet wide running East and West through Blocks 2, 3, 4, 5, 6, 7, 8, 9 and 10, and through part of Block 1.
One ALLEY 14 feet wide running NORTH-SOUTH through Block 8. One ALLEY 14 feet wide running NORTH-SOUTH through Block 9.

DIMENSIONS OF LOTS

Lot 1 in Block 1, West 72' N 0° 05' 20" E 123' 74" S 0° 05' 20" E 289' 4"
 Lot 2 in Block 1, West 50' N 0° 05' 20" E 123' 74" S 0° 05' 20" E 289' 4"
 Lots 3 to 8 inclusive in Block 1, are 50' x 123' 74"
 Lots 9 to 11
 Lot 12 in Block 1, West 50' N 0° 05' 20" E 123' 74" S 0° 05' 20" E 289' 4"
 Lot 13 in Block 1, West 50' N 0° 05' 20" E 123' 74" S 0° 05' 20" E 289' 4"
 Lot 14 in Block 1, West 50' N 0° 05' 20" E 123' 74" S 0° 05' 20" E 289' 4"
 Lot 15 and 16 in Block 1, are 50' x 123' 74"
 Lot 17 in Block 1, West 50' N 0° 05' 20" E 123' 74" S 0° 05' 20" E 289' 4"
 Lot 18 in Block 1, West 50' N 0° 05' 20" E 123' 74" S 0° 05' 20" E 289' 4"
 Lot 19 in Block 1, West 50' N 0° 05' 20" E 123' 74" S 0° 05' 20" E 289' 4"
 Lot 20 in Block 1, West 50' N 0° 05' 20" E 123' 74" S 0° 05' 20" E 289' 4"
 Lot 1 in Block 2, West 72' N 0° 05' 20" E 123' 74" S 0° 05' 20" E 289' 4"
 Lot 2 in Block 2, West 50' N 0° 05' 20" E 123' 74" S 0° 05' 20" E 289' 4"
 Lots 3 to 8 inclusive in Block 2, are 50' x 123' 74"
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 Lot 2 in Block 3, West 50' N 0° 05' 20" E 123' 74" S 0° 05' 20" E 289' 4"
 Lots 3 to 8 inclusive in Block 3, are 50' x 123' 74"
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 Lot 12 in Block 3, West 50' N 0° 05' 20" E 123' 74" S 0° 05' 20" E 289' 4"
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 Lot 20 in Block 3, West 50' N 0° 05' 20" E 123' 74" S 0° 05' 20" E 289' 4"
 Lot 1 in Block 4, West 72' N 0° 05' 20" E 123' 74" S 0° 05' 20" E 289' 4"
 Lot 2 in Block 4, West 50' N 0° 05' 20" E 123' 74" S 0° 05' 20" E 289' 4"
 Lots 3 to 8 inclusive in Block 4, are 50' x 123' 74"
 Lot 9 to 11
 Lot 12 in Block 4, West 50' N 0° 05' 20" E 123' 74" S 0° 05' 20" E 289' 4"
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The center line of DEXTER STREET coincides with the center line of the same street in the SUPERIOR SUBDIVISION. The center line of BECK ST. coincides with the center line of the Country Road as now traveled. The center line of 15th NORTH STREET coincides with the south line of Sec. 23 T.1N. R.1W.S.1M.B.L. The center line of DAVIS STREET coincides with the east line of Sec. 23 T.1N. R.1W.S.1M.B.L.

This map is accurately drawn to a scale of eight (80) feet to one (1) inch.

OWNER'S DEDICATION

Know all men by these presents, that G. R. Jones, owner of the above described tract of land, having caused the same to be subdivided into lots, streets, avenues and alleys, to be hereafter known as the **EMPIRE ADDITION**, do hereby dedicate for the perpetual use of the public all parcels of land designated in the Surveyor's Certificate and shown on this map as intended for public use.

In witness whereof, we hereunto set our hand and seal this 12th day of August, A.D. 1908.

In the presence of
 State of Utah }
 County of Salt Lake }

On this 12th day of August, A.D. 1908, personally appeared before me the undersigned, a notary public in and for said county of Salt Lake, the signers of the foregoing instrument, who duly acknowledged to me that they executed the same freely and voluntarily, and for the uses and purposes therein mentioned.

My Commission expires Sept. 1st, 1909.

E-57



Existing home @ 828 W Duluth Ave and occupied home on West Side



Neighborhood Park on corner of Duluth Ave +
Dexter St.



Existing home @ 888 W Duluth Ave Facing South





Neighbors West one block South of Duluth St.
On 1500 N.

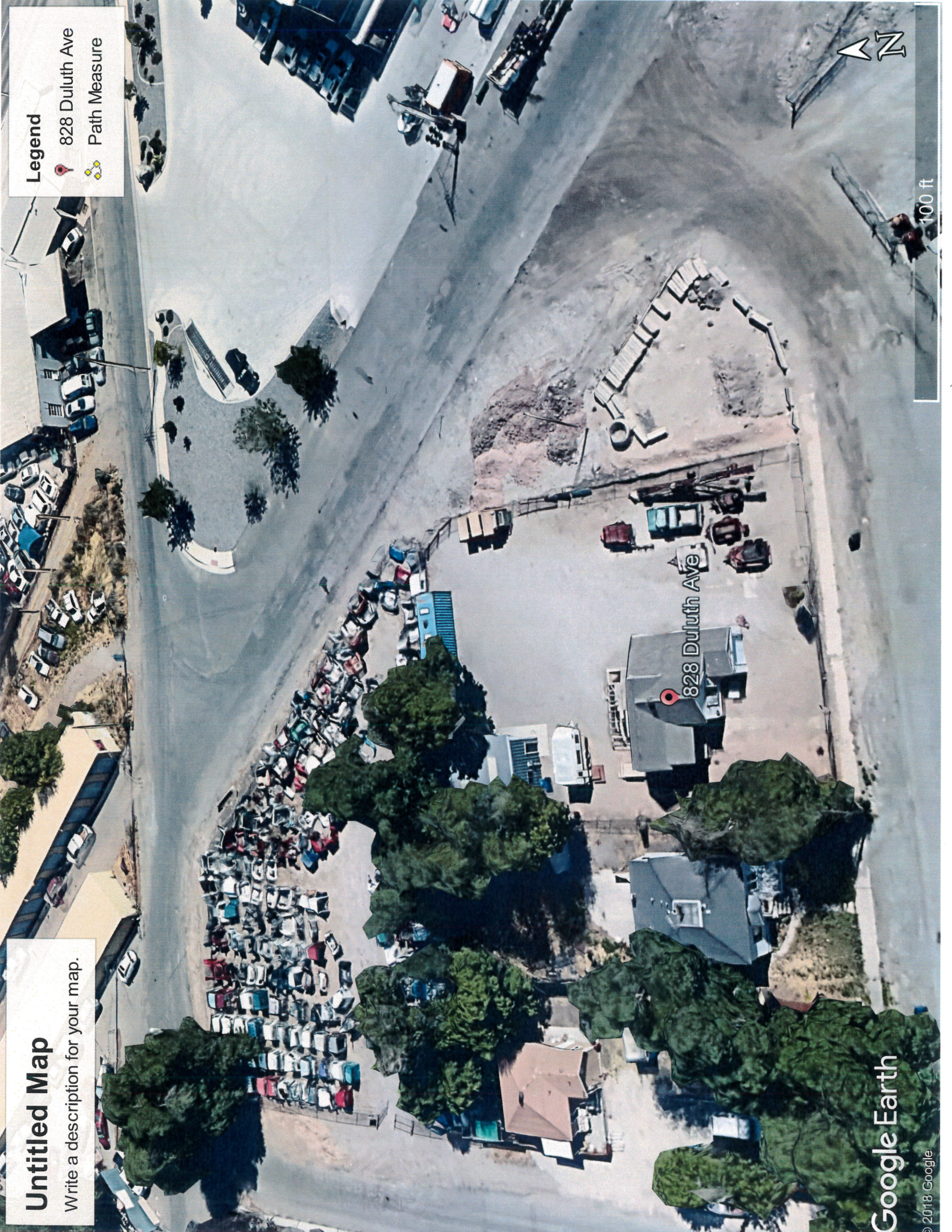


Untitled Map

Write a description for your map.

Legend

-  828 Duluth Ave
-  Path Measure



Untitled Map

Write a description for your map.

Legend



828 Duluth Ave



Swede Town Park



ATTACHMENT D – PROPERTY AND VICINITY PHOTOS



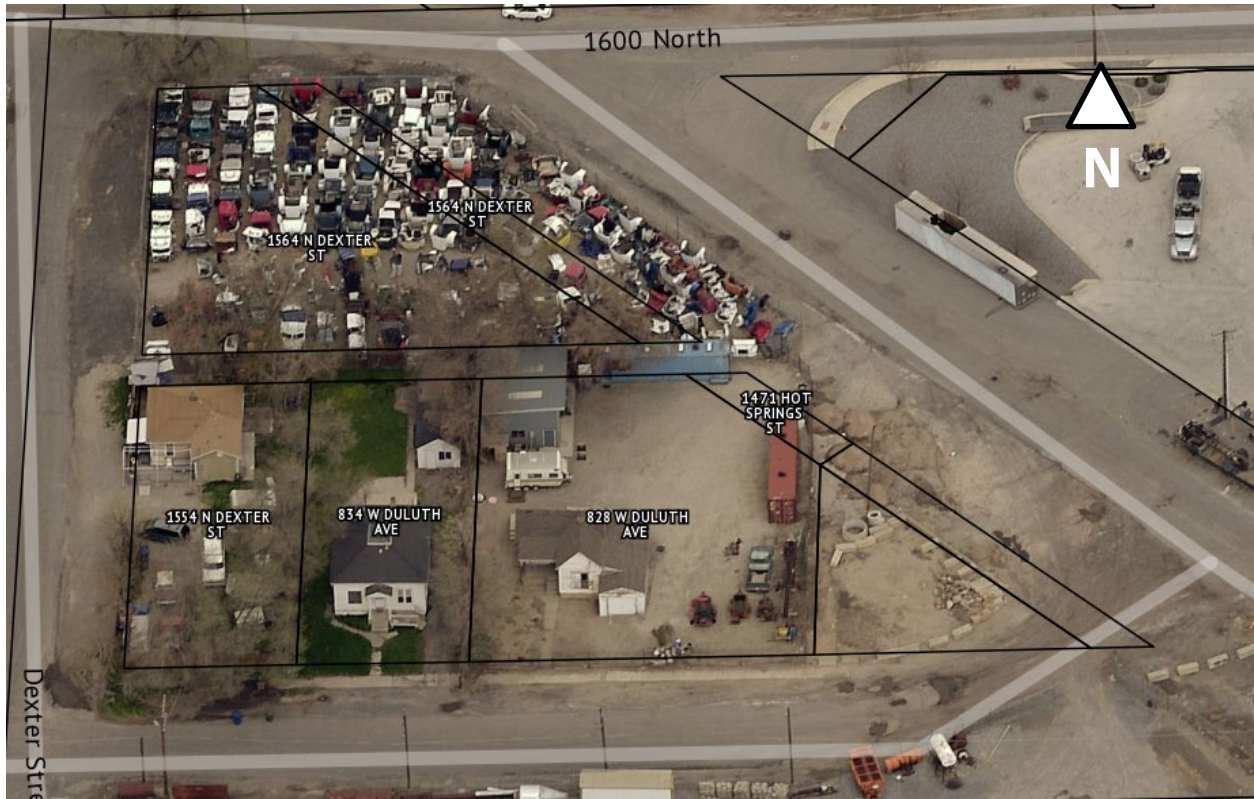
Primary house on the subject property – View looking north



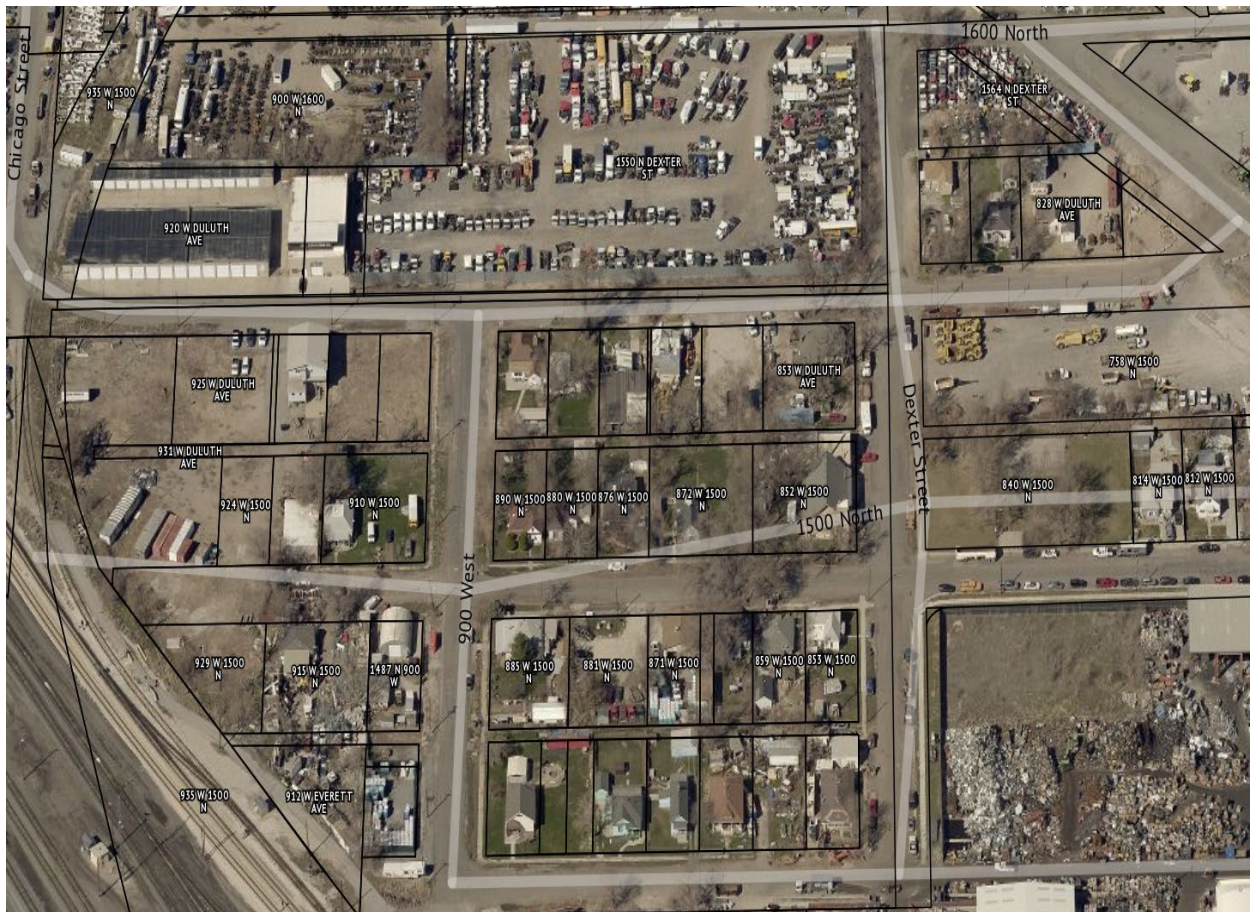
Surrounding development on the north side of Duluth Avenue



Surrounding development on the south side of Duluth Avenue



Pictometry from county assessor website. View of immediate area.



Pictometry from county assessor website. View of the other single-family residences in the area.



Examples of existing residential uses in the surrounding area including Swedetown Park

ATTACHMENT E – ZONING STANDARDS

Residential Building Standards for Legal Conforming Single-Family Detached Dwellings, Two-Family Dwellings and Twin Homes in Nonresidential Zoning Districts - 21A.36.190

ZONING STANDARD	REQUIREMENT	PROPOSED	COMPLIES Y/N
Front Façade Controls	All buildings shall be required to include an entrance door, and such other features as windows, balconies, porches, and other such architectural features in the front facade of the building, totaling not less than 10% of the front facade elevation area, excluding any area used for roof structures. For buildings constructed on a corner lot, only one front facade is required in either the front or corner side facade of the building.	Residence will have a primary entrance door, windows and a covered front porch oriented to Duluth Avenue.	Complies
Basement Structures	All dwellings must have at least one full story aboveground.	Residence is a one-story above grade structure with no basement.	Complies
Residential Building Foundation Standard	Each dwelling shall have poured concrete footings, the top of which must be placed below the applicable frost line.	Structure will be built on permanent foundation in accordance with the 2015 IRC standards.	Complies
Entrance Landing	At each exit door, there must be a concrete or wood landing that is a minimum of 3 ft by 3 ft.	Front exit door will have a 32 ft by 5 ft patio. Rear exit door will have a 9 ft by 4 ft landing.	Complies

Placement Of A Replacement Structure	Placement of a replacement structure on the existing lot should be consistent with the front yard setbacks of the existing residential structures on the street. Front yard setback must be in line with the average setback of the other principal buildings on the same block face, but not less than 15 ft from the front property line.	25 ft Front Yard Setback	Complies
Scale And Mass Of The Replacement Structure	The scale and mass of the replacement structure should be compatible with that of the existing adjacent residential structures and not exceed 25% of the structure it is replacing. Replacement structures which exceed 25% of the original footprint may be allowed as a conditional use subject to the provisions of chapter 21A.54 of this title.	Existing house is approx. 1,021 sf. Proposed house will be approx. 720 sq ft. Houses adjacent to the subject property are approx. 1,260 sq ft and 850 sq ft respectively. Proposed house is compatible in size to the existing adjacent houses.	Complies

M-2 Heavy Manufacturing District

ZONING STANDARD	REQUIREMENT	PROPOSED	COMPLIES Y/N
Minimum Lot Area	20,000 sq ft <i>*According to Salt Lake City Ordinance 21A.28.030.C(3), Lots established prior to April 12, 1995, shall be considered legal conforming lots.</i>	12,155 sq ft Although the minimum lot size is not met, the subject lot is part of the Empire Addition Subdivision Plat approved on September 4 th , 1908 making this a legal conforming lot.	Complies
Minimum Lot Width	80 ft	100 ft	Complies

Maximum Building Height	80 ft	13 ft 4 in	Complies
Front Yard Setback	25 ft	25 ft	Complies
Corner Side Yard Setback	15 ft	25 ft 2 in	Complies
Off-Street Parking	2 parking spaces	2 off street parking spaces will be provided	Complies
Landscaped Front Yard	First 25 feet are required to be landscaped	Front yard landscaping will be provided	Complies
Landscaped Corner Side Yard	First 15 feet are required to be landscaped	Property is an interior lot. There is no corner side yard.	N/A

ATTACHMENT F – CONDITIONAL USE STANDARDS

21A.54.080 Standards for Conditional Use

Approval Standards: A conditional use shall be approved unless the planning commission, or in the case of administrative conditional uses, the planning director or designee, concludes that the following standards cannot be met:

1. The use complies with applicable provisions of this title;

Analysis: The proposed single-family residence is located in the M-2 zoning district which allows for the replacement of a single-family detached dwelling to be approved through the conditional use process subject to meeting the specific regulations for residential building standards for legal conforming single-family detached dwellings, two-family dwellings and twin homes in nonresidential zoning districts found in section 21A.36.190 of the zoning ordinance as well as the regulations set forth in the M-2 Heavy Manufacturing zoning district found in section 21A.28.030 of the zoning ordinance. As analyzed in [Attachment E](#), the single-family residence complies with the requirements of 21A.36.190.

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

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

Analysis: Historically, the Swedetown area was a larger, more residentially focused neighborhood. Over time, the land use has changed to an industrial use, leaving a small cluster of single-family residences. The proposed single-family residential dwelling will be in close proximity to other single-family residential dwellings in the subject area. The existence of Swedetown Park lends to the historical use of the area as being predominantly residential. Swedetown Park is directly south from the subject property. Although the area is zoned for heavy manufacturing and is the predominant use in the area, a significant number of residential homes and a park can still be found in close proximity. The proposed residential dwelling will be compatible with the existing residential dwellings and will pose no negative effects to the more intense uses in the surrounding area.

Finding: The proposed development and use is generally compatible with the surrounding uses and has no effects that could result in incompatibility.

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

Analysis: The proposal is located in the Swedetown neighborhood within the Capitol Hill Master Planning Area. The subject property is within close proximity to a group of other single-family homes within the area. The existing residential lots are more appropriate in size for residential use rather than industrial or heavy manufacturing use. Because of this, the complete vacation of residential use is unlikely to happen.

The master plan designates the future land use of this area as BP Business Park District. The current zoning designation is M-2 Heavy Manufacturing District.

The purpose of the M-2 Heavy Manufacturing District is to provide an environment for larger and more intensive industrial uses that do not require, and may not be appropriate for, a nuisance free environment. This zone is appropriate in locations that are supported by the applicable Master Plan policies adopted by the City. This district is intended to provide areas in the City that generate employment opportunities and to promote economic development. The uses include other types of land uses that support and provide service to manufacturing and industrial uses. Due to the nature of uses allowed in this zone, land uses that may be adversely impacted by heavy manufacturing activities are not permitted. Certain land uses are prohibited in order to preserve land for manufacturing uses. Safe, convenient and inviting connections that provide access to businesses from public sidewalks, bike paths and streets are necessary and to be provided in an equal way.

The purpose of the BP Business Park District is to provide an attractive environment for modern offices, light assembly and warehouse development and to create employment and economic development opportunities within the City in a campuslike setting. This district is appropriate in areas of the City where the applicable master plans support this type of land use. The standards promote development that is intended to create an environment that is compatible with nearby, existing developed areas.

The proposal aligns with the goals and policies outlined in *Growing SLC: A Five Year Housing Plan* which aims to increase housing options, promote diverse housing stock, and allow for additional units while minimizing neighborhood impacts. The approval of this proposal will allow for the retention, rather than loss of a housing unit.

Finding: Although the Capitol Hill Master Plan future land use aims to move towards more business/commercial oriented land use, the replacement of a single-family structure will have no detrimental impact on the surrounding properties and will help to retain a housing unit within the city.

4. The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions (refer to Detrimental Impacts Chart below for details).

21a.54.080B Detrimental Effects Determination

In analyzing the anticipated detrimental effects of a proposed use, the planning commission shall determine compliance with each of the following:

Criteria	Finding	Rationale
1. This title specifically authorizes the use where it is located	Complies	The proposed single-family residential dwelling unit rebuild is allowed as a conditional use within the M-2 zoning district. The proposed residential dwelling complies with all specific

		regulations for size, height, setbacks, distance to other houses, etc. as outlined in Attachment E .
2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps	Does not comply	The use is located in an area designated by the associated master plan for transition to the Business Park zoning district. The current zoning is M-2 Heavy Manufacturing. However, the existing residential lots are more appropriate in size for residential use rather than industrial or heavy manufacturing use. Because of this, the complete vacation of residential use is unlikely to happen. These land use designations do not allow for single-family detached homes, however, does allow for current residential uses to continue to exist under a nonconforming use status.
3. The use is well-suited to the character of the site, and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area	Complies	The proposed single-family residential dwelling will be in close proximity to other single-family residential dwellings in the subject area. Salt Lake City owns and maintains Swede Town Park directly south from the subject property. The adjacent nonresidential uses are mainly for the storage of vehicles and goods with minimal impact from manufacturing processes. These single-family residences have coexisted with the more intense industrial and manufacturing uses for over a century. Although the area is zoned for heavy manufacturing and is the predominant use in the area, a significant number of residential homes and a park can still be found in close proximity. The proposed residential dwelling will be compatible with the existing residential dwellings and will pose no negative effects to the more intense uses in the surrounding area.
4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered	Complies	As discussed above, the scale of the proposal is compatible with the surrounding residential structures and meets the requirements of the M-2 zoning district.
5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows	Complies	The subject property has driveway access located off of Duluth Avenue. No new access points are proposed and the proposal will not impede traffic flows.
6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic	Complies	The proposed single-family residence will be accessed from Duluth Avenue and two off street parking stalls are proposed on the site. It's not anticipated that the replacement of the single-family residence will create any adverse impacts in terms of motorized, non-motorized and pedestrian traffic.
7. The site is designed to enable access and circulation for pedestrian and bicycles	Complies	The site is designed for pedestrian and bicycle access. The surrounding area is connected with sidewalks, allowing pedestrian access throughout the neighborhood. The pedestrian circulation within the site will be improved with walkways and outdoor public spaces and paths.

8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street	Complies	Vehicular access to the site is existing. No unreasonable impacts to the service level of the adjacent streets is anticipated.
9. The location and design of off-street parking complies with applicable standards of this code	Complies	As discussed in other areas of this analysis, two parking spaces are proposed on the west side of the parcel and can be accessed from Duluth Avenue. Off street parking will be provided in the form of a carport and concrete parking pad.
10. Utility capacity is sufficient to support the use at normal service levels	Complies	The Public Utilities department provided comments on the project. Currently, there is a septic sewer system on the property. Approval and acceptance of the septic system will need to be provided by the Salt Lake County Health Department. There will be no impact to city sewer systems.
11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts	Complies	The property to the west is a single-family residence. The use of the property to the north is for vehicle parts sales, and is screened by mature trees and vegetation. The property is adjacent to streets on the south and east sides.
12. The use meets City sustainability plans, does not significantly impact the quality of surrounding air and water, encroach into a river or stream, or introduce any hazard or environmental damage to any adjacent property, including cigarette smoke	Complies	The use does not significantly impact sustainability plans. The project supports sustainability objectives by increasing housing close to jobs, schools, and services, thereby reducing greenhouse gas emissions and fossil fuel consumption.
13. The hours of operation and delivery of the use are compatible with surrounding uses	Complies	The proposed use is a single-family residential dwelling. Delivery hours associated with a single-family residence would be compatible with the surrounding residential uses and less impactful than the more intense uses in the area.
14. Signs and lighting are compatible with, and do not negatively impact surrounding uses	Complies	Signs are not associated with this proposal. Any lighting on the residence is not expected to have a negative impact on the surrounding uses or otherwise cause a nuisance.
15. The proposed use does not undermine preservation of historic resources and structures	Complies	Although the structure was built in 1903, it is not designated as a historic landmark site and the property is not located within a Local Historic District. The proposal does not involve removal or any historic resources or structures.

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

ATTACHMENT G – PUBLIC PROCESS & 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 since the applications were submitted:

- June 24, 2019 – Notice of the project was provided to the Capitol Hill Community Council as well as property owners and residents within 300 FT of the development.
- August 15, 2019 – The applicant and Planning Staff attended an Open House hosted and organized by the Planning Division. During the meeting, attendees asked general questions about the house including height, square footage, connection to utilities and construction methods. There was general support for the proposal.

Notice of the public hearing for the proposal included:

Public hearing notice mailed on October 11, 2019

Public hearing notice posted on October 11, 2019

Public notice posted on City and State websites and Planning Division list serve on October 11, 2019

Public Input:

No comments were provided from the Capitol Hill Community Council. As of the publication of this Staff Report, Staff has not received public comment.

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

ATTACHMENT H – DEPARTMENT REVIEW COMMENTS

Engineering: (Scott Weiler at scott.weiler@slcgov.com or 801-535-6159)

No objections.

Transportation: (Michael Barry at michael.barry@slcgov.com or 801-535-7147)

At least two off street parking spaces are required. The parking spaces must be hard surfaced.

Zoning: (Alan Hardman at alan.hardman@slcgov.com or 801-535-7742)

Zoning comments include the following: 1) two legally located parking stalls are required for a new SFD. Plans show only one parking stall in the carport. The two-car carport will need to meet the 20 foot side yard setback; 2) the driveway from the street to the carport needs to be asphalt or concrete and should line up with the existing drive approach and the carport or remove and replace the existing drive approach to line up with the carport; 3) the 25 foot front yard setback should be measured to the porch columns and not the face of the house; 4) the M-2 zone does not allow mixed use. Typically, we do not allow SFD uses to allow other outside users to use portions of the lot for things like storage and commercial uses regardless of the zone. The lot should be used for either commercial uses only or SFD use only, but not a mixed use.

Building Code: (Jason Rogers at jason.rogers@slcgov.com or 801-535-7642)

Provide complete proposed and existing drawings with calculations for a new home, to include res check gas line sizing wall sections and foundation specifications.

Public Utilities: (Jason Draper at jason.draper@slcgov.com or 801-486-6751)

- The property does not currently have sewer service. Approval and acceptance of the septic system will need to be provided by the Salt Lake County Health Department.
- Public Utility permit, connection, survey and inspection fees will apply.
- Please submit site utility and grading plans for review. Other plans such as erosion control plans and plumbing plans may also be required depending on the scope of work. Submit supporting documents and calculations along with the plans.
- All utility design and construction must comply with APWA Standards and SLCPU Standard Practices.

Fire: (Doug Bateman at douglas.bateman@slcgov.com or 801-535-6636)

- IFC 503.1.1 Approved fire apparatus access roads shall be provided to within 150-feet of all exterior portions of the first floor of buildings or structures on the property. This measurement is taken from the roadway in straight lines and right angles (as the hose would be pulled). The proposed fence and gate would make this distance to the rear building over that measurement.
- Fire hydrants shall be within 600-feet of all exterior portions of structures on the property.