



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Aaron Barlow, Principal Planner, aaron.barlow@slcgov.com or 385-386-2764

Date: Published December 3, 2020

Re: Detached Accessory Dwelling Unit – Conditional Use (PLNPCM2019-01053)

Conditional Use – Accessory Dwelling Unit

PROPERTY ADDRESS: 2721 East 2100 South

PARCEL ID: 16-14-352-021 & 16-14-352-023

(Consolidated on 8/4/2020, see [PLNSUB2020-00282](#))

MASTER PLAN: East Bench

ZONING DISTRICT: FR-3/12,000 (Foothills Residential District)

COMMUNITY COUNCIL: East Bench

CITY COUNCIL DISTRICT: District 6, Dan Dugan

REQUEST: Andrea Palmer, representing the property owner and Modal Living, is requesting conditional use approval for a 14.5-foot tall, 352-square-foot accessory dwelling unit (ADU) that will be situated in the rear, northeast corner of the property located at 2721 East 2100 South. The property is zoned FR-3/12,000, Foothills Residential District, where ADUs must be processed as a conditional use, and is located within Council District #6, represented by Dan Dugan.

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 ADU with the conditions of approval below. Final approval of the details noted in the following conditions shall be delegated to Planning Staff:

1. Compliance with all Department/Division comments and conditions as noted in [Attachment F](#).
2. The property owner shall comply with the registration process as outlined in section 21A.40.200F of the Salt Lake City Zoning Ordinance.
3. The owner occupant shall not operate or allow the operation of a short-term rental (i.e., less than 30 days) in the single-family dwelling and the accessory dwelling unit as defined in the Salt Lake City Zoning Ordinance.

ATTACHMENTS:

- A. [Vicinity Map & Property Photos](#)
- B. [Application Materials](#)
- C. [Relevant Zoning Standards](#)
- D. [Conditional Use Standards](#)
- E. [Public Process & Comments](#)
- F. [Department Review Comments](#)

PROJECT DESCRIPTION:

The proposed project is for the construction of a detached accessory dwelling unit (ADU) located in the rear, northeast corner of the property at approximately 2721 East 2100 South. The ADU will be 352 square feet in area with a living room, bedroom, and bathroom all on the same floor. The structure will be approximately 14'6" tall from the base of the foundation at its lowest point to the top of the flat roof. The subject property is within ¼ mile of a bus stop on Foothill Drive, but parking will still be accommodated on the driveway. The roof of the proposed structure will sit lower than Scenic Drive, which is behind the subject property, and will not be visible from the street.

The primary exterior building material is vertical cedar siding, reflecting the mid-century character of the primary structure. Two sliding doors will be located on the south façade of the ADU facing the primary structure's rear façade. A smaller vertically oriented window with opaque glass will also be located on the west face of the ADU. The ADU itself sits 35 feet from the rear (north) property line, 15 feet from the (east) side property line and 33 feet from the (west) side property line. Single-family homes are located to the north, south, east and west of the subject property.

Special foothill standards (found in section 21A.24.010.P. of the zoning regulations) place additional restrictions on development in the FR-3/12,000 zoning district. An analysis of the relevant standards can be found in [Attachment C](#).

KEY CONSIDERATIONS:

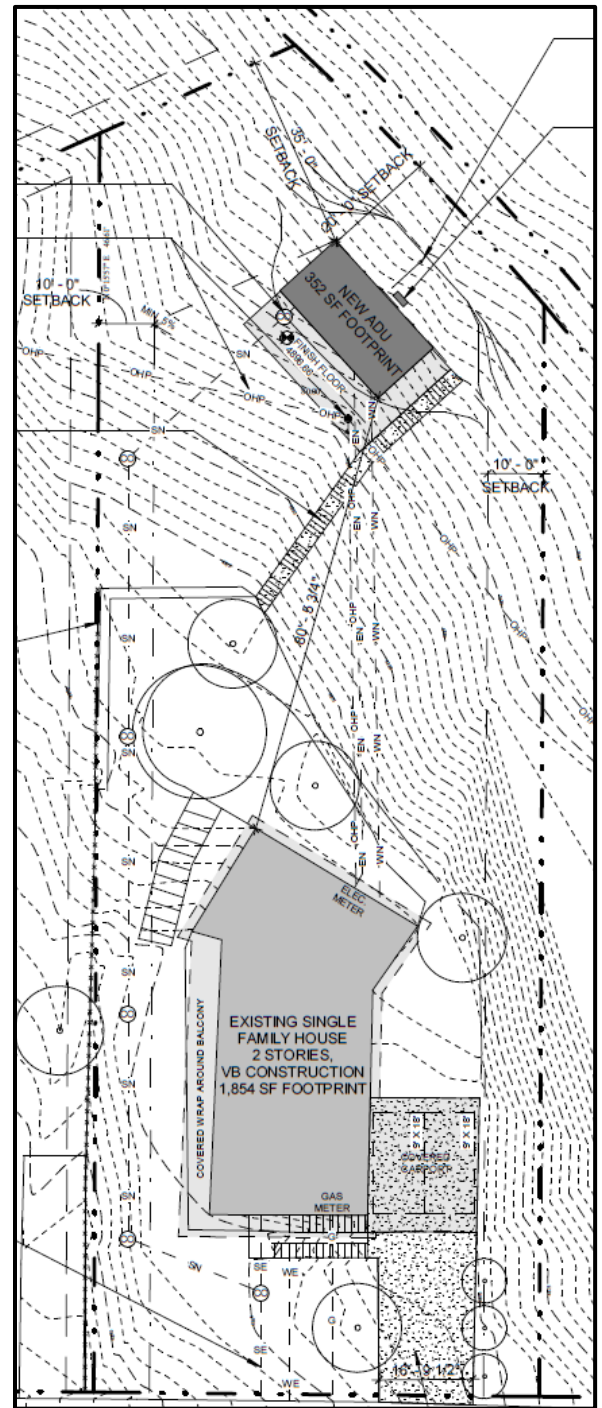
1. Parking Location

The zoning ordinance requires one parking space for an ADU. This requirement may be waived if a legal on-street parking space is available in front of the property or if a bus stop is located within ¼ mile of the property. Both of these conditions are present with this property. However, the applicant is still planning to include off-street parking for the proposed ADU on the existing driveway in the space between the front property line and the existing carport. Section [21A.40.200.E.1.g](#) allows the space between the front property line and existing parking may satisfy required parking.

2. Housing Goals

The proposal is also consistent 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. Accessory Dwelling Units provide and promote diverse housing stock by providing additional units in a generally homogenous single-family neighborhood, which is in line with City housing goals. Housing goals are also addressed under standard 3 within [Attachment D](#).

3. East Bench Master Plan



Site Plan

The East Bench Master Plan's Residential Guiding Principle N-03 recommends providing a diverse mix of housing choices for all stages of life and income ranges. One purpose of ADUs is to provide housing options for family caregivers, adult children, aging parents, and families seeking smaller households. The proposed ADU will fulfill the East Bench Master Plan's recommendation.

4. Steep Slopes and Flooding Concerns

Many residents in the neighborhood brought up concerns about the steep slope where the ADU is proposed to be located. Since the property in question was subdivided before 1994 (as part of Indian Rock Subdivision in 1952), section [21A.24.040.G](#) of the FR-3 district regulations – which restricts construction on slopes greater than 30% – do not apply. Additionally, the lot is not located within any areas designated by FEMA as at-risk for flooding. Building permit plans will be reviewed by Salt Lake City Building Services to ensure that the structure is designed according to current building code standards.

5. Access to/Public Parking on Scenic Drive

Nearby residents have also raised concerns about future tenants accessing the proposed ADU from and parking on Scenic Drive. Scenic Drive is a public right-of-way and there are no posted parking restrictions on either side of the street. At this point, any individual can park their vehicle on the street – provided they follow City regulations for parking on residential streets. The applicant has not submitted any proposal to access the ADU from Scenic Drive. Any such proposal will require approval from relevant departments and will need to meet all relevant standards. At this point, future tenants potentially accessing or parking on Scenic Drive should not be considered an anticipated detrimental effect of the proposal.

6. Use as a Short-term Rental (i.e. Airbnb)

A common concern with ADUs is the potential of the property owner using them as short-term rental units (like an Airbnb). Any rental for a period shorter than one month is considered a hotel/motel by the City's zoning ordinance, which is not permitted in the FR-3/12,000 zoning district. Additionally, all rental properties in Salt Lake City require a business license. If the proposed ADU is used as a short-term rental, it is in violation of zoning regulations and in violation of the landlord's business license. Any concerns about short-term rentals can be reported to Civil Enforcement (801-535-7225 or civilenforcement@slcgov.com).

PLANNING COMMISSION REVIEW:

The property is in the FR-3/12,000 zoning district, which is a single-family zoning district. Conditional use approval is required for any ADU located in a single-family zone. For complete analysis and findings concerning the Conditional Use standards, please refer to [Attachment D](#).

NEXT STEPS:

Approval of Conditional Use

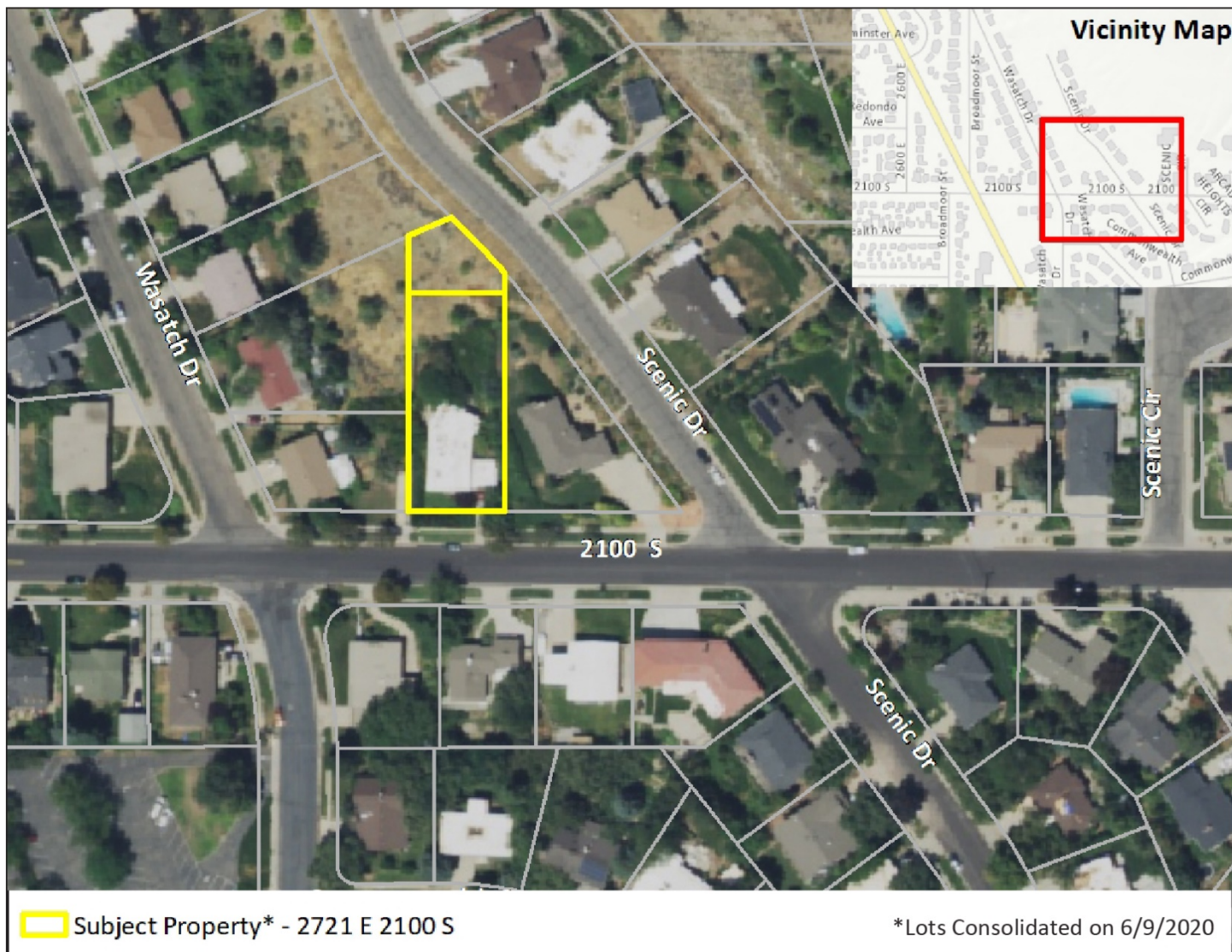
If the request is approved, the applicant will need to need to comply with the conditions of approval, including any of the conditions required by other City departments and any added by the Planning Commission. The applicant will be able to submit plans for building permits and certificates of occupancy for the buildings will only be issued once all the conditions of approval are met including the registration process requirements outlined in 21A.40.200.F of the zoning ordinance.

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 an ADU. An accessory structure could still be constructed on the property subject to meeting zoning requirements; however, it could not be used as an accessory dwelling. Accessory structures in the FR-3/12,000 zoning district are not permitted in required yards and must meet all other relevant standards.

ATTACHMENT A – VICINITY MAP & PROPERTY PHOTOS





View of proposed ADU location from rear property line



Alternate view of proposed ADU location from rear property line, facing southeast

ATTACHMENT B – APPLICATION MATERIALS

Project Description

THE MODAL 0.5 is an open studio layout, 338-square foot footprint Accessory Dwelling Unit (ADU) built in compliance with current residential building codes (IBC/IRC 2018). Ceilings are 9 feet tall. Murphy bed + sofa are built in, kitchen is fully equipped, a full-size bathroom, composite glass front door, two independently-zoned heating/cooling units, and LED lighting. Unit weighs 10 tons/20,000 pounds. Dimensions are 26' long x 13' wide, and 11'3" tall with 338 square feet of living space. The foundation will be poured concrete footings and a site built concrete foundation skirting around the perimeter of the unit. The exterior facade is 6-inch tongue-and-groove painted and sealed concrete. Construction materials are 2x6 wood frame, double-plated top and bottom framing, TPO roofing system with an internal drain. R50 roofing/flooring insulation values, R22 wall insulation, and double pane composite 4 windows and doors. Quartz countertops, 3Form custom shower surround and kitchen backsplash, Euro glass shower divide, and engineered hardwood floors. The unit is built offsite, then shipped to the site in a fully completed state.

This Conditional Use application proposes one Accessory Dwelling Unit (ADU) to be placed at 2721 E 2100 S, currently a single-family home located in the FR-3 zone. Proposed ADU location is at the north west end of the rear yard with the entrance facing the south side of the property. Setbacks are as follows: rear-yard: (4' - 4"), front-yard: (158' - 9"), distance from primary structure: (64' - 2 1/4"). Entrance is located on the southeast side of the ADU with a window on the west side. There will be a 299' - 1 1/2" distance from the nearest fire hydrant. Proposed use is as a rental property. The owner intends to comply with all applicable laws and ordinances. Total building coverage will be 13% including the primary dwelling (1,470 SF) and the ADU (338 SF). Rear-yard coverage will be 4% with the ADU. Parking for ADU occupants will be made available on-street in front of the property.

Conditional Use Information

- Operating/Delivery Hours: N/A
- Adjacent Land Uses: Residential
- Employees: N/A
- Seats: N/A
- Nearby property owners: The project has not been discussed with nearby property owners; however, we look forward to their feedback during the public input period.

Exhibit E

Owner Authorization

Customer hereby authorizes Modal Living, Inc. (“Modal”) to apply on their behalf for permits and other necessary approvals from governing bodies and/or municipalities in relation to the installation of an ADU. Customer represents and warrants to Modal that Customer has full power, authority and legal right to provide such authorization.

Signature:



Printed Name:

Jade Numer

Date:

10/24/19

THE DESIGN AND IDEAS SHOWN AND HEREIN DESCRIBED, THE TECHNICAL DRAWINGS, GRAPHIC REPRESENTATION, AND MODELS THEREOF HAVE BEEN PREPARED AS AN INSTRUMENT OF SERVICE FOR THIS SOLE PROJECT AND SHALL REMAIN THE SOLE PROPERTY OF RANGE ARCHITECTURE AND DESIGN AND THEIR CONSULTANTS. WITHOUT THE SOLE AND EXPRESSED WRITTEN PERMISSION OF RANGE ARCHITECTURE AND DESIGN, REPRODUCTION, DUPLICATION, COPYING, IMITATION, COMMERCIAL EXPLOITATION, OR USE FOR ANY OTHER PURPOSE OTHER THAN FOR THIS SPECIFIC PROJECT IS PROHIBITED. PROHIBITED USE OF THE DESIGN OR THESE DRAWINGS IS SUBJECT TO THE FULL EXTENT OF LEGAL ACTION.

MODAL 00 ADU - NUNEZ

2721 E 2100 S, Salt Lake City, UT 84109

PROJECT TEAM

PROJECT OWNER	MODULAR BUILDING MANUFACTURER	PROJECT ARCHITECT	STRUCTURAL ENGINEER	GENERAL CONTRACTOR
-	LiveModal	RANGE Architecture + Design	EPIC Engineering	TBD
Jade & Allie Nunez alliegriffin1@gmail.com 2721 E 2100 S Salt Lake City, UT 84109 Ph. 225.262.9628	Attn: Andrea Palmer andrea@livemodal.com 150 S State Street Salt Lake City, UT 84102 Ph. 801.864.1761	Attn: Ian Kaplan ikaplan@rangearchitecture.com 1068 E 2100 S Salt Lake City, UT 84106 Ph. 585.261.1856	Attn: Chris Reeves creeves@epiceng.net 3341 S 4000 W, Suite D West Valley City, UT 84120 Ph. 435.654.6600	TBD - - -

CIVIL ENGINEER
WARD ENGINEERING
John Bond
jbond@wardeng.com
231 W 800 S, Ste. A
Salt Lake City, UT 84101
Ph. 801.487.8040

GENERAL NOTE:
ALL MODULAR UNITS SHALL BE MANUFACTURED WITHIN THE BOUNDARIES OF SALT LAKE CITY. ALL INSPECTIONS SHALL BE PERFORMED BY SALT LAKE CITY INSPECTORS.

VICINITY MAP



PROJECT INFORMATION

ADDRESS:	2721 E 2100 S Salt Lake City, UT 84109
PARCEL RECORD #:	16083280150000
AUTHORITY W/ JURISDICTION:	Salt Lake City
SITE AREA:	.42 ACRES (18,144 SF)
DESCRIPTION:	MODULAR DETACHED ACCESSORY DWELLING UNIT TO BE ADDED TO EXISTING SINGLE FAMILY RESIDENCE PROPERTY.
ZONING:	R-2
CONSTRUCTION TYPE:	VB (WOOD FRAME)

ZONING INFORMATION

	REQUIRED	COMPLIANCE
R-1-5000 - 21A.24.070		
SURFACE COVERAGE:	40% MAX	YES
Lot Size:	18,144 SF	
Structure Coverage:		
Existing House:	1,854 SF	
New ADU:	352 SF	
Total:	2,206 SF (12%)	
ACCESSORY DWELLING UNITS - 21A.40.200		
PARKING:	REQUIRED *1 *Not required if 1/4 mile from mass transit *On street parking may comply	COMPLIANCE YES
SIZE:	50% of existing dwelling area	YES
Existing House:	1,854 SF	
Proposed ADU:	352 SF (19% of existing) < 650 SF?	YES
SURACE COVERAGE	50% MAX OF REAR YARD	YES
Rear Yard Size:	10,539 SF	
Structure coverage:	352 SF (3%)	
SETBACKS (DETACHED ADU):		
From S.F.R.	10'	YES
Side:	*4'	YES
	*10' Required if unit faces side property line, includes access stairway	
Rear:	4'	YES
STRUCTURE HEIGHT:	17' OR HEIGHT OF EXISTING SFR	YES

SHEET INDEX

GENERAL		MECHANICAL	
G001	TITLE SHEET, SITE PLAN	M001	MECHANICAL GENERAL NOTES
G002	NOTES, ABBREVIATIONS, SYMBOLS, GENERAL NOTES	M101	FIRST LEVEL MECHANICAL PLAN, DETAILS & SCHEDULES
G003	ASSEMBLIES		
		PLUMBING	
CIVIL		P001	PLUMBING GENERAL NOTES
C0.0	CERTIFIED SURVEY	P101	PLUMBIGN & SANITARY PLANS, DETAILS & SCHEDULES
STRUCTURAL		ELECTRICAL	
S0.0	GENERAL NOTES	E001	ELECTRICAL SYMBOLS & NOTES
S1.0	STRUCTURAL PLANS	E002	ELECTRICAL GENERAL NOTES
S1.1	DETAILS	E101	ELECTRICAL & LIGHTING PLAN
		E201	ELECTRICAL DETAILS
ARCHITECTURAL			
A200	FLOOR, ROOF, FOUNDATION PLAN, INTERIOR ELEVATIONS		
A201	FINISH & REFLECTING CEILING PLANS, SCHEDULES		
A300	BUILDING ELEVATIONS & 3D VIEWS		
A350	BUILDING SECTIONS		
A400	BUILDING DETAILS		

NOTICE TO ALL:

IT IS THE RESPONSIBILITY OF EACH AND EVERY CONTRACTOR, SUB-CONTRACTOR, AND/OR TRADE TO VERIFY ALL ASPECTS OF THESE DRAWINGS AND TO MAKE ANY AND ALL CORRECTIONS, ALTERATIONS, AND/OR CHANGES NECESSARY TO COMPLY WITH ALL CODE REQUIREMENTS, LOCAL REGULATIONS, AND PROPER DESIGN CRITERIA, UPON NOTIFICATION OF THE GENERAL CONTRACTOR AND DESIGNER AND TO ASSURE THE FUNCTION AND/OR OPERATION OF THE SAME, TO A REASONABLE STANDARD, AS REQUIRED BY LAW.

APPLICABLE CODES:

ALL CONSTRUCTION SHALL COMPLY WITH THE FOLLOWING CODES:

- 2015 INTERNATIONAL RESIDENTIAL CODE AS AMENDED BY THE STATE OF UTAH (IRC)
- 2018 INTERNATIONAL FIRE CODE (IFC)

DEFERRED SUBMITTALS:

DOCUMENTS FOR DEFERRED SUBMITTAL ITEMS SHALL BE SUBMITTED TO RANGE ARCHITECTURE AND DESIGN, WHO SHALL REVIEW AND FORWARD THEM TO THE BUILDING OFFICIAL WITH A NOTATION INDICATION THAT THE DEFERRED SUBMITTAL DOCUMENTS HAVE BEEN REVIEWED AND HAVE BEEN FOUND TO BE IN GENERAL CONFORMANCE TO THE DESIGN OF THE PROJECT. THE DEFERRED SUBMITTAL ITEMS SHALL NOT BE INSTALLED UNTIL THE DESIGN AND SUBMITTED DOCUMENTS HAVE BEEN APPROVED BY THE BUILDING OFFICIAL.

THE FOLLOWING ARE DEFERRED SUBMITTAL ITEMS:

- N/A

CONTRACTOR RESPONSIBILITIES:

THE PROVIDED SITE PLAN IS DRAWN SCHEMATICALLY. IT IS THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR (GC) TO EXECUTE ANY/ALL REQUIRED SITE UTILITY & PREPARATION WORK IN ACCORDANCE WITH ALL APPLICABLE CODES & THE AUTHORITY HAVING JURISDICTION (AHJ). GENERALLY, THE GC SHALL BE RESPONSIBLE FOR THE COORDINATION, EXECUTION AND APPROVAL OF ALL WORK OUTSIDE OF THE MODULAR UNIT BUILDING ENVELOPE.

GENERAL NOTES - SITE PLAN

- UTILITY LOCATIONS ARE SHOWN SCHEMATICALLY. CONTRACTOR TO VERIFY ALL UTILITY LOCATIONS PRIOR TO THE EXECUTION OF ANY WORK. WHEN SHOWN IN SITE PLAN, ALL DIMENSIONS ARE TO FACE OF FINISH TO PROPERTY LINES, IMAGINARY LINES, SETBACKS, ETC., U.N.O.
- DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN.
- SEE BUILDING PLANS FOR ALL OTHER NOTES AND DIMENSIONS NO SHOWN HERE.
- NO PART OF RETAINING WALLS AND FOOTINGS SHALL ENCR OACH INTO ADJACENT PROPERTIES OR EASEMENTS.
- THE PROPERTY OWNER SHALL MAINTAIN ALL DRAINAGE FACILITIES LOCATED WITHIN THE PARCEL AND BE RESPONSIBLE TO PREVENT DAMAGE TO DOWNSTREAM PROPERTIES.
- CONTRACTOR IS TO CONTACT AND ABIDE BY THE RULES OF THE UTAH DIVISION OF AIR QUALITY. (801) 536-4000.
- IF NO GAS UTILITY LINE OR METER ARE SHOWN ON THESE DRAWINGS THEN THERE IS NO GAS SERVICE PROVIDED TO THE SUBJECT PROPERTY.
- ALL UTILITY TRENCHING MUST BE PER SLCPU STANDARD PRACTICE NO. 1
- ALL UTILITIES MUST MEET HORIZONTAL AND VERTICAL CLEARANCE REQUIREMENTS PER CODE. WATER & SEWER LINES REQUIRE 10' MIN. HORIZONTAL SEPARATION AND 18" MIN VERTICAL SEPARATION. SEWER MUST MAINTAIN 5' MIN. HORIZONTAL SEPARATION AND 12" VERTICAL SEPARATION FROM ANY NON-WATER UTILITIES. WATER MUST MAINTAIN 3' MINIMUM HORIZONTAL SEPARATION AND 12" VERTICAL SEPARATION FROM ANY NON-SEWER UTILITIES.
- A MINIMUM OF ONE EXTERIOR CLEANOUT IS REQUIRED ON THE SEWER LATERAL WITHIN 5' OF THE BUILDING. ADDITIONAL CLEANOUTS ARE REQUIRED AT EACH BEND AND AT LEAST ONE EVERY 50' FOR 4" LATERALS AND ONE EVERY 100' FOR 6" LATERALS.
- SALT LAKE CITY PUBLIC UTILITIES GENERAL NOTES ARE INCORPORATED AS PART OF THIS PLAN SET.
- SEWER LATERAL MUST GRAVITY DRAIN ALL FLOORS AND MEET MINIMUM SLOPE REQUIREMENTS (2% FOR 4" LATERALS, 1% FOR 6" LATERALS)* POWER COMPANY, GAS COMPANY AND COMMUNICATION COMPANIES ARE RESPONSIBLE FOR SUBMITTING DESIGN PLANS AS REQUIRED BY TITLE 14 CHAPTER 32 OF THE REVISED ORDINANCES OF SALT LAKE CITY FOR ALL PROPOSED WORK FOR THEIR RESPECTIVE UTILITY LINES FOR THIS PROJECT IN OR ADJACENT TO THE CITY ROW OR A PUBLIC UTILITIES ROW. PLAN REVIEWS ARE REQUIRED BY THE PUBLIC UTILITIES DEPT. UTILITY COORDINATOR AND HTE CITY ENGINEERING PUBLIC WAY PERMIT PLAN REVIEWER.
- ELECTRICAL SERVICE CONDUCTORS MUST BE A MINIMUM OF 8' ABOVE ANY PORTION OF THIS STRUCTURE.

SITE CALCULATIONS

REQUIREMENT: 40% MAXIMUM LOT COVERAGE	
Lot Size:	18,144 SF
Structure Coverage:	
Existing House:	1,854 SF
New ADU:	352 SF
Total:	2,206 SF - 12% Coverage
REQUIREMENT: 50% MAX OF REAR YARD	
Rear Yard Size:	10,539 SF
Structure coverage:	
New ADU:	352 SF
Total:	352 SF - 3% Coverage

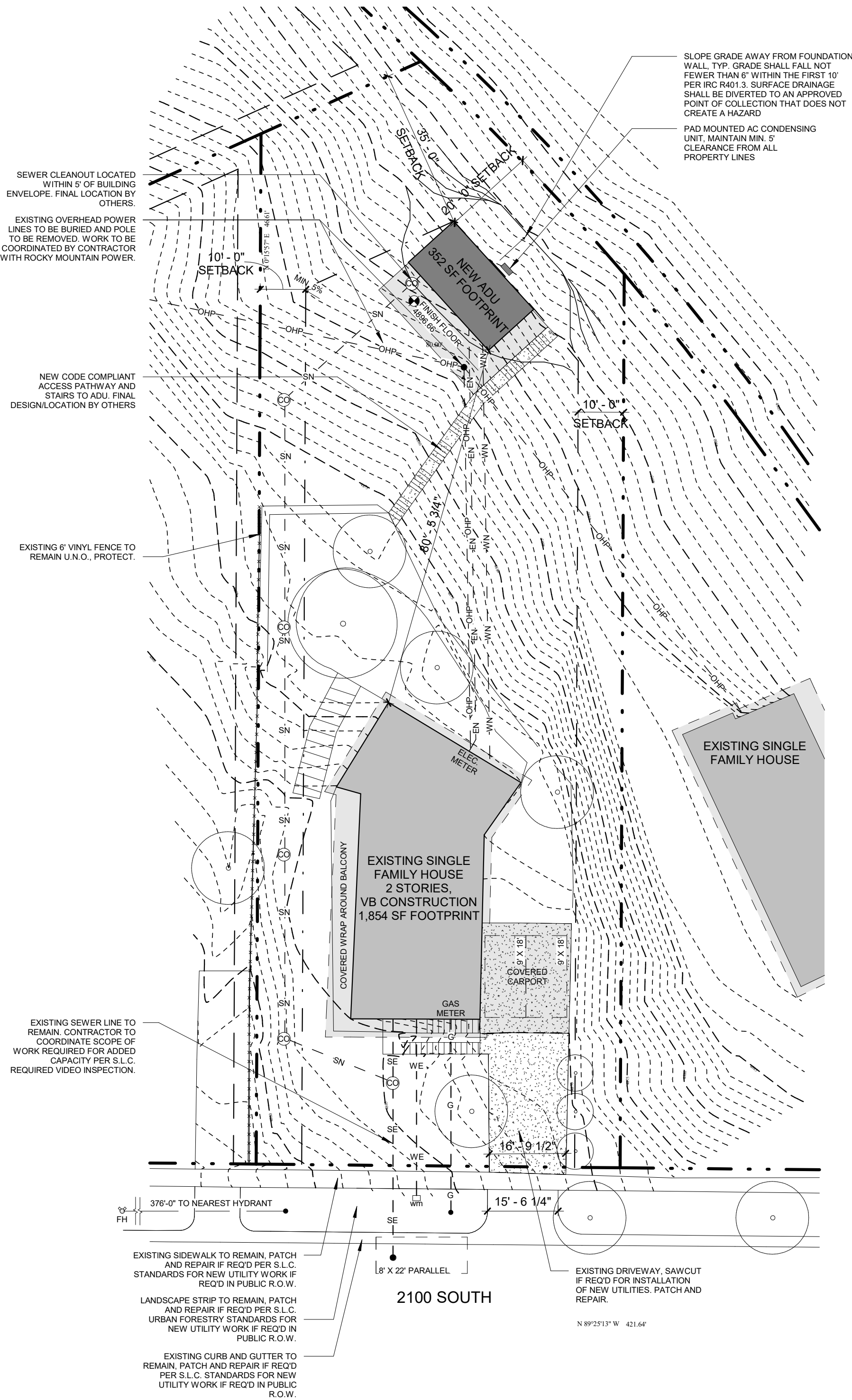
Know what's below.
Call 811 before you dig.

Blue Stakes of UTAH 811
UTILITY NOTIFICATION CENTER, INC.
www.bluestakes.org
1-800-662-4111

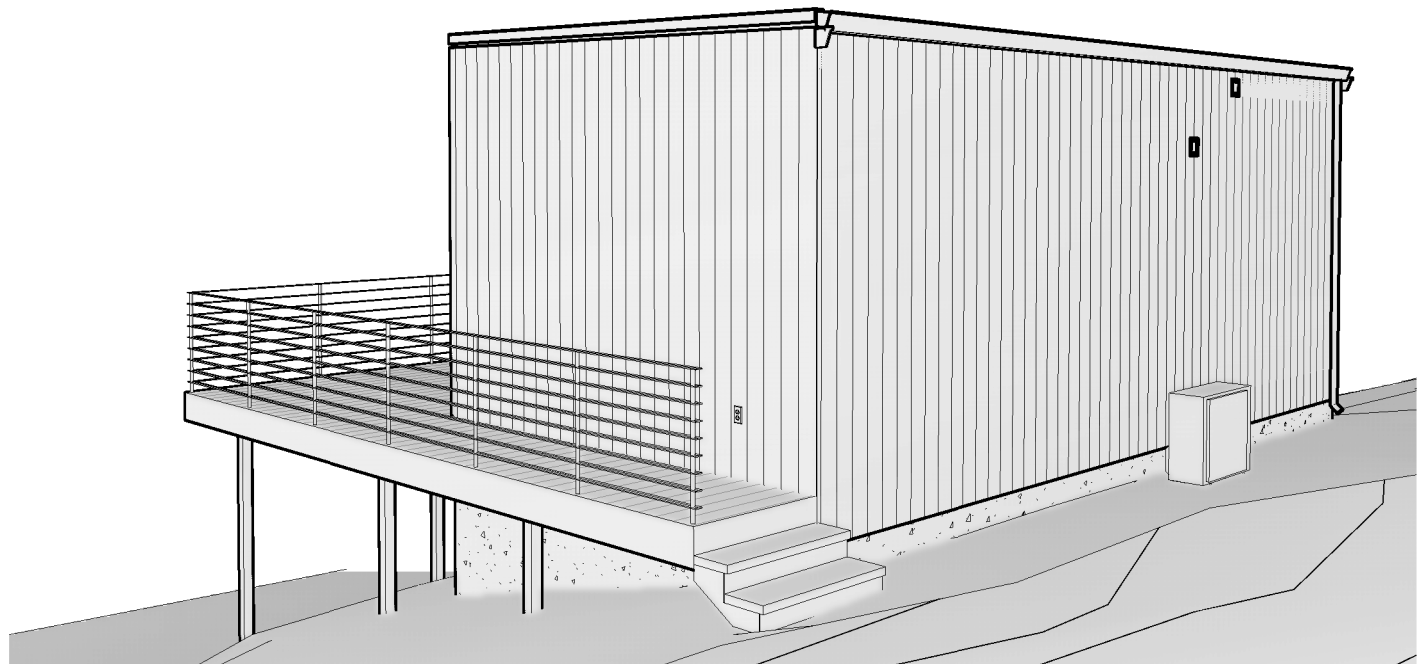


LEGEND - SITE PLAN

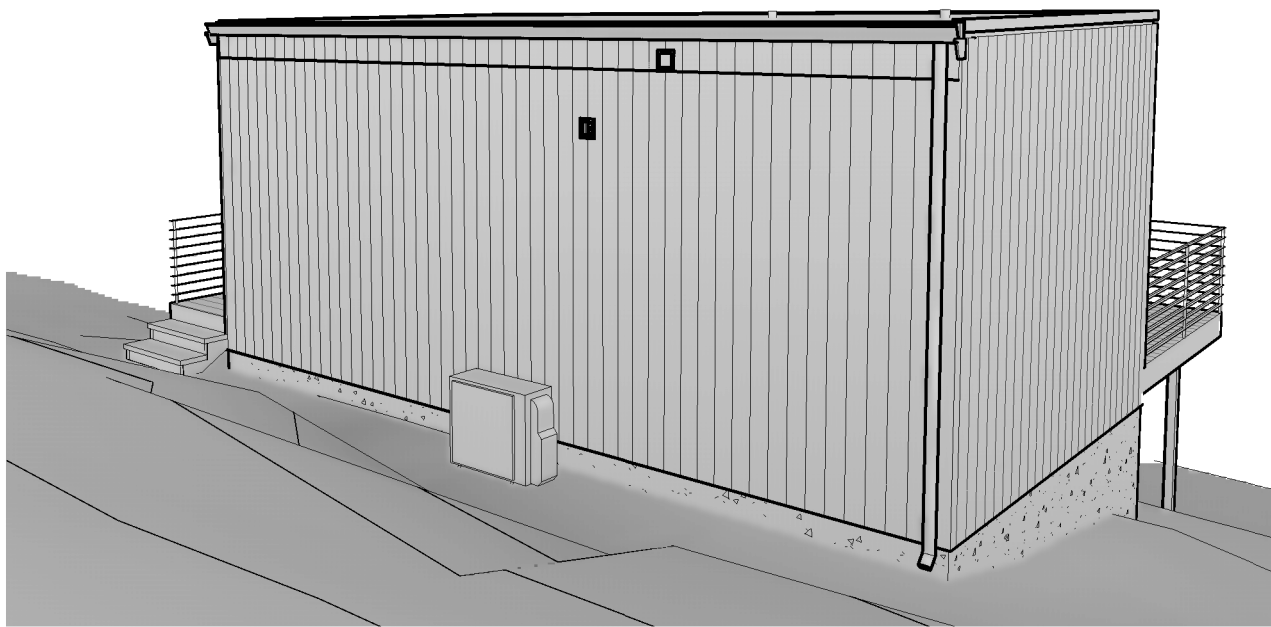
	MODULAR BUILDING FOOTPRINT		APPROX. EXISTING SEWER LINE - CONTRATOR TO FIELD LOCATE PER CODE
	EXISTING STRUCTURE FOOTPRINT		APPROX. NEW SEWER LINE - CONTRACTOR TO FIELD LOCATE PER CODE. 4" SDR35 REQUIRED.
	NEW DECK/STAIRS FOOTPRINT		APPROX. EXISTING WATER LINE - CONTRACTOR TO FIELD LOCATE PER CODE
	ROOF OVERHANG ABOVE		APPROX. NEW WATER LINE - CONTRACTOR TO FIELD LOCATE PER CODE. 3/4" HDPE MIN. FIELD VERIFY SIZE TO MATCH EXISTING LATERAL FROM HOUSE TO METER.
	EXISTING DRIVEWAY		APPROX. EXISTING GAS LINE - CONTRACTOR TO FIELD LOCATE PER CODE
	DEMOLISH EXISTING STRUCTURE/HARDSCAPE		APPROX. EXISTING BURIED ELECTRICAL/ TELECOMMUNICATIONS LINE - CONTRACTOR TO FIELD LOCATE PER CODE
	PROPERTY LINE		APPROX. NEW ELECTRICAL/ TELECOMMUNICATIONS LINE - CONTRACTOR TO FIELD LOCATE - TRENCH & INSTALLATION SEPARATION PER UTILITY REQUIREMENTS & CODE
	SETBACK LINES		
	FIRE HOSE PULL/HYDRANT DISTANCE		
	SEWER CLEAN-OUT. CLEANOUTS LOCATED ON DRIVE-WAY REQUIRE TRAFFIC RATED COVER. 1" SEWER CLEANOUT REQUIRED PER 50' MAX OF SEWER LINE.		



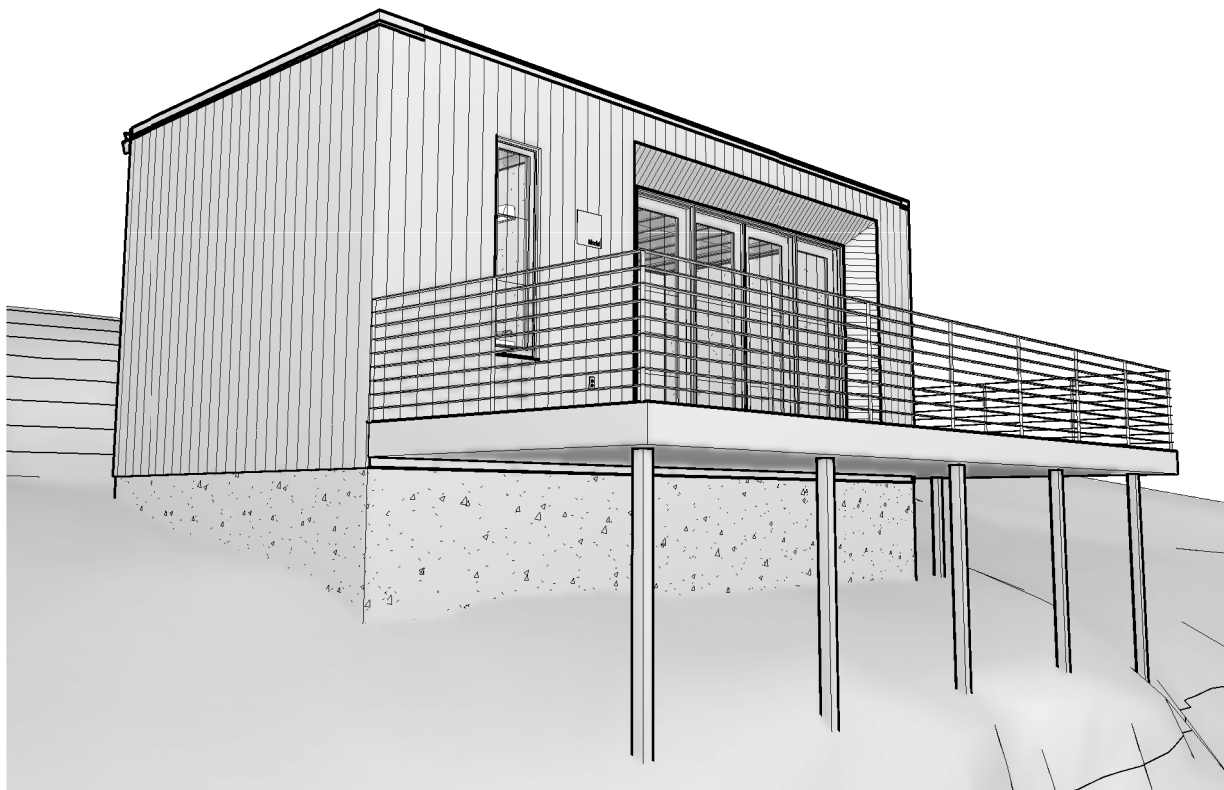
THE DESIGN AND IDEAS SHOWN AND HEREIN DESCRIBED, THE TECHNICAL DRAWINGS, GRAPHIC REPRESENTATION, AND MODELS THEREOF HAVE BEEN PREPARED AS AN INSTRUMENT OF SERVICE FOR THIS SOLE PROJECT AND SHALL REMAIN THE SOLE PROPERTY OF RANGE ARCHITECTURE AND DESIGN AND THEIR CONSULTANTS. WITHOUT THE SOLE AND EXPRESSED WRITTEN PERMISSION OF RANGE ARCHITECTURE AND DESIGN, REPRODUCTION, DUPLICATION, COPYING, IMITATION, COMMERCIAL EXPLOITATION, OR USE FOR ANY OTHER PURPOSE OTHER THAN FOR THIS SPECIFIC PROJECT IS PROHIBITED. PROHIBITED USE OF THE DESIGN OR THESE DRAWINGS IS SUBJECT TO THE FULL EXTENT OF LEGAL ACTION.



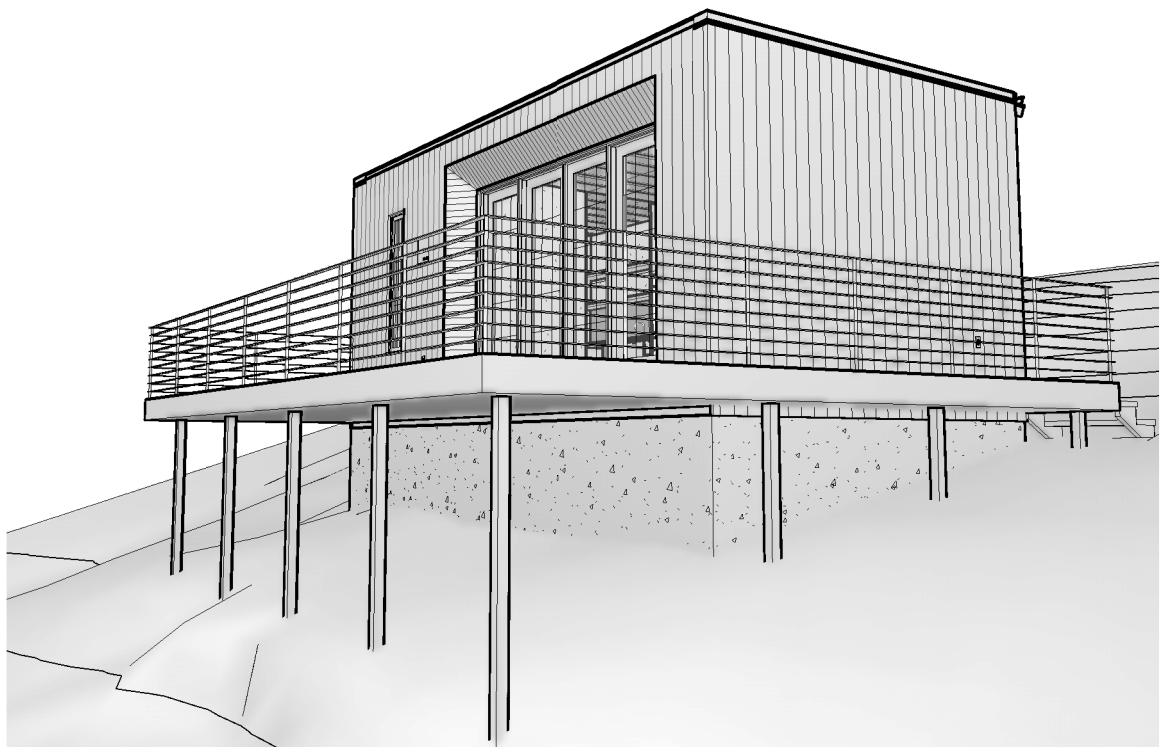
Perspective 4



Perspective 3



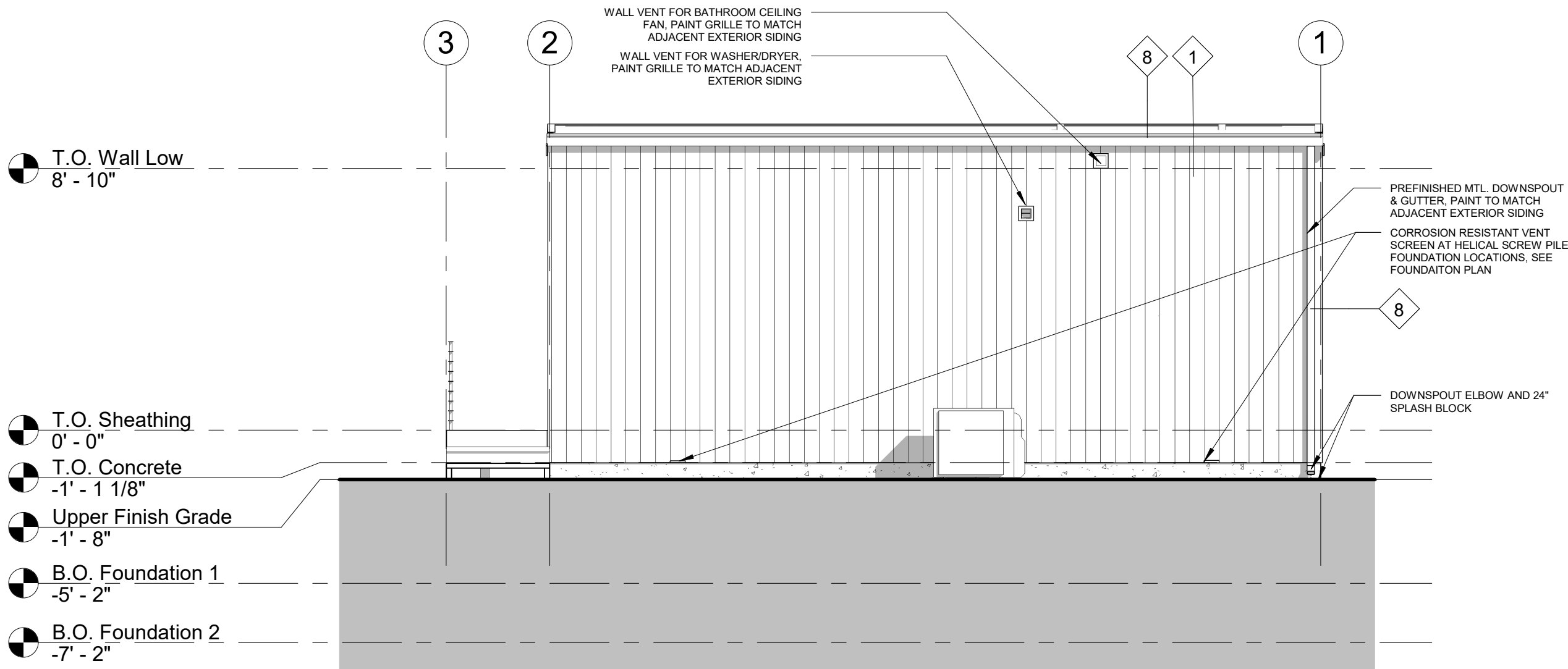
Perspective 2



Perspective 1

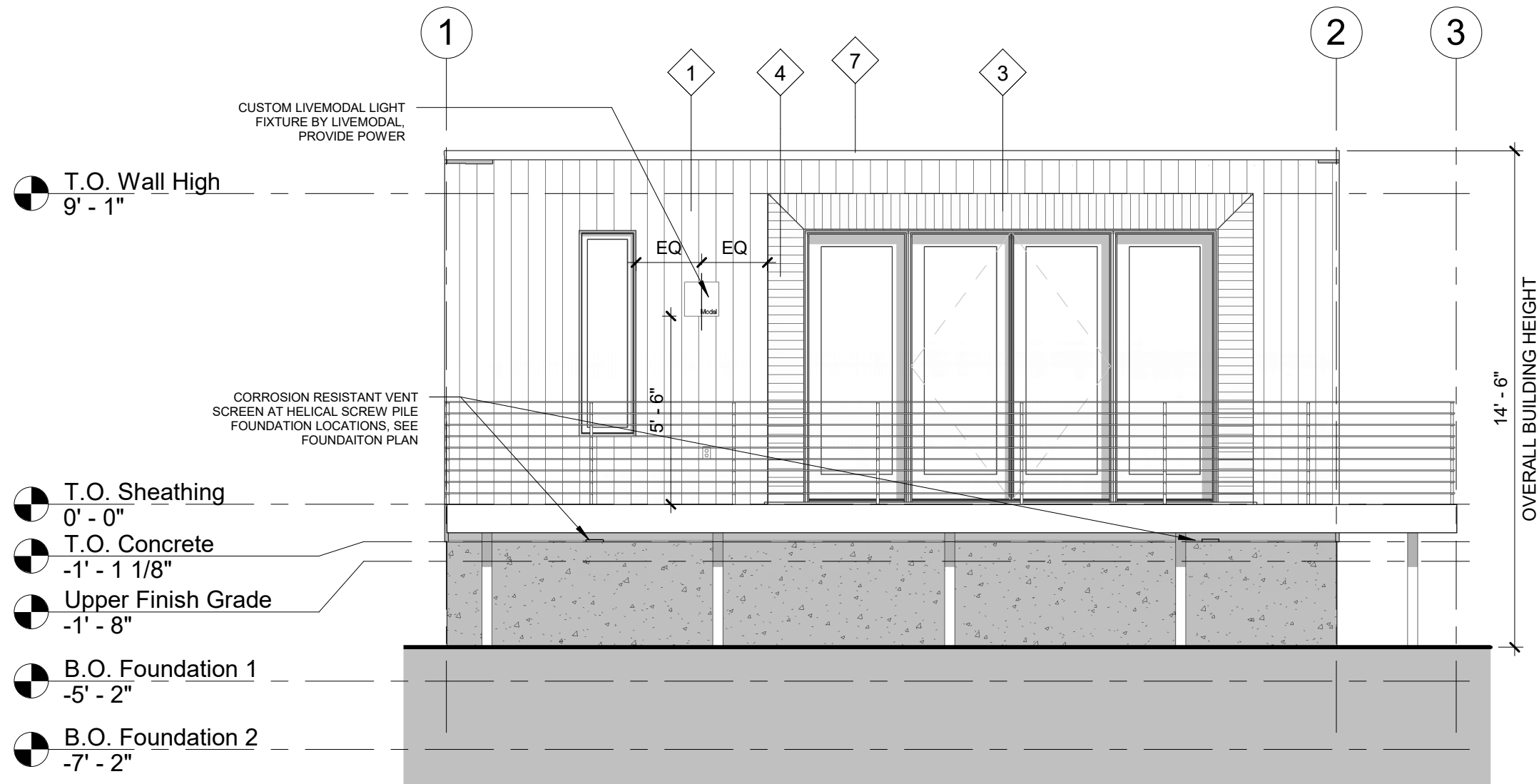
MARK	MATERIAL	MANUFACTURER		COLOR
1	VERTICAL SIDING	JAMES HARDIE	ASPYRE ARTISAN SHIP LAP	CHARCHOAL
2	HORIZONTAL SIDING	JAMES HARDIE	ASPYRE ARTISAN SHIP LAP	N/A
3	VERTICAL CEDAR SIDING	TBD	3" T+G CEDAR WITH CLEAR COAT SEALANT	CLEAR
4	HORIZONTAL CEDAR SIDING	TBD	3" T+G CEDAR WITH CLEAR COAT SEALANT	CLEAR
5	CEMENT BOARD	JAMES HARDIE	ASPYRE ARTISAN REVEAL PANEL, SMOOTH RECESSED TRIM, SEE ELEVATIONS FOR REVEAL LOCATIONS	GREY
6	VERTICAL STANDING SEAM METAL	TBD	26 GA., 1" SEAMS 16" O.C.	N/A
7	METAL FLASHING	TBD	COLOR TO MATCH EXTERIOR SIDING	N/A
8	ALUM. GUTTER AND DOWNSPOUT	TBD	COLOR TO MATCH EXTERIOR SIDING	N/A
9	STEEL HANDRAIL	TBD	POWDERCOAT BLACK	N/A
10	STAIR RISERS & STRINGERS	TBD	STAIN TO MATCH DECK FINISH	N/A

EXTERIOR FINISH SCHEDULE



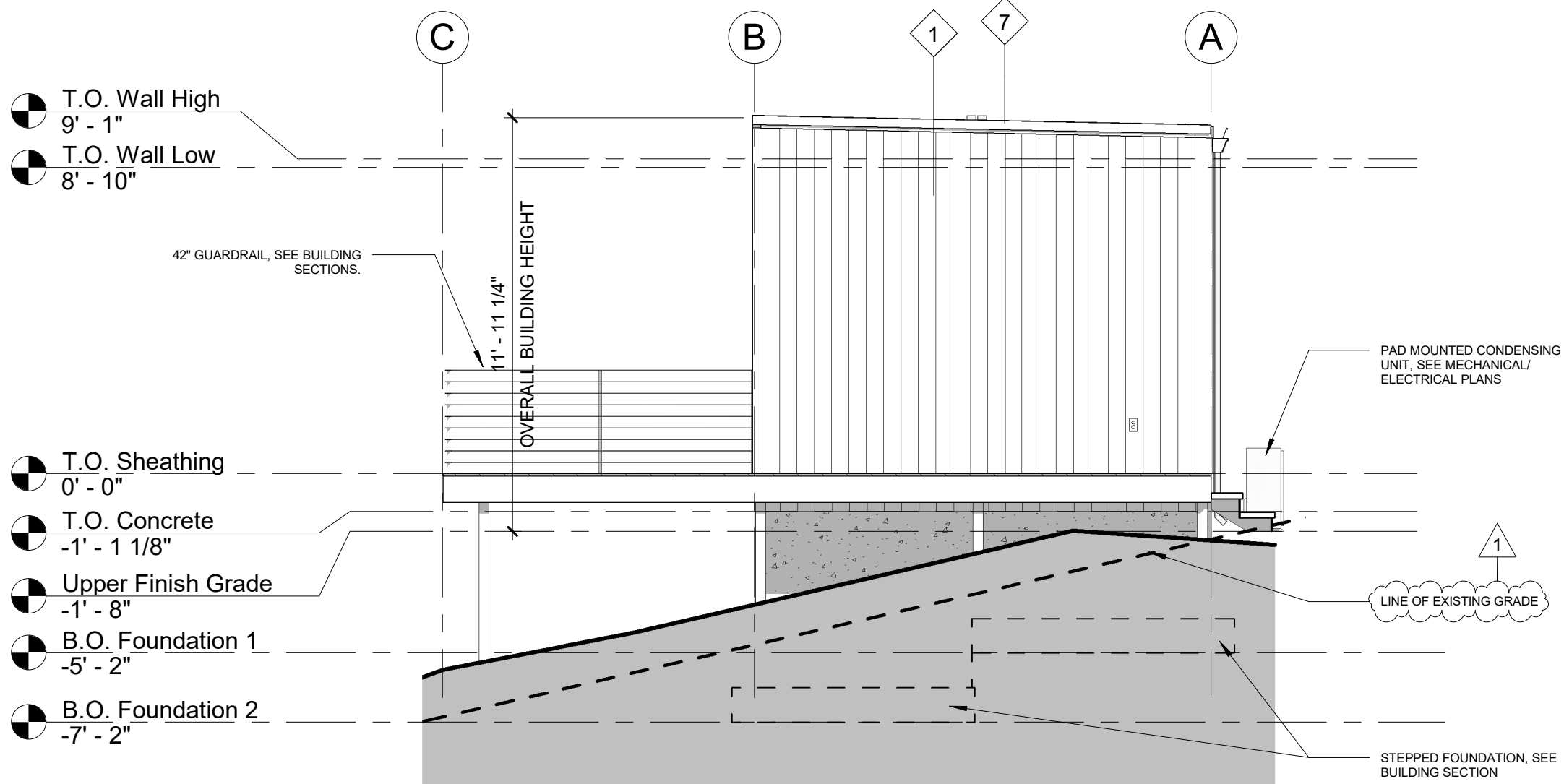
04 ELEVATION - REAR

1/4" = 1'-0"



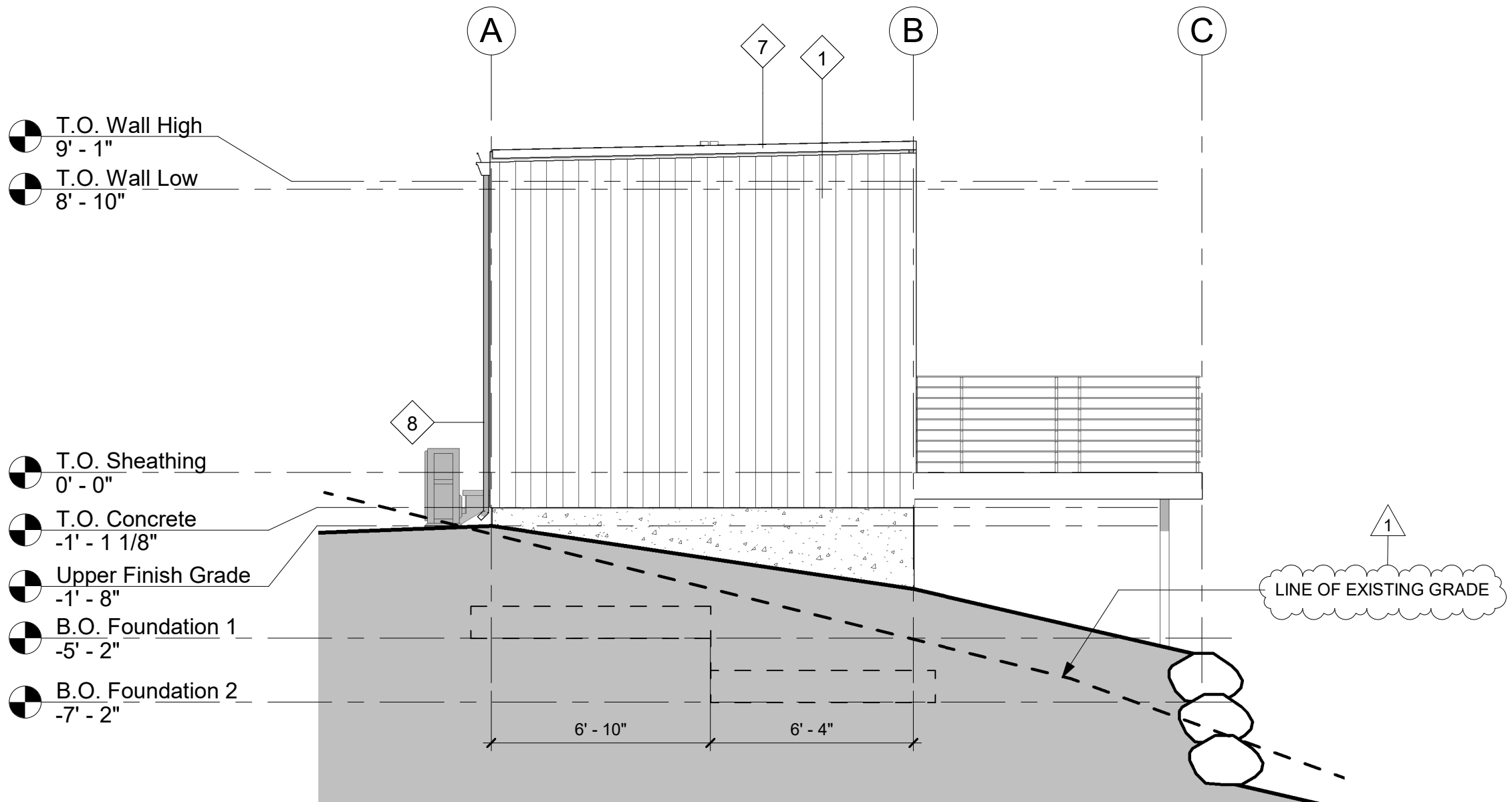
02 ELEVATION - FRONT

1/4" = 1'-0"



03 ELEVATION - SIDE 1

1/4" = 1'-0"



01 ELEVATION - SIDE 2

1/4" = 1'-0"

GENERAL NOTES - ELEVATIONS

1. WHEN SHOWN IN ELEVATION OR SECTION, ALL DIMENSIONS ARE TO TOP OF PLATE, TOP OF CONCRETE OR TOP OF CEMENT-BASED UNDERLAYMENT, U.N.O.
2. DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN.
3. ALL CLEAR DIMENSIONS ARE NOT TO BE ADJUSTED WITHOUT APPROVAL OF THE ARCHITECT.

RANGE

STATE OF UTAH
JEREE WILSON
6590333-0301
09/16/2020
LICENSED ARCHITECT

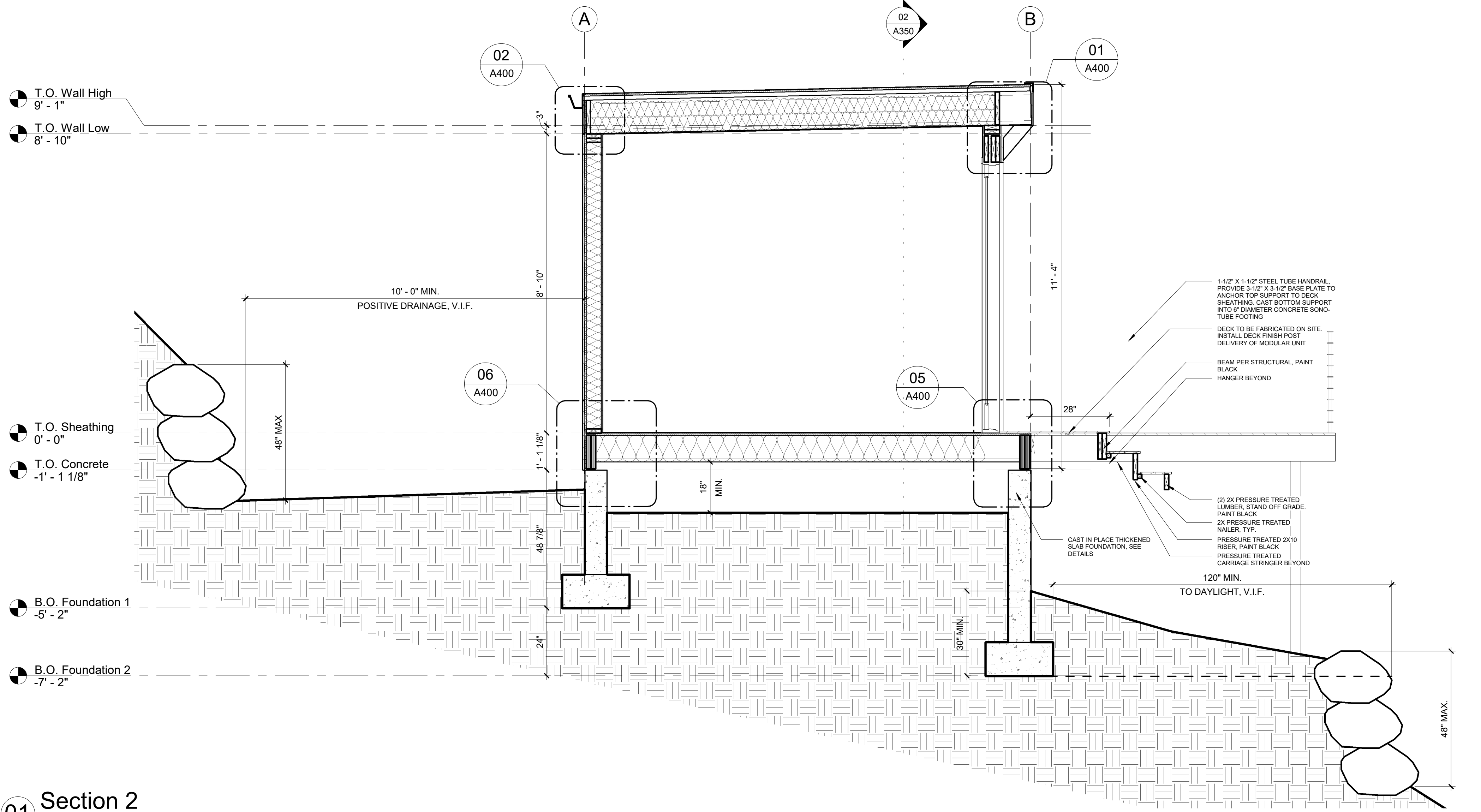
950 S. EAST HENRISS DRIVE, SUITE 100, RENO, NV 89415
WWW.RANGEARCHITECTURE.COM

Modal

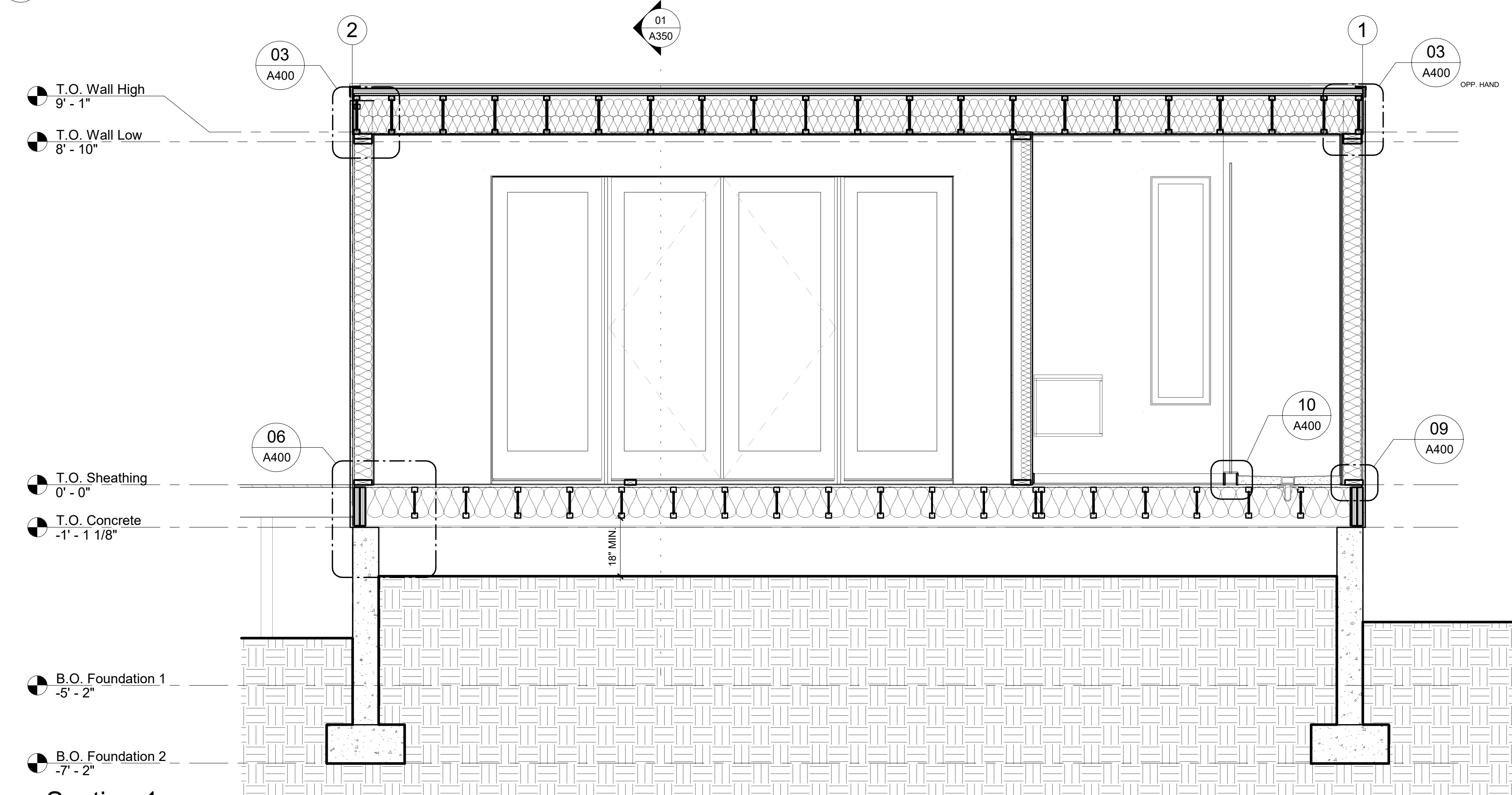
MODAL 00 ADU - NUNEZ
2721 E 2100 S, Salt Lake City, UT 84109

PERMIT SET 09/04/2020
REVISIONS
MARK DATE
1 10.25.19
PLOT DATE 09/16/2020
PROJECT 2001
DRAWN BY IK
CHECKED BY N/A
SHEET TITLE
BUILDING
ELEVATIONS & 3D
VIEWS
A300

THE DESIGN AND IDEAS SHOWN AND HEREIN DESCRIBED, THE TECHNICAL DRAWINGS, GRAPHIC REPRESENTATION, AND MODELS THEREOF HAVE BEEN PREPARED AS AN INSTRUMENT OF SERVICE FOR THIS SOLE PROJECT AND SHALL REMAIN THE SOLE PROPERTY OF RANGE ARCHITECTURE AND DESIGN AND THEIR CONSULTANTS. WITHOUT THE SOLE AND EXpressed WRITTEN PERMISSION OF RANGE ARCHITECTURE AND DESIGN, REPRODUCTION, DUPLICATION, COPYING, IMITATION, COMMERCIAL EXPLOITATION, OR USE FOR ANY OTHER PURPOSE OTHER THAN FOR THIS SPECIFIC PROJECT IS PROHIBITED. PROHIBITED USE OF THE DESIGN OR THESE DRAWINGS IS SUBJECT TO THE FULL EXTENT OF LEGAL ACTION.



01 Section 2
1/2" = 1'-0"



02 Section 1
1/2" = 1'-0"

GENERAL NOTES - SECTIONS

- THESE BUILDING SECTIONS ARE SHOWN FOR SPACIAL RELATIONSHIPS ONLY AND SHOULD NOT BE SOLE BASIS FOR JOINING MATERIALS. REFER TO CALLOUT DETAILS OR ASK ARCHITECT IF UNCERTAIN OR IF CONFLICTS OCCUR.
- WHEN SHOWN IN ELEVATION OR SECTION, ALL DIMENSIONS ARE TO TOP OF PLATE, TOP OF CONCRETE, U.N.O.
- DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN.
- ALL CLEAR DIMENSIONS ARE NOT TO BE ADJUSTED WITHOUT APPROVAL OF THE ARCHITECT.

LEGEND - SECTIONS

- .1" DIMENSION - DENOTING FACE OF STRUCTURE/FRAMING U.N.O.
- .1" DIMENSION - DENOTING CENTERLINE
- .1" DIMENSION - DENOING FACE OF FINISH/CLEAR
- 0 GRID LINE REFERENCE - FACE OF STUD, EDGE OF CMU
- EARTH
- PROPOSED GRADE
- EXISTING GRADE
- 1 A101 SIM BUILDING SECTION REFERENCE DWG. NO. SHT. NO.
- 1 A101 SIM WALL SECTION REFERENCE DWG. NO. SHT. NO.

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09/04/2020

Modal

MODAL 00 ADU - NUNEZ

2721 E 2100 S, Salt Lake City, UT 84109

COND. USE 09/04/2020

REVISIONS MARK DATE

PLOT DATE 09/04/2020

PROJECT 2001

DRAWN BY IK

CHECKED BY N/A

SHEET TITLE

BUILDING SECTIONS

A350

ATTACHMENT C – RELEVANT ZONING STANDARDS

21A.40.200 – ACCESSORY DWELLING UNITS:

ADU STANDARDS	PROPOSED	COMPLIES (Y/N)
SIZE: ADU footprint shall not exceed 50% of footprint of principal dwelling , up to a maximum of 650 sf.	The footprint of the principal dwelling on the property is 1,849 square feet and the footprint of the proposed ADU is 352 square feet.	Complies
MAXIMUM COVERAGE: The surface coverage of all principal and accessory buildings shall not exceed 40% of the lot area.	Lot Size: 18,143 sq. ft. (.42 Acres) Primary Dwelling: 1,849 sq. ft. Proposed ADU: 352 Sq. Ft. Proposed coverage of combined principal and accessory structures on the lot) is 2,201 square feet or 12% of the total lot area.	Complies
HEIGHT: Shall not exceed the height of the single-family dwelling on the property or 17 feet , whichever is less. *If the principal dwelling is over 17 feet in height, the ADU may be equal in height up to a maximum of 24 feet if 10-foot side and rear yard setbacks are provided. The setback for additional height may be reduced to 4 feet if the side or rear lot line is adjacent to an alley.	The height of the proposed ADU will be 14.5 feet tall. The primary structure is 25 feet tall.	Complies
SETBACKS: New accessory structures shall be located a minimum of 4 feet from any side or rear lot line.	The proposed ADU will be located 35 ft from the rear lot line, and 15 ft from the east and 33 ft from the west side lot line.	Complies
SEPARATION: Shall be located a minimum of 10 feet from any primary dwelling on the property or adjacent property	The proposed ADU will be located approximately 70 ft from the house on the property and the closest house on an adjacent property is approximately 100 ft away.	Complies
ENTRANCE LOCATIONS: The entrance to an ADU in an accessory building shall be located: (1) Facing an alley, public street, or facing the rear façade of the single-family dwelling on the same property. (2) Facing a side or rear property line provided the entrance is located a minimum of ten feet (10') from the side or rear property line. (3) Exterior stairs leading to an entrance shall be located a minimum of ten feet (10') from a side or rear property line unless the applicable	The proposed entry is facing south toward the rear façade of the primary single-family dwelling on the property.	Complies

side or rear property line is adjacent to an alley in which case the minimum setback for the accessory building applies to the stairs.		
REQUIREMENTS FOR WINDOWS: (1) Windows shall be no larger than necessary to comply with the minimum Building Code requirements for egress where required. Skylights, clerestory windows, or obscured glazing shall be used when facing a side or rear property line to comply with minimum Building Code requirements for air and light on building elevations that are within ten feet (10') of a side or rear property line unless the side or rear property line is adjacent to an alley. (2) Except as required in subsection E3g(1) of this section, windows shall maintain a similar dimension and design as the windows found on the principal structure.	Proposed windows meet building code requirements for egress. Windows are similar in dimension and design as the windows on the principal structure.	Complies
PARKING: Minimum of one parking space on site *This requirement may be waived if there is legal on-street parking along the street frontage of the property OR if the property is within ¼ mile of a transit stop.	Both conditions allowing a waiver of required parking are present with this property. However, the applicant is still planning to include off-street parking for the proposed ADU on the existing driveway in the space between the front property line and the existing carport. Section 21A.40.200.E.1.g allows the space between the front property line and existing parking to satisfy the required parking standard.	Complies

21A.24.010.P – SPECIAL FOOTHILL REGULATIONS:

ADU STANDARDS	PROPOSED	COMPLIES (Y/N)
3.a. Exterior Building Colors: The exterior of any building or structure shall blend with the natural materials and predominant colors and hues of the surrounding foothills. Colors permitted include grays, browns, greens, tans and other earth tones. White or bright colors shall be limited to window casings, doors, eaves and other trim areas.	The proposed exterior colors are charcoal, grey, and natural stained cedar.	Complies
3.b. Exterior Building Glass: Windows and other glass surfaces shall have an outdoor visible light reflective value no more than eighteen percent (18%) as defined and measured by ASTM E308-90 or its successor.	The applicant has proposed exterior glass that meets the required reflective value.	Complies
3.c. Roof Materials and Colors: Roof colors shall be earth tones. White, bright and reflective materials are prohibited from roofs. Tile, slate, architectural asphalt shingles and fire-retardant wood are permitted as roofing materials.	The applicant has proposed a black, nonreflective membrane roof.	Complies
3.d. Mechanical Equipment: Mechanical equipment including, without limitation, swamp coolers, air conditioning equipment, heat pumps, vents, blowers and fans shall be screened from view or painted to match the building color adjacent to the equipment. Roof mounted mechanical equipment, excluding solar panels which are subject to section 21A.40.190 of this title, shall not extend above the highest roof ridgeline.	The ground-mounted condenser proposed to be located at the rear of the ADU will be painted to match the color of the structure.	Complies
6. Grade Changes: No grading shall be permitted prior to the issuance of a building permit. The grade of any lot shall not be altered above or below established grade more than four feet (4') at any point for the construction of any structure or improvement except: a. Within the buildable area. Proposals to modify established grade more than six feet (6') shall be reviewed as a special exception subject to the standards in chapter 21A.52 of this title. Grade change transition areas between a yard area and the buildable area shall be within the buildable area;	No grade changes greater than four feet are proposed by the applicant.	Complies

<p>b. Within the front, corner side, side and rear yard areas, proposals to modify established grade more than four feet (4') shall be reviewed as a special exception subject to the standards found in chapter 21A.52 of this title; and</p> <p>c. As necessary to construct driveway access from the street to the garage or parking area grade changes and/or retaining walls up to six feet (6') from the established grade shall be reviewed as a special exception subject to the standards in chapter 21A.52 of this title.</p>		
<p>8. Retaining Walls: All cuts and fills in excess of two feet (2') shall be supported by retaining walls if required by the Zoning Administrator. Any stacking of rocks to create a rock wall in excess of a thirty percent (30%) slope, that is intended to retain soil, shall be considered a retaining wall. No retaining wall may exceed four feet (4') in height above the established grade except as provided in subsections P6a, P6b and P6c of this section.</p>	<p>No retaining walls taller than four feet are proposed by the applicant.</p>	<p>Complies</p>

ATTACHMENT D – 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 ADU use is in the FR-3/12,000 zoning district which allows for an ADU to be approved through the conditional use process subject to meeting the specific regulations for an ADU in section 21A.40.200 of the zoning ordinance. As analyzed in [Attachment C](#), the ADU complies with the requirements of 21A.40.200 and 21A.24.010.P.

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: The proposed ADU is anticipated in the FR-3/12,000 zoning district and is considered a use that is potentially compatible with adjacent and surrounding residential uses as it is listed as a conditional use in the land use table. As analyzed in [Attachment C](#), the ADU meets all the requirements in terms of setbacks and separation requirements between adjacent houses and the primary house on the property. All the surrounding uses are single-family residential homes and the proposed ADU is also a residential use.

Finding: The proposed development and use is generally compatible with the surrounding uses. It is a residential use located in a residential neighborhood.

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

Analysis: The proposal is located within the East Bench Planning Area. The East Bench Community is characterized by stable residential neighborhoods with unique architectural styles and development patterns. The master plan designates the future land use of this area as low density residential and the existing zoning on the property is FR-3/12,000, single family residential.

The purpose of the FR-3/12,000 Foothills Residential District is to promote environmentally sensitive and visually compatible development of lots not less than twelve thousand (12,000) square feet in size, suitable for foothills locations as indicated in the applicable community Master Plan. The district is intended to minimize flooding, erosion, and other environmental hazards; to protect the natural scenic character of foothill areas by limiting development; to promote the safety and well-being of present and future residents of foothill areas; to protect wildlife habitat; and to ensure the efficient expenditure of public funds.

The purpose of accessory dwelling units are to:

- 1) Create new housing units while respecting the appearance and scale of single-family residential development;
- 2) Provide more housing choices in residential districts;
- 3) Allow more efficient use of existing housing stock, public infrastructure, and the embodied energy contained within existing structures;

- 4) Provide housing options for family caregivers, adult children, aging parents, and families seeking smaller households;
- 5) Offer a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and services;
- 6) Broaden the range of affordable housing throughout the City;
- 7) Support sustainability objectives by increasing housing close to jobs, schools, and services, thereby reducing greenhouse gas emissions and fossil fuel consumption;
- 8) Support transit-oriented development and reduce auto usage by increasing density near transit; and
- 9) Support the economic viability of historic properties and the City's historic preservation goals by allowing accessory dwellings in historic structures.

The proposed ADU is consistent with the East Bench Master Plan's Residential Guiding Principle N-03 which recommends:

- Provide a diverse mix of housing choices for all stages of life and income ranges.

The proposal is also consistent 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. Accessory Dwelling Units provide and promote diverse housing stock by providing additional units in a generally homogenous single-family neighborhood.

Finding: The proposed use is consistent with applicable adopted city planning policies, documents, and master plans.

- 4. The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions (refer to Detrimental Impacts Chart on next page 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 ADU is an accessory residential use and is allowed as a conditional use within the FR-3/12,000 zoning district. The proposed ADU complies with all specific regulations for an ADU including size, height, setbacks, distance to other houses, etc. as outlined in Attachment C .
2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps	Complies	<p>The use is located in an area zoned and designated by the associated master plan for low density residential. Low-density includes single-family attached and detached dwellings as permissible on a single residential lot subject to zoning.</p> <p>As discussed under Conditional Use standard 3 above, the proposed ADU is consistent with the purpose of the ADU ordinance and supports goals outlined in the City's 5-year housing plan, <i>Growing SLC</i>, by providing more housing options, and creating a new housing unit that respects the scale of the neighborhood.</p>
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	An ADU is residential in nature and the subject property is in a single-family residential neighborhood. The unit will also be relatively compact with a footprint of 432 square feet.
4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered	Complies	The scale of the proposal will be compatible with the main house on the property and meets the footprint and height requirements for an ADU.
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 main house and ADU on the subject property will be accessed from 2100 South. The applicant mentioned installing an access point on scenic drive, but has not submitted such as part of this proposal.

6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic	Complies	It's not anticipated that the addition of the accessory unit will create any adverse impacts in terms of motorized, non-motorized and pedestrian traffic.
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7. The site is designed to enable access and circulation for pedestrian and bicycles	Complies	The proposed ADU will not affect circulation for pedestrians and bicycles in the area. A concrete walkway (shown on the site plan) is proposed to lead from the landscaped rear yard to the ADU.
8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street	Complies	The proposed ADU proposed an off-street parking space with internal circulation to mitigate unreasonable impacts on the street. There is ample on-street parking available and a bus stop located within ¼ mile of the property.
9. The location and design of off-street parking complies with applicable standards of this code	Complies	An off-street parking space is provided in the driveway. Tandem parking is allowed for ADU's per 21A.40.200.E.G.
10. Utility capacity is sufficient to support the use at normal service levels	Complies	Public Utilities supports the conditional use with the requirement that the sewer lateral will need to be lined or replaced as part of the ADU.
11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts	Complies	The surrounding properties are all residential uses and the proposed use is also residential. A steep slope in the rear part of the property will keep the proposed ADU out of view from Scenic Drive (which is behind the subject property)
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. Environmental impacts are not anticipated to be associated with the proposal.
13. The hours of operation and delivery of the use are compatible with surrounding uses	Complies	The proposed use is an accessory residential structure and is compatible with the surrounding uses as they are also residential.
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 accessory structure 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	The property is not located within a Local Historic District and the proposal does not involve removal or any historic resources or structures.
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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 E – 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:

- September 28, 2020 – Notice of the proposed ADU was provided to the East Bench and Sugar House Community Council as well as property owners and residents within 300 feet of the project.
- October 21, 2020 – Staff attended the East Bench Community Council meeting. The applicant presented and answered several questions that were raised. The EBCC has adopted a policy to not formally vote on ADUs. They did not provide a formal letter. During the meeting, Community Council members raised concerns about the following issues (many of which have already been addressed in this report):
 - Future tenants of the ADU parking on Scenic Drive
 - Visibility of the proposed ADU from Scenic Drive
 - Access from Scenic Drive
 - Potential Flooding because of construction (note: the property is **not** located within a flood hazard area as designated by FEMA)
 - Operation of the ADU as an AirBnb
- The Sugar House Community Council did not review the request as it is located outside of their jurisdiction. (They were notified since the project is within 600 feet of their neighborhood.)

Notice of the public hearing for the proposal included:

- Public hearing notice mailed on November 19, 2020.
- Public notice posted on City and State websites and Planning Division list serve on November 19, 2020.
- Public hearing notice posted on November 30, 2020.

Public Input:

Several email inquiries were submitted concerning the proposed ADU. They are attached on the following pages.

Barlow, Aaron

From: Darlene Chytraus [REDACTED]
Sent: Tuesday, December 1, 2020 8:04 PM
To: Barlow, Aaron
Cc: planning.comments@slc.gov.com
Subject: (EXTERNAL) case number PLNPCM2019-01053 Nunez ADU at approximately 2721 east 2100 so

Parking spaces needed for residents and visitors

Hill creates accident frequency increases. And bad freezing weather adds to sliding on hill along 2100 South compromising safety.

Property in the long run will not be a family related tenant.

Inevitable public renters will add to the density in a short time; maybe in months or in a few years after related relative ceases occupancy of said property.

Higher density in the neighborhood most always in the past has lead to a higher local crime rate. This leads to lowering the property values in the immediate area.

Meanwhile, the higher density leads to more demand for social services and thus adding to already high property tax

In recent years, the crime rate has already increased around the subject property.

Thank you for considering these concerns about adding more dwellings in this area. I'm the owner of the single family house at 2105 Wasatch Drive. Please contact me if you have questions or more needed input prior to this meeting on December 9 before the Planning Commission.

Sincerely,
Darlene Chytraus

Sent from [Outlook.com](#).

Barlow, Aaron

From: Barlow, Aaron
Sent: Thursday, November 12, 2020 11:37 AM
To: 'David P'
Subject: RE: (EXTERNAL) Fw: Nunez ADU

David,

I apologize for not getting back to you. I have answered your questions from both emails in red.

Sincerely,

AARON BARLOW, AICP

Principal Planner
Planning Division

DEPARTMENT of COMMUNITY and NEIGHBORHOODS
SALT LAKE CITY CORPORATION

TEL 801-535-6182
CEL 385-386-2764
EMAIL aaron.barlow@slcgov.com

www.SLC.GOV/PLANNING
www.ourneighborhoodscan.com

From: David P [REDACTED]
Sent: Sunday, November 8, 2020 6:06 PM
To: Barlow, Aaron <Aaron.Barlow@slcgov.com>
Subject: (EXTERNAL) Fw: Nunez ADU

Aaron,

I had emailed you a month ago and I don't recall ever getting a response. See my original email below.

As we get close to the end of the comment period I'd love to get a response on a few items listed below.

First, ADU access from Scenic Drive. I'm sure you are aware from the plans and the property lines that the Nunez property does not extend all the way to Scenic Drive at the rear of the property. I also notice that there is nothing in the plans that indicates there will be any access from Scenic Drive to the property. The plans do include access via a pathway from the main residence and indicate that parking will be provided at the main residence, via driveway or street parking.

You are correct that the plans do not currently indicate any proposal to access the proposed accessory dwelling unit (ADU) from scenic drive. The Nunez property is currently shown as two parcels on most city and county databases. The owner has consolidated the parcels and the County's parcel data will reflect that reality in the near future (though I have not been told an exact date). You are also correct that the property does not immediately abut the curb and gutter of Scenic Drive, but this is common for residential properties.

If I understand correctly, the land between the rear of the Nunez property and the curb at Scenic Drive is an SLC Corp right of way and contains a water or sewer pipe. Given this information **I'd like to understand how the variance addresses that piece of land and whether or not it provides for permission to build across that stretch of unowned property now or in the future.**

I have spoken with public utilities and there is a pipe along the east border of the Scenic Drive public right of way. If approved, this proposal (as it is currently submitted) would not grant egress from the Nunez property to the Scenic Drive right of way. That would require a separate application and approval from the Transportation Division (who would coordinate with other City divisions to address issues like the pipeline in the right of way). Concerns about granting right of way access can be directed to the Transportation Division at slc.transplan@slcgov.com.

Second, rental use. I'd like to understand the intended use for the property, it's my understanding from the SLC ADU Handbook that this unit cannot be used for rentals less than 30 days. **I'd like to understand if there is any variance allowing for shorter rentals now or in the future.**

The intent is to rent the new ADU. All rental properties are required to be licensed by the City's Business Licensing division. No rentals under 30 days are permitted and licenses are revoked for not adhering to City code. You can contact Civil Enforcement if you suspect a property is being used for short-term rentals. I believe Julie Lepore is a good contact for short-term rentals. She can be reached at 801-535-7938 or Julie.lepore@slcgov.com. **There is no process available that allows for short-term rentals in residential districts.**

Third, construction access. **What should we, on Scenic Drive expect in terms of construction access - timeline and duration** - given that the ADU will be placed by crane from Scenic Drive.

Contact Building Services with questions about the construction process. They will handle temporary construction access (coordinating with other departments concerning pipelines etc.) and will address any issues. Contact Civil enforcement if a construction site seems unsafe or if contractors are being irresponsible.

Please let me know how these items are being handled at your earliest convenience. I expect that other neighbors have these same concerns.

David Platt
801.633.5678

From: David P [REDACTED]
Sent: Thursday, October 8, 2020 8:46 AM
To: aaron.barlow@slcgov.com <aaron.barlow@slcgov.com>
Subject: Nunez ADU

Hi Aaron,

My name is David Platt, I live directly behind/above the Nunez property at 1995 Scenic Drive. I was excited to hear about this project, I'm pretty familiar with Modal and I'm all for interesting projects in the neighborhood, especially something unique like this. I had a few questions I hope you won't mind addressing.

I'll admit I'm not totally up to speed on all the rules and regulations, but I'm curious if there are use restrictions for an ADU like this? Are they permitted to be used as short-term rentals? Do we know what this family is planning to do with the ADU?

Access - will there be access built from the Scenic Drive side? I didn't see anything on the plans but I'm wondering if a path, steps, or driveway might be built to access directly from the rear of the property.

There are currently no plans for a path, step or driveway from the Nunez property on to Scenic Drive. This does not mean that a future occupant of the proposed ADU would access their unit from Scenic Drive anyway. As I said before, any new access that crosses public right of way will need approval from the Transportation Division

Parking - Where will parking for the ADU be? I'm familiar with the existing property, it's driveway and the parking restrictions along 2100S in front of their house. How are additional vehicles expected to be accommodated? This is also related to the access question.

Section [21A.40.200.E.1.g](#) requires one parking stall for new ADUs. The space between the garage/carport and the sidewalk can satisfy this requirement. Additionally, if the property is less than ¼ mile away from a transit stop (in this case there is a bus stop on Foothill Drive that is less than ¼ mile away from the property), then a parking space is not required.

Lighting - Based on the plans the rear of the ADU will face Scenic Drive - are there any limitations or guidelines about lighting on the rear of the property?

There are no zoning standards for residential lighting.

Construction access - Based on the plans it seems that construction access will be from the Scenic drive side and include some heavy equipment, is there any additional information you can provide about timelines, construction periods, impact to residents on Scenic?

Contact Building Services (building.services@slcgov.com or 801-535-6000) with any questions about the construction process or complaints about contractors.

Thanks for taking the time to respond, it is very much appreciated!

David
801.633.5678

Barlow, Aaron

From: Cara Dziuda [REDACTED]
Sent: Thursday, October 15, 2020 1:40 PM
To: Barlow, Aaron
Subject: Re: (EXTERNAL) ADU Question on 2127 East 2100 South

Hi Aaron,

You answered my questions clearly.

Thank you

Cara

Sent from my iPhone

On Oct 15, 2020, at 12:07 PM, Barlow, Aaron <Aaron.Barlow@slcgov.com> wrote:

Cara,

I have answered your questions below:

I was curious would this ADU have access from Scenic Drive in the form of a driveway or footpath? How will any renter or inhabitant access this building?

There is currently no driveway access proposed from Scenic Drive to the property. Installation of a new driveway would require approval from the Engineering Division. The property owner has the right to construct a new stairwell (for the ADU or otherwise). However, it is not currently part of the submitted plans. There is not a required public process to install a pathway on private property.

How high will the ADU be on the property? Would one be able to see it from Scenic drive or will it be situated below the height of the street?

The red line in the snippet of the plans below has a 15-foot increase in elevation from the ADU to the street. The structure is 14.5 feet tall, so it will be visible from the street, but will not sit any taller than ground level on Scenic Drive.

<image001.png>

Please let me know if I have missed anything. I will be posting all questions and answers on the open house page. Feel free to reach out with other questions.

Sincerely,

AARON BARLOW, AICP
Principal Planner

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS
SALT LAKE CITY CORPORATION

OFFICE TEL 801-535-6182
MOBILE TEL 385-386-2764
FAX 801-535-6174
aaron.barlow@slcgov.com
www.SLCGOV.COM

From: Cara Dziuda [REDACTED]
Sent: Wednesday, October 14, 2020 2:53 PM
To: Barlow, Aaron <Aaron.Barlow@slcgov.com>
Subject: (EXTERNAL) ADU Question on 2127 East 2100 South

Hi Aaron,

I live on Scenic Drive in Salt Lake City and just saw the notes in regards to the requested ADU that will be located between scenic drive and wasatch. (information copied below). I was curious would this ADU have access from Scenic Drive in the form of a driveway or footpath? How will any renter or inhabitant access this building?

How high will the ADU be on the property? Would one be able to see it from Scenic drive or will it be situated below the height of the street?

Thank you in advance for your help.

Cara Dziuda

*Nunez Accessory Dwelling Unit (Conditional Use) Planning Petition Information for PLNPCM2019-01053
Request Type: Conditional Use for an Accessory Dwelling Unit Location: 2127 East 2100 South Zone: FR-3/12,000 Foothills Residential District Overlay District: None What is the request? Andrea Palmer, representing the property owner and Modal Living, is requesting conditional use approval for a 14.5-foot tall, 352-square-foot accessory dwelling unit (ADU) that will be situated in the rear, northwest corner of the property located at 2721 East 2100 South. The property is zoned FR-3/12,000, Foothills Residential District, where ADUs must be processed as a conditional use, and is located within Council District #6, represented by Dan Dugan.*

From: [Barlow, Aaron](#)
To: [Ray Levey](#)
Subject: RE: (EXTERNAL) Re: NUNEZ ADU -2721 East 2100 South
Date: Thursday, October 15, 2020 12:03:00 PM

Dr. Levey,

I apologize for the delay in getting back to you. I had to request some information from the applicant. I have answered your questions below:

1) there is an inconsistency in the positioning of the dwelling from the two documents provided. Can you kindly clarify which document accurately indicates the position of the dwelling?

The location map is informational only. I will update the map on the open house webpage so there is no discrepancy.

2) will this dwelling have the right to build a stairwell to Scenic Drive?

The property owner has the right to construct a stairwell (for the ADU or otherwise). There is not a required public process to install a pathway on private property.

3) if parking is legally allowed on scenic drive given that the residence is technically a 2100 South address is there a limit to the number of vehicles that the dwelling can park on Scenic Drive?

Scenic Drive is a public right of way. Any individual can park their vehicle on public streets where it is permitted. For specific questions about parking regulations, you will need to contact the transportation division at slc.transplan@slcgov.com or 801-535-6630. No special approval or public process is required for an occupant of the prospective ADU to park on Scenic Drive.

4) Can you indicate if the roof of this dwelling is metal or other as concern of glare effects.

The roof of the proposed structure will have a black membrane roof. The material will not be reflective so glare will likely not be an issue.

5) The link to the section of the code below indicates the regulatory intentions are that the dwelling occupant (see B) as indicated is closely related or legally bound to the owner. Can you verify that is the case and not for renting to others?

ADUs may be rented to any individual of the property owner's choosing. All approved ADUs require a deed restriction that prohibit rental of the ADU if the property owner (or an individual who meets the qualifications in part B) does not live in the primary structure. Section 21A.40.200.E.1.d only permits construction of an ADU "when an owner occupant lives on the property within either the principal or accessory dwelling unit."

Please let me know if I have missed anything. I will be posting all questions and answers on the open house page. Feel free to reach out with other questions.

Sincerely,

AARON BARLOW, AICP
Principal Planner

PLANNING DIVISION
DEPARTMENT of COMMUNITY *and* NEIGHBORHOODS
SALT LAKE CITY CORPORATION

OFFICE TEL 801-535-6182
MOBILE TEL 385-386-2764
FAX 801-535-6174
aaron.barlow@slcgov.com
WWW.SLCGOV.COM

From: Ray Levey [REDACTED]
Sent: Wednesday, October 14, 2020 2:57 PM
To: Barlow, Aaron <Aaron.Barlow@slcgov.com>
Subject: Re: (EXTERNAL) Re: NUNEZ ADU -2721 East 2100 South

Dear Aaron,

I am reaching out again within the official time window on this important matter.

Can you kindly indicate if a response is being prepared for the questions and comments below sent by email on October 6.

Thank you, Dr. Raymond Levey

Sent from my iPad

On Oct 6, 2020, at 7:02 PM, Ray Levey [REDACTED] wrote:

Dear Aaron,

Thank you for responding. A few comments/questions are;

- 1) there is a inconsistency in the positioning of the dwelling from the two documents provided. Can you kindly clarify which document accurately indicates the position of the dwelling?
- 2) will this dwelling have the right to build a stairwell to Scenic Drive?
- 3) if parking is legally allowed on scenic drive given that the residence is technically a 2100 South address is there a limit to the number of vehicles that the dwelling can park on Scenic Drive?

4) Can you indicate if the roof of this dwelling is metal or other as concern of glare effects.

5) The link to the section of the code below indicates the regulatory intentions are that the dwelling occupant (see B) as indicated is closely related or legally bound to the owner. Can you verify that is the case and not for renting to others?

21A.40.200: ACCESSORY DWELLING UNITS:

A. Purpose Statement: The regulatory intentions of this section are to:

1. Create new housing units while respecting the appearance and scale of single-family residential development;
2. Provide more housing choices in residential districts;
3. Allow more efficient use of existing housing stock, public infrastructure, and the embodied energy contained within existing structures;
4. Provide housing options for family caregivers, adult children, aging parents, and families seeking smaller households;
5. Offer a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and services;
6. Broaden the range of affordable housing throughout the City;
7. Support sustainability objectives by increasing housing close to jobs, schools, and services, thereby reducing greenhouse gas emissions and fossil fuel consumption;
8. Support transit oriented development and reduce auto usage by increasing density near transit; and
9. Support the economic viability of historic properties and the City's historic preservation goals by allowing accessory dwellings in historic structures.

B. Owner Occupant: For the purposes of this title, "owner occupant" shall mean the following:

1. An individual who is listed on a recorded deed as an owner of the property;
2. Any person who is related by blood, marriage, adoption to an individual who is listed on a recorded deed as an owner of the property; or
3. An individual who is a trustor of a family trust who possesses legal ownership of the property.

Thank you in advance. Raymond

Sent from my iPad

On Oct 6, 2020, at 3:32 PM, Barlow, Aaron <Aaron.Barlow@slcgov.com> wrote:

Dr. Levey,

There is no parking area proposed. However, section [21A.40.200.E.1.g](#) allows for the driveway between the garage and the property line to satisfy the parking requirement or if the proposed ADU is located within ¼ mile of a transit stop. From what I can see the proposed ADU is within that required ¼ mile and there appears to be enough space for a car in the existing driveway. I also see that parking is not allowed on 2100 south so it seems likely that the future resident would park on South Scenic Drive above the property. Let me know if this is a concern and I will bring it up with the applicant.

Sincerely,

AARON BARLOW, AICP
Principal Planner

PLANNING DIVISION
DEPARTMENT of COMMUNITY *and* NEIGHBORHOODS
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WWW.SLCGOV.COM

From: Ray Levey [REDACTED]
Sent: Tuesday, October 6, 2020 3:08 PM
To: Barlow, Aaron <Aaron.Barlow@slcgov.com>
Cc: Elinda McKenna <elindamc@gmail.com>
Subject: (EXTERNAL) Re: NUNEZ ADU -2721 East 2100 South

Dear Aaron Barlow,

I was able to find the plan for this dwelling so I now have that.

For the petition number below can you kindly indicate what the parking arrangement will be.

Will the dwelling be parking on South Scenic Drive?

Thank you in advance, Raymond Levey

Petition Number: PLNPCM2019-01053

Zoning District: FR-3/12,000 Foothills Residential District

City Council District: District 6 – Dan Dugan

Andrea Palmer, representing the property owner and Modal Living, is requesting conditional use approval for a 14.5-foot tall, 352-square-foot accessory dwelling unit (ADU) that will be situated in the rear, northwest corner of the property located at [2721 East 2100 South](#). The property is zoned FR-3/12,000, Foothills Residential District, where ADUs must be processed as a conditional use.

Sent from my iPad

On Oct 6, 2020, at 2:24 PM, Ray Levey
<raycongaree@gmail.com> wrote:

I would like to see the plans for this site for public comment as part of the public comment period.

Thank you in advance.

Dr. Raymond Levey

Sent from my iPad

ATTACHMENT F – DEPARTMENT REVIEW COMMENTS

Building Code (Tim Burke) - At this juncture, there does not appear to be any Building Code-related issues that need to be addressed. As always, the complete design will need to be logged in for formal review. I am accustomed to reviewing these Modal units. Since the initial group of these Modal units were submitted for review, we have required and strictly enforce the following note that we had them post on the Cover Sheet:

GENERAL NOTE:
ALL MODULAR UNITS SHALL BE MANUFACTURED
WITHIN THE BOUNDARIES OF SALT LAKE CITY. ALL
INSPECTIONS SHALL BE PERFORMED BY SALT LAKE
CITY INSPECTORS.

Engineering (Scott Weiler) – No work is proposed in the public way. When this is the case, Engineering doesn't need to review it.

Fire (Douglas Bateman) – ADU being the second structure on the parcel, hydrant shall be located within 600-feet of all first story exterior portions of all structures on the parcel. Measurements are made in straight lines and right angles following the drive route and the approved fire fighter route to all structures

Public Utilities (Jason Draper) – No public utility issues with the proposed ADU location. A couple of comments: The ADU may connect to a new lateral to 2100 S or connect to the existing lateral for the property. The water must connect to the main water connection for the property on 2100 S. There is a 12" water main on the south side of their property but no conflicts with their proposed location.

Transportation (Michael Barry) – There is one on street parking space which satisfies the parking requirement for the ADU.

Zoning (Scott Browning) – No comments.