



STAFF REPORT

Executive Summary					
Hearing Body:	Millcreek Township Planning Commission				
Meeting Date and Time:	Wed. December 12, 2012	04:00 PM	File No:	2	7 9 5 0
Applicant Name:	James Allen	Request:	Subdivision		
Description:	3-lot standard subdivision in the R-1-10 zone to build on new 2-family home				
Location:	3973 S. 400 E.				
Zone:	R-2-10 Residential Two-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Community Council Rec:	Not Applicable				
Staff Recommendation:	Approval with Conditions				
Planner:	Spencer G. Sanders				

1.0 BACKGROUND

1.1 Summary

The applicant is requesting approval of a Preliminary Plat for a 3-lot subdivision in the R-2-10 zone. Current the subject property has two legally non-complying two-family dwellings on the subject property. These two-family buildings were built before zoning regulations. The applicant wishes to build a third two-family dwelling. The proposed subdivision would place each individual building, existing and proposed, on its own lot.

Initially the applicant came through the Planning Commission review process for this property requesting a Conditional Use Permit for a Dwelling Group in order to build the third two-family dwelling. The Planning Commission approved the Conditional Use Permit. However, during the technical review process, the applicant determined that ultimately the subdivision process would be more appropriate for immediate and long term needs.

The site plan for the new two-family dwelling has not changed. It will still require an emergency vehicle turnaround as part of the driveway access to the new building as previously proposed. In addition, the new building will still be subject to RCOZ requirements. The RCOZ review will occur when the applicant submits for building permit. Since the subdivision is just approving the new lot, and not the site plan for the building, only the emergency service turn around and minimum RCOZ setbacks will be required to be shown on the final plat.

Subdivision ordinance requires that curb, gutter and sidewalk be installed. However, staff's recommendation to not require these improvements has not changed. There is no existing curb, gutter or sidewalk within the immediate area. The applicant has submitted application 27951, an exception request for approval to not install curb, gutter and sidewalk, which is also on this agenda. Please refer to that report for details and recommendations regarding the exception.

1.2 Hearing Body Action

This application is on the Commission agenda for preliminary approval of the Preliminary Plat. The Final

Preliminary Plat is issued by Staff once all requirements and conditions of approval are met. The Commission may choose to require the Final Preliminary Plat be brought back to the Commission for final approval if deemed necessary.

1.3 Neighborhood Response

As of this writing staff has not received any comment from surround property owners. It is important to note that standard subdivisions are a use-by-right in the R-2-10 zone. This means that they must be approved if they comply with all applicable regulations and standards. Notification of surrounding property owners is not required either by County Ordinance or State Law for subdivision applications.

1.4 Community Council Response

Subdivisions are not subject to Community Council review.

2.0 ANALYSIS

2.1 Applicable Ordinances

2.1.1 R-2-10 Zone

Required Proposed

Lot Area

Required - 10,000 sq. ft. for a two family dwelling

Proposed - Lot 1 - 11,324 sq. ft.; Lot 2 - 11,843 sq. ft.; and Lot 3 - 12,136 sq. ft.

Lot Width

Required - 65 ft. at 30-foot setback

Proposed - 65 to 69 feet at 30-foot setback

Setbacks

Front Yards

Required - 30 feet

Proposed - Lots 1 & 2 are 30 feet; Lot 3 will exceed 30 feet because of the required turnaround

Side Yards (based on RCOZ Option A requirements)

Required - 8 min. w/Total 25% of Lot Width (for a 65-foot lot 16.25 feet)

Proposed - The existing buildings exceed the requirement. The new home will have to comply.

Rear Yard

Proposed - 15 feet w/Garage 30 feet w/o

Required - The existing buildings exceed this requirement. The new building will have to comply.

2.1.2 Curb, Gutter & Sidewalk

Curb, gutter and sidewalk are required to be installed with new subdivisions. Please see the staff report for 27950, the exception request submitted by the applicant in association with this subdivision application.

2.2 Other Agency Recommendations or Requirements

2.2.1 Transportation Engineer

A turnaround is required that meets Unified Fire Department and County Standards. This turnaround will need to be incorporated into the driveway of Lot 3 where the new structure will be built.

Does not recommend curb, gutter and sidewalk be installed.

2.2.2 Urban Hydrology

All drainage will have to be retained on site. A final drainage plan will need to be provided before Final Plat.

The irrigation on the site will need to be addressed. If it is active it will need to be piped. If it is abandoned, it will need to be noted on the final plans and the irrigation master will need to sign a copy of the plans showing its abandonment.

2.2.3 Grading

A final grading and drainage plan will need to be provided.

2.4 Other Issues

The final side lot lines may need to be adjusted a couple of feet to accommodate the applicant's proposed new structure. This will be verified during the technical review process and make sure that all lots will continue to comply with all requirements.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Subdivision with the following conditions:

- 1)The applicant complete Technical Review with staff prior to issuance of the Final Preliminary Plat Approval, meeting all the requirements of the reviewers and applicable regulations, including those outlined in the staff report.
- 2)The applicant complete the Final Plat approval process with staff.
- 3)The applicant obtain final approval of an exception for curb, gutter and sidewalk from the Salt Lake County Mayor's office, or install curb, gutter and sidewalk as required by the subdivision ordinance.

3.2 Reasons for Recommendation

- 1) The proposed subdivision will comply with zoning requirements and should be able to satisfy all subdivision and reviewers' requirements.



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Meeting Date and Time:	Wed. December 12, 2012	04:00 PM	File No:	2	7	9	5	1	
Applicant Name:	James Allen	Request:	Subdivision						
Description:	Exception to requirement to install curb, gutter and sidewalk								
Location:	3973 S. 400 E.								
Zone:	R-2-10 Residential Two-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Community Council Rec:	Not Applicable								
Staff Recommendation:	Approval								
Planner:	Spencer G. Sanders								

1.0 BACKGROUND

1.1 Summary

This application is made in association with applicaiton 27950, a subdivision application for a 3-lot subdivision in the R-2-10 zone. The applicant is requesting an exception from County subdivision and street standard requirements that require the installation of curb, gutter and sidewalk with a new subdivision plat.

1.2 Hearing Body Action

This application is on the Commission's agenda for a recommendation to the County Mayor. Exceptions to the street standards as it relates to new subdivisions receives a final decision from the County Mayor's Office after receiving recommendation from the Planning Commission.

1.3 Neighborhood Response

The neighborhood is not required to be notified of this application. Staff has recived nor comment from the public regarding this request as of this writing.

1.4 Community Council Response

This application is not subject to Community Council Review.

2.0 ANALYSIS

2.1 Applicable Ordinances

The subdivision regulations require that public street improvements be installed with new subdivisions. However, Title 18 Subdivisions and Title 14 Highways, Sidewalks and Public Places allow exceptions as follows:

14.12.150 - Exceptions.

In cases where unusual topographical, aesthetic, or other exceptional conditions or circumstances exist,

variations or exceptions to the requirements or this chapter may be approved by the mayor after receiving recommendations from the planning commission and the public works engineer; provided, that the variations or exceptions are not detrimental to the public safety or welfare.

18.08.020 - Exceptions—Permitted when.

In cases where unusual topographic, aesthetic or other exceptional conditions exist or the welfare, best interests and safety of the general public will be usefully served or protected, variations and exceptions of this title may be made by the county mayor after the recommendation of the planning commission, provided, that such variations and exceptions may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this title.

Currently there is no curb, gutter or sidewalk along the east side of 400 East along its entire length from 4500 South to its dead end one lot south of the subject property. In addition, there is no storm drainage system in 400 East to accept water from the subject property. Therefore, any generated storm water must be retained on the subject property. Curb and gutter would potentially direct water to adjacent properties that don't have curb and gutter so there would be no way for the water to be conveyed beyond, thus potentially causing flooding or damage to the adjacent properties. The County Hydrologist will require the drainage from this site be retained on site.

In regard to sidewalk, there are no sidewalks on this side of the street to connect to and unlikely to be any installed in the near future due to the likely permanent dead end nature of the road. The existing conditions of the road and the current traffic allow pedestrians to utilize the shoulder of the right of way. It is unlikely that sidewalk will be installed in the near future on this street due to its relatively low volume of traffic, the dead end nature of the roadway and the nearly completely developed nature of the street.

2.3 Other Agency Recommendations or Requirements

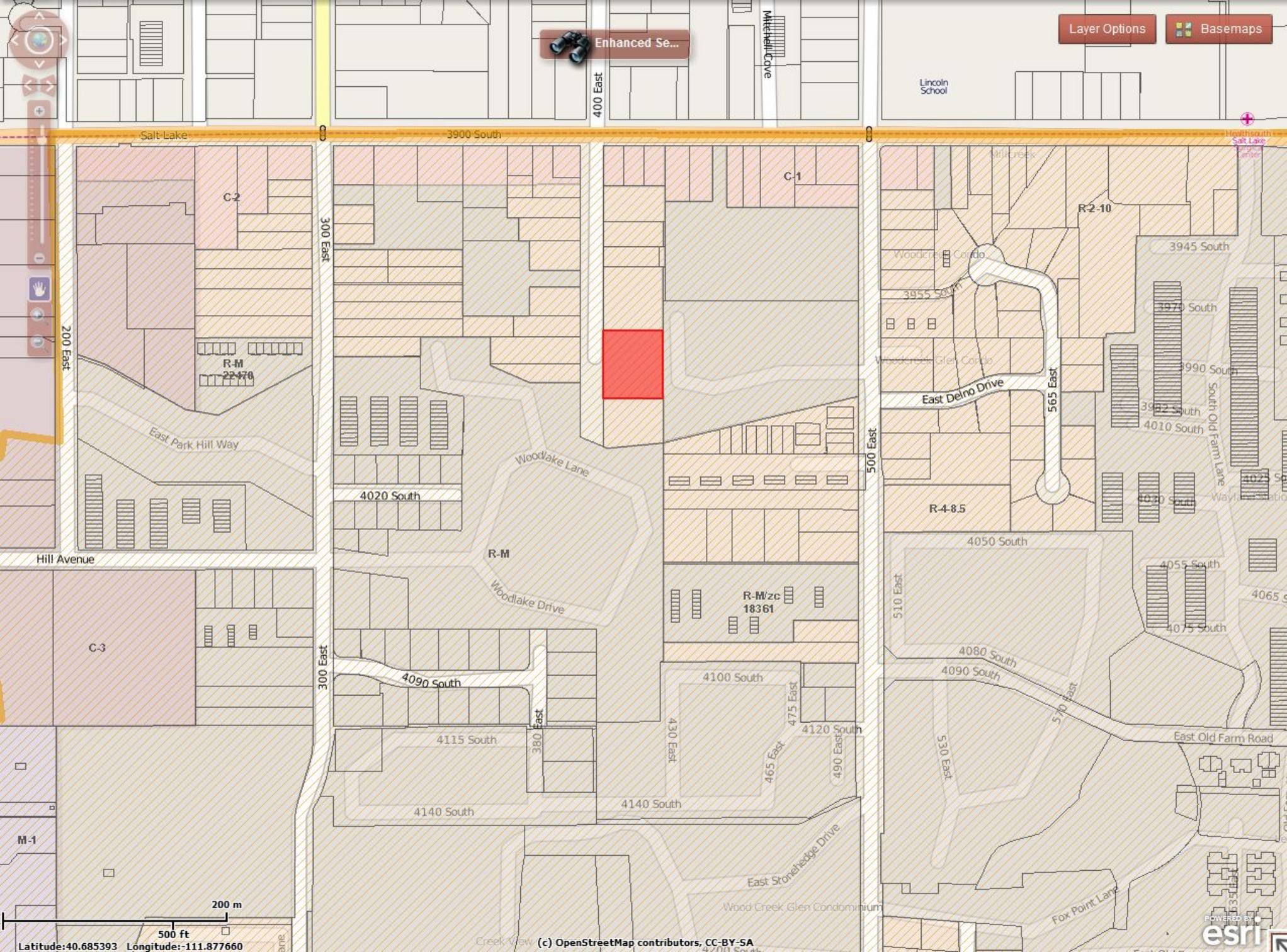
The Transportation Engineering, the Urban Hydrology and Planning staff all support the granting of an exception.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Subdivision.

3.2 Reasons for Recommendation

- 1) The proposal meets the criteria for granting an exception to the requirement for installation of curb, gutter and sidewalk.



Enhanced Se...

Layer Options Basemaps

400 East

Mitchell Cove

Lincoln School

Salt Lake

3900 South

Highway Salt Lake Amber

C-2

C-1

R-2-10

R-M
22470

East Park Hill Way

Wooden Glen Condo

Woodlake Lane

East Delno Drive

4020 South

R-M

Woodlake Drive

R-M/zc
18361

R-4-8.5

Hill Avenue

C-3

4050 South

300 East

4090 South

4100 South

4080 South

4115 South

4140 South

4140 South

4090 South

East Old Farm Road

200 m

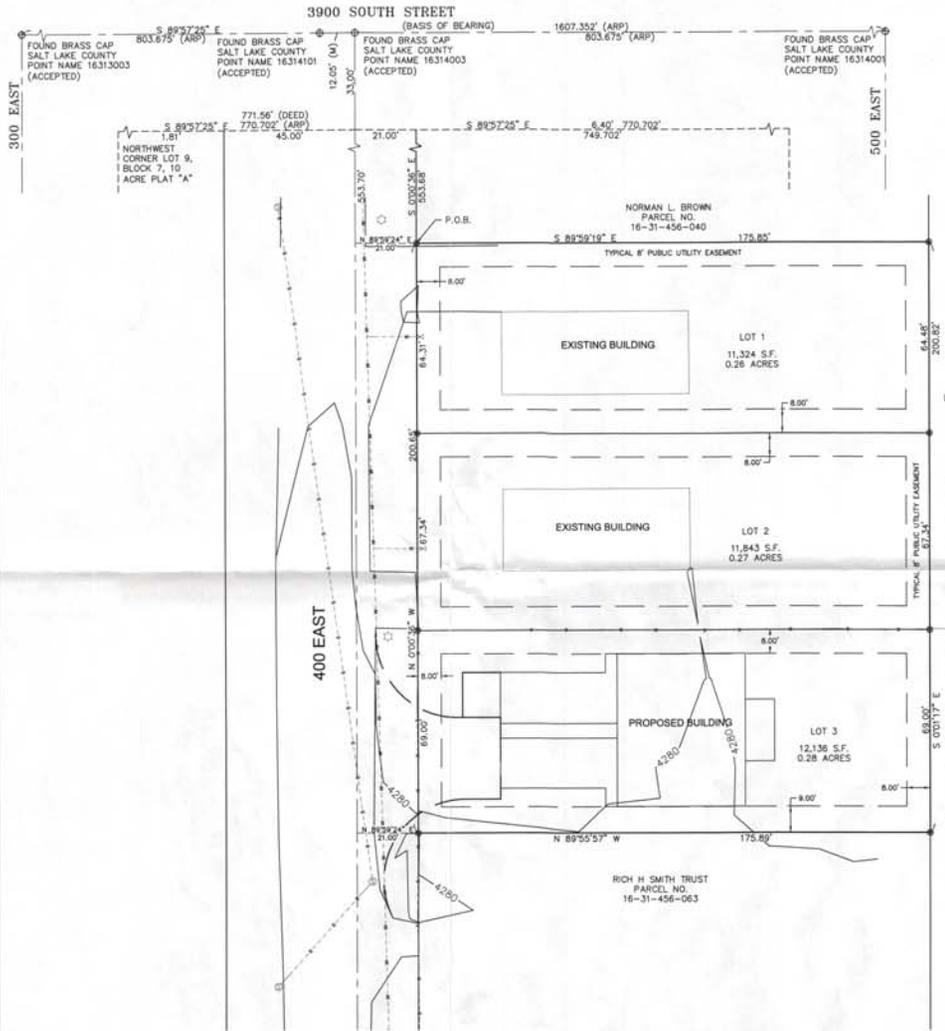
500 ft
Latitude:40.685393 Longitude:-111.877660

Creek View (c) OpenStreetMap contributors, CC-BY-SA

POWERED BY
esri

PRELIMINARY PLAT

LOCATED IN
LOT 9, BLOCK 7, TEN ACRE PLAT A, BIG FIELD SURVEY
SALT LAKE BASE AND MERIDIAN



MALLARD CROSSING LIMITED PARTNERSHIP
PARCEL NO. 16-31-456-044

RICH H SMITH TRUST
PARCEL NO. 16-31-456-063

SURVEYOR'S CERTIFICATE

I, ROBERT R. HERMANDSON, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 6362432 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNER, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, HEREAFTER TO BE KNOWN AS THE

ALLEN SUBDIVISION

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH IS SOUTH 89°57'25" EAST 792.56 FEET AND SOUTH 00°00'36" EAST 553.68 FEET FROM THE NORTHWEST CORNER OF LOT 9, BLOCK 7, TEN ACRE PLAT A, BIG FIELD SURVEY; RUNNING THENCE SOUTH 89°59'19" EAST 175.85 FEET; THENCE SOUTH 00°01'17" EAST 200.82 FEET; THENCE NORTH 89°55'57" WEST 175.89 FEET; THENCE NORTH 00°00'36" WEST 200.65 FEET TO THE POINT OF BEGINNING



Robert R. Hermandson
ROBERT R. HERMANDSON
REGISTERED LAND SURVEYOR
UTAH LICENSE NUMBER 6362432

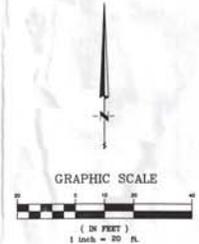
11-5-12
DATE:
BUSH AND GUDGELL INC.

NOTES

1. THE SURVEYED PROPERTY IS LOCATED WITHIN ZONE "X", "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN"; ACCORDING TO THE FLOOD INSURANCE RATE MAP WITH COMMUNITY PANEL NO. 49035C0292Q, BEARING AN EFFECTIVE DATE OF SEPTEMBER 25, 2009.

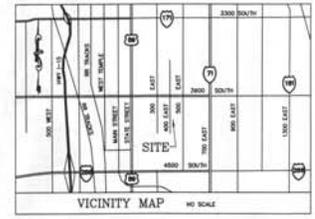
LEGEND

- ⊕ SPECIFICS FOUND SURVEY CONTROL MONUMENT (RING & LID).
- SET 5/8" REBAR AND PLASTIC CAP (STAMPED L.S. 6362432), UNLESS OTHERWISE NOTED ON THE PLAT.
- EASEMENT LINE
- ⊗ EXISTING WATER VALVE
- ⊕ EXISTING FIRE HYDRANT
- ⊕ EXISTING SEWER MANHOLE
- ⊕ EXISTING STREET LIGHTS
- EXISTING FENCING



ALLEN SUBDIVISION

LOCATED IN
LOT 9, BLOCK 7, TEN ACRE PLAT A, BIG FIELD SURVEY



UNIFIED FIRE AUTHORITY APPROVAL
DATE _____ SIGNED _____

HEALTH

APPROVED THIS _____ DAY
OF _____ A.D., 20____

SALT LAKE VALLEY HEALTH DEPT.

PLAN CHECK

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

DATE _____ PLAN REVIEW SECTION MANAGER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D., 20____

SALT LAKE COUNTY DISTRICT ATTORNEY

MAYOR

PRESENTED TO THE SALT LAKE COUNTY MAYOR THIS _____ DAY OF _____ A.D., 20____ AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

MAYOR, OR DESIGNEE

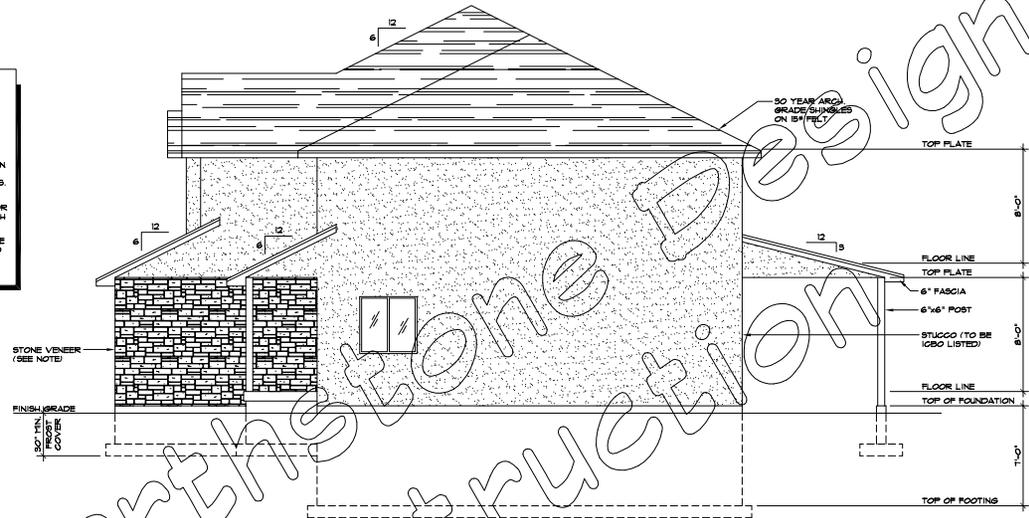
<p>Record of Survey</p> <p>RSC NO. _____</p> <p>Date _____ Signature _____</p>	<p>ADDRESS FRONTAGE APPROVED</p> <p>DATE _____ SIGNED _____</p> <p>CHECKED FOR ZONING COMPLIANCE</p> <p>Zone: _____ Lot Area: _____</p> <p>Lot Width: _____ Front Yard: _____</p> <p>Side Yard: _____ Rear Yard: _____</p> <p>RECORDED #</p> <p>STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF</p> <p>DATE _____ TIME _____ BOOK _____ PAGE _____</p> <p>FEE \$ _____ SALT LAKE COUNTY RECORDER</p>
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BUSH & GUDGELL, INC
655 East 4500 South, Ste 100
Salt Lake City, Utah 84107
Phone (801) 685-6194



MASONRY NOTE:

- MASONRY VENER SHALL HAVE CORROSION RESISTANT ANCHOR TIES OF NOT LESS THAN 22 GA. x 1/8" SPACED NOT MORE THAN 24" o.c. HORIZONTAL AND SUPPORT A MAXIMUM OF 2 SQUARE FEET OF HALL AREA. AROUND HALL OPENINGS GREATER THAN 16" ADDITIONAL TIES ARE REQUIRED TO BE SPACED A MAXIMUM OF 36" o.c. AND BE WITHIN 12" OF THE OPENING. PROVIDE 26 GAUGE FLASHING FROM FOUNDATION UP FIRST 3 COURSES. CULTURED STONE TO BE INSTALLED PER MANUFACTURERS SPECIFICATIONS.
- FOR BRICK SUPPORT OVER 8" WIDE WINDOW OPENINGS USE 3/4"x3/4"x1/4" STEEL LINTEL. FOR 6" AND 8" WIDE OPENINGS USE 2"x5/8"x1/8" WITH 5" VERT. LAG TO HEADER # 2x4 o.c.
- HEMPLES SHALL BE PROVIDED IN THE OUTSIDE RYTHS OF MASONRY WALLS @ 33" o.c. AND BE NO LESS THAN 3/16" LOCATED IMMEDIATELY ABOVE FLASHING. FLASHING TO BE 26 GAUGE FROM FOUNDATION UP FIRST THREE COURSES.



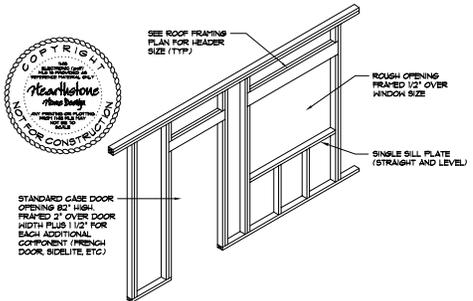
RIGHT SIDE ELEVATION
SCALE: 1/4"=1'-0"

PROVIDE CAULKING AND MINIMUM 4" COUNTER FLASHING AT ALL EXTERIOR DOORS/WINDOWS PER MANUFACTURER INSTALLATION REQUIREMENTS.

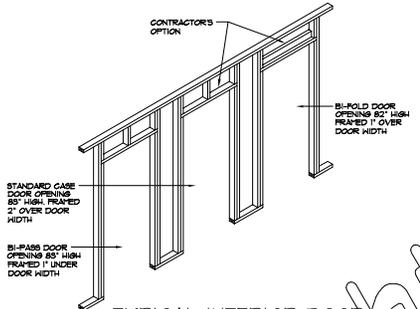


FRONT ELEVATION
SCALE: 1/4"=1'-0"

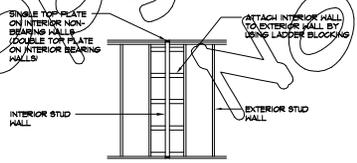
THIS PLAN IS SPECIFIC TO THE LOT INDICATED IN THE TITLEBLOCK. ANY OTHER USE IS PROHIBITED.



TYPICAL EXTERIOR DOOR AND WINDOW ROUGH FRAMING DETAIL
NO SCALE

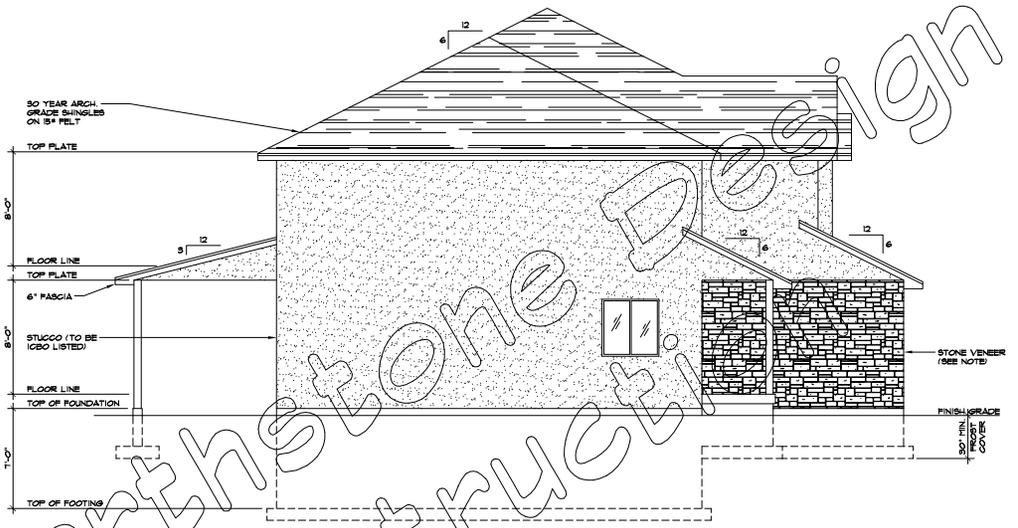


TYPICAL INTERIOR DOOR ROUGH FRAMING DETAIL
NO SCALE

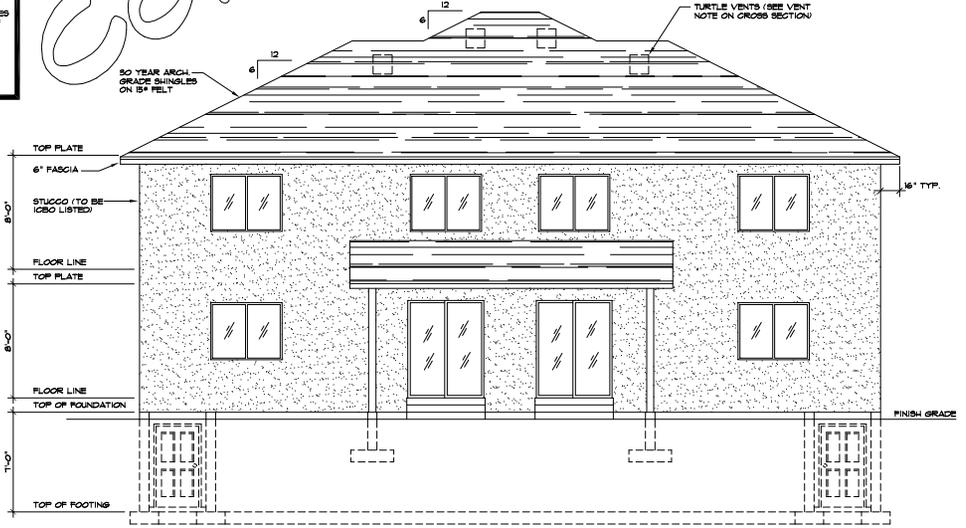


TYP. STUD WALL DETAIL
NO SCALE

FLASHING SHALL BE INSTALLED IN SUCH A MANNER AS TO PREVENT MOISTURE FROM ENTERING THE WALL OR TO REDIRECT IT TO THE EXTERIOR. FLASHING SHALL BE INSTALLED AT THE PERIMETERS OF EXTERIOR DOOR AND WINDOW ASSEMBLIES, PENETRATIONS AND TERMINATIONS OF EXTERIOR WALL ASSEMBLIES, EXTERIOR WALL INTERSECTIONS WITH ROOFS, CHIMNEYS, PORCHES, DECKS, BALCONIES AND SIMILAR PROJECTIONS AND AT BUILT-IN GUTTERS AND SIMILAR LOCATIONS WHERE MOISTURE COULD ENTER WALLS. FLASHING WITH PROJECTED FLANGES SHALL BE INSTALLED ON BOTH SIDES AND THE ENDS OF JOINTS UNDER SILLS AND CONTINUOUSLY ABOVE PROJECTED TRIM. A FLASHING SHALL BE INSTALLED AT THE INTERSECTION OF THE FOUNDATION TO STUCCO, MASONRY, STONE OR BRICK VENEER. THE FLASHING SHALL BE AN APPROVED CORROSION-RESISTANT FLASHING WITH A 1/2\"/>



LEFT SIDE ELEVATION
SCALE: 1/4\"/>



REAR ELEVATION
SCALE: 1/4\"/>

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