



July 12, 2020

TO: Salt Lake City Planning Commission

From: Judi Short, Vice Chair and Land Use Chair

RE: PLNPCM2020-00092 Conditional Use Accessory Dwelling Unit 1756 S Windsor S.

The Sugar House Community Council did its usual review of this land use request. We put the project on our website, with a comment form for people to give us feedback. We made a flyer and put it on the porches of homes on the two side streets, and included a link to the project and feedback form. We received a number of comments, which are attached. We also put this in our newsletter, which reaches about 1800 people, and it was one of the land use projects on the agenda for our virtual LUZ meeting on June 15.

The applicant is seeking Conditional Use Approval for an Accessory Dwelling Unit in a detached structure at 1756 S Windsor Street in the R1/5000 zone. The ADU will be located above a proposed detached two-story garage that will be located in the rear yard of the property. It will measure 650 square feet and the entire structure will be a height of 19 feet.

Comments received from the neighbors include a concern that there are already a number of multi residence homes in the immediate neighborhood and curbside parking is becoming non-existent. They are worried that this is not an affordable unit, and that most of the rentals in their neighborhood are not affordable either. There is no close fire hydrant, perhaps this ADU needs to have an interior sprinkler system.

We are confused by the fact that the city says it does not want to change the character of our neighborhoods, and yet these extra apartments and ADUs are having exactly that effect. This unit has access from the alley which is not maintained at all by the city. And, people do not feel comfortable parking in the dark alley, so they park on the city street.

It looks like the ADU requirements are being met, although a comment from a neighbor said the deck was too large, so that will need to be fixed. The height is more than 17', the reason needs to be spelled out. Another comment said the lot wasn't wide enough to have a 25' wide unit with 10' setbacks on either side, please check that out. And a deed restriction will need to be placed on the property saying the owner occupant must occupy one of the buildings, and that restriction shall run with the land. We would like specifics on exactly who puts the deed restriction on the parcel, and how is that enforced in perpetuity. What about a requirement that a unit which fronts on an alley must have some sort of exterior lighting, like a city street would have. Not just a light on the building, but something taller that would illuminate a wider area. Almost every comment expresses some concern and discontentment with the extra cars everywhere, along with lack of parking spaces, in Sugar House.

We ask that you approve this ADU, only because it complies with the requirement and we know you cannot say no to this application.

Enclosure:

Comments from the website:

Flyer

COMMENTS 1756 WINDSOR ACCESSORY DWELLING UNIT

May 12th 2020

In regard to the proposed ADU in the rear garden of 1756 S. Windsor Street, 84105.

As neighboring property owners, we have many concerns regarding the introduction of an ADU and the development of a large rental property within the original home at 1756 S. Windsor Street. This block of Windsor Street was built approximately 100 years ago and the neighborhood was known in the past for its fruit trees and annual harvest. The gardens and the proximity to local schools and parks, make this neighborhood a perfect location for families raising young children. Sadly, the City's new ADU policy has made this neighborhood a goldmine for property developers and landlords.

In considering this planning proposal we ask the Planning Committee, Sugarhouse Community Council, and City Planners to fully consider the following points:

- The surrounding neighborhood is not short of rental units and the introduction of ADU's and more rental units to single family neighborhoods such as this block of Windsor Street, will drive families away.
- With several multi resident rentals already in existence in the single family bungalows in this block of Windsor Street, parking is at a maximum when everyone is home. Not all the homes have off street parking and have to park curbside. More rentals will add to the parking issues, and residents without driveways will find it harder to park near their homes.
- Multiple large rental units have recently been constructed in the surrounding area, such as Liberty Village, The Vue, Blue Koi, 21 & View, Irving Schoolhouse, (the majority of these are showing they are currently not renting at capacity and are offering incentives such as the first month free, and 3 month leases). The vacancy rate will increase in the coming months with the pending recession.
- Unaffordable rentals: There are approximately ten ADU's in the 84105 zip code that are being offered as nightly rentals. Rental rates are between \$50 and \$100 per night (\$1,500 and \$3,000 per calendar month). The high rents are unaffordable for many, and are in line with the current rental rates of the nearby large rental units listed above.
- The proposed ADU will use the back alley way for access. This unpaved alley is already in poor condition and additional traffic will increase deterioration as well as add to the environmental pollution, noise pollution and light pollution for residents whose properties back directly onto the alleyway.
- The single lane rear alleyway is not serviced by snow plows, or garbage / recycling pick up. There are no fire hydrants (the closest are located on Windsor Street).

Looking to the future, what plans might the City have for neighborhood back alleyways in these older neighborhoods? What if multiple ADU's were built all with access onto the same single track, unpaved, and un-serviced rear alleyway, (which could be a future possibility), how would emergency vehicles be able to access these homes? Or trash /recycling pick up take place?

Our hope is that the approval process for ADU's in city neighborhoods really does give neighboring residents a voice. There are currently no other ADU's in this block of Windsor, and for the reasons outlined above, we fear that the approval of just one, will irrevocably change this traditional family friendly Sugarhouse neighborhood.

Neighboring property owners.

There are questions such as what is the actual height of this structure? No where on the plans show this. Also the width of the lot is 42.5' at the rear property line and not 45'. The deck takes the square footage total to above 650sq ft. No mention of landscaping around the structure.

From: Greg Wilson <gregwilson838@hotmail.com><1763 South Windsor St.>

Subject: 1756 S Windsor Street ADU Website Feedback

Message Body:

I do not approve of this project for a number of reasons:

I have lived on this street since 1987 and have seen the city officials support real estate developers and ignore the people who live here, ignore our stated issues and concerns and approve projects to the detriment of the neighborhood and community. This particular project could easily be turned into a triplex or 4-plex or even a 5 plex in the future (2 in the basement, 2 upstairs and 1 above the garage), and I don't believe the city would intervene in that case and we would be left to deal with the traffic and parking and overcrowding issues. So, no I don't approve of this project. Question: can the city insure/guarantee that this will remain a single family home?

Another question: is the law regarding ADUs specific about who lives in the ADU? Does it restrict it to family or parent(s) of those living in the main house? Will the city intervene and enforce that law?

I have heard from neighbors that the owner intends to let his daughter live in the ADU. But we have no idea of who will live in the main house and again we have no idea of how many rental units he is building into the house. Again I don't approve.

Parking is already an issue on this street. There are not enough parking spaces for the current residents, especially in the winter when the snow is needing to be plowed to one side or the other. So again, I don't approve of this ADU as submitted. The city appears to be approving building projects all over the city with not enough parking now turning it into the neighborhood's problem. And it doesn't look like they are truly addressing the issue in a positive manner yet. If the family does what most American families do and fill the garage with stuff to the point that there is no way to park a car inside then there will be even more pressure on parking on the street. So again, no. And if the family and renter in the ADU have enough parking for themselves, what about guests? Where do they park? Our street is already full.

A few years ago when small neighborhood homes were being torn down and replaced with big monstrosity homes that did not fit the local size and architecture I heard that the city was trying to not "change the character of the neighborhoods". Is that still the philosophy? This neighborhood has been changed too much and is losing the charm and friendliness that made it attractive. This project has the potential to not fit into the area. Again, I do not approve.

If this garage ADU is 625 square feet that might possibly mean that it is 25 feet long on each side. If the setbacks are 10 feet on each side that means that the total width required is 45 feet and I believe the lot is only 40 feet wide. Is there a site plan showing the actual size of the garage footprint and the legal boundaries of all this?

I have seen a number of boundary issues on that side of the street and my side of the street over the past 33 years and a neighbor who lived at 1762 for 50+ years used to tell me that the original survey had been done with errors all up and down the street. I wonder if the city can resurvey the entire street and all the lots to ensure valid and repeatable boundaries.

1:29 AM (8
hours ago)

From: Virginia Blumel-Wilson <vrblumel-wilson55@hotmail.com><1763 south Windsor st>

Subject: 1756 S Windsor Street ADU Website Feedback

Message Body:

Firstly, I am not sure this is in the best interest of our neighborhood. It looks like this property will eventually be turned into 3 units. This property is not zoned to be commercial, is it?

When the house was sold, we heard the owner's daughter was going to live in the house while attending college or university.

Then the demolition started. Now it appears that if the basement has the appropriate egress, the house could be turned into a legal duplex. Was the appropriate wiring and plumbing put in so that the upstairs and downstairs could now become a duplex, of sorts, ie wired and plumbed for 2 kitchens?. Now we hear the ADU is to be where the daughter is going to live. OK, wait a minute. If there are 4 or 5 bedrooms in the house and another in the ADU, we are looking at not 3 cars, but 5 or 6 cars, and there IS NOT enough parking on the street already. There is another home north of this address that had 4 or 5 college students living there, and their cars spread out up and down the block. If the house is to be a rental, who knows how many students will be there?

Next, If the survey of the lot is correct, the home to the north has claim to some of the property on the south of the existing fence. Does there need to be 10 feet on north and south of the ADU as clearance? Does that 10 feet exist on the north, or does it use the distance to the inaccurate present fence line to build the ADU?

Presently in the Sugarhouse area, there is construction that does not allow for appropriate parking needs of residents and their guests, and that makes parking problems for all of the residents on the streets in that area. Just because you want a neighborhood to be reduced vehicles or no vehicles, does not mean that is what happens, to that neighborhood.

I think this ADU and the present plan is not in keeping with what the Sugarhouse area has been. We are already flooded with huge housing complexes, and parking problems, and would like to see our pleasant little calm street stay that way for as long as possible!

Dayna McKee

8:54 AM (3 hours ago)

Hi Judi!

Thanks for sending this.

I think the ADU is fine. My only concern, not just in regards to this property, but to a lot of ADUs and the neighborhood in general are the alley ways. It seems like several ADUs are going up in areas where there is alley access. I realize this may be a transportation issue, but the alleys are always of concern. In my neighborhood there tends to be a lot of drug activity and needles left around. The alleys are not maintained, there is no lighting, and there is no snow removal. I guess I worry that if we are putting more people into the neighborhood who are forced to use alley access, will there be an effort to better maintain the alleys. Another particular issue in my neighborhood is that if people cannot access the alleys or they do not feel safe parking in the alley accessible parking, they park on the streets in the neighborhood. This becomes an issue for snow removal as well as congestion on the streets.

Thank you for your time!

ALISON DENYER

Jun 16, 2020, 12:25 PM (3 days ago)

to me

Hi Judi,

Just to say thank you for organizing the council planning meeting yesterday. Thank you for allowing the neighbors to address our concerns.

With the rear corner property markers, we have been obliging with Mr Brendle and moved our fence on the South side 18" at the back (the front does not yet have a fence). The understanding was that he would cordially recognize that the vinyl fence would be moved to the North corner property marker. Instead he is claiming that the vinyl fence marks the property line to the north (which is Kristen's property). Kristen should be clarifying with the surveyors but the corner markers are clearly visible at the back alleyway. The distance between the rear corner markers on 1756 is 42.5' and not 45.5'.

I have addressed this issue with Chris Earl from the City and he does not seem to want to look into this. It is an issue since Mr Brendle needs 10' on each side of his ADU to build the size and height he proposes. If he was building smaller and or shorter, it would not be an issue as he would be within the required restrictions.

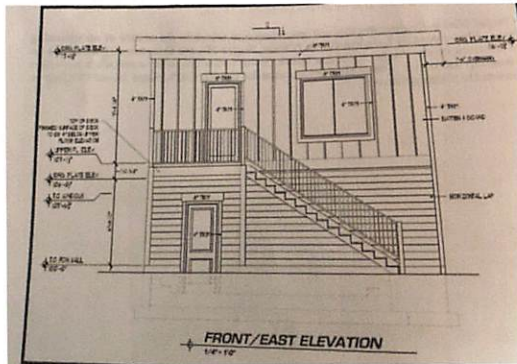
Also my email with Chris Earl questioned the size of the proposed raised deck attached to the ADU. Chris has acknowledged that the plans show it to be 10 sq ft larger than is permitted. I would like to see this adjustment reflected in any revised plans should the City grant planning permission.

As I brought up, creating rental units in a single family residential street when there are hundreds of them nearby, does not solve the City's affordable housing crisis. There is nothing to stop Mr Brendle from charging high rents or renting it out as an Airbnb. Again his gain, at the expense of neighboring property owners.

Hopefully this process does not prove to be redundant and as residents our voices will be heard.

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1756 Windsor Street Accessory Dwelling Unit



The applicant is requesting a **Conditional Use to construct an Accessory Dwelling Unit at 1756 Windsor**. The ADU is proposed to be detached from the house and will be located at the rear yard above a new garage. The existing garage will be removed. The ADU will be 650 square feet, include one-bedroom and be 19 feet in height. A single-family house is currently on the subject property. One parking space is provided on the street for the ADU.

Please read the proposal on our website, and give us your feedback using the comment form. We will send comments along with our letter to the Planning Commission. This proposal will be on the agenda of the Sugar House Community Council Land Use and Zoning Committee June 15 at 6 p.m.. This will be a virtual meeting. **If you provide a comment, we will give you the link to join the meeting using Zoom.**

If we don't get any comments, we may not put this on the agenda, we have 7 Land Use items for that hour, and it is impossible to do them all.

The plans and the regulations for an Accessory Dwelling Unit are below:

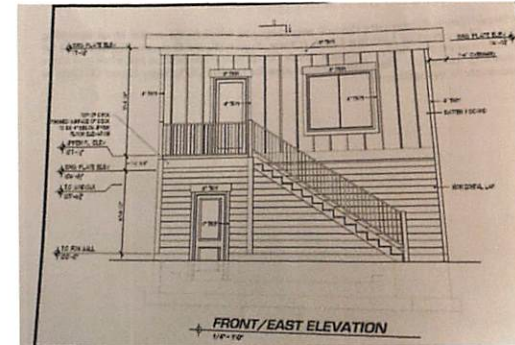
Go here to review the plans and provide a comment.

<https://www.sugarhousecouncil.org/adu-1756-s-windsor-street/>



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www.sugarhousecouncil.org

Google Maps 1756 Windsor St E

