# MOTION SHEET

CITY COUNCIL *of* SALT LAKE CITY

**TO:** City Council Members

**FROM:** Nick Tarbet, Analyst

**DATE:** May 20, 2014

**RE: Zoning Map Amendment and Street Closure – 289 North Almond Street**
**Petition Nos. PLNPCM2013-00920 and PLNPCM2014-00001**

Council Sponsor: **N/A**

## MOTION 1

I move that the Council adopt an ordinance amending the zoning of property located at 289 North Almond Street as established by a development agreement entered into by the City and a prior property owner and close a portion of West Temple Street at its intersection with 300 North Street, pursuant to Petition Nos. PLNPCM2013-00920 and PLNPCM2014-00001.

## MOTION 2

I move that the Council reject an ordinance amending the zoning of property located at 289 North Almond Street as established by a development agreement entered into by the City and a prior property owner and close a portion of West Temple Street at its intersection with 300 North Street, pursuant to Petition Nos. PLNPCM2013-00920 and PLNPCM2014-00001.

**CITY COUNCIL OF SALT LAKE CITY**
451 SOUTH STATE STREET, ROOM 304
P.O. BOX 145476, SALT LAKE CITY, UTAH 84114-5476
WWW.COUNCIL.SLCGOV.COM
TEL 801-535-7600 FAX 801-535-7651

# COUNCIL STAFF REPORT

CITY COUNCIL *of* SALT LAKE CITY

**TO:** City Council Members

**FROM:** Nick Tarbet, Analyst

**DATE:** May 20, 2014

**RE:** Zoning Map Amendment and Street Closure – 289 North Almond Street
Petition Nos. PLNPCM2013-00920 and PLNPCM2014-00001

**Sponsor:** N/A

**PROJECT TIMELINE:**
Set Date: April 22, 2014
Briefing: April 29, 2014
Public Hearing: May 6, 2014
Potential Action: May 20, 2014

**VIEW ADMINISTRATION'S PROPOSAL**

## NEW INFORMATION

During the May 6 public hearing three individuals spoke in favor of the petition. The Council closed the public hearing and deferred action to a future Council meeting.

## ISSUE AT-A-GLANCE

The Council will be briefed on a proposal that would amend the zoning of a condo and townhome development at 289 North Almond Street and close a portion of West Temple. In 1997, Salt Lake City and the property owner at the time entered into a development agreement establishing development standards for the property in addition to the standards required by the base zone.

The current property owner is now asking the City to amend the development agreement. There are four main pieces to the development agreement that would be amended:

1. The number of units allowed on the property would be reduced from thirty-four (34) to thirty-three (33).
2. The parking requirement would be modified from eighty (80) to sixty (60) required internal parking stalls and ten (10) on-street parking stalls. (*Current City ordinance would require fifty-eight (58) parking stalls.*)

3. The minimum setback would be changed to seventeen and a half (17.5) feet for West Temple Street and twenty (20) feet along Almond Street.
4. Grading in excess of the four feet (4) feet would be allowed in order to accommodate site-specific geographical constraints.

Additionally, the eastern portion of West Temple, where it intersects at 300 North, would be closed. This closure would result in a landscaped island that the applicant and its successor(s) would be responsible to maintain. (*See Attachment C*)

The Planning Commission voted unanimously to forward a favorable recommendation.

Because the development is in the Capitol Hill local historic district, if the Council approves the proposed amendments, the applicant will then go to the Historic Landmark Commission to have their plans reviewed.

## PUBLIC PROCESS

- Capitol Hill Community Council — December 18, 2013
- Planning Commission Public Hearing — February 12, 2014

## ATTACHMENTS

- **Attachment A** — **Vicinity / Zoning Map**
- **Attachment B** — **Site Plan Drawings**
- **Attachment C** — **Proposed Street Closure**

CC: David Everitt, Karen Hale, Art Raymond, Holly Hilton, Eric Shaw, Mary De La Mare-Schafer, Wilf Sommerkorn, Cheri Coffey, Nick Norris, Michaela Oktay, Lex Traughber, Orion Goff, Les Koch, Larry Butcher, Margaret Plane, Paul Nielson, City Council Liaisons, Mayors Liaisons

File Location: Community and Economic Development Dept., Planning Division, Almond Street Development Agreement amendment.


Back to Staff Report
SR-1A
QUINCE ST
300 N
CENTER ST
VINE ST
WEST TEMPLE ST
ALMOND ST
RMF-45
RMF-75
RMF-35
Subject Property

Back to Staff Report

# PROPERTY DEVELOPMENT PLAN
# **ALMOND STREET**
# TOWNHOMES AND CONDOMINIUMS

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ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH

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6 NOV., 2013

**PHASE SUMMARY**

| PHASE | UNITS | TYPE | PARKING | GUEST PARKING | SITE SQ. FT. COVERAGE |
|---|---|---|---|---|---|
| 1 | 5 | 2 BD RM TOWNHOMES | 10(2 CAR GAR) | 10 (DRIVEWAY) | 3,982 |
| 2 | 4 | 3 BD RM TOWNHOMES | 8 (2 CAR GAR) | 8 (DRIVEWAY) | 4,680 |
| 3 | 8 | STUDIO CONDOS | *8 REQUIRED* | | |
| | 12 | 2 BD RM CONDOS | 24 REQUIRED | | |
| | | | *32 TOTAL REQUIRED* | | |
| | | | 34 STALLS IN PARKING GARAGE | | 9,916 |
| EXISTING | 4 | TOWNHOMES | 8 (2 CAR GAR) | 8 (DRIVEWAY) | 7,933 |
| | 33 | TOTAL UNITS | 60 (COVERED) | 26 (DRIVEWAY) | 26,511 (0.61 acres) |
| | | | 86 TOTAL STALLS | | |


SITE - COLOR
1" = 20'-0"
1 SD1.1

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6 NOV., 2013

# PHASE SUMMARY

| PHASE | UNITS | TYPE | PARKING | GUEST PARKING | SITE SQ FT COVERAGE |
|---|---|---|---|---|---|
| 1 | 5 | 2 BDRM TOWNHOMES | 10 (2 CAR GARAGE) | 10 (DRIVEWAY) | 3,982 |
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| 3 | 8 | STUDIO CONDOMINIUMS | 8 STALLS REQUIRED | | 9,916 |
| | 12 | 2 BDRM CONDOMINIUMS | 24 STALLS REQUIRED | | |
| | | | 32 TOTAL STALLS REQUIRED | | |
| | | | 34 STALLS PROVIDED | | |
| EXISTING | 4 | TOWNHOMES | 8 (2 CAR GARAGE) | 8 (DRIVEWAY) | 7,933 |
| | 33 | TOTAL UNITS | 60 COVERED STALLS | 26 (DRIVEWAY) | |
| | | | 86 TOTAL PARKING STALLS | | 26,511 s.f./ 0.61 acres |

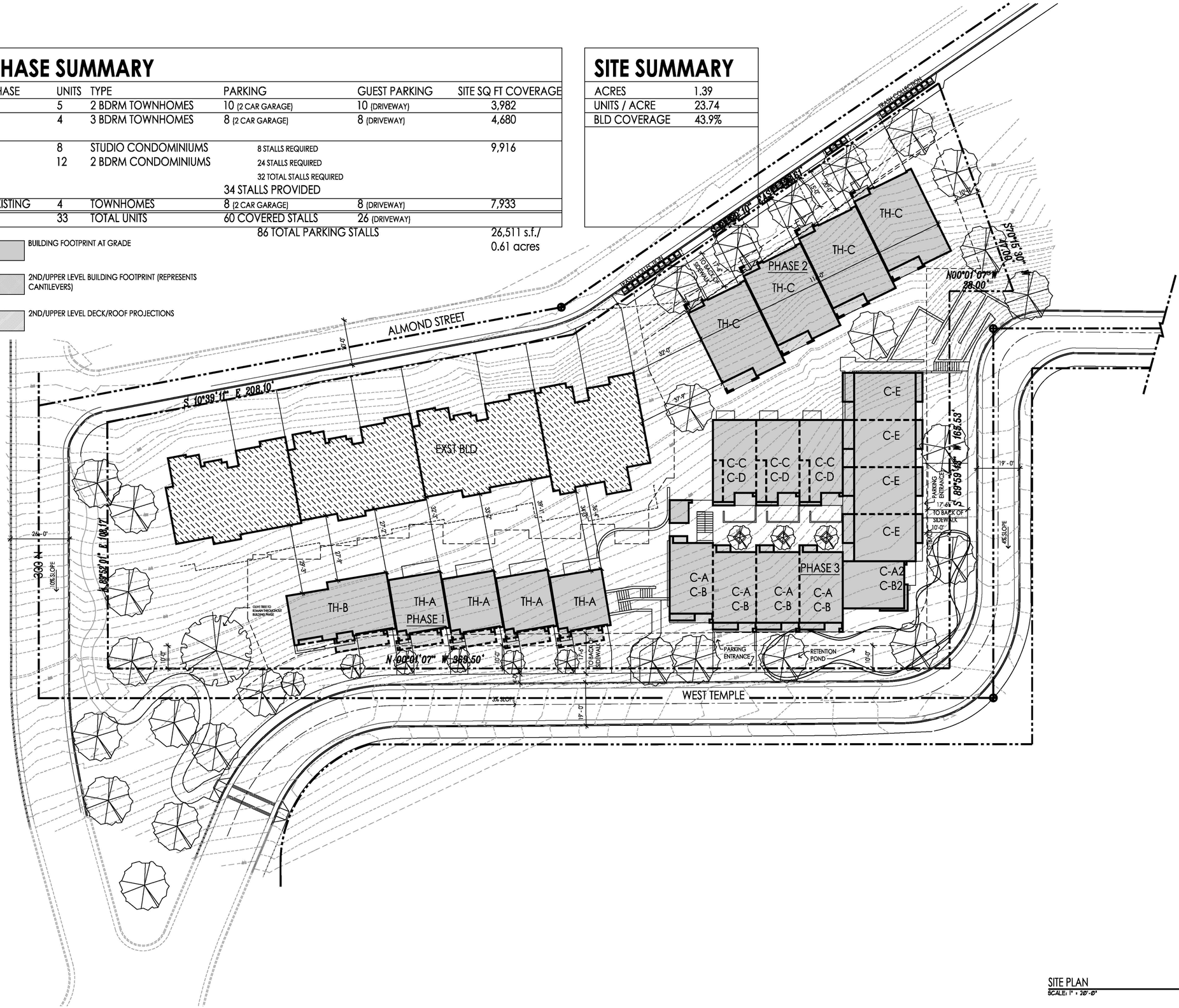
# SITE SUMMARY

| | |
|---|---|
| ACRES | 1.39 |
| UNITS / ACRE | 23.74 |
| BLD COVERAGE | 43.9% |

BUILDING FOOTPRINT AT GRADE

2ND/UPPER LEVEL BUILDING FOOTPRINT (REPRESENTS CANTILEVERS)

2ND/UPPER LEVEL DECK/ROOF PROJECTIONS




SITE PLAN
SCALE: 1" = 20'-0"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ALMOND STREET
TOWNHOMES & CONDOS
ALMOND STREET
SALT LAKE CITY, UTAH

OWNER REVIEW - NOT FOR CONSTRUCTION

PROJECT NO. 13050
DATE: 5 NOV., 2013
REVISIONS:

SHEET TITLE:
SITE PLAN

SHEET NUMBER:
A100
-

NOTE: UPPER LEVEL DECK IS OPTIONAL

**TOWNHOME A/B PERSPECTIVE - 1**

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**TOWNHOME A/B PERSPECTIVE - 2**

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TOWNHOME A/B BUILDING FRONT ELEVATION
3/16" = 1'-0"

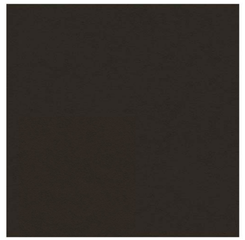
1
SD3.3

* BUILDING HEIGHTS SHOWN ARE DEEMED ACCURATE BUT ARE SUBJECT TO FINAL CONSTRUCTION DOCUMENTATION AND CITY APPROVALS

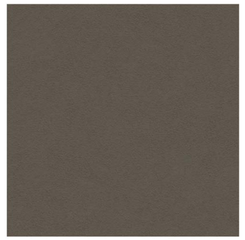


**WINDOWS / ROOFING**
Material: VARIES
Color: White

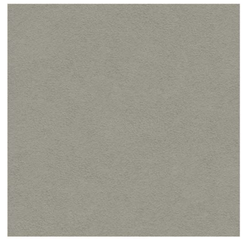
**1' X 4' METAL PANELS**
Material: Aluminum
Color: Mill Finish



**STUCCO DARK**
Material: Synthetic Stucco
Color: 6006 BLACK BEAN
*SHERWIN-WILLIAMS*



**STUCCO MEDIUM**
Material: Synthetic Stucco
Color: 6075 GARRET GRAY
*SHERWIN-WILLIAMS*



**STUCCO LIGHT**
Material: Synthetic Stucco
Color: 2844 ROYCROFT MIST GRAY
*SHERWIN-WILLIAMS*

**T&G SIDING**
Material: Natural Cedar
Color: Natural Stain

## MATERIAL SELECTIONS

## TOWNHOME A/B FRONT ELEVATION

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6 NOV., 2013


TOWNHOME A/B BUILDING REAR ELEVATION
3/16" = 1'-0"

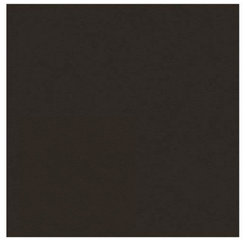
1
SD3.4

* BUILDING HEIGHTS SHOWN ARE DEEMED ACCURATE BUT ARE SUBJECT TO FINAL CONSTRUCTION DOCUMENTATION AND CITY APPROVALS



**WINDOWS / ROOFING**
Material: VARIES
Color: White

**1' X 4' METAL PANELS**
Material: Aluminum
Color: Mill Finish



**STUCCO DARK**
Material: Synthetic Stucco
Color: 6006 BLACK BEAN
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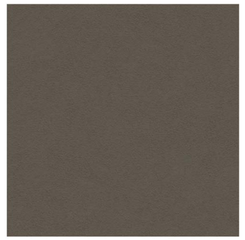

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Color: 6075 GARRET GRAY
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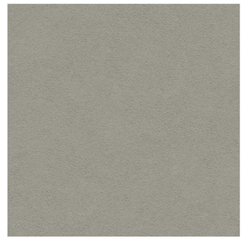

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## MATERIAL SELECTIONS

## TOWNHOME A/B REAR ELEVATION

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**TOWNHOME C PERSPECTIVE**

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6 NOV., 2013

TOWNHOME C BUILDING FRONT ELEVATION
3/16" = 1'-0"

1
SD3.6

* BUILDING HEIGHTS SHOWN ARE DEEMED ACCURATE BUT ARE SUBJECT TO FINAL CONSTRUCTION DOCUMENTATION AND CITY APPROVALS

TOWNHOME C BUILDING REAR ELEVATION
3/16" = 1'-0"

2
SD3.6

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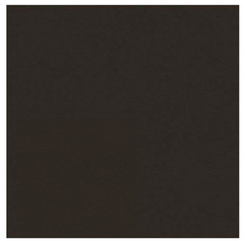
**WINDOWS / ROOFING**
Material: VARIES
Color: White

**1' X 4' METAL PANELS**
Material: Aluminum
Color: Mill Finish



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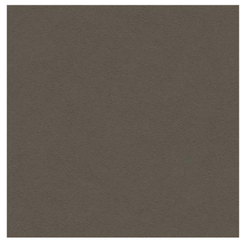

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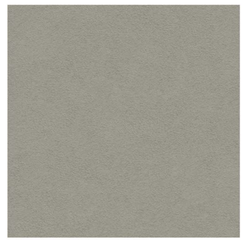

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*SHERWIN-WILLIAMS*

**T&G SIDING**
Material: Natural Cedar
Color: Natural Stain

## MATERIAL SELECTIONS

## TOWNHOME C ELEVATIONS

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**CONDO BUILDING PERSPECTIVE**

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6 NOV., 2013


* BUILDING HEIGHTS SHOWN ARE DEEMED ACCURATE BUT ARE SUBJECT TO FINAL CONSTRUCTION DOCUMENTATION AND CITY APPROVALS

CONDO WEST ELEVATION
3/16" = 1'-0"
1
SD3.8



**WINDOWS / ROOFING**
Material: VARIES
Color: White

**1' X 4' METAL PANELS**
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Color: Mill Finish

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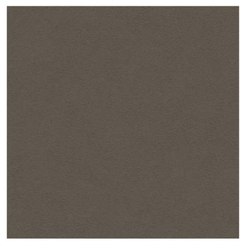

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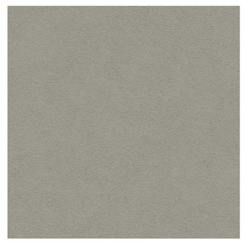

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Color: Natural Stain

## MATERIAL SELECTIONS

## CONDO BUILDING WEST ELEVATION

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CONDO SOUTH ELEVATION
3/16" = 1'-0"

1
SD3.9

* BUILDING HEIGHTS SHOWN ARE DEEMED ACCURATE BUT ARE SUBJECT TO FINAL CONSTRUCTION DOCUMENTATION AND CITY APPROVALS



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Color: White

**1' X 4' METAL PANELS**
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Color: Mill Finish

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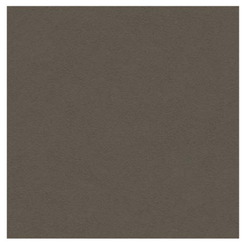

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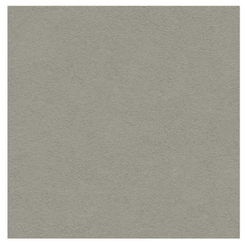

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## MATERIAL SELECTIONS

## CONDO BUILDING SOUTH ELEVATION

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**PROJECT VIEW FROM WEST**

**BUILDINGS SHOWN REPRESENT THOSE BUILDINGS CURRENTLY PROPOSED IN RELATIONSHIP TO THOSE THAT ARE EXISTING.**

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6 NOV., 2013

CONTEXT STUDY - VIEW FROM SOUTH WEST

ENLARGED CONTEXT STUDY - VIEW FROM SOUTH WEST

CONTEXT STUDY - VIEW FROM SOUTH EAST

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6 NOV., 2013

CONTEXT STUDY - VIEW FROM NORTH WEST

CONTEXT STUDY - VIEW FROM WEST

CONTEXT STUDY - VIEW FROM NORTH EAST

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ALMOND STREET, SALT LAKE CITY, UTAH

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6 NOV., 2013

# SITE SUMMARY

| ACRES = 1.39 | UNITS / ACRE = 23.74 | BLD COVERAGE = 43.9% |
|---|---|---|

| PHASE | UNITS | TYPE | SITE SQ FT COVERAGE |
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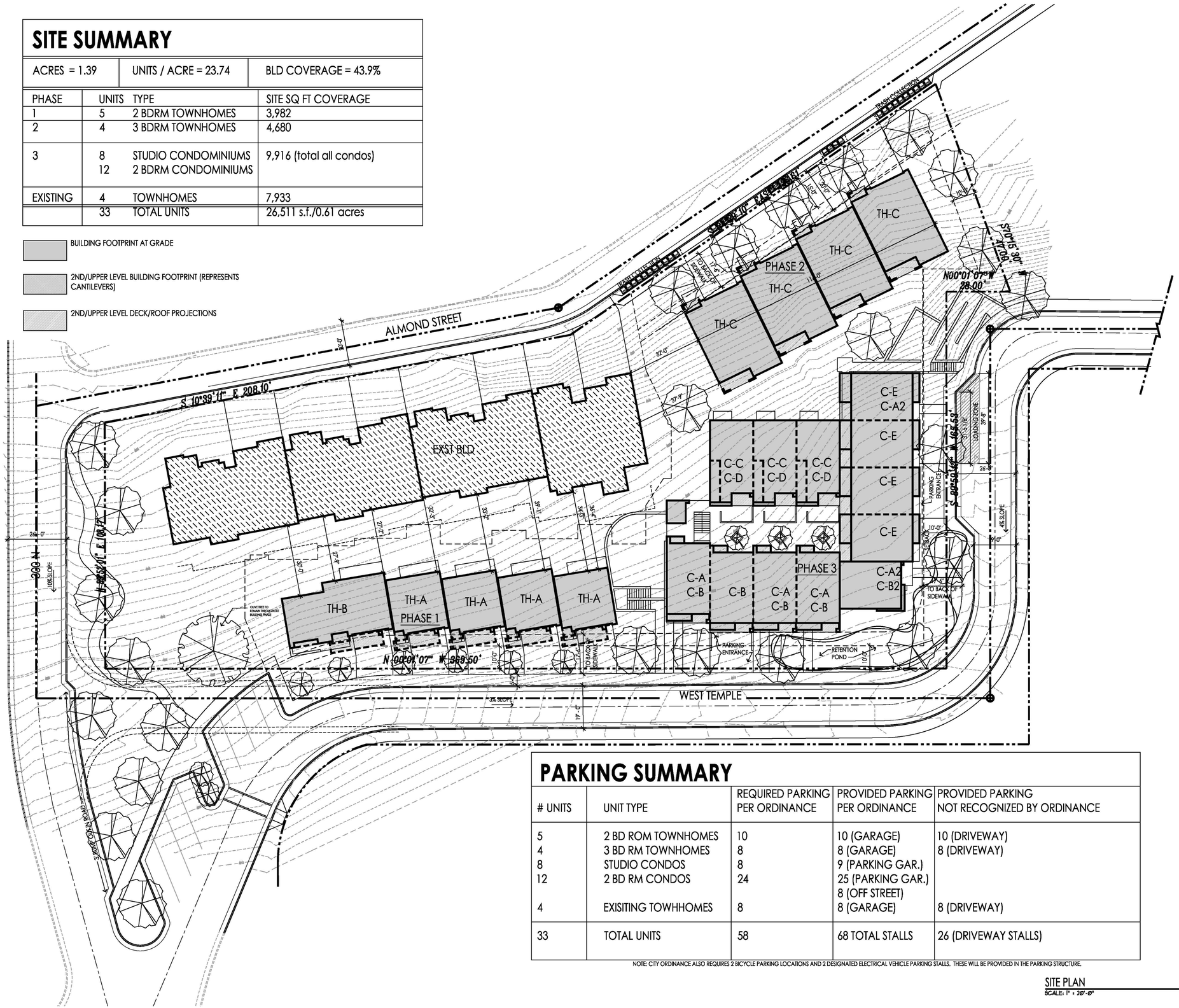
BUILDING FOOTPRINT AT GRADE

2ND/UPPER LEVEL BUILDING FOOTPRINT (REPRESENTS CANTILEVERS)

2ND/UPPER LEVEL DECK/ROOF PROJECTIONS




# PARKING SUMMARY

| # UNITS | UNIT TYPE | REQUIRED PARKING PER ORDINANCE | PROVIDED PARKING PER ORDINANCE | PROVIDED PARKING NOT RECOGNIZED BY ORDINANCE |
|---|---|---|---|---|
| 5 | 2 BD ROM TOWNHOMES | 10 | 10 (GARAGE) | 10 (DRIVEWAY) |
| 4 | 3 BD RM TOWNHOMES | 8 | 8 (GARAGE) | 8 (DRIVEWAY) |
| 8 | STUDIO CONDOS | 8 | 9 (PARKING GAR.) | |
| 12 | 2 BD RM CONDOS | 24 | 25 (PARKING GAR.)<br>8 (OFF STREET) | |
| 4 | EXISITING TOWHHOMES | 8 | 8 (GARAGE) | 8 (DRIVEWAY) |
| 33 | TOTAL UNITS | 58 | 68 TOTAL STALLS | 26 (DRIVEWAY STALLS) |

NOTE: CITY ORDINANCE ALSO REQUIRES 2 BICYCLE PARKING LOCATIONS AND 2 DESIGNATED ELECTRICAL VEHICLE PARKING STALLS. THESE WILL BE PROVIDED IN THE PARKING STRUCTURE.

SITE PLAN
SCALE: 1" = 20'-0"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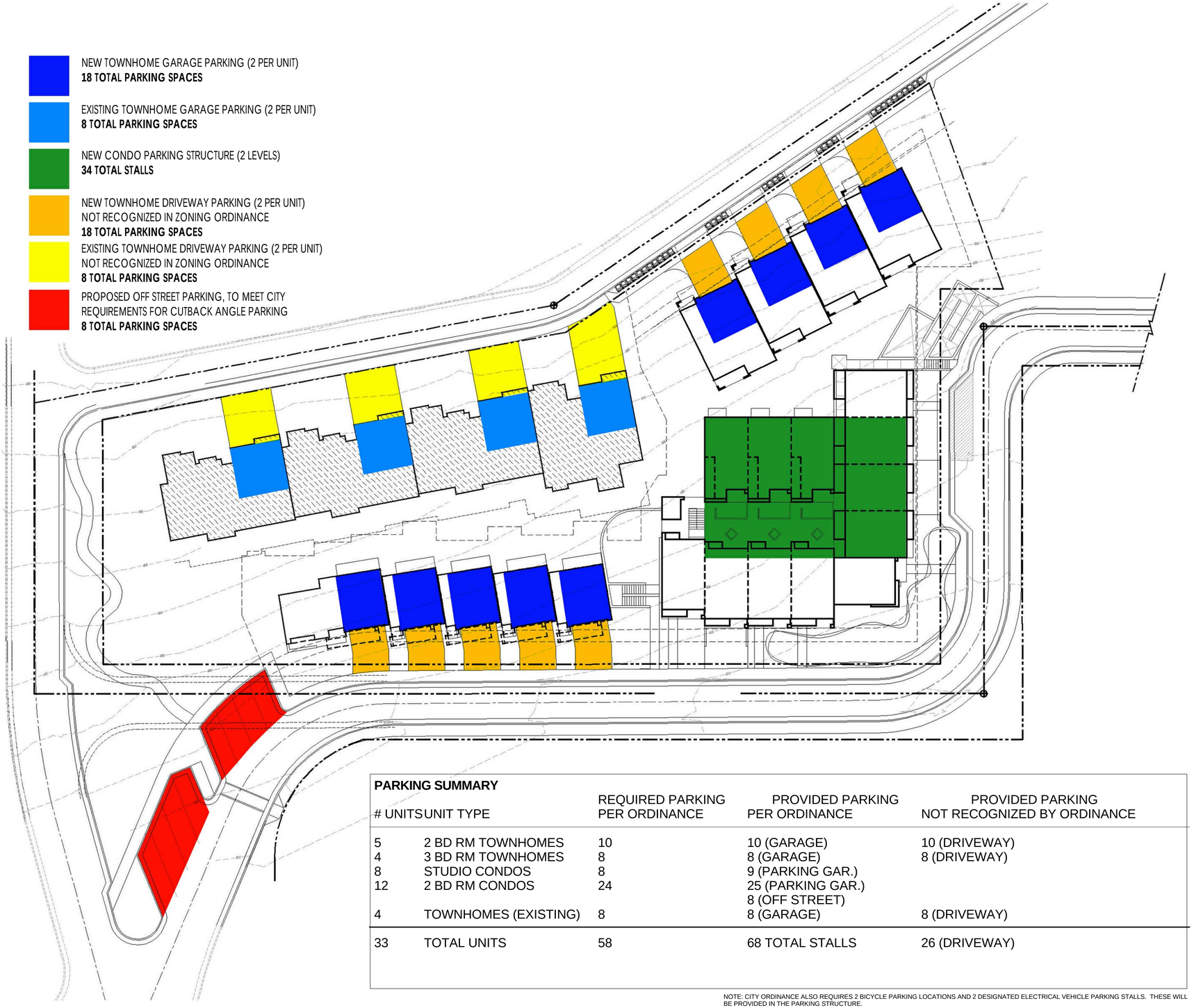
ALMOND STREET
TOWNHOMES & CONDOS
ALMOND STREET
SALT LAKE CITY, UTAH

OWNER REVIEW - NOT FOR CONSTRUCTION

PROJECT NO. 13050
DATE: 21 FEB., 2014
REVISIONS:

SHEET TITLE:
SITE
PLAN

SHEET NUMBER:
A100
-




**PARKING SUMMARY**

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# ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH

Garbett green within reach

STAKER REAL ESTATE INVESTMENTS

21 EB., 2014

# Almond Street Parking analysis

4/25/2014

## Original 34 unit building (1997)

| Units | Unit Mix | Total Bedroom |
|---|---|---|
| 3 bed 2 bath | 18 | 54 |
| 2 bed 2 bath | 16 | 32 |
| Total Bedroom | | 86 |
| Minimum parking stalls | | 80 |
| Parking stalls per bedroom | | 0.93 |

## Garbett/Staker Proposal (2014)

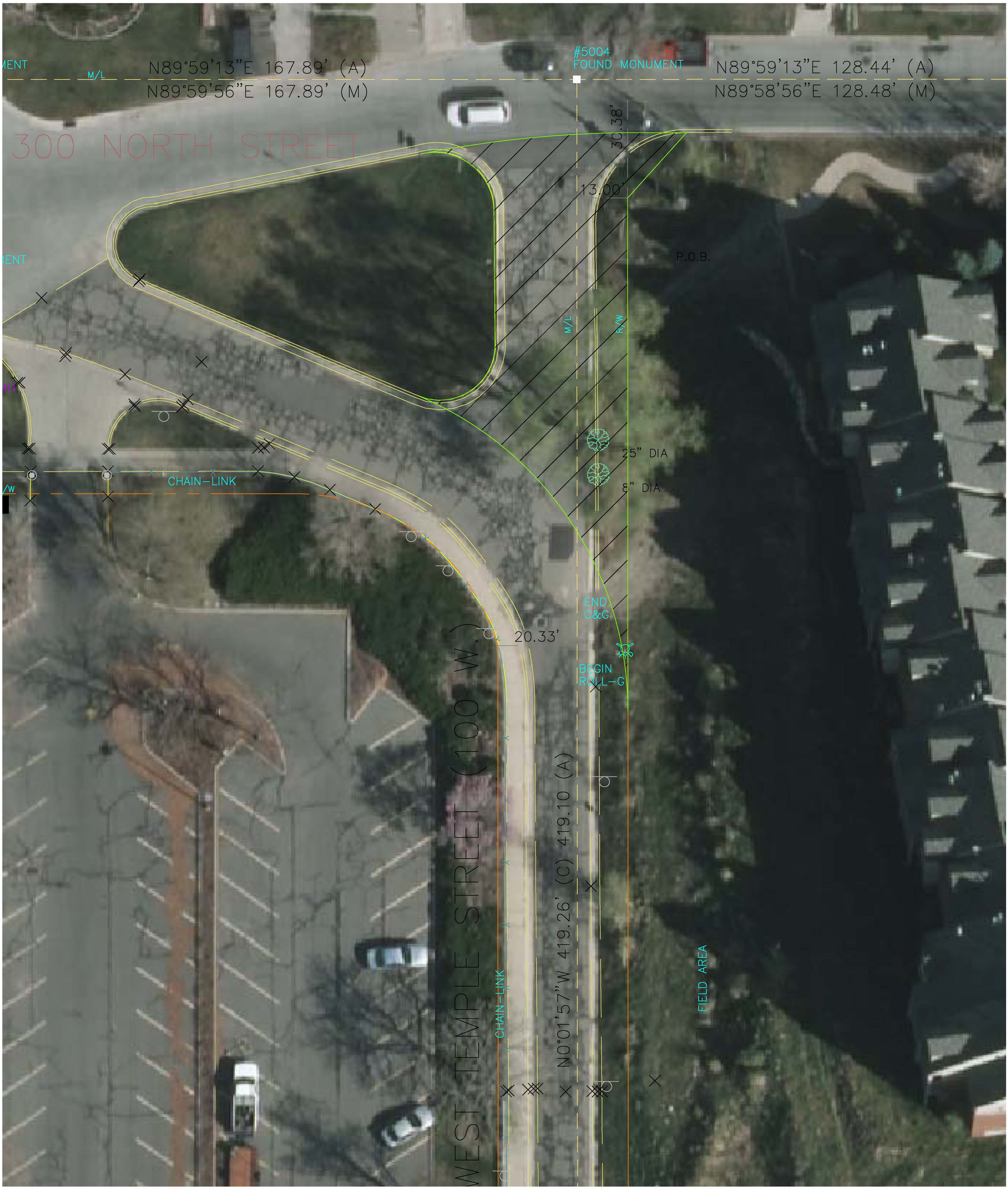
| Units | Unit Mix | Total Bedrooms |
|---|---|---|
| 2 bed townhomes | 5 | 10 |
| 2 bed (optional 3rd) townhomes | 4 | 12 |
| Studio Condos | 8 | 8 |
| 2 bed Condos | 12 | 24 |
| 3 bed Towns (existing) | 4 | 12 |
| Total Bedroom | | 66 |
| Range of parking stalls | | 60-68 |
| Parking stalls per bedroom | | .91 - 1.03 |

## Garbett/Staker Proposal

## Additional Parking not recognized by ordinance

| | |
|---|---|
| Town homes with parking on driveway | 13 |
| Total additional driveway parking | 26 |
| Parking Stalls per bedroom | 1.30 - 1.42 |

Back to Staff Report

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Back to Staff Report



ERIC D. SHAW
DIRECTOR

MARY DE LA MARE-SCHAEFER
DEPUTY DIRECTOR

# SALT LAKE CITY CORPORATION

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
OFFICE OF THE DIRECTOR

RALPH BECKER
MAYOR

## CITY COUNCIL TRANSMITTAL

David Everitt, Chief of Staff

**Date Received:** _____

**Date Sent to City Council:** _____

---

**TO:** Salt Lake City Council
Charlie Luke, Chair

**DATE:** March 7, 2014

**FROM:** Eric D. Shaw, CED Director

**RE:** Petition PLNPCM2013-00920: 289 N. Almond Street Townhomes & Condominiums Zoning Map Amendment
Petition PLNPCM2014-00001: Street Closure

**STAFF CONTACT:** Lex Traughber, Senior Planner
(801) 535-6184 or lex.traughber@slcgov.com

**COUNCIL SPONSOR:** Exempt

**RECOMMENDATION:** That the City Council hold a briefing and schedule a Public Hearing

**DOCUMENT TYPE:** Ordinance

**BUDGET IMPACT:** None

**BACKGROUND/DISCUSSION:**
Almond Street Properties, LLC, is proposing to complete the Almond Street Townhomes & Condominium project located at approximately 289 N. Almond Street; the property south of 300 North between Almond Street and West Temple Street. Almond Street Properties, LLC, is a partnership between Staker Real Estate Investments and Garbett Homes.

In early 2000, the Almond Street Townhomes Phase I condominium plat was recorded and four townhomes were built. The applicant proposes to complete the project by building nine townhomes units and twenty condominium units on the balance of the project site for a total of thirty-three residential units (4 existing and 29 new units). The subject property is zoned RMF-45 (Moderate/High Density Multi-family Residential). The proposed development is consistent with this zoning designation.

On May 5, 1997, the property owner at the time and Salt Lake City entered into a development agreement establishing certain standards for the development of the property (See Staff Report – Exhibit B). These standards were in addition to the development standards established by the base zone, and essentially rezoned the subject property. The applicant's request is to amend the development agreement through a map amendment (rezone) process. The two primary requirements established in the development agreement included a total reduction in the number of dwelling units (maximum thirty-four) allowed on the property, and established an increased parking stall count to eighty stalls, of which eighteen were to be designated for visitor parking. In short, the property owner at the time agreed to limit the number of dwelling units that would have been allowed under the base zone given the property acreage, and the property owner also agreed to provide an increased number of parking stalls above and beyond the City's parking requirements for the proposed residential development.

At this time, the applicant has designed the project to include thirty-three dwelling units, or one less dwelling unit than allowed by the development agreement. The applicant is also requesting that the parking requirement be limited to sixty parking spaces total on the overall site (which exceeds the number of parking stalls (58) required by City ordinance for the proposed residential use), with an additional ten designated on-street parking stalls for a total of seventy parking stalls (see Staff Report, Parking Plan – Exhibit D).

In addition to the requested modifications to the development agreement, the applicant is also requesting, through the map amendment process, modifications to building setbacks and grade changes. In terms of building setbacks, the subject lots are irregularly shaped. Section 21A.24.140(E)(1) of the Zoning Ordinance states that the required front yard in the RMF-45 Zone is twenty percent of the lot depth not to exceed twenty-five feet (25'). The applicant is proposing a front yard setback of approximately seventeen and a half feet (17.5') along West Temple Street and approximately twenty feet (20') along Almond Street in an effort to meet the intent of this code section and create an attractive, urban development. Regarding grade changes, the applicant notes that there is a significant grade change from east to west on the subject lot. Table 21A.36.020B of the Zoning Ordinance addresses grade changes in excess of four feet (4') and calls for a process that requires public review. In order to develop the site, the applicant is requesting flexibility to modify the site as necessary in areas that may exceed the imposed limit of four feet (4').

The applicant has also submitted a street closure application for City consideration. The applicant is requesting that the City close the eastern portion of West Temple Street where it intersects at 300 North. The western split portion of West Temple Street would remain open allowing access from 300 North. The landscape "island" that is currently bound by the split in West Temple Street and 300 North would eventually become part of the development and remain as landscaped area and on-street parking spaces (See Staff Report – Exhibits C & D).

**MASTER PLAN CONSIDERATIONS:**

The subject property is located within the Capitol Hill Master Plan area, and is designated High Density Residential (45+ du/acre). The proposed townhome and condominium development is consistent with this master plan designation. The subject property is approximately 1.39 acres (60,548 square feet) in size and the applicant is proposing thirty-three (33) total dwelling units.

This density is consistent with the density outlined in the master plan. In the RMF-45 Zoning District, for multi-family developments (condominiums) greater than one acre in size, one thousand square feet for each dwelling unit is required. For single-family attached development (townhomes), three thousand square feet per unit is required. Thirteen (13) total townhomes units would require thirty-nine thousand square feet, and twenty (20) condominium units would require twenty thousand square feet for a total of fifty-nine thousand square feet. The proposed development is within this density parameter.

The Salt Lake City Housing Policy includes several policy statement that are relevant to the proposed development as follows:

New Development
New housing development in Salt Lake City should meet the following criteria:
- Encourage for sale and rental mixed-use and mixed-income projects in areas with established transportation, public infrastructure, and related public services.
- Encourage single-family infill housing, in single-family neighborhoods, to attract middle-income families where appropriate:
- Require architectural designs that are contextually compatible with the surrounding structures and overall fabric of the neighborhood. These designs should:
  a) Preserve and incorporate open space, even minimal amounts.
  b) Interface well with public spaces.
  c) Incorporate energy efficient technologies and design.
  d) Create quality living environments.
- Provide for realistic parking needs in the least intrusive manner possible in single family neighborhoods.
- Provide aesthetically pleasing and attractive public spaces, such as designated common areas, community centers, community parks, trail networks, bikeways, resident gathering places, and resident/community gardens.

Transit-Oriented Development
The City should support transit-oriented development as well as adequate, reliable public transportation so that residents may easily access employment, goods and services, and housing. The City should support housing densities, mixed-use and mixed-income projects, parking policies, and pedestrian-oriented urban designs that encourage walking and the use of alternative and public transportation.

Growth Targets
Salt Lake City's goals for growth are predicated upon the orderly development of additional housing. Accordingly, the City's housing policies must be consistent with overall growth goals.

**PUBLIC PROCESS:**

Public Comments
The proposed map amendment and street closure requests were presented to the Capitol Hill Community Council on December 18, 2013. At this meeting, the applicant's desire to amend the

development agreement through the zoning map amendment process for the proposed development was identified. The applicant also described the proposed street closure. The Capitol Hill Community Council submitted a letter dated December 27, 2013, for consideration (See Staff Report – Exhibit E). The Community Council supports the project in general, but has several concerns including parking, traffic, the "triangle" (bound by 300 North and the two extensions of West Temple Street), and the exterior design of the buildings.

A collection of letters and emails from the public is included for review (See Staff Report – Exhibit F). In addition, correspondence has been received from the public since the time that the Staff Report was completed and distributed. This correspondence is included in the transmittal package (See Exhibit 7. Additional Public Correspondence).

Planning Commission

The Planning Commission held a public hearing regarding the matter on February 12, 2014. After public comment was taken, the Planning Commission voted unanimously to forward a positive recommendation to amend the development agreement as proposed and to close the proposed section of West Temple Street to the City Council. Please see the Planning Commission's minutes (Exhibit 5D).

**RELEVANT ORDINANCES:**

The adopted criteria for zoning map amendments are addressed in the Salt Lake City Zoning Ordinance in Section 21A.50.050 – Standards for General Amendments. Said criteria are discussed in the Planning Commission Staff Report starting on page six (Exhibit 5C). Requests to close City streets are based on the "Salt Lake City Council Policy Guidelines for Street Closures". The four policy considerations are discussed in detail starting on page eight of the Planning Commission Staff Report (Exhibit 5C).

# TABLE OF CONTENTS

# PROJECT CHRONOLOGY

| | |
|---|---|
| November 5, 2013 | Zoning Amendment application submitted. |
| November 7, 2013 | Petition assigned to Lex Traughber. |
| November 7, 2013 | Routed the zoning amendment proposal to other City Departments/Division for review and comment. |
| December 18, 2013 | The applicant presented the project to the Capitol Hill Community Council, including both the zoning amendment and street closure proposals. |
| January 2, 2014 | Street Closure application submitted. |
| January 3, 2014 | Petition assigned to Lex Traughber. |
| January 6, 2014 | Routed the street closure proposal to other City Departments/Division for review and comment. |
| January 30, 2014 | Planning Commission agenda posted on the Planning Division and Utah Public Meeting Notice websites. Property owner notices mailed. |
| January 31, 2014 | Planning Commission hearing notice posted on property. |
| February 1, 2014 | Hearing notice published in newspaper. |
| February 12, 2014 | Planning Commission held a public hearing and passed a motion to forward a favorable recommendation on to the City Council regarding the matter. |
| February 18, 2014 | Planning Staff requested an ordinance from the City Attorney's Office. |
| March 7, 2014 | Transmitted to Community & Economic Development. |

SALT LAKE CITY ORDINANCE
No. _____ of 2014

(Amending the zoning of property located at 289 North Almond Street
and closing a portion of West Temple Street)

An ordinance amending the zoning of property located at 289 North Almond Street as established by a development agreement entered into by the city and a prior property owner and closing a portion of West Temple Street at its intersection with 300 North Street to facilitate development that is more suitable for the subject property pursuant to Petition Nos. PLNPCM2013-00920 and PLNPCM2014-00001.

WHEREAS, the applicant, Almond Street Properties, LLC ("Applicant") owns property located at 289 North Almond Street (Tax Id Nos. 08-36-440-008 and 08-36-432-017) (the "Property"); and

WHEREAS, a prior owner of the Property and the city entered into a development agreement (the "Agreement") dated May 5, 1997 following litigation between the prior owner and city concerning the zoning of the Property; and

WHEREAS, pursuant to the Agreement, the prior property owner agreed to limit development of the Property to 34 units and provide 80 parking stalls; and

WHEREAS, the Applicant desires to modify the terms of the Agreement to reduce the number of allowed units to 33 and modify the parking requirement to 60 internal parking stalls and 10 on-street parking stalls (for a total of 70 available parking spaces) in order to facilitate development that is more suitable for the Property; and

WHEREAS, the Applicant's proposal would meet the Property's zoning requirements but for the restrictions placed by the Agreement; and

WHEREAS, the Applicant's petition also seeks to amend the Agreement to modify setback and grading requirements to allow more suitable development of the site due to geographical constraints and irregular lot shapes on the Property; and

WHEREAS, the Applicant proposes to close a portion of West Temple Street at its intersection with 300 North Street where it splits and forms two access points to/from 300 North Street, which proposal would close one of the access points as a public right-of-way and convert that closed right-of-way to on-street parking; and

WHEREAS, the Salt Lake City Planning Commission held a public hearing on February 12, 2014 on Applicant's petitions to amend the development agreement (Petition No. PLNPCM2013-00920) and to close a portion of West Temple Street at its intersection with 300 North Street (Petition No. PLNPCM2014-00001) to eliminate a redundant access point and accommodate on-street parking; and

WHEREAS, at its February 12, 2014 meeting, the planning commission voted in favor of forwarding a positive recommendation to the Salt Lake City Council on Applicant's petition with certain conditions; and

WHEREAS, after a public hearing on this matter the city council has determined that adopting this ordinance is in the city's best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending the 1997 Development Agreement. That the Development Agreement between the Applicant's predecessor and the city dated May 5, 1997, which Agreement governs the land use of the Property, shall be and hereby is amended by way of addendum, which shall address the following:

a. That the number of units allowed on the property shall be reduced from thirty-four (34) to thirty-three (33);

b. That the parking requirement shall be modified from eighty (80) required stalls to sixty (60) required internal parking stalls and ten (10) on-street parking stalls;

c. That the Agreement be modified to allow a minimum setback along West Temple Street of 17.5 feet and a minimum setback of 20 feet along Almond Street as shown on Exhibit "A", attached hereto; and

d. That the Agreement be modified to allow grading in excess of the four feet (4') limit in order to accommodate site-specific geographical constraints.

An addendum to the Agreement, executed by the mayor or his designee and the Applicant, shall be recorded against the property by filing it with the Salt Lake County Recorder.

SECTION 2. Closing a portion of West Temple Street at its intersection with 300 North Street. That the eastern portion of a split section of West Temple Street located immediately south of 300 North Street, which is the subject of Petition No. PLNPCM2014-00001, and which is more particularly described on Exhibit "B" attached hereto, hereby is, closed to vehicular access and declared not presently necessary or available for use as a public street, subject to the conditions set forth in Section 3 herein.

SECTION 3. Conditions. Approval of the Applicant's petitions is conditioned on the following:

a. The portion of West Temple Street to be closed as described in Section 2 of this ordinance shall be closed to vehicular traffic, but ownership of the closed portion of West

Temple Street shall be retained by the city and said portion of West Temple Street shall remain open to the public for pedestrian use.

b. Compliance with all city department/division comments included in the Planning Division staff report dated February 12, 2014.

c. Applicant and its successor(s) shall be responsible for landscaping and maintaining the closed portion of right-of-way described in Section 2 herein and the landscaped "island" presently situated between the West Temple Street split at its southern intersection with 300 North Street in accordance with city standards, and shall be responsible for striping and maintaining the designated on-street parking areas contemplated by the Agreement as amended. This condition shall be included in the addendum to the Agreement described in Section 2 above and shall be enforceable by that instrument.

d. The above-described partial closure is expressly made subject to all existing rights-of-way and easements of all public utilities of any and every description now located on and under or over the confines of this property, and also subject to the rights of entry thereon for the purposes of maintaining, altering, repairing, removing or rerouting said utilities, including the city's water and sewer facilities. Said closure is also subject to any existing rights-of-way or easements of private third parties.

SECTION 4. Effective Date. This ordinance shall become effective on the date of its first publication. The city recorder is instructed to not publish or record this ordinance until the conditions identified above have been met, as certified by the city's planning director.

SECTION 5. Time. If the conditions set forth herein are not satisfied within one year from the adoption of this ordinance, it shall become null and void.

Passed by the City Council of Salt Lake City, Utah, this _____ day of _____, 2014.

_____
CHAIRPERSON

ATTEST AND COUNTERSIGN:

_____
CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____Approved. _____Vetoed.

_____
MAYOR

_____
CITY RECORDER
(SEAL)

Bill No. _____ of 2014.
Published: _____.
HB_ATTY-#36772-v2-Ordinance_amending_Almond_Street_dev_agreement_.DOCX

**APPROVED AS TO FORM**
Salt Lake City Attorney's Office

Date:_____

By: _____
Paul C. Nielson, *Senior City Attorney*

# EXHIBIT "A"

Site Plan

## SITE SUMMARY

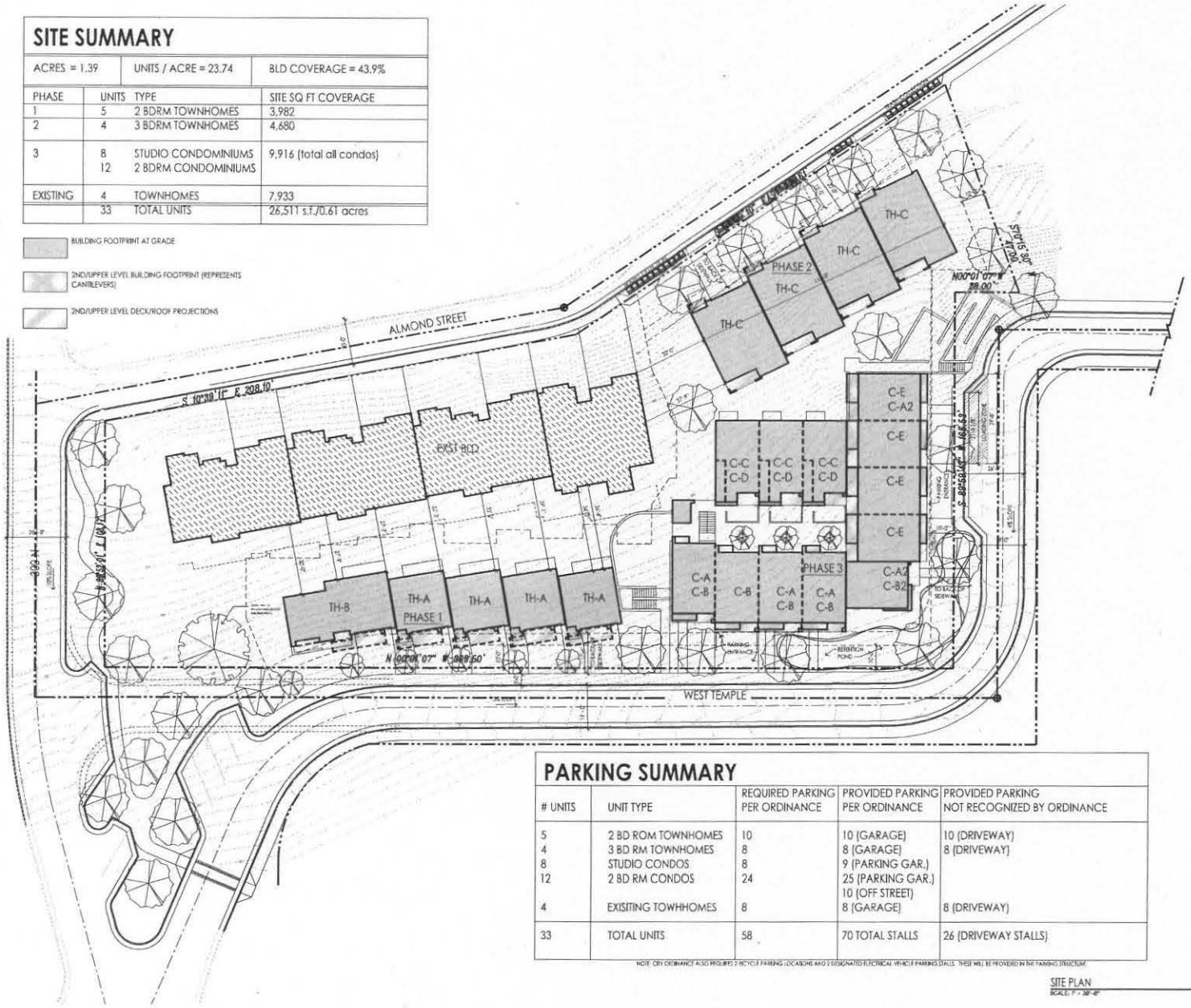
| ACRES = 1.39 | UNITS / ACRE = 23.74 | BLD COVERAGE = 43.9% |
|---|---|---|

| PHASE | UNITS | TYPE | SITE SQ FT COVERAGE |
|---|---|---|---|
| 1 | 5 | 2 BDRM TOWNHOMES | 3,982 |
| 2 | 4 | 3 BDRM TOWNHOMES | 4,680 |
| 3 | 8<br>12 | STUDIO CONDOMINIUMS<br>2 BDRM CONDOMINIUMS | 9,916 (total all condos) |
| EXISTING | 4 | TOWNHOMES | 7,933 |
| | 33 | TOTAL UNITS | 26,511 s.f./0.61 acres |

BUILDING FOOTPRINT AT GRADE

2ND/UPPER LEVEL BUILDING FOOTPRINT (REPRESENTS CANTILEVERS)

2ND/UPPER LEVEL DECK/ROOF PROJECTIONS




## PARKING SUMMARY

| # UNITS | UNIT TYPE | REQUIRED PARKING PER ORDINANCE | PROVIDED PARKING PER ORDINANCE | PROVIDED PARKING NOT RECOGNIZED BY ORDINANCE |
|---|---|---|---|---|
| 5 | 2 BD ROM TOWNHOMES | 10 | 10 (GARAGE) | 10 (DRIVEWAY) |
| 4 | 3 BD RM TOWNHOMES | 8 | 8 (GARAGE) | 8 (DRIVEWAY) |
| 8 | STUDIO CONDOS | 8 | 9 (PARKING GAR.) | |
| 12 | 2 BD RM CONDOS | 24 | 25 (PARKING GAR.)<br>10 (OFF STREET) | |
| 4 | EXISITING TOWHHOMES | 8 | 8 (GARAGE) | 8 (DRIVEWAY) |
| 33 | TOTAL UNITS | 58 | 70 TOTAL STALLS | 26 (DRIVEWAY STALLS) |

NOTE: CITY ORDINANCE ALSO REQUIRES 2 BICYCLE PARKING LOCATIONS AND 2 DESIGNATED ELECTRICAL VEHICLE PARKING STALLS. THESE WILL BE PROVIDED IN THE PARKING STRUCTURE.

SITE PLAN
SCALE: 1" = 30'-0"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Interior Design
Landscape Architecture
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3161 South 900 East Suite 200
Salt Lake City, UT 84115
Ph: 801.363.0555
Fax: 801.363.1451
www.thinkutah.com




ALMOND STREET
TOWNHOMES & CONDOS
ALMOND STREET
SALT LAKE CITY, UTAH

OWNER REVIEW - NOT FOR CONSTRUCTION

PROJECT NO. 13050
DATE: 24 JAN., 2014
REVISIONS:

SHEET TITLE:
SITE
PLAN

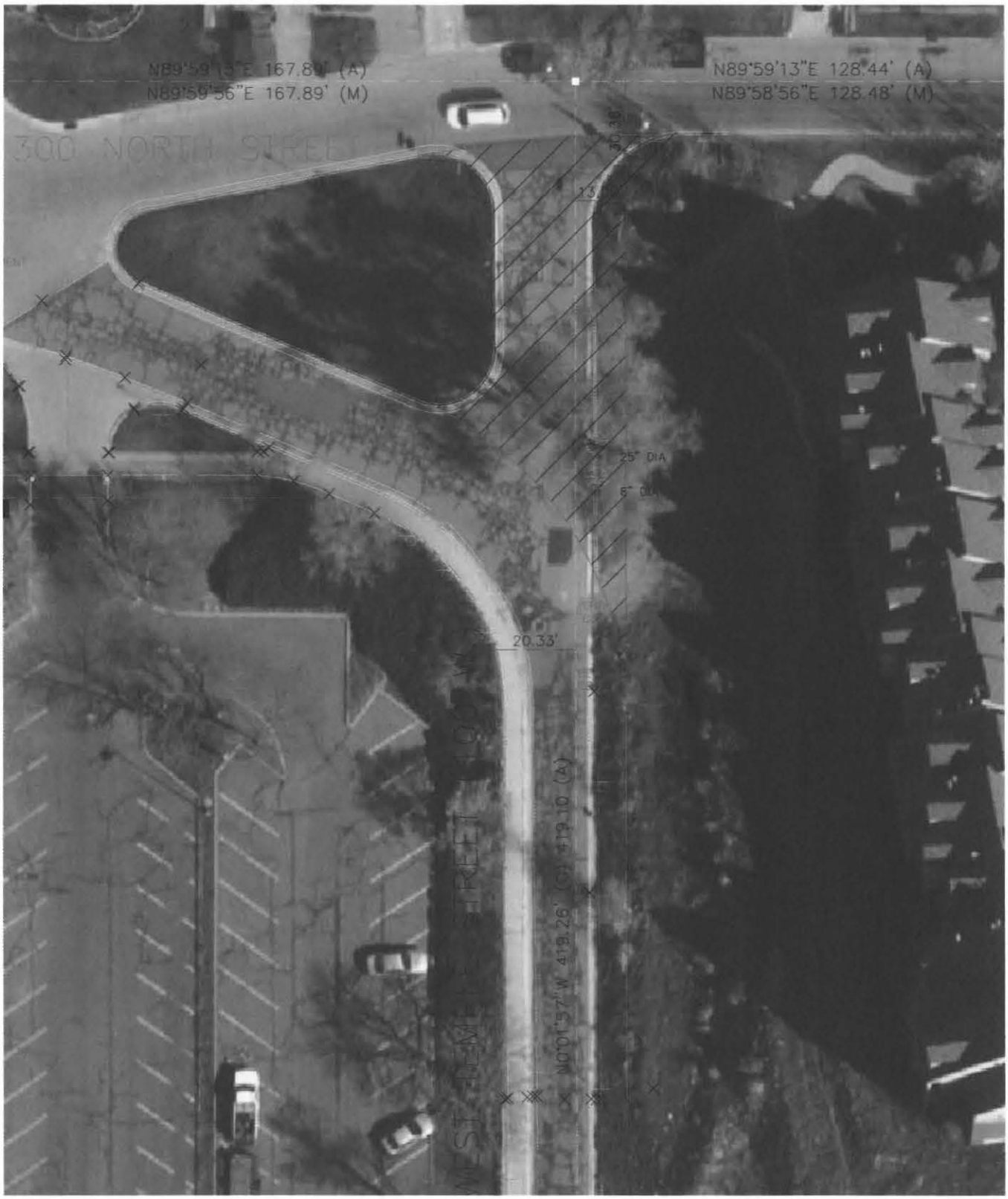
SHEET NUMBER:
A100

# EXHIBIT "B"

Legal Description and Map

# Street Closure at 300 North and West Temple Streets

Beginning at the Northwest Corner of Lot 8, Block 6, Plat E, Salt Lake City Survey; thence S0°01'57"E along the west line of Block 6 for 131.27 feet to a point on a curve, this curve has a chord bearing and distance of N33°39'15"W for 96.93 feet; thence along said curve to the left in a northwest direction of 102.72 feet and having a radius of 87.53 feet to the top back of curb of an island, this point is also a point of curve, this curve has a chord bearing and distance of N56°07'20"E for 23.69 feet; thence along said curve to the left following the top back of curb in a northeast direction of 28.03 feet and having radius of 14.19 feet to a point of tangency; thence N0°28'47"W following the top back curb for 34.08 feet to a point of curve; thence along said curve to the left following the top back of curb for 26.53 feet with a radius of 15.11 feet, this point is also a point on a curve with a chord bearing and distance of N84°26'40"E for 55.23 feet; thence along said curve to the right 55.32 feet with a radius of 286.16 feet to a point of tangency; thence N89°58'56"E 12.39 feet; thence S42°02'15"W 22.54 feet to the point of beginning, containing 3692.70 square feet more or less.


N89°59'13"E 167.89' (A)
N89°59'56"E 167.89' (M)
N89°59'13"E 128.44' (A)
N89°58'56"E 128.48' (M)
300 NORTH STREET
25' DIA
6" DIA
20.33'
WEST TEMPLE STREET
N0°01'57"W 419.26' (C) 419.10' (A)

# NOTICE OF PUBLIC HEARING

The Salt Lake City Council is considering petitions PLNPCM2013-00920 & PLNPCM2014-00001, 289 N. Almond Street Townhomes & Condominiums, Zoning Map Amendment and Street Closure – Garbett Homes is requesting approval from the City to develop nine (9) townhomes and twenty (20) condominium units on the property located at approximately 289 N. Almond Street. Currently, the land is vacant and is zoned RMF-45 (Moderate/High Density Multifamily Residential). This project requires zoning map amendment and street closure reviews. The subject property is within Council District 3 represented by Stan Penfold.

Zoning Map Amendment – In order to build the project noted above, a Zoning Map Amendment is required to amend a development agreement that was executed on the subject property in May 1997. As a part of this zoning amendment process, the applicant will be asking for amendments to said development agreement (primarily concerning parking), and the relaxation of two development standards, to include setback modification and grade change.

Street Closure – The applicant is requesting that the City close the eastern portion of West Temple Street where it splits just south of 300 North. The western split portion of West Temple Street would remain open allowing access from 300 North. The landscape "island" that is currently bound by the fork split in West Temple Street and 300 North would eventually become part of Garbett's development and remain as landscaped area and on-street parking spaces.

As part of their study, the City Council is holding an advertised public hearing to receive comments regarding the petition. During this hearing, anyone desiring to address the City Council concerning this issue will be given an opportunity to speak. The hearing will be held:

**DATE:**
**TIME:** 7:00 p.m.
**PLACE:** Room 315
City & County Building
451 South State Street
Salt Lake City, Utah

If you have any questions relating to this proposal or would like to review the file, please call Lex Traughber at (801) 535-6184 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via e-mail at lex.traughber@slcgov.com

People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to attend this hearing. Accommodations may include alternate formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, requests, or additional information, please contact the Planning Division at (801) 535-7757; TDD (801) 535-6021.

# PLANNING COMMISSION STAFF REPORT
## Legislative Item
## 289 N. Almond Street
## Townhomes & Condominiums
## Zoning Map Amendment - PLNPCM2013-00920
## Street Closure – PLNPCM2014-00001
## February 12, 2014

Planning Division
Department of Community and Economic Development

**Applicant:** Almond Street Properties, LLC.

**Staff:** Lex Traughber
(801) 535-6184
lex.traughber@slcgov.com

**Parcel IDs**: 08-36-440-008 and 08-36-432-017. Approximately 1.39 acres.

**Current Zoning**: RMF-45 (Moderate/High Density Multifamily Residential)

**Master Plan Designation:**
Capitol Hill Master Plan – High Density Residential 45+ du/acre

**Council District:**
District 3: Stan Penfold

**Community Council:**
Capitol Hill Community Council

**Applicable Land Use Regulations:**
Section 21A.50.050 – Standards for General Amendments

Salt Lake City Council Policy Guidelines for Street Closures

**Notification:**
- Notice mailed on 1/30/14
- Newspaper notification 2/1/14
- Property Posted on 1/31/14
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites on 1/30/14

**Attachments:**
A. Narrative

## *Request*

Almond Street Properties, LLC, is requesting approval from the City to develop nine (9) townhomes and twenty (20) condominium units on the properties located at approximately 289 N. Almond Street.

In order to build the project, a zoning map amendment process is required to amend a development agreement that was enacted on the subject property in May 1997. As a part of this zoning amendment process, the applicant will be asking for modifications to said development agreement (primarily concerning parking), and the relaxation of two development standards including building setbacks and grade changes.

The applicant is also requesting that the City close the eastern portion of West Temple Street where it intersects at 300 North.

## *Staff Recommendation*

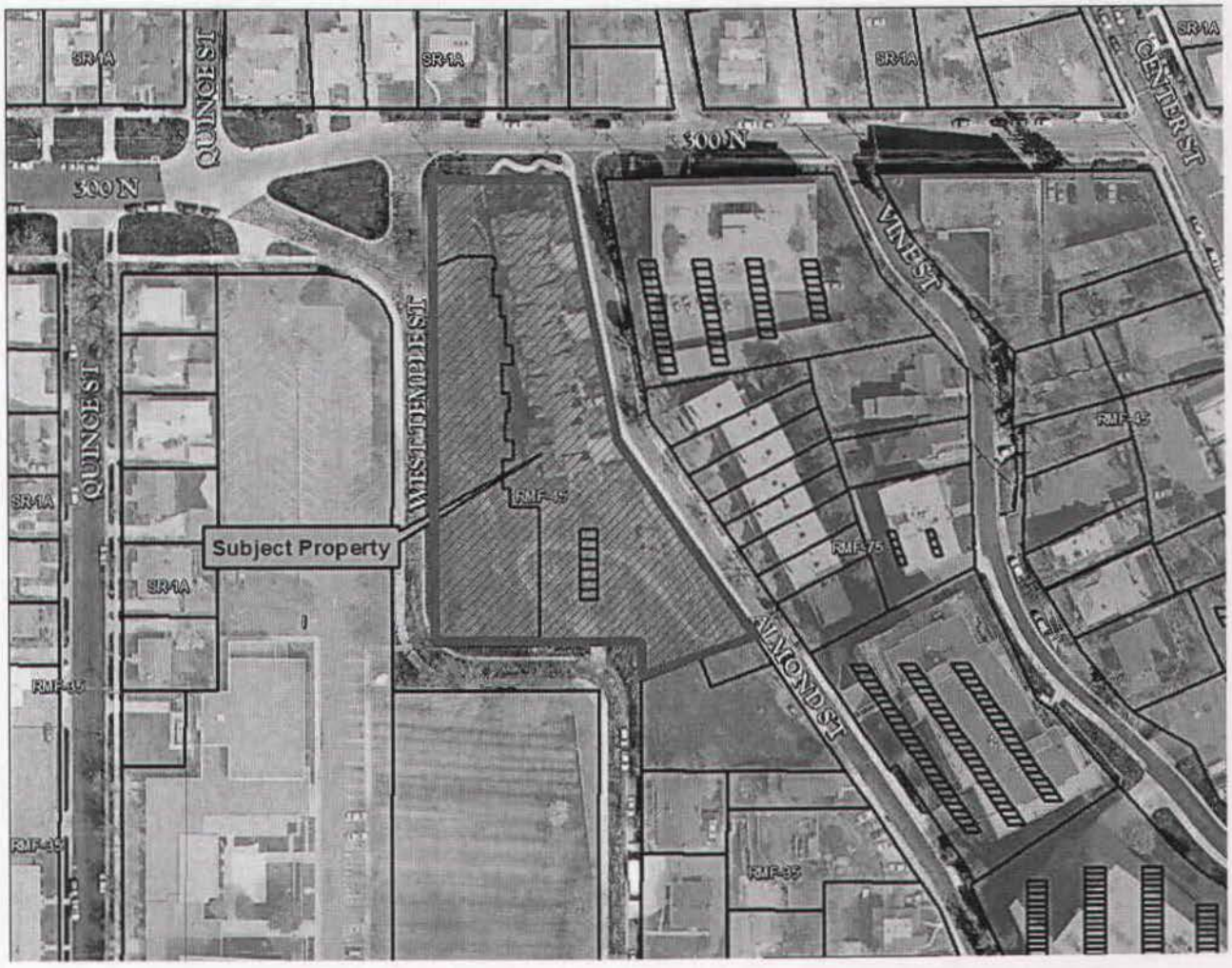
Based on discussions and the findings in this staff report, it is the Planning Staff's opinion that the Planning Commission should transmit a favorable recommendation to the City Council to amend the development agreement as proposed, and to close the eastern portion of West Temple Street where is splits at 300 North subject to the following condition:

Condition:

1. Compliance with all City Department/Division comments and requirements as noted in Exhibits G & H (attached).

| | |
|---|---|
| B. Development Agreement<br>C. Site Plan & Elevations<br>D. Parking Plan<br>E. Community Council Letter<br>F. Public Input<br>G. City Comments (Map Amendment)<br>H. City Comments (street closure) | |

## *Vicinity Map*




## *Background*

### Project Description

Almond Street Properties, LLC, is proposing to complete the Almond Street Townhomes & Condominium project located at approximately 289 N. Almond Street; the property south of 300 North between Almond Street and West Temple Street (see the above Vicinity Map). Almond Street Properties, LLC, is a partnership between Staker Real Estate Investments and Garbett Homes.

In early 2000, the Almond Street Townhomes Phase I condominium plat was recorded and four (4) townhomes were built. The applicant proposes to complete the project by building nine (9) townhomes units and twenty (20) condominium units on the balance of the project site for a total of thirty-three (33) residential units (4 existing and 29 new units). The subject property is zoned RMF-45 (Moderate/High Density Multi-family Residential). The proposed development is consistent with this zoning designation.

The project will be developed in three (3) phases as follows:

- Phase 1 – Five (5) townhomes on West Temple Street west of the existing four (4) units.
- Phase 2 – Four (4) townhomes on Almond Street south of the existing four (4) units.
- Phase 3 – Twenty (20) condominium units located on the "corner" of West Temple street at the 90 degree bend.

The townhome units will consist of two (2) unit types, a two (2) bedroom unit and a three (3) bedroom unit that range in size from 1,187 to 1,757 square feet. There will also be two (2) condominium unit types (studio and 2 bedroom) ranging in size from 509 to 1,365 square feet. Please refer to the attached site plan and elevations (Exhibit C) as well as the parking plan (Exhibit D).

On May 5, 1997, the property owner at the time and Salt Lake City entered into a development agreement establishing certain standards for the development of the property (Exhibit B). These standards were in addition to the development standards established by the base zone, and essentially rezoned the subject property. The applicant's request is to amend the development agreement through a map amendment (rezone) process. The two primary requirements established in the development agreement included a total reduction in the number of dwelling units (maximum thirty-four) allowed on the property, and established an increased parking stall count to eighty (80) stalls, of which eighteen (18) were to be designated for visitor parking. In short, the property owner at the time agreed to limit the number of dwelling units that would have been allowed under the base zone given the property acreage, and the property owner also agreed to provide an increased number of parking stalls above and beyond the City's parking requirements for the proposed residential development.

At this time, the applicant has designed the project to include thirty-three (33) dwelling units, or one (1) less dwelling unit than allowed by the development agreement. The applicant is also requesting that the parking requirement be limited to sixty (60) parking spaces total on the overall site (which exceeds the number of parking stalls (58) required by City ordinance for the proposed residential use), with an additional ten (10) designated on-street parking stalls for a total of seventy (70) parking stalls (see Parking Plan – Exhibit D).

In addition to the requested modifications to the development agreement, the applicant is also requesting through the map amendment process modifications to building setbacks and grade changes. In terms of building setback, the subject lots are irregularly shaped as shown in the above Vicinity Map. Section 21A.24.140(E)(1) of the Zoning Ordinance states that the required front yard in the RMF-45 Zone is twenty percent of the lot depth not to exceed twenty-five feet (25'). The applicant is proposing a front yard setback of approximately seventeen and a half feet (17.5') along West Temple Street and approximately twenty feet (20') along Almond Street (as shown on their site plan) in an effort to meet the intent of this code section and create an attractive, urban development. Regarding grade changes, the applicant notes that there is a significant grade change from east to west on the subject lot. Table 21A.36.020B of the Zoning Ordinance addresses grade changes in excess of four feet (4') and calls for a process that requires public review. In order to develop the site as noted on the proposed site plan, the applicant is requesting flexibility to modify the site as necessary in areas that may exceed the imposed limit of four feet (4').

The applicant has also submitted a street closure application for City consideration. The applicant is requesting that the City close the eastern portion of West Temple Street where it intersects at 300 North. The western split portion of West Temple Street would remain open allowing access from 300 North. The landscape "island" that is currently bound by the split in West Temple Street and 300 North would eventually become part of the development and remain as landscaped area and on-street parking spaces (Exhibits C & D).

Finally, please see the applicant's narrative as they provide a discussion of rationale for the proposal that goes beyond the specific details of the project (Exhibit A).

## *Comments*

### Public Comments

The proposed map amendment and street closure requests were presented to the Capitol Hill Community Council on December 18, 2013. At this meeting, the applicant's desire to amend the development agreement through the zoning map amendment process for the proposed development was identified. The applicant also described the proposed street closure. The Capitol Hill Community Council submitted a letter dated December 27, 2013, for consideration (Exhibit E). The Community Council supports the project in general, but has several concerns including parking, traffic, the "triangle" (bound by 300 North and the two extensions of West Temple Street), and the exterior design of the buildings.

In addition, a collection of letters and emails from the public is included for review (Exhibit F).

### City Department Comments

The comments received from pertinent City Departments/Divisions are attached; a comment set for the proposed map amendment (Exhibit G) as well as the proposed Street Closure (Exhibit H). The Planning Division has not received any comments from the applicable City Departments/Divisions that cannot reasonably be fulfilled or that warrant denial of the proposals.

## *General Discussion*

### Parking

The issue of parking in terms of the development agreement is fairly straightforward. As noted previously, the applicant is requesting that the parking requirement be limited to sixty (60) parking spaces total on the overall site (which exceeds the number of parking stalls (58) required by City ordinance for the proposed residential use), with an additional ten (10) designated on-street parking stalls for a total of seventy (70) spaces. This is ten (10) less parking stalls than required by the development agreement. Note that the required parking for the residential use is being met, the applicant is asking relief from the additional parking stipulated in the development agreement.

It is Planning Staff's understanding that the original owner agreed to the additional parking for one primary reason; an attempt to appease the neighborhood for parking problems at the time. The issue stemmed from the concern that overflow parking from downtown and the LDS Conference Center was having a negative impact on residents in a neighborhood that was already experiencing parking challenges on a daily basis. West Temple Street was a one-way streets heading north at that time. At present, both Almond Street and West Temple Street are one-way heading south, making it more of a challenge for drivers to make their way into the neighborhood to park. Both of these streets are also very narrow, eliminating any on-street parking along the subject street fronts.

The applicant has worked with the neighborhood and heard these parking concerns. The applicant has designed the project to meet City standards for on-site parking given their proposed residential use. The applicant has also attempted to address some of the parking concerns in the neighborhood by providing ten (10) on-street parking stalls. The parking issue is essentially the crux of the issue surrounding the development of the subject property, and the primary reason that the applicant is seeking an amendment to the development agreement. Planning Staff asserts that the applicant's proposed parking plan meets minimum parking standards from a zoning perspective, and is reasonable from the perspective of providing on-street parking for use by future residents and the public in general.

Finally, the City's public transportation system has changed dramatically since the time that the development agreement was executed. With the installation of the Trax network, the subject property is within easy walking distance to this system. The City's vision for future growth includes residential development that is walkable and within reasonable distance to public transportation and services. This project is located in an area that is close to downtown as well as public transportation, thereby potentially eliminating some reliance on the automobile and the necessity of parking.

## Setbacks/Density

As noted previously, the applicant is seeking relief from the zoning requirements for building setbacks. Section 21A.24.140(E)(1) of the Zoning Ordinance states that the required front yard in the RMF-45 Zone is twenty percent of the lot depth not to exceed twenty-five feet (25'). The applicant is proposing a front yard setback of approximately seventeen and a half feet (17.5') along West Temple Street and approximately twenty feet (20') along Almond Street (as shown on their site plan) in an effort to meet the intent of this code section and create a pleasing, urban development. The issue at hand is that the subject parcels are irregularly shaped making the measurement of all yards difficult and impractical. The adopted standards are certainly applicable and easy to apply given a regularly shaped property, however the reality in this case is that the parcels are irregularly shaped.

Given the difficulty and impracticality of measuring yards in this case, Planning Staff asserts that the proposed front yard setbacks are reasonable. The proposed setbacks are typical of and compatible with other multi-family development adjacent to the subject site as well as in the vicinity. This point is further supported by the fact that the density of units proposed is well within the density limitations imposed in both the RMF-45 Zone and the Capitol Hill Master Plan. Planning Staff supports the applicant's site plan as proposed and recommends its approval.

## Grades

The subject site has substantial grade change issues. The applicant notes that there is a significant grade change from east to west on the subject lot. Table 21A.36.020B of the Zoning Ordinance addresses grade changes in excess of four feet (4') and calls for a process that requires public review, typically through a Special Exception. The Planning Commission has the authority to entertain and approve or deny Special Exception requests. In order to develop the site as noted on the proposed site plan, the applicant is requesting flexibility to modify the site as necessary in areas that may exceed the imposed limit of four feet (4').

Planning Staff supports this proposal for the primary reason that the grade changes will essentially be internalized on the subject site, with little to no impact on adjacent properties. Planning Staff supports the applicant's efforts to development the site as proposed, including grade changes that may be necessary yet exceed the established standard.

## *Analysis and Findings*

### Zoning Map Amendment

Staff Note: The request to amend the development agreement is being considered through the map amendment process as there is no other feasible means to evaluate this type of request.

Section 21A.50.050 Standards for general amendments. A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard.

**A. In making its decision to amend the zoning map, the city council should consider the following:**

**1. Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;**

**Discussion:** The subject property is located within the Capitol Hill Master Plan area, and is designated High Density Residential (45+ du/acre). The proposed townhome and condominium development is consistent with this master plan designation. The subject property is approximately 1.39 acres (60,548 square feet) in size and the applicant is proposing thirty-three (33) total dwelling units. This density is consistent with the density outlined in the master plan. In the RMF-45 Zoning District, for multi-family developments (condominiums) greater than one acre in size, one thousand square feet for each dwelling unit is required. For single-family attached development (townhomes), three thousand square feet per unit is required. Thirteen (13) total townhomes units would require thirty-nine thousand square feet, and twenty (20) condominium units would require twenty thousand square feet for a total of fifty-nine thousand square feet. The proposed development is within this density parameter.

The Salt Lake City Housing Policy includes several policy statement that are relevant to the proposed development as follows:

**POLICY STATEMENTS**

**New Development**

New housing development in Salt Lake City should meet the following criteria:

- Encourage for sale and rental mixed-use and mixed-income projects in areas with established transportation, public infrastructure, and related public services.
- Encourage single-family infill housing, in single-family neighborhoods, to attract middle-income families where appropriate:
- Require architectural designs that are contextually compatible with the surrounding structures and overall fabric of the neighborhood. These designs should:
    a) Preserve and incorporate open space, even minimal amounts.
    b) Interface well with public spaces.
    c) Incorporate energy efficient technologies and design.
    d) Create quality living environments.
- Provide for realistic parking needs in the least intrusive manner possible in single family neighborhoods.
- Provide aesthetically pleasing and attractive public spaces, such as designated common areas, community centers, community parks, trail networks, bikeways, resident gathering places, and resident/community gardens.

**Transit-Oriented Development**
The City should support transit-oriented development as well as adequate, reliable public transportation so that residents may easily access employment, goods and services, and housing. The City should support housing densities, mixed-use and mixed-income projects, parking policies, and pedestrian-oriented urban designs that encourage walking and the use of alternative and public transportation.

**Growth Targets**
Salt Lake City's goals for growth are predicated upon the orderly development of additional housing. Accordingly, the City's housing policies must be consistent with overall growth goals.

**Finding:** The proposed map amendment is consistent with policies in both the Capitol Hill Master Plan and the Salt Lake City Housing Policy documents.

**2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance;**

**Discussion:** The purpose of the RMF-45 Zoning District is to provide an environment suitable for multi-family dwellings of a moderate/high density with a maximum building height of forty-five feet (45'), and a density of less than forty-three (43) dwelling units per acres. The standards for the District are intended to provide for safe and comfortable places to live and play, to promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

**Finding**: The proposal to amend the development agreement (amend the zoning map) furthers the applicable purpose statements of the zoning ordinance.

**3. The extent to which a proposed map amendment will affect adjacent properties;**

**Discussion**: The proposed map amendment (amendment to the development agreement) will result in residential development on what currently, for the most part, is vacant property within walking distance to downtown. While further residential development in the area will certainly have impacts, the benefit of additional housing in the area and the elimination of vacant lots appears to outweigh negative impacts. The applicant has designed the project to be compatible with the surrounding neighborhood. The applicant and many surrounding residents have indicated that lengthy discussion have taken place and compromises made in the process to create a residential development with minimal impacts on surrounding properties. Please refer to Exhibit F – Public Input.

In short, the purpose of the applicant's application is to amend an established development agreement through the zoning amendment process, particularly in terms of parking requirements, so that a residential development can be built on the subject property consistent with the current zoning, RMF-45 (Moderate/High Density Multi-family Residential). While there may be impacts during construction, the resulting development will be residential in what is currently a residential neighborhood.

The applicant is also proposing amendments to allow for the proposed setbacks and grade changes as described previously. These amendments should have little impact on adjacent properties.

**Finding**: The proposed map amendment will not severely affect adjacent properties.

4. **Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and**

   **Analysis:** The applicant's property is located within the Capitol Hill Historic District and is therefore subject to the zoning ordinance standards and residential design guidelines for new construction in an historic district.

   **Finding**: The property is located within the Capitol Hill Historic District. Should the applicant prove successful in the quest to amend the development agreement, review of the proposed building design would occur before the Historic Landmark Commission at a later time.

5. **The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.**

   **Analysis:** The subject property is located within a built environment where public facilities and services already exist.

   **Finding**: City Departments/Divisions have not indicated that public facilities and services are inadequate to serve the subject property.

## Street Closure

The Planning Commission will need to review the street closure request and make findings based on the following Salt Lake City Council Policy Guidelines for Street Closures:

1. **It is the policy of the City Council to close public streets and sell the underlying property. The Council does not close streets when the action would deny all access to other property.**

   **Analysis:** Properties that access West Temple Street at the subject location would not be affected by the proposed closure. West Temple Street splits just south of 300 North. The applicant is proposing to close the eastern split of this street, leaving the western branch open.

   **Finding:** Closing the portion of the subject street will not deny access to the adjacent properties.

2. **The general policy when closing a street is to obtain fair market value for the land, whether the abutting property is residential, commercial, or industrial.**

   **Analysis:** Although the applicant is proposing to close a section of public street, the ownership of the property will not change and will remain public. The applicant will be required to maintain the closed street area and the landscaped "triangle" should this request be approved.

   **Finding:** The ownership of the subject property would be retained by the City, and maintained by the applicant.

3. **There should be sufficient public policy reasons that justify the sale and/or closure of a public street, and it should be sufficiently demonstrated by the applicant that the sale and/or closure of the street will accomplish the stated public policy reasons.**

**Analysis:** The applicant makes a justifiable argument for closing this particular section of West Temple Street. The two access points of West Temple Street at 300 North are not needed; one would suffice. The applicant is proposing to incorporate the street property and the "triangle" property into their development to create a more pleasing environment. Part of the property would be used for off-street parking that would be a benefit to the surrounding neighborhood and the future residents of the proposed development. The closure of this section of public street would allow the possibility for the land to be better utilized and maintained by the applicant; a benefit to the public in general.

**Finding:** It is unlikely that the closure of this section of West Temple Street will have a significant impact on the public in general or adjacent landowners.

4. **The City Council should determine whether the stated public policy reasons outweigh alternatives to the closure of the street.**

   **Finding:** Staff finds the following reasons to close of the section of West Temple Street:

   1. The Salt Lake City Transportation Master Plan does not identify this street and there are no plans to extend or otherwise improve it;
   2. Closing the street will provide the applicant with the means for a better development; and,
   3. The closure of this street has no negative impact on property access.

## *Alternatives*

Alternatives in relation to the proposal would be to recommend leaving the development agreement document in effect. This option would continue to limit the development on the property to those parameters specified in the document, and moreover development standards not found in the base RMF-45 District. Continuation of the development agreement will most likely result in the subject properties remaining undeveloped.

A second alternative would be to leave the development agreement in effect and allow some sort of modification to the applicant's proposal.

In terms of the street closure, if this aspect is denied the street would simply remain open. Should the development agreement be amended and the street closure denied, the proposed on-street parking would not be realized.

## *Commission Options*

If the amendment is denied, any redevelopment of the property would be governed by the development agreement in effect currently. This would impose further limits on the development of the property beyond standards required in the RMF-45 Zone.

If the development agreement remains in effect, but with modification, the applicant would be obligated to redesign or potentially drop the proposal.

If the amendment is approved, the property would be subject to the base RMF-45 Zone regulations. The applicant could proceed with the proposed project subject to the full regulations of the this Zone. No additional restrictions would be in effect, other than the limitation on the number of dwelling unit allowed.

## *Potential Motions*

**Not Consistent with Staff Recommendation (modify the development agreement and close a portion of West Temple Street):** Based on the testimony, plans presented and the following findings, I move that the Planning Commission transmit a favorable recommendation to the City Council to amend the development agreement of May 5th, 1997, between Salt Lake City Corporation and the property owner that instituted restrictions on the property located at approximately 289 Almond Street (Parcels 08-36-440-008 and 08-36-432-017). The amendments include:

1. Allowing the applicant's site plan as proposed and building design as proposed; subject to future Historic Landmark Commission review.
2. Reducing the overall number of parking stalls to seventy (70); Sixty (60) on-site stalls and ten (10) on-street stalls.
3. Allowing the applicant's site plan as presented, including the front yard setback of approximately seventeen and a half feet (17.5') along West Temple Street and approximately twenty feet (20') along Almond Street.
4. Allowing grade changes on site in excess of four feet (4') as necessary.

And moving that the Planning Commission transmit a favorable recommendation to the City Council to close the eastern portion of West Temple Street where it intersects with 300 North.

**Not Consistent with Staff Recommendation (keep the development agreement in effect and not close the street):** Based on the testimony, plans presented and the following findings, I move that the Planning Commission transmit a negative recommendation to the City Council relating to this request to dissolve the prior agreement of 1997 between Salt Lake City Corporation and the property owner that instituted restrictions on property located at approximately 289 Almond Street (Parcels 08-36-440-008 and 08-36-432-017). In addition, I move that the Planning Commission transmit a negative recommendation to the City Council relating to the closure of the eastern portion of West Temple Street where it intersects with 300 North.

The Planning Commission shall make findings on the zoning map amendment standards as listed below:

1. Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;

2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance;

3. The extent to which a proposed map amendment will affect adjacent properties;

4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and,

5. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.

The Planning Commission shall make findings on the street closure based on the policies as listed below:

1. It is the policy of the City Council to close public streets and sell the underlying property. The Council does not close streets when the action would deny all access to other property.

2. The general policy when closing a street is to obtain fair market value for the land, whether the abutting property is residential, commercial, or industrial.

3. There should be sufficient public policy reasons that justify the sale and/or closure of a public street, and it should be sufficiently demonstrated by the applicant that the sale and/or closure of the street will accomplish the stated public policy reasons.

4. The City Council should determine whether the stated public policy reasons outweigh alternatives to the closure of the street.

# Exhibit A – Narrative

**Almond Street Townhomes and Condos**

**Statement for Zoning Amendment Application**

Almond Street Properties, LC is proposing to complete the Almond Street Townhome and Condos Project located at 289 North Almond Street; the property south of 300 North between Almond Street and West Temple Street. Almond Street Properties, LC is a partnership between Staker Real Estate Investments and Garbett Homes.

In early 2000 the Almond Street Townhomes Phase 1 condo plat was recorded and 4 townhome units were built. We now propose to complete the project by building 9 townhome units and 20 condo units on the balance of the project site for a total of 33 residential units (4 existing and 29 new units). The balance of the project site to be developed; the subject of this application is approximately .9 acres. In total, the site is approximately 1.39 acres.

Our property is zoned RMF-45 Moderate/High Density Multi-family Residential. In addition, on May 5, 1997 the City and the Almond Street Properties entered into a development agreement establishing certain parameters for the development of the property. The development agreement requirements essentially changed the zoning of the subject property. The two primary requirements of the Development Agreement include a total reduction in the number of dwelling units in the Project to 34 residential units and that the Project must include 80 parking stalls, of which 18 will be designated for visitor parking.

**City's Goals for Development Have Changed since Approval of the Development Agreement**

We have now designed a new project for the balance of the Almond Street Townhome and Condo Project; our proposed Project is different from the project proposed in 1997 and even from a subsequent proposal made in 2008. We have updated our designs and we have modified our unit mix and configurations to match the demands of the current market.

In our opinion the changes in the market demand for residential living in the downtown correlate with the City's current downtown residential development goals. As we understand it, these goals include the City's interest in increasing the "walkability" of development in the downtown. One way this can be accomplished is to encourage residential development that is close to the many services and employment centers that already exist in the downtown. Another is to encourage residential development that is close enough to walk to the superior public transportation system in the downtown. Almond Street Townhomes and Condo Project satisfies both of these requirements—it is close enough that the current and future tenants can easily walk to City Creek; the mayor employment centers in the downtown and the many other service providers available in the heart of downtown. Our residents will also be able to walk to the Trax line on South Temple and Main Streets and the many close-by bus routes.

While we have held the residential unit count in our Project to below the requirement of the Development Agreement; we believe that the requirement for 80 parking stalls is outdated and not in harmony with City's current priorities for residential development in the downtown. In fact, we believe that is we were to offer "extra" parking stalls we may have the opposite result and not achieve the City's goals of "walkability" by providing motivation for our future residents to own more cars and walk less. As a result, the City and the public in general will not best be served by a requirement that "extra" parking stalls be provided.

To proceed with our proposed development for the balance of the Almond Street Townhome and Condo Project property we are respectfully requesting that the City recognize that it will benefit the Project and the City in general to modify the off-street parking requirement contained in the Development Agreement to match the current requirement for off-street parking as contained in the City's development ordinances.

**Specific Modifications of the RMF-45 Zoning Standards and the Existing Development Agreement We are Requesting**

In addition to the parking requirements, there are several more requirements of the Development Agreement and the RMF-45 Zoning District that we need to address in our Zone Amendment application. They are listed below.

The RMF-45 Zoning establishes minimum set back requirements. Through this application, we are requesting that the setback requirements be modified to match the setbacks depicted on our attached site plan. In particular we are requesting that the front setback be adjusted so that we will provide a minimum distance of 17.5 feet from the back of the sidewalk to the garage doors of the new structures. We understand that this distance is the minimum standard in the City for distance between back of side walk to garage door. On the West Temple frontage the property line is not at the back of sidewalk; this makes the actual front set back variable distances from the property line to the new building garage door at various points along the perimeter of the project. We are requesting that the front set back standard be set in accordance with the our proposed site plan with the minimum distance from back of sidewalk to garage door of 17.5 feet. By pulling the new townhome buildings forward on West Temple Street frontage to this adjusted front setback point, we are able to increase the separation of the new 5-unit townhome building from the existing 4-unit building to a minimum of 27'—see site plan for distance between each unit. This minimum separation of 27 feet between units meets the desires of the existing unit owners of the 4 existing townhomes for building separation between the existing and the new units. We want to comply with the goals of our existing unit owners while at the same time providing and adequate driveway for our future residents. We believe that this change will not adversely impact on our neighbors.

Our site easily meets the minimum lot area required for a multi-family project of 33 units, however because we need to create separate lots under each of our 9 townhome units, we will need a variation in the minimum lot area of 3000 square feet and minimum lot width of 22 feet for interior lots and 32 feet for corner lots for Single-family attached dwellings. In addition, as the result of using townhome subdivision plats for the 9 proposed townhome units we are also

requesting adjustments in the side and rear yard setback requirements of the RMF-45 Zone. For example, townhome lots have no side yard setback, but rather the buildings sit on the property lines. The rear setbacks will also be zero or close to zero in the case of the townhome lots. We request that through our application we be allowed to create lots with setbacks to accommodate our proposed site plan—see attached.

At one point the RMF-45 Zone had a provision for grade changes that stated that established grade of any lot shall not be raised or lowered more than 4 feet at any point for the construction of any structure. As you know there is significant grade change from east to west on our site; and although we have not yet completed the detailed civil engineering plans for our proposed project for the next phases of the Almond Street Project we request that through the our Planned Development application that we be granted flexibility to modify the 4' grade change requirement to make our site plan work, if the 4 foot restriction still applies to the RMF-45 Zone.

The project will include 60 covered stalls and each unit townhome unit will have a full length driveway. Even so, this is less parking than the 80 stalls, 17 of which were to be designated as guest parking stalls, required by the Development Agreement. The 80 stalls requested in the Development Agreement are beyond the number of parking stalls required by the City's off street parking ordinances which would require 54 parking stalls based upon our proposed development. We respectfully request that the Development Agreement be amended to change the requirement for 80 parking stalls to a requirement that our project meet the number of off street parking stalls required by the current City ordinances. We also request that the restriction be lifted that prohibits the future owners and residents of units in the project form participating in any City "neighborhood parking permit" program.

The Development Agreement required that the project include a City standard traffic "bulb" on West Temple Street. We request that this requirement be eliminated.

Finally, the first section of the Development Agreement established the total dwelling units in the project at 34; we are proposing 33 units. However, this same section states that the owner would "make no material alterations in the size or exterior design of the project from that presented to the City in early November 1996 after consideration on October 31, 1996 by the Landmark's Architectural Subcommittee." Our proposed project will be different from the project proposal from 1996; we recognize that our new project proposal will be subject to review of the Historic Landmarks Commission.

**Project Description**

The project will be developed in 3 phases:

- Phase 1: 5-townhomes on West Temple Street west of the existing 4 units.
- Phase 2: 4-townhomes on Almond Street frontage south of the existing 4 units; these townhomes will be 1-story on Almond Street.
- Phase 3: 20 condominium units—a mix of studio and 2-bedroom units as described below; these will be built on the "corner" of West Temple Street where is makes a 90 degree bend.

| PHASE SUMMARY | | | | | |
|---|---|---|---|---|---|
| PHASE | UNITS | TYPE | PARKING | GUEST PARKING | SITE SQ. FT. COVERAGE |
| 1 | 5 | 2 BD RM TOWNHOMES | 10(2 CAR GAR) | 10 (DRIVEWAY) | 5,795 |
| 2 | 4 | 3 BD RM TOWNHOMES | 8 (2 CAR GAR) | 8 (DRIVEWAY) | 7,652 |
| 3 | 8 | STUDIO CONDOS | *8 REQUIRED* | | |
| | 12 | 2 BD RM CONDOS | 24 REQUIRED | | |
| | | | *32 TOTAL REQUIRED* | | |
| | | | 34 STALLS IN PARKING GARAGE | | 15,713 |
| EXISTING | 4 | TOWNHOMES | 8 (2 CAR GAR) | 8 (DRIVEWAY) | |
| | 33 | TOTAL UNITS | 60 (COVERED) | 26 (DRIVEWAY) | |
| | | | 86 TOTAL STALLS | | |

The townhome units will consist of two unit types—a 2 bedroom unit and a 3 bedroom unit that range in size from 1187 square feet to 1757 square feet. There will also be 4 unit types in the condominium building will include a studio and 2 bedroom units that range in size from approximately 509 square feet up to 1365 square feet.

The project will include 60 covered stalls and each unit townhome unit will have a full length driveway. The current off-street parking ordinance requires 54 parking stalls.

We have made special effort to design our units to integrate to the neighborhood and the existing four units. We have been conscientious of the views of the neighbors; the challenge of collecting garbage on Almond Street and the vehicle access of our neighbors. We have designed the northern most townhome on West Temple Street to be a special 2-story unit rather than a 3-story unit; this is part of our commitment to the existing owners at our Almond Street project.

# Exhibit B –
# Development Agreement

## AGREEMENT

This Agreement is made this 5 day of May 1997, by and between Russell K. Watts, Watts Corporation, L.L.C., a Utah limited liability corporation and Almond Street, L.L.C., a Utah limited liability corporation (collectively "Watts") and Salt Lake City Corporation, a Utah municipal corporation ("the City").

## RECITALS

Whereas, Watts owns and wishes to construct a development ("the Project") on certain property located at 263 Almond Street, in Salt Lake City ("the Property");

Whereas, the Project is consistent with existing base zoning but requires approval from the City's Historic Landmarks Commission ("Landmarks") and other standard approvals necessary to obtain a building permit;

Whereas, in response to a request from a City Councilmember, the City is considering a petition to rezone the Property ("the Petition") and has adopted ordinance creating a development moratorium on the Property ("the Moratorium");

Whereas, Watts brought an action in Third District Court against the City ("the Litigation") seeking to overturn the Moratorium and mandate continued processing by the City of the Project; and,

Whereas, the City and Watts have reached a settlement of their disputes regarding these matters which they wish to memorialize in writing.

Now, therefore, in consideration of the foregoing Recitals and the following mutual promises, the parties agree to the following:

## TERMS

1. **Reduction of Unit Numbers in Project.** Watts consents to reduce the number of dwelling units in the Project to thirty-four (34) but will make no material alteration in the size or exterior design of the Project from that presented to the City in early November, 1996 after consideration on October 31, 1996 by the Landmarks' Architectural Subcommittee, except as may be required by Landmarks. Watts acknowledges that additional information may be required in order for Landmarks to complete its review.

2. **Parking.** Watts' final design for the Project will include eighty (80) parking stalls meeting generally applicable City standards of which eighteen (18) will be designated for visitor parking. Watts will indicate on the final plat and other applicable documents that

owners and/or residents of units in the Project will not be eligible to participate in any City "neighborhood parking permit" program unless the City determines otherwise.

3. **Traffic "Bulb".** As part of its final plans, Watts will design and agree to construct to City standards a traffic "bulb" on West Temple street to allow an appropriate area for loading and unloading of delivery vehicles.

4. **Landscaping.** As part of its future submittals, Watts will include a landscaping plan for the Project which will be subject to approval by the City Planning Division.

5. **Scope of Agreement.** Watts and the City agree that this Agreement shall only apply to the development of the 1.18 acres of property owned by Watts.

6. **Withdrawal of Petition; Termination of Moratorium.** The City will use its best efforts to cause the City Council to withdraw the Petition and terminate the Moratorium as soon as possible. If the City fails to secure the prompt withdrawal of the Petition and termination of the Moratorium, this Agreement shall become null and void.

7. **City Actions Pending Withdrawal and/or Termination.** In anticipation of obtaining the withdrawal of the Petition and termination of the Moratorium, the City shall preliminarily schedule the Project for approval by Landmarks as soon as possible after the withdrawal and/or termination. The City shall use its best efforts to obtain approval by Landmarks of the Project, subject to the modifications specified in this Agreement being required before the issuance of any building permit, including, but not limited to, providing a favorable staff recommendation of the modified Project to Landmarks and such similar testimony as may be necessary. If there is an appeal filed after Landmarks has approved the Project, the City shall schedule such appeal before the Land Use Appeals Board as soon as possible and shall recommend that the Land Use Appeals Board approve the Project as approved by Landmarks. The City shall expedite to the maximum extent possible all required considerations and approvals necessary for the Project to obtain a building permit.

8. **City Actions if Agreement or Project Challenged by Third-parties.** If this Agreement and/or any action and/or approval taken or issued by the City, any of its departments or agencies or the City Council are challenged by any third-party, the City shall vigorously defend such actions on its own behalf and, further, shall stipulate to the participation by Watts in any such action (if not named directly as a party). In any such action the City shall resist the imposition of any injunction preventing consideration by the City of the Project and any work by Watts on the Project. Absent any such injunction, the City shall to the extent allowed by law, despite the pendency of the action, continue to process approval of the Project and allow Watts to continue any approved work on the Project.

9. **No Admission of Fault.** Execution of this Agreement is by way of settlement and neither party thereby admits any fault or impropriety regarding any of its actions related to this matter. Any such fault or impropriety is hereby specifically denied.

10. **Voluntary Agreement.** This Agreement is entered into voluntarily by both parties in an effort to resolve the pending Litigation, and neither party is acting under any coercion or duress.

11. **Waiver of Claims.** The parties hereby waive any and all claims that each may have against the other or any of the others officers, directors, owners, managers, agents, employees or elected or appointed officials and hereby covenants to bring no such claim except as necessary to enforce the provisions of this Agreement.

12. **Dismissal of Action.** Upon execution of this Agreement and the withdrawal of the Petition and termination of the Moratorium, the parties shall jointly move the Court for an Order dismissing the Litigation with prejudice.

13. **Specific Performance.** The parties acknowledge that other remedies may be insufficient to provide full relief in the event of any breach of this Agreement and therefore consent to the imposition of an order of specific performance of the terms of this Agreement in addition to any other relief which may be awarded.

14. **No Third-party Beneficiaries.** This Agreement is solely for the benefit of the parties and is not intended and shall not be construed to provide any rights, claims or remedies to any third-party.

15. **Watts Assignment and/or Sale.** Watts may assign or transfer any or all of its rights under this Agreement to any party with the City's written consent, which consent shall not be unreasonably withheld. If Watts determines not to develop the Property as set forth in this Agreement and/or if Watts decides to sell the Property prior to development, Watts shall notify the City of its intention to sell the Property no less than 7 days prior to closing on the sale of the Property.

16. **Miscellaneous.** This Agreement constitutes the entire agreement between the parties, integrating all prior discussions, and cannot be modified or amended except in writing signed by both parties. In any action brought to enforce this Agreement the prevailing party shall be entitled to its costs of action including, but not limited to, a reasonable attorneys fee.

Made and entered as of the date and year first written above.

"WATTS"

Watts Corporation, L.L.C.

By: _____

Its: PRES.

Almond Street, L.L.C.

By: _____

Its: MAN.

Russell K. Watts

_____

"The City": Salt Lake City Corporation

By: _____ Attest: Beverly Jones

Its: Director CED

SALT LAKE CITY UTAH CORPORATE SEAL

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date 5-4-97
By _____

# Exhibit C –
# Site Plan & Elevations

# PROPERTY DEVELOPMENT PLAN
# **ALMOND STREET**
# TOWNHOMES AND CONDOMINIUMS

Garbett
green within reach

REAL ESTATE STAKER INVESTMENTS

| PHASE SUMMARY | | | | | |
|---|---|---|---|---|---|
| PHASE | UNITS | TYPE | PARKING | GUEST PARKING | SITE SQ. FT. COVERAGE |
| 1 | 5 | 2 BD RM TOWNHOMES | 10(2 CAR GAR) | 10 (DRIVEWAY) | 3,982 |
| 2 | 4 | 3 BD RM TOWNHOMES | 8 (2 CAR GAR) | 8 (DRIVEWAY) | 4,680 |
| 3 | 8 | STUDIO CONDOS | *8 REQUIRED* | | |
| | 12 | 2 BD RM CONDOS | 24 REQUIRED | | |
| | | | *32 TOTAL REQUIRED* | | |
| | | | 34 STALLS IN PARKING GARAGE | | 9,916 |
| EXISTING | 4 | TOWNHOMES | 8 (2 CAR GAR) | 8 (DRIVEWAY) | 7,933 |
| | 33 | TOTAL UNITS | 60 (COVERED) | 26 (DRIVEWAY) | 26,511 (0.61 acres) |
| | | | 86 TOTAL STALLS | | |


SITE - COLOR
1" = 20'-0"

# ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH

Think Architecture

Garbett green within reach

STAKER

6 NOV., 2013

## SITE SUMMARY

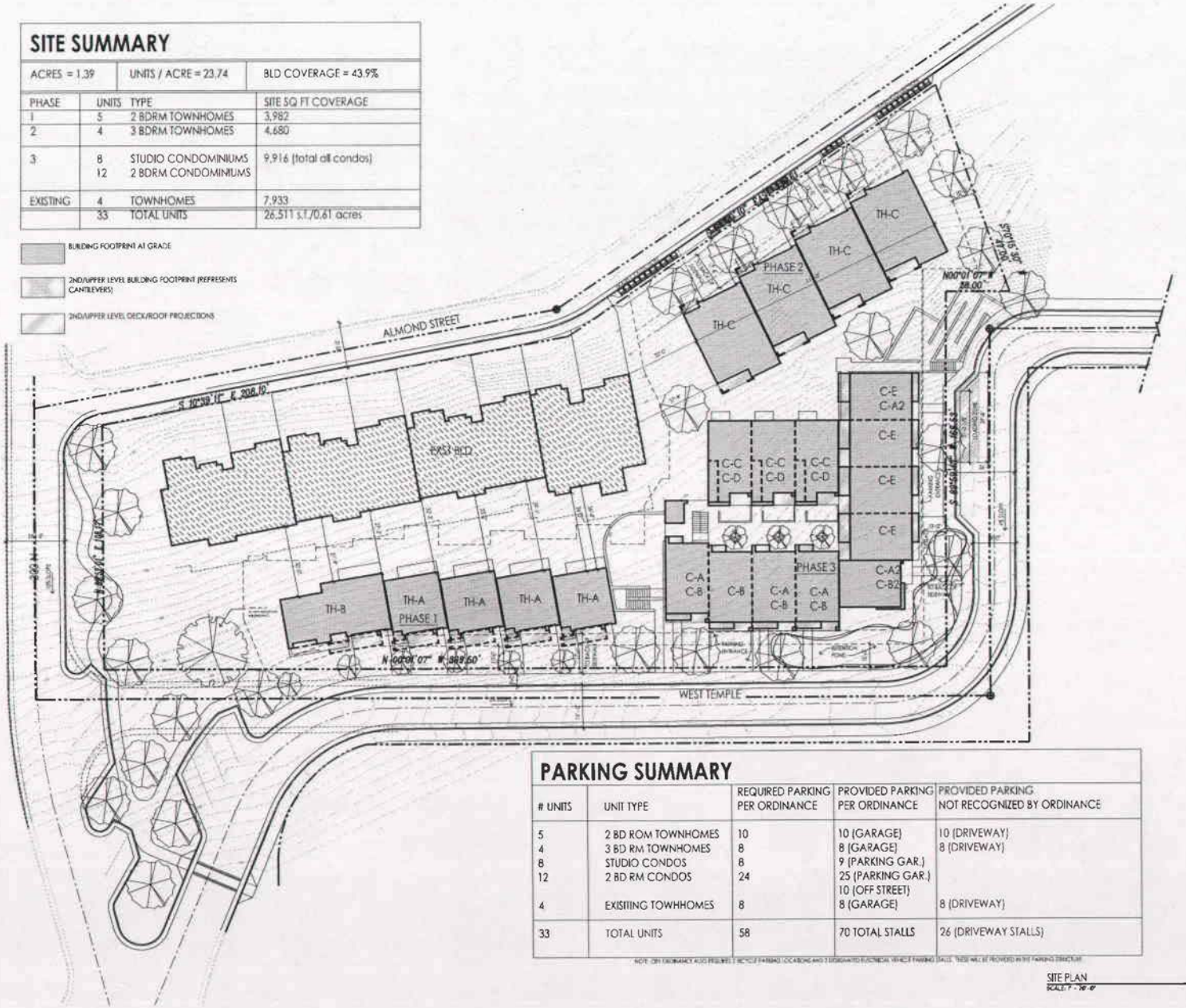
| ACRES = 1.39 | UNITS / ACRE = 23.74 | BLD COVERAGE = 43.9% |
|---|---|---|

| PHASE | UNITS | TYPE | SITE SQ FT COVERAGE |
|---|---|---|---|
| 1 | 5 | 2 BDRM TOWNHOMES | 3,982 |
| 2 | 4 | 3 BDRM TOWNHOMES | 4,680 |
| 3 | 8 | STUDIO CONDOMINIUMS | 9,916 (total all condos) |
| | 12 | 2 BDRM CONDOMINIUMS | |
| EXISTING | 4 | TOWNHOMES | 7,933 |
| | 33 | TOTAL UNITS | 26,511 s.f./0.61 acres |

BUILDING FOOTPRINT AT GRADE

2ND/UPPER LEVEL BUILDING FOOTPRINT (REPRESENTS CANTILEVERS)

2ND/UPPER LEVEL DECK/ROOF PROJECTIONS




## PARKING SUMMARY

| # UNITS | UNIT TYPE | REQUIRED PARKING PER ORDINANCE | PROVIDED PARKING PER ORDINANCE | PROVIDED PARKING NOT RECOGNIZED BY ORDINANCE |
|---|---|---|---|---|
| 5 | 2 BD ROM TOWNHOMES | 10 | 10 (GARAGE) | 10 (DRIVEWAY) |
| 4 | 3 BD RM TOWNHOMES | 8 | 8 (GARAGE) | 8 (DRIVEWAY) |
| 8 | STUDIO CONDOS | 8 | 9 (PARKING GAR.) | |
| 12 | 2 BD RM CONDOS | 24 | 25 (PARKING GAR.) | |
| | | | 10 (OFF STREET) | |
| 4 | EXISTIING TOWHHOMES | 8 | 8 (GARAGE) | 8 (DRIVEWAY) |
| 33 | TOTAL UNITS | 58 | 70 TOTAL STALLS | 26 (DRIVEWAY STALLS) |

NOTE: CITY ORDINANCE ALSO REQUIRES 1 BICYCLE PARKING LOCATIONS AND 3 DESIGNATED ELECTRICAL VEHICLE PARKING STALLS. THESE WILL BE PROVIDED IN THE PARKING STRUCTURE

SITE PLAN
SCALE: 1" = 30'-0"


Think
Architecture
Architecture
Interior Design
Landscape Architecture
Land Planning
Construction Management


ALMOND STREET
TOWNHOMES & CONDOS
ALMOND STREET
SALT LAKE CITY, UTAH

OWNER REVIEW - NOT FOR CONSTRUCTION

PROJECT NO. 13050
DATE: 24 JAN., 2014
REVISIONS:

SHEET TITLE:
SITE
PLAN

SHEET NUMBER:
A100

NOTE: UPPER LEVEL DECK IS OPTIONAL

**TOWNHOME A/B PERSPECTIVE - 1**

Think Architecture

# ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH

Garbett green within reach

STAKER REAL ESTATE INVESTMENTS

6 NOV., 2013

TOWNHOME A/B PERSPECTIVE - 2

Think Architecture

# ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH

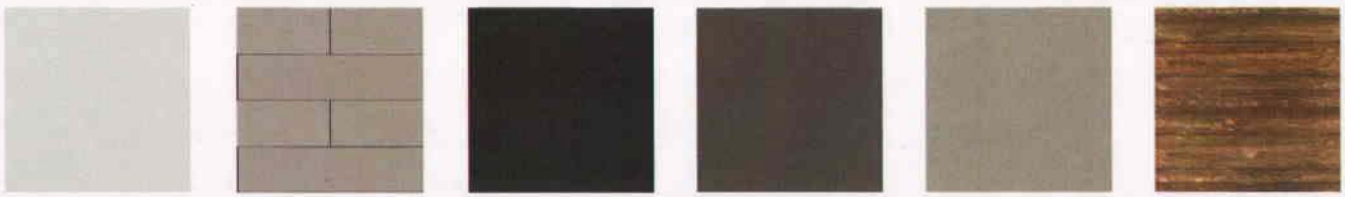
Garbett green within reach

STAKER REAL ESTATE INVESTMENTS

6 NOV., 2013

TOWNHOME A/B BUILDING FRONT ELEVATION
3/16" = 1'-0"

* BUILDING HEIGHTS SHOWN ARE DEEMED ACCURATE BUT ARE SUBJECT TO FINAL CONSTRUCTION DOCUMENTATION AND CITY APPROVALS



**WINDOWS / ROOFING**
Material: VARIES
Color: White

**1" X 4" METAL PANELS**
Material: Aluminum
Color: Mill Finish

**STUCCO DARK**
Material: Synthetic Stucco
Color: 6006 BLACK BEAN
SHERWIN-WILLIAMS

**STUCCO MEDIUM**
Material: Synthetic Stucco
Color: 6075 GARRET GRAY
SHERWIN-WILLIAMS

**STUCCO LIGHT**
Material: Synthetic Stucco
Color: 2844 ROYCROFT MIST GRAY
SHERWIN-WILLIAMS

**T&G SIDING**
Material: Natural Cedar
Color: Natural Stain

## MATERIAL SELECTIONS

## TOWNHOME A/B FRONT ELEVATION

dk Think Architecture

# ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH

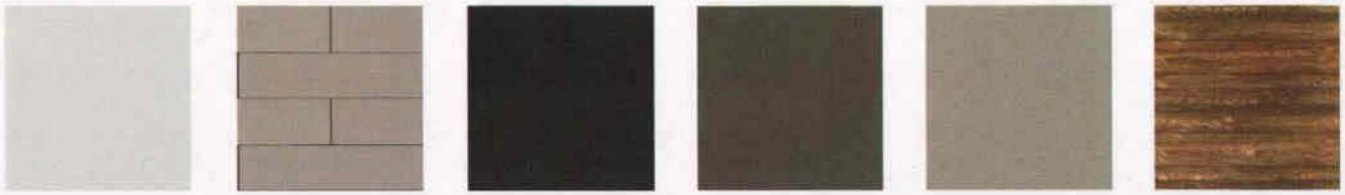
Garbett green within reach

STAKER REAL ESTATE INVESTMENTS

6 NOV., 2013

TOWNHOME A/B BUILDING REAR ELEVATION
3/16" = 1'-0"

* BUILDING HEIGHTS SHOWN ARE DEEMED ACCURATE BUT ARE SUBJECT TO FINAL CONSTRUCTION DOCUMENTATION AND CITY APPROVALS



**WINDOWS / ROOFING**
Material: VARIES
Color: White

**1" X 4" METAL PANELS**
Material: Aluminum
Color: Mill Finish

**STUCCO DARK**
Material: Synthetic Stucco
Color: 6006 BLACK BEAN
SHERWIN-WILLIAMS

**STUCCO MEDIUM**
Material: Synthetic Stucco
Color: 6075 GARRET GRAY
SHERWIN-WILLIAMS

**STUCCO LIGHT**
Material: Synthetic Stucco
Color: 2844 ROYCROFT MIST GRAY
SHERWIN-WILLIAMS

**T&G SIDING**
Material: Natural Cedar
Color: Natural Stain

## MATERIAL SELECTIONS

## TOWNHOME A/B REAR ELEVATION

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# ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH

Garbett green within reach

STAKER REAL ESTATE INVESTMENTS

6 NOV., 2013

TOWNHOME C PERSPECTIVE

Think Architecture

# ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH

Garbett green within reach

STAKER REAL ESTATE INVESTMENTS

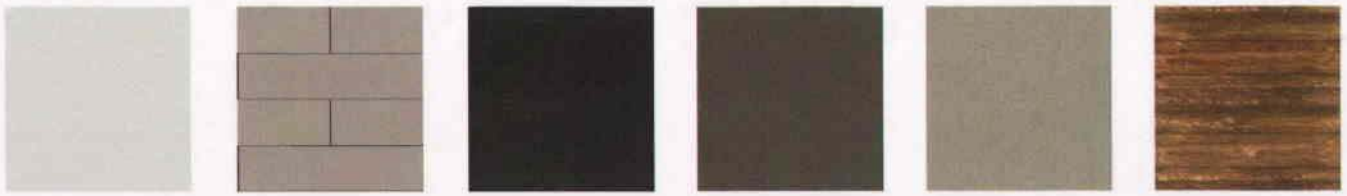
6 NOV., 2013

TOWNHOME C BUILDING FRONT ELEVATION
3/16" = 1'-0"

* BUILDING HEIGHTS SHOWN ARE DEEMED ACCURATE BUT ARE SUBJECT TO FINAL CONSTRUCTION DOCUMENTATION AND CITY APPROVALS

TOWNHOME C BUILDING REAR ELEVATION
3/16" = 1'-0"

* BUILDING HEIGHTS SHOWN ART DEEMED ACCURATE BUT ARE SUBJECT TO FINAL CONSTRUCTION DOCUMENTATION AND CITY APPROVALS



**WINDOWS / ROOFING**
Material: VARIES
Color: White

**1' X 4' METAL PANELS**
Material: Aluminum
Color: Mill Finish

**STUCCO DARK**
Material: Synthetic Stucco
Color: 6006 BLACK BEAN
SHERWIN-WILLIAMS

**STUCCO MEDIUM**
Material: Synthetic Stucco
Color: 6075 GARRET GRAY
SHERWIN-WILLIAMS

**STUCCO LIGHT**
Material: Synthetic Stucco
Color: 2844 ROYCROFT MIST GRAY
SHERWIN-WILLIAMS

**T&G SIDING**
Material: Natural Cedar
Color: Natural Stain

## MATERIAL SELECTIONS

## TOWNHOME C ELEVATIONS

Think Architecture

# ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH

Garbett green within reach

STAKER

6 NOV., 2013

CONDO BUILDING PERSPECTIVE

Think Architecture

# ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH

Garbett green within reach

STAKER REAL ESTATE INVESTMENTS

6 NOV., 2013

* BUILDING HEIGHTS SHOWN ARE DEEMED ACCURATE BUT ARE SUBJECT TO FINAL CONSTRUCTION DOCUMENTATION AND CITY APPROVALS

CONDO WEST ELEVATION
3/16" = 1'-0"



**WINDOWS / ROOFING**
Material: VARIES
Color: White

**1' X 4' METAL PANELS**
Material: Aluminum
Color: Mill Finish

**STUCCO DARK**
Material: Synthetic Stucco
Color: 6006 BLACK BEAN
SHERWIN-WILLIAMS

**STUCCO MEDIUM**
Material: Synthetic Stucco
Color: 6075 GARRET GRAY
SHERWIN-WILLIAMS

**STUCCO LIGHT**
Material: Synthetic Stucco
Color: 2844 ROYCROFT MIST GRAY
SHERWIN-WILLIAMS

**T&G SIDING**
Material: Natural Cedar
Color: Natural Stain

## MATERIAL SELECTIONS

## CONDO BUILDING WEST ELEVATION

Think Architecture

# ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH

Garbett green within reach

STAKER REAL ESTATE INVESTMENTS

6 NOV., 2013




**WINDOWS / ROOFING**
Material: VARIES
Color: White

**1' X 4' METAL PANELS**
Material: Aluminum
Color: Mill Finish

**STUCCO DARK**
Material: Synthetic Stucco
Color: 6006 BLACK BEAN
SHERWIN-WILLIAMS

**STUCCO MEDIUM**
Material: Synthetic Stucco
Color: 6075 GARRET GRAY
SHERWIN-WILLIAMS

**STUCCO LIGHT**
Material: Synthetic Stucco
Color: 2844 ROYCROFT MIST GRAY
SHERWIN-WILLIAMS

**T&G SIDING**
Material: Natural Cedar
Color: Natural Stain

## MATERIAL SELECTIONS

## CONDO BUILDING SOUTH ELEVATION

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# ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH

Garbett green within reach

STAKER REAL ESTATE INVESTMENTS

6 NOV., 2013

**PROJECT VIEW FROM WEST**

**BUILDINGS SHOWN REPRESENT THOSE BUILDINGS CURRENTLY PROPOSED IN RELATIONSHIP TO THOSE THAT ARE EXISTING.**

Think Architecture

# ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH

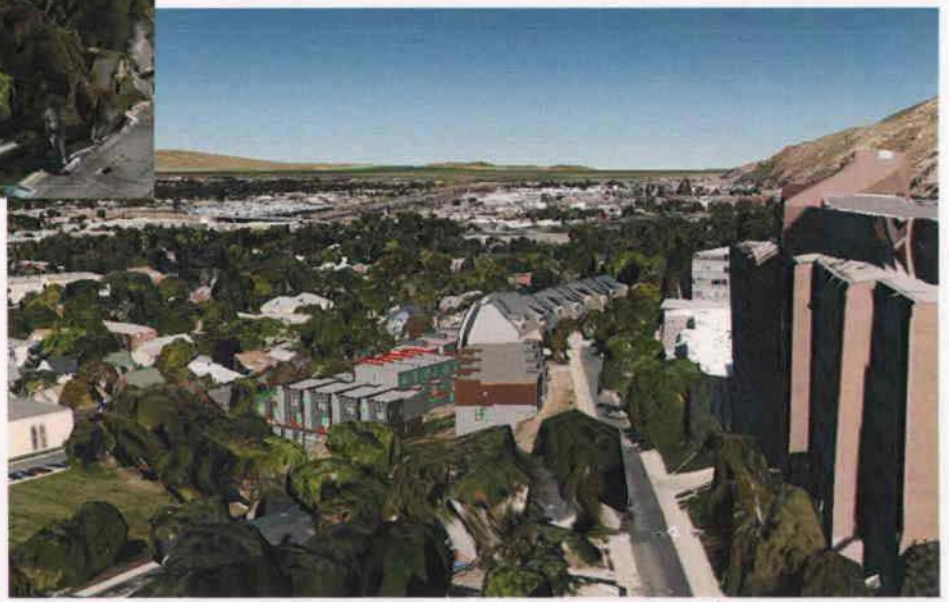
Garbett green within reach

STAKER REAL ESTATE INVESTMENTS

6 NOV., 2013

CONTEXT STUDY - VIEW FROM SOUTH WEST

ENLARGED CONTEXT STUDY - VIEW FROM SOUTH WEST



CONTEXT STUDY - VIEW FROM SOUTH EAST

Think Architecture

# ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH

Garbett green within reach

STAKER REAL ESTATE INVESTMENTS

6 NOV., 2013

CONTEXT STUDY - VIEW FROM NORTH WEST

CONTEXT STUDY - VIEW FROM WEST

CONTEXT STUDY - VIEW FROM NORTH EAST

Think Architecture

# ALMOND STREET

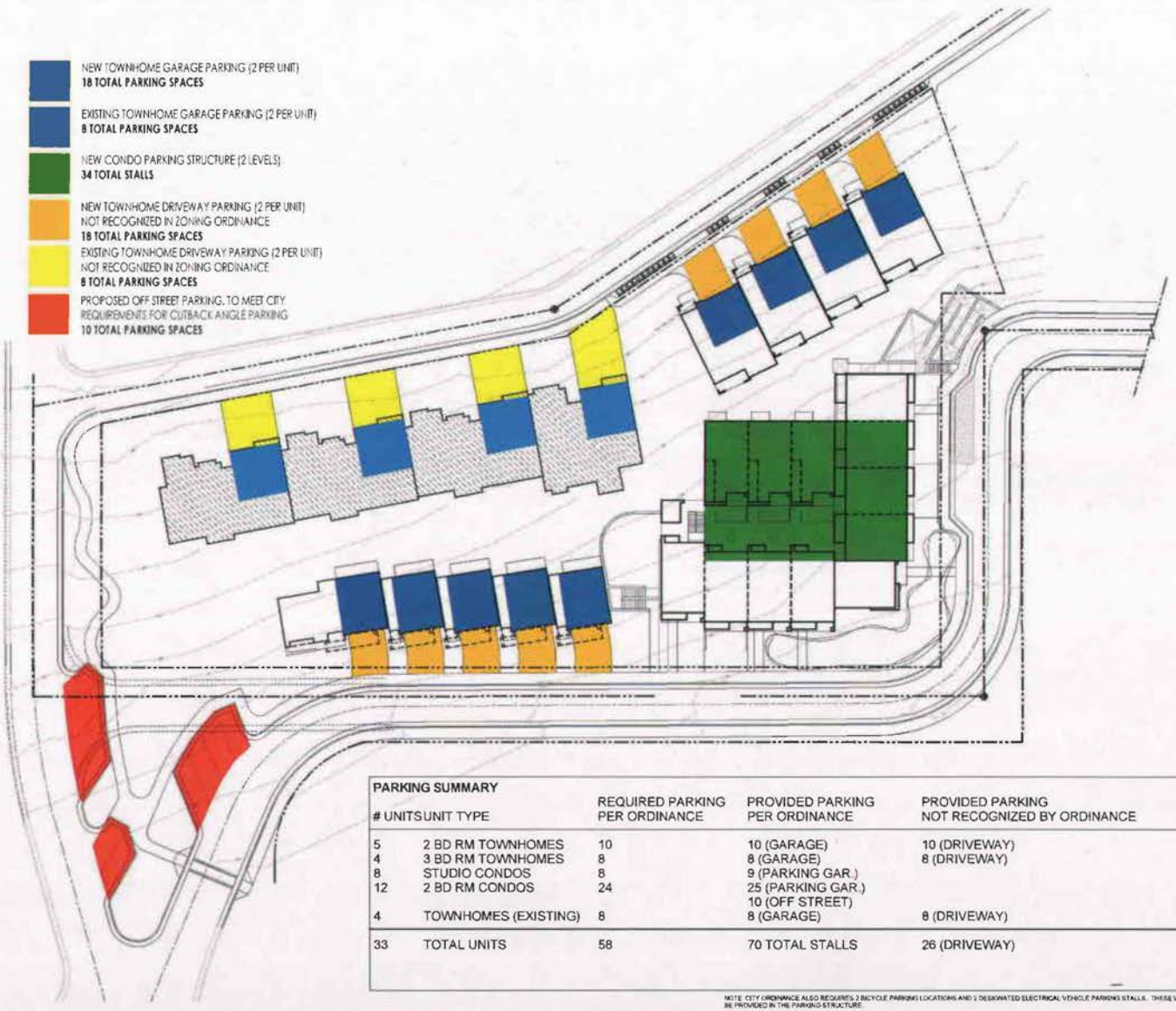
ALMOND STREET, SALT LAKE CITY, UTAH

Garbett green within reach

STAKER REAL ESTATE INVESTMENTS

6 NOV., 2013

# Exhibit D –
# Parking Plan




**PARKING SUMMARY**

| # UNITS | UNIT TYPE | REQUIRED PARKING PER ORDINANCE | PROVIDED PARKING PER ORDINANCE | PROVIDED PARKING NOT RECOGNIZED BY ORDINANCE |
|---|---|---|---|---|
| 5 | 2 BD RM TOWNHOMES | 10 | 10 (GARAGE) | 10 (DRIVEWAY) |
| 4 | 3 BD RM TOWNHOMES | 8 | 8 (GARAGE) | 8 (DRIVEWAY) |
| 8 | STUDIO CONDOS | 8 | 9 (PARKING GAR.) | |
| 12 | 2 BD RM CONDOS | 24 | 25 (PARKING GAR.)<br>10 (OFF STREET) | |
| 4 | TOWNHOMES (EXISTING) | 8 | 8 (GARAGE) | 8 (DRIVEWAY) |
| 33 | TOTAL UNITS | 58 | 70 TOTAL STALLS | 26 (DRIVEWAY) |

NOTE: CITY ORDINANCE ALSO REQUIRES 2 BICYCLE PARKING LOCATIONS AND 2 DESIGNATED ELECTRICAL VEHICLE PARKING STALLS. THESE WILL BE PROVIDED IN THE PARKING STRUCTURE.

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# ALMOND STREET

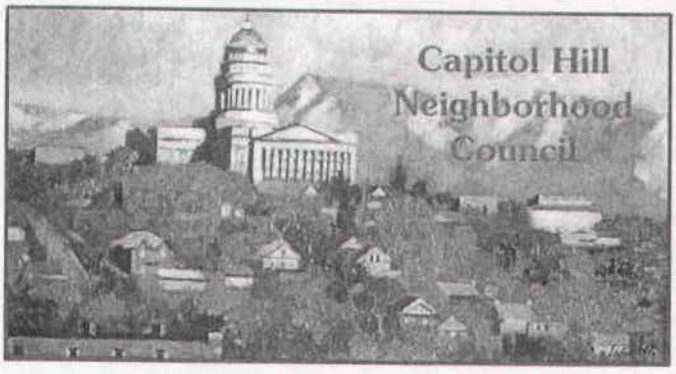
ALMOND STREET, SALT LAKE CITY, UTAH

Garbett green within reach

STAKER

23 JAN., 2014

# Exhibit E –
# Community Council Letter






c/o 480 Wall Street, A202
Salt Lake City, UT 84103
801-355-7559
www.chnc-slc.org

December 27, 2013

Lex Traughber
Senior Planner
Planning Division,
Community and Economic Development
Salt Lake City Corporation
451 South State Street
Salt Lake City, UT 84111

Dear Mr. Traughber:

Thank you for accepting Capitol Hill Neighborhood Council's opinions on the planned development by Garbett Staker for the property located between West Temple and Almond Streets.
Here are our comments:

1. **Parking**
   After some disagreement on the number and types of off-street parking, it appears that the new development is proposed to have even fewer off-street parking slots than the current approved plan. Overall, the Council's comments reflect our dissatisfaction with this plan. As both east and west boundary streets are one-way and narrow, there is no room for on-street parking. This makes even greater the need for off-street parking for residents, guests and servicers for the new complex. Most of us were dismayed to hear that no such planning has taken place, leaving the new development encroaching on the existing neighborhoods, especially those streets to the north and west (the entry points into the new development). Overall, we'd prefer more off-street parking for the development.
2. **Traffic**
   As with the above, the lack of adequate off-street parking will only negatively impact traffic congestion in the immediate neighborhoods. This area is already impacted when the LDS Church holds its semi-annual conferences and other church

functions. The proposed development may have the same impact on Almond, West Temple, 200 North, and 300 North Streets. Servicing the development also creates more traffic on narrow and winding streets. As only four (4) new units will face Almond Street, our greatest concern would be for the traffic generated by the twenty-one (21) units facing West Temple Street. That section of West Temple Street is a one-way street and, even with some improvements, may not be adequate for the increased traffic and illegal on-street parking that this development will create. We anticipate the negative impact of greater traffic on West Temple Street without major improvements to the street – widening, straightening, etc. The section of 300 North Street to the north of the development (providing access to the new development) is also the major route of many children accessing West High School on 300 West. They too may be negatively impacted by an increase in traffic.

3. **Triangle**
   There was some confusion as to whether this piece of property is owned by the developers already, or is in the design, or will be in the design. However, if the triangle is incorporated into the design and the road to the triangle's east is removed, the entrance to West Temple Street will be awkward. If one is proceeding west on 300 North (down the hill), entering West Temple Street then would necessitate an almost 270° turn to the south. Most don't want to lose the public green space to private development. However, placing a sidewalk on the south side of 300 North through this development was proposed by this Council for CDBG funding this year. Having Garbett Staker install the sidewalk would reduce the need for public funding for this much needed project.
4. **Exterior Design**
   Although not many raised the issue of the exterior design in our public meeting, several approached me to voice their dissatisfaction with the exterior design. We understand that it is not feasible for the new development to match the original four townhomes already occupied on Almond Street. However, many of us would like to see some continuity of design in the proposed units: similar color schemes, exteriors, etc. in order to somewhat match what is already there.

***Disclaimer***

There were several enthusiastic endorsements of Garbett Homes during our Council meeting. I believe such comments need to be tempered. To my knowledge, no-one on this Board has any professional experience working with Garbett Homes and can therefore endorse the developer. It needs noting that Mr. Bryson Garbett is the LDS Bishop for some on the Council's board and for some of the current residents who are supporting the development. Although there may have been no influence used in appropriating these endorsements, a conflict of interest (or at least the appearance of one) must be recognized and acknowledged. Our legal standing as a tax-exempt non-profit organization necessitates this disclaimer.

In summary, other than the issues raised above, our Council generally supports the development going forward and supports the neighbors who are excited about having this property developed. We, too, are generally excited about having an eyesore in our district developed and made into something profitable to the neighborhood.

Again, thank you for your time and energy in giving us an opportunity to comment on this important development on Capitol Hill.

Sincerely,
*Richard Starley*
Richard Starley
Chair

# Exhibit F –
# Public Input

**From:** **Harvey H Nielsen** hhnster@gmail.com
**Subject:** Community Council Meeting
**Date:** December 17, 2013 at 9:07 PM
**To:** Christine Williams cwilliams264@me.com

Chris: I wish I could attend, but I have created the following statement to represent our views.

As owners of Almond St Condo 260, our family strongly opposes construction of any type of housing unit which would obstruct the western view that we have of the city. The purchase of the property over seven years ago was based partially on that view. We have been assured by Garbett homes that the units they propose to construct will not alter the view nor will it unnecessarily interfere with day to day living conditions of the occupants of the the Condo units. In addition, it would be expected that any units of similar height to those to the north would devalue the worth of the property for that reason. The creation of the City Creek living units in the downtown demonstrates the high value of that expectation which potential buyers consider. Our family recommends that the proposed plan of Garbett homes be allowed to proceed.

**From:** Eric Olafson <eolafson@tomax.com>
**Subject: Support for Garbett Homes Project on Almond Street**
**Date:** December 17, 2013 at 6:28:37 PM MST
**To:** "cwilliams264@me.com" <cwilliams264@me.com>
**Cc:** Jaye Olafson <jolafson@tomax.com>

To Community Council:

As the owner of 258 Almond Street, I would ask you to acknowledge our support for the proposed Garbett Home Project on Almond Street. The project team has worked closely with our homeowners association to come up with a plan that is complimentary to the neighborhood aesthetically and functional, a win for the current Almond homeowners and the developers.

Regards,

Eric and Jaye Olafson
801 971 9000

Eric Olafson, CEO
Tomax Corporation
801.924.6325 office 801.971.9000 mobile


**From:** **Christine Williams** cwilliams264@me.com
**Subject:** Re: Important Almond Street Information
**Date:** December 18, 2013 at 5:24 PM
**To:** Jim W. Gute jimgute@gmail.com

On Dec 18, 2013, at 5:17 PM, Jim Gute <jimgute@gmail.com> wrote:

> Dear Community Council:
>
> We strongly support the development proposed directly west of our property at 250 Almond Street 84103. Our input has been considered by the developer, Garbett Homes, throughout the planning process, and we are very satisfied with the current configuration and scale of the project. Any changes to the current proposal will result in significant opposition.
>
> Thank you for your consideration.
>
> Jim & Lisa Gute, Owners
> 250 Almond Street
> Salt Lake City, UT 84103
> (307)690-8870
> jimgute@gmail.com
>
> --

Williams

264 Almond Street • Salt Lake City, UT 84103
Phone: (801) 583-6585 • Fax: (801) 582-7292 • E-Mail: twilliamsicg@icloud.com

December 18, 2013

As owner of two units – 264 and 262 – in the Almond Street Condos Association, we wish to voice our strong support for the development proposed by Garbett Homes on the west side of Almond Street. This builder has been very sensitive and responsive to the needs of current residents of our street, particularly in context of the fact that Almond is a very narrow, one-way street with special issues concerning traffic, parking, deliveries, trash pick-up etc.

In addition, the proposed Garbett Homes development takes into account that it's exceptionally important to the current residents of Almond Street that we retain our views of the valley.

Thank you for considering and supporting the wishes of the current residents who would be affected the most by this development.

Sincerely,

Tim J. Williams

Christine S. Williams

**FROM:** Walter and Celia Baker
252 Almond St.
Salt Lake City, UT 84103

**TO:** Capitol Hill Community Council
Salt Lake City, Utah

This letter is to inform the council and its constituents of our support for the development proposed by Garbett Homes on Almond Street. Since moving to Almond Street nearly nine years ago, we have hoped to see an attractive development in place of the weed-filled empty lot across from us. We have learned that in-field development on the challenging slope of the lot is a very tricky business. In this letter, we will share what we now know. We apologize in advance for the length of the letter. There is a lot to say.

We have been through a previous process of working with a developer for the property across the street from our home. Ultimately, we were not able to give our support to the previous proposal for important reasons that would have had a negative effect on the entire Capitol Hill neighborhood. We have been surprised and pleased by the willingness of the Garbett Homes to address these concerns in the planning for its development.

We know that members of our neighborhood, good friends of ours, worked carefully with Watts Enterprises to create "Phase 1" of the project on the west side of Almond Street, and we appreciate that effort. The townhouses that were built did not have neighbors across the street, however, and the HOA for our development was not active at that time (none of the current residents lived in our development at the time). Had either of these been the case at the time, it is likely that the concerns we have would have been raised at that time, and perhaps would have changed the outcome of that project.

When Watts returned to the project in 2007 with a new proposal for "Phase 2", the company sought changes that made the project disastrous for the neighborhood, and especially for the homes across the street, ours included. We were told that these changes were an economic necessity, and that there could not be a building similar to the existing one without the changes. Otherwise, the company would take a loss. The proposed building looked similar to the existing building, but contained eight units instead of four. And, yes, eight driveways, with tandem parking proposed. It also included a separate parking structure that did not match the existing structures at all. It was long, low, flat-roofed, and featured a row of garage doors. It looked like a cheap storage unit building, and was unlike anything in our neighborhood.

A bit of background: Because of the narrowness of our street, it is necessary for guests parked in our unit's driveway to drive up onto the sidewalk on the west side of Almond Street in order to get adequate turning radius to exit our driveway (come try it!). The Watts proposal would have had us driving into the new owner's driveways to get out. People parked in the driveways of the new development would have been forced to drive up the squared-off curb and into our flower beds to get enough turning radius to exit.

Besides the obvious traffic dangers of so many driveways across from each other on a city throughway only 13 feet wide (an accurate gutter-to-gutter measurement), the large number of driveways opposing each other on our one-way street meant the space for our HOA's residents to place trash and recycle receptacles to be emptied was drastically inadequate. All of this added up to an impossible situation — one the sanitation, engineering and traffic departments of the City were ready to oppose about the time Watts pulled out of the project. The trade-offs for maintaining the look of the previous building were definitely not worth it. But according to Watts, the similar-looking building could not be built profitably without them.

The proposal also ignored a key requirement of the City's previous agreement for the project – a pullout area ("traffic bulb") for delivery vehicles. Currently, moving vans, repair trucks, landscapers, fire trucks, ambulances and contractors of all types park atop the sidewalk on the west side of Almond Street, as there is no other place for them. If a residential development is approved on Almond Street, that will no longer be possible. That is why it is utterly essential to have a pullout space for such vehicles. This could be a matter of life and death in the event of a fire or other disaster. On a daily basis, it is a major quality-of-life issue for the street's residents.

In the process of airing concerns with the city about the previous development, we learned that the steep, pitched roof of the current building on the west side of our street is a contractor's "trick" to increase profitable space. It takes advantage of loopholes in the wording of city codes, but completely subverts the intent of the codes. Residents within the Avenues Community Council boundaries have successfully opposed such proposals, we've been told. The west side of the existing building is approximately 70 feet high. This is not in harmony with the character of our neighborhood, and it is dangerous. Around the time Watts pulled out of the project, he was informed by the city that he would have to install fire sprinklers in his second phase of the project because of its extreme height. This would make his new proposal for eight units unprofitable, he told us.

The height on the east side of the current building is also extreme. Having another building like it on our street would turn our stretch of Almond Street into a dark, unattractive tunnel, and would heighten security concerns on our street. All of this would be disastrous for our neighborhood's property values and quality of life. We feel this would create a troublesome pocket neighborhood on Capitol Hill. Current owners would likely choose to become absentee landlords rather than live under such circumstances. Certainly, we would. While we support development of the parcel west of us, we expect

to be treated fairly. The proposal to build something similar to the previous building, but with so many inherent flaws, did not do this.

When Garbett Homes proposed its development, we were naturally worried. And, the initial proposal raised some of the same concerns as the previous one. To our surprise and relief, Bryson Garbett was willing to listen to us, and address our concerns. He proposed only four units instead of eight. We would prefer that no driveways oppose each other on our narrow street, but we think this is a much more reasonable proposal than the previous one. It allows room for trash pickup, barely, and lessens the danger of cars pulling out of the driveways that oppose each other on a narrow public throughway.

Under the previous proposal, the distance between opposing driveways on our street would have been at least ten feet less than the City requires between spaces opposing each other in public parking lots. Mr. Garbett listened to our concerns about this, and recognized the reality of the turning-radius issues for us, and for his future residents. He altered his plan with a proposal to widen our street, allowing for safer and more appropriate exit from driveways. His plan also includes the essential pullout for emergency and service vehicles. The height of his proposed building on Almond Street allows light to come into our street. All of this speaks of good neighborliness and concern for our property values and quality of life.

The roof design of the Garbett plan echoes the roof design of our own development — which faces it — in a manner that is architecturally pleasing and in keeping with the character of the street. It allows members of our HOA to keep the views from the upper floors of their units, preserving their property values and the light coming into their homes. We appreciate the "green" design aspects of the project, because we have come to recognize that the future of our city depends on attention to these practical details.

Any project built on Almond Street will cause problems and trade-offs for us, but this is a proposal we can live with. All of the members of our HOA support it, whereas all opposed the previous project, as did HOAs for Trevi and Zion's Summit, because of the issues mentioned above. Though we do not know for certain, we expect that these large HOAs, which represent hundreds of Capitol Hill residents, will appreciate the care that has gone into the Garbett proposal, and will support it.

The steep parcel on the west side of Almond Street provides huge challenges to any developer. If it is ever to be developed, compromises will be necessary all around. In discussions with Garbett Homes, our owners have made some, and Garbett Homes made some, too. The Capitol Hill Community Council and the various planning boards and departments of Salt Lake City government will be called on to make compromises, too, if our neighborhood is ever to be rid of this steep, weedy parcel, which has become a haven

for delinquents. We do not think a better development proposal than this one will come along. On the condition that Garbett Homes follows through with design changes put before our HOA, we support this plan.

**Respectfully,**
**Walt and Celia Baker**

**Traughber, Lex**

**From:** Christine Williams [cwilliams264@me.com]
**Sent:** Monday, December 30, 2013 3:42 PM
**To:** Traughber, Lex
**Subject:** Fwd: Important Almond Street Information

Lex,

With this added statement you will have all of our owners opinions.

Chris Williams
Almond Street HOA president

264 N. Almond St.
SLC, Ut. 84103
801-560-7830

Begin forwarded message:

**From:** Leonie Mewburn <leonie.mewburn@hotmail.com>
**Subject: Re: Important Almond Street Information**
**Date:** December 19, 2013 at 3:00:08 AM MST
**To:** Christine Williams <cwilliams264@me.com>

Christine,
Both leonie and I are very much against anything other than the original low level proposal and would like you to represent us as such at the meeting. Regards leonie and guy Mewburn of 254 almond st mob 61438578951

Leonie Mewburn

**Almond Street Properties, LLC**
**273 N. East Capitol Street**
**Salt Lake City, Utah 84103**
**(801)-456-2430**

January 3, 2014



Lex Traughber
Senior Planner
Planning Division
Salt Lake City Corporation
451 South State Street
Salt Lake City, Utah 84111

***Re: Response to the letter written by the Capitol Hill Community Council***

Dear Lex:

Thank you for attending the Capitol Hill Community Council meeting on December 18, 2013 regarding our proposed community between Almond Street and West Temple near 300 North. We want to formally express our disappointment in the letter written by the Chair of the Capitol Hill Community Council, Mr. Richard Starley, because we feel it does not accurately reflect the tone of the meeting nor does it accurately communicate the comments made by the neighbors who attended. Our responses to each itemized comment made by Mr. Starley are noted in order below:

1. The letter written by the Chair references a "currently approved plan" that references more parking stalls than we are proposing. To our knowledge there is no "currently approved plan", only a Development Agreement dated 1997. Our plan meets and exceeds the cities required standards. In addition to the parking stalls required by city ordinance, we are proposing to develop, at our cost, additional off street parking stalls on West Temple and 300 North. We would consider more off street parking on Almond Street but the city ordinance will not allow it. Although the city ordinance does not recognize guest parking on driveways, they will certainly function as such. All nine (9) of our townhome units will accommodate two (2) guest-parking stalls on each driveway. Four (4) of these townhomes are on Almond Street and five (5) are on West Temple.

   We feel most of the concerns over parking are related to the neighborhood to the north. The existing homes were not constructed with enough garage or driveway parking to accommodate their needs, thus forcing home owners and guests to park on 300 North. We believe our plan exceeds any parking

required by city ordinance and further improves an otherwise eyesore of land in this difficult area to develop.

2. Mr. Starley's letter references traffic and safety challenges that will be created by our development. The comments in his letter are in direct opposition to the comments made by the Almond Street neighbors who attended. As mentioned in the meeting by a homeowner, Almond Street does not allow an area for garbage cans to be placed on the roadside on garbage collection days. Nor does it provide an area for delivery, loading, or unloading zone. After receiving this feedback, we provided a cut out in front of our townhome units that will provide adequate room for garbage cans for both the new units and our neighbors on the east side of Almond Street. When this area is not being used for garbage cans it can also be used a delivery, loading and unloading zone. We have also designed a loading zone in front of the condo building on West Temple.

3. The existing landscaped triangle is owned and maintained by Salt Lake City. We have filed a road closure application to close the eastern section of West Temple. This street closure would allow us connect the green space from the north with the green space on the triangle. The triangle is currently landscaped with sod and often looks unsightly. We would improve the landscape to include shrub, trees, and grass to match the landscaping in our community. We are also proposing to take over the maintenance of the Landscaping. To help improve safety and function the sidewalk that currently ends on the eastern section of West Temple would continue to the west through the landscape triangle.

   The road width on the west side of the triangle is approximately 65 feet. Barry Walsh with Salt Lake City's Division of Transportation felt that there was enough room for westbound traffic on 300 North to make the left-hand turn onto the western section of West Temple. Most likely, traffic will naturally be diverted toward the more favorable north-south road, 200 West. thereby actually reducing unnecessary thru-traffic on West Temple.

4. The exterior elevations were designed with purpose and cooperation with the community. We've countless hours working with various groups within the community to gather input on what they would like to see. We continue to commit to designing the exteriors with their input as much as possible as will be necessary further in the entitlement process. One of the main desires of the neighbors was the preservation of their views. The architectural style of the existing buildings includes steep roof pitches and other structural elements that would block the views of the existing neighbors on Almond Street. The proposed elevations have the least amount of impact and have been met with unanimous support. The proposed elevations not only meet the functional purpose of preserving views, they also add to the eclectic and diverse nature of the Capitol Hill district. This was not by accident.

The disclaimer in the letter unduly marginalizes the opinions of the individuals who vocalized their thoughts and feelings concerning our proposed development. We disagree with Mr. Starley that their voices should be tempered regardless of any religious affiliation. We can commit to the community and the city that Mr. Garbett has not and will not use his position as LDS Bishop in the area to influence the members in any way related to this development.

In summary, we appreciate the general support of the Community Council and even more so, the community residents. We have made extensive efforts to work with the neighbors to create a community that would compliment the existing buildings and accommodate the needs of the surrounding property owners. Many neighbors came to the Community Council meeting to support the proposal that they helped create and have expressed to us that Mr. Starley's letter is a complete misrepresentation. We fully respect Mr. Starley's voice as an individual in the community, and his concerns are certainly noted, but his letter did not adequately or honestly convey the positive sentiment expressed in the meeting.

We hope that this letter helps to correct any confusion. We are confident that we can move forward with a successful community.

Sincerely,

Brett E. Hansen
Staker

Jacob R. Ballstaedt
Garbett Homes
Land Acquisition and Entitlement

**Traughber, Lex**

**From:** Baker Celia [crbaker252@gmail.com]
**Sent:** Friday, January 03, 2014 4:46 PM
**To:** Traughber, Lex
**Subject:** Letters regarding Garbett development
**Attachments:** letter.garbett2.dec13.pages

Letters attached and pasted below

Jan. 3, 2014

FROM: Walter and Celia Baker
252 Almond St.
Salt Lake City, UT 84103

TO: Lex Traughber, Senior Planner
Salt Lake City Corporation

Dear Mr. Traughber,

I just read a letter sent to you by Capitol Hill Neighborhood Council Chair Richard Starley regarding the development proposed by Garbett Homes in our neighborhood. It contains some discrepancies I would like to dispel.

Mr. Starley's letter contains a "Disclaimer" that I consider inappropriate. Instead of representing faithfully the comments of his constituents, he writes that views opposite of his should be "tempered" because of Mr. Garbett's position as an LDS bishop to some who support the development. I believe he includes my husband and myself in that number, as we (I) wrote a detailed letter of support for the development (appended below).

I was president of Almond Street HOA when a previous proposal to develop the west side of Almond Street was considered. For good reasons, our HOA opposed the development; they are delineated in the appended letter. During that process, I carefully researched city codes and educated myself about the approval process.

I still serve as a Trustee-in-Trust for Almond Street HOA. When our board heard that a development plan was being proposed by Bryson Garbett, I was deeply concerned. Our HOA board fully expected to oppose the plan, and prepared to do so. My husband and I do associate with Mr. Garbett, so that was not necessarily comfortable. Our acquaintance with him does not trump the imperative to preserve our property value and quality of life. I steeled myself for an unpleasant fight.(Walt and I are the only homeowners within our

HOA who had any prior dealings with Mr. Garbett, incidentally.) The first meeting between Mr. Garbett and our HOA board was filled with tension.

As we examined the new plan, though, we saw that many of our previous concerns had been addressed; the other HOA owners felt the same. Walt and I still had "deal-breaker" concerns regarding waste disposal, and the difficulties caused by opposing driveways on our narrow street. To our surprise, Mr. Garbett listened to these concerns and adjusted his plan. It's not a perfect plan. That doesn't exist. We decided we could live with it. (I wish Salt Lake City would create a park or community garden on the site, and I have tried to get that idea off the ground to no avail.) We think Mr. Garbett has the best offer we can hope for, so we decided to support it.

I am a veteran newspaper reporter in this community. Be assured that no one does my research or my thinking for me. My husband, who directs a division of state government, does his own thinking, too. It is regrettable that Mr. Starley brought religious bias into what should have been a civil discussion. There is no conflict of interest attached to our support for this proposal, which is shared by the other members of our HOA and many residents of Capitol Hill. I am confident that others who know Mr. Garbett, through any type of association, will come to their own conclusions about this proposal. It's likely that some of them will disagree with our conclusions.

I appreciate Mr. Starley's concern for parking and traffic in our neighborhood. These are concerns I share. If adjustments can be made to improve the plan in this regard, I would support those. As to exterior design, I see no need to try to match the looming structure built by a previous developer north of the current proposed development. It has scant architectural connection to any of the buildings surrounding it. The new plan does. Its clean lines are especially harmonious with our HOA's development, which it will face.

My letter to the Capitol Hill Community Council is appended below. It is specific to issues on Almond Street and does not address concerns about West Temple. I Please read it, as Mr. Starley's letter omitted many of the issues it discusses.

Sincerely,

Celia R. Baker
Almond Street Homeowners Association Trustee-in-Trust

LETTER TO CAPITOL HILL COMMUNITY COUNCIL

**FROM:** Walter and Celia Baker
252 Almond St.
Salt Lake City, UT 84103

**TO:** Capitol Hill Community Council
Salt Lake City, Utah

**Traughber, Lex**

**From:** Christine Williams [cwilliams264@me.com]
**Sent:** Friday, January 03, 2014 3:33 PM
**To:** Traughber, Lex
**Cc:** Garbett Homes; Tim Williams; Christine Williams; Harvey Nielsen; Olafson; Carol Hughes; Mewburn; Celia Baker; Walt Baker; Lisa Gute; Jim W. Gute
**Subject:** Fwd: Almond Street Development

January 3, 2014

To Lex Traughber, Senior Planner
Salt Lake City Corporation

Mr Taughber,

I would like to address the letter sent to you from Mr.Richard Starley chair of the community council. First, let me say that as President of our HOA I was entrusted by our owners to represent them at this meeting as well as presenting the committee with their written statements. The committee chair readily dismissed these statements when I personally presented them to him prior to the meeting start. This is a concern for me.

On short notice of two days we were able to receive seven of these statements from eight owners, all of which reiterate their desire to have the development as presented by Garbett carried out.
Garbett went above and beyond what was required to meet all of our concerns as far as the site would allow. One major concern for us was the height of the buildings. Garbett has structured their Almond Street units to allow us to keep our view.

I would like to reference the recent letter sent to you from Celia Baker stating the HOA's history with prior and recent involvement in developing this property.
We found Mr. Starley's letter to be extremely insulting and not representative of the going ons of the community council meeting. Also, I would like to say that majority of our owners no knowledge of Mr. Garbett. We feel that most of what was stated in this letter was of personal opinion, not a representation of our HOA owner's desires.

The architectural design planned for this development matches very well our specific area.
We all have flat roofs and do not reflect the the pioneer style of homes of our neighbors to the North. I might add that even that is varied.

As an HOA we are extremely concerned about what any development on this property would do to our property values. Garbett has taken this into

consideration and to the best of their ability have addressed our concerns. They have been the only developers to do such.

Living in an urban area comes with some inconveniences as the conveniences that have attracted all of us to this area. Even at this time UPS, Fedex and the USPS park on the street as do the moving trucks and many repairman vehicle from the Zions Summit condo building. Garbett has provided a bump out area for such parking. This is an improvement for this specific dilemma. Of course everyone would like more parking on our street, always have.

We do not feel that as the Almond Street HOA that we are being heard or represented by our community council.

Thank you for this opportunity to express our opinions

Almond Street Homeowners

Christine S. Williams
President Almond Street Home Owner's Association
Owner 264 Almond Street
Partner, Rubicon Renovations

cwilliams264@comcast.net
801-583-6585

Eric Olafson, CEO
Owner 258 Almond Street

Tomax Corporation
801 924-6325 (office)
801 971-9000 (mobile)

Tim Williams
Owner, 262 Almond Street
CEO, Ignition Consulting Group
twilliams@ignitiongroup.com
(801) 580-6426

Harvey Nielsen
Owner, 260 Almond Street
hhnster@gmail.com

Walt Baker
Director, Utah Division of Water Quality
Celia Baker
Enterprise Reporter, Deseret News

Owners, 252 Almond Street
crbker252@gmail.com

## Traughber, Lex

**From:** Eric Olafson [eolafson@tomax.com]
**Sent:** Friday, January 03, 2014 2:06 PM
**To:** Traughber, Lex
**Cc:** Christine Williams; Knowles, Bill; Jaye Olafson
**Subject:** Garbett Staker Development in Marmalade

Lex,

Reaching out to you in support of Christine Williams, president of our Almond Street HOA here in a Marmalade. I am not a first-hand party to the meetings or conversations that have taken place recently, but I did want to alert you to the sense I have that for whatever reason, the detailed rationale that our HOA has set forth for their approval of the Garbett project has not been well represented in Richard's Strayler's correspondence to you (he being up until very recently, I understand, the chair of the Capitol Hill Neighborhood Council).

He sets forth the position based on parking and other factors that suggest the project should not be approved. Interestingly, the people that live adjacent to the proposed project, not only our HOA, but surrounding residents, are actually supportive of a development project which it has been historically opposed to – by virtue of the concessions the developer has made in design and approach to make the overall project conducive from both a parking, aesthetic and functional perspective. The reality here, particularly around parking, is that we are dealing with only suboptimal choices and that any additional development is a compromise to an already compromised situation, but such as it is, the sense is we've reached the best outcome for everyone.

So the point here is to appreciate that the comments of the Neighborhood Council don't well represent those of the residents. Christine can provide a detailed account of what was represented earlier to the CHNC on the various efforts and outcomes yielding to our approval of the proposed project. Richard's notion that there's some form of religious collaboration and overtones of influence are not well received by us.

In any event, just an effort here to support a fact-based approach. Copying Bill Knowles just so he has peripheral knowledge of something going on in the neighborhood.

Regards and thanks,

Eric

(owner: 258 Almond)

Eric Olafson, CEO
Tomax Corporation
801.924.6325 office 801.971.9000 mobile

## Traughber, Lex

**From:** Jack [jackbradw@gmail.com]
**Sent:** Tuesday, February 04, 2014 5:32 PM
**To:** Traughber, Lex
**Subject:** Almond Street Development

Dear Mr. Traughber,

The notice with your information was quickly removed from our lobby shortly after it was posted, so I had to do some searching for your address. I also don't remember the deadline on the notice. I hope I'm not late.

I need to say that the taking of the public triangle is of great concern to me. Is the development paying the city for that land? Otherwise, I seriously oppose the proposition. This would be an obscene gift of public land to private business. Either way it seems like a grave manipulation of the developer's obligation for setbacks, off street parking and open space. Also, there should be no compromise on sidewalks all around. This needs to become a walkable neighborhood. Lastly, please require decent amounts of off street parking. The scale of this development is already going to have enormous detrimental effects on the neighborhood. Large amounts of illegal on street parking on tiny streets are a serious hazard and need to be prevented.

Thank you for your consideration,

Jack Winward

Sent from my iPhone

# Exhibit G –
# City Comments (Map Amendment)

TRANS D

**Traughber, Lex**

**From:** Walsh, Barry
**Sent:** Wednesday, December 11, 2013 12:15 PM
**To:** Weiler, Scott; 'Jacob Ballstaedt'
**Cc:** Larson, Kurt; Itchon, Edward; Traughber, Lex
**Subject:** RE: Almond Street

December 11, 2013

Scott,

Re; Almond Street Development proposal.

Either one of these cutback staging areas shown are to provide for service / delivery bays when tenants move in and out etc. FLZ.
The ADA parking is to be provided in the parking structure. Due to the minimum roadway width there will be no on street parking. As noted in the parking chart visitor parking is on site in the driveways, or in the parking structure (extra stalls).

Barry Walsh

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**From:** Weiler, Scott
**Sent:** Wednesday, December 11, 2013 10:41 AM
**To:** Walsh, Barry; 'Jacob Ballstaedt'
**Cc:** Larson, Kurt; Itchon, Edward; Traughber, Lex
**Subject:** RE: Almond Street

All,

I have no objection to the two proposed "delivery zones" on West Temple. However, if they are intended as disabled parking stalls, they don't meet the width required in the ADA guidelines.

SCOTT WEILER, P.E.
Development Engineer

ENGINEERING DIVISION
COMMUNITY *and* ECONOMIC DEVELOPMENT
SALT LAKE CITY CORPORATION

TEL 801-535-6159
CELL 801-381-4654

WWW.SLCGOV.COM

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**From:** Walsh, Barry
**Sent:** Tuesday, December 10, 2013 5:53 PM
**To:** 'Jacob Ballstaedt'
**Cc:** Larson, Kurt; Weiler, Scott; Itchon, Edward; Traughber, Lex
**Subject:** RE: Almond Street

December 10, 2013

**Traughber, Lex** TRANSPORTATION COMMENTS 2

**From:** Walsh, Barry
**Sent:** Tuesday, December 10, 2013 5:53 PM
**To:** 'Jacob Ballstaedt'
**Cc:** Larson, Kurt; Weiler, Scott; Itchon, Edward; Traughber, Lex
**Subject:** RE: Almond Street
**Attachments:** PLNSUB2013-00844 Site plan -A100 12-10-13.pdf

December 10, 2013

Jacob Ballstaedt

Re: Almond Street residential PUD development. PLNSUB2013-00844.

The PDF site plan submitted indicates the required parking and proposes the service bay cut back area as per past review requirements, with Location as coordinated with Fire and Engineering. Transportation review notes that the sidewalk needs to be five feet wide where located at the back of curb (Engineer review). Final approval needs to include the Bicycle provisions etc per the revised ordnance along with electric Vehicle designation, 21A.44.050.

Again the public way improvements are also subject to Engineering review comments ( memo dated 11/25/2013) and Fire review.

Sincerely,

Barry Walsh

Cc Kurt Larson, P.E.
Scott Weiler, P.E.
Ted Itchon, Fire
Lex Traughber, Planning
File

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**From:** Jacob Ballstaedt [mailto:Jacob@garbetthomes.com]
**Sent:** Tuesday, December 10, 2013 2:24 PM
**To:** Walsh, Barry
**Subject:** FW: Almond Street

Barry

I spoke with Lex today concerning the bulb outs or delivery zone. He asked that I follow up with you. I have attached a site plan that shows two possible areas for the bulb out. We prefer to have the bulb area on the south side because of its proximity to the ramp.

What are your thoughts?

---

**JACOB R. BALLSTAEDT**
Land Acquisition and Entitlement, MRED

**C**: 801-455-5131
**O**: 801-456-2430
**F**: 801-456-2431

garbetthomes.com

**From:** Tyler Kirk <TKirk@thinkaec.com>
**Date:** Monday, December 2, 2013 1:07 PM
**To:** Jacob Robert Ballstaedt <Jacob@Garbetthomes.com>
**Subject:** Almond Street

Jacob,
Here is a revised site plan with a couple of options shown for the loading zone. The option on the west side of the property is a little larger and gets closer to the city requirement. However, the option on the south is a better location for access to the ramp, which may be helpful when moving people in and out. For both locations I tried to take advantage of the adjacent parking entrance as widening the road at the parking entrance can also help get a wider loading zone and provide for more maneuverability for the trucks.

Also attached you will find the revised Townhome A and B plans. These show the wider garages and the corresponding changes to the levels above. I was able to shift the townhome units a bit on the site and still maintain the separation distances between the existing building and the new building. In essence, most of the units slid to the south and the stair between the Townhomes and condos was re-worked.

Let me know what you think.

Thanks,

**Tyler K. Kirk**, AIA
NCARB, LEED AP BD+C
principal // architect

Think **Architecture**
5151 South 900 East, Suite 200
Salt Lake City, Utah 84117
t: 801.269.0055 x249 / m: 801.864.8927
www.thinkaec.com

TO: LEX TRAUGHBER, PLANNING

FROM: SCOTT WEILER, P.E., ENGINEERING

DATE: NOVEMBER 25, 2013

SUBJECT: **Almond Street Town Homes and Condominiums Zoning Amendment PLNPCM2013-00920**
289 N. Almond Street and 286 N. West Temple
Job No. 880295

**Background**

In 1999, Russell Watts (Watts Corp.) received City approval to subdivide this site. Two phases were proposed and a corresponding plat was recorded. Civil improvement plans were also approved for his two phase development. Those plans, prepared by McNeil Engineering, included the design of public improvements for the project frontages of Almond Street, 300 North and West Temple. The first phase of that project, containing four town home structures facing Almond Street, was subsequently developed but the second phase was not. Now, Garbett Homes has submitted the current zoning amendment application, proposing to construct nine additional town homes and twenty condominiums on the balance of the property. The zoning amendment application indicates Garbett may use three phases to construct these twenty nine units.

Per the 1999 McNeil plans, Watts Corp. installed the water main, water laterals and overlaid the asphalt pavement in Almond Street. Although the McNeil plans contained the design for the full-width reconstruction of West Temple and the expansion of the existing landscaped island at the intersection of 300 North/West Temple, those public improvements were part of Watts' Phase 2 development, and were not accomplished.

**Existing Street Conditions**

West Temple from 250 North to 300 North is a narrow (majority of which is 14' asphalt width) one-way road for southbound travel with roll gutter on both sides and sidewalk on only the west side. The existing asphalt is in very poor condition with a high crown. The roll gutter and sidewalk are in poor condition.

Almond Street contains mountable curb with abutting sidewalk along its west side where driveways are proposed to serve four new town homes. By virtue of the existing mountable curb, new driveways can connect to the west edge of sidewalk without installing new drive approaches. However, multiple sidewalk panels have scaled and may require replacement as part of this project.

In 300 North, curb, gutter and sidewalk exist where Watts Corp. installed it adjacent to its Phase 1 frontage. For Garbett to expand the existing landscaped island as proposed, new curb, gutter, sidewalk and landscaping must be installed.

**Subdivider Requirements**

1. Complete reconstruction of West Temple Street along the frontage of the current application (from approx. 250 North to 300 North) is required as part of the proposed subdivision. Due to the closeness of the five proposed town home driveways, Type D or Type F (APWA Std. Plan 205) could be considered for the gutter replacement along those driveways on the east side of West Temple. The rest of the east side and the entire west side of the street requires Type A curb & gutter. A pavement section design, with backup data, must be prepared by the subdivider's engineer for the street pavement. The minimum asphalt thickness is 3". Sidewalk (5' wide) is required on both sides of the plat frontage of West Temple after removing the existing sidewalk.

2. The subdivider must enter into a Subdivision Improvement Construction Agreement for the required public improvements and submit a security device, such as a payment & performance bond, to guarantee successful installation of all of the improvements. The subdivider must also pay a 5% fee based on the estimated cost of the roadway (not utility) portion of the improvements. The subdivider must also submit insurance, meeting the City's insurance requirements. The subdivider should contact Joel Harrison at 801-535-6234 regarding the insurance requirements.

3. The proposed site is extremely steep and will require a geotechnical investigation. Also, special care must be given during construction to protect the site from erosion to prevent sedimentation onto West Temple.

4. Design drawings for West Temple and 300 North Street must comply with the Salt Lake City Engineering design standards. The street geometrics must be reviewed and approved by the SLC Transportation Department.

5. Sewer, Water & Drainage improvements must conform to the requirements of the SLC Public Utility Department. The developer must enter into agreements required by the SLC Public Utility Department and pay the required fees.

6. The developer must contact SLC Parks to discuss expanded maintenance of the existing landscaped island.

7. At least one member of the concrete finishing crew must be ACI certified.

cc: Joel Harrison
John Coyle
Peggy Garcia
Barry Walsh
Ted Itchon
Vault

# SALT LAKE CITY BUILDING SERVICES

## Preliminary Zoning Review

Log Number: PLNPCM2013-00920
PLNSUB2013-00844 (void)
PLNHLC2013-00845

Date: November 19, 2013

Project Name: Almond Street Townhomes and Condominiums

Project Address: 289 North Almond Street
286 North West Temple Street

Contact Person: Lex Traughber
Fax Number:

Phone Number: (801) 535-6184
E-mail Address:

Zoning District: RMF-45 (Historic)

Reviewer: Alan Hardman
E-mail Address: alan.hardman@slcgov.com
Phone: (801) 535-7742

## Comments

**This project was reviewed at a DRT meeting held on August 12, 2013 (DRT2013-00316).** This proposal currently appears to involve two separate parcels that will need to be reconfigured and approved through the subdivision process for townhome lots or condominium plats.

1. Receive approval from the Planning Division for any Planned Development Conditional Use, Historic Landmarks and Subdivision petitions required.
2. Provide a site specific natural hazards report due to the close proximity of a suspected fault line located within a Surface Fault Rupture Special Study Area.
3. Meet all landscaping requirements per 21A.48.

**Traughber, Lex** TRANSPORTATION

**From:** Walsh, Barry
**Sent:** Thursday, November 07, 2013 5:19 PM
**To:** Traughber, Lex
**Subject:** RE: Petitions PLNSUB2013-00844 & PLNHLC2013- - Almond Street Condos/Townhomes

November 7, 2013

Lex,

Yes,

We need to know if that was intended to be provide as a staging area for residence when moving in/out of a unit, due to the one way narrow West Temple issue. At this point I did not see any on site provision.
We would call the "Bulb", a cut back staging area if located with in the public roadway. We need to know how they intend to address that issue.

Thanks,

Barry

---

**From:** Traughber, Lex
**Sent:** Thursday, November 07, 2013 2:57 PM
**To:** Walsh, Barry
**Subject:** RE: Petitions PLNSUB2013-00844 & PLNHLC2013- - Almond Street Condos/Townhomes

So Barry, the only item that you need more info on is the West Temple bulb?

---

**From:** Walsh, Barry
**Sent:** Thursday, November 07, 2013 2:39 PM
**To:** Traughber, Lex
**Subject:** RE: Petitions PLNSUB2013-00844 & PLNHLC2013- - Almond Street Condos/Townhomes

November 7, 2013

Lex,

Re: PLNPCM2013-00920 Almond Street Development amendments.

Transportations review comments and recommendations entered into Accela are as follows:

The proposed revisions to transportation issues are as follows:
Revise the number of total unit from 34 to 33 - Approve.
Revise the required parking stalls from 80 with 18 being visitor designation to providing current required parking provision for the townhomes (2 each) = 26 and 34 stall for the 20 Condo units with a portion being extra stalls for a total of 60 standard on site parking stalls. Visitor parking to be in driveways and condo structure, No on street parking abutting this development.
Revise the setback to a minimum of 17.5 feet from back of walk as required to restrict impacts to pedestrian walkways. Approve.

The proposed removal of the agreed West Temple "bulb" needs to have further definition of function as needed to address loading and service needs of the development.
Also the placement of proposed cross walks is subject to the discretion of current issues at the time of permit plan review by the Transportation department in coordination with the Engineering division for the public way improvements.

Sincerely,

Barry Walsh

---

**From:** Traughber, Lex
**Sent:** Thursday, November 07, 2013 11:36 AM
**To:** Walsh, Barry; Weiler, Scott; Garcia, Peggy; Itchon, Edward; Ross, Michelle; Butcher, Larry; Limburg, Garth; McFarland, Ryan
**Cc:** Oktay, Michaela
**Subject:** Petitions PLNSUB2013-00844 & PLNHLC2013- - Almond Street Condos/Townhomes

Good afternoon,

Richard Welch, representing Garbett Homes, has submitted an application for a zoning amendment located at 289 N. Almond Street. The impetus of this application is to amend a development agreement that was executed on this property in May of 1997 (attached). As a part of this zoning amendment process, the applicant will be asking for a relaxation of several development standards required by Zone, to include setback modification, minimum lot area, grade changes, and parking. A detailed narrative, site plan and elevations are attached for review. The subject property is in an RMF-45 Zone (Moderate/High Density Multifamily Residential Zone).

Please review the information submitted and respond with any comments (preferably in Accela) as soon as you are able, but no later than **Monday, November 25, 2013**. If you do not have any comments, please respond by email with "no comment" so that I can be sure that you have at least seen the request. As this application is a little bit unusual, if you have any questions, please do not hesitate to contact me.

Thank you,

Lex Traughber
Senior Planner

PLANNING DIVISION
COMMUNITY *and* ECONOMIC DEVELOPMENT
SALT LAKE CITY CORPORATION

lex.traughber@slcgov.com
TEL 801-535-6184
FAX 801-535-6174

WWW.SLCGOV.COM

**Traughber, Lex** TREASURER

**From:** Limburg, Garth
**Sent:** Tuesday, November 12, 2013 11:20 AM
**To:** Traughber, Lex
**Subject:** RE: Petitions PLNSUB2013-00844 & PLNHLC2013- - Almond Street Condos/Townhomes

No comment. Thanks, Garth

---

**From:** Traughber, Lex
**Sent:** Thursday, November 07, 2013 2:52 PM
**To:** Walsh, Barry; Weiler, Scott; Garcia, Peggy; Itchon, Edward; Ross, Michelle; Butcher, Larry; Limburg, Garth; McFarland, Ryan
**Subject:** RE: Petitions PLNSUB2013-00844 & PLNHLC2013- - Almond Street Condos/Townhomes

Sorry all, I have the wrong petition number in the Subject line on my previous email.

The petition number is PLNPCM2013-00920

---

**From:** Traughber, Lex
**Sent:** Thursday, November 07, 2013 11:36 AM
**To:** Walsh, Barry; Weiler, Scott; Garcia, Peggy; Itchon, Edward; Ross, Michelle; Butcher, Larry; Limburg, Garth; McFarland, Ryan
**Cc:** Oktay, Michaela
**Subject:** Petitions PLNSUB2013-00844 & PLNHLC2013- - Almond Street Condos/Townhomes

Good afternoon,

Richard Welch, representing Garbett Homes, has submitted an application for a zoning amendment located at 289 N. Almond Street. The impetus of this application is to amend a development agreement that was executed on this property in May of 1997 (attached). As a part of this zoning amendment process, the applicant will be asking for a relaxation of several development standards required by Zone, to include setback modification, minimum lot area, grade changes, and parking. A detailed narrative, site plan and elevations are attached for review. The subject property is in an RMF-45 Zone (Moderate/High Density Multifamily Residential Zone).

Please review the information submitted and respond with any comments (preferably in Accela) as soon as you are able, but no later than **Monday, November 25, 2013**. If you do not have any comments, please respond by email with "no comment" so that I can be sure that you have at least seen the request. As this application is a little bit unusual, if you have any questions, please do not hesitate to contact me.

Thank you,

Lex Traughber
Senior Planner

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lex.traughber@slcgov.com
TEL 801-535-6184
FAX 801-535-6174

**Traughber, Lex** PUBLIC UTILITIES

**From:** Stewart, Brad
**Sent:** Wednesday, November 13, 2013 8:31 AM
**To:** Traughber, Lex
**Cc:** Niermeyer, Jeff; Ward, Thomas; Charles, Kathleen
**Subject:** RE: Petition PLNPCM2013-00920, Almond Street Zoning Amendment & Residential Development - Public Utilities Comments

Lex,

Public Utilities has reviewed the above-mentioned project. We have no objection to the zoning map amendment request or the mentioned relaxation of zoning requirements. However, the developer needs to be aware that:

- The 4 inch water main in West Temple Street will not satisfy current fire flow requirements. The developer will be required to design and install a 12 inch public water main. This project straddles a water service pressure zone. A bit of extra engineering thought will be required to prevent cross connecting zones and to meet fire needs. We will work with their engineer on these issues.

- The public sewer is about 12 feet deep in West Temple. I'm assuming that the relaxation of rules would not jeopardize gravity flow sewer from the proposed buildings (no habitable space more than about 10 feet below the street elevation).

- Storm water detention will be required for the new development. Provisions should be made early in the planning stages of this project for a storm water storage area. There is public storm drain at the very north and very south ends of the project, but the developer may find it advantageous to extend a public storm drain in West Temple to accommodate the proposal.

We look forward to receiving drawings and providing a more detailed review of the project.

Thanks,

Brad

---

**From:** Niermeyer, Jeff
**Sent:** Thursday, November 07, 2013 3:30 PM
**To:** Stewart, Brad
**Cc:** Ward, Thomas
**Subject:** FW: Petition PLNPCM2013-00920, Almond Street Zoning Amendment & Residential Development

Brad,
With Peggy being out of the office please review and provide comments as appropriate.

Thanks,
Jeff

---

**From:** Traughber, Lex
**Sent:** Thursday, November 07, 2013 11:52 AM
**To:** Hutcheson, Robin; Niermeyer, Jeff; Graham, Rick; Burbank, Chris; Baxter, DJ; Riley, Maureen; Bennett, Vicki; Akerlow, Michael; Shaw, Eric; Cook, Kurt; Snelling, Jeff
**Cc:** Sommerkorn, Wilford; Coffey, Cheri; Oktay, Michaela
**Subject:** Petition PLNPCM2013-00920, Almond Street Zoning Amendment & Residential Development

**Traughber, Lex** POLICE

**From:** Ross, Michelle
**Sent:** Thursday, November 07, 2013 2:50 PM
**To:** Traughber, Lex
**Subject:** RE: Petitions ~~PLNSUB2013-00844 & PLNHLC2013- - Almond Street Condos/Townhomes~~ PLNPCM2013-00920

Lex,

The police department has no issues with either petition.

Thank you,
Sgt. Michelle Ross

---

**From:** Traughber, Lex
**Sent:** Thursday, November 07, 2013 11:36 AM
**To:** Walsh, Barry; Weiler, Scott; Garcia, Peggy; Itchon, Edward; Ross, Michelle; Butcher, Larry; Limburg, Garth; McFarland, Ryan
**Cc:** Oktay, Michaela
**Subject:** Petitions PLNSUB2013-00844 & PLNHLC2013- - Almond Street Condos/Townhomes

Good afternoon,

Richard Welch, representing Garbett Homes, has submitted an application for a zoning amendment located at 289 N. Almond Street. The impetus of this application is to amend a development agreement that was executed on this property in May of 1997 (attached). As a part of this zoning amendment process, the applicant will be asking for a relaxation of several development standards required by Zone, to include setback modification, minimum lot area, grade changes, and parking. A detailed narrative, site plan and elevations are attached for review. The subject property is in an RMF-45 Zone (Moderate/High Density Multifamily Residential Zone).

Please review the information submitted and respond with any comments (preferably in Accela) as soon as you are able, but no later than **Monday, November 25, 2013**. If you do not have any comments, please respond by email with "no comment" so that I can be sure that you have at least seen the request. As this application is a little bit unusual, if you have any questions, please do not hesitate to contact me.

Thank you,

Lex Traughber
Senior Planner

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# Exhibit H –
# City Comments (Street Closure)

# Work Flow History Report
# 289 N ALMOND St
# PLNPCM2014-00001

| Date | Task/Inspection | Status/Result | Action By | Comments |
|---|---|---|---|---|
| 1/3/2014 | Staff Assignment | Assigned | Norris, Nick | Assigned to Lex Traughber. Street closure related to PLNPCM2013-00920 a zoning amendment regarding modifying the existing development agreement for the Almond Street Condos. |
| 1/6/2014 | Staff Assignment | In Progress | Traughber, Lex | |
| 1/13/2014 | Engineering Review | Complete | Weiler, Scott | I just discussed this with Victoria (City Surveyor). It is evident to us, based on the GIS map that the triangle is within the public right-of-way. However, we will leave the decision up to your office as to whether or not it needs to become private property. As long as the maintenance responsibilities are documented, the triangle and the paved area that is proposed to be landscaped, can stay in the public right-of-way. |
| 1/13/2014 | Planning Dept Review | In Progress | Traughber, Lex | |
| 1/13/2014 | Staff Assignment | Routed | Traughber, Lex | |
| 1/14/2014 | Transporation Review | Complete | Walsh, Barry | January 7, 2014<br><br>Lex,<br><br>Re: PLNPCM2014-00001 West Temple closure.<br><br>Transportation review comment area as follows:<br><br>The proposed roadway revision of the north end, approximately 80 feet of West Temple at 300 North is to remove the vehicular travel way and not vacate the right of way, but reduce the redundant roadway configuration and eliminate the Island.<br>The proposal is in keeping with past development plans for that area and present no major impact to traffic circulation. West Temple is to remain a one-way south bound roadway. The attached plan also indicate the addition of cut back angle on street public parking to service the area. A revised plan has been submitted relocating the cutback parking farther to the west on 300 North due to grades and utility conflicts. The proposed revision also complete the pedestrian walk way corridor along the south side of 300 North.<br><br>No Accela task access.<br><br>Sincerely,<br><br>Barry Walsh<br><br>Cc Kurt Larson, P.E.<br>Kevin Young, P.E.<br>Scott Weiler, P.E.<br>File |

| | | | | |
|---|---|---|---|---|
| 1/28/2014 | Building Review | Complete | Traughber, Lex | No response. |
| 1/28/2014 | Community Council Review | Complete | Traughber, Lex | Applicant presented to the CC on 12/18/13. |
| 1/28/2014 | Fire Code Review | Complete | Traughber, Lex | No response. |
| 1/28/2014 | Planning Dept Review | Complete | Traughber, Lex | |
| 1/28/2014 | Public Utility Review | Complete | Stoker, Justin | Looks like the thing that Brad did back in November was for a Zoning Amendment and a planned Residential Development (see below). They are now looking to vacate that piece of right-of-way. It appears that with no service connections, we can go through the standard process of maintaining an easement at the full width of the existing right-of-way for the ownership, access and maintenance of the existing 4" CIP water line. In the comments that Brad gave Planning on the main for the Zoning review, they will be required to upsize the main to 12-inches. This may provide them the opportunity to relocate the main to stay in right-of-way by following the western leg of West Temple that will remain open right-of-way.<br><br>So, the two options that I see:<br><br>1. Upsize the water main to 12-inches and maintain it in the current location where the right-of-way will be vacated. An easement to SLC Public Utilities will need to be established for the full width of the existing right-of-way. Restrictions would prohibit any permanent structures, retaining walls, or trees in the easement to protect and preserve access to the water main.<br>2. Partially relocate the water main from the portion of the right-of-way that will be vacated so that it follows the western leg that will remain open. This keeps the water main in right-of-way and avoids the need for any encumbrances on the property. |
| 1/28/2014 | Staff Review and Report | Management Review | Traughber, Lex | |
| 1/28/2014 | Zoning Review | Complete | Traughber, Lex | NO response. |

**Traughber, Lex** PUBLIC UTILITIES

**From:** Stoker, Justin
**Sent:** Tuesday, January 28, 2014 10:37 AM
**To:** Traughber, Lex
**Cc:** Garcia, Peggy
**Subject:** Right of Way vacation at 300 N and West Temple

Looks like the thing that Brad did back in November was for a Zoning Amendment and a planned Residential Development (see below). They are now looking to vacate that piece of right-of-way. It appears that with no service connections, we can go through the standard process of maintaining an easement at the full width of the existing right-of-way for the ownership, access and maintenance of the existing 4" CIP water line. In the comments that Brad gave Planning on the main for the Zoning review, they will be required to upsize the main to 12-inches. This may provide them the opportunity to relocate the main to stay in right-of-way by following the western leg of West Temple that will remain open right-of-way.

So, the two options that I see:

1. Upsize the water main to 12-inches and maintain it in the current location where the right-of-way will be vacated. An easement to SLC Public Utilities will need to be established for the full width of the existing right-of-way. Restrictions would prohibit any permanent structures, retaining walls, or trees in the easement to protect and preserve access to the water main.
2. Partially relocate the water main from the portion of the right-of-way that will be vacated so that it follows the western leg that will remain open. This keeps the water main in right-of-way and avoids the need for any encumbrances on the property.

Please feel free to contact me if there are any questions.

Thanks,
Justin

**Justin D. Stoker, PE, LEED® AP, CFM**
**Salt Lake City Public Utilities**
1530 S. West Temple, SLC, UT 84115
ph. (801) 483-6786 - justin.stoker@slcgov.com

AIRPORT

**Traughber, Lex**

**From:** Miller, David
**Sent:** Monday, January 06, 2014 4:12 PM
**To:** Traughber, Lex
**Subject:** RE: Petition PLNPCM2014-00001, 300 North & West Temple Street Closure

Thank you for the notice regarding 300 North & West Temple Street Closure. This address is not in an established Salt Lake City airport influence zone. The project does not create any observed impacts to airport operations.
Dave

David Miller
Airport Planner
Salt Lake City Department of Airports
P.O. Box 145550
Salt Lake City, UT 84114-5550
801.575.2972
david.miller@slcgov.com

---

**From:** Riley, Maureen
**Sent:** Monday, January 06, 2014 1:25 PM
**To:** McCandless, Allen
**Subject:** Fwd: Petition PLNPCM2014-00001, 300 North & West Temple Street Closure

FYI

Sent from my iPhone

Begin forwarded message:

> **From:** "Traughber, Lex" <Lex.Traughber@slcgov.com>
> **To:** "Hutcheson, Robin" <Robin.Hutcheson@slcgov.com>, "Niermeyer, Jeff" <jeff.niermeyer@slcgov.com>, "Graham, Rick" <Rick.Graham@slcgov.com>, "Burbank, Chris" <Chris.Burbank@slcgov.com>, "Baxter, DJ" <dj.baxter@slcgov.com>, "Riley, Maureen" <Maureen.Riley@slcgov.com>, "Bennett, Vicki" <vicki.bennett@slcgov.com>, "Akerlow, Michael" <Michael.Akerlow@slcgov.com>, "Shaw, Eric" <Eric.Shaw@slcgov.com>, "Cook, Kurt" <Kurt.Cook@slcgov.com>, "Snelling, Jeff" <Jeff.Snelling@slcgov.com>
> **Cc:** "Sommerkorn, Wilford" <Wilford.Sommerkorn@slcgov.com>, "Coffey, Cheri" <Cheri.Coffey@slcgov.com>, "Oktay, Michaela" <Michaela.Oktay@slcgov.com>
> **Subject: Petition PLNPCM2014-00001, 300 North & West Temple Street Closure**
>
> Directors:
>
> Jacob Ballstaedt, representing Garbett Homes, has submitted an application for a Street Closure located at approximately 300 North and West Temple. This request is in conjunction with the development that Garbett is proposing at 289 N. Almond St. A site plan and other relevant information is attached for review.
>
> As a Department Director/Cabinet Member, courtesy notice is being sent to you to inform you of the project. You are not required to respond to this email unless you choose to do so. The

**Traughber, Lex** TRANSPORTATION

**From:** Walsh, Barry
**Sent:** Tuesday, January 07, 2014 10:43 AM
**To:** Traughber, Lex
**Cc:** Larson, Kurt; Young, Kevin; Weiler, Scott
**Subject:** RE: Petion PLNPCM2014-00001, 300 North & West Temple Street Closure

January 7, 2014

Lex,

Re: PLNPCM2014-00001 West Temple closure.

Transportation review comment area as follows:

The proposed roadway revision of the north end, approximately 80 feet of West Temple at 300 North is to remove the vehicular travel way and not vacate the right of way, but reduce the redundant roadway configuration and eliminate the Island.
The proposal is in keeping with past development plans for that area and present no major impact to traffic circulation. West Temple is to remain a one-way south bound roadway.
The attached plan also indicate the addition of cut back angle on street public parking to service the area. A revised plan has been submitted relocating the cutback parking farther to the west on 300 North due to grades and utility conflicts.
The proposed revision also complete the pedestrian walk way corridor along the south side of 300 North.

No Accela task access.

Sincerely,

Barry Walsh

Cc Kurt Larson, P.E.
Kevin Young, P.E.
Scott Weiler, P.E.
File

---

**From:** Traughber, Lex
**Sent:** Monday, January 06, 2014 1:05 PM
**To:** Walsh, Barry; Weiler, Scott; Garcia, Peggy; Itchon, Edward; Ross, Michelle; Butcher, Larry; Limburg, Garth; McFarland, Ryan
**Cc:** Oktay, Michaela
**Subject:** Petion PLNPCM2014-00001, 300 North & West Temple Street Closure

Good afternoon,

Jacob Ballstaedt, representing Garbett Homes, has submitted an application for a Street Closure located at approximately 300 North and West Temple. This request is in conjunction with the development that Garbett is proposing at 289 N. Almond St. A site plan and other relevant information is attached for review.

Please review the information submitted and respond with any comments (preferably in Accela) as soon as you are able, but no later than **Monday, January 20, 2014**. If you do not have any comments, please respond

**Traughber, Lex** Assessed

**From:** Limburg, Garth
**Sent:** Monday, January 06, 2014 1:54 PM
**To:** Traughber, Lex
**Subject:** RE: Petion PLNPCM2014-00001, 300 North & West Temple Street Closure

No comments. Thanks.

---

**From:** Traughber, Lex
**Sent:** Monday, January 06, 2014 1:05 PM
**To:** Walsh, Barry; Weiler, Scott; Garcia, Peggy; Itchon, Edward; Ross, Michelle; Butcher, Larry; Limburg, Garth; McFarland, Ryan
**Cc:** Oktay, Michaela
**Subject:** Petion PLNPCM2014-00001, 300 North & West Temple Street Closure

Good afternoon,

Jacob Ballstaedt, representing Garbett Homes, has submitted an application for a Street Closure located at approximately 300 North and West Temple. This request is in conjunction with the development that Garbett is proposing at 289 N. Almond St. A site plan and other relevant information is attached for review.

Please review the information submitted and respond with any comments (preferably in Accela) as soon as you are able, but no later than **Monday, January 20, 2014**. If you do not have any comments, please respond by email with "no comment" so that I can be sure that you have at least seen the request. If you have any questions, please do not hesitate to contact me.

Thank you,

Lex Traughber
Senior Planner

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lex.traughber@slcgov.com
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# 5. PLANNING COMMISSION

## D. Agenda & Minutes

## February 14, 2014

**AMENDED SALT LAKE CITY PLANNING COMMISSION**
**MEETING AGENDA**
**Pioneer Precinct**
**1040 W 700 S, Salt Lake City, Room B**
**Wednesday, February 12, 2014, at 5:30 p.m.**

**The field trip is scheduled to leave at 4:00 p.m.**
**Dinner will be served to the Planning Commissioners and Staff at 5:00 p.m. in Room C of the Pioneer Precinct Building.**

**PLANNING COMMISSION MEETING WILL BEGIN AT 5:30 PM IN CLASS ROOM B**
**APPROVAL OF MINUTES FOR JANUARY 8 AND 22, 2014**
**REPORT OF THE CHAIR AND VICE CHAIR**
**REPORT OF THE DIRECTOR**
**PUBLIC HEARING(S)**

Legislative Matters

1. **West Salt Lake Master Plan** - A request by Mayor Ralph Becker to do a comprehensive review and update of the West Salt Lake Master Plan. The Master Plan guides the future development of the area between I-80 and SR201 and I-15 and I-215 and includes the Glendale and Poplar Grove Neighborhoods. The update to the West Salt Lake Master Plan will include land use and development policies that will help the Planning Commission and City Council make land use decision, formulate budgets and make future administrative and legislative decisions regarding the described area. The Planning Commission seeks public input on the draft master plan prior to making a recommendation to the City Council at a later date. (Staff contact: Nick Britton at (801) 535-6107 or nick.britton@slcgov.com.) Case number PLNPCM2010-00656.

2. **9 Line Corridor Master Plan** - A request by Mayor Ralph Becker to create a master plan for the 9 Line Corridor. The Master Plan guides the future development of the 9 Line Corridor which is located at approximately 900 South from 200 West to approximately Redwood Road. The 9 Line Corridor Master Plan will include strategies and policies which will guide the eventual development of the spaces and amenities adjacent to the existing paved trail. It will also include an implementation plan to develop a framework on how this development should occur. The Planning Commission seeks public input on the draft master plan prior to making a recommendation to the City Council at a later date. The corridor is located in Council District 5 represented by Erin Mendenhall, Council District 4 represented by Luke Garrott and Council District 2 represented by Kyle LaMalfa (Staff contact: John Anderson at (801) 535-7214 or john.anderson@slcgov.com). Case number PLNPCM2014-00004.

3. **289 N. Almond Street Zoning Map Amendment** – Garbett Homes is requesting approval from the City to develop nine (9) townhomes and twenty (20) condominium units on the property located at approximately 289 N. Almond Street. Currently, the land is vacant and is zoned RMF-45 (Moderate/High Density Multifamily Residential). This project requires zoning map amendment and street closure reviews. The subject property is within Council District 3 represented by Stan Penfold. (Staff contact: Lex Traughber at (801) 535-6184 or lex.traughber@slcgov.com) Case numbers PLNPCM2013-00920 and PLNPCM2014-0000.
    a. **Zoning Map Amendment** - In order to build the project noted above, a Zoning Map Amendment is required to amend a development agreement that was executed on the subject property in May 1997. As a part of this zoning amendment process, the applicant will be asking for amendments to said development agreement (primarily concerning parking), and the relaxation of two development standards, to include setback modification and grade change. Case number PLNPCM2013-00920.

    b. **Street Closure** - The applicant is requesting that the City close the eastern portion of West Temple Street where it splits just south of 300 North. The western split portion of West Temple Street would remain open allowing access from 300 North. The landscape "island" that is currently bound by the fork split in West Temple Street and 300 North would eventually become part of Garbett's development and remain as landscaped area and on-street parking spaces. Case number PLNPCM2014-00001.

**Administrative Matters**

4. **Gold's Gym Conditional Use** -Rachel McKenzie, architect for Gold's Gym, is requesting a Planned Development to remodel an existing unoccupied building (approximately 13,300 sq ft) located within Brickyard Plaza at 1172 E. Brickyard Rd. The remodel will include a new entrance façade on the west side and an approximate 8,000 square foot expansion towards the east into the existing courtyard space between the existing Zurcher's and Kohl's Buildings. This property is located within the CS (Community Shopping) zoning district and in City Council 7, represented by Lisa Ramsey Adams. (Staff contact: Katia Pace, (801) 535-6354, or katia.pace@slcgov.com) Case number: PLNPCM2013-01002.

~~5. **4552 W 150 South Surplus Property Request** - The City Administration is proposing to declare property located at approximately 4552 W 150 South as surplus. The property is part of an existing parcel at 4600 W 700 South. The City Administration intends to exchange the property for adjacent properties located at approximately 4252 W 700 South. It is the intention of the Administration that the exchange of property will be of equal value, as the parcels will be of equivalent size. The Planning Commission is required to hold a public hearing for these types of requests.The subject property is located in the M-1 (Light Manufacturing) zoning district in Council District 2, represented by Kyle LaMalfa. (Staff Contact: Daniel Echeverria at (801) 535-7165 or daniel.echeverria@slcgov.com). Case number PLNPCM2014-00011.~~

5. **4552 W 150 South Surplus Property Request**- The City Administration is proposing to declare surplus property located at approximately 4552 W 150 South. The property is part of an existing parcel at 4600 W 700 South. The City Administration intends to exchange the property for adjacent properties located at approximately 4252 W 700 South. It is the intention of the Administration that the exchange of property will be of equal value. Given the similarities between the properties, the parties do not believe that appraisals of the parcels would be necessary in order to close the proposed transaction. The Planning Commission is required to hold a public hearing for these types of requests. The subject property is located in the M-1 (Light Manufacturing) zoning district in Council District 2, represented by Kyle LaMalfa. (Staff Contact: Daniel Echeverria at 801-535-7165 or daniel.echeverria@slcgov.com. Case number PLNPCM2014-00011.)

**Briefings**

6. **Downtown Master Plan** – As part of the planning process for the Downtown Master Plan, planning staff will brief the Planning Commission on the public engagement process; state of the Vision, Principles, and Goals; and next steps. (Staff contact: Molly Robinson at (801) 535-7261 or molly.robinson@slcgov.com)

7. **Mid-block Walkways** – Planning staff will brief the Planning Commission on the status of the Mid-block Walkways project, including Design Guidelines for Mid-block Walkways, request comment on the draft, and discuss how the Guidelines will be adopted as part of the Downtown Master Plan process. (Staff contact: Molly Robinson at (801) 535-7261 or molly.robinson@slcgov.com)

*The files for the above items are available in the Planning Division offices, room 406 of the City and County Building. Please contact the staff planner for information, Visit the Planning Division's website at www.slcgov.com/CED/planning for copies of the Planning Commission agendas, staff reports, and minutes. Staff Reports will be posted the Friday prior to the meeting and minutes will be posted two days after they are ratified, which usually occurs at the next regularly scheduled meeting of the Planning Commission. Planning Commission Meetings may be watched live on SLCTV Channel 17; past meetings are recorded and archived, and may be viewed at www.slctv.com.*

*People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance of the hearing in order to attend. Accommodations may include alternate formats, interpreters and other auxiliary aids. This is an accessible facility. For questions, requests or additional information, please contact the Salt Lake City Planning Office at: 801-535-7757/TDD 801-535-6220. Appeal of Planning Commission Decision- Any person adversely affected by a final decision of the planning commission may appeal the decision by filing a written appeal with the appeals hearing officer within ten (10) calendar days following the date on which a record of decision is issued.*

**MOTION** 8:05:49 PM

**Commissioner Woodhead made a motion to table the 9 Line Master Plan to the March 12, 2014, Planning Commission meeting to give the Commission the opportunity to review the plan documents in light of the public comments and to close the Public Hearing. Commissioner Taylor seconded the motion. Commissioners Woodhead, Taylor, Hoskins, Dean, Flores-Sahagun and Gallegos voted "aye". Commissioner Fife, Ruttinger and Wirthlin voted "nay". The motion passed 6-3**

8:08:15 PM

**289 N. Almond Street Zoning Map Amendment – Garbett Homes is requesting approval from the City to develop nine (9) townhomes and twenty (20) condominium units on the property located at approximately 289 N. Almond Street. Currently, the land is vacant and is zoned RMF-45 (Moderate/High Density Multifamily Residential). This project requires zoning map amendment and street closure reviews. The subject property is within Council District 3 represented by Stan Penfold. (Staff contact: Lex Traughber at (801) 535-6184 or lex.traughber@slcgov.com) Case numbers PLNPCM2013-00920 and PLNPCM2014-0000.**

a. **Zoning Map Amendment - In order to build the project noted above, a Zoning Map Amendment is required to amend a development agreement that was executed on the subject property in May 1997. As a part of this zoning amendment process, the applicant will be asking for amendments to said development agreement (primarily concerning parking), and the relaxation of two development standards, to include setback modification and grade change. Case number PLNPCM2013-00920.**

b. **Street Closure - The applicant is requesting that the City close the eastern portion of West Temple Street where it splits just south of 300 North. The western split portion of West Temple Street would remain open allowing access from 300 North. The landscape "island" that is currently bound by the fork split in West Temple Street and 300 North would eventually become part of Garbett's development and remain as landscaped area and on-street parking spaces. Case number PLNPCM2014-00001.**

Mr. Lex Traughber, Senior Planner, reviewed the petition as presented in the Staff Report (located in the case file). He stated Staff was recommending the Planning Commission transmit a favorable recommendation to City Council regarding the petition.

The Commission and Staff discussed the triangle parcel and proposed design/use.

Mr. Jacob Ballsteadt, Garbett Homes, reviewed the project and thanked those that Garbett had worked and conversed with on the project. He stated they were asking to lower the parking requirement and build one unit less then previously agreed on in the development agreement. Mr. Ballsteadt gave the history of the property and reviewed the parking ratio for the existing agreement and the new proposal.

The Commission and Applicant discussed the parking on the triangle area and if it would be implemented. The Applicant stated the neighbors had indicated they did not want the parking on 300 North but would prefer a different design to provide more sight lines.

Mr. Ballsteadt discussed the road closure and continuing the sidewalk along the area. He stated the closure of the road was a public service to help with safety and beautification of the area.

Mr. Renee King, Garbett Homes, reviewed the dynamics of the area, the importance to finish the development and improve the area. He reviewed the public outreach, how the public concerns were addressed in the design and the positive development of the project. Mr. King reviewed the design on Almond Street, to help with trash pickup and the driveway design that would improve traffic flow.

The Commission and Applicants discussed the ADA accessibility and the waste management/ recycling for the development.

Mr. Tyler Kirk, Architect, stated the recycling was accommodated inside the parking structure of the condos.

The Commission and Applicants discussed the HERS energy certifications for the project, Garbett Homes recycling programs and the distance between the homes.

The Commission stated although a plat was not required it would have helped to clearly see the layout of the property. They discussed the footprint for the units and how common or limited common space was regulated for condos. The Commission and Applicant discussed the setbacks for the property.

Staff stated the exception was for a front yard setback not a rear yard setback.

The Commission and Applicant discussed the property line, subdivision of the lot and the issues with plating the property. They discussed the depth of the drive ways.

**PUBLIC HEARING** 8:53:42 PM

Chairperson Drown opened the Public Hearing.

The following people spoke to the petition: Ms. Laura Bayer, Mr. Dale Walker, Mr. David Parkinson, Ms. Celia Baker, Mr. Mike Fowkes, Mr. Jack Winward, Ms. Kim Fowkes and Ms. Hope Espiratue.

The following comments were made:

- Garbett did not contact the neighbors on Quince Street; parking was an issue throughout the area, decreasing the parking was not desired.
- The triangle would accommodate 10 spaces and needed to allow traffic from all directions.
- Almond Street home owners were in favor of the proposal and looked forward to the completion of the project.
- Garbett Homes was willing to work with the neighbors and make the plan work for the area.
- Views from Almond Street should be considered.
- There was parking in the area that did not affect Quince Street.
- Area was dangerous in the winter.
- Gifting land to a business should not happen, it should be purchased.
- Development should not impede on the neighborhood.
- Parking enforcement and restrictions need to be enforced.
- Area was unsafe due to traffic.
- City needed to step in and help with the parking.
- Parking on 3rd North was not a good idea.

The Commissioners asked if the area had considered resident parking permits. Ms. Bayer stated a parking plan had been implemented but did not help the issue. The Commission asked Ms. Bayer about eliminating the parking stalls on 300 North. Ms. Bayer stated she did not review the parking plan but had heard discussion that the triangle would be a park. She stated she would prefer parking due to the issues in the area.

Chairperson Drown closed the Public Hearing.

The Commissioner and Applicant discussed speed bumps, parking, on the triangle, along West Temple and removing parking spaces on 3rd North.

**DISCUSSION** 9:19:43 PM

The Commission asked if the parking on the triangle could be permitted and used as a place for snow storage during the winter.

Staff stated that would be up to transportation and the snow plow drivers.

**MOTION** 9:20:51 PM

**Commissioner Wirthlin stated regarding the Almond Street Townhomes and Condominiums Zoning Map Amendment PLNPCM2013-00920 and Street Closure PLNPCM2014-0001, based on the findings listed in the Staff Report and the testimony heard, he moved that the Planning Commission transmit a favorable recommendation to the City Council to amend the development agreement as proposed and to close the eastern portion of West Temple Street where it splits at 300 North subject to the conditions listed in the Staff Report and delegation to Staff the final approval of parking on 300 North. Commissioner Gallegos seconded the motion. The motion passed unanimously.**

9:22:03 PM
The Commission took a five minute break.

9:22:09 PM
**Gold's Gym Conditional Use -Rachel McKenzie, architect for Gold's Gym, is requesting a Planned Development to remodel an existing unoccupied building (approximately 13,300 sq ft) located within Brickyard Plaza at 1172 E. Brickyard Rd. The remodel will include a new entrance façade on the west side and an approximate 8,000 square foot expansion towards the east into the existing courtyard space between the existing Zurcher's and Kohl's Buildings. This property is located within the CS (Community Shopping) zoning district and in City Council 7, represented by Lisa Ramsey Adams. (Staff contact: Katia Pace, (801) 535-6354, or katia.pace@slcgov.com) Case number: PLNSUB2013-01002.**

Ms. Katia Pace, Principal Planner, reviewed the petition as presented in the Staff Report (located in the case file). She stated Staff was recommending the Planning Commission approve the petition as presented.

Mr. Claude Yacoel, Property Owner, stated the development would be an asset to Brickyard Plaza and would reactivate the back of the center. He stated the neighbors and tenants of the property were in favor of the project and their concerns had been addressed.

The Commissioners and Applicant discussed the parking and if an entrance could be allowed on the front of the center. The Applicant stated the gym entrance and parking had

# 6. ORIGINAL APPLICATIONS

# Zoning Amendment

RECEIVED
NOV - 7 2013
BY:

☐ Amend the text of the Zoning Ordinance ☑ Amend the Zoning Map

SALT LAKE CITY PLANNING

**OFFICE USE ONLY**

| Received By: | Date Received: | Project #: |
|---|---|---|
| A Anglin | 11/5/13 | PLNPCM2013-00920 |

Name or Section/s of Zoning Amendment:
Almond Street Condo Project

Parcels: 08.36.440.008
08.36.432.017

**PLEASE PROVIDE THE FOLLOWING INFORMATION**

Address of Subject Property (or Area):
289 N. ALMOND STREET and 286 N. West Temple Street

| Name of Applicant: | Phone: |
|---|---|
| Almond Street Properties, LLC | 801-456-2430 |

Address of Applicant:
273 N. East Capitol Street, SLC, UT 84103

| E-mail of Applicant: | Cell/Fax: |
|---|---|
| rich@garbetthomes.com | 801-580-2460 |

Applicant's Interest in Subject Property:

☑ Owner ☐ Contractor ☐ Architect ☐ Other:

Name of Property Owner (if different from applicant):
same

| E-mail of Property Owner: | Phone: |
|---|---|
| same | |

➔ **Please note** that additional information may be required by the project planner to ensure adequate information is provided for staff analysis. All information required for staff analysis will be copied and made public, including professional architectural or engineering drawings, for the purposes of public review by any interested party.

**AVAILABLE CONSULTATION**

➔ If you have any questions regarding the requirements of this application, please contact Salt Lake City Planning Counter at (801) 535-7700 prior to submitting the application.

**REQUIRED FEE**

➔ Filing fee of **$918.73** plus **$114.84** per acre in excess of one acre, plus additional cost of postage for mailing notice.

**SIGNATURE**

➔ If applicable, a notarized statement of consent authorizing applicant to act as an agent will be required.

| Signature of Owner or Agent: | Date: |
|---|---|
| | 10-30-2013 |

## SUBMITTAL REQUIREMENTS

| Staff Review | | |
|---|---|---|
| | | **1. Project Description** (please attach additional sheets.) |
| ☑ | ☐ | A statement declaring the purpose for the amendment. |
| ☑ | ☐ | A description of the proposed use of the property being rezoned. |
| ☑ | ☐ | List the reasons why the present zoning may not be appropriate for the area. |
| ☒ | ☐ | Is the request amending the Zoning Map?<br>If so, please list the parcel numbers to be changed. |
| ☐ | ☐ | Is the request amending the text of the Zoning Ordinance?<br>If so, please include language and the reference to the Zoning Ordinance to be changed. |

### WHERE TO FILE THE COMPLETE APPLICATION

| | | | |
|---|---|---|---|
| *Mailing Address:* | Planning Counter<br>PO Box 145471<br>Salt Lake City, UT 84114 | *In Person:* | Planning Counter<br>451 South State Street, Room 215<br>Telephone: (801) 535-7700 |

### INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

☒ I acknowledge that Salt Lake City requires the items above to be submitted before my application can be processed. I understand that Planning will not accept my application unless all of the following items are included in the submittal package.

Bob Welch

# Street Closure

RECEIVED
JAN 03 2014
BY:

SALT LAKE CITY PLANNING

**OFFICE USE ONLY**

| Received By: | Date Received: | Project #: |
|---|---|---|
| A Anglin | 1/2/2014 | PLNPCM2014-00001 |

Project Name: West Temple Street Closure

**PLEASE PROVIDE THE FOLLOWING INFORMATION**

Name/Location of the Street: 300 N. West Temple SLC, UT 84103

| Name of Applicant: | Phone: |
|---|---|
| Jacob Ballstaedt / Garbett Homes | 801-455-5131 |

Address of Applicant: 341 N. East Capitol street SLC, UT 84103

| E-mail of Applicant: | Cell/Fax: |
|---|---|
| jacob@garbetthomes.com | C: 801-455-5131 |

Applicant's Interest in Subject Property:

☑ Owner ☐ Contractor ☐ Architect ☐ Other:

Name of Property Owner abutting the street (if different from applicant): Almond Street Properties L.C.

| E-mail of Property Owner: | Phone: |
|---|---|
| Bryson@garbetthomes.com | 801-456-2430 |

➔ **Please note** that additional information may be required by the project planner to ensure adequate information is provided for staff analysis. All information required for staff analysis will be copied and made public, including professional architectural or engineering drawings, for the purposes of public review by any interested party.

**AVAILABLE CONSULTATION**

➔ Planners are available for consultation prior to submitting this application. Please call (801) 535-7700 if you have any questions regarding the requirements of this application.

**WHERE TO FILE THE COMPLETE APPLICATION**

| | | | |
|---|---|---|---|
| *Mailing Address:* | Planning Counter<br>PO Box 145471<br>Salt Lake City, UT 84114 | *In Person:* | Planning Counter<br>451 South State Street, Room 215<br>Telephone: (801) 535-7700 |

**REQUIRED FEE**

➔ Filing fee of **$344.51**, plus additional cost of postage for mailing notice.

**SIGNATURE**

➔ If applicable, a notarized statement of consent authorizing applicant to act as an agent will be required.

| Signature of Owner or Agent: | Date: |
|---|---|
| | 12-18-13 |

## SUBMITTAL REQUIREMENTS

Staff Review

**Please include with the application:** (please attach additional sheet)

1. A letter explaining why you are requesting this Street Closure.
2. A Sidwell map showing the area of the proposed Street Closure. On the map please:
   a. Highlight the area of the proposed Street Closure.
   b. Indicate the property owners abutting the proposed Street Closure.
   c. Submit one paper copy and a digital (PDF) copy of the map.
3. A written description with the width and length measurements of the proposed Street Closure.
   - A final legal description prepared by a licensed engineer will be required later.
4. The name, address and signatures of all abutting property owners who support the petition.
   - You may use the form attached to this application or provide your own form with signatures.
   - Signatures should be from the property owners and not from the property renters.

➔ Please be aware that once the City closes the street it will then sell the property at fair market value to the abutting property owners.

## INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

I acknowledge that Salt Lake City requires the items above to be submitted before my application can be processed. I understand that Planning will not accept my application unless all of the following items are included in the submittal package.

## PETITION TO CLOSE A STREET

Name of Applicant: Almond Street Properties L.L.C.

Address of Applicant: 341 N. East Capitol Street SLC, UT 84103

Date: 1-2-14

As an owner of property adjacent to the street, I agree to the proposed street closure. I also understand that I have the option to purchase the portion of the street adjacent to my property at fair market value.

| Print Name | Address | Signature | Date |
|---|---|---|---|
| Bryson Garbett w/ Almond Street Properties LLC. | 300 N. West Temple SLC, UT 84103 | | 12-18-13 |
| Brett Hansen Almond Street Cond Association | 261 N. Almond St. | | 1-2-14 |
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# 7. ADDITIONAL PUBLIC CORRESPONDENCE

## Traughber, Lex

**From:** Bob Mack [bob@aspmrents.com]
**Sent:** Thursday, February 13, 2014 2:03 PM
**To:** Traughber, Lex
**Subject:** 289 N. Almond Zoning Map Ammendment Case #s PLNPCM2013-00920 AND PLNPCM2014-0000

Mr. Traughber,
I am writing in regards to the above case #s.

I own a tri-plex rental property on 102 W 300 N. The letter sates that the zoning map amendment primarily concerns a change in parking. I want to make sure that all parties involved understand that parking in the area is all ready a major issue. Any change that relaxes the restriction on parking will not help the situation but actually aggravate the issue.

If they are able to create enough off street parking to supply the tenant needs along with visitors, there shoudl be no issue.

Again, I want to reiterate my point that relaxing the parking restrictions will have a major negative impact for the area in question.

Thank you for your time in reading this.

--
Regards,
Bob Mack
Advanced Solutions Property Management Inc.
Cell 801-725-8226
Fax 801-928-7049
Bob@aspmrents.com
http://aspmrents.com/
http://intro60.com/Bob_Mack
http://blog.aspmrents.com

re: Almond Street Townhomes and Condominiums

Dale Walker, President of Capitol Hill Condominium has attended this meeting, but had to leave and requests that his written statement be read in his absense by Cindy Nielson.

Request that Amendment for closing W. Temple slide be shown with 10 parking stalls.

Dale Walker, President
Capitol Hill Condominium Association Inc.

## Traughber, Lex

**From:** Jamie Pleune [pleunej@gmail.com]
**Sent:** Wednesday, February 12, 2014 8:02 AM
**To:** Traughber, Lex
**Subject:** Comments on Almond Street Proposal
**Attachments:** Letter to Lex Traugber re. Almond St. Development.pdf

Dear Mr. Traughber,
I will not be able to attend the council meeting to discuss the proposed development on Almond Street tonight. Please accept the attached written comments regarding this proposal. If you have any questions, please do not hesitate to contact me.
Sincerely,
Jamie

--
Jamie Pleune
Assistant Clinical Professor, Environmental Clinic
University of Utah, S.J. Quinney College of Law
Attorney at Law, Richards Brandt Miller Nelson
rbmn.com

# Jamie Pleune

311 Quince St.
Salt Lake City, UT 84103
801-707-4471


***Via E-mail and Regular U.S. Mail***
Lex Traughber
Senior Planner
Planning Division,
Community and Economic Development
Salt Lake City Corporation
451 S. State St.
Salt Lake City, UT 84111
lex.traughber@slcgov.com

Re: Almond Street Development

Dear Mr. Traughber,

I am writing to submit comments on the Garbett Staker development proposal for Almond Street. I live at 311 N. Quince Street, which is the last house on the west side of N. Quince Street. Given the location of my home, I will be directly affected by the adjacent Almond Street development. Additionally, I walk to work downtown, and so I will walk by the development twice a day. Finally, I park on the street in front of my house. Given the close proximity between my house and the Almond Street development, I will be directly affected if the development results in excess competition for street parking.

Before I begin my comments, I think that my personal background may be relevant. I purchased my home in 2004 in a state of disrepair. This summer, I finally finished a complete renovation of my home, where I plan to stay for the foreseeable future. Similarly, my brother purchased a home on 361 Center Street about six years ago, and he is about to finish a complete renovation of his home. I mention both of these facts to give you a sense of the demographic that I represent. My brother and I are young professionals who love our neighborhood for its eclectic, authentic feel. We love the walkability of our neighborhood, the high quality of the architecture, and our neighbors. We have invested a lot of time and money into renovating our homes, and we are committed to the livability of our neighborhood. When I first purchased my home, I was the youngest person on my block. Since then, several young professional couples who share my demographic have moved into the neighborhood.

I understand that the Planning Commission will be considering two requests during the meeting this evening: (1) a request to reduce the parking requirements in the building permit from 80 to 60 parking spots; (2) a request to close West Temple in order to extend the landscaping on the northwest corner of the development. I support granting both of these requests for the following reasons.

Parking: As I understand it, the current development plan requires 80 parking spots, and Garbett Homes is requesting a reduction to 60 parking spots. I am persuaded by Garbett's justification that the ratio of parking to bedrooms in their proposed development is actually higher than the original development proposal due to the design of Garbett's development. I am also persuaded that the parking provided in Garbett's proposal exceeds the current ordinance requirements. Additionally, the driveways for each unit are wide enough to accommodate guest parking, which will help ease the pressure for on-street parking. Finally, during a community meeting on February 10, 2014, Garbett Homes committed to including a provision in the CC&Rs limiting each unit to two cars. With this additional restriction, I am persuaded that the parking associated with the Garbett development will not inappropriately or excessively impact the neighborhood, and I encourage the council to grant their request.

Closure of West Temple: I whole-heartedly support the proposal to close a portion of West Temple and extend the landscaping on the northwest corner of the development. Currently, the triangle median has limited utility, particularly because West Temple is a one-way road with limited traffic. The proposal to close that portion of West Temple and extend the landscaping will significantly improve the aesthetics of that corner. Assuming the landscaping is well-designed to include flowering trees and park benches (as proposed), it will provide a welcoming and pleasing transition from downtown into the Marmalade neighborhood.. It will also help beautify the walk between Marmalade and downtown. Many people who live in our neighborhood appreciate the ability to walk downtown for dinner or entertainment. Currently, the stretch between 300 N. and the conference center is dominated by large church buildings and Spartan grass-oriented landscaping (if anything). Closing West Temple and landscaping the extension with trees and park benches will provide a welcome aesthetic improvement. That is why I encourage the council to grant the request to close West Temple landscape the extension.

Overall Aesthetics: In closing, I also want to express support for the design of the Garbett proposal. The style of the buildings complements the eclectic combination of architectural styles in the neighborhood and serves as a bridge between the austere and massive architecture of the conference center and the more personal, nostalgic architecture of the neighborhood homes. Additionally, the structural design complements the urban lifestyle that young professionals appreciate and that is not readily available in other neighborhoods in Salt Lake. Finally, marketing high-end units at this location will improve the property values for the neighboring homes.

Thank you for considering my comments and for the time and effort that has gone into evaluating this proposal.

Sincerely,

*/s/ Jamie Pleune*
Jamie Pleune

**Traughber, Lex**

**From:** Zion Summit Owners Association [zionmattb@hotmail.com]
**Sent:** Tuesday, February 11, 2014 3:01 PM
**To:** Traughber, Lex
**Cc:** Moeller, Michelle
**Subject:** 289 N Almond Street Project

Dear Mr. Traughber,

Last night at the monthly Zion Summit Owners Association Meeting, representatives from Garbett Homes presented their project on 289 N Almond Street to the board and residents of the HOA. Zion Summit is just down Almond Street from the proposed development. After half an hour of presentation and questions, the Zion Summit Board voted to support this project (PLNPCM2013-00920 and PLNPCM2014-0001).

Please note that the HOA President, Michael Fife, who is also a member of the Planning Commission, did not conduct this portion of the meeting, did not participate in the discussion, and did not vote on the question to support the development.

Thanks.

Matt Biesinger
Manager
Zion Summit Owners Association

**Traughber, Lex**

**From:** Carolyn Andree [carolynslc326@gmail.com]
**Sent:** Saturday, February 08, 2014 6:51 PM
**To:** Traughber, Lex
**Subject:** Re: 289 N Almond St Garbett Homes Development

First let me introduce myself. For 35 years I have owned and occupied my home at 326 Quince Street, which is less than 1/2 block from the proposed development at 289 Almond. Needless to say, during that time I have become very familiar with the neighborhood, its strengths and its challenges.

As I'm sure you are aware, Quince Street, and the entire Marmelade District, are unique. This area, with its history and unique historic homes, could never be replaced. ...but the neighborhood and homes are fragile. We are continually challenged with parking problems especially. Obviously the homes were built before residents had cars; consequently many dwellings have no alternative to on-street parking.

In 1995, when the Watts Corporation proposed a development on that site, I conducted a volunteer research study on behalf of the Capitol Hill Neighborhood to assess actual physical street sizes (narrow and steep streets), parking availability to residents (and their guests), as well as issues that vary by season (event parking, commuter parking, resident parking peaks, snow and service vehicles). Often in community meetings city planners had indicated that they were less aware of the variance (and extremity) of some of the problems since their experience of the neighborhood was often during regular work hours, when most residents (and their cars, of course) were not present. My study included both physical measurements and car counts as well as observations and concerns from numerous neighborhood residents.

Incidentally, I hold a PhD in Human Ecology (the study of people in their physical and social environments), so yes, I am a trained researcher.

Parking currently remains the same problem it was in 1995. Details have changed, but the overall picture has not. Between 300 North and 360 North on Apricot, Quince, Center, 300 North St., Almond and 200 North, 54 units had no access to any off-street parking at all at the time of the study. In the same geographic area, off-street parking averaged approximately 3/4 of one parking space per dwelling unit.

Add to this paucity of parking places the narrowness and steepness of the streets, as well as a high degree of variance in number of resident and visitor cars by hour-of-the-day, day-of-the-week, event parking, etc., and we are addressing a very serious problem indeed.

ANY lack of visitor parking at the new development at 298 N Almond will automatically flow onto neighboring streets. Quince is most likely to be affected because it does not require an uphill/downhill climb for pedestrians once they leave their vehicles. Yes, this is an Area 5 resident parking area. However, non-residents can park for 2 hours, and even the best enforcement does not prevent abuse by non-residents (as we experience with any major event at Temple Square).

Please do not permit Garbett Homes to diminish the required number of visitor parking places...an agreement we worked so hard to achieve with the Watts Corporation. More visitor parking on our already-overstressed streets would surely tip the scales and make uninhabitable an un-replaceable treasure of our city and state.

Thank you,

Carolyn Andree, Ph.D