



Staff Report

PLANNING DIVISION
COMMUNITY & NEIGHBORHOODS

To: Salt Lake City Appeals Hearing Officer

From: Wayne Mills – Planning Manager
(385) 226-8461 or wayne.mills@slcgov.com

Date: January 28, 2021 (hearing date)

Re: PLNAPP2020-00790 – Appeal of the Planning Commission decision to approve a Planned Development known as Stanford Commons at approximately 2052 E. Michigan Ave. (Petition PLNPCM2020-00230)

APPEAL OF A DECISION BY THE PLANNING COMMISSION

Property Address: 2052 E. Michigan Ave. (approx. address)
Parcel IDs: 16-10-303-001
Zoning District: RMF-30 – Low Density Multi-Family Residential
Master Plan: East Bench Community Master Plan - Neighborhoods
Planning Commission Hearing Date: September 23, 2020
Appellant: David P. Rose and Lisa S. Rose

BACKGROUND AND PROJECT DESCRIPTION:

The subject development project (Stanford Commons) is located at the southwest corner of the Townes Condominiums (Townes). On May 7, 2020 an application was submitted to subdivide a portion of the Townes property for future development. The portion of the property subdivided from the Townes property previously served as a common area for the Townes but was no longer needed. The preliminary subdivision plat was approved through an administrative process on August 14, 2020 according to the process and standards applicable to preliminary plat approvals.

On March 19, 2020 an application was submitted for a Planned Development to develop the property subject to the previous preliminary subdivision approval. The project (Stanford Commons) would further subdivide the property into four lots that would house three townhomes and a common area. Details of the project are included in the Planning Commission Staff Report (Attachment F).

On September 23, 2020 the Planning Commission heard and considered the proposal at a public meeting. Following presentations made by Staff and the applicant, and after taking public comment on the proposal, the Planning Commission voted 5-2 to approve the Planned Development and Preliminary Subdivision subject to certain conditions. The minutes of the Planning Commission meeting are included as Attachment E.

On October 6, 2020 the City received an application from David P. Rose and Lisa S. Rose (appellant) appealing the Planning Commission decision approving the Planned Development.

BASIS FOR APPEAL:

This is an appeal of a Planning Commission decision; therefore, the Appeal Hearing Officer's decision must be made based on the existing public record. This is not a public hearing; no public testimony shall be taken. The appellant's application and brief are included as Attachment B and the City Attorney's response to the appeal is included as Attachment C.

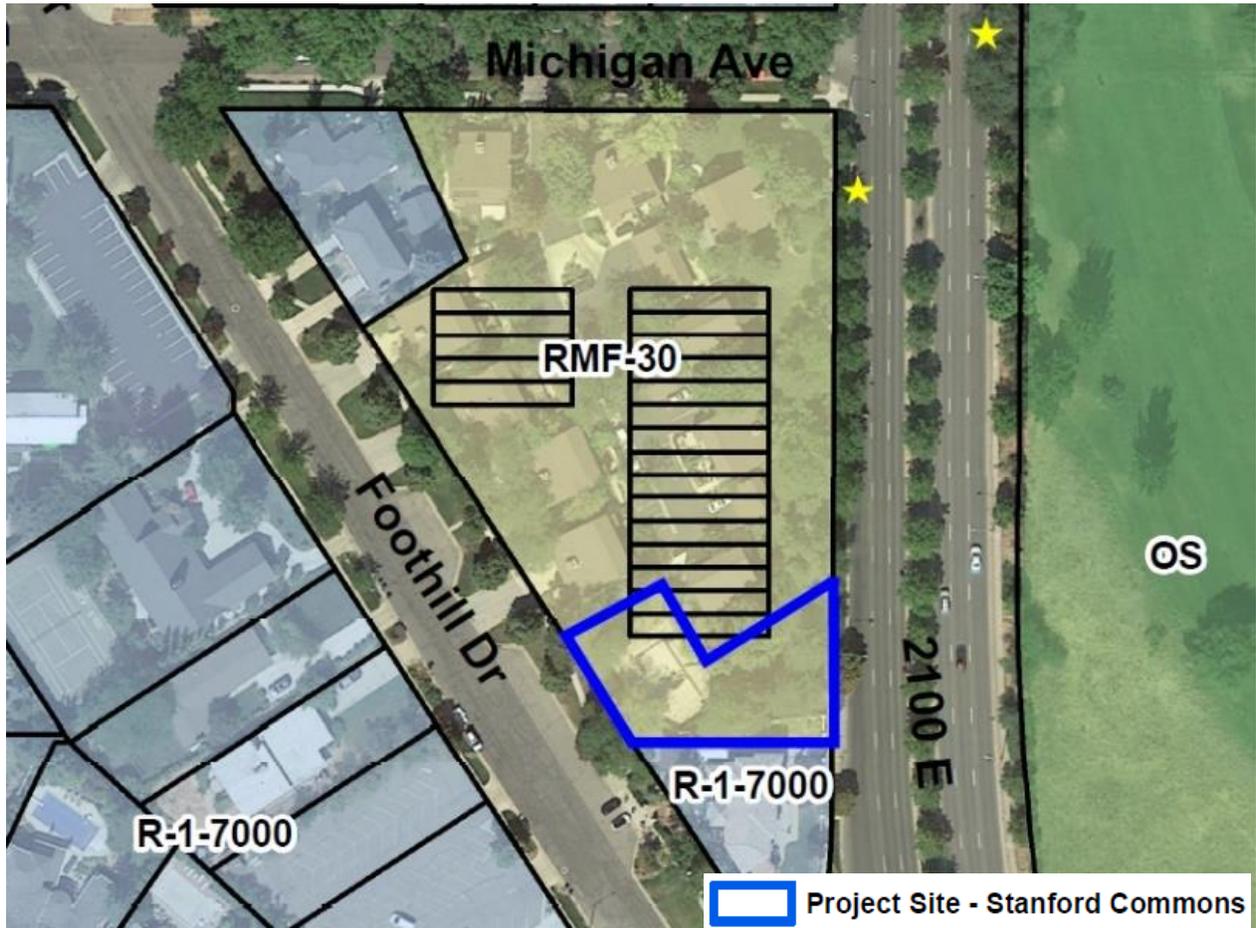
NEXT STEPS:

If the decision is upheld, the decision of the Planning Commission stands. If decision of the Planning Commission is not upheld, the matter could be remanded back to the Planning Commission. The decision made by the Appeal Hearing Officer can be appealed to the Third District Court within 30 days.

ATTACHMENTS:

- A. Vicinity Map
- B. Appeal Application and Brief
- C. City Attorney's Brief
- D. Planning Commission Record of Decision
- E. Planning Commission Minutes of September 23, 2020 Meeting
- F. Planning Commission Staff Report – Published September 18, 2020
- G. Agenda, Notice, and Mailing List of the Planning Commission Hearing
- H. Early Notification Letter and Mailing List
- I. Stanford Commons Developer Opposition to Appeal

ATTACHMENT A: VICINITY MAP



ATTACHMENT B: APPEAL APPLICATION AND BRIEF

Appeal of a Decision

RECEIVED
OCT 06 2020

CITY RECORDER



SALT LAKE CITY PLANNING

OFFICE USE ONLY

Project # Being Appealed: PLNPCM2020-00230	Received By:	Date Received:
Appealed decision made by:		
<input checked="" type="checkbox"/> Planning Commission	<input type="checkbox"/> Administrative Decision	<input type="checkbox"/> Historic Landmark Commission
Appeal will be forwarded to:		
<input type="checkbox"/> Planning Commission	<input checked="" type="checkbox"/> Appeal Hearing Officer	<input type="checkbox"/> Historic Landmark Commission
Project Name: Stanford Commons		

PLEASE PROVIDE THE FOLLOWING INFORMATION

Decision Appealed: Approval of Planned Development with Conditions.	
Address of Subject Property: 2052 E. Michigan Avenue, Salt Lake City, UT 84108	
Name of Appellant: David P. Rose and Lisa S. Rose	Phone: 8012329440
Address of Appellant: 1020 S. Foothill Drive, Salt Lake City, UT 84108	
E-mail of Appellant: davidprose77@gmail.com	Cell/Fax: 8012329440
Name of Property Owner (if different from appellant): Lisa S. Rose, Trustee	
E-mail of Property Owner: roselisa26@gmail.com	Phone: 8015586844
Appellant's Interest in Subject Property: Neighboring property owner objecting to the proposed Stanford Commons Planned Development.	

AVAILABLE CONSULTATION

Please call (801) 535-7700 if you have any questions regarding the requirements of this application.

APPEAL PERIODS

- An appeal shall be submitted within ten (10) days of the decision.
- Applicant of an HLC decision being appealed can submit within thirty (30) days of a decision.

REQUIRED FEE

- Filing fees must be submitted within the required appeal period.
- Filing fee of \$265, plus additional fees for required public notices and multiple hearings.

SIGNATURE

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

Signature of Owner or Agent:

David P. Rose Lisa S. Rose

Date:

10/2/2020

SUBMITTAL REQUIREMENT



A written description of the alleged error and the reason for this appeal.

WHERE TO FILE THE COMPLETE APPLICATION

Mailing Address: Planning Counter
PO Box 145471
Salt Lake City, UT 84114

In Person: Planning Counter
451 South State Street, Room 215
Telephone: (801) 535-7700

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

DPB/LSP 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.

Additional Guidelines for Those Appealing a Planning Commission or Landmarks Commission Decision

A person who challenges a decision by the Planning Commission or the Landmarks Commission bears the burden of showing that the decision made by the commission was in error.

The hearing officer, according to state statute, must assume that the decision is correct and only reverse it if it is illegal or not supported by substantial evidence in the record.

“Substantial evidence” means information that is relevant to the decision and credible. Substantial evidence does not include public clamor and emotion. It involves facts and not mere speculation. A witness with particular expertise can provide substantial evidence, but conjecture and public opinion alone are not substantial evidence.

The “record” includes information, including the application by the person seeking approval, the staff report, the minutes of the meeting, and any information submitted to the commission by members of the public, the applicant or others, before the decision was made. It does not include facts or opinion, even expert opinion, expressed after the decision is made or which was not available to the commission at the time the decision was made.

A decision is “illegal” if it is contrary to local ordinance, state statute or case law, or federal law. An applicant is entitled to approval if the application complies with the law, so a person challenging a denial should show that the application complied with the law; a person challenging an approval should show that the application did not conform to the relevant law. Issues of legality are not restricted to the record of the decision, but the facts supporting or opposing the decision are limited to those in the record.

With regard to the factual information and evidence that supports a decision, the person bringing the appeal, according to a long line of decisions handed down by the Utah State Supreme Court and the Court of Appeals, has a burden to “marshal the evidence” and then to demonstrate that the evidence which has been marshaled is not sufficient to support the decision.

The appellant is therefore to:

1. Identify the alleged facts which are the basis for the decision, and any information available to the commission when the decision is made that supports the decision. Spell it out. For example, your statement might begin with: “The following information and evidence may have been relied upon by the Commission to support their decision . . .”
2. Show why that basis, including facts and opinion expressed to the commission is either irrelevant or not credible. Your next statement might begin with: “The information and evidence which may have been relied upon cannot sustain the decision because . . .”

If the evidence supporting the decision is not marshaled and responded to, the hearing officer cannot grant your appeal. It may be wise to seek the advice of an attorney experienced in local land use regulation to assist you.

October 2, 2020

Via Email

SALT LAKE CITY PLANNING DEPARTMENT
c/o Nick Norris
Planning Director
451 South State Street // Room 406
Salt Lake City, UT 84114-5480
P.O. Box 145480
Nick.norris@slcgov.com

Linda Mitchell
Principal Planner
451 South State Street // Room 406
Salt Lake City, UT 84114-5480
P.O. Box 145480
linda.mitchell@slcgov.com

Via U.S. Mail

Salt Lake City Recorder
P.O. Box 145515
Salt Lake City, UT 84114-5515
Attention: John Delaney, Esq.
Salt Lake City Attorney
John.Delaney@slcgov.com

Dear Mr. Norris,

We, the undersigned property owners who reside on Foothill Drive in Salt Lake City ("**SLC**"), hereby act to appeal the action taken by the SLC Planning Commission to approve the 4-Lot Preliminary Subdivision of the Stanford Commons PLNSUB2020-00231 (also identified as PLNSUB2020-00349) and the Planned Development of the Stanford Commons (PLNSUB2020-00230). This letter constitutes the appeal of these Planning Commission actions. The source material for this letter comes principally from the Planning Division Staff Report from Linda Mitchell, Principal Planner, to the Salt Lake City Planning Commission dated September 18, 2020, already part of the public record for these applications (the "**Staff Report**"), testimony given at the SLC Planning Commission Public Hearing on September 23,

2020 (the “September 23rd Planning Commission Hearing”) and county tax records and other public documents.

BACKGROUND FACTS AND MARSHALLING OF EVIDENCE

The Townes, A Condominium Project (“The Townes”) is a condominium subdivision located on Parcel No. 1610303001 at approximately 2052 East Michigan Avenue in Salt Lake City. See Page 1 of the Staff Report. The Townes consists of 20 residential dwelling structures built on a 2.18 acre, triangular parcel of property. Except for The Townes’ principal common area consisting of its swimming pool and attached green space on 11,696 square feet, most of The Townes’ real property is occupied by its 20 dwelling units, with minimal landscaped area around its exterior. See Letter in Opposition of David P. Rose and Lisa S. Rose, Pp.54-56 of the Staff Report. The Townes is zoned RMF-30, Low Density Multi-Family Residential.

Working with real estate developers named Altus Development Group, LLC and/or its affiliate, Sanford Commons, LLC (collectively, the “Developer”), The Townes filed Petition Number PLNSUB2020-00349 with SLC to amend The Townes condominium plat and subdivide its principal common area. The Townes proposed subdivision would take away and remove from its condominium project The Townes’ 11,696 square foot dedicated common area previously used as a swimming pool with adjoining green space. Instead, the 11,696 square feet of common area would be separated from The Townes and sold off to create a much smaller, entirely new 4-lot subdivision (the “4-Lot Subdivision”). See Pp. 2-4 of the Staff Report. The lots of the 4-Lot Subdivision would have the following sizes:

<u>Lot #</u>	<u>Lot Area (square feet)</u>
Lot 1	2,393 s.f.
Lot 2	2,046 s.f.
Lot 3	2,539 s.f.
Lot 4	4,717 s.f.
Total	11,696 s.f.

See P. 7 of the Staff Report.

The Developer has entered into a contract with the Townes to purchase the 4-Lot Subdivision. The 4-Lot Subdivision is proposed to be named the “Stanford Commons”. A depiction of the proposed Stanford Commons and its site plan is shown on Pp. 3-6 of the Staff Report. The Developer intends to develop the Stanford Commons with 3-single family, attached dwelling units on Lots 1, 2 and 3 fronting on the residential street named Foothill

Drive.1 On August 14, 2020 Petition Number PLNSUB2020-00349 for the preliminary subdivision amendment of The Townes was approved by the SLC Planning Department as an administrative action. No public hearing was held on this preliminary subdivision. The Townes Condominium amendment and the 4-Lot Subdivision is pending final plat approval.

On May 13, 2020, pursuant to Chapter 21A.55 of the Salt Lake City Ordinance, Stanford Bell for the Developer filed a planned development application to the SLC Planning Department for the Stanford Commons. This Planned Development Application has been identified as PLNSUB2020-00230 (the “**Planned Development Application**”). The Developer submitted its Planned Development Application to the SLC Planning Commission for a public hearing and consideration of approval on Wednesday, August 26, 2020. However, the Developer failed to give the required legal notice. The surrounding owners were not duly notified of the hearing for the Planned Development Application. As a result, the hearing was ultimately rescheduled to Wednesday, September 23, 2020.

Prior to the September 23rd Planning Commission Hearing, the Foothill/Sunnyside Community Council submitted to the Planning Department its written opposition to the Planned Development Application because of (i) the negative impact to the safety, purpose and character of Foothill Drive as a cul-de-sac; (ii) its elimination of common area that provides buffering to abutting properties, and (iii) its incompatibility with the neighborhood. See Letter in Opposition by Devon Olson, Foothill/Sunnyside Community Council Chair on Page 53 of the Staff Report. An additional 11 letters and emails expressing the views of 12 residents of the community were sent in opposition to the Planned Development Application. No positive letters or emails in support of the Planned Development Application were sent. See Pp. 53-68 of the Staff Report. On Wednesday, September 23, 2020, SLC’s Planning Commission held the public hearing to consider the Planned Development Application.

At the September 23rd Planning Commission Hearing, despite opposition from the Foothill/Sunnyside Community Council and most of the surrounding residents, the Planning Commission voted, with conditions, to approve the amendment of The Townes condominium plat, the preliminary subdivision of the 4-Lot Subdivision and the Planned Development for the Stanford Commons (the “**Decision**”). The Planning Commission found for the Applicant under the belief that:

- A. The Stanford Commons proposal generally meets the standards in terms of Master Plan Policies and Zoning Ordinance standards (set forth in more detail in Attachment F to the Staff Report and incorporated into this Appeal), Planned Development standards (set forth in more detail in

1 This residential street Foothill Drive (“**Foothill Drive**”) is located a block west of the far busier street that is also, confusingly, named Foothill Drive and is the 4-6 lane boulevard commonly used to access Sunnyside and the University of Utah. For ease of reference the much larger and busier Foothill Drive that runs adjacent to The Townes east boundary is referred to herein as “**Foothill Boulevard**”.

Attachment G to the Staff Report and incorporated into this Appeal), and the Subdivision Ordinance standards (set forth in more detail in Attachment H to the Staff Report and incorporated into this Appeal).

- B. The Stanford Commons proposal will provide housing that meets the intent of the RMF-30 multi-family zone of which it is a part and that it provides increased home ownership opportunities in SLC, which is a policy goal of multiple SLC master plans. The Stanford Commons dwellings will possess a maximum height under thirty feet (30') as required in this zoning district. Likewise, the three dwelling units on the proposed acreage will possess a density of less than fifteen (15) dwelling units per acre. Finally, the three more dwelling units planned for the Stanford Commons would provide the opportunity to purchase three more homes.
- C. The Stanford Commons proposal meets the density of the RMF-30 zoning district to which it is subject similar to The Townes. The RMF-30 zone allows one dwelling unit per 3,000 square foot lot. The 3,000 minimum lot size for each of the Stanford Commons attached homes is satisfied if the Planning Commission through the application of the Planned Development ordinance allows the Stanford Commons to waive the strict requirement of 3,000 lot size minimum and incorporate the square footage of the common area of its Lot 4 into its calculations.
- D. The Stanford Commons proposal will be compatible with the RMF-30 zoning and district and the surrounding neighborhood on Foothill Drive and Foothill Boulevard because there are 20 attached homes to its north in The Townes.

Despite the foregoing evidence supporting the Decision, the SLC Planning Commission has made several errors when it concluded that the Stanford Commons met the strict factual requirements needed to satisfy the Standards for Planned Developments set forth in SLC Ordinance Section 21A.55.050. This appeal describes the errors below.

I. APPEAL OF SEPTEMBER 23, 2020 SLC PLANNING COMMISSION DECISION

Section 21A.16.030.A.2 of the Salt Lake City Ordinance provides that any person or entity adversely affected by a decision administering or interpreting Title 21A may appeal to the appeals hearing officer “within ten (10) days” of the “Planning Commission decision.” In contrast, Utah Code Ann. § 10-9a-704 requires a land use decision to be appealed within ten calendar days of a “written decision,” unless a city or town establishes a longer period by ordinance. A Record of Decision of the Planning Commission’s conditional approval for the Stanford Commons Planned Development has been posted on the SLC website with a date of September 23, 2020. We do not know for certain when the SLC Planning Commission’s decision was written. Nevertheless, out of an abundance of caution, we now hereby appeal the

decision rendered by the SLC Planning Commission in the September 23rd Planning Commission Hearing (the “Decision”). To prevail, we must carry “the burden of proving the decision appealed is incorrect”² by showing the Appeals Hearing Officer that the Decision “is not supported by substantial evidence in the record or it violates a law, statute, or ordinance in effect when the decision was made.”³ A careful examination of the Record and this brief will show that we have met that burden.

The Decision is not supported by substantial evidence in the record. Moreover, the Decision is illegal and/or improper because it does not comply with the Standards for Planned Developments set forth in SLC Ordinance Section 21A.55.050 for at least four reasons: (A) the scale, mass and intensity of the Stanford Commons is not compatible with the neighborhood where the planned development will be located; (B) the building setbacks along the perimeter of the Stanford Commons do not provide sufficient open space buffering between the proposed development and neighboring properties to minimize impacts related to privacy and noise; (C) Mobility is not enhanced while crowded parking and dangerous street traffic is greatly increased; (D) mature trees located along the periphery of the Stanford Commons and the existing landscaping will not be preserved and maintained. Finally, the planned development is illegal and/or improper because it did not satisfy any of the objectives stated in Section 21A.55.010 of the SLC Ordinances. For these reasons the Decision is incorrect, not supported by substantial evidence in the record, arbitrary and capricious, and it should be overturned.

A. Incompatibility with the Neighborhood

The scale, mass and intensity of the proposed Stanford Commons is not compatible with the neighborhood where the planned development will be located. The surrounding neighborhood is characterized by R1-7000 single family detached homes, religious institutions and twin homes. In the words of the Planning Division, “While moderately scaled residential structures are located to the north, the immediate neighborhood context primarily includes low scale single-family structures.”⁴ Immediately to the south and adjacent to the proposed Stanford Commons is the beautiful, Emery single family detached home located on .30 acres that is zoned R1-7000.⁵ West of the proposed Stanford Commons across Foothill Drive are three, lovely, detached single family homes: the Babcock home located on 0.25 acres, the Jones home located on .27 acres and the Rose home located on .56 acres. Each of these properties are zoned R1-7000.⁶ The Planning Staff recognized the R1-7000 zoning district under which these residences were constructed. However, the Planning Staff and by extension the Planning Commission failed to describe the much greater sizes of their lots above and beyond the 7,000

² SLC Ordinance Section 21A.16.030F.

³ SLC Ordinance Section 21A.16.030.E.2.c.

⁴ P. 7 of the Staff Report.

⁵ See Planning Division Summary, P. 2 of the Staff Report.

⁶ See *id.*

square foot minimum of the R1-7000 zone and that their increased size establishes the standard for the scale, mass and intensity of the neighborhood. Similarly, the Planning Commission did not recognize that all of these homes have deep setbacks of 35 feet at the least up to 65 feet or more to the sidewalk and public right of way for Foothill Drive.⁷ As a result, their massing is greatly subdued. In contrast, the 3-Story, Stanford Commons seeks to be within 5 to 18 feet of the sidewalk, much less than the required 20 foot setback, with a dominating, oppressive massing along Foothill Drive.⁸ As stated by the Foothill/Sunnyside Community Council,

*This proposal is for a single residential building of three units. We do not have triplexes in our neighborhood and this is an escalation towards denser residential development in a part of Salt Lake City that is known for its strong single family homes. We need to maintain the character of this neighborhood.*⁹

Additionally, to the west are the Zions Lutheran Church located on 1.85 acres and the Church of Jesus Christ of Latter-Days Saints Ward House located on 1.77 acres. They are zoned R1-7000.¹⁰ Besides busy church activities and worship services that happen on a weekly basis, there are constant youth activities at these facilities and even a daily “Let It Shine” Preschool at the Zions Lutheran Church. Yet, different than the Stanford Commons, the scale and intensity in use of these religious buildings is appropriate to the much greater size of their lots.

Finally, immediately to the north of the Stanford Commons are The Townes condominiums. There are 20 dwelling units (10 twin homes) in The Townes that are zoned RMF-30 Low Density Multi-Family Residential District.¹¹ However, 14 of The Townes dwellings orient and front onto Foothill Boulevard or Michigan Avenue, not Foothill Drive. The Planning Commission made a mistake when it failed to recognize that their vehicular access only comes off of a private, mid-block driveway that enters and egresses onto Michigan Avenue. As a result, there are just six of The Townes condominiums that orient and front upon and get their vehicular access from Foothill Drive. Had the Planning Commission realized this, it would have known that its approval of the Stanford Commons 3-attached homes would increase the intensity of use and massing of the attached home product fronting onto Foothill Drive by 50%. Moreover, the Planning Commission also mistakenly failed to recognize that the Townes condominiums are twin homes with a single car garage for each home. In no case are there 3 or

⁷ See Vicinity Map on P. 9 of the Staff Report.

⁸ See Planning Division Summary, Pp. 2, 4, 42 of the Staff Report; Objections of Christian Dunbar, a resident of The Townes, P. 62 of the Staff Report; Comments of Scott Jones at the September 23rd Planning Commission Hearing.

⁹ Email of Devon Olson, Foothill/Sunnyside Community Council Chair, to Linda Mitchell, September 17, 2020, P. 53 of the Staff Report.

¹⁰ See Planning Division Summary, P. 2 of the Staff Report.

¹¹ See Planning Division Summary, P. 2 of the Staff Report.

more attached homes in The Townes and in no case are there 2-car garages like the Stanford Commons has proposed. If the Planning Commission had realized this it would have known that if the Stanford Commons were allowed to proceed with its three, 2-car garages in a single, 3-home attached dwelling on the combined lot size of a mere 6,978 square feet,¹² it would create another “Garage-Mahal” that will be a blight on the Foothill/Sunnyside Community.¹³ Thus, there is not substantial evidence in the record to support the Planning Commission’s decision that the Stanford Commons is compatible with the neighborhood.

B. Insufficient Open Space Buffering Adversely Affect Privacy and Noise

The Stanford Commons building setbacks as proposed provide inadequate buffering that are a great detriment to the privacy and noise of the neighboring properties. Lot 4 of the Stanford Common is proposed to be dedicated as Common Area Open Space.¹⁴ It is principally located east, well behind the proposed three attached homes. The one area it truly buffers from the Stanford Commons 3-attached homes is Foothill Boulevard where there are no residences. Although they spoke of the need for buffering and the minimal landscaping that would be installed near the neighbors to the south, north and west, the Planning Division and Planning Commission principally focused only on the existence of Lot 4 as a buffer to the east. They did not fully grasp that the essential need for substantial buffering was on the east, north and west where the existing residences are located. Lot 4 is wholly inadequate to buffer the negative effects of the Stanford Commons upon the single family homes located to its south and west, as well as the twin-homes to the north, where it is truly needed.¹⁵ In particular, the third of the attached homes on Lot 3 will severely damage the privacy of the Emery home to its immediate south.

I submit that, as the homeowner most nearly adjacent to the proposed parcel (1065 Foothill Drive), there would be zero buffer between my property and the new structure. The plans which I have seen, both from the developer and in the documents provided by the City, show the proposed structures abutting directly up to my lot.

See Email of Benjamin R. Emery to Linda Mitchell, September 5, 2020, P. 60 of the Staff Report.

Likewise, the first of the attached homes on Lot 1 will severely damage the privacy of the Dunbar home to its immediate north.

¹² See Planning Division Analysis on P. 7 of the Staff Report: Lot 1 (2,393 s.f.) + Lot 2 (2,046 s.f.) + Lot 3 (2,539 s.f.) = 6,978 s.f.

¹³ See Public Comments of Ben Emery at the September 23rd Planning Commission Hearing.

¹⁴ See Planning Division Summary, Pp. 3 of the Staff Report.

¹⁵ See the discussion on Pp. 4-5 above.

This development will reduce our privacy, increase noise levels, & burden our general well-being as a community. . . . The original proposition has also changed since the first time it was proposed. We were told that we could keep our front yard and recently our HOA Management said it cuts into our already small yard, leaving our yard fully removed.

See Email of Christian Dunbar, a Resident of The Townes whose home is adjacent to Lot 1 of the Stanford Commons, to Linda Mitchell, September 5, 2020, P. 62 of the Staff Report.

In the press of so many details related to the Stanford Commons, it appears that the Planning Commission did not recognize the highly intrusive nature of having windows located along the perimeters of the Stanford Commons high walls. The 3-story, 26+ feet tall townhomes of the Stanford Commons will create a looming intrusion into privacy of its neighbors like the Emerys to its south, the Dunbars to its north and Kong and Kwak to the east.¹⁶ The exterior windows on the 2-story and 3-story sides of the north, east and south elevations of the Stanford Commons will peer into their neighbors' homes in a completely unwelcome and ordinance-violating intrusion.¹⁷

Our residence is located only 20 ft east from the construction area. Due to the proximity, we would be affected by the noise from the construction site. . . . I am currently a full-time Nurse at the U of U hospital, where I dedicate many hours to helping those who are ill and unwell. . . . After a hard day at work, I would like to have time to relax and rest. . . . If this construction does occur and is completed, it would ruin our view. Currently we are able to look out the window and see the gorgeous sky and the sunset shining down accompanied by the view of my neighborhood. However, at the end of the construction, our view would be at another person's glass window or brick wall.

See Email of YounDeok Kong, a Resident of The Townes east of the Stanford Commons, to Linda Mitchell, September 5, 2020, P. 63 of the Staff Report.

I would also like to voice that this construction project and the resultant buildings would largely affect our privacy due to the proximity. Our household would really lose our privacy not just during construction but also after as well.

¹⁶ See Planning Division Summary, Pp. 3 of the Staff Report.

¹⁷ See Elevation Figure 7 Front (West) Elevation Rendering, P. 6 of the Staff Report; see also Renderings and floorplans on Pp. 20-22 of the Staff Report.

See Email of Seodam Kwak, a Resident of The Townes east of the Stanford Commons, to Linda Mitchell, September 5, 2020, P. 64 of the Staff Report.

[This project] if approved will dramatically affect me. When the proposal was originally proposed to the Townes HOA members we were assured that the space slated for purchase would be at the existing fence line. As per the proposal before you, that has changed and now if approved I will lose most of the green space I presently have out my front area, [it] will be reduced dramatically.

See Email of D. Lanette Dunbar, a Resident of The Townes whose home is adjacent to Lot 1 of the Stanford Commons, to Linda Mitchell, September 5, 2020, P. 67 of the Staff Report.

The Stanford Commons directly impinges upon the privacy and quiet of its neighbors, violates the ordinance, and does not qualify for the exception treatment afforded in the Planned Development ordinance. As a result, the Decision in this regard is not supported by substantial evidence in the record and it is arbitrary and capricious.

C. Failure to Increase Mobility

The Planning Commission failed to order a traffic study and properly consider how the Stanford Commons design for the actual location and neighborhood in which it will be located is detrimental to the concept of “Mobility” expressed in SLC Ordinance Section 21A.55.050. Specifically, Stanford Commons (i) will negatively impact the safety, purpose and character of Foothill Drive; (ii) does not create a safe and accommodating pedestrian environment; (iii) does not provide bicycle facilities; (iv) does nothing to minimize conflicts between different transportation modes; and (v) does not promote or enable access to adjacent uses and facilities.

A thorough traffic study should have been submitted by the Developer for the Stanford Commons. There is no evidence of any such study in the Staff Report. If the Planning Division and Planning Commission had ordered such a traffic study to be done as commonly occurs when zoning waivers are sought in order to maximize the density on a small residential street, the real traffic impacts on the community from the proposed Stanford Commons might have been more easily discerned. Further, other than a conclusory statement by the Developer that the Stanford Commons should not contribute any significant amount of traffic onto Foothill Drive,¹⁸ there is virtually no analysis within the Staff Report that specifically addresses the Stanford Commons impact on traffic on Foothill Drive. However, the adjoining neighbors, owners, and community council have spoken on this issue. In the absence of any countervailing evidence from the

¹⁸ See Letter of Stanford Bell to Salt Lake City Planning dated May 13, 2020, P. 36 of the Staff Report; see also Planning Division analysis on P. 48 of the Staff Report.

Developer and the Planning Commission, the experience and statements of community stakeholders must carry the day.

Foothill Drive is a cul-de-sac. Nevertheless, it experiences a fairly heavy amount of traffic and parking problems due to the two churches located at each end of the block and the “Let Me Shine” daily pre-school held by the Zions Lutheran Church. Foothill Drive also is an important pedestrian, jogging and bike route commonly used by these users for travel, exercise and fun going south to north and north to south, as well as an important accessway between the residents of the University Village to the north going to the Foothill Shopping Center and Dan’s grocery store to the south.¹⁹ Hence, an increase of three homes on this street where it has not been planned for such an increase is dangerous and should not be allowed.

This development is the most dense in our neighborhood. Allowing a key amenity and open space at this location to be removed will make our neighborhood even denser and exacerbate our parking and traffic problems.

See Email of Devon Olson, Foothill/Sunnyside Community Council Chair, to Linda Mitchell, September 17, 2020, P. 53 of the Staff Report.

The Planning Commission apparently did not fully appreciate that only six of The Townes twin home dwellings get their vehicular access onto Foothill Drive. The remaining fourteen of The Townes twin home dwellings get their vehicular access off of a private, mid-block driveway that egresses onto Michigan Avenue, not Foothill Drive. The 6 dwellings from The Townes that do access onto Foothill Drive enter from single car garages with a single lane driveway. Hence, the number of vehicles and the traffic impact on Foothill Drive from The Townes is relatively low. In contrast, the 3-attached homes of the Stanford Commons each have 2-car garages with 2-lane driveways. This will negatively translate into disproportionately as many or more vehicles and more trips onto Foothill Drive than the traffic impact from The Townes.

I purchased my home, approximately four years ago, with the intention to live on a quiet cul-de-sac street with low traffic in a walkable neighborhood. The addition of 3-4 more homes on our street is too much to allow, we already have two churches and a pre-school (within the Lutheran church) in one block and there over flowing street traffic from both congregations on Sundays and days of community events from activities. Our street can’t support another large subdivision. The addition of these homes, and the subdivision of the property

¹⁹ See Email of YounDeok Kong to Linda Mitchell dated September 5, 2020, P. 63 of the Staff Report; Email of Lanette Dunbar to Linda Mitchell dated September 5, 2020, P. 67 of the Staff Report.

itself, dramatically changes the flavor of our block and the community that we live in.

See Email of Benjamin R. Emery to Linda Mitchell, September 5, 2020, P. 60 of the Staff Report.

Linda, It's our understanding that concerns regarding the new development of [three] condominiums on Foothill Blvd. should be directed to you. We live across the street at 1046 Foothill Blvd and are worried about the prospect of the addition of that many new residents, traffic flow, noise, and rental fluctuations.

See Email of Dave Babcock to Linda Mitchell, September 5, 2020, P. 61 of the Staff Report.

The design of the Stanford Commons also negatively affects the safety and walkability of the community. Where once there was an uninterrupted sidewalk, now there are six driveway lanes that cut through the sidewalk (1 driveway lane for three 2-car garages). Further, existing, front yard setbacks required under the current zoning have been waived and reduced. Rather than being 20 feet from the setback line as required, the façade of the 3-story building will be only 18 feet from the setback and metal stairs and railings will encroach all the way to within 5 feet of the setback line!²⁰ This certainly violates the zoning laws and no “building articulations”, decorative features or other extraordinary benefit has been provided worthy to merit the granting of a planned development and waiver of these laws.²¹

Not enough time and attention was spent in the Staff Report putting the Stanford Commons' proposed walkway in geographic context of the neighborhood in which it is located so that the Planning Commission would be properly informed. The Developer has claimed that it has improved Mobility by constructing a walkway connecting Foothill Drive to Foothill Boulevard.²² However, Foothill Drive already connects to Foothill Boulevard at the end of the cul-de-sac, just one lot away, making the addition of the proposed walkway superfluous.²³ The walkway will most likely only be used by the residents of the Stanford Commons, if at all. Such a walkway is so minimal in scope and function that it does not increase in any sense the mobility or walkability of the neighborhood. Like its failure to order a traffic study to better understand the pernicious effects the Stanford Commons would have on traffic and parking on Foothill Drive, the Planning Division did not truly understand how the actual location and neighborhood made the Stanford Commons' walkway a meager offering that does not satisfy the Mobility Requirements of Section 21A.55.050. The paucity of the Staff Report on this subject of

²⁰ See Planning Division Summary, P. 4 of the Staff Report.

²¹ *Id.*

²² See Letter of Stanford Bell to Salt Lake City Planning dated May 13, 2020, P. 36 of the Staff Report.

²³ See Vicinity Map on P. 9 of the Staff Report; Site Plan with Proposed Walkway on P. 33 of the Staff Report.

Mobility and the failure of the Planning Division and Planning Commission to require a traffic study and take the other actions described above prove that regarding the essential requirement of Mobility, the Decision is not supported by substantial evidence in the record and it is arbitrary and capricious.

D. Mature Trees and Existing Landscaping Will Not Be Preserved

The Planning Commission did not correctly understand the requirement of Section 21A.55.050D because almost every condition of this Section comes out negative when applied to the Stanford Commons. Section 21A.55.050D declares,

D. Landscaping: The proposed planned development preserves, maintains or provides native landscaping where appropriate. In determining the landscaping for the proposed planned development, the Planning Commission should consider:

1. Whether mature native trees located along the periphery of the property and along the street are preserved and maintained.
 2. Whether existing landscaping that provides additional buffering to the abutting properties is preserved and maintained.
 3. Whether proposed landscaping is designed to lessen potential impacts created by the proposed planned development; and
 4. Whether proposed landscaping is appropriate for the scale of the development.
-
1. Mature native trees located along the periphery of the property and along the street are NOT preserved and maintained. The Planning Staff's analysis states, "There are several trees along the north periphery of the property that will be removed and may not otherwise survive if retained due to their proximity to the new building."²⁴ In addition, "existing mature street tree within the adjacent park strip will be removed."²⁵ The Planning Division further states, "The design of the development, with two frontages, would remove the park strip along the street frontage."²⁶
 2. Existing landscaping that provides additional buffering to the abutting properties is NOT preserved and maintained. See the Planning Staff's description of the removal of vegetation above. The adjacent property owners who were intended to be

²⁴ See Planning Division Analysis, P. 47 of the Staff Report.

²⁵ Id.

²⁶ Id. at P. 48. The Planning Division sought to excuse the acknowledged removal of the park strip with its trees in its misleading statement that there are "two frontages." The clear intention of this provision is to analyze the frontage on which the building occurs. That is on Lots 1-3. The frontage of these residences with their scale, massing and density that are the concern of Section 21A.55 orient and front on Foothill Drive. See Planning Division Analysis, P. 3 of the Staff Report.

protected by the conditions of Section 21A.55.050D have bemoaned this fact.

*When the proposal was originally proposed to the Towns HOA members we were assured that the space slated for purchase would be at the existing fence line. As per the proposal before you, that has changed and now if approved I will lose most of the green space I presently have out my front area, [it] will be reduced dramatically. I have enclosed two photos that show the present space, if this is allowed to proceed I will lost most of it.*²⁷

3. The Developer's proposed landscaping designed to lessen the negative impacts created by the Stanford Commons does not remotely remedy the loss of mature trees and existing trees. This cannot be done because the amount of land set aside for such replacement is so shrunken or non-existent. The side yard for Lot 1 of the Stanford Commons is only 4.0 feet.²⁸ The side yard for Lot 3 is even worse, it is 0.0 feet.²⁹
4. For the reasons given above, the proposed landscaping is wholly inappropriate for the scale of the Stanford Commons. The mass, density and scale of the Stanford Commons is on Lots 1-3. Except for minimal rear yards and Lot 4, there has been no material effort to preserve or maintain landscaping where it is most needed on the south, west and north sides of the 3-attached homes.

II. THE STANFORD COMMONS IS ILLEGAL FOR FAILING TO MEET ANY OF THE OBJECTIVES OF SECTION 21A.55.010.

Although there is a written discussion in the Staff Report, it appears that the Planning Staff did not spend enough time meeting with the Planning Commission to properly brief it on the true nature of the objectives contained in Section 21A.55.010 of the SLC Ordinances. If it had, the Planning Commission would have likely recognized that the Stanford Commons does not qualify for planned development treatment because it does not satisfy any of the objectives stated in Section 21A.55.010 of the SLC Ordinances.³⁰

- A. The Stanford Commons does not preserve, protect or create open space and natural lands. It destroys The Townes' principal common area consisting of its swimming pool and attached green space on 11,696 square feet.³¹ Where once there was

²⁷ See Email of D. Lanette Dunbar, a Resident of The Townes whose home is adjacent to Lot 1 of the Stanford Commons, to Linda Mitchell, September 5, 2020, P. 67 of the Staff Report; see also Email of Benjamin R. Emery to Linda Mitchell, September 5, 2020, P. 60 of the Staff Report.

²⁸ See Planning Division analysis, P. 42 of the Staff Report.

²⁹ *Id.*

³⁰ See David P. Rose public comments made at the September 23rd Planning Commission Hearing.

³¹ See Letter in Opposition of David P. Rose and Lisa S. Rose, Pp.54-56 of the Staff Report; Email of Benjamin R. Emery to Linda Mitchell, September 5, 2020, P. 60 of the Staff Report;

11,696 square feet of dedicated common are for open space there will now only be 4,717 square feet of open space in Lot 4.

Moreover, it is wrong to allow any subdivision to sell off the dedicated common area that was approved as part of its original entitlement to subsequently sell off its open space to further increase its density. Without affirmative evidence to the contrary, it must be presumed that the City fathers and mothers who granted the original approval incorporating open space did so with the agreement that such open space would be preserved.

We've been in the neighborhood for decades and this wouldn't have even been possible years ago when the street went all the way through and merged into Foothill Drive. When that change was made it was our understanding that things would remain as they are permanently. Years later it seems opportunistic for a developer to squeeze in these units when it was so far from possible in the original planning and usage.

Email of Dave Babcock to Linda Mitchell, September 5, 2020, P. 61 of the Staff Report.

- B. The Stanford Commons does not perform any historic preservation. It ends the use of a dedicated, common gathering place that was enjoyed for decades by members of the community.³²
- C. The Stanford Commons does not provide affordable housing. These attached townhomes are intended to be high end homes that may sell for as high as \$1,000,000. Further, these attached homes are being built on dedicated common area in a condominium project that already has 20 attached homes. These attached homes are commonly found on the very block where this project is intended.
- D. The Stanford Commons does not increase accessibility or mobility. The superfluous walkway adds little to no benefit.³³ Similarly, there are no transportation improvements that encourage options other than just the automobile.
- E. There are sustainability improvements unless one considers the destruction of dedicated common area and green, open space as an improvement. This also is not a brownfields site.

³² See Email of Christian Dunbar, a Resident of The Townes whose home is adjacent to Lot 1 of the Stanford Commons, to Linda Mitchell, September 5, 2020, P. 62 of the Staff Report.

³³ See the discussion on Pp. 8-10 above.

- F. The Stanford Commons does implement the Master Plan's vision because it converts dedicated open space into density and violates the building scale, building orientation, site layout and defining features of a planned development truly beneficial to the community.

Based on the foregoing, we have shown that the Decision is not supported by substantial evidence in the record, it violates the provisions of SLC Ordinance Sections 21A.55.050 and 21A.55.010, it is erroneously made and arbitrary and capricious. We hereby demand that Salt Lake City immediately take action to invalidate the Decision and reverse any and all approvals granted for the 4-Lot Preliminary Subdivision of the Stanford Commons PLNSUB2020-00231 (also identified as PLNSUB2020-00349) and the Planned Development of the Stanford Commons (PLNSUB2020-00230).

Sincerely,



David P. Rose



Lisa S. Rose

ATTACHMENT C: CITY ATTORNEY'S BRIEF

ADMINISTRATIVE HEARING OF A LAND USE APPEAL
(Case No. **PLNAPP2020-00778** and **PLNAPP2020-00790**)
(Appealing Petition Nos. PLNPCM2020-00230 and PLNSUB2020-00231)
January 14, 2021

Appellants:	Benjamin Emery and Brigitte Emery (PLNAPP2020-00778) David Rose and Lisa Rose (PLNAPP2020-00790)
Decision-making entity:	Salt Lake City Planning Commission
Address Related to Appeal:	2052 East Michigan Avenue
Request:	Appealing the planning commission’s approval of planned development and preliminary subdivision
Brief Prepared by:	Paul C. Nielson, Senior City Attorney

Land Use Appeals Hearing Officer’s Jurisdiction and Authority

The appeals hearing officer, established pursuant to Section 21A.06.040 of the *Salt Lake City Code*, is the city’s designated land use appeal authority on appeals of planning commission decisions as provided in Chapter 21A.16 of the *Salt Lake City Code*.

Standard of Review for Appeals to the Appeals Hearing Officer

In accordance with Section 21A.16.030.A of the *Salt Lake City Code*, an appeal made to the appeals hearing officer “shall specify the decision appealed, the alleged error made in connection with the decision being appealed, and the reasons the appellant claims the decision to be in error, including every theory of relief that can be presented in district court.” It is the appellants’ burden to prove that the decision made by the land use authority was incorrect. (Sec. 21A.16.030.F). Moreover, it is the appellants’ responsibility to marshal the evidence in this

appeal. Carlsen v. City of Smithfield, 287 P.3d 440 (2012), State v. Nielsen, 326 P.3d 645 (Utah, 2014), and Hodgson v. Farmington City, 334 P.3d 484 (Utah App., 2014).

“The appeals hearing officer shall review the decision based upon applicable standards and shall determine its correctness.” (Sec. 21A.16.030.E.2.b). “The appeals hearing officer shall uphold the decision unless it is not supported by substantial evidence in the record or it violates a law, statute, or ordinance in effect when the decision was made.” (Sec. 21A.16.030.E.2.c).

This case deals with application of Section 21A.55.050 (Standards for Planned Developments) and Section 20.16.100 (Standards of Approval for Preliminary Plats) of the *Salt Lake City Code*.

Background

This matter was heard by the planning commission on September 23, 2020 via electronic meeting on a petition by Alta Development Group, LLC (“Applicant”) representing the property owner for planned development and preliminary subdivision approval to subdivide a portion of property located at 2052 East Michigan Avenue (the “Property”), and for relief from front yard setback, grade change, and minimum lot area requirements. Video of the commission’s September 23, 2020 public meeting is part of the record of this matter and is found at <https://www.youtube.com/watch?v=08qT3OivDc> (05:53 to 1:14:12).

Planning division staff prepared a report for the commission’s September 23, 2020 meeting in which staff determined that the petitions for planned development and preliminary subdivision met the standards for approving those petitions. (See Planning Division Staff Report Dated September 18, 2020). The staff report includes a point-by-point analysis of the standards with corresponding findings in Attachments F, G, and H. The staff report also includes

comments provided by a representative of the Foothill/Sunnyside Community Council and several neighbors in Attachment I thereto.

At the September 23, 2020 meeting, planning division staff presented an overview of the proposed development project, provided visual materials, responded to commission members' questions, and offered a recommendation to approve both petitions. (See Video of September 23, 2020 Planning Commission Meeting at 05:53 to 21:10). Applicant's representative, Stanford Bell, described the development proposal, provided visual materials, and responded to commissioners' questions. (See Video of September 23, 2020 Planning Commission Meeting at 21:30 to 35:10).

The commission held a public hearing at the September 23, 2020 meeting, following which the Applicant provided a response to some of the comments provided. (See Video of September 23, 2020 Planning Commission Meeting at 35:58 to 55:38).

Following the public hearing on this matter, the planning commission asked follow-up questions, discussed the petitions, and voted to approve¹ the planned development and preliminary subdivision "based on the findings listed in the staff report, the information presented [at the September 23, 2020 meeting], and input received during the public hearing". (See Video of September 23, 2020 Planning Commission Meeting at 55:40 to 1:14:12).

Appellants, Benjamin Emery and Brigitte Emery ("Emerys") submitted an appeal of the planning commission's decision on or about October 6, 2020. Appellants David Rose and Lisa Rose ("Roses") also submitted an appeal on or about October 6, 2020, which appeal contains identical arguments as those submitted by the Emerys. The Emerys and Roses will be referred herein collectively as "Appellants".

¹ The motion to approve the planned development and preliminary subdivision was passed by a 5-2 vote.

Appellants' identical arguments are that the planning commission's decision was arbitrary and capricious because there was no substantial evidence in the record to support approval of certain planned development standards found in *Salt Lake City Code* Section 21A.55.050 and that the commission's decision was illegal because it failed to meet the objectives of Section 21A.55.010.

Discussion

As a preliminary matter, it should be noted that Appellants have challenged the planning commission's decisions on both the planned development and preliminary subdivision approvals, but have not provided any assertions that the commission erred on the preliminary subdivision approval and have not addressed any of the preliminary subdivision standards. Accordingly, any claims that the commission's decision on the preliminary subdivision should be reversed must be denied.

Part I of Appellants' arguments asserts that the planning commission's decision was arbitrary and capricious because:

(A) the scale, mass and intensity of the Stanford Commons is not compatible with the neighborhood where the planned development will be located; (B) the building setbacks along the perimeter of the Stanford Commons do not provide sufficient open space buffering between the proposed development and neighboring properties to minimize impacts related to privacy and noise; (C) Mobility is not enhanced while crowded parking and dangerous street traffic is greatly increased; (D) mature trees located along the periphery of the Stanford Commons and the existing landscaping will not be preserved and maintained.

(Appellants' Briefs at p. 5). Appellants address each of these individually as planned development standards that somehow were not met.

A. Appellants' Argument: Incompatibility with the Neighborhood

Appellants assert that the three proposed townhomes are incompatible with the neighborhood contrary to the standards set forth in *Salt Lake City Code* Subsection 21A.55.050.C.1 as to the “scale, mass, and intensity” of the proposed development. (See Appellants’ Briefs at p. 5-7). However, these compatibility characteristics are among several that the planning commission can, but is not required to, consider. Section 21A.55.050 of the city’s code provides the several standards that an applicant must meet in order for the planning commission to grant planned development approval. Subsection C thereof reads:

- C. Design And Compatibility: The proposed planned development is compatible with the area the planned development will be located and is designed to achieve a more enhanced product than would be achievable through strict application of land use regulations. In determining design and compatibility, the Planning Commission *should consider*:
 - 1. Whether the scale, mass, and intensity of the proposed planned development is compatible with the neighborhood where the planned development will be located and/or the policies stated in an applicable Master Plan related to building and site design;
 - 2. Whether the building orientation and building materials in the proposed planned development are compatible with the neighborhood where the planned development will be located and/or the policies stated in an applicable Master Plan related to building and site design;
 - 3. Whether building setbacks along the perimeter of the development:
 - a. Maintain the visual character of the neighborhood or the character described in the applicable Master Plan.
 - b. Provide sufficient space for private amenities.
 - c. Provide sufficient open space buffering between the proposed development and neighboring properties to minimize impacts related to privacy and noise.
 - d. Provide adequate sight lines to streets, driveways and sidewalks.
 - e. Provide sufficient space for maintenance.
 - 4. Whether building facades offer ground floor transparency, access, and architectural detailing to facilitate pedestrian interest and interaction;
 - 5. Whether lighting is designed for safety and visual interest while minimizing impacts on surrounding property;
 - 6. Whether dumpsters, loading docks and/or service areas are appropriately screened; and
 - 7. Whether parking areas are appropriately buffered from adjacent uses.

(SLC Code Subsection 21A.55.050.C (emphasis added)). Mass, scale and intensity are just a few of the elements that the commission “should consider” in determining whether the development would result in a “more enhanced product than” what would be required if modification of the standards were not allowed through planned development approval. That language makes it clear that, since it is only an element that the commission *should consider*, strict compliance with that

element is not mandatory. For that reason alone, Appellants' arguments that the commission's decision related to consideration of compatibility of the proposed development must fail. As a matter of law, the commission's decision cannot be arbitrary and capricious as to an element that is merely a recommended consideration.

Notwithstanding that fatal defect in Appellants' arguments regarding compatibility, the planning division staff report *does* address compatibility (see Planning Division Staff Report p. 7 and Attachment G) and the planning commission specifically adopted the findings contained in the staff report in the motion it approved. (See Video of September 23, 2020 Planning Commission Meeting at 1:08:49). The commission heard public comments and staff comments regarding compatibility and discussed the issue of compatibility following the public hearing and chose to accept planning division staff's findings on compatibility.²

Appellants' compatibility argument centers on the type of proposed development, claiming that three attached townhomes are incompatible with adjacent single-family dwellings, two churches, and the detached condominiums in The Towns condominiums. Appellants contend that the proposed townhomes in the Stanford Commons development would be incompatible because several adjacent properties, including those owned by the Roses and Emerys, are zoned R-1/7,000 and are much larger than the lots the townhomes would be situated on. (See Appellants' Briefs at p. 5). That argument fails to explain how smaller lots that are being created simply for property ownership purposes present some incompatibility with surrounding development. More importantly, Appellants fail to explain how the planning commission's adoption of planning staff's findings was erroneous, particularly in light of staff's testimony that

² Additionally, the language of Subsection 21A.55.050.C.1 provides that compatibility may also be measured against the "policies stated in an applicable Master Plan". Planning staff's analysis of the standard set forth in Subsection 21A.55.050.B does just that.

a multifamily structure with the same or similar massing and design could be built on the Property without relief from the lot size standards if the proposed structure were intended to remain on one lot in unified ownership. The lot size argument is a red herring as lot sizes in the same neighborhoods and on the same blocks vary widely all over Salt Lake City. Compatibility isn't measured by lot lines; it's determined by what is built within those lines. Appellants cite the Zions Lutheran Church being situated on 1.85 acres as evidence of how the lot sizes proposed by Applicant are somehow incompatible with the surrounding neighborhood, but Appellants fail to mention that those 1.85 acres are the sum of two lots on which that church is built. However, it does undercut Appellants' argument that a differently-sized lot is incompatible.

Ultimately, it is not for us to debate what is the appropriate size of a lot in this neighborhood, even if the planning commission were *required* to determine “[w]hether the scale, mass, and intensity of the proposed planned development is compatible with the neighborhood where the planned development will be located” (SLC Code Subsection 21A.55.050.C.1). Based on the information provided to it, the planning commission determined that the proposed planned development would be compatible with the surrounding neighborhood when it adopted planning division staff's findings. The issue is not whether the commission could have made a different-- or in Appellants' view, a better--decision; the issue for the hearing officer to determine is “in light of the evidence before the [planning commission], whether a reasonable mind could reach the same conclusion as the [planning commission].” Baker v. Park City, 405 P.3d 962, 966-67 (Utah App. 2017) (quoting Patterson v. Utah County Board of Adjustment, 893 P.2d 602, 604 (Utah App.1995)). Under the law, that land use decision is due “a great deal of deference.” Baker, 405 P.3d at 966 (quoting Springville Citizens for a Better

Community v. City of Springville, 979 P.2d 332, 336 (Utah 1999), and see Utah Code Section 10-9a-801(3)(b).

If the hearing officer, affording the planning commission “a great deal of deference”, finds that a reasonable mind could have reached the same conclusion as the commission, that is the end of the inquiry. The city contends that there is no other conclusion to reach but that a reasonable mind could reach the same conclusion, and that because the information the planning commission based its decision upon constitutes substantial evidence, the commission’s decision was not arbitrary or capricious.

B. Appellants’ Argument: Insufficient Open Space Buffering Adversely Affect Privacy and Noise

Appellants next contend that the proposed “Stanford Commons building setbacks as proposed provide inadequate buffering that are a great detriment to the privacy and noise of the neighboring properties.” (Appellants’ Briefs at p. 7). In support of that assertion, Appellants argue that

[t]he 3-story, 26+ feet tall townhomes of the Stanford Commons will create a looming intrusion into privacy of its neighbors like the Emerys to its south, the Dunbars to its north and Kong and Kwak to the east. The exterior windows on the 2-story and 3-story sides of the north, east and south elevations of the Stanford Commons will peer into their neighbors’ homes in a completely unwelcome and ordinance-violating intrusion.

(Appellants’ Briefs at p. 8). What Appellants neglect to mention is that the proposed townhome structure will be four feet below the 30-foot maximum building height (see see Planning Division Staff Report Attachment F) and that only a small portion of the second and third floors of the proposed structures will be living areas that encroach into the front yard setback--and only by two feet. (See Video of September 23, 2020 Planning Commission Meeting at 12:54 to 13:35). The proposed feature that would most significantly encroach into the front yard setback

are stairs (see Video of September 23, 2020 Planning Commission Meeting at 13:35 to 14:05), which the commission required to be less intrusive in its approval. (See Video of September 23, 2020 Planning Commission Meeting at 55:40 to 1:14:12).

The privacy and noise concerns raised by Appellants are unfounded. The proposed structures will not be as high as they could be and only a small corner of each townhome's second and third floors will project into the front yard setback, and only by two feet at the apex of each of those corners. Appellants don't even bother to explain how noise would be an issue.

The privacy and noise concerns raised by Appellants relate to the text of *Salt Lake City Code* Subsection 21A.55.050.C.3.c. As a subpart of Subsection 21A.55.050.C discussed above, the planning commission, again, is merely encouraged to *consider* “[w]hether building setbacks along the perimeter of the development...[p]rovide sufficient open space buffering between the proposed development and neighboring properties to minimize impacts related to privacy and noise.” As the city made clear with respect to Appellants' argument regarding neighborhood compatibility, a commission decision cannot be arbitrary and capricious as to an element that it is merely encouraged to consider. It is a legal impossibility to find arbitrariness or capriciousness in a land use authority's treatment of a recommended consideration.

Nevertheless, the planning commission did consider the information provided to it and rendered its decision based on that information. The concerns raised by Appellants were presented in correspondence to the commission, which was included in Attachment I of the staff report, and were raised in the public hearing. The element of setbacks in relation to privacy and noise concerns is addressed in Attachment G of the staff report. As discussed above, the inquiry here is not whether Appellants' opinions should prevail, but whether a reasonable mind could have reached the same conclusion. The city contends that there is no question that a reasonable

mind would have reached the same conclusion even if that reasonable mind was considering the setback issue on the relevant ordinance's suggestion to do so.

C. Appellants' Argument: Failure to Increase Mobility

As is the case with Appellants' other arguments, they ask the hearing officer to substitute their judgment for the planning commission's in their argument pertaining to mobility. They contend that, "[t]he Planning Commission failed to order a traffic study" (Appellants' Briefs at p. 9) for a proposed three-unit development, despite the fact that Subsection 21A.55.040.A.7 empowers only the city's transportation division to order a traffic study. The planned development application was routed to the transportation division for review, and that division declined to require any traffic study for this proposed three-unit townhome development. The planning commission's decision cannot be disturbed simply because Appellants believe that a traffic study should have been required when Salt Lake City's transportation experts did not believe it to be necessary.

As noted with respect to Appellants' first two arguments, the relevant code section merely provides that the planning commission "should consider" those transportation and mobility elements provided in Subsection 21A.55.050.E. The staff report addressed those elements in Attachment G and the concerns raised by Appellants were presented by Appellants and mentioned by the Foothill/Sunnyside Community Council representative at the September 23, 2020 public hearing. Yet, the planning commission chose to adopt the findings of the city's professional planner.

The relevant standard that the planning commission was required to determine is whether "[t]he proposed planned development supports Citywide transportation goals and promotes safe and efficient circulation within the site and surrounding neighborhood." SLC Code Subsection

21A.55.050.E. As stated above, that standard was addressed in the planning division staff's findings in its staff report and the planning commission chose to adopt those findings. Again, the hearing officer must allot the commission "a great deal of deference" and determine whether a reasonable mind could have reached the same result that the planning commission did. It is not for a land use appeals authority or a court to substitute their judgment or opinion for the land use authority's. See Baker, 405 P.3d at 966 (citing Springville Citizens, 979 P.2d at 337). There is substantial evidence in the record upon which the planning commission based its decision, and there is nothing in the record or in Appellants' arguments that credibly suggests that a reasonable mind could not have reached the same conclusion as the commission.

D. Appellants' Argument: Mature Trees and Existing Landscaping Will Not Be Preserved

Appellants claim that, "[t]he Planning Commission did not correctly understand the requirement of Section 21A.55.050D" because some mature trees would not be preserved and maintained. (Appellants' Briefs at p. 12). The relevant standard here is whether "[t]he proposed planned development preserves, maintains or provides native landscaping where appropriate." SLC Code Subsection 21A.55.050.D. Note the word "or" that precedes the word "provides" and that the preservation, maintaining *or* providing of "native landscaping" shall occur "where appropriate." The language that follows that sentence, again, gives the commission a list of elements it "should consider". Again, that "should consider" language is permissive. The mandatory language that preceded it makes clear that as an alternative to preserving or maintaining native landscaping--which may not even include mature trees--other landscaping may be provided where appropriate.

Who should determine whether native landscaping is to be "preserve[d], maintain[ed] or provide[d]"? Perhaps the Salt Lake City Urban Forester is qualified to answer that question. The

city's urban forester's comments to the proposed planned development--including its landscape plan--was:

A mitigation fee would be required as a condition of plan approval. The [park strip] tree in question is 10" dbh so if they plant two (2) 2" trees they would owe for 6" of mitigation which is \$1200.00 The tree would have to be removed via permit issuance to an ISA Certified Arborist.

Additionally, a public right of way tree planting permit is required.

(Planning Division Staff Report Attachment J).

Although preservation of mature trees is a practice that the city supports, its regulations do allow removed trees to be replaced as provided in Subsection 21A.55.050.D as well as provided in Section 21A.48.135 and Chapter 2.26 of the *Salt Lake City Code*.

All of this is background information as to what the appeals hearing officer is required to consider: could a reasonable mind have reached the same conclusion as did the planning commission? Again, the elements of Subsection 21A.55.050.D.1 through D.4 are elements that the commission "should consider", but compliance with Subsection D is only required for the standard provided in the first sentence of that Subsection. Planning staff's report finds as to Subsection D that "[t]he proposed project generally complies with all landscape considerations." (Planning Division Staff Report Attachment G). As to Subpart 1 of Subsection D, planning staff did indicate partial compliance, but also noted the urban forester's approval of the tree replacement plan.

Affording the appropriate deference to the planning commission's acceptance and adoption of staff's findings, the hearing officer is left to determine whether a reasonable mind could reach the conclusion that the planning commission did. The city contends that a reasonable mind could.

Part II of Appellants' arguments simply contends that the commission's decision was "illegal" because the proposed Stanford Commons planned development "does not satisfy any of the objectives stated in Section 21A.55.010 of the SLC Ordinances." (Appellants' Briefs at p. 13).

Utah Code Section 10-9a-801 clarifies what "illegal" means in the context of a challenge to a land use decision. Subsection (3)(c)(ii) thereto provides that, a land use "decision is illegal if the decision is: (A) based on an incorrect interpretation of a land use regulation; or (B) contrary to law." Nothing in Appellants' arguments credibly asserts or identifies that the planning commission incorrectly interpreted the relevant provisions of Section 21A.55.050. The argument is merely that, "Planning Staff did not spend enough time meeting with the Planning Commission to properly brief it on the true nature of the objectives contained in Section 21A.55.010" and that "[i]f it had, the Planning Commission would have likely recognized that the Stanford Commons does not qualify for planned development treatment because it does not satisfy any of the objectives stated in Section 21A.55.010." (Appellants' Briefs at p. 13). That claim seems to suggest that this was the first time that the members of this planning commission had ever been presented with a planned development application or that its members are incapable of understanding the relevant standards. Despite that absurd assertion, there is nothing in Appellants' arguments to give the hearing officer any basis to find that the commission's decision was illegal.

Conclusion

Appellants have failed to meet their burden of proving that the Salt Lake City Planning Commission's decision to approve the Applicant's planned development and subdivision applications was in any way arbitrary, capricious, or illegal. For this reason and all of the reasons

stated above, Appellants' arguments must be rejected and the planning commission's decision be upheld.

ATTACHMENT D: PLANNING COMMISSION RECORD OF DECISION

**Salt Lake City Planning Commission Record of Decision
September 23, 2020 5:30 p.m.**

**This meeting was held electronically pursuant to the
Salt Lake City Emergency Proclamation**

1. **Stanford Commons Planned Development & Preliminary Subdivision at approximately 2052 E Michigan Avenue** – Jessica Sluder from Alta Development Group, LLC, representing the property owner, is requesting approval for a new residential development at the above listed address. The proposal includes demolishing the discontinued pool area on the site and subdividing the property into four (4) lots for a proposed construction of three (3) single-family attached dwelling units. The proposed project is subject to the following petitions:

- a. **Planned Development** – Planned Development is requested to modify the required front yard setback, grade changes greater than four feet (4') within a required yard, and the required minimum lot area for the new lots. **Case number PLNPCM2020-00230**
- b. **Preliminary Subdivision** – Preliminary Plat approval is needed to create four (4) new lots. **Case number PLNSUB2020-00231**

The property is zoned RMF-30 (Low Density Multi-Family Residential) and is located within Council District 6, represented by Dan Dugan (Staff contact: Linda Mitchell at (385) 386-2763 or linda.mitchell@slcgov.com)

Decision: Approved with conditions

2. **Conditional Use ADU at approximately 952 S Windsor Street** – Alexis Suggs, property owner representative, is requesting Conditional Use approval for an approximate 644 square foot accessory dwelling unit (ADU) above a new detached 3-car garage at the above listed address. The property is zoned R-1/5,000 (Single-Family Residential) and is located within Council District 5, represented by Darin Mano (Staff Contact: Linda Mitchell at (385) 386-2763 or linda.mitchell@slcgov.com) **Case number PLNPCM2020-00451**

Decision: Approved with conditions

3. **Twenty Ones at approximately 2105 E 2100 S** - Tom Henriod, with Rockworth Companies, is requesting approval for a new mixed-use development at the above listed address. The development includes two buildings with approximately 21,000 SF of commercial space and 107 residential units. A total of 168 parking spaces will be provided on site. Currently the land is used for commercial businesses and is zoned CB (Community Business). This type of project requires Design Review and Special Exception approval. The subject property is located in Council District 6, represented by Dan Dugan (Staff Contact: Krissy Gilmore at (801) 535-7780 or Kristina.gilmore@slcgov.com)

- a. **Design Review:** The development requires Design Review approval due to building size limits in the CB: Community Business zoning district as well as requested additional height on the south building. **Case number PLNPCM2019-01170**
- b. **Special Exception:** The development requires Special Exception approval due to additional height requested on the north building. **Case number PLNPCM2020-00200**

Decision: Approved with conditions

4. **Planned Development request for The Abbie at approximately 1739 S Main Street** - A request by Andrew Black of CW Urban for Planned Development approval for two buildings with 13 multi-

family residential units at the above address. The subject property is located in the CC (Commercial Corridor) zoning district. The applicant is requesting Planned Development approval for a building without street frontage. The subject property is located within Council District 5, represented by Darin Mano (Staff contact: Sara Javoronok at (801) 535-7625 or sara.javoronok@slcgov.com) **Case number PLNPCM2020-00378**

Decision: Approved with conditions

5. **Izzy South Design Review and Special Exception at approximately 534 East 2100 South** - Ryan McMullen, Applicant, is requesting Design Review and Special Exception approval for a proposed 71-unit mixed use building located at approximately 534 East 2100 South by the name of "Izzy South." The Applicant is requesting a modification of the maximum height requirement to accommodate architectural features on the front-facing façade of the proposed building through the Special Exception process. This project also triggers the Design Review process because the building is larger than 15,000 gross square feet in size. The property is zoned CB (Community Business) and is located within Council District 7, represented by Amy Fowler (Staff Contact: Caitlyn Miller at (385) 202-4689 or caitlyn.miller@slcgov.com) **Case numbers PLNPCM2020-00222 and PLNPCM2020-00655**

Decision: Tabled

6. **Gateway Storage at approximately 134 South 700 West** - Austin Lundskog, Applicant, is requesting approval of a proposed self-storage facility 130,500 sq. ft. in size at approximately 134 South 700 West. The property is zoned GMU (Gateway Mixed Use) and is located within Council District 4, represented by Analia Valdemoros (Staff contact: Caitlyn Miller at (385) 202-4689 or caitlyn.miller@slcgov.com)
- a. **Planned Development** – Planned Development approval is needed due to the proposed building being an increase of size larger than 25% of the existing buildings on site. **Case number PLNPCM2020-00182**
 - b. **Design Review** – Design Review approval is needed due to self-storage facilities in the G-MU Zone being required to undergo this process and the Applicant's request for modifications to the exterior building materials and blank wall requirements. **Case number PLNPCM2020-00399**
 - c. **Special Exception** – Special Exception approval is needed due to the Applicant's request to allow a modified parking arrangement based off of a traffic generation study provided by the Applicant. **Case number PLNPCM2020-00655**

Decision: Approved with conditions

Any final decision made by the Planning Commission can be appealed by filing an "appeal of decision" application within 10 days of the decision. Contact the Planning Division for more information about filing an appeal.

**ATTACHMENT E: PLANNING COMMISSION MINUTES
(9/23/20)**

SALT LAKE CITY PLANNING COMMISSION MEETING
This meeting was held electronically pursuant to the
Salt Lake City Emergency Proclamation
Wednesday, September 23, 2020

A roll is being kept of all who attended the Planning Commission Meeting. The meeting was called to order at [5:30:09 PM](#). Audio recordings of the Planning Commission meetings are retained for a period of time.

Present for the Planning Commission meeting were: Chairperson, Adrienne Bell; Vice Chairperson, Brenda Scheer; Commissioners; Maurine Bachman, Amy Barry,Carolynn Hoskins, Matt Lyon, Sara Urquhart, and Crystal Young-Otterstrom.

Planning Staff members present at the meeting were: Wayne Mills, Planning Manager; Molly Robinson, Planning Manager; John Anderson, Planning Manager; Allison Parks, Attorney; Linda Mitchell, Principal Planner; Krissy Gilmore, Principal Planner; Sara Javoronok, Senior Planner; Caitlyn Miller, Principal Planner; Nannette Larsen, Principal Planner; and Marlene Rankins, Administrative Secretary.

REPORT OF THE CHAIR AND VICE CHAIR [5:31:11 PM](#)

Chairperson Bell stated she had nothing to report.

Vice Chairperson Scheer stated she had nothing to report.

REPORT OF THE DIRECTOR [5:31:22 PM](#)

Wayne Mills, Planning Manager, provided the public with information on how to join and participate during the meeting.

Chairperson, Adrienne Bell read the Salt Lake City Emergency Proclamation for holding a virtual meeting.

[5:36:34 PM](#)

Stanford Commons Planned Development & Preliminary Subdivision at approximately 2052 E Michigan Avenue – Jessica Sluder from Alta Development Group, LLC, representing the property owner, is requesting approval for a new residential development at the above listed address. The proposal includes demolishing the discontinued pool area on the site and subdividing the property into four (4) lots for a proposed construction of three (3) single-family attached dwelling units. The proposed project is subject to the following petitions:

- a. **Planned Development** – Planned Development is requested to modify the required front yard setback, grade changes greater than four feet (4') within a required yard, and the required minimum lot area for the new lots. **Case number PLNPCM2020-00230**
- b. **Preliminary Subdivision** – Preliminary Plat approval is needed to create four (4) new lots. **Case number PLNSUB2020-00231**

The property is zoned RMF-30 (Low Density Multi-Family Residential) and is located within Council District 6, represented by Dan Dugan (Staff contact: Linda Mitchell at (385) 386-2763 or linda.mitchell@slcgov.com)

Linda Mitchell, Principal Planner, reviewed the petition as outlined in the Staff Report (located in the case file). She stated Staff recommended that the Planning Commission approve the Planned Development and Preliminary Subdivision requests with the conditions listed in the staff report.

The Commission and Staff discussed the following:

- Clarification on distance of stairs from sidewalk
- Setback of the lot line to the end of the stairs
- Clarification on homeownership

Stanford Bell, applicant, provided a presentation along with further design details.

The Commission, Staff and Applicant discussed the following:

- Clarification on apartment complex meaning for the applicant
- Whether there are other design options for homeownership
- Clarification on purpose of the stair placement
- Clarification on front door placement
- Entrances to units

PUBLIC HEARING [6:04:28 PM](#)

Chairperson Bell opened the Public Hearing;

Devon Olson, Community Council Chairperson – Stated his opposition of the request. He also raised concerns with the density in the neighborhood and traffic problems.

Ben Emery – Stated the proposal is not compatible with the neighborhood and stated his opposition of the request.

David Rose – Stated his opposition of the request.

Zachary Dussault – Stated his support of the request. He also raised concern with the stair placement.

Soren Simonsen – Stated his support of the request.

Bill Christiansen – Stated his support of the request.

Scott Jones – Stated his opposition of the request.

Susan Wurtzburg – Provided an email comment stated opposition of the request.

Seeing no one else wished to speak; Chairperson Bell closed the Public Hearing.

Stanford Bell addressed the public comments and concerns.

The Commission, Staff and Applicant further discussed the following:

- Whether the applicant explored other staircase designs or placement
- Clarification on the proposal for the townhome development to the North of the property

The Commission made the following comments:

- I'm not comfortable moving forward to approve the petition without seeing the possible changes to the stairs

- Suggestions were provided to make changes to the staircase
- Suggestions of adding greenery or landscaping around the stairs

MOTION [6:38:00 PM](#)

Commissioner Scheer stated, based on the findings listed in the staff report, the information presented, and input received during the public hearing, I move that the Planning Commission approve the Planned Development and Preliminary Subdivision requests (PLNPCM2020-00230 & PLNSUB2020-00231) as proposed, subject to complying with the conditions listed in the staff report and subject to a design review by staff concerning the stairs and front landscaping of the project, subject to the discussion of the Planning Commission in the meeting.

Commissioner Urquhart seconded the motion. Commissioners Bachman, Hoskins, Barry, Scheer, and Urquhart voted “Aye”. Commissioners Lyon, and Young-Otterstrom voted “Nay”. The motion passed 5-2.

[6:43:32 PM](#) Adrienne Bell, read the online meeting public announcement.

[6:44:45 PM](#)

Conditional Use ADU at approximately 952 S Windsor Street – Alexis Suggs, property owner representative, is requesting Conditional Use approval for an approximate 644 square foot accessory dwelling unit (ADU) above a new detached 3-car garage at the above listed address. The property is zoned R-1/5,000 (Single-Family Residential) and is located within Council District 5, represented by Darin Mano. (Staff Contact: Linda Mitchell at (385) 386-2763 or linda.mitchell@slcgov.com) **Case number PLNPCM2020-00451**

Linda Mitchell, Principal Planner, reviewed the petition as outlined in the Staff Report (located in the case file). She stated Staff recommended that the Planning Commission approve the Conditional Use as proposed and with the listed conditions in the staff report.

PUBLIC HEARING [6:49:52 PM](#)

Chairperson Bell opened the Public Hearing;

Zachary Dussault – Stated his support of the request.

Seeing no one else wished to speak; Chairperson Bell closed the Public Hearing.

MOTION [6:51:43 PM](#)

Commissioner Barry stated, based on the findings listed in the staff report, the information presented, and input received during the public hearing, I move that the Planning Commission approve the Conditional Use request (PLNPCM2020-00451) as proposed, subject to complying with the conditions listed in the staff report.

Young-Otterstrom requested an amendment to add lighting to the alley side of the property. Commissioner Barry accepted the amendment.

Commissioner Scheer seconded the motion. Commissioners Urquhart, Scheer, Young-Otterstrom, Lyon, Barry, Hoskins, and Bachman voted “Aye”. The motion passed unanimously.

[6:54:56 PM](#)

Twenty Ones at approximately 2105 E 2100 S - Tom Henriod, with Rockworth Companies, is requesting approval for a new mixed-use development at the above listed address. The development includes two buildings with approximately 21,000 SF of commercial space and 107 residential units. A total of 168 parking spaces will be provided on site. Currently the land is used for commercial businesses and is zoned CB (Community Business). This type of project requires Design Review and Special Exception approval. The subject property is located in Council District 6, represented by Dan Dugan (Staff Contact: Krissy Gilmore at (801) 535-7780 or kristina.gilmore@slcgov.com)

- a. **Design Review:** The development requires Design Review approval due to building size limits in the CB: Community Business zoning district as well as requested additional height on the south building. **Case number PLNPCM2019-01170**
- b. **Special Exception:** The development requires Special Exception approval due to additional height requested on the north building. **Case number PLNPCM2020-00200**

Krissy Gilmore, Principal Planner, reviewed the petition as outlined in the Staff Report (located in the case file). She stated Staff recommended that the Planning Commission approve the request with the conditions listed in the staff report.

Tom Henriod, applicant, provided a presentation along with further design details.

PUBLIC HEARING [7:12:10 PM](#)

Chairperson Bell opened the Public Hearing;

Judi Short, Sugar House Land Use Chairperson – Stated there aren't any bike racks that should be included in front of the restaurant, to compensate for limited parking and encourage people to visit by bike. We don't see evidence of outside tables for ice cream or restaurants. She also stated it doesn't look very inviting.

Soren Simonsen – Stated his support of the request.

Stephen Dibble – Raised a concern with the number of units to the number of parking.

Zachary Dussault – Stated his support of the request.

Jennifer Jensen – Provided an email comment stating her opposition of the request.

Zachary Hildebrand – Provided an email comment raising concerns.

James & Jeanne Jardine – Provided an email comment stated their opposition of the request.

Kelly – Provided an email comment stating opposition of the request.

Landon Clark – Provided an email comment stating opposition of the request.

Bob Bereskin – Provided an email comment stating his opposition of the request.

Seeing no one else wished to speak; Chairperson Bell closed the Public Hearing.

The applicant addressed the public comments and concerns.

The Commission, Staff and Applicant further discussed the following:

- Whether a traffic study was submitted
- Clarification on parking requirements
- Clarification on the request for additional 3 feet of height

MOTION [7:49:37 PM](#)

Commissioner Scheer stated, Based on the information in the staff report, the information presented, and the input received during the public hearing, I move that the Planning Commission approve Petitions PLNPCM2019-01170 & PLNPCM2020-00200 The Twenty Ones Design Review and Special Exception with the conditions listed in the staff report.

Commissioner Bachman seconded the motion. Commissioners Bachman, Hoskins, Barry, Lyon, Young-Otterstrom, Scheer, and Urquhart voted “Aye”. The motion passed unanimously.

[7:51:40 PM](#) The Commission took a small break.

[7:53:42 PM](#)

Planned Development request for The Abbie at approximately 1739 S Main Street - A request by Andrew Black of CW Urban for Planned Development approval for two buildings with 13 multi-family residential units at the above address. The subject property is located in the CC (Commercial Corridor) zoning district. The applicant is requesting Planned Development approval for a building without street frontage. The subject property is located within Council District 5, represented by Darin Mano (Staff contact: Sara Javoronok at (801) 535-7625 or sara.javoronok@slcgov.com) **Case number PLNPCM2020-00378**

Sara Javoronok, Senior Planner, reviewed the petition as outlined in the Staff Report (located in the case file). She stated Staff recommended that the Planning Commission approval with the conditions listed in the staff report.

Jon Galbraith, applicant, provided a presentation with further design details.

The Commission, Staff and Applicant discussed the following:

- Clarification on reduction of trees and green space
- Front entrance and street engagement

PUBLIC HEARING [8:06:05 PM](#)

Chairperson Bell opened the Public Hearing;

Zachary Dussault – Stated his support of the request.

Seeing no one else wished to speak; Chairperson Bell closed the Public Hearing.

MOTION [8:08:13 PM](#)

Commissioner Bachman stated, based on the information in the staff report, the information presented, and the input received during the public hearing, I move that the Commission approve The Abbie Planned Development PLNPCM2020-00378 with the conditions listed in the staff report.

Commissioner Hoskins seconded the motion. Commissioners Urquhart, Young-Otterstrom, Lyon, Barry, Hoskins, and Bachman voted “Aye”. Commissioner Scheer voted “Nay”. The motion passed 6-1.

[8:09:34 PM](#)

Izzy South Design Review and Special Exception at approximately 534 East 2100 South - Ryan McMullen, Applicant, is requesting Design Review and Special Exception approval for a proposed 71-unit mixed use building located at approximately 534 East 2100 South by the name of "Izzy South." The Applicant is requesting a modification of the maximum height requirement to accommodate architectural features on the front-facing façade of the proposed building through the Special Exception process. This project also triggers the Design Review process because the building is larger than 15,000 gross square feet in size. The property is zoned CB (Community Business) and is located within Council District 7, represented by Amy Fowler (Staff Contact: Caitlyn Miller at (385) 202-4689 or caitlyn.miller@slcgov.com) **Case numbers PLNPCM2020-00222 and PLNPCM2020-00655**

Caitlyn Miller, Principal Planner, reviewed the petition as outlined in the Staff Report (located in the case file).

The Commission and Staff discussed the following:

- Clarification on rear-yard setback

Justin Heppler, applicant, provided a presentation with further details.

The Commission, Staff and Applicant discussed the following:

- Clarification on street engagement
- Whether the applicant explored fencing

PUBLIC HEARING [8:38:37 PM](#)

Chairperson Bell opened the Public Hearing;

Judy Short, Sugar House Land Use Chairperson – Stated there has been a lot of community engagement for the proposal. She stated there aren't enough trees or landscaping. The residence of the South building are to share the 20 feet of green space on the North side of the North building.

Scott Doutre – Stated his opposition of the request.

Soren Simonsen – Stated he supports the staff recommendations. He raised concerns with the color and that there needs to be bikes lanes on 2100 South.

Zachary Dussault – Stated his support of the request.

Wanda – Provided an email comment stating her opposition of the request.

Joe Mason – Raised concerns regarding street parking.

Shane – Raised concerns regarding parking.

Ben – Provided an email comment stating his opposition.

Travis Smith – Raised concern with high density.

Lynn Schwarz – Provided an email comment stating opposition of the request.

Cotterill – Provided an email comment stating opposition of the request.

Donna Bradshaw – Provided an email comment stating opposition of the request.

Russell Grover – Provided an email comment stating opposition of the request.

Shannon Legge – Provided an email comment stating opposition of the request.

Dayna McKee – Provided an email comment. Raised concerns with parking and stated opposition of the request.

Seeing no one else wished to speak; Chairperson Bell closed the Public Hearing.

The Commission, Staff and Applicant further discussed the following:

- Clarification on current rear property line setback

The applicant addressed the public comments and concerns.

The Commission and Staff further discussed the following:

- Whether there has been any consideration on the City level to consider pedestrian enhancements in order to access the transit from the project
- Clarification on the Special Exception request
- Whether there are elements of the Design Review that would allow the Commission to simply turn down the application
- Discussion was made regarding the conditions listed in the staff report

MOTION [9:41:17 PM](#)

Commissioner Lyon stated, based on the information in the staff report, the information presented, and the input received during the public hearing, I move that the Planning Commission table petition numbers PLNPCM2020-00222 and PLNPCM2020-00655 and give the applicant some time to revise their designs in a way to better match standard “D” and standard “G”, particularly how it relates to human scale and how it relates to the current neighborhood zone.

Commissioner Urquhart seconded the motion. Commissioners Urquhart, Scheer, Young-Otterstrom, Lyon, Barry, Hoskins, and Bachman voted “Aye”. The motion passed unanimously.

[9:44:23 PM](#) Chairperson Bell proposed to move forward with agenda item number 6 and suggested to reschedule the work session.

[9:50:08 PM](#)

Gateway Storage at approximately 134 South 700 West - Austin Lundskog, Applicant, is requesting approval of a proposed self-storage facility 130,500 sq. ft. in size at approximately 134 South 700 West. The property is zoned GMU (Gateway Mixed Use) and is located within Council District 4, represented by Analia Valdemoros (Staff contact: Caitlyn Miller at (385) 202-4689 or caitlyn.miller@slcgov.com)

- a. Planned Development** – Planned Development approval is needed due to the proposed building being an increase of size larger than 25% of the existing buildings on site. **Case number PLNPCM2020-00182**
- b. Design Review** – Design Review approval is needed due to self-storage facilities in the G-MU Zone being required to undergo this process and the Applicant’s request for

modifications to the exterior building materials and blank wall requirements. **Case number PLNPCM2020-00399**

- c. **Special Exception** – Special Exception approval is needed due to the Applicant’s request to allow a modified parking arrangement based off of a traffic generation study provided by the Applicant. **Case number PLNPCM2020-00655**

Caitlyn Miller, Principal Planner, reviewed the petition as outlined in the Staff Report (located in the case file). She stated Staff recommended that the Planning Commission approve the requests with the conditions listed in the staff report.

Austin Lundskog, applicant, provided further detailed information.

PUBLIC HEARING [10:00:17 PM](#)

Chairperson Bell opened the Public Hearing;

Zachary Dussault – Stated he would prefer a better use for this space.

Seeing no one else wished to speak; Chairperson Bell closed the Public Hearing.

MOTION [10:06:12 PM](#)

Commissioner Scheer stated, based on the information in the staff report, the information presented, and the input received during the public hearing, I move that the Planning Commission approve petition numbers PLNPCM2020-00182, PLNPCM2020-00399 and PLNPCM2020-00668, a Planned Development, Design Review and Special Exception request, respectively, for Gateway Storage located at approximately 134 South 700 West with the conditions listed in the staff report.

Commissioner Barry seconded the motion. Commissioners Bachman, Hoskins, Barry, Lyon, Young-Otterstrom, Scheer, and Urquhart voted “Aye”. The motion passed unanimously.

The following are Q&A’s that were received during the meeting:

Q&A Session for Planning Commission Meeting September 23,2020

Session number: 1463184201

Date: Wednesday, September 23, 2020

Starting time: 5:00 PM

Soren Simonsen (soren@communitystudio.us) - 5:27 PM

Q: I would like to speak during the public comment periods for item #3 - Twenty Ones, and item #5 - Izzy South

Priority: N/A-

-Molly Robinson - 5:45 PM

A: Call in number: 408-418-9388

Devon Olson (devon.olson@urs.org) - 5:39 PM

Q: Do you have a call in number?

Priority: N/A-

-Wayne Mills - 5:45 PM

A: 408-418-9388. access code 146 318 4201

Devon Olson (devon.olson@urs.org) - 5:51 PM

Q: Thanks

Priority: N/A-

-Wayne Mills - 5:59 PM

A: I'm not sure what you see on your end. Who are you looking for.

Joe Mason (jdmason65@hotmail.com) - 5:56 PM

Q: Are attendees hidden from one another? I can't see people who say they are on the call.

Priority: N/A-

-John Anderson - 5:59 PM

A: Attendees are not able to see others on the list

Joe Mason (jdmason65@hotmail.com) - 6:16 PM

Q: Shane Stroud, Dayna McKee

Priority: N/A-

-John Anderson - 6:17 PM

A: They are both logged on to the meeting. -

-Molly Robinson - 6:20 PM

A: Joe --both are present

Zachary Dussault (zacharytdussault@gmail.com) - 6:26 PM

Q: To the other commenters, is the garagama hall 1020 foothill?

Priority: N/A

Lynn Pershing (lkpershing@gmail.com) - 6:30 PM

Q: Front yard setback is all Cement-Not compatible with neighborhood. Aesthetically looks like a commercial building: flat roof, long Front open iron stairs. Greenspace could be used for detached garages compatible with neighborhood, then landscape front

Priority: N/A-

-Wayne Mills - 6:33 PM

A: The public hearing has been closed

Zachary Dussault (zacharytdussault@gmail.com) - 6:34 PM

Q: I love it Brenda!

Priority: N/A

Zachary Dussault (zacharytdussault@gmail.com) - 6:42 PM

Q: The encroachment is the building not the stairs

Priority: N/A

Cassandra Tavolarella (casstav@gmail.com) - 6:46 PM

Q: Have you considered decreasing the stair length with widening the landing for a patio for what I am assuming is the living room on the main floor?

Priority: N/A

Soren Simonsen (soren@communitystudio.us) - 7:30 PM

Q: I might add to the concern with parking and traffic relative to kids walking and biking to school. I have walked to Dilworth with my three children almost every school day for the past 12 years.

Priority: N/A

Soren Simonsen (soren@communitystudio.us) - 7:31 PM

Q: I can probably count on both of my hands the number of times we have had any conflict with cars coming and going from any of the 3 large scale apartments between 2100 S and Dilworth over those many years.

Priority: N/A

Soren Simonsen (soren@communitystudio.us) - 7:38 PM

Q: Thank you for the clarification on the bike racks and bus stop. Fantastic!

Priority: N/A

Joe Mason (jdmason65@hotmail.com) - 8:20 PM

Q: Is Dayna and Shane still online?

Priority: N/A-

-Caitlyn Miller - 8:27 PM

A: It looks like both are in attendance

Joe Mason (jdmason65@hotmail.com) - 8:27 PM

Q: Thanks.

Priority: N/A

Travis Smith (travsmith1307@gmail.com) - 8:42 PM

Q: What are the opinions of the panel regarding the small businesses which have been negatively impacted by the massive amounts of re-zoning in the area do to high density buildings in the neighborhood? IE-the scooter shop, unable to remain in the area

Priority: N/A-

Joe Mason (jdmason65@hotmail.com) - 8:44 PM

Q: Counting those parking spaces only shows 58. Didn't they say 60?

Priority: N/A

Soren Simonsen (soren@communitystudio.us) - 8:44 PM

Q: The west facade is a zero lot line, so no openings will be permitted by building code.

Priority: N/A

Soren Simonsen (soren@communitystudio.us) - 8:45 PM

Q: The west facade is a zero lot line, so no openings will be permitted by building code.
Priority: N/A

Joe Mason (jdmason65@hotmail.com) - 8:58 PM

Q: I keep raising my hand... so has shane
Priority: N/A

Zachary Dussault (zacharytdussault@gmail.com) - 9:02 PM

Q: Highly encourage those concerned about parking to check out this article.
<https://www.vox.com/videos/2017/7/19/15993936/high-cost-of-free-parking>
Priority: N/A

Soren Simonsen (soren@communitystudio.us) - 9:10 PM

Q: Can Blue Planet Scooter move up to the Twenty-Ones when that opens?
Priority: N/A

Joe Mason (jdmason65@hotmail.com) - 9:15 PM

Q: Landon submitted a comment, which hasn't been read
Priority: N/A

-Joe Mason (jdmason65@hotmail.com) - 9:16 PM

Q: HE CC'd me on the response. Please make sure it is read. It is important.
Priority: N/A-

-Soren Simonsen (soren@communitystudio.us) - 9:16 PM

Q: The biggest deterrent to transit use is that we're missing much of our first-mile/last mile infrastructure. We're missing bicycle and pedestrian infrastructure. Wider sidewalks and bike lanes are essential to TOD.
Priority: N/A-

-Travis Smith (travsmith1307@gmail.com) - 9:21 PM

Q: I spoke, thank you.
Priority: N/A-

-Joe Mason (jdmason65@hotmail.com) - 9:21 PM

Q: Was the Trax Line utilization report included and mentioned?
Priority: N/A-

-John Anderson - 9:22 PM

A: Joe, I shared those comments from Landon about the trax utilization. They were the last comments that I read aloud

Joe Mason (jdmason65@hotmail.com) - 9:22 PM

Q: None of us heard it. Are you sure?

Priority: N/A-

-John Anderson - 9:23 PM

A: Yes, I am very sure that I read them.

Soren Simonsen (soren@communitystudio.us) - 9:33 PM

Q: Our target sidewalk widths in Sugar House are 10'. Wider sidewalks and a reduced park strip (maybe with tree grates or narrow planters) would be helpful to the pedestrian.

Priority: N/A

Joe Mason (jdmason65@hotmail.com) - 9:33 PM

Q: Thank you,

Priority: N/A

Joe Mason (jdmason65@hotmail.com) - 9:34 PM

Q: How do we make sure the council understands the parking "MAY be reduced. There isn't a set rule or guarantee.. Is everyone aware?

Priority: N/A-

-Joe Mason (jdmason65@hotmail.com) - 9:34 PM

Q: Should I email the code?

Priority: N/A-

Soren Simonsen (soren@communitystudio.us) - 9:35 PM

Q: The sidewalks in front of the Urbana project recently completed at 10th E and 2100 South maintained the existing narrow sidewalks and they are very inadequate -- highly pedestrian congested at times.

Priority: N/A

Aabir Malik (aabir@colmenagroup.com) - 10:00 PM

Q: So is the Sears work session officially being postponed to Friday at noon?

Priority: N/A-

-John Anderson - 10:03 PM

A: It is being postponed. We will work with the commission and your group to schedule a date ASAP. –

Zachary Dussault (zacharydussault@gmail.com) - 10:16 PM

Q: Have a great night everyone, that was a doozy!

Priority: N/A-

The meeting adjourned at [10:07:58 PM](#)

**ATTACHMENT F: PLANNING COMMISSION STAFF
REPORT - PUBLICSHED 9/18/2020**



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission

From: Linda Mitchell, Principal Planner, 385-386-2763, linda.mitchell@slcgov.com

Date: September 18, 2020

Re: PLNSUB2020-00230 - *East Liberty Commons* Planned Development
PLNSUB2020-00231 - *East Liberty Commons* Preliminary Subdivision

Planned Development and Preliminary Subdivision

PROPERTY ADDRESS: Approximately 2052 East Michigan Avenue
PARCEL ID: 16-10-303-001-0000
MASTER PLAN: East Bench – Neighborhoods (Foothill/Sunnyside)
ZONING DISTRICT: RMF-30 Low Density Multi-Family Residential

REQUEST: Jessica Sluder from Alta Development Group, LLC, representing the property owner, is requesting approval for a new residential development at the above listed address. The proposal includes demolishing the discontinued pool area on the site and subdividing the property into four (4) lots for a proposed construction of three (3) single-family attached dwelling units. The proposed project is subject to the following petitions:

- a. **Planned Development** – Planned Development is requested to modify the required front yard setback, grade changes greater than four feet (4') within a required yard, and the required minimum lot area for the new lots.
- b. **Preliminary Subdivision** – Preliminary Plat approval is needed to create four (4) new lots.

RECOMMENDATION: Based on the information in this staff report, Staff recommends that the Planning Commission approve the Planned Development and Preliminary Subdivision requests as proposed, and subject to complying with the following conditions:

1. Compliance with all Department/Division comments and conditions as noted in [Attachment J](#).
2. Documentation that establishes an entity to manage the private infrastructure and Common Area Maintenance for the subdivision shall be recorded with the final plat.

ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Plans](#)
- C. [Preliminary Subdivision Plat](#)
- D. [Additional Applicant Information](#)
- E. [Site Visit Photographs](#)

- F. [Master Plan Policies and Zoning Ordinance Standards](#)
- G. [Analysis of Standards - Planned Development](#)
- H. [Analysis of Standards – Subdivision Ordinance](#)
- I. [Public Process and Comments](#)
- J. [Department Review Comments](#)

PROJECT DESCRIPTION:

Project Site

The project site recently obtained preliminary subdivision approval under petition number PLNSUB2020-00349 for the amendment to *The Townes Condominium* plat to subdivide the common area and sell the lot for the proposed development. *The Townes Condominium* amendment is pending final plat approval. Currently, there is a discontinued pool area on the site, which has fallen into disrepair. The project site is zoned RMF-30 Low Density Multi-Family Residential with the total square footage of approximately 0.269 acres (11,696 square feet).



Figure 1. Vicinity Map

The surrounding properties are zoned R-1/7,000 Single-Family Residential District to the west and south, RMF-30 Low Density Multi-Family Residential District to the north, and OS Open Space District to the east (Figure 1).

Proposal

The applicant is seeking to demolish the existing pool area and create four (4) new lots for the proposed construction of three (3) single-family attached dwelling units (townhomes), with the fourth (4th) lot dedicated as common area (Figure 2). The proposed development requires Planned Development approval because the proposed lots will not meet the required minimum lot area of 3,000 square feet; however, the overall development does meet the minimum area required for three (3) dwelling units in the RMF-30 zone. In addition, the proposed townhomes will not meet the required front yard setback of 20 feet and have grade changes greater than four feet (4') within the required yard. The applicant has not requested relief from any other zoning requirements; thus, all other project elements would need to comply with standard requirements of the zoning ordinance and RMF-30 zoning district. The Planned Development process includes standards related to whether any modifications will result in a better final product, whether the proposal aligns any one of a variety of City policies and goals, and whether the development is compatible with the area or the City's master plan development goals for the area. The full list of standards is located in [Attachment F](#).

The proposal requires a subdivision process to create the new lots. The buildable lots do not comply with all applicable zoning standards as noted above; therefore, a Planned Development approval is requested for the subdivision. The full list of standards is located in [Attachment H](#).

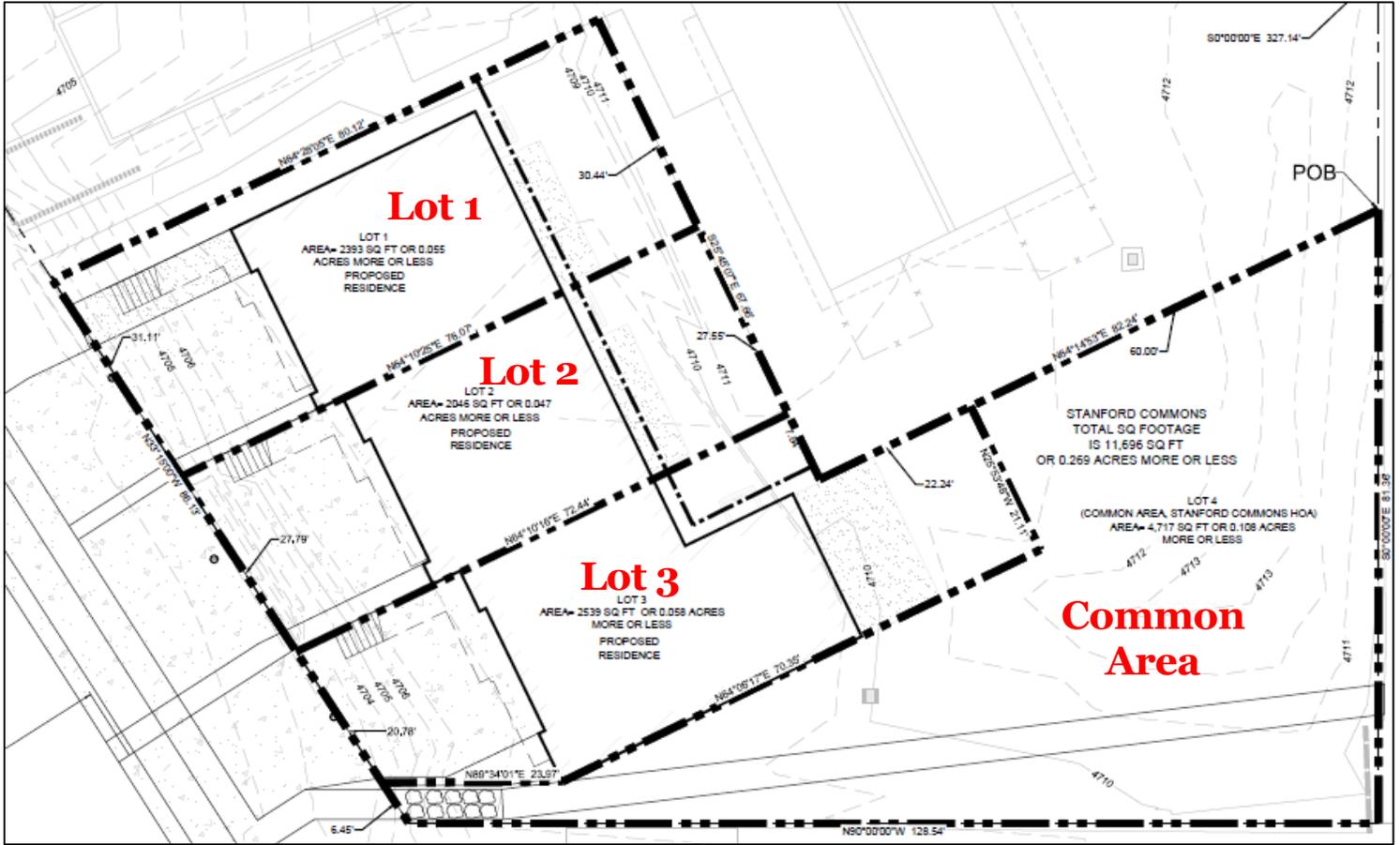


Figure 2. Proposed Preliminary Plat

The applicant has provided a narrative about their proposal and design considerations in [Attachment D](#).



Figure 3. Front (West) Elevation

The proposed 3-story townhomes are modern in design. The front facades of the proposed townhomes would be oriented towards Foothill Drive to provide interaction with the sidewalk to be compatible with character of the neighborhood (Figure 3). The average building height would be approximately 26 feet, where a maximum height of 30 feet is allowed with an average building footprint of approximately 1,053 square feet. Each townhome would provide two (2) off-street parking spaces within the attached garage. The proposed materials for each structure would consist primarily of brick and durable materials for accent purposes. The proposal includes a common area, pedestrian walkway, and

landscape buffering between the driveways and between the proposed building and adjacent properties (Figure 4).

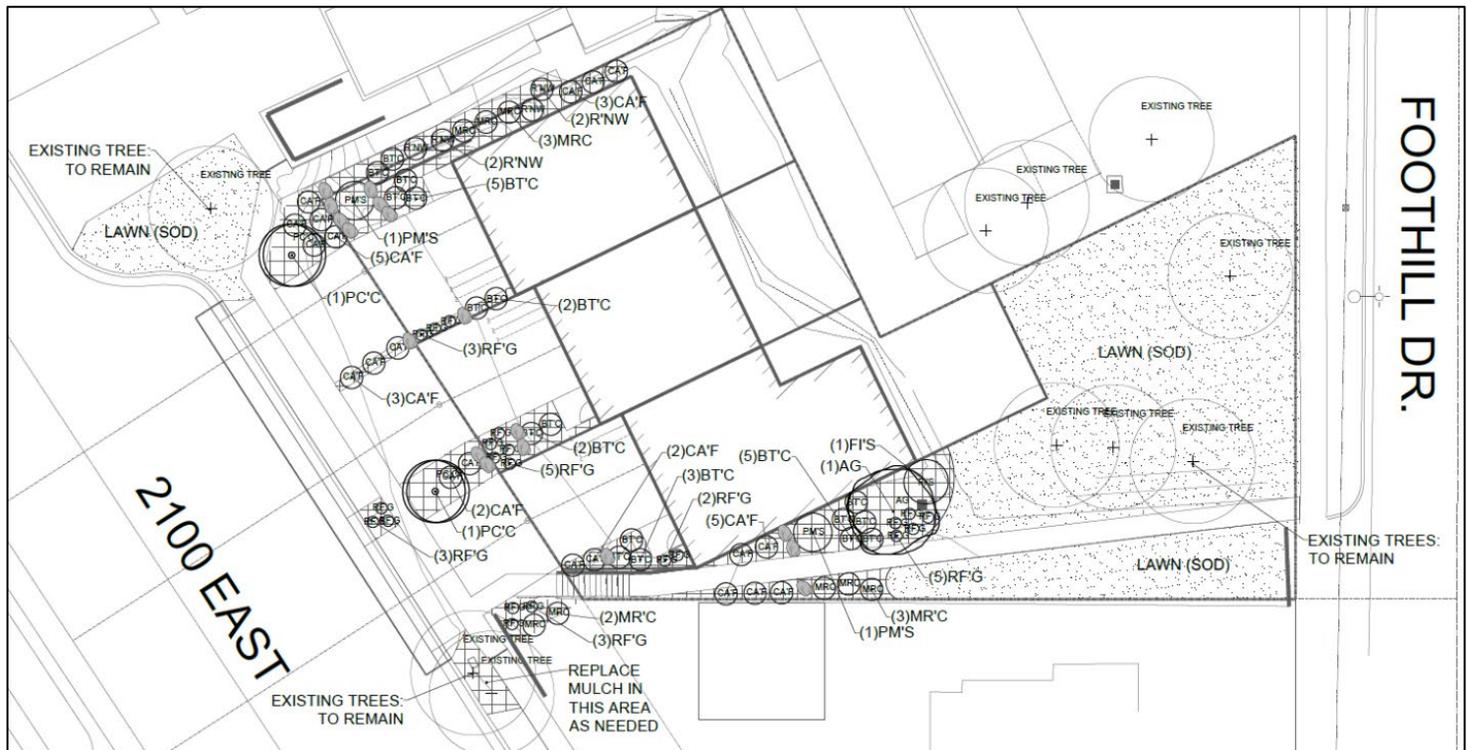


Figure 4. Proposed Landscape Plan

KEY CONSIDERATIONS:

The key considerations listed below have been identified through the analysis of the project, neighbor and community input and department review comments.

1. Front Yard Encroachments
2. Grade Change Greater Than Four Feet (4') Within a Required Yard
3. Minimum Lot Size Reduction
4. Neighborhood Compatibility
5. Development Potential without Planned Development Approval
6. Private Infrastructure and Common Area Maintenance

1. Front Yard Encroachments

The required front yard setback in the RMF-30 zoning district is twenty feet (20'). Given the odd angle of the setback line, the applicant is proposing approximately eighteen feet (18') front yard setback for the building façade and approximately five feet (5') front yard setback for the stairs, meeting all other required yards (side and rear) for all the lots. The front yard encroachments are to accommodate building articulations on the second and third levels, and stairs leading to the building entrance (Figures 5 and 6).

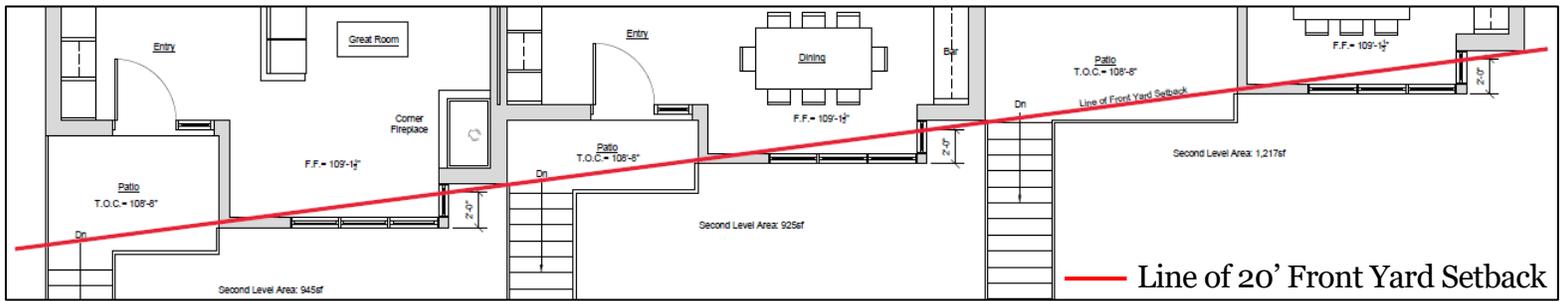


Figure 5. Front Building Facade Encroachment (Second Level)

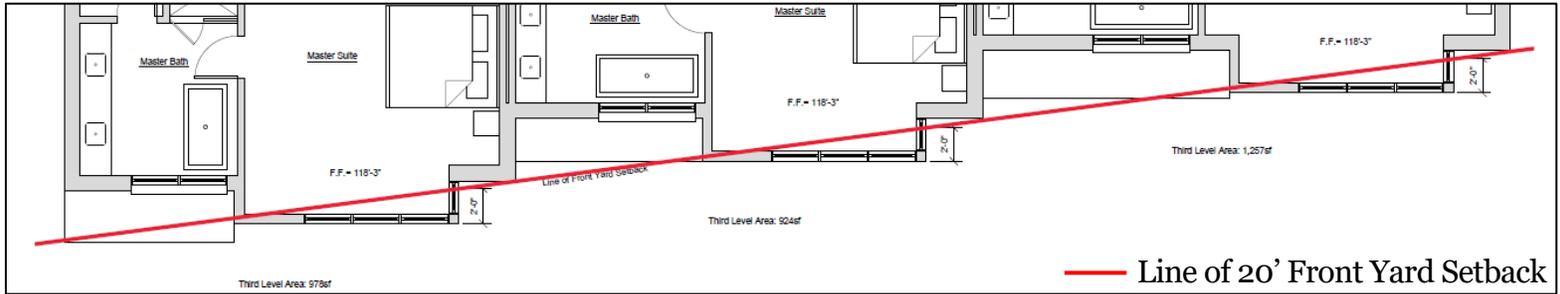


Figure 6. Front Building Facade Encroachment (Third Level)

The building articulations provide both for façade and pedestrian interest along Foothill Drive. The reduced front yard setback would promote harmony with the condominium units immediately to the north of Foothill Drive and to help maintain the harmony of the development pattern on the block face. The front yard reduction for the building encroachment is generally consistent with setbacks along the block face (east side of Foothill Drive) as shown in [Attachment D](#).

In regard to design, there are very limited design criteria required in the RMF-30 zoning district. The only design requirements, which are imposed on all residential districts, are front façade controls:

Front Façade Controls: To maintain architectural harmony and primary orientation along the street, all buildings shall be required to include an entrance door, and such other features as windows, balconies, porches, and other such architectural features in the front façade of the building, totaling not less than ten percent (10%) of the front façade elevation area, excluding any area used for roof structures. For buildings constructed on a corner lot, only one front façade is required in either the front or corner side façade of the building.

The stairs leading to the main (second) level allow each building entrance to be oriented towards the street and further promotes visual and pedestrian interest through its orientation to the street (Figure 7).



Figure 7. Front (West) Elevation Rendering

2. Grade Change Greater Than Four Feet (4’) Within a Required Yard

For properties outside of the H Historic Preservation Overlay District, changes of established grade greater than four feet (4’) within a required yard are normally processed administratively as special exceptions but it is included as part of the Planned Development request. The grade change greater than four feet (4’) is requested to accommodate a retaining wall to create drive-in garages that are at street grade with the hill rising around the garage. Therefore, creating below grade garages with the main living level at about the grade of the existing pool. The grade change and retaining walls over four feet (4’) in height along the north property would encroach approximately 4.39 feet into the required front yard and along the driveway for lot 3, it would encroach approximately 8.32 feet into the required front yard (Sheet C2-0 in [Attachment B](#)). The grade change and retaining walls greater than four feet (4’) within the required front yard is generally consistent with the structures along the block face (east side of Foothill Drive) (Figure 8).



Figure 8. Grade Change and Retaining Walls Greater Than Four Feet (4’) Within the Required Yard along the block face (east side of Foothill Drive)

3. Minimum Lot Size Reduction

For single-family attached dwelling units, the RMF-30 zoning district requires 3,000 square feet lot area per dwelling unit. The proposal includes an average lot size of 2,923 square feet (Table 1). While the lots are undersized, the overall square footage of the subject property meets the density requirement of 9,000 square foot minimum for three (3) single-family attached units.

Lot #	Lot Area (sq. ft.)
Lot 1	2,393
Lot 2	2,046
Lot 3	2,539
Lot 4	4,717
Total	11,696

Table 1. Proposed Lot Size

4. Neighborhood Compatibility

The purpose of the RMF-30 (Low Density Multi-Family Residential District) is to:

The purpose of the RMF-30 low density multi-family residential district is to provide an environment suitable for a variety of housing types of a low density nature, including single-family, two-family, and multi-family dwellings, with a maximum height of thirty feet (30'). This district is appropriate in areas where the applicable master plan policies recommend multi-family housing with a density of less than fifteen (15) dwellings units per acre. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

The RMF-30 zoning district encourages a variety of residential uses. While moderately scaled residential structures are located to the north, the immediate neighborhood context primarily includes low scale single-family structures. These structures range from 1 to 3 stories in height, with a variety of roof types. The addition of these townhouse units within the neighborhood is architecturally compatible with the surrounding buildings, as well as the existing uses. The integration of materials that are commonly utilized within the direct context, as well as a moderate massing of the proposed structure will aid in transition of new development within the existing neighborhood.

The subject property is located within the East Bench Neighborhood, identified in the East Bench Master Plan, 2017. The applicable guiding principal for residential development is stated, below:

Guiding Principle N-01: Neighborhood Compatibility – Development and infrastructure improvements complement the unique architectural styles and development patterns that define individual neighborhoods.

The proposed development is in compliance with the adopted East Bench Master Plan as discussed in [Attachment F](#). The proposed development of the townhomes attempts to limit the disruption of the existing grade and significant slope. The development recognizes the existing development pattern that characterizes the neighborhood.

5. Development Potential without Planned Development Approval

If the project does not receive Planned Development approval, the property owner may develop the property in a way that meets all requirements of the zoning ordinance and RMF-30 zoning district.

- The property owner may construct a multi-family dwelling (up to 3 dwelling units), which requires a minimum lot area of 9,000 square feet and minimum lot width of 80 feet. In other words, the applicant could build a similar proposal as apartments or condominiums.
- The property owner may construct a single-family detached, twin home or two-family dwellings.

6. Private Infrastructure and Common Area Maintenance

The proposed development includes common areas. The applicant has drafted a CC&R's for ongoing maintenance and funding for these areas of common ownership. This should be noted on the plat and the agreements should be recorded to perpetuate those obligations.

Staff is recommending that a condition be included that a document showing that ongoing maintenance and funding for areas of common ownership be provided in order to finalize the planned development and that this agreement must be recorded with the plat.

DISCUSSION:

The proposed design and layout of the single-family attached dwelling units have taken the scale of adjacent properties and the existing neighborhood into consideration. By providing relief from certain zoning regulations through this Planned Development process, a project that is compatible with the existing zoning and neighborhood can be constructed while more efficiently utilizing the property.

Staff recommends approval of the proposed project based on the following findings:

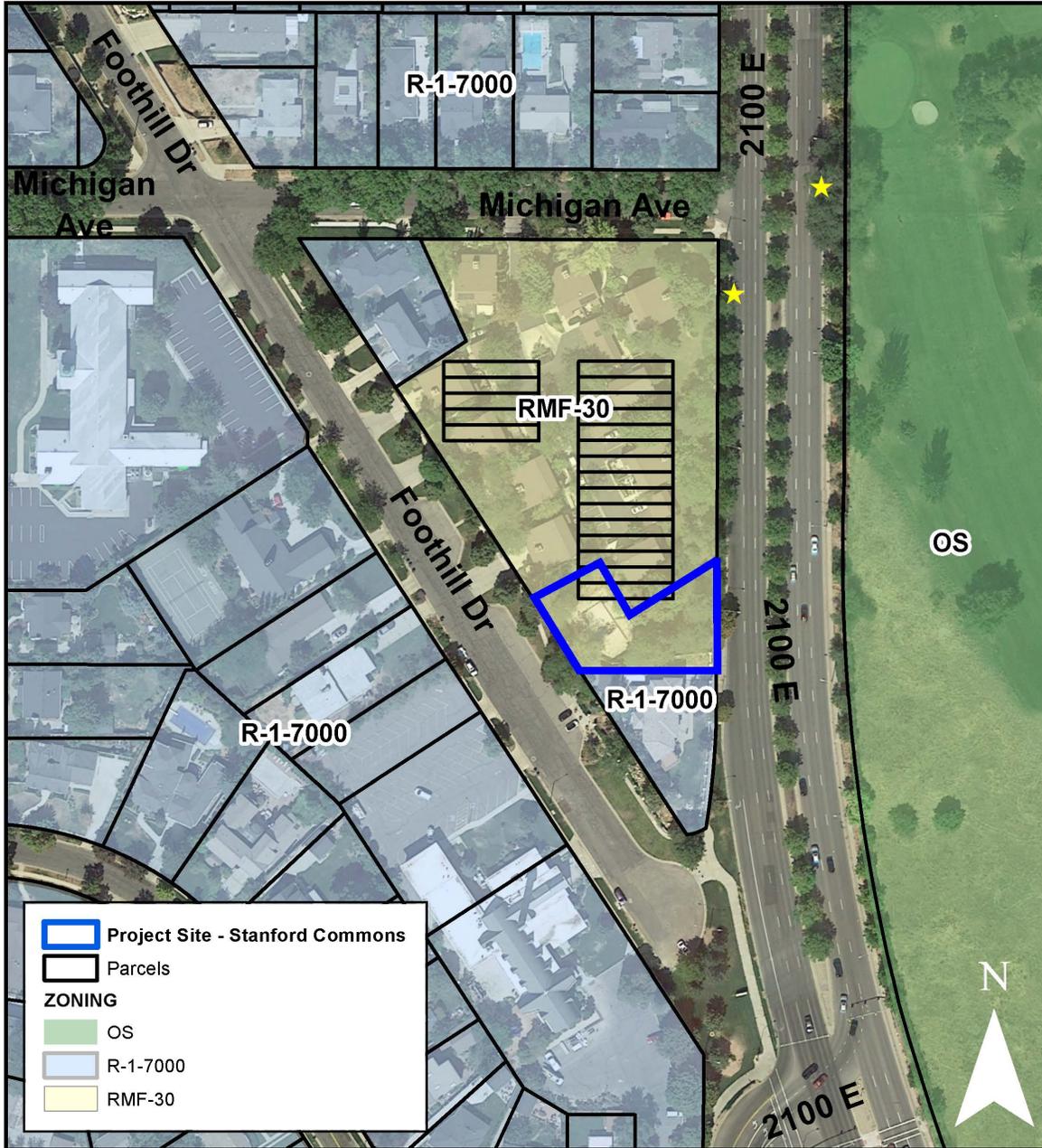
- The proposal generally meets the standards in terms of Master Plan Policies and Zoning Ordinance standards ([Attachment F](#)), Planned Development standards ([Attachment G](#)) and Subdivision Ordinance standards ([Attachment H](#));
- The proposal will provide housing that meets the intent of the multi-family zone and that provides increased home ownership opportunities in the City, which is a policy goal of multiple City master plans.
- The proposed project meets the density of the subject zoning district; and
- The proposed project would be compatible with the existing zoning district and surrounding neighborhood.

NEXT STEPS:

- If approved, the applicant may proceed with the project, subject to all conditions imposed by City departments and/or the Planning Commission and will be required to obtain all necessary permits. A final plat application will need to be submitted for approval. Certificate of occupancy for the buildings would not be issued until the conditions are met and the final subdivision plat is recorded.
- If denied, the applicant would be permitted to develop the lot in a way that is compliant with development standards and requirements of the RMF-30 zoning district.

ATTACHMENT A: VICINITY MAP

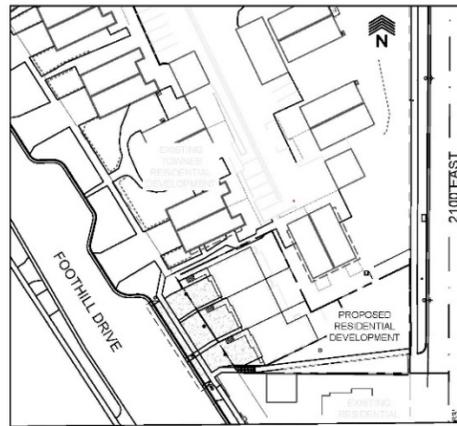
Vicinity Map



Salt Lake City Planning Division

STANFORD COMMONS SITE PLAN APPLICATION

FOOTHILL DRIVE
SALT LAKE CITY, UTAH



SITE PLAN
SCALE: 1" = 50'



VICINITY MAP
N.T.S.

SHEET INDEX	
SHEET NUMBER	SHEET TITLE
C0-0	COVER SHEET
C0-1	GENERAL NOTES
C0-2	GENERAL NOTES
C0-3	DEVOLUTION PLAN
C1-0	SITE PLAN
C1-1	SITE DETAILS
C2-0	GRACING PLAN
C3-0	EROSION CONTROL PLAN
C3-1	EROSION CONTROL DETAILS
C4-0	UTILITY PLAN
C4-1	UTILITY DETAILS

BENCHMARK

THE BENCHMARK FOR THE ELEVATIONS ON THIS SURVEY IS 4740.31 AT THE FOUND STREET MONUMENT AT THE INTERSECTION OF FOOTHILL DRIVE AND MICHIGAN AVENUE TO MATCH THE RECORD PLAT ELEVATION.

BASIS OF BEARING

THE BASIS OF BEARING IS NORTH 89°57'20" EAST BETWEEN FOUND MONUMENTS AT THE INTERSECTION OF MICHIGAN STREET AND FOOTHILL DRIVE AND THE INTERSECTION OF MICHIGAN STREET AND 2100 AS SHOWN HEREON.

PROJECT CONTACTS

PROPERTY OWNER

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TAYLORSVILLE, UTAH 84123
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EMAIL: CCain@AvenueConsultants.com

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PARK CITY, UTAH 84098
CONTACT:
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EMAIL: Rob.White@SugarHouseArchitects.com

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PHONE: (208) 320-8624
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SALT LAKE CITY PUBLIC UTILITIES
1530 SOUTH WEST TEMPLE
SALT LAKE CITY, UTAH 84070
CONTACT:
JASON DRAPER
PHONE: (801) 483-6900

SECONDARY WATER

SALT LAKE CITY PUBLIC UTILITIES
1530 SOUTH WEST TEMPLE
SALT LAKE CITY, UTAH 84070
CONTACT:
PHONE: (801) 483-6900

SANITARY SEWER

SALT LAKE CITY PUBLIC UTILITIES
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JASON DRAPER
PHONE: (801) 483-6900

DEVELOPER

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2796 S REDWOOD ROAD
WEST VALLEY CITY, UT 84119
CONTACT:
BRYAN ROBERTS, P.E.
PHONE: (801) 908-5859

STORM DRAIN

SALT LAKE CITY PUBLIC UTILITIES
1530 SOUTH WEST TEMPLE
SALT LAKE CITY, UTAH 84070
CONTACT:
PHONE: (801) 483-6900

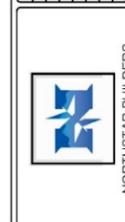
GAS

QUESTAR GAS
333 S STATE STREET
SALT LAKE CITY, UTAH 84111
CONTACT:
PHONE: (801) 324-5111

POWER

ROCKY MOUNTAIN POWER
1407 W NORTH TEMPLE
SALT LAKE CITY, UTAH 84116
CONTACT:
PHONE: (888) 221-7070

REVISIONS	
NO.	DESCRIPTION



avenue CONSULTANTS
Avenue Consultants, Inc.
6575 South Redwood Road, Suite 101
Taylorsville, UT 84123
801-207-7660
www.avenueconsultants.com



COVER SHEET
STANFORD COMMONS
RESIDENTIAL DEVELOPMENT

Designer: JT
Detailer: CC
Checker: KS

SUBSET NO.
SHEET NO.
C0-0



Avenue Project No. 19-046

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GENERAL SITE CONSTRUCTION NOTES

- 1. ALL CONSTRUCTION AND MATERIALS ARE TO BE IN ACCORDANCE WITH THE MOST CURRENT EDITION OF THE "MILLCREEK, UTAH CITY CODE" AND OTHER APPLICABLE APPROVED STANDARDS ISSUED BY THE CONTROLLING AGENCY...

FULL DEPTH ASPHALT PATCHES

- 1. ASPHALT PAVING SHALL BE PER AFPA STANDARDS, LIGHT DUTY ASPHALT MIX, CLASS 1 TRAFFIC PATCH PAVEMENT AND SUBBASE THICKNESS, MATCH EXISTING SECTION, BUT NO LESS THAN 2" ASPHALT OVER 1" SUBBASE.

EXCAVATION NOTES

- 1. CONTRACTOR SHALL HAVE UTILITIES MARKED BY BLUE STAKES PRIOR TO ANY EXCAVATION ON SITE OR IN LOCALIZED AREAS.

TRAFFIC NOTES

- 1. ALL CONSTRUCTION SIGNING, BARRICADING, AND TRAFFIC DELINEATION IS TO CONFORM TO THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD)", LATEST EDITION.

GRADING NOTES

- 1. IN THE EVENT THAT ANY UNFORESEEN CONDITIONS NOT COVERED BY THESE NOTES, ARE ENCOUNTERED DURING GRADING OPERATIONS, THE OWNER/ENGINEER IS TO BE IMMEDIATELY NOTIFIED FOR DIRECTION, CHANGES TO THE "RELEASED FOR CONSTRUCTION" DRAWINGS ARE TO BE APPROVED THROUGH THE CHANGE ORDER PROCESS.

SETTLEMENT

- 1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SETTLEMENT OF BACKFILL WHICH MAY OCCUR WITHIN THE CORRECTION PERIOD STIPULATED WITHIN THE CONTRACT DOCUMENTS.

SHEETING, SHORING AND BRACING

- 1. PROVIDE AND INSTALL ADEQUATE SHEETING, SHORING AND BRACING, OR TRENCH BOXES AS NECESSARY TO FACILITATE CONSTRUCTION, PROTECT EMPLOYEES AND TO PREVENT GROUND MOVEMENT THAT MAY CAUSE DAMAGE OR SETTLEMENT TO ADJACENT STRUCTURES, PIPELINES AND UTILITIES.

Table with 10 columns and 1 row for REVISIONS.



avenue CONSULTANTS Avenue Consultants, Inc. 6575 South Redwood Road, Suite 101 Taylorsville, UT 84123 801-207-7860



GENERAL NOTES STANFORD COMMONS RESIDENTIAL DEVELOPMENT

Table with 2 columns: Designer (JT), Detailer (CC), Checker (KS), SUBSET NO., SHEET NO. (C0-1)



SEWER NOTES

1. THE LOCATION OF, AND EXISTENCE OR NON-EXISTENCE OF UNDERGROUND UTILITIES HAS BEEN DETERMINED TO THE BEST OF THE ENGINEER'S ABILITY, BUT IT SHALL BE THE SOLE DUTY OF THE CONTRACTOR TO VERIFY THE LOCATION OF THE EXISTING UTILITIES AND TO TAKE ALL NECESSARY PRECAUTIONS TO AVOID DAMAGE TO THESE UTILITIES. THE CONTRACTOR SHALL ASSUME SOLE RESPONSIBILITY FOR ANY DAMAGE DONE TO EXISTING UTILITIES DURING CONSTRUCTION.
2. THE CONTRACTOR SHALL MAINTAIN A RECORD OF THE LOCATIONS OF ALL WASTEWATER LATERALS, TEES AND STUB OUTS. THIS RECORD SHALL BE DELIVERED TO THE DEVELOPER'S ENGINEERS PRIOR TO FINAL PAYMENT BEING AUTHORIZED.
3. BACKWATER DEVICES SHALL BE INSTALLED WHERE NECESSARY.
4. THE CONTRACTOR SHALL MARK THE LOCATION OF ALL WASTEWATER LATERALS WITH THE LETTER "S" AT LEAST 2-INCH HIGH ENGRAVED INTO THE CURB.
5. ALL LATERALS TO NEW PIPELINES ARE TO BE TIED INTO MAIN LINE THROUGH USE OF FITTINGS. CUT-IN SADDLES ARE NOT ALLOWED.
6. THE WASTEWATER SYSTEM SHALL BE COMPLETED AND ACCEPTED BY THE MOUNT OLYMPUS IMPROVEMENT DISTRICT PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
7. WASTEWATER LINES WILL BE INTERNALLY INSPECTED BY A CITY TELEVISION CREW AT THE OWNER/DEVELOPER'S EXPENSE.
8. OWNER SHALL PROVIDE EASEMENTS TO MOUNT OLYMPUS IMPROVEMENT DISTRICT AS REQUIRED. "10-FOOT WIDE UTILITY EASEMENT IN FAVOR OF MT. OLYMPUS IMPROVEMENT DISTRICT"
9. CONTRACTOR TO COMPLETE A DISTRICT MAIN LINE BOND. THE MAIN LINE BOND AMOUNT IS FOR 100% OF THE CONTRACTOR'S BID PRICE FOR THE SEWER IMPROVEMENTS.
10. ONSITE PRE-CONSTRUCTION MEETING IS REQUIRED PRIOR TO STARTING THE SEWER IMPROVEMENTS
11. ANY OLD ABANDONED LATERALS MUST BE CAPPED AT THE PROPERTY LINE
12. ALL SEWER IMPROVEMENTS SHALL BE INSPECTED BY THE DISTRICT INSPECTOR. CALL 801-263-2904 TO SCHEDULE INSPECTIONS. BE SURE TO HAVE ASSIGNED DISTRICT NUMBER OR EXACT ADDRESS READY WHEN CALLING.

SEWER LATERAL SPECIFICATIONS

1. SEWER LATERAL SHALL BE SDR 35 PVC PIPE.
2. MORE THAN ONE SEWER LATERAL CAN BE IN THE SAME TRENCH. THERE NEEDS TO BE 6" BETWEEN PIPES OR PIPE AND TRENCH WALL.
3. CLEAN-OUTS: SDR 35 PVC PIPE. TOP OF CLEAN-OUT MUST HAVE A CAST IRON HUB WITH A THREADED BRASS CAP. ONE CLEAN-OUT AT PROPERTY LINE AND ONE EVERY 50' THEREAFTER ON A 4" LINE. CLEAN-OUT EVERY 100' ON A 6" LINE. IF MORE THAN A 45' BEND, THERE MUST BE A CLEAN-OUT. A CLEAN-OUT IS ALSO REQUIRED AT EVERY 90° BEND AND BETWEEN (2) 45° BENDS. FERNOCO COUPLINGS WITH SHEAR BANDS REQUIRED.
4. 1/2" MINUS GRAVEL 4" TO 6" AROUND PIPE AND 12" AROUND CLEAN-OUT.
5. 2% MINIMUM GRADE ON 4", 1% ON 6". UNIFORM GRADE START TO FINISH.
6. NO GLUED FITTINGS ALLOWED EXCEPT IN SAMPLING MANHOLE.
7. TEST TEE IN FRONT OF PROPERTY LINE CLEAN-OUT.
8. WATER TEST TO BE RUN ON ALL LATERALS. A TEN FOOT HEAD REQUIRED.
9. CONTRACTOR MUST BE PROPERLY BONDED WITH THE DISTRICT PRIOR TO ANY WORK BEGINNING. PROPER CONNECTION AND INSPECTION FEES MUST BE PAID PRIOR TO ANY WORK BEGINNING. THE DISTRICT INSTALLS THE NOSE-ON BUT THE CUSTOMER PAYS FOR THE NOSE-ON. THE 4" NOSE-ON IS A SDR-35 PVC BELL. TRENCH BOX REQUIRED FOR NOSE-ON OR TRENCH MUST BE VEE TO OSHA STANDARDS. TRENCH NEEDS TO BE DEWATERED. AS WE USE AN ELECTRIC DRILL TO CORE ON THE NOSE-ON. ONE NOSE-ON PER LENGTH OF PIPE. NOSE-ON NEEDS TO BE 18" FROM SPIGOT END AND 6" FROM BELL END.
10. CAP-OFFS: DIG UP LINE AS CLOSE TO THE STREET AS POSSIBLE WITHOUT DISTURBING SIDEWALK OR ROAD ASPHALT. IN FRONT OF PROPERTY LINE CLEAN-OUT. EXPANDABLE PLUG THE SIZE OF THE LINE TO BE CAPPED OFF IS NEEDED ALONG WITH A BAG OF CONCRETE MIX. PIPE TO BE CAPPED OFF NEEDS TO BE CUT OFF SQUARE. PUT IN EXPANDABLE PLUG. CALL FOR AN INSPECTION BY THE DISTRICT INSPECTOR. MIX CONCRETE AND PLACE AROUND CAP WHILE INSPECTOR IS THERE. ONLY IF INSPECTOR SEES THE CAP OFF WILL THE ACCOUNT BE CLOSED.

FIRE DEPARTMENT NOTES

1. ON ANY NEW HOME OR BUILDING INSTALLATION, ACCESSIBLE FIRE HYDRANTS ARE TO BE INSTALLED BEFORE COMBUSTIBLE CONSTRUCTION COMMENCES AND SAID FIRE HYDRANTS ARE TO BE IN GOOD WORKING ORDER WITH AN ADEQUATE WATER SUPPLY THROUGHOUT THE DURATION OF CONSTRUCTION.
2. CONTRACTOR SHALL CALL THE FIRE INSPECTOR FOR UNDERGROUND INSPECTION AS REQUIRED BY THE UNIFIED FIRE AUTHORITY.
3. PAINTING OF THE CURBS AND HYDRANT AND ANY WORK NECESSARY FOR PROTECTION OF HYDRANTS FROM PHYSICAL DAMAGE IS TO BE COMPLETED BEFORE APPROVAL.
4. A FLUSH OF ALL UNDERGROUND PIPING PROVIDED FOR FIRE SPRINKLER CONNECTION WILL BE WITNESSED BY THE FIRE DEPARTMENT.
5. A FLOW TEST MUST BE WITNESSED BY THE FIRE DEPARTMENT PRIOR TO OCCUPANCY FOR VERIFICATION OF REQUIRED ON-SITE WATER SUPPLY.
6. ALL ON-SITE FIRE MAIN MATERIALS MUST BE U.L. LISTED AND A.W.W.A. APPROVED.
7. FIRE HYDRANT SPACINGS: REFER TO APPENDIX B & C OF THE 2008 INTERNATIONAL FIRE CODE FOR FIRE HYDRANT QUANTITY AND SPACING.
8. WHERE NEW WATER MAINS ARE EXTENDED ALONG STREETS, HYDRANTS ARE TO BE SPACED AT MAXIMUM 1,000-FOOT SPACING TO PROVIDE FOR TRANSPORTATION HAZARDS.
9. ACCESS GATES ARE TO BE PROVIDED WITH AN APPROVED KNOX KEY SWITCH SYSTEM. SAID SYSTEM IS TO BE INSTALLED IN ACCORDANCE WITH THE UNIFIED FIRE AUTHORITY APPROVAL.

UNDERGROUND RETENTION

1. PROVIDE UNDERGROUND RETENTION SYSTEM PER THE DRAINAGE SHEET. PROVIDE PERFORATED PIPE SYSTEM OR APPROVED EQUAL. INSTALL PER MANUFACTURER'S RECOMMENDATIONS FOR FOUNDATION STONE, BACKFILL, GEOTEXTILE FABRIC, ETC.
2. PROVIDE 15" THICK FOUNDATION STONE LAYER UNDER SYSTEM. FIELD VERIFY THE SUBGRADE BEARING CAPACITY THAT IS ASSUMED TO BE 2500 PSF OR BETTER. NOTIFY ENGINEER IF CAPACITY IS DIFFERENT THAN THE ASSUMED VALUE.
3. INSTALL COMPLETE SYSTEM PER MANUFACTURER'S RECOMMENDATIONS.
4. CONTRACTOR SHALL FLUSH AND VACUUM NEWLY INSTALLED DRAINAGE SYSTEM AT END OF PROJECT.

GEOTECHNICAL NOTES

1. A GEOTECHNICAL REPORT HAS BEEN PROVIDED FOR THIS PROJECT BY CMT ENGINEERING (REPORT #12751, MAY 17, 2019) ALL SITE EXCAVATION, BACKFILL, COMPACTION, PAVING, RETAINING WALLS, ETC. SHALL BE IN ACCORDANCE WITH THIS GEOTECHNICAL REPORT AND ITS RECOMMENDATIONS.
2. EXCAVATION AND COMPACTION ACTIVITIES SHALL BE INSPECTED BY A 3RD PARTY INDEPENDENT TESTING AGENCY.
3. THE SITE SHOULD BE EXAMINED BY A CMT GEOTECHNICAL ENGINEER TO ASSESS THAT SUITABLE NATURAL SOILS HAVE BEEN EXPOSED AND ANY DELETERIOUS MATERIALS, LOOSE AND/OR DISTURBED SOILS HAVE BEEN REMOVED, PRIOR TO PLACING SITE GRADING FILLS, FOOTINGS, SLABS, AND PAVEMENTS.
4. FILL PLACED OVER LARGE AREAS TO RAISE OVERALL SITE GRADES CAN INDUCE SETTLEMENTS IN THE UNDERLYING NATURAL SOILS. IF ANY ADDITIONAL SITE GRADING FILL IS ANTICIPATED ABOVE THE EXISTING GROUND SURFACE, GEOTECHNICAL ENGINEER SHOULD BE NOTIFIED TO ASSESS POTENTIAL SETTLEMENTS AND PROVIDE ADDITIONAL RECOMMENDATIONS AS NEEDED.
5. CONTRACTOR SHALL FOLLOW RECOMMENDATIONS FOR EXCAVATION DEPTHS, SIDE SLOPE RECOMMENDATIONS AND SHORING RECOMMENDATIONS AS RECOMMENDED IN THE GEOTECHNICAL REPORT. ALL EXCAVATIONS MUST BE INSPECTED PERIODICALLY BY QUALIFIED PERSONNEL. IF ANY SIGNS OF INSTABILITY OR EXCESSIVE SLOUGHING ARE NOTED, IMMEDIATE REMEDIAL ACTION MUST BE INITIATED. ALL EXCAVATIONS SHOULD BE MADE FOLLOWING OSHA SAFETY GUIDELINES.
6. CONTRACTOR SHALL FOLLOW GEOTECHNICAL ENGINEER'S RECOMMENDATIONS FOR THE VARIOUS FILL TYPES ANTICIPATED TO BE USED AT THIS SITE. THEIR SUITABILITY FOR USE, AND THEIR COMPACTION REQUIREMENTS.
7. COMPACTION REQUIREMENTS FOR STRUCTURAL FILL, SITE GRADING FILL, UTILITY TRENCHES, ROADBASE AND SUBBASE AND NON-STRUCTURAL FILL SHALL BE IN ACCORDANCE WITH RECOMMENDATIONS IN THE GEOTECHNICAL REPORT.
8. UTILITY TRENCH BACKFILL MATERIALS AND COMPACTION REQUIREMENTS SHALL BE IN ACCORDANCE WITH RECOMMENDATIONS IN THE GEOTECHNICAL REPORT.

REVISIONS									



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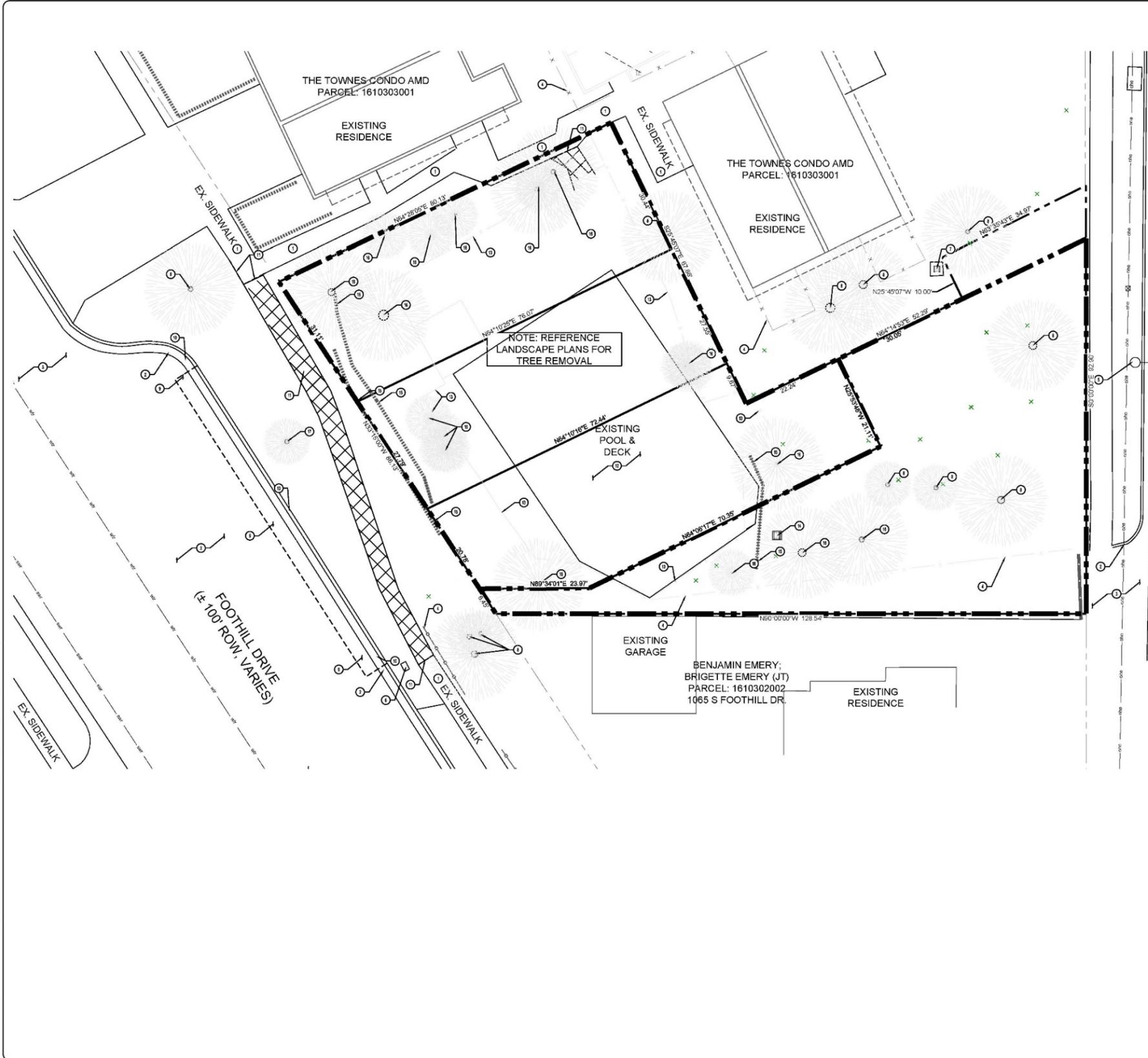


GENERAL NOTES
 STANFORD COMMONS
 RESIDENTIAL DEVELOPMENT

Designer	JT
Detailer	CC
Checker	KS

SUBSET NO.
 SHEET NO.
C0-2

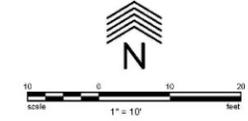




DEMOLITION PLAN LEGEND

	PROPERTY BOUNDARY
	ADJACENT PROPERTY BOUNDARY
	LOT LINE
	EXISTING EASEMENT
	PROPOSED ASPHALT/CONCRETE SAWCUT
	EXISTING CURB & GUTTER/CONCRETE TO REMAIN
	EXISTING CURB AND GUTTER/CONCRETE TO BE REMOVED
	EXISTING CONCRETE SIDEWALK TO REMAIN
	EXISTING CONCRETE SIDEWALK TO BE REMOVED
	EXISTING RETAINING WALL TO REMAIN
	EXISTING RETAINING WALL TO BE REMOVED
	EXISTING FENCE TO REMAIN
	EXISTING FENCE TO BE REMOVED
	EXISTING STORM DRAIN INLET TO REMAIN
	EXISTING STORM DRAIN INLET TO BE REMOVED
	EXISTING CULINARY WATER MAIN
	EXISTING SANITARY SEWER MAIN
	EXISTING OVERHEAD POWER LINE
	EXISTING STREET LIGHT

- DEMOLITION PLAN KEY NOTES**
- 1 EXISTING CONCRETE SIDEWALK TO REMAIN. CONTRACTOR TO PROTECT IN PLACE THROUGHOUT CONSTRUCTION. CONTRACTOR TO REPLACE ANY SECTIONS DAMAGED DURING CONSTRUCTION TO THE NEAREST JOINT PER APWA STD DRAWING 231 AND SALT LAKE CITY STANDARDS & SPECIFICATIONS.
 - 2 EXISTING CONCRETE CURB & GUTTER TO REMAIN. CONTRACTOR TO PROTECT IN PLACE THROUGHOUT CONSTRUCTION. ANY AREAS DAMAGED DURING CONSTRUCTION ARE TO BE SAWCUT TO A MINIMUM 2" WIDTH AND REPLACED PER APWA STD DRAWING 205 AND SALT LAKE CITY STANDARDS & SPECIFICATIONS. MATCH EXISTING PAVEMENT SECTION AND GRADE.
 - 3 EXISTING ASPHALT PAVEMENT TO REMAIN. CONTRACTOR TO PROTECT IN PLACE THROUGHOUT CONSTRUCTION. ANY AREAS DAMAGED DURING CONSTRUCTION ARE TO BE SAWCUT TO A MINIMUM 2" WIDTH AND REPLACED PER APWA STD DRAWING 205 AND SALT LAKE CITY STANDARDS & SPECIFICATIONS. MATCH EXISTING PAVEMENT SECTION AND GRADE.
 - 4 EXISTING FENCE TO REMAIN. CONTRACTOR TO PROTECT IN PLACE THROUGHOUT CONSTRUCTION.
 - 5 EXISTING LIGHT POLE TO REMAIN. CONTRACTOR TO PROTECT IN PLACE THROUGHOUT CONSTRUCTION.
 - 6 EXISTING UTILITY BOX TO REMAIN. CONTRACTOR TO PROTECT IN PLACE THROUGHOUT CONSTRUCTION AND ADJUST TO PROPOSED GRADE.
 - 7 EXISTING STORM DRAIN INLET TO REMAIN. CONTRACTOR TO PROTECT IN PLACE THROUGHOUT CONSTRUCTION.
 - 8 EXISTING TREE TO REMAIN. PROTECT IN PLACE THROUGHOUT CONSTRUCTION.
 - 9 SAWCUT, REMOVE AND LEGALLY DISPOSE OF EXISTING ASPHALT PAVEMENT AS REQUIRED FOR INSTALLATION OF PROPOSED IMPROVEMENTS (MIN. 2" WIDTH) AND UTILITIES REPLACE PER APWA STD DRAWING 205 AND SALT LAKE CITY STANDARDS & SPECIFICATIONS. MATCH EXISTING PAVEMENT SECTION AND GRADE.
 - 10 SAWCUT EXISTING CONCRETE CURB AND GUTTER TO NEAREST JOINT, REMOVE AND LEGALLY DISPOSE OF AS REQUIRED FOR INSTALLATION OF SITE IMPROVEMENTS. REPLACE CURB & GUTTER PER APWA STD DRAWING 205 AND SALT LAKE CITY STANDARDS & SPECIFICATIONS.
 - 11 SAWCUT EXISTING CONCRETE SIDEWALK TO NEAREST JOINT, REMOVE AND LEGALLY DISPOSE OF AS REQUIRED FOR INSTALLATION OF SITE IMPROVEMENTS. REPLACE PER APWA STD DRAWING 231 AND SALT LAKE CITY STANDARDS & SPECIFICATIONS.
 - 12 EXISTING POOL AND CONCRETE POOL DECK TO BE DEMOLISHED AND LEGALLY DISPOSED OF.
 - 13 REMOVE AND LEGALLY DISPOSE OF EXISTING FENCE.
 - 14 EXISTING STORM DRAIN INLET. REPLACE PER GRADING DESIGN. REFERENCE SHEET C2-0 FOR DETAILS.
 - 15 REMOVE AND LEGALLY DISPOSE OF EXISTING RETAINING WALL.
 - 16 REMOVE AND LEGALLY DISPOSE OF EXISTING TREE. REFERENCE LANDSCAPE AND IRRIGATION PLANS FOR DETAILS.
 - 17 REMOVE AND LEGALLY DISPOSE OF EXISTING PARK STRIP TREE. REFERENCE LANDSCAPE AND TREE PROTECTION PLANS FOR DETAILS AND REPLACEMENT.



REVISIONS

NO.	DESCRIPTION



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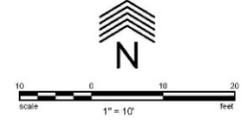
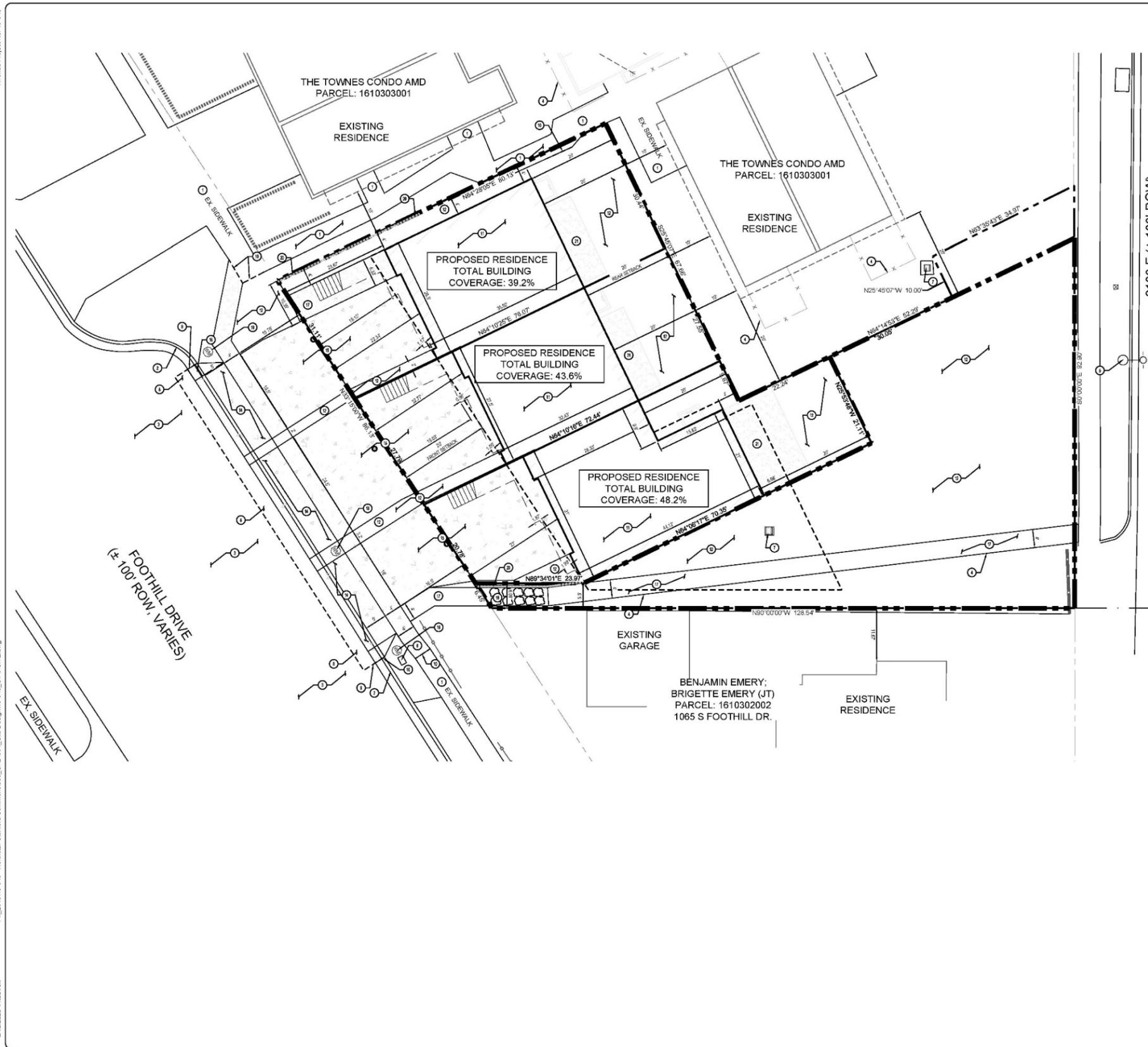
DEMOLITION PLAN

**STANFORD COMMONS
RESIDENTIAL DEVELOPMENT**

Designer: JT
 Detailer: CC
 Checker: KS

SUBSET NO.
 SHEET NO.
C0-3





SITE PLAN LEGEND

	PROPERTY BOUNDARY
	ADJACENT PROPERTY BOUNDARY
	LOT LINE
	EXISTING EASEMENT
	PROPOSED BUILDING ENVELOPE
	20' BUILDING SETBACK
	PROPOSED ASPHALT/CONCRETE SAWCUT
	EXISTING CONCRETE CURB & GUTTER
	EXISTING CONCRETE SIDEWALK
	EXISTING RETAINING WALL
	EXISTING FENCE
	EXISTING CONCRETE PANEL FENCE
	PROPOSED CONCRETE CURB & GUTTER
	PROPOSED CONCRETE SIDEWALK
	PROPOSED CONCRETE PAVEMENT
	EXISTING STORM DRAIN INLET
	EXISTING STREET LIGHT
	EXISTING UTILITY BOX
	PROPOSED WATER METER

SITE PLAN KEY NOTES

- ① EXISTING CONCRETE SIDEWALK TO REMAIN. CONTRACTOR TO PROTECT IN PLACE THROUGHOUT CONSTRUCTION. CONTRACTOR TO REPLACE ANY SECTIONS DAMAGED DURING CONSTRUCTION TO THE NEAREST JOINT PER APWA STD DRAWING 231 AND SALT LAKE CITY STANDARDS & SPECIFICATIONS.
- ② EXISTING CONCRETE CURB & GUTTER TO REMAIN. CONTRACTOR TO PROTECT IN PLACE THROUGHOUT CONSTRUCTION. CONTRACTOR TO REPLACE ANY SECTIONS DAMAGED DURING CONSTRUCTION TO THE NEAREST JOINT. REPLACED CURB & GUTTER TO BE CONSTRUCTED PER APWA STD DRAWING 205 AND SALT LAKE CITY STANDARDS & SPECIFICATIONS.
- ③ EXISTING ASPHALT PAVEMENT TO REMAIN. CONTRACTOR TO PROTECT IN PLACE THROUGHOUT CONSTRUCTION. ANY AREAS DAMAGED DURING CONSTRUCTION ARE TO BE SAWCUT TO A MINIMUM 2' WIDTH AND REPLACED PER APWA STD DRAWING 255 AND SALT LAKE CITY STANDARDS & SPECIFICATIONS. MATCH EXISTING PAVEMENT SECTION AND GRADE.
- ④ EXISTING FENCE TO REMAIN. CONTRACTOR TO PROTECT IN PLACE THROUGHOUT CONSTRUCTION.
- ⑤ EXISTING LIGHT POLE TO REMAIN. CONTRACTOR TO PROTECT IN PLACE THROUGHOUT CONSTRUCTION.
- ⑥ EXISTING UTILITY BOX TO REMAIN. CONTRACTOR TO PROTECT IN PLACE THROUGHOUT CONSTRUCTION AND ADJUST TO PROPOSED GRADE.
- ⑦ EXISTING STORM DRAIN INLET TO REMAIN. CONTRACTOR TO PROTECT IN PLACE THROUGHOUT CONSTRUCTION.
- ⑧ SAWCUT, REMOVE AND LEGALLY DISPOSE OF EXISTING ASPHALT PAVEMENT AS REQUIRED FOR INSTALLATION OF PROPOSED IMPROVEMENTS (MIN. 2' WIDTH) AND UTILITIES REPLACE PER APWA STD DRAWING 255 AND SALT LAKE CITY STANDARDS & SPECIFICATIONS. MATCH EXISTING PAVEMENT SECTION AND GRADE.
- ⑨ SAWCUT EXISTING CONCRETE CURB AND GUTTER TO NEAREST JOINT. REMOVE AND LEGALLY DISPOSE OF AS REQUIRED FOR INSTALLATION OF SITE IMPROVEMENTS. REPLACE CURB & GUTTER PER APWA STD DRAWING 205 AND SALT LAKE CITY STANDARDS & SPECIFICATIONS.
- ⑩ SAWCUT EXISTING CONCRETE SIDEWALK TO NEAREST JOINT. REMOVE AND LEGALLY DISPOSE OF AS REQUIRED FOR INSTALLATION OF SITE IMPROVEMENTS. REPLACE PER APWA STD DRAWING 231 AND SALT LAKE CITY STANDARDS & SPECIFICATIONS.
- ⑪ PROPOSED BUILDING ENVELOPE. REFERENCE ARCHITECTURAL PLANS FOR BUILDING FOOTPRINT.
- ⑫ FURNISH AND INSTALL PROPOSED LANDSCAPING AND IRRIGATION. REFERENCE LANDSCAPING AND IRRIGATION PLANS FOR DETAILS.
- ⑬ FURNISH AND INSTALL STANDARD DUTY ASPHALT PAVEMENT. REFERENCE GEOTECHNICAL REPORT FOR PAVEMENT SECTION.
- ⑭ FURNISH AND INSTALL CONCRETE DRIVE APPROACH PER SALT LAKE CITY STANDARDS & SPECIFICATIONS.
- ⑮ FURNISH AND INSTALL CONCRETE PAVEMENT. REFERENCE GEOTECHNICAL REPORT FOR PAVEMENT SECTION AND DETAILS.
- ⑯ FURNISH AND INSTALL 6" CONCRETE CURB WITH 1.5" GUTTER PER APWA STD DRAWING 205 AND SALT LAKE CITY STANDARDS & SPECIFICATIONS.
- ⑰ PROPOSED 4' WIDE LANDSCAPE TRAIL.
- ⑱ PROPOSED LANDSCAPE STEPS.
- ⑲ PROPOSED WATER METER, REFERENCE UTILITY PLAN, SHEET C4-0, FOR DETAILS.
- ⑳ PROPOSED RETAINING WALL. DESIGN BY OTHERS, REFERENCE GRADING PLAN.
- ㉑ FURNISH AND INSTALL 6" CONCRETE SIDEWALK PER APWA STD DRAWING 231 AND SALT LAKE CITY STANDARDS & SPECIFICATIONS.

REVISIONS

NORTHSTAR BUILDERS

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SITE PLAN

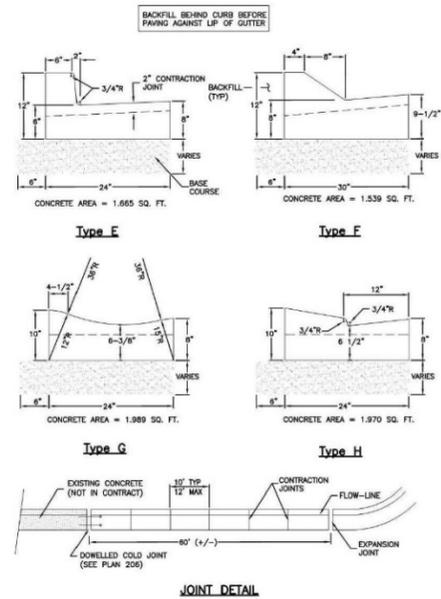
**STANFORD COMMONS
RESIDENTIAL DEVELOPMENT**

Designer	JT
Detailer	C.C.
Checker	KS

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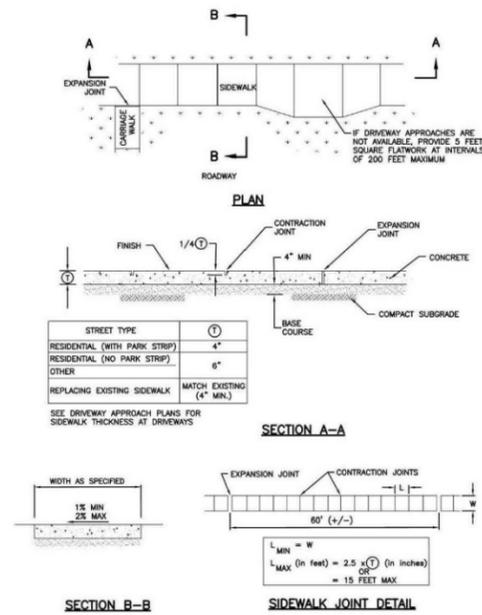
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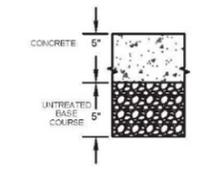
Plan 205
Sheet 2 of 3
April 2011
Curb and gutter
29

A1 APWA PLAN 205 - CURB AND GUTTER
SCALE: NTS

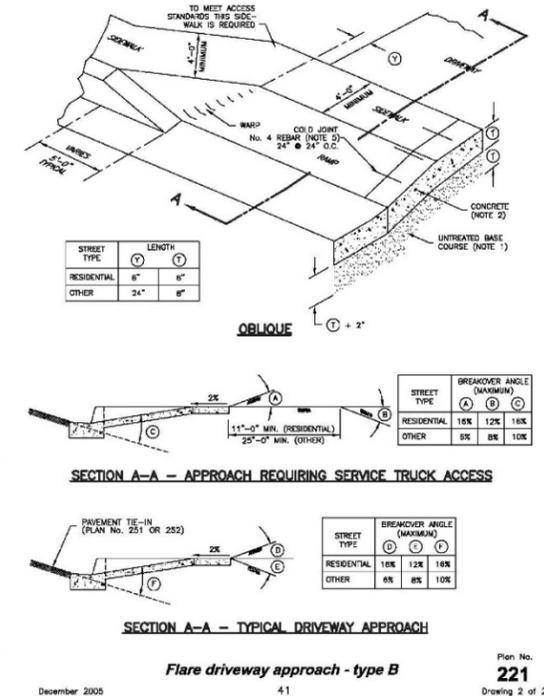


March 2009
Sidewalk
57
Plan 231

A2 APWA PLAN 231 - SIDEWALK
SCALE: NTS



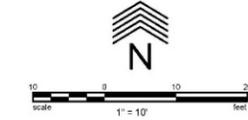
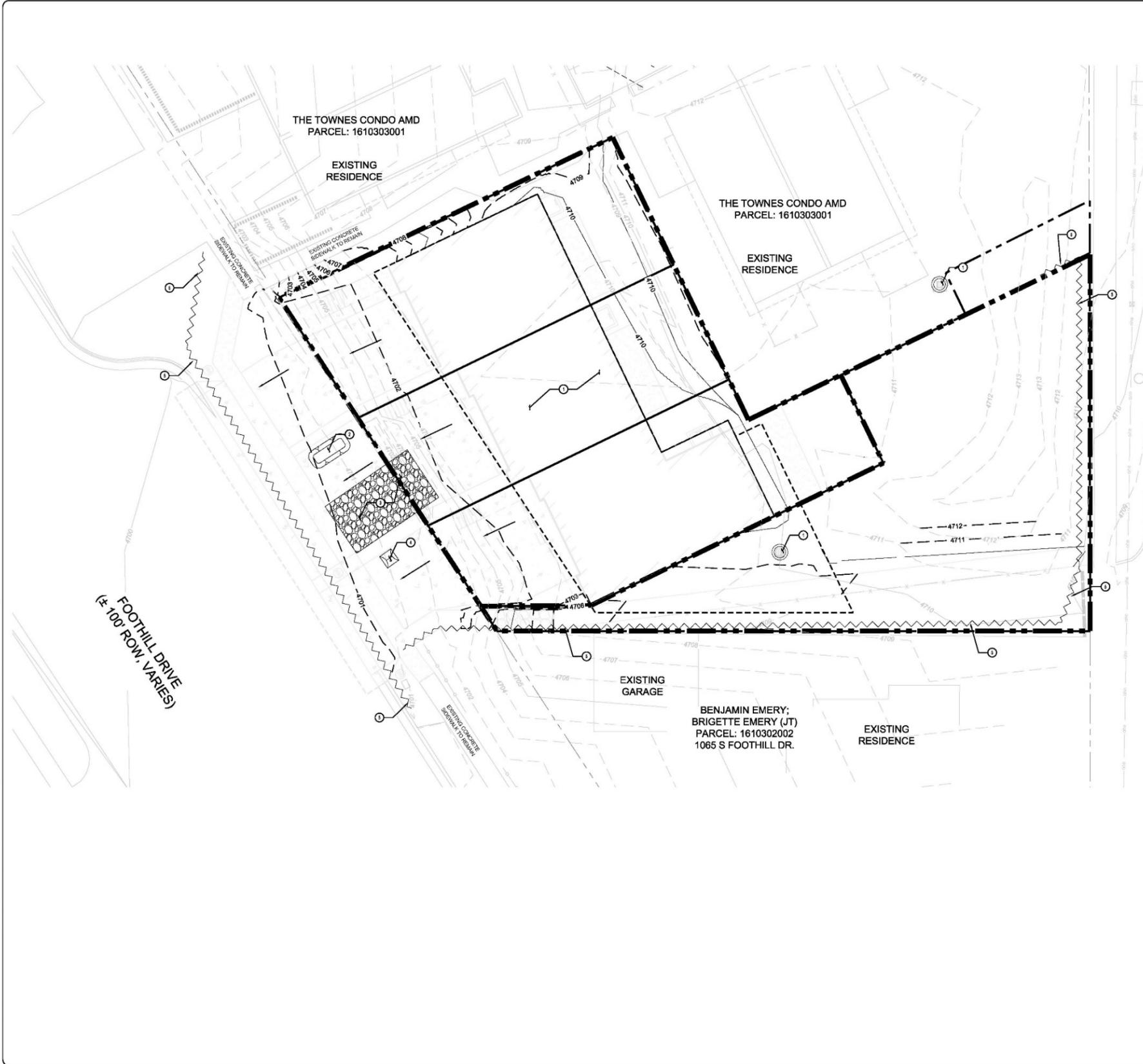
A3 CONCRETE DRIVE PAVEMENT SECTION
SCALE: NTS. REFERENCE CMT ENGINEERING GEOTECHNICAL REPORT FOR DETAILS



December 2005
Flare driveway approach - type B
41
Plan No. 221
Drawing 2 of 2

A4 DRIVE APPROACH DETAIL
SCALE: NTS

REVISIONS		
SITE DETAILS	STANFORD COMMONS RESIDENTIAL DEVELOPMENT	Designer: JT Detailer: CC Checker: KS
avenue CONSULTANTS Avenue Consultants, Inc. 6575 South Redwood Road, Suite 101 Taylorsville, UT 84123 801-207-7660 www.avenueconsultants.com		SUBSET NO. SHEET NO. C1-1



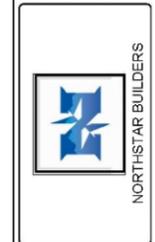
EROSION CONTROL PLAN LEGEND

- PROPERTY BOUNDARY
- ADJACENT PROPERTY BOUNDARY
- LOT LINE
- EXISTING EASEMENT
- PROPOSED BUILDING ENVELOPE
- 20' BUILDING SETBACK
- EXISTING CONTOUR MAJOR
- EXISTING CONTOUR MINOR
- PROPOSED CONTOUR MAJOR
- PROPOSED CONTOUR MINOR
- PROPOSED SILT FENCE
- PROPOSED STABILIZED CONSTRUCTION ENTRANCE
- PROPOSED PORTABLE TOILET
- PROPOSED CONCRETE WASHOUT
- PROPOSED ASPHALT/CONCRETE SAWCUT
- EXISTING CONCRETE CURB & GUTTER
- EXISTING CONCRETE SIDEWALK
- EXISTING RETAINING WALL
- EXISTING FENCE
- EXISTING CONCRETE PANEL FENCE
- PROPOSED CONCRETE CURB & GUTTER
- PROPOSED CONCRETE SIDEWALK
- PROPOSED CONCRETE PAVEMENT
- EXISTING STORM DRAIN INLET
- EXISTING STREET LIGHT
- EXISTING UTILITY BOX
- PROPOSED WATER METER

EROSION CONTROL PLAN KEY NOTES

- ① PROPOSED INLET PROTECTION, REFERENCE DETAIL B4 SHEET C3-1.
- ② PROPOSED CONCRETE WASTE MANAGEMENT (WASH OUT), REFERENCE DETAIL B2 SHEET C3-1.
- ③ PROPOSED STABILIZED CONSTRUCTION ENTRANCE, REFERENCE DETAIL B3 SHEET C3-1.
- ④ PROPOSED PORTABLE TOILET, REFERENCE DETAIL A4 SHEET C3-1.

NO.	REVISIONS



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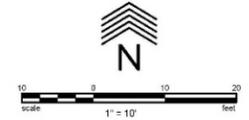
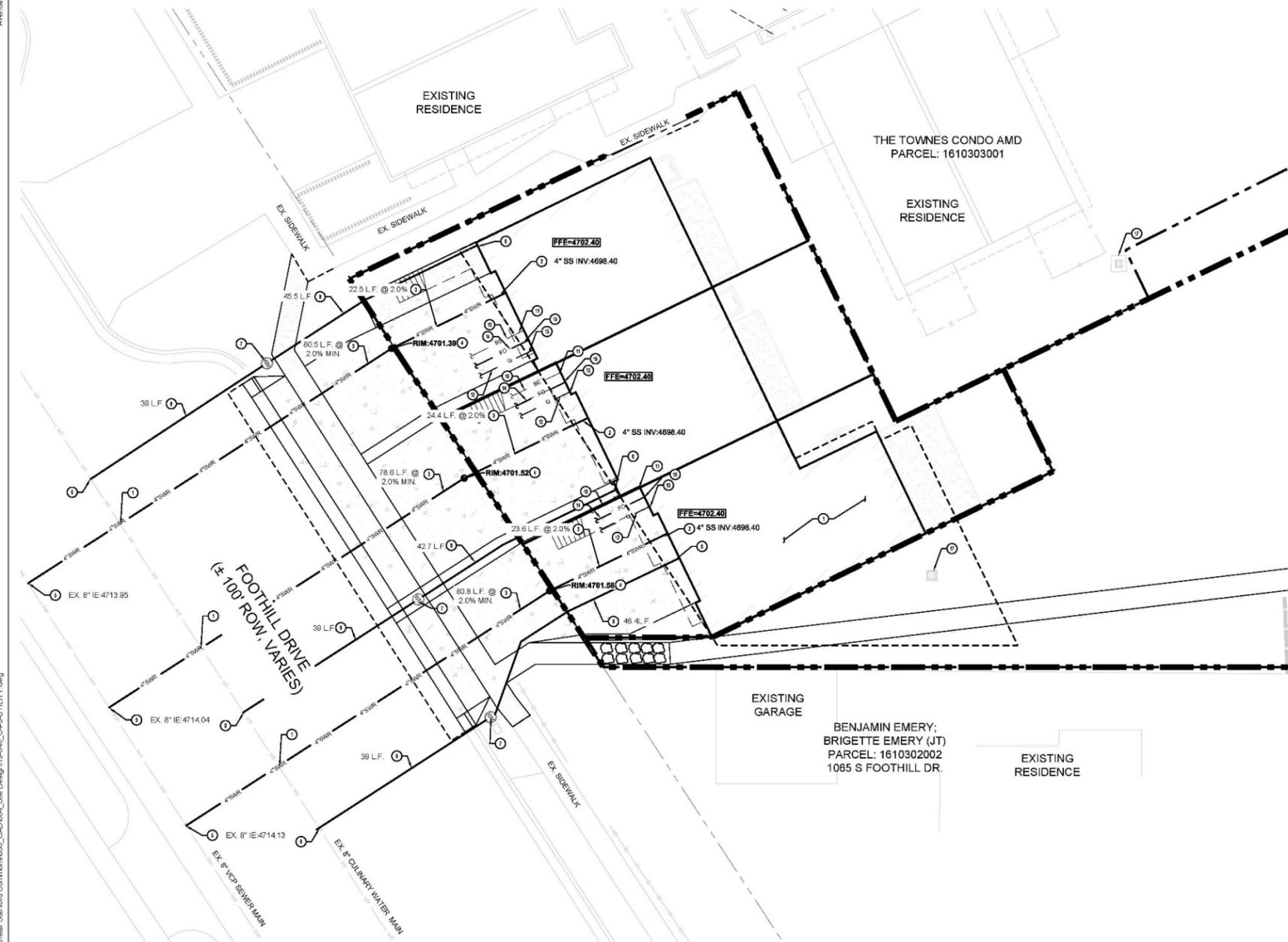


EROSION CONTROL PLAN
 STANFORD COMMONS
 RESIDENTIAL DEVELOPMENT

Designer: JT
 Detailer: CC
 Checker: KS



SUBSET NO.
 SHEET NO.
C3-0



UTILITY PLAN LEGEND

	PROPERTY BOUNDARY
	ADJACENT PROPERTY BOUNDARY
	LOT LINE
	EXISTING EASEMENT
	PROPOSED BUILDING ENVELOPE
	20' BUILDING SETBACK
	PROPOSED ASPHALT/CONCRETE SAWCUT
	EXISTING CONCRETE CURB & GUTTER
	EXISTING CONCRETE SIDEWALK
	EXISTING RETAINING WALL
	EXISTING FENCE
	EXISTING CONCRETE PANEL FENCE
	PROPOSED CONCRETE CURB & GUTTER
	PROPOSED CONCRETE SIDEWALK
	PROPOSED CONCRETE PAVEMENT
	EXISTING STORM DRAIN INLET
	EXISTING STREET LIGHT
	EXISTING UTILITY BOX
	PROPOSED WATER METER
	PROPOSED WATER SERVICE LINE
	EXISTING WATER MAIN
	PROPOSED SEWER SERVICE LINE
	EXISTING SEWER MAIN
	PROPOSED FIBER OPTIC SERVICE
	PROPOSED GAS SERVICE
	PROPOSED BURIED ELECTRICAL SERVICE
	EXISTING OVERHEAD ELECTRICAL LINE

UTILITY PLAN KEY NOTES

- 1 CAUTION UTILITY CROSSING. FIELD VERIFY INVERTS AND UTILITY LOCATIONS PRIOR TO CONSTRUCTION. ALL SEWER/WATER CROSSINGS REQUIRE 18" VERTICAL SEPARATION. CONTRACT DESIGN ENGINEER IMMEDIATELY IF FIELD LOCATED UTILITIES DO NOT MEET THIS CLEARANCE REQUIREMENT.
- 2 4" SANITARY SEWER SERVICE CONNECTION AT BUILDING. REFERENCE ARCHITECTURAL PLANS FOR EXACT LOCATION.
- 3 FURNISH AND INSTALL 4" PVC SDR-35 SANITARY SEWER SERVICE LATERAL @ 2.0% MIN SLOPE PER SALT LAKE CITY PUBLIC UTILITIES STANDARDS AND SPECIFICATIONS. TRENCHING AND PIPE BEDDING PER SALT LAKE CITY PUBLIC UTILITIES STANDARDS AND SPECIFICATIONS.
- 4 FURNISH AND INSTALL 4" SANITARY SEWER CLEANOUT. INSTALL PER SALT LAKE CITY PUBLIC UTILITIES STANDARDS AND SPECIFICATIONS.
- 5 CONNECT TO EXISTING 8" SANITARY SEWER MAIN PER SALT LAKE CITY PUBLIC UTILITIES STANDARDS AND SPECIFICATIONS. CONTRACTOR TO FIELD VERIFY EXISTING MAIN LOCATION AND INVERT PRIOR TO CONSTRUCTION AND INFORM DESIGN ENGINEER IMMEDIATELY IF FIELD CONDITIONS VARY FROM SHOWN ON PLAN. PATCH EXISTING ASPHALT PAVEMENT PER APWA STD DRAWING 255. MATCH EXISTING GRADES.
- 6 1/2" CULINARY WATER SERVICE CONNECTION AT BUILDING. REFERENCE ARCHITECTURAL AND PLUMBING PLANS FOR EXACT LOCATION AND CONNECTION DETAILS.
- 7 FURNISH AND INSTALL 1/2" WATER METER AND VAULT PER SALT LAKE CITY STANDARDS AND SPECIFICATIONS. REFERENCE DETAIL ON SHEET C4-2.
- 8 FURNISH AND INSTALL 3/4" POLY PIPE CULINARY WATER SERVICE LINE PER SALT LAKE CITY STANDARDS AND SPECIFICATIONS. REFERENCE DETAIL ON SHEET C4-1. TRENCHING AND BEDDING PER SALT LAKE CITY STANDARDS AND SPECIFICATIONS. INSTALL WITH TRACER WIRE AND WARNING TAPE.
- 9 3/4" HOT TAP CONNECTION TO EXISTING WATER MAIN. PATCH EXISTING ASPHALT PAVEMENT PER APWA STD DRAWING 255. MATCH EXISTING GRADES.
- 10 PROPOSED ELECTRICAL SERVICE LINE. CONTRACTOR TO COORDINATE SERVICE TYPE, LOCATION, ROUTING AND CONNECTION WITH UTILITY SERVICE PROVIDER.
- 11 PROPOSED ELECTRICAL SERVICE METER AND ENTRY TO PROPOSED BUILDING. REFERENCE ARCHITECTURAL AND ELECTRICAL PLANS FOR DETAILS.
- 12 PROPOSED GAS SERVICE LINE. CONTRACTOR TO COORDINATE SERVICE TYPE, LOCATION, ROUTING AND CONNECTION WITH UTILITY SERVICE PROVIDER.
- 13 PROPOSED GAS SERVICE METER AND ENTRY TO PROPOSED BUILDING. REFERENCE ARCHITECTURAL AND ELECTRICAL PLANS FOR DETAILS.
- 14 PROPOSED DATA/FIBER OPTIC SERVICE LINE. CONTRACTOR TO COORDINATE SERVICE TYPE, LOCATION, ROUTING AND CONNECTION WITH UTILITY SERVICE PROVIDER.
- 15 PROPOSED DATA/FIBER OPTIC ENTRY TO PROPOSED BUILDING. REFERENCE ARCHITECTURAL AND ELECTRICAL PLANS FOR DETAILS.
- 16 CONTRACTOR TO REPAIR ALL PAVEMENT CUTS REQUIRED TO FACILITATE UTILITY INSTALLATION PER APWA STANDARD PLAN 255.
- 17 STORM DRAIN STRUCTURE. REFERENCE SHEET C2-0.

REVISIONS



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 Taylorsville, UT 84123
 801-207-7660
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UTILITY PLAN
 STANFORD COMMONS
 RESIDENTIAL DEVELOPMENT

Designer JT
 Detailer CC
 Checker KS

SUBSET NO.
 SHEET NO.
C4-0



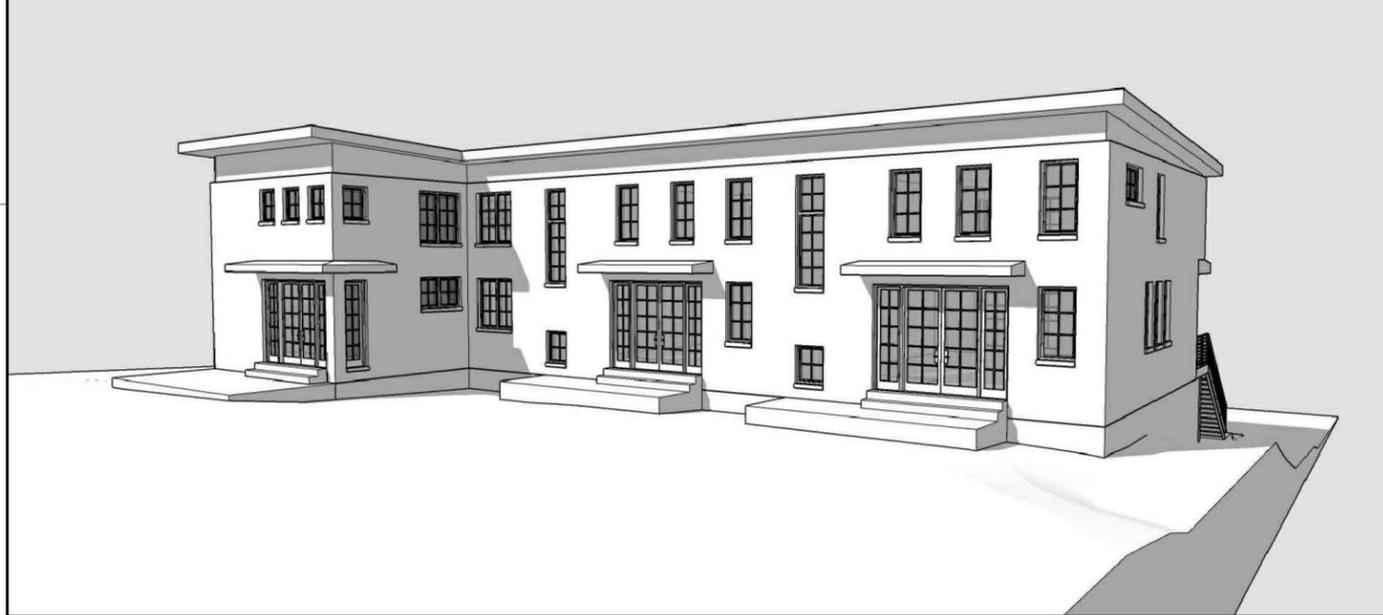
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Project Address: 2052 E Michigan Avenue
Salt Lake City, Utah

Planned Development Review Set
March 5, 2020



SugarHouse Architects, LLC
9087 Jeremy Road
Park City, UT 84098
p 801.808.6131
rob.white@sugarhousearchitects.com
www.sugarhousearchitects.com



Project Data

ZONING REQUIREMENTS
ZONE: RMF-30
MAXIMUM BUILDING HEIGHT: 30'

AREA SUMMARY

Unit A
First Level: 939sf
Heated Area: 408sf
Garage: 531sf
Second Level: 945sf
Third Level: 978sf
Total Heated Area: 2,351sf
Total Area: 2,862sf

Unit B
First Level: 891sf
Heated Area: 352sf
Garage: 539sf
Second Level: 925sf
Third Level: 924sf
Total Heated Area: 2,201sf
Total Area: 2,740sf

Unit C
First Level: 1,224sf
Heated Area: 406sf
Garage: 818sf
Second Level: 1,217sf
Third Level: 1,297sf
Total Heated Area: 2,880sf
Total Area: 3,698sf

Total Proposed Footprint: 3,054sf

Project Design Team

Project Architect
SugarHouse Architects
rob.white@sugarhousearchitects.com

Civil Engineer
Avenue Consultants
ccain@avenueconsultants.com

Sheet Index

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- C0-0 CIVIL COVER SHEET
- C0-1 CIVIL GENERAL NOTES
- C0-2 CIVIL GENERAL NOTES
- C0-3 CIVIL DEMOLITION PLAN
- C1-0 SITE PLAN
- C1-1 SITE DETAILS
- C2-0 GRADING PLAN
- C3-0 EROSION CONTROL PLAN
- C4-0 SITE UTILITY PLAN
- C4-1 SITE UTILITY DETAILS
- A110 FIRST LEVEL FLOOR PLAN
- A111 SECOND LEVEL FLOOR PLAN
- A112 THIRD LEVEL FLOOR PLAN
- A201 EXTERIOR ELEVATIONS
- A202 EXTERIOR ELEVATIONS

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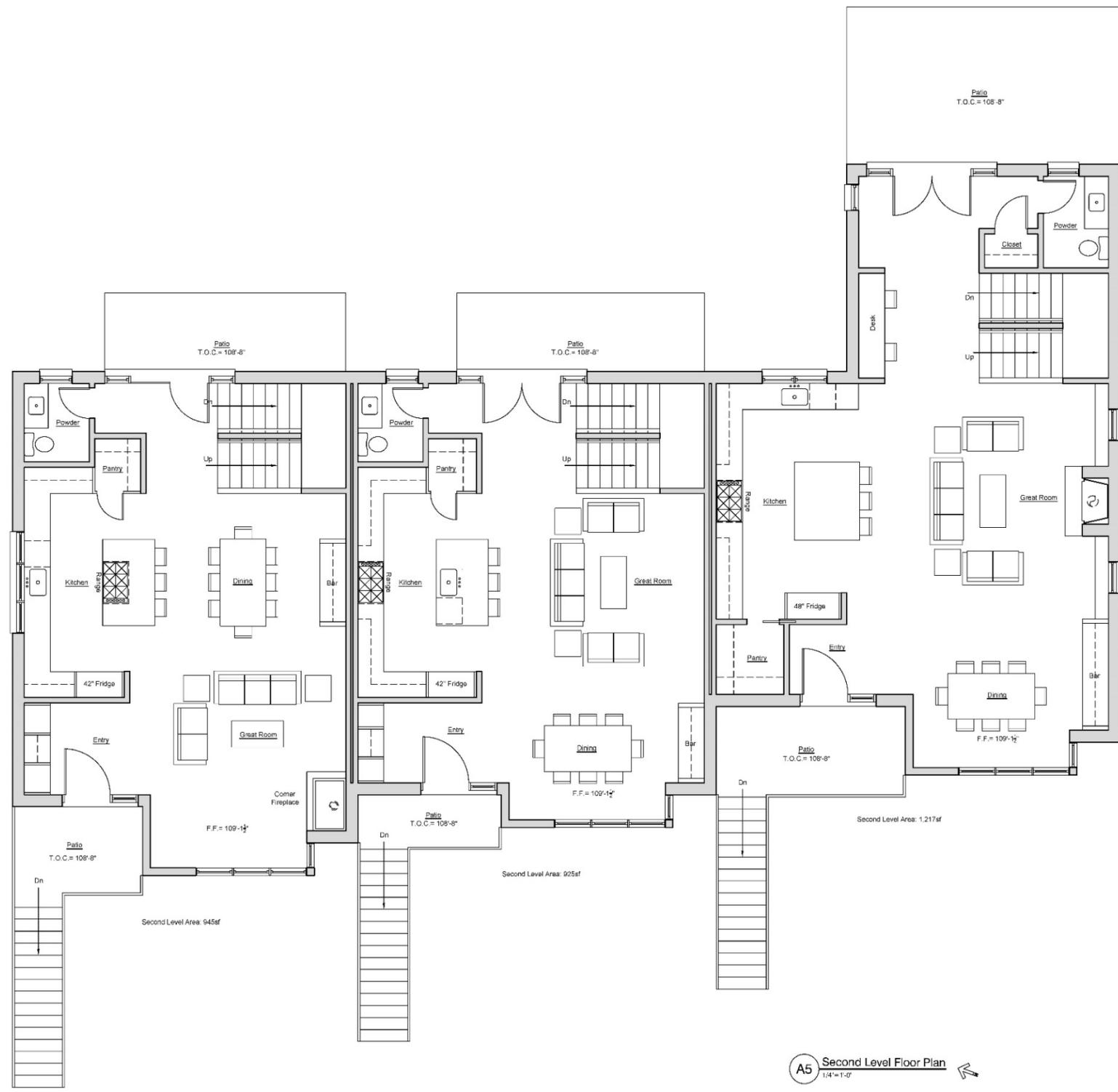
2052 E. Michigan Ave.
Salt Lake City, UT

Revision	Date

Date: August 17, 2020

G001

Planned Development



A5 Second Level Floor Plan
1/4" = 1'-0"



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rob.white@sugarhousearchitects.com
www.sugarhousearchitects.com



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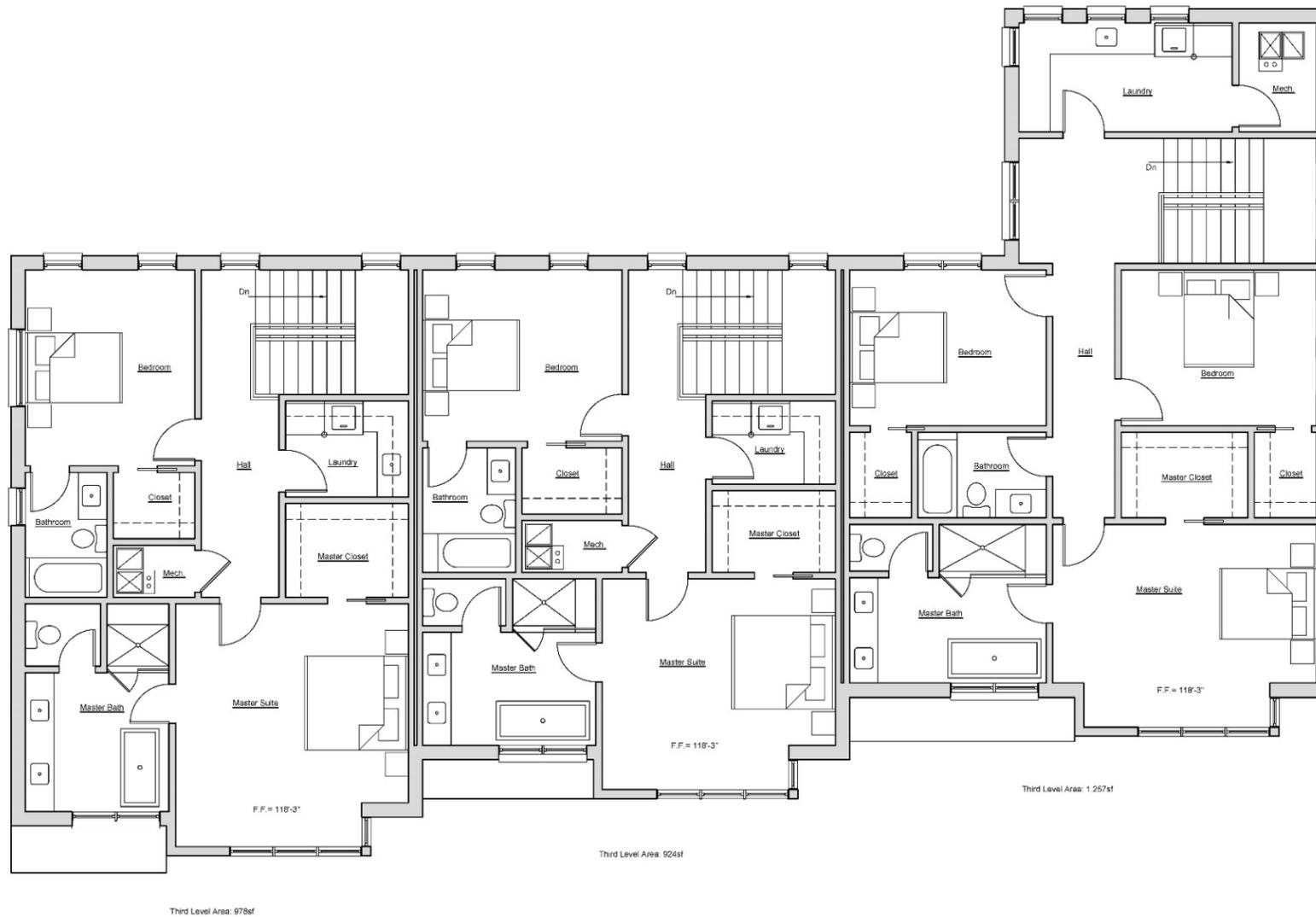
2052 E. Michigan Ave.
Salt Lake City, UT

Revision	Date

Date: August 17, 2020

A111

Planned Development



A5 Third Level Floor Plan
1/4"=1'-0"



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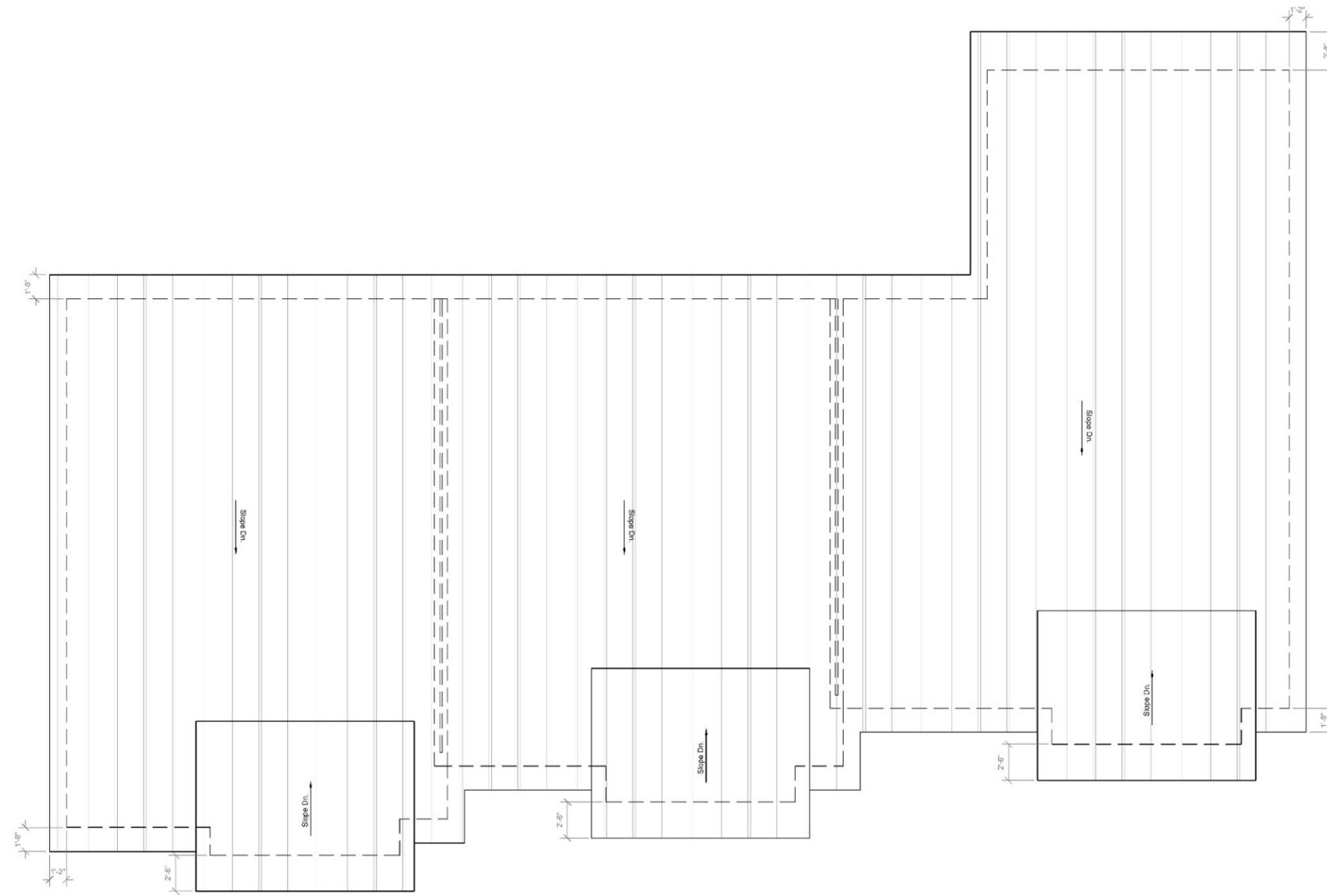
2052 E. Michigan Ave.
Salt Lake City, UT

Revision	Date
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Date: August 17, 2020

A112

Planned Development



A5 Roof Plan
1/4"=1'-0"



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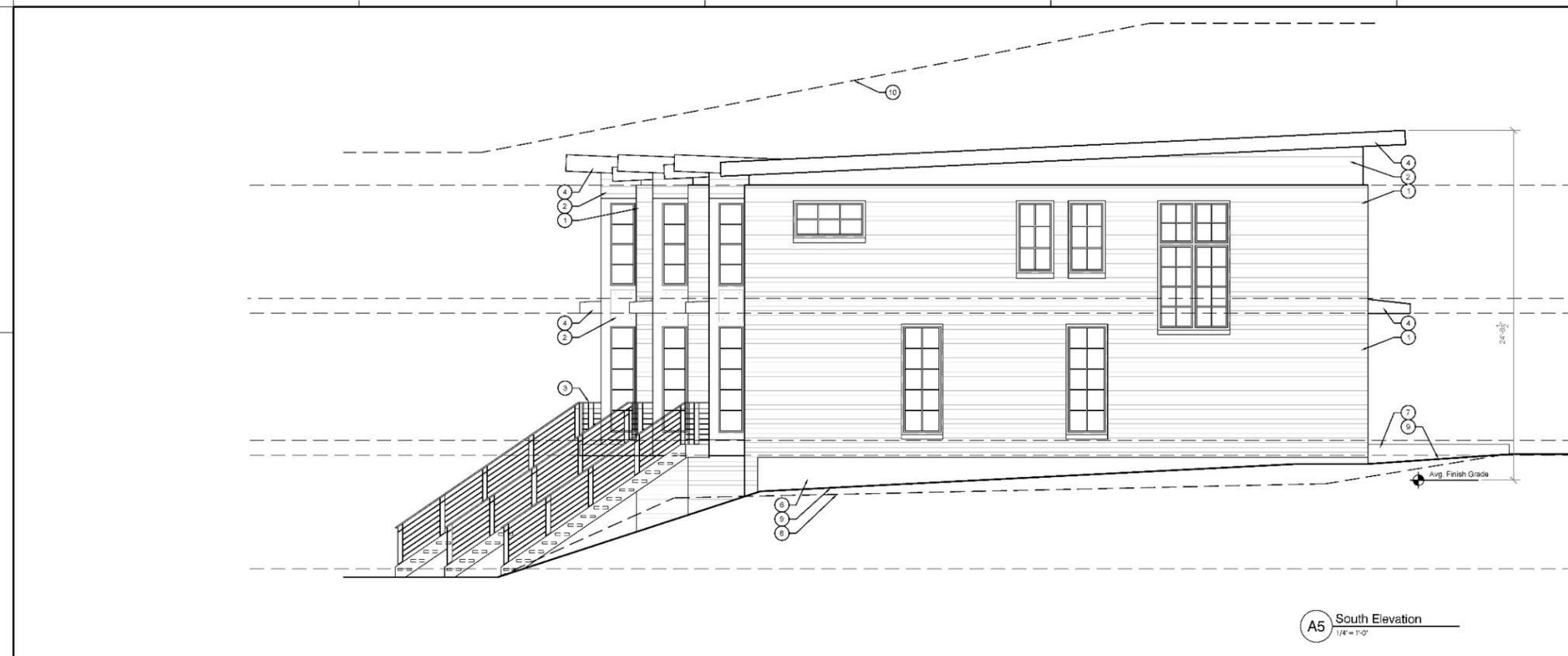
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2052 E. Michigan Ave.
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Revision	Date
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Date: August 17, 2020

A113

Planned Development



- PRIMARY EXTERIOR MATERIAL KEY**
- 1 BRICK
 - 2 METAL SIDING
 - 3 PAINTED METAL STAIR & GUARDRAIL
 - 4 METAL FASCIA & SOFFIT
 - 5 STANDING SEAM METAL ROOF
 - 6 CONCRETE FOUNDATION WALL
 - 7 CONCRETE PATIO
 - 8 LINE OF EXISTING GRADE
 - 9 LINE OF FINISH GRADE
 - 10 LINE OF 30' ABOVE FINISH GRADE



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A5 South Elevation
 1/4" = 1'-0"



A5 West Elevation
 1/4" = 1'-0"

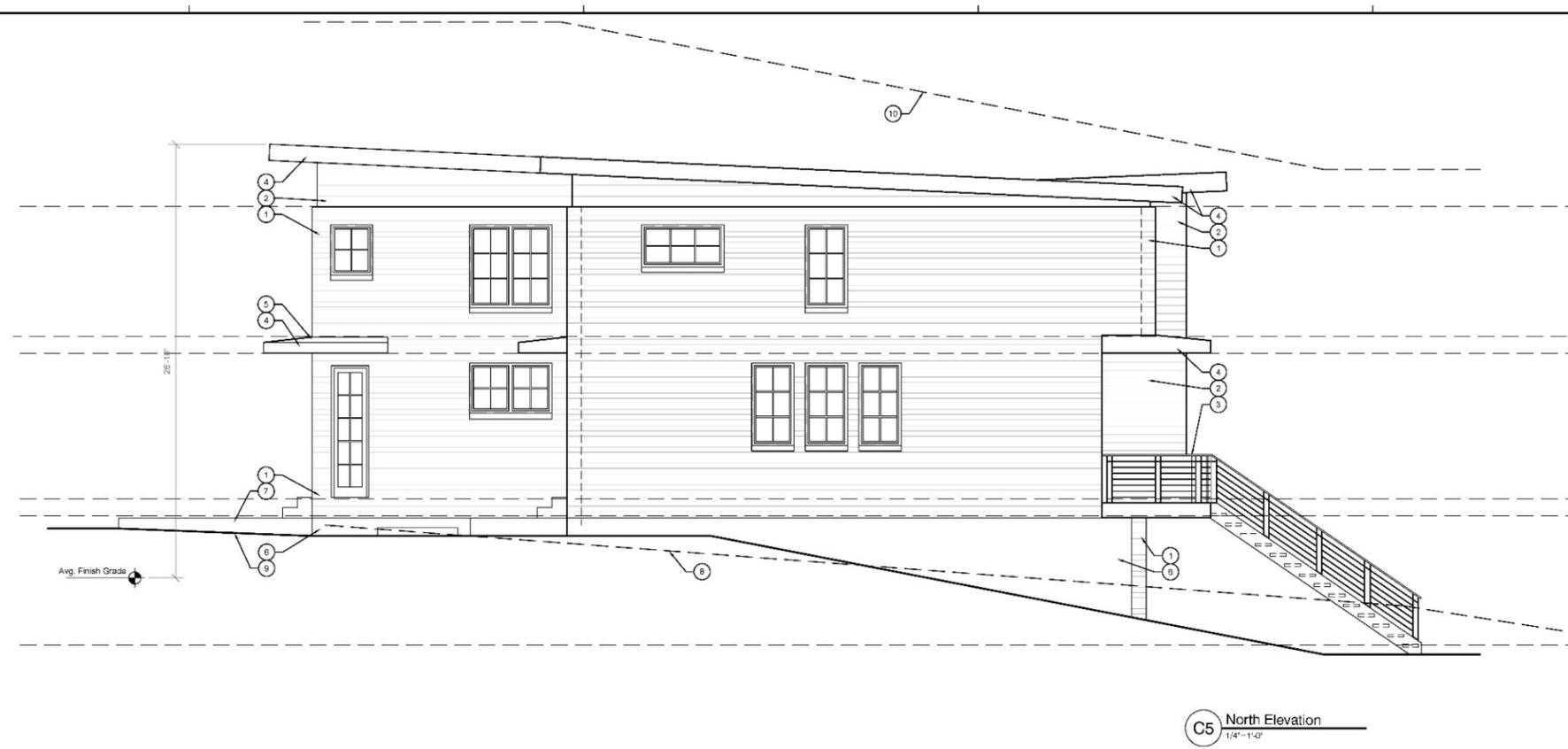
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Revision	Date

Date: August 17, 2020

A201

Planned Development



- PRIMARY EXTERIOR MATERIAL KEY
- 1 BRICK
 - 2 METAL SIDING
 - 3 PAINTED METAL STAIR & GUARDRAIL
 - 4 METAL FASCIA & SOFFIT
 - 5 STANDING SEAM METAL ROOF
 - 6 CONCRETE FOUNDATION WALL
 - 7 CONCRETE PATIO
 - 8 LINE OF EXISTING GRADE
 - 9 LINE OF FINISH GRADE
 - 10 LINE OF 30' ABOVE FINISH GRADE



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Revision	Date

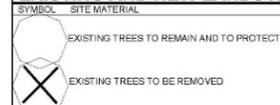
Date: August 17, 2020

A202

Planned Development



EXISTING AND NEW LANDSCAPE AREA



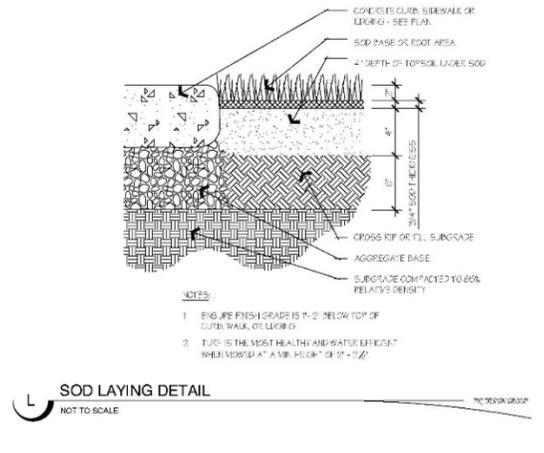
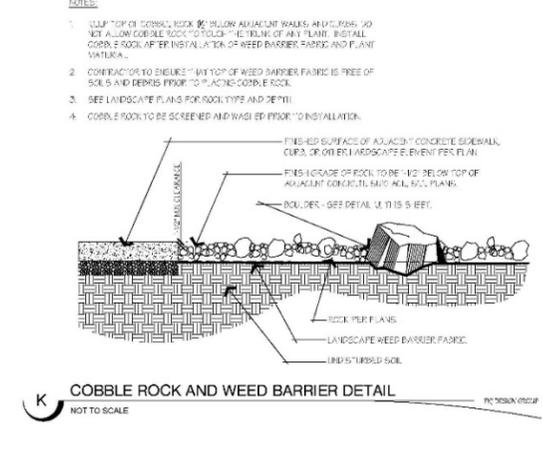
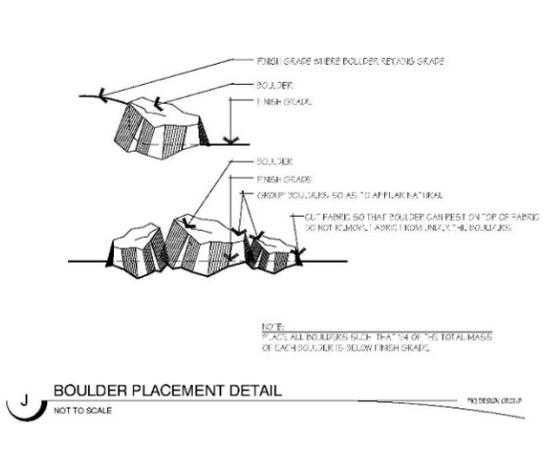
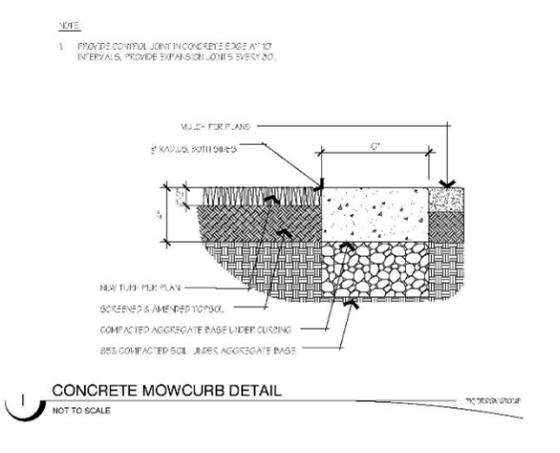
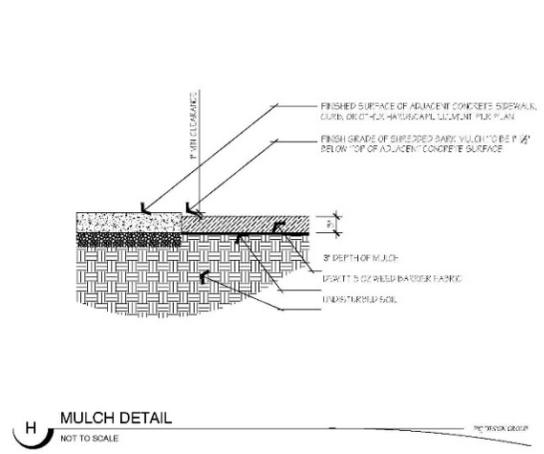
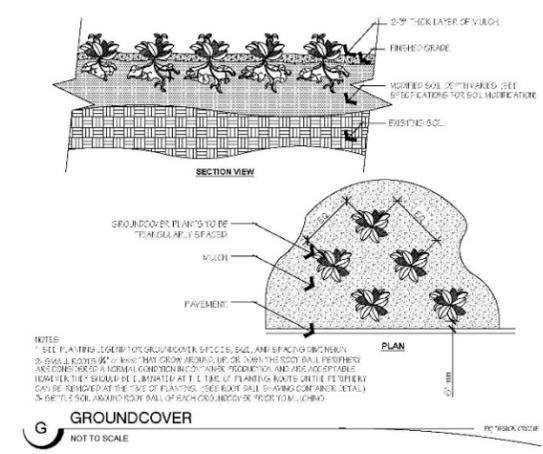
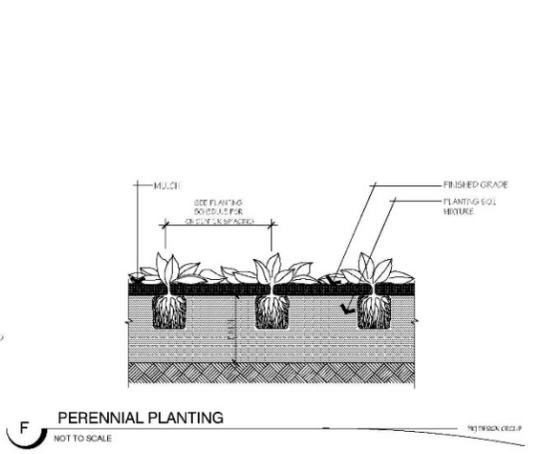
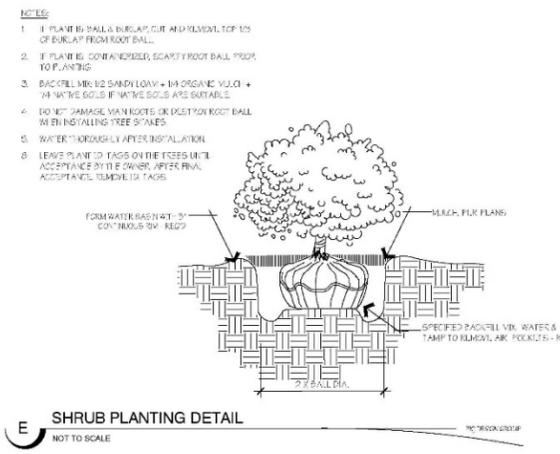
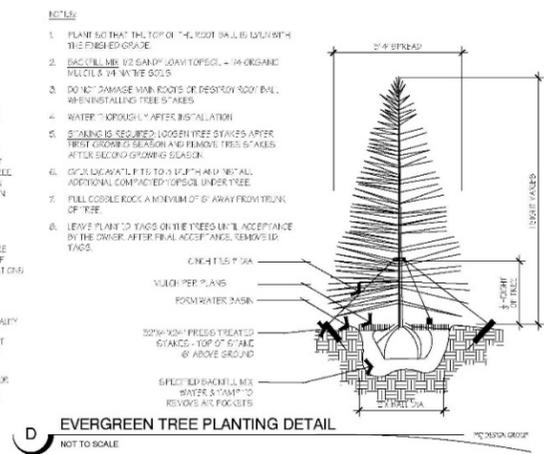
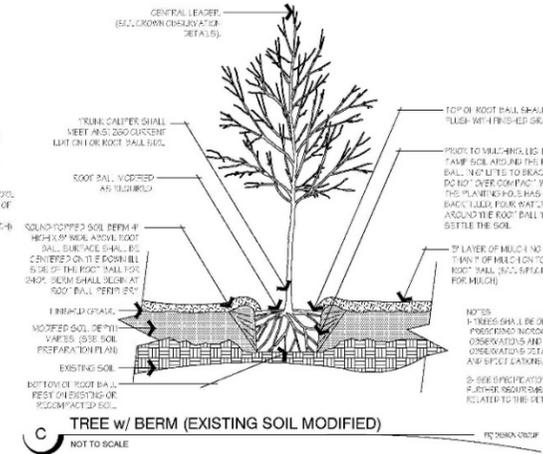
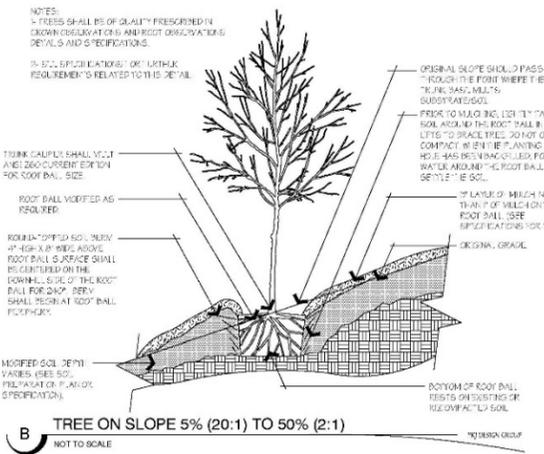
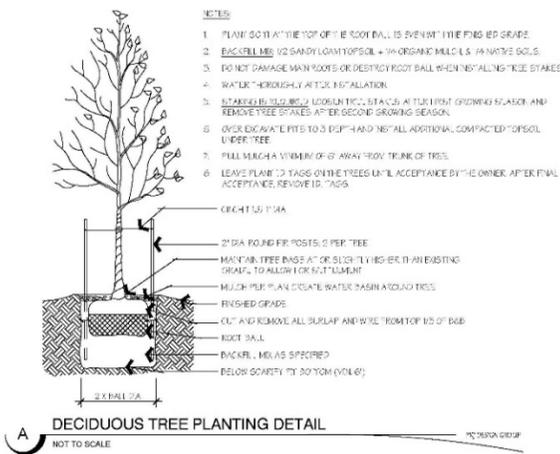
EXISTING TREE NOTES

TREE PROTECTION AND PRESERVATION

INTRODUCTION: THIS IS INTENDED TO GUIDE THE GENERAL CONTRACTOR AND SUB-CONTRACTORS CREWS AND OWNER IN THE PROTECTION OF TREES LOCATED ON PROJECT SITE AND SHALL BE IN COMPLIANCE WITH FOLLOWING SPECIFICATIONS. ALL PEOPLE THAT WORK AROUND TREES ARE RESPONSIBLE TO PROTECT THE TREES FROM UNNECESSARY INJURY THAT WOULD DECREASE THEIR VALUE. TREE ROOTS OFTEN SPREAD 2-3 TIMES WIDER THAN THE DRIP-LINE OF THE CANOPY AND 50% OF A TREE'S ROOTS ARE FOUND IN THE TOP 2 FEET OF SOIL. THESE FACTS ILLUSTRATE WHY IT IS SO IMPORTANT TO USE CARE WHEN WORKING NEAR EXISTING TREES.

- A. TREE PROTECTION GUIDELINES FOR CONSTRUCTION SITES**
- PRIOR TO INITIATION OF DEMOLITION AND CONSTRUCTION WORK THAT WILL AFFECT TREES ON PROPERTY, THE FOLLOWING TREE PROTECTION PLAN SHOULD BE IMPLEMENTED, WHICH PROVIDES FOR THE FOLLOWING INFORMATION:
- TREE PROTECTION PRACTICES MAY INCLUDE, BUT ARE NOT LIMITED TO: PRUNING BRANCHES AND ROOTS, TEMPORARILY FENCING OFF AREA AROUND THE ROOTING ZONE, WRAPPING TRUNKS TO PREVENT WOUNDS, SPREADING WOOD CHIPS OR GRAVEL TO REDUCE SOIL COMPACTION, ENSURING PROPER TREE IRRIGATION IS PROVIDED THROUGHOUT THE TERM OF THE PROJECT, AND ADDING WELL-COMPACTED ORGANIC MATTER TO THE TREE'S GROWING LOCATION FOLLOWING CONSTRUCTION.
 - TREE PLANTING WORK SHALL BE DONE IN ACCORDANCE WITH LATEST LOCAL CODES, IE BEST MANAGEMENT PRACTICES (BMP) AND 2133.1, AND ANSI A302. DIRECTIONS PROVIDED BY AUTHORIZING PERMITS SHALL BE FOLLOWED.
 - ANY TREE TO REMAIN THAT IS IRREPARABLY DAMAGED DUE TO CONSTRUCTION ACTIVITIES SHALL BE REMUNERATED AT COST TO CONTRACTOR RESPONSIBLE FOR DAMAGES. THE VALUE OF ALL TREES TO REMAIN SHALL BE ESTABLISHED IN WRITING AND AGREED UPON BY ALL PARTIES INVOLVED PRIOR TO CONSTRUCTION ACTIVITIES.
 - ANY TREES TO REMAIN ON-SITE AND ON ADJACENT PROPERTIES THAT ARE DAMAGED DUE TO CONSTRUCTION ACTIVITIES THAT ARE REPLACEMENTS SHALL BE REPLACED WITH TREE OF SAME SPECIES, CALIBER SIZE AND SIMILAR SHAPE AT THE EXPENSE OF CONTRACTOR RESPONSIBLE FOR DAMAGE.
 - TREES BEING PRESERVED DURING ALL CONSTRUCTION ACTIVITIES SHALL HAVE A TREE PROTECTION ZONE (TPZ), WHICH IS NO LESS THAN THE WIDTH OF THE DRIP-LINE OF THE TREE CANOPY, CLEARLY MARKED WITH A CONTINUOUS CHAIN-LINK PROTECTIVE FENCE, OR OWNER APPROVED EQUAL PRIOR TO ANY DEMOLITION, CLEARING, TRENCHING OR TUNNELING PROJECTS COMMENCEMENT.
 - HEAVY EQUIPMENT SHALL NOT BE ALLOWED INSIDE THE TREE PROTECTION ZONE. ALL HEAVY EXCAVATIONS SHALL BE MADE BY EQUIPMENT FROM OUTSIDE OF THIS ZONE.
 - BUILDING MATERIAL, TOPSOIL, CHANGALS, OR FILL SHALL NOT BE STOCKPILED IN THE TREE PROTECTION ZONE OR IN THE DRIP-LINE OF ANY TREE THAT IS SCHEDULED FOR PRESERVATION.
 - PRIOR TO CONSTRUCTION, THE TREE PROTECTION ZONE WILL BE DESIGNATED BY PLAN AND IN COORDINATION WITH BLUE STAKES. OWNER, LANDSCAPE ARCHITECT AND/OR FORESTER. THE SIZE AND SHAPE OF THE ZONE WILL DEPEND ON THE TREE SPECIES SENSITIVITY TO IMPACT, THE HEALTH AND AGE OF THE TREE, AND ROOT AND CROWN CONFORMATION AND DEVELOPMENT CONSTRAINTS. TRENCHING SHOULD BE PERFORMED IN ACCORDANCE WITH THE STANDARDS LISTED ABOVE. WHEN LARGE SCAFFOLD ROOTS ARE ENCOUNTERED WHILE TRENCHING, HAND DIGGING AND BRIDGING OF ROOTS SHALL BE DONE. IN SITUATIONS WHERE A ROOT HAS BEEN DAMAGED, A CLEAN CUT SHALL BE MADE ON THE ROOT AT THE EDGE OF THE TRENCH CLOSEST TO THE TREE TRUNK.
 - TUNNELING OR BORING SHOULD BE DONE WITHIN THE TREE PROTECTION ZONE. TUNNELING OR BORING IN THE TREE PROTECTION ZONE MUST BE AT LEAST 2 FEET DEEP.
 - EXCAVATION INVOLVING ROOT CUTS SHOULD BE DONE RAPIDLY. CUTS ON TREE ROOTS SHALL BE SMOOTH AND CLEAN. THE TRENCH SHOULD BE BACKFILLED AS QUICKLY AS POSSIBLE TO PREVENT THE EXPOSED ROOTS FROM DRYING OUT AND THE TREE SHOULD BE WATERED IMMEDIATELY. IF TREES ARE TO REMAIN EXPOSED FOR MORE THAN FOUR TO SIX HOURS, THEY MUST BE COVERED WITH BURLAP AND KEPT MOIST AT ALL TIMES.
 - FOR TREES WITH A TRUNK DIAMETER IN EXCESS OF SIX INCHES, TUNNELING OR BORING SHOULD REPLACE TRENCHING ACCORDING TO THE FOLLOWING MINIMUM DISTANCES FROM THE FACE OF THE TREE TRUNK IN ANY DIRECTION.
 - 1. TRENCHING AND TUNNELING NEAR TREES THAT IS PROHIBITED BY THE NATIONAL ARBOR DAY FOUNDATION SHALL BE USED AS A GUIDE FOR ALL CONSTRUCTION AND EXCAVATION WORK AROUND TREES. THIS BOOKLET MAY BE OBTAINED BY CONTACTING THE NATIONAL ARBOR DAY FOUNDATION.
 - THE TREE CARE CONTRACTOR PROVIDING SERVICES SHOULD BE CURRENTLY LICENSED TO DO BUSINESS IN THE STATE OF THE PROJECT, INSURED AGAINST PERSONAL INJURY AND PROPERTY DAMAGE, AND CERTIFIED AS AN ARBORIST WITH THE INTERNATIONAL SOCIETY OF ARBORICULTURE. PRIOR TO BEGINNING WORK ON TREES, THE TREE CARE CONTRACTOR SHALL CONTACT THE CITY'S URBAN FORESTRY DIVISION TO RECEIVE AN AUTHORIZING PERMIT IF REQUIRED.
 - TREES SHALL NOT BE USED TO SUPPORT ANY SCAFFOLDING, SIGNS, TEMPORARY UTILITY, OR ANY OTHER DEVICE. SIDEWALKS AND PAVING LEVELS SHOULD BE CONTOURED WHENEVER POSSIBLE TO AVOID ROOT CUTTING. IF DAMAGE OCCURS TO A PROTECTED TREE, IMMEDIATE CONTACT SHALL BE MADE WITH THE CITY FORESTER IN ORDER THAT WOUNDS CAN BE TREATED.
 - NO ELEVATION OR GRADE CHANGES CAN BE MADE AROUND THE DRIP ZONE OF THE TREES UNLESS WRITTEN APPROVAL IS GIVEN BY THE OWNER, LANDSCAPE ARCHITECT AND RECEIPTION OF AN ELEVATION/GRADE CHANGE PLAN.
 - EXCEPTIONS TO THE TREE GUIDELINES SHALL BE REVIEWED AND APPROVED BY THE OWNER PRIOR TO IMPLEMENTATION.
 - TREES SHALL BE WATERED ACCORDING TO THE FOLLOWING GUIDELINES:
 - a. ESTABLISHED TREES NEED DEEP WATERING ONCE A WEEK WITH LOW PRESSURE TO ENSURE THAT THE GROUND IS SOAKED TO A DEPTH OF AT LEAST 12 INCHES.
 - b. YOUNG OR NEWLY PLANTED TREES NEED TO BE WATERED EVERY 3-4 DAYS.
 - c. TO KEEP WATER FROM EVAPORATING FROM THE SOIL AROUND THE TREE, APPLY AT LEAST TWO OR MORE INCHES OF ORGANIC MULCH (WOOD CHIPS OR MULCH) AROUND THE BASE OF THE TREES UNLESS OTHERWISE DIRECTED BY OWNER OR LANDSCAPE ARCHITECT.
- B. UNDERGROUND UTILITY WORK**
- TRENCHING SHOULD BE PERFORMED IN A MANNER AND LOCATION LEAST DAMAGING TO TREE ROOTS.
 - TUNNELING OR BORING SHOULD BE DONE WHENEVER POSSIBLE WHERE LARGE SCAFFOLD ROOTS ARE ENCOUNTERED. HAND DIGGING AND BRIDGING OF ROOTS SHALL BE DONE.
 - ANY CUTTING OF TREE ROOTS, OTHER THAN WHEN IN THE PROCESS OF TREE REMOVAL, SHALL GIVE DUE CONSIDERATION TO FUTURE WELFARE OF THE TREE. PROPER ACTION SHALL BE TAKEN SO AS TO PROTECT, PRESERVE, OR CORRECT THE ROOT PROBLEM.
 - THE "TRENCHING AND TUNNELING NEAR TREES" BOOK BY THE NATIONAL ARBOR DAY FOUNDATION SHALL BE USED AS A GUIDE FOR ALL CONSTRUCTION AND EXCAVATION WORK AROUND PROTECTED TREES.
 - EXCAVATION INVOLVING ROOT CUTS SHOULD BE DONE RAPIDLY. CUTS ON TREE ROOTS SHALL BE SMOOTH AND CLEAN. BACKFILL BEFORE THE ROOTS HAVE A CHANCE TO DRY OUT, AND WATER TREE IMMEDIATELY. IF TREE ROOTS ARE TO REMAIN EXPOSED FOR ANY EXTENDED PERIOD OF TIME, THEY MUST BE COVERED WITH BURLAP AND KEPT MOIST AT ALL TIMES.
- PURPOSE:** THESE NOTES ARE INTENDED TO GUIDE GENERAL CONTRACTOR AND SUB-CONTRACTORS CREWS IN THE PRUNING AND REMOVAL OF EXISTING TREES AND BE IN COMPLIANCE WITH LOCAL STANDARDS.
- C. GENERAL STANDARDS FOR TREE PRUNING**
- ALL TREE MAINTENANCE WORK ON PROPERTY GROUNDS SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST REVISIONS OF ANSI A300 AND ANSI Z33.1 STANDARDS AND AS FURTHER DETAILED IN THE BEST MANAGEMENT PRACTICES TREE PRUNING BOOKLET.
 - ALL TREE PRUNING TO BE COMPLETED BY A LICENSED ARBORIST IN THE STATE OF THE PROJECT.
 - HANGING LIMBS AND BRANCH GROWTH SHALL BE MAINTAINED 15 FEET ABOVE SIDEWALKS OR PER LOCAL CODE.
 - AUTHORITY TO PRUNE TREES DOES NOT INCLUDE THE CUTTING BACK OF SOUND, HEALTHY TREE BRANCHES IN EXCESS OF 8 INCHES OUTSIDE DIAMETER, UNLESS SPECIFICALLY DIRECTED BY THE OWNER OR CITY FORESTER.
 - TREE BRANCHES SHALL BE REMOVED AND CONTROLLED IN SUCH A MANNER AS NOT TO CAUSE DAMAGE TO OTHER PARTS OF THE TREE, OTHER PLANTS, AND PROPERTY.
 - CLEAN-UP BRANCHES, LOGS OR ANY OTHER DEBRIS RESULTING FROM A TREE PRUNING OR REMOVAL SHALL BE PROMPTLY AND PROPERLY ACCUMULATED. THE WORK AREA SHALL BE KEPT SAFE AT ALL TIMES UNTIL THE CLEAN-UP OPERATION IS COMPLETED. UNDER NO CONDITION SHALL THE ACCUMULATION OF BRUSH, BRANCHES, LOGS, OR OTHER DEBRIS BE ALLOWED UPON PROPERTY IN SUCH A MANNER AS TO CAUSE A PUBLIC HAZARD.
 - THE USE OF CLIMBING SPURS OR GAFFS SHALL BE PERMITTED ONLY IN THE CASE OF TREE REMOVAL OR IN AERIAL RESCUE EMERGENCIES.
 - UNLESS NO CONDITIONS SHALL BE CONSIDERED PROPER TO LEAVE SEVERED OR PARTIALLY CUT LIMBS IN A TREE AFTER THE WORKERS LEAVE THE SCENE OF OPERATIONS.
 - ALL TREES TO BE REMOVED SHALL BE TAGGED FOR OWNERS APPROVAL PRIOR TO REMOVING.
- D. TREES SHALL BE REMOVED IF:**
- THE TREE INTERFERES WITH OR CREATES A PUBLIC NUISANCE OR HAZARD TO PEDESTRIANS OR VEHICULAR TRAFFIC OR IS CONSIDERED A PUBLIC NUISANCE BY THE CITY FORESTER.
 - THE TREE IS SIGNIFICANTLY DAMAGED OR DISEASED.
 - THE TREE IS SPECIFIED TO BE REMOVED ON THIS PLAN.
 - THE OWNER REQUESTS REMOVAL OF TREE. IN THIS CASE THE LANDSCAPE ARCHITECT SHALL BE NOTIFIED SO AS TO REVISE THE PROPOSED PLANTING PLAN TO MEET CITY/COUNTY REQUIREMENTS FOR TREE REPLACEMENT.
- E. STUMP REMOVAL REQUIREMENTS AND STANDARDS**
- PERSONS PERFORMING STUMP REMOVAL DUTIES SHALL HAVE THE IMMEDIATE AREA INVESTIGATED FOR UTILITY LINES FROM BLUESTAKE/DIG-LINE AS NECESSARY AND WEAR ALL REQUIRED SAFETY EYE AND EAR PROTECTION.
 - ALL REMOVAL OF TAGGED TREES SHALL BE DONE IN A MANNER SO THAT THE REMAINING STUMP WILL BE AT LEAST 8 INCHES BELOW GROUND LEVEL UNLESS OTHERWISE DIRECTED BY OWNER.
 - EXCAVATIONS RESULTING FROM A TREE OR SHRUB REMOVAL MUST BE PROMPTLY FILLED IN TO NORMAL GROUND LEVEL WITH TOPSOIL, APPROVED BY OWNER OR FILL MATERIAL DEPENDING ON LOCATION. THE TOPSOIL/FILL MATERIAL SHALL BE PROPERLY SETTLED AND BE FREE OF DEBRIS.

ISSUE DATE 09-24-2019		PROJECT NUMBER UT19053		PLAN INFORMATION		PROJECT INFORMATION		DEVELOPER / PROPERTY OWNER / CLIENT		LANDSCAPE ARCHITECT / PLANNER		LICENSE STAMP	
				 BLUE STAKES OF UTAH UTILITY NOTIFICATION CENTER, INC 1-800-662-4111 www.bluestakes.org		<h1>STANFORD COMMONS</h1> <p>FOOTHILL DRIVE AND 2100 EAST SALT LAKE CITY, UT</p>		Developer / Property Owner: NORTHSTAR BUILDERS		 PKJ DESIGN GROUP L.L.C. 3450 N. TRIUMPH BLVD, SUITE 102 LEHI, UTAH 84043 (801) 960-2698 www.pkjdesigngroup.com		 JTA KBA TM 9/24/2019	
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ISSUE DATE	PROJECT NUMBER	PLAN INFORMATION	PROJECT INFORMATION	DEVELOPER / PROPERTY OWNER / CLIENT	LANDSCAPE ARCHITECT / PLANNER	LICENSE STAMP
09-24-2019	UT19053	811 BLUE STAKES OF UTAH UTILITY NOTIFICATION CENTER, INC 1-800-662-4111 www.bluestakes.org	STANFORD COMMONS FOOTHILL DRIVE AND 2100 EAST SALT LAKE CITY, UT	NORTHSTAR BUILDERS	PKJ DESIGN GROUP PKJ DESIGN GROUP L.L.C. 3450 N. TRIUMPH BLVD. SUITE 102 LEHI, UTAH 84043 (801) 960-2688 www.pkjdesigngroup.com	
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STANFORD COMMONS

SALT LAKE CITY, UTAH

IRRIGATION SPECIFICATIONS

IRRIGATION SPECIFICATIONS

PART 1 - GENERAL

1.1 SUMMARY

Work to be done includes all labor, materials, equipment and services required to complete the Project irrigation system as indicated on the Construction Drawings, and as specified herein. Includes but is not limited to furnishing and installing underground and above ground sprinkler system components with any accessories necessary for proper function and operation of the system. All plant material on the Project shall be irrigated. Removal and disposal of any existing sprinkler system components are not to be used, which are disturbed during the construction process. Restoration of any altered or damaged existing landscape to original state and condition.

1.2 SYSTEM DESCRIPTION

A. Design of irrigation components: Locations of irrigation components on Construction Drawings may be approximate. Piping, sleeving and/or other components shown on Construction Drawings may be shown schematically for graphic clarity and demonstration of component groupings and separations. All irrigation components shall be placed in landscaped areas, with the exception of pipe and wire in sleeving under hardscapes. Actual routing of pipe, wire or other components may be altered due to site conditions not accounted for in the design process.

B. Construction requirements: Actual placement may vary as required to achieve a minimum of 100% coverage without encroachment onto hardscape, buildings or other features.

C. Layout of irrigation components: During layout and staking, consult with Owner Approved Representative (hereafter referred to as OAR) to verify proper placement of irrigation components and to provide Contractor recommendations for changes, where revisions may be advisable. Small or minor adjustments to system layout are permissible to avoid existing field obstructions such as utility boxes or street light poles. Contractor shall place remote control valves in groups as specified to economize on quantity of manifold isolation valves. Quick coupler valves shall be placed with manifold groups and protected by manifold isolation valves. Quick coupler valves are shown on Construction Documents in approximate locations.

1.3 DEFINITIONS

A. Water Supply: Culinary water piping and components, furnished and installed by others to provide irrigation water to this Project, including but not limited to backflow preventer, saddles, nipples, smooth, shut off valves, corporation stop valves, water meters, pressure regulation valves, and piping upstream of (or prior to) the Point of Connection.

B. Point of Connection: Location where the Contractor shall tie into the water supply. May require backflow preventer, saddle, nipples, spools, isolation valves or Stop and Waste valve for landscape irrigation needs and use.

C. Main Line Piping: Pressurized piping downstream of the Point of Connection to provide water to remote control valves and quick couplers. Normally under constant pressure.

D. Lateral Line Piping: Circuit piping downstream of remote control valves to provide water to sprinkler heads, sprinkler heads, ring systems or bubblers.

1.4 REFERENCES

A. The following standards will apply to the work of this Section:

- a. ASTM-American Society for Testing and Materials
- b. IA-The Irrigation Association; Main BMP Document, Landscape Irrigation Scheduling and Water Management Document.

1.5 SUBMITTALS

A. At least thirty (30) days prior to ordering of any materials, the Contractor shall provide manufacturer catalog cut sheet and current printed specifications for each element or component of the irrigation system. Submittals shall be in three ring binders or other similar bound form. Provide five copies of submittals to OAR for distribution. Place color or index sheet indicating order in submittal document. No material shall be ordered, delivered or any work proceeded in the field until the required submittals have been reviewed in its entirety and stamped approved. Delivered material shall match the approved samples.

B. Operation and Maintenance Manual:

a. At least thirty (30) days prior to final inspection, the Contractor shall provide Operation and Maintenance manual to OAR, containing:

i. Manufacturer catalog cut sheet and current printed specifications for each element or component of the irrigation system.

ii. Parts list for each operating element of the system.

iii. Manufacturer printed literature on operation and maintenance of operating elements of the system.

iv. Section listing instructions for overall system operation and maintenance. Include directions for Spring Start-up and Winterization.

v. Project Record Copy

vi. Maintain at project site one copy of all project documents clearly marked "Project Record Copy". Mark any deviation in material installation on Construction drawings. Maintain and update drawing at least weekly. Project Record Copy to be available to OAR on demand.

vii. Completed Project As-Built Drawings

viii. Prior to final inspection, prepare and submit to OAR accurate as-built drawings

ix. Show detail and dimension changes made during installation. Show significant details and dimensions that were not shown in original Contract Documents.

x. Field dimension locations of sleeving, points of connection, main line piping, wiring runs not contained in main line pipe trenches, valves and valve boxes, quick coupler valves.

xi. Dimensions are to be taken from permanent constructed surfaces, features, or finished edges located at or above finished grade.

xii. Controller Mapping completion of system, place in each controller a color coded copy of the area that controller services, indicating zone number, type of plant material and location on project that some services. Laminate map with heat shrink clear plastic.

1.6 QUALITY ASSURANCE

A. Acceptance: Do not install work of this section prior to acceptance by OAR of area to receive such work.

B. Regulatory Requirements: All work and materials shall be according to any and all rules, regulations or codes, whether they are State or Local laws and ordinances. Contract documents, drawing or specifications may not be construed or interpreted to permit work or materials not conforming to the above codes.

C. Adequate Water Supply: Water supply to this Project exists, installed by others. Connections to these supply lines shall be by this Contractor. Verify that proper connection is available to supply line and is of adequate size. Verify that secondary connection components may be installed if necessary. Perform static pressure test prior to commencement of work. Notify OAR in writing of problems encountered prior to proceeding.

D. Workmanship and Materials:

a. It is the intent of this specification that all material herein specified and shown on the construction documents shall be of the highest quality available and meeting the requirements specified.

b. All work shall be performed in accordance with the best standards of practice relating to the trade.

C. Contractor Qualifications:

a. Contractor shall provide document or resume including at least the following items:

i. That Contractor has been installing sprinklers on commercial projects for five previous consecutive years.

ii. Contractor is licensed to perform Landscape and Irrigation construction in the State of this Project.

iii. Contractor is bondable for the work to be performed.

iv. References of five projects of similar size and scope completed within the last five years. Three of the projects listed shall be local.

v. Listing of suppliers where materials will be obtained for use on this Project.

vi. Project site Foreman or Supervisor has at least five consecutive years of commercial irrigation installation experience. This person shall be current Certified Irrigation Contractor in good standing as set forth by the

Irrigation Association. This person shall be on Project site at least 75% of each working day.

vii. Evidence that Contractor currently employs workers in sufficient quantities to complete Project within time limits that are established by the Contract.

viii. All General laborers or workers on the Project shall be proficiently trained and familiar with sprinkler installation and have a minimum of one-year experience. Those workers performing tasks related to PVC pipe shall have certificates designated below.

1.7 DELIVERY-STORAGE-HANDLING

A. During delivery, installation and storage of materials for Project, all materials shall be protected from contamination, damage, vandalism, and prolonged exposure to sunlight. All material stored at Project site shall be neatly organized in a compact arrangement and storage shall not disrupt Project Owner or other trades on Project site. All material to be installed shall be handled by Contractor with care to avoid breakage or damage. Damaged materials attributed to Contractor shall be replaced with new at Contractor's expense.

1.8 SEQUENCING

A. Perform site survey, research utility records, contact utility location services. The Contractor shall familiarize himself with all hazards and utilities prior to work commencement. Install sleeving prior to installation of concrete, paving or other permanent site elements. Irrigation system Point of Connection components, backflow prevention and pressure regulation devices shall be installed and operational prior to all downstream components. All main lines shall be thoroughly flushed of all debris prior to installation of any sprinkler heads.

1.9 WARRANTY

A. Contractor shall provide one year Warranty. Warranty shall cover all materials, workmanship and labor. Warranty shall include filling and/or repairing depressions or replacing turf or other plantings due to settlement of irrigation trenches or irrigation system elements. Valve boxes, sprinklers or other components settles from original finish grade shall be returned to proper grade. Irrigation system shall have been adjusted to provide proper, adequate coverage of irrigated areas.

1.10 OWNER'S INSTRUCTION

A. After system is installed, inspected, and approved, instruct Owner's Representatives in complete operation and maintenance procedures. Coordinate instruction with references to previously submitted Operation and Maintenance Manual.

1.11 MAINTENANCE

A. Furnish the following items to Owner's Representative:

a. Two quick coupler keys with hose sleeves.

b. One of each type or size of quick coupler valve and remote control valve. Five percent of total quantities used of each sprinkler and sprinkler nozzle.

B. Provide the following services:

a. Winterize entire irrigation system installed under this contract. Winterize by "blow-out" method using compressed air. Compressor shall be capable of minimum of 175 CFM. This operation shall occur at the end of first growing season after need for plant irrigation but prior to freezing. Compressor shall be capable of evacuation system of all water pressure regulation device. Compressor shall be regulated to not more than 60 PSI. Start up system the following spring after danger of freezing has passed. Contractor shall train Owner's Representative in proper start-up and winterization procedure.

PART 2 - PRODUCTS

2.1 GENERAL NOTES

A. Contractor shall provide materials to be used on this Project. Contractor shall not remove any material purchased for this Project from the Project Site, nor mix Project materials with other Contractor owned materials. Owner retains right to purchase and provide project material.

2.2 POINT OF CONNECTION

A. The Contractor shall connect onto existing irrigation or water main line as needed for Point(s) of Connection. Contractor shall install new main line as indicated.

2.3 CONNECTION ASSEMBLY

A. Culinary water shall be used on this Project. Install backflow preventer and RPT as needed.

2.4 CONTROL SYSTEM

A. Power supply to the irrigation controller shall be provided for by this Contract.

B. Controller shall be as specified in the drawings. Controller shall be surge protected.

a. Installation of wall-mount controllers: Irrigation contractor shall be responsible for this task. Power configuration for wall-mount controllers shall be 120 VAC unless otherwise noted.

b. Locate Controller(s) in general location shown on Construction drawings. Coordinate power supply and breaker allocation with electrical contractor. Contractor shall be responsible for all power connections to Controllers, whether they are wall mount or pedestal mount. Contractor shall coordinate with electrical or other Project trades as needed to facilitate installation of power to controllers.

C. Wires connecting the remote control valves to the irrigation controller are single conductors, type PE. Wire construction shall incorporate a solid copper conductor and polyethylene (PE) insulation with a minimum thickness of 0.045 inches. The wires shall be UL listed for direct burial in irrigation systems and be rated at a minimum of 30 VAC. Page Electric Co., UL specification number PVQ790.

a. A minimum of 24" of additional wire shall be left at each valve, each splice box and at each controller.

b. Common wire shall be white in color, 12 gauge. Control wire shall be red in color, 14 gauge. Spare wire shall be looped within each valve box of the grouping it is to service.

D. RCV wire splicing connectors shall be 3M brand DBT or DBR. Wire splicing between controller and valves shall be avoided if at all possible. Any wire splices shall be contained within a valve box. Splices within a valve box that contains no remote control valves shall be stamped "WIRE SPLICE" or "W/S" on box lid.

2.5 SLEEVING

A. Contractor shall be responsible to protect existing underground utilities and components. Sleeving minimum size shall be 2". Sleeving 2" through 4" in size shall be S/40 PVC solvent weld. Sleeving 6" and larger shall be CL 200 PVC gasketed. Sleeve diameter shall be at least two times the diameter of the pipe within the sleeve. Sleeves shall be extended 6" minimum beyond walk or edge of pavement. Wire or cable shall not be installed in the same sleeve as piping, but shall be installed in separate sleeves. Sleeve ends on sleeves sizes 4" and larger shall be capped with integral corresponding sized PVC slip cap, pressure fit, until used, to prevent contamination. Sleeves shall be installed at appropriate depths for main line pipe or lateral pipe.

2.6 MAIN LINE PIPE

A. All main line pipe 4" and larger shall be Class 200 gasketed bell end. All main line pipe 3" in size and smaller shall be Schedule 40 PVC solvent weld bell end.

a. Maximum flows allowed through main line pipes shall be:

3/4" 8 GPM

1" 12 GPM

1-1/2" 30 GPM

2" 53 GPM

2-1/2" 75 GPM

3" 110 GPM

4" 160 GPM

b. Main line pipe shall be buried with 24" cover

2.7 MAIN LINE FITTINGS

A. All main line fittings 3" and larger shall be gasketed ductile iron material. All ductile iron fittings having change of direction shall have proper concrete thrust block installed. All main line fittings smaller than 3" in size shall be Schedule 80 PVC.

2.8 ISOLATION VALVES

A. Isolation valves 3" and larger shall be Watertool brand model 2500 cast iron gate valve, resilient wedge, push on type, with 2" square opening nut. Place sleeve of 6" or larger pipe over top of valve vertically and then extend to grade. Place 10" round valve box over sleeve at grade.

B. Isolation valves 2-1/2" and smaller shall be Apollo brand 70 series brass ball valve, contained in a Carson Standard size valve box. Valves shall be installed with S/80 PVC TDE nipples on both sides of the valve. Valve shall be placed so that the handle is vertical toward the top of the valve box on the "off" position.

2.9 MANIFOLDS

A. Action Manifold fittings shall be used to create unions on both sides of each control valve, allowing the valve to be removed from the box without cutting piping. Valves shall be located in boxes with ample space surrounding them to allow access for maintenance and repair. Where practical, group remote control valves in close proximity, and protect each grouping with a manifold isolation valve as shown in details. Manifold Main Line (or Sub-Main Line) and all manifold components and isolation valves shall be at least as large as the largest diameter lateral served by the respective manifold.

2.10 REMOTE CONTROL VALVES

A. Remote control valves shall be as specified on the drawings. Remote control valves shall be located separately and individually in separate control boxes.

2.11 MANUAL CONTROL VALVES

A. Quick coupler valve shall be attached to the manifold sub-main line using a Lasco G175212 swing joint assembly with snap-lock outer and brass stabilizer elbow. Quick coupler valve shall be placed within a Carson 10" round valve box. Top of quick coupler valve over shall allow for complete installation of valve box lid, but also allow for insertion and operation of key. Base of quick coupler valve and top of quick coupler swing joint shall be encased in 4" gravel. Contractor shall not place quick coupler valves further than 200 feet apart, to allow for spot watering or supplemental irrigation of new plant material. Quick coupler valve at POC shall not be eliminated or relocated.

2.12 LATERAL PIPING

A. All lateral piping shall be Schedule 40 PVC solvent weld, bell end. Lateral pipe shall be buried with 12-18" of cover typically. Lateral pipe shall be 3/4", 1", 1-1/4", 1-3/4" or 2" in size as indicated on Construction Drawings.

2.13 LATERAL LINE FITTINGS

A. All lateral line fittings shall be S/40 PVC

2.14 SPRAY SPRINKLERS

A. Spray head sprinklers shall be as specified on the drawings. Nozzles shall be as specified on the drawings.

2.15 VALVE BOXES

A. Carson valve boxes shall be used on this project. Sites are as directed in these Specifications, detail sheets or plan sheets. Valve boxes shall be centered over the control valve or element they cover. Valve box shall be sized large enough to allow ample room for services access, removal or replacement of valve or element. Valve box shall be set to flush to finish grade of topsoil or finished areas. Contractor shall provide extension or track additional valve boxes as necessary to bring valve box pit to proper grade.

2.16 IMPORT BACKFILL

A. All main line pipe, lateral line pipe and other irrigation elements shall be bedded and backfilled with clean soil, free of rocks 1" and larger. Contractor shall furnish and install additional backfill material as necessary due to rocky conditions. Trenches and other elements shall be compacted and/or water settled to eliminate settling. Debris from trenching operations unusable for fill shall be removed from project and disposed of properly by Contractor.

2.17 OTHER PRODUCTS

A. Substitution of equivalent products is subject to the OAR's approval and must be designated as accepted in writing.

a. The Contractor shall provide materials to make the system complete and operational.

PART 3 - EXECUTION

3.1 PREPARATION

A. Contractor shall repair or replace work damaged by irrigation system installation. If damaged work is new, replacement or the original installer of that work shall perform repair. The existing landscape of this Project shall remain in place. Contractor shall protect and work around existing plant material. Coordination of trench and valve locations shall be laid out the OAR prior to any excavation occurring. Plant material deemed damaged by the OAR shall be replaced with new plant material at Contractor's expense. Contractor shall not cut existing tree roots larger than 2" to install this Project. Route pipe, wire and irrigation elements around tree canopy drip line to minimize damage to tree roots. Contractor shall have no part of existing system used by other portions of site landscape without water for without water for more than 24 hours at a time.

3.2 TRENCHING AND BACKFILLING

A. Pulling of pipe shall not be permitted on this project. Over excavate trenches both in width and depth. Ensure base of trench is rock or debris free to protect pipe and wire. Grade trench base to ensure flat, even support of piping. Backfill with clean soil or import material. Contractor shall backfill no less than 2" around entire pipe with clean, rock free fill. Main line piping and fittings shall not be backfilled until OAR has inspected and pipe has passed pressure testing. Perform balance of backfill operation to eliminate any settling.

3.3 SLEEVING

A. Sleeve all piping and wiring that passes under paving or landscape features. Wiring shall be placed in separate sleeving from piping. Sleeves shall be positioned relative to structures or obstructions to allow for pipe or wire within to be removed if necessary.

3.4 GRADES AND DRAINAGE

A. Place irrigation pipe and other elements at uniform grades. Winterization shall be by excavation with compressed air. Automatic drains shall not be installed on this Project. Manual drains shall only be installed at POC where designated on Construction Drawings.

3.5 PVC PIPE

A. Install pipe to allow for expansion and contraction as recommended by pipe manufacturer.

B. Install main line pipes with 18" of cover, lateral line pipes with 12" of cover.

C. Drawings show diagrammatic or conceptual location of piping. Contractor shall install piping to minimize change of direction, avoid placement under large trees or large shrubs, avoid placement under hardscape features.

D. Plastic pipe shall be cut squarely. Burrs shall be removed. Spigot ends of pipes 3" and larger shall be beveled.

E. Pipe shall not be glued unless ambient temperature is at least 50 degrees F. Pipe shall not be glued in rainy conditions unless properly tested. All solvent weld joints shall be assembled using P/1 glue and P/3 primer according to manufacturer's specifications, no exceptions. All workers performing glue operations shall provide evidence of certification. Glued main line pipe shall cure a minimum of 24 hours prior to being energized. Lateral lines shall cure a minimum of 2 hours prior to being energized and shall not remain under constant pressure unless cured for 24 hours.

F. Appropriate thrust blocking shall be performed on fittings 3" and larger. All threaded joints shall be wrapped with teflon tape or paste unless directed by product manufacturer or seeing by owner.

3.6 CONTROLLERS

A. All grounding for pedestal controllers shall be as directed by controller manufacturer and ASIC guidelines, not to exceed a resistance reading of 5 OHMS.

B. Locate controllers in protected, inconspicuous places, when possible. Coordinate location of pedestal controllers with Landscape Architect to minimize visibility.

C. Coordinate location of wall mount controllers with building or electrical contractor to facilitate electrical service and future maintenance needs. Wall mounts shall be securely fastened to surface. If exterior mounted, wall mount controllers shall have electrical service wire and field control wire in separate, approved sized weatherproof electrical conduit, PVC pipe shall not be used.

D. Wire under hardscape surfaces shall be placed continuously in conduit. Contractor shall be responsible to coordinate sleeving needs for conduit or sweep elbows from exterior to interior of building.

E. Pedestal controllers shall be placed upon VTI-Strong Box Quick-Pad as per manufacturer's recommendations. Controllers shall be oriented such that Owner's Representative maintenance personnel may access easily and perform field system tests efficiently.

F. Place Standard valve box at base of controller or nearby to allow for three to five feet of slack field control wire to be placed at each controller. This Contractor shall provide conduit access if needed for Electrical Contractor. Electrical supply and installation, as well as hook-up to controller shall be by the Contractor.

3.7 VALVES

A. Isolation valves, remote control valves, and quick coupler valves shall be installed according to manufacturer recommendation and Contract Specifications and Details.

B. Valve boxes shall be set over valves to that all parts of the valve can be reached for service.

C. Valve box and lid shall be set to be flush with finished grade. Only one remote control valve may be installed in a Carson 1419124 box. Place a minimum of 4" of 1/2" washed gravel beneath valve box for drainage. Bottom of remote control valve shall be a minimum of 2" above gravel.

3.8 SPRINKLER HEADS

A. No sprinkler shall be located closer than 6" to walls, fences, or buildings.

B. Heads adjacent to walks, curbs, or paths shall be located at grade and 2" away from hardscape.

C. Control valves shall be opened and fully flushed prior to installation of sprinklers.

D. Spray heads shall be installed and flushed again prior to installation of nozzles.

E. Contractor shall be responsible for adjustment if necessary due to grade changes during landscape construction.

3.9 FIELD QUALITY CONTROL

A. Main line pipes shall not be backfilled or accepted until the system has been tested for 2 hours at 100 psi.

B. Main line pressure test shall include all pipe and components from the point of connection to the upstream side of remote control valves. Test shall include all manifold component under constant pressure. Piping may be tested in sections that can be isolated.

C. Contractor shall provide pressurized water pump to increase or boost pressure where existing static pressure is less than 100 PSI.

D. Schedule testing with OAR 48 hours in advance for approval.

E. Leaks or defects shall promptly be repaired or rectified at the Contractor's expense and retested until able to pass testing.

F. Grounding resistance at pedestal controller shall also be tested and shall not exceed 5 OHMS.

3.10 ADJUSTMENT

A. Sprinkler heads shall be adjusted to proper height when installed. Changes in grade or adjustment of head height after installation shall be considered a part of the original contract and at Contractor's expense.

B. Adjust all sprinkler heads for arc, radius, proper trim and distribution to cover all landscaped areas that are to be irrigated.

C. Adjust sprinklers so they do not water buildings, structures, or other hardscape features.

D. Adjust run times of station to meet needs of plant material the station services.

3.11 CLEANING

A. Contractor shall be responsible for cleanliness of jobsite. Work areas shall be swept cleanly and picked up daily.

B. Open trenches or hazards shall be protected with yellow caution tape.

C. Contractor is responsible for removal and disposal/offsite of trash and debris generated as a result of this Project.

D. OAR shall perform periodic as well as a final cleanliness inspection.

E. Contractor shall leave Project in at least a "room clean" condition.

END OF SECTION

electrical conduit, PVC pipe shall not be used.

D. Wire under hardscape surfaces shall be placed continuously in conduit. Contractor shall be responsible to coordinate sleeving needs for conduit or sweep elbows from exterior to interior of building.

E. Pedestal controllers shall be placed upon VTI-Strong Box Quick-Pad as per manufacturer's recommendations. Controllers shall be oriented such that Owner's Representative maintenance personnel may access easily and perform field system tests efficiently.

F. Place Standard valve box at base of controller or nearby to allow for three to five feet of slack field control wire to be placed at each controller. This Contractor shall provide conduit access if needed for Electrical Contractor. Electrical supply and installation, as well as hook-up to controller shall be by the Contractor.

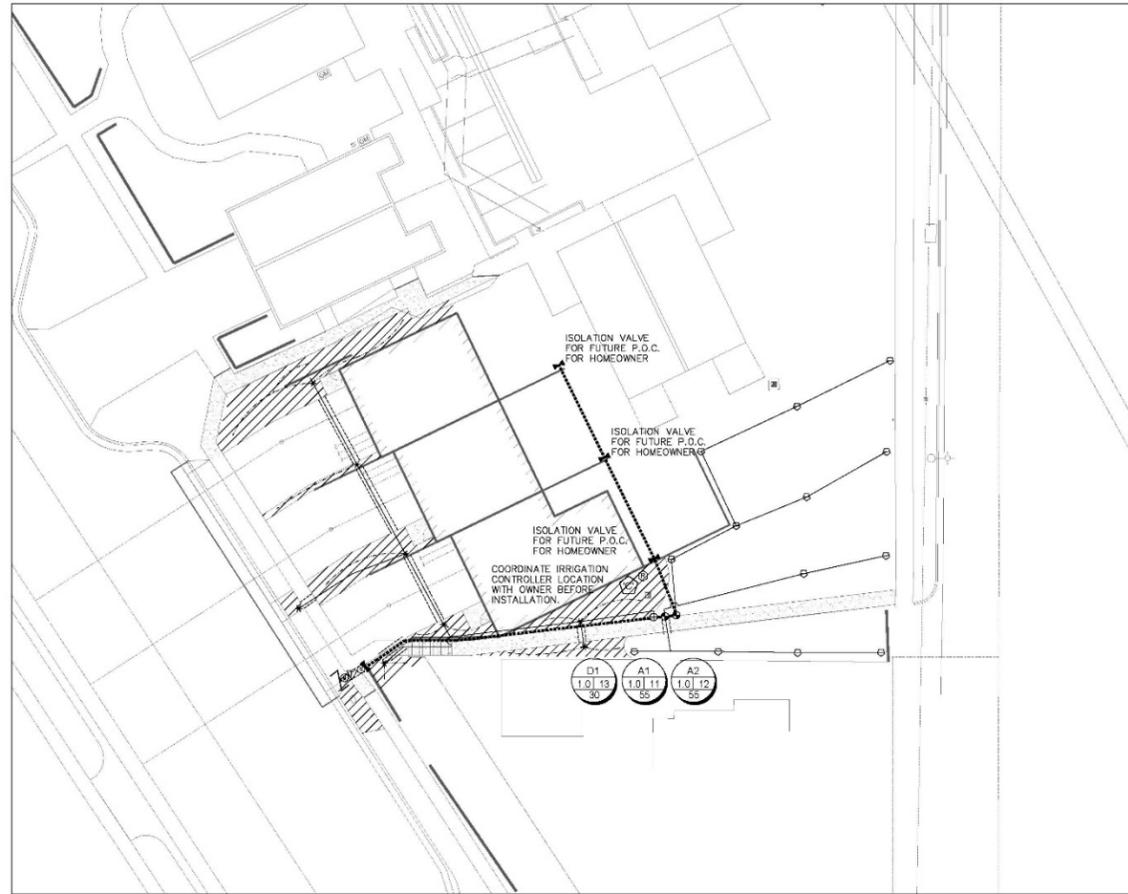
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C. Valve box and lid shall be set to be flush with finished grade. Only one remote control valve may be installed in a Carson 1419124 box. Place a minimum of 4" of 1/2" washed gravel beneath valve box for drainage. Bottom of remote control valve shall be a minimum of 2" above gravel.

3.8 SPRINKLER HEADS



IRRIGATION LEGEND

SYMBOL	MANUFACTURER—MODEL NUMBER	PAT.	RD.	PSI	GPM					
					Q	T	H	TT	TQ	F
◆	RAINBIRD RD04-S-PRS POP UP SPRAY 6 SERIES	Q.T.H.F	8"	30	10	15	20	na	na	40
●	RAINBIRD RD04-S-PRS POP UP SPRAY 8 U-SERIES	Q.T.H.F	8"	30	28	35	50	na	na	1.05
○	RAINBIRD RD04-S-PRS POP UP SPRAY 10 U-SERIES	Q.T.H.F	10"	30	38	53	70	na	na	1.58
◆	RAINBIRD RD04-S-PRS POP UP SPRAY 12 U-SERIES	Q.T.H.TQF	12"	30	65	87	130	174	1.95	2.80
▼	RAINBIRD RD04-S-PRS POP UP SPRAY 15 U-SERIES	Q.T.H.TT	15"	30	92	123	183	248	2.78	3.70
○	RAINBIRD RD04-S-PRS POP UP SPRAY 15 EST	EST	15"	30	1.21					
■	RAINBIRD RD04-S-PRS POP UP SPRAY 15 EST	EST	15"	30	61					
○	RAINBIRD 8000 SERIES MPR NOZZLES	Q.T.H.F	Varies	30	Varies	Varies	Varies	na	na	Varies
○	RAINBIRD 8000 SERIES RR #14 #26 NOZZLES	Q.T.H.F	8"	30	8.8	12.6	24.3	na	na	Varies
○	CONTROLLER: RAINBIRD ESP-LXD CONTROLLER WITH LMM REMOTE KIT, PLACE IN LMM PEDSTAL. CONTRACTOR TO ADJUST LOCATION WITH OWNER PRIOR TO CONSTRUCTION.									
○	MASTER VALVE									
○	FLOW SENSOR									
○	RAINBIRD WR2-RC WIRELESS RAIN SHUT OFF DEVICE									
○	IRRIGATION POINT OF CONNECTION AND BPP BACKFLOW PREVENTION - CONNECT TO WATER SERVICE LINE AND METER. (SEE CIVIL PLANS CONTRACTOR LOCATE AND VERIFY EXACT LOCATION ON SITE)									
○	QUICK COUPLER: RAINBIRD 44LR INSTALL PER MANUFACTURER'S SPEC. 10" RND. VALVE BOX. SEE DETAIL.									
○	ISOLATION BALL VALVE - LINE SIZED. INSTALL PER MANUFACTURER'S SPEC.									
○	REMOTE CONTROL VALVE: RAINBIRD FRESH-PP-PS-2 AUTOMATIC CONTROL VALVE (SIZE AS NOTED ON PLAN). JUMBO BOX, PURPLE LID.									
○	DRIP CONTROL ZONE KIT: RAINBIRD XC2-IPER PLAN-PRBR-COM MED FLOW (SIZE AS NOTED ON PLAN).									
○	DRIP CONNECTION: PROVIDE DRAIN HOLE ON TO ALL TREES, SHRUBS, AND PERENNIALS IN PLANTER AREAS. INSTALL FLUSH CAP. SEE DETAIL.									
○	DRIP RWIS-S-B-1601 (ROOT WATERING SYSTEM) PROVIDE 2 TO EACH TREE LOCATED IN THE LAWN AREAS.									
-----	SUB-MAINLINE: SCHEDULE 40 PVC WITH SCHEDULE 80 FITTINGS, 1" DIAMETER 24" MIN. COVER									
-----	LATERAL LINE: SCHEDULE 40 PVC WITH SCH. 40 FITTINGS. SEE PIPE SIZING CHART									
-----	DRIP LINE: RAINBIRD XF-SP-20-18-100 OR EQUIVALENT									
-----	CLASS 200 SLEEVE PER PLAN									
-----	WIRE CHASE: SIZE TO BE TWICE THE DIAMETER OF THE WIRE BUNDLE WITHIN 1.1M" DIAMETER MINIMUM									
-----	NOT SHOWN: 14 GAUGE SOLID COPPER SINGLE STRAND CONTROL WIRE. INSTALL PER MANUFACTURER'S SPEC. PROVIDE 2 WIRE LOOP SYSTEM.									

DRIP ZONE

TYPE	PART NUMBER	EMITTER FLOW	EMITTER SPACING	ROW SPACING	ROW SPACING
XF-SP-20-18	XF-SP-20-18	9 GPH	18"	18"	18-21 IN.
TOTAL DRIP ZONE FLOW		20 GPM	TIME TO APPLY 1/4" OF WATER		23
MAX. LATERAL LENGTH OF TUBING		350 FT	REQUIRED NUMBER OF STAKES		500
TOTAL LENGTH OF ZONE DRIPLINE		2,000 FT (varies per plan)	NUMBER OF FLUSH POINTS		2
APPLICATION RATE		1.84 IN. / HR.	SUGGESTED HEADER & FOOTER PIPE SIZE		CLASS 200 1.25"

*NUMBERS MAY CHANGE DUE TO SIZE OF DRIP ZONE PER PLAN.

90 Day Establishment Period Irrigation Schedule (April, May, June)

Type	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Covering Pressure
Turf	15 min	30 psi						
Shrubs	25 min	0	25 min	0	25 min	0	25 min	40 psi

Regular Irrigation Schedule (see Seasonal Differential Chart)

Type	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Covering Pressure
Turf	15 min	30 psi						
Shrubs	45 min	0	45 min	0	45 min	0	45 min	40 psi

Seasonal Differential

Type	April	May	June	July	August	Sept	October
Turf	15 min	10 min	15 min	15 min	15 min	10 min	10 min
Shrubs	30 min	30 min	45 min	45 min	45 min	30 min	30 min

IRRIGATION NOTES

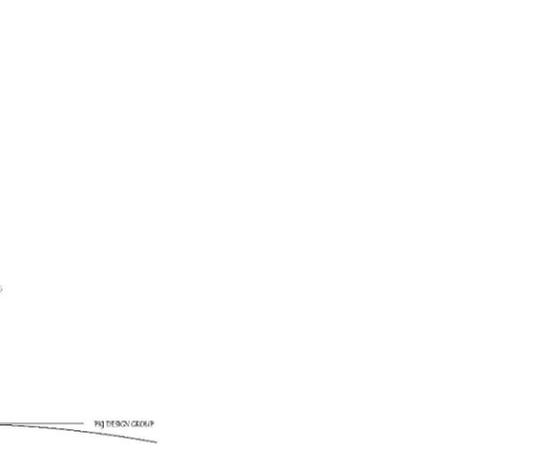
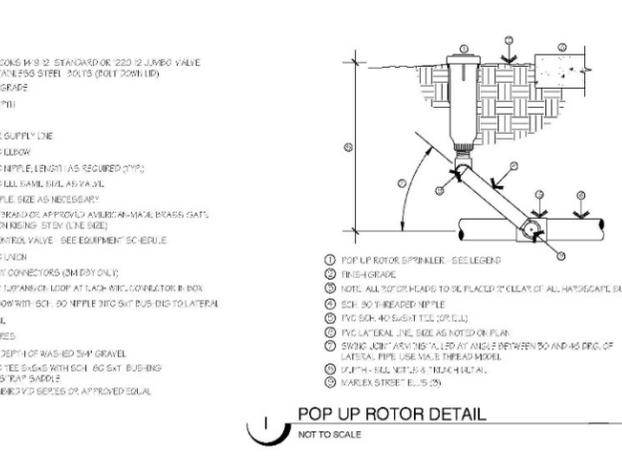
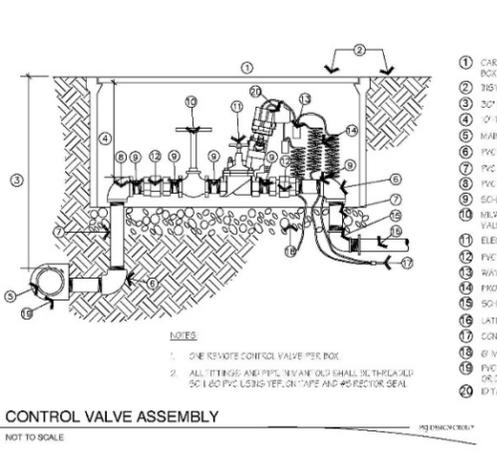
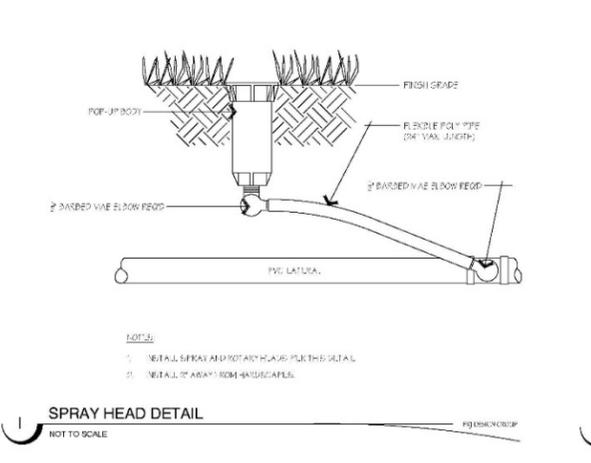
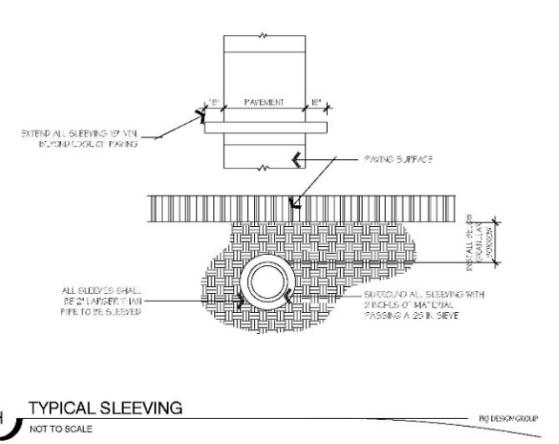
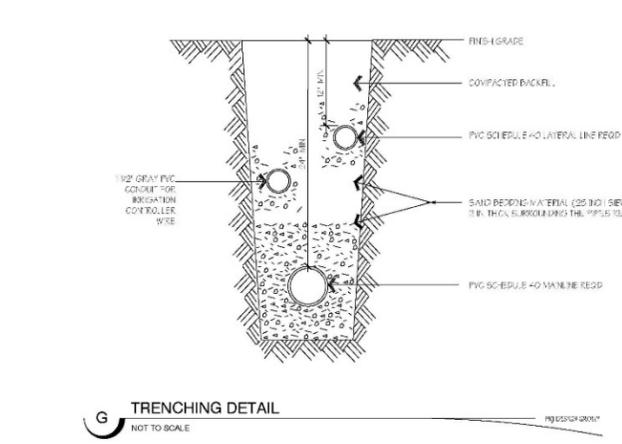
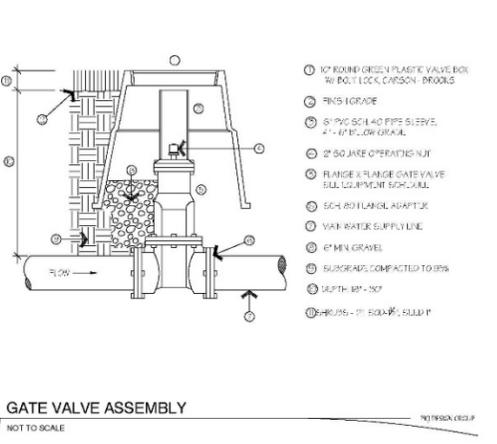
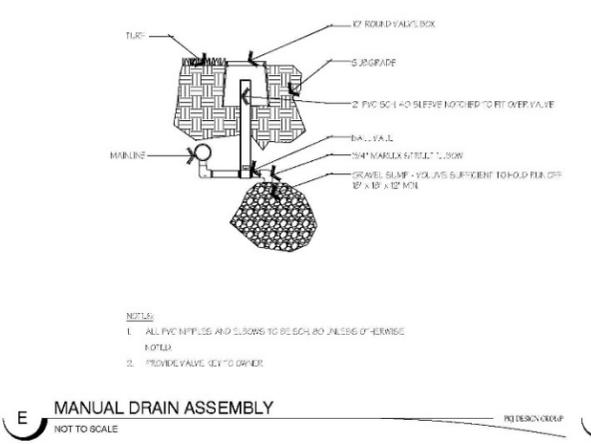
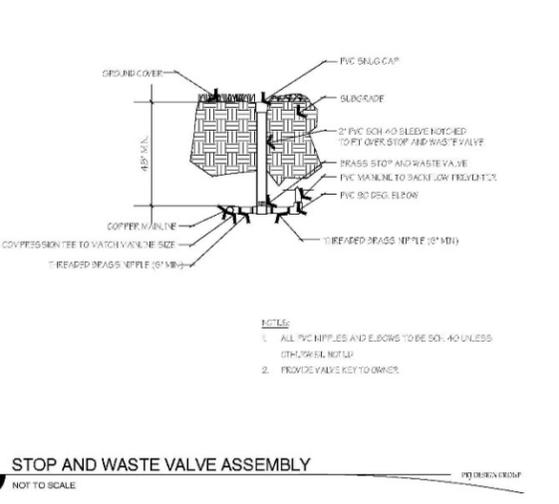
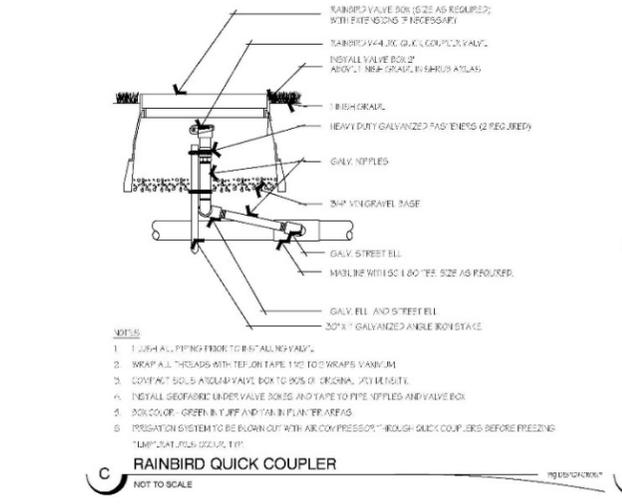
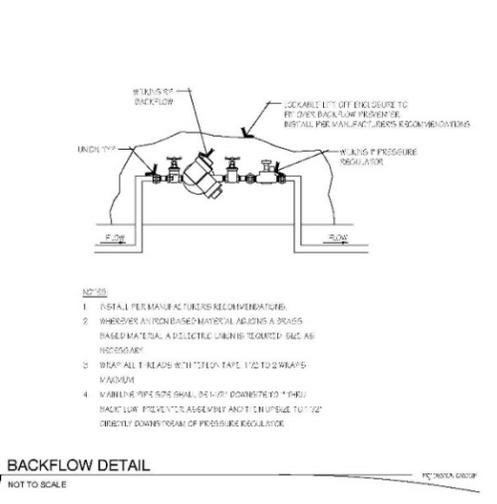
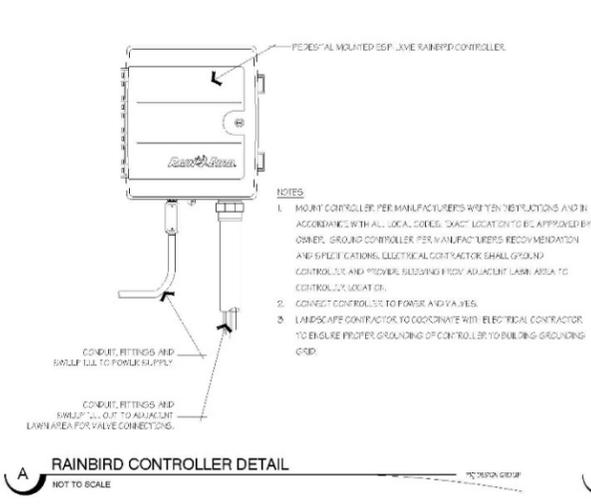
- ALL PIPE TO BE SCHEDULE 40 PVC PIPE OR BETTER. NO POLY PIPE SHALL BE INCLUDED. FITTINGS MUST BE SCHEDULE 40 OR BETTER ON LATERAL LINES AND SCHEDULE 80 OR BETTER ON MAIN LINE. SEE PER PLAN.
- MAIN LINES SHALL BE 2" DEEP MIN. AND LATERAL LINES 12" DEEP MIN. NO ROCK GREATER THAN 1/2" DIAMETER SHALL BE ALLOWED IN TRENCHES. TRENCHING BACKFILL MATERIAL SHALL BE COMPACTED TO PROPER FINISHED GRADE.
- CONTRACTOR SHALL HAVE ALL UTILITIES BLUE STAKED PRIOR TO DIGGING. ANY DAMAGE TO THE UTILITIES SHALL BE REPAIRED AT THE EXPENSE OF THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.
- PLACE ALL IRRIGATION IN LANDSCAPE AREAS AND ON THE PROPERTY OF THE OWNER.
- MODIFY LOCATION OF IRRIGATION COMPONENTS TO AVOID PLACING TREES, SHRUBS AND OTHER SITE ELEMENTS DIRECTLY OVER PIPE. PER PLANS. DO NOT LOCATE VALVE BOXES IN LAWN AREAS UNLESS DIRECTED TO BY LANDSCAPE ARCHITECT.
- CONTRACTOR SHALL INSTALL A QUICK COUPLER AT POINT OF CONNECTION IN ORDER TO BLOW OUT THE SYSTEM WITH AN AIR COMPRESSOR EACH FALL.
- CONTRACTOR SHALL USE ONLY COMMERCIAL GRADE IRRIGATION PRODUCTS AND IS RESPONSIBLE FOR ENSURING ACCURATE COUNTS AND QUANTITIES OF ALL IRRIGATION MATERIALS FOR BIDDING AND INSTALLATION PURPOSES.
- INSTALL DRIP IRRIGATION PER DETAILS. CONTRACTOR SHALL MAKE ADJUSTMENTS AS NECESSARY.
- CONTRACTOR SHALL PROVIDE AND INSTALL SLEEVES FOR ALL PIPES AND WIRES UNDER PAVEMENT AND SIDEWALKS. SLEEVES SHALL BE 2" SIZES LARGER THAN PIPE/ WIRE. ALL WIRES SHALL BE IN SEPARATE SLEEVES (NOT SHOWN). ALL CONTROL WIRE SHALL BE INSTALLED IN CLASS 200 PIPE. PLACE ANCHOR BOXES WHERE NECESSARY TO MINIMIZE LONG RUNS OR AT DIRECTIONAL CHANGES. COORDINATE WITH ALL TRADES.
- WATER LINES AND ELECTRICAL LINES MUST NOT SHARE CONDUITS. ALL WIRE CONNECTIONS MUST BE CONTAINED IN VALVE BOX WITH 3" OF EXTRA WIRE. WIRES TO BE CONNECTED TO MAIN LINE PIPE WHERE POSSIBLE WITH TAPS AT 2' INTERVALS. SLACK IN CONTROL WIRES REQUIRED AT EVERY CHANGE OF DIRECTION. WIRES MUST HAVE SEPARATE COLORS FOR COMMON, CONTROL, AND SPARE. MINIMUM 1 SPARE WIRE FOR EVERY 5 VALVES. ALL CONTROL WIRES TO BE INSULATED 14 GAUGE COPPER. ALL SPARE WIRES MUST "HIDE RUN" TO CONTROLLER AND SPARE WIRES AVAILABLE AT ALL VALVE MANIFOLDS AND CLUSTERS.
- ALL SLEEVES INSTALLED SHALL BE DUST TAPED TO PREVENT DIRT OR OTHER DEBRIS ENTERING PIPE. ALL SLEEVES SHALL BE IDENTIFIED BY WOOD OR PVC STAKES AND BE SPRAY PAINTED WITH MARKING PAINT. REMOVE STAKES ONCE IRRIGATION SYSTEM IS COMPLETE.
- IRRIGATION SYSTEM MUST CONTAIN CHECK VALVES TO PREVENT LOW POINT DRAINAGE.
- SPACE ALL SPRAY HEADS 2' AWAY FROM ANY HARBORAGE.
- CONTRACTOR SHALL MATCH PRECIPITATION RATES AS MUCH AS POSSIBLE FOR ALL LANDSCAPED AREAS. OVERHEAD IRRIGATION MUST HAVE A MINIMUM DU (DISTRIBUTION UNIFORMITY) OF 60%.
- IRRIGATION CONTRACTOR SHALL PRESSURE TEST MAINLINE FOR LEAKS PRIOR TO BACKFILLING.
- ALL WORK SHALL BE IN ACCORDANCE WITH APPLICABLE CITY AND/OR COUNTY CODES. THE CONTRACTOR SHALL APPLY AND PAY FOR ALL NECESSARY PERMITS.
- IRRIGATION INSTALLATION TO COMPLY WITH APPLICABLE CITY SPECIFICATIONS AND DRAWINGS.
- ACTUAL INSTALLATION OF IRRIGATION SYSTEM MAY VARY SOMWHAT FROM PLANS. THE CONTRACTOR IS RESPONSIBLE TO MAKE ADJUSTMENTS AS NEEDED TO ENSURE PROPER COVERAGE OF ALL LANDSCAPED AREAS.
- CONTRACTOR SHALL INSTALL IRRIGATION SYSTEM WITH HEAD TO HEAD COVERAGE IN ALL TURF AREAS. USE HE-VAN NOZZLES AS NECESSARY TO PROVIDE PROPER COVERAGE AND TO KEEP WATER OFF OF BUILDINGS AND HARDSCAPES.
- POWER TO CONTROLLER TO BE PROVIDED BY OWNER. OWNER TO SPECIFY EXACT LOCATION OF CONTROLLER. INSTALL PER MANUFACTURER'S INSTRUCTIONS. CONTRACTOR SHALL INSTALL A RAIN SENSOR WITH CONTROLLER UNLESS OTHERWISE DIRECTED BY OWNER OR LANDSCAPE ARCHITECT.
- DESIGN AND INSTALL THE BACKFLOW PREVENTOR IN THE PROPER PLACE TO ENSURE THAT NO WATER IS CONTAMINATING THE SYSTEM.
- LATERAL LINES SHALL BE NO SMALLER THAN 3/4". LANDSCAPE CONTRACTOR TO ENSURE THE FOLLOWING PIPE SIZES DO NOT EXCEED THE SUGGESTED GPM LISTED BELOW:

VALVE ID TAG

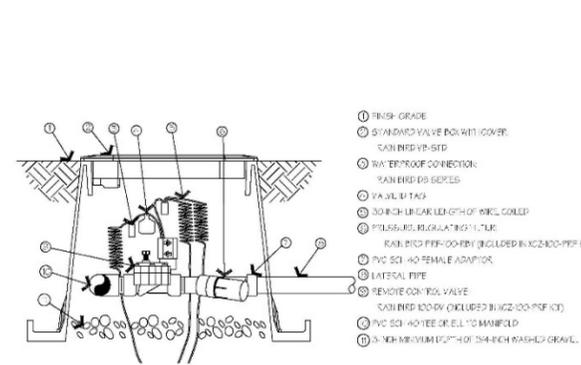
VALVE SIZE	GALLONS PER MINUTE
3/4"	8 GPM
1"	12 GPM
1-1/2"	20 GPM
2"	50 GPM
2-1/2"	75 GPM
3"	110 GPM
4"	180 GPM

NOTE: VALVE ID TAGS ARE LOCATED NEAR VALVES IN THE ORDER THE VALVES APPEAR ON THE DRAWING.

ISSUE DATE 09-24-2019		PROJECT NUMBER UT19053		PLAN INFORMATION		PROJECT INFORMATION		DEVELOPER / PROPERTY OWNER / CLIENT		LANDSCAPE ARCHITECT / PLANNER		LICENSE STAMP																							
NO. 1		REVISION XXXX		DATE XX-XX-XX		 BLUE STAKES OF UTAH UTILITY NOTIFICATION CENTER, INC. 1-800-662-4111 www.bluestakes.org		STANFORD COMMONS FOOTHILL DRIVE AND 2100 EAST SALT LAKE CITY, UT		NORTHSTAR BUILDERS AVENUE CONSULTANTS 6605 REDWOOD ROAD, ST #200 TAYLORSVILLE, UT 84713 801-207-7660		 PKJ DESIGN GROUP L.L.C. 3450 N. TRIUMPH BLVD. SUITE 102 LEHI, UTAH 84043 (801) 960-2698 www.pkjdesigngroup.com		 IRRIGATION PLAN PRELIMINARY PLANS NOT FOR CONSTRUCTION IR-1.1																					
<table border="1"> <thead> <tr> <th>NO.</th> <th>REVISION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>XXXX</td> <td>XX-XX-XX</td> </tr> <tr> <td>2</td> <td></td> <td></td> </tr> <tr> <td>3</td> <td></td> <td></td> </tr> <tr> <td>4</td> <td></td> <td></td> </tr> <tr> <td>5</td> <td></td> <td></td> </tr> <tr> <td>6</td> <td></td> <td></td> </tr> <tr> <td>7</td> <td></td> <td></td> </tr> </tbody> </table>		NO.	REVISION	DATE	1	XXXX	XX-XX-XX	2			3			4			5			6			7					FILE: JTA DRAWN: KBA CHECKED: TM PLOT DATE: 8/9/2019							
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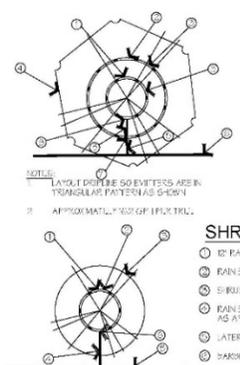


ISSUE DATE		PROJECT NUMBER		PLAN INFORMATION		PROJECT INFORMATION		DEVELOPER / PROPERTY OWNER / CLIENT		LANDSCAPE ARCHITECT / PLANNER		LICENSE STAMP	
09-24-2019		UT19053		811 BLUE STAKES OF UTAH UTILITY NOTIFICATION CENTER, INC 1-800-662-4111 www.811utahstake.org		STANFORD COMMONS FOOTHILL DRIVE AND 2100 EAST SALT LAKE CITY, UT		NORTHSTAR BUILDERS		PKJ DESIGN GROUP PKJ DESIGN GROUP L.L.C. 3450 N. TRIUMPH BLVD. SUITE 102 LEHI, UTAH 84043 (801) 960-2688 www.pkjdesigngroup.com			
NO. REVISION		DATE										IRRIGATION DETAILS PRELIMINARY PLANS NOT FOR CONSTRUCTION IR-2.5	
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- 1 FINISH GRADE
- 2 VALVE BOX WITH COVER
- 3 RAIN PIPED SERIES
- 4 VALVE ROOF CONNECTION
- 5 RAIN PIPED SERIES
- 6 VALVE TAG
- 7 30 INCH LINEAR LENGTH OF WIRE COILED
- 8 PRESSURE REGULATING FILTER
- 9 RAIN PIPED PIPING (INCLUDED IN KIT)
- 10 PVC SOI AD FEMALE ADAPTOR
- 11 LATERAL PIPE
- 12 SERVICE CONTROL VALVE
- 13 CONTROL VALVE (INCLUDED IN KIT)
- 14 PVC SOI AD TEE OR ELL (2 MANIFOLD)
- 15 3/4 INCH MINIMUM 1/2" DIA 3/4 INCH WASHED GRAVEL

L DRIP CONTROL VALVE ASSEMBLY
NOT TO SCALE

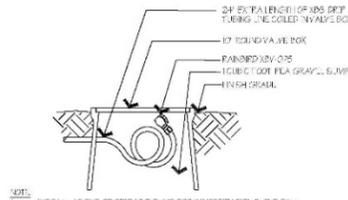


- TREE**
- 1 8" RADIUS
 - 2 12" RADIUS
 - 3 RAIN PIPED PIPES OR 1/2" DIA OR EQUIVALENT
 - 4 TREE (DECIDUOUS OR EVERGREEN)
 - 5 RAIN PIPED XT-ADD TUBING OR EQUIVALENT AS APPROVED BY ARCHITECT
 - 6 LATERAL LINE
 - 7 4-WAY WATER TEE
 - 8 BARBED TEE

- SHRUB**
- 1 12" RADIUS
 - 2 RAIN PIPED PIPES OR 1/2" DIA OR EQUIVALENT
 - 3 SHRUB
 - 4 RAIN PIPED XT-ADD TUBING OR EQUIVALENT AS APPROVED BY ARCHITECT
 - 5 LATERAL LINE
 - 6 BARBED TEE

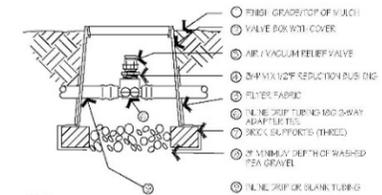
NOTE: APPROXIMATELY 5.4 GPH PER SHRUB

M DRIP IRRIGATION - IN LINE EMITTERS
NOT TO SCALE



NOTE: INSTALL AT END OF DRIP LINE RUNS FOR RINSEZATION IN THE FALL

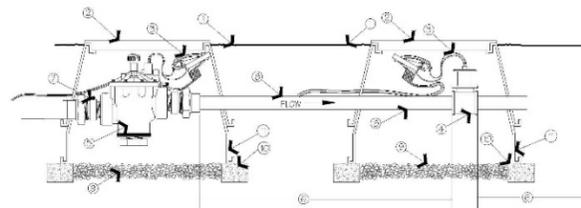
N FLUSH CAP BOX
NOT TO SCALE



- NOTE:
1. SECURE ALL PASS FITTINGS WITH A STAINLESS STEEL TONGUE CLAMP
 2. INSTALL AIR/VACUUM RELIEF VALVE AT 100' POINTS WITHIN DRIP ZONE
 3. INSTALL FILTER FABRIC AROUND EXTERIOR OF VALVE BOX, USE DUCT TAPE TO SECURE FABRIC TO PIPE AND VALVE BOX

O DRIP AIR/VACUUM RELIEF VALVE ASSEMBLY
NOT TO SCALE

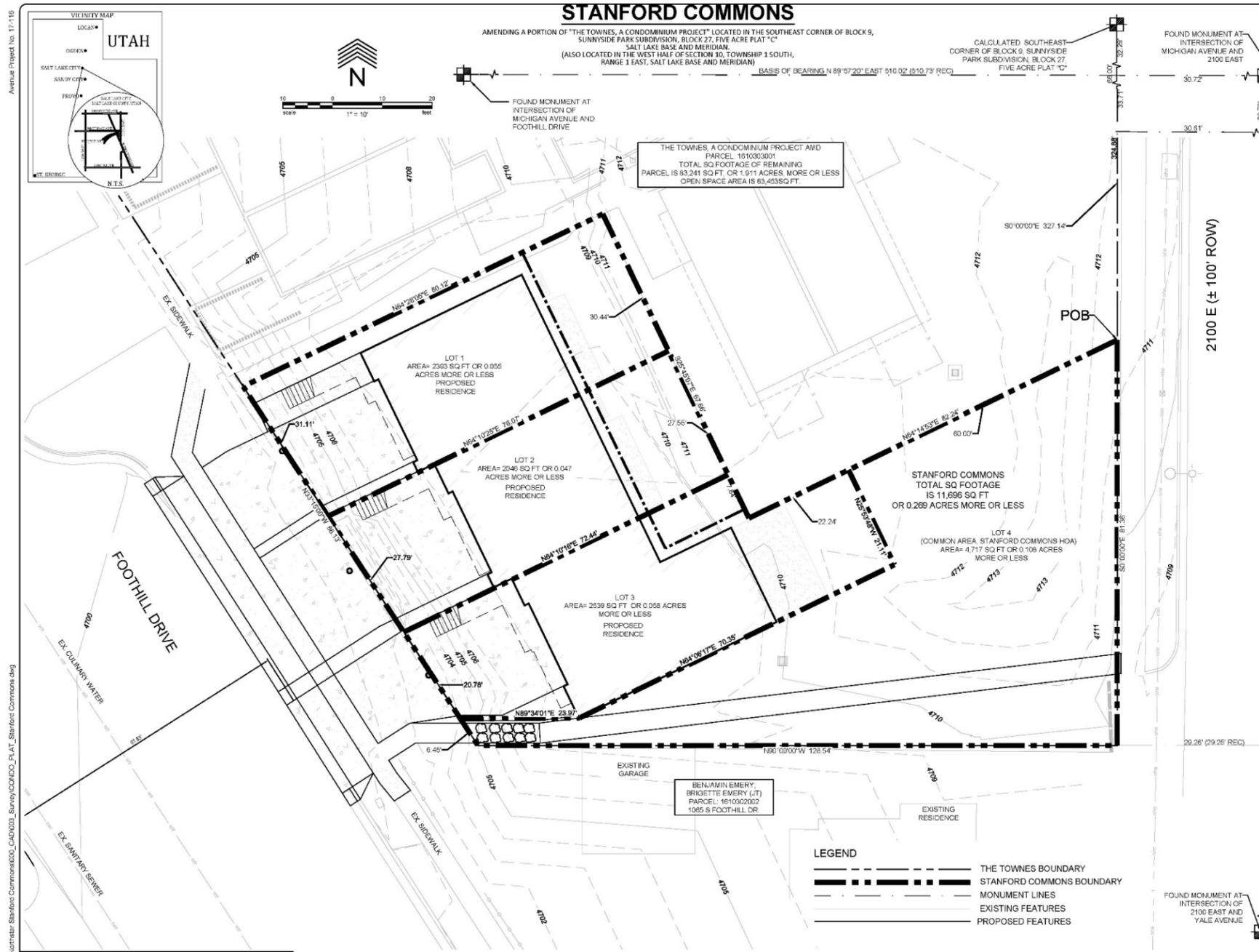
- 1 FINISH GRADE
- 2 GREEN VALVE BOX AND COVER
- 3 CONTROL WIRES WITH 1/2" MIN SERVICE COIL AND WATER PROOF WIRE SPLICER CONNECTIONS
- 4 FLOW SENSOR PER IRRIGATION LEGEND
- 5 RAIN PIPED SERIES MASTER VALVE
- 6 STRAIGHT PIPE REQUIRED MINIMUM 1/2" PIPE DIA W/ 1/2" DIA UPSTREAM & 1/2" DIA DOWNSTREAM
- 7 LINKS
- 8 PVC MANIFOLD - LENGTH AS REQUIRED
- 9 6" DEPTH OF WASHED 3/4" GRAVEL
- 10 CONTINUOUS BRICK SUPPORTS
- 11 VALVE BOX EXTENSIONS REQUIRED



P MASTER VALVE & FLOW SENSOR
NOT TO SCALE

ISSUE DATE	PROJECT NUMBER	PLAN INFORMATION	PROJECT INFORMATION	DEVELOPER / PROPERTY OWNER / CLIENT	LANDSCAPE ARCHITECT / PLANNER	LICENSE STAMP	PAGE																			
09-24-2019	UT19053	BLUE STAKES OF UTAH UTILITY NOTIFICATION CENTER, INC 1-800-662-4111 www.bluestakes.org	STANFORD COMMONS FOOTHILL DRIVE AND 2100 EAST SALT LAKE CITY, UT	Developer / Property Owner: NORTHSTAR BUILDERS	PKJ DESIGN GROUP PKJ DESIGN GROUP L.L.C. 3450 N. TRIUMPH BLVD. SUITE 102 LEHI, UTAH 84043 (801) 960-2688 www.pkjdesigngroup.com		PAGE: JTA																			
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IRRIGATION DETAILS PRELIMINARY PLANS NOT FOR CONSTRUCTION IR-2.6						PLOT DATE: 9/24/2019																				

ATTACHMENT C: PRELIMINARY SUBDIVISION PLAT



SURVEYOR'S CERTIFICATE

I, MATTHEW C STONES, A REGISTERED LAND SURVEYOR HOLDING CERTIFICATE NUMBER 7176711 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, HAVE MADE AN ACCURATE SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HERewith AND PURSUANT TO SAID TRACT OF LAND HEREAFTER TO BE KNOWN AS STANFORD COMMONS, AND THAT THE SAME HAS BEEN SURVEYED AS SHOWN ON THIS PLAT.



MATTHEW C STONES, PLS
NO. 7176711

RECORD LEGAL DESCRIPTION (THE TOWNES CONDOMINIUMS)

BEGINNING AT A POINT 66.0 FEET SOUTH FROM THE SOUTHEAST CORNER OF BLOCK 9, SUNNYSIDE PARK SUBDIVISION, A SUBDIVISION LOCATED IN BLOCK 27, FIVE ACRE PLAT "C", BIG FIELD SURVEY AND RUNNING THENCE SOUTH, 408.50 FEET; THENCE WEST 128.54 FEET TO THE EASTERLY LINE OF FOOTHILL DRIVE; THENCE NORTH 33°15' WEST ALONG SAID EASTERLY LINE 320.49 FEET; THENCE NORTH 56°45' EAST 80.00 FEET; THENCE NORTH 24°28'40" WEST, 106.16 FEET; THENCE EAST, 281.34 FEET TO THE POINT OF BEGINNING.
(ACCORDING TO THAT CERTAIN "RECORD OF SURVEY MAP OF THE TOWNES", RECORDED AS ENTRY NUMBER 2541615 IN BOOK 73-5 AT PAGE 1 OF OFFICIAL RECORDS OF THE SALT LAKE COUNTY RECORDER OFFICE.)

STANFORD COMMONS DESCRIPTION

BEGINNING AT A POINT 393.14 FEET SOUTH FROM THE SOUTHEAST CORNER OF BLOCK 9, SUNNYSIDE PARK SUBDIVISION, A SUBDIVISION LOCATED IN BLOCK 27, FIVE ACRE PLAT "C", BIG FIELD SURVEY AND RUNNING THENCE SOUTH, 408.50 FEET; THENCE WEST 128.54 FEET, MORE OR LESS TO THE EASTERLY LINE OF FOOTHILL DRIVE; THENCE NORTH 33°15'00" WEST ALONG SAID EASTERLY LINE 86.13 FEET; THENCE NORTH 64°28'05" EAST 80.12 FEET; THENCE SOUTH 25°45'07" EAST 67.66 FEET; THENCE NORTH 64°14'53" EAST 82.24 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.
CONTAINING 11,696 SQ. FT. OR 0.269 ACRES, MORE OR LESS.

OWNER'S DEDICATION AND CONSENT TO RECORD

STANFORD COMMONS, LLC, AND THE TOWNES CONDOMINIUM ASSOCIATION, INC., THE OWNERS OF THE DESCRIBED TRACT OF LAND, HEREBY CAUSE THE SAME TO BE SUBDIVIDED AND TO BE KNOWN HEREAFTER AS STANFORD COMMONS, HEREBY CONSENT AND GIVE APPROVAL TO THE RECORDING OF THIS PLAT FOR ALL PURPOSES SHOWN HEREON. THERE ARE NO STREETS, EASEMENTS OR OTHER PROPERTY REFLECTED ON THIS PLAT TO BE DEDICATED TO THE PUBLIC. THE OWNERS HEREBY DEDICATE LOT 4 AS COMMON AREA TO THE STANFORD COMMONS HOMEOWNERS ASSOCIATION, INC.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____, 2020.

STANFORD COMMONS, LLC
BY: _____
PRINT NAME: _____
TITLE: _____
THE TOWNES CONDOMINIUM ASSOCIATION, INC.
BY: _____
PRINT NAME: _____
TITLE: _____

ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF SALT LAKE }
ON THIS _____ DAY OF _____, 2020, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____ THE _____ OF NORTHSTAR BUILDERS, PROVED ON THE BASIS OF SATISFACTORY OWNER'S DEDICATION TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND THE FOREGOING OWNER'S DEDICATION AND CONSENT TO RECORD, WAS SIGNED BY HIM/HER ON BEHALF OF SAID NORTHSTAR BUILDERS AND ACKNOWLEDGED THAT HE/SHE/THEY EXECUTED THE SAME.
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
PRINT NAME: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
STATE OF UTAH }
COUNTY OF SALT LAKE }
ON THIS _____ DAY OF _____, 2020, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED _____ THE _____ OF THE TOWNES HOMEOWNERS ASSOCIATION, PROVED ON THE BASIS OF SATISFACTORY OWNER'S DEDICATION TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND THE FOREGOING OWNER'S DEDICATION AND CONSENT TO RECORD, WAS SIGNED BY HIM/HER ON BEHALF OF SAID THE TOWNES HOMEOWNERS ASSOCIATION, AND ACKNOWLEDGED THAT HE/SHE/THEY EXECUTED THE SAME.
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
PRINT NAME: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH

STANFORD COMMONS

AMENDING A PORTION OF "THE TOWNES, A CONDOMINIUM PROJECT" LOCATED IN THE SOUTHEAST CORNER OF BLOCK 9, SUNNYSIDE PARK SUBDIVISION, BLOCK 27, FIVE ACRE PLAT "C", SALT LAKE BASE AND MERIDIAN.
(ALSO LOCATED IN THE WEST HALF OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN)

avenue CONSULTANTS
Avenue Consultants, Inc.
6605 South Redwood Road, Suite 101
Taylorsville, UT 84123
801-207-7660
www.avenueconsultants.com

BENCHMARK	
THE BENCHMARK FOR THE ELEVATIONS ON THIS SURVEY IS 4697.24 AT THE FOUND STREET MONUMENT AT THE INTERSECTION OF FOOTHILL DRIVE AND MICHIGAN AVENUE.	

UTILITY SERVICE STATEMENT	
THE PROPOSED DEVELOPMENT WILL OBTAIN CULINARY WATER, IRRIGATION WATER, AND SANITARY SEWER SERVICE FROM SALT LAKE CITY PUBLIC UTILITIES.	

SUBSET NO.	REVISIONS			
	NO.	DESCRIPTION	DATE	BY
PROJECT NO.	CITY SUBMITTAL		09/18/19	
	BUILDING FOOTPRINT UPDATE		03/06/20	
SHEET NO.	1 OF 1			

CITY PLANNING DIRECTOR	
APPROVED THIS _____ DAY OF _____, A.D. 2020	BY THE SALT LAKE CITY PLANNING COMMISSION.
SALT LAKE CITY PLANNING DIRECTOR _____	

CITY PUBLIC UTILITIES DEPARTMENT	
APPROVED AS TO SANITARY SEWER AND WATER UTILITY DETAILS THIS _____ DAY OF _____, 2020.	
DIRECTOR, SALT LAKE CITY PUBLIC UTILITIES _____	

SALT LAKE COUNTY HEALTH DEPARTMENT	
APPROVED THIS _____ DAY OF _____, A.D. 2020	
SALT LAKE COUNTY HEALTH DEPT. _____	

APPROVAL AS TO FORM	
APPROVED THIS _____ DAY OF _____, A.D. 2020	
SALT LAKE CITY ATTORNEY _____ DATE _____	

SALT LAKE CITY APPROVAL	
PRESENTED TO SALT LAKE CITY THIS _____ DAY OF _____, A.D. 2020, AND IS HEREBY APPROVED.	
SALT LAKE CITY MAYOR _____	
SALT LAKE CITY RECORDER _____	

SALT LAKE CITY ENGINEERING	
I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE.	
CITY ENGINEER _____ DATE _____	
CITY SURVEYOR _____ DATE _____	

SALT LAKE COUNTY RECORDER	
ENTRY NO. _____ FEE PAID _____	
RECORDED _____ AT _____	
IN BOOK _____ OF THE OFFICIAL RECORDS, PAGE _____	
FILED AT THE REQUEST OF _____	
SALT LAKE COUNTY RECORDER _____	
BY _____	

ATTACHMENT D: ADDITIONAL APPLICANT INFORMATION

May 13, 2020

Salt Lake City Planning
451 S State Street
Salt Lake City, UT, 84101

Re: Project Description for Stanford Commons

Dear Planning,

The Townes Condominium Association, Inc. (the “Townes”) is the owner of the property located at 2092 E Michigan Avenue, Salt Lake City, UT, as depicted on the record of survey map of The Townes recorded on May 23, 1973, as entry number 2541615 in the Salt Lake County Recorder’s Office (the “Townes Property”). We are submitting a planned development application, along with a plat amendment for The Townes, a condominium project, and a preliminary plat and site plan application for Stanford Commons.

The Townes Property includes a swimming pool as part of its common area on the southern end of the property. The Townes voted to discontinue use and maintenance of the pool years ago. The pool has fallen into disrepair. Since that time, the Townes voted to subdivide their common area and sell the pool area to a developer. Stanford Commons, LLC has entered a contract with the Townes to purchase the pool area. The application for a plat amendment is to amend the Townes Property to remove the pool from the common area of the Townes. The plat amendment does not show the individual units because we are only trying to amend the exterior boundary of common area. The units in the Townes will not change.

Once the pool area has been subdivided from the rest of the Townes Property, we intend to build three single-family attached dwellings on that property. The planned development application is for the new development, which we are calling Stanford Commons. We intend to build high end single-family attached dwellings. We request an exception to the following zoning requirements as part of the planned development application:

- 1) Required minimum lot size of 3,000 square feet; and
- 2) Exterior stairs are greater than four feet above grade in the front yard setback and a portion of the second and third floor area extends into the front yard setback.

1) Minimum Lot Size

The property is zoned RMF-30, which requires 3,000 square feet per lot. We request the ability to subdivide the parcel into three buildable lots that are smaller than 3,000 square feet. The entire Stanford Commons property, once subdivided, will be subdivided into four different lots—three lots for single-family attached dwellings and one lot of common area. The entire project will consist of 11,696 square feet, broken down as follows: (a) Lot 1 (buildable lot) – 2,393 square feet; (b) Lot 2 (buildable lot) – 2,046 square feet; (c) Lot 3 (buildable lot) – 2,539 square feet; and (d) Lot 4 (Common Area) – 4,717 square feet. This development exceeds the overall minimum planned development size (9,000 square feet) as established in 21A.55.060 of the Salt Lake City Code, but distributes a portion of that land as common area rather than directly to individual lots. This request meets the planned development requirements as described below.

2) Front Yard Setback

We request the ability to build a portion of the front staircase and a cantilevered portion of the second and third floors of the main structure in the front yard setback. City code required a twenty-foot front yard setback. It restricts constructing a staircase in the setback that rises more than four feet above grade and it restricts the construction of a portion of the main dwelling in the setback. While staircase and main structures extend into the twenty-foot front yard setback, there is actually a large portion of city owned land between the property line and the edge of the road. From the edge of the road to the property line is 25.5 feet, consisting mostly of landscaping. While the corner of each residence extends two feet into the front yard setback, that extended portion is still about 43.5 feet from the edge of the road. Additionally, given the odd angle of the setback line, a portion of each dwelling is not built all the way to the setback line. The amount of the building area pulled back from the setback line is actually greater than the amount of the area pushed out beyond the setback line. Pushing and pulling the front facade along the setback provides architectural interest.

The requirements of the planned development ordinance are met as follows:

A. Planned Development Objectives. This project meets the planned development objectives by (a) clustering development to preserve open space; (b) including higher density housing types (single-family attached) that are not commonly found in the Harvard-Yale neighborhood but appropriately match the density and scale of the Townes next door; and (c) implement the master plan, as further discussed below. Additionally, this plan meets the objectives of the planned development process by eliminating the blighted swimming pool area which has been occupied, on occasion, as a living space for the transient population and using design and architectural features to add to the beauty of the neighborhood. The swimming pool itself has been unused for years and has pieces of plywood boarding it up. This project will take this unused area which has become an eyesore and will redevelop it into high end, single-family attached dwellings.

B. Master Plan Compatibility. This project also meets the stated purpose of the East Bench Master Plan. Guiding Principle N-03 states that some of the purposes of the area are to “[p]romote . . . redevelopment of underutilized land,” to “[i]ncrease the number of medium density housing types and options,” and to “[a]ccommodate and promote an increase in City’s population.” The Townes Property is currently zoned RMF-30. This is one of the few opportunities to increase the number of medium density housing options in this area and provide additional housing for population growth while still fitting the overall feel of the neighborhood. The exterior of the buildings will primarily be brick, similar to many of the single-family dwellings in the area, and will be of a similar density to the existing dwellings in the Townes.

C. Design and Compatibility. By clustering the construction of the homes, the individual lots are smaller than required by the zoning ordinance, but it leaves a larger open space thereby meeting one of the planned development objectives. This is compatible with the neighboring Townes development to the north.

Also, as described above, allowing a portion of the buildings, the decks/patios, and the front entry stairway to be constructed in the front setback will still provide sufficient open space between the road and the front of the buildings given the unique layout of the lots and the large existing landscaped area. As mentioned, the corner of each residence extends two feet into the front yard setback, but that extended portion is still about 43.5 feet from the edge of the road. The orientation of the buildings and the setback from the road will closely mirror the existing attached dwellings in the Townes. Additionally, allowing

this construction in the setback will provide for additional variations in the front of the homes and create greater architectural interest.

We originally planned to make the entrances on the side of the homes rather than having the stairs in the front setback, but we changed the plans and made the stairway in the front of the homes to meet the desires of some of the neighboring property owners, including the Townes.

D. Landscaping. Our plans leave as many of the mature native trees in place as possible and include planting additional trees to replace those trees that are being removed.

E. Mobility. The development incorporates a walkable path that connects the streets on the west and the east side of the property. Additionally, the development will not negatively impact the safety, purpose or character of the street. The main access will be provided along Foothill Drive (to the west of the property) that ends in a cul-de-sac shortly after the development. The development will only consist of three, single-family attached homes that should not contribute any significant amount of additional traffic on the dead-end street.

F. Existing Site Features. To the extent possible, the project attempts to leave as much of the existing trees and topography in place, and attempts to replace any removed trees and vegetation. The existing access road (Foothill Drive) is lower in elevation than the top of the existing pool. We plan to cut into the hill and create drive-in garages that are at street grade with the hill rising around the garages, creating below grade garages with the main living level at about the grade of the existing pool.

G. Utilities. The addition of three, single-family attached dwellings will not create a significant burden on the existing utility lines in the area.

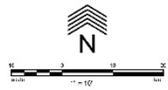
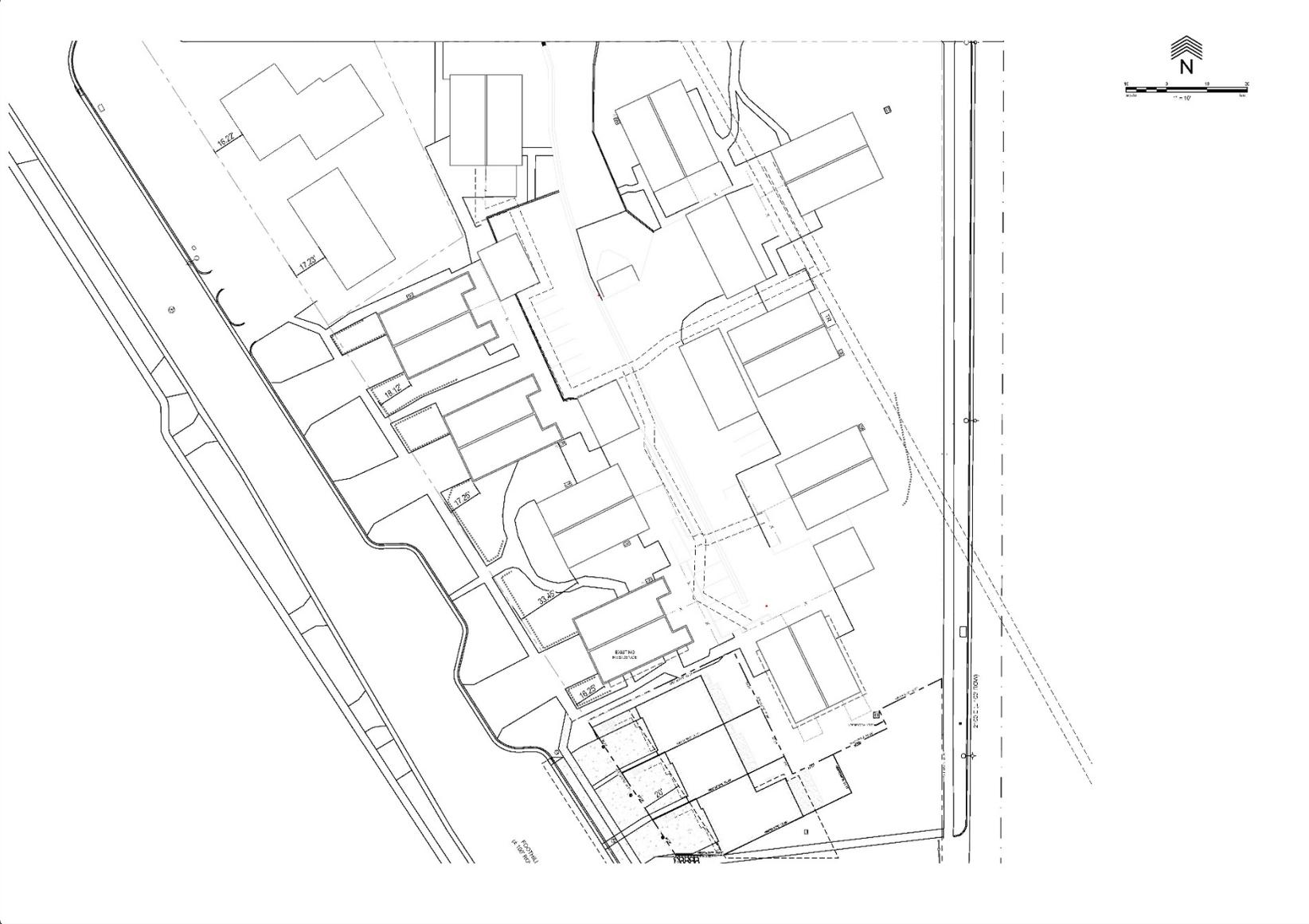
The Townes has voted on this project and has fully approved the subdivision and sale of the property. They have also had the opportunity to review our plans and we have made adjustments to meet their concerns.

We're excited to move forward with this project and to add to the beauty of the neighborhood. Please reach out to me if you have any questions.

Best,

Stanford Bell
[REDACTED]

8/17/2020 3:15 PM PL\2019\15-048 -\Final\SubareaCommuni00_CAD\09_Site Design\6-6%_SECTION ST-C27.dwg Avenue Project No. 15-048



 NORTHSTAR BUILDERS	
 avenue CONSULTANTS Avenue Consultants, Inc. 6575 South Broadway, Suite 101 Portland, Oregon, UT 84404 801.207.7650 www.avenueconsultants.com	
 Call 811 Dig Right	
FRONTAGE STUDY STANFORD COMMONS RESIDENTIAL DEVELOPMENT	
Designer	JT
Planner	CC
Checker	KS
SUBSET NO.	
SHEET NO.	
0-0	

ATTACHMENT E: SITE VISIT PHOTOGRAPHS



Top Left:
Southwest view of street frontage along Foothill Drive



Top Right:
East view of the discontinued pool area



Bottom Left:
View of the neighboring property to the northeast



Bottom Right:
North view of the discontinued pool area



Top Left:
Proposed common area and adjacent neighboring property to the north (left)



Top Right:
Southwest corner from interior lot with adjacent property to the south (left)



Bottom Left:
Walkway between The Townes Condominium (right) and proposed development (left)



Bottom Right:
North view of the street frontage along Foothill Drive

ATTACHMENT F: MASTER PLAN POLICIES AND ZONING ORDINANCE STANDARDS

Master Plan

The subject property is located within the East Bench (adopted February 21, 2017) and is designated on the future land use map as “*Neighborhoods*”. Below is an excerpt from the master plan about Neighborhoods and specifically the Foothill/Sunnyside neighborhood:

Neighborhoods

The East Bench Neighborhoods are comprised of predominantly single-family homes and pockets of multifamily, commercial, recreation, and institutional uses that complement the low-density residential neighborhood character. Future development fits into the unique architectural styles and development patterns that define individual neighborhoods; provides a diverse mix of housing choices for all stages of life and income ranges; and creates friendly, safe and welcoming neighborhoods that encourage interaction through all stages of life.

Foothill/Sunnyside Neighborhood

The Foothill/Sunnyside neighborhood is predominantly single-family residential with some multi-family housing along the Foothill corridor. The earliest developed areas of the neighborhood follow a grid street pattern but more recently developed portions of the neighborhood follow a curving street pattern. Street trees line most of the park strips within the neighborhood and homes generally have similar setbacks. Activity centers include the Anderson-Foothill Library, Bonneville Elementary, and the northern portion of the 13th and 21st commercial node.

Policies

- ***Neighborhood Compatibility:*** *Development and infrastructure improvements complement the unique architectural styles and development patterns that define individual neighborhoods.*
 - o *Preserve and Enhance Neighborhood Identity (N-1.1)*
- ***Housing Choices:*** *Provide a diverse mix of housing choices for all stages of life and income ranges.*
 - o *No Net Loss in Housing (N-3.1)*
 - o *Housing Affordability, Access, and Choices (N-3.2)*

Challenges within the East Bench Community

- *Maintaining Neighborhood Character*
- *Meeting the Needs of Future Generations*

Staff Discussion: The proposed development provides in-fill housing on underutilized land. The property is located in an area zoned and intended for multi-family development in the City but is limited to single- or two-family due to the lot frontage requirements. The limited modifications promote the redevelopment of this underutilized land to help meet City growth and housing goals. The project also provides an increase in moderate density housing type (townhomes) that is not common with the City. Recent planning best practices have discussed the lack of a “missing middle” housing types in urban areas. The “missing middle” housing type is generally viewed as multifamily or clustered housing which is compatible in

scale with single-family homes that help meet the growing demand for walkable, lower scale urban living. This proposed development helps to meet the goals of the master plan as well as providing needed housing.

Growing SLC: A Five-Year Housing Plan

The City recently adopted a citywide housing master plan title Growing SLC: A Five-Year Housing Plan 2017-2021 focuses on ways the City can meet its housing needs in the next five years. The plan includes policies that relate to this development, including:

- 1.1.1 *Develop flexible zoning tools and regulations, with a focus along significant transportation routes.*
- 1.1.2 *Develop in-fill ordinances that promote a diverse housing stock, increase housing options, create redevelopment opportunities, and allow additional units within existing structures, while minimizing neighborhood impacts.*

The planned development process is a zoning tool that provides flexibility in the zoning standards and a way to allow development that would normally pose difficulty. The planned development process allows for an increase in creative housing stock, housing stock that would otherwise not be aesthetically creative or not be allowed through the strict application of the zoning ordinance. This process allows for additional housing options and provides a way to minimize neighborhood impacts through the review and assurance of the compatibility standards. The proposed development is utilizing this process to provide new single-family attached dwelling units on a unique site configuration.

Purpose Statement for RMF-30 (Low Density Multi-Family Residential District)

The purpose of the RMF-30 low density multi-family residential district is to provide an environment suitable for a variety of housing types of a low density nature, including single-family, two-family, and multi-family dwellings, with a maximum height of thirty feet (30’). This district is appropriate in areas where the applicable master plan policies recommend multi-family housing with a density of less than fifteen (15) dwellings units per acre. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

Staff Discussion: The proposed project is allowed in the zone and would meet the intent of the zone with the approval of requested modifications, as it still maintains conformance with the density and scale/intensity of the neighborhood.

21A.24.120: RMF-30 Low Density Multi-Family Residential District:

Standard	Required	Proposed	Findings						
Minimum Lot Area <i>Single-Family attached dwelling (3 or more):</i>	3,000 square feet	Approximate Lot Area (square feet) <table border="1"> <tr> <td>Lot 1</td> <td>2,393 SF</td> </tr> <tr> <td>Lot 2</td> <td>2,046 SF</td> </tr> <tr> <td>Lot 3</td> <td>2,539 SF</td> </tr> </table>	Lot 1	2,393 SF	Lot 2	2,046 SF	Lot 3	2,539 SF	Modifications requested through the Planned Development process.
Lot 1	2,393 SF								
Lot 2	2,046 SF								
Lot 3	2,539 SF								

Natural open space and conservation areas, public or private:	No Minimum	Approximate Lot Area (square feet) <table border="1"> <tr> <td>Lot 4</td> <td>4,717 SF</td> </tr> </table>	Lot 4	4,717 SF	Complies								
Lot 4	4,717 SF												
Minimum Lot Width Single-Family attached dwelling (3 or more):	Interior: 25 feet Corner: 35 feet	Approximate Lot Width (feet) <table border="1"> <tr> <td>Lot 1</td> <td>31 feet</td> </tr> <tr> <td>Lot 2</td> <td>27 feet</td> </tr> <tr> <td>Lot 3</td> <td>27 feet</td> </tr> </table>	Lot 1	31 feet	Lot 2	27 feet	Lot 3	27 feet	Complies				
Lot 1	31 feet												
Lot 2	27 feet												
Lot 3	27 feet												
Natural open space and conservation areas, public or private:	No Minimum	Approximate Lot Width (feet) <table border="1"> <tr> <td>Lot 4</td> <td>6.45 feet</td> </tr> </table>	Lot 4	6.45 feet	Complies								
Lot 4	6.45 feet												
Maximum Building Height The vertical distance measured from the average elevation of the finished lot grade at each face of the building, to the average height of the gable on a shed roof.	30 feet	North Elevation: 26'-10" West Elevation: 29' - 10 1/8" South Elevation: 24' - 8 1/2" East Elevation: 23' - 2 7/8"	Complies										
Minimum Front Yard	20 feet	<ul style="list-style-type: none"> Approximately 18 feet from building façade Approximately 5 feet from entry stairs 	Modifications requested through the Planned Development process.										
Minimum Interior Side Yard	No yard is required, however if one is provided it shall not be less than four feet (4').	Lot 1: Four feet (4') Lot 2: No interior side yards Lot 3: Zero feet (0')	Complies										
Minimum Rear Yard	Twenty-five percent (25%) of the lot depth, but not less than twenty feet (20') and need not exceed twenty-five feet (25').	Lot 1: 20 feet Lot 2: 20 feet Lot 3: 26.68 feet	Complies										
Maximum Building Coverage	The surface coverage of all principal and accessory buildings shall not exceed fifty percent (50%) of the lot.	Approximate Building Envelope Coverage <table border="1"> <tr> <td>Lot 1</td> <td>39.2%</td> </tr> <tr> <td>Lot 2</td> <td>43.6%</td> </tr> <tr> <td>Lot 3</td> <td>48.2%</td> </tr> <tr> <td>Lot 4</td> <td>0.0%</td> </tr> <tr> <td>Overall</td> <td>26.1%</td> </tr> </table>	Lot 1	39.2%	Lot 2	43.6%	Lot 3	48.2%	Lot 4	0.0%	Overall	26.1%	Complies
Lot 1	39.2%												
Lot 2	43.6%												
Lot 3	48.2%												
Lot 4	0.0%												
Overall	26.1%												

Required Landscape Yards	The front and corner side yards shall be maintained as landscaped yards.	The front yards of the double frontage lot will be maintained as a landscape yard. Sidewalks and driveways are allowed through landscaped yards. However, due to the way the development is configured, the townhomes have minimal landscaped front yards along Foothill Drive.	Complies
Landscape Buffer	For multi-family uses where a lot abuts a lot in a single-family or two-family residential district, a landscape buffer shall be provided in accordance with chapter 21A.48 of Zoning Ordinance.	The proposed development is not a multi-family use; therefore, the landscape buffer is not required.	Complies

21A.36.020B: Obstructions in Required Yards

Standard	Required	Proposed	Findings
Changes of Established Grade Greater than 4 feet	For properties outside of the H Historic Preservation Overlay District, changes of established grade greater than 4 feet [in any required yards] are special exceptions subject to the standards and factors in chapter 21A.52 of this title [Title 21A Zoning Ordinance].	The grade change and retaining walls over four feet (4') in height along the north property would encroach approximately 4.39 feet into the required front yard and along the driveway for lot 3, it would encroach approximately 8.32 feet into the required front yard.	Modifications requested through the Planned Development process.

ATTACHMENT G: ANALYSIS OF STANDARDS – PLANNED DEVELOPMENT

21A.55.050: Standards for Planned Developments

The planning commission may approve, approve with conditions, or deny a planned development based upon written findings of fact according to each of the following standards. It is the responsibility of the applicant to provide written and graphic evidence demonstrating compliance with the following standards:

Standards	Finding	Rationale
<p>A. Planned Development Objectives: The planned development shall meet the purpose statement for a planned development (section 21A.55.010 of this chapter) and will achieve at least one of the objectives stated in said section:</p> <ul style="list-style-type: none"> A. Open Space And Natural Lands B. Historic Preservation C. Housing D. Mobility E. Sustainability F. Master Plan Implementation 	<p>Complies</p>	<p>The proposed planned development would result in three (3) new townhomes. Townhomes are a low to medium density type of development that is called for on this property by the associated zoning district’s purpose statement and the number of units is allowed by the zone’s density limitations. However, without this process and associated zoning modifications, the property would be limited to a single-family detached or duplex, due to the minimum lot size and yard requirements. The resulting development is a more efficient and enhanced use of land and resources, providing additional home ownership opportunities in the City than would otherwise not be possible through strict application of the standards, while remaining relatively compatible with adjacent property and maintaining compliance with the zoning district purposes.</p> <p>The applicant has stated that the project meets objective C. (The applicant’s narrative regarding these objectives is located in Attachment D). Staff also finds that the project generally meets this objective. Only one objective must be met to go through the planned development process.</p> <p>While duplexes, triplexes and other multi-family buildings are found in this neighborhood, not many take the form of townhomes that tend to be a desirable housing type in Salt Lake City and provide opportunity for home ownership. The East Bench Master Plan also specifically encourages “a diverse mix of housing choices for all stages of life and income ranges.,” which this development generally offers. See discussion and analysis in Attachment F.</p>

B. The proposed planned development is generally consistent with adopted policies set forth in the citywide, community, and/or small area master plan that is applicable to the site where the planned development will be located.		Complies	Staff finds that the proposal is generally consistent with a number of different adopted overall City policies related to housing and more specific community master plan policies related to housing and compatibility. The proposal is also consistent with the future land use map applicable to the property, which designates this property for future development of residential uses. See discussion and analysis in Attachment F .
C. Design and Compatibility: The proposed planned development is compatible with the area the planned development will be located and is designed to achieve a more enhanced product than would be achievable through strict application of land use regulations. In determining design and compatibility, the planning commission should consider:		Complies	The proposed project generally complies with all design and compatibility considerations.
C1	Whether the scale, mass, and intensity of the proposed planned development is compatible with the neighborhood where the planned development will be located and/or the policies stated in an applicable Master Plan related to building and site design;	Complies	The proposed development is located within a zoning district that anticipates the size, scale and intensity of the proposed development and meets the zoning standards related to density. The proposed planned development would be compatible with the existing zoning district and the neighboring condominium development to the north. See discussion and analysis in Attachment F .
C2	Whether the building orientation and building materials in the proposed planned development are compatible with the neighborhood where the planned development will be located and/or the policies stated in an applicable Master Plan related to building and site design;	Complies	<ul style="list-style-type: none"> • Building Orientation The construction of the new single-family homes would be oriented toward Foothill Drive. The orientation of the buildings and the setback from the street will closely mirror the existing condominiums to the north. The applicant originally planned to make the entrances on the side of the home rather than having the stairs in the front setback, but changed their plans and made the stairway in the front of the homes to meet the desires of some of the neighboring property owners. The rear yards of the proposed lots would be located on the periphery of the project site. This orientation is typical for a single-family residential development pattern and would be compatible with the surrounding area. • Building Materials Many existing single-family homes near the project site are constructed of masonry in the form of brick and stone,

			<p>stucco, and various types of siding. The proposed building façade would consist of brick and other durable building materials for accent purposes.</p> <p>The design of the new home is more modern than homes typically found in that immediate block; however, the single-family attached homes are similar in scale to the adjacent condominiums to the north.</p>
C3	<p>Whether building setbacks along the perimeter of the development:</p> <p>a. Maintain the visual character of the neighborhood or the character described in the applicable Master Plan.</p> <p>b. Provide sufficient space for private amenities.</p> <p>c. Provide sufficient open space buffering between the proposed development and neighboring properties to minimize impacts related to privacy and noise.</p> <p>d. Provide adequate sight lines to streets, driveways and sidewalks.</p> <p>e. Provide sufficient space for maintenance.</p>	Complies	<p>a. The proposed development does not disrupt the existing visual character of the neighborhood. The proposed setbacks of the development provide adequate spacing between existing structures and the proposal.</p> <p>b. Lot 4 dedicated as common area provides sufficient space for the private amenities for future residents.</p> <p>c. The proposed development includes approximately 4 to 6-foot setback on the sides of the development, creating some separation for privacy and windows. The rear yards of each lot will be enclosed with fences to minimize impacts related to privacy and noise.</p> <p>d. The private driveway for each lot provides sufficient sight lines to Foothill Drive. Additionally, the sidewalk is approximately 16 feet from the front property line which provides adequate sight lines to the street and sidewalks.</p> <p>e. The provided setbacks and spacing will be adequate for any future maintenance.</p> <p>Given constraints of the property, the design layout is compatible with adjacent and surrounding properties. The proposal would meet all the requirements listed in this section [C3].</p>
C4	<p>Whether building facades offer ground floor transparency, access, and architectural detailing to facilitate pedestrian interest and interaction;</p>	Complies	<p>The primary elevations have been designed to provide for architectural detailing to facilitate pedestrian interest and interaction through the building articulations. While the first floor of the street facing facades, contain the garage door and exterior stairs, the entry is recessed, and a large overhanging second story balcony extends beyond the building façade. The integration of a variation of glass, materials and</p>

			architectural features help in creating pedestrian interest at the street level.
C5	Whether lighting is designed for safety and visual interest while minimizing impacts on surrounding property;	Compliance required for building permit issuance	Lighting has not been indicated on the subject plans. Any proposed lighting would need to be directed to the interior of the development to minimize any impacts on abutting and adjacent properties.
C6	Whether dumpsters, loading docks and/or service areas are appropriately screened; and	Complies	The proposed development does not have any dumpsters, loading docks or service area. Individual trash receptacles would be stored within the garages.
C7	Whether parking areas are appropriately buffered from adjacent uses.	Complies	Parking would be located in private garages and shielded from adjacent uses. In addition, the proposed garages are below grade.
D. Landscaping: The proposed planned development preserves, maintains or provides native landscaping where appropriate. In determining the landscaping for the proposed planned development, the Planning Commission should consider:		Generally Complies	The proposed project generally complies with all landscape considerations.
D1	Whether mature native trees located along the periphery of the property and along the street are preserved and maintained;	Partially Complies	<p>Many of the mature trees would be preserved and maintained and additional trees would be planted to replace those that are being removed. There is an existing mature street tree within the adjacent park strip that will be removed, and the proposal will replace it with two (2) new trees within the park strip. Urban Forestry department indicates in their review (Attachment J) that the tree may be removed and replaced through their replacement process.</p> <p>There are several trees along the north periphery of the property that will be removed and may not otherwise survive if retained due to their proximity to the new building.</p>
D2	Whether existing landscaping that provides additional buffering to the abutting properties is maintained and preserved;	Complies	There are several trees on the property, but they provide minimal buffering to adjacent properties and minimal buffering at the ground level. The development will be of similar height to the adjacent property on the north, where there are several trees to be removed but it will be replaced with appropriate landscaping.

D3	Whether proposed landscaping is designed to lessen potential impacts created by the proposed planned development; and	Complies	The proposed project would provide numerous trees, shrubs, and bushes that are strategically placed to create privacy between the subject property and adjacent properties.				
D4	Whether proposed landscaping is appropriate for the scale of the development.	Complies	Landscaping would be provided between the driveways, which will help signify the driveway separation and lessen the visual impact from the street view. The development includes three (3) new trees, with two trees in the park strip and one tree within the side open space area. For the lower scale development, the proposed landscaping is appropriate.				
E. Mobility: The proposed planned development supports Citywide transportation goals and promotes safe and efficient circulation within the site and surrounding neighborhood. In determining mobility, the Planning Commission should consider:		Complies	The proposed project generally complies with all mobility considerations.				
E1	Whether drive access to local streets will negatively impact the safety, purpose and character of the street;	Complies	2100 East is an arterial state street and Foothill Drive is a local street. The design of the development, with two frontages, would remove the park strip along the street frontage but it would be similar to the adjacent multi-family development to the north, with access from Foothill Drive and continuing to provide a sidewalk for pedestrian access. Therefore, the development consisting of three (3) single-family attached homes would not negatively impact the safety, purpose and character of the street.				
E2	Whether the site design considers safe circulation for a range of transportation options including: a. Safe and accommodating pedestrian environment and pedestrian oriented design; b. Bicycle facilities and connections where appropriate, and orientation to transit where available; and c. Minimizing conflicts between different transportation modes;		<ul style="list-style-type: none"> The proposed private walkway through the common area provides a safe pedestrian between the two street frontages and vehicle access onto Foothill Drive and complies with the sight distance requirements. The proposed development is located within proximity to the following public transit: <table border="1" data-bbox="919 1577 1416 1654"> <thead> <tr> <th>Nearest Transit</th> <th>Approx. Distance</th> </tr> </thead> <tbody> <tr> <td>Bus Stop</td> <td>350 feet</td> </tr> </tbody> </table> There are not any anticipated conflicts between transportation modes with the proposed development. 	Nearest Transit	Approx. Distance	Bus Stop	350 feet
Nearest Transit	Approx. Distance						
Bus Stop	350 feet						

E3	Whether the site design of the proposed development promotes or enables access to adjacent uses and amenities;	Complies	The project has a shared open space common area with a pedestrian walkway. This promotes access to adjacent uses and surrounding neighborhood.
E4	Whether the proposed design provides adequate emergency vehicle access; and	Complies	Fire department review did not identify any issues with the proposed development.
E5	Whether loading access and service areas are adequate for the site and minimize impacts to the surrounding area and public rights-of-way.	Complies	There are not any proposed loading access or service areas.
F. Existing Site Features: The proposed planned development preserves natural and built features that significantly contribute to the character of the neighborhood and/or environment.		Complies	There are not any significant natural or built features that contribute to the character of the neighborhood or environment.
G. Utilities: Existing and/or planned utilities will adequately serve the development and not have a detrimental effect on the surrounding area.		Complies	The Public Utilities department had no comments on the proposed development. Public Utilities may require upgrades to the public utilities in order to adequately service the property without degrading services to adjacent properties. Any such upgrades would be required to be installed as part of the building permit and final subdivision process.

ATTACHMENT H: ANALYSIS OF STANDARDS – SUBDIVISION ORDINANCE

20.16.100: Standards of Approval for Preliminary Plats

All preliminary plats for subdivisions and subdivision amendments shall meet the following standards:

Standards	Finding	Rationale
A. The subdivision complies with the general design standards and requirements for subdivisions as established in chapter 20.12 of this title;	Complies	The proposed preliminary plat generally complies with the general design standards and requirements for a subdivision.
B. All buildable lots comply with all applicable zoning standards;	Planning Commission approval required for the Planned Development request.	The proposal does not comply with the standard found in section 21A.24.120 RMF-30 Low Density Multi-Family Residential District (i.e., minimum lot size and minimum yard requirements) and grade changes greater than four feet (4') within a required yard; therefore, a Planned Development approval is requested. All other applicable zoning standards are met as noted in Attachment F .
C. All necessary and required dedications are made;	Complies	Any necessary or required dedications shall be made prior to recordation of the final plat.
D. Water supply and sewage disposal shall be satisfactory to the public utilities department director;	Complies	The Public Utilities department had no comments on the proposed development.
E. Provisions for the construction of any required public improvements, per section 20.40.010 of this title, are included;	Complies	No public improvements are required for this development. Any alterations to elements in the public way, including curb, gutter, or sidewalk as part of the construction of this development will be reviewed by Engineering. Any alterations to the roadway and driveway access point on 2100 East will be subject to UDOT approval.
F. The subdivision otherwise complies with all applicable laws and regulations;	Complies	The project will need to apply for Final Subdivision approval; therefore, prior to final plat approval, staff will ensure the proposed subdivision complies with all other applicable laws and regulations. The plat will need to comply with the conditions for the subdivision plat noted in Attachment J . This includes providing the necessary "declaration"

		documentation that establishes a Home Owners Association or other entity that will share financial responsibility for the shared private infrastructure and services (utility lines, driveway, sidewalk, waste pickup) for the subdivision.
G. If the proposal is an amendment to an existing subdivision and involves vacating a street, right of way, or easement, the amendment does not materially injure the public or any person who owns land within the subdivision or immediately adjacent to it and there is good cause for the amendment.	Complies	The final plat approval of the proposed subdivision, <i>Stanford Commons</i> , is contingent on the final plat recording for <i>The Townes Condominium</i> amendment. The proposed subdivision is a subsequent amendment to <i>The Townes Condominium</i> amendment, but it does not involve vacating a street, right-of-way, or easement.

ATTACHMENT I: PUBLIC PROCESS AND COMMENTS

Meetings:

- On June 17, 2020 – Notice of the project was provided to the Foothill/Sunnyside Community Council as well as property owners and residents within 300 feet of the subject property. Foothill/Sunnyside Community Council has provided formal input on the proposal, which is attached on the following page.

Public Notice:

- Early notice of application mailed on June 17, 2020
- Public hearing notice mailed on September 11, 2020
- Public hearing sign posted on the property on September 11, 2020
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites on September 11, 2020

Public Comments:

As of the publication of this Staff Report, Staff has received several letters in opposition of the proposal which are included on the following pages. In addition, staff has received a phone call from Sean O'Brien, property owner of 1005 S Foothill Drive, expressing support of the proposal.

Any public comments received up to the public hearing meeting will be forwarded to the Planning Commission.

From: [Devon Olson](#)
To: [Mitchell, Linda](#)
Cc: [Dugan, Dary](#); [Bonneville Hills](#)
Subject: (EXTERNAL) Opposition to the Townes/Stanford Commons Petition PLNSUB2020-00349
Date: Thursday, September 17, 2020 12:03:03 AM
Attachments: [image001.png](#)

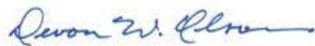
Dear Ms. Mitchell,

I am the Chair of the Foothill/Sunnyside Community Council where the Townes/Stanford Commons property is located. The officers of our Community Council have become aware of the request for a zoning change at this property and I want to address opposition to it for the following reasons:

- This development is the most dense in our neighborhood. Allowing a key amenity and open space at this location to be removed will make our neighborhood even denser and exacerbate our parking and traffic problems.
- When this property was originally developed, neighbors were presented with a less dense, amenity enhanced property. To change this years later is a bit of a "bait and switch". This proposed change may be small, but it would have made a big difference to the neighbors who were originally presented with this development.
- This proposal is for a single residential building of three units. We do not have triplexes in our neighborhood and this is an escalation towards denser residential development in a part of Salt Lake City that is known for its strong single family homes. We need to maintain the character of this neighborhood.

Thank you for your consideration of our opposition to this proposal.

Best regards,



Devon W. Olson
Foothill/Sunnyside Community Council Chair
1949 Laird Drive
Salt Lake City, Utah 84108
801-232-3066

DAVID P. ROSE
LISA S. ROSE
1020 S. FOOTHILL DRIVE
SALT LAKE CITY, UTAH 84108

June 8, 2020

BY Email: linda.mitchell@slcgov.com

Linda Mitchell
Salt Lake City Planner
Salt Lake City Planning Dpt.
451 S. State St.
Salt Lake City, UT 84111

Re: Opposition to Petition No. PLNSUB2020-00349

Dear Ms. Mitchell:

We reside on 1020 S. Foothill Drive, across the street from the current, proposed, land use change. We have many dear friends that reside in The Townes Condominium Project. We plan to continue to be friends after City action is taken to deny, approve or table Petition No. PLNSUB2020-00349 although recognizing that this petition and its after-effects may cause uncomfortable feelings in our neighborhood. Hence, we do not lightly send you this letter. Yet, we feel that we must write to voice our strong opposition to Petition No. PLNSUB2020-00349 and the corresponding application for the proposed de-annexation of The Townes Condominium Project in order to create the Stanford Commons (the "Application"). There are a number of reasons why the Application should be rejected.

First, The Townes Condominium Project is dense. After excluding the swimming pool and common areas requested to be transferred to the Stanford Commons, the preliminary plat for the Stanford Commons purports to show the remaining Townes Condominium Project to consist of 83,241 s.f. of which 63,882 s.f. allegedly is Open Space. In other words, if the Stanford Common project were approved, supposedly 76.74% of The Townes would consist of Open Space. Section 21A.62.040 of the Salt Lake City Zoning Ordinance defines "Open Space" as, "Any area of a lot which is completely free and unobstructed from any structure or parking areas." Interior roads also are excluded from this definition of "Open Space". Included with this letter is an aerial photo of the Townes Condominium Project from the Salt Lake County Tax Assessor downloaded today. Any close examination of this aerial photo shows that the structures, buildings, parking areas, and interior roads take up a substantial portion, if not a majority, of The Townes total square footage. We strongly doubt that there truly will be 63,882 s.f. of Open Space remaining in The Townes if the Stanford Commons de-annexation and subdivision is approved. The actual open space for The Townes after the proposed Stanford Commons de-annexation and subdivision should be accurately re-measured and if it proves to take in less than 75.00% Open Space as it would have been originally approved then the Application must be denied.

Second, the property that is proposed to be de-annexed from The Townes Condominium Project is the condominium project's principal amenity, its swimming pool, and its integral block of common area. The Townes property managers may not have maintained the swimming pool well. Yet, The Townes non-profit corporation should not be allowed to use this decline in its swimming pool as a

Linda Mitchell
June 8, 2020
Page 2

reason to sell its key amenity and the surrounding grounds to turn a profit. Rather than selling its swimming pool and common area, The Townes might consider transitioning this key recreational property into a lower maintenance, replacement amenity. This would be better than letting a crucial amenity entirely disappear.

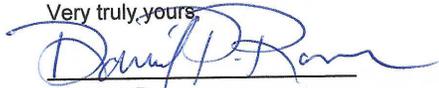
Third, would The Townes have been originally approved without its swimming pool and green space amenity? That seems unlikely. No condominium project, particularly a higher density project surrounded by single family detached homes, should be allowed after obtaining City approval to subsequently sell off amenities and open space that would have been key to the City's grant of its original approval. If actions like these were allowed, any developer may approach the City promising great amenities and open spaces, only to sell and delete these amenities and open spaces for additional units when the timing is right.

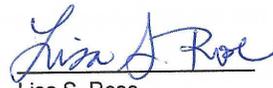
Fourth, Section 21A.48.080 of the Salt Lake City Zoning Ordinance requires landscape buffers when transitioning from a denser residential parcel to less dense residential parcels. This change in density is easily seen in the properties surrounding the Stanford Commons. To illustrate, the adjacent property owned immediately to the south of the proposed Stanford Commons is a beautiful, single family, detached home parcel owned by the Emery family. The properties to the immediate west of the proposed Stanford Commons are lovely, single family, detached home parcels except for religious facilities. To the east of the proposed Stanford Commons are other elegant, single family homes and the Bonneville golf course. And adjoining the proposed Stanford Commons to the north is The Townes, formed of stately duplexes and twin homes with no 3-plexes. Therefore, in order to comply with Section 21A.48.08 and transition from this most unique and dense housing product in the neighborhood proposed by the Stanford Commons for its large triplex, a landscape buffer of 10' must be built on the Stanford Commons' south border (1,285.40 s.f.), the west border (861.40 s.f.), the east border (813.60 s.f.), and the north border (2,300 s.f.). Once these 10' buffer areas totaling 5,260 s.f. are deducted from the 11,696 s.f. available within the proposed Stanford Commons, that will only leave 6,436 s.f., not nearly enough to build the Stanford Commons triplex with its 9,000 s.f. minimum demanded by Section 21A.24.120.

Finally, can a proposed triplex in a neighborhood where no other triplexes are located, truly comply with Section 21A.24.120's requirement that all uses within the Low Density Multi-Family Residential "are intended to be compatible with the existing scale and intensity of the neighborhood?" That does not seem to be so. Can Stanford Common's triplex even match the requisite setbacks, scale, massing, open space and buffers? Almost certainly not.

For all of these reasons and many others, we respectfully request that the City deny the Application.

Very truly yours,


David P. Rose


Lisa S. Rose

Enclosure



new Parcel Viewer beta

SALT LAKE CITY

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Zoom to Results Clear Graphic Export Results

Mitchell, Linda

From: lynn pershing <[REDACTED]>
Sent: Thursday, August 20, 2020 2:42 PM
To: Mitchell, Linda
Subject: (EXTERNAL) number PLNPCM2020-00230, 00231

Follow Up Flag: Follow up
Flag Status: Flagged

No, I do not support the changes in setbacks. Destroying a neighborhood dictates that the Development LLC work within the confines of the lot. Deal with it and stop the madness

Lynn K Pershing
District 6

Sent from my iPhone

Scott & Laura Jones
1030 Foothill Dr
Salt Lake City, UT 84108

By Email: Linda.mitchell@slcgov.com
Linda Mitchell
Salt Lake City Planner
Salt Lake City Planning Department
451 S State St.
Salt Lake City, UT 84111

Re: Opposition to Petition Number PLNSUB2020-00349

My family and I live on 1030 S Foothill Drive which is across the street currently proposed land use change. I am writing this letter in opposition to Petition Number PLNSUB2020-00349 and the corresponding application for the proposed de-annexation of The Townes Condominium Project that would create the Stanford Commons.

We have lived in this community for approximately 13 years now. We enjoy the neighborhood very much and have developed many close relationships with our neighbors. Knowing that, we have been reluctant to be involved in opposing the petition. The last thing we want is to create any type of hostility with our friends. With that in mind, we decided it was in ours and we hope our neighbor's best interest to oppose PLNSUB202-00349.

We love our neighborhood and fear that this development could create density issues that we are very opposed to.

Thank you,

Scott Jones



From: [John Doe](#)
To: [Mitchell, Linda](#)
Subject: (EXTERNAL) Voice of Concern with the Stanford Commons Planned Development & Preliminary Subdivision at
Approximately 2052 E Michigan Ave, Salt Lake City, UT
Date: Friday, September 4, 2020 1:13:55 PM

September 3, 2020

Dear Ms. Mitchell:

I am writing today to voice concern about the Stanford Commons Planned Development and Subdivision located at 2052 East Michigan.

I am not providing my name as I live in the neighborhood and don't want to create contentions.

I have a number of concerns listed below:

1. Changing the original zoning from the property which both owners in the Townes and neighborhood homes purchased in the area understanding the property lines and environment.
2. Opening the area up to be a single dwelling property which could open the places up for rental properties versus maintaining the Harvard Yale quaint neighborhood.
3. Potential issues arising from the construction i.e. water/sewage pipes cracking/breaking due to the age of the pipes in the area, road damage due to the construction.
4. The Townes property currently doesn't maintain the property to the standards of the neighborhood and we do not need more similar properties.
5. The change will take away 1-2 of the current Towne homeowners' property and natural environments.
6. The Townes area in question they are selling had a fully functioning pool which was cared for, for years and updated and about a year after they upgraded it, it was closed and the property has been an eye sore since, very unkempt. As I understand some owners want some of the proceeds for personal use versus putting the sale of the property back into updating the property which in this neighborhood would be appreciated as their lack of care depreciates the properties in this neighborhood.

Thank you for considering my feedback when making a decision on this proposed development.

Mitchell, Linda

From: Benjamin Emery <[REDACTED]>
Sent: Saturday, September 5, 2020 11:22 PM
To: Mitchell, Linda
Subject: (EXTERNAL) Opposition to Case numbers PLNPCM2020-00230 and PLNSUB2020-00231

Follow Up Flag: Follow up
Flag Status: Flagged

Linda Mitchell,

I am writing, on behalf of myself, my wife (Brigette), and my three children, to formally voice our concerns to the planned development and preliminary subdivision, as numbered above. We have spoken over the phone on a few occasions and have discussed the city ordinances that seem to be violated by the current proposition. Namely, section 21A.62.040 and 21A.48.080 of the city zoning ordinance. In addition to these possible ordinance violations, the proposed subdivision raises additional concerns pertaining to the planned development and the configuration of the proposed structures.

Firstly, as I have previously voiced with you, I don't see any way the remaining parcel will meet the required green space requirement by city ordinance. I would request that the calculations be presented, with a detailed plot map, showing how the calculations were derived.

Secondly, I submit that, as the homeowner most nearly adjacent to the proposed parcel (1065 foothill Drive), there would be zero buffer between my property and the new structure. The plans which I have seen, both from the developer and in the documents provided by the city, show the proposed structures abutting directly up to my lot. I have serious concerns that ordinance 21A.48.08 would be impossible to be met. I would like to see how the city proposes that this would be met. I purchased my home, approximately four years ago, with the intention to live on a quiet cul-de-sac street with low traffic in a walkable neighborhood. The addition of 3-4 more homes on our street is too much to allow, we already have two churches and a pre-school (within the Lutheran church) in one block and there is over-flowing street traffic from both congregations on Sundays and days of community events from activities. Our street can't support another large subdivision. The addition of these homes, and the subdivision of the property itself, dramatically changes the flavor of our block and the community that we live in.

Lastly, we are adamantly opposed to this annex being approved and the addition of this triplex (with an additional plot that can be developed as well). The Townes has not kept up the current property and has done a great disservice to our community in letting the existing amenity deteriorate to a point that not only detracts from our street appearance, but also gives a dark, unattended area for mischief and crime. We have found dirty, torn clothing and used condoms thrown over the fence from the existing pool on more than one occasion. I have also been told from a home owner in The Townes that people were squatting in the old pump house this year. Instead of maintaining the area, The Townes looks to apportion off the property and make a profit. This was not the intention of the original development, nor the city officials that approved this large complex in our neighborhood. I would submit that The Townes needs to uphold the original intention of their property and restore the amenity or restructure it to meet the same standard. We have spent the last 4 years doing all we can to improve our lot and have put our hearts into our street and our property. We have discussed this as a whole family and we ask that the city also take this opportunity to support us in preserving our street and it's current plan. We ask that the property not be subdivided or developed as a new, multi-home structure that has no place on our street or in our neighborhood.

Kind Regards,

Benjamin R. Emery

Mitchell, Linda

From: Dave Babcock <[REDACTED]>
Sent: Saturday, September 5, 2020 11:01 PM
To: Mitchell, Linda
Subject: (EXTERNAL)

Follow Up Flag: Follow up
Flag Status: Flagged

Linda,

It's our understanding that concerns regarding the new development of four condominiums on Foothill Blvd should be directed to you. We live across the street at 1046 Foothill Blvd and are worried about the prospect of the addition of that many new residents, traffic flow, noise, and rental fluctuations. We've been in the neighborhood for decades and this wouldn't have even been possible years ago when the street went all the way through and merged into Foothill Dr. When that change was made it was our understanding that things would remain as they are permanently. Years later it seems opportunistic for a developer to squeeze in these units when it was so far from possible in the original planning and usage.

We're confident that all angles will be considered and fairness will prevail. We support any outcome but wanted to voice our opinion and concern.

Best,

Dave Babcock

Sent from my iPhone

Mitchell, Linda

From: Christian Dunbar [REDACTED] >
Sent: Saturday, September 5, 2020 4:58 PM
To: Mitchell, Linda
Cc: [REDACTED]
Subject: (EXTERNAL) Opposition - Michigan Ave

Hi Linda,

My name is Christian Dunbar, I have lived on 2070 E. Michigan Ave for the past 18 years, neighboring the proposed development of new condos.

We are **against** the proposed development of the condos on this property, as are several other people. At the time of moving in we did not initially agree to be living next to new neighbors, it is not fair for us and the people on our block.

This development will reduce our privacy, increase noise levels, & burden our general well-being as a community. We do not need new developments and several new neighbors on our block. We are deeply concerned that the buyers will end up renting, our peaceful block cannot have an endless supply of new neighbors.

The original proposition has also changed since the first time it was proposed. We were told that we could keep our front yard and recently our HOA management said it cuts into our already small yard, leaving our yard fully removed.

The new additions will dramatically decrease public parking, which is currently utilized by the existing neighbors.

Our HOA manager, Bill Chistiansen, abruptly closed our community pool in 2012. We immediately suggested that the closed pool be turned into a community garden for the towns, he ignored our requests and continues to push for the sale of the property.

Several Towns residences are not happy with Bill's management of the Towns Condominiums. During these 8 years since the pool's closure I have personally changed several light bulbs on our property that management has failed to safely address, which is ignoring public safety. I feel that Bill is selling the property with his own interests in mind, and not those of other residences.

Best,



Christian Dunbar | [REDACTED]
[REDACTED]

Mitchell, Linda

From: seodam kwak <[REDACTED]>
Sent: Saturday, September 5, 2020 11:47 PM
To: Mitchell, Linda
Subject: (EXTERNAL) SLC planning

Hello Ms. Mitchell, my name is Youndeok Kong, and I currently own and reside at 2072 E Michigan Ave, Salt Lake City, Utah, 84108. I would like to voice a few concerns with the upcoming construction project within our neighborhood. Our residence is located only 20 ft east from the construction area. Due to the proximity, we would be affected by the noise from the construction site. Needless to say, there will be construction vehicles, drilling, sirens, and all sorts of loud noises will be created by the construction. I am currently a full-time Nurse at the U of U hospital, where I dedicate many hours to helping those who are ill and unwell. Needless to say with COVID 19, my workload is not subsiding, rather it has become more hectic. After a hard day at work, I would like to have time to relax and rest. I believe that the noise from the construction would be simply unbearable and it will be a major stressor to me and my family. Moreover, I also have concerns with all of the dust and waste that will be produced during the construction. The dust and other particulates traveling through the air and protruding through our windows, it would pose a health risk to the neighborhood and constantly dwindle the air quality in the vicinity. If this construction does occur and is completed, it would ruin our view. Currently we are able to look out the window and see the gorgeous sky and the sunset shining down accompanied by the view of my neighborhood. However, at the end of the construction, our view would be at another person's glass window or a brick wall. This construction would seriously impede on the views of our house. Another concern is with the safety of the children that are playing in the neighborhood. On the street that the construction and delivery vehicles will be constantly using to get to the construction site, it is a residential area with many households with young children. Additionally, on that street alone, we observe many children riding bikes, playing basketball, or simply running around. Therefore, with vehicles and trucks passing on that street on a regular basis, only the lord knows what disaster awaits. It is obvious that this construction project has many issues and concerns, which will diminish the wellbeing and the quality of life for residents within the region. Additionally, as we are in close proximity, we are the most heavily affected by this construction site. We strongly oppose this construction project/planning and ask you to reconsider. Thank you very much for your time and consideration.

YounDeok Kong, Neighborhood resident

Mitchell, Linda

From: seodam kwak <[REDACTED]>
Sent: Saturday, September 5, 2020 11:53 PM
To: Mitchell, Linda
Subject: (EXTERNAL) SLC planning

Follow Up Flag: Follow up
Flag Status: Flagged

I would also like to voice that this construction project and the resultant buildings would largely affect our privacy due to the proximity. Our household would really lose our privacy not just during construction but also after as well.

Mitchell, Linda

From: Anderson, John
Sent: Tuesday, September 8, 2020 4:35 PM
To: Susan Wurtzburg; Planning Public Comments
Cc: Mitchell, Linda
Subject: RE: (EXTERNAL) Case number PLNPCM2020-00230 & Case number PLNSUB2020-00231

Follow Up Flag: Follow Up
Flag Status: Flagged

Susan,

Your comments are appreciated and will be shared with the Planning Commission at their public hearing tomorrow night. If you would like to participate in the meeting there are instructions on how to do so in the agenda:
<http://www.slcdocs.com/Planning/Planning%20Commission/2020/PC09.09.2020agendaAMENDED.pdf>
Please let me know if you have additional comments.

JOHN ANDERSON
Planning Manager

PLANNING DIVISION
COMMUNITY *and* NEIGHBORHOODS
SALT LAKE CITY CORPORATION

TEL 801-535-7214
FAX 801-535-6174

www.SLC.GOV

From: Susan Wurtzburg [mailto:]
Sent: Tuesday, September 8, 2020 4:25 PM
To: Planning Public Comments <planning.comments@slcgov.com>
Subject: (EXTERNAL) Case number PLNPCM2020-00230 & Case number PLNSUB2020-00231

Re. Stanford Commons Planned Development & Preliminary Subdivision at approximately 2052 E Michigan Avenue – Jessica Sluder from Alta Development Group, LLC, representing the property owner.

A request has been made for several variances:

- a. Planned Development – Planned Development is requested to modify the required front yard setback, grade changes greater than four feet (4') within a required yard, and the required minimum lot area for the new lots. Case number PLNPCM2020-00230
- b. Preliminary Subdivision – Preliminary Plat approval is needed to create four (4) new lots. Case number PLNSUB2020-00231

Greetings Planning Committee,

As a property owner in the area (1567 Laird Ave E.), I **oppose** the above requests for this proposed project. Increasing the amount of building, and decreasing the lot size / building has the potential to change completely the attractiveness of this community.

Once one exception is made, it opens the door for additional ones, and I oppose this precedent in the area.

What is the point of having plans, if developers have the ability to step outside the plans, with the goal of increasing profit, and with no concern about the neighborhood, where they do not live?

I oppose short-sighted exceptions allowing developer profit, at the expense of our rights as property owners, who enjoy the historic character of this district, along with extensive yards, rather than hard surface building.

Thanks,

Susan J. Wurtzburg

--

Susan J. Wurtzburg, Ph.D.
Owner: 1567 E Laird, SLC, 84105

[REDACTED]

From: [Lanette Dunbar](#)
To: [Mitchell, Linda](#)
Subject: (EXTERNAL) Case #PLNPCM2020-0230 and PLNSUB2020-00231
Date: Saturday, September 5, 2020 7:28:57 PM

Hello Linda,

My name is D. Lanette Dunbar, I live at 2070 Michigan Ave. The above case numbers if approved will dramatically affect me. When the proposal was originally proposed to the Towns HOA members we were assured that the space slated for purchase would be at the existing fence line. As per the proposal before you, that has changed and now if approved I will lose most of the green space I presently have out my front area, will be reduced dramatically. I have enclosed two photos that show the present space, if this is allowed to proceed I will lose most of it. The other concern I have is the increased traffic on this dead-in street, as well as a decrease in public street parking. Our street is very popular for walkers and bike riders. This proposal will seriously disrupt our neighborhood.

I strongly ask that the proposed Case PLNPCM2020-00230 not be allowed to be modified.

Sincerely,
Lanette Dunbar





ATTACHMENT J: DEPARTMENT REVIEW COMMENTS

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

See attachments for redlines.

- 1) "Plat_Stanford Commons.pdf"
- 2) "Stanford Commons_rdlns.pdf".

Planning Staff Note: These will need to be completed for the final plat application. No changes are required at this time.

Building (Bryan Romney at bryan.romney@slcgov.com or 801-535-7670)

1. The project has subdivided the property into three separate parcels. As such, a recorded property description/deed and separate addresses will need to be provided.
2. Given the three separate properties, it will need to be clarified that a single permit is allowed.
3. Each of the three properties will be reviewed for compliance with the 2015 IRC as Single-family Dwellings. The current plans do not show a Code Analysis with this requirement.
4. All design professionals are to seal, sign and date each drawing and the cover sheet of the specifications.
5. If this project is to be submitted as a phased permit, then appropriate approvals need to be made.

Planning Staff Note: The applicant updated their plans to document their compliance with these comments. Final compliance review will be done during building permit stage.

Urban Forestry (Cory Davis at cory.davis2@slcgov.com or 801-972-7839)

A mitigation fee would be required as a condition of plan approval. The [park strip] tree in question is 10" dbh so if they plant two (2) 2" trees they would owe for 6" of mitigation which is \$1200.00 The tree would have to be removed via permit issuance to an ISA Certified Arborist.

Additionally, a public right of way tree planting permit is required.

Planning Staff Notes: Any requirements provided by the Urban Forester shall be addressed during the building permit review process.

Zoning (Anika Stonick at patriciaanika.stonick@slcgov.com or 801-535-6192)

Preliminary Plat

No comments

Planned Development

Site plan has not been provided (only plat and grading/drainage type site plans); a site plan should be provided that shows: stairs and upper floor levels proposed to project into required front yard (should show all projections from building as well- any balconies, canopies, awnings, roof edge, etc.); show both the required yards of RMF-30 and also the modified yards proposed;

show rear yards for each lot that are per 2A.24.120.E.4, per the equation given there (and not rounded up or down) and to be provided for each side property line length (and not per one or another; and, to be given as polygon addressing different side property line lengths); show minimum required side yard of 4 feet for northern unit to side property line (per 21A.24.120.E.3.b); any yards not being met by proposal should also be addressed in planned development application;

To relate lot coverage that is proposed, to be per 21A.24.040.G.2 (maximum 50%);

More concrete is proposed in the front yard than leads to garage door opening and to walkway to stairs/landing at stairs so is not per 21A.48.090 allowing driveways and walkways in front yard instead of required landscaping; to correct design or have included as modification requested via planned development and to make specific replacement landscaping proposal (21A.55.100.B.4); in case of planned development modification, to also design and dimension all excess hard surfaces so that no front yard parking would be accommodated(including at/over property lines);

About driveway/approach from street, appear will be exceeding maximum driveway width (21A.44.020.F.7.b) and will not meet required distance to side property lines (21A.44.020.F.7.a(2));

To address access to and use of sidewalk/walkway and stairs at south end of planned development- who may use, etc. and arrange and record cross access and any other necessary agreements;

To arrange revocable lease with Real Estate Services division for stairs and end of retaining wall to land in public way;

Treatment of existing trees on site to be per 21A.48.135; to provide landscaping plans addressing requirements of 21A.48 as are applicable to project;

Proposed height is being compared to finished grade in elevation drawings, instead should be compared to average finished grade per 21A.62.040 "Height, Building- Outside FR, FP, R-1, R-2 and SR Districts" and 21A.62.050 Illustration B;

No dimensions included on floor plans- to design and dimension plans to provide parking for two vehicles in attached garage that has minimum 17.5' deep by 18.5' wide interior space;

To obtain and use certified addresses (get from SL Engineering Department);

To pay Impact Fees when pulling building permit for structure.

Planning Staff Note: The applicant made several revisions to address these comments in their plans attached to this report. A full zoning review will be done during the building permit review phase.

**ATTACHMENT G: AGENDA, NOTICE, AND MAILING LIST FOR
THE PLANNING COMMISSION HEARING**

**SALT LAKE CITY PLANNING COMMISSION MEETING AGENDA
AMENDED**

**This meeting will be an electronic meeting pursuant to the
Salt Lake City Emergency Proclamation
September 23, 2020, at 5:30 p.m.
(The order of the items may change at the Commission's discretion)**

This meeting will be an electronic meeting pursuant to the Chair's determination that conducting the Planning Commission Meeting at a physical location presents a substantial risk to the health and safety of those who may be present at the anchor location.

We want to make sure everyone interested in the Planning Commission meetings can still access the meetings how they feel most comfortable. If you are interested in watching the Planning Commission meetings, they are available on the following platforms:

- YouTube: www.youtube.com/slclivemeetings
- SLCTV Channel 17 Live: www.slctv.com/livestream/SLCtv-Live/2

If you are interested in participating during the Public Hearing portion of the meeting or provide general comments, email; planning.comments@slcgov.com or connect with us on Webex at:

- <http://tiny.cc/slc-pc-09232020>

Instructions for using Webex will be provided on our website at SLC.GOV/Planning

PLANNING COMMISSION MEETING WILL BEGIN AT 5:30 PM
REPORT OF THE CHAIR AND VICE CHAIR
REPORT OF THE DIRECTOR

PUBLIC HEARINGS

1. **Stanford Commons Planned Development & Preliminary Subdivision at approximately 2052 E Michigan Avenue** – Jessica Sluder from Alta Development Group, LLC, representing the property owner, is requesting approval for a new residential development at the above listed address. The proposal includes demolishing the discontinued pool area on the site and subdividing the property into four (4) lots for a proposed construction of three (3) single-family attached dwelling units. The proposed project is subject to the following petitions:
 - a. **Planned Development** – Planned Development is requested to modify the required front yard setback, grade changes greater than four feet (4') within a required yard, and the required minimum lot area for the new lots. **Case number PLNPCM2020-00230**
 - b. **Preliminary Subdivision** – Preliminary Plat approval is needed to create four (4) new lots. **Case number PLNSUB2020-00231**

The property is zoned RMF-30 (Low Density Multi-Family Residential) and is located within Council District 6, represented by Dan Dugan (Staff contact: Linda Mitchell at (385) 386-2763 or linda.mitchell@slcgov.com)

2. **Conditional Use ADU at approximately 952 S Windsor Street** – Alexis Suggs, property owner representative, is requesting Conditional Use approval for an approximate 644 square foot accessory dwelling unit (ADU) above a new detached 3-car garage at the above listed address. The property is zoned R-1/5,000 (Single-Family Residential) and is located within Council District 5, represented by Darin Mano (Staff Contact: Linda Mitchell at (385) 386-2763 or linda.mitchell@slcgov.com) **Case number PLNPCM2020-00451**

3. **Twenty Ones Design Review and Special Exception at approximately 2105 East 2100 South**
- Tom Henriod, with Rockworth Companies, is requesting approval for a new mixed-use development at the above listed address. The development includes two buildings with approximately 21,000 SF of commercial space and 107 residential units. A total of 168 parking spaces will be provided on site. Currently the land is used for commercial businesses and is zoned CB (Community Business). This type of project requires Design Review and Special Exception approval. The subject property is located within Council District 6, represented by Dan Dugan (Staff Contact: Krissy Gilmore at (801) 535-7780 or kristina.gilmore@slcgov.com)
 - a. **Design Review:** The development requires Design Review approval due to building size limits in the CB: Community Business zoning district as well as requested additional height on the south building. **Case number PLNPCM2019-01170**
 - b. **Special Exception:** The development requires Special Exception approval due to additional height requested on the north building. **Case number PLNPCM2020-00200**

4. **Planned Development request for The Abbie at approximately 1739 S Main Street** - A request by Andrew Black of CW Urban for Planned Development approval for two buildings with 13 multi-family residential units at the above address. The subject property is located in the CC (Commercial Corridor) zoning district. The applicant is requesting Planned Development approval for a building without street frontage. The subject property is located within Council District 5, represented by Darin Mano (Staff contact: Sara Javoronok at (801) 535-7625 or sara.javoronok@slcgov.com) **Case number PLNPCM2020-00378**

5. **Izzy South Design Review and Special Exception at approximately 534 East 2100 South** - Ryan McMullen, Applicant, is requesting Design Review and Special Exception approval for a proposed 71-unit mixed use building located at approximately 534 East 2100 South by the name of "Izzy South." The Applicant is requesting a modification of the maximum height requirement to accommodate architectural features on the front-facing façade of the proposed building through the Special Exception process. This project also triggers the Design Review process because the building is larger than 15,000 gross square feet in size. The property is zoned CB (Community Business) and is located within Council District 7, represented by Amy Fowler (Staff Contact: Caitlyn Miller at (385) 202-4689 or caitlyn.miller@slcgov.com) **Case numbers PLNPCM2020-00222 and PLNPCM2020-00655**

6. **Gateway Storage at approximately 134 South 700 West** - Austin Lundskog, Applicant, is requesting approval of a proposed self-storage facility 130,500 sq. ft. in size at approximately 134 South 700 West. The property is zoned GMU (Gateway Mixed Use) and is located within Council District 4, represented by Analia Valdemoros (Staff contact: Caitlyn Miller at (385) 202-4689 or caitlyn.miller@slcgov.com)
 - a. **Planned Development** – Planned Development approval is needed due to the proposed building being an increase of size larger than 25% of the existing buildings on site. **Case number PLNPCM2020-00182**
 - b. **Design Review** – Design Review approval is needed due to self-storage facilities in the G-MU Zone being required to undergo this process and the Applicant's request for

modifications to the exterior building materials and blank wall requirements. **Case number PLNPCM2020-00399**

- c. **Special Exception** – Special Exception approval is needed due to the Applicant’s request to allow a modified parking arrangement based off of a traffic generation study provided by the Applicant. **Case number PLNPCM2020-00655**

~~7. **Administrative Decision Appeals Text Amendment** – The City Council is requesting amendments to the zoning ordinance regulations regarding appeals of administrative decisions. Administrative decisions are those made by the Planning Commission, Historic Landmark Commission, or the Zoning Administrator in the modify City Code to align with section. The amendments primarily clarify what matters can be decided by the City's Appeals Hearing Officer, who can appeal decisions, and when an appeal can stay a decision. The proposed amendments affect Chapter 21A.16 of the zoning ordinance. Related provisions of Title 21A-Zoning may also be amended as part of this petition. The changes would apply Citywide. (Staff Contact: Daniel Echeverria at (801) 535-7165 or daniel.echeverria@slcgov.com) **Case Number PLNPCM2020-00352**~~

POSTPONED

WORK SESSIONS

1. **800 South & State Street Design Review at approximately 754 S. State St.** – Aabir Malik, an applicant with Colmena Group, is requesting Design Review approval to develop a portion of the former Sears property into an 11-story, 120 foot tall, mixed-use development consisting of ground floor retail and 360 multi-family residential units in upper floors. The applicant is requesting Design Review approval to allow for additional building height, modification to the spacing of building entrances and to exceed the maximum street facing facade length. The project site is located in the D-2 (Downtown Support) zoning district and is located within Council District 4, represented by Ana Valdemoros (Staff Contact: Nannette Larsen at (801) 535-7645 or nannette.larsen@slcgov.com) **Case number PLNPCM2020-00439**

For Planning Commission agendas, staff reports, and minutes, visit the Planning Division’s website at slc.gov/planning/public-meetings. 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.



SALT LAKE CITY PLANNING DIVISION
451 S State Street - Room 406
Salt Lake City, UT 84114 - 5480
PO BOX 145480

FIRST CLASS

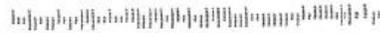


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Salt Lake City Planning Division Linda Mitchell
PO BOX 145480
Salt Lake City UT 84114

84114\$5480 8900



OWN_FULL_NAME	OWN_ADDR	OWN_CITY	OWN_STATE	OWN_ZIP
Current Occupant	1005 S 2000 E	Salt Lake City	UT	84108
Current Occupant	1005 S FOOTHILL DR	Salt Lake City	UT	84108
LSRR TRUST	1020 S FOOTHILL DR	SALT LAKE CITY	UT	84108
PNSTRUST; NSTRUST	1025 S 2000 E	SALT LAKE CITY	UT	84108
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ANTOINETTE BRADSHAW	108 2ND AVE SO - 211	KIRKLAND	WA	98033
JON A GREEN; JANET A GREEN	122 VENADO CORTE	WALNUT CREEK	CA	94598
POPPERTON ENTERPRISES LLC	1776 PARK AVE #4-210	PARK CITY	UT	84060
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TOWNES CONDO COMMON AREA MASTER CARD	PO BOX 179	LEHI	UT	84043
Salt Lake City Planning Division Linda Mitchell	PO BOX 145480	Salt Lake City	UT	84114

ATTACHMENT H: EARLY NOTIFICATION AND MAILING LIST



June 17, 2020

EARLY NOTICE OF APPLICATION

“The Stanford Commons” Planned Development and Preliminary Subdivision

The Salt Lake City Planning Division has received a request from Alta Development Group, LLC, representing the property owner, to redevelop the site located at approximately 2092 E Michigan Street. Currently, there is a discontinued pool area on the site. The applicant is seeking for preliminary subdivision plat approval to subdivide the property into 4 (four) lots for a proposed construction of single-family attached dwellings.



The Planned Development request includes approval for three (3) new single-family lots and an additional lot dedicated as a common area. The applicant is requesting a modification to the zoning standards for a reduction in 1) the required minimum lot size of 3,000 square feet and 2) the required 20 feet front yard setback for the exterior stairs greater than four feet (4') above grade and a portion of the 2nd and 3rd floor area. The proposed development is seeking Preliminary Subdivision approval to create four (4) new lots. The total lot size of “The Stanford Commons” project is approximately 11,696 square feet. The subject property is located within the RMF-30 Low Density Multi-Family Residential District.

The proposed development requires special approval from the Planning Commission for a Planned Development and Preliminary Subdivision before a building permit can be issued. A public hearing with the Planning Commission has not been scheduled. You will be notified of the public hearing at a later date.

The purpose of this notice is to make you aware of the proposed development and let you know how you may obtain additional information about the project and provide comments early in the review process.

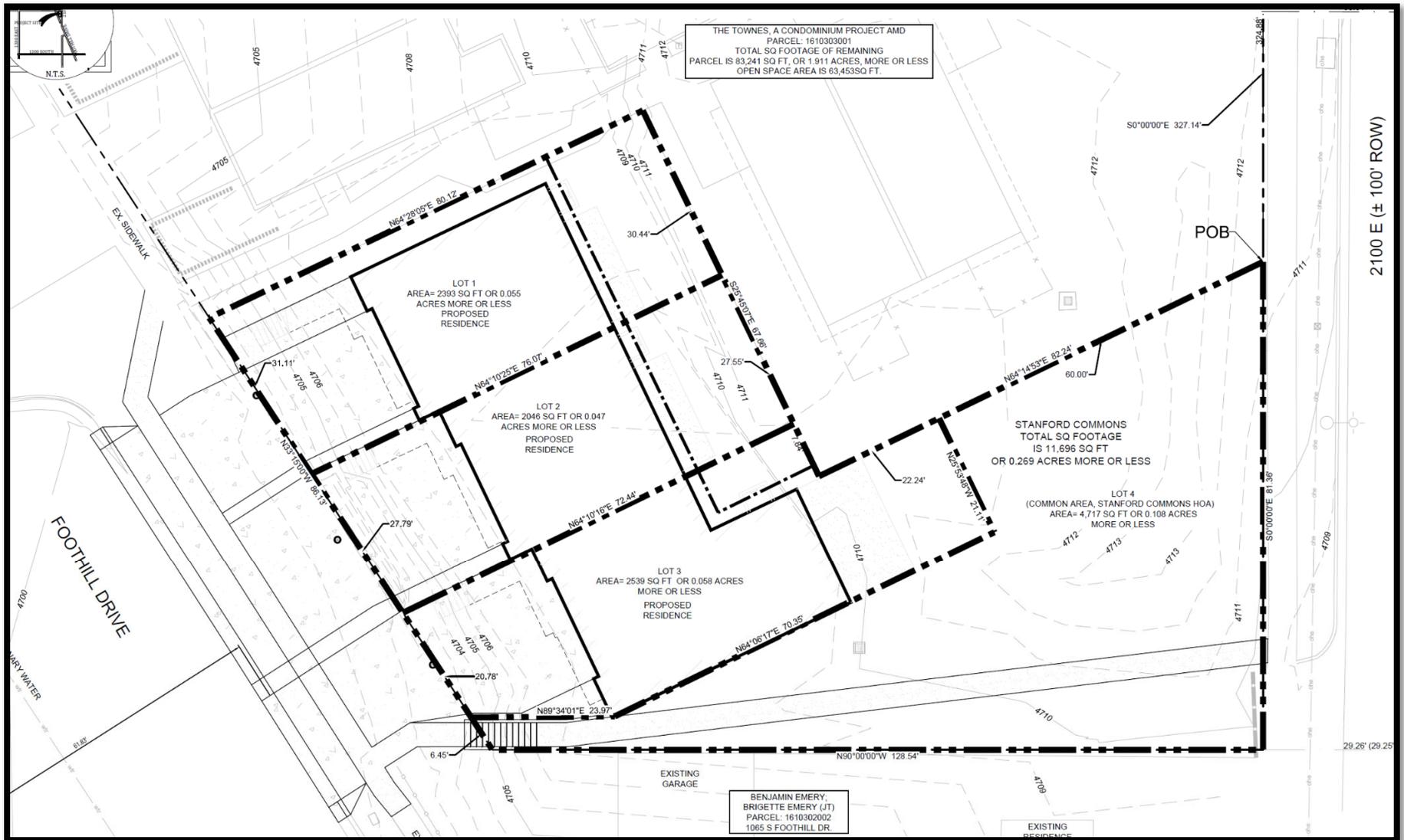
The application details can be accessed at <https://aca.slcgov.com/citizen>, by selecting the “planning” tab and entering the petition number:

- ❖ PLNPCM2020-00230 – *Planned Development*
- ❖ PLNSUB2020-00231 – *Preliminary Subdivision*

Notice of this application has been sent to the community council chairs for this area. The Community Council may choose to schedule the matter at an upcoming meeting. Please contact the following community council chairs for more information on whether the community council will review the matter and when and where that meeting will occur.

Devon Olson – Foothill/Sunnyside
1949 Laird Drive
Salt Lake City, Utah 84108
801-232-3066
Devon.olson@urs.org

Kerry Doane – Sunnyside East
2241 East Laird Way
Salt Lake City, Utah 84108
801-455-7595
Kerrysdoane@gmail.com



Proposed Preliminary Subdivision Plat

For additional information about the project and the approval project, please contact the following Planning Staff.

Linda Mitchell – Principal Planner
 451 S State Street, Room 406
 PO Box 145480
 Salt Lake City, UT 84114-5480
 385-386-2763
linda.mitchell@slcgov.com



Recognized Organization Input Notification Planned Development and Preliminary Subdivision

TO: Devon Olson, Chair, Foothill/Sunnyside Community Council
(devon.olson@urs.org)

FROM: Linda Mitchell, Principal Planner, Salt Lake City Planning Division
(linda.mitchell@slcgov.com or 385-386-2763)

DATE: June 17, 2020

RE: PLNPCM2020-00230 – *The Stanford Commons* Planned Development
PLNSUB2020-00231 – *The Stanford Commons* Preliminary Subdivision

The Planning Division has received the requests below and is notifying your organization to solicit comments on the proposal:

Request Type: Planned Development and Preliminary Subdivision

Location: 2092 E Michigan Avenue

Zone: RMF-30 Low Density Multi-Family Residential

Request Description:

Alta Development Group, LLC, representing the property owner, has initiated the above-mentioned Planning petitions to redevelop the subject site. Currently, there is a discontinued pool area on the site. The applicant is seeking for preliminary subdivision plat approval to subdivide the property into 4 (four) lots for a proposed construction of single-family attached dwellings.

The Planned Development request includes approval for three (3) new single-family lots and an additional lot dedicated as a common area. The applicant is requesting the following modifications to the zoning standards:

- 1) Reduction in the required minimum lot size of 3,000 square feet; and
- 2) Reduction in the required 20 feet front yard setback for the exterior stairs greater than four feet (4') above grade and a portion of the 2nd and 3rd floor area.

The proposed development is seeking Preliminary Subdivision approval to create four (4) new lots. The total lot size of “The Stanford Commons” project is approximately 11,696 square feet.

Attached is the plan set submitted by the applicant relating to the project to facilitate your review as well as an information sheet that outlines the project area.

Request for Input from Your Recognized Organization

As part of this process, the applicant is required to solicit comments from Recognized Organizations. The purpose of the Recognized Organization review is to inform the community of the project and solicit comments/concerns they have with the project. The Recognized Organization may also take a vote to determine whether there is support for the project, but this is not required.

Per City Code 2.60.050 - The recognized community organization chair(s) have **forty-five (45) days** to provide comments, from the date the notice was sent. A public hearing will not be held, nor will a final decision be made about the project within the forty-five (45) day notice period. This notice period ends on the following day:

August 3, 2020

Please contact Linda Mitchell to let the City know if you would like the applicant to attend and present their proposal at one of your meetings within this 45-day period. Please indicate the day and time of your meeting and staff will coordinate with the applicant to attend your meeting. Planning staff will be available at the meeting to answer any questions related to decision standards or the decision-making process.

Comment Guidance

Public comments will be received up to the date of the Planning Commission public hearing. However, you should submit your organization's comments within 45 days of receiving this notice in order for those comments to be included in the staff report.

As a Recognized Organization, we ask that you address the following questions in your comments:

- What issues were raised at the meeting and whether any suggestions were made to address the issues.
- The number of persons that attended the meeting (not including those with the applicant or City Staff).
- Whether a vote was taken on the matter and if so, the vote tally.

For your reference, the following are criteria that the Planning Commission will use to make its decision. The City's technical staff will review the project to ensure it complies with adopted policies and regulations. Input from your organization may be more general in nature, but we recommend that you also consider the following approval criteria:

Approval Criteria for the Planned Development Request

21A.55.050: STANDARDS FOR PLANNED DEVELOPMENTS

A. Planned Development Objectives: The planned development shall meet the purpose statement for a planned development (section 21A.55.010 of this chapter) and will achieve at least one of the objectives stated in said section. To determine if a planned development objective has been achieved, the applicant shall demonstrate that at least one of the strategies associated with the objective are included in the proposed planned development. The applicant shall also demonstrate why modifications to the zoning regulations are necessary to meet the purpose statement for a planned development. The Planning Commission should consider the relationship between the proposed modifications to the zoning regulations and the purpose of a planned development, and determine if the project will result in a more enhanced product than would be achievable through strict application of the land use regulations.

- B. Master Plan Compatibility: The proposed planned development is generally consistent with adopted policies set forth in the Citywide, community, and/or small area Master Plan that is applicable to the site where the planned development will be located.
- C. Design And Compatibility: The proposed planned development is compatible with the area the planned development will be located and is designed to achieve a more enhanced product than would be achievable through strict application of land use regulations. In determining design and compatibility, the Planning Commission should consider:
1. Whether the scale, mass, and intensity of the proposed planned development is compatible with the neighborhood where the planned development will be located and/or the policies stated in an applicable Master Plan related to building and site design;
 2. Whether the building orientation and building materials in the proposed planned development are compatible with the neighborhood where the planned development will be located and/or the policies stated in an applicable Master Plan related to building and site design;
 3. Whether building setbacks along the perimeter of the development:
 - a. Maintain the visual character of the neighborhood or the character described in the applicable Master Plan.
 - b. Provide sufficient space for private amenities.
 - c. Provide sufficient open space buffering between the proposed development and neighboring properties to minimize impacts related to privacy and noise.
 - d. Provide adequate sight lines to streets, driveways and sidewalks.
 - e. Provide sufficient space for maintenance.
 4. Whether building facades offer ground floor transparency, access, and architectural detailing to facilitate pedestrian interest and interaction;
 5. Whether lighting is designed for safety and visual interest while minimizing impacts on surrounding property;
 6. Whether dumpsters, loading docks and/or service areas are appropriately screened; and
 7. Whether parking areas are appropriately buffered from adjacent uses.
- D. Landscaping: The proposed planned development preserves, maintains or provides native landscaping where appropriate. In determining the landscaping for the proposed planned development, the Planning Commission should consider:
1. Whether mature native trees located along the periphery of the property and along the street are preserved and maintained;
 2. Whether existing landscaping that provides additional buffering to the abutting properties is maintained and preserved;
 3. Whether proposed landscaping is designed to lessen potential impacts created by the proposed planned development; and
 4. Whether proposed landscaping is appropriate for the scale of the development.
- E. Mobility: The proposed planned development supports Citywide transportation goals and promotes safe and efficient circulation within the site and surrounding neighborhood. In determining mobility, the Planning Commission should consider:
1. Whether drive access to local streets will negatively impact the safety, purpose and character of the street;
 2. Whether the site design considers safe circulation for a range of transportation options including:
 - a. Safe and accommodating pedestrian environment and pedestrian oriented design;

- b. Bicycle facilities and connections where appropriate, and orientation to transit where available;
and
 - c. Minimizing conflicts between different transportation modes;
 - 3. Whether the site design of the proposed development promotes or enables access to adjacent uses and amenities;
 - 4. Whether the proposed design provides adequate emergency vehicle access; and
 - 5. Whether loading access and service areas are adequate for the site and minimize impacts to the surrounding area and public rights-of-way.
- F. Existing Site Features: The proposed planned development preserves natural and built features that significantly contribute to the character of the neighborhood and/or environment.
- G. Utilities: Existing and/or planned utilities will adequately serve the development and not have a detrimental effect on the surrounding area.

Approval Criteria for the Preliminary Plat Request

20.16.100: STANDARDS OF APPROVAL FOR PRELIMINARY PLATS

All preliminary plats for subdivisions and subdivision amendments shall meet the following standards:

- A. The subdivision complies with the general design standards and requirements for subdivisions as established in Chapter 20.12 of this title;
- B. All buildable lots comply with all applicable zoning standards;
- C. All necessary and required dedications are made;
- D. Water supply and sewage disposal shall be satisfactory to the public utilities department director;
- E. Provisions for the construction of any required public improvements, per section 20.40.010 of this title, are included;
- F. The subdivision otherwise complies with all applicable laws and regulations;
- G. If the proposal is an amendment to an existing subdivision and involves vacating a street, right of way, or easement, the amendment does not materially injure the public or any person who owns land within the subdivision or immediately adjacent to it and there is good cause for the amendment.

Comment Submission Address

You may submit written comments via e-mail to linda.mitchell@slcgov.com.

If you have any questions, please contact Linda Mitchell at 385-386-2763 or via e-mail.

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Salt Lake City Planning Division Linda Mitchell	PO BOX 145480	Salt Lake City	UT	84114

**ATTACHMENT I: STANFORD COMMONS DEVELOPER
OPPOSITION TO APPEAL**

Via Email Only

Salt Lake City Planning Department
c/o Nick Norris
Planning Director
Nick.norris@slcgov.com

Linda Mitchell
Principal Planner
linda.mitchell@slcgov.com

I am writing this letter in response to the appeal and the arguments made by David P. Rose, Lisa S. Rose, Benjamin Emery, and Brigitte Emery (“Appellants”). I represent the developer, Altus Development Group, LLC, and the owner, Stanford Commons, LLC.

The planning commission’s approval of the planned development for Stanford Commons, identified as PLNSUB2020-00230, was supported by substantial evidence and is in compliance with all laws, statutes, and city code requirements. The Appellants have failed to meet their heavy burden in this appeal. I cite several sources in this letter including the staff report prepared by the city staff (hereinafter referred to the “*Staff Report*”), the testimony and presentations given during the public hearing on September 23, 2020, (hereinafter referred to as the “*Public Hearing*”) and certain public documents such as county tax records.

I. BACKGROUND FACTS

The Townes Condominiums originally contained 94,937 square feet of land with twenty condominium units on that land. *Staff Report* pg. 33. The Townes Condominiums were originally created in 1973 by the recording of a condominium plat and are administered by the Townes Condominium Association, Inc. (the “Association”). Under the 1973 city code, there is no requirement to maintain a certain amount of open space in the project, but the project included a swimming pool and other open area. *Public Hearing*, Linda Mitchell, at 10:20. In 2012, the owners of the Townes Condominiums voted to permanently close the pool and they subsequently covered the pool with plywood. *Staff Report* pg. 34. The vacant pool has become a significant problem for the Association and neighbors, with vagrants and transients moving into the pool area and used condoms and other unsavory items being discovered there. *Public Hearing*, Testimony of Bill Christiansen at 48:54; *Staff Report*, Letter from Benjamin Emery, pg. 60. A few years ago, the Association held a vote where eighteen of twenty owners approved a sale of the pool property to a developer for the purpose of constructing additional living units. *Staff Report* pg. 34.

Stanford Commons, LLC has entered into a contract to purchase the swimming pool and surrounding area from the Association, comprising 11,636 square feet of land. *Staff Report* pg. 34. As explained by the Appellants, the subdivision and sale of the 11,636 square feet has already been administratively approved by the city and is not at issue in this appeal. *Staff Report* pg. 2. The only issue on appeal is whether or not to grant the planned development application for the use of that land. The property is currently zoned RMF-30.

The planned development is requesting three modifications as described below. At the Public Hearing, the planning commission approved the planned development with conditions as further described below.

A. Requested Modifications

As part of the process of designing the project, the developer met with the Association and several of the neighbors that live closest to the project, including several of those that submitted negative comments, over the course of almost an entire year. *Staff Report* pg. 36. The current design of the project was the product of the comments from those neighbors and the Association. Based on those comments and several other factors, the developer submitted plans and requested modifications to three different zoning requirements as explained below.

1. *Minimum Lot Size*

For single-family attached dwellings in the RMF 30 zone, each lot is required to have a minimum of 3,000 square feet. *See* Salt Lake City Code 21A.24.120(C). The developer is proposing to subdivide the land into three single-family attached dwelling lots and one lot of common area, with the lot sizes described in Table 1. *Staff Report* pg. 7. Lots 1 through 3 in Table 1 are the lots assigned to the dwellings and Lot 4 is the land set aside as common area. For three single-family attached dwellings, the total project must include 9,000 square feet of land. *See* Salt Lake City Code 21A.24.120(C). The project actually includes 11,696 square feet of land, but given the “L” shaped layout of the overall lot, it was not possible to create three single-family attached lots meeting the 3,000 square foot per lot requirement.

Lot #	Lot Area (sq. ft.)
Lot 1	2,393
Lot 2	2,046
Lot 3	2,539
Lot 4	4,717
Total	11,696

Table 1. Proposed Lot Size

Under the current zoning ordinance, the developer could construct a multi-family dwelling with three units without needing to request a modification to the zoning requirements. *Staff Report*, pg. 8. However, the owner of Altus Development Group lives in the neighborhood and determined that single-family attached dwellings would be a better fit for the neighborhood. *Public Hearing* at 24:10. The developer therefore created smaller lots for the three single-family units so that the owners of the units would also have ownership of the land and to avoid the creation of an apartment complex, which is a permitted use. *Staff Report* pg. 8. The developer also created one larger lot that will be reserved as common area. The total square feet in the development exceed what is required by city code for three lots (9,000 ft² required; 11,696 ft² provided), but the development allocates a portion of that land to the common area and leaves the dwelling lots smaller than the zone allows without approval of a planned development. The planning commission approved the smaller lot sizes as requested.

2. *Grade Change Greater than Four Feet in the Front Yard*

In the absence of the approval of a planned development, the city code prohibits “changes of established grade greater than 4 feet” in a required yard setback. Salt Lake City Code

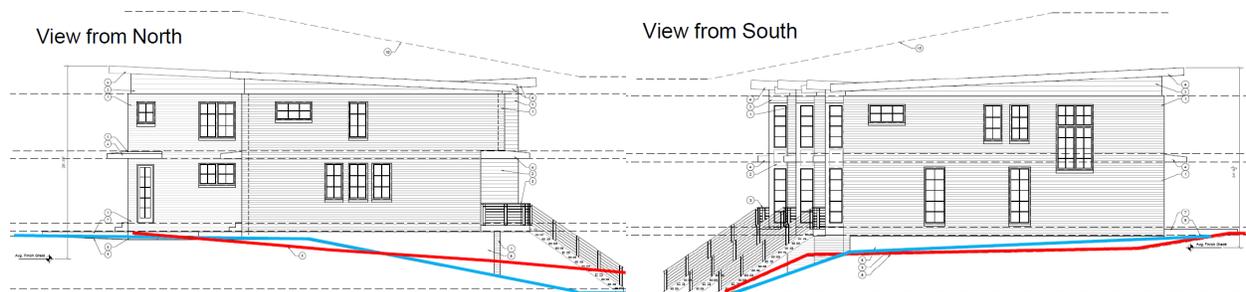
21A.36.020(B). The Project adjoins a public dead-end street to the west that the new lots will use as the primary access road.¹ From the road, the Project gains approximately eight feet in elevation to the level where the existing pool is located. *Staff Report* pg. 16. This eight-foot elevation gain is a somewhat steep hill from the street to the existing pool. In order to comply with the city code requirement, the driveways for the new units would have to climb approximately four feet from the street level, leaving the garage and basement approximately four feet beneath the existing grade with the rest of the garage and basement protruding above the existing grade.

The developer elected to cut into the hill and create garages that are only slightly above the elevation of the street with the majority of the garage and basement beneath the existing grade. *Public Hearing* at 27:00. This closely matches what was done for the units in the Association next door as shown on Figure 8 below. *Staff Report* pg. 6.



Figure 8. Grade Change and Retaining Walls Greater Than Four Feet (4') Within the Required Yard along the block face (east side of Foothill Drive)

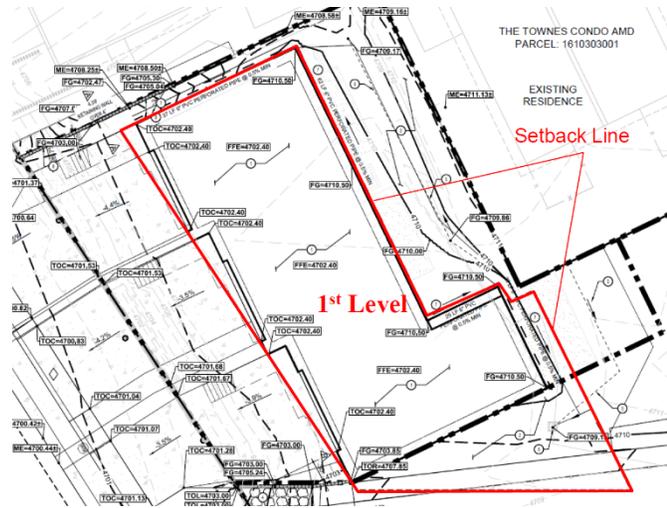
The developer chose to match the neighboring properties and cut into the hill because of the comments and requests from neighboring property owners. *Public Hearing* at 27:00. The Association specifically requested that the height of the new units roughly match the height of the existing units in the Association. *Id.* The Association has reviewed and approved the plans submitted to the city. The elevations below show the existing grade in red, the proposed finish grade in blue, and the dotted line at the very top is the thirty-foot height restriction imposed by the zone.



¹ The access road is named Foothill Drive; however, it is somewhat confusing because the road abutting the Project on the east is also called Foothill Drive. The road on the east is a much larger, busier street and the road on the west that is being used for access is a much smaller, dead end street.

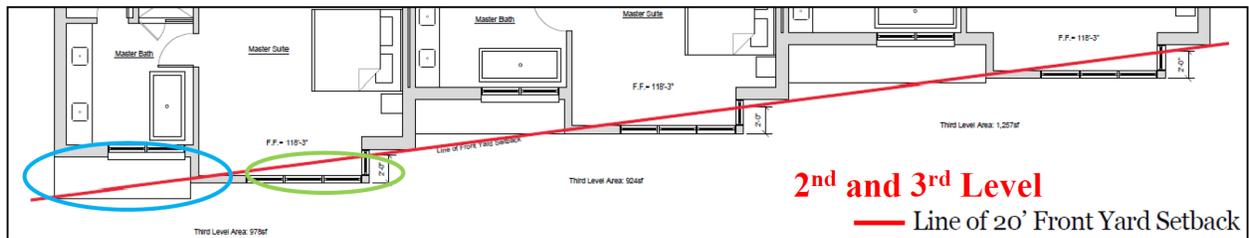
3. Front Yard Setback

The RMF 30 zone requires a twenty-foot front yard setback. Salt Lake City Code 21A.24.120. The Project's rear setback line runs parallel to the existing unit behind the Project. The Project's front setback line runs parallel to the access road. This leaves an oddly shaped buildable area where the front yard setback line and the rear yard setback line do not run parallel to each other. The drawing to the right shows the front yard setback line in red with the building footprints depicted as the black lines inside of the red line. As shown, the entire first level of the Project fits within the front yard setback. *Public Hearing at 24:40.*



The developer requested a modification allowing the second and third levels of the new units to encroach slightly into the front yard setback and for the front porch and stairway to encroach into the front yard setback.

The second and third level protrude approximately two feet into the front yard setback as shown below. The drawing below was present at the public hearing by the developer with the red line showing the front yard setback requirement. *Id.* at 24:40.



The green and blue circles show the areas on the northern unit that protrude into the front yard setback. The developer's architect designed the dwellings with these protrusions to provide architectural variance and interest on the dwelling. *Id.* at 25:00. The buildings could have a flat face going from the garage straight up without requiring a modification from the city code requirements. However, the developer did not think that a flat face would fit into the neighborhood so these design elements were incorporated to better



match the neighboring residences and to provide better looking homes. *Id.* The planning commission approved the modification for the building as drawn.

In the plans that were submitted to the city, the stairways and front porches protruded straight out from the second level of the buildings. These stairways were to be used as the main entrance into the dwellings. These plans were based upon comments from the neighbors. *Id.* at 25:45. The original plans had the main entries for the northern and southern units on the second level, but on the north and south side of the dwellings, respectively, rather than protruding from the front. *Id.* The neighbors requested that the entrances be put on the front of the dwellings. *Id.* During the public hearing, several members of the public commented that the front stairways, as designed, did not match the character of the neighborhood and looked strange. *Public Hearing* at 46:14 (comments of Soren Simonsen). The planning commission rejected the front stairways as drawn, but gave conditional approval of a modification allowing the developer to construct stairways that encroach into the front yard setback so long as the stairways were redesigned based on several guidelines set by the planning commission. The planning commission gave the city staff authority to review and approve the new design based upon the guidelines they had set.

II. STANDARD OF REVIEW

On appeal, the Appellants have the burden to prove that the planning commission's decision "is not supported by substantial evidence in the record or it violates a law, statute, or ordinance in effect when the decision was made." Salt Lake City Code 21A.16.030. The appeals hearing officer must uphold the decision unless the Appellants meet their burden. *See id.*; *see also* Utah Code § 10-9a-705 ("The appellant has the burden of proving that the land use authority erred.").

While the Appellants state that the planning commission's decision was "illegal and/or improper," the only arguments they raise are based on whether the facts presented meet the standards for a planned development in the city code. *Appellants' Brief* pg. 5. For that reason, their appeal is a challenge to the sufficiency of the facts. When reviewing the facts supporting the planning commission's decision, the hearing officer "must simply determine, in light of the evidence before the [commission], whether a reasonable mind could reach the same conclusion as the [commission]. It is not [the hearing officer's] prerogative to weigh the evidence anew." *Patterson v. Utah Cty. Bd. of Adjustment*, 893 P.2d 602, 604 (Utah Ct. App. 1995).

Additionally, "[a] party challenging a factual finding or sufficiency of the evidence to support a verdict will almost certainly fail to carry its burden of persuasion on appeal if it fails to marshal" the evidence that supports the planning commission's decision. *State v. Nielsen*, 2014 UT 10, ¶ 42, 326 P.3d 645. While the Appellants cite some of the evidence that supports the decision, they fail to address most of the evidence presented at the public hearing and they minimize the impact of other facts.

III. PUBLIC CLAMOR

The approval of a planned development application is in the power of the planning commission and is an administrative or quasi-judicial function. When a city decision does not

“involve policy-making,” nor does it “prescribe by ordinance the general rules to be followed by the executive branch in exercising its power of property management,” the decision is considered administrative or quasi-judicial. *Salt Lake Cty. Cottonwood Sanitary Dist. v. Sandy City*, 879 P.2d 1379, 1382 (Utah Ct. App. 1994). In this case, the city code lays out several elements that a planned development must meet and several factors that the planning commission must weigh in determining whether to approve the planned development. This type of land use decision is an administrative or quasi-judicial function. *See id.* (stating that a decision that “involves the implementation of policy” is an administrative function).

When reviewing an application that is subject to an administrative or quasi-judicial approval process, the city cannot reject the application “based solely on adverse public comment.” *Uintah Mountain RTC, L.L.C. v. Duchesne Cty.*, 2005 UT App 565, ¶ 32, 127 P.3d 1270. “[P]ublic clamor,” is not an adequate legal basis for the city’s decision. *Id.* at ¶ 30. Nevertheless, the Appellants attempt to highlight throughout their arguments that “most of the surrounding residents” oppose the project and that “[n]o positive letters or emails in support of the Planned Development Application were sent.” *Appellants Brief* pg. 3. They go on to argue that “the experience and statements of the community stakeholders must carry the day.” *Id.* 10.

These statements are false in some instances and are misleading in others. In order to submit the planned development application, the Association was required to submit an affidavit supporting the planned development as the current landowner. While the affidavit was not included in the city staff report, the board president, Bill Christiansen, submitted positive comments at the public hearing. He testified that eighteen of the twenty owners in the Association voted to approve the sale of the development. *Public Hearing* at 45:54. The Association has had several opportunities to review and approve the plans that were submitted as established in their affidavit. Additionally, two other neighbors—Soren Simonsen and Zachary Desalt—submitted positive comments in the public hearing. *Id.* at 44:09 and 46:14. That is a total of twenty neighbors that support the project. The Appellants cite to twelve neighbors that submitted negative comments. *Appellants’ Brief* pg. 3. More of the neighbors support the project than oppose the project. In any event, the number of neighbors that oppose the project cannot be used as a factor in determining whether or not to approve the planned development.

IV. PLANNED DEVELOPMENT STANDARDS

The planning commission is granted the authority to “change, alter, modify, or waive . . . [a]ny provisions of the [zoning] title or of the City’s subdivision regulations,” when a proposed development meets the guidelines established in the city code for a planned development. Salt Lake City Code 21A.55.020. There are several requirements that a development must meet in order to qualify for the benefits of a planned development: 1) the development must meet the purpose statement for a planned development and at least one of the planned development objectives listed in section 21A.55.010 of the city code; 2) the development must be “generally consistent with adopted policies set forth in the” applicable master plan; 3) the development must be “compatible with the neighborhood where” it will be located; 4) the landscaping should preserve, maintain, or provide native landscaping where appropriate; 5) the development should support citywide transportation goals and promote safe and efficient circulation within the surrounding neighborhood; 6) the proposed development should preserve natural features that

significantly contribute to the character of the neighborhood; and 7) the additional burden on the utilities should not have a detrimental effect on the surrounding area. Salt Lake City Code 21A.55.050.

The Appellants do not argue that every element lacks sufficient evidence. Rather, they argue that the development does not meet the first, the third, the fourth, and the fifth elements. For that reason, this letter only addresses those elements.

A. Planned Development Objectives

The first element that the Appellants challenge is found in Salt Lake City Code 21A.55.010. That section provides broad guiding principles that the planning commission should consider when reviewing a planned development application. It also requires the development to meet at least one of the objectives listed in that section. The purpose of the planned development process, and the lens through which all of the objectives must be viewed, is “to encourage the efficient use of land and resources, promot[e] greater efficiency in public and utility services and encourag[e] innovation in the planning and building of all types of development.” Salt Lake City Code 21A.55.010. Planned developments are intended to allow for a permitted use in the zoning the district, while “utilizing an alternative approach to the design of the property,” with the intent of creating “a more enhanced product than would be achievable through strict application of land use regulations.” *Id.*

The modifications that the planning commission approved meet these purposes. As discussed above, a 3-unit multi-family dwelling with a flat face that is taller than the proposed structures can be built on the property without going through the planned development process. The three modifications that the developer requested are intended to make the project better meet the character of the neighborhood.

In addition to the general purpose statements, Salt Lake City Code 21A.55.010 requires the development to meet one, and only one, of the following objectives²: 1) preservation of open space; 2) historic preservation; 3) providing types of housing that helps achieve the City’s housing goals; 4) enhancement to mobility; 5) sustainability; and 6) implementation of the master plan. At a minimum, this project meets the first, third, fourth, and sixth objectives.

1. *Preservation of Open Space*

Appellants argue that the project reduces the overall open space in the Association, taking 11,696 square feet of open space from the Association and leaving only “4,717 square feet of open space in Lot 4.” Appellants Brief, pg. 13-14. First, that argument fails to account for the fact that the separation of 11,696 from the Association’s property has already received preliminary approval and is not subject to this appeal. *Staff Report* pg. 2; *Public Hearing* at 9:55. Second, that argument misconstrues the ordinance.

² Salt Lake City Code section 21A.55.050(A) requires the development to meet “at least one of the objectives stated” in section 21A.55.010.

Every time that a new building is built on empty land the total amount of open space in the city is reduced. The objective to preserve open space would never be accomplished if the ordinance were interpreted to prevent construction of new buildings on empty land. Rather, the purpose of the planned development process is to “encourage the efficient use of land” and “encourage[e] innovation in the planning and building of all types of development,” not to stifle construction. Salt Lake City Code 21A.55.010.³ The ordinance states that the preservation of open space is met through the “[c]lustering of development to preserve open space,” and the “[i]nclusion of community gathering places or public recreational opportunities, such as new trails.” Salt Lake City Code 21A.55.010(A).⁴ This development clusters all of the living units into one area and preserves as much open space as possible. The developer is not asking for a modification allowing it to increase the overall amount of building coverage allowed, nor is it asking to reduce the total amount of square footage of land required for the number of dwellings it intends to build. Rather, it is asking to cluster the new dwellings on smaller lots, leaving a larger lot for common area and open space. It is also installing a new landscaped trail connecting the road to the west of the property with the road to the east. *Staff Report* pg. 14. This certainly meets the objective of preserving open space when the ordinance is read in its entirety.

2. *Increased Housing Types*

This development meets another objective by providing “housing types that are not commonly found in the existing neighborhood but are of a scale that is typical to the neighborhood.” Salt Lake City Code 21A.55.010(C). The Association, with its twenty existing condominium units, sits immediately to the north of the project. *Staff Report* pg. 9. The rest of the neighborhood consists largely of single-family dwellings. *Id.* Single-family attached dwellings are not commonly found in this neighborhood, but it is similar in scale to the condominiums to the north, while providing ownership of the land similar to the single-family lots in the neighborhood.

3. *Enhanced Mobility*

This development also meets the objective of enhancing mobility. Salt Lake City Code 21A.55.010(D) lists a couple of examples of what enhances mobility in a project — “creating new interior block walkway connections that connect through a block” or “improvements that encourage transportation options other than just the automobile.” The development includes a new walkway that connects the access road to the west with Foothill Drive to the east. The Appellants argue that the walkway does not significantly improve mobility because there are other ways to get to Foothill Drive on the east. This argument completely misconstrues the nature of the project and the ordinance. The property being developed consists of 0.27 acres. *Staff Report* pg. 33. While large developments may install public or private roads, or other larger

³ “[W]hen interpreting a[n ordinance], it is axiomatic that this court's primary goal is to give effect to the [city's] intent in light of the purpose that the [ordinance] was meant to achieve.” *M & S Cox Investments, LLC v. Provo City Corp.*, 2007 UT App 315, ¶ 30, 169 P.3d 789 (second, third, and fourth alterations in original).

⁴ “In interpreting the meaning of a[n] ... ordinance, we begin first by looking to the plain language of the ordinance.” *M & S Cox Investments, LLC*, 2007 UT App 315, ¶ 30 (alterations in original).

mobility enhancements, this project is exceptionally small. The objective in the city ordinance does not require that the project substantially enhance mobility, just that it enhance mobility in some way. Additionally, the ordinance does not say that the new walkway connections must be in an area where there is no other access. It simply asks for the enhancement of mobility, including the creation of a new interior block walkway. That requirement is met.

Additionally, this development increases mobility by creating additional housing units near the University of Utah. Bill Christiansen, the president of the Association, testified at the public hearing that four of the last five people to buy a unit in the Association were employees of the University of Utah. *Public Hearing* at 48:54. He stated that the development will provide additional housing units near the University that will cut down on vehicle traffic throughout the city. *Id.* Zachary Desalt also testified at the public hearing that there are multiple bus lines that run right next to the development and the development will enhance mobility by reducing citywide traffic by providing housing near the University. *Public Hearing* at 44:10. Soren Simonsen also made similar statements, saying that the project provides much needed additional housing units near employment and public transportation. *Public Hearing* at 46:14. The Appellants' brief completely failed to address the comments supporting this objective. The planning commission's approval of this development is supported by substantial evidence because the plans for the development meet one of the expressly enumerated ways to increase mobility—installation of a new walkway—and because multiple members of the public testified as to how this project will increase mobility.

4. *Implementation of the Master Plan*

Finally, this development meets the objective of implementing the master plan. The Appellants baldly state that the project does not meet the “Master Plan’s vision because it converts dedicated open space into density,” but they do not cite any portion of the Master Plan to support this assertion. *Appellants’ Brief* pg. 15.

Salt Lake City is broken into smaller communities that are governed by their own master plans. This project is located in the East Bench community and is governed by the East Bench Master Plan. Guiding Principle N-03 of the East Bench Master Plan states that some of the purposes of the area are to “[p]romote . . . redevelopment of underutilized land,” to “[d]irect new growth towards areas with existing infrastructure,” to “[e]nable moderate density increases within existing neighborhoods” and “[i]ncrease the number of medium density housing types and options,” and to “[a]ccommodate and promote an increase in the City’s population.” *Staff Report* pg. 35. The property is currently zoned RMF-30. This is one of the few opportunities to increase the number of housing options in this area. It is also taking a boarded up, unused pool and turning it into additional housing that will support the population growth. Contrary to the Appellants' arguments, this development meets the purposes of the master plan. As noted above, the developer is not asking for a reduction in the open space required by the zoning ordinances, it is only asking that the open space be consolidated into a common area parcel and the size of the dwelling lots be reduced. If this planned development is rejected, the developer or another developer can still purchase the property and put three multi-family units without needing a modification. This development meets the purposes of the master plan because it allows for a type of single-family dwelling in this neighborhood.

The development must meet at least one of the objectives in Salt Lake City Code 21A.55.010. As shown above, the development meets at least for objectives. The planning commission's decision is supported by substantial evidence that the development meets at least one objective.

B. Compatibility with the Neighborhood

The Appellants argue that the development is incompatible with the neighborhood and that it does not provide enough open space to buffer the neighbors to the south, west, and north. *Appellants' Brief* pg. 5-9. Both of these arguments fall under one requirement in the city code, and both fail because the planning commission's decision was supported by substantial evidence.

Salt Lake City Code 21A.55.050(C) states that the development should be "compatible with the area the planned development will be located [in] and [should be] designed to achieve a more enhanced product than would be achievable through strict application of land use regulations." The code includes several factors that the planning commission should consider when reviewing the compatibility of the development, but according to the plain language of the ordinance, the planning commission is required to find that the project as a whole is compatible with the neighborhood without reliance on any one factor.

The Appellants make two arguments under this requirement – 1) "[t]he scale mass and intensity of the proposed [project] is not compatible with the neighborhood;" and 2) the "setbacks as proposed provide inadequate buffering that are a great detriment to the privacy and noise of the neighboring properties." Both of these arguments are made under specific factors listed in the compatibility requirement, but do not address the overall compatibility of the project. *See* Salt Lake City Code 21A.55.050(C)(1) & (C)(3)(c) (stating that two of the factors the planning commission should consider are "[w]hether the scale, mass, and intensity of the" development is "compatible with the neighborhood" and "[w]hether building setbacks . . . [p]rovide sufficient open space buffering between the proposed development and neighboring properties to minimize the impacts related to privacy and noise"). Another factor is "[w]hether the building orientation and building materials in the proposed planned development are compatible with the neighborhood." *Id.* 21A.55.050(C)(2).

The planning commission relied on substantial evidence when they found that the development is compatible with the neighborhood. Indeed, all three of the modifications requested by the developer were to make the project better match the character of the neighborhood. The requested modifications give architectural variance to the front of the buildings, allow for single-family dwellings instead of multi-family dwellings, and reduce the overall height of the dwellings. This alone provides substantial evidence that the planned development actually increases the compatibility with the neighborhood.

The scale, mass, and intensity of the development is compatible with the neighborhood. The Appellants argue that the development is not compatible with the neighborhood because there are four single-family detached dwellings in the R-1-7000 zone near the project. *Appellants' Brief* pg. 5-6. While that is certainly true, there are twenty condominium units

immediately to the north of the project and two large churches on this dead-end street. The Appellants seek to downplay the twenty condominium units and the two large churches, but in essence, they are asking the hearing officer to re-weigh the evidence. That is not the appropriate standard of review.⁵ The standard of review is whether there is substantial evidence supporting the planning commission's decision. The existence of twenty condominium units alone is substantial evidence that the development matches the scale, mass, and intensity of the development. Of the residences in the immediate area of the development, 16.6% are single-family dwellings (four dwellings) and 83.3% are multi-family units (twenty units).

The Appellants argue that only six of the condominium units front the same street as the proposed development and the remaining fourteen are accessed off of Michigan Avenue. *Appellants' Brief* pg. 6. This argument asks the hearing officer to ignore the existence of the condominium units a mere thirty feet behind the proposed new dwellings. Even assuming their argument is correct, there are still more condominium units that have access on the dead-end street (six units) than single-family dwellings (four dwellings).

The Appellants also argue that the new project will consist of three attached dwelling units whereas the existing units in the Association are twin-homes, thereby increasing the "intensity of use and massing . . . by 50%." *Appellants' Brief* pg. 6. On the contrary, the Association's property, as amended by the plat that has already been approved by the city and is not subject to this appeal, is left with a total of 83,241 square feet of land; 19,788 of which is covered by buildings. *Staff Report* pg. 33. That means that 23.77% of the Association's land is covered by buildings. The proposed dwellings on the new project have a total footprint of 3,054 square feet, with a total land area of 11,696 square feet. *Id.* pg. 20 (showing the total footprint of each unit) & 33 (showing the total land area of the development). That means that 26.11% of the land in the new project will be covered by buildings. That is less than a 3% increase in density from the Association's property.

Additionally, the churches on the dead-end street are a much more intense use than the proposed development. As an example, the Lutheran church at the end of the street is located on 2.25 acres, yet it has 92 off-street parking stalls. *Staff Report* pg. 9; Salt Lake County Recorder's website at <https://slco.org/assessor/> searching for parcel numbers 16103050100000 and 16103050110000. That is a ratio of 40.8 off-street parking stalls per acre. The proposed project has a total of 0.268 acres with a two-car garage for each of the three dwellings. *Staff Report* pg. 20 & 33. That is a ratio of 22.4 garage parking spaces per acre. That indicates a much lower intensity of use for the proposed project.

There is also substantial evidence supporting the fact that the "building setbacks . . . [p]rovide sufficient open space buffering between the proposed development and neighboring properties to minimize the impacts related to privacy and noise." Salt Lake City Code 21A.55.050(C)(3)(c). The Appellants argue that the neighbors to the north, south, and west will be negatively impacted by the development due to the small setbacks provided. *Appellants' Brief* pg. 7. However, the development complies with the setback requirements to the north and

⁵ "It is not [the hearing officer's] prerogative to weigh the evidence anew." *Patterson v. Utah Cty. Bd. of Adjustment*, 893 P.2d 602, 604 (Utah Ct. App. 1995).

south so it is difficult to argue that there is not enough setback to protect the neighbors to the north and south. By passing the zoning ordinance, the city council has determined that the setbacks to the north and south are sufficient to provide the buffer needed. Additionally, while the Emerys argue that there is not sufficient setback between the new project and their property, their garage is built on the property line with no setback.

The only modification the development seeks to the setback requirements is on the west. As described above, the proposed buildings will encroach two feet into the front yard setback, reducing that setback from twenty feet to eighteen feet. However, the only property directly across the street from the project to the west is the parking lot for the Lutheran church. *Staff Report* pg. 9. That extra two feet of building will have no impact on a parking lot. Additionally, the extended portion of the dwellings are still “about 43.5 feet from the edge of the road” due to the wide swath of city owned property in front of the new dwellings. *Staff Report* pg. 35.

The encroachment into the front yard setback actually supports the finding that the proposed dwellings are “compatible with the area the planned development will be located [in] and is designed to achieve a more enhanced product than would be achievable through strict application of land use regulations.” Salt Lake City Code 21A.55.050(C). As noted above, the dwellings could be constructed as flat faced buildings with little architectural interest under the zoning code. The purpose of the planned development is to allow for greater architectural variation and interest by allowing portions of the second and third floors to protrude into the front yard setback.

The Appellants also argue that the height of the buildings will harm the privacy of the neighbors. Again, the zoning code allows for thirty-foot-tall structures. The developer is not seeking for a modification to that requirement. The proposed structures will vary from twenty-three to twenty-six feet tall. *Staff Report* pg. 42. As noted above, the very purpose of seeking the planned development was to sink the dwellings lower into the ground to avoid building dwellings that are significantly taller than the neighbors. Without this planned development approval, a developer can build apartment complexes that are thirty feet high. The planning commission’s finding that the planned development enhances the project and matches the character of the neighborhood is supported by substantial evidence and must be upheld.

C. Transportation

This has already largely been addressed above in the section on Planned Development Objectives. Nevertheless, there are some differences between the requirement found in section 21A.55.050(E), which the Appellants argue under in this section, and 21A.55.010(D) which is addressed above. Salt Lake City Code 21A.55.050(E) requires the development to “support[] Citywide transportation goals and promote[] safe and efficient circulation within the site and surrounding neighborhood.” The evidence supporting the citywide transportation goals is already laid out above and will not be reiterated here. This section will focus on the safe and efficient circulation within the site and surrounding neighborhood. Again, the Appellants have failed to meet their burden on appeal.

The Appellants focus their arguments on the fact that no traffic study was ordered. However, a traffic study is not required. Pursuant to Salt Lake City Code 21A.55.040(A)(7), a traffic study is only required when determined by the City Transportation Division. In this instance, it is hard to imagine why a traffic impact analysis would be required. As the Appellants' own brief acknowledges, the access street "experiences a fairly heavy amount of traffic and parking problems due to the two churches located at each end of the block and the 'Let Me Shine' daily pre-school held by Zions Lutheran Church." *Appellants' Brief* pg. 10. There are already over one hundred forty (140) existing off street parking stalls on this short dead-end-street. *Public Hearing* at 54:20; *see also Staff Report* pg. 9. This project is adding an additional six off street parking spaces inside of the garages of the new dwellings. That is a four percent (4%) increase in off-street parking along the dead-end-street. The impact is negligible.

The Appellants appear to argue that any increase in traffic will have a negative impact on the safety of a neighborhood and therefore should be prohibited. But if that is the way the city ordinance must be interpreted then no project would ever meet the requirements of a planned development.

While the Appellants raise heated arguments that an increase to off-street parking of four percent, and the attendant increase in traffic, will have serious negative impacts to their neighborhood, they fail to mention that the home owned by the Roses (who are two of the Appellants) has three existing garages doors. The planned development will be adding three more two-car garages. The impact of this project is no different than any other single-family attached dwelling on a dead-end-street. The project will keep a sidewalk running along the street and adds a walkway between the two streets that it is sandwiched between.

Again, as noted above, an apartment complex with three units can be built on the property without going through the planned development process. In such a case, the three units could have two-car garages, meaning that the amount of traffic could increase the same amount regardless of whether this planned development is approved or not. The planning commission's determination that the development promotes the safe and efficient circulation is supported by substantial evidence and must be upheld.

D. Landscaping

Finally, the Appellants argue that there is not substantial evidence supporting the finding that "[t]he proposed planned development preserves, maintains or provides native landscaping where appropriate." Salt Lake City Code 21A.55.050(D). Again, the Appellants seem to argue that the loss of any mature trees or native landscaping is prohibited by the ordinance. *See Appellants' Brief* pg. 12-13. Every development will necessarily result in the loss of some existing landscaping. For that reason, the ordinance cannot be interpreted to prevent the loss of any existing landscaping.

The developer submitted detailed landscaping plans shown in pages 26 through 32 of the Staff Report. The existing landscaping that is located in the areas that are being improved is being removed. That cannot change. The trees located where the buildings, driveways, and walkway are located must be cut down in order for the dwellings to be built. As noted above, the

project can move forward without planning commission approval as a multi-family dwelling with substantially the same footprint and only minor variations in the design. If this planned development fails and a multi-family dwelling is built, the existing landscaping will be removed in substantially the same manner as shown on the landscape plans and the planning commission will have no input on those plans.

The landscape plans show the preservation of the trees and other landscaping in the areas that are not actively inside of the construction area. Additionally, the plans show the installation of a significant amount of new shrubs, trees, and other landscaping. Even so, the city staff has interpreted the conditional approval of the planned development as requiring additional landscaping to be added on the west end of the property to better screen the new dwellings from the street. Updated landscaping plans have been submitted with the final plat application to meet the conditions on the planned development approval. *See* PLNSUB2020-01015.

The Appellants argue that the proposed landscaping plans do “not remotely remedy the loss of mature trees and existing trees.” *Appellants’ Brief* pg. 13. They go onto argue that sufficient replacement landscaping cannot be provided “because the amount of land set aside . . . is so shrunken or non-existent.” *Id.* As shown above, the proposed density of the buildings on the property is roughly proportional to the density of buildings on the Association’s property. The Appellants focus heavily on the trees that will be removed from the park strip. However, the replacement of those trees is governed by the Urban Forestry Program, Salt Lake City Code 21A.48.060, which has specific requirements for the replacement of those trees. The Urban Forestry department has reviewed the landscaping plans and determined that they comply with the requirements for replacing the trees in the park strip, subject to certain conditions. *Staff Report* pg. 69.

The Appellants have failed to meet their burden. The planning commission’s conditional approval was based on significant evidence in the form of landscaping plans showing the preservation of landscaping where possible and the provision of new landscaping where appropriate.

V. CONCLUSION

The developer could build a substantially similar building, albeit a much less attractive multi-family building, without needing to go through the planned development process. The developer is asking for this planned development approval to improve the project and make it fit better into the neighborhood by building single-family attached dwellings instead of multi-family dwellings, adding architectural interest to the front of the dwellings, and sinking the dwellings into the ground to avoid having the dwellings be significantly taller than the surrounding homes. The decision of the planning commission is supported by substantial evidence, including the plans submitted by the developer, the analysis of the city staff, and the comments of a majority of the surrounding neighbors that commented on the project. The Appellants ignore significant evidence, downplay other evidence, and then ask the hearing officer to re-weight the evidence in their favor. That is not permitted on appeal. They have failed to meet their burden. Because the planning commission’s decision is supported by substantial evidence, the conditional approval of the planned development must be upheld.

Sincerely,

Stanford Bell

Stanford Bell