

# HISTORIC LANDMARK COMMISSION STAFF REPORT

## Eastside Apartments PLNHLC 2009-01346

New Construction  
556 East 300 South  
in the Central City Historic District  
May 5, 2010



Planning and Zoning Division  
Department of Community and  
Economic Development

### Applicant:

Matt Hansen of PEG Development

### Staff:

Doug Dansie, 535-6182  
Doug.Dansie@slcgov.com

### Tax ID:

16-06-283-009  
16-06-427-038

### Current Zone:

RMF-35 and RO (RMU proposed as part of  
petition PLNPCM2009-01347)

### Master Plan Designation:

Central Community Master Plan: medium  
density residential of 15-30 per acre.

### Council District:

District Four Luke Garrott

### Community Council:

Central City

### Lot Size:

2.10 acres this phase 4.59 total complex

### Current Use:

Vacant

### Applicable Land Use Regulations:

- City Code Section 21A.34.020

### Notification

- Notice: April 22, 2010
- Sign: April 26, 2010
- Web: April 30, 2010

### Attachments:

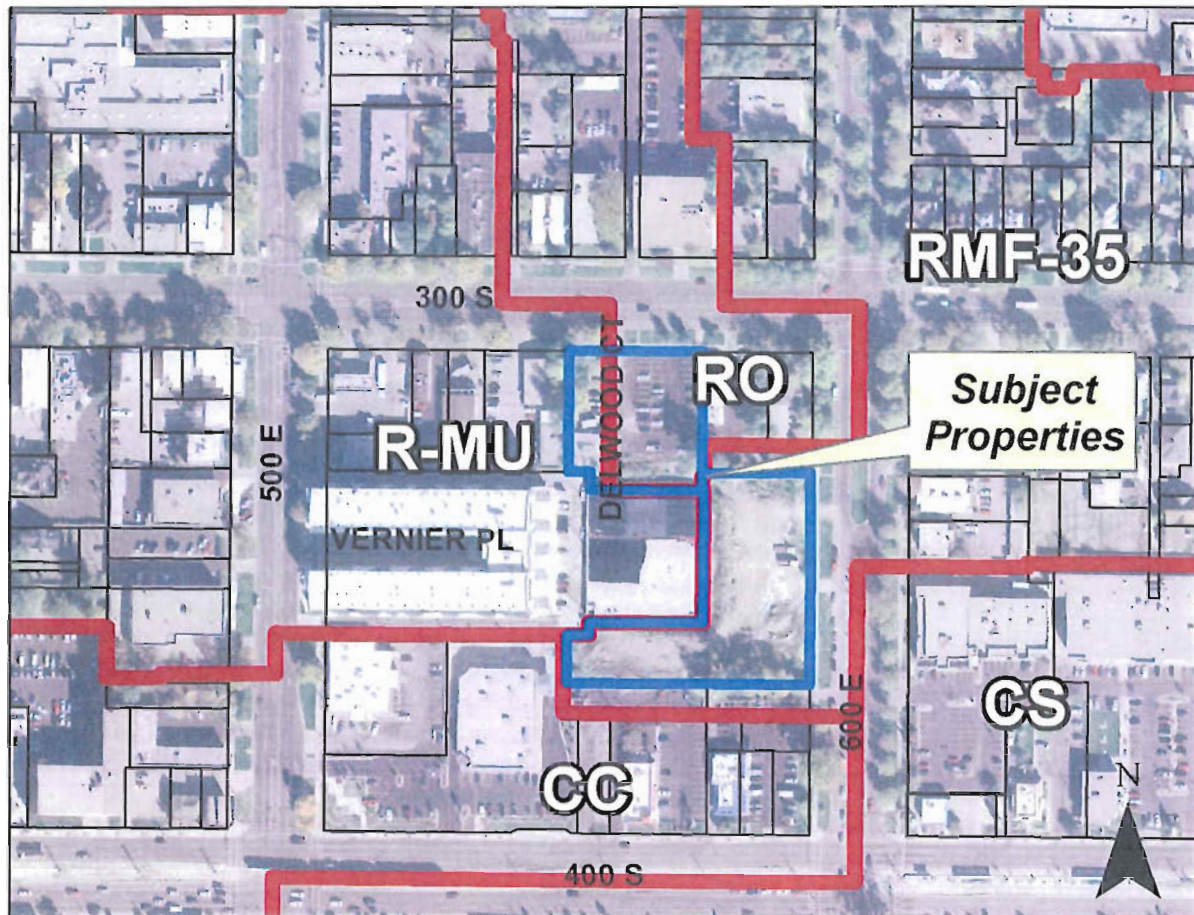
- A. Site Plan & Elevation Drawings.
- B. PC Subcommittee notes
- C. Department Comments
- D. Staff report for previous approval
- E. Design of previously approved plan

### ***Request***

This is a request from PEG Development for a Planned Development located at approximately 556 East 300 South (including 350 S 600 East). The site is presently zoned RMF-35 Residential Multi-Family medium density and RO Residential Office. The petitioner has an associated rezone petition to change the zoning to RMU Residential Mixed-Use; PLNPCM2009-01347. The petitioner is proposing to construct two apartment complexes on the site (the site on 300 South is being marketed as senior housing). This is a phased project (the Emigration Court Apartments were the first phase). The two apartment buildings will be phased based upon market demand and financing. The layout of the buildings requires some modification of setback requirements to allow the project to work as an integrated complex with shared parking, open space and access.

### ***Staff Recommendation***

Based on the analysis and findings in the staff report, staff recommends that the Historic Landmark Commission approve the massing and layout of the proposed project and provide input for the building detailing to be discussed at the next meeting.



VICINITY MAP

## Comments

### Public Comments

The project was presented to the Central City Community Council on January 6, 2010. The Community Council felt that the design was too suburban looking and was incompatible with the neighborhood. The design has been significantly altered based upon community, Planning Commission and Historic Landmark Commission feedback.

## Background

### Project Description

The petitioner is proposing to build two apartment buildings (with one being marketed as a senior living center). The site is presently zoned RMF-35 and RO. The petitioner is proposing the RMU zone to allow for density and height and to make the zoning of the entire site consistent. There was a previous conditional use/planned development approved for this site in 2002 (Planned Development Petition 410-584 Rezone Petition 400-01-37). The first phase of the previously approved development was constructed as Emigration Court Apartments.

The second and third phase approvals, which constitute the presently proposed development, have expired. The developer wishes to resurrect the previously approved rezone and planned development in a newer format, with generally the same layout. The new proposal would consist of an apartment building facing 600 East and another (senior living) facing 300 South. The 600 East apartments are proposed to be three to six stories tall and the 300 South apartments are proposed to be three to four stories tall. The previous proposal and present proposal placed parking underground. The petitioner is asking for a modification to rear yard setbacks, because all three phases share a common open space on top of an underground parking structure. The new proposal would also setback the building 15 feet from 600 East to be sensitive to the historic character of the street.

The project is in the Central City Historic District and has been presented to the Historic Landmark Commission and been presented to an HLC subcommittee on two occasions. The petitioner has modified their original plans to respond to suggestions from the Historic Landmark Commission, Planning Commission and the Community Council.

The proposed phasing timeline is as follows:

Eastside Apartments (600 East)

Construction start: August 2010

Construction completion: October 2011 (the front buildings could open around July 2011)

Senior Apartments (300 South)

Construction start: April 2011

Construction completion: March 2012

The adjacent zoning districts are RMU to the west and northwest, RMF-35 to the northeast and east and TC Transit Corridor to the south and southeast. The proposed setbacks provided along 300 South and 600 East are consistent with setbacks along those streets. The rear yard setbacks are being reduced, as part of the planned development approval, because the three buildings in the complex share a common open space on the roof of an underground parking structure that is guaranteed to remain open space through cross easements with each property.

This project has a significant topographic change, dropping over one story in height from east to west. The overall project has been designed with a parking structure built into the grade change. The roof of the parking structure provides open space for the three buildings in the overall complex. The Planning Commission approved the reduction of the rear yard requirements of the two new apartment buildings in order to take advantage of the shared open space on top of the parking structure. The project benefits by the reduction of rear yard requirement by allowing all parking (except for a few visitor stalls) to be located underground. Parking will not be visible from the street. Parking access is from a private drive that will access all three exterior streets (500 East, 600 East, 300 South). Pedestrian access through the block is available along the east/west central private drive. This will essentially function as a mid-block walkway for the larger neighborhood. All major loading and access is from the interior of the block. The 300 South apartment building is being marketed as senior housing and will have a drop-off area on the south side of the building, interior to the block, to accommodate handicap and assisted access.

This is a residential project with minimal signage. A separate permit for signage is required. Signage must meet City Code and be approved by the Historic Landmark Commission.

## ***Project Review***

This project is being jointly reviewed by the Planning Commission and Historic Landmark Commission. The Planning Commission approved the general concept on April 14, 2010.

## **Planning Commission Subcommittee**

The Planning Commission held a joint Planned Development subcommittee with the Historic Landmark Commission subcommittee on February 25, 2010. Discussion was held about general massing and materials. Minutes from the subcommittee are attached. The petitioner had a follow up meeting with the Historic Landmark Commission subcommittee. The plans have been modified to respond to concerns expressed.

## ***Analysis and Findings***

### ***Options***

1. The Historic Landmark Commission may determine that the petition can be approved as proposed and make a motion to approve the request as stated in Staff's Recommendation or make their own findings for approval, or
2. The Historic Landmark Commission can deny the proposed project upon creating findings that indicate that the proposed development does not substantially comply with the applicable standards and is in the best interest of the City as stated in Zoning Ordinance Section 21A.34.020.H Standards for Certificate of Appropriateness Involving New Construction or Alteration of a Noncontributing Structure;
3. The Historic Landmark Commission may continue the petition and require additional information from the applicant or staff.

### **Use and Density**

The City is concurrently processing petition PLNPCM2009-01347, which requests the rezoning of the property to RMU. The proposed project is consistent with the density regulations in the RMU Zone; the use is considered a permitted use. The purpose of the R-MU residential/mixed use district is to reinforce the residential character of the area and encourage the development of areas as high density residential urban neighborhoods containing supportive retail, service commercial, and small scale office uses. The design guidelines are intended to facilitate the creation of a walkable urban neighborhood with an emphasis on pedestrian scale activity while acknowledging the need for transit and automobile access. The design of the proposed apartments meets the intent of the purpose statement.

The Central Community Master Plan identifies the area to be a combination of housing density: Medium density transit (10-50 dwelling units per acre) along 600 East, residential office (10-50 units per acre) on the corner of 600 East and 300 South and high density mixed-use (50 or more units per acre) on 300 South. This proposal is consistent with the master plan in that it places the density towards the interior and western portions of the block and lowers the building along 600 East. The site is adjacent to Light Rail mass transit.

### **Building Height**

The proposed project is under the height limits in the RMU Zoning District. However, the H Historic Preservation Overlay District also regulates height. According to Zoning Ordinance Section 21A.34.010.A, when the overlay district and the base zoning conflict, the overlay districts regulations supersede the base zoning regulations. In the H Historic Preservation Overlay District, new construction must be compatible with

the heights of the existing buildings on the block. The petitioner has proposed lowering the building along the 600 East frontage to insure compatibility with the main spine of the historic district. The three story height is consistent with walk-up apartments in the area, including the Juel apartments which were demolished on the site. The other structures on the block vary in height; The 300 South building is three and four stories tall, the center of the block portions of the 600 East building are five and six stories tall.

General statistics are as follows:

**Eastside Apartments (600 East)**

One-bedroom Units: 94

Two-bedroom Units: 80

Total Number of Units: 174

Setback from 600 East: 50 feet (35-foot setback from the curb + 15-feet from the property line)

Building Height Fronting 600 East: 31' 2"

Rear Building Height: 39' 4" in 4-story portions, 49' 8" in 5-story portions, and 65' 6" in 6-story portions

**Broadway Place Apartments (300 South)**

One-bedroom Units: 22

Two-bedroom Units: 51

Total Number of Units: 73

Setback from 300 South: 35 feet from the curb

Building Height: 29' 2" in 3-story portions, 39' 4" in 4-story portions, and 53' 6" to the parapet at the building core

**Off Street Parking**

The proposed development meets the required off street parking standards. The RMU zoning district requires one half parking stall per dwelling unit, which is generally lower than market requirements. The proposed development will provide all of it parking underneath the building with the exception of a few loading stalls to the rear of the 300 South building

**Required Standards for New Construction**

Zoning Ordinance section 21A.34.020 (H) lists the standards for new construction in a Historic District. In considering an application for a certificate of appropriateness involving new construction, or alterations of noncontributing structures, the Historic Landmark Commission shall determine whether the project substantially complies with all of the following standards that pertain to the application, is visually compatible with surrounding structures and streetscape as illustrated in any design standards adopted by the Historic Landmark Commission and City Council and is in the best interest of the city: The Historic Landmark Commission is charged with determining if the project substantially complies the following standards and is in the best interest of the city:

**1. Scale And Form:**

- a. **Height And Width:** The proposed height and width shall be visually compatible with surrounding structures and streetscape;
- b. **Proportion Of Principal Facades:** The relationship of the width to the height of the principal elevations shall be in scale with surrounding structures and streetscape;
- c. **Roof Shape:** The roof shape of a structure shall be visually compatible with the surrounding structures and streetscape; and

d. **Scale Of A Structure:** The size and mass of the structures shall be visually compatible with the size and mass of surrounding structure and streetscape.

**Analysis:**

**a. Height and Width**

The proposed buildings are three stories tall along the street frontages. The 300 South building has portions that rise to 4 stories, but they are stepped back from the front façade. The 300 South building is in a “U” shape to mimic the mass of historical apartment building in the neighborhood. The 600 East building is constructed in two portions; the front building is three stories tall but the rear portion is 5 and 6 stories tall. The building was designed this way to allow for density on the block but to create a perception along the street frontage that the building remained in scale with the historical mass of apartment structures in the area. The 600 East building is set back from the property line by 15 feet to respect the historical setbacks along 600 East.

The block face where the subject property is located contains structures that are between one and two and one half stories in height. The residential structures actually tend to be taller than the commercial structures.

According to the Design Guidelines, “the most significant feature of the Central City Historic District is its overall scale and simple character of buildings as a group, as a part of the streetscape. As a result, the primary goal is to preserve the general, modest character of each block as a whole, as seen from the street.”

On page 122-123 of *Design Guidelines for Residential Historic Districts in Salt Lake City* the overall scale and form for new buildings is discussed under the headings Mass and Scale, Building Height and Building Width. The design guidelines do state that it is anticipated that new construction would be larger than historic structures, but that “new construction should not be so dramatically greater in scale than the established context such that the visual continuity of the historic district would be compromised. The proposed structure is taller, wider, and deeper than many of the existing structures within the district, however the massing has been broken to “hide” the taller portions of the building and decrease the perception of width. The width of the 600 East building has been divided into two separate sections. The 300 South building is “U” shape to make its mass similar to the historical development pattern of many apartments in the area.

The design guidelines also state that “... a new building should not overwhelm historic structures in terms of building height, but rather should be within the range of heights found historically in the vicinity.” The proposed structure would be of similar height to the Emigration Court Apartments to the west; however the tallest portions of the complex are located at the interior of the block, away from street frontages. The buildings frontages are not significantly taller than previous buildings on the site. 300 South was formerly occupied by a three story apartment building. 600 East was formerly occupied by a 3.5 story apartment building and a 1.5 story single family home. There are some structures in the Central City Historic District that are similar in height or taller than the proposed structure: Taller structures are typically located north of 200 South with the exception of the Emigrations apartments located immediately west of this site and part of this planned development.

The applicable Design Guidelines do discuss that it may be appropriate to set taller buildings back further than the established front setback to decrease the visual impact (Guideline 13.23). The top

two stories of the proposed 600 East building are stepped back on corners and other locations to decrease the appearance of mass.

The prominent building features, such as cornices and balconies, align along the block and contribute to the sense of visual continuity along the block face. These design features are in need of further review and refinement.

#### **b. Proportion of Principal Facades**

The proposed 600 East structure is wider than the other buildings on the block face. At the ground level, the width of the building is broken up into two sections, with the pedestrian entrance to the rear (taller) portion of the building, in the middle being flanked by residential buildings on each side. The 300 South building is “U” shaped to respond to historical development patterns. The applicable Design Guidelines related to height and width is discussed under the previous section. The proposed development complies with the applicable Design Guidelines in terms of height and mass.

#### **c. Roof Shape**

The roof of the proposed structure is flat. The structures on the block have a variety of roof shapes that tend to be dictated by the use. The multi-family, commercial and office structures have flat roofs, while the single family residential structures have pitched roofs. Historic multi-story structures in the district typically have some sort of design element, either a cornice or parapet that defines the roof line. The shape of the roof is generally consistent with the applicable Design Guidelines.

#### **d. Scale of Structure**

The proposed structures are similar in scale to the former and the existing buildings on the block face along the street frontages. The proposed structures are one to three stories taller towards the interior of the block. The applicants have broken up the plane of taller portions by stepping back the top two floors. On page 121 of *Design Guidelines for Residential Historic Districts*, visual compatibility is discussed. The guidelines state that where on a site a building is located, the manner in which the building addresses the street and its basic mass, form and materials help a new building relate to the fundamental characteristics of the district in which it is located. When these design variables “are arranged in new building to be similar to those seen traditionally in the area, visual compatibility results.” The proposed building is consistent with this statement because the mass of the structure is focused in the center of the block, away from street frontages, and the visible street frontage portion of the buildings are similar in height, although wider, than historical uses on the site.

#### **Design Guidelines related to Scale and Form**

**11.1 Respect historic settlement patterns.** Site new buildings such that they are arranged on their sites in ways similar to historic buildings in the area. This includes consideration of building setbacks, orientation and open space, all of which are addressed in more detail in the individual district standards.

**11.3 Orient the front of a primary structure to the street.** The building should be oriented parallel to the lot lines, maintaining the traditional grid pattern of the block. An exception is where early developments have introduced curvilinear streets, like Capitol Hill.

**11.4 Construct a new building to reinforce a sense of human scale.** A new building may convey a sense of human scale by employing techniques such as these:

- Using building materials that are of traditional dimensions.
- Providing a one-story porch that is similar to that seen traditionally.
- Using a building mass that is similar in size to those seen traditionally.
- Using a solid-to-void that is similar to that seen traditionally and using window openings that are similar in size to those seen traditionally.

**11.5 Construct a new building to appear similar in scale to the scale that is established in the block.** Subdivide larger masses into smaller “modules” that are similar in size to buildings seen traditionally.

**11.6 Design a front elevation to be similar in scale to those seen traditionally in the block.** The front shall include a one-story element, such as a porch. The primary plane of the front should not appear taller than those of typical historic structures in the block. A single wall plane should not exceed the typical maximum facade width in the district.

**11.7 Build to heights that appear similar to those found historically in the district.** This is an important standard which should be met in all projects.

**11.9 Design a new building to appear similar in width to that of nearby historic buildings.** If a building would be wider overall than structures seen historically, the facade should be divided into subordinate planes that are similar in width to those of the context.

**11.11 Use building forms that are similar to those seen traditionally on the block.** Simple rectangular solids are typically appropriate.

**11.12 Use roof forms that are similar to those seen traditionally in the block.** Visually, the roof is the single most important element in an overall building form. Gable and hip roofs are appropriate for primary roof forms in most residential areas. Shed roofs are appropriate for some additions. Roof pitches should be 6:12 or greater. Flat roofs should be used only in areas where it is appropriate to the context. They are appropriate for multiple apartment buildings, duplexes, and fourplexes. In commercial areas, a wider variety of roof forms may occur.

**11.13 Design overall facade proportions to be similar to those of historic buildings in the neighborhood.** The “overall proportion” is the ratio of the width to height of the building, especially the front facade. See the discussions of individual districts and of typical historic building styles for more details about facade proportions.

**11.14 Keep the proportions of window and door openings similar to those of historic buildings in the area.** This is an important design standard because these details strongly influence the compatibility of a building within its context. Large expanses of glass, either vertical or horizontal, are generally inappropriate on new buildings in the historic districts.

#### **Design Guidelines Specific to the Central City Historic District**

**13.23 Maintain the established alignment of building fronts in the block.** In general, larger, taller masses should be set back farther from the front than smaller structures. In some cases, therefore, a setback that is greater than the median setback may be appropriate.

**13.25 Clearly define the primary entrance to the house.** Use a porch, stoop, portico or similar one-story feature to indicate the entry. Orienting the entry to the street is preferred. Establishing a “progression” of entry elements, including walkway, landscape elements and porch also is encouraged.

**13.27 Design new buildings to appear similar in mass to those that were typical historically in the district.** If a building would be larger than those seen on the block, subdivide larger masses of the building into smaller “modules” that are similar in size to buildings seen traditionally.



**13.28 Design new buildings so that they appear similar in scale to those seen traditionally on the block.** Historically, most houses appeared to have a height of one, one-and-one half or two stories. A new front facade should appear similar in height to those seen historically in the block. Taller portions should be set back farther on the lot. Story heights should appear similar to those seen historically. Also, consider using architectural details to give a sense of the traditional scale of the block.

**13.29 Design a new building to have a form similar to those seen historically.** In most cases, the primary form of the house was a simple rectangle. In some styles, smaller, subordinate masses were then attached to this primary form.

**Finding:** As proposed, this project is consistent with the scale of the block face. The proposed building is taller than the neighboring buildings on the block interior but not on the block face. The roof shape is similar to the roof shape of the existing commercial/office uses and is consistent with roof type of historic apartment buildings. The overall scale of the structures are consistent with the scale of other structures on the block face or on the block. The proposed development complies with this standard.

## **2. Composition Of Principal Facades:**

- a. **Proportion Of Openings:** The relationship of the width to the height of windows and doors of the structure shall be visually compatible with surrounding structures and streetscape;
- b. **Rhythm Of Solids To Voids In Facades:** The relationship of solids to voids in the facade of the structure shall be visually compatible with surrounding structures and streetscape;
- c. **Rhythm Of Entrance Porch And Other Projections:** The relationship of entrances and other projections to sidewalks shall be visually compatible with surrounding structures and streetscape; and
- d. **Relationship Of Materials:** The relationship of the color and texture of materials (other than paint color) of the facade shall be visually compatible with the predominant materials used in surrounding structures and streetscape.

### **Analysis:**

The block where the subject property is located contains a new multi-family dwelling: Emigration Court Apartments; which is atypical of historic apartment buildings in the Central City Historic District because of its height. The proposed new buildings are intended to be more sensitive to the adjacent land uses. At this point the petitioners are looking to receive approval for the general mass and scale of the building and receive guidance regarding the final detailing, which includes the following:

#### **a. Proportion of Openings**

Windows on historic structures in the Central City Historic District typically have a three dimensional aspect to them. The three dimensional aspect is created by the depth of the window sill, the sash profile, width of the casing, and lintel. It is suggested that the Historic Landmark Commission provide discretion as to whether the design of the structure should also require such three dimensional window treatment or whether a different treatment would be more appropriate to the design and mass of the proposed structure.

## **b. Rhythm of Solids to Voids in Facades**

The historic multi-family buildings in the general area and District are designed in such a manner that the openings create a rhythm along the exterior walls of the structure. The windows often have a regular spacing pattern, both horizontally and vertically. Windows on upper floors align with the windows on the levels below. The rhythm is enhanced by the symmetry of the historic structures.

It is recommended that the Historic Landmark Commission provide feedback to the petitioner regarding the juxtaposition of traditional development patterns and the proposed design.

## **c. Rhythm of Entrance Porch and Other Projections**

The existing multi-family residential structures in the District typically have a prominent primary entrance that faces the street. Some of the buildings have a single entrance, while others have multiple entrances. Regardless of the number of entrances, they are mostly symmetrical. The larger multi-family structures tend to have a single primary entrance that leads to a center loaded hallway that provides access to the individual units.

It is recommended that the Historic Landmark Commission provide feedback to the petitioner regarding the juxtaposition of traditional development patterns and the proposed design.

## **d. Relationship of Materials**

The primary building materials in the area tend to be brick for multi-family buildings. The existing structures on the block face include other minor materials, including wood, metal, glass, and stucco. The proposed building materials for this proposal have not been defined and the applicant is looking for direction regarding the palate of materials

### **Design Guidelines for Composition of Principal Facades**

**11.13 Design overall facade proportions to be similar to those of historic buildings in the neighborhood.** The “overall proportion” is the ratio of the width to height of the building, especially the front facade. See the discussions of individual districts and of typical historic building styles for more details about facade proportions.

**11.14 Keep the proportions of window and door openings similar to those of historic buildings in the area.** This is an important design standard because these details strongly influence the compatibility of a building within its context. Large expanses of glass, either vertical or horizontal, are generally inappropriate on new buildings in the historic districts.

**11.15 Use building materials that contribute to the traditional sense of scale of the block.** This will reinforce the sense of visual continuity in the district.

**11.16 New materials that are similar in character to traditional materials may be acceptable with appropriate detailing.** Alternative materials should appear similar in scale, proportion, texture and finish to those used historically. They also must have a proven durability in similar locations in this climate. Metal products are allowed for soffits and eaves only.

**11.17 Use building components that are similar in size and shape to those found historically along the street.** These include windows, doors, and porches.

**11.19 Contemporary interpretations of traditional details are encouraged.** New designs for window moldings and door surrounds, for example, can provide visual interest while helping to convey the fact that the building is

new. Contemporary details for porch railings and columns are other examples. New soffit details and dormer designs also could be used to create interest while expressing a new, compatible style.

**11.21 Windows with vertical emphasis are encouraged.** A general rule is that the height of the window should be twice the dimension of the width in most residential contexts. See also the discussions of the character of the relevant historic district and architectural styles.

**11.22 Frame windows and doors in materials that appear similar in scale, proportion and character to those used traditionally in the neighborhood.** Double-hung windows with traditional depth and trim are preferred in most districts. (See also the rehabilitation section on windows as well as the discussions of specific historic districts and relevant architectural styles.)

**11.23 Windows shall be simple in shape.** Odd window shapes such as octagons, circles, diamonds, etc. are discouraged.

**Finding:** If the general massing and scale of the proposed structure are acceptable to the Historic Landmark Commission, further guidance should be provided to the applicant regarding the choice of building materials and whether the new buildings should use similar materials to the district or provide a departure that enhances the unique nature of this particular proposal.

### **3. Relationship To Street:**

**a. Walls Of Continuity:** Facades and site structures, such as walls, fences and landscape masses, shall, when it is characteristic of the area, form continuity along a street to ensure visual compatibility with the structures, public ways and places to which such elements are visually related;

**b. Rhythm Of Spacing And Structures On Streets:** The relationship of a structure or object to the open space between it and adjoining structures or objects shall be visually compatible with the structures, objects, public ways and places to which it is visually related;

**c. Directional Expression Of Principal Elevation:** A structure shall be visually compatible with the structures, public ways and places to which it is visually related in its orientation toward the street; and

**d. Streetscape Pedestrian Improvements:** Streetscape and pedestrian improvements and any change in its appearance shall be compatible to the historic character of the landmark site or H historic preservation overlay district.

#### **Analysis:**

##### **a. Walls of Continuity**

The setback of the proposed structure on 600 East is fifteen (15) feet the setback for the structure on 300 South is between 0 and 5 feet. The minimum required setback in the RMU Zoning District is zero. The proposed building setback maintains the concept of “walls of continuity” because the proposed setback meets the setback range of the existing buildings on the block face.

The Central City Design Guidelines discuss setting taller portions of a structures further back than the other structures on the block face (Guideline 13.28). The applicants have stepped back the top two floors of the structures. The offset reduces the visual impact on the streetscape. The result is that the full height of the structure is not readily visible from the public right of way. In the text of the design guidelines, stepping buildings to reduce mass is discussed on page 179 under Design

Guideline 13.28. In addition, the banding on the first two levels of the building is visually compatible in terms of height with the banding on other buildings on the block face. Banding refers to the visual clues on the exterior of a building that indicates each level of the building. This concept is discussed on page 123 of *Design Guidelines for Residential Historic Districts in Salt Lake City*.

#### **b. Rhythm of Spacing and Structures on Streets**

The distance between the structures in the District varies with use. The residential structures tend to be approximately eight feet apart. The multi-family structures on the block generally have a larger distance between adjacent buildings to accommodate driveways, although some multi-family structures are located fairly close to the adjacent structures.

The proposed building is spaced in a manner that is visually compatible with the spacing of historic structures on the block face and the block. The proposed structure does meet the minimum setbacks in the RMU Zoning district.

#### **c. Directional Expression of Principal Elevation**

The historic multi-family structures in the area have dominant entrances that face the street. The elevations that face a street typically include more detail than the secondary elevations that do not face a street.

The elevation of the principle façade of both proposed structures contains a higher degree of design than the other facades of the building.

#### **d. Streetscape Pedestrian Improvements**

The proposed building includes design elements that add to the interest of the streetscape, including ground level windows, patios and entrances. The entrance feature is similar in form to the entrance features of other multi-family building in the area. The entrance to the parking structure is in the middle of the building and is not visible from the pedestrian way.

#### **Design Guidelines related to Relationship with the Street**

**11.1 Respect historic settlement patterns.** Site new buildings such that they are arranged on their sites in ways similar to historic buildings in the area. This includes consideration of building setbacks, orientation and open space, all of which are addressed in more detail in the individual district standards.

**11.3 Orient the front of a primary structure to the street.** The building should be oriented parallel to the lot lines, maintaining the traditional grid pattern of the block. An exception is where early developments have introduced curvilinear streets, like Capitol Hill.

**11.4 Construct a new building to reinforce a sense of human scale.** A new building may convey a sense of human scale by employing techniques such as these:

- Using building materials that are of traditional dimensions.
- Providing a one-story porch that is similar to that seen traditionally.
- Using a building mass that is similar in size to those seen traditionally.
- Using a solid-to-void that is similar to that seen traditionally and using window openings that are similar in size to those seen traditionally.

**11.5 Construct a new building to appear similar in scale to the scale that is established in the block.** Subdivide larger masses into smaller “modules” that are similar in size to buildings seen traditionally.

**11.6 Design a front elevation to be similar in scale to those seen traditionally in the block.** The front shall include a one-story element, such as a porch. The primary plane of the front should not appear taller than those of typical historic structures in the block. A single wall plane should not exceed the typical maximum facade width in the district.

**11.7 Build to heights that appear similar to those found historically in the district.** This is an important standard which should be met in all projects.

**11.9 Design a new building to appear similar in width to that of nearby historic buildings.** If a building would be wider overall than structures seen historically, the facade should be divided into subordinate planes that are similar in width to those of the context.

**11.11 Use building forms that are similar to those seen traditionally on the block.** Simple rectangular solids are typically appropriate.

**11.13 Design overall facade proportions to be similar to those of historic buildings in the neighborhood.** The “overall proportion” is the ratio of the width to height of the building, especially the front facade. See the discussions of individual districts and of typical historic building styles for more details about facade proportions.

**11.14 Keep the proportions of window and door openings similar to those of historic buildings in the area.** This is an important design standard because these details strongly influence the compatibility of a building within its context. Large expanses of glass, either vertical or horizontal, are generally inappropriate on new buildings in the historic districts.

**11.17 Use building components that are similar in size and shape to those found historically along the street.** These include windows, doors, and porches.

#### **Design Guidelines specific to Central City Historic District**

**13.27 Design new buildings to appear similar in mass to those that were typical historically in the district.** If a building would be larger than those seen on the block, subdivide larger masses of the building into smaller “modules” that are similar in size to buildings seen traditionally.

**13.28 Design new buildings so that they appear similar in scale to those seen traditionally on the block.** Historically, most houses appeared to have a height of one, one-and-one half or two stories. A new front facade should appear similar in height to those seen historically in the block. Taller portions should be set back farther on the lot. Story heights should appear similar to those seen historically. Also, consider using architectural details to give a sense of the traditional scale of the block.

**13.29 Design a new building to have a form similar to those seen historically.** In most cases, the primary form of the house was a simple rectangle. In some styles, smaller, subordinate masses were then attached to this primary form.

**13.30 Use primary building materials that will appear similar to those used historically.** Appropriate building materials include: brick, stucco, and painted wood. Substitute materials may be considered under some circumstances. See Sections 2.0 and 6.0 and page 126.

**Finding:** The proposed development addresses the street by maintaining the existing development pattern in terms of setbacks of the existing buildings on the block face. The height of the structure does not diminish the relationship of the building to the street because the vertical portions are in the center of the block and not along the block face. The proposed project complies with this standard because the height of the proposed structure provides a buffer between historically and newly developed heights in the area and is consistent with the heights of other structures on the block face.

**4. Subdivision Of Lots:** The Planning Director shall review subdivision plats proposed for property within an H Historic Preservation Overlay District or of a landmark site and may require changes to ensure the proposed subdivision will be compatible with the historic character of the district and/or site(s).

**Analysis:** The proposed apartment development does not require a subdivision process. In the RMU Residential Mixed-Use Zoning District, there is not a minimum lot size for multi-family developments. The proposed development is consistent with the dimensional standards in the RMU Zoning District.

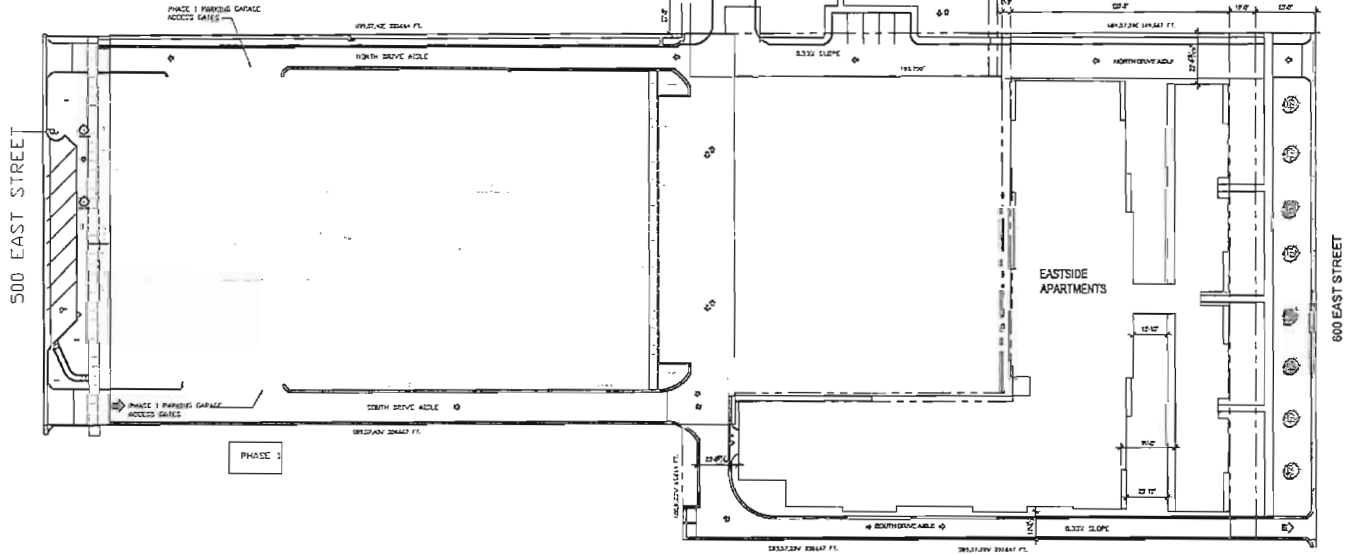
**Finding:** The proposed development does not require an administrative public hearing or public hearing before the Planning Commission for subdivision purposes.

**Attachment A**  
Site Plan and Elevation Drawings

LOCATION OF SITE



VICINITY PLAN  
AS101 SCALE: 1/8"



SITE PLAN  
AS101 SCALE: 1/4" = 1'-0"

NO.	DATE	DESCRIPTION	BY	CHKD.	REVISION
1		PRELIMINARY			
2		REVISED			
3		REVISED			
4		REVISED			
5		REVISED			
6		REVISED			
7		REVISED			
8		REVISED			
9		REVISED			
10		REVISED			

**EASTSIDE APARTMENTS**  
350 SOUTH 600 EAST  
SALT LAKE CITY, UTAH 84111

**BWA**  
ARCHITECTS  
125 N. 1000 E.  
SALT LAKE CITY, UT 84143  
(801) 466-1001

PROJECT NUMBER: 2010031  
DATE: 01/11/11  
HLC REVIEW

ARCHITECTURAL  
SITE PLAN

DATE: 01/11/11  
**AS101**





NO.	REVISIONS
1	ISSUED FOR PERMIT
2	ISSUED FOR PERMIT
3	ISSUED FOR PERMIT
4	ISSUED FOR PERMIT
5	ISSUED FOR PERMIT
6	ISSUED FOR PERMIT
7	ISSUED FOR PERMIT
8	ISSUED FOR PERMIT
9	ISSUED FOR PERMIT
10	ISSUED FOR PERMIT



EASTSIDE APARTMENTS  
 350 SOUTH 600 EAST  
 SALT LAKE CITY, UTAH 84111

**BWA**  
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 701 W. 200 N.  
 SUITE 200  
 SALT LAKE CITY, UT 84111  
 PHONE: 313.440.0000  
 FAX: 313.440.0001  
 WWW: BWAARCHITECTS.COM

ARCHITECTURAL  
 RENDERINGS

Sheet Name  
**A702**

11 SOUTH ELEVATION  
 SCALE: 1/8" = 1'-0"

NO.	REVISIONS
1	ISSUED FOR PERMIT
2	ISSUED FOR PERMIT
3	ISSUED FOR PERMIT
4	ISSUED FOR PERMIT
5	ISSUED FOR PERMIT
6	ISSUED FOR PERMIT
7	ISSUED FOR PERMIT
8	ISSUED FOR PERMIT
9	ISSUED FOR PERMIT
10	ISSUED FOR PERMIT



EASTSIDE APARTMENTS  
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 WWW: BWAARCHITECTS.COM

ARCHITECTURAL  
 RENDERINGS

Sheet Name  
**A703**

11 NORTH ELEVATION  
 SCALE: 1/8" = 1'-0"



ARCHITECTURAL RENDERING  
A706

NO.	REVISIONS	DATE	BY	CHKD BY
1	ISSUED FOR PERMIT	10/15/14	MM	MM
2	ISSUED FOR CONSTRUCTION	11/10/14	MM	MM
3	ISSUED FOR CONSTRUCTION	11/10/14	MM	MM
4	ISSUED FOR CONSTRUCTION	11/10/14	MM	MM
5	ISSUED FOR CONSTRUCTION	11/10/14	MM	MM
6	ISSUED FOR CONSTRUCTION	11/10/14	MM	MM

EASTSIDE APARTMENTS  
330 SOUTH 800 EAST  
SALT LAKE CITY, UTAH 84111

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ARCHITECTURAL RENDERING

UNIT NUMBER  
**A706**



ARCHITECTURAL RENDERING  
A707

NO.	REVISIONS	DATE	BY	CHKD BY
1	ISSUED FOR PERMIT	10/15/14	MM	MM
2	ISSUED FOR CONSTRUCTION	11/10/14	MM	MM
3	ISSUED FOR CONSTRUCTION	11/10/14	MM	MM
4	ISSUED FOR CONSTRUCTION	11/10/14	MM	MM
5	ISSUED FOR CONSTRUCTION	11/10/14	MM	MM
6	ISSUED FOR CONSTRUCTION	11/10/14	MM	MM

EASTSIDE APARTMENTS  
330 SOUTH 800 EAST  
SALT LAKE CITY, UTAH 84111

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ARCHITECTURAL RENDERING

UNIT NUMBER  
**A707**

NO.	DESCRIPTION	DATE	BY	CHECKED
1	ISSUED FOR PERMITS	11/15/11	...	...
2	...	...	...	...
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10	...	...	...	...



ARCHITECTURAL RENDERING

EASTSIDE APARTMENTS  
 300 SOUTH 800 EAST  
 SALT LAKE CITY, UTAH 84111

**BWA**  
 ARCHITECTS  
 1200 EAST  
 1200 SOUTH  
 SALT LAKE CITY, UTAH 84119  
 (801) 466-1000

ARCHITECTURAL RENDERING

PROJECT NO.  
**A705**

NO.	DESCRIPTION	DATE	BY	CHECKED
1	ISSUED FOR PERMITS	11/15/11	...	...
2	...	...	...	...
3	...	...	...	...
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10	...	...	...	...



ARCHITECTURAL RENDERING

EASTSIDE APARTMENTS  
 300 SOUTH 800 EAST  
 SALT LAKE CITY, UTAH 84111

**BWA**  
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 1200 EAST  
 1200 SOUTH  
 SALT LAKE CITY, UTAH 84119  
 (801) 466-1000

ARCHITECTURAL RENDERING

PROJECT NO.  
**A708**

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	10/11/11
2	ISSUED FOR CONSTRUCTION	11/15/11
3	ISSUED FOR OCCUPANCY	12/15/11
4	ISSUED FOR AS-BUILT	01/15/12
5	ISSUED FOR ARCHIVE	02/15/12



**01 NORTH ELEVATION**  
SCALE: 3/4" = 1'-0"

**EASTSIDE APARTMENTS**  
330 SOUTH 800 EAST  
SALT LAKE CITY, UTAH 84111

**BWA ARCHITECTS**  
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SUITE 200  
SALT LAKE CITY, UTAH 84111  
PHONE: 313.222.1111  
FAX: 313.222.1112  
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ARCHITECTURAL RENDERING

PROJECT NO. AL701

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	10/11/11
2	ISSUED FOR CONSTRUCTION	11/15/11
3	ISSUED FOR OCCUPANCY	12/15/11
4	ISSUED FOR AS-BUILT	01/15/12
5	ISSUED FOR ARCHIVE	02/15/12



**02 BACK ELEVATION**  
SCALE: 3/4" = 1'-0"

**EASTSIDE APARTMENTS**  
330 SOUTH 800 EAST  
SALT LAKE CITY, UTAH 84111

**BWA ARCHITECTS**  
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SUITE 200  
SALT LAKE CITY, UTAH 84111  
PHONE: 313.222.1111  
FAX: 313.222.1112  
WWW.BWAARCHITECTS.COM

ARCHITECTURAL RENDERING

PROJECT NO. AL702



41 EAST ELEVATION  
SCALE: 1/8" = 1'-0"

NO.	DESCRIPTION	DATE	BY	CHKD.
1	PRELIMINARY	10/15/11	JK	JK
2	REVISED	10/15/11	JK	JK
3	REVISED	10/15/11	JK	JK
4	REVISED	10/15/11	JK	JK
5	REVISED	10/15/11	JK	JK
6	REVISED	10/15/11	JK	JK
7	REVISED	10/15/11	JK	JK
8	REVISED	10/15/11	JK	JK
9	REVISED	10/15/11	JK	JK
10	REVISED	10/15/11	JK	JK

EASTSIDE APARTMENTS  
333 SOUTH 600 EAST  
SALT LAKE CITY, UTAH 84111

**BWA**  
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SUITE 200  
SALT LAKE CITY, UT 84143  
801.487.1234  
www.bwaarchitects.com

ARCHITECTURAL RENDERING

AL703



42 WEST ELEVATION  
SCALE: 1/8" = 1'-0"

NO.	DESCRIPTION	DATE	BY	CHKD.
1	PRELIMINARY	10/15/11	JK	JK
2	REVISED	10/15/11	JK	JK
3	REVISED	10/15/11	JK	JK
4	REVISED	10/15/11	JK	JK
5	REVISED	10/15/11	JK	JK
6	REVISED	10/15/11	JK	JK
7	REVISED	10/15/11	JK	JK
8	REVISED	10/15/11	JK	JK
9	REVISED	10/15/11	JK	JK
10	REVISED	10/15/11	JK	JK

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**BWA**  
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801.487.1234  
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ARCHITECTURAL RENDERING

AL704



41 ARCHITECTURAL RENDERING  
SCALE: 1/8" = 1'-0"

NO.	DESCRIPTION	DATE	BY	CHKD.
1	ISSUED FOR PERMITS	11/15/11	JL	ML
2	ISSUED FOR CONSTRUCTION	11/15/11	JL	ML
3	ISSUED FOR OCCUPANCY	11/15/11	JL	ML
4	ISSUED FOR ARCHITECTURAL RECORDS	11/15/11	JL	ML
5	ISSUED FOR MARKETING	11/15/11	JL	ML
6	ISSUED FOR SALES	11/15/11	JL	ML
7	ISSUED FOR LEASING	11/15/11	JL	ML
8	ISSUED FOR FINANCING	11/15/11	JL	ML
9	ISSUED FOR RECORDS	11/15/11	JL	ML
10	ISSUED FOR ARCHITECTURAL RECORDS	11/15/11	JL	ML

EASTSIDE APARTMENTS  
555 SOUTH 800 EAST  
SALT LAKE CITY, UTAH 84111

**BWA**  
ARCHITECTS  
1111 WEST 1000 SOUTH  
SUITE 200  
SALT LAKE CITY, UTAH 84119  
801-467-2200  
www.bwaarch.com

ARCHITECTURAL RECORD NO.

AL705



42 ARCHITECTURAL RENDERING  
SCALE: 1/8" = 1'-0"

NO.	DESCRIPTION	DATE	BY	CHKD.
1	ISSUED FOR PERMITS	11/15/11	JL	ML
2	ISSUED FOR CONSTRUCTION	11/15/11	JL	ML
3	ISSUED FOR OCCUPANCY	11/15/11	JL	ML
4	ISSUED FOR ARCHITECTURAL RECORDS	11/15/11	JL	ML
5	ISSUED FOR MARKETING	11/15/11	JL	ML
6	ISSUED FOR SALES	11/15/11	JL	ML
7	ISSUED FOR LEASING	11/15/11	JL	ML
8	ISSUED FOR FINANCING	11/15/11	JL	ML
9	ISSUED FOR RECORDS	11/15/11	JL	ML
10	ISSUED FOR ARCHITECTURAL RECORDS	11/15/11	JL	ML

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ARCHITECTURAL RECORD NO.

AL706





**Attachment B**  
Planning Commission Subcommittee notes

## **Planning Commission Subcommittee**

**February 25, 2010**

### **Attendees:**

**Planning Commission:** Michael Gallegos, Michael Fife, and Angela Dean

**Historic Landmark Commission:** Dave Richards and Anne Oliver

**Planning Division Staff:** Doug Dansie, Carl Leith, and Janice Lew

**Applicant:** Emigration Court Project: Jordy Walker and Matt Hansen

**Background and Project Location:** 600 East 300 South

**Presentation in summary including changes to the project:** The applicant is proposing a planned development approval, landmark site, and zoning change in adopted phases. The site had been cleared of the Jewel Apartments, two single-family homes and an apartment building on 300 South.

Mr. Dansie noted the Planning Commission (PC) would approve the general layout of the plan and the Historic Landmark Commission (HLC) would approve the detail of the architecture after the PC's decision. He noted that originally the HLC stated the project was too generic, with no sense of character or uniqueness to Salt Lake City.

Commissioner Oliver was concerned that historic elements tended to be tacked onto huge building masses, so anyway the applicant could reduce the mass and bring this project into harmony with the neighborhood was her main concern.

Commissioner Gallegos inquired if there were height restrictions.

Mr. Dansie noted approximately 75 feet, if it is rezoned to the RM-U zone from the current three zones it falls under now (RMF-35, RO, and RM-U).

Planning Commissioners agreed with that, but on 600 East there were setbacks of 15 feet so there would be a front yard, they did not want to see 75 feet at the property line.

Commissioner Dean stated it would be helpful to know which parts of the lot were being rezoned.

Mr. Dansie stated the RMU zone was already in place where the existing apartments and garage were. The frontage on 600 East is RMF-35 and the RO is on 300 South.

Mr. Walker noted that making the project one zone would aid in everything working together.

Mr. Walker stated the brownstone they were using had a historical look; he stated he took note at the last HLC meeting when Commissioners said if it is going to be new materials do it well.

Mr. Walker stated they would start with the assisted living building on 300 South, the height was reduced on the front of the building and a gated courtyard was added. He stated the first three floors would be used for intensive care residents and the top three floors would be for residents that were more active.

Mr. Dansie noted there would be a shared parking area.

Commissioner Richards inquired if this was zoned RMF-35 could the PC add conditions to height limit and require a setback on 600 East.

Mr. Dansie stated conditions could be added.

Mr. Walker inquired if the mass made sense to step the different heights of the building and if the courtyard looked okay.

Commissioner Gallegos inquired about the parking allowance and inquired why 5 stalls were required for an assisted living facility.

Mr. Dansie stated the applicant was not asking for a reduction in parking, and the City has parking rules/processes for specialized living conditions.

Mr. Hansen stated 130 stalls for assisted living and approximately 138 stalls for the apartments.

Mr. Walker stated there would be secure parking underground with an easement off the north drive that would be able to feed that parking. He stated this parking lot would be located in the center of the block for the apartments, which would also allow for a great open space to be used for basketball and volleyball courts on the surface.

Commissioner Oliver suggested the applicant take the context of the buildings on 300 South and design to the least common denominator.

Commissioner Fife stated there was variation along the front of the building, but the courtyard was oddly split.

Mr. Walker stated they could pull the entry over to one side to allow for a better spaced courtyard.

Commissioner Richards inquired about the building materials.

Mr. Walker stated they would use brick and stucco.

Mr. Dansie stated if there was already a feeling from HLC members of what materials would be okay with them, they should let Mr. Walker know what was expected.

Mr. Walker stated the apartments would be more modern looking.

Commissioner Dean stated 300 South had more residential on it so that would be appropriate and 600 South was more modern, so that would be appropriate. She stated she would like to see more elevations of the buildings when the applicant brought this to the PC.

Mr. Walker stated another change they had made was to break down the massing of the building by having covered decks that could be used year round. Stairs could be accessed from the courtyard and both parts of the building had step out decks.

Commissioner Richards stated the project still appeared to be one long building face, with not much variation. He stated it was most massive along the south side, but he applicant had done a good job breaking the mass of the front of the building.

Mr. Dansie stated the 3 1/2 story apartments were not uncommon in the area, but they were not as deep and long as this proposal.

Commissioner Dean stated the front setback was nice, but it was sacrificing the usability of the courtyard (area between the front and rear building portions facing 600 East).

Mr. Walker stated the courtyard also functioned as giving natural light to the buildings as well.

Commissioner Oliver stated she was concerned about the two broken up courtyards as well, they seemed more like walkways with lots of landscaping. She also suggested a few secondary entrances to help break the elevation down and allow the building to look more approachable.

Mr. Danise inquired how parking would be affected.

Mr. Walker stated that would not affect parking.

Commissioner Oliver suggested recessing more sections of the building and popping out more elements.

Commissioner Richards agreed that recessing would draw people in and the scale of the building would feel more comfortable.

Mr. Walker stated he liked the that idea and people would not have to enter only through the main building to access the units, which would also help the building look more pedestrian friendly.

Commissioner Oliver suggested one more subcommittee with the HLC members within a week or two.

**Attachment C**  
Department Comments

## **Public Utilities Justin Stoker**

We have reviewed the proposed Planned Unit Development for the Eastside Apartments located at approximately 556 E 300 S and 350 S 600 E. We have no objections to the proposed development and look forward to a detailed review of the project when improvement plans have been submitted for review. Major issues that will need to be addressed during design include the capacity of the water and exist in 300 South and 600 East. The water mains in both of those streets are only 6-inches in size and are not adequate for buildings with a fire suppression system. It is highly likely that the water demand of this project will necessitate the upsizing of the water mains to provide for the project. Please work with us to ensure that adequate capacity exists in the sanitary sewer system and that an adequate solution is provided for the storm drain (no storm drain systems are currently located adjacent to the project).

## **Engineering Randy Drummond**

SUBJECT: Eastside Apartments/Assisted Living (Formerly known as Emigration Court Development) 556 East 300 South & 350 South 600 East PLNPCM2009-01348, 01347 & 013476 City Engineering review comments are as follows: 1- This is a proposal to construct an assisted living facility facing 300 South and apartments facing 600 East under a planned development and subdivision. Inasmuch as a planned development and subdivision are proposed, the developer must enter into a subdivision improvement construction agreement. This agreement requires the payment of a stepped fee starting at 5% based on the estimated cost of constructing the street improvements. Street improvements for a condominium or planned unit development include the on-site driveways serving the parking lots. We will provide further requirements on the subdivision drawings below. 2- Curb, gutter and sidewalk exist in 300 South Street and 600 East Street along the frontages of the proposed development. The existing drive approaches that will not be used for the proposed project must be removed and replaced with new curb & gutter. New drive approaches must conform with APWA Std. Plan 225 with 8" thick concrete. If the cut back parking, proposed to be built on the 600 East frontage, is approved, it must be installed with concrete. Any curb & gutter or sidewalk along the project's frontage that is defective when construction of the buildings is completed must be replaced. Any uneven sidewalk joints over 1/2" causing a tripping hazard must be ground down or replaced. 3- It is our understanding that there were two existing private streets, Vernier Place (335 South) and Delwood Court (540 East) and they no longer exist. 4- It is our understanding that a plat will be required for this project. A plat should be submitted as soon as possible to allow the SLC Surveyor to begin his review. Alice Montoya (535-7248) in SLC Engineering will assign addresses on the plat. Certified addresses are required prior to applying for a building permit. I have included a copy of the preliminary plat checklist for use by the developer's consultant. Page 2 Doug Dansie Eastside Apartments PUD Dec. 18, 2009 5- The construction contractor must file a Notice of Intent with the State of Utah, Department of Environmental Quality, Division of Water Quality, to comply with the NPDES permitting process. A copy of the pollution prevention plan (SWPP) must also be submitted to SLC Public Utilities. 6- At least one member of the concrete finishing crew must be ACI certified. The name of the ACI certified finisher must be provided at the pre-construction meeting for the subdivision. 7- The grading plan, or plan & profile drawings for the proposed new access-ways must comply with Salt Lake City Engineering design regulations. Some of the significant requirements are as follows: Minimum design grade is 0.50%. Maximum grade for accessible parking stalls is 2%. The horizontal scale shall be 1"=20', 1"=30' or 1"=40'. The vertical scale shall be one-tenth the horizontal scale, if a profile is needed. The minimum size lettering shall be 1/10" and capital letters shall be used. The north arrow shall point toward the top or left of the sheet with stationing progressing from west to east or from north to south. The following approval signatures are required on the cover sheet for the project: SLC Transportation for approval of street geometrics and street lighting. SLC Fire Department SLC Public Utility Department (sewer, water & drainage improvements) SLC Engineering Division (street design) cc: Scott Weiler Brad Stewart Barry Walsh Vault

## **Transportation Barry Walsh**

Re: PUD Development at 556 East 300 South (Assisted Living) and 350 South 600 East (Apartment). PLNNHL2009-01346 – Historic Landmarks Commission review. PLNPCM2009-01347 – Rezone from RMF-35 & Ro to RMU. PLNPCM2009-01348 – Planned Development. The division of transportation review comments and recommendations are as follows; Per the DRT review November 24, 2009 our comments for the 556 E 300 South site were – The 300 So. Drop off port chair proposal is not recommended. A field review is needed to address concerns for; trees, lighting (Michael Barry), existing utilities, Fire hydrants, physical geometrics, and traffic patterns, etc. per the revocable lease agreement process. The proposed 2 levels Parking Structure needs design reviews to address: column locations and grid spacing, ramps, height (8'-2") clearance, rear access alley easements (one-way SB) and width/ fire, Etc. and lower level abutting parking structure access. (Emigration Court) The draft submittal notes, 132 units and 93 stalls, but needs SLC standard parking calc's to address ADA & the 5% of required parking for bike rack stalls issues. Our comments for the 350 South 600 East site were – The proposed 600 E. angle parking is not recommended. Historic landmarks review is required for any change to 600 East corridor. A transportation field review is needed to address concerns for: trees, lighting (Michael Barry), existing utilities, Fire hydrants, physical geometrics, and traffic patterns, etc. The proposed 2 level parking structure needs design reviews to address: column locations and grid spacing, ramps, height (8'-2") clearance, etc. The access is proposed by shared access alley easements. 600 East is a one-way (SB) Right only access and 500 East as a (EB) alleyway access. The north alleyway is one-way WB and the south alleyway is one-way EB with exits open to north or south travel. (existing median break on 600 East) These alleyways also service the existing Emigration Court abutting parking structure access and need fire and transportation review for required widths and traffic circulation. The draft submittal notes, 176 units and 243 stalls, but needs SLC standard parking calc's to address ADA & the 5% of required parking for bike rack stalls issues. Sincerely, Barry Walsh Cc Kevin Young, P.E. Scott Weiler, P.E.

# SALT LAKE CITY BUILDING SERVICES

## Preliminary Zoning Review

Log Number: PLNPCM2009-01348  
PLNPCM2009-01247  
PLNNHL2009-01346

Date: December 17, 2009

Project Name: Peg Development

Project Address: 556 East 300 South  
350 South 600 East

Contact Person: Doug Dansie  
Phone Number: (801) 535-6182

Fax Number: (801) 535-6174  
E-mail Address:

Zoning District: R-MU (proposed)

Reviewer: Alan Hardman Phone: (801) 535-7742

### Comments

**This preliminary zoning review is based on comments received at DRT meetings held on November 24, 2009 and December 16, 2009.**

1. Provide cross-access easement agreements between adjacent lots and have them recorded.
2. Verify compliance with all of the entrance and visual access requirements of the R-MU zone.
3. Provide actual parking calculations.
4. Transportation Division special approval required for the following: 1) the porte cochere drop off at 556 East 300 South; 2) the angled on-street parking at 350 South 600 East, and 3) drive approaches less than 6 feet from property lines.
5. Non-complying zoning issues to be addressed and approved or waived in the Planned Development process:
  - a. Both buildings do not meet the minimum rear yard setback required;
  - b. The building at 350 South 600 East does not meet the minimum 20% open space required.
6. Property Management Division approval required for the porte cochere that encroaches onto city property at 556 East 300 South.
7. Trash dumpsters provided on site appear to be inadequate.
8. City Planning, Public Utilities, Fire, Transportation and Engineering approvals required.
9. Ground-mounted transformers require conditional use approval.

**Attachment D**  
Staff report for previous approval



**Attachment D**  
Staff report for previous approval

# SALT LAKE CITY BUILDING SERVICES

## Preliminary Zoning Review

Log Number: PLNPCM2009-01348  
PLNPCM2009-01247  
PLNNHL2009-01346

Date: December 17, 2009

Project Name: Peg Development

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350 South 600 East

Contact Person: Doug Dansie  
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Fax Number: (801) 535-6174  
E-mail Address:

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Reviewer: Alan Hardman Phone: (801) 535-7742

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7. Trash dumpsters provided on site appear to be inadequate.
8. City Planning, Public Utilities, Fire, Transportation and Engineering approvals required.
9. Ground-mounted transformers require conditional use approval.

SALT LAKE CITY PLANNING COMMISSION  
STAFF REPORT

Petition 410-584 (Revised)

Modification of a previously approved Planned Development  
between 300 to 400 South and 500 to 600 East,  
in a Residential Mixed-Use R-MU zoning district.

November 21, 2002

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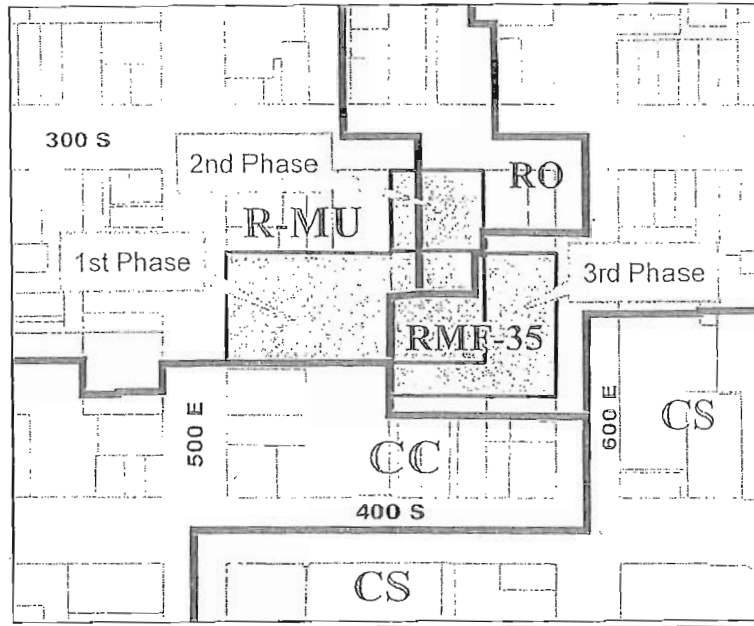
REQUEST

Petition # 410-584, is a request by Ken Holman of Block 38 Associates, to modify a previously approved Planned Development, generally located between 300 to 400 South and 500 to 600 East, in a [proposed] Residential Mixed-Use (R-MU) zoning district. The development will be completed in three phases. The first phase will have approximately 208 units. The total project will have approximately 430 units. The applicant is requesting approval for Phase I of the development. Phase II and Phase III will be submitted to the Planning Commission for approval at a later date.

The Planning Commission approved a variation of this planned development on June 6, 2002. The parking being moved to the rear, rather than beneath the first phase building is the primary difference with this reiteration.

COMMUNITY/NEIGHBORHOOD COUNCIL REVIEW

The Central City Community Council has heard this proposal on multiple occasions. They voted on April 3, 2002 not to support the project. It was a split vote. The stated reason for non-support was that they preferred a previous proposal with a pitched roof (which may have been from a previous developer). The issue was presented again to the Community Council on November 6, 2002. Although no vote was taken, the comments were mainly supportive of the development although there were some comments requesting the developer retain the Juel Apartments located at 340 South 600 East which is located on property associated with Phase III of the development.



## BACKGROUND

**Property Owner Name  
And Applicant:**

Ken Holman, Block 38 Associates (Overland  
Development Corporation)

**Purpose of proposal or  
proposed site changes:**

Planned Development (for a multi-building residential  
planned development).

**Affected Parcel Number(s):**

16-06-426-008 and 16-06-427-036

**Previous Case Files:**

The Historic Landmark Commission approved the project on November 6, 2002.  
The Planning Commission previously heard this issue on June 6, 2002. The site plan has been altered and is being resubmitted.  
In 1998, the Planning Commission approved Petition 410-301, a different planned proposal from a different applicant, for a portion of the site. The approval expired because the previous applicant never obtained a building permit. The previously approval affected the site of the second and third phase of this proposed development.

**Lot Size / Lot Area of  
subject property:**

1.86 acres – first phase 4.588 acres - total project

**Existing Land Use on subject property:**

Vacant land and the Juel Apartments. Other structures on the site have been demolished or are in process of being demolished.

**Existing Zoning and Overlay Districts on subject property:**

The proposed zoning is RMU (Petition 400-01-37). Currently the entire site consists of RMU, RO and RMF-35.  
H Historic Preservation Overlay Zone.  
Groundwater Source Protection Overlay Zone, secondary recharge area.

**Existing Master Plan Land Use Designation:**

East Downtown Master Plan calls for medium to high density housing on the block.

## IDENTIFICATION AND ANALYSIS OF ISSUES

### Issues that are being generated by this proposal.

#### Zoning

The proposed planned development consists of three separate buildings that face onto three separate streets: 500 East, 300 South and 600 East. The planned development also spans three separate zoning districts: R-MU, RO and RMF-35. The applicant has initiated a separate petition (400-01-37), to rezone the entire site to RMU. The current proposal for the first phase of the planned development is primarily located within the R-MU zoning district, although the proposed parking is on land presently zoned RMU and RO.

*Modification of Setback Requirements* Because of multiple parcels, there are inherent conflicts with the interface of lot lines. The required minimum rear yard setback in the R-MU zone is 30 feet. The first phase is proposed to encroach into land that is presently on a separate lot and within separate zoning. The new zoning and lot lines will resolve this problem, however the second and third phases as proposed, will not maintain the required 30 foot rear yard setback. The top level of the proposed parking structure for phase one will be the rear yard open space for phases two and three. The planned development process is necessary to modify the 30-foot minimum rear yard requirement, since all three building are proposed to share a joint open space.

There are no side or front yard setback requirements for multi-family development in the R-MU zoning district, however 20-foot side yards are being proposed. Twenty feet is a minimum setback for unprotected window space by building code. There is a 15-foot landscaped setback shown on 600 East. No setback is required in the proposed RMU zoning district, but the setback is consistent with the 600 East historic district development pattern.

*Height* In 1998, the Planning Commission approved rezoning the 600 East frontage to RMF-75, with the caveat that the height be restricted to 35 feet. The rezoning was proposed because the RMF-75 zoning district allows a higher density than the RMF-35 district. The Planning Commission agreed with the density, but not the height. The previous petition was tied to the issuance of a building permit. The applicant did not develop the project and therefore the zoning was not changed.

#### Historic Preservation

The entire proposed complex is within the Central City Historic District. The Historic Landmark Commission has approved the demolition of structures along Vernier Place (where the first phase is proposed) and has approved the proposed design for the first phase building (November 6, 2002). The proposed densities and height should be focused along the 500 East frontage in order to lower height and density along 600 East, which is the spine of the historic district. There is also an approximate 20-foot elevation difference between the 500 East Frontage and the 600 East frontage.

The site plan for future phases identifies the Juel Apartments, which fronts onto 600 East, as being removed and replaced with new development. At its November 6, 2002 meeting, the Salt Lake City Historic Landmark Commission rejected the findings of the Economic Review Panel relating to the economic viability of the Juel. The applicant intends to appeal this finding to the Land Use Appeals Board. Therefore, staff is uncertain whether the Juel site will be available for new construction in this project. The applicant has stated that if they are not able to demolish the Juel Apartments, the building will be incorporated into Phase III of the planned development.

The first phase consists of 208 units. The applicant desires that the total complex have approximately 430 units. However, the total number of units will depend on what the Historic Landmark Commission finds to be the appropriate height for the new buildings to ensure compatibility with the historic district. The total number of units allowed will be determined through separate review processes for Phase II and Phase III.

#### Subdivision

The Planned Development is requested because of multiple buildings on the site. The overall project will contain three major buildings. The site contains multiple parcels and will continue to do so for financing reasons, although lot lines will be readjusted through a separate subdivision process to combine the lot with structured parking and a plaza so construction can begin on Phase I. Private Streets, Vernier Place (335 South) and Delwood Court (540 East) will be incorporated into the new parcel lines.

## CODE CRITERIA / DISCUSSION / FINDINGS OF FACT

### 21.54.080 Standards for Conditional Uses.

- A. **The proposed development is one of the conditional uses specifically listed in this Title.**

**Discussion:** Section 21A.54.140.C allows the planned development process in the RMU zoning district for parcels greater than 20,000 square feet. The total acreage of the project is 6.45 acres with 1.86 acres for Phase I.

**Finding:** The site meets the required acreage for Planned Developments in the RMU zoning district.

- B. **The proposed development is in harmony with the general purposes and intent of this Title and is compatible with and implements the planning goals and objectives of the City, including applicable City master plans.**

**Discussion:**

Zoning

Most of Phase I is currently zoned R-MU, which allows for high-density residential and mixed-use development. The larger site is zoned a combination of R-MU, RO and RMF-35, all of which allow medium to high-density residential development. The petitioner is concurrently requesting the entire site be rezoned to RMU.

*Setback* Because of financing reasons, the applicant would like the final layout of the subject property to consist of three parcels. The RMU zoning district requires a 30-foot rear yard setback. The underground parking structure will encroach into this setback area. Therefore the applicant is requesting the Planning Commission modify the rear yard setback requirement to allow for this encroachment. Section 21A.54.140.C allows the Planning Commission authority to modify individual setback requirements in order to create a better design.

The conceptual plan for the project consists of all phases connecting via an open space amenity on the interior of the block above the parking structure. The amenity will mainly serve the residents of Phases II and III because Phase I will have amenities within the building for its residents (including a fitness facility, common space, interior courtyard and computer center). The applicant should return to the Planning Commission for final approval of Phase II and Phase III. Assurance that the amenities on top of the parking structure will be built should be a condition of approval for those phases.

*Height* The proposed maximum building height for Phase I is 75 feet. The zoning allows for a 75-foot tall building in the R-MU zoning district. On November 6, 2002 the Historic Landmark Commission approved the design of Phase I finding that the layout and height are consistent with the historic preservation regulations.

### Master Plan

The East Downtown Master Plan (1990) identifies the majority of the site as high density residential (R-6). The 1995 zoning rewrite project (Ordinance 26, 1995) effectively updated the master plan to allow mixed-use, office and residential development on the subject properties. The text of the East Downtown Master Plan splits the block into two subareas: the Bryant area (600 East frontage and the middle of the block) is identified as a medium density high quality residential area which mainly relates to Phase III, while the Brownstone Apartment mixed use area (300 South, 400 South and 500 East frontage) is identified as a high density residential “urban neighborhood” and mainly relates to Phases I and II.

*Height* The Brownstone Apartment subarea was zoned RMU and RO in the zoning rewrite project, which is consistent with the text of the East Downtown Master Plan. Although the RMU zoning classification allows a height of 125 feet as a conditional use, the East Downtown Master Plan limits the height on this block to 75 feet to protect view corridors, eliminating the potential to extend the building to 125 feet. The proposal for Phase I of a 75-foot, 208-unit residential development is consistent with the master plan policies for this area. Higher density development is also consistent with Phase II. However final design of Phase II will have to be approved by the Historic Landmark Commission to ensure the height is compatible with the historic district regulations. Their determination may impact the overall height and, therefore, density, of Phase II.

In the Bryant subarea, the frontage along 600 East was originally zoned RMF-35 because 600 East is the spine of the Central City Historic District and the majority of structures along the street are a lower scale. The Juel apartment building, which has been the center of numerous preservation discussions, is approximately 45 feet tall and has a density that is greater than what is presently allowed in the RMF-35 zoning district. The East Downtown Master Plan calls for medium density residential development with no new commercial development and a 45-foot height limit in the Bryant subarea. Because of its proximity to the Light Rail Transit Station, staff believes it is appropriate to allow heights higher than 45 feet on the interior of the block, while limiting the height along 600 East to 45 feet. Final design of Phase III will have to be approved by the Historic Landmark Commission to ensure the height is compatible with the historic district regulations. Their determination may impact the overall height and, therefore, density of Phase III.

### Transportation Master Plan

The Transportation Master Plan (1996) identifies the need for higher density development along the major transit corridors to benefit the transit system. The plan states that encouraging higher density housing and concentrating business and commercial uses at transit stations, allows greater opportunities for ridesharing which in turn helps implement one of the “Guiding Principles” of the plan in reducing the dependence on the automobile as our primary mode of



transportation. The proposed medium-high density residential planned development is consistent with the policies of the Transportation Master Plan.

**Findings:**

Phase I meets all of the zoning requirements for the RMU zoning district except the rear yard setback. Staff recommends the Planning Commission modify the rear yard setback requirement through the planned development process in accordance with Section 21A.54.150.C

Phase I of the proposed Planned Development is consistent with the East Downtown and Transportation Master Plans in that it provides high density residential development in the East Downtown neighborhood near the University Trax Line Station. Final design proposals for Phases II and III must be submitted to the Planning Commission and Historic Landmark Commission for approval. Those future approvals may impact the overall density of the development. The maximum height for buildings in Phase III should be limited to 45 feet with a 15-foot front yard setback or other dimensions compatible with the character of the historic district as determined by the Historic Landmark Commission.

- C. **Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not materially degrade the service level on the adjacent streets.**

**Discussion:** Primary access to the site is from 500 East, 300 South and 600 East. 500 East and 300 South are collector streets. 600 East is the spine of the historic district and has a major landscaped median. Existing private courts, Delwood Court and Vernier Place will be incorporated into the development. The Salt Lake City Transportation Division has reviewed the plan, and they have determined that access to the site is adequate. A traffic impact study was performed for a previous proposal. The Transportation Division is not requesting a new traffic impact study.

**Finding:** The Salt Lake City Transportation Division has determined that access is adequate.

- D. **The internal circulation system of the proposed development is properly designed.**

**Discussion:**

**On Site Parking**

All of the parking will be within the lower levels of the structures or under the central plaza. Because the site is sloped, the parking may be entered at grade from 500 East but is buried within the hillside towards the interior of the block. Preliminary review by the Salt Lake City Transportation Division indicates that the parking and internal circulation for the specific first phase building and the larger complex is adequate or may be made adequate with more detailed review at the time of issuing a building permit.

The off-street parking requirement for multi-family dwellings in the RMU zoning district is ½ parking space for each dwelling unit. Phase I includes approximately 208 units which would require 104 off-street parking spaces. The applicant is proposing to build 304 stalls. These stalls will meet the required parking for the entire development although Phase III is intended to have parking beneath the building and provide its own parking on-site. The applicant will have to request a conditional use for off-site parking as part of the approval for the Phase II and possibly Phase III developments.

#### On Street Parking

The 500 East building is faced with commercial uses. The petitioners are proposing cutback parking within the park strip along 500 East to accommodate parking for the commercial uses within the public right-of-way.

#### Pedestrian Circulation

The applicant is proposing to provide pedestrian access to the interior of the block via two access roads on the north and south of the development. The design of these access roads should include a differentiated paving material as well as landscaping and pedestrian amenities.

**Finding:** The Salt Lake City Transportation Division has determined that internal circulation is adequate. The first phase will exceed the number of required off-street parking stalls. Crossover easements will be required to ensure access to the parking on the lot of Phase I for Phases II and III. A conditional use will be required for off-site parking as part of the approval process for Phases II and III. The final design of the access roads should include differentiated paving materials, landscaping and pedestrian amenities.

- E. Existing or proposed utility services are adequate for the proposed development and are designed in a manner that will not have an adverse impact on adjacent land uses or resources.**

**Discussion:** The Public Utilities Department reviewed the project as part of the Development Review Team. They determined that utilities were adequate. Their primary concern is removal of dead sewer and water lines and tying into adequate storm drainage.

**Finding:** Public Utilities are adequate. The applicant will be required to meet all applicable utility codes prior to the issuance of a building permit.

- F. Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts.**

**Discussion:** No side yards are required within the R-MU zoning district, yet the development will provide a setback of approximately 20 feet on most sides. Adjacent uses are commercial and office. No Front yard is required in the R-MU

zoning district; however, a 15-foot setback has been provided for most of the frontages including 600 East in keeping with the historic development pattern.

The proposed buildings will have retail space at the ground level, along the 500 East frontage and potentially along 300 South. Commercial uses within the building are separated from residential uses. The East Downtown Master Plan does not encourage new commercial development along the 600 East frontage and none is planned.

**Finding:** Adjacent land uses do not require buffering from the proposed apartment complex. Buffering of the apartments from adjacent land uses is adequate. Retail space in the project should be prohibited along the 600 East frontage.

**G. Architecture and building materials are consistent with the development and compatible with the adjacent neighborhood.**

**Discussion:** The architecture of the building is a departure from traditional architecture located on the site and is different from adjacent commercial buildings, however it takes elements from historical apartment buildings in the area (such as protruding balconies) and creates a modern version of a traditional East Central Walk-up apartment. On November 6, 2002, the Salt Lake City Historic Landmark Commission approved the design of Phase I.

The final approved design for Phases II and III may be substantially different than what is shown on the attached schematic drawing.

**Finding:** The architecture is different, but compatible with historic high-density housing in the neighborhood. The Historic Landmark Commission has approved the design of the first phase structure and will review future phases. The project is a Planned Development and the Planning Commission has authority to review and approve the final design of the buildings in the development. However, since the property is within an H Historic Preservation Overlay Zone and the regulations governing the overlay zone take precedence when there is a conflict between the base zoning and the overlay zone, Staff recommends the Planning Commission delegate final design approval of the buildings for Phases II and Phase III to the Planning Director with the directive that final approval be consistent with the Historic Landmark Commission's approval. The final approved design for Phases II and III may be substantially different than what is shown on the attached schematic drawing.

**H. Landscaping is appropriate for the scale of the development.**

**Discussion:** All yard spaces have some landscaping but they also serve dual purposes. By ordinance, driveways and sidewalks are allowed to pass through landscaped areas.

The Phase I building on 500 East is near the front property line, although there is a small setback. The front yard will have a mix of trees and shrubs but also serves as the forecourt to commercial spaces. The tenant of these spaces may serve to determine the ultimate type of landscaping along 500 East depending on what the use is (for example; if it were a deli, outdoor seating may be provided). Both side yards are shared with driveways to/from the parking and as a pedestrian corridor/fire lane through the site. The yards will be landscaped but will be mixed with hard surfacing. The rear yard will be integrated into the overall planned development plaza area in the center of the block.

The complex's main amenities (especially for Phases II and III) will be provided on top of the underground parking structure. The proposed amenities will consist of an outdoor pool, playground, putting green and gathering spaces. These amenities will be developed as part of Phases II and III. Amenities for Phase I will be provided within that development and include a fitness center, computer center, interior courtyard and common space.

The proposed third phase building is setback approximately 15-feet from the front property line on 600 East.

**Finding:** Landscaping may be adequate, but may need further review upon final development of the site plan. Staff recommends that the Planning Commission delegate final approval of the landscaping plan to the Planning Director. Staff recommends the maintenance of a 15-foot landscaped setback along 600 East as part of the future Phase III development or as otherwise required by the Historic Landmark Commission. Staff recommends the final mid-block walkway design and improvements are subject to Planning Director approval.

**I. The proposed development preserves historical architectural and environmental features of the property.**

**Discussion:** In order to develop this project as designed, the applicant requested demolition approval for the contributing structures on the block. Several buildings that were contributing to the historic district have been given approval for demolition through the economic hardship process of the historic preservation overlay zone. The Historic Landmark Commission rejected the Economic Review Panels determination of Economic Hardship relating to the Juel Apartments, another contributing structure located in Phase III of the project. The Commission's decision is being appealed to the Land Use Appeals Board.

**Finding:** The Historic Landmark Commission found that an economic hardship would occur if the applicant were required to renovate most of the structures on the block and therefore the demolitions were allowed to occur. There are no sensitive environmental features associated with this site.

**J. Operating and delivery hours are compatible with adjacent land uses.**

**Discussion:** The apartments will have a 24-hour land use. Adjacent properties are retail and office uses that are usually only active during daylight and evening hours. Hours of the retail space within the development have not been determined, but are vertically separated from the residential portions of the building. Most potential land uses that may cause noise interference with the residential portions of the project, such as a club/tavern, would be required to submit separate conditional use application before opening.

**Finding:** Operating and delivery hours of the commercial land uses must comply with the Salt Lake County Health Department regulations and should not negatively impact adjacent residential land uses.

**K. The proposed conditional use or, in the case of a planned development, the permitted and conditional uses contained therein, are compatible with the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood or the City as a whole.**

**Discussion:** The East Downtown Neighborhood is a neighborhood with a mixture of uses including multi-family residential development. The City policies for this neighborhood include promoting historic preservation, encouraging medium to high-density residential development and allowing development that will support the Light Rail Transit line. The proposed project will implement the housing and transit oriented development policies of the City and will not have a net cumulative adverse impact on the City. The application to demolish several contributing historic resources met the requirements for demolition as outlined in Section 21A.34.020.L and were therefore, allowed to be demolished.

**Finding:** The proposed planned development furthers the goals of the master plan and will implement master plan policies of the City. The final design of Phase II and Phase III will require approval from the Planning Commission as well as the Historic Landmark Commission.

**L. The proposed development complies with all other applicable codes and ordinances.**

**Discussion:** The applicant will be required to reconfigure the lot lines of the properties to provide three different parcels. Most of the parking and amenities will be provided on the parcel of Phase I. Cross-over easements should be provided to allow access to the parking and amenities from Phases II and III. All other City requirements must be met, prior to the issuance of a building permit.

**Finding:** The development will be required to meet all applicable codes prior to the issuance of any building permit.

### 21.54.150 Planned Developments

The purpose of planned development is to provide flexibility in the ordinance to achieve the following objects:

1. Creation of a more desirable environment than would be possible through strict application of other City land use regulations.
2. Promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities.
3. Combination and coordination of architectural styles, building forms and building relationships.
4. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion.
5. Preservation of buildings, which are architecturally or historically significant or contribute to the character of the City.
6. Use of design, landscape or architectural features to create a pleasing environment.
7. Inclusion of special development amenities.
8. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.

Strict application of the zoning ordinance would limit the site to one single building. The proposed modifications to the rear yard requirement allow the developer to develop multiple buildings, which allow for increased internal pedestrian circulation, respond to varying grades on the site and accommodate historic preservation goals along 600 East. Therefore, the proposed development conforms with objectives 1, 2, 3, 4, 6, and 7 of Section 21A.54.150.

#### **21A.54.150E – Other standards.**

There are three standards for planned development approval

**Standard 1.** The project must meet the minimum lot size.

**Discussion:** The minimum lot size is 20,000 square feet for planned developments in the R-MU zoning district. The project consists of 1.86 acres in Phase I and a total of 4.59 acres total.

**Finding:** The project meets the minimum lot size standard.

**Standard 2.** Residential density may not be greater than the base zone.

**Discussion:** The density is unlimited in the R-MU zoning district.

**Finding:** The project meets the criteria

**Standard 3.** Reduced width streets must be properly engineered.

**Discussion:** There are no proposed internal streets.

**Finding:** This standard is not applicable.

### Recommendation:

Based on the findings, the Planning Staff recommends conceptual approval for a three phase residential mixed-use planned development generally located between the blocks of 300 to 400 South and 500 to 600 East, and final approval for the first phase building being located at approximately 325 South 500 East, with the following conditions:

- The Planning Commission modifies the rear yard setback requirements.
- The final landscape plan and mid-block walkway design be approved by the Planning Director.
- The 600 East frontage maintain a 15-foot landscaped setback or an alternative as approved by the Salt Lake City Historic Landmark Commission, to maintain the historic character of the street.
- The buildings along 600 East maintain a 45-foot height limit or an alternative as approved by the Salt Lake City Historic Landmark Commission, to maintain the historic scale and character of the street.
- New commercial uses are prohibited along the 600 East frontage.
- Phases II and III be submitted to the Planning Commission for final approval.
- The applicant grant an easement for Phases II and Phases III to ensure cross access easements are allowed for parking and access to the amenities on the lot of Phase I.
- The Planning Commission grant final building design approval to the Planning Director for Phases II and III with the directive that the design be consistent with the approval by the Historic Landmark Commission.
- The Planning Commission allow the applicant two years to obtain final conditional use approval for Phases II and III.

Doug Dansie  
Principal Planner

**Attachments:** Exhibit 1 – June 6, 2002 Staff Report and Minutes. Exhibit 2 – Division Recommendations, Enclosure - Site plan and Building Elevations

**Exhibit 1**  
**June 6, 2002 Staff Report**  
**and Minutes.**



# SALT LAKE CITY PLANNING COMMISSION STAFF REPORT

## Petition 410-584

A request by Ken Holman of Block 38 Associates, for a Planned Development (for the first phase building of what will eventually be a multi-building residential planned development) generally located at 325 South 500 East, in a Residential Mixed-Use R-MU zoning district.

June 6, 2002

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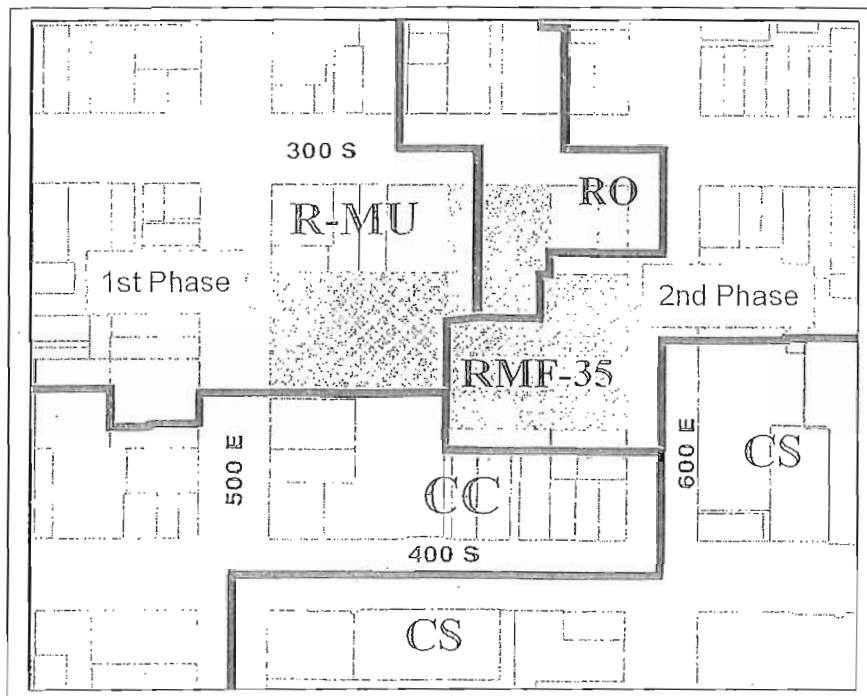
### REQUEST

**Petition # 410-584**, a request by Ken Holman of Block 38 Associates, for a Planned Development (for the first phase building of what will eventually be a multi-building residential planned development) generally located at 325 South 500 East, in a Residential Mixed-Use R-MU zoning district. The first phase will have 200 units. The total project will have approximately 500 units.

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### COMMUNITY/NEIGHBORHOOD COUNCIL REVIEW

The Central City Community Council has heard this proposal on multiple occasions. They voted on April 3, 2002 not to support the project. It was a split vote. The stated reason for non-support was that they preferred a previous proposal with a pitched roof (which may have been from a previous developer).



## BACKGROUND

**Property Owner Name  
And Applicant:**

Ken Holman, Block 38 Associates (Overland  
Development)

**Purpose of proposal or  
proposed site changes:**

Planned Development (for the first phase building of  
what will eventually be a multi-building residential  
planned development).

**Affected Parcel Number(s):**

16-06-426-008

**Previous Case Files:**

The project has been reviewed by the Historic  
Landmark Commission. Petition 410-301 was  
previously approved by the Planning Commission for  
an adjacent property (not built/approval expired), which  
is the site of the second and third phase of this proposed  
development.

**Lot Size / Lot Area of  
subject property:**

1.86 acres – first phase of larger project

**Existing Land Use on  
subject property:**

Existing site has several single-family homes and  
duplexes that are being demolished per Historic  
Landmark approval, and vacant land

**Existing Zoning and  
Overlay Districts on  
subject property:**

Residential Mixed-Use R-MU zoning district.  
Groundwater Source Protection overlay, secondary  
recharge area. H Historic Preservation Overlay Zone.  
The larger site, for future phases, also contains  
Residential Office RO zoning along 300 South and  
Residential multi-family RMF-35 zoning along 600  
East.

**Existing Master Plan  
Land Use Designation:**

East Downtown Master Plan calls for medium to high  
density housing on the block.

## IDENTIFICATION AND ANALYSIS OF ISSUES

Issues that are being generated by this proposal.

The proposed building is the first phase of a larger complex that faces onto three separate streets: 500 East, 300 South and 600 East. The final planned development also spans three separate zoning districts: R-MU, RO and RMF-35. The current proposal is located entirely within the R-MU zoning district. The petitioner has initiated a separate petition to alter the zoning of the remainder of the block. That petition will be addressed prior to building the second and third phases, but is being held until the Historic Landmark Commission makes a final recommendation on the demolition request for the Juel Apartments at 340 South 600 East. The first phase consists of 200 units. The total complex will have up to 500 units, depending on final configuration of the second phase units (rental or owner occupied).

The entire proposed complex is within the Central City Historic District. The Historic Landmark Commission has approved the demolition of structures along Vernier Court (where the first phase is proposed) and has approved the proposed design. It is proposed that the densities and height be focused along the 500 East frontage in order to lower the height and density along 600 East, which is the spine of the historic district. There is also an approximate 20-foot elevation difference between the 500 East Frontage and the 600 East frontage.

The site plan for future phases illustrates the Juel Apartments, which fronts onto 600 East, as being removed and replaced with new development. The Salt Lake City Historic Landmark Commission has not approved demolition of the Juel Apartments. The Landmark Commission did not find an economic hardship, which would allow demolition of the apartments. The Landmark decision was appealed to the Land Use Appeals Board. The case is currently being remanded to the Historic Landmark Commission for additional appraisal work. The final overall site plan may or may not be required to be amended in future phases to accommodate the Juel Apartments.

The Planned Development is requested because of multiple buildings on one site. The site contains multiple parcels and will continue to be so for financing reasons, but it is one overall project that will contain three major buildings tied together with underground parking.

Because of multiple parcels, there are inherent conflicts with the interface with lot lines. The required minimum rear yard in the R-MU zone is 30 feet. The first phase is 20 feet from the rear property line of its specific lot line to the balcony of the building. The actual building face is approximately 27 feet from the property line. Underground parking will eventually cross property lines to connect to underground parking on adjacent lots as part of the larger project. The next building in the planned development will be 40 feet from the first phase proposed building (it is also proposed to be 20 feet from the property line.)

There are no side or front yard requirements for multi-family development in the R-MU zoning district, however 20-foot side yards are being proposed. Twenty feet is a minimum setback for unprotected window space by building code.

There are unresolved height issues for the building.

The Planning Commission previously approved rezoning the 600 East frontage to RMF-75, with the caveat that the height be restricted to 35 feet. The property was previously proposed for rezoning because other density of RMF-75 is greater than RMF-35. The Planning Commission agreed with the density, but not the height. The previous petition was tied to the issuance of a building permit. The previous owner did not move forward with the project and therefore the rezoning was not changed.

## CODE CRITERIA / DISCUSSION / FINDINGS OF FACT

### 21.54.080 Standards for Conditional Uses.

**M. The proposed development is one of the conditional uses specifically listed in this Title.**

**Discussion:** Section 21A.54.140.C allows the planned development process to allow multiple buildings on a single site.

**Finding:** The Planning Commission is authorized to approve planned developments with multiple buildings.

**N. The proposed development is in harmony with the general purposes and intent of this Title and is compatible with and implements the planning goals and objectives of the City, including applicable City master plans.**

**Discussion:** The zoning on the specific site is R-MU, which allows for high-density residential and mixed-use development. The larger site is zoned a combination of R-MU, RO and RMF-35, all of which allow medium to high-density residential development. The proposed building is 20 feet from the rear property line (from the balcony), but will be 40 feet from the next building in the complex. Section 21A.54.140.C allows the Planning Commission authority to alter or waive individual setback requirements in order to create a better product. The underground parking will eventually cross property lines.

The proposed building is between 70 and 78 feet tall. The zoning allows for a 75-foot tall building in the R-MU zoning district. The ordinance allows for an increase in height up to 125 feet when the East Downtown Master Plan identifies such height. The master plan identifies the area across the street to the west as potential to increase to 125 feet, but this specific site remains in the 75-foot area. The petitioner has applied to the Board of Adjustment for a variance for the height based on the fact that the site is sloped, it meets the intent of the ordinance and the design has received Historic Landmark Commission approval.

The overall complex is within an area noted for medium to high-density development by the East Downtown Master Plan. It is also within a one-block walk of a light rail transit station.

**Finding:** The project meets all of the zoning requirements for the RMU zoning district except the rear yard setback and the height. Staff recommends the Planning Commission modify the rear yard setback requirement to 20 feet through the planned development process in accordance with Section 21A.54.150.C

The proposal is consistent with the East Downtown Master Plan, which calls for medium to high-density housing.

- O. Streets or other means of access to the proposed development are suitable and adequate to carry anticipated traffic and will not materially degrade the service level on the adjacent streets.**

**Discussion:** Primary access to the site is from 500 East. 500 East is a collector street. The Salt Lake City Transportation Division has reviewed the plan, and they have determined that access to the site is adequate.

**Finding:** The Salt Lake City Transportation Division has determined that access is adequate.

- P. The internal circulation system of the proposed development is properly designed.**

**Discussion:** All of the parking will be within the lower levels of the structure. The building is faced with commercial uses along 500 East with parking located behind. Because the site is sloped, the parking may be entered at grade from 500 East but it is buried within the hillside towards the interior of the block. Preliminary review by the Salt Lake City Transportation Division indicates that the parking and internal circulation for the specific building and the larger complex is adequate or may be made adequate with more detailed review at the time of issuing a building permit.

A two hundred-unit apartment complex would require 100 parking stalls in the R-MU zoning district. Commercial space is required to have 3 parking spaces per 1,000 square feet. There is approximately 4,000 square feet of commercial space, which would require 12 stalls. Therefore a total of 112 stalls are required. 214 parking stalls are provided in the first phase, which is nearly double the required amount.

**Finding:** The Salt Lake City Transportation Division has determined that internal circulation is adequate. The first phase will exceed the number of required off-street parking stalls.

- Q. Existing or proposed utility services are adequate for the proposed development and are designed in a manner that will not have an adverse impact on adjacent land uses or resources.**

**Discussion:** The Public Utilities Department reviewed the project as part of the Development Review Team. They determined that utilities were adequate.

**Finding:** Public Utilities are adequate.

**R. Appropriate buffering is provided to protect adjacent land uses from light, noise and visual impacts.**

**Discussion:** No side yards are required within the R-MU zoning district, yet the development is providing approximately 20 feet on both the north and south sides. All adjacent uses are commercial/office. No Front yard is required in the R-MU zoning district, however, a 15 foot setback has been provided for most of the frontage (staircase excepted).

The building cannot be pulled forward to accommodate the required rear yard without placing the staircase for access to the mid-block walkway into the public right-of-way.

Adjacent land uses consist of a Maverick gas station and an office building. The proposed building will have retail space at the ground level, along the 500 East frontage. Commercial uses within the building are vertically separated from residential uses.

**Finding:** Adjacent land uses do not require buffering from the proposed apartment complex. Buffering of the apartments from adjacent land uses is adequate.

**S. Architecture and building materials are consistent with the development and compatible with the adjacent neighborhood.**

**Discussion:** The architecture of the building is a departure from traditional architecture located on the site and is different from adjacent commercial buildings, however it takes elements from historical apartment buildings in the area (such as protruding balconies) and creates a modern version of a traditional East Central Walk-up apartment. The design has received the approval of the Salt Lake City Historic Landmark Commission.

**Finding:** The architecture is different, but compatible with historic high-density housing in the neighborhood. The Historic Landmark Commission has approved the design of the structure.

**T. Landscaping is appropriate for the scale of the development.**

**Discussion:** All yard spaces have some landscaping but they also serve dual purposes. By ordinance, driveways and sidewalks are allowed to pass through landscaped areas.

The building is setback approximately 15 feet from the front property line; the front yard will have a mix of trees and shrubs but also serves as the forecourt to commercial spaces. The tenets of these spaces may serve to determine the ultimate type of landscaping along 500 East depending on what the uses is (for example; if it were a deli, outdoor seating may be provided). Both side yards are shared with driveways to/from the parking and as a pedestrian corridor/fire lane through the site. The yards will be landscaped but will be mixed with hard surfacing. The rear yard will be integrated into the overall planned development.

**Finding:** Landscaping may be adequate, but may need further review upon final development of the site plan. Staff recommends that the Planning Commission delegate final approval of the landscaping plan to the Planning Director.

**U. The proposed development preserves historical architectural and environmental features of the property.**

**Discussion:** Several building that were contributing to the historic district have been given approval for demolition through the economic hardship process of the historic preservation overlay zone. Demolition approval for the Juel apartments on the larger site, facing 600 East, is still being discussed. This particular phase of construction does not immediately impact the Juel.

**Finding:** The Historic Landmark Commission found and economic hardship would occur if the applicant were required to renovate most of the structures on the block and therefore will allow for the demolitions. The fate of the Juel apartments has not been determined.

**V. Operating and delivery hours are compatible with adjacent land uses.**

**Discussion:** The apartments will have a 24-hour land use. Adjacent properties are retail and office uses that are usually only active during daylight and evening hours. Hours of the retail space within the building have not been determined, but are vertically separated from the residential portions of the building. Most potential land uses that may cause noise interference with the residential portions of the project, such as a club/tavern, would be required to submit separate conditional use application before opening.

**Finding:** Operating and delivery hours are compatible with adjacent land uses.

**W. The proposed conditional use or, in the case of a planned development, the permitted and conditional uses contained therein, are compatible with the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood or the City as a whole.**

**Discussion:** The Downtown master plan calls for increasing housing in and adjacent to the downtown area. The draft Central City plan also calls for

increasing density, when appropriate, near LRT transit stations. This project furthers the goals of the master plan. The proposed project will have an impact on the neighborhood because it facilitates a general transition from lower to higher density on the block. The transition is supported by the Master Plan.

The 600 East frontage is considered the main spine of the Central City Historic District. The proposed planned development will lower building heights along 600 East to be compatible with the historic district.

The proposed planned development will be creating a mid-block walkway through the center of the block, which facilitates the City's goals of creating a more walkable community.

**Finding:** The proposed planned development furthers the goals off the master plan and will impact the neighborhood consistent with the master plan and historic district design policies.

**X. The proposed development complies with all other applicable codes and ordinances.**

**Discussion:** The height of the building remains in question. The majority of the building falls within the 75-foot height limit, however because of the slope of the site, the building exceeds 75 feet in several portions. The Planning Commission is not authorized to waive the height restrictions in this instance. The petitioners have applied for a variance, due to slope, to rectify the height issue. It is scheduled for a Board of Adjustment hearing on June 17, 2002. All other building code issues and requirements will be met prior to receiving a building permit.

**Finding:** A Board of Adjustment variance is required to rectify outstanding height issues, or the building must be lowered by several feet. The staff recommends the Planning Commission reduce the rear yard requirement from 30 feet to 20 feet, and that the underground parking be allowed to cross property lines, consistent with the planned development process. All other code requirements will be met.

**21.54.150 Planned Developments**

The purpose of planned development is to provide flexibility in the ordinance to achieve the following objects:

1. Creation of a more desirable environment than would be possible through strict application of other City land use regulations.
2. Promotion of a creative approach to the use of land and related physical facilities resulting in better design and development, including aesthetic amenities.
3. Combination and coordination of architectural styles, building forms and building relationships.
4. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion.



5. Preservation of buildings, which are architecturally or historically significant or contribute to the character of the City.
6. Use of design, landscape or architectural features to create a pleasing environment.
7. Inclusion of special development amenities.
8. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.

Strict application of the zoning ordinance would limit the site to one single building. The proposed modifications to the rear yard requirement allow the developer to develop multiple buildings, which allow for increased internal pedestrian circulation, respond to varying grades on the site and to accommodate historic preservation goals along 600 East. This is in conformity with objectives 1, 2, 3, 4, 6, and 7 of Section 21A.54.150.

**21A.54.150E – Other standards.**

There are three standards for planned development approval

1. It must meet the minimum lot size.  
 Discussion: The minimum lot size is 20,000 square feet for planned developments in the R-MU zoning district.  
 Finding: The project meets the criteria.
  
2. Residential density may not be greater than the base zone.  
 Discussion: The density is unlimited in the R-MU zoning district.  
 Finding: The project meets the criteria
  
4. Reduced width streets must be properly engineered.  
 Discussion: There are no internal streets.  
 Finding: Not applicable.

**Recommendation:**

Based on the findings, the Planning Staff recommends approval for the first phase of a planned development for a mixed-use development at approximately 325 South 500 East, with the following conditions: The Planning Commission modify the rear yard setback requirement to allow a 20 foot rear yard setback for the specific building at approximately 325 South 500 East, the underground parking be allowed to cross property lines, and the final landscape plan be approved by the Planning Director.

The Planning Commission will be reviewing a rezoning request for the eastern portion of the block once the Juel apartment issue is resolved and will have an opportunity to review the final planned development at that time.

Doug Dansie  
 Principal Planner

**Attachments: Exhibit 1 – Previous case minutes. Exhibit 2 – Division Recommendations, Exhibit 3 - Site plan and Building Elevations**

- A. The proposed amendment will be in the best interest of the City.
- B. All newly created lots will meet the minimum lot area and lot width requirements for the zone.
- C. No changes will be made to the plat that would require a dedication to the City. Utility easements of record will be preserved.
- D. The provisions for any construction in the public way will be included.
- E. This proposed amendment will comply with all applicable laws and regulations.
- F. This minor subdivision amendment will not materially injure the public or any person and there is a good cause for the amendment.

Conditions of Approval

- 1. That a building permit only be issued once an amended plat for the Subdivision is recorded with the Salt Lake County Records Office.
- 2. That the applicant complies with all City Departmental comments and recommendations.

Ms. Arnold, Ms. Barrows, Mr. Chambless, Mr. Diamond, Ms. Funk, Mr. Jonas, Ms. McDonough, Mr. Muir, Mr. Nelson, and Ms. Noda voted "Aye." Robert "Bip" Daniels, as chair, did not vote. The motion carried.

**PUBLIC HEARING - Petition No. 410-584, by Ken Holman of Block 38 Associates, for a Planned Development (to reduce the rear yard requirement for the first phase building of what will eventually be a multi-building residential complex Planned Development) generally located at 325 South 500 East, in a Residential Mixed-Use R-MU zoning district.**

Due to a conflict of interest, Mr. Jonas, Ms. McDonough, and Mr. Nelson recused themselves from this item and left the room.

Planner Doug Dansie reviewed the petition as presented in the Staff report. He noted that this is the first phase of a planned development that will eventually have frontage on 500 and 600 East and 300 South. In writing the staff report, he noticed that the RMU District ties specifically to a map in the master plan, and although the property on the west side of the street is allowed 125 feet, this one is limited to 75 feet. The petitioner removed a foot from each level to lower the building, resulting in the building shown in the staff report. This brought the building within range to request a 4-foot variance from the Board of Adjustment. Upon reconsideration, the petitioner has decided it would be difficult to market units with 8-foot ceilings and has requested the 9-foot ceilings. Because the first phase has been financed, between 190 and 200 units are needed to meet bond requirements. The only way to remain within the height limit and have 9-

foot ceilings would be to remove the top level and add the units to the back of the existing building. As part of the planned development, the petitioner wishes to reduce the rear yard toward the property line. Mr. Dansie noted that the property line exists primarily for financing purposes, and within the planned development it will coordinate with at least two other buildings. The City will receive a public mid-block walkway through the planned development process. The Staff recommended that the Planning Commission approve the first phase of the planned development with the modification of the rear setback to allow zero rear yard and allow for underground parking to cross property lines. The Staff also recommended that the final landscape plan be approved by the Planning Director. Due to the rear yard issue, the Staff recommended that the developer enter into a development agreement with the City which should include a requirement that the entire planned development be completed within two years. If it has not been completed by then, the developer should either commit to move the rear property line back 30 feet and adjust the zoning appropriately or provide a 30-foot no build easement on the adjacent property.

Ms. Barrows noted that the Staff report refers to a previous approval on a petition for the same development, but she recalled this as being very different. Mr. Dansie replied that the original planned development contained the 300 South and 600 East parcel but it not Vernier Place. A rezone was approved for the site to RMF-75, and the planned development was approved for multiple buildings. After that, the property owner acquired Vernier place, and the property has been under contract several times. Ms. Barrows asked Mr. Dansie for his perception on the spacing if all the phases are completed. If Phase 2 is RMF-35, she asked what setback would be required and whether it could encroach on a 30-foot-wide no build easement. Mr. Dansie explained that there is a petition from the developer for the second phase to rezone the RMF-35 to R-MU, but there is an outstanding issue on the east parcel with the Juel Apartments. Even though the previous Planning Commission agreed to rezone to RMF-75, they placed a caveat that the frontage along 600 East would be limited to 35 feet in height. It is assumed that the same limitation will be in place along 600 East in the second phase. Ms. Barrows asked if Staff had any concerns about solar access and getting light into the 30-foot space between the buildings. Mr. Muir shared Ms. Barrows' concern, noting that 50% of the units would never get direct light, and this project could be the prototype for future developments. Mr. Dansie replied that the issue has not been addressed. The petition has been through the design process with the Historic Landmark Commission, and in that process the design was altered and the balconies became semi-freestanding.

Mr. Chambless asked who would be a typical occupant in these units. Mr. Dansie replied that

the first phase will be rental, and the petitioner is deciding about ownership units in subsequent phases.

Ms. Funk referred to the reference in the staff report to 20-foot side yards where none are required and to a combination of pedestrian corridors, parking, and fire lanes through the site. She asked if that would all be hard surface and whether there will be a demarcation between pedestrian and vehicle access. Mr. Dansie replied that most will be hard surface, but that is not abnormal. He discussed the access and noted that the fire department requires complete access along the side and through the block.

Tim Chambless asked about landscaping. Mr. Dansie replied that landscaping in the side yard will mostly be trees. Front landscaping will depend on the users. Mr. Chambless asked if children would occupy the building. Mr. Dansie replied that the units are one or two bedrooms, and this project has a mix of market housing and subsidized housing. He did not think the units would be conducive to children and, based on the location, he assumed the tenants would be students and single people working downtown.

Ken Holman, representing the developer, was available to answer questions. Ms. Funk asked about plans if the Juel Apartments are not torn down since a caveat for allowing this is the corridor from 500 East to 600 East. Mr. Holman stated that there is no specific requirement to provide a mid-block pedestrian corridor, but they intend to provide one. If the apartments stay, the mid-block corridor will be on the north side of the apartments. Ms. Funk expressed concern about approving a project in phases when the second phase is so uncertain. Mr. Holman explained that, if the apartments stay, there is a question about the economic feasibility of Phase 2, because the 24-unit Juel complex sits in the middle of what could be 100 units. He believed that the Juel might receive demolition approval through proof of economic hardship. If not, the developer would have to reevaluate Phase 2. Ms. Funk referred to the recommendation received by the Planning Commission today and asked Mr. Holman if he agreed with those conditions if Phase 2 does not go through. Mr. Holman replied that he did agree with those conditions.

Ms. Barrows asked why the petitioner was building 100% more parking than what is required when they are within a half block of the light rail system. Mr. Holman commented on parking ratios for other buildings he has developed, and in all instances they found the parking to be too tight. He noted that the parking ratio is only 1.3 to 1, and the 100% figure mentioned by Ms. Barrows is incorrect. Mr. Dansie clarified that parking was increased to 1.5 per unit, so the

requirement would be 80 stalls for the residential plus the commercial. Ms. Barrows asked Mr. Holman to address solar access and asked whether he had done shadow models. Mr. Holman explained the heights and stated that they have not done any shadow models. Although the width of the courtyard is 40 feet, running east to west he believed a fair amount of light would come in. He understood that units on the north would not get direct sunlight, but that is not unusual for apartment projects in Salt Lake.

Mr. Muir asked Mr. Holman if he would consider changing the design if he had more flexibility with height and provided ideas on how this could be done. Mr. Holman felt Mr. Muir had an excellent suggestion. Mr. Muir stated that he was unsure if the Planning Commission had the purview to grant that flexibility, but he was putting it on the table as a hypothetical. Mr. Dansie replied the height could be adjusted through the conditional use process, but the RMU zone language ties this to a map for the East Downtown Master Plan. The developer would have to prove a hardship in order to vary the height.

Mr. Chambless asked Mr. Holman who would live in these units. Mr. Holman replied that 60% of the units will be affordable and will be rented to people who earn less than 60% of the median income. Mr. Chambless asked if Mr. Holman believed this project met the needs of the downtown housing requirement. Mr. Holman replied that it does meet the needs, but downtown needs more of this type of project.

Mr. Daniels applauded the developer for this project and agreed that downtown Salt Lake City needed more projects like this one. The idea of a mix of people was especially attractive to him, and he liked the fact that the developer was open to suggestions for the second and third phases.

Chair Daniels opened the public hearing.

Thomas Mudder, a resident at the Juel Apartments, expressed concern with the height on 500 East. He did not think there was anything higher than 3-1/2 stories in view from the end of Vernier Place. He asked why this proposed height was allowed. He asked why the elevations were rubbed off the sketches and wondered if the number of stories would change if the developer keeps the 9-foot ceilings. Mr. Dansie explained that the elevation numbers were removed because they related to the original design for a taller building and changed when the ceiling heights were changed. He explained that, if a floor is removed from the building, it will be one story shorter, but it will come out of the middle, not the top. Mr. Mudder asked about side yards and asked if the north and south borders are hardscaped into the adjacent property.

Mr. Holman explained that a 12' wide driveway is planned for the north and south and the remaining eight feet will be landscaped. Mr. Mudder asked where the vehicles would enter for the complex. Mr. Holman explained that they would enter on the first level at the front of the project and on the second level 12 feet up at the back of the project and exit out the other side. Mr. Mudder commented on how difficult it was to live with the Trax construction and his concern that they will continue to see the same problems of dust, noise, and heavy equipment with all phases of this project. He noted that if parking exits onto 600 East, the cars can only turn right, and he wondered if that was looked at through a traffic study.

Chair Daniels closed the public hearing.

Mr. Muir commented that this is a significant neighborhood, and he wished they had better tools to model where this heads in terms of light and easement rather than responding strictly to height and density restrictions. He preferred to give some directive of license to the Staff as to what degree they can bend the rules in a planned development to address those issues. They could give an incentive to the developer from the beginning so the developer would have an opportunity to investigate the issues and create informal work sessions before this body to explore the sentiments of the Commission. Mr. Wilde replied that in many zones the City has the conditional use mechanism for additional height, but not in this zone. If the Staff knows of particular concerns, they can pay more attention to that in their initial plan review. Mr. Wilde accepted Mr. Muir's directive.

Mr. Diamond commented on the design elements of the building. Mr. Muir agreed with Mr. Diamond and felt it was within the Planning Commission's purview to attach design conditions to the approval.

Ms. Arnold stated that it does not speak well for anyone to have to spend two years putting together a project. She felt the City should do something to improve and speed up the process, because smaller development groups cannot afford to do this.

Ms. Barrows disagreed and felt it was better to take the time to work through a project. She noted that this is a large development, and the developer has come up against many issues.

Ms. Funk felt that, if they wanted a change, the process should have been in place before it came to the Planning Commission. The developer has spent the time to bring it to the Planning Commission, and she believed it met most of the criteria. The fact that the developer is willing

to accept one of three options in the event Phase 2 does not come through makes the project acceptable. She was troubled by the fact that the Planning Commission could not see the entire project in all phases.

#### Motion for Petition 410-584

Arla Funk moved that Petition 410-584 be approved on the basis of the findings of fact in the staff report with the recommendations, including the agreement with the developer to one of three options for finalization of the second phase. Kay (berger) Arnold seconded the motion.

Prescott Muir suggested an amendment to the motion giving the Planning Director authority to work with the applicant to explore ways to create better connectivity to the street within grid 2 to the west. He believed it was important for the building cores to have direct connection to the higher plaza.

Ms. Funk accepted the amendment to her motion. Ms. Arnold accepted the amendment in her second.

#### Findings of Fact

- A. The Planning Commission is authorized to approve planned developments with multiple buildings.
- B. The project meets all of the zoning requirements for the RMU zoning district except the rear yard setback and the height. Staff recommends the Planning Commission modify the rear yard setback requirement to 20 feet through the planned development process in accordance with Section 21A.54.150.C. The proposal is consistent with the East Downtown Master Plan, which calls for medium to high-density housing.
- C. The Salt Lake City Transportation Division has determined that access is adequate.
- D. The Salt Lake City Transportation Division has determined that internal circulation is adequate. The first phase will exceed the number of required off-street parking stalls.
- E. Public Utilities are adequate.
- F. Adjacent land uses do not require buffering from the proposed apartment complex. Buffering of the apartments from adjacent land uses is adequate.
- G. The architecture is different, but compatible with historic high-density housing in the neighborhood. The Historic Landmark Commission has approved the design of the structure.

- H. Landscaping may be adequate but may need further review upon final development of the site plan. Staff recommends that the Planning Commission delegate final approval of the landscaping plan to the Planning Director.
- I. The Historic Landmark Commission found an economic hardship would occur if the applicant were required to renovate most of the structures on the block and therefore will allow for the demolitions. The fate of the Juel apartments has not been determined.
- J. Operating and delivery hours are compatible with adjacent land uses.
- K. The proposed planned development furthers the goals of the master plan and will impact the neighborhood consistent with the master plan and historic district design policies.
- L. A Board of Adjustment variance is required to rectify outstanding height issues or the building must be lowered by several feet. The Staff recommends the Planning Commission reduce the rear yard requirement from 30 feet to 20 feet and that the underground parking be allowed to cross property lines, consistent with the planned development process. All other code requirements will be met.

Ms. Arnold, Ms. Barrows, Mr. Chambless, Mr. Diamond, Ms. Funk, Mr. Muir and Ms. Noda voted "Aye." Mr. Jonas, Ms. McDonough, and Mr. Nelson were not present for the vote. Robert "Bip" Daniels as chair, did not vote.

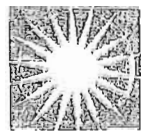
Mr. Wilde clarified that the three provisions of the development agreement will be specified in the order of priority. They will expect the developer to accomplish a property line shift and a rezoning with a 30-foot restrictive covenant as a fall back if they do not accomplish the first.

#### OTHER BUSINESS

Continued discussion of Petition No. 410-586, by Total Property Asset Management, requesting a planned development subdivision approval to create a pad lot at 464 South 600 East as part of the Family Center (Fred Meyer Planned Development. This is a request to modify the previous planned development (Petition No. 410-135) to incorporate the McHenry home site and develop an 11, 730 square foot pad site as part of the original planned development for the Family Center. This planned development requests modification of zoning ordinance standards consistent with the approval of the original Fred Meyer development. Ordinance modifications are reduction of the front yard landscaping and setback requirements, front yard parking, and a change of grade in excess of two feet at the property line. This property is in a Commercial "CS" Zoning District and in the Central Community Historic Overlay District.



**Attachment E**  
Design of previously approved plan



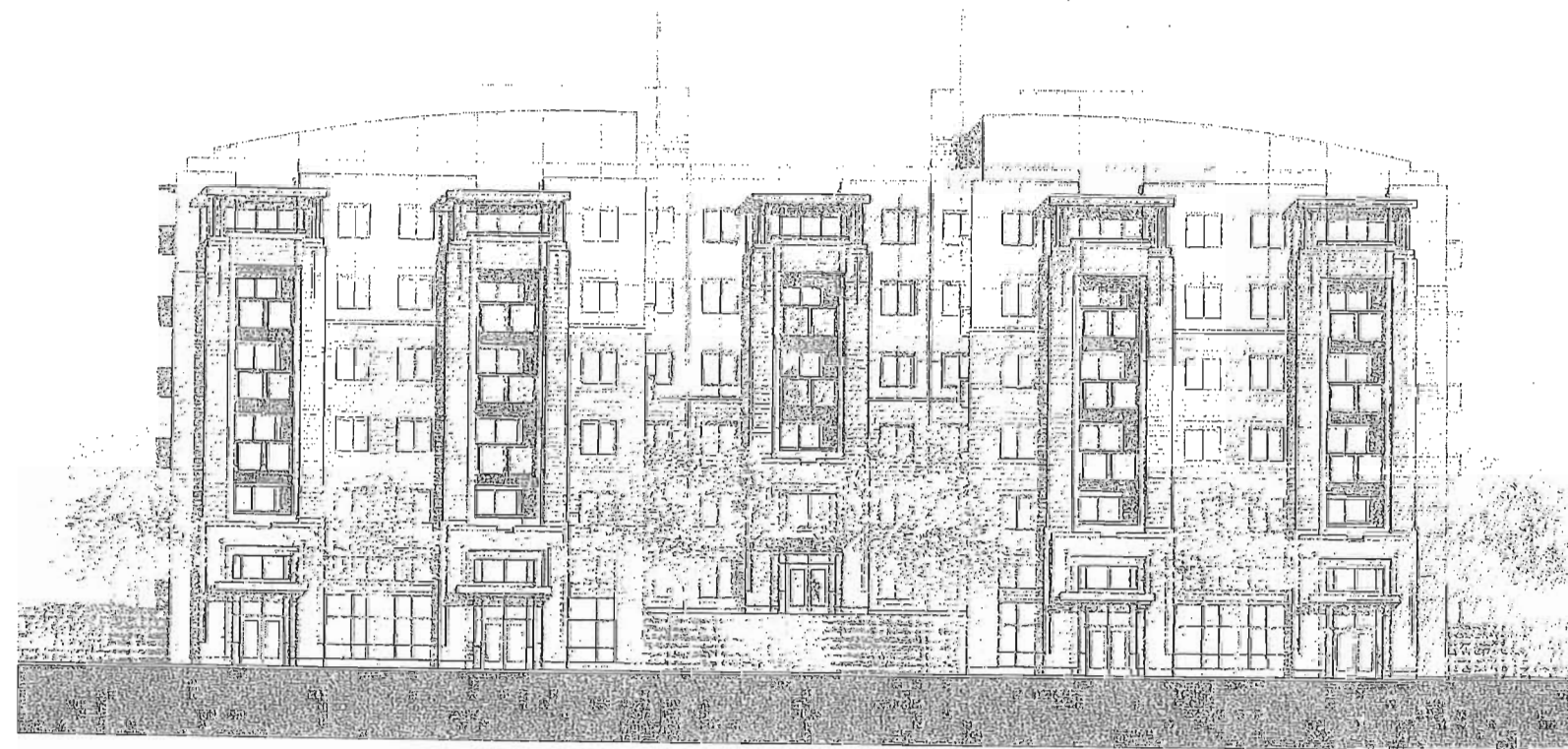
OVERLAND  
DEVELOPMENT

Emigration Court  
Multi-Family Housing and Retail  
Salt Lake City, Utah

Schematic Design Submittal

MHTN Architects, Inc.

10.15.02



## Project Summary

Located in downtown Salt Lake City, Emigration Court is a mixed-use project focusing on the quality of life offered by its urban setting. Eating and shopping opportunities abound here within an easily walkable one-block radius. To be completed in three phases, Emigration Court Apartments will consist of 6 stories of residential units and a level of underground parking. Phase One will include 208 units, 304 parking spaces and 250,000 square feet, while Phases Two and Three are planned for an additional 220 units.

With retail frontage on Fifth East Street, Emigration Court Apartments adds new activity at the pedestrian level, contributing to the vitality of its neighborhood and making it a truly mixed-use development. Approximately 5,000 square feet of retail space is planned, providing opportunities for traditional, neighborhood-scaled shops like coffee houses, dry-cleaning outlets and convenience stores. These will benefit not only the residents of Emigration Court, but neighboring residents as well.

Pedestrians may walk through the block via a path connecting Fifth and Sixth East Streets, respecting the human scale that characterized the historic residential development typical of the central city. A landscaped courtyard oriented to Fifth East provides outdoor space for residents and open space for the general public to enjoy visually. Inner block parking stalls are covered by a large central plaza which enhances residential life with a private outdoor pool, a play ground area, a putting green and activity gathering space.

One of the truly exciting facets of Emigration Court is its proximity to the newly completed 400 South TRAX line. Completed in November of 2001, the new line expands commuter options and links downtown Salt Lake City to the University of Utah. Residents of Emigration Court will enjoy convenient access to public transportation with the option of commuting, learning, working and shopping without relying on the car. This not only impacts air quality by limiting fossil-fuel emissions, but also helps to reduce traffic congestion. Making reality the principles of walkable communities and Transit Oriented neighborhoods, Emigration Court can become the flagship project for the new Transit Oriented District zoning overlay.

Because of its higher population density values, Emigration Court will reduce pressure on undeveloped areas remaining in the Salt Lake Valley. This project takes advantage of the infill opportunities prevalent in this part of the city, enabling the majority of the streetscape to remain intact, while developing greater density in Block 38.

50% of the housing units are low income allowing Emigration Court to accomplish much in the way of removing artificial barriers which can exist between more and less affluent residents. This will help bring diversity to the central city, further enhancing its vitality.

Emigration Court is designed with a moment resisting concrete frame, with floor slabs of post-tensioned concrete for the parking and first three levels of apartments and lightweight framing for the upper three levels.

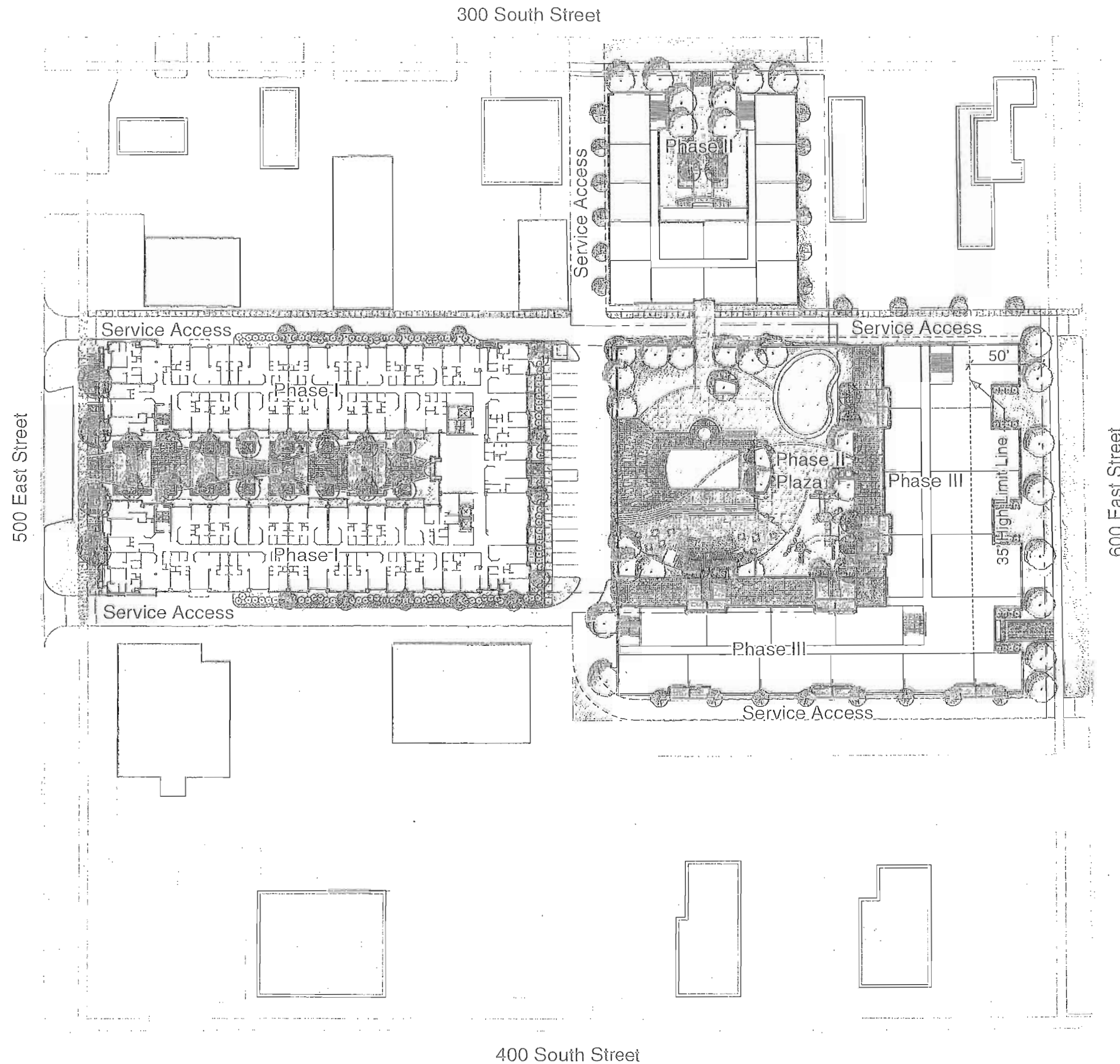


**Emigration Court  
Multi-Family  
Housing and Retail**  
Salt Lake City, Utah

**Schematic Design  
Submittal**

MHTN ARCHITECTS, INC.  
420 East South Temple  
Suite 100  
Salt Lake City, Utah 84111  
Telephone (801) 595-6900  
Telefax (801) 595-6717  
www.mhtn.com





Emigration Court  
Multi-Family  
Housing and Retail  
Salt Lake City, Utah

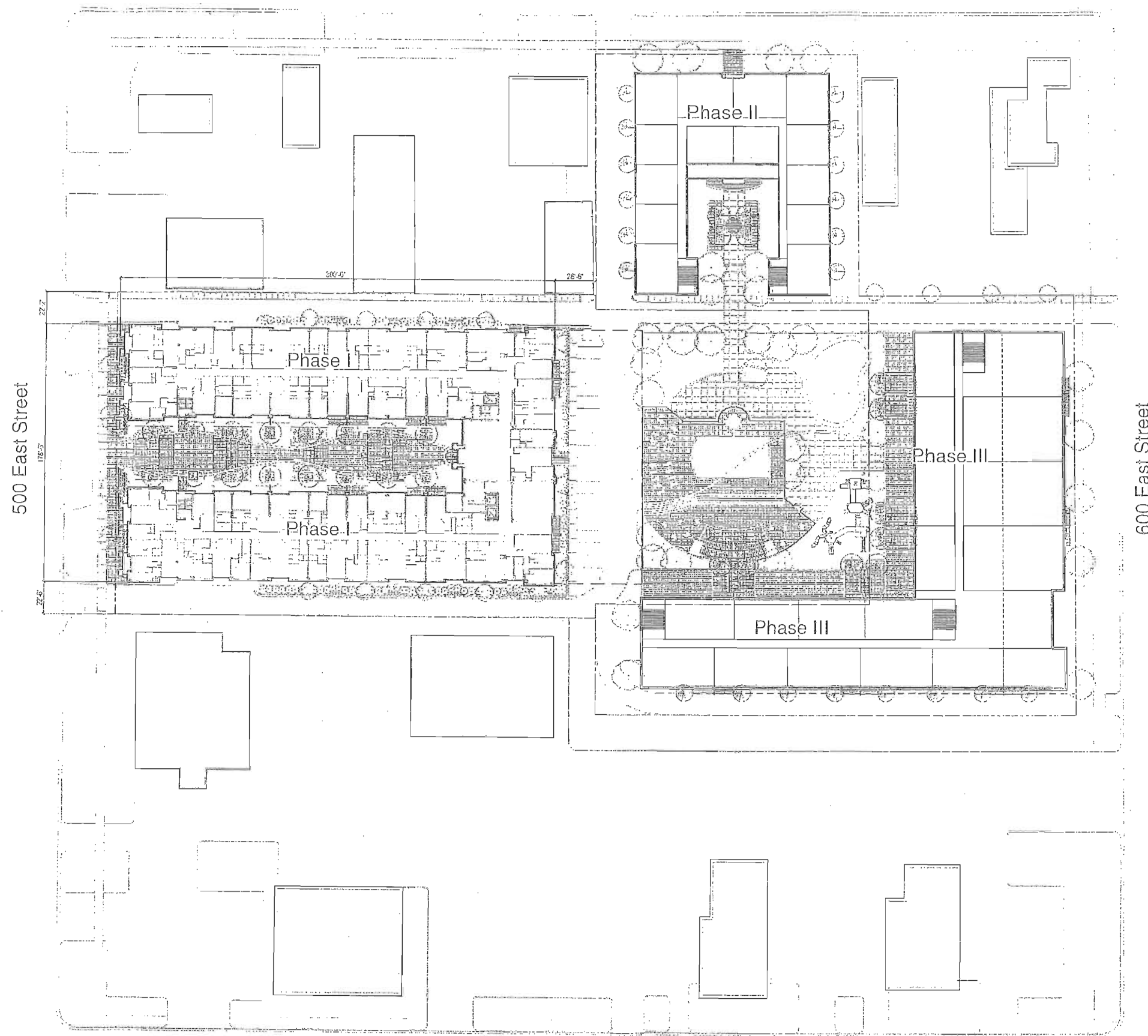
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10.15.02

300 South Street



500 East Street

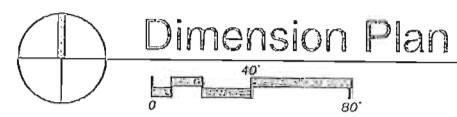
600 East Street



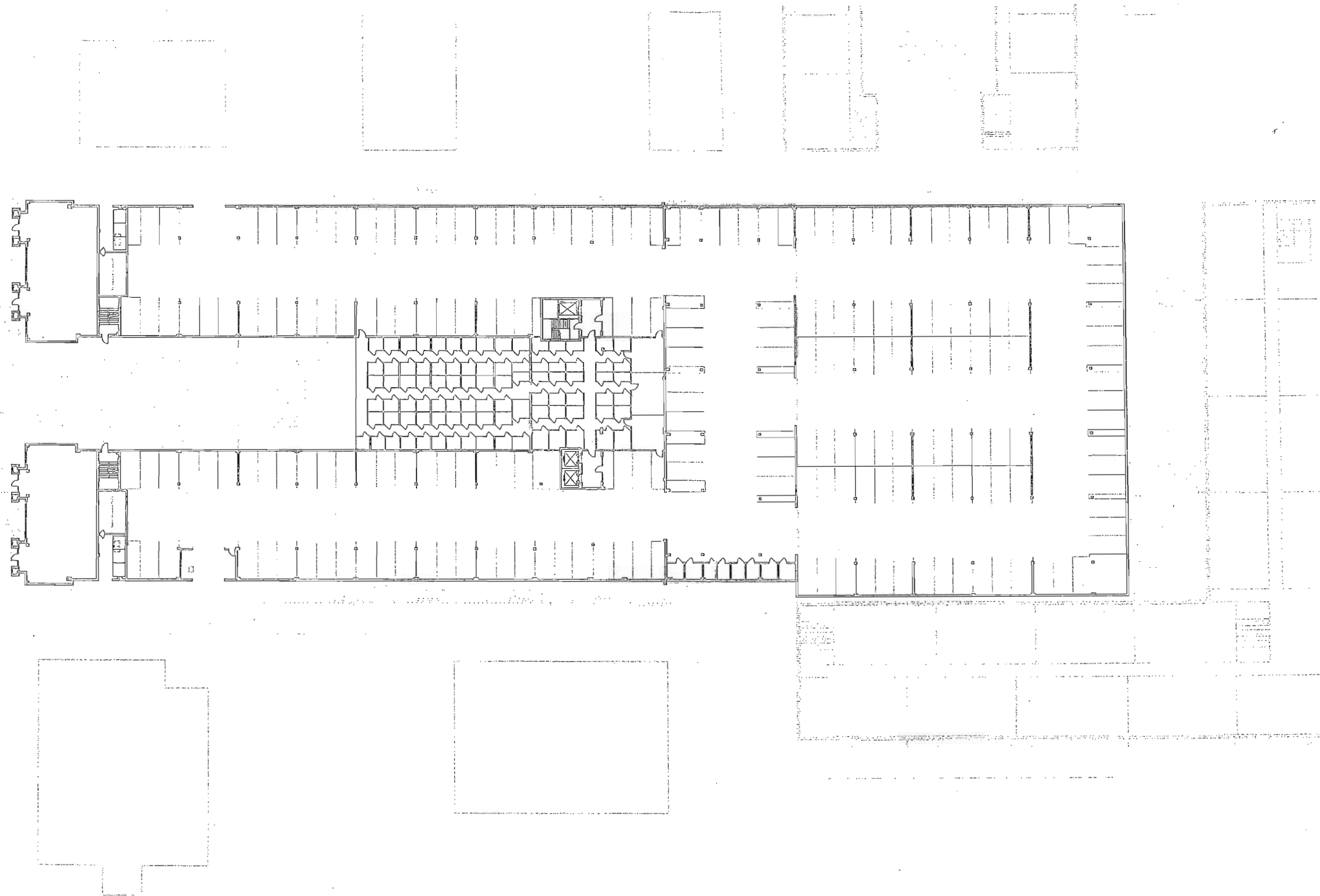
Emigration Court  
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Schematic Design  
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 www.mhtn.com



10.15.02



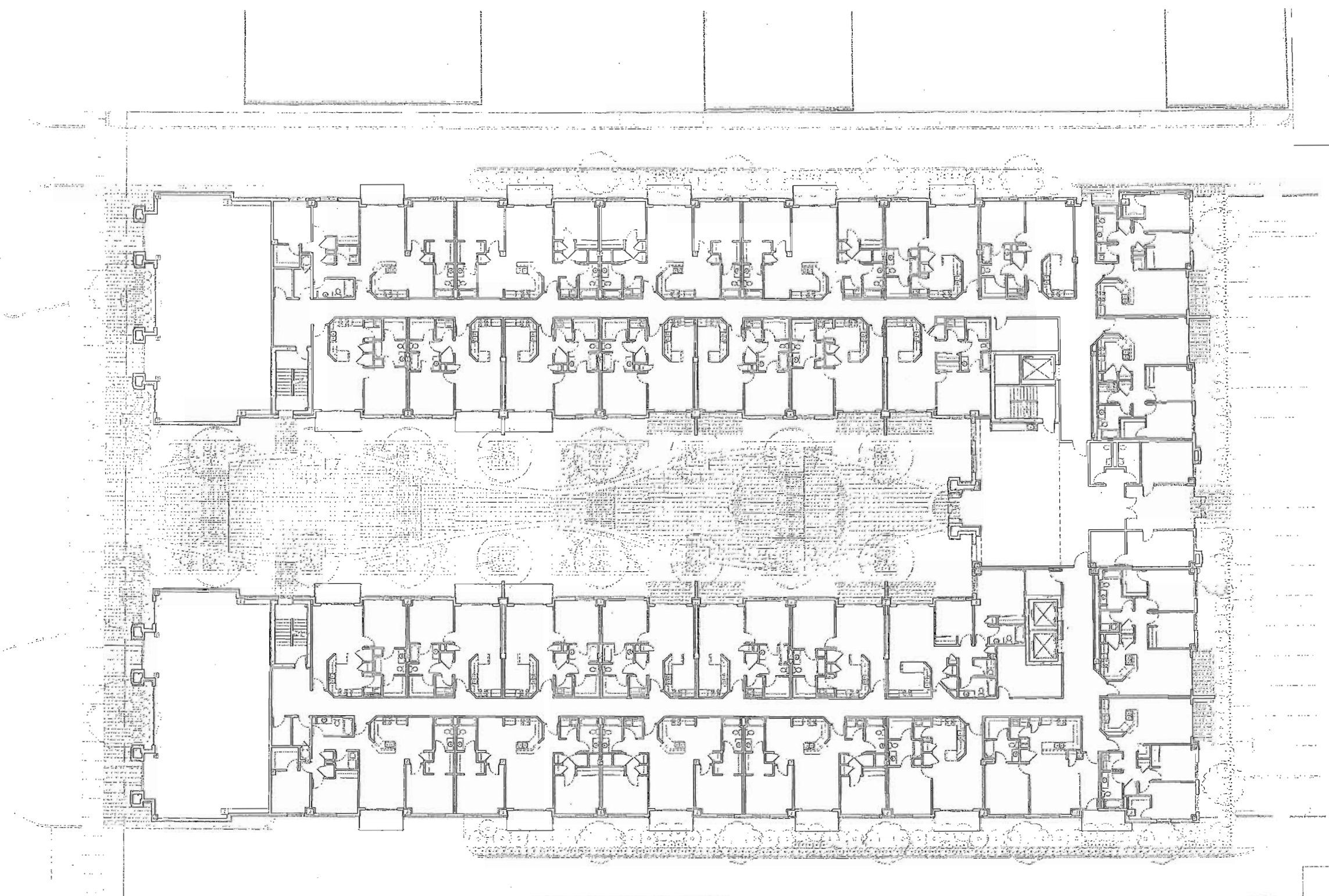
**Emigration Court  
Multi-Family  
Housing and Retail**  
Salt Lake City, Utah

Schematic Design  
Submittal

MHTN ARCHITECTS, INC.  
420 East South Temple  
Suite 100  
Salt Lake City, Utah 84111  
Telephone (801) 595-6900  
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**Parking Level Plan**  



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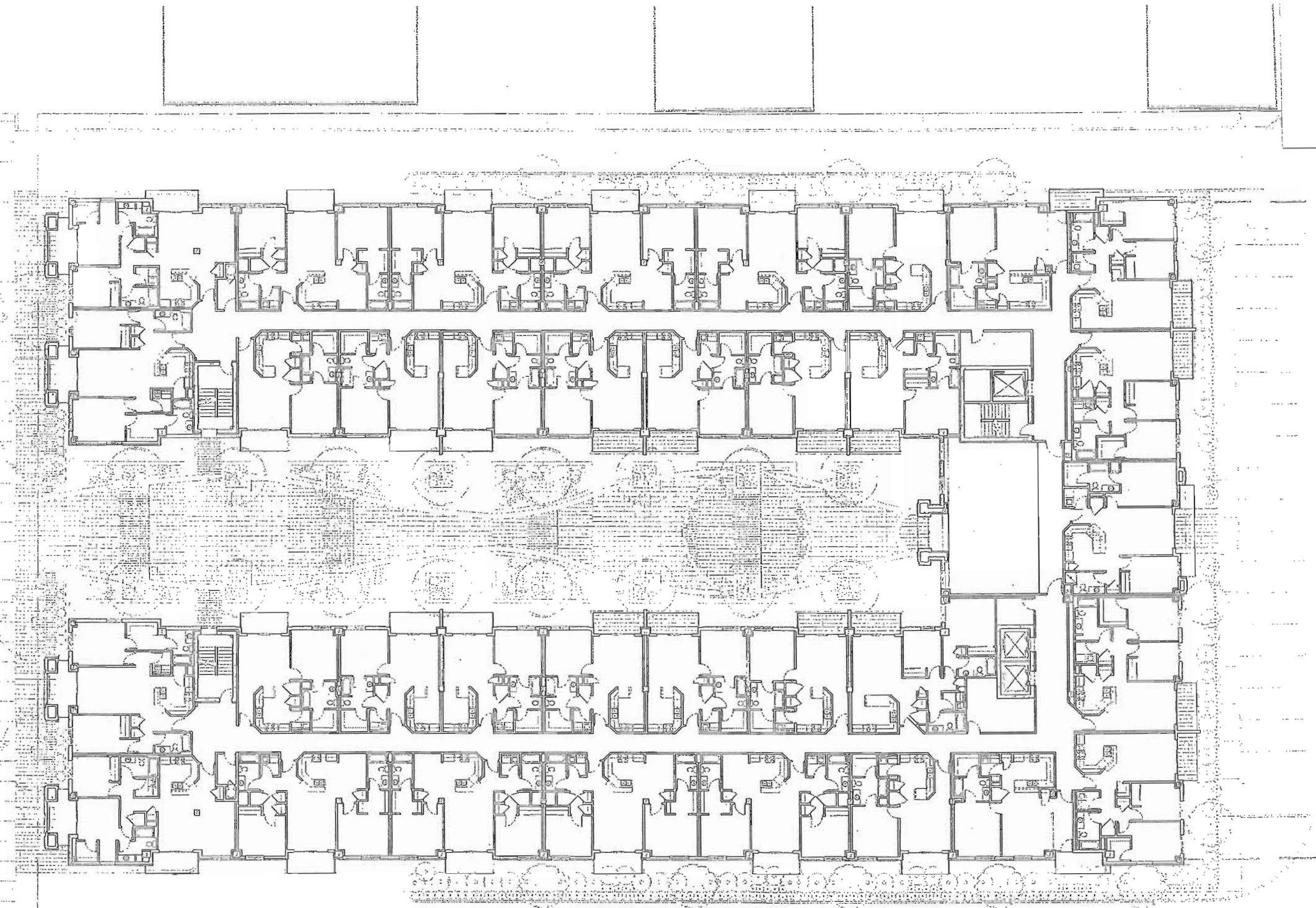
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Residential Level 1 and Plaza Plan



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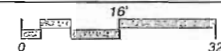
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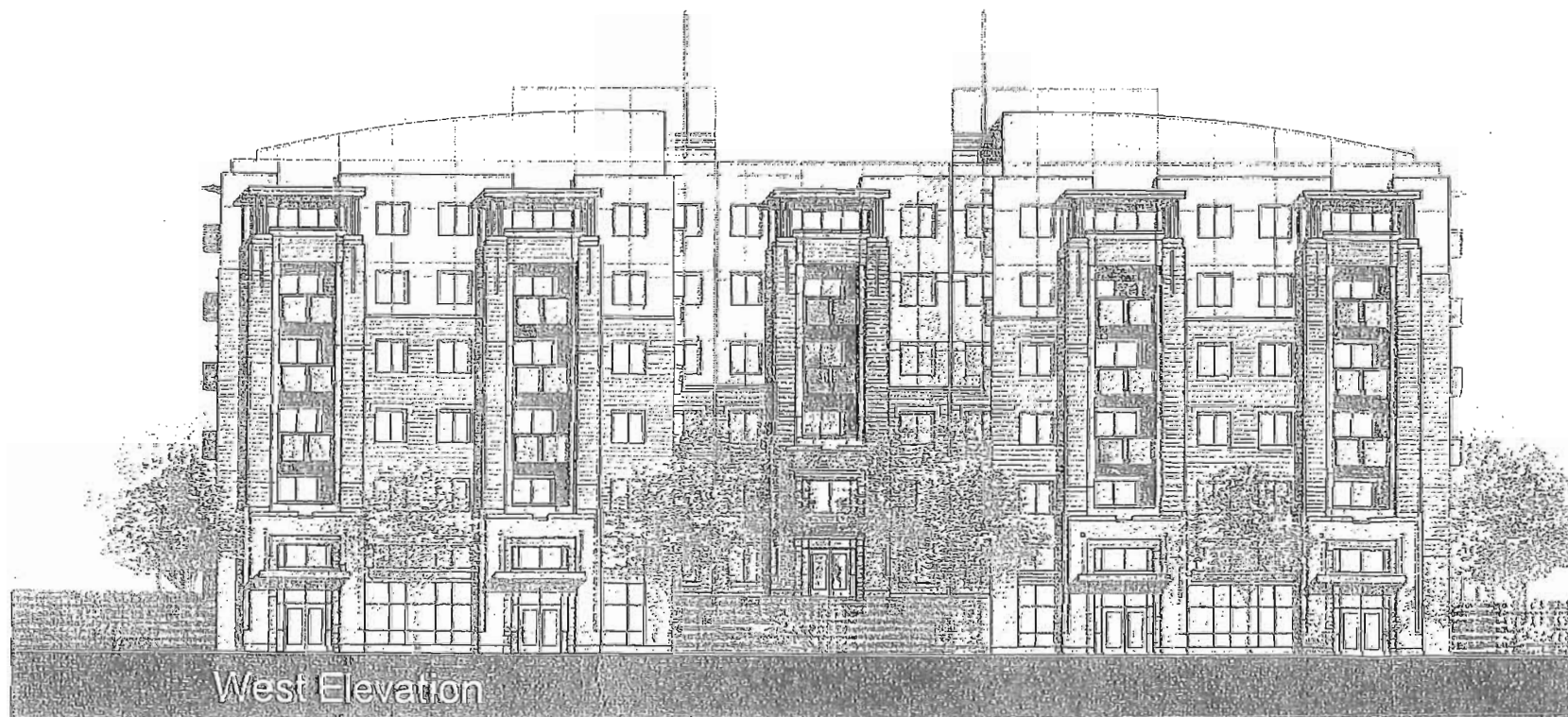
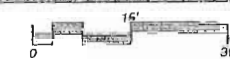
Residential Levels 2-6 Floor Plans



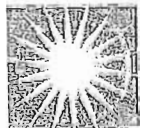




South Elevation



West Elevation



**OVERLAND**  
DEVELOPMENT

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West Elevation showing adjacent buildings



West Elevation showing street context



OVERLAND  
DEVELOPMENT

Emigration Court  
Multi-Family  
Housing and Retail

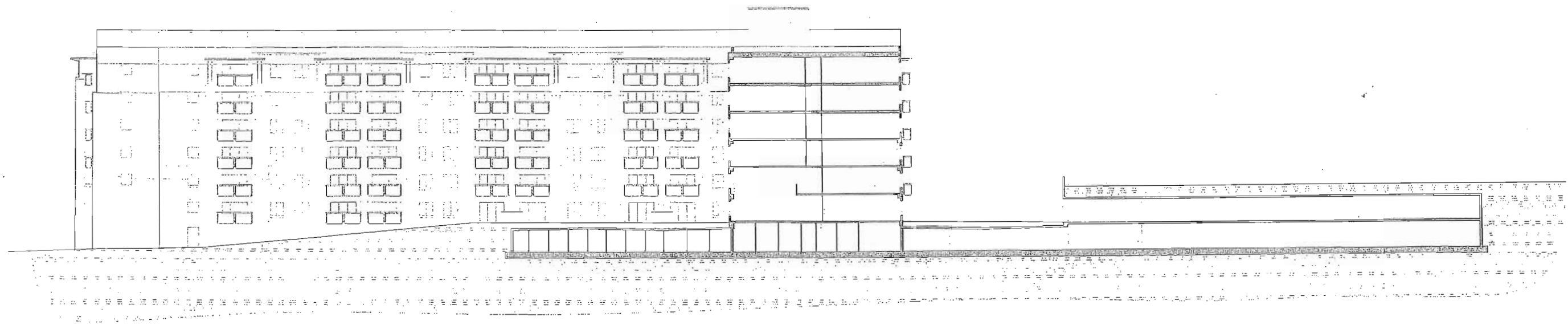
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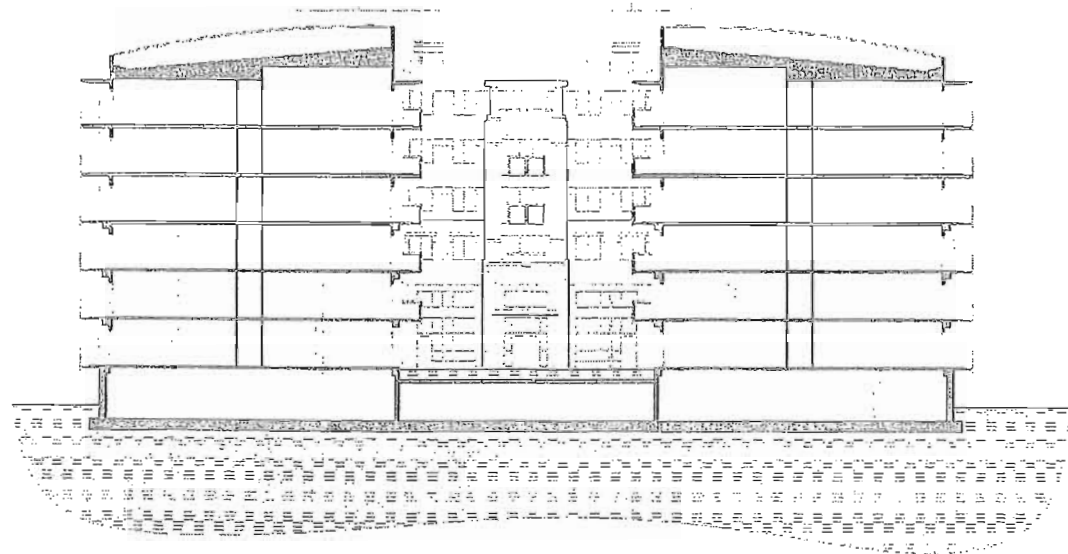
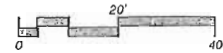
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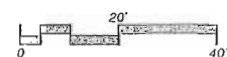
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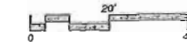
Building Section Through Parking Structure



Building Section Through Courtyard



East Elevation



Emigration Court  
Multi-Family  
Housing and Retail  
Salt Lake City, Utah

Schematic Design  
Submittal

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