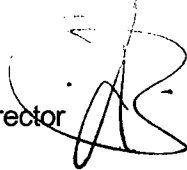


Memo



Department of Community Development
Office of the Director

To: George Shaw, Planning Director

From: Louis Zunguze, Community Development Director 

Date: October 19, 2007

CC: Mary De La Mare-Schaefer, Community Development Deputy Director
Joel Patterson, Planning Programs Supervisor

Re: Watts Enterprises Development Agreement

As you are aware, Salt Lake City has received a request from Watts Enterprises to amend a 1997 development agreement between the City and the company for the Almond Street Townhouse Condominium project. The development company is seeking changes to the agreement to make it consistent with its current development proposal. The City Attorney's Office has determined that the Community Development Director, with the consent of the developer, has the authority to amend the development agreement. Before making a determination on this amendment request, I am asking that you seek formal input from the Planning Commission regarding the impact and compatibility of the amendments proposed by the developer.

The area in which the property for the proposed development is located is zoned RMF-45 (Moderate/High Density Multi-Family Residential). While this zoning allows a maximum of 60 residential units to be developed on the site, the 1997 development agreement limits this development to 34 residential units with a minimum of 80 parking stalls. Despite the allowance of up to 34 units through the agreement, the developer, because of cost issues, sought and obtained approval in 1999 through the Historic Landmark Commission for a 17-unit project. This change was not reflected through an amended development agreement. To date, the developer has only constructed four of the 17 units.

The developer is now seeking to expand the project from a 17-unit project to a 22-unit development with 74 parking stalls (44 required stalls and 30 guest stalls). In addition to an amended development agreement, this proposed change in the development will require approval from the Historic Landmark Commission (HLC). While the HLC will have final design approval authority on the proposed project change, I would like input from the Planning Commission on issues that include the following:

- Compatibility of the proposed density to surrounding development patterns
- Appropriateness of proposed number of parking stalls in relation to the traffic and circulation in the area
- Specific requirements of the RMF-45 zoning district

Please contact me with any questions. Thank you for your attention to this matter.

Communication to the Planning Commission



Department of Community Development
Division of Planning & Zoning Enforcement

To: Members, Salt Lake City Planning Commission

From: Joel Paterson, AICP, Planning Programs Supervisor

Date: October 19, 2007

CC: Louis Zunguze, Community Development Director
Mary De La Mare Schaffer, Community Development Deputy Director
George Shaw, Planning Director
Cheri Coffey, Deputy Planning Director
Doug Wheelwright, Deputy Planning Director
Members, Salt Lake City Historic Landmark Commission
Russ Watts, Watts Enterprises
Polly Hart, Capitol Hill Community Council Chair

Re: Proposed Amendment to a Development Agreement between Watts Corporation and Salt Lake City Corporation regarding the Almond Street Condominium project located at approximately 289 North Almond Street and 286 North West Temple.

REQUEST

Louis Zunguze, Community Development Director, is requesting the Planning Commission to review the proposed amendments to a 1997 Development Agreement affecting the Almond Street Townhouse Condominium project, located at approximately 289 North Almond Street and 286 North West Temple. The purpose of the October 24, 2007 Issues Only public hearing is to allow the Planning Commission to hear public comment and to forward a recommendation to the Community Development Director indicating whether the amended development agreement represents an appropriate development density for this site.

INTRODUCTION

The applicant, Watts Enterprises (Watts) has requested, as part of a proposed amendment to the Almond Street Townhouse Condominiums, to amend a 1997 development agreement between the applicant and Salt Lake City. The original development agreement limited development on the site to thirty-four (34) residential units with a minimum of eighty (80) parking stalls. The site is approximately 1.39 acres and is zoned RMF-45 Moderate/High Density Multi-family Residential. The purpose of this district is to, "provide an environment suitable for multi-family dwellings of a moderate/high density." The proposed development is subject to the Salt Lake City Zoning

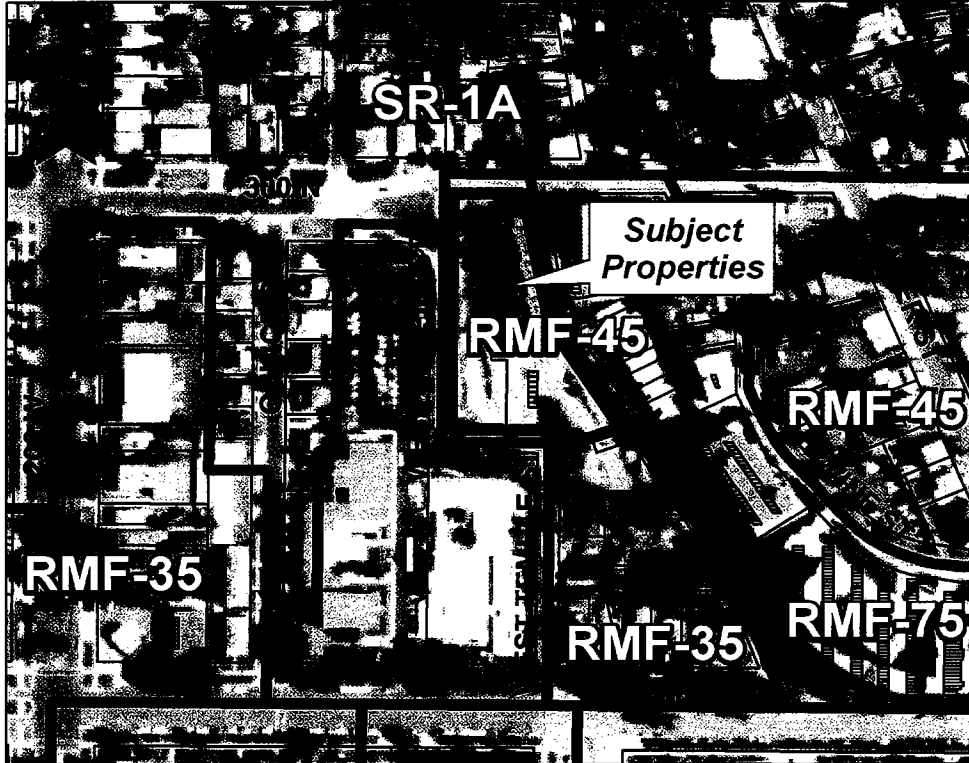
Ordinance and the *Design Guidelines for Residential Historic Districts in Salt Lake City*. The existing zoning would allow up to a maximum of 60 residential units to be developed on the site (Zoning Ordinance section 21A.24.140.C – Qualifying Provision allows developments of greater than 1 acre to have one (1) dwelling unit per one thousand (1,000) square feet of lot area).

According to the City Attorney’s Office, the Community Development Director has the authority to amend the development agreement with the consent of the developer. Louis Zunguze, Community Development Director, has requested input from the Planning Commission prior to considering an amendment to the existing development agreement. Mr. Zunguze has requested that the proposed amendment to the development agreement be reviewed by the Planning Commission for the purpose of receiving input from the Commission regarding the appropriateness of the proposed density and parking arrangements for this site.

This site is located within the Capitol Hill Historic District and any new construction requires approval from the Historic Landmark Commission. Furthermore, because the residential units are proposed to be developed as condominiums, Salt Lake City must approve an amendment to the Almond Street Townhouse Condominium plat.

The current development proposal includes the construction of eighteen (18) new residential condominium units that in conjunction with the four (4) existing condominiums will result in a project with a total of twenty-two (22) units.

VICINITY MAP



BACKGROUND

This site has a long history of development requests submitted by Watts that were reviewed by the Planning Commission and/or the Historic Landmark Commission between 1995 and 1999. The proposals consisted of a variety of design styles and site plans that ranged in size from seventeen (17) to fifty-two (52) residential units. In October 1996, the Historic Landmark Commission considered a fifty-two (52) unit proposal that was contained in a single building. In response, the Salt Lake City Council approved a six-month moratorium on December 10, 1996 that included temporary zoning regulations limiting development approvals on the subject property to projects consistent with the SR-1 Special Development Pattern Residential zoning district standards. Watts then filed a lawsuit against the City, claiming that his application was vested with the City. Subsequently, Watts and the City negotiated a development agreement that resolved the dispute; the lawsuit was withdrawn in exchange for the moratorium being terminated.

Following the execution of the development agreement, the Historic Landmark Commission granted design approval for a project with thirty-four (34) units in July 1997. Watts eventually determined that this project was not economically feasible, in part because of the cost of constructing underground parking. The project design was modified the once again. Finally, the Historic Landmark Commission approved the design of a seventeen (17) unit condominium project in January 1999. When the Historic Landmark Commission approved the design of the seventeen (17) unit project, the development agreement was not amended to reflect the approved project. To date, only four (4) of the seventeen (17) units have been built.

Proposed Amendments to the Development Agreement

Attachment B includes a copy of the development agreement between Watts and Salt Lake City executed in May of 1997 and also an agreement between Watts and both the Neighborhood Council and the Neighborhood Association. The following is a summary of the existing development agreement:

- The number of allowable dwelling units will be capped at 34.
- The project will include 80 parking stalls, with 18 designated for visitor parking.
- Owners and residents of the Watts project will not be allowed to participate in any City “neighborhood parking permit” program, unless the City determines otherwise.

In response to current market conditions, the applicant has reconfigured the project and is proposing to increase the number of residential units from seventeen (17) to twenty-two (22) (this total includes the four existing units and an additional 18 units yet to be constructed) with a total of 44 required parking stalls and thirty (30) guest parking stalls. Watts is requesting that the development agreement be amended to reflect the current development proposal. Watts has recently reduced the total number of units being requested from a total of twenty-four (24) to twenty-two units (inclusive of the four (4) units already existing on site.

The proposed modifications will require design approval from the Historic Landmark Commission and an amendment of the Almond Street Townhomes condominium plat, which was approved for the seven (7) units, originally approved fronting on Almond Street. Under the current proposal, the existing four (4) units would be considered Phase 1 of the Almond Street Townhomes Condominium. Phase two would include a second building fronting on Almond Street that would include six (6) units. Phase 3 would include twelve (12) units fronting on West Temple. The total number of units in all three phases would be twenty-two (22). As such, the current proposal includes five (5) units more than the seventeen (17) units approved by the Historic Landmark Commission in 1999; but a reduction of twelve (12) units from the thirty-four (34) units allowed by the existing development agreement.

Mr. Greg Schelenker of Agra Earth and Environment conducted a geotechnical study for Watts in December of 1995. After trenching the site, the study concluded that the site is free of fault rupture hazards, that the site soils are not susceptible to movements resulting from liquefaction or landsliding, and that strong ground shaking is the only earthquake hazard that needs to be considered in the siting of future development.

STAFF RECOMMENDATION

This item is listed on the agenda as an **Issues Only Hearing** and no final approvals will be granted at this meeting. The purpose of this Issues Only public hearing is to provide an opportunity for the public to comment on the proposed amendment to the existing development agreement and to allow the Planning Commission to forward a recommendation to the Community Development Director. The Historic Landmark Commission has final design approval authority for this project that is being proposed a permitted use. The Planning Commission has final approval authority for the condominium approval that will be presented to the Planning Commission at a later date.

PUBLIC COMMENTS: Watts presented the proposed project to the Capitol Hill Community Council in July 2007 but the Planning Division has not received any correspondence as follow-up to the presentation. Requests for permitted uses, new construction within a local historic district and condominium approvals are not required by the City Code to be presented to the local community council. Attachment E includes the written public comments received regarding this project. Generally, the comments received express the following issues:

- Density of the development considering the surrounding development patterns and topography of the site;
- Provision of adequate parking, including the need for off-street visitor parking because of the narrow streets and lack of parking available in the neighborhood;
- Geotechnical issues;
- Compatibility with the scale and character of the surrounding area; and
- That the existing development agreement is no longer valid because the Historic Landmark Commission granted approval of a seventeen (17) unit project in 1999. *Note, the Salt Lake City Attorney's Office does not agree with this concern and indicates that the existing development agreement limiting development on this site to thirty-four (34) is still valid.*

ZONING DISTRICT CONSIDERATIONS

All proposed work must comply with height, yard and bulk requirements of the RMF-45 zoning district which includes:

RMF-45 Moderate/High Density Multi-Family Residential Zoning District

- **Maximum Building Height:** The maximum building height in this district is forty-five feet (45') measured to the mid-point of the roof.
- **Front yard:** Twenty percent (20%) of lot depth, but need not to exceed twenty-five feet (25').
- **Corner Side Yard:** Twenty feet (20').
- **Interior Side Yard:** The minimum yard shall be eight feet (8'); provided that no principal building is erected within ten feet (10') of a building on an adjacent lot.
- **Rear Yard:** The rear yard shall be twenty-five percent (25%) of the lot depth, but need not exceed thirty feet (30').
- **Required Landscape Yards:** The front yard, corner side and, for interior lots, one of the interior side yards shall be maintained as a landscape yard.
- **Building coverage:** The surface coverage of all principal and accessory buildings shall not exceed sixty percent (60%) of the lot area.

General Provisions

- Lots in the RMF-45 district may have more than one principal building on a lot, subject to all of the principal nonresidential buildings being occupied by one use, or all principal residential and nonresidential buildings having frontage on a public street and subject to site plan review approval, pursuant to part V, chapter 21A.58 of this title.
- **Grade Changes:** The established grade of any lot shall not be raised or lowered more than four feet (4') at any point for the construction of any structure or improvement. *(The applicant may seek an exception to modify this requirement.)*

General Off-Street Parking Requirements

- **Parking Requirement:** The number of off-street parking spaces provided shall be in accordance with Table 21A.44.060F of this Section: 2 parking spaces for each dwelling unit.

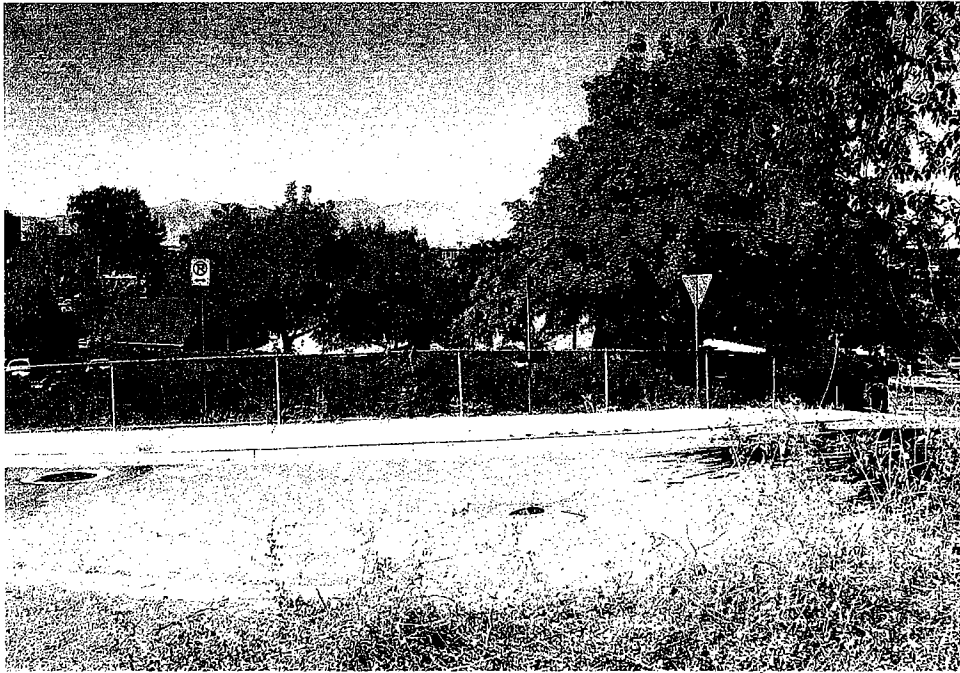
Discussion: At this time no public hearing date has been set by the Historic Landmark Commission. The Historic Landmark Commission does have final design approval authority for all new construction within the Capitol Hill Historic District and regulates design to ensure that new development, redevelopment and the subdivision of lots in historic districts is compatible with the character of existing development of the historic district and other individual landmarks sites within the general vicinity.

The final site and building designs must comply with all code requirements of the Zoning Ordinance which will be verified prior to building permit issuance. The Historic Landmark Commission does not set the density (units/acre) for development projects. Density is set by the underlying base zoning district. In some instances, such as with the Almond Street project, the City and a property owner may negotiate a development agreement that limits density below that allowed by the underlying zoning district.

Attachment A
Photographs



Almsud Street Townhomes



Looking west

West Temple Street



Looking to the southwest



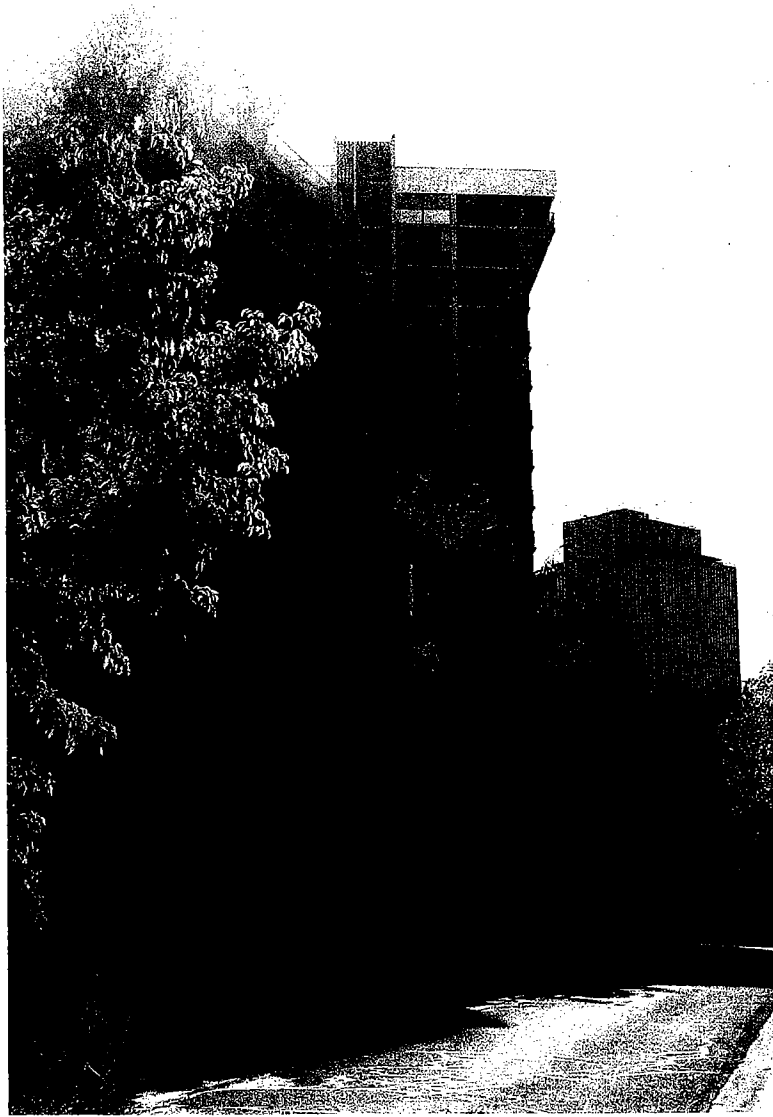
Looking south



East side of Almond St.



229 Almond St.



East side of Almond St. looking south

Attachment B
Development Agreement

FIRST AMENDMENT TO AGREEMENT

This First Amendment to Agreement ("First Amendment") is made as of the ___th day of August, 2007, by and between **WATTS ENTERPRISES, INC.**, a Utah corporation ("WE"), **ALMOND STREET PROPERTIES, L.L.C.**, a Utah limited liability company ("Almond"), and **RUSSELL K. WATTS**, an individual ("RKW", and together with WE and Almond, collectively "Watts"), and **SALT LAKE CITY CORPORATION**, a Utah corporation (herein "City").

WITNESSETH

A. Watts Corporation, Almond Street, L.L.C., and RKW, as one party, and City, as the other party, entered into that certain Agreement dated May 5, 1997 (herein the "Agreement"), with respect to the development of thirty-four (34) dwelling units upon certain real property located at 263 Almond Street, Salt Lake City, Salt Lake County, Utah, as more particularly described therein (the "Property").

B. WE is the successor to Watts Corporation and Almond is the successor to Almond Street, L.L.C.

C. The parties desire to amend the Agreement to provide for the reduction in the total number of dwelling units to be developed upon the Property, all in accordance with the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of these premises and for other good and valuable consideration the sufficiency and receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. Paragraph 1 of the Agreement is amended to provide that the number of dwelling units to be developed in the Project shall be decreased to a total of twenty-four (24).

2. Paragraph 2 of the Agreement is amended to provide that the final design for the Project will include eighty-four (84) parking stalls meeting generally applicable City standards of which thirty-two (32) will be designated for visitor parking.

3. Except as modified herein, all the terms of the Agreement, as amended in this First Amendment, are hereby ratified.

4. This Amendment may be executed in any number of counterparts, each of which shall be deemed to be an original, and all of such counterparts shall constitute one Amendment. To facilitate execution of this Amendment, the parties may execute and exchange by telephone facsimile counterparts of the signature pages.

IN WITNESS WHEREOF, the parties have executed this First Amendment the day and year first above appearing.

City:

SALT LAKE CITY CORPORATION, a Utah municipal corporation

By: _____

Title: _____

Attest: _____

AGREEMENT

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

RECITALS

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

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

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

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

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

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

TERMS

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

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

58.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"WATTS"

Watts Corporation, L L C

Almond Street, L L C

Russell K Watts

By *Russell K. Watts*
Its PRES.

By *Russell K. Watts*
Its MAN.

Russell K. Watts

"The City" Salt Lake City Corporation

By *Michael D. [Signature]*
Its Director CEO

Attest *Beverly Jones*



APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date 5-4-97
By *John H. [Signature]*

*CAPITOL HILL NEIGHBORHOOD COUNCIL
53 East 200 North
Salt Lake City, Utah 84103*

To: Russ Watts, Watts Corporation
Fr: Eric Jergensen, Capitol Hill Neighborhood Council
Da: 27 Jun 97
Re: Almond Street Condominiums

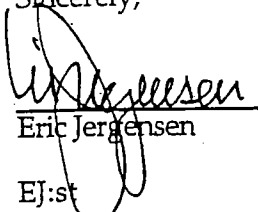
Please find herein a listing of the discussion items that were part of our meeting of June 23, 1997 between Mary Mark, Bonnie Mangold, Russ Watts and me:

1. Watts will move the stepped up section directly across the street from the eight-plex condominiums to the north and west as far as possible to stay under the RMF-45 envelope as per the attached drawing (this will need to be attached to any final documentation).
2. Watts will protect the Chinese Elm tree on West Temple and 300 North for a period no less than one year or until the Linden trees being planted as part of a Salt Lake City (the "City") approved Landscape Plan are mature enough to provide softening of the building. The decision on whether there is enough "softening" will be made by the neighbors, represented by Bonnie Mangold and Eric Jergensen.
3. Watts will support a petition to the City for the switching of one way traffic on West Temple, presently flowing north, to one way flowing south.
4. Watts will support the following actions by the City and the City agrees to accomplish:
 - a. Abandoning the road area at the north end of West Temple that abuts 300 North in a perpendicular fashion.
 - b. The joining of the island presently on 300 North to the parcel being considered for development of the Condominiums.
 - c. Watts will be install trees and shrubs on the island according to a design approved by the City and the neighbors and maintain the landscaping on the island area and any adjoining land masses. Trees shall be no smaller than 3" caliper on the landscaped island and throughout the project.
 - d. Watts agrees to provide sidewalk as indicated in the approved landscape plan.
 - e. The provision of a landscape easement in favor of Watts Corporation and indemnify Watts from any obligation, other than landscape installation and landscape maintenance, to the property or liability for any possible occurrence on that property.
5. Watts will build 34 units as agreed with the City in the attached document.


6. Watts will reduce the building mass on the north elevation per the attached drawing (this will need to be attached to any final documentation).
7. The City will install a stop sign at Quince Street and 300 North. It will also install a four-way stop at the intersection of 200 North and West Temple.
8. The City shall work with the neighborhood in order to implement traffic calming measures on 300 North.
9. Watts will take every precaution to protect housing and other nearby buildings from any seismic effects or degradation during or after construction of the Almond Street Condominiums. Watts agrees that the final development agreement will outline a method of photographic documentation acceptable to all parties which will provide independent verification of damages to housing, including, but not limited to, exterior walls, interior walls, foundations, water lines and any other part of the house or building. Watts will be responsible for repairing any damage related to work being performed by Watts on the Almond Street site.
10. Both parties shall be given the opportunity, at their sole discretion, to represent their viewpoints on the project, in full, at hearings of the Landmarks Commission. Both the Neighborhood Council and the Neighborhood Association agree not to appeal the proposed project if the City's Landmarks Commission provides final approval to the project and so long as Watts and the City agree to the previously identified commitments. Both the Neighborhood Council and the Neighborhood Association shall use their influence, in the event of Landmarks Commission approval of the project, with their members as well as with other members of the surrounding community to negate any attempt to appeal approval of the project. If an appeal is filed after the project has been approved, the Neighborhood Council and Neighborhood Association will use their best efforts to support the approval decision by the Landmarks Commission. Watts similarly agrees to abide by the decision of the Landmarks Commission and do whatever is required to meet their approval.

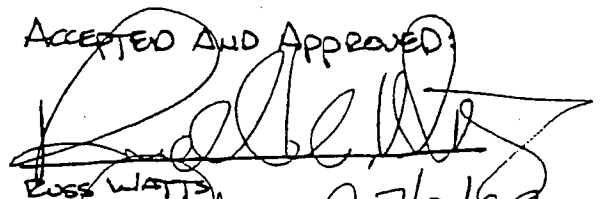
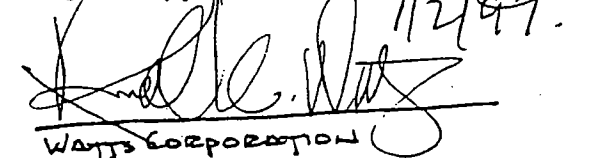
This represents the suggested understanding between the parties. On behalf of the Neighborhood Council and the Neighborhood Association, we agree to the foregoing.

Sincerely,

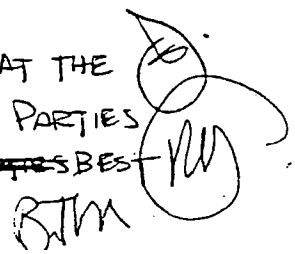

 Eric Jergensen
 EJ:st

Acknowledged:


 Bonnie Mangold
 President, Capitol Hill Historic
 Neighborhood Assoc.

ACCEPTED AND APPROVED:

 Russ Watts

 Watts Corporation
 7/2/97.

11. IN THE EVENT OF AN APPEAL, THE PARTIES WILL MEET TO ARRIVE AT THE BEST STRATEGY TO MOVE AHEAD WITHOUT DELAY TO WATTS. AND BOTH PARTIES WILL RE-EVALUATE THE SITUATION IN AN EFFORT TO ~~REACH A~~ PARTIES BEST IMPLEMENT THIS AGREEMENT.


 RTM

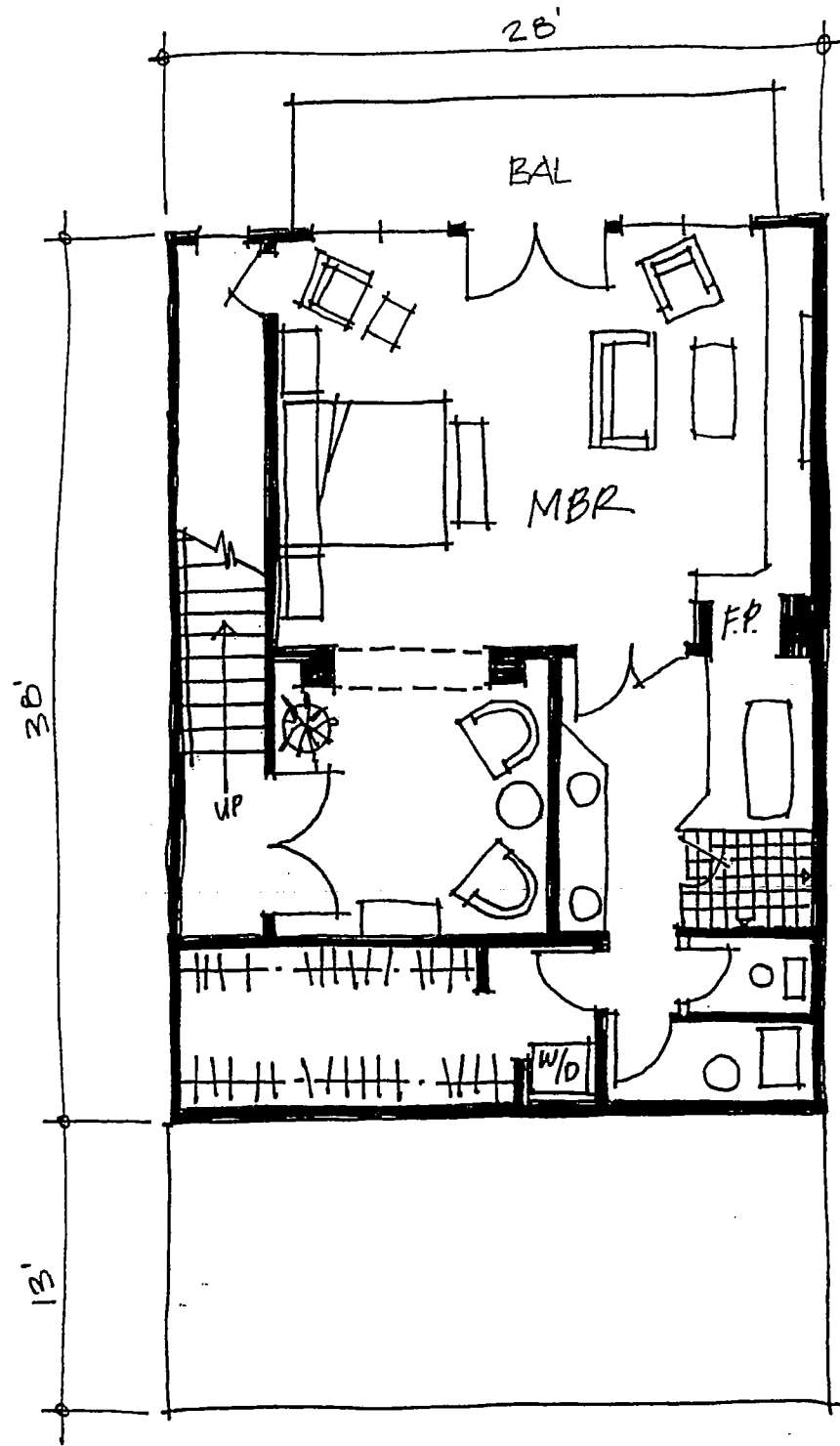
Attachment C
Preliminary Plans

ALMOND STREET CONDOMINIUMS

PROJECT SUMMARY

UNITS	QUANTITY	BEDROOMS	SQUARE FOOTAGE	GARAGE PARKING	GUEST PARKING
A	4	1	2,288	1	1
B	4	2	1,820	2	2
C	10	2	1,296	2	1
D	2	1	1,800	1	1
TOTALS	20	34	32,992	34	24

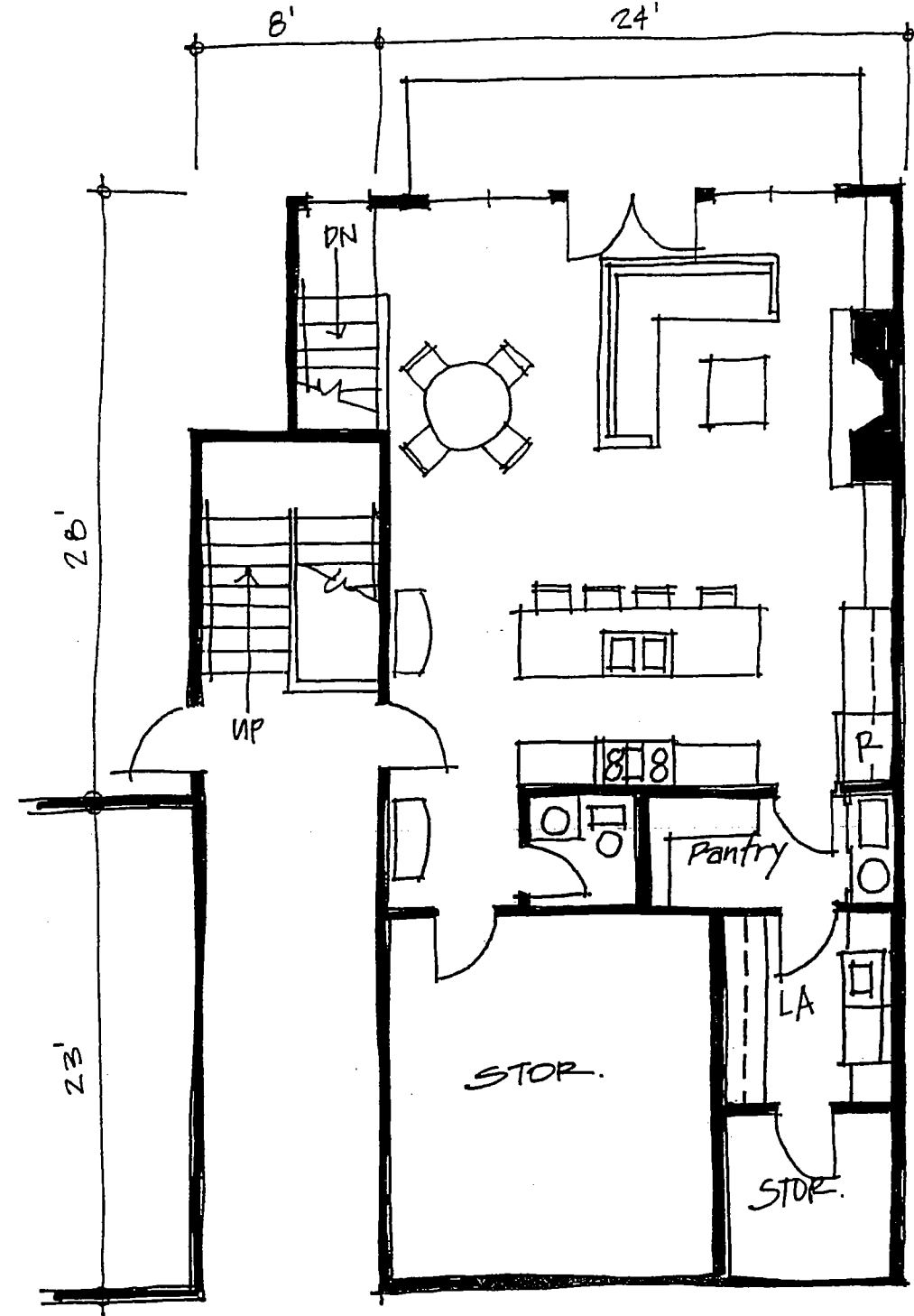
WATTS ENTERPRISES
5200 HIGHLAND DRIVE
SALT LAKE CITY, UTAH



LEVEL ONE

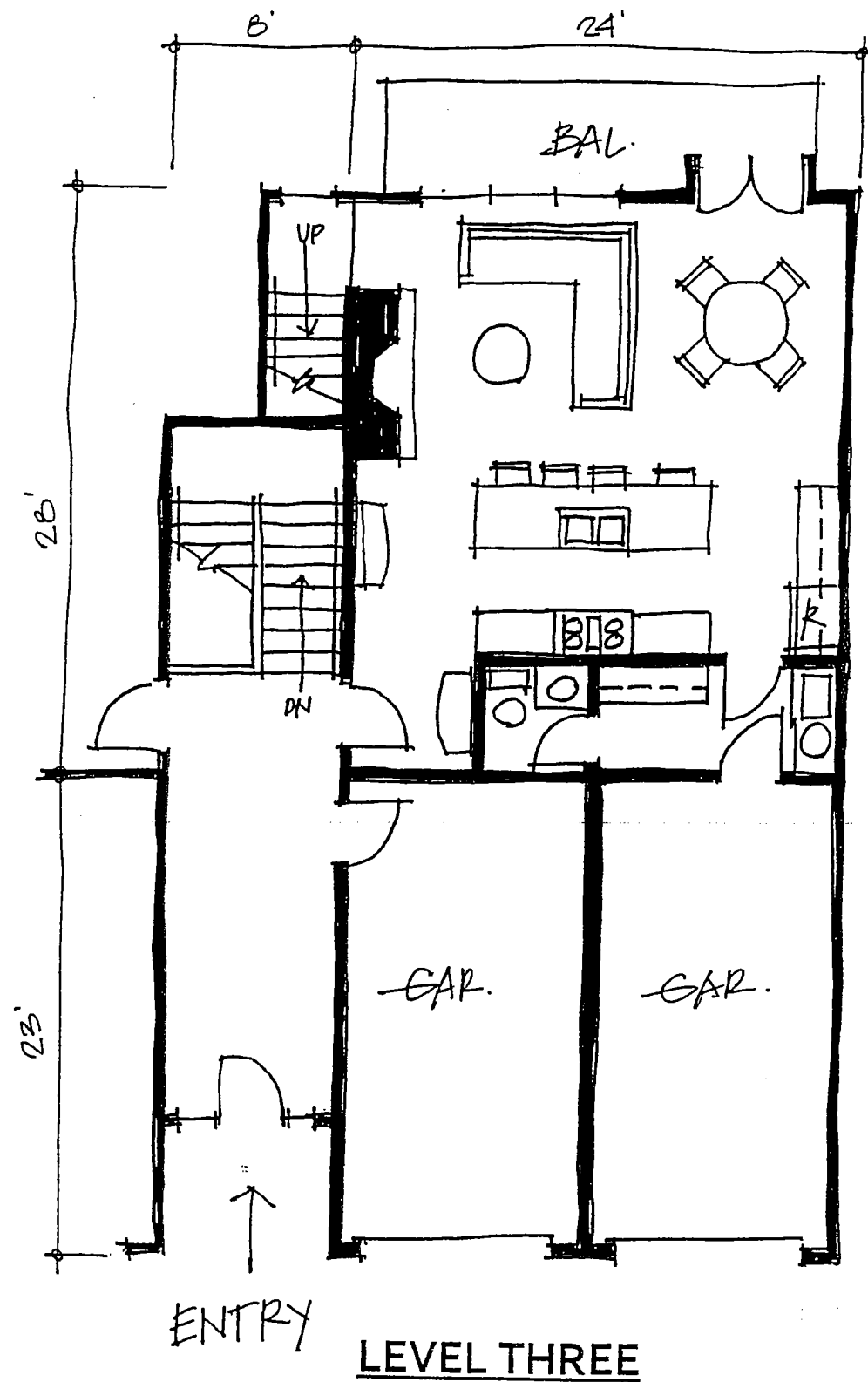
UNIT A

ALMOND STREET - PLAN
 PHASE II
 WATTS ENTERPRISES
 5200 HIGHLAND DRIVE



LEVEL TWO

ALMOND STREET CONDOMINIUMS

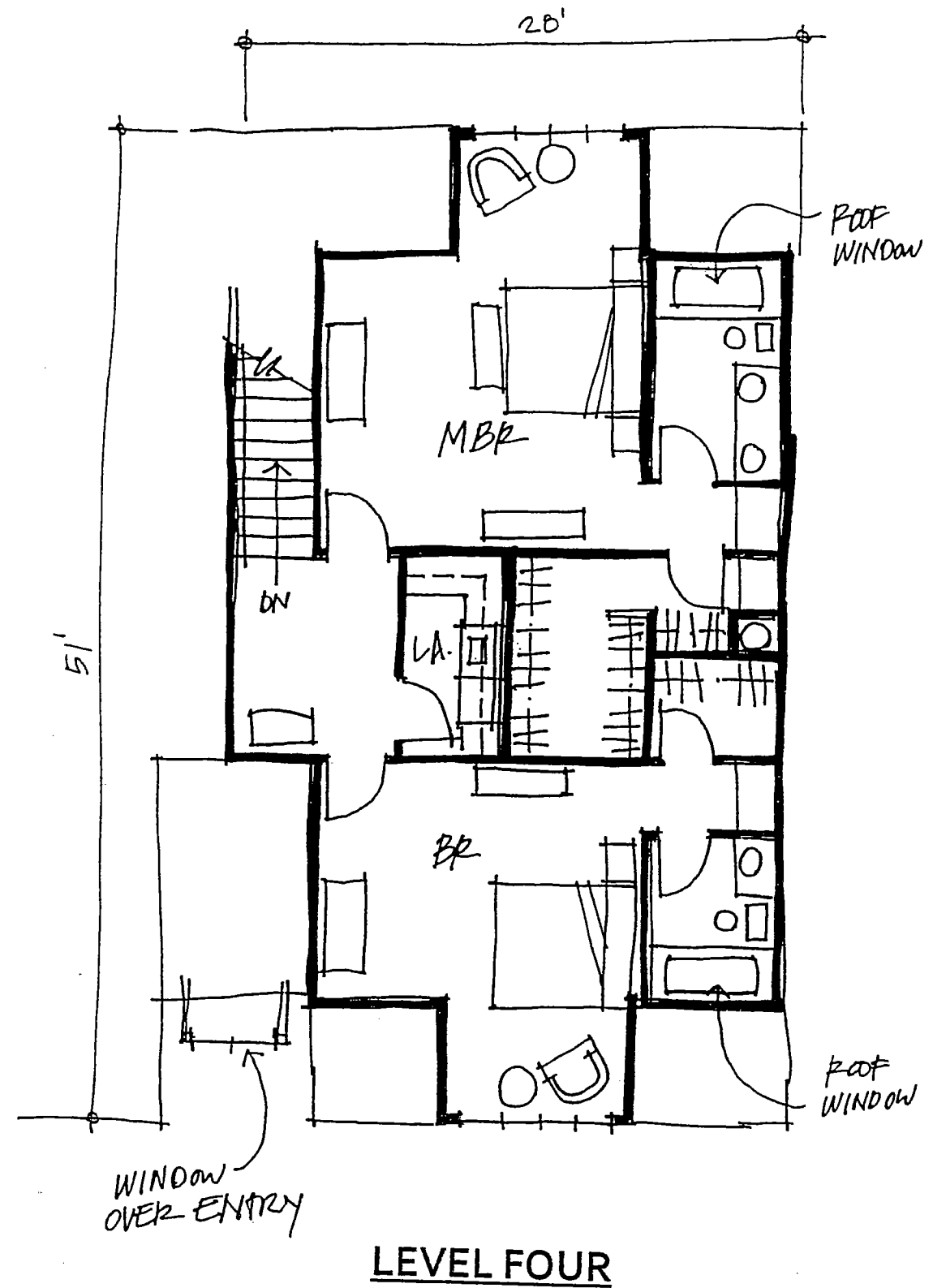


UNIT B

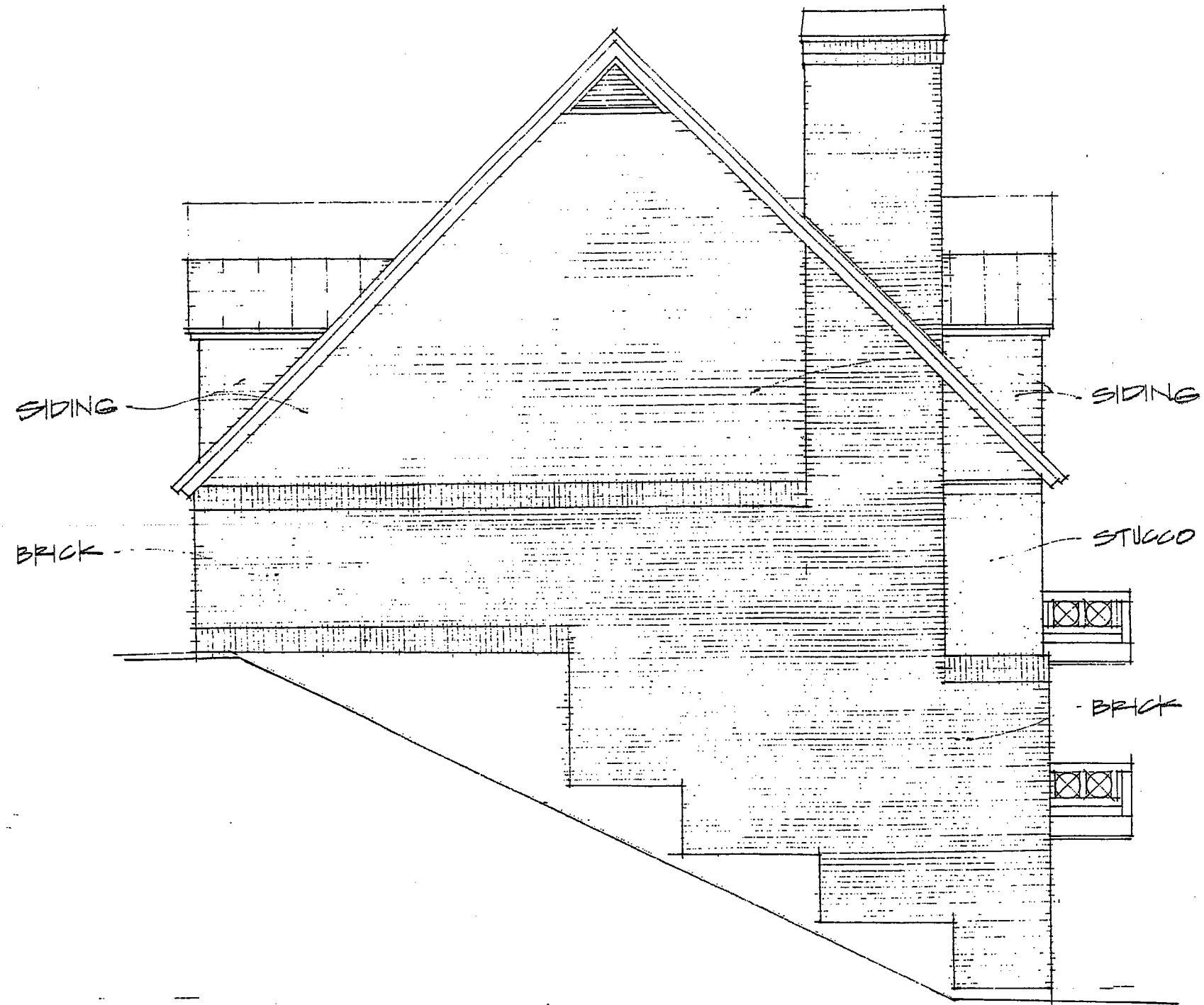
ALMOND STREET - PLAN

PHASE II
WATTS ENTERPRISES

5200 HIGHLAND DRIVE
CALIFORNIA CITY, CALIF.



ALMOND STREET CONDOMINIUMS

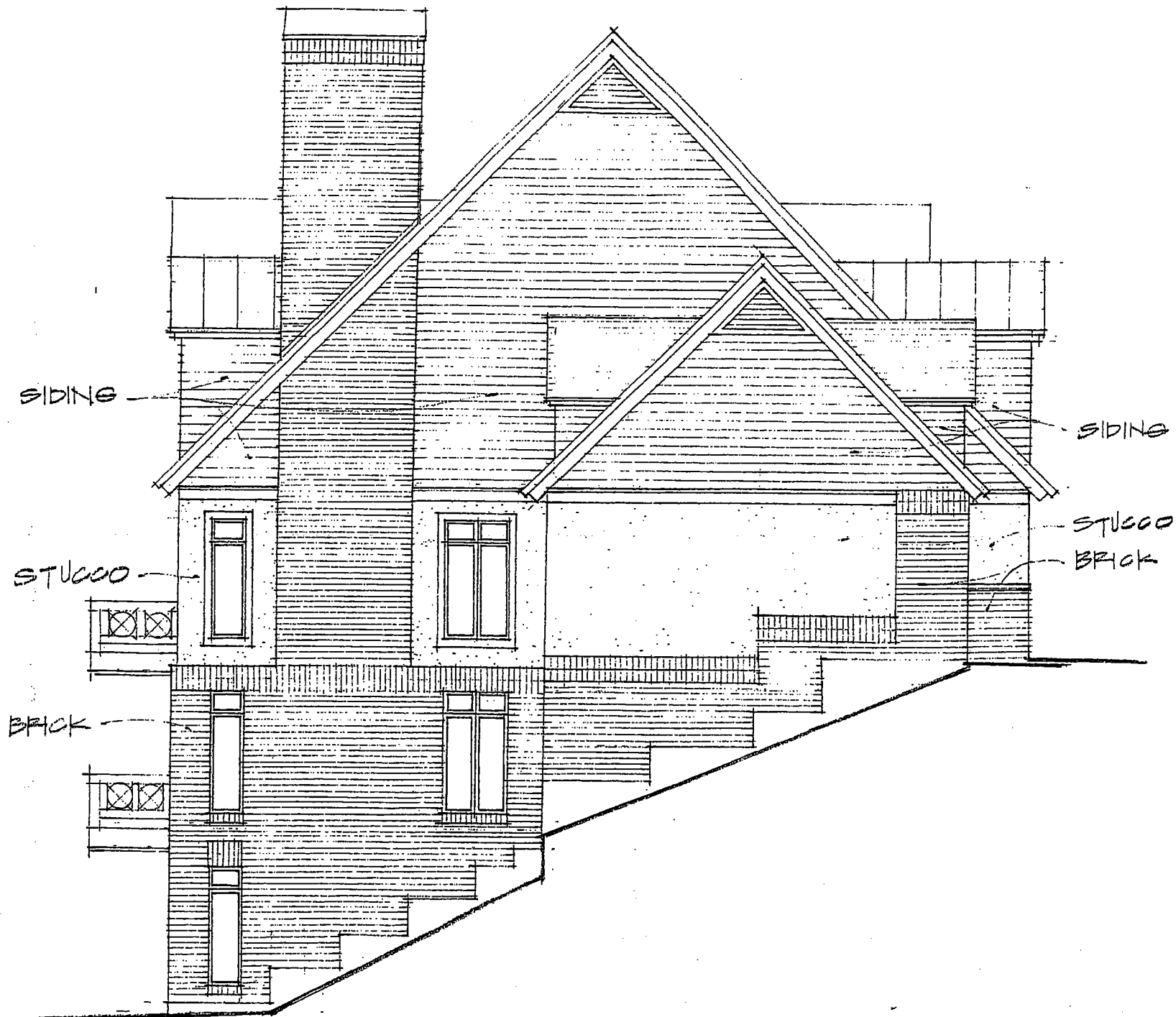


ALMOND STREET - NORTH ELEVATION

PHASE II

WATTS ENTERPRISES
5200 HIGHLAND DRIVE

ALMOND STREET CONDOMINIUMS



ALMOND STREET - SOUTH ELEVATION
PHASE II

WATTS ENTERPRISES
5200 HIGHLAND DRIVE
SALT LAKE CITY, UTAH

ALMOND STREET CONDOMINIUMS

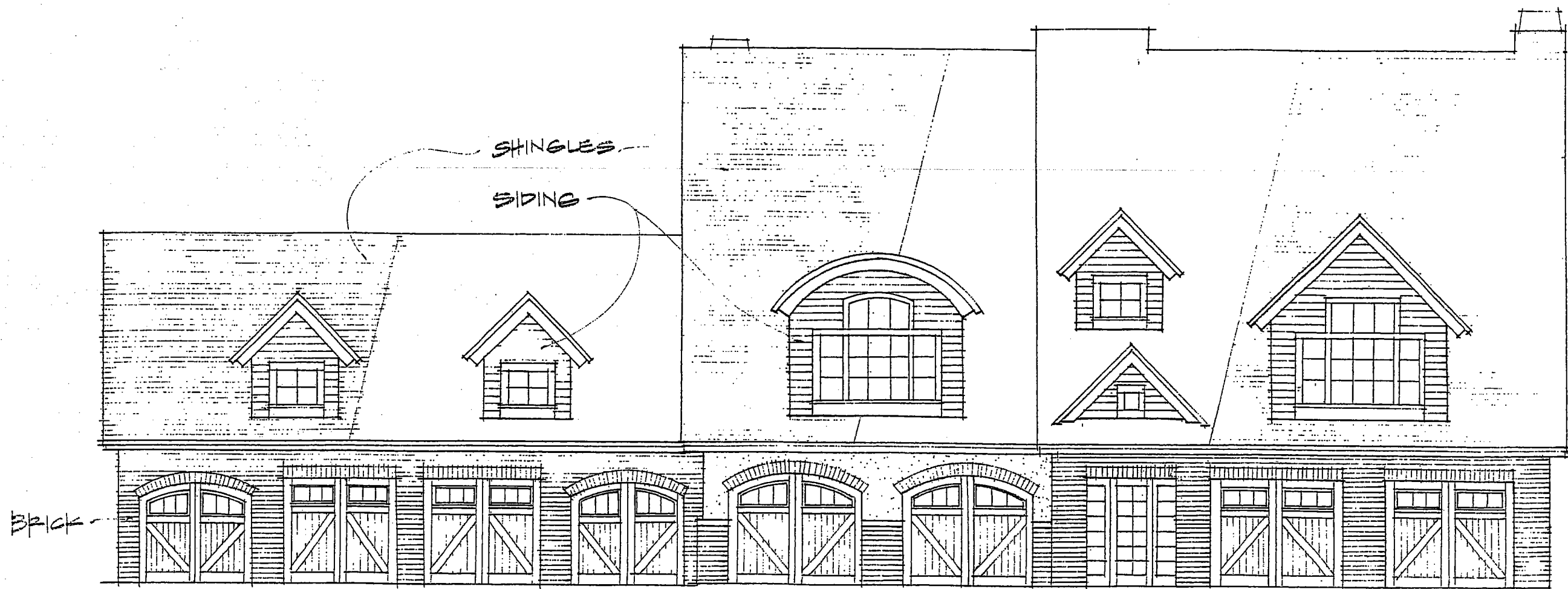


ALMOND STREET - FRONT ELEVATION

NORTH END VIEW PHASE II

WATTS ENTERPRISES
5200 HIGHLAND DRIVE

ALMOND STREET CONDOMINIUMS



ALMOND STREET - FRONT ELEVATION

SOUTH END VIEW PHASE II

WATTS ENTERPRISES
5200 HIGHLAND DRIVE
SALT LAKE CITY, UTAH

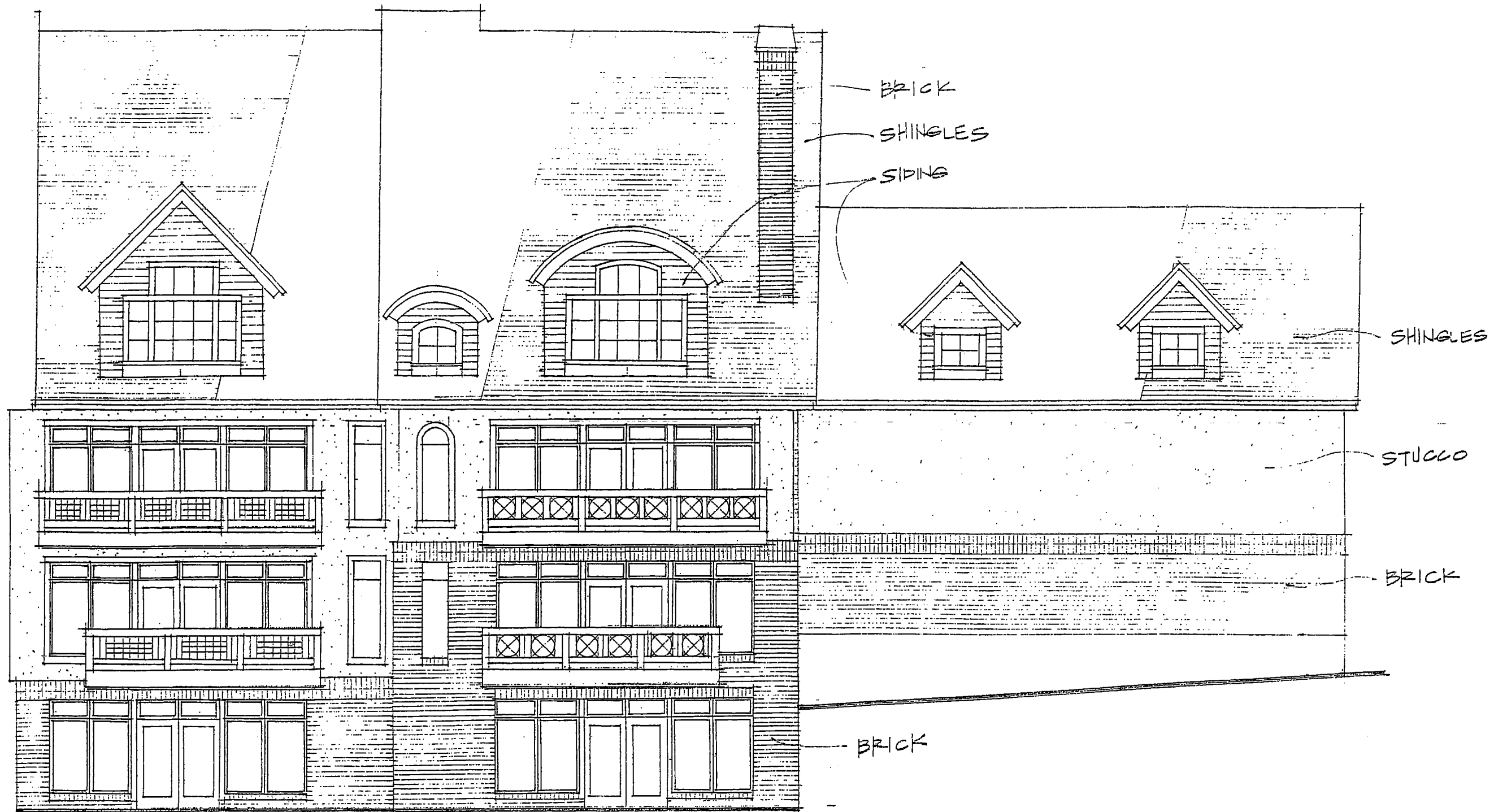
ALMOND STREET CONDOMINIUMS



ALMOND STREET - REAR ELEVATION
NORTH END VIEW PHASE II

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5200 HIGHLAND DRIVE
SALT LAKE CITY UTAH

ALMOND STREET CONDOMINIUMS

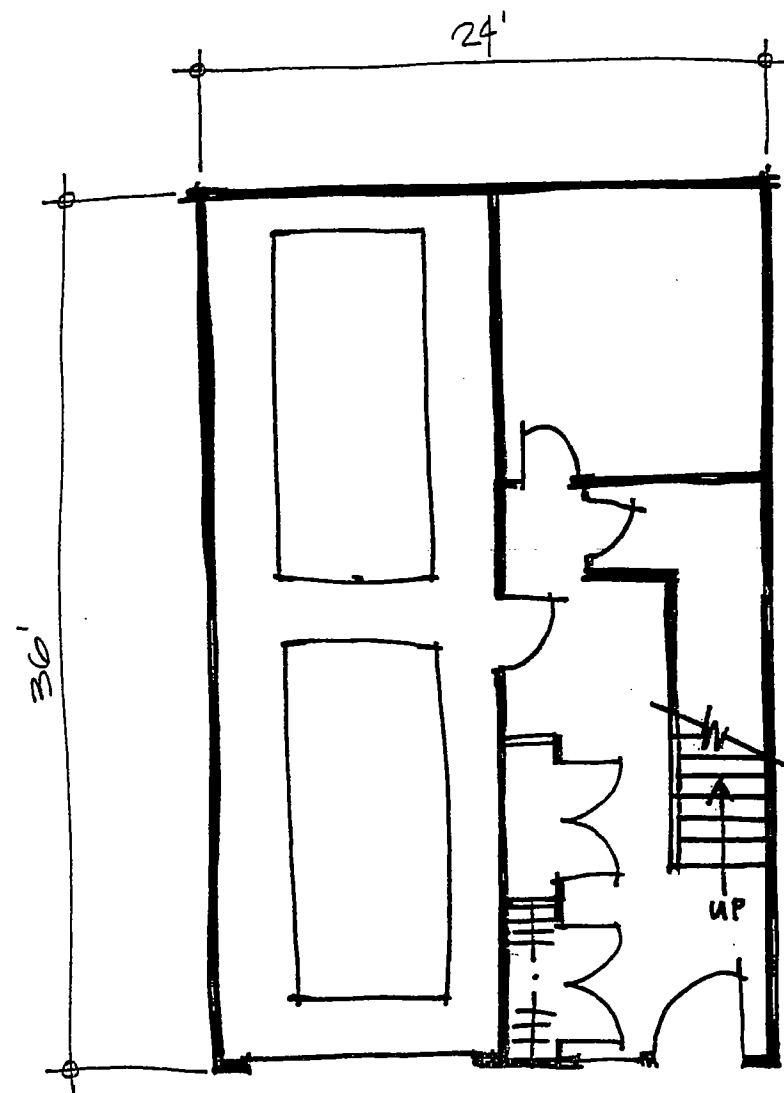


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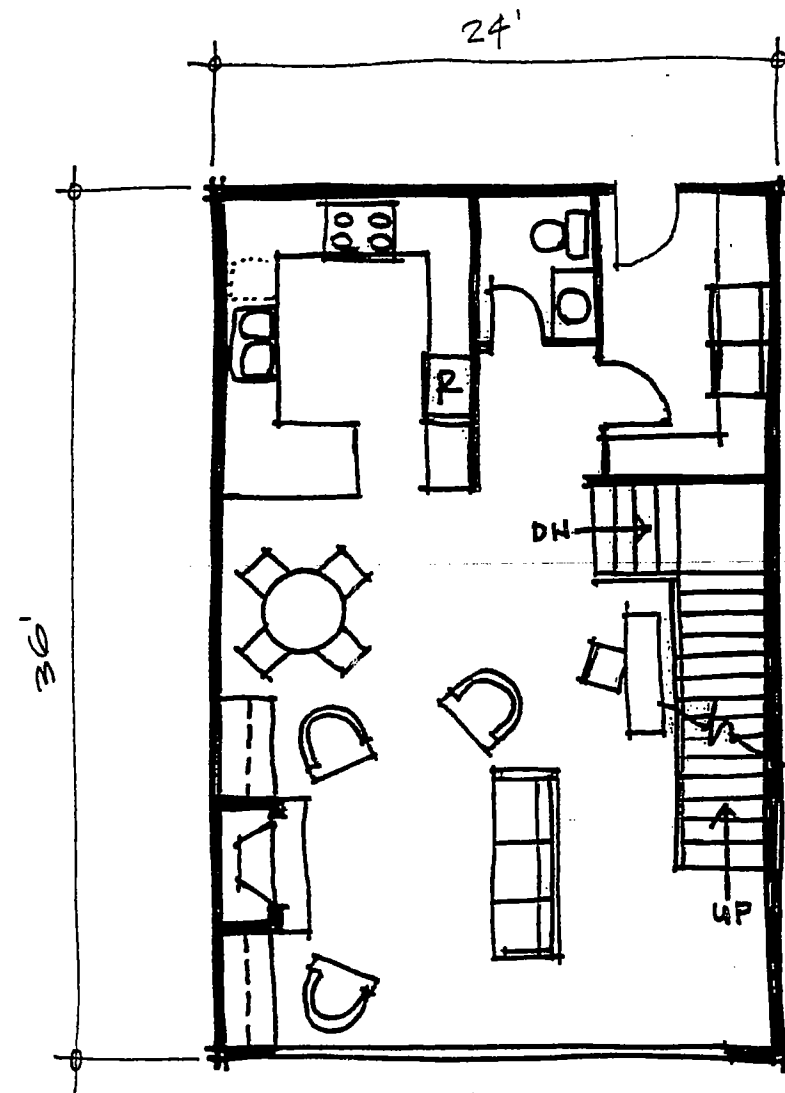
SOUTH END VIEW PHASE II

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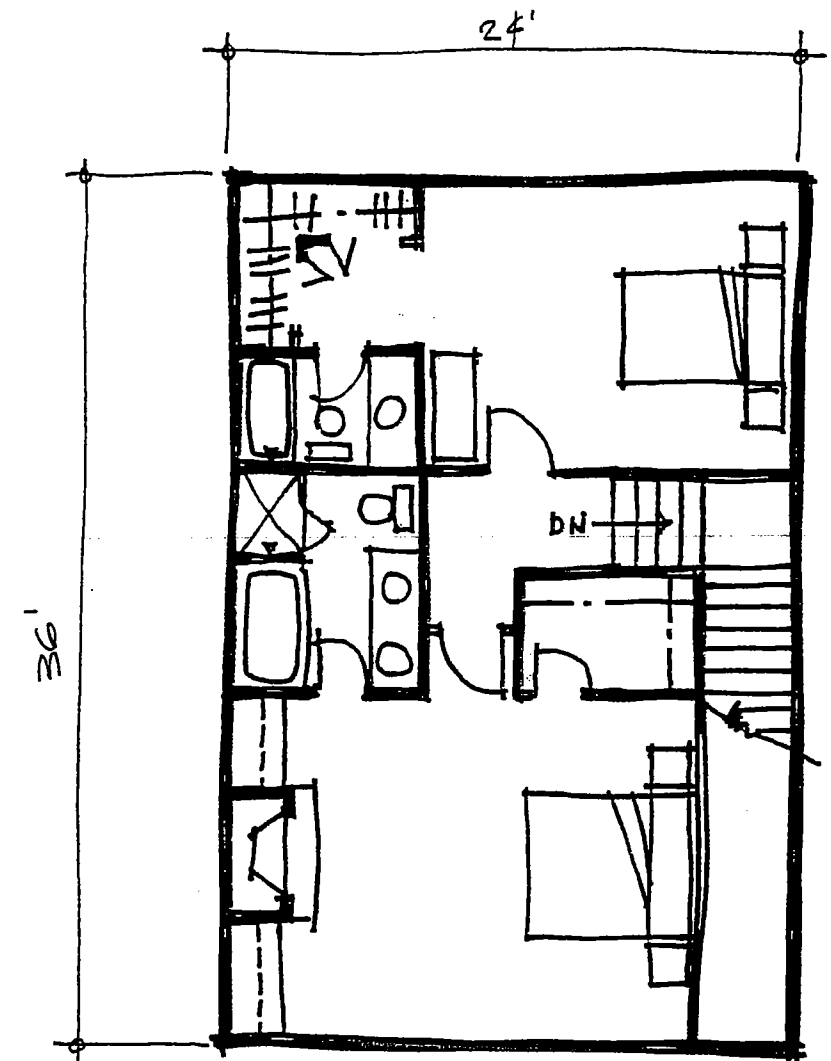
ALMOND STREET CONDOMINIUMS



LEVEL ONE



LEVEL TWO



LEVEL THREE

UNIT C

WEST TEMPLE - PLAN

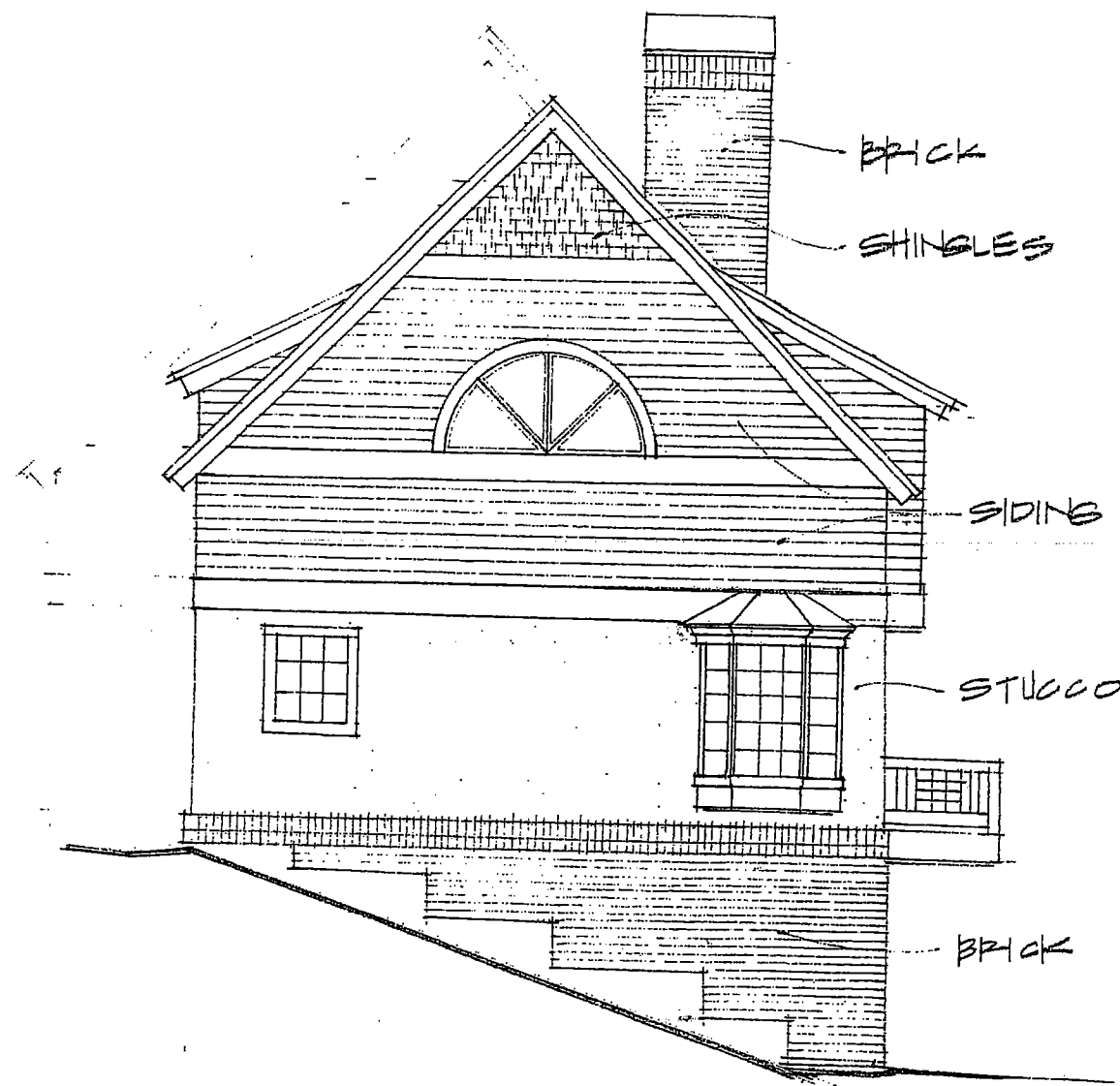
PHASE III

WATTS ENTERPRISES

5200 HIGHLAND DRIVE

CALTIAVE CITY, UTAH

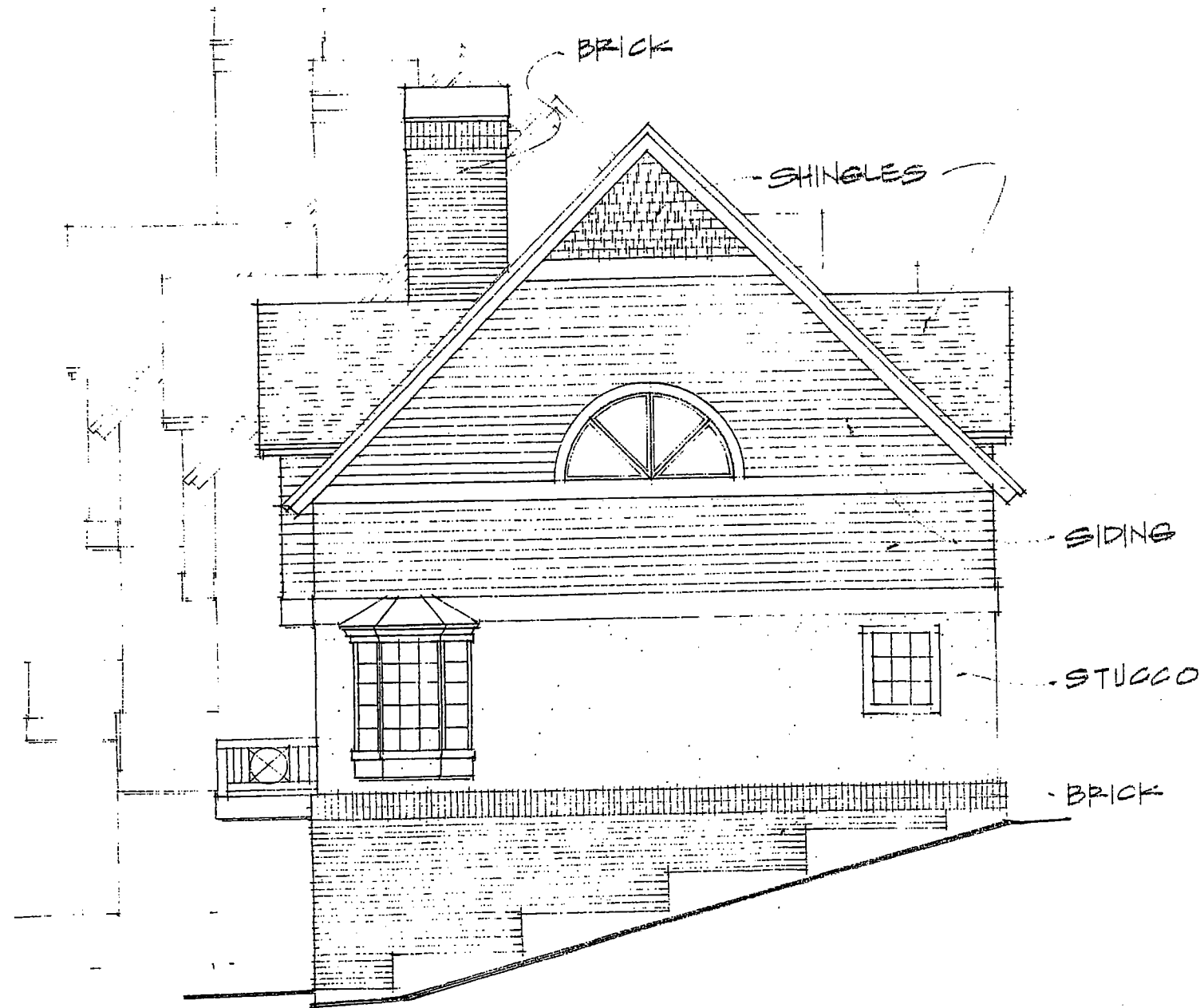
ALMOND STREET CONDOMINIUMS



WEST TEMPLE - NORTH ELEVATION
PHASE III

WATTS ENTERPRISES
5200 HIGHLAND DRIVE
SALT LAKE CITY, UTAH

ALMOND STREET CONDOMINIUMS



WEST TEMPLE - SOUTH ELEVATION
PHASE III

WATTS ENTERPRISES
1000 HIGH AND DRIVE

ALMOND STREET CONDOMINIUMS



WEST TEMPLE - FRONT ELEVATION
NORTH END VIEW PHASE III

WATTS ENTERPRISES
5200 HIGHLAND DRIVE
SALT LAKE CITY, UTAH

ALMOND STREET CONDOMINIUMS



WEST TEMPLE - FRONT ELEVATION

MIDDLE VIEW PHASE III

WATTS ENTERPRISES
5200 HIGHLAND DRIVE

ALMOND STREET CONDOMINIUMS



WEST TEMPLE - FRONT ELEVATION

SOUTH END VIEW PHASE III

WATTS ENTERPRISES

5200 HIGHLAND DRIVE
SALT LAKE CITY, UTAH

ALMOND STREET CONDOMINIUMS



WEST TEMPLE - REAR ELEVATION
 NORTH END VIEW PHASE III

WATTS ENTERPRISES
 5200 HIGHLAND DRIVE
 SALT LAKE CITY, UTAH

ALMOND STREET CONDOMINIUMS



WEST TEMPLE - REAR ELEVATION

MIDDLE VIEW PHASE III

WATTS ENTERPRISES
5200 HIGHLAND DRIVE
SALT LAKE CITY, UTAH

ALMOND STREET CONDOMINIUMS



WEST TEMPLE - REAR ELEVATION

SOUTH END VIEW PHASE III

WATTS ENTERPRISES

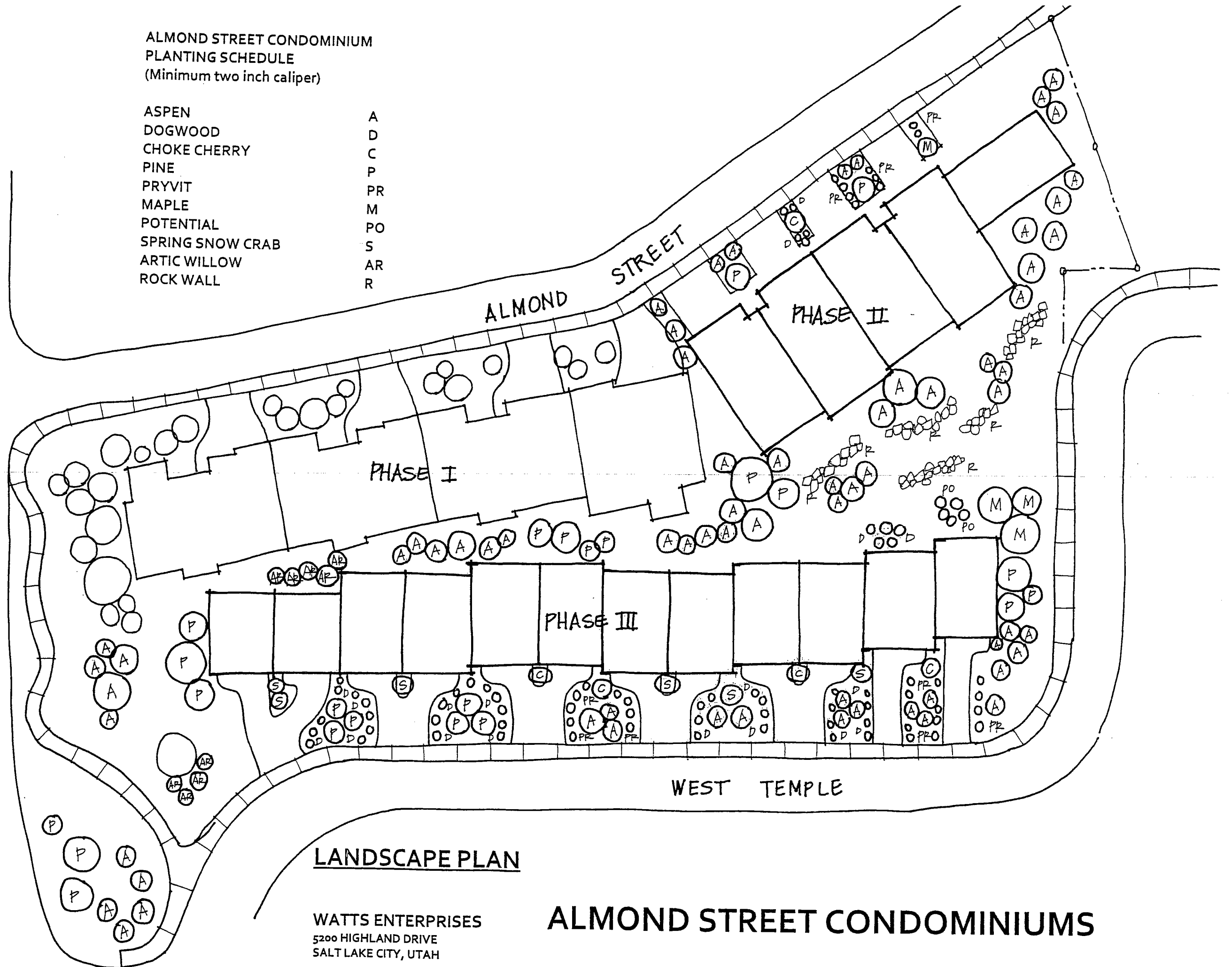
5200 HIGHLAND DRIVE
SALT LAKE CITY, UTAH

ALMOND STREET CONDOMINIUMS

ALMOND STREET CONDOMINIUM
 PLANTING SCHEDULE
 (Minimum two inch caliper)

- | | |
|------------------|----|
| ASPEN | A |
| DOGWOOD | D |
| CHOKE CHERRY | C |
| PINE | P |
| PRYVIT | PR |
| MAPLE | M |
| POTENTIAL | PO |
| SPRING SNOW CRAB | S |
| ARTIC WILLOW | AR |
| ROCK WALL | R |

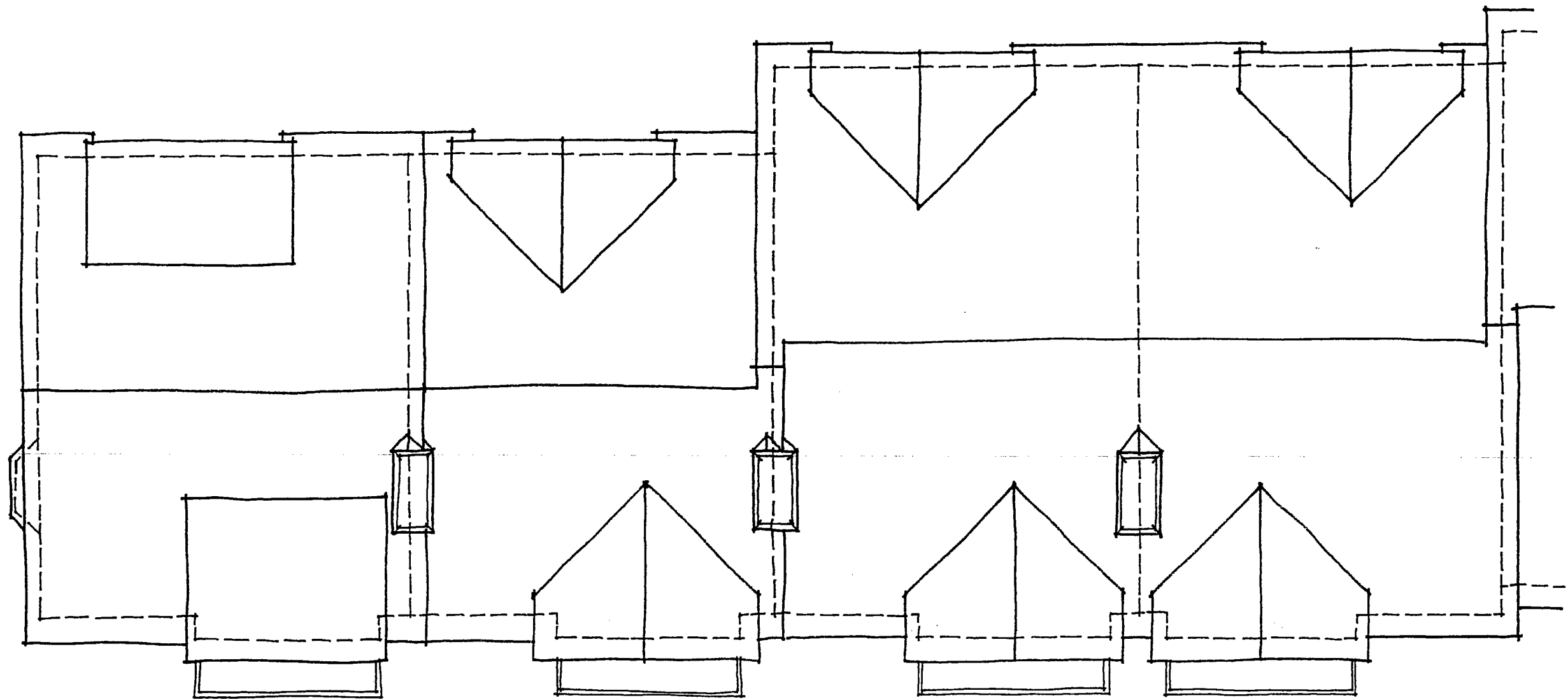
300 NORTH



LANDSCAPE PLAN

WATTS ENTERPRISES
 5200 HIGHLAND DRIVE
 SALT LAKE CITY, UTAH

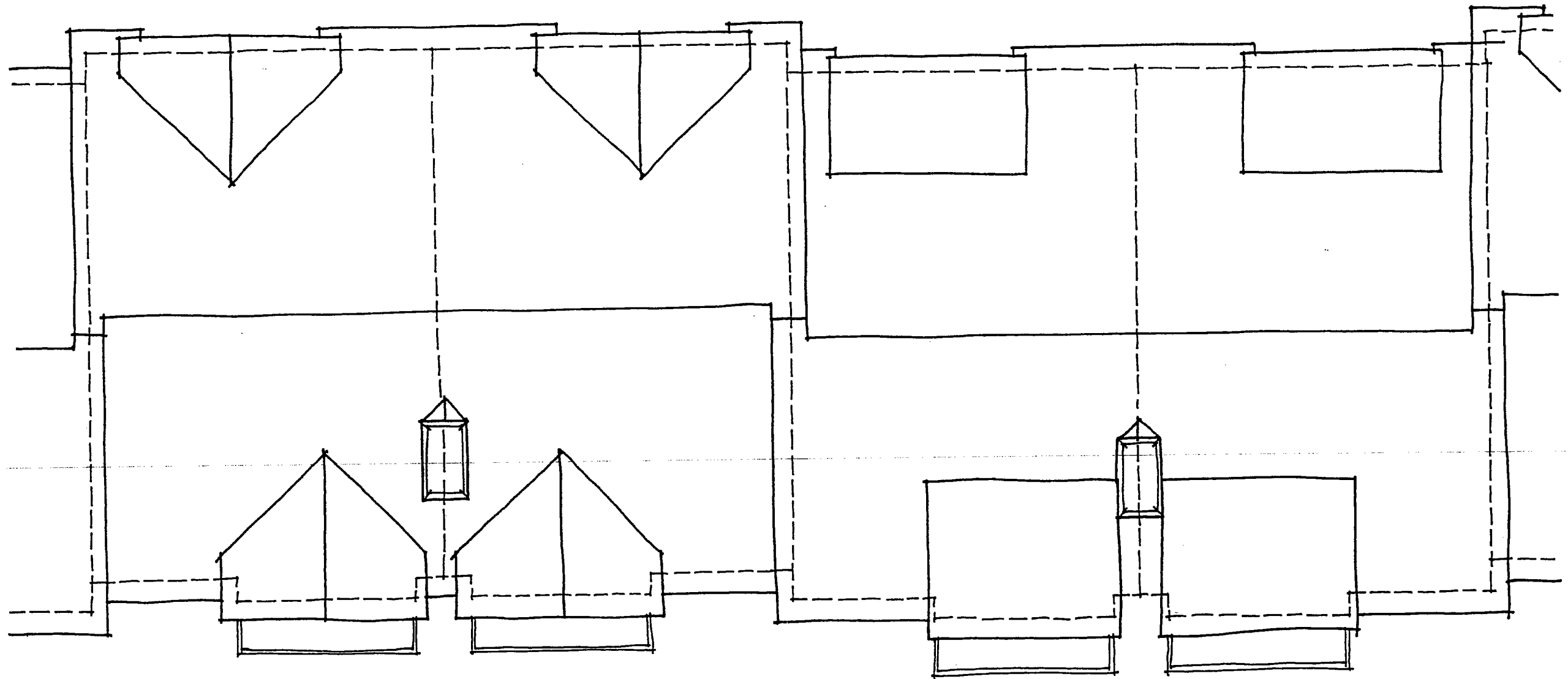
ALMOND STREET CONDOMINIUMS



WEST TEMPLE - ROOF PLAN
NORTH END VIEW PHASE III SCALE: 1/4" = 1'-0"

WATTS ENTERPRISES
5200 HIGHLAND DRIVE
SALT LAKE CITY, UTAH

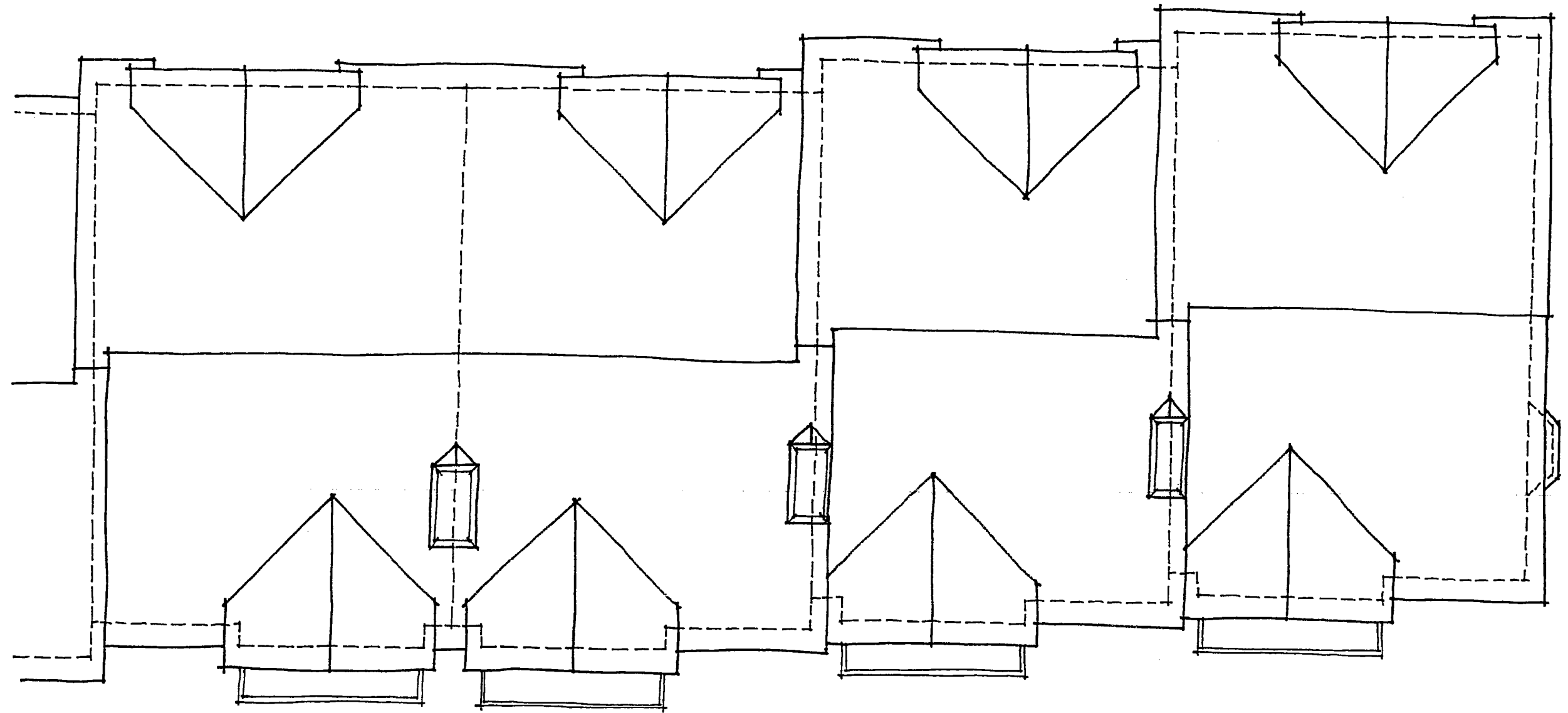
ALMOND STREET CONDOMINIUMS



WEST TEMPLE - ROOF PLAN
MIDDLE VIEW PHASE III SCALE: 1/4" = 1'-0"

WATTS ENTERPRISES
5200 HIGHLAND DRIVE
SALT LAKE CITY, UTAH

ALMOND STREET CONDOMINIUMS

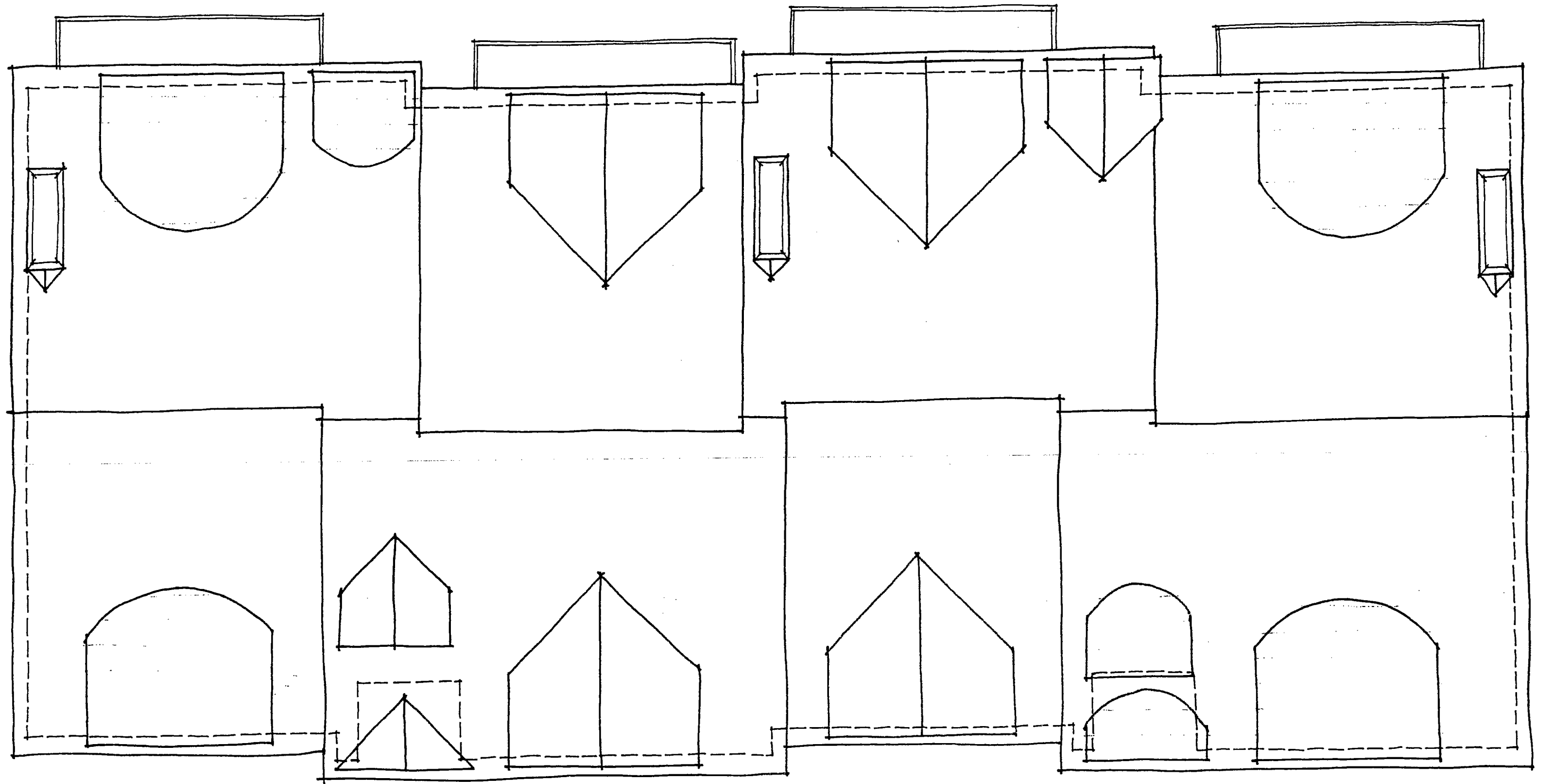


WEST TEMPLE - ROOF PLAN

SOUTH END VIEW PHASE III SCALE: 1/4" = 1'-0"

WATTS ENTERPRISES
5200 HIGHLAND DRIVE
SALT LAKE CITY, UTAH

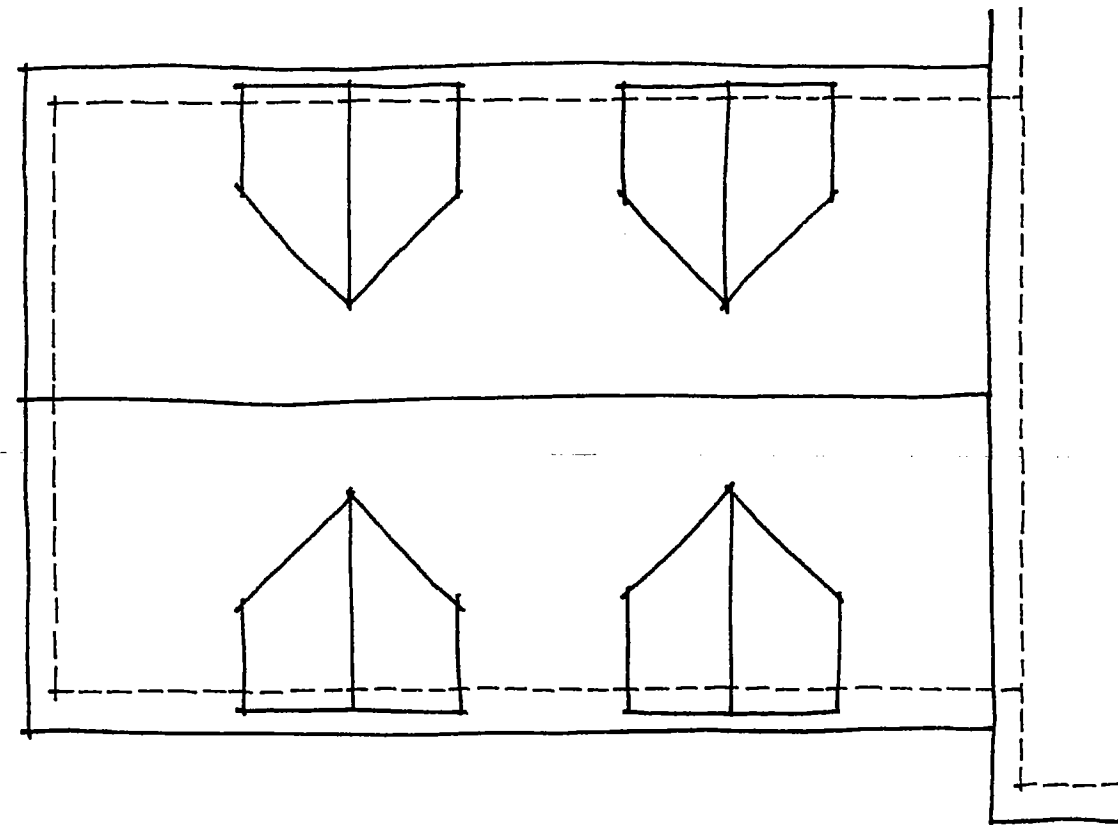
ALMOND STREET CONDOMINIUMS



ALMOND STREET - ROOF PLAN
MAIN BUILDING PHASE II SCALE: 1/4" = 1'-0"

WATTS ENTERPRISES
5200 HIGHLAND DRIVE

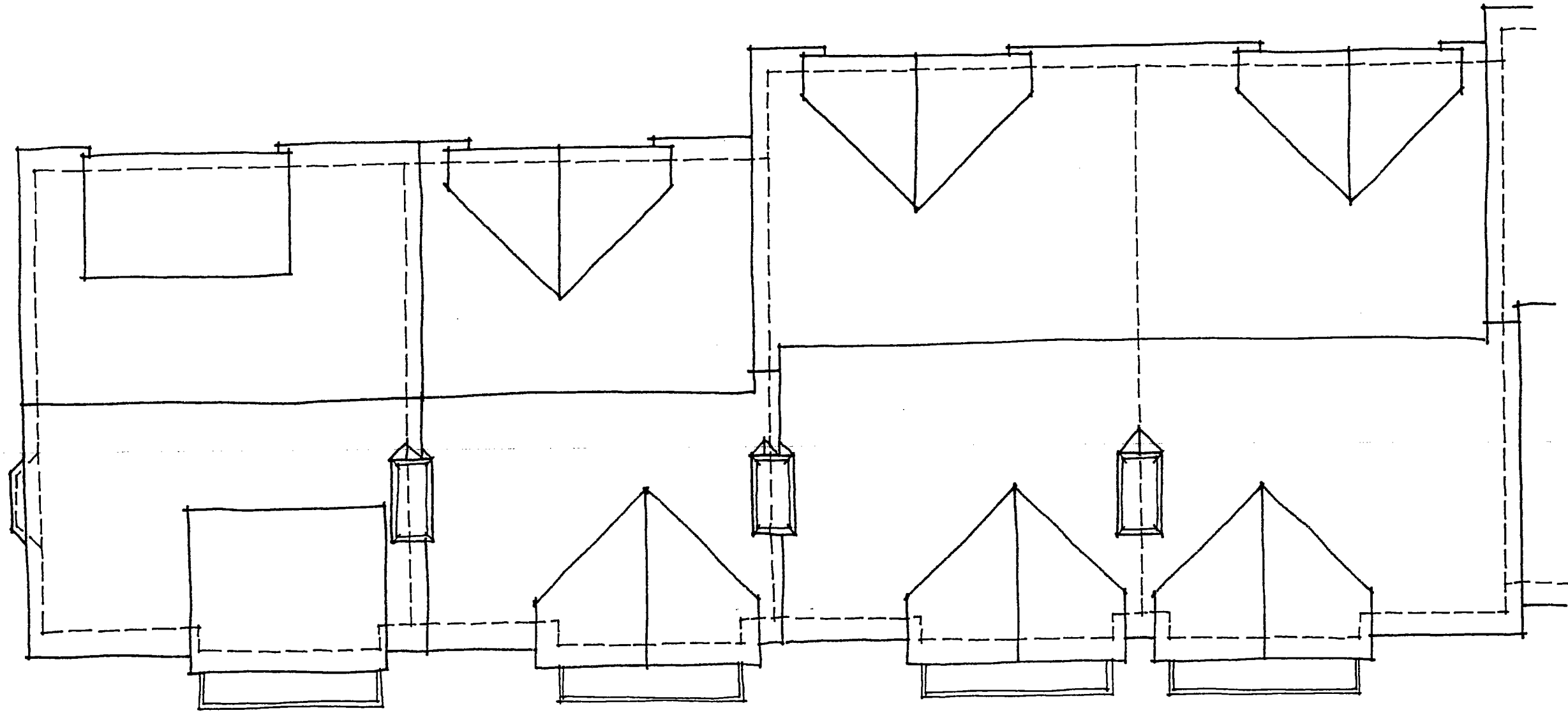
ALMOND STREET CONDOMINIUMS



ALMOND STREET - ROOF PLAN
GARAGE BUILDING PHASE II SCALE: 1/4" = 1'-0"

WATTS ENTERPRISES
5200 HIGHLAND DRIVE
SALT LAKE CITY, UTAH

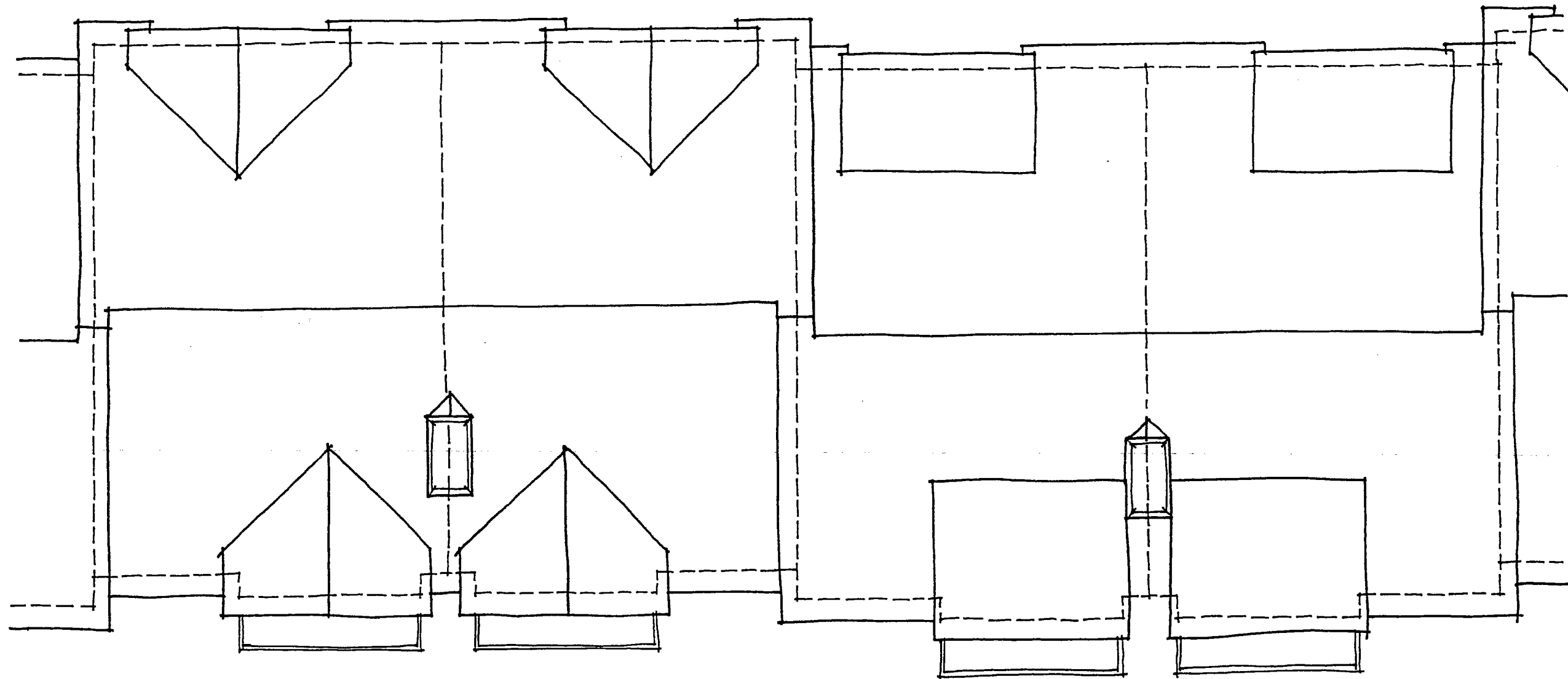
ALMOND STREET CONDOMINIUMS



WEST TEMPLE - ROOF PLAN
NORTH END VIEW PHASE III SCALE: 1/4" = 1'-0"

WATTS ENTERPRISES
5200 HIGHLAND DRIVE
SALT LAKE CITY, UTAH

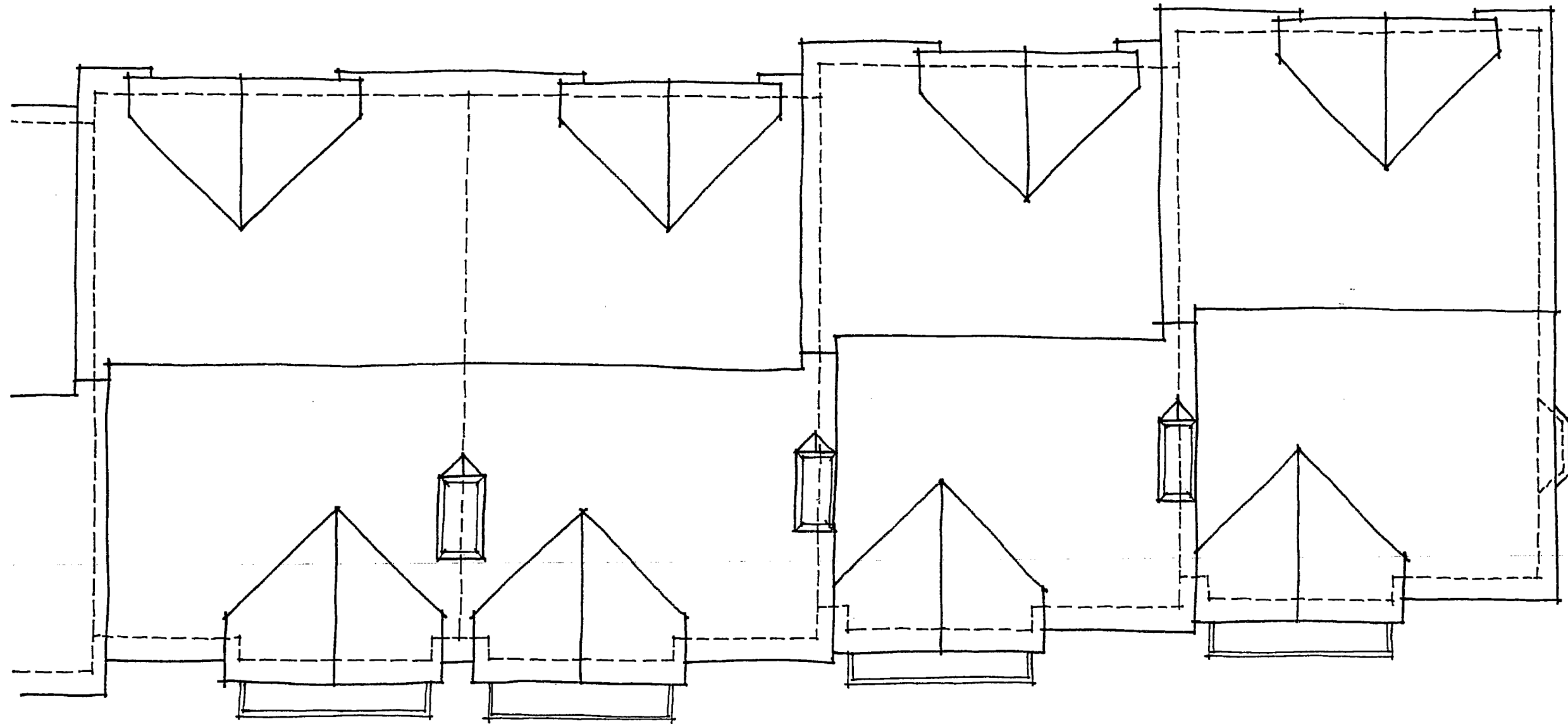
ALMOND STREET CONDOMINIUMS



WEST TEMPLE - ROOF PLAN
MIDDLE VIEW PHASE III SCALE: 1/4" = 1'-0"

WATTS ENTERPRISES
5200 HIGHLAND DRIVE
SALT LAKE CITY, UTAH

ALMOND STREET CONDOMINIUMS

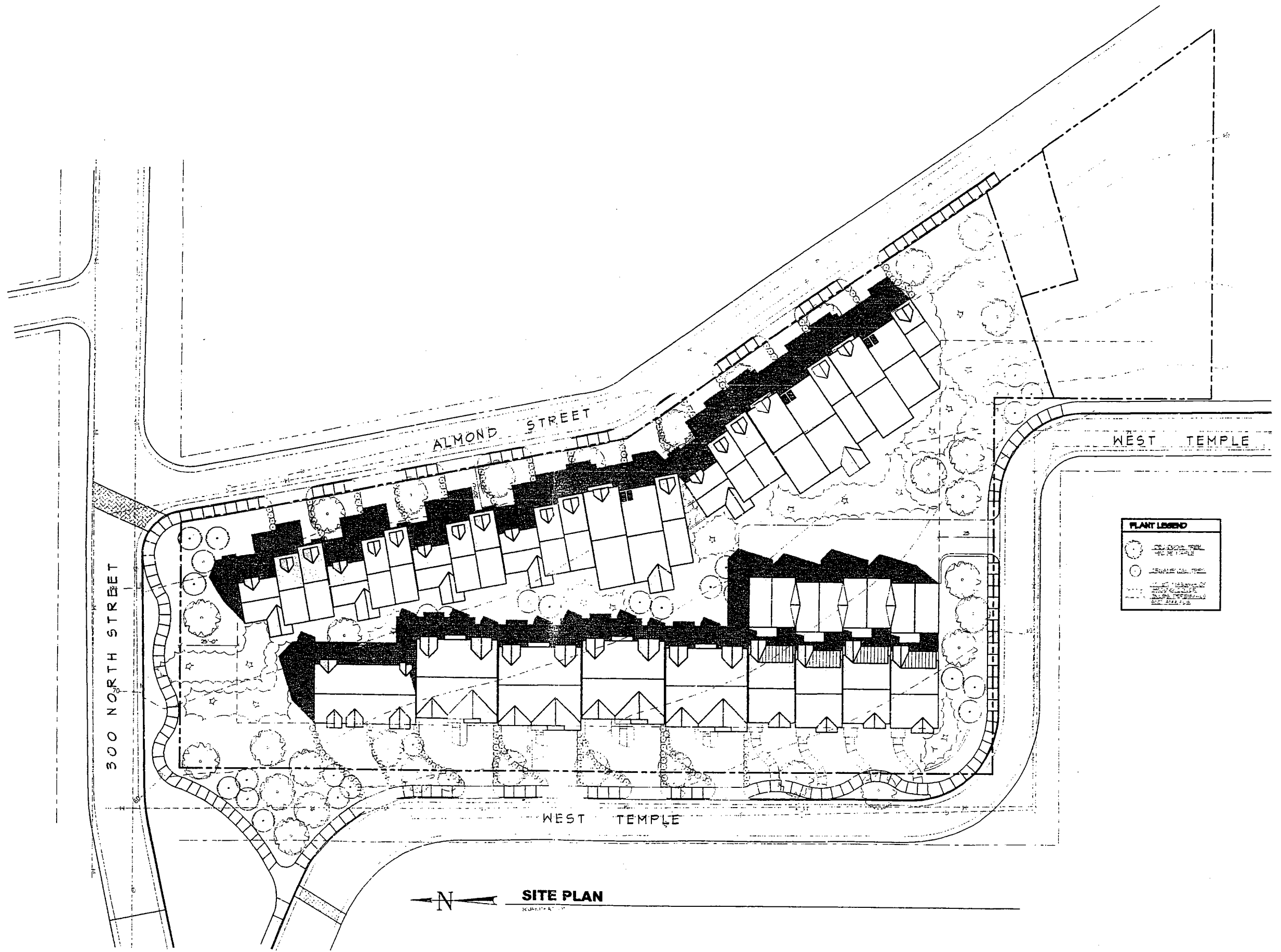


WEST TEMPLE - ROOF PLAN

SOUTH END VIEW PHASE III SCALE: 1/4" = 1'-0"

WATTS ENTERPRISES
5200 HIGHLAND DRIVE
SALT LAKE CITY, UTAH

ALMOND STREET CONDOMINIUMS

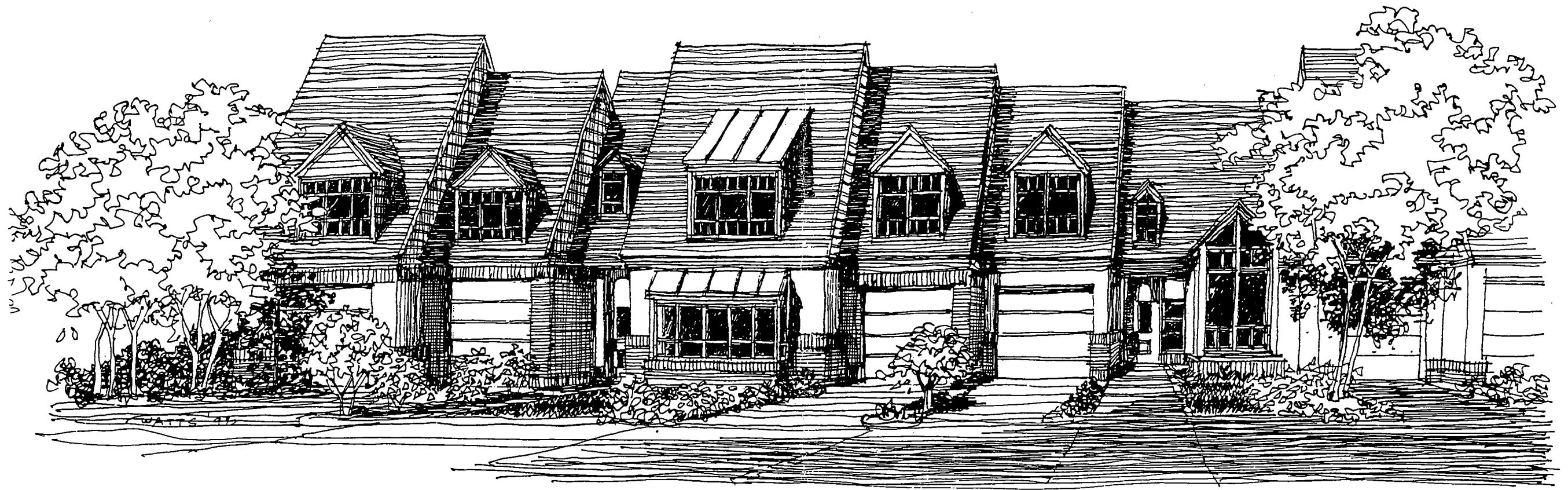


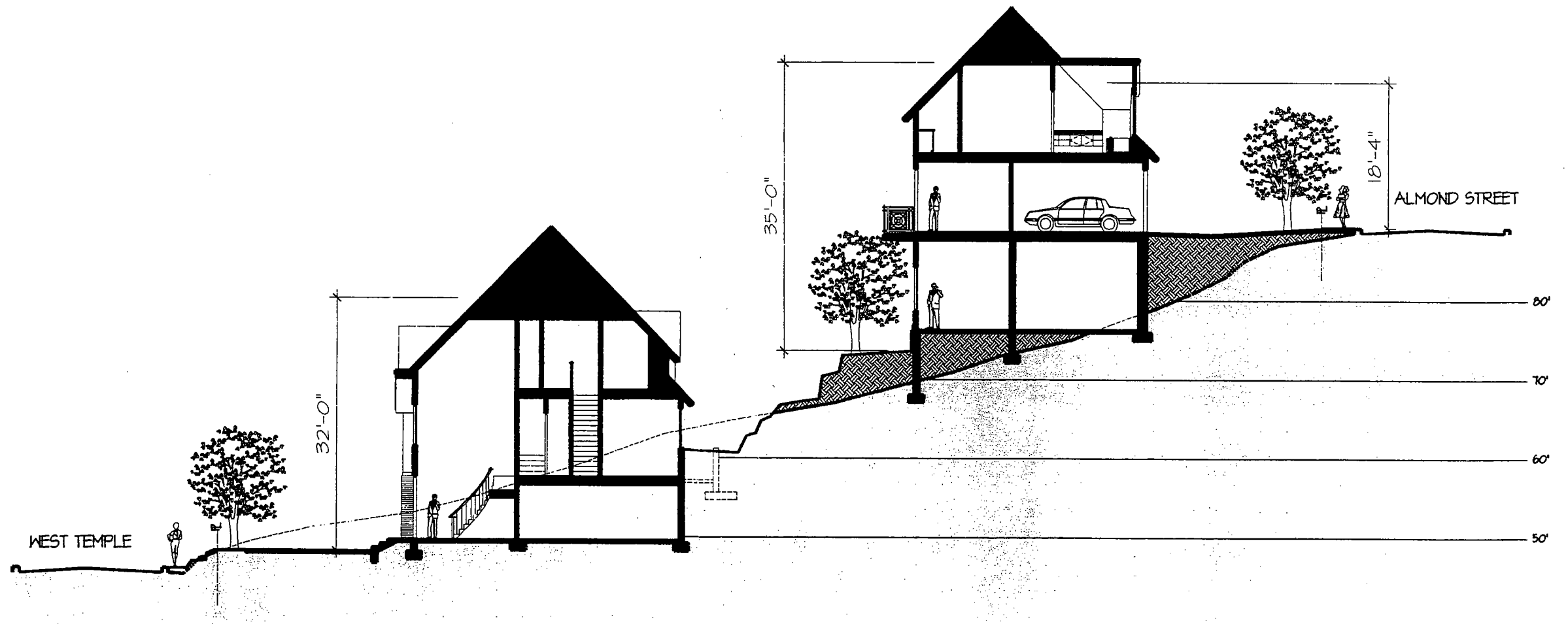
N
SITE PLAN

PLANT LEGEND

	1" TREE
	2" SHRUB
	3" FLOWER BED
	4" LAWN
	5" SIDEWALK
	6" DRIVEWAY

SHEET NO. 1 DATE 12/18/04	SITE PLAN	 Kevin Watts ARCHITECTS	ALMOND STREET TOWNHOUSES SALT LAKE CITY, UTAH
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SITE / BUILDING SECTION

scale: 1/16"=1'-0"

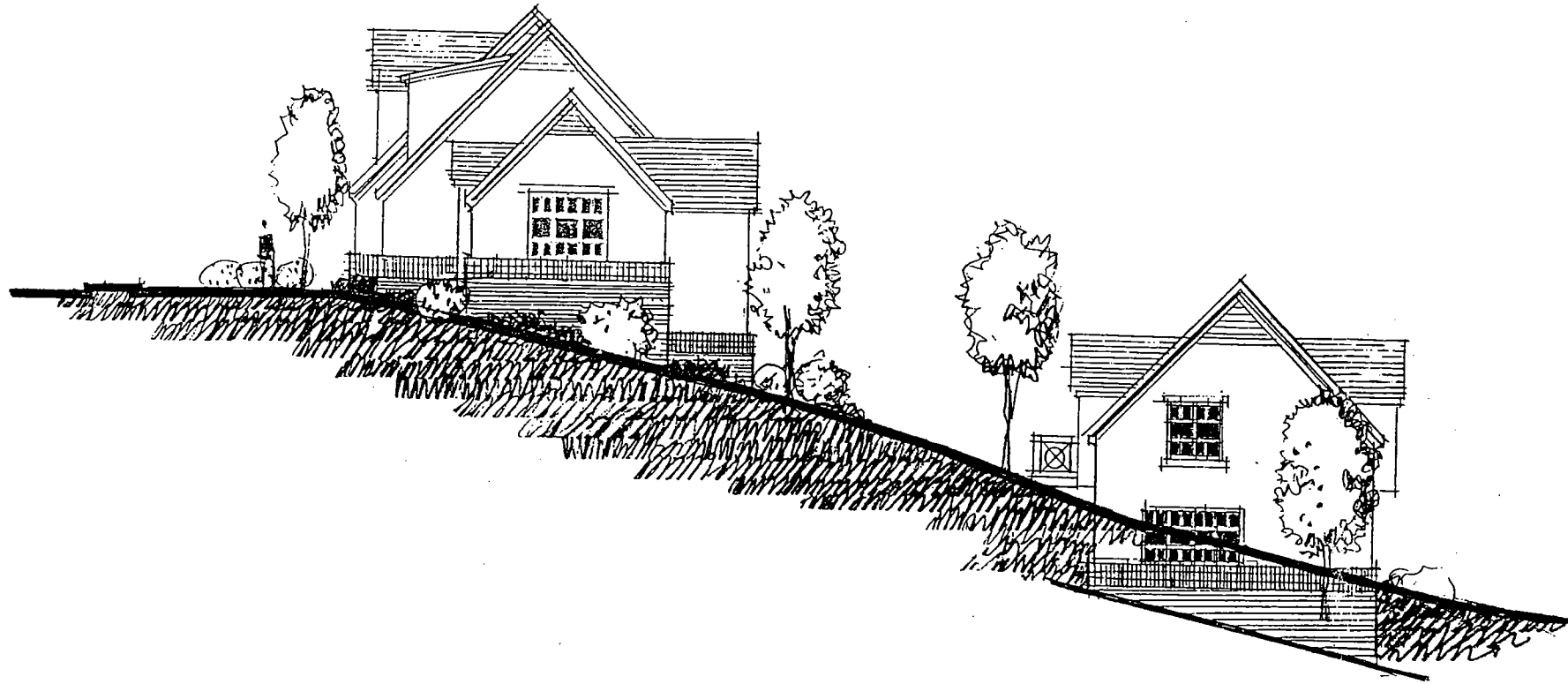


ALMOND STREET EXTERIOR ELEVATION

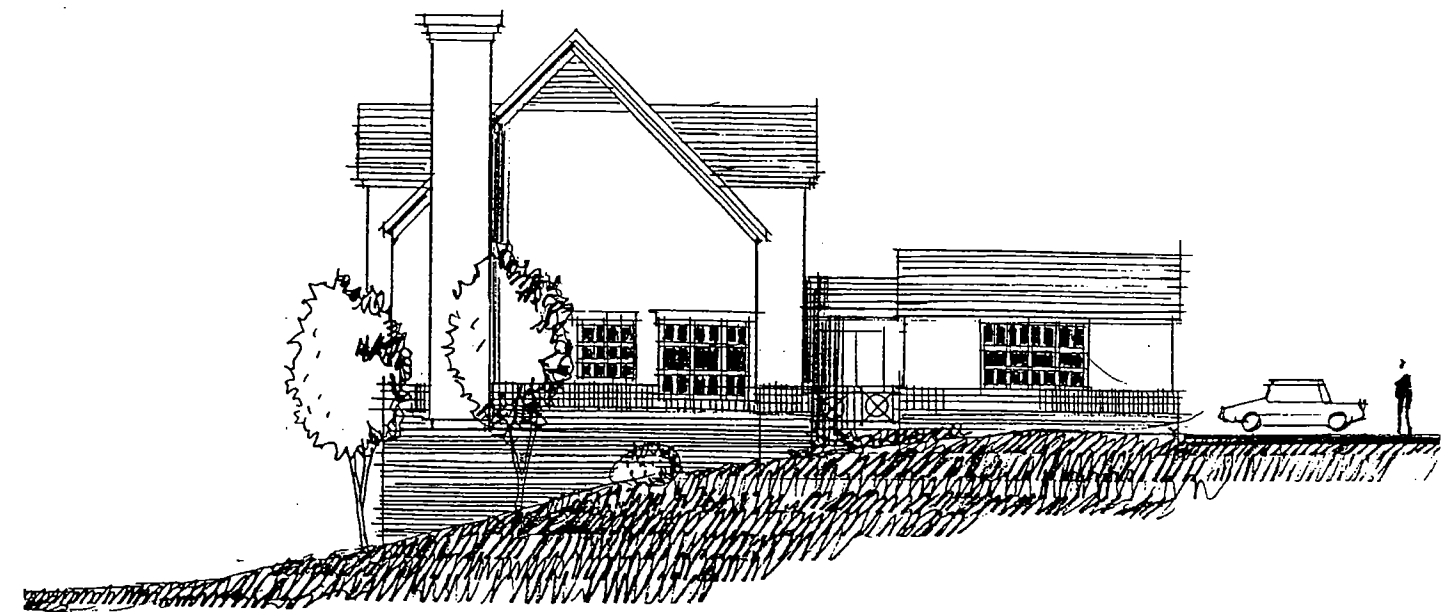
ARCHITECTURAL
ASPHALT SHINGLES.
WOOD MOLD BRICK.
LAP WOOD SIDING.
STUCCO.
STANDING SEAM
COPPER ROOF.
WOOD WINDOWS.
IRON RAILINGS.



WEST TEMPLE EXTERIOR ELEVATION



300 NORTH EXTERIOR ELEVATION



SOUTH EXTERIOR ELEVATION TEMPLE



ALMOND STREET EXTERIOR ELEVATION

SCALE 1/4" = 1'-0"



WEST TEMPLE STREET EXTERIOR ELEVATION

SCALE 1/4" = 1'-0"

DRAWN BY: CHECKED BY: DATE: 12/14/16 JOB NO: 170	REVISIONS:	ALMOND STREET TOWNHOUSES	SHEET NO. 170
 ARCHITECTS/PLANNERS SUITE 100, 6500 COMPLEX, 8800 HIGHLAND BL., SALT LAKE CITY, UTAH 84121			
THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF KEVIN WATTS ARCHITECTS/PLANNERS AND ARE TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. NO PART OF THESE DRAWINGS OR SPECIFICATIONS IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF KEVIN WATTS ARCHITECTS/PLANNERS.			
SHEET DESCRIPTION:	SHEET NO.		



WEST ELEVATION - ALMOND STREET
SCALE: 1/4" = 1'-0"



EAST ELEVATION - WEST TEMPLE STREET
SCALE: 1/4" = 1'-0"

DESIGNED BY:	DATE: 12/04/08
CHECKED BY:	SJG 10/17/08

PROJECT NO.:

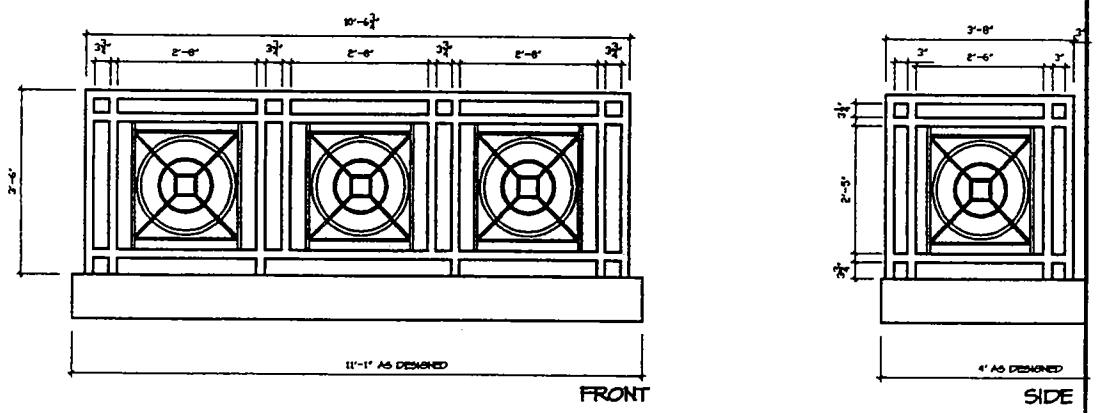
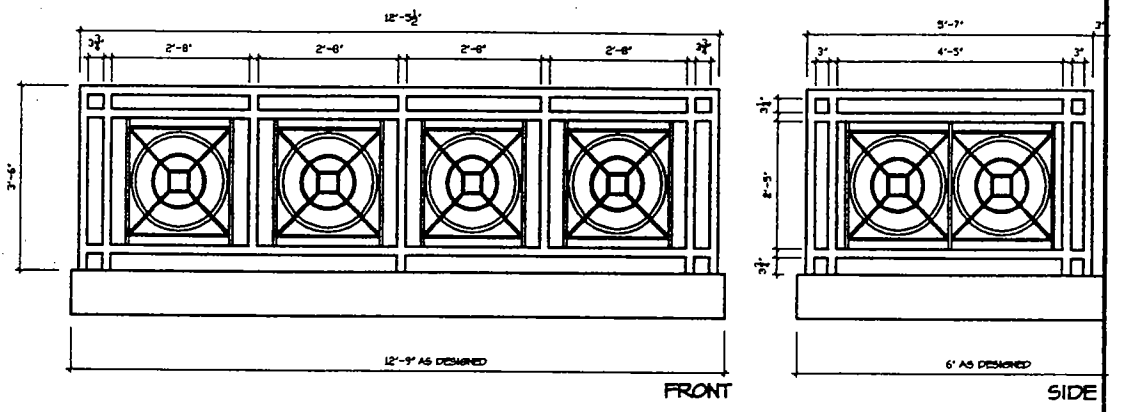
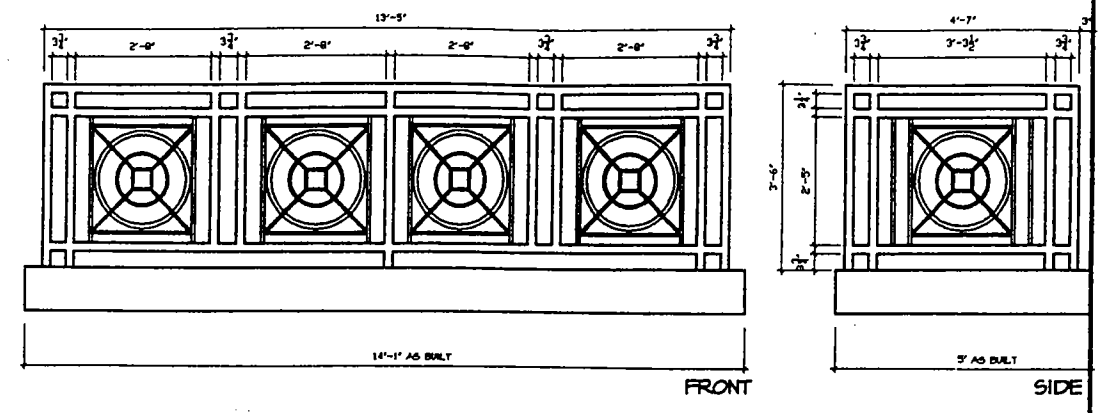
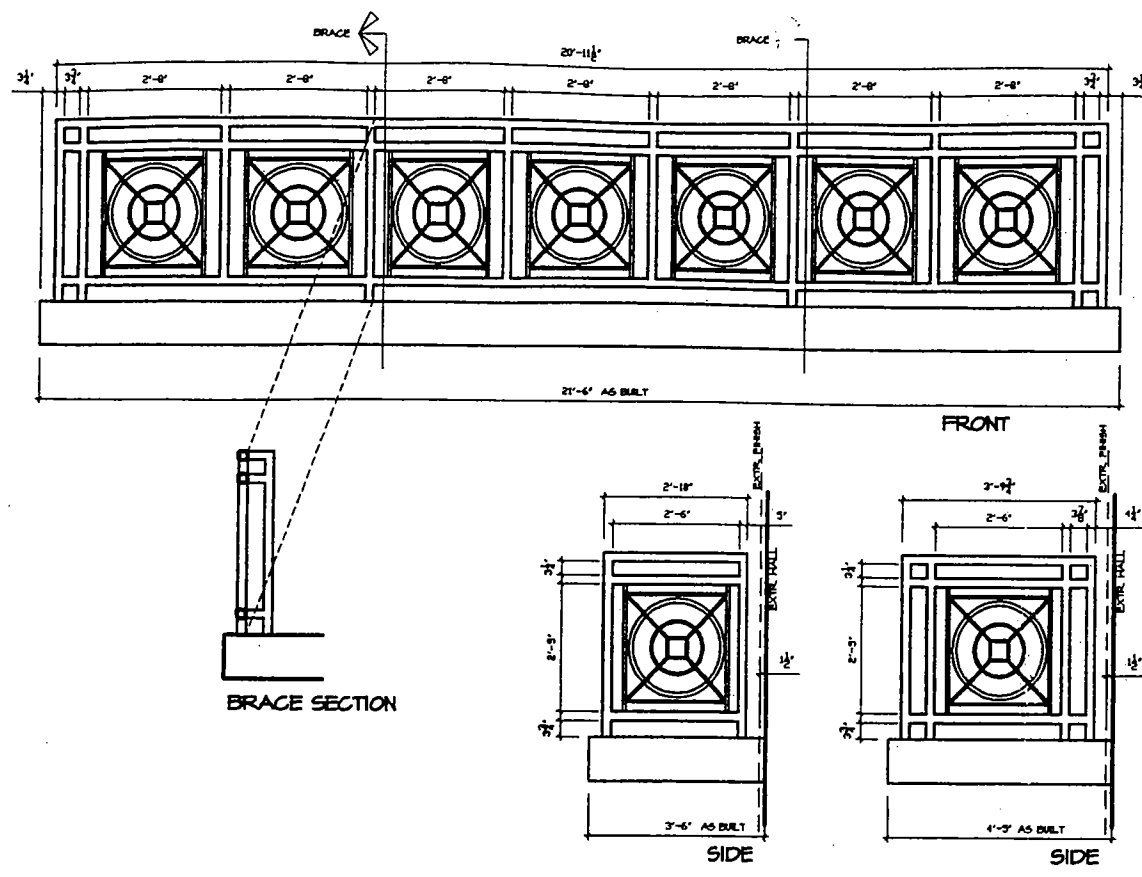
ALMOND STREET TOWNHOUSES
SMP LAKES CITY UT 088

ARCHITECTS/PLANNERS
Kevin White
SITE: 100, 100 COMPLEX, 1000 HIGHLAND BL., SALT LAKE CITY, UT 84117

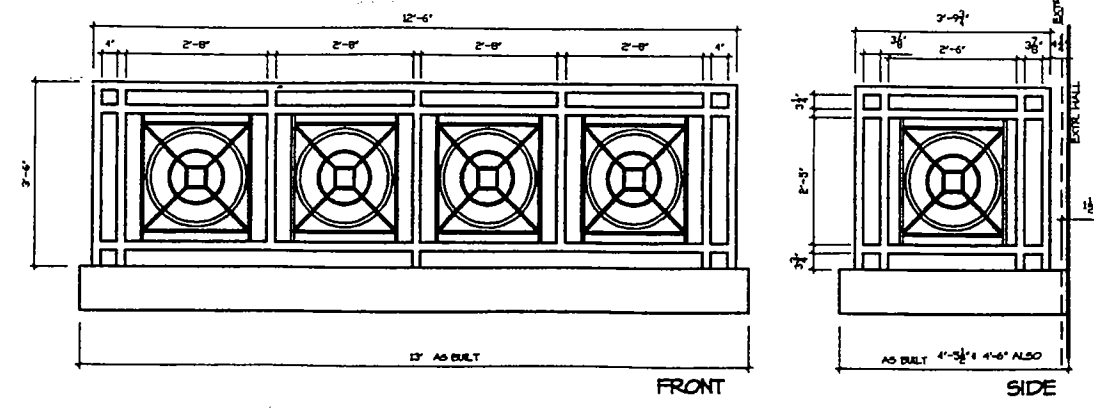
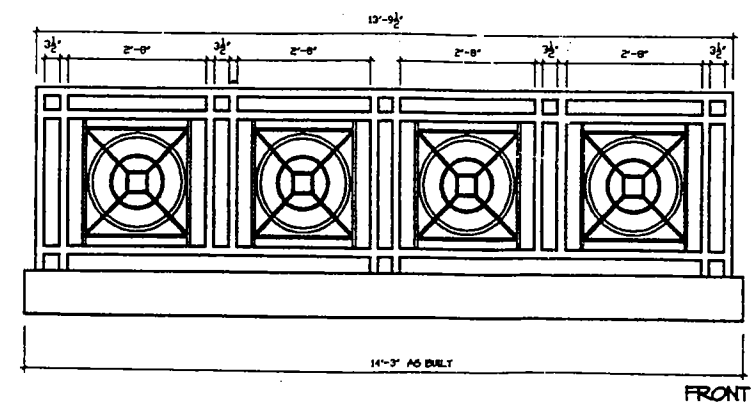


THESE DRAWINGS ARE FOR THE EXCLUSIVE USE OF THE CLIENT AND ARE NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT OF RECORD.

WEST DESCRIPTION



TYPICAL DECK GUARDRAIL ELEVATIONS
SCALE: 3/4"=1'-0"



DESIGNED BY	DATE 12/14/06
CHECKED BY	JOB NO. 728
ALMOND STREET TOWNHOUSES	
ARM WHITE ARCHITECTS/PLANNERS	
ARCHITECTS/PLANNERS 8416 100th AVENUE, SUITE 100, DENVER, CO 80231	
SEE PLAN SET FOR ALL NOTES AND SPECIFICATIONS	
ARM WHITE	
ARCHITECTS/PLANNERS	
8416 100th AVENUE, SUITE 100, DENVER, CO 80231	
SEE PLAN SET FOR ALL NOTES AND SPECIFICATIONS	
ARM WHITE	
ARCHITECTS/PLANNERS	
8416 100th AVENUE, SUITE 100, DENVER, CO 80231	

Attachment D
January 6, 1999 Historic Landmark
Commission Approval

**SALT LAKE CITY HISTORIC LANDMARK COMMISSION
 PETITION BY RUSS WATTS OF WATTS CORPORATION FOR APPROVAL
 OF A 17-UNIT CONDOMINIUM PROJECT AT 263 N. ALMOND STREET
 CASE NO. 030-98**

OVERVIEW

Russ Watts, of Watts Corporation, is requesting approval to construct a 17-unit condominium project at 263 N. Almond Street. On six occasions, between 1995 and 1997, he sought approval from HLC for multi-family condominiums that ranged from 34 to 52 units and consisted of different designs and site plans. HLC granted approval for a 34-unit project on July 2, 1997, but since that time Mr. Watts has found that design to be unfeasible, and is now proposing a new plan.

LAND AREA	1.428 acres (as reported on Salt County Assessor's records.
NUMBER OF UNITS	17 units in two separate structures
NUMBER OF PARKING STALLS	Each unit will have its own garage.
PROPOSED DENSITY	11.9 units per acre
CURRENT ZONING	RMF-45 Moderate/High Density Residential Multi-family, allowing a density of 43 units per acre (maximum number of units for this site is 61).
HISTORIC DESIGNATION	Locally designated within the Capitol Hill Historic District; not included in the National Register Capitol Hill District.
SURROUNDING BUILDINGS	The parcel is bordered by high density, high-rise and low-rise condominium units to the east; low-density housing, including detached single-family structures to the north and south; a nursing home and a church with associated parking lots to the southwest and the west.

PREVIOUS HLC MEETINGS

Mr. Watts first presented this case to the full Commission on December 2, 1998. Members expressed the following concerns and observations:

- The number of driveways result in too much hardscaping.
- There should be trees planted between the sidewalk and the street.
- Could the buildings along Almond Street be separated?
- Members disagreed about the use of various roof profiles for the dormers.
- The setbacks should be reduced as opposed to accommodating vehicles.
- Could the buildings on Almond and West Temple streets be separated by a roadway that would then accommodate placing parking behind the buildings and off the street?
- There are no porches and the design does not provide an interaction with the street.

Neighbors expressed favorable comments on several issues:

- The project is smaller in scale than previous designs.
- The density is lower.
- Providing two-car garages will diminish parking problems for the neighborhood.
- Liked the use of different heights and setbacks on Almond Street.
- Appreciates the landscaping on 300 North Street.
- Appreciates the use of wood windows.
- Objected the use of so many types of materials.
- Objected to the massiveness of the roof.

The Commission tabled the case after the following motion:

Mr. Gordon moved to table Case No. 030-98 pending resolution of the following issues which could be reviewed in the Architectural Subcommittee, then return to the full Commission for final approval: 1) reduce the amount of hardscape; 2) the materials of the hardscape; 3) reduce the massing or separating the massing of the project on Almond Street; 4) exterior lighting and the effect it would have in the neighborhood; 5) window details; 6) railing details; and 7) drawings of the view of the project looking up from the west elevations.

ARCHITECTURAL SUBCOMMITTEE

Mr. Watts met with the Architectural Subcommittee on December 16, 1998. The Subcommittee discussed the issues outlined in the motion.

- To diminish the effect of the hardscaping, a privet hedge or other landscaping could be planted along Almond Street.
- Because Mr. Watts does not want to reduce the massing by breaking up parts of the project which would require conditional use approval from the Planning Commission, he and the ASC members discussed other options. These included
 - Constructing a pergola as a break on Almond Street
 - Use a uniform color palette
 - Reduce the height of the roof

- Mr. Watts stated that the lighting will consist of approximately three indirect, in ground lights per unit, and cans in the soffits over the garages and porches. ASC members stated that this was acceptable.
- The ASC approved the sample windows and the proposed railings.
- On the west elevation, the ASC suggested eliminating the Palladian windows and instead use triangles or diamonds or flat skylights in the gables.

At the Subcommittee meeting Mr. Watts also stated that an undulating walk and park strips will be used along West Temple and 300 North Street, and that the trees to be planted will consist of a mix of ornamental fruit and deciduous.

STAFF FINDINGS AND ANALYSIS

Section 21A.34.020(H) of the Salt Lake City Zoning Ordinance states that HLC must 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.

It must be noted that the varied types of residential construction surrounding this parcel make it difficult to maintain visual compatibility with surrounding street frontages while maintaining its own architectural unity. The property is surrounded by high-rise condominiums to the east, a nursing home and a L.D.S. ward with large parking lots to the west, and low-density residential structures to the north and south.

(a) SCALE AND FORM

- (1) *Height and Width.* The proposed height and width shall be visually compatible with surrounding structures and streetscape.
- (2) *Proportion of Principal Facades.* The relationship of the width to the height of the principal elevation shall be in scale with surrounding structures and streetscape.
- (3) *Roof Shape.* The roof shape of a structure shall be visually compatible with the surrounding structures and streetscape.
- (4) *Scale of a Structure.* The size and mass of the structures shall be visually compatible with the size and mass of surrounding structures and streetscape.

Discussion: The proposed condominiums appear to be one-and-a-half stories to two stories from the street elevation (with the exception of the four units at the south end of the West Temple Street elevation, which are three stories). On the interior of the parcel the structures would rise as high as three-and-a-half stories. The overall mass is most compatible with the multi-unit buildings to the east, not because of the height but because of the width and the unbroken street wall that the proposed project will create on Almond

Street. The proposed design will not be significantly taller than the structures on 300 North and in the Marmalade neighborhood.

The proposed roof shape, a side gable, is one that can be found in the Capitol Hill neighborhood. The roof shapes of the dormers include combinations of gables and sheds, both of which can be found throughout the district. The variety of dormers, the dominance of the roof, particularly on the west elevation of Almond Street, and the staggered quality of the roofline is unusual in this environment.

Finding: The proposed development is compatible with the surrounding neighborhood in terms of height and roof shape. The relationship between the height and the width is most visually compatible with the streetscape to the east, and when viewed from the west, the proposed structure would look like another "layer" stepping up the hill. The north elevation of the proposed development is compatible in scale and form with the structures on 300 North.

(b) COMPOSITION OF PRINCIPAL FACADES

(1) *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.

(1) *Rhythm of Solids to Voids in Facades.* The relationship of solids to voids in the façade of the structure shall be visually compatible with surrounding structures and streetscape.

(2) *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.

(3) *Relationship of Materials.* The relationship of the color and texture of materials (other than paint color) of the façade shall be visually compatible with the predominant materials used in surrounding structures and streetscape.

Discussion: The openings on the elevations of Almond and West Temple streets consist of single-car garage doors, single door entrances, bay windows and dormer windows. The applicant has tried to minimize the effect of the garage doors by recessing the doors under a cantilevered wall. The relationship of the openings to the wall surfaces is similar to those of buildings in the surrounding properties and in the historic district. The dormers and bay windows appear to be similar in proportion to others seen in the district and are compatible with the surrounding structures. The proposed materials are brick, lap wood siding, stucco for the walls, architectural asphalt shingles for the roof structure and standing seam copper for the dormers and the bay windows, wood windows and iron railings.

With the exception of the copper roofing, all of the above materials can be found in the historic district and in any of Salt Lake's older neighborhoods. Stucco is also a material found on many historic residences but was used for much smaller dwellings. Metal,

while not prevalent, was sometimes historically used for porch railings and other details. Wood shingles were used on the 1970's-vintage condominiums to the east. Although several of the materials proposed by the applicants can be found in the district, the number of materials used in combination is atypical in the Capitol Hill Historic District.

Finding: The proposed development is in keeping with the surrounding neighborhood in terms of proportion of openings, rhythm of solids to voids in facades and in the rhythm of the bay windows and dormers. It is not in keeping with the surrounding neighborhood in terms of the relationship of materials.

(c) RELATIONSHIP TO STREET

(1) 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.

(2) 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.

(3) 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.

(4) 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.

Discussion: The elevations along West Temple and Almond streets form a continuous wall, which best relates to the multiple-unit residences to the east, while on the north the elevations are in keeping with the scale of the structures to the north. The rhythm of spacing and structures on the streets of the proposed project is most similar to the existing development to the east; the connected line of the proposal is not a street pattern that is typical in Capitol Hill. The proposed buildings would be oriented to the east and the west so there would not be a front façade to relate to the structures on 300 North. This is mitigated by the use of windows in the north facades, so that residents to the north will not face a blank wall.

The pedestrian improvements will consist of landscaping and sidewalks. Mr. Watts is proposing to use a privet hedge along Almond Street to soften the hardscaping and an undulating sidewalk along 300 North. Mr. Watts is proposing to use approximately three indirect, in ground lights per unit and cans in the soffits over the garages and porches.

Finding: Staff finds that the developer has created "walls of continuity" that relate to the surrounding streetscapes and neighborhoods.

RECOMMENDATION

Staff finds that the application meets most of the requirements of the ordinance but takes issue with the number of materials, the variety of dormer types and several of the window details. Staff also finds that the Commission should be presented with more detailed and complete plans before final approval is granted. Staff recommends that this application be tabled and the issues mentioned above be resolved either at the subcommittee or the staff level.

Elizabeth Giraud
Principal Planner
January 6, 1998

CAPITOL HILL HISTORIC NEIGHBORHOOD ASSOCIATION

A registered non-profit association dedicated to historic neighborhood preservation

326 Almond Street
Salt Lake City, Utah 84103
363-4634

December 8, 1998

Historic Landmark Commission
Room 406
451 South State Street
Salt Lake City, Utah 84111

Re: Watts Project - Almond Street Townhouses

Dear Historic Landmark Commission Members:

As many new members have been appointed to the Historic Landmark Commission since Mr. Watts first presented a project for review in September, 1995, I would like to reiterate the position and concerns of the Capitol Hill Neighborhood Council and our Capitol Hill Historic Neighborhood Association, both of which I briefly represented in the December 2 meeting.

At the time of the zoning rewrite, the Capitol Hill Neighborhood Council requested open-space zoning for this property - for many good reasons. The Council and neighborhood requests were not acted upon and RMF-45 zoning was approved. The Neighborhood Association then took on the task, for 2 1/2 years, of trying to protect the historic Marmalade District from the impacts of a project too big and massive for the available infrastructure and historic nature of this area. Our major concerns were: The splitting of the remaining historic district to the north and the south by this project; the geologic instability of the site and the potential for major damage to surrounding homes from construction; density, particularly in regard to infrastructure concerns - especially because the area is already overwhelmed with cars due to a serious lack of off-street and on-street parking (hence, any new project must provide adequate parking for tenants and guests); and the inappropriateness of another massive building that is more suited to the South Temple Historic District.

We did petition the City Council to down zone the property, but that petition lost in the City Council after Mr. Watts brought a law suit against the City, then withdrew it upon the signing of a contract

between the City administration and himself guaranteeing him approval for a 34 unit condominium project. This was the plan approved by the Historic Landmark Commission in June, 1997. It is the good fortune of our neighborhood that Mr. Watts has decided against that plan and is now presenting a project which considerably lessens the impact on our neighborhood.

We believe that many in the city do not understand that the historic Marmalade Hill neighborhood is on the verge of becoming non-viable due to very high actual density (with small lots and many former single-family houses having been converted to multiple rental units), very little off-street parking (less than 1 space per dwelling unit), and less than 1 space per dwelling unit of public on-street parking. Add to this the ever-increasing use of our limited parking by downtown workers, construction workers from the Assembly Hall, event attendees, etc., and we have pressures which could easily turn the current trend towards home-ownership and rehabilitation back to absentee-ownership, increasing rentals, and "slum" conditions. Pressure from cars parked illegally on the streets blocking alleys, access to homes, driveways, etc., is probably the greatest factor currently influencing people to sell their homes and leave the neighborhood. If the neighborhood reverts to the "slum" conditions existing 20 and 30 years ago, we may lose this historic district altogether as homes get condemned and torn down and high rises built in their place, a scenario some would like to see. Our neighborhood's primary goal is to ensure the continued existence and viability of this historic neighborhood, and we would ask that you make that your primary goal as well relative to this project.

Mr. Watts' current plan addresses many of the concerns which we have voiced over the years. The density (17 units - down from 34) is within the range of what we told the city we thought was viable at the time the zoning was being reexamined. That alone lessens the impact on the neighborhood significantly. Within the realm of townhouses, as opposed to a Planned Development, this new design provides the maximum parking, which is the minimum amount of parking we can live with. As it is, should any one unit have more than 2 guest cars, there will be no place in the neighborhood for them to park - except illegally somewhere - which is, indeed, what people do with no concern for the inconvenience caused to others.

Mr. Watts' present plan does not require the massive excavation and concrete retaining walls of prior plans. This should help

preserve many of the fragile homes to the north and south which are unusually susceptible to damage from earth vibration due to old construction techniques and materials.

There is no underground garage entrance off the steepest section of 300 North - a plan which the city originally approved to accommodate underground parking. That particular plan was insanely dangerous, as anyone who regularly drives up and down 300 North, especially in the winter, understands.

The present plan provides for setbacks on Almond Street and 300 North which are greater than in prior plans, thus decreasing the impact of the height and mass, which aspects have been a major concern due to the humble nature of our homes to the north and the narrow streets of our neighborhood. Still, there will be major impact on the residents of Almond Street to the east, because the views for which many of them purchased their townhouses will be lost. However, this plan has some variation in setbacks, roof-lines, etc., and thus there is not the visually massive, unvaried wall along Almond Street as some prior plans. The neighbors would, of course, appreciate it if Mr. Watts was able to decrease the height and break up the wall. At this point in the process, however, it is doubtful that he would be willing to reduce the density further.

Next to the open-space Heritage Orchard concept, which the neighborhood presented early on, and the concept of 6 or 7 twin homes coming off West Temple - with long narrow backyards stepping up the slope, which we presented in October, 1995, Mr. Watts' present concept is the most acceptable we've seen. We don't want a 17 unit complex there, but we've already lost that battle. 17 is better than 34.

The tandem parking proposal contained in a previous project plan would have made Almond Street unlivable for the existing and new residents. Many of us have that situation and we know very well what happens. Most people are too lazy to switch cars as needed and so one gets parked in the street (illegally) even though that street may be only 12 or 14 feet wide and is a "no parking" street. Tandem parking is already a disaster for this neighborhood.

If there are ways to improve the project, we want that, and we will appreciate any improvements, such as a break in the wall along Almond Street. However, we would ask of you please do not require

changes that would: 1) Increase the number of units; 2) decrease the number of parking spaces; 3) significantly increase the excavation, earth-moving, earth-compacting, need for concrete, etc.; 4) require 300 North access; 5) increase height; 6) decrease setbacks and landscaping; or 7) increase the footprint.

Thanks to bad zoning in the 60's and 70's, we have already lost much in the Capitol Hill Historic District. We believe it was a grievous error that this parcel was zoned anything other than open space. We exhausted every resource and avenue we had opposing what we saw as a major threat to the liveability of the city's oldest residential district. We failed. In the face of that failure, we then did what we could to work with Mr. Watts to ensure some elements critical to the neighborhood, such as the 300 North landscaping. With this project, we believe Mr. Watts has shown significant sensitivity to the issues which could negatively impact the neighborhood.

In all fairness to Mr. Watts, we believe he now deserves support from the neighborhood for this project, or at least no further opposition. If the plan can be improved, that would be wonderful, but we ask you not to do so at the cost of greater impacts to the neighborhood.

Sincerely,



Bonnie Mangold, President
Capitol Hill Historic
Neighborhood Assoc.

cc: Katherine Gardner, Chair, C.H.N.C.

Ms. Mitchell moved to approve the minutes from the December 16, 1998 meeting. Mr. Payne seconded the motion. Ms. Deal, Ms. Devine, Ms. Jakovcev-Ulrich, Ms. Jeppsen, Mr. Littig, Ms. Mitchell, Mr. Owen, Mr. Parvaz, Mr. Payne, and Ms. Rowland unanimously voted "Aye". Ms. Blaes, as Chairperson, did not vote. Mr. Gordon, Mr. McFarland, Ms. Miller, and Mr. Young were not present for the vote. The motion passed.

NEW BUSINESS

Case No. 030-98, at 250 North Almond Street, by Russ Watts of Almond Street Properties, L.C., requesting to construct a 17-unit condominium development.

Ms. Giraud presented the staff report by outlining the major issues of the case, the findings of fact, and the staff's recommendation, a copy of which was filed with the minutes of this meeting. She stated that more detailed and completed plans should be submitted and the issues mentioned in the staff report be resolved, either at the subcommittee or the staff level, before returning to the full Commission for final approval.

Mr. Russ Watts, the applicant, was present. He displayed a sample board of the exterior materials and a sample of the proposed window design for the project. Mr. Watts said that he made the following adjustments after meeting with the Architectural Subcommittee:

1. The palladian windows were eliminated.
2. Hedges would be planted between every driveway on Almond and West Temple Streets so one would see barriers of a green color rather than concrete.
3. There would be a meandering walkway along the West Temple side of the property.
4. There would be a park strip between the sidewalk and the road where greenery would be planted.

Mr. Watts said that the number of exterior materials was discussed in the subcommittee meeting. He said that it seemed to be the opinion of the subcommittee members that because the colors would be muted, all the different materials could be used for a change in texture. Mr. Watts also said that he chose to use the different dormer types to break up the roof elements and asked about design input from the members.

The following questions, concerns, and comments were made by the Historic Landmark Commission:

- Ms. Deal led the discussion by inquiring about the pergola connection between the break in the buildings on Almond Street. Mr. Watts said that he talked with the

people at "One Stop" (the Development Review Team) regarding the separation of the buildings. After some research was made, it was discovered that due to the radius on West Temple the side yard of the southern building on Almond Street could be cut on an angle which would allow an additional four feet, without having to obtain a variance in the set back. He said that the most recent plans showed the correct set back.

- Mr. Littig expressed his concerns with the amount of hardscape for the project and the possibility of campers, boats, trailers, and other recreational vehicles parked in front on the road and in the driveways, which would not be normal for the neighborhood. Mr. Watts said that in all the communities that he had developed, there has been a standard covenant which is called a "48-hour clause". He added that if someone owns a unit in one of the developments, that person could park an RV for 48 hours for loading and unloading. Mr. Watts said that the storage of snowmobiles, four-wheeled vehicles, and so forth would not be allowed because it would detract from the value of the development and the neighborhood.

Ms. Blaes opened the hearing to the public and asked if anyone wished to address the Commission. Upon hearing no requests, Ms. Blaes closed the hearing to the public, and the Historic Landmark Commission proceeded into the executive session portion of the meeting.

Executive Session

Ms. Deal commented that she appreciated the applicant's response to the Architectural Subcommittee's suggestions. She added that the meeting was productive.

Ms. Blaes said that the staff's findings of fact had to be considered by the Commission. She said that according to the ordinance, the Historic Landmark Commission must 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:

Section 21A.34.020(H)(1 through 4) of the Salt Lake City Zoning Ordinance

(1) Scale and Form

- (a) Height and Width; (b) Proportion of Principal Facades; (c) Roof Shape; and (d) Scale of a Structure.*

Staff's finding: The proposed development is compatible with the surrounding neighborhood in terms of height and roof shape. The relationship between the height and the width is most visually compatible with the streetscape to the east, and when viewed from the west, the proposed structure would look like another "layer" stepping up the hill. The north elevation of the proposed development is compatible in scale and form with the structures on 300 North.

Historic Landmark Commission's finding: There was no discussion of disagreement with the staff's finding.

(2) *Composition of Principal Facades*

(a) *Proportion of Openings; (b) Rhythm of Solids to Voids in Facades; (c) Rhythm of Entrance Porch and Other Projections; and (d) relationship of materials.*

Staff's finding: The proposed development is in keeping with the surrounding neighborhood in terms of proportion of openings, rhythm of solids to voids in facades, and in the rhythm of the bay windows and dormers. It is not in keeping with the surrounding neighborhood in terms of the relationship of materials.

Historic Landmark Commission's finding: Ms. Deal talked about the variety of dormers in the proposed project. She said that "she would rather see it broken up somewhat." Mr. Littig discussed the proposed windows that would be above the door openings. Ms. Deal suggested that a square window be used rather than the proposed design. Mr. Owen suggested that the grid pattern be changed because a rhythm of two over one grid pattern had already been established in the project.

Ms. Deal referred to the number of exterior materials and said that the colors would be muted enough that the different materials would provide more interest to the project. Ms. Deal said she was concerned that if one less material was to be used, there would be a possibility that more synthetic stucco would be proposed. It was a consensus of the Commission members that they agreed with the staff's finding except that the relationship of materials was in keeping with the surrounding neighborhood.

(3) *Relationship to Street*

(a) *Walls of Continuity; (b) Rhythm of Spacing and Structures on Streets; (c) Directional Expression of Principal Elevation; and (d) Streetscape; Pedestrian Improvements.*

Staff's finding: Staff finds that the developer has created "walls of continuity" that relate to the surrounding streetscapes and neighborhoods.

Historic Landmark Commission's finding: There was no discussion of disagreement with the staff's finding.

(4) *Subdivision of Lots:* This is not applicable to this case.

Mr. Payne inquired if the staff had the submitted plans when the staff report was written. He asked about the details and completed plans that the staff needed. Ms. Giraud said that she had difficulty seeing where one unit would begin and end so she believed a floor plan would help. She also talked about the difficulty of seeing the proposed roof shapes, where the copper roof would be, and how the dormers would

relate to each other on the east elevation of the structure on West Temple and the west elevation of the structures on Almond Street. Ms. Giraud also said that a wall section was needed.

Ms. Jakovcev-Ulrich inquired if wall and roof sections were required to be submitted. It was noted that Mr. Watts had displayed a sample of the proposed windows. Ms. Giraud pointed out that reference was not given on the plans for some of the windows.

Ms. Giraud explained that the staff's recommendation for tabling the project was not because redesign work would be needed, but that it would create an opportunity to see more detailed plans.

It was decided that the meeting could be reopened to ask Mr. Watts some additional questions. Mr. Watts said that the details of the dormers and the depth of the windows would be provided, but would like to have some idea from the Commission if he was "headed in the right direction" with the design work. He also said that floor plans were included with his submittal for the December 2, 1998 meeting. It was discovered that the floor plans were submitted, but no wall or window sections were included.

Mr. Watts talked about framing the proposed structures with a 2" x 6" wall and then adding a 2" x 4" wall behind that. The windows would then be set six inches into the wall.

Mr. Young said that in the subcommittee meeting, there was some discussion regarding skylights. Mr. Watts said that the decision was made not to replace the palladian windows with skylights because there should be enough light in the foyer area of each unit. Mr. Watts added that he would have discussed the change in windows over the doorways, but did not believe there would be any objection to that suggestion. There was a short discussion regarding the barrel vaults over the entry doors.

Mr. Watts concluded that he would appreciate having some consensus among the Commission members if the design could be approved.

Ms. Blaes reclosed the meeting to public comment.

There was a short discussion regarding the set back and the pergola issues, as well as the wording of a motion.

Ms. Deal moved to approve Case No. 030-98 with the following stipulations: 1) the Commission members were in agreement with staff findings except for (2) *Composition of Principle Facades, (d) Relationship of Materials*. The Commission found that the material palette would be appropriate for this project; 2) plans which clarify the wall plane and the elevation changes needed to be submitted; 3) plans showing the window changes, as was discussed, of the proportion of openings above the doors was needed. The current shape of the windows was found not to be compatible with the design of the structures and that using a square or rectangle shape would make the windows more

compatible; 4) plans for the pergola needed to be submitted; and 5) the above issues needed to be solved and plans needed to be submitted to staff for final review before a Certificate of Appropriateness could be issued. Mr. Young seconded the motion. Ms. Deal, Ms. Devine, Ms. Jakovcev-Ulrich, Ms. Jeppsen, Ms. Mitchell, Mr. Owen, Mr. Parvaz, Mr. Payne, Ms. Rowland, and Mr. Young voted "Aye". Mr. Littig was opposed. Ms. Blaes, as Chairperson, did not vote. Mr. Gordon, Mr. McFarland, and Ms. Miller were not present for the vote. The motion passed.

Case No. 024-98, at 321 and 331 South 500 East (original address was 323-325 and 327-329 South 500 East, according to the Sanborn maps) by Jeff Jonas with Winthrop Court, L.C., requesting a review of the findings of fact and conclusions by the Economic Review Panel to consider an economic hardship for the demolition of two structures known as the Lunt Motel Annex, pursuant to Section 21A.34.020(K)(3) of the Salt Lake City Zoning Ordinance.

Mr. Knight presented the report of findings of fact by the Salt Lake City Economic Review Panel by outlining the major issues of the case, a copy of which was filed with the minutes of this meeting. He said that the Historic Landmark Commission first reviewed the demolition request by Mr. Jonas for the two buildings at 321 and 331 South 500 East on August 19, 1998, where the Commission tabled the action, pending the eligibility of Mr. Rich Hall to serve as a member of the Economic Review Panel. Mr. Knight said that a question of conflict of interest arose because Mr. Hall had provided some of the financial data to the applicant as part of the economic hardship determination.

Mr. Knight said that Mr. Lynn Pace, Assistant City Attorney supplied Ms. Giraud with a letter that said that the City Attorney concluded that there was no conflict of interest that would render Mr. Hall ineligible. He said that the Commission needed to determine whether or not the Economic Review Panel's findings of fact were acceptable. A copy of the letter was filed with the minutes of this meeting.

There was a short discussion whether or not the meeting could be opened to the public for comment since this was a continuation of the December 16, 1998 Historic Landmark Commission meeting. Mr. Wright suggested that the meeting be opened to the applicant to comment if he desired. Mr. Jeff Jonas, the applicant, was present and stated that he had no comments at this time.

As there were no questions, concerns, and comments made by the Historic Landmark Commission, Ms. Blaes opened the hearing to the public and asked if anyone wished to address the Commission. Upon hearing no requests, Ms. Blaes closed the hearing to the public, and the Historic Landmark Commission proceeded into the executive session portion of the meeting.

Executive Session

Attachment E
Public Comment

Paterson, Joel

From: Walter Baker [wbaker@utah.gov]
Sent: Tuesday, October 16, 2007 1:25 PM
To: Paterson, Joel
Subject: Watts Enterprises development on Almond St.

Mr. Paterson,

I am a homeowner on Almond St. and understand that an expansion of the 4 condominium units on that street is proposed by Watts Enterprises. I am the president of our 8 unit home owners association that is directly east of the proposed development and would like to better understand what is being proposed. I am aware that the Planning Commission will be entertaining a request on Oct. 24th relative to an amendment of the project to add 5 additional units. I will be attending that meeting.

Please reply by return e-mail or call me at 538-6081 and let me know how I may obtain information on what is proposed and view preliminary plans, if there are any. I have called Watts Enterprises twice with the same request but have not had any response from them.

Thanks,

Walt Baker

Paterson, Joel

From: Shaw, George
Sent: Monday, October 15, 2007 8:11 PM
To: Coffey, Cheri; Paterson, Joel; Lew, Janice
Subject: Fw: letter from Bonnie Mangold re staff report Sept 27, 2007

FYI. on Almond St.

----- Original Message -----

From: Bonnie Putnam <bonscello@yahoo.com>
To: Zunguze, Louis
Cc: De La Mare-Schaefer, Mary; Shaw, George; Eric Jergensen <ericjergensen@cs.com>; polly@sisna.com <polly@sisna.com>; BONSCELLO@aol.com <BONSCELLO@aol.com>
Sent: Mon Oct 15 11:09:31 2007
Subject: letter from Bonnie Mangold re staff report Sept 27, 2007

Oct. 13, 2007

Louis Zunguze
Director of Community Development for Salt Lake City

Dear Louis,

Perhaps one day I will be able to write you a positive letter. I am sorry to say it is not this one. I had thought - apparently naively - that after the legal appeal filed against Salt Lake City by Peter Von Sivers and myself and the encouraging resolution of that appeal, that we might see more care taken in staff reports to provide clear, unbiased and accurate information. Having now seen a copy of the Sept 27, 2007 Staff Report for the Historic Landmark Commission re the Watts' Almond Street project, I wish to correct some of the statements therein and comment on the general tenor. I must state, and this perhaps is the more important issue for the City as a whole, there is not yet a culture of excellence within the City's Planning Department. In the professions with which I have familiarity, there is no room for the degree of inaccuracy, carelessness, or outright obfuscation and bias that have been prevalent in the Planning Staff reports which I have seen over the past twelve years. In my profession, as a symphony musician, not only would a symphony position not be attained without demonstrating a high level of excellence, but if one made as many errors as I have found over the years in these staff reports, one would never keep the position. It is ironic that it is up to people who have full time careers in other fields plus extensive community service work - people such as Polly Hart - to review staff reports and correct errors that have been made, whether factual or procedural, by full time planners. Sloppy or misleading staff reports and consequent approvals have cost the City much time and money. Reports which are well researched and written to begin with take little more time, just more desire or motivation.

A careful reading of the original staff reports for the current approved and partially built project, (including my letter of Dec. 8, 1998), the minutes for the HLC meeting of Dec. 2, 1998, and Watts' prior agreement with the City dated June 27, 1997, would have provided the correct information needed for the Sept. 27th staff report. Following, are my specific comments.

The most egregious aspect of the staff report appears first in the agenda and in the REQUEST section: "The applicant requests approval to construct Phase II and III (20 units total) of the Almond Street Condominiums..." This wording tacitly gives legitimacy to the concept of Phase II and III, as if they had always been part of the project. This application is not merely a continuation of the 17 unit project approved by HLC in Jan. 1999. It is a new proposal.

Staff Report, page 2, final paragraph "...from 34 to 52"
The proposals presented to HLC, varied from 17 to 52 - the 17 unit project being the final one submitted and approved Jan. 1999, which Watts then began constructing, completing 4 of the 17, and per his own advertisements reducing the plan from 17 to 16 units. This project currently underway should have been mentioned first under BACKGROUND,

not on Page 3 under Development Agreement.

Page 3, first paragraph, second line: "...52 units in one structure."
The proposal on the table at the time of the moratorium was, I am quite sure, for 48 units. The 52 units was proposed earlier when Mr. Watts was anticipating purchase of some additional land to the south from Dale Butler.

Same paragraph. The staff report first says the petition to rezone was never presented to the City Council and in the next sentence says the City Council withdrew the petition to rezone. It can't be both ways. The petition for down-zoning was in fact presented to the City Council, and it is true the City Council turned it down once the City signed its agreement with Watts.

Page 3 Development Agreement

The Development Agreement is void, per Paragraphs #15 and #16, due to Watts' decision to "not develop the property as set forth in this Agreement...", the Agreement being applicable to the 34 unit project he abandoned. Hence, the City is no longer 'obligated' to "provide a favorable staff recommendation." Also, that Agreement did not specify a reduction from 52; it simply promised 34 - another error in the staff report, though in this case unimportant. (The Scope of Agreement in this Development Agreement applied to 1.18 acres of property. The new proposal of Mr. Watts' refers to approximately 1.393 acres; the original 17 unit approval mentions 1.428 acres. As was the case initially, there has never been a consistent acreage given.)

The staff report continues with a paragraph finally referencing the current 17 unit project, correctly indicating its Jan.6, 1999 approval. It then mentions a Phase I and a reconfiguring of the project to 24 units. AT THE TIME OF THE PRESENTATIONS AND APPROVAL OF THIS PROJECT THERE WAS NO MENTION OF PHASES IN ANY OF THE PUBLIC MEETINGS, NOR ARE THERE REFERENCES TO SUCH IN THE STAFF REPORTS OR MINUTES. This is a new project now being presented; it is not a reconfiguration. Reconfiguration means a new configuring or arrangement of the parts of something. This is an addition! The phrase "...seeking approval to build the remaining 20 units" is deceptive. There are 13 remaining units to be built in the approved plan, not 20.

It is misleading to refer to phases of this project as if there had been an original intent to build in phases. Yes, Mr. Watts stopped building after 4 units, to the neighborhood's surprise. When I called him to ask about it, he told me that he wouldn't build more units until he had sold the first four. As you may know it took a long time for those first 4 units to sell, however they have also been sold (and resold) for a long time. As I mentioned in my e-mail of Sept. 21, 2007, he also got very involved in a Midway project after starting the Almond Street project and apparently got sidetracked. Phase II and III are not part of the approved project. The consistent use of this terminology gives an impression contrary to the actual situation. It is misleading, particularly if Commission members rely primarily on the staff report and don't carefully read all the earlier documents.

The paragraph following states that "Phase II and III would include a total of 20 units with two-car garages." That indicates 40 enclosed parking spaces. Mr. Watts' figures indicate 34 enclosed garage spaces. The report states that most of these have single doors. Does that mean the doors are single car width wide - meaning tandem style parking within the garage - or that the doors are double width but with no features separating the two halves of the door? Hopefully it is the latter. In any case the parking situation in this new proposal will create a greater impact in the neighborhood than the approved plan.

The support the neighborhood gave him for the 17 units, which he personally asked me for (as chair of our Capitol Hill Historic Neighborhood Association) on the grounds that he had addressed our major concerns, we gave in large part because it was the first and only proposal that would not significantly create additional parking pressures for the neighborhood. The fact that he is altering this aspect in his new proposal does not sit well with the neighborhood. Inadequate parking remains the single greatest problem for the neighborhood. New construction as per our Master Plan, must not worsen the situation. Even his first four units have had an impact as guests' or perhaps owners' cars do get parked not only in the driveway but illegally on the street/sidewalk as well. Nor has his recent attempt to get the City to change the ordinance relative to tandem parking endeared him to the neighborhood.

As for geotech concerns, perhaps some history is relevant. For unknown reasons, at the

time of the initial Watts proposals, coinciding with the zoning rewrite and the permitting for the LDS Conference Center, new earthquake fault maps were issued for official use. These maps no longer included the inferred fault lines for known faults. In other words even if faults were apparent to the eye on the surface or through excavation at points A and C, the inferred (existing but unseen) connecting segments B were eliminated from the maps. Hence as long as a particular geotech study didn't uncover the fault, it could be assumed that it didn't exist, based on the new maps. About the time of the completion of the Conference Center it was suddenly discovered that the new maps were flawed and so the State went back to maps showing inferred faults.

When we were challenging the zoning of this hillside we consulted with several reputable geologists. They surmised that the Warm Springs Fault* continues from where it had been exposed on the grounds of the Washington School, along Quince Street to the West Temple northern-most leg, then angles up through the hillside at some point prior to 200 South, continuing on through the northeast corner of the Conference Center block. (No surprise that the Conference Center was built to earthquake standards well above what Utah law requires.)

* I must correct and apologize for the error in my e-mail of Sept. 21, 2007 where I wrote Wasatch Fault rather than the correct Warm Springs Fault.

We are still of the opinion that there is an instability in this hillside land, knowing the past instances of structural damage to both existing and demolished buildings. Perhaps it was the absence of adequate maps, at the time of our original objections to the proposed zoning and massive projects, which caused our concerns to fall on deaf ears. Nevertheless I believe it is prudent for the City to consider such proximity to faults when zoning for higher density. Home buyers in such areas should at least be informed of this proximity rather than thinking they can rely on City zoning for safety.

Page 4 discussion (middle of the page) states that the HLC jurisdiction does not relate to density or parking, but goes on to say "It is important to note that both Almond Street and West Temple Streets, one-way streets heading south, are posted so that no on-street parking is allowed." These statements are inconsistent. If the first is true, then it cannot be important to note the latter. As to the HLC jurisdiction aspect that can be challenged, but first some background on West Temple Street. We petitioned for this 14 foot wide street between 200 North and 300 North to be one way south instead of north in order to avoid unsafe turns out into 300 North traffic by northbound traffic and to avoid having City and Conference Center destined drivers easily head north into the neighborhood in search of parking. The somewhat wider, lower Quince Street provides safer access north for the neighborhood from downtown; 200 West and Main Street are also used. This was the thinking behind our neighborhood agreement with Mr. Watts on this issue.

As for jurisdiction, years ago we researched the purpose statements in the State and local codes authorizing the creation of historic commissions, land use planning, etc. and found that all of these are based on the big picture mandate of preserving and protecting historic areas, neighborhoods, quality of life, etc. The HLC does have a broader jurisdiction than that detailed in the ordinance and cannot carry out its underlying purpose if issues such as density and parking are not factored in. Hence inclusion in the Guidelines of aspects such as Scale and Form, which cannot be separated from density issues and concepts such as "in the best interest of the city." It is the too narrow focus which allows for inappropriate and bad projects and creates resentment of Landmarks, not too broad a focus.

Page 6 - Discussion following the Scale and Form guidelines.

It is stated that new buildings should respect the historic scale of construction consisting of "structures no higher than four or five stories." This wording tends to obscure the reality that the preponderance of structures in the Capitol Hill Historic District are single family homes or duplexes generally one, one and a half, or two stories in height. Historic structures higher than that are hard to find in our area. As you know the Marmalade Hill area of the District is of a much more 'humble' nature than the Arsenal Hill area to the east of Main Street. Newer non-historic buildings which did not respect this historic scale have been built higher of course. Our original neighborhood opposition to Mr. Watts' proposals was in part because the mass of all his proposals so exceeded that of the remaining historic homes to the north across 300 North, and directly to the south. Unfortunately none of the photos in the staff report (at least the report I received) include these historic homes to the north and south.

The Guidelines state "visually compatible with surrounding structures and streetscape." Surrounding means that the historic homes to the north and south must be considered as well as the non-historic structures to the east and west. We have consistently thought that it would be a mistake to separate the remaining historic homes to the south from those to the north by a massive project. This is now an increased concern with the new so-called Phases II and III. It is also highly inappropriate to compare the overall mass of the new proposal to the mass of 'Phase I' (the 4 units already built), thus implying historic appropriateness.

It is unfortunate that Mr. Watts has made errors in judgment that may affect him financially, but that is the price of being human. There are consequences to every decision we make. He had ample opportunity to cancel his purchase contract when he did not easily get all his approvals. Instead he chose to pay more than twice what the property had been sold for by the City months earlier. (In 1995 it was purchased by Mr. Wallace Cooper, then chair of the HLC, and his associates, for \$300,000 - a \$50,000 loss to the City - and resold to Mr. Watts in a matter of months for between \$600,000 and \$700,000.) We don't consider that it is the City's responsibility to bail Mr. Watts out of any mistakes at the expense of our neighborhood.

It shouldn't be my job or Polly's or Eric's, but it seems it is necessary for someone to correct the impressions left by incomplete staff reports. I had so hoped to see this change. I request that this letter be included in the next staff report going to the HLC.

Sincerely,

Bonnie Mangold

(formerly Chair of the Capitol Hill Historic Neighborhood Association and a Trustee for the Capitol Hill Neighborhood Council)

CC: Mary DeLaMare-Schafer

George Shaw

Eric Jergensen

Polly Hart

Historic Landmark Commission

Take the Internet to Go: Yahoo!Go puts the Internet in your pocket:

<http://us.rd.yahoo.com/evt=48253/*http://mobile.yahoo.com/go?refer=1GNXIC> mail, news, photos & more.

Paterson, Joel

From: Polly Hart [polly@sisna.com]
Sent: Wednesday, October 03, 2007 2:44 PM
To: Shaw, George
Cc: davebuhler@msn.com; ComeBackShane@Comcast.net; Paterson, Joel; rbecker@bearwest.com; Coffey, Cheri; Lew, Janice; BONSCELLO@aol.com; De La Mare-Schaefer, Mary; nancy@nancysaxton.com; Eric Jergensen Forwarder; Zunguze, Louis
Subject: Re: Agenda for the Historic Landmark Commission Meeting 10/3/07

George-

I wasn't confused. I'm happy that apparently it turns out that HLC members got my attachment in their packets, but yet again the public has been given incomplete and skewed information. How can the public have adequate opportunity to get involved if they're not aware of what really happened ten years ago, ESPECIALLY when the record is twisted in the current staff report?? I can't understand why the staff report mentions the inclusion of Bonnie Mangold's letter, but not mine, when I am the community council chair and my letter was written in my official capacity. Mary DLM-S said that staff's reasoning for not including our letters on the website was that the scanner is broken. I wonder how long that excuse is going to work, given that not one single staff report on the 2007 Planning Commission website includes public comment (They ALL show as blank documents). In fact, it is not a scanning problem, it is policy to not include public comment. I've also been given the argument that "public comment is too bulky and lengthy" to include on the website, but given the size of some staff reports, this is a sad excuse for exclusion. The public has the right to have access to ALL information. When can I expect this to happen?

Additionally on this subject, I'm baffled as to why all of the attorneys need to "review the original agreement." (see your comments to Eric below) The very bottom line is that after a long hard-fought battle, HLC approved a development whose mass and scale included 17 units ONLY. If they have decided to expand the project, they get to start over with Landmarks. Period. Unless the attorneys have been saddled with trying to figure out how to get around that requirement.....

Polly Hart

On Oct 3, 2007, at 11:19 AM, Shaw, George wrote:

Polly, to answer your question: your letter was included in the packet. However, because of the size of the documents, attachments may not always be scanned and posted on the website. Sorry about the confusion. --
 GS

----- Original Message -----

From: Polly Hart <polly@sisna.com>
 To: Shaw, George
 Cc: Eric Jergensen Forwarder; BONSCELLO@aol.com <BONSCELLO@aol.com>; Ralph Becker <rbecker@bearwest.com>; Nancy Saxton <nancy@nancysaxton.com>; Zunguze, Louis; Dave Buhler <davebuhler@msn.com>; Shane Carlson <ComeBackShane@Comcast.net>; De La Mare-Schaefer, Mary
 Sent: Mon Oct 01 12:06:21 2007
 Subject: Re: Agenda for the Historic Landmark Commission Meeting 10/3/07

George-

10/17/2007

Thank you. I'd still like an answer as to why my letter was not included in the packets.

Polly

On Oct 1, 2007, at 11:50 AM, Shaw, George wrote:

> The Planning staff is in the process of amending this agenda,
> postponing
> Almond Street until our Attorneys and Russ Watts' attorney can review
> the original agreement. At that point, it may need to go to the
> Planning Commission before HLC reviews it again. In any case, Almond
> Street petition will not be heard on Wednesday evening. Thanks, --GS
>

> -----Original Message-----

> From: Eric Jergensen [mailto:eric@contourcomp.com]
> Sent: Monday, October 01, 2007 11:09 AM
> To: Polly Hart
> Cc: Shaw, George; De La Mare-Schaefer, Mary; Ralph Becker; Zunguze,
> Louis; Dave Buhler; Nancy Saxton; Shane Carlson
> Subject: Re: Agenda for the Historic Landmark Commission Meeting
> 10/3/07
>

> Polly,
>

> Thank you for the two e-mails regarding the HLC review of the Watts
> project schedule for this Wednesday.
>

> My original concern when I saw this on the agenda was that this
> "Issues Only" hearing should have been noticed as an "amended
> approval" rather than an "approval" to build the twenty proposed
> units. I now notice that neither your letter or (unless I missed it)
> the original HLC minutes and approval on this project were included
> in the staff report. I'm hoping it was just an oversight. The HLC
> must, in my opinion, take into consideration that it originally
> rejected this project at the proposed 34 units - notwithstanding the
> Planning Commission's approval. A compromise was reached with the
> neighbors which brought the final Watt's proposal of the 17 units.
> This final proposal was ultimately approved by the HLC. HLC needs to
> have ALL of this information. Those HLC minutes with all of that
> information were provided by our staff to the Planning office.
>

> I'll get with George to follow-up.
>

> Thanks.
>

> Eric J.
>

> On Oct 1, 2007, at 10:38 AM, Polly Hart wrote:
>

>> p.s.

>> Page two of the report states that "proposals presented varied from

>> 34 to 52 units..."
>> THIS INFORMATION IS A LIE!!! In the end he proposed and was
>> granted 17 units. That does not fall between 34 and 52.
>>
>> Polly
>>
>> On Oct 1, 2007, at 9:39 AM, Eric Jergensen wrote:
>>
>>> <Almond Street Condo Issues Only Hearing.pdf>
>>
>
>

Lew, Janice

From: bonscello@aol.com
Sent: Friday, September 21, 2007 2:53 PM
To: Lew, Janice
Cc: BONSCELLO@aol.com
Subject: Almond Street Condominiums

Dear Janice,
Would you please include this letter in the staff report concerning the Almond Street project.
Thank you,

Bonnie Mangold
326 Almond Street
SLC, Utah 84103

Dear Historic Landmark Commission Members,

Mr. Watts' Almond Street project was approved by this Board - in 1998 I believe - as a 17 unit townhouse project. This was after much opposition by the neighborhood to prior plans which failed to take into account many historic neighborhood issues such as our already extremely high density with extremely little parking, either private or public. (We had challenged the correctness of the zoning during the zoning re-write project at that time). Also there were the issues of the dangerous and steep 300 North Street at that location, the proximate Wasatch fault line - most likely running along that strip of West Temple and then cutting east through the southern part of the parcel (or slightly further to the south), heavy traffic use of narrow 300 North and the lack of street parking on many streets including Almond Street and that block of West Temple, the intense massing adjacent to our humble Historic District homes, etc.

Always there has been the issue of providing adequate parking to accomodate owners' needs as well as guests, delivery trucks, etc. without negative impact on the surrounding areas. With the plan approved in 1998 Mr. Watts had finally addressed most of the issues of greatest concern to the neighborhood (except massing), and consequently he asked us for our support of that plan. We gave that support (there should have been a letter attached to those minutes as it was submitted priorly and reiterated at the meeting, for the record), with the understanding that this was the plan he would then carry out. As I recall (having been present at all meetings) there was no discussion of building in phases. It came as quite a surprise when he stopped the project after building only 4 units. Had he finished the project at that time perhaps the cost of construction would have stayed constant. I believe he got preoccupied with doing a big project up in Midway prior to the Olympics, so perhaps understandably this smaller project took a back seat. Whatever the reason it has been his choice to delay completion for so many years, and it seems that he should stick with the approved plan and not come back seeking more units now.

I understand the increased density is to be accomodated with smaller one bedroom units (which may still have two occupants) and decreased parking. Perhaps he needs to be reminded that there simply will not be any street parking available for those new units. To the north we have some restricted residential parking programs, but this doesn't increase the amount of parking, it only sometimes prevents people with Downtown or the Conference Center as a destination from parking in those areas. The other block of Almond Street, where my house is located, has 32 living units with only 16 off-street parking spots.

9/21/2007

Our little public lot has 7 legal spots, and yet 50 parking passes have been issued for those 7 spots. As a consequence people are already fighting over street parking there and on 300 North, and there is no way to further increase parking on these historic streets or on the properties themselves. Neighboring Quince Street has the same issues of course.

At the initial Historic Landmark Commission meetings regarding his project, the neighborhood group had suggested something like 6 duplexes (12 units), fronting on West Temple with long narrow back yards going up the slope - as so many of us have in this area. These could have been built without the need for so much concrete or rearranging of the land and with adequate parking and with massing in keeping with the townhouses to the east and the homes to the north. It is unfortunate that a plan of this nature did not appeal to Mr. Watts, as it would have prevented many problems. Whatever you do now, please keep in mind the need to preserve the viability of residences surrounding this project.

Sincerely,
Bonnie Mangold

Email and AIM finally together. You've gotta check out free [AOL Mail!](#)