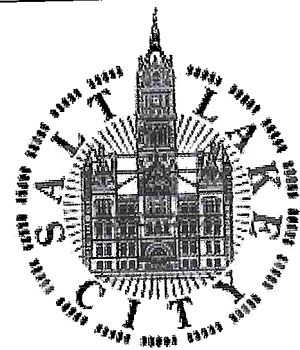


PLANNING COMMISSION STAFF REPORT



Planning and Zoning Division
Department of Community
Development

Everest Builders

410-08-38, 490-08-09 Planned Development
Conditional Use and Preliminary Subdivision for 19-
unit Town homes located at 256, 262 and 268 South
700 East and 673 and 695 East 300 South Street
Hearing Date June 25, 2008

Applicant: Eric Saxey, Everest Builders

Staff:
Robin Zeigler 535-5578
robin.zeigler@slcgov.com

Tax ID: 16-05-153-007, 16-05-153-008, 16-05-153-003, 16-05-153-002

Current Zone: RMF-45,
Moderate/High Density Multi Family Residential

Master Plan Designation:
Central Community Master Plan

Council District: 4, Luke Garrott

Acreage: 0.69 Acres

Current Use: Multi Family and Vacant

Applicable Land Use Regulations:
Conditional Use –
21A.54.080 Planned Development
21A.54.150 Subdivision
21A.34.020 Historic Overlay
21A.24.140 RMF-45 Zone
-21A.24.190 Table Of Permitted
And Conditional Uses For
Residential Districts:
-Section. 21A.54.080 Standards for
Conditional Use

Attachments:
A: Site Plan and Elevations
B: Preliminary Plat
C: Aerial Photo with Public Utilities
D: Department/Division Comments
E: Community Council Letters
F: Public Comments
G: Landscape Plan
H: Minutes of HLC Issues Only Hearing
I: Photographs of Site

REQUEST

The applicant is requesting a Planned Development/Conditional Use and Subdivision in the Central City Historic District consisting of thirteen new single-family residential dwelling units and one existing multi-family residential building with six units. The subject property is zoned RMF-45, Moderate/High Density Multi Family Residential.

PUBLIC NOTICE

On June 11, 2008 a notice for the Planning Commission public hearing was mailed to owners of property within a radius of 450 feet as well as to community council chairs meeting the minimum 14 day notification requirement. In addition notice was sent to all individuals on the Planning Division's list serve, and a sign was posted on June 13, 2008 on the property meeting the minimum 10 day posting requirement.

STAFF RECOMMENDATION:

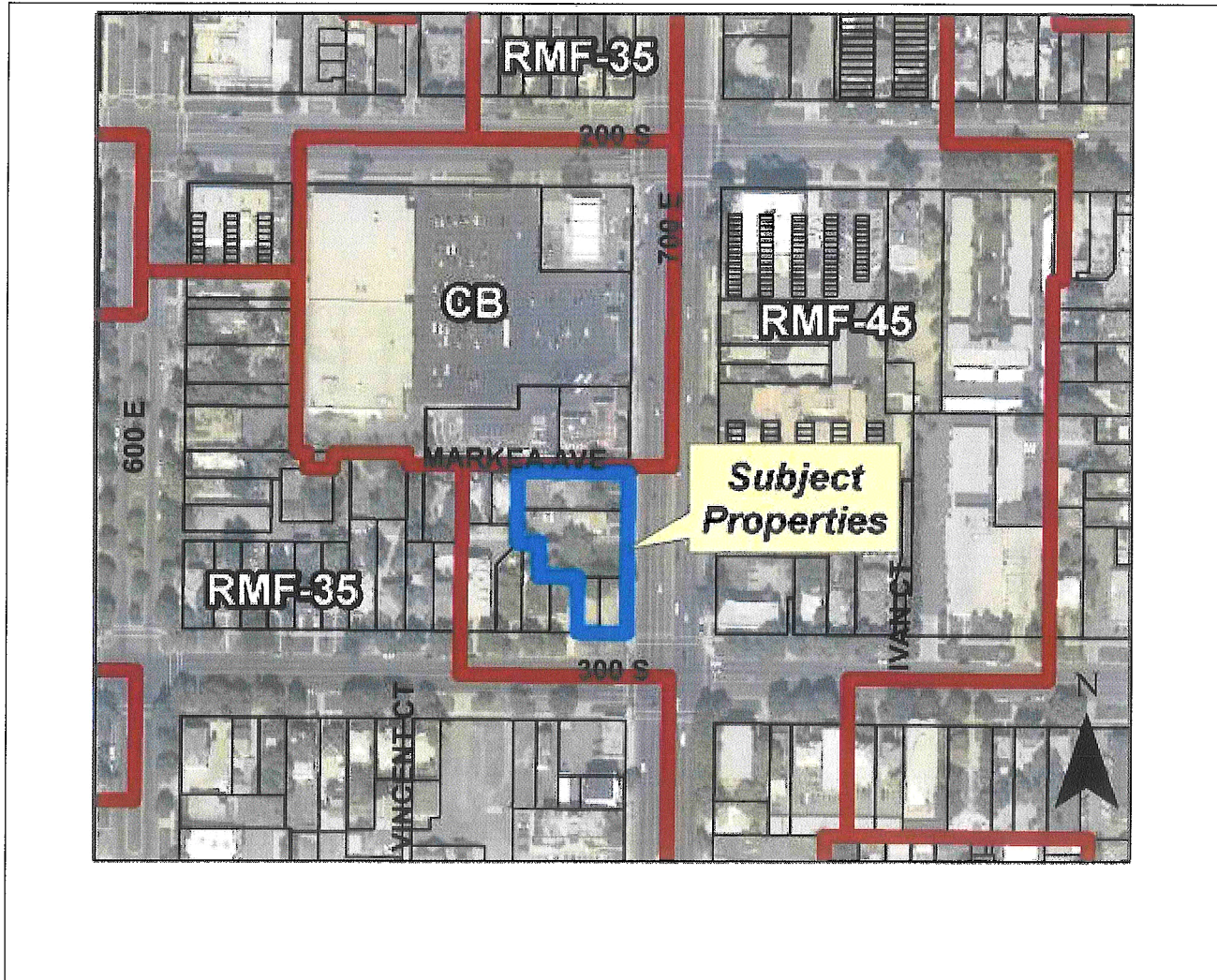
Based on the findings listed in the staff report, the Planning Staff recommends the Planning Commission approve the Conditional Use/Planned Development as shown on the proposed site plan with the following conditions

1. Modification of the front yard setbacks to approximately twenty feet, corner side yard setback to ten feet and rear yard setback to eight-ten feet as indicated on the proposed site plan.
2. The applicant shall satisfy and adhere to all the requirements as noted by the various City Departments/Divisions in this staff report.
3. Final design of the residential structures is delegated to the Planning Director to be consistent with Historic Landmark Commission approval.
4. Prior to the issuance of a building permit, final approval of the landscape plan shall be delegated to the Planning Director.

Planning Staff recommends that the Planning Commission approve the Preliminary Subdivision based on the comments, analysis, and findings of fact as noted in this staff report subject to the following:

1. The applicant shall satisfy and adhere to all the requirements as noted by the various City Departments/Divisions in this staff report.
2. A final plat is required.
3. A plat note shall be added to the final plat stating that access to each residence will be provided off of Markea Avenue and 300 South. No access shall be granted off of 700 East.
4. A provision for a home owners association shall be implemented prior to recording a final plat to ensure the maintenance of all common areas in the development.

VICINITY MAP



COMMENTS

Community Council Comments:

The applicant attended the Central City Community Council meeting on May 7, 2008. Generally, members seemed to be in favor of the project but had concerns about the design. Members asked questions about the location of entrances, what will happen to the three existing structures on this site, location of parking, number of bedrooms for each unit, and about the anticipated sales price. One member expressed concern about the negative impact to the historic district of a garage facing 300 South and hoped that the architects would address this issue in the revised plans. Comments about the design included that the submerged court and stoops were out of character with the neighborhood. Another member felt that the building should not look like one long continuous building. Comments in favor included that it was great housing to have in the neighborhood and that it will add to the tax base. (See Attachment F)

Because the project borders the boundaries of the East Central Community Council, they were also contacted and asked if they would like a presentation. The applicant presented to the Community Council, however comments have not been received.

Public Comments:

On June 12, 2008 staff received a call from the owner of property at 750 East 300 South who was opposed to the project because she does not want multi-family in this area and does not want the historic houses to be demolished.

On April 2, 2008, the Historic Landmark Commission held an “Issues Only” hearing to discuss this proposal and take public comment. Comments received from the public included but were not limited to.

- The proposal was too massive in scale for the surrounding neighborhood
- The structures were grouped in a manner uncharacteristic to the Central City Historic District
- The design is too modern
- Recommended sending the project to the Historic Landmark Commission’s Architectural Subcommittee with a specific list of direction
- The design of row houses is out of character for the neighborhood
- There should be open porches, a common characteristic of the neighborhood
- The buildings lack clearly defined entries
- The materials are not specified.
- The buildings could be closer to the street or there could be a courtyard with a wall deflecting noise

City Department Comments:

All of the comments from the pertinent Departments and Divisions are included in this staff report. (See Attachment D).

MASTER PLAN SPECIFICATIONS:

The property is located in the area subject to the Central Community Master Plan (2005). In addition, the Salt Lake City Community Housing Plan (2000) and Final Report of the Salt Lake City Futures Commission, Creating Tomorrow Together (1998) are applicable.

SUBJECT PROPERTY HISTORY:

The subject property has two vacant and one occupied residential structures, two of which were designed as single family residences but have been used in recent years as duplexes. The Historic Landmark Commission approved the demolition of the two duplex structures pending approval of the design of the new structures.

ACCESS:

The subject property currently has access off of 700 East and Markea Avenue.

PROJECT DESCRIPTION:

Everest Builders, represented by Eric Saxey, is requesting approval of a 19-unit Planned Development/Conditional Use and Preliminary Subdivision in the Central City Historic District. The property will consist of nineteen new single-family residential dwelling units. nine units in a new three-story building that will front 700 East, four units in a building that will front Markea Avenue and new units in an existing building that will be remodeled. The subject property is comprised of three vacant and two occupied parcels, totaling approximately .69 acres in size. The proposed development is subject to the Salt Lake City Zoning Ordinance and the Design Guidelines for Residential Historic Districts in Salt Lake City, and requires approval from the Planning Commission as well as the Historic Landmark Commission. The purpose of the RMF-45 zone is “to provide an environment suitable for multi-family dwellings of a moderate/high density ”

In terms of Planning Commission consideration, the applicant has filed applications for a Planned Development/Conditional Use and Preliminary Subdivision. As part of this process, the applicant is requesting approval for reduced yards/setbacks and preliminary subdivision. The Planning Commission’s focus is on site plan layout and ensuring that the project meets the standards of Conditional Use/Planned Development and Subdivision.

The items that fall under the review of the Historic Landmark Commission include Zoning Ordinance standards for the H-Historic Preservation Overlay District for new construction, as well as compliance with the adopted Design Guidelines for Residential Historic Districts in Salt Lake City. As in the past, the Historic Landmark Commission’s review will include, but is not limited to, a study of the materials used for residential construction, the proposed massing, scale, height, and design of the residential units, materials, and subdivision layout.

PROCESS TO DATE:

Prior to the applicant’s submittal of the proposal to the Planning Division, the applicant requested to demolish all three structures that currently sit on the lot. At their September 2006 meeting, the Historic Landmark Commission denied the demolition based on the fact that the structures were “contributing” structures to the Central City Historic District. The applicant subsequently submitted an application for Economic Hardship. On September 19, 2007 the Commission voted to approve demolition of two structures and the rehabilitation of the internal six-plex. The townhouse layout was deemed to be the only economically feasible option during the Economic Hardship process that would preserve one of the contributing structures. A permit for demolition will not be issued until a reuse plan has been approved by the Historic Landmark Commission and the properties are documented following the standards of the Historic Landmark Commission in their Policy Document.

Issues Only Hearing with Historic Landmark Commission on Townhouse Proposal

On April 2, 2008, the Historic Landmark Commission held an "Issues Only" hearing to discuss this proposal and take public comment. The primary recommendation from Staff was that the design was not a contemporary interpretation of the multi-family dwellings found in the district. Specific issues staff raised included.

- Remove parking on Markea
- The design should not include a garage facing 300 South, the more historically intact portion of the district
- The submerged court is not in keeping with the historic character of the neighborhood
- There should not be a secondary parallel sidewalk, as this is not a feature seen anywhere in the neighborhood
- The rhythm of solids to voids does not meet the ordinance
- There is no symmetry to the design, as seen elsewhere in the neighborhood
- The design guidelines require well defined entrances, which the preliminary plans do not have

Three persons provided comments that included but were not limited to

- The proposal was too massive in scale for the surrounding neighborhood
- The structures were grouped in a manner uncharacteristic to the Central City Historic District
- The design is too modern
- Recommended sending the project to the Historic Landmark Commission's Architectural Subcommittee with a specific list of direction
- The design of row houses is out of character for the neighborhood
- There should be open porches, a common characteristic of the neighborhood
- The buildings lack clearly defined entries
- The materials are not specified.
- The buildings could be closer to the street or there could be a courtyard with a wall deflecting noise

A joint subcommittee meeting was held with members of the Historic Landmark Commission and the Planning Commission on April 22, 2008. The developer, his architects, and members of Planning Staff were present for this meeting. Staff provided an overview of the project and comments were noted from various individuals in attendance. In general, the review process was discussed, as well as various design items including building materials, building siting, massing, scale, density, setbacks, and access. The conclusion was that there were no issues with the alterations to required setbacks but there were ways in which the proposed design did not meet the Historic Landmark Commission's design guidelines.

The applicant requested a second joint subcommittee meeting to review revised drawings. The Planning Commission members stated that since the majority of the issues were related to the design of the structure and the way it interacted with the historic district, that they did not need to attend. The meeting was scheduled for May 13, 2008 and included two members of the Historic Landmark Commission, the developer and his architects and Planning staff. Commission members agreed that the new drawings met the ordinance more fully but that there might still be issues with the main entrances and the garage on 300 South.

ANALYSIS AND FINDINGS:

To assist the Planning Commission in its decision making process, Planning Staff has analyzed the proposal, providing analysis and findings with respect to pertinent master plans, ordinances, and other issues related to the Conditional Use/Planned Development and the Preliminary Subdivision.

CONDITIONAL USE STANDARDS Adopted by City Council on January 15, 2008

General Standards for Approval (21A.54.080):

A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

In order to identify and evaluate the detrimental effects and the need for and/or adequacy of mitigating conditions, the Planning Commission shall review and consider the following.

1. Master Plan and Code Compliance

A. The proposed development is supported by the general policies of the City Wide, Community, and Small Area Master plan text and the future land use map policies governing the site;

Analysis: There are several sources to consider when reviewing this project request in terms of goals, objectives, and policies for this area.

- Central Community Master Plan (2005)
- Salt Lake City Community Housing Plan (2000)
- Final Report of the Salt Lake City Futures Commission, Creating Tomorrow Together (1998)

Central Community Master Plan (2005). The subject property is designated as “Moderate/High Density Residential (30 – 50 Dwelling Units per Acre)” according to the Central Community Future Land Use Map. The applicant’s proposal of nineteen (19) dwelling units is below this density

The Central Community Master Plan (2005) specifically addresses multi-family residential development and historic preservation in the Central Community. One of the goals is to “Protect and improve the quality of life for everyone living in the community, regardless of age or ability.” One of the criteria for the goal of livable communities is “the appropriate transition of multi-family housing with mixed land uses in designated areas supports sustainable development within the community.” Another criteria is that housing stock should be preserved and is “an integral part of maintaining neighborhood character.” The Plan states that preserving older structures contributes to the culture of the community and that the historic urban fabric is a “building block form for the Central Community.” (page 3)

A section of this Master Plan focuses specifically on residential development in the Central Neighborhood in which the subject property is located (pages 5-6). The Plan states.

Overview

The Central City neighborhood planning area is a sub-district of the Central Community. It is located between 200 East and 700 East from South Temple to 900 South. It is adjacent to the Central Business District and is traversed by major streets in both east-west and north-south directions. Due to its central location between the University of Utah and the Central Business District, a lot of vehicular traffic travels through the neighborhood. The boundaries encompass a variety of residential and business users ranging from single-family dwellings to high-density apartment units, offices and businesses.

The master plan identifies several residential issues within this subdistrict.

- Encourage the expansion of the housing stock in ways that are compatible with the historic character of the neighborhood.*
- Discourage demolition or loss of housing and the deterioration in the condition of housing units*
- Provide more three and four bedroom housing units and public recreational amenities, especially for children.*
- Ensure that land-use policies reflect a respect for the eclectic architectural character so that this area does not remain as just an interim zone between Downtown and more desirable neighborhoods to the east and north.*
- Ensure that historic preservation is the priority in this area.*
- Place special emphasis on buffers, transition zones, or insulation to minimize negative impacts from incompatible uses*

New Construction Policy

RLU-3 1 Encourage residential land developers to build housing that provides residential opportunities for a range of income levels, age groups, and family size.

RLU-3 2 Encourage a mix of affordable and market-rate housing for owner occupancy throughout the Central Community. Encourage a mix of rental properties for those who cannot afford or not choose home ownerships

RLU-3 3 Use the planned development process to encourage design flexibility for residential housing while maintaining compatibility with the neighborhood.

RLU-3 4 Encourage high performance, energy efficient residential development.

Salt Lake City Community Housing Plan (2000). The goal of this Plan is to enhance, maintain and sustain a livable community that includes a vibrant downtown integrated with surrounding neighborhoods that offer a wide range of housing choices, mixed uses, and transit oriented design. This Plan focuses on concepts for creating a wide variety of housing types across the City and encouraging mixed use and mixed income housing. There are several City Council policy statements in this Plan that lend support for the proposed project. These policy statements are as follows:

- The City Council supports a citywide variety of residential housing units, including affordable housing, and supports accommodating different types and intensities of residential development (page 8)*
- The City Council encourages architectural designs compatible with neighborhoods that, make good use of and incorporate open space (even minimal amounts), interface well with public spaces, address parking needs in the least obtrusive manner possible, and are creative, aesthetically pleasing and provide attractive public spaces such as designated common areas, community centers, childcare, resident gathering places, resident gardens, etc. (page 16)*

Final Report of the Salt Lake City Futures Commission, Creating Tomorrow Together (1998): In the Executive Summary section of this report it is stated that, “*Salt Lake City Neighborhoods are diverse, exciting, safe, well maintained, and supportive of families and young people Vibrant neighborhoods are fundamental to the health and vitality of the City and citizens, business owners, and local government each have a role to play in creating and sustaining ideal neighborhoods* ” (page ii)

Analysis: The Central Community Master Plan (2005) specifically addresses residential development in the area, and calls for compatible residential infill development in appropriate locations. Planning Staff finds that the applicant has designed a project that is sensitive to existing residential development, and further is generally compatible with the immediate surrounding neighborhood. The proposal is therefore consistent with the overall residential policy for residential development outlined in the Central Community Master Plan (2005). Further, the Plan also includes an analysis of the Central City Neighborhood in which the subject property is located. The attributes discussed in terms of existing residential development such as apartment complexes is largely characteristic of the proposed development.

The Salt Lake City Housing Plan (2000) provides several City Council policy statements that support the proposed development. These policies relate to creating a variety of housing options to preserve or increase the City’s housing stock, while remaining sensitive to architectural design such that the housing is compatible with the surrounding neighborhood. Because this project is located within a Historic Preservation Overlay District, the Historic Landmark Commission will have final decision making authority regarding the architectural composure of the proposed residences to ensure compatibility

The Final Report of the Salt Lake City Futures Commission, *Creating Tomorrow Together* (1998), focuses on neighborhoods that are diverse, exciting, safe, and well maintained, realizing that vibrant neighborhoods are fundamental to the health and vitality of the City and its citizens.

Findings: The Central Community Master Plan (2005), the Salt Lake City Housing Plan (2000), and the Final Report of the Salt Lake City Futures Commission, *Creating Tomorrow Together* (1998), all include policies that support residential development in the proposed area, which is a permitted use at this property. In addition, the proposed site layout which accommodates the preservation of contributing structures, promotes the historic preservation ordinance, is consistent with historic development patterns in the area. Therefore, the proposed residential development is in harmony and compatible with the planning goals and objectives of the City

B. The proposed development is one of the conditional uses specifically listed in this title; and

Analysis: Multi-family residences are listed in 21A.24 190 Table Of Permitted And Conditional Uses For Residential Districts as a permitted use in this zoning district.

Finding: The project meets the current standard.

C. The proposed development is supported by the general purposes and intent of the zoning ordinance including the purpose statement of the zoning district.

21A.24.140 RMF-45 Moderate/High Density Multi-Family Residential District:

Analysis: The proposed request for a multi-family development is specifically listed in 21A.24.190 Table Of Permitted And Conditional Uses For Residential Districts as a permitted use. The proposed development is supported by the general purposes of the RMF-45 zoning district, which states “ is to provide an environment suitable for multi-family dwellings of a moderate/high density ”

The RMF-45 Zone has established minimum setbacks. Under the Planned Development process, the applicant is requesting that the Planning Commission relax the requirement for required setbacks.

The subject property is approximately .69 acres which results in a maximum density range of twenty-six (26) units for the property in this zone. The applicant’s proposal of nineteen (19) is at the low end of the possible density envisioned in the Master Plan and does not exceed the maximum density for the zone based on the size of the lot.

REQUIRED	PROPOSED	MEET?
Minimum Lot Area And Lot Width: 24,200 square feet, 80 feet	The site is 30,050 square feet, 16 feet lot width	Yes
Maximum Building Height. 45 feet	31 feet.	Yes
Minimum Front Yard Requirements: Twenty percent of lot depth, but need not exceed twenty five feet	The front (Markea Avenue) setback is approximately eleven percent of the deepest portion of the lot and does not exceed twenty-five feet.	No but does not exceed maximum.
Minimum Corner Side Yard for Multi-Family Dwellings: Twenty feet	twenty-five feet on 300 South and ten feet (10’) on 700 East.	No one 700 East
Interior Side Yard eight feet provided, that no principal building is erected within ten feet (10’) of a building on an adjacent lot.	eight feet (8’) and the adjacent building is more than ten feet (10’) from Building B, the closest principle building.	Yes
Rear Yard: twenty five percent (25%) of the lot depth, but need not exceed thirty feet (30’).	The rear yards, which include the sections of the development that parallel 300 South and abut other properties, are eight to ten feet (8’-10’) deep and so do not exceed the thirty feet (30’) but do not meet the required 25% of the lot depth.	No
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 except that single-family attached dwellings, no interior side yard shall be required.	The entire perimeter of the development is landscaped with trees and shrubs.	Yes
Maximum Building Coverage: sixty percent (60%) of the lot area.	forty-two percent (42%)	Yes

Finding: Staff finds that the project meets the standard with the exception of the corner side, rear and front yards setbacks. Because of the distance between the proposed buildings and the existing buildings of abutting properties, staff recommends the Planning Commission approve the lesser setbacks as indicated on the site plan.

2. Use Compatibility

The proposed use at the particular location is compatible with the character of the site, adjacent properties, surrounding neighborhoods, and other existing development. In determining compatibility, the Planning Commission may consider the following.

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

Analysis: The development is to be located at the northwest corner of 300 South and 700 East. One unit will be accessed from 300 South and the remaining units will be accessed from Markea Avenue. Roughly the first 50 feet of Markea is shared by the abutting property's (McDonalds) drive-thru exit. Seven Hundred East is considered an arterial state highway, 300 South is a collector while Markea Avenue is considered a local street in this neighborhood. The Transportation Division has reviewed and approved of the request in concept. A Traffic Impact Statement was not required.

Finding: Means of access to the development are adequate to carry anticipated traffic and will not materially degrade the service level on the adjacent streets. The project satisfies this standard

B. The type of use and its location does not create unusual pedestrian or vehicle traffic patterns or volumes that would not be expected with the development of a permitted use. In determining unusual patterns, the Planning Commission shall consider:

- i. The orientation of driveways and if they direct traffic to the major streets or local streets, and, if directed to the local streets, the impacts to the safety, purpose, and character of the local streets;
- ii. Parking locations and size, and if parking plans encourage street side parking to the proposed use which impacts the adjacent land uses;
- iii. Hours of peak land use when traffic to the proposed use would be greatest and that such times and peaks would not impact the ability of the surrounding uses to enjoy the use of their properties; and
- iv. The hours of operation of the proposed use when compared with the hours of activity/operation of the surrounding uses and the potential of such hours of operation do not create noise, height, or other nuisances not acceptable to the enjoyment of existing surrounding uses or common to the surrounding uses.

Analysis: There are no unusual pedestrian or vehicular traffic patterns or volumes expected as a result of the multi-family development.

- i. When all three existing dwellings were occupied, the site had a total of ten (10) dwelling units so this development will increase the density of the area by nine (9) units. Two existing driveways onto 700 East will be replaced with one access to the development via Markea Avenue and access to one unit on 300 South.
- ii. All parking with the exception of one driveway on 300 South, leading to a two car garage, will be internal to the project with rear loading two car garages for each unit and six parking stalls for the existing six-plex. There will be no on-street parking. The site has the required number of parking spaces for the nineteen units.
- iii. According to the Transportation Division, the amount of additional traffic is not sufficient to warrant a traffic impact analysis. Further, the amount of increased traffic does not warrant major street and intersection improvements in the vicinity, nor is the amount of extra traffic sufficient to eliminate the possibility of the proposal altogether
- iv. The hours of operation and the type of activity is residential and therefore compatible with the surrounding residences and commercial properties.

Findings: Streets to the proposed development are suitable and adequate to carry the anticipated traffic and will not materially degrade the service level on adjacent streets. The type of use and its location does not create unusual pedestrian or vehicle traffic patterns or volumes that would not be expected with the development of a permitted use. The project satisfies this standard.

C. The internal circulation system of the proposed development is properly designed for motorized, non-motorized and pedestrian traffic, and mitigates impacts on adjacent properties;

Analysis: There is one vehicular entrance to a two car garage on 300 South. All the remaining units will be accessed from a main entrance on Markea Avenue. Ordinance (21A.44.060) requires two parking spaces for each dwelling unit in single-family attached dwelling (row and townhouse) and one-parking space for one-bedroom units. The development includes thirteen single family attached dwellings and six existing one-bedroom units; therefore the total number of parking stalls required is thirty-two. Each single-family unit has a two car garage and there are six additional stalls for a total of thirty-two. The site has the required number of parking spaces for the size of multi-family development. The thirteen proposed units have walkways leading to sidewalks on 700 East Street, 300 South Street, and Markea Avenue. The internal six-plex has two walkways leading to the parking area.

Finding: The proposed plan shows the required number of parking spaces and provides sidewalks for pedestrian circulation. The Transportation Division has determined that the internal circulation is adequate. Therefore, the project meets the standard for internal circulation and is properly designed for motorized, non-motorized and pedestrian traffic. The project satisfies this standard.

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

Analysis: Salt Lake City Public Utilities indicated that they have no objections to the proposal provided that all design and construction conforms to State, County, City, and Public Utility standards and ordinances. No specific issues were raised by Public Utilities that would indicate difficulties or impossibilities for the developer as far as providing utility services to this development; however a list of specific requirements were provided that the applicant must address prior to Public Utility approval.

Finding: The site is located in an existing developed area. The utility services for the proposed development shall conform to the City's construction standards and policies.

E. Appropriate buffering such as landscaping, setbacks, and building location, is provided to protect adjacent land uses from light, noise, and visual impacts.

Analysis: The adjacent land uses are single-family residential to the west, commercial to the south and north, and multi-family to the east across 700 East. The proposed redevelopment of the site is compatible and consistent with the surrounding residential properties and development. Any lighting must conform to City standards to prevent light trespass. Landscaping provides a buffer between the development and the single-family residences and the majority of parking will be contained in garages.

Findings: Light and noise are unlikely to create a negative impact to abutting properties as the abutting land uses are also residential, because of landscape buffers, and because the majority of automobiles will be parked inside garages. The uses across the street from Markea and 700 East are commercial and multi-family and the streets provide a buffer. Therefore, the project satisfies this standard.

F. Detrimental concentration of existing non-conforming or conditional uses substantially similar to the use proposed. The analysis is based on an inventory of uses within a quarter mile radius of the subject property.

Analysis: The applicant is proposing a multi-family development in a multi-family district. Within the quarter mile radius of the project there is one “multi-family non-conforming” use and thirty-three “commercial/office nonconforming” uses. There are no “conditional uses in residential districts” or “3-4 dwelling units nonconforming” uses within the radius.

Finding: Staff finds no detrimental concentration of similar uses. The proposed use is a permitted use in the zone. The project meets the standard.

3. Design Compatibility

The proposed conditional use is compatible with.

A. The character of the area with respect to: site design and location of parking lots, access ways, and delivery areas; impact on adjacent uses through loss of privacy, objectionable views of large parking or storage areas; or views and sounds of loading and unloading areas;

Analysis: Because this project is located in the Central City Historic District, the proposal must gain approval from the Historic Landmark Commission in terms of the proposed architecture, building height, and building materials. The Historic Landmark Commission has provided guidance to the developer in terms of design and materials at an issues only hearing and two subcommittee meetings.

Delivery areas, storage and almost all parking areas are located to the inside of the development and are therefore shielded from view of pedestrians on the sidewalk, vehicular traffic and neighboring lots. The Historic Landmark Commission has provided the applicant with detailed design issues but did not identify any issues with height, massing and scale.

Findings: With the information submitted so far, architecture and building materials appear to be generally compatible with the adjacent historic neighborhood. Because the project is located in the Central City Historic District, the Historic Landmark Commission has final decision making authority regarding the architecture and building materials and their consistency and compatibility with the district. Planning Staff recommends that the Planning Commission delegate final building design approval to the Planning Director to be consistent with any decision rendered by the Historic Landmark Commission.

B. Operating and delivery hours are compatible with adjacent land uses; and

Analysis: The proposed development is residential and will be compatible and similar with existing residential development in the vicinity

Finding: Since the hours for operation and delivery are compatible with adjacent land uses the project meets the standard.

C. The proposed design is compatible with the intensity, size, and scale for the type of use, and with the surrounding uses.

Analysis: Because this project is located in the Central City Historic District, the proposal must gain approval from the Historic Landmark Commission to ensure the compatibility of the design with the surrounding historic district.

Finding: Planning Staff recommends that the Planning Commission delegate final building design approval to the Planning Director to be consistent with the decision rendered by the Historic Landmark Commission.

4. Detriment to Persons or Property

A. The proposed use will not, under the circumstances of the particular case and the conditions imposed, be detrimental to the health, safety, and general welfare of persons, nor be injurious to property and improvements in the community, existing surrounding uses, buildings, and structures. The applicant shall demonstrate that the proposed use:

Analysis: The pertinent City Departments and Divisions that reviewed the proposed request for a multi-family development could not identify any detrimental impacts associated with it.

Finding: Planning staff finds that this request does not pose detriment to health, safety and the general welfare of persons or property, therefore, the project satisfies this standard.

B. Does not lead to deterioration of the environment by emitting pollutants into the ground or air that cause detrimental effects to the property or to neighboring properties;

Analysis: As proposed the pertinent City Departments and Divisions have not identified any increase of pollutants.

Finding: Based on the use, it is not anticipated that this project will lead to deterioration of the environment. The project satisfies this standard.

C. Does not encroach on rivers or streams or direct run off into rivers or streams;

Analysis: The site is not located near nor does it encroach on any open water stream, river or channel. The Public Utilities Department has determined that there are no conflicts with water, sewer or storm drainage.

Finding: Since the site does not encroach on rivers, streams or direct run off into rivers or streams the standard is not applicable to this project.

D. Does not introduce hazards or potentials for damage to neighboring properties that cannot be mitigated; and

Analysis: The pertinent City Departments and Divisions that reviewed the proposed request did not identify the introduction of any hazards or potential for damage to neighboring properties that require mitigation.

Finding: Since no mitigation for hazards or potential damage is anticipated, the project meets this standard.

- E. Is in keeping with the type of existing uses surrounding the property, and that as proposed the development will improve the character of the area by encouraging reinvestment and upgrading of surrounding properties.**

Analysis: The proposed request is in keeping with the type of existing uses and/or zoning of the abutting properties. The applicant has made a commitment to reinvest and upgrade these residential lots in a prominent corner location.

Finding: The project satisfies this standard and will renovate an existing contributing structure on the property

5. Compliance with Other Applicable Regulations

Finding: The project will be required to comply with all other applicable codes and prior to the issuance of a building permit.

6. Imposition of the Conditions of Approval

The Planning Commission may impose conditions on the proposed use which are in addition to any conditions specifically listed within this chapter. All conditions imposed shall meet the following criteria.

- A. The condition is within the police powers of Salt Lake City;**
- B. The condition must substantially further a legitimate public purpose;**
- C. The condition must further the same public purpose for which it is imposed;**
- D. The applicant/owner may not be required to carry a disproportionate burden in furthering the public purpose; and**
- E. Dedications of land and other contributions as conditions of approval must be reasonably related and roughly proportionate to the use of the property for which the conditional use permit is required.**

Analysis: The Planning Commission's authority to grant conditional use approval is allowed by Section 21A.54.020 Authority of the Salt Lake City Zoning Ordinance. No dedication of land or other contributions are required. The applicant is responsible for compliance with the conditions of approval. The project fulfills the goals for housing and historic preservation in this neighborhood.

Finding: The project satisfies this standard.

7. Mitigating Conditions

- A. As part of their review, the Planning Commission may impose mitigating conditions on the proposed development.**

- B. These conditions may include but are not limited to the following areas: landscaping; access; loading and parking areas; sanitation; drainage and utilities; architecture and signage; fencing and screening; setbacks; natural hazards; public safety; environmental impacts; hours and methods of operation; dust, fumes, smoke and odor; noise, vibrations; chemicals, toxins, pathogens, and gases; and heat, light, and radiation.**
- C. The conditions which are imposed on a conditional use permit must be expressly attached to the permit and cannot be implied.**

Analysis: No adverse impacts are anticipated. Lesser setbacks are recommended for the corner side, front and rear setbacks as shown on the proposed site plan.

Finding: The project satisfies this standard.

8. Denial of Conditional Use Application

The following findings or others may, in the judgment of the Planning Commission, be a cause for denial of a conditional use application.

- A. The proposed use is unlawful;**
- B. Conditions of approval could not reasonably mitigate the negative impacts of the proposed use.**
- C. The proposed use would create or pose a nuisance, conflict, or hazard relating to noise, vibration, light, electrical or electronic interference, traffic, odor, fumes, dust, explosion, flooding, contaminations, or other negative effects on the neighboring properties or the community in general, without adequate mitigation.**

Analysis: An unlawful use cannot be heard by the Planning Commission, only those specifically listed as permitted or conditional uses. Staff did not identify any negative impacts. The pertinent City Departments and Divisions did not identify that any of these concerns would be created by approval of the proposed request.

Finding: Staff is not recommending denial of the request. These standards are not applicable.

Planned Development Review

21A.54.150 Planned Development Review Standards

The proposal meets the applicable objectives of the Planned Development Purpose Statement which include:

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

Analysis: Several of the above referenced Planned Development review objectives are applicable to the proposed development, specifically criteria 1, 2, 3, 5, and 6.

Finding: The project meets the purpose and objectives of a planned development by creating a more desirable environment than would be possible through strict application of City land use regulations. It will increase the City's housing stock in an aesthetically pleasing manner by creating a contemporary design that is compatible with the historic district. The proposed project respects and maintains the unique character of the surrounding older neighborhood by maintaining the setback on 300 South, using historic materials and preserving one of the contributing structures on the property. Overall, the use of site design, landscaping, and building architectural features create a pleasing residential environment.

Other Planned Development Standards

1. **Minimum area.** A planned development proposed for any parcel or tract of land under single ownership or control shall have a minimum net lot area for each zoning district.

Finding: The minimum planned development size in the RMF-45 zone is 20,000 square feet.

Analysis: At .69 acres (30,050 square feet), the project area exceeds this minimum requirement and therefore meets the requirement.

2. **Density Limitations:** Residential planned developments shall not exceed the density limitation of the zoning district where the planned development is proposed.

Analysis: The minimum lot size in the RMF-45 zone is 20,000 square feet. The applicant is proposing one lot of 69 acres or 30,050 square feet. According to zoning the maximum of density units they can on this size lot is twenty six (26'). At nineteen (19) units the proposal does not exceed the density limitations.

Finding: The proposal does not exceed the maximum density allowed.

3. **Consideration of a Reduced Width Public Street Dedication:** A residential planned development application may include a request to dedicate the street to Salt Lake City for perpetual use by the public.

Analysis: The applicant does not propose adding an additional street.

Finding: This standard is not applicable since there are no additional streets planned for this development.

4. **Perimeter Setback:** The perimeter side and rear yard building setback shall be the greater of the required setbacks of the lot or adjoining lot unless modified by the planning commission.

Analysis: The setbacks and the associated designated buildable areas (or in this case the building footprints), would be “fixed” should the Planning Commission deem the setbacks and lot sizes acceptable. Any approval granted by the Planning Commission would have to adhere to the preliminary plat submitted and attached to this report.

The subject property is bordered by three streets: Markea Street, 300 South and 700 East. The subject property also borders several residential parcels. The proposed buildings that are closest to any perimeter boundary that borders an existing residential parcel are buildings B and C and unit 1 of Building A. (see Attachment A—Site Plan). Building C is an existing building. Building B and unit 1 of Building A are proposed to be located approximately eight feet (8') from the property line. Building B is approximately twelve feet (12') to the closest existing residence and Unit 1 of Building A is approximately twenty feet (20') to the closest existing residence. All other proposed units that border residential parcels have setbacks to the property lines that meet or exceed the required side yard setbacks by Zone (which is a minimum of eight feet (8') from the property line and ten feet (10') from an adjacent residence.

While rear yards may not meet the required rear yards by Zone, the rear of Building B will be at least seventy-five feet (75') from the buildings to the rear of the development.

Findings: The Planning Commission has the authority to modify perimeter side and rear yard building setbacks. The perimeter side and rear yard setbacks proposed appear to be adequate to not negatively impact neighboring properties. Planning Staff recommends that the Planning Commission modify the perimeter side and rear yard perimeter setbacks as proposed and shown on the applicant's preliminary plat.

5. **Topographic Change:** The Planning Commission may increase or decrease the side or rear yard setback where there is a topographic change between lots.

Analysis: No significant grading of the site is necessary

Finding: This standard is not applicable.

Preliminary Subdivision Review: Petition 490-07-09

Salt Lake City Code, Title 20 – Subdivision Ordinance

The project site currently consists of four separate parcels of property. The applicant is requesting to reconfigure these properties and re-subdivide into one lot that will be owned in common. As stated previously in this report, a modification to setbacks is requested by the applicant through the Planned Development process. Preliminary subdivision approval is required. A final subdivision plat will be necessary should the preliminary plat be approved.

Section 20.20.020 of the Salt Lake City Subdivision Ordinance requires that a minor subdivision conform to the standards specified in Section 20.28.010 or its successor, and shall also meet the following standards:

- A. **The general character of the surrounding area shall be well defined, and the minor subdivision shall conform to this general character;**

Findings: The general character of the surrounding area in this case is residential. All proposed lots would be used for residential purposes and therefore in conformance with the general character of the area.

- B. **Lots created shall conform to the applicable requirements of the zoning ordinances of the City;**

Analysis: The Planning Commission can modify zoning standards through the Planned Development process, hence this Planned Development and Subdivision request.

Findings: The subdivision meets the applicable requirements of the zoning ordinance, specifically the development standards for the RMF-45 zone as modified by the Planning Commission through the Planned Development process. The modifications requested include reduction of the twenty foot (20') side yard setback by ten feet (10') and reduction of the twenty-five percent minimum rear yard setback. The overall density of the project, lot size and lot width meets the RMF-45 zoning district.

- C. **Utility easements shall be offered for dedication as necessary;**

Findings: Utility easements will be dedicated on the plat.

D. Water supply and sewage disposal shall be satisfactory to the City Engineer;

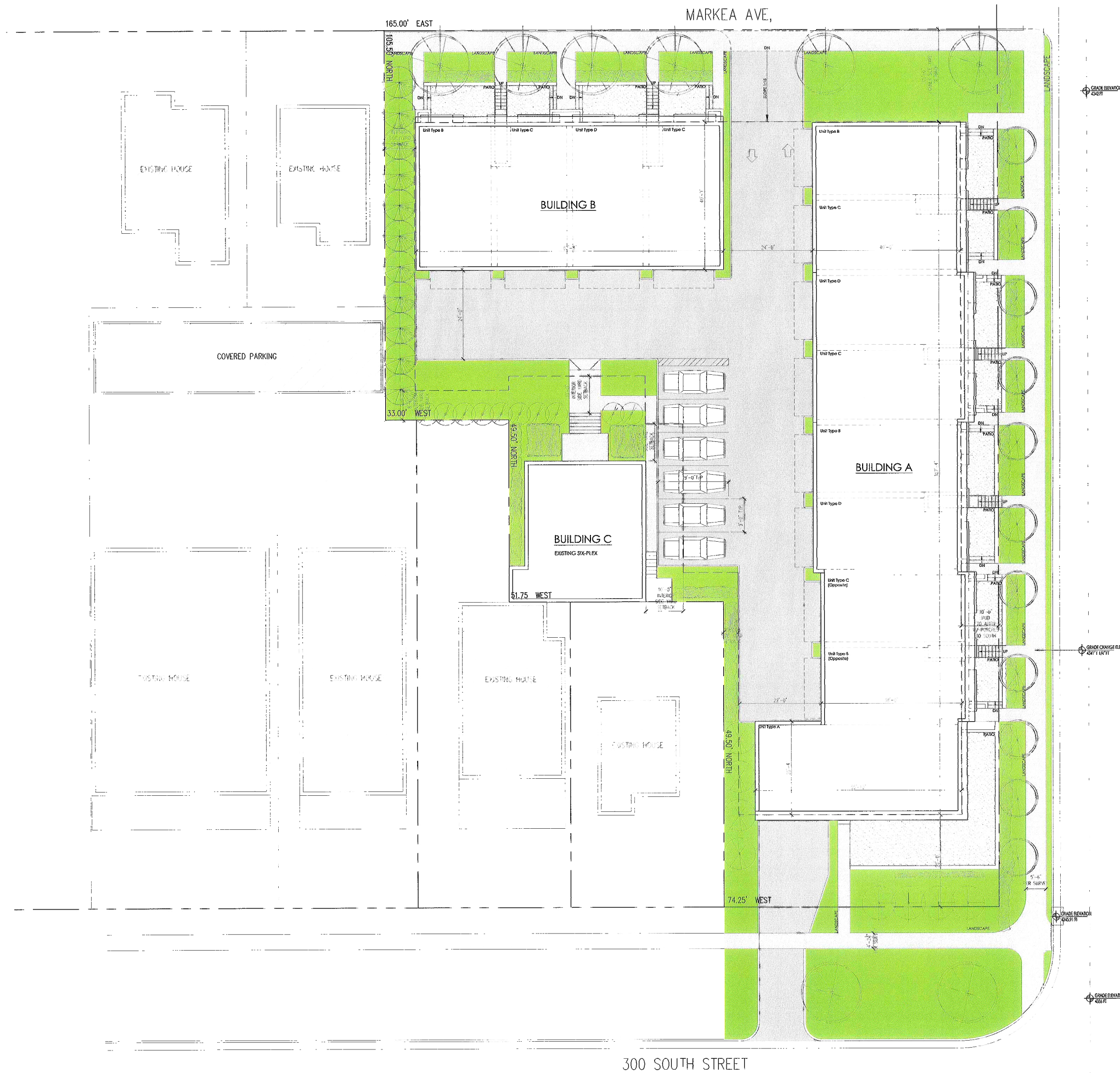
Findings: Public Utilities and the Engineering Division reviewed this proposal and provided comments. It was noted that water and sewer are available to service these proposed properties.

E. Public improvements shall be satisfactory to the Planning Director and City Engineer (Ord. 71-94 § 1, 1994: prior code § 42-5-5).

Finding: Comments and requirements have been submitted by various City Departments/Divisions in response to this subdivision request. The applicant shall satisfy the comments from the City in terms of public improvements as noted in the documentation attached to this report. (See Attachment D)

Attachment A

Site Plan and Elevations



Development Summary:

Project Location:
300 South 700 East, Salt Lake City, Utah

Total Area of Proposed Development:
30,050 S.F. Or 0.69 Acres

Proposed Building Information:

Building (A) - 9 Residential Condominium Units
 Square Feet: Garage Level 7,980 S.F.
 Main Level 7,980 S.F.
 Second Level 7,980 S.F.
 Sub-Total 23,940 S.F.
 Type of Construction: Type V - Wood Frame

Building (B) - 4 Residential Condominium Units
 Square Feet: Garage Level 3,310 S.F.
 Main Level 3,310 S.F.
 Second Level 3,310 S.F.
 Sub-Total 9,930 S.F.
 Type of Construction: Type V; Wood Frame

Building (C) - 6 Residential Condominium Units
 Square Feet: Garage Level 1,360 S.F.
 Main Level 1,360 S.F.
 Second Level 900 S.F.
 Sub-Total 3,620 S.F.
 Type of Construction: Existing To Remain

Total Residential square feet 37,490 S.F.

Residential Unit Type Ratio

1-Bedroom Units - Existing Dimensions to Remain
 Building A= 0
 Building B= 0
 Building C= 6
 Sub-Total= 6
 1-Bedroom Ratio= 6 (1) Bedroom Units / 19 Total Units = 32%

3-Bedroom Units - @ 20'-0" x 40'-8"
 Building A= 8
 Building B= 4
 Building C= 0
 Sub-Total= 12
 3-Bedroom Ratio= 12 (3) Bedroom Units / 19 Total Units = 63%

4-Bedroom Units - @ 25'-5" x 56'-0"
 Building A= 1
 Building B= 0
 Building C= 0
 Sub-Total= 1
 4-Bedroom Ratio= 1 (4) Bedroom Units / 19 Total Units = 5%

Total Living Units 19

Parking Requirements:

Multi-Family Dwellings: 1 Parking Space for each (1) Bedroom Unit.
 Single-Family Attached Dwellings (Row Houses & Townhouse) and
 Single-Family Detached Dwellings: (2) Parking Spaces for Each Dwelling Unit.

Building 'A'
 Parking Required: 9 Dwelling Units x 2 Parking Stalls/Unit
 = 18 Parking Stalls
 Parking Provided = 18 Parking Stalls -
 Each Dwelling Unit Includes a (2) Car Garage

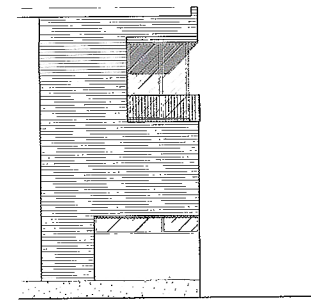
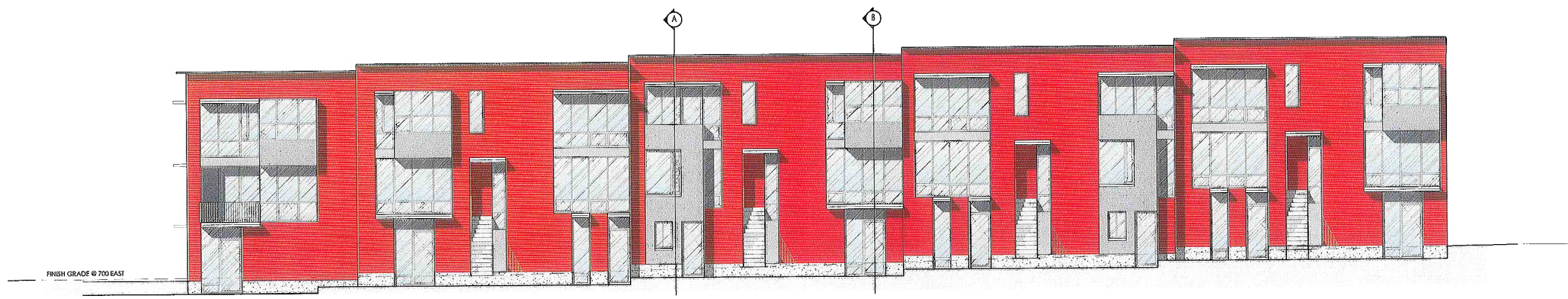
Building 'B'
 Parking Required: 4 Dwelling Units x 2 Parking Stalls/Unit
 = 8 Parking Stalls
 = 8 Parking Stalls -
 Each Dwelling Unit Includes a (2) Car Garage

Building 'C'
 Parking Required: 6 Dwelling Units x 1 Parking Stalls/Unit
 = 6 Parking Stalls
 = 6 Parking Stalls -
 Located Directly Adjacent and to
 The East of the Building

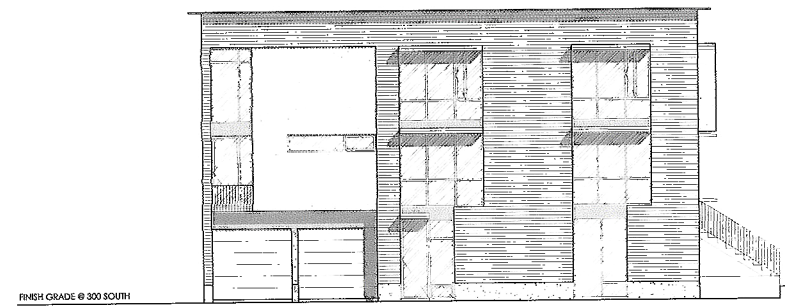
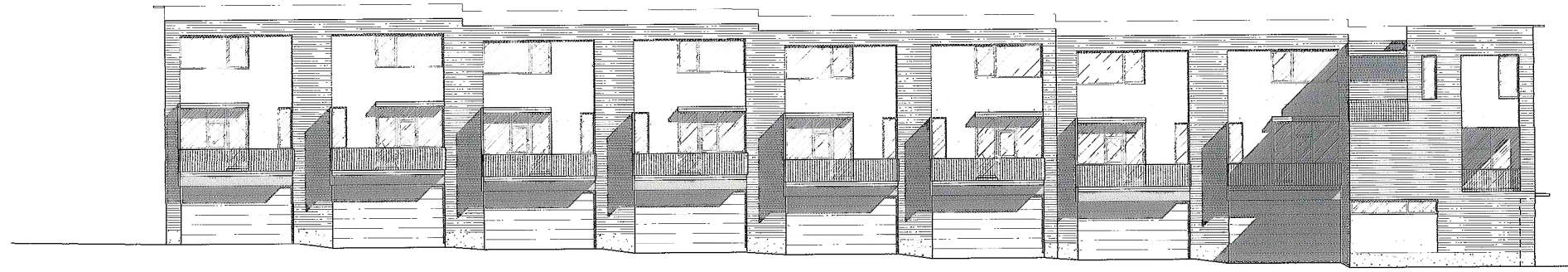
Open Space Percentage:

Salt Lake City - City Code: 21A.62.040 Definitions. "Open space" means any area of a lot which is completely free and unobstructed from any structure or parking areas. Landscaping, walkways, uncovered patio areas, light poles and other ornamental features shall not be considered as obstructions for purposes of this definition. Driveways that provide access to parking lots shall not be considered as an obstruction subject to the driveways not exceeding twenty percent (20%) of any required yard area that they provide access through.

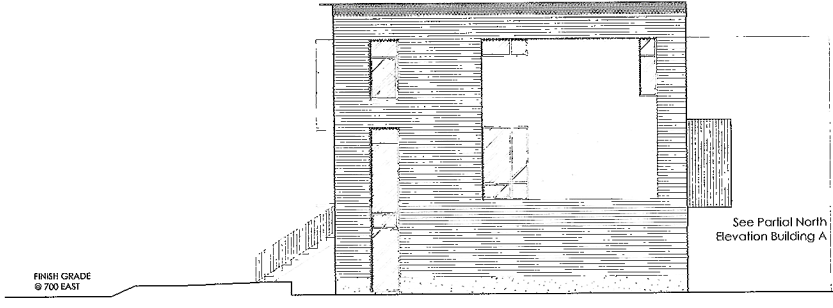
Building Area = 42% of Site
Open Space = 58% of Site



Partial North Elevation



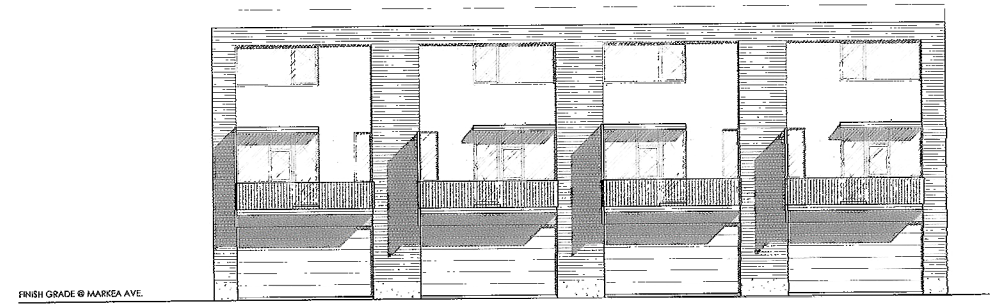
South Elevation Building A



North Elevation Building A

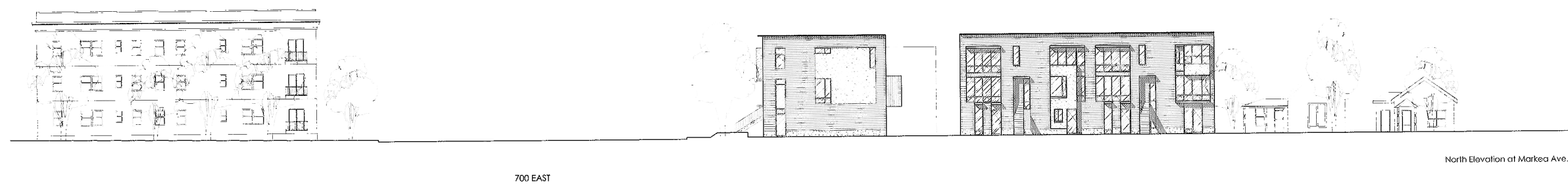
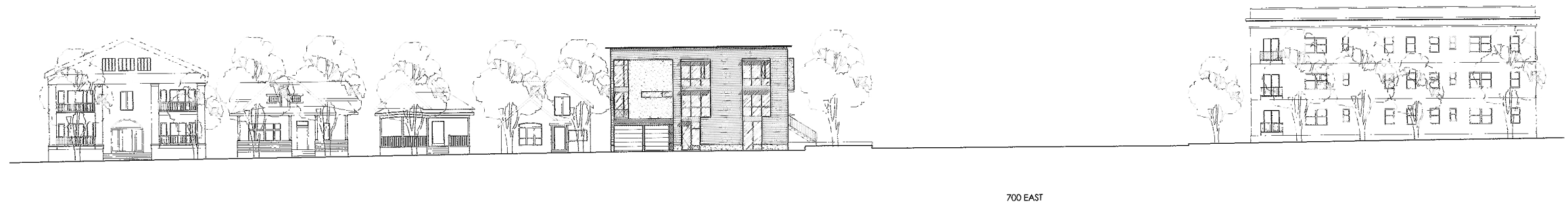


North Elevation Building B

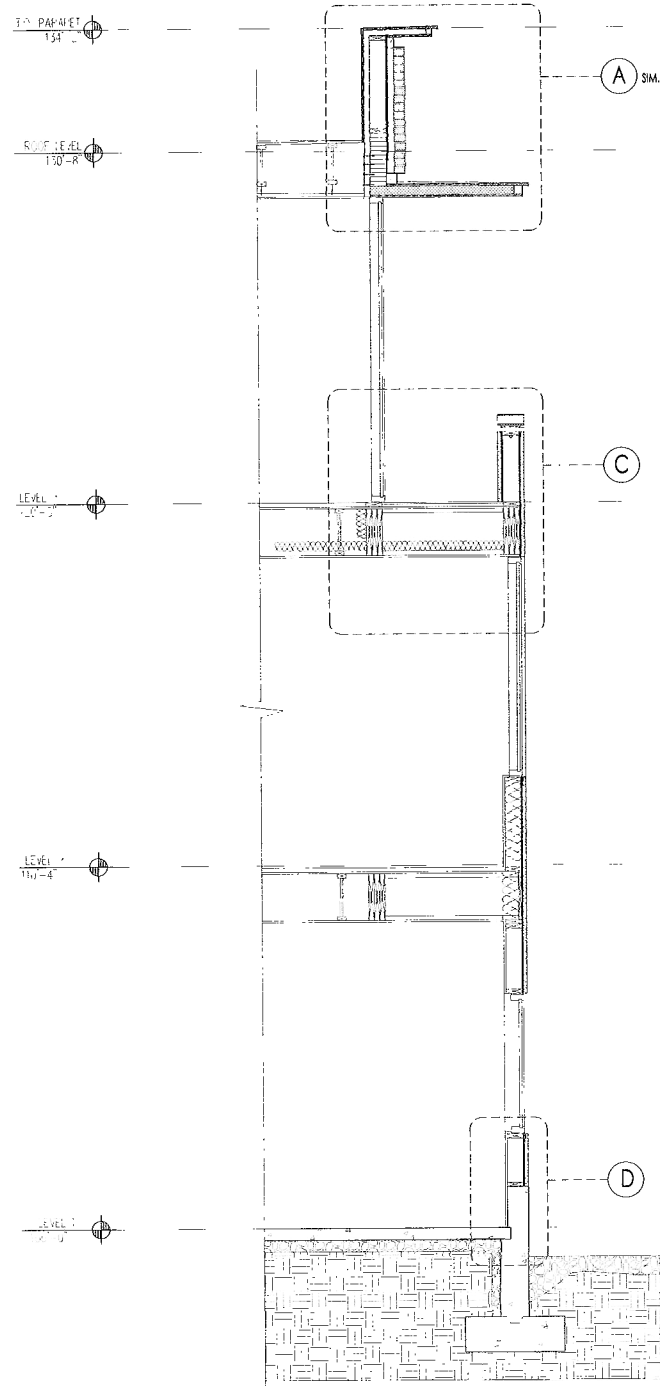


South Elevation Building B

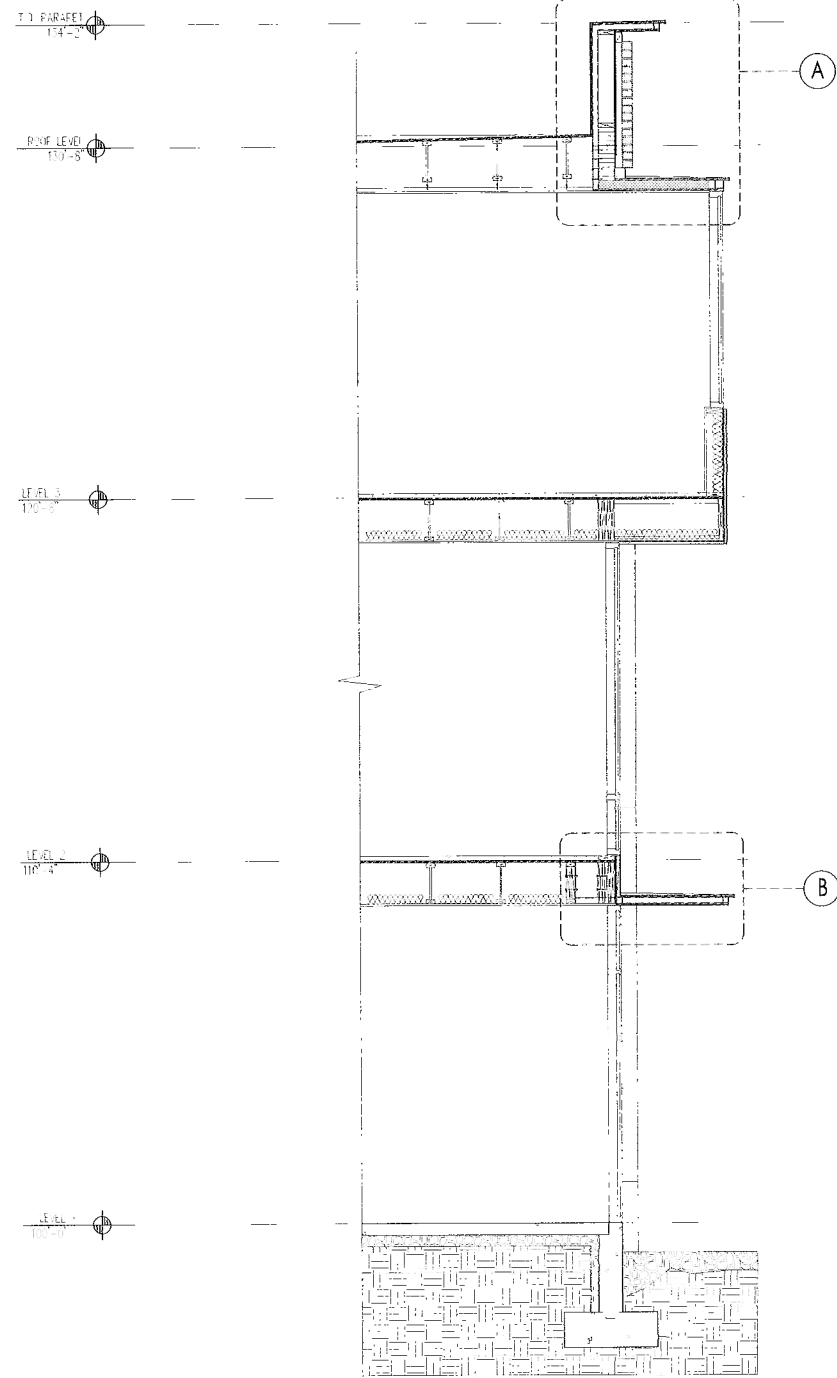
Legend	
	Brick
	Stone
	Clear Anodized Aluminum
	Painted Steel Siding
	Clear Anodized Aluminum Slatted Window System
	Garage Door
	Extra Thin Aluminum Sill



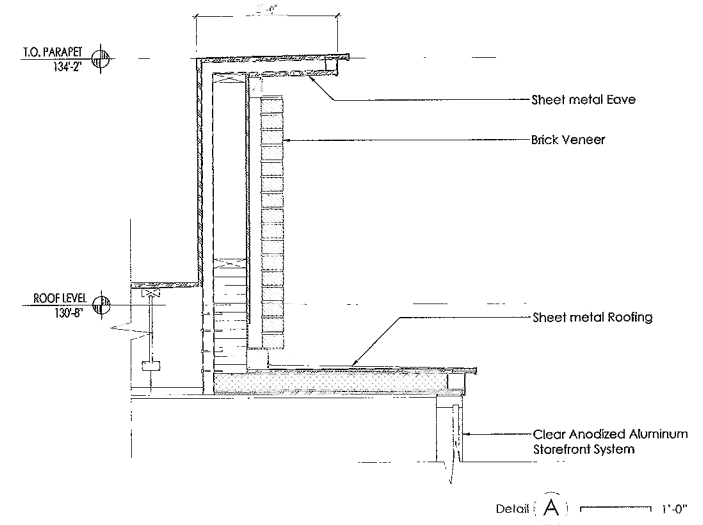
Legend	
[Red Box]	Brick
[Grey Box]	Stucco
[White Box]	Clear Anodized Aluminum
[Hatched Box]	Painted Steel Siding
[White Box with Lines]	Clear Anodized Aluminum Structural Window System
[White Box with Lines]	Garage Door
[White Box with Lines]	CRP-110 Foundation Wall



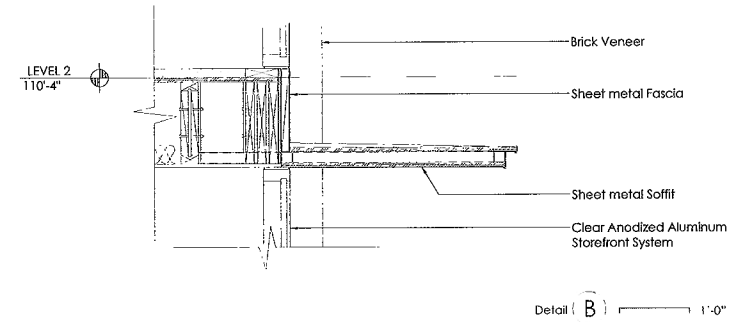
Wall Section 1 2'-0"



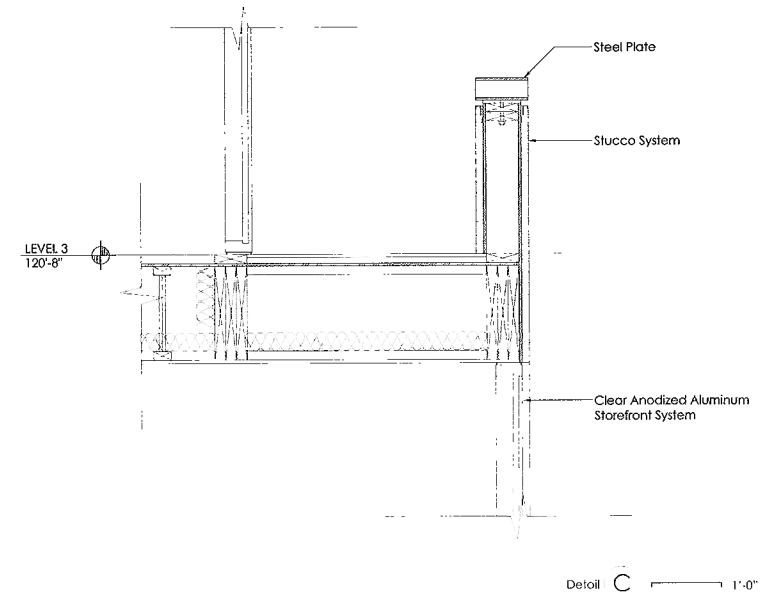
Wall Section 2 2'-0"



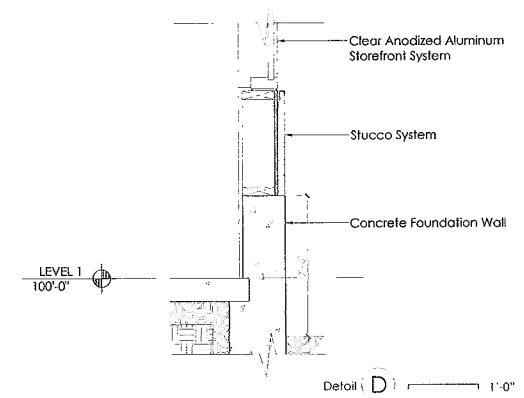
Detail A 1'-0"



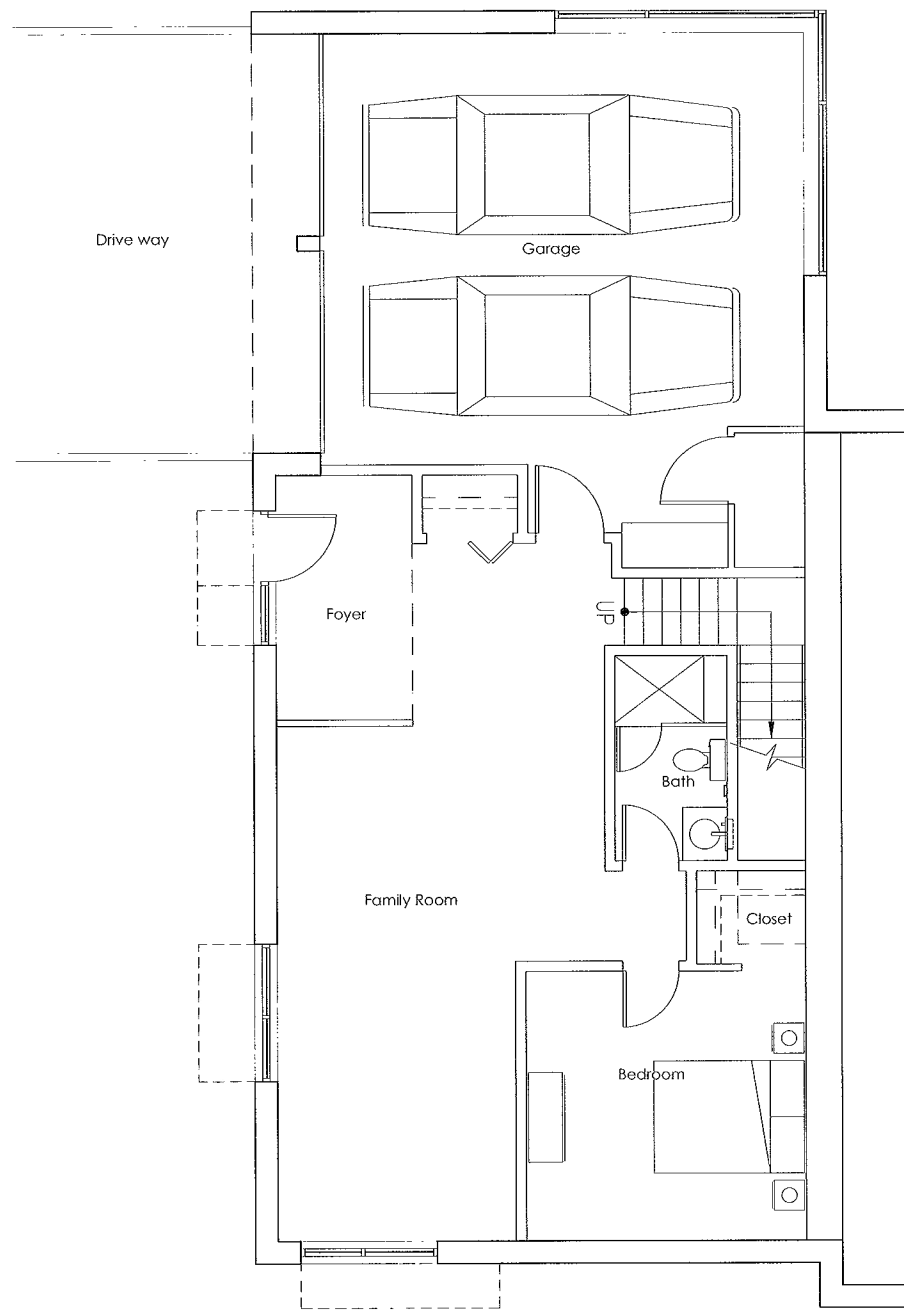
Detail B 1'-0"



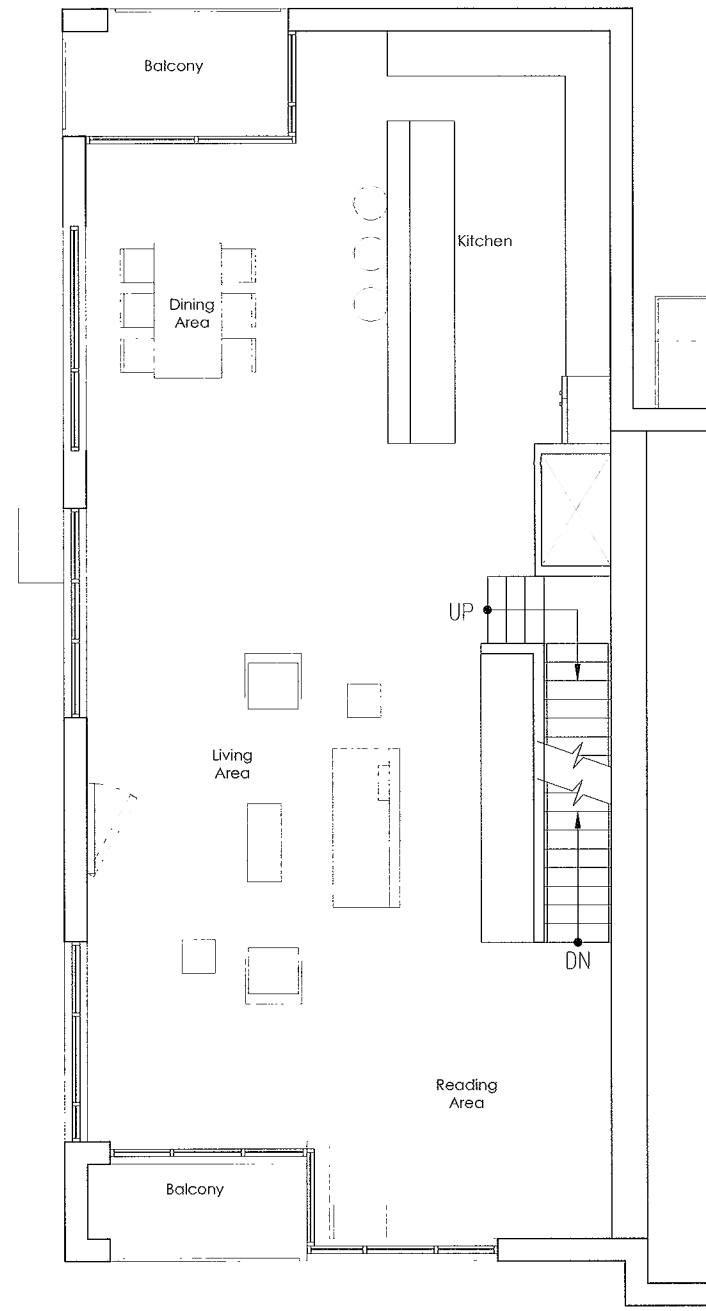
Detail C 1'-0"



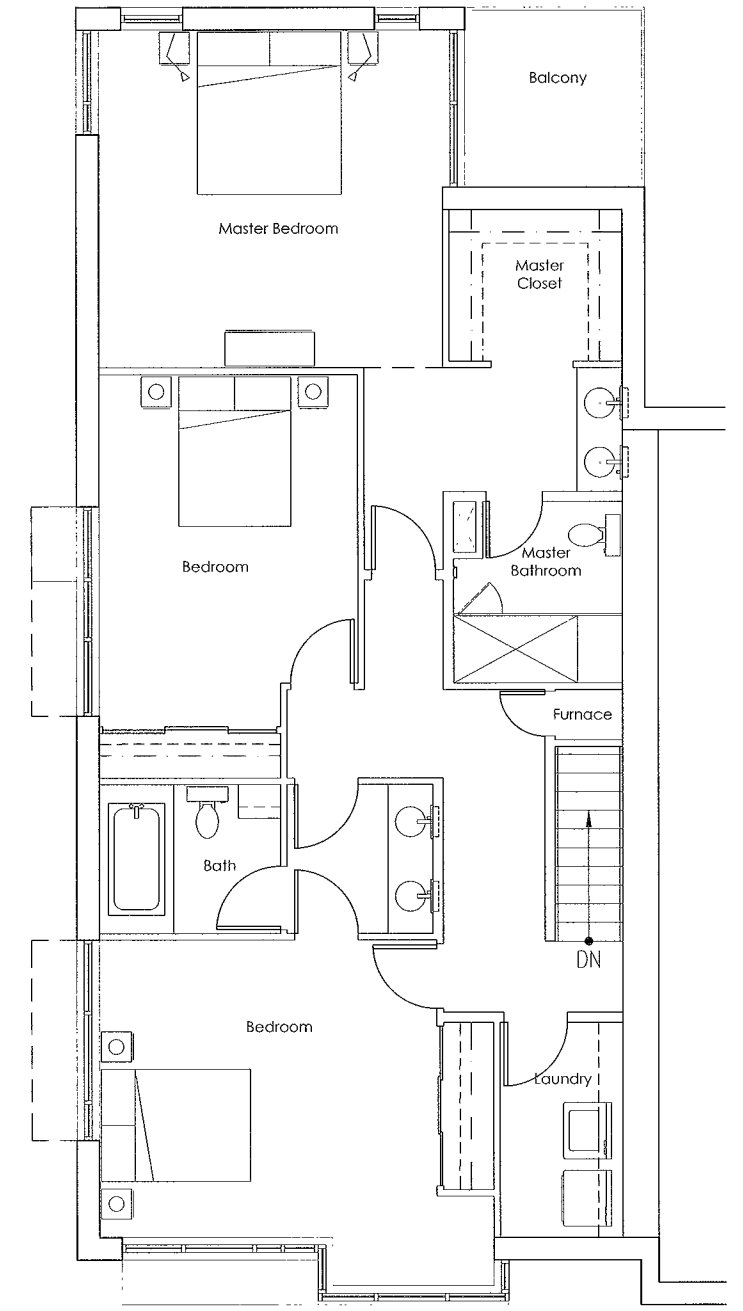
Detail D 1'-0"



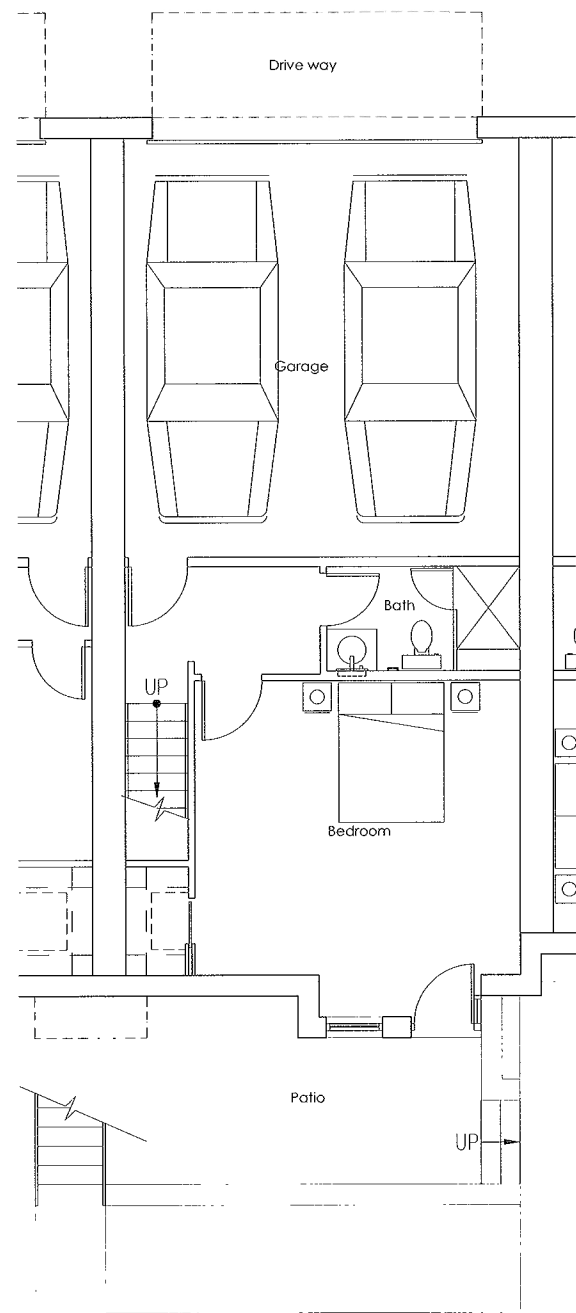
Garage Level



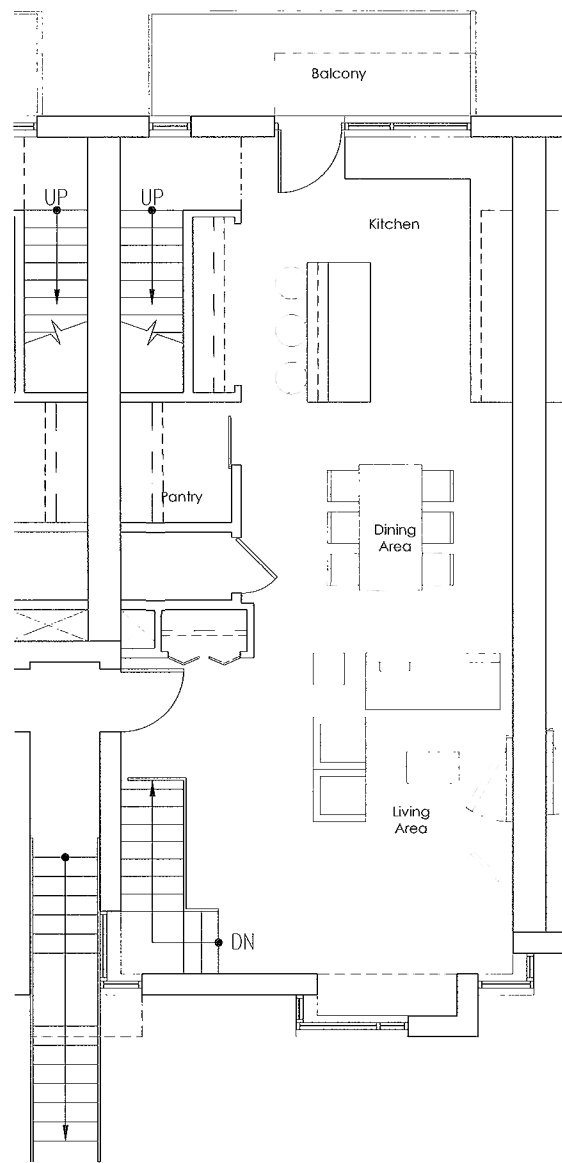
Main Level



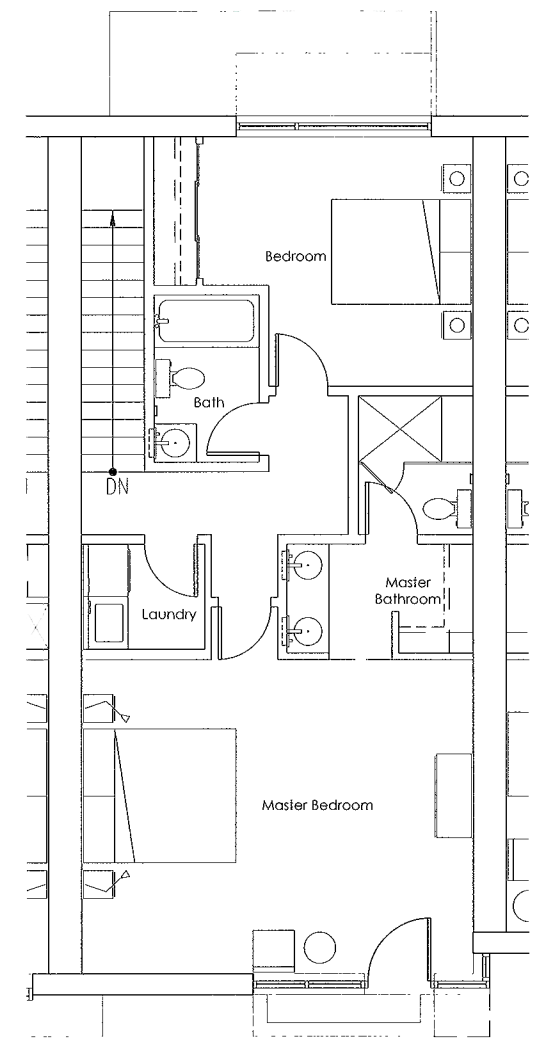
Second Level



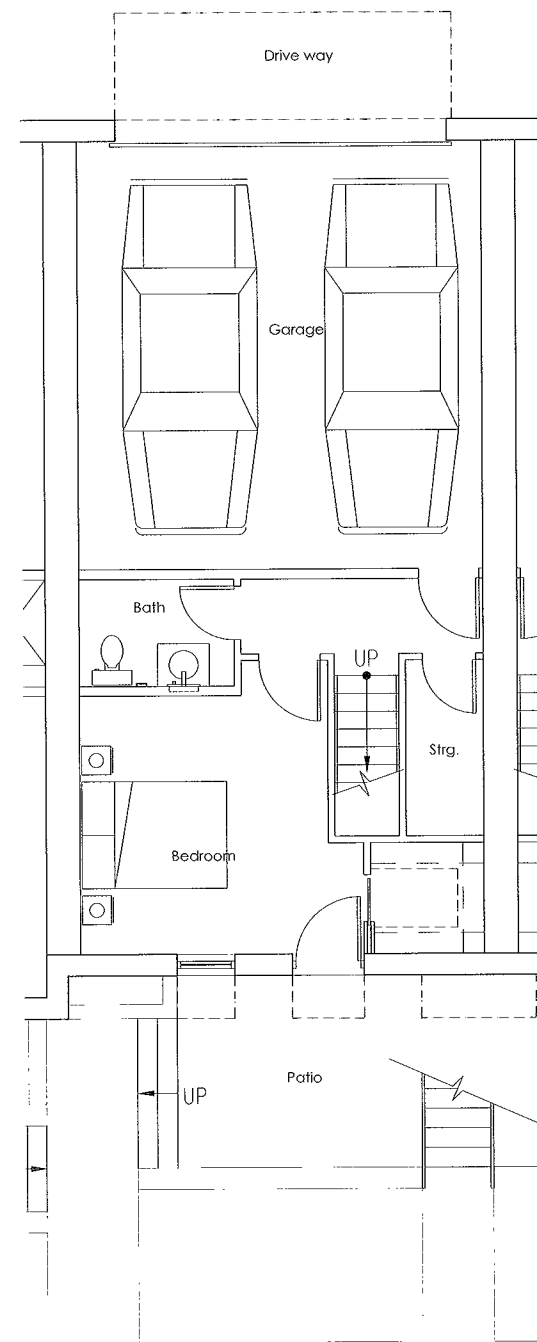
Garage Level



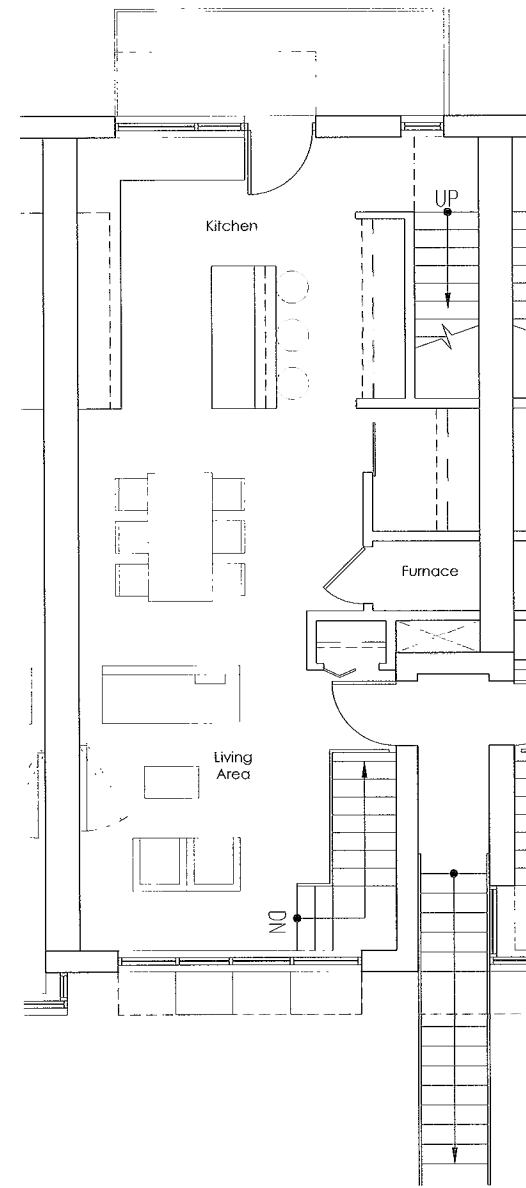
Main Level



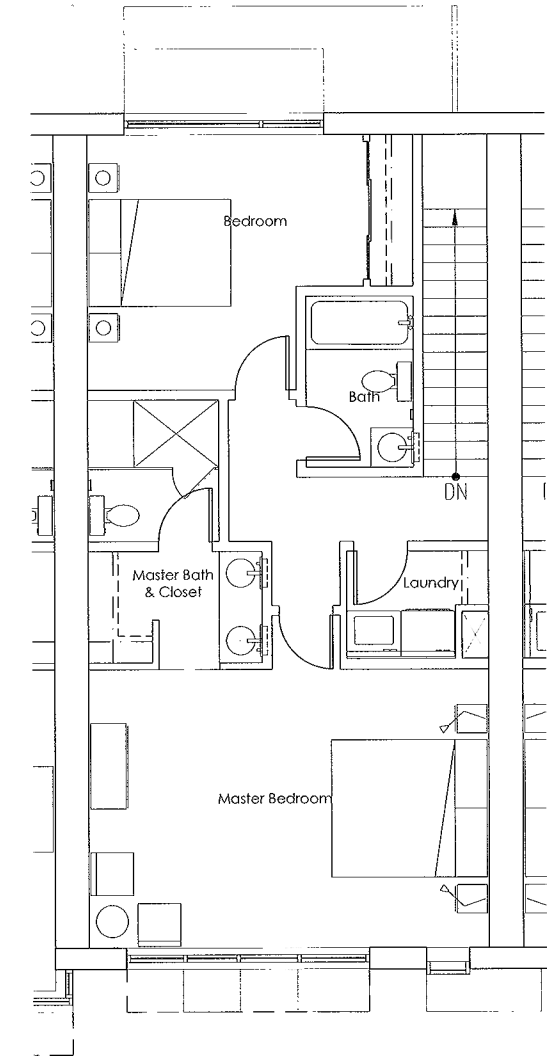
Second Level



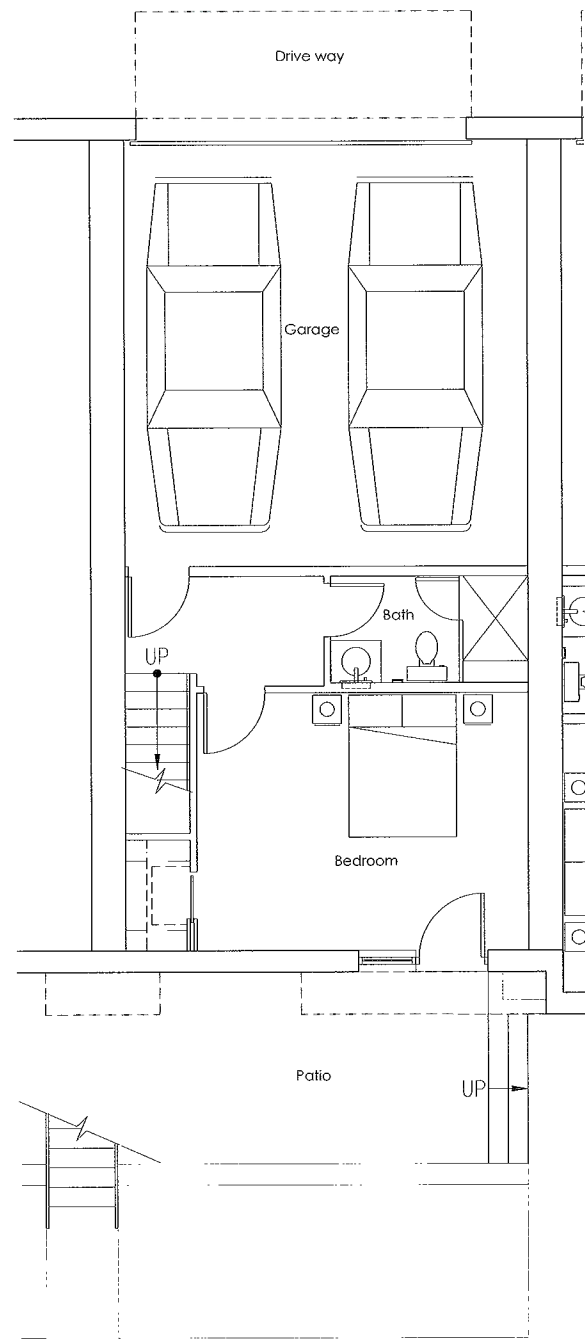
Garage Level



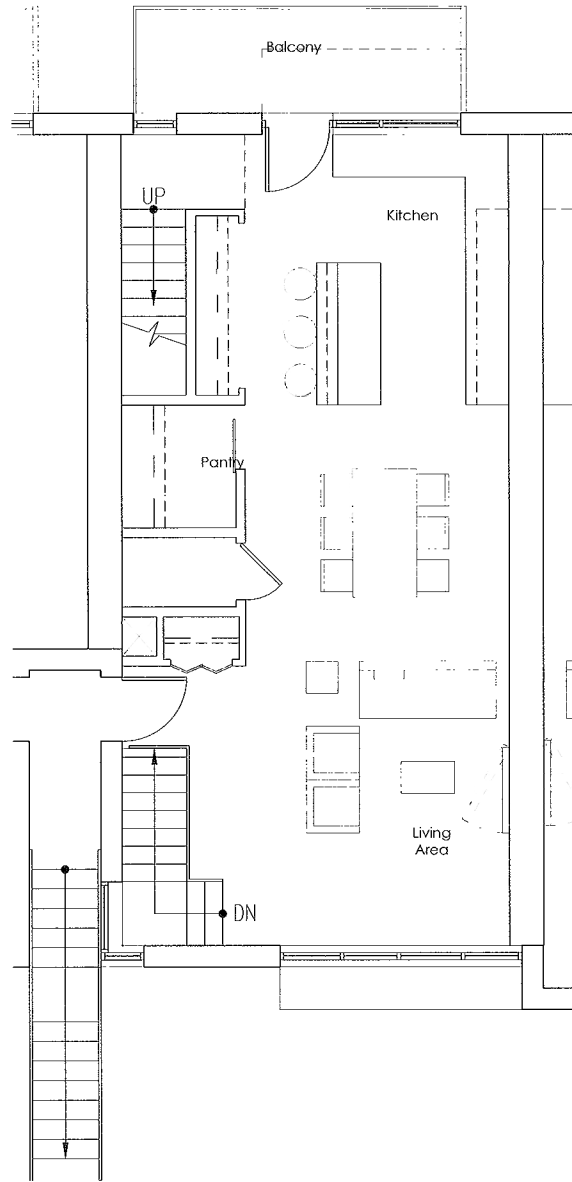
Main Level



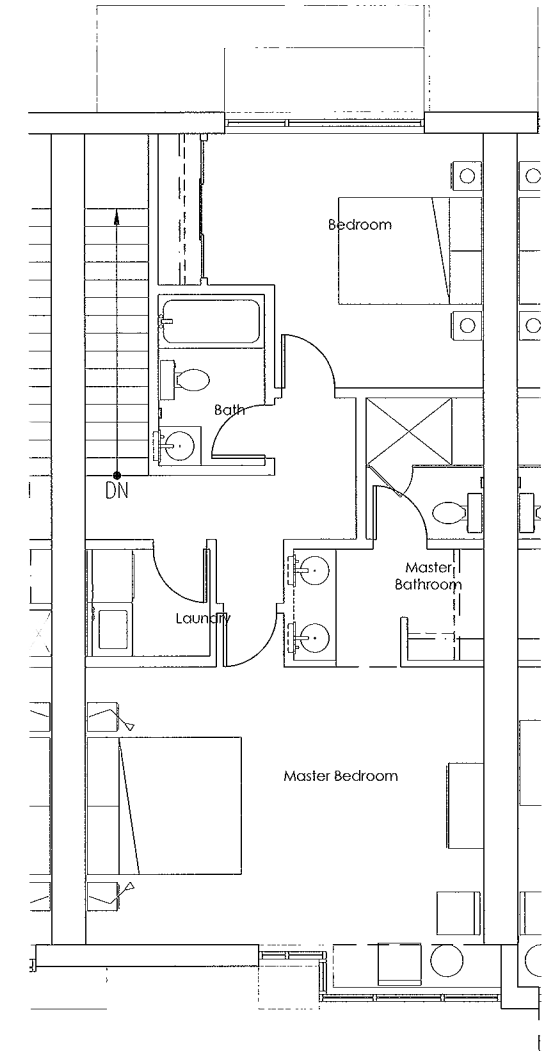
Second Level



Garage Level



Main Level

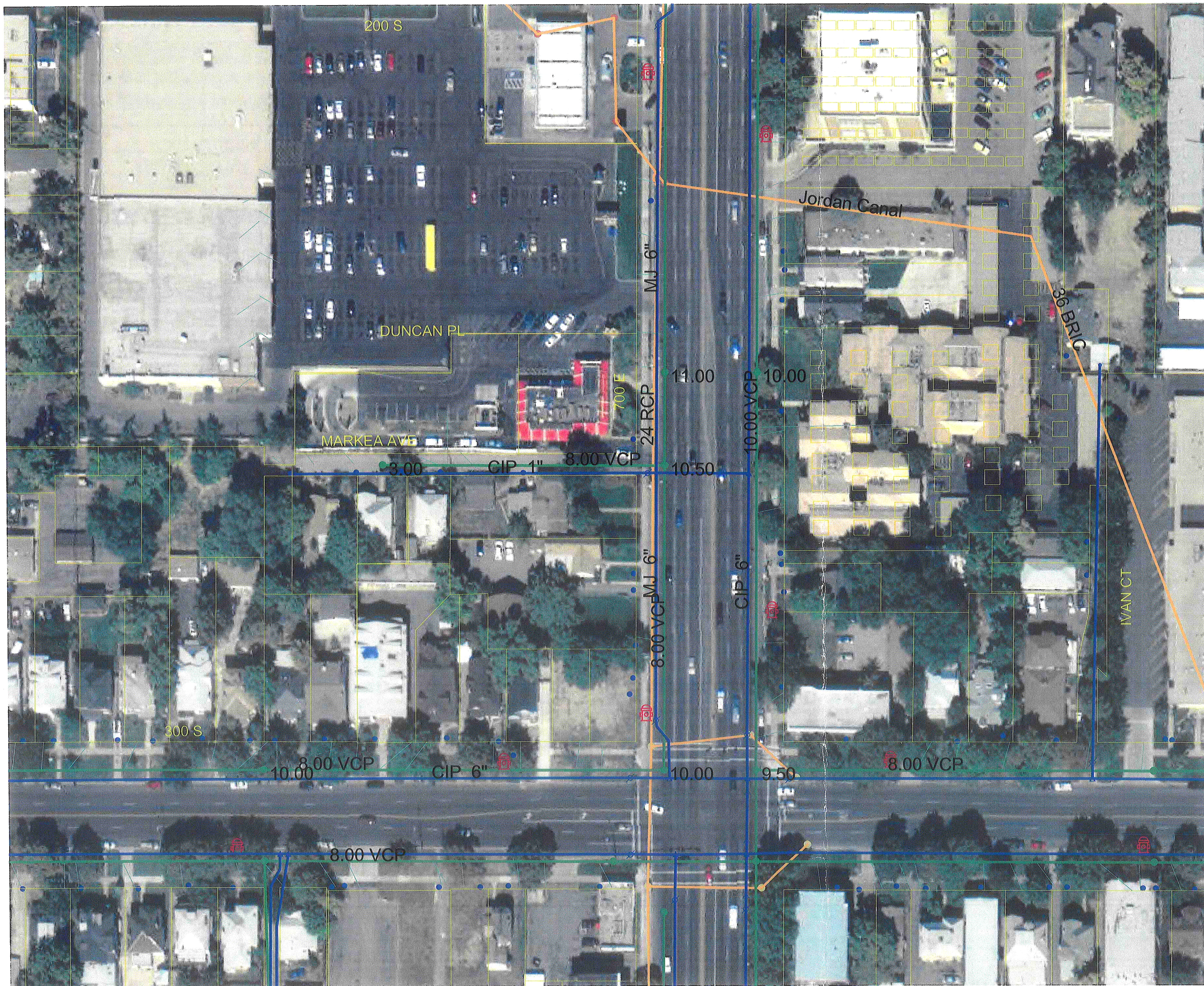


Second Level









Attachment B

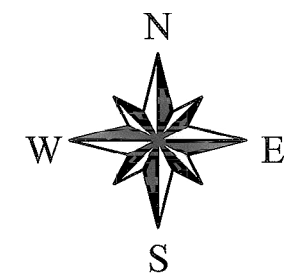
Preliminary Plat

Attachment C
Aerial Photo with Public Utilities



256 S 700 E

-  Water Mains
-  Hydrant.shp
-  Sewer Mains
-  Sewer Nodes
-  Slaterral
-  Storm Mains
-  Canal
-  Faults



Brad Stewart, P.E.
 Salt Lake City Public Utilities
 1530 South West Temple
 Salt Lake City, UT 84115
 801-483-6733
 brad.stewart@slcgov.com

Attachment D

Department/Division Comments

Project Notes 12/12/2007

268 South 700 East

Project Description "Everest Builders"-Demolish existing, build new (13 unit) town homes.

Ken Brown Zoning

Proposing to demo two existing s/f dwellings & one accessory structure. Planned Development/Condo process required for this proposal (three separate buildings on one site). Proposal will require waiver to 20' corner side yard setback, backing into the right of way (Markea Ave. 21A.44.020.E2C). Separate permit required for the demolition of each of the houses. Historic Landmark approval to be submitted with demo application. Need a certified address from the Engineering Dept. Plans need to show compliance to Historic Landmark Certificate of Appropriateness, PUD setbacks, building height, max. lot coverage, min. lot area, landscaping, etc. Project includes 256, 262, 264 & 268 South 700 East.

Cheri Coffey Planning Department

P.D. required for more than one principal building with frontage. Modifications of setbacks (along 700 E.) Need to figure out what rear yard would require, determining whether rear yard requirement needs to be modified. PC would need to allow the backup onto the private street (through P.D. process), otherwise can not do it. Condo project also requires approval. PC approval required for Planned Development. HLC approval for new construction & renovation of existing. Acreage allows 26 units max. in RMF-45 zone. (Proposing 19 units). HLC approved demo of 256 S. 700 E. & demo of 262-264 S. 700 E. (through economic hardship), w/pres of 268 S. 700 East (Six-plex). HLC & PC approval required prior to demo permit. Also must meet HLC recordation requirements prior to demo permit.

Craig Smith Engineering

Contact Scott Weiler for condominium process, plat, and subdivision agreement.

Ted Itchon Fire

Town homes more than 2 per building, requires automatic fire sprinkler. NFPA 13R, smoke detection local.

Brad Stewart Public Utilities

Demo permits required to remove two houses. 6" water main, likely to trigger upsizing (12" required). Master meter water services for all buildings/units.

Barry Walsh Transportation

P.U.D. & Condo. Combine lots. 13 new units & existing duplex. Exception for backing into an alley. (Markea) Need to remove dead driveways & new approaches as required. Public way street lighting upgrade as required, contact Mike Barry 535-7147.

5012039

268 South 700 East

Project Description "7th East Town Homes"

3/17/2008

Ken Brown Zoning

See previous DRT notes #5012039 Does not appear that park strip trees have been addressed along with encroachments into the setback area & grade changes in the set back areas. Need to address the live/work scenario. What does this scenario include? May need to address side entry issues

Brad Stewart Public Utilities

Replace water main in 700 South Street w/12" DIP Markea is private, no connection without owners permission. If less than 1 acre, must detain storm water, BMP's, SWPPP Show how submerged court is drained Master meter water Show sewer connections. Show how existing 6 plex is watered & sewerred. Need drainage plan

Randy Drummond Engineering

Plat required. Improvement drawings needed (site plan only) w/grading and drainage. Construction imp agreement bond and insurance req'd. Inventory of condition of existing street improvements to occur at the time of application request to determine if existing improvements are in need of replacement. Any improvements in sub-standard condition to be replaced as condition of approval. Certified address required on plat prior to bldg. permit. Markea Ave & public access way within site to be upgraded & built to public way standards. Driveway apron & approach on 700 East to be removed. Markea may be required to install curb & gutter on South side.

Barry Walsh Transportation

Review for proposal to amend plan for res d/w to be moved from a proposed 300 S access to a 700 East d/w (Not recommended for res backing onto 700 E) Align ex proposed 300 S d/w with approach. Plan shows parallel stalls. (Markea is a private alley).

Zeigler, Robin

From: Walsh, Barry
Sent: Monday, June 16, 2008 1:39 PM
To: Zeigler, Robin
Cc: Young, Kevin; Weiler, Scott; Itchon, Edward; Barry, Michael; Garcia, Peggy; Butcher, Larry
Subject: Everest Project Townhomes
Categories: Program/Policy

June 16, 2008

Robin Zeigler, Planning

Re. Planned Development Conditional Use and Preliminary Subdivision for 19-Unit Townhomes at 256, 262, and 268 South 700 East and 673 and 695 East 300 South

The division of transportation review comments and recommendations are as follows

Our past review issues for vehicular access and parking have been addressed with the minimum 12' driveway approach off 300 South with a 3:1 taper to align with the two car garage. The site parking and maneuvering is shown per the DRT reviews to comply with city standards geometrics to provide parking for each unit as required

The site plan indicates some stairs and railing along 700 East that appear to impact the public right of way and will require a revocable lease agreement review.

Final plan reviews and development will require public way street lighting upgrades as required by Michael Barry. 535-7147.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.
Scott Weiler, P.E.
Ted Itchon, Fire
Michael Barry, P.E.
Peggy Garcia, Public Utilities
Larry Butcher, permits
File.

Zeigler, Robin

From: Brown, Jason
Sent: Tuesday, June 17, 2008 9:14 AM
To: Zeigler, Robin
Cc: Garcia, Peggy
Subject: Planned Development Conditional Use for a 19-unit Town Homes located at 256, 262 and 268 South 700 East and 673 and 695 East 300 South
Categories: Program/Policy

Robin,
Public Utilities has reviewed the above mentioned planned development and has no comments.

If you have any questions please do not hesitate to contact me

Jason Brown, PE

Development Review Engineer
Salt Lake City Public Utilities
1530 South West Temple
Salt Lake City, UT 84115
(801) 483-6729
(801) 483-6855 fax

TO: ROBIN ZEIGLER, PLANNING DIVISION

FROM: RANDY DRUMMOND, P.E., ENGINEERING

DATE: JUNE 16, 2008

SUBJECT: **'700 East Townhomes -
300 S 700 East – 14 Units**

SLC Engineering's review comments are as follows.

- 1 This is a townhome subdivision project which will provide 14 or more residential units at 256 – 268 South 700 East. All of the necessary right-of-way exists on 700 East and 300 South. Markea Avenue, which provides access to the north for this project is a private roadway, with asphalt surface improvement only (no curb, gutter or sidewalk). The proposal will provide curb, gutter, sidewalk, and asphalt strip paving on Markea Avenue, which shall be constructed as per APWA Std. Dwgs. 205A (curb and gutter), 231 (sidewalk), and either 251 or 252 for the asphalt strip paving. The proposed driveway shall be constructed as per APWA Std. Dwg. 215. There is an existing driveway on 700 East which, after the existing structures are demolished, will need to be removed and replaced with APWA 205A curb and gutter according to APWA Std. Dwg. No. 251 or 252. In addition, there is an existing water meter box in the sidewalk along 700 East, and the top of the box is lower than the sidewalk, creating a trip hazard. This panel of sidewalk will need to be replaced as per APWA Std. Dwg. No. 231. The new driveway on 300 South shall be constructed as per APWA Std. Dwgs. No. 225 and 251 or 252.
2. The developer must enter into a subdivision improvement construction agreement. This agreement requires a security device for the estimated cost of constructing the utility and roadway improvements. The agreement also requires the payment of a stepped fee based on the estimated cost of roadway improvements. The developer should contact Joel Harrison (535-6234) to discuss insurance requirements for the project.
- 3 SLC Transportation must review and approve street geometrics and street lighting.
- 4 At least one member of the concrete finishing crew must be ACI certified. The name of the ACI certified finisher must be provided at the pre-construction meeting for the subdivision.

Page 2
Robin Zeigler
700 East Townhomes
June 17, 2008

- 5 The plan & profile drawings for the proposed Markea Avenue must comply with Salt Lake City Engineering design regulations. Some of the significant requirements are as follows:

Minimum design grade is 0.50%.

The profile view for top of curb on the south side and centerline must be shown. The horizontal scale shall be 1"=20', 1"=30' or 1"=40' The vertical scale shall be one-tenth the horizontal scale.

The minimum size lettering shall be 1/10" and capital letters shall be used.

The north arrow shall point toward the top or left of the sheet with stationing progressing from **west to east** or from north to south.

The following approval signatures are required on the cover sheet for the project:
SLC Transportation for approval of street geometrics and street lighting.
SLC Fire Department
SLC Public Utility Department (sewer, water & drainage improvements)
SLC Engineering Division (street design)

- 6 The plat is being reviewed by our office, and pertinent comments will be given to the consulting surveyor via the red-lined copy

cc. Scott Weiler
Brad Stewart
Barry Walsh
Vault

Attachment E

Community Council Comments

Zeigler, Robin

From: thomas mutter [ccnc@rock.com]
Sent: Thursday, May 15, 2008 2:43 PM
To: Zeigler, Robin
Subject: CCNC and Eric Saxey

Robin,

Sorry to have taken so long to get back with these comments. Here are the comments that I remember. I hope you also took notes.

- 1.) There was a concern about the double garage doors on the 300 S. frontage and that they would not match the character of the rest of what is on 300 S
- 2.) There was a concern about the monotonous elevation along the 700 E. frontage. It sounded like this was going to be addressed by staggering the units to break up that plane.
- 3.) There was a comment on the balconies or porches or stoops and that though these features are being provided they do not match similar elements in historic areas.
- 4.) There was talk of a moat type feature along the 700 E. frontage. I did not really understand this feature but feel it tied into comment #3. Perhaps this element will be altered to fix the non undulating 700 E facade

That is all I have. I will be asking Mr. Saxey to come back to our June meeting. Central City Neighborhood Council has a stipulation in the bylaws that require some uses to be presented twice. Thank you

Tom Mutter
CCNC Chairperson

Mary Daniels
CCNC Vice Chairperson

--

 **YOU ROCK! YOUR E-MAIL SHOULD TOO!**
SIGN UP NOW AT ROCK.COM AND GET 1GB OF STORAGE!

6/13/2008

Zeigler, Robin

From: thomas mutter [ccnc@rock.com]
Sent: Thursday, June 05, 2008 4 38 PM
To: Zeigler, Robin
Subject: Eric Saxeys project

Hi,

I wanted to forward comments and then the outcome of the vote for support/approval. Folks commented on the need for 3 bedroom units and liked that part of the project. There was lots of questions on green bldg but not sure if people knew what they were talking about or if it was just the buzz word for the day. Sounded as though Eric may look into incorporating solar panels into the project. They liked the intent of a low water use planting plan. I made mention that not many homes have garage doors fronting the street in the surrounding area except maybe the floral shop down from the old Juel Apartments on the corner of 6th east and 3rd south. Hopefully the HLC will address this issue as they should. When motions were made everyone in attendance voted for supporting the project. I hope this is all you need from me? Thank you

Tom Mutter
CCNC Chairperson

Mary Daniels
CCNC Vice Chairperson

--



YOU ROCK! YOUR E-MAIL SHOULD TOO!
SIGN UP NOW AT ROCK.COM AND GET 1GB OF STORAGE!

Attachment F

Public Comments

Zeigler, Robin

From: Casey McDonough [casey@crsa-us.com]
Sent: Monday, March 31, 2008 8:02 PM
To: Zeigler, Robin
Subject: RE: Petition No. 470-06-55 Everest Builders (New Construction)
Attachments: 0322tw3victoriantownhomes.jpg, ResSFEElizabethSquare02.gif; 0322tw3johnsonstreet.jpg

Robin,

Please forward the following comments on **Petition No. 470-06-55 Everest Builders (New Construction)** to the members of the HLC

Dear HLC members,

I live in the central city historic district and after reviewing the staff report and attached drawings provided in that report have the following comments about the proposed development and its design

While I am thankful they are saving the one large historic building, I think the two new buildings are too large and hide that remaining building too much. As can be seen in the 1911 Sanborn map that particular building historically had a small structure on it and was mostly open to 700 East. I would like to see the two new building separated so that the only remaining historic building can remain to be seen from 700 East. With them restoring that building this is even more important than before

I also take issue with the new buildings for their height and mass. While they may be within zoning for height I believe you have the power to required these two new building match the neighborhood in scale and mass more closely. I suggest that rather than provide three full stories they possible provide 2-1/2 stories which would also be more typical of other similar structures in the district. On that same note I would add that townhouses are not typical in the district. In fact, other than homes the only similar type of construction I can think of would be the masonry duplex/four-plex units you find which would typically only have two front doors for duplexes and two doors with interior stairs for a four-plex. I think that so many units in a row are not keeping with the character of the district.

Furthermore, I don't think that even if the two buildings were made into three or four, that the repetition of the units is in the character of the neighborhood as well. If multiple buildings are provided they should be completely different in character and design with different exterior materials, etc. so that it does not become "a big development" in what is mostly a property by property and building by building original district.

Last, I do not believe that the modern/contemporary look of this development is fitting for the district. There is plenty of vacant and developable property in the city outside our historic districts for this kind of building. We need architecture more traditional in character and complimentary to the district than what is currently proposed. I found some images of other similar developments (see below and attached) that I feel would fit better in the district and if two or three separate building were designed a mix of these types would better reflect the district and the fact that there are no historic blocks of townhouse units like what is proposed.

To Members of the Historic Landmarks Commission
From Cindy Cromer
Re Issues Only for 700 E and 300 S (470-06-056)
April 2, 2008

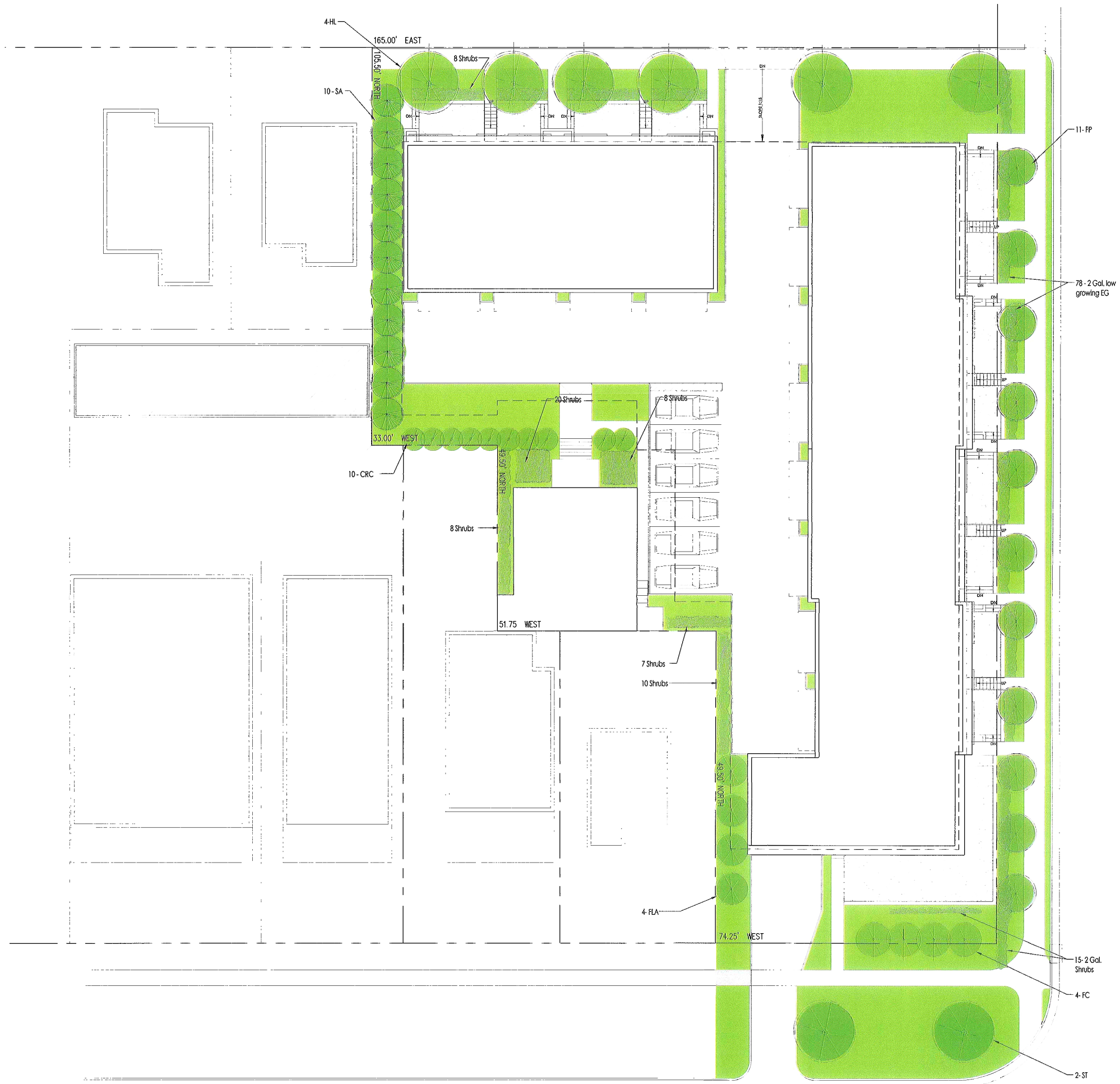
Because time will be limited, I am submitting my comments in writing as a proffer
Please include them as **part of the record** of the meeting.

Location on 700 East: Developers have previously used location on 700 East as an excuse for turning the “backs” of their projects on this State Highway. And they have received support from Planning staff members for doing so. Currently, community organizations from Sugarhouse to South Temple support the concept of a “boulevard” for 700 East. Two of these organizations help fund the landscaped medians along the east side of Liberty Park. On April 1, 2008, the City Council responded positively to a presentation on the section of 700 E from 1300 S south to the City boundary. The location on 700 E affects the access for cars. It affects the need for sound attenuation in the selection of building materials. It is not an excuse for a project to turn its back on the character of the surrounding structures.

- I urge the Commission to provide the Architectural Subcommittee with a **specific list of expectations** so that the directions provided to the developer at the Subcommittee meeting will be consistent with the views of larger group.
- The staff's recommendation on p. 6 regarding the form of **row houses versus apartment buildings** is well taken. The Commission has discussed the distinctions between row houses and **townhouses** in previous meetings. I urge the Commission to clarify the distinctions between the 3 forms for the developer and the staff.
- Perhaps the single most important feature of residences in this neighborhood and throughout the historic district is the **open porch**. Along with the open porch comes a **clearly defined entry** into the residence. The open area for sitting survives even in many of the apartment buildings as a balcony. In fact, such balconies are evident directly across the street on 700 E in an historic apartment house. The new buildings must deal with this characteristic of the neighborhood regardless of the noise and traffic on 700 East. As proposed, the buildings lack clearly defined entries and the characteristic open porches or balconies.
- The materials are not specified. The Commission should provide the Subcommittee and the developer with a list of **appropriate and inappropriate materials**. Highly reflective glass and large quantities of opaque glass would not be appropriate.
- The historic apartment buildings at the intersection of 700 E and 300 S have noncomplying setbacks. In fact, the balconies of the building on the NE corner actually extend over the property line onto public property. There is **usable space in this setback** that could be captured through the PUD process. The buildings could be closer to the street or there could be a courtyard with a wall deflecting noise.

Attachment G

Landscape Plan



LANDSCAPING SCHEDULE

TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING
HL	4	HL	FLORIST'S HYDRANGEA	12" x 12" CAL.	PER FLAT
FP	11	FP	FLORIST'S PEAR	12" x 12" CAL.	PER FLAT
HL	4	HL	FLORIST'S HYDRANGEA	12" x 12" CAL.	PER FLAT
CR	10	CR	CRABAPPLE	12" x 12" CAL.	PER FLAT
FL	15	FL	FLORIST'S PEAR	12" x 12" CAL.	PER FLAT
ST	2	ST	STARBURST	12" x 12" CAL.	PER FLAT
FC	4	FC	FLORIST'S CAMELLIA	12" x 12" CAL.	PER FLAT
SH	15	SH	SHRUB	12" x 12" CAL.	PER FLAT
EG	78	EG	EGG PLANT	12" x 12" CAL.	PER FLAT
TOTAL	49				
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING
SH	15	SH	SHRUB	12" x 12" CAL.	PER FLAT
EG	78	EG	EGG PLANT	12" x 12" CAL.	PER FLAT
TOTAL	152				

NOTE: UNLESS OTHERWISE SPECIFIED, ALL PLANTS WILL BE SUPPLIED IN 12" x 12" CAL. PLANTERS. PLANTS WILL BE INSTALLED IN A PERMANENT BRUSH SYSTEM WITH 1/2" DRIP HEADS TO COVER THE SOIL SURFACE AND A 1/2" DRIP SYSTEM FOR PLANTED AREAS. 1" TO 4" TYPICAL SHALL BE TYPICAL UNLESS ALL AREAS OF SOIL

Nature's Look
Landscape and Design

Elvin Werthington
Landscape Designer
801-474-8215

11370 S. Bowler Lane Ln.
600 West
So. Jordan, Utah 84099

Landscape Plan 10'

7th East Townhouses
Everest Builders
Prescott Muir Architects
05.30.08

Attachment H

Minutes of HLC Issues Only Hearing

**SALT LAKE CITY
HISTORIC LANDMARK COMMISSION
Summary Minutes of the Everest Builders (470-06-55) --Ratified
Room 315, 451 South State Street
April 2, 2008**

ISSUES ONLY HEARING

Petition No. 470-06-55 Everest Builders (New Construction) – A request by Everest Builders, represented by Eric Saxey to construct a 13-unit condominium at approximately 256, 262, and 268 South 700 East and 695 and 673 East 300 South. The properties are located in the Central City Historic District, RMF-45 Zoning District, and Council District Four represented by Luke Garrott. As an issues only public hearing, the Historic Landmark Commission will not make any final approvals on the project during this meeting. (Staff: Robin Zeigler at 535-7758 or robin.zeigler@slcgov.com)

(This item was heard at 6:09 p m.)

Acting Chairperson Lloyd recognized Robin Zeigler as staff representative.

Ms. Zeigler gave an overview of the project. She noted that the proposal was to construct thirteen new three story townhomes and rehabilitate an existing six unit dwelling at approximately 700 East and 300 South Ms. Zeigler stated that the property was zoned RMF-45, and the abutting properties were all zoned as such, but north of the proposal there were several commercial properties. She noted that while the project was part of an issues-only hearing this evening, staff felt it was important to hear the Commission's comments as well as public comments and allow the project an opportunity to be reviewed by the Architectural Committee before submitting final plans.

Ms. Zeigler stated that the property had previously been through extensive demolition and economic hardship processes. She noted that the final result of those processes was that the applicant was required to keep one of the three structures on the property and that the other two could be demolished and only the portion of the property demolished could be redeveloped Ms Zeigler clarified that the economic hardship process was not about the hardship of the property owner but of the hardship of the property itself.

Ms. Zeigler noted that the applicant had also submitted a planned development application, was proceeding through the condominium approval process and had submitted a subdivision application. She stated that the site plan in the packet had been approved by the Commission when approving the economic hardship for the two demolished structures She noted that the current site plan was essentially the same, with the exception of parking on Markea and existing detailed information regarding landscaping and other elements. She noted that staff had spoken to the applicant regarding the parking on Markea. She stated that in looking at the area in a historical context; Markea Street and 300 South were still mostly intact, and therefore, staff had inquired if the applicant would be willing to take the parking off of Markea Street Ms Zeigler noted that at the time, the applicant had been open to that possibility. Ms. Zeigler stated that the applicant satisfied existing parking requirements with garages at the townhouses, but was seeking additional visitor parking. She noted that the applicant was also concerned with creating a front face for the project at the corner of 300 South and 700 East, however, this meant that a garage was facing 300 South. Ms. Zeigler noted that staff's suggestion to that dilemma was to increase the square footage of the structure and push it back a bit on the property to allow access to a garage from the rear of the property and allow a visual front to the property She noted that staff was also concerned with the size of the submerged courts, as well as the walkways, which should travel to the sidewalk instead of a walkway parallel to the existing sidewalk.

Ms. Zeigler noted that staff was also concerned with the rhythm of solids to voids, with a lot of glass on the structure, which would make the structure modern, but not an accurate modern interpretation of historic buildings in the area. She noted that symmetry of design was also an important issue, and that an opportunity might arise to create an interpretation of the porches and bays seen in the local historic area. She noted that the applicant should strive for a modern interpretation of the walk-up type apartments found in the area. She noted that staff recommended a joint meeting with the Planning Subcommittee and HLC Architectural Committee, and suggested April 16, about 4.00 p.m. as an option.

Acting Chairperson Lloyd opened the floor to comments and questions from the Commission at 6:15 p.m.

Acting Chairperson Lloyd noted that he had a question regarding what looked like a drive approach off of 300 South. He stated that staff seemed to suggest that the driveway would enter from a drive court located to the north

Ms. Zeigler noted that the driveway indicated on the current site plan would not be included on the final plans, assuming the applicant would be able to receive desired setbacks through the planned development process

Acting Chairperson Lloyd noted that there were no further questions from the Commission for staff and invited the applicant forward at 6:16 p.m.

Mr. Eric Saxey, the applicant, reviewed application details for the Commission. He stated that the Design Guidelines stated that historic preservation discouraged the mimicry of historic styles and preferred that new designs should relate to fundamental characteristics of the district while conveying stylistic trends of today. Mr. Saxey noted that he had gone through the neighborhood and taken photos of all of the multi-family structures from South Temple Street to 400 South. He noticed that all of those buildings were three-story buildings, and buildings located on corners were primarily composed of brick and glass. Mr. Saxey stated that the commercial structures located in the same area as the proposal had primarily brick and glass fronts as well.

Mr. Saxey noted that the driveway space for the 300 South townhome unit was necessary due to the placement of the sewer line and other utility access. He stated that this necessity would make it difficult to enlarge the building and move the garage to the rear. He noted that there might be other ways to minimize the impact of the garage such as lowering the height or have the building cantilever slightly so the garage would be less noticeable.

Prescott Muir, the project architect, was present to speak to the item. He reviewed a series of images of structures located in the area, noting that the intention for the proposal's architecture was to recreate some of the front porch and bay window elements. He noted that they were endeavoring to have a cadence between bay windows which touch the ground and those that were suspended. He noted that the sunken courtyards were present to act as a type of deterrent or buffer to the traffic impacts from 700 East and to allow the residents to reclaim some of that area. Mr. Muir noted that as more townhomes were proposed in the downtown area, front yard setback requirements in the Ordinance needed to be looked at in scrutiny to allow greater flexibility in how the front yard space was mediated, to an end of encouraging multiple entrances along the street. He noted that the concept was intended to mirror the type of townhomes located in other major cities such as Philadelphia and New York, noting that there were also similar examples of the style in the downtown area of Salt Lake City. Mr. Muir noted that they felt the scale of the proposal to be appropriate for the neighborhood. Mr. Muir stated that the Ordinance also indicated that the process the applicant had undergone so far should take eight weeks and it had been over a year since the initial application.

Commissioner Haymond noted that he would like to examine the visuals provided by Mr. Muir more closely

Acting Chairperson Lloyd inquired if the proposed townhomes met the required setbacks, and how the Commission might address the inclusion of a transition zone for heavily traveled corridors such as 700 East.

Mr. Muir noted that the homes did meet the required setback, and was not certain how the Commission might initiate a transition zone short of study and amendments to the Zoning Ordinance. He noted that the challenge with the particular project would be that it pushes the front doors deeper into the units, causing less of an expression of the front doors outwards towards the street. He noted that if there were more latitude within the ordinance to allow for the creation of stoops which might jut out into the required setback; it would help in articulating street front building entrances.

Commissioner Oliver noted that this was an interesting problem because the applicant was proposing townhomes in an area devoid of that particular architectural style of building, and the typical decompression buffer zone would be a communal front stoop and hall which would not be a possibility with the proposal.

Mr. Muir noted that it could be considered a single-family dwelling without the side yard setback

Commissioner Oliver noted that a single-family dwelling as such would typically be buffered by a small fenced front yard.

Acting Chairperson Lloyd noted that the Residential Design Guidelines were not a significant resource for designing modern façades. He inquired if the applicant had considered how the amount of glass, which could be considered an interpretation, might be reconciled with the *Design Guidelines for Residential Historic Districts*.

Mr. Muir noted that he felt the Design Guidelines spoke to the fact that the buildings needed to reflect their time and period and glass was a contemporary material. He noted that on 700 East, other developers had closed their projects to the street, rather than opening it up. He stated that finishing details such as mullions and differences in texture could also help to enhance the façade.

Acting Chairperson Lloyd noted that there were members of the public wishing to speak to the petition item. He invited the public forward to speak at 6:33 p.m. He noted that both Casey McDonough, 828 South 600 East, and Jeffrey Oursland, no address given, had submitted comments for the Commission in advance of the meeting. In summary:

Mr. McDonough noted that he felt the proposal was too massive in scale for the surrounding neighborhood, the structures were grouped in a manner uncharacteristic to the Central City Historic District and that the concept's proposed design was too modern to match the neighborhood's current aesthetic.

Mr. Oursland noted that he did not approve of economic hardship cases and while it was too late to overturn the Commission's decision in this particular case, he hoped that the Commission would continue to ensure historic properties be preserved in the future.

Cindy Cromer, 816 E 100 S, noted that she had submitted written comments for the project and wished to include them for the record. They were included, and read as follows.

Because time will be limited, I am submitting my comments in writing as a proffer. Please include them as part of the record of this meeting.

Location on 700 East: Developers have previously used location on 700 East as an excuse for turning their “backs” of their projects on this State Highway. And they have received support from Planning staff members for doing so. Currently, community organizations from Sugarhouse to South Temple support the concept of a “boulevard” for 700 East. Two of these organizations help fund the landscaped medians along the east presentation on the section of 700 East from 1300 South, south to the City boundary. The location on 700 East affects the access for cars. It affects the need for sound attenuation in the selection of building materials. It is not an excuse for a project to turn its back on the character of the surrounding structures

- I urge the Commission to provide the Architectural Subcommittee with a specific list of expectations so that the directions provided to the developer at the Subcommittee meeting will be consistent with the views of [the] larger group.
- The staff's recommendation on pg. 6 [of the staff report] regarding the form of row houses versus apartment buildings is well taken. The Commission has discussed the distinctions between row houses and townhouses in previous meetings. I urge the Commission to distinguish between the 3 forms for the developer and the staff.
- Perhaps the single most important feature of residences in this neighborhood and throughout the historic district is the open porch. Along with the open porch comes a clearly defined entry into the residence. The open area for sitting survives even in many of the apartment buildings as a balcony. In fact, such balconies are evident directly across the street on 700 East in an historic apartment house. The new buildings must deal with this characteristic of the neighborhood regardless of the noise and traffic on 700 East. As proposed, the buildings lack clearly defined entries and the characteristic open porches or balconies.
- The materials are not specified. The Commission should provide the Subcommittee and the developer with a list of appropriate and inappropriate materials. Highly reflective glass and large quantities of opaque glass would not be appropriate.
- The historic apartment buildings at the intersection of 700 East and 300 South have noncomplying setbacks. In fact, the balconies of the building on the NE corner actually extend over the property line onto public property. There is usable space in this setback that could be captured through the PUD process. The buildings could be closer to the street or there could be a courtyard with a wall deflecting noise.

Ms. Cromer noted that her comments identified a number of issues the Commission should address, particularly the inclusion of an open porch and defined front entry. She stated that it was her understanding that the applicant could have reduced front yard setbacks when applying for a PUD. She noted that other apartment buildings in the area were built out to the legal ownership property line.

Acting Chairperson Lloyd noted that there was no one else present to speak to the item and brought the item back to discussion by the Commission at 6:36 p.m. Seeing no comments from the Commission, Acting Chairperson Lloyd called for volunteers for an Architectural Committee

Commissioners Haymond and Harding volunteered to serve on an Architectural Committee.

Mr. Nielson asked the Acting Chair to call for a motion on the matter.

Commissioner Carl made a motion to create an Architectural Committee to examine issues relating to petition 470-06-55. Commissioner Haymond seconded the motion. All voted 'Aye'. The motion carries unanimously.

Acting Chairperson Lloyd closed the Issues Only portion of the meeting at 6.38 p.m. and moved on to the next item

Attachment I

Photographs of Site



300 South



700 East (at the corner of 300 South)



700 East (entrance to Markea Avenue on the far right.) These two structures will be demolished.



Entrance to Markea Avenue



Development area as seen from McDonald's, across the street from Markea.



**View from 700 East. This driveway will be removed.
The house beyond the tree is the six-plex that will remain.**