

# MEMORANDUM

451 South State Street, Room 406  
Salt Lake City, Utah 84111  
(801) 535-7757



Planning and Zoning Division  
Department of Community Development

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**TO:** Salt Lake City Planning Commission

**FROM:** Doug Dansie, Senior Planner

**DATE:** August 5, 2009

**SUBJECT:** PLNSUB2009-00417 – Planned Development: 38 West Merrimac.

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At the June 24, 2009 meeting, the Planning Commission provided a **negative** recommendation to petition PLNPCM2008-00679 to rezone this site to allow for seven units. Petition **PLNSUB2009-00417**, a petition for a planned development, was tabled and the petitioner was requested to return with a plan for five units (rather than seven units).

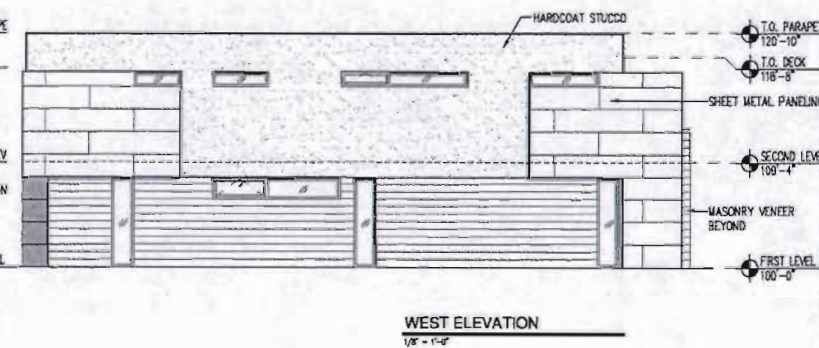
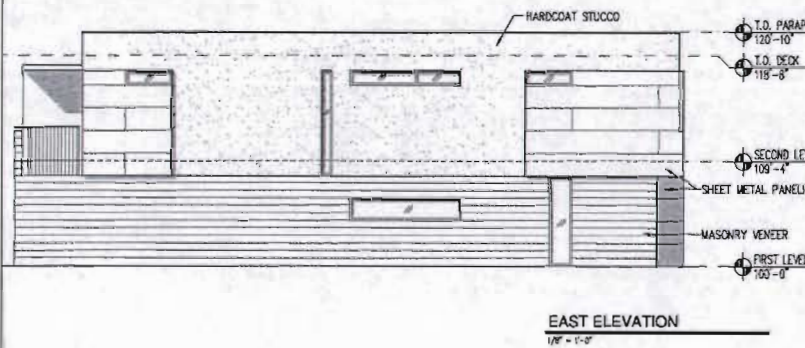
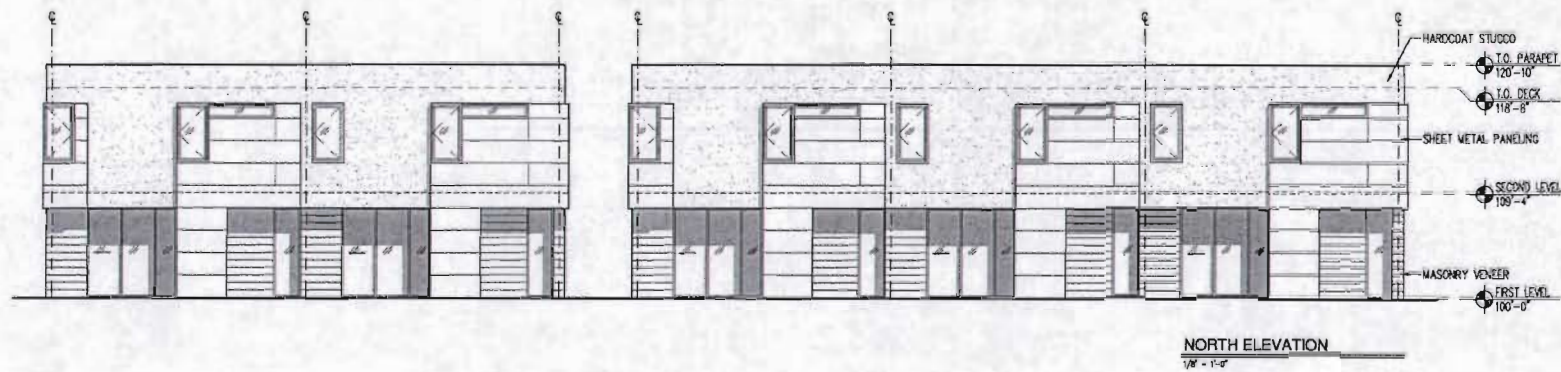
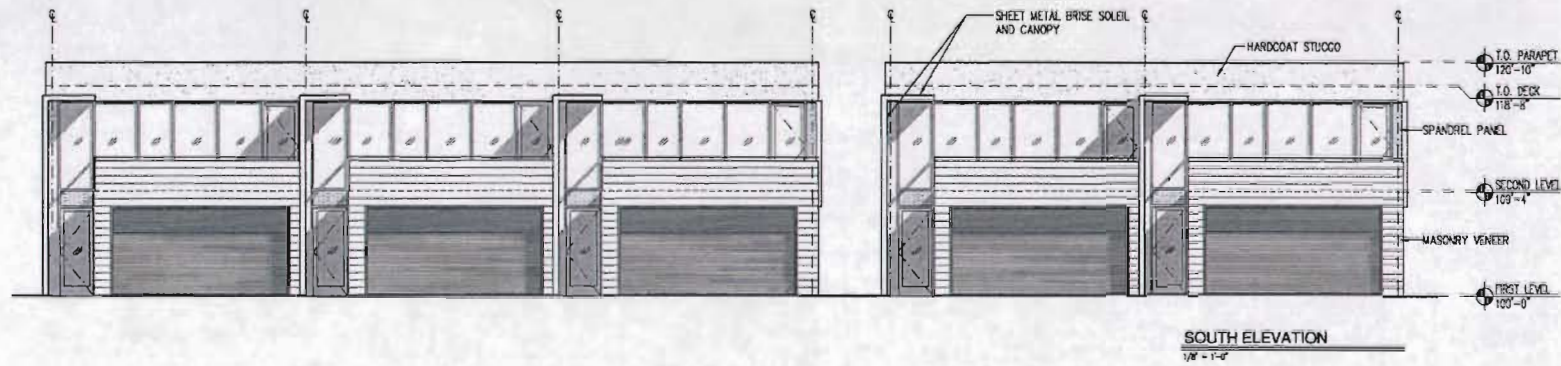
As with previous proposals, the new proposal requires modification of the lot size and street frontage requirements of the zoning district in order to make the setbacks compatible with the neighborhood, but it otherwise meets the overall minimum lot area and other requirements for the zoning district.

The Planning Commission has previously expressed concern that the appearance of the building is largely determined by garage doors; however, without placing the garages in the rear it is difficult to minimize the garage door area. The owner has chosen to design a modern building, which is not consistent with the homes in the immediate neighborhood, however there are other modern housing developments in a similar row house style in the larger People Freeway neighborhood (100 South West Temple). The original plan to have garages in the rear was abandoned due to security concerns of having an extra drive at the rear of the property with poor visibility.

Attached is additional information regarding the Merrimac town homes.

- New drawings for the proposed five unit **planned** development.
- The original staff report for petition PLNSUB2009-00417
- **Minutes** from the June 24, 2009 meeting.
- A staff report for a project previously approved at this site with five units.

The current drawings have been routed to applicable departments.  
Comments received from other departments have been integrated into the final design.

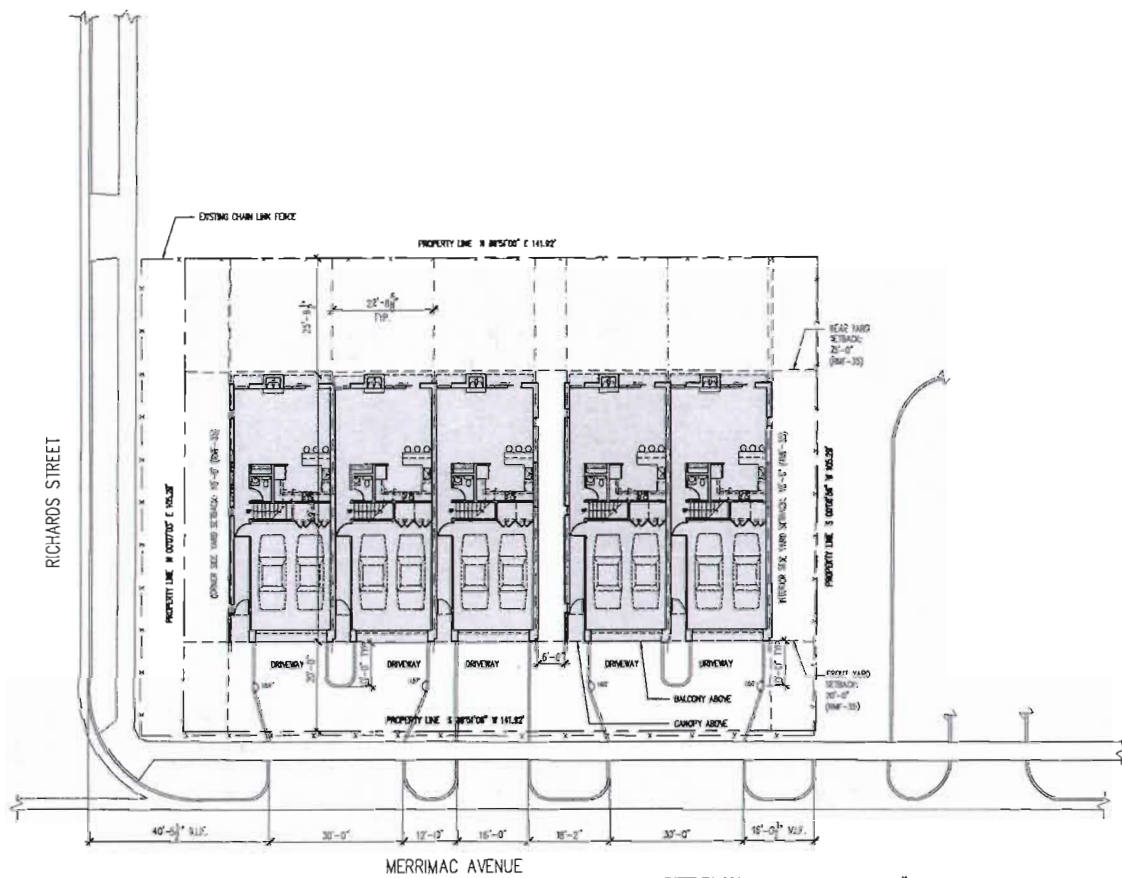


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EXTERIOR ELEVATIONS

MERRIMAC TOWNHOUSES  
BY WEST LAKESIDE  
SALT LAKE CITY, UTAH 84101

DATE: 02/28/04  
BY: [Signature]  
CHECKED BY: [Signature]  
SCALE: A2.1



# SITE PLAN

WEST BLDG 1,125 S.F.  
EAST BLDG 2,755 S.F.  
TOTAL 3,880 S.F.  
LOT AREA 14,042 S.F.  
COVERAGE 42.1 %

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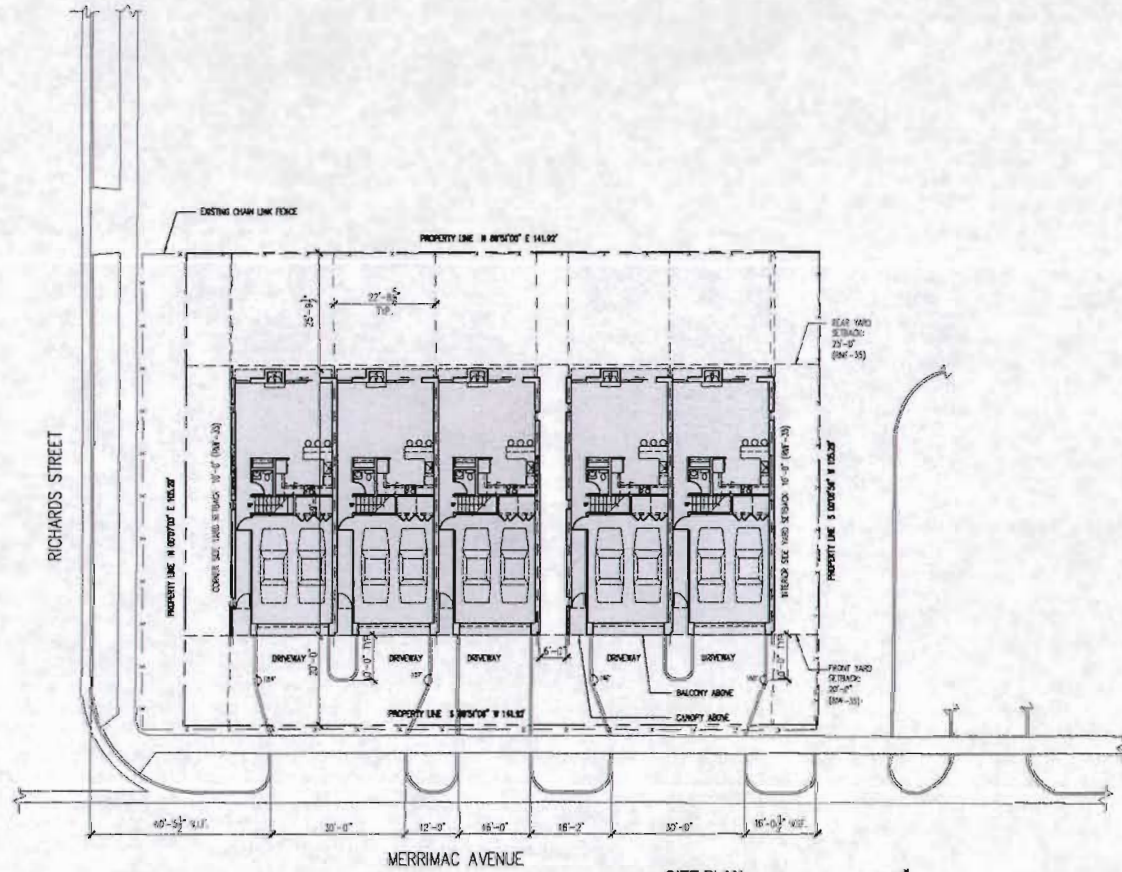
## MERRIMAC TOWNHOUSES

380 WEST MERRIMAC  
SALT LAKE CITY, UTAH 84105

## SITE PLAN

SHEET NO. A0.1





# SITE PLAN

1" = 20'-0"  
 WEST BLDG. 4,125 S.F.  
 EAST BLDG. 2,755 S.F.  
 TOTAL 6,880 S.F.  
 LOT SIZE 18,840 S.F.  
 COVERAGE 36.1 %

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MERRIMAC TOWNHOUSES

DATE PLAN

300 WEST MERRIMAC  
 SALT LAKE CITY, UTAH 84101

SHEET NO.  
**A0.1**

## PLANNING COMMISSION STAFF REPORT

Merrimac  
**PLNSUB2009-00417**  
Planned Development  
38 West Merrimac  
June 10, 2009



Planning and Zoning Division  
Department of Community and  
Economic Development

**Applicant:**

Nathan Anderson of City and Resort Properties

**Staff:**

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

**Tax ID:**

15-13-231-015-0000  
15-13-231-014-0000

**Current Zone:**

RMF-35 (RMF-75 proposed as part of petition PLNPCM2008-00679)

**Master Plan Designation:**

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

**Council District:**

District Five Jill Remington Love

**Lot Size:**

0.343 acres

**Current Use:**

Vacant

**Applicable Land Use Regulations:**

- 21A.24.150 RMF-75 High Density Multi-Family Residential District
- 21A.54 Conditional Uses

**Notification**

- Notice: May 26, 2009
- Sign: May 28, 2009
- Web: June 5, 2009

**Attachments:**

- A. Site Plan & Elevation Drawings.
- B. Conditional use map
- C. PC Subcommittee notes
- D. Transportation redlines
- E. Photo of similar project

### ***Request***

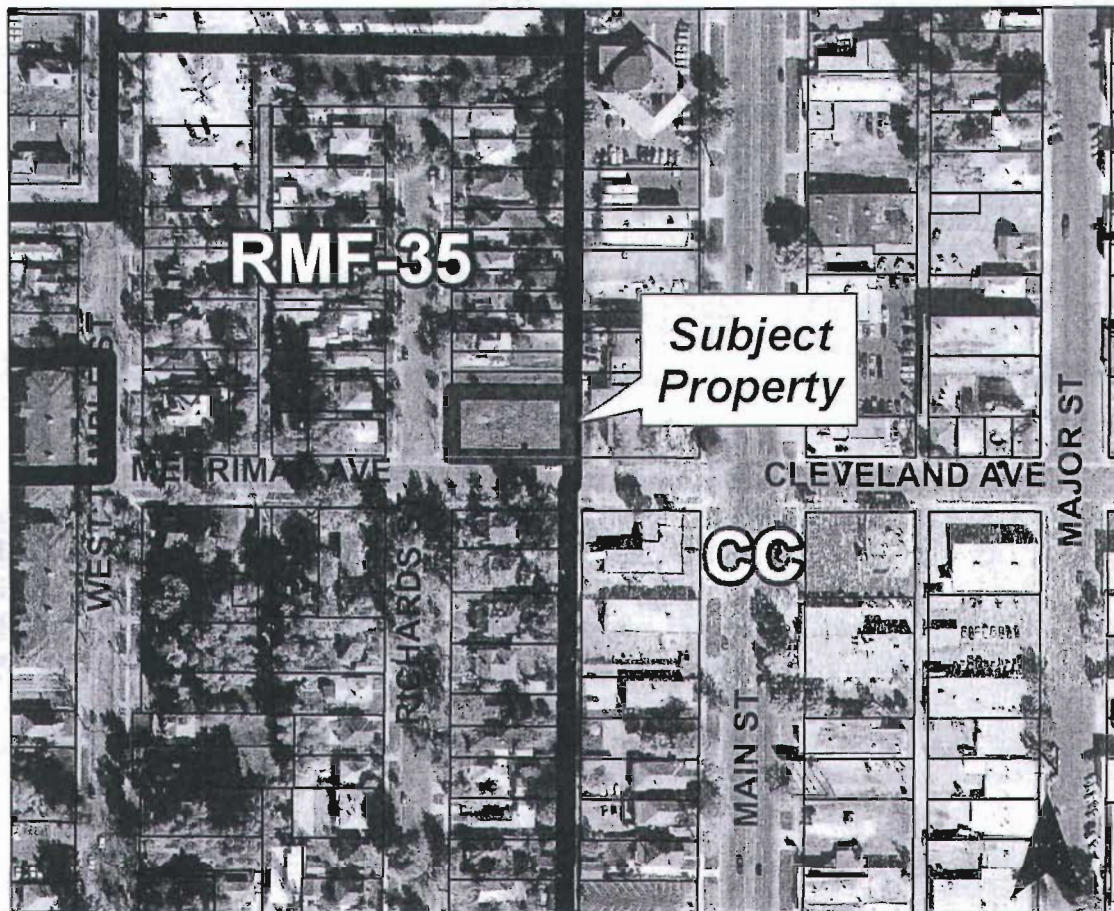
This is a request from City and Resort Properties, LLC for a Planned Development located at approximately 38 West Merrimac (including 1419 S Richards Street). The site is presently zoned RMF-35 Residential Multi-Family medium density. The petitioner has an associated rezone petition to change the zoning to RMF-75 Residential Multi-Family high-density; PLNPCM2008-00679. The petitioner is proposing to construct seven single family attached housing units on the site. The layout of the building requires some modification of lot size and street frontage requirement to make the project consistent with neighborhood.

### ***Staff Recommendation***

Based on the findings listed in the staff report, it is the Planning Staff's opinion that overall the proposal generally meets the applicable standards and therefore, recommends the Planning Commission approve the request pending adoption of the RMF-75 zoning by the City Council as requested by petition PLNPCM2008-00679. Staff also recommends that the Planning Commission delegates final authority for the site plan, and landscaping to the Planning Director and specifically direct the petitioner to work with the Transportation Department to resolve any curb cut issues.

A subdivision will be required to finalize the project.





VICINITY MAP

## Background

### Project Description

The petitioner is proposing to build seven single family attached housing units, similar to units constructed at 300 West and 700 North. The site is presently zoned RMF-35. The petitioner is proposing RMF-75. There was a previous conditional use proposed for this site consisting of five townhomes (Planned Development Petition 410-07-45 Subdivision Petition 490-08-07). The developer wishes to increase the density to seven units. The new proposal would be in a townhome format. The townhomes are proposed to be three stories tall and will be in two clusters of three units and four units. The previous proposal had garages located off of a common drive in the rear of the property. The new proposal would have direct access to the garages from the front with tandem parking in the garages. The petitioner feels this would be a safer alternative because the garage is attached to the home and visible from the street, with no rear drive to function as an alley that is not visible from the street (as was approved in the original proposal).

The petitioner is asking for a 20 foot front yard setback, which is further back than other buildings on the street, in order to accommodate the front stairs. The lot sizes also vary from zoning requirements in order to accommodate setbacks along Richards Street that are compatible with other buildings on the street. This results in varied lot with, with some lot widths and sizes being less than code requirements (overall square footage and frontage is being met). The petitioner is also requesting the approval of tandem parking.

## **Comments**

### **Public Comments**

The project was presented to the Peoples Freeway Community Council on February 5, 2009. The Community Council was amenable to the change but wanted any new development limited to three stories. Eric Uquillas, a neighbor, expressed concern that 7 units was too much for the site.

### **City Department Comments**

#### **Fire**

No comment

#### **Building Services (Alan Hardman)**

This preliminary zoning review is based on a DRT meeting held on December 17, 2007, and a review previously done by Alan Michelsen.

1. Obtain Address Certificates from the city's Engineering Division for each new dwelling unit.
2. The Subdivision or Condominium Plat, combining two lots, must be approved.
3. The rezone petition PLNPCM2008-00679 must be approved.
4. The five interior lots do not meet the minimum 2,000 square foot lot area. This must comply or be waived and/or approved by a Planned Development process.
5. The minimum rear yard setback is 25% of the lot depth. The setback shows 25 feet and it should show 26 feet.
6. Public Utilities approval required.
7. Fire Department approval required.
8. Engineering Division approval required for all street and public way improvements.
9. Transportation Division approval required for all parking and traffic-related issues, including tandem parking in the garages and the new curb cuts for the driveways.
10. Obtain separate demolition permit for the existing building.

#### **Transportation (Barry Walsh)**

Per our past review dated, November 18, 2008 the same issues are presented in this submittal. (November 18, 2008 Re: PLNPCM2008-00679 Rezone: 38 West Merrimac.)

The site proposal has been changed from the January 31, 2008 transportation concept approval for five units with parking in the rear and access from Richards Street with only one driveway thru the lot to the Alleyway.

The new proposal indicates five driveways off Merrimac Avenue that:

- do not maintain the required 12 foot pedestrian refuge separation between drive approaches.



- do not maintain the minimum 12 foot wide driveway approaches. The driveway spacing shown does not allow for a five foot minimum buffer from the driveways for separate water meter service, fire hydrants, power poles, or street lighting. The multi drives also restrict any on street parking along the Merrimac Avenue frontage.

The site plan also proposes tandem parking for each unit, that has not been accepted to our knowledge. (Petition 400-06-01 - Planning Commission request to amend the Zoning Ordinance adding regulations to permit tandem parking in residential zones, Draft December 8, 2006.)

Our recent search of the City Ordances, fines no reference to approved tandem parking. In reviewing our files, I found eight cases of tandem parking applications and all were denied except the 314 West 700 North Site, approved by the Planning Commission in coordination with the proposed ordinance revision petition 400-06-01.

## **Engineering (Randy Drummond, P.E)**

Engineering review comments are as follows:

1. This is a project to construct 7 townhomes at 38 West Merrimac Avenue. This project has frontage on both Merrimac Avenue and Richards Street. The lot is vacant and all street right-of-way exists to meet City requirements and both frontages are improved. However, both frontages also need some re-construction to meet present development standards.

### Merrimac Avenue:

There are 8 panels of existing sidewalk that have a raised joint creating a trip hazard, and the joint must be ground down to remove the hazard. There are two panels of existing sidewalk with excessive cracking that meets the criteria of defective concrete per APWA Std. Plan #291. The existing drive approach to the alley along the east boundary also has excessive cracking that meets the same criteria and must be replaced as per APWA Std. Plan 225 and 251 or 252. The carriage walk will no longer be needed and must be removed. The 5 new drive approaches shall be constructed as per APWA Std. Plan 225. Any curb, gutter and sidewalk removed to facilitate the installation of the water and sewer service lines must be replaced as per APWA Std. Plan 205A and either 251 or 252 (for curb and gutter) and 231 (for sidewalk). In addition, the alley to the east of these lots is in disrepair and must be either reconstructed or over-laid with a minimum of 2" of asphalt.

### Richards Street:

There is one panel of sidewalk with a raised edge that must be ground.

2. An improvement drawing must be provided showing the extent of the improvements to be installed. After the drawing has been approved, all necessary improvements will be completed by a licensed, bonded and insured contractor via a Public Way Permit that the contractor will obtain from the Engineering Division Office.
3. A plat must be submitted for review. I have included a copy of the plat checklist for use by the applicant's surveyor in preparing the plat.

## **Public Utilities (Justin Stoker)**



Public Utilities has reviewed the above mentioned request and offers the following comments that will need to be addressed to gain approval from our Department:

All design and construction must conform to State, County, City, and Public Utilities standards and ordinances. Water, sewer, and storm drain design and construction must conform to the Salt Lake City Public Utilities General Notes.

This project will be required to install a master meter to serve the condominiums with culinary water service. If required by the Fire Department, a new public fire hydrant can be connected to the existing public water main. If the location desired by the Fire Department for a new hydrant is on private property then the new hydrant must be routed through a detector check valve. Any other water services discovered during construction must be killed at the main per Salt Lake City Public Utilities standards. Plans must be submitted showing the routing of the culinary and fire services. The plan must also show all proposed pipe sizes, types, boxes, meters, detector checks, fire lines, and hydrant locations. All meters and hydrants must be located a minimum five-feet outside of any drive approaches.

A new four-inch minimum PVC SDR-35 sewer lateral must be connected to the sewer main. Any existing sewer lateral connection must be capped per Public Utilities standards.

A grading and drainage plan must be submitted for review and approval for this development. Fire Department approval will be required prior to Public Utilities approval.

Fire flow requirements, hydrant spacing, and access issues will need to be resolved with the fire department.

## ***Project Review***

### **Planning Commission Subcommittee**

The Planning Commission held a Planned Development subcommittee meeting on February 26, 2009. Concern was expressed regarding the amount of the façade that was occupied by garage doors, but the subcommittee felt the project was ready to go to the full Commission.

## ***Analysis and Findings***

### **Options**

Failure to grant the planned development would require that the petitioner combine the buildings into one structure, which would make the project appear to be more like an apartment building than a collection of single family homes.

## Findings

**21A.54.080 B. Specific Standards:** A conditional use permit shall be approved unless the evidence presented shows that one (1) or more of the standards set forth in this subsection cannot be met. The Planning Commission, or, in the case of administrative conditional uses, the Planning Director or the Director's designee, may request additional information as may be reasonably needed to determine whether the standards of this subsection can be met.

1. **Master Plan and Zoning Ordinance Compliance:** The proposed conditional use shall be:
  - a. Consistent with any policy set forth in the City-Wide, Community, and Small Area Master Plan and future land use map applicable to the site where the conditional use will be located, and
  - b. Allowed by the zone where the conditional use will be located or by another applicable provision of this title.

**Finding:** The Central City Master Plan calls for the area to be medium density housing. This proposal is consistent with the master plan. The future land use map recommends 15-30 units per acre and generally supports the residential stabilization of the neighborhood. Seven units on this site is equivalent to 21 units per acre.

2. **Use Compatibility:** The proposed conditional use shall be compatible with the character of the site, adjacent properties, and existing development within the vicinity of the site where the use will be located. In determining compatibility, the Planning Commission shall consider:
  - a. Whether the street or other means of access to the site where the proposed conditional use will be located will provide access to the site without materially degrading the service level on such street or any adjacent street;
  - b. Whether the type of use and its location will create unusual pedestrian or vehicle traffic patterns or volumes that would not be expected with the development of a permitted use, based on:
    - i. Orientation of driveways and whether they direct traffic to major or local streets, and, if directed to local streets, the impact on the safety, purpose, and character of these streets;
    - ii. Parking area locations and size, and whether parking plans are likely to encourage street side parking for the proposed use which will adversely impact the reasonable use of adjacent property;
    - iii. Hours of peak traffic to the proposed use and whether such traffic will unreasonably impair the use and enjoyment of adjacent property; and
    - iv. Hours of operation of the proposed use as compared with the hours of activity/operation of other nearby uses and whether the use, during hours of operation, will be likely to create noise, light, or other nuisances that unreasonably impair the use and enjoyment of adjacent property;
  - c. Whether the internal circulation system of any development associated with the proposed use will be designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic;
  - d. Whether existing or proposed utility and public services will be adequate to support the proposed use at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources;
  - e. Whether appropriate buffering or other mitigation measures, such as, but not limited to, landscaping, setbacks, building location, sound attenuation, odor control, will be provided to



protect adjacent land uses from excessive light, noise, odor and visual impacts and other unusual disturbances from trash collection, deliveries, and mechanical equipment resulting from the proposed use; and

- f. Whether detrimental concentration of existing non-conforming or conditional uses substantially similar to the use proposed is likely to occur, based on an inventory of uses within one-quarter (1/4) mile of the exterior boundary of the subject property.

**Finding:** Access to the site is available from both Main and West Temple streets. The Salt Lake City Transportation Division indicates that access is adequate; however they have concerns regarding the location of drive approaches which need to be finalized.

The buildings have been setback to meet or exceed other landscaped setbacks in the neighborhood. This is due to the stairways to access the main entry.

Public utilities are adequate, however space in the park strip needs to be identified for fire hydrants and water meters.

There is no detrimental concentration of Conditional Uses in the vicinity (Attachment C).

**3. Design Compatibility:** The proposed conditional use shall be compatible with the character of the area where the use will be located with respect to:

- a. Site design and location of parking lots, access ways, and delivery areas;
- b. Whether the proposed use, or development associated with the use, will result in loss of privacy, objectionable views of large parking or storage areas; or views or sounds of loading and unloading areas; and
- c. Intensity, size, and scale of development associated with the use as compared to development and uses in the surrounding area.
- d. If a proposed conditional use will result in new construction or substantial remodeling of a commercial or mixed-used development, the design of the premises where the use will be located shall conform to the conditional building and site design review standards set forth in Chapter 21A.59 of this title. *(Separate analysis later in this report)*

**Finding:** The planned development allows for more efficient use of the site while still maintaining the medium density residential character of the neighborhood. The surrounding uses are single and multi family units. The development is in scale with surrounding development and the proposed conditional use is compatible. The specific units have tandem garages which are not usual for most developments in Salt Lake City but have been approved on a similar project at 700 North and 300 West. The number of driveways makes on-street parking difficult, however, the increased setback allows for adequate space for a car parked in the driveway. Final detail of the width of curb cuts and the closeness of drive approaches needs to be resolved to Transportation's satisfaction.

**4. Detriment to Persons or Property:** The proposed conditional use shall not, under the circumstances of the particular case and any 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 proposed use shall:

- a. Not emit any known pollutant into the ground or air that will detrimentally affect the subject property or any adjacent property;
- b. Not encroach on any river or stream, or direct runoff into a river or stream;

- c. Not introduce any hazard or potential for damage to an adjacent property that cannot be mitigated;
- d. Be consistent with the type of existing uses surrounding the subject property; and
- e. Improve the character of the area by encouraging reinvestment and upgrading of surrounding properties.

**Finding:** The Conditional Use does not emit any pollutants or impact any environmentally fragile sites, nor is it adjacent to any rivers or streams. The neighborhood has a mix of single family homes and multi family apartments. The project represents new investment into the neighborhood which has been subject to commercial encroachment and will tend to stabilize its residential character.

5. **Compliance with Other Applicable Regulations:** The proposed conditional use and any associated development shall comply with any other applicable code or ordinance requirement.

**Finding:** With the exception of modifications to the Zoning Ordinance standards approved by the Planning Commission, all applicable city Code requirements must be met. Exceptions include modification of building lot width and size, increased setback and tandem parking.

#### **21A.54.150 E Additional Standards for Planned Developments**

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 as set forth in table 21A.54.150E2 of this section.

**Finding:** The minimum lot size is 9,000 square feet. This lot is over 15,810 (including portions of the alley) square feet and meets this standard.

2. **Density Limitations:** Residential planned developments shall not exceed the density limitation of the zoning district where the planned development is proposed. The calculation of planned development density may include open space that is provided as an amenity to the planned development. Public or private roadways located within or adjacent to a planned development shall not be included in the planned development area for the purpose of calculating density.

**Finding:** The City is concurrently processing petition PLNPCM2008-00179, which requests the rezoning of the property to RMF-75. The RMF-75 zoning district requires 2,000 square feet per unit. There is enough square footage for seven units if the City Council approves the zone change.

3. **Consideration Of 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. The request will be reviewed and evaluated individually by appropriate departments, including transportation, engineering, public utilities, public services and fire. Each department reviewer will consider the adequacy of the design and physical improvements proposed by the developer and will make recommendation for approval or describe required changes. A synopsis will be incorporated into the staff report for review and decision by the Planning Commission. Notwithstanding the foregoing, no such street will be accepted as a



publicly owned street unless there is a minimum width of twenty feet (20') of pavement with an additional right-of-way as determined by the Planning Commission.

**Finding:** This project does not include dedication of a new public street. This standard does not apply.

**4. Planned Developments:** Planned developments within the TC-75, RB, R-MU, MU, CN, CB, and CSHBD zoning districts and the South State Street Overlay. Also planned developments within the CS zoning district, when the district is adjacent to more than sixty percent (60%) residential zoning (within 300 feet, either on the same block or across the street).

Planned developments within these zoning districts may be approved subject to consideration of the following general conceptual guidelines (a positive finding for each is not required):

- a. The development shall be primarily oriented to the street, not an interior courtyard or parking lot,
- b. The primary access shall be oriented to the pedestrian and mass transit,
- c. The facade shall maintain detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction,
- d. Architectural detailing shall emphasize the pedestrian level of the building,
- e. Parking lots shall be appropriately screened and landscaped to minimize their impact on the neighborhood,
- f. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods,
- g. Dumpsters and loading docks shall be appropriately screened or located within the structure, and
- h. Signage shall emphasize the pedestrian/mass transit orientation.

**Finding:** This project is not located in any of the aforementioned zoning districts. This standard does not apply.

**5. 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.

**Finding:** The adjacent zoning districts are RMF-35 to the north and west and C-C Corridor Commercial to the east. The setbacks provided are consistent or greater than others in the neighborhood.

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

**Finding:** This project does not have a significant topographic change. This standard does not apply.

## **Additional analysis**

### **21A.59.060 Standards For Design Review:**

In addition to standards provided in other sections of this title for specific types of approval, the following standards shall be applied to all applications for design review:

A. Development shall be primarily oriented to the street, not an interior courtyard or parking lot.

1. Primary building orientation shall be toward the street rather than the parking area. The principal entrance shall be designed to be readily apparent.
2. At least sixty percent (60%) of the street frontage of a lot shall have any new building located within ten feet (10') of the front setback. Parking is permitted in this area.
3. Any buildings open to the public and located within thirty feet (30') of a public street shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be a distinctive and prominent element of the building's architectural design, and shall be open to the public during all business hours.
4. Each building shall incorporate lighting and changes in mass, surface, or finish to give emphasis to its entrances.

**Finding:** The buildings will face directly onto Merrimac Street. All units have doorways facing the street and driveways accessing the street.

B. Primary access shall be oriented to the pedestrian and mass transit.

1. Each building shall include an arcade, roof, alcove, portico, awnings, or similar architectural features that protect pedestrians from the rain and sun.

**Finding:** Architectural fenestration is proposed as part of the development though the use of stairs and materials. The size of the garage doors along the front façade has been expressed as a concern in need of mitigation.

C. Building facades shall include detailing and glass in sufficient quantities to facilitate pedestrian interest and interaction.

1. At least forty percent (40%) of any first floor wall area that faces and is within thirty feet (30') of a primary street, plaza, or other public open space shall contain display areas, windows, or doorways. Windows shall allow views into a working area or lobby, a pedestrian entrance, or display area. First floor walls facing a side street shall contain at least twenty five percent (25%) of the wall space in window, display area, or doors. Monolithic walls located within thirty feet (30') of a public street are prohibited.
2. Recessed or projecting balconies, verandas, or other usable space above the ground level on existing and new buildings is encouraged on a street facing elevation. Balconies may project over a public right of way, subject to an encroachment agreement issued by the city.

**Finding:** This is a residential project; therefore the 40 % glass requirement does not apply.

The Planning Commission may wish to discuss the option of larger front porches or balconies to help mask the size of the garage doors.

D. Architectural detailing shall emphasize the pedestrian level of the building.

**Finding:** The ground level is primarily occupied by garage entries. The main entry to each unit is above the garage, requiring a long staircase. Larger porches or balconies may serve to distract pedestrians from the size of the garage entries.



E. Parking lots shall be appropriately screened and landscaped to minimize their impact on adjacent neighborhoods.

1. Parking areas shall be located behind or at one side of a building. Parking may not be located between a building and a public street.
2. Parking areas shall be shaded by large broadleaf canopied trees placed at a rate of one tree for each six (6) parking spaces. Parking shall be adequately screened and buffered from adjacent uses.
3. Parking lots with fifteen (15) spaces or more shall be divided by landscaped areas including a walkway at least ten feet (10') in width or by buildings.

**Finding:** The proposed development is within the scale of the neighborhood. The final landscape plan should be developed to insure compliance with the details of this standard; including landscaping in the public right-of-way. The width of drive approaches must still be addressed with City Transportation and Public Utilities to not only allow proper access, but to allow space for fire hydrants, water meters and street trees.

F. Parking lot lighting shall be shielded to eliminate excessive glare or light into adjacent neighborhoods.

**Finding:** Parking is within the structures.

G. Parking and on site circulation shall be provided.

1. Connections shall be made when feasible to any streets adjacent to the subject property and to any pedestrian facilities that connect with the property.
2. A pedestrian access diagram that shows pedestrian paths on the site that connect with a public sidewalk shall be submitted.

**Finding:** Parking access for each unit is from the street. Each unit has pedestrian access from the street. Additional resolution is required to refine the drive widths and park strip space.

H. Dumpsters and loading docks shall be appropriately screened or located within the structure.

1. Trash storage areas, mechanical equipment, and similar areas are not permitted to be visible from the street nor permitted between the building and the street.
2. Appropriate sound attenuation shall occur on mechanical units at the exterior of buildings to mitigate noise that may adversely impact adjacent residential uses.

**Finding:** All major loading and access is from the front of the building consistent with adjacent residential building and uses.

I. Signage shall emphasize the pedestrian/mass transit orientation.

**Finding:** This is a residential project with no signage.

J. Lighting shall meet the lighting levels and design requirements set forth in chapter 4 of the Salt Lake City lighting master plan dated May 2006.

**Finding:** Lighting levels will be reviewed prior to the issuance of a building permit

K. Streetscape improvements shall be provided as follows:

1. One street tree chosen from the street tree list shall be placed for each thirty feet (30') of property frontage on a street.

2. Landscaping material shall be selected that will assure eighty percent (80%) ground coverage occurs within three (3) years.
3. Hardscape (paving material) shall be utilized to designate public spaces. Permitted materials include unit masonry, scored and colored concrete, grasscrete, or combinations of the above.
4. Outdoor storage areas shall be screened from view from adjacent public rights of way. Loading facilities shall be screened and buffered when adjacent to residentially zoned land and any public street.
5. Landscaping design shall include a variety of deciduous and/or evergreen trees, and shrubs and flowering plant species well adapted to the local climate.

**Finding:** Compliance will be determined prior to the issuance of a building permit.

L. Street trees shall be provided as follows:

1. Any development fronting on a public or private street shall include street trees planted consistent with the city's urban forestry guidelines and with the approval of the city's urban forester.
2. Existing street trees removed as the result of a development project shall be replaced by the developer with trees approved by the city's urban forester.

**Finding:** Compliance will be determined prior to the issuance of a building permit.

M. The following additional standards shall apply to any large scale developments with a gross floor area exceeding sixty thousand (60,000) square feet:

1. The orientation and scale of the development shall conform to the following requirements:
  - a. Large building masses shall be divided into heights and sizes that relate to human scale by incorporating changes in building mass or direction, sheltering roofs, a distinct pattern of divisions on surfaces, windows, trees, and small scale lighting.
  - b. No new buildings or contiguous groups of buildings shall exceed a combined contiguous building length of three hundred feet (300').
2. Public spaces shall be provided as follows:
  - a. One square foot of plaza, park, or public space shall be required for every ten (10) square feet of gross building floor area.
  - b. Plazas or public spaces shall incorporate at least three (3) of the five (5) following elements:
    - i. Sitting space of at least one sitting space for each two hundred fifty (250) square feet shall be included in the plaza. Seating shall be a minimum of sixteen inches (16") in height and thirty inches (30") in width. Ledge benches shall have a minimum depth of thirty inches (30");
    - ii. A mixture of areas that provide shade;
    - iii. Trees in proportion to the space at a minimum of one tree per eight hundred (800) square feet, at least two inch (2") caliper when planted;
    - iv. Water features or public art; and/or
    - v. Outdoor eating areas or food vendors.

**Finding:** This standard does not apply.

N. Any new development shall comply with the intent of the purpose statement of the zoning district and specific design regulations found within the zoning district in which the project is located as well as adopted master plan policies, the city's adopted "Urban Design Element" and design guidelines governing the specific area of the proposed development. Where there is a conflict between the standards found in this section and other adopted plans and regulations, the more restrictive regulations shall control.



**Finding:** The proposed buildings generally meets the Central City Master Plan by providing a variety of housing consistent with neighborhood densities. The reduced lot widths and frontages allow varied facades; however the overall frontage still meets the proposed zoning requirements. The density is consistent with the Central City Master Plan.

**21A.59.020 Authority:**

Design review shall be required pursuant to the provisions of this chapter for uses as specified within individual zoning districts before zoning certificates, building permits or certificates of occupancy may be issued.

A. The planning commission shall approve design criteria upon consideration of comments received from city departments and determining whether modification of specific design regulations meets the intent of the individual zoning district.

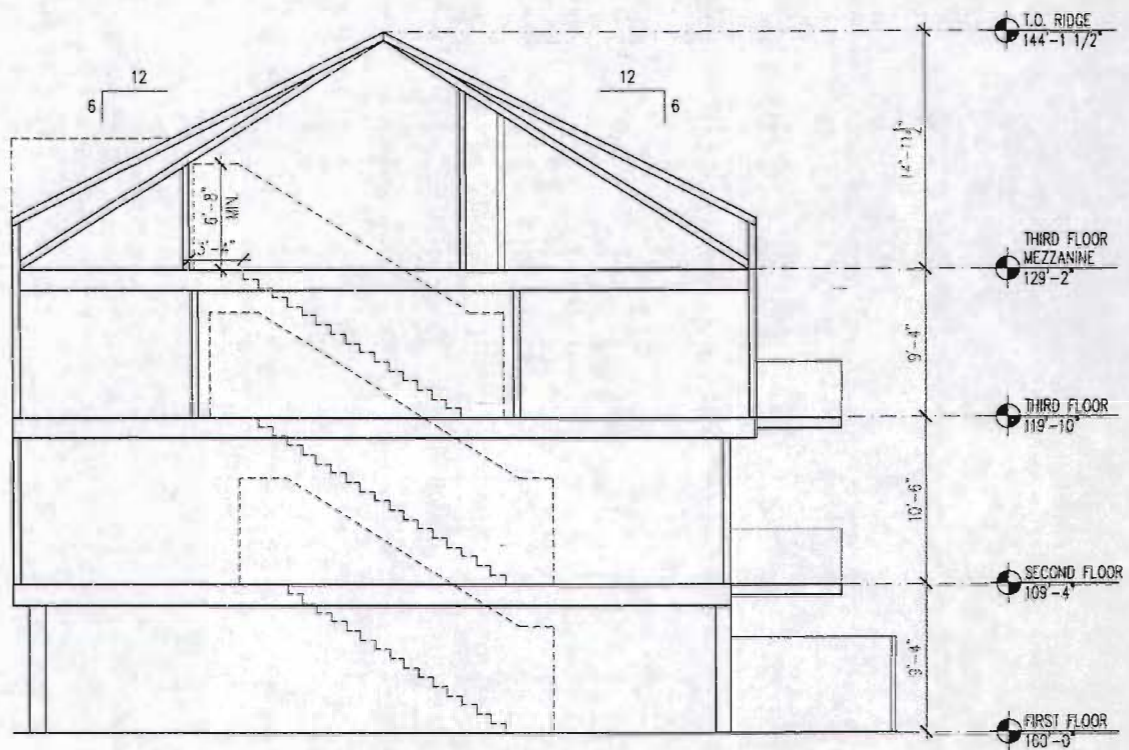
B. The planning commission may modify individual design requirements for specific projects if they find that the intent of the basic design criteria of the zoning district has been met. (Ord. 3-05 § 11, 2005)

**Finding:** The project generally meets the intent of the design standards.

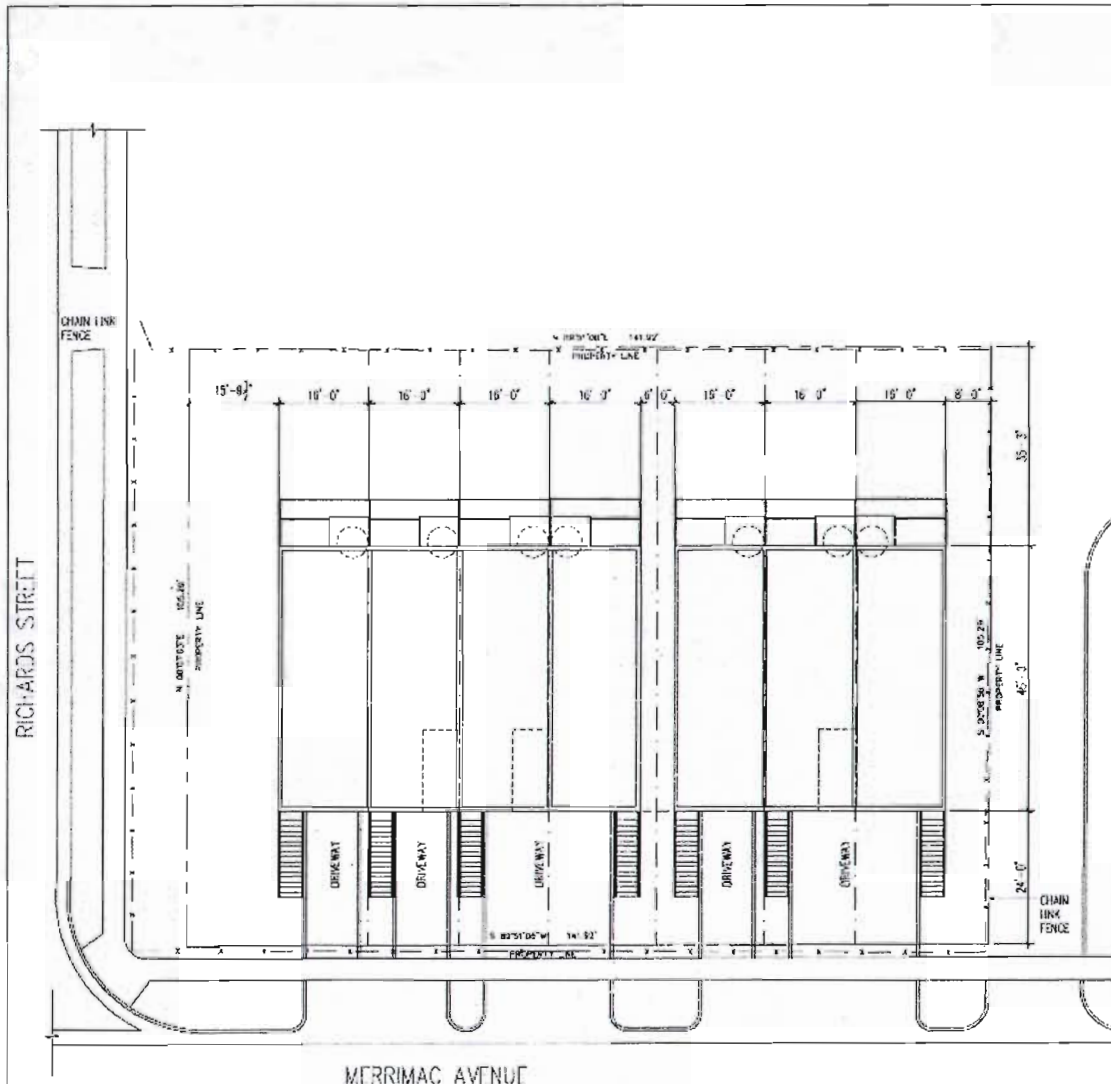
The petitioner is specifically wishing to modify the lot widths, square footage, setbacks and tandem parking to accommodate the project. The overall project meets the larger frontage and square footage requirements and meets the parking number requirements.

**Attachment A**  
Site Plan and Elevation Drawings

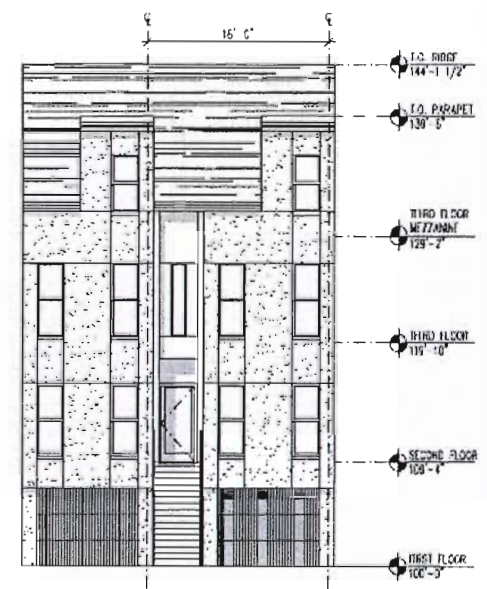




DATE: 05.29.09	MERRIMAC TOWNHOUSES	PRELIMINARY BUILDING SECTION	P.M.A. 171 WEST PIERPONT AVE. SALT LAKE CITY UTAH 84103 PH: 521-9111 FX: 521-9158	A3.1A
1/8" = 1'-0"	38 WEST MERRIMAC SALT LAKE CITY, UTAH 84115	3.1A	PRESCOTT MUIR ARCHITECT	



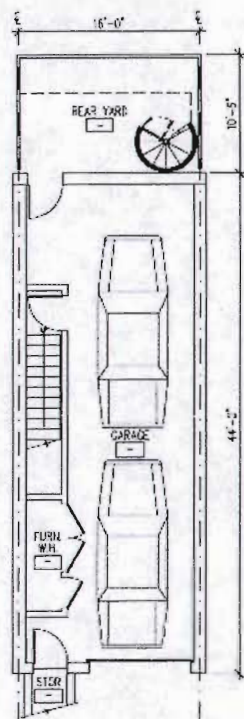
SITE PLAN  
1/8" = 1'-0"



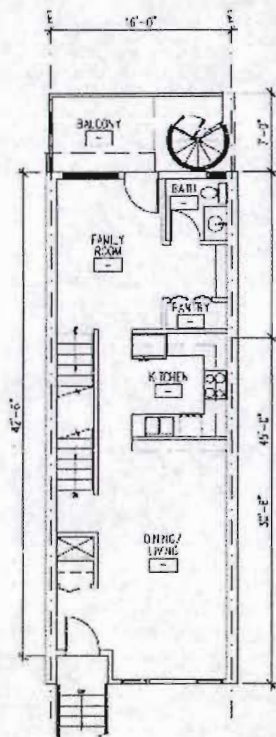
EXTERIOR ELEVATIONS  
1/8" = 1'-0"

PRESCOTT MAIR ARCHITECT  
 171 WEST PERCIVAL AVE • SALT LAKE CITY, UTAH 84101  
 TEL: 801.527.9111 FAX: 801.521.9158  
 171 WEST PERCIVAL AVE • SALT LAKE CITY, UTAH 84101  
 TEL: 801.527.9111 FAX: 801.521.9158  
 MERRIMAC TOWNHOUSES  
 171 WEST PERCIVAL AVE  
 SALT LAKE CITY, UTAH 84101  
 DATE: 10/10/00  
 DRAWN BY: JAC  
 CHECKED BY: JAC  
 PROJECT: 001  
 SHEET: 001  
 NOT FOR CONSTRUCTION

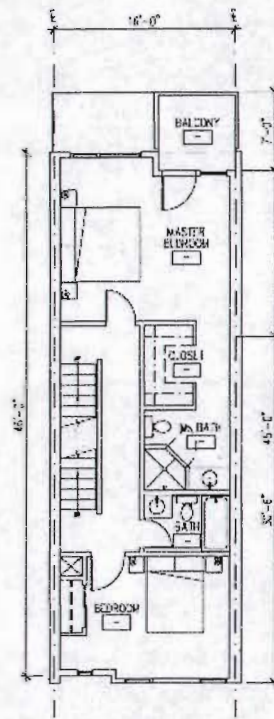




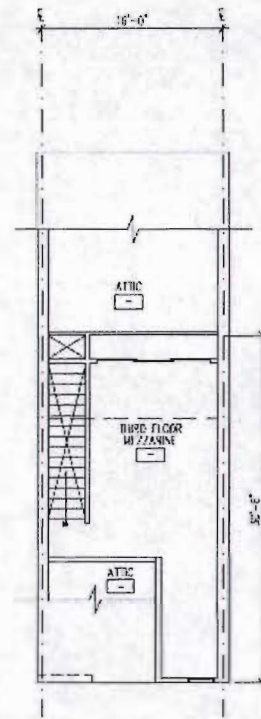
FIRST FLOOR PLAN  
1/8"=1'-0"



SECOND FLOOR PLAN  
1/8"=1'-0"



THIRD FLOOR PLAN  
1/8"=1'-0"



THIRD FLOOR MEZZANINE  
1/8"=1'-0"

PRESCOTT MUIR ARCHITECTS • 171 WEST PERROW AVENUE • SALT LAKE CITY, UTAH 84103 • TEL: 801.527.9111 FAX: 801.527.9158

MERRIMAC TOWNHOUSES

DATE: 11/11/01  
BY: [Signature]  
CHECKED: [Signature]  
SCALE: 1/8"=1'-0"

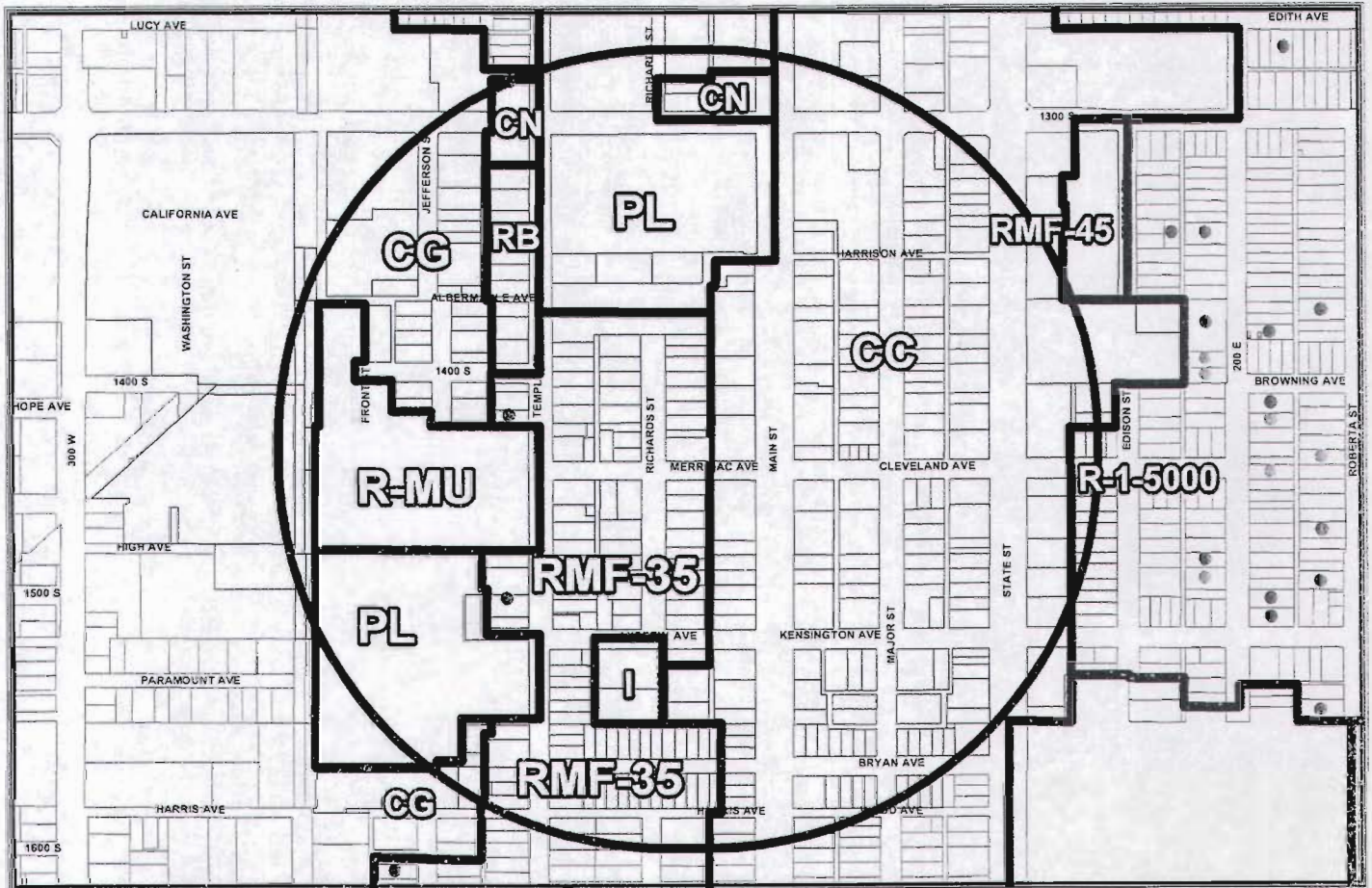
A1.1

NOT FOR CONSTRUCTION

FLOOR PLAN

**Attachment B**  
Conditional Use Map





- Conditional Uses in Residential Districts
- 3-4 Dwelling Units NonConforming Uses
- Multi-Family NonConforming Uses
- Commercial/Office NonConforming Uses

□ Subject Property

○ 1320 Foot Buffer around the Subject Property

□ Parcels that Intersect the 1320 Foot Buffer around the Subject Property



## **Attachment C**

Planning Commission Subcommittee notes

## **Planning Commission Subcommittee**

**February 26, 2009**

### **Attendees:**

**Planning Commission:** Mary Woodhead, Mathew Wirthlin, and Susie McHugh

**Planning Division Staff:** Doug Dansie and Joel Paterson

**Applicant:** Merrimac Flats

**Background and Project Location:** 1440 South Richards Street (1770 South 38 West Merrimac) The applicant is Nathan Anderson, the Planning Commission approved the original project in March 2008.

### **Presentation in summary including changes to the project:**

A seven (7) unit townhome development with two car tandem garages. The applicant would like to rezone this property to be able to eliminate the unsafe alley way.

### **Staff/Subcommittee recommendation(s), comments and concerns:**

Commissioner Woodhead stated that the garages seemed like they would be an issue because they took up 50 percent of the front façade.

Mr. Anderson noted that this garage design had worked out at another project, off of 700 East.

Commissioner Wirthlin inquired about how the neighborhood had responded to the first part of this project that was approved last March.

Mr. Anderson noted that the project has helped cleaned up the area, and the neighbors liked the project.

Commissioner McHugh inquired if the project included fenced off backyards.

Mr. Anderson stated yes, private backyards were popular.

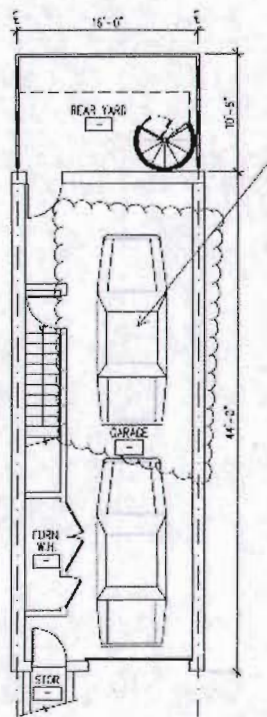
### **Conclusion:**

- **Commissioners agreed that this project was ready for a public hearing.**



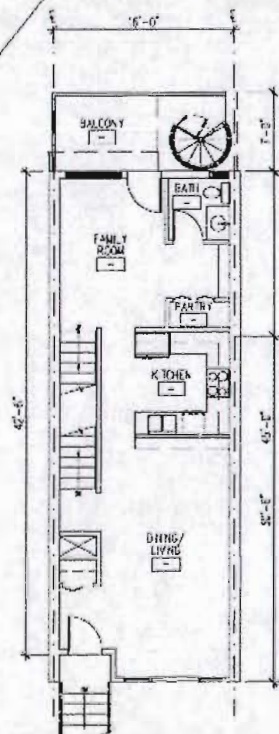
## **Attachment D**

Transportation Division redlines

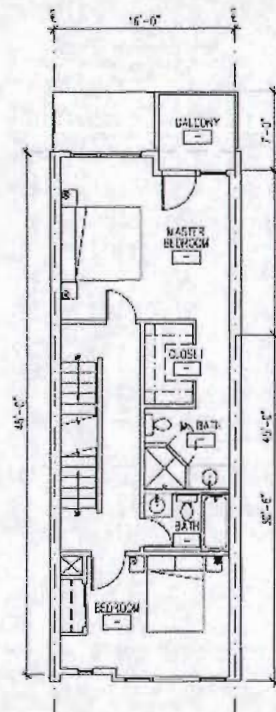


FIRST FLOOR PLAN  
1/8"=1'-0"

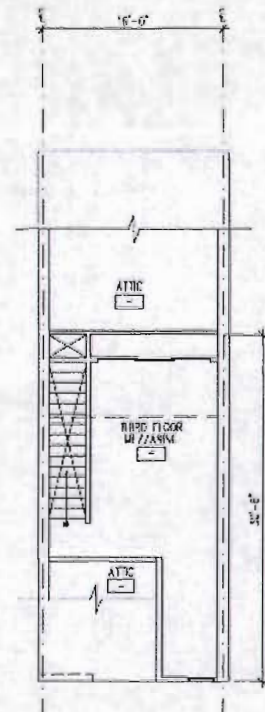
Tandem vehicle parking NOT recognized as fulfilling the required two stalls per residence.



SECOND FLOOR PLAN  
1/8"=1'-0"



THIRD FLOOR PLAN  
1/8"=1'-0"



THIRD FLOOR MEZZANINE  
1/8"=1'-0"

PRESCOTT MUIR ARCHITECT 171 WEST PERCOTT AVE SALT LAKE CITY, UTAH 84101 TEL: 801.527.9111 FAX: 801.527.9158

MERRIMAC TOWNHOUSES

14 WEST AMERICA  
SALT LAKE CITY, UTAH 84101

FLOOR PLANS

NOT FOR CONSTRUCTION



RICHARDS STREET

CHAIN LINK FENCE

N. GOREDOVE  
PROPERTY LINE

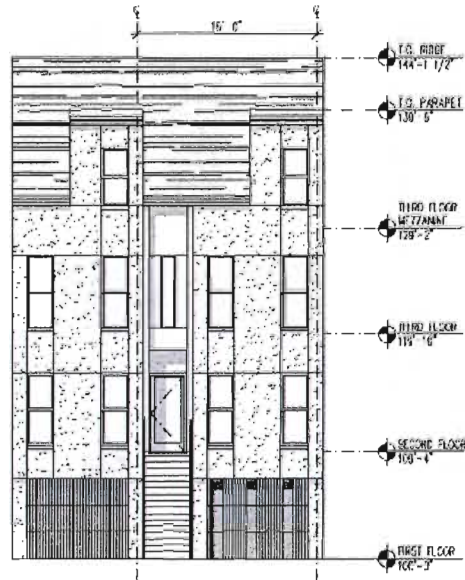
Driveway separation to be 12' between approaches.

MERRIMAC AVENUE

SITE PLAN  
1/8" = 1'-0"

Maximum driveway width is 30'.

EXTERIOR ELEVATIONS  
1/8" = 1'-0"



PRESCOTT MUIR ARCHITECT • 171 WEST PERCENT AVE • SALT LAKE CITY, UTAH 84101 • TEL: 801-521-9111 FAX: 801-521-9158

MERRIMAC TOWNHOUSES

ALL WORK MEASUREMENTS  
SHOWN IN FEET AND INCHES

A.C. 1

NOT FOR CONSTRUCTION

SITE PLAN



## **Attachment E**

Photo of similar project at 700 North and 300 West







**We the neighbors of "Merrimac Flats" PETITION the SLC Planning to NOT rezone for the following reasons.**

- DOES NOT CONFORM to the character, style of existing single level homes.
  - RENTER/OWNER RATIO is already high. Higher police costs.
  - PARKING is already a problem from the Franklin Covey Ballfield
  - UNFAIR TO EXISTING OWNERS that bought their homes knowing zoning kept 75ft. tall buildings / hi-density from being built next door.
  - THE DEVELOPER bought his ground knowing what the zoning allowed.
  - LOWER TAX REVENUES even though his unit has extra value, it won't offset the lower values of all our houses going to the Bd. of Equalization.
  - EXISTING ZONING IS FINE without change, allowing 5 units where **one single house stood 6 years ago** is bad enough.
- 



Pic of one level house next to 3 level bldg.

My home adjoins the North property line of the property asking for the rezoning. This picture shows the exact same situation where the house on the North of the building NEVER SEES THE SUN. In the winter the whole yard is in the shade.

All the house sees is the apartment windows looking into his.

I've lived on this block for 62 years, PLEASE DON'T CHANGE THE ZONING AND ALLOW THIS TO HAPPEN TO MY HOME. GARY CASH  
1415 Richards St.





## **PUT YOURSELF IN OUR SHOES**

**THESE ARE ALL 14 HOUSES ON RICHARDS ST.**

**ALL ARE SINGLE STORY, SINGLE FAMILY HOMES.**

**ALL FAMILIES LOVE THE NEIGHBORHOOD AND  
MAINTAIN THEIR HOMES GREAT.**

**THERE IS NO BLIGHT TO "CORRECT" BY REZONING  
AND ALLOWING 3 STORY (75 ft.) HI-DENSITY.**

**PLEASE DO NOT RE-ZONE**

**PLEASE DO NOT APPROVE 3 STORY BUILDINGS.**

**PLEASE ALLOW ONLY SIMILAR STRUCTURES.**

**THANK YOU,  
100% of THE NEIGHBORHOOD**





## Hansen, Tami

---

**From:** Dansie, Doug  
**Sent:** Tuesday, June 23, 2009 3:38 PM  
**To:** Hansen, Tami  
**Cc:** Love, Jill  
**Subject:** FW: Merrimac Flats Townhouse Development, Planning hearing tomorrow  
  
**Categories:** Other

---

**From:** Eric Quilter [mailto:EQuilter@eVeriTesT.net]  
**Sent:** Tuesday, June 23, 2009 1:24 PM  
**To:** Dansie, Doug  
**Subject:** Merrimac Flats Townhouse Development, Planning hearing tomorrow

Doug,

I am the CEO of Compliance Information Systems and WorkForceQA, two businesses that reside on the corner of Merrimac and Main. I am also the managing partner of 1430 Partners, LLC, the entity that owns the property and building. From what I've found on the web, the planning commission appears to be leaning towards approval of a zoning modification from 5 to 7 units, as well as changing the setbacks. I will not be able to be present at tomorrow's hearing due to a scouting commitment, however I would like to make sure that my concerns are made known. I've been relieved years that the owner hasn't build a 5-unit structure on the property. I was completely aghast that he's now asking for seven!

Just because there's a massive, multi-story project on West Temple doesn't mean the same density, even on a much smaller scale, fits on Merrimac, even if it is just down the street. Anything more than a two-story residence, even if it's a duplex or triplex, would be totally inconsistent with this neighborhood. Street parking is already an issue. Since I've owned our building, I've been encouraged by direction the neighborhood is taking- pride of ownership, sprucing up and remodeling of single family homes. We were able to take a building that used to be junkie-central and convert it into a viable and low-profile office structure. We limited our two-story development of the building out of sensitivity to our residential neighbors and to keep the Merrimac frontage consistent with the residential look.

Sticking a multi-story, seven unit structure that towers over the adjacent properties is going the wrong direction, even if it's called a "townhouse" project. Please forward this Jill Remington-Love.

### Eric Quilter

*President and CEO*

Compliance Information Systems // [www.complianceinfosystems.com](http://www.complianceinfosystems.com)  
e. [equilter@everitest.net](mailto:equilter@everitest.net) | p. (801) 461.9601 | f. (801) 463.6792







In regards to the MERRIMAC FLATS PROPOSAL before you June 10, '09.

For the above reasons, we the undersigned residents of Richards St ,  
(Merrimac Ave. north to the cul-de-sac)

are asking all arms of the Salt Lake City Planning & Zoning to;

NOT CHANGE ZONING (do not allow 75ft. 3 story, hi-density bldgs).

NOT APPROVE – the 3-story planned development being applied for.

1418 Ben Blume  
BEN BLUME

1381 Ernie Fyles  
Ernie Fyles

1422 Mike & Kim Thomson  
MIKE/KIM THOMSON

1404 Christopher Glade  
Christopher Glade

1406 Raemie Ugallas  
Eric Ugallas

1407 Richards St  
Chasoom

1399 Alfred J. Peg

1415 Gary Cash  
Gary Cash

1399 Melade Livingston

1400 Tiffiny Tafuya  
Tiffiny Tafuya

1395 Peggy

1411 Flarett Baelham  
Flarett Baelham

1396 Valora Nolan

1414 Mark

1388 Stanley Bankhead  
STANLEY BANKHEAD

Red Line 1430  
EAST PROPERTY LINE 1430

Every house on block represented  
100% passionately AGAINST



In regards to the MERRIMAC FLATS PROPOSAL before you June 10,'09.


For the above reasons, we the undersigned residents of Richards St & Merrimac Ave. to the **south** of the proposed building.

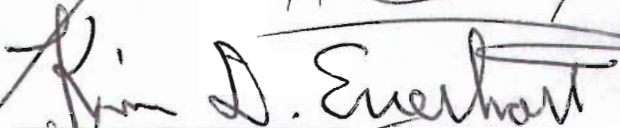
are **asking** all arms of the **Salt Lake City Planning & Zoning** to;

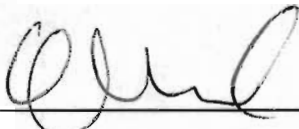
**NOT CHANGE ZONING** (do not allow 75ft. 3 story, hi-density bldgs).

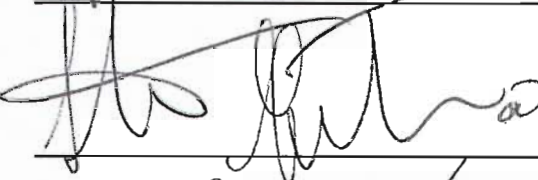
**NOT APPROVE** – the 3-story planned development being applied for.

 1461

 1431

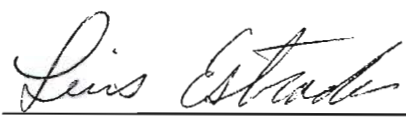
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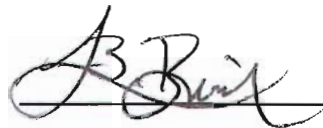
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## Dansie, Doug

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**From:** Chris Derbidge [chris@autonomysoftware.com]  
**nt:** Monday, June 15, 2009 10:28 AM  
**o:** Dansie, Doug  
**Subject:** RE: Merrimac Flats Townhouse Development  
  
**Categories:** Other

Yes please, but not just as my comments, I would like some answers to my questions, even if the answer is, there is no answer that can address my concerns.

---

**From:** Dansie, Doug [mailto:Doug.Dansie@slcgov.com]  
**Sent:** Monday, June 15, 2009 9:51 AM  
**To:** Chris Derbidge  
**Subject:** RE: Merrimac Flats Townhouse Development

Thank you Chris  
Do you want me to forward this to the Planning Commission

Doug

---

**From:** Chris Derbidge [mailto:chris@autonomysoftware.com]  
**Sent:** Friday, June 12, 2009 4:22 PM  
**o:** Chris Derbidge; Dansie, Doug  
**Subject:** RE: Merrimac Flats Townhouse Development

I forgot to include my contact information, here it is:

Christopher Derbidge  
1407 Richards Street  
Salt Lake City, UT 84115  
(801) 641-3979

---

**From:** Chris Derbidge  
**Sent:** Friday, June 12, 2009 4:21 PM  
**To:** 'doug.dansie@slcgov.com'  
**Subject:** Merrimac Flats Townhouse Development

Doug:

You and I talked yesterday about the Merrimac Flats Townhouse Development. I just got off the phone with Nathan Anderson after he returned my call regarding this project. He was defensive, argumentative, and yelling at times. I kept asking him to calm down so that we could discuss my concerns, but he felt that my concerns were not for him to address. I maintained my cool and still plan to, despite his insults. I feel as though I need to state my concerns and have him or the city reasonably address those concerns. I have some recommendations to address those concerns.

Here are my list of concerns

1. Privacy – I live a few lots away North at 1407 Richards Street from the proposed back side of this development. The plans in the pamphlet show a third story balcony which is in a direct line of site of my back yard were my family and I like to take private refuge from time to time. The idea of a third story balcony overlooking my back

yard from seven different residents makes my wife and I feel uncomfortable as we feel it will take away from our current felt privacy while we are back there with our children. Currently we have been trying to save up enough money to build a privacy fence to give it even more privacy, but feel that the third story patio will again take away from that investment.

- Nathan has addressed this concern by stating that the plans in the file are incorrect and not current with his latest drawings. He stated that there will only be a second story deck or patio in his development.

2. Current Plans – If the handout was incorrect and his plans are different, I would like to see the updated plans. I want to ask that a second story deck be the second story of the building and not a second story living area where the bottom garage story is not counted. Nathan also indicated that the 700 North and 300 West structure was not like what he was planning to build. He referred me to the elevation drawings in the handout for a more accurate representation, but then admitted that the plans had changed. The plans do not show what kind of siding or façade will be placed on the building so that we can get an idea of how it will blend into the neighborhood. I would just like to request that we have an up to date plans so that we can see what kind of structure will be built to support his rezoning.
3. Rentals – Nathan said that if I objected to his plan to rezone this lot allowing him to build seven units instead of five units, then he go for the cost effective approach and build the cheapest 5 unit apartment he could and begin to rent the units. I find this concerning, because the other day he represented himself as the good neighbor, and promised that no units built would ever be rented out while he owned the properties. It causes me to feel as though he is not being honest with the council or with the residents about his plans.
4. Building what is being proposed – You and I discussed that the city could bind the developer's petition for rezoning to the exact building plan that he submitted. And, that if that same plan did not begin construction within a year that it would expire and the rezoning would not go into affect. I like this proposal so I asked Nathan if I changed my objection to an approval would he be fine with this restriction. I indicated that I am not completely against what I know about the design. I just want a reassurance that he is not using the rezoning as a way to get out from under the lot in an effort to increase its value and then just resale the lot leaving the design open and allowing him or someone else to put some other much less desirable structure on the lot. He told me that Obama's legislation had caused a pouring of money into the economy that may inflate the dollar, this may preventing him from being able to obtain financing and build on this lot right away. And that he would want to be able to keep the new zoning in place so that he could sit on the property for four to five more years and sell it or build on it. He acknowledged that he is upside down on this investment now and is wanting this zoning to change so that he can get out of the woods. Again, if we can tie the rezoning to the final plans, and I am ok with the plans then I am willing to change my objection given my parking concerns are reasonably address by the developer or the city.
5. Parking – Adding seven more units to this lot will push additional traffic and limit parking on Richards street where I live a few doors down. We already have parking problems on the street because most residents do not have a driveway and need to use the street. The ongoing baseball games further exacerbate this problem and parking enforcement has not been able to reasonably stop this from reoccurring. Because, the current plan does not address visitor parking I feel as if the City needs to address this problem if they plan on letting the developer put such a high concentration of units on his lot, without leaving enough space on the adjoining curb to provide extra parking. If the developer or the city was willing to leave the street open to the public, but restrict vehicle parking to only local residents and friends of those who have a Richards Street address then I would be inclined to approve this development. The only way I can think of that would accomplish this is to put an electronic gate on Richards street, but still allow foot traffic through on the sidewalks. This would solve the problem where visitors coming to these seven new homes will park up and down our streets blocking our driveways and preventing our neighbors from being able to maintain their right of way and park in front of their own homes. Here is good example of what has transpired here because of the recently build apartment complex at Merrimac and West Temple: Residents of the apartment complex, and there visitors like to park on both sides of West Temple and up and down Merrimac. On three different occasions as I was turning right on West Temple to head north, I have had to back up from my right hand turn because a Semi truck heading south does not have enough room in his lane and has to drive in the middle of West Temple to avoid hitting the parked cars. Adding additional high concentration of residential units to Merrimac will no doubt create more parking problems and push that problem even more onto Richards street.

Another Concern - Nathan feels that he is only obligated to come in once a year to care for his property and landscaping. I let him know that it will take much more effort than once a year to maintain his lot. This past winter he also ignored the City's snow removal ordinances. The out of control weeds that are growing on his property are creating a bit of a public health concern. I take our family dog on walks using the sidewalk adjacent to his lot regularly. I now have to avoid the sidewalk near his lots because of the enormous build up of foxtails near the sidewalk and blowing around the street during storms. Last fall, our family dog Ripley had a foxtail penetrate his foot and it cause a severe infection. The resulting Veterinarian bill was near \$300 to have him seen and treated.



## Hansen, Tami

---

**From:** Dansie, Doug  
**Sent:** Tuesday, June 23, 2009 3:38 PM  
**To:** Hansen, Tami  
**Cc:** Love, Jill  
**Subject:** FW: Merrimac Flats Townhouse Development, Planning hearing tomorrow

**Categories:** Other

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**From:** Eric Quilter [mailto:EQuilter@eVeriTesT.net]  
**Sent:** Tuesday, June 23, 2009 1:24 PM  
**To:** Dansie, Doug  
**Subject:** Merrimac Flats Townhouse Development, Planning hearing tomorrow

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### Eric Quilter

*President and CEO*

Compliance Information Systems // [www.complianceinfosystems.com](http://www.complianceinfosystems.com)  
e. [equilter@everitest.net](mailto:equilter@everitest.net) | p. (801) 461.9601 | f. (801) 463.6792

## **SALT LAKE CITY PLANNING COMMISSION MEETING**

**In Room 326 of the City & County Building**

**451 South State Street, Salt Lake City, Utah**

**Wednesday, June 24, 2009**

Present for the Planning Commission meeting were Chair Mary Woodhead and Vice Chair Susie McHugh; Commissioners Michael Gallegos, Angela Dean, Michael Fife, Tim Chambless, Kathleen Hill, Matthew Wirthlin, Frank Algarin, and Babs De Lay. Commissioner Prescott Muir was excused.

A work session was held prior to the meeting regarding long range and general plan approaches; updates on the North Temple plan, the Euclid area Plan, and the Sustainable Community Development Code Revision project. Planning Commissioners present were: Chair Mary Woodhead and Vice Chair Susie McHugh; Commissioners Michael Gallegos, Angela Dean, Prescott Muir, Michael Fife, Tim Chambless, Kathleen Hill, Matthew Wirthlin, Frank Algarin, and Babs De Lay. Staff members present were: Wilford Sommerkorn, Pat Comarell, Cheri Coffey, Nick Norris, Nick Britton, and Tami Hansen.

A roll is being kept of all who attended the Planning Commission Meeting. Chair Woodhead called the meeting to order at 5:48 p.m. Audio recordings of the Planning Commission meetings are retained in the Planning Office for an indefinite period of time. Planning staff members present at the meeting were: Wilford Sommerkorn, Planning Director; Cheri Coffey, Programs Manager; Paul Neilson, City Attorney; Doug Dansie, Senior Planner; Everett Joyce, Senior Planner; and Tami Hansen, Planning Commission Secretary.

Commissioner Muir recused himself from the meeting.

5:49:26 PM **Approval of Minutes from Wednesday May 27, 2009 and June 10, 2009.**

**Commissioner McHugh made a motion to approve the May 27, 2009 Planning Commission minutes. Commissioner De Lay seconded the motion. All in favor voted, "Aye". The minutes were approved.**

**Commissioner McHugh made a motion to approve the June 10, 2009 Planning Commission minutes, with noted changes. Commissioner Dean seconded the motion. All in favor voted, "Aye". The minutes were approved. Commissioners De Lay, Algarin, and Wirthlin abstained.**

5:51:08 PM **Report of the Chair and Vice Chair**

Chair Woodhead noted that neither she, nor Vice Chair McHugh had anything to report.

5:51:14 PM **Report of the Director**

Mr. Sommerkorn stated that there would only be one Planning Commission meeting for the month of July, which would take place on July 8, as scheduled.



**5:52:36 PM Public Hearings**

**Continued from June 10: Merrimac Flats Townhouse Development**—a request from City and Resort Properties, LLC, represented by Nathan Anderson, for Planning Commission approvals to allow for the development of seven single-family attached dwelling units at approximately 38 West Merrimac Avenue. The project is located in Council District Five, represented by Jill Remington-Love. View: [Rezone Staff Report](#), [Planned Development Staff Report](#)

- a. **Petition PLNPCM2008-00679**—a request to rezone the property from RMF-35 residential multi-family medium density development to RMF-75 residential multi-family high density zoning classification. The applicant wishes to increase the potential density from five to seven units.
- b. **PLNSUB2009-00417**—a request for planned development approval to modify the lot size and street frontage requirements to ensure the proposed project is consistent with neighborhood setbacks.

Commissioner De Lay recused herself from the meeting.

Chair Woodhead noted that this petition was continued because a piece of the staff report was missing at the June 10 meeting.

Chair Woodhead recognized Doug Dansie as staff representative.

Mr. Dansie stated that the Commissioners should have received additional materials including: a zoning map from 1994, which indicated that the zoning was R-6 High Density Housing. He stated that there were some comments made that this area was down-zoned recently; however, in 1995 the entire City was rezoned, which was when this area was actually down-zoned to RMF-35. He stated that this site has an over-the-counter right to build five (5) units on it as it is.

Chair Woodhead inquired if that was based on zoning and not on the petition that was granted a year ago by the Commission.

Mr. Dansie stated the Commission's decision did not affect these petitions because that decision had a one year time limit to take out a permit, which was not done. He stated that the Commission had the option of asking the applicant to redesign this to five unit townhomes.

Mr. Dansie stated that the Commission should have received a petition signed by the neighbors on Richards Street, which was supplied by Gary Cash. He stated that Chris Durbage was concerned about privacy and having a tall building built in the area. He also raised some concerns about rental and parking issues and suggested gating Richards Street, which is problematic because it is a public street. Mr. Dansie stated that there were gated communities in the City, but they were all private.

Commissioner Chambless inquired if there would be subsurface development.

Mr. Dansie stated that was allowed, but the applicant chose to put parking on the ground level, and a basement would not be underneath that.

Commissioner Hill inquired what the maximum height was under the existing zoning, and the number of units the applicant planned on building on the lot.



Mr. Dansie stated the maximum height allowed was thirty-five (35) feet to the midpoint of the pitch, and five units were allowed in the zone.

Commissioner Hill inquired if the zoning was changed as proposed, what would be the maximum height allowed.

Mr. Dansie stated that it would be seventy-five (75) feet, but through the planned development process conditions could be attached to the specific approval of the petition to limit it to whatever height the Commission felt was appropriate.

Commissioner Fife inquired if the approval the applicant received in 2008 was expired.

Mr. Dansie stated yes, it expired in March of 2009.

Vice Chair McHugh inquired if the approval of the zoning could state that the height of the structure would be limited to forty-four (44) feet.

Mr. Sommerkorn stated no, not by changing the zoning. That request would have to be part of the planned development agreement.

Chair Woodhead stated that when that agreement expired, the next owner could come in and build up to seventy-five (75) feet.

Mr. Sommerkorn stated that was a possibility, but in the past the City Council had not implemented the rezone until the development agreement was executed and begun, but if the development did not go forward the zoning would not be changed.

Commissioner Dean stated for clarification that this was technically a four story structure because there were three living spaces above a first story garage.

Mr. Dansie stated that was correct there would be a garage on the first level, two full levels, and a full level in the dormer.

Commissioner Dean stated that this was surrounded by single-story residences.

Mr. Dansie stated that was correct and directly to the west there was a split-entry duplex.

Chair Woodhead inquired within the existing zoning what structures are allowed.

Mr. Dansie stated that a three-story structure with a dormer could still fit in to that zoning.

Commissioner Dean stated that a few months ago there was a petition for a rezone request for an apartment building to up the zoning and the Commission denied it, she inquired why staff felt that should be done here.

Mr. Sommerkorn stated that in that case that increase would not be in keeping with the existing plan, and that was the grounds the Commission used for denial. He stated that this petition was not inconsistent with the master plan and the area was currently zoned RMF-35, which did allow for increased densities in that area. He stated that the requested additional zoning would still be within the parameters of what the master plan allowed.



Mr. Dansie stated that the Central City master plan called for medium-density housing and the RMF-35 zoning technically is for medium-density housing.

Commissioner Dean argued that density was one thing, but a height of 35 to 75 feet was a pretty large jump. It was almost moving from single to multi-family housing in terms of compatibility.

Commissioner Hill stated that this did not seem compatible in scale or style with the neighborhood. She stated that the developmental guidelines were supposed to keep new developments complimentary to the neighborhood.

Chair Woodhead stated that was not necessarily a comparison between this project and an ideal project; it was a comparison of this project and other possibilities that may not be as good as this, like an apartment building.

6:11:51 PM **Motion**

**Commissioner Dean made a motion regarding Petition PLNPCM2008-00679 to rezone 38 West Merrimac (or 1429 Richards Street) from RMF-35 to RMF-75. Based on the staff report and discussion, the Planning Commission forwards a negative recommendation to the City Council.**

**Commissioner Hill seconded the motion.**

**Commissioners Fife, Hill, Algarin, Dean, Chambless, Wirthlin, McHugh, and Gallegos voted, "Aye". The motion passed unanimously.**

6:12:58 PM **Motion**

~~**Commissioner Fife made a motion regarding Petition PLNSUB2009-00417; Planned Development located at 38 West Merrimac (or 1429 Richards Street), the Planning Commission moves to deny the petition based on the fact that the rezone petition (PLNPCM2008-00679) was forwarded to the City Council with a negative recommendation.**~~

~~**Commissioner Dean seconded the motion.**~~

Discussion of the motion regarding PLNSUB2009-00417

Commissioner Wirthlin stated that he was not in favor of this motion because the applicant should be given a chance if they wished to come back with a petition that is consistent with the previous recommendation to deny the rezone.

Commissioner Chambless inquired if the Commission did that, would the public hearing be reopened.

Chair Woodhead stated that this would yield a new petition and a new hearing.

Commissioner Fife stated that he understood that the applicant could build a five unit development without going through the Planning Commission.

Commissioner Dean stated that was correct, but in order to build a townhome format, the Commission would need to approve the development.



Chair Woodhead stated that was correct, the townhome format did not comply with all the specific zoning rules and planned unit development approval was necessary in order to allow some flexibility in the application of the ordinance.

*Commissioner Fife stated he would like to withdraw his motion.*

*Commissioner Dean stated she would withdraw her second.*

**6:15:39 PM Motion**

**Commissioner Wirthlin made a motion regarding Petition PLNSUB2009-00417; 38 West Merrimac Planned Development. The Planning Commission moves to continue this motion, to give the applicant a chance to come back with an application that mirrors the recommendation the Commission made to deny the rezone.**

**Commissioner Chambless seconded the motion.**

**Commissioners Fife, Hill, Algarin, Dean, Chambless, Wirthlin, McHugh, and Gallegos voted, "Aye". The motion passed unanimously.**

Mr. Dansie inquired if the Commission wanted this application to go through a subcommittee first or just to a future Commission meeting.

Chair Woodhead stated she did not think it needed to go to a subcommittee again.

Commissioner De Lay rejoined the meeting.

**6:16:54 PM Petition PLNPCM2009-00616, Zoning Text Amendment**—The Planning Division is reviewing a petition requested by Mayor Becker to amend the Salt Lake City Zoning Ordinance, to allow "public parks" in the Public Lands Zoning District. The proposed text change affects all properties zoned Public Lands citywide.  
View: Staff Report

Chair Woodhead recognized Everett Joyce as staff representative.

Mr. Joyce stated that this ordinance amendment would allow the City to place a public park in a Public Land zoning district. He stated that the zone was originally created for public lands like school districts, but there was a piece of property that a school district did not need, they sold it to the City and the process was started to develop a public neighborhood park on that land. Mr. Joyce stated that this zoning change was necessary to accomplish that.

Commissioner Chambless inquired when the City started creating pocket parks with pieces of land like this in the City.

Mr. Joyce stated that this text amendment would not effect an interior block, but the pocket parks would have been created in the late 1970s and 80s starting in the East Central neighborhood.



**6:19:01 PM Public Hearing**

Chair Woodhead opened the public hearing portion of the petition. She noted that no one was present to speak and closed the public hearing.

**6:19:21 PM Motion**

**Commissioner De Lay made a motion regarding Petition PLNPCM2009-00616; Fine Tuning Zoning Text Amendment based on the findings in the staff report, the Planning Commission finds that this does meet the applicable standards and transmits a favorable recommendation to the City Council.**

**Commissioner Chambless seconded the motion.**

**Commissioners De Lay, Fife, Hill, Algarin, Dean, Chambless, Wirthlin, McHugh, and Gallegos voted, "Aye". The motion passed unanimously.**

**6:20:26 PM Petition No. PLNPCM2009-00643, Salt Lake City Code Maintenance; Fine Tuning text amendments**—a request by Salt Lake City Mayor Becker to analyze the feasibility of amending the City Zoning Ordinance to provide for clarity and efficiency of use as part of an ongoing process of code maintenance. The following issues are being considered: [View: Staff Report](#)

1. Chapter 21A.36 Home Day Care and Home Occupations: Allow home day care and home occupations in legal conforming single family and duplex properties that are located within commercial or other non-residential zones.
2. Chapter 21A.36 General Provisions: Add the (MU) Mixed Use Zoning District to the Assisted Living, Nursing Care, Small Group Homes, Large Group Homes, Adult Day Care and Child Day Care uses listed in Chapter 36.
3. Chapter 21A.40 Accessory Uses, section 21A.40.090E: Add the (MU) Mixed Use Zoning District to the table (wireless communications facilities)
4. Chapter 21A.26 Commercial Districts: Amend 21A.26.080 Table of Permitted and Conditional Uses. Allow single-family and duplex uses as part of a mixed use development in the CN Zoning District.
5. Chapter 21A.46 Signs, section 21A.46.110 Signs, Corporate Flag: Allow additional anchoring at the bottom of flag to prevent excessive movement. These text changes are Citywide.

Chair Woodhead recognized Everett Joyce as staff representative

**6:23:05 PM Public Hearing**

Chair Woodhead opened the public hearing portion of this petition. She noted that there was no one present to speak and closed the public hearing.

**6:23:28 PM Motion**

Commissioner De Lay made a motion regarding Petition PLNPCM2008-00643, based on the findings listed in the staff report and the fact that this petition generally meets the applicable standards, the Planning Commission transmits a favorable recommendation to the City Council.

Commissioner Algarin seconded the motion.

Commissioners De Lay, Fife, Hill, Algarin, Dean, Chambless, Wirthlin, McHugh, and Gallegos voted, "Aye". The motion passed unanimously.

**6:24:19 PM Briefing**

**Petition PLNPCM2009-00168; Northwest Quadrant Master Plan**—a request by the City Council to develop a community master plan for the Northwest Quadrant. The Northwest Quadrant includes the incorporated area of the City located between the Bangerter Highway and the west City limits (8800 West) from 2100 South to the north City limits (3700 North). A public hearing on the matter will be held at a future date. There will be no decision made at this meeting. The community is located in City Council District One, represented by Carlton Christensen and in City Council District Two, represented by Van Turner (View the plan at: [www.slcgov.com/CED/planning/pages/NWQMasterPlan.htm](http://www.slcgov.com/CED/planning/pages/NWQMasterPlan.htm)). View: [Staff Report](#)

Chair Woodhead recognized Everett Joyce as staff representative.

Presentation by Bruce Meighen and Megan Moore from EDAW, Inc from Ft. Collins, CO.

*The meeting adjourned at 7:12 p.m.*

**This document, along with the digital recording, constitute the official minutes of the Salt Lake City Planning Commission held on June 24, 2009.**

***Go to FTR Gold at <ftp://ftrftp.slcgov.com/FTRPlayerPlusV21.exe> to download the digital recording.***

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Tami Hansen



## PLANNING COMMISSION STAFF REPORT

Merrimac Flats  
Planned Development Petition 410-07-45  
Subdivision Petition 490-08-07  
1440 S Richards  
(1419 S Richards and 38 W Merrimac).  
March 26, 2008



Planning and Zoning Division  
Department of Community  
Development

**Applicant:**

Nathan Anderson, City  
and Resort

**Staff:**

Doug Dansie, Senior  
Planner 535-6182  
[doug.dansie@slcgov.com](mailto:doug.dansie@slcgov.com)

**Current Zone:** RMF-35  
Moderate Density  
Multi-Family

**Master Plan**

**Designation:** The  
Central Community  
Future Land Use  
Designation is "Medium  
Density Residential" (15-  
30 dwellings units/acre).

**Council District:**

District 5,  
Councilmember Jill  
Remington Love

**Acreage:**

Approximately .343  
Acres

**Current Use:**

Vacant

**Applicable Land Use  
Regulations:**

- 21A.24.130 RMF-35
- 21A.54.080 Standards  
for Conditional Uses
- 21A.54.150 Planned  
Developments

**REQUEST**

The applicant requests preliminary approval to construct five (5) new residential single family attached units.

**Petition 410-07-45** – A request for Planned Development approval for site plan and design approval.

**Petition 490-08-07** – A request for Subdivision approval.

**PUBLIC NOTICE**

Notice of the March 26, 2008 public hearing was mailed on March 11, 2008 which satisfied the required fourteen day noticing provision for conditional uses and planned development requests.

**STAFF RECOMMENDATION**

Based on the comments, analysis and findings of fact outlined in this staff report, Staff recommends, subject to departmental requirements, that the Planning Commission grant Planned Development approval of Petition 410-07-57 and Subdivision approval for Petition 490-08-07 subject to the following conditions:

- 1. The site (including the park strip) must be irrigated with an automatic sprinkling system.
- 2. A subdivision plat, conforming to the requirements of Salt Lake City Zoning Ordinance be recorded with the Salt Lake County Recorders Office.
- 3. The applicant shall comply with all City Department and Division conditions as stated in this Staff Report.
- 4. The applicant shall show on the final plat an approved trash removal plan for the project.
- 5. Identification of parking designation of the five units needs to be identified on the final plat and in the condominium bylaws.
- 6. The Declaration of Covenants must be approved by the Salt Lake City Attorney for compliance with the State of Utah and Salt Lake City Code requirements. Prior to final plat recording, the Declaration of Covenants shall be executed and recorded.

- Salt Lake City Subdivision Ordinance, Section 20.08.210, Minor Subdivision and Section 20.20.020, Required Conditions And Improvements

**Attachments:**

- A. Elevations and Site Plans
- B. Department commitments

- 7. Any future redevelopment activity associated with the properties will require that all inadequate or absent public improvements be installed in accordance with the departmental comments noted in this Staff Report. Additionally, any future redevelopment will be subject to the requirements of the Zoning Ordinance.

**VICINITY MAP**





## **COMMENTS**

### **Public Comments**

The petition was presented to the People's Freeway Community Council. They voted to support the project with no objections.

### **Planning Commission Hearings**

The Planning Commission held a Planned Development sub-committee meeting on March 11, 2008. Questions were asked about green practices and affordability. No opposition or major concerns regarding the project were expressed.

### **City Department Comments**

The following comments were submitted to the Planning Division.

**Transportation Division:** The Transportation Division review comments and recommendations area as follows: Alley Access upgrades as needed, park strip trees to be reviewed by Bill Rutherford, street light up grades to be coordinated with Mike Barry, and public way upgrades to remove dead driveways and install new ones as required along with ADA ramps at the intersection etc.

The site plan needs to be revised to provide the minimum back out area for each garage parking space. Drainage needs to be addressed so that the common driveway does not surface drain across the public sidewalk.

The plat also needs to address the easement across each lot for the driveway.

**Public Utilities Department:** The Public Utilities Department has identified the following issues: All design and construction must conform to State, County, City and Public Utilities standards and ordinances. Water, sewer and storm drain design and construction must conform to Salt Lake City Public Utilities General Notes. This project will be required to install a master meter to serve the condominiums with culinary service. If required by the Fire Department, a new public fire hydrant can be connected to the existing public water main. If the location desired by the Fire Department for a new hydrant is on private property then the new hydrant must be routed through a detector check valve. Any other water services discovered during construction must be killed at the main per Salt Lake City Public Utilities standards. Plans must be submitted showing the routing of the culinary and fire services. The plan must also show all proposed pipe sizes, types, boxes, meters, detector checks, fire lines and hydrant locations. All meters and hydrants must be located a minimum five-feet outside of any drive approaches.

A new four-inch minimum PVC SDR-35 sewer lateral must be connected to sewer main. Any existing sewer lateral connections must be capped per Public Utilities standards.

If this site is over one acre and has more than 15,000 square feet of impervious area then the following would apply:

The development would be restricted to a maximum storm water discharge rate of 0.2 cfs per acre. Detention would need to be provided as needed to meet this flow requirement. Calculations must be approved by Public Utilities showing these conditions have been met. Public Utilities will not be responsible maintaining landscaping improvements within a detention area. Bubble-up inlets or sumps used as control structures in detention areas will be discouraged. Temporary and permanent erosion control within detention areas or ditches must be detailed.

A grading and drainage plan must be submitted for review and approval for this development. Fire Department approval will be required prior to Public Utilities approval.

Fire flow requirements, hydrant spacing and access issues will need to be resolved with the fire department.

**Engineering Division:** The Engineering states that determination will be made at a later date to determine need to update curb, gutter and sidewalk. The new driveway shall be constructed as per APWA Std. Dwg. #221 or 222, depending on the type of curb, gutter and sidewalk that exists on Richards Street. All of the public way improvements shall be constructed by a licensed contractor via a Permit to Work in the Public Way.

**Building Services:** This proposal was reviewed by the DRT on December 17, 2007 and had the following comments:

1. Conditional Use Planned Development Petition #410-07-45 approval required.
2. Consolidate two existing lots and create a new 5-lot Townhouse Subdivision Plat:
  - 38 West Merrimac – 15-13-231-014
  - 1419 South Richards – 15-13-231-015
3. Obtain new certified addresses for the five new lots.
4. Lots #2, #3, and #4 do not meet the 3,000 square foot minimum lot area. This must be waived and approved in the Planned Development process.
5. Townhouses do not meet the 20 foot minimum front yard setback. This must be waived and approved in the Planned Development process.
6. Meet all other requirements of the RMF-35 zone, including 60% maximum lot coverage.
7. Provide a Landscape Plan showing front yard, corner side yard and park strip landscaping.
8. Public Utilities approval required.
9. Transportation Division approval required for all parking and traffic-related issues. The detached garages do not meet the minimum 22' – 7" back out distance required.
10. Engineering Division approval required for all public way improvements, including the new driveway approach and alleyway improvements. Engineering needs to inventory the existing public sidewalks, curbs and gutters to determine replacement of any defective areas.
11. Obtain a demolition permit for the existing residential structure.



**Fire:** The units require a minimum NFPA 13 R fire sprinkler system. The fire department connection shall be within 100 feet of a fire hydrant. No part of the exterior walls shall be within 400 feet of a fire hydrant.

## **STAFF ANALYSIS AND FINDINGS**

### **Project History**

The subject property is a vacant corner lot with street frontage along Merrimac Avenue and Richards Street.

Petition 480-06-02 by Armen Taroian for a 5 unit condominium was processed on August 23, 2006 for a similar project on the same site, but it was not constructed. This previous proposal was considered at an Administrative Hearing on April 25, 2006 where it was tabled due to concerns raised by adjoining property owners. The item was again heard at an Administrative Hearing on May 16, 2006 and was forwarded to the Planning Commission due to concerns raised by adjoining property owners.

The following summarizes the comments received during the administrative hearings regarding the previous condominium proposal. The Planning Division responses to these concerns are italicized:

- A resident claimed that with the development of the Franklin-Covey Baseball Stadium, there were significant discussions about maintaining the single-family character of the neighborhood and that the proposed development is not consistent with those discussions.

*No documentation supporting these claims has been provided to Staff. At the time the Baseball stadium was approved in 1993, the zoning on the property was R-6 which allowed high density residential development up to a height of 75 feet. As part of the 1995 Zoning Rewrite Project, the zoning on the property was changed from R-6 to "Moderate Density Multi Family Residential" (RMF-35), which reduced the maximum allowable height of buildings to 35 feet or 3 and 1/2 stories. The RMF-35 zoning has not changed since 1995. The Central City Community Master Plan, which was adopted in 2005, reaffirmed that medium density multi-family development is the most appropriate land use for this area.*

- The overall height and setbacks were raised as an issue.

*The proposed buildings are two-story townhouses. Although many of the adjoining structures are single story, there are two-story structures near by. The adjacent building to the west is a 2-story building and there is a commercial two-story building to the northwest of this property. The maximum allowable building height and setbacks are regulated by the RMF-35 Zoning Ordinance. All height*

*and setback issues must comply with the height and setback requirements of the RMF-35 Zoning District which will be reviewed as part of the building permit process. The proposed development meets the building setback requirements and must meet all other applicable zoning requirements.*

- The proposed building design places the garages behind the building, impacting the adjoining property owner to the north.

*Although the garages are oriented towards the adjoining property owner to the north, the proposed design is preferable to fronting the garages towards the streets. In addition, locating the garages behind the building, as proposed, provides more distance between the proposed residential building and adjoining neighbor to the north.*

- Concerns were raised about diminished property values and that the proposed development will contribute toward the "overpopulation" of the neighborhood.

*Both the recently adopted Central City Community Master plan and RMF-35 zoning support multi-family land uses. It is Staff's opinion that the proposed five new dwelling units will not contribute to the overpopulation of the area, nor will property values decrease because of this development.*

- The proposed development increases the potential number of rental units in the neighborhood.

*This application is for the condominium approval. Condominium approval will allow the units to be sold to individual owners which will increase the number of home ownership in the City.*

## **Master Plan Discussion**

The **Central Community Master Plan**, adopted in 2005, identifies the site of the as being part of the Future Land Use Designation; "Medium Density Residential" (15-30 dwellings units/acre). The proposed density complies with the Master Plan Future Land Use Classification.

The subject property is surrounded by a mix of land uses. To the east along Main Street are commercial businesses which are zoned Corridor Commercial (CC) and are primarily oriented toward Main Street. To the north, on **Richards Street**, between Merrimack and the Franklin-Covey stadium, are mostly single-family **dwellings** that are zoned RMF-35. To the west, there is a duplex and to the south, along Richards Street, are a mix of duplexes and single-family dwellings which are zoned RMF-35. With the exception of the commercial uses, most of the buildings are one and two-family dwellings.



Under the existing RMF-35 Zoning, the building could be built as a permitted use without Planning Commission approval, however, since the development proposal involves a new subdivision and substandard size lots, Planning Commission review is required. The Central Community Master Plan supports multi-family residential as the future land use plan identifies this property as "Medium Density Residential" (15-30 dwellings units/acre) The proposed density complies with the Master Plan Future Land Use Classification and current zoning.

## **SURROUNDING ZONING**

### **DISTRICTS:**

North = RMF-35  
South = RMF-35 and CC  
East = CC  
West = RMF-35

### **SURROUNDING LAND USES:**

North = Single-Family Residences  
South = Single-Family Residences and Duplexes  
East = Commercial Buildings  
West = Single Family Residences and Duplexes

## **Standards**

### **Staff Analysis (Planned Development)**

In approving ~~any planned development~~, the planning commission may change, alter, modify or waive any provisions of this title or of the city's subdivision regulations as they apply to the proposed planned development. No such change, alteration, modification or waiver shall be approved unless the planning commission shall find that the proposed planned development:

1. *Will achieve the purposes for which a planned development may be approved pursuant to subsection A (planned development purpose statement) of this section (Section 21A.154);*

**Analysis:** The proposed development meets the general size and area requirement of the zoning, however since it is on a corner lot, varying the lot sizes allows the development to fit into the neighborhood better by respecting typical street setbacks.

The proposed design will promote a creative approach to the use of land resulting in better design and development.

**Finding:** The project satisfies the purposes for planned developments.

2. *Will not violate the general purposes, goals and objectives of this title and of any plans adopted by the planning commission or the city council.*

**Analysis:** The definition of lot area in 21A.02.040 include one-half of the right-of-way of any adjacent public alley. Alley inclusion provides adequate lot size to meet code requirements in this instance.

The following table shows the dimensions of the five proposed dwelling units compared to the minimum lot standards in the RMF-35 Zoning District:

	Lot Width	Lot Area
<b>RMF-35 District Minimum Requirements for Single-Family Attached Dwellings</b>	<b>32 (x1) plus 22 (x4) equals 120 linear feet</b>	<b>15,000 square feet for 5 dwelling units</b>
	105.29' - Richards Street 141.91 - Merrimac Avenue	14,941.7 plus 868.6 (alley) equals 15,810.3 Square Feet

*Summary: The table shows that the proposed lot meets the minimum zoning standards for the development of attached single-family dwellings in the RMF-35 Zoning District.*

The proposed planned development achieves the purposes for which planned developments were instituted and does not detract from the general purposes of the zoning ordinance or any plans, master plans or otherwise, adopted by the planning commission or city council. Specifically, the project supports the intent of the Zoning Ordinance to accommodate medium density residential units at this location.

**Finding:** The project satisfies the purposes of the Zoning Ordinance.

### **Standards for Conditional Uses**

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

**Analysis:** Section 21A.54.150 of the zoning ordinance establishes planned developments as conditional uses in all zoning districts.

**Finding:** The project satisfies this standard.

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



**Analysis:** The proposed planned development achieves the purposes for which planned developments were instituted and does not detract from the general purposes of the zoning ordinance or any plans, master plans or otherwise, adopted by the planning commission or city council. Specifically, the project supports the intent of the Zoning Ordinance to accommodate medium density residential units at this location.

**Finding:** The project satisfies this standard.

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

**Analysis:** The Transportation Division indicates access to the site is adequate. The subject property has access from Richards Street, Merrimac Avenue and from a public alley on the east side of the property. The proposed site plan shows that the five units will face Merrimac Avenue with the garages behind the dwellings. The garages will be accessed from a driveway that extends between Richards Street and the alley.

**Finding:** The project satisfies this standard.

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

**Analysis:** Parking for the development will meet code requirements.

**Finding:** The project satisfies this standard.

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

**Analysis:** The applicant has provided preliminary plans for utility service. The City's Public Utilities Department and City's Engineering Division have requested final drawings be submitted, reviewed, and approved for the proposed utility services prior to their final approval of the project.

**Finding:** The project satisfies this standard.

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

**Analysis:** The proposed development is bordered on the west by residential property (across street), on the south by residential property (across street), on the east by commercial property (across alley), and on the north by residential property. Security lighting is required for the drive along the north of the property. Efforts should be made to deflect light from adjacent properties. On the other frontages, buffering will be achieved by landscape buffers along the front and sides of the projects.

**Finding:** As long as lighting is properly shaded, the project satisfies this standard.

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

**Analysis:** The proposal consists of building materials that are common in residential areas. The building heights proposed do not exceed 35 feet, which is the code maximum. The proposed buildings are deemed compatible with the area.

**Finding:** The project satisfies this standard.

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

**Analysis:** The landscaping proposed is considered appropriate for the scale of this development and is consistent with adjacent properties.

**Finding:** The project satisfies this standard.

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

**Analysis:** There are no historical architectural or environmental features on the property that need preservation. The property is vacant, undeveloped and is not known to have had any buildings on it.

**Finding:** The project satisfies this standard.

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

**Analysis:** The proposed uses for the project include residential uses which are consistent with adjacent properties.

**Finding:** The project satisfies this standard.

K. *The proposed conditional use is compatible with the neighborhood surrounding the proposed development and will not have a material net cumulative adverse impact on the neighborhood or the City as a whole.*

**Analysis:** The proposed residential uses are compatible with uses in the area. No adverse impacts are anticipated. The planned development has a higher lot to acre density than other properties in the area but is considered to have a net positive impact on the neighborhood and City as a whole by fostering infill development and providing a site that is efficient and more manageable for residential development.

**Finding:** The project satisfies this standard.

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

**Analysis:** The applicant continues to work with the appropriate City departments and has been able to comply, or demonstrated ability and commitment to comply, with all other applicable codes and ordinances.

**Finding:** The project satisfies this standard.



### **Staff Analysis (Minor Subdivision)**

A minor subdivision shall conform to the required improvements specified in Section 20.28.010, or its successor, of this Title, and shall also meet the following standards:

#### **Section 20.20.020 Required Conditions and Improvements**

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

**Analysis:** The surrounding area is characterized by residential and commercial land and uses. The minor residential subdivision will continue this same general character.

**Finding:** The proposed minor subdivision satisfies this standard.

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

**Analysis:** The proposed lots range in size from 2,502 to approximately 3,683 square feet and are as narrow as 23.77 feet, which still meets the 22 foot minimum. The minimum lot size requirement for the RMF-35 zoning district is 3,000 square feet per unit or 15,000 square feet for 5 attached units. Not all of the proposed lots conform to the minimum lot size; however the overall density of the planned development is consistent with code. The Planning Commission has been asked to modify the lot sized as part of the Planned Development process. The modifications to lot size proposed by the related planned development are considered acceptable and staff finds no reason to uphold the lot size requirements with this particular project.

**Finding:** The proposed minor subdivision ~~does not~~ meet the lot size and width requirements; however, waiving those requirements through the ~~Planned~~ Development is acceptable for this project because it meets the overall lot size required for 5 units and the project results in a development that is more compatible with the neighborhood.

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

**Analysis:** All necessary and required dedications will be made with the recording of the final plat.

**Finding:** The proposed minor subdivision satisfies this standard.

- D. *Water supply and sewage disposal shall be ~~satisfactory~~ to the city engineer.*

**Analysis:** All plans for required public improvements must be submitted and approved prior to approval of the final plat.

**Finding:** The proposed minor subdivision satisfies this standard.

- E. *Public improvements shall be satisfactory to the planning director and city engineer.*

**Analysis:** The proposed subdivision has been forwarded to the pertinent City Departments for comment. All public improvements ~~must~~ comply with all applicable City Departmental standards.

**Finding:** The proposed minor subdivision satisfies this standard.

## **Summary**

The proposed planned development and minor subdivision have demonstrated compliance with, or the ability to comply with, all of the standards required of them. For those standards related to lot size, lot width, and landscaping that the applicant seeks to modify, staff concurs with the modifications and finds no reasons to object to them. Each of these was discussed in the preceding report. Planning staff supports the request subject to the recommended conditions of approval shown on the first page of this report.

Based on the comments, analysis, and findings of fact noted in this report and on the submitted plans, the Planning Staff recommends that the Planning Commission approve the preliminary subdivision plat, located at approximately 38 West Merrimac Avenue as proposed, subject to the following conditions:

1. The site (including the park strip) must be irrigated with an automatic sprinkling system.
2. A subdivision plat, conforming to the requirements of Salt Lake City Zoning Ordinance be recorded with the Salt Lake County Records Office.
3. The applicant shall comply with all City Department and Division conditions as stated in this Staff Report.
4. The applicant shall show on the final plat an approved trash removal plan for the project.
5. Identification of parking designation of the five units needs to be identified on the final plat and in the condominium bylaws.
6. The Declaration of Covenants must be approved by the Salt Lake City Attorney for compliance with the State of Utah and Salt Lake City Code requirements. Prior to final plat recording, the Declaration of Covenants shall be executed and recorded.
7. Any future redevelopment activity associated with the properties will require that all inadequate or absent public improvements be installed in accordance with the departmental comments noted in this Staff Report. Additionally, any future redevelopment will be subject to the requirements of the Zoning Ordinance.



**Attachment A**  
**Elevations and Site Plan**

## MERRIMAC FLATS

38 West Merrimac Ave.  
SLC, UT 84115

RIDGE LINE DESIGN ARCHITECTS

1. *Journal of the American Medical Association*, 1997; 278: 1000-1001.



## ARGUMENTS

01. 2. 1. 1.

[illegible]


10

Admiral  
Flats

2416 L. J. 2002  
01/27/2002 10:00 AM

0013

1992


13

G-0

2



### CODE SUMMARY

NO. 3000	
CONCRETE TYPE	FC-1
CONSTRUCTION TYPE	A-1
WINDING NO. STORIES	2
WINDING HEIGHT	40 FT
ALUMINUM AREA	0.000 SQ FT
ALUMINUM PERCENT	$0.000 \times 100 = 0.000\%$
MAX ALUMINUM	10.0000
STRUCTURAL FRAME	0
STEEL WALL SECTION	0
STEEL	0
WINDING WALL	0
FLOOR ALUMINUM	0
WALL/CEILING	0

## BUILDING SUMMARY

HYDRA PUMPING TO FT	0.000 00 FT
1-1/2" DRILLING TOOL	2.000 00 FT
CORRECTION DRILLING TOOL	1.700 00 FT
UNIT SIZE	1.700 00 FT

ATTORNEY AT LAW  
SOUTHERN DISTRICT  
NEW YORK CITY

## CONSULTANTS

**G&A**  
END SERVICES INC.  
SALT LAKE CITY, UTAH

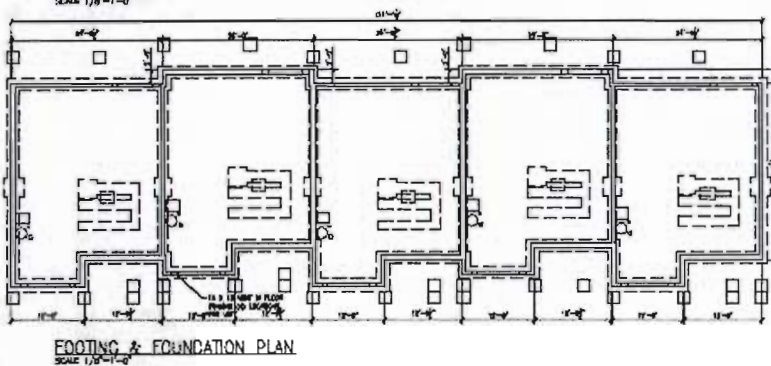
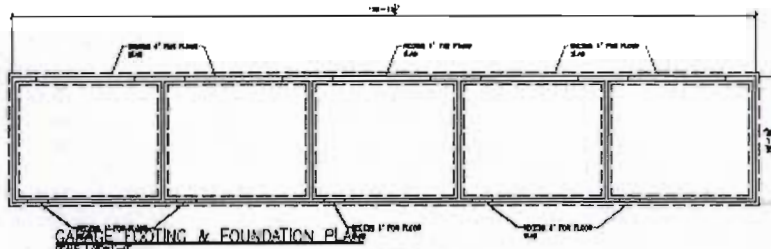
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SALT LAKE CITY, UT 84124  
PHONE 801 272-1622

## INDEX

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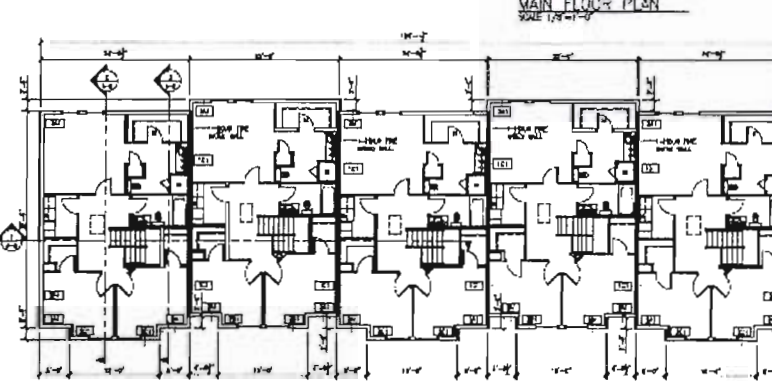
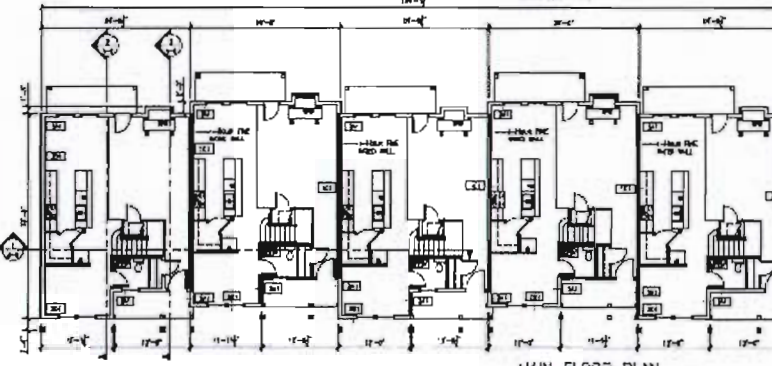
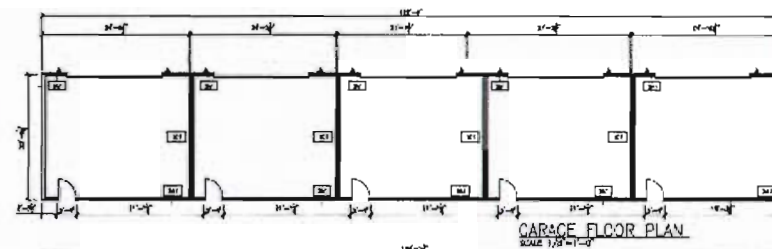
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- NOTES:
1. PROVIDE GARAGE DOOR OPENING
  2. PROVIDE WEATHER RESISTANT LIGHT FIXTURES AT JUNCTION AND LAMP LOCATIONS
  3. SMOKE DETECTORS SHALL BE HANDWIRED & BATTERY BACKUP
  4. SMOKE DETECTOR SHALL BE PROVIDED ON EXTERIOR WALLS
  5. SEE SHEET 4-0 FOR WALL TYPES
  6. ALL INTERIOR WALLS ARE WALL TYPE 1/1 UNLESS NOTED OTHERWISE

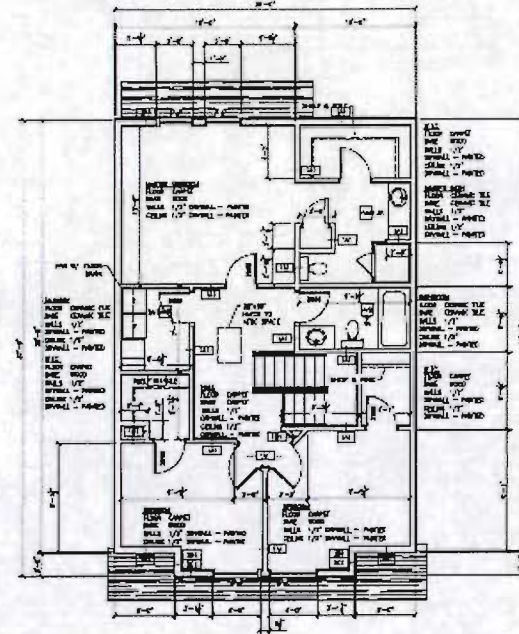
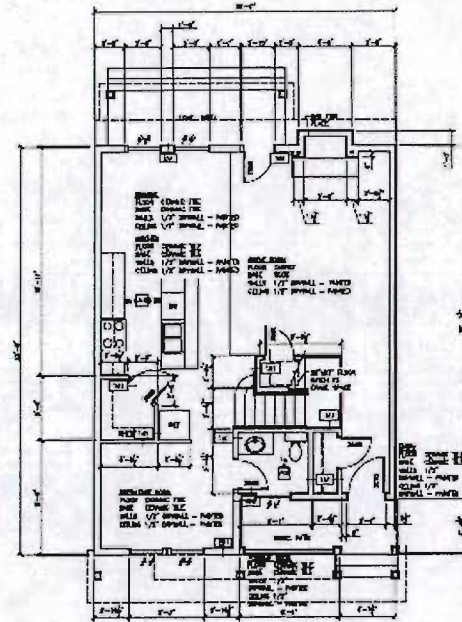
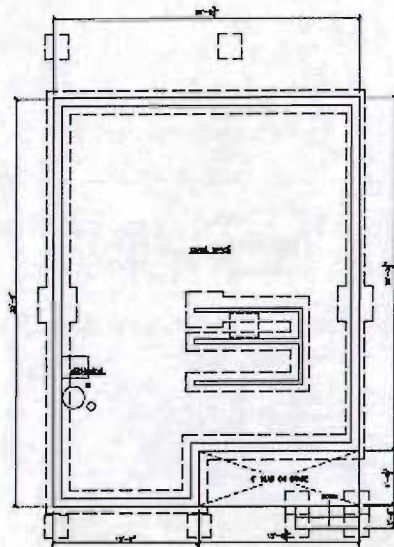
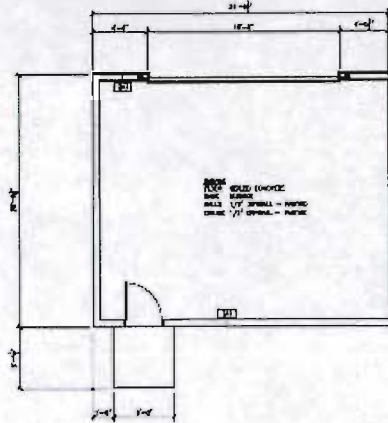
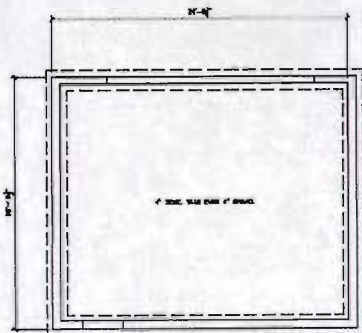
1'-0"=1'-0" (NOT TO SCALE)



SECOND FLOOR PLAN  
SCALE 1/8"=1'-0"



<b>RIDGE LINE DESIGN ARCHITECTS</b> 1000 N. 10TH AVE. SUITE 100 DENVER, CO 80202 TEL: 303.733.1111 FAX: 303.733.1112 WWW.RIDGELINEDESIGNARCHITECTS.COM	
<b>ARCHITECTS</b>	
01-20-2006	
MEMPHIS FLATS 200 N. 10TH AVE. DENVER, CO 80202	OVERALL BASEMENT MAIN & UPPER FLOOR PLANS
A-1	



**RIDGELINE DESIGN ARCHITECTS**  
 10000 134th Avenue  
 Edmonds, WA 98149  
 Phone: 206.774.1111  
 Fax: 206.774.1112



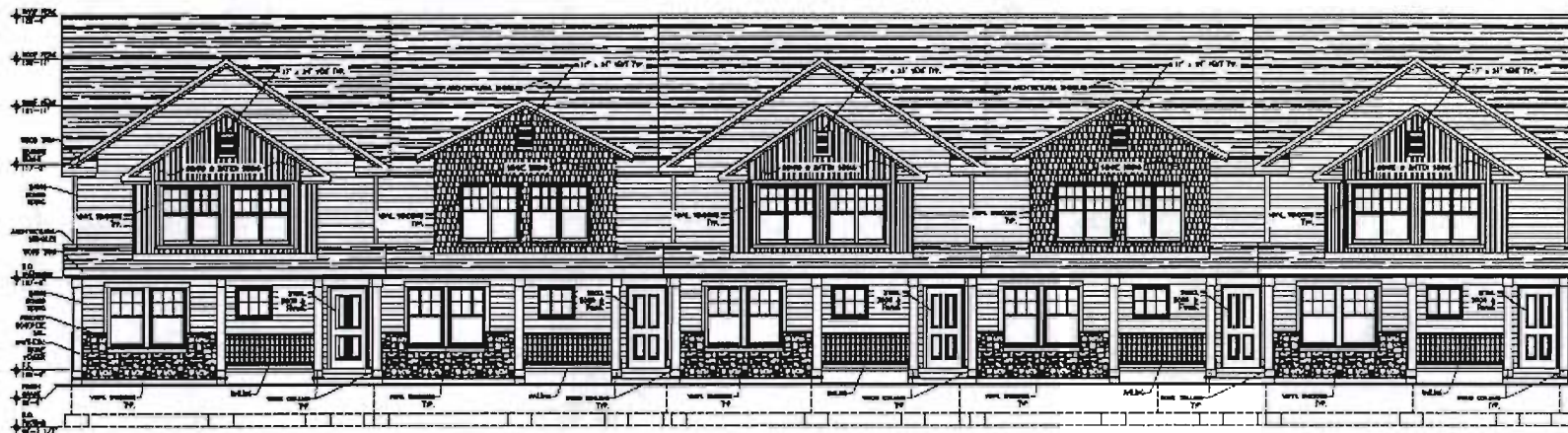
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DESIGN  
ARCHITECTS**

Project No. 0111  
 Floor Plan

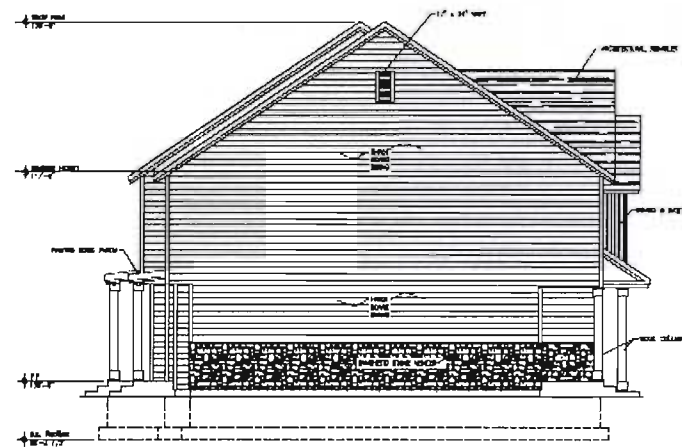
Memmo  
Flis

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FRONT ELEVATION  
SCALE 1/4"=1'-0"



SIDE ELEVATION  
SCALE 1/4"=1'-0"

**RIDGELINE DESIGN ARCHITECTS**  
 1000 EAST 1000 NORTH  
 SALT LAKE CITY, UT 84143  
 PHONE: 801-466-1111 FAX: 801-466-1111

**RIDGELINE DESIGN**  
 ARCHITECTS

DATE: 01.26.2006  
 DRAWN BY: [Name]

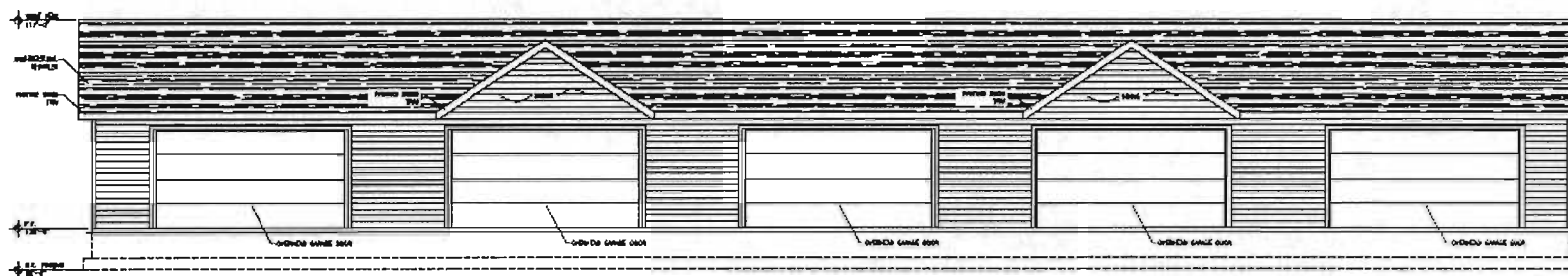
Merimac  
 Flats  
 20 West Merimac Ave.  
 SALT LAKE CITY, UT 84115

011  
 EXTERIOR  
 ELEVATIONS

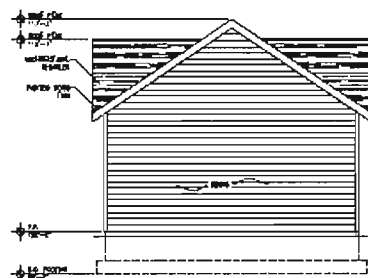
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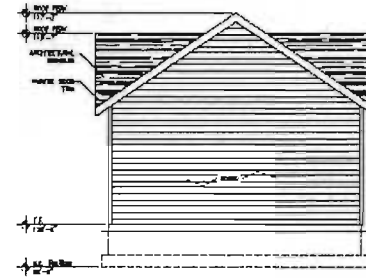




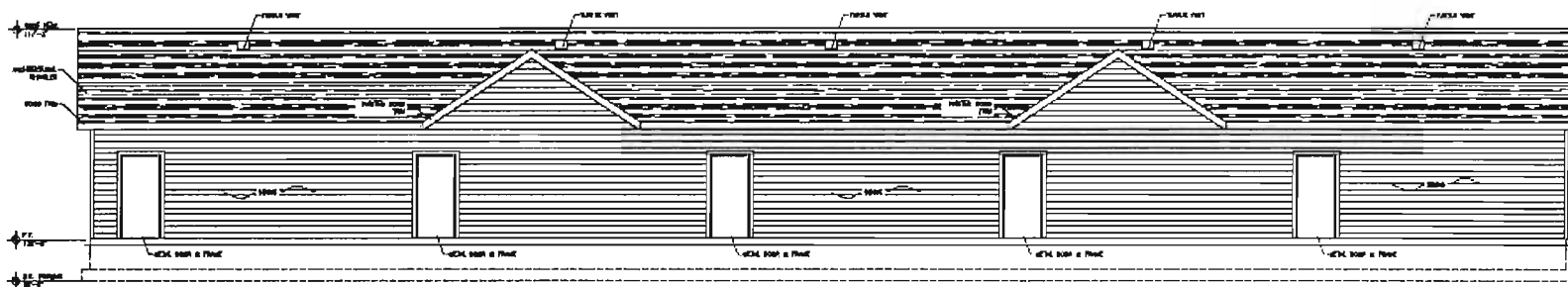
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SCALE 1/4" = 1'-0"



SIDE ELEVATION  
SCALE 1/4" = 1'-0"



SIDE ELEVATION  
SCALE 1/4" = 1'-0"



REAR ELEVATION  
SCALE 1/4" = 1'-0"

**EDGE LINE DESIGN ARCHITECTS**  
ARCHITECTS  
2200 E. 10TH AVE. SUITE 100  
DENVER, CO 80202  
TEL: 303.733.1111  
WWW.EDGEDLINEDESIGN.COM



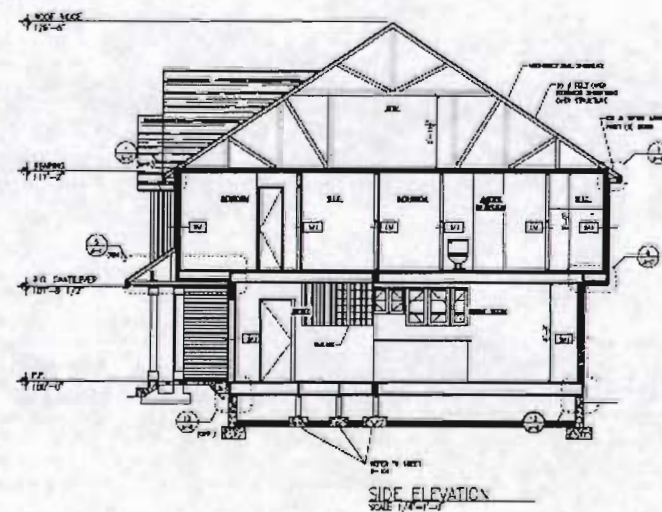
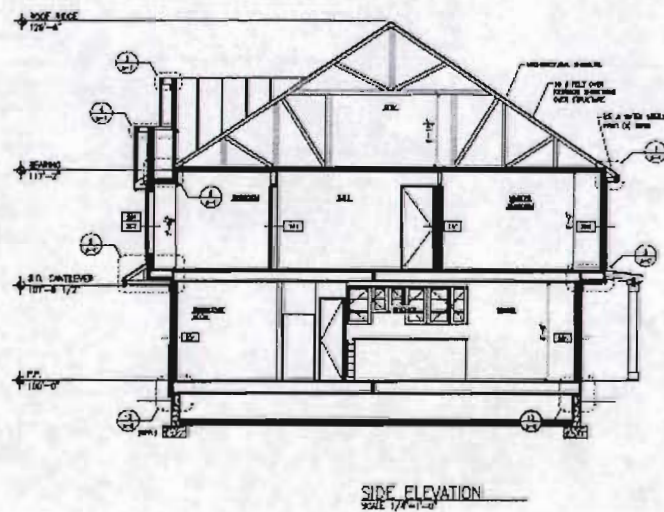
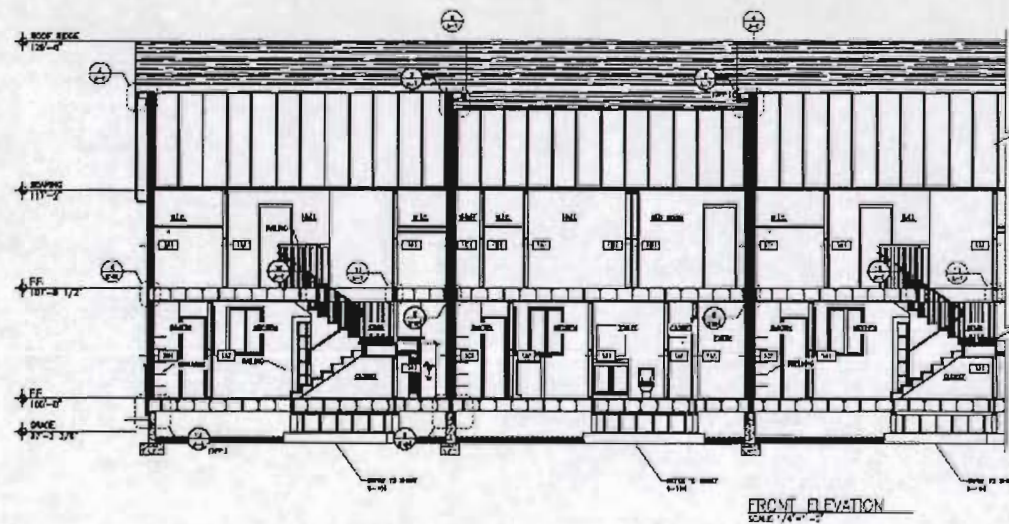
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PROJECT: GARAGE EXTERIOR ELEVATIONS

Memorandum  
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PROJECT: GARAGE EXTERIOR ELEVATIONS

Memorandum  
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Memorandum  
DATE: 07/20/2006  
PROJECT: GARAGE EXTERIOR ELEVATIONS



**RIDGELINE DESIGN ARCHITECTS**  
 1000 10th Avenue, Suite 100  
 Boulder, CO 80502  
 303.440.1000  
 www.ridgelinearchitects.com

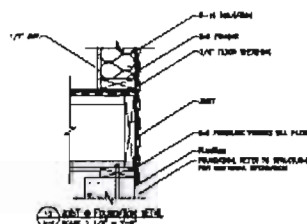
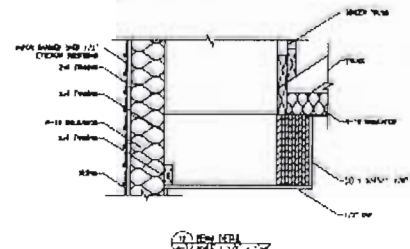
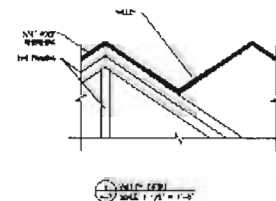
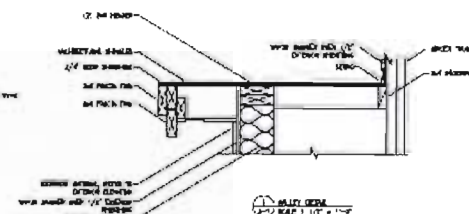
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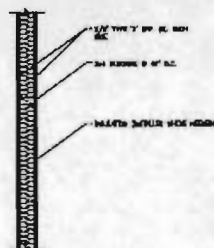
**Mentmac Flats**  
 1000 10th Avenue, Suite 100  
 Boulder, CO 80502  
 303.440.1000  
 www.ridgelinearchitects.com

**SECTION**

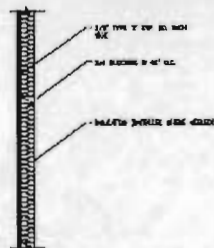
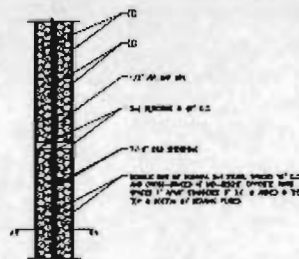
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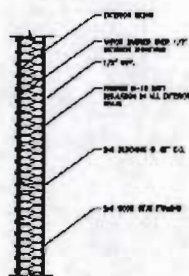
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PIE AN	W/ AN-400'S	STC1
1A*	1- 16" O.C.	NA
	2- 16" O.C. W/ INSULATION	34 MIN. 35 MAX
"STUD SPACE & SPACING AS SPEC'D	3- 16" O.C. W/ W.R. TYPE 'X'	34 MIN. 35 MAX
"WALL	4- 16" O.C. W/ SOUND INSULATION	
	5- 16" O.C.	-
	6- 16" O.C.	-
WEAR WALL - PROVIDE 1st BLOCKING @ 48" O.C.		

[illegible]

STED WITH 2nd BOOD STAYS	STUD WITH 2nd BOOD STAYS
RE NTING 1-HOUR	RE NTING 1-HOUR
10x	10x
STUD DATE & STAYING	STUD DATE & STAYING
1	1
2	2
3	3
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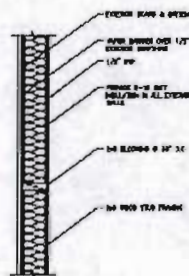
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1/1/19	1/1/19	1/1/19

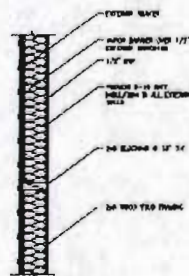
[illegible]

STUDY ROUTE	STUDY	SOUND RATING
DATE	TIME	(STC)
2A*	1	10:00 A.M.
	2	10:00 A.M. W/ INSULATION
	3	10:00 A.M. W/ SOUND INSULATION
	4	10:00 A.M. W/ W.B. TYPE X 75% NO. W/ SOUND INSULATION
STUDY SPACE & SPACE PEDIA		-
BELL RECEPTION		-
EUTHERM BELL - SOUND PROMOTER 2nd FLOOR @ 46" O.C.		-

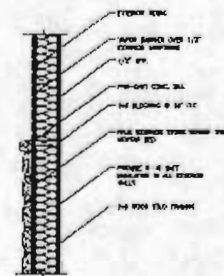
WATER: 1" W/ 2"



STUD METHOD	HOW STUD	SOUND RATING
FREE HANGING	NON-NOISE	(N/A)
2B*	1. B "S" C.	
	2. B "S" C. w/ INSULATION	34 MW, 34 MW
	3. B "S" C. w/ SOUND INSULATION	34 MW, 34 MW
*TEST CASE 1 SPEAKER INCL	4. B "S" C. w/ W.E. TYPE "X" 75% RED. W/ SOUND INSULATION	
		-
BELL EXPLANATION	ATTACHED BELL - SHAMES PRESENT FOR FLUCCING @ 44" O.C.	



STG. MATH		2nd WOOD STG.		SOUNDING BATHS	
PINE BATHS		NON-SPRIT		(20%)	
20C*	1st 1/2 1/2		1st 1/2 1/2		1st 1/2 1/2
	1st 1/2 1/2		1st 1/2 1/2		1st 1/2 1/2
	1st 1/2 1/2		1st 1/2 1/2		1st 1/2 1/2
2nd 1/2 1/2		2nd 1/2 1/2		2nd 1/2 1/2	
3rd 1/2 1/2		3rd 1/2 1/2		3rd 1/2 1/2	
4th 1/2 1/2		4th 1/2 1/2		4th 1/2 1/2	
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STUD MARK	146-0000 57075	SEALING INTERIOR	
PIPE MARK	NSM-00000	STUD	
2D*	1	0 1/2" DIA.	W
	2	0 3/8" DIA. W/ INSULATION	14 MM. 36 MM.
	3	0 1/2" DIA. W/ SOUND INSULATION	14 MM. 36 MM.
	4	0 1/2" DIA. W/ W.T. TIE #1	
	5	0 1/2" DIA. W/ SOUND INSULATION	
WALL DESCRIPTION	CONCRETE WALL - 14" DIA. STONE VENEER W/ BRICK ABOVE FINISHES 2" SLAB ON G 48" O.C.		
END OF SHEET			

BRIDGELINE DESIGN ARCHITECTS



Yes

10

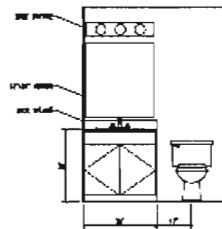
Memmac  
Flats

1. *Journal of Applied Behavior Analysis*  
1971

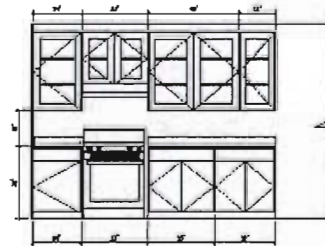
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A-8

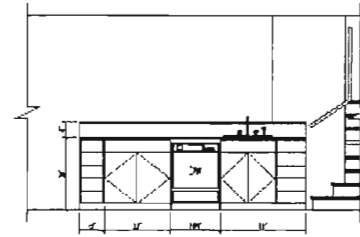




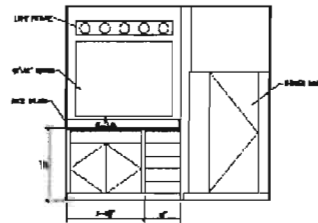
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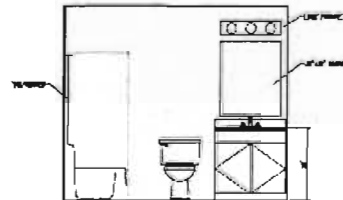
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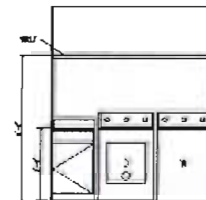
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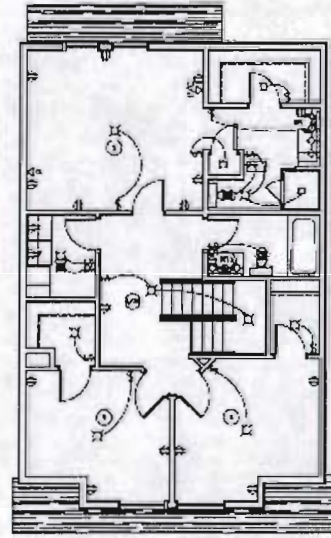
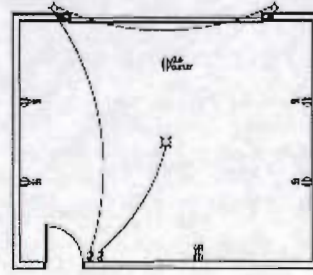
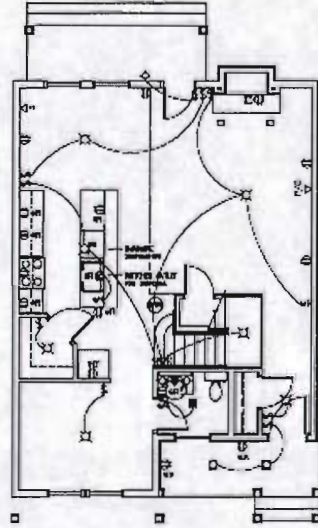
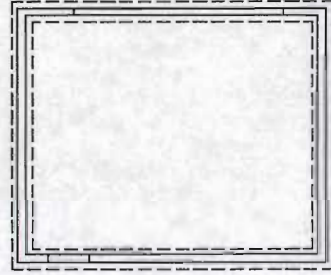
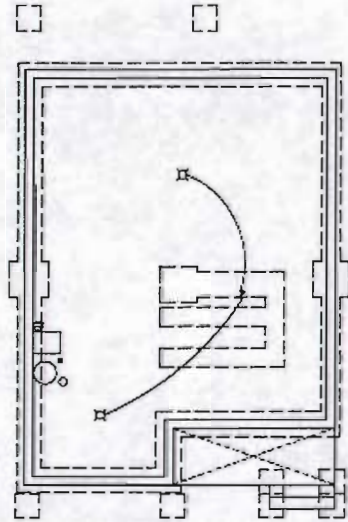
POWDER ROOM  
1'0" x 1'0"



POWDER ROOM  
1'0" x 1'0"



POWDER ROOM  
1'0" x 1'0"



<p><b>REDLINE DESIGN ARCHITECTS</b>          150 EAST SAN ANTONIO          SUITE 1000, ST. LOUIS, MO 63102          TEL: 314.433.1111 FAX: 314.433.1112          WWW.REDLINEDSIGNARCHITECTS.COM</p>	<p><b>REDLINE DESIGN ARCHITECTS</b></p>	<p>150 EAST SAN ANTONIO          SUITE 1000, ST. LOUIS, MO 63102          TEL: 314.433.1111 FAX: 314.433.1112          WWW.REDLINEDSIGNARCHITECTS.COM</p>	<p>150 EAST SAN ANTONIO          SUITE 1000, ST. LOUIS, MO 63102          TEL: 314.433.1111 FAX: 314.433.1112          WWW.REDLINEDSIGNARCHITECTS.COM</p>	<p>150 EAST SAN ANTONIO          SUITE 1000, ST. LOUIS, MO 63102          TEL: 314.433.1111 FAX: 314.433.1112          WWW.REDLINEDSIGNARCHITECTS.COM</p>	<p>150 EAST SAN ANTONIO          SUITE 1000, ST. LOUIS, MO 63102          TEL: 314.433.1111 FAX: 314.433.1112          WWW.REDLINEDSIGNARCHITECTS.COM</p>	<p>150 EAST SAN ANTONIO          SUITE 1000, ST. LOUIS, MO 63102          TEL: 314.433.1111 FAX: 314.433.1112          WWW.REDLINEDSIGNARCHITECTS.COM</p>	<p>150 EAST SAN ANTONIO          SUITE 1000, ST. LOUIS, MO 63102          TEL: 314.433.1111 FAX: 314.433.1112          WWW.REDLINEDSIGNARCHITECTS.COM</p>	<p>150 EAST SAN ANTONIO          SUITE 1000, ST. LOUIS, MO 63102          TEL: 314.433.1111 FAX: 314.433.1112          WWW.REDLINEDSIGNARCHITECTS.COM</p>	<p>150 EAST SAN ANTONIO          SUITE 1000, ST. LOUIS, MO 63102          TEL: 314.433.1111 FAX: 314.433.1112          WWW.REDLINEDSIGNARCHITECTS.COM</p>
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**Attachment B**  
**Department Comments**

January 31, 2008

Doug Dansie, Planning

Re: Petition 410-07-45, Conditional use for PUD & subdivision at 1440 S Richards Street. (38 W. Merrimac)

The division of transportation review comments and recommendations area as follows:

The proposed 5 residential units are compatible with the Richard Street and Merrimac local residential class roadways.

There are no changes to the existing transportation corridor public right of ways.

We have reviewed this site for the proposed housing development at our 12/17/2007 DRT review meeting. There were a couple of minor comments to the plans for Alley Access upgrades as needed, park strip trees to be reviewed by Bill Rutherford, street light up grades to be coordinated with Mike Barry, and public way upgrades to remove dead driveways and install new ones as required along with ADA ramps at the intersection etc.

The site plan needs to be revised to provide the minimum back out area for each garage parking space. And drainage needs to be addressed so ~~that~~ the common driveway does not surface drain across the public sidewalk.

The plat also needs to address the easement across each lot for the driveway.

Sincerely,

Barry Walsh

Cc Kevin Young, P.E.  
Randy Drummond, P.E.  
Craig Smith, Engineering  
Ted Itchon, Fire  
Peggy Garcia, Utilities  
Ken Brown, Permits  
Larry Butcher, Permits  
File



TO: DOUG DANSIE, PLANNING DIVISION

FROM: RANDY DRUMMOND, P.E., ENGINEERING

DATE: JAN. 30, 2008

SUBJECT: **Merrimac Flats PUD Subdivision**  
*1440 South Richards Street*  
*#410-07-45*

Engineering review comments are as follows:

1. This is a project to create 5 new residential unit from four existing lots. All of the required right-of-way exists, and the street is fully improved. Inasmuch as the snow is covering the street, it is not possible to tell if any of the existing curb, gutter and/or sidewalk will need to be replaced, at this time. This determination will be made at a later date, when the condition becomes apparent. Access is available to the units via an alley to the east and a new access-way along the proposed north boundary. A new driveway will be required for access onto Richards Street. The new driveway shall be constructed as per APWA Std. Dwg. #221 or 222, depending on the type of curb, gutter and sidewalk that exists on Richards Street. All of the public way improvements shall be constructed by a licensed contractor via a Permit to Work in the Public Way.
2. The plat is being reviewed, and any required changes will be made known to the applicant's consultant.

cc: Brad Stewart  
Barry Walsh  
Scott Weiler  
George Ott  
Craig Smith  
Vault

Fire: The units require a minimum NFPA 13 R fire sprinkler system. The fire department connection shall be within 100 feet of a fire hydrant. No part of the exterior walls shall be within 400 feet of a fire hydrant.



## SALT LAKE CITY BUILDING SERVICES

### *Preliminary Zoning Review*

Log Number: Nonlog

Date: February 26, 2009

Project Name: Merrimac Flats

Project Address: 38 West Merrimac Street  
1419 South Richards Street

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

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

**Zoning District: RMF-35   Reviewer: Alan Hardman   Phone: 535-7742**

### Comments

This preliminary zoning review summarizes the comments from a DRT meeting held on December 17, 2007.

12. Conditional Use Planned Development Petition #410-07-45 approval required.
13. Consolidate two existing lots and create a new 5-lot Townhouse Subdivision Plat:
  - 38 West Merrimac - 15-13-231-014
  - 1419 South Richards - 15-13-231-015
14. Obtain new certified addresses for the five new lots.
15. Lots #2, #3, and #4 do not meet the 3,000 square foot minimum lot area. This must be waived and approved in the Planned Development process.
16. Townhouses do not meet the 20 foot minimum front yard setback. This must be waived and approved in the Planned Development process.
17. Meet all other requirements of the RMF-35 zone, including 60% maximum lot coverage.
18. Provide a Landscape Plan showing front yard, corner side yard and park strip landscaping.
19. Public Utilities approval required.
20. Transportation Division approval required for all parking and traffic-related issues. The detached garages do not meet the minimum 22' - 7" back out distance required.

21. Engineering Division approval required for all public way improvements, including the new driveway approach and alleyway improvements.  
Engineering needs to inventory the existing public sidewalks, curbs and gutters to determine replacement of any defective areas.
22. Obtain a demolition permit for the existing residential structure.



Doug,

Public Utilities has reviewed the above mentioned request and offers the following comments that will need to be addressed to gain approval from our Department;

**All design and construction must conform to State, County, City and Public Utilities standards and ordinances. Water, sewer and storm drain design and construction must conform to Salt Lake City Public Utilities General Notes.**

This project will be required to install a master meter to serve the condominiums with culinary service. If required by the Fire Department, a new public fire hydrant can be connected to the existing public water main. If the location desired by the Fire Department for a new hydrant is on private property then the new hydrant must be routed through a detector check valve. Any other water services discovered during construction must be killed at the main per Salt Lake City Public Utilities standards. Plans must be submitted showing the routing of the culinary and fire services. The plan must also show all proposed pipe sizes, types, boxes, meters, detector checks, fire lines and hydrant locations. All meters and hydrants must be located a minimum five-feet outside of any drive approaches.

A new four-inch minimum PVC SDR-35 sewer lateral must be connected to sewer main. Any existing sewer lateral connections must be capped per Public Utilities standards.

If this site is over one acre and has more than 15,000 square feet of impervious area then the following would apply:

The development would be restricted to a maximum storm water discharge rate of 0.2 cfs per acre. Detention would need to be provided as needed to meet this flow requirement. Calculations must be approved by Public Utilities showing these conditions have been met. Public Utilities will not be responsible maintaining landscaping improvements within a detention area. Bubble-up inlets or sumps used as control structures in detention areas will be discouraged. Temporary and permanent erosion control within detention areas or ditches must be detailed.

A grading and drainage plan must be submitted for review and approval for this development. Fire Department approval will be required prior to Public Utilities approval.

Fire flow requirements, hydrant spacing and access issues will need to be resolved with the fire department.

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  
[jason.brown@slcgov.com](mailto:jason.brown@slcgov.com)



Doug,

I wanted to let you know that last night I meet with the People's Freeway Community Counsel and discussed the proposed approval of the 5-lot PUD request at 38 West Merrimac Avenue. All the parties present were in favor of the project, there were no noted negative comments.

Thanks,

Nathan Anderson  
599-0207

Doug

Nathan Anderson did appear before our council and presented this proposal. We did approve it with no objections.

Sincerely  
Bill Davis - Chairperson  
Peoples Freeway Community Council

## Dansie, Doug

---

**From:** Chris Derbidge [chris@autonomysoftware.com]  
**Sent:** Monday, June 15, 2009 10:28 AM  
**To:** Dansie, Doug  
**Subject:** RE: Merrimac Flats Townhouse Development  
**Categories:** Other

Yes please, but not just as my comments, I would like some answers to my questions, even if the answer is, there is no answer that can address my concerns.

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**From:** Dansie, Doug [mailto:Doug.Dansie@slcgov.com]  
**Sent:** Monday, June 15, 2009 9:51 AM  
**To:** Chris Derbidge  
**Subject:** RE: Merrimac Flats Townhouse Development

Thank you Chris  
Do you want me to forward this to the Planning Commission

Doug

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**From:** Chris Derbidge [mailto:chris@autonomysoftware.com]  
**Sent:** Friday, June 12, 2009 4:22 PM  
**To:** Chris Derbidge; Dansie, Doug  
**Subject:** RE: Merrimac Flats Townhouse Development

I forgot to include my contact information, here it is:

Christopher Derbidge  
1407 Richards Street  
Salt Lake City, UT 84115  
(801) 641-3979

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**From:** Chris Derbidge  
**Sent:** Friday, June 12, 2009 4:21 PM  
**To:** 'doug.dansie@slcgov.com'  
**Subject:** Merrimac Flats Townhouse Development

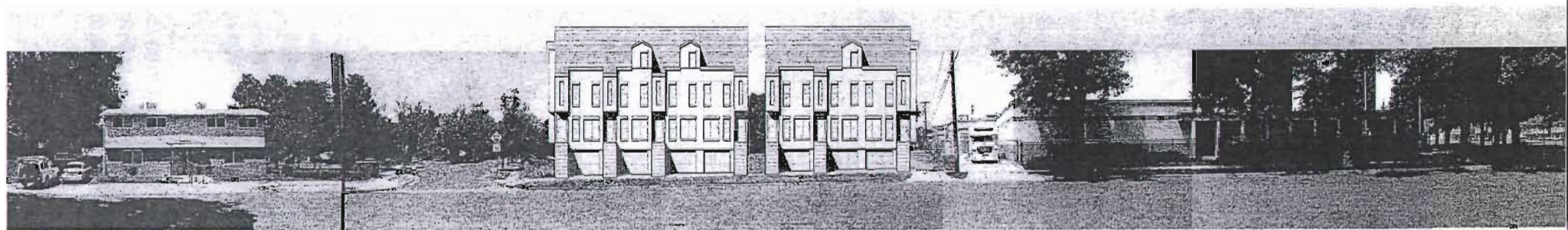
Doug:

You and I talked yesterday about the Merrimac Flats Townhouse Development. I just got off the phone with Nathan Anderson after he returned my call regarding this project. He was defensive, argumentative, and yelling at times. I kept asking him to calm down so that we could discuss my concerns, but he felt that my concerns were not for him to address. I maintained my cool and still plan to, despite his insults. I feel as though I need to state my concerns and have him or the city reasonably address those concerns. I have some recommendations to address those concerns.

Here are my list of concerns

1. Privacy – I live a few lots away North at 1407 Richards Street from the proposed back side of this development. The plans in the pamphlet show a third story balcony which is in a direct line of site of my back yard were my family and I like to take private refuge from time to time. The idea of a third story balcony overlooking my back







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**MERRIMAC TOWNHOUSES**

18 WEST MERRIMAC  
SALT LAKE CITY, UTAH 84115

DATE: 01/11/01  
PROJECT NO.: 1001

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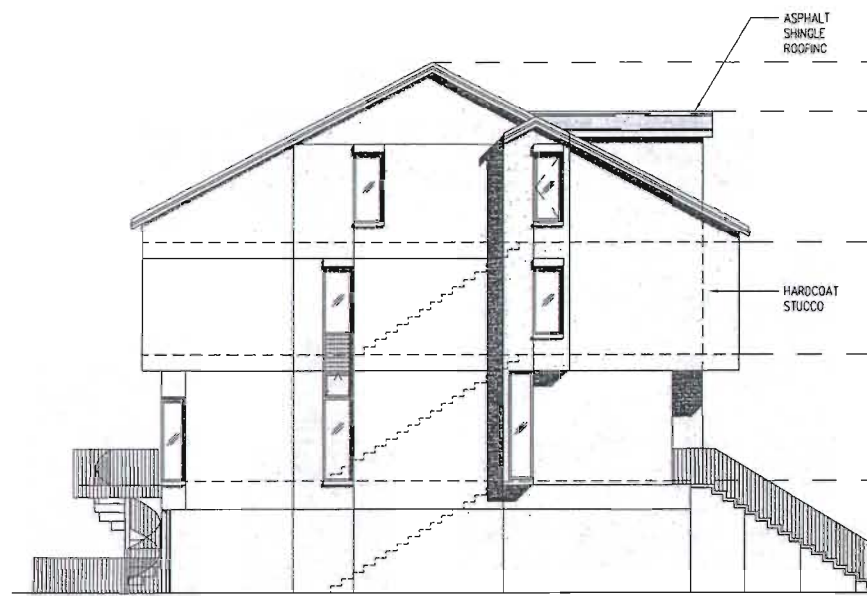
DATE: 01/11/01  
PROJECT NO.: 1001





- ASPHALT SHINGLE ROOFING
- T.O. RIDGE 144'-1 1/2"
- T.O. RIDGE @ DORMER 140'-0 1/2"
- THIRD FLOOR MEZZANINE 129'-2"
- HARDCOAT STUCCO
- THIRD FLOOR 119'-10"
- SECOND FLOOR 109'-4"
- FIRST FLOOR 100'-0"

**SOUTH ELEVATION**  
1/8" = 1'-0"



- ASPHALT SHINGLE ROOFING
- T.O. RIDGE 144'-1 1/2"
- T.O. RIDGE @ DORMER 140'-0 1/2"
- THIRD FLOOR MEZZANINE 129'-2"
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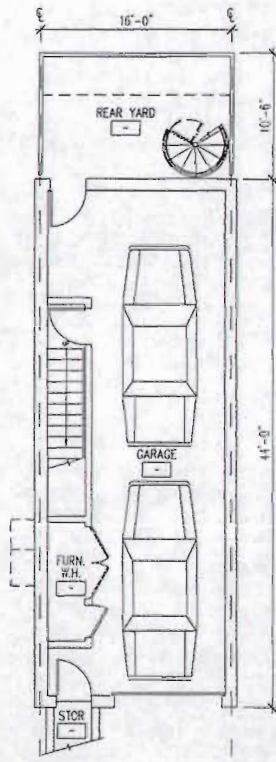
**WEST ELEVATION**  
1/8" = 1'-0"

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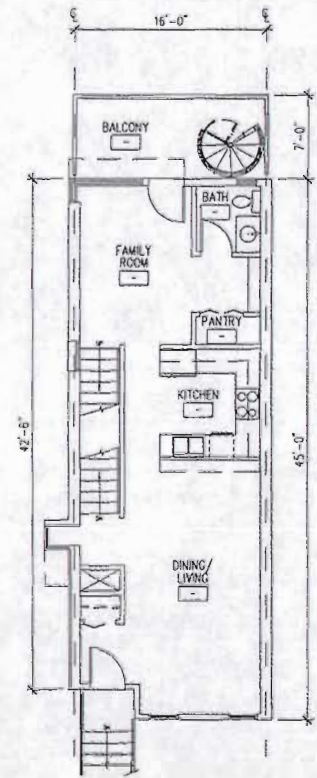
**MERRIMAC TOWNHOUSES**  
38 WEST MERRIMAC  
SALT LAKE CITY, UTAH 84146

DATE: 01/11/11  
PROJECT NO.: 1111  
SHEET NO.: A2.1

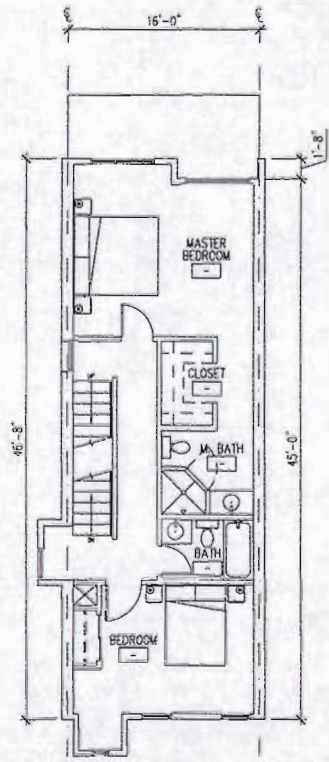
EXTERIOR ELEVATIONS



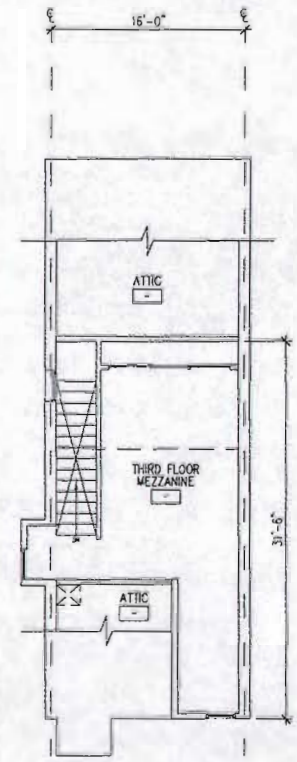
FIRST FLOOR PLAN  
1/8"=1'-0"



SECOND FLOOR PLAN  
1/8"=1'-0"



THIRD FLOOR PLAN  
1/8"=1'-0"



THIRD FLOOR MEZZANINE  
1/8"=1'-0"

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SALT LAKE CITY, UTAH 84101

TEL: 801.521.9111 FAX: 801.521.9158

DATE: 10/19/98  
BY: [Signature]  
PROJECT NO.: 1001

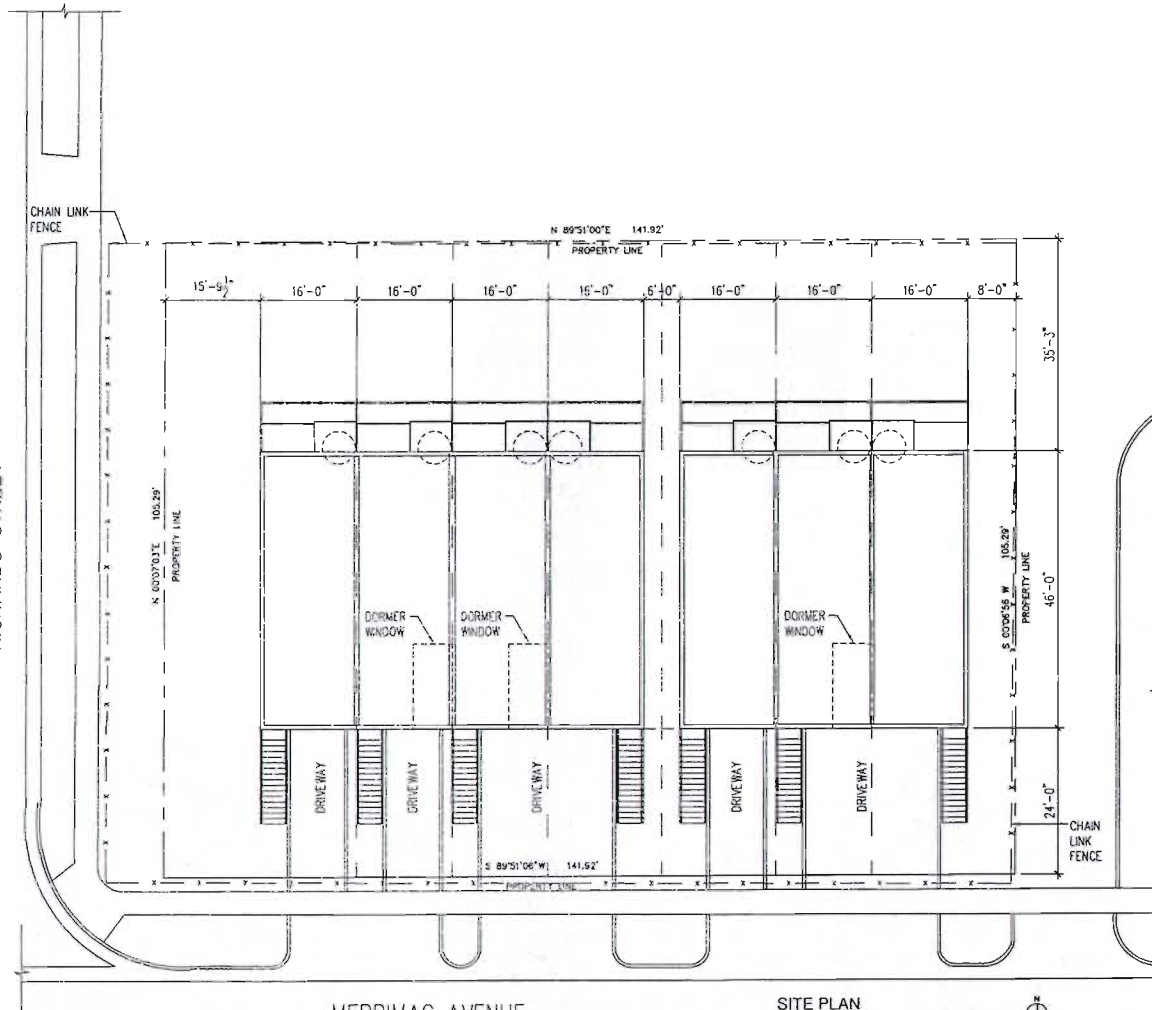
MERRIMAC TOWNHOUSES  
34 WEST MERRIMAC  
SALT LAKE CITY, UTAH 84119

FLOOR PLANS

A11



RICHARDS STREET



MERRIMAC AVENUE

SITE PLAN  
1/16"=1'-0"

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SHEET NO.  
**A0.1**

DATE  
8/1/10



PROJECT NO.  
MERRIMAC TOWNHOUSES

23 WEST LAKESIDE  
SALT LAKE CITY, UTAH 84105

SITE PLAN