



# Staff Report

PLANNING DIVISION  
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission  
From: Casey Stewart; 801-535-6260  
Date: December 4, 2014  
Re: PLNSUB2014-00617 and -00618 Capitol Heights Planned Development / Preliminary Subdivision Plat

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## PLANNED DEVELOPMENT / SUBDIVISION

**PROPERTY ADDRESS:** 214 East 10<sup>th</sup> Avenue  
**PARCEL ID:** 09-31-176-001  
**MASTER PLAN:** Avenues  
**ZONING DISTRICT:** SR-1A (Special Development Pattern Residential)

**REQUEST:** Approval of the proposed planned development and related preliminary subdivision plat for a project creating three residential lots. Two of the proposed lots would front only on a private alley, not a public street as required. Also, the northernmost lot fronting 10<sup>th</sup> Avenue would have modified building setbacks. The Planning Commission has final decision making authority for planned development applications.

**RECOMMENDATION:** Based on the information in this staff report, planning staff finds the proposals adequately meet the standards, subject to specified conditions, and recommends that the Planning Commission approve the requested planned development and preliminary subdivision plat with the conditions listed below. The following motion is provided in support of the recommendation: *based on the findings listed in the staff report and the testimony and plans presented, I move that the Planning Commission approve the requested Capitol Heights Planned Development PLNSUB2014-00617 and Preliminary Subdivision Plat PLNSUB2014-00618 subject to the conditions 1 through 15 listed in the staff report.*

1. The final document for this subdivision shall be a plat that is recorded with the Salt Lake County Recorder.
2. The applicant/owner shall install all required private and public way improvements.
3. As part of the final plat application, the applicant shall provide clear evidence of approval by the public utilities department for the necessary storm drainage and sewer and water line plans needed to service this project.
4. For all private improvements (those not in the public way), the applicant shall provide for the disclosure of future private infrastructure maintenance and replacement costs to lot owners as required by section 21A.55.170 *Disclosure of Private Infrastructure Costs For Planned Development* in the zoning ordinance.
5. The applicant shall install "no parking" signs along the portion of the project that abuts the alley, at least one for each new lot adjacent to the alley.
6. The applicant shall install a five foot wide sidewalk within a platted landscaping easement along all street frontages of the lots.
7. The applicant shall provide the following information to the planning director and city engineer for the section of the alley, adjacent to the site:
  - a. A street development plan showing the alignment, width, grades, design, and material specifications; the topography and means of access to each lot; drainage; and, utility easements for servicing the lots served by such private street.
  - b. A plan providing for future ownership and maintenance of said street together with payment of taxes and other liability thereon.
8. The applicant shall construct six foot tall see-through metal fencing along the crest of the slope, demarking the beginning of the undevelopable area as approved by the planning commission.

9. The applicant shall designate the portion of the property from the crest of the slope to the west lot line as undevelopable common area within the subdivision. A note shall be included on the plat prohibiting all buildings, landscaping, fencing, walls, and irrigation systems.
10. No irrigation other than a monitored drip system shall be located west of the proposed buildings so as to avoid saturation of the steep slope.
11. The applicant shall hire a UT licensed geotechnical engineer to conduct a full slope stability analysis for the steep slope within the property prior to applying for the final plat. The report must clearly demonstrate that the property can be developed as proposed and if the study makes recommendations on how to safely develop the property, they are hereby incorporated into the conditions of approval for this application. If the study determines the project can safely proceed, then that study/analysis is shall be included with the final plat application, referenced by a note on the final plat, and used in part to determine final location of the lots' undevelopable areas.
12. No additional fill shall be allowed on the steep slope or its crest, however replacing fill with engineered fill is acceptable for projects such as fence installation at the crest of the slope and for slope stability if recommended by the geotechnical engineer.
13. The applicant shall follow the recommendations, if any, of the city's urban forester related to keeping and maintaining existing trees on the property for a minimum of five years from the date the final plat is recorded.
14. The applicant shall obtain the required demolition permits for the existing building.
15. The applicant shall otherwise comply with all other city requirements applicable to the project.

**ATTACHMENTS:**

- A. Vicinity Map
- B. Site Plan
- C. Building Elevations
- D. Additional applicant Information
- E. Existing Conditions
- F. Analysis of Standards
- G. Public Process and Comments
- H. Dept. Comments
- I. Motions

**PROJECT DESCRIPTION:**

**1. Proposal Details**

The proposal is to subdivide one existing residential lot into three lots for three single family dwellings. The existing lot is located in the Avenues neighborhood, directly east and across City Creek Canyon from the Utah State Capitol. The lot is at the western terminus of 10<sup>th</sup> Avenue and also borders an old private alley/right-of-way, which the applicant seeks to utilize as the sole access to two of the three lots and fronting a private street/ally instead of a public street is the reason the project is being reviewed as a planned development. City code requires that all new lots front a public street unless a private street is approved by the planning commission.

Being next to City Creek Canyon, the lot is partially consumed by the steep slope down into the canyon floor. That slope poses some potential difficulty with construction and reduces the amount of land area available for buildings as is discussed later on this report.

The existing single family dwelling was constructed in approximately 1947, per the earliest permit record. The home would be demolished to make room for this proposal of three new homes. The applicant had originally requested a special exception for extra building height for the homes but has since withdrawn that application and intends to comply with the height limits of the SR-1A zoning district.

**KEY ISSUES:**

The key issues associated with this proposal are private alley access, building setbacks for Lot 1, soils and the steep slope into City Creek Canyon, adequacy of storm drainage system, front façades of the proposed buildings, and inability to fully achieve one of the objectives of a planned development. The key issues are discussed further in the following paragraphs and were identified through the analysis of the project (*Attachment "F"*) and department review comments.

**Issue 1: Alley as primary access**

City ordinances for zoning and subdivision both require that all new lots front a public street. Since the alley is not a public street the creation of any lots along the alley that do not otherwise front a public street can only occur if approved by the planning commission via the planned development process.

**Right to use private alley:** the ownership of the alley appears to have been retained by a previous owner, Roy Bitner in the early 1900's. The property was transferred since then with a 20-foot wide right-of-way over the alley property, the full length (330 feet) of the alley. The applicant, upon purchasing the property, acquired that same right-of-way, which is a private alley. Based on the applicant's documented right to a 20-foot wide section of the alley, the following concerns about the alley as primary access arise:

**Width:** the alley is shown on the application drawings and tax assessment maps as 30 feet wide, 20-feet to the property owners west of the alley, and 10-feet to the property owners east of the alley as documented by the various ownership deeds. The standard width for residential streets is 50 feet wide, to allow curbs, gutters, and sidewalks to fit within the public right of way, and also for vehicle parking and large utility vehicles (sanitation trucks, fire trucks, snow plows) adequate width to access the properties along that street. If the project is approved, the commission should consider restricting alley parking to avoid conflicts with large service and emergency vehicles accessing the new lots. The proposal includes curb and sidewalk, no gutter, located *on the subject property*, along the west side of the alley, which reduces by approximately five feet the amount of street width needed to accommodate the aforementioned improvements. If a gutter is installed as anticipated as part of a project-wide comprehensive storm drainage system, this would again reduce the typical width by about 18 inches, resulting in a street right-of-way width of approximately 43.5 feet based on the standard of 50 feet.

**Parking:** the required parking for the lots would be provided via 2-car garages. Visitor parking is anticipated on 10<sup>th</sup> and 9<sup>th</sup> Avenues and in the alley, unless "no parking" signs are installed in the alley along the subject property, which is a recommended condition if project is approved. By restricting parking in the alley, conflicts between large emergency vehicles and parked private vehicles would be avoided.

**Improvement, repair and future maintenance:** the alley is currently paved with asphalt that the surrounding owners funded (the subject property's prior owner did not contribute). If the project is to be approved with lots fronting the alley, the developer must improve that portion of the alley that fronts his property and institute a continuing agreement for its repair and maintenance as a private street/alley. Also, the planned development ordinance (21A.55.170) requires that the developer provide estimated costs of maintenance for the improvements (curb, gutter, sidewalk, alley, water line, sewer line, storm drainage, fence along the slope crest) for a 60-year period. The subdivision ordinance (20.12.10.E) requires the developer to provide details (alignment, width, materials, grade, drainage, utility easements, etc) for the alley improvements for review and approval by the city engineer. The cost estimates, provisions for future maintenance, and improvement details are information that has not been provided by the applicant at this time and is recommended as a condition if approved.

**Issue 2: Building setbacks for Lot 1**

The original proposal showed three driveways accessing the alley, one for each lot. The applicant recently revised the plan for the corner lot, Lot 1 to move the driveway onto 10<sup>th</sup> Avenue and face the proposed dwelling onto 10<sup>th</sup> Avenue to give the project more of a street presence along that section of the street. That revision alleviates some of the vehicle traffic that would have utilized the alley. The revision also affects the required building setbacks, particularly the required rear yard setback. With 10<sup>th</sup> Avenue now considered the front of the lot, the front setback would apply to that lot line and the rear setback would apply to the south lot line. Here are the setback requirements based in the revision to front 10<sup>th</sup> Avenue:

- Front (north) = equal to average of the existing setbacks along the block face, which is estimated at two feet based on the only other existing house along this side of 10<sup>th</sup> Avenue. The applicant is proposing approximately 12 feet.
- Corner side (east) = 10 feet, but driveway must be at least 20 feet from alley.
- Side (west) = four feet, but the steep slope would prevent building in the west portion of the lot
- Rear (south) = 15 feet, but the applicant is now proposing four feet to allow enough depth for a home that would face 10<sup>th</sup> Avenue.

The changes in rear setback requested by the applicant, based on the orientation of the dwelling on Lot 1, are preferred over having Lot 1 parking accessed via the alley.

**Issue 3: Soil and slope stability**

The applicant has provided a letter from a professional geotechnical engineer who performed a prior geotechnical evaluation on the property. The engineer indicated that there is a significant amount of fill that has been placed at the top of the slope and around the property, apparently from past construction activity and occupants. The letter provides recommendations for building the three proposed homes on the site, specifically not disturbing the existing slope or its vegetation, directing roof drainage away from the slope and toward the street for collection into an engineered drainage system, not placing sprinklers with 20 feet of the slope's crest to avoid soil saturation, and proper maintenance of any irrigation systems to avoid leaking. He further states that a detailed slope stability analysis, including subsurface exploration and laboratory testing, would need to be performed to determine the slopes risk of failure from a seismic event, unusually heavy precipitation, and leaking water or sprinkler pipes. A detailed analysis is a recommended condition if the project is approved.

**Issue 4: Sewer, Water, Storm Drainage (public utilities)**

**Sewer:** the subject property has a sewer lateral that runs through the property in a north-south direction. That same sewer line services four other homes, two on the other side of 10<sup>th</sup> Avenue and the two lots directly south of the site. The applicant proposes to cut and cap the line at the southern end of his property, thereby continuing the same service for the two lots to the south. He would then install a new sewer line through the alley that would service the two lots across 10<sup>th</sup> Avenue and the three proposed lots. The sewer line would run from 10<sup>th</sup> Avenue, down the alley, to 9<sup>th</sup> Avenue and connect to the existing main sewer line in 9<sup>th</sup> Avenue.

**Water:** the applicant also proposes to install a new water line in the alley for the proposed lots. Each lot would have its own water meter.

**Storm Drainage:** the applicant has stated that he will design and install an adequate storm drainage system that would collect water and drain it toward the alley to a catchment grate, and then underground down the alley. No plans have been provided showing how the proposal will operate. This remains a critical issue because of the concerns raised by the geotechnical engineer about directing water away from the steep slope. The applicant has stated that he will install a drainage system reviewed and approved by the city's public utilities department, which is responsible for storm drainage. If the project is approved as proposed, this item should be included as a condition.

**Issue 5: Lot size**

The lot size minimum and maximum are established by the SR-1A zoning district. The maximum lot size is 7,500 square feet for single family residential lots. The subdivision ordinance further addresses lot size by preventing steep slopes from being counted toward lot size. By removing the steep slope section from each lot, based on the slope crest line provided on the surveyed site map, two of the lots are under the maximum and one is slightly over by roughly 75 square feet. The SR-1A allows for lots larger than 7,500 square feet if they are part of a subdivision and meet three criteria, essentially demonstrating compatibility with lots on the same block face. If three lots are to be approved, Lot 1, the largest lot, is still considered compatible with other lots on the block face as the other existing lots on the block face exceed 7,500 square feet. The lot sizes meet the intent of the maximum lot size regulation – to prevent large scale structures.

**Issue 6: Planned development objectives**

In general a planned development offers flexibility in the application of zoning and subdivision design standards in anticipation of a better and preferred development that has increased benefit to the immediate area, the general public, and the city. Approving the planned development as proposed, with two lots fronting the private alley, would create lots that are nearer the desired lot size of the SR-1A zoning district and could be considered as achieving the objective for "combination and coordination of ... building forms and building relationships" by promoting smaller dwellings and lots commonly found in the SR-1A zone. The dilemma is whether the benefit of allowing three lots, which meet the intent of the SR-1A lot size regulations, and the associated additional traffic, utility lines, and storm drainage requirements is preferred over a "flag lot" design where the lots are accessed from 10<sup>th</sup> Avenue and could

be produced without a planned development. The flag lot option would only produce two lots, which could potentially allow for larger building footprints.

**Issue 7: Front facades**

The proposal included rough sketches of the new dwellings. The attached garage protrudes from the front of the building, obscuring the front entrance somewhat. The zoning ordinance requires the front façade to include the entrance door and other features such as windows, porches, etc. The door being setback from the garage may appear to some that the door is not part of the front façade. The planning commission should be aware that city staff have approved similar designs in the past and would consider this design as compliant, with the front façade comprised of both the garage and front entrance door and windows. No action is required, staff merely wanted to clarify any question about the design.

**DISCUSSION:**

The key issues discussed previously reveal the complications with the project relating to the alley access and the proximity to the steep eastern slope of City Creek Canyon. The location creates difficulty for proper storm drainage and building locations, increased vehicle conflicts in the alley, future maintenance of the alley adjacent to the project, and installation of sewer and water lines. It is feasible these issues could be adequately resolved by proper engineering and design and therefore, staff has provided a substantial list of conditions with the recommendation on the front page of this report.

Some neighbors and the Greater Avenues Community Council have provided comments with many of the same concerns and key issues noted previously. There are also some neighbors and community members who provided comments clearly in support of the project. The applicant has attempted to resolve the key issues but some of the information is lacking in detail at this point. The conditions of approval in staff's recommendation will serve to remedy the question of adequate information on the key issues.

The analysis of the approval standards in *Attachment "F"* of this report further details the issues as they relate the standards and offer more insight on staff's overall recommendation for the two applications – planned development and preliminary subdivision plat. The proposal meets most of the review standards and conditions can be placed on the approval to make the project meet the remaining standards. At this point the two outstanding issues related to the review standards are providing adequate improvements for storm drainage and future maintenance of the alley. These issues can be addressed post-approval with engineered plans and required documentation of improvement costs and maintenance plans.

A question raised earlier in this report pertains to the benefits produced by this 3-lot proposal versus a 2-lot project that utilizes a flag lot design with both lots accessed via 10<sup>th</sup> Avenue. Three lots would more closely align with the intent of the SR-1A zoning district by limiting building footprint size, but the trade off would be additional storm drainage requirements with more buildings and driveways, and vehicle impact to the alley. Ultimately, staff recommended approval of the proposed 3-lot design with a list of conditions. As the final decision is up to the commission, the commission may add, remove, or modify conditions of approval, or deny the proposal all together.

**NEXT STEPS:**

If approved, the applicant may proceed with the project, subject to any conditions, and will be required to obtain all necessary city permits and make all required improvements. If denied, the applicant would still be eligible to divide the property but each lot would require street frontage on 10<sup>th</sup> Ave, which may potentially be achieved via a flag lot scenario.

**ATTACHMENT A: Vicinity Map**

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SR-1A

SR-1A

10TH

CANYON

OS

OS

SR-1A

SR-1A

SR-1A

SR-1A

9TH

SR-1A

SR-1A

SR-1A

SR-1A



**ATTACHMENT B: Site Plan**

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VICINITY MAP  
(NTS)

OWNER OF RECORD  
SALT LAKE CITY CORP

**LEGEND**

◆ SECTIONAL CORNER	■ STEPPING STONES
◆ STREET MONUMENT	■ PHONE BOX
◆ FOUND PLUG (PROP. ALGN.)	■ TREE CLUMPING
◆ PROPERTY CORNER (DEED)	■ TREE (PINE OR EVERGREEN)
— REPRESENTS PROPERTY LINE	■ TREE (PINE OR EVERGREEN)
▲ SURVEY CONTROL POINT	■ EXISTING POWER POLE
▲ EXISTING FIRE HYDRANT	■ EXISTING GUY WIRE
▲ OVER HEAD UTILITY WIRES	■ EXISTING GAS METER
▲ EXISTING GAS METER	■ EXISTING WATER METER
▲ EXISTING WATER METER	■ EXISTING WATER VALVE
▲ EXISTING WATER VALVE	■ SPRINKLER CONTROL BOX
▲ SPRINKLER CONTROL BOX	■ EXISTING STORM DRAIN
▲ EXISTING STORM DRAIN	■ EXISTING CATY BOX
▲ EXISTING CATY BOX	■ EXISTING CATCH BASIN
▲ EXISTING CATCH BASIN	■ EXISTING SEWER MANHOLE
▲ EXISTING SEWER MANHOLE	■ EXISTING TELEPHONE CONNECTION
▲ EXISTING TELEPHONE CONNECTION	■ ELECTRIC METER
▲ ELECTRIC METER	■ AIR CONDITIONER UNIT
▲ AIR CONDITIONER UNIT	

TREE DIA. & HEIGHTS, SPECIES, ARE APPROX.

**UTILITIES, STREET AND ADDRESS FRONTAGE APPROVED**

DATE \_\_\_\_\_ SIGNED \_\_\_\_\_

**CHECKED FOR ZONING COMPLIANCE**

Zone: \_\_\_\_\_ Lot Area: \_\_\_\_\_

Lot Width: \_\_\_\_\_ Front Yard: \_\_\_\_\_

Side Yard: \_\_\_\_\_ Rear Yard: \_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_

**PROPERTY DESIGN LLC.**  
P.O. BOX 70168  
SALT LAKE CITY UT 84170  
(801) 955-6339  
(801) 606-2752 FAX  
PROPERTYDESIGNLLC@GMAIL.COM

**PLANNING COMMISSION**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_ BY THE SALT LAKE CITY PLANNING COMMISSION.

SALT LAKE CITY PLANNING COMMISSION

**HEALTH**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_

SALT LAKE VALLEY HEALTH DEPT.

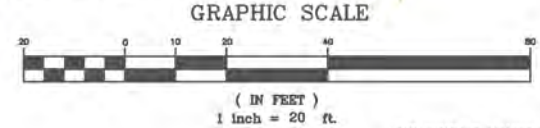
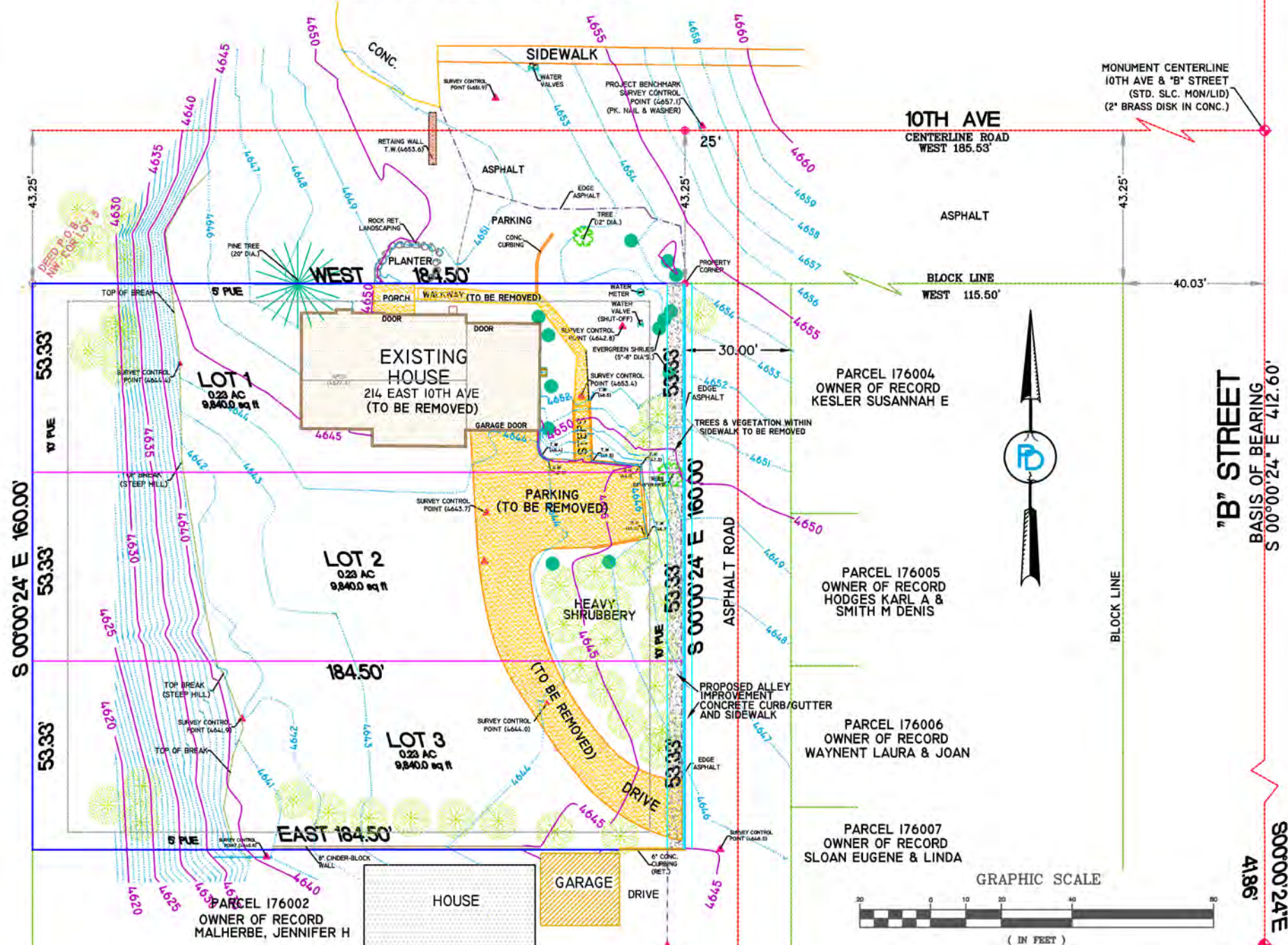
**PLANNING & DEVELOPMENT SERVICES DIVISION**

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

DATE \_\_\_\_\_ ASSOCIATE DIRECTOR \_\_\_\_\_

# CAPITOL HEIGHTS

LOCATED IN THE E. 1/2 NW. 1/4 SEC. 31  
TOWNSHIP 1 NORTH, RANGE 1 EAST  
SALT LAKE BASE AND MERIDIAN



**SALT LAKE COUNTY FLOOD CONTROL**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

S L COUNTY FLOOD CONTROL COORDINATOR

**SALT LAKE CITY WATER SYSTEM**

APPROVED AS TO FORM THIS \_\_\_\_\_ A.D. 20\_\_\_\_

DATE \_\_\_\_\_ DIRECTOR \_\_\_\_\_

**APPROVAL AS TO FORM**

APPROVED AS TO FORM THIS \_\_\_\_\_ A.D. 20\_\_\_\_

SALT LAKE COUNTY DISTRICT ATTORNEY

**MAYOR**

PRESENTED TO THE SALT LAKE CITY MAYOR THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_ AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

MAYOR, OR DESIGNEE

## SURVEYOR'S CERTIFICATE

I, RICHARD K. JOHANSON, do hereby certify that I am a Registered Civil Engineer, and or Land Surveyor, and that I hold certificate No. 152956, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as CAPITOL HEIGHTS and that same has been correctly surveyed and staked on the ground as shown on this plat.

A Record of Survey has been filed as # S20004020054 in the S L Surveyor's Office. County \_\_\_\_\_

OCT. 16, 2014  
DATE

## BOUNDARY DESCRIPTION

BEGINNING AT THE NORTHWEST CORNER OF LOT 3, BLOCK 128, PLAT "D" SALT LAKE CITY SURVEY, THENCE SOUTH 160 FEET, THENCE EAST 184.5 FEET, THENCE NORTH 160 FEET, THENCE WEST 184.5 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.68 ACRES  
3 LOTS

## OWNER'S DEDICATION

Known all men by these presents that \_\_\_\_\_, the \_\_\_\_\_ undersigned owner ( ) of the above described tract of land, having caused same to be subdivided into lots and streets to be hereafter known as the

## CAPITOL HEIGHTS

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use.

In witness whereof \_\_\_\_\_ have hereunto set \_\_\_\_\_ this day of \_\_\_\_\_ A.D., 20\_\_\_\_

## ACKNOWLEDGMENT

STATE OF UTAH )  
County of Salt Lake ) ss.  
On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me \_\_\_\_\_, who being by me duly sworn, did acknowledge that he/she is the \_\_\_\_\_ of \_\_\_\_\_, and that the foregoing instrument was signed by him/her on behalf of \_\_\_\_\_.

Commission Number \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
A Notary Public Commissioned in Utah

## CAPITOL HEIGHTS

LOCATED IN THE E. 1/2 NW. 1/4 SEC. 31  
TOWNSHIP 1 NORTH, RANGE 1 EAST  
SALT LAKE BASE AND MERIDIAN

RECORDED # \_\_\_\_\_

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF \_\_\_\_\_

DATE \_\_\_\_\_ TIME \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

FEE \$ \_\_\_\_\_ SALT LAKE COUNTY RECORDER





SugarHouse Architects, LLC  
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 Salt Lake City, UT 84106

p 801.466.3100  
 f 866.574.1253

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

**New Residences**

214 East 10th Avenue  
 Salt Lake City, UT

Revision	Date

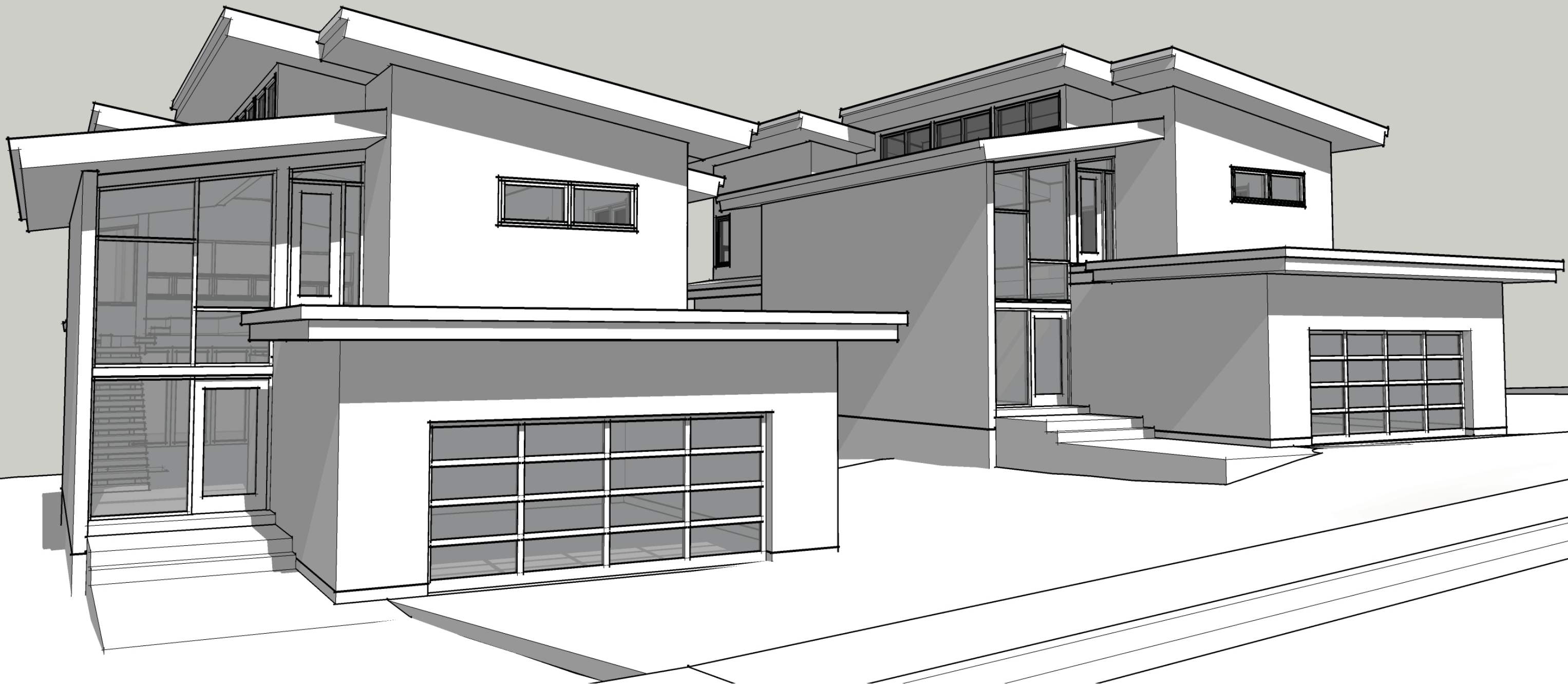
Project No  
 Date: July 22, 2014  
 Sheet

**AS100**

Design Development

## **ATTACHMENT C: Building Elevations**

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**ATTACHMENT D: Additional Applicant Information**

**Planned Development Submittal  
Project Description &  
Planned Development Information**

**To:** Salt Lake City Corporation  
**Project:** Capitol Heights  
**Project Address:** 214 East 10<sup>th</sup> Avenue  
**Date:** September 11, 2014

**Project Description**

The proposal for the property located at 214 East 10<sup>th</sup> Avenue is to subdivide the existing parcel into 3 distinct parcels for the purposes of building one single family dwelling on each new lot. The existing parcel is 29,520 sf or .68 acre and is zoned SR-1A. The site borders 10<sup>th</sup> Avenue to the north, an alley to the east, a single family home to the south and City Creek Canyon to the west. The site also features dramatic views of the State Capital to the west. As part of the project, the existing dilapidated single family home on the site will be demolished. This existing house fronts 10<sup>th</sup> Avenue although the driveway access is via the alley on the east. The new subdivision property lines will be equally spaced from north to south establishing three new lots that are 53'-4" north/south by 184'-6" east/west allowing each to be 9,840 sf or .23 acre. The advantage of this orientation is that each lot will have a view to the west and a share of the steep slope that borders the canyon. The disadvantage of this orientation is that each lot's frontage will be off of the existing alley.

The 3 homes being developed are intended to be of the same architectural style, scale and will use the same materials in construction in order to provide a cohesive albeit small development. The long and narrow arrangement of the new lots requires that the attached garages directly face the new frontage on the alley. Each of the homes will be 34' at the widest and have 16' wide garage doors. A prominent front door will be included in the design and the back of the homes will be largely glass to maximize the view.

**Planned Development Information**

This project is intended to fulfill several of the Planned Development objectives:

1. By subdividing the lot into 3 smaller lots, the proposed scale and form of the new homes will better integrate into the surrounding residential zones. In fact, the three lots directly east of the property appear to be about the same width as those proposed.



**Planned Development Submittal  
Project Description &  
Planned Development Information**

2. As part of the development the west edge of the alley along the property frontage will be upgraded with curb & gutter, and a 5' wide sidewalk. This, along with the new homes will enhance the appearance of the alley and generally create a more pleasing environment.
3. The existing house on the lot is not and has not been occupied for a while and therefore has fallen into disrepair. The house, driveway and parking area on the site will be demolished.

**Relief Requested**

In order for this project to work, it is requested that the following requests be granted:

1. Allow the new lots in the subdivision to have their frontage face east on the alley rather than facing north on 10<sup>th</sup> Avenue.
2. The maximum allowable building height for a pitched roof in the SR-1A zone is 23' to the ridge and the maximum allowable height for flat roof is 16'. *We propose the maximum allowable height in the new planned development be 28' to the ridge for a pitched roof and 21' for a flat roof.*
3. The interior side yard setbacks are 4' and 10'. In order maximize the side yards as much as possible *we propose that the side yard setbacks on this site be 8' and 10'. Further, there are no front yards along the alley to measure, rather than 20' we propose a 25' front yard setback.*

Extra Height is no longer requested.

KOO WHITE  
Principal, SugarHouse Architects

Standard side setbacks of 4' and 10' would apply. Lot 1 was revised as shown on the site plan.



October 23, 2014

Mr. Phil Winston  
Northstar Builders  
1486 South 1100 East  
Salt Lake City, Utah 84105

Re:            Geotechnical Consultation  
                New Residences  
                214 East 10<sup>th</sup> Avenue  
                Salt Lake City, Utah  
                CMT Job No. 7201

Mr. Winston,

We have been asked to provide our opinion regarding potential effects of the proposed construction on the existing slope on the west side of the property. The undersigned engineer, formerly with Gordon Geotechnical Engineering, Inc., performed a geotechnical study<sup>1</sup> of the subject lot in 2013. At the time the geotechnical study was performed there was an existing, unoccupied residence on the lot. Aerial photographs readily available online show the residence has occupied the lot since at least the early 1990s, but we believe the residence to be much older.

The subject lot is situated at the crest of the slope on the east side of City Creek Canyon. The slope is approximately 150 feet high with an overall gradient of approximately 2.5H:1V (horizontal:vertical) dropping down to the west. The majority of the face of the slope is vegetated with grasses, weeds, brush, and trees. The upper 15 feet or so of the slope, immediately below the crest, is somewhat steeper and appears to be composed of older fill soils that we believe were placed as part of the construction of the existing home. Based upon maps created by the Utah Geological Survey there are older landslides to the north of the site on the east side of City Creek Canyon, but none impacting this specific lot.

As part of the referenced geotechnical study, three test pits were excavated on the site to depths of about 15 to 16 feet below the surface existing at the time. The soils encountered consisted of sand and gravel fill with debris (pipe, asphalt, concrete, bricks) extending to depths of 6 to 12 feet. It appeared that the fill soils were placed over the natural slope to create a level building pad. Immediately below the fill, natural fine and coarse gravels were encountered to the maximum depths explored. No groundwater was encountered within the depths explored and no seeps were noted on the face of the slope. The geotechnical report recommended that foundations be established entirely on undisturbed, natural gravel soils, or on granular structural fill extending to natural gravel soils. A slope stability analysis was not performed as part of the geotechnical study.

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<sup>1</sup> Report, Geotechnical Study, Proposed Single-Family Residence, 214 East 10<sup>th</sup> Avenue, Salt Lake City, Utah, Gordon Geotechnical Engineering, Inc. Job No. 127-001-12, January 23, 2013.



New Residences  
214 East 10<sup>th</sup> Avenue  
Project No. 7201

The geotechnical report was prepared with the understanding that the existing residence on the site would be razed and another single family residence would be constructed in its place. We have been informed that development plans now include three new residences with basements. The new residences will be oriented perpendicular to the slope crest (east-west). Based upon the site plan provided to our office the west end of the proposed residence at the south end of the site will be about 25 feet from the crest of the slope, and the west end of the proposed residence on the north end of the site will be about 40 feet from the crest.

No evidence of historic slope movements for this specific lot are known. Generally, it is our opinion that construction of the proposed residences will not have a significant influence on the stability of the existing slope, provided the existing slope is not modified. To maintain stability we recommend that additional fill soils not be placed on the crest of the slope. Because the proposed residences will have basements we recommend that the basement excavation spoils be removed from the site and not stockpiled on the crest of the slope. The existing vegetation on the face of the slope should remain undisturbed. Roof drainage should be collected and directed away from the slope, ideally out to the street on the east side of the site. Landscaping at the back of the residences should be predominately composed of native, drought tolerant plants that do not require significant irrigation. Any sprinklers installed should not be placed within 20 feet of the crest of the slope nor spray over the face of the slope. A leaking sprinkler system can allow a significant amount of water to infiltrate into the subgrade soils which can increase driving forces for slope movement. Sprinkler systems, if installed, should be well maintained and checked for leaks frequently.

A seismic event, or saturating the slope soils from a leaking water pipe, sprinkler pipe, or unusually heavy precipitation in the area, could affect the stability of the slope in the future. A detailed slope stability analysis, including additional subsurface exploration and laboratory testing, would need to be performed to assess these conditions.

We appreciate the opportunity to provide our services on this project. If we can answer any questions or be of further assistance, please call.

Respectfully submitted,  
**CMT Engineering Laboratories**



Jeffrey J. Egbert, P.E., LEED A.P.  
Senior Geotechnical Engineer



**REPORT  
GEOTECHNICAL STUDY  
PROPOSED SINGLE-FAMILY RESIDENCE  
214 EAST 10<sup>TH</sup> AVENUE  
SALT LAKE CITY, UTAH**

January 23, 2013

Job No. 127-001-12

**Prepared for:**  
DIMI Group, LLC  
1955 South 1800 West  
Woods Cross, Utah 84087

**Prepared by:**  
Gordon Geotechnical Engineering, Inc.  
4426 South Century Drive, Suite 100  
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January 23, 2013  
Job No. 127-001-12

DIMI Group, LLC  
1955 South 1800 West  
Woods Cross, Utah 84087

Attention: Mr. Eric Jergensen

Ladies and Gentlemen:

Re: Report  
Geotechnical Study  
Proposed Single-Family Residence  
214 East 10<sup>th</sup> Avenue  
Salt Lake City, Utah

*JEFF*  
*801-810-8193*  
*JULY 29*  
*8:22 AM*  
*Will call Back*

## 1. INTRODUCTION

### 1.1 GENERAL

This report presents the results of our geotechnical study performed at the site of a proposed single-family residence, which is located at 214 East 10<sup>th</sup> Avenue in Salt Lake City, Utah. The general location of the site with respect to major topographic features and existing facilities, as of 1998, is presented on Figure 1, Vicinity Map. A detailed location of the site showing existing roadways and surrounding features, on an air photograph base, is presented on Figure 2, Area Map. The locations of the test pits excavated in conjunction with this study are also presented on Figure 2.

During the course of this study, many of the conclusions and recommendations were presented to the design team and owner.

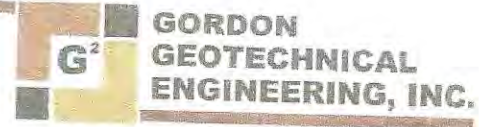
### 1.2 OBJECTIVES AND SCOPE

The objectives and scope of our study were planned in discussions between Eric Jergensen of DIMI Group, LLC and Mr. Jeff Egbert of Gordon Geotechnical Engineers, Inc. (G<sup>2</sup>). The discussions included questions regarding the need for the report to address the stability of the slope on the east side of the lot. We understood that Salt Lake City was not requiring an assessment of the stability of the slope and therefore our scope of work would not include the



## DIMI Group, LLC

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needed deeper subsurface explorations and engineering analysis to address the stability of the slope.

In general then, the objectives of this study were to:

1. Accurately define and evaluate the subsurface soil and groundwater conditions across the site.
2. Provide appropriate foundation, earthwork, and geoseismic recommendations to be utilized in the design and construction of the proposed residence.

In accomplishing these objectives, our scope has included the following:

1. A field program consisting of the excavation, logging, and sampling of three test pits.
2. A laboratory testing program.
3. An office program consisting of the correlation of available data, engineering analyses, and the preparation of this summary report.

### 1.3 AUTHORIZATION

Authorization was provided by returning a signed copy of our Professional Services Agreement No. 12-1204 dated December 14, 2012 and executed on December 18, 2012.

### 1.4 PROFESSIONAL STATEMENTS

Supporting data upon which our recommendations are based are presented in subsequent sections of this report. Recommendations presented herein are governed by the physical properties of the soils encountered in the exploration test pits, measured and projected groundwater conditions, and the layout and design data discussed in Section 2., Proposed Construction, of this report. If subsurface conditions other than those described in this report are encountered and/or if design and layout changes are implemented, G<sup>2</sup> must be informed so that our recommendations can be reviewed and amended, if necessary.

Our professional services have been performed, our findings developed, and our recommendations prepared in accordance with generally accepted engineering principles and practices in this area at this time.

## 2. PROPOSED CONSTRUCTION

We understand that the existing older residence on the site will be razed and a new one- to two-level residence, possibly with a walkout basement, will be constructed. We anticipate that the



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new residence will be of wood-frame construction and that foundation loading will not exceed 4 kips per lineal foot for bearing walls, 60 kips for columns, and 150 to 200 kips per square foot uniform floor loads.

Site development will require a moderate amount of earthwork in the form of site grading. We estimate that maximum cuts and fills to achieve design grades will be on the order of one to two feet.

### 3. INVESTIGATIONS

#### 3.1 FIELD PROGRAM

In order to define and evaluate the subsurface soil and groundwater conditions across the site, 3 test pits were excavated to depths ranging from 15 to 16 feet below existing grade. The test pits were excavated using a rubber tire-mounted backhoe. Locations of the test pits are presented on Figure 2.

The field portion of our study was under the direct control and continual supervision of an experienced member of our geotechnical staff. During the course of the excavation operations, a continuous log of the subsurface conditions encountered was maintained. In addition, relatively small disturbed samples of the typical soils brought up by the backhoe bucket obtained for subsequent laboratory testing and examination. The soils were classified in the field based upon visual and textural examination. These classifications have been supplemented by subsequent inspection and testing in our laboratory. Detailed graphical representation of the subsurface conditions encountered is presented on Figures 3A through 3C, Log of Test Pits. Soils were classified in accordance with the nomenclature described on Figure 4, Unified Soil Classification System.

Following completion of excavation operations, a one and one-quarter-inch diameter slotted PVC pipe was installed Test Pit TP-3 in order to provide a means of monitoring the groundwater fluctuations.

Following completion of excavating and logging, each test pit was backfilled. Although an effort was made to compact the backfill with the backhoe, the backfill was not placed in uniform lifts and compacted to a specific density. Consequently, settlement of the backfill with time is likely to occur.

#### 3.2 LABORATORY TESTING

##### 3.2.1 General

In order to provide data necessary for our engineering analyses, a laboratory testing program was performed. The program included moisture, partial gradation, and chemical tests. The following paragraphs describe the tests and summarize the test data.

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More "sophisticated" tests were not performed because of the difficulty in obtaining undisturbed samples of the coarse granular soils encountered. Strength and compressibility parameters utilized in our analysis for the coarse granular soils are based upon visual and textural examination, and our experience with similar soils in the area.

### 3.2.2 Moisture Tests

To aid in classifying the soils and to help correlate other test data, moisture tests were performed on selected samples. The results of these tests are presented on the test pit logs, Figures 3A through 3C.

### 3.2.3 Partial Gradation Tests

To aid in classifying the soils and to provide general index parameters, partial gradation tests were performed upon representative samples of the soils encountered in the test pits. The results of the tests are tabulated below:

Sieve Size	Percent Passing			
	TP-1 @ 8.5'	TP-1 @ 13.0'	TP-2 @ 15.0'	TP-3 @ 10.0'
No. 4	73.5	44.6	43.4	38.0
No. 200	23.7	6.8	3.5	2.9
<b>Soils Classification</b>	SM/GM-FILL	GP/SM	GP/SP	GP/SP

### 3.2.4 Chemical Tests

To determine if the site soils will react detrimentally with concrete, chemical tests were performed on a representative sample of the natural soil. The results of the chemical tests are tabulated below:

Test Pit No.	Depth (feet)	Soil Classification	pH	Total Water Soluble Sulfate (ppm)
TP-3	6.0	GP/SM	9.4	<5.13



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**4. SITE CONDITIONS****4.1 SURFACE**

As previously indicated, the site is occupied by an older vacant residence that is two stories in height with a basement level that walks out on the south side of the house. The home is showing signs of settlement distress (cracks in foundations and mortar). Based upon our findings discussed in subsequent sections of this report it is most likely that the distress to the existing home is a result of being constructed on unsuitable fill soils that may not have been properly placed and compacted.

On the east side of the existing residence is an attached two-story garage. A concrete driveway leads from the southeast corner of the lot to the garage. East of the garage are some concrete steps and retaining walls. The ground surface surrounding the residence is relatively level and the overall gradient slopes downward to the south. The lot is vegetated predominately with grass but there are also several large trees.

The lot is bounded on the north by 10<sup>th</sup> Avenue, on the east by an unnamed paved alleyway, on the south by a residence, and on the west by an approximate 150-foot high slope with a gradient of approximately two and one-half or three horizontal to one vertical that drops downward to the west to City Creek. The slope appears to consist of an upper portion about 10 to 15 feet in height composed of fill soils likely placed to create a level building lot, with the remaining portion composed of natural granular soils vegetated with weeds, grasses, shrubs, and trees. To our knowledge there has not been historic evidence of slope movements on the east side of City Creek Canyon.

Representative photographs of the site area are shown on Figure 5, Photographs.

**4.2 SUBSURFACE SOIL AND GROUNDWATER**

At the test pit locations, the upper two to three inches of the soil profile was composed of sandy gravelly soil with roots and organics (topsoil). Below the topsoil loose, silty, sandy, gravelly non-engineered fill soils with debris (pipe, asphalt concrete, concrete chunks, brick) were encountered extending up to 12 feet in depth on the west side of the lot and up to 6 feet in depth on the south-central side of the lot. Below the non-engineered fill soils, natural loose to medium dense silty, sandy gravel soils were encountered extending to the maximum depths explored of 15 to 16 feet below the existing surface.

It appears that the existing non-engineered fill soils cover a majority of the site and extend below the existing home. The fill was likely placed over the natural slope to create a level building pad. The non-engineered fill soils are somewhat variable in nature, contain debris, and are susceptible to potentially adverse settlements as already evidenced by the distress to the existing home. The natural gravel soils will exhibit relatively high strength and low settlement characteristics.

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Groundwater was not encountered in any of the test pits within the depths explored. Although seasonal and longer-term groundwater fluctuations on the order of one-half to two feet are possible, with the highest seasonal levels generally occurring during the late spring and early summer months, we anticipate that groundwater levels will remain fairly deep (greater than 20 feet).

## 5. DISCUSSIONS AND RECOMMENDATIONS

### 5.1 SUMMARY OF FINDINGS

Based upon the results of our investigation and testing, the most significant geotechnical aspects of this site are:

1. Surficial loose, silty, sandy, gravelly non-engineered fill soils extending 6 to 12 feet below the existing grade and covering a significant portion of the lot. These soils are likely the cause of the settlement and distress to the existing home and are unsuitable for the support of new footings and floor slabs.
2. Natural gravel soils will provide good strength and foundation support characteristics. Conventional spread and continuous footings may be utilized bearing on the natural gravel soils and/or compacted structural fill extending to natural gravel soils.

In the following sections, detailed discussions pertaining to earthwork, foundations, lateral resistance and pressure, floor slabs, and the geoseismic setting of the site are provided.

### 5.2 EARTHWORK

#### 5.2.1 Site Preparation

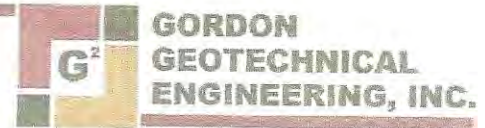
Following demolition of existing surface structures, concrete flatwork, footings, and concrete paving from beneath the entire footprint of the proposed new residence, the removal of all surface vegetation, topsoil, root bulbs, sod, rubbish, construction debris, non-engineered fill, and any other deleterious materials from areas which will ultimately be structurally loaded must take place. We estimate that approximately two to three inches of stripping will be necessary to remove major roots, vegetation, and organics. Vegetation and other deleterious materials should be removed from the site. Stripped topsoil will be unsuitable for structural fill but may be stockpiled for subsequent landscaping purposes.

The upper 6 to 12 feet of the existing soil profile is composed of non-engineered granular fill soils containing debris (pipe, asphalt concrete, concrete chunks, brick). These non-engineered fill soils are unsuitable for support of foundations and floor slabs. To prepare the area for support of the proposed structure the existing non-engineered fill soils should either be



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completely removed so that foundations and floor slabs are supported on the undisturbed natural gravel soils, or completely removed and replaced with structural fill which could be composed of the existing non-engineered fill soils that have been screened of debris, moisture conditioned, and compacted in lifts as structural fill over the natural gravel soils, or a network of rammed aggregate piers (such as Geopiers<sup>®</sup>) should be installed through the existing non-engineered fill soils to the underlying natural gravel soils to support the proposed foundations and floor slabs.

Subsequent to stripping and prior to the placement of floor slabs, structural site grading fill and pavements, the exposed subgrade, consisting of disturbed or undisturbed natural soils, must be proofrolled by passing moderate-weight rubber tire-mounted construction equipment over the surface at least twice. If excessively soft or loose soils are encountered, they must be compacted to the requirements for structural fill specified in this report, or removed to a maximum depth of two feet, and replaced with structural fill.

Following the above operations, footings and floor slabs may be placed in areas of the proposed structure. All topsoil, vegetation, non-engineered fill, and disturbed soils must be completely removed from all foundation areas.

### 5.2.2 Excavations

Temporary construction excavations not exceeding four feet in depth may be constructed with sideslopes no steeper than one-half horizontal to one vertical. Excavations up to eight feet in depth may be constructed with sideslopes no steeper than three-quarters horizontal to one vertical. Deeper excavations should have sideslopes no steeper than one horizontal to one vertical. Deeper excavations may require flatter sideslopes or shoring and bracing. Some sloughing of the sandy/gravelly soils on the sides of the excavations is anticipated.

To minimize disturbance to the underlying soils, it is our recommendation that footings be excavated with a backhoe equipped with a smooth-lip bucket.

All excavations must be inspected periodically by qualified personnel. If any signs of instability or excessive sloughing are noted, immediate remedial action must be initiated.

### 5.2.3 Structural Fill

Structural fill is defined as all fill which will ultimately be subjected to structural loadings, such as imposed by footings, floor slabs, pavements, etc. Structural fill will be required as replacement fill below footings, backfill over foundations and utilities, and possibly as site grading fill. It is recommended that all structural fill must be free of sod, rubbish, topsoil, frozen soil, and other deleterious materials. Structural site grading fill is defined as fill placed over fairly large open areas to raise the overall site grade. For structural site grading fill, the maximum particle size should generally not exceed four inches; although, occasional larger particles, not exceeding four to eight inches in diameter may be incorporated if placed randomly in a manner such that



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"honeycombing" does not occur and the desired degree of compaction can be achieved. The maximum particle size within structural fill placed within confined areas should generally be restricted to two inches.

The on-site natural gravel soils may be utilized as structural site grading fill. The existing non-engineered granular fill soils may be utilized as structural fill if the debris is removed. Fine-grained soils, if encountered, should not be used as structural fill. It should be noted that utilization of the natural gravel soils and existing gravelly non-engineered fill soils will require proper moisture control and compaction testing, the same as imported structural fill. Only granular soils are recommended as structural fill in confined areas, such as around foundations and within utility trenches.

Non-structural site grading fill is defined as all fill material not designated as structural fill and may consist of any cohesive or granular soils not containing excessive amounts of degradable material.

#### **5.2.4 Fill Placement and Compaction**

All structural fill should be placed in lifts not exceeding eight inches in loose thickness. Fills beneath an area extending out 5 feet from all footings and floor slabs, as well as all other fills 5 feet or less in thickness, must be compacted to at least 95 percent of the maximum dry density as determined by the AASHTO<sup>1</sup> T-180 (ASTM<sup>2</sup> D-1557) compaction criteria. Structural fills up to 12 feet in thickness may be required below portions of the proposed new home on portions of the site. Fills greater than 5 feet in thickness below footings and floor slabs must be compacted to at least 98 percent of the maximum dry density as determined by the AASHTO T-180 (ASTM D-1557). Fills less than 5 feet thick, which are not beneath an area extending out at least 5 feet from the perimeter of the structure, should be compacted to at least 90 percent of the above-defined criteria.

Subsequent to stripping and prior to the placement of structural site grading fill, the subgrade should be prepared as discussed in Section 5.2.1, Site Preparation, of this report. In confined areas, subgrade preparation should consist of the removal of all loose or disturbed soils.

Non-structural fill may be placed in lifts not exceeding 12 inches in loose thickness and compacted by passing construction, spreading, or hauling equipment over the surface at least twice.

#### **5.2.5 Utility Trenches**

All utility trench backfill material below structurally loaded facilities (flatwork, floor slabs, roads, etc.) should be placed at the same density requirements established for structural fill. If the

<sup>1</sup> American Association of State Highway and Transportation Officials  
<sup>2</sup> American Society for Testing and Materials

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surface of the backfill becomes disturbed during the course of construction, the backfill should be proofrolled and/or properly compacted prior to the construction of any exterior flatwork over a backfilled trench. Proofrolling may be performed by passing moderately loaded rubber tire-mounted construction equipment uniformly over the surface at least twice. If excessively loose or soft areas are encountered during proofrolling, they should be removed to a maximum depth of two feet below design finish grade and replaced with structural fill.

Most utility companies and City-County governments are now requiring that Type A-1 or A-1-a (AASHTO Designation – basically granular soils with limited fines) soils be used as backfill over utilities. These organizations are also requiring that in public roadways the backfill over major utilities be compacted over the full depth of fill to at least 96 percent of the maximum dry density as determined by the AASHTO T-180 (ASTM D-1557) method of compaction. We recommend that as the major utilities continue onto the site that these compaction specifications are followed.

The natural gravel soils or “cleaned” existing non-engineered granular fill soils may be utilized as trench backfill.

### 5.2.6 Final Cut and Fill Slopes

We anticipate that some grading of the site will occur with the construction of the new residence. To minimize erosion final cut and/or fill slopes, in natural gravel soils or structural fill, should generally not be made steeper than two horizontal to one vertical. If steeper slopes are required Gordon Geotechnical Engineering, Inc. should be consulted.

### 5.2.7 Areal Settlements

Areal settlements resulting from site grading fills as much as five feet should be less than one-quarter of an inch. These settlements are in addition to settlements induced by foundation and floor slab loads. To reduce the total settlement that the structure will realize, site grading fill must be placed as far in advance of other construction as possible. The majority of this settlement will occur during placement.

## 5.3 SPREAD AND CONTINUOUS WALL FOUNDATIONS

### 5.3.1 Design Data

The proposed new residence may be supported upon conventional spread and continuous wall foundations bearing on undisturbed natural gravel soils and/or on granular structural fill extending to natural gravel soils. As an alternative to complete removal of the existing non-engineered fill soils, rammed aggregate piers (such as Geopiers or equivalent) may be utilized to strengthen the loose, non-engineered fill soils and support footings and floor slabs for the new residence. Rammed aggregate piers should extend through the non-engineered fill soils into the natural gravel soils.



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For design of footings supported on the natural gravel soils or structural fill, the following parameters are provided:

Minimum Recommended Depth of Embedment for Frost Protection	- 30 inches
Minimum Recommended Depth of Embedment for Non-frost Conditions	- 15 inches
Recommended Minimum Width for Continuous Wall Footings	- 18 inches
Minimum Recommended Width for Isolated Spread Footings	- 24 inches
Recommended Net Bearing Pressure for Real Load Conditions	- 3,000 pounds per square foot*
Bearing Pressure Increase for Seismic Loading	- 50 percent

\* The recommended bearing pressure is somewhat conservative. If foundation loads are significantly higher than anticipated Gordon Geotechnical Engineering, Inc. should be consulted to determine if a higher bearing pressure could be utilized.

The term "net bearing pressure" refers to the pressure imposed by the portion of the structure located above lowest adjacent final grade. Therefore, the weight of the footing and backfill to lowest adjacent final grade need not be considered. Real loads are defined as the total of all dead plus frequently applied live loads. Total load includes all dead and live loads, including seismic and wind.

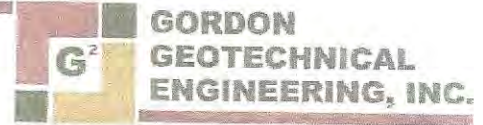
For rammed aggregate piers, bearing pressures in this zone are part of the design-build process developed by the selected subcontractor. However, we estimate that bearing pressures could be on the order of 4,000 to 5,000 pounds per square foot.

### 5.3.2 Installation

Footings should be installed on undisturbed natural gravel soils, on granular structural fill extending to natural gravel soils, or on a series of rammed aggregate piers installed through the existing non-engineered fill soils into the underlying natural gravel soils.

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If the natural granular soils upon which the footings are to be established become loose or disturbed, they must be recompact to the requirements for structural fill, or removed and replaced with granular structural fill.

### 5.3.3 Settlements

Maximum settlements of foundations designed and installed in accordance with recommendations presented herein and supporting maximum anticipated loads as discussed in Section 2., Proposed Construction, are anticipated to be on the order of three-eighths to one-half of an inch.

Approximately 60 percent of the quoted settlement should occur during construction.

## 5.4 LATERAL RESISTANCE

Lateral loads imposed upon foundations due to wind or seismic forces may be resisted by the development of passive earth pressures and friction between the base of the footings and the supporting soils. In determining frictional resistance, a coefficient of 0.45 should be utilized for the natural gravel soils or granular structural fill. Passive resistance provided by properly placed and compacted granular structural fill above the water table may be considered equivalent to a fluid with a density of 300 pounds per cubic foot.

A combination of passive earth resistance and friction may be utilized provided that the friction component of the total is divided by 1.5.

## 5.5 LATERAL PRESSURES

The lateral pressure parameters as presented within this section, assume that the backfill will consist of a drained granular soil placed and compacted in accordance with the recommendations presented herein. The lateral pressures imposed upon subgrade facilities will, therefore, be basically dependent upon the relative rigidity and movement of the backfilled structure. For active walls, such as retaining walls which can move outward (away from the backfill), the natural gravel soils or granular backfill may be considered equivalent to a fluid with a density of 35 pounds per cubic foot in computing lateral pressures. For more rigid basement walls that are not more than 10 inches thick and 12 feet or less in height, the natural gravel soils or granular backfill may be considered equivalent to a fluid with a density of 45 pounds per cubic foot. The above values assume that the surface of the soils slope behind the wall is horizontal, that the granular fill has been placed and lightly compacted, not as a structural fill. If the fill is placed as a structural fill, the values should be increased to 45 pounds per cubic foot, and 60 pounds per cubic foot, respectively.

For seismic loading, a uniform pressure of 100 pounds per square foot should be added.



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## 5.6 FLOOR SLABS

Floor slabs may be established upon undisturbed natural gravel soils, compacted structural fill placed on undisturbed natural gravel soils, or upon rammed aggregate pier elements and resulting improved existing non-engineered fill soils. Topsoil should be completely removed from floor slab areas. Settlements of lightly to moderately loaded floor slabs are anticipated to be minor.

## 5.7 GEOSEISMIC SETTING

### 5.7.1 General

Utah municipalities have adopted the International Building Code (IBC) 2009 and International Residential Code (IRC) for One- to Two-Family Dwellings 2009. The IBC 2009 code determines the seismic hazard for a site based upon 2002 mapping of bedrock accelerations prepared by the United States Geologic Survey (USGS) and the soil site class. The USGS values are presented on maps incorporated into the IBC code and are also available based on latitude and longitude coordinates (grid points).

The structure must be designed in accordance with the procedure presented in Section R301.2.2, Seismic Provisions, of the IRC 2009 edition.

### 5.7.2 Faulting

Based on our review of available literature, no active faults pass through or immediately adjacent to the site.

### 5.7.3 Soil Class

For dynamic structural analysis, the Site Class D - Stiff Soil Profile as defined in Table 1613.5.2, Site Class Definitions, of the IBC 2009 can be utilized.

### 5.7.4 Ground Motions

The IBC 2009 code is based on 2002 USGS mapping, which provides values of short and long period accelerations for the Site Class B-C boundary for the Maximum Considered Earthquake (MCE). This Site Class B-C boundary represents a hypothetical bedrock surface and must be corrected for local soil conditions. In accordance with the guidelines of the IRC Code Section R301.2.2 and the site latitude and longitude (40.7806 degrees north and 111.883 degrees west, respectively),  $F_a = 1.00$ ,  $S_{DS} = 1.13g$ , and the Seismic Design Category is  $D_2$ .



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**5.7.5 Liquefaction**

Liquefaction is defined as the condition when saturated, loose, finer-grained sand-type soils lose their support capabilities because of excessive pore water pressure which develops during a seismic event.

The site is located in an area that has been identified by Salt Lake County as having "very low" liquefaction potential. Our explorations did not encounter groundwater within the maximum depths explored of 15 to 16 feet below the existing ground surface. These conditions support the mapped "very low" liquefaction designation for the soils we observed.

**5.8 CEMENT TYPES**

The laboratory tests indicate that the site soils contain negligible amounts of water soluble sulfates. Therefore, all concrete which will be in contact with the site soils may be prepared using Type I cement.

We appreciate the opportunity of providing this service for you. If you have any questions or require additional information, please do not hesitate to contact us.

Respectfully submitted,

**Gordon Geotechnical Engineering, Inc.**

Reviewed by

Jeffrey J. Egbert, State of Utah No. 374995  
Senior Engineer, LEED A.P.

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JJE/WJG:sn

- Encl. Figure 1, Vicinity Map
- Figure 2, Area Map
- Figures 3A through 3C, Log of Test Pits
- Figure 4, Unified Soil Classification System
- Figure 5, Photographs

Addressee (3 + email)





DIMI GROUP, LLC  
JOB NO. 127-001-12

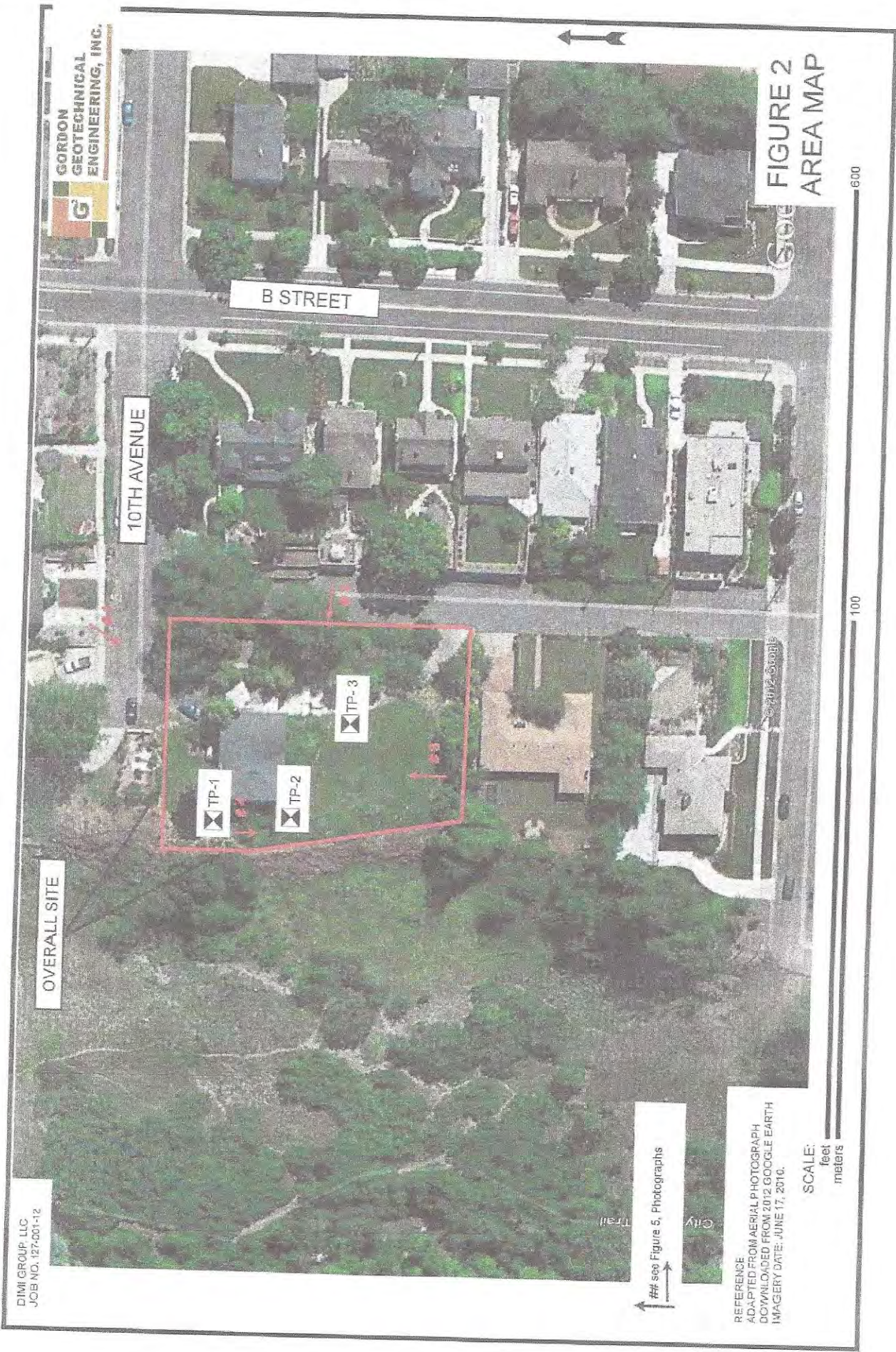


REFERENCE:  
USGS 7.5 MINUTE TOPOGRAPHIC QUADRANGLE MAPS  
TITLED "SALT LAKE CITY NORTH, UTAH" AND  
"FORT DOUGLAS, UTAH" BOTH DATED 1998



FIGURE 1  
VICINITY MAP







Project Name: Proposed Single-Family Residence  
 Location: 214 East 10th Avenue, Salt Lake City, Utah  
 Excavating Method: JCB 214S Backhoe  
 Elevation: —  
 Remarks:

Project No.: 127-001-12  
 Client: DIMI Group, LLC  
 Date Excavated: 01-04-13  
 Water Level: No groundwater encountered.

DESCRIPTION	GRAPHIC LOG	Water Level	DEPTH FT.	SAMPLE TYPE	SAMPLE SYMBOL	BLOWS/FT.	MOISTURE (%)	DRY DENSITY (PCF)	% PASSING 200	LIQUID LIMIT (%)	PLASTIC LIMIT (%)	REMARKS
Ground Surface			0									
SILTY FINE TO COARSE SAND, FILL with some fine and coarse gravel; lawn; major roots (topsoil) to 4"; grayish-brown (SM/GM-FILL)			0 to 4									loose to 3"-4" moist
FINE AND COARSE GRAVEL, FILL with fine to coarse sand; grayish-brown (GM-FILL)			4 to 8	B								slightly moist "loose"
grades brown in color grades with pipe, asphalt concrete			8 to 10	B								
SILTY TO COARSE SAND, FILL with some fine and coarse gravel; brown (SM/GM-FILL)			10 to 13.5	B			4.2	23.7				slightly moist "loose"
FINE AND COARSE GRAVEL with fine to coarse sand and some silt; brown (GP/SM)			13.5 to 15	B			2.4	6.8				slightly moist "medium dense"
Stopped excavating at 15.0'. Stopped sampling at 13.5'. Significant sidewall caving at 8.0' to 10.0'. No groundwater encountered at time of excavating.			15 to 25									

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary for a proper understanding of the nature of the subsurface material.

FIGURE 3A





TEST PIT TP-2

Project Name: Proposed Single-Family Residence  
 Location: 214 East 10th Avenue, Salt Lake City, Utah  
 Excavating Method: JCB 214S Backhoe  
 Elevation: ---  
 Remarks:

Project No.: 127-001-12  
 Client: DIMI Group, LLC  
 Date Excavated: 01-04-13  
 Water Level: No groundwater encountered.

DESCRIPTION	GRAPHIC LOG	Water Level	DEPTH FT.	SAMPLE TYPE	SAMPLE SYMBOL	BLOWS/FT.	MOISTURE (%)	DRY DENSITY (PCF)	% PASSING 200	LIQUID LIMIT (%)	PLASTIC LIMIT (%)	REMARKS
Ground Surface			0									loose to 2"-3" moist
SILTY FINE AND COARSE GRAVEL, FILL with fine to coarse sand; lawn; major roots (topsoil) to 4"; brick, concrete rubble; grayish-brown (GM/SM-FILL)												slightly moist
grades with concrete, brick, debris, FILL												"very loose"
SILTY FINE AND COARSE GRAVEL with fine to coarse sand; brown (GM)												
FINE AND COARSE GRAVEL with fine to coarse sand and some silt; brown (GP/SP)			15				2.3	3.5				
Stopped excavating at 16.0'. Stopped sampling at 15.5'. No significant sidewall caving. No groundwater encountered at time of excavating.			20									
			25									

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary for a proper understanding of the nature of the subsurface material.

FIGURE 3B



TEST PIT TP-3

Project Name: Proposed Single-Family Residence  
 Location: 214 East 10th Avenue, Salt Lake City, Utah  
 Excavating Method: JCB 214S Backhoe  
 Elevation: --  
 Remarks:

Project No.: 127-001-12  
 Client: DIMI Group, LLC  
 Date Excavated: 01-04-13  
 Water Level: No groundwater encountered.

DESCRIPTION	GRAPHIC LOG	Water Level	DEPTH FT.	SAMPLE TYPE	SAMPLE SYMBOL	BLOWS/FT.	MOISTURE (%)	DRY DENSITY (PCF)	% PASSING 200	LIQUID LIMIT (%)	PLASTIC LIMIT (%)	REMARKS
Ground Surface			0									
SILTY FINE AND COARSE GRAVEL, FILL with fine to coarse sand; lawn; major roots (topsoil) to 2"-3"; asphalt concrete rubble; brown (GM-FILL)			0 to 5									loose to 2"-3" moist
FINE AND COARSE GRAVEL with fine to coarse sand and some silt; brown (GP/SP)			5 to 10	B								slightly moist "loose" to "medium dense"
			10 to 15	B								
			15 to 15.5	B		2.8		2.9				"medium dense"
Stopped excavating at 15.0'. Stopped sampling at 15.5'. No significant sidewall caving. No groundwater encountered at time of excavating.			15 to 25									

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary for a proper understanding of the nature of the subsurface material

FIGURE 3C



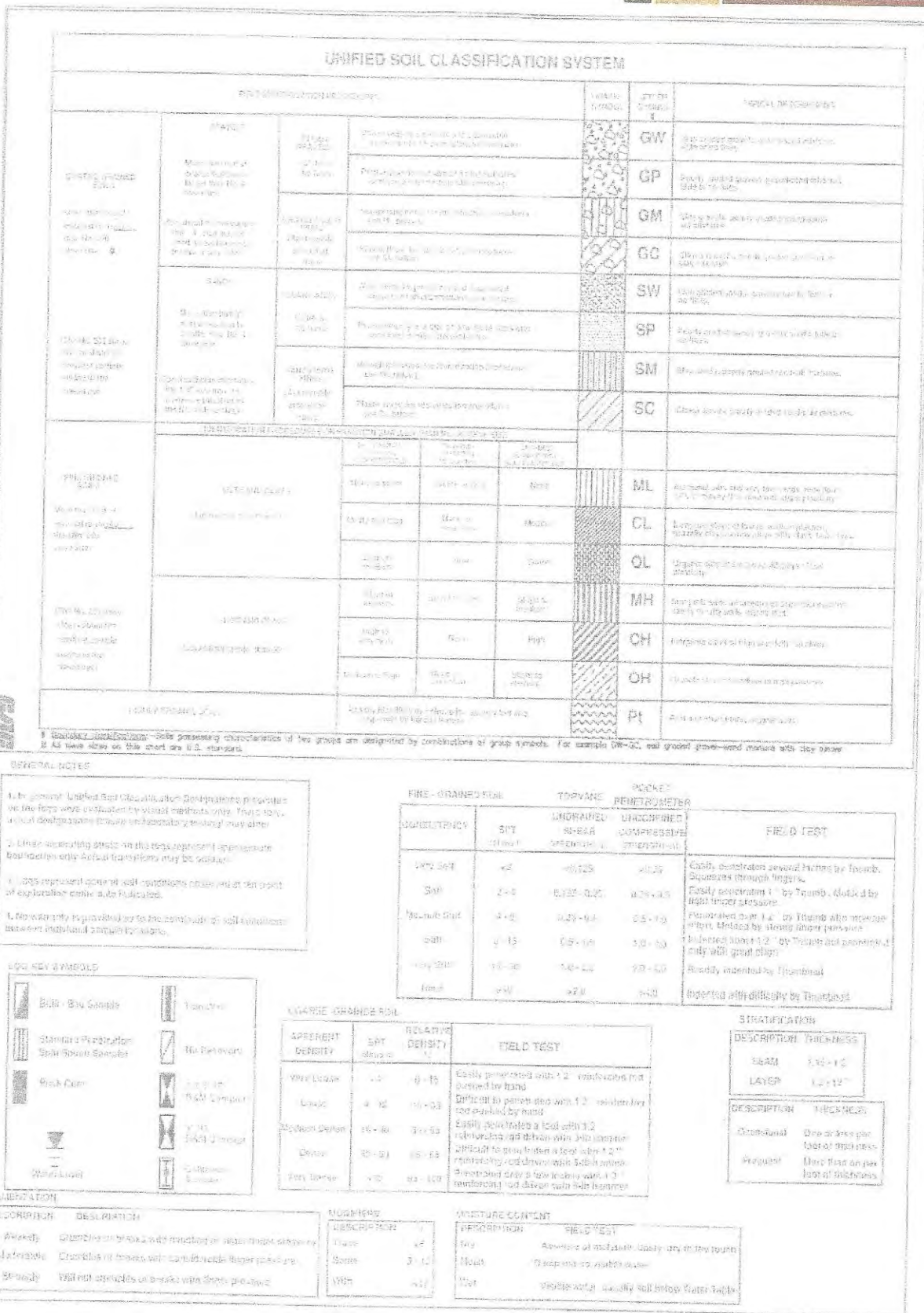


FIGURE 4



DIMI GROUP, LLC  
JOB NO. 127-001-12



#1 View southwest showing front of existing home.



#2 View west showing back of existing home.



#3 View north showing back of existing home. (Backhoe at Test Pit TP-2)



#4 View south along west edge of site showing slope of City Creek.

Locations and direction, see Figure 2, Area Map

## FIGURE 5 PHOTOGRAPHS



DISCLOSURE STATEMENT

The attached GeoTechnical Study is provided merely by way of disclosure, and Daniel & Heather Knowlton by it make no warranty or representations of any kind, including whether the information therein is accurate or not. Knowltons do not know, have hired no expert, and have no expertise to know, whether it is accurate, and merely indicate a previous prospective purchaser indicated the attached study was done on the property and that prospective purchaser gave it to Knowltons. Nor do Knowltons indicate in any way that Gordon Geotechnical Engineering, Inc. consents to the release of this report. Knowltons do not consent the report be disclosed to anyone other than the person they are presently disclosing it to, and its contents should be treated as confidential.

Receipt of this Disclosure Statement is acknowledged.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Its \_\_\_\_\_

**ATTACHMENT E: Existing Conditions**

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## Existing Conditions:

The subject site consists of a single lot, 29,700 square feet in area, containing one single family dwelling. The lot is generally level on the eastern two thirds and then drops steeply into City Creek Canyon for the western portion. The existing home, built in 1947, is currently vacant but was apparently occupied as recently as last year, 2013. The home is in need of repair and has some settling, particularly on the west side.

The lot is bordered on two sides by streets, on the north by 10<sup>th</sup> Avenue (a public street) and on the east by a private alley that is 30 feet wide. There are numerous trees and shrubs growing randomly around the property. The crest of the slope has been built out by previous occupants adding various means of fill such as grass clippings, limbs, concrete, dirt, etc.

The adjacent uses include:

- North: single Family Dwellings
- East: single Family Dwellings
- South: single family dwelling
- West: City Creek Canyon, open space

### **21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT:**

In this chapter and the associated zoning map, the SR-1 district is divided into two (2) subareas for the purpose of defining design criteria. In other portions of this text, the SR-1 and SR-1A are jointly referred to as the SR-1 district because all other standards in the zoning ordinance are the same.

A. Purpose Statement: The purpose of the SR-1 special development pattern residential district is to maintain the unique character of older predominantly single-family and two-family dwelling neighborhoods that display a variety of yards, lot sizes and bulk characteristics. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

B. Uses: Uses in the SR-1 special development pattern residential district, as specified in section [21A.33.020](#), "Table Of Permitted And Conditional Uses For Residential Districts", of this title, are permitted subject to the general provisions set forth in section [21A.24.010](#) of this chapter and this section.

C. Minimum Lot Area And Lot Width: The minimum lot areas and lot widths required in this district are as follows:

<b>Land Use</b>	<b>Minimum Lot Area</b>	<b>Minimum Lot Width</b>
Single-family detached dwellings	5,000 square feet	50 feet
Twin home dwellings	4,000 square feet	25 feet
Two-family dwellings	8,000 square feet	50 feet

D. Maximum Building Height: Maximum building height limits vary, depending upon the location. The following regulations apply for each area within the SR-1 district:

1. Pitched Roofs: The maximum height of buildings with pitched roofs shall be:
  - a. SR-1A: Twenty three feet (23') measured to the ridge of the roof, or the average height of other principal buildings on the block face.
2. Flat Roofs: The maximum height of a flat roof building shall be:
  - a. SR-1A: Sixteen feet (16').
3. Exterior Walls: Maximum exterior wall height adjacent to interior side yards:
  - a. SR-1A: Sixteen feet (16') for exterior walls placed at the building setback established by the minimum required yard.
  - b. In both the SR-1 and SR-1A districts, the exterior wall height may increase one foot (1') (or fraction thereof) in height for each foot (or fraction thereof) of increased setback beyond the minimum required interior side yard. If an exterior wall is approved with a reduced setback through a special exception, variance or other process, the maximum allowable exterior wall height decreases by one foot (1') (or fraction thereof) for each foot (or fraction thereof) that the wall is located closer to the property line than the required side yard setback.
    - i. Cross Slopes: For lots with cross slopes where the topography slopes, the downhill exterior wall height may be increased by one-half foot (0.5') for each one foot (1') difference between the elevation of the average grades on the uphill and downhill faces of the building.
    - ii. Exceptions:

1. Gable Walls: Walls at the end of a pitched roof may extend to a height necessary to support the roof structure except that the height of the top of the widest portion of the gable wall must conform to the maximum wall height limitation described in this section.
2. Dormer Walls: Dormer walls are exempt from the maximum exterior wall height if:
  - a. The width of a dormer is ten feet (10') or less; and
  - b. The total combined width of dormers is less than or equal to fifty percent (50%) of the length of the building facade facing the interior side yard; and
  - c. Dormers are spaced at least eighteen inches (18") apart.
4. Initial Construction: Building height for initial construction of a building shall be measured as the vertical distance between the top of the roof and the established grade at any given point of building coverage. Building height for any subsequent structural modification or addition to a building shall be measured from finished grade existing at the time a building permit is requested. Building height for the R-1 districts, R-2 district and SR districts is defined and illustrated in chapter 21A.62 of this title.
5. Stepped Buildings: Where buildings are stepped to accommodate the slope of terrain, each step shall have a horizontal dimension of at least twelve feet (12').
6. Additional Building Height:
  - a. For properties outside of the H historic preservation overlay district, additional building height may be granted as a special exception by the planning commission subject to the special exception standards in chapter 21A.52 of this title and if the proposed building height is in keeping with the development pattern on the block face. The planning commission will approve, approve with conditions, or deny the request pursuant to chapter 21A.52 of this title.
  - b. Requests for additional building height for properties located in an H historic preservation overlay district shall be reviewed by the historic landmarks commission which may grant such requests subject to the provisions of section [21A.34.020](#) of this title.

#### E. Minimum Yard Requirements:

1. Front Yard:
  - a. SR-1A: The minimum depth of the front yard for all principal buildings shall be equal to the average of the front yards of existing buildings within the block face. Where there are four (4) or more SR-1 principal buildings with front yards on a block face, the average shall be calculated excluding one property with the smallest front yard setback and excluding the one property with the largest front yard setback. Where there are no existing buildings within the block face, the minimum depth shall be twenty feet (20'). Where the minimum front yard depth is specified in the recorded subdivision plat, the requirement specified therein shall prevail. For buildings legally existing on April 12, 1995, the required front yard depth shall be no greater than the established setback line of the existing building.
2. Corner Side Yard:
  - a. SR-1A: Ten feet (10').
3. Interior Side Yard:
  - a. Twin Home Dwellings: No side yard is required along one side lot line while a ten foot (10') yard is required on the other.
  - b. Other Uses:
    - i. Corner lots: Four feet (4').
    - ii. Interior lots:
      1. SR-1A: Four feet (4') on one side and ten feet (10') on the other.
        - a. Where the width of a lot is forty seven feet (47') or narrower, the total minimum side yard setbacks shall be equal to thirty percent (30%) of the lot width with one side being four feet (4') and the other side being thirty percent (30%) of the lot width minus four feet (4') rounded to the nearest whole number.
        - b. Where a lot is twenty seven feet (27') or narrower, required side yard setbacks shall be a minimum of four feet (4') and four feet (4').
        - c. Where required side yard setbacks are less than four feet (4') and ten feet (10') an addition, remodel or new construction shall be no closer than ten feet (10') to a primary structure on an adjacent property. The ten foot (10') separation standard applies only to the interior side yard that has been reduced from the base standard of ten feet (10').
4. Rear Yard: Twenty five percent (25%) of the lot depth, but not less than fifteen feet (15') and need not exceed thirty feet (30').
5. Accessory Buildings And Structures In Yards: Accessory buildings and structures may be located in a required yard subject to section [21A.36.020](#), table [21A.36.020B](#), "Obstructions In Required Yards", and section [21A.40.050](#) of this title.
  - a. SR-1A:
    - i. Maximum building coverage of all accessory buildings shall not exceed six hundred (600) square feet.
    - ii. Primary accessory building: One accessory building may have up to the following dimensions:



1. A footprint of up to four hundred eighty (480) square feet, subject to compliance with subsection [21A.40.050B1](#) of this title.
  2. Roof peak/ridge height of up to fourteen feet (14') above the existing grade.
  3. A flat roof height limit of nine feet (9') above the existing grade.
  4. An exterior wall height of nine feet (9') above the existing grade.
    - a. Lots with cross slopes where the topography slopes, the downhill exterior wall height may increase by one-half foot (0.5') for each one foot (1') difference between the elevation of the average grades on the uphill and downhill faces of the building.
- iii. Secondary accessory buildings: All other accessory buildings shall have the following dimensions:
1. Roof peak/ridge height of up to ten feet (10') above the existing grade.
  2. Flat roof height limit of eight feet (8') above the existing grade.
  3. An exterior wall height of eight feet (8') above the existing grade.
  4. Secondary accessory buildings may be attached to the primary accessory buildings so long as all buildings conform to the required wall and roof ridge height restrictions.

F. Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed forty percent (40%) of the lot area. For lots with buildings legally existing on April 12, 1995, the coverage of existing buildings shall be considered legal conforming.

G. Maximum Lot Size: With the exception of lots created by a subdivision or subdivision amendment recorded in the office of the Salt Lake County recorder, the maximum size of a new lot shall not exceed one hundred fifty percent (150%) of the minimum lot size allowed by the base zoning district. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:

1. The size of the new lot is compatible with other lots on the same block face;
2. The configuration of the lot is compatible with other lots on the same block face; and
3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

H. Standards For Attached Garages: The width of an attached garage facing the street may not exceed fifty percent (50%) of the width of the front facade of the house. The width of the garage is equal to the width of the garage door, or in the case of multiple garage doors, the sum of the widths of each garage door plus the width of any intervening wall elements between garage doors.

# ATTACHMENT F: ANALYSIS OF STANDARDS

**21a.55.050: Standards for Planned Developments:** The planning commission may approve, approve with conditions, or deny a planned development based upon written findings of fact according to each of the following standards. It is the responsibility of the applicant to provide written and graphic evidence demonstrating compliance with the following standards:

Standard	Finding	Rationale
<p><b>A. Planned Development Objectives:</b> The planned development shall meet the purpose statement for a planned development (section <a href="#">21A.55.010</a> of this chapter) and will achieve at least one of the objectives stated in said section:</p> <p><b>A. Combination and coordination of architectural styles, building forms, building materials, and building relationships;</b></p> <p><b>B. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion;</b></p> <p><b>C. Preservation of buildings which are architecturally or historically significant or contribute to the character of the city;</b></p> <p><b>D. Use of design, landscape, or architectural features to create a pleasing environment;</b></p> <p><b>E. Inclusion of special development amenities that are in the interest of the general public;</b></p> <p><b>F. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation;</b></p> <p><b>G. Inclusion of affordable housing with market rate housing; or</b></p> <p><b>H. Utilization of "green" building techniques in development.</b></p>	<p><b>Does Not Comply</b></p>	<p>Approving the planned development as proposed, with two lots fronting the private alley, would create lots that are nearer the desired lot size of the SR-1A zoning district and could be considered as achieving the objective for “combination and coordination of . . . building forms and building relationships” by promoting smaller dwellings and lots commonly found in the SR-1A zone.</p> <p>The modified building setbacks for Lot 1 might begin to contribute toward a “pleasing environment” (objective D) in the case of three lots because it would encourage the home on that lot to front 10<sup>th</sup> Avenue, maintaining the street presence currently held by the existing home. However, that same presence could be maintained in the scenario of two lots, either as proposed or reconfigured with a “flag lot” design without the need for reduced setbacks. That means the planned development isn’t necessary to achieve that “pleasing environment”. Based on the steep slope affecting much of the existing lot, it’s unlikely three lots could be created without “planned development” approval.</p> <p>The existing dwelling is in a neglected state, but is not considered blighted or incompatible with existing uses (other adjacent dwellings). It could be repaired as well as demolished. This is not of sufficient weight to approve the proposal under stated objective “F”.</p> <p>There are no other objectives that relate to this proposal.</p>
<p><b>B. Master Plan And Zoning Ordinance Compliance:</b> The proposed planned development shall be:</p> <p><b>1. Consistent with any adopted policy set forth in the citywide, community, and/or small area master plan and future land use map applicable to the site where the planned development will be located, and</b></p> <p><b>2. Allowed by the zone where the planned development will be located or by another applicable provision of this title.</b></p>	<p><b>Complies</b></p>	<p>The proposed residential use is a use that is allowed and anticipated in the SR-1A zoning district, so this aspect of the project is consistent with both the master plan and zoning ordinance.</p> <p>The Avenues Master Plan indicates this property should develop as low-density residential at the density of 4-8 units per gross acre. That would result in a development of between 2 and 5 dwelling units based on the gross area of this site. Even by removing the western portion as undevelopable due to a severely steep slope dropping into City Creek Canyon, thereby resulting in a “net area”, the number of units would range from 2 to 4 on this property.</p>



**C. Compatibility: The proposed planned development 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:**

- 1. Whether the street or other adjacent street/access; means of access to the site provide the necessary ingress/egress without materially degrading the service level on such street/access or any**
- 2. Whether the planned development and its location will create unusual pedestrian or vehicle traffic patterns or volumes that would not be expected, based on:**
  - a. 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;**
  - b. Parking area locations and size, and whether parking plans are likely to encourage street side parking for the planned development which will adversely impact the reasonable use of adjacent property;**
  - c. Hours of peak traffic to the proposed planned development and whether such traffic will unreasonably impair the use and enjoyment of adjacent property.**
- 3. Whether the internal circulation system of the proposed planned development will be designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic;**
- 4. Whether existing or proposed utility and public services will be adequate to support the proposed planned development at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources;**
- 5. 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 planned development; and**

**Complies by conditions**

- 1- The proposed access for two of the lots is directly from the private alley, which is shown as 30 feet wide and the applicant has right-of-way over the western 20 feet of the 30-foot wide alley. The standard for residential streets is 50 feet wide, to allow curbs, gutters, sidewalks to fit within the public right of way, and also for vehicle parking, and large utility vehicles (sanitation trucks, fire trucks, snow plows) adequate width to access the properties along that street. The proposal includes curb/gutter/sidewalk all located on the subject property, along the west side of the alley, which reduces the amount of street width needed to accommodate the aforementioned improvements.
  - 2- The proposal would not create unexpected vehicle or pedestrian traffic patterns. The two driveways accessing the alley will direct additional residential traffic through the alley, and the amount of traffic would increase slightly, but single family residential traffic is low in impact. Again, any impact would be reduced by reducing the number of lots accessing the alley. The required parking for the lots would be provided via 2-car garages. Visitor parking is anticipated on 10<sup>th</sup> and 9<sup>th</sup> Avenues and in the alley, unless “no parking” signs are installed in the alley, which is a recommended condition if project is approved.
  - 3- There is no “internal” circulation system with this proposal, only the typical residential driveways that access the required vehicle parking for each lot. The additional vehicle traffic to the two lots on the alley would have less impact on other properties that are accessed via the same alley if “no parking” signs are placed along the alley.
  - 4- The provision of water and sewer service, and adequate storm drainage would require more work than typical. The existing sewer lateral that services this lot runs north and south through the middle of the lot, and also services 4 other lots north and south of the site. The applicant would need to ensure that the sewer service for the other homes is not degraded. The applicant proposes to install new sewer and water lines in the alley for the new lots, and the lots north of the site that use the same lateral. The lots south of the project would retain their current sewer connection. Each of the three proposed lots would have its own sewer and water connection.
- At this point, the applicant has not adequately shown that the proposal can resolve the storm drainage to keep it away from the slope into City Creek Canyon; however this can be resolved by including it as a condition if the proposal is approved. Staff has included it as a condition. Concentrated drainage would increase erosion of the slope, and sheet-flow drainage would add to the saturation of the slope, increasing the potential for an unstable slope. Also, the curb and gutter proposed for the alley is shown to end at the adjacent property to the south, without a way to prevent drainage on that adjacent property. Drainage plans would need to mitigate any drainage from the gutter from entering adjacent properties. The applicant would have to work with the city’s public utilities division to ensure storm drainage is handled properly.
- 5- With the low intensity residential uses proposed, there are no impacts anticipated with this project that would require buffering or other mitigation measures. The adjacent uses are the same types of residential uses.

<p><b>6. Whether the intensity, size, and scale of the proposed planned development is compatible with adjacent properties.</b></p> <p><b>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.</b></p>		<p>6- Intensity: the proposal amounts to an increase of 2 dwelling units along the alley. This increased intensity will have a small but distinct impact on the alley and adjacent properties to the south and east. Size: the adjacent properties to the south, which include the only other lot that only has access via the alley, are both larger lots than the proposal. However, the lots east of the alley are similar in size to the proposal, but they all have public street frontage along “B” Street. With the alley as the only access for a portion of this project, fewer lots would limit the impact. The project with 3 lots is considered compatible. Scale: the buildings would comply with height and lot coverage limits and are considered compatible with adjacent properties.</p> <p>The proposed use, being solely residential, is not subject to the additional design criteria of the “conditional building and site design review”.</p>
<p><b>D. Landscaping: Existing mature vegetation on a given parcel for development shall be maintained. Additional or new landscaping shall be appropriate for the scale of the development, and shall primarily consist of drought tolerant species;</b></p>	<p><b>Complies</b></p>	<p>The site contains a handful of existing, mature trees or shrubs. There are two trees and one shrub in particular that should be kept if possible, one tree along the north property line, a tall shrub in the northeast corner, and 3-4 trees along the southern property line. The remaining vegetation would conflict with the home locations and do not warrant keeping. The required front and side yard areas would be required to be kept as landscaped yards per the zoning ordinance.</p>
<p><b>E. Preservation: The proposed planned development shall preserve any historical, architectural, and environmental features of the property;</b></p>	<p><b>Complies</b></p>	<p>There are no historical, architectural, or environmental features on this site that require preservation; however, the slope into City Creek Canyon should be designated as “non-buildable” to prohibit incursion onto the slope. This is a recommended condition if the project is to be approved.</p>
<p><b>F. Compliance With Other Applicable Regulations: The proposed planned development shall comply with any other applicable code or ordinance requirement.</b></p>	<p><b>Complies by condition</b></p>	<p>The proposal has not adequately shown the ability to comply with all other applicable code or ordinance requirements at this time, specifically public utilities systems of storm drainage and sewer service. The recommended approval is based on a condition that these items be resolved to the satisfaction of the public utilities department.</p>

**STANDARDS OF APPROVAL FOR PRELIMINARY SUBDIVISION PLATS**

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

Criteria	Finding	Rationale
<p><b>A. The subdivision complies with the general design standards and requirements for subdivisions as established in Section 20.12</b></p>	<p><b>Complies by condition</b></p>	<p>The applicant has not provided the necessary details in drawings to assure the design, construction, and maintenance plans are acceptable to the city (city engineer) for use of the private alley as sole access to Lots 2 and 3. Furthermore, the design issues of fencing the steep slope and designating it as undevelopable common area; and the required 5-foot landscaping easement along front property lines are not shown on the plat. All of the above items can be handled as conditions of approval if the planning commission chooses to approve the subdivision.</p>
<p><b>B. All buildable lots comply with all applicable zoning standards;</b></p>	<p><b>Complies</b></p>	<p>The related planned development application seeks to modify the building setbacks for Lot 1, which, if approved, would result in all 3 proposed lots complying with all zoning standards. If the proposal were approved as 2 lots, modified building setbacks would not be necessary, thereby also complying with applicable zoning standards.</p>

C. All necessary and required dedications are made;	Complies	No dedications would be required if the related planned development for private alley access is approved.
D. Water supply and sewage disposal shall be satisfactory to the Public Utilities Department director;	Complies	The Public Utilities department has provided options and direction to the applicant on how to address water and sewer disposal.
E. Provisions for the construction of any required public improvements, per section 20.40.010, are included;	Complies by condition	Insufficient information has been provided by the applicant to assess the adequacy of storm drainage mitigation and for improvement and maintenance of the private alley access, however that information can be provided as a condition of approval.
F. The subdivision otherwise complies with all applicable laws and regulations.	Complies	The subdivision otherwise complies with all applicable laws and regulations.
G. If the proposal is an amendment to an existing subdivision and involves vacating a street, right-of-way, or easement, the amendment does not materially injure the public or any person who owns land within the subdivision or immediately adjacent to it and there is good cause for the amendment.	Complies	The proposed subdivision is not an amendment to an existing subdivision no does it involve vacating a street, right-of-way way, or easement.
<p><b>NOTES:</b></p> <p>In regard to the proposed lot sizes, the SR-1A zoning district has a provision for lots larger than the allowed maximum (7,500 sq ft). Lots larger than 7,500 sq ft are allowed , via a subdivision process, if they meet the following standards:</p> <ul style="list-style-type: none"> <li>○ The size of the new lot is compatible with other lots on the same block face;</li> <li>○ The configuration of the lot is compatible with other lots on the same block face; and</li> <li>○ The relationship of the lot width to the lot depth is compatible with other lots on the same block face.</li> </ul>	Complies	<p>For Lot 1, the lot size is compatible with the other lot on the block face of 10<sup>th</sup> Avenue as they are similar in total area. After removing the slope area from Lot 1, it is approximately 7,550 sq ft; and the other lot on the block face is approximately 7,400 sq ft. Lot 1 is longer and about 12 feet narrower, but overall, Lot 1 is compatible with the block face.</p> <p>Lots 2 and 3, located on the alley, are smaller than the existing lots along the same side (block face) of the alley, but by removing the steep slope from the lot size calculations, they comply with the lot size range of the SR-1A zoning district, and thus are not subject to these other standards.</p>



## **ATTACHMENT G: Public Process and Comments**

## **Public Notice, Meetings, Comments**

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project:

### **Notice of the public hearing for the proposal included:**

Public hearing notice mailed on November 26, 2014

Public hearing notice posted on November 26, 2014

Public notice posted on City and State websites and Planning Division list serve: November 26, 2014

### **Public Comments**

The proposal was forwarded to the Greater Avenues Community Council for comments. The community council discussed the proposal at their general meeting on November 5, 2014, and followed up with the comments offered by the attending citizens. A copy of those comments is included in the following pages of this *attachment "G"*.

A number of comments were received via email from the surrounding owners and residents. Copies of those emails or letters are also included here.

In general the comments provided had objections to the project as originally proposed, namely about the proposed building heights and the number of homes that would create additional vehicle traffic on the private alley. Now that the extra height request was recently withdrawn, it is unclear if that would change the comments of the neighbors. Some of the comments received voiced support for the project.

**From:** [Jennifer Malherbe](#)  
**To:** [Stewart, Casey](#)  
**Cc:** [Jennifer Malherbe](#); [Grandma Donna Hunt](#); [Royd Waters](#); [Kevin Waters](#); [Dan Waters](#); [Angela Waters](#); [Emily Waters Hatch](#); [larbarh2os@yahoo.com](mailto:larbarh2os@yahoo.com); [pendragon@sisna.com](mailto:pendragon@sisna.com)  
**Subject:** Positive suggestions for Knowlton property, here's a start -- FW: Houses  
**Date:** Wednesday, November 19, 2014 8:40:23 AM

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Hello, Casey:

Thank you so much for your time in our phone conversation yesterday.

You mentioned that some positive suggestions from the neighbors might be helpful in guiding this process. As a start, I'm forwarding below some links to home styles that my brother, Dan Waters, has suggested would be more appealing and fitting with the neighborhood. And I agree.

I believe the style of the proposed homes from Northstar would fit more appropriately in a place like Miami or maybe even Hollywood. Not on the crest of City Creek Canyon in Utah (a pretty, great state!).

Also, my brother's comments suggest a willingness to live with 2 houses on the property.

I know for certain that some neighbors will only agree to one house on the property.

And really, all of the other parcels along the ridge (Tinker, Hunt, Knowlton, Wilson) now consist of one house on a larger lot. So I would really really really prefer that we follow suit.

In my never-to-be-humble opinion, three houses on that parcel is simply inappropriate and should be completely taken off the table.

Jennifer Hunt Malherbe  
914-282-2299

> Date: Sun, 16 Nov 2014 17:08:41 -0700  
> Subject: Houses  
> From: dannyhwaters@comcast.net  
> To: jmalherbe@hotmail.com  
>



**From:** [Jennifer Malherbe](#)  
**To:** [Stewart, Casey](#); [Jennifer Malherbe](#); [Grandma Donna Hunt](#); [Royd Waters](#); [Dan Waters](#); [Kevin Waters](#); [thewaters@hotmail.com](mailto:thewaters@hotmail.com)  
**Subject:** RE: 214 E 10th Ave - proposal  
**Date:** Monday, October 27, 2014 2:49:29 PM

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Hello, Casey:

Thank you so much for sending these documents; and for explaining some of the particulars to me over the phone this afternoon.

As mentioned, we own the home property immediately adjacent to the south of the Knowlton property.

My parents bought the home in 1971 from the Tetaris family who built the home, I believe, sometime around 1955.

My siblings and I grew up there, and my mother still resides there. My family has owned the property for nearly 44 years!

Our initial concerns about the proposed subdivision at 214 10th Avenue include (but are not necessarily limited to) --

- The request to increase the allowable building height;
- The request to adjust side yard setbacks;
- Rights of way in the alleyway;
- Running utilities in the alleyway;
- Circulation in the alleyway;
- The stability of the canyon side of the property which is rumored to contain large amounts of fill;
- The number of proposed lots.

After seeing these documents, I am also concerned that the style is seemingly not congruent with the surrounding homes. We would also like to know what type of exterior building materials are proposed.

In addition to all of this, a glaring point is that the proposed project description, in its request for setback allowances, states, "...there are no front yards along the alley to measure... ." This is false. Our property, immediately adjacent to the south of the proposed development, IS on the alleyway and DOES absolutely have a measurable front yard, a front yard that's been there more than half a century.

I also mentioned that we would make every effort to provide you with our family's input in an organized manner as best we can. I don't want to inundate you with lots of piecemeal thoughts and questions. Nevertheless, I do want you to know right away our initial reaction and concerns, and there will undoubtedly be more questions for discussion.

As I stated, I do believe the neighbors would like to see something positive evolve at the Knowlton property site. Almost all of the folks are long time owners of their respective homes, most of them for decades like us. And I do believe there is a collaborative spirit among us to help guide any development in a positive direction for all of us concerned.

Please do keep us informed of developments as they arise. I am copying my mother and 3 brothers here for our mutual convenience.

Again, thank you for your time today.

Jennifer Malherbe  
914-282-2299

---

From: Casey.Stewart@slcgov.com  
To: jmalherbe@hotmail.com  
Date: Mon, 27 Oct 2014 13:45:51 -0600  
Subject: 214 E 10th Ave - proposal

**Jennifer,**

**Here are the plans and a written project description.**

**Best regards,**

**CASEY STEWART**  
Senior Planner

PLANNING DIVISION  
COMMUNITY *and* ECONOMIC DEVELOPMENT  
SALT LAKE CITY CORPORATION

TEL 801-535-6260  
FAX 801-535-6174

[WWW.SLCGOV.COM](http://WWW.SLCGOV.COM)

> Here are a few home plans I found online. It took 1 minute. I wouldn't mind these style of homes and wouldn't mind if there were two of them, just so long as the height was more in line with moms and that it blends in with the character of the neighborhood. One would have to be accessed through 10th Ave while the other could get access through the Knowlton driveway that comes out into the alley. What do you think the reception would be if we proposed to them the style oh house that would be acceptable. Any thing two stories high, that dwarfs mom's house, especially if it is built within 12 feet, would reduce the value of her home. She has the most to lose. So two story houses are out.

>

>

>

> <http://blog.familyhomeplans.com/2014/10/new-craftsman-house-plan/>

>

> [http://www.familyhomeplans.com/plan\\_details.cfm?PlanNumber=59074](http://www.familyhomeplans.com/plan_details.cfm?PlanNumber=59074)

>

> [http://www.familyhomeplans.com/plan\\_details.cfm?PlanNumber=59017](http://www.familyhomeplans.com/plan_details.cfm?PlanNumber=59017)



**Planned Development Community Council / Citizen Group Input**

TO: Mary Ann Wright, Chair of Greater Avenues Community Council

FROM: Casey Stewart, Planning Division Staff

DATE: October 6, 2014

RE: 3-lot subdivision (drawings included)

Rob White and Northstar Builders, applicant/developer, are requesting the Salt Lake City Planning Commission approve a “planned development” request for *modified building setbacks and height for a proposed 3-lot subdivision of single-family homes* at 214 E 10th Avenue. As part of this process, the applicant is required to solicit comments from the local community council. The purpose of the community council review is to inform the community of the project and solicit comments / concerns they have with the project. The community council may also take a vote to determine whether there is support for the project, but this is not required. (Please note that the vote in favor or against is not as important to the Planning Commission as relevant issues that are raised by the community council.) I have enclosed information submitted by the applicant relating to the project to facilitate your review. The applicant will present information at the meeting if requested. Planning Staff may attend to clarify regulations, policies, and processes.

If the Community Council chooses to have a project presented to them, the applicant will only be required to meet with the Community Council once before the Planning Staff will begin processing the application. The Community Council should submit its comments to me, as soon as possible, after the Community Council meeting to ensure there is time to incorporate the comments into the staff report to the Planning Commission. Comments submitted too late to be incorporated into the staff report, can be submitted directly to the Planning Commission, via the Planning Division, for their review prior to the Planning Commission Public Hearing. I will also attend the meeting to answer any questions and listen to the comments made by the Community Council members.

Following are City adopted criteria that the Planning Commission will use to make their decision. The City’s technical staff will review the project to ensure it complies with adopted policies and regulations. Input from the Community Council / citizen groups can be more general in nature and focus on issues of impacts to abutting properties and compatibility with the neighborhood. Staff is not looking for you to make comments on each of the below listed criteria, but general comments should pertain to the criteria listed below.

1. Consistency with the adopted Master Plan policies of the Central Community Master Plan.
2. Adequacy of circulation including access to property, traffic congestion, parking, circulation (both vehicular and non-vehicular including pedestrian) and design issues such as safe and accessible sidewalks, pedestrian friendly emphasis and enhancements that encourage walking, street design and interconnections for pedestrians and cyclists, crosswalks, park strip landscaping, and traffic calming solutions;
3. Adequacy of existing or proposed utility services to accommodate the proposed use
4. Appropriateness of buffering to protect adjacent land uses from light, noise and visual impacts;
5. Consistency of architecture and building materials with the development and compatibility with the adjacent neighborhood;
6. Appropriateness of landscaping for the scale of the development;
7. Assurance of preservation of historical, architectural and environmental features of the property;
8. Compatibility of operating and delivery hours with adjacent land uses;
9. Compatibility with the neighborhood surrounding the proposed development and avoidance of a concentration of uses that results in a negative impact on the neighborhood or the City as a whole;
10. Appropriateness of design to prevent or minimize crime and/or undesirable activities and promote natural surveillance;
11. Recommend public way improvements adjacent to the subject property.

Please submit your written comments to the Planning Division by mail at Salt Lake City Planning Division, 451 South State Street, Room 406, SLC, UT 84111; by Fax at (801) 535-6174 or via e-mail to me at [casey.stewart@slcgov.com](mailto:casey.stewart@slcgov.com).

If you have any questions, please call me at 801-535-6260 or via e-mail.

#####

**DATE:** November 14, 2014

**TO:** Casey Stewart, Planning Division Staff

**FROM:** Mary Ann Wright, Chair, Greater Avenues Community Council

**RE:** 3-lot subdivision located between 9<sup>th</sup> and 10<sup>th</sup> Avenues, west of B Street, Salt Lake City, UT; Rob White and Northstar Builders, Developer/Applicant

The above referenced developer/applicant, met with the **Greater Avenues Community Council** on **November 5, 2014**. Approximately 30 people attended the meeting. Those in attendance made comments relating to the project. In addition, GACC Board members made comments. *These comments have been summarized below and the complete comments are attached.*

### **GREATER AVENUES COMMUNITY COUNCIL COMMENT SUMMARY**

#### **SPECIAL HEIGHT EXCEPTION NOT WARRANTED**

1. An exception to allow an increase in maximum height is not warranted. The current zoning is appropriate and should be upheld. Limiting the height would also limit the size of the structures, which seems appropriate for this location. Refer to slope stability comments below for concerns of loading at this site on fill material.
2. Attached is the Avenues SR-1 District Primary Height Inventory, 2006, SR-1 (January 30, 2006). The neighboring homes on B Street are from north to south: 1.5, 1, 2, 1.5, 1.5, 1, and MF (multi-family) stories respectively. The homes directly south of the subject property, along the alley, are at 1 and 2 stories, respectively. The proposal is to develop 3 - 3 story homes. This is clearly not in sync with the neighborhood, least of all the adopted Master Plan.
3. Limiting height to the required maximum may also be important to impose at this site as prior experience of others in Salt Lake City with this developer is the propensity to build homes inappropriately large for the neighborhood.

#### **LOT SIZE EXCEPTION NOT WARRANTED**

1. The project seeks relief from requirements of front yard area setback, and side yard area setback, which is essentially a request to "exceed the maximum lot size" allowed, which is 7,500 square feet. The proposal is for 3 lots at 9800 square feet each. Given the known soil issues (of up to 15' of placed fill) and the alley as vehicle access, it is not appropriate.
2. The submitted survey shows a western boundary for the property, which is unrealistic, as it is farther west than there is any actual land surface to build upon. The property drops down off a steep slope. The drawing proposal shows that the slope into the canyon commences before the boundary line. Thus, the calculation of lot size based on the figures given is NOT accurate, much less realistic.
3. The density of the proposed subdivision is incompatible with the width of the "road" (alley) it fronts on. Neighbors are not aware of other property in the Avenues where the primary access is by a one-lane road (i.e. alley) for what would become a total of four homes fronting on the alleyway, and with the houses being that close to each other.

## **SLOPE STABILITY ISSUES and THE SOIL ANALYSIS REPORT OF THE PROPERTY**

1. A slope stability analysis was NOT performed. Was that because the study itself might destabilize the site? Or did the City not require one? What does the “disclosure statement” at the report’s end imply? It states that it is not an official geotechnical report but just for information.
2. The report is NOT a slope stability report, only a soils report, and is not sufficient for the proposed project. The report is dated January 2013 with an October 2014 written update (an older test with a current review and letter). An up-to-date, independent report on the soils is needed as well as a slope stability analysis.
3. As elsewhere in the canyon, where the toe of the slope is chopped off, or where the crest of the hill is over-weighted, or wherever groundwater enters, expect trouble. The processes that cut the slope at the proposed development lot are not active right at the site, but several factors can change and make the site unstable. The soils study indicates destabilizing conditions that should be taken seriously, as there are ways the site can fail. Introducing groundwater can result in ground failure. The site has 15 or more feet of added fill. By adding 3 houses, this calls for a slope stability analysis. Each story of a house is roughly equivalent to a foot of fill, approximately, as weight/mass.
4. The new homeowners will be taking the risks, not the developers. The present site plan is not a wise one, particularly if the City will be held liable if problems arise.
5. The report from the SLC Engineer’s office should be written and made available prior to Planning Commission review.

## **LOT SIZING AND SURVEY ADEQUACY**

1. According to the narrative description with the first set of plans, the size of the proposed subdivided lots is 184’6” (east to west) by 53’4” (north to south) each, resulting in 9,840 square feet or .23 acres each. When measured on the ground, at 135 feet, the tape measure is in mid-air. Thus, the described east-west dimension of the lots exceeds the actual amount of ground by something close to fifty feet. The soil survey drawing supports this measurement.
2. By the terms of the soils report, the northern-most of the proposed 3 houses is to be 40 feet in from the crest of the slope and the southern-most is to be 25 feet in from the crest of the slope. If “the crest of the slope” is the very farthest point west before the ground drops sharply, then, based on ground measurement of the actual land, most of the linear floor-space of the southern-most house will be on very soft ground, with some 25 feet of it suspended in mid-air!
3. The above may not be accurate, but is based on what has been presented with data provided. Since there are no drawings available of the proposed buildings with dimensions given, the project does not seem based in reality.

## **PROPORTIONAL APPROPRIATENESS FOR THE NEIGHBORHOOD**

1. The homes and lots east of the alleyway (on B Street) from the proposed project site are NOT all the same size. Thus, the developer’s assertion that this proposed development will “better integrate into the surrounding residential zones” cannot be made to be true.



2. The design of these 3 identical buildings is a jarring contradiction to anything existing in the neighborhood.

3. Nowhere in a radius of a mile from this site is there a row of identical square houses all next to each other. This aspect of the proposal is contradictory to the character and integrity of the neighborhood. They will be out of place as three identical dwellings.

### **THE SEWER**

1. There is an old, but active, sewer line that runs at an angle through private properties from the intersection of 9th Avenue and A Street up to the home on the north side of 10th Avenue, opposite the proposed project. It appears that it actually runs underneath existing structures and is believed to serve four homes before it reaches the subject property. It was likely constructed at this angled manner because there used to be a canyon there that was subsequently filled up with fill dirt to a level of 15 feet or more.

2. The footprint of the proposed development would impinge on this existing sewer line and it is not currently permitted to build over an existing sewer line, so that the sewer would have to be changed or re-routed. What impact would this have on the existing homes that are served by the line and what degree of inconvenience or expense might be incurred by down-canyon homeowners if the development goes forward? Up to the time of the Nov. 5 meeting, neighbors had received no information that would help alleviate these concerns of service disruption during development.

### **THE ALLEYWAY**

1 A "planned development" approval is needed to allow this project to front on an alley, instead of a dedicated, city-owned Public Street as is typically required. The proposed development at this site should be required to front on 10<sup>th</sup> Avenue.

2. Adjacent property owners all own shares or rights of way in the alley. The owners have maintained it privately with contributions toward paving and other upkeep.

3. The City does not own the alleyway and so the City cannot give the developer frontage on the alleyway, because the alleyway is not a City street.

4. Any disturbance of the alley would require the consent of the actual owners and written commitments that all access problems would be mitigated during construction and that the alley would be restored entirely to its previous condition following construction. Probably some improvement to the alleyway would be positive, but the developer must get permission from the right source.

### **TRAFFIC, PARKING**

1. Extra traffic and parking would be brought by the proposed project because the plans allow for only two cars to fit into the proposed off-street parking.

2. Extra parking could not be allowed on the alleyway as on a City Street. The project should not be allowed to front on the alleyway.

3. At present there is a difficulty of past someone if a car door is open in the alleyway.

**PROMISED CURB AND GUTTER, SIDEWALK “IMPROVEMENTS” WOULD ENCROACH ON EXISTING RIGHTS OF WAY**

1. The developer announces a five-foot sidewalk and the installation of curb & gutter but does not state or show on a plot plan where these “improvements” would be. The prior subject property owner already had encroached on the alleyway by five or six feet. This is the same line the developer’s survey drawing cites as the eastern boundary of the property. It is not the eastern boundary.
2. This is not the developer’s property to make improvements to. The western half of the alley way does not belong to the developer, nor does it belong to the City.
3. Adding curb and gutter to the south boundary of this property does not enhance the alleyway if said improvements do not extend all the way between 9th and 10th Avenues.
4. The developer must be required to submit an accurate surveyed drawing and to specify exactly where on the survey he will place said “improvements”.
5. “Improvements” need to be a commitment, not a promise to be rescinded later.

**SUPPORT FOR AN APPROPRIATE DESIGN**

1. The Greater Avenues (GACC) Board and nearby neighbors share the spirit of wanting to see the Knowlton (subject) property develop into something appropriate and fitting for the character of our neighborhood.
2. Nearby neighbors want all of the complicated details that impact them handled carefully and properly, without rushing and without false answers or solutions that compromise the integrity of the neighborhood that they have enjoyed for many decades.
3. GACC and nearby neighbors support an architectural mix of proposed homes.
4. GACC and nearby neighbors support new construction on the site that is stable, and that needs no exceptions. It is possible to have such at the site. What is currently proposed is not supportable.
5. A development fronting on 10th would be appropriate and welcomed by the neighbors.
6. It was made clear that the neighbors are not opposed to a single dwelling development - it is the proposed 3-unit development that is a concern.

In general, was the group supportive of the project?

**No, they were not. One known neighbor exception is a realtor who handled the sale of the property and who will also be handling the sale of the newly built homes.**

**Signature of the Chair or Group Representative**

**## Electronic signature##**

**Mary Ann Wright**  
**Greater Avenues Community Council Chair, 2014**  
[maw@pbageo.com](mailto:maw@pbageo.com)

801-363-1412  
801-502-9611

**Attachments:**

1. Avenues SR-1 District Overlay, 2006
2. Jennifer Hunt Malherbe, neighbor
3. Paul Tinker, neighbor
4. Donna Hunt, neighbor
5. Susannah Kesler, neighbor
6. Gen Sloan, neighbor
7. Draft Review of Soils report by Genevieve Atwood, GACC Board member

Comments sent separately to the Planning Commission, opposing the requests of the developer:

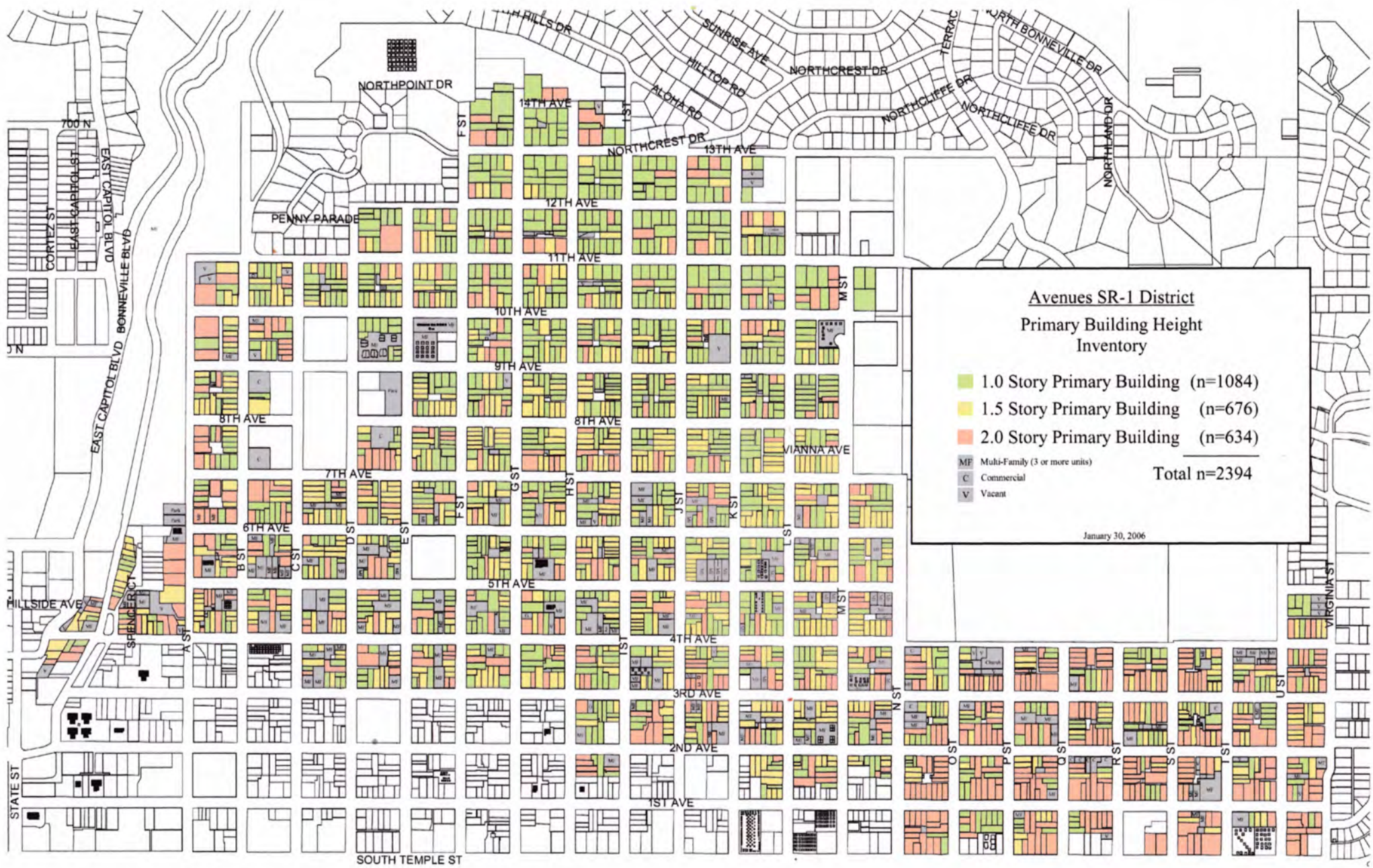
Merrill Wilson

Wendy Bohman

And others, not specified here

GACC Board members' comments are incorporated in this response.





**Avenues SR-1 District  
Primary Building Height  
Inventory**

- 1.0 Story Primary Building (n=1084)
- 1.5 Story Primary Building (n=676)
- 2.0 Story Primary Building (n=634)

■ MF Multi-Family (3 or more units)  
■ C Commercial  
■ V Vacant

**Total n=2394**

January 30, 2006

**From:** [Jennifer Malherbe](#)  
**To:** [Stewart, Casey](#); [Jennifer Malherbe](#)  
**Subject:** FW: This is the text that will not open  
**Date:** Thursday, December 04, 2014 2:55:03 PM

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Hello, Mr. Stewart:

Thanks for your time on the phone today.

As I mentioned, I also had difficulty opening the attachment to Mary Ann's email (which is my first email to you expressing concerns/objections).

Below is my communication to her about this as well as the contents of the email itself.

I request that this as well as the entire GACC summary document be included as part of your report to the Planning Commission members.

Thank you.

Jennifer Malherbe

---

**From:** maw@pbageo.com  
**Subject:** This is the text that will not open  
**Date:** Sun, 16 Nov 2014 10:42:42 -0700  
**To:** jmalherbe@hotmail.com

Our initial concerns about the proposed subdivision at 214 10th Avenue include (but are not necessarily limited to) --

- The request to increase the allowable building height;
- The request to adjust side yard setbacks;
- Rights of way in the alleyway;
- Running utilities in the alleyway;
- Circulation in the alleyway;
- The stability of the canyon side of the property which is rumored to contain large amounts of fill;
- The number of proposed lots.

After seeing these documents, I am also concerned that the style is seemingly not congruent with the surrounding homes. We would also like to know what

type of exterior building materials are proposed.

In addition to all of this, a glaring point is that the proposed project description, in its request for setback allowances, states , "...there are no front yards along the alley to measure... ." This is false. Our property, immediately adjacent to the south of the proposed development, IS on the alleyway and DOES absolutely have a measurable front yard, a front yard that's been there more than half a century.

I also mentioned that we would make every effort to provide you with our family's input in an organized manner as best we can. I don't want to inundate you with lots of piece meal thoughts and questions. Nevertheless, I do want you to know right away our initial reaction and concerns, and there will undoubtedly be more questions for discussion.

As I stated, I do believe the neighbors would like to see something positive evolve at the Knowlton property site. Almost all of the folks are long time owners of their respective homes, most of them for decades like us. And I do believe there is a collaborative spirit among us to help guide any development in a positive direction for all of us concerned.

Please do keep us informed of developments as they arise. I am copying my mother and 3 brothers here for our mutual convenience.

Again, thank you for your time today.

Jennifer Malherbe

914-282-2299

#####

On Nov 14, 2014, at 7:28 PM, Jennifer Malherbe wrote:

Hello, Mary Ann:

Thank you again so much for your time and attention to all the critically important detail here. Your leadership has really been invaluable to us.

Question: there appears to be an attachment attributed to me, but it is blank or won't open. Please advise.

Jennifer Hunt Malherbe



Summary of my remarks at the 5 Nov. GACC meeting. (I didn't write them out ahead of time, just used notes.)

I live at 213 9th Ave., the second house south of the property at issue here, and have been here for 26.5 years.

In addition to the concerns raised by the closer neighbors whose views and access may be affected by a development, I have specific concerns about the (A) sewer line and (B) alley way.

#### A. The Sewer

There is an old sewer line that runs at an angle through private properties all the way from the intersection of 9th Avenue and A Street up to near the front of Dr. Wilson's home on the north side of 10th Avenue, opposite the proposed. It appears that it actually runs underneath existing structures. It appears that it serves four homes:

- Dr. Wilson at 213 Tenth Avenue
- The old Knowlton house at 214 Tenth Avenue
- Mrs. Hunt at 219 Ninth Avenue
- Tinkers at 213 Ninth Avenue

It is my understanding that the footprint of the proposed development would impinge on this existing sewer line and that it is not now permitted to build over an existing sewer line, so that the sewer would have to be changed or re-routed.

My concern is what impact this would have on the existing homes that are served by the line and what degree of inconvenience or expense might be incurred by the 3 impacted homeowners if the development goes forward and the sewer does in fact have to be changed. Up to the time of this

meeting I have received no information that would help alleviate these concerns.

## B. The Alley

It has been suggested that a new sewer line to serve the proposed development would run down the alley that divides this block between eastern and western lots.

1. It is not clear who owns this alley or whether it is in any way a public right of way. The consensus in the neighborhood is that the adjacent property owners all own shares in the alley, and this is supported by the fact that the owners have maintained it privately with contributions toward paving and other upkeep.

2. Any disturbance of the alley would therefore require the consent of the actual owners and assurances that all access problems would be mitigated during construction and that the alley would be restored entirely to its previous condition following construction.

Paul Tinker  
213 Ninth Avenue 84103

Comments of Donna Hunt 11/5/14

I have discussed this with my neighbors, and they join me in objecting to the subdivision of the property and the request for frontage on the alley-way.

1) PLAN MIS-STATES PROPORTIONS FOR NEIGHBORHOOD

The lots across the alley-way from the project site are NOT all the same size and are not parallel to the proposed subdivision. In absolutely no way can the proposed development “better integrate into the surrounding residential zones”: this language simply has no meaning here.

In addition, the design of these buildings is a jarring contradiction to anything in the neighborhood—they will be out of place

Nowhere in a radius of a mile from our neighborhood is there a row of identical square houses jammed up next to each other; this development is contradictory to the character and integrity of the neighborhood, and it will diminish our environment and reduce the value of our properties

2) PLAN MIS-CALCULATES SIZE OF LOTS

The submitted survey shows a western boundary for the property which is unrealistic, as it is farther west than there is any actual land. The drawing itself shows that the slope into the canyon commences before the boundary line. No calculation of lot size based on the figures given is realistic.



3) CITY DOES NOT OWN ALLEY-WAY, CANNOT APPROVE FRONTAGE

The City cannot give the developer frontage on the alley-way, because the alley-way is not a City street.

4) CURB AND GUTTER, SIDEWALK TO ENCROACH ON EXISTING RIGHTS OF WAY

The developer announces a five-foot sidewalk and the installation of curb & gutter but does not state where these “improvements” would be. Knowlton already encroached on the alley-way by some five or six feet—a line the developer’s survey drawing cites as the eastern boundary of the property. Does the developer intend to give up that strip of land to these improvements?

Adding curb and gutter to the south boundary of this property does not enhance the alley-way if it does not extend all the way to 9<sup>th</sup> Avenue.

We ask the developer to submit a realistic survey drawing and to specify exactly where on the survey he will place his various improvements. We ask for a commitment, not a promise he can rescind later.

2370330

Recorded FEB 5 - 1971 3:16P  
Request of SEARCHED LAMA COMPANY

# SPECIAL WARRANTY DEED

[CORPORATE FORM]

BY IRVIN A. MARTIN  
DEPUTY  
No. C-36-116-17  
3701 WICKLISS DRIVE

UTAH CREDIT ADJUSTMENT ASSOCIATION

a corporation organized and existing under the laws of the State of Utah, with its principal office at Salt Lake City, of County of Salt Lake, State of Utah, grantor, hereby CONVEYS AND WARRANTS against all claiming by, through or under it to CONNIE SHIFF TRUST a 1/2 undivided interest and GAYLE DEAN HUNT a 3/4 undivided interest

of Salt Lake City, County of Salt Lake, State of Utah, TEN AND NO/100 (\$10.00) and other good and valuable consideration the following described tract of land in Salt Lake State of Utah:

grantee s for the sum of DOLLARS, County,

pt. 121, 344 Beginning at a point 160 feet South from the Northwest corner of Block 128 Plat "D", Salt Lake City Survey and running thence South 90 feet; thence East 184.5 feet; thence North 90 feet; thence West 184.5 feet to the place of beginning.

pt. 144 Together with a right of way: Beginning at a point 184.5 feet East from the Northwest corner of said Block 128 and running thence East 20 feet; thence South 330 feet; thence West 20 feet; thence North 330 feet to the place of beginning.

Subject to all existing Easements and Rights of Way whether of Record or not of Record.

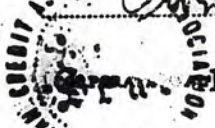
Subject to general taxes after the year 1970.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 29th day of January, A.D. 1971

Attest: [Signature]  
Secretary.

By [Signature]  
President.



STATE OF UTAH,  
County of SALT LAKE

On the 29th day of January, A.D. 1971

personally appeared before me Irwin A. Novits, Notary Public, who being by me duly sworn did say, each for himself, that he, the said Irwin A. Novits is the president, and he, the said ~~Irwin A. Novits~~ is the secretary of Utah Credit Adjustment Association and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and that Irwin A. Novits, Notary Public, each duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.



[Signature]  
Notary Public.  
My residence is Salt Lake City, Utah

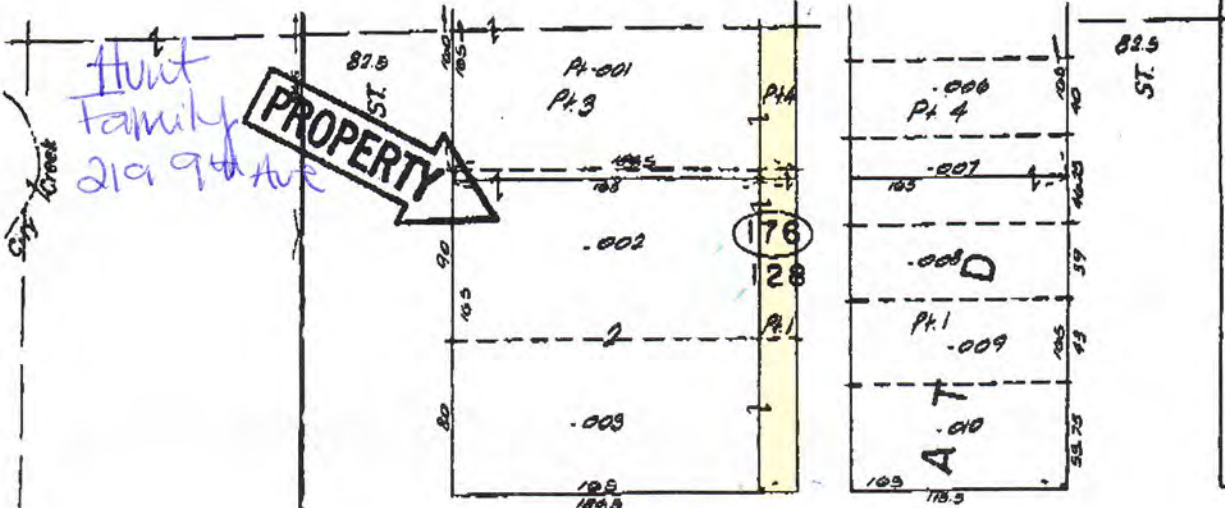
My commission expires 3-19-73

1971-005 123 31

9-31-122

Hunt Family  
219 9th Ave

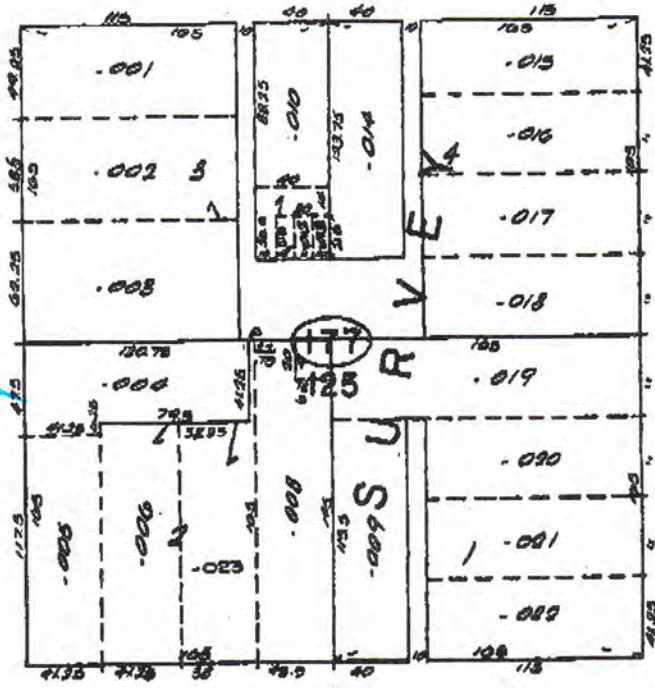
PROPERTY



825 9th

825 AVE. 825

P 09-30-402-001  
26188



825 8th

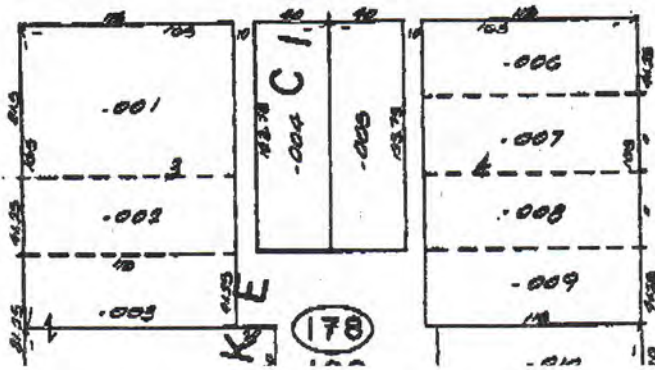
825 AVE. 825

CITY

9-31-123

1216

9-31-213



178



Compiled comments from emails:

11/14/14

1. We don't wish the developer to lose money, but we won't sacrifice our long-term investments (money, time, labor, love, etc.) in our homes so that he can come in from the outside and make a big profit at our expense. No matter what he says, he doesn't NEED to build anything there at all—nobody forced him to buy the property, at any price—but we DO NEED to keep our homes as we have kept them these many years.

2. To Mr. Casey Stewart:

PLEASE don't rush this matter to the Commission before the December hearing date: The neighbors really deserve the time to learn what is happening, think through their concerns, formulate their questions, and state their positions. Among my neighbors are some fragile old-timers whose families are deeply invested in their properties but not immediately present to help them and—whether or not they would welcome this development—I worry that their interests could get lost if the process speeds past them.

3. I find it curious that there was no slope stability study done at all. I believe that when Mr. Jergensen was thinking about buying the property, he anticipated building on the same footprint as the existing house, so maybe the stability of the whole slope would not have been an issue for him. However, where the idea is to place three buildings on the lot—each a little farther west than the last one—it seems patently irresponsible not have a slope stability analysis done. So, I wonder: Why is Northstar still submitting a geotechnical report done for someone else? Why have they not paid an engineer to do a new study that does include a slope stability analysis? Does Casey consider the two letters here attached—both based on the analysis Mr. Jergensen ordered--to be two different analyses?

4. I just came in from measuring the property myself from east to west (my curiosity and my frustration with the drawings got the better of me) and at the southern end of the property—from a point just north of where the driveway enters it from the alley, so I could begin with Knowlton's east property line exactly and run straight west—I ran of our ground I was willing to trust under my own 100 pounds at 125 feet. At 132 feet, there was still something under the tape measure; but at 135 feet, the tape was out in mid-air. According to the narrative description we got with the first set of plans, the size of the proposed subdivided lots was to be 184'6" (east to west) by 53'4" (north to south) each, resulting in 9.840 square feet or .23 acres each.

What that tells me is that the described east-west dimension of the lots exceeds the actual amount of ground out there by something close to fifty feet. The survey drawing supports my measurement.

I suppose it would help if we had a drawing of the buildings that actually gave some dimensions, or maybe one that was drawn to scale, but even without those tools I am having a hard time visualizing this project in reality.

This seems to be a variation on the theme we discussed last evening relevant to the curb & gutter plus sidewalk plus off-street parking all behind a fence that is 25 feet from the edge of the road.

5. Phil Winston, developer, himself stood in the alleyway Nov. 7 and told me the City is going to allow him to build what he wants back there. I told him we would all be delighted with a single, beautiful home there—with as much gain for him as he can derive—but he replied that it just isn't possible for him to do that; he has to have his three buildings, just as he has planned them. I did not ask him, but I wonder why the amount of his profit—and not the contours of the land or the ordinances of the City—should drive what is POSSIBLE to do.

He points to the level of the street and talks about the sidewalk, then points to the level of the existing driveway as the location for his buildings and seems not to notice it's a steep difference that slants the opposite direction from what is specified for drainage in the geologic report he propounds. I get the distinct feeling that he does not care what is in the report—it's just a piece of paper he has to file before he moves ahead toward his single-minded goal. He is completely confident that the City will approve his development and give him whatever permissions he needs for it.

Similarly he regards the neighbors' objections and stated wishes to be simply empty verbiage he has to tolerate before he moves ahead toward his single-minded goal. Three times he said to me, "I'm here to help you." I do not think it even registered with him that I am not persuaded, nor do I think that would matter to him. It's as if he regards his own words as no more insignificant than ours. It is all just meaningless language. When it is over, he will proceed.

Can we hope that the City will enforce the meaning and intention of the law? The law itself is just so many words, unless those who have power to do so actually give meaning to the words.

6. The City should have the power to give meaning to the words of the master plan and all the ordinances—as they are written and for their intended purpose. I don't think they mention anybody's monetary profit.

Susannah Kesler  
489 B Street

My name is Eugene Sloan and I live at 469 B Street. This property has been in my family for almost 80 years, my parents having purchased it in 1935.

Having had many conversations with each of property owners which border on this private alley-way, I can state that we all have serious concerns regarding the effect of the additional traffic and congestion on this alley-way!

### **ADDITIONAL HOMES MEANS ADDITIONAL CARS THAT WILL INTERFERE WITH OUR ACCESS TO OUR GARAGES**

We are talking about a rather narrow alley. Three [3] additional homes will surely bring added traffic and congestion. This alley is our ONLY access to our garages. We have enough difficulty getting in and out as it is. An extra car or truck parked in the alley even for a limited time makes it extremely difficult to access our garages. Guests or visitors from three additional homes will almost certainly park in this right of way making our problems even worse.

### **SNOW AND GARBAGE REMOVAL**

Although the City does not have to remove the snow in the alley-way, **because it is not a City Street**, the snow



plows use it as a convenience to go back and forth between 9<sup>th</sup> and 10<sup>th</sup> Avenue. Particularly as they plow down 10<sup>th</sup> Ave to the Canyon they can turn down the alley instead of having the difficulty of attempting backing back up to “B” Street. Any car or vehicle parked in the alley will make it impossible for them to do this.

Similarly, the garbage, recycling, and compost bins are routinely collected in the alley-way—but with a vehicle parked there it is very difficult for them to navigate. On occasions, IN THE WINTER, when someone has parked illegally in the alley, I have witnessed instances when the sanitation truck had to call for a **tow truck** in order to pull them back up to B Street and 10th Avenue because their access to the alley was blocked and they couldn't turn down on their way to 9<sup>th</sup> Avenue.

11/14/14

With respect to attachments vis a vis 214 E 10<sup>th</sup> Ave  
GACC folks, here are some initial reactions to the information... I haven't spent much time on this.  
Consider these comments draft.

#### PROCEDURAL comments

What's implied by the "disclosure statement" way to the end... that it isn't an official geotechnical report but just for information?

A slope stability analysis was not performed. Was that because the study itself might destabilize the site? Or not requested?

Geologists and engineers see processes and materials differently and this report about a fundamental process, ground failure, apparently was done by engineers. It's a good report, and as one might expect, good on materials. Not every report done by geologists would be as good, but geologists would focus on the processes of erosion specifically ground failure and piping in addition to the characteristics of the materials.

#### SUBSTANTIVE comments

Context: About 16000 to 13000 years ago, during the Ice Ages, not that long ago, Lake Bonneville stood at or above the level of the proposed development. Then as now, City Creek flowed down City Creek Canyon. Where it entered Lake Bonneville, it built a delta. That's the source for the "natural" materials that underlie the fill under the present house at the proposed development. The deltaic materials are easily eroded by surface or ground water. They can be pretty stable so long as they are not over-steepened, over loaded, or affected by ground water. How can that be? The sands and gravels are well layered and were laid down by water day after day, year after year. When eroded, the slope achieves an angle of repose that, if undisturbed, becomes somewhat armored by vegetation and, because the sediments are easily drained, groundwater usually is not a problem. But, as elsewhere in the canyon, where the toe of the slope is chopped off, or where the crest of the hill is over-weighted, or wherever groundwater is tinkered ... expect ... trouble. Put differently, the processes that cut the slope at the house are not active right at the site so one could hope for long-term stability... but several factors can change and make the site unstable. The geotechnical study, apparently done by engineers not geologists, indicates a few of those destabilizing conditions and should be taken seriously.

Ways the site can fail:

- Introduction of groundwater and resulting ground failure: that's why the report indicates no sprinkling, no discharge from the roof and other drainage measures.
- Surface runoff: the materials can be cut through easily and once cut through they are almost impossible to put back as before: The report indicates issues with a broken sprinkler pipe. Were I the owner, I'd be concerned with channelized flow of any kind. The fill that has been placed on the site probably has somewhat protected the easily un-raveled natural fill from such erosion.
- Wet-cycle conditions, overloading at the crest, and ground failure. Several areas of City Creek Canyon's delta sediments failed during 1982 – 1987. The engineering report probably indicates when the materials were collected (I could read more carefully) but I doubt if safety would have permitted collection in a 15 ft hole during wet conditions. Those conditions are when otherwise stable slopes fail in response to earthquake ground shaking. That the site has several feet of added fill plus the house(s) is something for a slope stability analysis. (Count each story of a house as a foot of fill... approximately... as weight / mass.)
- Humpty Dumpty: water-laid deltaic sediments are challenging to reconstruct. If the materials are too fine, they become a barrier to groundwater; or if on the surface, differentially eroded and a pathway to further erosion. Were an incident to happen on site, such as piping due to inadvertent discharge into underlying fill, don't expect to be able to put the site back together as well as it is now.

#### NEXT STEPS:

As a sweeping generality, the farther from the edge, the better.

Disclosure – the developers surely should be clear on risks. I'm not in the loop or the legalities of what cities take on for permitting, meaning this is a complex site. If SLC is saying its safe... that's a stretch. If the landowners are taking the risk, such as living along the Oregon Coast, well, it's their loss. Ethics: but when a structure is going to be rented versus lived in by the developer, are their different standards (not in present codes, I believe), meaning, the developers are not those taking the risks.

I'd feel more confident (but probably not a whole lot more confident) were geologists to examine the site and discuss materials with engineers. For example, for most sites, a gravel draining system is a good idea but for this site it might not be. My sense... step away from the drop off and try to leave the natural system as intact as it can be.

Context of these rapidly-drafted remarks... I've driven by the site and I've read the reports pretty fast. Consider this a reconnaissance review. Sorry I'm not to the meeting to hear more. With enough effort and with some fine thinking, many if not most geotechnical problems can be avoided or at least substantially reduced. I'm not convinced that the present site plan is a wise one... particularly if the City will be held liable if problems arise.



**From:** [Karima Shaver](#)  
**To:** [Stewart, Casey](#)  
**Subject:** Regarding the Development near 10th and A St. SLC  
**Date:** Tuesday, November 18, 2014 12:43:12 AM

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Hello Casey,

I am writing to you regarding the property at the west end of 10th Avenue and B Street. I understand the property on the South corner at the end of 10th has been sold and is going to be developed.

I believe this will be a positive change for our neighborhood. My husband David and I have lived on the Northwest corner of 10th and B since 2008 and looking across our yard I've seen the property in question as nothing but an eye sore. I know squatters have stayed there in the past and last summer I was alarmed to see at least 10 officers with weapons drawn approaching the structure believing a suspect was inside. This is not the type of location we want in our community.

As a resident near the alley, I would like to give you my perspective on the potential development of this area and list out the benefits I see for our neighborhood.

- Demolition of the poor structure on the lot and development will help keep crime down in this area by preventing a vacant location for prospective criminals (and rodents) to hide.
- Adding high-end properties will increase surrounding property values.
- Growing our community with people who understand the community aspect of the avenues is encouraging since my husband and I have made efforts to get to know and maintain relationships within the near vicinity of our home.

My husband and I see the advantages of this development as a positive to our community and I suspect that those who are opposing the development simply want the neighborhood to stay the same because they have enjoyed the quiet that comes with such a location. I believe the more opportunities we have to grow our neighborhood, the better we all are because it will add to the changing dynamic that makes the avenues such an interesting place to live.

Overall, I am very happy that someone has chosen to develop this property. My husband and I may live in a 1912 Tudor, but I support new construction that is tastefully done. The Avenues is ever changing and this is just one more opportunity to see a new design reflective of our current time.

You may reach me at 801-589-6543 or via this email: [karima@biotronlabs.com](mailto:karima@biotronlabs.com) if you require any additional comments.

Thank you for your time.

Best regards,  
Karima Shaver  
505 B St.  
Salt Lake City, UT 84103

November 4, 2014

Mr. Casey Stewart,

I am very concerned about the proposed development to the property on 10th Avenue (the Knowlton property). I live just across the street from that property, and would be negatively impacted by the proposed buildings. I feel that although the Avenues is known for its diversity, the prime property on the edge of City Creek Canyon should be reserved for single dwelling homes. Townhomes that are significantly higher than code will obstruct the view for many current homeowners.

I have lived in my home for nearly 50 years, and enjoy the quiet and beauty of my dead-end street. Allowing an extra tall multi-dwelling development to be built in this location would ruin one of the best views in the Avenues and detract from the atmosphere of the neighborhood. I'm also very concerned about what will happen to my water line. I hear that the privately-owned alley between 9th and 10th Avenues will be torn up to install new plumbing. I contribute to the upkeep and maintenance of the alley, and don't want to lose use of it during construction. Because of my location, I would be impacted by the increase in traffic and parking.

I strongly oppose the proposed development.

Sincerely,

A handwritten signature in cursive script that reads "Merrill L. Wilson, M.D." The signature is written in dark ink and is positioned to the left of the printed name.

Dr. Merrill L. Wilson

**From:** [karl.hodges](mailto:karl.hodges@slcgov.com)  
**To:** [Stewart.Casey](mailto:Stewart.Casey@slcgov.com)  
**Subject:** RE: Knowton Property 214 east 10th ave  
**Date:** Tuesday, October 28, 2014 12:52:22 PM

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As you know i'm totally not in favor of a change in building height. it's zoned SR-1A 23' feet and 16' for a flat roof. thank you Karl Hodges/M Denise Smith 479 B street

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**From:** Casey.Stewart@slcgov.com  
**To:** deekarl@comcast.net  
**Date:** Tue, 28 Oct 2014 10:29:19 -0600  
**Subject:** RE: Knowton Property 214 east 10th ave

Mr. Hodges,

Thank you for taking the time to comment. I was out there to walk the property, primarily to look at what trees might be kept and get a better feel for the site.

I have two letters from a professional geologist, both of which confirm a significant amount of fill on the site, which you also mention. The letters also offer ways to mitigate the potential problems that fill causes. The information will be provided to the decision makers (the planning commission) for them to consider.

No approvals have been granted at this point. Northstar Builders has applied for approval to create the lots and construct 3 similar buildings that would exceed the standard height limits by an additional 5 feet. The applications are in the review process, and will be decided upon by the city's planning commission. A notice of the public meeting will be mailed to you 12 days before the meeting occurs, and all are invited to attend and comment.

Respectfully,

CASEY STEWART  
Senior Planner

PLANNING DIVISION  
COMMUNITY *and* ECONOMIC DEVELOPMENT  
SALT LAKE CITY CORPORATION

TEL 801-535-6260  
FAX 801-535-6174

[WWW.SLCGOV.COM](http://WWW.SLCGOV.COM)

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**From:** karl.hodges [mailto:deekarl@comcast.net]  
**Sent:** Tuesday, October 28, 2014 10:17 AM



**To:** Stewart, Casey

**Subject:** Knowton Property 214 east 10th ave

It was nice to meet you on Friday 10/24 in our alley 479 B street while I was parking my car in my garage

when I got home . My wife said you where there to see if the second soil assessment of the property has been completed. Which it has not competed. The only Test was done by a Dragline a couple of years ago. I know when a Dragline or back hole is in my back area.it was done by a previous interested party. The north west part of the property has a lot of fill.

Has the City approved Northstar Builders to Build three homes of the same design on said property ???

Thanks Karl Hodges 479 B Street

**ATTACHMENT H: Department Comments**

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## **CITY DEPARTMENT COMMENTS**

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

With regards to the utilities, the current house is served by a single 1-inch water service off of 10<sup>th</sup> Avenue with the sanitary sewer service running from the existing home to the south until it connects to an existing shared sewer line. Note that shared sewer lines are no longer allowed in the City. Changes to the property may require the separation of the sewer services or a planned development to allow a single sewer service. Additionally, the property located at 215 E. 10<sup>th</sup> Avenue has their sewer service that crosses 10<sup>th</sup> Avenue and passes through this parcel to the south. The existing shared sewer service collects waste from 213 and 219 E 9<sup>th</sup> Avenue before connecting into a public sewer system. The location of the proposed homes appears to impact the existing shared sewer line from 214 and 215, 10<sup>th</sup> Avenue. This line may not be located under one of the proposed residential structures. The existing line will either need to be relocated or the proposed buildings designed around the line to avoid negative impacts to existing residents. Copies of the sewer service notes are attached to this document for 214 and 215 (previously 225) E. 10<sup>th</sup> Avenue for your review and use in design.

To the greatest extent possible, storm water should be directed to the alley rather than be allowed to sheet flow off the back of the parcel to the west. This will help minimize risk to erosion and soil destabilization.

Separate water services will be required for each lot. Unless a main extension is proposed down the alley, water services will need to be designed in a way to pass through the various parcels in this subdivision under a private water easement. A licensed civil engineer should be used to design the water, sewer, and drainage for these lots due to the unique characteristics of the site.

The engineer's plans will need to be reviewed and approved as part of the standard permitting process with the City.

### **Engineering** (Scott Weiler):

Please forward the attachments to the applicant so that addresses can be added and the plat checklist can be followed in preparing a final plat. The SLC Surveyor will begin her review when a final plat is submitted. The three proposed lots will be addressed off 10<sup>th</sup> Avenue, although the existing house to the south of the proposed subdivision is addressed off 9<sup>th</sup> Avenue.

I've entered the following comments in green into PLNSUB2014-00618:

No curb, gutter or sidewalk exist on the plat frontage of 10th Avenue. Sidewalk is not required on the 10th Avenue plat frontage. The subdivider, possibly with the help of his geotechnical and/or civil engineer, needs to show how storm drainage that could come onto the proposed subdivision from 10th Avenue under current conditions will be managed to prevent a landslide at the edge of City Creek Canyon.

The proposed curb & gutter along the alley frontage of the plat will release drainage onto the alley surface. What effect will this have on downstream properties?

A Subdivision Improvement Construction Agreement may be required if public way improvements are required in 10th Avenue for this subdivision. This agreement requires the subdivider to provide a security device, such as payment & performance bonds or letter of credit, and insurance and pay a fee.

The existing alley, that will be the only access to two of the proposed three lots, is private.

Addresses and a plat checklist will be sent via email to Casey Stewart.

**Transportation** (Barry Walsh): Show all public way improvements on 10th Avenue. Show all public way encroachments on east side of alley to verify travel lane widths, as needed for Fire and emergency vehicles. Coordinate with Engineering and Public Utilities for sidewalk and curb & gutter on private property and discharge to south. Proposed alignment to be continuous to 9th Avenue. Suggest designation as a public street to create frontage for all lots including 219 E 9th Ave.

**Zoning:** (Alan Michelsen):

- 1) Prior to submitting for a building permit an address certificate for each residence must be obtained from SLC Engineering, 349 South 200 East, suite 100. Phone (801) 535-7248.
- 2) A demolition permit is required for the existing residence.
- 3) A grading plan is required based on recommendations in the geotechnical report. Grades (existing and proposed) shall be shown at not greater than 2 feet intervals. Grades exceeding the maximum permitted change in grade as per 21A.36.020.B, shall be approved through the special exception process. Grades changes at property lines, or grades which exceed a 2:1 slope, shall be supported by a retaining wall. Retaining walls exceeding 4 feet or supporting a surcharge shall be engineered.
- 4) Based on the distance that the main entrance is stepped back from the face of the attached garage consideration should be given regarding the intent of section 21A.24.080.H, standards for attached garages and section 21A.24.010.I, standards for front façade controls.
- 5) The Building Services Division recommends that any alterations to required setbacks be specified on the plat.

**Fire:** (Ed Itchon):

No comments.

**Streets:** (Parviz Rokhva):

No comments.

**Sustainability:** (Vicki Bennet):

No comments.



**ATTACHMENT I: Motions**

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## **Potential Motions**

### **Not Consistent with Staff Recommendation:**

Based on the findings listed in the staff report and the testimony and plans presented, I move that the Planning Commission [deny/table] the requested Capitol Heights Planned Development PLNSUB2014-00617 and Preliminary Subdivision Plat PLNSUB2014-00618.

The Planning Commission shall make findings on the planned development review standards and specifically state which standard or standards are not met.