

## **Salt Lake City Planning Commission**

### ***Re: Case Number PLNPCM2016-00031 Trolley Square Ventures Zoning Map Amendment***

Dear Planning Commissioners,

I write to submit comments in opposition to the proposed rezone of seven parcels (the “subject parcels”) near Trolley Square in the Central City Historic District. My family and I live close to the subject parcels in a contributing historic residence on 600 South, and I am therefore very interested in ensuring that any zoning amendment for the subject parcels is compatible and complementary with the area.

This particular application for rezone presents a very unique opportunity for the Planning Commission and Salt Lake City - namely the rezoning of parcels that are specifically identified in an applicable community master plan as potentially benefiting from improved and intelligent zoning solutions. In view of the importance of this particular rezone, extreme care should be taken to ensure that any zoning is reflective of and not contrary to the purposes, goals, objectives and policies of the City as stated in its various adopted master plans, specifically the Central Community Master Plan and the Salt Lake City Community Preservation Plan.

Unfortunately, the Staff Report for this rezone application is either silent or fails to adequately address many considerations raised by applicable adopted master plans. The Staff Report thus recommends a proposed zoning map amendment that is wildly incompatible with the purposes, goals, objectives and policies developed and adopted by the City following significant community outreach and input in connection with the master planning process.

As community master plans are official ordinance adopted by the City Council as the end result of an extensive community outreach process, I strongly believe that adopted master plans should be a primary guide in determining the appropriateness of proposed zoning map amendments. Indeed, the first consideration in Salt Lake City Ordinance relating to general zoning map amendments articulates that proposed amendments should be compatible with the “purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents.” *Salt Lake Ordinance 21A.50.050*.

I have several concerns relating to the incompatibility of this proposed zoning map amendment with applicable community master plans. These concerns are detailed below. I encourage you to carefully consider these comments, prepared specifically in view of the Staff Report, as well as my previous comments to Planning Staff included in the Staff Report which address a number of other issues relating to the proposed amendment.

## **The Proposed Rezone Is Incompatible with the Central Community Master Plan**

The proposed zoning map amendment is inconsistent with many of the stated purposes, goals, objectives and policies of the City stated through its various adopted master planning documents, including the Central Community Master Plan (“CCMP”) as amended by Salt Lake City Ordinance No. 66 in 2012. Indeed, rather than supporting the adopted purposes, goals, objectives, and policies of the CCMP, the proposed zoning map amendment, if approved, would serve to frustrate the many of its stated purposes, goals, objectives, and policies of the CCMP.

As noted above, the subject parcels are **specifically identified** in the CCMP as potentially benefiting from improved and intelligent zoning solutions. As part of the stated “Trolley Station Area Goals,” the CCMP encourages:

“12. Identify[ing] zoning solutions for the block faces across from Trolley Square on 600 East and 600 South. The focus should be to encourage development on vacant parcels, increase residential density **and promote the preservation and adaptive reuse of contributing structures**. The surface parking lot south of Trolley Square should be rezoned to allow Trolley Square to build a parking structure, **retain the historic structures fronting on 600 South** and build housing.”

*See Salt Lake City Ordinance No. 66 of 2012 Amending the CCMP, emphasis added.*

The height, scale, setbacks, and intense uses permitted by the proposed FB-UN2 zone would be incompatible with the existing contributing historic structures located on some of the subject parcels, and would thus clearly not “promote the preservation and adaptive reuse of contributing structures” nor encourage “retain[ing] the historic structures fronting on 600 South.” **Indeed, the FB-UN2 zone would render the existing contributing historic structures as non-conforming under the base zone**, which does not allow for detached single family homes unless part of a “cottage development.” In fact, rather than promoting the “preservation and adaptive reuse of [the] contributing structures,” the proposed zoning map amendment to FB-UN2 would likely significantly increase the potential for their eventual demolition, as it may artificially create a potential “economic hardship” by inflating the value of the underlying land relative to the contributing historic structures.

Other relevant goals provided in the CCMP relating to the “Trolley Station Area” include:

“2. The properties fronting 400 South should be the focus of the station area and development should focus on creating an urban neighborhood in scale and purpose, and is not intended to supplant or compete with the much higher density central business district. **Regional scale development beyond the existing Trolley Square commercial development is not encouraged.**”

“11. Further multi-modal solutions to change the way 600 South is utilized between 500 East and 700 East. Possible solutions include adding middle of the

street parking, midblock crosswalks, medians, or removing a lane of traffic in each direction to add bike lanes, larger park strips or angled parking.”

“15. Encourage development that is **compatible with the historic development pattern in the Central City Historic District** where appropriate”

*See Salt Lake City Ordinance No. 66 of 2012 Amending the CCMP, emphasis added.*

Once again, the height, scale, setbacks, and intense uses permitted by the proposed FB-UN2 zone would be entirely incompatible with the existing and historic development patterns of the Central City Historic District, and thus clearly would be contrary to these stated goals of the CCMP.

Other purposes, goals, objectives, and policies articulated in the CCMP that would be frustrated by approval the of proposed zoning map amendment to FB-UN2 include:

- “Maintain and improve the Central Community’s historic fabric.” *See “Guiding Principles” at page 1.*
- “Preserve historic structures and residential neighborhoods.” *See “Goals of this master plan” at page 3.*
- “Discourage demolition or loss of housing and the deterioration in the condition of housing units.” *See Residential Issues within the Central City Neighborhood at page 5.*
- “The community does not support the demolition of lower-density residences in order to build multi-family structures. Residents prefer to protect the existing residential character and prevent construction of multiple family dwellings in low-density neighborhoods, especially those exceeding 14 dwelling units per acre.” *See “Community input on Residential land uses” at page 9.*
- **“Preserve and protect existing single- and multi-family residential dwellings within the Central Community through codes, regulations, and design review.”** *See Policy RLU-2.0 at page 10.*
- **“Preventing zoning changes for commercial land use encroachment into residential neighborhoods.** Commercial land use encroachment occurs when new businesses are established on formerly residential properties and when existing neighborhood businesses appropriate contiguous residential properties. **Both types of expanding commercial development often cause the demolition of residential structures for commercial land use. This has a severe impact on the character, livability, and stability of the existing residential neighborhood.”** *See “Community input on Commercial land uses” at page 100, emphasis added.*
- “Ensure commercial land uses are compatible with neighboring properties.” *See Policy CLU-4.0 at page 11.*

- “Ensure commercial land development does not disrupt existing low-density residential neighborhood patterns and follows future land use designations.” *See Policy CLU 4.2 at page 11.*
- “Ensure that new development in areas where non-residential and residential land uses are mixed, preserves viable residential structures that contribute to the neighborhood fabric and character.” *See Policy CLU-4.6 at page 12.*
- **“Most of the demolitions in Central City have occurred as a result of low intensity development on land that is zoned for high-density residential development or automobile-oriented commercial development... Both the zoning of properties within historic districts and the economic hardship ordinance need to be evaluated to encourage adaptive reuse rather than demolition of structures.”** *See Demolitions in Historic Districts in the Central City Community at page 17, emphasis added.*
- “The goal for the Central City Historic District is stated in Design Guidelines for Residential Historic Districts in Salt Lake City, Central City Historic District, July 1, 1996, p. 174. “The most significant feature of this district is its overall scale and simple character of buildings as a group, as a part of the streetscape. As a result, the primary goal is to preserve the general, modest character of each block as a whole, as seen from the street.” *See Historic Preservation Goals at page 18, emphasis added.*
- “Central Community gives high priority to the preservation of historic structures and development patterns.” *See Policy HP-1.0 at page 18.*
- **“Ensure that zoning is conducive to preservation of significant and contributing structures or properties.”** *See Policy HP-1.2 at page 18, emphasis added.*
- “Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks.” *See Policy HP-1.4 at page 18.*

The CCMP is adopted ordinance that reflects the final product of an extensive public outreach process soliciting input from residents of the Central Community and Salt Lake City. Accordingly, its stated purposes, goals, objectives, and policies, including those identified above, should not be ignored by approving an incompatible zone such as FB-UN2 for the subject parcels.

### **The Proposed Rezone Is Incompatible with the Salt Lake Community Preservation Plan**

The Salt Lake City Community Preservation Plan adopted in 2012 (“SLCCPP”), articulates specific policies and actions that “will help preserve those areas of the City that are uniquely historic and tell the story of the City’s historic past through spaces and structures, while also providing tools to stabilize neighborhoods and areas within the City that are connected by community character more than a specific historic uniqueness.” See SLCCPP at I-2. **The**

**various policies and actions included in the Preservation Plan call for base zoning to be support of the preservation of historic structures in a district.** For example, Policy 3.3g of the SLCCPP states:

“Ensure that underlying zoning is supportive of preservation policies for the area in which historic or character preservation is proposed.”

Moreover, Action 1 associated with Policy 3.3g, entitled “Assess Underlying Zoning” provides:

“Assess underlying zoning to determine whether the zoning is consistent with preservation or conservation objectives for an area, **and pursue zoning amendments to eliminate the conflicts with those long-term preservation or conservation objectives.**”

*See SLCCPP Policy 3.3g, Action 1, emphasis added*

In view of the significant increases in height, scale, massing, and intensity of use that would be allowed by rezoning the subject parcels to FB-UN2, the proposed zoning amendment is inconsistent with the “long-term preservation or conservation objectives” of the Central City Historic District and the preservation objectives articulated in the CCMP as amended in 2012 by the City Council. **This is especially true in view of the contributing historic structures currently located on the subject parcels, as the proposed zoning amendment to FB-UN2 would significantly increase the potential for their eventual demolition, a stated intent of the developer as reflected in both their application materials and comments to Planning Staff detailed in the Staff Report.** Indeed, rather than “eliminate[ing] conflicts with ... long-term preservation or conservation objectives,” as encouraged by the adopted SLCCPP, the proposed zone amended to FB-UN2 would increase such conflicts.

**The Analysis of the Standards for Zoning Map Amendments Included in the Staff Report Does Not Adequately Consider the Incompatibility of the Proposed Amendment with Adopted Master Plans**

The Staff Report fails to adequately address the incompatibility of the proposed zoning map amendment with relevant adopted master plans. While the Staff Report does briefly discuss certain prescriptions in the CCMP relating to the Trolley Station Area, it nevertheless fails to consider in sufficient detail or provide sufficient analysis relating to articulated goals that specifically pertain to the subject parcels. Indeed, the stated “Trolley Station Area Goals” of the CCMP encourages that “[t]he surface parking lot south of Trolley Square ... be rezoned to allow Trolley Square to ... retain the historic structures fronting on 600 South,” but the Staff Report fails to address how the proposed rezone to FB-UN2, which would render the existing historic structures on 600 as non-conforming, furthers their preservation. The Staff Report also fails to discuss or analyze many of the other purposes, goals, objectives, and policies articulated in the CCMP identified above, particularly those relating to ensuring that base zoning is conducive to the preservation of contributing structures and complimentary to existing development patterns.

**The Staff Report is also entirely silent regarding the compatibility of the proposed zoning amendment with the recently adopted SLCCPP.** Indeed, this recently adopted applicable master plan specifically discourages base zoning that is incompatible with historic preservation goals. Failure to consider the compatibility with the SLCCPP renders the Staff Report’s analysis of compatibility of the proposed zoning map amendment with applicable master plans incomplete.

Salt Lake Ordinance 21A.50.050, articulating the “Standards for General Amendments” to the zoning map, specifically articulates several factors that should be considered in connection with any proposed zoning map amendment. **A complete analysis of a majority of these factors that specifically considers the various applicable adopted community master plans and associated ordinances is appended to these comments.**

### **General Concerns Regarding Mismatch Between the Proposed FB-UN2 Zone and the H Historic Overlay Zone**

I reiterate my comments submitted to Planning Staff that are included in the Staff Report regarding to the significant challenges introduced to the historic design review process when base zoning and the H historic preservation overlay zoning are mismatched. The Historic Landmark Commission (“HLC”) has the ability to regulate height, scale, and massing of proposed designs in accordance with applicable historic design guidelines. In my observations, however, the HLC has faced significant challenges when presented with designs that have height, scale, and massing allowed by the underlying base zoning, but that are over scaled relative to proximate historic structures.

Base zoning mismatch with the historic overlay zoning creates a historic design review process that is unduly burdensome on the HLC, and that can be extremely frustrating and expensive to developers attempting to balance more subjective design considerations articulated in the historic design guidelines with maximizing what is afforded by the underlying base zone of a property. **These issues can almost entirely be avoided, however, when base zoning is well matched to historic preservation considerations.** The issues created between base zoning and historic overlay zoning mismatch are a likely reason why Policy 3.3g encouraging “[e]nsur[ing] that underlying zoning is supportive of preservation policies for the area in which historic or character preservation is proposed” and associated actions were included in the SLCCPP adopted by City Council.

### **A Better Path Forward**

I welcome and encourage new development in the area, especially when such development is responsive to the purposes, goals, objectives, and policies stated in applicable adopted master plans. The subject parcels are located at an important interface between the less intact areas of the Central City Historic District and the largely intact residential areas extending toward Liberty Park. The importance of ensuring improved and intelligent zoning solutions for the subject parcels is specifically recognized in the CCMP, which encourages “promot[ing] the

preservation and adaptive reuse of [the] contributing structures” and “retain[ing] the historic structures fronting on 600 South in connection with zoning decision. The proposed rezone to FB-UN2 for the subject parcels, however, would not be supportive of the purposes, goals, objectives, and policies in both the CCMP and the SLCCPP, and would create a high likelihood of introducing significant planning conflicts in connection with any future development, including any Planned Development or Historic Certificate of Appropriateness approvals.

Many of the subject parcels are currently non-conforming and underutilized. While the FB-UN2 zone is not appropriate for the subject parcels, other zones are available in Salt Lake City Ordinance that would facilitate many of the developers stated objectives, outside demolition of contributing structures, and would be responsive to the specific prescriptions in the CCMP. For example, the recently adopted RMU-35 and RMU-45 would be very appropriate for many of the subject parcels. Indeed, the stated intent of the RMU-35 zone is to “provide a buffer for lower intensity residential uses and nearby collector, arterial streets, and higher intensity land uses. *Salt Lake City Ordinance 21A.24.164*. Similarly, the stated intent of the RMU-45 zone is to “provide areas within the city for mixed use development that promotes residential urban neighborhoods containing residential, retail, service commercial and small scale office uses” and to “promote appropriately scaled development that is pedestrian oriented.” *Salt Lake City Ordinance 21A.24.168*. I strongly believe these zones are responsive and compatible with the purposes, goals, objectives, and policies articulated in applicable adopted master plans.

Thank you for you time and efforts on behalf of the residents of Salt Lake City and its historic resources. I sincerely appreciate your careful consideration of these comments, my prior comments included in the Staff Report, and the appended Analysis of Standards for Zoning Map Amendments.

Best regards,

Jack Davis

543 East 600 South  
Salt Lake City, Utah 84102

## Analysis of Standards for Zoning Map Amendments

Salt Lake Ordinance 21A.50.050, articulating the “Standards for General Amendments” to the zoning map, specifically states that, in making a decision to amend the zoning map, the City Council should consider several specific factors. The proposed zoning map amendment of the subject parcels to FB-UN2, however, fails to comply with the majority of these factors. An analysis of the relevant factors at issue is provided below:

<b><u>Factor:</u></b>	<b><u>Analysis &amp; Rationale</u></b>
<p><b>1. Whether a proposed map amendment is consistent with the purposes, goals, objectives, and policies of the city as stated through its various adopted planning documents.</b></p>	<p><i>The proposed amendment <u>fails</u> to comply with this factor.</i></p> <p>As detailed in my preceding comments, the proposed zoning map amendment is inconsistent with many of the purposes, goals, objectives and policies of the city as stated through its various adopted master planning documents, including the Central Community Master Plan and the Salt Lake City Community Preservation Plan. Indeed, rather than support the adopted purposes, goals, objectives, and policies of the city, the proposed zoning map amendment, if approved, would serve to <u>frustrate</u> many of the purposes, goals, objectives, and policies articulated in multiple adopted master plan documents.</p>
<p><b>2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance.</b></p>	<p><i>The proposed amendment <u>fails</u> to comply with this factor.</i></p> <p>The purpose statement of the FB-UN form based zoning ordinance specifically articulates a desire for zoning that supports appropriately scaled buildings that respect the existing character of the neighborhood. Indeed, Salt Lake City Ordinance Section 21A.27.050: FB-UN1 and FB-UN2 Form Based Urban Neighborhood District provides:</p> <p style="padding-left: 40px;">“A. Purpose Statement: The purpose of the FB-UN form based urban neighborhood district is to create an urban neighborhood that provides the following ...</p> <p style="padding-left: 80px;">5. <u>Appropriately scaled buildings that respect the existing character of the neighborhood.</u>”</p> <p style="padding-left: 40px;"><i>Emphasis added.</i></p> <p>Moreover, the “Design Related Standards” articulated in the connection with the “Specific Intent of [the] Regulations” pertaining to the form based zoning standards provide that:</p> <p style="padding-left: 40px;">“Design Related Standards: The design related standards are intended to ...</p>



## Analysis of Standards for Zoning Map Amendments

	<p>a. <u>Implement applicable master plans...</u></p> <p>g. Provide areas for appropriate land uses that encourage use of public transit <u>and are compatible with the neighborhood...</u></p> <p>i. Rehabilitate and reuse existing residential structures in the FB-UN1 zone when possible to efficiently use infrastructure and natural resources, and <u>preserve neighborhood character.</u>”</p> <p><i>Salt Lake Ordinance Section 21A.27.050.D, emphasis added.</i></p> <p>As detailed in my preceding comments and my comments to Planning Staff included in the Staff Report, the proposed zoning map amendment to FB-UN2 would allow for development of a scale and intensity that is wildly inappropriate for the existing character of the neighborhood and stands in stark contrast with existing development patterns in the Central City Historic District. Moreover, the proposed zoning map amendment to FB-UN2 fails to “implement applicable master plans,” would allow development that is not “compatible with the neighborhood,” and would not “preserve neighborhood character,” directly contrary to the specific intent articulated in connection with the “Design Related Standards” of the FB-UN2 zone.</p> <p>For at least these reasons, the proposed zoning map amendment does <u>not</u> further specific purpose statements included in the relevant zoning ordinance for FB-UN2.</p>
<p><b>3. The extent to which a proposed map amendment will affect adjacent properties.</b></p>	<p><i>The proposed amendment <u>fails</u> to comply with this factor.</i></p> <p>As detailed in my comments to Planning Staff included in the Staff Report, the proposed map amendment to FB-UN2 would allow for development that is incompatible and entirely out of scale relative to existing adjacent single story properties. Indeed, the FB-UN2 allows for new development heights of up to 50’ with zero setbacks when adjacent properties are not zoned FB-UN1, as is the case with the subject parcels. Reduced setbacks aside, a 50’ structure would likely be the tallest structure in the Central City historic district south of 600 South. This would allow for entirely incompatible development in terms of relative height, setbacks, and/or scale and massing,</p>

## Analysis of Standards for Zoning Map Amendments

	<p>especially in view of the diminutive contributing single story apartment court located adjacent to the subject parcels.</p> <p>For at least these reasons, the proposed zoning map amendment will profoundly and determinately affect adjacent properties.</p>
<p><b>4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards.</b></p>	<p><i>The proposed amendment <u>fails</u> to comply with this factor.</i></p> <p>The purpose statement of the H Historic Preservation Overlay Zone focuses on compatibility of new development with existing development in historic districts:</p> <p>“Purpose Statement: In order to contribute to the welfare, prosperity and education of the people of Salt Lake City, the purpose of the H historic preservation overlay district is to...</p> <ol style="list-style-type: none"> <li>2. Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks;</li> <li>3. Abate the destruction and demolition of historic structures;</li> <li>4. Implement adopted plans of the city related to historic preservation...”</li> </ol> <p>As detailed in my preceding comments and my comments to Planning Staff included in the Staff Report, the proposed zoning map amendment to FB-UN2 would allow for development of a scale and intensity that is inappropriate for the existing character of the Central City Historic District and that contrasts with historic development patterns. The proposed zone would not “[a]bate the distribution and demolition of historic structures,” but instead would render existing contributing structures as non-conforming and would likely significantly increase the potential for their eventual demolition, a stated intent of the current developer. Finally, a rezone to FB-UN2 would not implement adopted plans of the city related to historic preservation, but instead would create an undesirable zoning mismatch between the base zone and the H Historic Preservation Overlay zone of the subject parcels, a specific concern identified in the SLCCPP.</p>

## Analysis of Standards for Zoning Map Amendments

	<p>For at least these reasons, the proposed zoning map amendment is <u>not</u> consistent with the specific purpose statements and provisions included in the relevant zoning ordinance for the H Historic Preservation Overlay Zone.</p>
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**March 6, 2016**

**To: Lex Traughber, Senior Planner, SLC Planning and Zoning Department**

**Dear Mr. Traughber,**

**My name is Wendy Mendenhall and I own properties at 636 Segoe Avenue and two other properties directly south of there at 621 East 700 South and 645 East 700 South.**

**I am extremely interested in the plans for rezoning of the area around Trolley Square. I have been involved in that area for many years as a tenant, a shopper, a lover of beautiful architecture and history and most recently a land owner. I am excited about the revitalization of Trolley Square and the areas surrounding it. Trolley Square is a beautiful historic gem and deserves its rebirth and beautification.**

**I am wholeheartedly in agreement with the rezoning of that entire area. I overwhelmingly support the change of zoning to FB-NU2 which I feel would bring that entire area back into the minds, heart and center of Salt Lake City, for generations to come.**

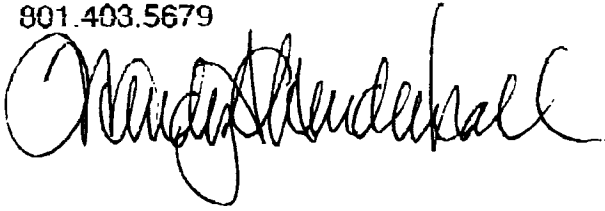
**Even as a child, I watched Trolley Square's renovations through the years under the direction of Wally Wright. I loved Trolley Square as a teenager. It's many choices of shops and kiosks kept me engaged for hours with friends and family. It was a destination and maintained its dignity as a vital and important historic place in Salt Lake City. When it was purchased years ago by the different developers, I saw its "light" begin to dim and with the shootings - Trolley's "light" nearly went out. As it sat waiting for that next "someone" who could recognize its natural beauty, importance and power to this city, Trolley Square maintained its presence. As it waited for its next chapters to be written, it invited those with the imagination, commitment and courage to continue its history. With this rezoning, Trolley Square and its surrounding areas will be an example and testament to the wisdom of its citizens and city government. Through the innovative thinking and planning called for with this rezoning, Trolley Square and Salt Lake City can greatly influence the beauty and maturity of this culture by weaving together what Trolley Square was and what it can be for future generations to come.**

**I feel the magic of Trolley Square being brought back to life. With its recent purchase, I have renewed excitement in Trolley Square and the surrounding areas as I've watched the care given to it. I have watched the commitment being given to Trolley's details: The water tower revival, the replacement of the cement reliefs and the new shops being open, to name a few. I have watched with excitement and relief of the care given to Trolley Square. It is evident its new owners respect Trolley Square, its history and will be mindful as they write the next chapters for this historic landmark.**

**Trolley Square has it's own flair and personality and with this new zoning, the possibilities for rebirth, renewal and revitalization are very exciting.**

If you have any questions about my support for this, please feel free to contact me.

Wendy Mendenhall,  
801.403.5679

A handwritten signature in black ink that reads "Wendy Mendenhall". The signature is written in a cursive style with a large, prominent initial "W".

**From:** [Coffey, Cheri](#)  
**To:** [Traughber, Lex](#)  
**Cc:** [Oktay, Michaela](#); [Shepard, Nora](#); [Norris, Nick](#); [Moeller, Michelle](#); [Paterson, Joel](#)  
**Subject:** RE: Trolley Square re-zoning for the south parking lot  
**Date:** Tuesday, March 08, 2016 12:33:50 PM

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This should also be included in the drop box and posted.

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**From:** Traughber, Lex  
**Sent:** Tuesday, March 08, 2016 9:57 AM  
**To:** Paterson, Joel  
**Cc:** Coffey, Cheri; Oktay, Michaela; Shepard, Nora; Norris, Nick  
**Subject:** RE: Trolley Square re-zoning for the south parking lot

I phoned him.

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**From:** Paterson, Joel  
**Sent:** Tuesday, March 08, 2016 8:17 AM  
**To:** Traughber, Lex  
**Cc:** Coffey, Cheri; Oktay, Michaela; Shepard, Nora; Norris, Nick  
**Subject:** FW: Trolley Square re-zoning for the south parking lot

Lex,

The e-mail below was sent to the Planning Division's zoning e-mail address. Just wanted to make sure you received it.

Thanks,

JOEL PATERSON, AICP  
Zoning Administrator

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

TEL 801-535-6141  
FAX 801-535-6174

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

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**From:** Lon Clayton [<mailto:longreer@gmail.com>]  
**Sent:** Monday, March 07, 2016 5:20 PM  
**To:** Zoning  
**Subject:** Fwd: Trolley Square re-zoning for the south parking lot

Attention Lex Traughber

----- Forwarded message -----

**From:** Lon Clayton <[longreer@gmail.com](mailto:longreer@gmail.com)>  
**Date:** Mon, Mar 7, 2016 at 5:17 PM  
**Subject:** Trolley Square re-zoning for the south parking lot  
**To:** [lextraughber@slcgov.com](mailto:lextraughber@slcgov.com)  
**Cc:** Lee Pettit <[leepettit101@gmail.com](mailto:leepettit101@gmail.com)>, Mike Clayton <[mikegclayton@gmail.com](mailto:mikegclayton@gmail.com)>

Sir,

I'm Lon Clayton, managing partner for Clayton Properties, the owner of the Western Garden Center parcel at 550 South 600 East. I am concerned about parking.

Does the proposed use including apartments, townhouses, retail space, and inside parking increase the current amount of parking sufficient to provide for the extra night-time demand? Does the proposal rely on any leased parking from surrounding commercial neighbors, or is it fully self contained on Trolley Square Property?

New commercial space from the last Trolley Square expansion on its west side reduced the parking available from 3 levels to 2 levels, a double whammy of increased commercial use and reduced area parking, especially at night. I understand there is additional parking on the northeast side of Trolley Square, but that doesn't help with the traffic and parking congestion on 600 East Street.

Where do we see the proposed plan, especially parking, or do those details come after the zoning approval? What are the parking minimum and maximum requirements for both Trolley Square as it exists, and Trolley Square after the proposed new development?

I don't want our area to become a giant parking lot, but neither do I want the neighbors, both business and residential, to be burdened with excessive street parking and traffic congestion at night when Trolley Square is the busiest and residents will also park at their new apartments and town homes.

Unrelated comment: I find the comparatively new traffic light at 600 South and 600 East very helpful, both for traffic control and for safety.

Best,

Lon Clayton  
Principal, Clayton Properties I, LLC  
cell [801-792-3123](tel:801-792-3123)

To Members of the Salt Lake City Planning Commission  
From Cindy Cromer  
3/7/16  
Re Trolley Square Ventures

I can support a *different* change in zoning which would promote redevelopment of the parking lot, consistent with the goals stated in the adopted plans: the Central Community Master Plan (2005), the Preservation Plan (2012), and the Livable Communities project (2012). I support the retention of the current zoning at the corner of 600 E and 600 S. I do not support the other findings that the Planning Division has made. I am adamantly opposed to this process which excludes the Landmarks Commission until the 11th hour. I do not believe that the proposal has been properly noticed. I believe that there are other possibilities for zoning which would accomplish the goals of redevelopment, historic preservation, mixed use, and increased housing. Those alternatives have not been considered and they would be consistent with the master plans.

I The FB-UN2 zone may suit the developer's needs but it is inappropriate for the following reasons;

A. Its specific use in an historic district has never been discussed in any public forum. There is a single paragraph in the Preservation Plan (2012) about form based zoning. It is a very general description of the type of zoning.

B. Its use more than 2 blocks from a TRAX station has never been considered. Its only application is immediately adjacent to the TRAX station (within 1 block) at 200 W, 700 S to I-15. The proposed site is not even in the Transit Station Area (See map in Appendix C, Livable Communities project, 2012).

C. The FB-UN2 as adopted in the ordinance is only used in conjunction with FB-UN1. There is no requirement for setbacks to protect adjacent low density properties located in other zones such as the ones on this block.

D. Its application is not consistent with the Preservation Plan (2012) or with numerous statements regarding preservation in the Central Community Master Plan (2005). See Appendices A and B.

E. It is not part of a comprehensive review of zoning in the area south of 600 South. The proposal amounts to spot zoning to accommodate a developer's specific proposal. The City has never used FB-UN for a portion of a block, only for entire blocks.

F. It "dumps" the management of mass, scale, and setbacks on the Landmarks Commission, contrary to common sense, clear statements in 2 master plans, and recent experience.

II There are **alternatives for zoning** which would allow the proposed uses when combined with a Planned Development process (Planning Commission) and the authority the Landmarks Commission has to modify required setbacks and height.

A. The CB zone was amended to allow lodging when the property is on a State highway. Trolley Square Ventures owns the 700 E frontage, a State Highway. While the height allowed in the CB zone is modest, the Landmarks Commission has the authority to grant additional height in historic districts. The CB zone anticipates use next to residential areas. I raised the possibility of the CB zone in my comments dated 2/21/16 but the Planning Division did not address this option in the staff report.

B. The RMU-45 zone would allow a mix of housing and neighborhood uses. It would be consistent with the future land use map in the Central Community Master Plan (2012).

C. The property abutting Ely Place should remain SR-3. Restoring housing on the north side of Ely Place would be one way to buffer the existing residences which have benefited from recent reinvestment.

III Deficiencies in the analysis by the Planning Division include:

A. Failure to even reference the Preservation Plan (2012) or the updated Reconnaissance Level Survey regarding contributory status of buildings (2013)

B. Failure to characterize accurately the distinction between core and transition areas in the Livable Communities project (2012). This proposal is NOT in either; it is outside the TSA. (See map in Appendix C.)

C. Failure to address the need for setbacks next to existing low density residential uses on 700 E, 600 S,



and Ely Place

D. Failure to acknowledge the substantial reinvestment which has occurred on Ely Place

E. Failure to reference the chapter in the Central Community Master Plan on historic preservation and the problems associated with zoning incompatible with preservation (Central Community Master Plan and the Preservation Plan summarized in Appendices A and B)

F. Failure to advertise the petition as an amendment to the Central Community Master Plan

The Future Land Use Map calls for low medium and medium density residential (10-30 units/acre) and medium density residential/mixed use (10/50 units/acre). The potential density and intensity under the FB-UN2 zone represents a change in the master plan. The Planning Division has only advertised a change in zoning, not a master plan amendment. The next item on the agenda is for a master plan amendment and zoning change (PLNPCM2015-00956 & -00957). If that proposal represents a change in the Sugar House Master Plan, then this proposal is most certainly a change in the Central Community Master Plan (see Future Land Use Map and Appendix A).

G. Failure to acknowledge that the applicant has already appealed a decision of the Landmarks Commission and is likely to do so again. The FB-UN2 zone will lead the applicant to expect far more development potential than is compatible with the existing conditions and the available plans.

H. Failure to circulate materials submitted by the applicant which were clearly intended for public review because they were subsequently published in the newspaper (This omission was finally addressed on 3/7.) The rationale for withholding these documents might be considered a lack of transparency. The applicant provided them and expected them to be circulated. The public and members of the Commission should be able to view all of the information that the Planning Division considered. The Division was "kicking the can down the road," insisting that the Landmarks Commission could deal with discrepancies between the zoning and the existing historic district, contrary to statements in the Central Community Master Plan and the Preservation Plan.

I. The responsibility for public engagement is a shared one, but if you compare the outreach documented for the 900 E/Ramona petition with the outreach for this proposal, the difference is clear. The chair of the Central City Neighborhood Council could have attended the open house on 2/18 and requested a presentation. That presentation could not have occurred, however, until 3/2 and by that time the Planning Division had approved the staff report. Issues such as the option of using a CB zone raised in my memo 2/21 were never addressed.

**Rebuttal to Attachment D in the staff report: Analysis of Standards for General Amendments (to zoning)**

**1. Compliance with master plans**

Plan (1991), with the Reconnaissance Level survey (2013), or with portions of the Livable Communities plan (2012) and the Central Community Master Plan (2005) See Appendix A regarding documentation omitted from the Central Community Plan, Appendix B regarding relevant text from the Preservation Plan, and Appendix C regarding the Livable Communities project.

**DOES NOT COMPLY** with the Preservation (2012), with the overlay

**2. Purpose statement of zoning ordinance**

(appropriately scaled buildings) because it is not proposed in conjunction with FB-UN1. **DOES NOT ACCOMPLISH** the purpose of the overlay district because multiple contributing structures are threatened.

**CANNOT ACCOMPLISH #5** of the FB-UN2 zone

**3. Effect on adjacent properties**

the burden of regulating intense zoning on a low to medium density block onto Historic Landmarks, due to the lack of setbacks in the FB-UN2, due to potential demolitions, due to inappropriate heights

**NEGATIVE EFFECT** due to "dumping" the

**4. Consistent with overlay zoning districts**

states that zoning should not be more intense than conservation of historic resources permits. This applicant has already challenged a decision by the Landmarks Commission (2014). There is every indication that this applicant will resist the decision by the Landmark Commission.

**FAILS** because the Preservation Plan specifically

**5. Adequacy of public facilities**

bus service and water/sewer/stormwater.

**PROBABLY COMPLIES** with the exception of

**Alternative motions:**

**FOR DENIAL**

Based on the written comments and comments at the hearing and on the portion of the staff report dealing with 603 S 600 E, I move that the Commission recommend denial of Petition PLNPC2016-000031. This recommendation is based on the lack of compliance with applicable master plans, including the Central Community Master Plan as amended in 2012 by the Livable Communities project and the Salt Lake City Preservation Plan; the incompatibility with the purpose statement of the FB-UN2 zone with the applicable H overlay zoning district; and the probable negative impacts to adjacent low density residential properties. The Planning Commission transmits a negative recommendation to the City Council for the proposed zoning map amendment to FB-UN2 (Form Based Urban Neighborhood District) for the following parcels:

644 E 600 S (Parcel #16-06-481-019)  
652 E 600 S (Parcel #16-05-353-001)  
658 E 600 S (Parcel #16-05-353-002)  
664 E 600 S (Parcel #16-05-353-003)  
628 S 700 E (Parcel #16-05-353-016)  
665 E. Ely Place (Parcel #16-05-353-014)  
and 603 S 600 E (Parcel #16-06-481-001).

**FOR TABLING**

Based on the lack of public notice for an amendment to the adopted community master plan, less than optimal engagement with the surrounding community, the lack of input relating to associated preservation issues from the Historic Landmarks Commission, the failure to consider any zoning alternatives other than the one proposed by the applicant, and the incomplete analysis of applicable master plans in the staff report, I move that the Planning Commission table the petition for the proposed zoning map amendment to FB-UN2 (Form Based Urban Neighborhood District) for the following parcels:

644 E 600 S (Parcel #16-06-481-019)  
652 E 600 S (Parcel #16-05-353-001)  
658 E 600 S (Parcel #16-05-353-002)  
664 E 600 S (Parcel #16-05-353-003)  
628 S 700 E (Parcel #16-05-353-016)  
665 E. Ely Place (Parcel #16-05-353-014)  
and 603 S 600 E (Parcel #16-06-481-001)

for a continued hearing at a future date.

from Cromer (3/7/16)

**APPENDIX A** (bold lettering added; page numbers are from the printed version)

from the Central Community Master Plan (2005), Issues within the Central City Neighborhood p.5

Residential

-Encourage the expansion of the housing stock in ways that are **compatible with the historic character of the neighborhood.**

**-Discourage demolition** or loss of housing and the deterioration in the condition of housing units. Provide more three and four bedroom housing units and public recreational amenities, especially for children.

-Ensure that land-use policies reflect **a respect for the eclectic architectural character** so that this area does not remain as just an interim zone between Downtown and more desirable neighborhoods to the east and north.

**-Ensure that historic preservation is the priority in this area.**

**-Place special emphasis on buffers, transition zones. or insulation to minimize negative impacts from incompatible uses.**

.....

Commercial

.....

**Minimize the negative impacts associated with Trolley Square, especially parking and congestion.**

from Demolitions in Historic Districts in the Central City Community p. 17

Most of the demolitions in Central City have occurred as a result of **low intensity development on land that is zoned for high-density residential development or automobile-oriented commercial development.** .... Both the zoning of properties within historic districts and the economic hardship ordinance need to be evaluated to encourage adaptive reuse rather than demolition of structures.

from Historic Preservation Goals, p. 18

The most significant feature of this district is its overall scale and simple character of buildings as a group, as a part of the streetscape. As a result, the primary goal is to preserve the general, modest character of each block as a whole, as seen from the street. Because the overall street character is the greatest concern, more flexibility in other areas, particularly renovation details should be allowed.

from Historic Preservation Policies, p. 18

Policy and regulations

Policy HP-I.O Central Community gives **high priority to the preservation of historic structures and development patterns.**

-Coordinate transit oriented development corridors with **historic preservation requirements.**

-Ensure that zoning is conducive to **preservation of significant and contributing structures or properties.**

-Improve and expand preservation measures to **protect historic development patterns** such as subdivision lot layout, street patterns, neighborhood landscape features and streetscapes.

- Encourage new development, redevelopment and the subdivision of lots in historic districts that is **compatible with the character of existing development of historic districts or individual landmarks.**

from Cromer (3/7/16)

## **Appendix B**

from the Preservation Plan (2012) (bold type added)

*//-6 • Future Land Use Maps:* The master plans each include a future land use map, which is intended to direct changes in use and intensity over time. These maps therefore have a huge influence on the City's ability to preserve historic structures and sites. These maps are a blueprint to property owners and development entities as to what development potential to expect for their property in the future. **Future land use maps that accurately reflect and convey the presence of historic resources in the land use patterns they establish are critical to the long-term viability of historic resources.**

*Policy 2.1b:* **Ensure consistency between the Community Preservation Plan and all other adopted City plans.**

*Policy 2.1c:* The various city-wide planning policy documents should include policies to address historic preservation and community character preservation as an important City endeavor.

*2.1c1* Update Master Plans to ensure consistency of policies and objectives of the Community Preservation Plan  
✓ (Timing: Ongoing)  
City Staff (Responsible Parties)

*Policy 2.2a:* At all levels of City government, make decisions relating to historic resources and preservation activities that are in accordance with the Community Preservation Plan.

*2.2a.1* Work with City Departments to provide education and ensure city funded projects meet policies of the Community Preservation Plan  
✓ (Timing: Ongoing)  
City Staff (Responsible Parties)

*Policy 3.3g:* **Ensure that underlying zoning is supportive of preservation policies for the area in which historic or character preservation is proposed.**

*3.3.g.1* Assess Underlying Zoning in historic and conservation districts to eliminate conflicts.  
✓ (Timing 1-5 years)  
City Officials, HLC, City Staff (Responsible Parties)

from Cromer (3/7/16)

## Appendix C

from the Livable Communities project (2012), an amendment to the Central Community Plan

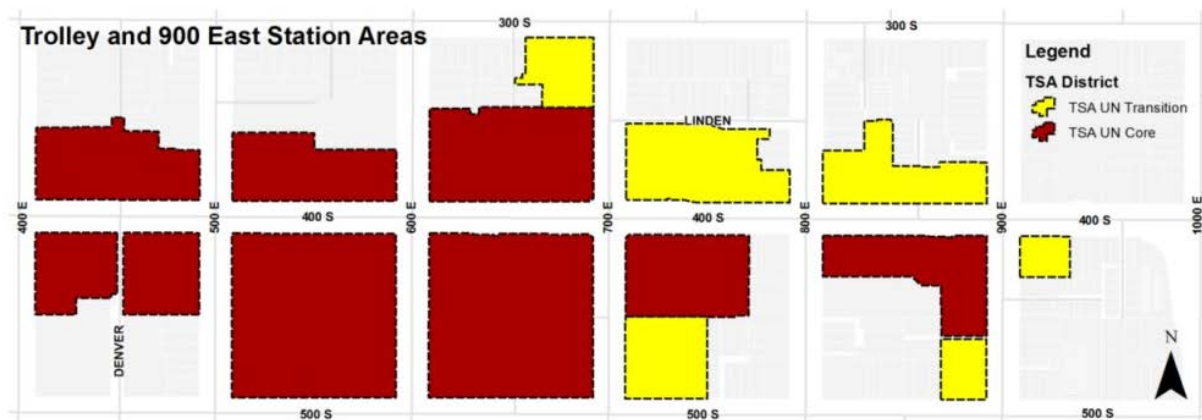
### Trolley Station Area

The Trolley Station is defined as an Urban Neighborhood Station Area. Urban Neighborhoods are places that have an established development pattern that contain a mix of uses and can support an increase in residential density and supporting commercial activities. New development generally occurs as infill, occurring on undeveloped or underutilized properties. Redevelopment of surface parking lots that front on 400 South is a priority. A compact development pattern is desired in order to **focus new growth at the station and respect the existing scale and intensity of the surrounding neighborhood. The highest residential density and intensity of commercial land use occur closest to the transit station and are scaled down the further one moves from the station.**

The station area comprises of **core and transition areas**. The purpose of creating the different areas is to recognize the scale and nature of existing development patterns and identify the appropriate locations for growth. The general concept is that bigger buildings with the most dwelling units and a higher intensity level of commercial space should be located closest to the station in the core. **The transition area reduces the scale, mass and intensity of new development as it moves away from the core area.**

**12. Identify zoning solutions for the block faces across from Trolley Square on 600 East and 600 South. The focus should be to encourage development on vacant parcels, increase residential density and promote the preservation and adaptive reuse of contributing structures. The surface parking lot south of Trolley Square should be rezoned to allow Trolley Square to building a parking structure, retain the historic structures fronting on 600 South and build housing.**

**15. Encourage development that is compatible with the historic development pattern in the Central City Historic District where appropriate.**



(The map shows that the proposal is NOT in either the core or transition areas which stop at 500 S. The specific area of the proposal was discussed during the public process for Livable Communities and changes to the zoning did not occur.)

(bold lettering added)



March 8, 2016

TO: Salt Lake City Planning Commission via Lex Traugber, Salt Lake City Planning Division  
FROM: Kirk Huffaker, Executive Director

**RE: Trolley Square Ventures Proposal for a zoning map amendment (PLNPCM2016-00031)**

On behalf of the Board of Trustees of Utah Heritage Foundation, I express our strong opposition to the rezoning application by Trolley Square Ventures. We believe there is not sufficient evidence to grant the rezoning request and that the rezoning does not afford for a neighborhood-focused solution that includes the historic resources.

In addition, we believe there are inconsistencies with existing master plans that have not sufficiently been addressed in the evaluation of the application. In my discussions with Trolley Square Ventures, I have stressed that we would be looking for a preservation-minded solution for the existing historic structures. To that end, we are disappointed that this application appears to propose a path without those solutions.

While we are extremely supportive of the idea of redeveloping the vacant ground and parking lot, the solution needs to both achieve the developer's goals for a viable project and achieve a context-sensitive solution that will be best for the neighborhood in the long term.

**We strongly encourage the Planning Commission to ask strong questions regarding the proposal and decline the application.**

**From:** [Traughber, Lex](#)  
**To:** [Moeller, Michelle](#)  
**Subject:** FW: Proposed Trolley Square Expansion  
**Date:** Wednesday, March 09, 2016 11:12:04 AM

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M, Please distribute to the PC. Thx!

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**From:** Peter Goss [mailto:goss@arch.utah.edu]  
**Sent:** Wednesday, March 09, 2016 11:06 AM  
**To:** Traughber, Lex  
**Subject:** Proposed Trolley Square Expansion

Hello,

As an architectural historian I am appalled at the attempt to reproduce a late 19th century Utah fair building to conceal a 21st century commercial and residential function adjacent to the National Register Historic site, Trolley Square. I believe the scale and location of this project is inappropriate and will severely impact the low rise residential neighborhood it borders. I hope this evening's planning commission meeting will examine this project in great detail for I suspect the project does not conform to the city's Preservation Plan and the Central Community Master Plan.

Peter L. Goss, Ph. D.  
Professor Emeritus of Architectural History  
College of Architecture + Planning

**From:** [Traughber, Lex](#)  
**To:** [Moeller, Michelle](#)  
**Subject:** FW: Cromer comments  
**Date:** Wednesday, March 09, 2016 11:46:59 AM

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Michelle, Please distribute to the members of the PC. Thx!

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**From:** Douglas White [mailto:dfwatty@gmail.com]  
**Sent:** Tuesday, March 08, 2016 5:37 PM  
**To:** Traughber, Lex  
**Subject:** Cromer comments

Mr. Traughber

I have carefully read and considered Ms. Cromer's comments. I have also reviewed the FB-NU2 Zoning Ordinance, again. Permit me to make a few observations.

Although this is the first time, if this is correct, the FB-NU2 has been applied in a Historical zone we need to remember that the FB-NU2 zone has only come to the forefront in 2012. Meaning, this is a relatively new zone for Salt Lake City as a whole. Secondly, there is nothing in The FB-NU2 zone ordinance that states that it *cannot* be applied in any particular zone, especially in a historic zone. As such, I believe it is very premature to judge that the zone is simply "incompatible" with the base Masterplan as she states. We may very find that this new approach is completely in harmony with all aspects of the intent and purpose of the historical overlay.

There is no request for any zoning that would be remotely related to transit oriented businesses or zoning.

In reference to the four old houses. All of these houses are already currently in a legal nonconforming zones. One of the houses, 665 E, Ely Street can not even be seen from any street, and the house at 664 E. 600 South is unlikely to be contributing. Even so, the status of these properties is not before the Planning and Zone board. Preservation of these structures has been considered by the owner for more than two years.

As to the other conclusions reached by Ms. Cormer's they are her opinions which she has rightfully expressed.

Thank you for your consideration to this matters.

Respectfully,

Douglas F. White  
Attorney at Law

SK Hart Management, LC  
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Salt Lake City, Utah 84102



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