

PLANNING COMMISSION STAFF REPORT

Legislative Item

289 N. Almond Street

Townhomes & Condominiums

Zoning Map Amendment - PLNPCM2013-00920

Street Closure – PLNPCM2014-00001

February 12, 2014



Planning Division
Department of Community and
Economic Development

Applicant: Almond Street Properties, LLC.

Staff: Lex Traughber
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Parcel IDs: 08-36-440-008 and 08-36-432-017. Approximately 1.39 acres.

Current Zoning: RMF-45
(Moderate/High Density Multifamily Residential)

Master Plan Designation:
Capitol Hill Master Plan – High Density Residential 45+ du/acre

Council District:
District 3: Stan Penfold

Community Council:
Capitol Hill Community Council

Applicable Land Use

Regulations:

Section 21A.50.050 – Standards for General Amendments

Salt Lake City Council Policy Guidelines for Street Closures

Notification:

- Notice mailed on 1/30/14
- Newspaper notification 2/1/14
- Property Posted on 1/31/14
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites on 1/30/14

Attachments:

A. Narrative

Request

Almond Street Properties, LLC, is requesting approval from the City to develop nine (9) townhomes and twenty (20) condominium units on the properties located at approximately 289 N. Almond Street.

In order to build the project, a zoning map amendment process is required to amend a development agreement that was enacted on the subject property in May 1997. As a part of this zoning amendment process, the applicant will be asking for modifications to said development agreement (primarily concerning parking), and the relaxation of two development standards including building setbacks and grade changes.

The applicant is also requesting that the City close the eastern portion of West Temple Street where it intersects at 300 North.

Staff Recommendation

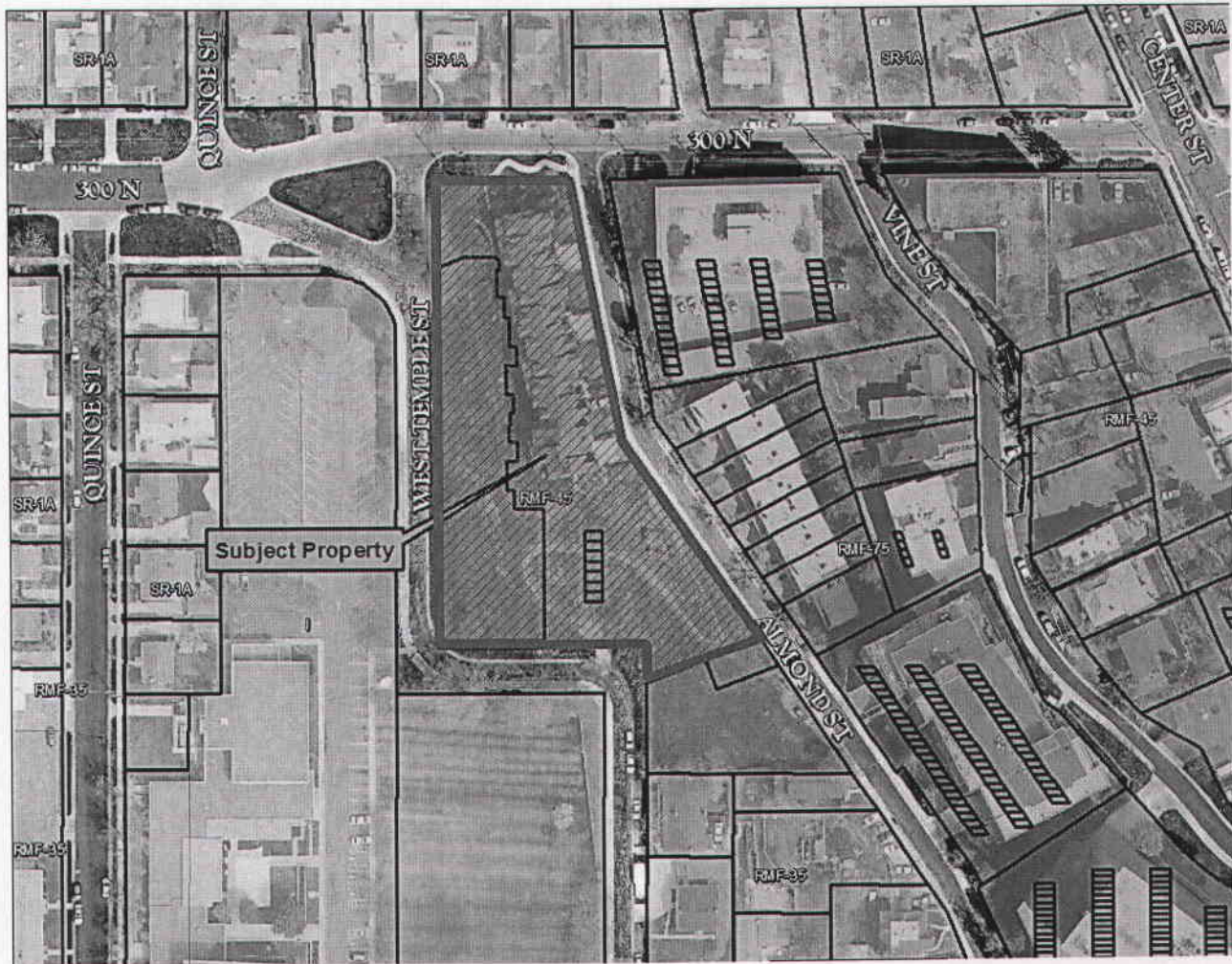
Based on discussions and the findings in this staff report, it is the Planning Staff's opinion that the Planning Commission should transmit a favorable recommendation to the City Council to amend the development agreement as proposed, and to close the eastern portion of West Temple Street where it splits at 300 North subject to the following condition:

Condition:

1. Compliance with all City Department/Division comments and requirements as noted in Exhibits G & H (attached).

- B. Development Agreement
- C. Site Plan & Elevations
- D. Parking Plan
- E. Community Council Letter
- F. Public Input
- G. City Comments (Map Amendment)
- H. City Comments (street closure)

Vicinity Map



Background

Project Description

Almond Street Properties, LLC, is proposing to complete the Almond Street Townhomes & Condominium project located at approximately 289 N. Almond Street; the property south of 300 North between Almond Street and West Temple Street (see the above Vicinity Map). Almond Street Properties, LLC, is a partnership between Staker Real Estate Investments and Garbett Homes.

In early 2000, the Almond Street Townhomes Phase I condominium plat was recorded and four (4) townhomes were built. The applicant proposes to complete the project by building nine (9) townhomes units and twenty (20) condominium units on the balance of the project site for a total of thirty-three (33) residential units (4 existing and 29 new units). The subject property is zoned RMF-45 (Moderate/High Density Multi-family Residential). The proposed development is consistent with this zoning designation.

The project will be developed in three (3) phases as follows:

- Phase 1 – Five (5) townhomes on West Temple Street west of the existing four (4) units.
- Phase 2 – Four (4) townhomes on Almond Street south of the existing four (4) units.
- Phase 3 – Twenty (20) condominium units located on the “corner” of West Temple street at the 90 degree bend.

The townhome units will consist of two (2) unit types, a two (2) bedroom unit and a three (3) bedroom unit that range in size from 1,187 to 1,757 square feet. There will also be two (2) condominium unit types (studio and 2 bedroom) ranging in size from 509 to 1,365 square feet. Please refer to the attached site plan and elevations (Exhibit C) as well as the parking plan (Exhibit D).

On May 5, 1997, the property owner at the time and Salt Lake City entered into a development agreement establishing certain standards for the development of the property (Exhibit B). These standards were in addition to the development standards established by the base zone, and essentially rezoned the subject property. The applicant's request is to amend the development agreement through a map amendment (rezone) process. The two primary requirements established in the development agreement included a total reduction in the number of dwelling units (maximum thirty-four) allowed on the property, and established an increased parking stall count to eighty (80) stalls, of which eighteen (18) were to be designated for visitor parking. In short, the property owner at the time agreed to limit the number of dwelling units that would have been allowed under the base zone given the property acreage, and the property owner also agreed to provide an increased number of parking stalls above and beyond the City's parking requirements for the proposed residential development.

At this time, the applicant has designed the project to include thirty-three (33) dwelling units, or one (1) less dwelling unit than allowed by the development agreement. The applicant is also requesting that the parking requirement be limited to sixty (60) parking spaces total on the overall site (which exceeds the number of parking stalls (58) required by City ordinance for the proposed residential use), with an additional ten (10) designated on-street parking stalls for a total of seventy (70) parking stalls (see Parking Plan – Exhibit D).

In addition to the requested modifications to the development agreement, the applicant is also requesting through the map amendment process modifications to building setbacks and grade changes. In terms of building setback, the subject lots are irregularly shaped as shown in the above Vicinity Map. Section 21A.24.140(E)(1) of the Zoning Ordinance states that the required front yard in the RMF-45 Zone is twenty percent of the lot depth not to exceed twenty-five feet (25'). The applicant is proposing a front yard setback of approximately seventeen and a half feet (17.5') along West Temple Street and approximately twenty feet (20') along Almond Street (as shown on their site plan) in an effort to meet the intent of this code section and create an attractive, urban development. Regarding grade changes, the applicant notes that there is a significant grade change from east to west on the subject lot. Table 21A.36.020B of the Zoning Ordinance addresses grade changes in excess of four feet (4') and calls for a process that requires public review. In order to develop the site as noted on the proposed site plan, the applicant is requesting flexibility to modify the site as necessary in areas that may exceed the imposed limit of four feet (4').

The applicant has also submitted a street closure application for City consideration. The applicant is requesting that the City close the eastern portion of West Temple Street where it intersects at 300 North. The western split portion of West Temple Street would remain open allowing access from 300 North. The landscape "island" that is currently bound by the split in West Temple Street and 300 North would eventually become part of the development and remain as landscaped area and on-street parking spaces (Exhibits C & D).

Finally, please see the applicant's narrative as they provide a discussion of rationale for the proposal that goes beyond the specific details of the project (Exhibit A).

Comments

Public Comments

The proposed map amendment and street closure requests were presented to the Capitol Hill Community Council on December 18, 2013. At this meeting, the applicant's desire to amend the development agreement through the zoning map amendment process for the proposed development was identified. The applicant also described the proposed street closure. The Capitol Hill Community Council submitted a letter dated December 27, 2013, for consideration (Exhibit E). The Community Council supports the project in general, but has several concerns including parking, traffic, the "triangle" (bound by 300 North and the two extensions of West Temple Street), and the exterior design of the buildings.

In addition, a collection of letters and emails from the public is included for review (Exhibit F).

City Department Comments

The comments received from pertinent City Departments/Divisions are attached; a comment set for the proposed map amendment (Exhibit G) as well as the proposed Street Closure (Exhibit H). The Planning Division has not received any comments from the applicable City Departments/Divisions that cannot reasonably be fulfilled or that warrant denial of the proposals.

General Discussion

Parking

The issue of parking in terms of the development agreement is fairly straightforward. As noted previously, the applicant is requesting that the parking requirement be limited to sixty (60) parking spaces total on the overall site (which exceeds the number of parking stalls (58) required by City ordinance for the proposed residential use), with an additional ten (10) designated on-street parking stalls for a total of seventy (70) spaces. This is ten (10) less parking stalls than required by the development agreement. Note that the required parking for the residential use is being met, the applicant is asking relief from the additional parking stipulated in the development agreement.

It is Planning Staff's understanding that the original owner agreed to the additional parking for one primary reason; an attempt to appease the neighborhood for parking problems at the time. The issue stemmed from the concern that overflow parking from downtown and the LDS Conference Center was having a negative impact on residents in a neighborhood that was already experiencing parking challenges on a daily basis. West Temple Street was a one-way streets heading north at that time. At present, both Almond Street and West Temple Street are one-way heading south, making it more of a challenge for drivers to make their way into the neighborhood to park. Both of these streets are also very narrow, eliminating any on-street parking along the subject street fronts.

The applicant has worked with the neighborhood and heard these parking concerns. The applicant has designed the project to meet City standards for on-site parking given their proposed residential use. The applicant has also attempted to address some of the parking concerns in the neighborhood by providing ten (10) on-street parking stalls. The parking issue is essentially the crux of the issue surrounding the development of the subject property, and the primary reason that the applicant is seeking an amendment to the development agreement. Planning Staff asserts that the applicant's proposed parking plan meets minimum parking standards from a zoning perspective, and is reasonable from the perspective of providing on-street parking for use by future residents and the public in general.

Finally, the City's public transportation system has changed dramatically since the time that the development agreement was executed. With the installation of the Trax network, the subject property is within easy walking distance to this system. The City's vision for future growth includes residential development that is walkable and within reasonable distance to public transportation and services. This project is located in an area that is close to downtown as well as public transportation, thereby potentially eliminating some reliance on the automobile and the necessity of parking.

Setbacks/Density

As noted previously, the applicant is seeking relief from the zoning requirements for building setbacks. Section 21A.24.140(E)(1) of the Zoning Ordinance states that the required front yard in the RMF-45 Zone is twenty percent of the lot depth not to exceed twenty-five feet (25'). The applicant is proposing a front yard setback of approximately seventeen and a half feet (17.5') along West Temple Street and approximately twenty feet (20') along Almond Street (as shown on their site plan) in an effort to meet the intent of this code section and create a pleasing, urban development. The issue at hand is that the subject parcels are irregularly shaped making the measurement of all yards difficult and impractical. The adopted standards are certainly applicable and easy to apply given a regularly shaped property, however the reality in this case is that the parcels are irregularly shaped.

Given the difficulty and impracticality of measuring yards in this case, Planning Staff asserts that the proposed front yard setbacks are reasonable. The proposed setbacks are typical of and compatible with other multi-family development adjacent to the subject site as well as in the vicinity. This point is further supported by the fact that the density of units proposed is well within the density limitations imposed in both the RMF-45 Zone and the Capitol Hill Master Plan. Planning Staff supports the applicant's site plan as proposed and recommends its approval.

Grades

The subject site has substantial grade change issues. The applicant notes that there is a significant grade change from east to west on the subject lot. Table 21A.36.020B of the Zoning Ordinance addresses grade changes in excess of four feet (4') and calls for a process that requires public review, typically through a Special Exception. The Planning Commission has the authority to entertain and approve or deny Special Exception requests. In order to develop the site as noted on the proposed site plan, the applicant is requesting flexibility to modify the site as necessary in areas that may exceed the imposed limit of four feet (4').

Planning Staff supports this proposal for the primary reason that the grade changes will essentially be internalized on the subject site, with little to no impact on adjacent properties. Planning Staff supports the applicant's efforts to develop the site as proposed, including grade changes that may be necessary yet exceed the established standard.

Analysis and Findings

Zoning Map Amendment

Staff Note: The request to amend the development agreement is being considered through the map amendment process as there is no other feasible means to evaluate this type of request.

Section 21A.50.050 Standards for general amendments. A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard.

A. In making its decision to amend the zoning map, the city council should consider the following:

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;

Discussion: The subject property is located within the Capitol Hill Master Plan area, and is designated High Density Residential (45+ du/acre). The proposed townhome and condominium development is consistent with this master plan designation. The subject property is approximately 1.39 acres (60,548 square feet) in size and the applicant is proposing thirty-three (33) total dwelling units. This density is consistent with the density outlined in the master plan. In the RMF-45 Zoning District, for multi-family developments (condominiums) greater than one acre in size, one thousand square feet for each dwelling unit is required. For single-family attached development (townhomes), three thousand square feet per unit is required. Thirteen (13) total townhomes units would require thirty-nine thousand square feet, and twenty (20) condominium units would require twenty thousand square feet for a total of fifty-nine thousand square feet. The proposed development is within this density parameter.

The Salt Lake City Housing Policy includes several policy statement that are relevant to the proposed development as follows:

POLICY STATEMENTS

New Development

New housing development in Salt Lake City should meet the following criteria:

- Encourage for sale and rental mixed-use and mixed-income projects in areas with established transportation, public infrastructure, and related public services.
- Encourage single-family infill housing, in single-family neighborhoods, to attract middle-income families where appropriate:
- Require architectural designs that are contextually compatible with the surrounding structures and overall fabric of the neighborhood. These designs should:
 - a) Preserve and incorporate open space, even minimal amounts.
 - b) Interface well with public spaces.
 - c) Incorporate energy efficient technologies and design.
 - d) Create quality living environments.
- Provide for realistic parking needs in the least intrusive manner possible in single family neighborhoods.
- Provide aesthetically pleasing and attractive public spaces, such as designated common areas, community centers, community parks, trail networks, bikeways, resident gathering places, and resident/community gardens.

Transit-Oriented Development

The City should support transit-oriented development as well as adequate, reliable public transportation so that residents may easily access employment, goods and services, and housing. The City should support housing densities, mixed-use and mixed-income projects, parking policies, and pedestrian-oriented urban designs that encourage walking and the use of alternative and public transportation.

Growth Targets

Salt Lake City's goals for growth are predicated upon the orderly development of additional housing. Accordingly, the City's housing policies must be consistent with overall growth goals.

Finding: The proposed map amendment is consistent with policies in both the Capitol Hill Master Plan and the Salt Lake City Housing Policy documents.

2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance;

Discussion: The purpose of the RMF-45 Zoning District is to provide an environment suitable for multi-family dwellings of a moderate/high density with a maximum building height of forty-five feet (45'), and a density of less than forty-three (43) dwelling units per acres. The standards for the District are intended to provide for safe and comfortable places to live and play, to promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

Finding: The proposal to amend the development agreement (amend the zoning map) furthers the applicable purpose statements of the zoning ordinance.

3. The extent to which a proposed map amendment will affect adjacent properties;

Discussion: The proposed map amendment (amendment to the development agreement) will result in residential development on what currently, for the most part, is vacant property within walking distance to downtown. While further residential development in the area will certainly have impacts, the benefit of additional housing in the area and the elimination of vacant lots appears to outweigh negative impacts. The applicant has designed the project to be compatible with the surrounding neighborhood. The applicant and many surrounding residents have indicated that lengthy discussion have taken place and compromises made in the process to create a residential development with minimal impacts on surrounding properties. Please refer to Exhibit F – Public Input.

In short, the purpose of the applicant's application is to amend an established development agreement through the zoning amendment process, particularly in terms of parking requirements, so that a residential development can be built on the subject property consistent with the current zoning, RMF-45 (Moderate/High Density Multi-family Residential). While there may be impacts during construction, the resulting development will be residential in what is currently a residential neighborhood.

The applicant is also proposing amendments to allow for the proposed setbacks and grade changes as described previously. These amendments should have little impact on adjacent properties.

Finding: The proposed map amendment will not severely affect adjacent properties.

4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and

Analysis: The applicant's property is located within the Capitol Hill Historic District and is therefore subject to the zoning ordinance standards and residential design guidelines for new construction in an historic district.

Finding: The property is located within the Capitol Hill Historic District. Should the applicant prove successful in the quest to amend the development agreement, review of the proposed building design would occur before the Historic Landmark Commission at a later time.

5. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.

Analysis: The subject property is located within a built environment where public facilities and services already exist.

Finding: City Departments/Divisions have not indicated that public facilities and services are inadequate to serve the subject property.

Street Closure

The Planning Commission will need to review the street closure request and make findings based on the following Salt Lake City Council Policy Guidelines for Street Closures:

1. It is the policy of the City Council to close public streets and sell the underlying property. The Council does not close streets when the action would deny all access to other property.

Analysis: Properties that access West Temple Street at the subject location would not be affected by the proposed closure. West Temple Street splits just south of 300 North. The applicant is proposing to close the eastern split of this street, leaving the western branch open.

Finding: Closing the portion of the subject street will not deny access to the adjacent properties.

2. The general policy when closing a street is to obtain fair market value for the land, whether the abutting property is residential, commercial, or industrial.

Analysis: Although the applicant is proposing to close a section of public street, the ownership of the property will not change and will remain public. The applicant will be required to maintain the closed street area and the landscaped "triangle" should this request be approved.

Finding: The ownership of the subject property would be retained by the City, and maintained by the applicant.

3. There should be sufficient public policy reasons that justify the sale and/or closure of a public street, and it should be sufficiently demonstrated by the applicant that the sale and/or closure of the street will accomplish the stated public policy reasons.

Analysis: The applicant makes a justifiable argument for closing this particular section of West Temple Street. The two access points of West Temple Street at 300 North are not needed; one would suffice. The applicant is proposing to incorporate the street property and the “triangle” property into their development to create a more pleasing environment. Part of the property would be used for off-street parking that would be a benefit to the surrounding neighborhood and the future residents of the proposed development. The closure of this section of public street would allow the possibility for the land to be better utilized and maintained by the applicant; a benefit to the public in general.

Finding: It is unlikely that the closure of this section of West Temple Street will have a significant impact on the public in general or adjacent landowners.

4. The City Council should determine whether the stated public policy reasons outweigh alternatives to the closure of the street.

Finding: Staff finds the following reasons to close of the section of West Temple Street:

1. The Salt Lake City Transportation Master Plan does not identify this street and there are no plans to extend or otherwise improve it;
2. Closing the street will provide the applicant with the means for a better development; and,
3. The closure of this street has no negative impact on property access.

Alternatives

Alternatives in relation to the proposal would be to recommend leaving the development agreement document in effect. This option would continue to limit the development on the property to those parameters specified in the document, and moreover development standards not found in the base RMF-45 District. Continuation of the development agreement will most likely result in the subject properties remaining undeveloped.

A second alternative would be to leave the development agreement in effect and allow some sort of modification to the applicant’s proposal.

In terms of the street closure, if this aspect is denied the street would simply remain open. Should the development agreement be amended and the street closure denied, the proposed on-street parking would not be realized.

Commission Options

If the amendment is denied, any redevelopment of the property would be governed by the development agreement in effect currently. This would impose further limits on the development of the property beyond standards required in the RMF-45 Zone.

If the development agreement remains in effect, but with modification, the applicant would be obligated to redesign or potentially drop the proposal.

If the amendment is approved, the property would be subject to the base RMF-45 Zone regulations. The applicant could proceed with the proposed project subject to the full regulations of the this Zone. No additional restrictions would be in effect, other than the limitation on the number of dwelling unit allowed.

Potential Motions

Not Consistent with Staff Recommendation (modify the development agreement and close a portion of West Temple Street): Based on the testimony, plans presented and the following findings, I move that the Planning Commission transmit a favorable recommendation to the City Council to amend the development agreement of May 5th, 1997, between Salt Lake City Corporation and the property owner that instituted restrictions on the property located at approximately 289 Almond Street (Parcels 08-36-440-008 and 08-36-432-017). The amendments include:

1. Allowing the applicant's site plan as proposed and building design as proposed; subject to future Historic Landmark Commission review.
2. Reducing the overall number of parking stalls to seventy (70); Sixty (60) on-site stalls and ten (10) on-street stalls.
3. Allowing the applicant's site plan as presented, including the front yard setback of approximately seventeen and a half feet (17.5') along West Temple Street and approximately twenty feet (20') along Almond Street.
4. Allowing grade changes on site in excess of four feet (4') as necessary.

And moving that the Planning Commission transmit a favorable recommendation to the City Council to close the eastern portion of West Temple Street where it intersects with 300 North.

Not Consistent with Staff Recommendation (keep the development agreement in effect and not close the street): Based on the testimony, plans presented and the following findings, I move that the Planning Commission transmit a negative recommendation to the City Council relating to this request to dissolve the prior agreement of 1997 between Salt Lake City Corporation and the property owner that instituted restrictions on property located at approximately 289 Almond Street (Parcels 08-36-440-008 and 08-36-432-017). In addition, I move that the Planning Commission transmit a negative recommendation to the City Council relating to the closure of the eastern portion of West Temple Street where it intersects with 300 North.

The Planning Commission shall make findings on the zoning map amendment standards as listed below:

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;
2. Whether a proposed map amendment furthers the specific purpose statements of the zoning ordinance;
3. The extent to which a proposed map amendment will affect adjacent properties;
4. Whether a proposed map amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and,
5. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.

The Planning Commission shall make findings on the street closure based on the policies as listed below:

1. It is the policy of the City Council to close public streets and sell the underlying property. The Council does not close streets when the action would deny all access to other property.

2. The general policy when closing a street is to obtain fair market value for the land, whether the abutting property is residential, commercial, or industrial.
3. There should be sufficient public policy reasons that justify the sale and/or closure of a public street, and it should be sufficiently demonstrated by the applicant that the sale and/or closure of the street will accomplish the stated public policy reasons.
4. The City Council should determine whether the stated public policy reasons outweigh alternatives to the closure of the street.

**Exhibit A –
Narrative**

Almond Street Townhomes and Condos

Statement for Zoning Amendment Application

Almond Street Properties, LC is proposing to complete the Almond Street Townhome and Condos Project located at 289 North Almond Street; the property south of 300 North between Almond Street and West Temple Street. Almond Street Properties, LC is a partnership between Staker Real Estate Investments and Garbett Homes.

In early 2000 the Almond Street Townhomes Phase 1 condo plat was recorded and 4 townhome units were built. We now propose to complete the project by building 9 townhome units and 20 condo units on the balance of the project site for a total of 33 residential units (4 existing and 29 new units). The balance of the project site to be developed; the subject of this application is approximately .9 acres. In total, the site is approximately 1.39 acres.

Our property is zoned RMF-45 Moderate/High Density Multi-family Residential. In addition, on May 5, 1997 the City and the Almond Street Properties entered into a development agreement establishing certain parameters for the development of the property. The development agreement requirements essentially changed the zoning of the subject property. The two primary requirements of the Development Agreement include a total reduction in the number of dwelling units in the Project to 34 residential units and that the Project must include 80 parking stalls, of which 18 will be designated for visitor parking.

City's Goals for Development Have Changed since Approval of the Development Agreement

We have now designed a new project for the balance of the Almond Street Townhome and Condo Project; our proposed Project is different from the project proposed in 1997 and even from a subsequent proposal made in 2008. We have updated our designs and we have modified our unit mix and configurations to match the demands of the current market.

In our opinion the changes in the market demand for residential living in the downtown correlate with the City's current downtown residential development goals. As we understand it, these goals include the City's interest in increasing the "walkability" of development in the downtown. One way this can be accomplished is to encourage residential development that is close to the many services and employment centers that already exist in the downtown. Another is to encourage residential development that is close enough to walk to the superior public transportation system in the downtown. Almond Street Townhomes and Condo Project satisfies both of these requirements—it is close enough that the current and future tenants can easily walk to City Creek; the mayor employment centers in the downtown and the many other service providers available in the heart of downtown. Our residents will also be able to walk to the Trax line on South Temple and Main Streets and the many close-by bus routes.

While we have held the residential unit count in our Project to below the requirement of the Development Agreement; we believe that the requirement for 80 parking stalls is outdated and not in harmony with City's current priorities for residential development in the downtown. In fact, we believe that if we were to offer "extra" parking stalls we may have the opposite result and not achieve the City's goals of "walkability" by providing motivation for our future residents to own more cars and walk less. As a result, the City and the public in general will not best be served by a requirement that "extra" parking stalls be provided.

To proceed with our proposed development for the balance of the Almond Street Townhome and Condo Project property we are respectfully requesting that the City recognize that it will benefit the Project and the City in general to modify the off-street parking requirement contained in the Development Agreement to match the current requirement for off-street parking as contained in the City's development ordinances.

Specific Modifications of the RMF-45 Zoning Standards and the Existing Development Agreement We are Requesting

In addition to the parking requirements, there are several more requirements of the Development Agreement and the RMF-45 Zoning District that we need to address in our Zone Amendment application. They are listed below.

The RMF-45 Zoning establishes minimum set back requirements. Through this application, we are requesting that the setback requirements be modified to match the setbacks depicted on our attached site plan. In particular we are requesting that the front setback be adjusted so that we will provide a minimum distance of 17.5 feet from the back of the sidewalk to the garage doors of the new structures. We understand that this distance is the minimum standard in the City for distance between back of sidewalk to garage door. On the West Temple frontage the property line is not at the back of sidewalk; this makes the actual front set back variable distances from the property line to the new building garage door at various points along the perimeter of the project. We are requesting that the front set back standard be set in accordance with our proposed site plan with the minimum distance from back of sidewalk to garage door of 17.5 feet. By pulling the new townhome buildings forward on West Temple Street frontage to this adjusted front setback point, we are able to increase the separation of the new 5-unit townhome building from the existing 4-unit building to a minimum of 27'—see site plan for distance between each unit. This minimum separation of 27 feet between units meets the desires of the existing unit owners of the 4 existing townhomes for building separation between the existing and the new units. We want to comply with the goals of our existing unit owners while at the same time providing an adequate driveway for our future residents. We believe that this change will not adversely impact on our neighbors.

Our site easily meets the minimum lot area required for a multi-family project of 33 units, however because we need to create separate lots under each of our 9 townhome units, we will need a variation in the minimum lot area of 3000 square feet and minimum lot width of 22 feet for interior lots and 32 feet for corner lots for Single-family attached dwellings. In addition, as the result of using townhome subdivision plats for the 9 proposed townhome units we are also

requesting adjustments in the side and rear yard setback requirements of the RMF-45 Zone. For example, townhome lots have no side yard setback, but rather the buildings sit on the property lines. The rear setbacks will also be zero or close to zero in the case of the townhome lots. We request that through our application we be allowed to create lots with setbacks to accommodate our proposed site plan—see attached.

At one point the RMF-45 Zone had a provision for grade changes that stated that established grade of any lot shall not be raised or lowered more than 4 feet at any point for the construction of any structure. As you know there is significant grade change from east to west on our site; and although we have not yet completed the detailed civil engineering plans for our proposed project for the next phases of the Almond Street Project we request that through our Planned Development application that we be granted flexibility to modify the 4' grade change requirement to make our site plan work, if the 4 foot restriction still applies to the RMF-45 Zone.

The project will include 60 covered stalls and each unit townhome unit will have a full length driveway. Even so, this is less parking than the 80 stalls, 17 of which were to be designated as guest parking stalls, required by the Development Agreement. The 80 stalls requested in the Development Agreement are beyond the number of parking stalls required by the City's off street parking ordinances which would require 54 parking stalls based upon our proposed development. We respectfully request that the Development Agreement be amended to change the requirement for 80 parking stalls to a requirement that our project meet the number of off street parking stalls required by the current City ordinances. We also request that the restriction be lifted that prohibits the future owners and residents of units in the project from participating in any City "neighborhood parking permit" program.

The Development Agreement required that the project include a City standard traffic "bulb" on West Temple Street. We request that this requirement be eliminated.

Finally, the first section of the Development Agreement established the total dwelling units in the project at 34; we are proposing 33 units. However, this same section states that the owner would "make no material alterations in the size or exterior design of the project from that presented to the City in early November 1996 after consideration on October 31, 1996 by the Landmark's Architectural Subcommittee." Our proposed project will be different from the project proposal from 1996; we recognize that our new project proposal will be subject to review of the Historic Landmarks Commission.

Project Description

The project will be developed in 3 phases:

- Phase 1: 5-townhomes on West Temple Street west of the existing 4 units.
- Phase 2: 4-townhomes on Almond Street frontage south of the existing 4 units; these townhomes will be 1-story on Almond Street.
- Phase 3: 20 condominium units—a mix of studio and 2-bedroom units as described below; these will be built on the "corner" of West Temple Street where it makes a 90 degree bend.

PHASE SUMMARY					
PHASE	UNITS	TYPE	PARKING	GUEST PARKING	SITE SQ. FT. COVERAGE
1	5	2 BD RM TOWNHOMES	10(2 CAR GAR)	10 (DRIVEWAY)	5,795
2	4	3 BD RM TOWNHOMES	8 (2 CAR GAR)	8 (DRIVEWAY)	7,652
3	8	STUDIO CONDOS	8 REQUIRED		
	12	2 BD RM CONDOS	24 REQUIRED		
			32 TOTAL REQUIRED		
EXISTING	4	TOWNHOMES	34 STALLS IN PARKING GARAGE		15,713
			8 (2 CAR GAR)	8 (DRIVEWAY)	
	33	TOTAL UNITS	60 (COVERED)	26 (DRIVEWAY)	
			86 TOTAL STALLS		

The townhome units will consist of two unit types—a 2 bedroom unit and a 3 bedroom unit that range in size from 1187 square feet to 1757 square feet. There will also be 4 unit types in the condominium building will include a studio and 2 bedroom units that range in size from approximately 509 square feet up to 1365 square feet.

The project will include 60 covered stalls and each unit townhome unit will have a full length driveway. The current off-street parking ordinance requires 54 parking stalls.

We have made special effort to design our units to integrate to the neighborhood and the existing four units. We have been conscientious of the views of the neighbors; the challenge of collecting garbage on Almond Street and the vehicle access of our neighbors. We have designed the northern most townhome on West Temple Street to be a special 2-story unit rather than a 3-story unit; this is part of our commitment to the existing owners at our Almond Street project.

**Exhibit B –
Development Agreement**

AGREEMENT

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

RECITALS

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

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

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

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

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

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

TERMS

- 1. Reduction of Unit Numbers in Project.** Watts consents to reduce the number of dwelling units in the Project to thirty-four (34) but will make no material alteration in the size or exterior design of the Project from that presented to the City in early November, 1996 after consideration on October 31, 1996 by the Landmarks' Architectural Subcommittee, except as may be required by Landmarks. Watts acknowledges that additional information may be required in order for Landmarks to complete its review.
- 2. Parking.** Watts' final design for the Project will include eighty (80) parking stalls meeting generally applicable City standards of which eighteen (18) will be designated for visitor parking. Watts will indicate on the final plat and other applicable documents that

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"WATTS"

Watts Corporation, L.L.C.

Almond Street, L.L.C.

Russell K. Watts

By: *Russell K. Watts*
Its: PRES.

By: *Russell K. Watts*
Its: MAN.

Russell K. Watts

"The City": Salt Lake City Corporation

By: *Thomas C. Duff*
Its: Director CED

Attest: *Beverly Jones*



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

**Exhibit C –
Site Plan & Elevations**

PROPERTY DEVELOPMENT PLAN
ALMOND STREET
TOWNHOMES AND CONDOMINIUMS



ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH



PHASE	SUMMARY UNITS	TYPE	PARKING	GUEST PARKING	SITE SQ. FT. COVERAGE
1	5	2 BD RM TOWNHOMES	10(2 CAR GAR)	10 (DRIVEWAY)	3,982
2	4	3 BD RM TOWNHOMES	8 (2 CAR GAR)	8 (DRIVEWAY)	4,680
3	8	STUDIO CONDOS	8 REQUIRED		
	12	2 BD RM CONDOS	24 REQUIRED		
			32 TOTAL REQUIRED		
EXISTING	4	TOWNHOMES	34 STALLS IN PARKING GARAGE	8 (DRIVEWAY)	9,916
			8 (2 CAR GAR)		7,933
	33	TOTAL UNITS	60 (COVERED)	26 (DRIVEWAY)	26,511 (0.61 acres)
			86 TOTAL STALLS		



SSE - COLOR
1" = 20'-0"

ALMOND STREET

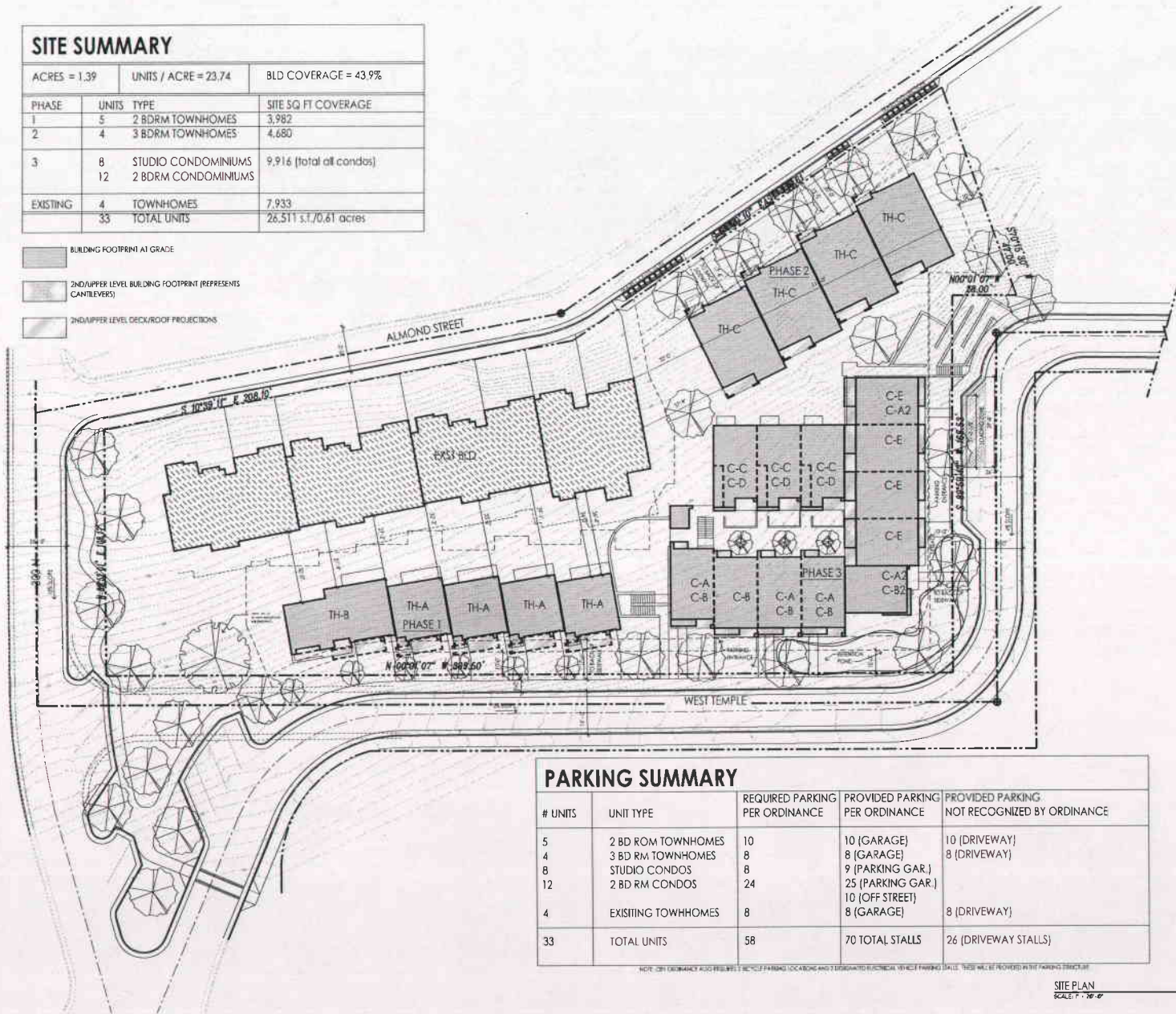
ALMOND STREET, SALT LAKE CITY, UTAH



SITE SUMMARY

ACRES = 1.39		UNITS / ACRE = 23.74	BLD COVERAGE = 43.9%
PHASE	UNITS	TYPE	SITE SQ FT COVERAGE
1	5	2 BDRM TOWNHOMES	3,982
2	4	3 BDRM TOWNHOMES	4,680
3	8 12	STUDIO CONDOMINIUMS 2 BDRM CONDOMINIUMS	9,916 (total all condos)
EXISTING	4	TOWNHOMES	7,933
	33	TOTAL UNITS	26,511 s.f./0.61 acres

-  BUILDING FOOTPRINT AT GRADE
-  2ND/UPPER LEVEL BUILDING FOOTPRINT (REPRESENTS CANTILEVERS)
-  2ND/UPPER LEVEL DECK/ROOF PROJECTIONS



PARKING SUMMARY

# UNITS	UNIT TYPE	REQUIRED PARKING PER ORDINANCE	PROVIDED PARKING PER ORDINANCE	PROVIDED PARKING NOT RECOGNIZED BY ORDINANCE
5	2 BD ROM TOWNHOMES	10	10 (GARAGE)	10 (DRIVEWAY)
4	3 BD RM TOWNHOMES	8	8 (GARAGE)	8 (DRIVEWAY)
8	STUDIO CONDOS	8	9 (PARKING GAR.)	
12	2 BD RM CONDOS	24	25 (PARKING GAR.) 10 (OFF STREET)	
4	EXISTING TOWHOMES	8	8 (GARAGE)	8 (DRIVEWAY)
33	TOTAL UNITS	58	70 TOTAL STALLS	26 (DRIVEWAY STALLS)

NOTE: OFF-ORDINANCE ALSO INCLUDES BICYCLE PARKING, OCCASIONAL AND 2-BEDDING RESIDENTIAL VEHICLE PARKING STALLS. THESE WILL BE PROVIDED IN THE PARKING STRUCTURE.

SITE PLAN
SCALE: P - 1/8" = 1'-0"



Think Architecture

Architecture
Interior Design
Landscape Architecture
Land Planning
Construction Management

131 South 900 (on East 200)
Salt Lake City, UT 84111
PH: 801.221.5151
FAX: 801.221.5421
WWW.THINKAK.COM

The architect shall not be responsible for the accuracy of the information provided by the client. The architect shall not be responsible for the accuracy of the information provided by the client. The architect shall not be responsible for the accuracy of the information provided by the client.

ALMOND STREET
TOWNHOMES & CONDOS
ALMOND STREET
SALT LAKE CITY, UT

OWNER REVIEW - NOT FOR CONSTRUCTION

PROJECT NO.	13050
DATE	24 JAN., 2014
REVISIONS:	
SHEET TITLE:	SITE PLAN
SHEET NUMBER:	A 100



NOTE: UPPER LEVEL DECK IS OPTIONAL

TOWNHOME A/B PERSPECTIVE - 1



ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH



6 NOV. 2013



TOWNHOME A/B PERSPECTIVE - 2

ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH



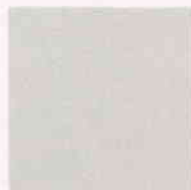
6 NOV. 2013



TOWNHOME A/B BUILDINGS FRONT ELEVATION
3/14" = 1'-0"



* BUILDING HEIGHTS SHOWN ARE DEEMED ACCURATE BUT ARE SUBJECT TO FINAL CONSTRUCTION DOCUMENTATION AND CITY APPROVALS



WINDOWS / ROOFING
Material: VARIES
Color: White



1' X 4' METAL PANELS
Material: Aluminum
Color: Mill Finish



STUCCO DARK
Material: Synthetic Stucco
Color: 6004 BLACK BEAN
SHERWIN-WILLIAMS



STUCCO MEDIUM
Material: Synthetic Stucco
Color: 6075 GARRET GRAY
SHERWIN-WILLIAMS



STUCCO LIGHT
Material: Synthetic Stucco
Color: 2844 ROYCROFT MIST GRAY
SHERWIN-WILLIAMS



T&G SIDING
Material: Natural Cedar
Color: Natural Stain

MATERIAL SELECTIONS

TOWNHOME A/B FRONT ELEVATION

ALMOND STREET

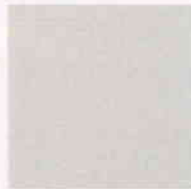
ALMOND STREET, SALT LAKE CITY, UTAH





*BUILDING HEIGHTS SHOWN ARE DEEMED ACCURATE BUT ARE SUBJECT TO FINAL CONSTRUCTION DOCUMENTATION AND CITY APPROVALS

TOWNHOME A/B BUILDING REAR ELEVATION
 3/14 = 1/4" = 1/8" = 1/4"



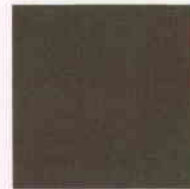
WINDOWS / ROOFING
 Material: VARIES
 Color: White



1' X 4' METAL PANELS
 Material: Aluminum
 Color: Mill Finish



STUCCO DARK
 Material: Synthetic Stucco
 Color: 6006 BLACK BEAN
 SHERWIN-WILLIAMS



STUCCO MEDIUM
 Material: Synthetic Stucco
 Color: 6075 GARRET GRAY
 SHERWIN-WILLIAMS



STUCCO LIGHT
 Material: Synthetic Stucco
 Color: 2844 ROYCROFT MIST GRAY
 SHERWIN-WILLIAMS



T&G SIDING
 Material: Natural Cedar
 Color: Natural Stain

MATERIAL SELECTIONS

TOWNHOME A/B REAR ELEVATION



ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH



6 NOV., 2013



TOWNHOME C PERSPECTIVE



ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH



8 NOV. 2013



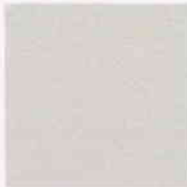
TOWNHOME C BUILDING FRONT ELEVATION
SITE - 112

*BUILDING HEIGHTS SHOWN ARE DEEMED ACCURATE BUT ARE SUBJECT TO FINAL CONSTRUCTION DOCUMENTATION AND CITY APPROVALS



TOWNHOME C BUILDING REAR ELEVATION
SITE - 112

*BUILDING HEIGHTS SHOWN ARE DEEMED ACCURATE BUT ARE SUBJECT TO FINAL CONSTRUCTION DOCUMENTATION AND CITY APPROVALS



WINDOWS / ROOFING
Material: VARIES
Color: White



1' X 4' METAL PANELS
Material: Aluminum
Color: Mill Finish



STUCCO DARK
Material: Synthetic Stucco
Color: 6006 BLACK BEAN
SHERWIN-WILLIAMS



STUCCO MEDIUM
Material: Synthetic Stucco
Color: 6075 GARRET GRAY
SHERWIN-WILLIAMS



STUCCO LIGHT
Material: Synthetic Stucco
Color: 2844 ROYCROFT MIST GRAY
SHERWIN-WILLIAMS



T&G SIDING
Material: Natural Cedar
Color: Natural Stain

MATERIAL SELECTIONS

TOWNHOME C ELEVATIONS



ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH

Garbett
green within reach



6 NOV. 2013



CONDO BUILDING PERSPECTIVE

ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH



Garbett
green within reach



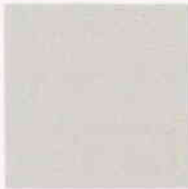
6 NOV. 2013



*BUILDING HEIGHTS SHOWN ARE DEEMED ACCURATE BUT ARE SUBJECT TO FINAL CONSTRUCTION DOCUMENTATION AND CITY APPROVALS

CONDO WEST ELEVATION
SITE - 1-0

1
2013



WINDOWS / ROOFING
Material: VARIES
Color: White



1' X 4' METAL PANELS
Material: Aluminum
Color: Mill Finish



STUCCO DARK
Material: Synthetic Stucco
Color: 6006 BLACK BEAN
SHERWIN-WILLIAMS



STUCCO MEDIUM
Material: Synthetic Stucco
Color: 6075 GARRET GRAY
SHERWIN-WILLIAMS



STUCCO LIGHT
Material: Synthetic Stucco
Color: 2844 ROYCROFT MIST GRAY
SHERWIN-WILLIAMS



TAG SIDING
Material: Natural Cedar
Color: Natural Stain

MATERIAL SELECTIONS

CONDO BUILDING WEST ELEVATION

ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH



6 NOV., 2013



* BUILDING HEIGHTS SHOWN ARE DEEMED ACCURATE BUT ARE SUBJECT TO FINAL CONSTRUCTION DOCUMENTATION AND CITY APPROVALS.



WINDOWS / ROOFING
Material: VARIES
Color: White



1' X 4' METAL PANELS
Material: Aluminum
Color: Mill Finish



STUCCO DARK
Material: Synthetic Stucco
Color: 6006 BLACK BEAN
SHERWIN-WILLIAMS



STUCCO MEDIUM
Material: Synthetic Stucco
Color: 6075 GARRET GRAY
SHERWIN-WILLIAMS



STUCCO LIGHT
Material: Synthetic Stucco
Color: 2844 ROYCROFT MIST GRAY
SHERWIN-WILLIAMS



T&G SIDING
Material: Natural Cedar
Color: Natural Stain

MATERIAL SELECTIONS

CONDO BUILDING SOUTH ELEVATION

ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH





PROJECT VIEW FROM WEST

BUILDINGS SHOWN REPRESENT
THOSE BUILDINGS CURRENTLY
PROPOSED IN RELATIONSHIP TO
THOSE THAT ARE EXISTING.



ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH



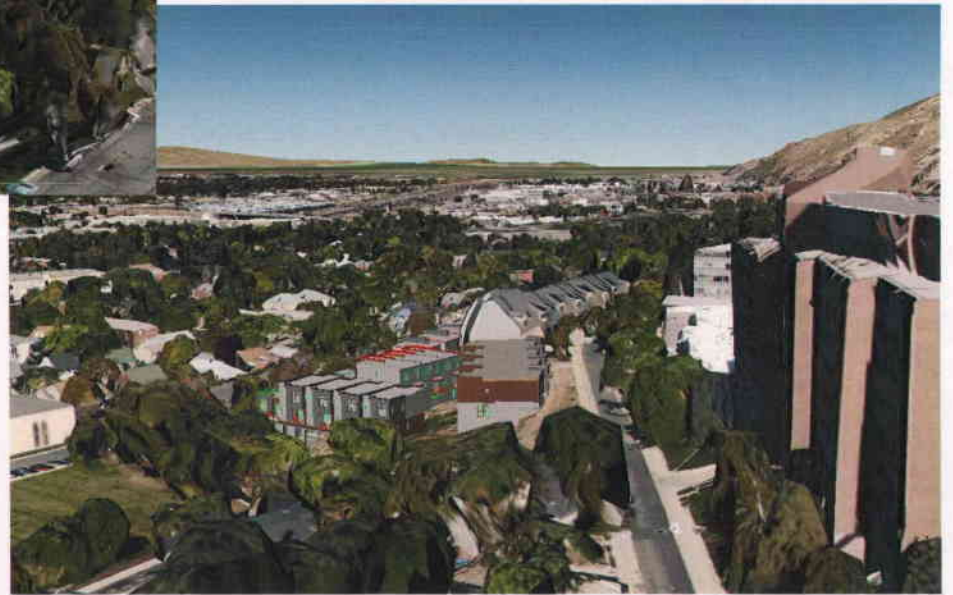
6 NOV., 2013



CONTEXT STUDY - VIEW FROM SOUTH WEST



ENLARGED CONTEXT STUDY - VIEW FROM SOUTH WEST



CONTEXT STUDY - VIEW FROM SOUTH EAST



ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH





CONTEXT STUDY - VIEW FROM NORTH WEST



CONTEXT STUDY - VIEW FROM WEST



CONTEXT STUDY - VIEW FROM NORTH EAST

ALMOND STREET

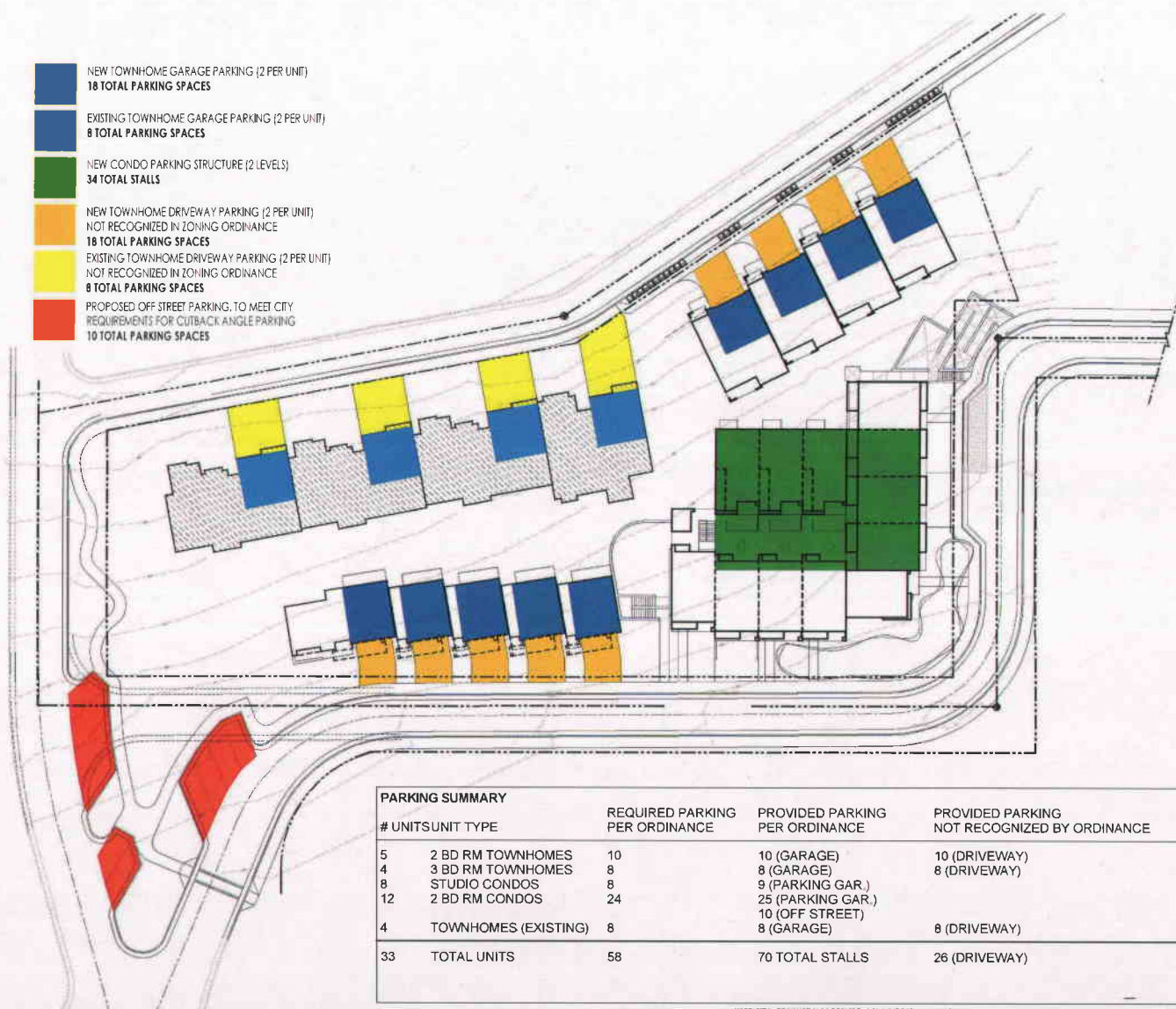
ALMOND STREET, SALT LAKE CITY, UTAH



6 NOV. 2013

**Exhibit D –
Parking Plan**

- NEW TOWNHOME GARAGE PARKING (2 PER UNIT)
18 TOTAL PARKING SPACES
- EXISTING TOWNHOME GARAGE PARKING (2 PER UNIT)
8 TOTAL PARKING SPACES
- NEW CONDO PARKING STRUCTURE (2 LEVELS)
34 TOTAL STALLS
- NEW TOWNHOME DRIVEWAY PARKING (2 PER UNIT)
NOT RECOGNIZED IN ZONING ORDINANCE
16 TOTAL PARKING SPACES
- EXISTING TOWNHOME DRIVEWAY PARKING (2 PER UNIT)
NOT RECOGNIZED IN ZONING ORDINANCE
8 TOTAL PARKING SPACES
- PROPOSED OFF STREET PARKING TO MEET CITY
REQUIREMENTS FOR CUTBACK ANGLE PARKING
10 TOTAL PARKING SPACES



PARKING SUMMARY			
# UNITS	UNIT TYPE	REQUIRED PARKING PER ORDINANCE	PROVIDED PARKING PER ORDINANCE
5	2 BD RM TOWNHOMES	10	10 (GARAGE)
4	3 BD RM TOWNHOMES	8	8 (GARAGE)
8	STUDIO CONDOS	8	9 (PARKING GAR.)
12	2 BD RM CONDOS	24	25 (PARKING GAR.)
4	TOWNHOMES (EXISTING)	8	10 (OFF STREET)
			8 (GARAGE)
33	TOTAL UNITS	58	70 TOTAL STALLS
			26 (DRIVEWAY)

NOTE: CITY ORDINANCE ALSO REQUIRES 2 BICYCLE PARKING LOCATIONS AND 2 DESIGNATED ELECTRICAL VEHICLE PARKING STALLS. THESE WILL BE PROVIDED IN THE PARKING STRUCTURE.

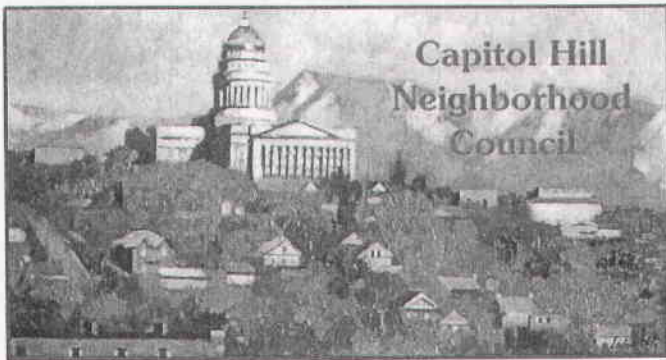


ALMOND STREET

ALMOND STREET, SALT LAKE CITY, UTAH



**Exhibit E –
Community Council Letter**



Neighborhoods

- Marmalade
- Kimball
- Desoto
- Ensign
- West Capitol Hill
- Industrial Area

Board of Directors

Officers

Richard Starley, Chair
Vince Kerzman, Vice-Chair
John N. Boyack, Secretary
Victoria Collard, Treasurer

Directors

Bonnie Archer
Minta Brandon
Donald Butterfield
Paul Hanks
Brian Jensen
Eric Jergensen
Robert King
C. Dean Larsen
Shirley McLaughlan
Michael Measom, MD
Andrew Prior
Peter von Sivers

December 27, 2013

Lex Traugher
Senior Planner
Planning Division,
Community and Economic Development
Salt Lake City Corporation
451 South State Street
Salt Lake City, UT 84111

Dear Mr. Traugher:

Thank you for accepting Capitol Hill Neighborhood Council's opinions on the planned development by Garbett Staker for the property located between West Temple and Almond Streets.

Here are our comments:

1. Parking

After some disagreement on the number and types of off-street parking, it appears that the new development is proposed to have even fewer off-street parking slots than the current approved plan. Overall, the Council's comments reflect our dissatisfaction with this plan. As both east and west boundary streets are one-way and narrow, there is no room for on-street parking. This makes even greater the need for off-street parking for residents, guests and servicers for the new complex. Most of us were dismayed to hear that no such planning has taken place, leaving the new development encroaching on the existing neighborhoods, especially those streets to the north and west (the entry points into the new development). Overall, we'd prefer more off-street parking for the development.

2. Traffic

As with the above, the lack of adequate off-street parking will only negatively impact traffic congestion in the immediate neighborhoods. This area is already impacted when the LDS Church holds its semi-annual conferences and other church

c/o 480 Wall Street, A202
Salt Lake City, UT 84103
801-355-7559
www.chnc-slc.org

functions. The proposed development may have the same impact on Almond, West Temple, 200 North, and 300 North Streets. Servicing the development also creates more traffic on narrow and winding streets. As only four (4) new units will face Almond Street, our greatest concern would be for the traffic generated by the twenty-one (21) units facing West Temple Street. That section of West Temple Street is a one-way street and, even with some improvements, may not be adequate for the increased traffic and illegal on-street parking that this development will create. We anticipate the negative impact of greater traffic on West Temple Street without major improvements to the street – widening, straightening, etc. The section of 300 North Street to the north of the development (providing access to the new development) is also the major route of many children accessing West High School on 300 West. They too may be negatively impacted by an increase in traffic.

3. Triangle

There was some confusion as to whether this piece of property is owned by the developers already, or is in the design, or will be in the design. However, if the triangle is incorporated into the design and the road to the triangle's east is removed, the entrance to West Temple Street will be awkward. If one is proceeding west on 300 North (down the hill), entering West Temple Street then would necessitate an almost 270° turn to the south. Most don't want to lose the public green space to private development. However, placing a sidewalk on the south side of 300 North through this development was proposed by this Council for CDBG funding this year. Having Garbett Staker install the sidewalk would reduce the need for public funding for this much needed project.

4. Exterior Design

Although not many raised the issue of the exterior design in our public meeting, several approached me to voice their dissatisfaction with the exterior design. We understand that it is not feasible for the new development to match the original four townhomes already occupied on Almond Street. However, many of us would like to see some continuity of design in the proposed units: similar color schemes, exteriors, etc. in order to somewhat match what is already there.

Disclaimer

There were several enthusiastic endorsements of Garbett Homes during our Council meeting. I believe such comments need to be tempered. To my knowledge, no-one on this Board has any professional experience working with Garbett Homes and can therefore endorse the developer. It needs noting that Mr. Bryson Garbett is the LDS Bishop for some on the Council's board and for some of the current residents who are supporting the development. Although there may have been no influence used in appropriating these endorsements, a conflict of interest (or at least the appearance of one) must be recognized and acknowledged. Our legal standing as a tax-exempt non-profit organization necessitates this disclaimer.

In summary, other than the issues raised above, our Council generally supports the development going forward and supports the neighbors who are excited about having this property developed. We, too, are generally excited about having an eyesore in our district developed and made into something profitable to the neighborhood.

December 27, 2013

Again, thank you for your time and energy in giving us an opportunity to comment on this important development on Capitol Hill.

Sincerely,
Richard Starley
Richard Starley
Chair

**Exhibit F –
Public Input**

From: Harvey H Nielsen hhnster@gmail.com
Subject: Community Council Meeting
Date: December 17, 2013 at 9:07 PM
To: Christine Williams cwilliams264@me.com

Chris: I wish I could attend, but I have created the following statement to represent our views.

As owners of Almond St Condo 260, our family strongly opposes construction of any type of housing unit which would obstruct the western view that we have of the city. The purchase of the property over seven years ago was based partially on that view. We have been assured by Garbett homes that the units they propose to construct will not alter the view nor will it unnecessarily interfere with day to day living conditions of the occupants of the the Condo units. In addition, it would be expected that any units of similar height to those to the north would devalue the worth of the property for that reason. The creation of the City Creek living units in the downtown demonstrates the high value of that expectation which potential buyers consider. Our family recommends that the proposed plan of Garbett homes be allowed to proceed.

From: Eric Olafson <eolafson@tomax.com>
Subject: Support for Garbett Homes Project on Almond Street
Date: December 17, 2013 at 6:28:37 PM MST
To: "cwilliams264@me.com" <cwilliams264@me.com>
Cc: Jaye Olafson <jolafson@tomax.com>

To Community Council:

As the owner of 258 Almond Street, I would ask you to acknowledge our support for the proposed Garbett Home Project on Almond Street.

The project team has worked closely with our homeowners association to come up with a plan that is complimentary to the neighborhood aesthetically and functional, a win for the current Almond homeowners and the developers.

Regards,

Eric and Jaye Olafson
801 971 9000

Eric Olafson, CEO
Tomax Corporation
801.924.6325 office 801.971.9000 mobile



Think green. Please consider the environment before printing this email.

From: Christine Williams cwilliams264@me.com
Subject: Re: Important Almond Street Information
Date: December 18, 2013 at 5:24 PM
To: Jim W. Gute jimgute@gmail.com

On Dec 18, 2013, at 5:17 PM, Jim Gute <jimgute@gmail.com> wrote:

Dear Community Council:

We strongly support the development proposed directly west of our property at 250 Almond Street 84103. Our input has been considered by the developer, Garbett Homes, throughout the planning process, and we are very satisfied with the current configuration and scale of the project. Any changes to the current proposal will result in significant opposition.

Thank you for your consideration.

Jim & Lisa Gute, Owners
250 Almond Street
Salt Lake City, UT 84103
(307)690-8870
jimgute@gmail.com

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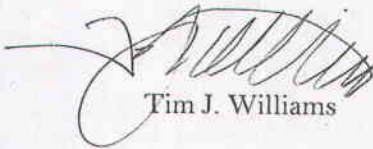
December 18, 2013

As owner of two units – 264 and 262 – in the Almond Street Condos Association, we wish to voice our strong support for the development proposed by Garbett Homes on the west side of Almond Street. This builder has been very sensitive and responsive to the needs of current residents of our street, particularly in context of the fact that Almond is a very narrow, one-way street with special issues concerning traffic, parking, deliveries, trash pick-up etc.

In addition, the proposed Garbett Homes development takes into account that it's exceptionally important to the current residents of Almond Street that we retain our views of the valley.

Thank you for considering and supporting the wishes of the current residents who would be affected the most by this development.

Sincerely,



Tim J. Williams



Christine S. Williams