



Staff Report

PLANNING DIVISION
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Planning Commission
From: Aaron Barlow, Principal Planner, aaron.barlow@slcgov.com, 801-535-6182
Date: January 24, 2024
Re: **PLNPCM2021-00656**– Capitol Park Cottages Planned Development
PLNSUB2021-01175 – Preliminary Subdivision Plat for Capitol Park Cottages

Planned Development & Subdivision

PROPERTY ADDRESS: [675 North F Street](#)
PARCEL ID: [09-30-455-021-0000](#)
MASTER PLAN: [Avenues](#)
ZONING DISTRICT: [SR-1 Special Development Pattern Residential](#)

REQUEST:

Peter Gamvroulas, representing Ivory Development, LLC, is requesting approval from the City to develop a 21-unit development consisting of a mix of single-family and twin home dwellings served by a proposed private street at the above-listed address. Currently, the subject property consists of undeveloped open space.

- A. Planned Development (PLNPCM2021-00656):** Through the Planned Development process, the applicant is seeking relief from required zoning regulations, including public street frontage for lots, lot size, lot width, setbacks, lot coverage, and driveway width.
- B. Preliminary Subdivision Plat (PLNSUB2021-01175):** Preliminary Plat approval is also required prior to establishing the Capitol Park Cottages Subdivision and its associated lots as proposed by the Planned Development application.

RECOMMENDATION:

Based on the information and findings listed in the staff report, Planning Staff finds, with the recommended conditions, that the proposal generally meets the Planned Development and Preliminary Subdivision Standards. Therefore, staff recommends that the Planning Commission approve the request with the following conditions:

1. Signage must be placed on the site indicating that the open space area is accessible to the public.
2. The proposed external ADU on lot 21 cannot be optional and must be established as an ADU according to relevant zoning requirements.

ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Submitted Materials](#)
- C. [Property and Vicinity Photos](#)
- D. [Zoning Standards Review](#)
- E. [Subdivision Standards Review](#)
- F. [Planned Development Standards](#)
- G. [Supplementary Material](#)
- H. [Public Process & Comments](#)
- I. [Department Review Comments](#)

PROJECT DESCRIPTION

This is a proposal to subdivide and develop the ~3.2-acre (~139,740-square-foot) property located at approximately 675 North F Street into 21 residential lots and a private street. Dwellings proposed on the site would consist of both single-family and twin home dwellings. Several key features of the proposal require relief from zoning regulations and, therefore, Planned Development approval from the Planning Commission, including lots without frontage on (or direct access to) a public street, lot dimensions, setbacks, and driveway dimensions. A complete list of all requested modifications to zoning regulations can be found in this report's Approval Process and Commission Authority section. Most of the proposed dwellings (20 of the 21) would include space within the building available for use as an [accessory dwelling unit](#) (ADU). The remaining property would include an exterior ADU separate from the main building (see the submitted plans in [Attachment B](#) for additional details). In addition to the proposed houses, the development would include two associated parcels intended for open space accessible to the public, stormwater management facilities, visitor parking, and storage for snow.

Quick Facts

Number of Units: 21 dwelling units

Building Types: 7 detached (stand-alone) single-family dwellings, & 14 twin home (duplex-style) dwellings

Number of ADUs: 1 external unit, & potentially up to 20 internal units

Parking: 82 spaces. 4 visitor spaces, 42 for primary dwellings, 36 for ADUs

Max Building Height: 28 feet

Review Process & Standards: Planned Development review, Preliminary Subdivision standards, SR-1 zoning Standards, general zoning standards

Current Conditions

The project site has remained vacant for many years. Historically, it functioned as open space for the Veterans Affairs Hospital (and later, the Primary Children's Hospital Annex) Campus. For a time, the site was intended to be the site of a BYU Education Center. The maintenance building for the hospital campus was located on the project site until its demolition in 1999. Around that time, plans for the construction of a Ward building for the Church of Jesus Christ of Latter-day Saints on the site were approved but never carried out.

Vegetation on the site consists primarily of brush, grass, and weeds, with approximately 35 mature trees varying in size, species, and condition. Complaints about overgrown weeds and poorly maintained trees on the site have regularly been submitted to the City since at least 2002. The property's east frontage along F Street is unimproved, lacking curbs, gutters, and sidewalks.



Maintenance building on subject site. ca. 1995



1977 Aerial view of project site and vicinity



Subject site from Capitol Park Avenue

Neighborhood Context

Character

Residential in nature, the surrounding neighborhood is a mélange of architectural styles, building types, and densities. The Northpointe Estates Condominiums, to the north, contain 49 townhouse-style units approved as a Planned Unit Development in 1978. The Meridian at Capitol Park, to the south, was completed in 2008 as an adaptive reuse of the historic [Veterans Affairs Hospital](#) and contains 27 condominium units. One- and two-story single-family houses approved as Planned Development in 1995 occupy the space to the west. Across F Street, to the east, are three single-family houses and a duplex.



The Meridian at Capitol Park



Duplex building across F Street from subject property

Streets and Transit

Streets adjacent to the property are also a mixed bag. F Street, to the east, is a public street and terminates at Northpoint Estates' only entrance and exit. While 13th Avenue is a public right of way, Capitol Park Avenue, west of F Street, is a private street. Prior agreements recorded with the property grant one point of vehicle access to Capitol Park Avenue from the project site.

Two transit routes are within a half mile of the site. Stops for the F11 bus (running weekdays toward the University of Utah) are located on 11th Avenue. The 209 bus (a [Frequent Transit Network](#) route running every 15 minutes during most days of the week) runs along 9th Avenue and will take passengers to points south along 900 East.

Project Details

The Capitol Park Cottages development proposal includes a mix of 21 single-family and twin home dwellings. Most of the project's perimeter would be dedicated as open space with a pedestrian path. A private street providing vehicular access to the units would cut through the development from F Street to Capitol Park Avenue.

Lot Layout

The site would be divided into 21 long, narrow lots oriented north to south. Because Capitol Park Avenue is a private street, only two (lots 1 and 21) would front a public street. The remainder would be located within the interior of the lot, accessed by the private street or the pedestrian pathway. The project, taken as a whole, meets the density limits, but the proposed lots generally do not meet the requirements of the SR-1 Special Development Pattern Zoning District. They are smaller and narrower than allowed, requiring Planned Development approval.



View of F Street from intersection with 13th Avenue



View of F Street, looking north



View of Capitol Park Ave, looking west

URBAN DESIGN ASSOCIATES

ILLUSTRATIVE PLAN

IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / DECEMBER 2023

1" = 60' 30 0 30 60 120 Feet

House Type

the proposal includes seven detached single-family and 14 twin home dwellings. Except for the two units facing F Street, the houses face outward from the private street. Space for optional internal ADUs is proposed for every unit except unit 21, which would feature a separate ADU/garage structure. Because most of the proposed lots are smaller than permitted within the SR-1 district, the area taken up by a building (lot coverage) within each is more than allowed. Modifying this standard requires Planned Development approval. However, it is important to note that when the proposal is taken as a whole, the total building coverage is within the limits of the district.



View of proposed units from Capitol Park Avenue

Street Access and Parking

The private street cutting through the planned development would provide access to each unit's driveway and garage. The sole connection to a public street would be located on the east end of the proposed development onto F Street. The project's other entry point would be located near its southwest corner, onto Capitol Park Avenue, a private street. A prior agreement, recorded with the property, between the Church of Jesus Christ of Latter-day Saints (the previous owner of the property) and the previous owners of the Meridian (who now own this portion of Capitol Park Avenue) grants one point of entry from the subject site onto the private right of way.



Plan view of proposed parking areas and private drive. Spaces marked with an "x" do not qualify for required parking.



Illustration of proposed private drive and parking areas



LANDSCAPE & AMENITY PLAN

IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / DECEMBER 2023

Parking for each unit (including any proposed ADUs) would be located within each unit's garage and driveway. Four additional visitor parking spaces (to be used as a plowed snow storage area during the winter) are located near the site's southwest corner. Overall, excluding the four visitor spaces, 78 parking spaces are proposed for the 21 units (and 21 ADUs). That is a ratio of 2 spaces per principal unit and 1.7 spaces per ADU.

Materials and Design

According to the materials submitted for this request, the design and form of the proposed dwellings are heavily influenced by houses typically found in the Avenues and other similar historic neighborhoods. The proposed dwellings will feature New Traditional architectural details reflecting Tudor, Craftsman, and Colonial Revival (among others) styles. Building materials will reflect typical exteriors of those styles, including brick, lap siding, half-timbering, and stucco. Porches will feature prominently on all street- and path-facing façades. Details and drawings of the proposed architectural features can be found in [Attachment B](#) with the applicant's submittal.

Open Space and Landscaping

The project includes roughly 25,600 square feet of open space that will be open to the public (as required by the conditions related to the rezone to the SR-1 district).

A walking path (called a “[mews walk](#)” in the submittal materials) would circle the project site—most of it through the proposed open space. The proposed open space and walking path would be heavily landscaped with shade trees, shrubs, and grass (both native and ornamental).

The proposed landscaping within the project site has been designed with privacy in mind. The perimeter would feature large trees (at maturity), dense grass, and shrubs. Instead of lawns, the proposal shows shrubs and trees within the spaces between units. The landscaping plans for the proposal can be found with the applicant’s submittal materials in [Attachment B](#).

Project History and Community Input

Initial Zoning/Master Plan Amendment Proposal – May 2020

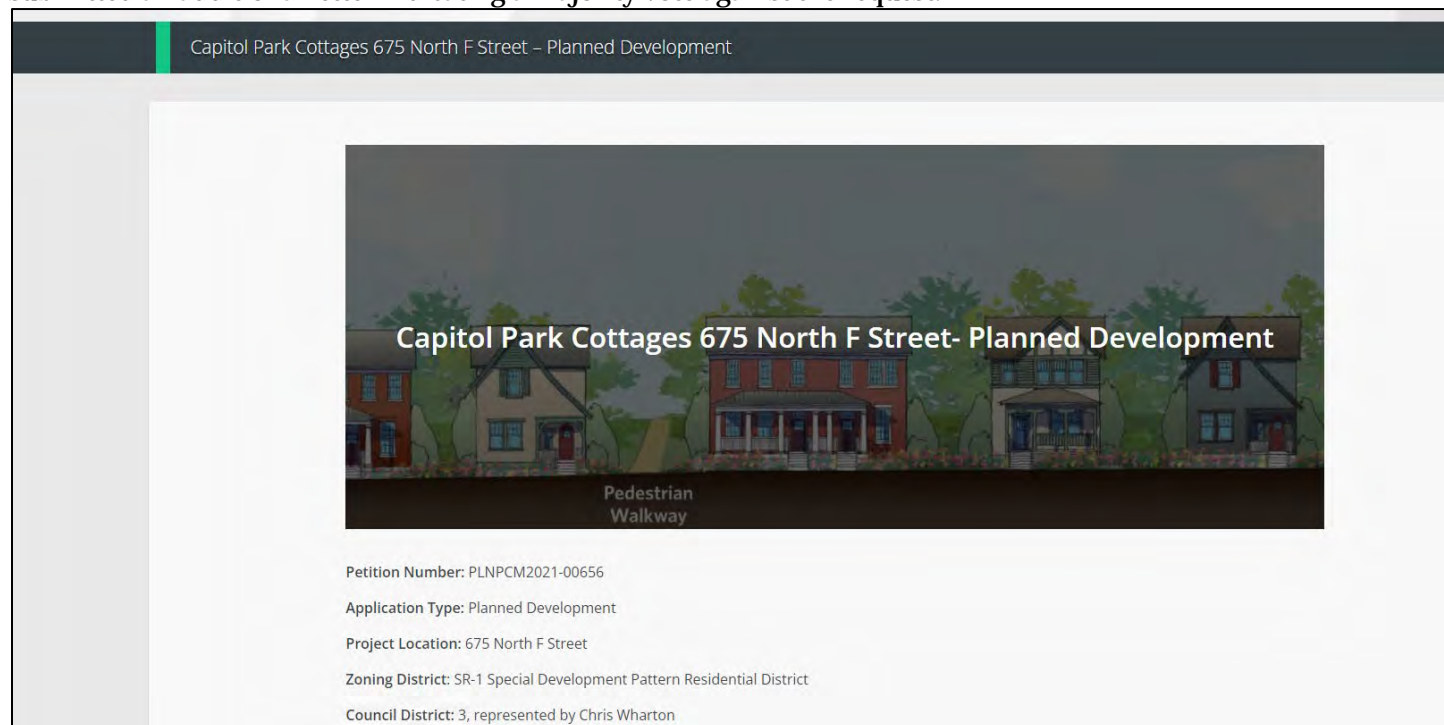
In 2020, the applicant submitted a request to rezone the subject property from the FR-3/12,000 Foothills Residential District. Initially, the applicant requested the FB-UN1 Form Based Urban Neighborhood 1 district. They also submitted a request to amend the Avenues Community Master Plan’s Future Land Use Map (1987) designation of the property from *Very Low Density* to *Low Density*. Their submittal included a concept plan proposing 25 single-family homes with accessory dwelling units. Planning Staff sent the public engagement notice for that proposal in May 2020 to owners and occupants of properties within 300 feet and the Greater Avenues Community Council (GACC). A landing page for the project was also posted on the City Online Open House website. During the initial notice period and up to the end of 2020, Planning staff received roughly 175 letters/emails and a petition with over 2,000 signatures opposing the rezone. They also received nine letters supporting it.

Updated Zoning/Master Plan Amendment Proposal – February 2021

In January 2021, the applicant submitted an update with additional supporting documentation. They also reduced the number of units in their concept plan from 25 to 20 lots. Planning Staff shared this update with those who provided email addresses and with the community council, and a new 45-day period was given for additional input. About 190 letters in opposition and four in favor of the rezone were received in response to the update.

Third Revision – March 2021

In March 2021, the applicant further updated their proposal, changing the zoning request to the less-intensive SR-1 Special Development Pattern Residential District. An updated concept plan with revisions to setbacks and heights was shared online and via email with those who provided input, including the community council. In April, the GACC submitted an additional letter indicating a majority vote against the request.



Screenshot of Online Open House webpage

Initial Planned Development Submittal – November 2021

The applicant initially submitted this Planned Development application in November 2021 with the intention of concurrent review with their other applications. However, due to the level of input and concern from the community, they placed the request on hold until a decision could be made regarding their rezone and master plan amendment requests. However, before the request was placed on hold, Planning staff did begin the 45-day notification period and distributed information to neighbors, community councils, and other parties that had requested updates. Staff received approximately 276 comments (272 opposed, 4 in support) on that proposal. All comments received before 2023 can be found in [Attachment K of the rezone staff report](#).

City Council Decision and Conditions – December 2022

In December 2022, the Salt Lake City Council approved the rezone to SR-1 Special Development Pattern Residential and the associated change to a *Low Density* land use designation in the Avenues Community Master Plan (1987). With that approval, the Council also made the following conditions (which are further discussed in Key Consideration 2):

1. Accessory buildings shall not be allowed in rear yards located along the west-most property line of the subject property.
2. Where the west-most property line is a rear or side property line, the second levels of any homes located along that rear or side property line shall be setback at least 30' from the corresponding rear or side property line.
3. Specify that the ADUs may not be used as short-term rentals, using restrictive covenants or another method deemed efficient and appropriate.
4. The open space area shown on draft drawings will generally be accessible to the community at large, with rules/management to be established by the HOA or other entity based upon the applicant's preference.
5. The City building approval and permitting process will be followed to build retaining walls on the property.

Current Planned Development Proposal – July 2023 to Present

In order to comply with the above-listed conditions, the applicant revised their development plan. They submitted updated plans in mid-2023, which were deemed complete in July. Because the new plans were so different from their 2021 submittal, Planning staff determined that another 45-day notification period would be necessary. The new proposal was distributed to the public via the following methods:

1. A project page on the City's Online Open House website,
2. Notification letters to all owners and occupants of property within 300 feet of the project site,
3. Official notices to the [Greater Avenues Community Council](#) and the [Preserve Our Avenues Coalition](#), and
4. Emails to all persons who had previously provided input on or expressed interest in the project.

Initially, the Greater Avenues Community Council (GACC) invited the applicant and the Preserve our Avenues Coalition to present at their August 8, 2023, meeting. However, due to a miscommunication between the chair of the GACC, Planning staff, and Ivory Development, the applicant was unable to attend. To ensure that the community had a chance to review the plans in person, Ivory Development hosted an informational open house at the Corinne & Jack Sweets Library on August 23, 2023. Planning staff also attended to gather community comments and provide general information about Planned Development applications.

Planning staff received approximately 104 comments during the 45-day comment period (which can be found in [Attachment H](#)). Once it had ended (on August 28, 2023), Planning staff reviewed the proposal against the zoning regulations, subdivision requirements, Planned Development standards, and comments from the public. That review was forwarded to the applicant in late September 2023. Since then, Planning staff has met with the applicant several times to clarify comments and address concerns. Planning Staff also met with Preserve Our Avenues Coalition representatives to discuss the project and better understand their concerns. Planning staff received updated plans from the applicant in December 2023. Those plans were posted to the Online Open House webpage and also distributed to the community councils and interested individuals.

APPROVAL PROCESS AND COMMISSION AUTHORITY

Review Process: Planned Development and Preliminary Subdivision Plat

The applicant has requested Planned Development approval from the Planning Commission for modifications of the following requirements:

1. **Lot Frontage on Public Streets:** [21A.36.010.C](#), which requires all lots to have frontage on (or touch) a public street.
2. **Minimum Lot Area:** [21A.24.080.C](#), which requires 5,000 square feet per single-family lot and 4,000 square feet per twin home lot (half of a building with two units sharing a wall).
3. **Lot Width:** [21A.24.080.C](#), which requires 50 feet for a single-family lot and 25 feet per twin home lot (half of a building with two units sharing a wall).
4. **Front Yard Setbacks:** [21A.24.080.E.1.a](#), which requires the front of new buildings to project no farther than either the average depths of the block face or 20 feet from the front lot line (if no other buildings are present).
5. **Interior Side Yard Setbacks:** [21A.24.080.E.3](#), which, for single-family dwellings, requires buildings to be no closer than 4 feet from a side lot line on one side and 10 feet from a side lot line on the other.
6. **Rear Yard Setbacks:** [21A.24.080.E.4](#), which requires 25% of a lot's depth (not less than 15 feet and no more than 30 feet).
7. **Maximum Building Coverage:** [21A.24.080.F](#), which limits the surface coverage of all buildings to 40% of a lot.
8. **Driveway Width:** [21A.44.060.A.6.c.\(3\)](#), which limits the width of driveways in the SR-1 district to 22 feet.

The proposed project will need to meet the Planned Development standards found in section [21A.55.050](#) of the zoning ordinance (An analysis of these standards can be found in [Attachment F](#)) in addition to all other relevant zoning requirements that would not be modified by approval of this request.

Preliminary Subdivision approval is also required for this request. The proposal has been reviewed against the standards for Preliminary Subdivision standards found in section [20.16.100](#), as well as the design standards found in [20.12](#) (see [Attachment E](#)).

KEY CONSIDERATIONS

Planning Staff identified the following Key Considerations through analysis of the proposal and from public comment:

1. Master Plan Compatibility
2. Compliance with Conditions from Rezone Approval
3. Requested Modifications & Planned Development Objectives
4. Wall Height in the SR-1 Zoning District
5. Public Comments and Concerns

Consideration 1 – Master Plan Compatibility

The proposed development is generally consistent with the adopted policies within the following plans:

- Housing SLC (Citywide Housing Plan, 2023)
- Thriving in Place – Salt Lake City's Anit-Displacement Strategy (2023)
- Plan Salt Lake (2015)
- Avenues Community Master Plan (2005)

A discussion of the relevant plans and policies can be found below:

[***Housing SLC \(2023\)***](#)

Goal 1: Make progress toward closing the housing gap of 5,500 units of deeply affordable housing and **increase the supply of housing at all levels of affordability.** (*emphasis added*)

- Entitle 10,000 new housing units **throughout the city.** (*emphasis added*)

Discussion:

The Planned Development process is a zoning tool that provides flexibility for projects that would typically not be permitted through strict application of the zoning code. The proposed development is utilizing this process to allow more efficient use of the subject property in a way that would otherwise be prohibited. The requested modifications to the zoning regulations will allow for more dwelling units on an otherwise underutilized lot, assisting with the need for additional housing within the city. Additionally, with the addition of pre-constructed space for accessory dwelling units

(ADUs), the proposed development would introduce a mix of household sizes and incomes to a part of the city that has lagged in new housing opportunities over the past decade.

Thriving in Place – Salt Lake City’s Anti-Displacement Strategy (2023)

Guiding Principle 3 – Increase Housing Everywhere: Create more housing overall, and more affordable housing specifically, while minimizing displacement and countering historic patterns of segregation.

Goal 3: Produce more housing, especially affordable housing.

- **Strategy 3B** – Make ADUs easier and less expensive to build.
- **Strategy 3C** – Facilitate creation of more diverse housing choices.

Discussion:

As already discussed, the applicant has requested flexibility through the Planned Development process to facilitate efficient development of the property. Because Capitol Park Avenue is a private street, the only part of the project site that abuts a public street is along the east property line at F Street. Without this process, the applicant would either have to dedicate a new public street through the site or limit the number of units. While the proposed development would be market-rate housing, it is still increasing supply, and Planned Development approval would enable the applicant to create new housing in a part of the city where new ownership opportunities are limited (due to affordability and site constraints).

The proposed ADUs that are a part of this proposal are an innovative attempt to fulfill strategy 3B. While more affordable than some other housing options, they can still be cost-prohibitive for some. By integrating a flexible space at construction, the applicant can help reduce the overhead that comes with new (internal or external) ADUs. Future residents will be able to supplement their income *and* provide a housing option (one bedroom/studio) not typically found in the Upper Avenues. While a future resident would still be allowed to install an ADU without the space proposed by the applicant, it would require a significant additional investment on their part.

Finally, the ADU element of the proposed development enables a mix of different housing options within a single neighborhood. It places one-bedroom/studio units right next to three-bedroom units, encouraging a mix of incomes and household sizes and supporting Strategy 3C.

Plan Salt Lake (2015) Applicable initiatives from the plan are below:

2. Growth:

- Locate new development in areas with existing infrastructure and amenities, such as transit and transportation corridors.
- Promote infill and redevelopment of underutilized land.
- Accommodate and promote an increase in the City’s population.
- Provide access to opportunities for a healthy lifestyle (including parks, trails, recreation, and healthy food).

Discussion:

The proposed development takes advantage of an underutilized property and would rely on existing infrastructure (after some relatively minor improvements) without requiring significant investment from the City. The project is located near outdoor recreational amenities within nearby City Creek Canyon and the foothills above the Avenues. A stop for the F11 bus (taking riders to the University of Utah) is a five-minute walk from the site, and a stop for the 209 bus (a [Frequent Transit Network](#) to points south) is roughly five minutes more.

Many comments from the public have noted that the “mews walk” path does not qualify as a trail. While staff agrees that the proposed walk does not have the same characteristics as a trail found in the foothills north of the project site, it does provide a recreation opportunity for those of the public who may have limited mobility or ability. The path will be paved with concrete and easily accessible from both F Street and Capitol Park Avenue. To ensure that it is clear that the path is open to the public, staff recommends that signage indicating such should be placed on the property.

3. Housing:

- Ensure access to affordable housing citywide.
- Increase the number of medium-density housing types and options
- Encourage housing options that accommodate aging in place
- Direct new growth toward areas with existing infrastructure and services that have the potential to be people-oriented
- Enable moderate density increases within existing neighborhoods where appropriate

Discussion:

As mentioned earlier in this report, the subject property is located within a well-established neighborhood with an eclectic mix of housing types. The proposed development would bring (slightly) moderate density infill within a neighborhood that has the infrastructure and amenities to accommodate some growth. The flexible ADU spaces would provide units (studio and one-bedroom) not typically found within the vicinity of the site. If used as ADUs, the spaces would also provide smaller-scale units for families and individuals wishing to age in place.

Avenues Community Master Plan (1987)

Due to its age, some policies within the Avenues Community Master Plan do not fully align with related policies in the more recent plans discussed above (Plan Salt Lake, Housing SLC, Thriving in Place). Discrepancies between these plans illustrate how the City's priorities have changed over nearly 40 years in response to the shifting needs of the community.

Relevant Recommendations & Strategies:

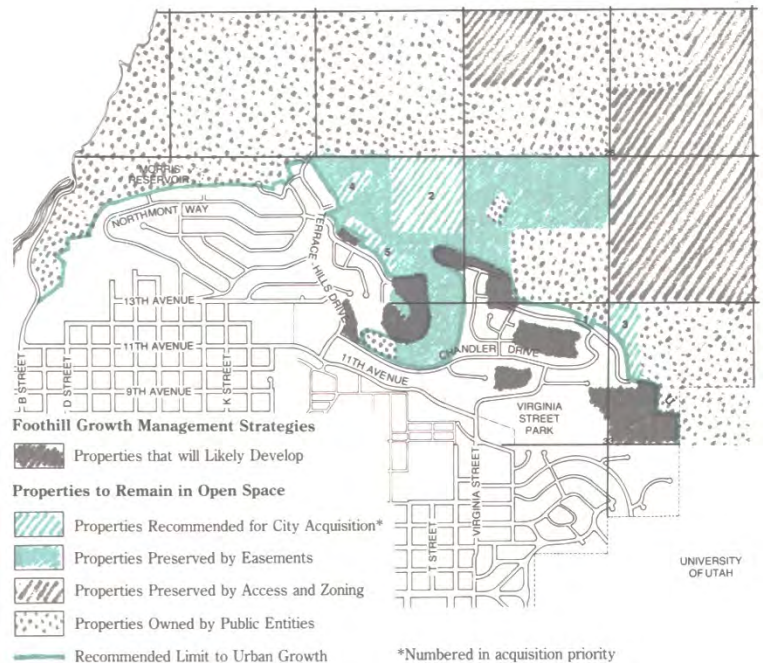
Land Use – Planning Goal: “Preserve the residential character and existing land use patterns in the Avenues Community. Special emphasis should be placed on regulating foothill development and preserving the historically significant sites and districts” (pg. 2).

Land Use – Reduce Building Height Potential: “...limit building heights to a 25-foot maximum for flat-roofed structures and 30 feet to the peak of a structure with a pitched roof” (pg. 2.)

Land Use – Increase Lot Area Requirement: “The city should consider increasing lot area requirements for duplexes in the “R-2” Zone to 7,000 or 8,000 square feet, with a minimum usable open space requirement of at least 600 square feet per unit in the rear yard” (pg.3).

Discussion:

The proposed development would be residential in character, at a scale that fits the above recommendations. The proposed development would provide new housing options to the neighborhood and would not encroach into the foothill area delineated by the Avenues Community Master Plan. Proposed buildings facing existing public and private streets would reflect the character of an Avenues block in scale, spacing, and building design. The proposed development is consistent with the plan's relevant land use-related strategies.



Foothills Management Plan from Avenues Community Master Plan

Foothill Development and Protection –

Planning Goal: Preserve the city's natural mountainous backdrop and recreation opportunities the mountains provide. Devise a growth management program that includes strategies to help protect the foothills from continued urban encroachment” (pg. 4).

Discussion:

The Avenues Community Master Plan established a recommended growth boundary line to ensure the preservation of the nearby foothills. That line sits along the north edge of the adjacent Northpoint Estates Condominiums property. The project site would not encroach into any area expected to be preserved by the plan.

Health Services – BYU Education Center: “From the planning standpoint, land use at the Primary Children's Hospital and BYU Education Center properties should be low-density residential. These properties are on the fringe of a low-density residential community. Access to these sites is through narrow residential streets traversing relatively steep topography, and there are no retail services or other facilities to support uses other than residential” (pg. 9).

Discussion:

Note: *The subject site was previously known as the BYU Education Center site.*

When the City Council rezoned the subject property to the SR-1 district, its future land use designation was also changed to *Low Density Residential*. The SR-1 district and its density, lot size, and building height regulations are appropriate for the land use designation. When the proposed ADUs are also accounted for, the potential density of the site is no different than any other block in the Avenues within the SR-1A district (which, in many ways, is nearly identical to the SR-1 district).

Consideration 2 – Compliance with Conditions from Rezone Approval

When the rezone request was approved in December 2022, the City Council established five conditions with their approval. These conditions have been recorded with the property in a development agreement between the applicant and the City. The Planning Commission must ensure that each is met as part of their review. The development agreement and the ordinance adopting the rezone are included in this report, along with other supplementary material in [Attachment G](#).

1. *Accessory buildings shall not be allowed in rear yards located along the west-most property line of the subject property.*

Staff Analysis:

Only one accessory structure is proposed with this request, and it would be located near the east property line.

2. *Where the west-most property line is a rear or side property line, the second levels of any homes located along that rear or side property line shall be setback at least 30' from the corresponding rear or side property line.*

Staff Analysis:

The two proposed houses nearest to the west property line would have two stories and set back 30 feet.

3. *Specify that the ADUs may not be used as short-term rentals, using restrictive covenants or another method deemed efficient and appropriate.*

Staff Analysis:

The development agreement recorded on the subject property prohibits short-term rentals and enables the City to pursue legal action against any violating party.

4. *The open space area shown on draft drawings will generally be accessible to the community at large, with rules/management to be established by the HOA or other entity based upon the applicant's preference.*

Staff Analysis:

The applicant has indicated that the proposed open space at the southeast corner of the development and the area around the walking trail would be open to the public. To ensure this is clear to other residents and visitors, staff recommends that the applicant install signage indicating such.

5. *The City building approval and permitting process will be followed to build retaining walls on the property.*

Staff Analysis:

Plans submitted for this proposal show several retaining walls, most notably along the north property line. If the Planning Commission approves this proposal, the applicant will be required to comply with all relevant building codes and permitting requirements for the retaining walls proposed on the site.

Consideration 3 – Requested Modifications & Planned Development Objectives

The zoning regulation modifications requested by the applicant are listed in this report's Approval Process and Commission Authority section. The applicant is requesting several modifications to the zoning regulations as part of their development. Those are listed in the [Approval Process and Commission Authority](#) section earlier in this report. Generally, all of the modifications are related to meeting two Planned Development objectives involving open space and accessory dwelling units. Specifically, these include:

- “Clustering of development to preserve open space” and “recreational opportunities, such as new trails or trails that connect to existing or planned trail systems, playgrounds or other similar types of facilities.”
- “Providing types of housing that help achieve the City’s housing goals, including housing types not commonly found in the neighborhood but of a scale that is typical to the neighborhood.”

The zoning modifications allow for better clustering of the homes to accommodate the open space on the perimeter of the site and to better accommodate houses that would support both families with children and the accessory dwelling

units. The Planned Development ordinance is focused on compatibility, particularly regarding the perimeter of the site and other highly visible aspects of the development. Several zoning requirements requested for modification will not be particularly visible and only affect units internal to the site, such as front yards along the private street and side/rear setbacks between proposed units. These modifications typically apply to internal facing setbacks. The setback modifications reduce the normal required yard areas for the homes but also allow for consolidating those yard areas into the external open space. As the modification relates to one of the objectives to cluster development and preserve larger open spaces, Staff recommends approval of the modifications.

The only exception is the requested reduction to the front yard setback of Lot 10. The proposed unit would be within 13 feet of Capitol Park Avenue--a point of concern brought up by some members of the community. The concern is that the two-story structure is too close to the street and out of character. Staff analyzed the character of the area and found that the south wall of the house to the west (the only other building on the block face and also two stories tall) is set back 17 feet from the street. While the front porch of unit 10 does sit closer to the street than the house to the west, the second story is set back 21 feet from the front property line (at its closest point). As illustrated by Figure 1, the two-story living space of unit 10 will sit farther back from Capitol Park Avenue than the house to the west.



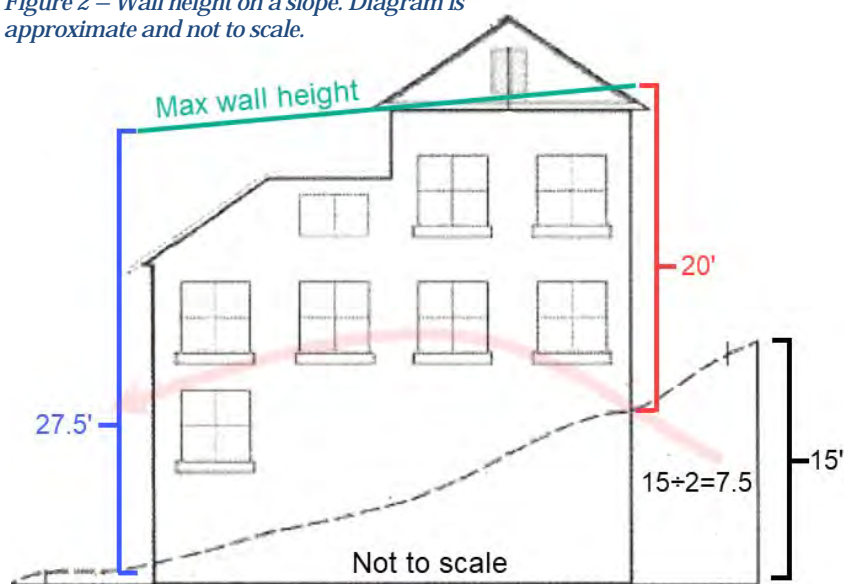
Figure 1 – Setback of unit 10 compared to 674 Caring Cove. Comparison is approximate and may not be to scale.

Consideration 4 – Interior Side Yard Wall Height in the SR-1 Zoning District

Walls adjacent to interior side yards on new buildings within the SR-1 district must comply with the wall height limit of 20 feet from the finished grade (see [21A.24.080.D.3.a](#) in the Salt Lake City Zoning Ordinance). When a side yard setback is increased or reduced, the maximum wall height limitation is raised or lowered accordingly. For example, if a required setback is 10 feet but a project shows a 12-foot setback, then the maximum wall height may be increased to 22 feet. However, if a project provided an 8-foot setback, the maximum permitted wall height would be reduced to 18 feet.

The wall height requirements have an allowance for buildings on a slope (see 21A.24.080.D.3.a.(1)). If a property is on a slope, the wall height regulations permit the downhill portions of a wall to be taller than the maximum wall height to facilitate level floors and rooflines. The ordinance allows the downhill portion of the wall an increase in height of 0.5 feet for every foot of elevation drop. Figure 2 illustrates this method. In the diagram, a difference in height of 15 feet between the highest and lowest points of the elevation provides 7.5 of additional height to the downhill wall's 20-foot maximum (in blue). The max height for the uphill wall remains 20 feet (in red). The maximum height for the wall is established by drawing a line (in green) between the two height limits, and the proposed wall cannot exceed that line.

Figure 2 – Wall height on a slope. Diagram is approximate and not to scale.



The applicant has provided plans showing how the proposed development meets this height limit, which can be found in [Attachment B](#).

Consideration 5 – Public Comments and Concerns

Staff received numerous emails from the public with comments and concerns about the proposed development. After reviewing the comments, staff identified various key recurring concerns, listed below. Some issues brought up by the community may be discussed in other sections of this report.

Affordable Housing

Input has been received about the proposed development not including affordable housing and, therefore, not helping the City's housing issues revolving around affordability. The developer has indeed not proposed to include income-restricted or subsidized "affordable housing" units in the project, and the homes themselves will likely not be affordable to income levels typically targeted for affordable housing. However, any additional housing supply helps address the City's housing issues. Although not the only driver of price increases, one of the most significant factors impacting housing prices is supply, and the lack of supply is driving all housing prices higher ([Wood, Esick, 2018](#)), especially for owner-occupied units ([Molloy, Nathanson, & Paciorek, 2022](#)). Any buyer of a new home here is one fewer bidder or buyer of an existing home in the City, reducing pressure on existing lower-priced housing stock to increase in price and gentrify. Research by the Kem C. Gardener Policy Institute at the University of Utah has shown that the affordability of housing in a community is significantly impacted by local land use decisions, especially those that restrict or expand density throughout a City ([Wood, Eskic, Benway, & Macdonald-Poelman, 2020](#)).

Also important to consider is that ADUs, while not necessarily providing "affordable housing" for targeted lower incomes, would still be rented for a lesser amount than a full single-family home in this area of the City. The research by the Kem C. Gardner Policy Institute, mentioned above, recommends ADUs as one of several best-practices that Cities can use to address housing prices ([Wood, et al., 2020](#)).

Accessory Dwelling Unit Experiment

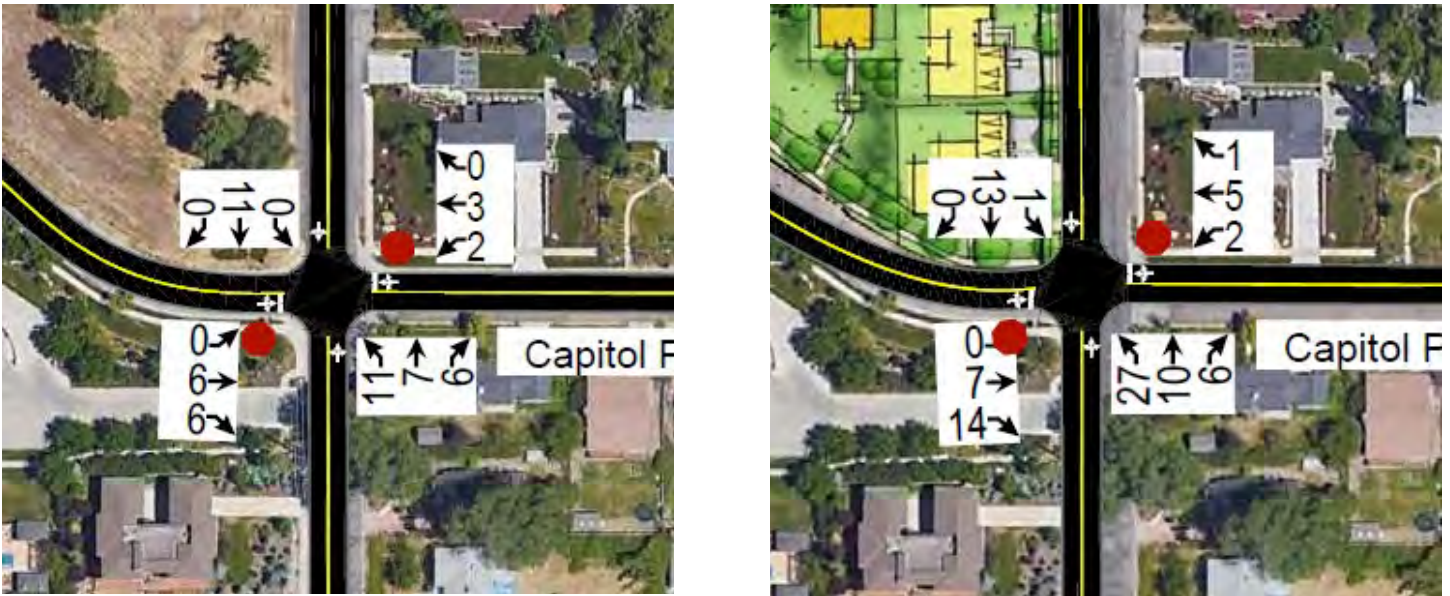
Many comments from the community raised concerns about including ADU spaces within the units. Specifically, concerns have been brought up that allowing the ADUs essentially doubles the density of the site. Their letter (included with Attachment H) argues that the additional ADUs, at the scale proposed, should require approval by the City Council. Staff's review of the ADU regulations found that they "[do] not count towards the density allowed in the underlying zoning district." Meaning they are exempt from the density requirements of the SR-1 zoning district. As noted earlier in this report, the proposed ADU will be beneficial to the community and the development (see [Key Consideration 3](#)). They also enable the proposal to support goals and objectives established within adopted plans (see [Key Considerations 1](#)).

Utility Capacity

The capacity of local water and sewer utilities was brought up in many comments opposed to the project. Planning Staff discussed this issue with officials from Salt Lake City's Department of Public Utilities and were told that applicants are responsible for the cost of improvements to the City's utilities that a new development would require. If there are capacity issues, Ivory Development would work with Public Utilities to address them during building permit review (see comments from Salt Lake City Public Utilities in [Attachment I](#)).

Traffic & Parking

Impacts on traffic were brought up by residents during review of the rezone request. In response, the developer provided a traffic study to determine the traffic impacts of the development. The study showed that the nearby controlled (stop signed) intersections function at an "a" and "b" "level of service," meaning "free flow/insignificant delay" of <10 seconds and "Stable Operations/Minimum Delays" of up to 10 to 15 seconds, respectively. The study determined there would not be a change to the level of service of each controlled roadway intersection, with less than a second of delay added to intersection wait times at peak hours, and the project providing "negligible impact on traffic operations of the surrounding area." See page 11 of the traffic study in [Attachment G](#). Staff has included extracts from the report below for comparison purposes.



The above images from the traffic study show the F Street and Capitol Park (13th Ave) intersection at "Evening Peak Hour" (4:45 to 5:45 PM), showing the number of cars doing each turning movement at the intersection. On the left are the existing traffic numbers for the intersection (adjusted for COVID-related declines), showing 52 cars over the course of peak hour. On the right are the projected traffic numbers for the intersection with the project built, showing 86 cars over the course of peak hour, an increase of 34 vehicles.



These graphics show traffic during evening peak hours at the 11th Avenue and F St intersection, with the existing traffic on the left and projected traffic on the right. The analysis shows 29 additional cars at this intersection over the course of evening peak hour. This is less than 5% of all traffic during this time. The study notes that there would be a negligible impact on the level of service, with no effect on the level of service for this intersection, with less than half a second added to the existing 11-second average delay at the intersection at evening peak hour.

Another concern brought up by residents was possible parking on Capitol Park Avenue—where it is not allowed. Like all other new development projects, this proposal must comply with applicable parking requirements. Submitted plans show 82 proposed parking spaces with at least three per unit (more than what is required by code since the project is [within a half-mile](#) of the bike lane on 11th Avenue). Because Capitol Park Avenue is a private street owned by the Meridian, they have the authority to tow vehicles that do not follow the posted no parking signs. Like traffic, the anticipated parking impact on surrounding properties is minimal.

Fire Department Access and Fire Codes/F Street Width

Public input was received regarding whether fire access will be adequate for the development, including concerns regarding evacuations and wildfires. Planning Staff requested comments from the City's Fire Prevention Bureau of the Fire Department regarding these concerns. The Fire Department noted that they do not have any official comments or concerns about the proposal because any development will be required to meet adopted International Fire Codes. Fire Code includes minimum requirements for fire vehicle and firefighter access to properties, including such things as minimum street/drive widths for fire vehicles, maximum building distances from streets, and minimum number of vehicle entry points for a development. The Planning Commission does not have the authority to waive any Fire requirements that universally apply to development in the City.

F Street is required to be improved with this subdivision request. This will include new curb, gutter, and park strip. The dimensions of the proposed improvements would bring this section of F Street to the City's standard for local residential streets of 36 feet. This will provide sufficient area for parking on both sides of the street and at least 20 feet of clear width to accommodate fire vehicles. This meets Fire Code fire vehicle access requirements for the low-scale structures in this neighborhood.

Nesting Bird Habitat

Concerns were provided regarding the potential removal of bird nesting sites for any development, including for a red-tailed hawk. Nesting sites are protected by federal regulations that prohibit the removal of active nests. The nest and associated tree may only be removed when the nest is not being actively used.

STAFF RECOMMENDATION

Overall, the proposed *Capitol Park Cottages* development meets the intent of the underlying SR-1 zoning district (as discussed in [Attachment D](#)), the general zoning requirements, and generally meets the standards required for Planned Development approval (as discussed in [Attachment F](#)). The applicant has made efforts to provide new housing on an underutilized lot in a way that fulfills city plans and policies and provides a benefit to the community.

NEXT STEPS

Planned Development Approval

If the Planned Development application is approved, the applicant will need to comply with the conditions of approval, including any of the conditions required by City departments and the Planning Commission. The applicant will be able to submit building permits for the development, and the plans will need to meet any conditions of approval.

The applicant must also submit a Final Plat to be reviewed by all relevant City Departments and recorded on the property. Final certificates of occupancy for the buildings will only be issued once all conditions of approval are met and the Final Plat has been recorded.

Planned Development Tabled/Continued

If the Planning Commission tables the Planned Development application, the applicant will have the opportunity to make changes to the design and/or further articulate details in order to return to the Planning Commission for further review and a decision on the application.

Planned Development Denial

If the Planning Commission denies the Planned Development application, the applicant will be able to submit a new proposal that meets all of the standards required by the Zoning Ordinance. The proposal will be subject to any relevant zoning standard or planning processes.

Works Cited

Wood, J. & Eskic, D. (2018). Housing Prices and the Threat of Affordability. Kem C. Gardener Institute, University of Utah. <https://d36oiwf74r1rap.cloudfront.net/wp-content/uploads/HousingBrief.pdf>

Molloy, R., Nathanson, C. G., Paciorek, A. (2022) Housing supply and affordability: Evidence from rents, housing consumption and household location. Journal of Urban Economics. <https://doi.org/10.1016/j.jue.2022.103427>

Wood, J, Eskic, D., Benway, D. J., Macdonald-Poelman, K. (2020) Housing Affordability: What Are Best Practices and Why Are They Important? Kem C. Gardener Institute, University of Utah. <https://d36oiwf74r1rap.cloudfront.net/wp-content/uploads/Best-Practices-Dec2020.pdf>

ATTACHMENT A: Vicinity Map



ATTACHMENT B: Submitted Materials

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Capitol Park Cottages
Planned Development Application
December 15th, 2023

Background

Capitol Park Cottages is a 3.21-acre vacant property located in the Salt Lake City Avenues neighborhood. The property is the size of an average Avenues city block and is therefore incredibly unique in that it presents an opportunity for a planned development of scale that does not require the removal of historic buildings or encroachment into the hillsides. Ivory Development is approaching this residential development in a way that recognizes this scarce opportunity.

The vacant land was recently zoned SR-1 and could theoretically support twenty-seven single family detached lots or thirty-four twin homes. Unfortunately, the site is confined on three sides by private property and only has vehicular access from its east and south boundaries. This physical constraint requires an internal roadway design and limits the plausible lots that could be developed on-site.

Developing this property as efficiently as possible, while retaining the project's quality and livability, is an important consideration for our application. In fact, as we pursued our previous re-zone and master plan amendment applications, we heard from Planning Commission and City Council members that this site needs more units. Considering this shared vision between ourselves and the city we obtained the re-zone and are now pursuing a Planned Development and Site Plan application.

This updated application differs significantly from the site and architectural plans that we originally proposed more than three years ago. During our initial application process, we received an extensive amount of feedback from city officials, city staff, and the public at large regarding our plans. In an effort to recenter the focus on the re-zone and master plan application, we tabled our PD application 18 months ago. Since receiving a zone change, we brought in a different land planning consultant and asked them to reimagine our development patterns to increase density, reduce or remove retaining walls, and bring more "Avenues" architectural styles.

At the same time, we were still contemplating precedents already set by the historic Avenues, namely:

- Housing-type variety
- Owner/Renter mix and cohesion
- Family-structure diversity
- Eclectic Architecture

The site plan included with this application has a total of twenty-one lots, some of which will be detached single family, and some will be attached twin homes. The homes will honor a diversity of Avenues architectural precedents and create diverse and attractive streetscapes. The site plan

includes an entire acre of community open space with a ¼ mile recreational trail system. Most importantly, each of the homes has been designed to provide for the ability to incorporate an ADU if desired.

ADUs are a market-oriented tool recognized by the Growing Salt Lake: Five Year Plan that brings progressive easing to the city's housing shortage. The ADUs will attract a mix of multigenerational households and renters living cohesively in the same neighborhood.

Planned Development Purpose and Objective

Capitol Park Cottages meets two critical objectives specifically outlined in the Planned Development ordinance:

- 1. Housing: Providing type of housing that helps achieve the City's housing goals and policies; (21A.55.010.C.2)***

The Capitol Park Cottages Site Plan was designed to facilitate ADUs in new home construction as a distinctive feature.

[Growing SLC: A Five Year Housing Plan](#) 1.1.3 specifically notes that a goal of the city is to "Revise the Accessory Dwelling Unit ordinance to *expand its application* and develop measures to *promote its use*."

Salt Lake City Planning has published a [Guide to Accessory Dwelling Units](#). In the Overview the Planning Division states, "Accessory dwelling units are part of a range of housing types that can help increase the housing supply with minimal impacts to the scale of an existing neighborhood. This makes ADUs a good option to help provide more housing in parts of the city where other types of housing may be too tall, too wide, or too bulky with the surrounding structures." (pg. 4)

Salt Lake City Zoning Code 21A.40.200 requires the Planning Division to submit a yearly report detailing the ADU statistics for the year and giving recommendations for potential improvements to the ordinance.

The [2022 ADUs Annual Report](#) details that since 2018 there had been a total of 170 ADU applications approved under the ordinance. Of the 170 applications only 44 have been built and completed. District 3 has only recorded 7 applications since 2018 and had no applications in 2022. Despite the city making enormous efforts to promote ADUs, very few have been built. As the [2020 report](#) stated "...the ADU ordinance is creating more housing choice. It is just doing it at a very slow rate and at a rate that is not making a noticeable impact..." (pg.11).

Prospective buyers of the homes will be able to show the expected income from rental of the ADUs; qualifying them for more than they would otherwise be allotted. Owners would be able to use the income from the rental to offset their mortgage cost and significantly decrease their percentage of income dedicated to housing.

Prospective tenants of the ADUs will have an attractive opportunity to find attainable units in an area of the upper avenues where rental supply is considerably low. The average monthly rent of a 1-bedroom unit in the Avenues is \$1,366. Even if the units were to let at the 95th percentile of

their bedroom type, rents would be expected not to exceed \$2,000 (See Exhibit A). ADUs are unique in the rental pool in that they frequently attract family or friends of those occupying the primary unit. In these scenarios it is often found that rents are offered below market pricing.

While the social and individual benefits of ADUs are wide ranging their implementation has been narrow and limited. ADUs have customarily been retrofitted to existing homes and lots. Retrofitting involves challenges with regard to design, construction, infrastructure, parking and financing; all of which stymie greater adoption of ADUs.

ADUs as part of a newly built neighborhood allow us to plan for those challenges and make this community blend into the surrounding neighborhood. Capitol Park Cottages can set a precedent for future builders and developers to consider adding in ADUs when constructing a new home.

Furthermore, financing and costs continue to be a constraint to adding more ADUs to existing neighborhoods. It is noted that the cost of additional utilities can be prohibitive, but in our case it simply is not. We are already going to be installing new sewer, water, power, and gas, so the incremental increase to infrastructure is minimal at best.

2. Open Space and Natural Lands: Inclusion of public recreational opportunities, such as new trails...Clustering of development to preserve open spaces. (21A.55.010.A.1&6)

The project site has been designed in a manner to cluster development through reduction of private lot sizing and typical building setbacks. By concentrating the buildable areas, the project is able to incorporate nearly an acre of open space that will be programed for resident and public recreational use.

A quarter mile of paved walking trail will loop and intersect the community. Each home in the community will have direct front door access to this trail and the public can access the trail loop directly from F Street or Capitol Park Avenue.

Consistency with Avenues Master Plan

The Master Plan was amended for this property along with a zone change in the summer of 2022. The property is zoned as SR-1 and as Low Density in the city's Master Plan. The application is consistent with all density requirements per its Master Plan designation.

Consistency with City Wide Master Plans

Housing SLC 2023-2027 includes in its 5th key finding that "There is a mismatch between the types of housing the market is producing and the needs of the community...Additionally, residents want more "missing middle" housing and more family-sized housing."

Family-Sized housing is defined by **Housing SLC** as including housing units with 3+ bedrooms. Each of the 21 proposed units in the project are definitionally "family-sized".

Compatibility with the surrounding neighborhood

Today the historic hospital property has been rezoned RMF-35 and was converted into the Meridian Condominiums, a five-story condominium building. Directly across the street to the east is the historical avenues block pattern, to our north is Northpoint, a 49-unit townhome community and finally to our west, Capitol Park Estates, Planned Unit Development.

In other words, there is no single land use in the surrounding neighborhood(s), so compatibility is a difficult metric for this property.

(Exhibit “B” surrounding development)

Inclusion of appropriate landscaping

Capitol Park Cottages will include full yard landscaping around each of the twenty-one homes that will be installed by Ivory and maintained by an HOA. Lot landscaping will be varied and include water-wise techniques.

Our water-wise techniques were developed in partnership with the Jordan Valley Water Conservancy District’s “Localscape” program. The intent of Localscapes is to provide for efficient, functional, and beautiful landscape designs that recognize the unique climate of Utah. Our design will reserve irrigation-intensive sod for those areas that use it most and install water efficient landscape arrangements everywhere else.

Street trees will be planted along F Street, Capitol Park Avenue, and the private road in the interior of the project. The trees will provide an even canopy through and around the project.

The open space trail loop will be dedicated to the HOA and built to provide recreation and community gathering opportunities for the residents and the public.

Mobility

All twenty-one lots will have vehicular access through the private alley. The alley will make a connection from F Street to Capitol Park Avenue

With garages and driveways, and visitor parking there will be a total of 90 parking spaces. All parking will be accessed internally within the project and from the rear of each unit.

The front door of each home will have a direct connection to the open space and trail system.

Preservation of natural and built features that significantly contribute to the surrounding character.

The property is vacant and includes no built features. The native vegetation includes several wild trees. Existing trees will be removed as part of the construction of the development. All trees will be replaced on site or otherwise as permitted by the Salt Lake City Private Tree Ordinance.

During the rezone and master plan amendment process the city listed the natural grade of site as a valuable natural feature. In our redesign we have used architectural changes to preserve the natural slope and eliminate most retaining walls.

No detrimental effect on city utilities

There will be no detrimental effect on the city utilities. Salt Lake Public Utilities had reviewed an early conceptual plan and determined that there is adequate sewer, storm drain, culinary water and transportation capacity in the system.

Road and sidewalk infrastructure have never been completed along F Street. The development of Capitol Park Cottages will complete this public infrastructure project.

Capitol Park Avenue is a private street, as will be the interior of Capitol Park Cottages. No additional street maintenance requirements will be necessary from Salt Lake City. The original developer of The Meridian and Capitol Park granted an easement to connect utilities and have vehicular access through Capitol Park Avenue with a cost sharing agreement with the Meridien which meets all requirements of both the building and fire codes.

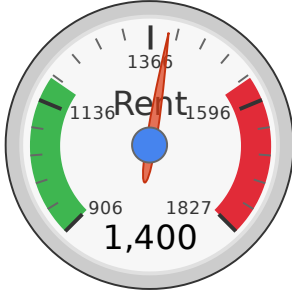
Exhibit A

11/01/2023 Avenues Rental Report



Hero Property Management
(801) 845-4390
info@rentinghero.com

Your rent is reasonable for your area.



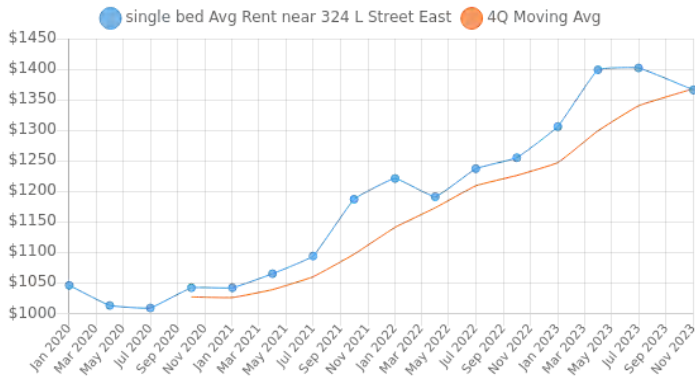
324 L Street East Salt Lake City, UT

Results based on 25, single bedroom rentals seen within 12 months in a 1.00 mile radius.

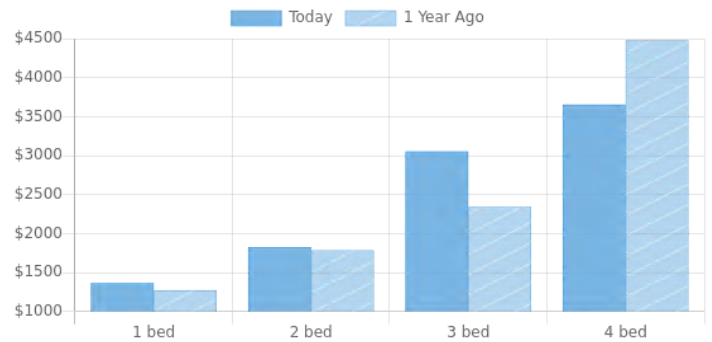
AVERAGE	MEDIAN	25TH PERCENTILE	75TH PERCENTILE
\$1,366 $\pm 4\%$	\$1,350	\$1,177	\$1,555

Report generated: 01 Nov 2023

Historical Trend Line



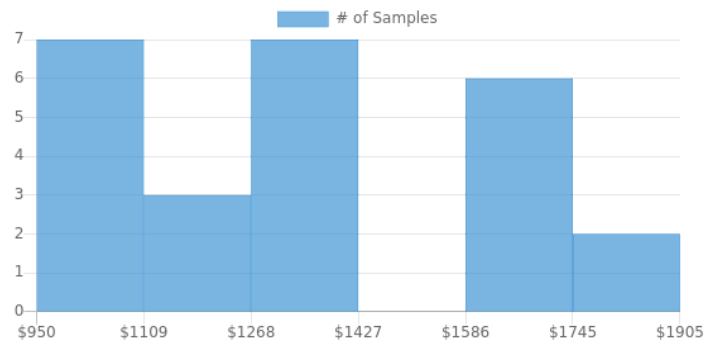
Average Rent by Bedroom Type



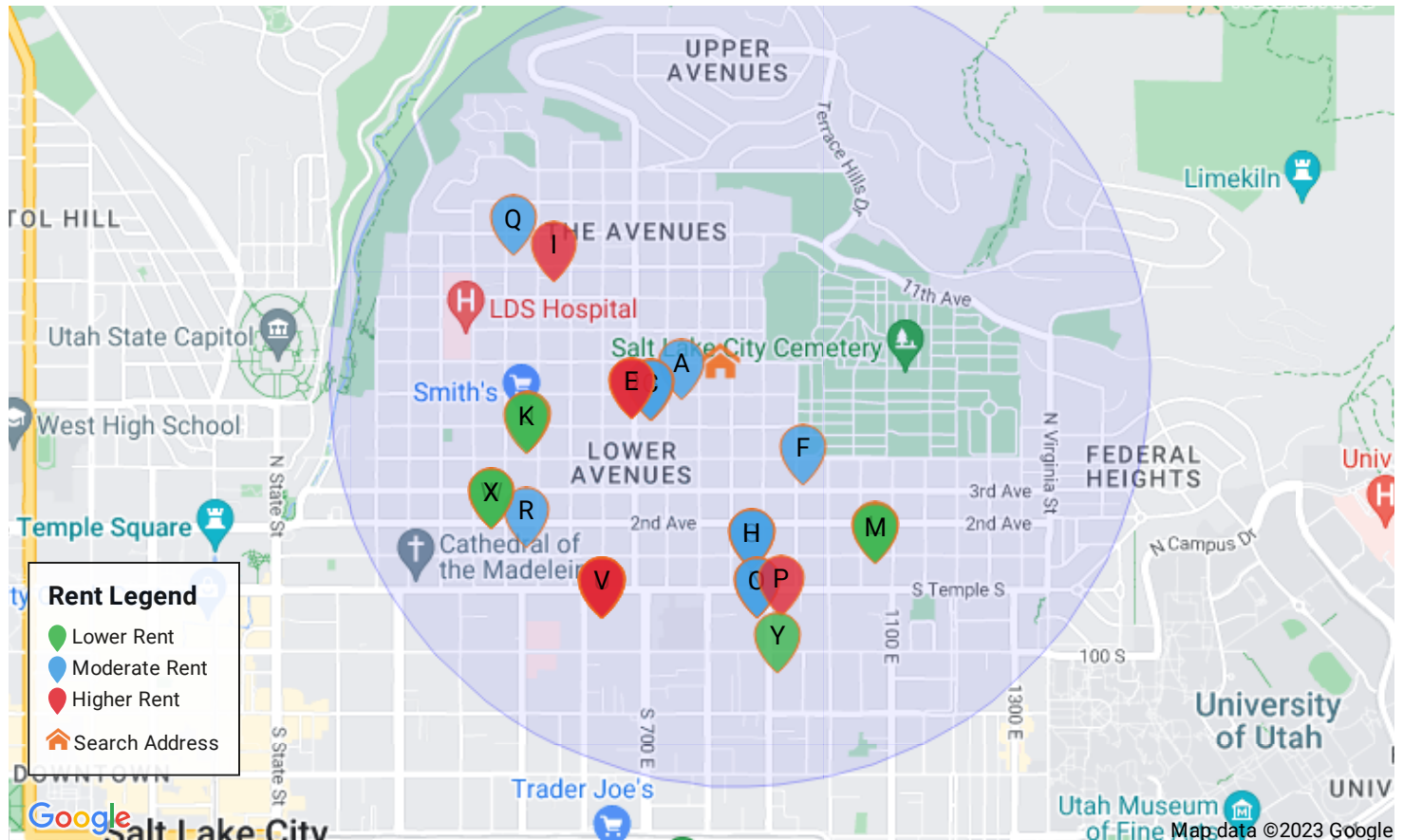
Summary Statistics

Sample Size	25
Sample Min	\$950
Sample Max	\$1,900
Sample Median	\$1,350
Sample Mean	\$1,366
Sample Standard Deviation	\$280
25th – 75th Percentile	\$1,177 – 1,555
10th – 90th Percentile	\$1,008 – 1,725
5th – 95th Percentile	\$906 – 1,826

Rent Distribution



Sample of Listings Used



Address	Distance	Rent	Size	\$/ft²	Beds	Baths	Bldg Type	Last Seen
A 668 E 6th Ave, Salt Lake City, UT 84103	0.2 mi	\$1,250	900 ft²	\$1.39/ft²	1 bed	1ba	House	Sep 2023
B 619 E 5th Ave, Salt Lake City, UT 84103	0.31 mi	\$1,350	800 ft²	\$1.69/ft²	1 bed	1ba	Condo	Mar 2023
C 619 E 5th Ave, Salt Lake City, UT 84103	0.32 mi	\$1,295	778 ft²	\$1.66/ft²	1 bed	1ba	Condo	Sep 2023
D 64 I St, Salt Lake City, UT 84103	0.37 mi	\$1,650	525 ft²	\$3.14/ft²	1 bed	1ba	Condo	Dec 2022
E 64 I St, Salt Lake City, UT 84103	0.37 mi	\$1,595	500 ft²	\$3.19/ft²	1 bed	1ba	Condo	Dec 2022
F 851 E 3rd Ave #4, Salt Lake City, UT 84103	0.4 mi	\$1,350	550 ft²	\$2.45/ft²	1 bed	1ba	Condo	Dec 2022
G 31 M St E, Salt Lake City, UT 84103	0.62 mi	\$1,295	650 ft²	\$1.99/ft²	1 bed	1ba	Condo	Sep 2023
H 31 M St E, Salt Lake City, UT 84103	0.62 mi	\$1,400	675 ft²	\$2.07/ft²	1 bed	1ba	Condo	Jul 2023
I 456 Victoria Pl N, Salt Lake City, UT 84103	0.67 mi	\$1,795	1,000 ft²	\$1.80/ft²	1 bed	1ba	House	Jan 2023
J 425 E 4th Ave, Salt Lake City, UT 84103	0.72 mi	\$995	566 ft²	\$1.76/ft²	1 bed	1ba	Condo	Sep 2023
K 425 E 4th Ave #2, Salt Lake City, UT 84103	0.72 mi	\$950	453 ft²	\$2.10/ft²	1 bed	1ba	Condo	Nov 2022
L 970 E 1st Ave #3, Salt Lake City, UT 84103	0.74 mi	\$1,100	550 ft²	\$2.00/ft²	1 bed	1ba	House	Sep 2023
M 970 E 1st Ave, Salt Lake City, UT 84103	0.74 mi	\$1,100	550 ft²	\$2.00/ft²	1 bed	1ba	House	Sep 2023

	Address	Distance	Rent	Size	\$/ft²	Beds	Baths	Bldg Type	Last Seen
N	40 S 900 E, Salt Lake City, UT 84102	0.78 mi	\$1,425	600 ft²	\$2.38/ft²	1 bed	1ba	Apartment	Oct 2023
O	40 S 900 E, Salt Lake City, UT 84102	0.78 mi	\$1,425	656 ft²	\$2.17/ft²	1 bed	1ba	Apartment	Oct 2023
P	41 S 900 E, Salt Lake City, UT 84102	0.78 mi	\$1,625	624 ft²	\$2.60/ft²	1 bed	1ba	Apartment	Oct 2023
Q	514 E St E, Salt Lake City, UT 84103	0.82 mi	\$1,250	642 ft²	\$1.95/ft²	1 bed	1ba	Apartment	Sep 2023
R	427 E 1st Ave, Salt Lake City, UT 84103	0.87 mi	\$1,180	728 ft²	\$1.62/ft²	1 bed	1ba	House	Aug 2023
S	33 S 600 E, Salt Lake City, UT 84102	0.89 mi	\$1,716	744 ft²	\$2.31/ft²	1 bed	1ba	Apartment	Sep 2023
T	33 S 600 E, Salt Lake City, UT 84102	0.89 mi	\$1,900	616 ft²	\$3.08/ft²	1 bed	1ba	Apartment	Sep 2023
U	33 S 600 E, Salt Lake City, UT 84102	0.89 mi	\$1,666	688 ft²	\$2.42/ft²	1 bed	1ba	Apartment	Sep 2023
V	33 S 600 E, Salt Lake City, UT 84102	0.89 mi	\$1,725	730 ft²	\$2.36/ft²	1 bed	1ba	Apartment	Oct 2023
W	376 2nd Ave #3, Salt Lake City, UT 84103	0.94 mi	\$1,095	566 ft²	\$1.93/ft²	1 bed	1ba	Condo	Nov 2022
X	376 2nd Ave, Salt Lake City, UT 84103	0.94 mi	\$1,025	616 ft²	\$1.66/ft²	1 bed	1ba	Condo	Mar 2023
Y	125 S 900 E, Salt Lake City, UT 84102	0.96 mi	\$985			1 bed	1ba	Apartment	Sep 2023

Public Record Data

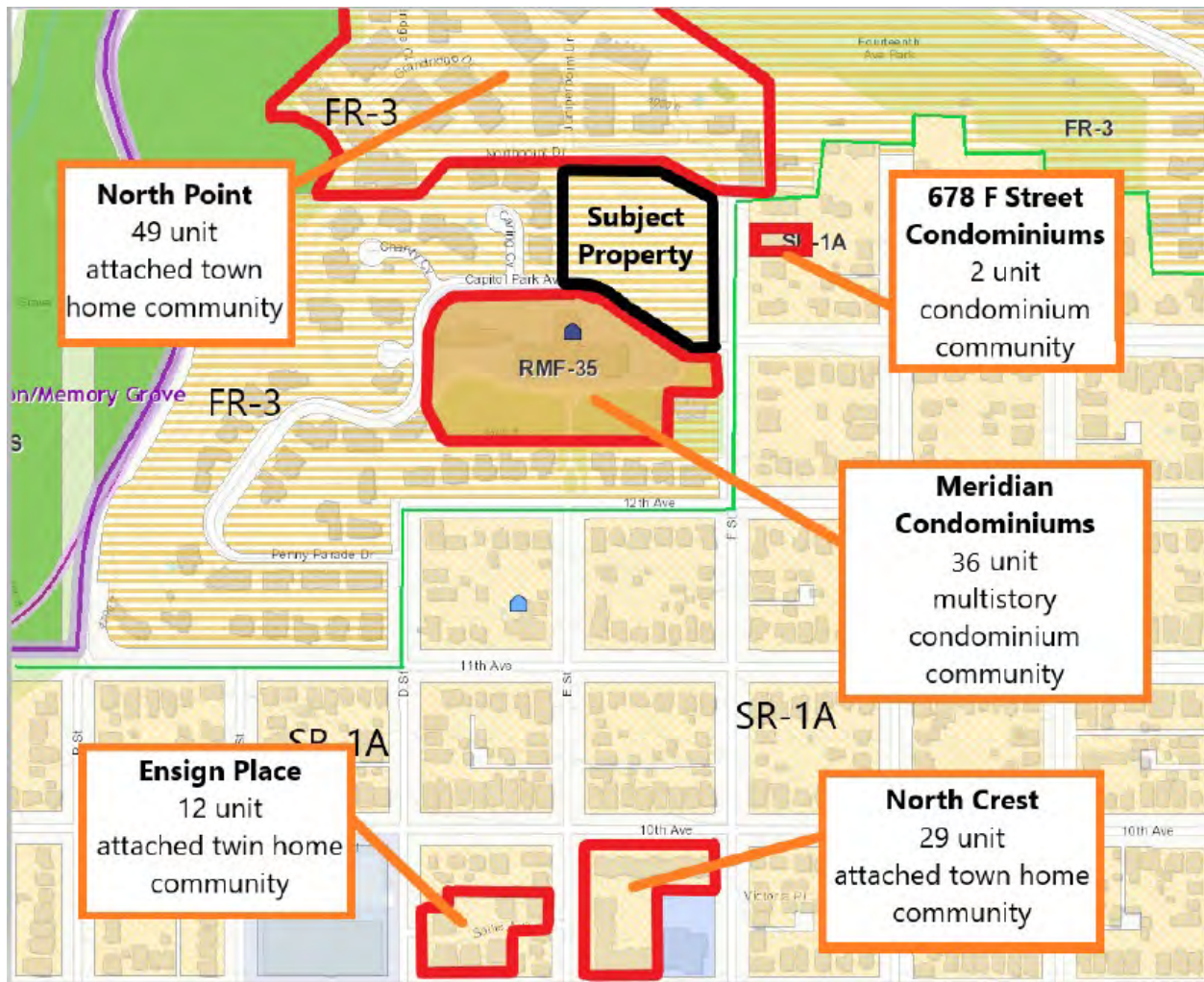
This information is compiled from various public sources and has not been verified by Rentometer. We do not have the ability to change this information.

Vitals		Property Size	
Bedrooms	6	Building Area	2,403 ft²
Baths	2	Lot Area	0.1600 acres
Year Built	1918	Lot Dimensions	0.0×0.0
Property Use Group	Residential		
Tax Information		Deed Information	
Year Assessed	2023	Mortgage Amount	\$599,541
Assessed Value	\$378,455	Mortgage Date	2019-09-18
Tax Fiscal Year	2022	Lender Name	CITY CREEK MORTGAGE CORP
Tax Rate Area	13		
Tax Billed Amount	\$4,154.69		
Sale Information		Other Information	
Assessor Last Sale Date		Roof Material	Asphalt
Assessor Last Sale Amount	\$0	HVAC Cooling Detail	Unknown
Deed Last Sale Date	2019-09-18	HVAC Heating Detail	Central
Deed Last Sale Amount	\$0	HVAC Heating Fuel	Unknown

The research and data included in this report is aggregated from a variety of sources and many are third parties that are not affiliated with Rentometer, Inc. The information is believed to be accurate, but Rentometer, Inc. does not provide a warranty of any kind, either expressed or implied.

Exhibit B

Surrounding Development





December 2023

UDA

CAPITOL PARK COTTAGES

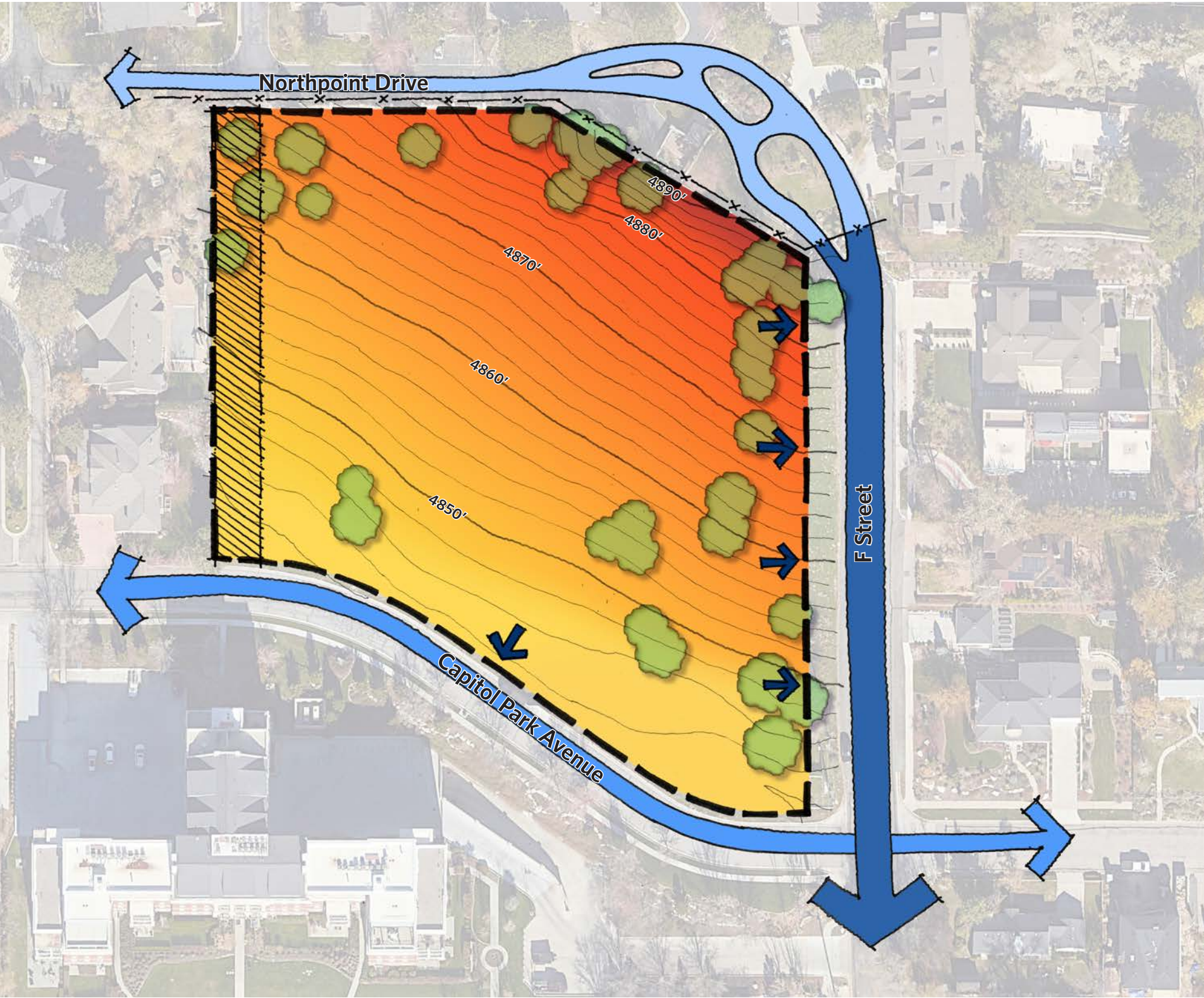
Salt Lake City, Utah

DESIGN PRINCIPLES

- Develop a sensitive site plan with a variety of architecture to complement the surrounding neighborhood
- Create a public amenity, walking path through the new neighborhood
- Address affordability by providing ADUs and building additional housing
- Minimize Retaining Walls
- Provide ample parking for homes and visitors



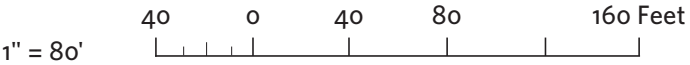
DESIGN PRINCIPLES

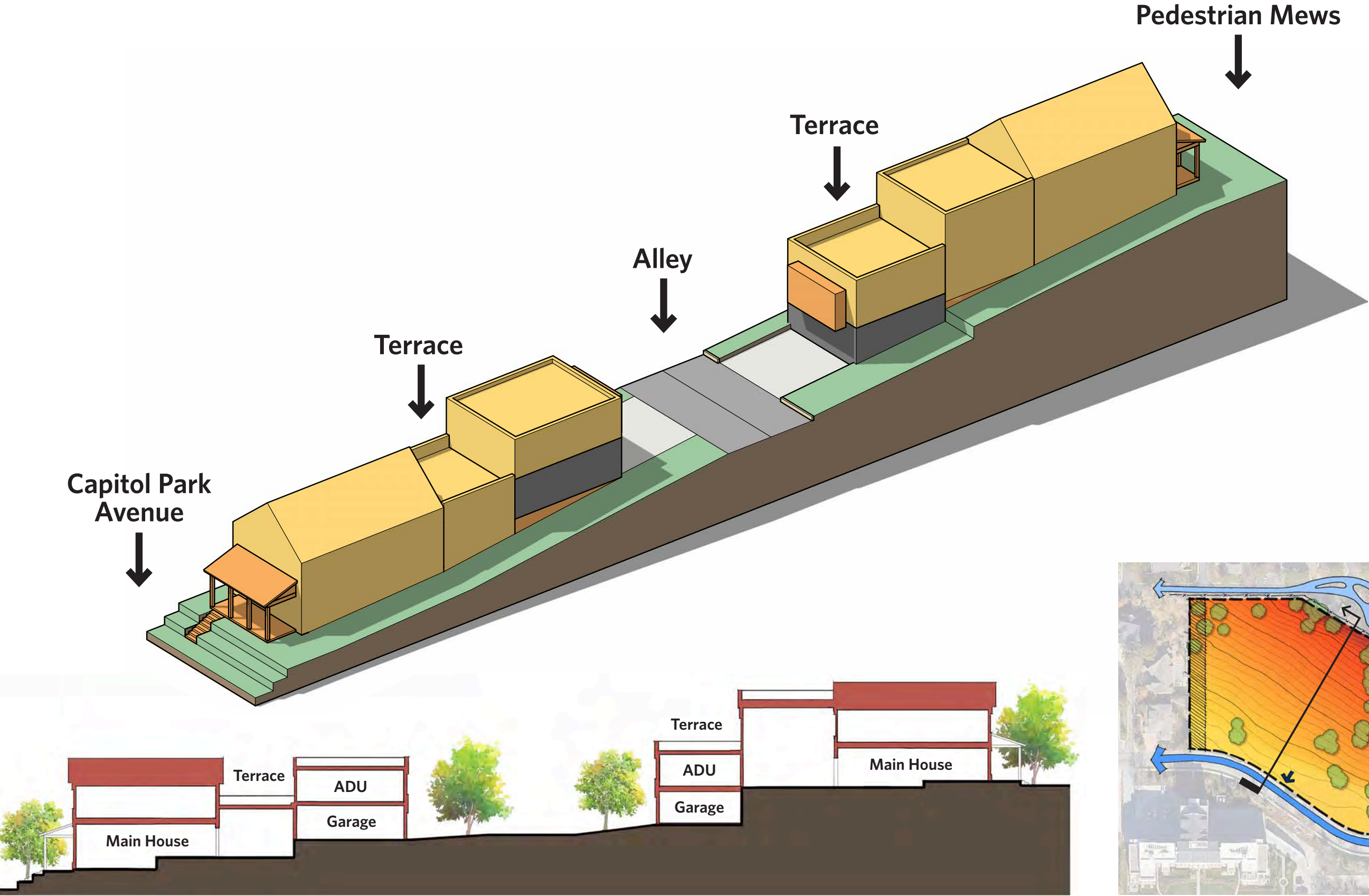


- x- FENCE
- 2' CONTOURS
- 10' CONTOURS
- 30' BUFFER
- ➔ ALLOWABLE CURB CUTS*
- * Only 1 curb cut is allowed on South Capitol Park Avenue, whereas multiple curb cuts are allowed on F Street
- PUBLIC ROAD
- PRIVATE ROAD
- PRIVATE ROAD, INACCESSIBLE TO THE SITE
- SITE BOUNDARY

CONSTRAINTS | Plan

IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / DECEMBER 2023

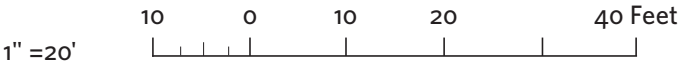




URBAN DESIGN ASSOCIATES

CONSTRAINTS | Section

IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / DECEMBER 2023





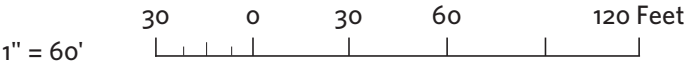
View of F Street, looking north



View of Capitol Park Ave, looking west

ILLUSTRATIVE PLAN

IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / DECEMBER 2023





COMMUNITY AMENITY

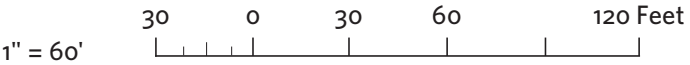
- Appx. 1.0 Acre of Community open space amenity
- 1/4 mile Recreational trail loop
- Benches for seating located on trail loop

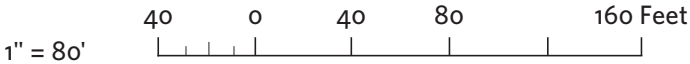
LANDSCAPE PRINCIPLES

- Native vegetation
- Utilize water-wise principles
- Street trees to provide shaded walkways
- Preserve existing trees when possible

LANDSCAPE & AMENITY PLAN

IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / DECEMBER 2023





SITE PLAN & PROGRAM

IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / DECEMBER 2023

UNIT COUNT

Unit Type	Main	Optional ADU
24' Single Family Units	7	7
24' Twin Home Units	5	5
18' Twin Home Units	9	9
Total	21	21

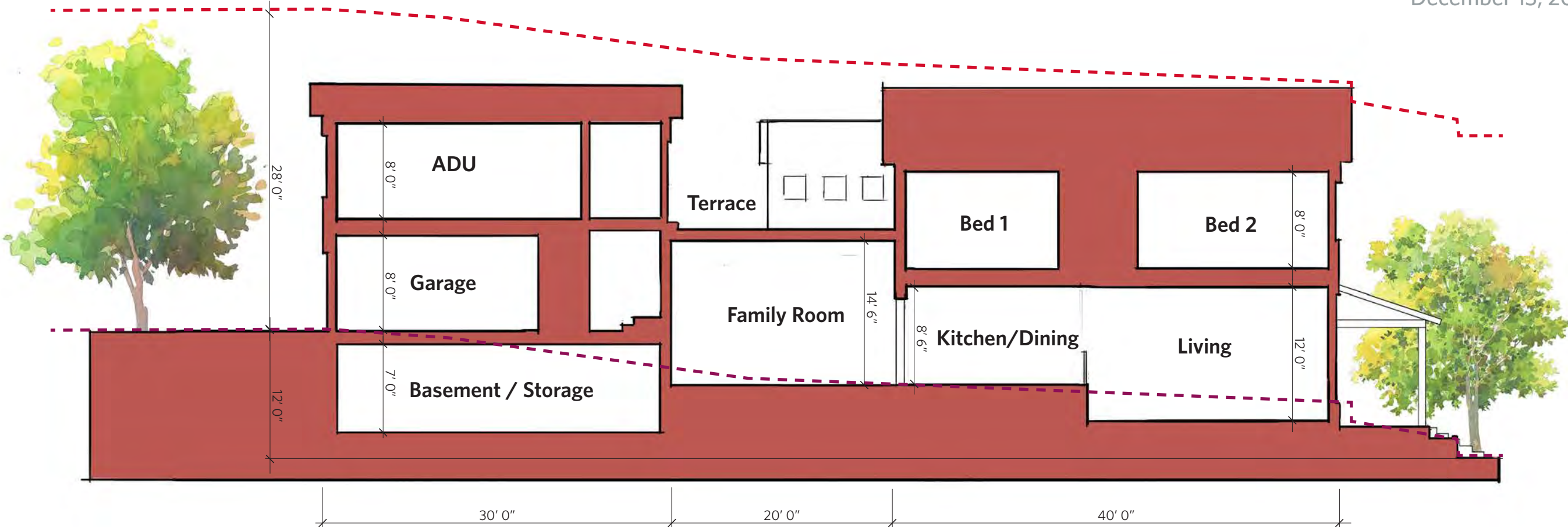
PARKING COUNT

Type	Quantity
Garage	44
On-Lot Surface	41
Visitor	4
Total	89

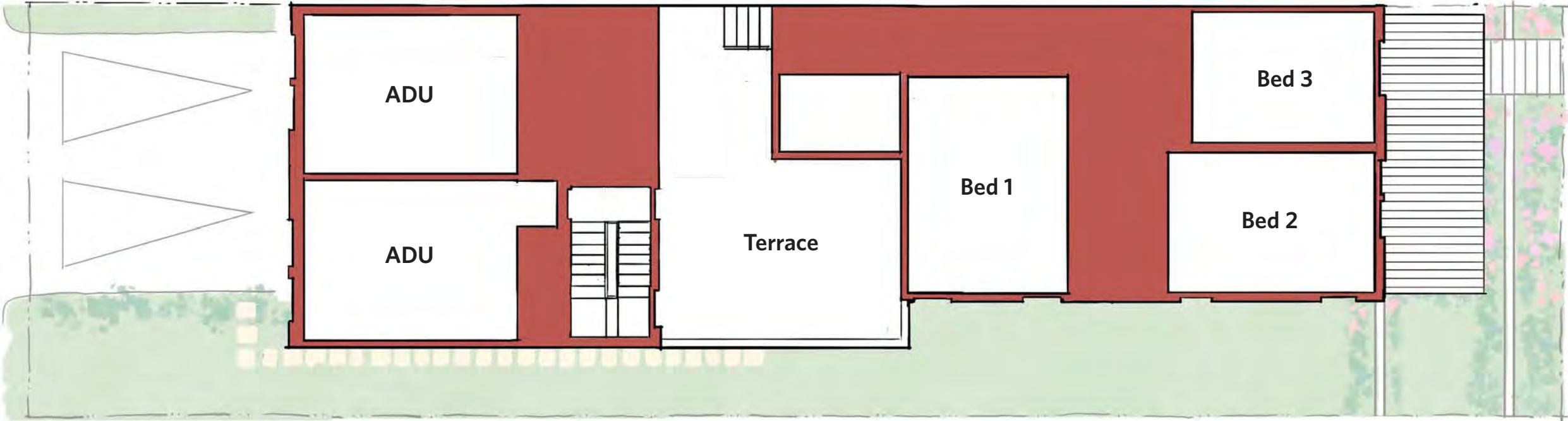
TOTAL BUILDABLE GSF*

Type	Qty.	Area/Unit
24' Wide Uphill	4	4,550sf
24' Wide Downhill Detached	4	3,810 sf
24' Wide Downhill Attached	2	3,570 sf
18' Wide Uphill	6	4,010 sf
18' Wide Downhill	3	3,180 sf
F Street Uphill	1	2,900 sf
F Street Downhill	1	2,775 sf
Total	21	79,855 sf

* Includes basement/storage area.



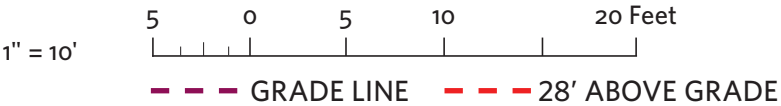
LOT SECTION

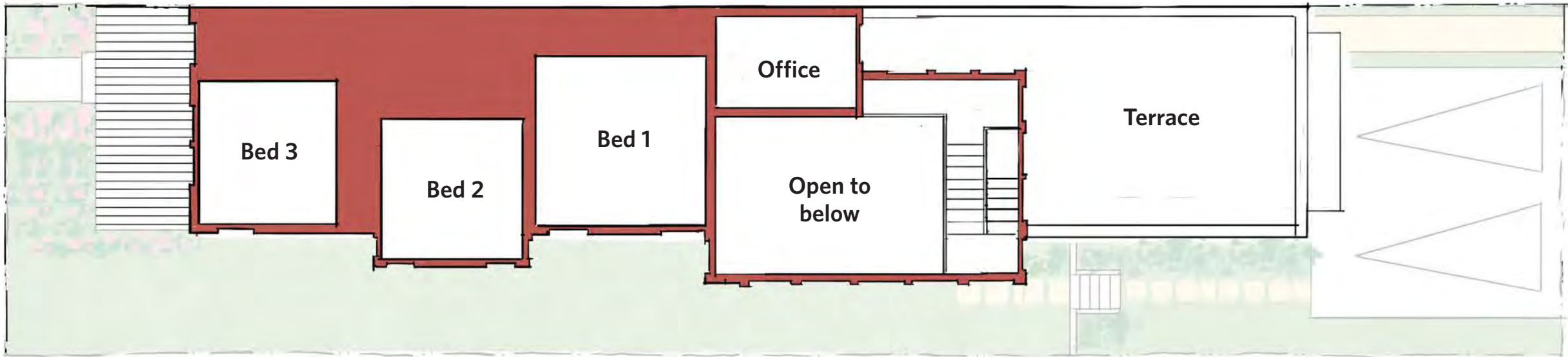
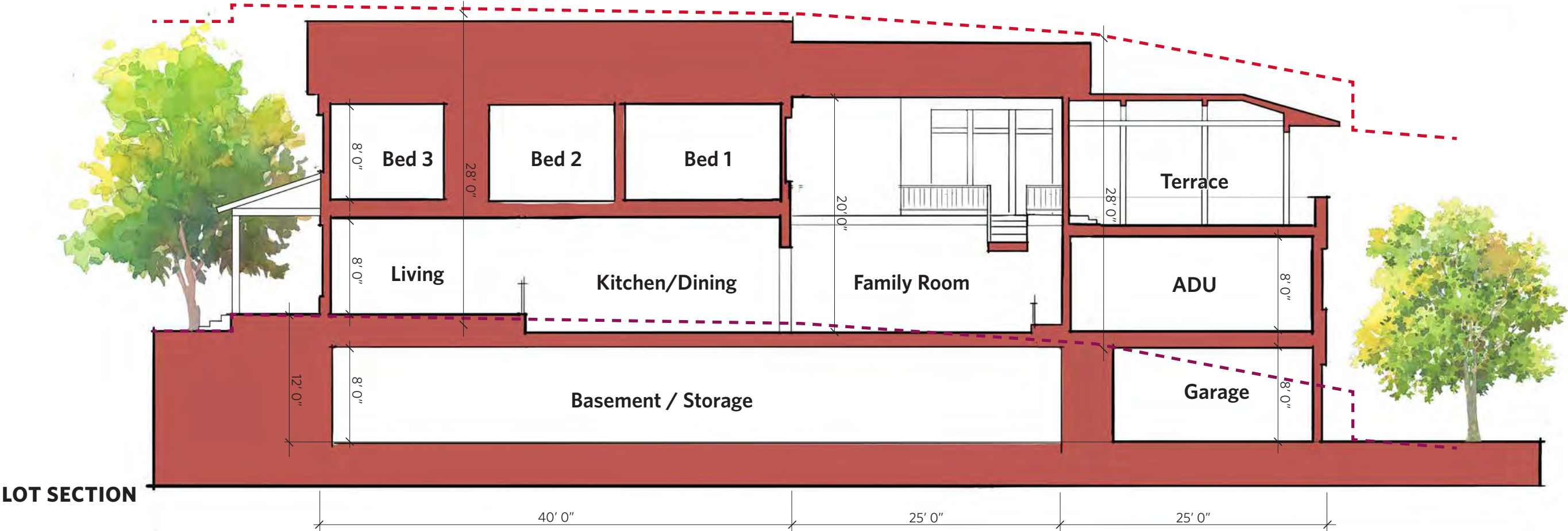


LOT PLAN

DOWNHILL LOT | 24' Wide Unit

IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / DECEMBER 2023

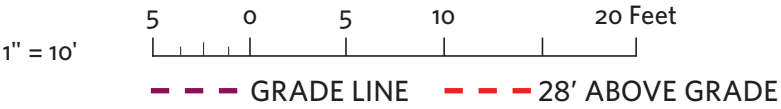




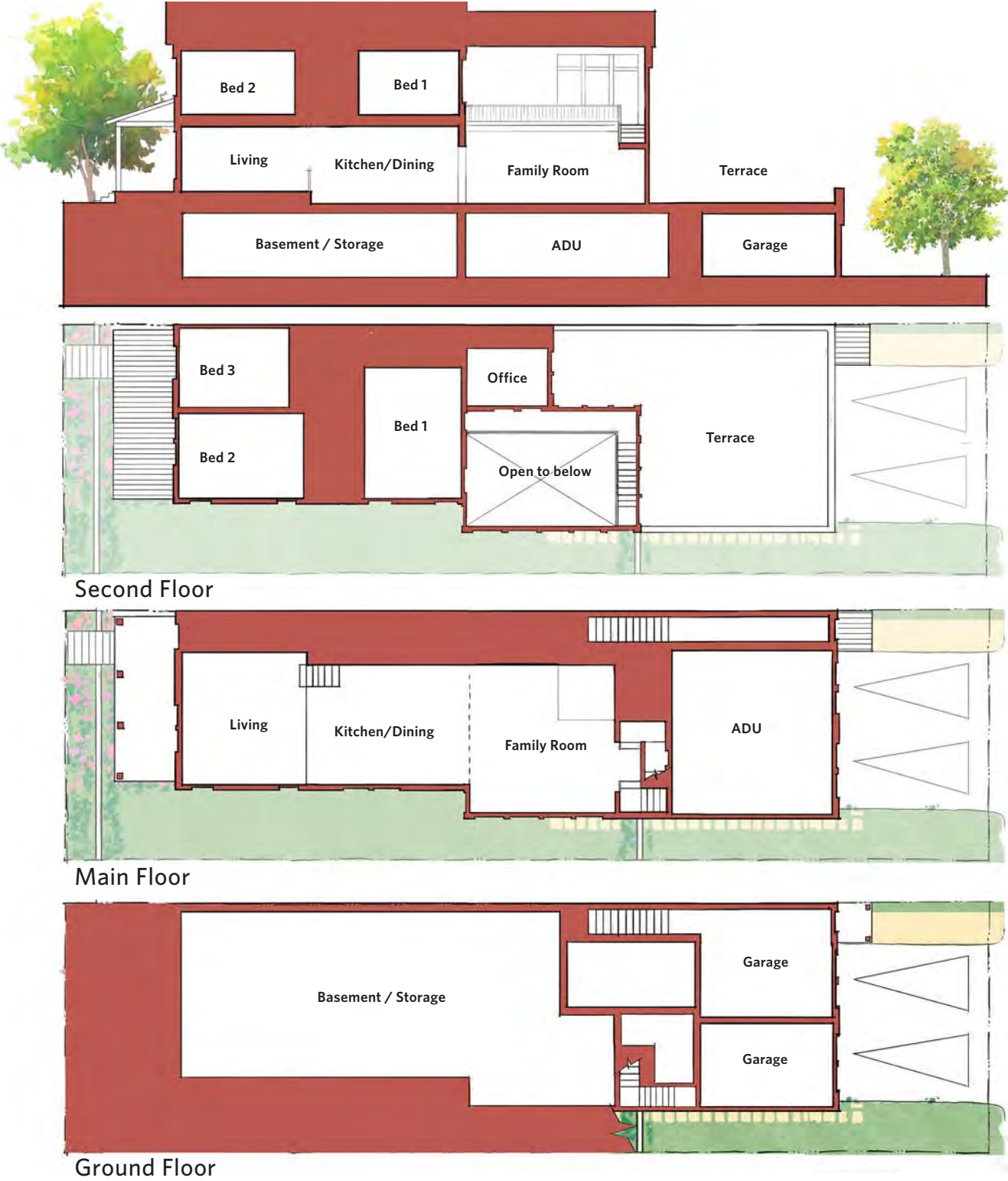
LOT PLAN

UPHILL LOT | 18' Wide Unit

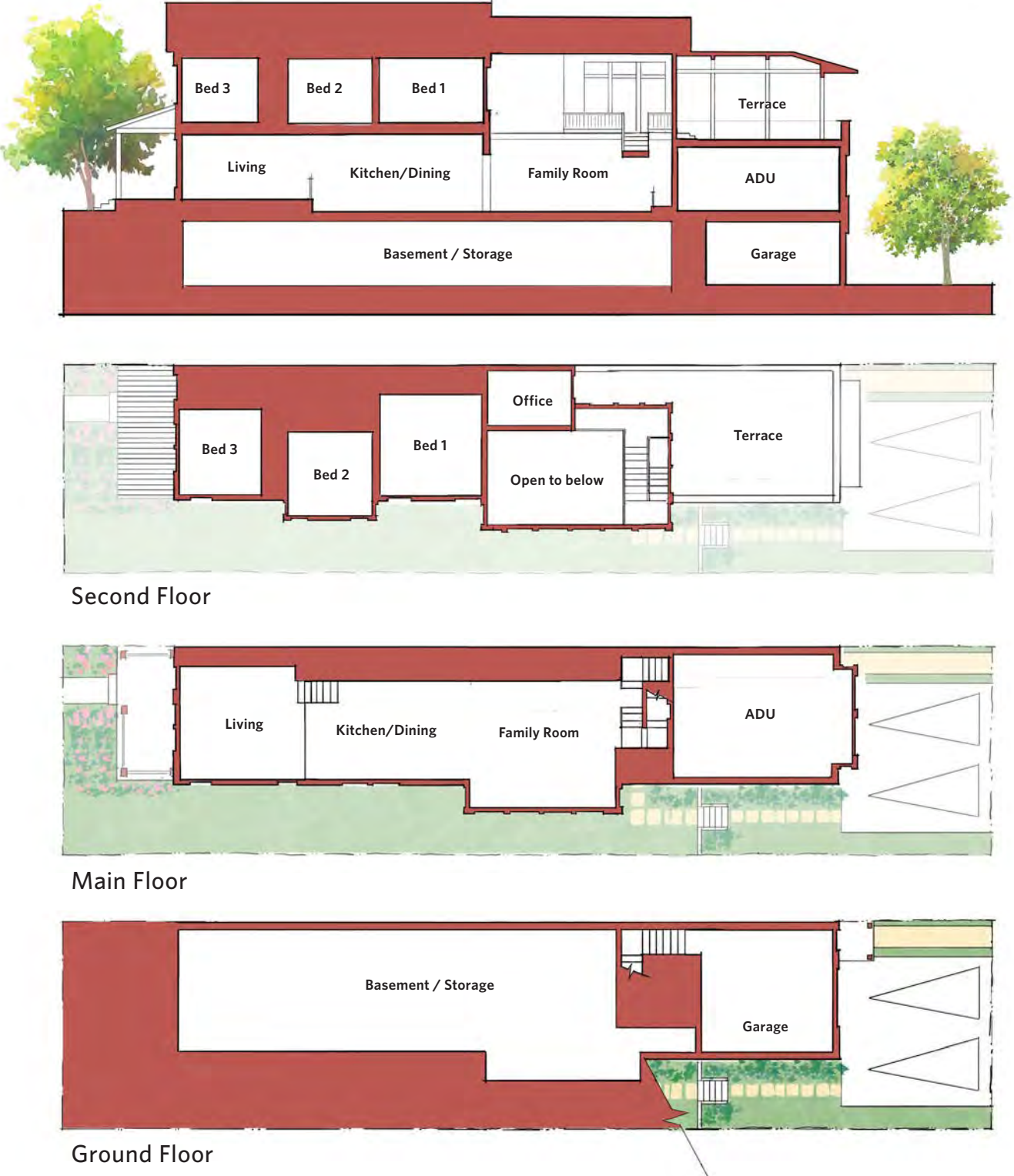
IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / DECEMBER 2023



UPHILL LOT 24' WIDE

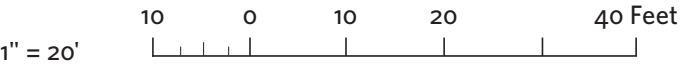


UPHILL LOT 18' WIDE

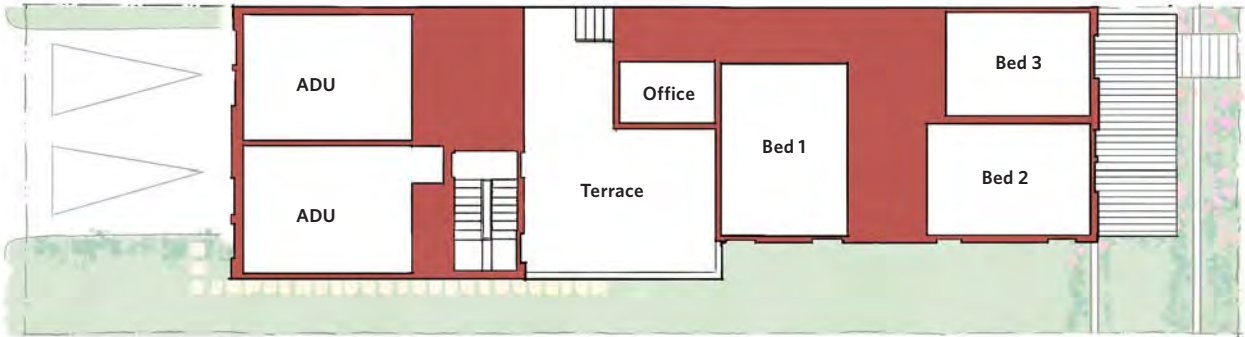


UPHILL UNIT | PLANS & SECTIONS

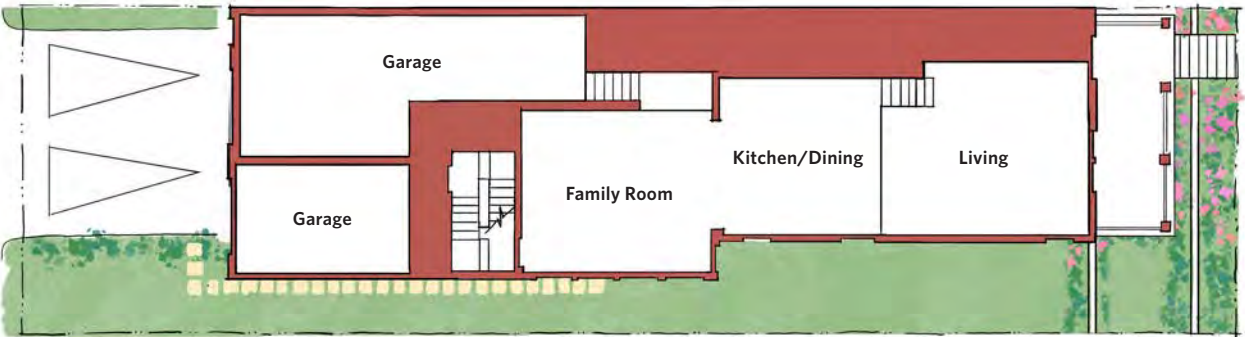
IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / DECEMBER 2023



DOWNHILL LOT 24' WIDE

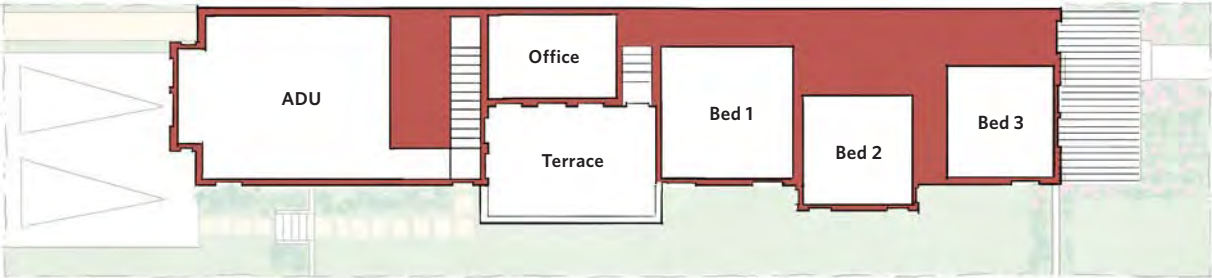


Second Floor

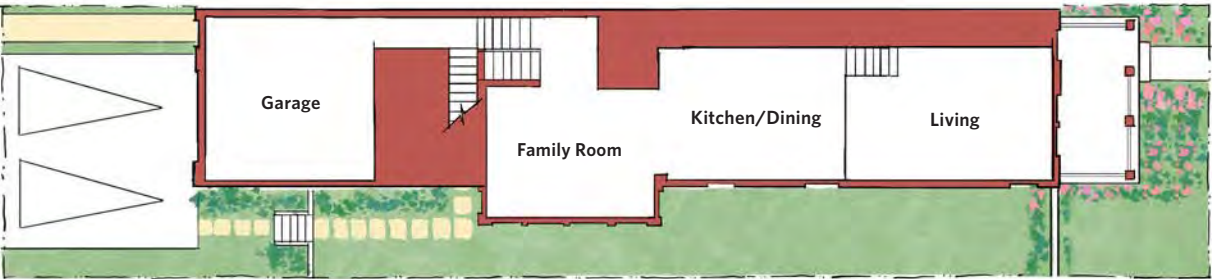


Main Floor

DOWNHILL LOT 18' WIDE



Second Floor

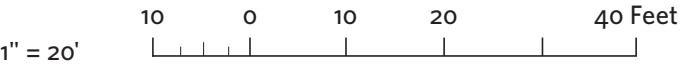


Main Floor

URBAN DESIGN ASSOCIATES

DOWNHILL UNIT | PLANS & SECTIONS

IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / DECEMBER 2023





Arts & Crafts



European Romantic



Colonial Revival

PRECEDENTS | Surrounding Salt Lake City Neighborhoods

IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / DECEMBER 2023



VIEW | Capitol Park Avenue

IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / DECEMBER 2023



Facade Type A



Facade Type B

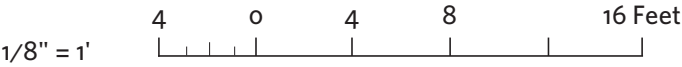


Facade Type C

URBAN DESIGN ASSOCIATES

ELEVATIONS | 24' Wide Units

IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / DECEMBER 2023



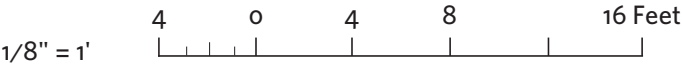


Facade Type A - A

Facade Type A - A'

ELEVATIONS | Twin Home Options

IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / DECEMBER 2023





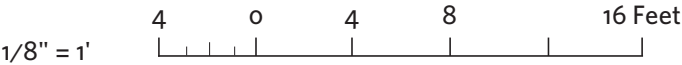
Facade Type B - B



Facade Type C - C

ELEVATIONS | Twin Home Options

IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / DECEMBER 2023





Twin Home

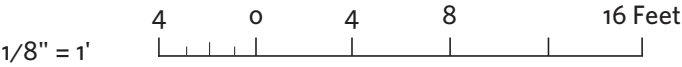


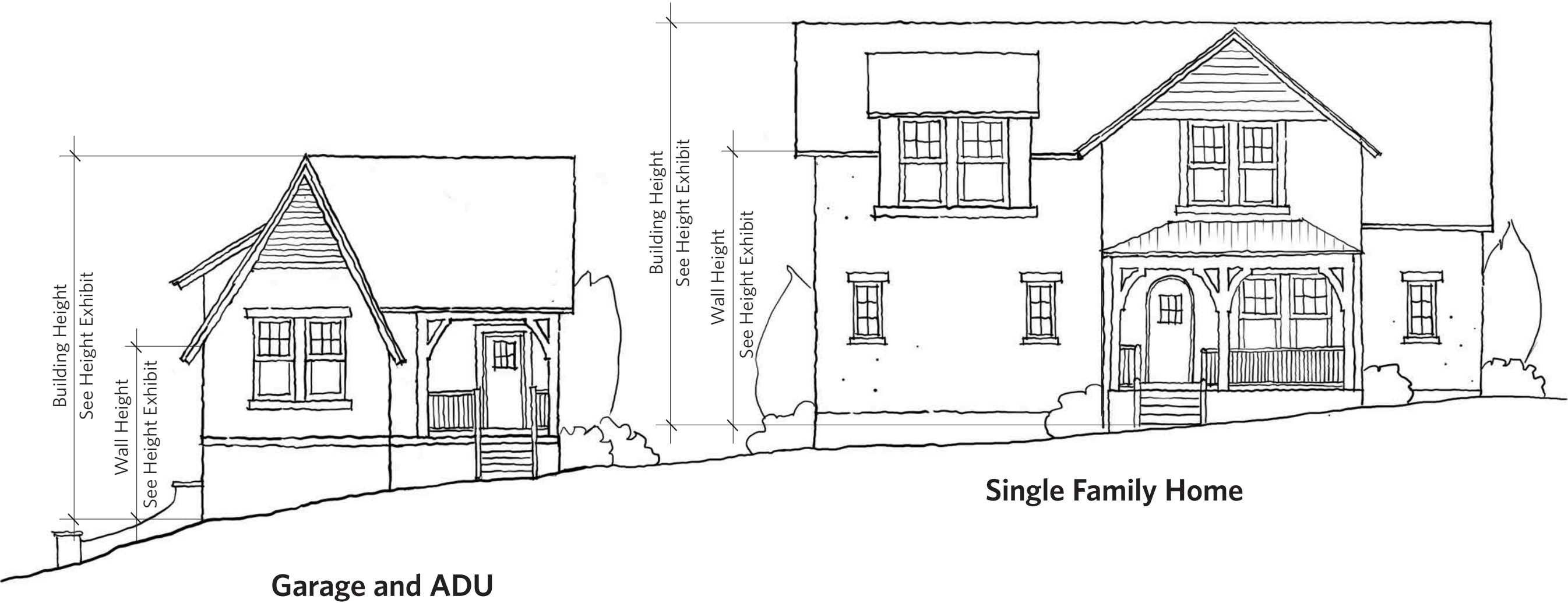
Garage and ADU

URBAN DESIGN ASSOCIATES

ELEVATIONS | Side Facades

IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / DECEMBER 2023

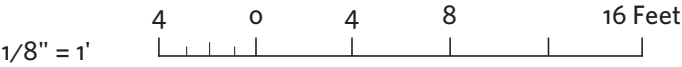




URBAN DESIGN ASSOCIATES

ELEVATIONS | Side Facades

IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / DECEMBER 2023





CAPITOL PARK AVENUE



F STREET

STREET FACADES



VIEW | New Internal Street, Looking East

IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / DECEMBER 2023



Creating a sense of place through collaboration, context, and community.



VICINITY MAP
1" = 100'

CAPITOL PARK COTTAGES

SALT LAKE CITY, UTAH

PRELIMINARY PLANS



2815 East 3300 South, Salt Lake City, UT 84109
(801) 305-4670 www.edmpartners.com

OWNER:
Ivory Development
978 East Woodoak Lane
Salt Lake City, UT 84117
801-747-7000
IVORYHOMES
Utah's Number One Homebuilder

NOTES:

GEOTECHNICAL STUDY

A SITE SPECIFIC GEOTECHNICAL STUDY HAS BEEN PREPARED FOR THIS PROJECT BY IGES. THE REPORT IS DATED MARCH 3, 2020, AND WAS PREPARED BY JUSTIN WHITMER, PE. IT IS IDENTIFIED BY IGES PROJECT NUMBER 02058-118. THE REQUIREMENTS OUTLINED IN THIS STUDY SHALL BE FOLLOWED ON THIS PROJECT.

SHEET INDEX

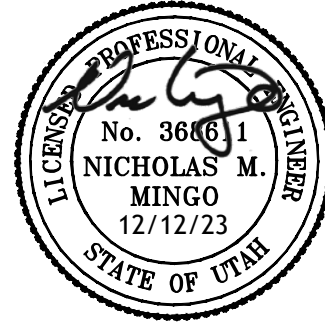
- | | |
|-----|---------------------------|
| O-1 | TITLE SHEET |
| - | SUBDIVISION PLAT |
| O-3 | SITE PLAN |
| O-4 | UTILITY PLAN |
| O-5 | GRADING AND DRAINAGE PLAN |
| O-6 | LOT DIMENSION PLAN |
| O-7 | PARKING PLAN |
| O-8 | TREE REMOVAL PLAN |

LEGEND

- | | |
|--|------------------------------|
| | SDR 35 SANITARY SEWER |
| | EXISTING SANITARY SEWER |
| | SANITARY SEWER MANHOLE |
| | PVC C-900 WATER LINE |
| | EXISTING WATER LINE |
| | WATER VALVE, TEE & BEND |
| | FIRE HYDRANT |
| | EXISTING FIRE HYDRANT |
| | PVC C-900 SEC. WATER LINE |
| | EXISTING IRRIGATION LINE |
| | SEC. WATER VALVE, TEE & BEND |
| | PROPOSED STREET LIGHT |
| | EXISTING OVERHEAD UTILITY |
| | RCP CL III STORM DRAIN |
| | EXISTING STORM DRAIN |
| | SD COMBOBOX, CB & CO |
| | PROPOSED UNDER DRAIN |
| | EXISTING UNDER DRAIN |
| | UNDER DRAIN CLEANOUT |
| | EXISTING MAJOR CONTOUR |
| | EXISTING MINOR CONTOUR |
| | PROPOSED MAJOR CONTOUR |
| | PROPOSED MINOR CONTOUR |

BENCHMARK

THE PROJECT BENCHMARK IS A BRASS CAP STREET MONUMENT IN A WELL AT THE INTERSECTION OF "F" STREET AND 13TH AVENUE. THE ELEVATION OF THE BRASS CAP IS 4840.88'.



Capitol Park Cottages

Title Sheet

PROJECT:	
DRAWN BY:	KMW
REVIEWED BY:	NMM
REVISIONS:	
No. DATE	REMARKS

DATE: December 12, 2023

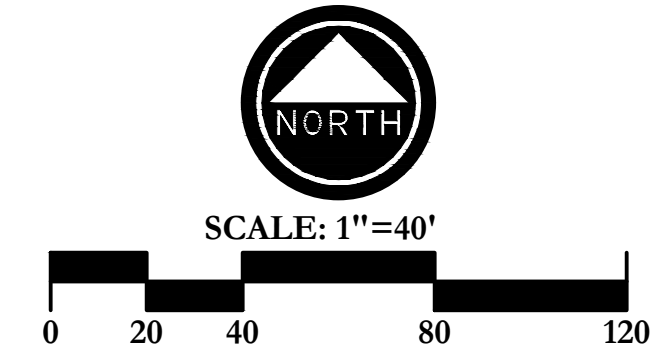
SHEET NUMBER:

O-1

CAPITOL PARK COTTAGES SUBDIVISION

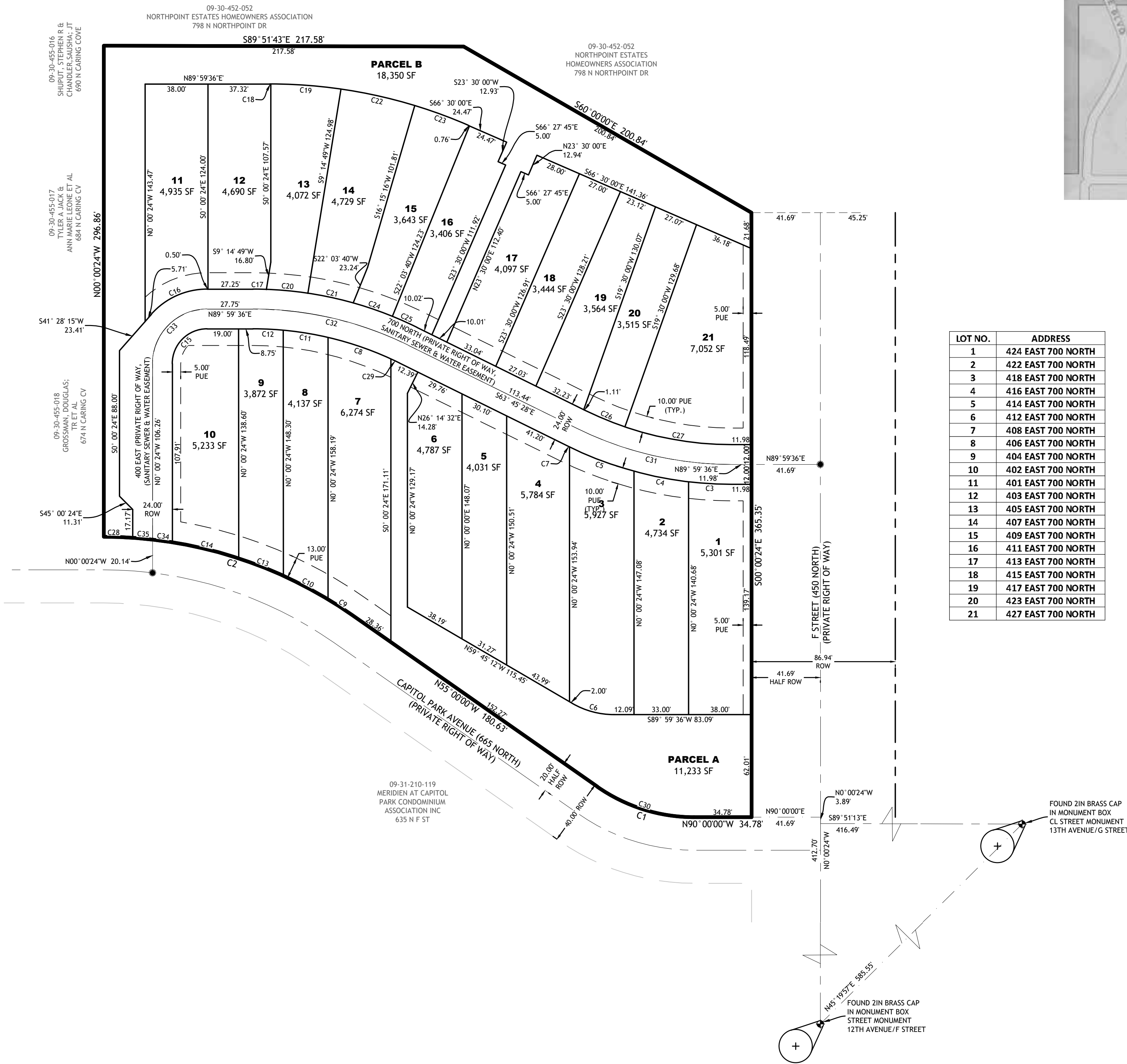
PARCEL NUMBER 109-30-455-021

LYING WITHIN THE SOUTHEAST QUARTER (SE 1/4) OF
SECTION 30, TOWNSHIP 1 NORTH, RANGE 1 EAST, SALT LAKE BASE AND
MERIDIAN, SALT LAKE CITY, SALT LAKE COUNTY, UTAH



LEGEND	
	BOUNDARY LINE
	LOT LINE
	SECTION LINE
	CENTERLINE / MONUMENT LINE
	ADJACENT PROPERTY LINE
	SURVEY TIE LINE
	RIGHT OF WAY LINE
	EASEMENT LINE
	SECTION CORNER (FOUND)
	CALCULATED STREET MONUMENT (NOT FOUND)
	ROAD MONUMENT
	MONUMENT TO BE SET BY PERMIT FROM THE S.L. COUNTY SURVEYOR
	FOUND PROPERTY CORNER (DESCRIPTION NOTED WHERE APPLICABLE)
	NEW ROAD MONUMENT

CURVE TABLE				
CURVE	ARC LENGTH	RADIUS	CHORD DIRECTION	CHORD LENGTH
C1	62.31	102.00	N72°30'02"W	61.34
C2	160.04	262.00	N72°29'59"W	157.57
C3	26.08	224.00	S86°40'16"E	26.07
C4	33.65	224.00	S79°01'56"E	33.61
C5	41.73	224.00	S69°23'33"E	41.67
C6	26.40	50.00	N74°52'48"W	26.10
C7	1.17	224.00	S63°54'24"E	1.17
C8	40.22	200.00	S71°10'13"E	40.15
C9	17.63	262.00	N56°55'41"W	17.63
C10	30.54	262.00	N62°11'45"W	30.53
C11	27.37	200.00	S80°51'06"E	27.35
C12	18.27	200.00	S87°23'22"E	18.27
C13	28.99	262.00	N68°42'22"W	28.98
C14	41.20	262.00	N76°22'53"W	41.16
C15	32.99	21.00	N44°59'36"E	29.70
C16	38.11	45.00	S65°43'55"W	36.98
C17	8.05	224.00	N88°58'37"W	8.05
C18	0.68	301.00	S89°56'32"E	0.68
C19	42.55	301.00	S85°49'42"E	42.52
C20	25.13	224.00	N84°44'02"W	25.11
C21	28.05	224.00	N77°56'01"W	28.03
C22	45.69	301.00	S77°25'48"E	45.65
C23	34.57	301.00	S69°47'26"E	34.56
C24	25.05	224.00	N71°08'35"W	25.04
C25	16.35	224.00	N65°50'54"W	16.34
C26	25.95	200.00	N67°28'32"W	25.94
C27	65.67	200.00	N80°36'00"W	65.38
C28	17.51	262.00	N88°05'06"W	17.51
C29	5.77	200.00	S64°35'01"E	5.77
C30	62.31	102.00	N72°30'00"W	61.34
C31	97.12	212.00	S76°52'56"E	96.28
C32	97.12	212.00	S76°52'56"E	96.28
C33	51.84	33.00	N44°59'36"E	46.67
C34	12.11	262.00	N82°12'39"W	12.11
C35	12.05	262.00	N84°51'10"W	12.05



LOT NO.	ADDRESS
1	424 EAST 700 NORTH
2	422 EAST 700 NORTH
3	418 EAST 700 NORTH
4	416 EAST 700 NORTH
5	414 EAST 700 NORTH
6	412 EAST 700 NORTH
7	408 EAST 700 NORTH
8	406 EAST 700 NORTH
9	404 EAST 700 NORTH
10	402 EAST 700 NORTH
11	401 EAST 700 NORTH
12	403 EAST 700 NORTH
13	405 EAST 700 NORTH
14	407 EAST 700 NORTH
15	409 EAST 700 NORTH
16	411 EAST 700 NORTH
17	413 EAST 700 NORTH
18	415 EAST 700 NORTH
19	417 EAST 700 NORTH
20	423 EAST 700 NORTH
21	427 EAST 700 NORTH

NARRATIVE:

THIS SUBDIVISION PLAT WAS PREPARED AT THE REQUEST OF IVORY DEVELOPMENT FOR THE PURPOSE OF SUBDIVIDING THE PARCELS OF LAND KNOWN BY THE SALT LAKE COUNTY ASSESSOR AS PARCEL NUMBER 09-30-455-021 INTO LOTS AND STREETS AS SHOWN HEREON. EXISTING MONUMENTS SHOWN ON THIS PLAT WERE OBSERVED IN THEIR RECORD LOCATIONS.

BASIS OF BEARING:

NORTH 45°19'57" EAST, BEING THE BEARING BETWEEN TWO FOUND CENTER OF STREET MONUMENTS AT 12TH AVENUE/F STREET AND 13TH AVENUE/G STREET.

ACCURACY STATEMENT:

FIELD MEASUREMENTS ON THE GROUND SHALL CLOSE WITHIN A TOLERANCE OF ONE FOOT (1') TO FIFTEEN THOUSAND FEET (15,000') OF PERIMETER PER SLC ORDINANCE 20.20.30.C.

NOTES:

- A 5/8" REBAR WITH PLASTIC CAP MARKED EDM WILL BE SET AT ALL REAR CORNERS AND ALONG BOUNDARY EXCEPT, FRONT LOT LINES WILL BE MARKED WITH A RIVET IN THE CURB AT THE LOT LINE EXTENDED.
- PARCELS A & B ARE COMMON AREA PARCELS AND ARE HEREBY DEDICATED TO THE CAPITOL PARK COTTAGES HOMEOWNER'S ASSOCIATION.
- STREET ADDRESSES FOR EACH HOME AND ADU SHALL EITHER HAVE THE SUFFIX "UNIT A" OR "UNIT B". MAIN RESIDENCES SHALL BE ADDRESSED AS "UNIT A" WHILE THE ADU'S ADDRESSED AS "UNIT B".
- ALL THE PRIVATE ROADS AND COMMON PARCELS WITHIN THE SUBDIVISION ARE A PUBLIC UTILITY EASEMENT AND SERVE AS EASEMENTS FOR SHARED PRIVATE UTILITIES INCLUDING WATER, SEWER, AND STORM DRAIN.
- NOTICE TO PURCHASERS - THE INFRASTRUCTURE WITHIN THIS PROJECT IS PRIVATELY OWNED AND THE OPERATION, MAINTENANCE, REPAIR, AND REPLACEMENT IS THE RESPONSIBILITY OF THE HOMEOWNER'S ASSOCIATION. SALT LAKE CITY WILL NOT ASSUME THESE RESPONSIBILITIES.

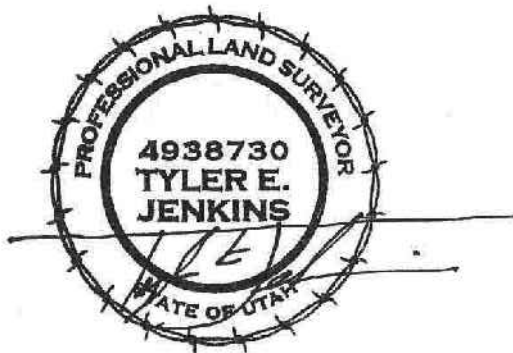
SURVEYOR'S CERTIFICATE

I, TYLER E. JENKINS, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD LICENSE NO. 4938730 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS SUBDIVISION PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF UTAH STATE CODE AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN ON THIS PLAT ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS PLAT; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY; AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREFTER TO BE KNOWN AS:

CAPITOL PARK COTTAGES SUBDIVISION

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND.

12/12/23
FOR REVIEW ONLY
DO NOT RECORD



BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1 CAPITOL PARK AVENUE EXTENSION SUBDIVISION, RECORDED AS ENTRY # 8923328, IN BOOK 2003P, ON PAGE 391 AT THE SALT LAKE COUNTY RECORDER'S OFFICE, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY OF CAPITOL PARK AVENUE; SAID POINT OF BEGINNING ALSO BEING N89°51'13"W 416.49 FEET, N00°00'24"W 3.89 FEET AND N90°00'00"W 41.69 FEET FROM A FOUND STREET MONUMENT AT THE INTERSECTION OF "G" STREET AND 13TH AVENUE; AND RUNNING THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY THE FOLLOWING 4 CALLS: 1). N90°00'00"W 34.78 FEET; 2). THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 102.00 FEET, A DISTANCE OF 62.31 FEET, A CHORD DIRECTION OF N72°30'02"W AND A CHORD DISTANCE OF 61.34 FEET; 3). THENCE N55°00'00"W 180.63 FEET; 4). THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 262.00 FEET, A DISTANCE OF 160.04 FEET, A CHORD DIRECTION OF N72°29'59"W AND A CHORD DISTANCE OF 157.57 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF CAPITOL PARK AVENUE, SAID POINT ALSO BEING THE EASTERLY BOUNDARY OF CAPITOL PARK PLANNED DEVELOPMENT PHASE 4 AS RECORDED IN BOOK 1996P, ON PAGE 273 AT THE SALT LAKE COUNTY RECORDER'S OFFICE; THENCE N00°00'24"W 296.86 FEET ALONG SAID EAST BOUNDARY, SAID POINT ALSO BEING THE SOUTHERLY RIGHT-OF-WAY OF NORTH POINT DRIVE; THENCE S89°51'43"E 217.58 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY; S60°00'00"E 200.84 FEET TO THE WESTERLY RIGHT-OF-WAY OF "F" STREET; THENCE S00°00'24"E 365.35 FEET ALONG THE WESTERLY OF "F" STREET TO THE POINT OF BEGINNING. CONTAINING 3.21 ACRES IN AREA, 21 LOTS AND 2 PARCEL SALT LAKE COUNTY TAX ID. NO. 09-30-455-0210

OWNER'S DEDICATION

I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS, STREETS AND COMMON AREAS AS SHOWN HEREON TO BE HEREAFTER KNOWN AS:

CAPITOL PARK COTTAGES SUBDIVISION

AND DO HEREBY GRANT UNTO EACH PRIVATE UTILITY COMPANY AND PUBLIC UTILITY AGENCY PROVIDING UTILITY SERVICES TO THIS PROJECT, A PERPETUAL NON-EXCLUSIVE EASEMENT IN ALL AREAS SHOWN HEREON INCLUDING THE PRIVATE ROADWAY AND COMMON AREAS TO INSTALL, USE, KEEP, MAINTAIN, REPAIR AND REPLACE AS REQUIRED, UNDERGROUND UTILITY LINES, PIPES AND CONDUITS OF ALL TYPES AND APPURTENANCES THERETO SERVING THIS PROJECT.

NAME: CHRISTOPHER P. GAMVROULAS
TITLE: PRESIDENT OF IVORY DEVELOPMENT, LLC

ACKNOWLEDGEMENT

ON THE _____ DAY OF _____ A.D., 20____, CHRISTOPHER P. GAMVROULAS PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF SALT LAKE IN THE STATE OF UTAH, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE PRESIDENT OF IVORY DEVELOPMENT LLC AND THAT HE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC _____ COMMISSION NUMBER _____ SIGNATURE _____
A NOTARY PUBLIC COMMISSIONED IN THE STATE OF UTAH. COMMISSION EXPIRES _____

CAPITOL PARK COTTAGES SUBDIVISION
PARCEL NUMBER 109-30-455-021
LYING WITHIN THE SOUTHEAST QUARTER (SE 1/4) OF
SECTION 30, TOWNSHIP 1 NORTH, RANGE 1 EAST, SALT LAKE BASE
AND MERIDIAN, SALT LAKE CITY, SALT LAKE COUNTY, UTAH

SHEET 1 OF 1

DATE	REVISIONS	BY



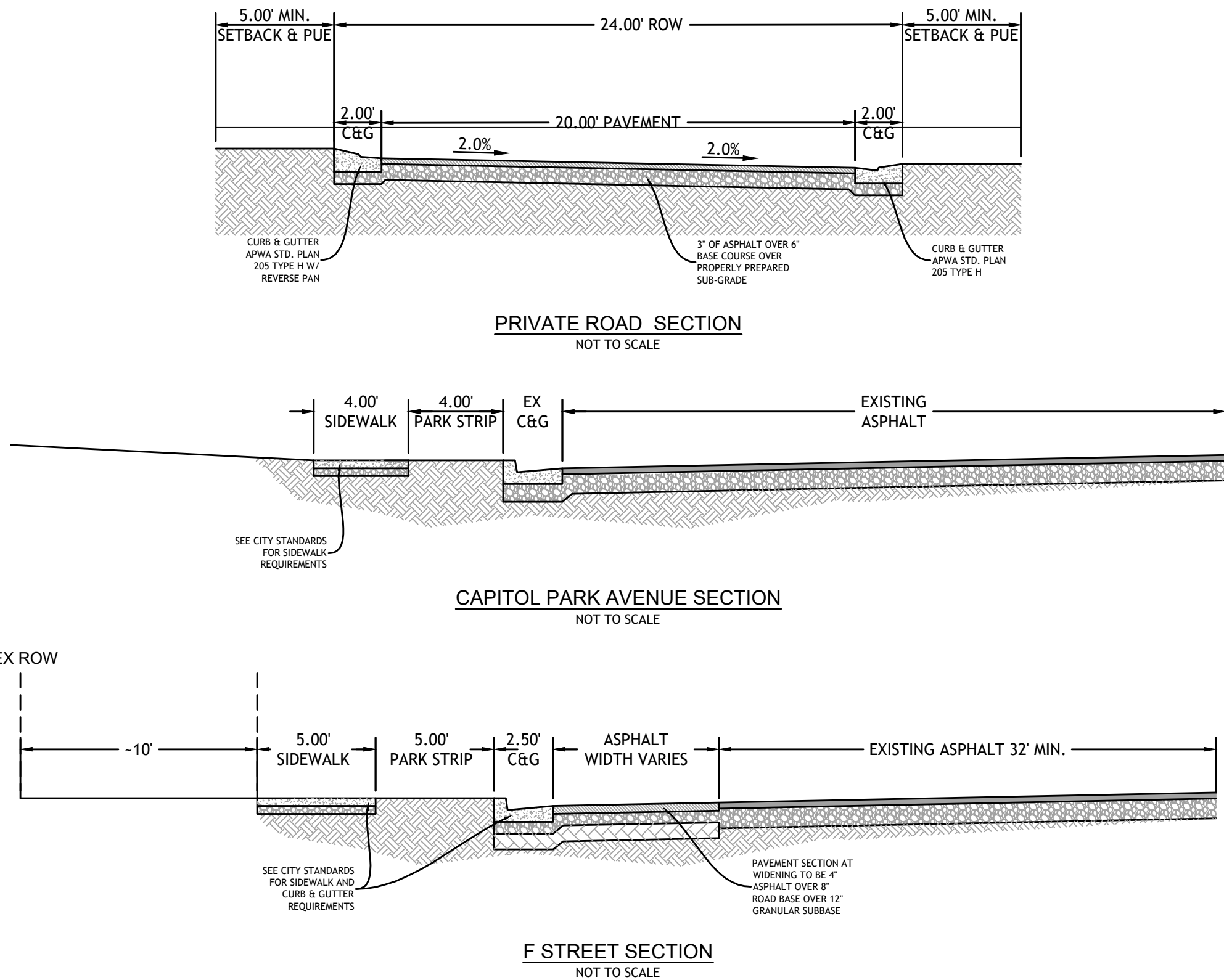
2815 East 3300 South, Salt Lake City, UT 84109
(801) 305-4670 www.edmpartners.com

SALT LAKE COUNTY RECORDER
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF:
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE _____ SALT LAKE COUNTY DEPUTY RECORDER _____

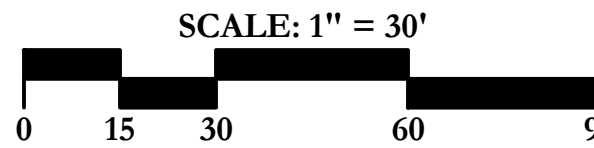


ZONING MODIFICATIONS		
	SR-1 ZONE	DESIGN
MIN. WIDTH	50'	26' *
MIN. AREA	5,000 SF	3,498 SF *
MIN. FRONT SETBACK	20'	2.95'
MIN. SIDE CORNER SETBACK	10'	5' *
MIN. SIDE SETBACK	4 / 10	5' *
MIN. REAR SETBACK	15'	2.3'
MAX COVERAGE	40%	34%
* ZONING REQUIREMENTS TO BE MODIFIED		

- NOTES:
1. EACH LOT CONTAINS ONE PRIMARY UNIT AND ONE POTENTIAL ADU.
 2. PRIVATE PARKING NOT IN DRIVEWAY.



2815 East 3300 South, Salt Lake City, UT 84109
(801) 305-4670 www.edmpartners.com



OWNER:

Ivory Development
978 East Woodoak Lane
Salt Lake City, UT 84117
801-747-7000



NOTES:

1. All sanitary sewer improvements shall conform with the standards and specifications of Salt Lake City Public Utilities.
2. All culinary water improvements shall conform with the standards and specifications of Salt Lake City Public Utilities.
3. All improvements in the public right of way shall conform with the standards and specifications of Salt Lake City.
4. All private improvements shall conform to APWA standards and specifications.
5. Contractor to field locate and verify the horizontal and vertical location of all utilities prior to beginning work.
6. Trash Plans: individual house garbage/recycling receptacles will be kept within the garages of each respective house.

PROJECT STATISTICS

TOTAL AREA =	3.21 AC
LOTS =	21
DENSITY =	6.54 DU/AC
OPEN SPACE AREA=	0.68 AC (21.2%)
OFF-STREET PARKING=	0.01 AC (1.49%)



Capitol Park
Cottages
Site Plan

PROJECT:	
DRAWN BY:	KMW
REVIEWED BY:	NMM
REVISIONS:	
No. DATE	REMARKS

DATE: December 12, 2023

SHEET NUMBER:

O-3



2815 East 3300 South, Salt Lake City, UT 84109
(801) 305-4670 www.edmpartners.com



SCALE: 1" = 30'



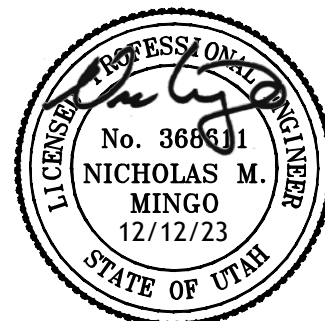
OWNER:

Ivory Development
978 East Woodoak Lane
Salt Lake City, UT 84117
801-747-7000



NOTES:

- All sanitary sewer improvements shall conform with the standards and specifications of Salt Lake City Public Utilities.
- All culinary water improvements shall conform with the standards and specifications of Salt Lake City Public Utilities.
- All improvements in the public right of way shall conform with the standards and specifications of Salt Lake City and APWA.
- All private improvements shall conform to APWA standards and specifications.
- Contractor to field locate and verify the horizontal and vertical location of all utilities prior to beginning work.
- No new above-ground electrical equipment in public ROW.
- Water system is private and will be maintained by HOA.
- All utilities must meet separation requirements, including laterals.



Capitol Park Cottages Utility Plan

PROJECT: _____
DRAWN BY: KMW
REVIEWED BY: NMM
REVISIONS: _____
No. DATE REMARKS

DATE: December 12, 2023

SHEET NUMBER:

O-4

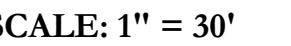


WATER CALCULATIONS:

- SUBDIVISION DESIGN ASSUMPTIONS
 - TOTAL UNITS: 21
 - TOTAL LANDSCAPE AREA: 1.50 AC
- AVERAGE DAY DEMAND (STORAGE):
 - INDOOR - 21 UNITS * 400 GALLONS/UNIT = 8,400 GALLONS
 - OUTDOOR - 1.50 AC * 2,848 GALLONS/AC = 4,272 GALLONS
- PEAK DAY DEMAND (SOURCE):
 - INDOOR - 21 UNITS * 0.56 GPM/UNIT = 11.76 GPM
 - OUTDOOR - 1.50 AC * 3.96 GPM/AC = 5.94 GPM
 - TOTAL = 17.7 GPM (25,488 GPD)
- PEAK INSTANTANEOUS DEMAND
 - INDOOR - 10.8*(21)^{0.64} = 75.8 GPM
 - OUTDOOR - 1.50 AC * 7.92 GPM/AC = 11.88 GPM
 - TOTAL = 87.7 GPM (126,259 GPD)
- FIRE FLOW:
 - 2,000 GPM FOR 2 HOURS

SEWER CALCULATIONS:

- SUBDIVISION DESIGN ASSUMPTIONS
 - TOTAL LOTS: 21
- AVERAGE ANNUAL DAILY FLOW (AADF) RATE:
 - 21 UNITS * 400 GPD/UNIT = 8,400 GPD = 5.83 GPM
- DESIGN FLOW RATE (AADF*PF OF 4):
 - 21 UNITS * 400 GPD/UNIT*4 = 33,600 GPD = 23.3 GPM



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Capitol Park Cottages

Grading & Drainage Plan

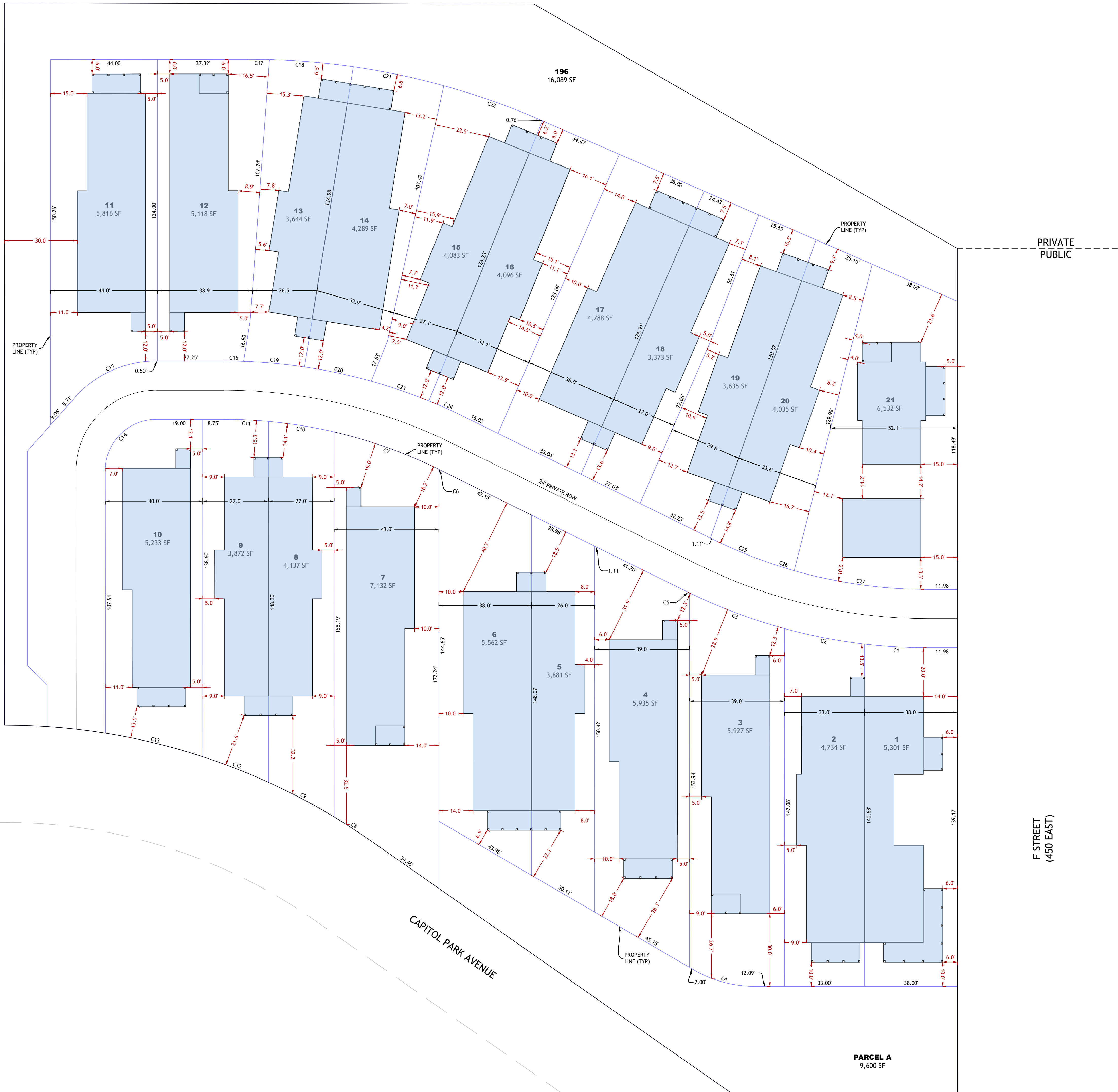
PROJECT:	
DRAWN BY:	KMW
REVIEWED BY:	NMM
REVISIONS:	
No. DATE	REMARKS

DATE: December 12, 2023

SHEET NUMBER:

0-5

C:\Users\NMM\EDM Partners\Dropbox\Projects\Capitol Park Cottages\Drawings\Preliminary\6 - Lot Dimension Plan.dwg



LOT DIMENSIONS AND STATISTICS							
LOT #	MINIMUM SETBACKS			LOT AREA (SF)	LOT WIDTH (FT)	BLDG FOOTPRINT AREA (SF)	BLDG COVERAGE (%)
	FRONT (FT)	SIDE (FT)	REAR (GARAGE) (FT)				
1	5	5	10	5,301	38	2,552	48%
2	5	5	10	4,734	33	2,814	59%
3	5	5	10	5,927	39	2,597	44%
4	5	5	10	5,935	39	2,564	43%
5	5	5	10	3,881	26	1,842	47%
6	5	5	10	5,562	38	2,550	46%
7	5	5	10	7,132	43	2,597	36%
8	5	5	10	4,137	27	1,826	44%
9	5	5	10	3,872	27	1,826	47%
10	5	5	10	5,233	40	2,564	49%
11	5	5	10	5,816	44	2,564	44%
12	5	5	10	5,118	38.9*	2,598	51%
13	5	5	10	3,644	26.5*	1,862	51%
14	5	5	10	4,289	32.9*	2,550	59%
15	5	5	10	4,083	27.1*	1,854	45%
16	5	5	10	4,096	32.1*	1,838	45%
17	5	5	10	4,788	38	2,550	53%
18	5	5	10	3,373	27	1,862	55%
19	5	5	10	3,635	29.8*	1,854	51%
20	5	5	10	4,035	33.6*	1,838	46%
21	5	5	10	6,535	52.1*	2,220	34%
TOTAL SITE				139752		47322	34%

* LOT WIDTH VARIES.

EDM Partners

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(801) 305-4670 www.edmpartners.com

NORTH

SCALE: 1" = 20'

0

10

20

40

60

OWNER:
Ivory Development
978 East Woodoak Lane
Salt Lake City, UT 84117
801-747-7000

IVORYHOMES

Utah's Number One Homebuilder

- NOTES:
- All sanitary sewer improvements shall conform with the standards and specifications of Salt Lake City Public Utilities.
 - All culinary water improvements shall conform with the standards and specifications of Salt Lake City Public Utilities.
 - All improvements in the public right of way shall conform with the standards and specifications of Salt Lake City.
 - All private improvements shall conform to APWA standards and specifications.
 - Contractor to field locate and verify the horizontal and vertical location of all utilities prior to beginning work.
 - Trash Plans: individual house garbage/recycling receptacles will be kept within the garages of each respective house.

LICENSED PROFESSIONAL ENGINEER
No. 96864
NICHOLAS J. MINGO
01/16/24
STATE OF UTAH

Capitol Park Cottages
Lot Dimension Plan

PROJECT: _____
DRAWN BY: _____ KMW
REVIEWED BY: _____ NMM
REVISIONS: _____
No. DATE _____ REMARKS _____

DATE: January 16, 2024

SHEET NUMBER:
O-6



2815 East 3300 South, Salt Lake City, UT 84109
(801) 305-4670 www.edmpartners.com



SCALE: 1" = 20'



OWNER:

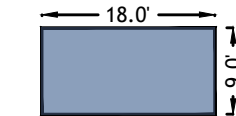
Ivory Development
978 East Woodoak Lane
Salt Lake City, UT 84117
801-747-7000



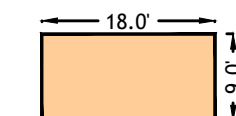
NOTES:

1. All sanitary sewer improvements shall conform with the standards and specifications of Salt Lake City Public Utilities.
2. All culinary water improvements shall conform with the standards and specifications of Salt Lake City Public Utilities.
3. All improvements in the public right of way shall conform with the standards and specifications of Salt Lake City.
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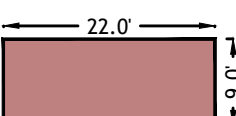
PARKING LEGEND



TYPICAL GARAGE PARKING 41 STALLS



TYPICAL DRIVEWAY PARKING 45 STALLS



TYPICAL GUEST PARKING 4 STALLS

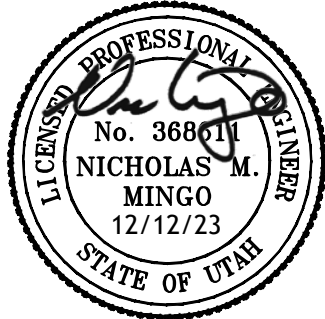
PARCEL B
18,350 SF

PRIVATE
PUBLIC

F STREET
(450 EAST)

CAPITOL PARK AVENUE

PARCEL A
11,233 SF



Capitol Park
Cottages
Parking Plan

PROJECT: _____
DRAWN BY: _____ KMW
REVIEWED BY: _____ NMM
REVISIONS: _____
No. DATE _____ REMARKS _____

DATE: December 12, 2023

SHEET NUMBER:

O-7



GENERAL NOTES

1. THIS SURVEY IS BASED UPON ONE TITLE REPORT: COMMITMENT FOR TITLE INSURANCE ISSUED BY OLD REPUBLIC TITLE, DATED DECEMBER 26, 2019 - OLD REPUBLIC TITLE FILE: 121577-KCP

2. NOTES PERTAINING TO EXCEPTIONS TO COVERAGE, SCHEDULE B OF REFERENCED TITLE REPORTS:

TITLE REPORT 1 - EXCEPTION 1 THROUGH 13, 16, 20 AND 21 ARE NOT ADDRESSED BY THIS SURVEY

3. DOCUMENTS FURNISHED AND UTILIZED IN THE PERFORMANCE OF THIS SURVEY ARE AS FOLLOWS:

1. OLD REPUBLIC TITLE, DATED DECEMBER 26, 2019 - OLD REPUBLIC TITLE FILE: 121577-KCP

R3) FEMA MAP NUMBER - 490350C142G - EFFECTIVE ON 9/25/2009

4. UTILITIES AS SHOWN HEREON WERE LOCATED BASED UPON VISIBLE IMPROVEMENTS AT THE TIME OF THE SURVEY.

NOT ALL UTILITIES MAY BE SHOWN HEREON

5. SUBJECT PROPERTY IS LOCATED WITHIN "ZONE X" OF SAID PANEL.

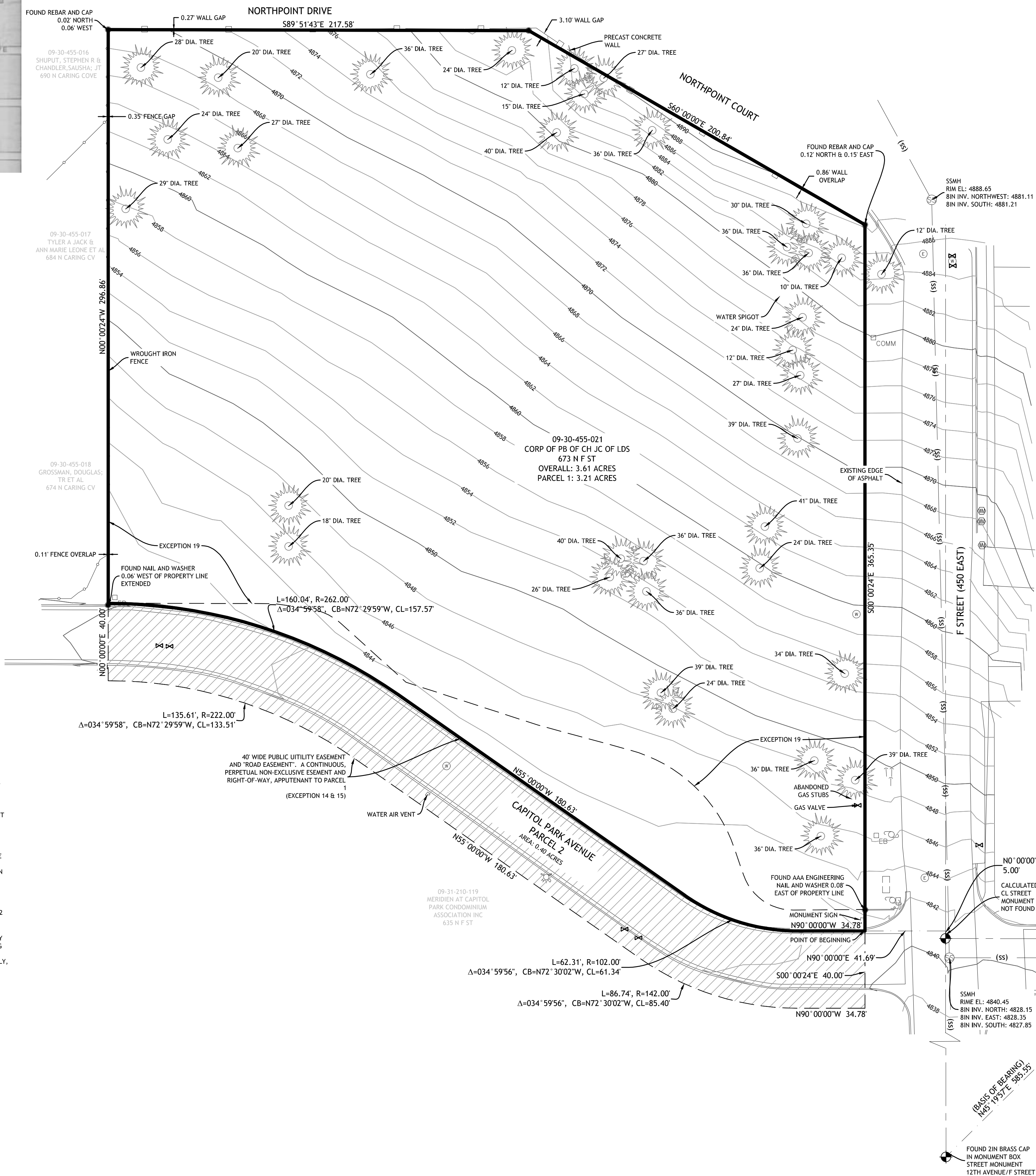
6. TREE DIAMETERS ARE APPROXIMATE AND SHOWN TO GIVE RELATIVE SIZE.

PARCEL 2:
A CONTINUOUS, PERPETUAL NON-EXCLUSIVE EASEMENT AND RIGHT-OF-WAY, APPURTENANT TO PARCEL 1 DESCRIBED HEREIN, FOR THE PLACEMENT, INSTALLATION, MAINTENANCE, REPAIR AND REMOVAL OF UTILITIES AND FOR PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS, AS MORE PARTICULARLY DEFINED AND DESCRIBED IN THAT CERTAIN EASEMENT AGREEMENT RECORDED DECEMBER 12, 2003 AS ENTRY NO. 8923197 IN BOOK 8923 AT PAGE 1596 OF OFFICIAL RECORDS

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1 CAPTOL PARK AVENUE EXTENSION SUBDIVISION, RECORDED AS ENTRY # 89-000-000-000; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A CHORD DIRECTION OF N72°25'59"W AND A CHORD DISTANCE OF 61.344' (34.78 FEET); THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A CHORD DIRECTION OF N72°25'59"W AND A CHORD DISTANCE OF 61.344' (34.78 FEET); THENCE S00°00'24"W 180.69 FEET; 4) THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 262.00 FEET, A DISTANCE OF 160.04 FEET, A CHORD DIRECTION OF N72°25'59"W AND A CHORD DISTANCE OF 157.57 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF CAPITOL PARK AVENUE, SAID POINT ALSO BEING THE INTERSECTION OF SAID AVENUE WITH THE WESTERLY SIDEWALK OF THE NORTHWEST QUARTER SECTION 36, TOWNSHIP 36S, RANGE 02E, SALINE COUNTY RECORDERS' OFFICE; THENCE N00°00'24"W 296.86 FEET ALONG SAID EAST BOUNDARY, SAID POINT ALSO BEING THE SOUTHERLY RIGHT-OF-WAY OF NORTH DRIVE, THENCE S89°51'43"E 217.58 FEET ALONG SAID EASTERLY BOUNDARY, THENCE S89°51'43"E 200.84 FEET ALONG SAID EASTERLY BOUNDARY, THENCE S00°00'24"E 365.35 FEET ALONG THE WESTERLY "F" STREET TO THE POINT OF BEGINNING.

CONTAINING 321 ACRES

EXCEPTION 19 ABSTRACT OF FINDINGS AND ORDER WHEREIN THE REQUEST FOR A CONDITIONAL USE AND A PRELIMINARY SUBDIVISION PLAT APPROVAL TO AMEND THE LOCATION OF THE SOUTH PROPERTY LINE FOR A NEW WARD/BRANCH BUILDING LOCATED AT APPROXIMATELY 675 NORTH "F" STREET IN A FOOTHILLS RESIDENTIAL "R-3" ZONING DISTRICT WAS GRANTED, DATED MARCH 23, 1999 AND RECORDED APRIL 15, 1999 AS ENTRY NO. 7323554 IN BOOK 8268 AT PAGE 5411. (THE NORTHERLY, EASTERLY, AND WEST PROPERTY LINES ARE THE LIMITS OF THIS EXCEPTION. THE SOUTHERLY BOUNDARY IS SHOWN GRAPHICALLY ON DRAWING.)



	SD COMBOBOX, INLET & CLEANOUT
	UTILITY POLE
	LIGHT POLE
	OVERHEAD UTILITY
	UNDERGROUND UTILITY
	ELECTRICAL BOX / MANHOLE
	ELECTRICAL TRANSFORMER
	COMMUNICATIONS LINE
	COMMUNICATIONS BOX / MANHOLE
	GAS LINE
	GAS MANHOLE
	GUY WIRE
	CONIFEROUS TREE
	DECIDUOUS TREE
	SIGN
	IRRIGATION CONTROL VALVE

ALTA/NSPS LAND TITLE SURVEY
SALT LAKE CITY, UTAH

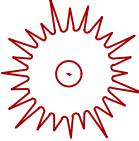


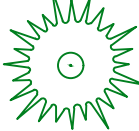
1 OF 1


C:\Users\NMM\EDM Partners\Dropbox\Projects\Capitol Park Cottages\Drawings\Preliminary\8 - Tree Removal Plan.dwg




TREE LEGEND

 TREE TO BE REMOVED

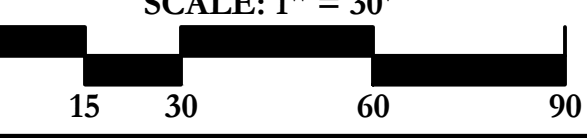
 TREE TO REMAIN




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SCALE: 1" = 30'




OWNER:
Ivory Development
978 East Woodoak Lane
Salt Lake City, UT 84117
801-747-7000



Utah's Number One Homebuilder

NOTES:

- All sanitary sewer improvements shall conform with the standards and specifications of Salt Lake City Public Utilities.
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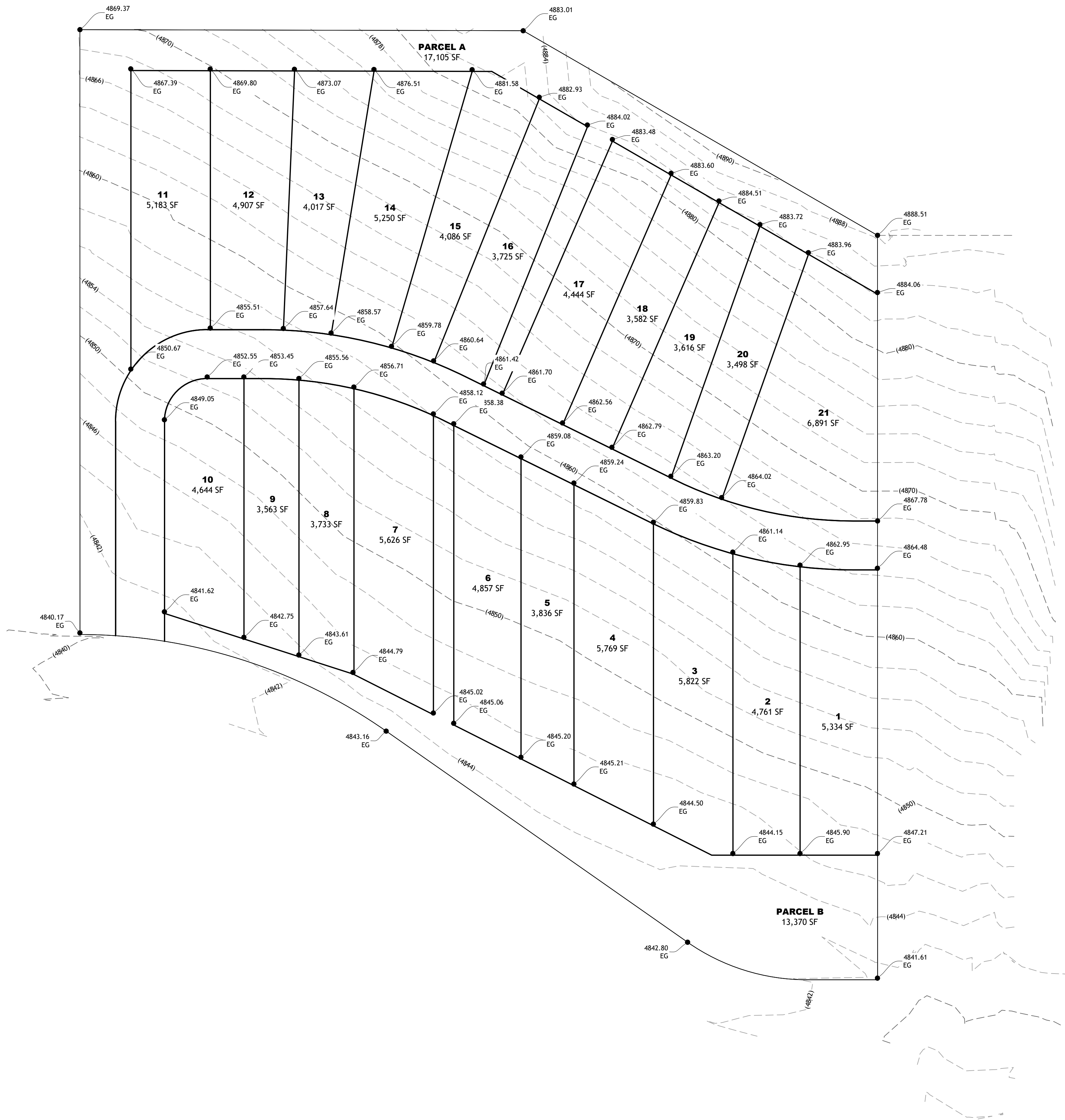
Capitol Park Cottages
Tree Removal Plan

PROJECT:	
DRAWN BY:	KMW
REVIEWED BY:	NMM
REVISIONS:	
No. DATE	REMARKS

DATE: December 12, 2023

SHEET NUMBER: **O-8**

C:\Users\NMM\EDM Partners\Dropbox\Projects\Capitol Park\Drawings\Preliminary\E-1 Lot Cross Slope Exhibit.dwg



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SCALE: 1" = 30'

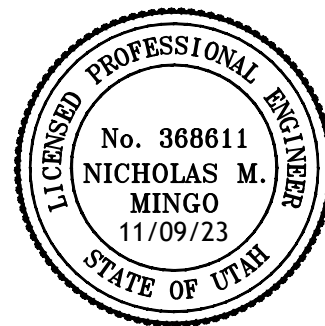


OWNER:

Ivory Development
978 East Woodoak Lane
Salt Lake City, UT 84117
801-747-7000



NOTES:



Capitol Park

Lot Cross Slope Exhibit

PROJECT: _____
DRAWN BY: _____ KMW
REVIEWED BY: _____ NMM
REVISIONS: _____
No. DATE _____ REMARKS _____

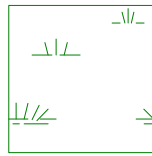
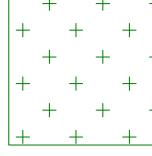
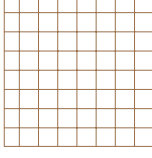
DATE: November 9, 2023

SHEET NUMBER:

E-1



Legend		
	Common Name	Qty
Flower, Grass		
	Grass, Muhly, Regal Mist	213
	Grass, 'Karl Foerster'	93
Flower, Perennial		
	Daylily, Stella	149
	Johnsons Blue Cranesbill	189
Shrub, Deciduous		
	Common Snowberry	8
	Dogwood Ivory Halo	118
	Dogwood, Baileys Red Twig	49
	Lilac, Dwarf Korean	29
	Smoke Bush	48
	Viburnum, Snowball	25
	Western Sand Cherry	29
Shrub, Evergreen Broadleaf		
	Grape Holly, Oregon	7
	Red-Tip Photinia	22
Tree, Deciduous		
	Chokecherry, Canada Red, Clump	22
	Maple, Autumn Blaze	8
	Oak, English, Columnar	19
	Pear, Redspire	23
Tree, Evergreen		
	Spruce, Weeping White	18

-  Native Grass
-  Turf Areas
-  Brown Bark Mulch

1" = 30'



Design Build
Landscape Design
Irrigation Design
Lighting Design
Digital Image Design

P.O. Box 1798
West Jordan, Utah, 84084
Office: 801-282-6303
Fax: 801-282-3076
Web: www.lmsinc.blogspot.com

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Capitol Park

Salt Lake City, UT

JOB NAME:

ORIENTATION:

NORTH

DATE:
12/15/2023

SHEET TITLE:
LANDSCAPE
PLAN

SHEET NUMBER:
L-100

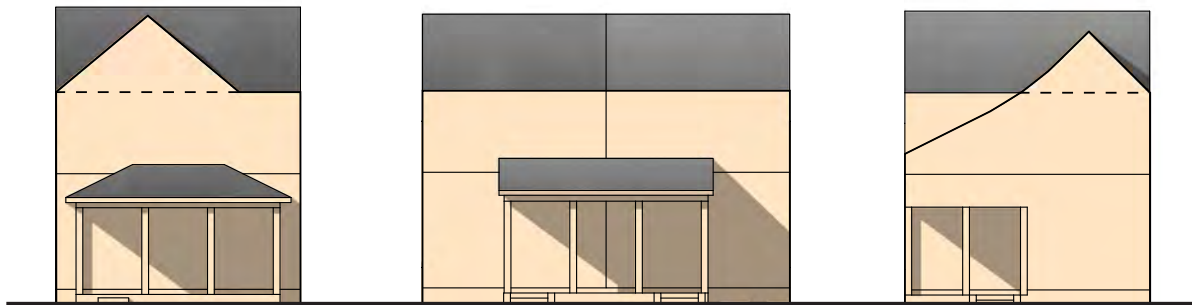
January 2023



BUILDING WALL HEIGHT EXHIBIT

CAPITOL PARK COTTAGES

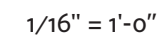
Salt Lake City, Utah



Base max wall height	N/A
Adjustment due to setback*	N/A
Increase due to grade**	N/A
Updated max wall height	N/A

** Downhill wall height increase of 0.5' for every 1'-0" Cross Slope Differential. See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c(1).

Base max wall height	20'	20'	20'
Adjustment due to setback*	-3'	-5'	-1'
Increase due to grade**	6"	3'-0"	3'-7"
Updated max wall height	17'-6"	18'-0"	22'-7"



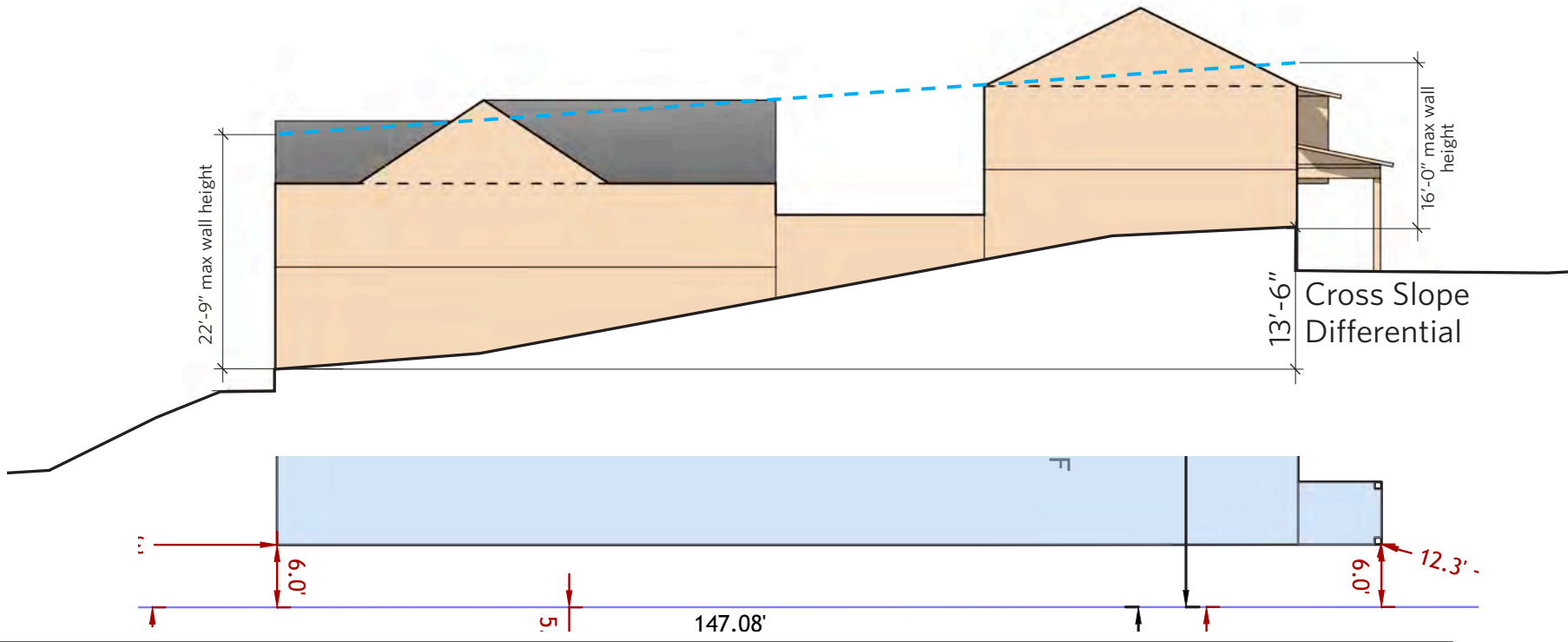
— — — — MAX WALL HEIGHT

IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / JANURARY 2023

EAST ELEVATION - REQUIRED 10' SETBACK

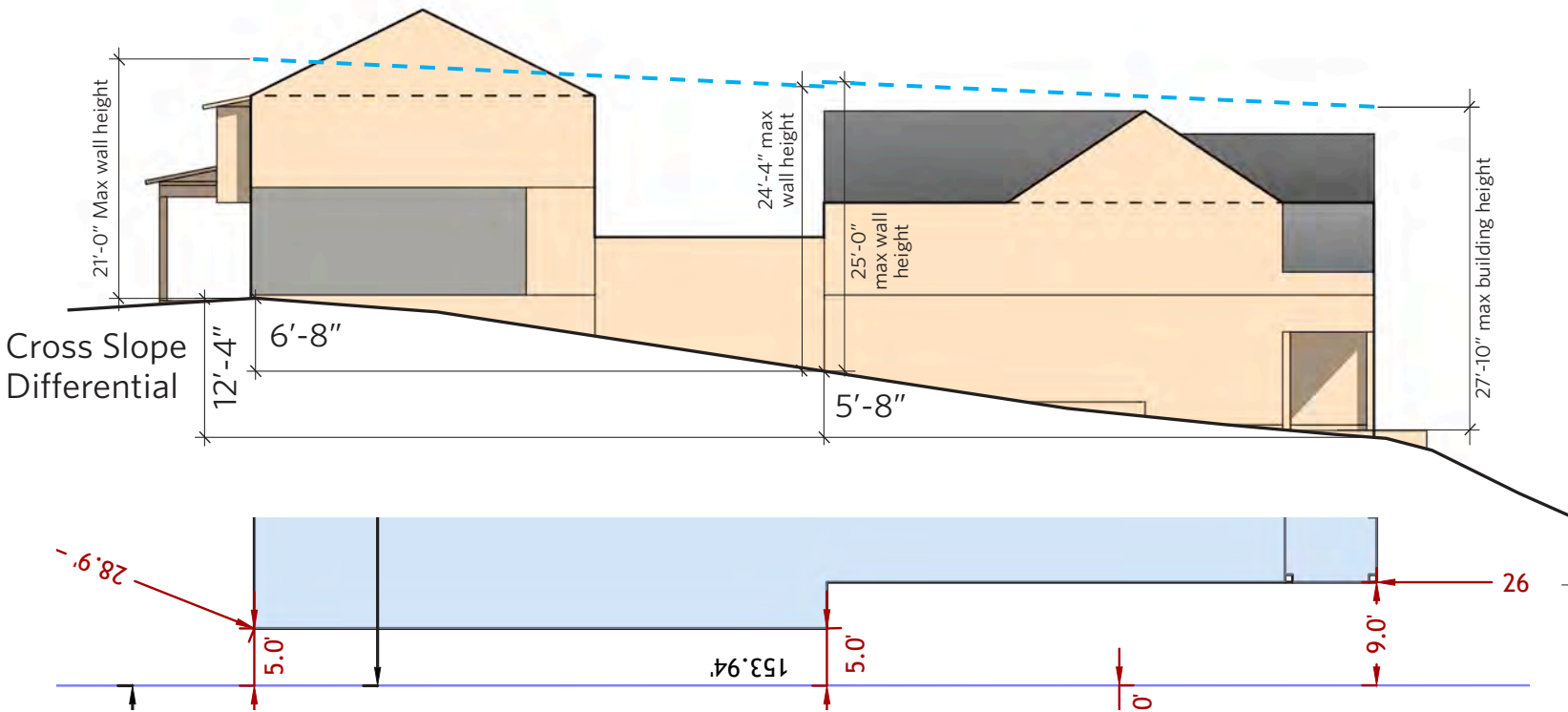
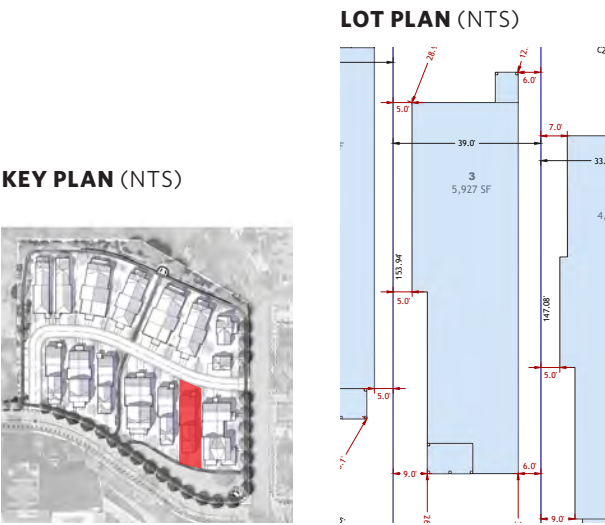
Base max wall height	20'
Adjustment due to setback*	-4'
Increase due to grade**	6'-9"
Updated max wall height	22'-9"

* Wall height adjustment applies to both uphill and downhill max wall height. For every 1'-0" reduction in the side yard setback the wall height will decrease 1'-0". For every 1'-0" increase the max wall height will increase 1'-0". See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c.
** Downhill wall height increase of 0.5' for every 1'-0" Cross Slope Differential. See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c(1).

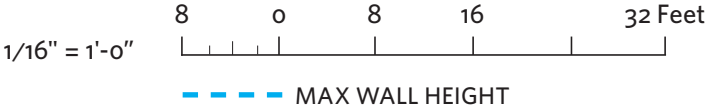


WEST ELEVATION - REQUIRED 4' SETBACK

Base max wall height	20'	20'
Adjustment due to setback*	+1'	+5'
Increase due to grade**	3'-4"	2'-10"
Updated max wall height	24'-4"	27'-10"



LOT 3 - BUILDING WALL HEIGHT EXHIBIT

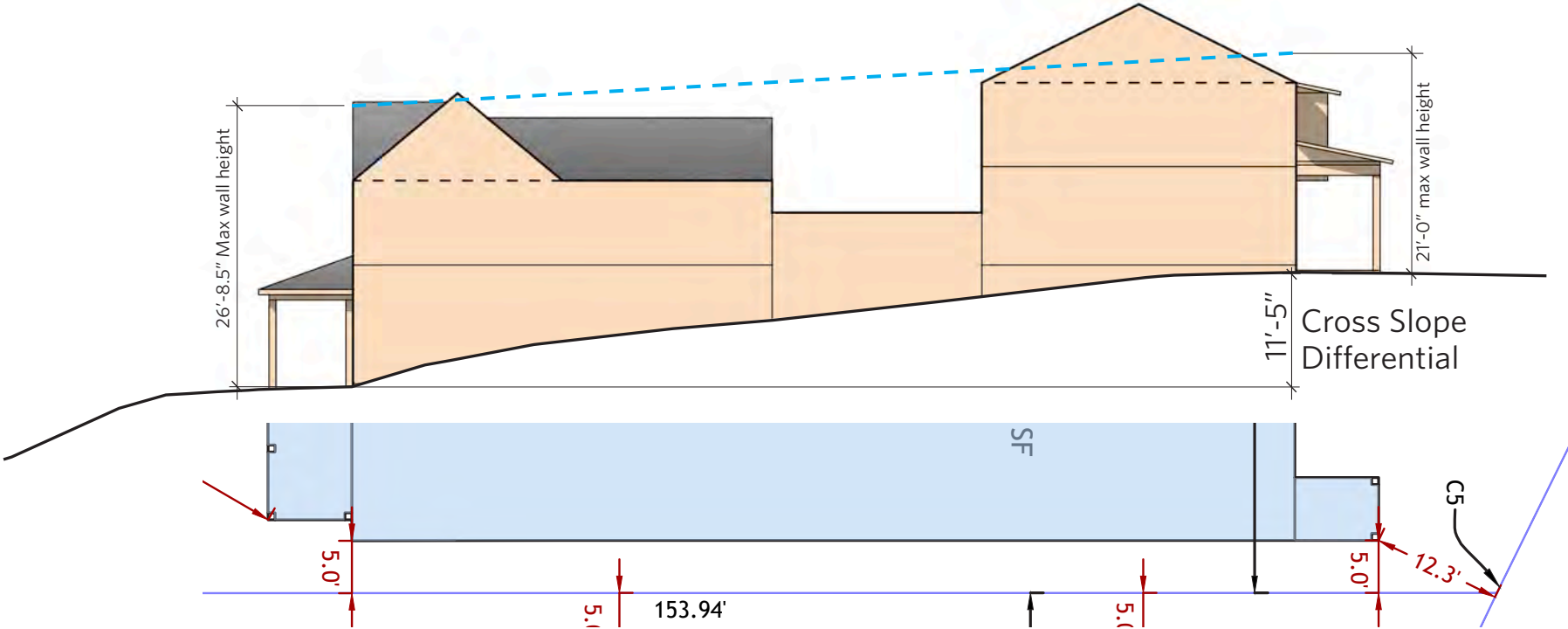


EAST ELEVATION - REQUIRED 4' SETBACK

Base max wall height	20'
Adjustment due to setback*	+1'
Increase due to grade**	5'-8.5"
Updated max wall height	26'-8.5"

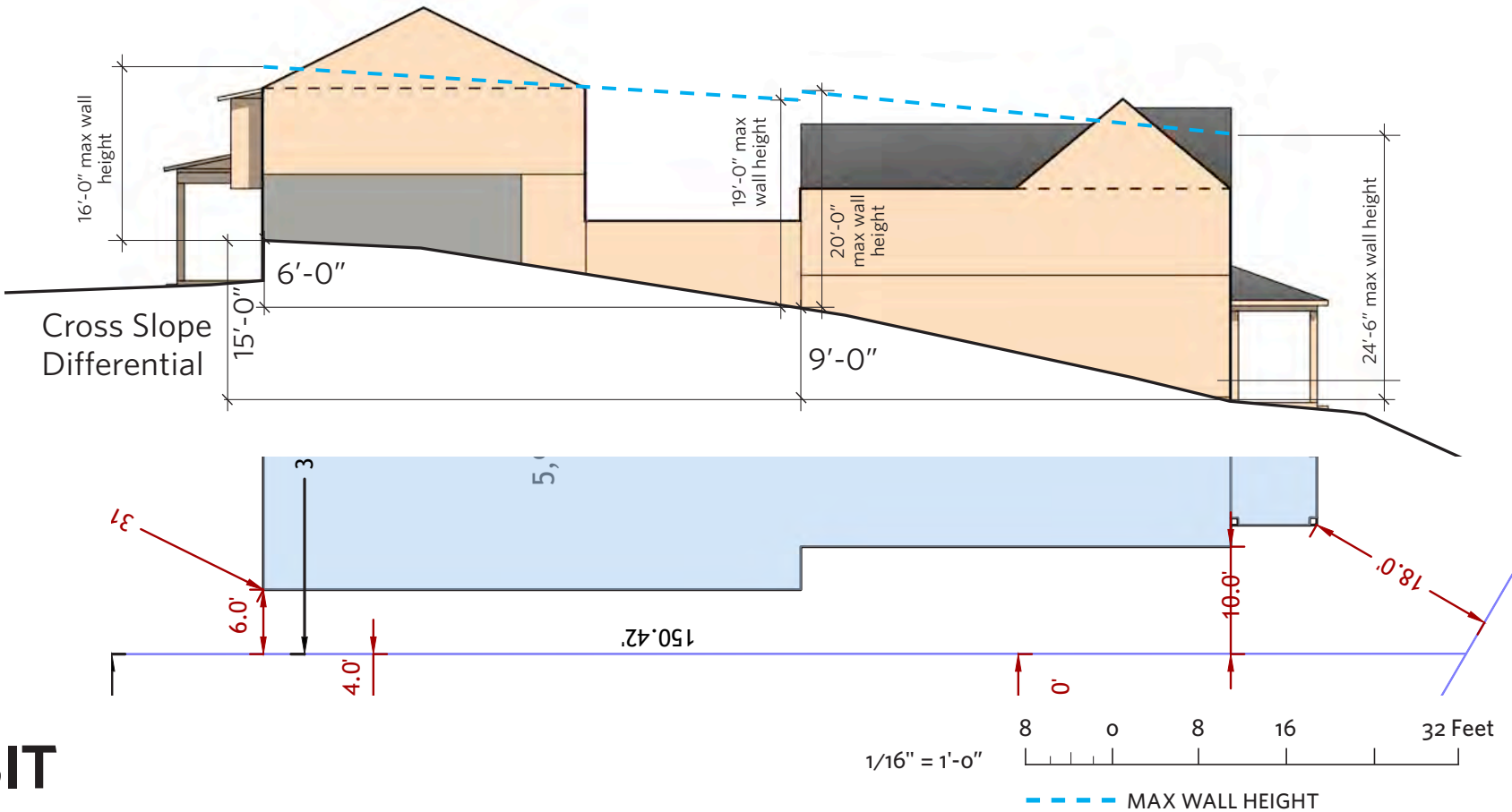
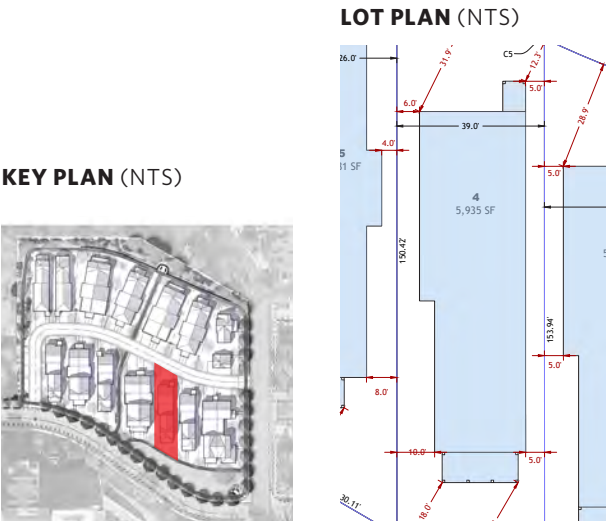
* Wall height adjustment applies to both uphill and downhill max wall height. For every 1'-0" reduction in the side yard setback the wall height will decrease 1'-0". For every 1'-0" increase the max wall height will increase 1'-0". See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c.

** Downhill wall height increase of 0.5' for every 1'-0" Cross Slope Differential. See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c(1).



WEST ELEVATION - REQUIRED 10' SETBACK

Base max wall height	20'	20'
Adjustment due to setback*	-4'	0'
Increase due to grade**	3'	4'-6"
Updated max wall height	19'	24'-6"



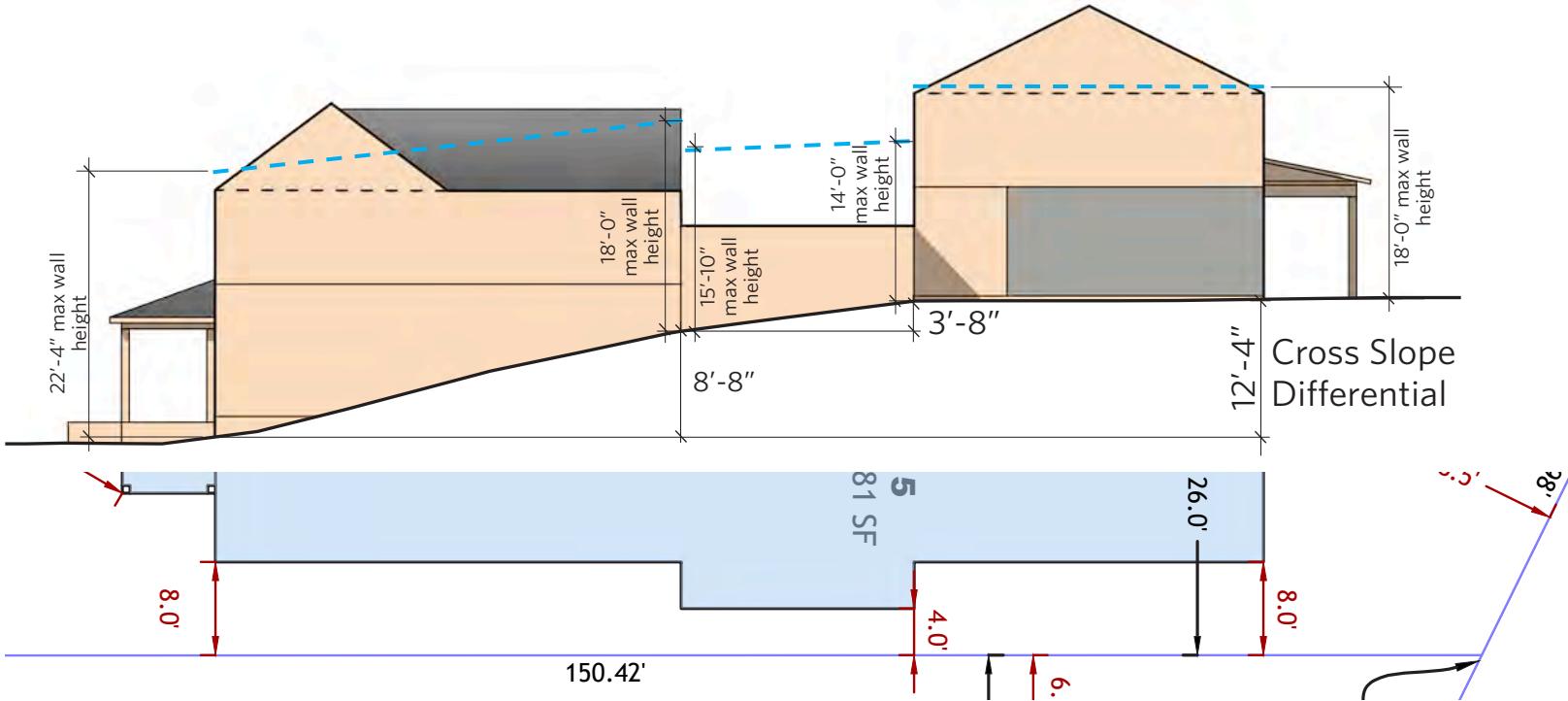
LOT 4 - BUILDING WALL HEIGHT EXHIBIT

EAST ELEVATION - REQUIRED 10' SETBACK

Base max wall height	20'	20'	20'
Adjustment due to setback*	-2'	-6'	-2'
Increase due to grade**	4'-4"	1'-10"	0'
Updated max wall height	22'-4"	15'-10"	18'

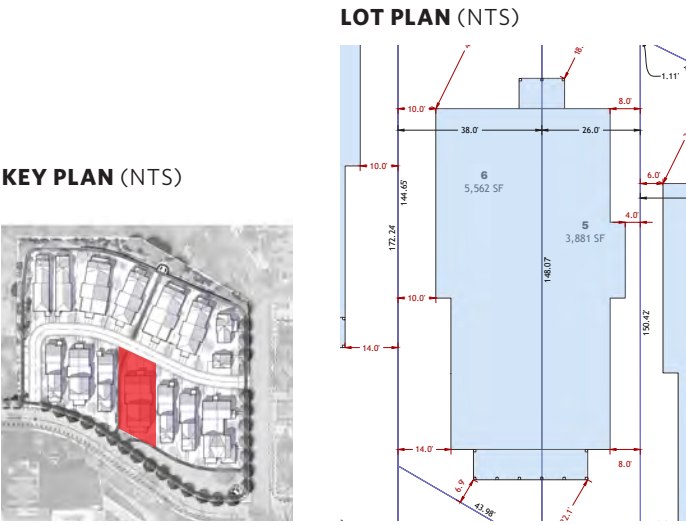
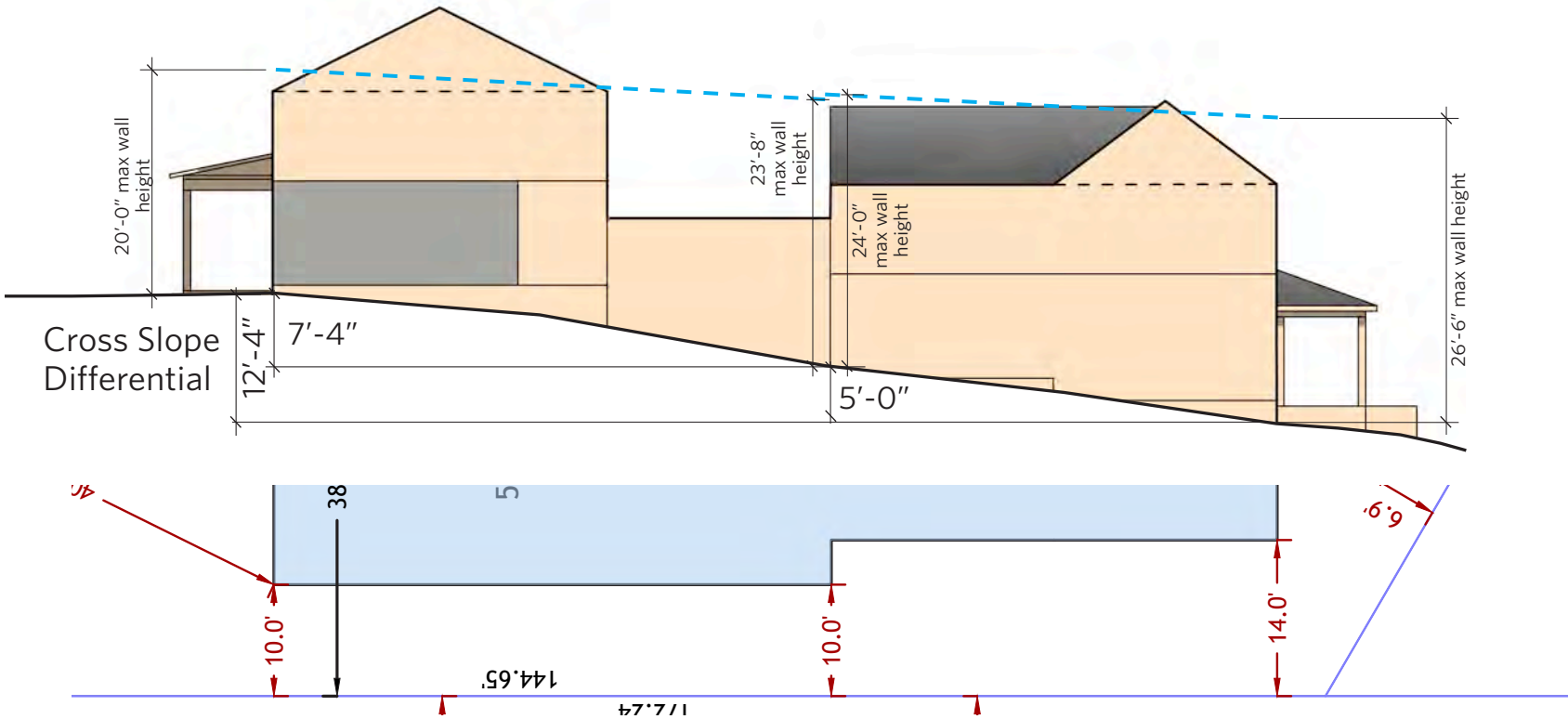
* Wall height adjustment applies to both uphill and downhill max wall height. For every 1'-0" reduction in the side yard setback the wall height will decrease 1'-0". For every 1'-0" increase the max wall height will increase 1'-0". See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c.

** Downhill wall height increase of 0.5' for every 1'-0" Cross Slope Differential. See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c(1).

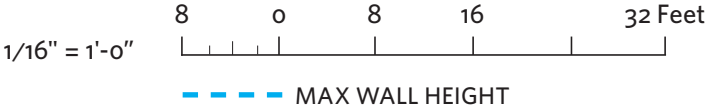


WEST ELEVATION - REQUIRED 10' SETBACK

Base max wall height	20'	20'
Adjustment due to setback*	0'	+4'
Increase due to grade**	3'-8"	2'-6"
Updated max wall height	23'-8"	26'-6"



LOTS 5 & 6 - BUILDING WALL HEIGHT EXHIBIT

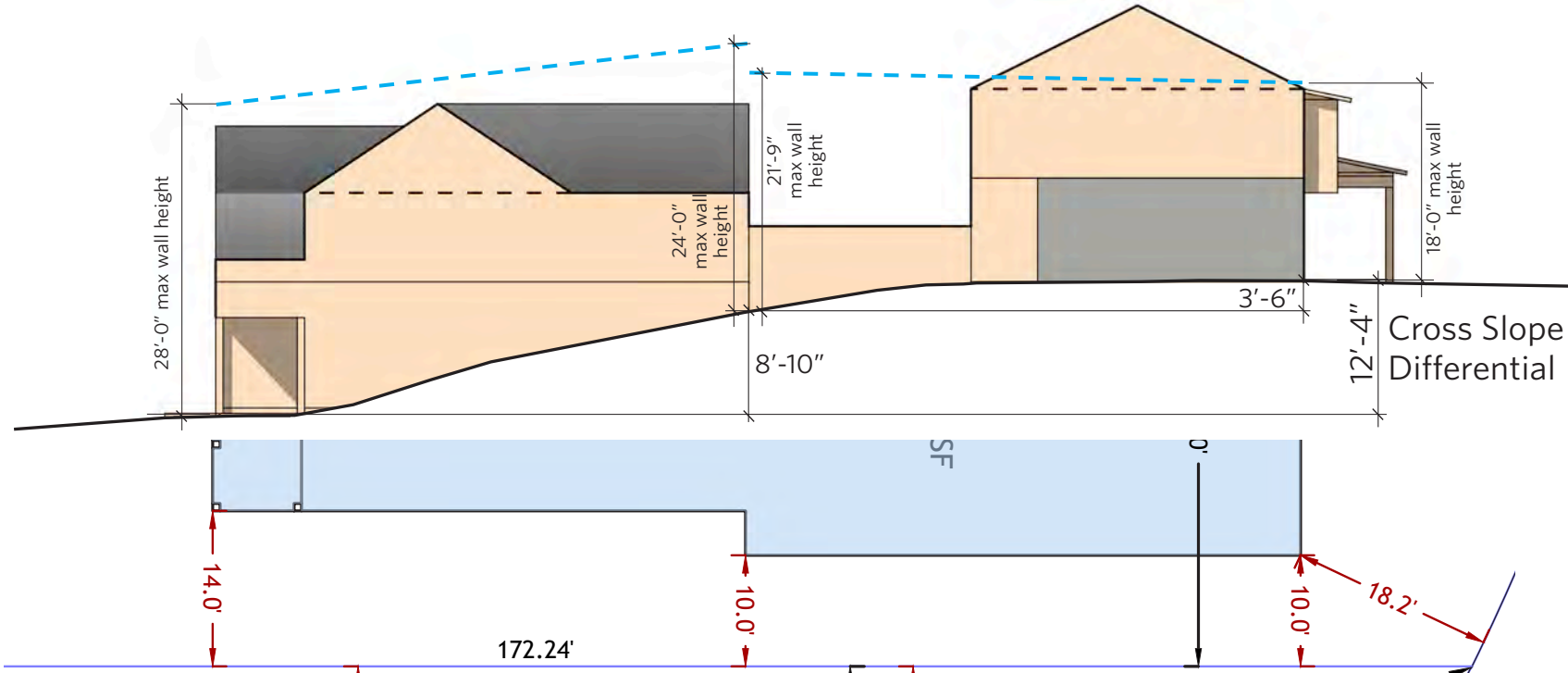


EAST ELEVATION - REQUIRED 10' SETBACK

Base max wall height	20'	20'
Adjustment due to setback*	+4'	0'
Increase due to grade**	8'-5"	1'9"
Updated max wall height	32'-5"	21'-9"

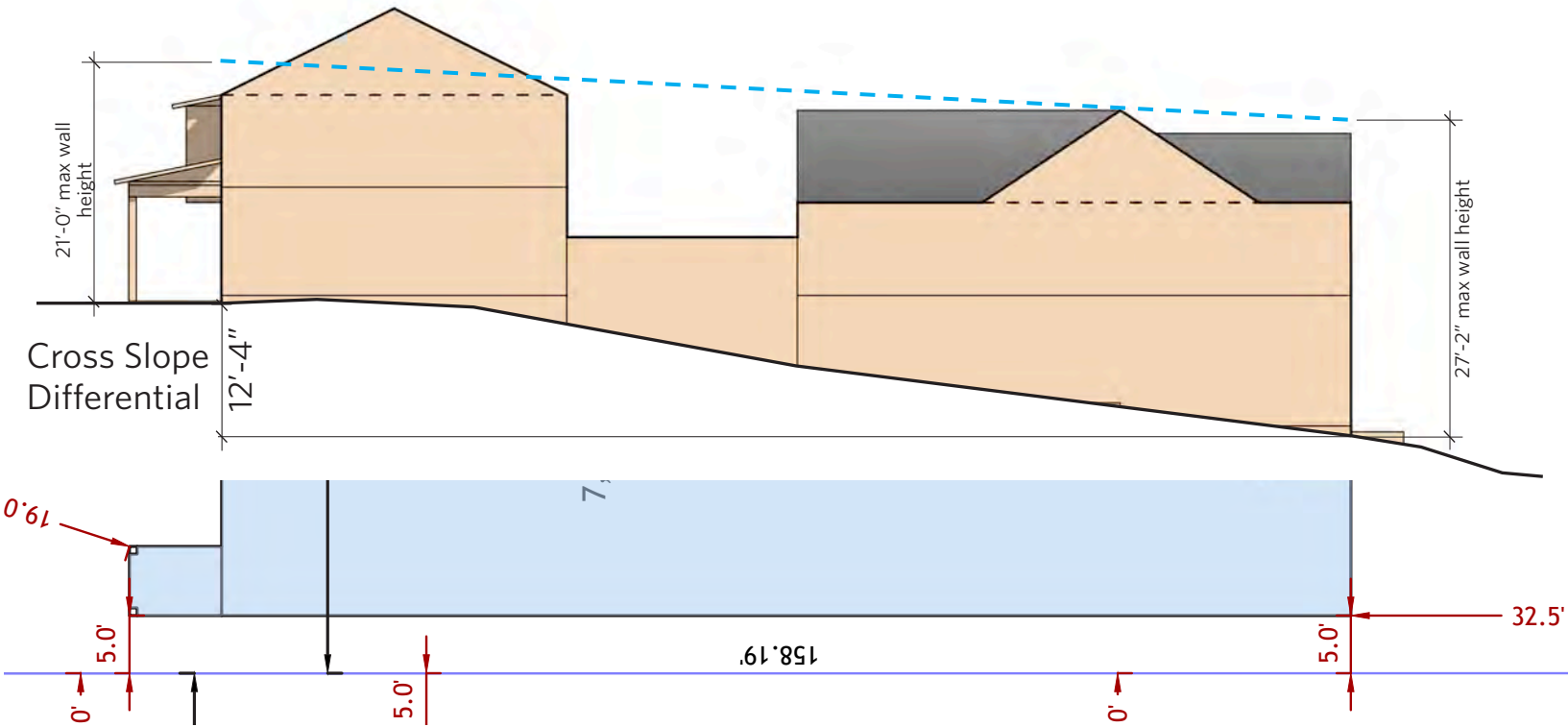
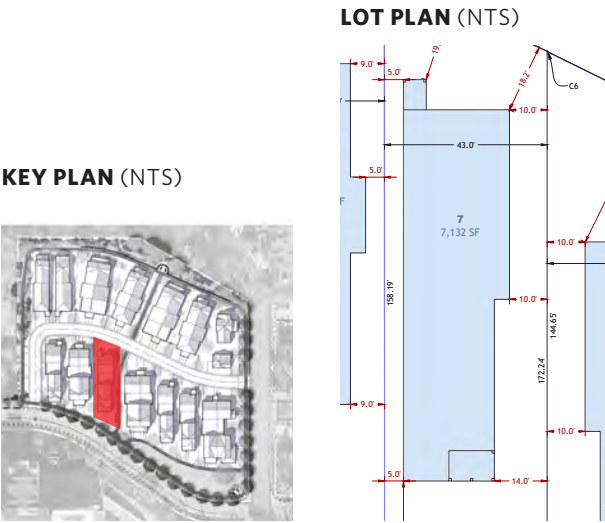
* Wall height adjustment applies to both uphill and downhill max wall height. For every 1'-0" reduction in the side yard setback the wall height will decrease 1'-0". For every 1'-0" increase the max wall height will increase 1'-0". See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c.

** Downhill wall height increase of 0.5' for every 1'-0" Cross Slope Differential. See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c(1).

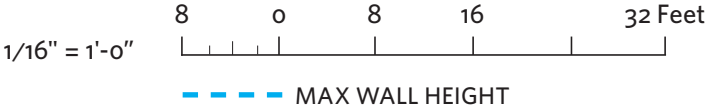


WEST ELEVATION - REQUIRED 4' SETBACK

Base max wall height	20'
Adjustment due to setback*	+1'
Increase due to grade**	6'-2"
Updated max wall height	27'-2"



LOT 7 - BUILDING WALL HEIGHT EXHIBIT

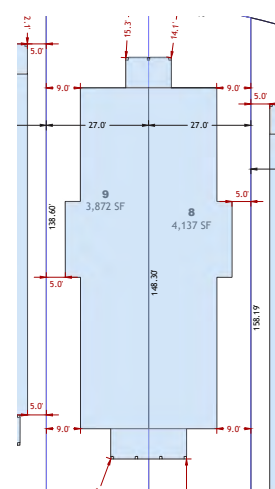


Base max wall height	20'	20'	20'
Adjustment due to setback*	-1'	-5'	-1'
Increase due to grade**	2'-10"	2'-4"	6"
Updated max wall height	21'-10"	17'-4"	19'6"

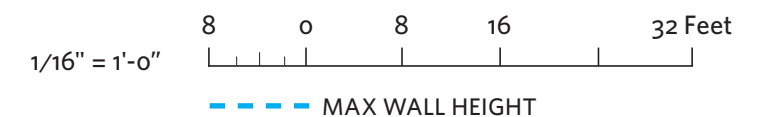
** Downhill wall height increase of 0.5' for every 1'-0" Cross Slope Differential. See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c(1).



Base max wall height	20'	20'	20'
Adjustment due to setback*	-1'	-5'	-1'
Increase due to grade**	2'-3"	1'-5"	2'-0"
Updated max wall height	21'-3"	16'-5"	21'-0"

**LOT PLAN** (NTS)

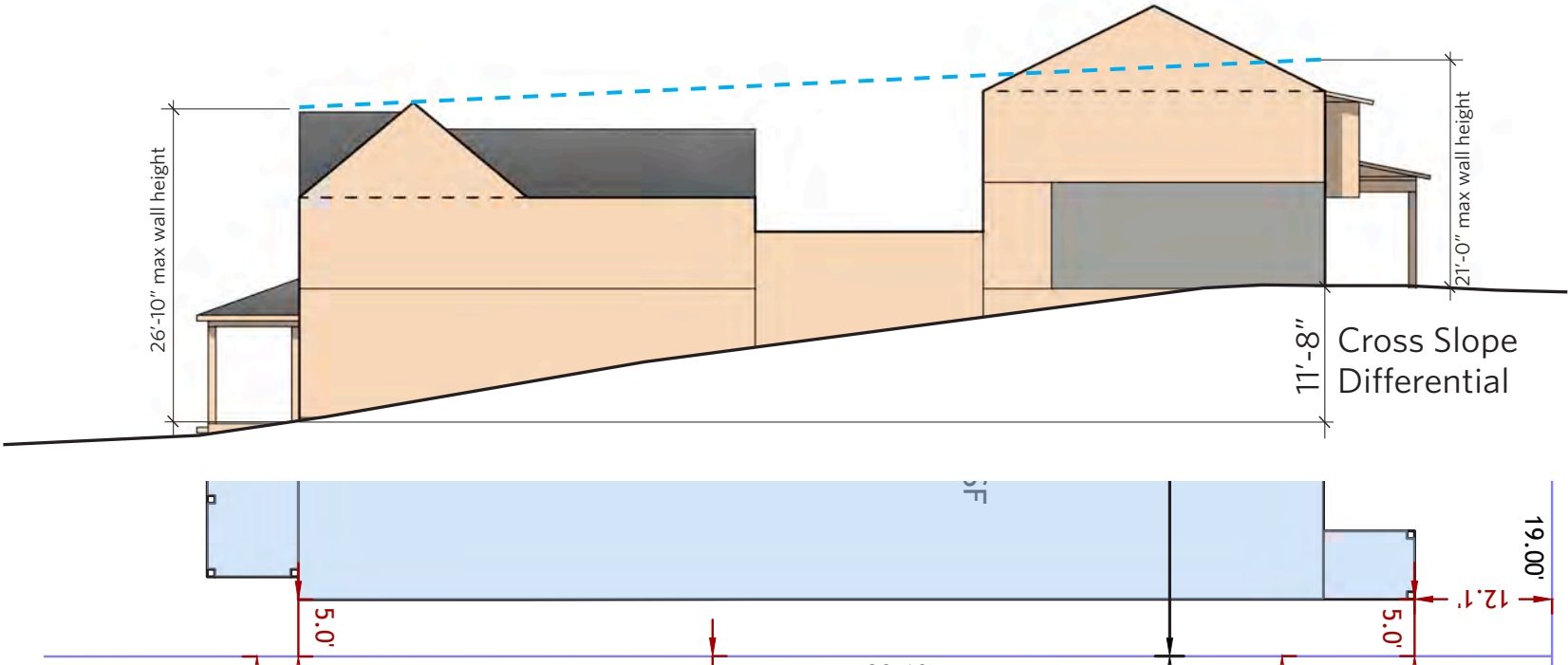
IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / JANUARY 2023



EAST ELEVATION - REQUIRED 4' SETBACK

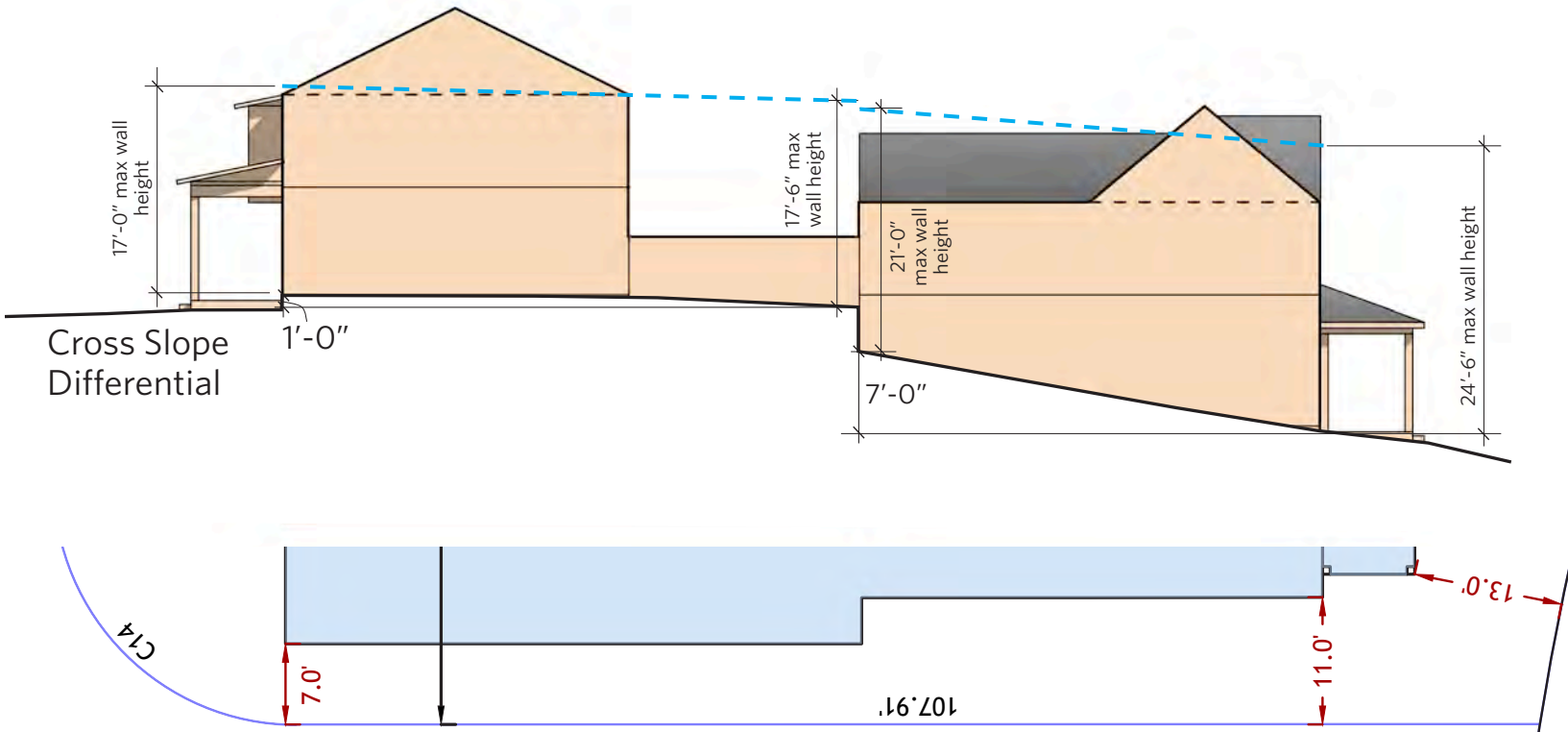
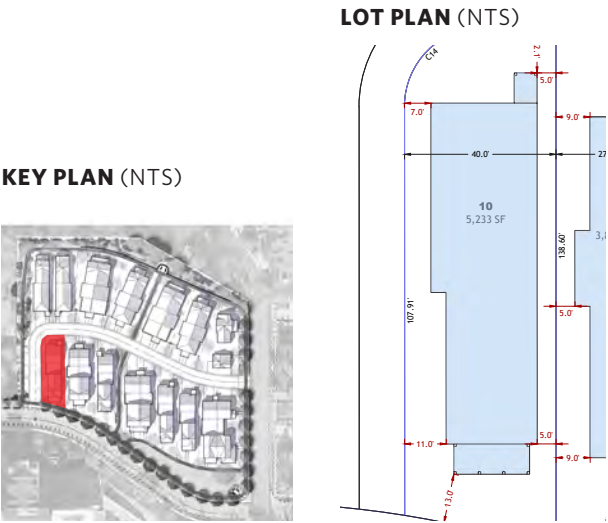
Base max wall height	20'
Adjustment due to setback*	+1'
Increase due to grade**	5'-10"
Updated max wall height	26'-10"

* Wall height adjustment applies to both uphill and downhill max wall height. For every 1'-0" reduction in the side yard setback the wall height will decrease 1'-0". For every 1'-0" increase the max wall height will increase 1'-0". See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c.
** Downhill wall height increase of 0.5' for every 1'-0" Cross Slope Differential. See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c(1).

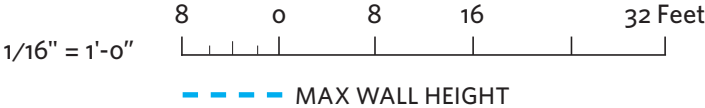


WEST ELEVATION - REQUIRED 10' SETBACK

Base max wall height	20'	20'
Adjustment due to setback*	-3'	+1'
Increase due to grade**	0'-6"	3'-6"
Updated max wall height	17'-6"	24'-6"



LOT 10 - BUILDING WALL HEIGHT EXHIBIT

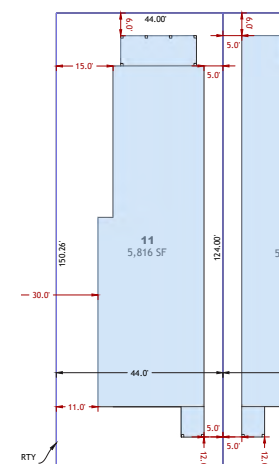


Base max wall height	20'
Adjustment due to setback*	+1'
Increase due to grade**	5'-9"
Updated max wall height	26'-9"

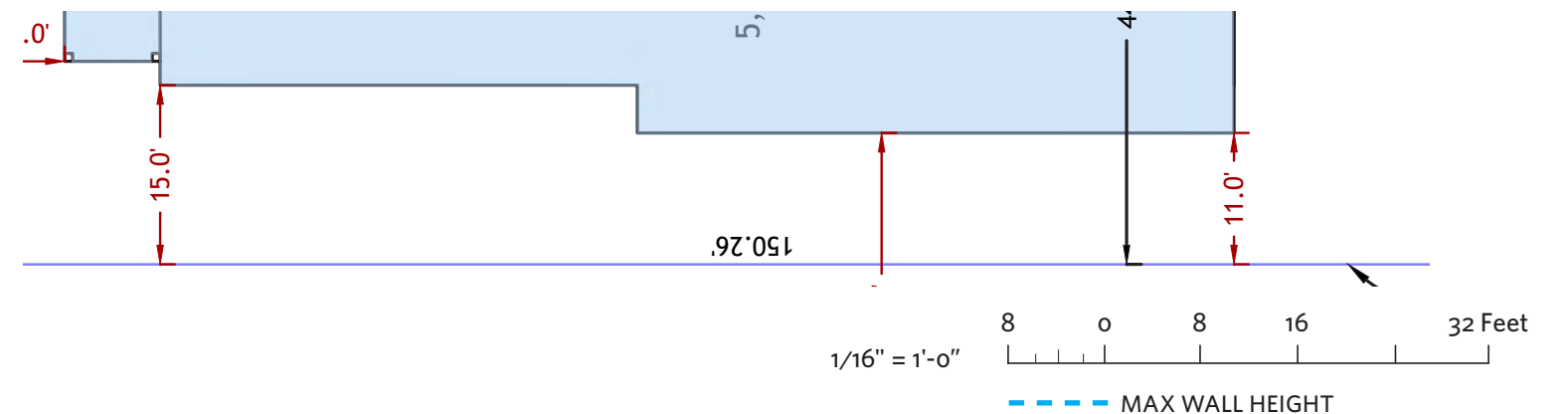
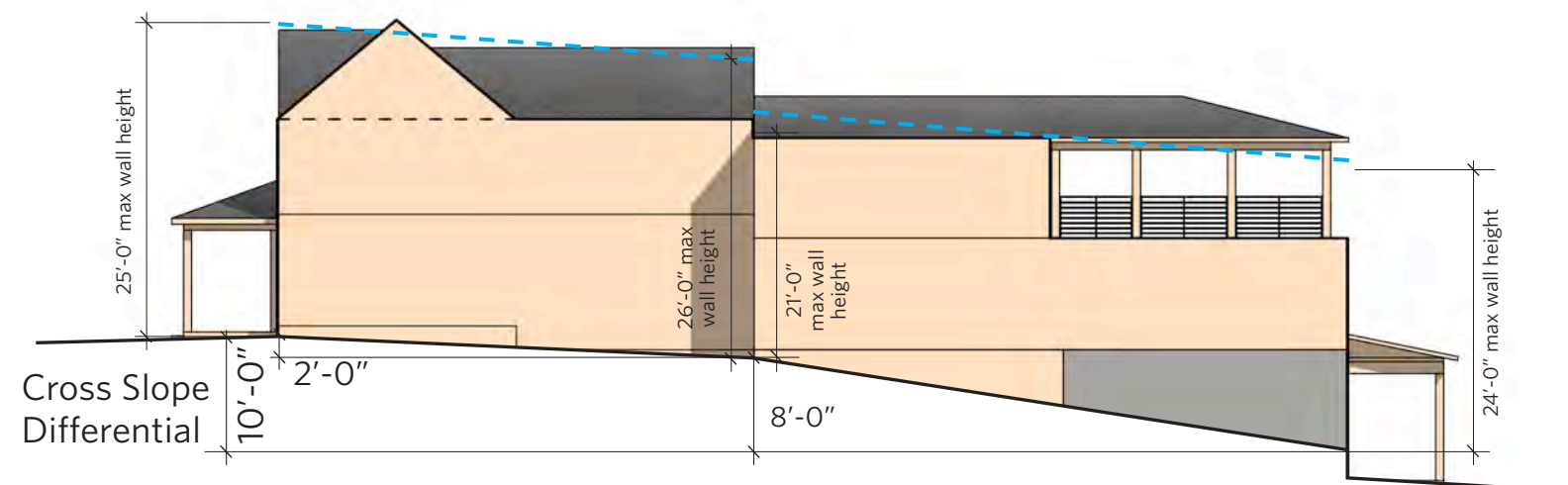
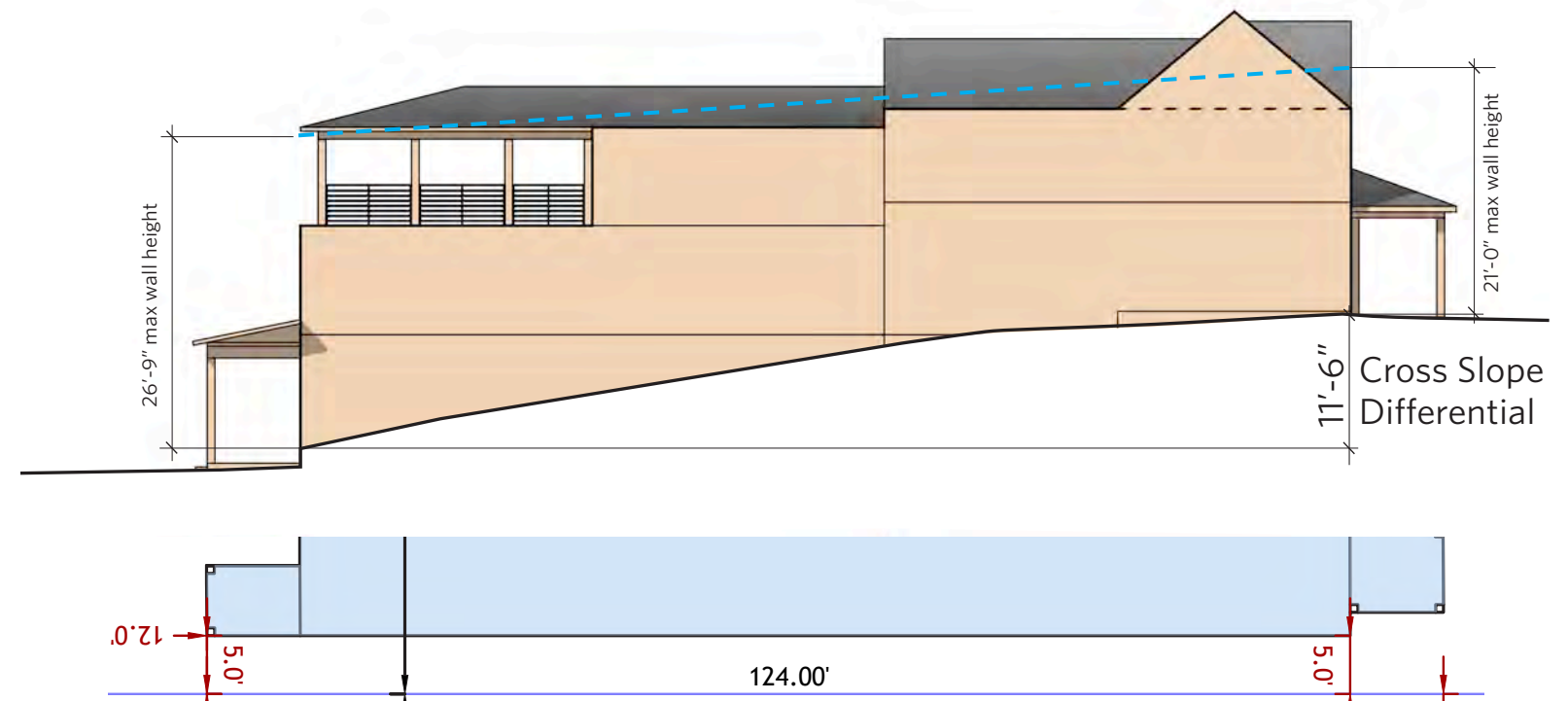
WEST ELEVATION - REQUIRED 10' SETBACK

Base max wall height	20'	20'
Adjustment due to setback*	+5'	+1
Increase due to grade**	1'-0"	4'-0"
Updated max wall height	26'-0"	25'-0"

KEY PLAN (NTS)



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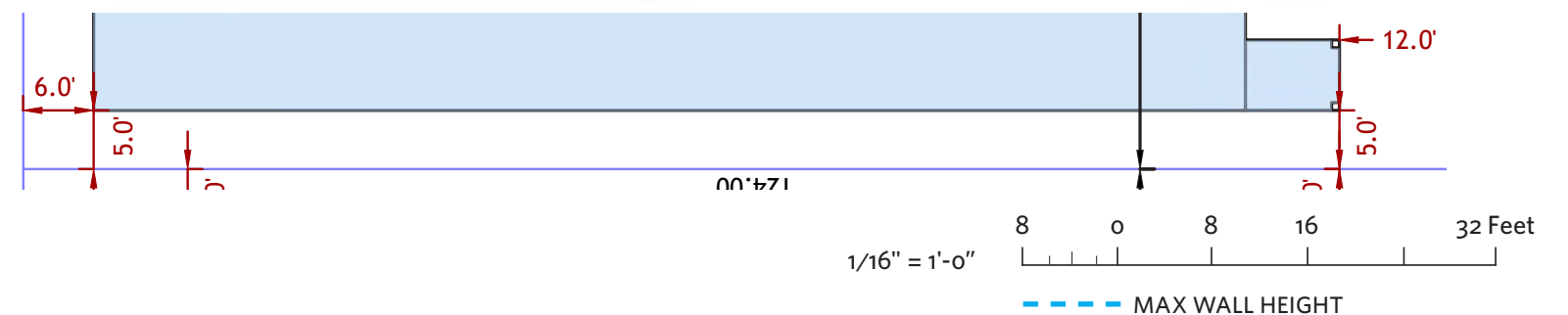
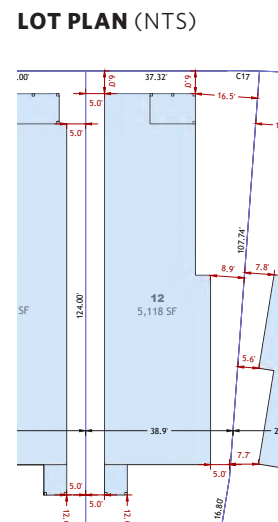


Base max wall height	20'	20'
Adjustment due to setback*	-5' to -1'-1"	-3'-0" to +6'-6"
Increase due to grade**	5'-3"	1'-1"
Updated max wall height	20'-3" to 18'-11"	23'-0" to 27'-7"

** Downhill wall height increase of 0.5' for every 1'-0" Cross Slope Differential. See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c(1).



Base max wall height	20'
Adjustment due to setback*	+1'
Increase due to grade**	5'-9"
Updated max wall height	26'-9"



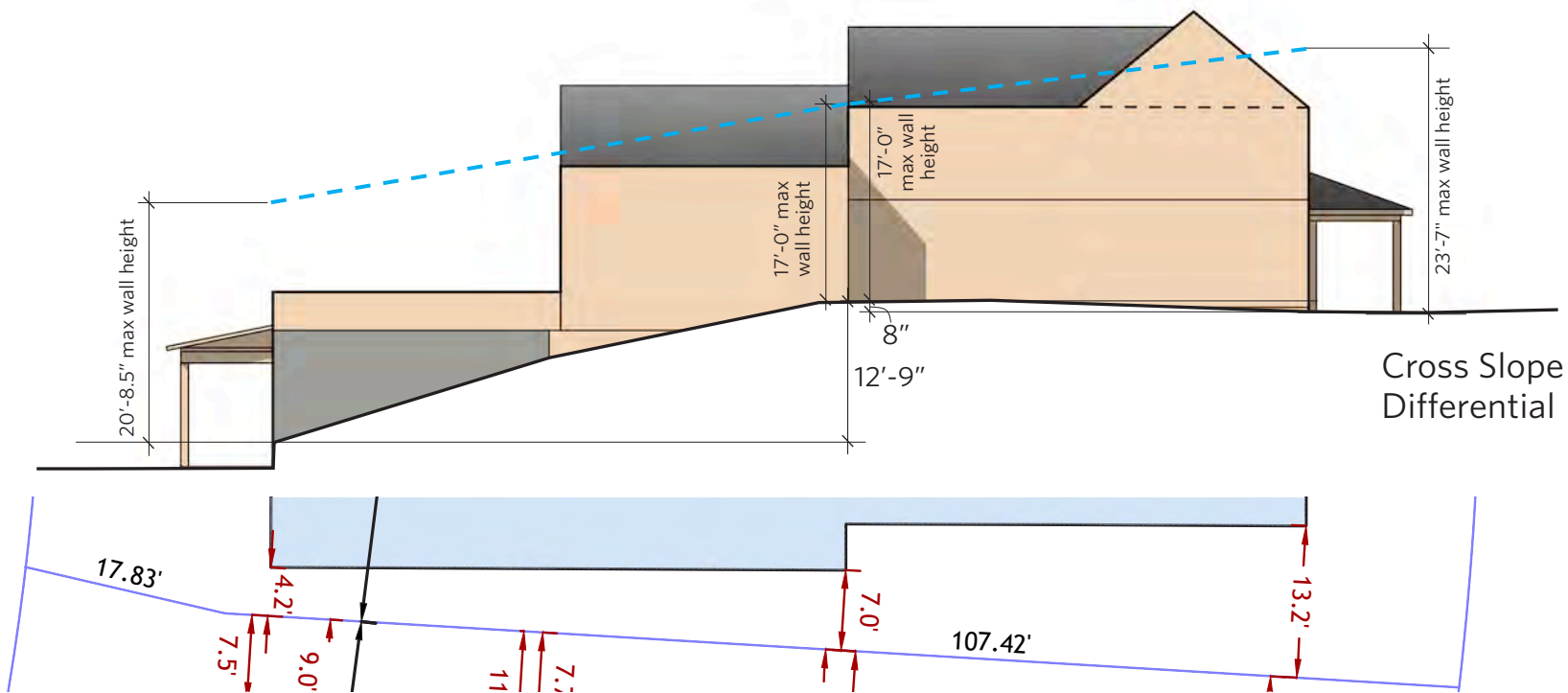
IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / JANUARY 2023

EAST ELEVATION - REQUIRED 10' SETBACK

Base max wall height	20'	20'
Adjustment due to setback*	-5'-8" to -3'	-3' to +3'-3"
Increase due to grade**	6'-4.5"	0'-4"
Updated max wall height	20'-8.5" to 17'-0"	17'-0" to 23'-7"

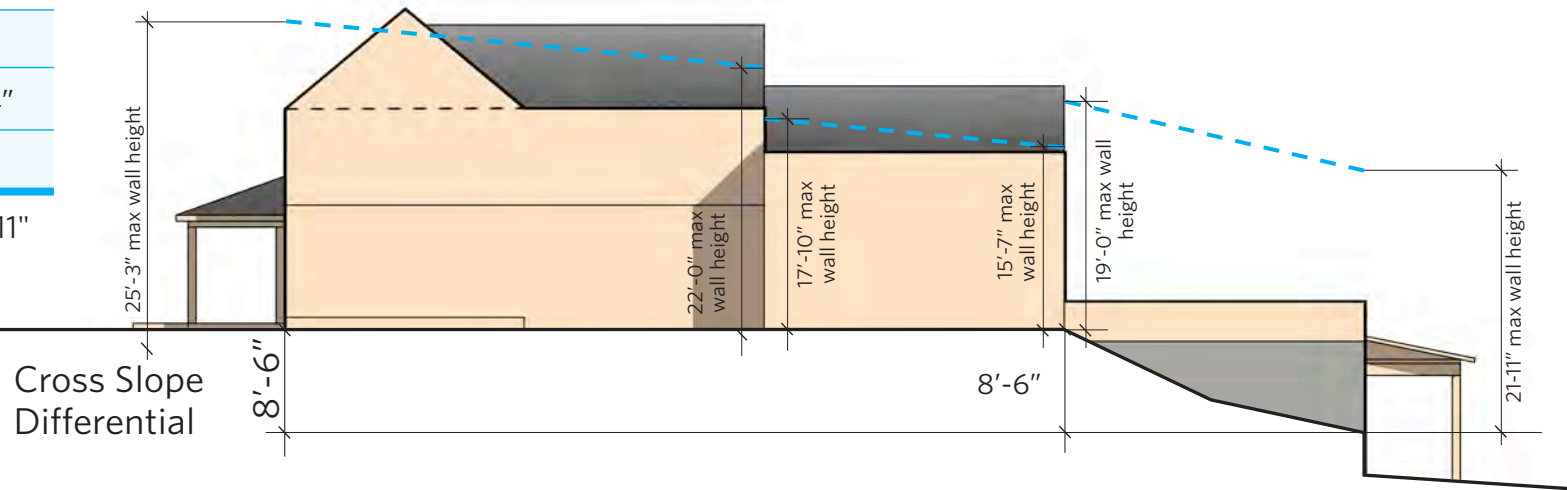
* Wall height adjustment applies to both uphill and downhill max wall height. For every 1'-0" reduction in the side yard setback the wall height will decrease 1'-0". For every 1'-0" increase the max wall height will increase 1'-0". See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c.

** Downhill wall height increase of 0.5' for every 1'-0" Cross Slope Differential. See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c(1).



WEST ELEVATION - REQUIRED 10' SETBACK

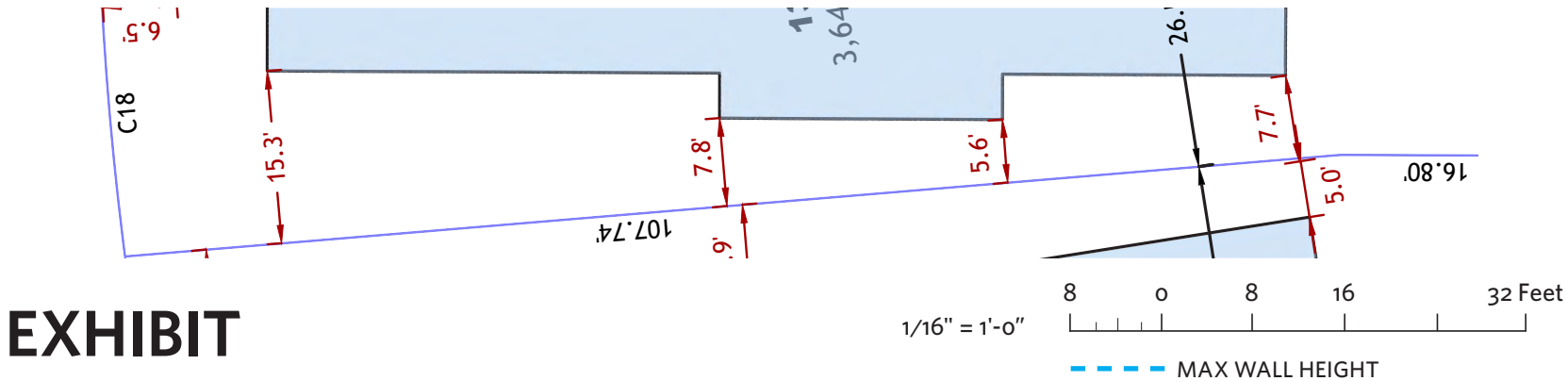
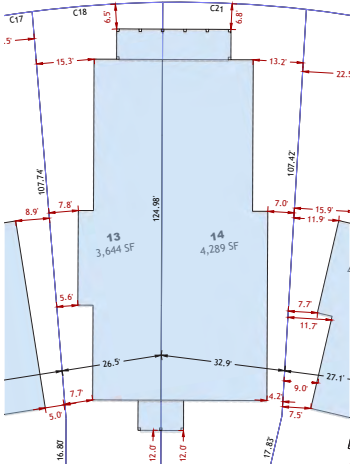
Base max wall height	20'	20'	20'
Adjustment due to setback*	+5'-3" to +2'-0"	-2'-2" to -4'-5"	-1'-0" to -2'-4"
Increase due to grade**	0'	0'	4'-3"
Updated max wall height	25'-3" to 22'-0"	17'-10" to 15'-7"	19'-0" to 21'-11"



KEY PLAN (NTS)



LOT PLAN (NTS)



LOTS 13 & 14 - BUILDING WALL HEIGHT EXHIBIT

Base max wall height	20'	20'	20'
Adjustment due to setback*	+3'-10" to +4'-6"	+0.5" to +1'-2"	+5'-2" to +6'-2"
Increase due to grade**	2'-1"	2'-8"	1'-4"
Updated max wall height	25'-11" to 24'-6"	22'-8.5" to 21'-2"	26'-6" to 26'-2"

* Wall height adjustment applies to both uphill and downhill max wall height. For every 1'-0" reduction in the side yard setback the wall height will decrease 1'-0". For every 1'-0" increase the max wall height will increase 1'-0". See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c.

** Downhill wall height increase of 0.5' for every 1'-0" Cross Slope Differential. See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c(1).

WEST ELEVATION - REQUIRED 10' SETBACK

Base max wall height	20'	20'	20'
Adjustment due to setback*	+12'-6" to +5'-10"	+1'-10" to -2'-5"	+1'-8" to -2'-6"
Increase due to grade**	0'	3'-6"	2'-0"
Updated max wall height	28' to 25'-10"	21'-10" to 21'-1"	21'-8" to 19'-6"

LOT PLAN (NTS)

KEY PLAN (NTS)

Cross Slope Differential

17.83'

107.42'

22.5'

15.9'

11.9'

7.0'

7.7'

11.7'

9.0'

4.2'

7.5'

17.83'

1/16" = 1'-0"

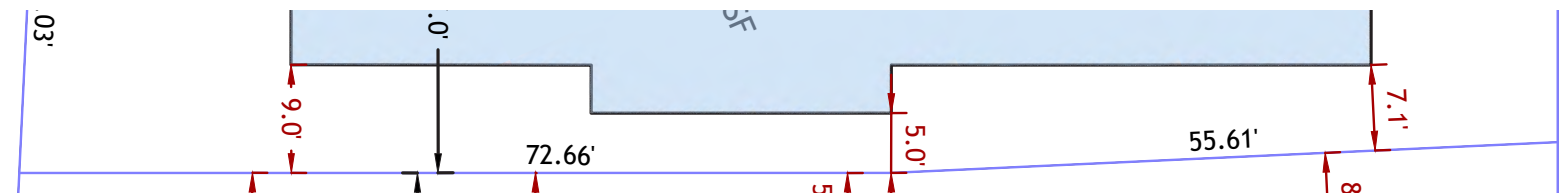
8 0 8 16 32 Feet

MAX WALL HEIGHT

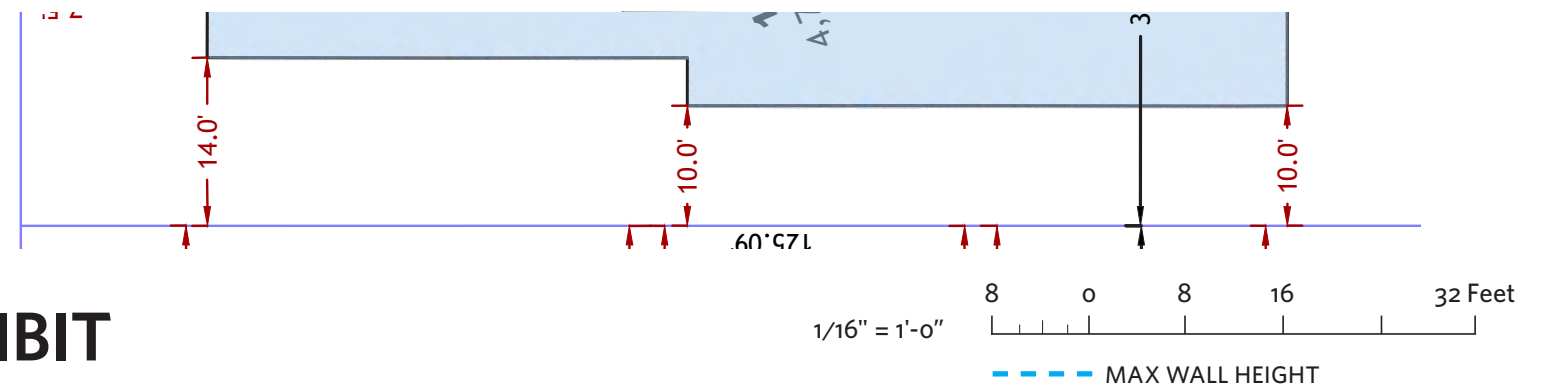
IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / JANURARY 2023

Base max wall height	20'	20'	20'
Adjustment due to setback*	-1'	-5'	-1' to -2'-10"
Increase due to grade**	3'-9"	2'-9"	3"
Updated max wall height	22'-9"	17'-9"	19'-0" to 17'-5"

** Downhill wall height increase of 0.5' for every 1'-0" Cross Slope Differential. See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c(1).



Base max wall height	20'	20'
Adjustment due to setback*	+4'	0'
Increase due to grade**	2'-7"	3'-1.5"
Updated max wall height	26'-7"	23'-1.5"



Technical drawing of a roof plan showing two main sections, 17 and 18, with various dimensions and setbacks.

Section 17: 4,789.5f

Section 18: 3,373.5f

Dimensions and Setbacks:

- Top setbacks: 38.00, 24.43, 7.5, 7.5
- Right setbacks: 7.1, 8.1, 95.61, 25.66
- Bottom setbacks: 13.9, 10.0, 9.0, 12.7
- Left setbacks: 16.1, 14.0, 15.1, 11.1, 10.0, 10.5, 14.5
- Internal dimensions: 17, 18, 38.0, 27.0, 126.91, 125.09, 72.66, 10.9

An aerial photograph of a parking lot with several cars parked. A red rectangle is drawn on the pavement, highlighting a specific area in the upper right portion of the lot. The rectangle is oriented horizontally and appears to be a standard size for a parking space or a small section of the lot.

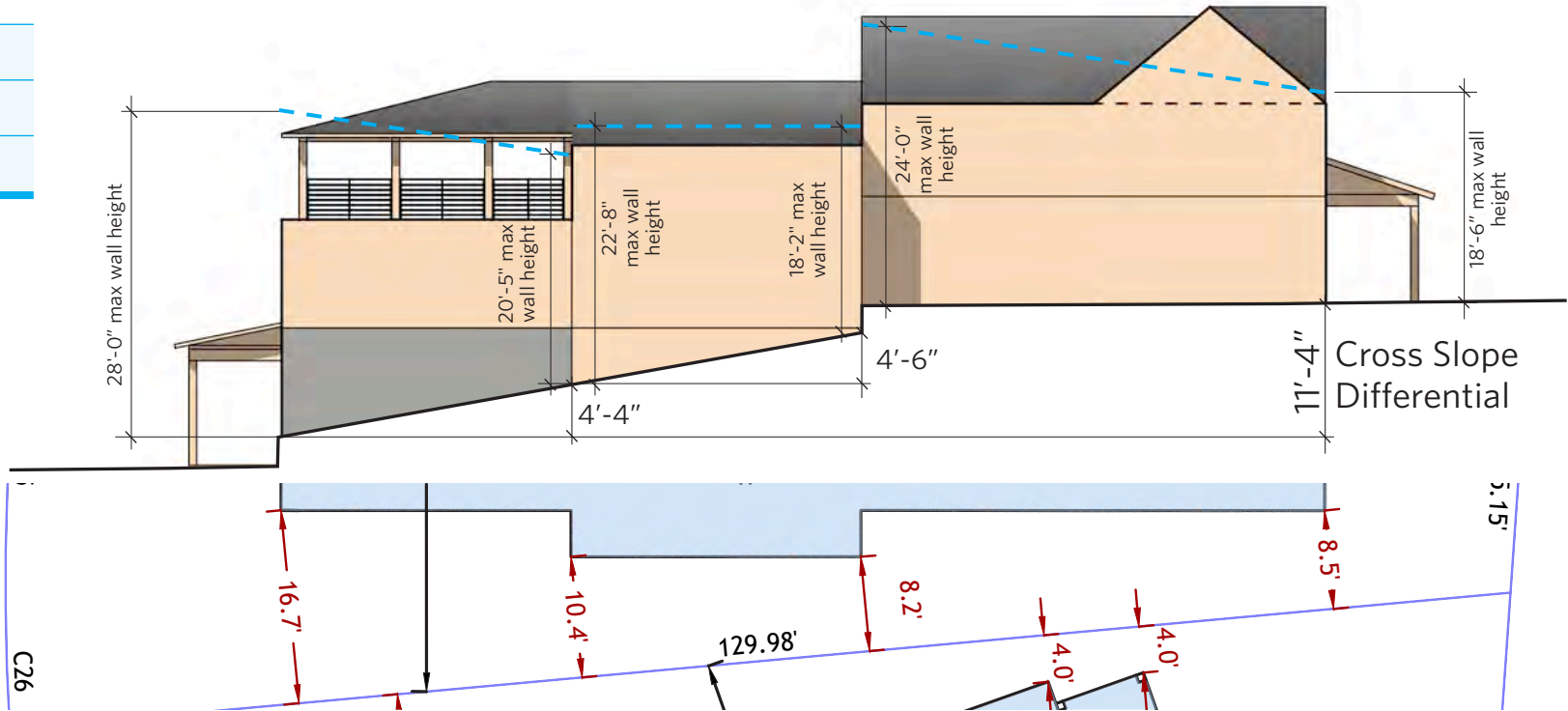
IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / JANURARY 2023

EAST ELEVATION - REQUIRED 10' SETBACK

Base max wall height	20'	20'	20'
Adjustment due to setback*	+6'-8" to + 5"	+5" to -1'-10"	+4'-0" to -1'-6"
Increase due to grade**	2'-2"	2'-3"	0
Updated max wall height	28' to 20'-5"	22'-8" to 18'-2"	24'-0" to 18'-6"

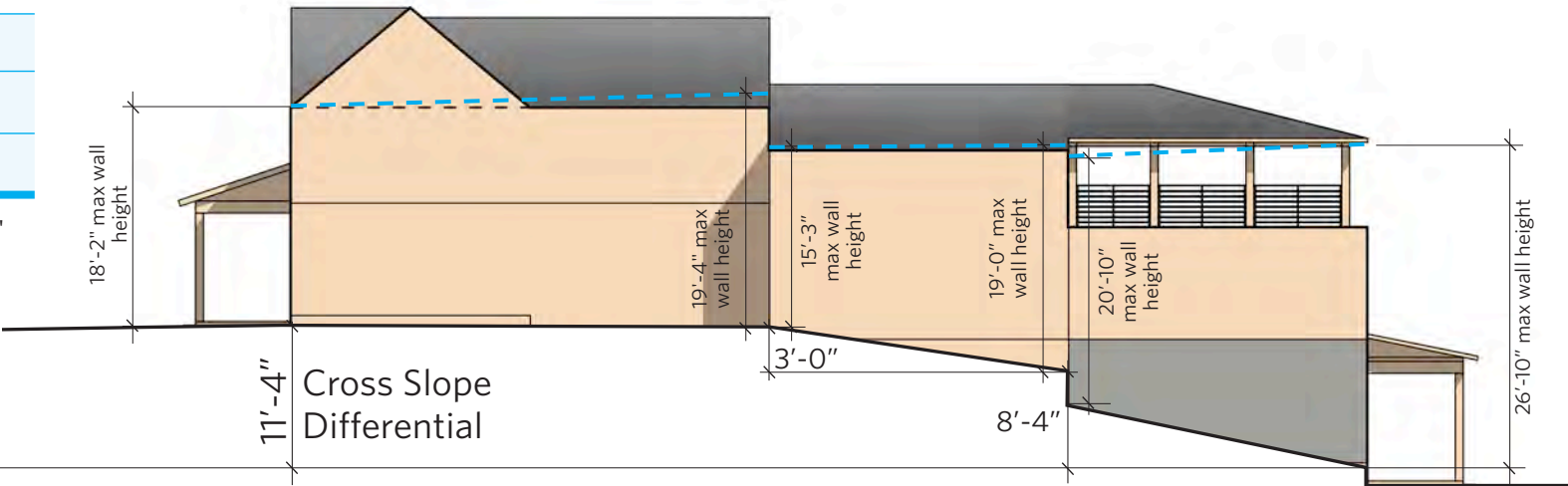
* Wall height adjustment applies to both uphill and downhill max wall height. For every 1'-0" reduction in the side yard setback the wall height will decrease 1'-0". For every 1'-0" increase the max wall height will increase 1'-0". See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c.

** Downhill wall height increase of 0.5' for every 1'-0" Cross Slope Differential. See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c(1).



WEST ELEVATION - REQUIRED 10' SETBACK

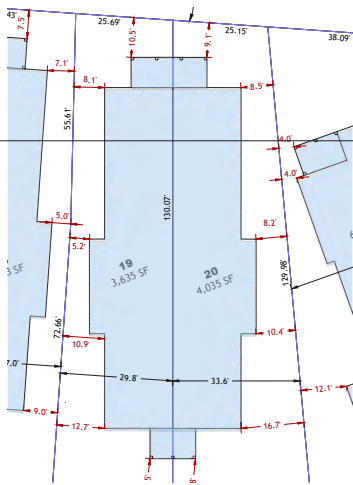
Base max wall height	20'	20'	20'
Adjustment due to setback*	-1'-10" to -8"	-4'-9" to -2'-6"	+10" to +2'-8"
Increase due to grade**	0'	1'-6"	4'-2"
Updated max wall height	18'-2" to 19'-4"	15'-3" to 19'-0"	20'-10" to 26'-10"



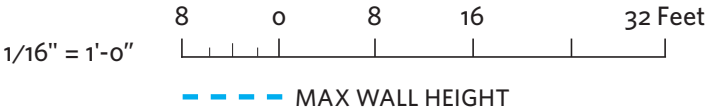
KEY PLAN (NTS)



LOT PLAN (NTS)



LOTS 19 & 20 - BUILDING WALL HEIGHT EXHIBIT



EAST ELEVATION - NOT APPLICABLE FOR CORNER LOT SIDE YARD

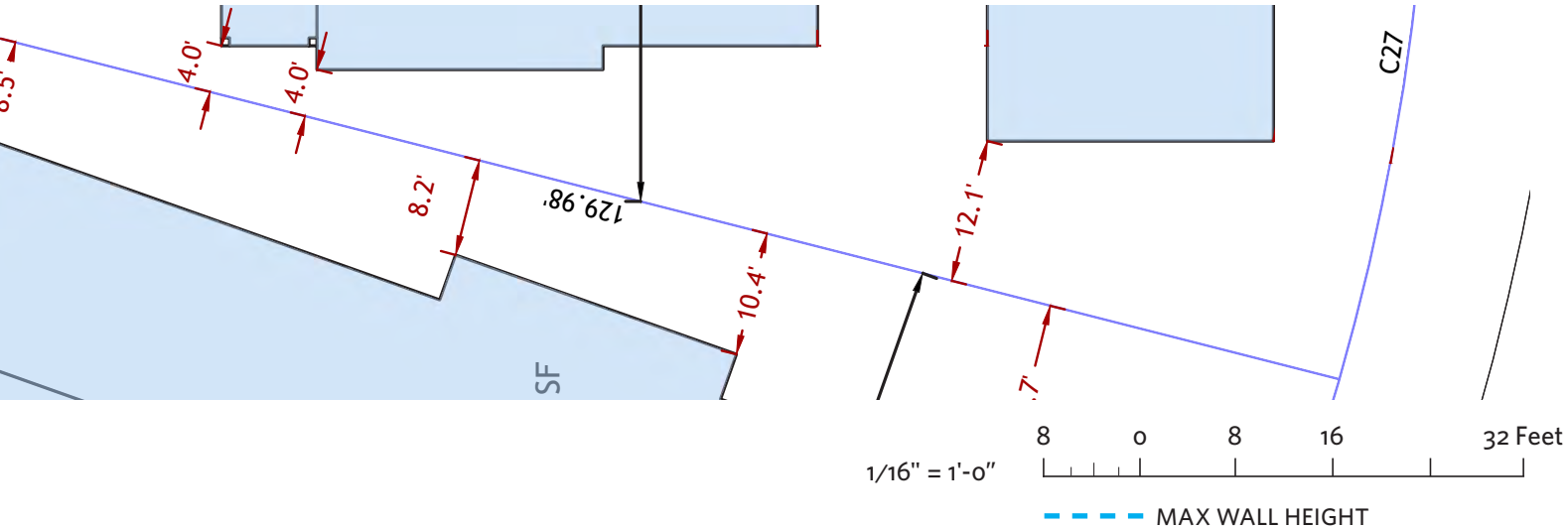
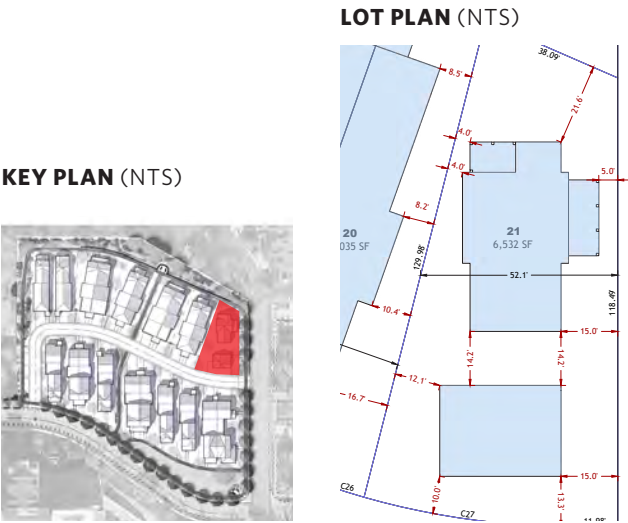
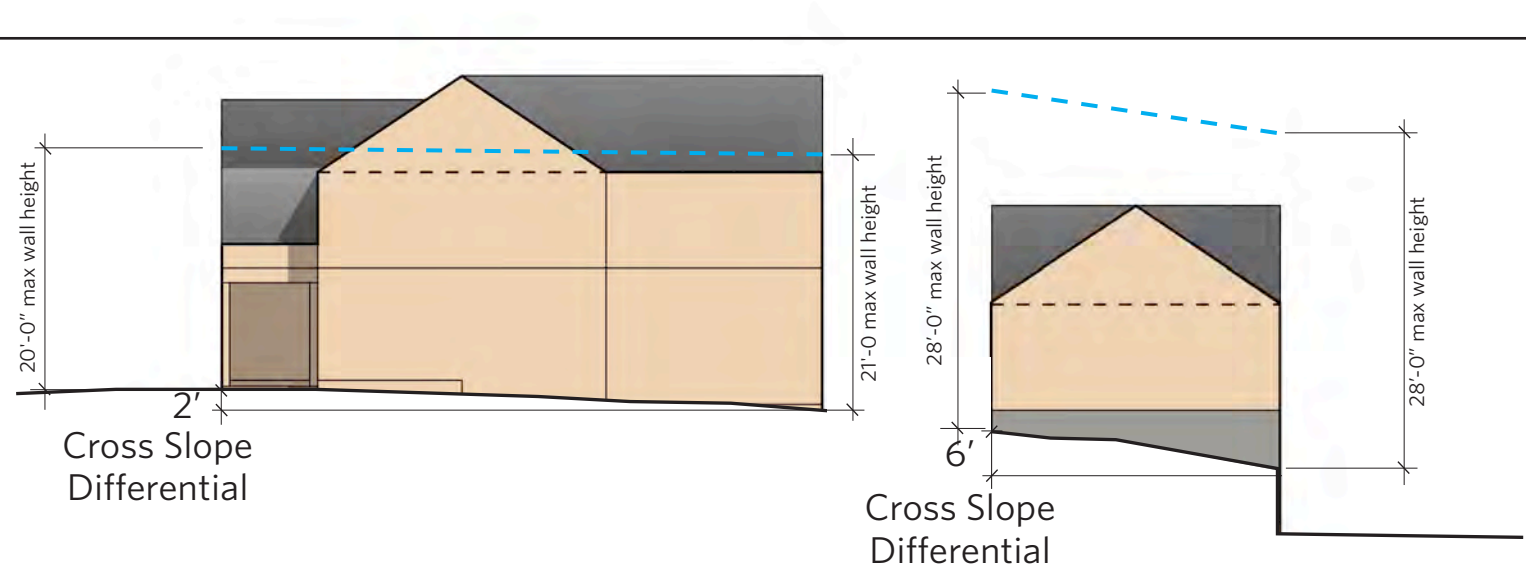
Base max wall height	N/A
Adjustment due to setback*	N/A
Increase due to grade**	N/A
Updated max wall height	N/A

* Wall height adjustment applies to both uphill and downhill max wall height. For every 1'-0" reduction in the side yard setback the wall height will decrease 1'-0". For every 1'-0" increase the max wall height will increase 1'-0". See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c.

** Downhill wall height increase of 0.5' for every 1'-0" Cross Slope Differential. See 21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D3c(1).

WEST ELEVATION - REQUIRED 10' SETBACK

Base max wall height	20'	20'
Adjustment due to setback*	0'	+8'
Increase due to grade**	1'	3'
Updated max wall height	21'	28'



LOT 21 - BUILDING WALL HEIGHT EXHIBIT

Description	Estimate							Total
	0 Frequency	10 10-Yr Period	20 20-Year Period	30 30-Yr Period	40 40-Yr Period	50 50-Yr Period	60 60-Yr Period	
Operations								
Snow Removal	Annually	\$ 93,851	\$ 132,386	\$ 186,744	\$ 263,421	\$ 371,581	\$ 524,152	\$ 1,572,135
Landscaping	Annually	\$ 351,942	\$ 496,449	\$ 700,290	\$ 987,828	\$ 1,393,429	\$ 1,965,569	\$ 5,895,506
Underground Storm Drain Clean-Out	Annually	\$ 29,328	\$ 41,371	\$ 58,357	\$ 82,319	\$ 116,119	\$ 163,797	\$ 491,292
Operations Total:								\$ 7,958,934

Maintenance/Upkeep

Private Alley- Slurry Seal	10 Years	\$ 10,222	\$ 14,419	\$ 20,339	\$ 28,690	\$ 40,470	\$ 57,088	\$ 171,228
Private Alley- Rotomill & Resurface	20 Years		\$ 2,980		\$ 5,929		\$ 11,798	\$ 20,707
Private Alley- Full Depth Repave	40 Years				\$ 98,140			\$ 98,140
Sewer Lateral- Rotoruter	20 Years		\$ 2,403		\$ 4,782		\$ 9,515	\$ 16,699
Sewer Lateral- Full Replacement	40 Years				\$ 113,097			\$ 113,097
Water Lateral- Slipline	20 Years		\$ 10,297		\$ 20,489		\$ 40,768	\$ 71,554
Water Lateral- Full Replacement	40 Years				\$ 40,989			\$ 40,989
Irrigation- Minor Repairs	Every 5 Years	\$ 6,904	\$ 9,738	\$ 13,737	\$ 19,377	\$ 27,333	\$ 38,556	\$ 115,646
Irrigation- Major Part Replacements	Every 10 Years	\$ 4,770	\$ 6,729	\$ 9,492	\$ 13,389	\$ 18,886	\$ 26,641	\$ 79,906
Landscaping- Plant Replacement (10%)	Every 3 Years	\$ 18,773	\$ 25,585	\$ 49,107	\$ 52,691	\$ 71,812	\$ 137,834	\$ 355,801
Landscaping- Professional Tree Trimming	Every 10 Years	\$ 15,673	\$ 22,109	\$ 31,187	\$ 43,992	\$ 62,055	\$ 87,534	\$ 262,550
Maintenance/Upkeep Total:								\$ 1,346,317

NOTES

1) Annual inflation rate of 3.5% taken from the 30 yr long term average outlook from Engineering News-Record (ENR)

Grand Total:	\$ 9,305,251
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ATTACHMENT C: Property and Vicinity Photos



*Above: Southeast corner of subject property
Below: Subject property from Capitol Park Avenue*





Above: Subject property from northeast corner

Bottom left: North property line of property. Brick wall separates Northpointe Estates, facing west

Bottom right: North property line of property near midpoint





Top left: Northwest corner of property



Top right: North property line from northwest corner, to east

Below: West property line from northwest corner, facing south





Above: Subject property from the west property line

Bottom left: West property line and adjacent property



Bottom right: West property line from midpoint, facing south





Above: 674 West Caring Cove, from rear

Below: South side of 674 West Caring Cove, from Caring Cove/Capitol Park Avenue





Above: Capitol Park Avenue, facing west near southwest corner of subject property

Below: Caring Cove from Capitol Park Avenue





Above: 674 Caring Cove

Below: 684 Caring Cove





Above: 690 Caring Cove

Below: Wright Building (building west of Meridian) from Capitol Park Avenue





Above: The Meridian at Capitol Park from Northwest

Below: The Meridian at Capitol Park from North





Above: The Meridian at Capitol Park from Northeast

Below: Capitol Park Avenue from F Street





Above: F Street, facing north/uphill

Below: F Street, facing south/downhill





Above: 461 East 13th Avenue

Below: 668 North F Steet





Above: Duplex at approximately 678 North F Street

Below: 688 North F Street



ATTACHMENT D: Zoning Standards Review

The tables below illustrate how the proposed lots will comply with relevant zoning standards. Because the development plan submitted with this request is missing some details, some standards will not be reviewed until the Building Permit review stage of the development process.

21A.24.080: SR-1 Special Development Pattern Residential District

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

Standard	Proposed	Finding
21A.24.010 – General Provisions for Residential Districts		
21A.24.010.I – Front Façade Controls 10% of the front façade of each building must have an entry, windows, balconies, porches, or something similar (garage does not count)	The proposed elevations for each unit type includes more than 10% coverage from the features listed in this standard.	Complies
21A.24.010.N – Landscaping within Front/Corner Side Yard Front and Corner side yards must be maintained as landscape yards (see Landscaping section for requirements)	The established yards of each lot are proposed to be landscaped.	Complies
21A.24.010.V – Entrance Landing Each exit door must have at least 36" x 36" concrete pad (uniform building code)	Landings are present at each entry.	Complies
21A.24.080 – Provisions for SR-1 Special Development Pattern Residential District		
21A.24.080.C – Minimum Lot Area: <i>Single-family:</i> 5,000 sq. ft. <i>Twin Home:</i> 4,000 sq. ft. per unit	Number of single-family units: 7 Number of twin home units: 14 Area required based on units: 91,000 sq. ft. Area of entire development: 139,392 sq. ft. <i>To encourage clustering of the development and to allow additional space for the internal ADUs, the applicant has requested Planned Development approval to modify this standard.</i>	Complies with PD approval
21A.24.080.C – Minimum Lot Width: <i>Single-family:</i> 50 feet. <i>Twin Home:</i> 25 feet per unit	Narrowest single-family lot: 38 feet wide Narrowest twin home lot: 22 feet wide <i>To encourage clustering of the development and to allow additional space for the internal ADUs, the applicant has requested Planned Development approval to modify this standard.</i>	Complies with PD approval
21A.24.080.D – Maximum Building Height: Pitched roofs: 28 feet (slope of 2:12 or steeper) Flat roofs: 20 feet <i>Measured from established grade</i>	Elevation plans show all proposed buildings within maximum height.	Complies
21A.24.080.D.3 – Exterior Wall Height: 20 feet	Elevation plans show all walls adjacent to interior side yards to be within the limit. See Key Consideration 5 for additional discussion regarding this standard.	Complies
21A.24.080.E.1 – Front Yard Setback: 1. 20 feet or 2. Average setback of block, or 3. Established by subdivision plat	Smallest front yard setback: 5 feet <i>To encourage clustering of the development and to allow additional space for the internal ADUs, the</i>	Complies with PD approval

	<i>applicant has requested Planned Development approval to modify this standard.</i>	
21A.24.080.E.2 – Corner Side Yard Setback: 10 feet or established setback line	Because F Street is the only public street abutting the subject property, no corner side yards are present.	n/a
21A.24.080.E.3 – Interior Side Setback: <i>Single-family:</i> 4 ft one side, 10 ft other side <i>Twin Home:</i> 10 feet on the non-party-wall side	Smallest single-family setback: 4 feet on a 10-foot side Smallest twin home setback: 4 feet <i>To encourage clustering of the development and to allow additional space for the internal ADUs, the applicant has requested Planned Development approval to modify this standard.</i>	Complies with PD approval
21A.24.080.E.4 – Rear Yard Setback: <ul style="list-style-type: none"> • 25% of lot depth • Not less than 15 feet • Not greater than 30 feet 	Smallest rear yard setback: 4 feet <i>To encourage clustering of the development and to allow additional space for the internal ADUs, the applicant has requested Planned Development approval to modify this standard.</i>	Complies with PD approval
21A.24.080.F – Maximum Building Coverage: 40% (includes primary and accessory buildings)	Total Bldg. Coverage: 47,110 Total Lot Area: 135, 036 Total Coverage: 35% Individual lot coverage ranges from 42% to 57%. <i>To encourage clustering of the development and to allow additional space for the internal ADUs, the applicant has requested Planned Development approval to modify this standard.</i>	Complies with PD approval
21A.24.080.G – Maximum Lot Size No more than 150% greater than minimum lot size	Parcels A & B will be used as public open space with water retention, so there is no minimum or maximum lot size.	Complies
21A.24.080.H – Attached Garage Standards: <ul style="list-style-type: none"> • Garage width cannot exceed 50% of building • Behind or in line with front of building 	This standard only applies to units facing F Street. No garages are proposed to face F Street.	Complies
21A.36 – General Provisions		
21A.36.010.B – One Principal Building No more than one principal building may be located on a single lot in SR-1 district	One building proposed per lot	Complies
21A.36.010.C. – Frontage on Public Street All lots shall face a public street	Not all lots face public streets. <i>To encourage clustering of the development and to allow additional space for the internal ADUs, the applicant has requested Planned Development approval to modify this standard.</i>	Complies with PD approval

21A.44 – Off Street Parking, Mobility, and Loading		
21A.44.040.A – Required Parking 2 spaces per principal dwelling unit 1 space per ADU	21 units, 2 spaces per unit: 42 required 21 ADUs, 1 space per unit: 21 required 63 total space required 82 spaces provided	Complies
21A.44.040.E – Bicycle Parking Single-family and twin homes are exempt from bicycle parking regulations	-	n/a
21A.44.060 A.3 – Parking Location and Setback Per Table 21A.44.060.A , parking space setbacks on a legal driveway are exempt from setback requirements and may be located in front of the house	-	Complies
21A.44.060.A.6.c – Driveways <ul style="list-style-type: none"> • At least 20 ft from street corner property line • At least 5' from utility infrastructure • At least 8 ft wide • No more than 22 feet wide • Shared driveway entry allowed if approved by transportation division 	The private street accessing F Street and driveways within the development are proposed to be wider than the 22-foot maximum. The applicant is requesting Planned Development approval for a modification to this standard.	Complies with PD approval
21A.44.060.16 – Tandem Parking Required parking for residential uses may be tandem in groups of no more than 2. Each group serves only one unit (Manual also states that tandem parking is permitted for single-family and twin homes)	Many of the proposed spaces will be tandem, which is acceptable.	Complies
21A.48.135 Private Lands Tree Preservation		
21A.48.060.E – Standards <ul style="list-style-type: none"> • Trees need to be preserved to maximum extent practicable. • If they cannot be preserved, the following criteria must be considered: <ul style="list-style-type: none"> ○ Whether alternative configurations are feasible without negatively impacting neighbors ○ Whether preservation of trees would render development infeasible ○ If development of the property will provide significant community benefit • Replacement trees must be provided at a rate of two caliper inches per one inch of diameter at breast height of all removed trees Cash payment into the City's tree fund equal to the cost of replacement trees (According to the 2:1 standard mentioned above)	Removal of the existing trees on the site will require replacement trees or cash payment according to the standards listed to the left.	To be calculated prior to issuance of building permit

Accessory Dwelling Unit Review

Standard	Proposed	Finding
21A.40.200 – Accessory Dwelling Units		
21A.40.200.D – Number of Allowed ADUs	There would only be up to one ADU per proposed lot.	Complies
21A.40.200.E.1 – Location on property Internal ADUs shall be located within the buildable area of a lot	Planned development approval of the proposed buildable area on each lot will take care of this standard.	Complies
21A.40.200.E.2 – Location on property Front yard: not permitted Interior side yard: 3 feet and behind rear façade of principal building Rear yard: 3 feet ADUs are permitted within the buildable area of a lot	The external ADU proposed on lot 21 would be located within the buildable area of the lot if the modifications to the front yard setback are approved. Accessory building on lot 21 must be established as an ADU, cannot be optional. Staff recommends this as a condition of approval.	Complies with PD approval
21A.40.200.F – External ADU Height New detached ADUs cannot exceed 17 feet, unless: <ul style="list-style-type: none"> It is set farther back from a rear or side lot line, It is part of a conversion of an existing accessory building, It is located fully within the buildable area of a lot (then may use dimensions of zoning district). <ul style="list-style-type: none"> Pitched roofs: 28 feet (slope of 2:12 or steeper) Flat roofs: 20 feet 	The external ADU proposed on lot 21 would be located within the buildable area of the lot if the modifications to the front yard setback are approved. <i>Max proposed height: 23 feet</i> Accessory building on lot 21 must be established as an ADU, cannot be optional. Staff recommends this as a condition of approval.	Complies with Conditions
21A.40.200.G – ADU Parking One space per ADU unless the property is: <ul style="list-style-type: none"> Within a district with no parking requirement. already parked beyond what is required. Within ¼ mile of a transit stop Within ½ mile of a bike lane 	The subject site is located within ½ mile of a bike lane (even from the farthest corner), so ADU parking is not required. <i>See parking standard in general zoning review</i>	Complies
21A.40.200.J – Gross Floor Area There is no maximum gross floor area for internal ADUs, but they cannot exceed 50% of a structure's gross floor area	None of the proposed potential interior ADU spaces are larger than the structure in which they are located	Complies
21A.40.200.L – Building Coverage ADUs are subject to the maximum building coverage requirements	Maximum building coverage will be modified by this Planned Development application. <i>See building coverage standard in general zoning review</i>	Complies with PD approval
21A.40.200.N – Admin Regulations No minimum lot size for ADUs ADUs do not count toward lot density	The proposal complies with this standard.	Complies

ATTACHMENT E: Subdivision Standards Review

20.16.100: Preliminary Subdivision Standards:

Standards of Review – Subdivision
A. The subdivision complies with the general design standards and requirements for subdivisions as established in chapter 20.12 of this title;
Discussion: The proposal generally meets relevant design standards found in chapter 20.12 of the subdivision regulations. An analysis can be found in the table following this review. Standards that are not met are part of the modifications requested through the Planned Development application.
Condition(s): Planned Development approval of the proposal
Finding: <input type="checkbox"/> Complies <input checked="" type="checkbox"/> Complies with conditions <input type="checkbox"/> Does not comply <input checked="" type="checkbox"/> Not Applicable
B. All buildable lots comply with all applicable zoning standards;
Discussion: As discussed earlier in this report, the applicant has requested modifications to the following standards: <ol style="list-style-type: none"> Lot Frontage on Public Streets: 21A.36.010.C, which requires all lots to have frontage on (or touch) a public street. Minimum Lot Area: 21A.24.080.C, which requires 5,000 square feet per single-family lot and 4,000 square feet per lot half of a twin home building. Lot Width: 21A.24.080.C, which requires 50 feet for a single-family lot and 25 feet per lot half of a twin home building. Front Yard Setbacks: 21A.24.080.E.1.a, which requires the front of new buildings to project no farther than either the average depths of the block face or 20 feet from the front lot line (if no other buildings are present). Interior Side Yard Setbacks: 21A.24.080.E.3, which, for single-family dwellings, requires buildings to be no closer than 4 feet from a side lot line on one side and 10 feet from a side lot line on the other. Rear Yard Setbacks: 21A.24.080.E.4, which requires 25% of a lot's depth (not less than 15 feet and no more than 30 feet). Maximum Building Coverage: 21A.24.080.F, which limits the surface coverage of all buildings to 40% of a lot. Planned Development approval is required for these modifications. This standard will be met if the Commission approves the Planned Development.
Condition(s): Planned Development approval of the proposal
Finding: <input type="checkbox"/> Complies <input checked="" type="checkbox"/> Complies with conditions <input type="checkbox"/> Does not comply <input type="checkbox"/> Not Applicable
C. All necessary and required dedications are made;
Discussion: No dedications of property are required for this development.
Condition(s): None
Finding: <input type="checkbox"/> Complies <input type="checkbox"/> Complies with conditions <input type="checkbox"/> Does not comply <input checked="" type="checkbox"/> Not Applicable

D. Water supply and sewage disposal shall be satisfactory to the public utilities department director;
Discussion: Public Utilities has provided preliminary approval. All other requirements are typical for a new development this size.
Condition(s): None
Finding: <input checked="" type="checkbox"/> Complies <input type="checkbox"/> Complies with conditions <input type="checkbox"/> Does not comply <input type="checkbox"/> Not Applicable
E. Provisions for the construction of any required public improvements, per section 20.40.010 of this title, are included;
Discussion: The subdivision includes proposed improvements to the section of F Steet abutting the subject property. The Engineering Division will review and approve the proposed improvements with the Final Plat.
Condition(s): none.
Finding: <input checked="" type="checkbox"/> Complies <input type="checkbox"/> Complies with conditions <input type="checkbox"/> Does not comply <input type="checkbox"/> Not Applicable
F. The subdivision otherwise complies with all applicable laws and regulations;
Discussion: Except for the standards the applicant has requested to be modified through the Planned Development process, this proposal complies with all other applicable laws and regulations.
Condition(s): Planned Development approval of the proposal.
Finding: <input type="checkbox"/> Complies <input checked="" type="checkbox"/> Complies with conditions <input type="checkbox"/> Does not comply (requesting modifications) <input type="checkbox"/> Not Applicable
G. If the proposal is an amendment to an existing subdivision and involves vacating a street, right of way, or easement, the amendment does not materially injure the public or any person who owns land within the subdivision or immediately adjacent to it and there is good cause for the amendment.
Discussion: This proposal is not an amendment to an existing subdivision.
Condition(s): none
Finding: <input checked="" type="checkbox"/> Complies <input type="checkbox"/> Complies with conditions <input type="checkbox"/> Does not comply <input checked="" type="checkbox"/> Not Applicable

20.12 Subdivision Design Standards Checklist

Standard	Staff Review	Compliance
20.12.010 General Regulations and Standards: Except where modified by the planning commission or its designee, all subdivision of land within Salt Lake City shall comply and conform with the design standards and requirements as set forth and as referred to in this section, as follows:		
A. Supervision: All subdivision development work performed under this section will be allowed only when said work is performed under the supervision of the city engineer, transportation director and/or public utilities director in accordance with the approved subdivision plan, and said work is secured by a performance guarantee bond or other security device acceptable to the city attorney and mayor.	The proposed preliminary plat has been completed and stamped by a licensed engineer.	Finding: Complies
B. Preservation Of Natural Features: Trees, native ground cover, natural watercourses, and topography shall be preserved when possible, and the subdivision shall be so designed as to prevent excessive grading and scarring of the landscape in conformance with this title.	The applicant intends to remove multiple trees from the site. However, the applicant will be required to comply with the Private Lands Tree Preservation requirements in section 21A.48.135. The plans include 163 replacement trees.	Finding: Complies with conditions
C. Hazardous Areas To Be Fenced: All areas of the subdivision or features adjacent to the subdivision, which present a potential threat to the public safety shall be fenced with a six foot (6') non-climbable fence or acceptable alternative, as required by the planning commission or its designee. Such hazardous areas may include, but are not limited to, rivers and streams, canals, cliffs, ravines, railroad rights of way, and steep slopes. Required fencing shall be constructed and included as part of the subdivision improvements and shall be bonded.	No hazardous areas have been identified on the site.	Finding: Not Applicable
D. Buildable Lots: All subdivisions shall result in the creation of lots which are developable and capable of being built upon, unless a different purpose for the lot is clearly intended and approved by the planning commission or its designee. No subdivision shall create lots, and no building permit shall be issued for any lots which would make improvements and services impractical due to size, shape, steepness of terrain, location of watercourses, problems of sewerage or driveway grades, or other physical conditions.	All proposed lots appear to be developable.	Finding: Complies
E. Access To Public Streets:		
1. All lots or parcels created by the subdivision of land shall have access to a public street improved to standards required by this title, unless a private street or modified standards are approved by the planning commission as part of a planned development. Private streets shall not be permitted unless the planning commission finds that the most logical development of land requires that lots be created which are served by a private street or other means of access.	The applicant has requested, through Planned Development, to create lots without street frontage that would be accessed by a private street. Because the adjacent Capitol Park Avenue is a private street, the requested modification is necessary for efficient use of the property.	Finding: Complies with PD Approval

<p>2. As part of the application for any subdivision proposing private streets, the subdivider shall provide for review by the city engineer the following:</p>	<p>Development reviewers from the Engineering Division have not objected to the proposed private street. The applicant will be required to comply with all of their requirements.</p>	<p>Finding: Complies</p>
<p>a. A street development plan showing the alignment, width, grades, design, and material specifications; the topography and means of access to each lot; drainage; and, utility easements for servicing the lots served by such private street.</p>	<p>Plans include required material specifications.</p>	<p>Finding: Complies</p>
<p>b. A plan providing for future ownership and maintenance of said street together with payment of taxes and other liability thereon.</p>	<p>The proposed private street is proposed to be maintained by the proposed Homeowners Association</p>	<p>Finding: Complies</p>
<p>3. After review and favorable recommendation by the city engineer, the planning commission may include such approved street plans as part of its recommendations to the mayor. Construction of the private street or access shall be completed prior to occupancy of any building on lots served by a private street. However, if finished grading has been completed and stabilized to the city engineer's satisfaction, the subdivider may post a cash bond equal to the cost of completing the street, as determined by the city engineer, in a form approved by the city attorney to assure the earliest possible completion of said street. The bond may be posted if, and only if, the street is stabilized and made passable until such time as the completion of the street can be accomplished.</p>	<p>Completion of the private street shall be required prior to issuance of final occupancy.</p>	<p>Finding: Complies</p>
<p>F. Landscaping</p>		
<p>1. A landscaped area shall be required in all residential subdivisions and may be required in nonresidential subdivisions. Said landscaping shall be located either within the nonpaved portion of the street right of way, or within a dedicated landscaping easement, not less than five feet (5') wide, adjacent to the street. The location of the landscaping shall be specified by the planning commission or its designee. The type of landscaping and street trees shall be selected, installed, and maintained in accordance with standard specifications prepared by Salt Lake City.</p>	<p>Street trees and other landscaping features are proposed according to the City's landscaping requirements along F Street and Capitol Park Avenue.</p>	<p>Finding: Complies</p>
<p>2. Whenever, in the opinion of the planning commission or its designee, the cuts and fills created by the subdivision are of sufficient size or visibility to demand special treatment, the subdivider shall be required to landscape such areas with suitable permanent plant materials and to provide for their maintenance.</p>	<p>Extensive landscaping is proposed within areas to be cut or filled during development.</p>	<p>Finding: Complies</p>
<p>G. Utilities and Easements:</p>		
<p>1. All utilities shall be provided through underground services.</p>	<p>All utilities are proposed to be underground.</p>	<p>Finding: Complies</p>

2. Easements for utility and drainage purposes shall be provided within the subdivision as required by the planning commission or its designee. However, in no event shall such easement be less than five feet (5') in width when proposed along the front lot line.	None of the proposed easements are narrower than 13 feet	Finding: Complies
H. Watercourses: The subdivider shall dedicate a right of way for storm drainage conforming substantially with the lines of any natural watercourse or channel, stream, creek, or floodplain that enters or traverses the subdivision.	All existing stormwater drainage easements within the subdivision amendment will remain.	Finding: Complies
J. Block Design:		
1. Blocks shall normally have sufficient width for an ultimate layout of two (2) tiers of lots of the size required by the provisions of the zoning and subdivision ordinances of Salt Lake City.	Despite lacking public frontage in some areas, the proposed development reflects a typical block layout found in the city that has two tiers and an alley cutting through the center.	Finding: Complies
2. Blocks shall not exceed the following perimeter measurements: Two thousand four hundred (2,400) linear feet for zoning districts with minimum lot sizes that range from no minimum up to and including ten thousand (10,000) square feet, and; three thousand (3,000) linear feet for zoning districts with a minimum lot size greater than ten thousand (10,000) square feet.	The perimeter of the subject property is just over 1,500 linear feet.	Finding: Complies
J. Reservation Of Land For Park And Recreation Purposes: Pursuant to the recreation or parks elements, plans or standards set forth in the master plan, as a condition of final subdivision approval the subdivider shall be required to reserve land for park and recreation purposes according to the following standards:		
1. For subdivisions of twenty five (25) lots or more, including contiguous land owned or controlled by subdivider or landowner, the subdivider shall reserve land for two (2) years for public purchase at a minimum ratio of one-fourth ($\frac{1}{4}$) acre of land per twenty five (25) lots in the subdivision or five percent (5%) of the total area in the subdivision, whichever is greater.	This proposal includes fewer than 25 lots.	Finding: Not Applicable
2. All land to be reserved for park or recreational purposes shall be found to be suitable by the planning commission or its designee and the public services department as to location, parcel size, and topography for the park and recreation purpose for which it is indicated in the master plan, or as determined by the planning commission or its designee. Such purpose may include active recreation facilities such as playgrounds, play fields, pedestrian or bicycle paths, or open space areas of particular natural beauty, including canyons, hilltops, and wooded areas to be developed or left in their natural state.	No land is required to be reserved as park space.	Finding: Not Applicable
3. At the time of approval of the final subdivision plat, the city may specify when development of a park or recreation facility is scheduled to begin.	Not applicable	Finding: Not Applicable

K. Connectivity:		
1. Public Accessways:		
a. The city shall require within the development site the improvement of accessways for pedestrian and bicyclist use to connect the development site to adjacent cul-de-sacs or to an adjacent site that is undeveloped, publicly owned, or developed with an accessway that connects to the subject site.	No public accessway will be required as part of this proposal. There is no adjacent site where connectivity is available.	Finding: Not Applicable
2. Street Connectivity Standards:		
a. The proposed subdivision shall include street connections to any streets that abut, are adjacent to, or terminate at the subdivision site. The proposed development shall also include street connections in the direction of all existing or planned streets adjacent to the development site as determined by the planning director.	No new public streets are proposed as part of this request.	Finding: Complies
b. The proposed development shall include streets that extend to undeveloped or partially developed land that is adjacent to the development site or that is separated from the development site by a drainage channel, transmission easement, survey gap, or similar property condition. The streets shall be in locations that will enable adjoining properties to connect to the proposed development's street system.	The subject property is not adjacent to undeveloped land.	Finding: Not Applicable
3. Cul-De-Sacs:		
a. Except for streets that are less than one hundred fifty feet (150') long all streets that terminate shall be designed as a cul-de-sac bulb or other design acceptable to the transportation director in order to provide an emergency vehicle turnaround.	This proposal does not create any new cul-de-sacs.	Finding: Not Applicable
b. Public accessways to provide safe circulation for pedestrians, bicyclists and emergency vehicles shall be required from a cul-de-sac or emergency vehicle turnaround, unless the subdivider adequately demonstrates that a connection cannot be made because of the existence of one or more of the following conditions: (1) Physical conditions preclude development of the connecting street. Such conditions may include, but are not limited to, topography or likely impact to natural resource areas such as wetlands, ponds, streams, channels, rivers, lakes or upland wildlife habitat area, or a resource on the national wetland inventory or under protection by state or federal law. (2) Buildings or other existing development on adjacent lands, including previously subdivided but vacant lots or parcels, physically preclude a connection now or in the future, considering the potential for redevelopment.	This proposal does not create any new cul-de-sacs.	Finding: Not Applicable

20.12.020 Lot Design Standards: The size, shape and orientation of lots in a subdivision shall be appropriate to the location of the proposed subdivision and to the type of development contemplated. The following principles and standards shall be observed		
A. Minimum Area; Size: The minimum area and dimensions of all lots shall conform to the requirements of the zoning ordinances of Salt Lake City for the zoning district in which the subdivision is located.	The applicant is requesting, through Planned Development, a reduction to the minimum area of some lots in the subdivision.	Finding: Complies with PD Approval
B. Side Lot Lines: The side lines of all lots, so far as possible, shall be designed to be at right angles to the street which the lot faces, or approximately radial to the center of curvatures, if such street is curved. Side lines of lots shall be designed to be approximately radial to the center of curvature of a cul-de-sac on which the lot faces.	All proposed lot lines are designed at right angles or radial to the curve of the proposed private street.	Finding: Complies
C. Width: The minimum lot width shall conform to the requirements of the zoning district in which the proposed subdivision is located.	The applicant is requesting, through Planned Development, a reduction to the minimum width of some lots in the subdivision.	Finding: Complies with PD Approval
D. Corner Lots: Corner lots have more than one side which must maintain required front yard setbacks, and therefore shall be platted wider than interior lots in order to permit conformance with the required street setback requirements of the zoning ordinance.	While there are technically no corner lots in this proposal since Capitol Park Avenue is a private street, lots 21 and 10 are wider than other lots with similar characteristics. Additionally, the application has requested a reduction in required setbacks through the Planned Development process.	Finding: Complies with PD Approval
E. Remnants: No remnants of property shall be left in the subdivision which do not conform to the lot requirements or are not required or more suitable for designation as common open space, private utility, or other purpose.	All space not dedicated to a residential lot is proposed to be used a public open space.	Finding: Complies
F. Double Frontage Lots: Lots other than corner lots, having double frontage shall not be approved except where necessitated by topographic or other unusual conditions.	None of the proposed lots would abut two non-adjacent public rights of way.	Finding: Complies

ATTACHMENT F: Planned Development Standards

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

The Finding for each standard is the recommendation of the Planning Division based on the facts associated with the proposal, the discussion that follows, and the input received during the engagement process. Input received after the staff report is published has not been considered in this report.

A. Planned Development Objectives: The planned development shall meet the purpose statement for a planned development (section 21A.55.010 of this chapter) and will achieve at least one of the objectives stated in said section. To determine if a planned development objective has been achieved, the applicant shall demonstrate that at least one of the strategies associated with the objective are included in the proposed planned development. The applicant shall also demonstrate why modifications to the zoning regulations are necessary to meet the purpose statement for a planned development. The Planning Commission should consider the relationship between the proposed modifications to the zoning regulations and the purpose of a planned development, and determine if the project will result in a more enhanced product than would be achievable through strict application of the land use regulations.

Planned Development Purpose Statement: A planned development is intended to encourage the efficient use of land and resources, promoting greater efficiency in public and utility services and encouraging innovation in the planning and building of all types of development. Further, a planned development implements the purpose statement of the zoning district in which the project is located, utilizing an alternative approach to the design of the property and related physical facilities. A planned development incorporates special development characteristics that help to achieve City goals identified in adopted Master Plans and that provide an overall benefit to the community as determined by the planned development objectives. A planned development will result in a more enhanced product than would be achievable through strict application of land use regulations, while enabling the development to be compatible with adjacent and nearby land developments.

Discussion:

The proposed development efficiently uses the site in a way that would otherwise be difficult without Planned Development approval. The requested modifications to the zoning standards enable the clustered development to preserve open space. They also provide additional flexibility for spaces within each unit that can be used as an ADU. The relationship between the requested modifications and the Planned Development objectives is further discussed under Key Consideration 3.

Since the subject property only abuts a public street on one side, strict application of zoning requirements would require redundant and expensive public improvements, including new streets. Development of the site without those public improvements or planned development would be limited by the width of its line abutting F Street. The modifications requested through this process allow for development that fulfills adopted city plans and policies in a way that would not be possible otherwise (this is further discussed under Key Consideration 1).

Finding: ☒ Meets Planned Development Purpose Statement
 ☐ Does Not Meet Planned Development Purpose Statement

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

Discussion:

The proposed development would bring new housing into an established neighborhood while providing open space and recreational opportunities. The proposed units reflect the Avenues' eclectic character at an intensity compatible with surrounding development. The requested modifications to zoning regulations enable the proposed development to set aside open space available to the public that would otherwise be located within individual lots. The modifications also allow additional space for the ADU-ready space within each unit, providing a type of housing (studio/one-bedroom rentals) not typically found in the neighborhood.

Finding: ☒ Meets SR-1 Purpose Statement ☐ Does Not Meet SR-1 Purpose Statement

A. Open Space And Natural Lands: Preserving, protecting or creating open space and natural lands:

1. **Inclusion of community gathering places or public recreational opportunities, such as new trails or trails that connect to existing or planned trail systems, playgrounds or other similar types of facilities.**
2. Preservation of critical lands, watershed areas, riparian corridors and/or the urban forest.
3. Development of connected greenways and/or wildlife corridors.
4. Daylighting of creeks/water bodies.
5. Inclusion of local food production areas, such as community gardens.
6. **Clustering of development to preserve open spaces.**

Discussion:

The proposal has been designed in a manner that clusters development by reducing lot dimension, building coverage, and setbacks. Concentrating the buildable area allows for the establishment of public open space that would otherwise be located within the private property of houses on the site. The proposed "mews walk" within the open space will be able to function as an accessible recreational trail. While the proposed open space area is not significant by some measures, it is an improvement from what could be developed by right.

Finding: ☒ Objective Satisfied ☐ Objective Not Satisfied

B. Historic Preservation:

1. Preservation, restoration, or adaptive reuse of buildings or structures that contribute to the character of the City either architecturally and/or historically, and that contribute to the general welfare of the residents of the City.
2. Preservation of, or enhancement to, historically significant landscapes that contribute to the character of the City and contribute to the general welfare of the City's residents.

Discussion: The applicant is not proposing to meet this objective. Only one objective must be met.

C. Housing: Providing affordable housing or types of housing that helps achieve the City's housing goals and policies:

1. At least twenty percent (20%) of the housing must be for those with incomes that are at or below eighty percent (80%) of the area median income.
2. **The proposal includes housing types that are not commonly found in the existing neighborhood but are of a scale that is typical to the neighborhood.**

Discussion:

By providing space that can be used as an ADU within the proposed units, the applicant helps future residents avoid the significant initial investment that often comes with converting part of a house. The proposed ADU spaces have the potential to provide additional financing to future homeowners while also providing a mix of housing types in a part of the city that has not experienced the level of growth seen in other neighborhoods. The reduced setbacks and increased lot coverage requested by the applicant are necessary to allow the ADU spaces without sacrificing square footage in the family-oriented units.

Finding: ☒ Objective Satisfied ☐ Objective Not Satisfied

D. Mobility: Enhances accessibility and mobility:

<ol style="list-style-type: none"> 1. Creating new interior block walkway connections that connect through a block or improve connectivity to transit or the bicycle network. 2. Improvements that encourage transportation options other than just the automobile.
Discussion: The applicant is not proposing to meet this objective. Only one objective must be met.
<p>E. Sustainability: Creation of a project that achieves exceptional performance with regards to resource consumption and impact on natural systems:</p> <ol style="list-style-type: none"> 1. Energy Use And Generation: Design of the building, its systems, and/or site that allow for a significant reduction in energy usage as compared with other buildings of similar type and/or the generation of energy from an on-site renewable resource. 2. Reuse Of Priority Site: Locate on a brownfield where soil or groundwater contamination has been identified, and where the local, State, or national authority (whichever has jurisdiction) requires its remediation. Perform remediation to the satisfaction of that authority.
Discussion: The applicant is not proposing to meet this objective. Only one objective must be met.
<p>F. Master Plan Implementation: A project that helps implement portions of an adopted Master Plan in instances where the Master Plan provides specific guidance on the character of the immediate vicinity of the proposal:</p> <ol style="list-style-type: none"> 1. A project that is consistent with the guidance of the Master Plan related to building scale, building orientation, site layout, or other similar character-defining features.
Discussion: The applicant is not proposing to meet this objective. Only one objective must be met.
B. Master Plan Compatibility: The proposed planned development is generally consistent with adopted policies set forth in the Citywide, community, and/or small area Master Plan that is applicable to the site where the planned development will be located.
Finding: Complies
<p>Discussion: Master Plan Compatibility was discussed in Key Consideration 1 of the staff report. The proposed development is appropriate for the SR-1 zoning district and does not run contrary to the applicable master plans for this neighborhood.</p>
Condition(s): Staff does not recommend any conditions related to this standard.
C. Design And Compatibility: The proposed planned development is compatible with the area the planned development will be located and is designed to achieve a more enhanced product than would be achievable through strict application of land use regulations. In determining design and compatibility, the Planning Commission should consider:
<ol style="list-style-type: none"> 1. Whether the scale, mass, and intensity of the proposed planned development is compatible with the neighborhood where the planned development will be located and/or the policies stated in an applicable Master Plan related to building and site design;
Finding: Complies
<p>Discussion: A variety of house types and sizes populate the neighborhood around this site. Except for the large multi-family buildings (which includes the Meridian at Capitol Park) to the south, most structures in the neighborhood are approximately one to two stories in height. The proposed homes are two stories in height. The façade character of the proposed buildings are directly inspired by architecture in the Avenues neighborhood, ensuring compatibility in design.</p> <p>The footprint of the homes in the neighborhood also varies, with some smaller homes on the blocks to the east and south-east (1 to 2 stories) ranging from ~1,500 to ~4000 sq ft in footprint, homes in the two cul-de-sacs to the west (2 stories) ranging from ~2,500 to ~8,500 sq ft, and the townhomes (2 to 3 stories) on the north ranging from</p>

~7,500 to 14,000 sq ft. The proposed units would have footprints ranging from roughly 1,800 to 2,600 square feet, well within range of existing development.

The “intensity” of residential development can be assessed in terms of its density or number of residential units. Assuming an ADU is established within every unit, the proposed development would have an overall density of roughly 13.125 units per acre (The density including only the one external ADU would be 6.875 units per acre). The surrounding existing density varies and is often lower than the proposal. The ordinance defines “compatibility” as the “capability of existing together in harmony.” While the density has the potential to be higher than surrounding blocks, staff finds that the density can exist in harmony with the adjacent single-family developments. Potential negative impacts from “density” might be the impact on public services or public facilities, such as streets and utilities.

The proposal would result in some additional traffic, but not to an extent that would impact the level of service of the adjacent roadway. (See comments from the Transportation Division in [Attachment I](#) and the Traffic study included with supplementary material in [Attachment G](#)). Adjacent streets would continue to operate as typical low-density residential streets. The proposal includes at least three parking stalls per home, with additional parking allowed on the driveways and private street. Planning staff does not anticipate substantive impacts to surrounding on-street parking given the level of parking available on-site.

Public utilities serving the property are legally required to be upgraded if necessary to serve the property so the development does not negatively impact adjacent utility services. The site also must provide on-site drainage retention so as not to negatively impact the public stormwater system and must comply with several other City Public Utilities and other water quality regulations involving drainage. Given these requirements, Planning staff does not anticipate any negative drainage impacts to adjacent streets or private properties. Any snow from the site would be placed near the visitor parking stalls. Overall, staff believes the proposal will be compatible with the surrounding neighborhood.

Condition(s): Staff does not recommend any conditions related to this standard.

2. Whether the building orientation and building materials in the proposed planned development are compatible with the neighborhood where the planned development will be located and/or the policies stated in an applicable Master Plan related to building and site design;

Finding: Complies

Discussion:

Buildings within the proposed development adjacent to F Street and Capitol Park Avenue will be oriented as a traditional residential neighborhood and face the street. Houses within the interior of the lot will be oriented toward the pedestrian pathway. Except for the Meridian and Northpointe Estates, development within the vicinity of the site is typically oriented in this manner. The building orientation of the proposed development would be compatible with the neighborhood.

Condition(s): Staff does not recommend any conditions related to this standard.

3. Whether building setbacks along the perimeter of the development:
 - a. Maintain the visual character of the neighborhood or the character described in the applicable Master Plan.
 - b. Provide sufficient space for private amenities.
 - c. Provide sufficient open space buffering between the proposed development and neighboring properties to minimize impacts related to privacy and noise.
 - d. Provide adequate sight lines to streets, driveways and sidewalks.
 - e. Provide sufficient space for maintenance.

Finding: Complies

Discussion:

- a. The proposed setbacks along the lot's perimeter reflect the character of nearby development. Clustering the proposed units allows additional space along the north and west property lines. One concern brought up by some community members was the proposed setback of unit 10 from Capitol Park Avenue. They argue that

the two-story structure is too close to the street and out of character. However, the south wall of the house to the west (the only other building on the block face and also two stories tall) already sits 17 feet from the street. While the front porch of unit 10 does sit closer to the street than the house to the west, the second story sits 21 feet back (at its closest point). This will be farther back than the house to the west. See [Key Consideration 3](#) for additional discussion regarding the block face.

- b. The proposed plans show a private terrace for each unit. This is in addition to the open space around the site's perimeter.
- c. Clustering the proposed units has allowed additional open space along the site's perimeter. The proposed setbacks from abutting property to the north and west are greater than what is required by the SR-1 district. This additional setback area is proposed to be dotted with a significant number of landscaping, including large trees, ornamental grass, and dense shrubs. The large setbacks and additional landscaping will help maintain privacy and limit any possible noise impacts.
- d. All proposed access points onto existing streets would be sufficiently clear enough for driver and pedestrian visibility. The proposed development does not appear to crowd any existing/proposed streets, driveways or sidewalks.

Condition(s): Staff does not recommend any conditions related to this standard.

- 4. Whether building facades offer ground floor transparency, access, and architectural detailing to facilitate pedestrian interest and interaction;

Finding: Complies

Discussion:

All proposed units adjacent to F Street and Capitol Park Avenue are proposed to be oriented toward the street. The front façade of every unit will feature architectural details commonly found within the Avenues (and other similar neighborhoods). The proposed transparency (the number of windows) is at a scale typically found for residential development at this scale and will reflect the character of houses within the vicinity. Porches are proposed on every front façade and will be accessible to pedestrians via a traditional front sidewalk.

Condition(s): Staff does not recommend any conditions related to this standard.

- 5. Whether lighting is designed for safety and visual interest while minimizing impacts on surrounding property;

Finding: Complies

Discussion:

This is a low-scale residential development where significant lighting is not expected. Two streetlights are proposed along the internal private street, but each home also includes exterior lighting at garages and doorways that will provide additional pedestrian scale lighting.

Condition(s): Staff does not recommend any conditions related to this standard.

- 6. Whether dumpsters, loading docks and/or service areas are appropriately screened;

Finding: Complies

Discussion:

All proposed uses are single-family and twin home dwellings, and each unit will have private garbage cans. No dumpsters, loading docks, or services areas are proposed with this development.

Condition(s): Staff does not recommend any conditions related to this standard.

- 7. Whether parking areas are appropriately buffered from adjacent uses.

Finding: Complies

Discussion:

Parking on the site will be similar in character to surrounding properties (within garages and on driveways) and negative impacts are expected to be minimal.
Condition(s): Staff does not recommend any conditions related to this standard.
D. Landscaping: The proposed planned development preserves, maintains or provides native landscaping where appropriate. In determining the landscaping for the proposed planned development, the Planning Commission should consider:
1. Whether mature native trees located along the periphery of the property and along the street are preserved and maintained;
Finding: Complies
<p>Discussion:</p> <p>There are 38 mature trees on site, with at least 5 being native trees. Many of these trees are located in areas of the site that would make preservation difficult, including the middle of the lot where homes would be located or in an area that requires a grade change to make the proposed development feasible. Many of these same trees have been the subject of property maintenance complaints because of their condition. Most are in fair to poor health.</p> <p>The Zoning Ordinance provides a process to remove what are termed “specimen trees” in the section titled “Private Lands Tree Preservation in section 21.48.135. These are defined as generally healthy trees with a trunk diameter of over ten inches and “whose absence would significantly alter the site’s appearance, environmental benefit, character, or history.” This regulation applies to the property and the specimen trees on the site. The ordinance allows for their removal if they are replaced at a rate of two caliper inches (diameter of tree) per caliper inch removed. For removal of 24” of trees, 48” of replacement would be required—essentially doubling what is removed. An applicant could provide 24 new trees with 2” caliper (minimum) for a total of 48” of replacement. If not replaced, the owner must pay the full cost to purchase and plant the required number of replacement trees into the City’s tree fund. The developer is proposing 163 new trees with calipers of at least 2 inches. Based on the number of replacement trees they are providing, the developer will likely still need to pay into the city’s tree fund to account for the remaining existing tree diameter.</p> <p>Due to the number of new trees they are proposing (163), the substantial anticipated tree fund payment, and the difficulty in preserving trees on the site while also providing the same number of units, Staff believes that flexibility regarding the tree preservation consideration is warranted.</p>
Condition(s): Because the proposal must comply with the Private Lands Tree Preservation requirements in 21.48.135 , Staff believes that no conditions are necessary for this requirement.
2. Whether existing landscaping that provides additional buffering to the abutting properties is maintained and preserved;
Finding: Complies
<p>Discussion:</p> <p>Currently, no existing landscaping buffers the site from adjacent properties to the north and west. The landscape plans propose a significant amount of screening along those property lines.</p>
Condition(s): Staff does not recommend any conditions related to this standard.
3. Whether proposed landscaping is designed to lessen potential impacts created by the proposed planned development;
Finding: Complies
<p>Discussion:</p> <p>Because of their proximity to the site, properties adjacent to the site’s west property line will likely be the most impacted by the proposal. Along that property line, the proposal includes a large number of trees and tall, ornamental grasses that will soften the proposed development’s impacts on those houses. Houses within the</p>

Northpointe Estates Condominiums are buffered from the project site by their main access road. Even with that buffer, the proposed landscape plans include a large number of trees along the north property line that will screen the proposed development to an even greater extent.
Condition(s): Staff does not recommend any conditions related to this standard.
4. Whether proposed landscaping is appropriate for the scale of the development.
Finding: Complies
Discussion: The proposed landscaping includes a significant number of trees, large shrubs, ornamental grasses, and perennials. The scale and variety of the proposed plant material will match the low-density residential scale of the development.
Condition(s): Staff does not recommend any conditions related to this standard.
E. Mobility: The proposed planned development supports Citywide transportation goals and promotes safe and efficient circulation within the site and surrounding neighborhood. In determining mobility, the Planning Commission should consider:
1. Whether drive access to local streets will negatively impact the safety, purpose and character of the street;
Finding: Complies
Discussion: Only two access points are proposed with this development, one on F Street and one on Capitol Park Avenue. With their rezone request, the applicant submitted a parking study measuring the potential impacts of the proposed density on adjacent roadways. Both that study and development reviewers from the Transportation Division agree that the capacity of the roadway network in the Avenues will be able to accommodate the traffic generated by this site. The traffic study can be found with other supplementary material in Attachment G .
Condition(s): Staff does not recommend any conditions related to this standard.
2. Whether the site design considers safe circulation for a range of transportation options including: <ul style="list-style-type: none"> a. Safe and accommodating pedestrian environment and pedestrian oriented design; b. Bicycle facilities and connections where appropriate, and orientation to transit where available; and c. Minimizing conflicts between different transportation modes;
Finding: Complies
Discussion: <ul style="list-style-type: none"> a. Pedestrian facilities are provided along the perimeter and through the center of the development and are separated from the private street. All points of interaction between vehicular and pedestrian facilities on the site would be free of any structure or landscape material that would limit visibility. b. Because of the low anticipated traffic within the vicinity of the site, Planning staff anticipates that cyclists coming from the proposed development will be able to use the private street, cutting through the development without issue. c. The proposal is a low-scale, low-density development on streets with relatively low traffic. Vehicular access points have been limited to one per existing street. As noted above, all points of interaction between vehicles and pedestrians are proposed to be free from any structure or landscaping that might obstruct view.
Condition(s): Staff does not recommend any conditions related to this standard.
3. Whether the site design of the proposed development promotes or enables access to adjacent uses and amenities;
Finding: Complies
Discussion:

All proposed units will have access to adjacent uses and amenities via the private street's connections to F Street and Capitol Park Avenue. The proposed walkway circling the development will be an adequate addition to the neighborhood's existing sidewalk network.
Condition(s): Staff does not recommend any conditions related to this standard.
4. Whether the proposed design provides adequate emergency vehicle access; and
Finding: Complies
<p>Discussion:</p> <p>The proposal must comply with all relevant fire code regulations, including emergency vehicle access. Fire code reviewers have not brought up any significant issues with fire truck access to the proposed development, so Planning staff considers this standard met.</p>
Condition(s): Staff does not recommend any conditions related to this standard.
5. Whether loading access and service areas are adequate for the site and minimize impacts to the surrounding area and public rights-of-way.
Finding: Complies
<p>Discussion:</p> <p>The proposed development consists of single-family and twin home dwellings where dedicated "loading or "service" areas are not typically necessary. The proposal does, however, funnel all vehicular traffic (including any loading, delivery, emergency, or service vehicles) to the central private street, keeping it off of F Street and Capitol Park Avenue.</p>
Condition(s): Staff does not recommend any conditions related to this standard.
F. Existing Site Features: The proposed planned development preserves natural and built features that significantly contribute to the character of the neighborhood and/or environment.
Finding: Complies
<p>Discussion:</p> <p>This standard is partially intended to preserve features officially recognized as contributing to a historic district or place. There are no built features on the site, including any historic landmark designated structures, that contribute to the character of the neighborhood or environment.</p> <p>This property functioned as open space associated with the original Veterans Administration Hospital and Primary Children's Annex, the buildings of which have since been developed into the condominiums across Capitol Park Avenue. The hospital building itself was placed on the National Historic Register in 1996. However, the surrounding landscape areas were not included in that designation. Some of the original landscape area was ultimately developed into the adjacent Capitol Park subdivision.</p> <p>Regarding natural features that contribute to the character of the neighborhood or environment, there are 37 mature trees located within the property in various conditions of health. Staff received several comments with concerns about tree removal. Preservation of mature, native trees is discussed under standard D above. Trees in general do contribute to the character of the neighborhood and these trees do contribute to the character of this neighborhood.</p> <p>Since the ordinance provides a specific regulation that allows the removal of the trees and the developer will be following these regulations, Staff believes that the standard has been met regarding any "significant" or "specimen" trees on the site, and no additional conditions are necessary. While the trees on the site are proposed to be removed, they are proposed to be replaced with 163 new trees that will, in the long term, also contribute to the tree-rich character of the neighborhood.</p>
Condition(s): Staff does not recommend any conditions related to this standard.

G. Utilities: Existing and/or planned utilities will adequately serve the development and not have a detrimental effect on the surrounding area.

Finding: Complies

Discussion:

Public Utilities has not identified any significant off-site improvements necessary to preserve the level of service for surrounding properties. However, Public Utilities has the legal authority to require upgrades if any detrimental impacts on utility service are identified through more detailed construction plan review.

Condition(s): Staff does not recommend any conditions related to this standard.

ATTACHMENT G: Supplementary Materials

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Capitol Park Traffic Impact Study

Purpose

The purpose of the Traffic report is to provide valuable insight into the potential impacts of the proposed project on background traffic conditions.

Traffic Volumes

Hales Engineering added the anticipated vehicular trips produced by the proposed Capitol Park Cottages project to the existing (2020) background traffic volumes to predict turning movement volumes for the existing traffic plus project conditions.

Level of Service Analysis

Hales Engineering determined that all intersections are anticipated to operate at acceptable levels of service during the evening peak hour with project traffic added.

Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. No significant queuing is anticipated during the evening peak hours.

Mitigation Measures

No mitigation measures are recommended. The proposed project will have negligible impact on the traffic operations in the surrounding area.

Capitol Park

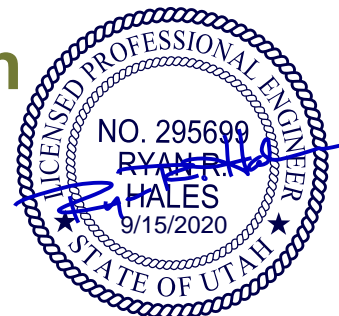
Traffic Impact Study



Salt Lake City, Utah

September 15, 2020

UT20-1670



EXECUTIVE SUMMARY

This study addresses the traffic impacts associated with the proposed Capitol Park development located in Salt Lake City, Utah. The Capitol Park project is located northwest of the Capitol Park Avenue / F Street intersection.

The purpose of this traffic impact study is to analyze traffic operations at key intersections for existing (2020) conditions with and without the proposed project and to recommend mitigation measures as needed. The evening peak hour level of service (LOS) results are shown in Table ES-1.

Table ES-1: Evening Peak Hour Level of Service Results

Intersection		Level of Service	
		Existing (2020)	
		Background	Plus Project
1	Capitol Park Avenue / F Street	a	a
2	F Street / 11th Avenue	b	b
3	Project Access 1 / Capitol Park Avenue	-	a
1. Intersection LOS values represent the overall intersection average for roundabout, signalized, and all-way stop-controlled (AWSC) intersections (uppercase letter) and the worst movement for all other unsignalized intersections (lowercase letter) Source: Hales Engineering, September 2020			

SUMMARY OF KEY FINDINGS & RECOMMENDATIONS

Project Conditions

- The development will consist of 20 single-family units and 15 accessory dwelling units (ADUs)
- The project is anticipated to generate approximately 312 weekday daily trips, including 28 trips in the morning peak hour, and 34 trips in the evening peak hour

2020	Background	Plus Project
Findings	<ul style="list-style-type: none"> • Acceptable LOS 	<ul style="list-style-type: none"> • Acceptable LOS • The proposed project will have no impact on the traffic operations (LOS) in the surrounding area
Mitigations	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • None

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Appendix A: Turning Movement Counts

Appendix B: LOS Results

Appendix C: Project Site Plan

Appendix D: Queuing Results

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I. INTRODUCTION

A. Purpose

This study addresses the traffic impacts associated with the proposed Capitol Park development located in Salt Lake City, Utah. The proposed project is located northwest of the Capitol Park Avenue / F Street intersection. Figure 1 shows a vicinity map of the proposed development.

The purpose of this traffic impact study is to analyze traffic operations at key intersections for existing (2020) conditions with and without the proposed project and to recommend mitigation measures as needed.



Figure 1: Vicinity map showing the project location in Salt Lake City, Utah

B. Scope

The study area was defined based on conversations with the development team. This study was scoped to evaluate the traffic operational performance impacts of the project on the following intersections:

- Capitol Park Avenue / F Street
- F Street / 11th Avenue
- Project Access 1 / Capitol Park Avenue

C. Analysis Methodology

Level of service (LOS) is a term that describes the operating performance of an intersection or roadway. LOS is measured quantitatively and reported on a scale from A to F, with A representing the best performance and F the worst. Table 1 provides a brief description of each LOS letter designation and an accompanying average delay per vehicle for both signalized and unsignalized intersections.







The *Highway Capacity Manual* (HCM), 6th Edition, 2016 methodology was used in this study to remain consistent with “state-of-the-practice” professional standards. This methodology has different quantitative evaluations for signalized and unsignalized intersections. For signalized, roundabout, and all-way stop-controlled (AWSC) intersections, the LOS is provided for the overall intersection (weighted average of all approach delays). For all other unsignalized intersections, LOS is reported based on the worst movement.

Using Synchro/SimTraffic software, which follow the HCM methodology, the peak hour LOS was computed for each study intersection. Multiple runs of SimTraffic were used to provide a statistical evaluation of the interaction between the intersections. The detailed LOS reports are provided in Appendix B. Hales Engineering also calculated the 95th percentile queue lengths for the study intersections using SimTraffic. The detailed queue length reports are provided in Appendix D.

D. Level of Service Standards

For the purposes of this study, a minimum acceptable intersection performance for each of the study intersections was set at LOS D. If levels of service E or F conditions exist, an explanation and/or mitigation measures will be presented. A LOS D threshold is consistent with “state-of-the-practice” traffic engineering principles for urbanized areas.

Table 1: Level of Service Description

LOS		Description of Traffic Conditions	Average Delay (seconds/vehicle)	
			Signalized Intersections	Unsignalized Intersections
A		Free Flow / Insignificant Delay	≤ 10	≤ 10
B		Stable Operations / Minimum Delays	> 10 to 20	> 10 to 15
C		Stable Operations / Acceptable Delays	> 20 to 35	> 15 to 25
D		Approaching Unstable Flows / Tolerable Delays	> 35 to 55	> 25 to 35
E		Unstable Operations / Significant Delays	> 55 to 80	> 35 to 50
F		Forced Flows / Unpredictable Flows / Excessive Delays	> 80	> 50

Source: Hales Engineering Descriptions, based on the *Highway Capacity Manual* (HCM), 6th Edition, 2016 Methodology (Transportation Research Board)

II. EXISTING (2020) BACKGROUND CONDITIONS

A. Purpose

The purpose of the background analysis is to study the intersections and roadways during the peak travel periods of the day with background traffic and geometric conditions. Through this analysis, background traffic operational deficiencies can be identified, and potential mitigation measures recommended. This analysis provides a baseline condition that may be compared to the build conditions to identify the impacts of the development.

B. Roadway System

The primary roadways that will provide access to the project site are described below:

Capitol Park Avenue – is a privately owned and maintained roadway by the Meridian HOA. The roadway has one travel lane in each direction. The posted speed limit is 25 mph.

F Street – is a city-maintained roadway which is classified by the Salt Lake City Transportation Master Plan Major Street Plan (November 2018) as a “local street.” The roadway has one travel lane in each direction. The posted speed limit is 25 mph.

11th Avenue – is a city-maintained roadway which is classified by the Salt Lake City Transportation Master Plan Major Street Plan (November 2018) as a “collector.” The roadway has one travel lane in each direction. The posted speed limit is 25 mph.

C. Traffic Volumes

Weekday morning (7:00 to 9:00 a.m.) and evening (4:00 to 6:00 p.m.) peak period traffic counts were performed at the following intersections:

- Capitol Park Avenue / F Street
- F Street / 11th Avenue

The counts were performed on Tuesday, August 18, 2020. The morning peak hour was determined to be between 7:30 and 8:30 a.m., and the evening peak hour was determined to be between 4:45 and 5:45 p.m. The evening peak hour volumes were approximately 29% higher than the morning peak hour volumes. Therefore, the evening peak hour volumes were used in the analysis to represent the worst-case conditions. Detailed count data are included in Appendix A.

The traffic counts were collected during the COVID-19 pandemic when traffic volumes were slightly reduced due to social distancing measures. According to the UDOT Automatic Traffic Signal Performance Measures (ATSPM) website, the traffic volumes at the westbound approach of the State Street / North Temple Intersection on March 3 (pre-social distancing) were approximately 46% higher than those on August 18. The westbound approach was chosen

because it leads to a residential area near the project site. Therefore, the collected data were increased by 46% to represent normal conditions.

Figure 2 shows the existing evening peak hour volumes as well as intersection geometry at the study intersections.

D. Level of Service Analysis

Hales Engineering determined that all study intersections are currently operating at acceptable levels of service during the evening peak hour, as shown in Table 2. These results serve as a baseline condition for the impact analysis of the proposed development during existing (2020) conditions.

Table 2: Existing (2020) Background Evening Peak Hour LOS

Intersection		Level of Service		
Description	Control	Movement ¹	Aver. Delay (Sec. / Veh.)	LOS ²
Capitol Park Avenue / F Street	EB/WB Stop	WBT	4.6	a
F Street / 11th Avenue	NB/SB Stop	NBL	11.0	b

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SBL = Southbound left movement, etc.
2. Uppercase LOS used for signalized, roundabout, and AWSC intersections. Lowercase LOS used for all other unsignalized intersections.

Source: Hales Engineering, September 2020

E. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. No significant queuing was observed during the evening peak hour.

F. Mitigation Measures

No mitigation measures are recommended.



III. PROJECT CONDITIONS

A. Purpose

The project conditions discussion explains the type and intensity of development. This provides the basis for trip generation, distribution, and assignment of project trips to the surrounding study intersections defined in Chapter I.

B. Project Description

The proposed Capitol Park development is located northwest of the Capitol Park Avenue / F Street intersection. The project is a residential development that includes cottage homes, and five custom lots that were assumed to be for single-family homes. The second unit on 15 of the lots will be accessory dwelling units (ADUs). A concept plan for the proposed development is provided in Appendix C. The proposed land use for the development has been identified in Table 3.

Table 3: Project Land Uses

Land Use	Intensity
Cottage Homes	15 units
Custom Homes	5 units

C. Trip Generation

Trip generation for the development was calculated using trip generation rates published in the Institute of Transportation Engineers (ITE), *Trip Generation*, 10th Edition, 2017. Trip generation for the proposed project is included in Table 4.

The total trip generation for the development is as follows:

- Daily Trips: 312
- Morning Peak Hour Trips: 28
- Evening Peak Hour Trips: 34

Table 4: Trip Generation

Trip Generation Salt Lake City - Capitol Park TIS								
Weekday Daily Land Use ¹	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total Daily Trips
Single-Family Detached Housing (210)	20	Dwelling Units	238	50%	50%	119	119	238
Accessory Dwelling Units (220)	15	Dwelling Units	74	50%	50%	37	37	74
Total			312			156	156	312
Morning Peak Hour Land Use ¹	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total AM Trips
Single-Family Detached Housing (210)	20	Dwelling Units	20	25%	75%	5	15	20
Accessory Dwelling Units (220)	15	Dwelling Units	8	23%	77%	2	6	8
Total			28			7	21	28
Evening Peak Hour Land Use ¹	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Total PM Trips
Single-Family Detached Housing (210)	20	Dwelling Units	22	63%	37%	14	8	22
Accessory Dwelling Units (220)	15	Dwelling Units	12	63%	37%	8	4	12
Total			34			22	12	34

1. Land Use Code from the Institute of Transportation Engineers (ITE) *Trip Generation*, 10th Edition, 2017.

SOURCE: Hales Engineering, September 2020

D. Trip Distribution and Assignment

Project traffic is assigned to the roadway network based on the type of trip and the proximity of project access points to major streets, high population densities, and regional trip attractions. Existing travel patterns observed during data collection also provide helpful guidance to establishing these distribution percentages, especially near the site. The resulting distribution of project generated trips during the evening peak hour is shown in Table 5.

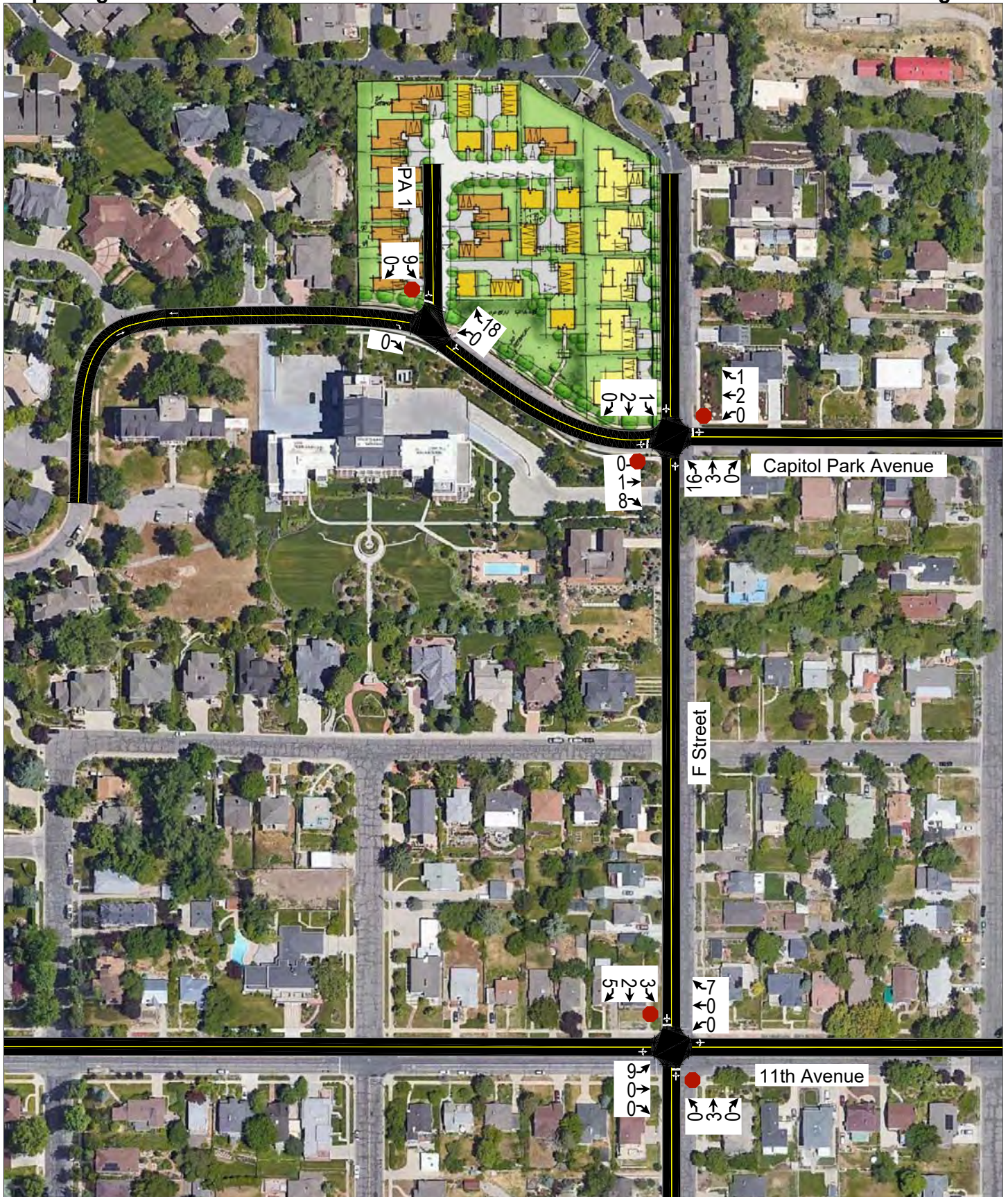
Table 5: Trip Distribution

Direction	% To/From Project
South via F Street	15%
East via Capitol Park Avenue	15%
East via 11 th Avenue	30%
West via 11 th Avenue	40%

These trip distribution assumptions were used to assign the evening peak hour generated traffic at the study intersections to create trip assignment for the proposed development. Trip assignment for the development is shown in Figure 3.

Salt Lake City - Capitol Park TIS

Evening Peak Hour Figure 3



Hales Engineering
1220 North 500 West Ste 202, Lehi, UT, 84043

801.766.4343
09/15/2020

E. Access

The proposed access for the site will be gained at the following location (see also concept plan in Appendix C):

Capitol Park Avenue:

- Project Access 1 will be located approximately 350 feet northwest of the Capitol Park Avenue / F Street intersection. It will access the project on the north side of Capitol Park Avenue. It is anticipated that the access will be stop-controlled.

IV. EXISTING (2020) PLUS PROJECT CONDITIONS

A. Purpose

The purpose of the existing (2020) plus project analysis is to study the intersections and roadways during the peak travel periods of the day for existing background traffic and geometric conditions plus the net trips generated by the proposed development. This scenario provides valuable insight into the potential impacts of the proposed project on background traffic conditions.

B. Traffic Volumes

Hales Engineering added the project trips to the existing (2020) background traffic volumes to predict turning movement volumes for existing (2020) plus project conditions. Existing (2020) plus project evening peak hour turning movement volumes are shown in Figure 4.

C. Level of Service Analysis

Hales Engineering determined that all intersections are anticipated to operate at acceptable levels of service during the evening peak hour with project traffic added, as shown in Table 6.

Table 6: Existing (2020) Plus Project Evening Peak Hour LOS

Intersection		Level of Service		
Description	Control	Movement ¹	Aver. Delay (Sec. / Veh.)	LOS ²
Capitol Park Avenue / F Street	EB/WB Stop	EBT	5.0	a
F Street / 11th Avenue	NB/SB Stop	NBL	11.3	b
Project Access 1 / Capitol Park Avenue	SB Stop	SBL	3.8	a

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SBL = Southbound left movement, etc.

2. Uppercase LOS used for signalized, roundabout, and AWSC intersections. Lowercase LOS used for all other unsignalized intersections.

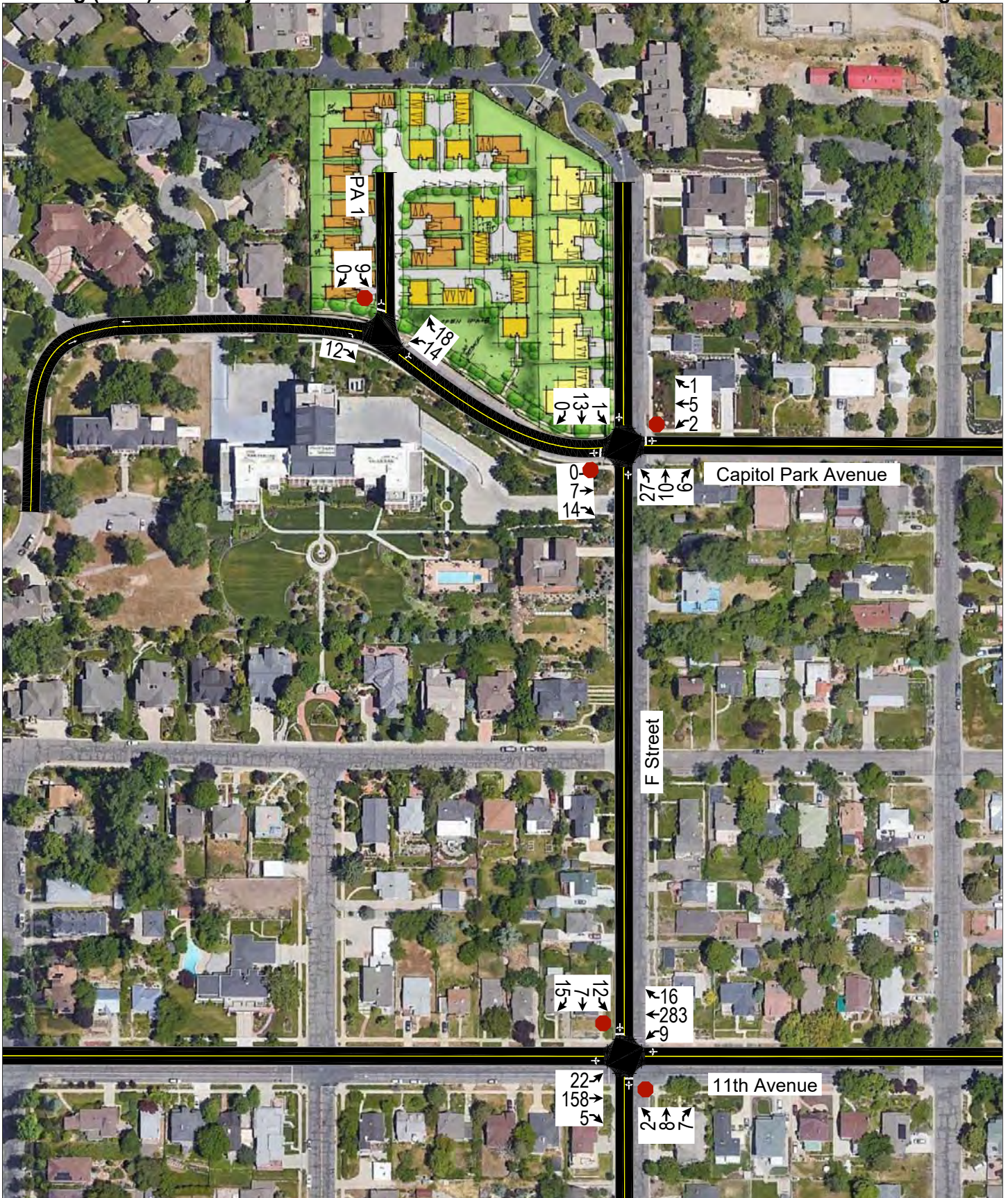
Source: Hales Engineering, September 2020

D. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. No significant queuing is anticipated during the evening peak hour.

E. Mitigation Measures

No mitigation measures are recommended. The proposed project will have negligible impact on the traffic operations in surrounding area.



APPENDIX A

Turning Movement Counts

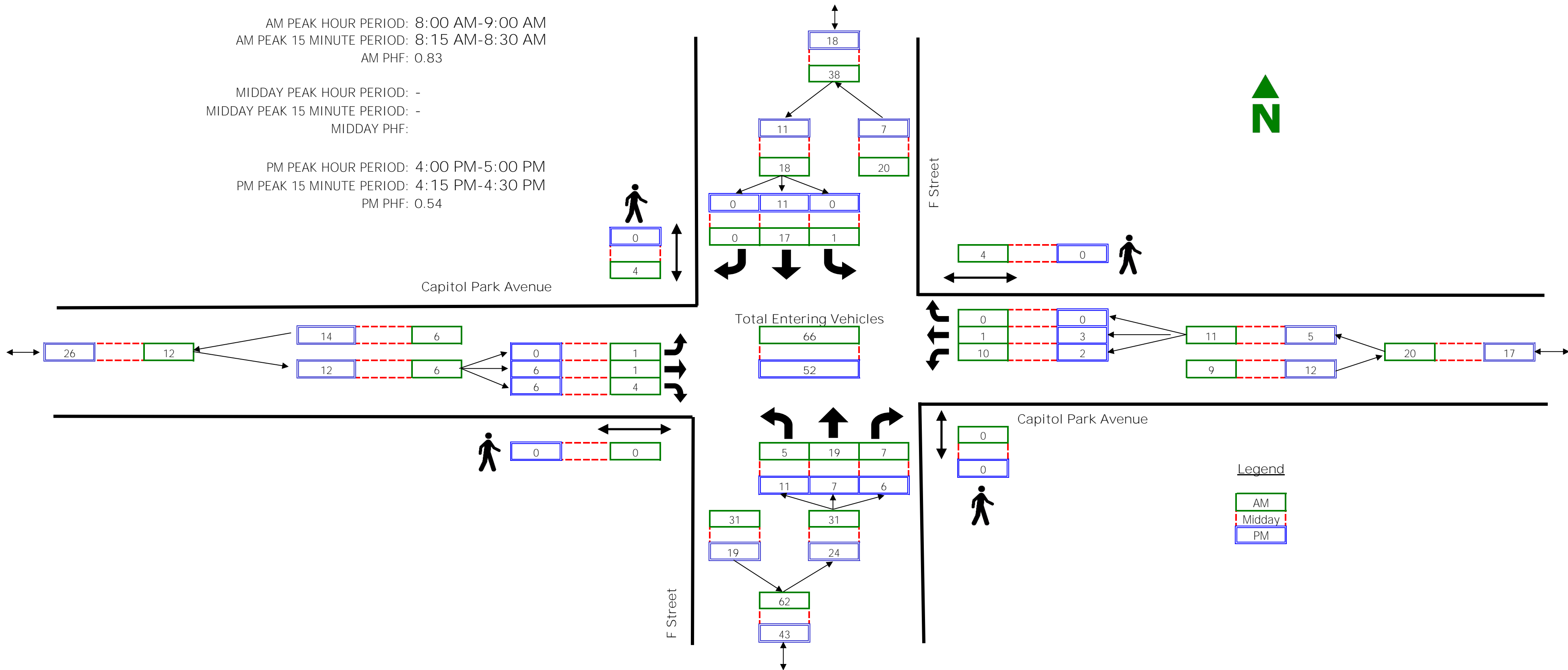
TrafficCounts

2364 North 1450 East
Lehi, UT 84043
801.636.0891

Intersection Turning Movement Summary

Intersection: F Street / Capitol Park Avenue
North/South: F Street
East/West: Capitol Park Avenue
Jurisdiction: Salt Lake City, UT
Project Title: Capitol Park TGS
Project No: UT20-1670
Weather: Clear

Date: 8-18-20, Tue
COVID-19 Adjustment: 68.5%
Month of Year Adjustment: 100.0%
Adjustment Station #: 0
Growth Rate: 0.0%
Number of Years: 0



RAW COUNT SUMMARIES	F Street Northbound				F Street Southbound				Capitol Park Avenue Eastbound				Capitol Park Avenue Westbound				TOTAL
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	
AM PERIOD COUNTS																	
Period	A	B	C	D	E	E	G	H	I	J	K	L	M	N	O	P	TOTAL
7:00 - 7:15	1	6	0	0	0	1	0	0	0	0	3	7	4	0	0	0	15
7:15 - 7:30	0	1	1	0	0	3	0	0	0	1	0	3	0	3	0	0	9
7:30 - 7:45	6	0	3	1	0	1	0	0	0	0	0	0	1	0	0	3	11
7:45 - 8:00	1	1	0	0	0	4	0	0	0	0	1	0	3	1	0	1	11
8:00 - 8:15	4	3	1	0	0	0	0	0	0	0	3	0	3	0	0	0	14
8:15 - 8:30	1	3	1	0	1	6	0	1	1	0	1	0	6	0	0	0	20
8:30 - 8:45	0	6	4	0	0	7	0	3	0	0	0	0	0	1	0	4	18
8:45 - 9:00	0	7	1	0	0	4	0	0	0	1	0	0	1	0	0	0	14
MIDDAY PERIOD COUNTS																	
Period	A	B	C	D	E	E	G	H	I	J	K	L	M	N	O	P	TOTAL
9:00 - 9:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 - 9:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:30 - 9:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:45 - 10:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00 - 10:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15 - 10:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30 - 10:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45 - 11:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 - 11:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15 - 11:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30 - 11:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45 - 12:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00 - 12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 - 12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 - 12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 - 13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:00 - 13:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:15 - 13:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:30 - 13:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:45 - 14:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:00 - 14:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:15 - 14:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:30 - 14:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:45 - 15:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:00 - 15:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:15 - 15:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:30 - 15:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:45 - 16:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM PERIOD COUNTS																	
Period	A	B	C	D	E	E	G	H	I	J	K	L	M	N	O	P	TOTAL
16:00 - 16:15	1	1	0	0	0	3	0	0	0	0	3	0	1	3	0	0	12
16:15 - 16:30	6	6	4	0	0	4	0	0	0	3	1	0	0	0	0	0	24
16:30 - 16:45	1	0	1	0	0	4	0	0	0	0	1	0	0	0	0	0	7
16:45 - 17:00	3	0	1	0	0	0	0	0	0	3	1	0	1	0	0	0	9
17:00 - 17:15	0	6	0	0	0	3	0	0	0	0	0	0	0	0	1	0	10
17:15 - 17:30	0	3	1	0	1	3	0	0	0	0	3	0	1	4	1	0	17
17:30 - 17:45	0	4	0	0	0	1	0	0	0	1	0	0	0	1	1	0	8
17:45 - 18:00	0	4	1	0	1	1	1	0	0	0	0	0	4	3	1	0	16

TrafficCounts

2364 North 1450 East
Lehi, UT 84043
801.636.0891

Intersection Turning Movement Summary

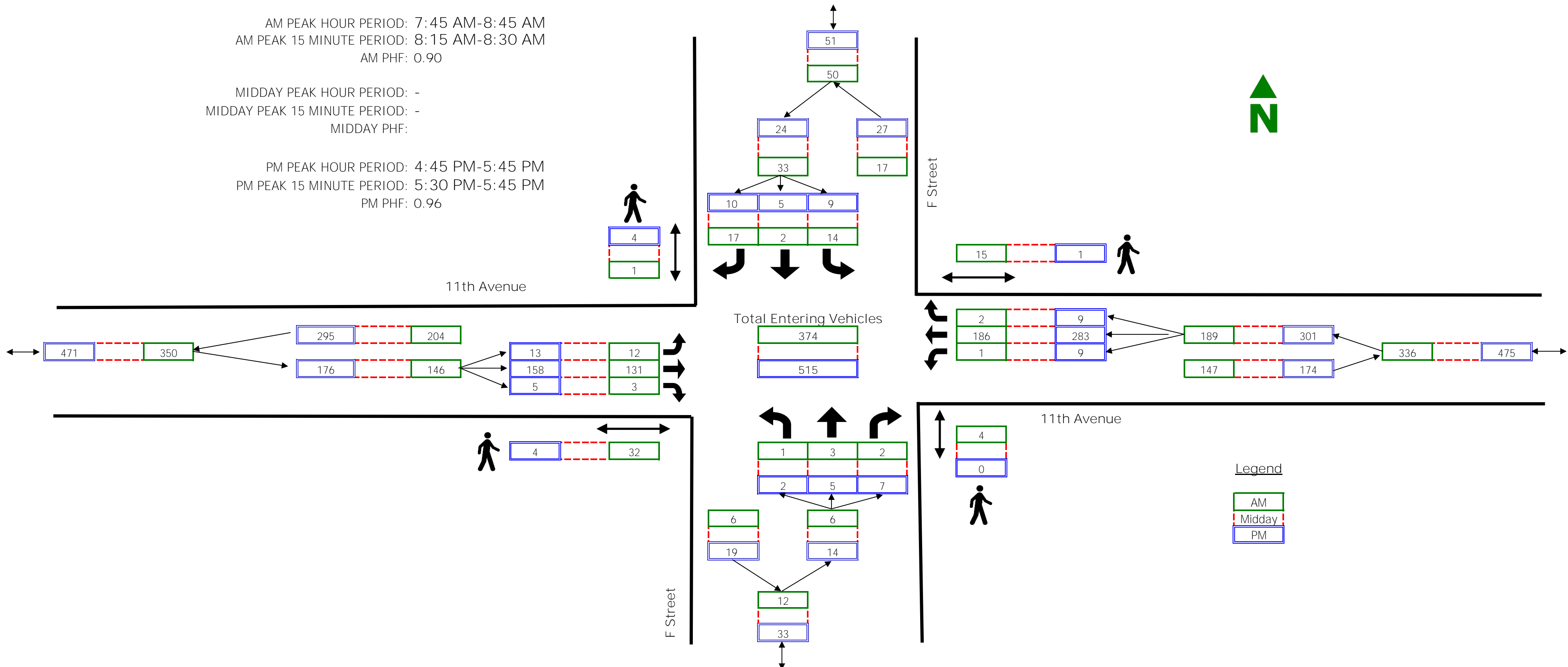
Intersection: F Street / 11th Avenue
North/South: F Street
East/West: 11th Avenue
Jurisdiction: Salt Lake City, UT
Project Title: Capitol Park TGS
Project No: UT20-1670
Weather: Clear

Date: 8-18-20, Tue
COVID-19 Adjustment: 68.5%
Month of Year Adjustment: 100.0%
Adjustment Station #: 0
Growth Rate: 0.0%
Number of Years: 0

AM PEAK HOUR PERIOD: 7:45 AM-8:45 AM
AM PEAK 15 MINUTE PERIOD: 8:15 AM-8:30 AM
AM PHF: 0.90

MIDDAY PEAK HOUR PERIOD: -
MIDDAY PEAK 15 MINUTE PERIOD: -
MIDDAY PHF: -

PM PEAK HOUR PERIOD: 4:45 PM-5:45 PM
PM PEAK 15 MINUTE PERIOD: 5:30 PM-5:45 PM
PM PHF: 0.96



RAW COUNT SUMMARIES	F Street Northbound				F Street Southbound				11th Avenue Eastbound				11th Avenue Westbound				TOTAL
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	
AM PERIOD COUNTS																	
Period	A	B	C	D	E	E	G	H	I	J	K	L	M	N	Q	P	TOTAL
7:00 - 7:15	0	3	0	3	1	1	4	1	4	13	0	3	0	26	0	3	52
7:15 - 7:30	0	0	1	1	0	0	7	0	4	10	0	3	0	47	0	4	69
7:30 - 7:45	0	0	0	1	1	1	1	0	1	38	0	1	0	47	1	12	90
7:45 - 8:00	0	1	1	0	4	0	4	1	6	31	0	1	0	51	0	3	98
8:00 - 8:15	1	1	0	0	4	0	4	0	0	34	3	4	0	34	0	7	81
8:15 - 8:30	0	1	1	1	0	1	3	0	3	34	0	26	0	60	1	4	104
8:30 - 8:45	0	0	0	3	6	1	6	0	3	32	0	1	1	41	1	1	91
8:45 - 9:00	0	1	1	0	3	0	1	0	4	23	0	7	1	41	3	1	78
MIDDAY PERIOD COUNTS																	
Period	A	B	C	D	E	E	G	H	I	J	K	L	M	N	Q	P	TOTAL
9:00 - 9:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 - 9:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:30 - 9:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:45 - 10:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00 - 10:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15 - 10:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30 - 10:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45 - 11:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 - 11:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15 - 11:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30 - 11:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45 - 12:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00 - 12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 - 12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 - 12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 - 13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:00 - 13:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:15 - 13:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:30 - 13:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:45 - 14:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:00 - 14:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:15 - 14:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:30 - 14:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:45 - 15:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:00 - 15:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:15 - 15:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:30 - 15:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:45 - 16:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PM PERIOD COUNTS																	
Period	A	B	C	D	E	E	G	H	I	J	K	L	M	N	Q	P	TOTAL
16:00 - 16:15	1	1	4	0	3	1	6	0	4	41	0	4	3	50	1	0	115
16:15 - 16:30	0	0	0	0	3	3	4	0	7	32	0	0	0	53	1	0	103
16:30 - 16:45	1	0	0	0	1	0	10	0	3	23	0	1	6	85	1	0	130
16:45 - 17:00	0	1	3	0	0	1	3	0	3	35	0	0	1	80	1	0	128
17:00 - 17:15	1	0	0	0	1	3	3	0	3	47	3	0	0	69	1	1	131
17:15 - 17:30	0	1	3	0	4	0	3	1	6	32	1	4	7	61	4	0	122
17:30 - 17:45	1	3	1	0	4	1	1	3	1	44	1	0	1	73	3	0	134
17:45 - 18:00	1	0	3	0	3	0	1	0	1	41	0	1	3	54	1	6	108

APPENDIX B

LOS Results

SimTraffic LOS Report

Project: Salt Lake City - Capitol Park TIS
Analysis Period: Existing (2020) Background
Time Period: Evening Peak Hour

Project #: UT20-1670

Intersection: F Street & Capitol Park Avenue
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	11	10	89	1.9	A
	T	10	12	117	0.6	A
	R	6	6	96	0.7	A
	Subtotal	27	28	104	1.1	A
SB	T	11	10	89	0.0	A
	Subtotal	11	10	91	0.0	A
EB	T	6	6	96	4.6	A
	R	6	6	96	2.7	A
	Subtotal	12	12	100	3.7	A
WB	L	2	1	50	4.6	A
	T	3	4	133	4.1	A
	Subtotal	5	5	100	4.2	A
Total		56	55	97	1.7	A

Intersection: F Street & 11th Avenue
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	2	1	50	11.0	B
	T	5	5	95	7.2	A
	R	7	8	110	3.5	A
	Subtotal	14	14	100	5.4	A
SB	L	9	7	76	6.3	A
	T	5	5	95	8.5	A
	R	10	11	107	3.5	A
	Subtotal	24	23	96	5.4	A
EB	L	13	13	98	3.3	A
	T	158	162	103	0.5	A
	R	5	6	114	0.3	A
	Subtotal	176	181	103	0.7	A
WB	L	9	9	97	2.4	A
	T	283	283	100	0.8	A
	R	9	10	108	0.5	A
	Subtotal	301	302	100	0.8	A
Total		518	520	100	1.1	A

1: F Street & Capitol Park Avenue Performance by movement

Movement	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBT	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.0	0.1	0.1	0.0	0.0	0.0	0.1	0.0
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	4.6	2.7	4.6	4.1	1.9	0.6	0.7	0.0	1.7
Vehicles Entered	6	6	1	4	10	12	6	10	55
Vehicles Exited	6	6	1	4	10	12	6	10	55
Hourly Exit Rate	6	6	1	4	10	12	6	10	55
Input Volume	6	6	2	3	11	10	6	11	56
% of Volume	96	96	50	133	89	117	96	89	97

2: F Street & 11th Avenue Performance by movement

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.2	0.2	0.2	0.3	0.3	0.2	0.2	0.1	0.1	0.0	0.0	0.0
Total Delay (hr)	0.0	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	3.3	0.5	0.3	2.4	0.8	0.5	11.0	7.2	3.5	6.3	8.5	3.5
Vehicles Entered	13	162	6	10	283	10	1	5	8	7	5	11
Vehicles Exited	13	162	6	9	283	10	1	5	8	7	5	11
Hourly Exit Rate	13	162	6	9	283	10	1	5	8	7	5	11
Input Volume	13	158	5	9	283	9	2	5	7	9	5	10
% of Volume	98	103	114	97	100	108	50	95	110	76	95	107

2: F Street & 11th Avenue Performance by movement

Movement	All
Denied Delay (hr)	0.0
Denied Del/Veh (s)	0.3
Total Delay (hr)	0.2
Total Del/Veh (s)	1.1
Vehicles Entered	521
Vehicles Exited	520
Hourly Exit Rate	520
Input Volume	518
% of Volume	100

Total Zone Performance

Denied Delay (hr)	0.0
Denied Del/Veh (s)	0.3
Total Delay (hr)	0.3
Total Del/Veh (s)	2.2
Vehicles Entered	531
Vehicles Exited	529
Hourly Exit Rate	529
Input Volume	1124
% of Volume	47

Intersection: 1: F Street & Capitol Park Avenue

Movement	EB	WB	NB
Directions Served	LTR	LTR	LTR
Maximum Queue (ft)	31	31	6
Average Queue (ft)	11	5	0
95th Queue (ft)	34	24	4
Link Distance (ft)	658	1211	756
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 2: F Street & 11th Avenue

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	37	24	35	36
Average Queue (ft)	4	2	12	17
95th Queue (ft)	22	14	37	43
Link Distance (ft)	1062	1162	678	756
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Zone Summary

Zone wide Queuing Penalty: 0

SimTraffic LOS Report

Project: Salt Lake City - Capitol Park TIS
Analysis Period: Existing (2020) Plus Project
Time Period: Evening Peak Hour

Project #: UT20-1670

Intersection: F Street & Capitol Park Avenue
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	27	27	100	2.0	A
	T	14	16	119	0.6	A
	R	6	7	112	0.6	A
	Subtotal	47	50	106	1.4	A
SB	L	1	1	100	1.0	A
	T	13	15	113	0.0	A
	Subtotal	14	16	114	0.1	A
EB	T	8	7	88	5.0	A
	R	14	14	102	3.1	A
	Subtotal	22	21	95	3.7	A
WB	L	2	2	100	3.0	A
	T	5	5	95	4.5	A
	R	1	2	200	2.3	A
	Subtotal	8	9	113	3.7	A
Total		91	96	105	1.9	A

Intersection: F Street & 11th Avenue
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	2	2	100	11.3	B
	T	8	10	121	7.1	A
	R	7	9	124	3.2	A
	Subtotal	17	21	124	5.8	A
SB	L	12	13	106	6.5	A
	T	7	7	97	6.9	A
	R	15	17	115	3.9	A
	Subtotal	34	37	109	5.4	A
EB	L	22	20	92	2.9	A
	T	158	156	99	0.6	A
	R	5	6	114	0.3	A
	Subtotal	185	182	98	0.8	A
WB	L	9	11	119	2.7	A
	T	283	282	100	1.0	A
	R	16	18	114	0.8	A
	Subtotal	308	311	101	1.0	A
Total		545	551	101	1.4	A

SimTraffic LOS Report

Project: Salt Lake City - Capitol Park TIS
Analysis Period: Existing (2020) Plus Project
Time Period: Evening Peak Hour

Project #: UT20-1670

Intersection: Capitol Park Avenue & PA 1
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
SB	L	9	10	108	3.8	A
	Subtotal	9	10	111	3.8	A
EB	R	12	11	90	0.0	A
	Subtotal	12	11	92	0.0	A
NW	L	14	12	87	0.3	A
	T	1	1	100	0.1	A
	R	18	18	101	0.4	A
	Subtotal	33	31	94	0.4	A
Total		54	52	96	0.9	A

1: F Street & Capitol Park Avenue Performance by movement

Movement	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.0	0.1	0.1	0.1	0.0	0.0	0.0	0.1	0.1	0.0
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	5.0	3.1	3.0	4.5	2.3	2.0	0.6	0.6	1.0	0.0	1.9
Vehicles Entered	7	14	2	5	2	27	16	7	1	15	96
Vehicles Exited	7	14	2	5	2	27	16	7	1	15	96
Hourly Exit Rate	7	14	2	5	2	27	16	7	1	15	96
Input Volume	8	14	2	5	1	27	14	6	1	13	91
% of Volume	88	102	100	95	200	100	119	112	100	113	105

2: F Street & 11th Avenue Performance by movement

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.2	0.2	0.2	0.2	0.3	0.3	0.1	0.1	0.1	0.0	0.0	0.0
Total Delay (hr)	0.0	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	2.9	0.6	0.3	2.7	1.0	0.8	6.4	7.1	3.2	6.5	6.9	3.9
Vehicles Entered	20	156	6	11	281	18	2	10	9	13	7	16
Vehicles Exited	20	156	6	11	282	18	2	10	9	13	7	17
Hourly Exit Rate	20	156	6	11	282	18	2	10	9	13	7	17
Input Volume	22	158	5	9	283	16	2	8	7	12	7	15
% of Volume	92	99	114	119	100	114	100	121	124	106	97	115

2: F Street & 11th Avenue Performance by movement

Movement	All
Denied Delay (hr)	0.0
Denied Del/Veh (s)	0.3
Total Delay (hr)	0.2
Total Del/Veh (s)	1.4
Vehicles Entered	549
Vehicles Exited	551
Hourly Exit Rate	551
Input Volume	545
% of Volume	101

3: Capitol Park Avenue & PA 1 Performance by movement

Movement	EBR	SBL	NWL	NWT	NWR	All
Denied Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0
Denied Del/Veh (s)	0.0	0.1	0.0	0.0	0.0	0.0
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0
Total Del/Veh (s)	0.0	3.8	0.3	0.1	0.4	0.9
Vehicles Entered	11	10	12	1	18	52
Vehicles Exited	11	10	12	1	18	52
Hourly Exit Rate	11	10	12	1	18	52
Input Volume	12	9	14	1	18	54
% of Volume	90	108	87	100	101	96

Total Zone Performance

Denied Delay (hr)	0.0
Denied Del/Veh (s)	0.3
Total Delay (hr)	0.4
Total Del/Veh (s)	2.6
Vehicles Entered	567
Vehicles Exited	563
Hourly Exit Rate	563
Input Volume	1272
% of Volume	44

Intersection: 1: F Street & Capitol Park Avenue

Movement	EB	WB	NB
Directions Served	LTR	LTR	LTR
Maximum Queue (ft)	30	31	6
Average Queue (ft)	15	7	0
95th Queue (ft)	39	29	4
Link Distance (ft)	299	1211	754
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 2: F Street & 11th Avenue

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	48	50	40	53
Average Queue (ft)	6	3	16	23
95th Queue (ft)	30	23	42	49
Link Distance (ft)	1062	1162	678	754
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 3: Capitol Park Avenue & PA 1

Movement	SB
Directions Served	LR
Maximum Queue (ft)	32
Average Queue (ft)	9
95th Queue (ft)	30
Link Distance (ft)	183
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Zone Summary

Zone wide Queuing Penalty: 0

APPENDIX C

Site Plan



SINGLE FAMILY HOMES

COTTAGES	15 UNITS
CUSTOMS	5 UNITS
TOTAL	20 UNITS

PARKING (COTTAGES ONLY)

GARAGE	45
DRIVEWAY	5
STREET	12
TOTAL	62
SPACES PER UNIT	4.1

OPEN SPACE (COTTAGES ONLY)

PARK	0.39 AC
PRIVATE YARDS	0.61 AC
TOTAL	1.00 AC
COTTAGES SITE AREA	2.42 AC
OPEN SPACE %	41.3 %

DENSITY

COTTAGES SITE AREA	2.42 AC
COTTAGES DENSITY	6.2 DU/AC
TOTAL SITE AREA	3.21 AC
TOTAL DENSITY	6.23 DU/AC

SITE STUDY | 20 TOTAL LOTS

CAPITOL PARK | IVORY HOMES

SALT LAKE CITY, UTAH

APPENDIX D

95th Percentile Queue Length Reports

SimTraffic Queueing Report
Project: Salt Lake City - Capitol Park TIS
Analysis: Existing (2020) Background
Time Period: Evening Peak Hour
 95th Percentile Queue Length (feet)



Project #: UT20-1670

Intersection	NB	SB	EB	WB
	LTR	LTR	LTR	LTR
01: F Street & Capitol Park Avenue	4	--	34	24
02: F Street & 11th Avenue	37	43	22	14

SimTraffic Queueing Report

Project: Salt Lake City - Capitol Park TIS

Analysis: Existing (2020) Plus Project

Time Period: Evening Peak Hour

95th Percentile Queue Length (feet)

HALES  **ENGINEERING**
innovative transportation solutions

Project #: UT20-1670

Intersection	NB	SB		EB	WB
	LTR	LR	LTR	LTR	LTR
01: F Street & Capitol Park Avenue	4	--	--	39	29
02: F Street & 11th Avenue	42	--	49	30	23
03: Capitol Park Avenue & PA 1	--	30	--	--	--

SALT LAKE CITY ORDINANCE
No. 81 of 2022

(Amending the zoning of property located at 675 North F Street
from FR-3/12,000 Foothills Residential District to
SR-1 Special Development Pattern Residential District, and amending
the Avenues Community Master Plan Future Land Use Map)

An ordinance amending the zoning map pertaining to property located at 675 North F Street from FR-3/12,000 Foothills Residential District to SR-1 Special Development Pattern Residential District pursuant to Petition No. PLNPCM2020-00335 and amending the Avenues Community Master Plan Future Land Use Map pursuant to Petition No. PLNPCM2020-00334.

WHEREAS, the Salt Lake City Planning Commission held a public hearing on June 22, 2022 on an application submitted by Peter Gamvroulas (“Applicant”) to rezone property located at 675 North F Street (Tax ID No. 09-30-455-021-0000) (the “Property”) from FR-3/12,000 Foothills Residential District to SR-1 Special Development Pattern Residential District pursuant to Petition No. PLNPCM2020-00335, and to amend the Avenues Community Master Plan Future Land Use Map with respect to the Property from Very Low Density to Low Density pursuant to Petition No. PLNPCM2020-00334; and

WHEREAS, at its June 22, 2022 meeting, the planning commission voted in favor of forwarding a positive recommendation to the Salt Lake City Council on said applications, subject to conditions to prohibit accessory buildings in rear yards along the west most property line and require a minimum 30' setback for second levels of homes along the west most property line; and

WHEREAS, after a public hearing on this matter the city council has determined that adopting this ordinance is in the city’s best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending the Zoning Map. The Salt Lake City zoning map, as adopted by the *Salt Lake City Code*, relating to the fixing of boundaries and zoning districts, shall be and hereby is amended to reflect that the Property identified on Exhibit “A” attached hereto shall be and hereby is rezoned from FR-3/12,000 Foothills Residential District to SR-1 Special Development Pattern Residential District, subject to the condition identified in Section 3 herein.

SECTION 2. Amending the Avenues Community Master Plan. The Future Land Use Map of the Avenues Community Master Plan shall be and hereby is amended to change the future land use designation of the Property identified in Exhibit “A” from Very Low Density to Low Density, subject to the conditions identified in Section 3 herein.

SECTION 3. Conditions. The zoning map amendment and master plan amendment that are the subject of Petition Nos. PLNPCM2020-00335 and PLNPCM2020-00334 described herein are conditioned upon Applicant entering into a development and use agreement with the city to be recorded as against the property, which agreement shall include the following requirements for development and use of the Property:


1. Accessory buildings shall not be allowed in rear yards located along the west-most property line of the subject property.
2. Where the west-most property line is a rear or side property line, the second levels of any homes located along that rear or side property line shall be setback at least 30' from the corresponding rear or side property line.
3. Accessory dwelling units within the Property may not be used for short term rentals (rentals of periods less than 30 days).
4. The open space area shown on draft development plans submitted to the Planning Commission and City Council shall generally be accessible to the community, with the homeowners' association or other entity responsible for managing the common area establishing rules regarding the use and hours of availability as it prefers.

5. The city's building approval and permitting process will be followed for construction of retaining walls on the Property.

SECTION 4. Effective Date. This Ordinance shall become effective on the date of its first publication and shall be recorded with the Salt Lake County Recorder. The city recorder is instructed not to publish or record this ordinance until the condition identified above has been met as acknowledged by the director of the Salt Lake City Planning Division.

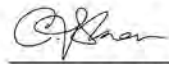
SECTION 5. Time. If the condition identified above has not been met within one year after adoption, this ordinance shall become null and void. The city council may, for good cause shown, by resolution, extend the time period for satisfying the condition identified above.

Passed by the City Council of Salt Lake City, Utah, this 13th day of December, 2022.


Daniel Dugan (Dec 21, 2022 14:02 MST)

CHAIRPERSON

ATTEST AND COUNTERSIGN:



CITY RECORDER



Transmitted to Mayor on Dec 21, 2022

Mayor's Action: ☒ Approved. ☐ Vetoed.


Erin Menzies (Dec 22, 2022 15:48 MST)

MAYOR



CITY RECORDER
(SEAL)

Bill No. 81 of 2022.

Published: August 17, 2023

Ordinance amending zoning and MP 675 N F Street (12.19.22)

APPROVED AS TO FORM
Salt Lake City Attorney's Office

Date: Dec 21, 2022


By: 
Paul C. Nielson, Senior City Attorney

EXHIBIT “A”

Legal Description of Property to be Rezoned
and Subject to Avenues Master Plan Future Land Use Map Amendment:

675 North F Street

Tax ID No. 09-30-455-021-0000

LOT 1, CAPITOL PARK AVENUE EXTENSION SUBDIVISION.











Ordinance 81 of 2022 Zoning Map Amendment and Master Plan Amendment 675 N F Street

Final Audit Report


2022-12-27

Created:	2022-12-21
By:	Thais Stewart (thais.stewart@slcgov.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAvplsm5B_w1wOtZA0unlj5ICZGAR09p5O


"Ordinance 81 of 2022 Zoning Map Amendment and Master Plan Amendment 675 N F Street" History

-  Document created by Thais Stewart (thais.stewart@slcgov.com)
2022-12-21 - 4:28:22 PM GMT
-  Document emailed to Paul Nielson (paul.nielson@slcgov.com) for signature
2022-12-21 - 4:30:40 PM GMT
-  Email viewed by Paul Nielson (paul.nielson@slcgov.com)
2022-12-21 - 8:11:20 PM GMT
-  Document e-signed by Paul Nielson (paul.nielson@slcgov.com)
Signature Date: 2022-12-21 - 8:11:30 PM GMT - Time Source: server
-  Document emailed to Daniel Dugan (daniel.dugan@slcgov.com) for signature
2022-12-21 - 8:11:32 PM GMT
-  Email viewed by Daniel Dugan (daniel.dugan@slcgov.com)
2022-12-21 - 9:02:45 PM GMT
-  Document e-signed by Daniel Dugan (daniel.dugan@slcgov.com)
Signature Date: 2022-12-21 - 9:02:58 PM GMT - Time Source: server
-  Document emailed to Erin Mendenhall (erin.mendenhall@slcgov.com) for signature
2022-12-21 - 9:02:59 PM GMT
-  Email viewed by Erin Mendenhall (erin.mendenhall@slcgov.com)
2022-12-21 - 9:13:05 PM GMT
-  Email viewed by Erin Mendenhall (erin.mendenhall@slcgov.com)
2022-12-22 - 10:48:28 PM GMT




 Document e-signed by Erin Mendenhall (erin.mendenhall@slcgov.com)


Signature Date: 2022-12-22 - 10:48:38 PM GMT - Time Source: server

 Document emailed to Cindy Trishman (cindy.trishman@slcgov.com) for signature

2022-12-22 - 10:48:40 PM GMT

 Document e-signed by Cindy Trishman (cindy.trishman@slcgov.com)

Signature Date: 2022-12-27 - 10:03:40 PM GMT - Time Source: server

 Agreement completed.

2022-12-27 - 10:03:40 PM GMT





MEMORANDUM

PLANNING DIVISION
DEPARTMENT *of* COMMUNITY *and* NEIGHBORHOODS

To: Cindy Lou Trishman, City Recorder
From: Nick Norris, Planning Director
Date: August 17, 2023
Re: Ordinance 81 of 2022 – Conditions Certification

Notice is hereby given that the conditions identified in Ordinance 81 of 2022, pertaining to property at 675 N F Street, have now been satisfied and the City Recorder is instructed to publish and record the ordinance.

Sincerely,

Nick Norris
Planning Director

WHEN RECORDED, RETURN TO:

ATTN Planning Director
Salt Lake City Corporation
PO BOX 145480
Salt Lake City, Utah 84114-5480

DEVELOPMENT AND USE AGREEMENT

THIS DEVELOPMENT AND USE AGREEMENT (this “**Agreement**”) is made and entered into by and between **SALT LAKE CITY CORPORATION**, a political subdivision of the State of Utah (“**City**”) and **Ivory Development, LLC** (“**Developer**”). City and Developer may be referred to herein collectively as “**Parties**.”

RECITALS

A. Developer is the owner of approximately 3.22 acres of land located at 675 North F Street in Salt Lake City (the “**Property**”), which land is more particularly described on the attached Exhibit “A” and incorporated herein by this reference.

B. Developer submitted an application to amend the zoning map regarding the Property to rezone the Property from FR-3/12,000 Foothills Residential District to SR-1 Special Development Pattern Residential District (Petition No. PLNPCM2020-00335) and to amend the Avenues Community Master Plan Future Land Use Map with respect to the Property from Very Low Density to Low Density (Petition No. PLNPCM2020-00334).

C. Developer intends to develop the Property with single-family dwellings, some of which may include an internal accessory dwelling unit (as that term is defined and applied in Utah Code Chapter 10-9a).

D. The Salt Lake City Planning Commission heard this matter on June 22, 2022 at which the commission voted in favor of forwarding a positive recommendation on the petition to the Salt Lake City Council.

E. The Salt Lake City Council held a public hearing on this petition on November 10, 2022 and at its December 13, 2022 meeting voted to approve Ordinance 81 of 2022, which approved Developer’s petition to rezone the Property and amend the Avenues Community Master Plan, subject to Developer entering into a development and use agreement with the City to ensure development and use of the Property occurs in a manner consistent with City goals and policies and that respects unique circumstances regarding the Property. This Agreement satisfies that the condition of that ordinance.

F. City, acting pursuant to its authority under the Municipal Land Use, Development, and Management Act, Utah Code Chapter 10-9a as amended, and in furtherance

of its land use policies, goals, objectives, ordinances, and regulations of Salt Lake City, in the exercise of its legislative discretion, has elected to approve and enter into this Agreement.

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and in reliance on the foregoing recitals, City and Developer agree as follows:

1. **Incorporations of Recitals.** The Parties hereby incorporate the foregoing recitals into this Agreement.

2. **Obligations of the Parties.**

a. **Developer's Obligations.** Development and use of the Property shall comply with the following requirements:

- i. Accessory buildings shall not be allowed in rear yards along the westernmost property line of the Property.
- ii. Where the westernmost property line of a lot is a rear or side property line, the second levels of any homes located along that rear or side property line shall be setback at least 30 feet from the corresponding rear or side property line.
- iii. Accessory dwelling units on the Property shall not be used as short-term rentals.
- iv. Any open space areas located along Capitol Park Avenue or F Street shall generally be accessible to the community at large, with the homeowners' association or other entity responsible for managing the common area establishing rules regarding the use and hours of availability as it prefers.
- v. The city's building approval and permitting process will be followed for construction of retaining walls on the Property

b. **City's Obligations:** Following recording of this Agreement against the Property, the City shall cause Ordinance 81 of 2022 to be published within 14 days of Developer providing proof to the City that the Agreement has been recorded. The City is further obligated to issue all necessary permits and certificates of occupancy for development of the Property that meet all requirements of law and satisfy Developer's obligations under this Agreement.

3. **Severability.** If any term or provision of this Agreement, or the application of any term or provision of this Agreement to a particular situation, is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining terms and provisions of this Agreement, or the application of this Agreement to other situations, shall continue in full force and effect unless amended or modified by mutual consent of the Parties.

4. **Other Necessary Acts.** Each Party shall execute and deliver to the other any further instruments and documents as may be reasonably necessary to carry out the objectives and intent of this Agreement.

5. **Construction/Interpretation.** Developer has been informed that it is customary to consult legal counsel in the preparation and negotiation of the terms of development agreements. Developer has either done so or chosen not to. Should litigation arise from any breach of this Agreement, the Parties agree that no presumption or rule that ambiguities shall be construed against the drafting Party shall apply to the interpretation or enforcement of this Agreement.

6. **Other Miscellaneous Terms.** The singular shall include the plural; the masculine gender shall include the feminine; “shall” is mandatory; “may” is permissive.

7. **Runs with the Land.** This Agreement and the covenants and restrictions herein are binding and run with the land during the Term, such that any subsequent owners of fee title or other third parties holding an interest in and to all or some portion of the Property shall be deemed to have acquired such interest with notice and knowledge of this Agreement such that the Property shall remain subject to the terms, conditions, restrictions and provisions set forth herein. In keeping with the foregoing, the term “Developer”, as used herein, shall be construed to mean and include any successors in interest to fee ownership of all or any portion of the Property and any other holders of interests in and to any portion of the Property. City shall be deemed a beneficiary of such Agreement, covenants, and restrictions, and in the event of any uncured default, shall have the right to exercise all the rights and remedies, and to maintain any actions at law or suits in equity or other proper proceedings to enforce the curing of such default to which beneficiaries of such covenants may be entitled.

8. **Term and Termination.** This Agreement includes covenants, conditions, and restrictions regarding the development and use of Developer’s Property, which shall run with the land in perpetuity. The covenants, conditions, and restrictions may only be modified or terminated with the express authorization of the Salt Lake City Council following the same processes required to amend the zoning map and applicable master plan.

9. **Waiver.** No action taken by any Party shall be deemed to constitute a waiver of compliance by such Party with respect to any representation, warranty, or condition contained in this Agreement.

10. **Remedies.** Either Party may, in addition to any other rights or remedies, institute an equitable action to cure, correct, or remedy any default, enforce any covenant or agreement herein, enjoin any threatened or attempted violation thereof, enforce by specific performance the obligations and rights of the Parties hereto, or to obtain any remedies consistent with the foregoing and the purpose of this Agreement.

11. **Utah Law.** This Agreement shall be construed and enforced in accordance with the laws of the State of Utah.

12. **Covenant of Good Faith and Fair Dealing.** Each Party shall use its best efforts and take and employ all necessary actions in good faith consistent with this Agreement to ensure that the rights secured by the other Party through this Agreement can be enjoyed.

13. **No Third-Party Beneficiaries.** This Agreement is between the City and Developer. No other party shall be deemed a third-party beneficiary or have any rights under this Agreement.

14. **Force Majeure.** No liability or breach of this Agreement shall result from delay in performance or nonperformance caused, directly or indirectly, by circumstances beyond the reasonable control of the Party affected ("Force Majeure"), including, but not limited to, fire, extreme weather, terrorism, explosion, flood, war, power interruptions, the act of other governmental bodies, accident, labor trouble or the shortage or inability to obtain material, service, personnel, equipment or transportation, failure of performance by a common carrier, failure of performance by a public utility, or vandalism.

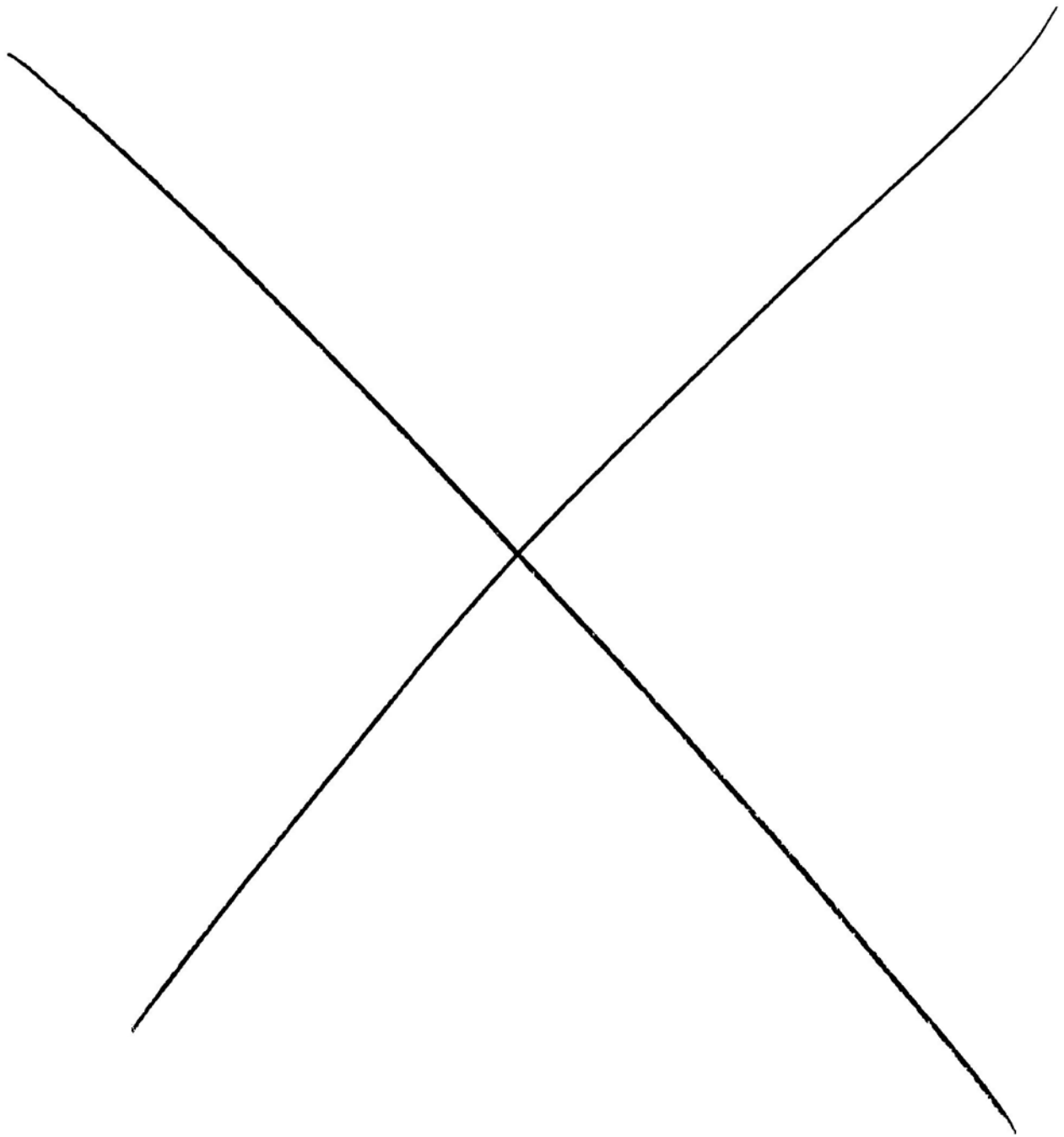
15. **Entire Agreement, Counterparts and Exhibit.** Unless otherwise noted herein, this Agreement is the final and exclusive understanding and agreement of the Parties and supersedes all negotiations or previous agreements between the Parties with respect to all or any part of the subject matter hereof. All waivers of the provisions of this Agreement shall be in writing and signed by the appropriate authorities of City and Developer.

16. **REPRESENTATION REGARDING ETHICAL STANDARDS FOR CITY OFFICERS AND EMPLOYEES AND FORMER CITY OFFICERS AND EMPLOYEES.** Developer represents that it has not: (1) provided an illegal gift or payoff to a City officer or employee or former City officer or employee, or his or her relative or business entity; (2) retained any person to solicit or secure this contract upon an agreement or understanding for a commission, percentage, or brokerage or contingent fee, other than bona fide employees or bona fide commercial selling agencies for the purpose of securing business; (3) knowingly breached any of the ethical standards set forth in City's conflict of interest ordinance, Chapter 2.44, Salt Lake City Code; or (4) knowingly influenced, and hereby promises that it will not knowingly influence, a City officer or employee or former City officer or employee to breach any of the ethical standards set forth in City's conflict of interest ordinance, Chapter 2.44, Salt Lake City Code.

17. **GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT.** City is subject to the requirements of the Government Records Access and Management Act, Chapter 2, Title 63G, Utah Code Annotated or its successor ("GRAMA"). All materials submitted by Developer pursuant to this Agreement are subject to disclosure unless such materials are exempt from disclosure pursuant to GRAMA. The burden of claiming an exemption from disclosure shall rest solely with Developer. Any materials for which Developer claims a privilege from disclosure shall be submitted marked as "Business Confidential" and accompanied by a concise statement of reasons supporting Developer's claim of business confidentiality. City will make reasonable efforts to notify Developer of any requests made for disclosure of documents submitted under a claim of business confidentiality. Developer may, at Developer's sole expense, take any appropriate actions to prevent disclosure of such material. Developer

specifically waives any claims against City related to disclosure of any materials required by GRAMA.

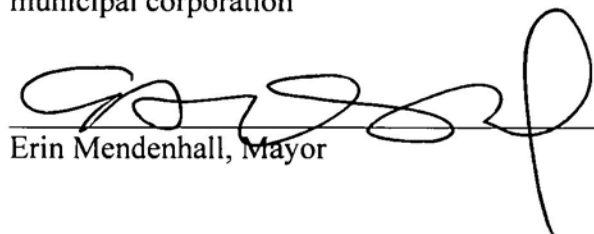
[Signature Page to Follow]



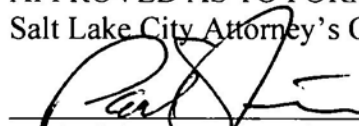
EFFECTIVE as of the 3 day of August, 2022.

CITY:

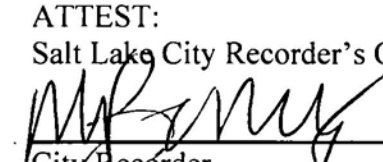
SALT LAKE CITY CORPORATION, a Utah
municipal corporation


Erin Mendenhall, Mayor

APPROVED AS TO FORM:
Salt Lake City Attorney's Office


Paul Nielson, Senior City Attorney

ATTEST:
Salt Lake City Recorder's Office


City Recorder.
Minutes & Records Clerk

RECORDED

AUG 10 2023

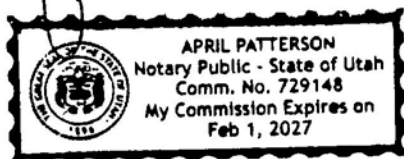
CITY RECORDER

STATE OF UTAH)
COUNTY OF SALT LAKE)

This instrument was acknowledged before me this 3 August, 2022, by Erin Mendenhall,
Mayor of Salt Lake City Corporation, a Utah municipal corporation.

WITNESS my hand and official seal.


Notary Public



DEVELOPER:

By: Ant P. Gend
Its: PRESIDENT

STATE OF UTAH §
COUNTY OF SALT LAKE §

This instrument was acknowledged before me on the 21ST day of JULY, 2023, by
CHRISTOPHER P. GAMVROULAS, an individual.

WITNESS my hand and official seal,

[Signature]
Notary Public

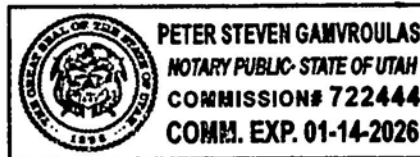


EXHIBIT “A”

Legal description of Developer’s Property located at 675 North F Street:

675 North F Street

Tax ID No. 09-30-455-021-0000

LOT 1, CAPITOL PARK AVENUE EXTENSION SUBDIVISION.

WHEN RECORDED, RETURN TO:

ATTN Planning Director
Salt Lake City Corporation
PO BOX 145480
Salt Lake City, Utah 84114-5480

DEVELOPMENT AND USE AGREEMENT

THIS DEVELOPMENT AND USE AGREEMENT (this “**Agreement**”) is made and entered into by and between **SALT LAKE CITY CORPORATION**, a political subdivision of the State of Utah (“**City**”) and **Ivory Development, LLC** (“**Developer**”). City and Developer may be referred to herein collectively as “**Parties**.”

RECITALS

A. Developer is the owner of approximately 3.22 acres of land located at 675 North F Street in Salt Lake City (the “**Property**”), which land is more particularly described on the attached Exhibit “A” and incorporated herein by this reference.

B. Developer submitted an application to amend the zoning map regarding the Property to rezone the Property from FR-3/12,000 Foothills Residential District to SR-1 Special Development Pattern Residential District (Petition No. PLNPCM2020-00335) and to amend the Avenues Community Master Plan Future Land Use Map with respect to the Property from Very Low Density to Low Density (Petition No. PLNPCM2020-00334).

C. Developer intends to develop the Property with single-family dwellings, some of which may include an internal accessory dwelling unit (as that term is defined and applied in Utah Code Chapter 10-9a).

D. The Salt Lake City Planning Commission heard this matter on June 22, 2022 at which the commission voted in favor of forwarding a positive recommendation on the petition to the Salt Lake City Council.

E. The Salt Lake City Council held a public hearing on this petition on November 10, 2022 and at its December 13, 2022 meeting voted to approve Ordinance 81 of 2022, which approved Developer’s petition to rezone the Property and amend the Avenues Community Master Plan, subject to Developer entering into a development and use agreement with the City to ensure development and use of the Property occurs in a manner consistent with City goals and policies and that respects unique circumstances regarding the Property. This Agreement satisfies that the condition of that ordinance.

F. City, acting pursuant to its authority under the Municipal Land Use, Development, and Management Act, Utah Code Chapter 10-9a as amended, and in furtherance

of its land use policies, goals, objectives, ordinances, and regulations of Salt Lake City, in the exercise of its legislative discretion, has elected to approve and enter into this Agreement.

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and in reliance on the foregoing recitals, City and Developer agree as follows:

1. **Incorporations of Recitals.** The Parties hereby incorporate the foregoing recitals into this Agreement.

2. **Obligations of the Parties.**

a. **Developer's Obligations.** Development and use of the Property shall comply with the following requirements:

- i. Accessory buildings shall not be allowed in rear yards along the westernmost property line of the Property.
- ii. Where the westernmost property line of a lot is a rear or side property line, the second levels of any homes located along that rear or side property line shall be setback at least 30 feet from the corresponding rear or side property line.
- iii. Accessory dwelling units on the Property shall not be used as short-term rentals.
- iv. Any open space areas located along Capitol Park Avenue or F Street shall generally be accessible to the community at large, with the homeowners' association or other entity responsible for managing the common area establishing rules regarding the use and hours of availability as it prefers.
- v. The city's building approval and permitting process will be followed for construction of retaining walls on the Property

b. **City's Obligations:** Following recording of this Agreement against the Property, the City shall cause Ordinance 81 of 2022 to be published within 14 days of Developer providing proof to the City that the Agreement has been recorded. The City is further obligated to issue all necessary permits and certificates of occupancy for development of the Property that meet all requirements of law and satisfy Developer's obligations under this Agreement.

3. **Severability.** If any term or provision of this Agreement, or the application of any term or provision of this Agreement to a particular situation, is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining terms and provisions of this Agreement, or the application of this Agreement to other situations, shall continue in full force and effect unless amended or modified by mutual consent of the Parties.

4. **Other Necessary Acts.** Each Party shall execute and deliver to the other any further instruments and documents as may be reasonably necessary to carry out the objectives and intent of this Agreement.

5. **Construction/Interpretation.** Developer has been informed that it is customary to consult legal counsel in the preparation and negotiation of the terms of development agreements. Developer has either done so or chosen not to. Should litigation arise from any breach of this Agreement, the Parties agree that no presumption or rule that ambiguities shall be construed against the drafting Party shall apply to the interpretation or enforcement of this Agreement.

6. **Other Miscellaneous Terms.** The singular shall include the plural; the masculine gender shall include the feminine; “shall” is mandatory; “may” is permissive.

7. **Runs with the Land.** This Agreement and the covenants and restrictions herein are binding and run with the land during the Term, such that any subsequent owners of fee title or other third parties holding an interest in and to all or some portion of the Property shall be deemed to have acquired such interest with notice and knowledge of this Agreement such that the Property shall remain subject to the terms, conditions, restrictions and provisions set forth herein. In keeping with the foregoing, the term “Developer”, as used herein, shall be construed to mean and include any successors in interest to fee ownership of all or any portion of the Property and any other holders of interests in and to any portion of the Property. City shall be deemed a beneficiary of such Agreement, covenants, and restrictions, and in the event of any uncured default, shall have the right to exercise all the rights and remedies, and to maintain any actions at law or suits in equity or other proper proceedings to enforce the curing of such default to which beneficiaries of such covenants may be entitled.

8. **Term and Termination.** This Agreement includes covenants, conditions, and restrictions regarding the development and use of Developer’s Property, which shall run with the land in perpetuity. The covenants, conditions, and restrictions may only be modified or terminated with the express authorization of the Salt Lake City Council following the same processes required to amend the zoning map and applicable master plan.

9. **Waiver.** No action taken by any Party shall be deemed to constitute a waiver of compliance by such Party with respect to any representation, warranty, or condition contained in this Agreement.

10. **Remedies.** Either Party may, in addition to any other rights or remedies, institute an equitable action to cure, correct, or remedy any default, enforce any covenant or agreement herein, enjoin any threatened or attempted violation thereof, enforce by specific performance the obligations and rights of the Parties hereto, or to obtain any remedies consistent with the foregoing and the purpose of this Agreement.

11. **Utah Law.** This Agreement shall be construed and enforced in accordance with the laws of the State of Utah.

12. **Covenant of Good Faith and Fair Dealing.** Each Party shall use its best efforts and take and employ all necessary actions in good faith consistent with this Agreement to ensure that the rights secured by the other Party through this Agreement can be enjoyed.

13. **No Third-Party Beneficiaries.** This Agreement is between the City and Developer. No other party shall be deemed a third-party beneficiary or have any rights under this Agreement.

14. **Force Majeure.** No liability or breach of this Agreement shall result from delay in performance or nonperformance caused, directly or indirectly, by circumstances beyond the reasonable control of the Party affected ("Force Majeure"), including, but not limited to, fire, extreme weather, terrorism, explosion, flood, war, power interruptions, the act of other governmental bodies, accident, labor trouble or the shortage or inability to obtain material, service, personnel, equipment or transportation, failure of performance by a common carrier, failure of performance by a public utility, or vandalism.

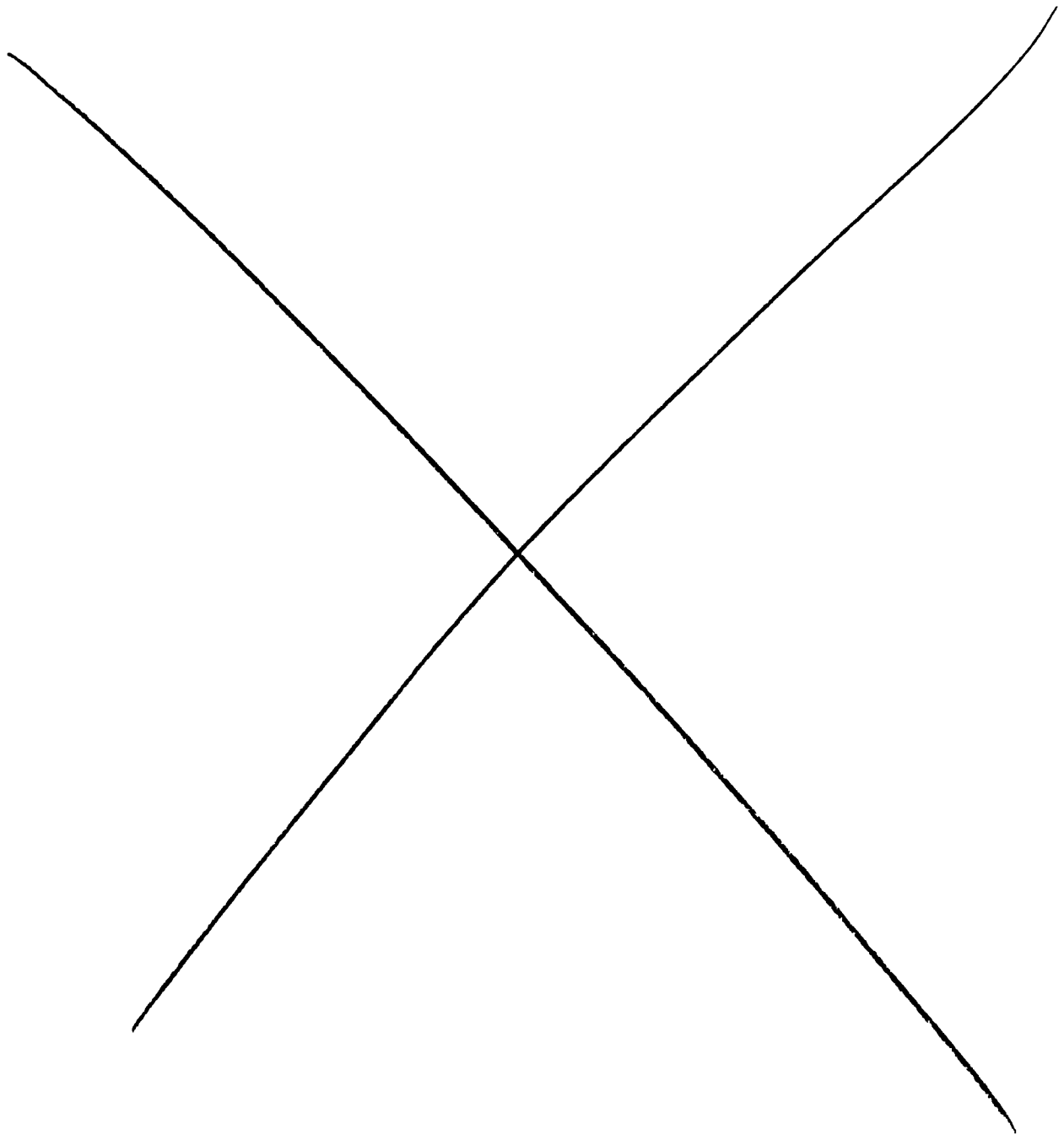
15. **Entire Agreement, Counterparts and Exhibit.** Unless otherwise noted herein, this Agreement is the final and exclusive understanding and agreement of the Parties and supersedes all negotiations or previous agreements between the Parties with respect to all or any part of the subject matter hereof. All waivers of the provisions of this Agreement shall be in writing and signed by the appropriate authorities of City and Developer.

16. **REPRESENTATION REGARDING ETHICAL STANDARDS FOR CITY OFFICERS AND EMPLOYEES AND FORMER CITY OFFICERS AND EMPLOYEES.** Developer represents that it has not: (1) provided an illegal gift or payoff to a City officer or employee or former City officer or employee, or his or her relative or business entity; (2) retained any person to solicit or secure this contract upon an agreement or understanding for a commission, percentage, or brokerage or contingent fee, other than bona fide employees or bona fide commercial selling agencies for the purpose of securing business; (3) knowingly breached any of the ethical standards set forth in City's conflict of interest ordinance, Chapter 2.44, Salt Lake City Code; or (4) knowingly influenced, and hereby promises that it will not knowingly influence, a City officer or employee or former City officer or employee to breach any of the ethical standards set forth in City's conflict of interest ordinance, Chapter 2.44, Salt Lake City Code.

17. **GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT.** City is subject to the requirements of the Government Records Access and Management Act, Chapter 2, Title 63G, Utah Code Annotated or its successor ("GRAMA"). All materials submitted by Developer pursuant to this Agreement are subject to disclosure unless such materials are exempt from disclosure pursuant to GRAMA. The burden of claiming an exemption from disclosure shall rest solely with Developer. Any materials for which Developer claims a privilege from disclosure shall be submitted marked as "Business Confidential" and accompanied by a concise statement of reasons supporting Developer's claim of business confidentiality. City will make reasonable efforts to notify Developer of any requests made for disclosure of documents submitted under a claim of business confidentiality. Developer may, at Developer's sole expense, take any appropriate actions to prevent disclosure of such material. Developer

specifically waives any claims against City related to disclosure of any materials required by GRAMA.

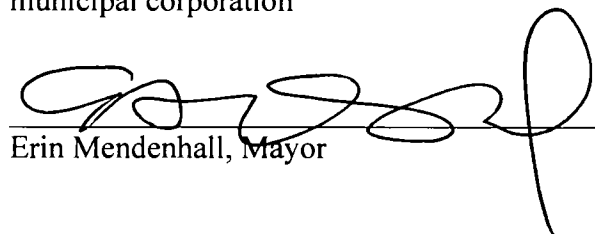
[Signature Page to Follow]



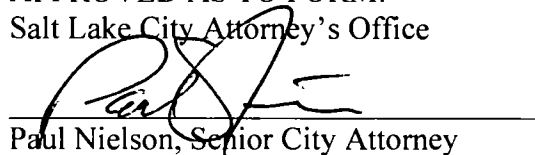
EFFECTIVE as of the 3 day of August, 2022.

CITY:

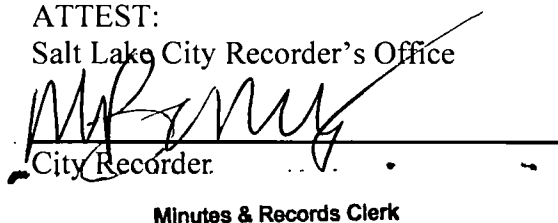
SALT LAKE CITY CORPORATION, a Utah
municipal corporation


Erin Mendenhall, Mayor

APPROVED AS TO FORM:
Salt Lake City Attorney's Office


Paul Nielson, Senior City Attorney

ATTEST:
Salt Lake City Recorder's Office


City Recorder

Minutes & Records Clerk

RECORDED

AUG 10 2023

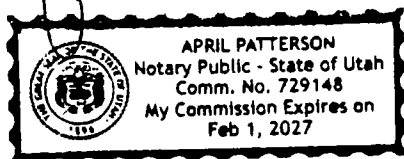
CITY RECORDER

STATE OF UTAH)
)
) :SS
COUNTY OF SALT LAKE)

This instrument was acknowledged before me this 3 August, 2022, by Erin Mendenhall,
Mayor of Salt Lake City Corporation, a Utah municipal corporation.

WITNESS my hand and official seal.


Notary Public



DEVELOPER:

By: Ant P. Giamvroulas
Its: PRESIDENT

STATE OF UTAH §
COUNTY OF SALT LAKE §

This instrument was acknowledged before me on the 21ST day of JULY, 2023, by CHRISTOPHER P. Giamvroulas, an individual.

WITNESS my hand and official seal.

[Signature]
Notary Public

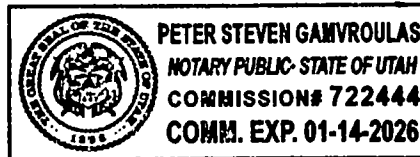


EXHIBIT “A”

Legal description of Developer’s Property located at 675 North F Street:

675 North F Street

Tax ID No. 09-30-455-021-0000

LOT 1, CAPITOL PARK AVENUE EXTENSION SUBDIVISION.

8923197

Recording requested by
and when recorded return to:

KIRTON & McCONKIE
Attn: Steven L. Whitehead, Esq
1800 Eagle Gate Plaza
60 East South Temple
Salt Lake City, Utah 84111

Property No. 533-3822

8923197
12/12/2003 03:50 PM 30.00
Book - 8923 Pg - 1596-1605
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
AMERICA WEST TITLE
BY: BRM, DEPUTY - WL 10 P.

(Space Above This Line For Recorder's Use)

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT ("Agreement") is made and entered into as of this 12th day of October, 2001, by and between AVENUE HEIGHTS CONDOMINIUMS, L.L.C., a Utah limited liability company ("AHC") and CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole ("CPB"); individually, a "Party", and collectively, the "Parties".

RECITALS:

- A. AHC is the fee owner of that certain real property located in the City of Salt Lake City, County of Salt Lake, State of Utah, which property is more particularly described on Exhibit "A" attached hereto and depicted by diagonal lines on the Plat Map attached hereto as Exhibit "B" ("**Easement Property**"). The Easement Property is improved with a private drive, curbs, gutters, sidewalks, and related improvements, which private drive connects Capitol Park Avenue to the intersection of "F" Street and 13th Avenue.
- B. CPB owns certain real property located in the City of Salt Lake City, Salt Lake County, State of Utah, which is legally described in Exhibit "C" attached hereto and incorporated herein by this reference ("**Existing Property**").
- C. CPB is purchasing from AHC, or has purchased from AHC, fee ownership of that certain real property located between the Easement Property and the Existing Property in the City of Salt Lake City, County of Salt Lake, State of Utah, which is legally described in Exhibit "D" attached hereto (the "**Adjacent Property**"). The Existing Property and the Adjacent Property shall hereinafter collectively be referred to as the "**CPB Property**."
- D. In connection with the purchase of the Adjacent Property by the CPB, AHC and CPB have entered into that certain Agreement for Purchase and Sale and Joint Escrow

C:\MyFiles\Client-Matters\WRIGHT.WA\AVEHEIGHT\CPB.sale\ easement.agt10-10-01.wpd

August 9,
2001

Instructions (the "**Purchase Agreement**"). Pursuant to the terms and conditions of the Purchase Agreement, AHC desires to grant to CPB, for the benefit of CPB Property, a non-exclusive easement burdening the Easement Property and benefitting the CPB Property.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the Parties hereby agree as follows:

1. **Grant of Easement.** AHC hereby grants, conveys and warrants to CPB for the benefit of CPB and any entity controlling, controlled by, or under common control with CPB, and their respective employees, agents, servants, members, beneficiaries, contractors, consultants, guests, invitees, successors and assigns (collectively, "**CPB Affiliates**"), upon each and every term and condition contained herein, a continuous, perpetual non-exclusive easement and right of way on the Easement Property appurtenant to the CPB Property for the placement, installation, maintenance, repair and removal of utilities and for pedestrian and vehicular ingress to and egress from the CPB Property ("**Easement**"). Subject to any municipal or governmental approvals, CPB shall have the right to place at least one (1) curb cut approximately thirty (30) feet wide in the curb located on the Easement Property at a location to be determined by CPB in its sole and absolute discretion to permit ingress to and egress from the CPB Property onto the Easement Property.

2. **Covenants Run with Land.** The Easement, together with each of the restrictions, covenants and agreements contained herein shall be appurtenant to and for the benefit of the CPB Property and shall be a burden upon the Easement Property, and shall run with the land. The Easement, this Agreement and the restrictions, covenants, benefits and obligations created hereby shall be binding upon and shall inure to the benefit of all present and future holders of interests in the CPB Property and shall be deemed a covenant running with the land.

3. **Maintenance.** The maintenance of the Easement Property will be addressed in a Joint Maintenance Agreement to be mutually agreed upon by the parties. Until the Joint Maintenance Agreement is negotiated and executed, the parties agree as follows: (i) AHC shall maintain the Easement Property in a good and clean condition; (ii) if AHC fails to maintain the Easement Property, CPB shall have the right, but not the obligation, to do so; (iii) the costs to maintain the Easement Property, along with a portion of a portion of a road extending westerly from the Easement Property to the point at the southwest corner of certain real property owned by Karen S. Wright commonly known as 364 East Capitol Park Avenue if such road is maintained by AHC, shall be allocated 16.67% to CPB and 83.33% to AHC; and (iv) each party will reimburse the other party that performed maintenance on the Easement Property and the adjacent road within thirty (30) days after receipt of a statement of the maintenance costs.

4. **Successors and Assigns.** This Agreement shall inure to the benefit of, and will be binding upon, the Parties hereto and their respective successors and assigns.

5. **Special Warranty.** AHC hereby fully warrants the title to the Easement Property and will defend the same against the lawful claims of all persons claiming by through or under AHC and against acts of AHC, subject to any easements and rights-of-way of record as of the date hereof.

6. **Not a Public Dedication.** Nothing contained in this Agreement will be deemed to be a gift or a dedication of any portion of the Easement Property to the general public or for the general public or for any public purpose whatsoever, it being the intent of the Parties that this Agreement be strictly limited to and for the purposes expressed herein.

7. **Authority.** The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity, authority to do so and to bind the entities for which they are executing this Agreement.

8. **Exhibits.** The following exhibits are a part of this agreement to the same extent as if set forth in the body of this Agreement:

Exhibit A -	Legal Description of Easement Property
Exhibit B-	Plat Map Depicting Easement Property
Exhibit C-	Legal Description of Existing Property
Exhibit D-	Legal Description of Adjacent Property

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the day and year first above written.

AHC:

**AVENUE HEIGHTS CONDOMINIUMS,
L.L.C., a Utah limited liability company**


By: 

Its: Member


By: 


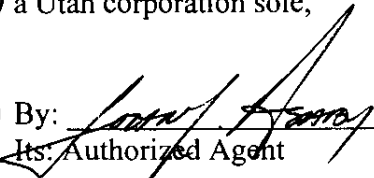
Its: Member

By: GREENWICH EAST, L.L.C., a
Texas limited liability company
Its Member

By: 
Kenneth W. Griswold
Its Managing Member

CPB:

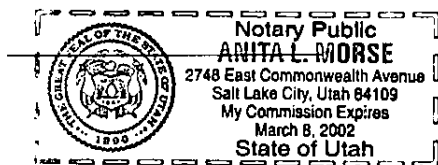
 CORPORATION OF THE PRESIDING
BISHOP OF THE CHURCH OF JESUS
CHRIST OF LATTER-DAY SAINTS,
a Utah corporation sole,

 By:  11/20/01
Its Authorized Agent

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

On the 2nd day of November, 2001, personally appeared before me WALLACE A. WRIGHT, JR., who being duly sworn, did say, for himself that he is a member of AVENUE HEIGHTS CORPORATION*, L.L.C., and that the within and foregoing instrument was signed in behalf of said limited liability company, and duly acknowledged to me that such limited liability company executed the same. * CONDOMINIUMS

My Commission Expires

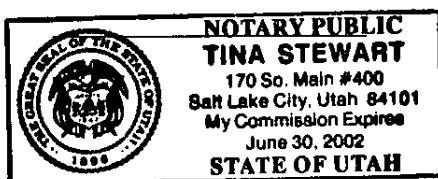


Anita L. Morse
Notary Public

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

On the 17th day of October, 2001, personally appeared before me DAVID R. SABEY, who being duly sworn, did say, for himself that he is a member of AVENUE HEIGHTS * CORPORATION, L.L.C., and that the within and foregoing instrument was signed in behalf of said limited liability company, and duly acknowledged to me that such limited liability company executed the same. * CONDOMINIUMS

My Commission Expires

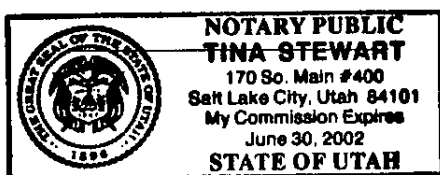


Tina Stewart
Notary Public

STATE OF Utah)
COUNTY OF Salt Lake) ss.

On the 12th day of October, 2001, personally appeared before me KENNETH W. GRISWOLD, who being duly sworn, did say, for himself that he is the managing member of GREENWICH EAST, L.L.C., a member of AVENUE HEIGHTS CORPORATION, L.L.C., and that the within and foregoing instrument was signed in behalf of said limited liability company and duly acknowledged to me that such limited liability company executed the same. * CONDOMINIUMS

My Commission Expires



Tina Stewart
Notary Public

STATE OF UTAH)
COUNTY OF SALT LAKE) ss.

On the 20th day of November, 2001, personally appeared before me John Ashby, who being duly sworn, did say, for himself that he is the authorized agent of THE CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, and that the within and foregoing instrument was signed in behalf of said corporation by authority of its board of directors, and duly acknowledged to me that such corporation executed the same.

My Commission Expires

January 23, 2002

Marilee E. Davis
Notary Public

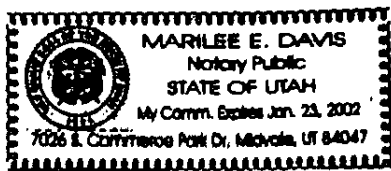


EXHIBIT "A"
OF EASEMENT AGREEMENT

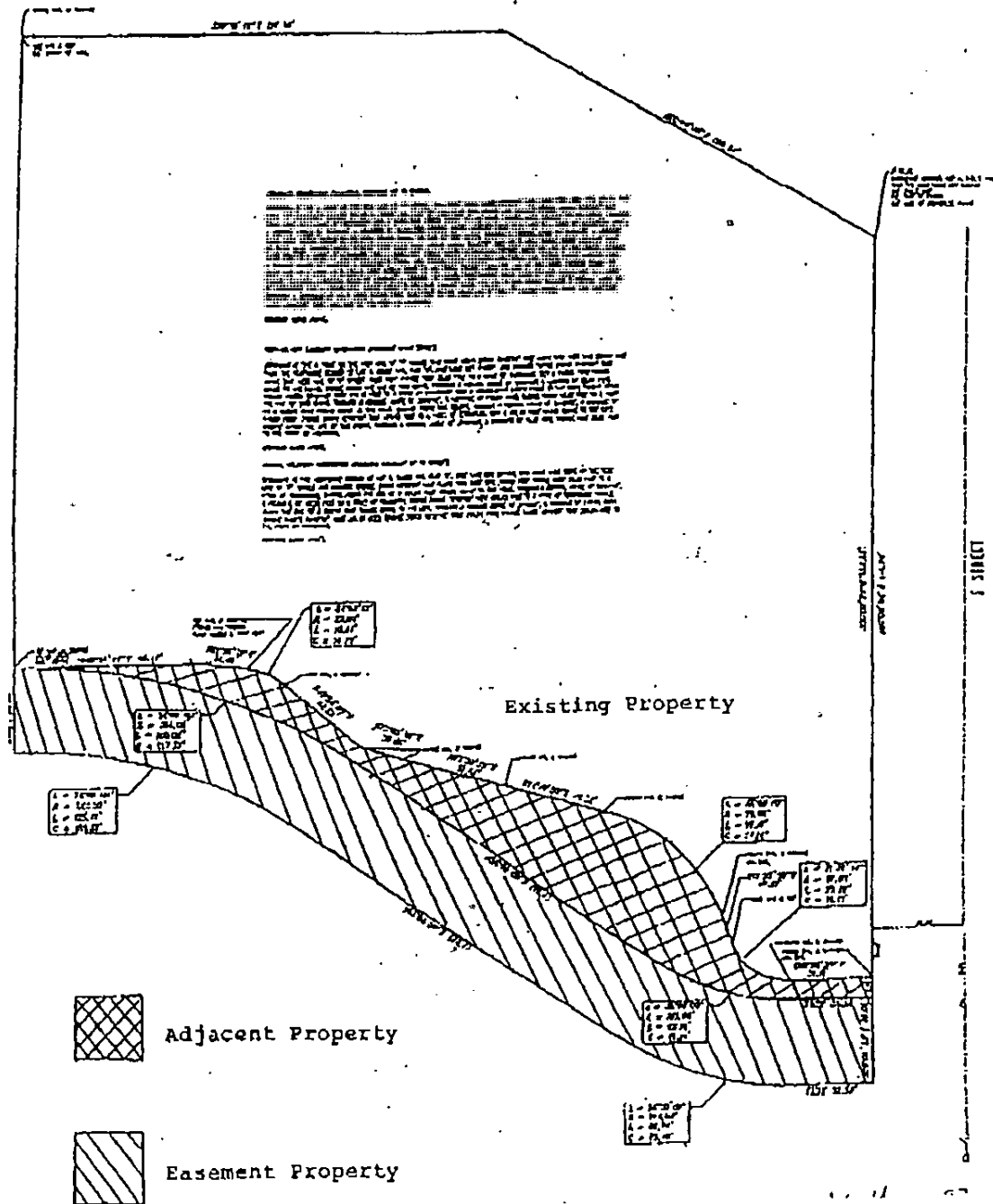
(Legal Description of Easement Property)

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF CAPITOL PARK AVENUE, A PRIVATE STREET, SOUTH 00°00'24" EAST 365.35 FEET FROM THE NORTHEAST CORNER OF LOT 4, BLOCK 188, PLAT "D", SALT LAKE CITY SURVEY, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF "F" STREET AND RUNNING THENCE SOUTH 00°00'24" EAST ALONG SAID WEST LINE 40.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID CAPITOL PARK AVENUE, SAID POINT BEING NORTH 00°00'24" WEST 337.24 FEET (DEED = 337.15 FEET) FROM THE SOUTHEAST CORNER OF LOT 1, BLOCK 177, PLAT "D", SALT LAKE CITY SURVEY; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF CAPITOL PARK AVENUE THE FOLLOWING FOUR (4) COURSES; WEST 34.78 FEET TO A POINT OF CURVATURE; NORTHWESTERLY ALONG THE ARC OF A 142.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 35°00'00", A DISTANCE OF 86.74 FEET TO A POINT OF TANGENCY; NORTH 55°00'00" WEST 180.63 FEET TO A POINT OF CURVATURE; NORTHWESTERLY ALONG THE ARC OF A 222.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 35°00'00", A DISTANCE OF 135.61 FEET; THENCE NORTH 40.00 FEET TO THE SOUTHEAST CORNER OF LOT 415, CAPITOL PARK PLANNED DEVELOPMENT PHASE 4, AS RECORDED WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER AND THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CAPITOL PARK AVENUE; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES: SOUTHEASTERLY ALONG THE ARC OF A 262.00 FOOT RADIUS CURVE TO THE RIGHT, (CENTER BEARS DUE SOUTH), THROUGH A CENTRAL ANGLE OF 35°00'00". A DISTANCE OF 160.05 FEET TO A POINT OF TANGENCY; SOUTH 55°00'00" EAST 180.63 FEET TO A POINT OF CURVATURE; SOUTHEASTERLY ALONG THE ARC OF A 102.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 35°00'00" A DISTANCE OF 62.31 FEET TO A POINT OF TANGENCY AND EAST 34.78 FEET TO THE POINT OF BEGINNING.

CONTAINS 0.402 ACRES

179-36-455-008

Exhibit "B"



FILMED AS RECEIVED
CO. RECORDER

EXHIBIT "C"

(Legal Description of Existing Property)

BEGINNING at the Northeast corner of Lot 4, Block 188, Plat "D", Salt Lake City Survey, and running thence South 00°00'24" East 354.35 feet to the back of an existing curbwall; thence South 89°29'22" West 37.11 feet to a point of curvature; thence along the arc of a 27.00 foot radius curve to the right 33.77 feet to a point of tangency; thence North 18°50'50" West 14.61 feet to a point of curvature; thence along the arc of a 79.00 foot radius curve to the left 77.17 feet to a point of tangency; thence North 74°49'00" West 49.32 feet; thence North 72°00'28" West 51.64 feet; thence North 72°00'28" West 20.05 feet; thence North 47°53'00" West 44.93 feet to a point of curvature; thence along the arc of a 32.00 foot radius curve to the left 19.01 feet to a point of tangency, and North 81°55'21" West 18.46 feet; thence North 89°51'43" West 85.47 feet; thence North 00°00'24" West 296.86 feet; thence South 89°51'43" East 217.58 feet; thence South 60°00'00" East 200.84 feet to the point of BEGINNING.

09-30-455-008

EXHIBIT "D"
OF EASEMENT AGREEMENT

(Legal Description of Adjacent Property)

BEGINNING AT A POINT ON THE WEST LINE OF "F" STREET, SAID POINT BEING SOUTH 00°00'24" EAST ALONG SAID WEST LINE 354.35 FEET FROM THE NORTHEAST CORNER OF LOT 4, BLOCK 188, PLAT "D", SALT LAKE CITY SURVEY, AND RUNNING THENCE SOUTH 89°29'22" WEST 37.11 FEET TO A POINT OF CURVATURE WITH A 27.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 71°39'44", A DISTANCE OF 33.77 FEET; THENCE NORTH 18°50'50" WEST 14.61 FEET TO A POINT OF CURVATURE WITH A 79.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 55°58'07", A DISTANCE OF 77.17 FEET; THENCE NORTH 74°49'00" WEST 49.32 FEET; THENCE NORTH 72°00'28" WEST 71.69 FEET; THENCE NORTH 47°53'00" WEST 44.93 FEET TO A POINT OF CURVATURE WITH A 32.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 34°02'14", A DISTANCE OF 19.01 FEET; THENCE NORTH 81°55'21" WEST 18.46 FEET, THENCE NORTH 89°51'43" WEST 85.47 FEET TO THE SOUTHEAST CORNER OF LOT 415, CAPITOL PARK PLANNED DEVELOPMENT, PHASE 4, BEING AT A POINT ON A 262.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, (CENTER BEARS DUE SOUTH), THROUGH A CENTRAL ANGLE OF 35°00'00", A DISTANCE OF 160.05 FEET; THENCE SOUTH 55°00'00" EAST 180.63 FEET TO A POINT OF CURVATURE WITH A 102.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 35°00'00", A DISTANCE OF 62.31 FEET, THENCE EAST 34.78 FEET TO THE WEST LINE OF SAID "F" STREET; THENCE ALONG SAID WEST LINE NORTH 00°00'24" WEST 11.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 0.208 ACRES

09-30-455.008

When recorded please mail to:

Ivory Development, LLC
978 E. Woodoak Lane
Salt Lake City, UT 84417

13433342
10/20/2020 4:35:00 PM \$40.00
Book - 11043 Pg - 311-312
RASHELLE HOBBS
Recorder, Salt Lake County, UT
COTTONWOOD TITLE
BY: eCASH, DEPUTY - EF 2 P.

121577-JCP

Property #:533-3822

SPECIAL WARRANTY DEED

THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah

corporation sole, formerly known as CORPORATION OF THE PRESIDING BISHOP OF THE
CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, GRANTOR, of Salt
Lake City, County of Salt Lake, State of Utah, hereby conveys and warrants against all claiming by,
through or under it, and against acts of itself, to Ivory Development, LLC, GRANTEE, of
978 E. Woodoak Lane, Salt Lake City
_____, _____, County of Salt Lake, State of Utah, for the sum of Ten
and No/100 Dollars (\$10.00) and other good and valuable consideration, the following parcel of land,
situated in the County of Salt Lake, State of Utah, and more particularly described as follows:

PARCEL 1:

Lot 1, CAPITOL PARK AVENUE EXTENSION SUBDIVISION, according to the official plat thereof, filed in Book 2003P of Plats at Page 391 of the official records of the Salt Lake County Recorder, State of Utah.

(Tax parcel number: 09-30-455-021

PARCEL 1A:

A continuous, perpetual non-exclusive easement and right-of-way, appurtenant to Parcel 1 described herein, for the placement, installation, maintenance, repair and removal of utilities and for pedestrian and vehicular ingress and egress, as more particularly defined and described in that certain Easement Agreement recorded December 12, 2003 as Entry No. 8923197 in Book 8923 at Page 1596 of Official Records.

Subject to: (i) any state of facts that an accurate and complete ALTA/ACSM Land Title Survey (with all Table A items) and/or physical inspection of the property might disclose, (ii) all zoning, regulations, restrictions, rules, and ordinances, land use regulations, building restrictions, and other laws and regulations now in effect or hereafter adopted by any governmental authority having jurisdiction, and (iii) reservations, easements, rights-of-way, declarations, covenants, conditions, restrictions, encroachments, liens, and encumbrances and all other matters of record or enforceable at law or in equity.

Ent 13433342 BK 11043 PG 311

The Grantor specifically reserves, excepts, and retains Mineral Rights. For purposes of this instrument, "Mineral Rights" include, whether on, in or under the premises, all of the following--minerals, whether common or precious; coal; carbons; hydrocarbons; oil; gas; petroleum; chemical elements and substances whether in solid, liquid, or gaseous form; and steam and all sources of geothermal energy. In the event all or part of the Mineral Rights have been reserved or severed previously from the surface estate, grantor hereby reserves, excepts and retains all of the Mineral Rights not previously reserved and reserves, excepts and retains its after-acquired title to all of the Mineral Rights to the extent that prior reservations thereof are released or abandoned after the date of this conveyance.

IN WITNESS WHEREOF, the said Grantor has hereto subscribed its name by its authorized agent, this 2 day of October, 2020.

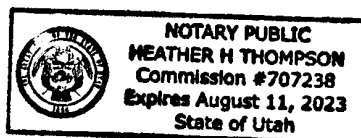
THE CHURCH OF JESUS CHRIST OF
LATTER-DAY SAINTS, a Utah corporation
sole, fka CORPORATION OF THE
PRESIDING BISHOP OF THE CHURCH OF
JESUS CHRIST OF LATTER-DAY SAINTS, a
Utah corporation sole

By: Terry F. Rudd
Authorized Agent

STATE OF UTAH)
COUNTY OF SALT LAKE)
David H. Thompson, Notary Public

On this 2 day of October, 2020, personally appeared before me Terry F. Rudd, personally known to me to be the Authorized Agent of THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, fka CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, who acknowledged before me that he signed the foregoing instrument as Authorized Agent for THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS; and that said instrument is the free and voluntary act of said Corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument on behalf of said Corporation and that said Corporation executed the same.

WITNESS my hand and official seal.



Heather H. Thompson
Notary Public for the
State of Utah

ATTACHMENT H: Public Process & Comments

Public Notice, Meetings, Comments

The following is a list of all public meetings and other public input opportunities, related to the proposed project since the current version of the proposed development was submitted to the City. All comments received before 2023 can be found in [Attachment K of the rezone staff report](#).

- July 10, 2023 – Planning staff sent the 45-day required notice for recognized community organizations to the chairs of the Greater Avenues Community Council (GACC) and the Preserve Our Avenues Coalition (POAC).
- July 10, 2023 – Property owners and residents within 300 feet of the development were provided early notification of the proposal.
- August 2, 2023 – GACC held an information meeting with representatives from POAC.
- August 23, 2023 – Ivory Development hosted an informational open house at the Corinne & Jack Sweets Library on August 23, 2023.
- September 6, 2023 – GACC held a vote on the proposed development.

Notice of the public hearing for the proposal included:

- January 12, 2023
 - Public hearing notice sign posted on the property
- January 11, 2023
 - Public hearing notice mailed
 - Public notice posted on City and State websites and Planning Division list serve

Public Input:

Planning staff received approximately 104 comments regarding this request. They are included with this attachment. Issues brought up by the community are discussed under [Key Consideration 5](#).

Barlow, Aaron

From: Merrilee Morgan [REDACTED]
Sent: Tuesday, September 12, 2023 3:51 PM
To: Echeverria, Daniel; Barlow, Aaron; Norris, Nick
Subject: (EXTERNAL) Ivory Development at 675 North F Street, SLC 84103

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Aaron and Daniel Echeverria,

Will you please reply to this email as confirmation you have received this letter? I want to be able to report back to my Community on the work I have done on their behalf, to ensure our vote is included in the Planning Commission's comments. Is there anyone else that should be cc'd on this email that may have overlooked?

The proposed Planned Development at 675 North F Street, Ref. PLNPCM2023-00656, was scheduled to be presented at the Greater Avenues Community Council (GACC) meeting on August 2, 2023 with the City, Ivory Homes, and the Preserve Our Avenues Zoning Coalition as the presenting parties. I was notified as GACC Chair late on Monday, July 31, that the landowner and developer, Ivory Homes' representative, Chris Gramvoulous, would not be participating in the August 2nd Community meeting. As a result, the City planner assigned to this project, Aaron Barlow and his counterpart, Daniel Echeverria, informed me that due to an internal Planning Department policy, they too would be unable to attend the meeting.

The GACC published articles from all three parties mentioned above in its August newsletter, which can be seen here <https://www.slc-avenues.org/news-events/the-agenda-newsletter/2023-1/371-2023-08-august-community-newsletter-the-agenda-1/file>.

On August 9th, 2023, a few community members brought their concern about the proposed development at 675 N F Street to the Greater Avenues Community Council Board meeting. These constituents asked the Board to present a vote to the community, asking if we, as a community, are in favor of the proposed Planned Development. The Board discussed the request and decided it met all GACC guidelines and was in accordance with our bylaws.

The request was approved and the announcement of the vote was published in the GACC's September newsletter as going to occur on September 6th, which can be seen here <https://www.slc-avenues.org/news-events/the-agenda-newsletter/2023-1/373-2023-09-september-community-newsletter-the-agenda-1/file>.

At the GACC's September 6th Community meeting, the vote was held with the voting ballot: "Do you approve of the Ivory Homes request for a planned development at 675 North F Street as presented in the application to the City dated June 23, 2023. Reference # PLNPCM2023-00656. Yes or No". The vote was taken on Zoom and in person, with the following results:

- Total Votes: 220
- Yes: 7
- No: 213

As the 2023 Chair of the Greater Avenues Community Council, I present the Planning Commission and Planning Department the results of this vote, and ask that you consider the perspective of the voters who participated as you make recommendations or vote yourselves on the above referenced Planned Development application.

Respectfully,
Merrilee Morgan
2023 GACC Chair

Peter Wright
400, E Capitol Park Avenue,
Apt. 306,
Salt Lake City,
UT 84103

August 4th 2023

Here's the gentle density coming to the upper Avenues. Capitol Park Cottages ready for final planning review.

Published in Building Salt Lake August 2nd 2023.

Dear Dr. Garrott,

As a nearby neighbor to this property, I would like to take exception to a number of the conclusions you draw in the above article. When you subject this proposal to increased scrutiny and peel back the onion skins, you will find that this is not such gentle density and that the proposed development will have a significant detrimental impact on the neighborhood.

Let's look at just one issue as an example - Parking.

You state that; *"Off Street parking is copious. Designers have included 45 spaces in garages and 37 surface spots. 82 stalls for 42 units is essentially a 2:1 ratio."*

Conversely, residents that live here see the level of parking provided as grossly inadequate and problematic, where it will likely lead to around 40 cars from Ivory's development being parked on neighboring streets - many illegally! Let's go through the analysis.

Not a Walkable Section of the City

This section of the city is not walkable, there are few to no amenities nearby, the terrain is extremely steep and the bus service insufficient for most people's needs, making travel by private automobile the normal method of transportation.

Number of Cars

Assuming two automobiles per dwelling and 42 dwellings, residents vehicles will total 84. There is also a need to cater for guest parking, service vehicles etc and for snow storage. Neighboring developments have found a need for guest parking spaces of around 0.7 spaces per residence, which would give a requirement for an additional 29 places for a total requirement of 113 spaces. Ivory's design shows only 4 guest parking places, this is totally inadequate and will not even be sufficient to store snow in winter.

How Many Parking Places has Ivory Really Provided

1) Garages. Ivory has provided 45 garage parking spaces. Do we believe all 45 will be used for parking? It is almost un-American to park two cars in a two-car garage. A number of these places will be lost to general goods storage, boats, snow mobiles and other toys. Let's conservatively assume only 15 percent of these spaces are lost; this decreases garage parking to 38 units.

2) On-Lot Surface Parking. Ivory claims 34 surface lot parking places.

Ivory is therefore realistically providing 72 parking places against a requirement of 113 leaving a surplus of around 40 vehicles that will flow to the neighboring streets.

Where Will These Excess Vehicles Park and What Problems Will They Cause?

Ivory's property only borders two streets, F Street to the East and Capitol Park Avenue to the South.

1) F Street. As the nearest point to Ivory's internal road, F Street between Northpoint and Capitol Park Avenue will be permanently parked on both sides of the street. Both Ivory's development and Northpoint sit in a Wildland Urban Interface (WUI) zone, with Northpoint having experience of evacuations from fast moving wildfires emanating from City Creek Canyon. F Street is Northpoint's only ingress and egress for 50 homes. Northpoint residents have grave concerns that this section of F Street will become a choke point when both Northpoint and Ivory residents are leaving at the same time as emergency vehicles are entering in the event of a fire. The deaths of 85 people in the Paradise, California fire were attributed to delays from such a traffic choke point.

2) Capitol Park Avenue is a private street posted as No Parking. Despite notifications and signage it is very likely that Ivory residents and guests will park illegally on Capitol Park Avenue, causing friction and disputes among neighbors. All the more so as Ivory has chosen to front 9 of their 21 homes facing Capitol Park Avenue. The development should be redesigned so these residences front Ivory's internal road, not Capitol Park Avenue, to avoid this problem.

I hope the above analysis illustrates that there is far more involved than a superficial 2:1 ratio in considering the adequacy of parking. Equally your statement that, *"Anything under 20 units per acre is generally considered low density"*, is overly simplistic. Appropriate density has to be considered in the context of the location. A change from 11 units under the prior FR-3 zoning to 42 units, including a first of its kind subdivision of ADUs, is twice the norm for the SR-1 zone and is anything but gentle infill density for this foothills location.

Thank you.

Dr. Peter Wright

THANK YOU FOR MEETING WITH US TODAY

PARTICIPANTS FROM THE AVENUES ARE :

PETER WRIGHT

MERIDIEN

TOM KEEN

CAPITOL PARK

LON JENKINS

NORTHPOINT

DON WARMBIER

NORTHPOINT

Exterior Walls: Maximum Exterior Wall Height Adjacent to Interior Side Yards. 21A.24.080.D.3.c.

Ivory Homes Proposal for a Planned Development. PLNPCM2021-00656

- Ivory's proposal is not in compliance with 21A.24.080.D.3.c.
- The Planning Commission cannot waive 21A.24.080.D.3.c. as part of a planned development application.
- 21A.24.080.D.3.c. states that one may have reduced interior side yard setbacks or maximum height, but not both.
- 20 of 21 of Ivory's units all have reduced interior side yard setbacks and all of these units have maximum exterior wall height and maximum building heights.
- Ivory must redesign to be in compliance with 21A.24.080.D.3.c. They can do so by either reducing exterior wall heights or increasing interior side yard setbacks to the required minimums.
- The Planning Commission cannot approve this plan as presented.

The Authority of the Planning Commission in Regard to a Planned Development is Limited.

- 21A .55.020 Authority. Grants the planning commission the ability to, *"..change, alter, modify or waive .."* , this does not eliminate all provisions contained in the district zoning ordinance.
- 21A.55.020 Authority
Para 1 *The approval shall be in accordance with the standards and procedures set forth in this chapter and other regulations applicable to the district in which the planned development is located.* 21A.24.080.D.3.c would fall within the description of *other regulations in which the planned development is located.*

The Planning Commission cannot waive requirements where it is prohibited from doing so by specific provisions in either the district zoning ordinance 21A.24.080, or the Planned Development ordinance 21A.55.

Exterior Walls: Maximum Exterior Wall Height Adjacent to Interior Side Yards. 21A.24.080.D.3.c

*....If an exterior wall is approved with a reduced setback through a special exception, variance **or other process**, the maximum allowable exterior wall height decreases by one foot (1') (or fraction thereof) for each foot (or fraction thereof) for each foot (or fraction thereof) that the wall is located closer to the property line than the required side yard setback.*

The use of the term, **"or other process"**, is legally highly significant and compelling. This clearly indicates that this clause is intended to survive the creation of a Planned Development and remains applicable.

The Preserve Our Avenues Coalition
Recognized Community Organization Report

1). Residents See No Public Benefit From This Planned Development

To gather community opinion, we conducted a series of open group meetings with members of the Avenues community who live closest to Ivory's property. This included residents from F Street, 13th Avenue, 12th Avenue, Meridien, Capitol Park and Northpoint, as well as a few residents from other nearby Avenues streets. Meetings were advertised by flier or by email where contact details were known. Meetings were conducted both in-person and via Zoom; attendance lists were maintained, and notes of residents' comments recorded. Although no formal votes were taken, straw polls were conducted on key issues. In total 163 Avenues residents attended these meetings, representing the opinions of those that live closest to and are most impacted by this development. During these meetings we reviewed Ivory's proposals and asked participants questions that focused on Ivory's planned development application claims. We also asked residents if, in their opinion, Ivory's development represented an "*Enhanced Product*" as required by the planned development ordinance.

Overall, residents are strongly opposed to Ivory's request for a planned development, which is perceived as simply a ruse to allow reductions in setbacks and increase building lot coverage, which would generate more sales dollars than would be possible building in compliance with the rules of the SR-1 zone. Ivory's claimed justifications for the planned development were considered invalid and not a single resident saw a public benefit resulting from the planned development.

Ivory's proposal with very tightly packed, large, two story, ninety (90) feet long, narrow buildings, flat roofs and no yards was not considered an "Enhanced Product" by any residents. Nor was it considered compatible with the neighborhood in terms of scale, mass and intensity. Residents would much prefer to see a development that more closely mirrors established construction in the Avenues SR zone with normal setbacks and yard space.

Residents raised a long list of diverse concerns, principal among these were parking where Ivory has not provided sufficient spaces for residents and guests, space for snow storage, retaining walls not built to code, soil removal, egress from Northpoint in the event of a fire and poor aesthetics particularly regarding severely reduced setbacks and the preponderance of flat roofs. A list of these concerns is detailed in Appendix 1 and Ivory's site plan is included as Appendix 2.

While Avenues residents understand the need for more housing, it was felt that the combined impact of a rezone, a planned development and a subdivision of ADUs is unreasonable and problematic for this foothills location in a non-walkable section of the city, with steep terrain, bordering only one public street and in an area at high risk of wildfire. Throughout these resident meetings there was a very strong sentiment that enough is enough. Ivory has already benefited from a rezone; they should not now be granted further concessions that again benefit Ivory, with no tangible benefit to the City or the Avenues.

2). Ivory's Planned Development Claims Are Invalid

Claim 1. *Housing. Providing type of housing that helps achieve the City's housing goals and policies;(21A.55.010.C.2).* The provision of ADUs in new home construction.

This claim was considered invalid. A planned development is not required to add living space above the garages in the SR-1 zone. Such "*potential ADUs*", as Ivory refers to these units, can be constructed in an identical manner without a planned development and these therefore cannot validly be considered a benefit of, or justification for, a planned development. Also, as a developer, Ivory cannot create a single ADU. Since ADUs can only be created by an owner occupant, the number of ADUs that will be created is unknowable.

Claim 2. *Open Space and Natural Lands: Inclusion of public recreational opportunities, such as new trails...Clustering of development to preserve open spaces. (21A.55.010.A.1&6)*

Ivory claims to be conserving nearly an acre of open space and creating trails that will benefit the public. This claim was considered laughable by residents.

Open Space. The open space Ivory claims to preserve consists of four sections as shown in Appendix 3. Sections 1 and 2 were mandated as open space by the City Council as a condition of the rezone. The largest of these, Section 2, is also a drainage basin that could not anyway be built upon. The third of these open spaces, Section 3, is not Ivory land at all, but City-owned land in the right-of-way along F Street. The fourth, Section 4, is a thin strip of unbuildable land with a 33-degree slope, bordering Northpoint's boundary wall.

Ivory does not *cluster* buildings to preserve open land. For the reasons stated above, they cannot build on any of this land. It is obvious to residents that this *clustering* is designed to reduce setbacks so that Ivory can pack in larger, more expensive homes than would otherwise be attainable. The extensive level of concessions requested by Ivory to bring about this *clustering* is detailed in Appendix 4.

Trails. Sidewalks that are required for access to homes do not constitute "*trails*", nor do they provide any genuine "*public recreational opportunities*". Not a single resident considered that these "*trails*" would provide any public benefit whatsoever, nor would they ever use them. The northern section, where the so called "*trail*", is sandwiched in a ten-foot-wide gap between an 8.5-foot-high retaining wall and 28-foot-high houses, was considered unpleasant and claustrophobic to walk. Several meeting participants also felt that this northern section of the "*trail*" is so close to Ivory's houses that one would feel they would be invading the privacy of Ivory residents by walking there. It is noted that an easement is utilized to position these "*trails*" 5 feet from the front of homes. The western portion of these "*trails*" is also cramped and unpleasant to walk, situated two feet from the high boundary fence with Caring Cove homes.

The eastern section of these "*trails*", a sidewalk, sits on City-owned land, not Ivory land, and with a 12% grade is one of the steepest sections of the Avenues and very hard to walk. When walking recreationally in the Avenues most people prefer to walk laterally around the hillside rather than up and down the hill or around blocks; the grade is too severe on the uphill sections to make walking enjoyable. The consensus was that there are far nicer walks everywhere else in the Avenues and that these sidewalks, mischaracterized as "*trails*", would never be used by anyone other than Ivory residents, providing no public benefit.

In total, Ivory's planned development claims were considered bogus by most residents, and many considered that approval would make a mockery of the planned development process. Considering the above facts, we hope and expect that the Planning Division will issue a negative recommendation to the Planning Commission for this application.

Thank you for the opportunity to comment and participate in this process.

Peter Wright	Chair
Alan Hayes	Secretary
Jan McKinnon	Treasurer

APPENDIX 1

THE PROBLEMS OUTWEIGH ANY POTENTIAL BENEFITS

Residents foresee many problems resulting from this highly congested development.

Incomplete and Inaccurate Application. Ivory's application was considered by residents to be incomplete, inaccurate, and contradictory, such that many found it confusing. For example, some drawings show garages as detached while others show them conjoined with the houses. The application also contains misleading artist renderings not drawn to scale.

The Same Number of Primary Dwellings. Several residents asked if the planned development led to an increased number of dwellings. The Planning Division has earlier estimated that the practical build density on this lot is 18 single family homes. Ivory presents a plan with 21 primary dwellings, two-thirds of which (14) are twin homes. Since twin homes utilize less land, a development, featuring the same mix of single family and twin homes, built in compliance with SR-1 rules, would yield substantially the same number of primary dwellings.

Accessory Dwelling Units (ADUs). Residents are not opposed to ADUs created in the normal manner, which is "one at a time" by individual owner occupants. In such cases the increase in density is small and can be absorbed over a large area with little impact. Ivory's proposal to create a subdivision of ADUs, where every unit has an ADU, is quite different and has far greater impact.

Ivory advocates for such a subdivision of ADUs, believing construction costs would be reduced and this is not unreasonable. Ivory also refers to this concept as "*an experiment - the first of its kind in Utah*". While there may be a role for such a development in walkable sections of the City, close to the city center or the University, it is hard to think of a less suitable location for this "*experiment*" than this site in a non-walkable section of the city, with few amenities nearby and minimal public transport, bordering only one public street, and in an area designated as at high risk of wildfire.

Short Term Rentals. There was concern among residents that these ADUs would be used as short-term rentals with all the well-known problems, particularly an increased demand for parking.

Parking. Parking is seen by neighbors as a very significant problem where Ivory has provided insufficient parking places for primary and ADU residents and guests, or to store plowed snow.

This is not a walkable section of the city, there are few to no amenities nearby, the terrain is steep and public transport is inadequate for most people's needs, making travel by private automobile the principal method of transportation. The addition of a subdivision of ADUs adds considerably to the number of residents and vehicles. Assuming two vehicles per residence there will be 84 vehicles. Ivory claims to have provided 82 parking places (we count 79), with nearly all (75) of these being garages and driveways. Ivory provides only four street parking places for guests. This is grossly inadequate.

In addition, it is overly optimistic to assume all the garages will be utilized for parking. A number of these places will be lost to general storage, storage of boats, ATVs, jet-skis, etc. Sharing driveways between multiple families will be highly problematic and will involve a great deal of highly polluting shuttling. One can well envisage that many homeowners will tell the renters of the ADU's to park on the streets, not in the driveways, to avoid this shuttling problem, again reducing the number of available parking places. Large vehicles such as pick-up trucks will also reduce the claimed driveway parking capacity on these very short driveways.

We have conducted an analysis concluding that around 30 vehicles will routinely be parked on neighboring streets, particularly F Street and 13th Avenue, competing with current residents for parking places outside their homes. This analysis is included in Appendix 5.

Parking on F Street. As the nearest location to Ivory's development, the top section of F Street will inevitably become heavily parked on both sides of the road. Ivory's property and Northpoint sit in a Wildland Urban Interface (WUI) zone at high risk of wildfire. Northpoint has experience of having to evacuate to escape fast moving wildfire emanating from City Creek Canyon. Northpoint's only egress is via F Street and there is great concern from residents that this will become a choke point in the event of a fire, where Northpoint and Ivory residents are all trying to exit as emergency vehicles are trying to enter. Northpoint residents noted that the deaths of 85 people in the Paradise, California, fire were attributed to such a traffic choke point.

Fire Trap. Many meeting participants considered Ivory's very closely packed, large units, with egress via a narrow alley, would constitute a fire trap for Ivory residents. This design was thought to concentrate too much fuel and too many people in this vulnerable location in a WUI zone. This property was not considered an appropriate location for Ivory's "*experiment*" in adding a subdivision of ADUs, doubling the density above the norm for the SR-1 zone. Participants hoped that city planners will learn from the recent tragedy in Lahaina, Hawaii, and practice proactive land use planning in WUI areas, as recommended by the US Forestry Service and US Bureau of Fire Prevention.

Parking on Capitol Park Avenue. Ivory has chosen to design nine of their homes with front entries facing Capitol Park Avenue, a private street posted as No Parking. Despite notifications and signage, Ivory residents and guests will likely park there anyway, creating conflict and disputes among neighbors. Will the Meridien HOA be forced to boot Ivory residents and guests on a frequent basis to prevent illegal parking? This is of great concern to the Meridien HOA, the owner of this section of road. The Meridien has requested that the City insist Ivory redesign such that the front entries of their homes all face their private road, not the Meridien's road, to alleviate this problem. Northpoint residents do not have this same concern regarding parking on Northpoint Drive and would prefer front facades on the uphill homes facing Northpoint.

Soil Removal. 675 North F Street is a highly sloped foothills lot, sloping almost fifty feet up from the southwest to the northeast. Ivory does not build in harmony with the topography but instead chooses to construct large, 90 feet long houses against the grain of the hillside. To comply with heights measured above established grade requirements, this will lead to very large volumes of soil being trucked out of the site. We have asked the Planning Division to quantify how many thousands of truckloads of soil will be transported through our steep and narrow Avenues streets so that Ivory can build oversized houses against the natural terrain.

Retaining Walls. The design also features tall retaining walls as high as 10.5 feet not constructed to code. These retaining walls present a danger of falling for wildlife and children. These tall walls should be constructed in a stepped manner as required by City code.

Flat Roofs. The high volume of homes, many of which are duplexes, all with large expanses of flat roofs, set only ten feet apart, is considered visually unpleasing and industrial in appearance, creating a visual nuisance. The topography is such that residents of F Street, Northpoint and the Meridien will all overlook this closely packed array of unsightly flat roofs. Ivory, as recently as April of this year, had promised residents that there would be no flat roofs. Flat roofs are only present on a tiny percentage of

Avenues homes. There is also concern as to the use and appearance of rooftop terraces, which to the best of our knowledge, do not exist elsewhere in the SR section of the Avenues.

Setbacks Reduced Below a Reasonable Level. The extensive concessions to SR-1 rules requested by Ivory are detailed in Appendix 4. In general, all setbacks are reduced by at least half, while building lot coverage is increased by around a half, leading to a highly congested development with excessive scale and bulk.

Unit 10 The front setback on unit 10 is 2.3 feet. Residents consider it completely unacceptable that a 28 feet high building will sit 2.3 feet from the property line and sidewalk, looming over pedestrians and the street. The required front setback in the SR-1 zone is 20 feet. Homes in the adjacent block faces all exceed the 20 feet setback requirement. All units on the periphery of the development should have a 20 feet front setback.

Maximum Height of External Walls Adjacent to Interior Side Yards. Residents with a legal background that have reviewed the relevant ordinances have determined that Ivory's plan is not in conformance with the requirements of 21A.24.080.D.3.c. Furthermore, this is not a requirement that can be superseded by the establishment of a planned development.

Interior Side Yard Setbacks. Although Ivory shows illustrations with copious green space and trees, there is concern from residents that nothing will grow in the long, narrow, ten feet wide gaps between the tall, two-story buildings. A larger interior side yard setback is considered necessary to facilitate some green space and avoid the tunnel-like appearance of these spaces. There should be no relaxation of SR-1 required side yard setbacks.

Overcrowding of Capitol Park Avenue. Ivory's property is approximately the same size as an Avenues block. Avenues block faces typically have no more than five houses, most of which are single story homes. By aggressively reducing both lot width and side yard setbacks, Ivory proposes to build ten homes on Capitol Park Avenue, all of which are two-story buildings. This overbuilds Capitol Park Avenue with a building density and bulk not typical of, and not compatible with the Avenues. Ivory's illustrations of Capitol Park Avenue are not drawn to scale and are misleading. Please see Appendix 6.

Not Affordable. Avenues residents recognize the need for more affordable housing. There is nothing affordable about Ivory's proposed development with oversize houses. Smaller homes, more typical of the SR section of the Avenues, would be far more affordable and would still provide the opportunity for ADUs above the garages, while providing more adequate parking on longer driveways as well as yard space.

Water and Sewer. Ivory's estimate of water and sewer usage completely ignores the demand from the ADUs, only considering the 21 primary dwellings and gives an inaccurate and low projection of demand. One resident, a licensed structural engineer, familiar with infrastructure in this section of the Avenues, noted that the sewers are upwards of 70 years old and fragile. It is requested that city engineers carefully consider water and sewer needs.

Specimen Tree Preservation. Ivory's property was at one time a part of the gardens for the old Veterans Administration hospital and contains several beautiful, mature trees. When Capitol Park, which was a part of the same grounds, was created as a planned development, the City required that

200 mature trees be maintained and incorporated into the site plan. These trees add greatly to the beauty and charm of the neighborhood.

Nearby neighbors ask that at least one of the trees on this site be preserved. This is a twin trunk, mature Ponderosa Pine in the SE section of the lot which has been the home to generations of Red-tailed Hawks. The City has the power to preserve such trees under 21A.48.135, Private Lands Tree Preservation.

Risk of Flooding. A consequence of reducing setbacks and increasing building lot coverage as Ivory asks is an extremely high level of hardscape. Examination of Ivory's site plan shows an excessive level of hardscape for such a highly sloped lot. Although Ivory adds surface drains and a catchment basin, there is concern from Meridien residents that this will not be adequate for extreme rain events and that this will lead to flooding of the Meridien's underground garage, which sits directly below the low point of Ivory's property. Residents believe that Ivory should not be granted such a high level of exceptions to SR-1 zoning, creating excessive hardscape and potential flooding risk.

Traffic on Capitol Park Avenue and Penny Parade. Capitol Park residents expressed concern that this increased density development will bring significant additional traffic to Capitol Park Avenue and Penny Parade, streets that currently have a very low volume of traffic. Child safety was raised as a concern on these steep, narrow, private streets with sharp bends, which are not built to City code.

No Yards. The high bulk, densely packed nature of Ivory's buildings with no yards was deeply disturbing to many residents. Residents also felt that these homes with no yards would be less likely to attract families with young children and support enrollment in the Ensign Elementary school.

Residents clearly have many diverse concerns about this development, many of them resulting from the building density on the plot. While all these issues may not be of equal merit, it is readily apparent that the large number of very real issues identified significantly outweighs any potential public benefits from this proposed planned development.

IVORY SITE PLAN



APPENDIX 3

OPEN SPACE



Ivory does not "cluster" buildings to preserve open land; this is land they cannot build upon.

APPENDIX 4

MAGNITUDE OF EXCEPTIONS REQUESTED BY IVORY

The magnitude of exceptions required by Ivory is staggering. At the 6/22/2022 Planning Commission hearing to review Ivory's application for a rezone, the Planning Commission admonished Ivory to, *"return with a plan with not too many exceptions"*.

This is how Ivory has responded to this guidance.

- **Not a single lot conforms with SR-1**
- **Minimum lot size 15 of 21 do not comply.**
Lot sizes reduced from 5000 sf to as low as 3498 sf.
- **Minimum lot width 20 of 21 do not comply.**
Lot widths reduced from min.50 feet to as low as 26 feet.
- **Building Coverage 20 of 21 do not comply.**
Lot coverage max.40%, increased to as high as 56%.
- **Rear Yard Setbacks 20 of 21 do not comply.**
Rear Yard Setback min.30 feet, reduced to as low as 5 feet.
- **Front Yard Setbacks 21 of 21 do not comply**
Front Yard Setback min.20 feet, reduced to as low as 2.3 feet.
- **Interior Side Yard setbacks 20 of 21 do not comply**
Interior Side Yard Setback (Twin Homes) Min.10 feet reduced to 5 feet.
(14 of 21 houses are Twin Homes.)

The combined impact of all these deviations leads to a congested development with an extremely high level of building density, mass and bulk, not at all similar to, or compatible with SR-1 development.

APPENDIX 5

INSUFFICIENT PARKING

What Parking Is Needed?

Resident Parking

Primary residences	21
ADUs	<u>21</u>
Total Residences	42

At two vehicles per residence this equals a need for 84 resident parking places.

Guest Parking

Neighboring developments, Northpoint and the Meridien have a ratio of 0.7 guest parking places per residence, excluding garages and driveways, and this is heavily utilized. Guest parking places are also used to store plowed snow in winter. Even if we estimate a need for half this ratio, Ivory will need 15 guest parking places. Ivory provides only four street parking places for guests. This is grossly inadequate and will not even be sufficient to store snow in winter. Ivory residents cannot legally push snow onto either F Street or Capitol Park Avenue.

Parking Needs. Resident 84, Guest 15. Total Parking Places Needed 99.

Parking Places Provided.

Ivory claims that they provide 82 parking places. We count 79 “potential” parking places as follows:

Garages	42
Driveways	33
Street Parking Places	<u>4</u>
Total “Potential” Places	79

Assume 10% of garage spaces will not be used for parking but for storage - A loss of 4 places.

Assume 25% of primary residents do not want renters parking on driveways - A loss of 8 places.

Conservatively, at least 12 of Ivory’s “potential” parking places will be lost to other uses. This gives a more realistic number of parking places provided at around 67.

Realistic Estimate of Parking Places Provided 67.

**Ivory’s Development is Short of At Least 30 Parking Places
These Vehicles Will Be Parked on Neighboring Streets.**

APPENDIX 6

VIEW OF CAPITOL PARK AVENUE: AN EXAMPLE OF MISLEADING ILLUSTRATIONS NOT DRAWN TO SCALE



How Wide is the Park Strip Here? 15 feet? 20 feet? No! It is 5 feet, the same width as the sidewalk.

Ivory seeks to give an impression of spaciousness, whereas according to the plans, everything is tightly packed with reduced setbacks and little greenspace.

Wall Height is an Indivisible Component of Building Height

- 21A.55.020.C *Building Height*. Up to five feet (5') of additional building height, except in the FR, R-1, SR or R2 Zoning Districts where additional building height cannot be approved through the planned development process.

Wall height is a component of building height. Grant of additional exterior wall height above that permitted in 21A.24.080.D.3.c would result in the grant of additional building height, which is prohibited by this provision. This is especially so for flat roofs, where no compensation can be made by altering the pitch of the roof structure.

- This intimate relationship between wall height and building height is clearly demonstrated in 21A.24.080.D Maximum Building Height, where Exterior Wall Height 21A.24.080.D.3 is listed as a subset of Building Height.
- 21A.24.080.D sections 1, 2 & 3 collectively define the maximum building height.

Summary

- Ivory's proposal is not in compliance with 21A.24.080.D.3.c.
- This is not a provision the Planning Commission can waive.

Precedent

- We can find no record of a Judicial or Administrative Decision relating to this matter.
- Can you share with us what legal precedent, if any, exists for a different interpretation?

Next Steps ?
Appeals ?

Determination of the Required Interior Side Yard Setbacks to Allow Full Height

21A.24.080.E.3. Interior Side Yard.

a. Twin Home Dwellings: No side yard is required along one side lot line while a ten foot (10') yard is required on the other.

b. Other Uses:

(1) Corner lots: Four feet (4').

(2) Interior lots:

(A) SR-1: Four feet (4') on one side and ten feet (10') on the other.

(B) SR-1A: Four feet (4') on one side and ten feet (10') on the other.

(i) Where the width of a lot is forty seven feet (47') or narrower, the total minimum side yard setbacks shall be equal to thirty percent (30%) of the lot width with one side being four feet (4') and the other side being thirty percent (30%) of the lot width minus four feet (4') rounded to the nearest whole number.

(ii) Where a lot is twenty seven feet (27') or narrower, required side yard setbacks shall be a minimum of four feet (4') and four feet (4').

(iii) Where required side yard setbacks are less than four feet (4') and ten feet (10') an addition, remodel or new construction shall be no closer than ten feet (10') to a primary structure on an adjacent property. The ten foot (10') separation standard applies only to the interior side yard that has been reduced from the base standard of ten feet (10').

Section (a) pertains to Twin Homes and section (b) Other Uses, pertains to Single Family homes.

- Twin Homes, Zero on one side and 10 feet on the other side.
- Single Family Homes, calculated by formula based on lot width.

THE PRESERVE OUR AVENUES ZONING COALITION

A Recognized Community Organization

Peter Wright

Greater Avenues Community Council Presentation

August 2, 2023



Ivory Homes Application for a Planned Development at 675 North F Street



VICINITY MAP
1" = 100'

CAPITOL PARK

SALT LAKE CITY, UTAH

PRELIMINARY PLANS



2815 East 3300 South, Salt Lake City, UT 84109
(801) 305-4670 www.edmpartners.com

OWNER:

Ivory Development
975 East Woodlark Lane
Salt Lake City, UT 84117
801-747-7000



NOTES:

GEOTECHNICAL STUDY

A SITE SPECIFIC GEOTECHNICAL STUDY HAS BEEN PREPARED FOR THIS PROJECT BY IGES. THE REPORT IS DATED MARCH 3, 2020, AND WAS PREPARED BY JUSTIN WHITMER, P.E. IT IS IDENTIFIED BY IGES PROJECT NUMBER 02058-118. THE REQUIREMENTS OUTLINED IN THIS STUDY SHALL BE FOLLOWED ON THIS PROJECT.

SHEET INDEX

- O-1 TITLE SHEET
- SUBDIVISION PLAT
- O-2 SITE PLAN
- O-3 UTILITY PLAN
- O-4 GRADING AND DRAINAGE PLAN

LEGEND

- SDR 35 SANITARY SEWER
- EXISTING SANITARY SEWER
- SANITARY SEWER MANHOLE
- PVC C-900 WATER LINE
- EXISTING WATER LINE
- WATER VALVE, TEE & BEND
- FIRE HYDRANT
- EXISTING FIRE HYDRANT
- PVC C-900 SEC. WATER LINE
- EXISTING BRIGATION LINE
- SEC. WATER VALVE, TEE & BEND
- PROPOSED STREET LIGHT
- EXISTING OVERHEAD UTILITY
- RCP CL. II STORM DRAIN
- EXISTING STORM DRAIN
- SD COMBOPOLY, CB & CO
- PROPOSED UNDER DRAIN
- EXISTING UNDER DRAIN
- UNDER DRAIN CLEANOUT
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR

BENCHMARK

THE PROJECT BENCHMARK IS A BRASS CAP STREET MONUMENT IN A WELL AT THE INTERSECTION OF "F" STREET AND 13TH AVENUE. THE ELEVATION OF THE BRASS CAP IS 4840.88'.



Capitol Park

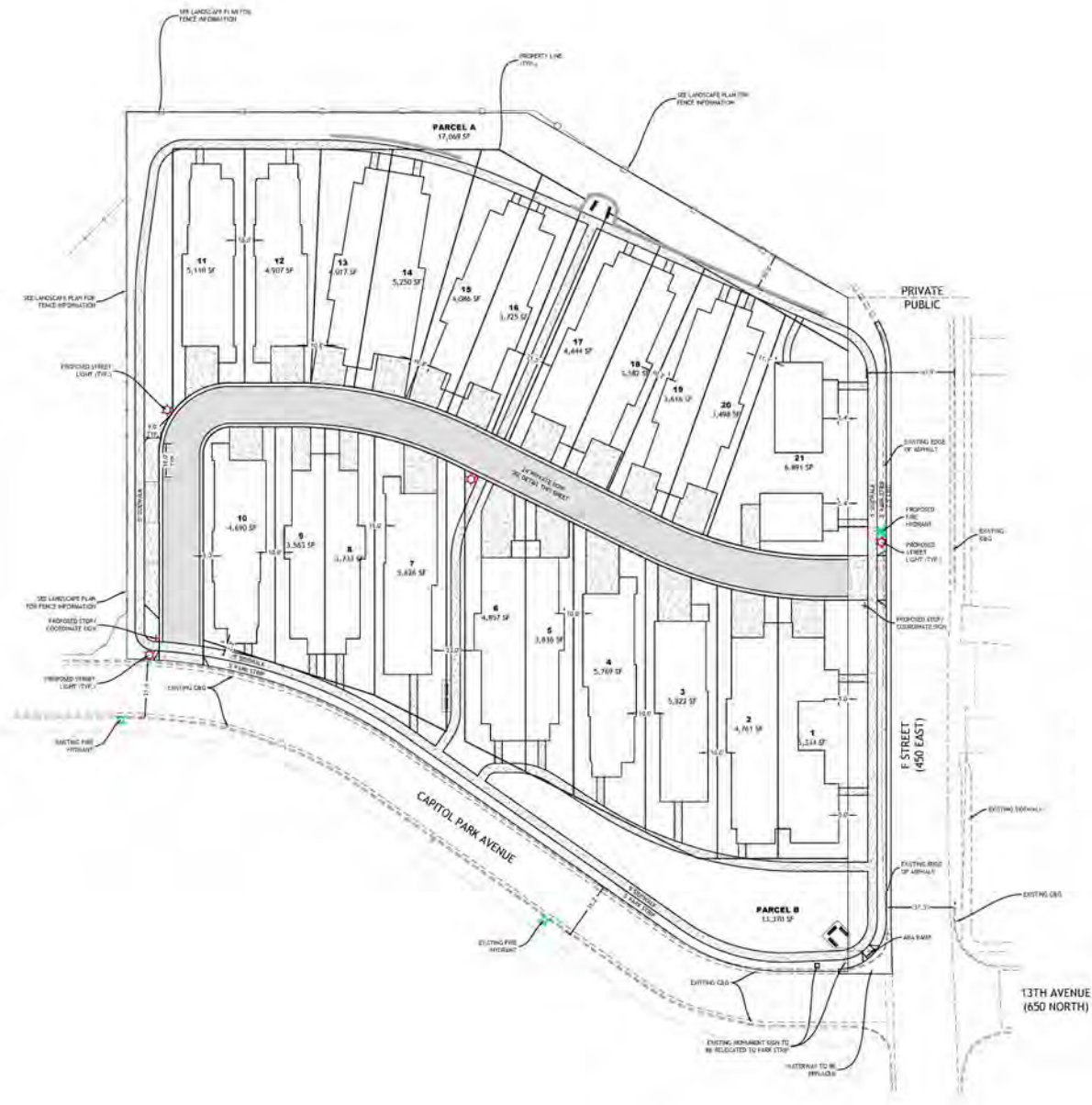
Title Sheet

PROJECT: _____
DRAWN BY: KMW
REVIEWED BY: NMM
REVISIONS: _____
No. DATE REMARKS

DATE: May 19, 2023

SHEET NUMBER:
O-1

SITE PLAN



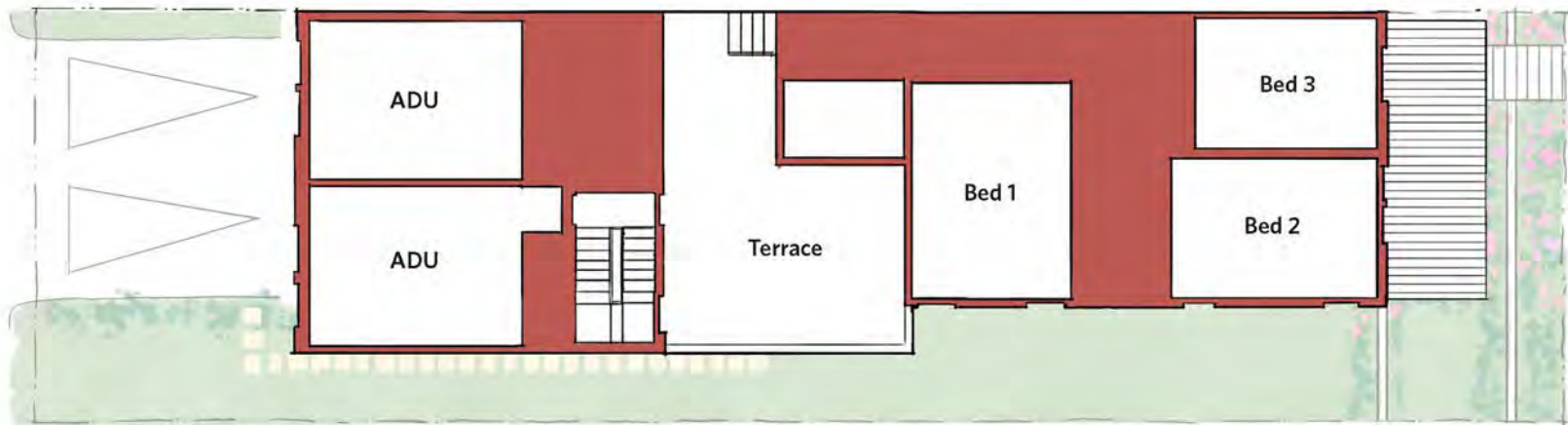
CONCESSIONS REQUESTED VIA A PLANNED DEVELOPMENT

Not a single lot complies with SR-1 requirements

• Minimum Lot Size	15 of 21 do not comply
• Minimum Lot Width	20 of 21 do not comply
• Building Coverage	20 of 21 do not comply
• Rear Yard Setbacks	21 of 21 do not comply
• Front Yard Setbacks	21 of 21 do not comply
• Interior Side Yard Setbacks	20 of 21 do not comply



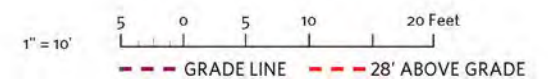
LOT SECTION



LOT PLAN

DOWNHILL LOT | 24' Wide Unit

IVORY HOMES — CAPITOL PARK COTTAGES / SALT LAKE CITY, UTAH / APRIL 2023



CLAIMED PUBLIC BENEFITS

Provision of ADUs

- Unknown quantity.
- No planned development is needed.

Clustering to Preserve Open space and Creation of Trails

- Where is the open space? It's unbuildable land or a drainage pond.
- Sidewalks around the periphery are now considered "trails".

PROBLEMS

- Parking - a huge problem.
- Egress from Northpoint in the event of a wildfire.
- Ten homes fronting Capitol Park Avenue - a private road posted as no parking.
- 24 feet wide road.
- Nowhere to park snow.
- Overly congested - nothing like the SR/ block section of the Avenues.
- No yards - no kids.
- Two ugly flat roofs on each unit.
- Soil removal. Potentially thousands of truckloads.
- Retaining walls not to code.

PLEASE JOIN US IN OPPOSING THIS APPLICATION FOR A PLANNED DEVELOPMENT

- Write to the planning division at Aaron.barlow@slcgov.com
- Vote in the GACC ballot on this subject!!!
- Attend the planning commission hearing when it is scheduled in the Fall.
- Attend the Preserve Our Avenues Coalition briefings to be held via Zoom and in person at the [Corrine & Jack Sweet Library 6:00PM - August 7th, 14th and 17th.](#)
- For more details see <https://www.slc.gov/planning/2023/07/10/openhouse-00656/>
- Contact us at POAZCoalition@gmail.com



August 4th 2023

Here's the gentle density coming to the upper Avenues. Capitol Park Cottages ready for final planning review.

Published in Building Salt Lake August 2nd 2023.

Dear Dr. Garrott,

As a nearby neighbor to this property, I would like to take exception to a number of the conclusions you draw in the above article. When you subject this proposal to increased scrutiny and peel back the onion skins, you will find that this is not such gentle density and that the proposed development will have a significant detrimental impact on the neighborhood.

Let's look at just one issue as an example - Parking.

You state that; *"Off Street parking is copious. Designers have included 45 spaces in garages and 37 surface spots. 82 stalls for 42 units is essentially a 2:1 ratio."*

Conversely, residents that live here see the level of parking provided as grossly inadequate and problematic, where it will likely lead to around 40 cars from Ivory's development being parked on neighboring streets - many illegally! Let's go through the analysis.

Not a Walkable Section of the City

This section of the city is not walkable, there are few to no amenities nearby, the terrain is extremely steep and the bus service insufficient for most people's needs, making travel by private automobile the normal method of transportation.

Number of Cars

Assuming two automobiles per dwelling and 42 dwellings, residents vehicles will total 84. There is also a need to cater for guest parking, service vehicles etc and for snow storage. Neighboring developments have found a need for guest parking spaces of around 0.7 spaces per residence, which would give a requirement for an additional 29 places for a total requirement of 113 spaces. Ivory's design shows only 4 guest parking places, this is totally inadequate and will not even be sufficient to store snow in winter.

How Many Parking Places has Ivory Really Provided

1) Garages. Ivory has provided 45 garage parking spaces. Do we believe all 45 will be used for parking? It is almost un-American to park two cars in a two-car garage. A number of these places will be lost to general goods storage, boats, snow mobiles and other toys. Let's conservatively assume only 15 percent of these spaces are lost; this decreases garage parking to 38 units.

2) On-Lot Surface Parking. Ivory claims 34 surface lot parking places.

Ivory is therefore realistically providing 72 parking places against a requirement of 113 leaving a surplus of around 40 vehicles that will flow to the neighboring streets.

Where Will These Excess Vehicles Park and What Problems Will They Cause?

Ivory's property only borders two streets, F Street to the East and Capitol Park Avenue to the South.

1) F Street. As the nearest point to Ivory's internal road, F Street between Northpoint and Capitol Park Avenue will be permanently parked on both sides of the street. Both Ivory's development and Northpoint sit in a Wildland Urban Interface (WUI) zone, with Northpoint having experience of evacuations from fast moving wildfires emanating from City Creek Canyon. F Street is Northpoint's only ingress and egress for 50 homes. Northpoint residents have grave concerns that this section of F Street will become a choke point when both Northpoint and Ivory residents are leaving at the same time as emergency vehicles are entering in the event of a fire. The deaths of 85 people in the Paradise, California fire were attributed to delays from such a traffic choke point.

2) Capitol Park Avenue is a private street posted as No Parking. Despite notifications and signage it is very likely that Ivory residents and guests will park illegally on Capitol Park Avenue, causing friction and disputes among neighbors. All the more so as Ivory has chosen to front 9 of their 21 homes facing Capitol Park Avenue. The development should be redesigned so these residences front Ivory's internal road, not Capitol Park Avenue, to avoid this problem.

I hope the above analysis illustrates that there is far more involved than a superficial 2:1 ratio in considering the adequacy of parking. Equally your statement that, *"Anything under 20 units per acre is generally considered low density"*, is overly simplistic. Appropriate density has to be considered in the context of the location. A change from 11 units under the prior FR-3 zoning to 42 units, including a first of its kind subdivision of ADUs, is twice the norm for the SR-1 zone and is anything but gentle infill density for this foothills location.

Thank you.

Dr. Peter Wright

Barlow, Aaron

From: Taylor Anderson <taylor@buildingsaltlake.com>
Sent: Friday, August 4, 2023 1:25 PM
To: Peter Wright
Subject: (EXTERNAL) Re: Ivory Development at 675 North F Street.

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Thanks for writing, Peter. How long until we consider this matter closed? Even under your theoretical scenario, F Street is 45 feet wide. Average cars in the U.S. are less than 7 feet wide. Even if the public street was lined with parked cars on both sides (an unlikely but also untroubling scenario) there would still be room for four average cars lined up side by side to drive down F Street to safety.

The issue I saw in Paradise is that everyone fled at once in a car. That's an extremely inefficient way to transport many people at the same time. Regardless, if you saw anything suggesting that cars parked on the street caused the deaths of 85 people, please do share it.

On Fri, Aug 4, 2023 at 12:44 PM Peter Wright <pwwjaw@gmail.com> wrote:

Please find attached a response to your article titled, *Here's the gentle density coming to the upper Avenues. Capitol park Cottages ready for final planning review*. Published on August 2nd 2023.

Barlow, Aaron

From: Peter Wright [REDACTED]
Sent: Monday, July 3, 2023 5:11 PM
To: Barlow, Aaron
Cc: Thomas Keen; Preserve Our Avenues Zoning Coalition; Alan Hayes; Lon Jenkins
Subject: (EXTERNAL) Ivory Homes Latest Plans for 675 North F Street

Follow Up Flag: Follow up
Flag Status: Completed

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Aaron,

Best wishes for a great 4th of July holiday. In reviewing Ivory's latest proposal and the relevant city ordinances it appears to us that Ivory's proposal is non-compliant with regard to interior side yard setbacks and maximum allowed exterior wall heights as required by the SR-1 ordinance. Furthermore this non-compliance is not something that the planning commission can override via the planned development process.

While the planning commission has the discretion to allow reduced setbacks, clause 21A.24.080.D 3 (c), states that where interior side yard setbacks are reduced then the maximum external wall height must be reduced proportionally.

21A.24.080.D 3 : Exterior Walls: Maximum exterior wall height adjacent to interior side yards:

c. *In both the SR-1 and SR-1A districts, the exterior wall height may increase one foot (1') (or fraction thereof) in height for each foot (or fraction thereof) of increased setback beyond the minimum required interior side yard. If an exterior wall is approved with a reduced setback through a special exception, variance or other process, the maximum allowable exterior wall height decreases by one foot (1') (or fraction thereof) for each foot (or fraction thereof) that the wall is located closer to the property line than the required side yard setback.* (Highlight added)

- 1) 21A.24.080.D 3 (a) defines the maximum wall height as: *Twenty (20') feet for exterior walls placed at the building setback established by the minimum required yard.*
- 2) Ivory's elevation drawings show exterior wall heights of either 19 or 20 feet depending on model.
- 3) Ivory's site plan shows interior side yard setbacks of 5 feet in most cases.

Required interior side yard setbacks are detailed in 21A.24.080. E 3.

21A.24.080.E 3. Interior Side Yard:

a. *Twin Home Dwellings: No side yard is required along one side lot line while a ten foot (10') yard is required on the other.*

b. *Other Uses:*

(1) *Corner lots: Four feet (4').*

(2) *Interior lots:*

(A) *SR-1: Four feet (4') on one side and ten feet (10') on the other.*

(B) *SR-1A: Four feet (4') on one side and ten feet (10') on the other.*

(i) *Where the width of a lot is forty seven feet (47') or narrower, the total minimum side yard setbacks shall be equal to thirty percent (30%) of the lot width with one side being four feet (4') and the other side being thirty percent (30%) of the lot width minus four feet (4') rounded to the nearest whole number.*

(ii) *Where a lot is twenty seven feet (27') or narrower, required side yard setbacks shall be a minimum of four feet (4') and four feet (4').*

(iii) Where required side yard setbacks are less than four feet (4') and ten feet (10') an addition, remodel or new construction shall be no closer than ten feet (10') to a primary structure on an adjacent property. The ten foot (10') separation standard applies only to the interior side yard that has been reduced from the base standard of ten feet (10').

In many instances the required interior side yard setback determined by 21A.24.080.E 3 exceeds five feet, thus Ivory must either increase the interior side yard setbacks to those specified in 21A.24.080.E 3 or reduced the exterior wall height in line with 21A.24.080. D 3 (c). Ivory can have the maximum allowable wall height or reduced setbacks, it cannot have both.

I would appreciate your comments with regard to this apparent non-compliance.

There are many other problems with Ivory's proposed design, however, this particular issue will require a significant redesign to bring into compliance, such that the other issues may well be mute and can be dealt with when this redesign is completed.

I look forward to hearing from you.

Best Regards,
Peter Wright

Barlow, Aaron

From: Peter Wright [REDACTED]
Sent: Thursday, July 6, 2023 10:59 AM
To: Barlow, Aaron; Thomas Keen; Alan Hayes; Preserve Our Avenues Zoning Coalition; Lon Jenkins
Subject: (EXTERNAL)

Follow Up Flag: Follow up
Flag Status: Completed

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Hi Aaron,

Thank you for your note of 7/5/2023. I suspect that Ivory will wish to maintain a building height of close to 20 feet in order to allow for two story houses, the issue thus becomes determining the required interior side yard setbacks. The largest discrepancy in Ivory's proposed interior side yard setbacks are those for the twin home dwellings. For twin home dwellings the required interior side yard setback is ten feet on one side and zero feet on the other as described in 21A.24.080.E.3.(a). Importantly this required setback is not reduced by the lot width exception described in 21A.24.080.E.3.(b) 2 (i), this exception applies only to the category of Other Uses as described in 21A.24.080.E.3.(b). Ivory therefore needs to increase the interior side yard setback on each side of the twin homes from 5 feet to 10 feet.

We will work on a more detailed listing of other concerns and let you have this in the next few weeks. We did, however, want to bring the issue of interior side yard setbacks and maximum exterior wall heights to your attention at the earliest time so as to avoid distributing a plan for public comment that was non-compliant and having to repeat the process.

We would greatly appreciate you sharing your analysis on this matter following consultation with your colleagues.

Best Regards,
Peter Wright

Barlow, Aaron

From: Peter Wright [REDACTED]
Sent: Tuesday, July 11, 2023 5:50 PM
To: Barlow, Aaron; Thomas Keen; Alan Hayes; Preserve Our Avenues Zoning Coalition; Lon Jenkins
Subject: (EXTERNAL) 675 North F Street. Ivory Homes plans. Compliance with 21A.24.080.D 3

Follow Up Flag: Follow up
Flag Status: Completed

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Aaron,

I would greatly appreciate a response to my letters of 7/3/23 and 7/6/23 with regard to the maximum wall height adjacent to interior side yards defined in 21A.24.080 D 3, plus we would like to see an analysis of what interior side yard setbacks are required for each lot for Ivory to maintain the building heights shown in their plans. As stated in my earlier notes Ivory can have the maximum allowed height or reduced setbacks - it cannot have both which is what is shown in their plans.

Again it appears to us that Ivory's design is seriously non-compliant with regard to either interior side yard setbacks or building height, to the extent that a serious redesign is required to bring the proposed development into compliance. I look forward to hearing from you at your earliest convenience.

Thanks,
Peter Wright

Barlow, Aaron

From: Peter Wright [REDACTED]
Sent: Thursday, July 13, 2023 8:42 AM
To: Barlow, Aaron
Cc: Alan Hayes; Preserve Our Avenues Zoning Coalition; Lon Jenkins; Thomas Keen
Subject: (EXTERNAL) 675 North F Street : Compliance with 21A.24.080.D 3 (c)

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Aaron,

Thank you for your response of 7/11/2023. While I fully understand the need for you to review this matter with your management I am advised by the very experienced lawyers in our group that there is very little scope for interpretation in this matter.

21A.24.080.D.3 (c) Exterior Walls : Maximum exterior wall height adjacent to interior side yards:

The intention of this clause is very clear. If setbacks are increased additional height is permitted on a proportional basis, likewise where setbacks are reduced then the maximum permitted exterior wall height is reduced, again in the same proportional manner. Moreover the language in this clause is both clear and all encompassing, " *If an exterior wall is approved with a reduced setback through a special exception, variance or other process, the maximum allowable exterior wall height decreases.....*". The term "*other process*" would unquestionably include any approval of reduced setbacks as a part of a planned development process.

While the language in 21A.24.080.D 3 (c) is self sufficient it should also be noted that 21A.55.020 Authority, also restricts the ability of the planning commission to grant additional height through the planned development process in the SR zoning district.

21A.24.080.E.3 Interior side yard

Again the intent and language in this section is clear.

(a) Twin Home Dwellings

Many of Ivory's proposed units are twin home dwellings. Interior side yard setbacks for these units are prescribed in 21A.24.080 E 3 (a) *Twin Home Dwellings; No side yard is required along one side while a ten foot (10') yard is required on the other side.*

Standard clause drafting convention dictates that section (a) *Twin Home Dwellings* is separate and independent from the following section (b) *Other Uses*.

(b) Other Uses

This section is applicable to the single family units where it prescribes the required setbacks as, *SR-1: Four feet (4') on one side and ten feet (10') on the other side.*

Clauses 21A.24.080.E.3.(b).(i) & (ii) allow for reduced setbacks on narrower lots with *one side being four feet (4') and the other side 30% of lot width minus four feet (4') rounded to the nearest whole number.* Since the required setbacks for twin home dwellings are zero on one side and ten feet (10') on the other side it is very clear that these clauses related to lot width, with one side being four feet (4') and the other 30% minus four feet (4'), apply only to single family dwellings and cannot apply to twin home dwellings.

I hope these comments are helpful and look forward to hearing from you.

Best regards,
Peter Wright

Barlow, Aaron

From: Peter Wright [REDACTED]
Sent: Wednesday, July 19, 2023 11:10 AM
To: Barlow, Aaron
Cc: Alan Hayes; Preserve Our Avenues Zoning Coalition; Thomas Keen; Lon Jenkins
Subject: (EXTERNAL) Initial Comments with Regard to Ivory's Proposals for 675 North F Street.

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Aaron,

Below are a few initial comments on Ivory's proposal. I have restricted these comments to missing data, questions and a listing of inaccuracies and inconsistencies. We will comment on the merits or otherwise of the proposed development in subsequent letters once we have conducted a series of community meetings.

1) Missing Data

Ivory's proposal is incomplete in many regards. We would like to see the following data:

- A) Fully dimensioned drawings of each of the proposed dwellings.
- B) Site plans that fully detail setbacks.
- C) Ivory claims 84 parking places, can they please detail these.
- D) Ivory claims that almost one acre of open space is provided, visual inspection of the plans would indicate that the open space is far less than one acre. Can they detail this please. Are sidewalks being counted as open space? Is the sidewalk on F Street on city owned land being counted as open space?
- E) Ivory's plan works against the natural topography of the site with long (90 feet) buildings running into the slope of the hillside. Although they step the buildings, these steps are nowhere near equal to the grade change as evidenced by the tall retaining walls to the north of the property. Large wedges of soil will have to be removed from underneath each building and the side yards. Since there is little to no space to spread this soil and meet height above established grade requirements, this soil will presumably be removed from the site. We would ask to see an analysis of how many tons and cubic feet of soil will be removed. How many thousands of truckloads of soil will traverse our steep, narrow Avenues streets so that Ivory can build oversize homes against the topography of the land?
- F) Can Ivory please show where snow will be stored and where the mailbox stack will be located?
- G) The amount of hardscape with buildings, driveways, roads and sidewalks appears excessive. Can Ivory or the planning division detail the amount of hardscape please?

2) Questions

- A) Ivory shows the width of their internal road at 24 feet. Is this considered adequate for parking and ingress and egress of large vehicles such as delivery trucks and is this in compliance with fire code? Please note that both Northpoint and Ivory's property sits in an Wildland Urban Interface (WUI) zone considered at high risk of wildfire.
- B) Can Ivory please define what is meant by the term "potential ADU". Is it Ivory's intent to build these potential ADUs ahead of purchase? What happens if a purchaser does not want an ADU? How many ADUs will be obtained?
- C) Ivory claims the potential ADUs as the principal benefit from the planned development but these potential ADUs can be built without a planned development. How can these potential ADUs be considered as justification for a planned development?
- D) Ivory claims a quarter mile of paved walking trail will loop the community. How is this significantly different from sidewalks that would ordinarily be placed around the periphery of a block? Would every block in the city with sidewalks qualify for a planned development on this basis? I note that the eastern portion of this trail - the sidewalk along F Street - sits on city land so they are not fully providing this trail.
- E) Ivory has ten units with front elevations facing Capitol Park Avenue, a private street owned by the Meridien HOA and posted as no parking. The easement Ivory has from the Meridien grants only ingress and egress, one curb cut and rights to access underground utilities, it grants no rights to park on Capitol Park Avenue. Despite notifications and signage, Ivory residents, visitors, tradespeople and others will inevitably park illegally on Capitol Park Avenue, this will cause

friction and disputes among neighbors. How can this problem be alleviated? Why cannot all of Ivory's units face their own private street rather than Capitol Park Avenue?

F) Ivory shows a 2.3 feet front setback for unit 10 whereas the SR-1 zone requirement is 20 feet. This large two story building will loom over the street, the sidewalk and pedestrians. How can this drastic reduction in setback, completely out of character with the neighborhood, be justified?

G) Ivory's plans show a large section of single step retaining walls with a height of 8.5 feet and a smaller section with a height of 10.5 feet. These walls present a very real danger of falling for both children and wildlife. These walls sit on a well known and heavily used deer trail from City Creek Canyon through a planned gap in Northpoints boundary fence. Why cannot these walls be constructed in a stepped fashion as required by city code?

3) Inconsistencies and Inaccuracies

There are a large number of inconsistencies and inaccuracies in Ivory's submission that you may wish to have them fix.

A) Architect Narrative, page 13 sketch of the development of Capitol Park Avenue. This sketch is highly inaccurate and misleading. The park strip appears to be 15 to 20 feet in width giving a false impression of spaciousness, whereas in actuality the park strip is 5 feet in width. We would ask that this be redrawn or omitted from the submission to the planning commission.

B) Architect Narrative, pages 17 & 18, show homes with detached garages and ADUs, whereas all the other drawings show these to be integral with the primary dwelling other than unit 21.

C) Architect Narrative, page 19 top row, this shows Elevations on Capitol Park Avenue. This sketch is not drawn to scale and is misleading, the spacing between the buildings is far less than shown. We would request that this is redrawn to scale or omitted from the submission to the planning commission.

D) Architect Narrative, page 19 bottom row, Elevations on F Street. This does not match the other drawings and shows two detached units on the southside (unit1) whereas the other plans show this as a single unit.

E) Preliminary Plans, page 3. Site Plan.

(a) The cross section drawing shows a 10 feet spacing between the sidewalk and property line, this is incorrect and inconsistent with the main drawing that shows zero spacing between the property line and the sidewalk for units 9 and 10 and less than 10 feet for units 7 and 8.

(b) The rear setback requirement in SR-1 is 25% of lot depth with a minimum of 15 feet and a maximum of 30 feet. Since all of the lot depths, with the exception of unit 21, exceed 120 feet the required setback is 30 feet for these units, not the 15 feet shown in Ivory's table.

F) Preliminary Plans, page 4, Utility Plans. We believe that Ivory has grossly underestimated the water and sewer requirements. They only consider the 21 primary dwellings and ignore any demand from the 21 potential ADUs. Also their per unit numbers are lower than we would normally be used. The Jordan Valley Water Authority estimates an average daily per person consumption of 238 gallons. We would expect occupancy of the primary unit to be four people and the ADU two people, giving a per unit consumption of 1428 gallons per day, or 29,988 gallons per day for the development compared to Ivory's estimate of 8400 gallons per day.

I hope these comments are useful. Perhaps we can talk through them when you have time.

Best Regards,
Peter Wright

Barlow, Aaron

From: Peter Wright [REDACTED]
Sent: Friday, July 21, 2023 11:01 AM
To: Barlow, Aaron
Cc: Thomas Keen; Lon Jenkins; Alan Hayes; Preserve Our Avenues Zoning Coalition; John Kennedy; Don Warmbier
Subject: (EXTERNAL) Re: Ivory Development Wall Height Determination from Planning Staff

Follow Up Flag: Follow up
Flag Status: Completed

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Aaron,

Thank you for your email of 7/17/2023. I have reviewed this with my colleagues and we strongly disagree with your conclusions.

1) A planned development is not the establishment of new zoning for a site. Zoning regulations are established in the individual district ordinances, in this case 21A.24.080. There is nothing in the planned development ordinance 21A.55 that grants the planning commission any authority to establish completely new zoning regulations for a site, eliminating all the provisions of the base district zoning ordinance. On the contrary, both 21A.55.010 *Purpose Statement*, “*...a planned development implements the purpose statement of the zoning district in which the project is located...*”, and 21A.55.020.A. “*...the Planning Commission cannot approve a use that is not allowed in the zoning district in which the planned development is located...*”, explicitly recognize that a zoning district in which a planned development is located continues to exist after a planned development is approved, and the base zoning regulations for that district continue to apply to that district and that site.

21A.55.020 *Authority* only grants the planning commission the ability to, “*change, alter, modify or waive*” provisions in the base district zoning ordinance that are consistent with the purpose statement for that district.

2) 21A.55.020.C states that in the SR zoning district, “*...additional building height cannot be approved through the planned development process*”. While building height and exterior wall height are defined differently they are inextricably linked, exterior wall height is an integral component of building height. This relationship is recognized in 21A.24.080.D *Maximum Building Height*, where exterior wall height limitations are defined as a subset of building height. Thus both clauses 21A.55.020.C and 21A.24.080.D.3.c together define the maximum allowable building height for a given side yard setback. This is particularly so in the case of flat roofs which are prevalent in Ivory’s proposal. That clause 21A.24.080.D.3.c is intended to survive the creation of a planned development and is applicable is further reinforced by its extremely broad language, “*...special exception, variance or other process...*”, where the term “*other process*” would unquestionably include a planned development.

In conclusion, while 21A.55.020 gives the planning commission the ability to, “*change, alter, or modify*” interior side yard setbacks, if it does so this would constitute a variance and the exterior wall height must be reduced as required by 21A.24.080.D.3.c.

If you have an administrative or judicial decision that has decided otherwise we would greatly appreciate you sharing that with us.

3) You have suggested that this matter might be resolved via an Application for an Administrative Interpretation and have provided a link to this process. On examination we find that this mechanism is only available to landowners or their agents and that this is not a route we can follow. We would therefore ask that you kindly grant us a meeting with the Zoning Administrator so we can resolve this matter. It would be better for all parties

that this issue is resolved now rather than becoming the subject of an Appeal of an Administrative Decision (21A.16) after a planning commission hearing and decision.

I look forward to hearing from you on this matter.

On Mon, Jul 17, 2023 at 2:23 PM Barlow, Aaron <Aaron.Barlow@slcgov.com> wrote:

Hi Peter,

I apologize for the delay in getting this to you, but here is the determination on the wall height issue your group brought up:

1. [21A.55.020](#) states that the Planning Commission may “change, alter, modify, or waive” certain provisions in the title. A Planned Development is an establishment of zoning regulations for a site and are not a reduction/modification as described in [21A.24.080.D.3.c](#). This has been the interpretation for development in the past.



As I mentioned in our phone call, you can request an administrative interpretation of the standard if you would like an official document. The application can be found [here](#) (on our [applications page](#)).

Let me know if you have any follow-up questions or concerns.

Sincerely,



AARON BARLOW, AICP | *(He/Him/His)*

Principal Planner
PLANNING DIVISION | SALT LAKE CITY CORPORATION
Office: 801-535-6182

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Email: aaron.barlow@slcgov.com
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Disclaimer: The Planning Division strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Division. Those relying on verbal input or preliminary written feedback do so at their own risk and do not vest any property with development rights.

Barlow, Aaron

From: Peter Wright [REDACTED]
Sent: Monday, August 7, 2023 8:41 AM
To: Barlow, Aaron
Subject: (EXTERNAL) 675 North F Street

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Ivory comments

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Hi Aaron,

I hope you had a great vacation. Just a couple of things.

1) Ivory's drawings are very skimpy with regard to detailed dimensions. For example most of the setbacks are not dimensioned and driveway lengths, essential to understanding parking are not dimensioned. I noticed reviewing the ordinances that applicants are required to submit large size, scaled, hard copy drawings to the city. Would it be possible to get such a paper copy of their four site plans please? If you need me to pay for these, that is fine. I am just reluctant to attempt to scale electronic drawings due to the inherent inaccuracies of doing so.

2) You were going to establish a meeting with the Zoning Administrator so we can review the relevance and intent of 21A 24.080.D.3.c., I look forward to hearing from you on this.

Many Thanks,
Peter

Barlow, Aaron

From: Peter Wright [REDACTED]
Sent: Tuesday, August 29, 2023 11:32 AM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory's Drawings

Follow Up Flag: Follow up
Flag Status: Completed

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Hi Aaron,

I look forward to seeing you this afternoon at 3:00PM.

If you have time there are a couple of things you could perhaps help me with.

Ivory's Road/Alley. I had previously thought that the minimum width for a road to meet fire code was 26 feet. Ivory has a 24 feet wide road. Where do I find the regulations pertaining to road width etc ? Also, I note Ivory's driveways are extremely close together, are there regulations regarding parking on narrow roads with closely spaced driveways? I note that Ivory does not show any parking places on their road other than the four on the western side, so I assume parking on this road is prohibited for some reason.

Parking. You can see from our report that there is a very high level of concern on parking. What regulations apply with regard to parking, how many places are required? How do ADUs, or "potential ADUs" figure into this? Do any regulations cover guest parking?

RoofTop Terraces. Ivory shows buildings with rooftop terraces. I can find no reference to these in the city ordinances. Are there regulations regarding such rooftop uses? Are guard rails or safety walls required and do these count in the determination of height? Ivory's drawings show an undefined and undimensioned structure on these terraces. How are such structures regulated? Will they need to be within the maximum wall and roof height limitations for a flat roof? Several people asked me about these rooftop terraces in our meetings and I had to answer that I did not have a clue.

Soil Removal and Heights Above Established Grade. Have you started to look at this yet? I asked Ivory's engineer about this and he stated they had not looked at it in any detail yet.

Thanks,
Peter

Barlow, Aaron

From: Peter Wright [REDACTED]
Sent: Friday, September 8, 2023 8:36 AM
To: Barlow, Aaron; Norris, Nick; Wharton, Chris; Thomas Keen; Lon Jenkins; Don Warmbier; Preserve Our Avenues Zoning Coalition; Alan Hayes
Subject: (EXTERNAL) Compliance with 21A.24.080.D.3.c.
Attachments: Meeting with The Zoning Administrator (3).pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Ivory comments

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Aaron,

Thank you for your phone call yesterday requesting to cancel our meeting on this subject scheduled for Monday 9/11. We first notified the Planning Division of this issue on July 3rd, over two months ago, and this is now the second time that a scheduled meeting has been canceled at short notice.

You mentioned in our phone call yesterday that your legal advisor from the City Attorney's office is currently unsure if the Planning Commission can waive 21A.24.080.D.3.c. Please find attached the handout we had prepared for discussion at the 9/11 meeting which lays out very clearly why it cannot. We would appreciate you sharing this with your legal advisor.

As discussed previously, we brought this matter to your attention as soon as we could, believing it better to resolve this ahead of a Planning Commission hearing rather than having it be the subject of a later appeal.

We remain willing to meet with you to discuss this matter further and would appreciate written confirmation from you that our interpretation of these ordinances is correct once you have completed your deliberations.

Separately, while you are meeting with your legal advisers you might wish to review with them if Ivory's plan meets the requirements for a Planned Development in the SR-1 zone, we believe that it does not.

Best regards,
Peter wright
Chair POAC

Barlow, Aaron

From: Peter Wright [REDACTED]
Sent: Wednesday, September 27, 2023 7:23 AM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory Application for 675 North F Street

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Ivory comments

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Hi Aaron,

I wanted to raise with you the front yard setback for unit 10 in Ivory's plans. This is of concern to many residents and we raised this in our community organization report but have not separately discussed this.

In various sections of Ivory's application they refer to this setback as 2.3 feet or 2.95 feet. This proposed setback is grossly insufficient, such that the two-story, 28 feet high building will tower over the sidewalk and pedestrians. It is also not sufficient to ensure privacy for Ivory's residents, nor is it compatible with existing homes in the neighborhood. The required front yard setback in the SR-1 zone is 20 feet. All of the homes in adjacent and neighboring blocks in the SR-1 zone meet or exceed this 20 feet front setback requirement.

The planned development ordinance 21A.55.050.C3 requires that the Planning Commission consider if setbacks on the perimeter of the development are adequate and if they maintain the visual character of the neighborhood. This unit as proposed most certainly does not meet these criteria. I would like to ask that you recommend a 20 feet front setback for unit 10 in your staff report.

You had earlier mentioned that the Fire Department has concerns on the radius of the private road as it turns to the south adjacent to unit 10. Possibly Ivory could address both of these concerns by shortening the length of unit 10.

Best regards,
Peter

Barlow, Aaron

From: Peter Wright [REDACTED]
Sent: Wednesday, October 4, 2023 7:47 AM
To: Norris, Nick; Barlow, Aaron; Wharton, Chris; Alan Hayes; Preserve Our Avenues Zoning Coalition; Lon Jenkins; Thomas Keen
Subject: (EXTERNAL) 675 North F Street - Recognized Community Organization report

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Nick & Aaron,

Re: Ivory Homes Application for a Planned Development at 675 North F Street

On July 10th 2023 you wrote to us, as a Recognized Community Organization, asking for input on Ivory's application and provided excellent guidance as to how community organizations should proceed in considering an application for a Planned Development. We took this advice to heart and conducted a series of meetings with 163 of the residents that live closest to this proposed development. At these meetings Ivory's proposal was reviewed in detail and straw polls were held on all key aspects of Ivory's application. This process entailed considerable effort by Avenues residents and a detailed report summarizing nearby residents' views and concerns was submitted to you on the requested due date of August 28th 2023. Since that time we have received close to zero feedback on our report from the Planning Division. Accordingly, we would like to ask that you grant us the courtesy of a one hour, face to face meeting so that we can review the findings of our report with you.

Also, on July 3rd 2023 we advised the Planning Division that Ivory's proposal is not in conformance with clause 21A.24.080.D.3.c. relating to maximum wall heights and reduced setbacks and that furthermore this is not a condition that can be waived by the Planning Commission via a Planned Development. We have provided detailed analysis supporting this position. Twice we have established meeting times with you to review this matter and twice these meetings have been cancelled by the Planning Division at short notice. After three months we have yet to gain any meaningful feedback on this issue, so hopefully we can also cover this topic at the meeting.

District 3 Council Member Wharton has a strong interest in this matter and would like to join us for this meeting. Council Member Wharton has indicated that he has time available on the morning of Tuesday October 10th or Friday October 13th, so perhaps you could find time available to meet on one of those dates. If not then please provide us with dates that are convenient to you. I look forward to hearing from you.

Thanks and Best Regards,
Peter Wright
Chair POAC.

Barlow, Aaron

From: Jan McKinnon [REDACTED]
Sent: Saturday, October 28, 2023 7:03 PM
To: Norris, Nick; Mills, Wayne; Barlow, Aaron; Pasker, Katherine
Cc: Peter Wright; Joel Deaton; THOMAS KEEN; Alan Hayes; Lon Jenkins; Larry Perkins; John Kennedy; Don Warmbier; Scott Young; Wharton, Chris; Lewis, Katherine; Mayor
Subject: (EXTERNAL) Ivory Homes Application for a Planned Development at 675 N F Street
Attachments: Ivory Easement Letter 7 (7).docx; Ivory Easement Letter 7 (7).docx
Categories: Ivory comments

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To: Nick, Aaron, Wayne, and Katherine:

Following our meeting of 10/13/2023, I wanted to write to you in my capacity as President of the Meridien HOA, the owners of Capitol Park Avenue. Please see the attached letter.

During our meeting we briefly discussed the issue of the City facilitating Ivory in overburdening the easement allowing access to Capitol Park Avenue. The attached letter details how the City cannot reasonably approve a planned development that overburdens the private property of the Meridien. The position taken at the meeting that this is a matter between Meridien and Ivory is both incorrect and unreasonable. Ivory does not grant itself a planned development; the City does and the City has a responsibility to do proper due diligence in ensuring that the rights of neighboring property owners are not infringed upon.

I would greatly appreciate a detailed reply from you on this matter at your earliest convenience.

Thank you,
Jan McKinnon
President, Meridien HOA.

Re: Ivory Homes Application for a Planned Development at 675 North F Street

Capitol Park Avenue is a private road owned in sections by the Meridien and Capitol Park HOAs, the Meridien owns the portion of Capitol Park Avenue adjacent to Ivory's property. Ivory has an easement allowing ingress and egress to Capitol Park Avenue, originally granted to the Church of Jesus Christ of Latter-Day Saints (CPB) in order to build a chapel. A copy of this easement has been forwarded to you.

Members of the Meridien HOA and POAC, which includes four highly experienced lawyers, have examined Ivory's application for a planned development on 675 N F Street. We find that the proposed planned development would significantly exceed the scope of the easement, and that the City's approval of the planned development, with its significant increase in the number of dwellings and associated vehicles, would place an increased burden on the Meridien and the surrounding community, in violation of law; and would unconstitutionally take the private property of the Meridien for Ivory's private use.

An easement does not give its holder an unlimited right to use that easement to burden the easement's servient estate. Ref. Utah Supreme Court SRB Inv. v. Spencer Co. Ltd 2020 UT 23. While SRB considers a prescriptive easement, the same principles apply equally to an express written easement.

In the SRB decision (Item 22) the supreme court stated that;" *Even though courts will almost always consider the physical dimensions of the land used, as well as the frequency and intensity of that use, the "ultimate criterion" in determining the scope of a prescriptive easement is that of avoiding increased burden on the servient estate. So, courts should consider any and all factors that may contribute to that burden.*"

Unlike the prescriptive easement at issue in SRB, where the scope of the allowable burden was determined by the same historical usage that created the easement; the scope of the allowable burden of an express easement, such as the easement between Meridian and Ivory, is determined by the written language in the easement. Where this language is non-specific as to scope and burden, then the intent of the parties at the time of creation must be considered in determining the allowable burden.

CPB, the owner of the dominant property, was granted the easement to enable it to build a chapel. The easement was never intended to serve the needs of a highly intensive, congested, residential development in daily 24/7 use, which materially increases the frequency and intensity of use and the burden on the servient estate.

Background. In order to build a chapel in an FR-3 zone, CPB applied for a special exception to exceed the building height limit in that FR-3 zone. This exception was granted, subject to CPB's meeting all requirements of various City departments. (You are in possession of this 1997 LDS Church Conditional Use Staff Report and Record of Decision (SR)).

The City Engineering Department required that CPB, *"must have an access agreement to use Capitol Park Avenue (a private street)"* (SR p. 47). And the Division of Transportation also found that *"the traffic impact generation with Church Development should be of no consequence."* (SR p. 45).

Creation of the easement was therefore an integral part of CPB's meeting City Department requirements for obtaining the zoning exception needed to build the chapel. At the time the easement was entered into, the anticipated use of the CPB Property, was clearly its use as a chapel, which would have entailed vehicular traffic during limited hours, principally on Sundays, with the scope of the easement being that of an easement only generating a traffic impact on Capitol Park Avenue that would be *"of no consequence."*

Supporting construing the language of the easement as intending that the easement would only burden Capitol Park Avenue with the limited traffic generated by a chapel is the fact that the easement calls for CPB to cover only 16.67% of the costs of Maintaining Capitol Park Avenue, while AHC, the owner of the servient estate, which was later developed into the Meridien, would cover the remaining 83.33%, even though the frontage of the CPB property and the AHC property on Capitol Park Avenue is roughly the same. This suggests the parties anticipated the traffic to be generated by the chapel would only be 16.67% of the total traffic generated by the chapel and what would become the Meridien. The Meridien, which was in the preliminary planning stage when the easement was created, was approved for 27 units compared with the proposed 42 units in Ivory's development. Today the Meridien has only 21 units.

Even if the property is now used for something other than a chapel, the scope and burden of the easement's allowable use remains limited to that intended when the easement was created, and to it carrying a frequency and intensity of traffic generating the same *"no consequence"* impact on Capitol Park Avenue that would have been generated on that easement by a chapel.

Ivory's proposed planned development would materially exceed the scope of the easement in a number of ways:

1. Excess Traffic. The proposed planned development would generate traffic with a

frequency and intensity well beyond that reasonably anticipated when the easement was granted. This would materially increase the burden imposed by the easement on the property owned by the Meridien HOA and unreasonably interfere with our rights as owners of the easement's servient estate. This excess traffic will also burden Capitol Park residents, where Ivory does not even have an easement that grants access to their section of Capitol Park Avenue.

After Ivory purchased the 675 N F Street property and its accompanying easement, knowing that the easement was created for use as a chapel, Ivory petitioned for and received an up-zone of the property from FR-3 to SR-1 that doubles the number of allowable lots on the property. Ivory now also asks for a planned development to add even more additional lots, and incorporates a radical, new, highly questionable, experimental concept where every unit has an ADU. This again further doubles the number of dwellings and vehicles creating a development with a density of dwellings and vehicles completely out of character with the neighborhood and far greater than would have been allowed or anticipated when the easement was granted.

The burden on Capitol Park Avenue would increase from the vehicle traffic during limited hours on only certain days generated by a chapel to, with two vehicles per dwelling for 42 dwellings, the burden imposed by at approximately 84 vehicles in daily 24/7 use, plus visitor and service vehicles.

The combination of a rezone, a planned development and a subdivision of ADUs, by greatly increasing the frequency and intensity of the vehicles using the easement, expands the scope of the easement far beyond any intended or even reasonably anticipated use at the time the easement was created, overburdening Capital Park Avenue with its traffic, and negatively affecting the Meridien property.

2. Parking. Unlike the design for the chapel, which included extensive parking provisions, Ivory's overly congested development provides insufficient parking, with multiple residences sharing parking on short, narrow driveways, requiring extensive and inconvenient shuttling. They also provide only 4 street guest parking spaces. These totally inadequate and inconvenient parking facilities will force parking to the neighboring streets, including Capitol Park Avenue.

The easement grants Ivory one curb cut to Capital Park Avenue, access to underground utilities, plus vehicular and pedestrian ingress and egress. It grants no rights whatsoever to parking. The section of Capitol Park Avenue adjacent to Ivory's parcel is posted as No Parking on either side of the road.

Despite notification and signage, it is inevitable that Ivory residents, guests and service

providers will park illegally on Capitol Park Avenue. The overly dense, congested nature of Ivory's proposed development with 84 plus vehicles will increase the quantity and frequency of this illegal parking problem, putting an increased burden on the Meridien. To further compound this problem, Ivory asks for approval of a design with 9 of their 21 homes fronting Capitol Park Avenue, with Capitol Park Avenue addresses. Guests and service providers using GPS navigation will be guided to Capitol Park Avenue encouraging parking there.

3. Snow Removal. Private developments must provide sufficient space for basic needs such as storage of plowed snow in winter. Guest parking spaces are often used for this purpose, but Ivory's proposal provides only 4 guest spaces, which is totally insufficient for guest parking or for storage of snow. When quizzed on this at an Ivory Open House on August 23, 2023, Ivory's Mr. C. Gamvroulas stated that snow would be pushed onto Capitol Park Avenue, across a raised curb and landscaped park strip and sidewalk onto Parcel A, their drainage pond/park. This would also exceed the scope of the easement, which does not provide for snow to be pushed from Ivory's development onto Capitol Park Avenue.

The City Refused to Accept Responsibility for Capitol Park Avenue. Capitol Park Avenue was designed to accommodate the limited needs of a low-density residential community. In 2014 the Meridian and Capitol Park HOAs petitioned the City to adopt Capitol Park Avenue and other streets in the Capitol Park subdivision. The City refused, stating that Capitol Park Avenue is too narrow and does not comply with City regulations in many regards. The City also did not want to pay for the upkeep of these roads. How can the City in good faith now grant repeated and highly consequential concessions to Ivory that overburden a private street that the City has refused to take responsibility for?

Unconstitutional Taking. Finally, by approving the proposed Ivory Planned Development, the City would be taking the private property of the Meridien for Ivory's private use, without just compensation, in violation of the U.S. Constitution, Amendment V, and the Utah Constitution, Article 1 Section 22.

City Responsibility. As a part of the review of a planned development application, the Planning Division and the City Attorney's office has a responsibility to conduct a full due diligence review of the impact on neighboring landowners resulting from a decision by the City. It is not acceptable for the City to state that the existence of an easement is sufficient, as attorney Pasker did at our 10/13/2023 meeting, the City needs to ensure that its actions do not materially exceed the intent and scope of the easement. This burden should not fall on the Meridien. Ivory cannot proceed without the permission of the City, it is the City's action that is facilitating the overburdening of the easement. Review of the legal infrastructure and its adequacy is no different to review of physical

infrastructure such as sewer or electrical capacity, which is a responsibility of the City.

We therefore ask that the Planning Division and the City Attorney's Office undertake a full legal due diligence review, bearing in mind the contents of this letter. The conclusions of such a due diligence investigation should lead to a negative recommendation from the Planning Division to the Planning Commission, denying Ivory's application as required by law.

Litigation and Appeals. It is Meridien's sincere wish to avoid costly and time-consuming appeals and litigation of this issue, however, if this matter is not resolved ahead of an adverse Planning Commission decision, the City will give us no choice but to follow the appeals procedure with the Appeals Hearing Officer and District Court, where we are confident that such an appeal would lead to a reversal.

Jan McKinnon

President of the Meridien HOA.

October 28th, 2023.

Barlow, Aaron

From: Peter Wright [REDACTED]
Sent: Wednesday, October 18, 2023 9:23 AM
To: Norris, Nick; Mills, Wayne; Barlow, Aaron; Preserve Our Avenues Zoning Coalition; Thomas Keen; Joel Deaton; Lon Jenkins; Alan Hayes; Pasker, Katherine
Subject: (EXTERNAL) Ivory Homes Application for a Planned Development at 675 North F Street.

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Katherine, Nick, Wayne & Aaron,

I wanted to write to you all to say thank you for meeting with us last Friday. The opportunity to sit face to face and review our various aspects of concern is much appreciated. We are also pleased that the interpretation of 21A.24.080.D.3.c is finally resolved.

We have now had the opportunity to review a digest of the meeting with our broader group and wanted to come back to you on two matters we did not have time to fully discuss at the meeting.

We raised with you concerns on a number of practicalities, such as Ivory not providing sufficient space for guest parking and snow storage. We were told that such facilities are not required in the single family district ordinances and feature more in the ordinances for multi-family zones. If this development is to be a success without overburdening neighbors, then such practicalities need to be addressed.

The grant of a planned development is highly discretionary, requiring the applicant to create a better development that could otherwise be obtained. Unless these practicalities are addressed this most basic requirement of a planned development cannot be satisfied.

We would also note that Ivory is proposing a completely new concept to the city - a subdivision of ADUs that doubles the number of residences and cars. The city has no specific regulation to address this new animal and common sense and discretionary judgment must come into play.

With the decision regarding 21A.24.080.D.3.c now resolved Ivory will have to conduct a redesign. We ask that as a part of this redesign the planning division requires Ivory add at least ten guest parking places. This number of guest parking places is the minimum needed to cope with 42 residences, recognizing that around half will be lost to snow storage in winter. Provision of adequate parking for guests and service vehicles internal to Ivory's development is particularly important since the property borders only one public street.

It would also seem that this redesign is an opportunity to address the orientation of the lower row of homes fronting Capitol Park Avenue. 21A.55.050.C.2.Standards for Planned Developments: requires that the Planning Commission consider: "*Whether the **building orientation** and building materials in the proposed planned development are **compatible with the neighborhood** where the planned development will be located....*" Capitol Park Avenue is a private road, owned by the Meridien and posted as No Parking on either side of the street. Fronting 9 of 21 homes onto Capitol Park Avenue, with Capitol Park Avenue addresses, as proposed by Ivory, is unacceptable to the Meridien and **is not compatible with the neighborhood** as required by 21A.55.050.C.2. Fronting homes onto Capitol Park Avenue will encourage illegal parking on Capitol Park

Avenue causing disputes and confrontation between neighbors. GPS navigation systems will direct visitors to Capitol Park Avenue, further adding to this problem. Ivory must front their homes onto their private road, not the Meridien's private road. We ask that the planning division require Ivory to reorient the lower row of homes such that they front their private road.

We hope you will give these two suggestions serious consideration and look forward to hearing from you on this.

Thanks again for meeting with us.

Best regards,

Peter Wright
Chair POAC

Barlow, Aaron

From: Peter Wright [REDACTED]
Sent: Thursday, October 19, 2023 6:29 AM
To: Barlow, Aaron; Mills, Wayne; Norris, Nick; Pasker, Katherine; Alan Hayes; Joel Deaton; Preserve Our Avenues Zoning Coalition; Lon Jenkins; Thomas Keen
Subject: (EXTERNAL) Ivory Homes Application for a Planned Development at 675 North F Street. Unit 21.

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Dear Aaron,

In order to avoid further design iterations and the wasting of everyone's time, we thought we should inform you that Unit 21 in Ivory's application is non-compliant with regard to building height on the detached garage unit. Ivory's drawings show the height to the top of the pitched roof on this building as 24 feet. This unit is correctly classified as an Accessory Building with a maximum height of 17 feet, with some exceptions for increased setbacks to a maximum of 21 feet. Also, as you are aware, the planning commission does not have the authority to grant additional height in the SR-1 zone via a planned development.

1. Planned Developments 21A.55.020.C. Authority. Building Height.
"Up to five feet (5') of additional building height, except in the FR, R-1, SR or R-2 Zoning Districts where additional building height cannot be approved by the planned development process."
2. Building Heights for Accessory Buildings in the SR-1 zone are defined in 21A.24.080. SR-1 and SR-1A Special Development Pattern Residential District: and in 21A.40.050.General Yard, Bulk and Height Limitations.
21A.40.050.C.2.b. Maximum Height of Accessory Buildings/Structures.
The height of accessory structures with pitched roofs shall not exceed seventeen feet (17') at any given point of building coverage. In the SR-1A zoning district the height of accessory structures with pitched roofs shall not exceed fourteen feet (14'). The height of pitched roof accessory structures may be increased up to seventy five percent (75%) of the height of the principal structure, not to exceed an additional four feet (4') except in the SR-1A zoning district where up to an additional three feet (3') may be permitted provided the setbacks are increased one foot for every one foot of building height.
3. Ivory refers to the units above the garages as Accessory Dwelling Units (ADUs), or Potential Accessory Dwelling Units. The latter is a more accurate description. For units 1 to 20 with internal ADUs, or potential ADUs, the distinction is not significant as Ivory can build these units within the box defined for the primary building, however, when considering a detached structure which is an Accessory Building, with different regulations, the distinction is important. The detached garage for unit 21 is an Accessory Building and subject to the height regulations for Accessory Buildings not those for primary buildings or for ADUs.
4. 21A.040.200.C. Accessory Dwelling Units, grants the right to create and maintain an ADU to an "owner occupant", ...*"that shall reside on the property."* 21A.40.200.C.1, further defines an "owner occupant" as *"An individual who is listed on a recorded deed as an owner of the property."* As a corporation Ivory is not an "owner occupant" that will reside on the property, nor is it an individual listed on a recorded deed

as an owner of the property. Corporations cannot usurp the rights granted to an individual owner occupant. The ADU ordinance was never intended to facilitate the construction of subdivisions of ADUs by developers, but to allow individual owner occupants to create ADUs one- at-a-time. Although Ivory refers to these units as ADUs they cannot guarantee that subsequent purchasers of the units will register and use these units as ADUs. These units could very well be used as home offices, guest suites, storage units or for other purposes. The intention of future purchasers of the houses is unknowable. Also as a corporation and not an individual owner occupant, it would be impossible for Ivory to comply with clauses such as 21A.40.200.O. Zoning Certificate and Good Landlord Program. These units are not ADUs, ADUs cannot be created by corporations, only by individual owner occupants. Any additional height permitted under ADU regulations such as 21A.40.200.F, therefore, does not apply.

I would appreciate hearing from you on this matter.

Thank you,

Peter Wright

Barlow, Aaron

From: Peter Wright [REDACTED]
Sent: Saturday, December 30, 2023 8:42 AM
To: Barlow, Aaron
Cc: Preserve Our Avenues Zoning Coalition; Thomas Keen; Alan Hayes; Lon Jenkins
Subject: (EXTERNAL) Unit 10. A Problem Not Addressed.
Attachments: Unit 10. December Revision. (3).docx

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Aaron,

Please find attached a letter regarding the front setback of unit 10, an issue we raised in our community report and asked that you address with Ivory. This issue has not been addressed in any meaningful way.

Dear Mr. Barlow,

Re: Ivory December 2023 Proposal - Unit 10 Front Setback.

As a part of our community report, based on Ivory's June 2023 submission, we raised with you concerns regarding the front setback for Unit 10, where a 28 feet high, two-story building is situated 3 feet from the front property line and sidewalk, looming over pedestrians and the street.

The required front setback in the SR-1 zone is 20 feet and the average front setback in the nearest ten blocks in the SR-1 zone is 21 feet. You undertook to review this item and raise this concern with Ivory.

In the December revision of Ivory's plan, we see that this issue has not been addressed, instead Ivory have played games and moved the lot line all the way to the street, such that the sidewalk and park strip, each 5 feet in width, are now a part of the lot. Via this sleight of hand Ivory now claims a 13 feet front setback. This does not in any way solve this problem and I am amazed that you could find this acceptable. Nothing has changed, this large, two-story building remains 3 feet from the sidewalk.

As you well know throughout the SR-1 zone, lot lines do not border the road, there is a sizable section of city owned land between the lot line and the street that contains the sidewalk and park strip. For the nearest ten blocks in the SR-1 zone, the average width of this land is 22.5 feet. Thus in making a comparison between the existing neighborhood and Ivory's proposal we need to compare Ivory's 13 feet setback from the street with an average 21 feet front setback plus 22.5 feet for the sidewalk and parkstrip - a total of 43.5 feet.

It would have been no hardship for Ivory to have shortened this one building to give a reasonable front setback from the road, instead they chose to play games in moving the lot line in a way that is completely out of character with the neighborhood.

We are extremely disappointed that this issue has not been addressed in any meaningful way and ask that you address this issue in your staff report with a recommendation that a 20 feet front setback from the sidewalk be included.

Thank you,

Peter Wright
Chair POAC.

Barlow, Aaron

From: Peter Wright [REDACTED]
Sent: Tuesday, January 2, 2024 9:23 PM
To: Barlow, Aaron
Cc: Thomas Keen; Alan Hayes; Lon Jenkins; Joel Deaton; Preserve Our Avenues Zoning Coalition
Subject: Re: (EXTERNAL) Ivory December 2023 Plans. Maximum Height of Exterior Walls Adjacent to Interior Side Yards

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Aaron,

Happy New Year. Thanks for getting back to me on this. Let's plan talking at 11-00 AM tomorrow. Can you call me on 570 793 0446 please.

We have just started to review Ivory's December submission and do have quite a few questions:

- 1) Are we still looking at a 1/24/2024 Planning Commission Hearing?
- 2) When will we see the Staff Report?
- 3) Can you share with us if the Planning Division will recommend for or against this application, or if you will suggest conditions?
- 4) We find it hard to see how the Planning Division can recommend for this development if it is not in conformance with 21A.24.080.D.3.c. Please help us understand what is happening here, we had thought this was a settled issue.
- 5) Let's discuss the front setback on Unit 10 which is not similar to, or compatible with neighboring development.
- 6) The Accessory Building on Unit 21 remains non-conforming in height. We have written to you earlier on this.
- 7) We note that the water and sewage estimates by Ivory do not take into account the ADUs. Has this been properly reviewed?
- 8) You were discussing wildfire fire risk in a Wildland Urban Interface (WUI) area with the Fire Marshall and the suitability of Ivory's congested design for such a location. Can you share with us the results of this discussion please? Has the Fire Marshall been asked to submit a written opinion?
- 9) A condition of the rezone was that Parcel A be made available to the public as a "park" and this was documented as a condition of approval. Ivory made a big deal of this "public benefit" and the City Council bought into this. The size of Parcel A at the time the rezone was approved was 17,432 square feet. In the June 2023 plans this was reduced to 13,370 square feet. The December plans show yet another reduction to 11,233 square feet. In total we see a 35% reduction in the size of this parcel and would regard this as another non-compliance.
- 10) We have been reviewing the forms you sent to us for an appeal to the Appeals Hearing Officer and note that as well as the filing fee we are responsible for the costs of notification. Sometime ahead of the Planning Commission hearing can you please provide me with a ballpark estimate of these costs.
- 11) As comparables Daniel used the NorthCrest townhouses, between 9th & 10th Avenues by the library and the block between D & E Streets and 9th & 10th Avenue that contains E Sallie Ave. Would you anticipate using these again as comparables? We are conducting an analysis of development intensity, comparing Ivory's proposal to the established neighborhood and would like this to be as comprehensive as possible and include comparables. We hope to submit this to you in the next couple of weeks.
- 12) Many residents have expressed concern about the amount of flat roofs shown in Ivory's Architectural file where all but one of the garages have flat roofs. The new Building Heights Exhibits file shows all the garages with peaked roofs. Do you know Ivory's Intent in this regard, the drawings are contradictory?

I think that is probably enough for one session.

Thanks,
Peter

On Tue, Jan 2, 2024 at 8:32 PM Barlow, Aaron <Aaron.Barlow@slcgov.com> wrote:

Hi Peter,

I am happy to discuss this issue (and lot 10) with you tomorrow. I have meetings in the morning, but I am working on reports for the rest of the day, so any time after 11 am works for me. Did you have any other concerns or comments regarding the updated plans (so I can be prepared for our conversation)?

Sincerely,



AARON BARLOW, AICP | (He/Him/His)

Principal Planner
PLANNING DIVISION | SALT LAKE CITY CORPORATION
Office: 801-535-6182

Cell: 801-872-8389
Email: aaron.barlow@slcgov.com
SLC.GOV/PLANNING WWW.SLC.GOV

Disclaimer: The Planning Division strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Division. Those relying on verbal input or preliminary written feedback do so at their own risk and do not vest any property with development rights.

From: Peter Wright [REDACTED]
Sent: Saturday, December 30, 2023 9:04 AM
To: Barlow, Aaron <Aaron.Barlow@slcgov.com>; Preserve Our Avenues Zoning Coalition <jwmckinnon@gmail.com>; Thomas Keen <twklak2@aol.com>; Alan Hayes <abh_slcut@yahoo.com>; Lon Jenkins <lonjenkins54@gmail.com>; Joel Deaton <jald2@msn.com>
Subject: (EXTERNAL) Ivory December 2023 Plans. Maximum Height of Exterior Walls Adjacent to Interior Side Yards

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Aaron,

During the July to October 2023 period we had extensive dialogue regarding 21A.24.080.D.3.c, where Ivory's June 2023 plans were not in compliance with this clause and where this requirement cannot be waived by the planning commission as a part of the planned development application. On October 13th we met with you, Wayne Mills, Nick Norris and Attorney Katherine Pasker where it was agreed that our interpretation of 21A.24.080.D.3.c was correct. We had anticipated that the planning division would require Ivory redesign to be in compliance with this clause.

In the latest December 2023 plans we see no change in this regard, Ivory's design continues to feature full wall heights and significantly reduced interior side yard setbacks in contravention of 21A.24.080.D.3.c. We would be most grateful if you would explain to us how this can be? We would like to understand how the planning division can support an application that you and the city attorney's office have agreed is non-conforming?

Thank you,

Peter Wright

Chair POAC.

Barlow, Aaron

From: Peter Wright [REDACTED]
Sent: Thursday, January 4, 2024 1:00 PM
To: Barlow, Aaron
Cc: Preserve Our Avenues Zoning Coalition; Thomas Keen; Alan Hayes; Lon Jenkins; Joel Deaton; John Kennedy; Don Warmbier
Subject: (EXTERNAL) Building Heights Exhibit

Follow Up Flag: Follow up
Flag Status: Flagged

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Aaron,

Thank you for taking the time yesterday to talk me through the analysis of wall heights prepared by Ivory. With the Christmas break we had not yet reviewed this exhibit. We have now done so and find that Ivory's analysis here is fundamentally flawed and incorrect, they have failed to read the language of the ordinance.

The Cross Slopes clause applies **only** to the **downhill exterior wall**. In their analysis Ivory has applied this allowance to all of the exterior walls which is incorrect and inconsistent with the language of the ordinance.

*"(1) Cross Slopes: For lots with cross slopes where the topography slopes, **the downhill exterior wall height may be increased** by one-half foot (0.5') for each one foot (1') difference between the elevation of the average grades on the uphill and downhill faces of the building."*

As an example let's look at Ivory's analysis of Units 1 & 2. The same logic applies to all of the units.

- 1) We agree that the Base Max Wall Height is 20 feet.
- 2) We agree that the Reduction Due to Setback is 5 feet.
- 3) We have not checked the Cross Slope Differential but it looks reasonable and for now can accept that the Increase Due To Grade is 6 feet 4 inches.
- 4) We agree that by calculation this would give an Updated Maximum Wall Height of 21 feet 4 inches, for the **downhill exterior wall**.

The Cross Slopes adjustment for the downhill exterior wall would not however apply to the **uphill exterior wall**. This wall is subject to the Reduction Due to Setback of 5 feet which applies to all walls, but cannot be offset by the Cross Slopes allowance which applies only to the downhill exterior wall, thus the maximum permitted height of this wall is 15 feet. Ivory shows an uphill exterior wall height of 17 feet 4 inches which is in excess of the maximum.

I would be happy to talk this through with you and see how you wish to proceed.

Best regards,

Peter

Barlow, Aaron

From: Peter Wright [REDACTED]
Sent: Friday, January 12, 2024 3:45 AM
To: Barlow, Aaron; Preserve Our Avenues Zoning Coalition; Alan Hayes; Lon Jenkins; Thomas Keen; John Kennedy
Subject: (EXTERNAL) Ivory Homes Application for a Planned Development at 675 North F Street. Parcel A
Attachments: Parcel A.docx

Follow Up Flag: Follow up
Flag Status: Flagged

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Aaron,

Please find attached the city council conditions for approval of the rezone for 675 North F Street. I have highlighted the section referring to the commitment by Ivory to make available to the public the open area shown on the draft drawings. The open area referred to here is Parcel A in the southwest corner of the development, this is a drainage basin that can also function as a park.

The December 2022 site plan that was reviewed by the city council showed this open space to be 17,432 square feet. In each further iteration of Ivory's plans this area has shrunk. The June 2023 plans showed this area to be 13,370 square feet and the latest December 2023 plans now show this to be 11,233 square feet. In total this area has shrunk by 6,199 square feet or 35.6%. This is a significant reduction in size such that Ivory's design fails to meet the requirements enacted by the city council as a condition for the rezone.

I think you would agree, that if I committed to pay you \$100 and instead paid you \$65, you would consider this difference significant.

Thank You,
Peter Wright
Chair POAC.

Council Discussion & Council Action

December 13, 2022

The Council [voted to approve](#) the Ivory Development proposal to rezone 675 N. F Street following their [final briefing](#) on the request.

The Council's discussion and approval centered on retaining wall height, density, and specifications that any built Accessory Dwelling Units (ADUs) not be used as short-term rentals, , among other topics.

The following specific requirements will be included in a development agreement:

- *Accessory buildings shall not be allowed in rear yards located along the west-most property line of the subject property.*
- *Where the west-most property line is a rear or side property line, the second levels of any homes located along that rear or side property line shall be setback at least 30' from the corresponding rear or side property line.*
- *Specify that the ADUs may not be used as short-term rentals, using restrictive covenants or another method deemed efficient and appropriate.*
- *The open space area shown on draft drawings will generally be accessible to the community at large, with rules/management to be established by the HOA or other entity based upon the applicant's preference.*
- *Confirming that the City building approval and permitting process will be followed to build retaining walls on the property.*

Learn more by reading [MOTION 3](#) in the Council Motion Sheet.

Barlow, Aaron

From: Peter Wright [REDACTED]
Sent: Wednesday, January 17, 2024 1:16 AM
To: Barlow, Aaron; Preserve Our Avenues Zoning Coalition; Thomas Keen; Alan Hayes; Lon Jenkins; John Kennedy
Subject: (EXTERNAL) Ivory Homes Application to Create A First-of-its-Kind Subdivision of ADUs at 675 North F Street.

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Aaron,

Please give consideration to the information below and include this letter in the pack to be reviewed by the planning commission.

Thank you,
Peter Wright
Chair POAC

A Lack of Due Process - Creation of a First-of-its-Kind Subdivision of ADUs

The concept of the ADU is that these will be added one-at-a-time, here and there throughout our community, by individual owner occupants, such that the increase in density is small and can be easily absorbed over a wide area. To-date the city and the planning commission has only reviewed applications for individual ADUs.

Ivory is proposing something very different here - a subdivision of ADUs where every home in this development will have an ADU. This Ivory themselves, have described as "*an experiment*" and "*the first of its kind in Utah*". Mass production of ADUs by a developer is not the same as creation of an individual ADU by an owner occupant. Approval of a subdivision of 21 ADUs is not the same as approval of a single ADU.

Concentrating ADUs in this manner effectively doubles the number of dwellings in a small area and brings into play numerous considerations that do not exist to the same degree for approval of a single ADU. Avenues residents have raised many of these considerations with you, these would include traffic generation, adequacy of parking etc.

When the city seeks to make a change in land use, to the extent that it doubles the number of allowable dwellings, it is required by ordinance 21A.50 to follow a procedure of public notification, public comment, review by the planning commission with a recommendation to the city council; and a subsequent review by the city council, where the change is embodied in the ordinances. Approval of such a new use is a legislative decision not an administrative decision and such decisions are reserved for the city council not the planning commission. No such review of the concept of a subdivision of ADUs has taken place and no rules exist. There has been a lack of due process as required by ordinance.

Ivory first floated this concept of pre-building ADUs in mass to the planning division in 2020, the planning division had ample time to include consideration of this matter in the 2023 revision of the ADU ordinance but failed to do so. With the removal of the Conditional Use requirement, if Ivory were not applying for a planned development, there would not even be a mechanism for review of such a subdivision of ADUs. A completely new and novel concept, which has never been considered by the public or planning commission, with no review mechanism?

The concept of creating a subdivision of ADUs is complex and nuanced. A developer cannot create an ADU, only an owner occupant can create an ADU. Therefore Ivory describes the units it produces as "*potential ADUs*". The ADU ordinance grants rights and special exceptions to individual owner occupants to create an ADU. For example owner occupants can have additional height on detached ADUs. Can a developer constructing a "*potential ADU*", that may never in fact become an ADU, avail themselves of these same special exceptions granted to individual owner occupants ? Ivory seeks to do exactly this on unit 21 where there is a detached potential ADU. Is this permitted? Is this structure subject to the rules for an Accessory Building or an ADU?

There are a lot more questions than answers. The concept of a subdivision of ADUs is complex, raising many questions and needs to be subject to the normal, required review process.

Ivory is seeking to shortcut the process. Shortcuts rarely work well and often create more problems than they solve. Due process should be followed.

Thank you.

Barlow, Aaron

From: Peter Wright <pwwjaw@gmail.com>
Sent: Thursday, January 18, 2024 3:34 AM
To: Barlow, Aaron
Cc: Alan Hayes; Preserve Our Avenues Zoning Coalition; Lon Jenkins; Thomas Keen; John Kennedy; Don Warmbier; Joel Deaton; Scott Young
Subject: (EXTERNAL) Ivory Application for a Planned Development at 675 North F Street. The Planned Development Claims are Invalid
Attachments: Ivory PD Justifications Invalid.docx

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Aaron,
I would be most grateful if you would review the attached information and ensure this is included in the pack to be reviewed by the planning commission.
Thank you.

Ivory's Planned Planned Development Justifications are Invalid

The attached note clearly demonstrates that Ivory's planned development justifications are invalid. We do hope members of the planning commission will take the time to read this note.
Thank you.

Ivory's Justifications for a Planned Development are Invalid

Criteria for Grant of a Planned Development

Section 21A.55.010 of the planned development ordinance requires the applicant to demonstrate that the proposal "*incorporates special development characteristics that ...provide a benefit to the community as determined by the planned development objectives.*" and states that, "*A planned development will result in a more enhanced product that would be achievable through strict application of land use regulations, while enabling the development to be compatible with adjacent and nearby land developments.*"

The ordinance lists six objectives to determine if a planned development objective has been accomplished, A to F, and requires that the applicant satisfy at least one of these. In their planned development narrative Ivory lists two such objectives. Both are invalid for the reasons outlined below:

Ivory's First Claim.

1. Housing: Providing type of housing that helps achieve the City's housing goals and policies; (21A.55.010.C.2).

The Capitol Park Cottages Site Plan was designed to facilitate ADUs in new home construction as a distinctive feature.

Ivory's first justification for the grant of a Planned Development is that they provide ADUs or "*potential ADUs*" as they now call them, built as new construction. This claim is invalid.

The inclusion of living space above the garages is permitted in the SR-1 zone without a Planned Development. Such "*potential ADUs*", can be constructed in an identical manner without a Planned Development and these "*potential ADUs*" cannot therefore be considered a benefit of, or a justification for, the grant of a Planned Development. As cited above, the applicant must demonstrate that they "*incorporate special development characteristics...*" that would not be "... *achievable through strict application of land use regulations...*".

The SR-1 ordinance defines a box. Ivory's internal "*potential ADUs*" fit into that box. Ivory is therefore permitted to build them in an identical manner without a planned development. Again, they don't need a planned development to build these "*potential ADUs*" and these cannot be considered a benefit of, or justification for the grant of a planned development.

Whether the ADU ordinance was intended to be used for mass creation of ADUs is a different consideration. Also, whether these “*potential ADUs*” will actually become ADUs is again a different consideration; there is no obligation on the purchaser to create an ADU. Purchasers may prefer to use this extra space as a home office, home gym or a guest suite etc. Therefore the number of ADUs that will be created is unknowable as is any potential benefit.

So why does Ivory want a Planned Development? The reason is obvious from their second planned development claim CLUSTERING. Ivory wants a planned development so they can reduce setbacks and expand building lot coverage, to overpack this site with large expensive homes to maximize profitability. The provision of “*potential ADUs*”, which can be provided without a planned development, is simply a “hook” to gain a vast array of concessions in the form of reduced setbacks and excessive building lot coverage.

Ivory’s Second Claim.

2. Open Space and Natural Lands: Inclusion of public recreational opportunities, such as new trails...Clustering of development to preserve open spaces. (21A.55.010.A.1&6)

The project site has been designed in a manner to cluster development through reduction of private lot sizing and typical building setbacks. By concentrating the buildable areas, the project is able to incorporate nearly an acre of open space that will be programmed for resident and public recreational use. A quarter mile of paved walking trail will loop and intersect the community. Each home in the community will have direct front door access to this trail and the public can access the trail loop directly from F Street or Capitol Park Avenue.

Clustering. Ivory claims that they preserve nearly an acre of open land by clustering. This claim is false. None of the land Ivory claims to be preserving can be built on for various reasons.

The land Ivory claims to preserve consists of four parts as shown in the illustration. Section 1 and Section 2 were **mandated** as open space by the city as a condition of the rezone and cannot be built on. Section 3 is not even Ivory land but city owned land in the right-of-way for F Street. Section 4 is a thin strip of unbuildable land with a 33 degree slope bordering Northpoint’s boundary wall. None of the land Ivory claims to be preserving can be built on and the justification for clustering is invalid. Also please view Ivory’s site plan, it is hard to find any open land at all.

Trails

Ivory claims that they produce a “*network of trails*” that provide “*Recreational Opportunities*” and therefore a public benefit. This claim was discussed with 163 residents that live closest to this development.

Not a single person indicated that they would ever use these so-called trails and none felt they provided any public benefit. Most, in fact, thought this claim was laughable. Much of the northern section, a footpath required to access Ivory’s houses, is sandwiched in a 10 feet wide gap between an 8.5 feet high retaining wall and 28 feet high houses. This was considered to be claustrophobic and not a pleasant place to walk. Other parts of the northern section pass 5 feet from the front of Ivory’s houses and people felt they would be invading the privacy of Ivory residents by walking there. The western portion situated two feet from a tall fence with Caring Cove was also considered cramped and unpleasant to walk.

The section on F Street, a sidewalk, is not even on Ivory land but city land. This section with a 12% grade is one of the steepest streets in the Avenues and extremely hard to walk.

In summary, residents felt that there are far nicer walks, pretty much everywhere in the Avenues; and considered that these sidewalks, mischaracterized as trails, would only ever be used by Ivory residents to access their homes. They provide no public benefit and this claimed justification for a planned development is invalid.

Conclusions. Ivory provides no valid justification for grant of a planned development and the application should be denied.

OPEN SPACE



IVORY DOES NOT "CLUSTER" BUILDINGS TO PRESERVE OPEN LAND, THIS IS LAND THEY CANNOT BUILD ON.

Ivory Homes Application for a Planned Development

Barlow, Aaron

From: Don Warmbier [REDACTED]
Sent: Tuesday, January 16, 2024 10:33 AM
To: Barlow, Aaron
Subject: (EXTERNAL) Proposed Planned Development at 675 N F Street
Attachments: Liability of SLC & PC for Wildfires 2.pdf

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Mr. Barlow

I am a resident of Northpoint. On August 23, 2023, I sent you an e-mail pointing out the increased wildfire risks to Northpoint that would be generated by approval of the proposed Planned Development at 675 N F Street.

This e-mail constitutes notice that such approval would be inexcusable gross negligence.

A modified version of the memorandum previously attached to my August 23, 2023 e-mail is also attached to this e-mail.

This modified memorandum makes even more explicit to the Planning Division than the August 23 memorandum that the gross negligence constituted by approval of the proposed Planned Development would expose Salt Lake City and its employees to civil and even criminal liability for wildfire damage to which this zoning change contributes.

Because such zoning change makes F Street more defective, unsafe, or dangerous as a wildfire access and evacuation route, Salt Lake City's and its officials' typical defense of governmental immunity from liability for injury caused by their gross negligence would be waived.

Regards

Donald Warmbier

Salt Lake City, and Its Employees, Would Be Civilly and Criminally Liable for Making a Zoning Change Contributing to Wildfire Damage

Summary

This memo outlines reasons why, if Salt Lake City, the Salt Lake City Planning Division and the Salt Lake City Planning Commission, approve a zoning change allowing a proposed Planned Development by Ivory Homes at 675 N F Street, doing so would be gross negligence. If this zoning change contributes to subsequent wildfire damage, Salt Lake City, and its employees in the Planning Division and on the Planning Commission, would be civilly and criminally liable.

This proposed zoning change is distinguished from most the other changes the Planning Division and Planning Commission are typically asked to approve by three wildfire safety concerns. Since the Planning Division and Planning Commission know, or should know, of these wildfire safety concerns, ignoring them and nevertheless approving the proposed change in spite of them, would constitute gross negligence.

First, this property, its F Street border and neighboring Northpoint are in a Wildland-Urban interface, that area of Salt Lake City designated by the US Forestry Service as at highest wildfire risk.

Second, in the event of a wildfire, F Street, from Northpoint's entrance to its intersection with Capital Park Avenue, is the only way the Fire Department could reach Northpoint's 100 plus residents, and they could get out.

Since Ivory has provided insufficient parking within its proposed Planned Development for all the vehicles of the households therein and those of their guests, and since Capital Park Avenue is a private street posted as No Parking, most of the additional on-street parking by these vehicles would have to be on F Street.

Such added on-street parking on F Street from this proposed zoning change would much more often narrow F Street by two lanes, making it harder for and delaying the Fire Department's getting into Northpoint, and Northpoint's residents getting out.

Ivory's planned development also calls for a second intersection on Northpoint's F Street fire access chokepoint, very near to Northpoint's entrance, creating additional traffic congestion on that

chokepoint, and risks that accidents at that intersection would block that chokepoint in the event of a hasty wildfire evacuation.

A narrowed and constricted F Street chokepoint from more cars parked on it, and increased traffic congestion and possible accidents on F Street due to an additional intersection with it, will slow wildfire evacuation and Fire Department access, increasing the risk of damage from future wildfires.

The third factor making approving this proposed zoning change gross negligence is that a written Salt Lake Fire Department Guide calls on the Planning Division and Planning Commission to instead use zoning to decrease “the risk of damage from future wildfires” in high wildfire risk areas such as this.

Just as a landlord commits gross negligence if it deliberately disregards and fails to act on facts which it knows or should know would jeopardize the fire safety of its tenants, the Planning Division and Planning Commission would commit gross negligence if they deliberately disregard facts which they know or should know would jeopardize the future wildfire safety of Northpoint residents.

If the Planning Division and Planning Commission approve a zoning change in similar disregard of facts showing that doing so would jeopardize the future wildfire safety of Northpoint residents, they would similarly be guilty of gross negligence with respect to future wildfire damages to which such zoning change contributes, making Salt Lake City, and members of the Planning Division and Planning Commission individually, liable for contributing to such damages.

1) Wildfire Risk

675 N F Street, unlike most other developments in Salt Lake City, is in a Wildland Urban Interface, that area of Salt Lake City the US Forest Service has designated as being at highest risk of wildfires.

Further, the Planning Division and Planning Commission, and if need be the Courts, must take notice of the fact that, because of climate change, wildfires have become much more frequent and much more severe.

If the Planning Division and Planning Commission disregard wildfire risk with respect to property in a high wildfire risk area, at a time when wildfires have

become more frequent and severe, they would go so much beyond normal administrative discretion as to constitute gross negligence.

2) Access and Evacuation Concerns

The zoning change would create special wildfire safety concerns because, in the event of a wildfire, the portion of F Street bordering on 675 N F Street is a chokepoint that is the only way the Fire Department could reach Northpoint, a community of 100 plus residents, and that Northpoint's residents could use to get out.

Since Ivory has provided insufficient parking within its proposed planned development for all the vehicles of its households and their guests, and since Capital Park Avenue is a private street posted as No Parking, most of the additional on-street parking by these vehicles would have to be on F Street.

Additional on-street parking by cars parked along the curbs on both sides of F Street, from the households and their guests of the proposed planned development, will much more frequently narrow F Street by two lanes and much more

frequently create a more severe chokepoint that, in the event of a wildfire, will slow access to Northpoint by Fire Department vehicles and slow evacuation by Northpoint residents.

Since evacuating Northpoint residents will be trying to get out at the same time firefighters will be going in the opposite direction trying to get in, the egress and access of both will be particularly impeded.

Ivory's planned development also creates a second intersection on Northpoint's F Street Fire access chokepoint, very near to Northpoint's entrance, increasing the risks of traffic accidents at that intersection blocking that chokepoint, particularly in the event of a hasty wildfire evacuation.

The Planning Division and the Planning Commission must consider the fact that this property is on a fire access and evacuation chokepoint. They also have to take notice of the fact Wildfires can travel fast, and that minutes added to firefighter access time or resident evacuation time by a more severely constricted and/or more frequently blocked chokepoint can make a life or death difference. As the Los Angeles Times noted on September 7, 2022: "California fires (are) killing people before they can escape their homes, making seconds count."

For Northpoint, this is not just a theoretical risk. Northpoint residents had to fight a wildfire that recently reached Northpoint's boundary with City Creek Canyon with garden hoses until the Fire Department arrived.

The Planning Division in its Report cannot blithely say that the planned development allowed by the zoning change raises no wildfire safety concerns because "any development will be required to meet...(the same) minimum requirements for fire vehicle and firefighter access...that universally apply to all developments in the City."

Unlike a development in, say, the Sugarhouse or the Ballpark districts, this development lies in a Wildland Urban Interface athwart the only fire vehicle and firefighter access route to, and resident evacuation route from, Northpoint, which the zoning change narrows and makes more constricted and congested, potentially delaying such access and evacuation.

Applying the same criteria to this zoning change request as it would apply to a zoning change request in another part of the City not in a Wildland Urban Interface, and not athwart the only fire access and egress route, would willfully and

deliberately ignore the very facts that distinguish this zoning request from other such requests, and would constitute abuse of its administrative discretion on the part of the Planning Division and Planning Commission.

Such abuse of discretion would amount to gross negligence, and open Salt Lake City, and members of the Planning Division and Planning Commission individually, to civil and criminal liability for damages if, because a more constricted and congested Northpoint fire access chokepoint impeded fire department access and resident evacuation, the zoning change contributed to or increased damage from a future wildfire,.

3) Fire Department Guide

The Salt Lake City Fire Department has published an explicit written Guide on the considerations to be taken into account when making zoning changes with respect to property within a Wildland Urban Interface. In its “Guide to Fire Adapted Communities,” posted on the Salt Lake Fire Department’s website, the Salt Lake Fire Department states that:

“Proactive land use planning is one of the best ways to address woodland fire concerns and to decrease the number of residents at risk of damage from future wildfires.” (Salt Lake Fire Department website, Guide to Fire Adapted Communities, pages 20-21)

The Fire Department’s Guide includes “zoning restrictions” as “a mechanism for enacting the land use and development policies” of its “proactive land use planning...to decrease the number of residents at risk of damage from future wildfires.” The Fire Department’s Guide clearly intends that zoning restrictions be used in a Wildland Urban Interface to decrease the risk of damage from future wildfires.

This Guide is clearly directed to the Planning Division and Planning Commission, whose job it is to carry out land use planning.

Note that the Fire Department Guide does not merely say that zoning decisions should balance wildfire risk against other considerations, but rather that zoning decisions should be used proactively to actually decrease wildfire risk.

It is not enough to approve this zoning change for property in a Wildland Urban Interface merely

because the Planning Division says it meets the same:

“minimum requirements for fire vehicle and firefighter access to properties...that universally apply to all developments in the City.”

The requested zoning change should not be allowed merely because it meets the same Fire Code requirements that it would have to meet if it dealt with a development on property not in a Wildland Urban Interface and not on a fire access and evacuation chokepoint, i. e, where wildfire risk is not a concern.

When a zoning change request affects property in a Wildland Urban Interface, the Fire Department Guide has imposed upon the Planning Division and the Planning Commission an additional standard: that the zoning change actually decreases the risk of damage from future wildfires.

By recommending a zoning change that would instead delay the time it would take Fire Department vehicles to reach Northpoint to fight future wildfires, and the time it would take Northpoint residents to evacuate, the Planning Division and Planning Commission would act contrary to the Fire

Department's Guide, and instead actually engage in land use planning that increases wildfire risk.

For Salt Lake City Planning Division and Planning Commission to so blatantly disregard and act contrary to the explicit written Guide of the Salt Lake City Fire Department, and treat that Guide, and the wildfire risk it was issued to protect against, as if they did not exist, rather than abiding by the standard that that Guide directs the Planning Division and Planning Commission to follow, would constitute inexcusable gross negligence.

Similarities To Triangle Shirtwaist Fire

The circumstances that would be created if this zoning change request is granted are similar to those that made the owners of the Triangle Shirtwaist Factory liable for contributing to the damages from the infamous 1911 fire in the Triangle Shirtwaist Factory. The pertinent facts about the Triangle Shirtwaist fire are summarized in the following excerpts from Wikipedia:

“The Triangle Shirtwaist Factory fire in the Greenwich Village neighborhood of Manhattan, New York City on Saturday, March 25, 1911, was the

deadliest industrial disaster in the history of the city, and one of the deadliest in U. S. History. The fire caused the deaths of 196 garment workers-123 women and girls and 23 men-who died from the fire, smoke inhalation, or falling or jumping to their deaths... Because the doors to the stairwells and exits were locked-a common practice at the time to prevent workers from taking unauthorized breaks and to reduce theft-many of the workers could not escape from the burning building and jumped from the high windows...

The Triangle Waist Company factory occupied the 8th, 9th and 10th floors of the 10-story Asch Building on the northwest corner of Greene Street and Washington Place, just east of Washington Square Park, in the Greenwich Village neighborhood of New York City. Under the ownership of Max Blanck and Isaac Harris, the factory produced women's blouses, known as "shirtwaists"...

flames prevented workers from descending the Greene Street stairway and the door to the Washington Place stairway was locked... Dozens of employees escaped the fire by going up the Green Street stairway to the roof. Other survivors were able to jam themselves into the elevators while they continued to operate. Within three minutes, the

Green Street stairway became unusable in both directions.

Terrified employees crowded into the single exterior fire escape-which city officials had allowed Asch to erect instead of the required third

staircase-a flimsy and poorly anchored iron structure that may have been broken before the fire. It soon twisted and collapsed from the heat and overload, spilling about 20 victims nearly 100 feet (30 m.) to their deaths on the concrete pavement below. The remainder waited until smoke and fire overcame. The fire department arrived quickly but was unable to stop the flames, as their ladders were only long enough to reach as high as the 7th floor...

The company's owners, Max Blanck and Issac Harris-both Jewish immigrants-who survived the fire by fleeing to the building's roof when it began, were indicted on charges of first- and second-degree Manslaughter in mid-April...The prosecution charged that the owners knew the exit doors were locked at the time in question...but the defense stressed that the prosecution failed to prove the owners knew that. The jury acquitted the two men of first- and second- degree manslaughter, but they were found liable of wrongful death during a

subsequent civil suit in 1913 in which plaintiffs were awarded compensation...” (Wikipedia, Triangle Shirtwaist Factory Fire)

Salt Lake City, as the owner of the portion of F Street needed by Northpoint residents as their only escape route in the event of a wildfire, and members of the Salt Lake Planning Division and Salt Lake Planning Commission, as employees, agents and officials of Salt Lake City and managers of that portion of F Street on behalf of Salt Lake City, determine and are responsible for how easy or how difficult such escape will be, just as the owners of the Triangle Waist Company, as controlling tenants of the Asch Building, determined and were responsible for how easy or difficult it was for workers in their factory to escape from the Triangle Shirtwaist fire.

If the Planning Division and Planning Commission make Fire Department access to and resident evacuation from Northpoint more difficult, by allowing a zoning change based on their refusal to follow the Salt Lake Fire Department’s Guide asking them to use zoning to decrease the risk of damage from future wildfires, they will be inexcusably grossly negligent in doing so.

Note that the owners of the Triangle Waist Company were found guilty of civil liability for wrongful death, and were acquitted of criminal manslaughter only because the prosecution failed to prove the owners knew the exit doors were locked.

No such excuse is available to members of the Salt Lake Planning Division and Salt Lake Planning Commission, because they have been told over and over again that the proposed Planned Development increases wildfire risk, thereby subjecting them to criminal as well as civil liability.

Note also liability did not require the Triangle Waist Company to block all possible factory exits. The factory owners only locked the doors to one of the factory's stairwells, so some employees were still able to escape the burning factory using another stairwell, the elevators or the exterior fire escape. The factory owners were nevertheless found responsible at least for civil damages, because their actions made escape more difficult, even though not impossible.

Similarly, even if the Planning Division and Planning Commission only make escape from, and Fire Department access to, Northpoint more difficult in the event of a wildfire, they would still be grossly

negligent for doing so with full knowledge of, but in deliberate and intentional disregard of, a Guide published by the Salt Lake City Fire Department.

Just as the owners of the Triangle Waist Company were not allowed to impose additional fire safety risk on their workers by locking some doors of their factory, simply to increase those owners' profits, Salt Lake City, as the owner of F Street, and the Planning Division and Planning Commission as City employees managing F Street, should not be allowed to impose additional wildfire risk on residents of Northpoint, by narrowing, constricting and congesting their only wildfire access and egress route, simply to increase developer profits.

Governmental Immunity Will Not Protect Salt Lake City and Its Employees

It might be thought that a zoning change resulting from Salt Lake City's gross negligence, even though it contributes to subsequent wildfire damage, while morally obnoxious, would not subject Salt Lake City, and its employees in the Salt Lake Planning Division and on the Salt Lake Planning Commission, to any liability for such damage, because Salt Lake City,

unlike the Triangle Waist Company, is protected by Governmental Immunity.

However, in this case, such governmental Immunity is waived.

The Governmental Immunity Act of Utah states that:

“(1) Except as otherwise provided in this chapter, each governmental entity and each employee of a governmental entity are immune from

suit for any injury that results from the exercise of a governmental function.” (63G-7-201(1))

However:

“Immunity from suit of each governmental entity is waived

Except as provided in Subsection 63G-7-201(3), as to any injury caused by:

A defective, unsafe, or dangerous condition of any highway, road, street, alley crosswalk, sidewalk, culvert, tunnel, bridge, viaduct, or other structure located on them;” (63G-7-301(2)(h)(i))

Subsection 63G-7-201(3)(a)(i) provides:

“A government entity, its officers, and its employees are immune from suit, and immunity is not waived,

for any injury if the injury arises out of or in connection with, or results from:

a latent dangerous or latent defective condition of Any highway, road, street, alley, crosswalk, sidewalk, culvert, tunnel, bridge, or viaduct”
(63G-7-201(3)(a)(i))

Under the Governmental Act, therefore, Salt Lake City’s immunity from suit for injuries caused by the defective, unsafe, or dangerous condition of a street is waived, unless, in the case of a dangerous or defective condition of the street, the defective or dangerous condition of the street is latent, i.e., is hidden or concealed.

If the Salt Lake City, the Planning Division and Planning Commission make a zoning change making the condition of F Street as a wildfire access and evacuation route more “dangerous,” or “defective,” Salt Lake City’s and its employees’ governmental immunity would nevertheless still be waived, because the more dangerous or defective condition of that street as a wildfire access and evacuation route created by the zoning change would not be latent. Such a dangerous or defective condition, since it has been repeatedly pointed out to the Planning Division and the Planning

Commission, would instead be blatant, open and notorious.

Further, while 63G-7-201(3)(a)(i) says that while governmental immunity is not waived by 63G-7-301(2)(h)(i) for a street that is in “a latent dangerous or latent defective condition,” this exception to the immunity waiver in 63G-7-301(2)(h)(i) applies only to a “latent dangerous or latent defective condition.” Immunity is still waived for liability for damage caused by an F Street that is shown to have been made merely “unsafe” as a fire access and evacuation route by a zoning change, rather than as “dangerous” or “defective.”

Salt Lake City, and members of the Planning Division and Planning Commission individually, would, therefore, not have governmental immunity from liability for wildfire damage to which a zoning change made by them contributes, if such zoning change makes F Street more dangerous, defective or unsafe with respect to its use as a wildfire access and evacuation route.

Conclusion

Salt Lake City, and its employees in the Salt Lake City Planning Division and on the Salt Lake Planning

Commission cannot arbitrarily make a zoning change that ignores or intentionally disregards wildfire risks to property in a Wildland Urban Interface, ignores or intentionally disregards the increased wildfire risks from narrowing, congesting and constricting the only access and evacuation route from property in a Wildland Urban Interface, and ignores or intentionally disregards the wildfire protections called for in the Guide published by the Salt Lake City Fire Department. Approving such a zoning change, by making F Street more dangerous, defective, or unsafe with respect to its use as a wildfire access and evacuation route, would constitute gross negligence.

If Salt Lake City, and its employees in the Planning Division and on Planning Commission, make such a zoning change, it and they would be civilly and criminally liable for damages from injury from such gross negligence. Because such injury would be caused by a defective, unsafe or dangerous condition of a street, Salt Lake City and its officials' typical defense of governmental immunity from tort and criminal liability would not be available.

Barlow, Aaron

From: P Kent [REDACTED]
Sent: Wednesday, January 10, 2024 2:56 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory Homes Project on "F" Street

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

January 10, 2024

Aaron Barlow AICP

Principal City Planner Salt Lake City

Aaron.Barlow@slcgov.com

Re: Ivory Homes Project on "F" Street

Greetings

I am a registered Architect having practiced in five Western states and in Pennsylvania over the past 45 years. I have been a resident of the avenues area of SLC for 25 years.

I note with interest Ivory Homes proposed project on "F" street. I'm concerned that Ivory is trying to take advantage of the city by misusing the code that allows extra height for exterior walls. (21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT: D,3,c,1) The reference is very specific that the increased height applies to the downhill exterior walls only.

I hope you can point this out to Ivory Homes so that they can modify their designs accordingly.

Thank you for your help in this matter and thank you for your service to Salt Lake City.

P. Kent Fairbanks AIA

[REDACTED]

[REDACTED]

[REDACTED]

Barlow, Aaron

From: Scott Young [REDACTED]
Sent: Sunday, October 29, 2023 9:26 AM
To: Preserve Our Avenues Zoning Coalition; Norris, Nick; Mills, Wayne; Barlow, Aaron; Pasker, Katherine
Cc: Peter Wright; Joel Deaton; THOMAS KEEN; Alan Hayes; Lon Jenkins; Larry Perkins; John Kennedy; Don Warmbier; Wharton, Chris; Lewis, Katherine; Mayor; Scott Young
Subject: (EXTERNAL) RE: Ivory Homes Application for a Planned Development at 675 N F Street

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Jan,

The letter is awesome. The one concept you might want to address is that the Meridien also built a driveway out to F Street. I don't remember the reasons, but if the City required it then what was the rationale. Why require one development to exit onto F street but not another.

Thanks for all that you and the team have done.

Scott F. Young
Chief Operating Officer



From: Jan McKinnon [REDACTED]
Sent: Saturday, October 28, 2023 7:03 PM
To: Norris, Nick <nick.norris@slcgov.com>; Mills, Wayne <wayne.mills@slcgov.com>; Barlow, Aaron <aaron.barlow@slcgov.com>; katherine.pasker@slcgov.com
Cc: Peter Wright <pwwjaw@gmail.com>; Joel Deaton <jald2@msn.com>; THOMAS KEEN <twklak2@aol.com>; Alan Hayes <abh_slcut@yahoo.com>; Lon Jenkins <lonjenkins54@gmail.com>; Larry Perkins <advancemortgageq@gmail.com>; John Kennedy <John@kennedys.org>; Don Warmbier <dfwarmbier@gmail.com>; Scott Young <syoun@sentry.financial>; Chris Wharton <chris.wharton@slcgov.com>; Katherine.lewis@slcgov.com; mayor@slcgov.com
Subject: Ivory Homes Application for a Planned Development at 675 N F Street

To: Nick, Aaron, Wayne, and Katherine:

Following our meeting of 10/13/2023, I wanted to write to you in my capacity as President of the Meridien HOA, the owners of Capitol Park Avenue. Please see the attached letter.

During our meeting we briefly discussed the issue of the City facilitating Ivory in overburdening the easement allowing access to Capitol Park Avenue. The attached letter details how the City cannot reasonably approve a planned

development that overburdens the private property of the Meridien. The position taken at the meeting that this is a matter between Meridien and Ivory is both incorrect and unreasonable. Ivory does not grant itself a planned development; the City does and the City has a responsibility to do proper due diligence in ensuring that the rights of neighboring property owners are not infringed upon.

I would greatly appreciate a detailed reply from you on this matter at your earliest convenience.

Thank you,
Jan McKinnon
President, Meridien HOA.

Barlow, Aaron

From: Dustin Lipson [REDACTED]
Sent: Wednesday, July 26, 2023 5:30 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory Homes Avenues Feedback

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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We are homeowners on 11th Ave and F St. We do not support this development. The design architecture and site plan are completely inconsistent with the surrounding neighborhood. This will stand out as a blight of poorly developed property where ROI is the predominant consideration taking priority over quality residential development. We do not oppose development. We oppose poorly conceived and designed development. Please stop conceding to Ivory.

Kind Regards,
Dustin Lipson

Barlow, Aaron

From: Bill Petrick [REDACTED]
Sent: Sunday, July 30, 2023 11:01 AM
To: Barlow, Aaron
Subject: (EXTERNAL) No Ivory Capital Park Cottages

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Cau. on: This is an external email. Please be cautious when clicking links or opening attachments.

Hi Aaron,

The Avenues is already one of the most densely populated neighborhoods in Utah. We don't need another source of traffic and congestion that Ivory's Capital Park Cottages would be.

As a long time resident of the Avenues I have seen many changes. All of them associated with increased development have been detrimental to the quality of life in the Avenues. Examples are the permitting of the Monster House at 675 8th Avenue and the recent over zealous foothill bike path construction. I am an avid trail rider and I don't like the overcrowded riding and parking encouraged by the maze of trails. The 8th Ave Monster House is zoned SR-1 but has turned into a three story apartment building.

Thanks for considering my view on the subject.

Bill Petrick
[REDACTED]

Barlow, Aaron

From: Catherine Burton [REDACTED]
Sent: Sunday, July 30, 2023 1:56 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory proposal on F St

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Hello

Thank you for allowing me to voice my opinion on this project. I'm glad that this is being reopened and reconsidered again.

I've lived in the upper avenues for over 20 years. My parents have lived at Northpoint for about 15 years. My grandparents bought their house on C St and 11th Ave in 1954 and raised their family (including my Dad who walked to West High every day). This house is still in the family.

We know the avenues well and, in my opinion, any more than 10 ish homes is far too many for that area of the avenues. The traffic and pollution with Ivory's plans will make 11th Avenue difficult and dangerous to navigate especially for runners, bikers, walkers who use that street from sunup to sundown.

Ivory says it will make it a walkable community, but have you ever walked up E or F street?... it's completely unwalkable for most people. 80% of Americans would be unable to walk from F street and 12th Ave to Smiths and back.

Ivory says they will make sure every home has an option for ADUs....but the reality is those homes will be at least over a million each and those who can afford those prices will likely not have ADUs.

I beg and plead that you reverse Ivory's permit to build so many homes in this area of the avenues. In fact, I would like to see SLC put a park in that area.

The housing situation in SLC proper is not great and we need solutions, but Ivory's F street project is not the solution and Ivory's intentions are not to improve housing options for SLC proper.

Thanks for your time
Catherine Burton
[REDACTED]



Barlow, Aaron

From: Charlie Ward [REDACTED]
Sent: Wednesday, August 2, 2023 8:51 AM
To: Barlow, Aaron
Subject: (EXTERNAL) Petition Number: PLNPCM2023-00656

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Comment regarding Petition Number: PLNPCM2023-00656

Comment: the most recently submitted plan and proposed architecture of this plan is more than satisfactory to this avenues homeowner. Compared to its neighboring multi family properties (North Point, Meridian, and F street condominiums), it will add a better architectural connection and avenues community as a whole while it increases a gentle density.

Pleased with the use of architectural precedents from the neighborhood to inform the style of the buildings.

Pleased with a mix of ADUS to address affordability.

I was satisfied with the 82 off street parking from the alleyways.

Satisfied with the community access to a 1/4" mile circulation trail around the perimeter.

Overall very pleased. I don't see any valid reason to stop any further progress on what will be a welcome addition to the city.

Kind regards,

Charles Ward

16th Avenue

--



Barlow, Aaron

From: G Alex Taft [REDACTED]
Sent: Wednesday, August 2, 2023 10:56 AM
To: Barlow, Aaron
Subject: (EXTERNAL) Capital Park Cottages

Follow Up Flag: Follow up
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Categories: Ivory comments

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I am in favor of the plan. Increased density and ADUs will contribute to lower house prices and make the neighborhood more active. My experience as an urban planner and former Missoula city councilor tell me this plan is workable.

Alex Taft
[REDACTED]

Barlow, Aaron

From: Dave Alderman [REDACTED]
Sent: Thursday, August 3, 2023 8:25 AM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory Homes

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Ivory comments

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Aaron - sorry that Planning decided not to attend the Avenues Community Council meeting last night. I have some questions that I hope you'll be able to answer.

What is a Planned Development?

Why is Ivory proposing a Planned Development?

How is this different from Zoning exceptions?

What are they asking to do that they can't do with the current (new) Zoning?

These differences may be in the material, but I didn't find it when I scanned through.

Dave Alderman

Barlow, Aaron

From: Ira Hinckley [REDACTED]
Sent: Thursday, August 3, 2023 4:05 PM
To: Barlow, Aaron
Subject: (EXTERNAL) No to Ivory zoning changes at Capitol Park

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Hi,

I am opposed to allowing Ivory homes special privileges with zoning allowances at Capitol Park in the Avenues.

Because they are a large organization with political connections they believe they can bully their way into exemptions with zoning. They should be subjected to the rule of law just as everyone else.

Their cramped and crowded houses at capitol park should not be allowed, nor should their ADU's!

regards,
Ira Hinckley
resident

Barlow, Aaron

From: Larry Perkins [REDACTED]
Sent: Thursday, August 3, 2023 2:48 PM
To: Barlow, Aaron
Cc: Wharton, Chris
Subject: (EXTERNAL) PLNPCM2023-00656 675 North F Street

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Aaron:

As the Treasurer of the Capitol Park HOA and as a person who has lived in close proximity to 675 North F Street for nearly 20 years, I beg of you to Please, Please, Please honor and exercise the "Planner" portion of your own Job Title as well as of the Department of our City Government that you are part of! Because a central purpose of "Planning" is (1) to ensure that infrastructure is scaled to a certain level of use and anticipated use and then (2) to permit only the intensity of use that is compatible with what has been planned -- And Built.

Ivory's proposed project on the above mentioned parcel has not dropped out of the sky into a vacuum. Rather, one of the two "frontages" of their parcel/project is located on Capitol Park Avenue. And Capitol Park Avenue is a privately owned and privately maintained street that was purposely built for Foothill Zoning and not for high density zoning. Capitol Park Avenue (which is 30 feet wide from curb to curb) is MUCH narrower than typical Salt Lake City Streets. It was built to accommodate either a church building and its (not daily used) associated parking lot or else up to 11 residences (that was before ADU's became a prominent part of our City's evolving housing policy but even considering that change, the street would need to handle no more than 22 households at the maximum). Ivory's Project asks for MULTIPLE variances targeted to place the vehicles of over 40 households onto that narrow, private street.

However, vehicles are only one aspect of the problems Ivory seems to want to create and then walk away from. Ivory has allowed Nearly no space for guest parking associated with their 40+ households. And their 24 foot wide "double driveway" that is the sole vehicular access for all of their residential structures save one certainly provides no place to receive or store the piles of snow that will be generated by plowing that L-shaped access drive in the wintertime. IT IS AN EXTREMELY SAFE BET to say that whoever plows Ivory's private roadway will want to place their snow onto Capitol Park Drive.

I know that Salt Lake City has a housing shortage and it is fair for all City residents and neighborhoods to cooperate in addressing that issue. The Re-zoning that the City Council approved a few months ago is a Major change for our neighborhood -- and for our infrastructure. Please do not go overboard on that burden by allowing Ivory's proposed design with its Obvious Problems referenced above (wwaay more vehicles than anticipated; guest parking forced to attempt to use our private roadway; and piles of plowed snow to be argued about or sued over). Ivory's requested variances create actual on-the-ground problems for us neighbors ON TOP OF those we must accept as a result of the Newly Approved Zoning.

Thank you,
Larry Perkins
[REDACTED]

Barlow, Aaron

From: Jan McKinnon [REDACTED]
Sent: Saturday, August 5, 2023 12:20 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Proposed project at 675 N F Street

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Aaron.

As a resident of the Meridien which is across the street from Ivory's proposed development, I am writing to let you know that I oppose this ill conceived concept plan. I am hopeful the emails you receive from our neighborhood residents will be read and carefully considered.

We have never objected to the lot being developed; we just ask for responsible development. Ivory's proposed plan fails on many fronts. It is too dense for this fragile, foothills lot. Having to remove thousands of loads of dirt to accommodate their plan should be the first clue that the design isn't right for this steeply sloped lot.

I am concerned about the lack of adequate resident parking, not to mention the lack of adequate guest parking. In an area of the city that offers few amenities in terms of public transportation, walkable grocery stores, and walkable employment opportunities, every residence will need at least one car and I suspect there will be at least two cars per residence.

The design of the houses does not fit the historic nature of this neighborhood. Ninety foot deep homes, densely packed into extra small lots, isn't the way our neighborhood looks. The number of stairs required to get into the house will be a concern for any person using a walker or in a wheelchair. It doesn't look like there is accommodation for someone with these kinds of needs.

Ivory claims nearly an acre of open space. Where is it? Are the "walking paths" really just necessary sidewalks? Where is the park the city required for the rezone. That small strip of land they are also using as a drainage pond certainly does not qualify as a park, especially given that it was required for the rezone.

Ivory likes to call this development an "experiment." Why experiment on one of the last buildable lots in the Avenue? Ivory has proposed ADU's but only the owner of the residence can apply for an ADU? Will the city regulate these to make certain they don't become short term rental properties? Let me answer that for you. The city has already claimed they don't have the manpower to regulate the ADU's and are expecting the HOA to manage that. Do you realize the damage that does to a neighborhood when you have neighbors tattling on each other? It doesn't make for a very friendly HOA. Many of the owners would be first time landlords and that is a challenge.

Asking for a Planned Development to shrink lot sizes and setbacks so they can over build this lot seems like a lot to ask especially given the concerns of over 2000 of the Avenue's residents. The Planning Division should consider these objections and make sure Ivory develops this lot according to the SR-1 Zone.

We look forward to sharing some of our concerns in person.

Thank you.

Jan McKinnon
HOA President/ Meridien

Barlow, Aaron

From: j B [REDACTED]
Sent: Wednesday, August 9, 2023 10:47 AM
To: Barlow, Aaron
Subject: (EXTERNAL) Capitol Park Cottages 675 North F Street- Planned Development

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Cau. on: This is an external email. Please be cautious when clicking links or opening attachments.

Aaron,

The information regarding this project on the SLC Planners website is full of ideal messaging, lies, and propaganda. Ivory Homes said, "In fact, as we pursued our previous re-zone and master plan amendment applications, we heard from the Planning Commission and City Council members that this site needs more units." This is laughably a mischaracterization of what was actually said at by the city council. Otherwise, they wouldn't have needed to amend their proposed site plan multiple times, and then after angering nearly the entire Avenues residents, realized they just needed to change the zoning status of the parcel. The sketch on page 1 and 2 of the design principles indicates that there will be copious amounts of room for an afternoon promenade. Maybe after 17 laps on the "1/4 mile" walk on Mews Walk might do the trick! One sketch shows a wide sidewalk and a road that is able to have two lanes of traffic with a car parked on the side, while the last sketch shows no sidewalk and not room for 2 cars and the project calls it an "alley." Is the 1 acre community park amenity the total amount of leftover slivers of the parcels combined? I don't see how the math works. If it's 3.2 acre lot now, how can 1 acre be available for a community park amenity? Is 1/3 of the development going to be a community park? None of this makes sense. They can't even fit a firetruck through there, what will they do with the snow removal? On one hand they say, they will provide a "variety of architecture to blend into the surrounding neighborhood" and on the other they advertise an "eclectic architecture." Ivory Homes has been working to pull the wool over the eyes of the citizen's of the Avenues. They are clearly trying to capitalize on cutting corners, gaslighting the public, and paying off the city officials. Please do your job and enforce the same community standards on this project as you would anybody else who doesn't have the deep Church-lined pockets of advocating for them.

Jason

Barlow, Aaron

From: Tay Haines [REDACTED]
Sent: Saturday, August 12, 2023 2:40 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory Capitol Park Cottages

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Aaron Barlow, Principal Planner Salt Lake City Planning

I want to express my unhappiness with ivory Homes plan for upper F Street, where grand old trees have lived for maybe 100 years.

It's really discouraging that the City Council has approved this plan in spite of overwhelming disapproval by the community.

The homes are packed in, with shared walls and intimate proximity to each other.

The so-called green space is a narrow belt around solid structures. It is not a "park" and doesn't deserve the name. And trees?

There's very little set-back.

The homes are needlessly large. The ADU concept is being exploited.

There's the additional traffic where cars are the go-to transportation.

It's hard to see how any part of this plan conforms with best practice in city planning.

Sincerely,
Tay Haines

--
Tay Haines
[REDACTED]

Barlow, Aaron

From: Terrell Smith [REDACTED]
Sent: Sunday, August 13, 2023 2:21 PM
To: chris.warton@slcgov.com; Barlow, Aaron; Council Comments; Mayor
Subject: (EXTERNAL) 675 North F Street - Zone Change

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

We have lived in the Historic Avenues for over 55 years and we are strongly opposed to the proposed zone change for 675 North F Street. We have expressed this many times in the past since the proposed changes were first made. Peter Wright, Chairman of the Preserve Our Avenues Coalition outlined many of our neighborhood's concerns in his August Agenda Article. In addition, we would like to add that Ivory Homes builds cheap, tacky, unattractive, high density units that would compromise and denigrate the integrity of the historical homes in the Avenues. In addition, building the proposed number of additional units in the Avenues would adversely affect the property values of all real estate in the Avenues. The recent vote by the Avenue residents overwhelmingly rejected the proposed zone change for Ivory's plans but Ivory Homes continues to push their development and totally disregards our concerns. Please review the number of complaints against Ivory Homes and Fox 13's Investigation of newly constructed Ivory homes that a quick Google search reveals. There are many.

On August 2, 2023, we attended the meeting at the Sweet Library along with many fellow Avenues residents. The residents were there for the town meeting looking for the opportunity to listen to and hear Ivory Home's presentation on their proposed development. The town meeting was scheduled to discuss this project and proposed change in the zoning requirements but no one from Ivory Homes bothered to attend the meeting to discuss their own project.

Their failure to attend the meeting that was scheduled to address their requested zoning changes is telling. Not only was their failure to appear rude and demeaning to the Avenue residents who did attend; by default, Ivory Home's failure to attend their own town meeting should give the planning commission comfort in denying their request.

Sincerely,

Terrell and Tammie Smith
[REDACTED]

Barlow, Aaron

From: Ann Marie Leone [REDACTED]
Sent: Monday, August 14, 2023 7:31 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory homes F street

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

I am writing this email to express my concerns on the proposed ivory homes plan. Let's not pretend that Ivory is trying to fill a demand for housing. The units are going to sell for over a million dollar mark with rent for the ADU equally high. There is zero green space, the side, back and front yards are non existent and it's an extreme fire hazard to the neighborhood with no easy access to get out if there were a fire. When I drive around downtown there are hundreds if not thousands of units being built everywhere you look. Please don't let their greediness ruin our neighborhood. Their intent is for profit only and the avenues is not the place for their proposed development. They need to do this further south where there is a growing population and more land.

Sent from my iPhone

Barlow, Aaron

From: John Kennedy [REDACTED]
Sent: Monday, August 14, 2023 9:03 PM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris
Subject: (EXTERNAL) Ivory development at 675 N F Street, SLC

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Mr. Barlow and the Salt Lake City Planning Division and Commission:

As a neighbor living adjacent to the subject property, I am writing to object to the planned development proposal of Ivory Homes for the above address.

From my perspective, Ivory's proposal has no redeeming qualities which would justify deviation from the current SR1 zoning restrictions. I cannot see any public benefit in the Ivory proposal. It certainly does not create "an enhanced product," required by existing standards for approval of a planned development. I list here only a few of my concerns: Ivory has suggested that its plan creates "trails" and also "preserves open spaces." Sidewalks around a packed development cannot be viewed as "trails." They are just that: sidewalks. In addition, the Ivory plan for "green space" includes property which belongs to the City now along F Street and other property which the City has required as a storm-water impound area. Ivory's plan will require the removal of virtually all of the existing mature trees on the site (including hawk nesting locations). I am unaware of any other non-apartment residential parcel in the Avenues which contains a lower percentage of green space compared with that of Ivory's plan. Moreover, Ivory's claim that its planned development proposal should be approved to allow for ADUs is without any factual basis. The existing SR1 zoning would permit a homeowner to create an ADU without the proposed planned development. These very expensive "cottages" are about 90 feet long and 18-20 feet wide, with non-conforming lot sizes and set-backs, with no yards or recreation areas. Parking for guests and residents is totally inadequate, not to mention the lack of areas for capturing snow removal. This plan simply does not fit in this Avenues neighborhood.

Approval of such a plan by the Division and/or the Commission would be arbitrary, capricious, and contrary to existing law. It should be rejected.

--

John Kennedy
[REDACTED]
[REDACTED]
[REDACTED]

Barlow, Aaron

From: Mame Fitzpatrick [REDACTED]
Sent: Monday, August 14, 2023 5:56 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory homes

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Hello Aaron,

I feel as though this is a waste of time, but I am extremely OPPOSED to Ivory homes bulldozing their way into the avenues. Don't you see how crowded we are up here all ready, and now you are shoving HOW MANY, all with ADU's. No one wants this, yet you act like we have a voice!! 🙄🙄

Next you will turn 11th into a foothill drive to access Bountiful.

A silent vote NOOOOOOOOOOOOOO

Barlow, Aaron

From: MARILYN NEILSON [REDACTED]
Sent: Monday, August 14, 2023 9:11 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory development

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Mr. Barlow, We petition you to hear our pleas. Do not permit this dense and ugly development to destroy our neighborhood.

People have worked a lifetime to move into a refined neighborhood. To inject people who live in ADU's and to crowd out our open space plus endanger the Northpoint residents from fleeing the eventual fire in the canyons, is just wrong. Please stop this horrid construction that will spoil so many lives.

Marilyn Neilson

Barlow, Aaron

From: Mary Mahler [REDACTED]
Sent: Monday, August 14, 2023 12:34 PM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris
Subject: (EXTERNAL) No to Ivory Homes proposed development at 675 North F Street

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Cau. on: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Aaron Barlow and Planning Commission

I oppose the proposed development by Ivory Homes at 675 North F Street because of the negative impact that I expect it will have on me and my neighborhood. I live on F Street, some blocks south of the proposed development. Because this development will have many dwelling units and only two traffic outlets, one of which is on F Street, I expect much more traffic up and down this street. F street is not a through street and has many stop signs to which many drivers already respond by just giving a quick tap on the brakes, then speeding through. This results in accidents and near misses in the intersections and difficulty backing out of driveways. I will attend the meeting tonight at Sweet Library and might write again regarding neighborhood impacts based on what I learn there.

Sincerely,

Mary E Mahler
[REDACTED]

Sent from my iPad

Barlow, Aaron

From: Sally Brunken [REDACTED]
Sent: Monday, August 14, 2023 8:00 AM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory Homes

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Sir:

This note is to register my vote against Ivory home jamming homes into the avenue making it dangerous to have so many on inadequate streets and I believe causing many accidents. It does not really fit into the area and will cause "North Point" residents a major problem. I vote NO on this project.

Johanna Brunken
[REDACTED]

April 15, 2023

Mr. Aaron Barlow
Salt Lake City Planning Division
PO Box 145480
Salt Lake City, Utah 84114-5480

Sent by e-mail: aaron.barlow@slcgov.com

e-mail copies sent to: mayor@slcgov.com; poazcoalition@gmail.com; chris.wharton@slcgov.com

RE: Ivory Homes Proposed Development at 675 North F Street

Dear Mr. Barlow,

I am a resident of the Avenues section of Salt Lake City. By this e-mail, I am voicing my opposition to the Ivory Homes Proposed Planned Development. I am opposed to their proposal for myriad reasons; however I will elaborate only a few of the most important reasons explaining why I am in opposition.

The Ivory proposal is not compatible with the established development in the Avenues. The houses proposed by Ivory are at least twice the size of most houses in the SR-1 zone of the Avenues and packed far more closely together.

Ivory's plan includes insufficient parking. They have provided only four guest parking spaces for 42 residences. Ivory proposes to build 21 large, 90 feet long homes against the grain of the hillside. Their plans do not adequately address snow in the winter. This is a strongly sloped foothills lot.

A planned development allows a relaxation of zone requirements in exchange for one or more of a set of prescribed public benefits. Ivory's proposed development provides no public benefit. Furthermore Ivory's proposal does not meet the criteria for a planned development: A planned development is required to produce an "enhanced product". Ivory's proposal radically reduces setbacks and increases building coverage to allow for oversized homes.

Sincerely,

Jack Dolcourt



Barlow, Aaron

From: Jack Dolcourt [REDACTED]
Sent: Tuesday, August 15, 2023 2:11 PM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris
Subject: (EXTERNAL) Ivory Homes Proposed Development at 675 North F Street
Attachments: Ivory Re-zone.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

April 15, 2023

Mr. Aaron Barlow
Salt Lake City Planning Division
PO Box 145480
Salt Lake City, Utah 84114-5480

Sent by e-mail: aaron.barlow@slcgov.com
e-mail copies sent to: mayor@slcgov.com; poazcoali_on@gmail.com; chris.wharton@slcgov.com

RE: Ivory Homes Proposed Development at 675 North F Street

Dear Mr. Barlow,

I am a resident of the Avenues section of Salt Lake City. By this e-mail, I am voicing my opposition to the Ivory Homes Proposed Planned Development. I am opposed to their proposal for myriad reasons; however I will elaborate only a few of the most import reasons explaining why I am in opposition.

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Sincerely,

Jack Dolcourt



Barlow, Aaron

From: JAMES W OGILVIE [REDACTED]
Sent: Tuesday, August 15, 2023 9:44 AM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory homes development

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Mr. Barlow,

Home availability in Utah is at a critical junction. Environmentally damaging urban sprawl requiring more road and auto travel has been our only solution. Please allow more homes to be built in close proximity to employment, shopping and entertainment centers in SLC. Do not let the NIMBY mentality to prevail. Permitting higher density housing is crucial to addressing the living-space problems Utah is facing.

Will Ogilvie, a City Creek resident
Sent from [Mail](#) for Windows

Barlow, Aaron

From: Joseph Cook [REDACTED]
Sent: Tuesday, August 15, 2023 9:16 AM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris; poazcoalition@gmail.com
Subject: (EXTERNAL) Opposition to Ivory Homes Proposed Development at 675 North F Street

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

To: Aaron Barlow Salt lake City Planning Devision
From: Jospheh V. Cook, MD a long-time resident of Northpoint Estates
Subject: Ivory Homes proposed development at 675 North F Street
Date: August 15,2023

Dear Aaron Barlow,

I am a long-time resident of Northpoint Estates in Salt Lake City. I have previously attended multiple meetings concerning Ivory Homes and their proposed development. I have also expressed concern at several public meetings regarding this development.

It is amazing to me that the city continues to ignore the will of the people who live on the Salt Lake City avenues despite their overwhelming opposition to this project. It also feels to me like Ivory Homes has engaged in a "bait-and-switch" operation with this latest proposal.

My main concern has consistently been about safety. F street near the Northpoint gate is a steep grade and can be particularly difficult in the winter. It is the only egress from Northpoint. The new proposal by Ivory includes approximately 84 cars with 21 units and 21 ADU's. Capital Park is a private road and parking will not be allowed along the side street. Clearly there will be congestion with excessive parking along F street below the Northpoint gate. The road that bisects the new development and enters F street is only a short distance below the Northpoint gate. If the proposal becomes a reality F street will become very narrow and there will be poor visibility. In addition to the car traffic there are frequent service calls with larger vehicles. During the winter months this will be particularly hazardous. If there is ever an emergency that requires quick evacuation there will be a problem as multiple cars will be trying to exit the Northpoint gate and the Ivory project at the same time. I think for safety reasons the project is ill advised.

It is hard to see how the new Ivory proposal provides any public benefit. What they characterize as trails are simply sidewalks and would not constitute a pleasant walk because of being so close to imposing structures.

There are numerous other issues including the fact that Ivory's proposal does not meet the criteria for a planned development and the proposed development will be far from affordable.

My wife and I have loved living on the avenues and Northpoint has been all that we hoped it would be. There are some disadvantages such as the fact that our community is charged exorbitant water rates by the city much more than what we would be charged if we had individual metered homes. We do not have garbage services but are required to provide

our own. We are required to repair our own roads using community funds. On the other hand, we are fully taxed for our property as if we enjoyed these expensive services.

It feels to me like the residents of the avenues area are about to be the victims of an experiment on the part of Ivory Homes and Salt Lake City which will be advantageous to Ivory Homes from a financial standpoint, but a detriment to the residents of the city.

Thank you for considering my concerns.

Barlow, Aaron

From: Julie and Rich Sanders [REDACTED]
Sent: Tuesday, August 15, 2023 3:29 PM
To: Barlow, Aaron; Mayor; Wharton, Chris; poazcoalition@gmail.com
Cc: Julie Sanders
Subject: (EXTERNAL) Ivory Homes proposed Development at 675 N. F Street

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Cau. on: This is an external email. Please be cautious when clicking links or opening attachments.

To Whom it May Concern.

I live in SLC on Tomahawk Drive. I have lived in my home for over 15 years and have seen many changes in SLC during this period of time. Some changes are good and some are not so good. I strongly feel that the addition of the Ivory Homes Development falls into the not so good change for the following reasons.

1. The area is not large enough to accommodate the number of proposed homes especially with ADUs. They will be crammed together. What about parking? snow removal? can fire trucks get in the proposed streets?
2. The proposed walking trails are a joke.
3. Our current roads can barely handle the car, bike, walking and scooter traffic now. What will happen with an influx of people? I can't speak about water and sewer...
4. These will be expensive homes. That is NOT what is needed in SLC. We need moderately priced homes for families. Families are needed to support the public schools.
5. There is no benefit to the community from this project except for the income that taxes will provide.
6. Living on Tomahawk, I am well aware of fire danger. This proposed development would add to that fear.

SLC is known for the Avenues. The houses are different. They have character. This proposed development does not fit in. By allowing this you are slowly ruining one of the best areas of this city.

Thank you for your time and consideration,

Julie Sanders

Barlow, Aaron

From: Kevin Murphy [REDACTED]
Sent: Tuesday, August 15, 2023 6:30 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory Homes proposed development in the Upper Avenues

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

I was recently at a neighborhood meeting to review the new planned development, and was disappointed with the "planned development". The long narrow houses, little or no setbacks, and absolutely no public benefit. The "trails" are just sidewalks in the development. Parking will be a major issue, and why do you need a whole subdivision of ADU's? Where will these ADU residents park?

Why don't they build a nice townhouse community that could be compatible with the established development already in the Avenues. This plan does not make sense to me.

Kevin Murphy
[REDACTED]

Barlow, Aaron

From: Pamela King [REDACTED]
Sent: Tuesday, August 15, 2023 10:59 AM
To: Barlow, Aaron
Subject: (EXTERNAL) Please listen and reconsider

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Hello Mr Barlow:

I originally moved to Salt Lake City just over two years ago, in order to avoid the trauma of politics.

My husband and I were living in Washington DC before we moved to Utah in June 2021. Our boarded up condo was situated between the White House and the Capitol during the insurrection of January 6. We fled!

As a homeowner and senior citizen of the avenues, this Ivory Home plan is literally the only thing that directly affects my life enough to force me out of political mothballs.

I attended the Ivory meeting at Sweet Library which was not attended by either Ivory or the city council. After having written four letters in vain to the City Council and the planning commission, I think the media needs to get involved in this. The city claims they want public involvement but it seems to be a ruse.

I've walked past the small innocent site on F many times, past the lovely hundred year old trees, wondering about the greed that would place dense condos there and necessitate traffic lights on our quiet streets.

Last year, voted to approve a billion dollar park bond, part of which might have been used to protect that green land as a neighborhood park in perpetuity.

Make no mistake—These Ivory builders are not doing gooders and philanthropists. These condos will help no one except greedy developers.

I live on 11th and H. No one I know in the avenues is in favor of it, yet Ivory goes forward approved by city planners. Perhaps there is some behind-the-scenes shenanigans afoot like in the old movie Chinatown? I took note that one of the Council members (the female who had to resign in disgrace due to her DUI) was in favor of this travesty. I try not to know more because I don't want to poison my life.

Eventually bad deeds are found out and become notorious scandals.

Incredibly, despite neighborhood protest, the project is not only commencing, but increasing in scale! How can this be?

I have lived in high density areas, both Seoul, South Korea, and Washington, DC. I was a cultural geography major in college and understand high density areas and the need for compromise!

Salt Lake City is not a high density area.

In fact, a quick drive down State Street will show a serious downtown blight zone in need of renewal

Developers ought to change their focus from tiny plots of land in the avenues to urban renewal in areas where it could actually benefit our dilapidated city.

Care is needed going forward in this small city! Graffiti is beginning to pop up on our traffic signs. Take heed! Take it from me, I have seen homelessness transform to tents to cloth lines attached to trees go up unheeded popping up everywhere in the name of political correctness. If we aren't mindful, tents and graffiti and drugs and homelessness will take over Salt Lake City too. A quick walk down almost any street will confirm problems are already noticeable and running rampant. Encourage development in these areas!

This morning, I reviewed an article from 2022 in “Deseret news. Ivory lobbied Romney in Washington DC, claiming density housing is some sort of an angelic panacea, a heroic gesture for the downtrodden, his intent upon equal opportunity.

Please don’t kid yourself. These condos, if they are actually built, will be out of the range financially for any but the wealthy.

The avenues are unique and wonderful neighborhood — historic— and should be protected. Homeowner’s opinion should be respected. The city council should be ashamed.

I wish everyone could have the quality of life that we can have here in the avenues. Unfortunately, that’s not possible, but it is possible to build better housing in already boarded up and neglected areas.

Think of our future.
Think again!

Pamela King



Barlow, Aaron

From: Tyler Jack [REDACTED]
Sent: Monday, August 14, 2023 10:47 AM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris; poazcoalition@gmail.com.
Subject: (EXTERNAL) Against the Ivory development in the Aves!

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Not Compatible with Established Development in the Avenues The houses proposed by Ivory are at least twice the size of most houses in the SR-1 zone of the Avenues and packed far more closely together: 10 feet between large, 90 foot long buildings.

No Public Benefit: A Planned Development allows a relaxation of zone requirements in exchange for one or more of a set of prescribed public benefits. Ivory's proposed development provides no public benefit.

Ivory's Proposal Does Not Meet the Criteria for a Planned Development: A Planned Development is required to produce an "enhanced product". Ivory's proposal is not an enhanced product.

- Ivory claims that a Planned Development is required to add ADUs. This is not correct. The City law allows ADUs for any qualifying home.
- Ivory also claims they are "preserving open spaces" and "creating trails". These claims are also both untrue. Sidewalks, which are needed regardless, do not constitute a trail and most of the open space they claim to be preserving was mandated by the city for a public-access park as a condition of the rezone.

Ivory should build something closer to the SR-1 zone granted by the City Council. Approval of this Planned Development would make a mockery of the Planned Development process.

Not Affordable: There is nothing affordable about Ivory's proposed development. Their large houses will sell in the millions and the ADUs will rent at high Avenues market rates.

Unreasonable: Neighbors who live adjacent to this proposed development purchased their homes

with the understanding new buildings would comply with FR-3. Times change. We recognize more housing is needed. Neighbors understand that the City has rezoned this to SR-1, but the Planned Development takes this way beyond what neighbors feel is reasonable.

Accessory Dwelling Units (ADUs). These are permitted by the City, but have to date only been created one at a time by individual owner occupants. Ivory is proposing to build an entire subdivision where every unit (21) has an ADU. This will add enormously to the number of vehicles, plus there is concern these units may become disruptive short-term rentals.

An Experiment: Ivory describes the creation of a subdivision of ADUs as an “experiment -- the first of its kind in Utah”. Is this really the right location for such an experiment? A site that only borders one public road. Maybe it makes sense in a walkable part of the city, but not here.

Soil Removal: This is a highly sloped foothills lot. Ivory proposes to build 21 large, 90 feet long homes against the grain of the hillside. How many thousands of truckloads of soil will be trucked out through our steep and narrow Avenues streets so Ivory can overbuild this lot?

Setbacks and Building Coverage: Ivory’s proposal radically reduces setbacks and increases building coverage to allow oversized homes on shrunken lots. It is the Planned Development that would allow Ivory to ignore the rules of the SR-1 zone. They want to cut one front yard setback (lot 10) from the required 20 feet to approximately 2 feet!

No Yards: Houses with no yards are less likely to attract families with young children and will not support enrollment in the Ensign school.

Parking: Ivory has provided insufficient parking. They have provided only four guest parking spaces for 42 residences. They have provided nowhere to store plowed snow in the winter. We have estimated that around 40 cars from this development will park on neighboring streets, principally F Street and 13th Avenue.

Parking on Capitol Park Avenue: Ivory fronts 9 homes onto Capitol Park Avenue, a private street posted as No Parking. Ivory residents and guests will nonetheless park there illegally, causing disputes and friction between neighbors.

Fire: Ivory’s development, Capitol Park and Northpoint sit in an area designated as at high risk of wildfire. There is concern that F Street would become a choke point in the event of a wildfire.



Tyler Jack

Manager - NMLS 132155

[REDACTED]

[REDACTED]



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Barlow, Aaron

From: Cindy van Klaveren [REDACTED]
Sent: Wednesday, August 16, 2023 5:56 PM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris; Alan Hayes
Subject: (EXTERNAL) Re Ivory Project on 675 N F Street

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

To Whom It May Concern,

Last evening, Ensign Elementary received a special award to recognize the largest educational growth in SLC School District for 2022-2023, among non-Title 1 schools. This honor underscores the excellent quality of education in our neighborhood school. Isn't it a shame that Ivory's current plan will not attract families with children as the design has no open space nor back or side yards? This development could have drawn a dozen or so such families who might have benefited from the excellent neighborhood school. Ensign would have welcomed those children with open arms. This is indeed an opportunity lost.

Cindy van Klaveren, Retired Teacher, Salt Lake City School District

Cynthia van Klaveren, M.Ed.
Adjunct Instructor, ESL
Salt Lake Community College
[REDACTED]

Barlow, Aaron

From: Julie Campbell [REDACTED]
Sent: Wednesday, August 16, 2023 10:19 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory home development

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Cau. on: This is an external email. Please be cautious when clicking links or opening attachments.

My name is Julie Campbell
[REDACTED]

I very much oppose the development on F St.

No more traffic to n our area !

School zone in area ,
Among so many other negative scenarios involved .
Signed

Julie Campbell
[REDACTED]

Sent from my iPhone

Barlow, Aaron

From: Allison Fernley [REDACTED]
Sent: Thursday, August 17, 2023 1:12 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory Homes

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

To Whom it may concern:

With respect to: Ivory Homes Proposed Development at 675 North F Street

Please see below my concerns about the Ivory Home proposal development:

Not Compatible with Established Development in the Avenues The houses proposed by Ivory are at least twice the size of most houses in the SR-1 zone of the Avenues and packed far more closely together: 10 feet between large, 90 foot long buildings.

No Public Benefit: A Planned Development allows a relaxation of zone requirements in exchange for one or more of a set of prescribed public benefits. Ivory's proposed development provides no public benefit.

Ivory's Proposal Does Not Meet the Criteria for a Planned Development: A Planned Development is required to produce an "enhanced product". Ivory's proposal is not an enhanced product.

- Ivory claims that a Planned Development is required to add ADUs. This is not correct. The City law allows ADUs for any qualifying home.
- Ivory also claims they are "preserving open spaces" and "creating trails". These claims are also both untrue. Sidewalks, which are needed regardless, do not constitute a trail and most of the open space they claim to be preserving was mandated by the city for a public-access park as a condition of the rezone.

Ivory should build something closer to the SR-1 zone granted by the City Council. Approval of this Planned Development would make a mockery of the Planned Development process.

Not Affordable: There is nothing affordable about Ivory's proposed development. Their large houses will sell in the millions and the ADUs will rent at high Avenues market rates.

Unreasonable: Neighbors who live adjacent to this proposed development purchased their homes with the understanding new buildings would comply with FR-3. Times change. We recognize more housing is needed. Neighbors understand that the City has rezoned this to SR-1, but the Planned Development takes this way beyond what neighbors feel is reasonable.

Accessory Dwelling Units (ADUs). These are permitted by the City, but have to date only been created one at a time by individual owner occupants. Ivory is proposing to build an entire subdivision where every unit (21) has an ADU. This will add enormously to the number of vehicles, plus there is concern these units may become disruptive short-term rentals.

An Experiment: Ivory describes the creation of a subdivision of ADUs as an “experiment -- the first of its kind in Utah”. Is this really the right location for such an experiment? A site that only borders one public road. Maybe it makes sense in a walkable part of the city, but not here.

Soil Removal: This is a highly sloped foothills lot. Ivory proposes to build 21 large, 90 feet long homes against the grain of the hillside. How many thousands of truckloads of soil will be trucked out through our steep and narrow Avenues streets so Ivory can overbuild this lot?

Setbacks and Building Coverage: Ivory’s proposal radically reduces setbacks and increases building coverage to allow oversized homes on shrunken lots. It is the Planned Development that would allow Ivory to ignore the rules of the SR-1 zone. They want to cut one front yard setback (lot 10) from the required 20 feet to approximately 2 feet

No Yards: Houses with no yards are less likely to attract families with young children and will not support enrollment in the Ensign school.

Parking: Ivory has provided insufficient parking. They have provided only four guest parking spaces for 42 residences. They have provided nowhere to store plowed snow in the winter. We have estimated that around 40 cars from this development will park on neighboring streets, principally F Street and 13th Avenue.

Parking on Capitol Park Avenue: Ivory fronts 9 homes onto Capitol Park Avenue, a private street posted as No Parking. Ivory residents and guests will nonetheless park there illegally, causing disputes and friction between neighbors.

Fire: Ivory’s development, Capitol Park and Northpoint sit in an area designated as at high risk of wildfire. There is concern that F Street would become a choke point in the event of a wildfire.

Thank you for your consideration,

Allison Fernley

Barlow, Aaron

From: Jan McKinnon [REDACTED]
Sent: Thursday, August 17, 2023 11:03 AM
To: Barlow, Aaron; Mayor; Wharton, Chris
Subject: (EXTERNAL) Ivory's Planned Development/Parking!

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Aaron

This is my second email to you regarding the Planned Development by Ivory Homes. I have grave concerns about the design and especially with what looks like nine homes facing Capitol Park Avenue. As you may not know, Capitol Park Avenue is a private road owned by the HOA's of the Meridian and Capitol Park Avenue. We pay to have the road maintained but also have always prohibited parking on the road. With the front door of these nine residences facing Capitol Park Avenue, I suspect the owners are going to try and park on a road posted as "No Parking" and they will be ticketed or towed.

There are a number of reasons why cars are not allowed to park on Capitol Park Avenue. The main reason being is that it isn't as wide as a normal city street and cars parked on the road inhibit travel of cars driving through the neighborhood and would also create difficulty for emergency vehicles responding to an emergency. Parked cars on the road during the winter would make it impossible for our snow plows to clear the snow from the streets.

Capitol Park Avenue HOA members were required to provide at least three enclosed parking spaces when the house was built. In addition, they have double wide driveways that are deep enough to accommodate several guest cars if needed. The Meridien has underground resident parking and two large guest parking lots above ground.

The lack of parking in the Ivory Homes Development in general is a concern. The overflow parking will flow to F Street and 13th Street. In the winter F Street is treacherous and if cars are parked on both sides of the road, it is inevitable that there will be many cars that slide into the parked cars. It's happened before with a few cars parked on the street but you add 5-10 more cars and it would be much worse.

This is an easy problem to solve. Require Ivory Homes to build a development using the SR-1 Zone they were awarded by the City Council. Ivory Homes still makes money, homes with yards provide housing for families keeping our Ensign elementary school populated, the development under these standards would fit in with the surrounding neighborhood, and a beautiful foothills lot would be creatively developed. Right now it looks like Ivory is trying to retrofit an existing plan onto this steeply, sloped lot. It just won't work.

Everyone wins if Ivory is held to the SR-1 Zone.

Thank you. Jan McKinnon

Barlow, Aaron

From: Judy Rose [REDACTED]
Sent: Thursday, August 17, 2023 10:03 AM
To: Barlow, Aaron; Mayor; Wharton, Chris; poazcoalition@gmail.com
Subject: (EXTERNAL) Ivory Homes Proposed Development at 675 North F Street

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

To Whom it may concern:

With respect to: Ivory Homes Proposed Development at 675 North F Street

Please see below my concerns about the Ivory Home proposal development:

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- Ivory claims that a Planned Development is required to add ADUs. This is not correct. The City law allows ADUs for any qualifying home.
- Ivory also claims they are "preserving open spaces" and "creating trails". These claims are also both untrue. Sidewalks, which are needed regardless, do not constitute a trail and most of the open space they claim to be preserving was mandated by the city for a public-access park as a condition of the rezone.

Ivory should build something closer to the SR-1 zone granted by the City Council. Approval of this Planned Development would make a mockery of the Planned Development process.

Not Affordable: There is nothing affordable about Ivory's proposed development. Their large houses will sell in the millions and the ADUs will rent at high Avenues market rates.

Unreasonable: Neighbors who live adjacent to this proposed development purchased their homes with the understanding new buildings would comply with FR-3. Times change. We recognize more housing is needed. Neighbors understand that the City has rezoned this to SR-1, but the Planned Development takes this way beyond what neighbors feel is reasonable.

Accessory Dwelling Units (ADUs). These are permitted by the City, but have to date only been created one at a time by individual owner occupants. Ivory is proposing to build an entire subdivision where every unit (21) has an ADU. This will add enormously to the number of vehicles, plus there is concern these units may become disruptive short-term rentals.

An Experiment: Ivory describes the creation of a subdivision of ADUs as an “experiment -- the first of its kind in Utah”. Is this really the right location for such an experiment? A site that only borders one public road. Maybe it makes sense in a walkable part of the city, but not here.

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Fire: Ivory’s development, Capitol Park and Northpoint sit in an area designated as at high risk of wildfire. There is concern that F Street would become a choke point in the event of a wildfire.

Thank you for your consideration,

Judy Rose

Barlow, Aaron

From: Tom King [REDACTED]
Sent: Thursday, August 17, 2023 9:58 AM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory Homes Avenues Project

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Mr. Barlow,

I am once again communicating my opposition to the proposed Ivory Homes project in the Avenues. The idea of a government of the people, by the people, and for the people seems naive given the overwhelming opposition to the project by citizens and the continued support by city officials. I can only speculate why that is. It certainly undermines my trust of these officials.

There is absolutely no good reason to approve this project, and many good reasons not to, such as parking issues, fire safety issues, traffic issues past an elementary school, and historic preservation issues.

I would certainly hope your Commission would reconsider its approval and do the sensible thing and cancel it.

Tom King

Barlow, Aaron

From: Frasiercore Frasiercore [REDACTED]
Sent: Friday, August 18, 2023 11:27 AM
To: Barlow, Aaron
Subject: (EXTERNAL) Support of Ivory Development

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Good Morning Aaron,

I am writing in support of the project proposed by Ivory in the upper avenues. My personal feeling is that this project doesn't go far enough to add density to this part of the city. Homeownership continues to be unobtainable for many people and owners who bought their house for Pennie's are now trying to prevent "others" from living in their part of the city. Ivory has the right to develop a certain number of houses on the lot. Their proposal is the best possible option given the circumstances.

Sent from my iPhone

Barlow, Aaron

From: Teresa Musci [REDACTED]
Sent: Friday, August 18, 2023 1:18 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory Homes Capitol Park Cottages

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Mr. Aaron Barlow,

I am writing about my concerns of the Ivory Home development in the Avenues at F street and 13 Avenue. The Development petition from Ivory Homes, is requesting approval for a development that would require modifications to the regulations for a new development within the SR-1 zoning district. I do not believe these modifications should be approved.

As a resident of the Avenues for 30years, I have seen many changes in the Avenues. However, all these changes overall have not changed the look or feel of the historic Avenues neighborhood. The request to cram in 21 oversize houses and possibly 42 residents with ADUs onto shrunken lots, so Ivory Homes could make more money, is absurd. There are many problems with the **SPECIAL MODIFICATIONS** that Ivory homes is asking for in this small plot of land and are as follows.

- 1) Houses will be built 2X the normal for the SR zone. Nowhere in the avenues are there more than 15 houses being built in this area size. The normal number of houses is 9 to 12 lots for such a similar area.
- 2) Setbacks from the front and back of the lots will be as small as 2 feet to the street and sidewalks. There are side yards so small that do not comply with the SR zoning. Houses will be on top of each other.
- 3) There is no space for green space, i.e. a yard.
- 4) The area will be overly crowded with not enough parking spots. This is further exasperated by a no parking zone in front of 10 houses on the private Capital Park Avenue.
- 5) If there are ADUs, and that is a big IF, where will they park?
- 6) A 24-foot-wide road is a nightmare for the residents, deliveries, and waste collection/snow removal.
- 7) There is no place to put the snow during the winter and the upper Avenues gets a lot of snow.

8) Retaining walls are ridiculously high from 7 to 17 feet tall, due to the terrain of this area and for privacy. The amount of retaining walls to build these houses is ridiculous. These are totally unsafe for the residents, especially during earthquakes, or fires.

9) With the upsurge of potential wildfires in the upper Avenues as per the Salt Lake Fire Department, this proposal of a high density of houses and limited escape routes due to high retaining walls and narrow streets is a safety nightmare for the residents and public service employees such as firemen, paramedics, and police.

This is not an altruistic move by Ivory Homes to provide more housing, it is for IVORY Homes to **make more money**. Higher density of buildings than the normal Avenues character is a terrible idea. Once again, I do **not** support a change within the SR-1 zoning district at F street and 13 Avenue. I request that the Ivory Homes petition for special modifications **be denied**.

Teresa Musci

Barlow, Aaron

From: Tracy [REDACTED]
Sent: Friday, August 18, 2023 1:42 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Re: Ivory Homes Open House for Capitol Park Cottages

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Thank you. I am going to attend. I oppose this rezone and this development.

Sent from my iPhone

On Aug 18, 2023, at 12:15 PM, Barlow, Aaron <Aaron.Barlow@slcgov.com> wrote:

Good Afternoon,

You are receiving this email because you had previously expressed interest in receiving updates regarding Ivory Homes' Capitol Park Cottages development in Salt Lake City. I am forwarding you information regarding an upcoming open house that Ivory Homes will be hosting an informational open house about the project at the Corrine & Jack Sweet Library (455 F St, Salt Lake City, UT 84103) on Wednesday, August 23, 2023, from 6:30 pm to 7:30 pm. This event is not hosted by the city, but Planning staff will be available to answer questions.

Planning staff is reviewing the proposal to ensure that it complies with all relevant zoning regulations and Planned Development Standards. At this time, a public hearing with the Planning Commission has not yet been scheduled. I will send you an email with meeting information once a date has been set.

Sincerely,

<image001.png>

AARON BARLOW, AICP | *(He/Him/His)*
Principal Planner
PLANNING DIVISION | SALT LAKE CITY CORPORATION
Office: 801-535-6182
Cell: 801-872-8389
Email: aaron.barlow@slcgov.com
SLC.GOV/PLANNING WWW.SLC.GOV

Disclaimer: The Planning Division strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Division. Those relying on verbal input or preliminary written feedback do so at their own risk and do not vest any property with development rights.

Barlow, Aaron

From: Gary Crittenden [REDACTED]
Sent: Saturday, August 19, 2023 11:00 AM
To: Barlow, Aaron
Cc: Mayor; chris.warton@slcgov.com; poazcoalition@gmail.com
Subject: (EXTERNAL) Ivory Homes Proposed Development at 675 North F Street

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Cau. on: This is an external email. Please be cautious when clicking links or opening attachments.

Aaron,

Sadly, what we were concerned with Ivory's proposal to re-zone the 675 North F Street has happened. As predicted, they are now asking that the re-zoning be taken a step further to enhance the profitability of the development to the further detriment of our neighborhood.

The two most important things that concern me about their over-reaching proposal are:

1. There is simply not enough parking. Houses that front on Capitol Park Avenue will undoubtedly park in front of their homes on a private street that is a no parking zone. This will cause substantial friction between those homeowners and the existing neighbors. There are more "household" units here than spaces.
2. Building long, skinny homes in a north south direction against the grain of the hillside will open channels for rain overflow from the properties above directly onto Capitol Park Avenue and the parking lots/underground parking below at the Meridien. The dramatic difference in height between the Ivory development and Northpointe still remains from their last proposal. The rainstorms of this Spring and Summer have demonstrated how significant the overflow can be. Who will cover the cost of the flooding at the properties below?

What puzzles me the most is what possible benefit is derived from a planned unit development on this property — that is required for approval of a PUD. This is not low income housing. The imposition and cost it will impose on the neighborhood is clear. What possible rationale is there to approve this PUD other than increasing the profit for Ivory Homes on the development?

Gary Crittenden
[REDACTED]

Sent from my iPad

Barlow, Aaron

From: David Garcia [REDACTED]
Sent: Sunday, August 20, 2023 12:10 PM
To: Barlow, Aaron; Mayor; Wharton, Chris; poazcoalition@gmail.com
Subject: (EXTERNAL) 675 N F-Street

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

A Proposal: Increase Downtown Housing Density: Turn the City-County Building grounds into a sanctioned camping site for the homeless. BAD IDEA.

Regarding **the 675 N F-Street Development** proposed by Ivory Homes: A project that more than doubles the density of prevailing regulations allowables. BAD IDEA.

Bad ideas often share the capacity to overlook the obvious.

The various 20th century Zoning regulations for the Avenues (including F-Street) contributed toward the sense of community in the Avenues. That community is **fostered by space**, houses and plots not too small, not too big. Although perhaps discovered by happenstance, it's a formula that works.

A project that more than doubles the density of prevailing regulations allowables? BAD IDEA.

There was a summer 2020 poll taken by the GACC* with regard to the Ivory Homes proposal and much more importantly, the seismic changes in zoning regulations covering the Avenues. The vote was over 1,200 against the proposal, and 25 in favor.

Comment: We, the community inhabitants, **we the 97%**, do not want to allow the regulations and variances to be changed, at least not to the extent that Ivory Homes is requesting. It is a tribute to the skill and strongly financed efforts by Ivory Homes to steamroller the will of the community.

For amplification, this site is on a steep hillside, generating specific access problems. A BAD IDEA made even worse. I am against approval of the 675 N F-Street project. While a consideration, density should be balanced against the sense of space so intrinsic to the Avenues

David Garcia

*GACC =Greater Avenues Community Council, meeting monthly, a group which provides non-opinionated information to the community about issues relating to the Avenues.

Barlow, Aaron

From: Frances [REDACTED]
Sent: Monday, August 21, 2023 5:13 PM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris; poazcoalition@gmail.com
Subject: (EXTERNAL) Reference Ivory Homes Proposed Development at 675 North F street

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Ivory comments

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Rezoning 675 N F Street

Dear Aaron Barlow,

I hope you are all well.

My name is Frances Copinga, I have lived in Capitol Park for 13 years, I have lived in the avenues my en. re life.

I am writing to express my deep concerns regarding the proposed rezoning of 675 F street by Ivory Homes.

I believe both the planning committed and the city council are intentionally overlooking crucial issues surrounding the rezoning of this lot in order to make Ivory Homes more money.

Initially, numerous developers consider purchasing this property, but each developer deemed the development finically unviable under the existing zoning. However, Ivory Homes' proceed to acquire the land with the apparent intention of seeking a rezoning solely for the purpose of generating profits for their company.

It seems the city council and planning committee are closely aligned with Ivory's primary interested of making profits.

However, many of the issues below have been brushed aside by the city council and planning commission.

- 1) Incompatibility with Established Development: Ivory's proposed houses are significantly larger than the existing houses in the SR-1 zone of the Avenues. The close proximity of these large buildings with just 10 feet of separation is concerning for increased traffic, aesthetic, parking and fire.
- 2) Lack of public benefit: A planned Development typically involves concessions on zoning regulations in exchange for a specific public benefit, however, Ivory's proposal fails to provide any meaningful public benefit.
- 3) Failure to meet planned development criteria: Ivory's proposal does not align with the concept of the "enhanced product" as required for a planned development.
- 4) Affordability: The proposed development does not offer affordable housing, with homes likely to sell in the millions and the ADU's rented at high avenues rental rates.
- 5) Concerns about ADUs: The obvious lack of parking will only be exasperated by the ADUs.
- 6) Locations Suitability: The proposed "experiments of ADU's" as named by Ivory Homes of an ADU Subdivision raises concerns about the increase vehicle traffic and potential disruptions from short term rentals. In addition, this development will only border one public road.
- 7) Environmental impact: The proposal substantial soil removal and building against the natural slope of the land raise questions about the environmental impacts.
- 8) Set Backs and Building coverage: The proposed reduction in setbacks and increased building coverage compromise the integrity of the SR-1 zone regulations.

In light of these concerns, I would like you all to carefully consider the impact of this proposed development on the community and the surrounding environment.

Thank you for your consideration,

Frances Coppinga

the sender immediately by reply email and destroy the original and all copies of the email, including any attachment(s).

Barlow, Aaron

From: jeanninegregoire [REDACTED]
Sent: Monday, August 21, 2023 8:40 AM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris; poazcoalition@gmail.com
Subject: (EXTERNAL) Vote AGAINST Ivory Homes Proposed Development at 675 North F Street

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Mr. Barlow,

I am emailing you to vote AGAINST the Proposed Ivory Homes Development at 675 North F Street...for many reasons.

Stuffing 42 units into an area that might accommodate 12 is egregiously irresponsible and unacceptable. Where will the 80+ cars that go with them...park?

The Ivory proposal is filled with serious inaccuracies. That fact alone should stop further consideration.

To name a few:

1. Ivory's Proposal does not meet the criteria for a planned development.
2. It is not compatible with established development in the Avenue.
3. Ivory's proposed development provides no public benefit.
4. These are not "affordable" units.
5. There is concern that F Street could become a "choke point" in the case of a fire.

These are just a few serious concerns. There are many more that you will hear about.

Sincerely,

Jeannine Gregoire
[REDACTED]
Avenues Resident

Sent from my Verizon, Samsung Galaxy smartphone

Barlow, Aaron

From: Joan Harris [REDACTED]
Sent: Monday, August 21, 2023 12:43 PM
To: Barlow, Aaron
Cc: Wharton, Chris; Mayor; poazcoalition@gmail.com
Subject: (EXTERNAL) Ivory Homes proposed development at 675 North F St

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Hello Aaron,

I'm not in favor of this proposed development for the following reasons:

1. The intense density of these homes is totally incompatible with the development in the Avenues.
2. These homes will be affordable for very few people. These very large homes will be priced in the millions.
3. This proposed project has been unreasonably rezoned. Nearby neighbors purchased their homes with the understanding that new buildings would comply with FR3. Of course, times change, and the City has rezoned this to SR1, but neighbors feel that the Planned Development goes far beyond what is reasonable.
4. There is not enough room for the parking!

Thank you!

Joan Harris

Barlow, Aaron

From: JUDY DENCKER [REDACTED]
Sent: Monday, August 21, 2023 10:31 AM
To: Barlow, Aaron
Cc: Preserve Our Avenues Zoning Coalition; Peter Wright; Janie Mathis; Lynn Keenan
Subject: (EXTERNAL) FW: A brief compilation of reasons why Ivory should not be permitted to do the planned development they desire at 13th Ave and "F" Streets or 675 "F" Street, if you prefer.

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Mr. Barlow -

Over 2000 of Avenues taxpayers, residents and neighbors agreed to fight this matter from the get-go around 3 years ago. The basic reason to fight this nonsense is plain to see and that is, this type of dense growth does not fit in any area of the Avenues. An argument that the vote and subsequent letters and writing campaigns to our city, are no longer valid is nuts. The issue of over-the top density is still valid and plainly visible by Ivory's most recent architectural drawings and plans. Just because the developer won the zoning change issue, does not separate that valid vote from the rest of the matter.

Because Ivory succeeded in getting what they wanted, the zoning change, that does not diminish the fact that the issue remains. Ivory now with their cherished zoning change, wants to go ahead and make special changes to the new zoning in their planned development to fit their criteria, is nuts. Where is the "we want" from Ivory going to end? When is the city going to say "enough"?

Ivory knew when they bought the property what the zoning was but no, that wasn't good enough. So, they finally get what they want, and now they want to change it again and get "special treatment" that will accommodate their "experimental" vision. One way or the other, it's all about Ivory.

You cannot ignore the taxpayers and property owners in huge numbers that have expressed their feelings and expectations as to the protection of the neighborhood from such unnecessary and irresponsible over the top growth.

The disappearance of setbacks to the new zoning, and the one acre of "open space" or "green space", is ridiculous. How can Ivory consider a "trail" from 14th Ave and "F" (the northeastern most boundary of their property), running to the west to the west boundary and south to Capitol Park Ave and then back east to the city mandated drainage basin as "open/green space"? The northern most portion of the "trail" will be sandwiched in between the homes with their 5' setback from the front door of the structures, across the "trail" to the Ivory retaining wall. Doesn't sound like either "open" or "green" space to me. And others agree. Ivory also claims that the parking strip along "F" Street from Capitol Park north to the top of "F" Street, as part of their "green" or "open" space. Does this mean that the city is going to allow Ivory to convert City easement property to part of their overly dense housing to claim it as "green/open" space?

This plan just does not fit the Avenues in any manner or fashion.

There is no way that Ivory can guarantee any amount of ADU's as that decision is the purview of the homeowner, not Ivory, or any other developer to "guarantee".

The city's actions in this matter show that there is extreme prejudice in favor of Ivory getting what they want or, total ignorance of the matter. I don't think anyone in the Avenues who is closely affected by the Ivory project to believe for one second that the city will not give Ivory what it wants in their variance from their new code as to set-backs and such. The city has shown which side of the bread the butter is on by basically siding with Ivory when they at the last minute pulled out from coming to the GACC meeting on Aug. 2 when Ivory pulled out, so did any representative from the city. The only portion of this equation were the POAC(Z) folks who are still strongly vested in this matter and showed at the GACC meeting. Nice showing SLC. Way to support the taxpayers by sticking your metaphorical thumb in our eye and nuzzling up to Ivory even closer.

We see that the city has already agreed to show up at Ivory's "open house" at the Sweet Library where they will be available to talk up their wonderful plan on August 23. Isn't this just showing more favoritism on the part of the city? Sure seems like it when a few days earlier you couldn't even show for the GACC. Not good optics here, Salt Lake City.

It's about time that the city - the Planning Division, the Planning Commission and the City Council stand up for the taxpayers who pay their salaries and other compensation for their "volunteer" time serving on the Planning Commission. The people who live in the Avenues and the immediate area are owed that.

That's just the Avenues. The way the city is being run these days only invites more controversy and hard feelings. Is "fairness" too far a bridge for the city to cross on behalf of the taxpayers and neighbors who have a right to live in a peaceful and harmonious neighborhood? Ivory's plan does not come close to a peaceful neighborhood or harmonious neighborhood addition. The Avenues is not an "experiment" for Ivory or any other "developer". That is a fact!

Judy Dencker

[REDACTED]

[REDACTED]

Barlow, Aaron

From: pamellagl [REDACTED]
Sent: Monday, August 21, 2023 9:36 PM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris; poazcoalition@gmail.com
Subject: (EXTERNAL) Opposed to Ivory Home Proposed Planned Development

Follow Up Flag: Follow up
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Categories: Ivory comments

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To Whom It May Concern:

I have been a resident of the Avenues for over 50 years. The houses proposed for this development are NOT compatible with the Established Developments in the Avenues.

Ivory claims that this proposed development is "required" to add ADU's but the City law only "allows" them for qualifying homes, it is not a requirement. With the argument that each of the dwellings would have an ADU, the number of vehicles would be staggering and parking a nightmare.

Unfortunately, neighborhoods are becoming painfully aware that ADU's are becoming short term rentals and disruptive to neighborhoods.

Parking for the entire proposal is insufficient and nearby neighborhoods would bear the brunt of all the extra vehicles.

Please do NOT allow this proposed development to proceed. It is entirely incompatible with my neighborhood!! Thank you.

Pam Littig

**COMMENTS REGARDING THE APPLICATION OF IVORY DEVELOPMENT, LLC FOR PLANNED
DEVELOPMENT TREATMENT FOR A PROJECT LOCATED AT 675 F STREET**

RE: PETITION NUMBER: PLNPCM2023-00650

DATE: AUGUST 21, 2023

ATTENTION: AARON BARLOW, PRINCIPAL PLANNER

Since 2001 we have owned and occupied the home at [REDACTED] one block south of the development site. As long-term residents of the area we have had a first-hand opportunity to follow and participate in the development of the area. We have backgrounds in law, property development and property management. Our professional training and the experiences, the skills developed in course of our careers, as well as and our careful monitoring of the evolving Ivory plans for development of 675 F Street site, have informed the opinions expressed herein. We oppose granting Planned Development approval for the proposed Ivory development.

Ivory has already obtained rezoning for the site which will permit it to achieve what it claims is a “shared vision” with the Planning Commission and City Council for “more units” on the site. Having succeeded in realizing that shared vision, Ivory now seeks Planned Development treatment for the development which would create even more units than are permitted by its recently achieved zoning status.

Ivory has described its development plan as an “experiment” and a “first of its kind in Utah plan”. At the core of this experiment is a conjoining of principal residences and what Ivory falsely claims are “ADUs”. Its development plan contemplates 21 principal residences, each with an ADU. However, even under the provisions of the recently amended ADU ordinance, Ivory can’t create even one ADU and in its marketing efforts it has stressed alternate uses for spaces shown as ADUs on its drawings as possible home offices, guest suites, extra bedrooms and other uses. The experiment is really whether Ivory can successfully lure the Planning Division and the Planning Commission into granting Planned Development status for a project that is built on the fiction that Ivory is creating 21 ADUs. It is simply proposing to build large homes on small lots on the site and what happens next will depend on others.

Since the adoption of the City’s ADU ordinance, ADUs have been a housing type that gives the exclusive right to individual homeowners to create an additional housing unit on the property they own and occupy. It’s a special property right for owners, not developers or investors. Homeowners and neighborhoods have understandably been concerned since the origin of the

ADU concept that it was capable of misuse and could have an adverse impact on their neighborhoods. They have been consistently assured by public officials that “it’s one at a time...it’s not a subdivision”. But Ivory’s Planned Development proposal essentially seeks to create such a subdivision. It calls for what will be the most important decision with respect to ADUs in the history of its existence as a housing concept in Salt Lake City. It will be precedent setting and will guide future decisions by the City in all residential zones and development proposals by all residential developers.

Ironically, without Planned Development treatment Ivory can build houses that could make it easier for any future owner-occupant to create an internal rental ADU. The Planned Development treatment it is seeking simply permits it to more intensely develop the site and to escape the limitations of the SR-1 zoning regulations which govern its SR-1 neighbors.

The City needs to analyze Ivory’s plan based on what it represents, a residential development that is clearly inferior to one built in strict compliance with SR-1 zoning regulations, not one which would be enhanced by Planned Development treatment. Ivory proposes larger houses on smaller lots that are normally found in SR-1 districts. Ivory’s Planned Development Application attempts to defend this lack of compatibility with neighboring properties, but the disharmony is entirely the result of design, economic and marketing decisions it has chosen to make. Street facing facades that purport to mimic facades of older Avenues homes are only superficial props for the large, characterless nonconforming structures to which they are attached. The dense and functionally interdependent design Ivory proposes will create a long-term management nightmare for owners, occupants, and the City if its vision of 21 independent landlords attempting to manage 21 independent tenants develops. The design and site conditions of the development will not appeal to families with young children or occupants with physical limitations. The design also lacks adequate parking and ease of access. The open space and public inclusion claims made by Ivory to justify Planned Development status are simply fatuous. In short, the success of this experiment will be jeopardized by the many excesses and omissions of the design itself. If the City desires to facilitate this type of development, a failed experiment on this site will stand in the way of future development elsewhere and public acceptance of the concept.

We watched as Nick Norris delivered the 2021 ADU Annual Report. Among other things, his report dealt with the burden of required reviews by the Planning Commission of individual ADU approval requests. He addressed the value of public input on ADU approval by City officials and expressed the view that public input didn’t add anything to the process because “we know what they think.” To us it sounded as if he was saying “we don’t care what they think”. The Ivory ADU subdivision experiment is of a different magnitude, but the attitude of public officials toward public input is a concern to everyone impacted by this proposed development.

Public opinion is intended by our system of laws to benefit public policy development and administration. It shouldn’t be treated as a mere ritualistic hurdle to be cleared on the way to an inevitable project approval for a large, politically powerful developer. Please give serious

consideration to our views as well as those who, like us, have followed the evolution of Ivory's development proposal for several years and have taken the time to study and comment on it.

Lynn A. Keen

Thomas W. Keen

Barlow, Aaron

From: Charles Cannon [REDACTED]
Sent: Tuesday, August 22, 2023 8:48 AM
To: Barlow, Aaron; Mayor; Wharton, Chris; poacoalition@gmail.com
Subject: (EXTERNAL) Ivory Homes Proposed Development at 675 North F Street

Follow Up Flag: Follow up
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Categories: Ivory comments

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Dear Mr. Barlow,

I am a homeowner on 13th Avenue near the proposed development. My wife and I strongly oppose the current Ivory proposal. The scale of proposed houses on reduced lot sizes, together with the failure to comply with normal setback and coverage requirements under SR1, go far beyond a reasonable accommodation with neighborhood norms, The failure of Ivory representatives to appear at our neighborhood association meeting earlier this month is a perfect reflection of Ivory's unwillingness to listen to the concerns of neighboring homeowners and residents. The Planning Department has an opportunity to listen respectfully to those who make this neighborhood a vital and desirable place to live.

Repeated communications, surveys and petitions by hundreds of citizens have been met with limited response from the government that claims to serve us.

Please review the proposed development plan with our concerns in mind. We appreciate the pressure brought to bear on you and your staff, but urge you to require full compliance with the letter and spirit of zoning and planning requirements.

Thank you for your service,

Charles A. Cannon
[REDACTED]

Barlow, Aaron

From: Cheri Daily [REDACTED]
Sent: Tuesday, August 22, 2023 6:22 PM
To: Barlow, Aaron
Cc: poazcoalition@gmail.com; Preserve Our Avenues Zoning Coalition; Wharton, Chris; Mayor
Subject: (EXTERNAL) Ivory Home Proposed Development at 675 N F Street

Follow Up Flag: Follow up
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Categories: Ivory comments

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Cheri Daily [REDACTED]

To: Salt Lake City Planning Commission
Attn: Aaron Barlow
Re: Ivory Home Proposed Development at 675 N F Street

I am writing to express my **strong opposition** to Ivory's planned development at this site. The plans they have put forth are completely out of character with the rest of the homes in the area and twice the size of most houses in the SR-1 zone of the Avenues. The houses described are huge, packed together with no yards, tiny setbacks, and a laughable "green space" trail that appears to go between two large retaining walls at the back of the lot.

Critically, as a resident on F street, there is not remotely enough parking, with only 4 designated extra street spaces for up to 21 ADUs. F Street is narrow and very steep at this end of the street, and as it is, garbage and other service trucks have to back down the street. Adding lines of cars parked on the street because of Ivory's poor planning creates a potentially dangerous situation for emergency services.

There is no "enhanced product" in this plan to meet the criteria for a planned development. These are huge, expensive homes stuffed onto SR-1 lots with steep grades and no yards.

I ask you to please vote against Ivory's Planned Development at this site.

Cheri Daily
[REDACTED]

Barlow, Aaron

From: Julie Mackie [REDACTED]
Sent: Tuesday, August 22, 2023 3:41 PM
To: Barlow, Aaron
Cc: [REDACTED] Preserve Our Avenues Zoning Coalition
Subject: (EXTERNAL) Ivory Homes Proposed Development at 675 North F Steet

Follow Up Flag: Follow up
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Categories: Ivory comments

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Mr. Barlow,

This is not my first email to the city regarding the Ivory Homes Proposed Development Plan at 675 North F Street. My opinion has not changed nor has anyone else's in my neighborhood. This is a very flawed proposal being presented. It is not compatible with the neighborhood I live in, with single family homes, proper setbacks, sidewalks, park strip and parking! Not to mention the basic safety in a high risk area of wildfire.

How does the city make sense of this, except to satisfy the profit of Ivory Homes?

Please ask Ivory Homes to redesign their plans to produce an "enhanced product".

Thank you

Julie Mackie
[REDACTED]

Barlow, Aaron

From: THOMAS KEEN [REDACTED]
Sent: Tuesday, August 22, 2023 9:39 AM
To: Barlow, Aaron
Cc: Chris Wharton; Maria Mastakas; Peter Wright
Subject: (EXTERNAL) CAPITOL PARK COTTAGES PLANNED DEVELOPMENT APPLICATION
Attachments: aaron barlow correspondence 1.0.docx

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Categories: Ivory comments

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Enclosed is our statement of opposition to granting the the Ivory Development, LLC's 6/12/2023 application for Planned Development treatment of its development at 675 F Street. We, and many others, have provided written input on prior design iterations for this project. While the rezoning granted by City Council mooted the zoning portion of those inputs, there is much that remains pertinent to the plan review you are conducting. Because the decision reached by the Building Division as a result of your review will be precedent setting for future proposals of the sort being advanced by Ivory, your review is extremely important for all of Salt Lake City, not just our neighborhood. We urge you to review those earlier written submissions. The attached statement of opposition merely summarizes our objections, which are more fully explained in many of our prior written submissions. Thank you for the opportunity to assist in the review of this proposal.

Tom and Lynn Keen

Barlow, Aaron

From: Margo Stevens [REDACTED]
Sent: Tuesday, August 22, 2023 10:27 AM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory Homes Proposed Development

Follow Up Flag: Follow up
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Categories: Ivory comments

Cau. on: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Aaron,

I am writing to express my opposition to the Proposed Ivory Home Development at 675 North F Street. I live in the Avenues and have followed this development for some time. I was disappointed that the City decided to rezone this area to SR-1 but also recognize that there are needs for more high density housing in the City and strive to not be a “not in my backyard” reactionary. It is discouraging, to say the least, that this isn’t far enough for Ivory Homes, who now want to take it even further with this Planned Development. This appears driven by sheer greed rather than an attempt at compromise by abiding to the changed zoning they were already able to secure. I have written other letters outlining my concerns. My concerns are the same but now have the added element that Ivory Homes is pushing for even MORE high density in an area of our City where the impact would be severe.

Thank you for your time and concern,

Margo Stevens
[REDACTED]

Barlow, Aaron

From: Patrick Park [REDACTED]
Sent: Tuesday, August 22, 2023 10:57 AM
To: Barlow, Aaron
Subject: (EXTERNAL) Objection to Ivory Homes proposal for development

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Categories: Ivory comments

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Through the Avenues Coalition presentation and education, I have become aware of a new and excessive request by Ivory Homes to alter the zoning requirements for homes in the upper avenues. The presentation included a drawing of the proposed change and the back door naming of a "Planned Development" for this F street site. The proposal makes a mockery of community planning and the wise development of our beloved avenues. Ivory Homes instead of being appreciative of the recent change in zoning, now wants to wedge large million dollar homes into narrow lots with attached ADUs. There is no provision for parking for an occupied ADU and guests would have to park on an already over taxed F Street. Emergency vehicles services would be severely compromised. This proposal has many more faults which I'm sure have been addressed in others responses. Certainly the addition of this planned development would not enhance the community or our neighborhood. Thank you for using reason and integrity in your decision.

Patrick Park
[REDACTED]

Barlow, Aaron

From: Todd Jensen [REDACTED]
Sent: Tuesday, August 22, 2023 11:04 AM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris; poazcoalition@gmail.com
Subject: (EXTERNAL) Ivory's Planned Development Capitol Park

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Categories: Ivory comments

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I am against Ivory's Planned Development for several reasons. I list a couple.
Ivory's proposal does not meet the criteria for a Planned Community. This development does not produce an enhanced product.

* Ivory claims a Planned Development is required to add ADUs, not correct. The City law allows ADUs for any qualifying home.

* Ivory claims they are creating trails and preserving open spaces. Sidewalks which are needed do not constitute a trail. SR-1 zone granted by the City Council is the appropriate zone. Approval of this "Planned Development" makes a mockery of the Planned Development process.

* Fire, Ivory's Development would cause great concern as Capitol Park and Northpoint sit in an area designated as a high wildfire risk. This could cause F Street to become a choke point in the event of a fire.

Todd Jensen
[REDACTED]

Barlow, Aaron

From: William Littig [REDACTED]
Sent: Tuesday, August 22, 2023 10:00 AM
To: Barlow, Aaron
Subject: (EXTERNAL) I am writing about the poor planned development suggested by Ivory Homes. Cookie cutter cheap and out of character would be a compliment but I mean to suggest any neighborhood can do better. These valuable lots in a prime secluded location, i...

Follow Up Flag: Follow up
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Categories: Ivory comments

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Barlow, Aaron

From: Bruce Johnson [REDACTED]
Sent: Wednesday, August 23, 2023 9:25 PM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris; poazcoalition@gmail.com
Subject: (EXTERNAL) Opposition to Ivory Homes Proposed PUD development at 675 North F Street

Follow Up Flag: Follow up
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Categories: Ivory comments

Cau. on: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Mr. Barlow,

I am strenuously opposed to Ivory Homes PUD development planned for 675 North F Street. The development adds nothing to the community that cannot be achieved by the newly granted SR-1 zoning. But it will significantly impact the surrounding neighbors. These very expensive homes will have inadequate guest parking (only four in total), no yard space and no place to store snow in the winter. These burdens will be foisted upon neighbors. Of great concern is that this area is a dangerous fire zone. NorthPoint and parts of Capital Park housing area abut city creek canyon. Excessive street parking, coupled with a large increase in cars could well create a choke point at the top of F Street. Recent history has shown that inadequate escape routes can lead to tragic outcomes.

I believe that the SR-1 zoning, with no modifications, gives both the City and Ivory Homes a good outcome.

Sincerely

Bruce Johnson
[REDACTED]

A Zoning Change Increasing Wildfire Risk Would be Gross Negligence

Summary

This memo outlines reasons why, if the Planning Commission approves a change to existing zoning, and allows a proposed planned development at 675 N F Street, doing so would be gross negligence, making Salt Lake City liable if the zoning change contributes to subsequent wildfire damage.

Three wildfire safety concerns distinguish this proposed zoning change from most the other changes the Planning Division and Planning Commission are typically asked to approve. Since the Planning Division and Planning Commission know, or should know, of these wildfire safety concerns, ignoring them and nevertheless approving the proposed change in spite of them, would constitute gross negligence.

First, this property, its F Street border and neighboring Northpoint are in a Wildland-Urban interface, that area of Salt Lake City designated by the US Forestry Service as at highest wildfire risk.

Second, in the event of a wildfire, F Street, from Northpoint's entrance to its intersection with Capital Park Avenue, is the only way the Fire Department could reach Northpoint's 100 plus residents, and they could get out.

Since Ivory has provided insufficient parking within its proposed planned development for all the vehicles of the households therein and those of their guests, and since Capital Park Avenue is a private street posted as No Parking, most of the additional on-street parking by these vehicles would have to be on F Street.

Such added on-street parking on F Street from this proposed zoning change would much more often narrow F Street to only two lanes,

making it harder for and delaying the Fire Department's getting into Northpoint, and Northpoint's residents getting out.

Even more dangerously, Ivory's planned development also calls for a second intersection on Northpoint's F Street Fire access chokepoint, very near to Northpoint's entrance, with the added risks of accidents blocking that chokepoint that an additional intersection with it necessarily creates, particularly in the event of a hasty wildfire evacuation.

A more constricted fire access chokepoint from more cars parked on it, and increased risks of accidents blocking it from an additional intersection with it, will slow wildfire evacuation of Northpoint residents and access by Fire Department vehicles, increasing the risk of damage from future wildfires.

The third factor making approving this proposed zoning change gross negligence is that a written Salt Lake Fire Department Guide calls on the Planning Division and Planning Commission to instead use zoning to decrease "the risk of damage from future wildfires" in high wildfire risk areas such as this.

Just as a landlord commits gross negligence if it deliberately disregards and fails to act on facts which it knows or should know would jeopardize the fire safety of its tenants, the Planning Division and Planning Commission would commit gross negligence if they deliberately disregard facts which they know or should know would jeopardize the future wildfire safety of Northpoint residents.

If the Planning Division and Planning Commission approve a zoning change in similar disregard of facts showing that doing so would jeopardize the future wildfire safety of Northpoint residents, they would similarly be guilty of gross negligence with respect to future wildfire damages to which such zoning change contributes, making Salt Lake City liable for contributing to such damages.

1) Wildfire Risk

675 N F Street, unlike most other developments in Salt Lake City, is in a Wildland Urban Interface, that area of Salt Lake City the US Forest Service has designated as being at highest risk of wildfires.

Further, the Planning Division and Planning Commission, and if need be the Courts, must take notice of the fact that, because of climate change, wildfires have become much more frequent and much more severe.

If the Planning Division and Planning Commission disregard wildfire risk with respect to property in a high wildfire risk area, at a time when wildfires have become more frequent and severe, they would go so much beyond normal administrative discretion as to constitute gross negligence.

2) Access and Evacuation Concerns

The zoning change would create special wildfire safety concerns because, in the event of a wildfire, the portion of F Street bordering on 675 N F Street is a chokepoint that is the only way the Fire Department could reach Northpoint, a community of 100 plus residents, and that Northpoint's residents could use to get out.

Since Ivory has provided insufficient parking within its proposed planned development for all the vehicles of its households and their guests, and since Capital Park Avenue is a private street posted as No Parking, most of the additional on-street parking by these vehicles would have to be on F Street.

Additional on-street parking by cars parked along the curbs on both sides of F Street, from the households and their guests of the proposed planned development, will much more frequently narrow F Street by two lanes and much more frequently create a more severe chokepoint that, in the event of a wildfire, will slow access to Northpoint by Fire Department vehicles and slow evacuation by Northpoint residents.

Since evacuating Northpoint residents will be trying to get out at the same time firefighters will be going in the opposite direction trying to get in, the egress and access of both will be particularly impeded.

Ivory's planned development also creates a second intersection on Northpoint's F Street Fire access chokepoint, very near to Northpoint's entrance, creating risks of accidents at that intersection blocking that chokepoint, particularly in the event of a hasty wildfire evacuation.

The Planning Division and the Planning Commission must consider the fact that this property is on a fire access and evacuation chokepoint. It should also have to take notice of the fact Wildfires can travel fast, and that minutes added to firefighter access time or resident evacuation time by a more severely constricted or blocked chokepoint can make a life or death difference. As the Los Angeles Times noted on September 7, 2022: "California fires (are) killing people before they can escape their homes, making seconds count."

For Northpoint, this is not just a theoretical risk. Northpoint residents had to fight a wildfire that recently reached Northpoint's boundary with City Creek Canyon with garden hoses until the Fire Department arrived.

The Planning Division in its Report cannot blithely say that the planned development allowed by the zoning change raises no wildfire safety concerns because "any development will be required to meet...(the same) minimum requirements for fire vehicle and firefighter access...that universally apply to all developments in the City."

Unlike a development in, say, the Sugarhouse or the Ballpark districts, this development lies in a Wildland Urban Interface athwart the only fire vehicle and firefighter access route to, and resident evacuation route from, Northpoint, which the zoning change narrows and makes more constricted, potentially delaying such access and evacuation.

Applying the same criteria to this zoning change request as it would apply to a zoning change request in another part of the City not in a Wildland Urban Interface, and not athwart the only fire access and egress route, would willfully and deliberately ignore the very facts that distinguish this zoning request from other such requests, and would constitute abuse of its administrative discretion on the part of the Planning Division and Planning Commission.

Such abuse of discretion would amount to gross negligence, and open Salt Lake City to liability for damages, if the zoning change contributed to or increased damage from a future wildfire, because a more constricted Northpoint fire access chokepoint impeded fire department access and resident evacuation.

3) Fire Department Guide

The Salt Lake City Fire Department has published an explicit written Guide on the considerations to be taken into account when making zoning changes with respect to property within a Wildland Urban Interface. In its “Guide to Fire Adapted Communities,” posted on the Salt Lake Fire Department’s website, the Salt Lake Fire Department states that:

“Proactive land use planning is one of the best ways to address woodland fire concerns and to decrease the number of residents at risk of damage from future wildfires.” (Salt Lake Fire Department website, Guide to Fire Adapted Communities, pages 20-21)

The Fire Department’s Guide includes “zoning restrictions” as “a mechanism for enacting the land use and development policies” of its “proactive land use planning...to decrease the number of residents at risk of damage from future wildfires.” The Fire Department’s Guide clearly intends that zoning restrictions be used in a Wildland Urban Interface to decrease the risk of damage from future wildfires.

This Guide is also clearly directed to the Planning Division and Planning Commission, whose job it is to carry out land use planning.

Note that the Fire Department Guide does not say merely that zoning decisions should balance wildfire risk against other considerations, but rather that zoning decisions should be used proactively to actually decrease wildfire risk.

It is not enough to approve this zoning change for property in a Wildland Urban Interface merely because the Planning Division says it meets the same:

“minimum requirements for fire vehicle and firefighter access to properties...that universally apply to all developments in the City.”

The requested zoning change should not be allowed merely because it meets the same Fire Code requirements that it would have to meet if it dealt with a development on property not in a Wildland Urban Interface and not on a fire access and evacuation chokepoint, i.e, where wildfire risk is not a concern.

When a zoning change request affects property in a Wildland Urban Interface, the Fire Department Guide has imposed upon the Planning Division and the Planning Commission an additional standard: that the zoning change actually decreases the risk of damage from future wildfires.

By recommending a zoning change that would instead delay the time it would take Fire Department vehicles to reach Northpoint to fight future wildfires, and the time it would take Northpoint residents to evacuate, the Planning Division and Planning Commission would act contrary to the Fire Department’s Guide, and instead actually engage in land use planning that increases wildfire risk.

For Salt Lake City Planning Division and Planning Commission to so blatantly disregard and act contrary to the explicit written Guide of the Salt Lake City Fire Department, and treat that Guide, and the wildfire risk it was issued to protect against, as if they did not exist, rather than abiding by the standard that that Guide directs the Planning Division and Planning Commission to follow, would constitute inexcusable gross negligence.

Similarities To Triangle Shirtwaist Fire

The circumstances that would be created if this zoning change request is granted are similar to those that made the owners of the Triangle Shirtwaist Factory liable for contributing to the damages from the infamous 1911 fire in the Triangle Shirtwaist Factory. The pertinent facts about the Triangle Shirtwaist fire are summarized in the following excerpts from Wikipedia:

“The Triangle Shirtwaist Factory fire in the Greenwich Village neighborhood of Manhattan, New York City on Saturday, March 25, 1911, was the deadliest industrial disaster in the history of the city, and one of the deadliest in U. S. History. The fire caused the deaths of 196 garment workers-123 women and girls and 23 men-who died from the fire, smoke inhalation, or falling or jumping to their deaths... Because the doors to the stairwells and exits were locked-a common practice at the time to prevent workers from taking unauthorized breaks and to reduce theft-many of the workers could not escape from the burning building and jumped from the high windows...

The Triangle Waist Company factory occupied the 8th, 9th and 10th floors of the 10-story Asch Building on the northwest corner of Greene Street and Washington Place, just east of Washington Square Park, in the Greenwich Village neighborhood of New York City. Under the ownership of Max Blanck and Isaac Harris, the factory produced women’s blouses, known as “shirtwaists”...

flames prevented workers from descending the Greene Street stairway and the door to the Washington Place stairway was locked... Dozens of employees escaped the fire by going up the Green Street stairway to the roof. Other survivors were able to jam themselves into the elevators while they continued to operate. Within three minutes, the Green Street stairway became unusable in both directions.

Terrified employees crowded into the single exterior fire escape-which city officials had allowed Asch to erect instead of the required third

staircase-a flimsy and poorly anchored iron structure that may have been broken before the fire. It soon twisted and collapsed from the heat and overload, spilling about 20 victims nearly 100 feet (30 m.) to their deaths on the concrete pavement below. The remainder waited until smoke and fire overcame. The fire department arrived quickly but was unable to stop the flames, as their ladders were only long enough to reach as high as the 7th floor...

The company's owners, Max Blanck and Issac Harris-both Jewish immigrants-who survived the fire by fleeing to the building's roof when it began, were indicted on charges of first- and second-degree Manslaughter in mid-April...The prosecution charged that the owners knew the exit doors were locked at the time in question...but the defense stressed that the prosecution failed to prove the owners knew that. The jury acquitted the two men of first- and second-degree manslaughter, but they were found liable of wrongful death during a subsequent civil suit in 1913 in which plaintiffs were awarded compensation..." (Wikipedia, Triangle Shirtwaist Factory Fire)

Salt Lake City, as the owner of the portion of F Street needed by Northpoint residents as their only escape route in the event of a wildfire, determines and is responsible for how easy or difficult such escape will be, just as the owners of the Triangle Waist Company, as controlling tenants of the Asch Building, determined and were responsible for how easy or difficult it was for workers in their factory to escape from the Triangle Shirtwaist fire.

If the Planning Division and Planning Commission make Fire Department access to and resident evacuation from Northpoint more difficult, by allowing a zoning change based on their refusal to follow the Salt Lake Fire Department's Guide asking them to use zoning to decrease the risk of damage from future wildfires, they will be inexcusably grossly negligent in doing so.

Note that while the owners of the Triangle Waist Company were acquitted of criminal manslaughter, because the prosecution failed to prove the owners knew the exit doors were locked, they were found guilty of civil liability for wrongful death.

Note also that this liability did not require the owners to block all possible factory exits. The factory owners only locked the doors to one of the factory's stairwells, so some employees were still able to escape the burning factory using another stairwell, the elevators or the exterior fire escape. The factory owners were nevertheless found responsible for civil damages because their actions made escape more difficult.

Similarly, if the Planning Division and Planning Commission only make escape from, and Fire Department access to, Northpoint more difficult in the event of a wildfire, they would still be grossly negligent for doing so with full knowledge of, but in deliberate and intentional disregard of, a Guide published by the Salt Lake City Fire Department.

Just as the owners of the Triangle Waist Company were not allowed to impose additional fire safety risk on their workers by locking some doors of their factory, simply to increase those owners' profits, Salt Lake City, as the owner of F Street, should not be allowed to impose additional wildfire risk on residents of Northpoint, by narrowing and constricting their only wildfire access and egress route, simply to increase developer profits.

Governmental Immunity Will Not Protect Salt Lake City

It might be thought that a zoning change resulting from Salt Lake City's gross negligence, that contributes to subsequent wildfire damage, while morally obnoxious, would not subject Salt Lake City to any liability for such damage, because Salt Lake City, unlike the Triangle Waist Company, is protected by Governmental Immunity.

However, this is not the case.

The Governmental Immunity Act of Utah states that:

“(1) Except as otherwise provided in this chapter, each governmental entity and each employee of a governmental entity are immune from

suit for any injury that results from the exercise of a governmental function.” (63G-7-201(1))

However:

“Immunity from suit of each governmental entity is waived
Except as provided in Subsection 63G-7-201(3), as to any injury
caused by:

A defective, unsafe, or dangerous condition of any highway, road,
street, alley crosswalk, sidewalk, culvert, tunnel, bridge, viaduct,
or other structure located on them;” (63G-7-301(2)(h)(i))

Subsection 63G-7-201(3)(a)(i) provides:

“A government entity, its officers, and its employees are immune from
suit, and immunity is not waived, for any injury if the injury arises out
of or in connection with, or results from:

a latent dangerous or latent defective condition of

Any highway, road, street, alley, crosswalk, sidewalk, culvert,
tunnel, bridge, or viaduct” (63G-7-201(3)(a)(i))

Under the Governmental Act, therefore, Salt Lake City’s immunity
from suit for injuries caused by the defective, unsafe, or dangerous
condition of a street is waived, unless, in the case of a dangerous or
defective condition of the street, the defective or dangerous condition
of the street is latent, i.e., is hidden or concealed.

If Salt Lake City’s making the recommended zoning change makes
the condition of F Street as a wildfire access and evacuation route
more “dangerous,” or “defective,” Salt Lake City’s governmental
immunity would nevertheless still be waived, because the more
dangerous or defective condition of that street as a wildfire access
and evacuation route created by the zoning change would not be
latent. Such a dangerous or defective condition, since it has been
pointed out to the Planning Division and the Planning Commission,
would instead be blatant, open and notorious.

Further, while 63G-7-201(3)(a)(i) says that while governmental immunity is not waived by 63G-7-301(2)(h)(i) for a street that is in “a latent dangerous or latent defective condition,” this exception to the immunity waiver in 63G-7-301(2)(h)(i) applies only to a “latent dangerous or latent defective condition.” Immunity is still waived for liability for damage caused by an F Street that is shown to have been made merely “unsafe” as a fire access and evacuation route by a zoning change, rather than as “dangerous” or “defective.”

Salt Lake City, therefore, would not have governmental immunity from liability for wildfire damage to which a zoning change contributes, if such zoning change makes F Street dangerous, defective or unsafe with respect to its use as a wildfire access and evacuation route.

Conclusion

Salt Lake City Planning Division and Planning Commission cannot arbitrarily make a zoning change that ignores or intentionally disregards wildfire risks to property in a Wildland Urban Interface, ignores or intentionally disregards the increased wildfire risks from narrowing and constricting the only access and evacuation route from property in a Wildland Urban Interface, and ignores or intentionally disregards the wildfire protections called for in the Guide published by the Salt Lake City Fire Department.

If the Planning Division and Planning Commission make such a zoning change, it would constitute inexcusable gross negligence, and if the zoning change contributes to future wildfire damage, Salt Lake City would not be protected from liability for such damage by governmental immunity.

Donald Warmbier

[REDACTED]

Barlow, Aaron

From: Don Warmbier [REDACTED]
Sent: Wednesday, August 23, 2023 4:16 PM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris; SLCAAttorney; Sheryl@voterocky.com; Otto, Rachel; Norris, Nick; tsemerad@sltrib.com; George Pyle
Subject: (EXTERNAL) Proposed Planned Development at 675 N F Street
Attachments: A Zoning Change Increasing Wildfire Risk Would be Gross Negligence.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

I am a resident of Northpoint, a community of 50 homes in a Wildland Urban interface, an area of Salt Lake City the U.S. Forest Service has designated as at highest risk from wildfires. Northpoint has only one egress in the event of a fire which is via F Street.

Ivory Homes has already benefited from a rezone that more than doubles the number of homes. Now they are asking the Planning Division and Planning Commission to approve a planned development to include a subdivision of ADUs, where every home will have an ADU. This increase to 42 homes will bring at least 84 vehicles to this development - 4X the number of cars that would have occurred under the old zoning.

In the event of a wildfire the section of F Street from Northpoint's entrance to F Street's intersection with Capital Park Avenue is the only way for Northpoint residents to get out, and Fire Department vehicles to get in.

Ivory has provided insufficient parking for all their vehicles and many of these additional cars will park on F Street, more frequently constricting Northpoint's only egress. This will slow wildfire evacuation of Northpoint residents and access by Fire Department vehicles.

Even more dangerously, Ivory's planned development also calls for an intersection on Northpoint's F Street Fire access chokepoint, very near to Northpoint's entrance, increasing the chance of accidents that an intersection necessarily creates.

Delays in the time it takes emergency vehicles to reach Northpoint, and Northpoint residents to evacuate, from both the increased likelihood of an accident blocking its only egress on F Street, and by the more frequent constriction of that chokepoint from additional parked cars, will increase the chances Northpoint residents will die in the event of a wildfire.

(As an aside, it should be noted that, even when there is no wildfire, such additional delays will similarly impede fire and emergency vehicles trying to reach Northpoint to fight ordinary household fires and for medical emergencies.)

With respect to zoning in a Wildland Urban Interface, the Salt Lake City Fire Department has given the Planning Division and the Planning Commission a very clear specific written directive that they should use *“proactive land use planning,”* to decrease the *“risk of damage from future wildfires.”*

In this case, involving property in a Wildland Urban interface adjacent to a community’s only wildfire fire access and exit route, it is beyond dispute that as between retaining existing SR-1 zoning restrictions and approving a planned development that sets aside these restrictions, the former is what would constitute *“proactive land use planning”* to decrease the *“risk of damage from future wildfires.”*

If they are to follow the Fire Department’s directive, thereby decreasing the *“risk of damage from future wildfires,”* the Planning Division and Planning Commission must exercise *“proactive land use planning”* by retaining existing SR-1 limitations, and reject the requested planned development,

If the Planning Division nevertheless decides to recommend approval of the planned development to the Planning Commission, it must not, as it has done previously, simply ignore the Fire Department’s directive. Rather, the Planning Division should have the courage to state explicitly in its report that it is not following the Fire Department’s directive because the Planning Division believes other objectives justify imposing a greater risk of wildfire deaths on Northpoint residents, and state what those other objectives are.

Contrary to any such belief, I believe the Salt Lake Planning Division’s and the Salt Lake Planning Commission’s most important duty, which overrides all other objectives, is the same as the most important duty of all branches of Salt Lake City’s government: protecting the lives of Salt Lake City residents.

Approving a planned development that puts the lives of Northpoint residents at greater risk of dying from a future wildfire would be a dereliction of that duty, and would make the Planning Division and (if it also does so) the Planning Commission complicit in any deaths that result.

This letter also constitutes notice that, as explained in the attached memorandum, the proposed zoning change creates an unreasonable risk that it constitutes inexcusable gross negligence, for which Salt Lake City would be liable.

Donald Warmbier



Barlow, Aaron

From: Ed [REDACTED]
Sent: Wednesday, August 23, 2023 12:36 PM
To: Barlow, Aaron
Cc: Cindy Havas
Subject: (EXTERNAL) Ivory Homes F Street development proposal

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Dear Mr. Barlow,

We write again to voice concern about, and opposition to, Ivory Homes' continued efforts to develop high density housing in the vicinity of F Street and 13th Ave.

While we support affordable housing efforts and the best utilization of space and resources, we are concerned that the density proposed for that area by Ivory Homes will cause more problems than it solves. Increased traffic on small streets, parking needs in limited space, the potential to block emergency vehicle access, and a host of other concerns we won't list here but we know have been expressed by others lead us to the firm conviction that this is ill-advised and should be revisited and revised to a scale more in keeping with the neighborhood and the space involved.

Please relay our opposition to the City Council, planning and zoning division, or whomever else is considering this proposal. Thank you for considering our comments.

Ed and Cindy Havas
[REDACTED]

Barlow, Aaron

From: Jane Durcan [REDACTED]
Sent: Wednesday, August 23, 2023 5:03 PM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris; POAZCoalition@gmail.com
Subject: (EXTERNAL) Ivory Homes Development Avenues

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Mr Barlow,

I have written several letters over the last several years regarding the Ivory Homes development at F Street and 13th Avenue. I am really feeling that I am wasting my time writing yet another letter that I am sure will make absolutely no difference as the city planning and zoning and the mayor all seem intent on allowing this development to go through despite the numerous reasonable and well thought out and expressed objections of the vast majority of the people who live area. I am going to repeat all the very valid reasons that have been brought up over and over again that I am sure you will just ignore again as apparently what developers want to do in this state they are allowed to do no matter the zoning or the communities wishes. I would like to add one very personal note before I reiterate previous talking points that are well known to you. Every day I watch children walk to school along 13th avenue out my kitchen window. I live just a block from the proposed development. There are no sidewalks here and the children walk along the street. You are agreeing to add so many additional homes in this small area with ADUs and minimal space for parking adding untold numbers of cars into this quiet neighborhood where the children have to walk along the street to school. Please think about that!!!!

There are so many other issues besides increased traffic

Parking

Fire

Property Values

Soil erosion on a steep hill

Fairness to people who bought property in the area thinking it was zoned for 11 houses

lack of public transport in the area

This will not be affordable housing but high end

I could on and on but I am pretty sure none of these arguments will make any difference so will stop now.

Thanks for taking the time to listen.

Jane Durcan



Leo and Cynthia Sotiriou

August 23, 2023

Aaron Barlow
Planning Division
P. O. Box 145480
Salt Lake City, Utah 84114-5480

Dear Mr. Barlow,

Cynthia and I are quite concerned over the proposed development at 675 North F Street.

The homes proposed by Ivory are two times the size of most houses in the SR-1 zone of the avenues. The proposed number of homes and added accessory dwelling units (ADU's) is a danger to the area. There is not adequate parking to support all the homes and ADU's to be built.


A major concern is that Capitol Park Avenue and Northpoint sit in an area designated as at high risk of wildfires. I am concerned that a fire would not only devastate the area, it would be difficult for fire equipment to access the area and residents ability to flee the fire with the proposed increase of homes and added ADU's.

I know there are other concerns that have been brought to your attention and I hope the planning commission considers these and other problems associated with this development.

Sincerely,

Leo Sotiriou, M.D.

LON A. JENKINS



August 23, 2023

Re: *Ivory Homes Application for Planned Development at 675 F Street*

Mr. Aaron Barlow
Salt Lake City Planning Division
P.O. Box 145480
Salt Lake City, UT 84114-5480
(aaron.barlow@slcgov.com)

Dear Mr. Barlow:

I am a resident of Northpoint Estates and wish to add my voice to the chorus of opposition to the planned development of 675 F Street currently proposed by Ivory Homes. Just to be clear at the outset, I am not opposed to a reasonable development of the site nor am I opposed to the creation of ADUs in the manner originally envisioned by Salt Lake City (i.e., one owner occupant at a time). However, the planned development proposed by Ivory Homes in my view is not a reasonable development of the site consistent with the surrounding Avenues neighborhood and, importantly, fails to satisfy any of the criteria established by Salt Lake City ordinance 21A.55.010 necessary for the approval of a planned development. The planned development as proposed will be over-crowded by tall 28 ft., 90 ft. long side-by-side residences, with minimal front, side and rear setbacks, and virtually no meaningful green space. It will lack any sort of community feel or character (there will be virtually no yards) and, indeed, it will feel more like crammed together townhomes or apartments which are evident in several areas of Salt Lake City. Notwithstanding the recognized need for more *affordable* housing in Salt Lake City, this is neither the type of development nor the intense density of development which is appropriate in or compatible with this Avenues neighborhood.

As you know, a planned development will only be approved if it creates an enhanced product which could not otherwise be accomplished by strict compliance with zoning requirements in the area. The objectives evaluated to measure whether a proposed planned development complies with the ordinance requirements include (i) preserving open space and natural lands, (ii) promoting historic preservation, (iii) creating affordable housing, (iv) creating accessibility and mobility, (v) achieving sustainability and (vi) assisting implementation of the vicinity's Master Plan.

Evaluating (ii) – (iv) above, it seems clear that the proposed planned development fails to satisfy those objectives. There is no suggestion that the planned development promotes *historic preservation* or attempts to preserve an historic site. Given the upper Avenues area and the large homes Ivory intends to build, the “cottages” are not *affordable housing* as the than concept is intended by the City. *Accessibility and mobility* are not created by the planned development - - the planned development is located in one of the steepest, non-walkable areas in the Avenues and lacks meaningful public transportation. Ivory has not suggested that the planned development advances the goals of *sustainability*. And finally, the planned development does not assist with implementation of the Avenues *Master Plan*. Indeed, quite the opposite – it is incompatible with the Avenues Master Plan.

It seems clear that Ivory's proposed planned development meets none of the objectives in (ii) – (vi) above, so Ivory must be relying on objective (i) – *preserving open space and natural lands* – to win approval of its proposed planned development. But Ivory's proposal fails to satisfy that objective as well. As you have heard from other commentators, Ivory's planned development proposal is not designed to preserve open space and natural

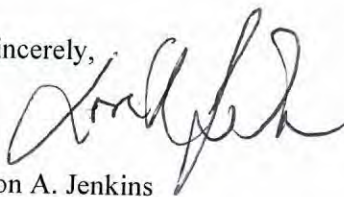
lands. Its claim that the development preserves one acre of open space is specious if one looks at the design diagram – there is little open space, no yards to speak of and an abundance of hard surface. Of the areas Ivory touts as “open space” it is preserving, that land is either unbuildable because of the steep terrain, owned by the City, or mandated as open space when the City when Ivory’s rezone was approved (i.e., a “park”). The only land Ivory could even argue it preserves as open space is a narrow strip on the west edge of the site, but hardly the type of open land contemplated by the ordinance. The minimal “open space” created by the development is a function of the design choices by Ivory and in no way justifies the “clustering” of homes in the planned development as proposed by Ivory.

Similarly, the development does not create “trails” that “connect to existing or planned trail systems” which interface with the nearby natural lands area. In fact, the trails created by the proposed development are nothing more than sidewalks encircling the perimeter of the development – two of which are sidewalks on a public street and a private road and two of which are virtually unusable (and certainly uninviting) by anyone except residents of the development to access their homes. These are not trails as contemplated by ordinance 21A.55.010 for public use and enjoyment, but instead are sidewalks which are characteristic of any new development. In short, Ivory’s proposed planned development fails to satisfy any of the objectives outlined by the City necessary to obtain approval of a planned development.

Based on the foregoing, I urge you to deny Ivory’s application for a planned development. While residents of the surrounding area understand that 675 F Street will and should be developed, that development should be consistent with the requirements of the rezone which Ivory was granted in December 2022.

Thank you for considering my views.

Sincerely,



Lon A. Jenkins

cc: Chris Wharton (chris.wharton@slcgov.com)
POAZC (POAZCoalition@gmail.com)
Mayor Erin Mendenhall (mayor@slcgov.com)

Lynn M. Keenan MD FACP FCCP



Aaron Barlow
Aaron.barlow@slcgov.com
Planning Division
PO Box 145480 Salt Lake City, Utah 84114-5480
mayor@slcgov.com, chris.wharton@slcgov.com

Regarding: Ivory Homes Proposed Development at 675
North F Street, Salt Lake City, Utah 84203

Dear Mr. Barlow,

I am extremely concerned regarding the Ivory Homes Proposed Development of 675 N. F Street. I have written several emails and attended meetings with no response and nothing but disrespect from the **elected** City Council members and Planning commission. I am appalled, dismayed, and flummoxed at the complete disregard and dismissal of the residents of the Avenues and complete gratis granted to Ivory Homes despite zoning laws.

I am shocked that the **elected** City Council members and planning commission continue to ignore the Avenues residents and our safety. I have completely lost any faith and confidence in Salt Lake City Government. I served my country in the US Army for 12 years. I doubt any one of the City Council or Planning commission ever wore a uniform and understands the true meaning of sacrifice and service to **all**, rather than Ivory!

1-Not Compatible with Established Development in the Avenues. The houses proposed by Ivory are at least twice the size of most houses in the SR-1 zone of the Avenues and packed far more closely together: 10 feet between large, 90-foot-long buildings.

2-No Public Benefit: I would challenge you or any of the planning commission members, or the City Council members to describe what public benefit that the neighborhood would receive from this catastrophic development. A Planned Development allows a relaxation of zone requirements in exchange for one or more of a set of prescribed public benefits. Ivory's proposed development provides no public benefit.

3-Ivory's Proposal Does Not Meet the Criteria for a Planned Development: A Planned Development is

required to produce an “enhanced product”. Ivory’s proposal is not an enhanced product. See #2 above.

4- Ivory claims that a Planned Development is required to add ADUs. This is not correct. The city law allows ADUs for any qualifying home. City law requires any ADU to be built by the buyer NOT the developer.

5- Ivory also claims they are “preserving open spaces” and “creating trails”. These claims are also both an outright lie. Sidewalks, which are needed regardless, do not constitute a trail and most of the open space they claim to be preserving was mandated by the city for a public-access park as a condition of the rezone. A narrow “trail” along the northern boundary sandwiched between a retaining wall and a homeowner’s front door are not my idea of open space or a green space.

6-Ivory was aware of the zoning at the time of purchase. However, since Ivory has the city wrapped around its coffers, the city **elected** council and planning commission allow Ivory to change and break all the rules, regulations, and safety. Approval of this Planned Development makes mockery of the Planned Development process. I had to follow rules and regulations when building my home. Why am I held to the rules and Ivory gets to break the rules. I cannot afford to contribute to Ivory’s ever-

increasing reputation as a premiere developer as do not have the influence or those financial assets.

7-There is nothing affordable about Ivory's proposed development. Their large houses will sell in the millions and the ADUs will rent at high Avenues market rates.

8- As a neighbor who lives adjacent to this proposed development, we purchased our home with the understanding all new buildings would comply with FR-3 zoning. Times change. We recognize more housing is needed. Neighbors understand that the city has rezoned this too. As Judge Kennedy pointed out, this is the wrong location for this type of experimental development.

9- Accessory Dwelling Units (ADUs). These are permitted by the city but have to date only been created one at a time by individual owner occupants. Ivory is proposing to build an entire subdivision where every unit (21) has an ADU. As previously stated ADU's are the purview of the homeowner, not the developer. This will add enormously to the number of vehicles, plus there is concern these units may become disruptive short-term rentals.

10- An Experiment: Ivory describes the creation of a subdivision as an "experiment -- the first of its kind in Utah". This is not the right location for this experiment. A

site that only bordered by one public road is fraught with peril. Maybe it makes sense in a walkable part of the city, but not here.

11- This is a highly sloped foothills lot. Ivory proposes to build 21 large, 90 feet long homes against the grain of the hillside. How many thousands of truckloads of soil will be trucked out through our steep and narrow Avenues streets so Ivory can overbuild this lot and destroy our roads in the process. Is Ivory going to pay for the damage?

12- Snow removal- where are you going to place 3 feet of snow for every snowstorm?

13- Setbacks and Building Coverage: Ivory's proposal radically reduces setbacks and increases building coverage to allow oversized homes on shrunken lots. It is the Planned Development that would allow Ivory to ignore the rules of the SR-1 zone. They want to cut one front yard setback (lot 10) from the required 20 feet to approximately 2 feet!

14- No Yards: Houses with no yards are less likely to attract families with young children and will not support enrollment in the Ensign school.

15- Parking: Ivory has provided insufficient parking. They have provided only four guest parking spaces for 42 residences. They have provided nowhere to store plowed snow in the winter. We have estimated that around 40 cars from this development will park on neighboring streets, principally F Street and 13th Avenue.

16- Parking on Capitol Park Avenue: Ivory fronts 9 homes onto Capitol Park Avenue, a private street posted as No Parking. Ivory residents and guests will nonetheless park there illegally, causing disputes and friction between neighbors.

17- Fire: Ivory's development, Capitol Park and Northpoint sit in an area designated as at high risk of wildfire. There is concern that F Street would become a choke point in the event of a wildfire.

How can you possibly allow this disaster to proceed? This is pure avarice on the part of Ivory without any regard for the neighbors and the residents of Salt Lake City.

I respectfully request a response different than the copy and paste email you have been sending everyone.

Sincerely,

Lynn M. Keenan MD FACP FCCP



Barlow, Aaron

From: Margaret Miller [REDACTED]
Sent: Wednesday, August 23, 2023 4:11 PM
To: Barlow, Aaron
Cc: chriswharton@slcgov.com
Subject: (EXTERNAL) Ivory Homes Development in the Avenues

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Please DO NOT approve this development.

I have been an Avenues resident for 20 years. The houses are small and very close together, much moreso than other neighborhoods where I have lived.

Salt Lake needs more affordable housing. These houses will not be affordable. I have lived near Ivory Developments before and they have been normal sized houses and blended in with the neighborhood. I have heard this is an "experiment" for Ivory. The proposed houses with ADU's will be jammed into a small area with no open areas, no parking, no play areas and nowhere for the resident's pets. Why impose this kind of development on an already overcrowded area? F Street is very steep and slippery in the winter and will not accomodate all the street parking that this development will add.

Please DO NOT approve this development.

[REDACTED]

Barlow, Aaron

From: Mary Mahler [REDACTED]
Sent: Wednesday, August 23, 2023 9:16 AM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris
Subject: Re: (EXTERNAL) No to Ivory Homes proposed development at 675 North F Street

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

To all par. es, concerning the proposed development at 675 Nort FStreet,

I live downhill from the proposed development and attended the meeting on August 14 where I learned that both the drainage and the sewage from the development will be coming down F Street, with old sewage pipes.

Knowing how business can profit by making a mess and leaving others to clean it up, I suggest that a condition of approval be that Ivory Homes update these sewage and drainage systems on F Street with the ability to handle the increased load.

Sincerely,

[REDACTED]

Sent from my iPad

> On Aug 22, 2023, at 12:41 PM, Barlow, Aaron <aaron.barlow@slcgov.com> wrote:

>

> Dear Ms. Mahler,

>

> Thank you for taking the time to comment on the Planned Development application from Ivory Homes for their Capitol Park Cottages. I will make sure to articulate and discuss your concerns about the project in my report to the Planning Commission, who will also receive a copy of your comments. A meeting for this project has yet to be scheduled, but you will be notified when a date is set. Any updates to the proposal will be posted on the open house webpage, located here: <https://www.slc.gov/planning/2023/07/10/openhouse-00656/>. While the webpage says that the open comment period ends on August 25, 2023, I will gladly accept any comments after that date up to the day of the public meeting.

>

> Please feel free to reach out with any additional questions or concerns.

>

> Sincerely,

>

> AARON BARLOW, AICP | (He/Him/His)

> Principal Planner

>

> PLANNING DIVISION | SALT LAKE CITY CORPORATION

>

> Office: 801-535-6182

> Cell: 801-872-8389

>

> Email: aaron.barlow@slcgov.com

>

> SLC.GOV/PLANNING WWW.SLC.GOV

>

> Disclaimer: The Planning Division strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Division. Those relying on verbal input or preliminary written feedback do so at their own risk and do not vest any property with development rights.

>

> -----Original Message-----

> From: Mary Mahler [REDACTED]

> Sent: Monday, August 14, 2023 12:34 PM

> To: Barlow, Aaron <aaron.barlow@slcgov.com>

> Cc: Mayor <mayor@slcgov.com>; Wharton, Chris <chris.wharton@slcgov.com>

> Subject: (EXTERNAL) No to Ivory Homes proposed development at 675 North F Street

>

> Caution: This is an external email. Please be cautious when clicking links or opening attachments.

>

>

> Dear Aaron Barlow and Planning Commission

>

> I oppose the proposed development by Ivory Homes at 675 North F Street because of the negative impact that I expect it will have on me and my neighborhood. I live on F Street, some blocks south of the proposed development. Because this development will have many dwelling units and only two traffic outlets, one of which is on F Street, I expect much more traffic up and down this street. F street is not a through street and has many stop signs to which many drivers already respond by just giving a quick tap on the brakes, then speeding through. This results in accidents and near misses in the intersections and difficulty backing out of driveways. I will attend the meeting tonight at Sweet Library and might write again regarding neighborhood impacts based on what I learn there.

>

> Sincerely,

>

> Mary E Mahler
[REDACTED]

>

> Sent from my iPad

Barlow, Aaron

From: Maxine Johnson [REDACTED]
Sent: Wednesday, August 23, 2023 4:44 PM
To: Barlow, Aaron
Subject: (EXTERNAL) I OPPOSE Ivory Homes Proposed Development at 675 North F Street

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Dear Mr Barlow,

I **STRONGLY OPPOSE** Ivory Homes' request for approval for its proposed project at 675 North F Street.

I have been a resident of Northpoint Estates for 15 years. I am highly sensitive to the very high (purple) fire danger in this neighborhood. Northpoint has only 1 exit for the approximately 100 people living here. In the case of a fire, the proposed Ivory development would add another 100+ people on F Street trying to evacuate at the same time. This would be a dire situation at best. Very steep property in a very tight location with overbuilding and too many people is a disaster just waiting to happen.

Please oppose Ivory's request.

Maxine Johnson
[REDACTED]

Barlow, Aaron

From: Natalie Shutt-Banks [REDACTED]
Sent: Wednesday, August 23, 2023 12:12 PM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris; POAZCoalition@gmail.com
Subject: (EXTERNAL) Ivory Homes Re Zone Opposition

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Hello Aaron,

I am writing to **oppose** the rezone for the Avenues project Ivory Homes is proposing. Here are a few of the many reasons I do not support a rezone:

1. This request to relax zoning requirements does not provide any benefit for the public. Why are we allowing our historic neighborhood to be impacted without any benefit for existing neighborhood members? This is another way that Ivory gets to increase their profit margins on the backs of hardworking home owners whose home values could be negatively impacted.
2. This is not affordable housing. These houses are much larger than the existing neighborhood - plus they are much closer together which is a concern due to recent wildfires and its proximity to the hillside.
3. Ivory is proposing to build an entire subdivision where every unit (21) has an ADU. This could add enormously to the number of vehicles, plus there is concern these units may become disruptive short-term rentals.

There are so, so many variances, unknowns and inconveniences that are part of this rezone please consider your current constituents wellbeing over another sweetheart deal for Ivory.

Natalie Shutt Banks
[REDACTED]

Bob and Jill Kinney
Former Residents of [REDACTED]

August 23, 2023

TO: Aaron Barlow, SLC Planning Division

CC: Mayor Erin Mendenhall (mayor@slcgov.com)
Chris Wharton (chris.wharton@slcgov.com)
POAZ Coalition (poazcoalition@gmail.com)

My wife and I used to own a home on the corner of 13th Avenue and F Street, directly across from Ivory Homes' proposed development at 675 North F Street. We purchased our home in 2013 and sold it in December of 2021 following Ivory's announcement that they would be seeking approval to have the existing FR-3 zone changed to the SR-1 zone. At the time we purchased our home, we knew that the existing Avenues zoning would allow for as many as 14 new homes to possibly be built on the current property if it should ever be sold to a developer. That was a "risk" that we were willing to accept as it didn't have the potential to dramatically change the nature of the neighborhood where we lived.

Imagine how disappointed we were when Ivory announced their "bold" vision to change the character and nature of OUR neighborhood by petitioning the City's Planning Division for a zoning change that would allow for more than 20 new residences, each with an ADU – a proposal that the Planning Division ultimately approved despite significant negative response to the proposal from those in the Avenues who would be most affected by this change.

Although Ivory's actions forced us out of our home in the Avenues and we no longer live there, we still believe that the Avenues are a special part of the fabric of Salt Lake City and believe that Ivory's latest proposal damages this small corner of the Avenues. Specifically, Ivory's latest development introduces homes that are twice the size of most houses in the SR-1 zone and are packed far more closely together. Ivory has repeatedly described this development, with ADUs, as an "experiment, the first of its kind in Utah." Is the Avenues really the place where this type of "experiment" should move forward? There is only one public road servicing this property, it is on a significantly sloped piece of land and it is not a walkable part of the City. To that last point, there appears to be insignificant space for parking given that there are likely to be upwards of 40+ cars assuming only one car per dwelling unit and ADU.

We are happy that we escaped this nightmare early in the process but I am not happy that Ivory ignored our former neighbors and our concerns regarding their aggressive development plans. We respectfully submit this letter with the hope that the Planning Division will take a hard look at Ivory's latest proposal and conclude that it is much too aggressive for a property in the Avenues.

Bob and Jill Kinney

Barlow, Aaron

From: Amrapali Shah [REDACTED]
Sent: Thursday, August 24, 2023 12:27 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory Homes Development

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Mr Barlow:

I hope this letter will give you a clear idea of the concerns I have regarding the Ivory Development located around the corner from our home at 357 East Charity Cove, Salt Lake City, Ut 84103. Our job as a community is to voice our concerns. I have lived on 11th Ave for over 20 yrs, am raising a family, and have worked at the University Hospital and LDS Hospital for this time. I too share concerns about this project. Here are my major concerns with this project;

1. This project offers no Public Benefit as required with a Planned Development.
2. According to the design proposal from Ivory, this project may not qualify for a Planned Development, which is fundamental for their approval and could leave the City vulnerable from a legal stand-point.
3. The density of this project pushes way beyond reasonable for this area and will prove to be detrimental in a short time.
4. Parking that is regularly scrutinized by the City, for good reason, needs further balance as the visitor parking alone stands at 4 spaces for 42 residences.
5. While Ivory has classified the project as an experiment that could work with a number of adjustments, I really don't think that one of the City's most beautiful areas should be used for this purpose until the concept has been proven.

Overall, the City should not allow any development in any neighborhood that would leave the area with contention and disharmony for the existing community.

Sincerely,

Amrapali Shah, MD
Pulmonary and Critical Care Medicine

Barlow, Aaron

From: Boyd Baugh [REDACTED]
Sent: Thursday, August 24, 2023 12:57 PM
To: Barlow, Aaron; Wharton, Chris; Mayor; poazcoalition@gmail.com
Subject: (EXTERNAL) Reference: Ivory Homes Proposed Development at 675 North F Street

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Dear Sir,

I live on Capitol Park Avenue and want to voice my strong objection to the proposed Ivory Homes Proposed Development. I am concerned for the safety of the current residents as well as for the new homeowners.

Capitol Park Avenue is a private street and was not intended to have that much traffic. Driving west down to Penney Prade Drive has been described by one resident as one of the most dangerous roads in the city - narrow with a dangerous blind curve. F Street traffic will also become a problem and a safety issue. I strongly oppose the project and hope the city will consider the concerns of residents in the area.

We purchased our property believing that any new buildings would comply with FR-3.

Thank you for recognizing and considering our concerns.

Sincerely,

Boyd Baugh

Barlow, Aaron

From: carol ballou [REDACTED]
Sent: Thursday, August 24, 2023 4:45 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory F Street development

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Mr Barlow

I am writing in strong opposition to the most recent proposal by ivory homes for the development on F Street. Neighbors bought nearby property with the understanding that zoning for this area would be single family houses. The original zoning would have allowed ADUs. Despite a nearly unanimous vote of the community not to allow a zoning change, the planning commission and city council granted a zoning change that allows much denser development that is not compatible with the surrounding area. Ivory, still not satisfied, is pushing for additional special treatment to allow a crazy looking development of long narrow houses without adequate parking, without required setbacks and without green space. Calling a single path or sidewalk that circles the property a hiking trail is laughable.

There is nothing affordable about this housing, which is likely to sell for more than a million dollars per unit. It is confusing to hear ivory claim, and city government to apparently believe, that this development will solve any housing needs.

It is time to set a limit on this development and require the developer to conform to the restrictions of the newly granted zoning. They have been given a gift from the city, over the objections of the community. It is time that someone said no to the increasingly problematic demands. I strongly urge the planning commission deny ivory's request that this be called a "Planned Development."

Carol A Ballou
[REDACTED]

Barlow, Aaron

From: Jane Kim [REDACTED]
Sent: Thursday, August 24, 2023 1:09 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Letter in OPPOSITION to the Ivory Homes Proposed Development

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Dear Mr Barlow,

I am writing to express my opposition to the Ivory Homes Capitol Park Avenues Development Proposal. I am a resident of the Avenues and have been for over 12 years. I am concerned about the following aspects of the proposal:

- The proposed development is not compatible with established development in the Avenues. The houses proposed by Ivory are at least twice the size of most houses in the SR-1 zone of the Avenues and packed far more closely together: 10 feet between large, 90 foot long buildings. This is a significant departure from the character of the neighborhood and would have a negative impact on the surrounding area.
- The proposed development provides no public benefit. A Planned Development allows a relaxation of zone requirements in exchange for one or more of a set of prescribed public benefits. Ivory's proposed development provides no public benefit. In fact, it would likely create more problems than it solves.
- Ivory's proposal does not meet the criteria for a Planned Development. A Planned Development is required to produce an "enhanced product." Ivory's proposal is not an enhanced product. It is simply a way for Ivory to build larger and more profitable homes than would otherwise be allowed.
- The proposed development is not affordable. There is nothing affordable about Ivory's proposed development. Their large houses will sell in the millions and the ADUs will rent at high Avenues market rates. This will only further gentrify the neighborhood and make it less accessible to people of all incomes.
- The proposed development is unreasonable. Neighbors who live adjacent to this proposed development purchased their homes with the understanding new buildings would comply with FR-3. Times change. We recognize more housing is needed. Neighbors understand

that the City has rezoned this to SR-1, but the Planned Development takes this way beyond what neighbors feel is reasonable.

- The proposed development would add significantly to traffic and parking problems in the area. Ivory has provided insufficient parking. They have provided only four guest parking spaces for 42 residences. They have also provided nowhere to store plowed snow in the winter. We have estimated that around 40 cars from this development will park on neighboring streets, principally F Street and 13th Avenue. This will create a major traffic and parking headache for the neighborhood.
- The proposed development is located in an area at high risk of wildfire. Ivory's development, Capitol Park and Northpoint sit in an area designated as at high risk of wildfire. In the event of a wildfire, F Street would become a choke point, making it difficult for emergency vehicles to access the area.

I urge you to reject the Ivory Homes Capitol Park Avenues Development Proposal. This proposal is not in the best interests of the neighborhood or the city.

Thank you for your time and consideration.

Sincerely,

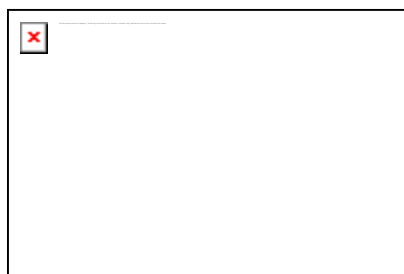
Jane Kim

--

Jane Kim
Girls on the Run Utah
Board President
www.girlsontherunutah.org



"Here's to strong women. May we know them, may we be them, may we raise them."



"Empowering Girls from Start to Finish"

Barlow, Aaron

From: joan clissold [REDACTED]
Sent: Thursday, August 24, 2023 9:08 AM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory Homes project on F Street

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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To: Mr. Barlow
From: joan clissold

I have previously written a letter objecting to this development so I will just add this thought: the Ivory plan for density housing definitely has merit. It does not belong at the top of the Avenues. It is not appropriate for the sloping site. It goes against the approved zoning for the Avenues. Etc.

Thank you for noting my strong objections.

joan

Barlow, Aaron

From: Joel LaSalle [REDACTED]
Sent: Thursday, August 24, 2023 10:34 AM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris
Subject: (EXTERNAL) Ivory Development- Avenues

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Mr Barlow:

I hope this letter will give you a clear idea of the concerns I have regarding the Ivory Development located around the corner from our home at 357 East Charity Cove, Salt Lake City, Ut 84103. As a developer of many properties in Salt Lake City over the years for the LaSalle Restaurant Group and many other retail and multi-family home developments, I understand the challenges all developers face in trying to please everyone in the audience and deliver a successful project. Too many times there seems to be potential projects that do not have balance in such things as density, quality or esthetics. Our job as a community is to voice our concerns to you as a representative of the City so that better balance in all factors of a project can be achieved. Here are my major concerns with this project;

1. This project offers no Public Benefit as required with a Planned Development.
2. According to the design proposal from Ivory, I don't believe that this project even qualifies for a Planned Development, which is fundamental for their approval and could leave the City vulnerable from a legal standpoint.
3. The density of this project pushes way beyond reasonable for this area and will prove to be detrimental in a short time.
4. Parking that is regularly scrutinized by the City, for good reason, needs further balance as the visitor parking alone stands at 4 spaces for 42 residences.
5. While Ivory has classified the project as an experiment that could work with a number of adjustments, I really don't think that one of the City's most beautiful areas should be used for this purpose until the concept has been proven.

I am happy to discuss this further with you, as there are many other issues that could use all of our attention. Overall, the City should not allow any development in any neighborhood that would leave the area with contention and disharmony for the existing community or the new unassuming neighbors that occupy the development in the very near future. Please feel free to contact me for further discussion or points of clarification.

Sincerely,

Joel M. LaSalle
LaSalle Development
LaSalle Restaurant Group

Barlow, Aaron

From: Kevin Havlik [REDACTED]
Sent: Thursday, August 24, 2023 4:08 PM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris; poazcoalition@gmail.com
Subject: (EXTERNAL) Ivory Homes Proposed Development at 675 North F Street

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Cau. on: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Mr. Barlow,

I am writing in strong opposition to the most recent proposal from Ivory Homes for the development of the above referenced property. The most recent proposal from Ivory shows a development that is not at all in keeping with the surrounding neighborhood, and does not solve any real problems. It does serve to line Ivory's coffers. Their plan shows long narrow houses that are packed together, with 90 foot long buildings separated by as little as 10 feet. In one case the front yard setback would be only 2 feet rather than the required 20 feet. Despite the close quarters and the unusual shape of the buildings, they are about twice the size of most houses in the neighborhood. There is no development in the city like this, and it is incongruous with the surrounding neighborhood.

What Ivory proposes is not affordable housing. Their houses will likely sell for somewhere in the neighborhood of 1 million dollars or more. If there are ADUs in some of the units these also are not at all likely to be affordable. The development is small enough that it can not and does not solve any housing crisis in the city and certainly doesn't provide affordable housing.. There is insufficient parking in their proposed development, there is insufficient room for emergency vehicles and for snow removal, and there will be an excess of traffic added to a single hillside street. This development is very close to City Creek Canyon, and in the case of a fire F Street, the sole street for egress, will be choked with cars from the existing neighborhood, from Northpoint Condominiums, from the Meridien Condominiums, and now from the Ivory Development.

Ivory is putting lipstick on a pig when they claim that this proposed development includes significant green space and hiking trails. It is taking away open space that currently houses much wildlife including deer, coyotes, hawks, owls, bobcats and cougars

Ivory has changed their proposal a number of times already, they have requested zoning changes, but the problems with their proposal persist and have not really been addressed adequately. They already requested, and were granted, a change in zoning to an SR-1 zone. Now they don't want to comply with the limitations of that zoning, and are asking this to be called a "Planned Development" which would allow them to ignore the limitations of the zoning change they have already been granted.. This isn't necessary for them to add ADUs, which has been one of their arguments for the requested change. They now want permission to reduce setbacks, and to build oversized homes on tiny lots. There will be only tiny yards, so this is not a development likely to attract families with young children, which we need to support the local school.

There are many reasons to reject this latest iteration of Ivory's plans. I can think of no reason to approve the request for this to be called a Planned Development, and I strongly urge you and the Planning Division to deny this request. Please listen to the many constituents who live in the neighborhood and are strongly opposed to this development.

Respectfully,

Kevin Havlik



Barlow, Aaron

From: LouJean Flint [REDACTED]
Sent: Thursday, August 24, 2023 3:54 PM
To: Barlow, Aaron; Mayor; Wharton, Chris; poazcoalition@gmail.com
Subject: (EXTERNAL) Ivory Homes Proposed Development at 675 North F Street

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Ivory comments

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Dear Planning Committee Member,
I am referencing the IVORY HOMES PROPOSED DEV. at 675 North F Street

I am extremely disappointed that rules are so easily, radically, changed AFTER the property has been purchased. This parcel of land was sold with the zoning rule of 11 homes being built upon it. Now it is being proposed that 21 (almost double) units be built and each unit to have an ADU making it nearly 4 times the amount as originally sold at.

Where is the proposed public park that was going to benefit not only the new residents but the whole neighborhood? That proposal was . . . gone quickly after the purchase was made.

If 21 units are approved and built, I question who will take responsibility when help is needed by anyone in this "first of its kind in Utah" facility needs a fire engine or ambulance, especially at the last house that is on a dead-end road.

If it is built and we have another winter as we have just experienced, and they happen every _____ years, the proposed FLAT roofs will need to have snow/ice removed or the roof will fall in. When removing this snow from the roof, where does it go - onto their neighbors roof for there is practically no room between units.

This is insane!! Not good planning in any way! I implore you to enforce the "purchase" zoning rules and allow ONLY 11 homes to be built on this purchased property or have them resale the property to others who will abide by the original purchase zoning/rules.

Lou Jean Flint
[REDACTED]

Barlow, Aaron

From: Michael Mangelson [REDACTED]
Sent: Thursday, August 24, 2023 3:04 PM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris
Subject: (EXTERNAL) Ivory Homes Proposed Development at 675 N. F St.

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Categories: Ivory comments

Cau. on: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Mr. Barlow,

As 25 year residents of our home in the Capital Park development, adjacent to Ivory Home's proposed development, We are very concerned about the negative impact that the proposed development will have on our neighborhood and the surrounding Avenue's area. As you know, this is the only large area in the Avenues still to be developed. It was intended to be developed with single family homes that are in harmony with the surrounding neighborhood.

Unfortunately, Ivory Homes is disregarding and disrespecting this historic area of the city by forcing their agenda, which includes:

- Changing the zoning laws to give them the maximum density of homes, and thereby maximizing profits.
- Allowing for little to no green space.
- Offering insufficient parking.
- Trying to implement an "experimental" ADU subdivision.
- Disregarding the need for more than one access road (F St.).
- Overdeveloping in a high risk area for wild fires on a dead end street.

Ivory's insistence that they are offering something positive by their proposed development is in serious question. They are the only one's who will benefit. These homes will not be affordable given the area that they are in, and traffic will be a nightmare on the one and only street leading in and out of this so-called "planned" development. Rather than compromise, Ivory wants it all. I hope that you will please consider the people, including us, who are most affected by this overreaching of Ivory Homes. We do not want their housing experiment in our neighborhood. We will compromise, and we already have, but we don't want to be bullied into something so unreasonable.

Sincerely,

Jane and Michael Mangelson

Barlow, Aaron

From: Donna Poulton [REDACTED]
Sent: Thursday, August 24, 2023 11:20 AM
To: Barlow, Aaron; Mayor; Wharton, Chris
Cc: poazcoalition@gmail.com
Subject: (EXTERNAL) Ivory Home: Letter of Concern

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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23 August 2023

Salt Lake City Planning Division

451 South State Street

Salt Lake City, UT 84114

Dear City Planning Division:

I am writing to urge you, in the strongest terms, to please maintain current FR-3 zoning in the Avenues area of Salt Lake City. Forward thinking people created the FR-3 zoning so that the historic architecture and spacious aesthetic of the Avenues would be maintained, as it has been for the last 140 years. The Avenues area is one of the last vestiges in Salt Lake Valley, along with Temple Grounds and the Capitol, that speaks to our history and sense of place. Every great city has an historic area that makes it unique and desirable, and this has been the Avenues area's contribution to Salt Lake City since its inception.

The proposal by Ivory Homes is ill conceived in myriad ways. The compressed allocation of homes with no sidewalks and no green space is incongruous with the thoughtful charm of this area. Most unsettling is the sheer number of proposed homes.

The developers have demonstrated a total lack of regard for the impact of so many additional cars traversing F Street--a DEAD END street:

*There is no way to exit and cars must come and go both ways on F street.

*There are no sidewalks on either side of the street.

*Pedestrians must walk on the narrow street.

*In the winter, F Street is a very slick, steep road that can be impassable at times.

*Driving up such a steep hill emits more exhaust, makes more noise and creates more danger for young children, people walking, and domestic animals who populate F and E Streets, the primary access roads to the development. *In addition, cars (of both visitors and dwellers in the development) will be forced to park on F Street, which is narrow and can barely accommodate current traffic patterns.

*Additional parking on that street would be unmanageable and untenable.

The Ivory Homes contention that these homes would offer more affordable housing to SLC is disingenuous at the very least. Each of these homes will sell for over \$1,000,000.

Just as worrisome is the proposed development's enormous environmental impact.

--The displacement of rabbits, deer, fox, raccoons and the many birds that find homes and food in the ancient trees and grass on these acres will amount to yet another ecological insult to the foothills of the valley.

--Moreover, the new development would eliminate access to substantial acreage where people and children from surrounding neighborhoods have gone, for decades, to experience nature. As I hope you'll agree, such an experience in the heart of a city is invaluable and should be preserved wherever possible.

Lastly, I purchased my home in the Avenues with an understanding that FR-3 would remain enforced. My good faith effort to maintain my home and property and to pay my considerable taxes was supposed to have been met with a similar good faith effort on behalf of the city council. This action would create a dangerous precedent for Avenues property and further development.

I respectfully ask that you carefully weigh the many legitimate reasons for maintaining the Avenues area's current FR-3 zoning. As you know, a separate petition is being signed by many Avenues residents who feel, as do I, that the developer's re-zoning request is misguided and, ultimately, detrimental to our city.

Thank you for your time.

Sincerely, Naoma Tate

Barlow, Aaron

From: rdkim [REDACTED]
Sent: Thursday, August 24, 2023 11:15 AM
To: Barlow, Aaron; Mayor; Wharton, Chris; poazcoalition@gmail.com
Subject: (EXTERNAL) Letter in Opposition to Ivory Development in Capitol Park

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Mr Barlow:

I hope this letter finds you well. As a 12-year resident/owner in Capitol Park, I am writing to express my opposition to Ivory Homes' Capitol Park Avenues Development Proposal. The following are a few of the reasons which are cause for significant concern:

Not Compatible with Established Development in the Avenues: Ivory's proposed homes are at least twice the size of most houses in the SR-1 zone. They are planned to be packed closely, with just 10 feet between large, 90-foot-long buildings. This is out of character with the existing development[3].

No Public Benefit: The proposal does not offer any public benefit, which should be a requirement for a Planned Development according to city law.

Doesn't Meet Criteria for a Planned Development: Ivory's proposal doesn't produce an "enhanced product", another criterion for Planned Developments.

Misleading Claims: Ivory incorrectly states that a Planned Development is required for ADUs, and falsely claims to preserve open spaces and create trails[5].

Affordability: The proposed houses will sell in the millions, and the ADUs will also rent at high market rates, making them unaffordable for most residents.

Unreasonable Scale: Neighbors expected development to comply with the new SR-1 zoning, but this proposal exceeds reasonable limits.

ADUs and Traffic: Ivory aims to build an entire subdivision with ADUs, increasing traffic and potentially turning these units into disruptive short-term rentals.

Experimental Approach: The proposal is described as an "experiment", which seems inappropriate given the location's limited access to public roads.

Soil Removal: Building against a steep hillside would require removing thousands of truckloads of soil, affecting our narrow streets.

Setbacks and Building Coverage: The proposal seeks to significantly reduce setbacks and increase building coverage, violating SR-1 zoning requirements.

No Yards: Houses without yards won't attract families with young children, affecting local schools like Ensign.

Parking Issues: With only four guest parking spaces for 42 residences, we expect around 40 additional cars to be parked on nearby streets[2].

Fire Risk: The development sits in a high-risk wildfire zone, and there are concerns over potential choke points during evacuations.

I urge you to reconsider approving this development, as it clearly conflicts with the interests and well-being of our community.

Sincerely,
Robin Kim

Barlow, Aaron

From: Benjamin A. Steinberg [REDACTED]
Sent: Friday, August 25, 2023 6:19 AM
To: Barlow, Aaron
Cc: Wharton, Chris; Mayor; poazcoalition@gmail.com
Subject: (EXTERNAL) Ivory Homes Proposed Development at 675 North F Street

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Dear Mr Barlow,

I hope this letter will give you a clear idea of the concerns I have regarding the Ivory Development located around the corner from our home at [REDACTED] As a physician and father of 3 young children, I have significant concerns regarding this project:

1. This project offers no Public Benefit as required with a Planned Development.
2. The development will not provide affordable housing, to ameliorate that problem.
3. The limited parking, snow removal, and fire access will be major safety challenges.
4. According to the design proposal from Ivory, I don't believe that this project even qualifies for a Planned Development, which is fundamental for their approval and could leave the City vulnerable from a legal standpoint.
5. The density of this project pushes way beyond reasonable for this area and will overwhelm the current infrastructure..

I am happy to discuss this further with you, as there are many other issues that could use all of our attention. Overall, the City should not allow any development in any neighborhood that would leave the area with contention and disharmony for the existing community or the new unassuming neighbors that occupy the development in the very near future. Please feel free to contact me for further discussion or points of clarification.

Sincerely,

Benjamin Steinberg
[REDACTED]

Barlow, Aaron

From: chris kolb [REDACTED]
Sent: Friday, August 25, 2023 4:32 PM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris; Preserve Our Avenues Zoning Coalition
Subject: (EXTERNAL) Against the Ivory Homes Avenues Re-Zone

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Hello,

I am writing to express my concerns about the Ivory Homes planned development for F Street. Even with the changes that have been made, this proposed development makes no sense for this neighborhood and this location. It is completely unfair to the long-time residents of Avenues to just change the long-standing zoning that has been in place for this neighborhood. It is too dense for the space and access that is available. Public transportation no longer comes as close to the project as it did when it was initially proposed. 4 guest parking spaces is very low for this number of units since no one will be using public transit. The Avenues have always been one of the most desirable neighborhoods in Salt Lake City because of its historic nature and unique and eclectic architecture. Shoe-horning this type of generic "Anywhere-USA" project does nothing to improve the area, and it has been clearly shown through the GAAC meetings that almost none of the residents who actually live in this neighborhood find any value or benefit in this type of development. This project makes one of the great neighborhoods that Salt Lake City has to offer worse.

As a previous resident of Hawai'i, seeing how the recent wildfires in Maui played out has really raised some red flags about this project. The reasons for the severity of the Lahaina fire included being surrounded by area of high wildfire danger, high building density that allowed the fire to move structure to structure rapidly with no defensible space, and limited access or ability to escape due to one road in and one road out. What does this project have in common with all of those problems? Everything. City Creek and the Upper Avenues is at extremely high risk of devastating wildfires as outdoor use in those areas has increased exponentially, summers have trended hotter and drier, and weather extremes have led to more frequent high-wind events (we have had 70+ mph wind events in the avenues twice in recent history - 2011 and 2019). The only thing separating this project from that open space prone to fire is another densely built group of buildings to the north that fire would also potentially be able to spread rapidly through. The density of this project would allow fire to move structure to structure and leave no ability protect property or stop the spread since there is no green space and no defensible space. And, there is only one road in that would be the only escape route for what would become 2 of the most densely populated areas in the Avenues. I've seen the pictures and videos of how that played out. It didn't take long for the public scrutiny and blame to go directly to the local government. If this area was built as zoned with 11 single family homes there would be much greater chance of effectively fighting a fire and a lower chance of people being trapped trying to escape since less people would be trying to get out. If a similar catastrophic event were to happen in this location there would be no one else to blame except the people that approved this project and the poor planning that took place.

The two questions I do have about the current proposal are tree related. In the original proposal there was a wildlife inspection performed that only noted past activity on the site from red tail hawk nests. There is no doubt the hawks have an active nest in the lowest central pine tree that has dual leaders this season. I would hope another wildlife evaluation would be performed to determine that activity before the tree is removed, and would hope that a wildlife biologist would be called in to at a minimum attempt to relocate the nest to a new location. Second, on the current proposal it shows trees in the site plan but does not show those specifications. Since the one row of trees would front F street, I would hope that Salt Lake City Urban Forestry would be involved in the proper selection of tree species for this row of trees. Since these trees are east facing to the development, there would not be a need for excessive height to provide afternoon shade, and these trees could negatively affect the views of existing properties if taller than necessary growing varieties of trees were to be planted. Right tree, right place.

Chris Kolb



Barlow, Aaron

From: Debora Escalante [REDACTED]
Sent: Friday, August 25, 2023 9:31 AM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory Homes Proposed Development at 675 North F Street

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Mr. Barlow

I am concerned that things continue to change and move forward with the proposed development at 675 North F Street.

The proposed development is not compatible with the development in the area, the proposed homes are too large and packed too closely together. The development does not provide public benefits that would justify relaxation of zoning requirements, nor does it meet the enhanced product requirement for a Planned Development. Ivory's desire is to allow for ADUs, and city law allows ADUs for any qualifying home whether a PD or not. Ivory also claims they are "preserving open spaces" and "creating trails". These claims are also both untrue. Sidewalks, which are needed regardless, do not constitute a trail and most of the open space they claim to be preserving was mandated by the city for a public-access park as a condition of the rezone. Ivory previously agreed to build something closer to the SR-1 zone granted by the City Council. Approval of this current "Planned Development" would make a mockery of the Planned Development process. Additionally, this development does not provide "affordable housing". There is nothing affordable about Ivory's proposed development. Their large houses will sell in the millions and the ADUs will rent at high Avenues market rates. One of the biggest concerns is the proposed density of the development and the stress it will put on traffic and parking. Ivory is proposing to build an entire subdivision where every unit (21) has an ADU. This will add enormously to the number of vehicles. This is a site that only borders one public road. Maybe it makes sense in a walkable part of the city, but not here. The Planned Development would allow Ivory to ignore the rules of the SR-1 zone. They want to cut one front yard setback (lot 10) from the required 20 feet to approximately 2 feet! The houses will have no yards, are less likely to attract families with young children and will not support enrollment in the Ensign school. The proposed development provides insufficient parking. They have provided only four guest parking spaces for 42 residences. They have provided nowhere to store plowed snow in the winter. We have estimated that around 40 cars from this development will park on neighboring streets, principally F Street and 13th Avenue, and Capitol Park Avenue, a private street posted as No Parking. Ivory residents and guests will nonetheless park there illegally, causing disputes and friction between neighbors. Finally, Ivory's development, Capitol Park and Northpoint sit in an area designated as at high risk of wildfire. There is concern that F Street would become a choke point in the event of a wildfire.

Please consider all of the negative impacts that will result from Ivory's current proposal - a proposal designed to benefit only the Ivory company at the expense of current and future residents of the Avenues. They agreed to an acceptable number of homes over a year ago - they need to abide by that agreement.

Thank you for your consideration,
Debora Escalante
Avenues resident

--

Debora L Escalante
[REDACTED]

Barlow, Aaron

From: Janie Mathis [REDACTED]
Sent: Thursday, August 24, 2023 6:25 PM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris; Hayes Alan; Preserve Our Avenues Zoning Coalition; Janie Mathis
Subject: (EXTERNAL) input re Ivory Homes proposed Development at 675 North F Street

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Ivory comments

Cau. on: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Aaron,
Thank you for coming to the library meeting for Ivory's poster presentation.

I live at 688 F street, right across from the proposed Ivory development. We built our house in 2016. We followed all zoning regulations for our lot (which also allows an ADU (not 21 though). We were not allowed any exceptions, including a request for 2 feet re height . We were denied. We had to present both our completed landscape plan and completed architectural plan to the city before anything started.

I strongly disagree with the city's decision to let Ivory rezone and I disagree with its request for a "planned development". For whatever reason, the city council and the planning committee seem to allow Ivory free reign to everything.
Us ordinary tax paying citizens that the council is supposed to represent are held to every detail of the original zoning.

It does not meet the requirements for a "planned development"- it will not be an "enhanced product", it has no green spaces, no yards, no true trails, no designated parking for 21 houses, 21 ADUs. I don't think counting the driveway as parking is legitimate. It would not be considered parking for any realtor. Why does Ivory get all the exceptions- exceptions from the city council, the planning committee, the LDS church (the church has preferentially sold at least 7 SLC lots to them in the past yr alone) and they are giving them a free 99yr lease with the Ivory U of U student housing. No one else gets these perks but Ivory. They make at least 600million a yr, they could easily do a development with the original zoning and preserve the beauty of the avenues.

The sheer density of this project is hubris. The claim that Ivory is trying to provide affordable homes is ludicrous.

Ivory should be held to the same zoning restrictions as the rest of us in the upper avenues. Ivory can afford to build a development that blends in with the upper avenues, provide ample parking, green space, be held to the same height restriction as the upper avenues, same set back (20 feet in the front), sidewalks and be in general good neighbors instead of being the bullies they have been thus far.

The other concern is the fire truck issue. The top of F street is already a choke hold with North point being a gated community at the end of it. The fire trucks already turn around in my drive. Adding 21 units, 21 ADUs with one narrow road is adding fuel to the fire and we all back up to plenty of flammable canyon area brush.

Snow removal is also a huge problem on F street, where is Ivory going to put all the snow?

Pollution is another problem with this dense development with zero greenery.

The ADUs have no regulations. Basically they could turn over every 30 days, increasing crime in our neighborhood. Most ADUs are done one at a time, not mass productions of 21 all at once.

With no yards to speak of and the north houses literally facing toward a retention wall, what kind of buyers are they hoping for?

No families will want to spent 1-2 million to look at retaining walls with no yards.

Ensign school will not be supported with this concrete jungle.

I will send you a separate email with a photo of the fire trucks turning in our driveway.

Please consider all the avenues residents who voted against this development. Please use discretion to hold Ivory accountable to produce a product that exemplifies the beauty of the Avenues.

Sincerely,

Janie Mathis
688 F Street slc

Barlow, Aaron

From: Janie Mathis <janiemathis@me.com>
Sent: Thursday, August 24, 2023 6:29 PM
To: Barlow, Aaron; Preserve Our Avenues Zoning Coalition; Keenan Lynn; JUDY DENCKER
Subject: (EXTERNAL) Ivory 678 project

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Ivory comments

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Re ivory 678 project
Fire trucks stuck at top of F
Turning around in our drive

Do you think the city will pay to fix our concrete drive?
Thanks
Janie Mathis





Sent from my iPhone





Barlow, Aaron

From: Judy_Joel Daly_Deaton [REDACTED]
Sent: Friday, August 25, 2023 3:54 PM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris; poazcoalition@gmail.com; Judy_Joel Daly_Deaton
Subject: (EXTERNAL) Judy Daly Letter opposing Ivory Homes Planned Development on F Street

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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To: Aaron Barlow, City Planner – Salt Lake City
From: Judy Daly – Northpoint Estates Resident
Date: August 25, 2023
RE: Ivory Homes Proposed Development at 675 North F Street – Salt Lake City, Utah
CC: Mayor Mendenhall Council Person – Chris Wharton; POAZC Coali. on

I, Judy Daly, am writing as a homeowner in Northpoint Estates.

I begin by stating that I **do not support** the present proposed planned development that Ivory Homes has submitted for consideration by the Planning Division. The current proposal for a planned development, if accepted, would allow Ivory homes to develop the property and allow Ivory to disregard the limitations of the SR-1 zoning regulations that govern the surrounding neighbors. The approval of the planned development would permit even more units than are permitted by the recent rezone status change requested by Ivory Homes and granted by the city.

I ask that the City Planning Division closely examine the proposal and compare the proposal to the zoning requirements and city codes that must be used by all builders and developers in Salt Lake City. I further ask that the Planning Division consider that the proposal submitted would set a precedent for builders and developers to use the planned development concept to over-ride the current codes and zoning restrictions in place currently.

Many feel the proposed development does is not compatible with the established development in the Avenues. I agree with that perspective – the homes are much larger than many of the homes in the SR-1 zone of the avenues and are more closely built together.

One of the concepts being used to support this proposal is that it will provide a “public benefit”. The relaxing of the zoning requirements does not appear to meet that standard.

A Planned Development, to be approved, must provide an “enhanced product”. Ivory is using the concept of “ADUs”, which they plan to include in their homes, as an enhancement. The city currently allows ADUs for any qualifying home and therefore Ivory premise that the ADUs they proposed in their units is an enhancement is a fallacy in their presentation. Additionally, that alleged “enhancement” is not relevant to the Planned Development concept being

provided to City Planning by Ivory Homes. The proposal for ADU development by Ivory Homes would allow a developer to build and sell homes with ADUs, which I understand to be in opposition to how an ADU may currently be created – which is by the individual homeowner. There is an additional concern about the increase in the number of vehicles in the community and how that increase will affect traffic flow in the area – especially in case of natural disasters such as fire, earthquake and the like.

The open space and the creation of trails that Ivory Homes has presented as enhancements being provided by Ivory are not accurate. Renaming sidewalks as trails is quite questionable. Open space that is being touted as one of the Ivory Homes is enhancements are spaced that are mandated by the city for a public-access part as a condition of the rezone. Additionally, the percentage of the “open space and trails” on this parcel does not appear to meet the acreage that is being cited by Ivory. I would ask that City Planning confirm that statistic.

Further relating to the proposal and drawing submitted to the city and to the community. Are these drawings drawn to scale? I and many others seriously question if they are. The street drawings also do not appear to be drawn to scale and would be misleading to all who view them if they are not.

The homes are not affordable, which has also been discussed as part of the reason to approve this planned development. At the recent open house by Ivory Homes, I and others were informed the smallest homes in this development would begin at between \$900,000 and \$1,000,000 dollars. It is apparent, with that information many will be much higher in cost.

It has been understood by many residents in the area that the zoning would be FR-3 and that has been the expectation. Everyone, however, realizes that change is inevitable. The rezone is part of that inevitable change, but the Planned Development concepts go far beyond what is reasonable.

The setbacks and building coverage on the lots have been dramatically changed. Setbacks are radically reduced and building coverage dramatically increased on greatly shrunken lots. This approval would allow Ivory to ignore the SR-1 zone rules. This would also reduce any “yard” to an unusable space and would result in families with children having little or no interest in these homes.

Parking is another area of concern. The parking provided for guests is three spaces for what may be 42 residences (both Homes and ADUs)

Snow removal is another issue. At the recent Ivory Homes Open house representatives indicated that the four guest parking spaces would be used for snow storage. This further reduces parking possibilities for guests. Also, there would be no street parking within the community proposed due to the narrow width of the street that would be allowed if the current proposal is permitted. Also, with the restrictions relating to parking on Capital Park Avenue guests and possibly homeowners will be forced out onto F Street and 13th Avenue to park their automobiles thus affecting all homeowners in the surrounding area.

Fire Safety is a tremendous issue in the area due to the WUI (Wildland Urban Interface). Northpoint and parts of Capital Park abut to City Creek Canyon which is in the WUI. Northpoint has a particular concern due to only having one entrance and exit onto F-Street and the increase in density is believed to increase safety concerns for Northpoint as well as for the closely packed, large homes being proposed by Ivory in their planned development. Northpoint has experienced fires coming up City Creek Canyon and residents have had to use garden hoses to try to quell the flames until the Fire

Department could arrive. The recent fires in Lahaina, California and Colorado are excellent examples of how wildfire can erupt and destroy lives, homes, and communities in a moment. This should be strongly evaluated and considered.

I want to be clear, the development of the property by Ivory has been expected. Few are opposed to the development of the property. The original plans for development of the property with 9 to 11 homes was viewed by many as a reasonable way to develop the property in keeping with the surrounding community. The current proposal is not viewed as reasonable or appropriate.

With all of this in mind, I wish to indicate that **I do not support** the current proposal and ask that the City Planning offices deny the planned development request.

Regards,

Judy Daly
Northpoint Estates Resident

Barlow, Aaron

From: MARILYN NEILSON [REDACTED]
Sent: Friday, August 25, 2023 7:51 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory homes

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Cau. on: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Mr. Barlow, It seems pointless to try and rid our neighborhood of the shanty town Ivory is planning to build despite the passionate voices of the entire community here.

It's a foregone that these wrong-headed people n charge have an agenda that is afield of Utah's former politics.

Marilyn Neilson

Barlow, Aaron

From: Patricia Davis [REDACTED]
Sent: Friday, August 25, 2023 5:49 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory Homes project

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Cau. on: This is an external email. Please be cautious when clicking links or opening attachments.

Dear sir or madame,

I live in the Avenues. I value the mixture of homes. I just am so worried about the extent of this project and the lack of parking. I have lived in the Gilmer Park area as well. I have seen the areas of Sugarhouse and 9th and 9th grow without proper ideas for parking. I know it is difficult, but sometimes common sense needs to overrule expansive development. If I thought low income housing were coming to this project, I might adjust my thinking, but not much as the infrastructure for rides is not easily accessible to homes in this project.

There are lovely places in US cities that residents and visitors admire; the Avenues is such a place. I have many more concerns, but others have addressed them better.

Thank you, Patricia

Patricia Davis
misspat4@me.com

400 E Capitol Park Ave
UNIT 403
Salt Lake City, UT
84103

801 870 5465

Barlow, Aaron

From: Richard Schmidt [REDACTED]
Sent: Friday, August 25, 2023 4:46 PM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris; Preserve Our Avenues Zoning Coalition
Subject: (EXTERNAL) RE: Ivory Homes Open House for Capitol Park Cottages

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Mr. Barlow,

I am writing to lend my voice to the large majority of homeowners in the Capitol Park area who are strongly opposed to Ivory Home's plans to over-develop their lot on F street with a massive number of "cottage homes". I wrote previously when they sought their first rezoning of the lot, and I am writing now as they seek further rezoning to increase the number of allowable homes. This is an affront to those of us who actually live in that community and will be adversely impacted by this very bad idea. In addition to the obvious effect of building something that is completely out of character for our community and massively too large for the limited road access to the area, I also reiterate the following points that have been raised by others:

This project offers no Public Benefit as required with a Planned Development.

According to the design proposal from Ivory, I don't believe that this project even qualifies for a Planned Development, which is fundamental for their approval and could leave the City vulnerable from a legal stand-point.

The density of this project pushes way beyond reasonable for this area and will prove to be detrimental in a short time.

Parking that is regularly scrutinized by the City, for good reason, needs further balance as the visitor parking alone stands at 4 spaces for 42 residences.

While Ivory has classified the project as an experiment that could work with a number of adjustments, I really don't think that one of the City's most beautiful areas should be used for this purpose until the concept has been proven.

As a long time resident of that Avenues community I expect our city planning commission, our councilmen and other city officers to protect our neighborhood from ruinous projects being imposed by outside business interests. Please respect the zoning that has been in place and please make Ivory Homes design plans that are in harmony with our community.

Thank you

Richard Schmidt
[REDACTED]

Sent from [Mail](#) for Windows

From: [Barlow, Aaron](#)
Sent: Friday, August 18, 2023 12:15 PM
To: [Barlow, Aaron](#)
Subject: Ivory Homes Open House for Capitol Park Cottages

Good Afternoon,

You are receiving this email because you had previously expressed interest in receiving updates regarding Ivory Homes' Capitol Park Cottages development in Salt Lake City. I am forwarding you information regarding an upcoming open house that Ivory Homes will be hosting an informational open house about the project at the Corrine & Jack Sweet Library (455 F St, Salt Lake City, UT 84103) on Wednesday, August 23, 2023, from 6:30 pm to 7:30 pm. This event is not hosted by the city, but Planning staff will be available to answer questions.

Planning staff is reviewing the proposal to ensure that it complies with all relevant zoning regulations and Planned Development Standards. At this time, a public hearing with the Planning Commission has not yet been scheduled. I will send you an email with meeting information once a date has been set.

Sincerely,



AARON BARLOW, AICP | *(He/Him/His)*
Principal Planner
PLANNING DIVISION | SALT LAKE CITY CORPORATION
Office: 801-535-6182
Cell: 801-872-8389
Email: aaron.barlow@slcgov.com
SLC.GOV/PLANNING WWW.SLC.GOV

Disclaimer: The Planning Division strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Division. Those relying on verbal input or preliminary written feedback do so at their own risk and do not vest any property with development rights.

From: Ivory Homes <marketing@ivoryhomes.com>
Sent: Thursday, August 10, 2023 8:28 AM
To: Barlow, Aaron <aaron.barlow@slcgov.com>
Subject: (EXTERNAL) Save The Date!

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

[View this email in your browser](#)

Barlow, Aaron

From: Susan Masotti [REDACTED]
Sent: Friday, August 25, 2023 9:43 AM
To: Barlow, Aaron
Subject: (EXTERNAL) Avenues Re-zoning

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Dear Mr Barlow,

I am writing to express my concern about the Ivory Homes Proposed Development at 675 North F Street. I don't understand how the city intends to preserve the historic nature of the avenues by continuing to allow these new developments to be built. The avenues area is really special. What's the point of having a historic district if you're going to keep putting in new buildings? In my opinion, the city is being careless with development.

Salt Lake City has so many other areas that are blighted, why not focus on those?

Also, what is being done about water management? Is the Salt Lake Valley going to be able to sustain this overdevelopment from a water-use perspective? If the Great Salt Lake dries up in 5 years as the experts say it will, what are we going to do then?

Thank you,
Susan Masotti

Barlow, Aaron

From: Barlow, Aaron
Sent: Monday, August 28, 2023 4:06 PM
To: Heather McLaughlin-Kolb
Cc: Mayor; Wharton, Chris; poazcoalition@gmail.com
Subject: RE: (EXTERNAL) 675 North F Street: Public Comments

Dear Ms. McLaughlin-Kolb,

Thank you for your comments! I have addressed your questions in red below. Please feel free to reach out with any additional questions or concerns.

Sincerely,



AARON BARLOW, AICP | *(He/Him/His)*
Principal Planner
PLANNING DIVISION | SALT LAKE CITY CORPORATION
Office: 801-535-6182
Cell: 801-872-8389
Email: aaron.barlow@slcgov.com
SLC.GOV/PLANNING WWW.SLC.GOV

Disclaimer: The Planning Division strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Division. Those relying on verbal input or preliminary written feedback do so at their own risk and do not vest any property with development rights.

From: Heather McLaughlin-Kolb [REDACTED]
Sent: Friday, August 25, 2023 6:03 PM
To: Barlow, Aaron <aaron.barlow@slcgov.com>
Cc: Mayor <mayor@slcgov.com>; Wharton, Chris <chris.wharton@slcgov.com>; poazcoalition@gmail.com
Subject: (EXTERNAL) 675 North F Street: Public Comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Aaron et al,

Hello. While I remain in opposition to the planned development petition for 675 F Street, Salt Lake City, UT 84103 (please see email below), I understand some form of multi-unit development will most likely occur on the property. Therefore, I have the following questions and comments that I believe are important to consider.

- You are most likely aware that there currently are and have been nesting red-tailed hawks on the property for numerous years. Red-tailed hawks are protected under the [Migratory Bird Treaty Act of 1918](#) and therefore, their nests cannot be destroyed without consultation with the US Fish and Wildlife Service (USFWS). What are the plans for relocating the nest(s)? Will a USFWS and/or Utah Division of Wildlife Resources biologist perform a pre-construction nesting survey and/or relocate the nest(s)?

I will speak to our Urban Forestry Department and the Division of Wildlife Resources about the hawk nest to see what needs to be done by the property owner. I heard about the nest from another individual at the open house on

Wednesday. Thank you for the heads up! I will add any updates about the nest to the open house page for the project: <https://www.slc.gov/planning/2023/07/10/openhouse-00656/>

- Various concept trees are shown in the [architect's narrative](#), as well as in the [illustrative plan](#). Will a Salt Lake City urban forester and/or certified arborist be involved in the selection of the tree species? Will the urban forester and/or certified arborist consider drought tolerant tree species, as well as tree species with lower mature heights?

All existing and proposed trees need to be reviewed by the City's Urban Forestry Division. Based on a tree's characteristics, they may place additional limitations on the development that would need to be met before, during, and after development

- According to the [Utah Wildfire Risk Explorer](#), and due to the property's proximity to the foothills, the property is at a moderate to high risk of a wildfire. Will Salt Lake City Fire Department personnel assess the development plans to mitigate the risk, including considering additional access points to avoid a choke point on F Street in the event of a catastrophic wildfire?

All new development projects are assessed by certified Fire Protection Engineer to ensure that all fire codes are met. The City's Engineer and Transportation Divisions will also review the projects potential impact on adjacent existing streets. Any concerns regarding F Street's capacity that they bring up will be addressed. The applicant will need to comply with any requirements that engineers (from the Transportation or Engineering Divisions) might place on the proposal.

Thank you for the opportunity to provide questions and comments. I appreciate your time.

Sincerely,
Heather McLaughlin-Kolb

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

From: Heather McLaughlin-Kolb
Date: Wed, Jan 12, 2022 at 10:26 PM
Subject: NO Ivory Homes Re-Zone
To: Echeverria, Daniel <daniel.echeverria@slcgov.com>
Cc: <chris.wharton@slcgov.com>, <poazcoalition@gmail.com>

Daniel et al,

Please consider this email in opposition to the Ivory Homes rezone application for 675 F Street, Salt Lake City, UT 84103.

I am sure you have received numerous emails regarding this topic and therefore I'll keep my email to the point.

Contrary to [Appendix F: Public Transportation Proximity and Frequency](#), the Utah Transit Authority (UTA) no longer services the upper Avenues neighborhoods.

Currently UTA provides bus routes 6 and Flex 11. The closest designated bus stops are located at 9th Avenue and C Street (both routes) and 6th Avenue and F Street (Flex 11 route only). Bus Route 6 provides 30- and 60-minute headways, while Flex Route 11 provides 60-minute headways on weekdays only. Considering that neither of these bus stops are within one-quarter mile of the property, this greatly decreases the likelihood that future residents will utilize transit.

The proposed Ivory Homes rezone application does not address the affordable housing crisis that we are currently experiencing along the Wasatch Front. [Appendix H: Growing SLC: A Five-Year Housing Plan 2018-2022](#) defines affordable housing, and these homes do not meet the requirements of affordable housing.

"Affordable housing for a single person in Salt Lake City currently earning 60% AMI, or \$41,350, would be a rental costing approximately \$1,034/month, or a home priced around \$175,000 (est. mortgage \$824/mo + taxes and insurance). Affordable housing for a Salt Lake City family of four earning 80% AMI, or \$59,050, would be a rental costing about \$1,476/month or or a home priced around \$265,000 (est. mortgage \$1,193/month + taxes and insurance)."

Thank you for the opportunity to provide comments. I appreciate your time.

Sincerely,
Heather McLaughlin-Kolb



Barlow, Aaron

From: Mitchell Peterson <mitchelltpeterson@gmail.com>
Sent: Saturday, August 26, 2023 4:46 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory 13th Ave and F Development

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Hello Aaron and whom else concerned,

The Ivory Homes Development should not be permitted to go through as proposed. They have changed their proposal dramatically since getting the re-zone approved. They should either be required to build what they proposed when they were granted the re-zone, or they should have to go through the whole process again to get the new plans approved. This new proposed development will be very far from the current feel of the neighborhood, and will dramatically reduce the property values of the homes near this area. The master plan had this area zones as FR3, and the infrastructure was set up to support that. They are requesting to build more homes tighter together than the new re-zone would allow, with no plans for parking or how to manage that amount of resource increase requirement. Furthermore, the lot is in a high fire risk area, and packing in as many homes as possible sets up a potential disaster. The recent fires in Maui should serve as a reminder that disasters can happen in cities. We should be doing what we can to reduce this risk, not increasing it.

This is also very frustrating for me as a homeowner in the FR3 district as Ivory Homes is trying to extract as much profit as possible from the neighborhood while leaving it in a worse condition than they found it. They are relying on the feel of the neighborhood outside of their development to keep prices high, while destroying that same feel within their development. Please do not allow these large corporations to destroy our neighborhoods in the name of profit. Thank you for your time,

Mitchell Peterson
1484 E Tomahawk Drive

Mr. Aaron Barlow
Planning Division

I would like to go on record with the Planning Division and the Planning Commission that I oppose granting Ivory Development a Planned Development on their plot at 675 North F Street.

In December of 2022, the City Council awarded Ivory Homes a rezone from FR-3 to SR-1. Now, Ivory wishes to have the Planning Commission approve their application for a Planned Development (PD).

Although I think that the newest design is better in several respects, Ivory is motivated to pack in as many large homes as they can into this location. To do this, they wish to exploit the PD ordinance to make building lots smaller and homes larger than would be allowed under the SR-1 zone rules. But, the PD ordinance states that a developer must deliver an “enhanced product” to qualify for a PD by meeting certain criteria.

Ivory argues that they are providing enhanced housing by building ADUs on all their primary homes. But Ivory does not need a PD to build ADUs; they can already do this by existing city code. They would very likely build potential ADUs on their homes even under FR-3, let alone SR-1. This is a deceptive and false argument that building ADUs qualifies as a community benefit if Ivory can and would do it without a PD.

For their second criteria, Ivory argues that they are creating enhanced public recreational opportunities by constructing a trail around the circumference of the development. The ‘trail’ is really the sidewalk for the HOA. The sidewalk along the northern boundary is the only common access to the front doors of the uphill homes; they have to have this sidewalk. The same is true for the sidewalk along Capitol Park Avenue, but for the downhill facing units. And the land along the northern boundary above the sidewalk, referred to as the Mews Walk, has a typical gradient of around 32% and is unbuildable and likely unusable for adults for any recreational purpose. The sidewalk along F Street is on public land and is a standard feature for a public street. Ivory was mandated to preserve a 30-foot setback from the second story for all homes along the western boundary, so that land also cannot have structures.

Ivory was granted the rezone on condition that “the open space area shown on draft drawings will generally be accessible to the community at large...”, in other words, that they create a public park, which was to have been situated at the SE corner which is already unbuildable because it contains an underground storm water metering tank and I suspect will flood occasionally. I envisioned a real playground accessible to the neighborhood kids. But the current plans do not show that this area has been expanded or will become a public park. Ivory is trying to claim that the sidewalks that surround the property are now half of the public park. The public will not want to walk through someone’s private development and the owners won’t like it, either.

This alleged open space enhancement is self-serving and not a public service. This open space is largely dictated by constraints within which they must already build. There is almost no additional benefit to either the development or to the public that Ivory would almost surely not provide if they build under SR-1 without a PD.

Barlow, Aaron

From: Hedley, Noah <nhedley178@g.rwu.edu>
Sent: Sunday, August 27, 2023 7:45 PM
To: Barlow, Aaron
Subject: (EXTERNAL) 675 F St and Park Cottages

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

Hello,

I would like to enter a comment opposing the development of the denser lot at 675 F St and the Ivory homes park cottages. I am a long time resident of the avenues.

This development will not have any public benefit and will only harm the current conditions of the avenues. Ivory homes has already tarnished the integrity of the avenues with large high rise apartment buildings to serve only the wealthy members of the community. There is no 'affordable' part of this new housing development and should not be approved by city council.

This development also violates many zoning and building codes and is just simply not needed in this neighborhood.

Let me know if this needs to be sent to anyone else in the planning council.

Thank you

Barlow, Aaron

From: Peter Wright <pwwjaw@gmail.com>
Sent: Monday, August 28, 2023 11:51 AM
To: Barlow, Aaron; Norris, Nick; Mayor; rockyanderson.justice@gmail.com; Otto, Rachel; Wharton, Chris; George Pyle; Tony Semerad; Merrilee Morgan
Cc: Larry Perkins; Tyler Jack; Rhett Davis; Anne Baugh; John Kennedy; Benjamin Farr; Jeff Burton; Jeff Polychronis; nathan Dean; Katherine Kennedy; Cheri Daily; Bruce Johnson; Jim Bach; Judy Dencker; Jill van Langeveld; Preserve Our Avenues Zoning Coalition; David Maher; Scott Young; Joel Deaton; Cynthia Kagan; Pam Brown; Jeannine Gregoire; Naoma Tate; Todd Jensen; Maria Mastakas; Koziatsek, Gina; Alan Hayes; Bob Kinney; Jill Kinney; Al Kubota; Janice Nelson; Ken Bronston; Sarah van Voorhis; Lon Jenkins; Janice Ruggles; Susie Polychronis; Don Warmbier; Mary Lou Van Voorhis; Thomas Keen; Evan and Susan; Shane Carlson; Boyd Baugh; cindy vanKlaveren; JV Cook; Mary moody; Leah Bedell; Janie Mathis; Linda Dean; Dave Alderman
Subject: (EXTERNAL) Recognized Community Organization Report
Attachments: RCO Report 11.9.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

RE: Ivory Homes Application for a Planned Development at 675 North F Street.

Dear Aaron,

Please find attached our report and analysis of Ivory's application for a planned development. We believe that this report fairly reflects the opinions of the residents of the upper Avenues who live closest to and are most impacted by this development.

The upper Avenues community is strongly opposed to Ivory's request for further sweeping concessions via a planned development that are considered both excessive and unreasonable, while yielding zero public benefit.

Avenues residents have put a great deal of time and effort into generating this report and analysis, and we ask that you and those copied in the city administration, please take the time to read and understand the many concerns of our community.

We look forward to reviewing this report with you sometime in the near future.

Best Regards,
Peter Wright
Chair POAC

Barlow, Aaron

From: rockyanderson.justice@gmail.com
Sent: Monday, August 28, 2023 12:41 PM
To: 'Peter Wright'; Barlow, Aaron; Norris, Nick; Mayor; Otto, Rachel; Wharton, Chris; 'George Pyle'; 'Tony Semerad'; 'Merrilee Morgan'
Cc: 'Larry Perkins'; 'Tyler Jack'; 'Rhett Davis'; 'Anne Baugh'; 'John Kennedy'; 'Benjamin Farr'; 'Jeff Burton'; 'Jeff Polychronis'; 'nathan Dean'; 'Katherine Kennedy'; 'Cheri Daily'; 'Bruce Johnson'; 'Jim Bach'; 'Judy Dencker'; 'Jill van Langeveld'; 'Preserve Our Avenues Zoning Coalition'; 'David Maher'; 'Scott Young'; 'Joel Deaton'; 'Cynthia Kagan'; 'Pam Brown'; 'Jeannine Gregoire'; 'Naoma Tate'; 'Todd Jensen'; 'Maria Mastakas'; 'Koziatsek, Gina'; 'Alan Hayes'; 'Bob Kinney'; 'Jill Kinney'; 'Al Kubota'; 'Janice Nelson'; 'Ken Bronston'; 'Sarah van Voorhis'; 'Lon Jenkins'; 'Janice Ruggles'; 'Susie Polychronis'; 'Don Warmbier'; 'Mary Lou Van Voorhis'; 'Thomas Keen'; 'Evan and Susan'; 'Shane Carlson'; 'Boyd Baugh'; 'cindy vanKlaveren'; 'JV Cook'; 'Mary moody'; 'Leah Bedell'; 'Janie Mathis'; 'Linda Dean'; 'Dave Alderman'
Subject: (EXTERNAL) RE: Recognized Community Organization Report

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Hello, Peter –

You and others have done a masterful, compelling job demonstrating why the application for a planned development by Ivory in the existing open space in an unwalkable part of the Avenues is contrary to applicable standards *and* to the public interest. It is a proposed development that has only one thing in mind: maximizing profits for the developer, to the detriment of the surrounding community. In fact, the *entire* community at large in SLC would be disserved by the precedent that would be set by approval of this proposed planned development.

To call the sidewalk a “trail” and to pretend that somehow the jamming in of so many crowded, long, flat-roofed homes helps preserve open space makes a mockery of the city’s standards. If this project will pass muster under the city’s clear standards that compel its rejection, one wonders how any developer will ever be told “No” by those in city government who seem to be paving the way for the development.

I find this proposed development especially offensive to our city as a whole after learning recently that Ivory has also acquired the Liberty Wells building and contiguous open space, which it also plans to fill with housing (NOT affordable to most people, as with the F Street proposed planned development).

Instead of adding to and enhancing access to more open space in our city, the current administration, in cahoots with developers, seems bent on destroying significant open space to

benefit developers, while failing to provide truly affordable (or “deeply affordable”) housing for those who need it most. I hope there will be a unified community uproar over the loss of these rapidly-diminishing open spaces in our city.

It is this developer-pandering approach by the current administration that has degraded our city’s built environment, undermined the character of so many neighborhoods, and left so many people unable to live in our increasingly unaffordable city.

Extensive affordable housing is within our reach, but not by subsidizing private profit-driven developers with millions of dollars and disregarding our city’s well-established standards in disregard of the interests of long-time residents and benefiting only developers.

Please read my op-ed on these issues, here:

<https://www.sltrib.com/opinion/commentary/2023/05/07/anderson-more-affordable-housing-is/>

Best wishes in your fight against irresponsible development that undermines so many community interests (in the face of almost universal opposition by people in the area) and that serves no legitimate public purposes - Rocky

Ross C. “Rocky” Anderson

Rocky for Mayor

Mobile: 385.234.0489

Direct: 801.349.1691

Email: rockyanderson.justice@gmail.com



From: Peter Wright <pwwjaw@gmail.com>

Sent: Monday, August 28, 2023 11:51 AM

To: Barlow, Aaron <Aaron.Barlow@slcgov.com>; Norris, Nick <nick.norris@slcgov.com>; Erin Mendenhall <mayor@slcgov.com>; rockyanderson.justice@gmail.com; Otto, Rachel <Rachel.Otto@slcgov.com>; Chris Wharton <Chris.wharton@slcgov.com>; George Pyle <gpyle@sltrib.com>; Tony Semerad <tsemerad@sltrib.com>; Merrilee Morgan <merrilee01@msn.com>

Cc: Larry Perkins <advancemortgageq@gmail.com>; Tyler Jack <tylerjack@frontlinefinancial.com>; Rhett Davis <meridien.r@gmail.com>; Anne Baugh <annealbaugh@xmission.com>; John Kennedy <John@kennedys.org>; Benjamin Farr <benfarr.dev@gmail.com>; Jeff Burton <jeff@eburton.com>; Jeff Polychronis <jpolychronis@me.com>; nathan Dean <Nathan.Dean@imail.org>; Katherine Kennedy <Katherine@kennedys.org>; Cheri Daily <cheri.daily@gmail.com>; Bruce Johnson <bjohnson849@comcast.net>; Jim Bach <bachassociates@aol.com>; Judy Dencker <2slcops@msn.com>; Jill van Langeveld <jill.van@hotmail.com>; Jan Mckinnon <jwmckinnon@gmail.com>; David Maher <dmaher7232@aol.com>; Scott Young <syoun@sentry.financial>; Joel Deaton <jald2@msn.com>; Cynthia Kagan <terremoto@comcast.net>; Pam Brown <pnbrown32@gmail.com>; Jeannine Gregoire <jeanninegregoire@gmail.com>; Naoma Tate <NaomaTate@aol.com>; Todd Jensen <todd_jensen@comcast.net>; Maria Mastakas <mmastakas@gmail.com>; Koziattek, Gina

<gina.koziattek@utahhomes.com>; Alan Hayes <abh_slcut@yahoo.com>; Bob Kinney <rkinney558@gmail.com>; Jill Kinney <jkinneyrts@gmail.com>; Al Kubota <Kubota.1@gmail.com>; Janice Nelson <janicebn1830@comcast.net>; Ken Bronston <kenbronston@gmail.com>; Sarah van Voorhis <sarah@vsfamlaw.com>; Lon Jenkins <lonjenkins54@gmail.com>; Janice Ruggles <bruggmd@comcast.net>; Susie Polychronis <spolychronis@me.com>; Don Warmbier <dfwarmbier@gmail.com>; Mary Lou Van Voorhis <marylouvanv@gmail.com>; Thomas Keen <twklak2@aol.com>; Evan and Susan <zorbares@gmail.com>; Shane Carlson <ComeBackShane@comcast.net>; Boyd Baugh <boydbaugh@aol.com>; cindy vanKlaveren <cindyvan@comcast.net>; JV Cook <jvcook@aol.com>; Mary moody <mary@marymoody.biz>; Leah Bedell <lbedell@copconstruction.com>; Janie Mathis <janiemathis@me.com>; Linda Dean <lpdean@mac.com>; Dave Alderman <davealderman@hotmail.com>

Subject: Recognized Community Organization Report

RE: Ivory Homes Application for a Planned Development at 675 North F Street.

Dear Aaron,

Please find attached our report and analysis of Ivory's application for a planned development. We believe that this report fairly reflects the opinions of the residents of the upper Avenues who live closest to and are most impacted by this development.

The upper Avenues community is strongly opposed to Ivory's request for further sweeping concessions via a planned development that are considered both excessive and unreasonable, while yielding zero public benefit. Avenues residents have put a great deal of time and effort into generating this report and analysis, and we ask that you and those copied in the city administration, please take the time to read and understand the many concerns of our community.

We look forward to reviewing this report with you sometime in the near future.

Best Regards,

Peter Wright

Chair POAC

Barlow, Aaron

From: Susan Macnamara <susan.macnamara@yahoo.com>
Sent: Tuesday, August 29, 2023 10:22 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory Development of 675 N. F St

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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I want to go on record with the Planning Commission that I oppose granting Ivory Development a Planned Development on their 3.2 acres of land at 675 North F Street.

In December of 2022 the City Council awarded Ivory Homes a rezone from FR-3 to SR-1. Ivory now wants yet another approval of their application for a planned development. This would permit them to build more than that allowed under the granted zone (SR-1). This will, however, increase density and decrease quality of life for those new residents, without any meaningful effect on our housing crisis.

The real impact on this shortage will be from the 15,000 rental units soon to become available, with yet more to come. Ivory's request goes beyond what I think is reasonable for SR-1 and adds only a trivial number of units to housing availability.

I think Ivory is very capable of building quite profitably under SR-1. Their request serves only to increase their return on investment, with minimal benefit to Salt Lake City, yet with real impact on the daily lives of residents indefinitely.

There has been significant resistance in the community to Ivory's development plans. It would be a meaningful gesture on the part of the Commission to grant this compromise to the community.

Respectfully, Susan E. Macnamara

Barlow, Aaron

From: Tess Karen Leiker <tess_lovecpa@yahoo.com>
Sent: Saturday, September 2, 2023 4:58 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory homes

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Please do not allow ivory homes to be in the avenues. No one want them here. Thank you.

Barlow, Aaron

From: Dave Alderman <davealderman@hotmail.com>
Sent: Tuesday, September 5, 2023 3:19 PM
To: Barlow, Aaron
Subject: (EXTERNAL) Ivory Homes

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Aaron -

I have spoken several times at Planning Commission and City Council in favor of keeping the old FR zoning. I was disappointed to see it changed to SR1. But Ivory has addressed some of the major issues raised, especially getting rid of the giant retaining wall. And I understand the need for a Planned Development due to the private road that is needed. However, I do not think that allowing larger (and therefore more expensive) houses is what the City Council had in mind when they changed the zoning. In keeping with the neighborhood characteristics, the building coverage ratio should be more in line with the SR1 requirements.

Thanks

Dave Alderman

Barlow, Aaron

From: J. Burley Wolfe <chocolatewren@gmail.com>
Sent: Thursday, September 7, 2023 12:07 PM
To: Barlow, Aaron
Subject: (EXTERNAL) NO to Ivory Homes - we are not lab rats

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

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Hi Mr Barlow,

I am writing to be sure you know I deeply oppose the Ivory Homes Proposed Development at [675 North F Street](#). I opposed it before you supported it; and now, as Ivory Homes continues to peck away at the systems that were set to keep a neighborhood feeling like a neighborhood, I oppose it much more.

I've been playing too much pickleball lately to walk by this piece of land every night as I did for years. It is — was—a great 3 mile walk. The idea that this narrow street will be a mess for 3-5 years of building before being overrun with 60+ cars permanently and awful traffic, sickens me for my own sake. But this isn't about me. It makes my blood curdle thinking about the nearby neighbors.

We can -if we want- decide not to feel for the rich folks at The Meridien. I still do feel for them, though, because when they bought their homes, it was with the understanding that the zoning precedent would remain on this empty hill. My empathy is highest for those living in homes on F street, and those at the bottom corner of F and 11th, who will have unprecedented traffic every day, up and down and up and down their street, as Ivory Homes' pockets are lined with greenbacks. Because why? Because they wore down city employees and councilors who changed the many-decade zoning designation.

As I understand it, the houses proposed by Ivory Homes are at least twice the size of most houses in the SR-1 zone of the Avenues and they are packed far more closely together: 10 feet between large, 90 foot long buildings. It's just wrong and bad for you to pack residents in like sardines on this propriety. Please only allow Ivory Homes to build with the constraints that every other builder has contended with over the last 25+ years. 11 houses. And let homeowners decide - not the builder - if ADUs are what they want. We should not be lab rats as you experiment with Ivory Homes about whether and how zoning should be altered or whether builders should build the ADUs onto the properties — both unprecedented activities for many years.

All this from a resident who would have wanted this to be a Salt Lake City green-space. Eagles were seen on branches on this property not long ago. And a red-tailed hawk pair had a nest in one of those trees on this property this past year. Where are they going to go now? Too bad Audubon can't wine and dine you like Ivory Homes.

Thank you for your time.

Warmest regards,

Jayla Wolfe
685 Aloha Rd
801-652-1774

Barlow, Aaron

From: Jack Dolcourt <Jack.Dolcourt@hsc.utah.edu>
Sent: Friday, September 8, 2023 3:33 PM
To: Barlow, Aaron
Cc: Mayor; Wharton, Chris
Subject: (EXTERNAL) RE: Ivory Homes Proposed Development at 675 North F Street

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Ivory comments

Caution: This is an external email. Please be cautious when clicking links or opening attachments.

September 8, 2023

Mr. Aaron Barlow
Salt Lake City Planning Division
PO Box 145480
Salt Lake City, Utah 84114-5480

Sent by e-mail: aaron.barlow@slcgov.com
e-mail copies sent to: mayor@slcgov.com; poazcoali_on@gmail.com; chris.wharton@slcgov.com

RE: Ivory Homes Proposed Development at 675 North F Street

Dear Mr. Barlow,

I am a resident of the Avenues section of Salt Lake City. By this e-mail, I am voicing my continued opposition to the Ivory Homes Proposed Planned Development. I explained the reasons for my opposition in my August 15th e-mail to you, so I will not reiterate them here.

Here are 4 concrete changes to the plan that Ivory Homes should do as a precondition o then resubmit for approval their modified development plan for 675 North F Street:

1. Widen all streets
2. Double the number of off-street guest parking spaces
3. Decrease the density of this development by Increasing the spacing between units by at least 25%.

Sincerely,

Jack Dolcourt
509 Northmont Way
Salt Lake City, Utah 84103

September 10, 2023

Aaron Barlow, AICP
Principal Planner
SLC Planning Division

Re: Opposition to application of Ivory Development for Planned Development Treatment for Project at 675 F Street
Petition Number: PLNPCM2023-00650

Dear Mr. Barlow,

It was nice to meet you at the Open House on August 23rd. My wife and I live at 322 East Penny Parade Drive in the Capital Park HOA. We bought our house almost a decade ago. After we bought our house, we sought to add a master bedroom in what was and still is our attic. Our application to Salt Lake City was declined because our plans did not comply with certain height restrictions (even though we were not exceeding the height of our current roof). Our appeals to Salt Lake City were unsuccessful. We hope and expect that the City will apply the same strict application of the rules to Ivory's project.

As you know, Ivory has pursued and continues to pursue a variety of exceptions and variances to the rules that apply to the entire Avenues' neighborhoods and to the Ivory property on F Street. Ivory has already obtained rezoning for the site which will permit more units on the site. But, that is not enough for Ivory. Ivory now seeks Planned Development treatment for the development which would create even more units than are permitted by its recently achieved zoning status. In addition to the 21 homes, Ivory also seeks to exacerbate matters further by adding ADUs – for a total of 42 homes on this small parcel.

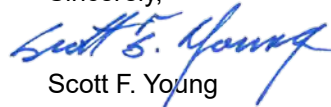
Here is the short list of our concerns:

1. Fire safety: A single narrow road through houses with as little as 10 feet between them – 5 foot side yards! In addition, the street is narrow and there are no real parking spaces. Ivory acknowledges this shortcoming by casting driveways as "parking spots". If the homeowners or guests park in the street, which certainly will happen, it will be impossible for a firetruck to get down the road. Not only is all of this not compatible with established development in the Avenues, it is a real life fire safety hazard.
2. Retaining Walls: Over the last year, we have all seen on the news neighborhoods and homes sliding down the hillside because developers pressured the cities to stretch or violate the rules. If that happens at this development, who will be responsible to pick up the pieces? Who will protect the Northpoint residents? It certainly won't be Ivory! Of course, Ivory has or will provide engineering reports to support their development. But, so did the developers of the other developments and those homeowners' dreams slid down the mountain with their homes! These and the fire safety concerns are life threatening safety issues and Ivory is asking the City to look the other way. Nothing to see here!
3. Criteria for a Planned Development: Ivory must demonstrate that it is providing an "enhanced product". The design and site conditions of the development will not appeal to families with young children or occupants with physical limitations. There are no yards for kids to play! And, Ivory has failed to establish the "enhanced product" requirement. Instead, Ivory hopes that putting lipstick on its pig of a development will make it more attractive to the City. Ivory's claims of preserving open spaces and creating trails is a farce. A retention pond is not open space and mandatory sidewalks are not trails! Ivory is being disingenuous!
4. ADUs: The ADUs create a host of problems. As you know, ADUs are a housing type that gives the exclusive right to individual homeowners to create an additional housing unit on the property

they own and occupy. It's a special property right for owners, not developers or investors. But again, Ivory is seeking special treatment. These ADUs have the additional problem of the homeowner using them for overnight or short term rentals. Ivory's response to this concern is that the City has rules against that behavior. But, our experience at Capitol Park is that the City is not responsive to enforcing those rules. When Capitol Park had these issues, the City was completely non-responsive. We cannot expect anything else with abuses at the Ivory development.

Public opinion is intended by our system of laws to benefit public policy development and administration. It shouldn't be treated as a mere ritualistic hurdle to be cleared on the way to an inevitable project approval for a large, politically powerful developer. Please give serious consideration to our views as well as those who, like us, have followed the evolution of Ivory's development proposal for several years and have taken the time to study and comment on it. We hope that you will apply the same scrutiny and standards to Ivory's plans that you did when we asked to add a master bedroom to our house. The same standards that apply to Salt Lake City residents should apply to Ivory. Ivory is not entitled to special treatment. Ivory has not met the requirements for a Planned Development and its request should be denied! Thank you.

Sincerely,



Scott F. Young

ATTACHMENT I: Department Review Comments

The following departments reviewed this proposal. Any requirement identified by a City Department is required to be complied with.

Engineering (Scott Weiler):

1. The preliminary plat proposes to create 21 lots and two alpha parcels from the Ivory Homes property at approx. 675 N. "F" Street. The plat represents that no additional public way needs to be dedicated in the "F" Street corridor. Capitol Park Avenue is a private street. The proposed streets to be created are also proposed to be private streets.
2. The Subdivider must enter into a Subdivision Improvement Construction Agreement (SICA) for the **public improvements to be installed in "F" Street**. This agreement requires the subdivider to provide a security device, such as Payment & Performance Bonds, to guarantee acceptable completion of the public way improvements, including any public sewer, water, storm drain, curb & gutter, sidewalk, pavement, and street lighting. The agreement also requires insurance from the subdivider and the contractor and the payment of a fee based on the estimated cost of constructing the proposed street improvements (not including sewer, water, storm drain or street light improvements). The fee is calculated as 5% of the first \$100,000 of street improvements and 2% of the amount over \$100,000. A copy of the agreement can be sent to you via email, if requested.
3. The Improvement plans for the proposed public street construction must comply with the Salt Lake City Engineering (APWA) design standards. Some of the requirements to follow for this development are:
 - Plan & Profile sheets must show the profile view for top back of curb grade and centerline grade of "F" Street, with stationing increasing from left to right.
 - Minimum longitudinal curb & gutter (Type "A") design grade is 0.50%.
 - The minimum size lettering is 1/10" and capital letters shall be used.
 - The text shall be readable from one of two directions on a given sheet.
 - A Cover Sheet, with approval signatures from SLC Planning, SLC Public Utilities, SLC Fire Department, SLC Transportation and SLC Engineering must accompany the improvement plans.
4. SLC Transportation will determine the location for the proposed curb & gutter in "F" Street and the required width of the public sidewalk.
5. The SLC Surveyor has reviewed this preliminary plat. Those redlines as well as a pdf with address information will accompany this memo. New address certificates are required.
6. If new sewer or water mains to serve this development are to public, the subdivider must enter into agreements required by the SLC Public Utility Department and pay the required fees. The SICA can be used for collecting a bond for any public utilities that SLC PU desires to be included.
7. At least one member of the concrete finishing crew must be ACI certified. The name of the ACI certified finisher must be provided at the pre-construction meeting for the subdivision.

(Please see attached redlines of the plat.)

Fire (Douglas Bateman):

Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into; and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Fire Marshal will need to look at these and determine if enough space has been provide for fire department access from building to lot lines.

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet for buildings 30-feet and less, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches. Buildings greater than 30 feet shall have a road width of not less than 26 feet. Fire apparatus access roads with fire hydrants on them shall be 26-feet in width; at a minimum of 20-feet to each side of the hydrant in the direction or road travel.

Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide (See Figure D103.6 for example).

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (80,000 pounds) and shall be surfaced to provide all-weather driving capabilities.

The required turning radius of a fire apparatus access road shall be the following: Inside radius is 20 feet, outside is 45-feet.

Buildings or portions of buildings constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official. Additional fire hydrants may be necessary dependent on total square footage and required fire flows in accordance with IFC appendix B and C

Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.

Maximum grade for fire access roads shall not exceed 10%

Planning Staff Note: *The City Fire Prevention Bureau does not normally weigh in on development projects. However, they were provided information on possible impacts to the Wildland Urban Interface from the development plans. The Bureau noted that they do not have any official comments or concerns with the proposed zoning change, noting that “Any development is subject to code requirements and the SLC Building Department and SLC FPB are committed to ensuring that the adopted codes are followed.”*

Transportation (Jena Carver):

A traffic impact study is not typically required for a development of this size. The capacity of the Avenues roadway network will be able to accommodate the traffic generated by the site. If further information on possible increase in delay at intersections or other impacts to the neighborhood is wanted by the Planning Commission they can require a traffic study and I can work with the applicant on a scope.

Public Utilities (Krissy Beitel):

Plat

Please provide a note on the plat indicating that common areas will serve as easements for shared, private utilities, including water, sewer, storm drain, and surface drainage. Please verify that “public” is not included in this note, as the utilities will not be public, but rather shared, private utilities. CC&R’s must also address utility service ownership and maintenance responsibility from the public main to each individual unit. Plat should clearly label that the ROW through the site is private ROW.

Planned Development

Comments have been provided to assist in the future development of the property. The following comments are provided for information only and do not provide official project review or approval.

- Public Utility permit, connection, survey, and inspection fees will apply.
- All utility design and construction must comply with APWA Standards and SLCPU Standard Practices.
- All utilities must meet horizontal and vertical clearance requirements.
- Contact SLCPU Street Light Program Manager, Dave Pearson (801-483-6738), for information regarding street lights.
- CC&R’s must address utility service ownership and maintenance responsibility from the public main to each individual unit.
- Utilities cannot cross property lines without appropriate easements and agreements between property owners.
- Site utility and grading plans will be required for building permit review. Please refer to APWA, SLCDPU Standard Practices, and the SLC Design Process Guide for utility design requirements. Other plans may also be required, depending on the scope of work. Submit supporting documents and calculations along with the plans.
- Applicant must provide fire flow, culinary water, and sewer demand calculations to SLCDPU for review. The public sewer and water system will be modeled with these demands. If the demand is not adequately delivered or if one or more reaches of the sewer system reach capacity as a result of the development, a water/sewer main

upsizing will be required at the property owner's expense. Required improvements on the public water and sewer system will be determined by the Development Review Engineer and may be downstream of the project.

- One culinary water meter is permitted per parcel and fire services, as required, will be permitted for this property. If the parcel is larger than 0.5 acres, a separate irrigation meter is also permitted. Each service must have a separate tap to the main.
- If a fire service is required, then it will require a separate connection to the public main. Culinary and fire water service cannot be provided from the same connection.
- If a private fire hydrant is required on site, then a detector check valve will be required.
- As shown, the proposed sewer through the site will be a private sewer main. This will require a private main agreement to be signed prior to permit issuance. Additionally, an easement with the neighboring property will be required for any portion of the private sewer main that is on the neighboring property.
- Site stormwater must be collected on site and routed to the public storm drain system. Stormwater cannot discharge across property lines or public sidewalks.
- Stormwater treatment is required prior to discharge to the public storm drain. Utilize stormwater Best Management Practices (BMP's) to remove solids and oils. Green Infrastructure should be used whenever possible. Green Infrastructure and LID treatment of stormwater is a design requirement and required by the Salt Lake City UPDES permit for Municipal Separate Storm Sewer System (MS4). applicant will need to provide options for stormwater treatment and retention for the 80th percentile storm. If additional property is not available, there are other options such as green roof or other BMP's. Lack of room or cost is generally not an exception for this requirement. If green infrastructure is not used, then applicant must provide documentation of what green infrastructure measures were considered and why these were not deemed feasible. Please verify that plans include appropriate treatment measures.
- Stormwater detention is required for this project. The allowable release rate is 0.2 cfs per acre. Detention must be sized using the 100-year 3-hour design storm using the farmer Fletcher rainfall distribution. Provide a complete Technical Drainage Study including all calculations, figures, model output, certification, summary, and discussion.
- A Stormwater Pollution Prevention Plan (SWPPP) is required.

Urban Forestry (Rick Nelson)

I evaluated the trees on this lot back in December of 2021. I have cut and pasted the results of that survey below. I don't know the current condition of the trees on the site. The trees did rise to the level of specimen trees. This survey was done because of the community expressing concern that development would result in the loss of the "beautiful" large trees. We will seek mitigation for any of the trees being proposed for removal in accordance with our policies attached above.

There are currently no trees located on the Public ROW. There are no overhead wires. The proposed future parkstrip will be 5' wide making it good for medium species trees every 30' along street frontage. See Recommended medium tree species for SLC on our Urban Forestry web page). The following trees are located on the interior of the property and fall under the definition of specimen trees because of their size, condition, and contribution to the community.

The total inches of DBH proposed for removal is 896 inches. At \$200/inch of DBH there is a potential mitigation fee of \$179,200 as per our Tree Removal Mitigation Policy. Please see our Urban Forestry Plan Review Policy in advance of submitting plan documents for building permits.

DWR is the correct place to contact for the hawk. We typically will not remove a tree with actively nesting birds and wait until the nest is abandoned.

I don't have authority to require trees on the private road, But I would highly encourage the planting of trees along Capital Park Ave and throughout the site and would be willing to look at giving a credit for trees planted on the site to help offset the Tree Removal Mitigation fee mentioned above.

DBH	Species	Condition
5	Blue Spruce	Good
10	Blue Spruce	Good
8	Blue Spruce	Good
11	Blue Spruce	Good
10	Blue Spruce	Good
31	Elm	Fair
25	Elm	Fair
27	Elm	Fair
22	Elm	Fair
23	Elm	Fair
39	Elm	Fair
37	Elm	Fair
23	Elm	Fair
29	Hackberry	Fair
32	Elm	Fair
32	Austrian Pine	Good
30	Austrian Pine	Good
8	Juniper	Good
34	Austrian Pine	Good
23	Austrian Pine	Good
22	Elm	Fair
33	Elm	Fair
32	Elm	Fair
28	Elm	Fair
17	Juniper	Good
19	Juniper	Good
26	Honeylocust	Fair
20	Elm	Fair
23	Elm	Fair
15	Pine	Good
24	Elm	Fair
30	Elm	Fair
21	Austrian Pine	Good
14	Austrian Pine	Good
18	Austrian Pine	Good
30	Elm	Fair
27	Elm	Fair
38	Elm	Fair



VICINITY MAP
1" = 100'

CAPITOL PARK

SALT LAKE CITY, UTAH

PRELIMINARY PLANS

GEOTECHNICAL STUDY

A SITE SPECIFIC GEOTECHNICAL STUDY HAS BEEN PREPARED FOR THIS PROJECT BY IGES. THE REPORT IS DATED MARCH 3, 2020, AND WAS PREPARED BY JUSTIN WHITMER, PE. IT IS IDENTIFIED BY IGES PROJECT NUMBER 02058-118. THE REQUIREMENTS OUTLINED IN THIS STUDY SHALL BE FOLLOWED ON THIS PROJECT.

SHEET INDEX

- O-1 TITLE SHEET
- SUBDIVISION PLAT
- O-2 SITE PLAN
- O-3 UTILITY PLAN
- O-4 GRADING AND DRAINAGE PLAN

LEGEND

- SDR 35 SANITARY SEWER
- EXISTING SANITARY SEWER
- SANITARY SEWER MANHOLE
- PVC C-900 WATER LINE
- EXISTING WATER LINE
- WATER VALVE, TEE & BEND
- FIRE HYDRANT
- EXISTING FIRE HYDRANT
- PVC C-900 SEC. WATER LINE
- EXISTING IRRIGATION LINE
- SEC. WATER VALVE, TEE & BEND
- PROPOSED STREET LIGHT
- EXISTING OVERHEAD UTILITY
- RCP CL III STORM DRAIN
- EXISTING STORM DRAIN
- SD COMBOBOX, CB & CO
- PROPOSED UNDER DRAIN
- EXISTING UNDER DRAIN
- UNDER DRAIN CLEANOUT
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR

BENCHMARK

THE PROJECT BENCHMARK IS A BRASS CAP STREET MONUMENT IN A WELL AT THE INTERSECTION OF "F" STREET AND 13TH AVENUE. THE ELEVATION OF THE BRASS CAP IS 4840.88'.



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(801) 305-4670 www.edmpartners.com

OWNER:

Ivory Development
978 East Woodoak Lane
Salt Lake City, UT 84117
801-747-7000



NOTES:



Capitol Park

Title Sheet

PROJECT: _____
DRAWN BY: KMW
REVIEWED BY: NMM
REVISIONS: _____
No. DATE REMARKS

DATE: May 19, 2023

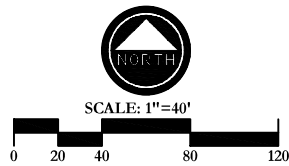
SHEET NUMBER:

O-1

CAPITOL PARK SUBDIVISION

PARCEL NUMBER 109-30-455-021

LYING WITHIN THE SOUTHEAST QUARTER (SE 1/4) OF
SECTION 30, TOWNSHIP 1 NORTH, RANGE 1 EAST, SALT LAKE BASE AND
MERIDIAN, SALT LAKE CITY, SALT LAKE COUNTY, UTAH



LEGEND	
	BOUNDARY LINE
	LOT LINE
	SECTION LINE
	CENTERLINE / MONUMENT LINE
	ADJACENT PROPERTY LINE
	SURVEY TIE LINE
	RIGHT OF WAY LINE
	EASEMENT LINE
	SECTION CORNER (FOUND)
	CALCULATED STREET MONUMENT (NOT FOUND)
	ROAD MONUMENT
	MONUMENT TO BE SET BY PERMIT FROM THE S.L. COUNTY SURVEYOR
	FOUND PROPERTY CORNER (DESCRIPTION NOTED WHERE APPLICABLE)
	NEW ROAD MONUMENT

CURVE TABLE				
CURVE	ARC LENGTH	RADIUS	CHORD DIRECTION	CHORD LENGTH
C1	62.31	102.00	N72°30'02"W	61.34
C2	160.04	262.00	N72°29'59"W	157.57
C3	97.12	212.00	N76°52'56"W	96.28
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C11	1.17	224.00	S63°54'24"E	1.17
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C13	41.24	200.00	S71°19'02"E	41.18
C14	27.34	200.00	S81°08'29"E	27.33
C15	17.27	200.00	S87°31'56"E	17.27
C16	23.56	15.00	N44°59'36"E	21.59
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C23	25.95	200.00	N67°28'32"W	25.95
C24	65.67	200.00	N80°36'00"W	65.42
C25	12.05	262.00	S84°51'10"E	12.05
C26	12.11	262.00	S82°12'39"E	12.11

09-30-455-021
SHRUT, STEPHEN B &
CHANDLER, SAURASH, JT
680 N CARING COVE

09-30-455-021
TYLER, JACOB &
ANN MARIE LEONE ET AL
680 N CARING COVE

09-30-455-018
GROSSMAN, DOUGLAS
674 N CARING CV

09-30-452-052
NORTHPOINT ESTATES HOMEOWNERS ASSOCIATION
798 N NORTHPOINT DR

09-30-452-052
NORTHPOINT ESTATES
HOMEOWNERS ASSOCIATION
798 N NORTHPOINT DR

09-31-210-119
MERIDIAN AT CAPITOL
PARK CONDOMINIUM
ASSOCIATION INC
635 N F ST

Show a Benchmark with elevation and show elevations
in relation to mean sea level (NAVD 29 / NAVD88)
(Ordinance 18.68.080)

Drawings of brass caps, showing marked and
stamped data for the monuments to be set
shall be included on the plat.
(Ordinance: 20.20.30. I. 1.)

Field measurements on the ground, shall close within a tolerance of one foot (1')
to fifteen thousand feet (15,000') of perimeter. (Ordinance: 20.20.30. C.)



VICINITY MAP
NOT TO SCALE

NARRATIVE:

THIS SUBDIVISION PLAT WAS PREPARED AT THE REQUEST OF IVORY DEVELOPMENT FOR THE PURPOSE OF SUBDIVIDING THE PARCELS OF LAND KNOWN BY THE SALT LAKE COUNTY ASSESSOR AS PARCEL NUMBER 09-30-455-021 INTO LOTS AND STREETS AS SHOWN HEREON. EXISTING MONUMENTS SHOWN ON THIS PLAT WERE OBSERVED IN THEIR RECORD LOCATIONS.

BASIS OF BEARING:

NORTH 45°19'57" EAST, BEING THE BEARING BETWEEN TWO FOUND CENTER OF STREET MONUMENTS AT 12TH AVENUE/F STREET AND 13TH AVENUE/G STREET.

ACCURACY STATEMENT:

FIELD MEASUREMENTS ON THE GROUND SHALL CLOSE WITHIN A TOLERANCE OF ONE FOOT (1') TO FIFTEEN THOUSAND FEET (15,000') OF PERIMETER PER SLC ORDINANCE 20.20.30.C.

NOTES:

- A 5/8" REBAR WITH PLASTIC CAP MARKED EDM WILL BE SET AL ALL REAR CORNERS AND ALONG BOUNDARY EXCEPT, FRONT LOT LINES WILL BE MARKED WITH A RIVET IN THE CURB AT THE LOT LINE EXTENDED.
- STREET ADDRESSES FOR EACH HOME AND ADU SHALL EITHER HAVE THE SUFFIX "UNIT A" OR "UNIT B". MAIN RESIDENCES SHALL BE ADDRESSED AS "UNIT A" WHILE THE ADU'S ADDRESSED AS "UNIT B".
- ALL THE PRIVATE ROADS WITHIN THE SUBDIVISION ARE A PUBLIC UTILITY EASEMENT.

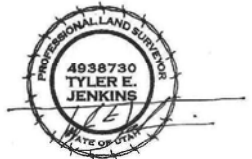
SURVEYOR'S CERTIFICATE

I, TYLER E. JENKINS, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD LICENSE NO.4938730 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS SUBDIVISION PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF UTAH STATE CODE AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN ON THIS PLAT ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS PLAT; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY; AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS:

CAPITOL PARK SUBDIVISION

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND.

05/19/22
FOR REVIEW ONLY
DO NOT RECORD



BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1 CAPITOL PARK AVENUE EXTENSION SUBDIVISION, RECORDED AS ENTRY # 8923328, IN BOOK 2003P, ON PAGE 391 AT THE SALT LAKE COUNTY RECORDER'S OFFICE, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY OF CAPITOL PARK AVENUE; SAID POINT OF BEGINNING ALSO BEING N89°51'13"W 416.49 FEET, N00°00'24"W 3.89 FEET AND N90°00'00"W 41.69 FEET FROM A FOUND STREET MONUMENT AT THE INTERSECTION OF "G" STREET AND 13TH AVENUE ; AND RUNNING THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY THE FOLLOWING 4 CALLS: 1). N90°00'00"W 34.78 FEET; 2). THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 102.00 FEET, A DISTANCE OF 62.31 FEET, A CHORD DIRECTION OF N72°30'02"W AND A CHORD DISTANCE OF 61.34 FEET; 3). THENCE N55°00'00"W 180.63 FEET; 4). THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 262.00 FEET, A DISTANCE OF 160.04 FEET, A CHORD DIRECTION OF N72°29'59"W AND A CHORD DISTANCE OF 157.57 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF CAPITOL PARK AVENUE, SAID POINT ALSO BEING THE EASTERLY BOUNDARY OF CAPITOL PARK PLANNED DEVELOPMENT PHASE 4 AS RECORDED IN BOOK 1996P, ON PAGE 273 AT THE SALT LAKE COUNTY RECORDER'S OFFICE; THENCE N00°00'24"W 296.86 FEET ALONG SAID EAST BOUNDARY, SAID POINT ALSO BEING THE SOUTHERLY RIGHT-OF-WAY OF NORTH POINT DRIVE; THENCE S89°51'43"E 217.58 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY; S60°00'00"E 200.84 FEET TO THE WESTERLY RIGHT-OF-WAY OF "F" STREET; THENCE S00°00'24"E 365.35 FEET ALONG THE WESTERLY OF "F" STREET TO THE POINT OF BEGINNING. CONTAINING 3.21 ACRES IN AREA, 21 LOTS AND 2 PARCEL SALT LAKE COUNTY TAX ID. NO. 09-30-455-0210

OWNER'S DEDICATION

I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS, STREETS AND COMMON AREAS AS SHOWN HEREON TO BE HEREAFTER KNOWN AS:

CAPITOL PARK SUBDIVISION

AND DO HEREBY DEDICATE FOR PERPETUAL USE AND DO HEREBY GRANT UNTO EACH PRIVATE UTILITY COMPANY AND PUBLIC UTILITY AGENCY PROVIDING UTILITY SERVICES TO THIS PROJECT, A PERPETUAL NON-EXCLUSIVE EASEMENT IN ALL AREAS SHOWN HEREON INCLUDING THE PRIVATE ROADWAY, COMMON AREAS, AND PRIVATE ROAD TO INSTALL, USE, KEEP, MAINTAIN, REPAIR AND REPLACE AS REQUIRED, UNDERGROUND UTILITY LINES, PIPES AND CONDUITS OF ALL TYPES AND APPURTENANCES THERETO SERVING THIS PROJECT.

NAME: CHRISTOPHER P. GAMVROULAS
TITLE: PRESIDENT OF IVORY DEVELOPMENT, LLC

ACKNOWLEDGEMENT

ON THE _____ DAY OF _____ A.D., 20____, CHRISTOPHER P. GAMVROULAS PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF SALT LAKE IN THE STATE OF UTAH, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE PRESIDENT OF IVORY DEVELOPMENT LLC AND THAT HE SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC _____ COMMISSION NUMBER _____ SIGNATURE _____

A NOTARY PUBLIC COMMISSIONED IN THE STATE OF UTAH. COMMISSION EXPIRES _____

CAPITOL PARK SUBDIVISION
PARCEL NUMBER 109-30-455-021
LYING WITHIN THE SOUTHEAST QUARTER (SE 1/4) OF
SECTION 30, TOWNSHIP 1 NORTH, RANGE 1 EAST, SALT LAKE BASE
AND MERIDIAN, SALT LAKE CITY, SALT LAKE COUNTY, UTAH

SHEET 1 OF 1

SALT LAKE COUNTY RECORDER

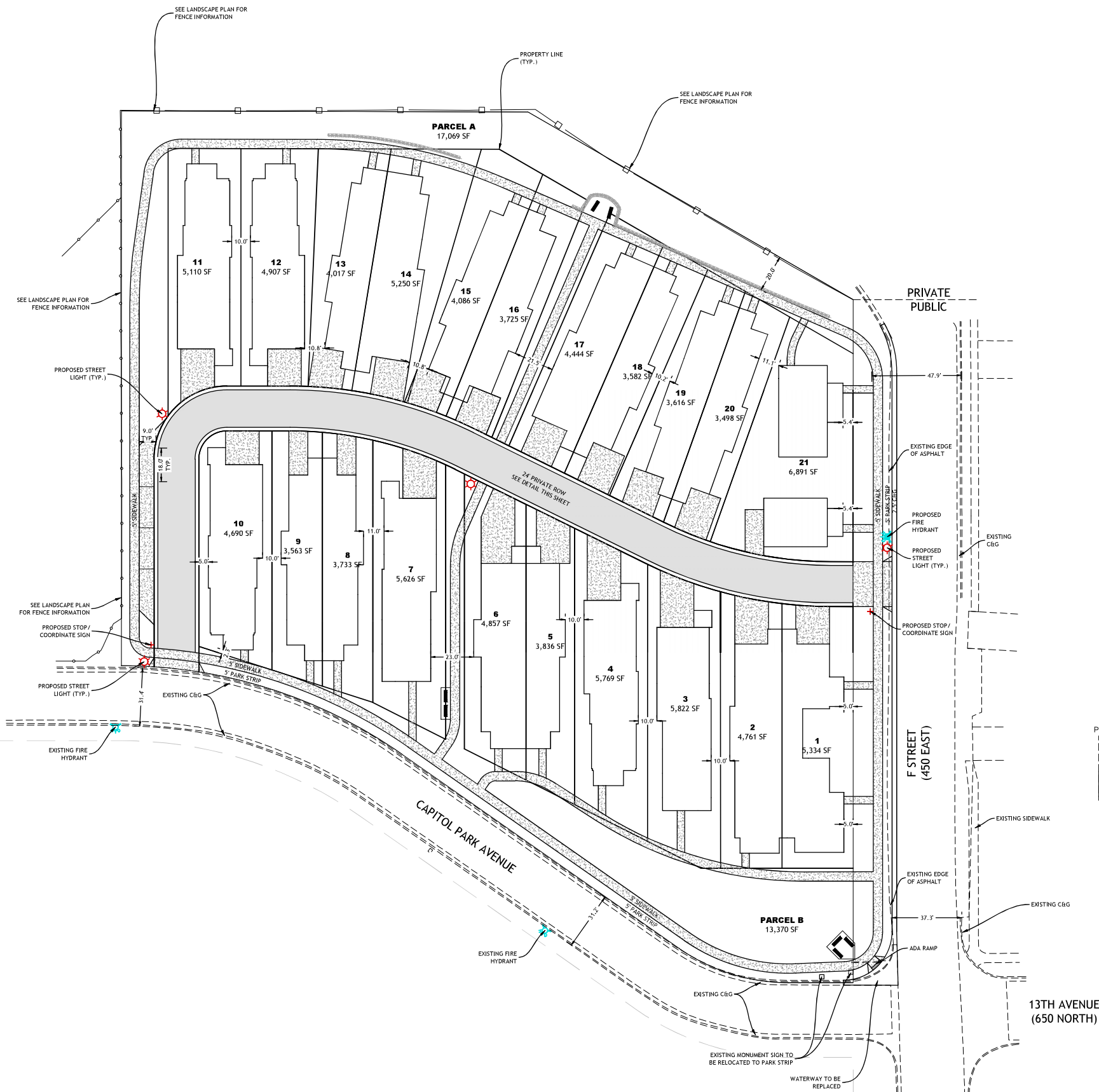
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

SEE _____ SALT LAKE COUNTY DEPUTY RECORDER

DATE	REVISIONS	BY



2815 East 3300 South, Salt Lake City, UT 84109
(801) 305-4670 www.edmpartners.com

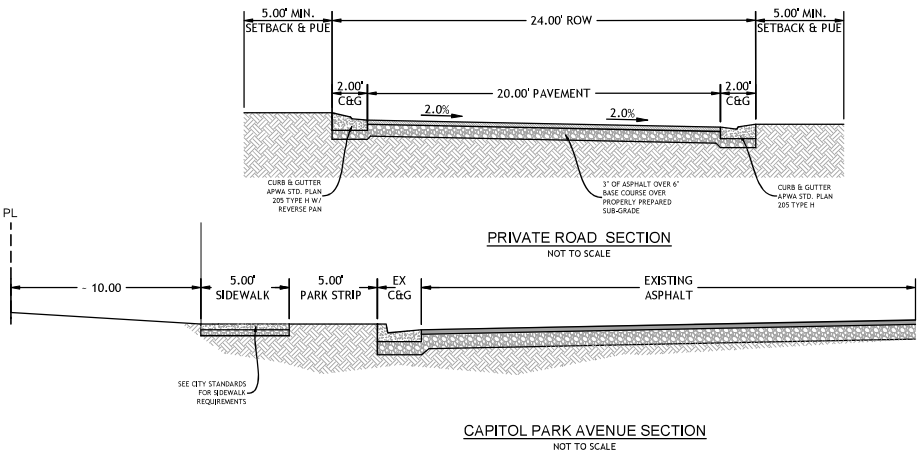


SETBACK AND SITE INFORMATION										
MINIMUM SETBACKS					LOT AREA (SF)	LOT WIDTH (FT)	BLDG AREA (SF)	BLDG COVERAGE (%)	PARKING STALLS	
LOT #	FRONT (FT)	SIDE (FT)	REAR (FT)	CORNER (FT)						
1	20	5	15	5	5334	38	2640	49%	5	
2	20	5	15		4761	33	2640	55%	5	
3	20	5	15		5822	39	2660	46%	4	
4	20	5	15		5789	39	2556	44%	4	
5	20	5	15		3836	26	1798	47%	3	
6	20	5	15		4857	33	2412	50%	4	
7	20	5	15		5626	39	2660	47%	4	
8	20	5	15		3733	27	1850	50%	2	
9	20	5	15		3563	27	1850	52%	2	
10	20	5	15	5	4690	39	2556	54%	4	
11	20	5	15		5110	39	2545	50%	4	
12	20	5	15		4907	38.6	2545	52%	4	
13	20	5	15		4017	31	1838	46%	3	
14	20	5	15		5250	39	2532	48%	4	
15	20	5	15		4086	28.7	1876	46%	3	
16	20	5	15		3725	27	1876	50%	3	
17	20	5	15		4444	33	2532	57%	4	
18	20	5	15		3582	27	1838	51%	3	
19	20	5	15		3616	27.4	1876	52%	3	
20	20	5	15		3498	27	1876	54%	3	
21	20	5	15	5	6891	55	2154	31%	4	
TOTAL SITE					139752		47110	34%	4	

NOTES:
1. EACH LOT CONTAINS ONE PRIMARY UNIT AND ONE POTENTIAL ADU.
2. PRIVATE PARKING NOT IN DRIVEWAY.

ZONING MODIFICATIONS		
	SR-1 ZONE	DESIGN
MIN. WIDTH	50'	26' *
MIN. AREA	5,000 SF	3,498 SF *
MIN. FRONT SETBACK	20'	2.95'
MIN. SIDE CORNER SETBACK	10'	5' *
MIN. SIDE SETBACK	4 / 10	5' *
MIN. REAR SETBACK	15'	2.3'
MAX COVERAGE	40%	34%

* ZONING REQUIREMENTS TO BE MODIFIED



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(801) 305-4670 www.edmpartners.com



SCALE: 1" = 30'



OWNER:

Ivory Development
978 East Woodoak Lane
Salt Lake City, UT 84117
801-747-7000



NOTES:

- All sanitary sewer improvements shall conform with the standards and specifications of Salt Lake City Public Utilities.
- All culinary water improvements shall conform with the standards and specifications of Salt Lake City Public Utilities.
- All improvements in the public right of way shall conform with the standards and specifications of Salt Lake City.
- All private improvements shall conform to APWA standards and specifications.
- Contractor to field locate and verify the horizontal and vertical location of all utilities prior to beginning work.
- Trash Plan: Individual house garbage/recycling receptacles will be kept within the garages of each respective house.

PROJECT STATISTICS

TOTAL AREA =	3.21 AC
LOTS =	21
DENSITY =	6.54 DU/AC
OPEN SPACE AREA=	0.70 AC (21.8%)
OFF-STREET PARKING=	0.01 AC (1.49%)



Capitol Park

Site Plan

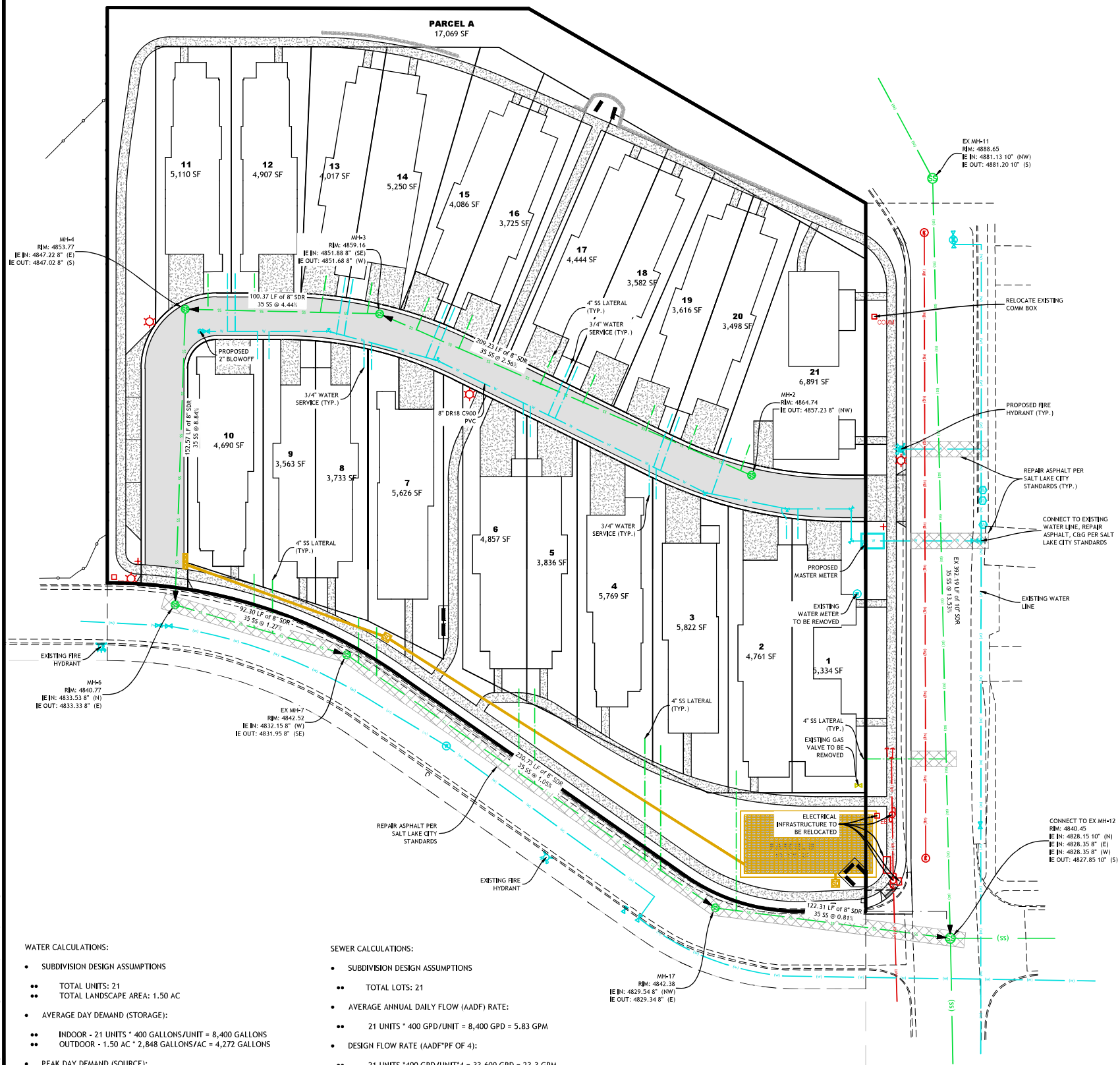
PROJECT:	
DRAWN BY:	KMW
REVIEWED BY:	NMM
REVISIONS:	
No. DATE	REMARKS

DATE: May 19, 2023

SHEET NUMBER:

O-2

C:\Users\jmd22\EDM Partners\Drawings\Capitol Park\Drawings\Utility Planning



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SCALE: 1" = 30'



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- Contractor to field locate and verify the horizontal and vertical location of all utilities prior to beginning work.
- No new above-ground electrical equipment in public ROW.
- Water system is private and will be maintained by HOA.
- All utilities must meet separation requirements, including laterals.



Capitol Park

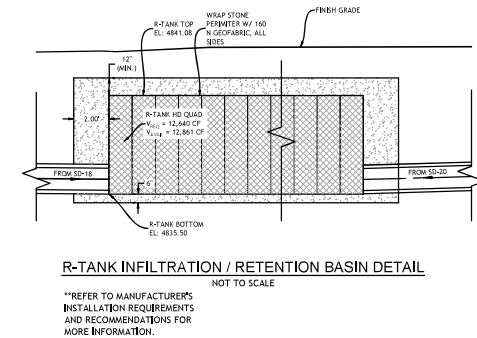
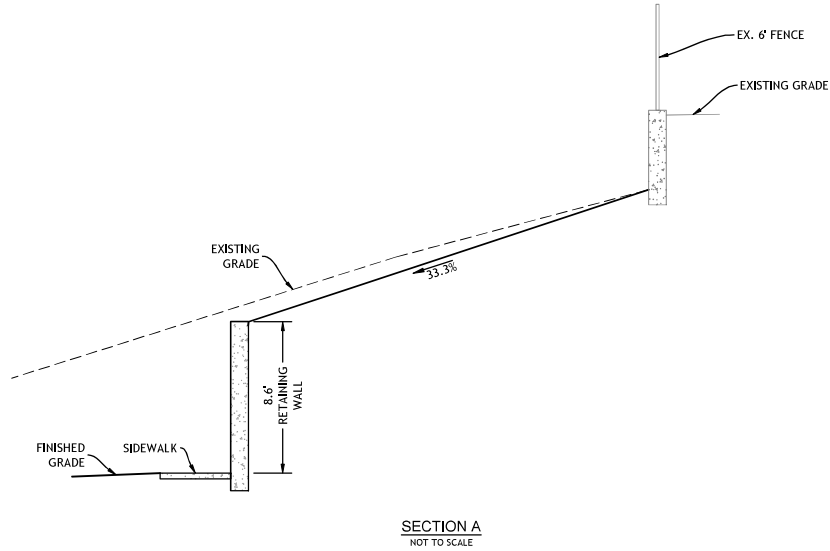
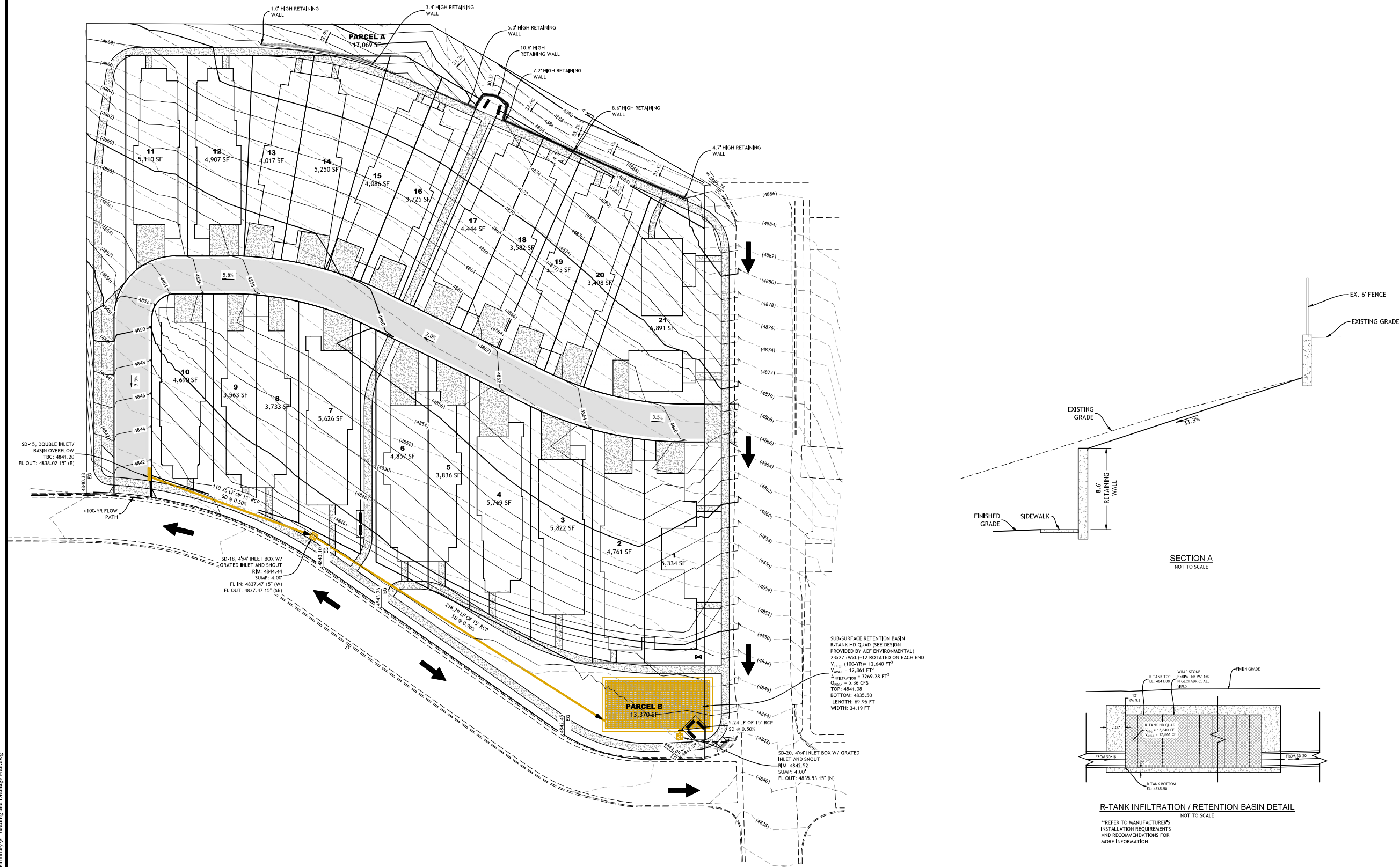
Utility Plan

PROJECT: _____
DRAWN BY: KMW
REVIEWED BY: NMM
REVISIONS: _____
No. DATE REMARKS

DATE: May 19, 2023

SHEET NUMBER:

O-3



2815 East 3300 South, Salt Lake City, UT 84109
(801) 305-4670
www.edmpartners.com



SCALE: 1" = 30'

OWNER:

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978 East Woodoak Lane
Salt Lake City, UT 84117
801-747-7000



NOTES:



Capitol Park

Grading & Drainage Plan

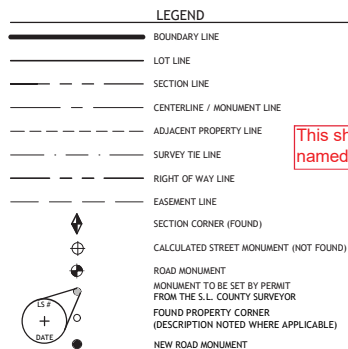
PROJECT: _____
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REVIEWED BY: NMM
REVISIONS: _____
No. DATE REMARKS

DATE: May 19, 2023

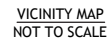
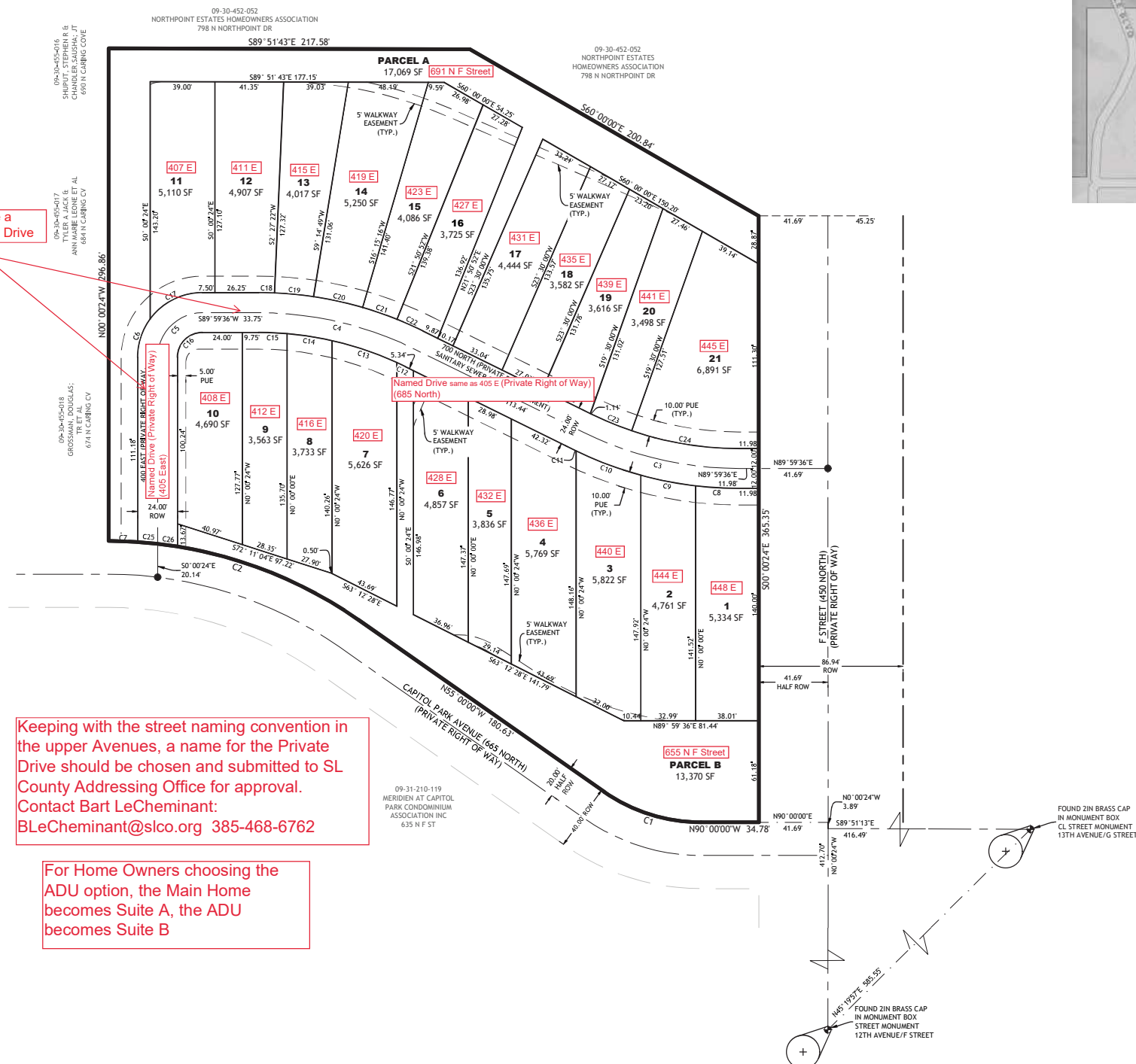
SHEET NUMBER:

O-4

**PARCEL NUMBER 109-30-455-021
LYING WITHIN THE SOUTHEAST QUARTER (SE 1/4) OF
SECTION 30, TOWNSHIP 1 NORTH, RANGE 1 EAST, SALT LAKE BASE AND
MERIDIAN, SALT LAKE CITY, SALT LAKE COUNTY, UTAH**



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C26	12.11	262.00	S82° 12'39"E	12.11



I, TYLER E. JENKINS, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD LICENSE NO. 4938730 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS SUBDIVISION PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF UTAH STATE CODE AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN ON THIS PLAT ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO RETRACE OR REESTABLISH THIS PLAT; AND THAT THE INFORMATION SHOWN HEREIN IS SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY; AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS:

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND.

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, CAPITOL PARK AVENUE EXTENSION SUBDIVISION, RECORDED AS ENTRY 4 8923238, IN BOOK 2003P, ON PAGE 391 AT THE SALT LAKE COUNTY RECORDERS OFFICE, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY OF CAPITOL PARK AVENUE; SAID POINT OF BEGINNING ALSO BEING N89°11'13"W 416.49 FEET, N90°02'24"W 3.89 FEET AND N90°00'00"W 41.69 FEET FROM A FOUND STREET MONUMENT AT THE INTERSECTION OF "G" STREET AND 13TH AVENUE; AND RUNNING THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY THE FOLLOWING 4 CALLS: 1.) N90°00'00"W 34.78 FEET; 2.) THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 102.00 FEET, A DISTANCE OF 62.31 FEET, A CHORD DIRECTION OF N72°30'02"W AND A CHORD DISTANCE OF 61.34 FEET; 3.) THENCE N55°00'00"W 180.63 FEET; 4.) THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 262.00 FEET, A DISTANCE OF 160.04 FEET, A CHORD DIRECTION OF N72°29'59"W AND A CHORD DISTANCE OF 157.57 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF CAPITOL PARK AVENUE, SAID POINT ALSO BEING THE EASTERLY BOUNDARY OF CAPITOL PARK PLANNED DEVELOPMENT PHASE 4 AS RECORDED IN BOOK 1996P, ON PAGE 273 AT THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE N90°02'24"W 296.86 FEET ALONG SAID EAST BOUNDARY, SAID POINT ALSO BEING THE SOUTHERLY RIGHT-OF-WAY OF NORTH POINT DRIVE; THENCE S89°51'43"E 217.58 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY; S60°00'00"E 200.84 FEET TO THE WESTERLY RIGHT-OF-WAY OF "F" STREET; THENCE S00°00'24"E 365.35 FEET ALONG THE WESTERLY OF "F" STREET TO THE POINT OF BEGINNING, CONTAINING 3.21 ACRES IN AREA, 21 LOTS AND 2 PARCEL.

SALT LAKE COUNTY TAX ID. NO. 09-30-455-0210

I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS, STREETS AND COMMON AREAS AS SHOWN HEREON TO BE HEREAFTER KNOWN AS:

AND DO HEREBY DEDICATE FOR PERPETUAL USE AND DO HEREBY GRANT UNTO EACH PRIVATE UTILITY COMPANY AND PUBLIC UTILITY AGENCY PROVIDING UTILITY SERVICES TO THIS PROJECT, A PERPETUAL NON-EXCLUSIVE EASEMENT IN ALL AREAS SHOWN HEREON INCLUDING THE PRIVATE ROADWAY, COMMON AREAS, AND PRIVATE ROAD TO INSTALL, USE, KEEP, MAINTAIN, REPAIR AND REPLACE AS REQUIRED, UNDERGROUND UTILITY LINES, PIPES AND CONDUITS OF ALL TYPES AND APPURTENANCES THERETO SERVING THIS PROJECT.

NAME: CHRISTOPHER P. GAMVROULAS
TITLE: PRESIDENT OF IVORY DEVELOPMENT, LLC

ON THE _____ DAY OF _____ A.D., 20__, CHRISTOPHER P. GAMVROULAS PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF SALT LAKE IN THE STATE OF UTAH, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE PRESIDENT OF IVORY DEVELOPMENT LLC AND THAT HE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC COMMISSION NUMBER SIGNATURE

A NOTARY PUBLIC COMMISSIONED IN THE STATE OF UTAH. COMMISSION EXPIRES _____

PARCEL NUMBER 109-30-455-021
LYING WITHIN THE SOUTHEAST QUARTER (SE 1/4) OF
SECTION 30, TOWNSHIP 1 NORTH, RANGE 1 EAST, SALT LAKE BASE
AND MERIDIAN, SALT LAKE CITY, SALT LAKE COUNTY, UTAH

[illegible]

SALT LAKE COUNTY RECORDER

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

9 FEE SALT LAKE COUNTY DEPUTY RECORDER

NUMBER _____

ACCOUNT _____

SHEET _____ OF _____ SHEETS

CITY PLANNING DIRECTOR

APPROVED THIS _____ DAY OF _____,
20__ BY THE SALT LAKE CITY PLANNING
COMMISSION.

PLANNING DIRECTOR	DATE
-------------------	------

SALT LAKE COUNTY HEALTH DEPT.

APPROVED THIS _____ DAY OF _____,
20__.

SALT LAKE COUNTY HEALTH DEPARTMENT

CITY ENGINEERING DIVISION

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

CITY ENGINEER _____ DATE _____

CITY SURVEYOR _____ DATE _____

CITY PUBLIC UTILITIES DEPT.

APPROVED AS TO SANITARY SEWER, DRAINAGE AND
WATER DETAILS THIS _____ DAY OF _____
20__.

SALT LAKE CITY PUBLIC UTILITIES DIRECTOR

CITY ATTORNEY

APPROVED AS TO FORM THIS _____ DAY OF _____, 20__.

SALT LAKE CITY ATTORNEY

CITY APPROVAL

PRESENTED TO THE SALT LAKE CITY THIS _____
DAY OF _____, 20__ AND IT IS HEREBY
AND IS HEREBY APPROVED.

SALT LAKE CITY MAYOR SALT LAKE CITY RECORDER



2815 East 3300 South, Salt Lake City, UT 84103
(801) 305-4670 www.edmpartners.com

Urban Forestry Division
urban.forestry@slcgov.com
801-972-7818

Urban Forestry Plan Review Policy

A properly planned, managed, and maintained urban forest provides real and significant ecological, social, physical, and economic benefits including:

- A. Improved air quality through removal of carbon dioxide, dust, and other airborne pollutants, and through production of oxygen;
- B. Reduced energy consumption and increased livability by mitigating effects of the urban heat island and the built environment due to shade and absorbing heat from the sun;
- C. Absorbing storm runoff to reduce the amount of water entering the storm drain system and to protect water quality;
- D. Aesthetics;
- E. Habitat and food for animals and insects;
- F. Benefits to overall soil health;
- G. Reduce the impact of noise, light, and other similar impacts from adjacent land uses;
- H. Health and psychological benefits of being in a vegetated environment;

The public trees that make up the City's urban forest are inventoried assets and vital city infrastructure. Additionally, Salt Lake City code requires public trees to be preserved to the maximum extent possible. Existing public trees adjacent to sites undergoing any excavation, grading, demolition, utility work or construction of a building, structure, or street are required by city code to be preserved and protected. Removal of public trees for development will only be allowed in rare cases where the Urban Forestry Division, at its discretion, determines that tree preservation is not possible or is incompatible with the property development.

The Urban Forestry Division requires, at a minimum, a site plan, a landscape plan, and a demolition plan (if demolishing an existing structure) on every building permit submitted for review. The following information is required on all Site, Demolition and Landscape plans:

- ☐ All plans in ProjectDox must be labeled i.e. Demolition, Site, Landscape, etc.
- ☐ Parcel Address: If parcels are being combined, label all properties involved with parcel street address, not parcel I.D.
- ☐ Adjacent Properties: Depict addresses and property lines.
- ☐ Type of Project: Describe the nature of the project, i.e. new home construction, new building construction, interior remodel etc.

- ☐ Depict and label all streets, sidewalks, curbs, driveways and park strips.
- ☐ Depict and label public right-of-way property line.
- ☐ Illustrate and label existing above ground and below ground utilities.
- ☐ Illustrate and label proposed above ground and below ground utilities.
- ☐ Depict all trees on both private and public property on the site and within 15 feet of the site. Trees must appear on the site plan, demolition plan, and the grading and drainage plans.
- ☐ On sites with existing trees that will be preserved, an irrigation schedule and irrigation method must be provided. All public and private property trees must be irrigated throughout demolition and construction at a minimum of 20 gallons twice weekly.
- ☐ A comprehensive **tree inventory spread sheet** of all public and private property trees shall be provided on the plan indicating
 - Tree species
 - Tree size (DBH)
 - Location (private or public property)
 - Condition (Good, Fair, Poor, Very Poor)
 - Status (proposed removed or proposed preserved)
 - Additional notes (i.e. justification for removal of a tree that is not in the footprint of proposed improvements/changes)
 - Total tree count
- ☐ **Tree Preservation information:** All existing trees on site, and within 15 feet of the site must be easily identified on the drawings and must include the following information:
 - Tree Species
 - Size expressed in “DBH” (DBH is **Diameter at Breast Height** and is measured at 4.5 feet above grade)
 - Condition
 - Status- “proposed removed” or “proposed preserved”
 - If proposing tree removal, indicate *why* and be prepared to adjust plans to accommodate tree preservation if required by Urban Forestry
 - Any proposed pruning or root cutting
 - Depiction of tree protection fencing (tree protection fencing must be **free standing, 6 feet tall chain link**) for trees to be preserved- See Tree Protection and Preservation Policy for further details
- ☐ Depict footprints for all existing and proposed structures and hardscapes. Landscape plan should only show remaining and proposed structure footprint.

- Label all proposed vegetation in park strip and private property with size, species and quantity on a Landscape Plan. The plan must indicate distances between trees to be planted in the park strip, distances between trees and utilities, distances between trees and driveways and buildings.
- A requirement of City Code is for a tree to be planted in the public ROW for every 30' of street frontage. The Landscape Plan should clearly depict a tree every 30' accounting for all remaining and proposed trees, as they will be at the end of the project.

The following guidelines should be used for siting tree planting locations:

- 5' from water meter and/or utility box
- 10' from fire hydrant
- 5-10' from residential driveway
- 5-10' from property line of adjoining parcel
- 5-10' from non-traffic conducting signage
- 5-10' from utility pole and/or light
- 20' from an unregulated intersection (20' back from intersecting sidewalks)
- 30' from stop signs
- 10' from commercial driveway and/or alley
- 40' from an intersection with traffic lights (40' back from intersecting sidewalks)
- 20-30' from another existing tree

City code requires a tree work permit to perform any action that may affect a public tree. The Urban Forestry Division, at its discretion, may issue a permit to allow a specific action on a public tree. Tree work permits can be applied for [online](#). See Urban Forestry Tree Work Permit Policy for further details about permits for pruning or removing public trees and for planting new trees in the parkstrip or public right-of-way.

See below for an example site plan that contains the required elements:

LANDSCAPE SUMMARY DATA - SALT LAKE CITY					
GENERAL SITE INFORMATION:		REQUIRED	PROVIDED		
ZONED AS			CR		
TOTAL AREA ON-SITE		-	0.16 ACRES (6,570 SF)		
PARK STRIP - 800 SOUTH (802 SF)					
LANDSCAPE AREA - 33% MIN COVERED W/ VEGETATION		33% MIN (802 SF @ 0.33 = 265 SF)	33.7% COVERED (270 SF VEGETATION)		
TREES - 1 TREE PER 60 SF OF STREET FRONTAGE		48.1 LF / 30' = 2.77	3 TREES (3 EXISTING)		
FRONT YARD - 800 SOUTH (848 SF)					
LANDSCAPE AREA - 33% MIN COVERED W/ VEGETATION		33% MIN (848 SF @ 0.33 = 214 SF)	35.5% COVERED (230 SF TOTAL VEG)		
TREE INVENTORY					
TREE SPECIES	TREE SIZE	LOCATION	CONDITION	STATUS	NOTES
FRAXINUS PENNSYLVANICA	GREEN ASH - 2' dbh	PUBLIC	POOR	TREE PROPOSED: PRESERVED	NOTE 3
FRAXINUS PENNSYLVANICA	GREEN ASH - 7' dbh	PUBLIC	POOR	TREE PROPOSED: PRESERVED	NOTE 3
FRAXINUS PENNSYLVANICA	GREEN ASH - 2' dbh	PUBLIC	POOR	TREE PROPOSED: PRESERVED	NOTE 3
TOTAL TREES ON EXISTING SITE (3 IN PARK STRIP)					
TOTAL TREES PROPOSED: REMOVED 0					
TOTAL TREES PROPOSED: PRESERVED 3					
TOTAL NEW TREES PROPOSED xx					

ABBR	BOTANICAL NAME	COMMON NAME	SIZE
CHSE	<i>Carpinus bellarua</i>	Columnar Hornbeam	2" cal.
ACPA	<i>Acer palmatum</i>	Japanese Maple	2" cal.
RAGL	<i>Rhus aromatica</i>	Grow Low Sumac	1 gal.
EULA	<i>Eurostylis alata</i>	Burning Bush	1 gal.
PENS	<i>Panexonon Pinifolius</i>	Pineofol Ponderosa	1 gal.
SPOR	<i>Sporobolus Helioscopia</i>	Prarie Dropseed	1 gal.
ASSM	<i>Asteris scrandiosa</i>	Silvermound Asterisima	1 gal.
ELJA	<i>Elaeagnus japonicus</i>	Green Spire	5 gal.

STONE PAVERS
INSTALL OVER DEWITTS
PRO 5 WEED BARRIER FABRIC



SHREDDED BARK MULCH

INSTALL OVER DEWITT'S PRO 5 WEED BARRIER FABRIC
MULCH COVERAGE MUST BE A MIN. DEPTH OF 2"

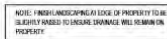
COMPACTED CHAT

APACHE CHAT
INSTALL OVER DEW
PRO 5 WEED BARRIER FABRI

CONCRETE SEE CIVIL DWGS



TREE PROTECTION ZONE (TPZ)
REFER TO NOTES ON THIS SHEET



ARCHITECTURAL SITE
AND LANDSCAPE PLAN

Urban Forestry Division
urban.forestry@slcgov.com
801-972-7818

Private Property Specimen Tree Policy

A properly planned, managed, and maintained urban forest provides real and significant ecological, social, physical, and economic benefits including:

- A. Improved air quality through removal of carbon dioxide, dust, and other airborne pollutants, and through production of oxygen;
- B. Reduced energy consumption and increased livability by mitigating effects of the urban heat island and the built environment due to shade and absorbing heat from the sun;
- C. Absorbing storm runoff to reduce the amount of water entering the storm drain system and to protect water quality;
- D. Aesthetics;
- E. Habitat and food for animals and insects;
- F. Benefits to overall soil health;
- G. Reduce the impact of noise, light, and other similar impacts from adjacent land uses;
- H. Health and psychological benefits of being in a vegetated environment;

Salt Lake City code requires specimen trees on private property to be preserved to the maximum extent possible. A specimen tree, as defined in city code is: a structurally sound and healthy tree or grouping of trees, having an individual or combined DBH measuring greater than ten inches (10"); whose future vitality can be reasonably expected and maintained with proper protection and regularly scheduled care; or whose absence from the landscape would significantly alter the site's appearance, environmental benefit, character or history.

Existing specimen trees located on sites undergoing any excavation, grading, demolition, utility work or construction of a building, structure, or street are required by city code to be preserved and protected. Removal of specimen trees for development will only be allowed where the Urban Forestry Division, at its discretion, determines that tree preservation is not possible or is incompatible with the property development.

Specimen trees will be required to have a tree protection plan in place prior to the start of any excavation, grading, demolition, utility work or construction of a building, structure, or street.

All trees will have a tree protection zone (TPZ) established prior to any work and maintained throughout all phases of development. The TPZ will be 1 foot radius from the base of the tree's trunk for each 1 inch of the tree's diameter measured at 4.5 feet above

grade (referred to as DBH). In accordance with the Urban Forestry Plan Review Policy, all existing trees and the required TPZ shall be shown on all plans. The TPZ shall be clearly marked on the site plan, demolition plan, landscape plan, and grading and drainage plan.

Tree diameter	Tree Protection Zone Diameter
2 inches	4 feet
6 inches	12 feet
24 inches	48 feet
48 inches	96 feet

The TPZ will be defined by 6' tall chain link fencing, which will be erected with free standing posts, NOT posts driven into the root system. Each linear span of fencing shall have the Urban Forestry Tree Protection Zone Sign laminated on 11" x 17" paper. The TPZ fencing and signage will remain until the project is complete or until Urban Forestry has provided written authorization allowing the removal of the fencing. There shall be no entry into the TPZ without written authorization from the Urban Forestry Division.

The TPZ shall not be subjected to paving, filling, excavation, or soil compaction. No materials shall be stored or disposed of in the TPZ and no protected tree shall be used to support any construction materials, debris, or fencing, scaffolding, or signs. Material washout and cleaning shall occur in such a way that it does not enter the TPZ.

The following provisions apply to authorized work in the tree protection zone:

- The TPZ extends 36" below ground. Only tunneling or boring will be allowed in the TPZ and must be at a depth of 36 inches minimum. The access pit must be located outside of the TPZ. If this is not feasible, written authorization must be obtained from Urban Forestry PRIOR to altering the TPZ.
- No equipment shall be allowed inside the tree protection zone. If special provision for excavation is approved by Urban Forestry, it shall be done by hand or a soil vacuum or air spade.
- Use tunneling or boring for irrigation and utilities. In the case of all hardscape and utility work, no roots larger than 3" in diameter will be cut. Smaller roots will be cut cleanly with a saw. Proper action shall be taken to protect and preserve the roots. Roots will not be ripped out with a back hoe.

- In situations where a root has been damaged, a clean cut shall be made on the root at the edge of the trench. Any exposed cut roots will be covered as quickly as possible to prevent them from drying out and the tree should be watered immediately. If tree roots are to remain exposed for more than four to six hours, they must be covered with burlap and kept moist at all times.
- When encountering roots over 3" in diameter the Salt Lake City Urban Forestry Division will be consulted prior to cutting to find some other course of action. Any cutting of tree roots shall give due consideration to future welfare of the tree.

Please note the following:

- No pruning will be allowed that will compromise the aesthetics or structural integrity of a preserved tree in order to accommodate development.
- If any work is required within the TPZ, a site consultation is required with the Urban Forestry Division. A minimum of 48 hours notice must be given prior to request for onsite meetings.
- Large and extensive projects may necessitate the involvement and oversight of an independent consulting arborist.
- If trees are damaged or destroyed, as determined by the Urban Forestry Division, due to any construction activity, the property owner will be assessed the appraised value of the trees damaged. Utah State Code allows for 3 times the appraised value to be assessed.
- The property owner is required to irrigate all specimen trees. In accordance with the Urban Forestry Plan Review Policy, an irrigation schedule and method must be provided. All public and private property trees must be irrigated throughout demolition and construction at a minimum of 20 gallons twice weekly.

At project completion, contact Urban Forestry (801-972-7818) to schedule an inspection before the tree protection fencing can be removed.

In accordance with Salt Lake City code and the Urban Forestry Tree Work Permit Policy, a condition of permits for tree removal may be to compensate the City for the value of the tree removed. The "tree removal mitigation fee" will be applied at the discretion of the Urban Forestry Division based on the Urban Forestry Tree Appraisal Policy. The mitigation fee will be calculated as either the diameter-inch method, a standard \$200 per inch of diameter for the tree removed, or the appraised value of the tree, based on International Society of Arboriculture Appraisal method.

Diameter-inch method (\$200 per inch removed)

- Specimen trees, which are permitted to be removed, shall be replaced on a tree per inch basis
For example, removal of a 10" DBH tree from public property will require ten 2" caliper trees to be planted.
 - Replacement trees must be planted back onto the property or adjacent parkstrip from where the original tree was removed.
 - Replacement trees shall be between 2" and 3" in caliper at time of planting.
 - If there is not adequate space to accommodate any or all of the required replacement trees on the property or adjacent parkstrip, the permittee shall pay to the City the value of the remaining replacement trees.
The value of outstanding replacement trees shall be determined by multiplying the \$400 cost for a 2" replacement tree (\$200 per inch x 2" tree) by the total number of outstanding trees.
- The City's "cost per inch" is determined by referencing the values assigned in the [Species Rating for Landscape Appraisal in Utah guide.](#)
Currently, the 'cost per inch of required tree replacement' is \$200.00
Calculation: Wholesale tree cost (\$219 avg.) plus Installation cost (\$214 avg.) divided by the size of the largest commonly available transplantable tree (2.17 inch avg.)
For example: the value for removing a 10" DBH tree is \$2000 (\$200 x 10")
As the cost to purchase and plant trees fluctuates, so too shall the city's 'cost per inch'
- The Urban Forestry Division shall reserve the right to lessen the required tree replacement for any tree removed, based on tree condition, species, location, or the tree planting plan.

Appraisal Method

Salt Lake City Urban Forestry may also calculate a tree's value through a formal appraisal, based on International Society of Arboriculture appraisal methods.

- If the Urban Forestry Division permits a specimen tree to be removed and chooses to apply the appraised value, the tree is still required to be replaced on the property or adjacent parkstrip where the tree was removed.
- Replacement trees shall be between 2" and 3" caliper at time of planting.
- Each replacement tree shall subtract \$400 (\$200 per inch x 2" tree) from the appraised value of the tree removed.
- The permittee shall pay to the city the remaining value of the tree removed, after subtracting the value of the replacement trees that the site space requires.
- Trees larger than 3" can be planted, but due to limited survivability and availability, only 3" count toward mitigation and replacement.

Urban Forestry Division
urban.forestry@slcgov.com
801-972-7818

Urban Forestry Tree Protection and Preservation Policy

A properly planned, managed, and maintained urban forest provides real and significant ecological, social, physical, and economic benefits including:

- A. Improved air quality through removal of carbon dioxide, dust, and other airborne pollutants, and through production of oxygen;
- B. Reduced energy consumption and increased livability by mitigating effects of the urban heat island and the built environment due to shade and absorbing heat from the sun;
- C. Absorbing storm runoff to reduce the amount of water entering the storm drain system and to protect water quality;
- D. Aesthetics;
- E. Habitat and food for animals and insects;
- F. Benefits to overall soil health;
- G. Reduce the impact of noise, light, and other similar impacts from adjacent land uses;
- H. Health and psychological benefits of being in a vegetated environment;

The public trees that make up the City's urban forest are inventoried assets and vital city infrastructure. Additionally, Salt Lake City code requires public trees to be preserved to the maximum extent possible.

Existing public trees adjacent to sites undergoing any excavation, grading, demolition, utility work or construction of a building, structure, or street are required by city code to be preserved and protected. Removal of public trees for development will only be allowed in rare cases where the Urban Forestry Division, at its discretion, determines that tree preservation is not possible or is incompatible with the property development.

Public trees will be required to have a tree protection plan in place prior to the start of any excavation, grading, demolition, utility work or construction of a building, structure, or street.

All trees will have a tree protection zone (TPZ) established prior to any work and maintained throughout all phases of development. The TPZ will be 1 foot radius from the base of the tree's trunk for each 1 inch of the tree's diameter measured at 4.5 feet above grade (referred to as DBH). In accordance with the Urban Forestry Plan Review Policy, all existing trees and the required TPZ shall be shown on all plans. The TPZ shall be clearly marked on the site plan, demolition plan, landscape plan, and grading and drainage plan.

Tree diameter	Tree Protection Zone Diameter
2 inches	4 feet
6 inches	12 feet
24 inches	48 feet
48 inches	96 feet

When trees are in a parkstrip, the TPZ will be the entire length of the parkstrip from curb to sidewalk.

The TPZ will be defined by 6' tall chain link fencing, which will be erected with free standing posts, NOT posts driven into the root system. Each linear span of fencing shall have the Urban Forestry Tree Protection Zone Sign laminated on 11" x 17" paper. The TPZ fencing and signage will remain until the project is complete or until Urban Forestry has provided written authorization allowing the removal of the fencing. There shall be no entry into the TPZ without written authorization from the Urban Forestry Division.

The TPZ shall not be subjected to paving, filling, excavation, or soil compaction. No materials shall be stored or disposed of in the TPZ and no protected tree shall be used to support any construction materials, debris, or fencing, scaffolding, or signs. Material washout and cleaning shall occur in such a way that it does not enter the TPZ.

The following provisions apply to authorized work in the tree protection zone:

- The TPZ extends 36" below ground. Only tunneling or boring will be allowed in the TPZ and must be at a depth of 36 inches minimum. The access pit must be located outside of the TPZ. If this is not feasible, written authorization must be obtained from Urban Forestry PRIOR to altering the TPZ.
- No equipment shall be allowed inside the tree protection zone. If special provision for excavation is approved by Urban Forestry, it shall be done by hand or a soil vacuum or air spade.
- Use tunneling or boring for irrigation and utilities. In the case of all hardscape and utility work, no roots larger than 3" in diameter will be cut. Smaller roots will be cut cleanly with a saw. Proper action shall be taken to protect and preserve the roots. Roots will not be ripped out with a back hoe.
- In situations where a root has been damaged, a clean cut shall be made on the root at the edge of the trench. Any exposed cut roots will be covered as quickly as

possible to prevent them from drying out and the tree should be watered immediately. If tree roots are to remain exposed for more than four to six hours, they must be covered with burlap and kept moist at all times.

- When encountering roots over 3" in diameter the Salt Lake City Urban Forestry Division will be consulted prior to cutting to find some other course of action. Any cutting of tree roots shall give due consideration to future welfare of the tree.

Please note the following:

- Any proposed pruning of public trees must be authorized by the Urban Forestry Division, via issuance of a tree work permit, in accordance with the Urban Forestry Tree Work Permit Policy. Tree work permits can be applied for [online](#).
- No pruning will be allowed that will compromise the aesthetics or structural integrity of a preserved tree in order to accommodate development.
- If any work is required within the TPZ, a site consultation is required with the Urban Forestry Division. A minimum of 48 hours notice must be given prior to request for onsite meetings.
- Large and extensive projects may necessitate the involvement and oversight of an independent consulting arborist.
- If trees are damaged or destroyed, as determined by the Urban Forestry Division, due to any construction activity, the property owner will be assessed the appraised value of the trees damaged. Utah State Code allows for 3 times the appraised value to be assessed.
- Salt Lake City Code requires the adjacent property owner to irrigate all public property trees. In accordance with the Urban Forestry Plan Review Policy, an irrigation schedule and method must be provided. All public and private property trees must be irrigated throughout demolition and construction at a minimum of 20 gallons twice weekly.

At project completion, contact Urban Forestry (801-972-7818) to schedule an inspection before the tree protection fencing can be removed.

Tree Protection Zone

This Tree is owned by the residents of Salt Lake City, maintained by the Urban Forestry Division, and is the responsibility of

Name of the Construction Company

to preserve and protect during construction.

**Please contact Salt Lake City Urban Forestry with any concerns about tree damage
801-972-7818
urban.forestry@slcgov.com**

**DO NOT REMOVE, ADJUST, OR ENCROACH ON THIS FENCING.
TO ACCESS THE TPZ, CALL URBAN FORESTRY.
NO CONSTRUCTION RELATED MATERIALS, SUPPLIES OR
EQUIPMENT ARE PERMITTED WITHIN THE FENCED AREA.**

**#BLD _____
ADDRESS _____**

INSTRUCTIONS

Reproduce this sign on an 11x17 sheet of paper enough times that it can be placed on each of the 6' chain link fence panels used to delineate the TREE PROTECTION ZONE.

Fill in the name of the Construction Company responsible to maintain the Tree Protection Zone during all construction activity.

Fill in approved building permit number and construction site address.

Plastic laminate the signs for weather resistance.

Affix the filled in and laminated signs to the tree protection fencing using zip or twist ties.

Place sign at regular intervals on all sides of fencing for maximum visibility.

Place sign on fencing so it is visible to construction personnel and from the street.

Keep the sign in readable condition for the entire duration of the project.

For information on these requirements contact Salt Lake City Urban Forestry at 801-972-7818.

Urban Forestry Division
urban.forestry@slcgov.com
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Urban Forestry Tree Removal Mitigation Policy

A properly planned, managed, and maintained urban forest provides real and significant ecological, social, physical, and economic benefits including:

- A. Improved air quality through removal of carbon dioxide, dust, and other airborne pollutants, and through production of oxygen;
- B. Reduced energy consumption and increased livability by mitigating effects of the urban heat island and the built environment due to shade and absorbing heat from the sun;
- C. Absorbing storm runoff to reduce the amount of water entering the storm drain system and to protect water quality;
- D. Aesthetics;
- E. Habitat and food for animals and insects;
- F. Benefits to overall soil health;
- G. Reduce the impact of noise, light, and other similar impacts from adjacent land uses;
- H. Health and psychological benefits of being in a vegetated environment;

The public trees that make up the City's urban forest are inventoried assets and vital city infrastructure. Additionally, Salt Lake City code requires public trees to be preserved to the maximum extent possible.

Existing public trees adjacent to sites undergoing any excavation, grading, demolition, utility work or construction of a building, structure, or street are required by city code to be preserved and protected. Removal of public trees for development will only be allowed in rare cases where the Urban Forestry Division, at its discretion, determines that tree preservation is not possible or is incompatible with the property development.

In accordance with Salt Lake City code and the Urban Forestry Tree Work Permit Policy, a condition of permits for tree removal may be to compensate the City for the value of the tree removed. The "tree removal mitigation fee" will be applied at the discretion of the Urban Forestry Division based on the Urban Forestry Tree Appraisal Policy. The mitigation fee will be calculated as either the diameter-inch method, a standard \$200 per inch of diameter for the tree removed, or the appraised value of the tree, based on International Society of Arboriculture Appraisal method.

Diameter-inch method (\$200 per inch removed)

- Public property trees, which are permitted to be removed, shall be replaced on a tree per inch basis

For example, removal of a 10" DBH tree from public property will require ten 2" caliper trees to be planted.

- Replacement trees must be planted back onto the parkstrip from where the original tree was removed.
- Replacement trees shall be between 2" and 3" in caliper at time of planting.
- If there is not adequate space to accommodate any or all of the required replacement trees on the parkstrip, the permittee shall pay to the City the value of the remaining replacement trees.

The value of outstanding replacement trees shall be determined by multiplying the \$400 cost for a 2" replacement tree (\$200 per inch x 2" tree) by the total number of outstanding trees.

- The City's "cost per inch" is determined by referencing the values assigned in the [Species Rating for Landscape Appraisal in Utah guide](#).

Currently, the 'cost per inch of required tree replacement' is \$200.00
Calculation: Wholesale tree cost (\$219 avg.) plus Installation cost (\$214 avg.) divided by the size of the largest commonly available transplantable tree (2.17 inch avg.)

For example: the value for removing a 10" DBH tree is \$2000 (\$200 x 10")

As the cost to purchase and plant trees fluctuates, so too shall the city's 'cost per inch'

- The Urban Forestry Division shall reserve the right to lessen the required tree replacement for any tree removed, based on tree condition, species, location, or the tree planting plan.
- All tree removals must be approved and permitted by Urban Forestry, in accordance with the Urban Forestry Tree Work Permit Policy.

Appraisal Method

Salt Lake City Urban Forestry may also calculate a tree's value through a formal appraisal, based on International Society of Arboriculture appraisal methods.

- If the Urban Forestry Division permits a public tree to be removed and chooses to apply the appraised value, the tree is still required to be replaced in the parkstrip where the tree was removed.
- Replacement trees shall be between 2" and 3" caliper at time of planting.
- Each replacement tree shall subtract \$400 (\$200 per inch x 2" tree) from the appraised value of the tree removed.
- The permittee shall pay to the city the remaining value of the tree removed, after subtracting the value of the replacement trees that the site space requires.
- Trees larger than 3" can be planted, but due to limited survivability and availability, only 3" count toward mitigation and replacement.